

# JOINT PUBLIC NOTICE

January 20, 2014

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

(504) 862-1564

[Stephanie.L.Castaing@usace.army.mil](mailto:Stephanie.L.Castaing@usace.army.mil)

Project Manager  
Stephanie Castaing  
Permit Application Number  
MVN 2009-1536-EPP

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  
Jamie Phillippe  
WQC Application Number  
WQC 110715-01

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).

## **MARINA/COMMERICAL DEVELOPMENT IN ORLEANS PARISH**

**NAME OF APPLICANT:** Gary C. Landrieu, 644 Papworth Avenue, Metairie, Louisiana 70005.

**LOCATION OF WORK:** Located at 23008 Chef Menteur Highway at the Rigolet's Bridge, near Fort Pike State Historic Site, New Orleans, Louisiana, in Orleans Parish, as shown on the attached drawings.

Latitude: 30.1667/Longitude: -89.74; Hydrologic Unit Code: 08090203 – Eastern Louisiana Coastal

The work described below was completed prior to obtaining a Department of Army permit and was in violation of Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have been deferred.

**CHARACTER OF WORK:** Clear, grade, excavate, and deposit fill in order to construct a marina/commercial development consisting of maintenance dredging, installation of piers, boat slips, bulkhead, culvert, slip, boat ramp, and rip rap. Project implementation would require the excavation and deposition of approximately 13,369 cubic yards of native material, 556 cubic yards of rock, 184.5 cubic yards of crushed stone/gravel, and 224.5 cubic yards of concrete. Approximately 1.0 acre of jurisdictional wetlands and 2.56 acres of non-vegetated waterbottoms has/will be directly impacted by the proposed activity. The applicant shall restore approximately 0.4 acre to pre-project conditions and has provided a permittee-responsible mitigation proposal to compensate for all unavoidable wetland impacts.

The applicant may be required to fully or partially restore the project site to pre-project conditions, if issuance of a permit is determined to be contrary to the overall public interest.

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.

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 **2.56** 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



Approximate Northern Property Line

	Existing Unauthorized Fill
	Area Proposed to be Dredged
	Area Previously Dredged
	+/- 0.07 ac of fill deposited without authorization
	+/- 1.547 acres to be dredged from canal to create marsh for inclusion in Permittee Responsible Mitigation Plan (PRMP)
	+/- 0.367 acres of fill, deposited without authorization, Post Katrina to be included in PRMP
	+/- 0.628 acres of fill, deposited without authorization, Post Isaac to be included in PRMP
	Cross Section Location (Label)

THE RIGOLETS

LA HWY 90

+/- 2.54 ac. consists of previously dredged material and material to be dredged as restored wetlands

Proposed riprap = +/- 200'

Existing Unauthorized Fill to be Restored = +/-0.2 ac.

Existing Unauthorized 84" Culvert & Fill to Remain

Existing Unauthorized Fill Impact to Remain = +/-0.75 ac.

Existing Unauthorized Fill = +/-0.07 ac

Existing Unauthorized Fill to be Restored = +/-0.2 ac.

Existing Unauthorized Slip (+/- 30' X 45')

Existing Unauthorized Boat Ramp

Existing Unauthorized Fill Impact to Remain = +/-0.25 ac.

Existing Residence

Existing marina building

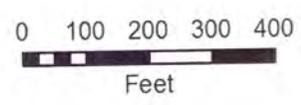
Existing aggregate parking lot

Existing Unauthorized Structures (+/-120' X 50' = New Boat Slips/Piers)

Existing Unauthorized Structures (+/-120' X 50' = Repaired Existing Bulkhead Structures)

