

JOINT PUBLIC NOTICE

December 28, 2015

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

(504) 862-2279
Kara.Vick@usace.army.mil
Project Manager
Kara Vick
Permit Application Number
MVN 2007-0577-EV

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 Johnson
WQC Application Number
WQC 151221-01

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).

Dredging in the Mississippi River and Repairing Stockpile Dikes in the Mississippi River, Jefferson Parish, Louisiana

NAME OF APPLICANT: VSP Materials, Inc., Attn: Victor S. Phillip Sr., 119 Herman Street, Waggaman, Louisiana, 70094.

LOCATION OF WORK: In the Mississippi River, on the right descending bank, at a point about 111.3 miles above Head of Passes, at Waggaman, Louisiana in Jefferson Parish, as shown in the attached drawings.

Latitude: 29.951969°, Longitude: -90.229142°
Hydrologic Unit Code: 08090100 – Lower Mississippi-New Orleans

CHARACTER OF WORK: The applicant proposes to dredge and remove 105,000 cubic yards of material within an 18.4 acre area for retail purposes and to repair existing stockpile dikes with the dredged sand. No impacts to vegetated wetlands are proposed, as such compensatory mitigation is not anticipated.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **30 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.

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 18.4 acre dredge footprint is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*) and determined the activity is not likely to adversely affect this species based on the Standard Local Operating Procedure for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office. If this permit modification/time extension is issued, the applicant has agreed to the following conditions provided in the SLOPES manual: (1) the cutterhead shall remain completely buried in bottom material during dredging operations; (2) If pumping water through the cutterhead is necessary to dislodge material or to clean the pumps or cutterheads, etc, the pumping rate shall be reduced to the lowest rate possible until the cutterhead is at mid-depth, where the pumping rate can be increased;

(3) During dredging, the pumping rates shall be reduced to the slowest speed feasible while the cutterhead descends to the bottom.

Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of 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 **N/A** 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.

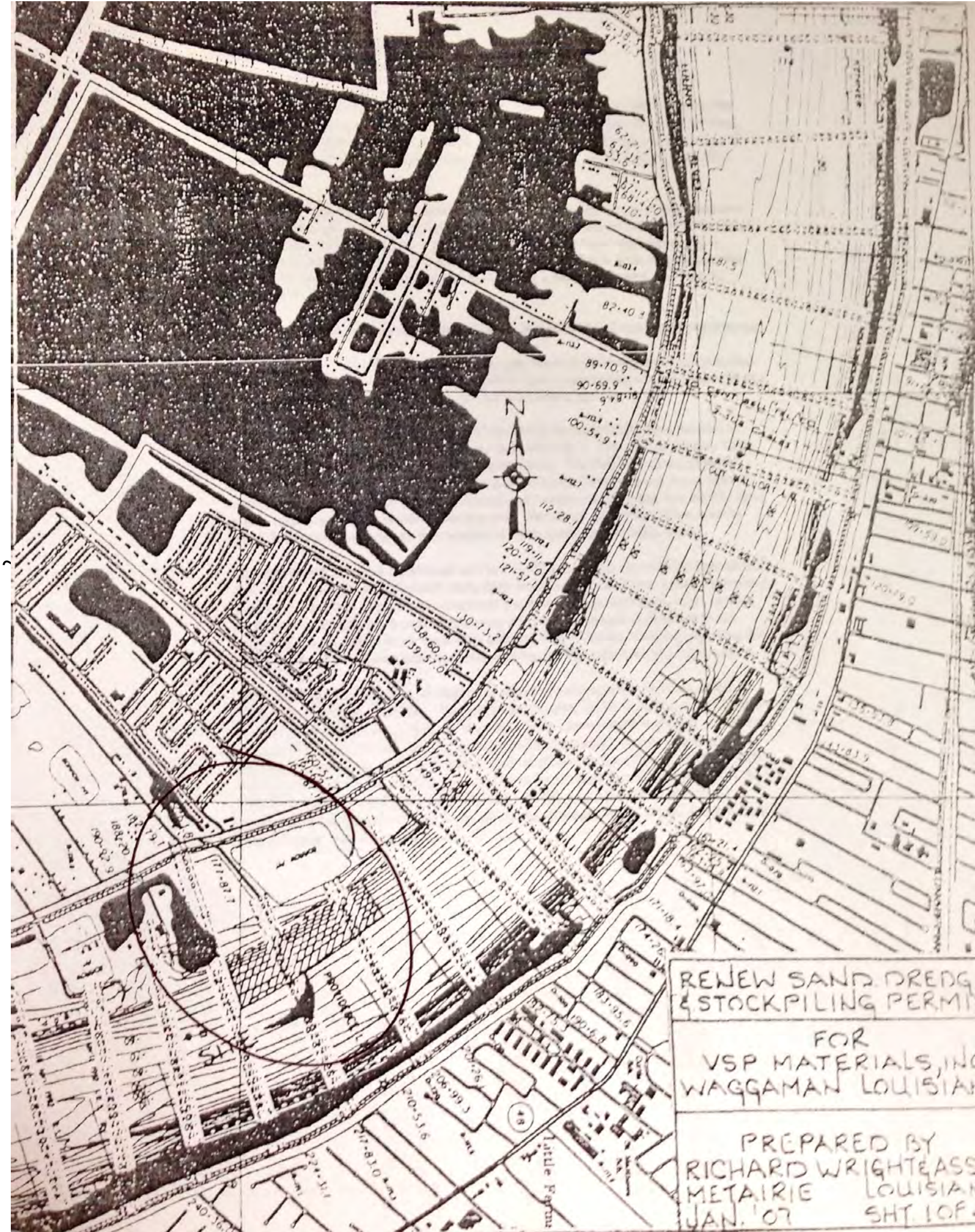
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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

