



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

May 29, 2023

Regulatory Division  
Central Evaluation Branch

Project Manager  
S. Gail Gainey  
(504) 862-1545  
Sandra.G.Gainey@usace.army.mil  
Application Number: MVN-2013-01904-CG

## **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) and [ X ] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

### **MODIFICATION OF SAND MINING OPERATIONS IN THE MISSISSIPPI RIVER, LDB RM 172.7 IN ASCENSION PARISH**

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

**LOCATION OF WORK:** On the Mississippi River, left descending bank at river mile 172.7, west of Darrow, Louisiana, in Ascension Parish, within the Mississippi River Basin in hydrologic unit (HUC 08070100), as shown on the attached drawings (Latitude 30.114768 N, Longitude -90.951717 W).

**CHARACTER OF WORK:** The project location has historically been an active sand mining operation facility. The most recent authorization dated March 26, 2019 merged this site with an adjacent sand mining operation directly to the north into a single approx. 135-acre mining facility under management of South Louisiana Fill Materials, LLC. However, this southern portion was authorized as MVN-2013-01904-CL on April 21, 2014 to B&K Equipment Services, Inc. and transferred to the current applicant on August 10, 2017. The northern portion was authorized as MVN-2008-00302-CU on March 6, 2009 to the current applicant and extended for time on September 14, 2015.

The applicant now requests Department of the Army authorization to separate the sites into two distinct facilities once again and modify the southern site to include the continued use of a barge spudding location, three existing sand pits totaling approx. 10 acres, and an existing 6-acre stockpile area within the Mississippi River. Approx. 150,000 CY of excavated material will be removed for commercial sale each year impacting a total of approx. 16 acres of traditionally navigable water and Mississippi River batture.

**MITIGATION:** The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable by remaining within the footprint of the existing mining operation facility, avoiding all wetlands and utilizing best management practices during the construction phase of the project and the project. The proposed activity does not affect wetland resources; therefore, no mitigation is required.

The comment period for the 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 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 preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGC, S. Gail Gainey**. 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 utilizes the National Register of Historic Places to identify properties listed on or near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. However, extent of impacts is undetermined at this time pending a National Historic Preservation Act compliance determination. As deemed necessary, copies of this notice are made available to the State Archeologist and the State Historic Preservation Officer,

and federally recognized Native American 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 under their jurisdiction.

Utilizing the Information & Planning Consultation for Endangered Species in Louisiana protocol, 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 in waters known to be utilized by the West Indian Manatee (*Trichechus manatus*) and with the inclusion of the Standard Manatee Conditions for In-Water Activities, the proposed work is not likely to adversely affect the West Indian Manatee. Additionally, the proposed work has been determined not likely to adversely affect Pallid Sturgeon (*Scaphirhynchus albus*) as the cutterhead/suction dredge operational parameters will also be included as permit conditions.

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 12 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, Office of Environmental Services, 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.

