



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

March 17, 2014

Operations Division
Western Evaluation Section
Project Manager
Angelle Greer
(504) 862-1879

SUBJECT: MVN-2013-02788-WMM

PUBLIC NOTICE

Interested parties are hereby notified that an application has been received by the District Engineer for a Department of the Army permit to authorize the following pursuant to (X) Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or () Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

LAND NET IN LAFOURCHE PARISH

NAME OF APPLICANT: Dwayne Neil, 108 South Dupre Street, Montegut, Louisiana 70377

LOCATION OF WORK: On Bayou Pointe Aux Chenes, at 29°26'22.95"N, 90°27'38.29"W, in Lafourche Parish, Louisiana, as shown on the attached drawings.

*The work described below was 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: Place a 10-foot by 10-foot platform to support a land net for seafood harvesting purposes. The described work is to be conducted within an area located approximately 9 feet from the mean low water shoreline, the outer edge to extend 10 feet channelward, therefrom. No dredging or fill is proposed, therefore, no wetland impacts are expected from this project.

*The applicant may be required to fully or partially restore the project site to pre-project conditions, if issuance of a permit is determined to be contrary to the overall public interest.

The comment period will close **15 days** from the date of this public notice advertisement. 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 request. Letters must reference the applicant's name and the notice number, be addressed and mailed to the above address, to **ATTENTION: REGULATORY BRANCH.**

The decision whether to issue a permit will be based on an evaluation of the probable impact 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.

-2-

The 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 Corps of Engineers to determine whether to issue, 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 the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or 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.

No properties listed in the National Register of Historic Places are near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistoric or historic sites or data. Copies of this notice are being sent to the State Archeologist and the State Historic Preservation Officer.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Department of Interior nor affect any habitat designated as critical to the survival and recovery of any endangered species.

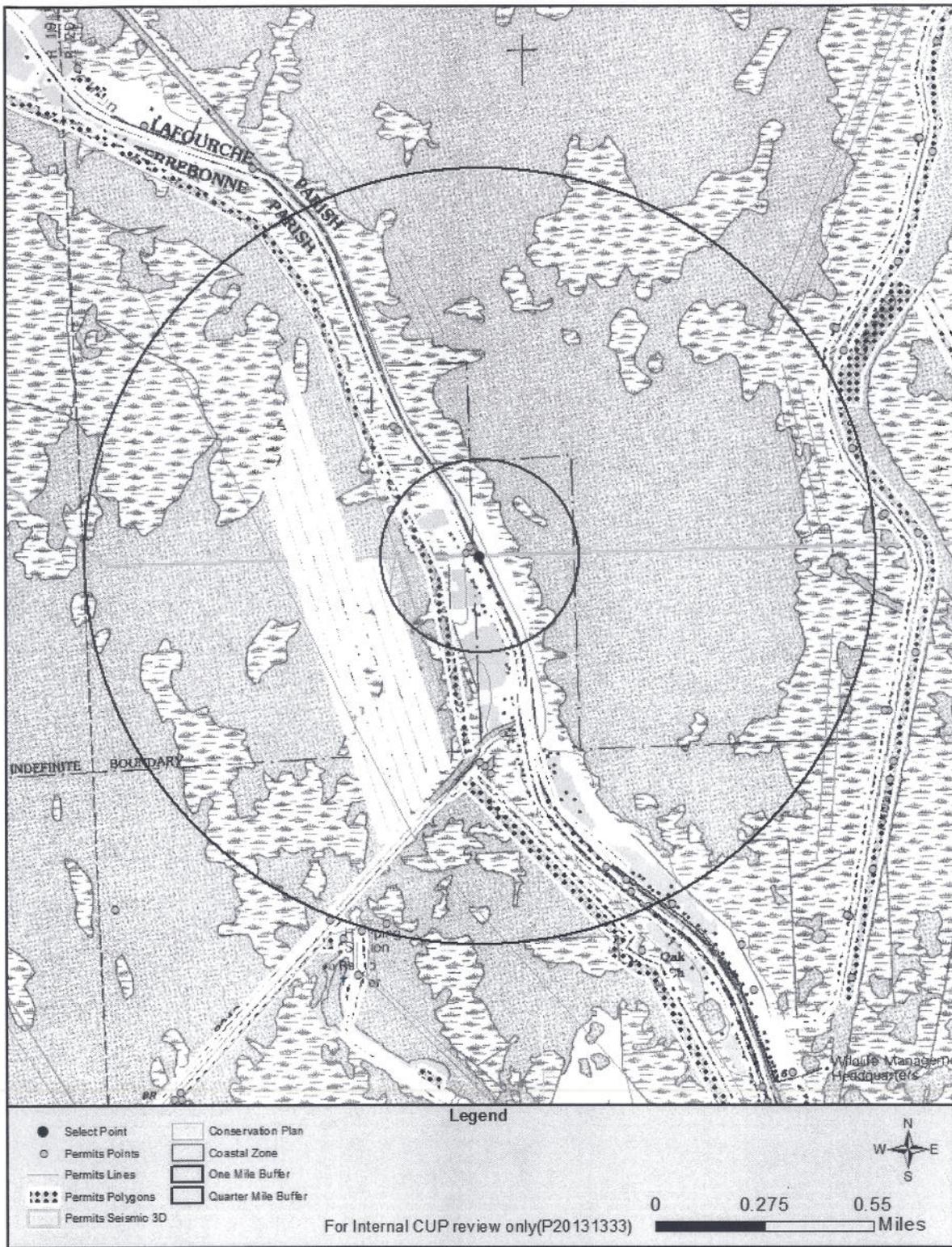
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of n/a acre(s) of EFH utilized by various life stages of red drum and penaeid shrimp. 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 and certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, Office of Environmental Services 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

