

PUBLIC NOTICE

October 18, 2021

United States Army
Corps of Engineers
New Orleans District
Attn: Regulatory Division, RGW
7400 Leake Ave.
New Orleans, Louisiana 70118-3651

Project Manager:
Michael H. Herrmann
(504) 862-1954
Michael.h.herrmann@usace.army.mil
Application #: MVN-2012-00333-WLL

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: [**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).

COMERCIAL DEVELOPMENT ON G.I.W.W. IN TERREBONNE PARISH

NAME OF APPLICANT: Poule Deaux Properties LLC, c/o: AUX, LLC, 214 Pamela Place, Thibodaux, LA 70301.

LOCATION OF WORK: Located in Terrebonne Parish on the Gulf Intracoastal Canal, off LA State Highway 315, in Dularge, Louisiana, (lat. 29 33 51, long. -90 43 28) in Sections 48, 49, 104 T17S-R17E, as shown within the attached drawings.

The work described below was partially completed prior to obtaining a Department of the Army permit and was in violation of Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have since been deferred.

CHARACTER OF WORK: Clear, grade, excavate and deposit fill to develop an industrial site with boat and barge facilities, and limestone roads and parking areas, in Terrebonne Parish. The purpose of the proposed development is to conduct industrial business along the G.I.W.W.. The project will be located on a 26.8 acre tract of land located off of Highway 315 and will impact approximately 4.6 acres of cypress/marsh habitat through filling 4.6 acres. Fill operations will include the deposition of approximately 104,901 cubic yards of limestone material into wetlands, as foundation for roadways, buildings, work amenities, facilities, and parking. If a Department of the Army permit is warranted, the applicant has proposed to mitigate unavoidable wetlands impacts at an approved and acceptable mitigation bank within the N.O. District.

The applicant may be required to fully or partially restore the site to pre-project conditions if issuance of a permit is determined to be contrary to the public interest.

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 emailed to the Corps of Engineers project manager listed above, or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGW, Michael Herrmann** Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or 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 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 and inclusive of the initial comment period and 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.

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. As 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 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. 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 (e.g. is located in waters known to be utilized by the West Indian manatee and determined that the activity is not likely to adversely affect this species. If this permit modification/time extension is issued, the permittee will be required to follow the Manatee Special Conditions for In-Water Use.

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 **4.6 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.

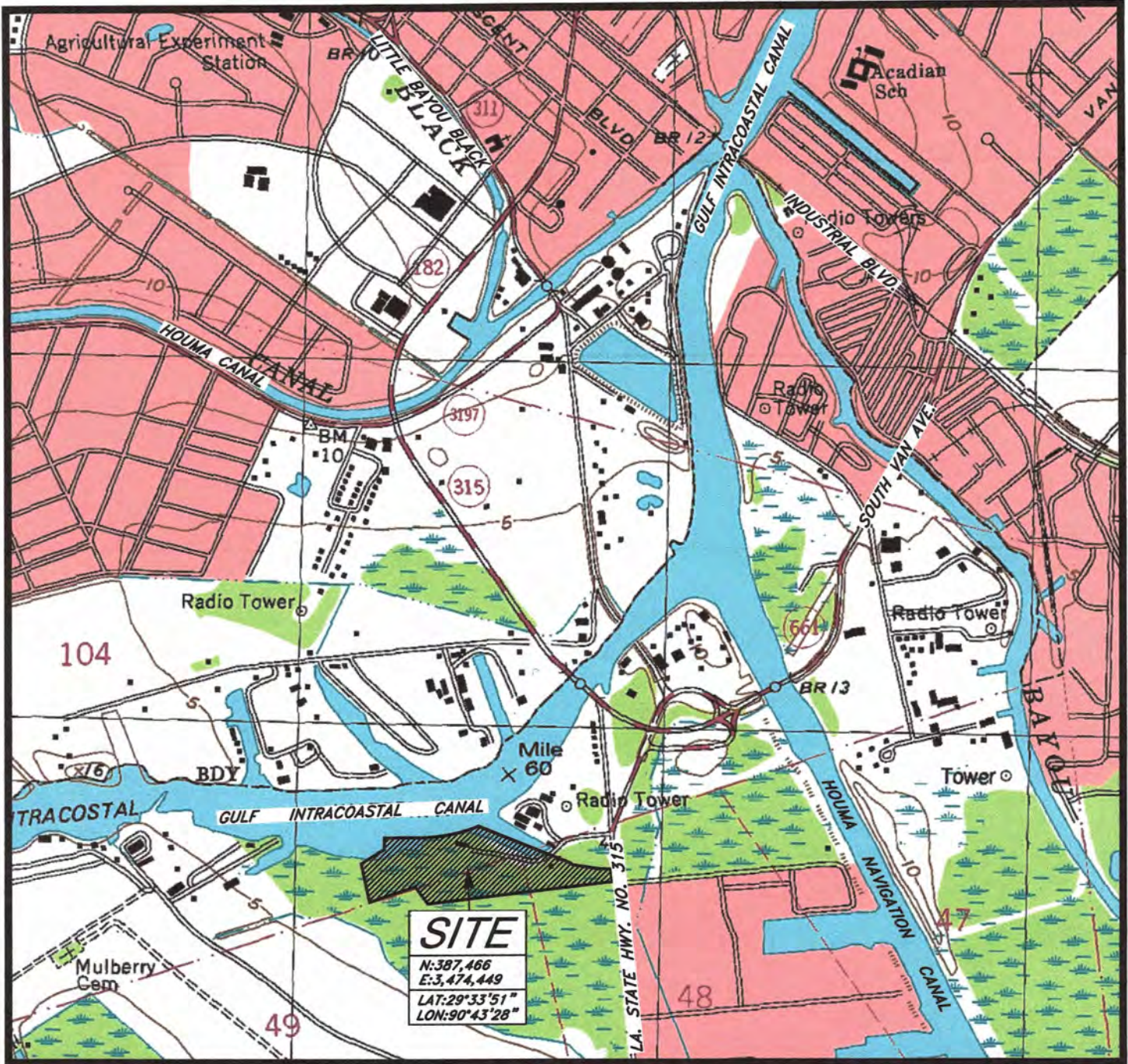
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 receives 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.

