

# JOINT PUBLIC NOTICE

September 28, 2020

United States Army Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Avenue  
New Orleans, Louisiana 70118

State of Louisiana  
Department of Environmental Quality  
Water Permits Division  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-2675  
Project Manager  
Jamie Crowe  
Jamie.M.Crowe@usace.army.mil  
Permit Application Number  
MVN 2007-03527 CO

(225) 219-3225  
Project Manager  
Elizabeth Hill

WQC Application Number  
WQC 200408-03

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, Office of Environmental Services, 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).

## **MODIFICATION/TIME EXTENSION FOR SAND DREDGING OPERATIONS IN THE MISSISSIPPI RIVER IN ST. JAMES PARISH**

**NAME OF APPLICANT:** South Louisiana Fill Materials, LLC, c/o Pangaea Conservation & Compliance, LLC, Post Office Box 40345, Baton Rouge, Louisiana 70835.

**LOCATION OF WORK:** Within the Mississippi River Basin, in the Lower Mississippi River – Baton Rouge hydrologic unit (HUC 08070100); in the Mississippi River, left descending bank, mile 152, near Vacherie, Louisiana, in St. James Parish.

**CHARACTER OF WORK:** The applicant has requested a modification and time extension to an existing sand dredging permit. Modifications include increasing the previously authorized dredge area and an additional stockpile area. Under this proposal, the dredging area in the River will be increased from the previously authorized 65 acres to 118 acres. Approximately 200,000 cubic yards of material will be dredged per month via suction dredge. The material will be placed in the previously authorized dredge sand pit for dewatering. After dewatering, it will be transferred to a stockpile or directly to trucks for commercial sale. Approximately 15.9 acres of the proposed 16.2-

acre stockpile area was previously authorized as a dirt pit. This area was previously cleared and surrounded by levees. The applicant proposes to excavate a maximum of 2,000 cubic yards/month from the 28.66 acres of previously authorized dirt pits and stockpile the sand in this area. The applicant has designed the project such that the modifications are located within the previously-authorized footprint. To minimize impacts to adjacent water/wetlands, appropriate BMP's will be implemented. Should compensatory mitigation be required for unavoidable wetland impacts, the applicant proposes to purchase wetland credits from a Corps approved mitigation bank located in the watershed.

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** 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 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. Copies of this notice are being sent to the State Archeologist and State Historic Preservation Officer.

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.

The New Orleans District has determined that the proposed project is not likely to adversely affect the west Indian manatee (*Trichechus manatus*) or pallid sturgeon (*Scaphirhynchus albus*), provided the Standard Manatee Conditions for In-Water Activities are included in the authorization. No other known endangered/threatened species will be impacted by the proposed activity. These determinations are based on Information & Planning Consultation for Endangered Species in Louisiana (IPaC) agreement dated January 27, 2020 between the US Army Corps of Engineers, New Orleans District and US Fish and Wildlife Service, Ecological Services Office.

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 **155.4 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, Office of Environmental Services, 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

