



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

May 6, 2013

REPLY TO
ATTENTION OF

Operations Division
Eastern Evaluation Section

Project Manager
Brad LaBorde
Brad.LaBorde@usace.army.mil
(504) 862-2225

SUBJECT: MVN 2011-1995 EOO
MVN-2011-1974-EOO

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 (X) Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

**PERMITTEE RESPONSIBLE MITIGATION (PRM) PLAN ON THE EASTBANK
OF PLAQUEMINES PARISH, LOUISIANA**

NAME OF APPLICANT: Plaquemines Parish Government, % ELOS Environmental, LLC,
ATTN: James Prather, 43177 East Pleasant Ridge Road, Hammond, Louisiana, 70401.

LOCATION OF WORK: Within the existing Braithwaite Golf Course ponds and on the flood side of the non-Federal Plaquemines Parish eastbank levee, in Big Mar, near Braithwaite, Louisiana, Plaquemines Parish, as shown on the enclosed drawings.

MVN-2011-1995-EOO PRM Location: Latitude: 29.848725, Longitude: -89.917867
MVN-2011-1974-EOO PRM Location: Latitude: 29.849289, Longitude: -89.932192

Hydrologic Unit Code: 08090203 – Eastern Louisiana Coastal

CHARACTER OF WORK: To hydraulically dredge approximately 4,991,976 cubic yards of material from the Braithwaite Golf Course ponds and deposit material within 21 acres of open water in Big Mar to compensate for the unavoidable direct impacts associated with the central (MVN-2011-1995-EOO) and southern (MVN-2011-1974-EOO) east bank levee improvements. The project would include establishing temporary containment berms and pumping interior areas to +3 NGVD. Once the material has dewatered and compacted, the applicant proposes to plant marsh vegetation on site, including: California bulrush, needlegrass rush, smooth cordgrass, big cordgrass, pickerelweed, bulltongue arrowhead, and common reed. Plant stock will depend on availability. A marsh buggy excavator will be utilized to access, establish, and degrade containment areas. The dredge site and fill areas have access via existing roads and levees.

The PRM proposes a design life of 20 years, which includes performance standards for years 1, 3, and 5. Monitoring reports will be required every 2 years until the final success criterion is

met. The applicant proposes to establish a Construction and Establishment financial assurance to ensure construction and long term maintenance.

A PRM for this work was considered ecologically preferable to a mitigation bank due to the proximity of impacts. The Modified Charleston Method (MCM) was used to determine the PRM requirements. The 8.1 acres of unavoidable impacts for MVN-2011-1995-EOO required a 16 acre restoration area. The 2.7 acres of unavoidable impacts for MVN-2011-1974-EOO required a 5 acre restoration area.

The comment period will close **20 days** from the date of this public notice advertisement. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons therefore, are being solicited from anyone having interest in this permit request. Letters must reference the applicant's name and the subject number, be addressed and mailed to the above address, 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 comment period and, inclusive of the initial comment period, will not exceed a total of 30 calendar days.**

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.

No properties listed on 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, prehistorical, historical 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. Departments of Interior or Commerce, 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 up to 21 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 water quality standards will be required from the Department of Environmental Quality, Water Quality Certifications Section 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

Enclosures