

JOINT PUBLIC NOTICE

July 27, 2015

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

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

(504) 862-2822
Edward.F.Wrubluski@usace.army.mil
Project Manager
Ed Wrubluski
Permit Application Number
MVN-2004-2000-EII

(225) 219-3225
Project Manager
Elizabeth Johnson
WQC Application Number
WQC 140911-01

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 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).

SAND MINING IN THE MISSISSIPPI RIVER IN PLAQUEMINES PARISH

NAME OF APPLICANT: Nairn Enterprises Incorporated, 30950 Louisiana Highway 23, Buras, Louisiana 70041.

LOCATION OF WORK: In and adjacent to the Mississippi River at approximately mile 33.8 AHD, RDB of the waterway at 29° 26' 48.3" and -89° 36' 43.48", in Plaquemines Parish, Louisiana, as shown on the attached drawings.

HUC: 08090100; Lower Mississippi

CHARACTER OF WORK: To dredge sand from the Mississippi River in order to stockpile the material in an existing pit to be used on local construction projects clear for fill.

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.

Our initial finding is that the proposed activity is "not likely to adversely affect" the West Indian manatee (*Trichechus manatus*), 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 this species.

Our initial finding is that the proposed activity is "not likely to adversely affect" the Pallid Sturgeon (*Scaphirhynchus Albus*), listed as endangered by the U.S. Fish and Wildlife Service, nor affect any habitat designated as critical to the survival and recovery of this species.

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 **3.72** 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 before a permit is issued.

The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

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.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosures