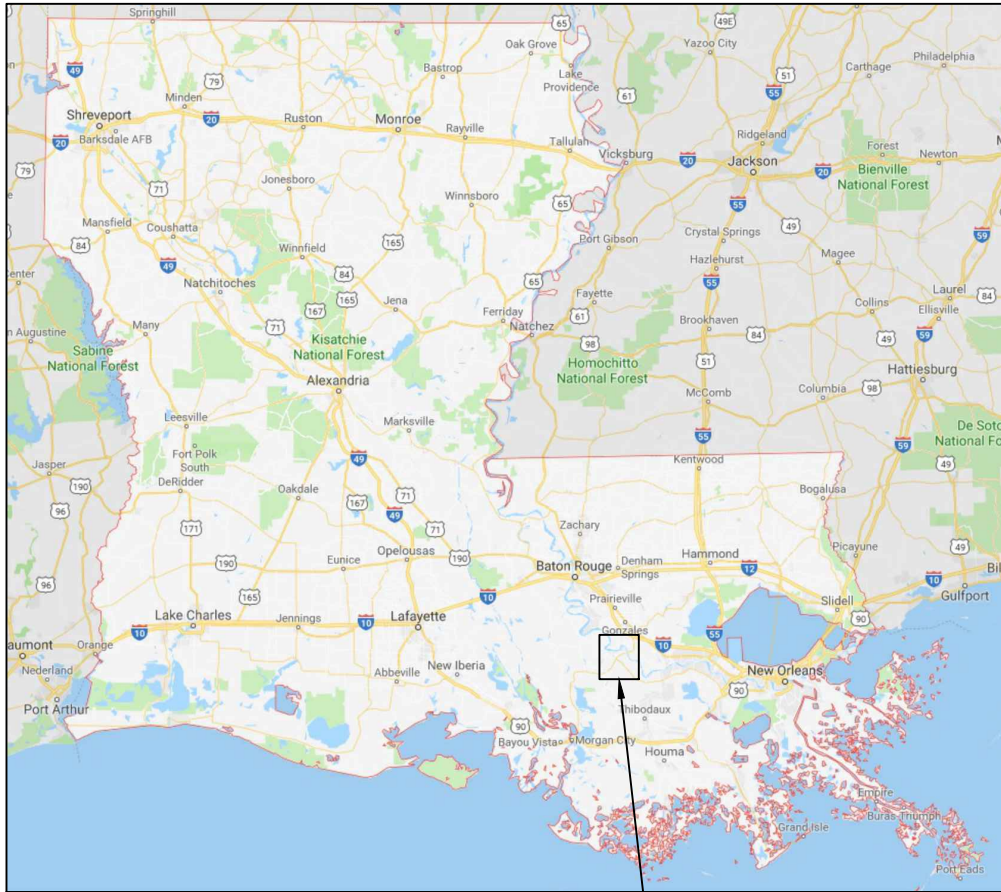
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program (Louisiana Coastal Zone Application P20220137). The Department of the Army permit will not be issued unless 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

