EPA CWPPRA NEPA Inclusion Analysis

I. IDENTIFYING PROJECT INFORMATION

Project Name: **TE-0171 Port Fourchon Marsh Creation**

Project State: LA

Project Federal Contact: Paul Kaspar, kaspar.paul@epa.gov (214-665-7459)

II. OTHER FEDERAL PARTNERS AND LEVEL OF NEPA ANALYSIS

Has another Federal agency completed NEPA? *Yes* / X *No*

Is EPA the lead federal agency for this NEPA analysis? X Yes / *No*

III. PROJECT DESCRIPTION / SCOPE OF ACTIVITIES FOR ANALYSIS

X I have all information needed to complete the final analysis of impacts for the entire project

Summarize the proposed action, including historic/ geographic/ ecological context, the type of restoration, and how it will be conducted.

The TE-0171 Port Fourchon Marsh Creation project area is in the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) Region Three of the Terrebonne Basin within Lafourche Parish, Louisiana. From 1932 to 2016, Terrebonne Basin had the greatest decrease in wetland area of any of Louisiana's coastal basins and had the greatest land loss rate in the state from 1985 to 2004. According to the CWPPRA PPL31 wetland value assessment (WVA), the USGS estimated land loss rate per year was one of the highest in the State at -1.56%/year. For interior marsh loss, USGS evaluated land/water data within an extended boundary and surrounding the project area. Using a hyper-temporal analysis (1984-2024) for the extended boundary, USGS estimated the land loss rate to be -0.97% per year. In this area, coastal wetland loss can be attributed to both anthropogenic and natural factors, such as drilling and dredging, flooding marshes from sea-level rise, storm-driven erosion from Hurricanes Katrina (2005), Rita (2005), Gustav (2008), Isaac (2012), Zeta (2020), Ida (2021), and Francine (2024); Tropical Storm Barry (2019); and subsidence. The subsidence rate in this area is 10.21 millimeters/year which is equivalent to 0.67 ft over the 20-year project life of TE-0171. The primary goals of this project are to restore degraded wetland habitat and provide increased protection from storm surge and flooding. The TE-0171 project marsh creation area is a 543-acre cell to the west of Belle Pass with 24,596 linear feet of earthen containment dikes. Specific goals of the project are to create approximately 445 acres and nourish approximately 98 acres of marsh with dredged material hydraulically dredged from Belle Pass. Detailed engineering and Design specifications can be found in the 95% report (Supplemental Information Appendix G).

Check the types of activities being conducted in this project:

☑ Implementation and Effectiveness Monitoring	☐ Environmental Education Classes, Programs, Centers, Partnerships and Materials; Training Programs	☑ Fish and Wildlife Monitoring
☑ Planning, Feasibility Studies, Design Engineering, and Permitting --->	*Check the specific project planning activities being analyzed in this checklist*	☐ Feasibility Studies ☑ Permitting and Consultations

Technical Assistance

☐ Engineering and Design

☐ _____

Riverine and Coastal Habitat Restoration

Beach and Dune Restoration	Bank Restoration and Erosion Reduction	Water Conservation and Stream Diversion
Debris Removal	Coral Reef Restoration	Levee & Culvert Removal, Modification, Set-back
Dam and Culvert Removal & Replacement	Shellfish Reef Restoration	X Fringing Marsh and Shoreline Stabilization
Technical and Nature-like Fishways	Artificial Reef Restoration	Sediment Removal
Invasive Species Control	Road Upgrading/Decommissioning; Trail Restoration	X Sediment/Materials Placement
Prescribed Burns/Forest Management	Signage and Access Management	Wetland Planting
Species Enhancement	SAV Restoration	
Channel Restoration	Marine Algae Restoration	

Conservation Transactions

Land Acquisition	Water Transactions	Restoration/Conservation Banking

IV. PROJECT IMPACT ANALYSIS

1. Are the **activities** to be carried out under this project fully described in Section 2.2 of the NOAA RC PEIS?	☑ *Yes*	☐ *No*
2. Are the specific **impacts** that are likely to result from this project fully described in Section 4.5.2 of the NOAA RC PEIS?	☑ *Yes*	☐ *No*
3. Does the level of adverse impact for the project exceed that described in Table 11 of the NOAA RC PEIS for any resource, including significant adverse impact?	☐ *Yes*	☑ *No*

Describe the public comment process, including opportunities for the public to comment.

