

# JOINT PUBLIC NOTICE

July 15, 2013

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

State of Louisiana  
Department of Environmental Quality  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-1301  
Project Manager  
Neil T. Gauthier  
Neil.T.Gauthier@USACE.army.mil  
MVN 2013-00682 CM

(225) 219-3225  
Project Manager  
Jamie Phillippe  
WQC 130619-03

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US 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 LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act.

## **DREDGING FOR THE CONSTRUCTION OF A BULKHEAD WITH BACKFILL ON THE GULF INTRACOASTAL WATERWAY IN IBERVILLE PARISH**

**NAME OF APPLICANT:** Glenn Patrick, 85225 Quality Road, Plaquemine, Louisiana 70764.

**LOCATION OF WORK:** On the Gulf Intracoastal Waterway, Section 5, T10S-R11E, in the Lower Grand (08070300) hydrologic unit, approximately 6.7 miles southwest from Plaquemine, Louisiana, in Iberville Parish, as shown on the attached drawings.

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

**CHARACTER OF WORK:** The applicant has requested Department of the Army authorization to dredge the Gulf Intracoastal Waterway and construct a 875- foot long sheet pile bulkhead to be backfilled with 300 cubic yards of dredged material and 4000 cubic yards of hauled in topsoil. Additionally constructed will be a concrete cap and wooden dock over the bulkhead with timber pile tie-backs and deadmen. Approximately 0.56 acre of non-wetland "waters of the U.S." will be permanently impacted and considered land reclamation. Approximately 70% of the fill and dredging work was completed before a Corps permit was secured, leaving the remaining 30% to be completed

The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. No wetlands will be impacted and 70 % of the work has been completed, therefore no plan for the compensation of wetlands was considered

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

The comment period for the Department of Army will close in **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 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. 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 US 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 US 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.

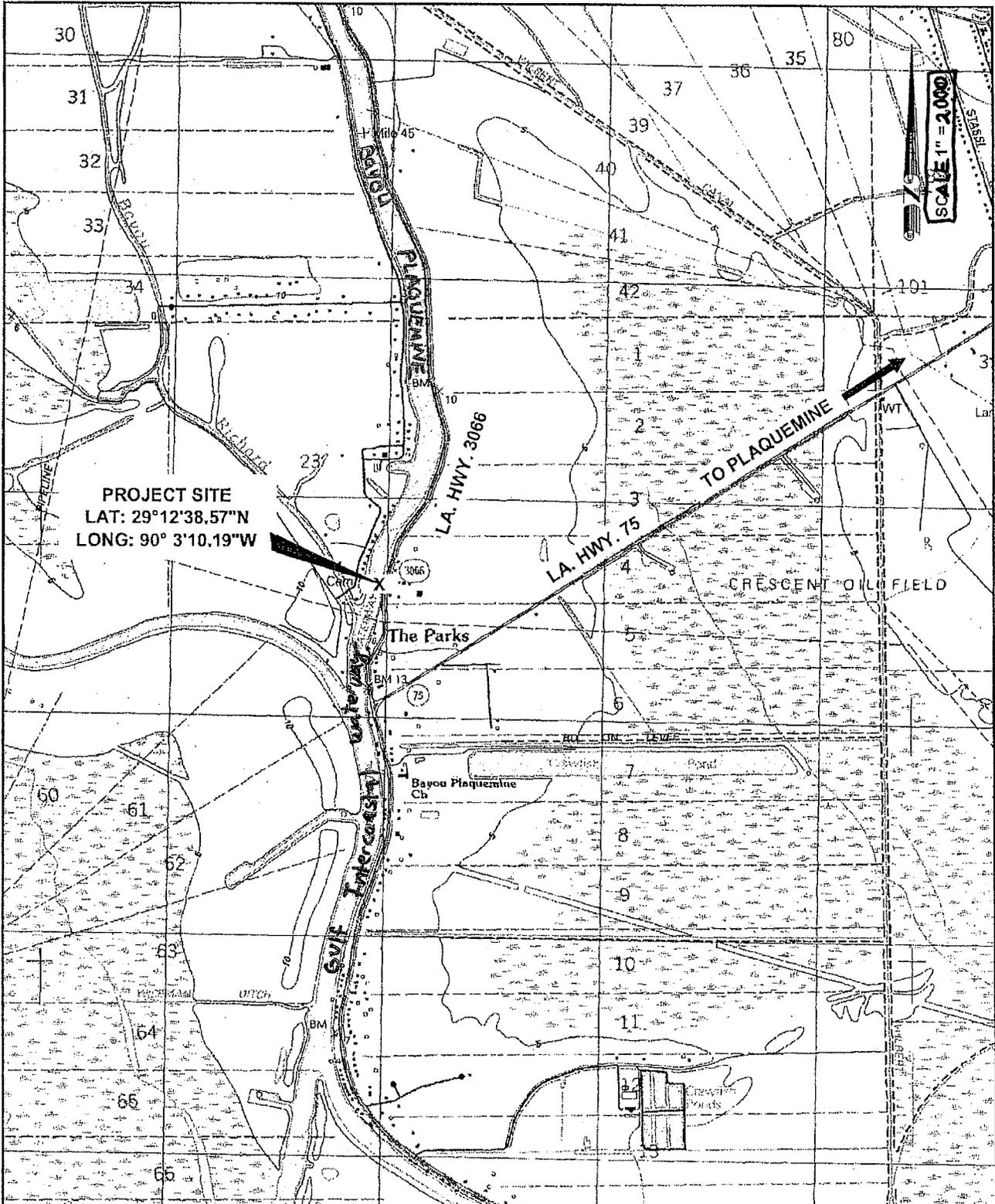
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of up to n/a acres of EFH utilized by various life stages of red drum and penaeid shrimp. 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 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.

JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosures



PROJECT SITE  
 LAT: 29°12'38.57"N  
 LONG: 90° 3'10.19"W

SCALE 1" = 2,000'

Iboville Parish  
 Bulkhead for Glenn Patrick's  
 Residence Along LA Hwy #03066

GLENN PATRICK

FILE NO.

VICINITY MAP

FIG. NO.

1

SCALE: 1" = 2000'	DRAWN BY: OEW	DATE: 03/10/12
	CHKD. BY: ECB	DATE: 03/10/12

4/17/13

P 1 of 3

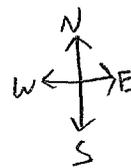
FILE LOCATION:

Plan view map

Iberville Parish

4/17/13

Bulkhead for Glenn Patrick's Residence along LA Hwy No. 3066



Existing State Line  
Hwy 3066

322ft  
To opposite bank  
48ft

Bulkhead

Grand River / GIWW / Bayou Plaque mine  
BULK HEAD

Forested Area  
Plaquemine, LA

58ft  
Cross section A-A

Hwy 3066

760ft

Forested Area

4300  
Cubic yards  
of haul in fill  
material

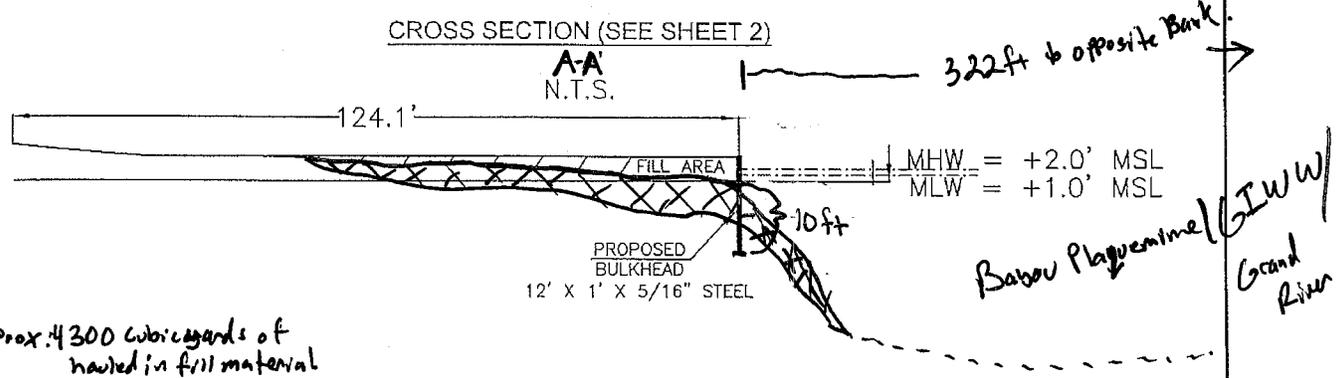
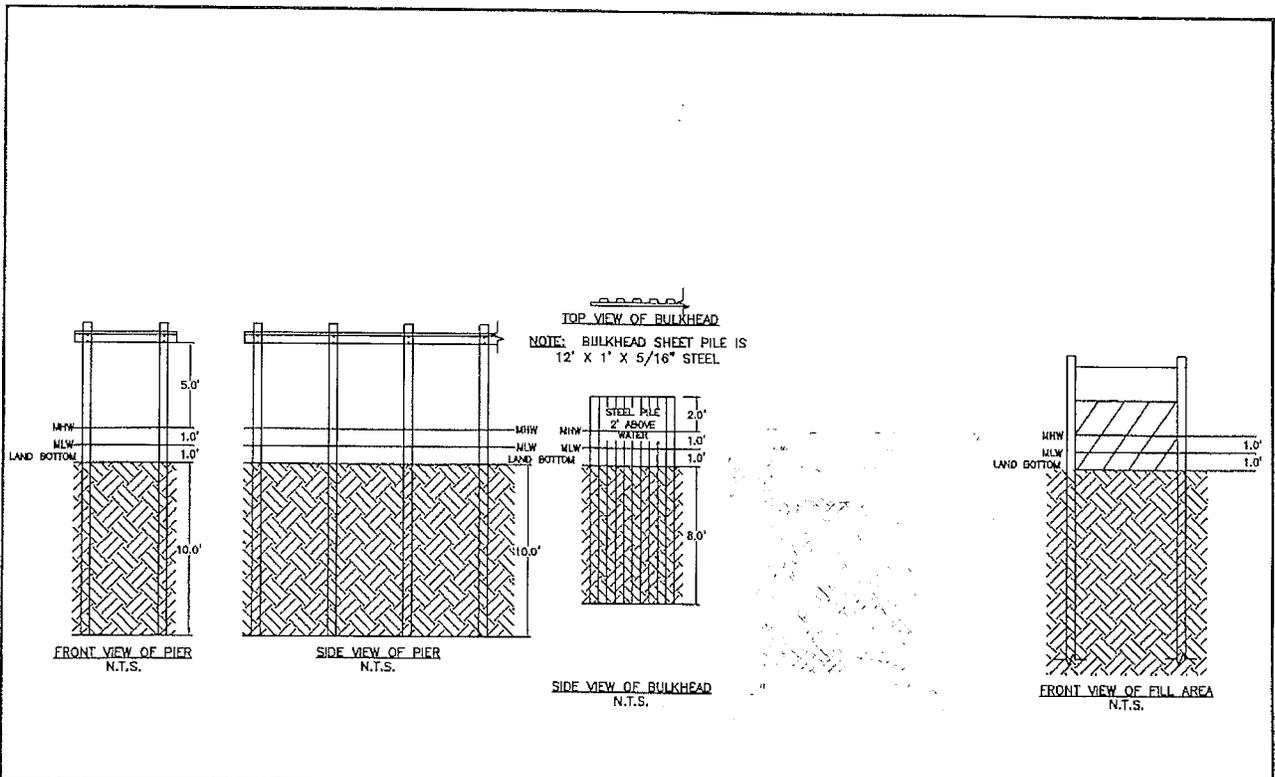
65ft  
Bulkhead

Existing State Line  
Hwy 3066

All Activities 10/404  
Non-wetland

- 0.4 Acre
- Existing fill  
Research Completed
- Proposed fill
- 1.6 Acre

No Scale



Approx. 4300 cubic yards of hauled in fill material

-  Proposed fill
-  Existing VA Fill

PRELIMINARY:  
THIS DOCUMENT IS NOT TO BE USED FOR  
CONSTRUCTION, BIDDING, RECORDATION  
CONVEYANCE, OR SALES

B&A Engineering And Services, LLC P. O. Box 181    Brusly, LA 70719 Phone: (225) 776-3129    Fax: (225) 673-3544		Bulkhead for <i>GLENN PATRICK's Residence.</i>		FILE NO.
		SECTION VIEWS		FIG. NO. <b>3</b>
SCALE: N.T.S.	DRAWN BY: OEW	DATE: 03/10/12	Iberville Parish	
	CHKD. BY: ECB	DATE: 03/10/12		

4/17/13

Pg 3 of 3

FILE LOCATION: