



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

October 25, 2021

Regulatory Division  
Central Evaluation Branch

Project Manager  
Kenny Blanke  
(504) 862-1217  
Kenneth.G.Blanke@usace.army.mil

SUBJECT: MVN-2014-02055-CQ

### **PUBLIC NOTICE**

Interested parties are hereby notified that an application has been received by the District engineer for a Department of the Army permit to authorize the following 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).

### **TIME EXTENSION FOR EXISTING COMMERCIAL DIRT PIT NEAR MORRISONVILLE WITHIN MISSISSIPPI RIVER BATTURE ALONG RIGHT DESCENDING BANK IN WEST BATON ROUGE PARISH**

**NAME OF APPLICANT:** Grace Family Farms, Attn: Joseph B. Grace, 24455 WL Grace Road, Plaquemine, LA 70764.

**LOCATION OF WORK:** On an approximate 11.3-acre existing sand mining site within the Mississippi River batture, along the right descending bank of the Mississippi River, near river mile 221, near Morrisonville, Louisiana, in West Baton Rouge Parish, within the Mississippi River Basin in hydrologic unit (HUC 08070100), as shown on the attached drawings (Latitude 30.33463 N, Longitude -91.22418 W).

**CHARACTER OF WORK:** The applicant has requested a five year time extension to continue dirt pit operations previously authorized under a Department of the Army permit to continue commercial dirt pit operations on an approximate 11.3-acre existing dirt pit (Grace Family Dirt Pit). Approximately 11.3 acres of batture would be impacted as a result of the project for dirt pits and access areas. The project area has been mined for dirt material since the 1950's. The borrow pits would be excavated to a depth of approximately 20 feet below grade and will maintain an approximate 200 foot buffer from the Mississippi River to an approximate 100 foot buffer from the existing levee borrow ditch along the western boundary of the project site. The dirt pit side slopes will be maintained at a 3:1 ratio. The dirt pits are expected to recharge through natural deposition of material from the Mississippi River during high water events. No compensatory mitigation is being proposed to batture habitat due to the site containing only dirt material and is part of previously authorized dirt pit operations.

The applicant proposes to avoid additional direct impacts and minimize secondary impacts (to wetlands) to the maximum extent practicable by utilizing best management practices for erosion and siltation control during and after the construction phase of the project.

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 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, **ATTENTION: REGULATORY DIVISION, RGC, Kenny Blanke.**

### **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. Copies of this notice are made available to the State Archeologist and the State Historic Preservation Officer.

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.

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 Interior. Utilizing the Information & Planning Consultation for Endangered Species in

Louisiana protocol, dated January 27, 2020 between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office, the Corps has determined that, the Corps has determined that the proposed activity would have no effect on any listed species.

