

JOINT PUBLIC NOTICE

December 29, 2014

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

State of Louisiana
Department of Environmental Quality
Attn: Water Quality Certification Sec.
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

Project Manager: Bobby Quebedeaux
(504) 862-2224 / fax: (504) 862-2574
bobby.d.quebedeaux@usace.army.mil
Permit Application Number:
MVN-1998-02337-WJJ

Project Manager:
Elizabeth Johnson
(225) 219-3225 / fax: (225) 325-8125
WQC Application Number:
WQC-141222-01

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: [] 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).

The application has also been mailed to the Louisiana Department of Environmental Quality, for a Water Quality Certification (WQC) in accordance with statutory authority contained in Louisiana Revised Statute 30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L. 95-17).

EXPAND AN EXISTING LANDFILL IN CALCASIEU PARISH

NAME OF APPLICANT: Louisiana Pigment Company, L.P., Attn: Brenda Kearns, 3300 Bayou D'Inde Road, Westlake, Louisiana 70669

LOCATION OF WORK: Bayou D'Inde Road in Westlake, Louisiana, in Calcasieu Parish (30.190477, -93.311494, Hydrologic Unit Code 080080206, Lower Calcasieu Watershed).

CHARACTER OF WORK: Expand an existing landfill that accepts industrial waste for approximately 40 acres. Approximately 14.6 acres of unavoidable wetland impacts will be compensated for through the purchase of credits from an approved mitigation bank in the same hydrologic basin.

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 submitted 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 forwarded 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, faxing, 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. 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 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 may 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, 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
Regulatory Branch

Enclosure

Alternatives Analysis

Proposed LA Pigment Landfill Expansion, West Lake, Calcasieu Parish, Louisiana

Project Development

Louisiana Pigment (applicant) proposes to expand their on-site landfill to the south side of the current landfill. The site is approximately 40 acres located off of Bayou D'Inde Road in Westlake, Calcasieu Parish, Louisiana (Please reference attached Exhibit 1 for proposed project location). These 40 acres is to accommodate for the future storage of onsite waste materials. This development is proposed to impact approximately 14.6 acres of wetlands.

Location and Design Criteria

The location of the potential project area was established by the location of the land available to the applicant and the intended function of the proposed developments: provide an additional landfill to hold site's industrial waste.

Alternative Site Analysis

Given the purpose of this project, three alternatives considered included:

1. **No Action:** This alternative would not allow for the expansion of the landfill at the LA Pigment site. Placement of wastes at the site is limited to the existing landfill. The facility's current landfill permit has a limit on waste capacity and a height restriction.
2. **Alternative 1:** This alternative would allow for the additional landfill to the edge of the property boundary. This alternative would be the preferred from an economic perspective, as it utilizes all the space for storage. However, this alternative proposes to fill approximately 15.8 acres of wetlands (Please reference Exhibit 2 for alternative 1 design).
3. **Preferred Alternative 2:** This alternative is the preferred as design was changed to allow a 50-foot buffer around the proposed project site to minimize and avoid impacts to the onsite natural resources as much as possible. This alternative proposes to fill 14.6 acres of wetlands, decreasing the wetland fill by approximately 1 acre. (Please reference Exhibit 3 for preferred alternative 2 design and Exhibit 4 for cross section comparison of alternatives). This option will allow the facility to continue to dispose of their waste in a safe manner and the 50 foot buffer will act as a natural barrier between LA Pigment and their industrial neighbors.

Alternative Analysis

LA Pigment ■ West Lake, LA

November 5, 2014 ■ Terracon Project No. EU147001



Avoidance and Minimization

The other potential area of expansion is located to the west of the current location. With similar elevations as proposed site, it can be assumed that any development in this area also has a high potential of wetland impacts. Therefore, avoidance is unfeasible for the expansion of this landfill.

Minimization of impacts has been accomplished by the addition of the 50-foot buffer to the proposed landfill. In addition, the project includes a two-phase erosion and sedimentation control plan. Phase I will go into place before construction activity occurs. This includes silt fences and inlet protection devices for existing site features and a construction exit. Phase II includes Best management practices for proposed improvements as construction begins and progresses to completion. These plans prevent erosion, sedimentation, and pollution from escaping the site and will prevent any erosion, sedimentation, or pollution from reaching any downstream TNW's, RPW's, or wetlands. A Stormwater Pollution Prevention Plan will be developed prior to the start of construction.

