

## **APPENDIX G**

**Finding of No Significant Impact (FONSI) from Implementation of the *Louisiana Trustee Implementation Group Final Restoration Plan/Environmental Assessment #4: Nutrient Reduction (Nonpoint Source) and Recreational Use***



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## G-1 INTRODUCTION

The *Louisiana Trustee Implementation Group Final Restoration Plan/Environmental Assessment #4: Nutrient Reduction (Nonpoint Source) and Recreational Use (RP/EA)* fulfills both the requirements under the Oil Pollution Act (OPA) and the implementing regulations of the National Environmental Policy Act (NEPA). It was prepared by the Louisiana Trustee Implementation Group (LA TIG) to partially address injuries to natural resources and services in the Louisiana Restoration Area caused by the *Deepwater Horizon* (DWH) oil spill using natural resource damages procedures as set forth in the DWH post-settlement Consent Decree.<sup>1</sup>

In accordance with OPA, and as set forth in the DWH Consent Decree and as described in the DWH Trustees' 2016 *Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan/Programmatic Environmental Impact Statement* (Final PDARP/PEIS), the LA TIG includes five Louisiana state trustee agencies and four federal trustee agencies: the Louisiana Coastal Protection and Restoration Authority (CPRA); the Louisiana Department of Natural Resources; the Louisiana Department of Environmental Quality; the Louisiana Oil Spill Coordinator's Office; the Louisiana Department of Wildlife and Fisheries; the U.S. Department of Commerce, represented by the National Oceanic and Atmospheric Administration; the U.S. Department of the Interior, represented by the U.S. Fish and Wildlife Service (USFWS) and National Park Service; the U.S. Department of Agriculture; and the U.S. Environmental Protection Agency (EPA).

The RP/EA tiers from the Final PDARP/PEIS, which is a programmatic document developed by the DWH Oil Spill Trustees (DWH Trustees) to guide and direct the DWH oil spill restoration effort. The Final PDARP/PEIS was prepared in accordance with OPA, NEPA, Council on Environmental Quality (CEQ) NEPA regulations, and the NEPA procedures and guidance applicable to federal Trustees. The Final PDARP/PEIS includes a portfolio of restoration types that addresses the diverse suite of injuries that occurred at both regional and local scales. Consistent with that programmatic restoration plan, the RP/EA focuses on implementing projects in the Restoration Area to address two of the five overarching goals set forth in the Final PDARP/PEIS: Nutrient Reduction (Nonpoint Source) and Provide and Enhance Recreational Opportunities.

One focus of this RP/EA is implementation of the Final PDARP/PEIS restoration type, Nutrient Reduction (Nonpoint Source). This restoration type is intended to reduce nutrient pollution and provide ecosystem-scale benefits to coastal habitats and resources chronically threatened by nutrients and co-pollutants causing water quality degradation. Excess nutrient inputs to Louisiana's coastal estuaries are associated with harmful algal blooms and oxygen depleted waters, i.e., hypoxic zones. Algal blooms and hypoxic zones in turn negatively impact the spawning habitats and food sources on which the region's economically valuable fisheries rely (Mississippi River/Gulf of Mexico Watershed Nutrient Task Force 2015).

Another focus of this RP/EA is implementation of the Final PDARP/PEIS restoration type, Provide and Enhance Recreational Opportunities. This restoration type is intended to address recreational use loss as a result of the DWH Oil Spill, including restricted and decreased access to recreational fishing and camping

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<sup>1</sup> On April 4, 2016, the Court entered the final Consent Decree negotiated between BP Exploration and Production and the Trustees. The Consent Decree settles damages, including natural resource damages as defined under the Oil Pollution Act of 1990, in a federal case arising from matters related to the *Deepwater Horizon* oil spill: *United States v. BXP et al.*, Civ. No. 10-4536, centralized in MDL 2179, *In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010 (E.D. La.)*.

opportunities among other outdoor recreational activities. Impacts from the DWH Oil Spill include oiled shorelines, the closure of fishing and recreational areas, and the cancellation of recreational trips. These impacts resulted in losses to the public's use of natural resources for outdoor recreation, including fishing, boating, vacationing, camping, beach going, and other recreational activities.