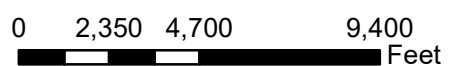
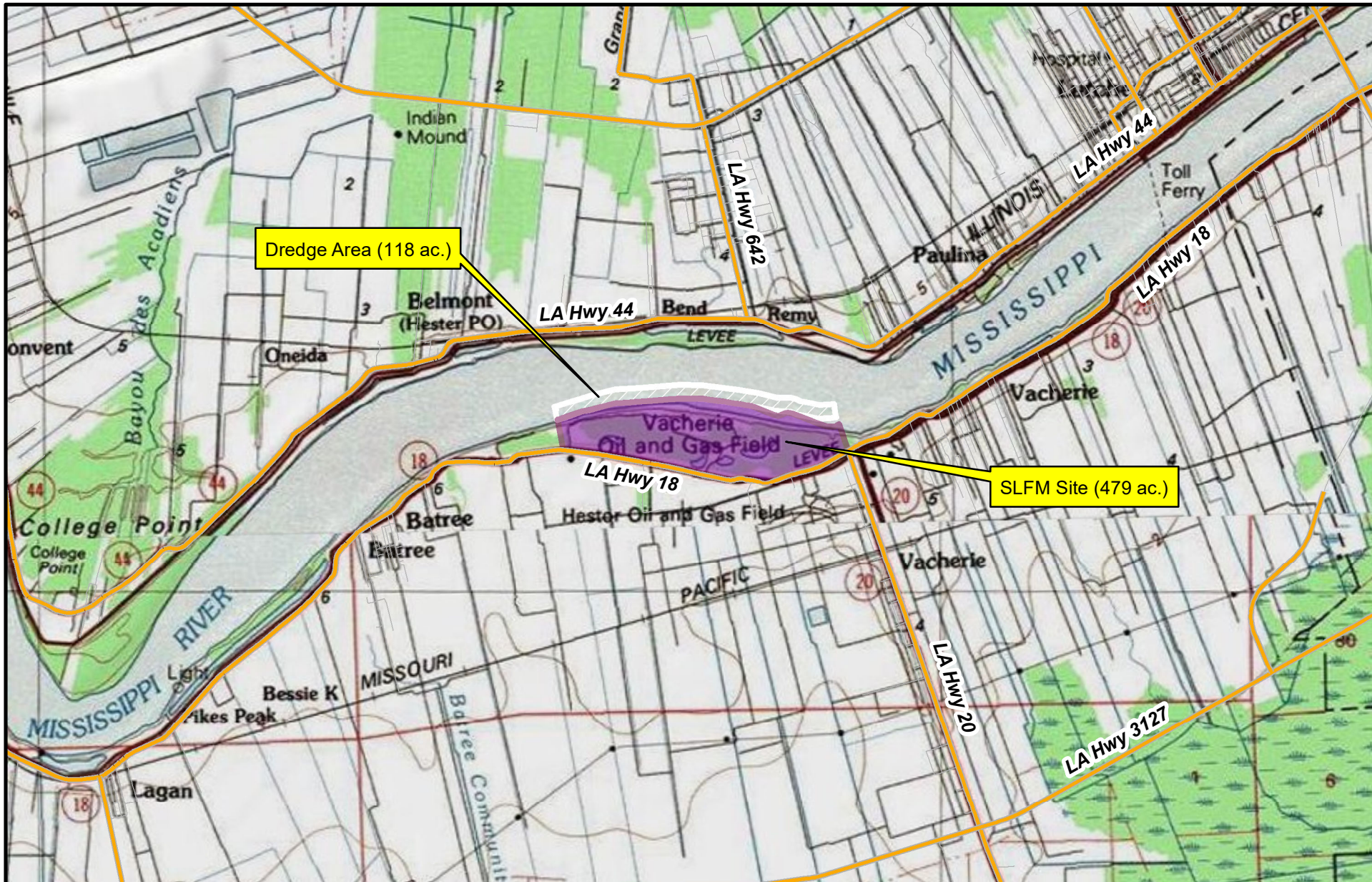
whom you deem likely to have interest in the matter.

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.

