



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS, LA 70118-3651

July 31, 2023

Regulatory Division
Western Evaluation Branch

Project Manager:
Michael H. Herrmann Jr.
(504) 862-1954
michael.h.herrmann@usace.army.mil

Application #: MVN-2013-02014-WLL

PUBLIC NOTICE

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), and/or [X] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

TIME EXTENSION FOR SOIL REMEDIATION WORK IN CALCASIEU PARISH

NAME OF APPLICANT: Westlake US 2, LLC, P.O. Box 1000, Lake Charles, LA 70602.

LOCATION OF WORK: Located in the PPG Canal, Calcasieu River Ship Channel and Lockport Marsh, located in Westlake, Louisiana, (lat. 30.2083, long. -93.2900), as shown within the enclosed drawings. Located in the Calcasieu Watershed.

CHARACTER OF WORK: Excavation of Westlake's barge slip area, Westlake's Sabine River Water Settling Basin, excavation of sediment in the Westlake Docks A,B and C and the River Water Intake Structures, and raise elevation of existing oilfield access roads in the Lockport Marsh Area.

The above work was previously permitted on May 15, 2020. This is an extension of time for the previously authorized work. No new impacts or work activity is proposed, and no deviation from the original work footprint will be required. Compensatory mitigation was not proposed for this permit extension of time extension.

The comment period on the requested Department of the Army Permit will close **20 days** from the date of this 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 request, and must be submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject permit application must reference the Applicant's Name and the Permit Application Number and can be preferably emailed to the Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGW, Michael H. Herrmann Jr.** Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 Branch Chief will review the request and the requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and will not exceed a total of 30 calendar days. This public notice is also available for review online at <https://go.usa.gov/xennJ>

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.

This request will also be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-220, which provides policy and procedural guidance for processing requests to alter USACE civil works projects. The decision whether to grant permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

1) Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs. If USACE determines that the usefulness of the authorized project would be impaired, the request will be denied.

2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

The Section 408 review will consider the potential impact to the usefulness of the Federal project and whether the proposed alteration would be injurious to the public interest. Policy and legal compliance will also be considered.

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 has previously coordinated this projects' 106 interests with the LA State Historic Preservation Office and interested Tribal Liasons during the processing of the previous authorization. No new work and no new work areas are proposed in this time extension request.

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. Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project would have no effect to any listed species.

Our initial finding is that the proposed work would have no effect on 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 such species. All Section 7 T&E Species concerns and coordination were previously addressed through the previous authorization. No new work is proposed.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal may result in the destruction, alteration, and/or disturbance of **256.7 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. This project was designed to offset all project related impacts to wetlands through the creation of approximately 100 acres of new marsh.

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 Louisiana Department of Environmental Quality before a Department of the Army permit could be issued.*

Any person may request 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, and can be preferably emailed to the USACE project manager listed above or mailed to the address listed above.

You are invited 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 Branch
Regulatory Division

Enclosures

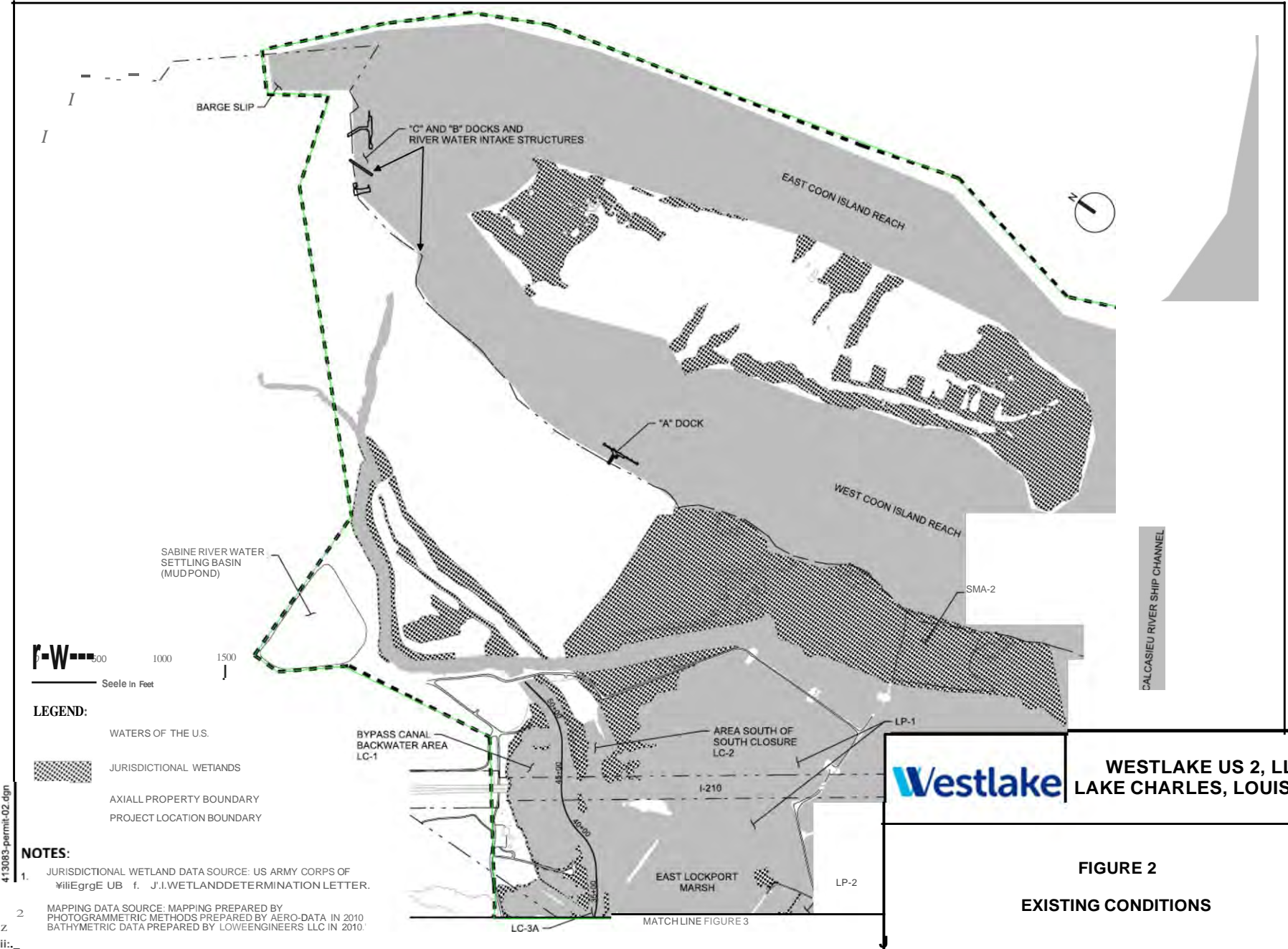


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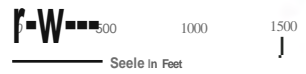
PROJECT LOCATION AND VICINITY MAP C)

PROJECT LOCATION MAP

	<p>WESTLAKE US 2, LLC LAKE CHARLES, LOUISIANA</p>
<p>FIGURE 1 LOCATION AND VICINITY MAP PERMIT APPLICATION MVN-2013-02014-W/L</p>	



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- LEGEND:**
- WATERS OF THE U.S.
 - JURISDICTIONAL WETLANDS
 - AXIALL PROPERTY BOUNDARY
 - PROJECT LOCATION BOUNDARY

- NOTES:**
1. JURISDICTIONAL WETLAND DATA SOURCE: US ARMY CORPS OF ENGINEERS. WETLAND DETERMINATION LETTER.
 2. MAPPING DATA SOURCE: MAPPING PREPARED BY PHOTOGRAMMETRIC METHODS PREPARED BY AERO-DATA IN 2010. BATHYMETRIC DATA PREPARED BY LOWEENGINEERS LLC IN 2010.



