

JOINT PUBLIC NOTICE

August 18, 2014

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

(504) 862-2225
Brad.LaBorde@usace.army.mil
Project Manager
Brad LaBorde
Permit Application Number
MVN 2014-1600 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 140813-01

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).

Dredging and Stockpiling Operation in the Mississippi River, Plaquemines Parish, Louisiana

NAME OF APPLICANT: White Oak Realty, LLC, % Paul Hogan, Post Office Box 250, Des Allemands, Louisiana, 70030.

LOCATION OF WORK: Dredging 37 acres of waterbottoms in the Mississippi River near the right descending bank, approximately 33.1 miles above Head of Passes, and placing material within a non-wetland location between Highway 11 and LA Highway 23 in Plaquemines Parish, Louisiana, as shown on the enclosed drawings.

Dredging Area: Latitude: 29.434358, Longitude: -89.61585
Hydrologic Unit Code: 08090100 – Lower Mississippi-New Orleans

Stockpile Area: Latitude: 29.441664, Longitude: -90.603238
Hydrologic Unit Code: 08090301 – East Central Louisiana Coastal

CHARACTER OF WORK: The applicant proposes to dredge an 800 foot wide by 2,000 foot long sand pit to a depth of 60 feet and stockpile up to 400,000 cubic yards material within two former borrow pits. A 14 foot berm is proposed along the perimeter of the stockpiling area for containment. Material will be deposited by a temporary dredge pipe. The dredge pipe would require a 25 foot wide by 500 foot long right-of-way (ROW) extending from the dredge area, under Highway 11 via an existing box culvert, and to the stockpiling areas. No fill will be placed within the ROW and trees will be cleared by chainsaw at ground level. The ROW will be field selected to minimize clearing.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **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 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.

Our initial finding is that the proposed work is Not Likely to Adversely Affect (NLAA) the endangered Pallid Sturgeon (*Scaphirhynchus albus*); a bottom oriented fish species that is believed to utilize Louisiana riverine habitat during the reproductive stages of its life cycle. The SLOPES manual was utilized for our NLAA determination. If a Department of Army permit is issued, the U.S. Fish and Wildlife Service's (USFWS) Pallid Sturgeon cutterhead/suction dredge recommendations will be included. Concurrence for this determination is requested via an informal consultation with USFWS.

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, Water Quality Certifications, before a permit is issued.

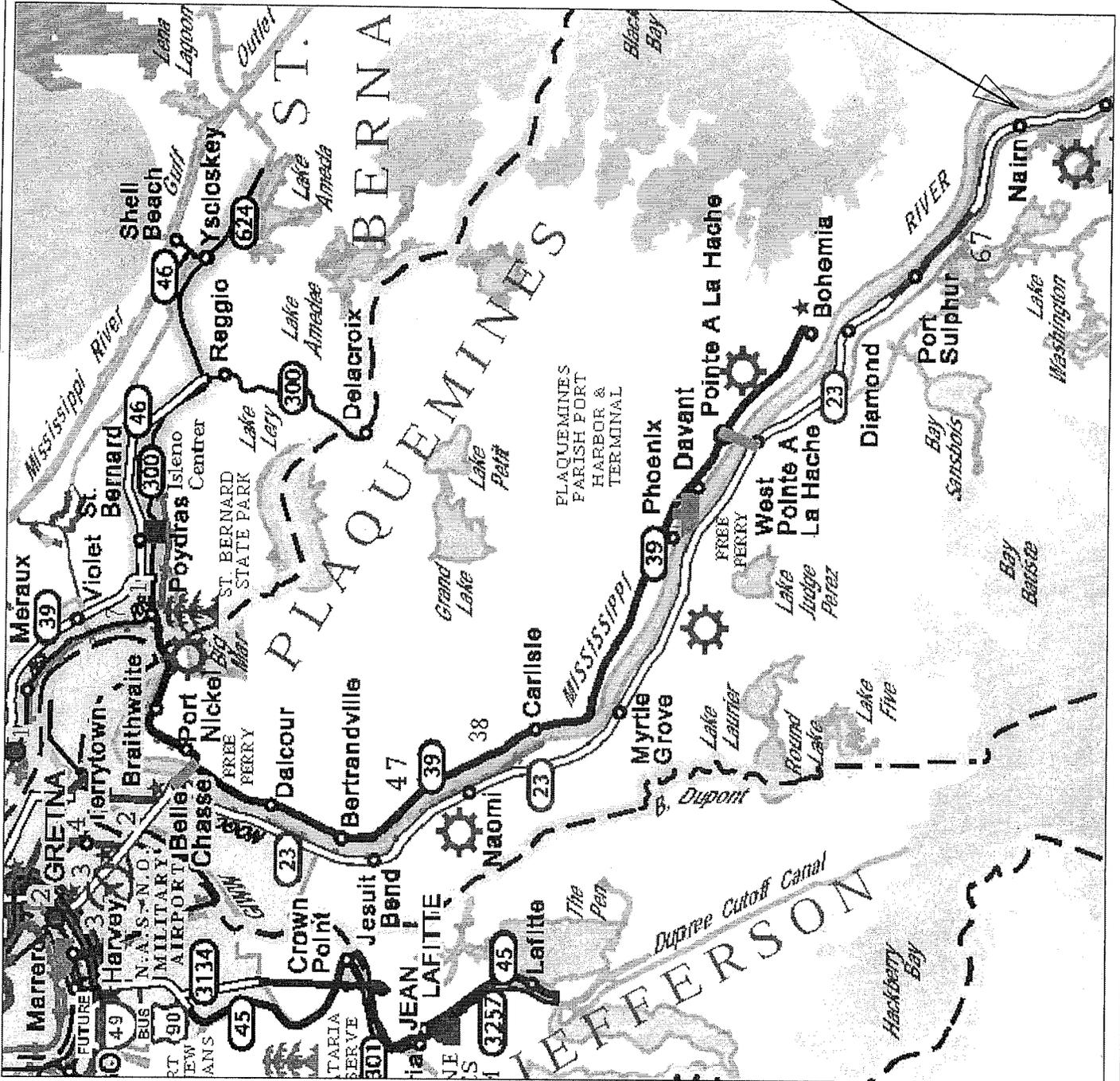
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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

