

JOINT PUBLIC NOTICE

April 27, 2015

U.S. Army Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, LA 70160-0267

State of Louisiana
Department of Environmental Quality
Water Quality Certification Section
Post Office Box 4313
Baton Rouge, LA 70821-4313

Project Manager: Michael H. Herrmann
(504) 862-1954
Michael.h.herrmann@usace.army.mil
DA Permit Number: MVN-2011-00184-WLL

Project Manager: Elizabeth Hill
(225) 219-3225
WQC Number: WQC 110131-01

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: Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403); and/or Section 404 of the Clean Water Act (86 Stat. 816; 33 U.S.C. 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 La. R.S. 30:2074(A)(3) and provisions of Section 401 of the Clean Water Act (P.L. 95-217; 33 U.S.C. 1341).

MAINTENANCE DREDGING AND MARSH CREATION IN ST MARY PARISH

Name of Applicant: St. Mary Parish Government, 501 Main Street, 5th Floor Courthouse, Franklin, Louisiana 70538.

Location of Work: (N: 29.47764, W: -91.27153) Along the east bank of the Lower Atchafalaya River and Deer Island Pass in St. Mary Parish, Louisiana,

Character of Work This proposal is a modification to a previously authorized maintenance dredging project to include an additional 7 acres (80,000 cubic yards) of dredging from the channel bottom and an additional 44 acres of fill.

Conduct excavation activities to dredge 3,650 linear feet by 250 feet wide (37 acres), 283,600 cubic yards, of channel bottom to accelerate deltaic land building in the northeast portion of Atchafalaya Bay, by allowing increased water and sediment flow through Deer Island Pass. Dredged sediments will be placed beneficially to a settled elevation of 1.10 to 1.30 feet NAVD 88, all to create 72 acres of marsh in shallow open water, within Deer Island Pass. Project implementation will impact 109 acres of shallow water bottoms and is not expected to include impacts to vegetated wetlands.

The comment period for the Department of the Army (DA) permit application 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 DA permit and WQC request and must be mailed, so as to be received before or by the last day of the comment period. Letters concerning the DA permit application must reference the applicant's name and the DA Permit Number, and be mailed to the U.S. Army Corps of Engineers at the address above. Similar letters concerning the WQC must reference the applicant's name and the WQC 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 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 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 these being: 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.

No properties listed on the National Register of Historic Places are known to be near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistoric, or 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 work would not affect any species listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species.

Based on the South Louisiana **Standard Local Operating Procedure for Endangered Species (SLOPES)**, as signed on October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the 37 acre dredge footprint and 72 acre spoil disposal site is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*) and determined that the activity is not likely to adversely affect this species. If this permit is issued, the permittee will be required to follow the SLOPES conditions: 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 the dredging, the pumping rates **shall** be reduced to the slowest speed feasible while the cutterhead descends to the bottom.

Based on the South Louisiana **Standard Local Operating Procedure for Endangered Species (SLOPES)**, as signed on October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans

and the U.S. Fish and Wildlife Service, it has been determined that the 37 acre dredge footprint and 72 acre spoil disposal site is located in waters known to be utilized by the West Indian Manatee (*Trichechus manatus*) and determined that the activity is not likely to adversely affect this species. If this permit is issued, the permittee will be required to include the following SLOPES conditions: During in-water work in areas that potentially support manatees all personnel associated with the project shall be instructed about the potential presence of manatees, manatee speed zones, and the need to avoid collisions with and injury to manatees. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973. Additionally, personnel shall be instructed not to attempt to feed or otherwise interact with the animal, although passively taking pictures or video are acceptable.

All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). To minimize potential impacts to manatees in areas of their potential presence, the permittee shall insure the following are adhered to:

