

**APPENDIX D:**  
**Bayou Verdine Site – Administrative Record Index for the Final DARP**

**1 Laws and Regulations/Legal Documents**

1.01. Consent Decrees/Related Documents

1.02 Federal Register Notices/Public Notices

- Notice of Intent to Perform Damage Assessment & Develop Restoration Plan/Public Input on Restoration Alternatives Invited/Notice of 9/29/2004 Public Meetings, published September 26, 2004 in American Press, Lake Charles, LA, with Affidavit of Publication. *Document ID 2455*
- Notice of Availability of Draft Damage Assessment and Restoration Plan for Bayou Verdine Site, published March 26, 2009 in the Federal Register. 74 Fed. Reg. 13193. *Document ID 2528*
- Notice of Availability of Draft Damage Assessment and Restoration Plan for Bayou Verdine Site, published March 27, 2009 in American Press, Lake Charles, LA, with Affidavit of Publication. *Document ID 2533*

1.03 Referenced Laws, Regulations, and Agreements

- Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 et seq. *Document ID 2457*
- Natural Resource Damage Assessment Regulations, 43 C.F.R. Part 11. *Document ID 2454*

**2 Injury Assessment Phase**

2.01 Injury Assessment

- Draft Technical Memorandum: Reasonable Worst Case Analysis Injury Assessment For Bayou Verdine and Coon Island Loop, June 1, 2004. *Document ID 2459*
- Draft Technical Memorandum: Hurricanes Katrina & Rita – Review of Potential Affect on Injury Assessment Proposed for Bayou Verdine, June 22, 2006. *Document ID 2470*
- Draft Damage Assessment & Restoration Plan for Bayou Verdine Site, March 27, 2009. *Document ID 2462*

2.02 Benthic Resources (incl. Sediment Habitats, Bottom-Dwelling Fish and Shellfish)

- Draft Technical Memorandum: Reasonable Worst Case Analysis Injury Assessment For Bayou Verdine and Coon Island Loop. *Document ID 2459*
- Draft Damage Assessment & Restoration Plan for Bayou Verdine Site, March 27, 2009. *Document ID 2462*

2.03 Higher Trophic Level Resources (incl. Piscivorous Fish, Birds and Wildlife)

- Draft Technical Memorandum: Reasonable Worst Case Analysis Injury Assessment For Bayou Verdine and Coon Island Loop. *Document ID 2459*.
- Draft Damage Assessment & Restoration Plan for Bayou Verdine Site, March 27, 2009. *Document ID 2462*

2.04 Lost Human Use (Recreational)

- Draft Technical Memorandum: Reasonable Worst Case Analysis Injury Assessment For Bayou Verdine and Coon Island Loop. *Document ID 2459*
- Draft Damage Assessment & Restoration Plan for Bayou Verdine Site, March 27, 2009. *Document ID 2462*

#### 2.05 Surface Water Resources (Planktonic Organisms)

- Draft Technical Memorandum: Reasonable Worst Case Analysis Injury Assessment For Bayou Verdine and Coon Island Loop. *Document ID 2459*
- Draft Damage Assessment & Restoration Plan for Bayou Verdine Site, March 27, 2009. *Document ID 2462*

#### 2.06 Response Phase Investigations/Documents Important to Injury Assessment

NOTE TO READER: THIS SECTION OF THE TRUSTEES' AR INDEX LISTS THOSE EPA RECORDS WITH INFORMATION THAT THE TRUSTEES CONSIDERED AS PART OF THE INJURY ASSESSMENT PHASE OF THE BAYOU VERDINE SITE NRDA.

SUBSECTION A LISTS THOSE RECORDS OF THIS NATURE THAT ARE PART OF EPA'S AR FOR THE REMOVAL ACTIONS WITHIN THE CALCASIEU ESTUARY SUPERFUND SITE, WITH THE CORRESPONDING DOCUMENT ID NUMBER IN EPA'S AR. THESE DOCUMENTS MAY BE VIEWED IN EPA'S AR. EPA'S AR IS MAINTAINED TOGETHER WITH THE TRUSTEES' NRDA AR AT THE CALCASIEU PARISH CENTRAL BRANCH LIBRARY, 301 WEST CLAUDE STREET, LAKE CHARLES LA.