Sheet 2 of 16

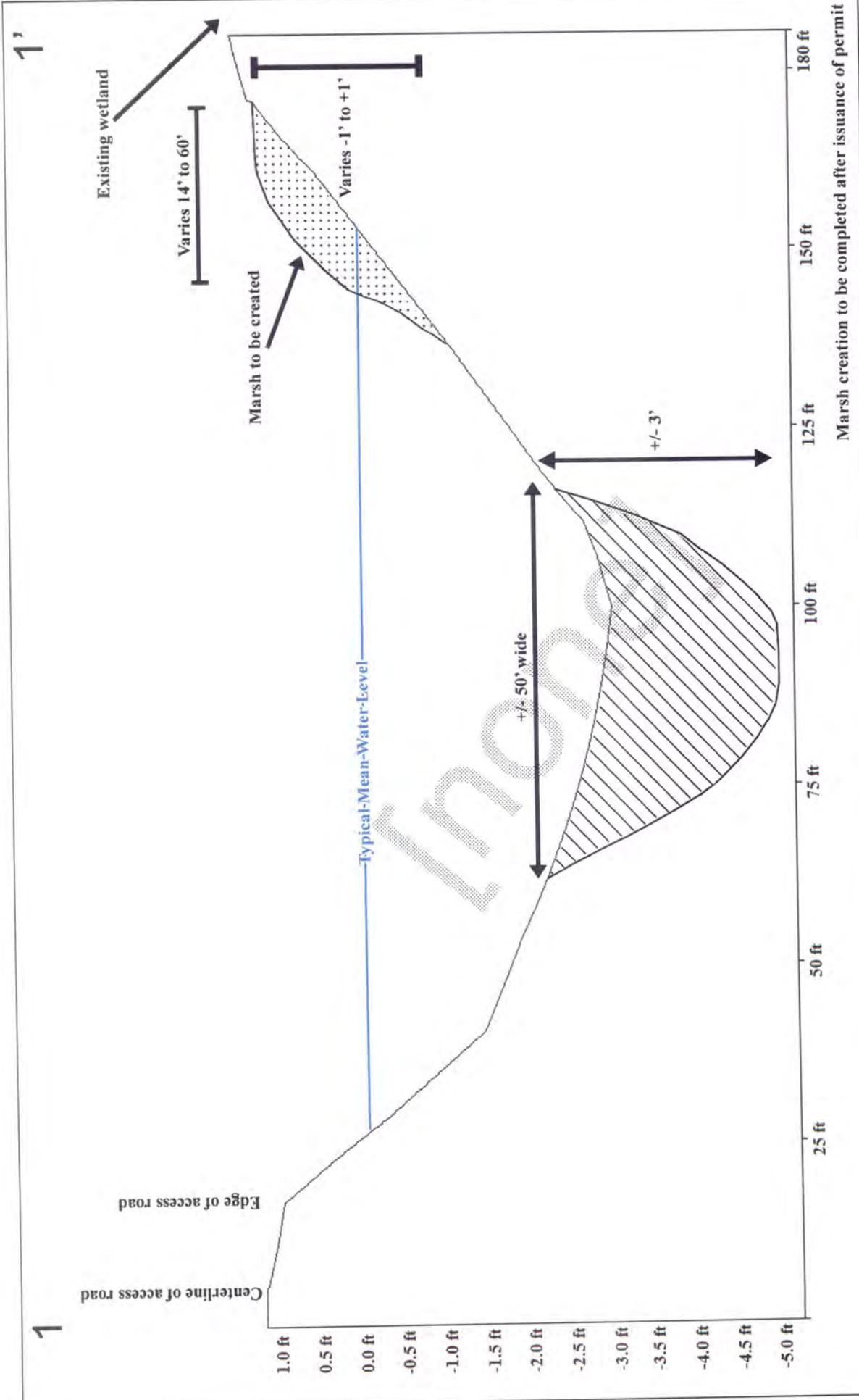
# Plan View



Data Source:  
Applicant Plans/Drawings  
& CEI Field Survey -  
Feb. 2013

Orleans Parish, Louisiana

Coastal Environments, Inc.  
Baton Rouge, LA.....225-383-7455  
Map Date: December 2013



Marsh creation to be completed after issuance of permit



Sheet 3 of 16

Data Source:  
CEI Field Survey Feb. 2013

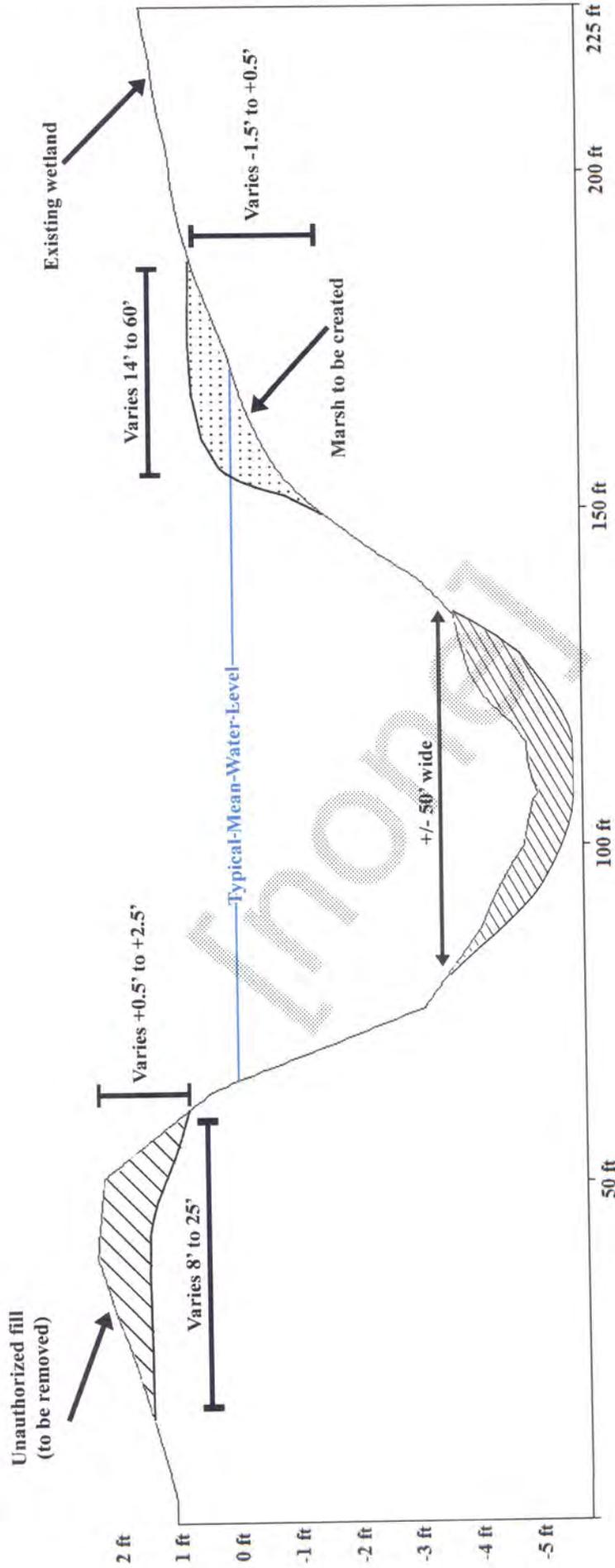
**Typical Section  
of Request for Authorization**

Orleans Parish, Louisiana



**Coastal Environments, Inc.**  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013



Marsh creation to be completed after issuance of permit



Typical Section  
of Request for Authorization

Orleans Parish, Louisiana

Sheet 4 of 16

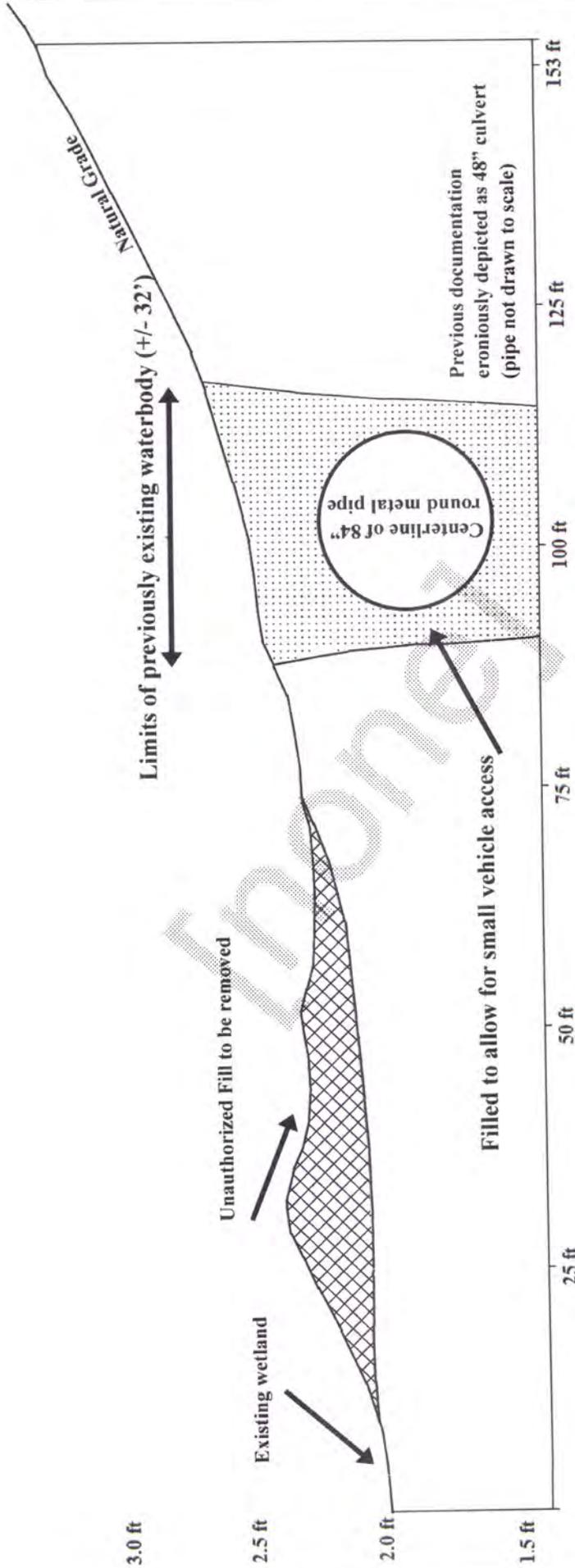
Data Source:  
CEI Field Survey Feb. 2013

