



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

May 13, 2024

Regulatory Division
Western Evaluation Branch

Project Manager:
Brandon Gaspard
(504) 862-1280
Brandon.D.Gaspard@usace.army.mil

Application #: MVN-2008-02723-MG

PUBLIC NOTICE

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), and/or [] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408)

ASSEMBLY FACILITY TIME EXTENSION AND PERMIT MODIFICATION IN CALCASIEU PARISH

NAME OF APPLICANT: Lake Charles Harbor and Terminal District and co-applicant Shaw Lake Charles, L.L.C., c/o: Duplantis Design Group, LLC, attn.: Mr. Bryan Olinger, 1308 Camelia Blvd., Lafayette, Louisiana 70508.

LOCATION OF WORK: The project is located at 3191 W Lincoln Road in Lake Charles, LA, 70605. 4.5 mi. south of the City of Lake Charles in Calcasieu Parish, Louisiana, (lat. 30.105143, long. -93.277443), as shown within the enclosed drawings. Hydrologic Unit Code 08080206, Lower Calcasieu Watershed.

CHARACTER OF WORK: This submission is a request for a time extension and proposed permit modification for the expansion of the previously permitted (MVN-2008-2723-WW) Shaw Port of Lake Charles Assembly Facility. The proposed expansion area is located directly adjacent to the previous development and is required to expand the existing product load and capacity/production of the facility. The proposed activities include the regrading of the site, deposition of hauled in soil and limestone aggregate fill within east and west yard areas, installation of culverts to link existing drainage infrastructure, installation of culverts to create a 90 foot equipment passage linking the existing facility to the proposed west yard, and widening of an existing heavy haul road by 30-ft. Cut material from the proposed equipment storage areas and road expansion

areas will be stored on-site in an upland spoil storage area to the maximum extent practicable. The permit modification requests additional impacts of 12.7 acres of herbaceous wetlands and 0.18 acres of non-wetland Waters of the United States.

MITIGATION: The applicant proposes to avoid and minimize direct and secondary impacts to the maximum extent practicable. Due to the nature of the project and the need for the project expansion to be located adjacent to the existing facility, the wetland impacts could not be completely avoided. For compensation for unavoidable wetland impacts, the applicant proposes to use a Corps approved mitigation bank within the watershed of impact.

The comment period on the requested Department of the 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 Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGW, BRANDON GASPARD**. 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>

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 New Orleans District 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.

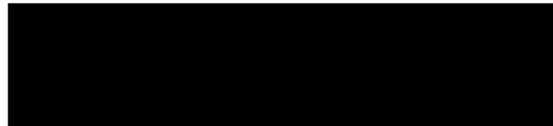
Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project would have no effect to any species listed as endangered by the U.S. Fish and Wildlife Service, nor affect any habitat designated as critical to the survival and recovery of any such species. The proposed project was evaluated under the determination key on May 10, 2024 and it has been determined that the proposed project will have "No Affect" the Red Cockaded Woodpecker (*Picoides borealis*), and is "Not Likely To Adversely Effect" the West Indian Manatee (*Trichechus manatus*).