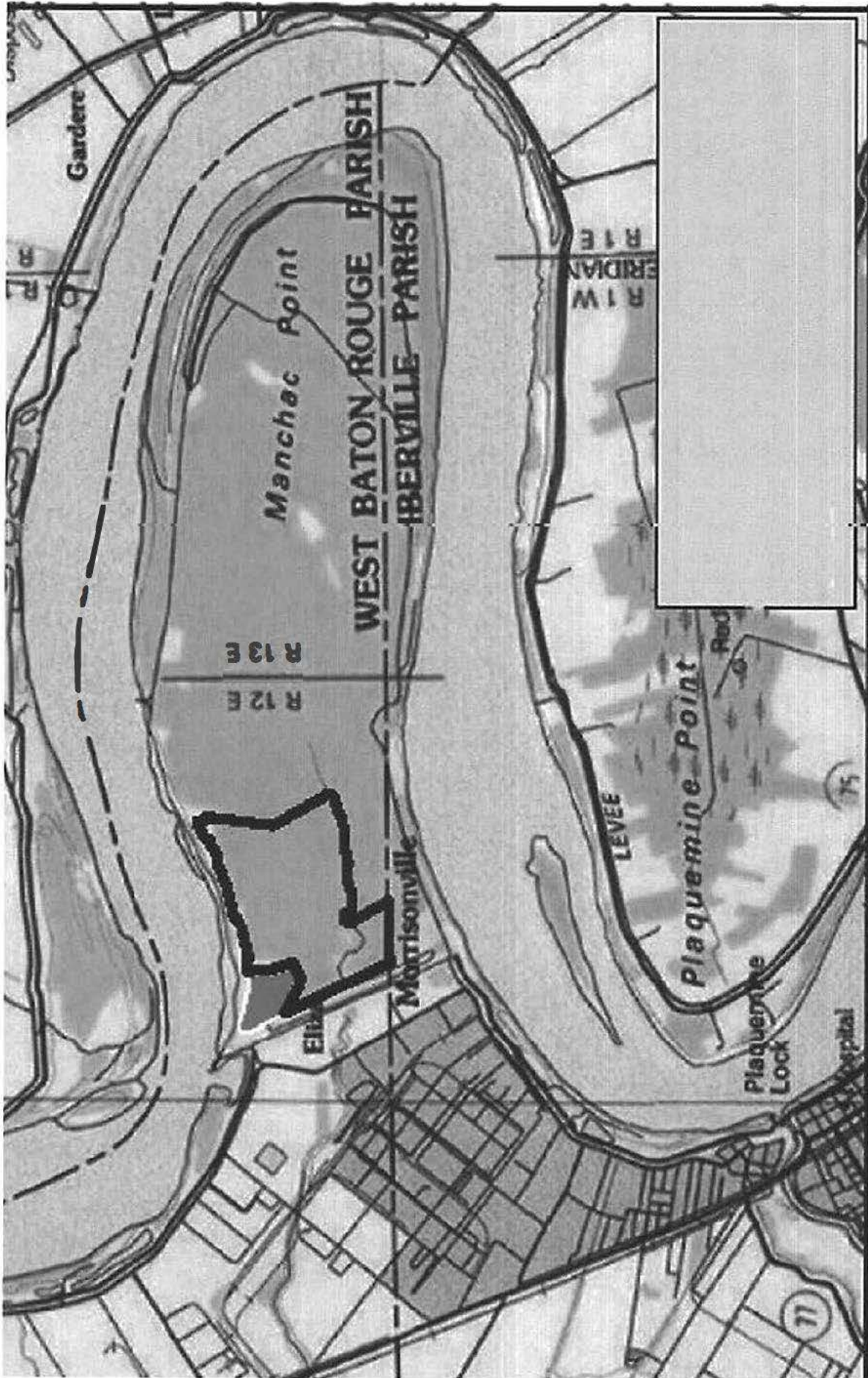
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of NA acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our 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. 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 Branch  
Regulatory Division

Enclosures







**Grace Family Partnership Property  
 Plaquemines, West Baton Rouge Parish, LA**

Date: January 2015  
 Scale: 1:60,000



**Legend**

-  Elevated Road (to be degraded) - 0.9 ac.
-  Proposed Pit (11.3 ac.)
-  Riverbank Restoration - 12.4 ac.
-  Abandoned Pit - Supplemental Plantings - 31.0 ac.

