



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

January 30, 2023

Regulatory Division  
Central Evaluation Branch

Project Manager:  
Neil Gauthier  
(504) 862-1301  
Neil.T.Gauthier@usace.army.mil  
Application #: MVN-1998-03448-CM

## **PUBLIC NOTICE**

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US 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), [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

### **PROPOSED DREDGING OF THE MISSISSIPPI RIVER FOR SAND MINING AND LIMESTONE STOCKPILING WITHIN THE RIVER BATTURE IN ST. JAMES PARISH**

**NAME OF APPLICANT:** South Louisiana Fill Materials LLC, c/o Linfield, Hunter & Junius, Inc, 3608 18<sup>th</sup> Street, Suite 200, Metairie, Louisiana 70002.

**LOCATION OF WORK:** In the Mississippi River and batture at mile point 152.6 RDB above head of passes on St. Joe Plantation Road (30.008308, -90.770939) in Vacherie, Louisiana, in St. James Parish, within the Lower Mississippi-Baton Rouge River Basin in hydrologic unit (HUC 08070100), as shown on the attached drawings.

**CHARACTER OF WORK:** The applicant has requested Department of the Army authorization to extend time and modify an existing expired permit which included utilizing a suction dredge to dredge the Mississippi River for sand to be stockpiled in a batture pit located adjacent to the dredge area. The sand would then be moved offsite by truck utilizing St. Joe Plantation Road which crosses the Mississippi River Levee. The modification to the original expired permit includes clearing and excavating of an old borrow pit within the batture that has now reverted back to wetlands and will be utilized as a limestone storage area. The limestone would be brought in on barges then unloaded into the cleared pit area and trucked out to be sold for construction projects via St. Joe Plantation Road. Approximately 150,000 cubic yards of sand will be dredged and deposited into the existing pit and approximately 575,000 cubic yards of sand material will be excavated and hauled offsite. Approximately 65 acres of Mississippi River water bottoms and river batture pit will be temporarily impacted. Approximately 275,000 cubic yards limestone will be placed in the proposed limestone storage area and removal for sale as needed. Approximately 13 acres of forested jurisdictional batture wetlands will be permanently impacted.

A Preliminary analysis has determined that the proposed project would directly impact 13 acres of wetlands.

**MITIGATION:** The applicant has not provided any information related to compensation for wetland impacts associated with this project. The applicant would be expected provide mitigation at a Corps approved mitigation bank within the watershed of impact and of the same habitat type.

The comment period for the requested Department of Army will close in **30 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 Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGC, Neil Gauthier**. This public notice is also available for review online at <https://go.usa.gov/xennJ>.

### **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. 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.

The New Orleans District is presently unaware of properties listed on the National Register of Historic Places 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 endangered species.

Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans District (CEMVN) and the U.S. Fish and Wildlife Service, CEMVN has determined that the proposed project is located within waters known to be occupied by the endangered Pallid Sturgeon (*Scaphirhynchus albus*) and the threatened West Indian Manatee (*Trichechus manatus*) and determined with the inclusion of the Standard Manatee Conditions for In-Water Activities and the cutterhead/suction dredge operational parameters, the proposed activity is not likely to adversely affect the 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 0 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, (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 P20211089). 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 invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