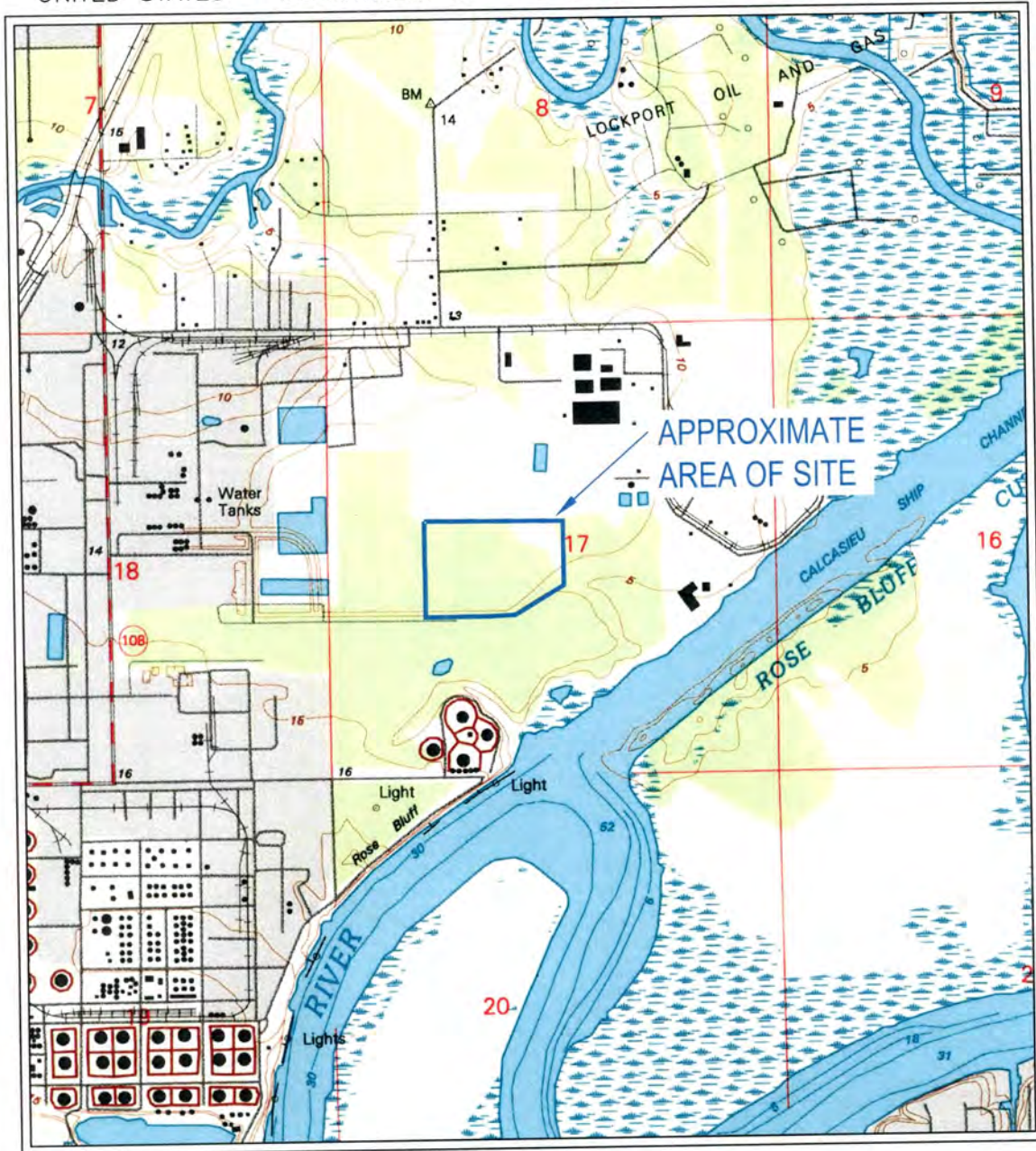
Sincerely,

Terracon Consultants, Inc.

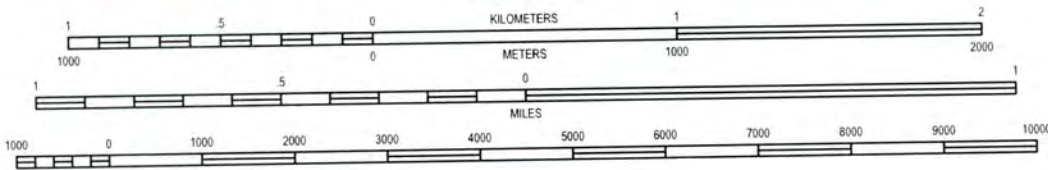
A handwritten signature in black ink, appearing to read "Kathryn Herzog", is positioned below the typed name.

