

# JOINT PUBLIC NOTICE

SEP 16 2013

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: Sara Fortuna  
(504) 862-1025/ fax: (504) 862-2574  
Sara.b.fortuna@usace.army.mil  
Permit Application Number:  
MVN-2013-02016 WKK

Project Manager:  
Jamie Phillippe  
(225) 219-3225 / fax: (225) 219-3156  
WQC Application Number:  
WQC-130823-02

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).

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).

## PIPE INSTALLATION AND SPOIL PLACEMENT IN VERMILION PARISH

**NAME OF APPLICANT:** Sagrera Estate, 12139 W. LA Highway 82, Abbeville, Louisiana 70510.

**LOCATION OF WORK:** In Vermilion Parish, Section 11, Township 17, and Range 2, located near the Cheniere Au Tigre Bayou, approximately 9.0 miles south of Intracoastal City, Louisiana, as shown on the attached vicinity map. (Hydrologic Unit Code 08080202, Mermentau Basin)

**CHARACTER OF WORK:** Conduct dredging operations in a 20-foot wide by 3,600-foot long by 3-foot deep area in an existing property canal and place approximately 8,000 cubic yards of channel bottom material on top of an existing spoil bank, and install a 36-inch diameter 40-foot long pipe within an existing dam and a 12-inch diameter 30-foot long PVC pipe with attached flap gate within the existing spoil bank, all to improve hydrologic flow, fisheries access, and water quality within the canal. The proposed project will impact 1.7 acres of waterbottoms and therefore, it is proposed no mitigation will be required.

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 1.7 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.

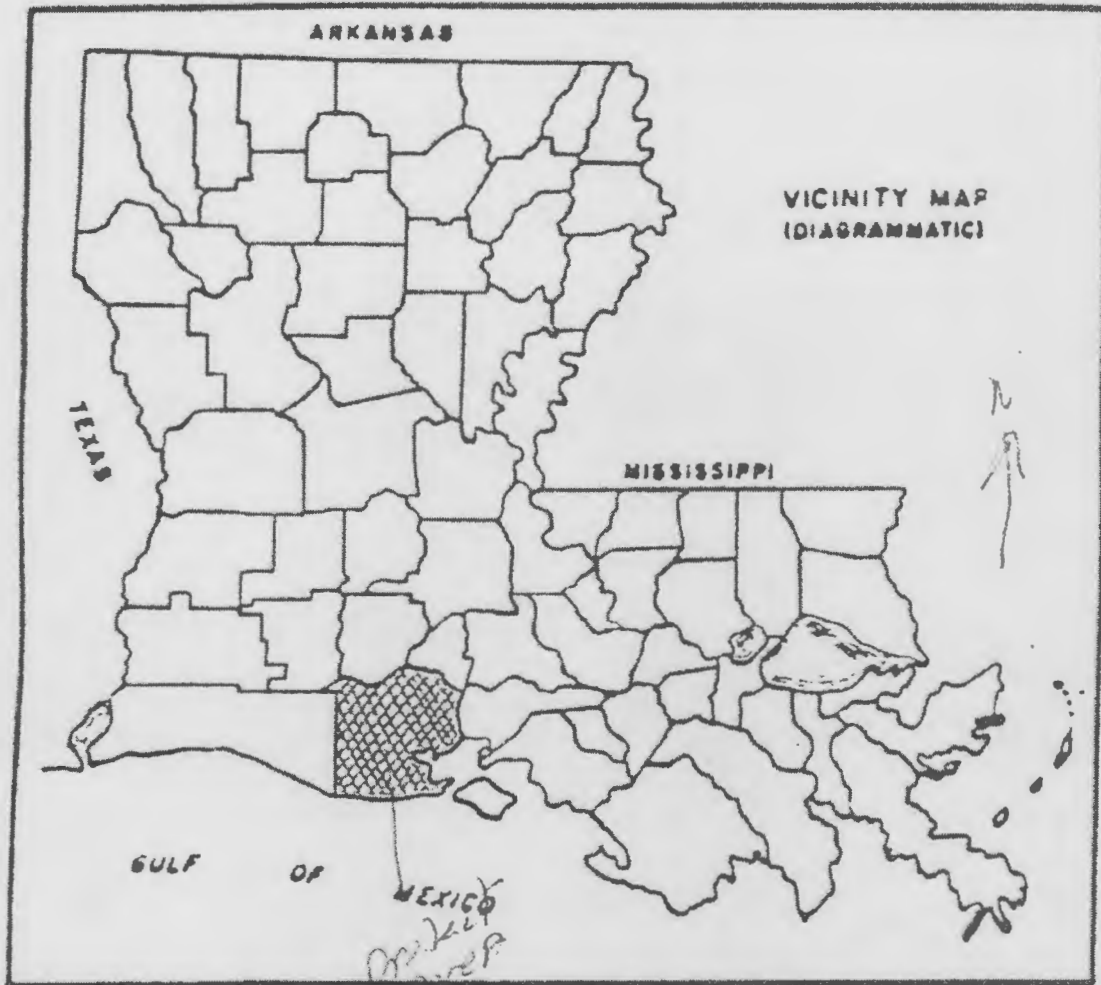
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