John M. Herman  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure

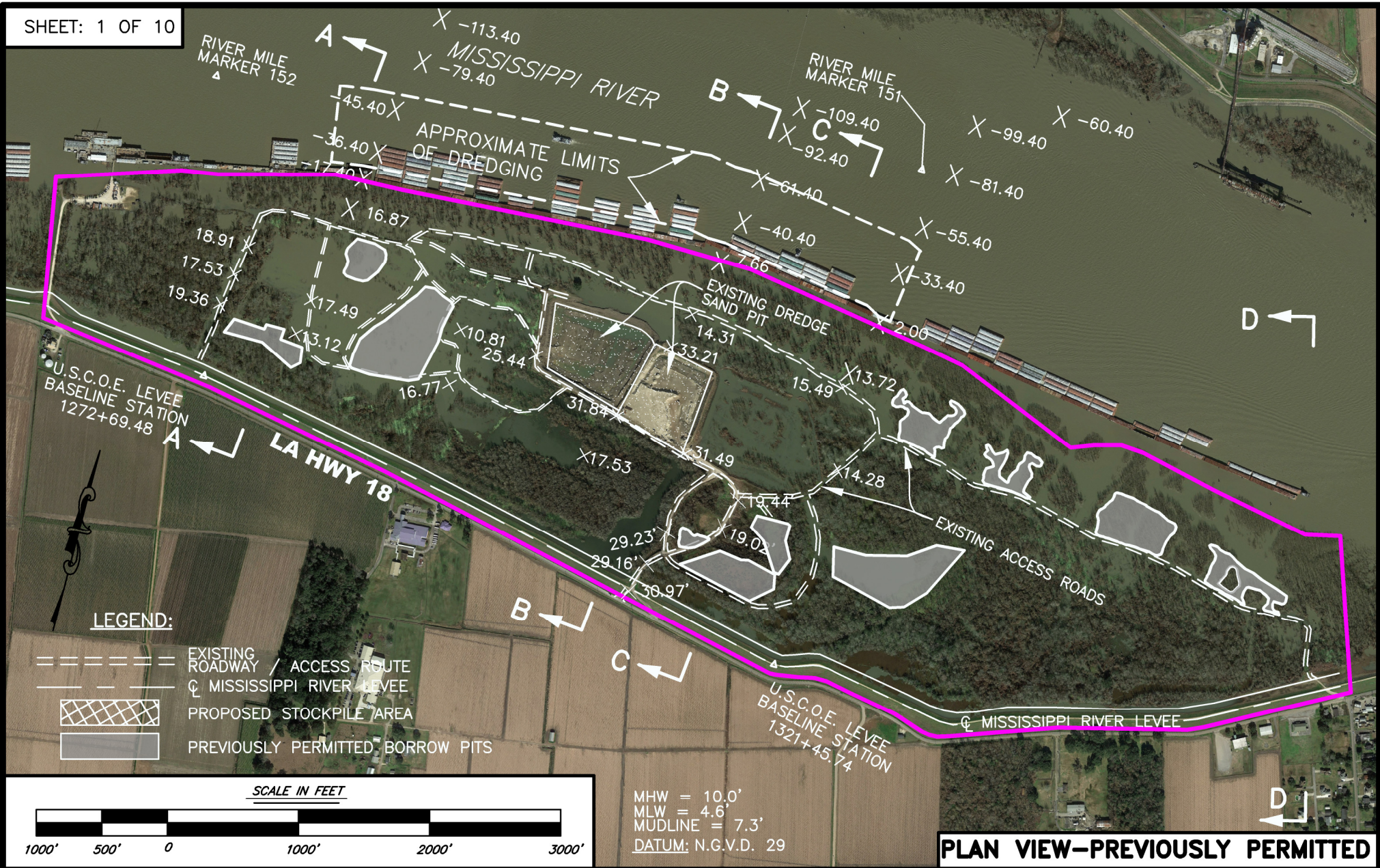


### South Louisiana Fill Materials

River Dredging & Pit Operation (Vacherie)  
St. James Parish, Louisiana



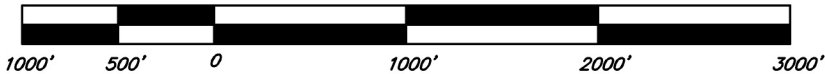
Figure: A  
Date: May 2020  
Scale: 1:60,000



