

JOINT PUBLIC NOTICE

March 31, 2014

United States 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
Office of Environmental Services
Post Office Box 4313
Baton Rouge, LA 70821-4313

(504) 862-1954 FAX (504) 862-2574
Project Manager
Mike H. Herrmann
Permit Application Number
MVN 2013-00104-WLL

(225) 219-3225 – Fax (225) 325-8250
Project Manager
Elizabeth Johnson
WQC Application Number
WQC 140327-01

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 LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act.

BULKHEAD, FILL AND MOORING PILES IN ST MARTIN PARISH

NAME OF APPLICANT: Jason Bailey, 510 Third Street, Morgan City, LA 70380.

LOCATION OF WORK: (29.81126 N, -91.09852) on Four Mile Bayou, St. Martin Parish, Louisiana. Project is located in the Atchafalaya River Basin, HUC 08080101

CHARACTER OF WORK Construct a 150-linear feet bulkhead and associated fill, and place 14 mooring piles, all to extend from the bankline of 35-foot channelward for the purpose of mooring houseboats. Approximately 0.02 acres of waterbottoms will be impacted as a result of project implementation. A permit was previously issued for structures at this location under the Programmatic General Permit (PGP). This project is to authorize the addition of mooring piles, which now exceed the guidelines of the PGP.

To compensate for unavoidable project related impacts to wetlands, the applicant has proposed to utilize "in kind" mitigation credits from one of the approved mitigation bank sponsors located in the primary and secondary service areas of the project watersheds.

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**. Individuals or parties may request an extension of time in which to comment on the proposed work by writing to the project manager or clicking on the project manager's name on the public notice grid on the web page. 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. 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.

No properties listed on the National Register of Historic Places are 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 the State Historic Preservation

Officer.

Our initial finding is that the proposed work would neither affect any species 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 any endangered 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 0.02 acre(s) 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.

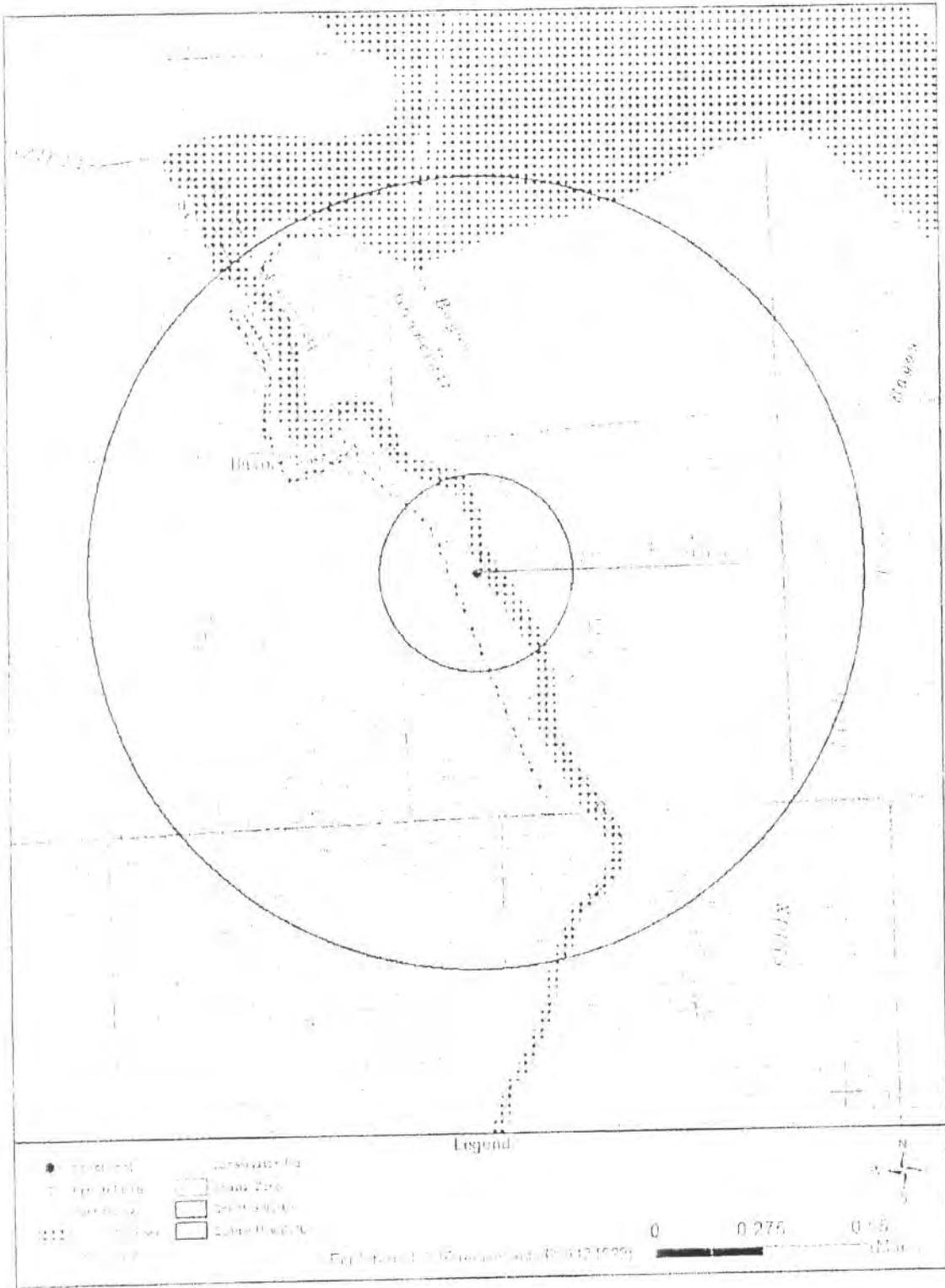
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

