

JOINT PUBLIC NOTICE

March 20, 2017

U.S. Army Corps of Engineers
New Orleans District
Attn: Regulatory Branch
7400 Leake Avenue
New Orleans, LA 70118

State of Louisiana
Department of Environmental Quality
Attn: Water Quality Certifications
Post Office Box 4313
Baton Rouge, LA 70821-4313

Project Manager:
Michael H. Herrmann
(504) 862-1954/ (504) 862-2574 fax
michael.h.herrmann@usace.army.mil
Application # MVN-2015-01310-WLL

Project Manager:
Elizabeth Hill
(225) 219-3225
WQC Application Number:
WQC 160930-02

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 U.S.C. 403); and/or [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 U.S.C. 1344).

Application has also been made to the Louisiana Department of Environmental Quality for a Water Quality Certification (WQC) in accordance with statutory authority contained in La. R.S. 30:2074(A)(3) and provisions of Section 401 of the Clean Water Act (P.L. 95-217; 33 U.S.C. 1341).

REMEDIAL ACTION IN BAYOU D'INDE, CALCASIEU PARISH, LOUISIANA

Name of Applicant: Bayou d'Inde Group 1601 Highway 108 East, Sulphur, LA 70665.

Location of Work: The project is located within Bayou d'Inde and adjacent areas all within Lake Charles in Calcasieu Parish, Louisiana, as shown on the attached drawings. (Lat 30.20161, Long -92.67786) within the Calcasieu Watershed.

Character of Work: Remediation of two areas within and adjacent to Bayou d'Inde identified as AOI-1 and AOI-3.

AOI-1 involves in-situ capping of Bayou d'Inde using articulated concrete block mat (ACBM) from bank to bank to cap a total area of 16 acres of affected water bottom sediments. AOI-3 involves placement of 26,000 cubic yards of clean sediments, placed 6-12 inches of cover over approximately 16 acres of affected water bottoms. Proposed work is part of a mandated effort to control exposure and potential migration of impacted sediments. Mechanized land clearing is proposed to facilitate construction areas and access of equipment and machinery. Borrow sites are identified as the CITGO dredge material disposal area (MVN-2009-01537-WNN) and the Sabine settling pond stockpile area (MVN-2011-09186-WNN), both located off of the Calcasieu River and previously authorized by USACE permits. Material will be transported by truck and barge from the borrow sites to AOI-3.

Total project impacts, as-proposed, are: 32 acres of water bottoms due to placement of fill; 0.29 acres of permanent wetland impacts consisting of: (0.16 acre of scrub shrub, 0.08 acre of

forested wetlands, and 0.05 acre of emergent wetlands); and 1.29 acres of temporary wetland impacts consisting of: (0.16 acre emergent wetlands, 0.53 acre scrub shrub wetlands, 0.60 acre of forested wetlands). The applicant proposes to compensate for all unavoidable project-related wetland impacts through the purchase of Corps approved mitigation bank credits.

The comment period for the Department of the Army (DA) permit application 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 DA permit and WQC request and must be mailed, so as to be received before or by the last day of the comment period. Letters concerning the DA permit application must reference the applicant's name and the DA Permit Number, and be mailed to the U.S. Army Corps of Engineers at the address above. Similar letters concerning the WQC must reference the applicant's name and the WQC Number and be mailed to the Louisiana Department of Environmental Quality at the address above. Individuals or parties may request an extension of time in which to comment on the proposed work by writing or e-mailing the 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.

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined 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 these being: 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, nor affect any habitat designated as critical to the survival and recovery of any endangered species listed by the U.S. Department of Commerce, nor affect any habitat designed as critical to the survival and recovery of any endangered species. Based on the South Louisiana **Standard Local Operating Procedure for Endangered Species (SLOPES)**, as signed on October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, it has been 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 32 acres of possible 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 U.S. Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Louisiana 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 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 Section
Regulatory Branch

Enclosure

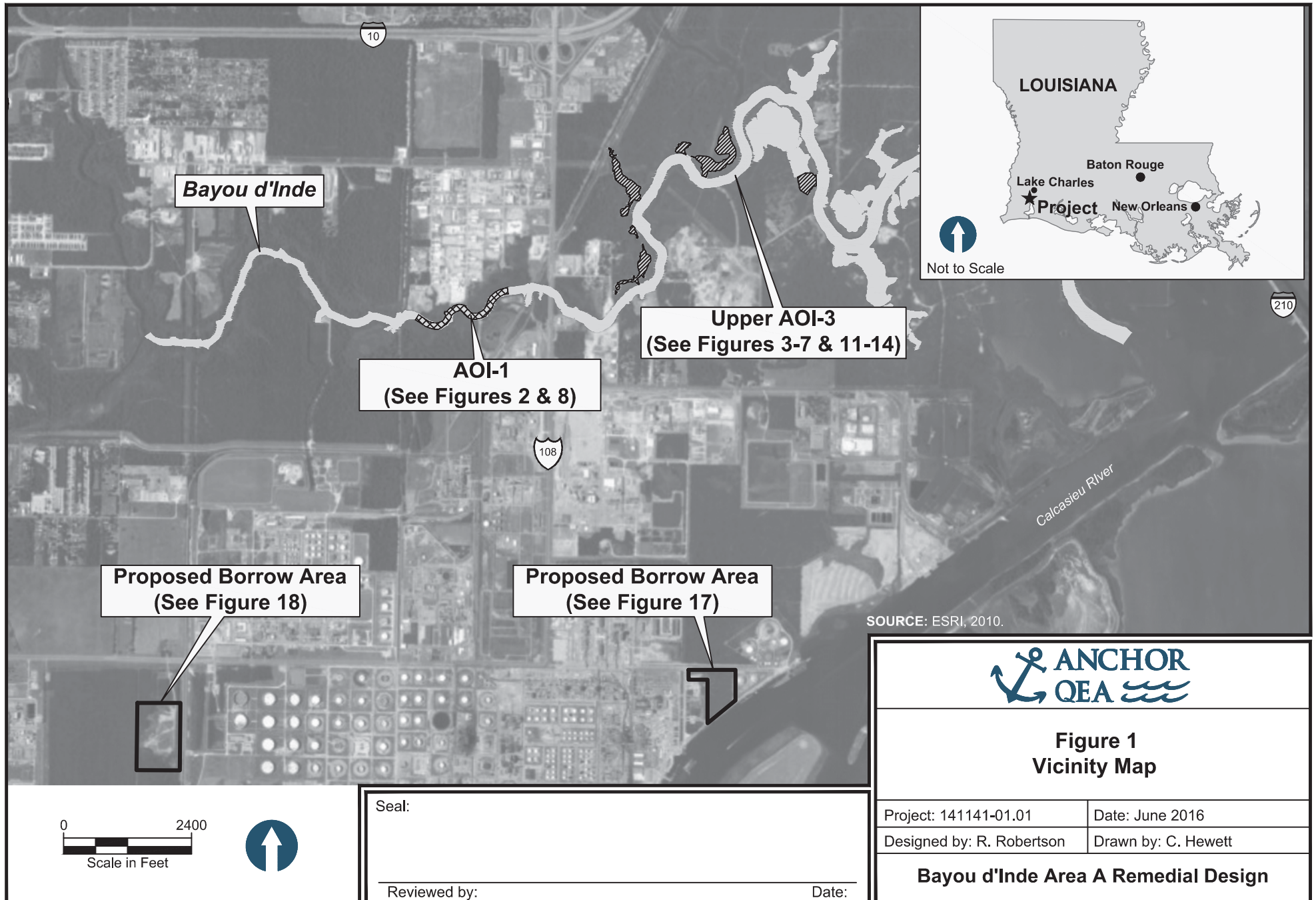




Figure 2
AOI-1 - Existing Conditions

Project: 141141-01.01	Date: June 2016
Designed by: R. Robertson	Drawn by: C. Hewett