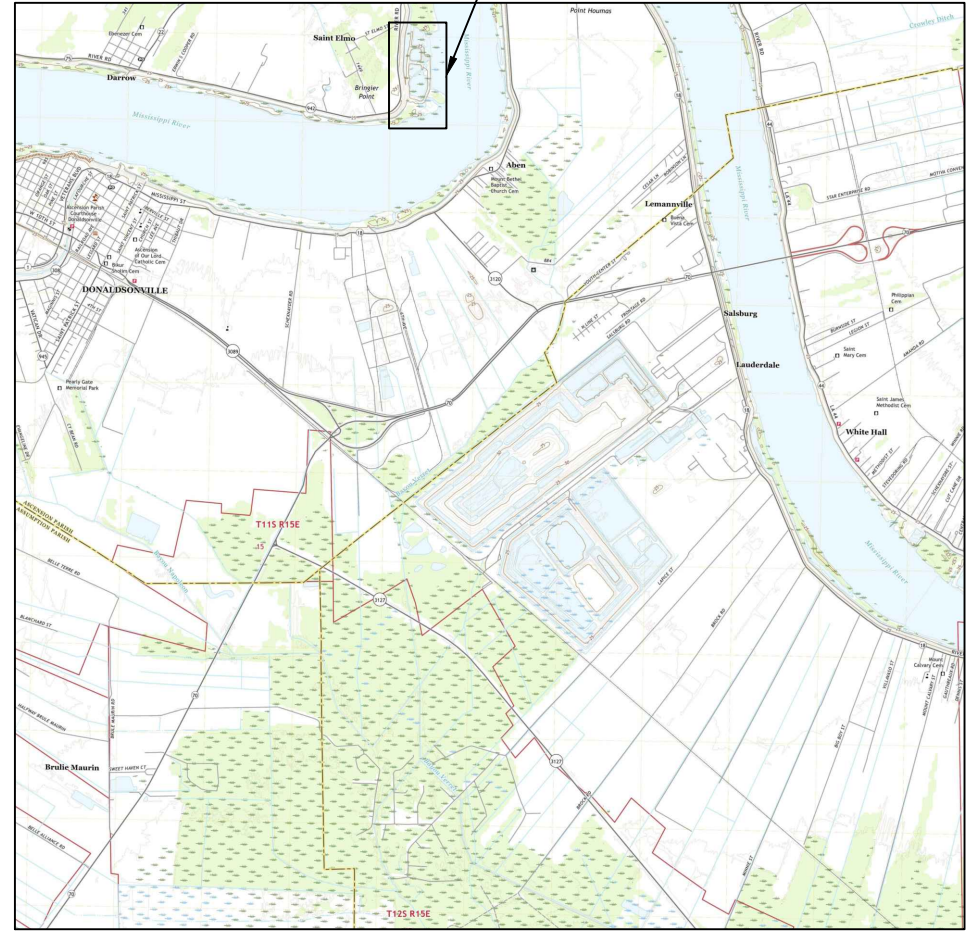


SITE



AREA MAP  
(NOT TO SCALE)

SITE



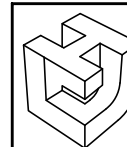
VICINITY MAP  
(NOT TO SCALE)

**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 FACILITY IN AVONDALE, LOUISIANA. THIS DRAWING DOES NOT MEET MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF LOUISIANA.
3. HYDROGRAPHIC DATA SHOWN IS FROM LINFIELD HUNTER & JUNIUS HYDROGRAPHIC SURVEY TAKEN DECEMBER 2020.
4. ELEVATIONS SHOWN REFER TO NAVD 88. ELEVATIONS WERE COMPUTED USING GEOID09.
5. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITTEE 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.