- All work, equipment, and vessel operation shall cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone on its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).
- If a manatee(s) is sighted in or near the project area, all vessels associated with the project shall operate at "no wake/idle" speeds within the construction area and at all times while in waters where the draft of the vessel provides less than a four-foot clearance from the bottom. Vessels shall follow routes of deep water whenever possible.
- If used, siltation or turbidity barriers shall be properly secured, made of material in which manatees cannot become entangled, and be monitored to avoid manatee entrapment or impeding their movement.
- Temporary signs concerning manatees shall be posted prior to and during all in-water project activities and removed upon completion. Each vessel involved in construction activities shall display at the vessel control station or in a prominent location, visible to all employees operating the vessel, a temporary sign at least 8½ " X 11" reading language similar to the following: "CAUTION BOATERS: MANATEE AREA/ IDLE SPEED IS REQUIRED IN CONSRUCTION AREA AND WHERE THERE IS LESS THAN FOUR FOOT BOTTOM CLEARANCE WHEN MANATEE IS PRESENT". A second temporary sign measuring 8½ " X 11" shall be posted at a location prominently visible to all personnel engaged in water-related activities and shall read language similar to the following: "CAUTION: MANATEE AREA/ EQUIPMENT MUST BE SHUTDOWN IMMEDIATELY IF A MANATEE COMES WITHIN 50 FEET OF OPERATION".
- Collisions with, injury to, or sightings of manatees shall be immediately reported to the Service's Louisiana Ecological Services Office (337/291-3100) and the Louisiana Department of Wildlife and Fisheries, Natural Heritage Program (225/765-2821). Please provide the nature of the call (i.e., report of an incident, manatee sighting, etc.); time of incident/sighting; and the approximate location, including the latitude and longitude coordinates, if possible.

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 109 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 U.S. Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Louisiana Department of Environmental Quality before a permit is issued.

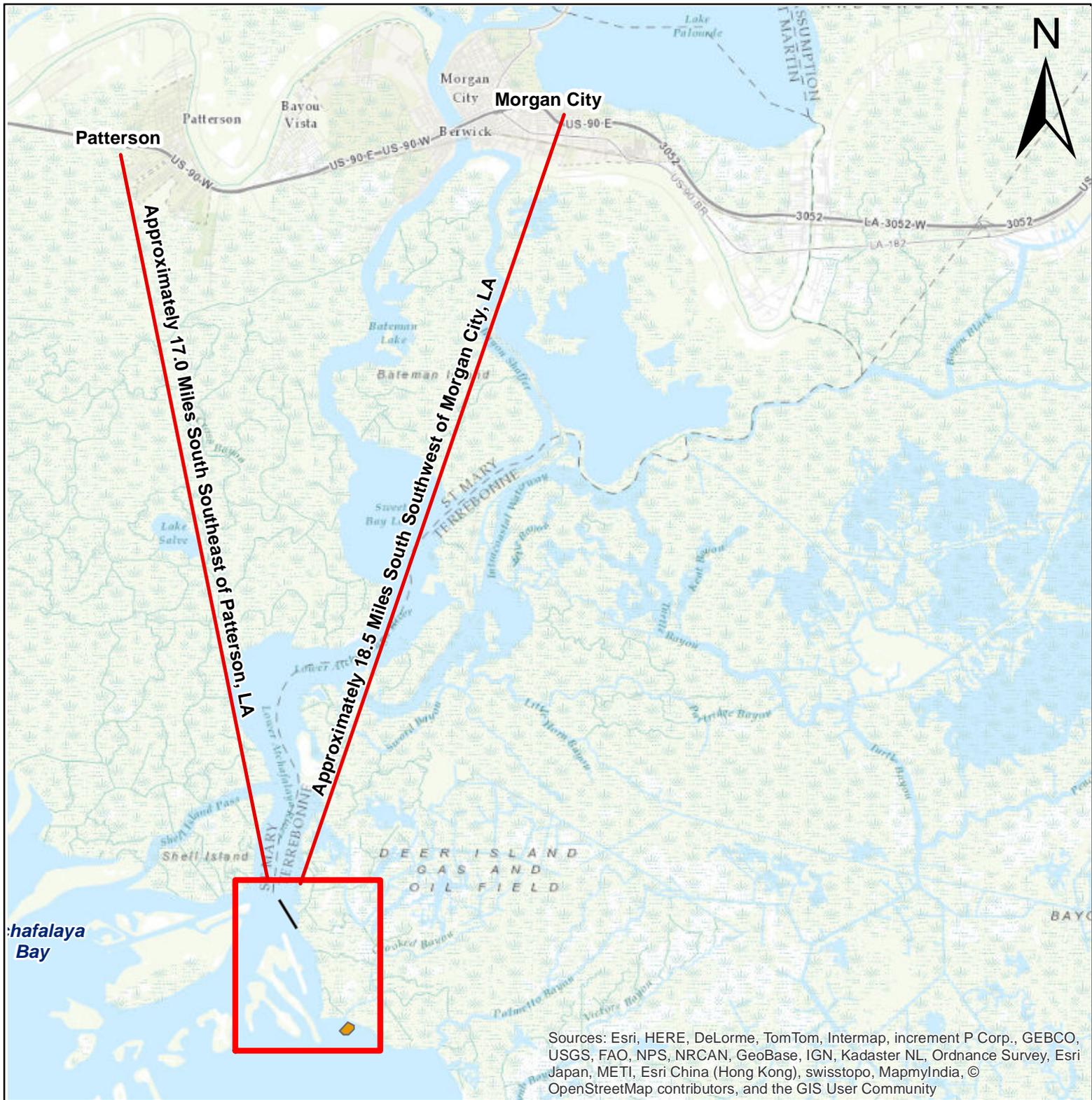
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant receives approval or a waiver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