Darrell S. Barbara
Chief, Western Evaluation Branch
Regulatory Division

Enclosures



SITE
 N:387,466
 E:3,474,449
 LAT:29°33'51"
 LON:90°43'28"

1	06 JUL 20	FINAL DRAFT
NO.	DATE	REVISION

ACCOUNT NO. MVN 2012-333 "VICINITY MAP"

AGENT:
 HORACE THIBODAUX & AUX, LLC
 214 PAMELA PLACE
 THIBODAUX, LA 70301
 PHONE: 985.387.0161

APPLICATION BY:
 POULE D'EAU PROPERTIES, L.L.C.
 P.O. BOX 2617
 HOUMA, LA 70361

AFTER THE FACT PERMIT

UNAUTHORIZED IMPROVEMENTS ON PROPERTY
 ALONG THE GULF INTRACOASTAL CANAL
 LOCATED IN SECTIONS 48, 49 & 104 T17S - R17E
 DULARGE, TERREBONNE PARISH, LOUISIANA
 THESE PLATS ARE TO BE USED EXCLUSIVELY FOR
 THE ACQUISITION OF REGULATORY PERMITS.

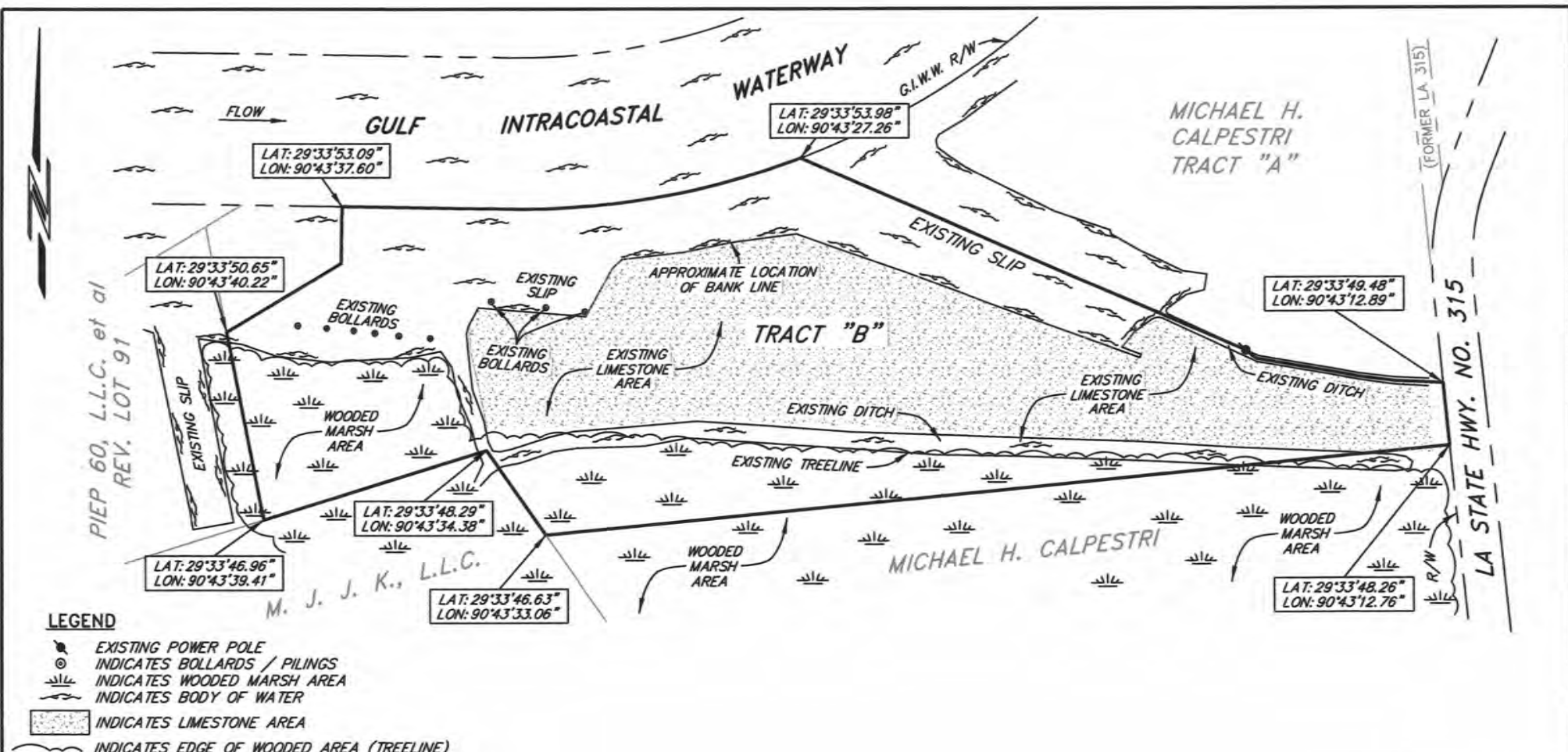


Keneth L. Rembert, PLS
 LAND SURVEYORS
 635 SCHOOL STREET, HOUMA, LOUISIANA 70360
 (985) 879-2782 FAX - (985) 879-1641



SHEET	1	OF	6