Notes



Map of:
30831 Highway 11
Buras, LA 70041-2612

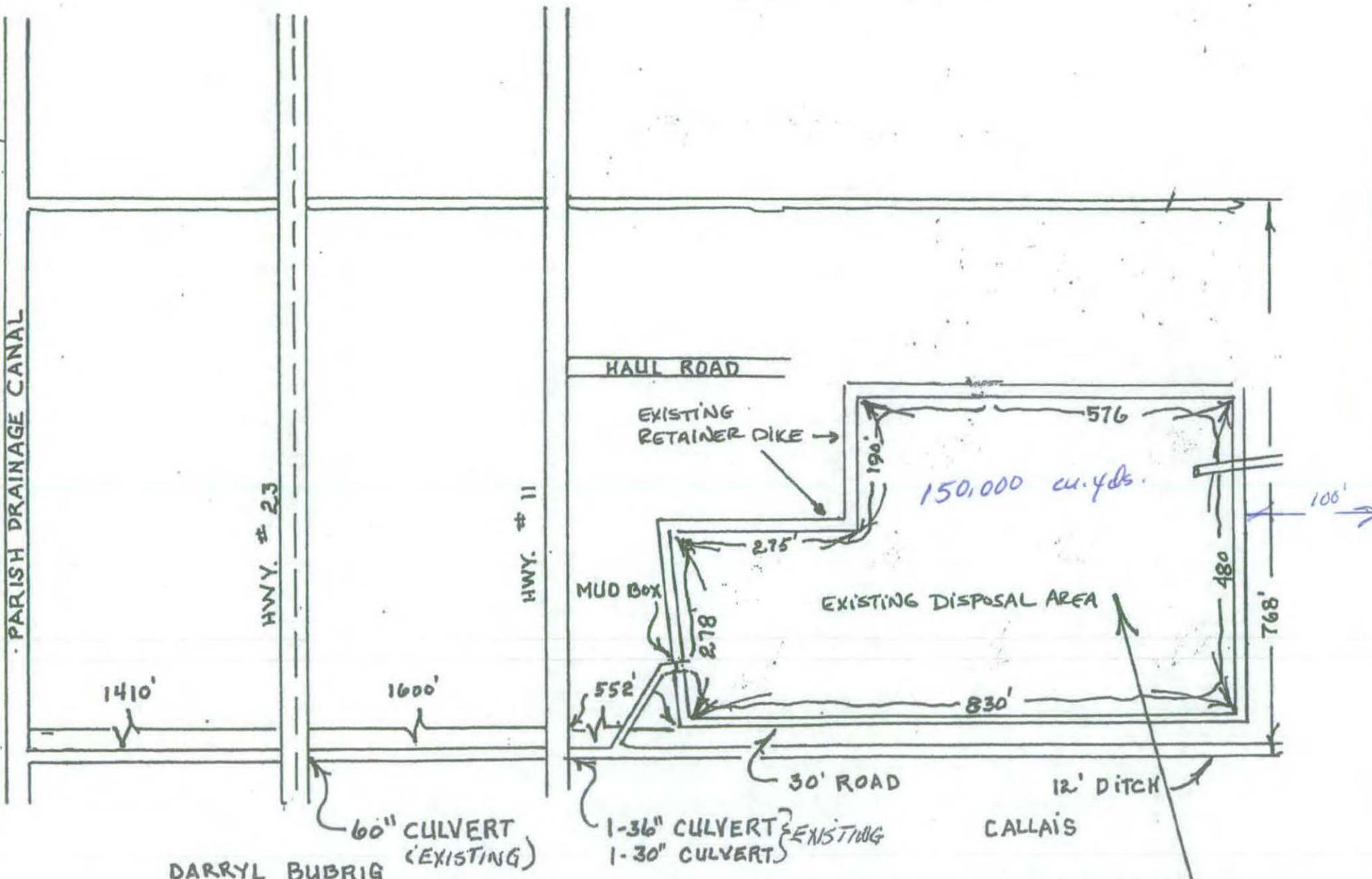


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LATITUDE 29 DEGREES 26 MINUTES 48.30 SECONDS