Kathryn Herzog
Natural Resource Project Manager

Attachments: **Exhibit 1- Topographic Project Location**
Exhibit 2- Alternative 1 Design
Exhibit 3- Preferred Alternative 2 Design
Exhibit 4- Cross Section Comparison of Alternatives



SCALE 1:24 000



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

WESTLAKE, LA
QUADRANGLE
1994

7.5 MINUTE SERIES (TOPOGRAPHIC)



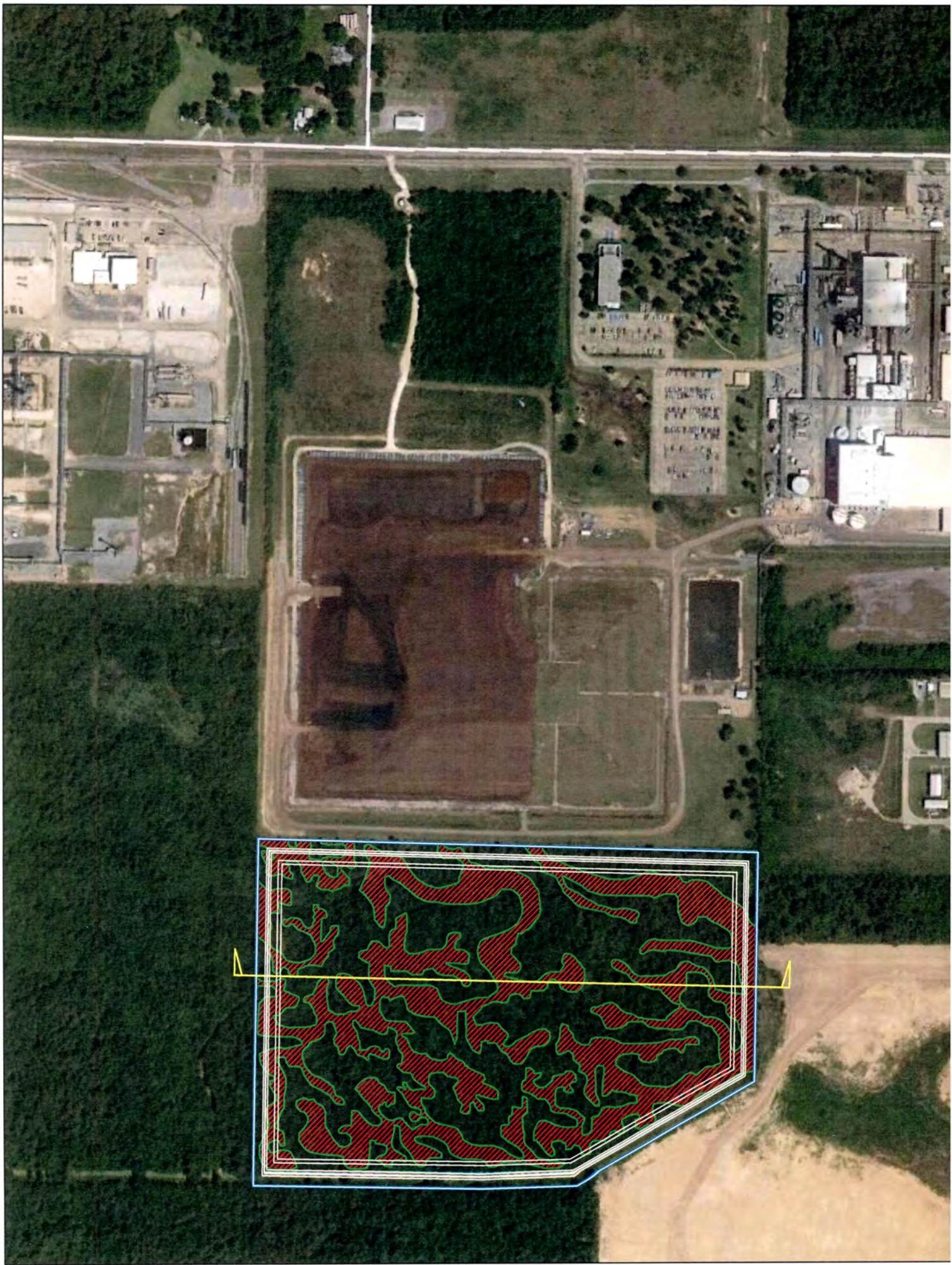
Project Mng'r:	KMH	Project No.	535-001-EU147001
Drawn By:	JDW	Scale:	AS SHOWN
Checked By:	KMH	File No.	005
Approved By:	KMH	Date:	10-22-14

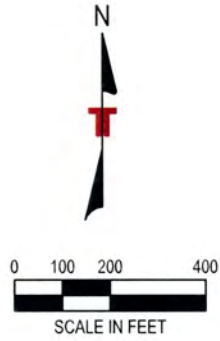
Terracon
Consulting Engineers and Scientists

