

JOINT PUBLIC NOTICE

October 21, 2019

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
Project Manager
Sara Fortuna
Permit Application Number
MVN-2019-01040-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
Project Manager
Elizabeth Hill
WQC Application Number
WQC 191003-01

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).

BULKHEAD, PILINGS, AND FILL IN TERREBONNE PARISH

NAME OF APPLICANT: Leviathan Offshore, L.L.C., c/o Coastal Resource Consulting, L.L.C., Post Office Box 822, Crowley, Louisiana 70527.

LOCATION OF WORK: Gulf Intracoastal Waterway, on Bridge Road, located in the community of Houma, in Terrebonne Parish, Louisiana, as shown on the enclosed drawings.

Location: Latitude: 29.6006472° N / Longitude: -90.6723416° W, Hydrologic Unit Code: 08090302 – Terrebonne Basin.

CHARACTER OF WORK: Replace 816 feet of bulkhead, install sixteen 24-inch diameter pilings, and place approximately 629 cubic yards of hauled-in fill material behind the bulkhead along the Gulf Intracoastal Waterway, all for the Leviathan Offshore facility. Approximately 0.13 of an acre of non-wetland waters would be permanently impacted via filling operations. Approximately 0.02 of an acre of non-wetland waters would be temporarily impacted via bulkhead and piling installation.

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 0.15 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 0.15 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.

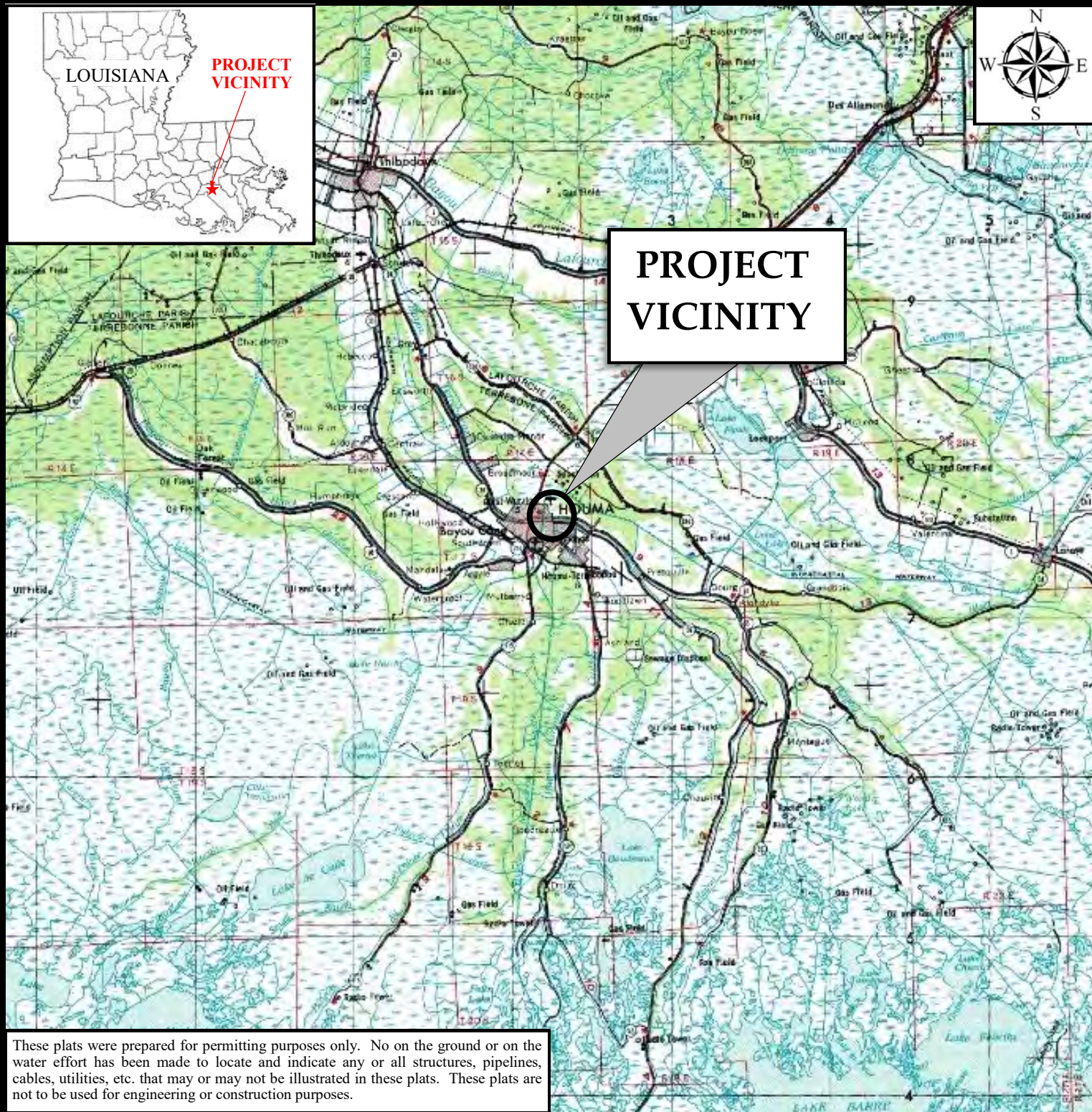
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch

Enclosure



**PROJECT
VICINITY**



These plats were prepared for permitting purposes only. No on the ground or on the water effort has been made to locate and indicate any or all structures, pipelines, cables, utilities, etc. that may or may not be illustrated in these plats. These plats are not to be used for engineering or construction purposes.



**LEVIATHAN
OFFSHORE, LLC**

**PROPOSED PILINGS AND BULKHEAD
LEVIATHAN OFFSHORE, LLC
TERREBONNE PARISH, LOUISIANA
S22-T17S-R18E**



**COASTAL RESOURCE
CONSULTING, LLC**

DATE: 09/09/19

DRAWN: JCG

REV. DATE: 09/18/19

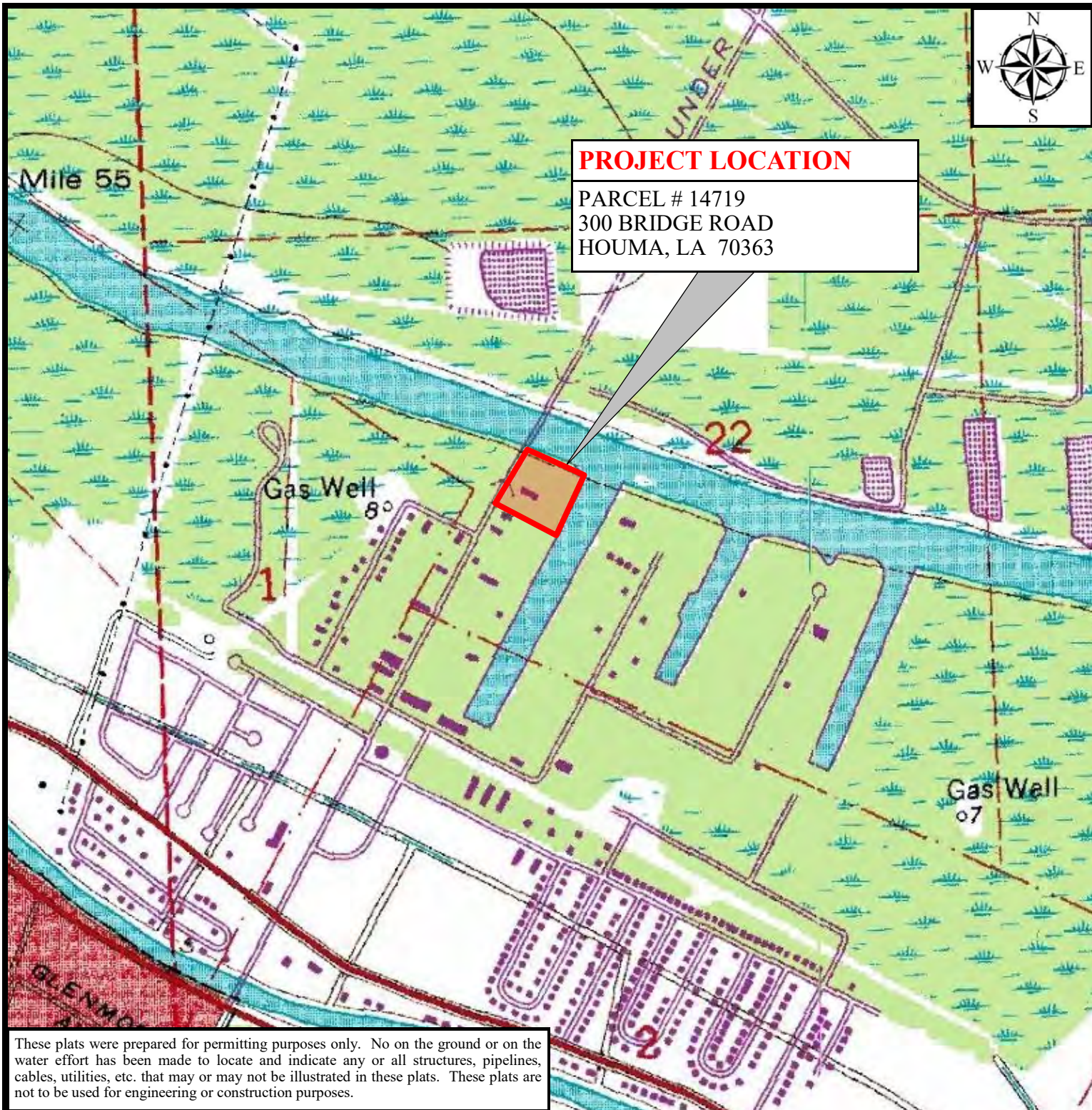
SCALE:

JOB #: 19-2070

REV. BY: JCG

Projection: UTM
Geo. Datum: NAD27
Grid Unit: U.S. Survey Feet

Sheet 1 of 4



These plats were prepared for permitting purposes only. No on the ground or on the water effort has been made to locate and indicate any or all structures, pipelines, cables, utilities, etc. that may or may not be illustrated in these plats. These plats are not to be used for engineering or construction purposes.



**LEVIATHAN
OFFSHORE, LLC**

**PROPOSED PILINGS AND BULKHEAD
LEVIATHAN OFFSHORE, LLC
TERREBONNE PARISH, LOUISIANA
S22-T17S-R18E**



**COASTAL RESOURCE
CONSULTING, LLC**

DATE: 09/09/19

DRAWN: JCG

REV. DATE: 09/18/19

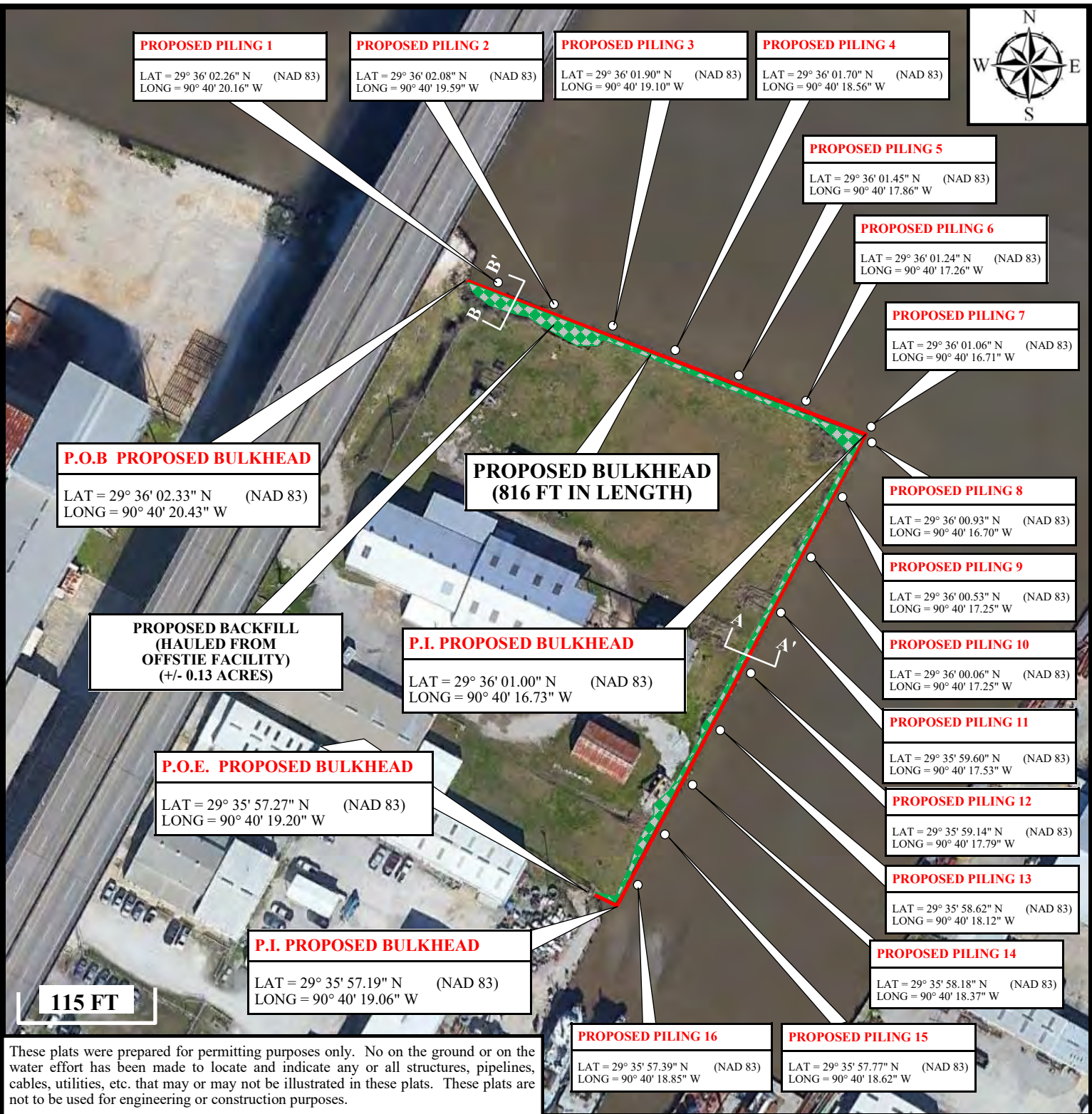
SCALE:

JOB #: 19-2070

REV. BY: JCG

Projection: UTM
Geo. Datum: NAD27
Grid Unit: U.S. Survey Feet

Sheet 2 of 4



**LEVIATHAN
OFFSHORE, LLC**

**PROPOSED PILINGS AND BULKHEAD
LEVIATHAN OFFSHORE, LLC
TERREBONNE PARISH, LOUISIANA
S22-T17S-R18E**



**COASTAL RESOURCE
CONSULTING, LLC**

DATE: 09/09/19

DRAWN: JCG

REV. DATE: 09/18/19

SCALE:

JOB #: 19-2070

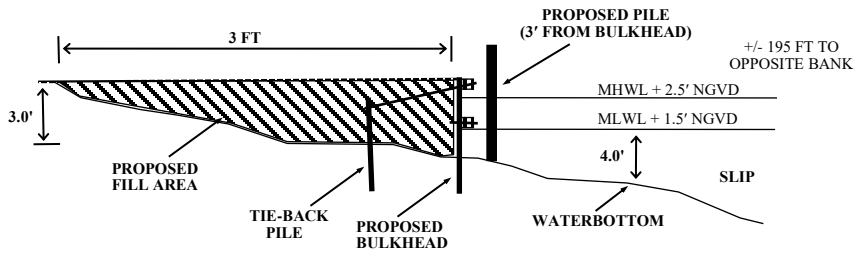
REV. BY: JCG

Projection: UTM
Geo. Datum: NAD27
Grid Unit: U.S. Survey Feet

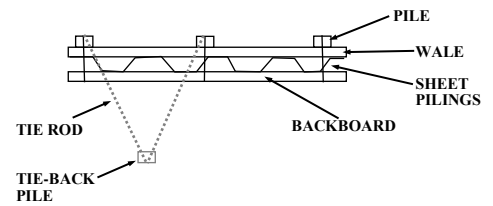
Sheet 3 of 4

**CROSS SECTION
A - A'
(NOT TO SCALE)**

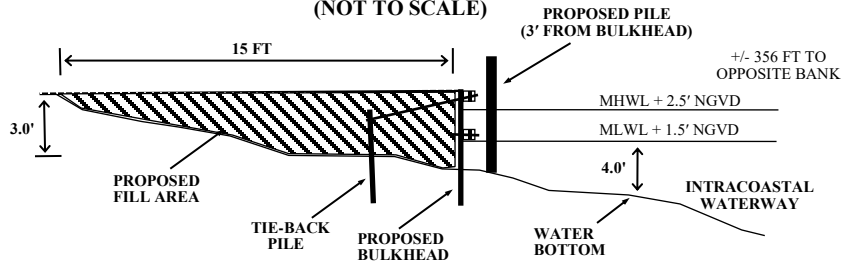
MHWL + 2.5' NGVD
MLWL + 1.5' NGVD



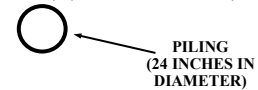
**TYPICAL BULKHEAD
(TOP VIEW)
(NOT TO SCALE)**



**CROSS SECTION
B - B'
(NOT TO SCALE)**



**TYPICAL PILING
(TOP VIEW) (NOT TO SCALE)**



COASTAL NOTES:

ALL STRUCTURES, FACILITIES, WELLS AND PIPELINES/FLOWLINES OCCURRING IN OPEN WATER AREAS, OR IN OILFIELD CANALS, OR SLIPS SHALL BE REMOVED WITHIN 120 DAYS OF ABANDONMENT OF THE FACILITIES FOR THE HEREIN PERMITTED USE, UNLESS PRIOR WRITTEN APPROVAL TO LEAVE SUCH STRUCTURES IN PLACE IS RECEIVED FROM THE OFFICE OF COASTAL MANAGEMENT. 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 STRUCTURES.

AS-BUILT DRAWINGS SHALL BE SUBMITTED WITHIN 30 DAYS OF COMPLETION OF THIS PROJECT TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT AND OFFICE OF CONSERVATION, PIPELINE SAFETY DIVISION, POST OFFICE BOX 44487, BATON ROUGE, LA 70804-4487.

IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITEE 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.

THE PERMITEE SHALL ALSO CONTACT OTHER GOVERNMENTAL ENTITIES THAT MAY HAVE OPTED OUT OF THE ONE CALL PROGRAM. THESE GOVERNMENT ENTITIES MAY HAVE OPERATIONS LOCATED IN THE AREA OF THIS PROJECT.

ALL STRUCTURES WILL BE MARKED AND LIGHTED IN ACCORDANCE WITH U.S. COAST GUARD REGULATIONS.

CALCULATIONS / NOTES:

NO EMERGENT WETLANDS ARE TO BE IMPACTED FROM THE PROPOSED BACKFILL.

APPROXIMATELY 629 CUBIC YARDS OF FILL MATERIAL NEEDED FOR BACKFILL BEHIND PROPOSED BULKHEAD.

APPROXIMATELY 0.13 ACRES OF WATERBOTTOM WILL BE IMPACTED BY THE PROPOSED BACKFILL.

FILL MATERIAL USED AS BACKFILL BEHIND BULKHEAD WILL BE HAULED IN FROM AN APPROVED OFFSITE FACILITY.

MAXIMUM DRAFT OF FULLY LOADED VESSELS UTILIZED FOR THIS PROJECT IS 3 FEET.

NO FIELD SURVEY WAS CONDUCTED TO PRODUCE THESE PLATS.



**LEVIATHAN
OFFSHORE, LLC**

**PROPOSED PILING AND BULKHEAD
LEVIATHAN OFFSHORE, LLC
TERREBONNE PARISH, LOUISIANA
S22-T17S-R18E**



**COASTAL RESOURCE
CONSULTING, LLC**

DATE: 09/09/19

DRAWN: JCG

REV. DATE: 09/18/19

SCALE:

JOB #: 19-2070

REV. BY: JCG

Projection: UTM
Geo. Datum: NAD27
Grid Unit: U.S. Survey Feet

Sheet 4 of 4