**NOTES:**

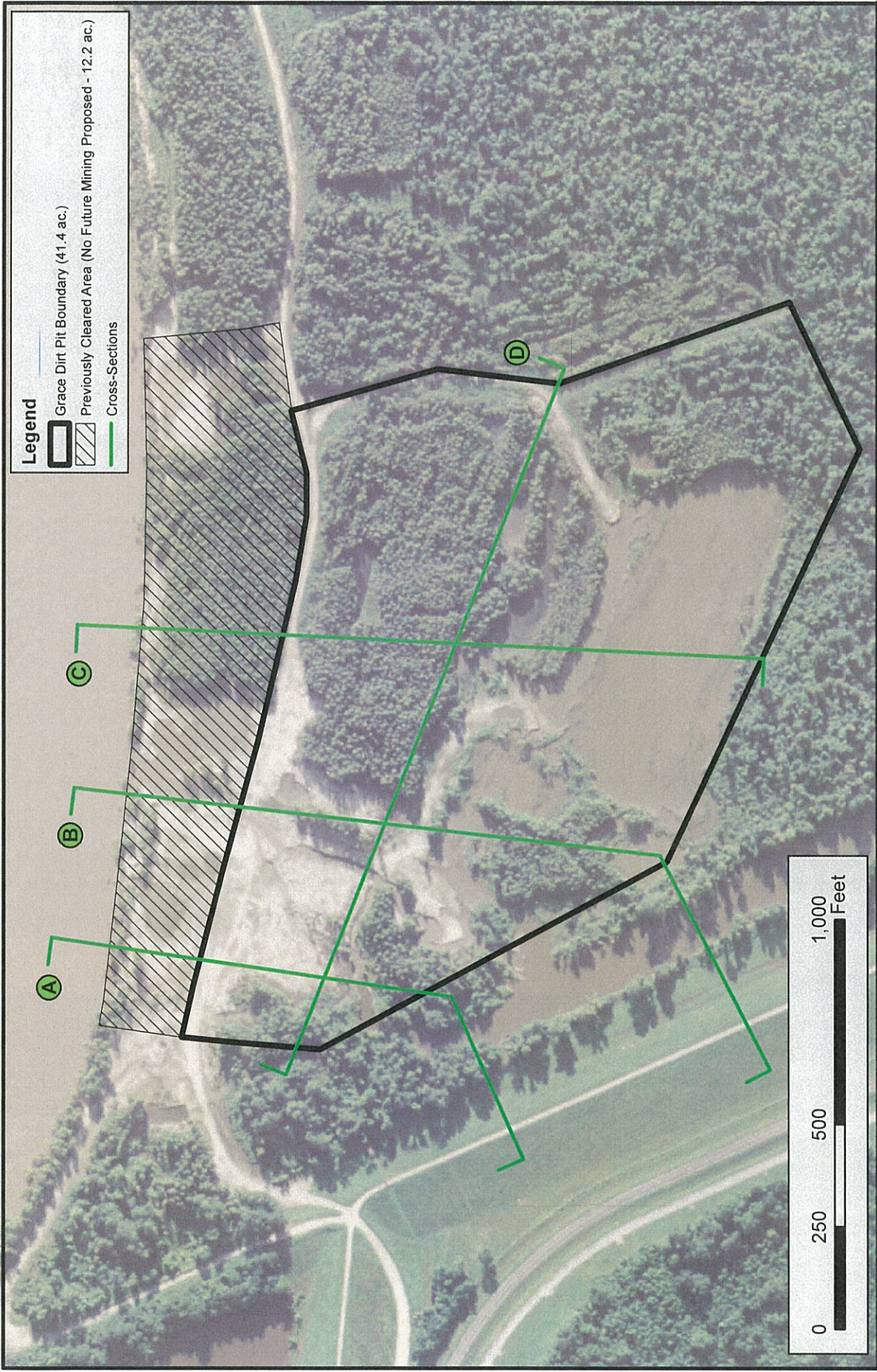
- (1) Pursuant to US Corp of Engineers Permit MVN-2014-2055-CQ, the proposed area was awarded permit in 2015.
- (2) The restoration and the supplemental plantings were all completed in 2015.

## GRACE DIRT PIT - RESTORATION PLAN




Grace Family Partnership Property  
 Plaquemines, West Baton Rouge Parish, LA



Figure: 1
Date: September 2021
Scale: 1:5,000



**Legend**

-  Grace Dirt Pit Boundary (41.4 ac.)
-  Previously Cleared Area (No Future Mining Proposed - 12.2 ac.)
-  Cross-Sections

