



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

8 May 2017

REPLY TO
ATTENTION OF

Operations Division
Eastern Evaluation Section

Project Manager
Melissa Marino
(504) 862-2637
Melissa.L.Marino@usace.army.mil

SUBJECT: MVN-2016-01405-MM

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 [] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

BOAT STRUCTURE ON BAYOU TERRE AUX BOEUFs
IN SAINT BERNARD PARISH

NAME OF APPLICANT: Wade Nunes, c/o N&N Construction, LLC, 435 Bayou Road, St. Bernard, Louisiana 70085.

LOCATION OF WORK: Left descending bank of Bayou Terre aux Boeufs, near the town of Delacroix, Louisiana, in Saint Bernard Parish, within the Eastern Louisiana Coastal Watershed, HUC 08090203, as shown on the attached drawings (Latitude: 29.75863 Longitude: -89.78526).

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to install and maintain a 36' x 154' boat shed adjacent to an existing bulkhead. The structure will extend 36' into the bayou which is approximately 190' wide at this location. A barge-mounted pile driver will be utilized for construction. No fill is required for project implementation. No adverse impacts to special aquatic sites are proposed; no compensatory mitigation is anticipated at this time.

The comment period will close **15 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 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.

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.

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. 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 critical habitat nor any species listed as endangered by the U.S. Department of Commerce. In addition, the proposed activity is “not likely to adversely affect” the West Indian manatee (*Trichechus manatus*) listed as endangered by the U.S. Department of Interior, nor affect any habitat designated as critical to the survival and recovery of this species. Concurrence has been received from the US Fish and Wildlife Service per the Standard Local Operating Procedure for Endangered Species in Louisiana, dated October 22, 2014.

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 applicable water quality standards will be required from the 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 received approval or a waiver of the Coastal Use Permit by the 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.

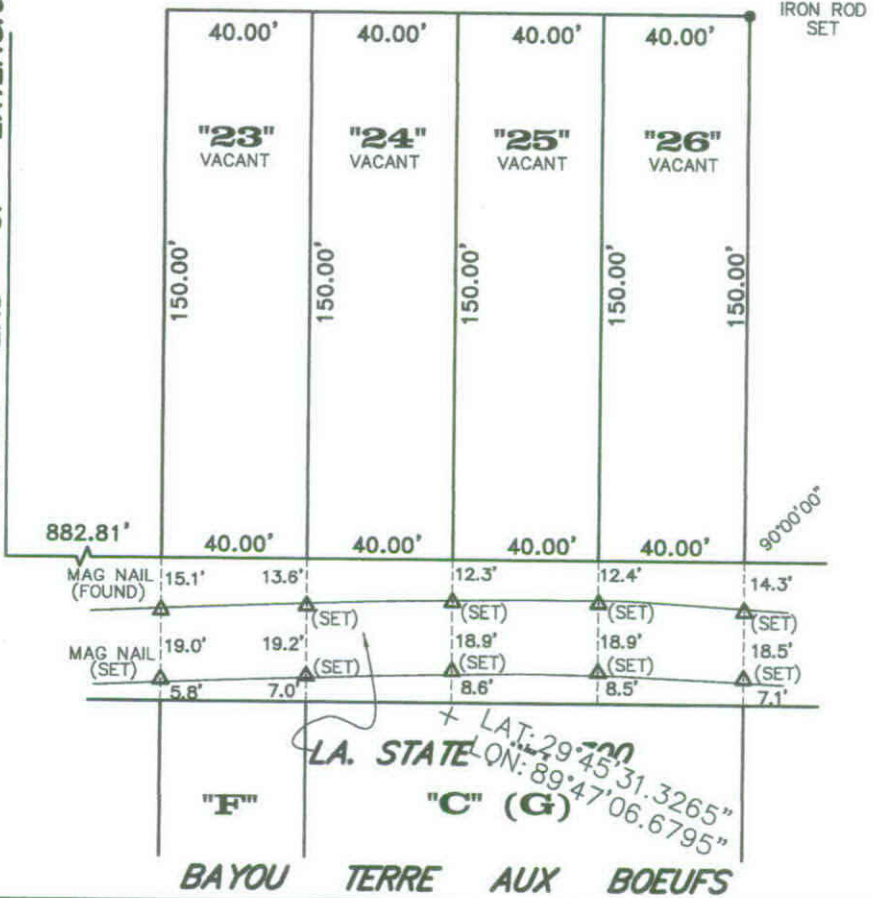
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

for
Michael Farabee
Chief, Eastern Evaluation Section

Enclosures

**SURVEY OF LOTS
23, 24, 25, 26, PT OF C "G" & F
EXTENSION OF DELACROIX ISLAND
ST. BERNARD PARISH, LA**

LOT 192
UPPER END OF EXTENSION



"F" "C" (G)
BAYOU TERRE AUX BOEUFs

BOUNDARY SURVEY OF:
LOT: 23, 24, 25, 26, PT F & C (G)
SQUARE: N/A
SUB: EXTENSION OF DELACROIX ISLAND
DISTRICT: N/A
PARISH, LA: ST. BERNARD

