JOINT PUBLIC NOTICE

August 10, 2015

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 2014-2295 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 Hill
WQC Application Number
WQC 150806-02

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).

After-the-fact (ATF) Bulkhead and Fill for a Dock in Jefferson Parish, Louisiana

NAME OF APPLICANT: Mark A. Cheramie, 2799 B Privateer Bouldvard, Barataria, Louisiana 70036

LOCATION OF WORK: Within the Barataria Waterway at mile marker 35.8, 2799 B Privateer Boulevard, Barataria, Louisiana, Jefferson Parish, as shown on the enclosed drawings.

Latitude: 29.72983, Longitude: -90.12575
Hydrologic Unit Code: 08090301 – Lower Mississippi Region

The work described below was partially completed prior to obtaining a Department of the Army permit and was in violation of Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have been deferred.

CHARACTER OF WORK: An ATF request to install and maintain a 50 foot bulkhead for dock and pier construction. Approximately 83.3 cubic yards of hauled in fill was used for backfilling behind the bulkhead impacting 0.01 acres of non-vegetated waterbottoms. The dock is 10 feet long and 50 feet wide. The pier is 64 feet long and 8 feet wide. No wetlands were impacted by this action; therefore, compensatory mitigation is not required.

The applicant may be required to fully or partially restore the project site to pre-project conditions, if issuance of the permit is determined to be contrary to the overall public interest. If a permit can be issued, the applicant proposes to offset any unavoidable losses to wetland functions by purchasing the required credits from an approved compensatory mitigation bank.

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**. **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 comme**nt **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.

Our initial finding is that the proposed project is located in areas known to be utilized by the West Indian manatee (*Trichechus manatus*) and determined that the proposed activity is “not likely to adversely affect” the 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 and the U.S Fish and Wildlife Service, Ecological Sevices Office.

Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of such species, listed as endangered by the U.S. Department of Commerce.

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.

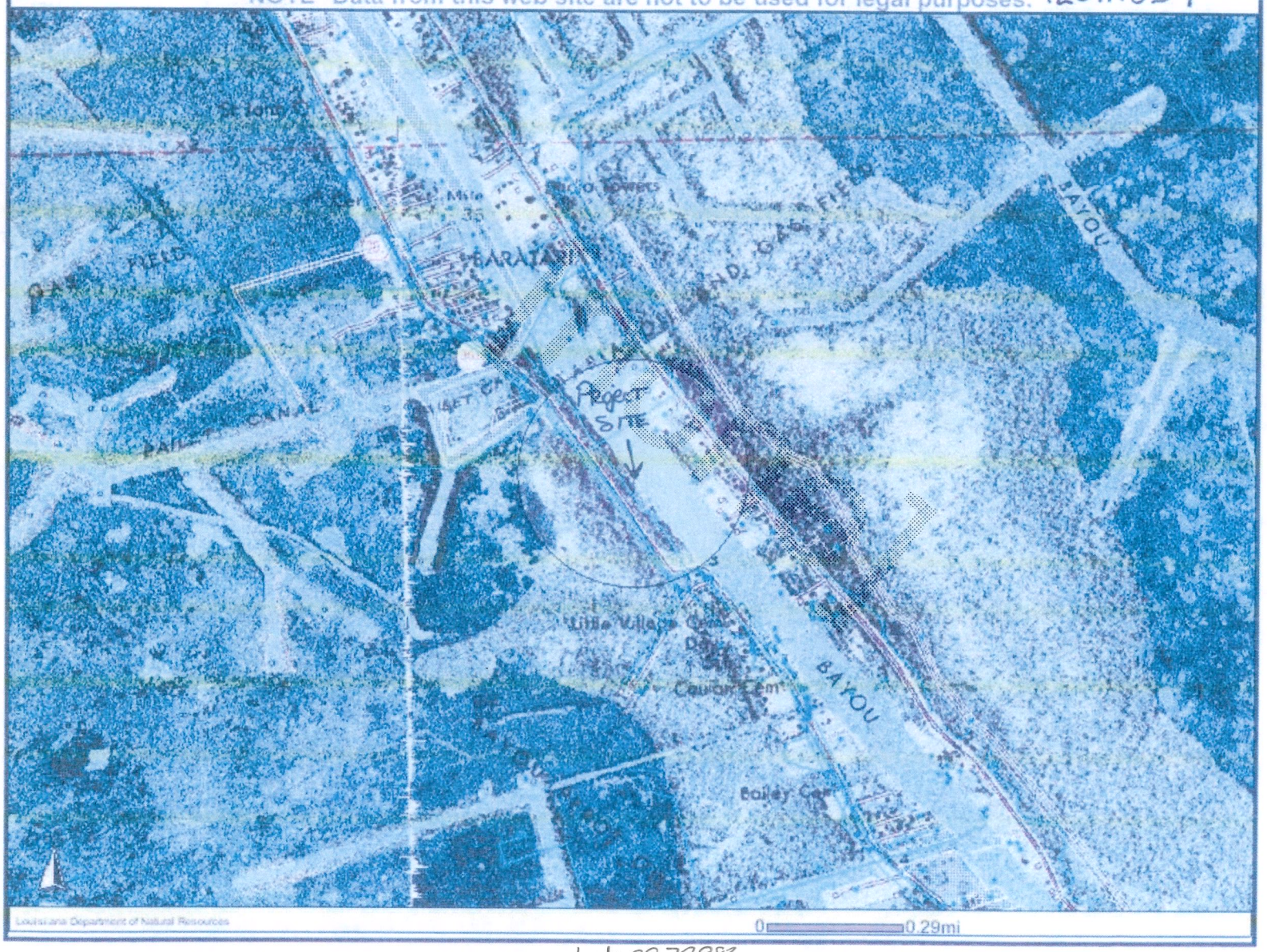
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosure

Louisiana Department of Natural Resources - 12/5/2011

NOTE Data from this web site are not to be used for legal purposes. P20111554



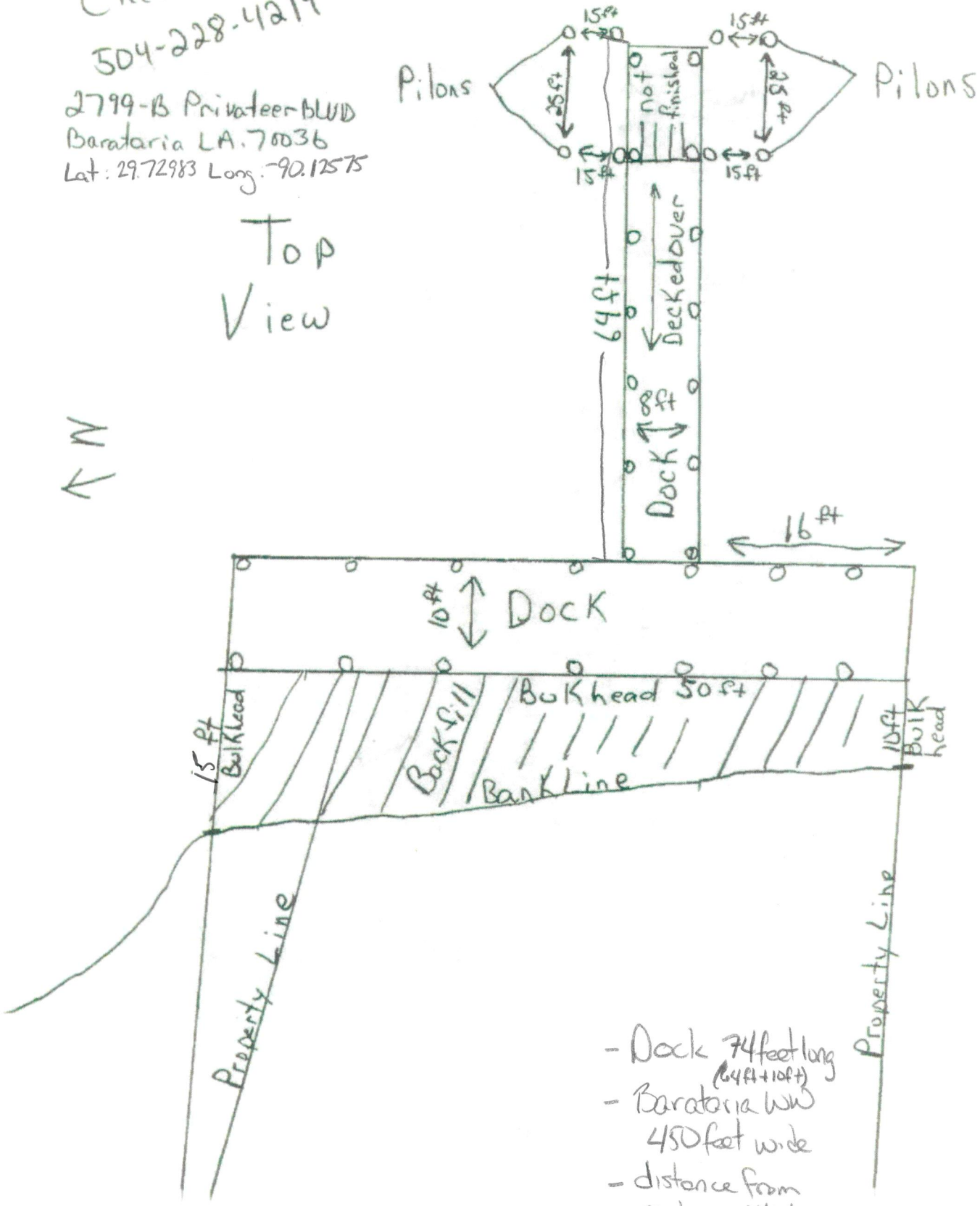
Lat 29.72983
Long -90.12575

Barataria Water way

Mark
Cheramie
504-228-4219

2799-B Privateer BLVD
Barataria LA. 70036
Lat: 29.72983 Long: -90.12575

Top View

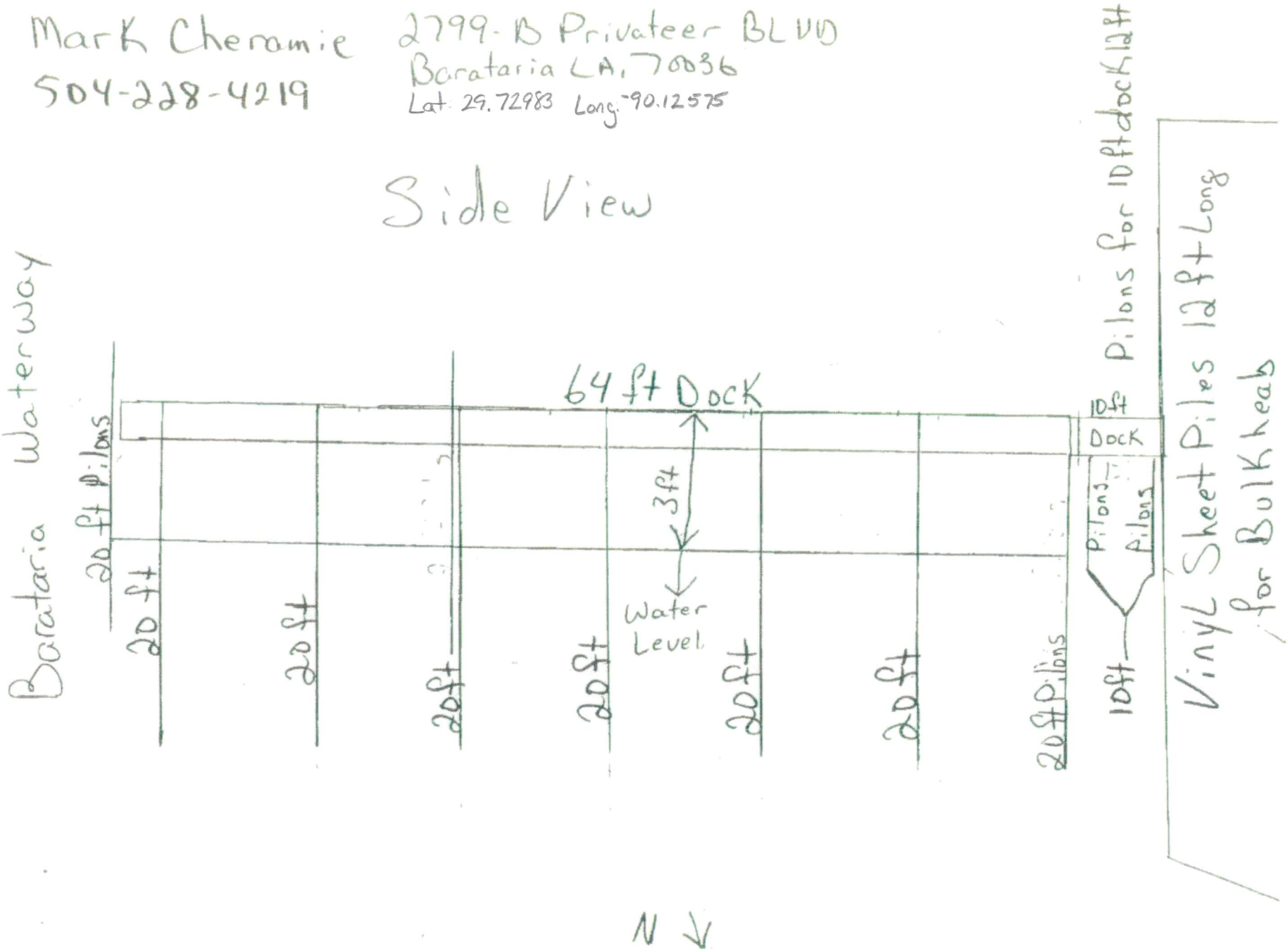