A CWPPRA task force meeting open to the public was held on October 3, 2024. NEPA Solicitation of Views was initiated on October 9, 2024 and ended on November 5, 2024. Further opportunity for the public to comment will be at the December 12, 2024 CWPPRA Technical Committee meeting when the Committee recommends projects to move forward into Phase 2 Construction. A CWPPRA project is subjected to layers of public and interagency review. This process is outlined at https://www.mvn.usace.army.mil/Missions/Environmental/CWPPRA/
Members of the public can attend these meetings and submit comments through their parish representative. Electronic voting by each CWPPRA federal agency, the State, and coastal parish screens projects to 20 nominees.

Describe comments received (including scientific, environmental, and public).

Comments from the Solicitation of Views included only letters of support. No issues of scientific/environmental controversy have been communicated. Stakeholders commented on the importance of TE-0171 to prevent loss of barrier headland, repair damages from previous hurricanes, decrease risk of infrastructure losses from weather events, support fisheries and recreation through habitat creation and enhancement, support previous CWPPRA investments proximal to the proposed marsh creation area, provide benefits to water quality, and beneficially use dredged sediment from Belle Pass navigation channel.

Summarize the project impacts to resources (including beneficial and cumulative impacts) and any mitigating measures being implemented.

The cumulative impact of EPA's participation in CWPPRA and in restoration activities has enabled estuarine habitat creation and protection. Cumulative impacts of any eventual construction activities would include moderate increases in biological diversity of local coastal ecosystems and living resource communities and improved ecological functions in restored areas. Minor local adverse impacts from construction activities are not expected to pose any cumulatively adverse significant impact. More information is included in the supplemental document to this form.

Resource	Type of Impact	Duration	Extent	Intensity	Quality	Attachment
Geology & Soils	Direct	Short-Term	Localized	Minor	Beneficial	Yes
Impacts would be both adverse and beneficial. Equipment will be restricted to specific routes. Vegetation and earthen containment dikes will stabilize soil. See Supplemental Information Appendix G.						
Air	Direct	Short-Term	Localized	Minor	Adverse	Yes
Potential impacts due to machinery needed for wetland restoration activities. BMPs would minimize exhaust fumes and fugitive dust. Primary production through increased marsh productivity would benefit air quality long-term. See Supplemental Information Appendicies A and B.						
Water	Indirect	Short-Term	Localized	Minor	Adverse	Yes
Potential impacts would be both direct and indirect, short-term adverse and long-term beneficial. BMPs would minimize turbidity. Gapping of containment dikes would allow natural surface flow after construction. See Supplemental Information Appendicies A and B.						
Living Coastal & Marine Resources & EFH	Indirect	Short-Term	Localized	Minor	Beneficial	Yes
Potential impacts would be both direct and indirect; short-term adverse, long-term beneficial. Mitigation would focus on vegetative management to protect species. See Supplemental Information Appendix C.						
Threatened & Endangered Species	Direct	Short-Term	Localized	Minor	Adverse	Yes
Potential impacts are both short-term adverse and long-term beneficial. Species are likely to return after construction ceases. Creation of wetlands would result in direct, long-term beneficial impacts to species. See Supplemental Information Appendix D.						
Cultural & Historic Properties	No Effect					Yes
No cultural or historical sites or artifacts were found during the cultural survey of the project area. See Supplemental Information Appendix E.						
Land Use & Recreation	Direct	Short-Term	Localized	Minor	Adverse	Yes
Potential impacts are both short-term adverse and long-term beneficial. Staging areas would be returned to pre-construction conditions or better.						
Socioeconomics	Indirect	Short-Term	Localized	Minor	Beneficial	Yes
Potential impacts would be both short- and long-term beneficial. See Supplemental Information Appendix A.						