John M. Herman  
Chief, Central Evaluation Branch  
Regulatory Division

Enclosures

ST. JAMES SANDPIT SECTIONS  
 VACHERIE  
 ST. JAMES PARISH  
 LOUISIANA



GENERAL NOTES

- AS-BUILT DRAWINGS AND/OR PLATS SHALL HAVE WRITTEN ON THEM THE DATE OF COMPLETION OF SAID ACTIVITIES AND SHALL BE SUBMITTED TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, P. O. BOX 44487, BATON ROUGE, LA 70804-4487 WITHIN 30 DAYS FOLLOWING PROJECT COMPLETION.
- ALL STRUCTURES BUILT UNDER THE AUTHORIZATION AND CONDITIONS OF THIS PERMIT SHALL BE REMOVED FROM THE SITE WITHIN 120 DAYS OF ABANDONMENT OF THE FACILITIES FOR THE HEREIN PERMITTED USE, OR WHEN THESE STRUCTURES FALL INTO A STATE OF DISREPAIR SUCH THAT THEY CAN NO LONGER FUNCTION AS INTENDED. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED, FOR SUCH REMOVAL ACTIVITIES.
- STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U. S. COAST GUARD REGULATIONS.
- IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITEE SHALL CONTACT THE LOUISIANA ONE CALL SYSTEM (1-800-272-3020) A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION (DIGGING, DREDGING, JETTING, ETC.) OR DEMOLITION ACTIVITY.
- THE AREA WHERE THE PROJECT IS LOCATED IS ALL PART OF THE ABORIGINAL HOMELANDS OF THE CHITIMACHA TRIBE OF LOUISIANA. AS SUCH, LARGE VILLAGES, BURIAL SITES, AND SACRED SITES WERE IN PLACE IN THAT ENTIRE AREA. IF AT ANY TIME DURING THE COURSE OF THE WORK, ANY TRADITIONAL CULTURAL PROPERTIES ARE DISCOVERED, PERMITEE SHALL IMMEDIATELY CONTACT KIMBERLY S. WALDEN (CULTURAL DIRECTOR) OR MELANIE AYMOND (RESEARCH COORDINATOR) AT (337) 923-9923 OR (337) 923-4395. OFFICE HOURS ARE MONDAY THROUGH THURSDAY FROM 7:30 A.M. - 5:00 P.M. AND ON FRIDAY BETWEEN 7:30 A.M. - 11:30 A.M. IF TRADITIONAL CULTURAL PROPERTIES ARE DISCOVERED ON THE WEEKEND OR AFTER BUSINESS HOURS, THE NOTIFICATION SHALL BE MADE THE NEXT BUSINESS MORNING.
- ECOLOGICAL STUDIES: THE APPLICANT SHALL ADHERE TO ALL STATE STATUTES (R.S. 56:2011 ET SEQ.) AND DEPARTMENT REGULATIONS (LAC 76:XIII.101 ET SEQ.) CONCERNING DREDGING OF FILL SAND AND FILL MATERIAL FROM WATER BOTTOMS OF THE STATE OF LOUISIANA AND SEVERANCE ROYALTIES. FOR MORE INFORMATION, CONTACT MR. DAVE BUTLER AT 504-286-4173. WILDLIFE DIVERSITY PROGRAM: NO IMPACTS TO RARE, THREATENED OR ENDANGERED SPECIES OR CRITICAL HABITATS ARE ANTICIPATED FROM THE PROPOSED PROJECT. NO STATE OR FEDERAL PARKS, WILDLIFE REFUGES, WILDLIFE MANAGEMENT AREAS OR SCENIC RIVERS ARE KNOWN AT THE SPECIFIED SITE OR WITHIN 1/4 MILE OF THE PROPOSED PROJECT. THE WILDLIFE DIVERSITY PROGRAM (WDP) REPORTS SUMMARIZE THE EXISTING INFORMATION KNOWN AT THE TIME OF THE REQUEST REGARDING THE LOCATION IN QUESTION. WDP REPORTS SHOULD NOT BE CONSIDERED FINAL STATEMENTS ON THE BIOLOGICAL ELEMENTS OR AREAS BEING CONSIDERED, NOR SHOULD THEY BE SUBSTITUTED FOR ON-SITE SURVEYS REQUIRED FOR ENVIRONMENTAL ASSESSMENTS. IF AT ANY TIME WDP TRACKED SPECIES ARE ENCOUNTERED WITHIN THE PROJECT AREA, PLEASE CONTACT OUR BIOLOGIST AT 225-763-3554.



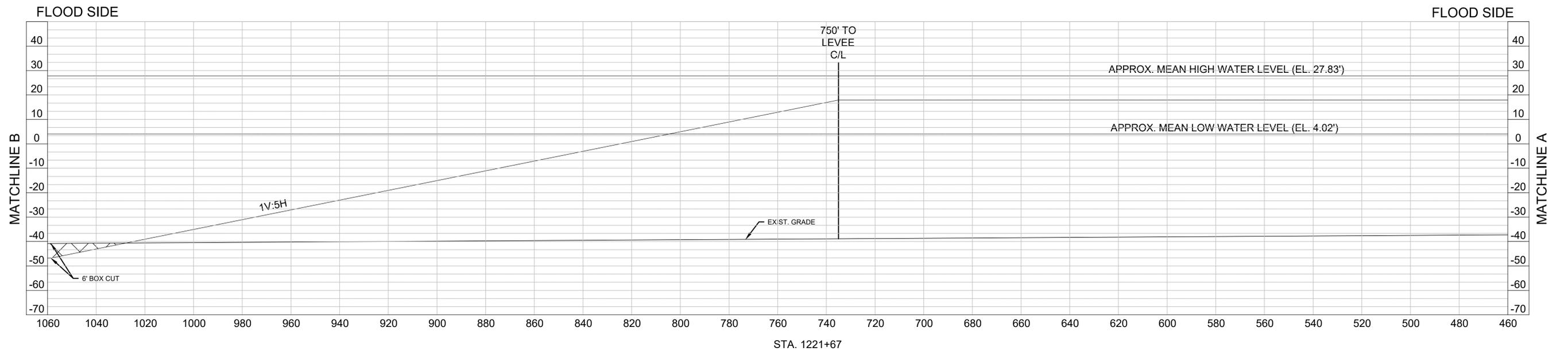
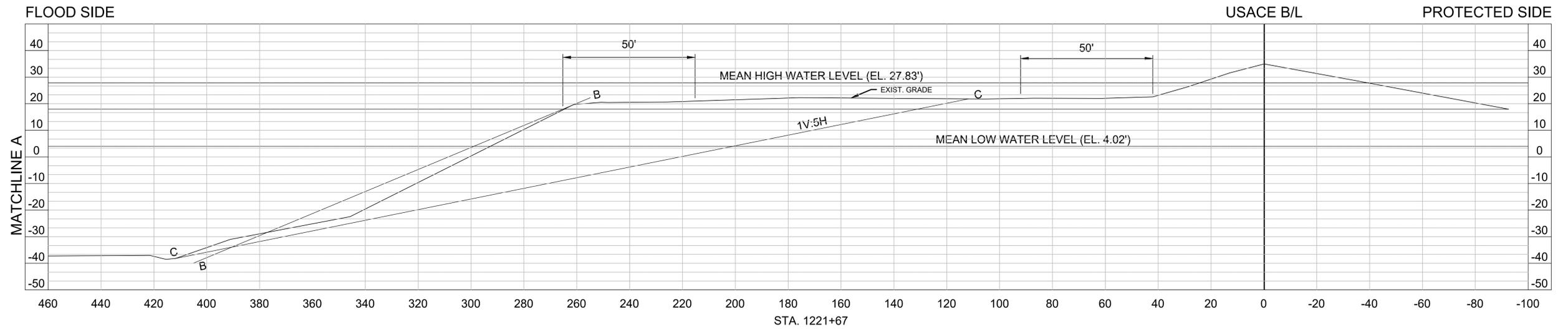
**PRELIMINARY**  
 NOT FOR CONSTRUCTION, RECORDATION,  
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 PREPARED UNDER THE SUPERVISION OF  
 NATHAN J. JUNIUS, LOUISIANA PE, PLS  
 SEPTEMBER 13, 2021  
 LH&J JOB No. 21-107  
 (504) 833-5300  
 SHEET 1 OF 11

