

# JOINT PUBLIC NOTICE

May 2, 2016

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch  
Post Office Box 60267  
New Orleans, Louisiana 70160-0267

(504) 862-1954  
Michael.h.herrmann@usace.army.mil  
Project Manager  
Michael H. Herrmann Jr.  
Permit Application Number  
MVN 1997-02323-WLL

State of Louisiana  
Department of Environmental Quality  
ATTN: Water Quality Certifications  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(225) 219-3225

Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC 160419-01

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the U.S. Army Corps of Engineers pursuant to: [X] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

Application has also been made to the Louisiana Department of Environmental Quality, Water Quality Certifications, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

## **REPAIR BULKHEAD, INSTALL DOCK AND PLACE FILL IN CALCASIEU PARISH**

**NAME OF APPLICANT:** Ronald Rush, 2443 Carriage Ridge Ln., Conroe, TX 77384.

**LOCATION OF WORK:** On Bayou Olsen, 7243 Pirates Cove Ln., Sulphur, LA, Calcasieu Parish, Louisiana, (30.119795, -93.351860) as shown on the enclosed drawings.

**CHARACTER OF WORK:** Installation of timber piles outside of existing bulkhead, install tie rods to existing deadmen and place fill behind existing bulkhead on landward side and install two small docks inside of existing bulkhead, all for private recreational use.

The project will incur water bottom impacts only due to the placement of approximately 70 timber piles in Bayou Olsen outside of an existing bulkhead and 15 cubic yards of earthen material inside of the existing bulkhead within Section 10 waters. No impacts to wetlands are anticipated; therefore, no mitigation will be required for the project as proposed.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **20 days** from the date of this joint public notice. Written

comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit and/or this WQC request and must be mailed so as to be received before or by the last day of the comment period. Letters concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be mailed to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH**. **Similar letters concerning the Water Quality Certification must reference the applicant's name and the WQC Application number and be mailed to the Louisiana Department of Environmental Quality at the address above.**

Individuals or parties may request an extension of time in which to comment on the proposed work by writing or e-mailing the Corps of Engineers Project Manager listed above. Any request must be specific and substantively supportive of the requested extension, and received by this office prior to the end of the initial comment period. The Section Chief will review the request and the requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous to the initial comment period and, inclusive of the initial comment period, will not exceed a total of 30 calendar days.

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined during weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction.

### **Corps of Engineers Permit Criteria**

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public, federal, state, and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to make, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New Orleans District is unaware of properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The New Orleans District has determined that the proposed activity is not likely to adversely affect any known threatened or endangered species based on the Standard Local Operating Procedure for Endangered Species of Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, Ecological Services Office.

Our initial finding is that the proposed work is Not Likely to Adversely Affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any such species, listed as endangered by the U.S. Department of Commerce.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of 0.003 acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