**LEGEND:**

- EXISTING ROADWAY / ACCESS ROUTE
- MISSISSIPPI RIVER LEVEE
- PROPOSED STOCKPILE AREA
- PREVIOUSLY PERMITTED BORROW PITS

SCALE IN FEET



MHW = 10.0'  
 MLW = 4.6'  
 MUDLINE = 7.3'  
 DATUM: N.G.V.D. 29

**PLAN VIEW—PREVIOUSLY PERMITTED**

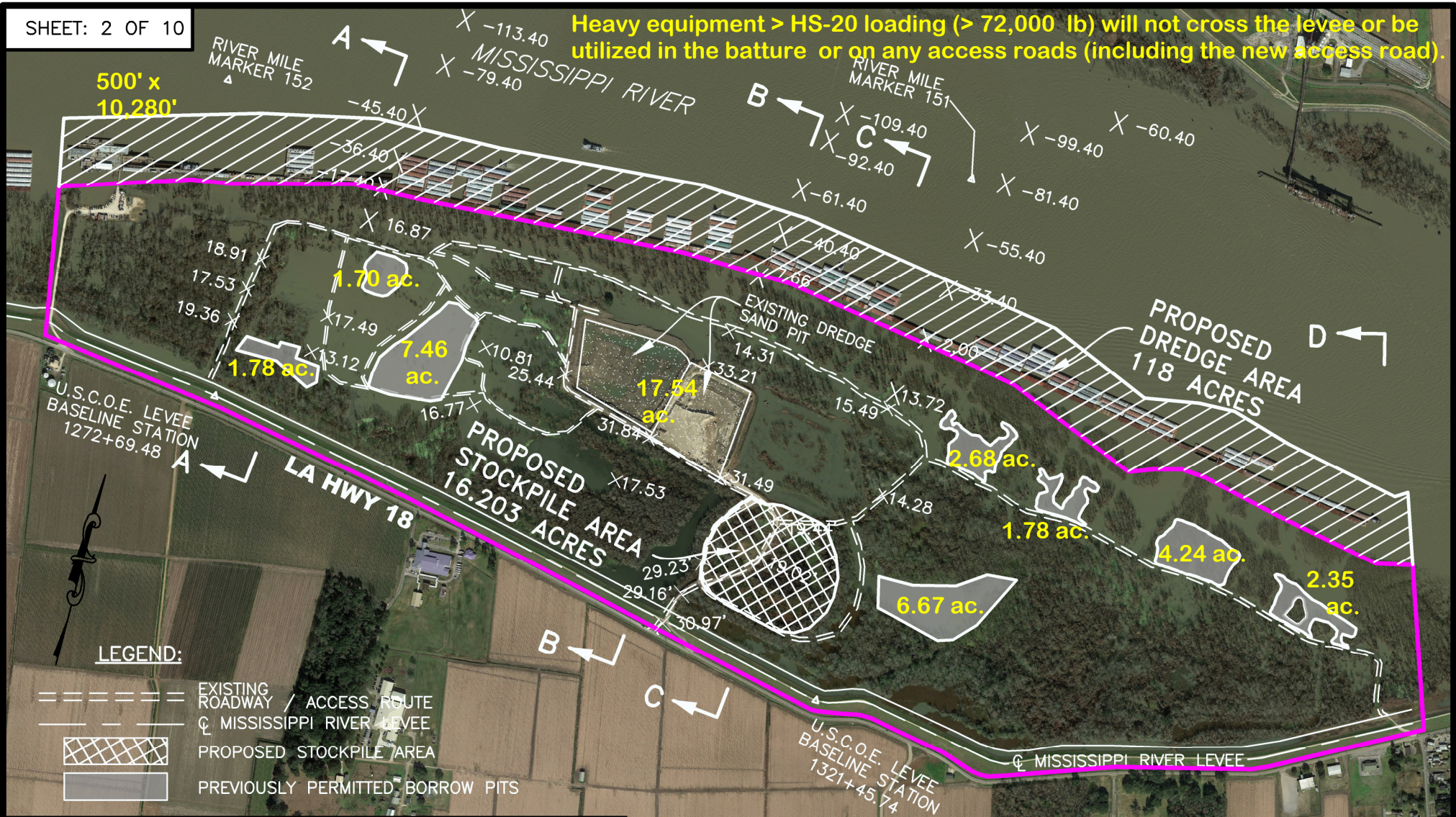
**PURPOSE:** DREDGE SAND FROM THE MISSISSIPPI RIVER TO FILL EXISTING SAND PITS FOR MISCELLANEOUS CONSTRUCTION PROJECTS.



**LEONARD CHAUVIN P.E., P.L.S., INC.**  
 CIVIL ENGINEER — LAND SURVEYOR  
 627 JACKSON STREET THIBODAUX, LA.  
 PHONE: (985) 449-1376

**PERMIT PLAT**  
 SOUTH LOUISIANA FILL MATERIALS  
 RIVER DREDGING AND PIT OPERATION  
 LOCATED IN SECTION 12  
 THROUGH 19 T12S-R17E  
 ST. JAMES PARISH, LOUISIANA  
**APPLICATION BY:** SOUTH LOUISIANA FILL MATERIALS  
**DATE:** JUNE 14, 2019 **REVISED:** MAY 12, 2020

Heavy equipment > HS-20 loading (> 72,000 lb) will not cross the levee or be utilized in the batture or on any access roads (including the new access road).