**WESTLAKE US 2, LLC
LAKE CHARLES, LOUISIANA**

**FIGURE 2
EXISTING CONDITIONS**

**PERMIT APPLICATION
MVN-2013-02014-WLL**



LEGEND:

- WATERS OF THE U.S.
- JURISDICTIONAL WETLANDS
- AXIAL PROPERTY BOUNDARY
- PROJECT LOCATION BOUNDARY

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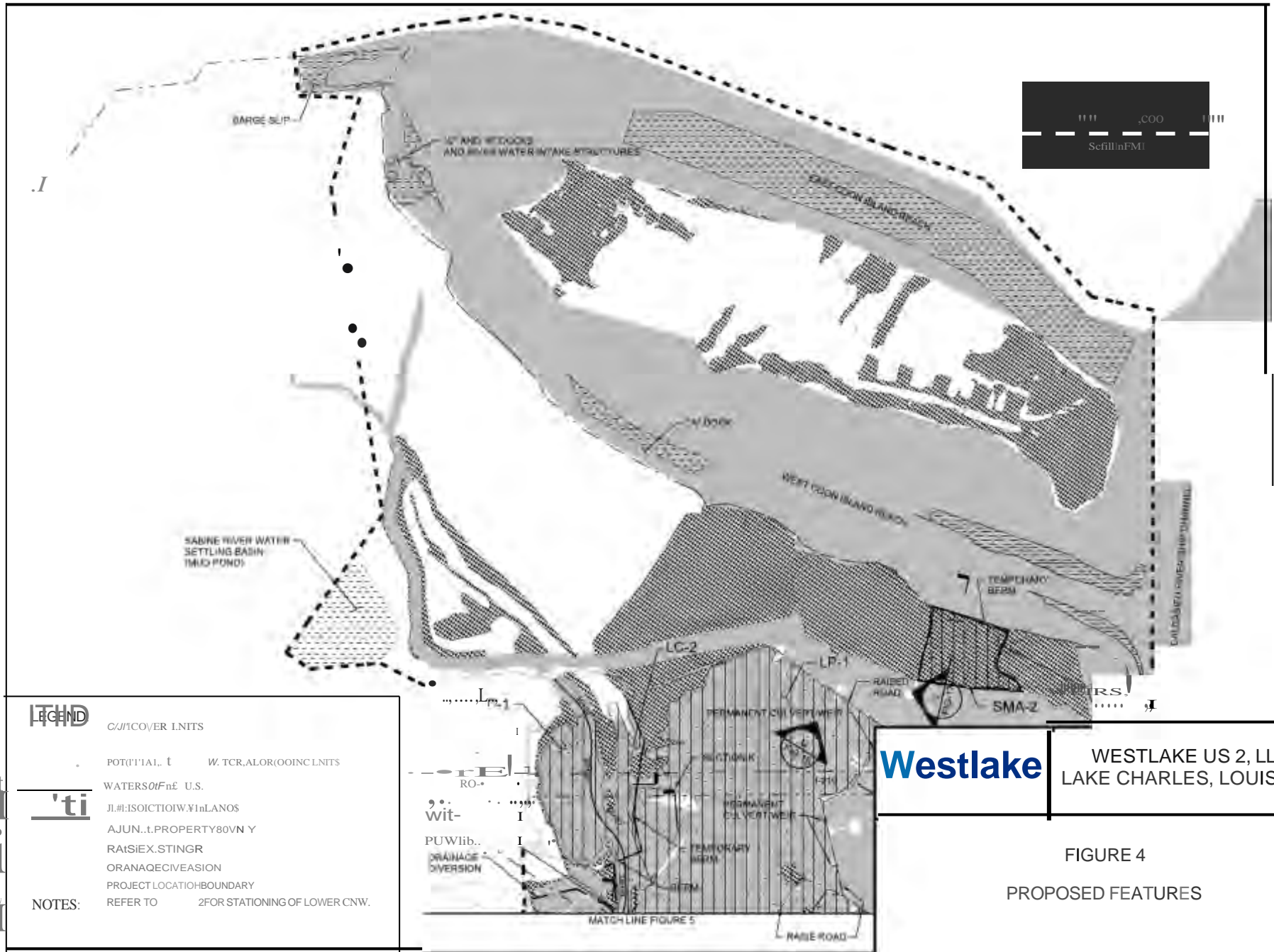
NOTES:

1. JURISDICTIONAL WETLAND DATA SOURCE: US ARMY CORPS OF ENGINEERS, JURISDICTIONAL WETLAND DETERMINATION LETTER, DATED DECEMBER 19, 2011.
2. MAPPING DATA SOURCE: MAPPING PREPARED BY PHOTOGRAMMETRIC METHODS PREPARED BY AERO-DATA IN 2010. BATHYMETRIC DATA PREPARED BY LOWE ENGINEERS LLC IN 2010.

	WESTLAKE US 2, LLC LAKE CHARLES, LOUISIANA
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**FIGURE 3
EXISTING CONDITIONS**

