JOINT PUBLIC NOTICE

April 25, 2016

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

(504) 862-1577
Project Manager
Jeremy Overstreet
Jeremy.R.Overstreet@usace.army.mil
MVN 2015-01713-CD

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

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC 160421-01

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.

MAINTENANCE DREDGING IN THE MISSISSIPPI RIVER, IBERVILLE PARISH

NAME OF APPLICANT: Dow Chemical Company, c/o Lanier & Associates Consulting Engineers, Inc., Attn: Price Lanier, 4101 Magazine St., New Orleans, Louisiana 70115.

LOCATION OF WORK: In the Mississippi River, Right Descending Bank, River Mile 210 Section 7, T9S-R12E, (Latitude 30° 18' 44.2" N, Longitude 91° 13' 32.9" W) approximately near Plaquemine, Louisiana, in Iberville Parish, within the Lower Mississippi-Baton Rouge Basin in hydrologic unit (HUC 08070100), as shown on the attached drawings.

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to maintenance dredge in the Mississippi River to maintain navigable access for vessels. The project entails dredging adjacent to an existing dock (approximately 4,500 cubic yards of native material) to be deposited in the Mississippi River beyond the (-)50.0' contour. No wetlands will be impacted by the proposed activity.

It is presumed that the applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable.

The comment period for the Department of Army will close in **30 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.

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.

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.

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.

The New Orleans District has determined that the proposed activity is located in waters known to be utilized by the Pallid Sturgeon (*Scaphirhychus albus*) and determined that the proposed activity is not likely to adversely affect the Pallid Sturgeon based on the Standard Local Operating Procedure for Endangered Species of Louisiana (SLOPES) dated October 22, 2014, between the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, Ecological Services Office.

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 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

Vicinity Map

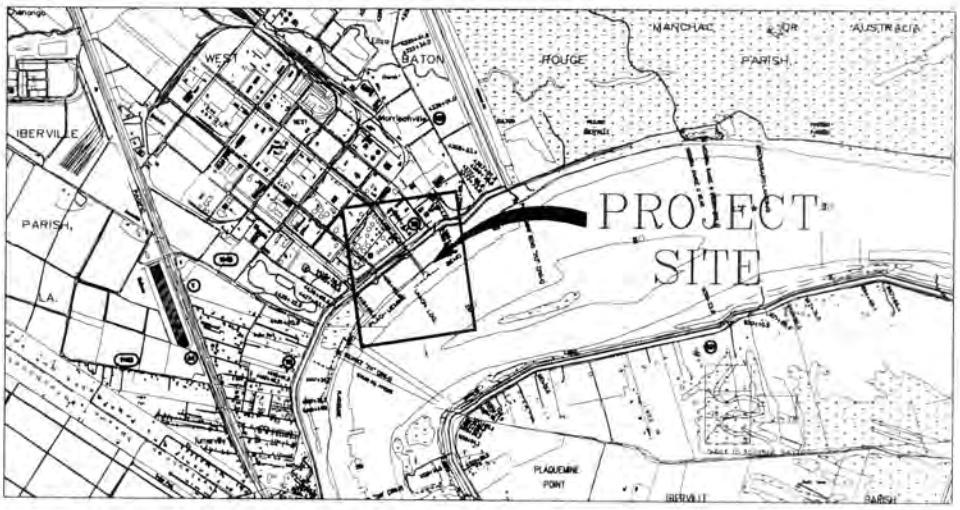
Dow Chemical Company

MVN-2015-01713-CD

September 30, 2015

Lat 30° 18' 44.2" Long. -91 13' 32.9"

Iberville Parish



VICINITY MAP

SCALE: 1" = 1 MILE

1 0 1/2 1 2

(IN MILES)

DRAWING INDEX		
DRAWING NO.	REV.	TITLE
CS1		VICINITY MAP & DRAWING INDEX
P1		SITE PLAN & CONTOURS
P2		CROSS SECTION

SITE PLAN LOCATION:
LAT: 30° 18' 44.2"
LONG: 91° 13' 32.9"

AREA MAP

NOTES:

1. AS-BUILT DRAWINGS AND/OR PLATS SHALL HAVE WRITTEN ON THEM THE DATE OF COMPLETION OF SAID ACTIVITIES AND SHALL BE SUBMITTED TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, P.O. BOX 44487, BATON ROUGE, LA 70804-4487 WITHIN 30 DAYS FOLLOWING PROJECT COMPLETION.

2. 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.

3. STRUCTURES WILL BE MARKED/LIGHTED IN ACCORDANCE WITH U.S. COAST GUARD REGULATIONS.

4. 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.

9973-CS1

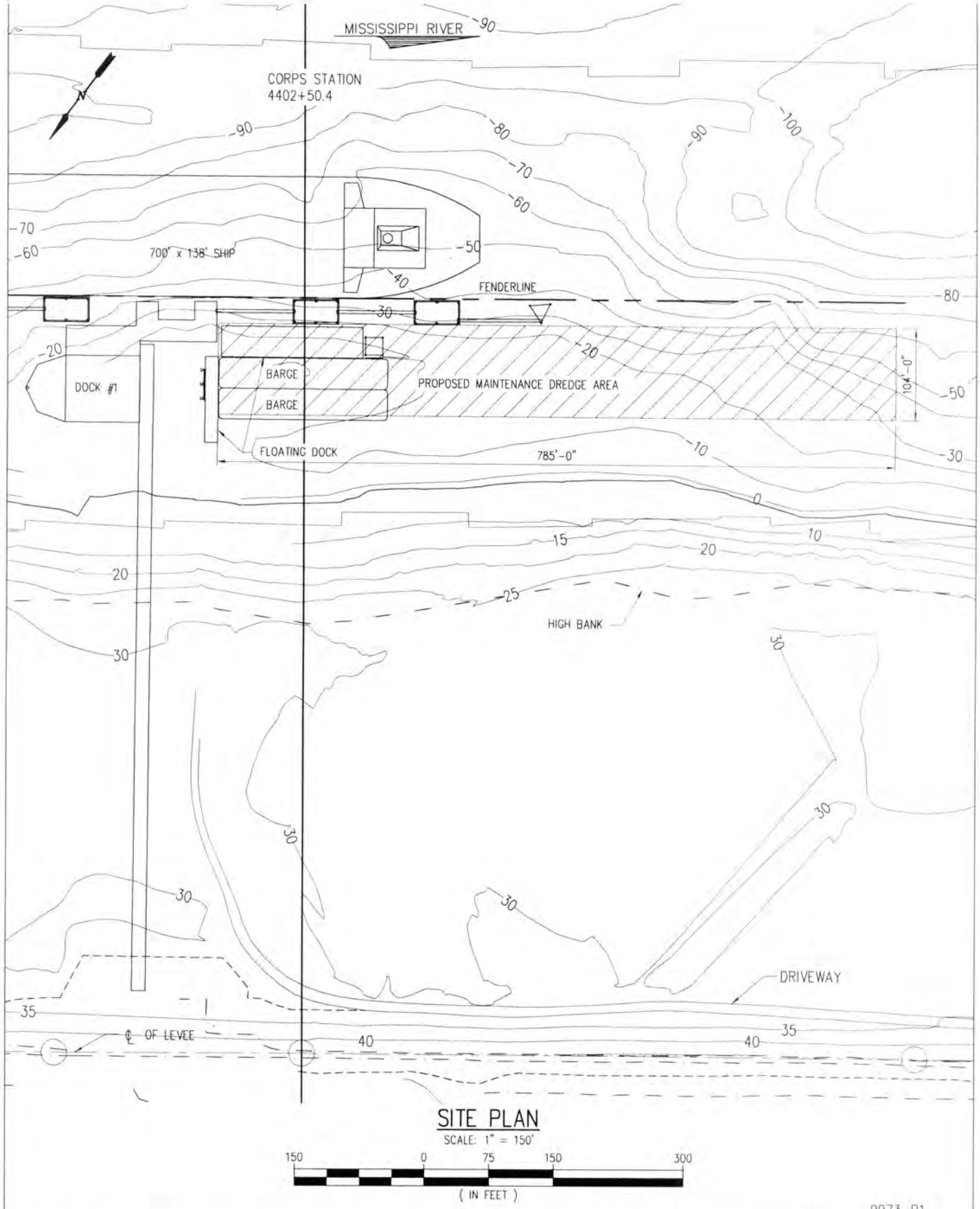
LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA - BEAUMONT, TX

DOW CHEMICAL COMPANY
PLAQUEMINE LOUISIANA

DOCK 1 MAINTENANCE DREDGING
DRAWING INDEX
VICINITY MAP

DATE SEPT '15
DESIGN PJC
DRAWN PJC
CHECK JEL
CONTRACT 9973
SHEET No 2 OF 4

Iberville Parish



SITE PLAN

SCALE: 1" = 150'

150 0 75 150 300

(IN FEET)

9973-P1

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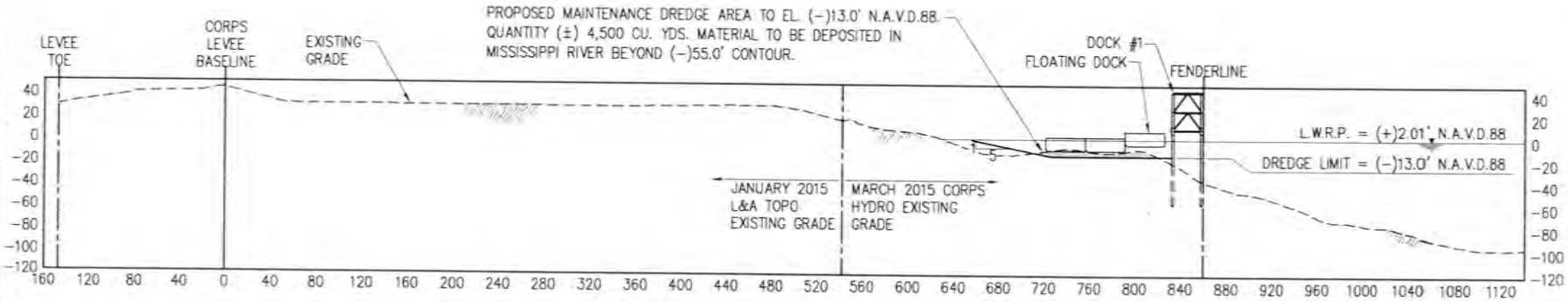
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

DOW CHEMICAL COMPANY
PLAQUEMINE LOUISIANA

DOCK 1 MAINTENANCE DREDGING
PROPOSED DREDGING LIMITS
SITE PLAN & CONTOURS

DATE SEPT '15
DESIGN PJC
DRAWN TMC
CHECK JEL
CONTRACT 9973
SHEET No 3 OF 4

Iberville Parish



CROSS SECTION @ STA. 4402+50.4

SCALE: 1" = 150'

LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

PLAQUEMINE **DOW CHEMICAL COMPANY** LOUISIANA

DOCK 1 MAINTENANCE DREDGING
PROPOSED DREDGE LIMITS
CROSS SECTION

DATE SEPT '15
DESIGN PJC
DRAWN TMC
CHECK JEL
CONTRACT 9973
SHEET No 4 OF 4

9973-P2

Iberville Parish