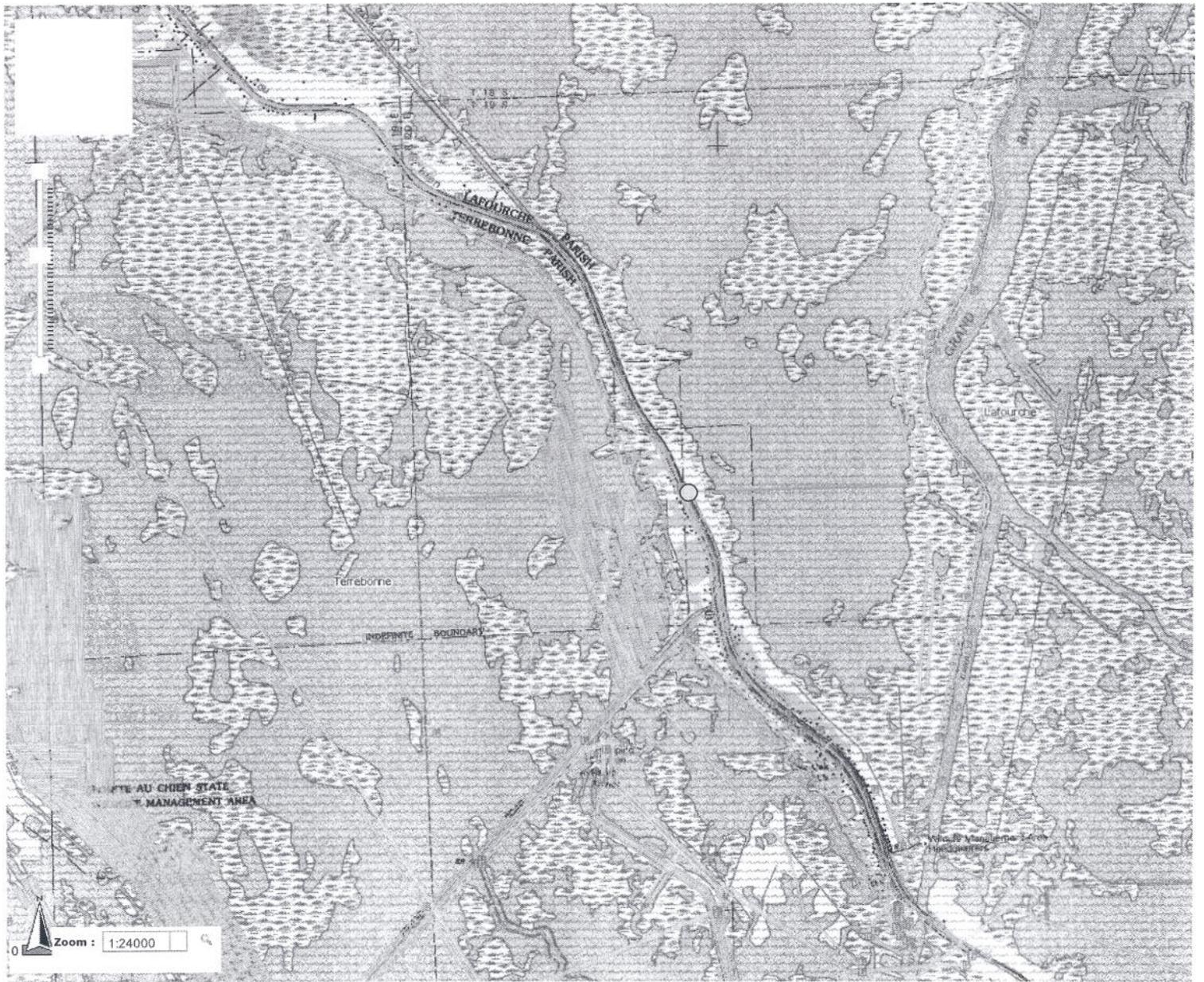
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Darrell S. Barbara
Chief, Western Evaluation Section



