JOINT PUBLIC NOTICE

February 9, 2015

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

(504) 862-2225 <u>Brad.LaBorde@usace.army.mil</u> Project Manager Brad LaBorde Permit Application Number MVN 2014-1120 EOO State of Louisiana Department of Environmental Quality ATTN: Water Quality Certifications Post Office Box 4313 Baton Rouge, Louisiana 70821-4313

(225) 219-3225

Project Manager Elizabeth Johnson WQC Application Number WQC 150204-02

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).

Lake Lery East Shoreline and Marsh Restoration Project in Saint Bernard Parish, Louisiana

NAME OF APPLICANT: Saint Bernard Parish Government % Coastal Environments, Inc., Attn: Hunter Guidry, 1260 Main Street, Baton Rouge, Louisiana, 70802.

LOCATION OF WORK: Dredging adjacent to the northern shoreline of Lake Lery to restore two areas of its eastern shoreline near the western natural levee of Bayou Terre Aux Boeufs, in Delacroix, Louisiana, Saint Bernard Parish, as shown on the enclosed drawings.

Hydrologic Unit Code: 08090203 - Eastern Louisiana Coastal Borrow Area - Latitude: 29.8078, Longitude: -89.8071 Restoration Site 1 - Latitude: 29.7788, Longitude: -89.7827 Restoration Site 2 - Latitude: 29.7873, Longitude: -89.7784

CHARACTER OF WORK: The Lake Lery East Shoreline and Marsh Restoration Project includes hydraulically dredging 780,700 cubic yards of material to create 52 acres of marsh and nourish an additional 43 acres of broken/subsiding marsh. The two restoration areas would be contained by an earthen dike that would extend from the Bayou Terre Aux Boeufs natural levee into open water. Filling activities within the earthen dike would bring the marsh elevation to +1.5 feet at both locations for lift 1 and +2.75 feet (Site 1) and +3.25 feet (Site 2) for lift 2. Material would be transported via pipeline within two 75 foot wide open water pipeline corridors.

This project is included in the Louisiana Coastal Master Plan via funding from the Coastal Impact Assistance Program (CIAP) program. It has been designed to provide a net benefit to the eastern

portion of Lake Lery's shoreline throughout the project's 20 year design life. No additional compensatory mitigation measure have been proposed at this time.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close <u>20 days</u> 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, <u>ATTENTION: REGULATORY BRANCH</u>. 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. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

Dredging and filling activities are located in areas known to be utilized by the West Indian manatee (*Trichechus manatus*). The West Indian manatee is listed as endangered by the U.S. Department of Interior. Our initial finding is that the proposed work is "not likely to adversely affect" the West Indian manatee. Concurrence has been received from the U.S. Fish and Wildlife Service per the Standard Local Operating Procedure for Endangered Species in Louisiana, dated October 22, 2014. If authorized, "The Standard Manatee Conditions for In-Water Activities" will be made part of the permit's special conditions.

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 **95** 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, Water Quality Certifications, before a permit is issued.

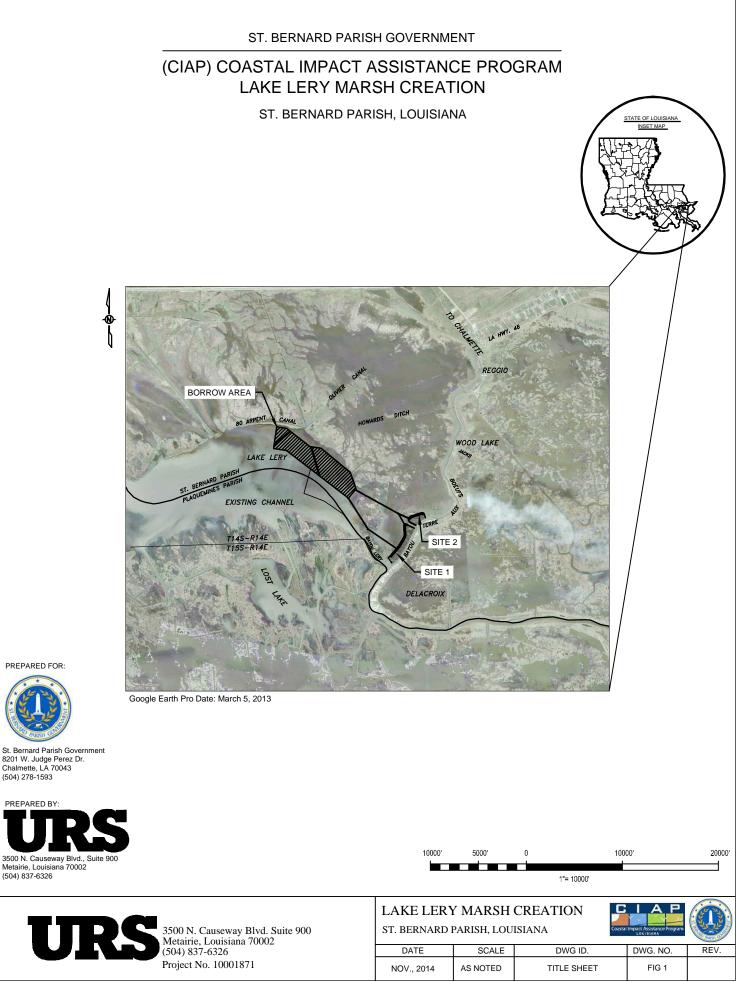
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