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Law and Regulation Compliance Status	Status	Attachment
National Historic Preservation Act of 1966	Complete	Yes
No historic sites identified. Letter from SHPO concurring. See Supplemental Information Appendix D.		
National Environmental Policy Act of 1969	Complete	No
This form serves as NEPA compliance since EPA adopted the NOAA Restoration PEIS on June 13, 2023.		
Migratory Bird Treaty Act of 1918	In Compliance	Yes
Incorporated into CWA Section 404 permit and Endangered Species Act coordination. See Supplemental Information Appendix C.		
Marine Mammal Protection Act of 1972	Complete	Yes
Assessed within ESA Section 7 consultation. See Supplemental Information Appendix C.		
Magnuson-Stevens Fishery Conservation & Managment Act	Complete	Yes
Consultation concurrence from NMFS on November 27, 2024. See Supplemental Information Appendix B.		
Fish & Wildlife Coordination Act	In Compliance	No
Assessed with this Form in supplemental information attached. See Supplemental Information Appendix C.		
EO 13175 Consultation & Coordination with Indian Tribal Governments	Not Applicable	No
Cultural resources report did not identify any archeological or historical sites. Tribes notified prior to and included as part of the solicitation of views.		
EO 11990, Protection of Wetlands	In Compliance	No
Assessed with this Form and supplemental information attached.		
Endangered Species Act of 1973	Complete	Yes
ESA Section 7 concurrence letters from US FWS and NMFS received December 19, 2024, and April 9, 2025. See Supplemental Information Appendix C.		
Coastal Zone Management Act of LA EO 11998, Floodplain Management	Ongoing	Yes
Permit application has been drafted concurrent with the CWA Section 404 permit application. See Supplemental Information Appendix A.		
Clean Water Act	Ongoing	Yes
Permit application has been drafted concurrent with the LA CZMA permit application. See Supplemental Information Appendix A.		
Clean Air Act of 1970	In Compliance	No
Short term air impacts due to construction equipment. Permit not necessary.		
Archeological & Historic Preservation Act of 1974	Complete	Yes
No historic sites identified. Letter from SHPO concurring. See Supplemental Information Appendix D.		

V. NEPA DETERMINATION

☒ The action is completely covered by the impact analysis within the NOAA RC Programmatic EIS (PEIS). The project and its potential impacts may be limited through terms or conditions placed on the recipient of EPA CWPPRA funds. It requires no further environmental review.

☐ The action or its impacts are not covered by the analysis within the PEIS. It will require preparation of an individual EA, a supplemental EIS, adoption of another agency's EA or EIS, or will be covered by a Categorical Exclusion.

Approver Signature CLAUDIA HOSCH Digitally signed by CLAUDIA HOSCH Date: 2025.04.23 08:56:38 -05'00' *Date Signed* 2025.04.23

FINAL TE-0171 NEPA Documentation: Project Impact Analysis
April 2025

Project Information Summary

The TE-0171 Port Fourchon Marsh Creation project area (Figure 1) is in the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) Region Three of the Terrebonne Basin within Lafourche Parish, Louisiana. From 1932 to 2016, Terrebonne Basin had the greatest decrease in wetland area of any of Louisiana's coastal basins and had the greatest land loss rate in the state from 1985 to 2004 (Couvillon et al., 2011; 2017). According to the CWPPRA PPL31 wetland value assessment (WVA), the USGS estimated land loss rate per year was one of the highest in the State at -1.56%/year (USACE, 2021). For interior marsh loss, USGS evaluated land/water data within an extended boundary and surrounding the project area. Using a hyper-temporal analysis (1984-2024) for the extended boundary, USGS estimated the land loss rate to be -0.97% per year. In this area, coastal wetland loss can be attributed to both anthropogenic and natural factors, such as drilling and dredging, flooding marshes from sea-level rise, storm-driven erosion from Hurricanes Katrina (2005), Rita (2005), Gustav (2008), Isaac (2012), Zeta (2020), Ida (2021), and Francine (2024); Tropical Storm Barry (2019); and subsidence. The subsidence rate in this area is 10.21 millimeters/year which is equivalent to 0.67 ft over the 20-year project life of TE-0171.

The primary goals of this project are to restore degraded intertidal wetland habitat and provide increased protection from storm surge and flooding. The TE-0171 project marsh creation area is a 543-acre cell to the west of Belle Pass with 24,596 linear feet of earthen containment dikes. Specific goals of the project are to create approximately 445 acres and nourish approximately 98 acres of marsh with dredged material hydraulically dredged from Belle Pass. The project would also evaluate the use of Belle Pass sediment for coastal restoration and demonstrate cost sharing opportunities with local stakeholders. The borrow area begins in Belle Pass at Station 140+00 and extends to the south beyond the Belle Pass jetties into the Gulf of Mexico to Sta. 360+00, for a total length of approximately 4.17 miles (Figure 1). The TE-0171 project is north of TE-0052, directly east of TE-0023, and northeast of TE-0143/TE-0176 and provides additional support by increasing the longevity and sustainability to the investments in these constructed restoration projects.