Coastal Environments, Inc.  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013

3'

3



(Bottom elevation of 84" RMP = -5.1")



Sheet 5 of 16

Data Source:  
CEI Field Survey Feb. 2013

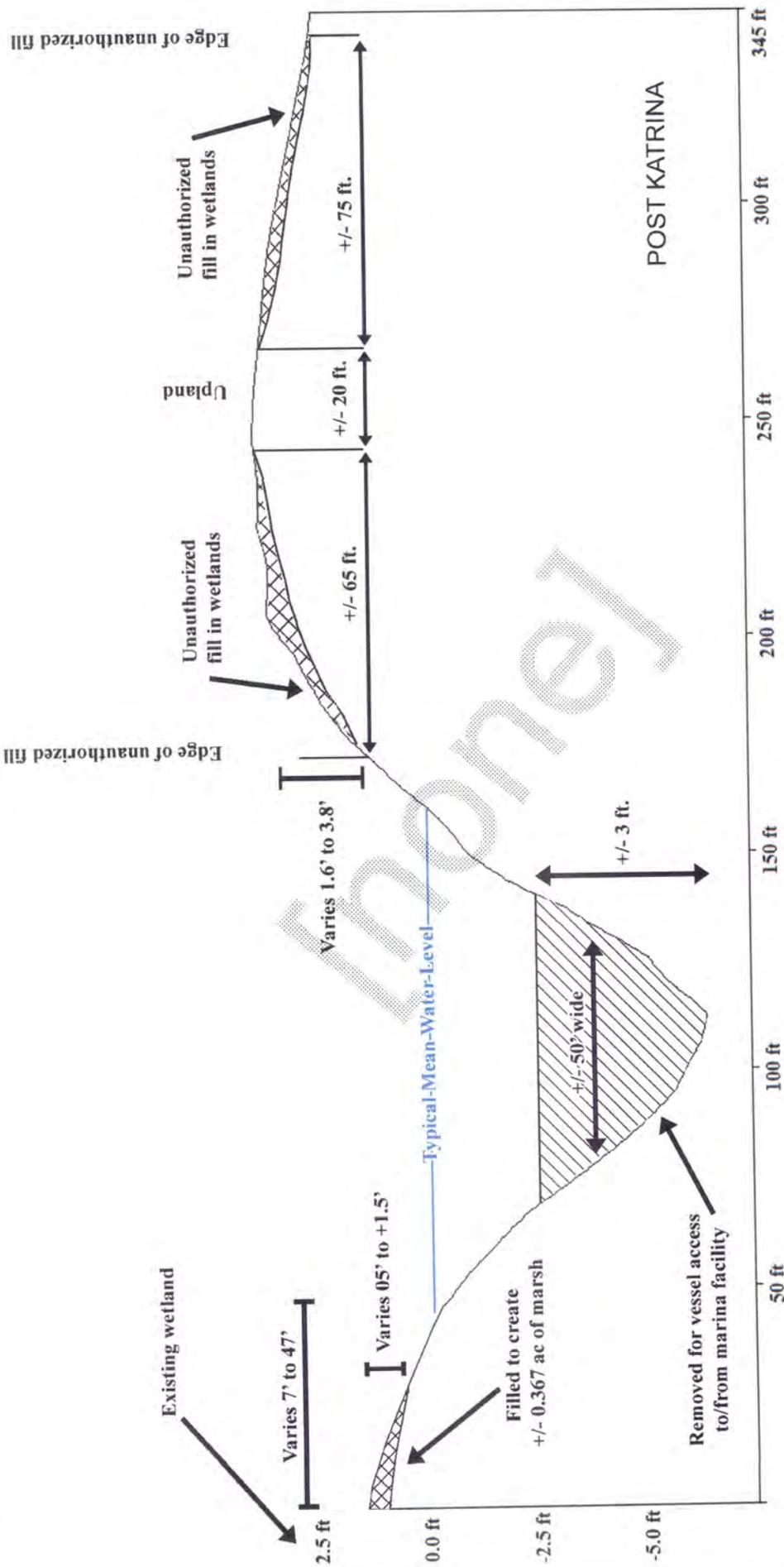
**Typical Section of Request  
For After-The-Fact Authorization**

Orleans Parish, Louisiana

 **Coastal Environments, Inc.**  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013

4'