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

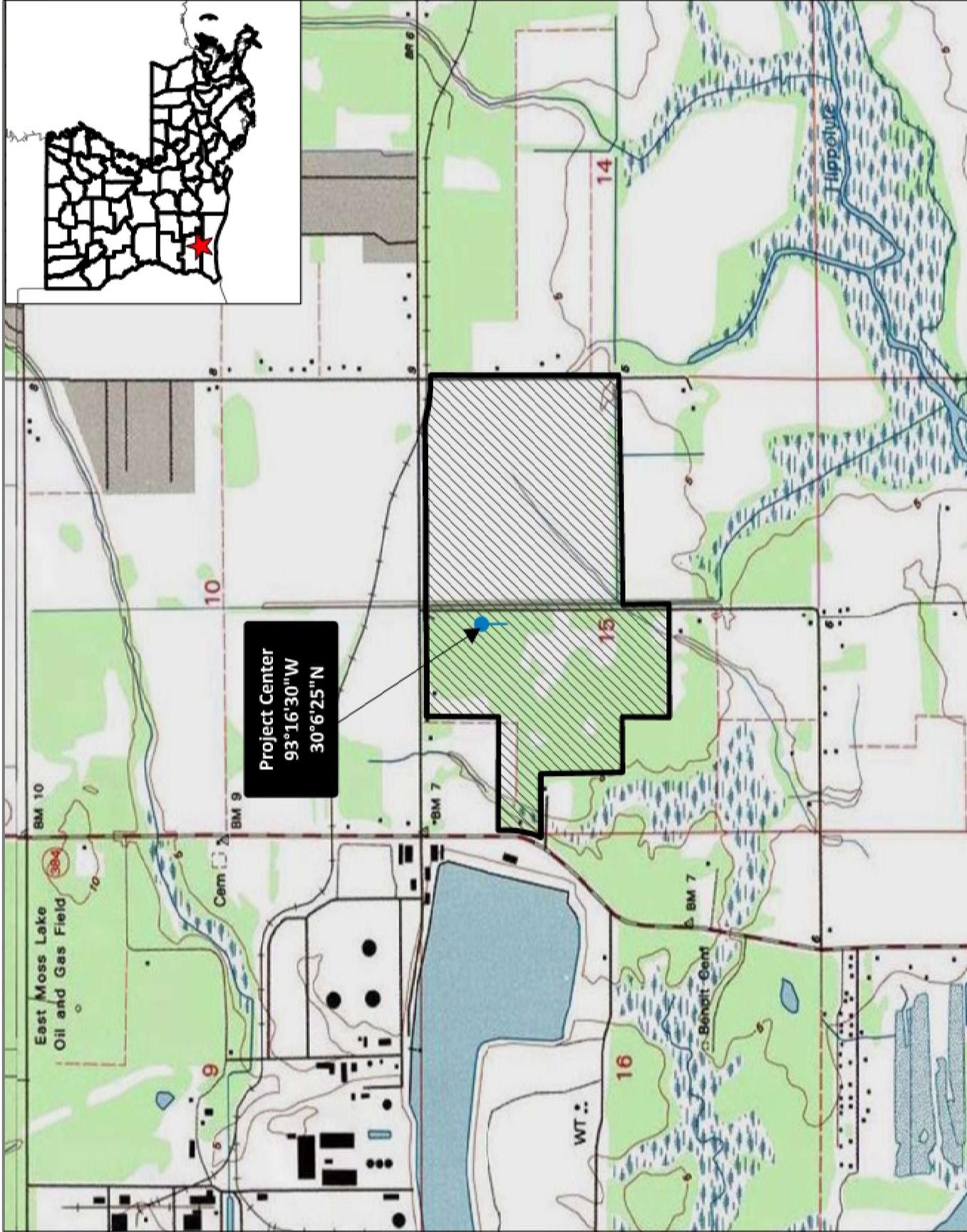
Any person may request, (preferably by email to the project manager, or in writing), within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.



Darrell S. Barbara
Chief, Western Evaluation Branch
Regulatory Division

Enclosures



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0 0.25 0.5 Miles

Legend

 Project Boundary (291.9 acres)