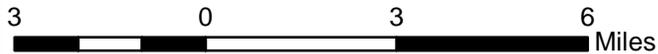
Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch

Enclosure



VICINITY MAP

**ST. MARY PARISH GOVERNMENT
PROPOSED DEER ISLAND PASS REALIGNMENT
SECTION 30, T18S-R12E
SECTION 5, T19S-R12E
ST. MARY PARISH, LOUISIANA**



Date: 01/20/14	Drawn By: CDL	Sheet No.: 1 of 5
Scale: 1"=3 MI	Approved By: GL/NC/JP	File No.: 137079

Revisions	
Revision No.:	Date:
1	01/20/14
2	02/11/14
3	03/03/15



197 Elysian Drive, Houma, LA 70363
(985) 868-3434

Maximum Draft of fully loaded vessels will be -10.0'.

POB:
Lat. 29° 28' 42"
Long. 91° 16' 17"

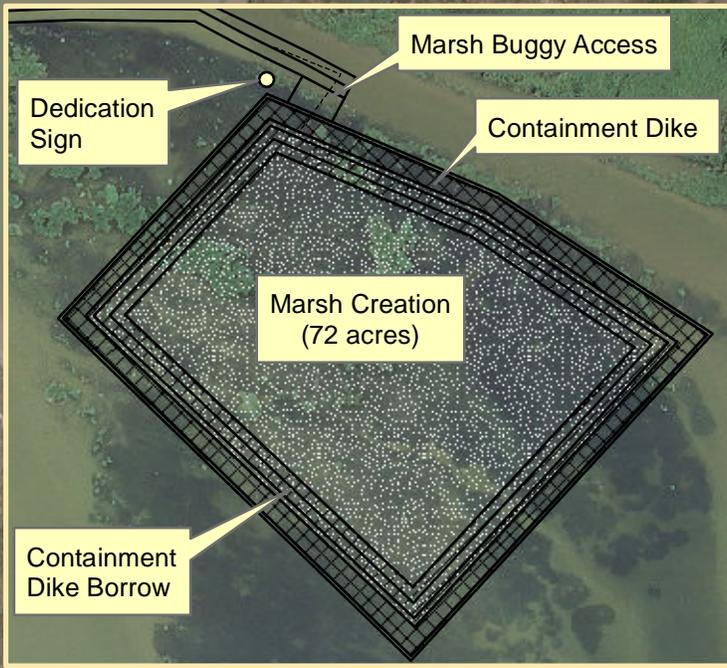
Access Route via
Atchafalaya River
from Morgan City
(Depths -18' or greater)

Proposed Dredge Area
(~3,650' x 250')

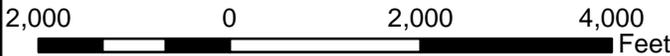
POE:
Lat. 29° 28' 9"
Long. 91° 15' 56"

Dredge Pipe (~15,800')
(See Sheet 4 for Typical
Section)

Fill Area -
Marsh Creation
Lat. 29° 26' 29"
Long. 91° 14' 58"