ST. JAMES SANDPIT  
 PROPOSED DREDGING AND  
 STOCKPILING LEGEND

200' 0 200' 400' 600' 800'  
 24" X 36" SCALE: 1" = 200'

**LINFIELD, HUNTER & JUNIUS, INC.**  
 CONSULTING ENGINEERS AND ARCHITECTS  
 3608 18th Street / Suite 200  
 Metairie, Louisiana 70002

ST. JAMES SANDPIT SECTIONS  
 VACHERIE  
 ST. JAMES PARISH  
 LOUISIANA



- NOTES:
1. STATIONING BASED ON USACE BASELINE.
  2. THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW EXISTING CONFIGURATION AND ELEVATIONS OF THE EXISTING SAND PIT IN VACHERIE, LOUISIANA. THIS DRAWING DOES NOT MEET MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF LOUISIANA.

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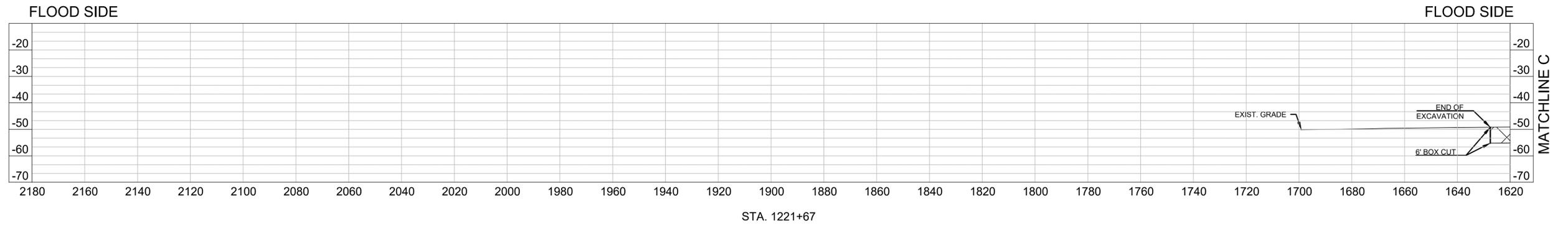
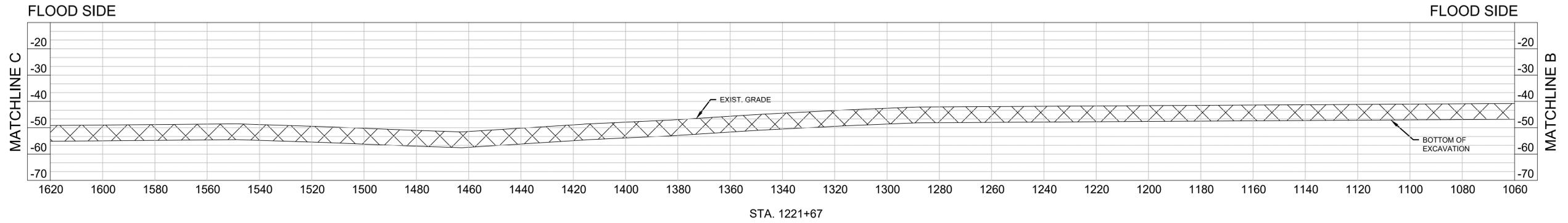