4



Sheet 6 of 16

Data Source:  
CEI Field Survey Feb. 2013

### Typical Section of Request For After-The-Fact Authorization

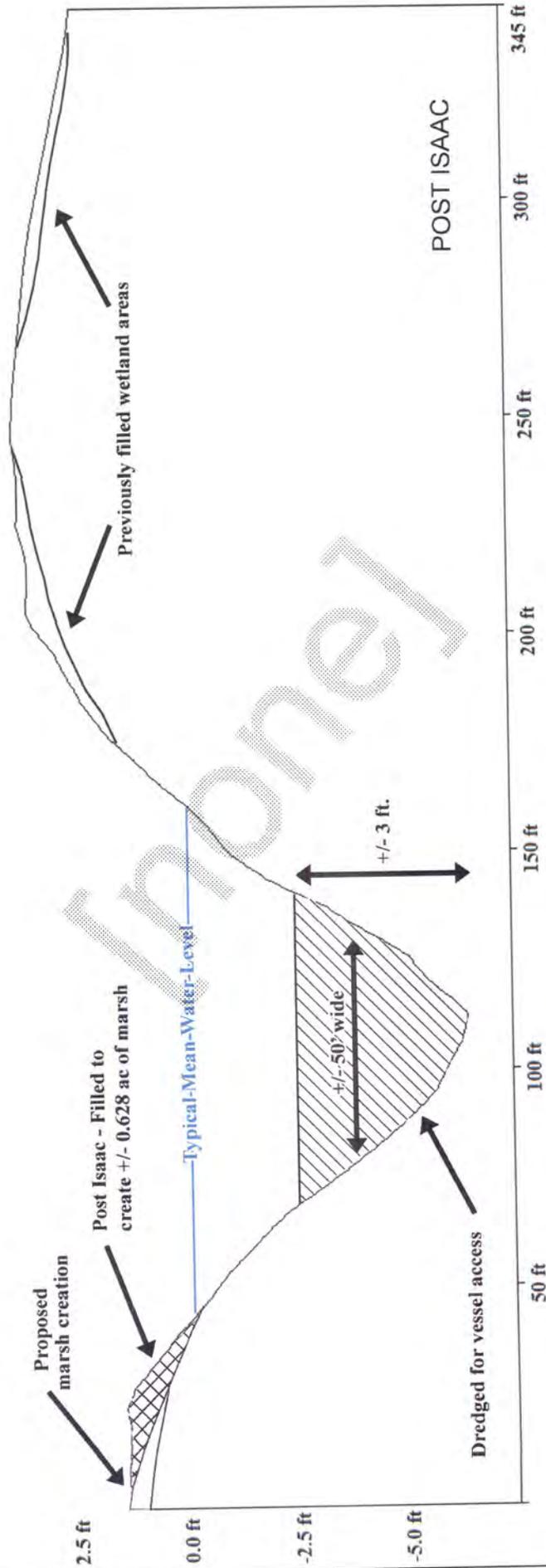
Orleans Parish, Louisiana



Coastal Environments, Inc.  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013

Upland



Orleans Parish

Sheet 7 of 16

Data Source:  
CEI Field Survey Feb. 2013

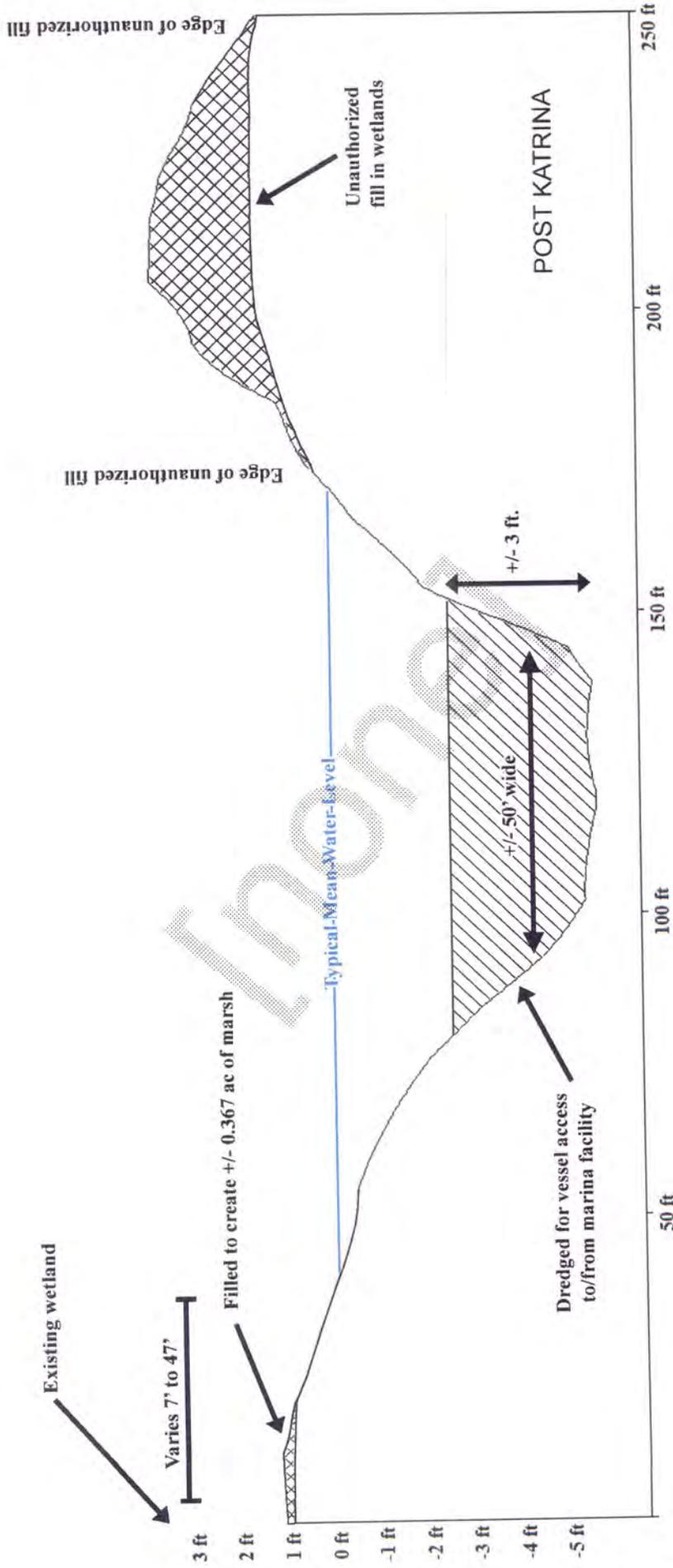
**Typical Section of Request  
For After-The-Fact Authorization  
Performed under Emergency Authorization**

Orleans Parish, Louisiana



Coastal Environments, Inc.  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013