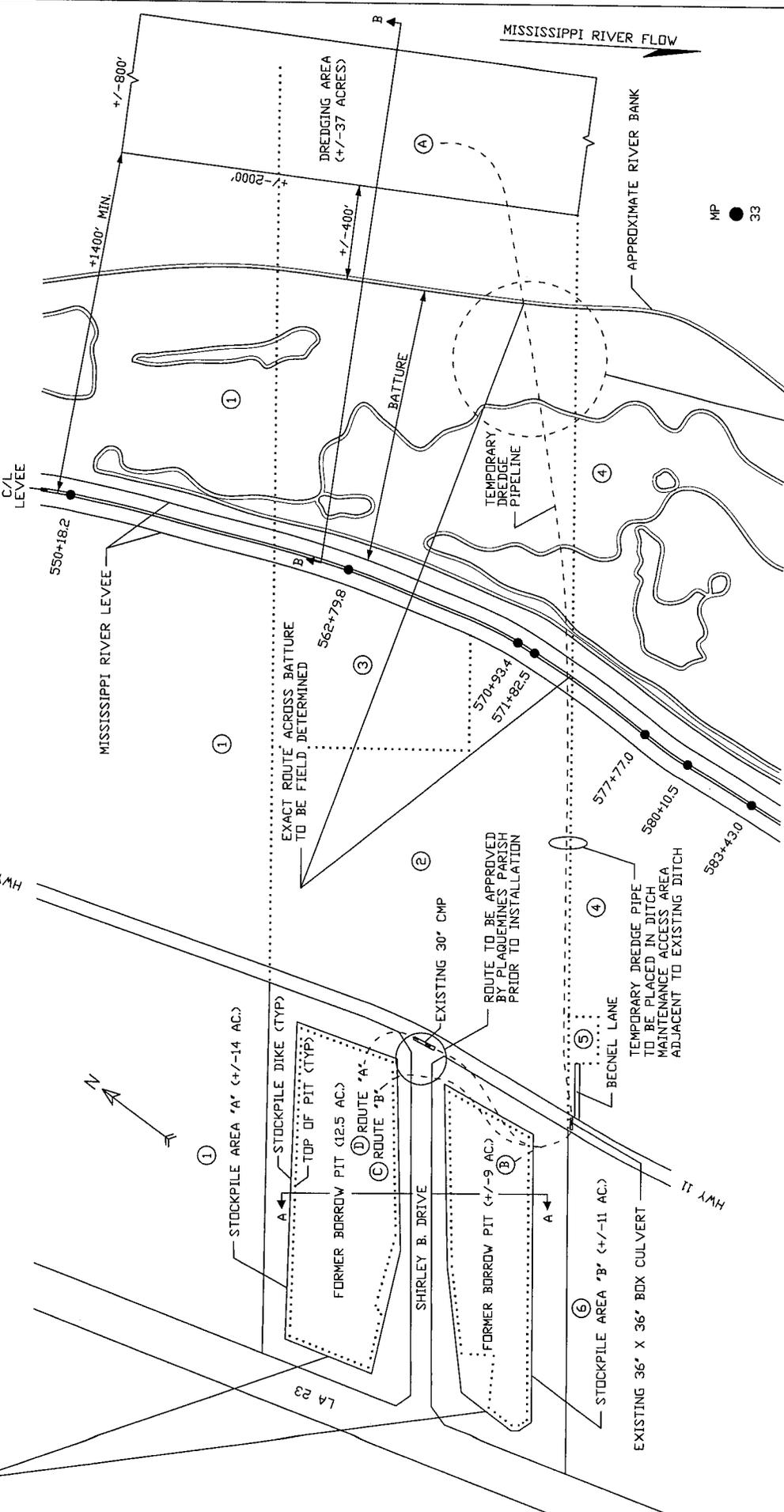
Enclosure



SITE

DREDGE AND STOCKPILE FACILITIES PERMIT
VICINITY MAP
PREPARED FOR: WHITE OAK REALTY, LLC & CITRUS REALTY, LLC
PREPARED BY: PAUL J. HOGAN, PE
DATE: 05-12-14 SHEET: 1 OF 4

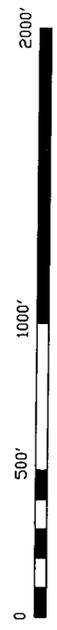