LONGITUDE 89 - 36 DEGREES 36 MINUTES 43.48 W. SECONDS

PARISH DRAINAGE CANAL



levee is 80' wide x 20' HIGH

DARRYL BUBRIG
60" CULVERT (EXISTING)

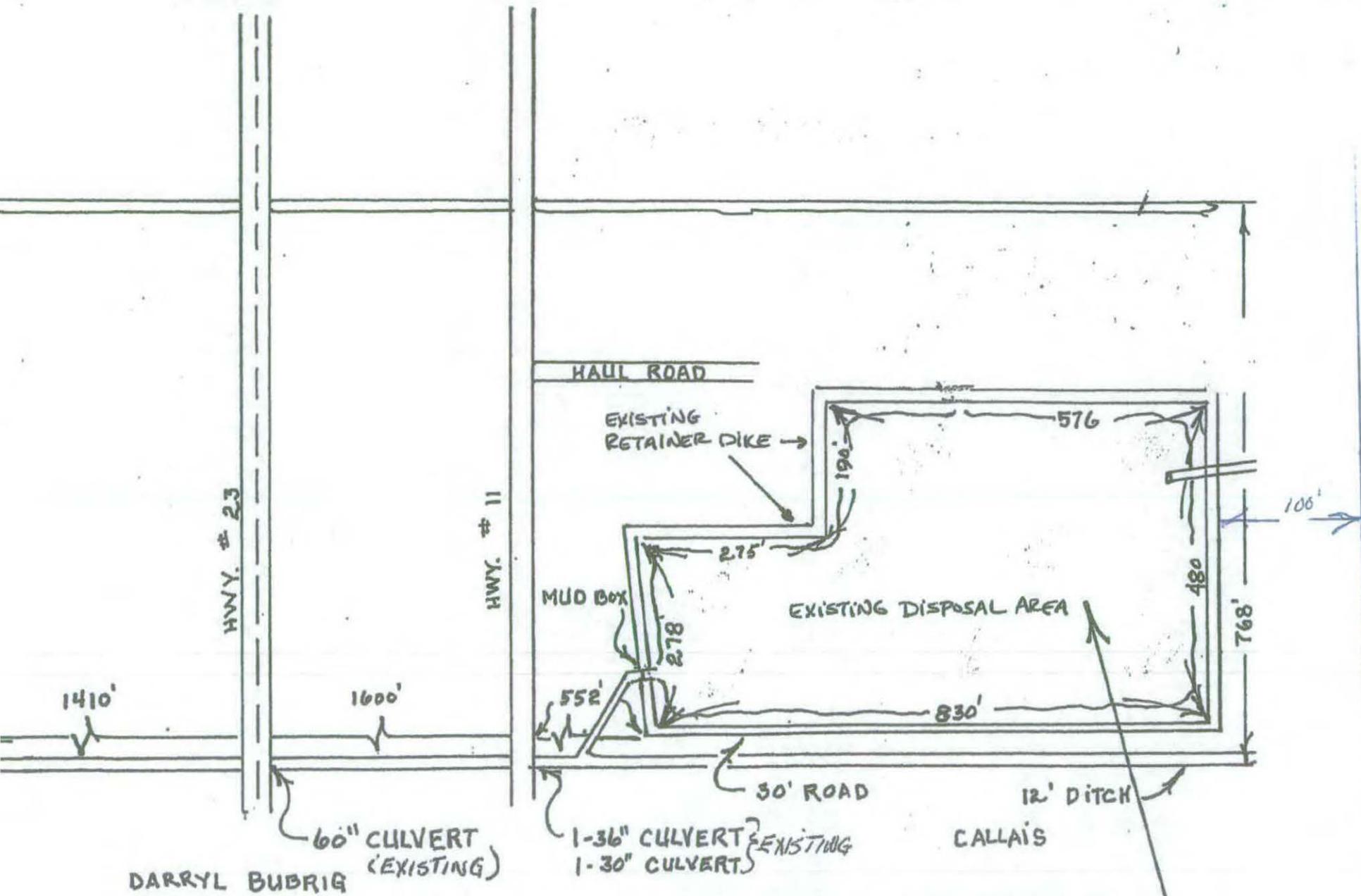
1-36" CULVERT EXISTING
1-30" CULVERT EXISTING