**PERMIT APPLICATION
MVN-2013-02014-WLL**



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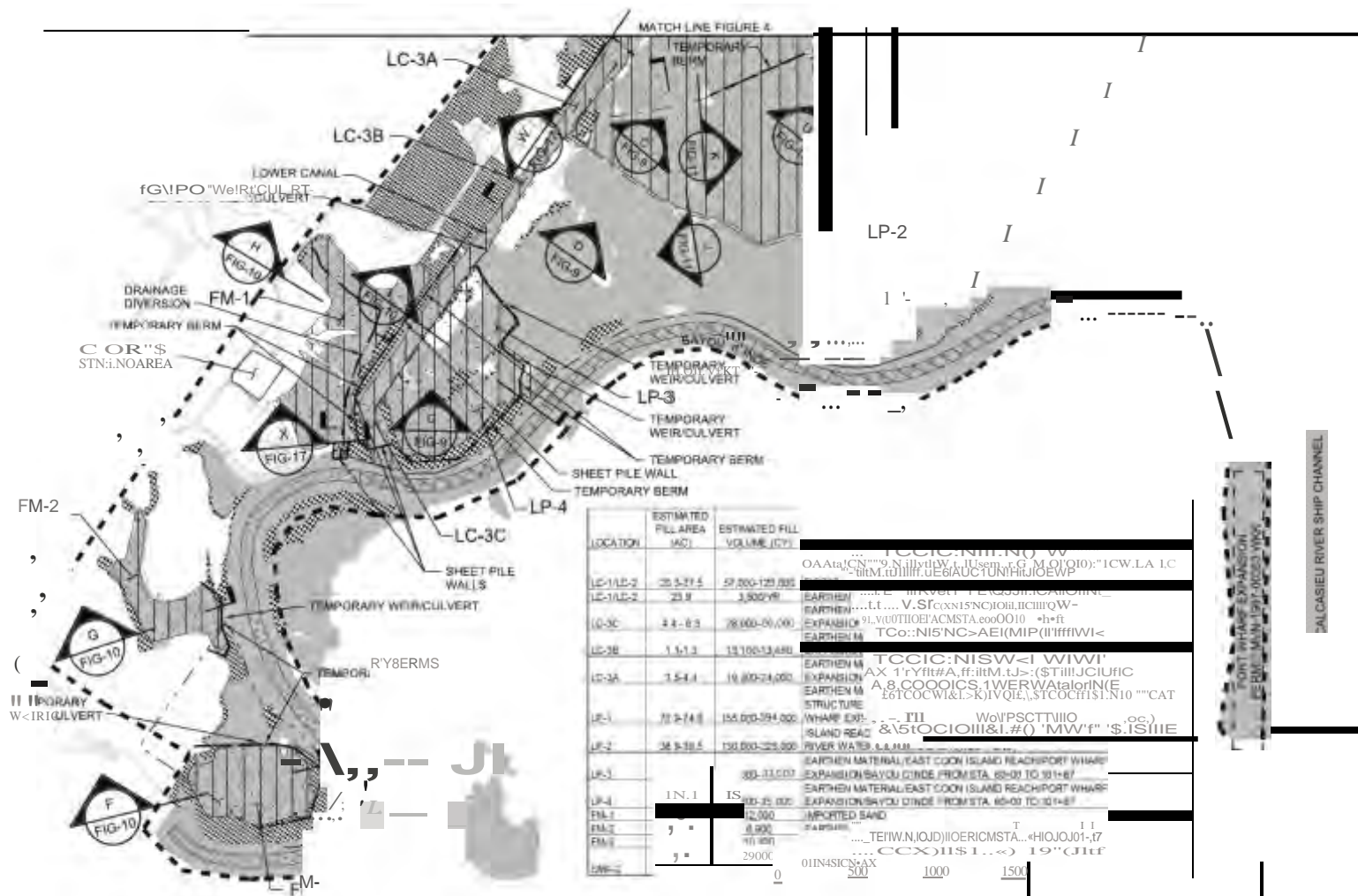
NOTES:

REFER TO 2 FOR STATIONING OF LOWER CNW.

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FIGURE 4
PROPOSED FEATURES



LOCATION	ESTIMATED FILL AREA (AC)	ESTIMATED FILL VOLUME (CY)	DESCRIPTION
LC-1&2	25.5-37.5	57,000-120,000	EARTHEN EXPANSION
LC-1&2-2	23.8	3,300YR	EARTHEN EXPANSION
LC-3C	2.4-6.3	28,000-50,000	EARTHEN EXPANSION
LC-3B	1.1-1.3	13,100-13,400	EARTHEN EXPANSION
LC-3A	1.5-4.1	10,000-24,000	EARTHEN EXPANSION
LP-1	71.2-74.8	154,000-159,000	EARTHEN EXPANSION
LP-2	36.5-39.5	130,000-135,000	EARTHEN EXPANSION
LP-3	30.0-33.0	100,000-110,000	EARTHEN EXPANSION
LP-4	1.0-1.1	10,000-11,000	EARTHEN EXPANSION
FM-1	1.0	10,000	IMPORTED SAND
FM-2	1.0	10,000	IMPORTED SAND
FM-3	1.0	10,000	IMPORTED SAND
LP-4	1.0	10,000	IMPORTED SAND



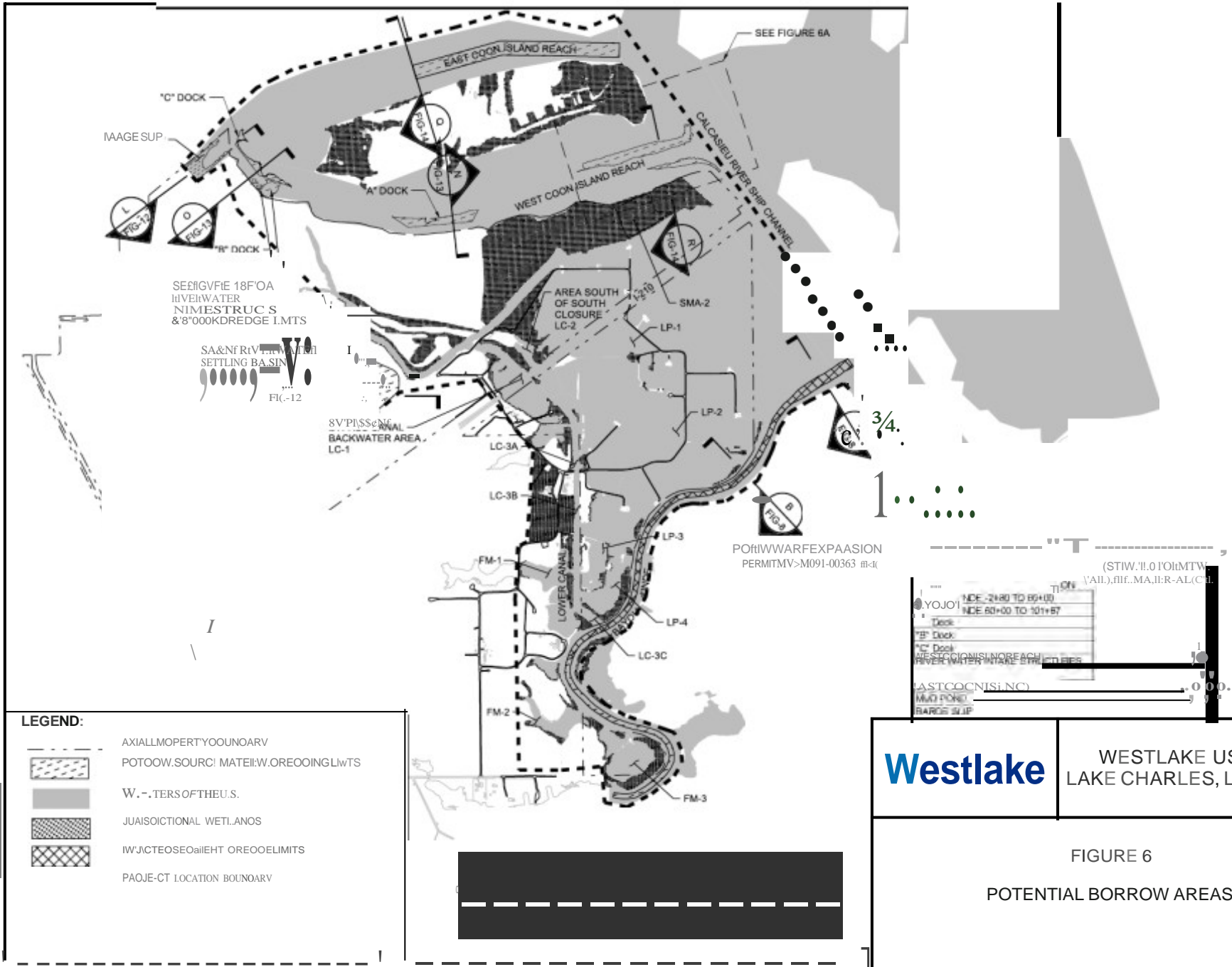
CAP / COVER LIMITS
 POTENTIAL SOIL REMEDIATION LIMITS
 IMPACTED SEDIMENT REMEDIATION LIMITS
 WATERS OF THE U.S.
 JURISDICTIONAL WEEDS