## **G-2 LEAD AND COOPERATING AGENCIES**

The CEQ's NEPA implementing regulations (40 Code of Federal Regulations [CFR] 1500–1508) require a federal agency to serve as lead agency to supervise the NEPA analysis when more than one federal agency is involved in the same action (40 CFR 1501.5(a)). The LA TIG designated EPA as the lead agency responsible for NEPA analysis for the RP/EA. Each of the other federal and state co-Trustees is participating as a cooperating agency pursuant to NEPA (40 CFR 1508.5) and the *Trustee Council Standard Operating Procedures for Implementation of the Natural Resource Restoration for the Deepwater Horizon (DWH) Oil Spill (SOP)* (DWH Trustees 2016:27, Appendix F:2–3).

## **G-3 PUBLIC PARTICIPATION**

The LA TIG issued a notice of solicitation to the public on July 14, 2017, to request submission of project ideas through August 14, 2017. Projects were considered and evaluated. On October 2, 2017, the LA TIG issued a Notice of Intent (NOI) informing the public that it was initiating the drafting of a restoration plan to address nutrient reduction (nonpoint source) and lost recreational opportunities caused by the DWH Oil Spill.

On April 24, 2018, the LA TIG held a public meeting at the Tulane River and Coastal Center; 1370 Port of New Orleans Place; New Orleans, Louisiana 70130 to facilitate the public review and comment process.

On April 20, 2018, the EPA and CPRA published Notices of Availability (NOA) of the Draft RP/EA in the *Federal Register* and *Louisiana Register*. The meeting and notice encouraged the public to review and comment on the Draft RP/EA during the 30-day comment period that ran through May 21, 2018. The public was also notified of the availability of the Draft RP/EA for comment online (<http://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>).

Comments were accepted via an online public comment portal, in person, and U.S. Postal Service mail. The LA TIG received submissions from private citizens; businesses; federal, state and local agencies; and non-governmental organizations. The LA TIG reviewed the comments and considered them prior to finalization of the RP/EA. Chapter 7 of the RP/EA provides further detail on the public comment process, including a summary of all public comments received on the Draft RP/EA, and the LA TIG's responses.

### **G-3.1 Adoption of the RP/EA NEPA analysis by Federal Agency members of the Louisiana TIG**

Each federal agency on the LA TIG must make its own independent evaluation of the NEPA analysis in support of its decision-making responsibilities. In accordance with 40 CFR 1506.3(a) and the SOP (DWH Trustees 2016:Appendix F:4), each of the federal agencies participating in the LA TIG has reviewed the RP/EA, found that it meets the standards set forth in its own NEPA implementing procedures, and accordingly has adopted the RP/EA NEPA analysis.

## G-4 DESCRIPTION OF PROPOSED ACTIONS AND ALTERNATIVES

NEPA and the CEQ NEPA regulations require the federal agency decisionmaker to consider the environmental effects of the Proposed Action and a reasonable range of alternatives, including the No Action Alternative (42 United States Code [USC] 4332; 40 CFR 1502.14). The RP/EA considers a total of 31 project alternatives to provide nutrient reduction benefits to the coastal environment and associated habitats (8 alternatives) and to restore lost recreational use (23 alternatives) in Louisiana using funds made available through the DWH Consent Decree. A detailed description of each of the alternatives considered in the RP/EA is provided in RP/EA Section 3.

### G-4.1 Alternatives Analyzed for Nutrient Reduction

Nutrient reduction projects considered in the RP/EA would help restore and enhance the ecological and hydrological integrity of the state's coastal watersheds by reducing rural nonpoint source pollution through the implementation of conservation practices (CPs) on agricultural lands. Table A-1 summarizes the recreational use alternatives analyzed in the RP/EA.