Michael V. Farabee Chief, Eastern Evaluation Section

Enclosure



St. Bernard Parish Government 8201 W. Judge Perez Dr. Chalmette, LA 70043 (504) 278-1593

PREPARED BY

3500 N. Causeway Blvd., Suite 900 Metairie, Louisiana 70002

INDEX OF DRAWINGS:

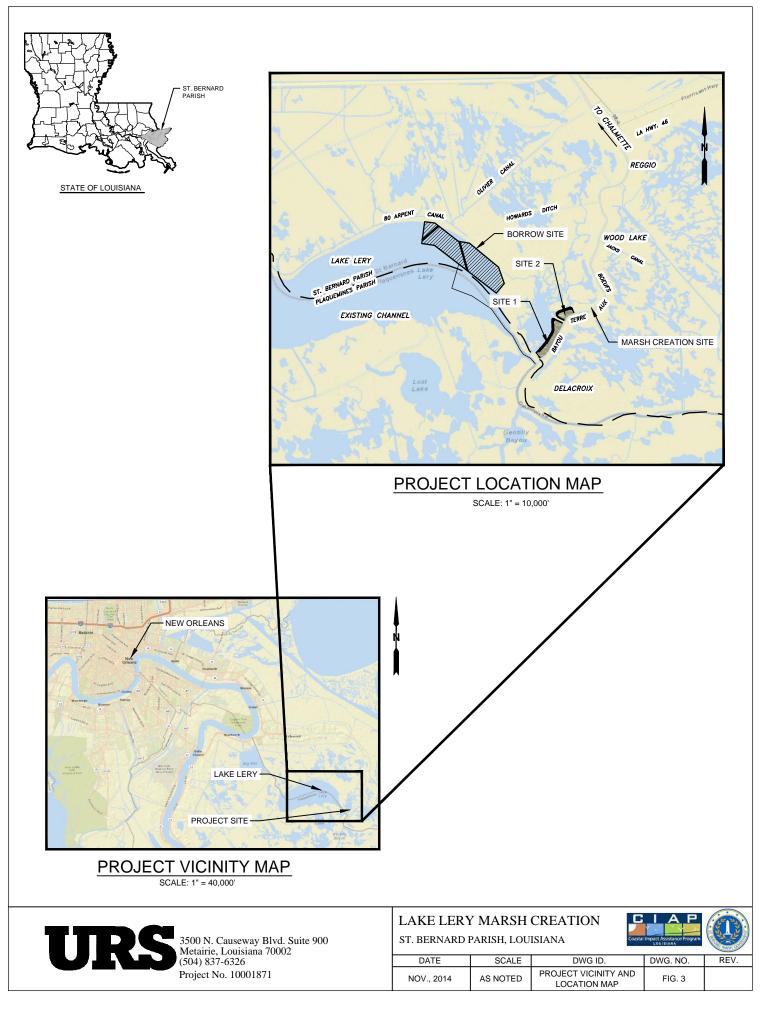
- FIG. 1 TITLE SHEET
- FIG. 2 INDEX OF DRAWINGS
- FIG. 3 PROJECT LOCATION AND VICINITY MAP
- FIG. 4 OVERALL PROJECT LAYOUT
- FIG. 5 WELL HEAD INFORMATION
- FIG. 6 BORROW AREA LAYOUT
- FIG. 7 ACCESS CHANNEL
- FIG. 8 TYPICAL SITE 1 SECTION
- FIG. 9 TYPICAL SITE 2 SECTION
- FIG. 10 MARSH CREATION PLAN SITE 1 (SHEET 1 OF 2)
- FIG. 11 MARSH CREATION PLAN SITE 1 (SHEET 2 OF 2)
- FIG. 12 MARSH CREATION PLAN SITE 2
- FIG. 13 75' WIDE TEMPORARY PIPELINE CORRIDOR