PRELIMINARY

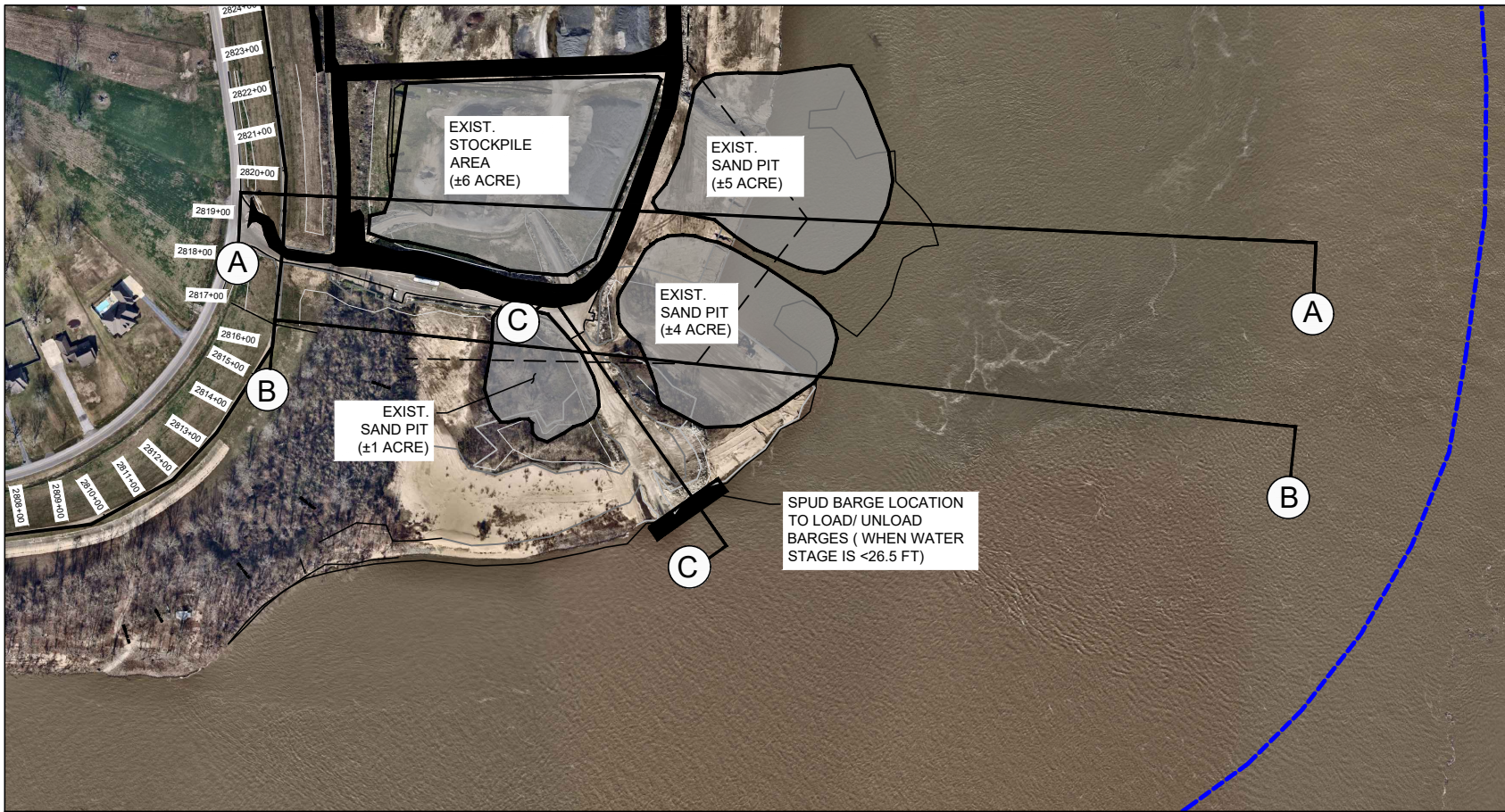
04-04-23



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**LEGEND:**

- EXISTING ROADS AND LEVEE
- EXISTING DREDGE AREA
- MEAN HIGH WATER EL. 27.83'
- NAVIGATION CHANNEL

SPUD BARGE LOCATION TO LOAD/ UNLOAD BARGES ( WHEN WATER STAGE IS <26.5 FT)

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4. 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.
5. 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.
6. STRUCTURES MUST ALSO BE MARKED/ LIGHTED IN ACCORDANCE WITH U.S. COAST GUARD REGULATIONS.
7. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITTEE 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.
8. NAVIGATION CHANNEL BASED ON USACE 2015 MISSISSIPPI RIVER NAVIGATION CHART FOLIO, 63RD EDITION.