Sheet 8 of 16

Data Source:  
CEI Field Survey Feb. 2013

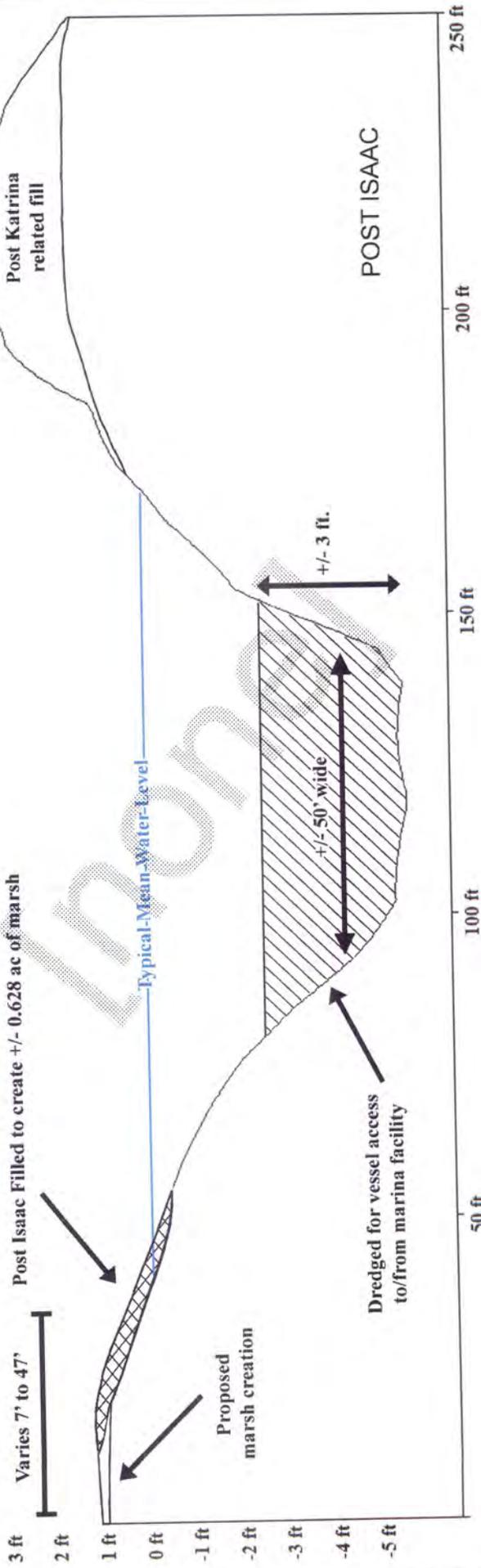
### Typical Section of Request For After-The-Fact Authorization

Orleans Parish, Louisiana



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Map Date: December 2013



Sheet 9 of 16

Data Source:  
CEI Field Survey Feb. 2013

**Typical Section of Request  
For After-The-Fact Authorization  
Performed under Emergency Authorization**

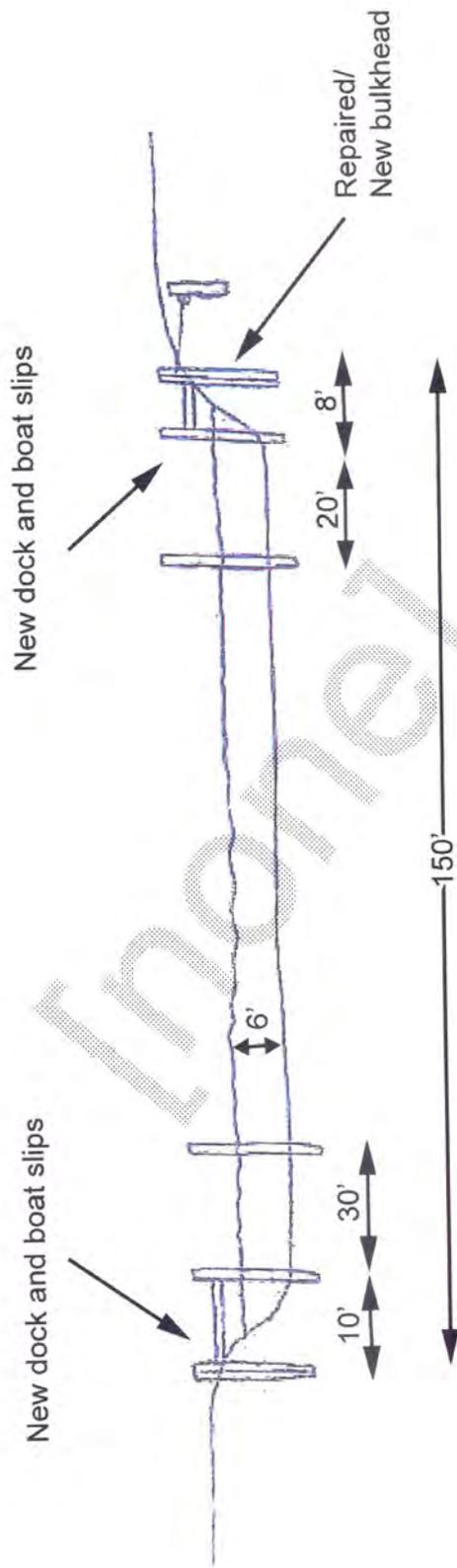
Orleans Parish, Louisiana



Map Date: December 2013

D'