**Table G-1. Nutrient Reduction Alternatives**

Alternative Name	Location (Parish)	Summary	Preferred Alternative
Nutrient Reduction on Dairy Farms in St. Helena and Tangipahoa Parishes	St. Helena and Tangipahoa	Implement program to reduce nutrients and fecal coliform bacteria runoff from dairy operations from entering water bodies through nutrient management planning and implementation of best management practices (BMPs) and CPs.	Yes
Nutrient Reduction on Dairy Farms in Washington Parish	Washington	Implement program to reduce nutrients and fecal coliform bacteria runoff from dairy operations from entering water bodies through nutrient management planning and implementation of BMPs and CPs.	Yes
Nutrient Reduction on Cropland and Grazing Land in Bayou Folse	Lafourche and Terrebonne	Implement nutrient management strategy to protect and restore aquatic ecosystems. The primary goal for the nutrient reduction alternative is water quality improvement through nutrient reduction.	Yes
Nutrient Reduction on Cropland and Grazing Land in Concordia, Catahoula, and Tensas Parishes	Concordia, Catahoula, and Tensas	Implement nutrient management strategy to protect aquatic ecosystems. The primary goal for the nutrient reduction alternative is water quality improvement through nutrient reduction.	No
Nutrient Reduction on Cropland and Grazing Land in Iberia, St. Mary, and Vermilion Parishes	Iberia, St. Mary, and Vermilion	Implement nutrient management strategy to protect and restore aquatic ecosystems. The primary goal for the nutrient reduction alternative is water quality improvement through nutrient reduction.	No
Winter Water Holding on Cropland in Vermilion and Cameron Parishes Plus Agricultural Best Management Practices	Vermilion and Cameron	Implement nutrient management strategy through the retention of irrigation water over the fall and winter for the purpose of improving water quality and creating wildlife habitat. Winter water holding allows for sediment deposition, nutrient uptake by emergent aquatic vegetation, use of the previous planting year's crop residue to reduce soil disturbance from wind-induced water movement and from animal feeding activity.	Yes

Alternative Name	Location (Parish)	Summary	Preferred Alternative
Winter Water Holding on Cropland in St. Mary, St. Martin, Iberia, Lafayette, Acadia, and Jefferson Davis Parishes	St. Mary, St. Martin, Iberia, Lafayette, Acadia, and Jefferson Davis	Implement nutrient management strategy through the retention of irrigation water over the fall and winter for the purpose of improving water quality and creating wildlife habitat. Winter water holding allows for sediment deposition, nutrient uptake by emergent aquatic vegetation, use of the previous planting year's crop residue to reduce soil disturbance from wind-induced water movement and from animal feeding activity.	No
Winter Water Holding on Cropland in Concordia, Tensas, and Catahoula Parishes	Concordia, Tensas, and Catahoula	Implement nutrient management strategy through the retention of irrigation water over the fall and winter for the purpose of improving water quality and creating wildlife habitat. Winter water holding allows for sediment deposition, nutrient uptake by emergent aquatic vegetation, use of the previous planting year's crop residue to reduce soil disturbance from wind-induced water movement and from animal feeding activity.	No

## G-5 ALTERNATIVES ANALYZED FOR RECREATIONAL USE

Alternatives restoring lost recreational use emphasize the creation and enhancement of recreational infrastructure, enhanced recreational access or opportunity, and educational and outreach components that promote use of the natural resources and encourage conservation and stewardship for them, consistent with the injuries caused by the DWH Oil Spill. Table A-2 summarizes the recreational use alternatives analyzed in the RP/EA.

**Table G-2. Recreational Use Alternatives**

Alternative Name	Location (Parish)	Summary	Preferred Alternative
Pass-a-Loutre Wildlife Management Area Crevasse Access	Plaquemines	Improve boater access with crevasse clean out at five locations in various management area water bodies.	Yes
Pass-a-Loutre Wildlife Management Area Campgrounds	Plaquemines	Install new picnic tables, fire pit/barbeque areas, and docks at five campgrounds.	Yes
Grand Isle State Park Improvements	Jefferson	Upgrade and expand existing pier to include lighting, Americans with Disabilities Act (ADA) fishing rail sections, benches, shaded structure area(s) and a fish cleaning station; upgrade existing rock jetties at Grand Isle State Park and Grand Isle West property; repair and upgrade existing limestone and wooden boardwalk; and repair trails on existing asphalt roads.	Yes
Chitimacha Boat Launch	St. Mary	Construct a new boat launch on Bayou Teche, an access road, parking areas for boats and trailers, pavilions, floating and wooden docks, and pedestrian trails.	Yes
Sam Houston Jones State Park Improvements	Calcasieu	Replace 10 existing trailer cabins with State Park standard cabins that would be pier and beam or slab on grade; construct new restroom/comfort station, renovate existing day-user restrooms and cabins.	Yes
Pointe-aux-Chenes Wildlife Management Area Recreational Use Enhancement	Terrebonne	Provide access improvements, construct boat docks, fishing piers and walkways at water control structures, small vessel (kayak, pirogue, etc.) launch, and pirogue pullovers.	Yes