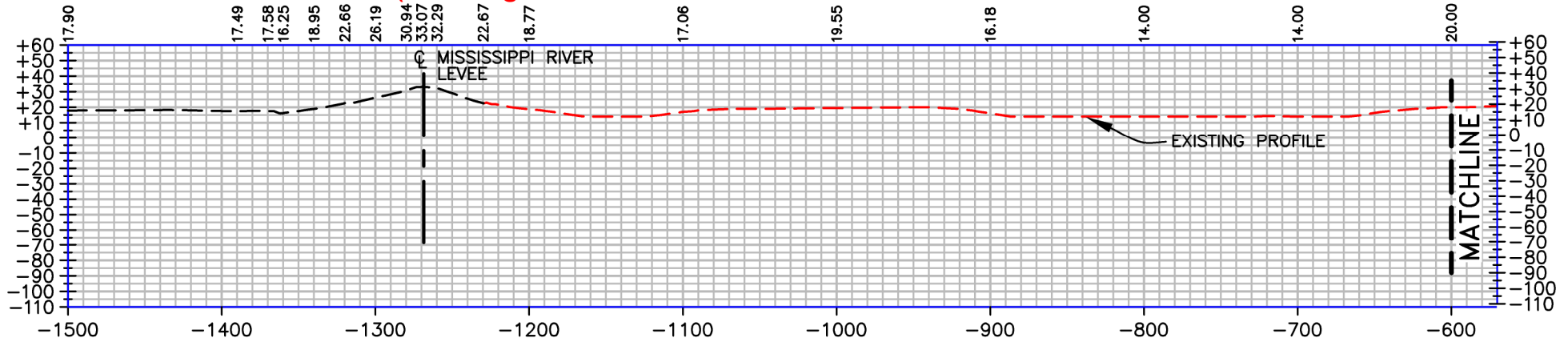
**PLAN VIEW-PROPOSED PERMITTED AREAS**

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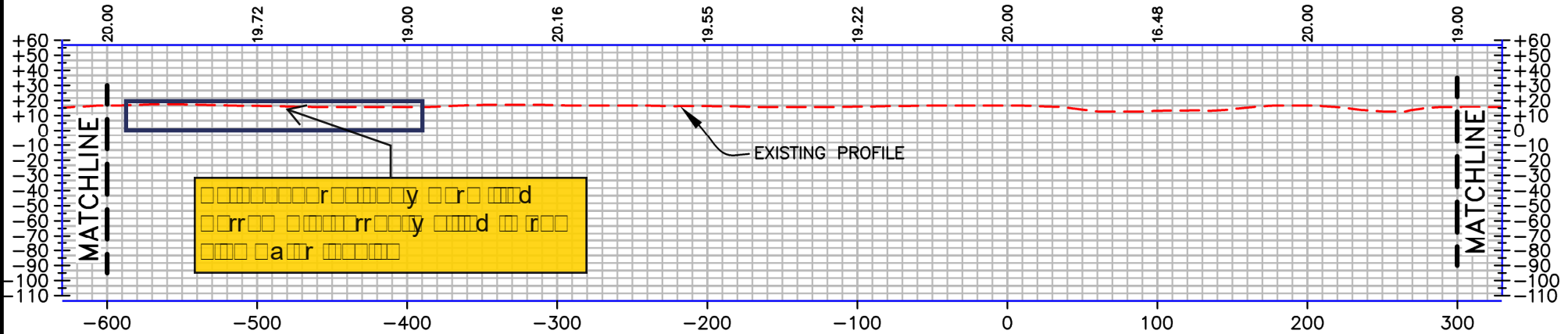
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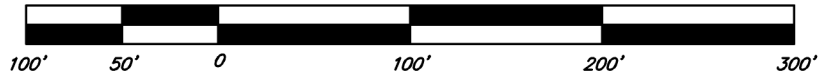


CROSS SECTION A-A (11+77)



CROSS SECTION A-A (11+77)

SCALE IN FEET



MHW = 10.0'  
 MLW = 4.6'  
 MUDLINE = 7.3'  
 DATUM: N.G.V.D. 29

**PROFILE / SECTION**

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**LEGEND:**

- ELEVATIONS OBTAINED FROM LIDAR DATA ACCESSED FROM LSU ATLAS WEBSITE
- SURVEY DATA OBTAINED FROM U.S.A.C.O.E. HYDROGRAPHIC SURVEY 2013
- ELEVATIONS RECORDED BY LCI 2019