25805 I-30 SOUTH BRYANT, AR 72022
PH. (501) 847-9292 FAX. (501) 847-9210

SITE LOCATION MAP	
WETLAND RE-VERIFICATION	
LOUISIANA PIGMENT COMPANY, L.P.	
WESTLAKE FACILITY 39.6 ACRE TRACT	
WESTLAKE	LOUISIANA

EXHIBIT
1





NOTE:
 PROPERTY: 39.6 ACRES
 WETLANDS IN PROPERTY: 15.8 ACRES
 DISTURBED WETLANDS: 15.8 ACRES



PROPERTY BOUNDARY

NOTE: BACKGROUND IMAGE WAS DERIVED FROM GOOGLE EARTH. WETLANDS DERIVED FROM PROVIDENCE SITE PLAN DRAWING DATED 3/14/2014.

EXHIBIT 2	
DESIGNED BY: JDW	
DRAWN BY: JDW	
APPVD. BY: DCM	
SCALE: AS SHOWN	
DATE: 07-24-14	
JOB NO. 535-001-EU14700	
ACAD NO. 001B	
SHEET NO.: 01	OF 01

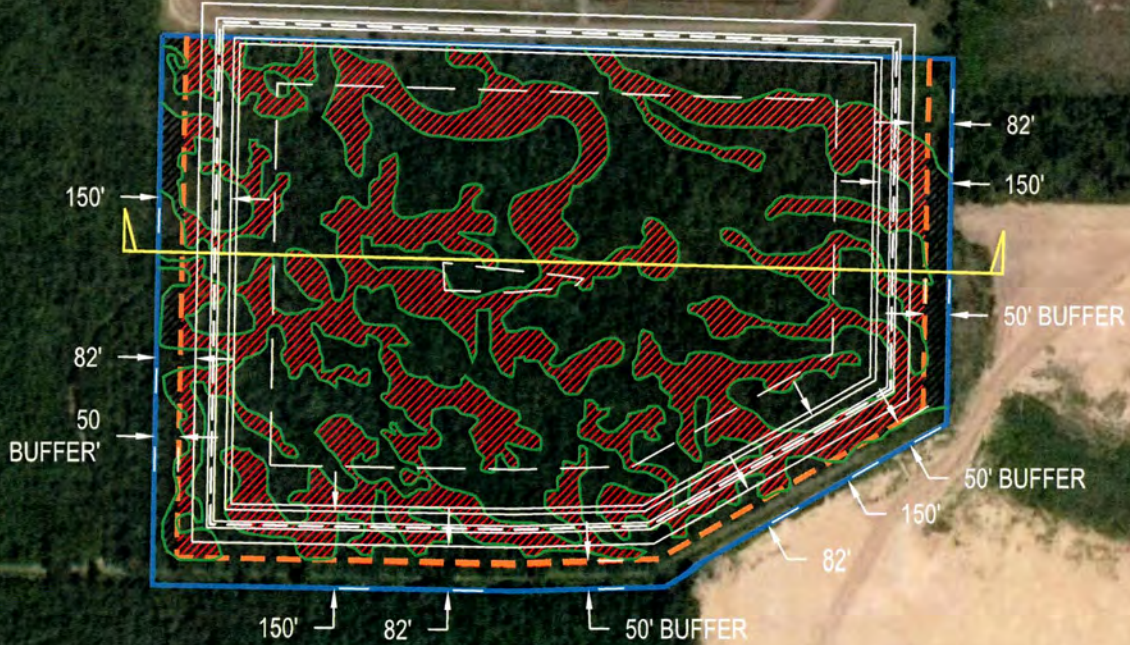
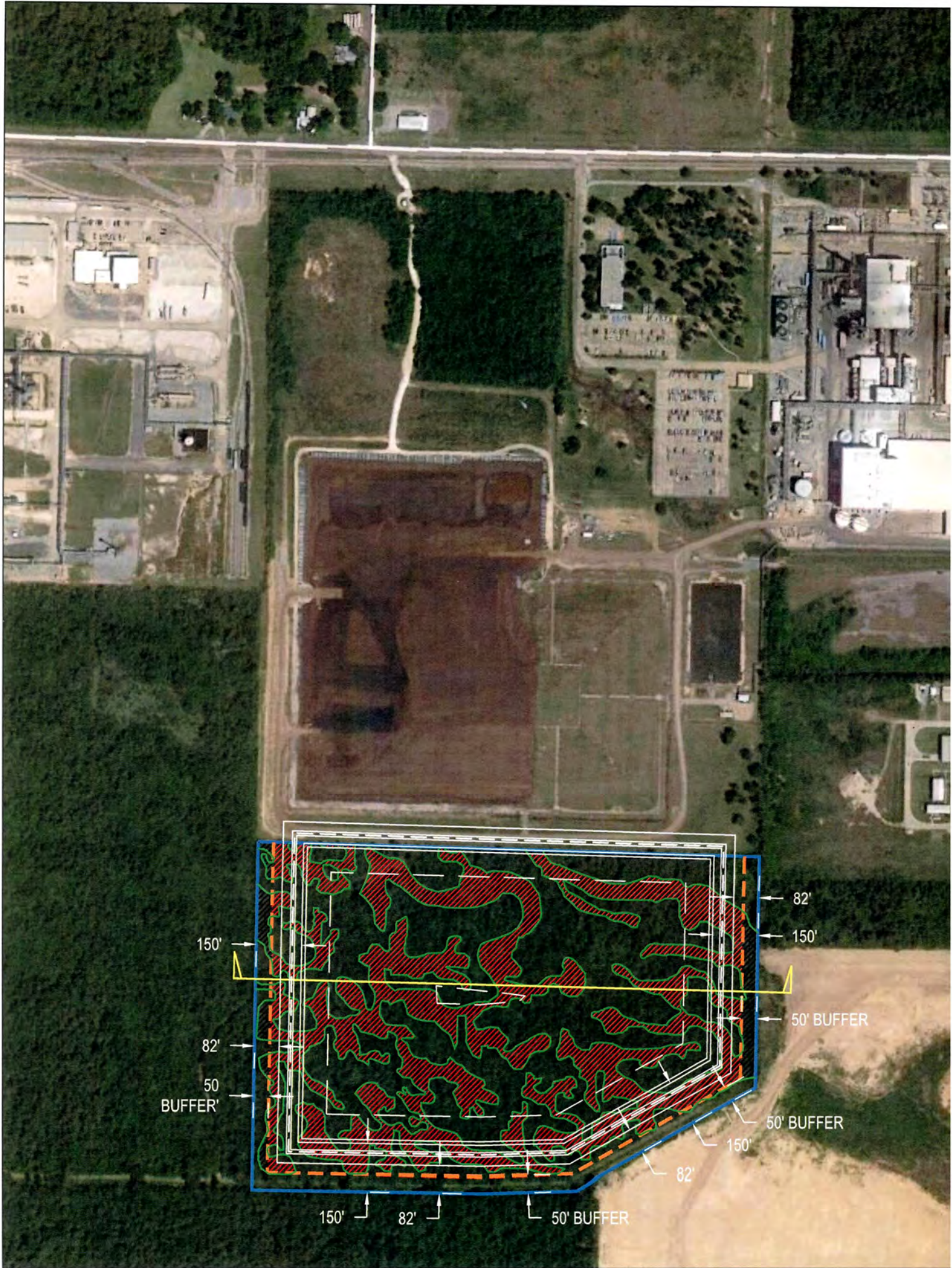
ALTERNATIVE 1 DESIGN
 WETLAND RE-VERIFICATION
 LOUISIANA PIGMENT COMPANY, L.P.
 WESTLAKE FACILITY 39.6 ACRE TRACT
 WESTLAKE LOUISIANA

