

STATUS REPORT

Name of project: LAKE PONTCHARTRAIN, LOUISIANA AND VICINITY

Name of feature: St. Charles Parish Lakefront Levee

Description: (Attach 1). As initially authorized on 27 October 1965, the St. Charles Parish lakefront levee feature of the Lake Pontchartrain project provided for the construction of a new levee 5.5 miles in length along the lakeshore from the Bonnet Carre' Spillway to the east St. Charles Parish boundary; a lateral return levee to extend 3.8 miles along the Parish Line Canal to the Illinois Central Railroad; interior drainage ditches along the length of both levees; and a drainage structure at the lakeward end of the lateral levee.

Studies made subsequent to authorization, and in support of the preparation of the general design memorandum (30 September 1969), resulted in several changes to the project plan. The net grade of the lakefront levee was revised upward from 10 feet to 12.0-12.5 feet in accordance with the results of more severe hurricane parameters. Also, investigations revealed that the Parish Line Canal is no longer a navigable waterway of the State of Louisiana, therefore allowing a closure at the lakeward terminus of the canal, and eliminating the need for a lateral return levee, and associated drainage structure, as well as a paralleling drainage ditch. Additionally, a drainage structure was added to the lakefront levee alignment. The present project plan is shown on plates 1 through 4 (Attach 1).

Design and Construction Status: The GDM was initiated in April 1967 and approved in November 1970. On 28 December 1970, local interests were requested to furnish the rights-of-way required for the project. By December 1972, the Pontchartrain Levee District had furnished nearly all of the necessary rights-of-way.

Deferral Action: (Attach 2). Early in 1973, the District Engineer, Colonel Richard L. Hunt, determined that the St. Charles levee appeared to possibly have more adverse environmental impacts than could reasonably be justified by offsetting flood protection benefits. Therefore, he concluded that further studies would be required to support a decision on whether to proceed with the levee. Construction of the levee was deferred and these studies were initiated. On 18 June 1973, Governor Edwin Edwards signed Act 973, amending paragraph 32 of Section 1846 of Title 56 of the Louisiana Revised Statutes of 1950. This act added two streams in the area - Bayous Trepagnier and LaBranche - to the Louisiana Natural and Scenic Rivers System. As a result, Colonel Hunt sought from

the State a determination of the influence that the inclusion of these streams in the System would have on the proposed levee construction. (See Attach 2.)

Based on information provided by Mr. J. Burton Angelle, Administrator of the System, Colonel Hunt concluded that the levee could not be built without contravening state law. Accordingly, the studies which had been initiated to provide a basis for a decision on whether to proceed with the levee were reoriented to provide an essential base of environmental and technical data for use in developing optimum procedures for operation of the overall Lake Pontchartrain, La. and Vicinity project.

Airline Highway Alinement: (Attach 3). Considerable interest in an Airline Highway (US Highway 61) alinement of the levee has been expressed by the residents of St. Charles Parish. Early in 1975, a preliminary study of this alinement was conducted. (See Attach 3.) The results indicated that a further, more detailed investigation of this alternative was advisable. Such an investigation is now being conducted with the results expected in May 1976. An additional consideration in any Airline Highway alinement decision is the adequacy of the Jefferson Parish lateral return levee under hurricane conditions. Although the existing grade of this return levee is adequate, the structural stability may not be. At a minimum, the steel sheet pile must be capped with concrete. Another consideration is whether or not the adoption of an alternate alinement would require new Congressional authorization. This is under study now.

Environmental Study: In consideration of the interest in alternatives to the lakefront alinement, the expanded environmental studies were further modified to place emphasis on determining the importance of the St. Charles marsh. A contract for these studies is currently being negotiated with the Center for Wetland Resources of Louisiana State University. This study can begin hopefully in the Fall of this year (1976), and will last for 2 years. It will tell us about the productivity of the lake, and about the input and export of various elements which determine the productivity. It will also tell us about the distribution and abundance of certain organisms indicative of the productivity. The contract will also call for an interim report on the St. Charles marsh, should developments make such a report desirable.