PLAN VIEW

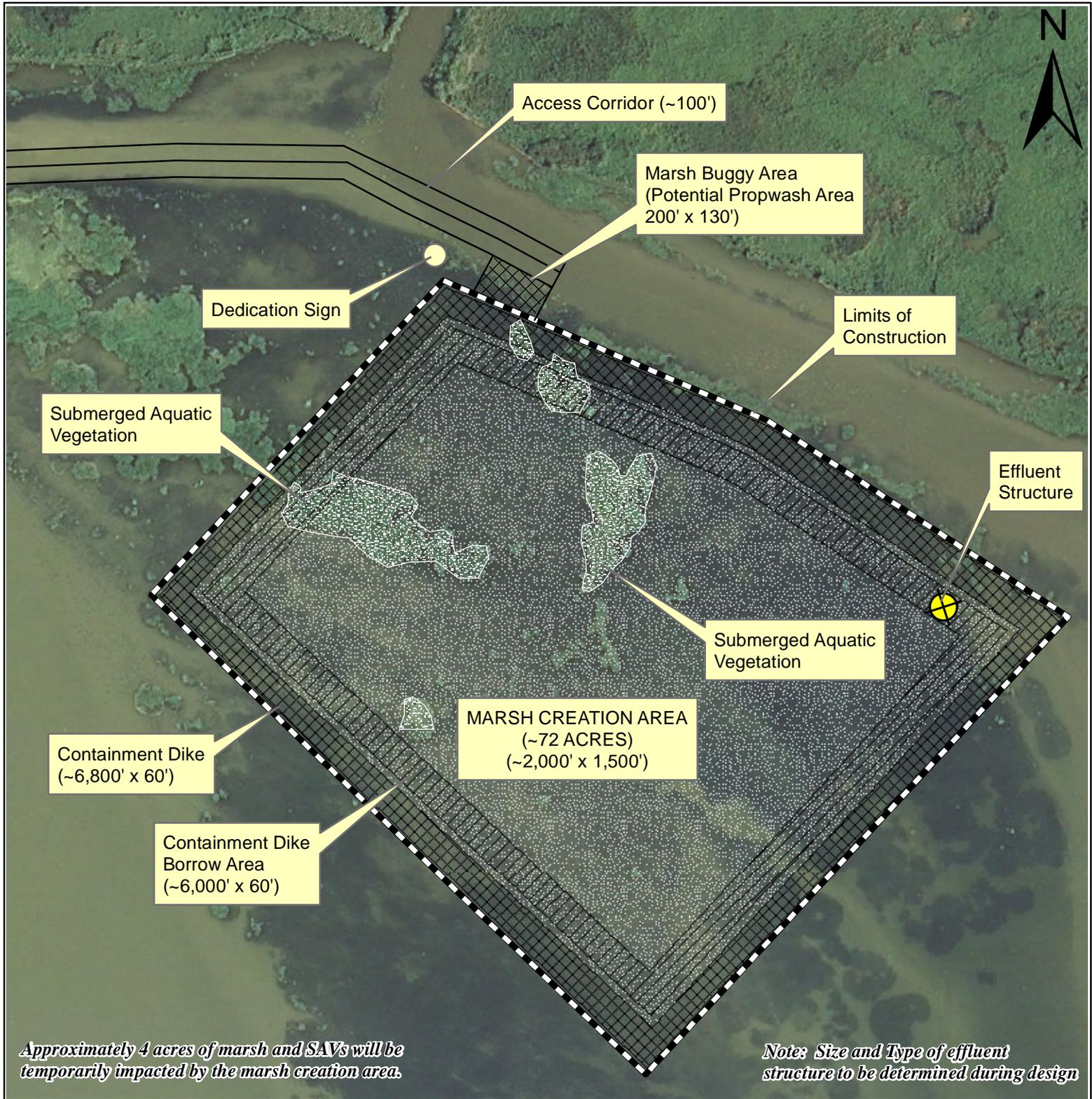


**ST. MARY PARISH GOVERNMENT
PROPOSED DEER ISLAND PASS REALIGNMENT
SECTION 30, T18S R12E
SECTION 5, T19S-R12E
ST. MARY PARISH, LOUISIANA**

Date: 01/20/14	Drawn By: CDL	Sheet No.: 2 OF 5	Revisions	
			Revision No.:	Date:
Scale: 1"=2000'	Approved By: GL/NC/JP	File No.: 137079	1	01/20/14
			2	02/11/14
			3	03/03/15



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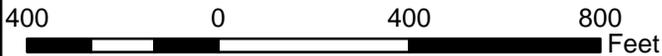


Approximately 4 acres of marsh and SAVs will be temporarily impacted by the marsh creation area.