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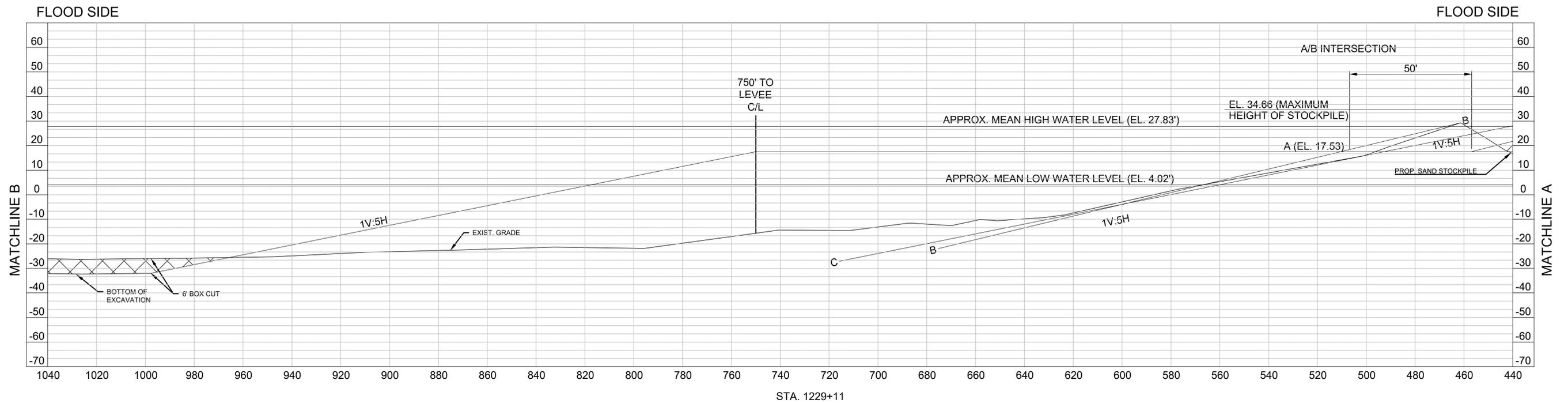
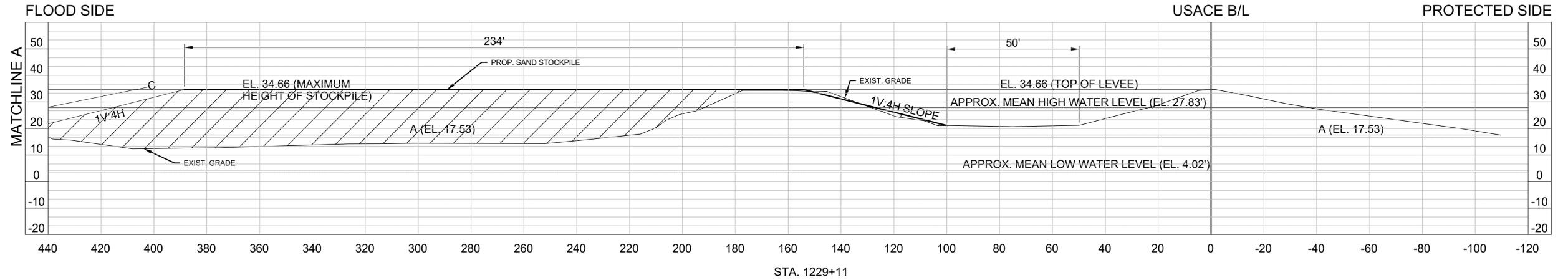
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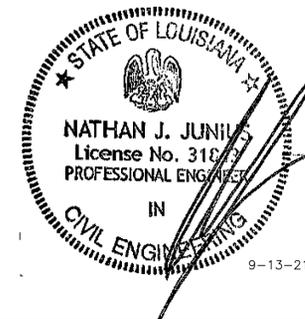
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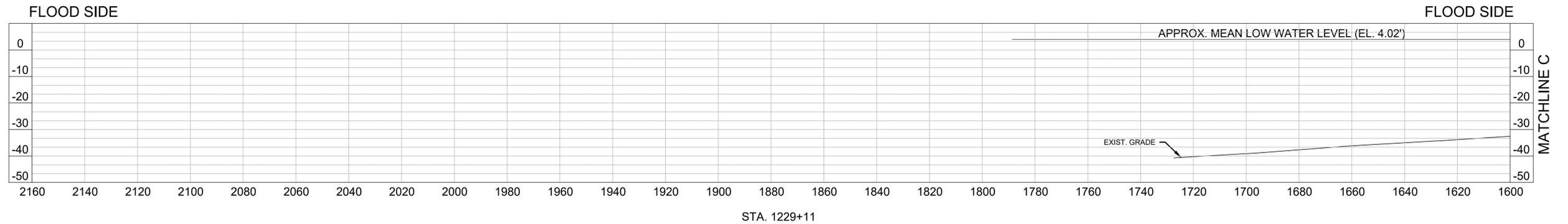
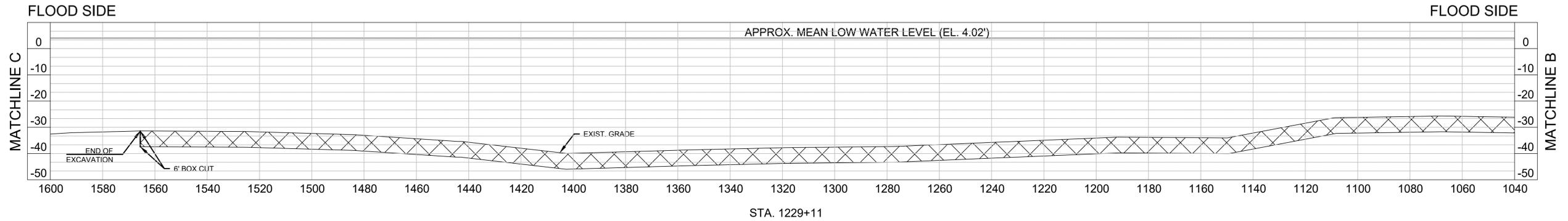