SUBSECTION B LISTS OTHER EPA RECORDS WITH INFORMATION THE TRUSTEES CONSIDERED. THESE HAVE NOT BEEN INCLUDED IN EPA'S AR FOR THE REMOVAL ACTIONS AND, AS SUCH, THESE DOCUMENTS ARE INCLUDED AND CAN BE VIEWED IN THE TRUSTEES' NRDA AR, AND HAVE A SEPARATE DOCUMENT ID NUMBER ASSIGNED BY THE TRUSTEES.

##### A. Information/Records found in EPA AR:

- Bayou Verdine Investigation Volume I, Nature and Extent Investigation, Lake Charles, Louisiana, Part 1 & 2, October 1999, prepared by ENTRIX, Inc for Conoco, Inc. [*EPA Administrative Record, Document ID 150586*]
- Bayou Verdine Investigation Volume II, Screening Level Ecological Risk Assessment – Project Appendices, Lake Charles, Louisiana, November 1999, prepared by ENTRIX, Inc for Conoco, Inc. [*EPA Administrative Record, Document ID 908101*]
- Bayou Verdine Investigation Volume III, Baseline Ecological Risk Assessment, Bayou Verdine, Louisiana, March 2001, prepared by ENTRIX, Inc for Conoco, Inc. [*EPA Administrative Record, Document ID 905334*]
- Bayou Verdine Investigation Volume IV, Baseline Human Health Risk Assessment, Bayou Verdine, Louisiana, April 2001, prepared by ENTRIX, Inc for Conoco, Inc. [*EPA Administrative Record, Document ID 915005*]
- Calcasieu Estuary Remedial Investigation/Feasibility Study (RI/FS): Volumes I and II, Baseline Ecological Risk Assessment Problem Formulation, May 2001 (revised September 2001), prepared by MacDonald, et al. for EPA, Region VI, Dallas, TX. [*EPA Administrative Record, Document ID 913079*]
- EPA Comments on Bayou Verdine Investigation Volume IV, Baseline Human Health Risk Assessment, June 2001 [*EPA Administrative Record, Document ID 914969*]
- Response to EPA Comments on Bayou Verdine Investigation Volume IV, Baseline Human Health Risk Assessment, October 2001 [*EPA Administrative Record, Document ID 914976*]

- EPA EE/CA Approval Memorandum for Bayou Verdine Area of Concern (BVAOC), February 2002. [*EPA Administrative Record, Document ID 913094*]
- EPA Administrative Order on Consent for an Engineering Evaluation and Cost Analysis (EE/CA) to support a Non-Time Critical Removal Action for BVAOC, February 2002. [*EPA Administrative Record, Document ID 913096*]
- EPA Request for Removal Action at the BVAOC, June 2002. [*EPA Administrative Record, Document ID 913097*]
- Draft Final EE/CA for BVAOC, July 2002, [*EPA Administrative Record, Document ID 917456*]

**B. Information/Records Not Found in EPA AR:**

- South Terminal Offshore Sediment Sampling Report, October 1995, prepared by International Technology Corporation for PPG Industries, Inc. *Document ID 2507*
- Curry, M.S., M.T. Huguenin, A.J. Martin, and T.R. Lookingbill. 1997. Contamination extent report and preliminary injury evaluation for the Calcasieu Estuary. Prepared for the National Oceanic and Atmospheric Administration, National Ocean Service, Damage Assessment Center. *Document ID 2508*
- Calcasieu Estuary Remedial Investigation/ Feasibility Study (RI/FS): Baseline Ecological Risk Assessment (BERA), EPA 2003. *Document ID 2461*
- Letter re Evaluation of Hurricane Rita Impacts to West Ditch and Bayou Verdine Removal areas, March 2, 2006. *Document ID 2484*