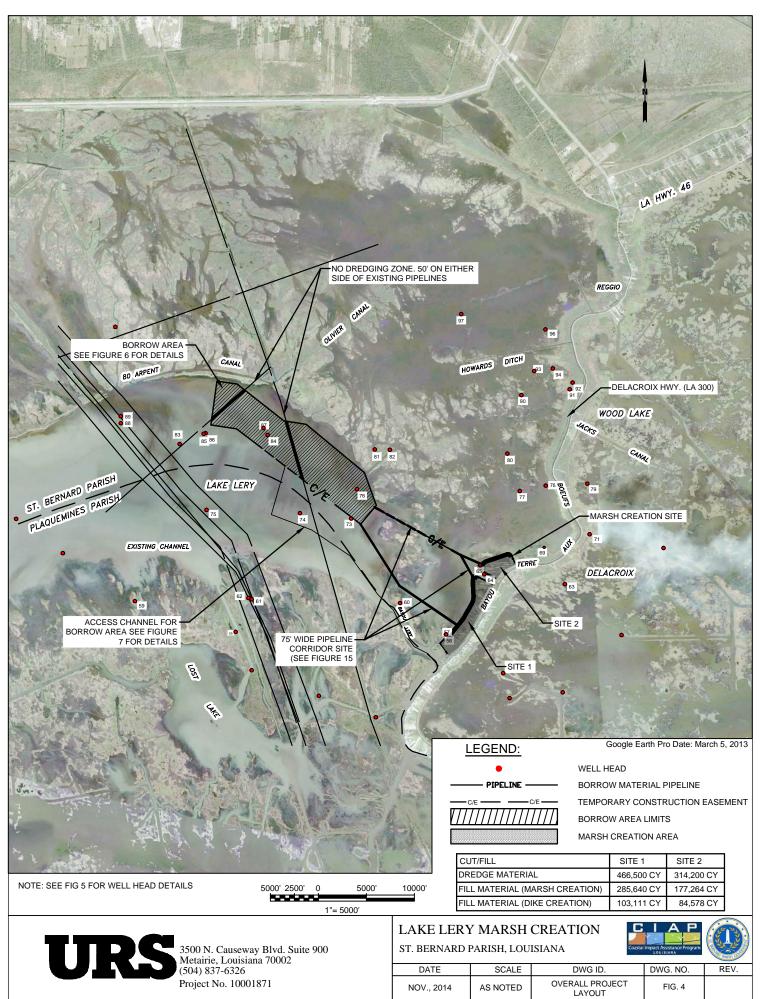


LAKE LERY MARSH CREATION ST. BERNARD PARISH, LOUISIANA



DATE	SCALE	DWG ID.	DWG. NO.	REV.
NOV., 2014		INDEX OF DRAWINGS	FIG 2	





WELLID	WELL SERIAL	FIELD NAME	ORGANIZATION OPERATOR	PARISH	DESCRIPTION	COORDINATES	
WELLID	NO.	FIELD NAME			DESCRIPTION	х	Y
55	120619	LAKE LERY	UNION PRODUCING COMPANY	PLAQUEMINES	P&A DRY HOLE	3761167.322	468009.4123
56	233686	BAYOU LERY	OXR RESOURCES, INC	ST. BERNARD	P&A PRODUCER	3772121.447	467885.4005
57	233863	BAYOU LERY	OXR RESOURCES, INC	ST. BERNARD	PERMIT EXPIRED/NO PROD CODE	3772113.447	467887.3999
59	152084	WILDCAT-SO LA NEW ORLEANS DIST	ARKLA EXPLORATION COMPANY	PLAQUEMINES	P&A DRY HOLE	3755911.274	469613.4195
60	16264	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3769725.435	469515.4024
61	172507	WILDCAT-SO LA NEW ORLEANS DIST	C.F. BRAUN & COMPANY	PLAQUEMINES	P&A DRY HOLE		
						3761995.346	469717.4119
62	165495	WILDCAT-SO LA NEW ORLEANS DIST	C.F. BRAUN & COMPANY	PLAQUEMINES	P&A DRY HOLE		
						3761821.345	469776.4127
63	16262	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3778298.545	470494.3917
64	64792	WILDCAT-SO LA NEW ORLEANS DIST	ROBERT W. OMEARA	ST. BERNARD	P&A DRY HOLE	3774103.501	471019.397
65	16266	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3773883.503	471484.397
69	16256	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A PRODUCER	3777226.552	472415.3916
71	16263	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3779590.587	473086.3878
73	19281	LAKE LERY	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3767180.446	473908.4067
74	38807	WILDCAT-SO LA NEW ORLEANS DIST	INACTIVE OPERATOR	PLAQUEMINES	P&A DRY HOLE	3764511.417	474200.411
75	178616	WILDCAT-SO LA NEW ORLEANS DIST	INACTIVE OPERATOR	PLAQUEMINES	P&A DRY HOLE	3759642.358	474358.4194
76	15778	LAKE LERY	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3767477.463	475439.4067
77	17027	WILDCAT-SO LA NEW ORLEANS DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3775947.566	475336.3922
78	16261	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3777307.586	475628.3894
79	16267	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3779466.613	475723.3857
80	16259	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3775311.578	477291.3918
81	204170	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3768402.494	477506.4049
82	152175	WILDCAT-SO LA LAFAYETTE DIST	EXCHANGE OIL & GAS CORP	ST. BERNARD	P&A DRY HOLE	3769193.504	477499.4033
83	185209	LAKE LERY	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3758252.371	477796.4248
84	185210	LAKE LERY	TIP CO	ST. BERNARD	P&A DRY HOLE	3762822.432	478256.416
85	190794	WILDCAT-SO NEW ORLEANS DIST	REPUBLIC MINERAL CORP.	ST. BERNARD	P&A DRY HOLE	3759502.391	478326.423
86	183760	WILDCAT SO NEW ORLEANS DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3759602.393	478356.4225
87	191951	WILDCAT-SO LA NEW ORLEANS DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3762612.433	478626.4167
88	148554	WILDCAT-SO LA NEW ORLEANS DIST	AMAX PETROLEUM CORPORATION	ST. BERNARD	P&A DRY HOLE	3755187.341	478877.4325
89	151314	WILDCAT-SO NEW ORLEANS DIST	ARKLA EXPLORATION COMPANY	ST. BERNARD	P&A DRY HOLE	3755183.345	479241.4328
90	16260	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3776041.618	480333.3886
91	16258	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3778547.653	480643.3832
92	22523	WILDCAT-SO LA NEW ORLEANS DIST	INACTIVE OPERATOR	ST. BERNARD	PERMIT EXPIRED/NO PROD CODE	3778705.658	480988.3826
93	16981	WILDCAT-SO LA NEW ORLEANS DIST	INACTIVE OPERATOR	ST. BERNARD	BAD DATA	3776704.639	481582.3865
94	15588	WILDCAT SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3777668.652	481723.3841
96	16257	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3777291.669	483762.3835
97	16265	WILDCAT-SO LA LAFAYETTE DIST	INACTIVE OPERATOR	ST. BERNARD	P&A DRY HOLE	3772906.619	484560.3938