Live Map

FINAL PLATS
P20131333 ATF
12/11/2013 ITS



FINAL PLATS
P20131333 ATF
12/11/13 MS



Land Owner Adam Durdar

Land Owner Unknown

Callahan

↑ HWY 665

↑ Bayou Pointe Auchien

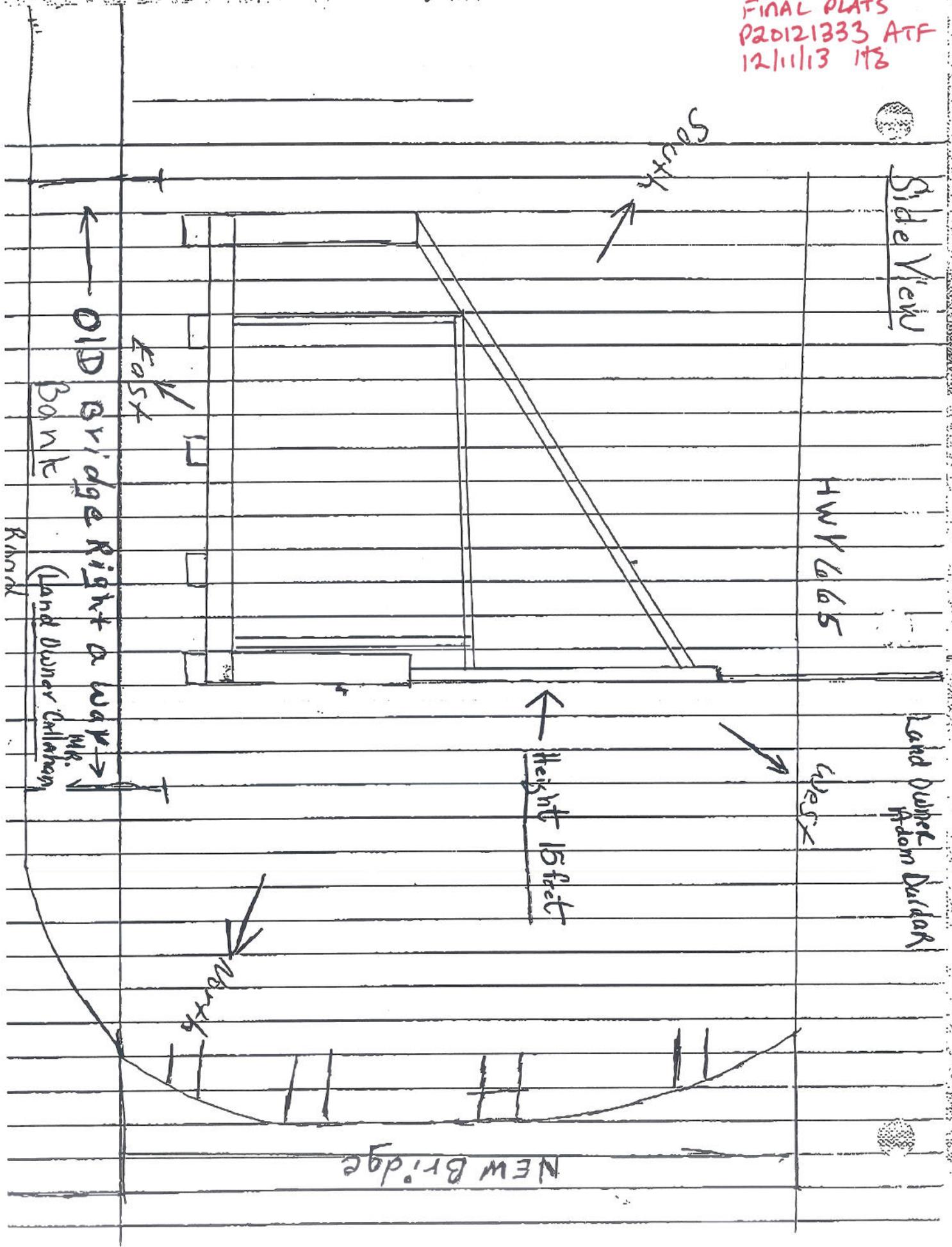
↑ Oak Point Road

The site of the land net use to be old Pointe Bridge. My husband has been to the Court House in Thibodeaux and spoke w/ engineer Steve Folsie in Matthews La. Either one could locate the owner of the property on the side of the road next to the land net. It is believed to be a parish way of way because it is the site of the old bridge. Our net has been in this location for 22 years. The new bridge was built in 1988.

FINAL PLATS
 P20131333 ATF
 12/11/13 NS

DB - *unofficial*

FINAL PLATS
P20121333 ATF
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Side View