Figure 1. TE-0171 Project Area

Reference: 95% Design Report, Section 1 (Appendix F of this document; GISE 2024). EPA Wetlands Value Assessment (Appendix G of this document; EPA 2024).
CWPPRA website: https://www.lacoast.gov/new/Default.aspx

The EPA implements wetland restoration such as fringing marsh, sediment removal, and sediment/materials placements through the CWPPRA program. These restoration activities create the desired elevation and hydrology for wetland vegetation and habitat. Potential impacts from these restoration activities range from short-term adverse (e.g., use of heavy equipment on project sites) to long-term beneficial (e.g., creation of wetlands; NOAA Programmatic Environmental Impact Statement (PEIS) Sections 4.5.2.11.2 and 4.5.2.11.3).

The natural processes of subsidence, habitat change, and erosion of wetlands have been exacerbated by widespread human alterations of sediment delivery and other processes, resulting in marked degradation of the Louisiana coastal area. Without intervention to slow or reverse the loss of marshes, Louisiana's healthy and highly productive coastal ecosystem would not be maintained. This NEPA Inclusion Analysis provides information on the expected impacts from the implementation of the TE-0171 project and the avoidance, minimization, and mitigation measures to be taken. As proposed, the project will create and nourish approximately 543 acres of marsh. The EPA concludes that the impacts from this project are within the range and scope of the environmental consequences analyzed in the NOAA PEIS and do not have significant adverse impacts on the environment. No action will be taken for implementation prior to conclusion of all environmental compliance responsibilities.

Potential Impacts and Potential Avoidance, Minimization, and Mitigation Measures

Potential impacts and potential mitigation measures are described for each resource. In addition, coordination and compliance with applicable laws, regulations, and executive orders are summarized. This analysis complies with the National Environmental Policy Act of 1969 through the formal adoption of the NOAA PEIS on June 13, 2023. As described in Section 2.2.2.11 of the NOAA PEIS, wetland restoration projects through sediment removal and placement included in this analysis are designed to restore and maintain ecological function and are planned and designed with those principles in mind (Barry et al., 2015). Potential avoidance, minimization, and mitigating measures are described.

Reference: Final NOAA Restoration Center's Programmatic Environmental Impact Statement for Coastal Habitat Restoration.

https://repository.library.noaa.gov/view/noaa/12463

Geology and Soils

Potential Impacts Dredging of sediment in the borrow area and access route and placement in the marsh creation area would cause direct, minor, localized and short-term adverse impacts to geology and soils. Temporary increase in the suspension of sediments may result from dredging and sediment placement, which may impact living resources in the localized area. Behavior of species that use wetlands and shallow water habitat impacted by this restoration activity may be temporarily modified. Sediment dredging and placement activities would result in direct and

moderate, long-term beneficial impacts by restoring and creating wetland and shallow-water habitats, as well as increasing nutrient cycling, carbon sequestration and carbon storage.

Potential Mitigation Equipment will be restricted to specified routes. Earthen containment dikes around the marsh creation area would retain and stabilize recently deposited sediment as it consolidates, and vegetative recruitment will further stabilize the soil. The sediment borrow area is located within a navigation channel and no impacts to Gulf shorelines are anticipated.

Reference: 95% Design Report Sections 6.0, 7.0, and 9.0 (Appendix F of this document; GISE 2024).

Air Quality

Potential Impacts Construction and dredging would result in direct and minor, localized short-term adverse impacts from exhaust diesel fumes and fugitive dust generated by dredging and earthmoving equipment.

Potential Mitigation Best management practices would minimize exhaust fumes and fugitive dust. Primary production through increased marsh productivity would benefit air quality in the long-term.

Clean Air Act of 1970 No permanent sources of air emissions are a part of the project. No air quality permits would be required for this project.

Reference: See Appendix A of this report.

Water Quality

Potential Impacts Dredging of sediment in the borrow area and placement in the marsh creation area would cause direct, minor, localized, and short-term adverse impacts to surface water quality associated with: (1) increased turbidity and decreased dissolved oxygen associated with dredging (dredge plume) in the borrow area, at the construction location, and at access dredging locations, (2) exhumation of buried debris, (3) discharges from the dredge vessel, and (4) displacement of resources through increased activity in the area. Long-term beneficial impacts would result from increasing wetland habitats that provide increased filtering function, fish feeding and shelter areas, nutrient cycling and carbon sequestration.