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 PURPOSES ONLY

MVN-2008-02723

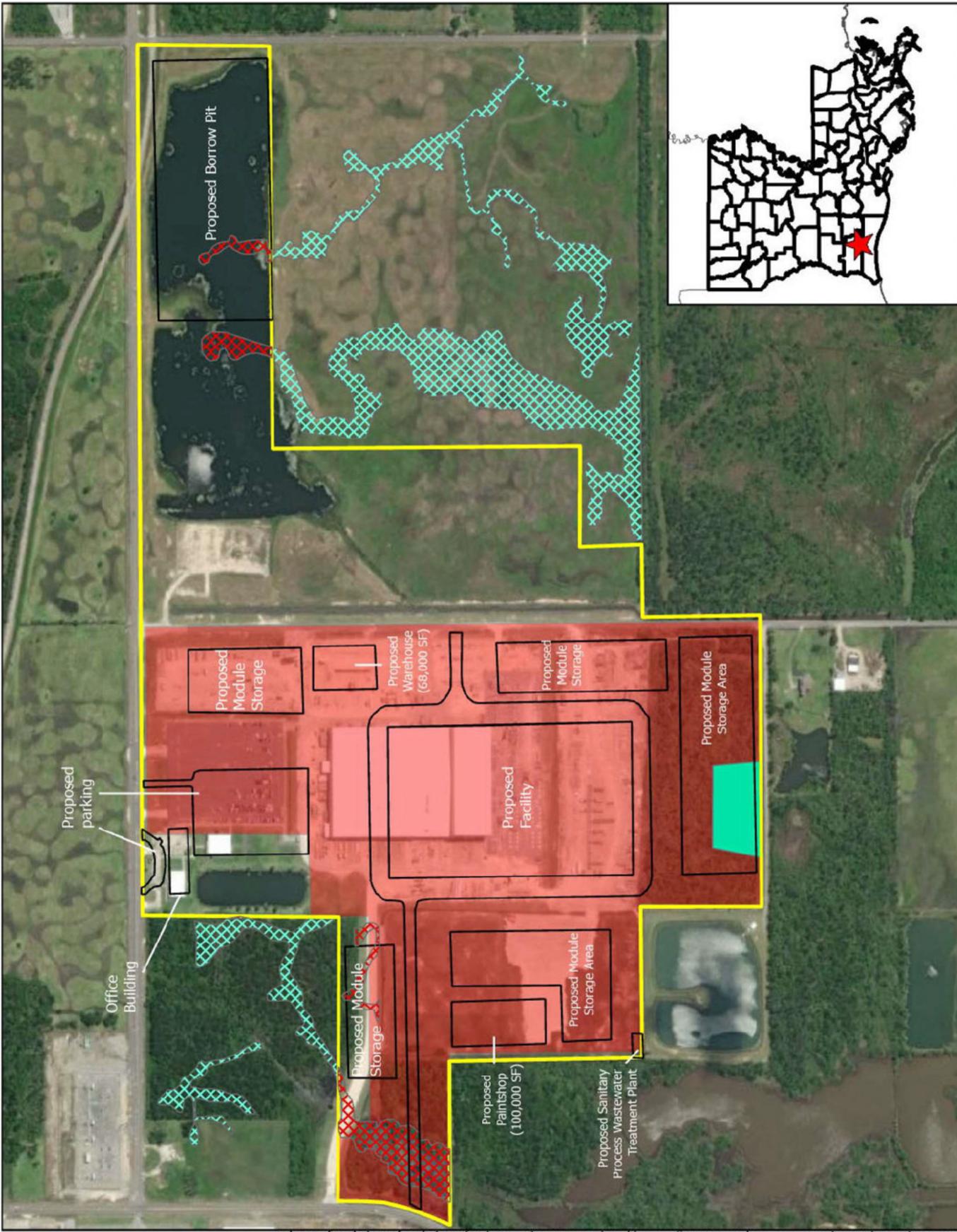
DDG PROJECT NO. 23-1539

PORT OF LAKE CHARLES AREA PROJECT

Date: 4/15/2024

CHECKED BY BO
 DRAWN BY ZM

Exhibit 2



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Legend

- 2008 Project Boundary
- 2008 Proposed Site Plan
- 2008 50% Wetland (~115-acres total area, 57.5 acres wetland)
- Permitted Prior to 2008
- 2008 Wetland 4.36-acres
- 2008 Wetlands Offsite (20.42-acres)
- 2008 50% Wetland (~115-acres total area, 57.5 acres wetland)
- Permitted Prior to 2008
- 2008 Wetlands Offsite (20.42-acres)