<b>Alternative Name</b>	<b>Location (Parish)</b>	<b>Summary</b>	<b>Preferred Alternative</b>
WHARF Phase 1	Jefferson	Construct boardwalk for fishing/fishing piers, restroom facilities, activity centers, and lighting to provide fishing access to borrow pits on either side of the retired airstrip.	Yes
Bayou Segnette State Park Improvements	Jefferson	Upgrade boating areas including: raising the elevation of the parking area, improving the launch lanes and docks, and installing new floating dock; replace two small day-use restrooms with ADA-compliant facilities; replace surfacing at all four playgrounds; repair and upgrade existing roads and parking areas; repair and upgrade bridge approaches.	Yes
Atchafalaya Delta Wildlife Management Area Access	St. Mary	Bucket dredge Breaux Pass and the Cul-de-sac Passes to enhance currently limited access for hunters and anglers to interior marsh.	Yes
Atchafalaya Delta Wildlife Management Area Campgrounds	St. Mary	Construct a steel bulkhead following the entire shoreline of the campground and construct two jetties for bank stabilization.	Yes
Rockefeller Piers and Rockefeller Signage	Cameron	Create new recreation and observation piers for birding, fishing, and crabbing opportunities and signage for informational outreach to recreational users of the Rockefeller Wildlife Refuge.	Yes
St. Bernard State Park Improvements	St. Bernard	Renovate park entrance station, restroom and bathhouse facilities, and event pavilion.	Yes
Cypremort Point State Park Improvements	St. Mary	Reinforce rock jetties, replace breakwater system, perform beach reclamation, replace fishing pier, and provide improvements to roads and parking areas.	Yes
The Wetlands Center	Jefferson	Construct an educational and cultural venue adjacent to the existing museum, theatre, library, and community center with wetlands exhibits (multi-media interactive storytelling, permanent and changing exhibits, hands-on experiential learning activities, historical and cultural artifacts, aquarium tanks, exterior wildlife tanks, 3-D interactive maps, and habitat models).	Yes
Recreational Use Improvements at Barataria Preserve in Jefferson Parish, Jean Lafitte National Historical Park and Preserve, Barataria Preserve Unit	Jefferson	Provide engineering, design, and construction of trails and wayside exhibits at Jean Lafitte National Historical Park and Preserve, Barataria Preserve Unit.	Yes
Des Allemands Boat Launch	St. Charles	Construct a new boat launch facility and associated boat/trailer parking, car parking, and docks.	Yes
Middle Pearl	St. Tammany	Improve existing boat launch and parking, and install mooring docks and lighting.	Yes
Improvements to Grand Avoille Boat Launch	St. Mary	Construct new concrete boat ramp and apron with timber mooring docks along each side of boat ramp and parking for boats and trailers and cars.	Yes
Belle Chasse	Plaquemines	Construct a new back-down boat ramp and parking facility on Hero Canal.	Yes
Caminada Pass Bridge Fishing Pier Restoration, Jefferson Parish, Region 2, Barataria Basin	Jefferson	Construct additional parking at each end of existing piers, two 15 x 20-foot-wide shelters on each of the piers (four total), a building at the landing of each of the fishing piers to accommodate two ADA-accessible bathroom facilities, and an overhang to provide for a fish cleaning area.	No
Palmetto Island State Park Improvements	Vermilion	Construct five cabins and a large event pavilion, repair and improve nature trails, install bear proof dumpsters, replace heating, ventilation, and air conditioning (HVAC) system.	No

Alternative Name	Location (Parish)	Summary	Preferred Alternative
Louisiana Swamp Exhibit at Audubon Zoo	Orleans	Revitalize and refocus the Louisiana Swamp interpretive exhibit at the Audubon Zoo to share the story of the Louisiana coast, directed at encouraging action to preserve and restore coastal Louisiana; exhibit would provide an entirely immersive Louisiana coastal experience.	No
Louisiana Wetlands Gallery at Audubon Aquarium	Orleans	Create a new gallery at the aquarium focused on Louisiana's coast, transforming the 7,450-square-foot Mississippi River Gallery into a Louisiana Wetlands Gallery detailing biodiversity and the fragile and threatened state of Louisiana's coast with live animal exhibits and hands-on, interactive educational experiences.	No

## G-5.1 No Action

Under the No Action Alternative, the LA TIG would not, at this time, select and implement the alternatives related to nutrient reduction and recreational use in this RP/EA intended to compensate for lost natural resources or their services resulting from the DWH Oil Spill. Accordingly, the No Action Alternative would not meet the purpose and need for implementing alternatives that address lost natural resources and their services as described in Section 5.3.2 of the Final PDARP/PEIS and in Section 1.5 of the RP/EA. The No Action Alternative would not meet the DWH Trustee goals of improving watershed health through nutrient reduction and enhancing recreational opportunities. If this plan was not implemented, none of the alternatives would be selected for implementation and restoration benefits and services associated with these alternatives would not be achieved at this time.

