

JOINT PUBLIC NOTICE

October 26, 2015

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, Louisiana 70160-0267

(504) 862-2284
Sara.B.Fortuna@usace.army.mil
Project Manager
Sara Fortuna
Permit Application Number
MVN-2015-02022-WKK

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

(225) 219-3526
Karen.Latuso@la.gov
Project Manager
Karen Latuso
WQC Application Number
WQC 151008-03

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).

Application has also been made to the Louisiana Department of Environmental Quality, Water Quality Certifications, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

EARTHEN PLUGS IN ST. MARY PARISH

NAME OF APPLICANT: SM Energy, c/o Coastal Environments, Inc., 1260 Main Street, Baton Rouge, Louisiana 70802.

LOCATION OF WORK: Shell Island Pass, west side of Wax Lake Outlet, approximately 16.0 miles southwest from the community of Patterson, in St. Mary Parish, Louisiana, as shown on the enclosed drawings.

Location: Plug Site SM-1: Latitude: 29°32'44.24" N / Longitude: -91°27'21.42" W,
Plug Site SM-2: Latitude: 29°32'44.0" N / Longitude: -91°27'31.45" W,
Plug Site SM-3: Latitude: 29°32'44.59" N / Longitude: -91°27'38.84" W,
Plug Site SM-4: Latitude: 29°32'43.50" N / Longitude: -91°27'50.11" W,
Hydrologic Unit Code: 08080101 – Atchafalaya Basin.

CHARACTER OF WORK: Conduct dredging operations to plug four marsh drains. Water flows in a southerly direction and drains into Shell Island Pass. At plug site SM-1, approximately 210 cubic yards of dredged fill material would be placed within a 40-foot wide by 40-foot long area. At plug site SM-2, a 60-foot long 30-inch diameter culvert would be installed and approximately 457 cubic yards of dredged fill material would be placed in a 45-foot wide by 50-foot long area on top of the culvert. At plug site SM-3, approximately 365 cubic yards of dredged fill material would be placed within a 50-foot wide by 40-foot long area. At plug site SM-4, approximately 320 cubic yards of dredged fill material would be placed within a 50-foot wide by 40-foot long area. The applicant agrees to compensate for 0.15 of an acre of brackish marsh impacts by purchasing credits at a Department of the Army approved mitigation bank.

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 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 BRANCH. Similar 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.**

Individuals or parties may request an extension of time in which to comment on the proposed work by writing 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.

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.

The New Orleans District has determined that the 0.43 of an acre project footprint is located in wetlands and waters known to be utilized by the Louisiana Black Bear (*Ursus americanus luteolus*), West Indian Manatee (*Trichechus manatus*), and the Pallid Sturgeon (*Scaphirhynchus albus*) and determined the activity is not likely to adversely affect the Louisiana Black Bear and West Indian Manatee and no effect on the Pallid Sturgeon based on the Standard Local Operating Procedure for Endangered Species (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office. If this permit is issued, the applicant has agreed to follow the LBB-01 Conditions for General Activities That Would Occur Within Louisiana Black Bear Breeding Habitat and the Standard Manatee Conditions for In-Water Activities.

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 **0.43** of an acre 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, Water Quality Certifications, 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