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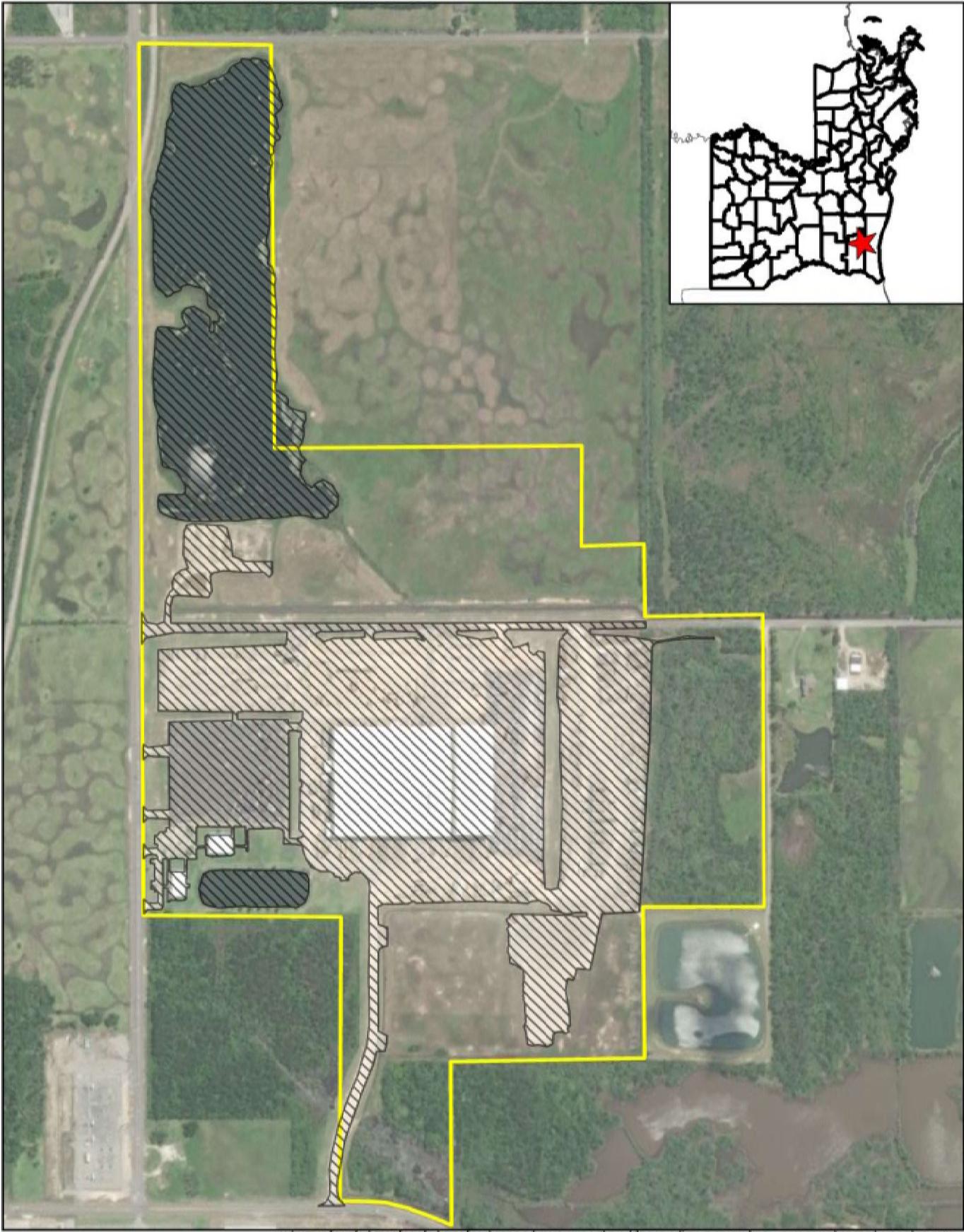
MVN-2008-02723

DDG PROJECT NO. 23-1539

PORT OF LAKE CHARLES AREA PROJECT
 Date: 4/15/2024

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Legend
 2008 Project Boundary
 As Developed in 2024