STOCKPILE DIKE USING MATERIAL EXCAVATED FROM TOP OF BANK OF EXISTING BORROW PITS (12,400 CY)



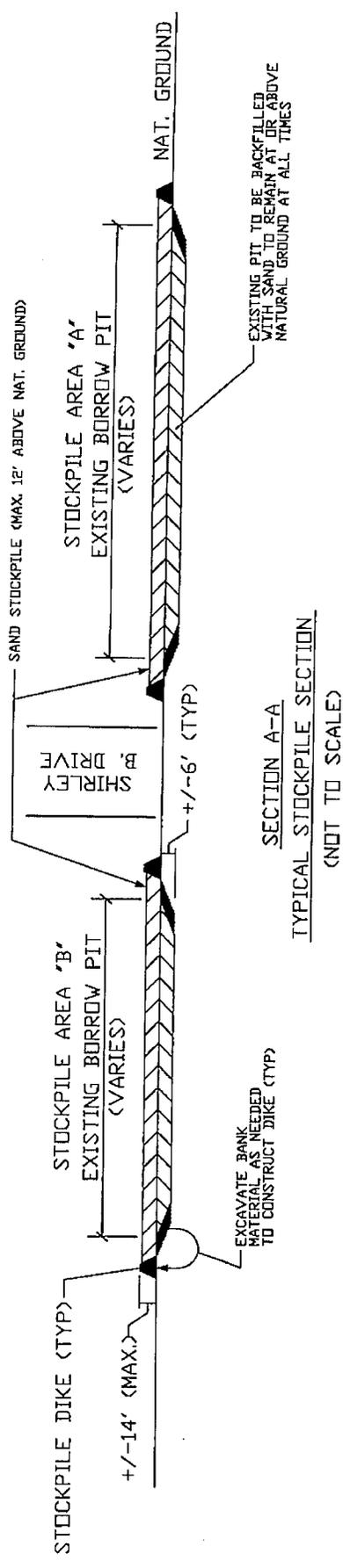
- ① CHARLES E. LUCIUS OR ASSIGNS
- ② CMP, LLC
- ③ ROBERT STONE, JR.
- ④ CLIFTON PELAS ESTATE
- ⑤ TROY PETROVICH
- ⑥ WHITE OAK REALTY

- ④ TO ③ +/-4,700'
- ④ TO ② +/-5,500'
- ④ TO ① +/-5,700'

