

# JOINT PUBLIC NOTICE

July 30, 2018

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Avenue  
New Orleans, Louisiana 70118-3651

(504) 862-2284

[Sara.B.Fortuna@usace.army.mil](mailto:Sara.B.Fortuna@usace.army.mil)

Project Manager  
Sara Fortuna  
Permit Application Number  
MVN-2018-00472-WKK

State of Louisiana  
Department of Environmental Quality  
ATTN: Water Quality Certifications  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(225) 219-3225

[Elizabeth.Hill@la.gov](mailto:Elizabeth.Hill@la.gov)

Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC 180502-01

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, Water Quality Certifications, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

## **WATER CONTROL STRUCTURE IN CAMERON PARISH**

**NAME OF APPLICANT:** D.P. Land, c/o C.H. Fenstermaker and Associates, 135 Regency Square, Lafayette, Louisiana 70508.

**LOCATION OF WORK:** Existing Canal, located approximately 3.8 miles southwest of Johnsons Bayou, in Cameron Parish, Louisiana, as shown on the enclosed drawings.

Location: Latitude: 29°49'40.16" N / Longitude: -93°39'17.61" W, Hydrologic Unit Code: 08080206 – Calcasieu Basin.

**CHARACTER OF WORK:** Conduct excavating operations within an existing levee area and install a six 42-inch wide by 20-foot long barrel flap gate style barrels within a new 53-foot wide by 78-foot long water control structure, two approximately 115-foot long temporary cofferdams, construct a 40-foot wide by 125-foot long temporary equipment staging area, two 40-foot wide by 60-foot long loading and unloading zone areas, two approximately 40-foot wide by 119-foot long temporary work areas, and place 878 cubic yards of dredged material within two 40-foot wide by 42-foot long temporary spoil placement areas. Approximately 0.60 of an acre of emergent wetlands would be temporarily impacted via project implementation. The applicant will be required to restore all temporarily impacted wetlands to be verified after one growing season from project completion, and will compensate for any unrepairable wetland impacts through acquisition of in-kind credits at a Department of the Army approved mitigation bank, should a DA permit be granted.

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. 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.**

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.

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.

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 public notice are being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The New Orleans District has determined that 0.60 of an acre of the project footprint is in waters known to be utilized by the West Indian Manatee (*Trichechus manatus*) and determined the activity is not likely to adversely affect this species based on the Standard Local Operating Procedure for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office. If this permit modification/time extension is issued, the applicant has agreed to follow the Standard Manatee Conditions for In-Water Activities.

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 0.60 of an acre 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, Water Quality Certifications, 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.

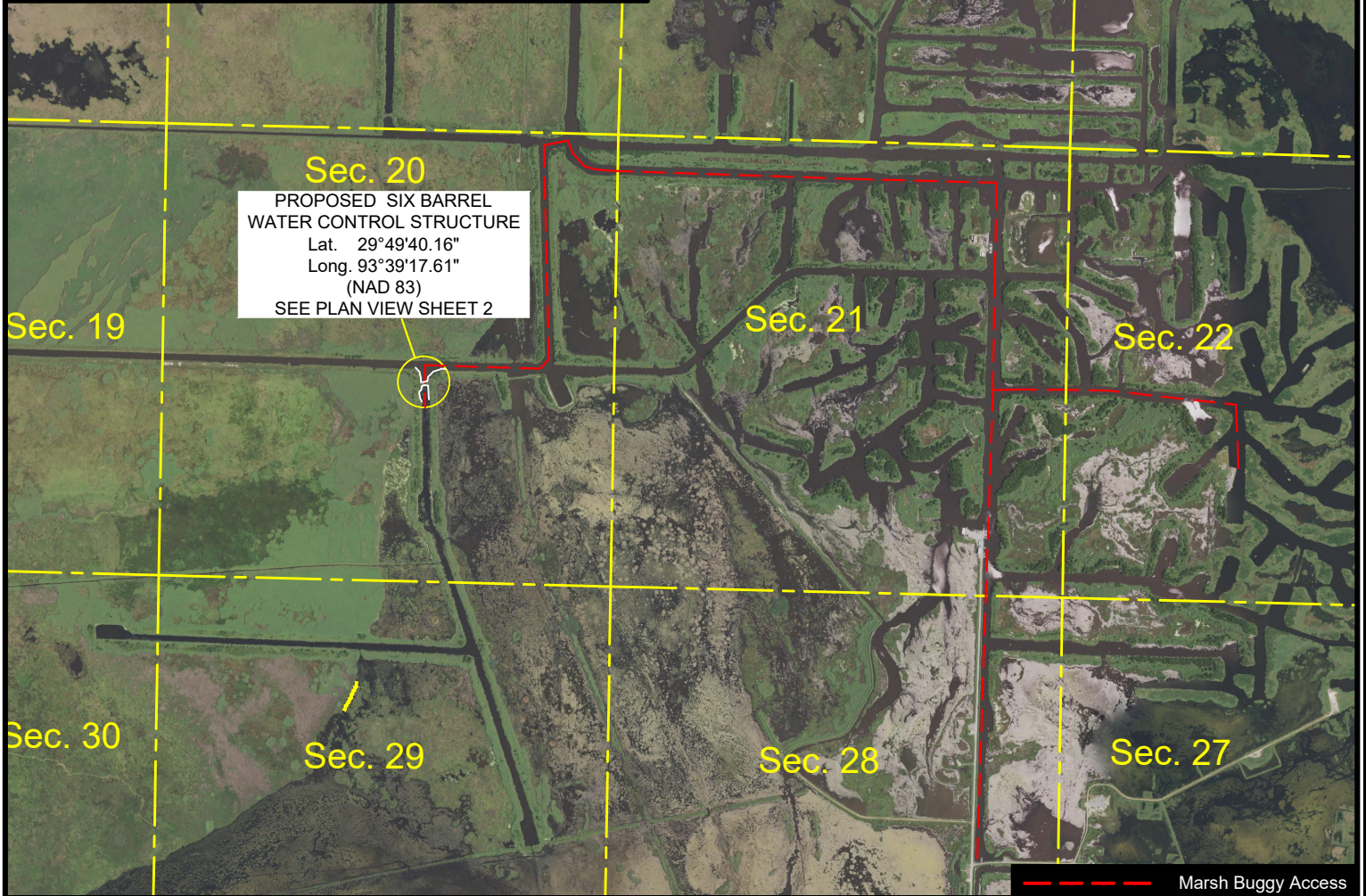
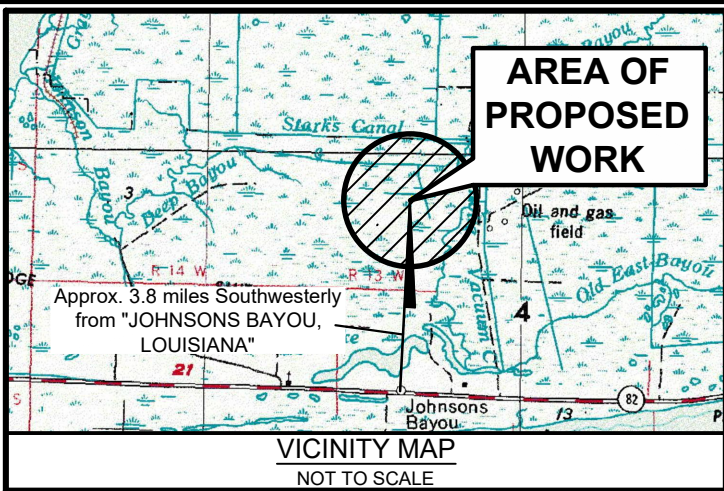
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

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.