NOTES:
 1. PROPERTY LINE
 2. EXISTING ROAD
 3. DIVERSION
 4. LOCATION
 5. STATIONING
 6. INDEX

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FIGURE 5
 PROPOSED FEATURES

PERMIT APPLICATION
 MVN.1013-02014-WLL



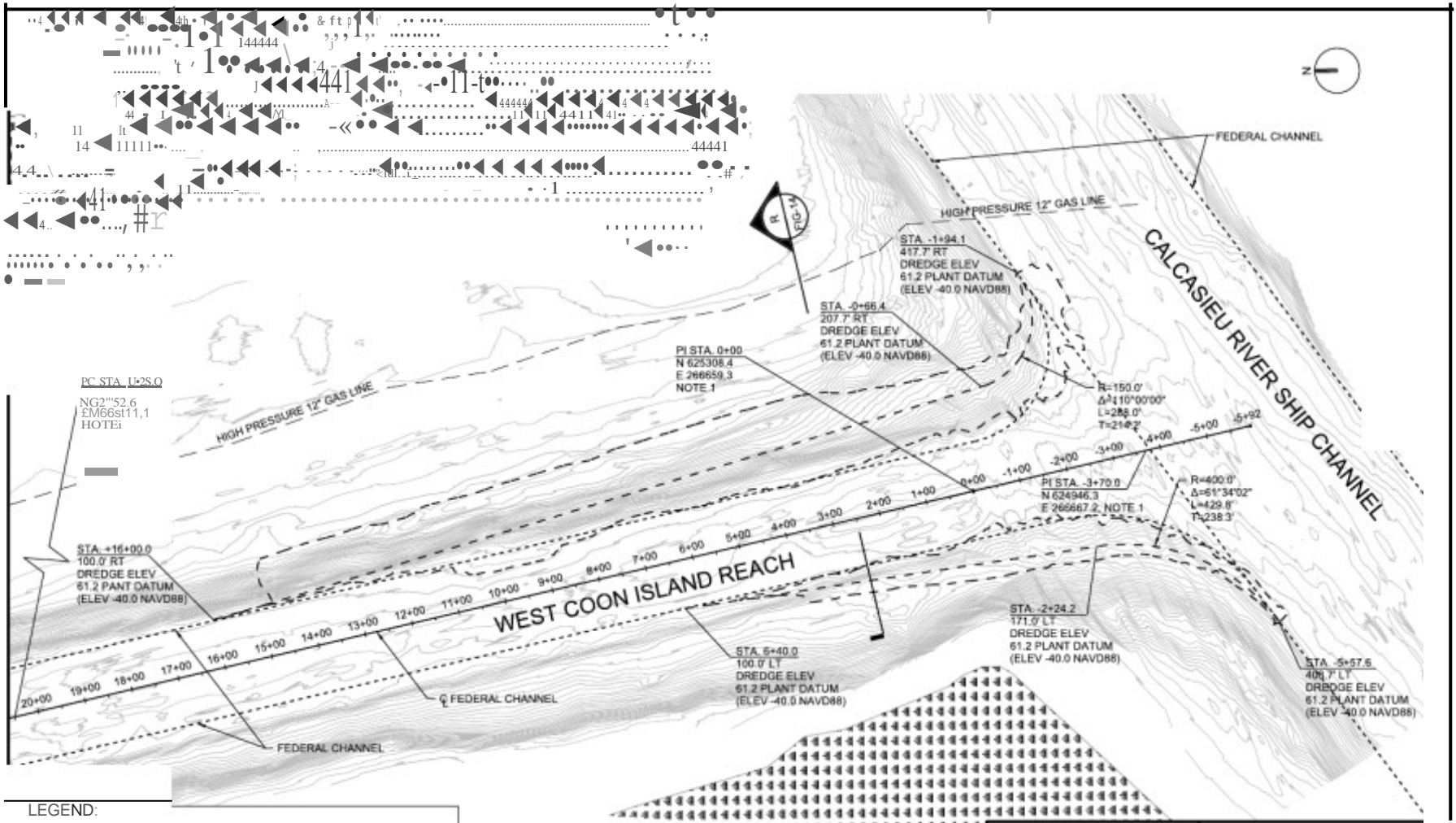
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FIGURE 6
POTENTIAL BORROW AREAS