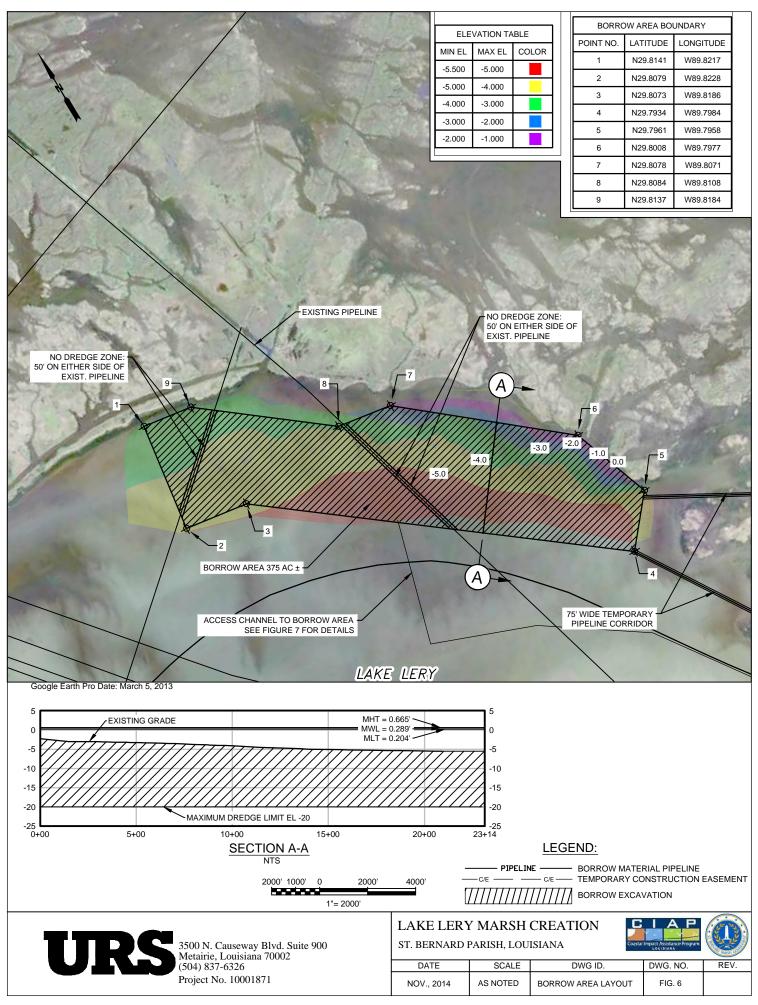
NOTE: SEE FIGURE 4 FOR WELL HEAD LAYOUT.



