

Dear Mr. Cefalu:

Thank you for your presentation during the public meeting of the Mississippi River Commission held in Morgan City, Louisiana, on August 22, 2003.

Compensatory mitigation offsets the unavoidable impacts to wetland habitat often associated with Department of the Army permits. Applicants generally have two choices: (1) development of an individual mitigation plan, or (2) the utilization of a mitigation bank. Most applicants choose to use mitigation banks for their convenience since they pay a one-time fee and all responsibility falls to the mitigation banker. The New Orleans District does not direct applicants to mitigation banks, rather they advise applicants of the various mitigation options. Once an applicant chooses the bank approach, the District advises the applicant as to which bank or banks are appropriate and the amount of credit needed from the bank. In cases where there is only one bank in a watershed, the permittee can still choose to accomplish his own mitigation with the District's approval. This approach is consistent with the mitigation policy and guidance issued by Corps Headquarters and the District stands ready to work with all permit applicants in resolving their mitigation issues. It must be recognized, however, that in many cases the appropriate mitigation bank may charge more than the applicant is willing to pay.

Regarding your concerns about the degree of siltation in Grand Lake, the Buffalo Cove Management Unit (BCMU) project contains a portion of Grand Lake. The BCMU project is an

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element of the water management feature of the Atchafalaya Basin Floodway System project. The authorized purpose of the water management feature is to restore the aquatic habitat of the various management units within the Lower Atchafalaya Basin Floodway. Congress has authorized initial implementation of this feature on two pilot management units, one of which is the BCMU. Implementation of an additional three units is authorized, but is dependent upon the decision of the Chief of the Corps of Engineers after evaluating the operational success of the first two management units. The BCMU is the first of

the pilot units to be constructed. Construction is currently scheduled to begin in 2004.

The Commission appreciates receiving your views and will be pleased to hear from you at our future public meetings.

Sincerely,

Don T. Riley  
Brigadier General, U. S. Army  
President Designee, Mississippi  
River Commission