total cu. yards. _____
 cu. yards to ground level _____
 cu. yards above ground level _____

NAIRN ENTERPRISES, INC.
SITE LOC. 30831 HWY# 11

Projected elevation of pit after pumping will be approx. 6.57' above base ground elevation.

1
2



never is 80' wide x 20' HIGH

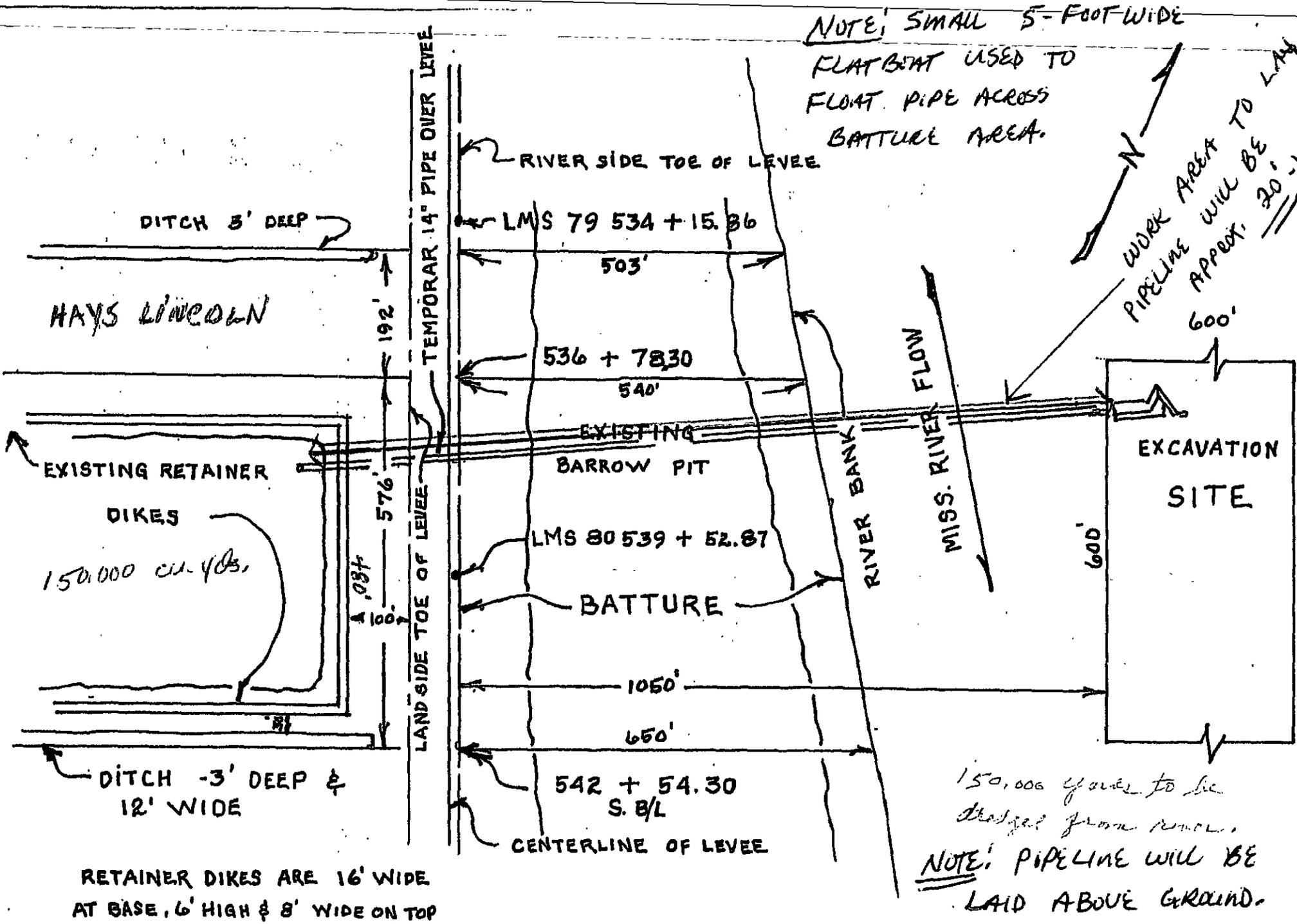
DARRYL BUBRIG
60" CULVERT (EXISTING)