D



\* Not to Scale



Sheet 10 of 16

Data Source:  
Drawing Provided by  
applicant

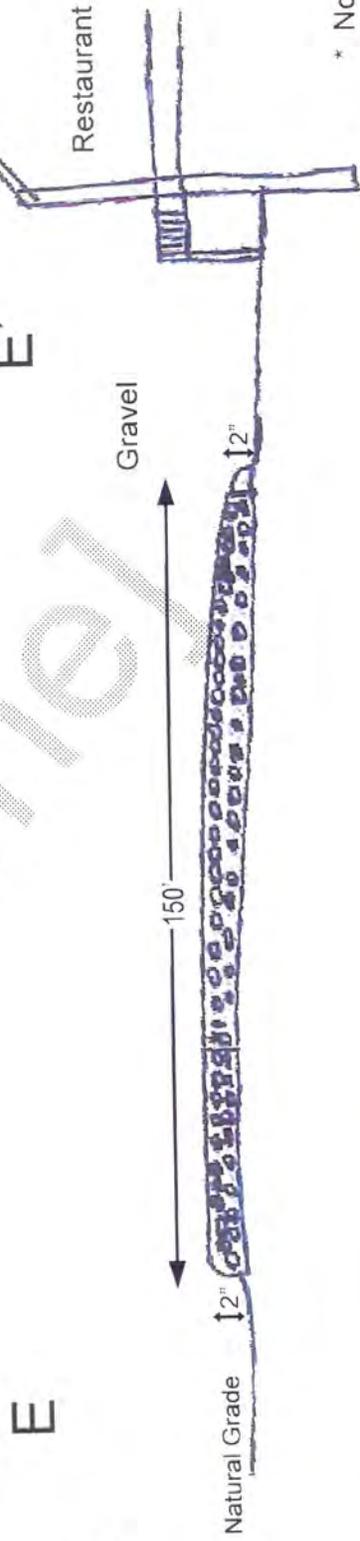
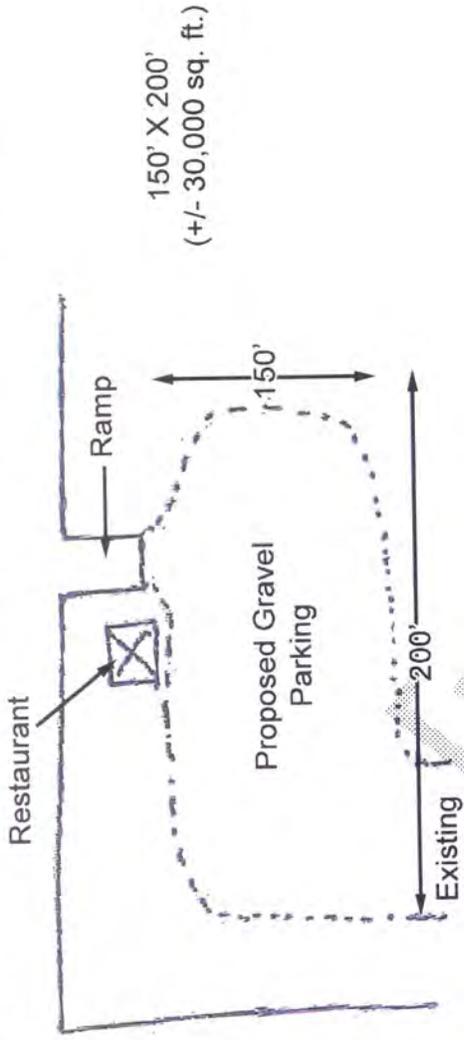
### Typical Section of Request For After-The-Fact Authorization

Orleans Parish, Louisiana

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Baton Rouge, LA.....225-383-7455

Map Date: December 2013

# Proposed Gravel Parking and Plan View Location



Sheet 11 of 16

Data Source:  
Drawing Provided by  
applicant

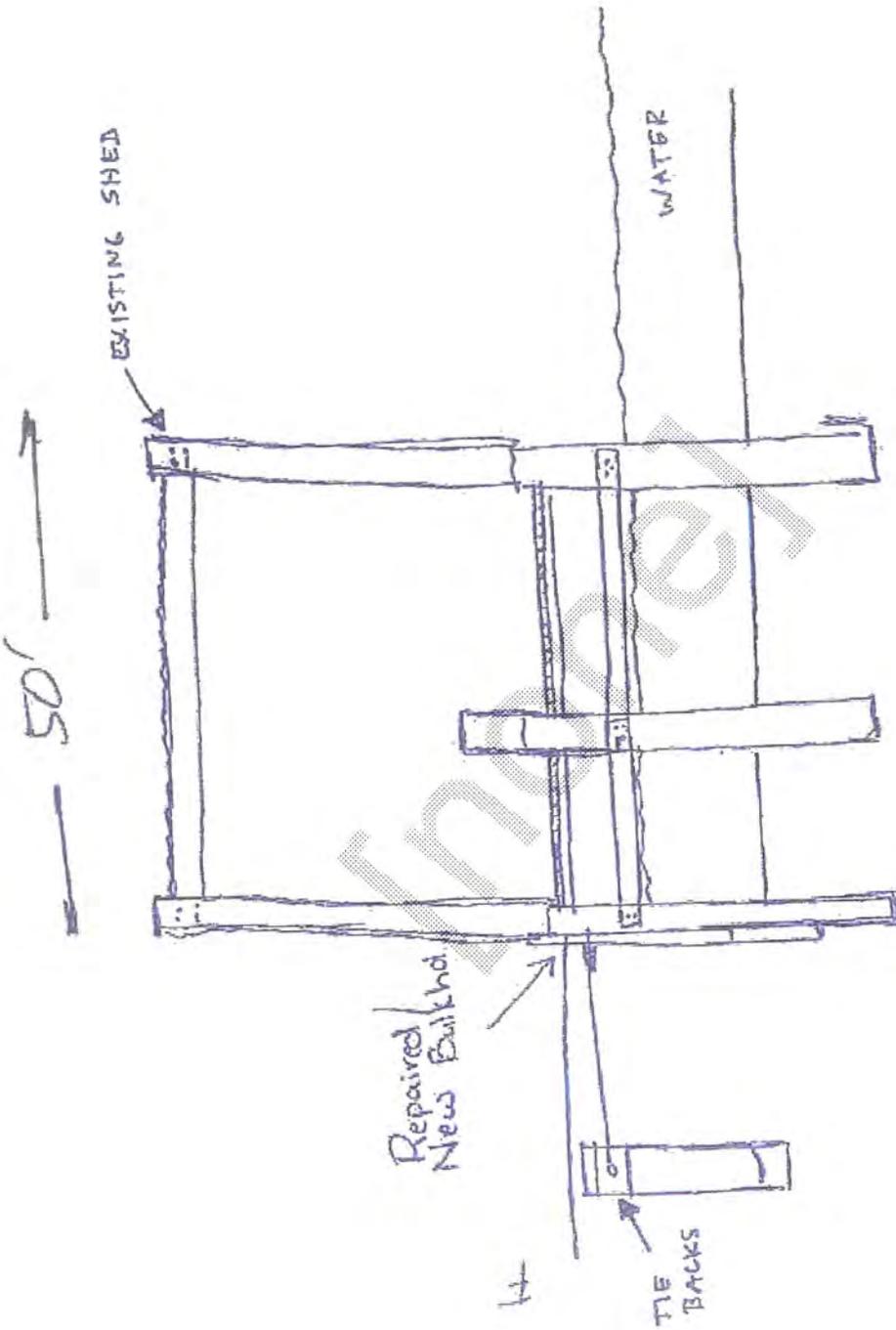
## Typical Section of Request For After-The-Fact Authorization