DRAWN BY:	B.MARTIN		
APPROVED BY:	KL REMBERT		
SCALE:	1' = N.T.S.		
DATE:	28 AUG 19		
JOB NUMBER:	19-217		

FILE: BENNY-CENAC-DULARGE-INTRACOASTAL-SLIP-PERMIT



- LEGEND**
- EXISTING POWER POLE
 - INDICATES BOLLARDS / PILINGS
 - INDICATES WOODED MARSH AREA
 - INDICATES BODY OF WATER
 - INDICATES LIMESTONE AREA
 - INDICATES EDGE OF WOODED AREA (TREELINE)

1	06 JUL 20	FINAL DRAFT
NO.	DATE	REVISION

"2008 OVERVIEW"

AFTER THE FACT PERMIT

UNAUTHORIZED IMPROVEMENTS ON PROPERTY ALONG THE GULF INTRACOASTAL WATERWAY LOCATED IN SECTIONS 48, 49 & 104 T17S - R17E DULARGE, TERREBONNE PARISH, LOUISIANA
 THESE PLATS ARE TO BE USED EXCLUSIVELY FOR THE ACQUISITION OF REGULATORY PERMITS.

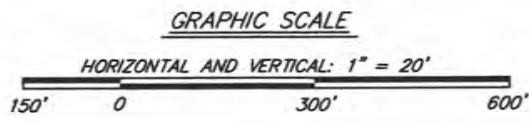
AGENT:
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 214 PAMELA PLACE
 THIBODAUX, LA 70301
 PHONE: 985.387.0161