After evaluating all 31 projects included in the reasonable range of alternatives, the LA TIG is proposing 23 of these projects (4 of 8 nutrient reduction projects and 19 of 23 recreational use projects) as preferred alternatives for implementation (Tables A-3 and A-4). The LA TIG has determined that implementation of the preferred alternatives and project elements associated with those alternatives best meets the OPA selection criteria and supplemental criteria developed by the LA TIG.

**Table G-3. Nutrient Reduction Preferred Alternatives**

Nutrient Reduction on Dairy Farms in St. Helena and Tangipahoa Parishes (as described under Theme 1)
Nutrient Reduction on Dairy Farms in Washington Parish (as described under Theme 1)
Nutrient Reduction on Cropland and Grazing Land in Bayou Fosse (as described under Theme 2)
Winter Water Holding on Cropland in Vermilion and Cameron Parishes Plus Agricultural Best Management Practices (as described under Theme 3)
Winter Water Holding on Cropland in Vermilion and Cameron Parishes Plus Agricultural Best Management Practices (as described under Theme 3)

**Table G-4. Recreational Use Preferred Alternatives**

Pass-a-Loutre Wildlife Management Area Campgrounds
Pass-a-Loutre Wildlife Management Area Crevasse Access
Grand Isle State Park Improvements
Chitimacha Boat Launch
Sam Houston Jones State Park Improvements
Pointe-aux-Chenes Wildlife Management Area Recreational Use Enhancement

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WHARF Phase 1
Bayou Segnette State Park Improvements
Atchafalaya Delta Wildlife Management Area Access
Atchafalaya Delta Wildlife Management Area Campgrounds
Rockefeller Piers and Rockefeller Signage
St. Bernard State Park Improvements
Cypremort Point State Park Improvements
The Wetlands Center
Recreational Use Improvements at Barataria Preserve in Jefferson Parish, Jean Lafitte National Historical Park and Preserve, Barataria Preserve Unit
Des Allemands Boat Launch
Middle Pearl
Improvements to Grand Avoille Boat Launch
Belle Chasse

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## G-6 ANALYSIS SUMMARY

Alternatives were initially screened based on OPA-defined criteria (Section 3.1). Alternatives were also analyzed to determine the type and severity of potential environmental impacts that might result from the alternatives per NEPA. The OPA and NEPA analyses were conducted for the reasonable range of eight nutrient reduction alternatives and 23 recreational use alternatives that would provide benefits to the physical environment, biological environment, and socioeconomic resources without causing substantial adverse impacts. Ultimately, the LA TIG identified alternatives that are preferred for implementation in the RP/EA based on the OPA evaluation of cost-effectiveness or likelihood of success.

Sections 4.4 through 4.6 of the RP/EA provide the analysis needed to assess the significance of the impacts of the Proposed Action, which is to implement the preferred alternatives and associated project elements described and analyzed in the RP/EA. As a result of the OPA evaluation, 19 recreational use alternatives and four nutrient reduction alternatives are proposed by the LA TIG as preferred for implementation (see Tables A-3 and A-4, respectively). As stated in the Final PDARP/PEIS, the No Action alternative “does not meet the purpose and need for restoration of injured resources and services” and therefore, is not identified as a preferred alternative.

In the RP/EA, the LA TIG addressed NEPA requirements by tiering from environmental analyses conducted in the Final PDARP/PEIS, evaluating existing analyses, and preparing environmental consequences analyses for projects as appropriate. The RP/EA evaluated both beneficial and adverse impacts of the Proposed Action.