HWY 665

Land Owner Adam Dillard

West

Height 15 feet

South

New Bridge

North

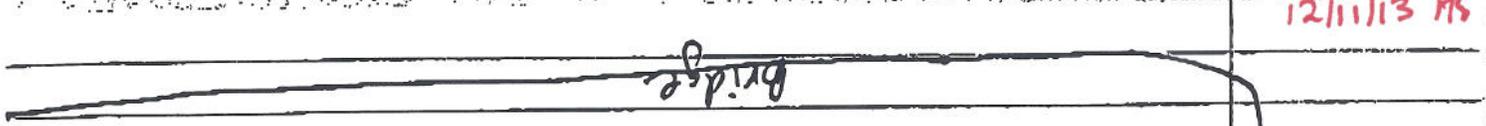
Old Bridge Right of Way

Bank

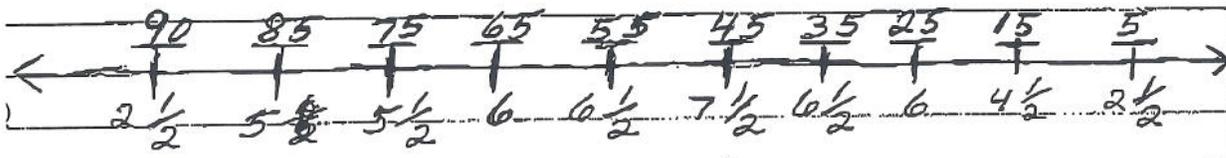
Land Owner Callahan

East

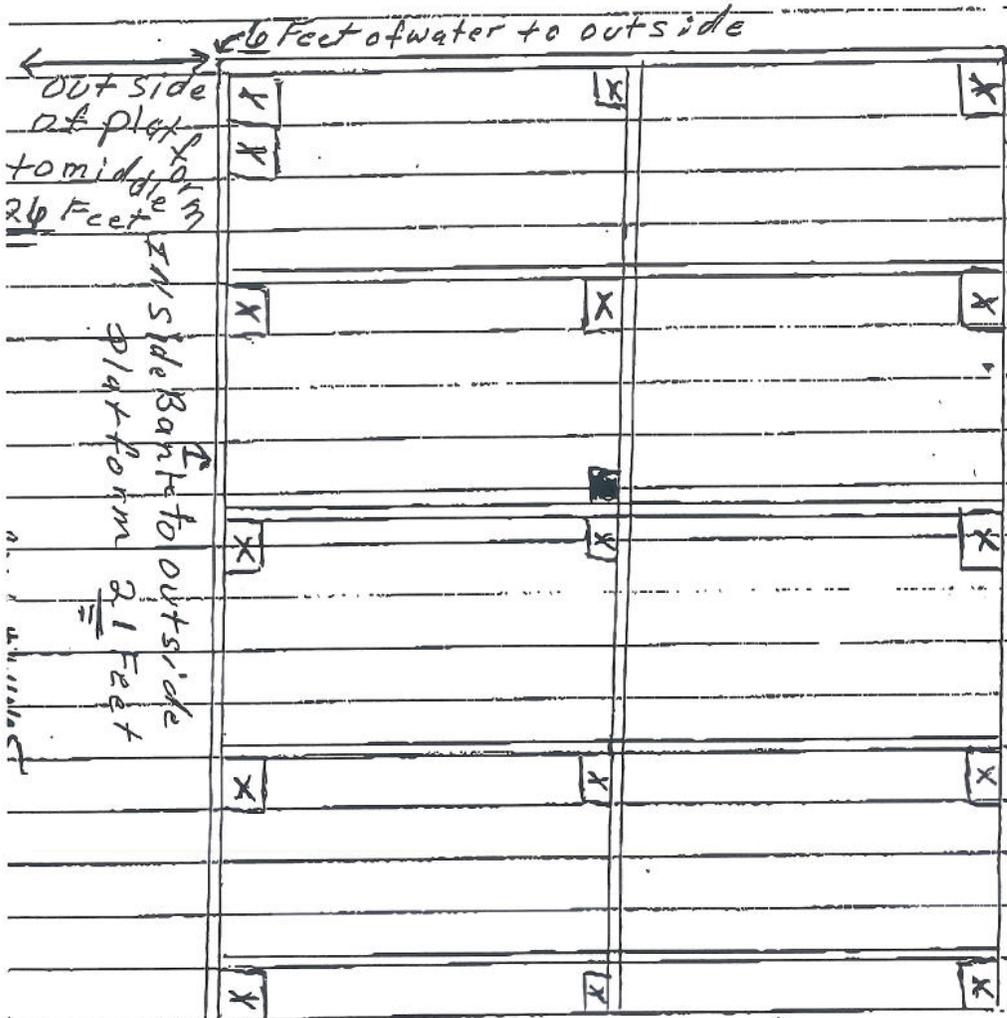
FINAL PLATS
P20131333 AT
12/11/13 MK



Bank to Bank 95 Feet



Normal Tide



Bank (Land Owner Mr. Gillham)

Reed

High Tide 1 ft above
Low Tide 1 ft below

10 x 10
Platform
6 - 4 x 6
This is 4x6 pieces
of wood boards