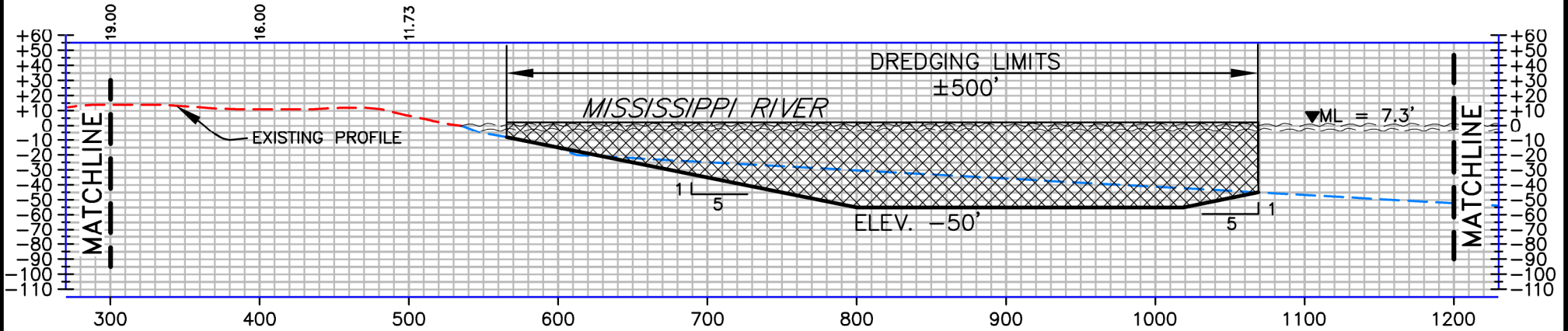
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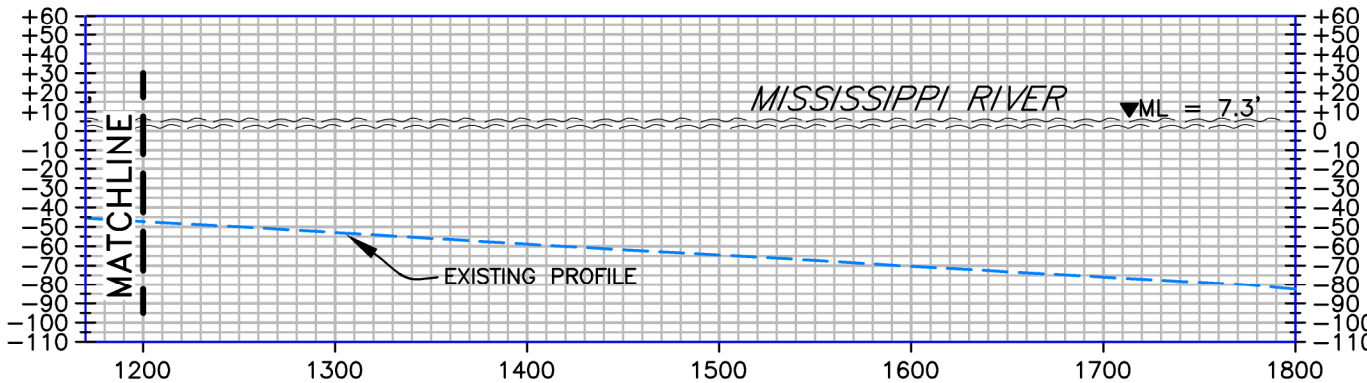
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MISSISSIPPI RIVER DREDGING AND PIT OPERATION



CROSS SECTION A-A (11+77)