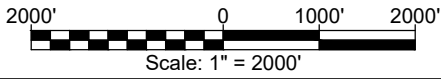
Darrell S. Barbara  
Chief, Western Evaluation Section  
Regulatory Branch

Enclosure





**Sec. 20**  
 PROPOSED SIX BARREL  
 WATER CONTROL STRUCTURE  
 Lat. 29°49'40.16"  
 Long. 93°39'17.61"  
 (NAD 83)  
 SEE PLAN VIEW SHEET 2



**DORE ENERGY**  
 SIX BARREL WATER CONTROL STRUCTURE  
 Cameron Meadows Marsh Creation  
 Section 20, T14S-R13W  
 Cameron Parish, Louisiana

DRAWN BY: KJD	REVISED:	DATE: 01/16/2018
PROJ. MGR.: CL		SHEET 1 OF 6 SHEETS

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*Not to be used for construction, bidding, recordation, conveyance, sales, or engineering design.*

**PRELIMINARY**

Robert L. Lastrapes  
 Professional Land Surveyor  
 Registration No. 4717

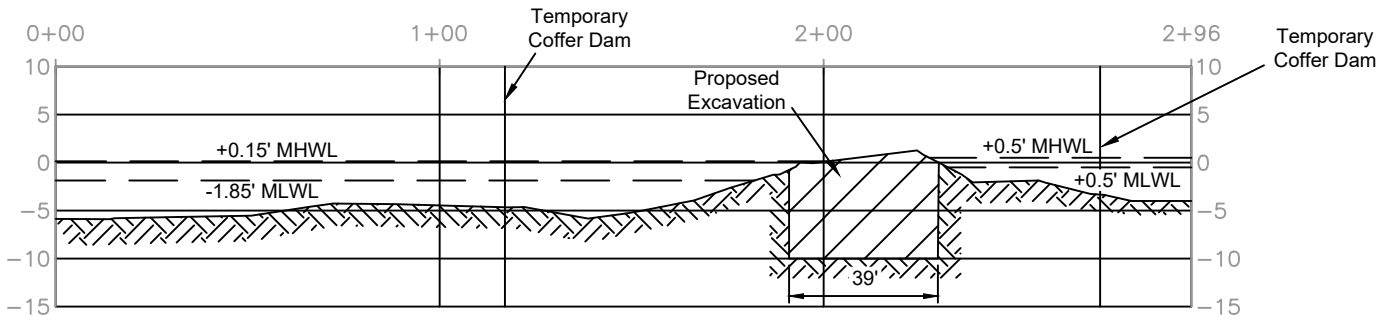
NOTE: THESE PLANS ARE INTENDED EXCLUSIVELY FOR THE PURPOSE OF OBTAINING ENVIRONMENTAL COMPLIANCE PERMITS AND ARE NOT TO BE USED FOR CONSTRUCTION, BIDDING, RECORDATION, CONVEYANCE, SALES OR ENGINEERING DESIGN.



C. H. Fenstermaker & Associates, L.L.C.  
 135 Regency Sq. Lafayette, LA 70508  
 Ph. 337-237-2200 Fax. 337-232-3299  
[www.fenstermaker.com](http://www.fenstermaker.com)