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.

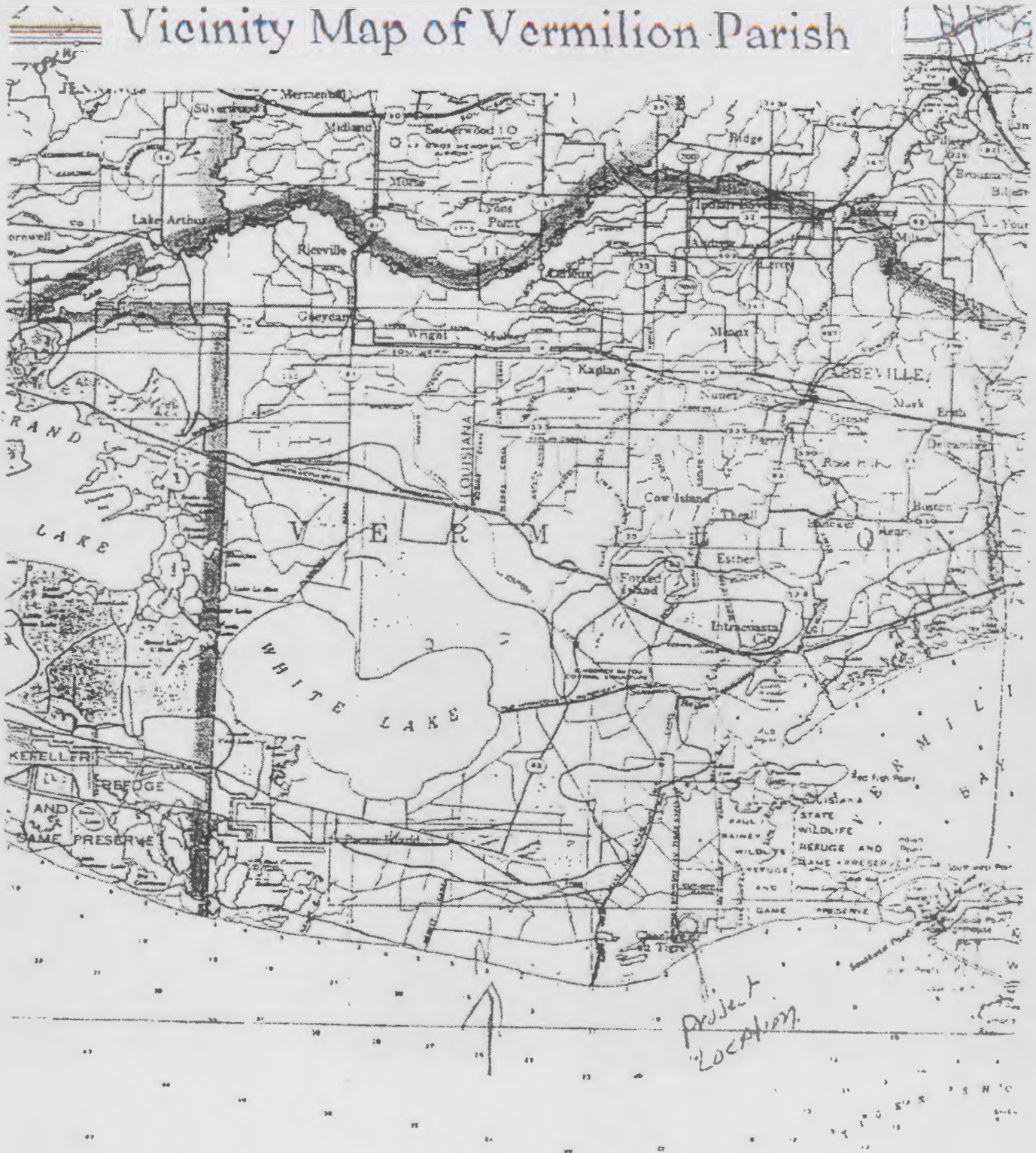
Darrell S. Barbara  
Chief, Western Evaluation Section  
Regulatory Branch

