

From: [Assenza, Adam](#)
To: [Floyd, Kathryn K.](#)
Cc: [Liz Grindstaff](#); [Nina Reins](#); [Gosselin, Danielle](#); [Wayland, Joshua](#)
Subject: FD-36633: Work Plan
Date: Thursday, September 15, 2022 2:47:00 PM
Attachments: [5. FINAL FNI Work Plan for FD-36633.pdf](#)

Hello Kathryn,

Please find the final work plan for third-party contractor FNI's support of OEA's environmental review in FD-36633 attached.

On our last call, you noted that you'd be sending us a detailed project description and some preliminary maps so that we may begin to identify agencies with potential jurisdiction and other potential stakeholders. In order to meet the tight timelines for environmental review that LA23 hopes to achieve, please send that information to us as soon as possible.

Thank you,

Adam Assenza

Environmental Protection Specialist (he/him)

Office of Environmental Analysis

Surface Transportation Board

P: 202-245-0301



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 15, 2022

Christopher Fetters
Louisiana 23 Development Company, L.L.C.
8748 Hwy 23, Suite 200
Belle Chasse, LA 70

RE: Docket No. FD 36633, Louisiana 23 Development Company (LA23) –
Extension of the New Orleans & Gulf Coast Railroad Mainline – in
Plaquemines Parish, LA – Work Plan

Dear Mr. Fetters:

As required by the Memorandum of Understanding (MOU) among the Surface Transportation Board (Board), the Louisiana 23 Development Company, L.L.C. (LA23; Applicant), and Freese and Nichols Inc. (FNI; Contractor), FNI must prepare a Work Plan in consultation with the Board's Office of Environmental Analysis (OEA) and the Applicant. This Work Plan describes the Contractor's approach to assisting in the preparation of required environmental documentation on behalf of the Office of Environmental Analysis (OEA) in support of the Board's consideration of a proposal by the Applicant to construct a new railroad extension in Plaquemines Parish, Louisiana. This Work Plan addresses the requirements of the MOU by describing the work to be performed, the projected schedule for completing the various tasks, identifying staff members anticipated to perform the environmental review, and an outline of the environmental documentation. This Work Plan assumes that an environmental assessment (EA) would be the environmental documentation required to satisfy compliance with National Environmental Policy Act (NEPA).¹

1. SCOPE OF WORK

This Scope of Work focuses on the primary tasks needed to submit a Final EA for Board approval and some of these tasks are based on unique, project-specific challenges that could arise. Primary tasks include the following:

- Project Management (Section 1.1)

¹ In the Board's regulations, environmental reviews of proposed construction projects are presumed to require preparation of an environmental impact statement (EIS) unless OEA determines that there will not be potential for significant impacts. OEA generally makes this determination after early consultation and its initial site visit.

- Preparation of the EA (Section 1.2)
- Section 106 Documentation, and Tribal Consultations (Section 1.3)
- Endangered Species Act Documentation (Section 1.4)
- Traffic, Air Quality, and Noise Impacts (Section 1.5)
- Waters of the US/Wetland Impacts (Section 1.6)
- Public Involvement (Section 1.7)

1.1 Project Management

The approach to Project Management is to maintain effective management and coordination of project activities, schedule, and cost. Project management will also include coordinating and overseeing task managers and subject matter experts, who will author sections of the EA. In addition, Project Management will also include document management, where aspects of the EA preparation (such as maintaining an administrative record, incorporating edits, developing comments/response matrices, including appropriate references, and formatting the document) are controlled by the Project Manager, NEPA Technical Manager, and NEPA QA/Advisory staff. The activities below describe the management approach for coordinating the environmental review process directed by OEA and implemented by FNI.