Orleans Parish, Louisiana



Map Date: December 2013

F'



\* Not to Scale

F



Orleans Parish

Sheet 12 of 16

Data Source:  
Drawing Provided by  
applicant

### Typical Section of Request For After-The-Fact Authorization

Orleans Parish, Louisiana

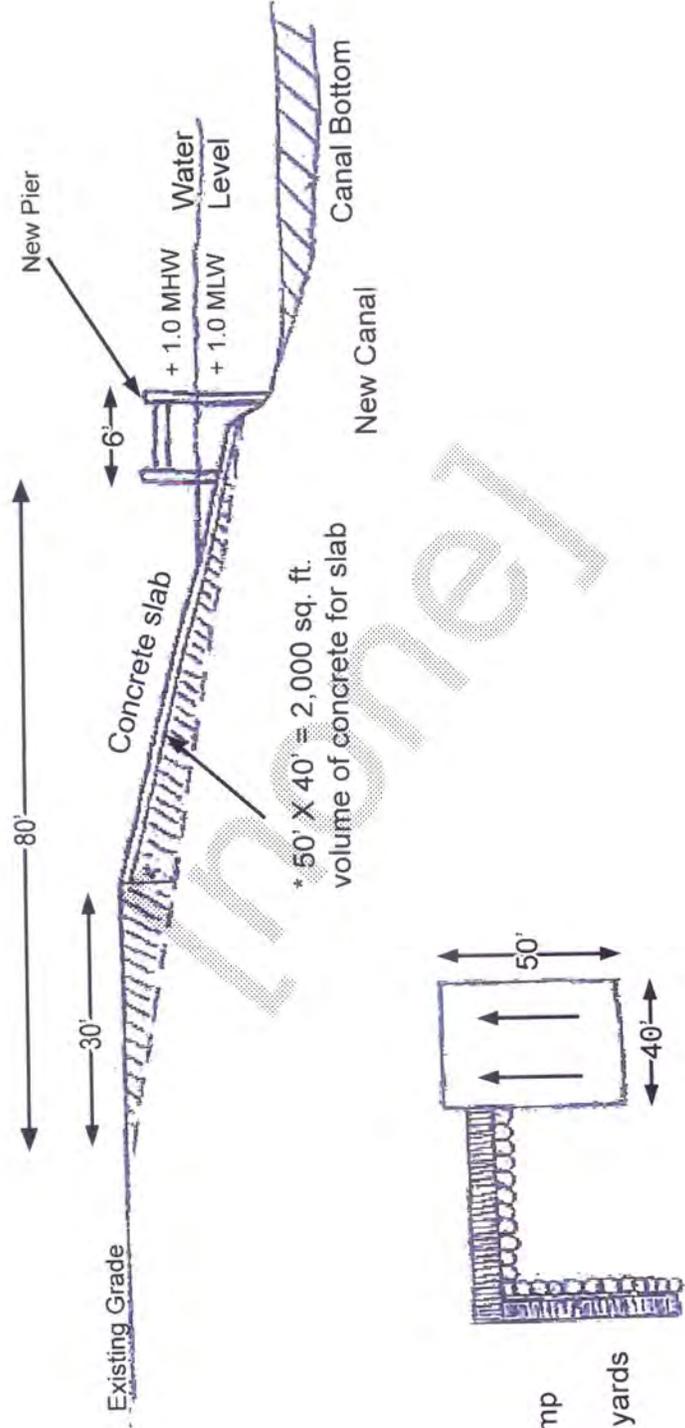


Coastal Environments, Inc.  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013

G'

G



\* Not to Scale



Sheet 13 of 16

Data Source:  
Drawing Provided by  
applicant

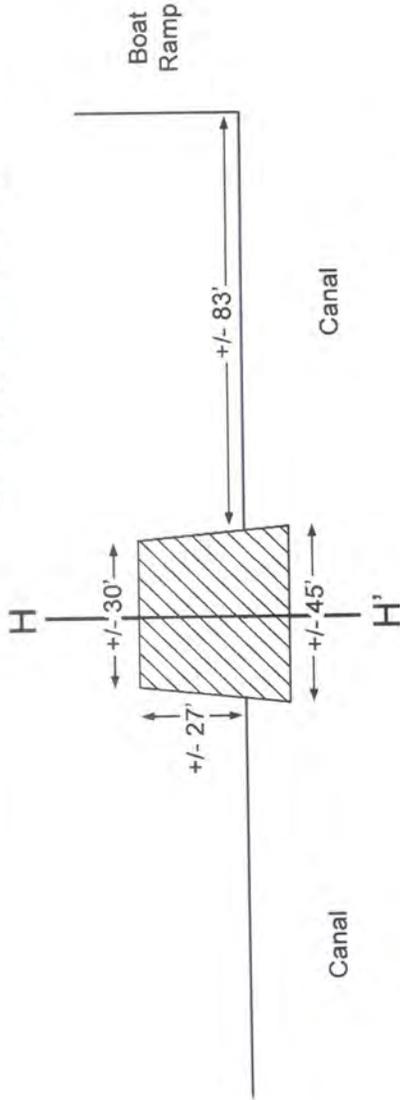
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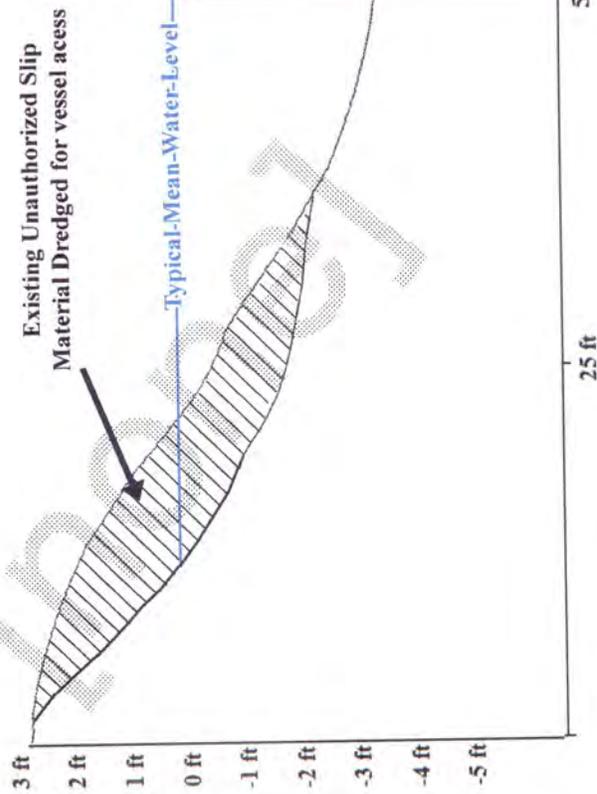
Map Date: December 2013