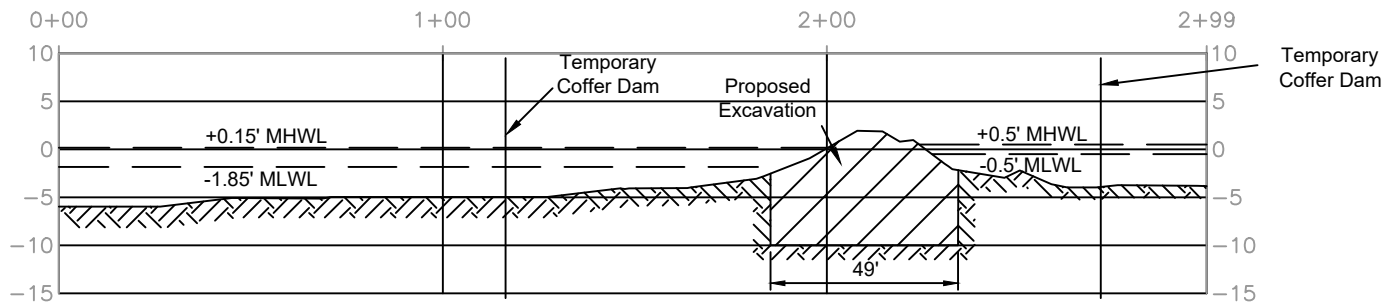






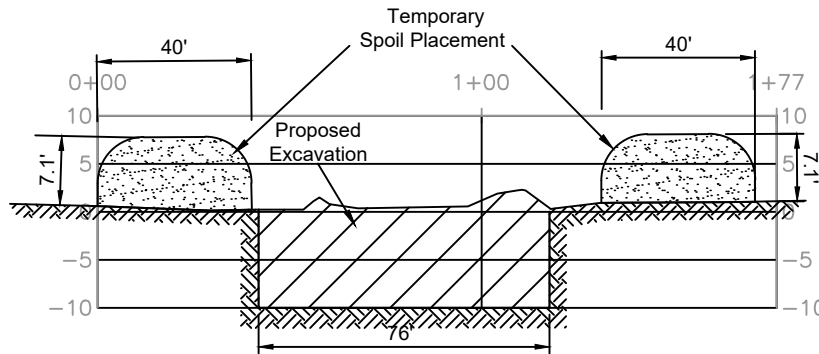
**CROSS SECTION A-A'**

Horizontal Scale: 1"=50'  
Vertical Scale: 1"=20'



**CROSS SECTION B-B'**

Horizontal Scale: 1"=50'  
Vertical Scale: 1"=20'



**CROSS SECTION C-C'**

Horizontal Scale: 1"=50'  
Vertical Scale: 1"=20'

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**DORE ENERGY**

**SIX BARREL WATER CONTROL STRUCTURE**

Cameron Meadows Marsh Creation

Section 20, T14S-R13W

Cameron Parish, Louisiana

DRAWN BY: KJD

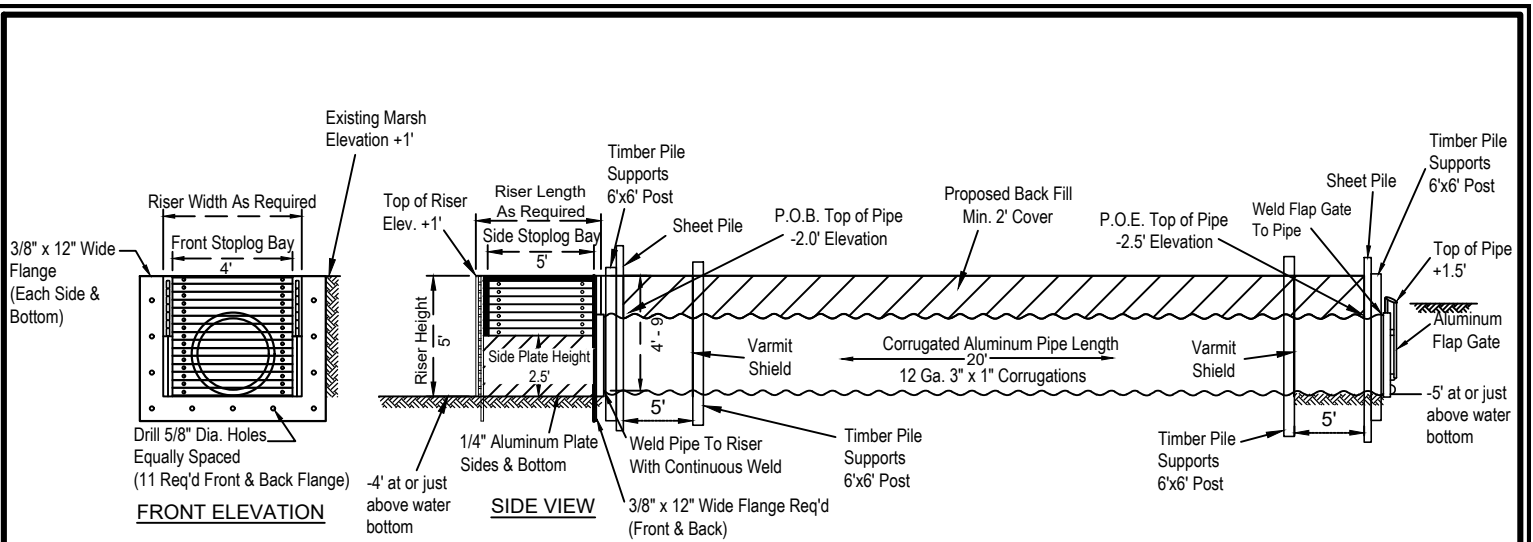
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DATE: 01/16/2018