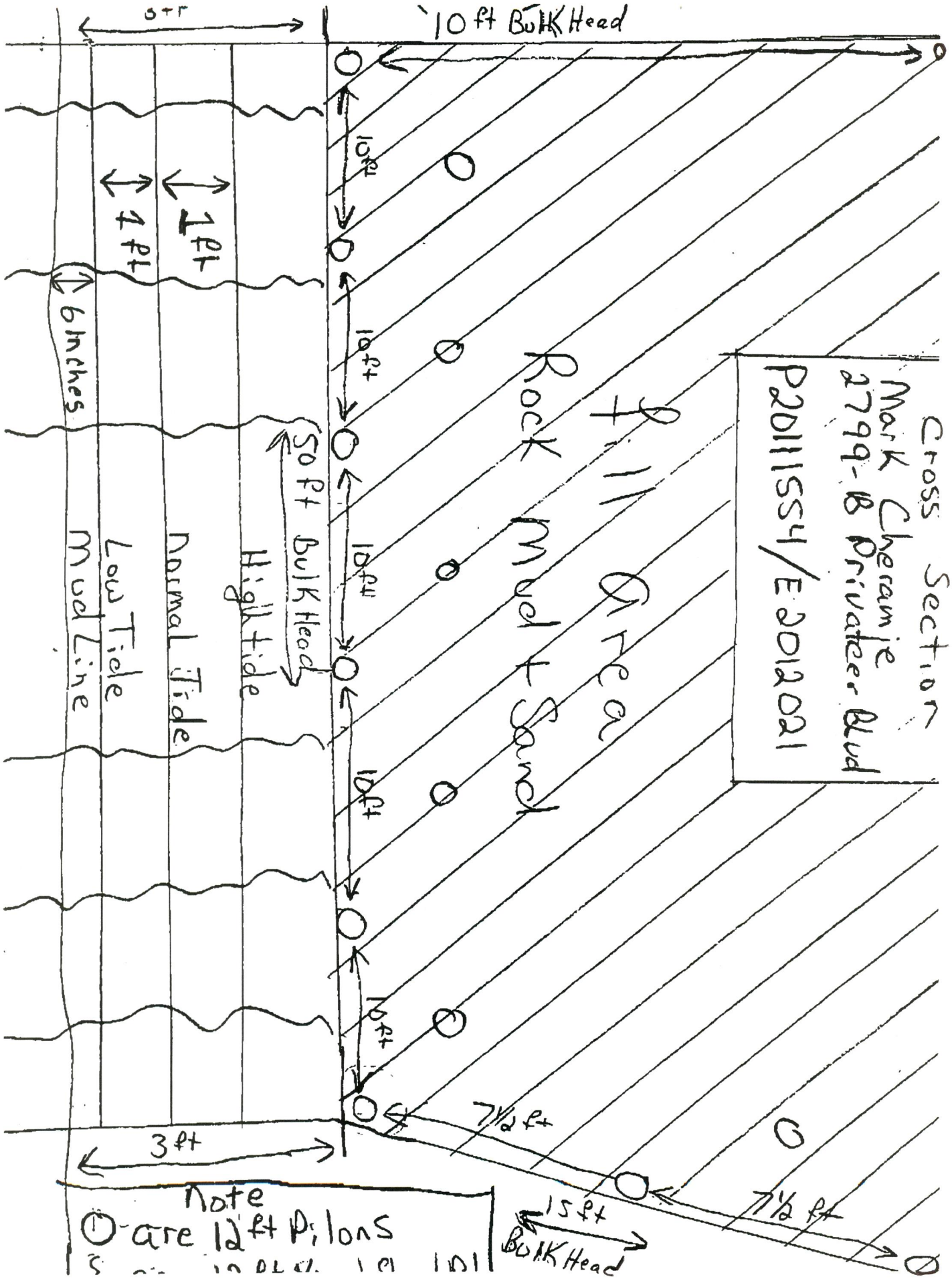
- Dock 74 feet long (64ft+10ft)
- Barataria WW 450 feet wide
- distance from center is 146'

Mark Cheramie
504-228-4219

2799-B Privateer BLVD
Barataria LA, 70036
Lat. 29.72983 Long. -90.12575

Side View




Cross Section
Mark Cheramie
2799-B Privateer Blvd
P2011554/E2012021
Fill Area
Rock Mud & Sand
10 ft Bulk Head
10 ft
10 ft
10 ft
10 ft
10 ft
10 ft
50 ft Bulk Head
High Tide
Normal Tide
Low Tide
Mud Line
1 ft
1 ft
6 inches
3 ft
7½ ft
7½ ft
15 ft
Bulk Head
Note
⊙ are 12 ft Pilons

Mark A. Cheramie
MVN-2014-2295-EOO
P20111554
Legend
29.72983, -90.12575
Saint John Church
Sandy Ln
Privateer Blvd
3257
29.72983, -90.12575
Google earth
© 2015 Google
N
300 ft