Existing aggregate parking lot



**Plan View**

H H'



**Cross Section**

Not to Scale



Sheet 14 of 16

Data Source:  
CEI Field Survey, Nov. 25, 2013

**Request for  
After-The-Fact Authorization**

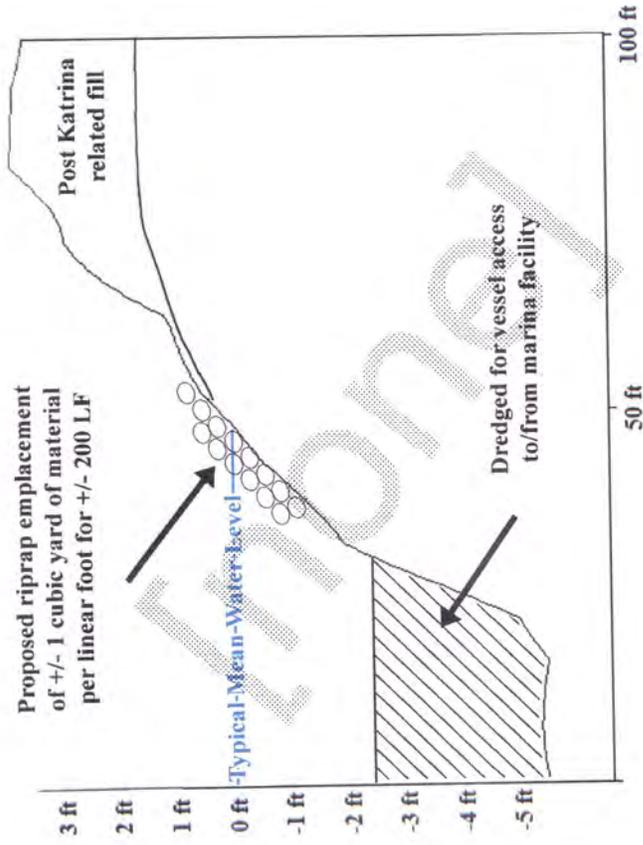
Orleans Parish, Louisiana



**Coastal Environments, Inc.**  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013

1'



Not to Scale



Sheet 15 of 16

Data Source:  
CEI Field Survey, Nov. 25, 2013

### Typical Section of Request for Authorization

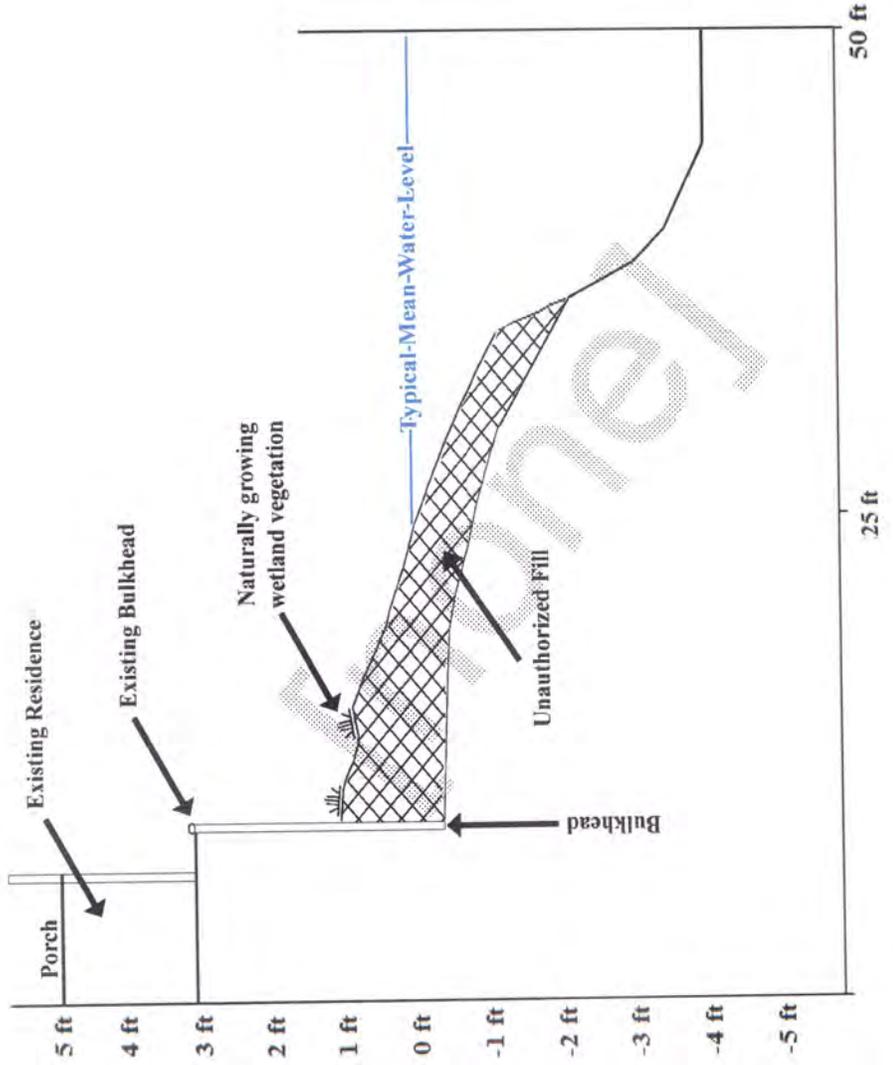
Orleans Parish, Louisiana

  
Coastal Environments, Inc.  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013

J

J'



Sheet 16 of 16

Data Source:  
CEI Field Survey, Nov. 25, 2013

### Typical Section of Request for After-The-Fact Authorization

Orleans Parish, Louisiana

 Coastal Environments, Inc.  
Baton Rouge, LA.....225-383-7455

Map Date: December 2013