1.1.1 Prepare Work Plan

The Work Plan to develop an EA for the proposed Extension of the New Orleans & Gulf Coast Railroad Mainline began by evaluating prior approved work plans associated with OEA's recent environmental reviews. Unique challenges or features of the proposed project area also were considered to identify particularly important tasks or subject matters to be addressed in the EA process (such as addressing impacts to environmental justice, historic properties or cultural resources, and wetlands, which could be of relatively high importance for this proposed project). The proposed project area is in a partially developed region consisting of levees, roadways, wetlands, industrial, and residential tracts. Some forested areas also exist in the area. This Work Plan was developed based on information presented in recent, prior-approved Work Plans, as well as these project-specific challenges or features.

1.1.2 Maintain Project Coordination and Communication

Project coordination and communication provides support and processes to ensure timely, efficient, and appropriate assignment, completion, follow-through, and closure of project tasks and activities. This task also supports critical coordination and communication links among OEA, the Contractor, and the Applicant for effective and efficient work performance. This would include:

- Effective and clear project communication and information dissemination
- Regular coordination of conference calls and meetings
- Documentation of verbal decisions, meetings, and activities to ensure

clarity

- Tracking of Action Items
- Establish file share capabilities (i.e., SharePoint site)
- Communication with the Applicant will only occur with STB knowledge

1.1.3 Maintain Project Controls, Schedule, Budget, and Decision Logs

FNI utilizes applicable tools and systems to manage projects activities. FNI's project management approach includes appropriately detailed project scheduling and assignment tasking. The schedule and resource assignments provide the framework to address the project scope, cost, and quality while adhering to OEA's environmental review schedule.

In addition to internal project controls, the project would also be document substantive decisions made by the OEA. Tasks for project controls will include:

- Develop project schedule
- Manage tasks, staff, and associated budgets
- Prepare monthly progress report and invoice
- Submission of weekly status updates and execute bi-weekly status meetings between OEA and FNI
- Submit timely invoicing to the Applicant in accordance with the Professional Services Contract entered between LA23 and FNI.

1.2 Preparation of the Environmental Assessment

LA23 intends to request authorization from the Board to construct and operate an extension of the New Orleans and Gulf Coast Railway Company, Inc. mainline under Section 10901 of Title 49 of the *United States Code* (49 U.S.C. § 10901). FNI will assist OEA in the preparation of an Environmental Assessment (EA) consistent with the National Environmental Policy Act (NEPA; 42 U.S.C. §§ 4331-4335) and the Board's environmental rules (49 C.F.R. § 1105.6(b)4). OEA will have ultimate responsibility for the EA process. OEA's primary responsibility in this environmental review is to ensure compliance with NEPA and other applicable environmental statutes and regulations by conducting agency and tribal consultation, implementing appropriate public involvement, developing a reasonable range of alternatives, analyzing the impacts of those alternatives, developing preliminary recommended mitigation for the Board, and preparing the EA and any associated documentation.

OEA will direct FNI during the environmental review process. FNI's scope of work, approach, and activities shall be under the supervision, direction, and control of OEA. The Applicant is responsible for providing OEA and FNI with the appropriate project information and analysis requested to prepare the environmental documentation. FNI's primary responsibility is to assist OEA in the environmental review process, including preparing appropriate environmental

documentation, providing technical support to OEA on the environmental analysis, providing project administrative services, and related activities. FNI will coordinate with OEA for direction or clarification around any policy issues that arise during the environmental review process.

EA preparation will consist of the following major activities:

1.2.1 Initiate Project

- Collect existing background information (e.g., spatial data, local plans and policies) and new information essential to the impact analysis (e.g., fieldwork)
- Acquire Applicant's environmental data collected for the project, including Waters of the US delineations, habitat assessments for federally listed species, cultural resource evaluations, and agency correspondence.
- Develop list of agency contacts
- Identify any potential cooperating and participating agencies
- Solicit agency input and review with OEA for consideration in EA analyses
- Perform initial site visits if necessary

1.2.2 Develop Purpose and Need Statement

- Request relevant information from LA23 through OEA
- Review draft with OEA
- Revise based on OEA comments

1.2.3 No Action & Alternatives Documentation

Describe the project and alternatives to be evaluated, including the No Action Alternative to serve as a baseline for comparison

- Request relevant information for alternatives analysis from LA23 through OEA
- Review draft with OEA
- Revise based on OEA comments

1.2.4 Agency Coordination & Consultations

Agency coordination and consultations will help identify the need to prepare technical documentation for the EA, including but not limited to the following disciplines: cultural resources, endangered species, traffic, waters of the US, air quality, and noise and vibration.

