



# St. Bernard Parish Government

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**Guy McInnis**  
*Parish President*

April 8, 2019

United States Army Corps of Engineers  
New Orleans District  
Attn: Regulatory Branch  
7400 Leake Avenue  
New Orleans, Louisiana 70118

Re: Permit Application #MVN-2018-1120-EOO (Mid-Breton Sediment Diversion)

To Whom It May Concern:

Please accept the below comments, questions, and concerns from St. Bernard Parish Government (SBPG) regarding the above referenced permit application.

1. The proposed maximum discharge listed in the permit application is 75,000 CFS (Joint Public Notice, 2). However, the maximum discharge proposed by the Louisiana Coastal Protection and Restoration Authority (CPRA), included in *Louisiana's Comprehensive Plan for a Sustainable Coast* (2017 State Master Plan), and adopted by the Louisiana State Legislature is 35,000 CFS. The significant increase in the proposed maximum discharge absent prior review and approval by the CPRA board and Louisiana State Legislature is unacceptable.
2. According to the permit application, approximately 111,000 cubic yards of material will be excavated around the proposed construction site (Joint Public Notice, 2). SBPG urges the United States Corps of Engineers (USACE) to mandate that the permit applicant devise a plan to beneficially use all residual excavated material on marsh creation and/or ridge restoration projects in the Breton Basin once the proposed project is complete.
3. The proposed project “would convey sediment, water, and nutrients into the Mid-Breton Basin...” (Joint Permit Notice, 2). SBPG is interested in learning more about the typical sediment-to-water ratio being delivered and how the proposed project is expected to perform compared to other methods of sediment delivery, including dredging and the use of sediment pipelines. Additionally, SBPG is concerned about the discharge of

contaminants from the Mississippi River into the Breton Basin and would like to learn more about any potential adverse impacts to water quality.

4. It has been estimated that the proposed project would adversely impact approximately 7,530 acres of jurisdictional wetlands and waters (Joint Public Notice, 2). However, given the proposed operational regime and maximum discharge level, the number of estimated acres adversely impacted seems drastically understated. Furthermore, SBPG anticipates that changes in salinity (including associated impacts to vegetation), increased periods of inundation, and tropical weather events will have cascading negative impacts throughout the entire Breton Basin during the life of the proposed project.
5. The USACE has identified the West India manatee as a marine mammal that is “not likely” to be adversely impacted by the proposed project (Joint Permit Notice, 4). Congress also approved a waiver to the Marine Mammal Protection Act in order to exclude the consideration of adverse impacts to the bottlenose dolphin from this permitting process. SBPG urges the USACE to request that the permit applicant provide an analysis of anticipated adverse impacts to the bottlenose dolphin in the Breton Basin for the purpose of better informing the public and Congress regarding the impacts of largescale sediment diversions on marine mammals. This information could be used to inform future decisions involving waivers to the Marine Mammal Protection Act.
6. The USACE has identified the “destruction or alteration” of at least 7,530 acres of Essential Fish Habitat (EFH) as a result of the proposed project (Joint Permit Notice, 4). Additionally, the USACE has identified six (6) Federally listed endangered or threatened species “that the proposed project could impact” (Joint Permit Notice, 4). Other species that are likely to be impacted include: white and brown shrimp; red drum; dog snapper; lane snapper; grey snapper; bonnet heat shark; Atlantic sharpnose shark; blacknose shark; American Oyster; Atlantic croaker; Gulf Menhaden; Spotted Seatrout; Sand Seatrout; Black Drum, Southern Flounder; Blue Crab; Striped Mullet; and mackerel. SBPG finds the destruction or alteration of thousands of acres of EFH that supports the aforementioned ecologically and economically significant species in the Breton Basin to be unacceptable.
7. The permit application describes the purpose of the proposed project as being “an attempt to reduce coastal land loss and sustain surrounding wetlands” (Joint Permit Notice, 1). However, the gradual depletion of the Mississippi River sediment budget has been well documented and increased periods of inundation have been found to adversely impact existing vegetation and contribute to land loss. Consequently, the Expert Panel on River Diversions expressed concerns over the potential for land loss during the first ten (10) years of the proposed project being in operation. SBPG believes that the purported land-building capacity of the proposed project is overstated and that it will likely cause land loss and increase the risks associated with storm surge during at least the first ten (10) years of operation.

8. The gradual depletion of the Mississippi River sediment budget and the permit applicant's stated commitment to adaptive management may eventually result in the permit applicant making substantial adjustments to the operational regime of the proposed project. SBPG is concerned that such adjustments may increase the adverse impacts described above. The permit applicant has made adjustments to the operational regime of similar projects (specifically, the Caernarvon freshwater diversion) for decades, adversely impacting local fisheries with minimal oversight and limited recourse for the commercial and recreational fishermen who are regularly impacted by such decisions.
9. St. Bernard Parish is home to thriving commercial and recreational fishing industries, and is proud of its many historic fishing communities, including: Delacroix, Reggio, Woodlake, Yscloskey, Hopedale, and Shell Beach. The residents of St. Bernard Parish were subjected to the worst natural disaster in US history (Hurricane Katrina, 2005) and the worst human-caused environmental catastrophe in US history (BP Oil Spill, 2010) in a matter of five (5) years. The aforementioned fishing communities were particularly devastated during both events and continue to recover. SBPG finds the public funding of a largescale infrastructure project that will likely result in further environmental and economic harm for such communities to be unacceptable.
10. St. Bernard Parish has historically been subjected to human interventions and failed public infrastructure projects that resulted in significant adverse environmental and economic impacts for which the community was never fully compensated, including: a) the Crevasse (1927); b) construction of the Mississippi River Gulf Outlet (1956-currently); c) levee failures during Hurricane Betsy (1965); d) Caernarvon freshwater diversion (1991-currently); and e) levee failures during Hurricane Katrina (2005). Consequently, SBPG believes the proposed project would introduce a number of new environmental and economic risks that are unacceptable to the citizens of St. Bernard Parish.
11. In accordance with the referenced Joint Public Notice, SBPG hereby requests a public hearing regrading the subject permit application to be held in St. Bernard Parish at the earliest possible date. The reasons for the request are as follows: a) St. Bernard Parish residents who are most likely to be adversely impacted by the proposed project are those who regularly work on the water and are less likely to have accessed and responded to the Joint Public Notice prior to the established deadline; and b) the USACE will be in a better position to weigh all relevant factors (conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people) after hearing directly from the residents of St. Bernard Parish (Joint Public Notice, 3).

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Guy McInnis".

Guy McInnis  
Parish President  
St. Bernard Parish Government