**DARROW SANDPIT PLAN VIEW**

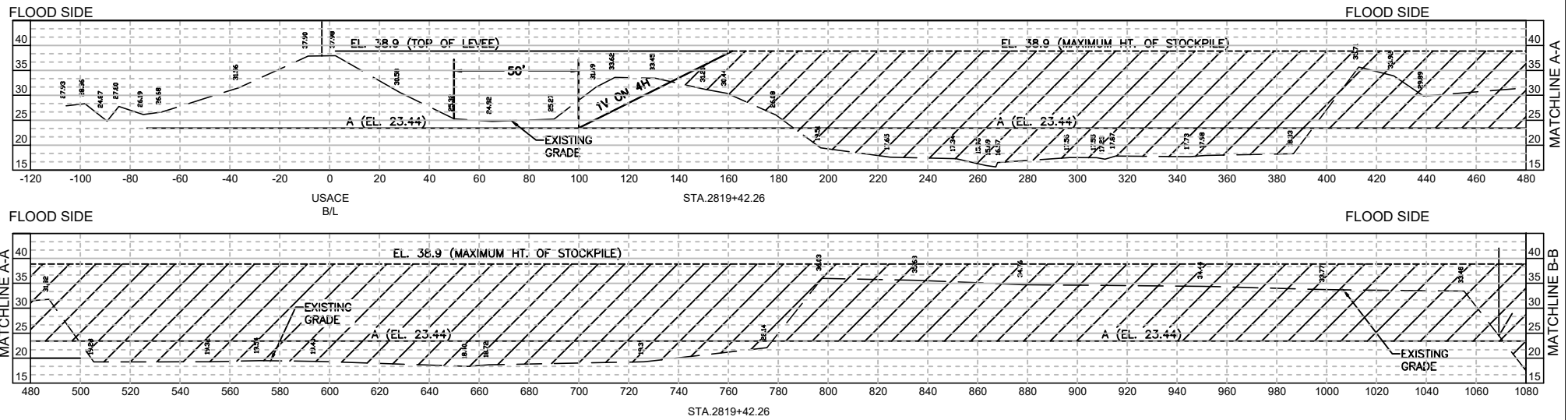


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PRELIMINARY

DARROW SANDPIT CROSS SECTION A-A



SCALE: 1" = 60' HORIZONTAL  
SCALE: 1" = 30' VERTICAL

**NOTES:**

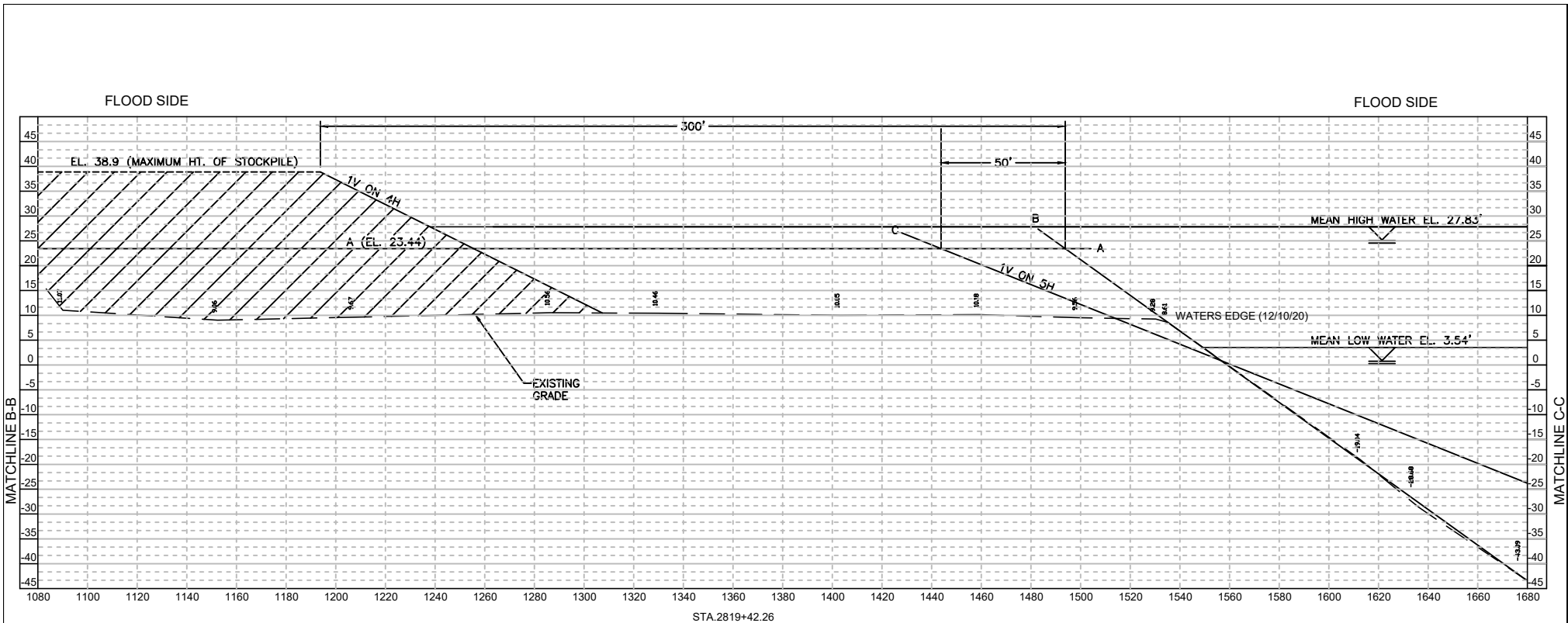
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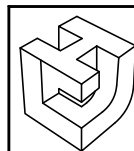
DARROW SANDPIT CROSS SECTION A-A