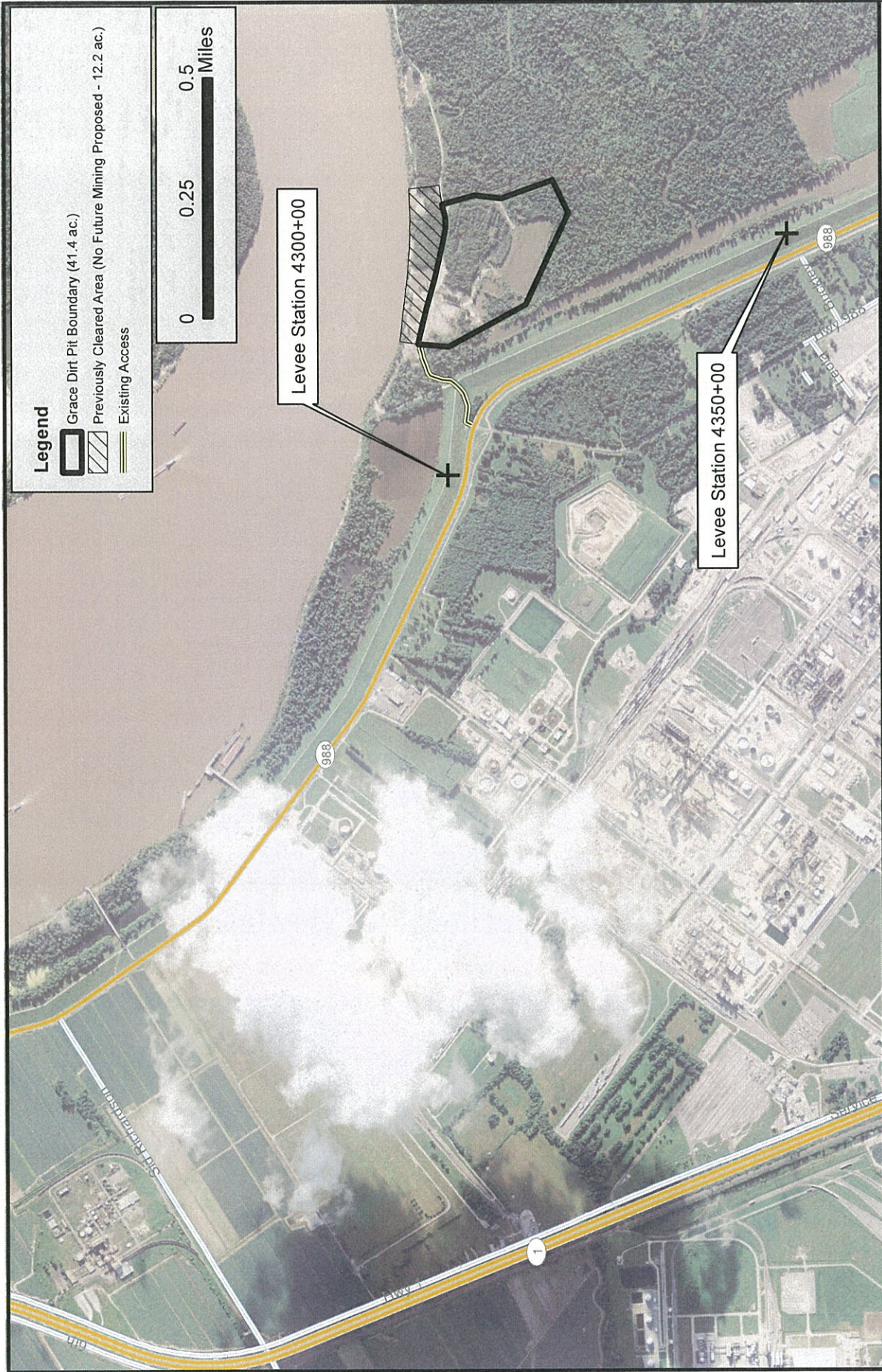
**DIRT PIT - MAP**

Grace Family Partnership Property  
 Plaquemines, West Baton Rouge Parish, LA




Figure: 1

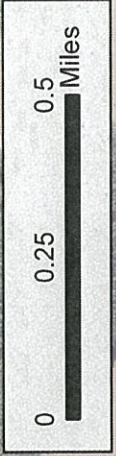
Date: September 2021

Scale: 1:4,000



**Legend**

-  Grace Dirt Pit Boundary (41.4 ac.)
-  Previously Cleared Area (No Future Mining Proposed - 12.2 ac.)
-  Existing Access