PERMIT APPLICATION
MVN,1013-02014-WLL



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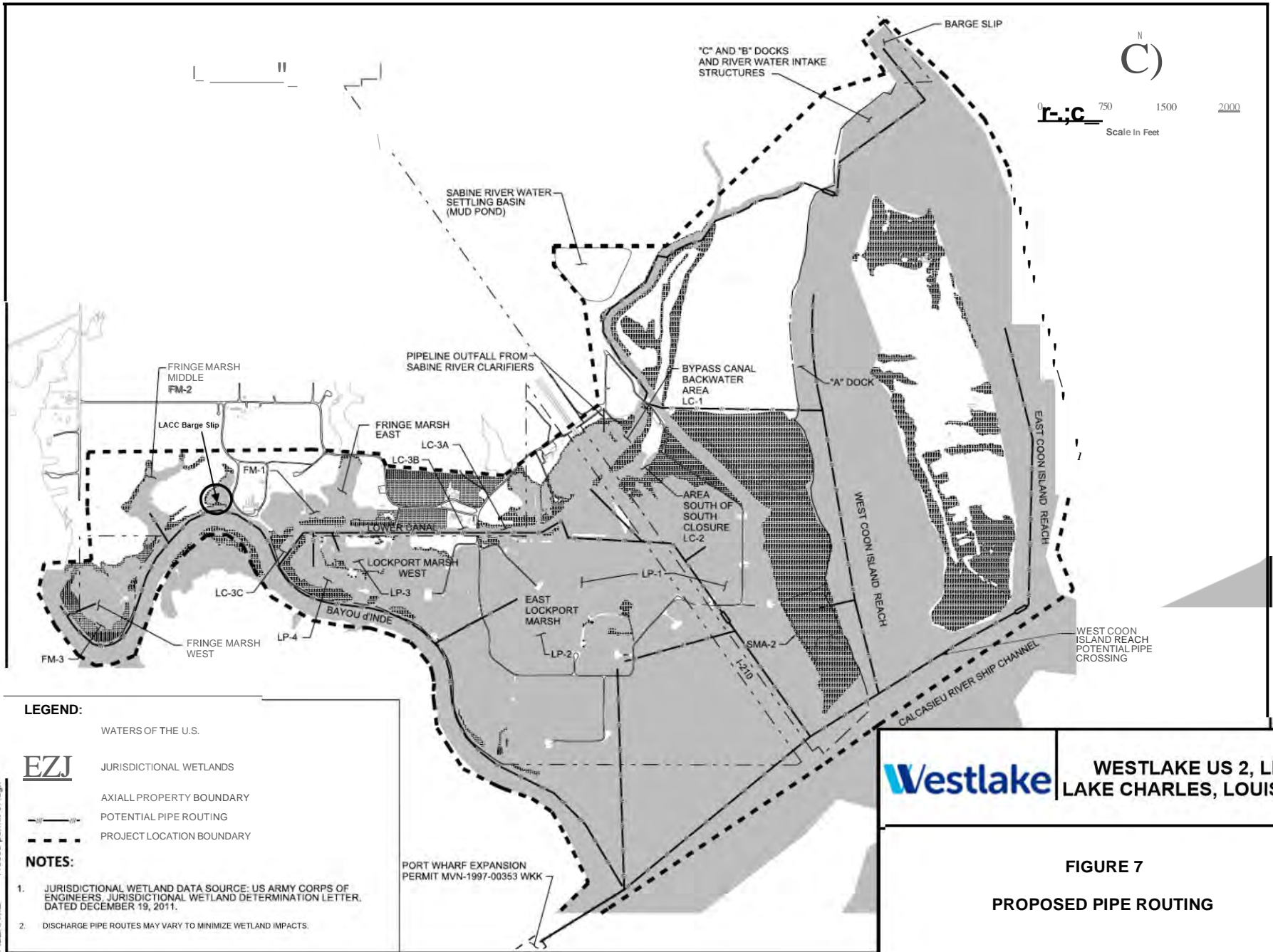
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FIGURE 6A
WEST COON ISLAND REACH AREA

PERMIT APPLICATION
MVN°1013-02014-WLL

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JURISDICTIONAL WETLANDS

AXIAL PROPERTY BOUNDARY

POTENTIAL PIPE ROUTING

PROJECT LOCATION BOUNDARY

NOTES:

1. JURISDICTIONAL WETLAND DATA SOURCE: US ARMY CORPS OF ENGINEERS. JURISDICTIONAL WETLAND DETERMINATION LETTER, DATED DECEMBER 19, 2011.
2. DISCHARGE PIPE ROUTES MAY VARY TO MINIMIZE WETLAND IMPACTS.

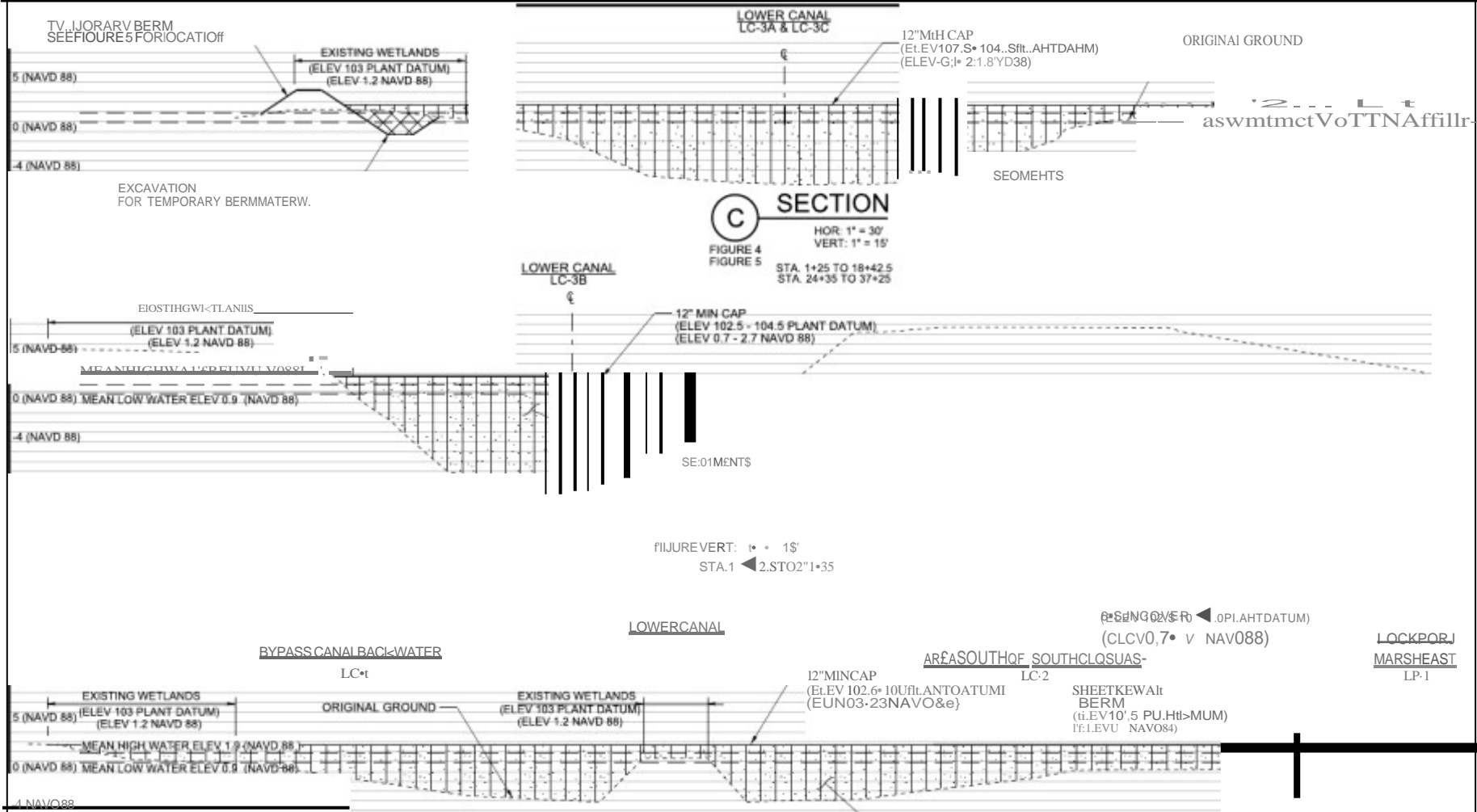
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**FIGURE 7
PROPOSED PIPE ROUTING**

**PERMIT APPLICATION
MVN-2013-02014-WLL**



C SECTION
 HOR: 1" = 30'
 VERT: 1" = 15'

FIGURE 4
 FIGURE 5
 STA. 14+25 TO 18+42.5
 STA. 24+35 TO 37+25

FIGURE VERT: 1" = 15'
 STA. 1 2. STA. 2 1.35

FIGURE VERT: 1" = 15'
 STA. 37+25 TO 38+22

LEGEND:

- EXCAVATION
- CAP

NOTES:

1. REFERENCE TO FIGURE 5 FOR DETAILED INFORMATION

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FIGURE 9
 TYPICAL SECTIONS

PERMIT APPLICATION
 MVN, 2013-02014, WLL

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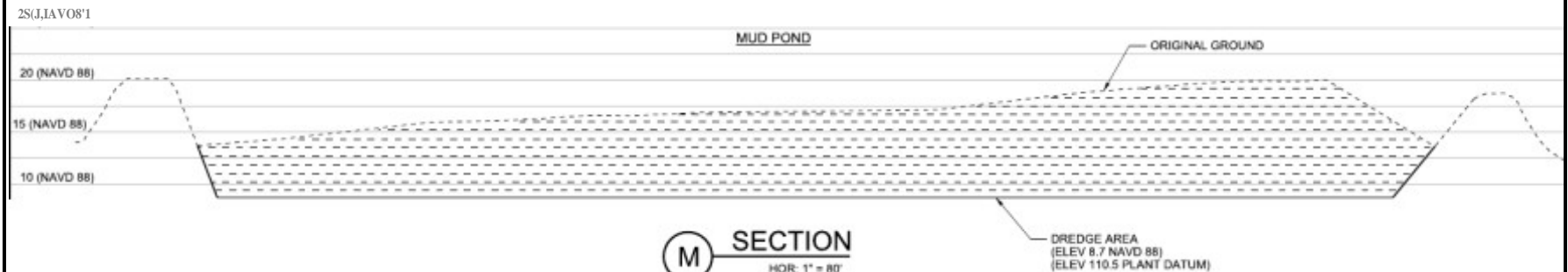
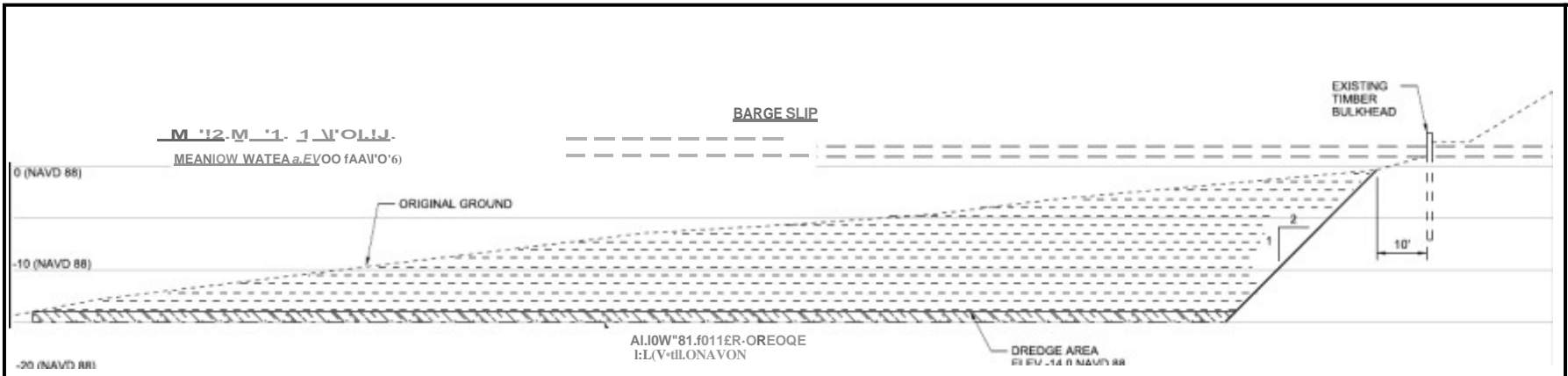
CAACOVER

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FIGURE 11
TYPICAL SECTIONS

PERMIT APPLICATION
MVN,2013-02014,WLL



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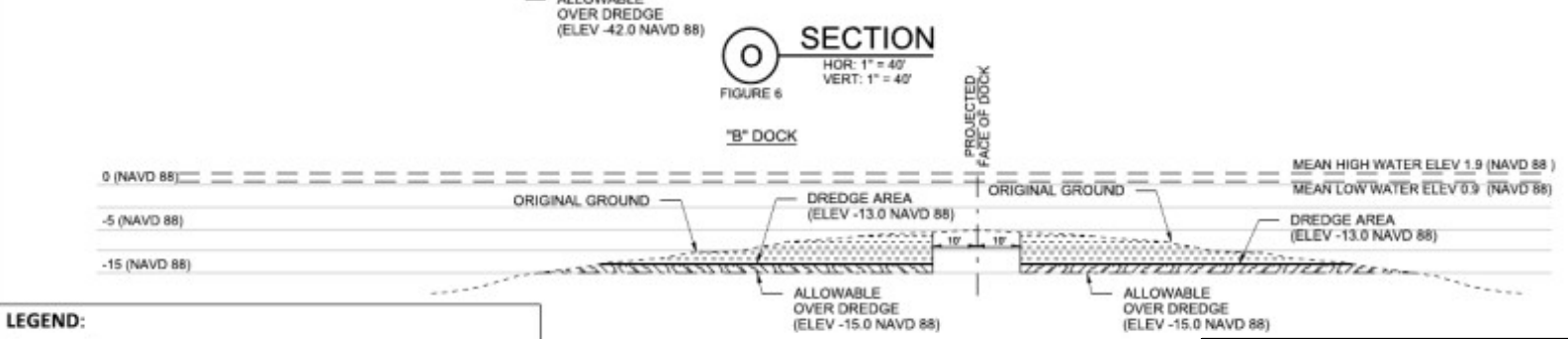
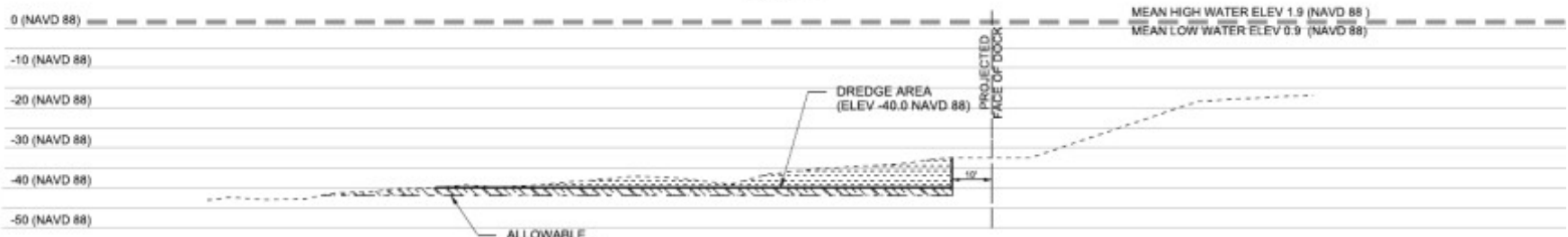
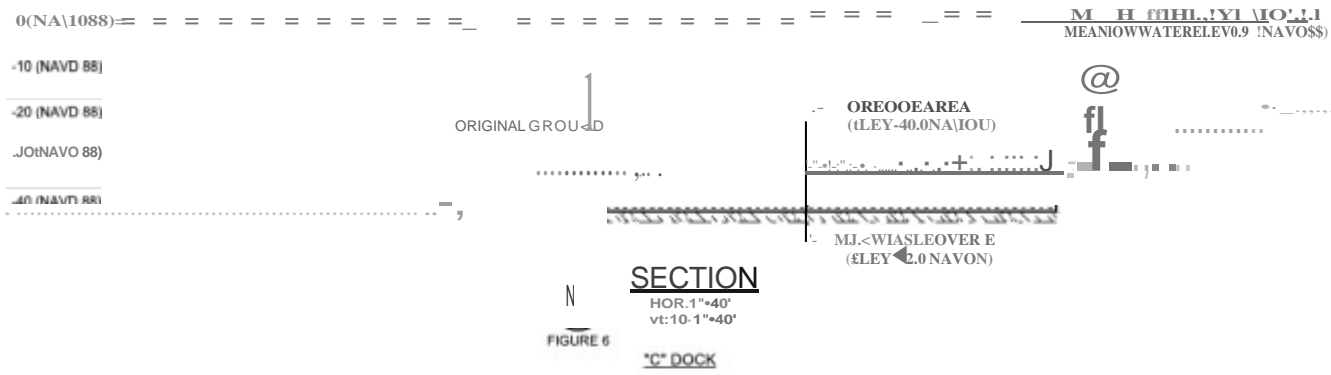
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 LAKE CHARLES, LOUISIANA


FIGURE 12
 TYPICAL SECTIONS

PERMIT APPLICATION
 MVN,2013-02014,WLL

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LEGEND:
 DREDGE AREA
 ALLOWABLE OVER DREDGE

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 LAKE CHARLES, LOUISIANA

FIGURE 13
 TYPICAL SECTIONS

PERMIT APPLICATION
 MVN,2013-02014,WLL

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EAST COON ISLAND EACH

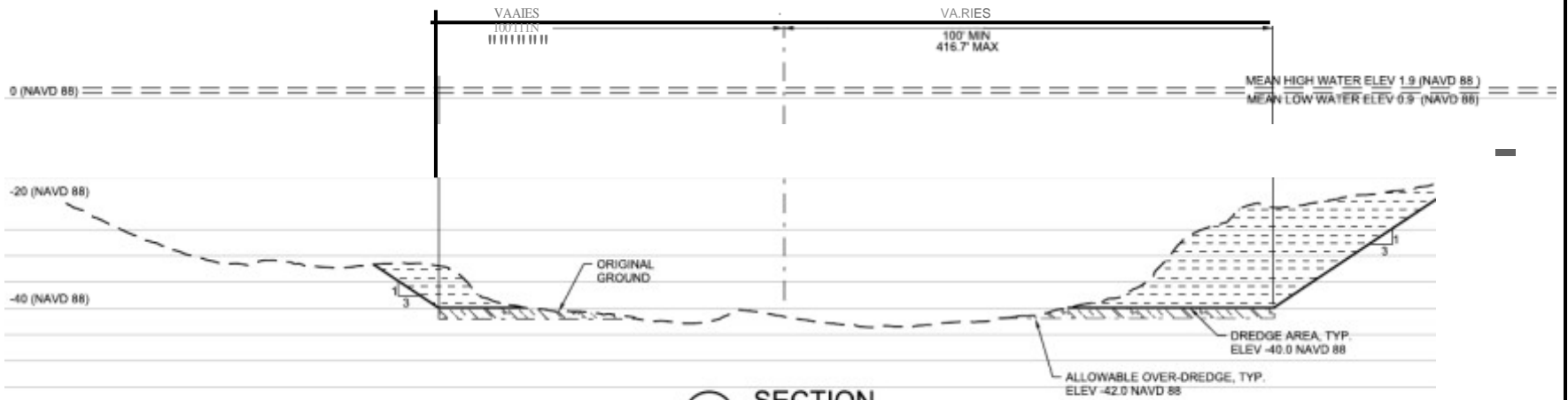
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 VERT: 1" = 30'

WEST COON ISLAND EACH



R SECTION
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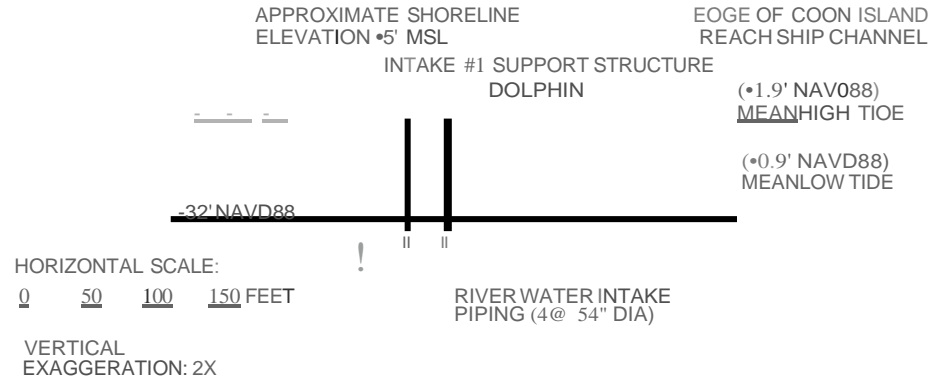
WESTLAKE US 2, LLC
 LAKE CHARLES, LOUISIANA