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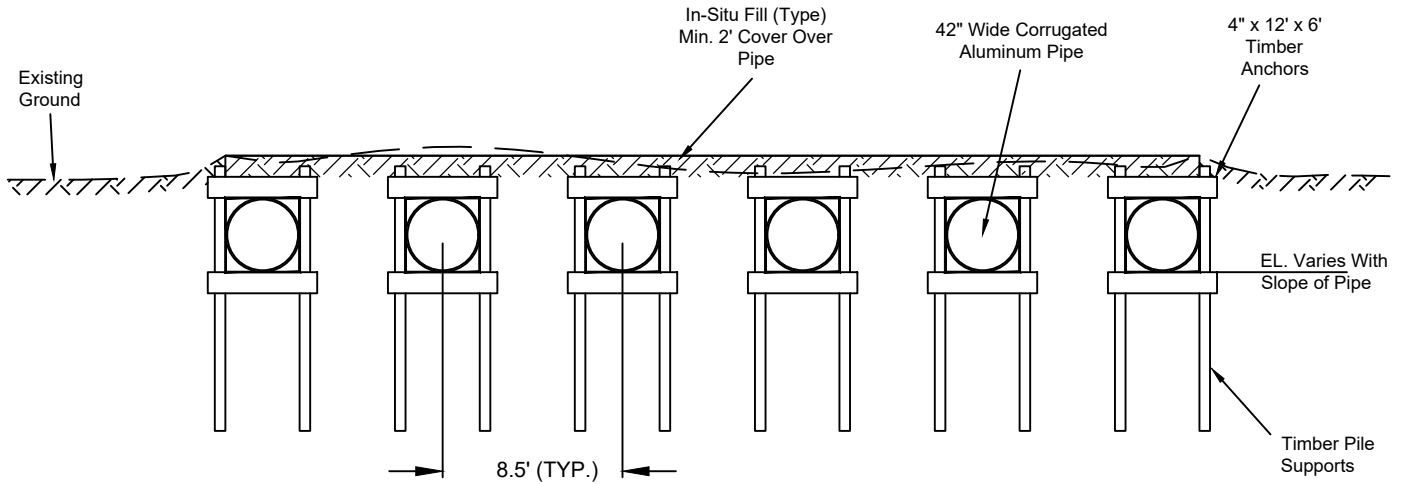
SHEET 3 OF 6 SHEETS

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**3 BAY ALUMINUM RISER STRUCTURE**

No Scale



**TYPICAL 6 BARREL STRUCTURE**

No Scale

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DPL Operational Plan  
Cameron Meadows West  
CS-66 Six Barrel Structure Operation Plan

**Maintenance Phase**

<u>Dates</u>	<u>Flap Gates Position</u>	<u>Stop Log Setting</u>
Feb 1 - July 31	Open	Open
August 1 - Jan 31	Open	6" Below Marsh Elevation

**Drawdown Phase \***

<u>Dates</u>	<u>Flap Gates Position</u>	<u>Stop Log Setting</u>
Jan 16 - May 31	Flapping	Open
Jun 1 - Oct 31	Open	Open
Nov 1 - Jan 15	Open	6" Below Marsh Elevation

\*No more than one attempt every three years

**Additional Provisions**

1. Maximum stop log elevation may not exceed 6" below marsh elevation.
2. Flap gates are closed only when salinity as measured inside each structure exceeds 6 ppt.
3. In the event of an impending extreme rainfall, tropical storm or hurrucane, all flap gates may be raised and all stop logs may be removed. Normal structure operation may may resume once salinity and water levels return to normal seasonal conditions.
4. If water salinity inside the management unit exceeds ssalinity outside the unit for greater than two weeks, the structures should be opened.
5. If water level inside the management unit exceeds marsh level by 6" for more than 14 consecutive days, the structures should be configured to evacuate excess water. ANormal structure operation may resume once water levels inside the management unit equilibrate to outside the unit.
6. All elevations are shown in NAVD 88.