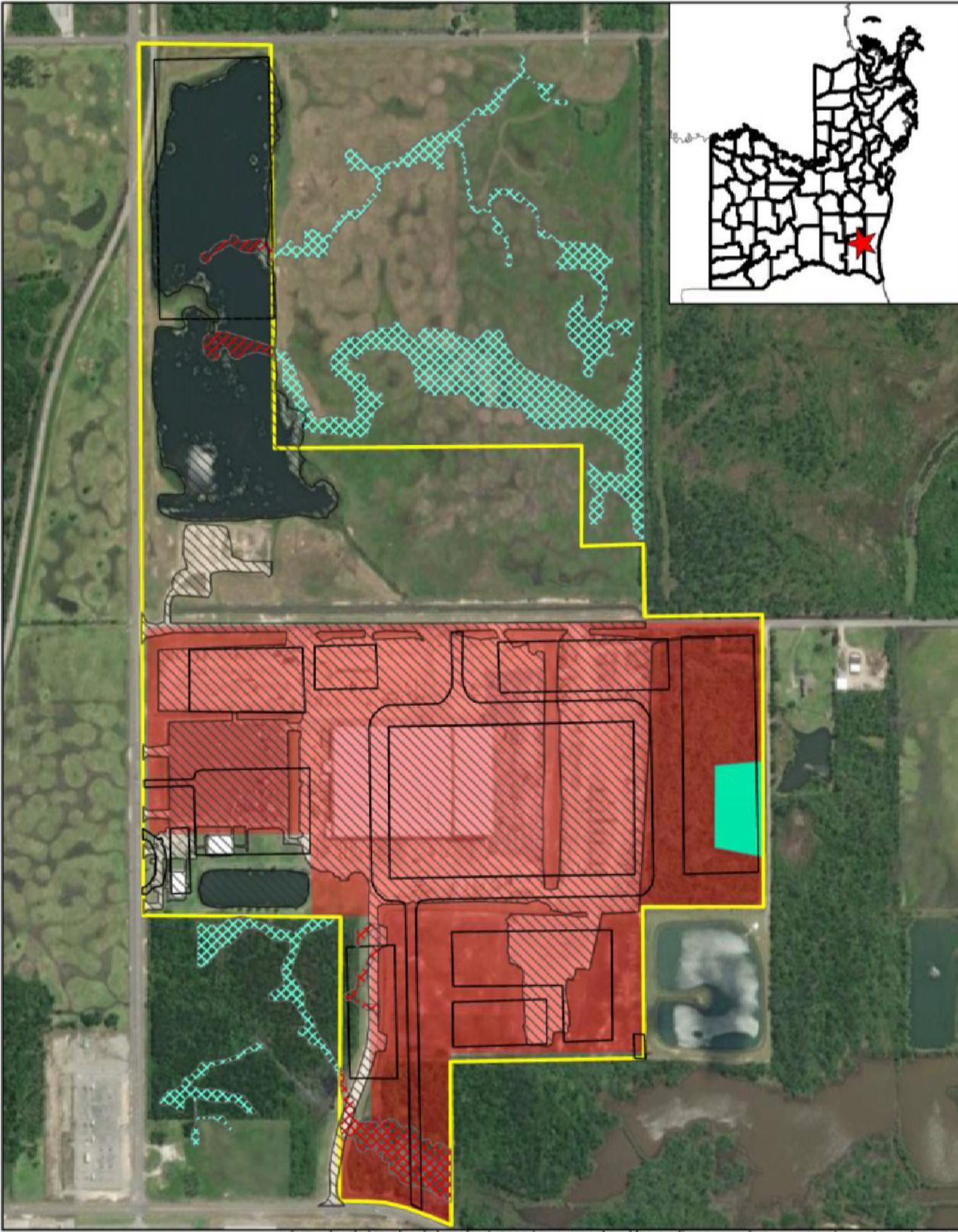
PRELIMINARY
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MVN-2008-02723