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

Enclosure





RENEW SAND DREDGE
& STOCKPILING PERMIT

FOR
VSP MATERIALS, INC.
WAGGAMAN LOUISIANA

PREPARED BY
RICHARD WRIGHT ASSOCIATES
METAIRIE LOUISIANA
JAN. '07 SH. 1 OF 2

M.P.
111.3

MISS. RIVER FLOW



RENEW SAND DREDGE & STOCKPILING PERMIT	FOR VSP MATERIALS, INC. WAGGAMAN LOUISIANA	PREPARED BY RICHARD WRIGHT ASSOC METAIRIE LOUISIANA JAN. '07 SHT. 2 OF 4
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1000 ft

(-) 60'

700

DREDGE AREA

L.W.R.P. (+) 1'

400ft

Backfill Area
(no sand)

EXISTING STOCKPILE DIKES

900ft

EXISTING STOCK-PILE DIKES

EXISTING ROAD

161+62

LEVEE TOE

181+64

162+87

HWY. (18)

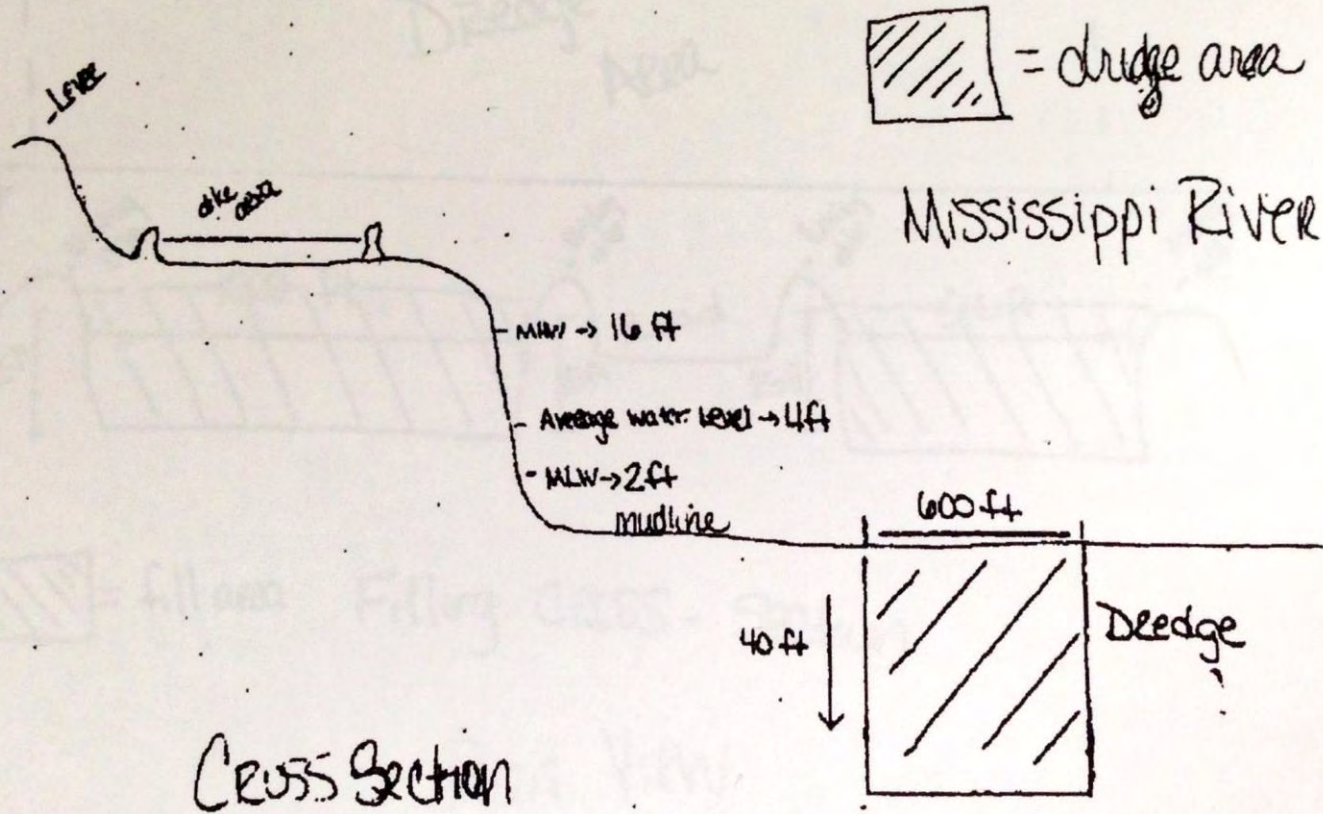
177+88

180+64

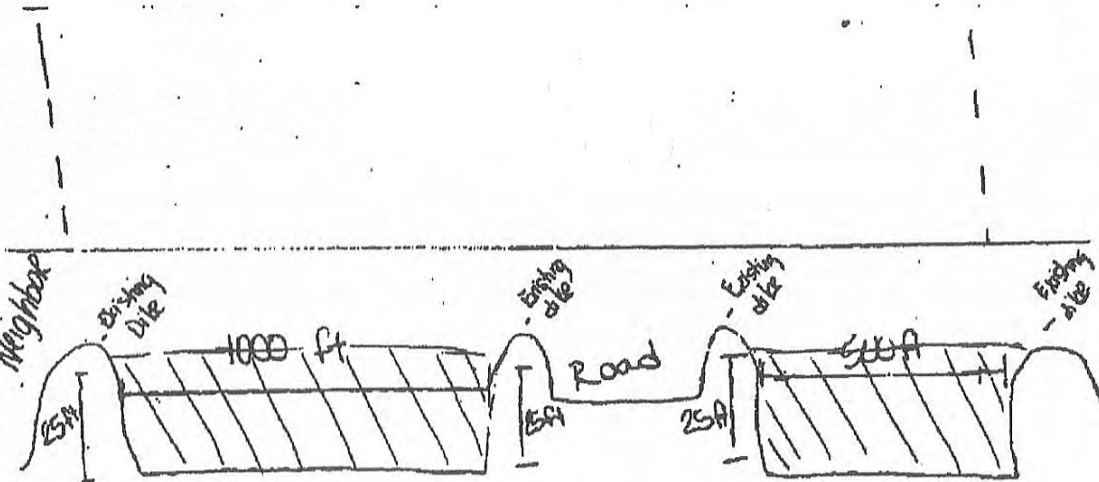
SITE PLAN VIEW




0 FEET- 500



CROSS SECTION



 = fill area Filling CROSS-SECTION