JOINT PUBLIC NOTICE

August 12, 2019

United States Army Corps of Engineers New Orleans District Regulatory Branch 7400 Leake Avenue New Orleans, Louisiana 70118

(504) 862-1217 Project Manager Kenny Blanke <u>Kenneth.G.Blanke@usace.army.mil</u> MVN 2013-01561-CQ State of Louisiana Department of Environmental Quality Water Permits Division Post Office Box 4313 Baton Rouge, Louisiana 70821-4313

(225) 219-3225 Project Manager Ms. Elizabeth Hill WQC Application Number WQC 130814-01

Section 408# 408-MVN-2019-0019

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

Application has also been made to the Louisiana Department of Environmental Quality, Office of Environmental Services, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

MISSISSIPPI RIVER REINTRODUCTION INTO MAUREPAS SWAMP IN MULTIPLE PARISHES

NAME OF APPLICANT: Coastal Protection and Restoration Authority, Attn: Elizabeth Davoli, 150 Terrace Avenue, Baton Rouge, Louisiana 70802.

LOCATION OF WORK: Located on an approximate 270-acre site, in Multiple Sections, Township 11 South, Range 6 East, left descending bank of the Mississippi River, river mile 144, with associated guide levees and conveyance channel extending northerly for approximately 5.5 miles into the Maurepas Swamp, near Garyville, Louisiana, located in Ascension Parish, as shown on the enclosed drawings (Latitude 30.0509333 N Longitude -90.6434778 W). This project is located in the Pontchartrain Basin – Amite River watershed (HUC 08070202).

CHARACTER OF WORK: The applicant is requesting a Department of the Army permit authorization to clear, grade, excavate, place and maintain fill material for the construction of the Mississippi River Reintroduction into Maurepas Swamp (CWPPRA PO-29). The project would consist of the excavation of an intake channel in the Mississippi River batture, a gated structure would be built through the levee, and three 10' x 10' box culverts would be installed to convey river water under the levee and River Road. The culverts would discharge into a large sand settling basin, connected to a 5.5 mile long banked conveyance channel, which would divert flow to the Maurepas Swamp. Four 8' x 8' box culverts will be installed to cross under the Canadian National Railway, a bridge will be constructed over the Kansas City Southern Railway and six 9' x 9' box culverts will be installed to cross under US Hwy. 61. As the conveyance

channel proceeds north of US Hwy. 61, the channel would follow the existing Hope Canal alignment to ultimately distribute the diverted water into the wetlands 1,000' north of Interstate 10. Rock weirs would be installed at Blind River, Bourgeois Canal and Bayou Secret. Five cuts would be created in the abandoned railroad embankment north of Interstate 10 and east of Blind River. Ten check valves would be installed on the north side of Interstate 10 on the existing culverts under the interstate. Approximately 1,025,808 cubic yards of native material would be excavated and disposed of off-site; 472,441 cubic yards of topsoil/dirt; 85,340 cubic yards of soil/cement mixing; 10,344 cubic yards of crushed stone/gravel; 4,400 cubic yards of rock and 700 cubic yards of concrete would be hauled in from offsite sources and placed as fill as a result of project implementation. Approximately 160 acres of wetland habitat and 20 acres of nonvegetated waterbottoms may be impacted as a result of this proposed activity. The applicant has claimed that the project has been designed to avoid and minimize direct and secondary adverse wetland impacts to the maximum extent practicable while providing the maximum hydrologic restoration benefit target area to Maurepas Swamp habitat. The applicant is proposing to utilize best management practices during and after the construction phase of the project. The applicant has designed this project as a hydrologic restoration project and has claimed that the project is self-mitigating due to anticipated project benefits to approximately 36,120 acres of swamp habitat, therefore compensatory mitigation is not anticipated.

The comment period for the Department of Army Permit and the Louisiana Department of Environmental Quality will close in <u>30 days</u> 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 mailed 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 mailed to the Corps of Engineers at the address above, <u>ATTENTION: REGULATORY BRANCH</u>. Similar letters concerning the Water Quality Certification must reference the applicant's name 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 Section 10/404 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.

This request will also be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-220, which provides policy and procedural guidance for processing requests to alter USACE civil works projects.

