

Dear Mr. Tauzin:

Thank you for the presentation made on your behalf by Mr. Martin Cancienne during the Mississippi River Commission public meeting on August 22, 2003, in Morgan City, Louisiana. A copy of this letter is being mailed to Mr. Cancienne at your Gonzales, Louisiana, office. In his presentation, Mr. Cancienne commented on several of the more pressing problems facing south Louisiana.

Restoring the Louisiana coastal area is a complex endeavor that requires the best scientific and management solutions. The U.S. Army Corps of Engineers will continue to work closely with all of the state and Federal agencies and other interest groups to develop a comprehensive ecosystem restoration plan for coastal Louisiana.

The Corps continues to pursue levee construction, navigation, operations and maintenance, environmental restoration, and other work as high-priority items. Major levee deficiencies exist in the area west of Berwick. Significant construction progress has been made in this area and there are currently six ongoing contracts. The overall design effort is continuing.

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

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District should not direct applicants to mitigation banks, rather they should 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.

In addition, a Regulatory Peer Review has been initiated within the last year. The objective is to improve consistent program implementation in accordance with the National Standard Operating Procedure with all districts in the Mississippi Valley Division (MVD). It will also enhance program implementation and achieve the goal of fair and reasonable decisions consistently through the districts in MVD. The preliminary data is being reviewed at this time. My staff is willing to brief you on the results when the data is finalized.

The Commission appreciates receiving your comments 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

Send copy to:

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