Potential Mitigation Best management practices and containment dikes would prevent or minimize turbidity. Best management practices could include staked hay bales, turbidity curtains, and silt fencing if deemed necessary by the Louisiana Department of Environmental Quality (LDEQ) permit. Compliance with the Clean Water Act and other regulations would protect water resources. Gapping of containment dikes would allow natural surface water flow when regulation of flows is no longer needed for soil retention.

Clean Water Act of 1972 An application to USACE for Section 404 permit is pending and will be initiated after a pre-application meeting if a decision to fund the construction of the project is made. Section 404 of the Clean Water Act (33 USC 1344) requires a permit for the discharge of dredged or fill material into waters of the U.S. A Water Quality Certificate (WQC) from LDEQ, is triggered through USACE. This is covered with blanket WQC with Programmatic General Permit (PGP) from USACE. A PGP authorizes activities that result in minimal adverse impacts within the boundaries of the Louisiana Coastal Zone in the New Orleans District under the specific conditions of the issued PGP. See Appendix A.

Rivers and Harbors Act: An application for a Section 10 permit is pending. Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) prohibits the obstruction or alteration of navigable waters of the United States without a permit from the Corps of Engineers. An application for a Section 408 permit is pending. Section 408 of the Rivers and Harbors Act of 1899 (33 USC 408) prohibits permanent or temporary actions that build upon, alter, improve, move, occupy, or otherwise could affect an authorized US Army Corps of Engineers (USACE) Civil Works projects without a permit. See Appendix A.

Coastal Zone Management Act of Louisiana Order 11998, Floodplain Management An application for a Coastal Use Permit from Louisiana Department of Energy and Natural Resources Office of Coastal Management is pending, which also fulfills Consistency requirements. See Appendix A.

Reference: See Appendix A of this report.

Living Coastal and Marine Resources and Essential Fish Habitat (EFH)

Potential Impacts Construction impacts from materials/sediment removal and placement activities would cause direct and indirect, short-term, localized, minor and moderate, adverse impacts to living coastal and marine resources and EFH during the implementation phase of the project. Heavy construction and access machinery has potential to compact soils, leak petroleum products, and increase turbidity at the restoration site. Short-term increases in turbidity may temporarily reduce habitat quality in the borrow and placement areas. Slow-moving organisms in the borrow areas may be killed during hydraulic dredging activities. Project specifications require the contractor to prevent and minimize potential project impacts and address situations immediately should they occur. Sessile organisms in the placement areas may be buried or injured. These species are anticipated to recolonize once dredging and material placement ceases. Material placement may initially decrease bottom habitat through burial, but marsh and mudflat habitat would be available during and after construction. The establishment of intertidal marsh habitat would be expected to increase available habitat and improve existing habitat quality over time, which would provide increased access and long-term benefits to fish and wildlife resources.

Potential Mitigation Project specific evaluations and coordination initiated with appropriate federal, state, and local agencies prior to construction activities included an evaluation of

project construction upon affected sensitive species and associated habitat. Dredging work plan practices based upon contractor means and methods are available to reduce scour, erosion, turbidity, and sedimentation in the borrow areas. Best management practices could include staked hay bales, turbidity curtains, and silt fencing if deemed necessary by the DEQ permit to satisfy NPDES requirements. Compliance with the Clean Water Act, Section 404 and Section 301, would protect wetlands from unnecessary disturbance. Non-dredged areas adjacent to the borrow areas would provide source organisms for recolonization. ECDs will be gapped/degraded to constructed marsh elevation post-dredging. Funding is budgeted for an operations and maintenance event three-years after construction. An adaptive management approach will be used to determine the best placement for gapping and tidal creek enhancement.

Magnuson-Stevens Fishery Conservation and Management Act Appendix B of this PEIS Inclusion requests initiation of EFH consultation with the National Marine Fisheries Service (NMFS) Habitat Conservation Division (HCD). EFH consultation for estuarine and marine water bottoms, three species of shrimp, five species of shark, yellowfin tuna, coastal migratory pelagics, reef fish, and red drum was initiated on October 31, 2024, and concluded on November 27, 2024. The NMFS HCD conceded with the EPA determination that implementation of the project would result in minimal temporary EFH impacts to estuarine emergent marsh, nearshore waters, water bottoms, and water column; however, these impacts will not be substantial and any situations encountered will be reported and impacts will be minimized.