- Request relevant data needs from participating agencies and LA23 on behalf of OEA
- Facilitate data transfer between OEA and other agencies with expertise or jurisdiction relevant to the project's environmental review
- Review draft technical documentation with OEA
- Revise technical documentation based on OEA comments
- Initiate Section 106 and Section 7 consultation, as required
- Perform site visit with cooperating agencies if necessary

1.2.5 *Prepare Draft EA*

- EA sections drafted by subject matter experts using information acquired from reliable sources, including but not limited to the Applicant, publicly available data, field verifications, and published research and studies.
- Review draft EA sections with OEA
- Revise based on OEA comments
- Develop an internal GIS “Story Map”

1.2.6 *Publish Draft EA*

- Prepare a draft Notice of Availability for OEA to publish in required notification media, establishing a review period for accepting comments
- Distribute digital and hard copies of draft EA
- Collect and compile comments
- Publish external GIS “Story Map”

1.2.7 *Prepare Final EA*

- Addressing substantive comments that may have been received
- Review draft Final EA sections with OEA
- Revise based on OEA comments

1.2.8 *Draft Notice of Availability*

Prepare a draft Notice of Availability for OEA to publish in the Federal Register and local media.

1.3 Section 106 Documentation and Tribal Consultation

Section 106 compliance and tribal consultation are critical requirements of the EA process. If OEA determines that a Section 106 agreement document is necessary, that document must be finalized and executed before issuance of the Final EA. FNI will develop and propose an area of potential effects (APE) for review and approval by STB. Once the APE is approved by STB, cultural resources data gaps will be identified and a cultural resources report will be prepared to identify potentially present resources eligible for listing on the National Register of Historic Places under Section 106 of the National Historic Preservation Act, to evaluate potential effects of the project on those properties, to present treatment recommendations for those properties (as applicable), and to present recommendations for an agency determination of project effects. The findings of this report and concurrence of the State Historic Preservation Office will be incorporated into the draft and final EA. FNI will maintain a Section 106 correspondence log throughout the life of the project.

Formal tribal and agency Section 106 consultation will be conducted by STB. If there are interested Tribes, the consultation effort would identify their concerns and whether they want to engage in government-to-government consultation, determine whether they want to participate in the Section 106 process under the National Historic Preservation Act, and assist them in

engaging in the environmental review process. These consultation efforts will be documented in the EA.

1.4 Endangered Species Act Documentation

FNI will compile a list of species protected under the Endangered Species Act that are potentially present in the project area. OEA will consider potential project impacts on federally protected or state-designated species, as well as any sacred species identified through tribal consultation. The species list will be reviewed with OEA to determine the appropriate form of documentation. It is assumed that the Applicant would provide information regarding any due diligence or agency coordination that has been performed as part of project planning. A biological evaluation or a biological assessment will be prepared for submittal to the U.S. Fish and Wildlife Service, if needed. The findings of this report and concurrence of the U.S. Fish and Wildlife Service will be incorporated into the draft and final EA.

1.5 Traffic, Air Quality, and Noise Impacts

Due to a linear project location that includes port activities, existing highways, residential and industrial tracts, it is assumed that impacts to traffic, air, and noise may be of particular importance to evaluate. Efforts to evaluate traffic, air, and noise impacts may require field data collection and supporting studies.

1.6 Waters of the US/Wetland Impacts

The project area includes potential wetlands and other waters of the US (WOTUS) that occur adjacent to the Mississippi River and may represent a unique resource for the area. Efforts to evaluate WOTUS impacts may require field data collection and supporting studies.