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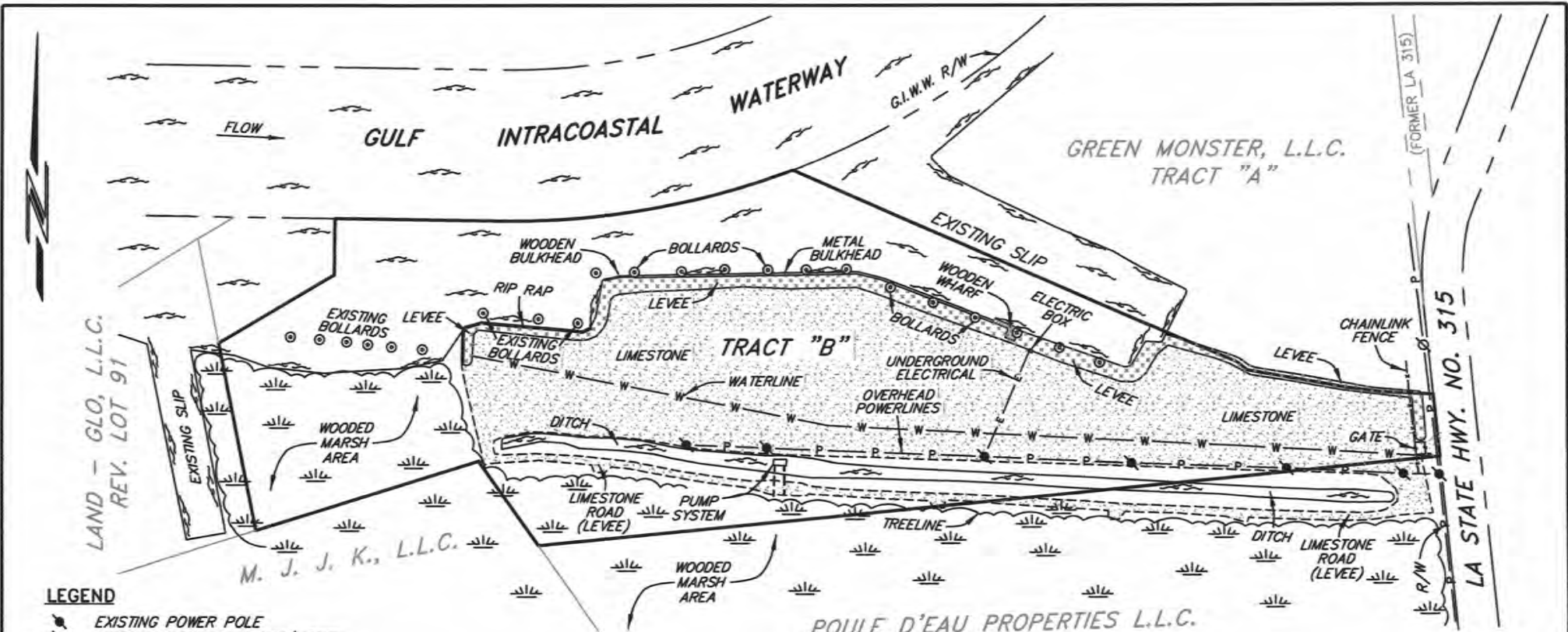
I CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS AND THAT THE ACCURACY STANDARDS ARE IN ACCORDANCE WITH CLASS "D" (RURAL) SURVEYS AS INDICATED IN THE ABOVE STANDARDS.

Keneth L. Rembert, PLS
 — LAND SURVEYORS —
 635 SCHOOL STREET, HOUMA, LOUISIANA 70360
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SHEET	2	OF	6
DRAWN BY:	B.MARTIN		
APPROVED BY:	KL REMBERT		
SCALE:	1' = 300'		
DATE:	28 AUG 19		
JOB NUMBER:	19-217		

FILE: BENNY-CENAC-DULARGE-INTRACOASTAL-SLIP-PERMIT



LEGEND

- EXISTING POWER POLE
- EXISTING POWER POLE W/LIGHT
- INDICATES BOLLARDS / PILINGS
- INDICATES WOODED MARSH AREA
- INDICATES BODY OF WATER
- INDICATES LIMESTONE AREA
- INDICATES EDGE OF WOODED AREA (TREELINE)

ALL EXISTING STRUCTURES, FILL, BULKHEADS, BOLLARDS AND DITCH ARE UNAUTHORIZED EXCEPT THOSE IN NON-WETLANDS.

1	06 JUL 20	FINAL DRAFT
NO.	DATE	REVISION

"2012 OVERVIEW"

AFTER THE FACT PERMIT

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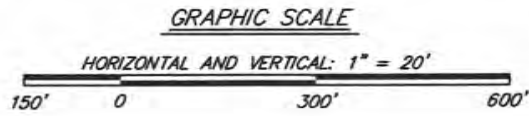