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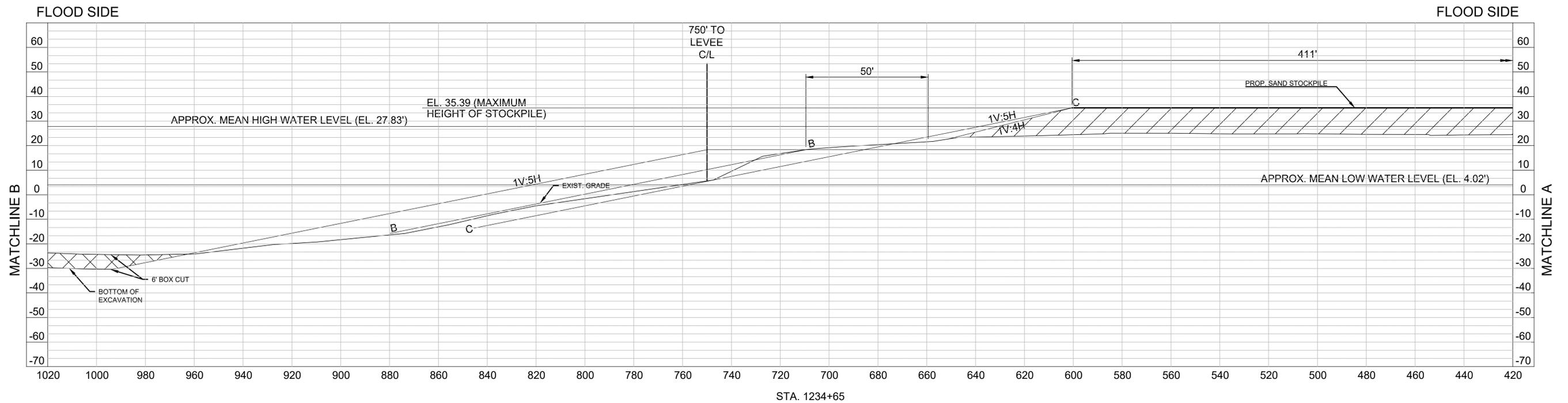
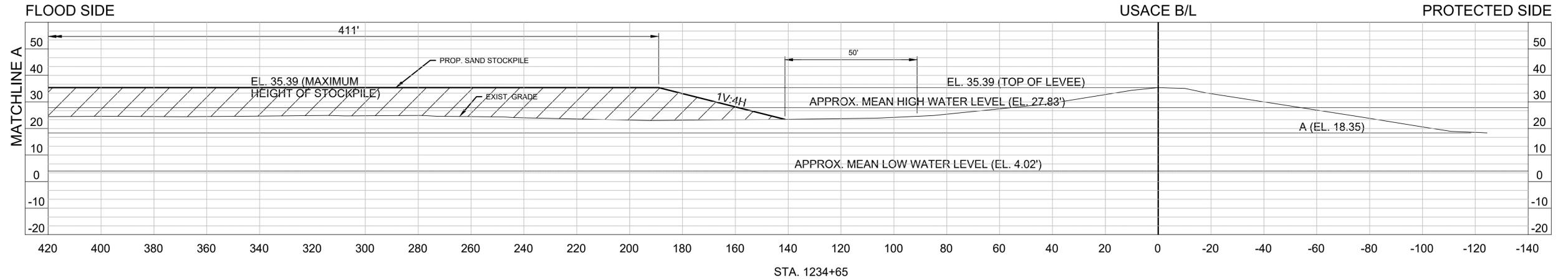
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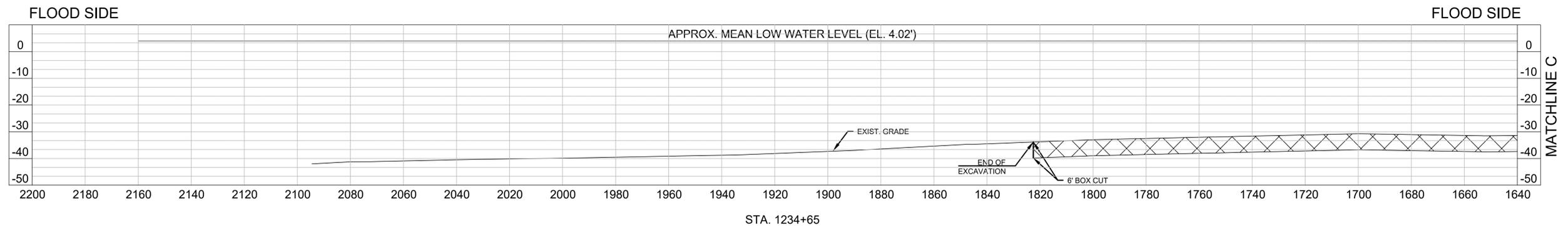
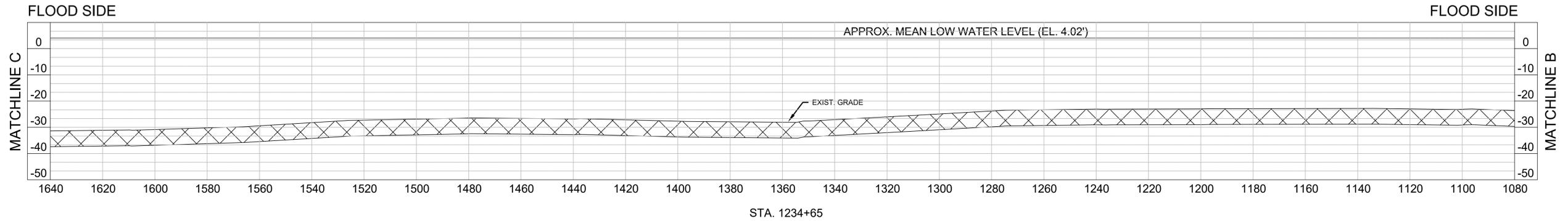
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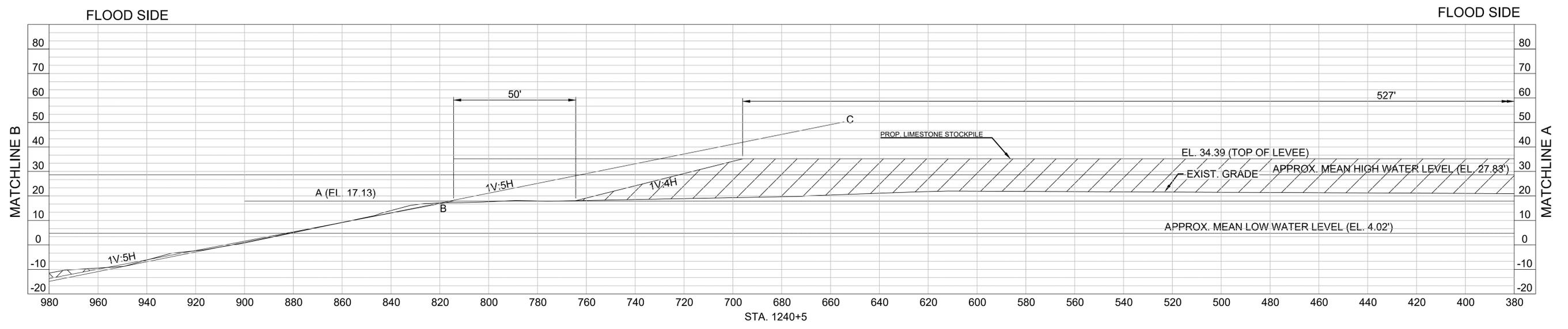
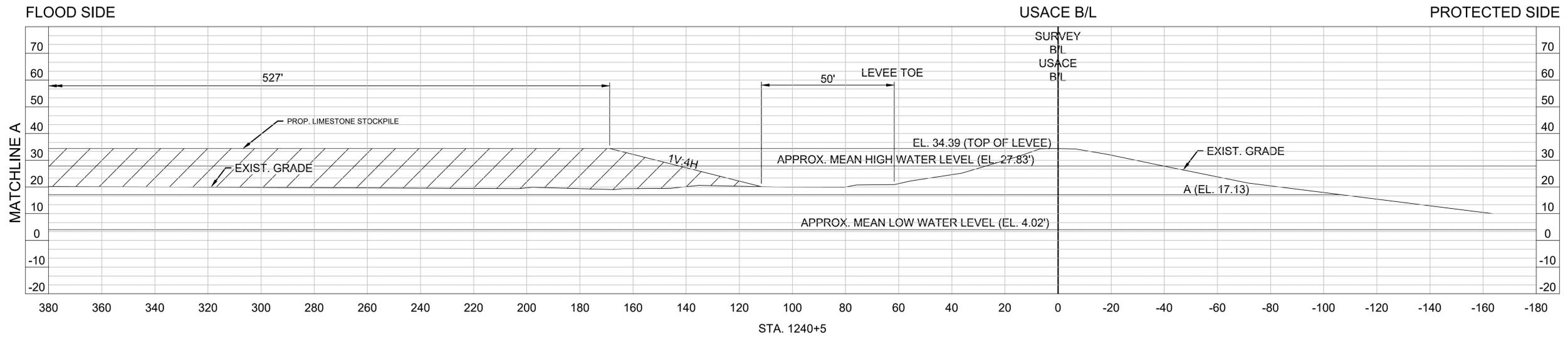