Bayou d'Inde Area A Remedial Design

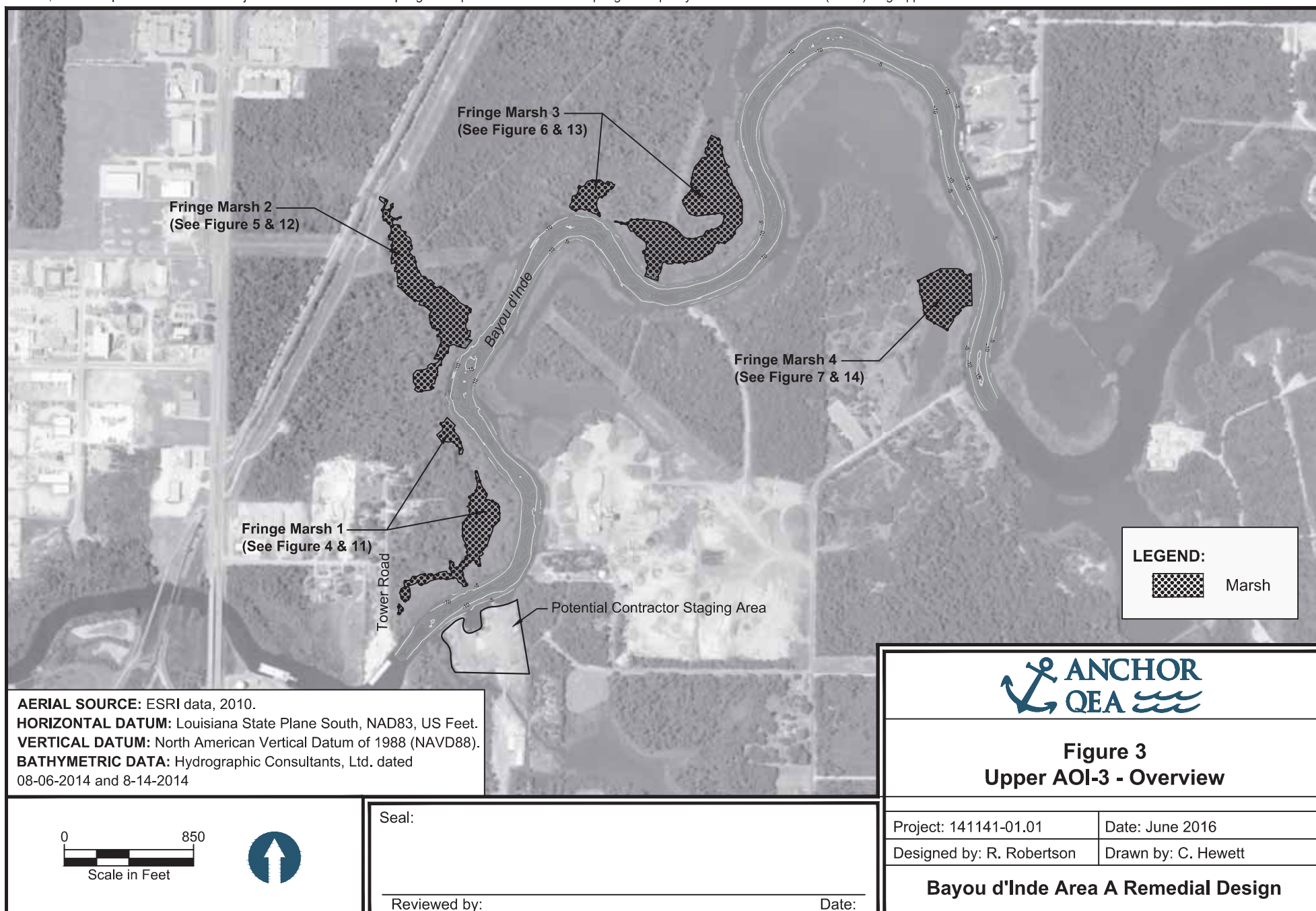
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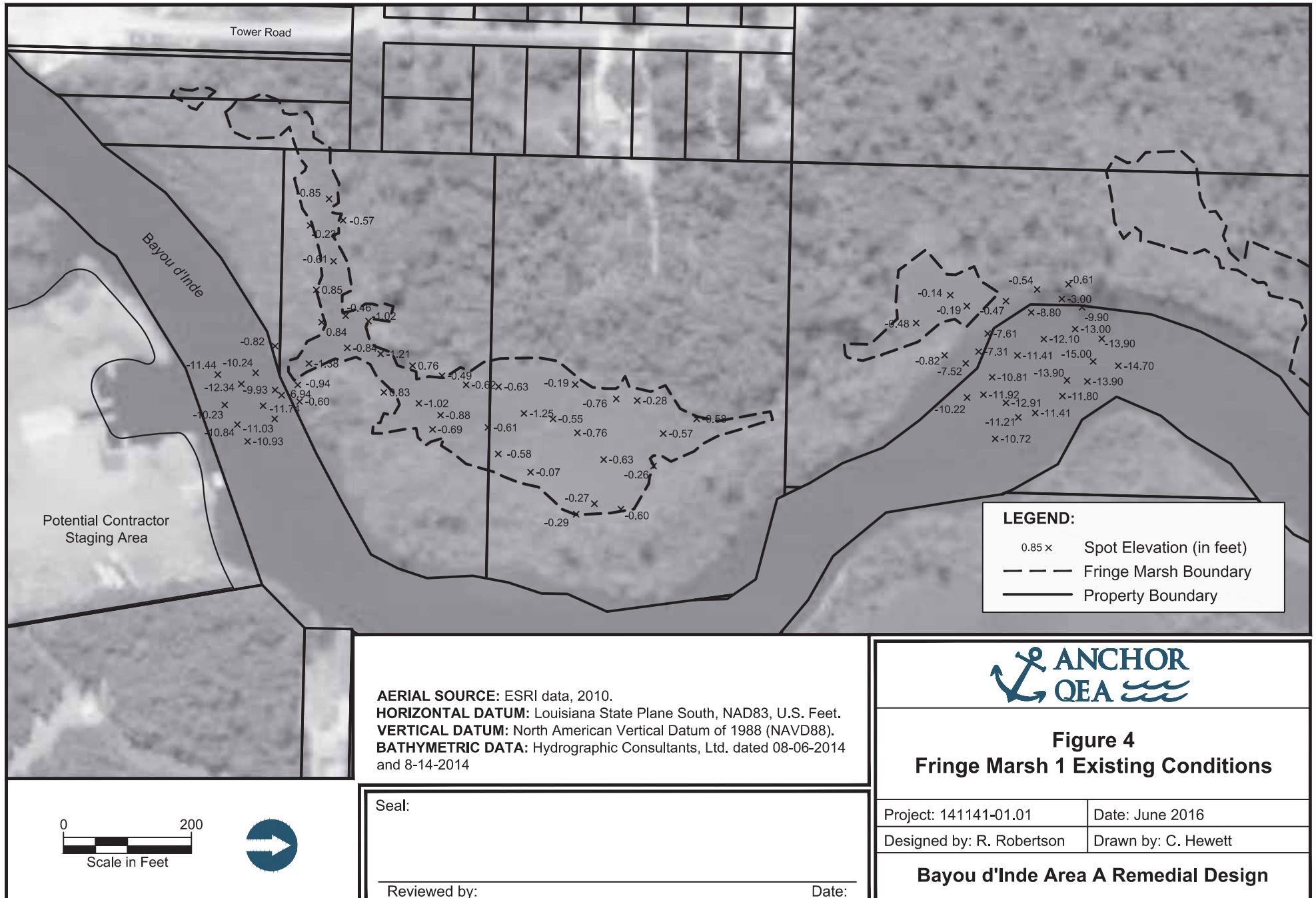


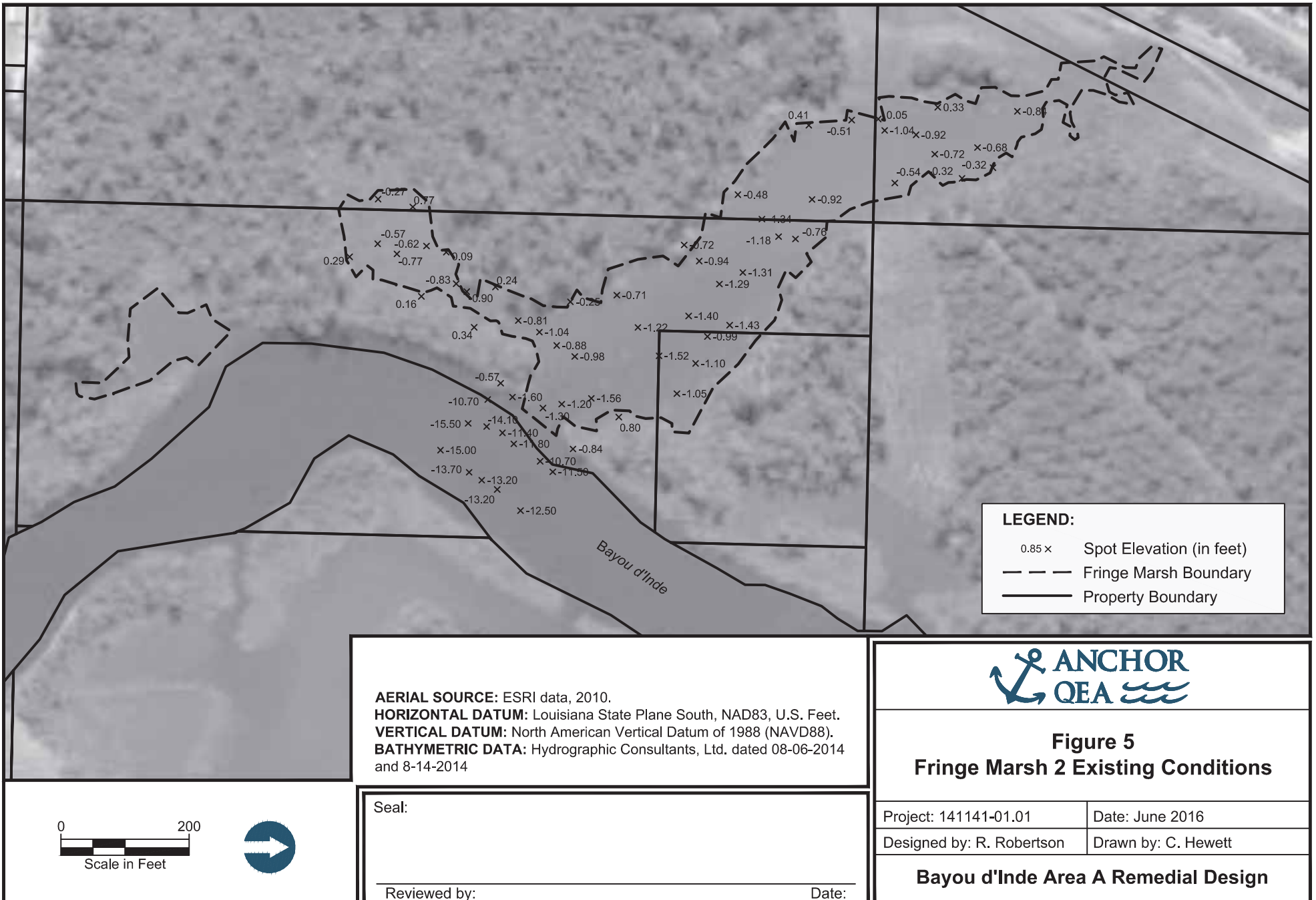
Seal:

Reviewed by:

Date:





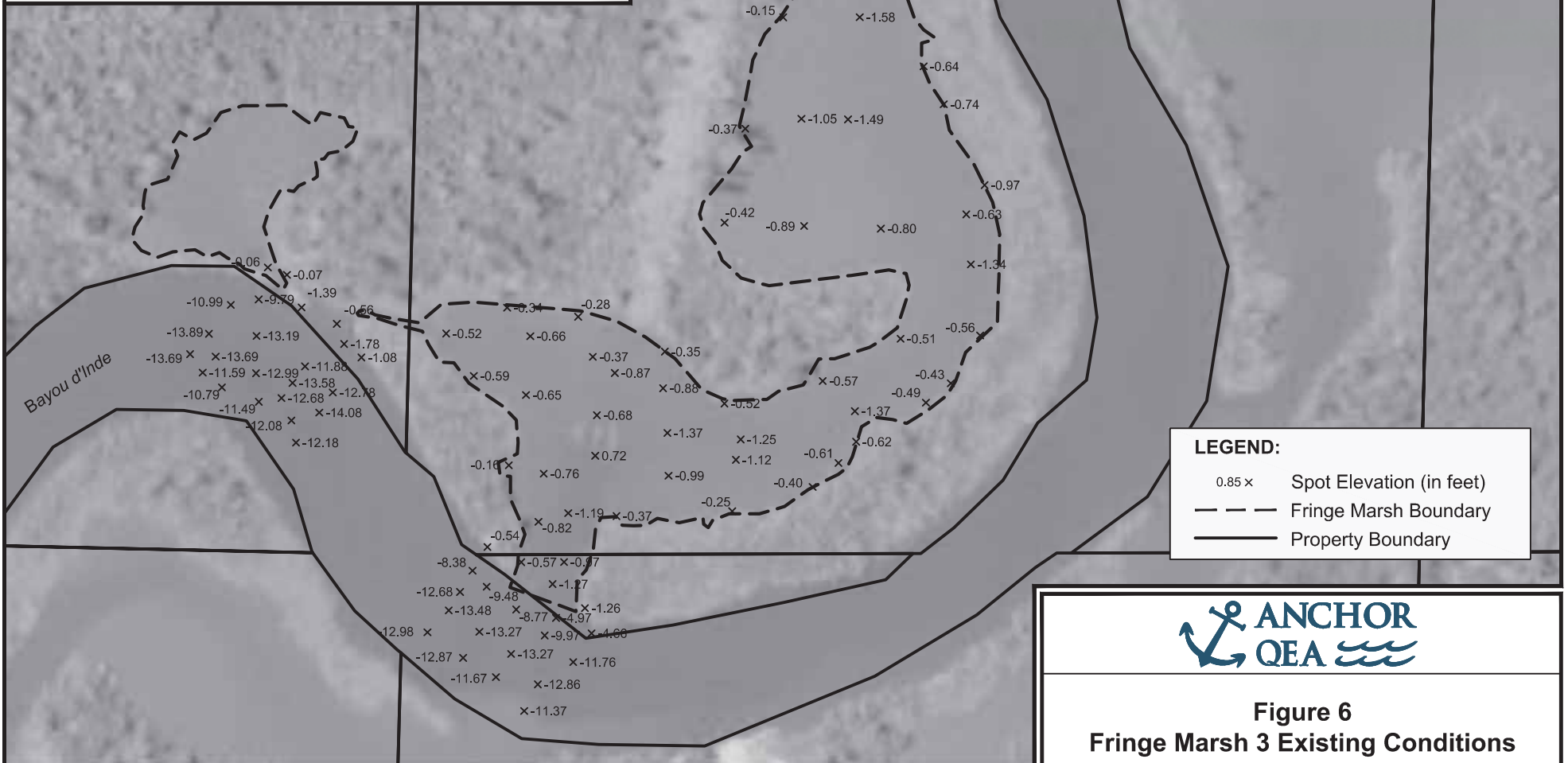


AERIAL SOURCE: ESRI data, 2010.

HORIZONTAL DATUM: Louisiana State Plane South, NAD83, U.S. Feet.

VERTICAL DATUM: North American Vertical Datum of 1988 (NAVD88).

BATHYMETRIC DATA: Hydrographic Consultants, Ltd. dated 08-06-2014 and 8-14-2014



0 200
Scale in Feet



Seal:

Reviewed by:

Date:



Figure 6
Fringe Marsh 3 Existing Conditions

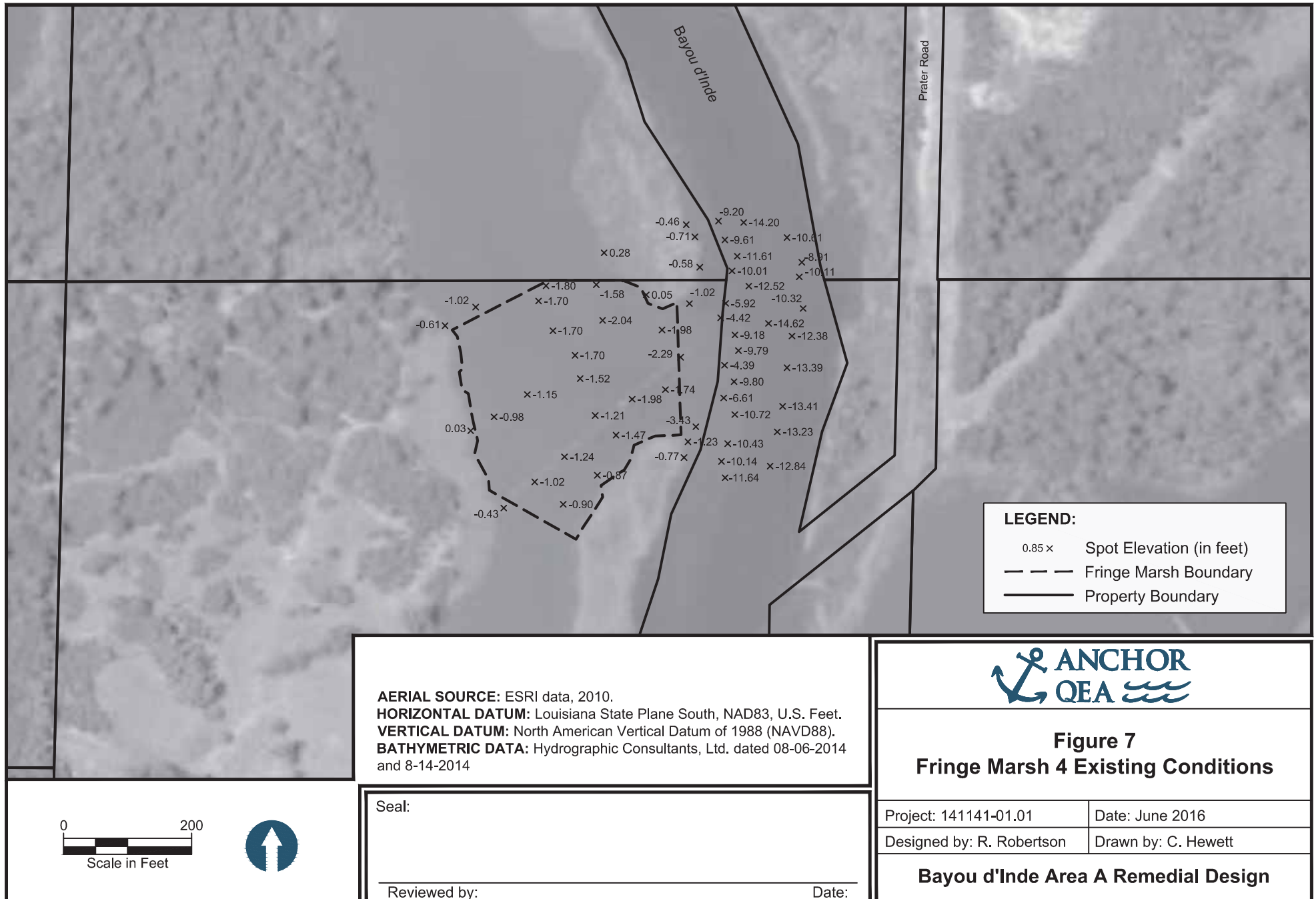
Project: 141141-01.01

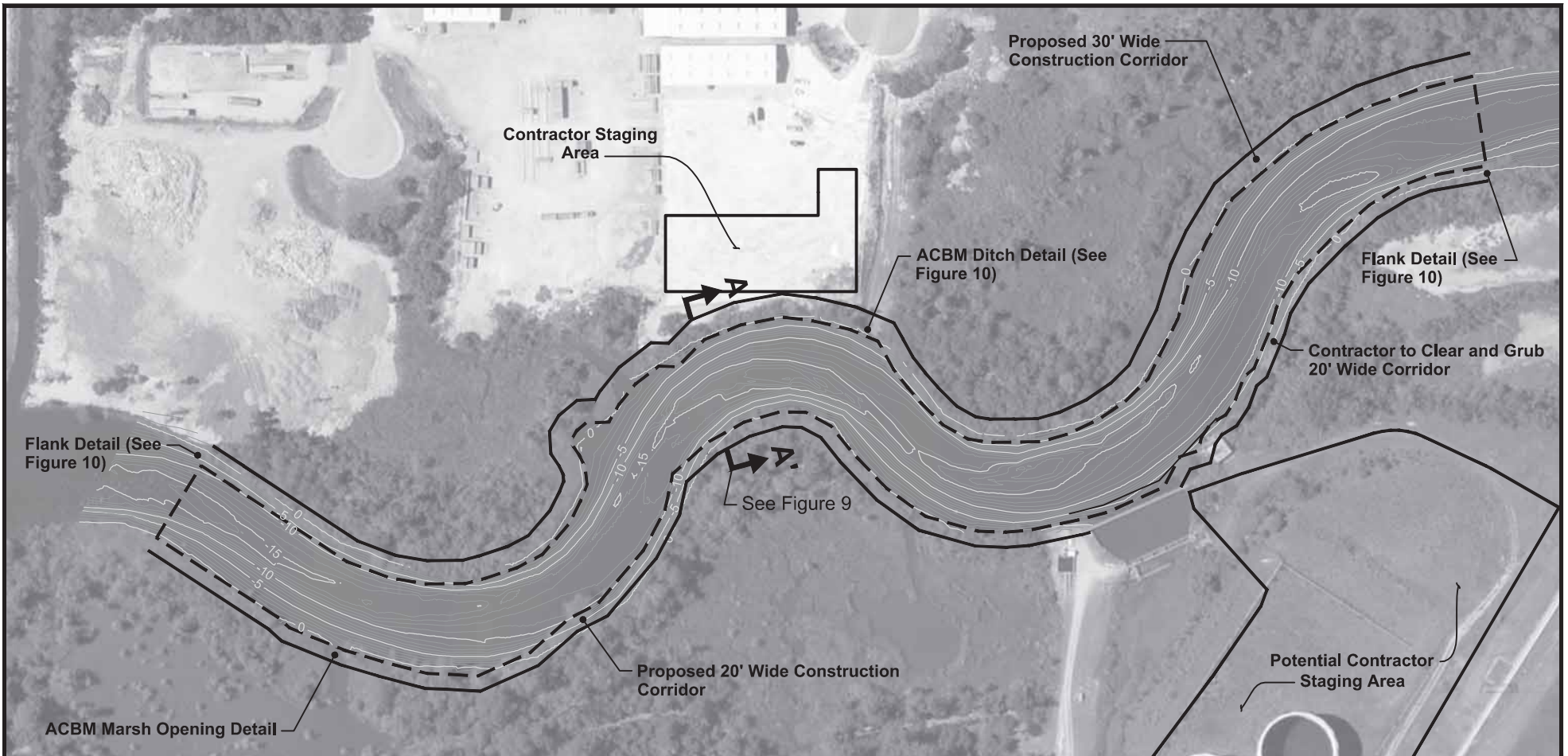
Date: June 2016

Designed by: R. Robertson

Drawn by: D Holmer

Bayou d'Inde Area A Remedial Design



**LEGEND:**

 Limits of AOI-1 Articulated Concrete Block Mat Placement

 Bathymetric Contour (in Feet)

0 200
Scale in Feet



SOURCE: Aerial Image from ESRI data, 2010.