The decision whether to grant permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for

modification will be reviewed by a USACE technical review team considering the following factors:

1) Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs. If USACE determines that the usefulness of the authorized project would be impaired, the request will be denied.

2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

The US 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 US 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. Copies of this notice are being sent to the State Archeologist and State Historic Preservation Officer.

Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of such species, listed as endangered by the U.S. Department of Commerce.

The New Orleans District has determined that the proposed project may affect the pallid sturgeon (*Scaphirhynchus albus*) and will require additional consultation with the U.S. Fish and Wildlife Service and will have no effect on other known species. These determinations are based on the Standard Local Operating Procedure for Endangered Species of Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, Ecological Services Office.

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 <u>0</u> 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.

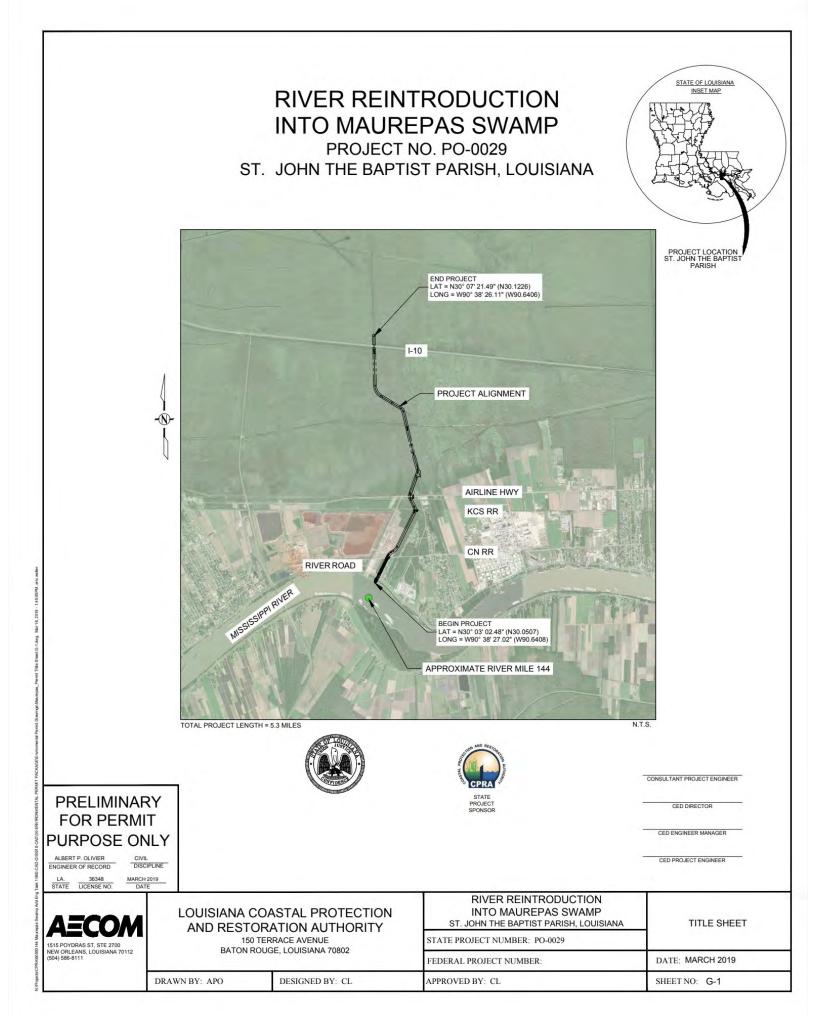
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