SCALE: 1" = 60' HORIZONTAL  
SCALE: 1" = 30' VERTICAL

PRELIMINARY

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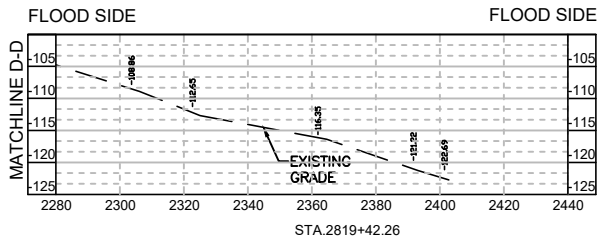
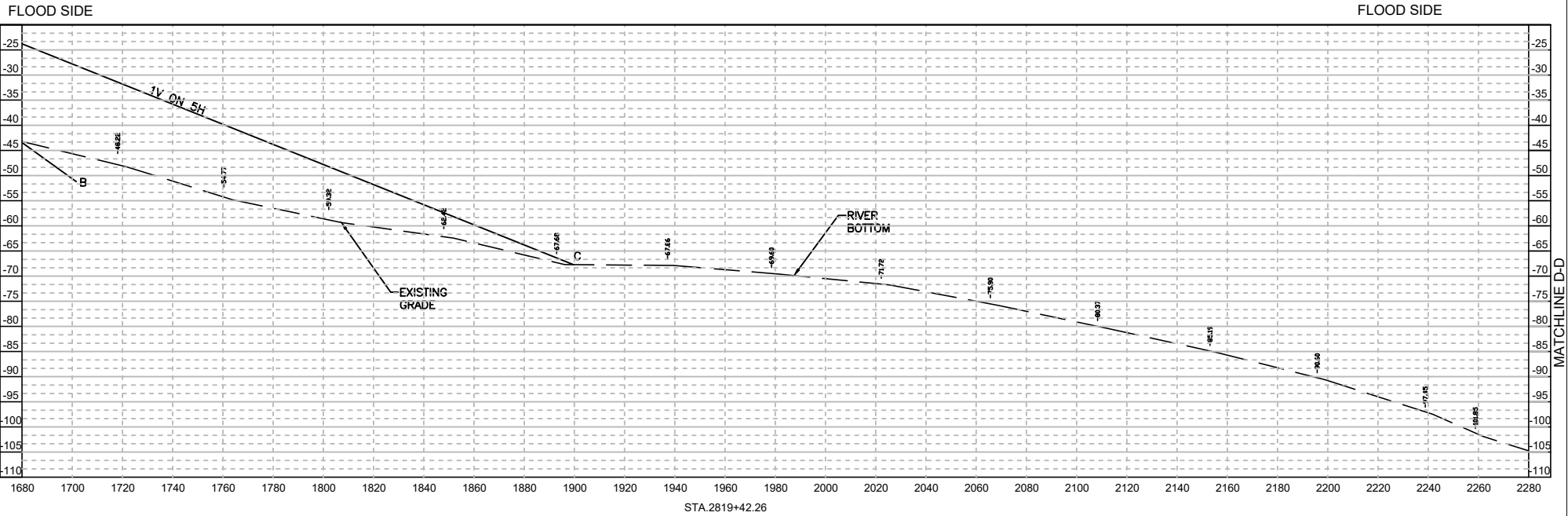


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DARROW SANDPIT CROSS SECTION A-A



