

DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT 7400 LEAKE AVENUE NEW ORLEANS LA 70118-3651

August 12, 2024

Regulatory Division Western Evaluation Branch

Project Manager: Michael H. Herrmann Jr. (504) 862-1954 michael.h.herrmann@usace.army.mil

Application #: MVN-1997-03039-WLL

## PUBLIC NOTICE

Interested parties are hereby notified that a permit application has been received by the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) 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), and/or [] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408)

## PERMIT TIME EXTENSION & MODIFICATION FOR MAINTENANCE DREDGING OF TWO INDUSTRIAL BOAT SLIPS IN TERREBONNE PARISH

**NAME OF APPLICANT:** Bollinger Morgan City, LLC, c/o: GIS Engineering, LLC, 450 Laurel St., Suite 1500, Baton Rouge, LA 70801.

**LOCATION OF WORK:** Slips are located on Bayou Bouef, at 806 Bollinger Lane in Amelia, Louisiana, in St. Mary Parish (lat. 29.6463, long -91.1068). The dredge slurry pipeline route will be located in Bayou Boeuf and Bayou Chene and the disposal site is located along the North shoreline of Bayou Chene within both Assumption and Terrebonne Parishes, as shown within the enclosed drawings. The entire project lies within the Terrebonne Bay Watershed.

**CHARACTER OF WORK:** The applicant has requested Department of Army authorization to conduct maintenance dredging on the North and South boat slips at the Bollinger Facility on Bayou Boeuf and place dredged materials at a nearby existing disposal site. The slips will be hydraulically dredged to an elevation of minus 35-feet. The material will be hydraulically dredged and pumped through 6,050-feet of slurry pipe and placed in an existing Corps of Engineers disposal area. The purpose of the proposed project is to provide a continued safe docking of marine vessels and minimize future risk to existing infrastructure.

The above work was previously permitted on November 7, 2017, and the permit expired on November 30, 2020. This is an extension of time for the previously authorized work and a modification of the permit to include the use of an existing Corps disposal area with associated temporary slurry pipeline. Impacts to any wetlands that may exist within the disposal site would not require compensatory mitigation since the work is located within an approved USACE Civil Works disposal area. No new wetland impacts or work activities within other wetland areas are expected with the project, and no deviation from the original dredging footprint is proposed. Compensatory mitigation was not required for this permit modification and time extension.

**<u>MITIGATION</u>**: The applicant has not proposed a mitigation plan since all dredge material will be deposited within an approved Corps disposal site.

The comment period for the requested Department of Army Permit will close 20 days from the date of this 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 request, and must be submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject permit application must reference the Applicant's Name and the Permit Application Number and can be preferably emailed to the CEMVN's project manager listed above or forwarded to the CEMVN at the address above, ATTENTION: REGULATORY DIVISION, RGW, Michael H. Herrmann Jr. Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 Branch Chief will review the request and the requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and will not exceed a total of 30 calendar days. This public notice is also available for review online at https://go.usa.gov/xennJ

## **USACE 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.

CEMVN is soliciting comments from area residents, 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 CEMVN 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 communities with environmental justice concerns, 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. Further, all factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project. The Section 408 review will consider the potential impact to the usefulness of the Federal project and whether the proposed alteration would be injurious to the public interest. Policy and legal compliance will also be considered.

CEMVN is presently unaware of properties listed on the National Register of Historic Places at or near the proposed work but is pending further review in accordance with the National Historic Preservation Act. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer, and federally listed tribes regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would have no effect on any species listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any such species.

Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the CEMVN and the U.S. Fish and Wildlife Service, Ecological Services Office (USFWS), it has been determined that the proposed project would have no effect to any species listed as threatened or endangered by the USFWS, nor affect any habitat designated as critical to the survival and recovery of any such species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal may result in the destruction, alteration, and/or disturbance of <u>11.1 acres</u> 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. This project was designed to avoid impacts to wetlands through the use of a previously permitted disposal site.

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 LA Department of Environmental Quality before a Department of the Army permit is issued.

Any person may request, (preferably by email to the project manager, or 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 (Louisiana Coastal Zone Application P20210399). 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 Louisiana Department of Energy and Natural Resources. You are invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Sincerely,

Darrell S. Barbara Chief, Western Evaluation Branch Regulatory Division

Enclosure



































## Project Notes

This project is for the proposed maintenance dredging of two existing slips at the Bollinger Shipyards dry-dock facilities located along Bayou Boeuf in Amelia, Louisiana.

Approximately 43,800 cubic yards of material will be dredged from the northern slip. The area of the northern slip consists of 3.1 acres of existing water bottoms.

Approximately 35,800 cubic yards of material will be dredged from the southern slip. The area of the southern slip consists of 3.1 acres of existing water bottoms.

Approximately 6,050 feet of dredge pipe will be used to convey the dredge material to the proposed dredge placement area.

The proposed dredge material placement area is an existing dredge material placement area utilized by the US Army Corps of Engineers. This dredge material placement area was previously authorized by C20220034.

The proposed dredge discharge pipe will be floated between the two slips to be dredged, but installed below the water bottom as it crosses Bayou Boeuf. The dredge pipe will be installed below the water bottom in its entire course within the banks of the Gulf Intracoastal Waterway. Near the disposal site, the pipe will then surface, be marked by light floats, and cross the bank and into the disposal area.

A marsh excavator will be used to move the dredge pipe into position at the discharge point within the disposal area. The marsh excavator will require access to both sides of the pipe.

Trenching to install the dredge pipe under the water bottoms is expected to displace 4,770 cubic yards of material. The trench will occupy approximately 0.70 acres of existing water bottoms.

The material from the discharge pipe installation trench is to be broadcast along 6.5 acres of existing water bottoms. The material shall be broadcast in a way that raises the water bottoms by 0.2 - 0.5 feet (2-6 inches).

Prior to dredging, the containment berm for the existing dredge material placement area will be inspected by traversing the perimeter borrow canal. This marsh buggy route is approximately 14,240 feet in length and 35 feet wide (11.4 acres).

Low spots found within the containment berm are expected to be repaired or lifted by utilizing material from the canal. The borrow area for these repairs is approximately 5,280 feet in length by 35 feet wide and a maximum depth of 3 feet. This would make 17,092 cubic yards of material available for repairs to rear portion of the containment berm.

The dredge material from the slips is to be disposed of in the existing USACE dredge material placement area #1A. The 79,600 cubic yards of material will be hydraulically discharged to fill in approximately 138.2 acres with a sediment layer an average of approximately 0.4 feet high.

NOTE: THE IMAGE ABOVE IS A GENERAL REPRESENTATION OF THE WORK AREA, ACTUAL FIELD CONDITIONS MAY DIFFER.

ENGINEERING LLC Coastal Design & Infrastructure 197 Elyslan Drive Houma, Louislana 70363 Phone: 985.219.1000 ERGINEERING & PLANNIG & ENVIRONMENTAL CONSULTING
REVISIONS
No. Description Date   . . .   . . .   . . .   . . .   . . .   . . .   . . .   . . .   . . .
PRELIMINARY THIS DOCUMENTI NOT TO BE USED FOR CONSTRUCTION BLODNO, RECORDITION, CONVERVICE, SALES OR AS THE BLASE FOR THE ESLANCE OF A PERMIT ENGINEER'S NAME LA LICENSE NO, 00000
Bollinger Morgan City Proposed Dredging of Two Slips and Placement of Material in USACE Spoil Disposal Area 1A
Project number 39130-1473
Designed by K.K.
Drawn by JMH
Checked by K.K.
Checked by M.M.
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