JOHN M. HERMAN Chief, Central Evaluation Section Regulatory Branch

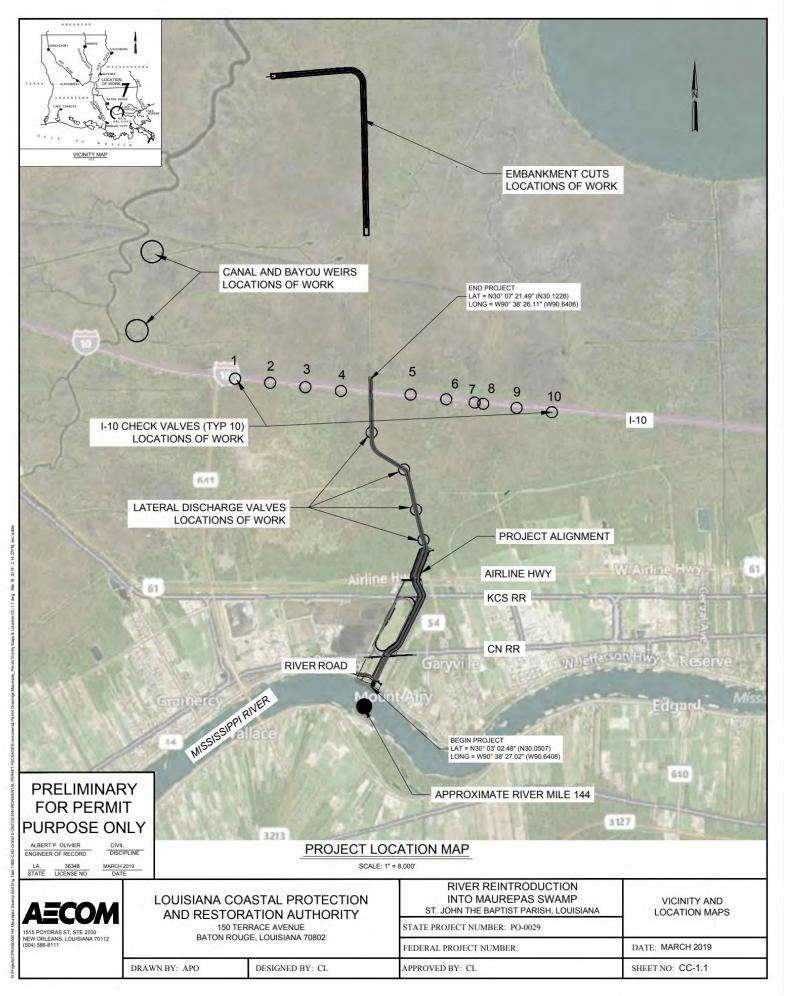
Enclosure



RIVER REINTRODUCTION INTO MAUREPAS SWAMP				
JOINT PERMIT APPLICATION FOR WORK WITHIN THE LOUISIANA COASTAL ZONE				
INDEX OF DRAWINGS				
TITLE SHEET G-1				
INDEX OF DRAWINGS	G-2			
VICINITY & LOCATION MAPS	CC-1.1			
HORIZONTAL ALIGNMENT KEY PLAN	CC-2.1 & CC-2.2			
TYPICAL SECTIONS	CC-3.1 thru CC-3.5			
INTAKE PLANS	CC-4.0 thru CC-4.2			
SEDIMENT BASIN PLANS	PLANS CC-4.3 thru CC-4.5			
CONVEYANCE CHANNEL PLAN	CC-5.0 thru CC-5.39			
EMBANKMENT CUTS	EC-1.1 thru EC-1.3			
CANAL AND BAYOU WEIRS	WC-1.1 thru WC-1.3			
I-10 CHECK VALVES	VC-1.01 thru VC-1.03			
LATERAL RELEASE VALVES	LRV-1.01 thru LRV-1.03			

PRELIMINAF FOR PERMI				
PURPOSE ON	ILY			
ALBERT P. OLIVIER CIVIL ENGINEER OF RECORD DISC LA. 36348 MARCH	IPLINE			
STATE LICENSE NO. DAT				
AECOM	LOUISIANA COASTAL PROTECTION AND RESTORATION AUTHORITY	RIVER REINTRODUCTION INTO MAUREPAS SWAMP ST. JOHN THE BAPTIST PARISH, LOUISIANA	INDEX OF DRAWINGS	
1515 POYDRAS ST, STE 2700 NEW ORLEANS, LOUISIANA 70112 (504) 586-8111	150 TERRACE AVENUE BATON ROUGE, LOUISIANA 70802	STATE PROJECT NUMBER: PO-0029		
		FEDERAL PROJECT NUMBER:	DATE: MARCH 2019	
	DRAWN BY: APO	DESIGNED BY: CL	APPROVED BY: CL	SHEET NO: G-2

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