HORIZONTAL DATUM: Louisiana State Plane South, NAD83, U.S. Feet.

VERTICAL DATUM: North American Vertical Datum of 1988 (NAVD88).

Seal:

Reviewed by:

Date:



Figure 8
AOI-1 ACBM Plan View

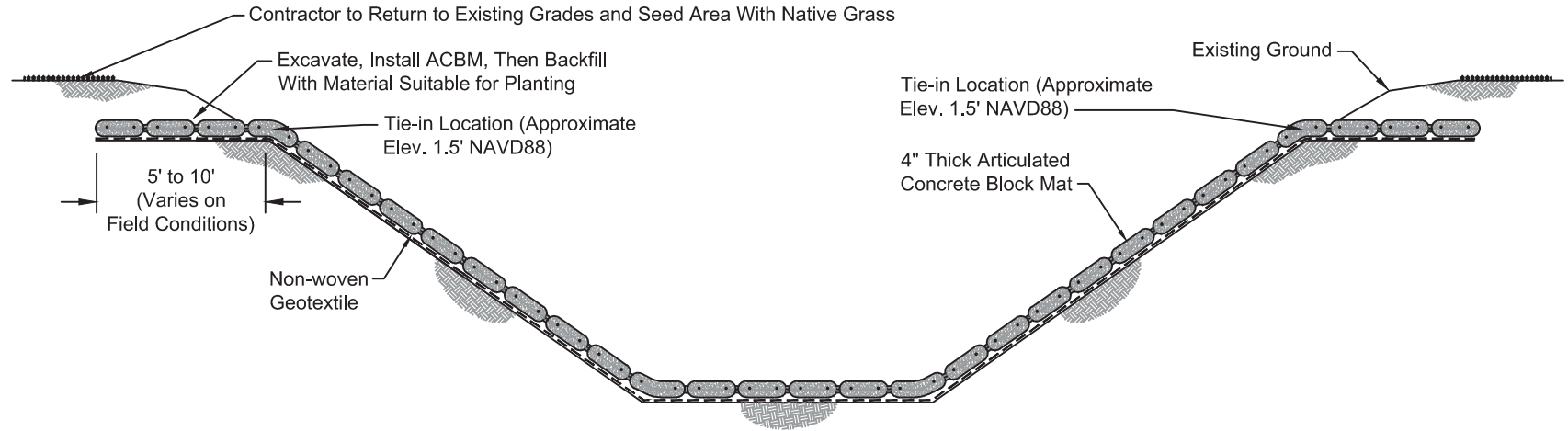
Project: 141141-01.01

Date: June 2016

Designed by: R. Robertson

Drawn by: C. Hewett

Bayou d'Inde Area A Remedial Design



TYPICAL ARTICULATED CONCRETE BLOCK MAT CHANNEL DETAIL
NOT TO SCALE

SOURCE: Details provided by Synthetex on 5/22/2014.

Seal:

Reviewed by:

Date:



Figure 9
ACBM Details

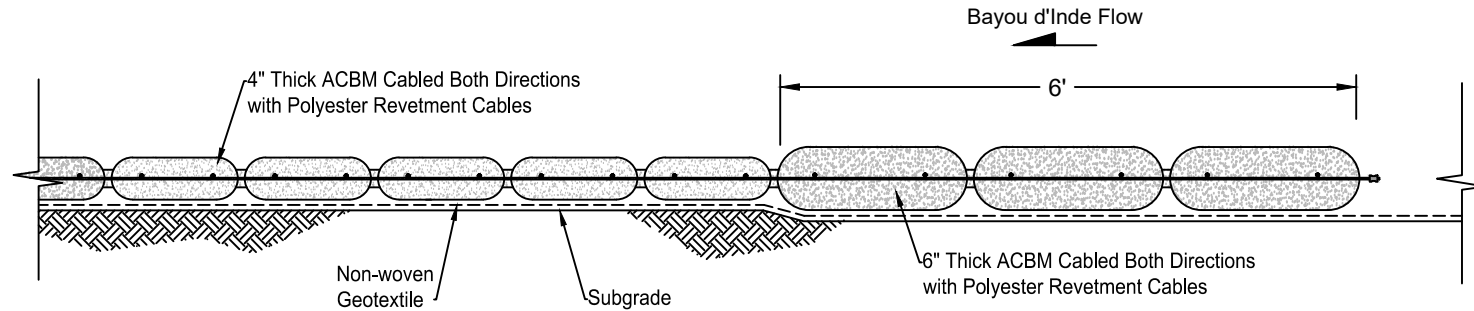
Project: 141141-01.01

Date: June 2016

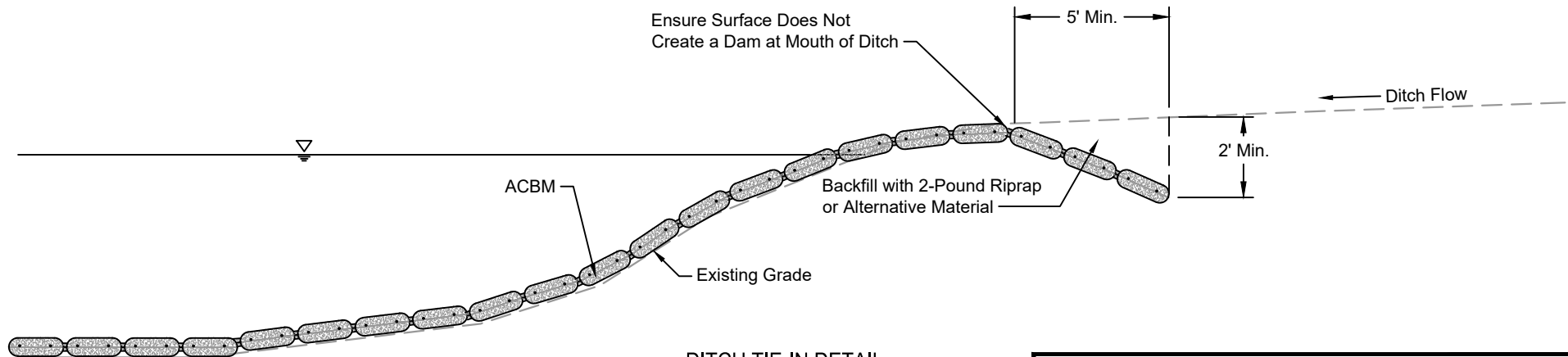
Designed by: R. Robertson

Drawn by: C. Hewett

Bayou d'Inde Area A Remedial Design



FLANK DETAIL
TYPICAL UPSTREAM / DOWNSTREAM TERMINATION - ARTICULATING CONCRETE BLOCK MAT DETAIL
NOT TO SCALE



DITCH TIE-IN DETAIL
NOT TO SCALE

SOURCE: Details provided by Synthetex on 3/23/2015.

Seal:

Reviewed by:

Date:



Figure 10
Flank, Ditch Tie-in, and Ditch Details

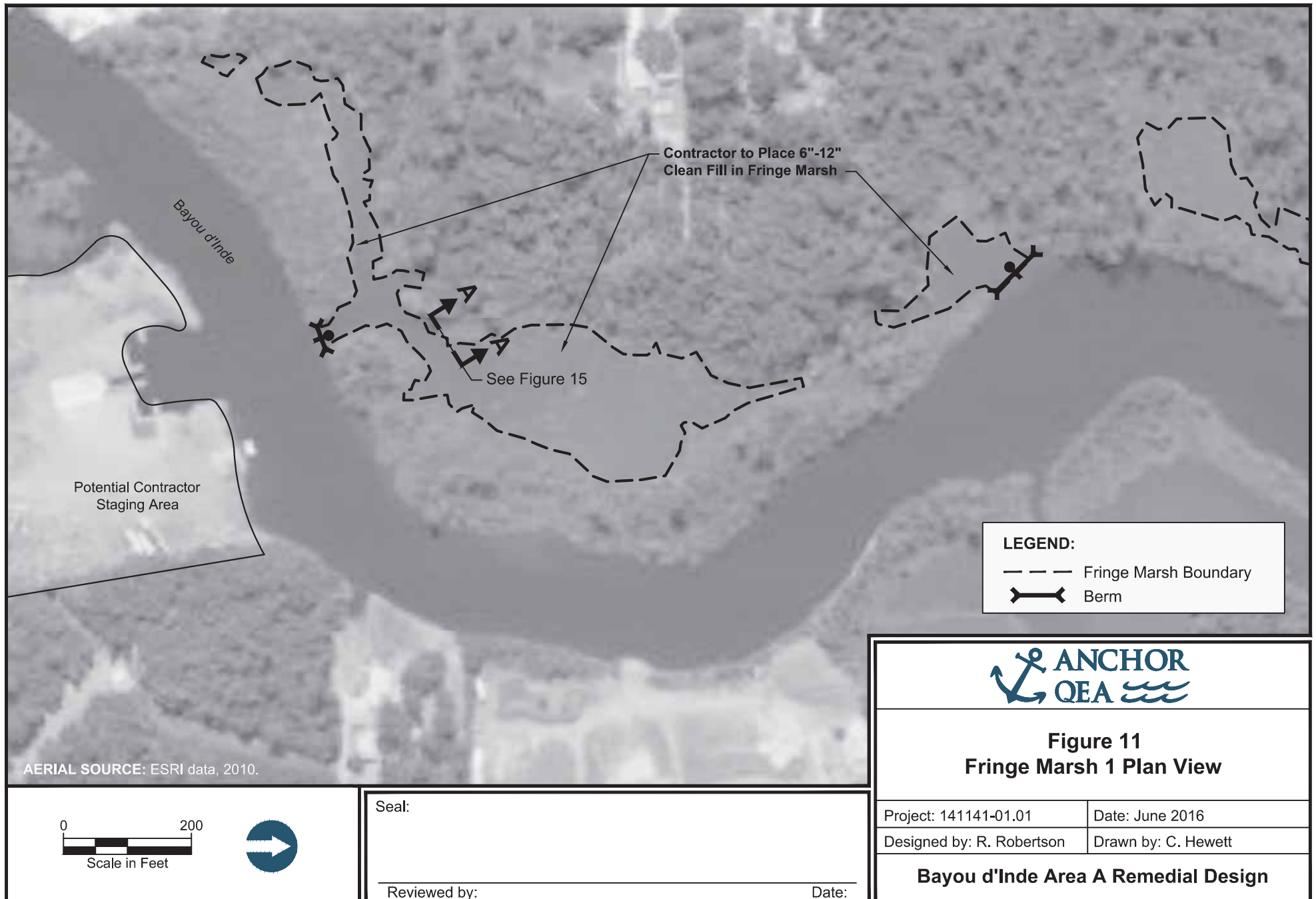
Project: 141141-01.01

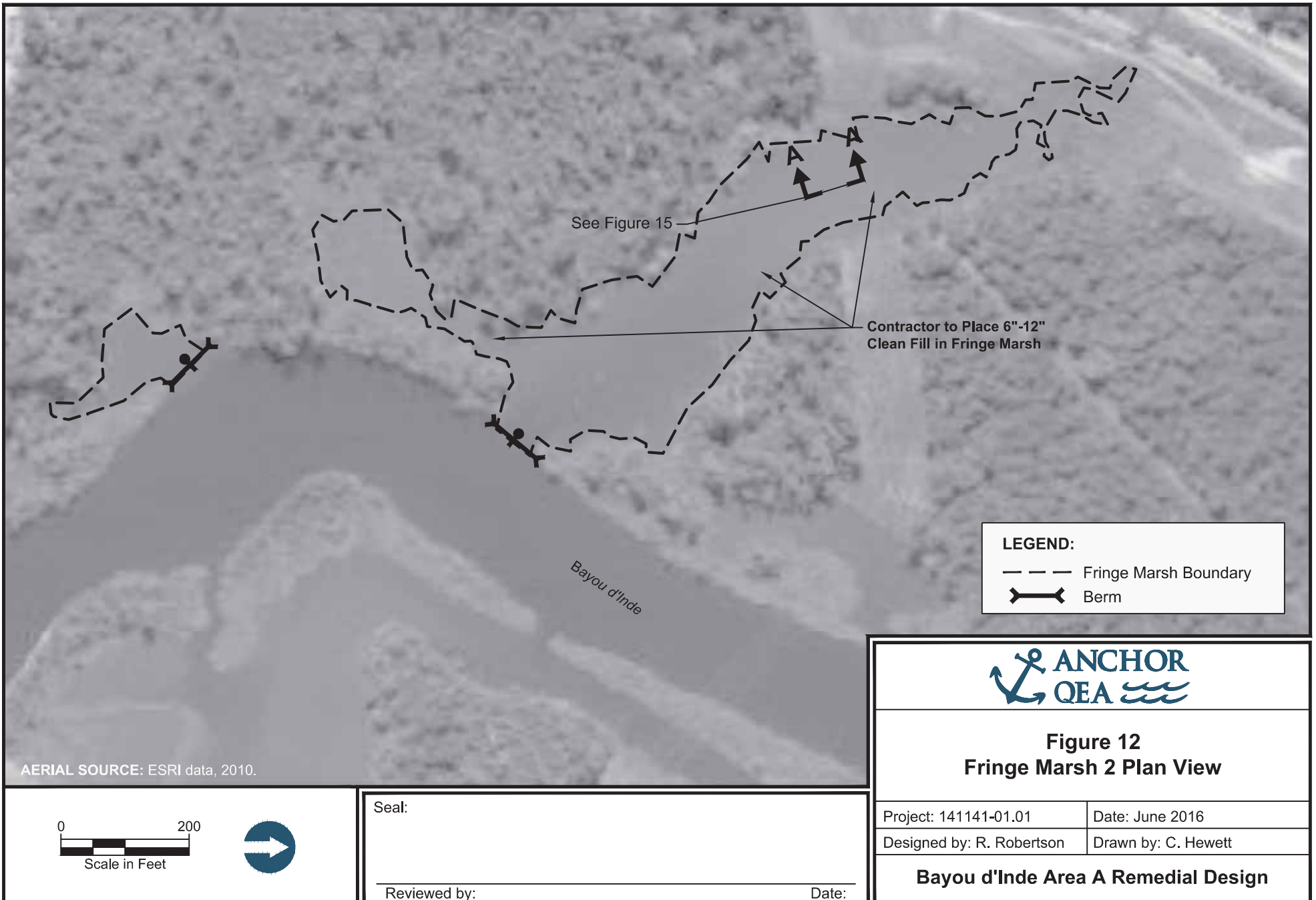
Date: June 2016

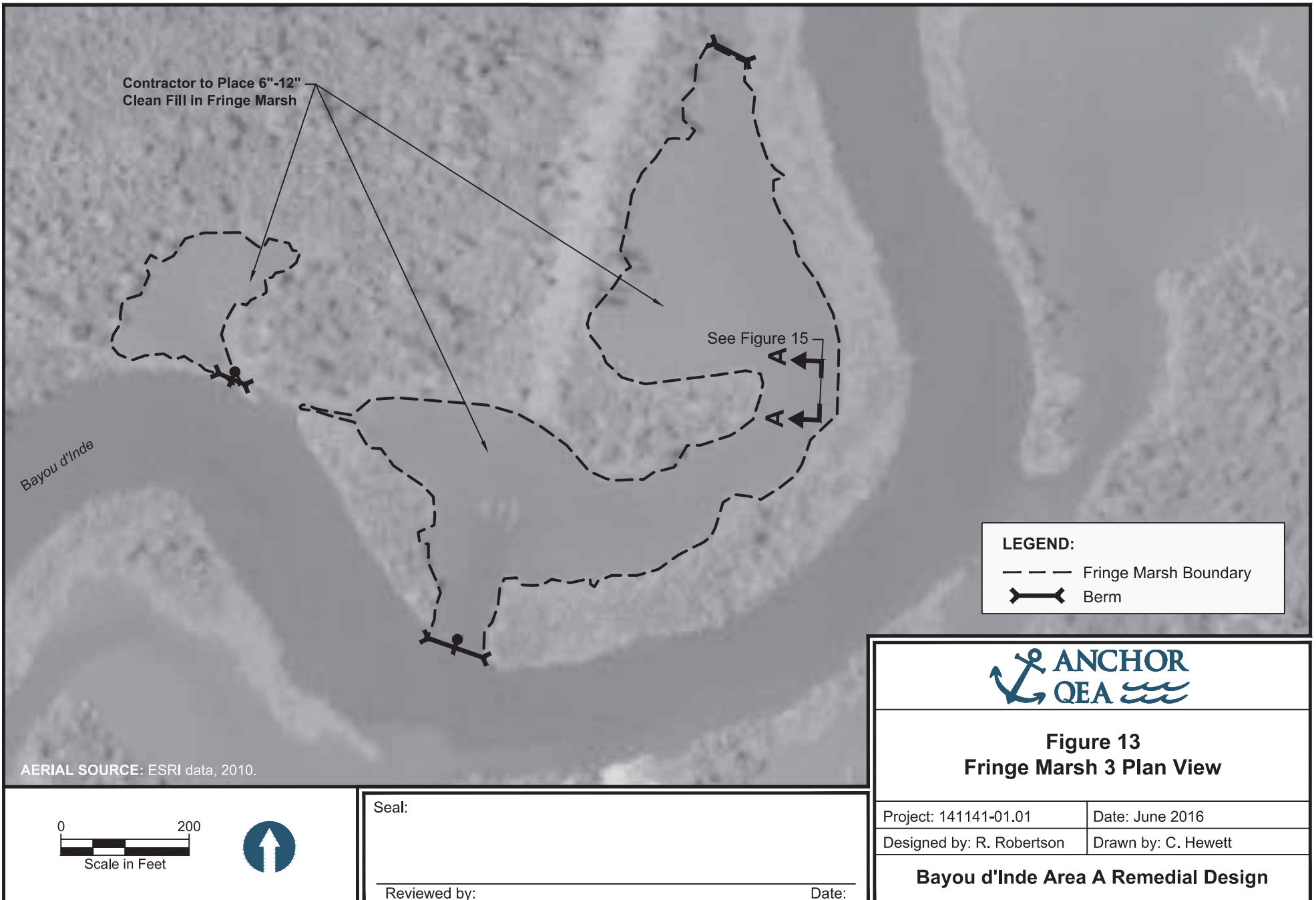
Designed by: R. Robertson

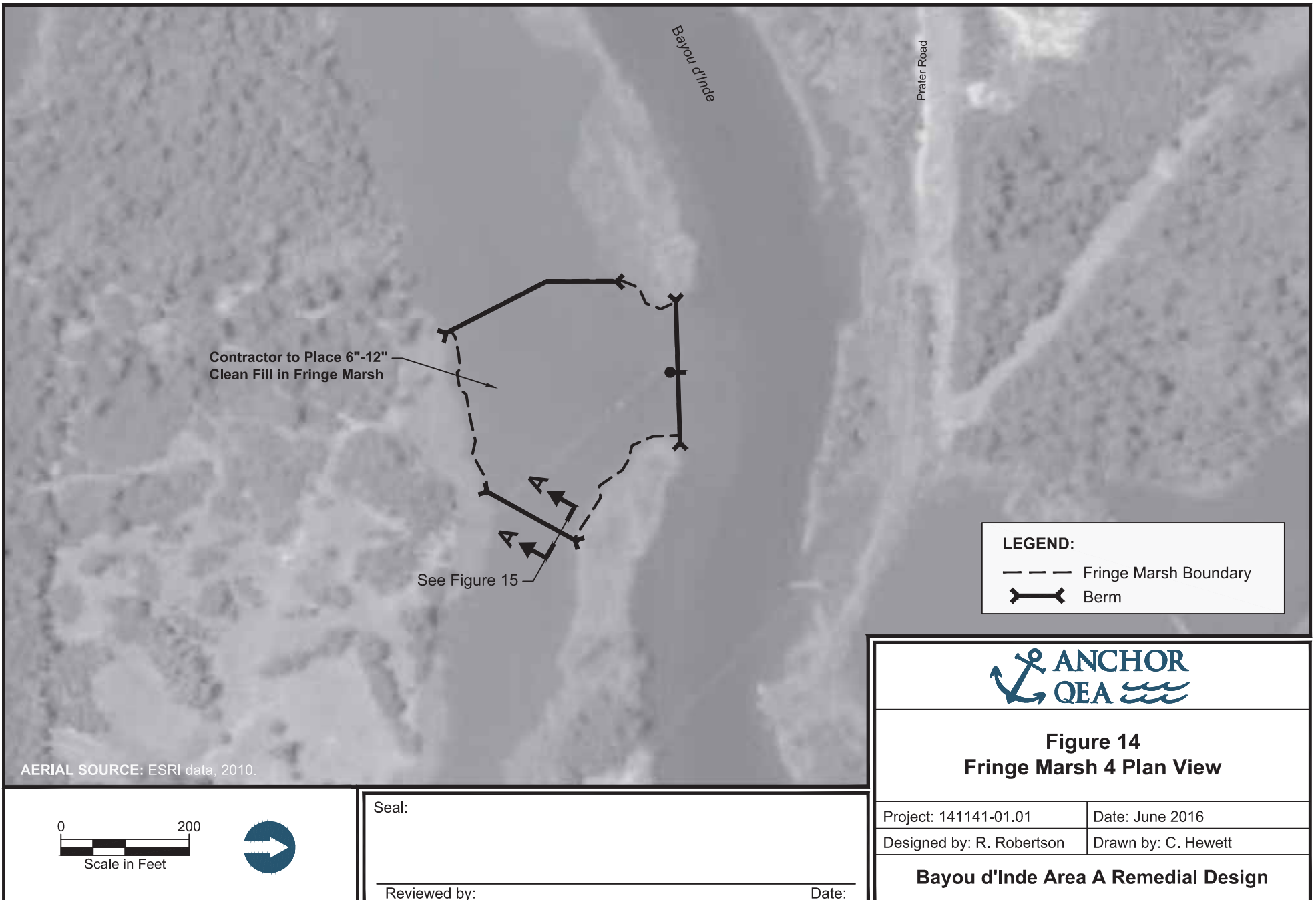
Drawn by: C. Hewett

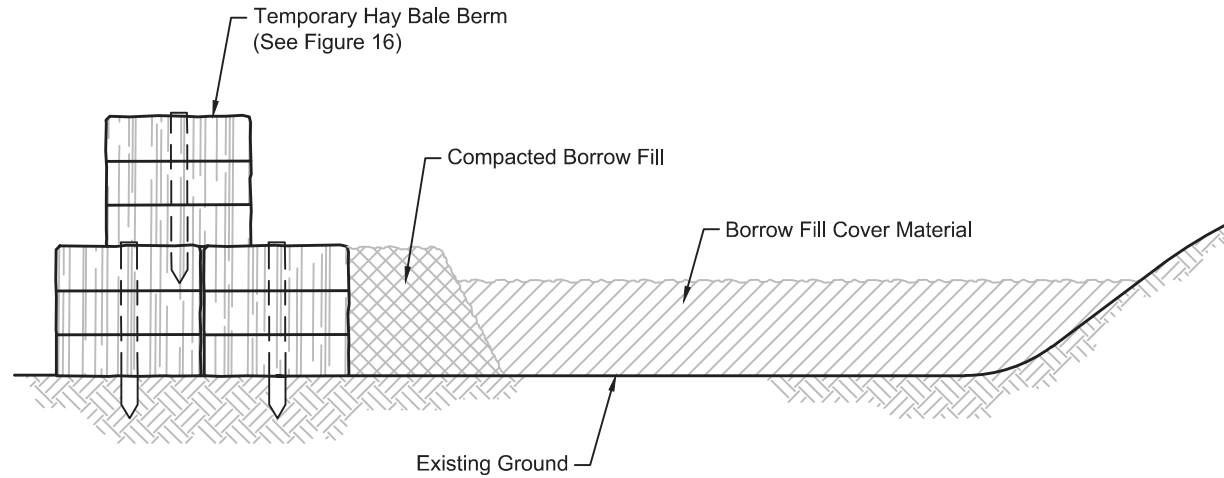
Bayou d'Inde Area A Remedial Design











SECTION A-A'
NOT TO SCALE

NOTE:

1. Contractor may elect to build alternative berms.
2. After constructing hay bale berm and prior to placing fill in marsh, place and compact borrow fill behind berm.

Seal:

Reviewed by:

Date:



Figure 15
Typical Fringe Marsh Section

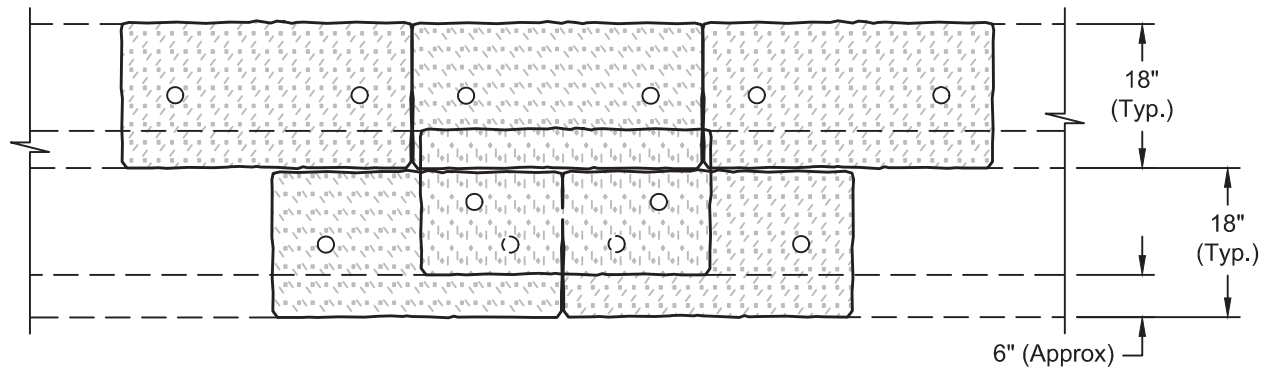
Project: 141141-01.01

Date: June 2016

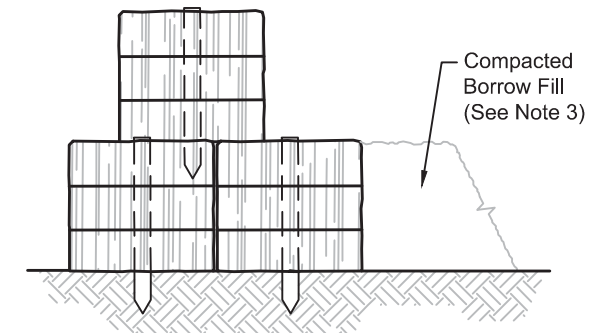
Designed by: R. Robertson

Drawn by: C. Hewett

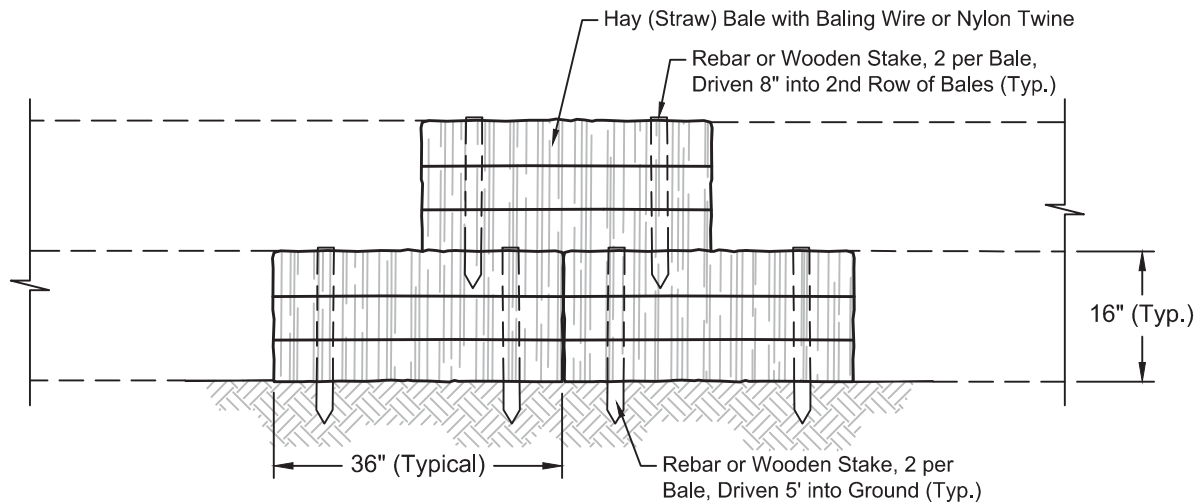
Bayou d'Inde Area A Remedial Design



TOP VIEW
NOT TO SCALE



SIDE VIEW
NOT TO SCALE



FRONT VIEW
NOT TO SCALE

NOTES:

1. Contractor may elect to build alternative berms.
2. Compress bottom bales into existing marsh bottom.
3. After constructing hay bale berm and prior to placing fill in marsh, place and compact borrow fill behind berm.