The analysis included in the RP/EA supports the following conclusions:

- The Proposed Action will have no significant adverse impacts to unique characteristics of the geographic areas. The Proposed Action is not expected to have any effects on wetlands, floodplains, municipal water sources, ecologically critical areas, wild and scenic river corridors, park lands, wilderness, wilderness research areas, research natural areas, inventoried roadless areas, national recreation areas, or prime farmlands, particularly on a regional basis, beyond those disclosed and evaluated in the Final PDARP/PEIS. The effects on these geographic areas from the restoration techniques in the RP/EA were evaluated in the RP/EA and found to be within the scope of effects evaluated in the Final PDARP/PEIS. The purpose of the Proposed Action is to improve the condition of natural resources damaged by the DWH Oil Spill.

- The effects of the Proposed Action on the quality of the human environment are not controversial. Public comments were received for the Draft RP/EA between April 20 and May 21, 2018. Of the 34 public comments received, none of the comments indicate controversy or opposition of the alternatives considered in the RP/EA.
- The Proposed Action neither establishes a precedent for future LA TIG actions with significant effects nor represents a decision in principle about a future consideration. Future LA TIG actions will be determined through separate planning processes.
- The Proposed Action will have no significant adverse cumulative impacts. The Proposed Action is not expected to have any cumulative effects beyond those disclosed and evaluated in the Final PDARP/PEIS. The cumulative effects from the restoration techniques in the RP/EA were evaluated in the RP/EA and found to be within the scope of effects evaluated in the Final PDARP/PEIS.
- The Proposed Action will have no significant adverse impacts on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause the loss or destruction of significant scientific, cultural, or historical resources. The Proposed Action will be implemented in accordance with all applicable laws and regulations concerning the protection of cultural and historic resources.
- The effects on Endangered Species Act (ESA)-listed endangered or threatened species, or their critical habitat, from the restoration techniques in the RP/EA were evaluated in the RP/EA and found to be within the scope of effects evaluated in the Final PDARP/PEIS. However, the Grand Isle State Park Improvements alternative would likely cause adverse effects to ESA-listed sea turtles. In particular, adverse effects rising to the level of incidental take are anticipated as a result of increased recreational pier fishing-related activities associated with the project, which are likely to result in incidental hooking or snagging of sea turtles. The Trustees have reviewed and evaluated the type, level, and extent of the adverse effects on ESA-listed sea turtles. In addition, the Trustees have identified conservation and mitigation measures intended and designed to avoid and minimize adverse effects and incidental take. Section 3.3.3.1.2 of this RP/EA (which has been incorporated herein by reference) identifies conservation measures to be implemented as part of the Grand Isle State Park Improvements alternative. These measures are informed by biological opinions for similar-type projects affecting sea turtles to help ensure impacts to sea turtles are avoided or minimized. The National Oceanic and Atmospheric Administration Restoration Center, on behalf of the LA TIG, has requested initiation of ESA formal Section 7 consultation with the National Marine Fisheries Service, relying on effects analysis and best management practices (BMPs) in the RP/EA, biological evaluation form, and biological assessment to ensure that the Grand Isle Park Improvement alternative is not likely to jeopardize any listed species or result in adverse modification or destruction of designated critical habitat. The Trustees anticipate receiving a No Jeopardy Biological Opinion and an Incidental take Statement (ITS) that specifies the level and amount of take and includes reasonable and prudent measures and nondiscretionary terms and conditions to minimize take. The LA TIG will complete Section 7 consultation and receive a biological opinion prior to project construction. The LA TIG will take no action that could preclude the formulation of reasonable and prudent alternatives. The final biological opinion and related documents regarding the Grand Isle State Park Improvements alternative requiring conditions, BMPs, or other conservation measures will be made available to the public on the DWH Administrative Record website at <http://www.doi.gov/deepwaterhorizon/adminrecord/index.cfm>, or upon request. Based on our full evaluation of effects of the Grand Isle State Park Improvements alternative on listed sea turtles, commitment to mitigation measures to avoid or minimize adverse effects, and anticipation of receiving a No Jeopardy Biological Opinion with ITS, the Trustees do not anticipate significant impacts to listed sea turtles. Following completion of formal consultation and receipt of the

biological opinion, the Trustees will review this determination and proceed if the outcome is consistent with our effects analysis.