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SCALE: 1" = 30' VERTICAL

PRELIMINARY

04-04-23

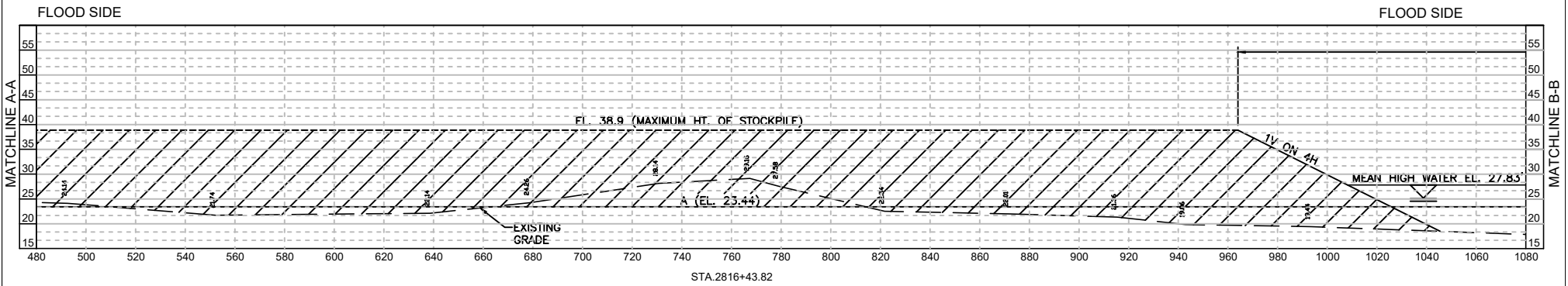
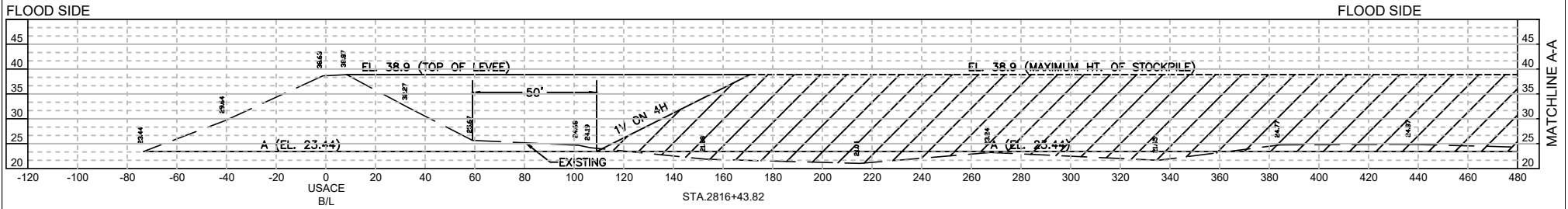
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**DARROW SANDPIT CROSS SECTION B-B**