DDG PROJECT NO. 23-1539
 PORT OF LAKE CHARLES AREA PROJECT
 Date: 4/15/2024

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Exhibit 4

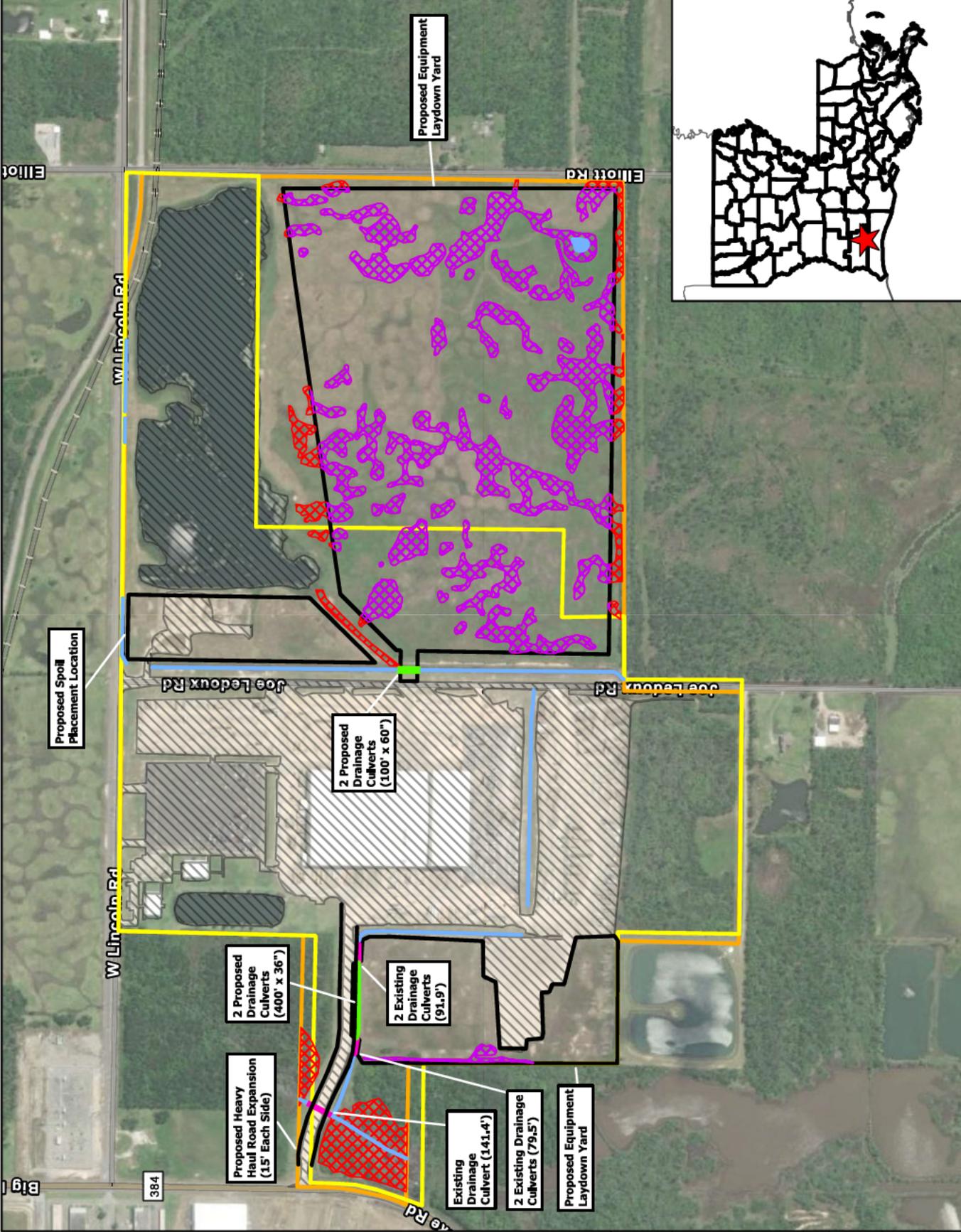


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Legend

| | | | |
|--|-------------------------------------|--|---|
| | 2008 Project Boundary | | 2008 Mitigated 50% Wetland (~115-acres) |
| | 2008 Proposed Site Plan | | Permitted Prior to 2008 |
| | 2008 Wetland Mitigated (~4.4-acres) | | 2008 Wetlands Offsite (20.42-acres) |
| | As Developed in 2024 | | |