- Based on information in the RP/EA, the Proposed Action is not expected to threaten a violation of federal, state, or local laws, or requirements imposed for environmental protection. However, projects will be monitored appropriately, and approaches and designs may be applied, adopted, or modified from other similar projects as deemed necessary.
- The Proposed Action will not adversely affect vulnerable marine or coastal ecosystems. The RP/EA analyzed impacts to coastal-nearshore and marine habitats as well as essential fish habitat. Impacts to these ecosystems would range from short- and long-term adverse to long-term beneficial, depending on the alternative. For those alternatives where adverse impacts to marine and coastal ecosystem were identified, those impacts would be limited to a small footprint and would be minor.
- The Proposed Action is not expected to adversely affect biodiversity or ecosystem functioning (e.g., benthic productivity, predator-prey relationships, etc.).
- The Proposed Action is not expected to result in the introduction or spread of a nonindigenous species. All projects with an identified potential for invasive species colonization include provisions for invasive species management and best practices to minimize the risk of the introduction or spread of nonindigenous species.
- The Proposed Action will have no significant adverse impacts on public health and safety. The Proposed Action is not expected to have any effects on public health or safety, beyond those disclosed and evaluated in the Final PDARP/PEIS. The effects on public health and safety from the restoration techniques in the RP/EA were evaluated in the RP/EA and found to be within the scope of effects evaluated in the Final PDARP/PEIS.
- The Proposed Action is expected to be in compliance with all applicable federal laws and regulations relevant to the preferred projects. Environmental reviews and consultations will be finalized prior to the initiation of the relevant project activities. Tables A-5 and A-6 provide a summary of the federal regulatory compliance review and approvals as of June 15, 2018. For all projects in which the compliance status is labeled as complete, no significant or adverse effects were found. Environmental reviews and consultations not yet completed will be finalized prior to the initiation of the relevant project activities.
- The Proposed Action has no highly uncertain, unique, or unknown risks. The land acquisition, habitat restoration and management activities, and conservation practices are successful, well-established, and commonly used practices for habitat restoration and land conservation.

**Table G-5. Current Status of Federal Regulatory Compliance for Nutrient Reduction Preferred Alternatives**

<b>Alternative Name</b>	<b>Bald and Golden Eagle Protection Act (U.S. Fish and Wildlife Service [USFWS])</b>	<b>Coastal Barrier Resources Act (USFWS)</b>	<b>Coastal Zone Management Act</b>	<b>Endangered Species Act Section 7 (National Marine Fisheries Service [NMFS])</b>	<b>Endangered Species Act Section 7 (USFWS)</b>	<b>Essential Fish Habitat (NMFS)</b>	<b>Marine Mammal Protection Act (NMFS)</b>	<b>Marine Mammal Protection Act (USFWS)</b>	<b>Migratory Bird Treaty Act (USFWS)</b>	<b>National Historic Preservation Act</b>	<b>Rivers and Harbors Act/Clean Water Act (U.S. Army Corps of Engineers Permit)</b>
Nutrient Reduction on Dairy Farms in St. Helena and Tangipahoa Parishes	Complete	Complete	Complete	Complete	In Progress	Complete	Complete	Complete	In Progress	In Progress	In Progress
Nutrient Reduction on Dairy Farms in Washington Parish	Complete	Complete	Complete	Complete	In Progress	Complete	Complete	Complete	In Progress	In Progress	In Progress
Nutrient Reduction on Cropland and Grazing Land in Bayou Folse	Complete	Complete	Complete	Complete	In Progress	Complete	Complete	Complete	In Progress	In Progress	In Progress
Winter Water Holding on Cropland in Vermilion and Cameron Parishes Plus Agricultural Best Management Practices	Complete	In Progress	Complete	Complete	In Progress	Complete	Complete	Complete	In Progress	In Progress	In Progress
Winter Water Holding on Cropland in Concordia, Tensas, and Catahoula Parishes	Complete	Complete	Complete	Complete	In Progress	Complete	Complete	Complete	In Progress	In Progress	In Progress