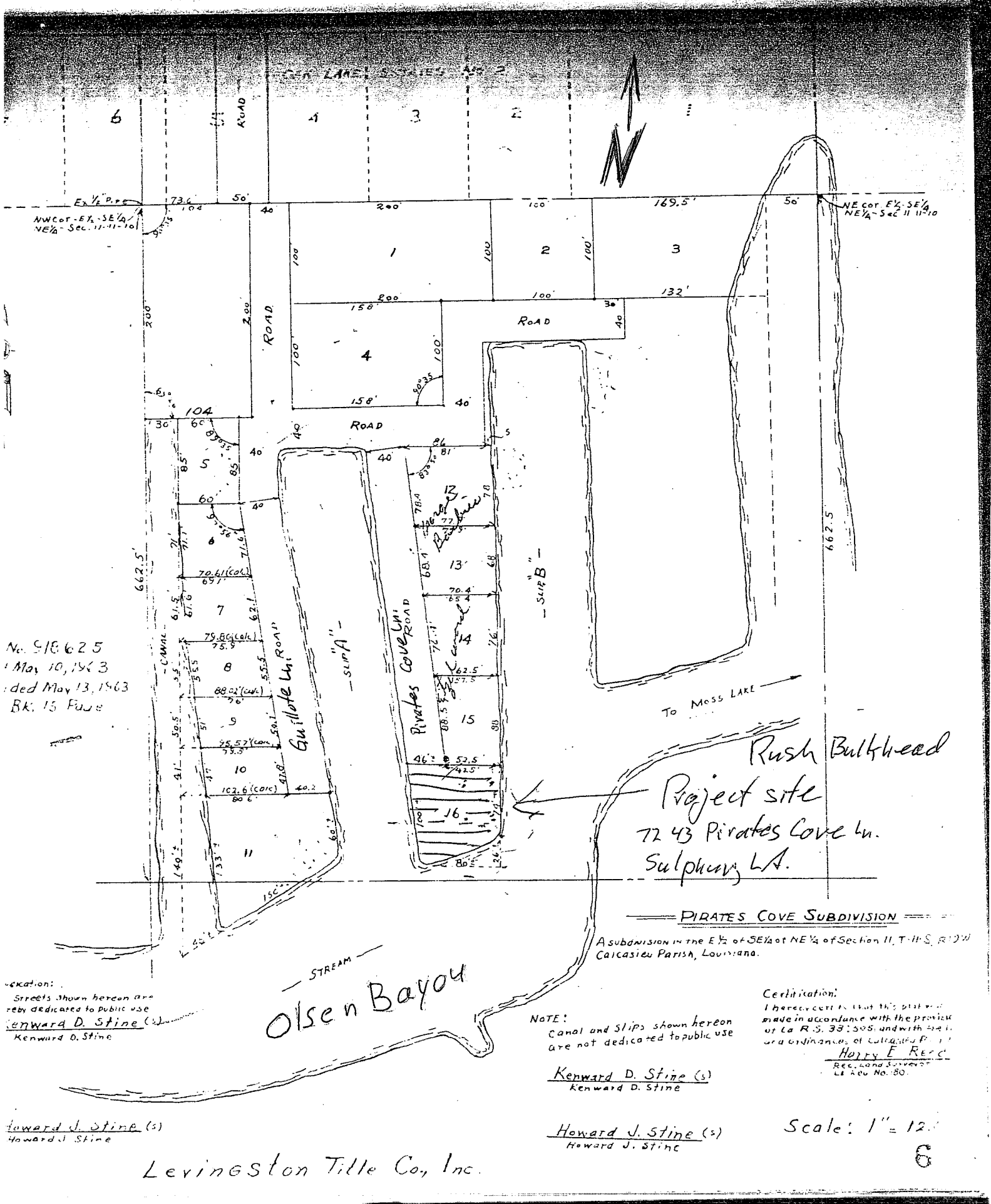
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, Water Quality Certifications, before a permit is issued.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Darrell S. Barbara  
Chief, Western Evaluation Section

Enclosure



No. 518625  
 Made May 10, 1963  
 Recorded May 13, 1963  
 Bk. 15 Four

Execution:  
 Streets shown hereon are  
 hereby dedicated to public use  
Kenward D. Stine (s)  
 Kenward D. Stine

Howard J. Stine (s)  
 Howard J. Stine

Livingston Tille Co., Inc.

NOTE:  
 Canal and slips shown hereon  
 are not dedicated to public use  
Kenward D. Stine (s)  
 Kenward D. Stine

Howard J. Stine (s)  
 Howard J. Stine

Certification:  
 I hereby certify that this plat was  
 made in accordance with the provisions  
 of La. R.S. 33:505, and with the laws,  
 and ordinances of Calcasieu Parish,  
Harry E. Reed  
 Registrar and Surveyor  
 La. Rev. No. 80.

Scale: 1" = 120'