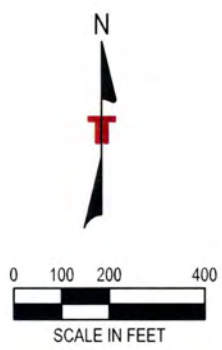
Terracon
 Consulting Engineers and Scientists

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 PH. (501) 847-9292

BRYANT, AR 72022
 FAX. (501) 847-9210







NOTE:
 PROPERTY: 39.6 ACRES
 WETLANDS IN PROPERTY: 15.8 ACRES
 DISTURBED WETLANDS: 14.6 ACRES

 PROPERTY BOUNDARY

NOTE: BACKGROUND IMAGE WAS DERIVED FROM GOOGLE EARTH. WETLANDS DERIVED FROM PROVIDENCE SITE PLAN DRAWING DATED 3/14/2014.

EXHIBIT 3	
DESIGNED BY: JDW	
DRAWN BY: JDW	
APPVD. BY: DCM	
SCALE: AS SHOWN	
DATE: 08-26-14	
JOB NO. 535-001-EU14700	
ACAD NO. 001A	
SHEET NO.: 001A	OF

PREFERRED ALTERNATIVE 2 DESIGN
 WETLAND RE-VERIFICATION
LOUISIANA PIGMENT COMPANY, L.P.
 WESTLAKE FACILITY 39.6 ACRE TRACT
 WESTLAKE | LOUISIANA

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 Consulting Engineers and Scientists

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BRYANT, AR 72022
 FAX. (501) 847-9210

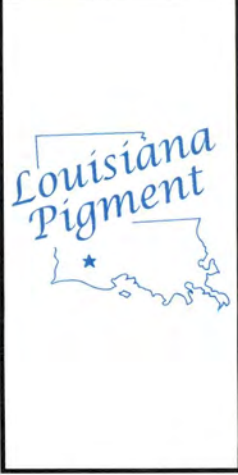
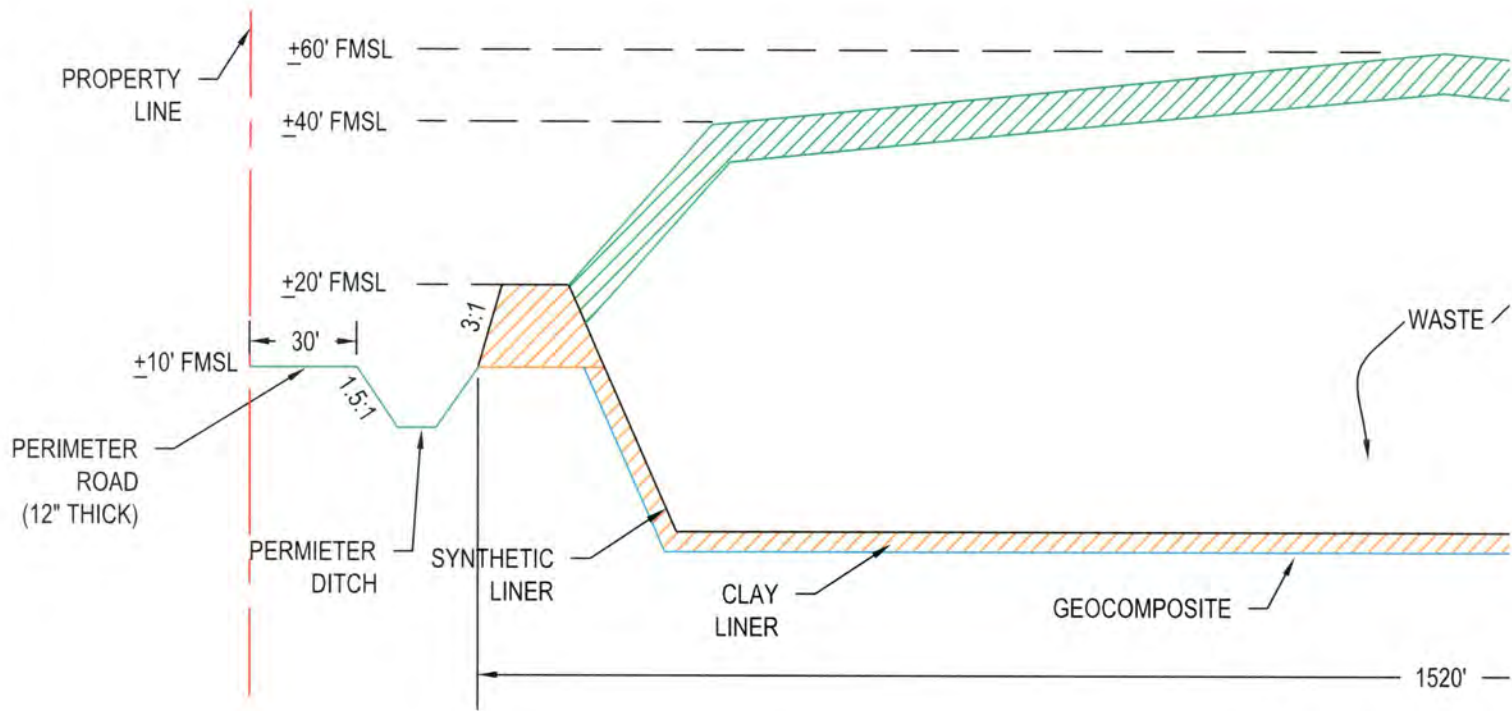
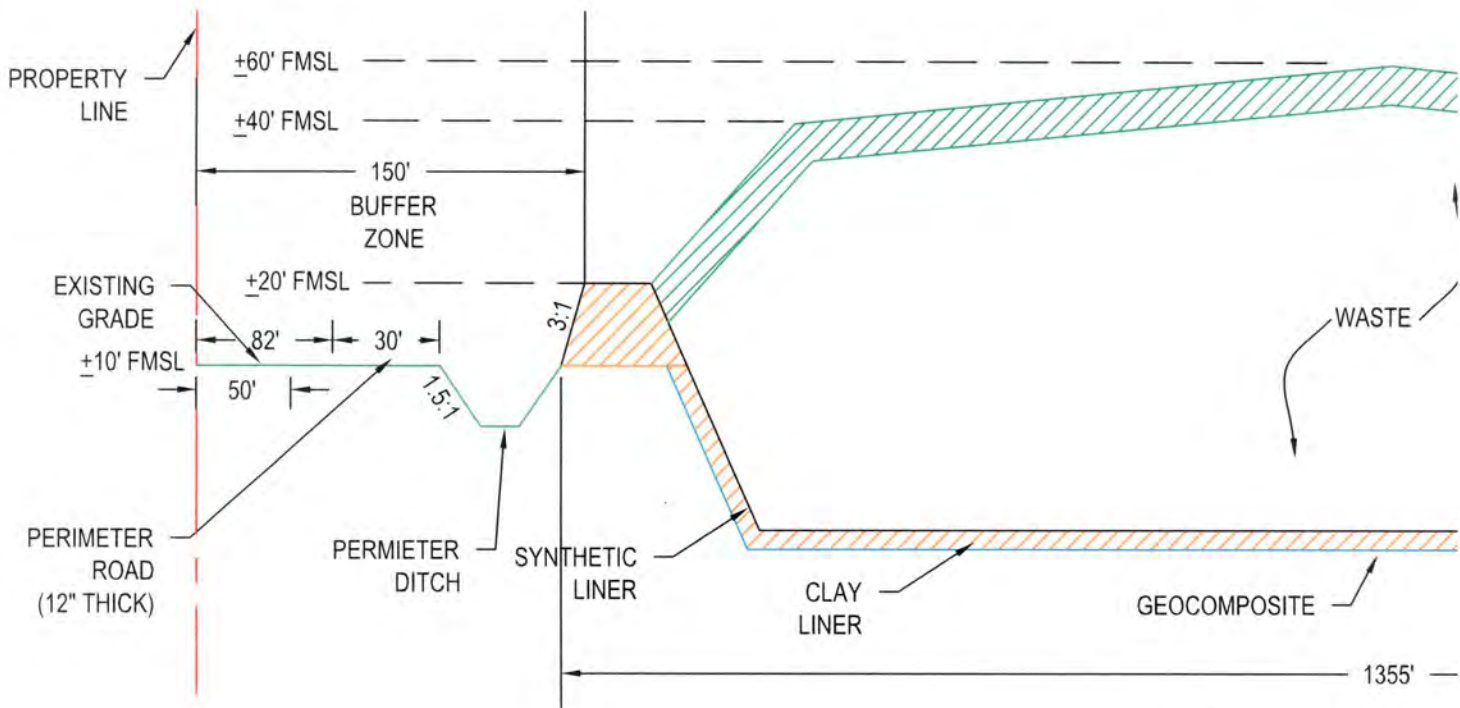