1.7 Public Involvement

The primary purpose of public involvement during OEA's environmental review is to inform the public about the opportunity to comment and the availability of documents for review. Public involvement activities, where applicable, for the EA process will be geared toward providing the public with proper notification and information, tracking and monitoring stakeholder issues and concerns, identifying areas of special concern, and facilitating public comment.

Communication with the public, affected communities and government agencies will be directed by OEA and handled with sensitivity. As needed, FNI will monitor relevant media coverage for the purposes of keeping the project team aware of relevant articles. FNI will not speak to the media on behalf of OEA. All media inquiries will be referred to OEA. The same is true for inquiries from elected officials. FNI will notify OEA as soon as possible of inquiries or comments from elected officials at the federal, state, local and tribal levels.

2. MILESTONE SCHEDULE

Task	Start date	Duration	End date
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Develop Purpose and Need Statement	September 2022	30 days	October 2022
Describe Project and Alternatives	October 2022	30 days	November 2022
Agency Consultations	November 2022	180 days	May 2023
Section 106 Agreement Document	November 2022	240 days	July 2023
Prepare Technical Documentation	January 2023	90 days	April 2023
Field Verifications	March 2023	60 days	May 2023
Prepare Draft Environmental Assessment	March 2023	60 days	June 2023
Public and Agency Review	June 2023	30 days	July 2023
Prepare and Submit Final Environmental Assessment	July 2023	30 days	August 2023

3. STAFFING PLAN

Role	Staff Name
Project Manager	Nina Reins
Lead EA Author	Tom Dixon
Quality Manager	Lisa Vitale Eric Brown (<i>Brownstone Associates LLC</i>)
Transportation/Traffic	John Foret (<i>C. H. Fenstermaker and Associates LLC</i>)
Air Quality and Climate Change	Kerry Royko Tam Tran
Noise and Vibration	Ben Hagood
Hazardous Materials	Michelle Clement
Cultural Resources/Section 106	Bretton Somers (<i>Gulf South Research Corporation</i>)
Endangered Species Act	Aaron Petty Tam Tran
Hydrology	Matt Salmon
Water Resources and Wetlands	Michael Lane Andrew Labay Blake Simon
Geology and Soils	Kimberly Buckley
Land Use and Recreation	Brian Bader (<i>Gulf South Research Corporation</i>) Josh McEnany (<i>Gulf South Research Corporation</i>)
Socioeconomics and Environmental Justice	Michael Stout (<i>Michael Stout Planning Services, LLC</i>)
Agency Coordination	Liz Grindstaff Travis Kelly
Public Involvement	Wendy Bonneau Kiara Horton
Graphics	John Oliver
Geographic Information Systems	Whitney Broussard Kelsey Calvez
Technical Editing	Alais Harper

4. DRAFT ENVIRONMENTAL ASSESSMENT OUTLINE

1. Introduction
 - 1.1 Project Location
 - 1.2 Purpose and Need for the Project
2. Proposed Action and Alternatives
 - 2.1 Alternatives Considered
 - 2.2 No-Action Alternative
 - 2.3 Proposed-Action Alternative
 - 2.4 Construction Methods and Process
3. Affected Environment and Environmental Effects
 - 3.1 Transportation and Safety
 - 3.2 Air Quality and Climate Change
 - 3.3 Noise and Vibration
 - 3.4 Hazardous Materials and Waste Sites
 - 3.5 Biological Resources (Wildlife, Fish, and Other Aquatic Species)
 - 3.6 Water Resources
 - 3.7 Geology and Soils
 - 3.8 Land Use and Recreation
 - 3.9 Socioeconomics
 - 3.10 Visual Quality
 - 3.11 Environmental Justice
 - 3.12 Archaeological and Historic Resources
4. Mitigation
 - 4.1 Resource-Specific Mitigation
 - 4.2 Multi-Resource Mitigation
5. Coordination and Compliance
 - 4.1 Agency and Tribal Consultation
 - 4.3 Public Involvement
 - 4.4 List of Preparers

6. References