GENERAL NOTES
NOTE: ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED. SOME ITEMS MAY NOT BE TO SCALE FOR CLARITY. DIMENSIONS ON SURVEY PREVAIL OVER THE SCALE. FENCES ARE SHOWN FOR GENERAL INFORMATION PURPOSES ONLY AND DO NOT REFLECT EXACT LOCATION OR CONDITION.
ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1
REFERENCE PLAN #1: A PLAN OF SURVEY BY EUGENE L. ESTOPINAL & ASSOCIATES DATED FEBRUARY 25, 1980
THE SERVITUDES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE REFLECTED OR SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.
THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO THE LEGAL TITLE, AND WAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.

ELEVATION NOTE:
THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER:
FIRM MAP DATED: N/A
FLOOD ZONE: N/A
BASE FLOOD ELEVATION: N/A
COMMUNITY PANEL: 2252040655B

THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED HEREON WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS STIPULATED IN LOUISIANA ADMINISTRATIVE CODE TITLE: 46:XX, CHAPTER 25 FOR A CLASS "C" (SUBURBAN) SURVEY
MADE AT THE REQUEST OF WADE HUNEZ
BY: _____



KLS

KREBS

LAYOUT SERVICES INC.
SURVEY & ENGINEERING

P: 504-302-0991
4717 PAGE DR, METAIRIE, LA
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DATE: MAY 5, 2016	DRAWN BY: JWK
SCALE: 1" = 40'	CHECKED BY: CRD
JOB #: 738-16	SHEET #1 OF 1

VICINITY MAP



6609 DELACROIX HIGHWAY
ST. BERNARD PARISH, LA

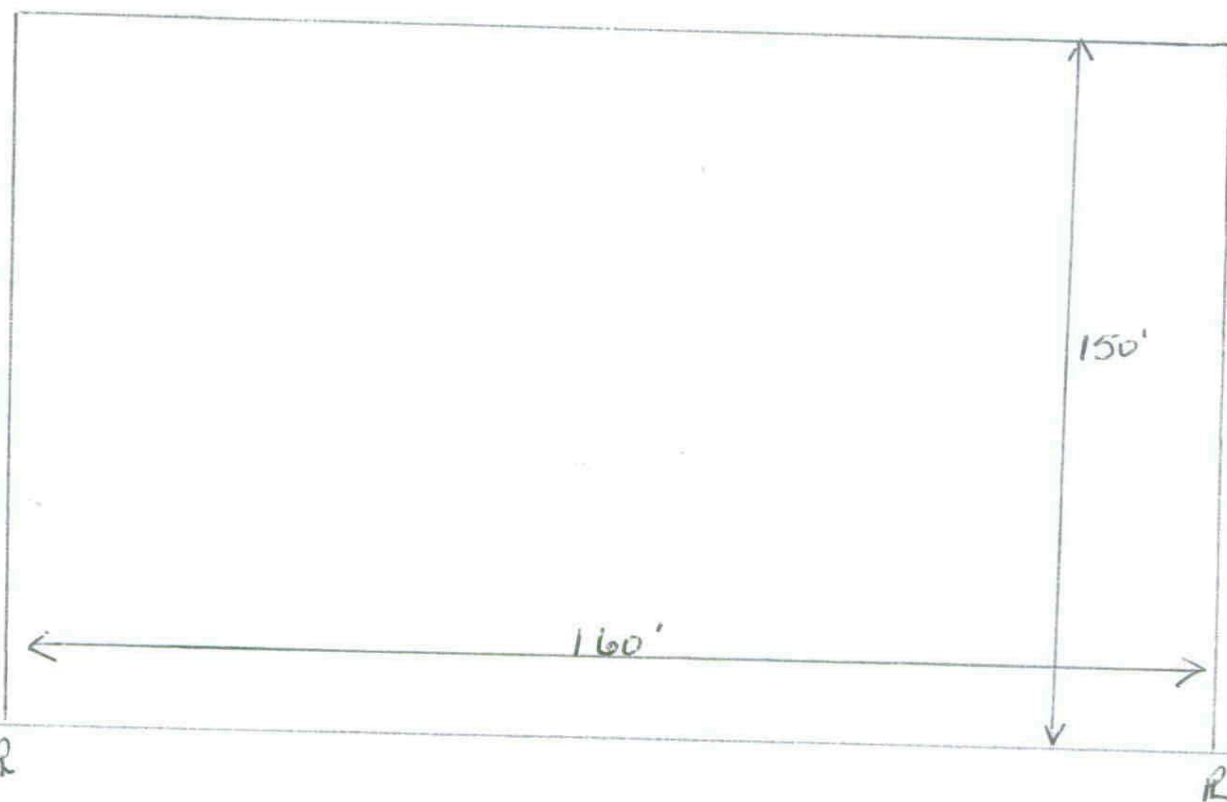
29° 45' 31.32"

39° 47' 6.67"

Proposed Boat Shed for WADe NUNEZ

6609 DeLacroix Hwy.

Bayou Terra Au Bouef



DeLacroix Hwy.