1-36" CULVERT } EXISTING
1-30" CULVERT }

total cu. yards.
cu. yards to ground level
cu. yards above ground level

NAIRN ENTERPRISES, INC.
SITE LOC. 30831 HWY# 11

Projected elevation of pit after pumping
will be approx. 6.57' above base ground
elevation.

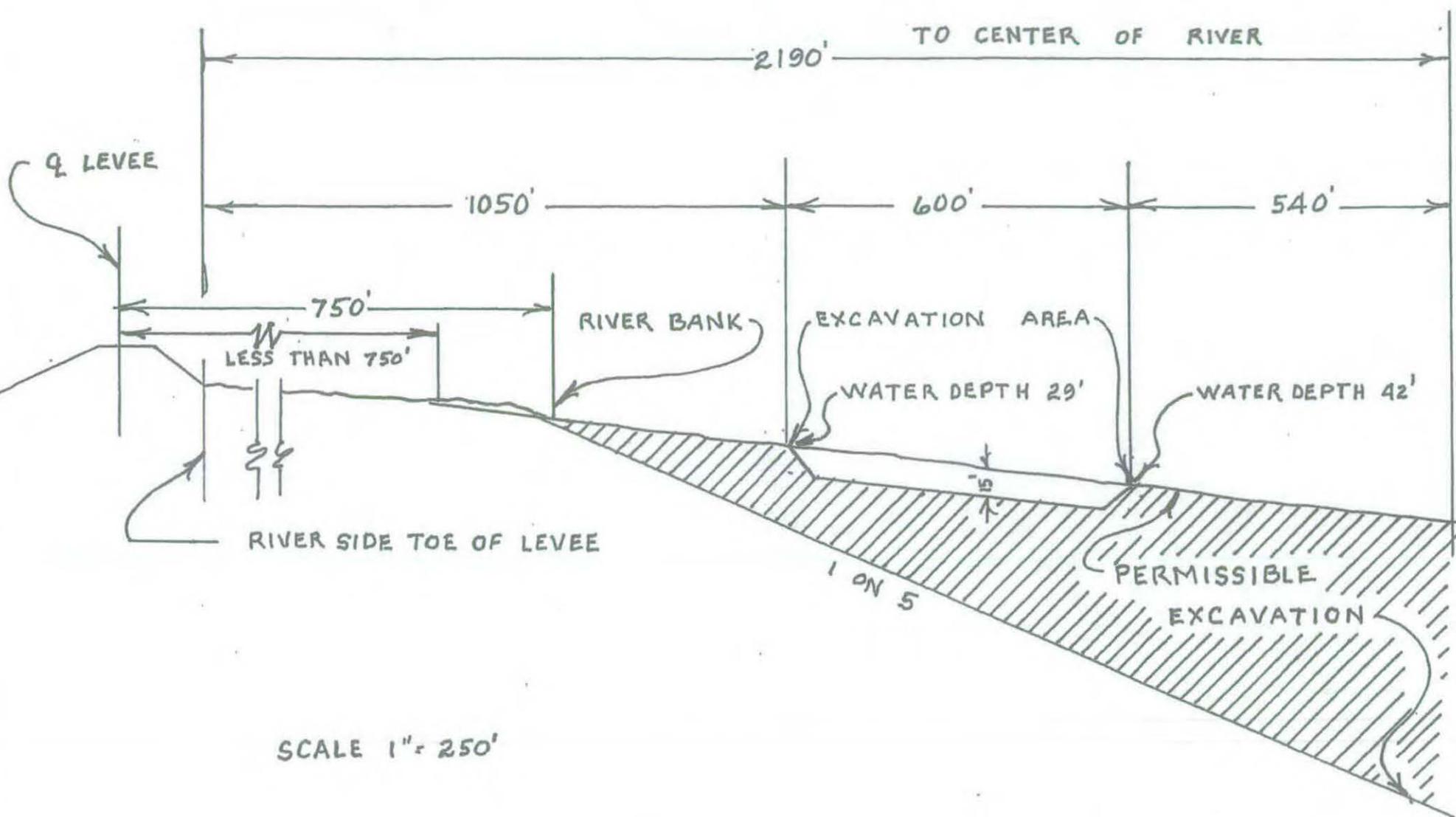


RETAINER DIKES ARE 16' WIDE AT BASE, 6' HIGH & 8' WIDE ON TOP

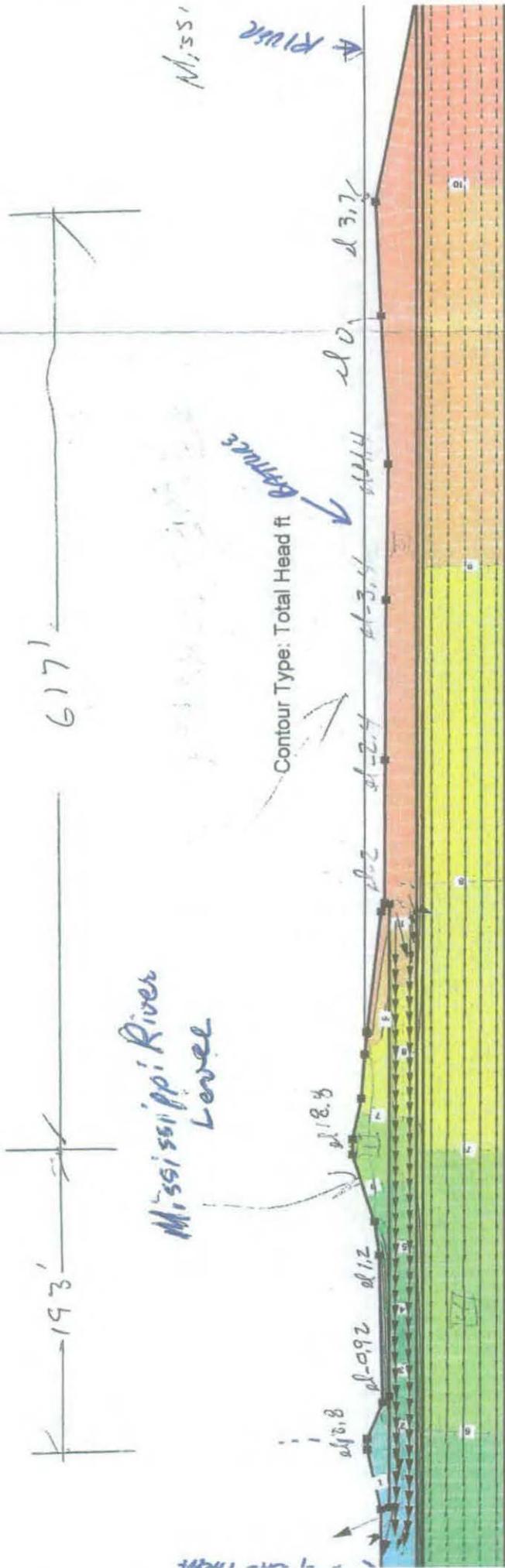
CALLAIS PROPERTY

SCALE 1" = 200'

150,000 yards to be dredged from river.