Figure 16
Hay Bale Berm Details

Project: 141141-01.01

Date: June 2016

Designed by: R. Robertson

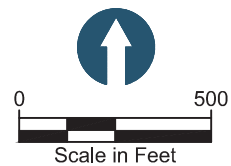
Drawn by: C. Hewett

Bayou d'Inde Area A Remedial Design


Seal:

Reviewed by:

Date:



LEGEND:

 Borrow Area Boundary

AERIAL SOURCE: Google Earth Pro 2015.

Seal:

Reviewed by:

Date:



Figure 17
CITGO Disposal Area
Borrow Area Plan View

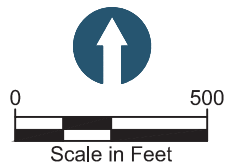
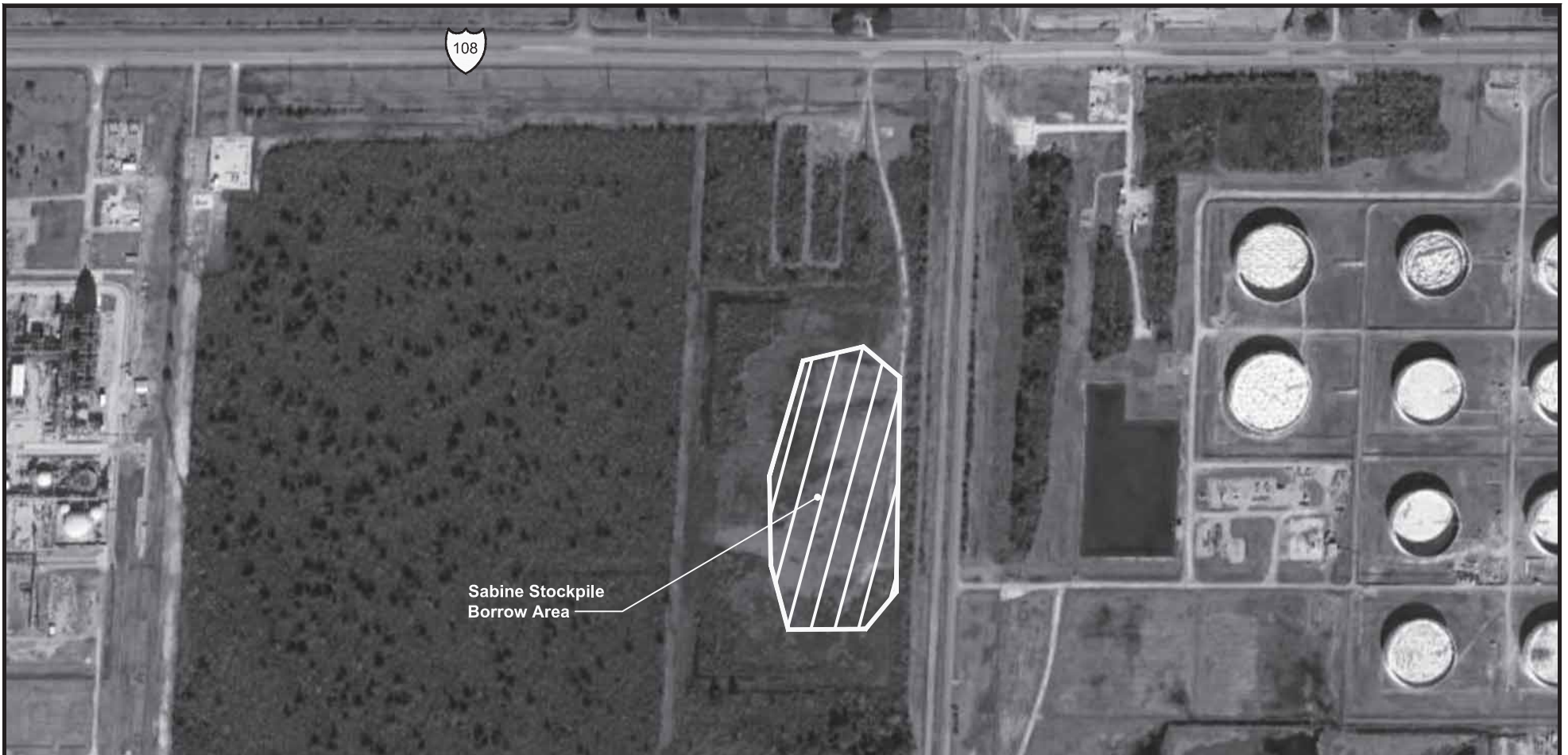
Project: 141141-01.01

Date: June 2016

Designed by: R. Robertson

Drawn by: C. Hewett

Bayou d'Inde Area A Remedial Design

**LEGEND:**

Borrow Area Boundary

AERIAL SOURCE: Google Earth Pro 2015.

Seal:

Reviewed by:

Date:



Figure 18
Sabine Stockpile
Borrow Area Plan View

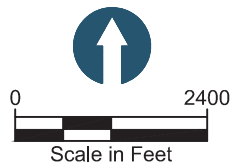
Project: 141141-01.01

Date: June 2016

Designed by: R. Robertson

Drawn by: C. Hewett

Bayou d'Inde Area A Remedial Design

**LEGEND:**

Borrow Area Boundary



Proposed Barge Route

AERIAL SOURCE: Google Earth Pro 2015.

Seal:

Reviewed by:

Date:



Figure 19
Proposed CITGO Disposal Area
Barge Route

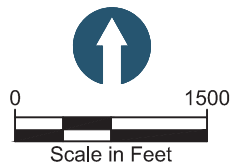
Project: 141141-01.01



Date: June 2016

Designed by: R. Robertson

Drawn by: C. Hewett

Bayou d'Inde Area A Remedial Design

**LEGEND:**

-  Borrow Area Boundary
 Proposed Truck Route

AERIAL SOURCE: Google Earth Pro 2015.

Seal:

Reviewed by:

Date:



Figure 20
Proposed Sabine Stockpile
Truck Routes

Project: 141141-01.01

Date: June 2016

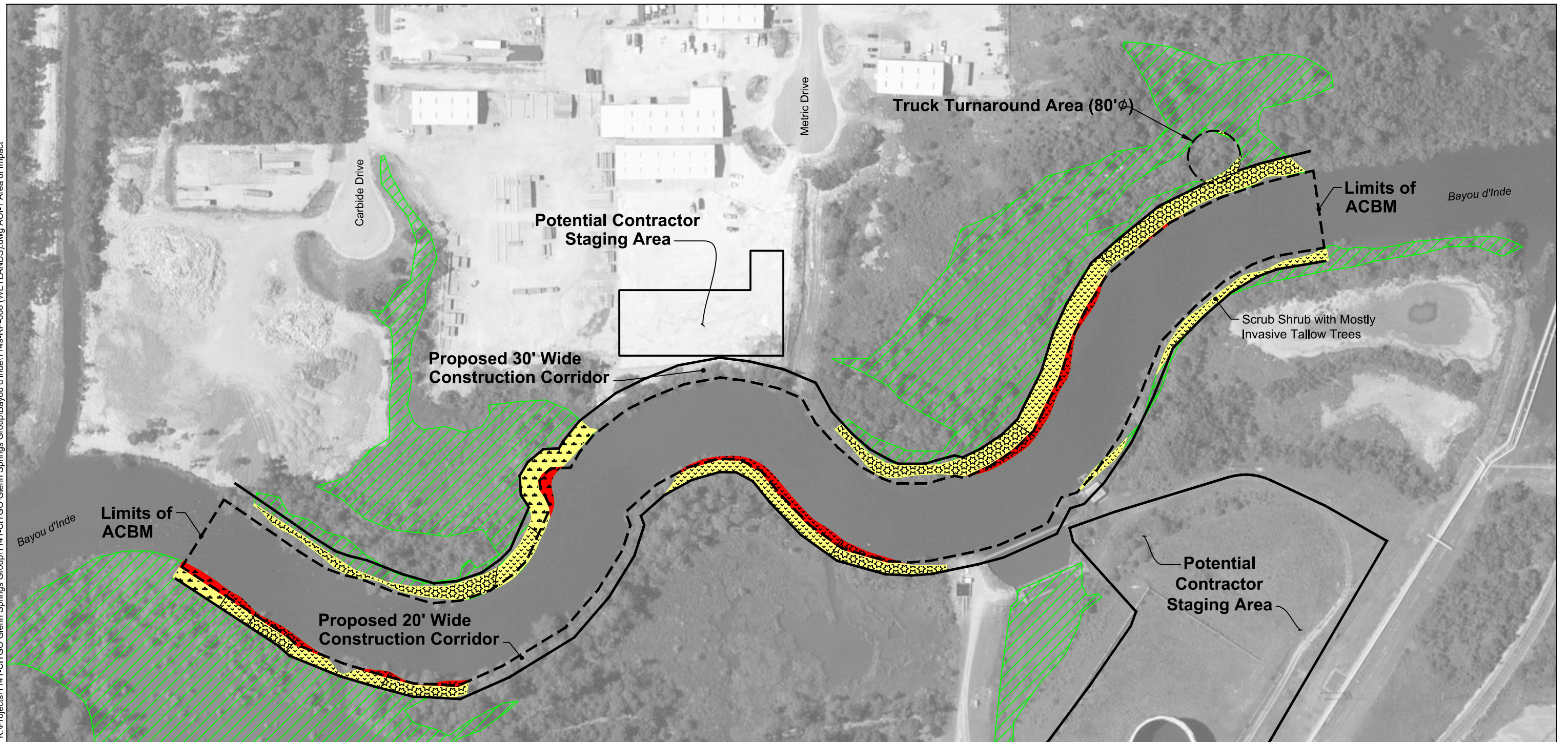
Designed by: R. Robertson

Drawn by: C. Hewett

Bayou d'Inde Area A Remedial Design

K:\Projects\1141-CITGO Glenn Springs Group\1141-CITGO Glenn Springs Group\Bayou d'Inde\1149-RP-008 (WETLANDS).dwg AOI-1 Area of Impact

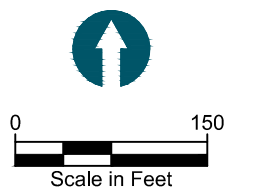
Jun 27, 2016 8:52am chawett



SOURCE: United States Geological Survey (USGS), Westlake Quadrangle, Louisiana, 2015.
HORIZONTAL DATUM: Louisiana State Plane South, NAD83, U.S. Feet.
VERTICAL DATUM: North American Vertical Datum of 1988 (NAVD88).