**3 Restoration Planning Phase**

- Baumann, R.H. and DeLaune, R.D. 1982. Sedimentation and apparent sea-level rise as factors affecting land loss in coastal Louisiana. Proceeding- Conference on Coastal Erosion and Wetland Modification in Louisiana: Causes, Consequences, and Options. Published by the U.S.Dept. of Interior, Fish and Wildlife Service. FWS/OBS-82/59, pp. 2-13. *Document ID 2468*
- Gornitz, V., S. Lebedeff, and J.Hansen. 1982. Global sea level trend in the past century. *Science* 215(4540):1611-1614. *Document ID 2467*
- Penland, S., K.E.Ramsey , R.A. McBride, T.F. Moslow, and K.A. Westphal. 1989. Relative sea level rise and subsidence in Louisiana and the Gulf of Mexico. Louisiana Geological Survey, Coastal Geology Technical Report No. 3 *Document ID 2466*
- White, W.A. Morton, and C.W. Homes. 2002. A comparison of factors controlling sedimentation rates and wetland loss in fluvial-deltaic systems, Texas Gulf coast. *Geomorphology* 44:47-66. *Document ID 2460*
- Summary of subsidence rate data collected from Sabine NWR, 2002-2004 provided by B.Hoffpauir, former graduate student at McNeese State University, per personal communication to J. Rapp, NOAA. *Document ID 2464*
- Bayou Verdine NRDA, informational presentation developed by the PRP's consultants on potential compensatory restoration projects, June 15 2004. *Document ID 2458*
- Notice of Intent to Perform Damage Assessment & Develop Restoration Plan/Public Input on Restoration Alternatives Invited/Notice of 9/29/2004 Public Meetings, published September 26, 2004 in American Press Lake Charles, LA with Affidavit of Publication. *Document ID 2455*
- Bayou Verdine NRDA Public Meeting PowerPoint Presentation – September 29, 2004 *Document ID 2485*

- Bayou Verdine NRDA September 29, 2004 Public Meeting, summary notes, *Document ID 2486*
- Conceptual compensatory restoration project alternatives submitted by representative of Arabie Environmental Solutions, October 7, 2004. *Document ID 2452*
- Conceptual compensatory restoration project alternatives submitted by Coastal Conservation Association, Lake Charles Chapter, October 18, 2004. *Document ID 2487*
- Conceptual compensatory restoration project alternatives submitted by representative of RESTORE, October 18, 2004. *Document ID 2488*
- Summary of conceptual compensatory restoration project alternatives received as a result of 9/29/04 public meetings and noticed period for public submissions ending October 28, 2004. *Document ID 2489*
- Memorandum to AR confirming letters sent January 18, 2004 to Federally-recognized Tribes in Louisiana inquiring as to the presence of Traditionally Cultural Properties in Cameron Parish areas considered for restoration. *Document ID 2469*
- Letter to and concurrence from the Louisiana State Historic Preservation Officer, dated January 18, 2005, and January 28, 2005, respectively, confirming no known recorded sites of cultural significance or registered historic places in the vicinity of the preferred restoration project. *Document ID 2495*
- Letter from the Cultural Director of the Chitimacha Tribe, dated January 25, 2005, stating Cameron Parish was outside its aboriginal homeland. *Document ID 2463*
- Letter from the Environmental Director of the Jena Band of Choctaw Indians, dated February 1, 2005, stating that the Traditional Cultural Properties of the Jena Band of Choctaw Indians would not be impacted if a project were implemented in areas of Cameron Parish being considered for restoration. *Document ID 2490*
- Bayou Verdine PRP consultant's presentation of conceptual design options for the Sabine NWR 1999 project alternative - June 15, 2005. *Document ID 2491*
- Aerial image of the Sabine NWR 1999 alternative overlain with the locations of the topographic data collection effort - July 11, 2005. *Document ID 2492*
- Topographic data collected in 2005 by John Chance Land Surveys, Inc. on behalf of ConocoPhillips and Sasol NA from Sabine 99 Project site, Sabine National Wildlife Refuge, Cameron Parish, LA. *Document ID 2456*
- Revised conceptual design option for the Sabine NWR 1999 alternative submitted by the PRP- January 12, 2006. *Document ID 2493*
- Letter to NOAA National Marine Fisheries Service, dated December 8, 2008, stating implementation of preferred restoration project will not result in net adverse impacts on Essential Fish Habitat. *Document ID 2502*
- Letter to U.S. Fish and Wildlife Service, dated December 8, 2008, stating Trustees determined implementation of the preferred restoration project is not likely to adversely impact threatened or endangered species under USFWS jurisdiction. *Document ID 2504*
- Letter from NOAA National Marine Fisheries Service, dated December 18, 2008, concurring with Trustees' determination that implementation of preferred restoration project will have no net adverse impacts on Essential Fish Habitat. *Document ID 2505*
- Letter from the U.S. Fish and Wildlife Service, dated December 12, 2008, concurring with Trustees' determination that implementation of preferred