Enclosure



## VERMILION PARISH, LOUISIANA

# Vicinity Map of Vermilion Parish



# Cheniere Au Tigre' Quadrangle

Vermilion Parish, Louisiana  
7.5 Minute Series

Dam Location  
(existing)  
N 29° 34' 26"  
W 92° 13' 23"

N-29° 34' 24.5"  
W-92° 14' 3.20" 36" Pipe  
(proposed)

AA  
BB

End of dredging  
N 29° 34' 26.1"  
W 92° 13' 22.2"

CC  
DD

12" PVC Pipe w/Flap Indicator  
N 29° 34' 26.0"  
W 92° 13' 34.1"  
(proposed)

Linear distance  
between Dam  
Location and  
proposed 12" PVC  
w/Flap is **2,510'**

Linear distance between  
Dam Location and Bridge  
Location is 3,960 ft

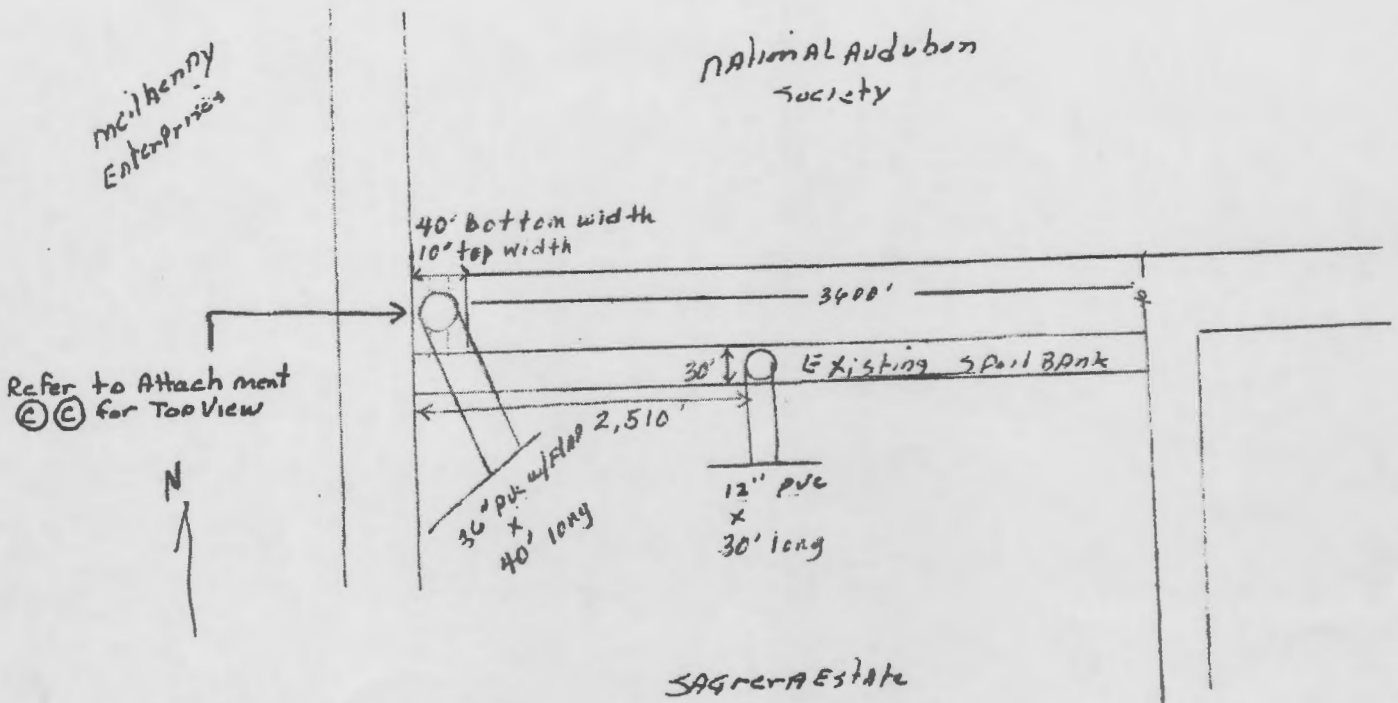
Comments:

**Project 20130869** Topographic Map Chenier Au Tigre'

Date July 8, 2013  
Sherrill Sagrera

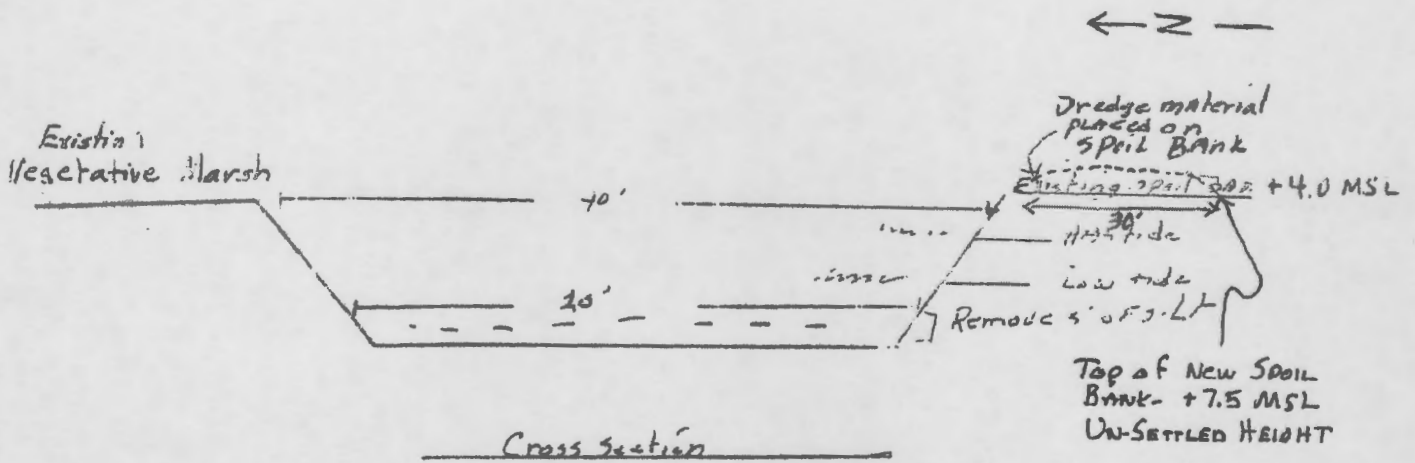
Cheniere Au Tigre  
Hydrologic Restoration

Cheniere au Tigre Ridge



Remove 3' silt + storm debris from canal  
material will be placed on existing spoil bank  
note: Project is part of permit # CUP P20061509  
1.7 Acre of water bottoms will potentially be impacted