NAIRN ENTERPRISES, INC.



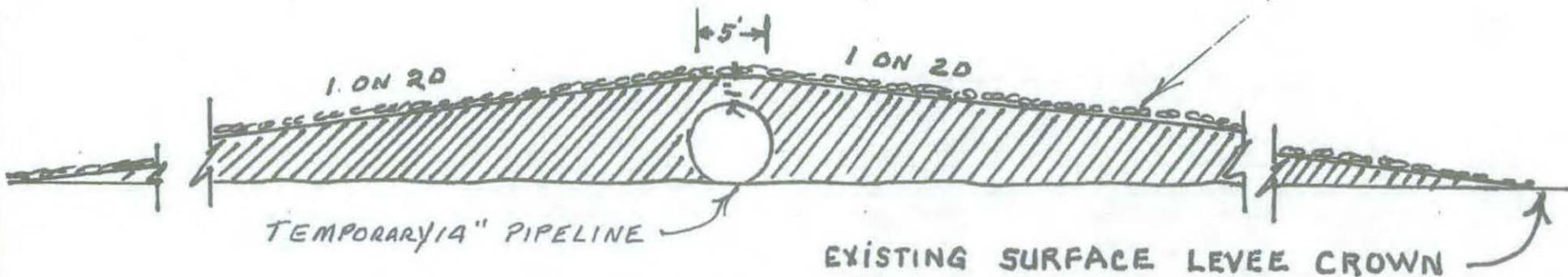
Distance in feet (x 1000)

0.4 0.5 0.6 0.7 0.8 0.9 1.0 1.1 1.2 1.3

PROPOSED PIPELINE

PIPELINE COVER ON LEVEE CROWN

7" 610 GRADE LIMESTONE



WIDTH OF FILL WVKL BE 10' ACROSS AND 75' WIDE.

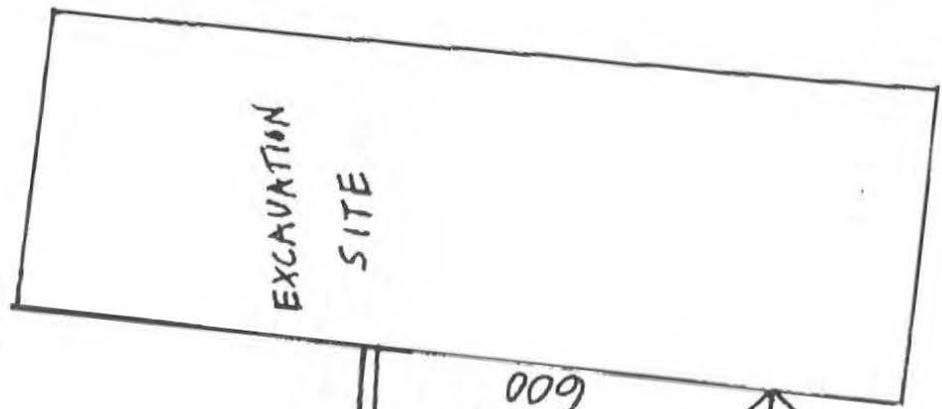
72 CU. YDS. CLAY MATERIAL TO BUILD RAMP OVER PIPE CROSSING
24 CU YDS. 610 GRADE LIMESTONE TO COVER RAMP
FILL TO BE REMOVED AFTER PUMPING COMPLETED & RETURNED
TO NAIRN ENTERPRISES, INC. ROAD AT PIT SITE.

WORK AREA REQUIRED TO BUILD PIPELINE CROSSING. 100'
NO TREES OR VEGETATION WILL NEED TO BE CLEARED.

NAIRN ENTERPRISES INC.
N 29° 26.792'
W 89° 36.721'

25
2

17005102d



MISS RIVER FLOW

WORK AREA 300'

OPENING IN RIVER BANK

RIVER BANK

RIVER BANK

WATER

DREDGE PIPE

BATTURE

WATER

WATER

WORK AREA 300'

RIVERSIDE BASE OF LEVEE

1050'

650'