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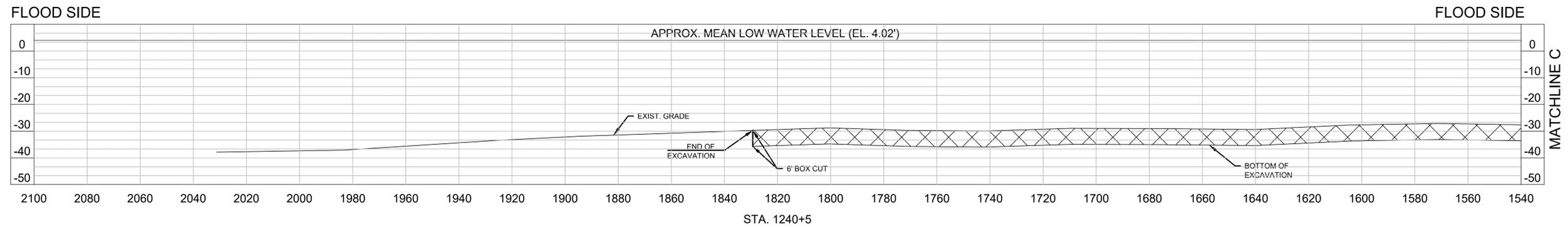
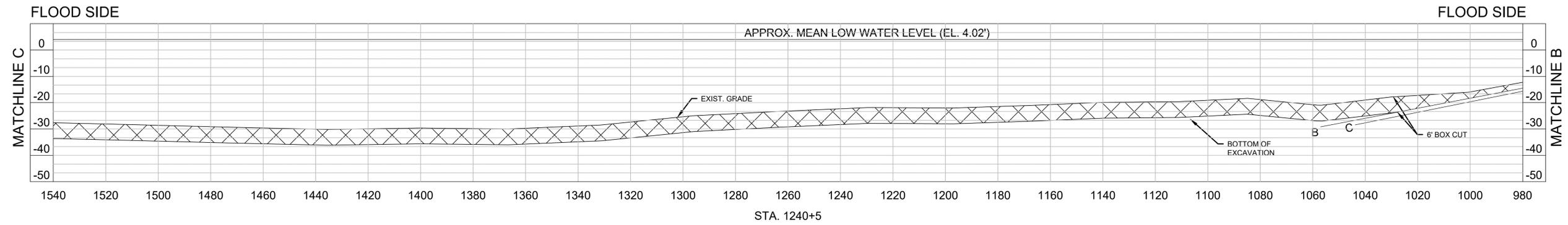
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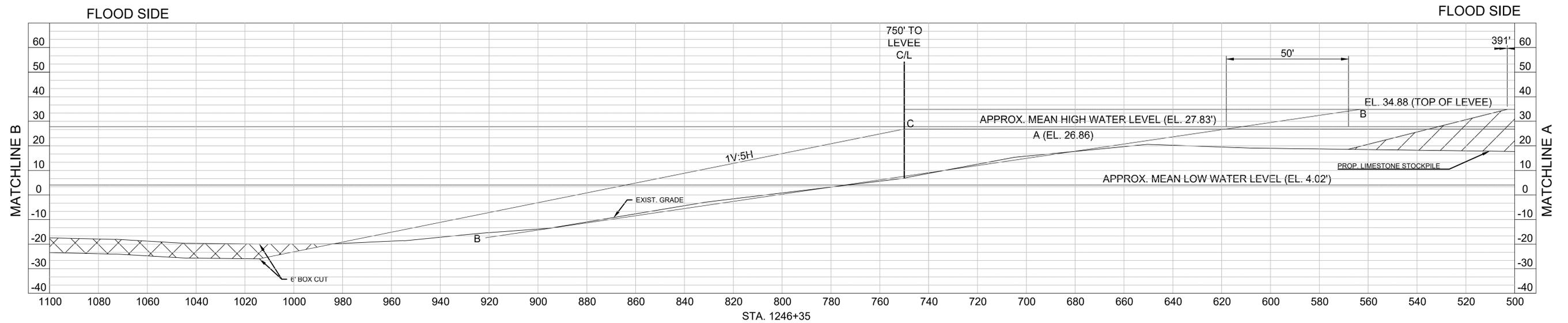
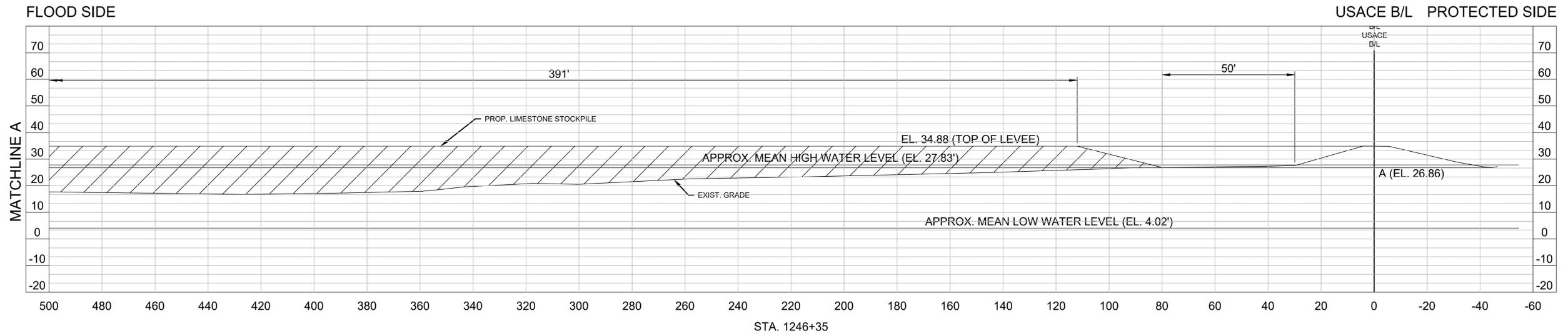
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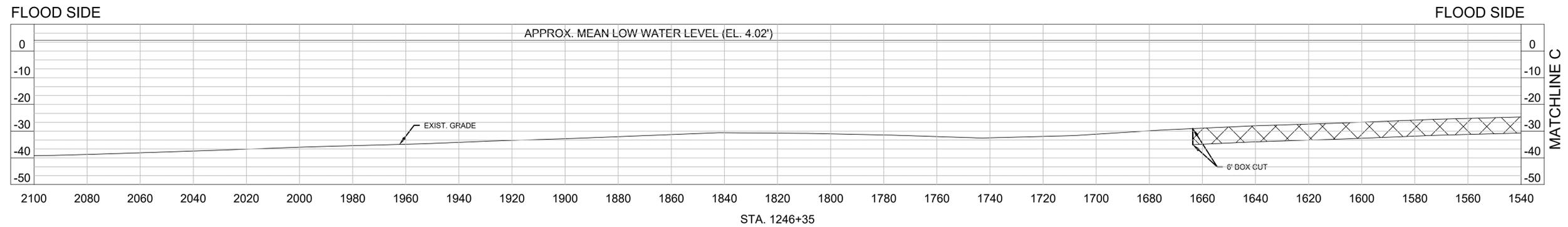
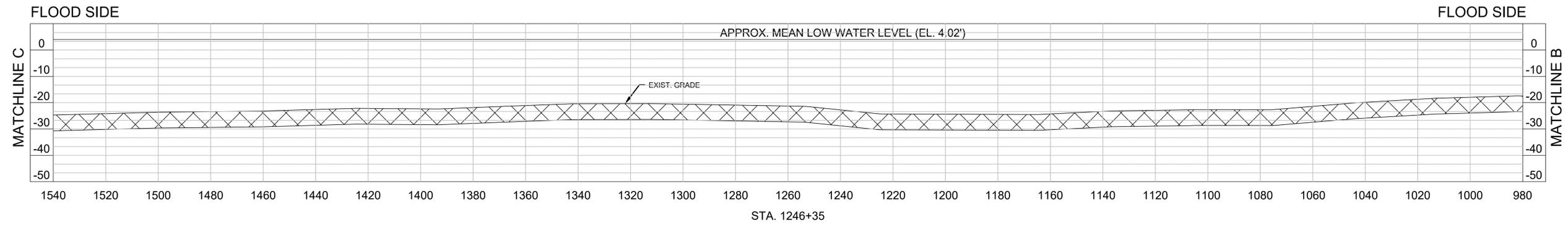
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- NOTES:
1. STATIONING BASED ON USACE BASELINE.
  2. THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW EXISTING CONFIGURATION AND ELEVATIONS OF THE EXISTING SAND PIT IN VACHERIE, LOUISIANA. THIS DRAWING DOES NOT MEET MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF LOUISIANA.

ST. JAMES SANDPIT  
 PROPOSED DREDGING  
 AND STOCKPILING



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**PRELIMINARY**

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 PREPARED UNDER THE SUPERVISION OF  
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