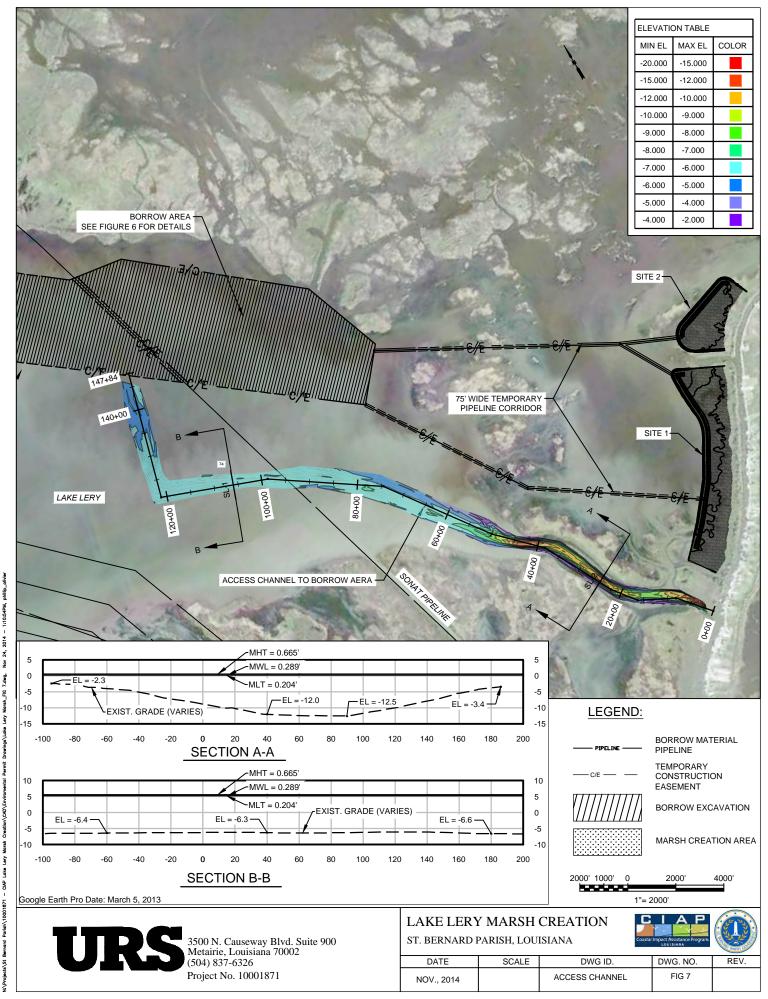
LAKE LERY MARSH CREATION ST. BERNARD PARISH, LOUISIANA

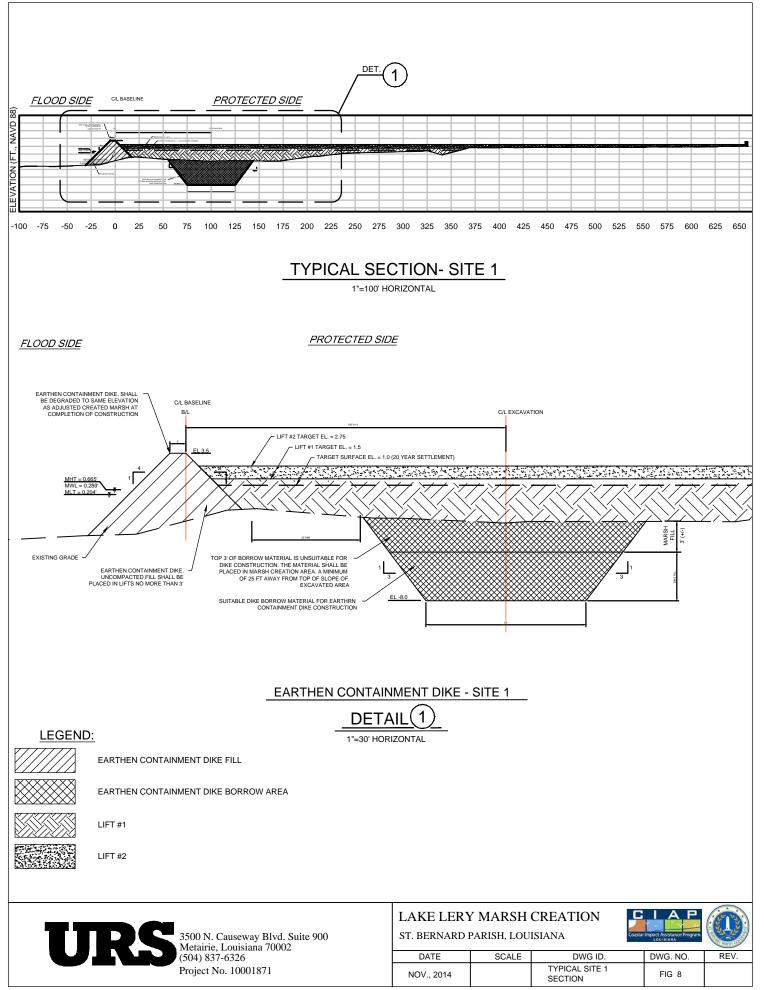


	DATE	SCALE	DWG ID.	DWG. NO.	REV.
	NOV., 2014	N.T.S.	WELL HEAD INFORMATION	FIG. 5	

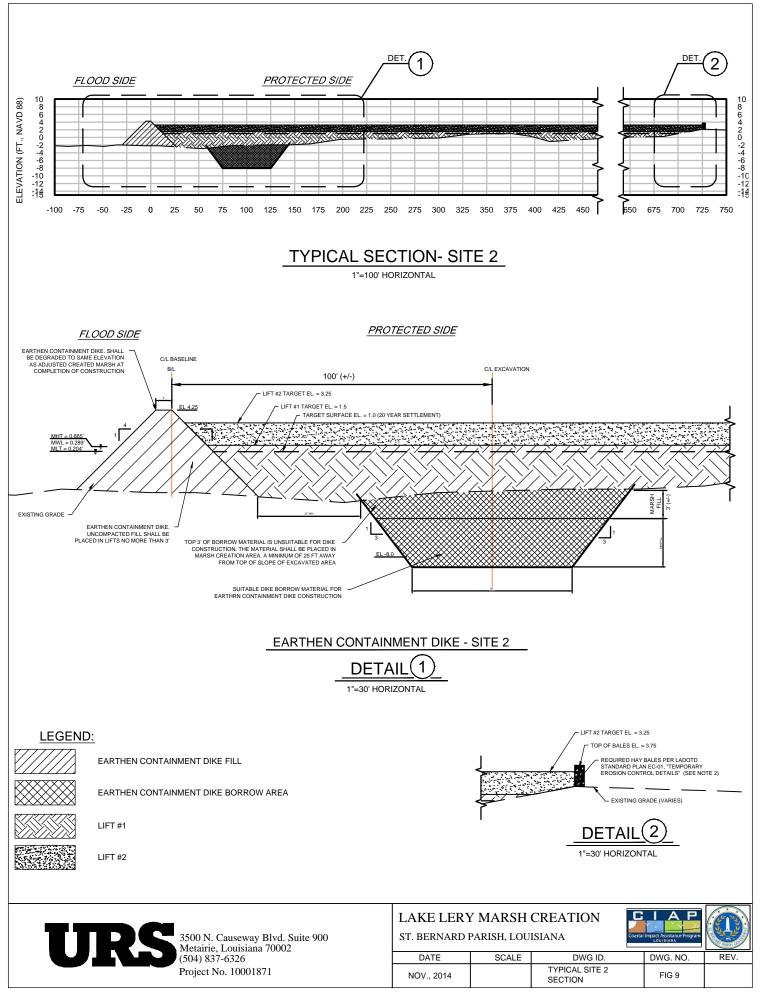


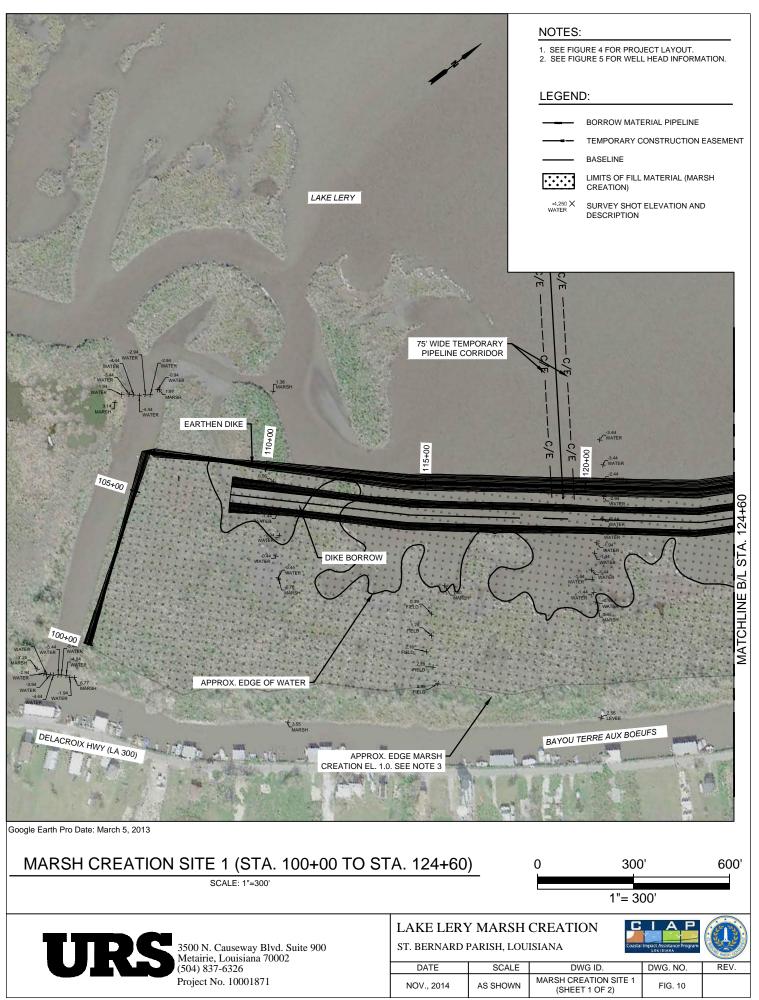
phillip_olivie

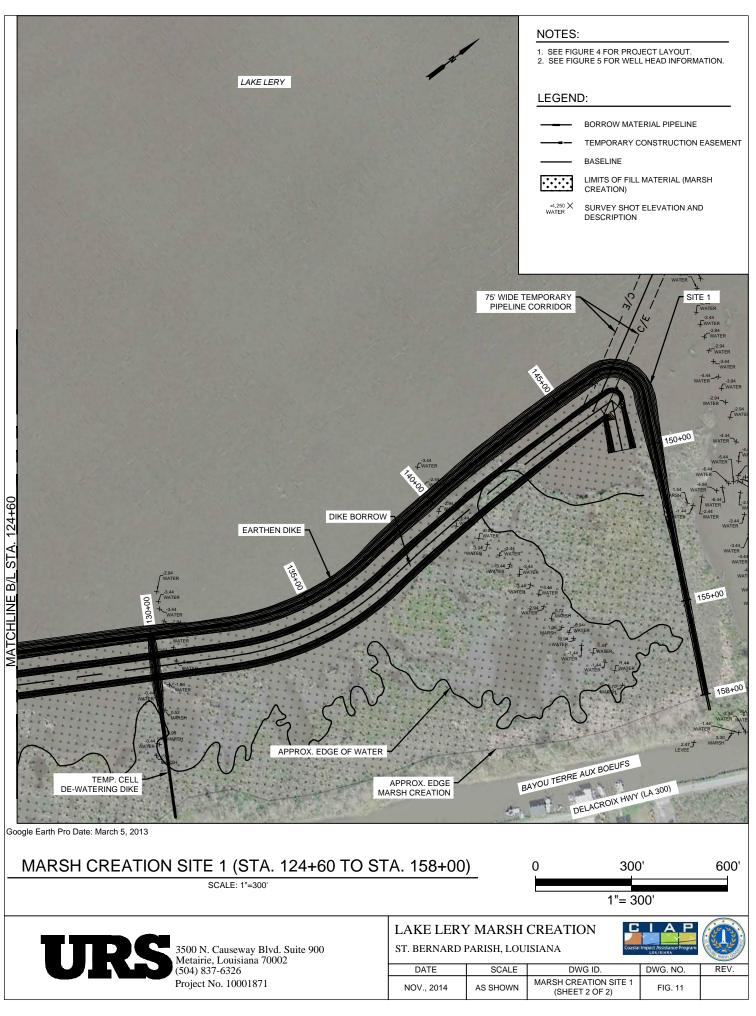




phillip_olivier

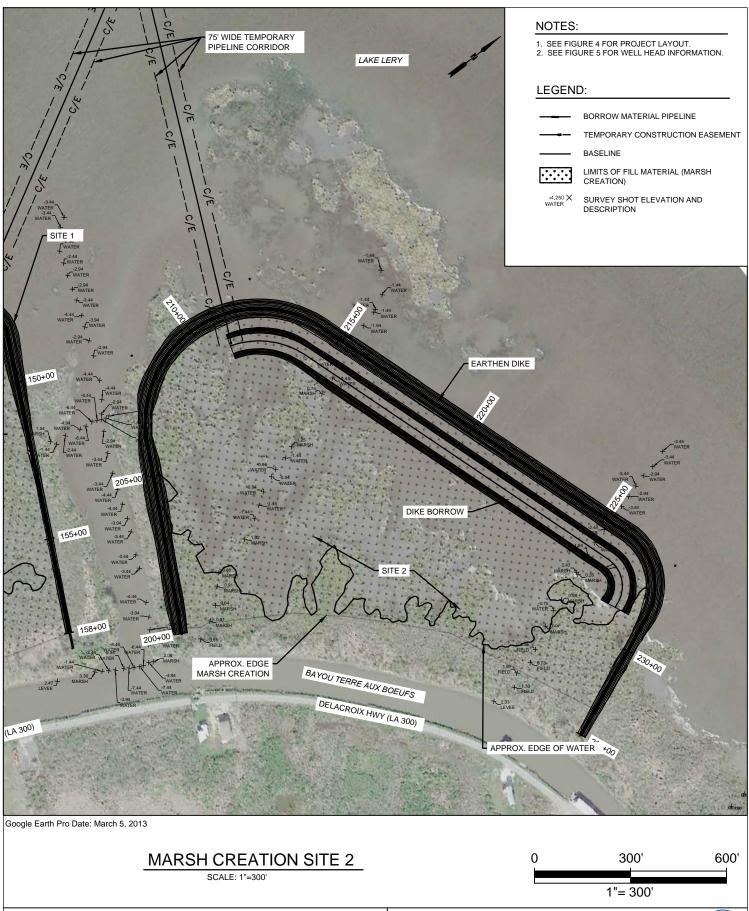






Bernard

4:\Projects\St

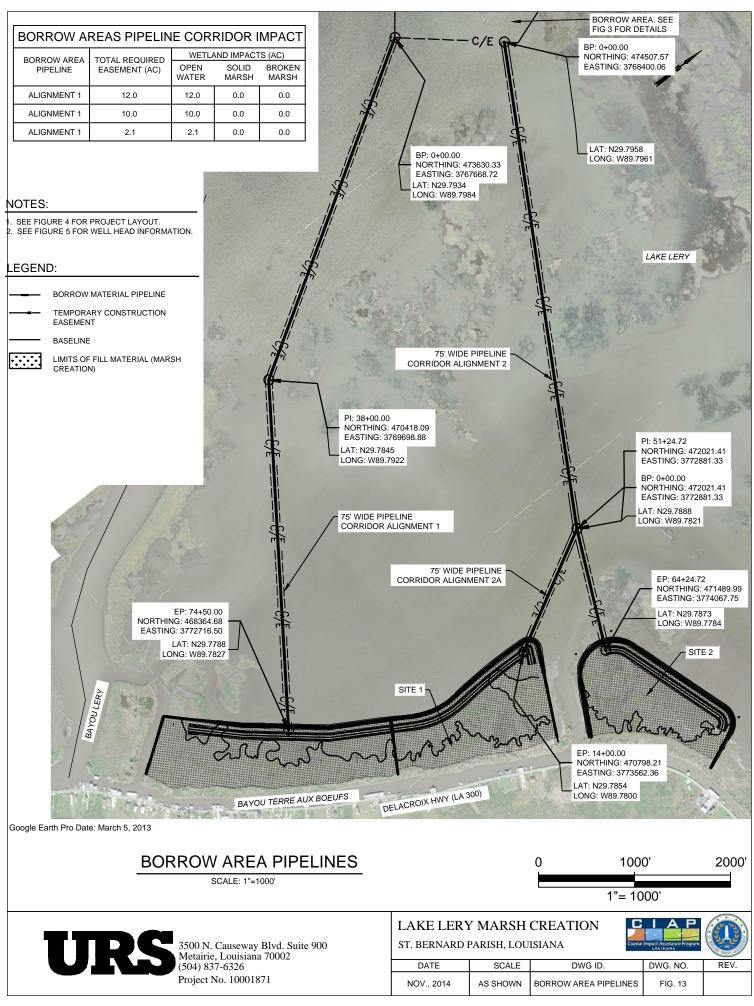






Jernar

4:\Projects\S





Coastal Environments, Incorporated

January 20, 2015

Services:

Applied Science & Planning

Environmental Restoration & Monitoring

