

IN REPLY REFER TO
LMNED-NP

23 July 1976

Honorable F. Edward Hebert
House of Representatives
Washington, DC 20515

Dear Mr. Hebert:

This is in response to your letter of 21 July 1976 concerning the New Orleans City Planning Commission letter of 3 June 1976 on the purchase of certain wetlands in conjunction with the Lake Pontchartrain, Louisiana and Vicinity hurricane protection project.

Mayor Landrieu has previously contacted us concerning the purchase of certain wetlands in Orleans Parish as recommended in the recently drafted Coastal Zone Management Plan of the City Planning Commission. We provided him with, in essence, the following explanation of how such a purchase would relate to the hurricane protection project.

The role of the Corps of Engineers in such a program is governed by the Fish and Wildlife Coordination Act of 1958, as amended. Under the Act's provisions, we may develop plans to offset damages to fish and wildlife attributable to this project. When these plans involve the acquisition of lands, those lands must be managed so that their increased production compensates for the project associated fish and wildlife damage. The value of the increased production must exceed or equal the acquisition cost plus the management cost. If these conditions can be met, the acquisition cost may be included in the project cost and shared--70 percent Federal, 30 percent non-Federal. The management of the land would be a non-Federal responsibility. Specific congressional authorization is required for any such plan.

We are not optimistic that fulfilling the criteria outlined above is likely in the case of this project. Such specific fish and wildlife losses as are associated with the project are minor. In fact, the project impact on fish and wildlife will, we consider, be beneficial on balance. Greatly increasing the productivity of the wetlands proposed for acquisition would be expensive if possible at all. The purchase of wetlands with no attendant increase in productivity would not compensate for any fish and wildlife losses and would not fulfill the referenced criteria.

Mr. Shelton/dma

LINED-NP

28 July 1976

Honorable P. Edward Hebert

The idea of the purchase of these wetlands as a non-structural alternative to flood protection works is not applicable to this project. The areas in question are outside the authorized levee system and will not be protected from the design storm. The purchase of these wetlands is, therefore, not an alternative to any flood protection works.

In response to Mayor Landrieu's inquiry, we agreed to study the possibilities of land acquisition and management in the areas involved for fish and wildlife mitigation. This study, which has recently been initiated, will encompass the entire project area. Any fish and wildlife mitigation which may be appropriate might be best accomplished in an area outside Orleans Parish.

Any favorable recommendation will be forwarded for eventual congressional action.

I hope this has helped clarify this issue. If I may be of any further assistance, please call on me.

Sincerely yours,

ROY
LINPD

EARLY J. RUSH III
Colonel, CE
District Engineer

Exec O

CF: w/basic
HQDA (DAEN-CWZ-F)
LMVEX, LINED-TD