DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF

October 20, 2014

Operations Division
Special Projects and Policy Section

SUBJECT: G.D.E Mitigation Bank (MVN 2011-02945)

Mr. Greg Elliot
G.D.E. Investments LA, LLC
1150 Smede Highway
Broussard, Louisiana 70518

Dear Mr. Elliot:

This letter acknowledges the receipt of an Adaptive Management Plan (AMP) as submitted by the GDE Mitigation Bank on September 29, 2014, located in Evangeline Parish, near Oakdale, Louisiana.

The purpose and details of the AMP were discussed in paragraph three of our previous letter dated July 17, 2014, (copy attached).

Among the outstanding compliance issues is the existence of a game fence surrounding portions of the GDE bank. By e-mail dated August 28, 2013, and letter dated April 28, 2014, you have stated your position on the game fence.

The U.S. Army Corps of Engineers New Orleans District (CEMVN) still maintains the position that the game fence is not authorized. As explained in the November 7, 2013, letter from CEMVN, the objective of mitigation banks is to provide for the replacement of chemical, physical, and biological functions of impacted wetlands and other aquatic resources which are lost as a result of authorized impacts.

As noted in previous correspondence, the bank has multiple compliance issues; the game fence is only one. To resolve the issue pertaining to the game fence, the Sponsor must choose one of the following four options:

a. Remove the perimeter fence and all partition fences from around and within the GDE Mitigation Bank and submit an AMP (addressing all non-compliance issues itemized in the May and July 2013, correspondence) for CEMVN approval.

b. Remove the fence from around the 73 acres on the north end of the property and submit an AMP addressing all non-compliance issues within those 73-acres. This area would become the total area of the GDE Mitigation Bank. Amendments to the MBI and to the servitude would be required.

c. Terminate the present GDE Mitigation Banking Instrument and develop a separate CEMVN-approved mitigation bank project for the replacement of the 73 acres/credits of compensatory mitigation that were sold to compensate for impacts authorized by DA permits. Accounting for any temporal losses would be required.

d. Terminate the present GDE Mitigation Banking Instrument and purchase the necessary credits from a CEMVN-approved mitigation bank to replace the 73 acres/credits of compensatory mitigation that were sold to compensate for impacts authorized DA permits.

Please provide CEMVN with your determination within 30 days of the date of the letter.

If you require additional assistance you may contact Jacqueline Farabee at (504) 862-2595 or by e-mail at Jacqueline.r.farabee@usace.army.mil.

Sincerely,

Martin S. Mayer

Martin S. Mayer
Chief, Regulatory Branch

cc:
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