



UNITED FOR A HEALTHY GULF

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29 January, 2016

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RE: **MVN 2008-0031 EOO** - St. Charles Power Station Project in Montz, Louisiana
(**WQC 160107-01**)

Dear Mr. LaBorde and Ms. Hill,

I am writing on behalf of Gulf Restoration Network (“GRN”), a diverse coalition of individual citizens and local, regional, and national organizations committed to uniting and empowering people to protect and restore the resources of the Gulf of Mexico. We have serious concerns about the application for a Section 404 Permit (**MVN 2008-0031 EOO**) and Water Quality Certification (**WQC 160107-01**) submitted to the United States Army Corps of Engineers (“The Corps”) and Louisiana Department of Environmental Quality (“LDEQ”), respectively, by Entergy Louisiana, LLC (“The Applicant”).

The Applicant requests Section 404 permitting and a Water Quality Certification (“WQC”) for the proposed installation of a combined cycle gas turbine (“CCGT”), in addition to other necessary equipment and appurtenances, including but not limited to construction roads, gas and utility lines, a new power block, and a metering station (“The Project”). The Project would create the St. Charles Power Station, a new plant in the footprint of the Little Gypsy Power Station. Given existing site conditions, The Project is only expected to directly impact 1.47 acres of Waters of the United States. However, we strongly urge that indirect wetland impacts be considered in decision-making processes. A gas-burning plant will undeniably serve as a significant source heat-trapping emissions over the course of its lifetime. The threats of rising seas, disappearing coasts, and stronger storms should be weighed accordingly.

GRN opposes The Applicant's request for a Section 404 Permit and WQC, and we ask The Corps and LDEQ to deny this request based on the following concerns:

1. *Project Alternatives have not been addressed.*

In general, the regulations provide that no discharge of dredged or fill material shall be permitted: (1) if there is a practicable alternative to the proposed discharge; (2) if the discharge causes or contributes to violations of applicable state water quality standards; (3) if the discharge will cause or contribute to significant degradation of the environment; and (4) unless all appropriate steps have been taken to minimize potential adverse impacts.¹

The regulations further provide that "practicable alternatives" include "not discharging into the waters of the U.S. or discharging into an alternative aquatic site with potentially less damaging consequences."²

Publicly-available documents provide no evidence that The Applicant has engaged in a proper alternative analysis, to determine whether non-wet potential project sites exist. The alternative analysis must include direct, indirect, secondary, and cumulative impacts that take into account aspects of water quality, wildlife, and flood protection. Presently, the public has not received any information as to why The Project must be sited in The Applicant's preferred location.

Put simply, The Applicant has failed to demonstrate adequate consideration of alternatives, or an avoidance of impacts to the maximum extent practicable. Therefore, GRN respectfully submits that The Corps cannot issue the requested permit under Clean Water Act Section 404.

We request an adequate alternatives analysis in response to this letter.

2. *Indirect, secondary, and cumulative impacts must be fully considered.*

Given the information in the Public Notice,³ it does not appear The Applicant has fully considered the indirect, secondary, and cumulative impacts of its proposal.

¹ 40 C.F.R. § 230.10.

² 40 C.F.R. §§ 230.5(c), 230.10(a).

³ Joint Corps/LDEQ Public Notice:

<http://www.mvn.usace.army.mil/Portals/56/docs/regulatory/publicnotices/MVN-2008-0031-EOO%20PNALL.pdf>

Indirect and Secondary Impacts – The Code of Federal Regulations recognizes the significance of secondary impacts from wetland destruction by emphasizing that “minor loss of wetland acreage may result in major losses through secondary impacts.”⁴

The indirect impacts of burning fossil fuels are on the order of 980 square miles of wetlands in the New Orleans District, according to the 2012 State Master Plan.⁵ This project will add a significant share of fossil-fuel heat into the atmosphere over the time scale in the Master Plan. To comply with recent Executive Orders and CEQ guidance, the Corps, EPA, and DEQ must evaluate what component of that wetland loss is due to the estimated activities of this facility until 2061.

Cumulative Impacts – The cumulative impacts on storm and flood protection must be taken into consideration. This activity, combined with other wetland-destroying, emission-generating projects, could result in more flooding in nearby coastal communities.

Since the Public Notice does not assess, or even recognize, the potential indirect, secondary, and cumulative impacts that would result from The Project, The Corps and LDEQ cannot approve this proposal as submitted.

3. Climate Change should be considered in the permitting process

Today’s world is one of a rapidly-changing global climate. This human-induced phenomenon threatens our nation’s communities with stronger, more frequent storms, longer heat waves, more regional droughts, increased incidences of wildfires, permafrost thawing, ocean acidification, and sea-level rise from melting glaciers. Without question, the Gulf Coast and its wetlands are especially vulnerable to these impacts. Regional subsidence from continued oil, gas, and freshwater extraction only compounds these threats.

Up to this point, The Corps has not come close to fully addressing December of 2014’s *Revised Draft Guidance for Greenhouse Gas Emissions and Climate Change Impacts*,⁶ issued by the President’s Council on Environmental Quality (CEQ). As described in the guidance, “*Unlike the 2010 draft guidance, the revised draft guidance applies to all proposed Federal agency actions.*” The Corps is strongly encouraged to comply with this executive guidance and to fully address the requirements in either a supplemental or final NEPA document.

⁴ 40 C.F.R. §230.41.