Economics: (Attach 4). Based on the 14 August 1970 economic reanalysis (Attach 4), accomplished in connection with the completion of the general design memorandum, the benefit-to-cost ratio for the St. Charles levee is 4.5 to 1. Land enhancement benefits comprise 99.3 percent of the total annual benefits for the project, while flood damages prevented accounted for the remaining 0.7 percent. The economic analysis of the Airline

Highway alignment (Attach 3) reveals that even that alignment suffers from a similar benefit distribution.

Local Cooperation: The Pontchartrain Levee District executed supplemental assurances on 15 October 1973, but has not furnished supporting documents. They are awaiting a decision concerning the construction of the St. Charles Parish lakefront levee, for which they have provided rights-of-way, before supplying the necessary documents. The levee district now states that they cannot afford the project, and although the district's attorney informed them that the district was legally bound under the supplemental assurance, they would not allow him to render the opinion.

In accordance with the new payment schedules necessitated by Section 92 of the Water Resources Development Act of 1974 - the so-called Hebert Bill - new agreements were forwarded to the State Department of Public Works on 28 November 1975, with a request that that agency coordinate the accomplishment of the new agreements. It is anticipated that the previous difficulties over the Pontchartrain Levee District assurances will be resolved through the new agreement shortly.

404: (Attach 5). By letter dated 1 October 1975, EPA approved the dredged materials disposal plans for the Chalmette, New Orleans East, and the Barrier Units subject to the condition that the St. Charles portion of the project be eliminated completely. By our letter of 15 October 1975 to EPA, we agreed to the condition proposed. We amplified our position that no work will be done to implement the St. Charles levee, unless extensive additional studies indicate that the construction would be in the total public interest.

Our position on the elimination of this feature is basically as follows:

- a. Further environmental studies are required before any decision on the construction of the levee can be made. Construction of the levee must be shown to be clearly in the total public interest before any decision to proceed can be made.
- b. The impediment of Bayous Trepagnier and LaBranche in relation to the Louisiana Natural and Scenic Rivers System must be removed prior to any decision to proceed being made.
- c. Prior to any such decision, 404 proceedings for the levee must be conducted, because this levee was not included in the plan approved by EPA.

d. We must notify EPA of each intended use of any disposal area for the remaining features of the project already approved by EPA. Any approval previously given may be withdrawn at that time, if it is felt that the condition upon which it was granted (elimination of the St. Charles levee) is being violated. EPA retains continuing review authority over our actions with regard to St. Charles Parish.

e. It does not appear advantageous to drain off badly needed effort from productive project accomplishment to essentially unproductive efforts to obtain deauthorization of the St. Charles lakefront levee.

f. The deauthorization of the lakefront levee might jeopardize any future efforts to accomplish an alternate alinement without the necessity for additional Congressional authorization.

Save Our Wetlands Suit: On 5 December 1975, Save Our Wetlands, Inc. (SOWL) filed suit in US District Court. The objective pertinent to St. Charles Parish follows: "That the Court enjoin defendants from proceeding with the project until such time as the conditions for final EPA approval under Section 404 of the FWPCA are met, more particularly, the condition that the St. Charles portion of the project be 'eliminated completely' from the project." The District Engineer, through the US Attorney's Office, must answer SOWL's complaint by 3 February 1976.

Public Views: (Attach 6). Local environmental organizations, such as the St. Charles Environmental Council, and the Bonnet Carre' Rod and Gun Club have for some time opposed the lakefront alinement, while supporting an Airline Highway (US Highway 61) alinement. They also favor a moratorium on all construction activities in the Lake Maurepas, Pontchartrain, Catherine, Borgne Estuary, pending the preparation of a cumulative environmental statement for the estuary. Exhibits 20, 23, and 24 from the Record of Public Meeting on the project held on 22 February 1975, are included in attachment 6 to illustrate these views. Other environmental organizations, as well as the Louisiana Wildlife and Fisheries Commission, the National Marine Fisheries Service, the US Fish and Wildlife Service, and the US Environmental Protection Agency favor the elimination of the St. Charles Parish lakefront levee.