Cultural Resources Management

Geographic Information (GIS) Services

Litigation Services

Website:

www.coastalenv.com

Corporate Office:

1260 Main Street Baton Rouge, LA 70802 Ph (225) 383-7455

Fax (225) 383-7925

Other Locations:

127 Babcock Farm Road Appomattox, VA 24522 Ph/F (434) 352-4168 cpearson@coastalenv.com

525 South Carancahua Street Corpus Christi, TX 78401 Ph (361) 854-4885 Fax (361) 884-1844 jkelly@coastalenv.com

812 Water St. Biloxi, MS 39530 Ph (228) 385-5547 Fax (228) 385-5548 rellis@coastalenv.com

2045 Lakeshore Dr. CERM RM 443 **New Orleans, LA** 70122 Ph...(504) 280-4082 Fax (504) 280-4081 bkappel@coastalenv.com Ms. Amelia Wolfe Coastal Resources Scientist Office of Coastal Management Louisiana Department of Natural Resources P. O. Box 44487 Baton Rouge, LA 70804

RE: Permit #P20141578 Revised Additional Information Request Letter Proposed Lake Lery Marsh Creation Project, St. Bernard Parish, LA

Dear Ms. Wolfe,

This letter serves as a revised additional information request for the above referenced Coastal Use Permit for your recent email additional information requests from January 9, 14, and 20, 2015 as well as your letter dated January 9, 2015 from the SONRIS website. Enclosed is the requested information provided by the URS Corporation representative.