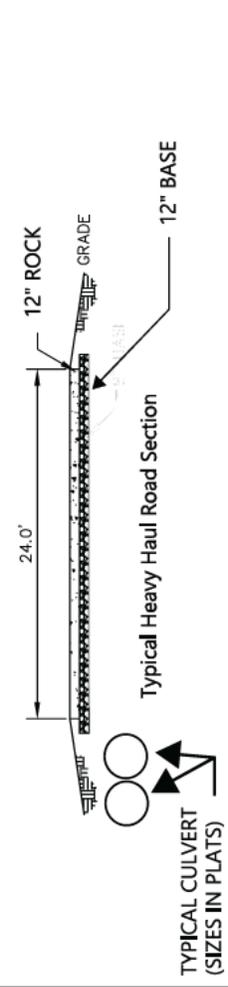
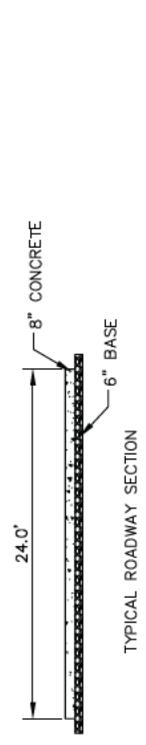
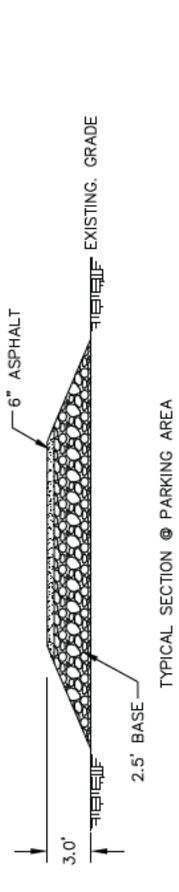
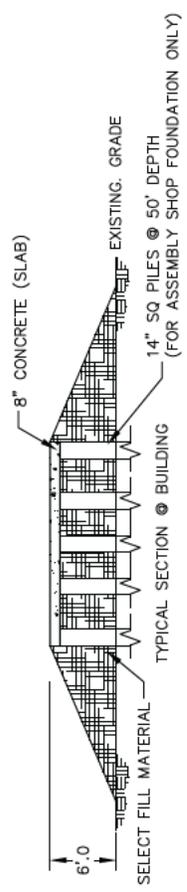
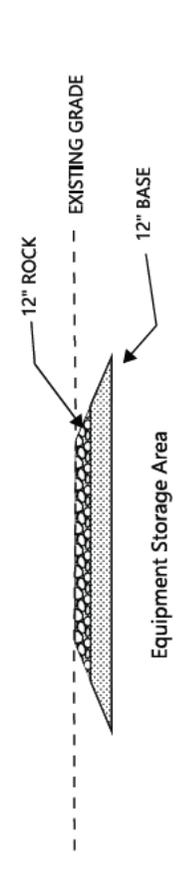
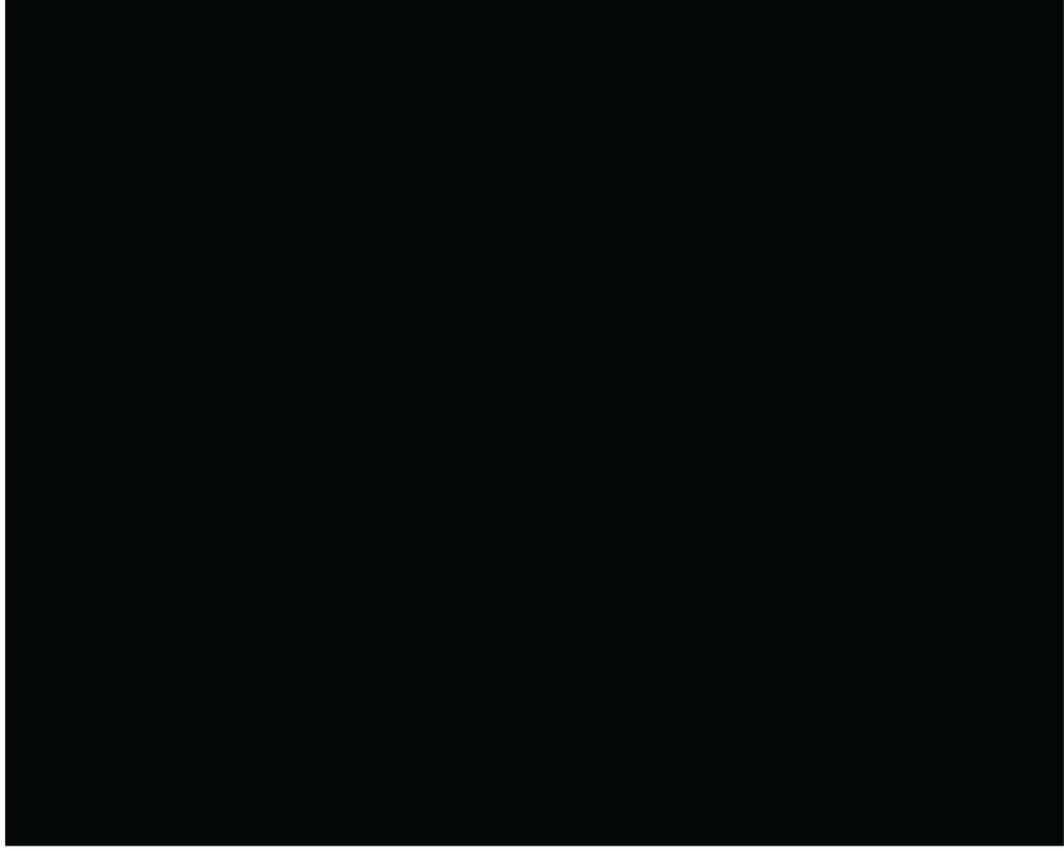
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0 0.07 0.15 Miles