Note: Size and Type of effluent structure to be determined during design

PLAN VIEW - MARSH CREATION

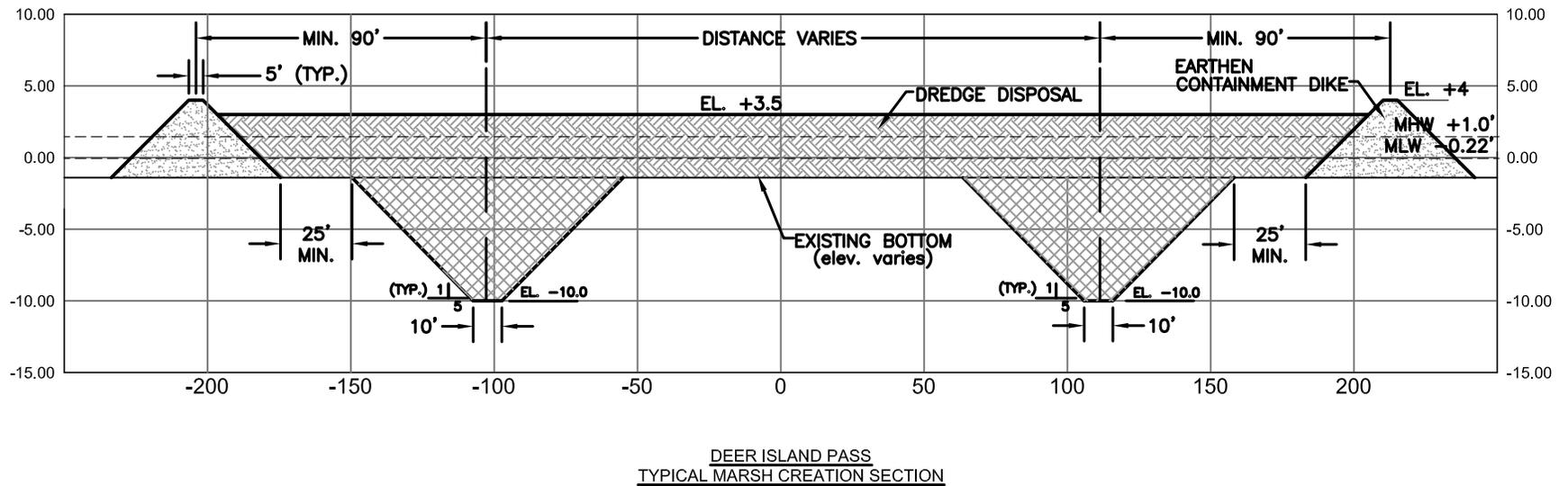
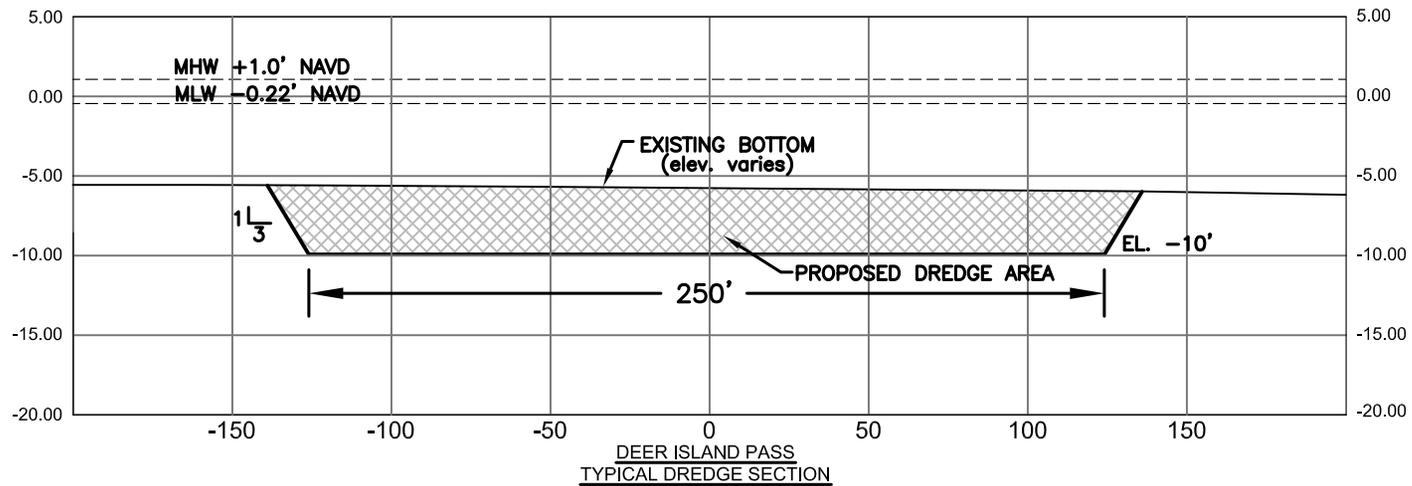
**ST. MARY PARISH GOVERNMENT
 PROPOSED DEER ISLAND PASS REALIGNMENT
 SECTION 30, T18S R12E
 SECTION 5, T19S-R12E
 ST. MARY PARISH, LOUISIANA**