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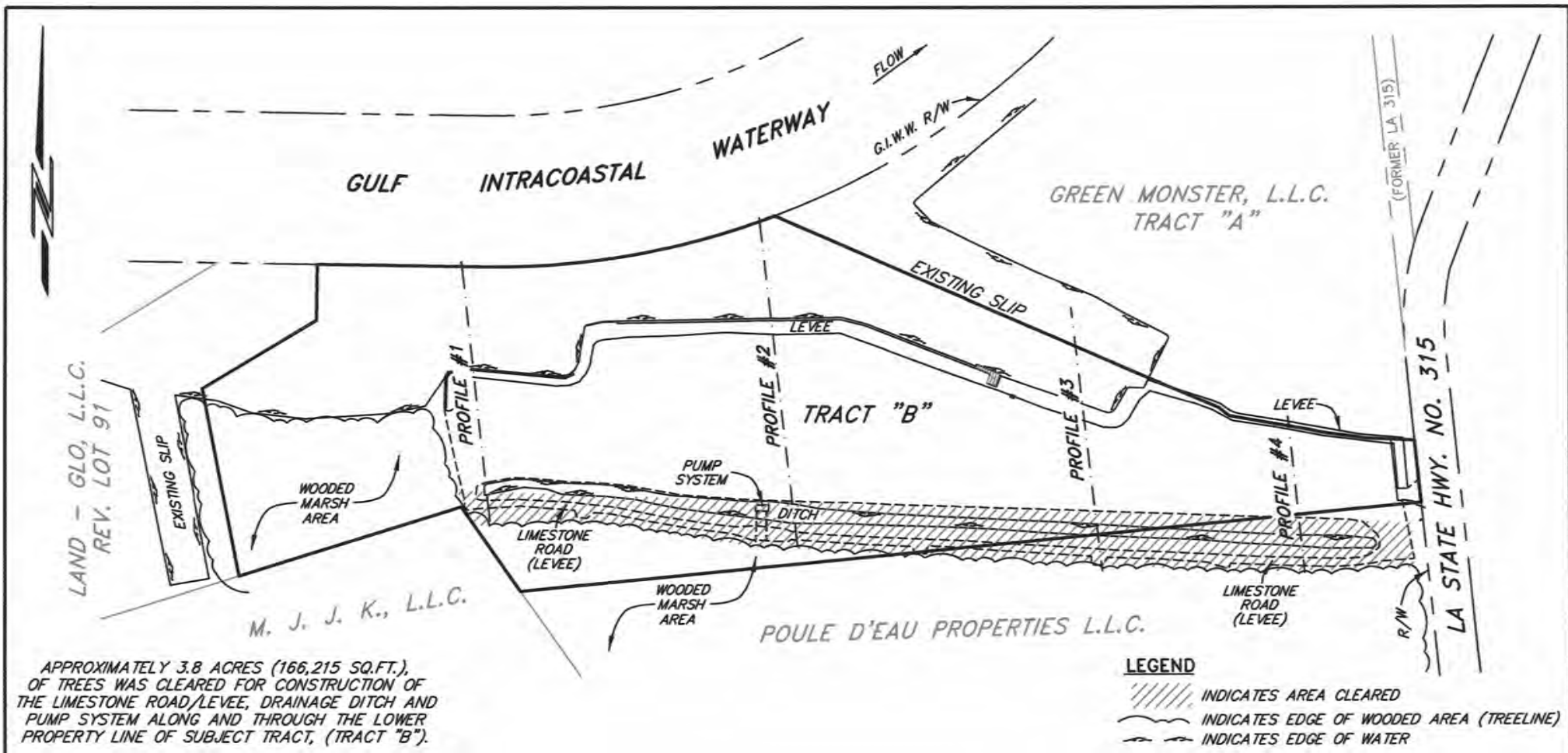
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SHEET	3	OF	6
DRAWN BY:	B.MARTIN		
APPROVED BY:	KL. REMBERT		
SCALE:	1" = 300'		
DATE:	28 AUG 19		
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FILE: BENNY-CENAC-DULARGE-INTRACOASTAL-SLIP-PERMIT



APPROXIMATELY 3.8 ACRES (166,215 SQ.FT.), OF TREES WAS CLEARED FOR CONSTRUCTION OF THE LIMESTONE ROAD/LEVEE, DRAINAGE DITCH AND PUMP SYSTEM ALONG AND THROUGH THE LOWER PROPERTY LINE OF SUBJECT TRACT, (TRACT "B").