FIGURE 14
 TYPICAL SECTIONS

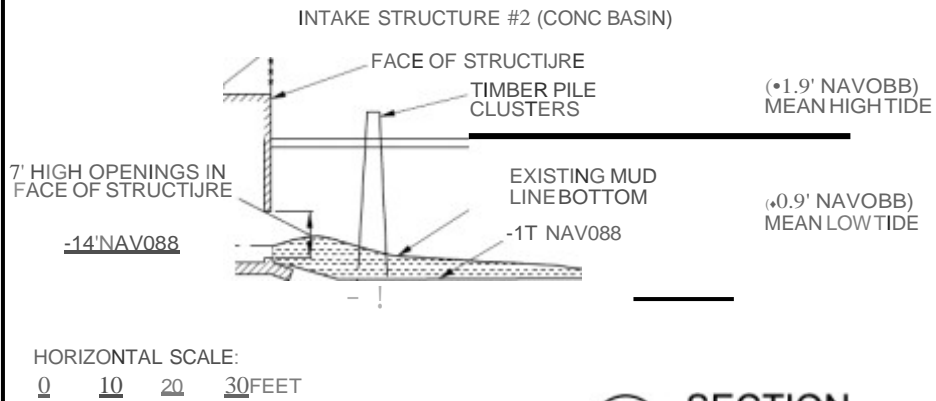
PERMIT APPLICATION
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RIVER WATER INTAKE STRUCTURE #1



RIVER WATER INTAKE STRUCTURE #2

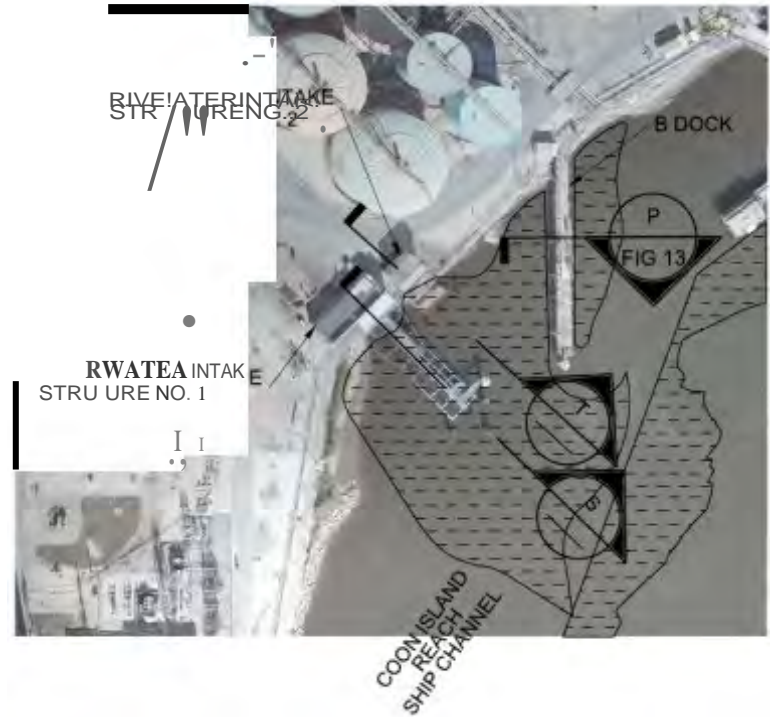


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LAKE CHARLES, LOUISIANA

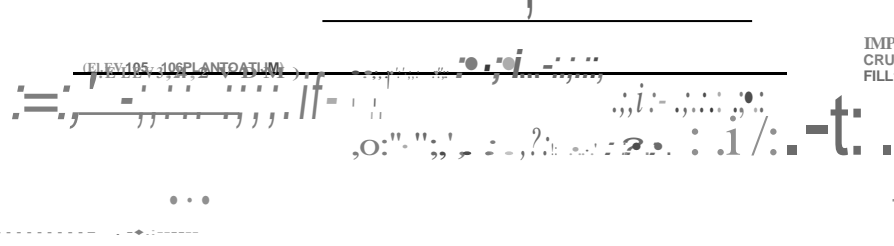
FIGURE 15

RIVER WATER INTAKE DREDGE AREA
TYPICAL SECTION

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MVN,2013-02014,WLL

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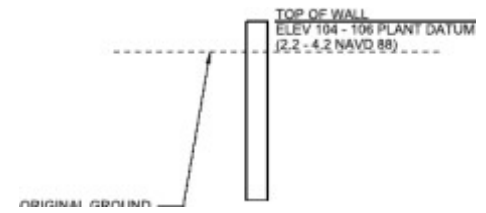


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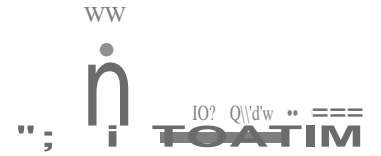
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TYPICAL SECTION

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LAKE CHARLES, LOUISIANA

FIGURE 16

TYPICAL SECTIONS

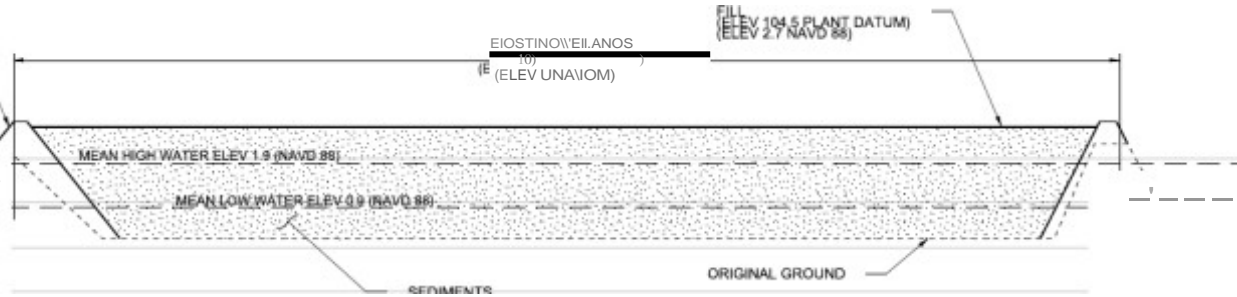
PERMIT APPLICATION
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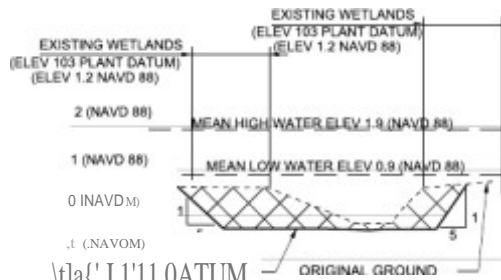
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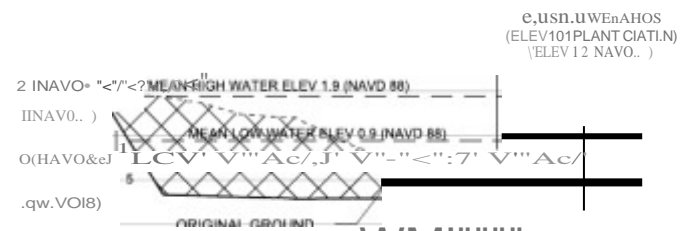
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HOR: 1" = 40'
VERT: 1" = 1'

FIGURE 17

LEGEND:



EXCAVATION

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FIGURE 17
TYPICAL SECTIONS

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