Darrell S. Barbara
Chief, Western Evaluation Section

Enclosures:





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feet
meters

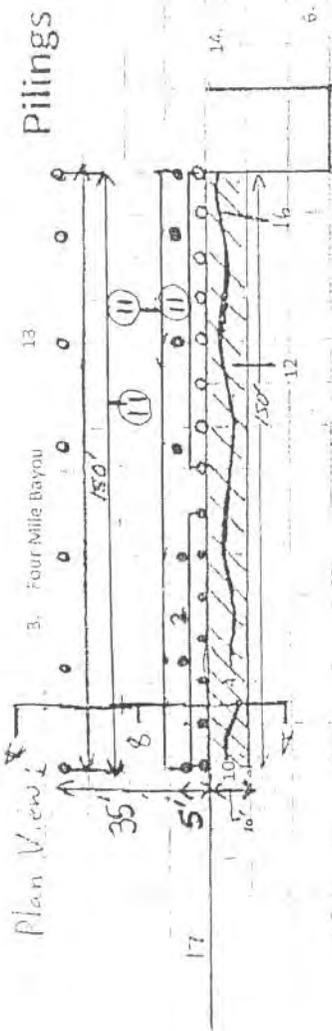


$29^{\circ}48'40.55''N$

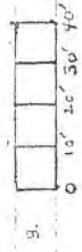
$91^{\circ}05'54.66''W$

Pilings with Fill

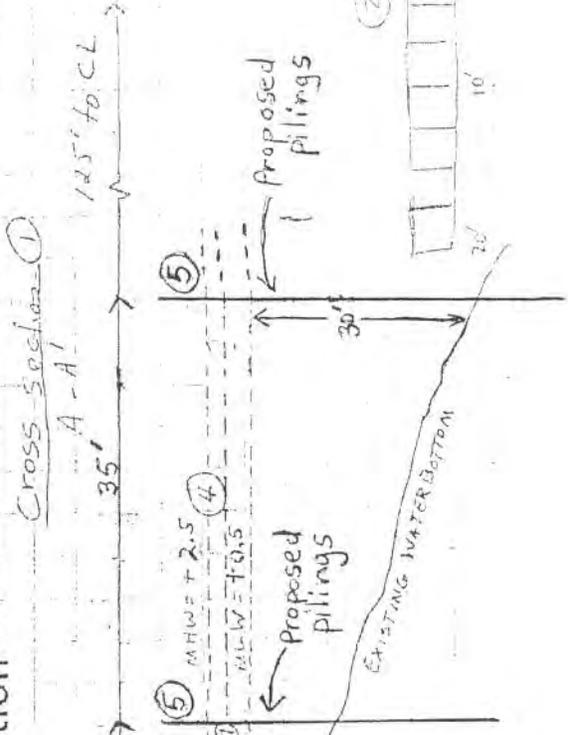
P20121522



1. North Arrow
2. Existing Pilings
3. Water body name - Four Mile Bayou
4. Realistic current shoreline contours
5. No wetlands boundaries
6. Same property as project
7. Adjacent property owned by same person as proposed project (Saltina Valley)
8. Cross Section
9. Scale
10. 10 ft fill area
11. Proposed # of new pilings (14)
12. 277.77 cubic yards of rip rap (under-wharf)
13. Distance across bayou is 300 feet
14. MHW +2.5 ft. and MLW +0.5 ft.
15. Proposed Wharf (10' x 150')
16. EXISTING BANKING
17. EXISTING BULKHEAD

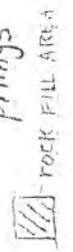


Cross Section



1. Orientation of the cross section
2. Scale
3. Maximum possible dimensions of fill area to 3 feet
4. MHW +2.5 and MLW +0.5
5. Proposed pilings
6. Proposed wharf (10' x 150')
7. Average water level
8. Fill Area (277.77 cu. yd. of rip rap) & HOUSEBOATS (2' MIN & 4' MAX DRAFT)

5. No wetlands impacted



1. All structures, facilities, well and pipelines/flowlines occurring in open water areas or in oilfield canals or slips shall be removed within 120 days of abandonment or the facilities for the herein permitted use unless prior written approval to leave such structures in place is received from the Coastal Management Division. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required.
2. Structures must also be marked/lighted in accordance with U. S. Coast Guard regulations.
3. In order to ensure the safety of all parties, the permittee shall contact the Louisiana One Call System (1-800-272-3020) a minimum of 48 hours prior to the commencement of any excavation (digging, dredging, jetting, etc.) or demolition activity.