- Memorandum to AR, dated January 16, 2009, documenting Trustees' determination that implementation of preferred project will have no effect on threatened or endangered species under the jurisdiction of NOAA National Marine Fisheries Service. *Document ID 2501*
- Draft Technical Memorandum: Restoration Credit Analysis of Marsh Creation and Enhancement via Hydraulic Restoration of the 1999 Unit Near West Cover Canal, in the Sabine National Wildlife Refuge, March 27, 2009. *Document ID 2494*
- Draft Damage Assessment & Restoration Plan for Bayou Verdine Site, March 27, 2009. *Document ID 2462*
- Notice of Availability of Draft Damage Assessment and Restoration Plan for Bayou Verdine Site, published March 26, 2009 in the Federal Register. 74 Fed. Reg. 13193. *Document ID 2528*
- Notice of Availability of Draft Damage Assessment and Restoration Plan for Bayou Verdine Site, published March 27, 2009 in American Press, Lake Charles, LA, with Affidavit of Publication. *Document ID 2533*
- Letter from NOAA National Marine Fisheries Service, dated April 10, 2009, to LDNR Office of Coastal Restoration and Management submitting federal determination that preferred restoration project is consistent with Louisiana's approved Coastal Zone Management Program (LCMP). *Document ID 2529*
- Letter from LDNR Office of Coastal Restoration and Management, dated June 12, 2009, requesting 15 day extension for state review of federal determination of consistency with LCMP. *Document ID 2530*
- Letter from LDNR Office of Coastal Restoration and Management, dated June 16, 2009, concurring with federal determination of consistency with LCMP. *Document ID 2531*
- Letter from the U.S. Fish and Wildlife Service, dated February 18, 2010, concurring in analysis, determination, and NOAA's issuance of Finding of No Significant Impact for the Sabine 1999 Project on behalf of the Service. *Document ID 2535*
- Finding of No Significant Impact for the Sabine 1999 Project as executed & issued by NOAA National Marine Fisheries Service, March 9, 2010. *Document ID 2536*

#### **4 Restoration Implementation Phase**

- 4.01 Restoration Implementation Plan(s)
- 4.02 Restoration Construction Reports/Certifications

#### **5 Restoration Monitoring**

- 5.01 Restoration Monitoring Plan
- 5.02 Monitoring Reports
- 5.03 Technical Reviews of Monitoring Reports
- 5.04 Corrective Action Plans/Decisions

#### **6 Restoration Completion**

- 6.01 Final Restoration Report/Certifications

## 7 Public Outreach and Involvement

### 7.01 Public Outreach

- Notice of Intent to Perform Damage Assessment & Develop Restoration Plan/Public Input on Restoration Alternatives Invited/Notice of 9/29/2004 Public Meetings, published September 26, 2004 in American Press Lake Charles, LA, with Affidavit of Publication. *Document ID 2455*
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### 7.02 Public Comments on Draft DARP/EA

- NOTE: The Trustees received no comments on the Draft Damage Assessment & Restoration Plan for Bayou Verdine Site during the 60 day period provided for its public review.

### 7.03 Press Releases

### 7.04 Media Coverage