LEGEND
 // // // // INDICATES AREA CLEARED
 ~~~~~ INDICATES EDGE OF WOODED AREA (TREELINE)  
 - - - - - INDICATES EDGE OF WATER

|     |           |             |
|-----|-----------|-------------|
| 1   | 06 JUL 20 | FINAL DRAFT |
| NO. | DATE      | REVISION    |

**"2012 PROFILE OVERVIEW"**

**AFTER THE FACT PERMIT**

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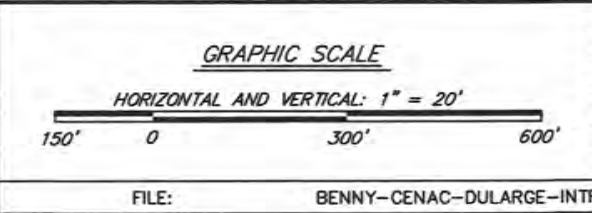


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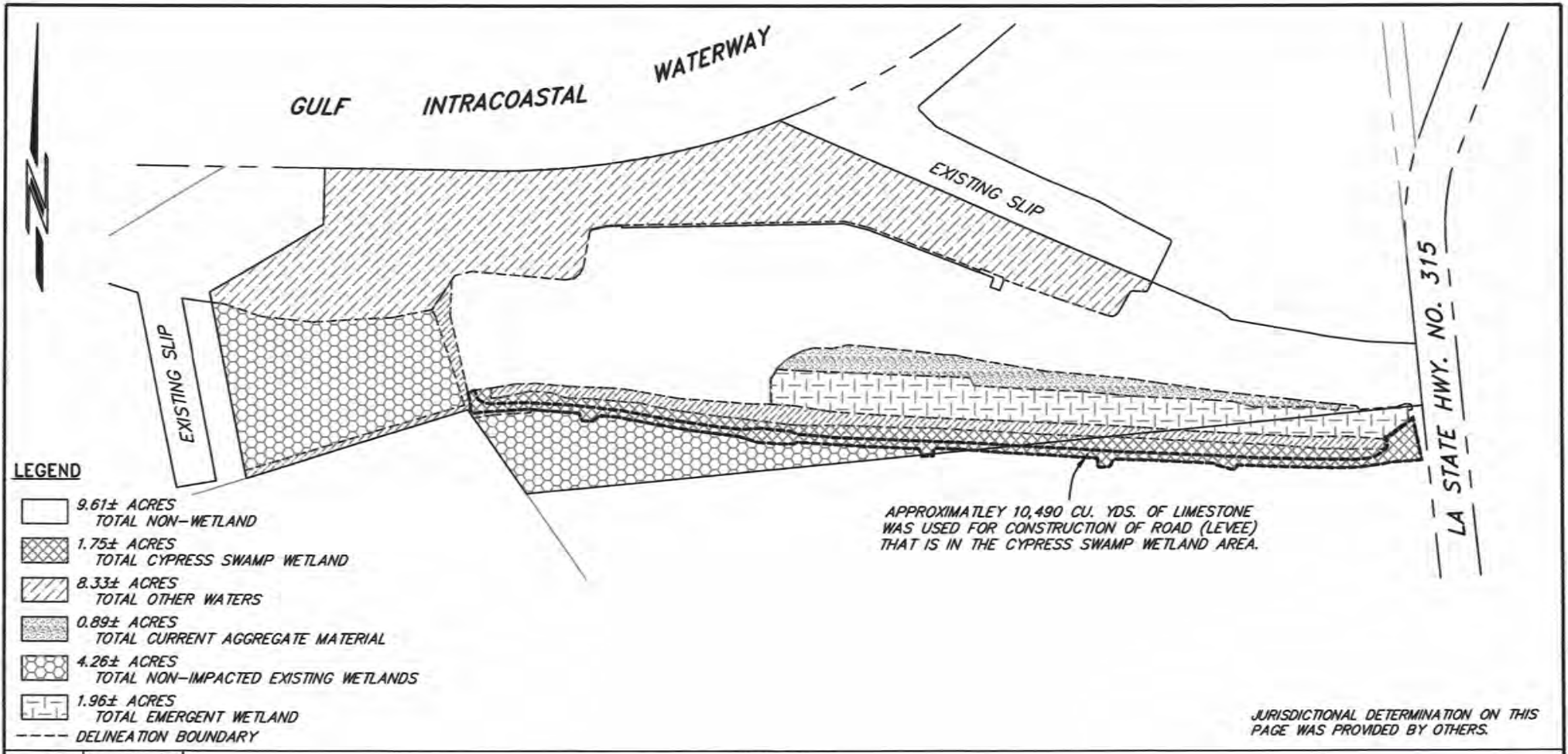
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|              |            |    |   |
|--------------|------------|----|---|
| SHEET        | 4          | OF | 6 |
| DRAWN BY:    | B.MARTIN   |    |   |
| APPROVED BY: | KL REMBERT |    |   |
| SCALE:       | 1' = 300'  |    |   |
| DATE:        | 28 AUG 19  |    |   |
| JOB NUMBER:  | 19-217     |    |   |



JURISDICTIONAL DETERMINATION ON THIS PAGE WAS PROVIDED BY OTHERS.

|     |           |             |
|-----|-----------|-------------|
| 1   | 06 JUL 20 | FINAL DRAFT |
| NO. | DATE      | REVISION    |

