



DWH Federal Trustees
NOAA/DOI/USDA/EPA

October 18, 2024

Mr. Glenn Ledet, Jr., Principal Representative for Louisiana:

On behalf of the Deepwater Horizon (DWH) Natural Resource Damage Assessment (NRDA) Federal Trustee members of the Louisiana Trustee Implementation Group (TIG), we are writing to you regarding the status of the Mid-Barataria Sediment Diversion (MBSD) project and the current uncertainty about the Louisiana Coastal Protection and Restoration Authority's (CPRA) commitment to constructing the project as evaluated and designed. As stewards of public trust resources under the Oil Pollution Act and the 2016 Consent Decree, the State and Federal Trustees in the Louisiana TIG have an important responsibility to restore Louisiana natural resources and services that were injured by the 2010 DWH oil spill. Consistent with this responsibility, the Federal Trustees reaffirm our continued commitment to the approved MBSD project and our support for CPRA's implementation of the project as Lead Implementing Trustee. We request a clear statement that CPRA remains committed to implementation of the MBSD project as previously evaluated, approved, and funded by the State and Federal Trustees in the Louisiana TIG.

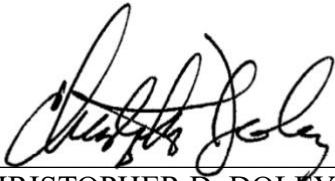
Sediment diversions, including the MBSD project, have been considered and approved as a component of every Louisiana Coastal Master Plan since development of the original Master Plan in 2007. The State and Federal Louisiana TIG Trustees' February 2023 decision to approve \$2.26 billion in DWH NRDA funding to implement the project was the culmination of six years of evaluation focused on restoring habitat in the Barataria Basin injured by the DWH oil spill. The approved MBSD Restoration Plan 1) evaluated six sediment diversion alternatives using the latest scientific literature and technical models, including multiple computer-generated and scaled physical models, 2) provided in-depth analysis of both the beneficial and negative impacts of alternatives, 3) considered and incorporated extensive public input received on the Draft Restoration Plan, 4) incorporated substantial impact mitigation, and 5) ultimately selected a 75,000 cubic feet per second diversion for implementation. No other single restoration project has been planned and studied as extensively over the past decades as the Louisiana-proposed MBSD project. The Federal Trustees stand behind the extensive body of analysis conducted on the project which supported the Louisiana TIG's approval and selection of the MBSD project for funding and implementation.

The Mid-Barataria Sediment Diversion and the associated mitigation and stewardship measures will contribute to protecting Louisiana communities and infrastructure, reduce impacts from storms, support healthier Gulf fisheries, and benefit many species important to Louisiana's economy and environment including white shrimp, red drum, and blue crab. The project's community stewardship measures mitigate diversion-related flooding as well as flooding exacerbated by land subsidence and sea level rise. As an example of the benefits to communities from this project, with the diversion and stewardship measures in place, flooding in Grand Bayou is reduced from 333 days per year to 1 day per year in the 2060's. Myrtle Grove, Woodpark, Suzie Bayou, Hermitage, Grand Bayou, and Happy Jack will all experience more flooding without the Mid-Barataria Sediment Diversion and the associated community stewardship measures than with them.

The Oil Pollution Act, National Environmental Policy Act, the 2016 Consent Decree, and the DWH Trustee Council SOPs guide the process for considering changes to or cancelation of a project previously approved by the Louisiana TIG. Any project change would be limited to alternatives fully evaluated in the Environmental Impact Statement. Consideration of any alternative project, whether previously evaluated or not, would require additional data development, design, and permitting that would significantly delay implementation and increase costs. Furthermore, any alternative project that was not fully evaluated in the already approved Restoration Plan would require cancelation of the existing MBSD project and initiation of a new restoration planning process. There is no guarantee of authorization or approval for any alternative project.

If Louisiana decides not to pursue the project as evaluated and designed, the Federal Trustees expect that the State will cease spending allocated TIG funds immediately and return those funds for future restoration activities. Given the gravity of this situation, we cannot overstate the importance of continued transparent communication with the Louisiana TIG Trustees and with the affected public. We look forward to hearing CPRA's position regarding the approved MBSD project.

Sincerely,



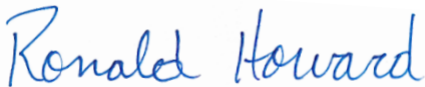
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