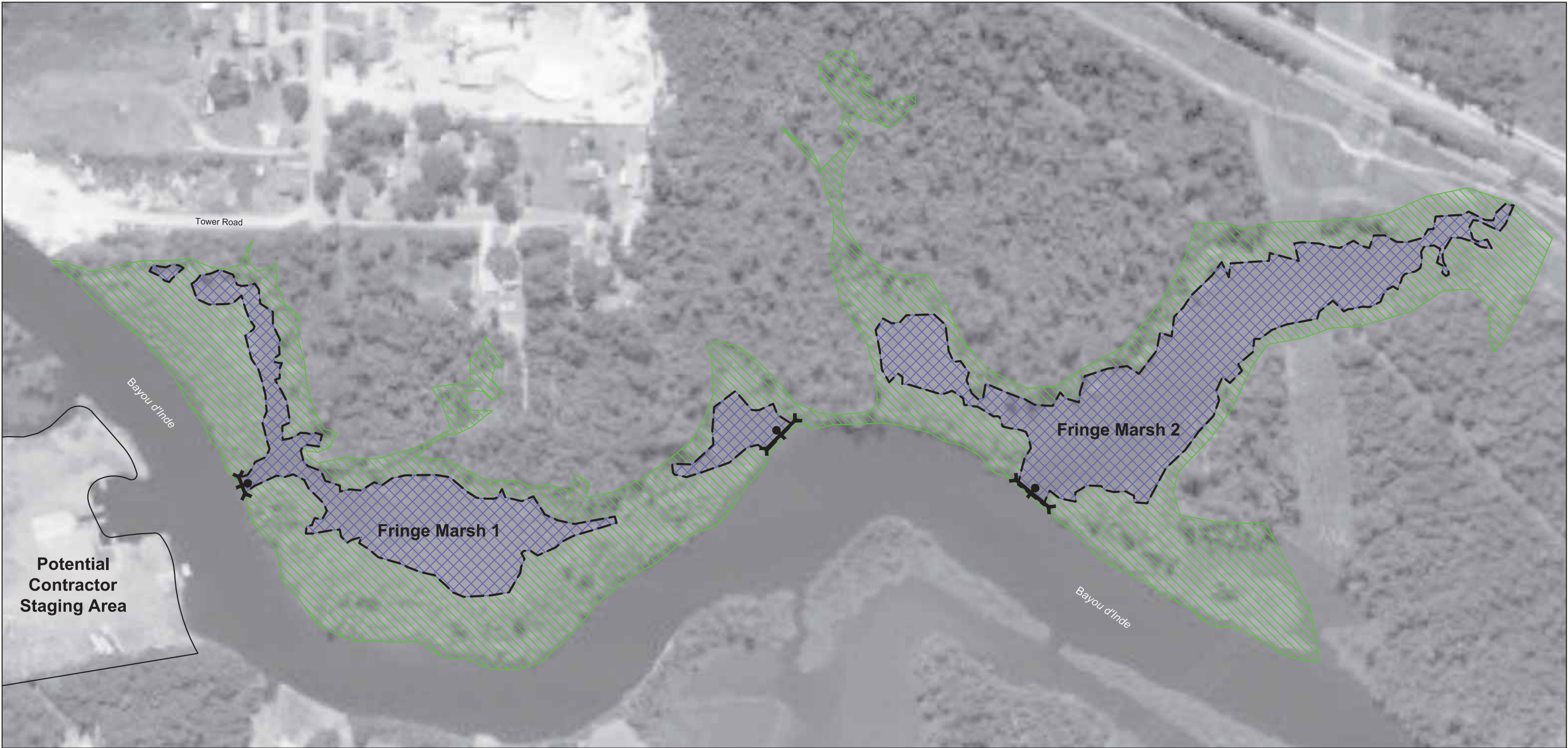
LEGEND:	
	Permanent Wetland Impacts
	Temporary Wetland Impacts
	Wetland Area
	Emergent Vegetation
	Scrub Shrub
	Forested

AOI-1	Total	Emergent	Scrub Shrub	Forested
Permanent Wetland Impacts (Acreage)	0.29	0.05	0.16	0.08
Temporary Wetland Impacts (Acreage)	1.28	0.16	0.53	0.60
Total Work in Waters of U.S. (Acreage)	5.70			



K:\Projects\1141-CITGO Glenn Springs Group\Bayou d'Inde\1149-RP-009 (WETLANDS-FRINGE MARSH).dwg Upper AOI-3 Fringe Marshes 1 and 2 Area of Impact

Jun 23, 2016 4:12pm chawell

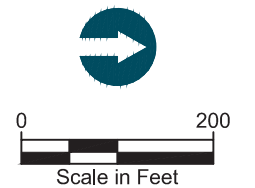


SOURCE: United States Geological Survey (USGS), Westlake Quadrangle, Louisiana, 2015.
HORIZONTAL DATUM: Louisiana State Plane South, NAD83, U.S. Feet.
VERTICAL DATUM: North American Vertical Datum of 1988 (NAVD88).
NOTE: Construction access will be from Bayou d'Inde.

LEGEND:

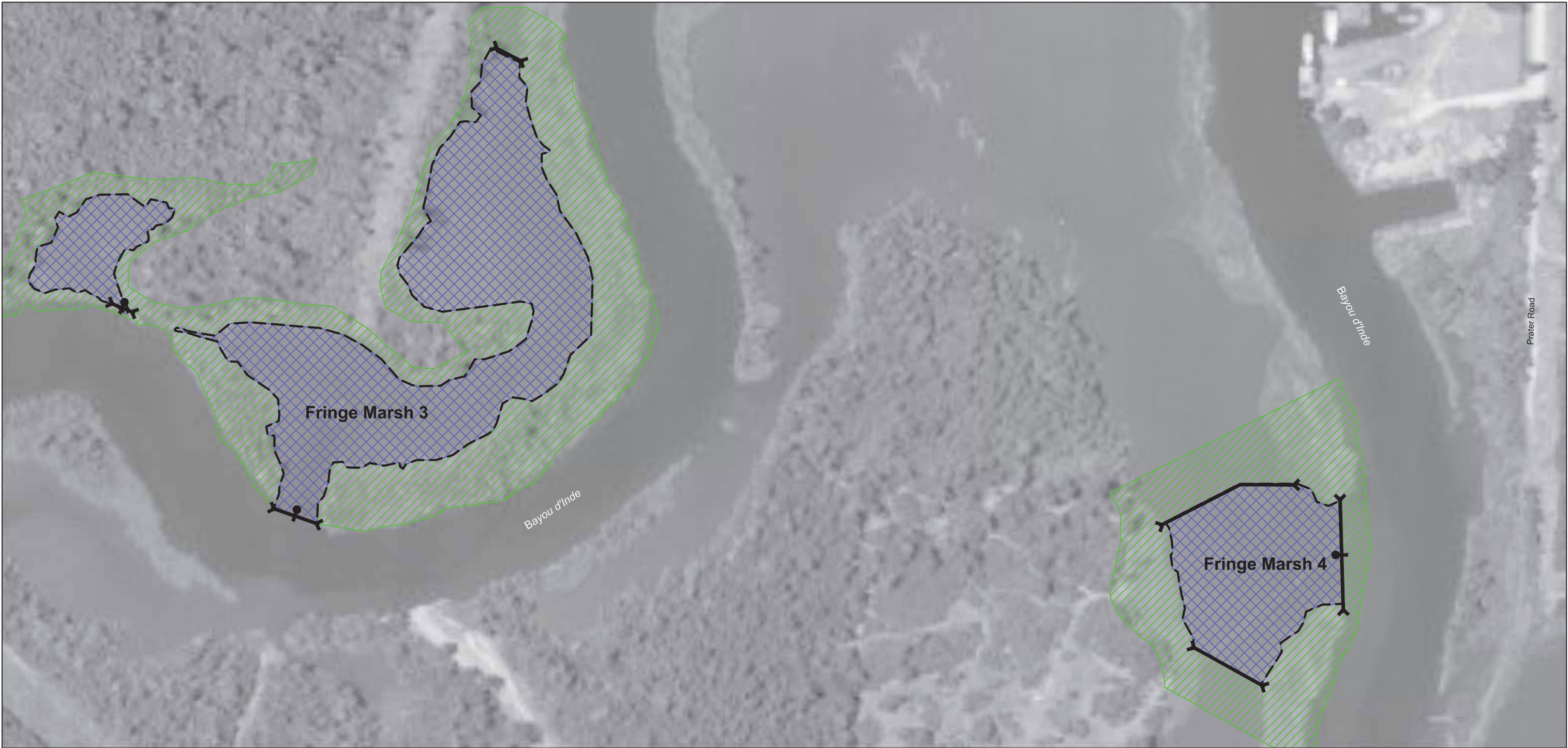
- Wetland Area
- Limits of Cover
- Temporary Berm

Upper AOI-3 Fringe Marshes 1 & 2	Acreage
Permanent Emergent Wetland Impacts	0.00
Temporary Emergent Wetland Impacts	0.00
Total Work in Waters of U.S.	7.14



K:\Projects\1141-CITGO Glenn Springs Group\Bayou d'Inde\1149-RP-009 (WETLANDS-FRINGE MARSH).dwg Upper AOI-3 Fringe Marshes 3 and 4 Area of Impact

Jun 23, 2016 4:12pm chawell



SOURCE: United States Geological Survey (USGS), Westlake Quadrangle, Louisiana, 2015.
HORIZONTAL DATUM: Louisiana State Plane South, NAD83, U.S. Feet.
VERTICAL DATUM: North American Vertical Datum of 1988 (NAVD88).
NOTE: Construction access will be from Bayou d'Inde.

LEGEND:

-  Wetland Area
-  Limits of Cover
-  Temporary Berm

Upper AOI-3 Fringe Marshes 3 & 4	Acreage
Permanent Emergent Wetland Impacts	0.00
Temporary Emergent Wetland Impacts	0.00
Total Work in Waters of U.S.	9.03