**"WETLAND DELINEATION"**

**AFTER THE FACT PERMIT**

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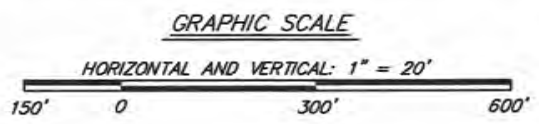
AGENT:  
 HORACE THIBODAUX & AUX, LLC  
 214 PAMELA PLACE  
 THIBODAUX, LA 70301  
 PHONE: 985.387.0161

APPLICATION BY:  
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 P.O. BOX 2617  
 HOUMA, LA 70361



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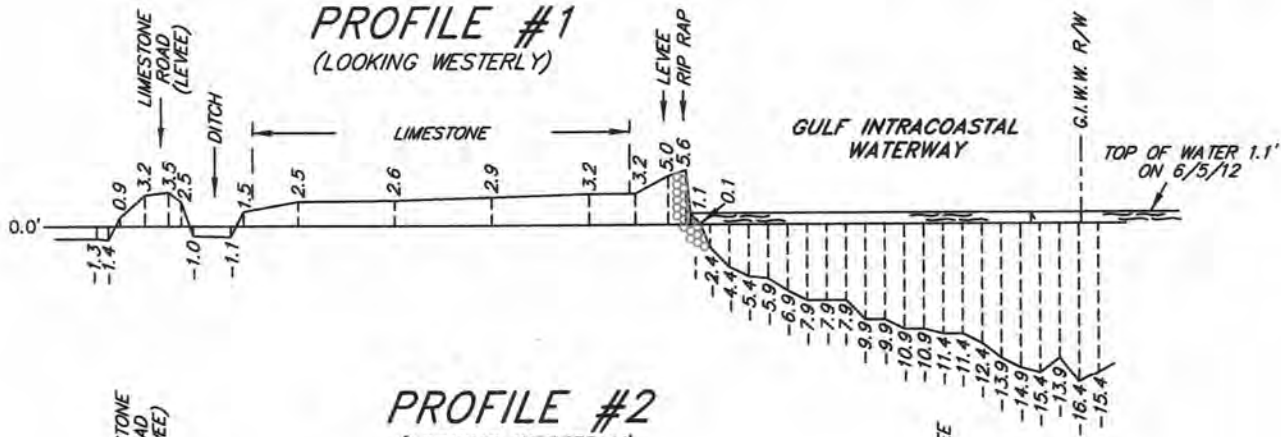
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| SHEET        | 5           | OF | 6 |
| DRAWN BY:    | B.MARTIN    |    |   |
| APPROVED BY: | KL. REMBERT |    |   |
| SCALE:       | 1' = 300'   |    |   |
| DATE:        | 28 AUG 19   |    |   |
| JOB NUMBER:  | 19-217      |    |   |

FILE: BENNY-CENAC-DULARGE-INTRACOASTAL-SLIP-PERMIT

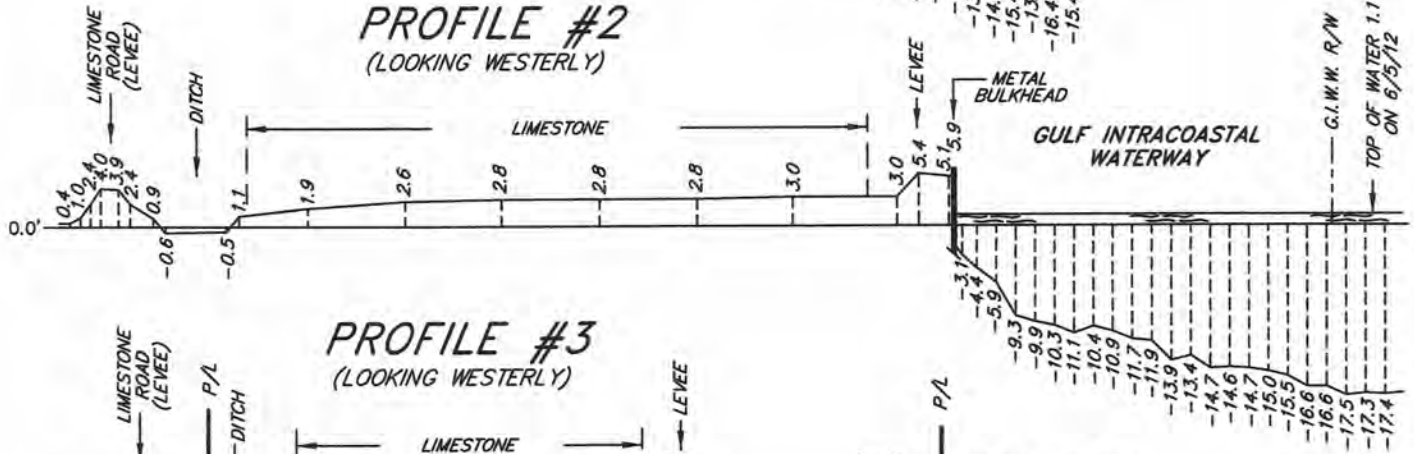


STA. 0+00 50' 100' 150' 200' 250' 300' 350' 400' 450' 500' 550' 600' 650'

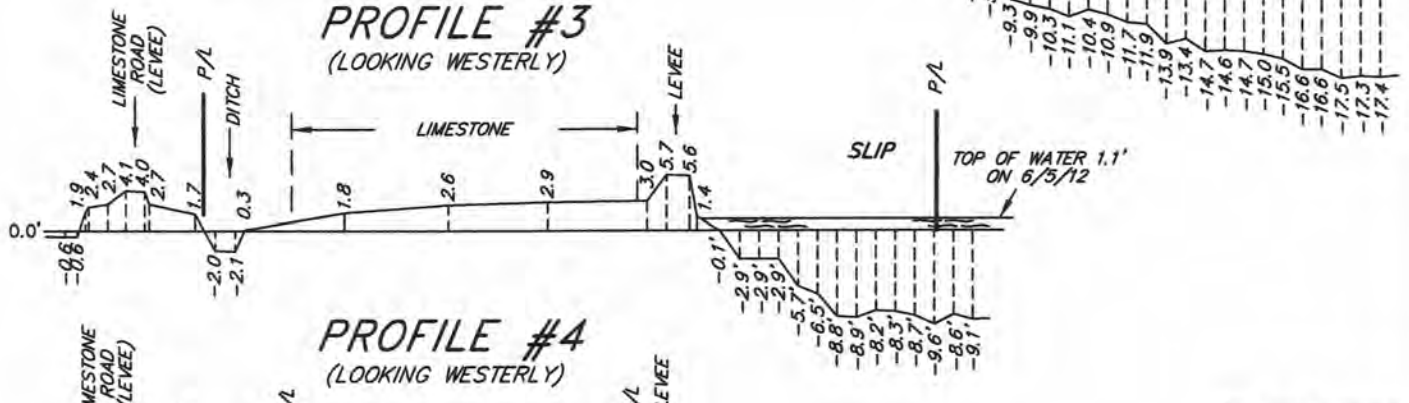
**PROFILE #1**  
(LOOKING WESTERLY)



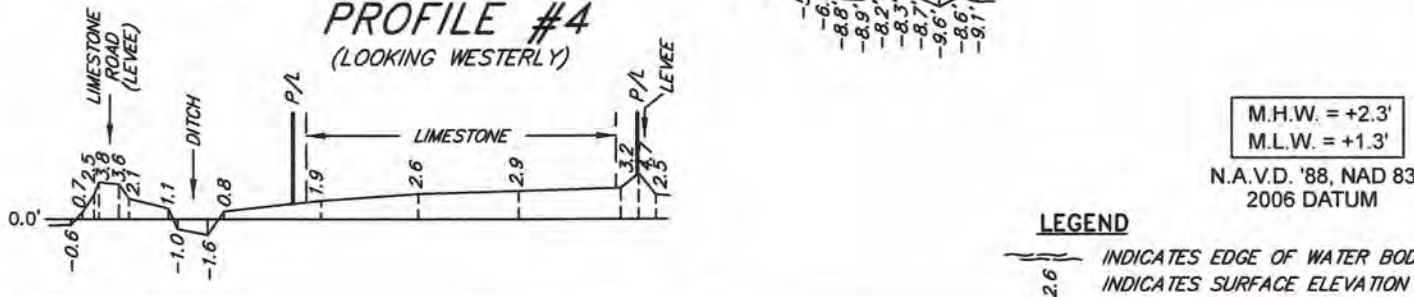
**PROFILE #2**  
(LOOKING WESTERLY)



**PROFILE #3**  
(LOOKING WESTERLY)



**PROFILE #4**  
(LOOKING WESTERLY)



M.H.W. = +2.3'  
M.L.W. = +1.3'

N.A.V.D. '88, NAD 83  
2006 DATUM

**LEGEND**

— INDICATES EDGE OF WATER BODY  
2.6 — INDICATES SURFACE ELEVATION

|     |           |             |
|-----|-----------|-------------|
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| NO. | DATE      | REVISION    |

**"2012 PROFILES"**

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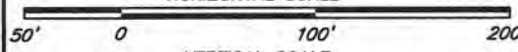
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— LAND SURVEYORS —  
635 SCHOOL STREET, HOUMA, LOUISIANA 70360  
(985) 879-2782 FAX - (985) 879-1641



GRAPHIC SCALE

HORIZONTAL SCALE



VERTICAL SCALE



|              |                        |    |   |
|--------------|------------------------|----|---|
| SHEET        | 6                      | OF | 6 |
| DRAWN BY:    | B.MARTIN               |    |   |
| APPROVED BY: | KL REMBERT             |    |   |
| SCALE:       | H - 1"=100' V - 1"=20' |    |   |
| DATE:        | 28 AUG 19              |    |   |
| JOB NUMBER:  | 19-217                 |    |   |

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