⁵ The difference between the "Moderate" and "Less Optimistic" Scenarios, SMP 2012, p. 82

⁶ See https://www.whitehouse.gov/sites/default/files/docs/nepa_revised_draft_ghg_guidance_searchable.pdf

When simply looking at higher temperatures, a clear positive association exists between air temperature and quality. As temperatures rise, so do ozone levels. Excess ozone exposure in turn elicits direct negative health outcomes, in individuals both young and old. Like all other repercussions of climate inaction, this harmful example is felt disproportionately by communities already marginalized by histories of one-sided public policies.

In order to stand a chance at avoiding catastrophic, irreversible climate change, scientists have repeatedly called for the majority of fossil-fuel reserves to remain underground. A lifecycle analysis (LCA) of the The Project should therefore be conducted, whereby the greenhouse-gas emissions from end-use, electrical-generating combustion are quantified alongside those released during the natural-gas extraction and transportation phases. Given the pressing need to leave fossil-fuel reserves untapped, the LCA would act as a tool to gain insight into whether The Project's expected benefits do actually outweigh its obvious costs.

More specifically, The Corps ought to analyze the climate impacts associated with the extraction, processing, transportation, and end-use combustion of the natural gas that will be fed into the new CCGT power station. And in a world constrained by climate change, the proper measure of The Project's climate impact should not be based on assumptions inherent in business-as-usual scenarios that guarantee climate disaster. That is, any comparisons should be made to readily-available, zero-emission renewable technologies, such as wind power,⁷ rather than dirtier forms of fossil fuels.

As an example, Louisiana's Coastal Master Plan outlines coastal wetlands at risk from sea-level rise in the Gulf of Mexico. The differential drowning of coastal wetlands in the New Orleans District of the Corps, based on different climate scenarios, is on the order of one thousand square miles by 2061.⁸ Should the Corps approve this project, some portion of those thousands of square miles of wetlands lost could be directly attributed to The Project's burning of gas.

The Corps (or any other decision-making agency) can theoretically determine the amount of direct land-loss that would result from this project's implementation. A discrete amount of lifetime greenhouse-gas emissions is directly related to a given temperature increase, which is then tied to quantities of melting ice and rising seas. After also accounting for rates of regional subsidence, the decision-makers would then be able to explicitly see the climate-related impacts of this particular project. And further, these methods could seemingly be used on a cumulative scale to quantify the impacts of continued permitting of fossil-fuel infrastructure in all its forms.

⁷ First offshore wind farm in North America has Louisiana roots. July 23, 2015 | Don Ames. [retrieved](#) 29 Jan 2016

⁸ Coastal Protection and Restoration Authority of Louisiana, *2012 Comprehensive Master Plan for a Sustainable Coast* (p 105).

For full clarification, while these sorts of analyses should be conducted, the mere mention of climate considerations is intended to highlight the fact that they have thus far been absent from all deliberations.

4. The proposal does not appear to offer any public benefit or be in the public interest.

As already noted, The Corps must not only consider alternative sites, it must also choose the least-damaging practicable alternative.⁹ The least-damaging practicable alternative is the “no action” alternative. This alternative goes to the heart of this entire process – whether there even exists a public need for The Project.

Given the lack of information available in the public documents, the public need for this project can only be speculated. The proposed CCGT power station will therefore presumably add electricity into regional grids. While The Project may serve as an electrical source to community members, renewable-energy technologies have been repeatedly shown to outperform their fossil-fuel peers.

When accounting for the ‘total cost’ of The Project, this rift indeed grows even larger. External costs in the forms of environmental and health damages must be factored into the permitting process. As mentioned above, the end-use combustion of natural gas cannot be seen as distinct from its extraction. Citizens across the Gulf and beyond are exposed daily to air and waterborne contaminants because of the natural-gas industry. All the while, their surrounding natural beauty is impacted by drilling wells, compressor stations, access roads, and miles of pipeline.

For the sake of emphasis, community members are likely to be left with all the unaccounted, external costs of The Project: health and environmental impacts, reduced flood protections, heightened spill risks, and the countless other impacts associated with the climate-disrupting reliance on fossil-fuel infrastructure.

Given the well-known volatility of natural-gas markets, The Applicant ought to demonstrate the long-term viability of The Project. Should it be permitted, this CCGT installation would seemingly exist in an active, polluting state for close to half a century. To therefore demonstrate at least some of the potential project-related benefits, an analysis that includes no fewer than five years of historical market data should be included and weighed in the decision-making process.

⁹ 40 C.F.R. § 230.10(a).

SUMMARY

- 1. Project Alternatives have not been addressed.**
- 2. Direct, indirect, secondary, and cumulative impacts must be fully considered.**
- 3. Climate Change should be considered in the permitting process.**
- 4. The proposal does not appear to offer any public benefit or be in the public interest.**

In conclusion, The Corps and LDEQ must take the mandates of the Clean Water Act and Louisiana's *Comprehensive Master Plan for a Sustainable Coast* seriously.

The Applicant has not demonstrated a lack of practicable alternatives, has not assessed significant impacts, and has not explicitly explained how The Project offers public benefit or is in the public interest.

Over a decade since the 2005 hurricane season, GRN is beyond alarmed by the wetland destruction occurring throughout Louisiana and the rest of the Gulf Coast. We hope The Corps and LDEQ will take the above comments seriously and act upon them accordingly.

In order to keep us and the public properly informed, we request notification of denials, approvals, and/or changes to The Applicant's request for a Section 404 Permit and WQC.

We look forward to a written response.

For a healthy Gulf,
[sent via e-mail]

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