Fish and Wildlife Coordination Act In compliance, assessed with this document and NEPA Inclusion Form.

Executive Order 11990, Protection of Wetlands In compliance, assessed with this document and NEPA Inclusion Form.

Reference: See Appendix B for EFH Consultation documents. See Appendix G for the Wetland Value Assessment (WVA; EPA 2024).

Threatened and Endangered Species & Wildlife Resources

Potential Impacts

Construction and dredging would result in direct and indirect, short-term, localized, minor and moderate, adverse impacts by construction disturbance that could cause listed species to avoid the site during construction. Species in the project area that may be affected are West Indian manatee, Eastern black rail, piping plover, rufa red knot, five species of sea turtle, and giant manta ray. These species may avoid the construction site but should return once conditions stabilize. Dredging would occur using hydraulically-powered equipment that is not known to harm sea turtles. Manta ray site use may decrease temporarily in avoidance of equipment. Minor adverse impact to shorebird critical habitat resulting from the use of the beach west of Belle Pass jetty for the sediment pipeline and equipment access corridor may occur. There may be benefits to the three shorebird species as suitable habitat may be created. Creation of wetlands would result in direct, long-term, minor and moderate, beneficial impacts to any

threatened and endangered species which utilize estuarine, intertidal wetland habitat by increasing the available area and longevity of coastal wetland resources.

Potential Mitigation Project-specific evaluations and coordination with USFWS and NMFS focused on protecting wildlife and sensitive resources and included bird abatement activities. Endangered Species Act (ESA) section 7 consultation for manatee, sea turtle, shorebirds, and manta rays has been completed with USFWS and NMFS concurring with our determination that the project may affect, but would not be likely to adversely affect (NLAA) listed species in the project area (Appendix C). Impacts to manatees would be avoided by following the USFWS and USACE guidelines. Standard Manatee Conditions for In-Water Activities and measures for Reducing Entrapment Risk to Protected Species would be implemented.

Endangered Species Act of 1973 Initiated consultation with USFWS on August 19, 2024, and NMFS on December 9, 2024, for West Indian manatee and Eastern black rail, piping plover, rufa red knot, hawksbill, green, Kemp's Ridley, leatherback, and loggerhead sea turtle species, and giant manta ray. Consultations concluded on December 19, 2024, and April 9, 2025, respectively.

Migratory Bird Treaty Act of 1918 (MBTA) Coordination under MBTA is generally incorporated into Section 404 of the CWA, NEPA, or other federal permit, license or review requirements. Formal consultation under MBTA is not required. EPA coordinated with the Gulf of Mexico Migratory Bird Coordinator who recommends the following best management practices be incorporated to the extent practicable:

- Conduct construction-related work in the proposed project area outside the migratory bird nesting season. Nest initiation dates will vary by species and year (see map in Appendix C).
- If practicable, it may be necessary to implement a Bird Abatement Plan (myriad of strategies or techniques that can/may be effective) to prevent birds from nesting in the project area prior to or during construction to eliminate or minimize actual bird nesting activity in the project area. This Plan should be widely shared and understood by the construction contractors, consultants, project personnel, etc.
- If practicable, it may be necessary to implement bird abatement strategies or techniques to prevent birds from nesting in newly (but incomplete) created habitat within the project area prior to actual completion of construction. For example, gulls, terns, and some species of shorebirds may utilize elevated soil/cobble/shell habitat as soon as it becomes available depending on when this habitat is created. Once the birds have initiated nesting, ideally construction would be halted to reduce potential take until after the nesting season (i.e., utilize bird abatement techniques to prevent nesting).
- If work must be conducted during the breeding season, avoid destruction of any/all active bird nests with eggs and/or young.

Marine Mammal Protection Act of 1972 Project is being coordinated with USFWS and NMFS and will implement measures to minimize impacts on marine mammals.

Reference: See Appendix C for ESA consultation documents, which includes a species list of ESA species. An MBTA species list using the AKN RAIL tool is included in Appendix C. See Appendix G for the WVA (EPA 2024).