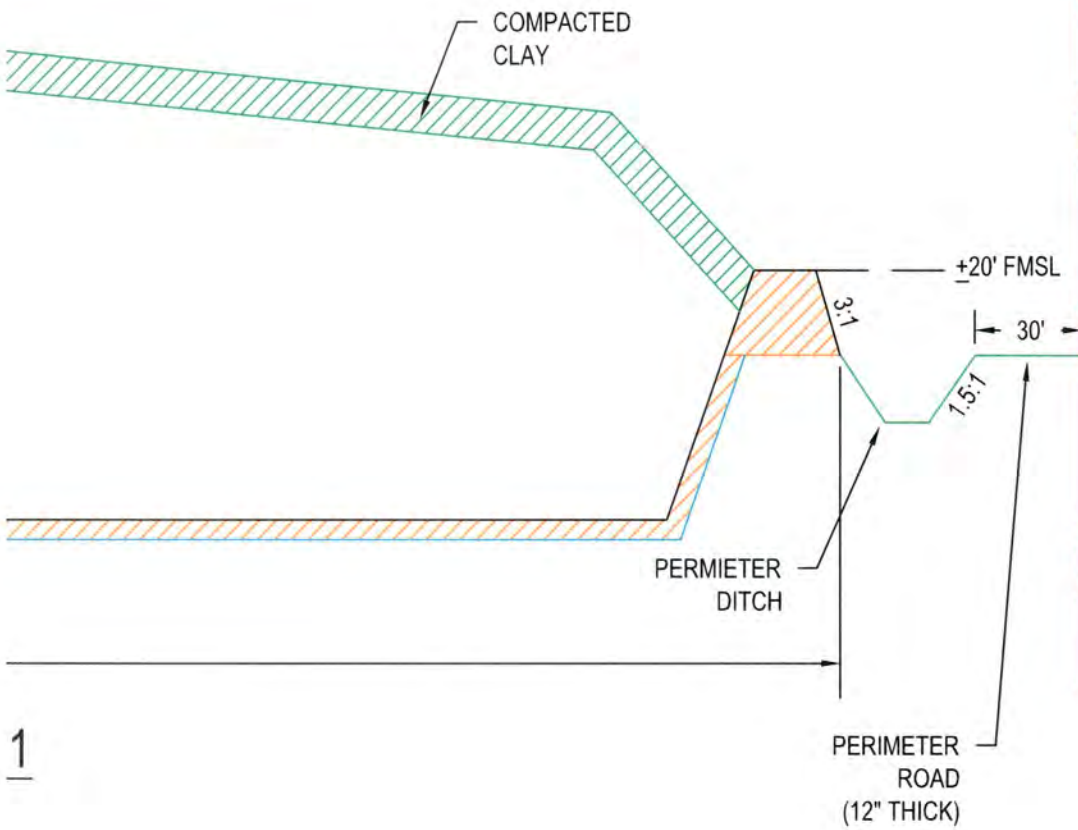
Exhibit 4 : 1 of 2



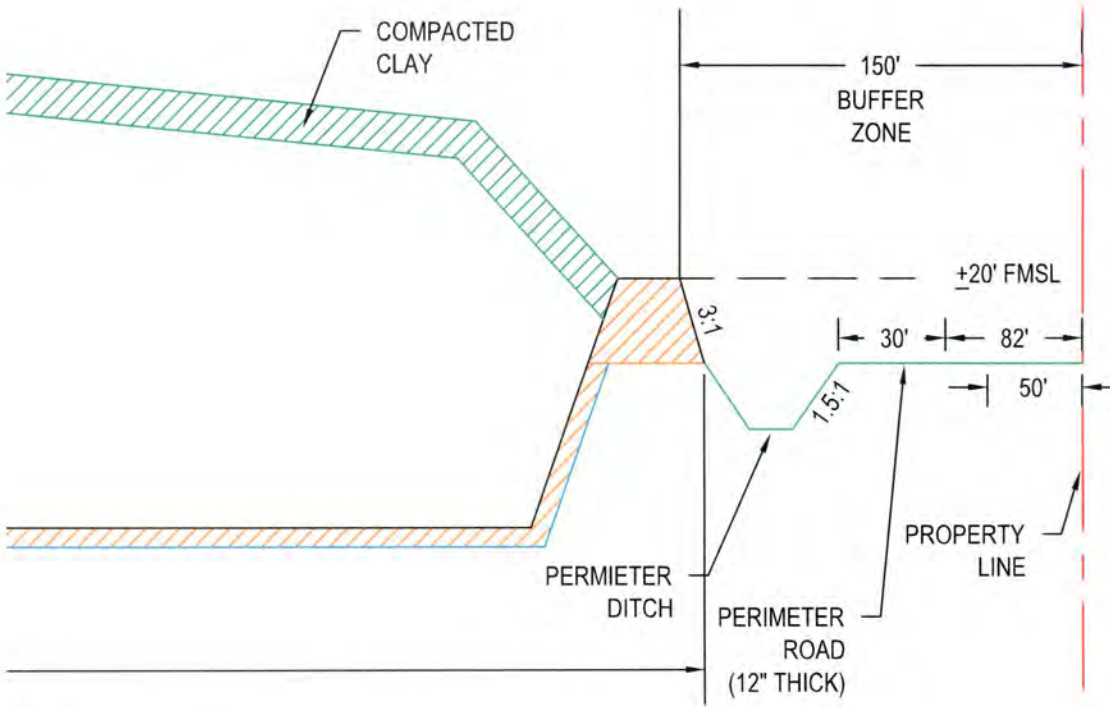
ALTERNATIVE 1



ALTERNATIVE 2



1



2

NOTE:
ELEVATIONS ARE FEET MEAN SEA LEVEL (FMSL).
ELEVATIONS ARE APPROXIMATE AND WILL BE
VERIFIED IN THE FIELD.

EXHIBIT 4	
DESIGNED BY: JDW	
DRAWN BY: JDW	
APPROV. BY: DCM	
SCALE: AS SHOWN	
DATE: 08-28-14	
JOB NO. 535-001-EU14700	
ACAD NO. 002	
SHEET NO. OF	

CROSS SECTION COMPARISON OF ALTERNATIVES
WETLAND RE-VERIFICATION
LOUISIANA PIGMENT COMPANY, L.P.
WESTLAKE FACILITY 39.6 ACRE TRACT
 WESTLAKE LOUISIANA

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