SCALE: 1" = 60' HORIZONTAL  
SCALE: 1" = 30' VERTICAL

PRELIMINARY

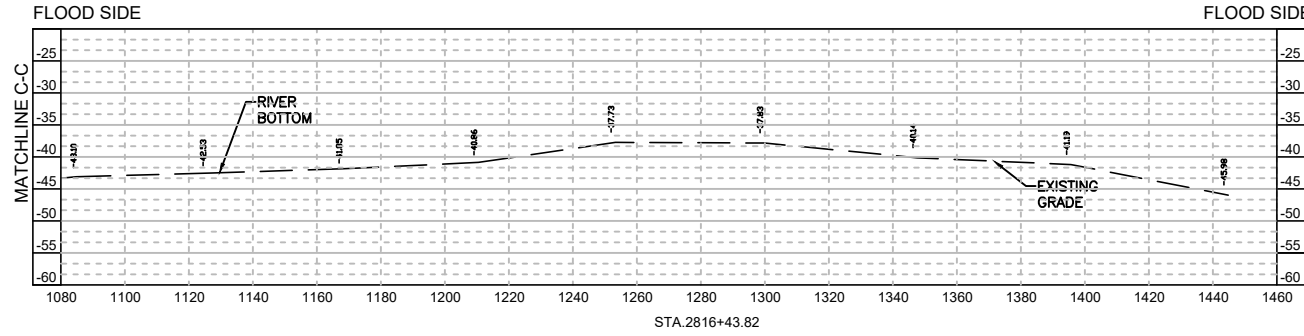
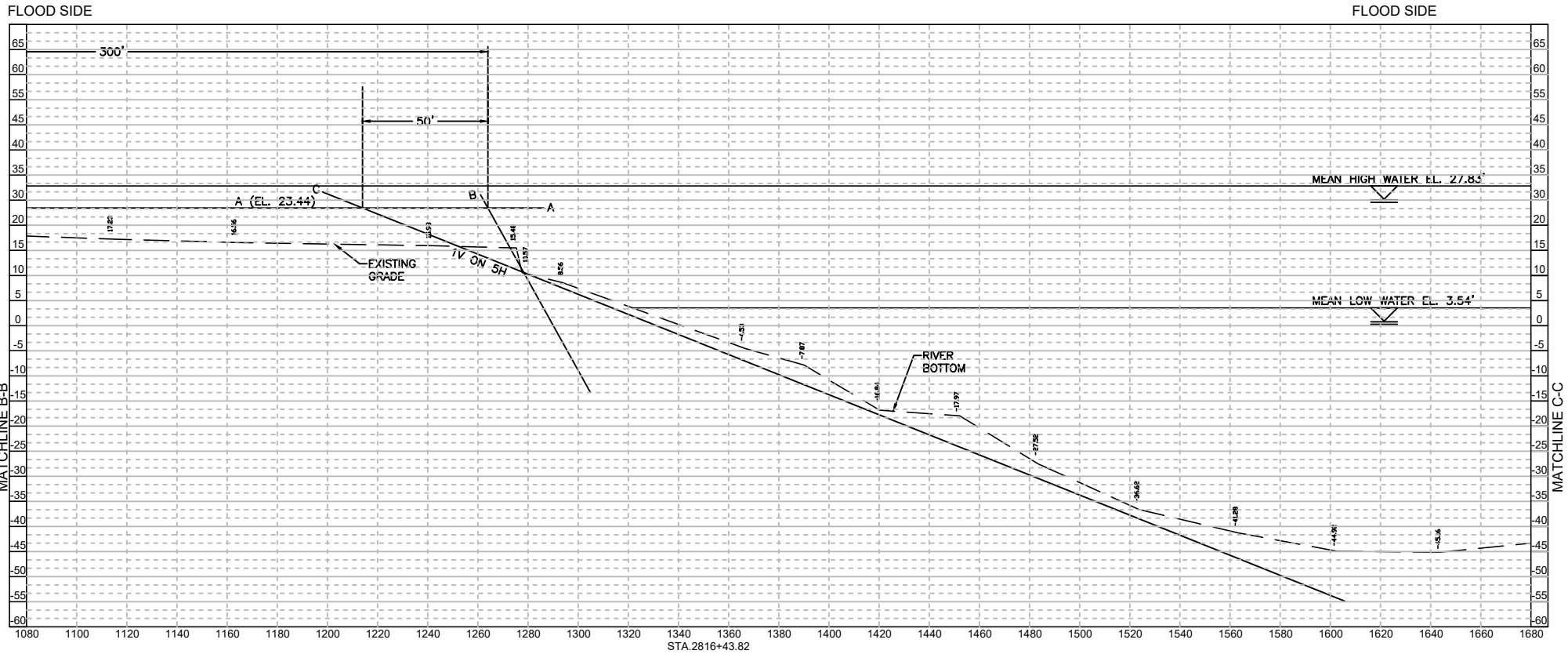
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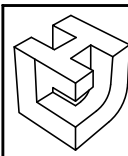
**DARROW SANDPIT CROSS SECTION B-B**



SCALE: 1" = 60' HORIZONTAL  
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PRELIMINARY

04-04-23



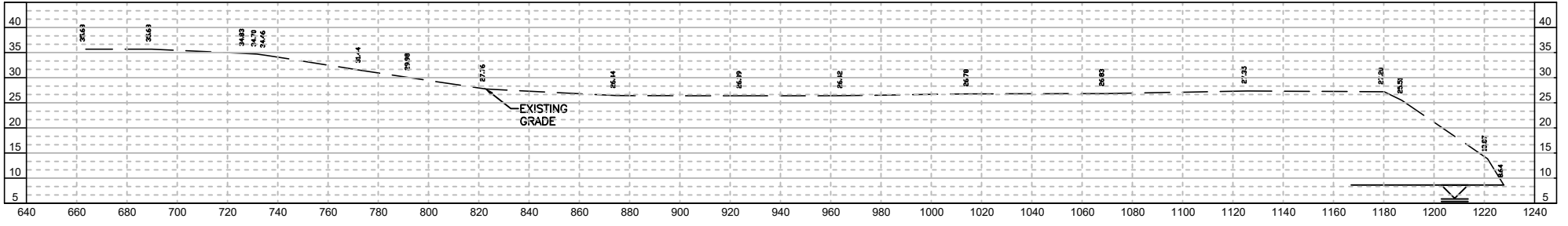
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FLOOD SIDE

FLOOD SIDE



STA.2817+64.74  
 LOW WATER LOADING FOR SPUD BARGES

PRELIMINARY

DARROW SANDPIT CROSS SECTION C-C



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 SCALE: 1" = 30' VERTICAL

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