# Plan View

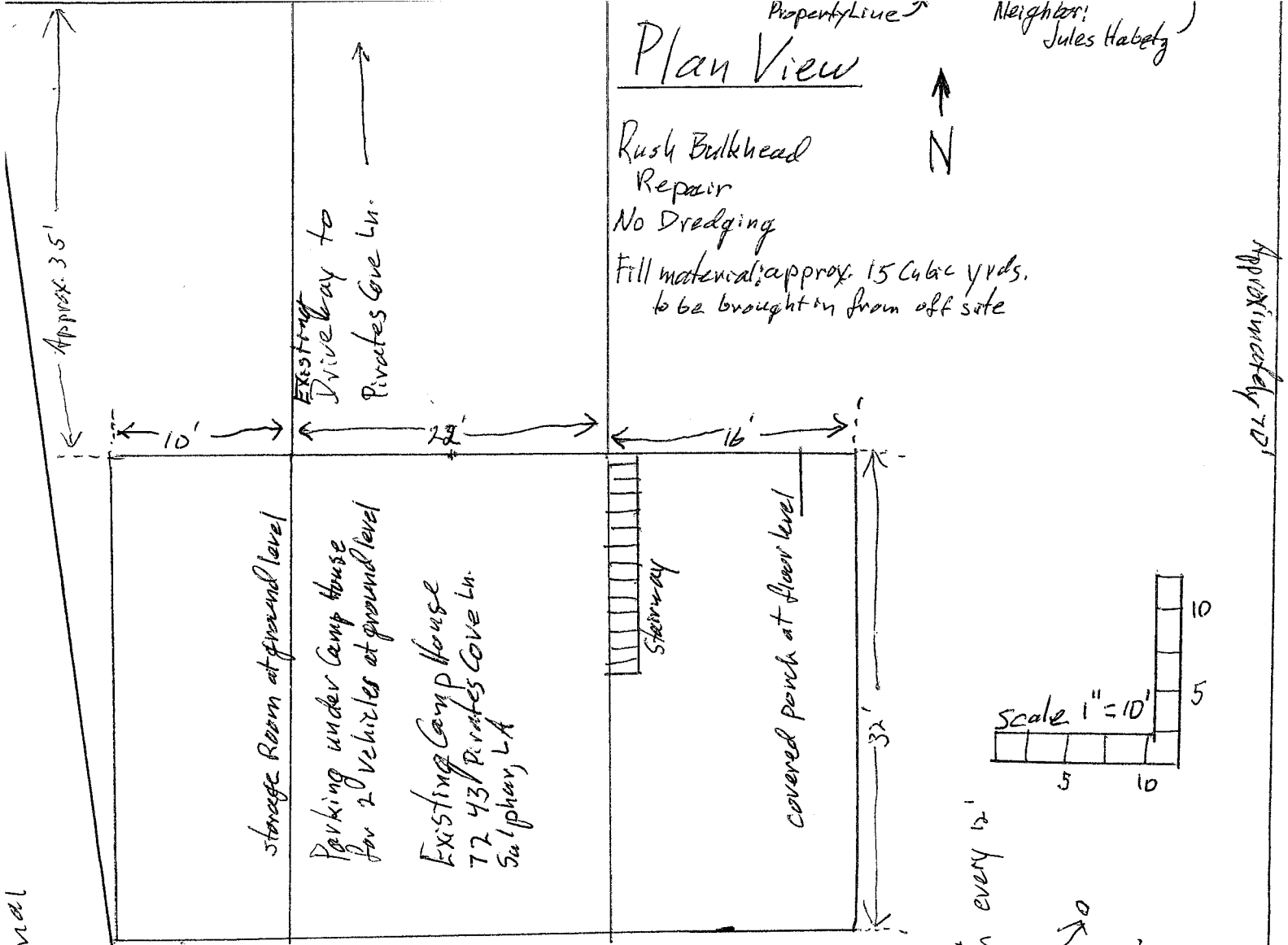
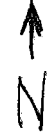
Property Line ↗