**Table G-6. Current Status of Federal Regulatory Compliance for Recreational Use Preferred Alternatives**

<b>Alternative Name</b>	<b>Bald and Golden Eagle Protection Act (U.S. Fish and Wildlife Service [USFWS])</b>	<b>Coastal Barrier Resources Act (USFWS)</b>	<b>Coastal Zone Management Act</b>	<b>Endangered Species Act Section 7 (National Marine Fisheries Service [NMFS])</b>	<b>Endangered Species Act Section 7 (USFWS)</b>	<b>Essential Fish Habitat (NMFS)</b>	<b>Marine Mammal Protection Act (NMFS)</b>	<b>Marine Mammal Protection Act (USFWS)</b>	<b>Migratory Bird Treaty Act (USFWS)</b>	<b>National Historic Preservation Act</b>	<b>Rivers and Harbors Act/Clean Water Act (U.S. Army Corps of Engineers Permit)</b>
Pass-a-Loutre Wildlife Management Area Campgrounds	In Progress	In Progress	Complete	In Progress	In Progress	In Progress	Complete	In Progress	In Progress	In Progress	In Progress
Pass-a-Loutre Wildlife Management Area Crevasse Access	In Progress	In Progress	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Grand Isle State Park Improvements	In Progress	In Progress	Complete	In Progress	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Chitimacha Boat Launch	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Sam Houston Jones State Park Improvements	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Pointe-aux-Chenes Wildlife Management Area Recreational Use Enhancement	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
WHARF Phase 1	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Bayou Segnette State Park Improvements	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Atchafalaya Delta Wildlife Management Area Access	In Progress	In Progress	Complete	In Progress	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Atchafalaya Delta Wildlife Management Area Campgrounds	In Progress	In Progress	Complete	In Progress	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Rockefeller Piers and Rockefeller Signage	In Progress	In Progress	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
St. Bernard State Park Improvements	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Cypremort Point State Park Improvements	In Progress	Complete	Complete	In Progress	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress

<b>Alternative Name</b>	<b>Bald and Golden Eagle Protection Act (U.S. Fish and Wildlife Service [USFWS])</b>	<b>Coastal Barrier Resources Act (USFWS)</b>	<b>Coastal Zone Management Act</b>	<b>Endangered Species Act Section 7 (National Marine Fisheries Service [NMFS])</b>	<b>Endangered Species Act Section 7 (USFWS)</b>	<b>Essential Fish Habitat (NMFS)</b>	<b>Marine Mammal Protection Act (NMFS)</b>	<b>Marine Mammal Protection Act (USFWS)</b>	<b>Migratory Bird Treaty Act (USFWS)</b>	<b>National Historic Preservation Act</b>	<b>Rivers and Harbors Act/Clean Water Act (U.S. Army Corps of Engineers Permit)</b>
The Wetlands Center	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Recreational Use Improvements at Barataria Preserve in Jefferson Parish, Jean Lafitte National Historical Park and Preserve, Barataria Preserve Unit	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Des Allemands Boat Launch	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Middle Pearl	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Improvements to Grand Avoille Boat Launch	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress
Belle Chasse	In Progress	Complete	Complete	Complete	In Progress	Complete	Complete	In Progress	In Progress	In Progress	In Progress

## G-7 LITERATURE CITED

Deepwater Horizon Oil Spill Trustees (DWH Trustees). 2016. *Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement*. Available at: <http://www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan>. Accessed December 28, 2017.

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## **G-8 DETERMINATION**

Based on the information presented in this document and the analysis contained in the RP/EA, it is hereby determined that implementation of the Restoration Plan (the Proposed Action) will not significantly impact the quality of the human environment, as described above. Therefore, an Environmental Impact Statement will not be prepared.

SEPARATE ELECTRONIC SIGNATURE PAGE FOR EACH TRUSTEE  
BELOW \_\_\_\_\_  
[Decision Makers]

Date: \_\_\_\_\_

Signature: DOLEY.CHRISTOPHER.D.1365844042 Digitally signed by  
DOLEY.CHRISTOPHER.D.1365844042  
Date: 2018.07.05 11:42:11 -04'00'  
CHRISTOPHER D. DOLEY  
Principal Representative, National Oceanic and Atmospheric Administration

Signature: BROSNAN.THOMAS.M.1365824327 Digitally signed by  
BROSNAN.THOMAS.M.1365824327  
Date: 2018.07.05 08:41:49 -04'00'  
TONY PENN  
Chief, Assessment and Restoration Division  
National Ocean Service  
National Oceanic and Atmospheric Administration

Date: 7/3/2018

Signature:   
KEVIN D. REYNOLDS  
Designated Department of the Interior Natural Resource Trustee Official

Date: 7/5/2018

Signature: Homer L. Wilkes  
HOMER L. WILKES  
Primary Representative, U.S. Department of Agriculture

Date: 7/3/2018

Signature:   
\_\_\_\_\_

MARY KAY LYNCH  
Alternate to Principal Representative, U.S. Environmental Protection Agency