Levee Station 4300+00

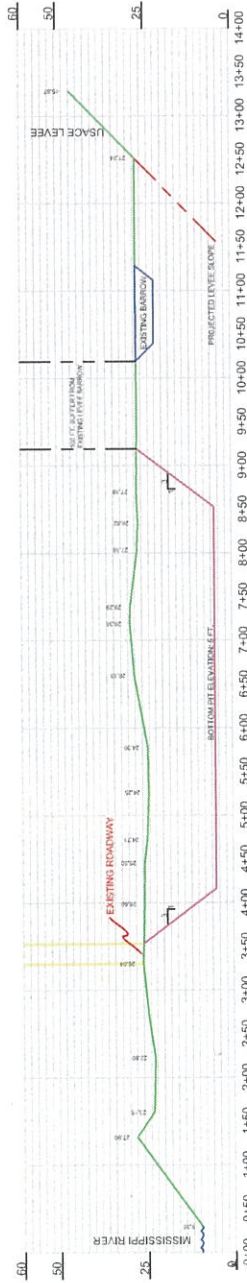
Levee Station 4350+00

**VICINITY MAP (WITH LEVEE STATIONS)**

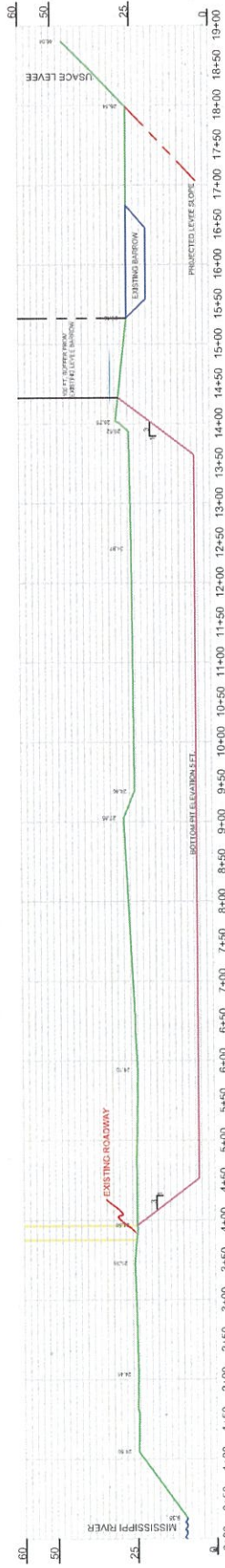
Grace Family Partnership Property  
 Plaquemines, West Baton Rouge Parish, LA



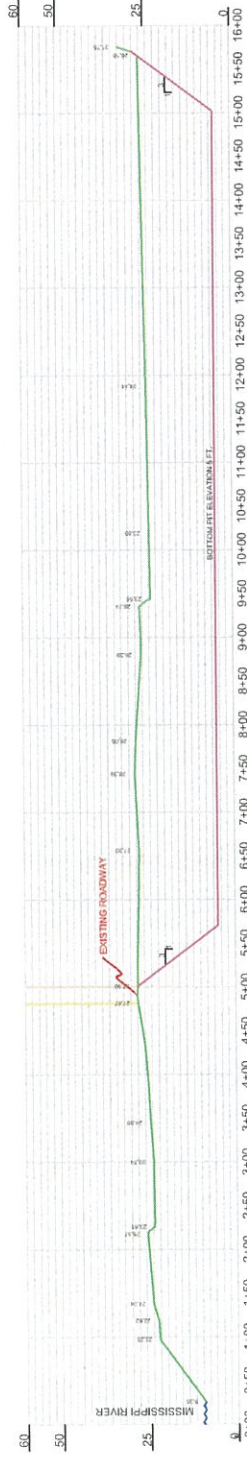
Figure: 2
Date: September 2021
Scale: 1:18,000



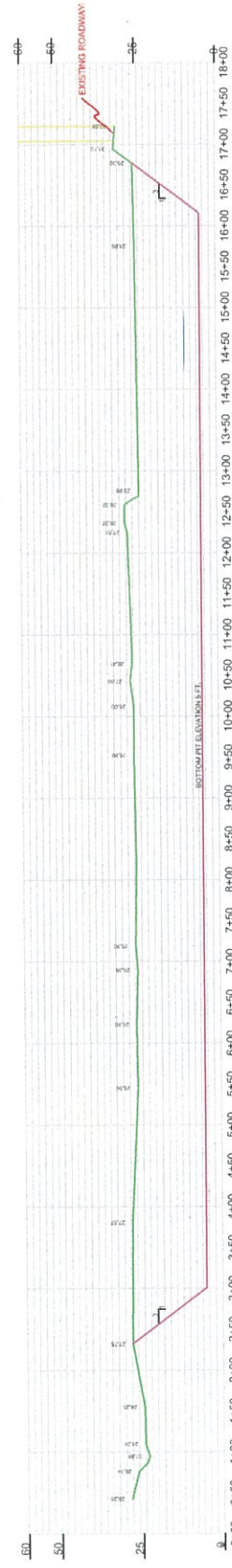
PROFILE SECTION 1



PROFILE SECTION 2



PROFILE SECTION 3



PROFILE SECTION 4