Neighbor:  
Jules Habetz ↘

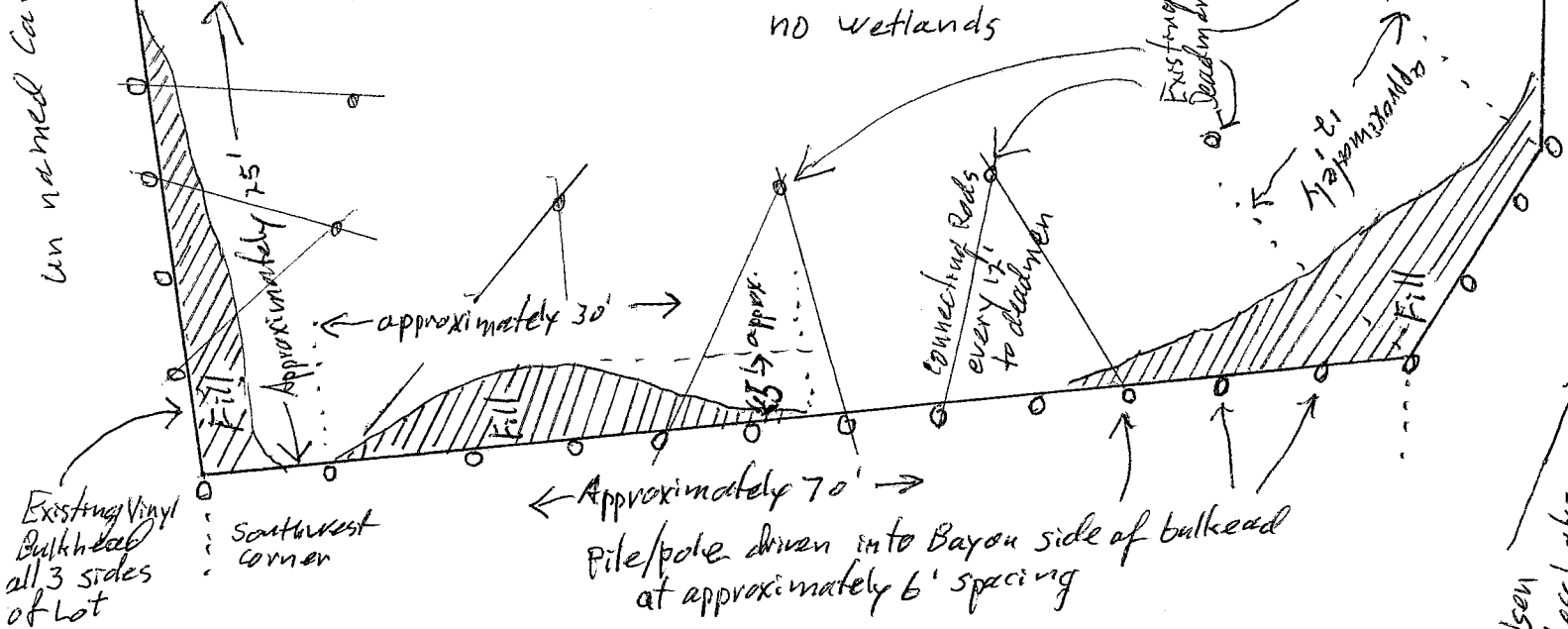
Rush Bulkhead  
Repair

No Dredging

Fill material: approx. 15 Cubic yds.  
to be brought in from off site



no wetlands

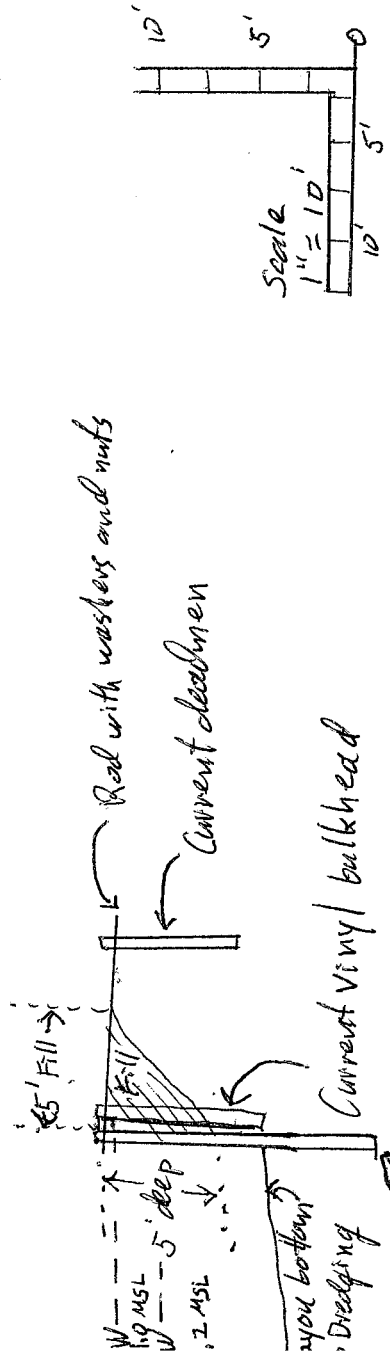


Bayou Olsen approx 160' across  
Downstream to Moss Lake →

Piles to stabilize existing bulkhead and fill material - Plan View -

Cross Section A-A'