Date: 06/10/14	Drawn By: CDL	Sheet No.: 3 of 5	Revisions	
Scale: 1"=300'	Approved By: GL/NC/JP	File No.: 137079	Revision No.:	Date:
			1	01/20/14
			2	02/11/14
			3	03/03/15



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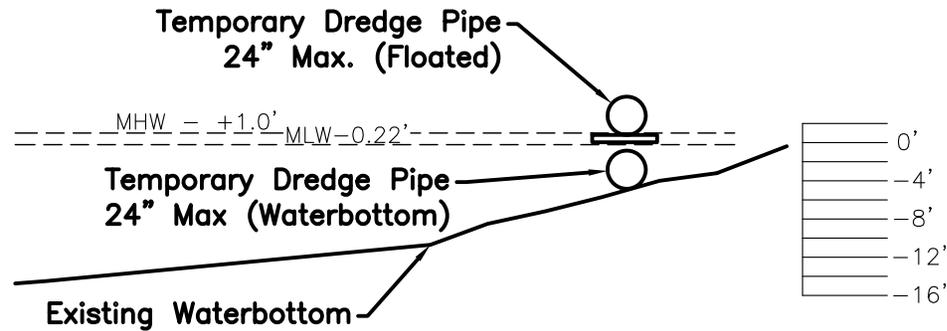
TYPICAL CROSS SECTIONS

ST. MARY PARISH GOVERNMENT
PROPOSED DEER ISLAND PASS REALIGNMENT
SECTION 30, T18S-R12E
SECTION 5, T19S-R12E
ST MARY PARISH, LOUISIANA

Date:	Drawn By:	Sheet No.:	Revisions:	
01/20/14	cdl	4 of 5	No.:	Date:
			1	01/20/14
			2	02/11/14
			3	03/03/15
Scale:	Approved By:	File No.:		
SEE GRAPHS	GL/NC/JP	137079		



197 Elysian Drive
Houma, LA 70363



Dredge Pipe Typical Section

Notes: Approximately 188,000 cys (24 acres) of material will be dredged from Deer Island Pass. This material will be placed within the marsh creation area to fill the containment dike dredge areas and create 72 acres of marsh. Approximately 95,600 cys (12.8 acres) of material will be dredged for the containment dike.

Marsh Creation area to be filled to a +3.5 ft elevation. Final Settlement elevation will be approximately +1.10 to +1.30 ft elevation. The containment dike will be degraded to a +2.5 ft elevation upon settlement of area.

Contractor will determine whether or not the dredge pipe will be laid on waterbottom or floated.

PILE SECTION AND NOTES

**ST. MARY PARISH GOVERNMENT
PROPOSED DEER ISLAND PASS REALIGNMENT
SECTION 30, T18S-R12E
SECTION 5, T19S-R12E
ST. MARY PARISH, LOUISIANA**

Date: 01/20/14	Drawn By: CDL	Sheet No.: 5 of 5
Scale: NTS	Approved By: GL/NC/JP	File No.: 137079

Revisions:	
No.:	Date:
1	01/20/14
2	02/11/14
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