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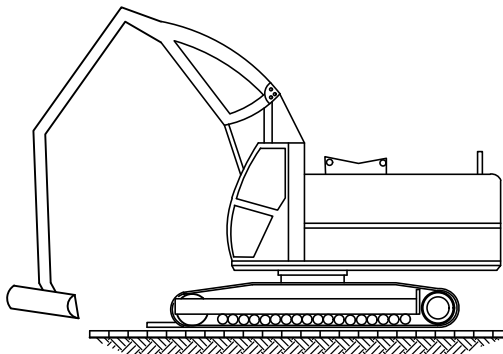
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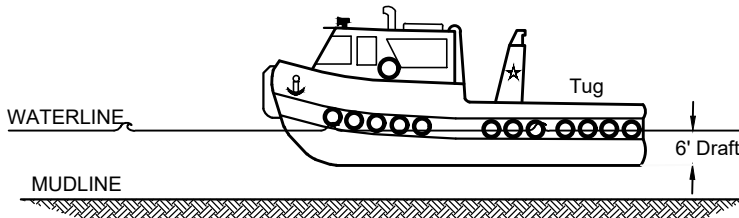


TOTAL EXCAVATION REQUIRED FOR 6 BARREL STRUCTURE ..... 878 CU. YDS.  
 TEMPORARY IMPACTS, LOADING & UNLOADING AREAS,  
 WORK AREAS AND FILL PLACEMENT AREAS ..... 0.09 ACRES



**TYPICAL BACKHOE/MARSH BUGGY**

No Scale

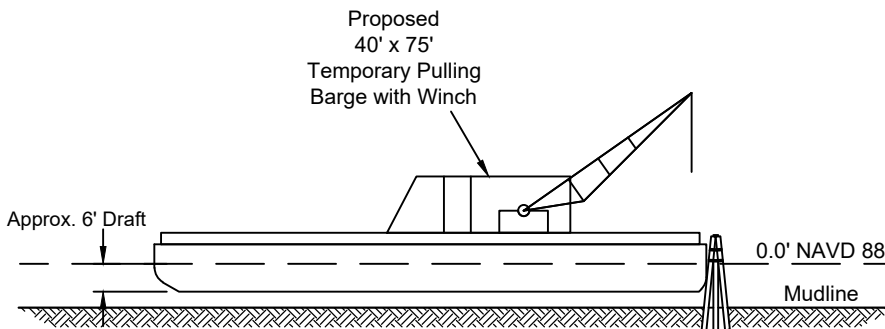


**TYPICAL TUG BOAT**

No Scale

**NOTES:**

1. All structures and/or facilities occurring in open water and/or Jurisdictional Wetlands shall be removed when all de-watering processes have been completed and no additional salt water will be added to the marsh 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 for such activities.
2. As-built drawings shall be submitted within 30 days of completion of this project to the Louisiana Department of Natural Resources, Coastal Management Division, P.O. Box 44487, Baton Rouge, LA 70804-4487.
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.
4. Structures will also be marked/lighted in accordance with U.S. Coast Guard regulations.
5. The entire proposed protection levee will be degraded to the marsh elevation of the adjacent marsh.



**TYPICAL PULLING BARGE**

No Scale

DISCLAIMER: At this time, C. H. Fenstermaker & Associates, L.L.C. has not performed nor was asked to perform any type of engineering, hydrological modeling, flood plain, or "No Rise" certification analyses, including but not limited to determining whether the project will impact flood hazards in connection with federal/FEMA, state, and/or local laws, ordinances and regulations. Accordingly, Fenstermaker makes no warranty or representation of any kind as to the foregoing issues, and persons or entities using this information shall do so at their own risk.

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