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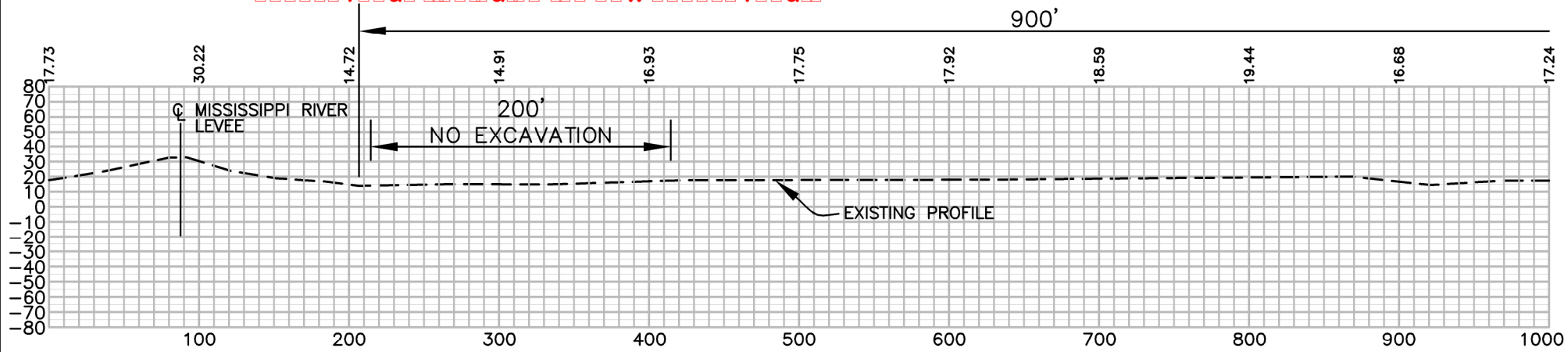


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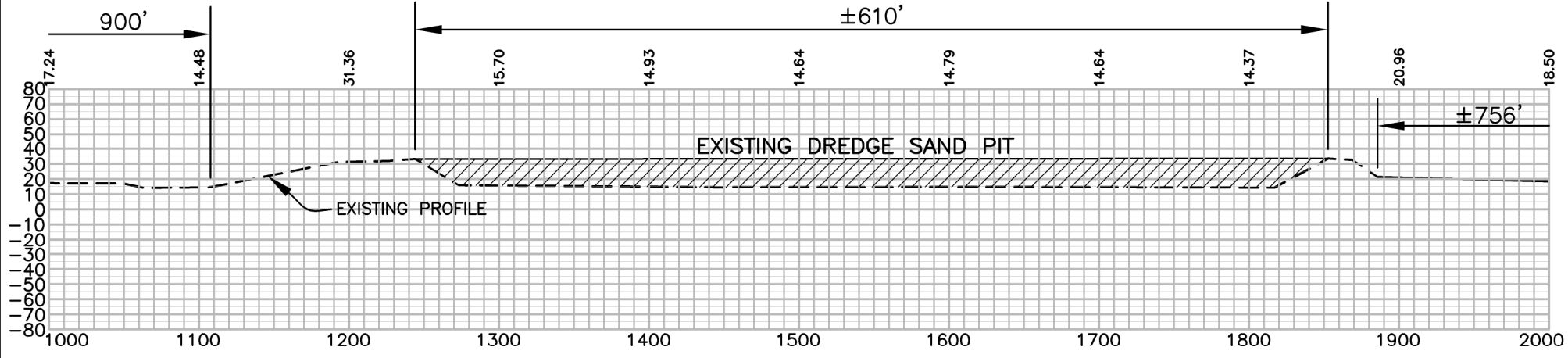
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MISSISSIPPI RIVER DREDGING AND PIT OPERATION LOCATED IN SECTION 12 THROUGH 19 T12S-R17E ST. JAMES PARISH, LOUISIANA