Cultural and Historic Resources

Potential Impacts Construction, dredging and access activities would result in indirect, short-term, localized, minor adverse impacts and disturbance to cultural and historic resources during the implementation phase of the project. Short-term, minor adverse impacts to cultural and historic resources may occur during wetland restoration if historic structures are present within a project site. Reduction of marsh loss could delay erosion that could uncover cultural resources. Dredging would not occur around cultural resources and sediment placement would not require accessing cultural resource sites.

Potential Mitigation Appropriate Section 106 consultation with the Louisiana State Historic Preservation Office (SHPO) has been completed for the borrow area (BA) where dredging would occur. Phase I cultural resource investigation found no culturally significant locations within the BA. If artifacts of potential cultural or historical significance are unearthed, construction or excavation activities would be immediately halted, and the Louisiana SHPO consulted.

Archaeological and Historic Preservation Act of 1974 Cultural resources assessments were conducted for the BA. The SHPO provided concurrence letter on September 3, 2024, stating no properties listed in or eligible for the National Register of Historic Places will be affected by the project.

National Historic Preservation Act of 1966 The SHPO provided concurrence letter on September 3, 2024, stating no properties listed in or eligible for the National Register of Historic Places will be affected by the project.

Reference: See Appendix D for cultural resources correspondence.

Land Use and Recreation

Potential Impacts Construction, dredging and access activities would result in direct, short-term, localized, minor adverse impacts on land use and recreation, including minor, localized disruption of fishing during construction due to the unavoidable increased activity. Areas of potential hazard would be avoided. Long-term, direct and indirect, beneficial impacts to recreation, beyond the project site, would result in improved nursery habitat of fisheries.

Potential Mitigation Coordination with appropriate federal, state, and local agencies would focus on maintaining the quality of public recreation in the area. Staging areas used for construction materials or debris would be returned to pre-construction, or better conditions following completion. Construction would avoid oil and gas pipelines and other equipment,

which have already been identified by magnetometer surveys and ongoing coordination with the pipeline owners.

Reference: See Appendix A for permit application documents.

Cumulative Impacts

The cumulative impact of EPA's participation in CWPPRA and in restoration activities has enabled estuarine habitat creation and protection. Potential negative impacts are minimized as a result of the planning activities, data collection, and analysis. Minor local adverse impacts from construction activities are not expected to pose any cumulatively adverse significant impact. Cumulative beneficial impacts of any eventual construction activities would include moderate increases in biological diversity of local coastal ecosystems and living resource communities and improved ecological functions in restored areas. Additional restoration activities in the immediate vicinity may result in synergistic enhancement of the beneficial impacts of TE-0171 and the other projects. Coastal restoration projects recently constructed or in the engineering and design phase which are directly connected to TE-0171 include West Belle Pass Headland Restoration (TE-0023), West Belle Pass Barrier Headland Restoration (TE-0052), Terrebonne Basin Barrier Island and Beach Nourishment/West Belle Pass Headland Restoration (TE-0143/TE-0118), and West Belle Pass Headland Repair (TE-0176: reconstruction of TE-0143 hurricane damage). As TE-0052 and TE-0176 are located directly south and southwest respectively of the proposed TE-0171 marsh creation area (MCA), constructing TE-0171 would potentially allow for any northward movement of sediment to be captured and renourish the proposed MCA rather than being lost to open water. Other proximal projects which may add cumulative beneficial impacts include Caminada Headland Beach and Dune Restoration projects (BA-0045, BA-0143), Caminada Headlands Back Barrier Marsh Creation (BA-0171) and West Fourchon Marsh Creation and Nourishment (TE-0134). Synergistic beneficial impacts would include decreased land loss rates, decreased habitat loss, and increased storm protection.

Coordination

Coordination on the proposed project was conducted by emailing letters of Solicitation of Views (SOV). Comments received in response to the SOV or to the draft NEPA documentation are included in Appendix E and considered in analysis and project design.

Appendix A: Draft Permit Application

Appendix B:
Essential Fish Habitat (EFH) Consultation

Appendix C:
Endangered Species Act Section 7 Consultation
Marine Mammal Act Coordination
Migratory Bird Treaty Act Coordination

Appendix D:
Cultural and Historical Resources Coordination

Appendix E:
Solicitation of Views Coordination and Correspondence

Appendix F:
TE-0171 95% Design Report

Appendix G:
Wetlands Value Assessment (WVA)