Cheminere Au Tigre  
Hydrologic Restoration

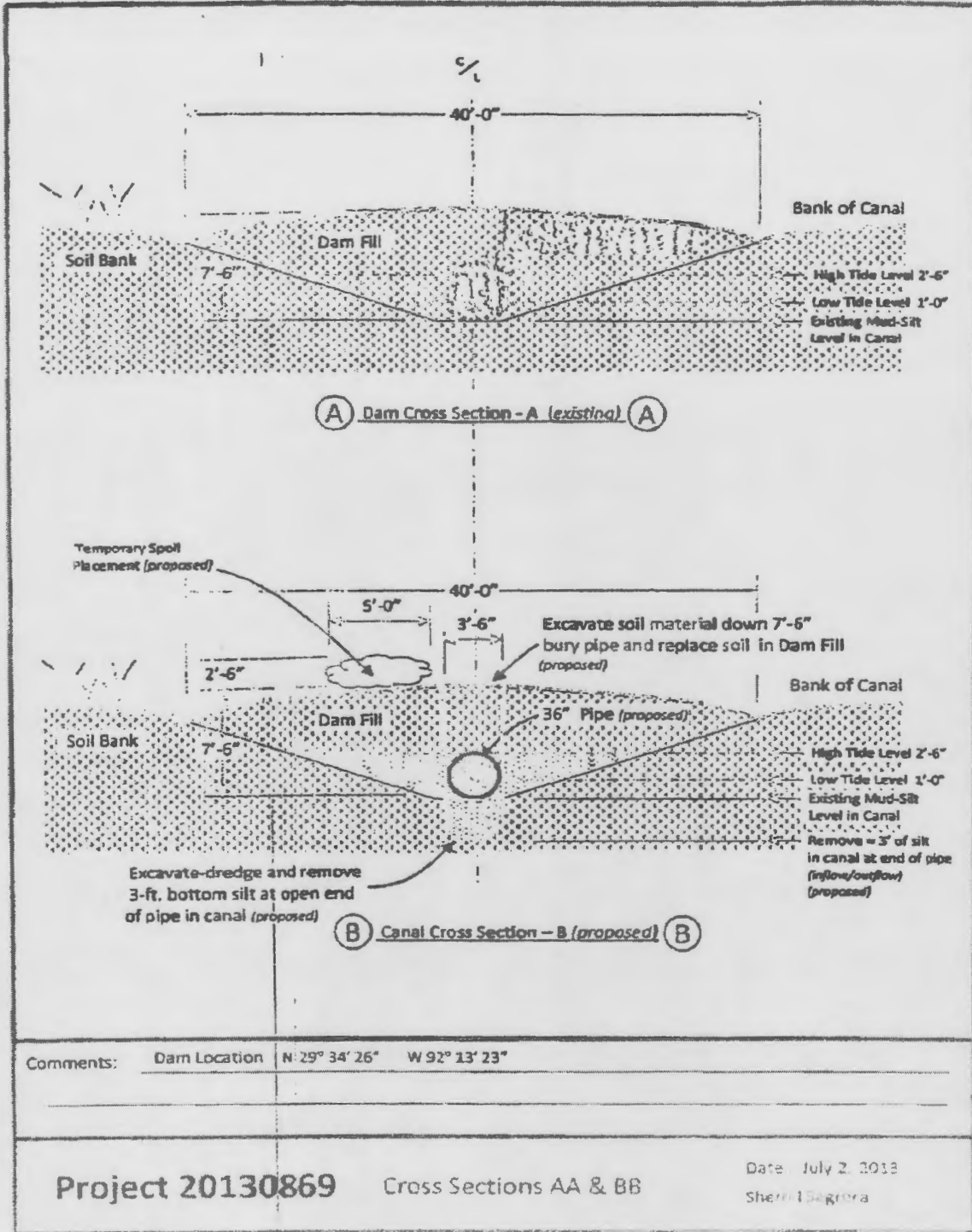


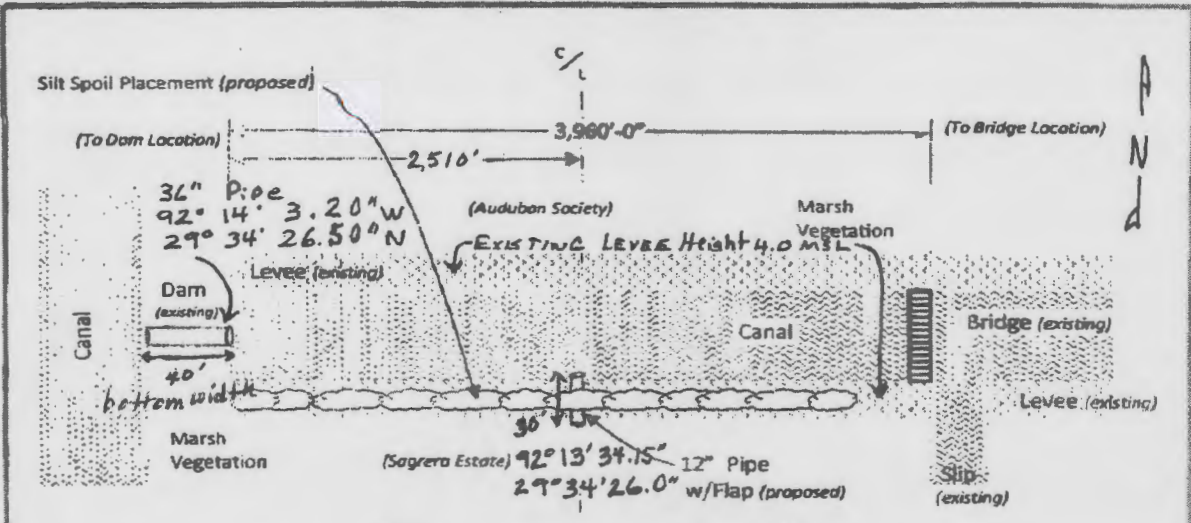
$3' \times 20' \times 3600' = 216,000 \div 27 = 8000 \text{ cy}$



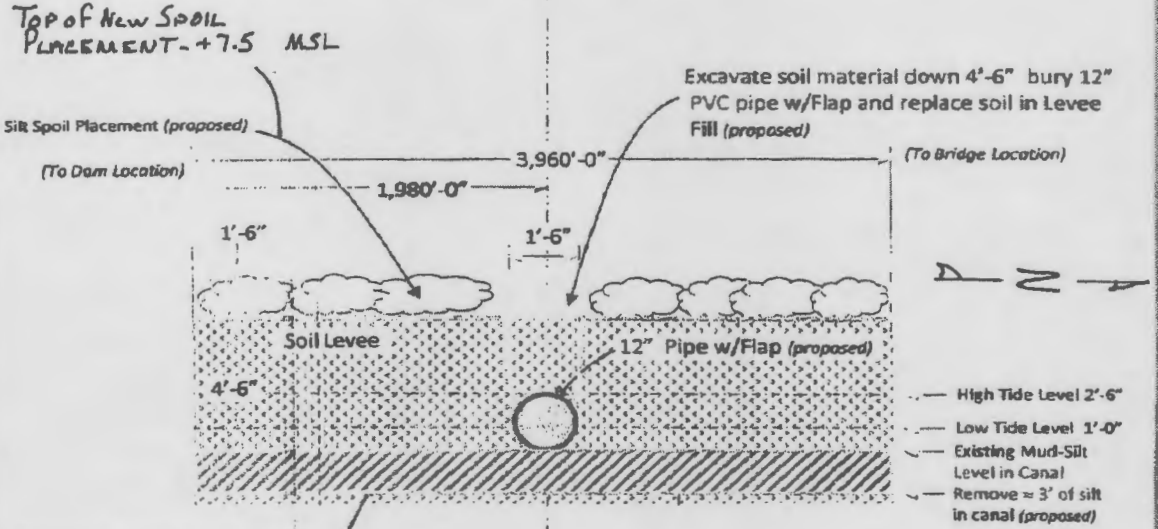
**Permit 20130869**  
**Spoil Bank Cross Section**







(C) Canal Levee Top View (existing) (C)



(D) Canal Levee Cross Section - D (proposed) (D)

Comments: (proposed) 12" PVC Pipe W/Flap Location N 29° 34' 26" W 92° 14' 06"

|                         |                        |  |
|-------------------------|------------------------|--|
| <b>Project 20130869</b> | Cross Sections CC & DD | Date: July 2, 2013<br>Sherrill Sagrera |
|-------------------------|------------------------|--|