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|--|---|--|--|
| | 2008 Permit Boundary | | Proposed Activities Under 2024 Permit |
| | 2024 Permit Boundary | | Developed Under 2008 Permit |
| | Non-Impacted Wetlands (6.97-acres) | | Existing Culvert (312.8 In. ft.) |
| | Wetlands to be Impacted (20.93-acres) | | Proposed Culvert Under 2024 Permit (500 In. ft.) |
| | Non-Wetland Waters (0.33-acres to be impacted; 6,129.3 In. ft. of non-impacted) | | |



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| IMAGE | - |
| X-REF | - |
| OFFICE | - |
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| APPROVED BY | - |
| DRAWING NUMBER | 2 |



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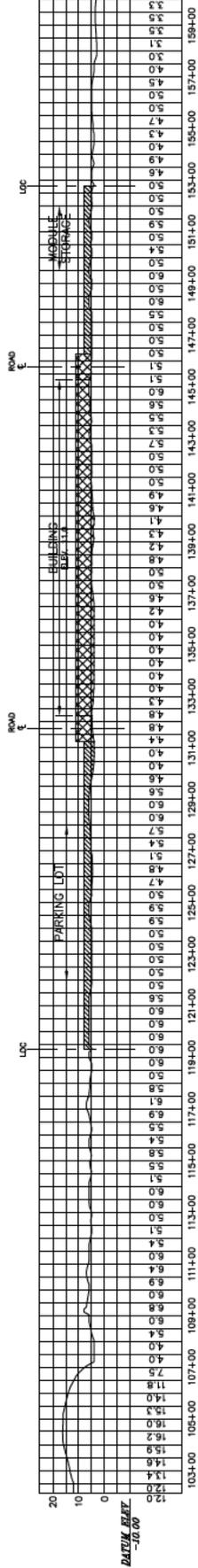
TYPICAL CROSS SECTIONS

AUGUST, 2008
PORT OF LAKE CHARLES ASSEMBLY FACILITY

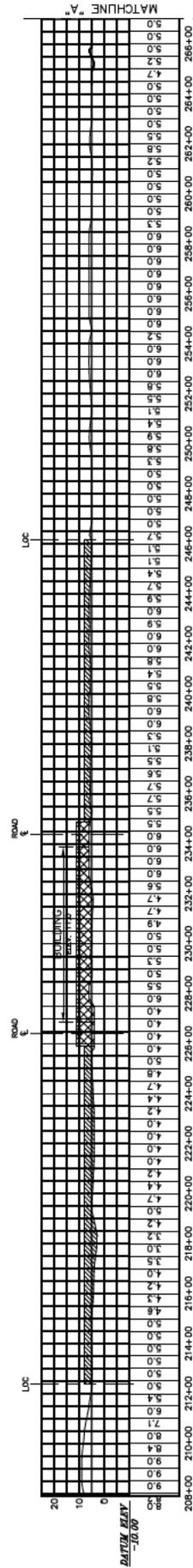
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SITE CROSS SECTIONS

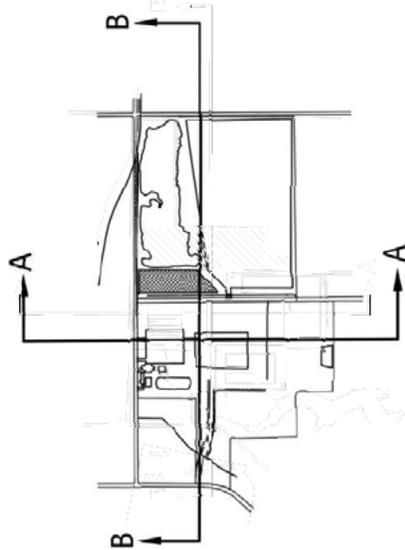
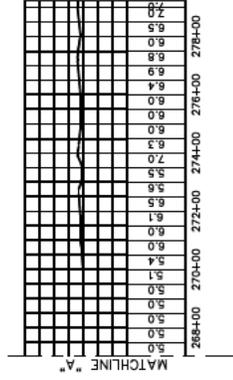
A-A SECTION



B-B SECTION



PROFILE
SCALE: 1" = 20' HORIZ
1" = 20' VERT



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SITE CROSS SECTIONS

AUGUST, 2008

PORT OF LAKE CHARLES ASSEMBLY FACILITY