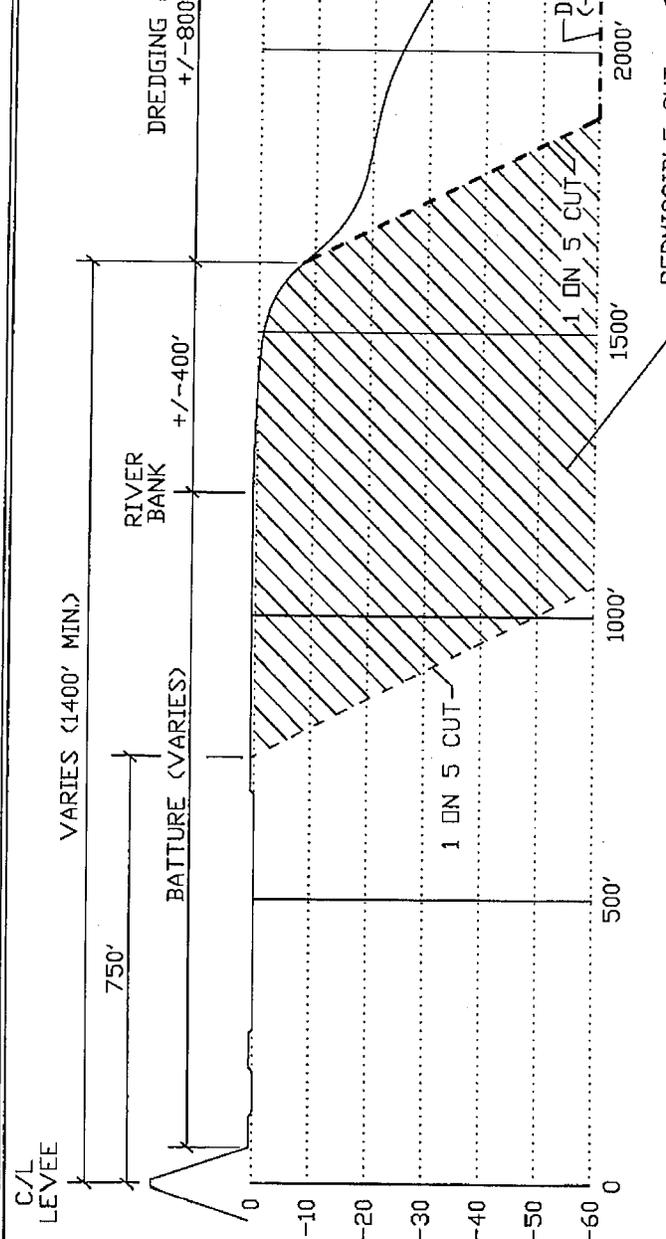
TREES TO BE CUT ALONG A ROUTE TO BE CHOSEN THAT WILL MINIMIZE THE CUTTING NEEDED FOR THE PASSAGE OF THE TEMPORARY DREDGE PIPELINE (APPROX. 500' X 25').



DREDGE AND STOCKPILE FACILITIES PERMIT
SITE MAP
PREPARED FOR: WHITE OAK REALTY, LLC & CITRUS REALTY, LLC
PREPARED BY: PAUL J. HOGAN, PE
DATE: 06-02-14 SHEET: 2 OF 4



SECTION A-A
TYPICAL STOCKPILE SECTION
(NOT TO SCALE)



SECTION B-B
TYPICAL RIVER SECTION

DREDGE AND STOCKPILE FACILITIES PERMIT
CROSS-SECTION
PREPARED FOR: WHITE OAK REALTY, LLC & CITRUS REALTY, LLC
PREPARED BY: PAUL J. HOGAN, PE
DATE: 05-12-14
SHEET: 3 OF 4

As-Built drawings will be submitted within 10 days of completion of this project to the Louisiana Department of Natural Resources, Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804, and to the Louisiana Department of Natural Resources, Coastal Management Division, P.O. Box 44487, Baton Rouge, LA 70804-4487.

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.

Structures must also be marked / lighted in accordance with U.S. Coast Guard regulations.

In order to ensure the safety of all parties, the permitted 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 pallid sturgeon is listed as endangered under the Endangered Species Act and is confined to the Miss. & Atchafalaya Rivers in southern La. The species requires large, free-flowing riverine habitat and is adapted to living close to the bottom of large, shallow rivers with sand and gravel bars. The Sturgeon typically spawns from July - August, but successful reproduction has been reduced due to habitat modification including loss of habitat through the construction of dams that modify flow, reduce turbidity, and lower water temperatures. Necessary measures will be taken to avoid the breeding season and degradation of water quality in the Miss. River.

The long-tailed weasel is considered rare in La. The species is found in habitats usually near water. Habitats include brush land, open woodlands, field edges, riparian grassland, swamps & marshes. Dens are in abandoned burrows of other mammals, rock crevices, brush piles, stump hollows or spaces among tree roots. Research indicates that the weasel may be sensitive to agriculturally induced fragmentation of habitat, showing the importance of maintaining landscape connectivity for the conservation of this species.

DREDGE AND STOCKPILE
FACILITIES PERMIT

NOTES

PREPARED FOR:
WHITE OAK REALTY,LLC& CITRUS REALTY,LLC

PREPARED BY:
PAUL J. HOGAN, PE

DATE: 05-12-14 SHEET: 4 OF 4