1. "...Pages 8 & 9 on the plats include the cross sections for the marsh creation area, but only details the area near the containment dike. Please provide a typical cross-sectional drawing(s) for the areas where the dredged material will be laid upon marsh, making sure to include the elevations."

The cross sections on Plat 8 and 9 do include the land area. Note that the existing marsh is around EL 1. We are filling the entire marsh creation area to EL 2.75 and 3.5 to rebuild the land so all of the existing marsh within the dike area will be filled. The cross section showing the marshland areas to be filled was extended on Plot 9. This revised plot is included with this letter.

2. "...Please submit a statement explaining how the applicant will use best management practices to minimize the amount of runoff (particularly sediment) during and immediately after construction activities." Describe/list the BMPs that will be utilized for the project.

The required BMPs for the project will be implemented by the contractor during project dredging and marsh creation to insure the water quality will be the same both pre- and post-construction.

Per the construction specifications, the contractor will be required to submit an erosion control plan to keep excess sediment within the containment area and minimize runoff. The contractor will be required to limit the NTU during construction.

The contractor specifications in the bid package for the proposed project detail the

dewatering and turbidity controls required for the BMPs during dredging and marsh creation. A copy of the section (8.6 Dewatering and Turbidity Controls) included in the bid package is attached at the end of this letter.

3. "What are the drafts for the vessels that will be utilized?"

The drafts listed below are estimated. The actual drafts will depend on the contractor selected. Below is a list of anticipated drafts:

- 1) Barge: 6.5' maximum draft
- 2) Boat: 5' maximum draft
- 3) Tug: 6.5' maximum draft
- 4) Airboat: 1.5' maximum draft
- 5) Marsh buggy: 5' maximum draft

4. "Vessel Drafts: According to Fig. 7 Cross section B-B, your proposed 8' barge and tug will not be able to approach the borrow area without prop washing....can't you make sure they use vessels that won't draft more than 5' or 6' (near borrow area)?"

The engineer has verified with multiple contractors that the dredge and marsh creation areas can be accessed with a maximum draft of 6'. Because the waterbody bottom minimum depth is 6.5', DNR and URS representatives agreed that 6.5' depth will be the maximum allowed draft for the contractor equipment impact. The 6.5' maximum draft will be added to the contractor specifications in the bid package.

The contractor specifications in the work plan will state that there will be "no prop wash" impacts during the proposed project work areas.

5. "Will the marsh buggy traverse on land or will it be mounted on a barge?"

Marsh Buggies will not be used outside the limits of work. No marsh will be disturbed in the borrow area, and the pipeline corridors were laid out to not disturb existing marsh (as shown on the aerial image, not filed verified). All land within the marsh creation dikes will be filled to EL 2.75 and 3.25, so the marsh buggies will traverse land here, but we are filling and restoring the marsh in this area anyway.

Should you have any questions, comments and/or need additional information, please contact me at 383-7455, ext. 154 or hguidry@coastalenv.com. Thank you.

Sincerely yours,

Hunter B. Guidry

Hunter B. Guidry Project Specialist II

Enclosure

xc: Phillip Olivier, PE, URS

Attachment Contractor Bid Package Specification for BMPs from URS

8.6 Dewatering and Turbidity Control

The Contractor shall conduct his/her work in a manner that will not cause damaging siltation or pollution of any water bodies. All applicable Federal and State regulations of agencies and statutes relating to the prevention and abatement of pollution shall be complied with in the performance of the Contract. Dredging and filling operations shall be done in a manner that will minimize turbidity of the water at each dredge site and at the discharge sites from the marsh creation fill. Discharge water shall be directed towards the appropriate location determined by the Contractor and approved by the Engineer.

The Contractor shall keep construction activities under continued surveillance, management, and control to minimize interference with, disturbance to, and damage of water, fish and wildlife resources. If excess turbidity occurs, the Contractor shall report such to the Engineer and change the operating procedure to reduce the degree of turbidity. Excess turbidity shall be noted when turbidity monitoring shows turbidity 30% or greater than the established turbidity levels.

The Contractor shall use turbidity control measures for dewatering. The Contractor shall submit a Turbidity Control Plan along with the Work Plan including descriptions and drawings of all turbidity control measures used, acceptable turbidity limits (NTU) established, and all proposed discharge locations for approval by the Engineer. All turbidity control structures must be removed prior to demobilization as approved by the Engineer.

The Contractor shall ensure to maintain the turbidity in the lake post construction to be at the same level as established pre-construction. The Contractor shall measure the existing turbidity of the water in the lake for a minimum of 1 week at multiple locations within the project limits prior to beginning of any construction and submit monitoring information to the Engineer for review and establishment of base line turbidity levels. Once the construction is completed the Contractor shall measure the turbidity limits in the lake for a minimum of 1 week at multiple locations and submit the records for Engineer's approval. Work will not be considered complete until turbidity conditions are within original levels.