CROSS SECTION B-B



CROSS SECTION B-B

SCALE IN FEET



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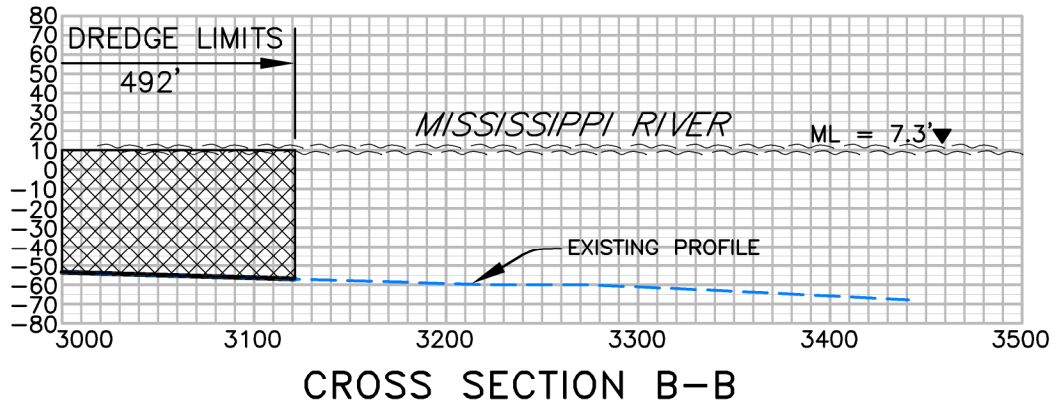
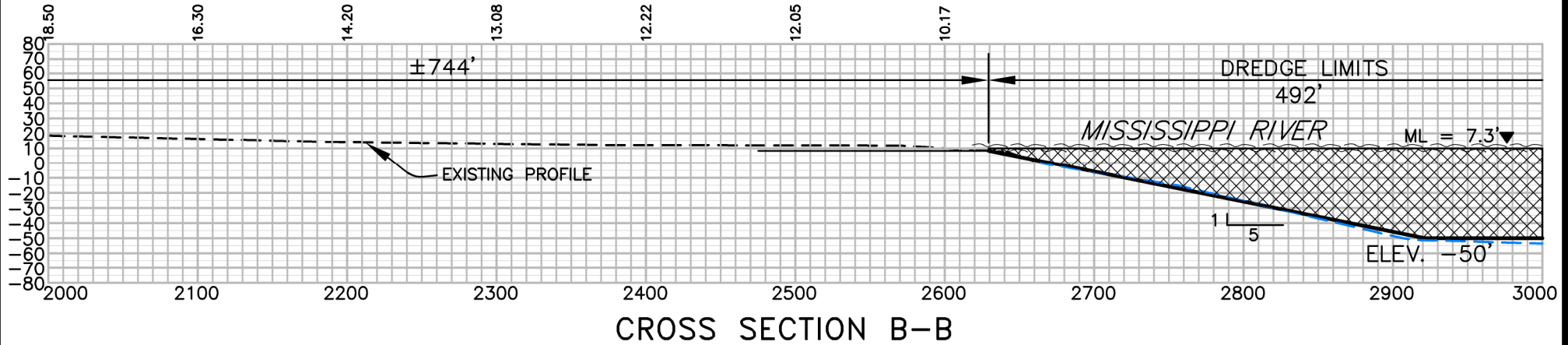


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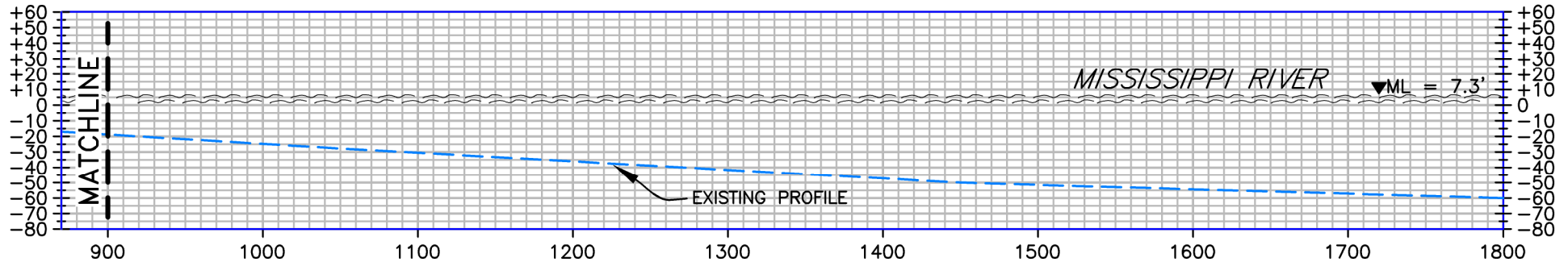
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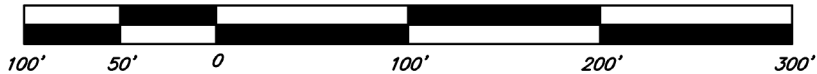


MISSISSIPPI RIVER DREDGING AND PIT OPERATION  
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CROSS SECTION D-D (92+80)

SCALE IN FEET



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