Proposed Boat Shed

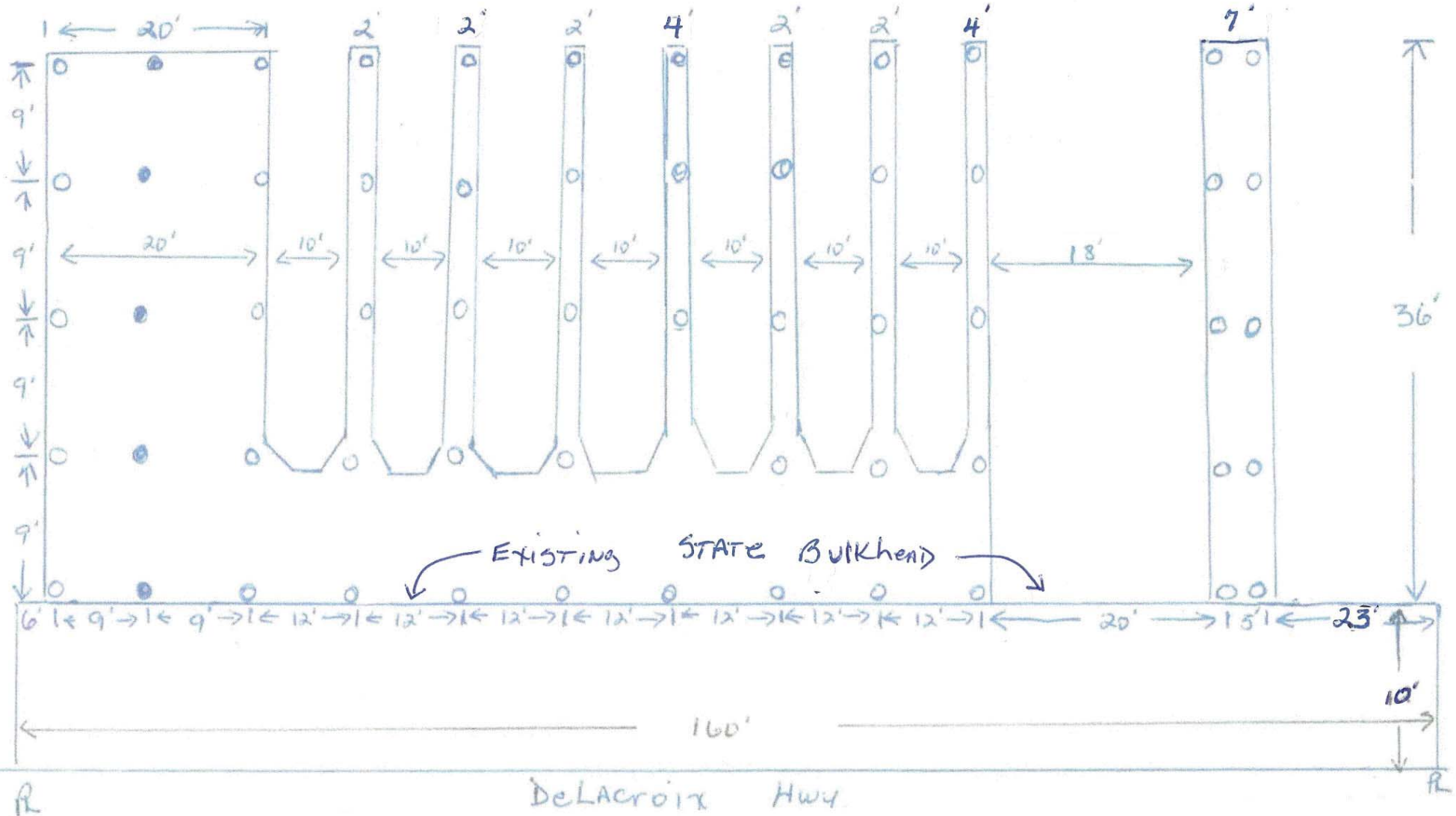
36' x 154'

Bayou Terra Au Bouef

29° 45' 51.32"
89° 47' 6.67"

Proposed BOAT SHED for WADE NUÑEZ
6609 DeLacroix Hwy.

BAYOU TERRA AU BOUET



29° 45' 31.32"
89° 47' 6.67"

PROPOSED BOAT SHED FOR WADE NUÑEZ
6609 DELACROIX HWY.
BAYOU TENNE AU BOUEF