Rush Bulkhead Repair

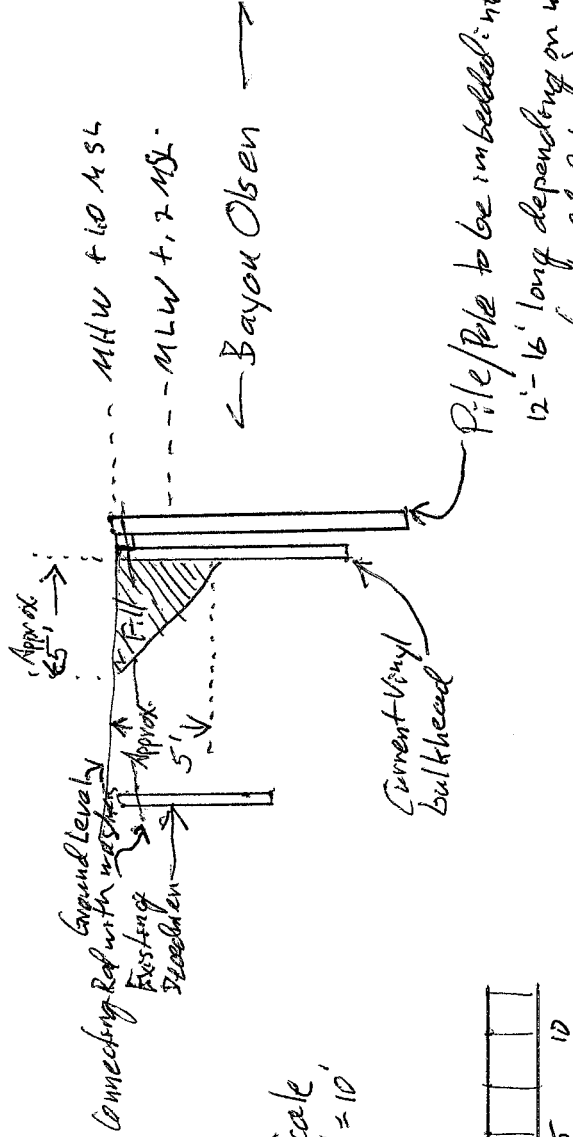


Pile/Pipe imbedded into Bayou, each Pile 12' - 16' long depending on water depth (imbedded 6' - 8')

Approximately 15 cubic yards of fill material (soil/caliche) to be brought in from off site

No dredging

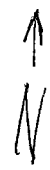
Cross Section B-B



Pile/Pipe to be imbedded into Bayou Olsen  
12' - 16' long depending on water depth  
(imbedded 6' - 8')

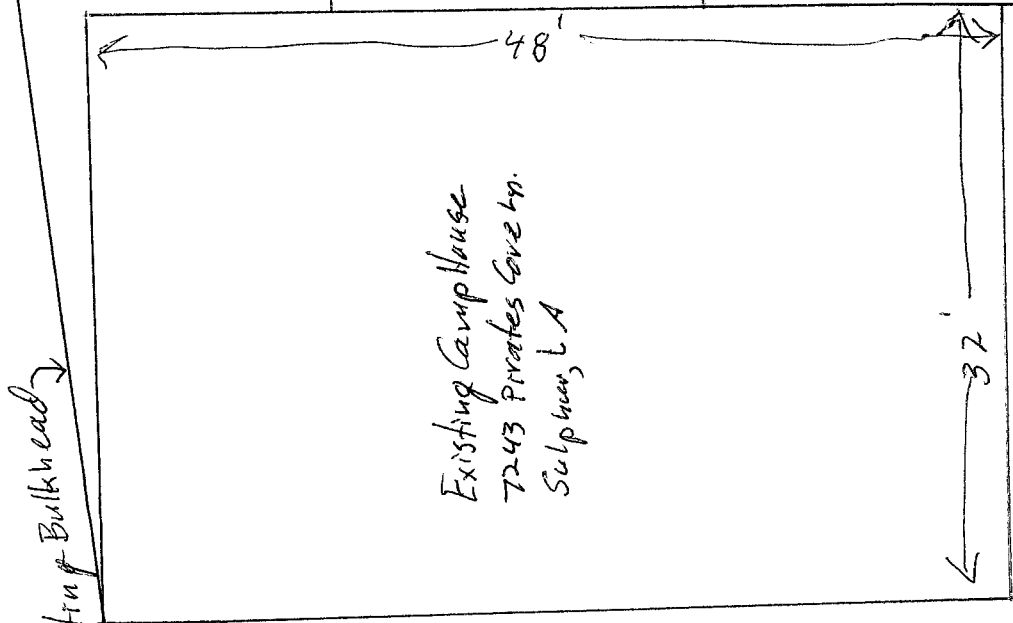
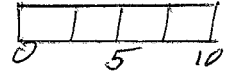
Property Line Neighbor: Jules Habetz

Existing Driveway to Pirotes Cove Ln. →

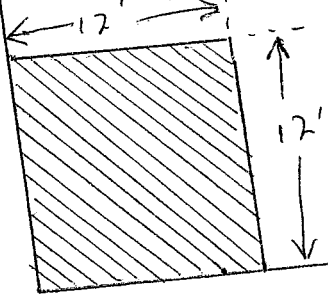


Rush Bulkhead Repair  
Plan view of 2 decks to be built over ground

Scale: 1" = 10'

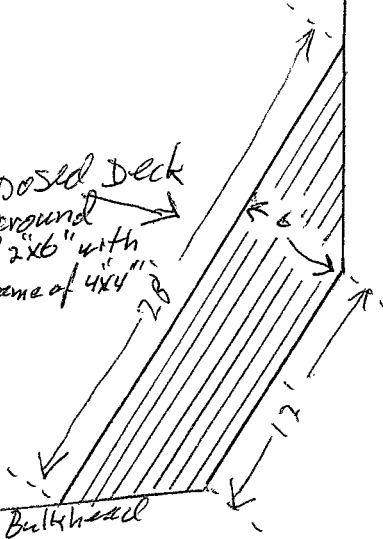


Proposed Deck over ground treated 2x6" with treated support frame of 4x4"



Southwest Corner Deck Proposed

Proposed Deck over ground treated 2x6" with support frame of 4x4"



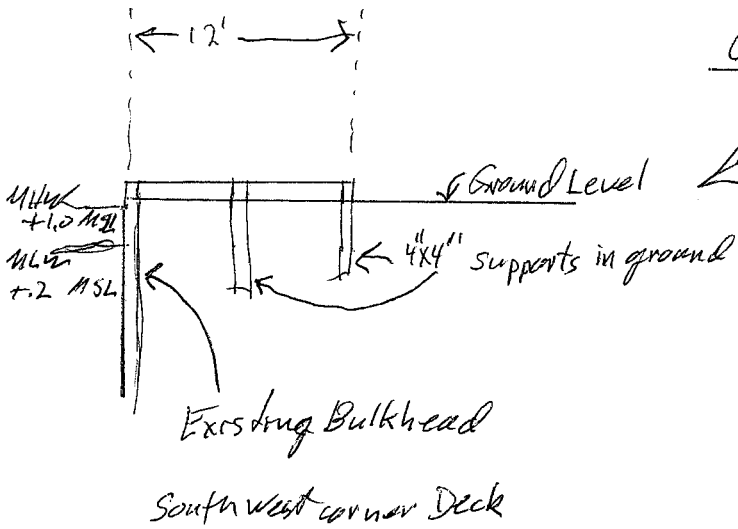
Existing Vinyl Bulkhead

Southeast Corner Deck Proposed

Bayou Olan Approximately 160' across  
Downstream to Moss Lake →

# Rush Bulkhead Repair

Cross Section of Two Decks  
 to be built over ground, 1 at Southwest  
 corner of Lot  
 and 1 deck at Southeast corner of Lot



No Dredge Material  
 No Wetlands

Scale: 1" = 10 feet