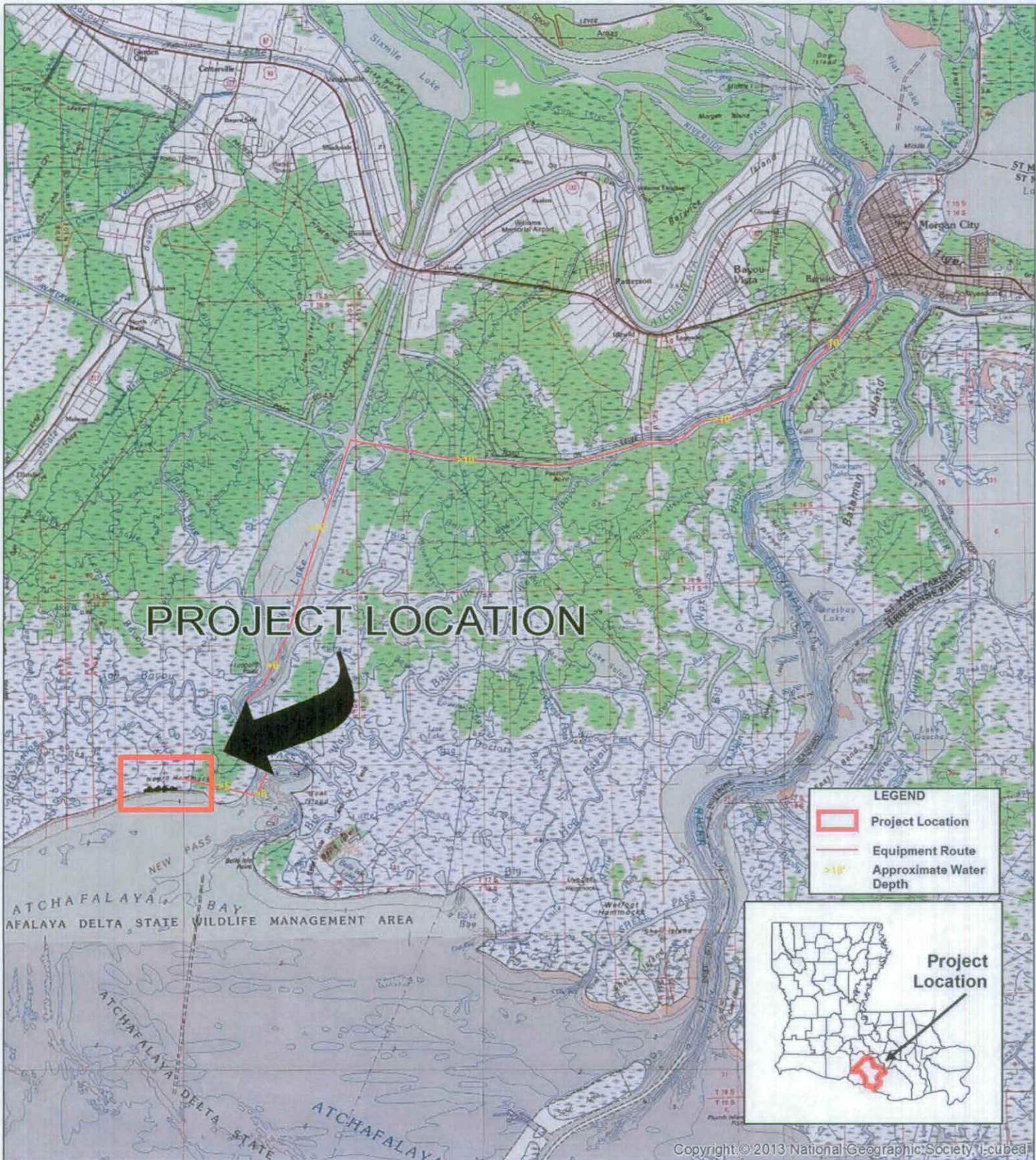


FIGURE 1
 APPLICANT: SM-Energy
 PURPOSE: Embankment Plug Permit
 MAP BASE: USGS 24K & 100K
 Topographic Maps



**VICINITY
MAP**

COASTAL ENVIRONMENTS, INC.
 BATON ROUGE, LA., 70802
 Tel. # (225) 383-7451

**EARTHEN EMBANKMENT
PERMIT APPLICATION**

LOCATION: Sections 20 & 21;
 T-17-S, R-10-E
 PARISH: St. Mary, LA
 MAP DATE: August 2015





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

FIGURE 2
 APPLICANT: SM-Energy
 PURPOSE: Embankment Plug Permit
 MAP BASE: ESRI High Resolution
 True Color World Imagery



PLUG LOCATION MAP

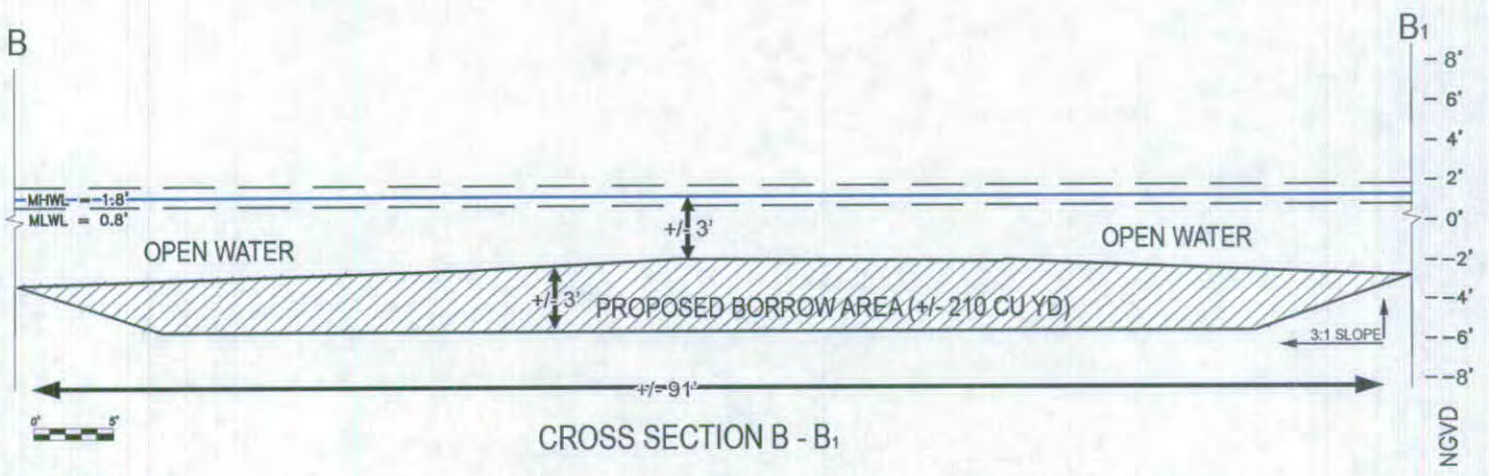
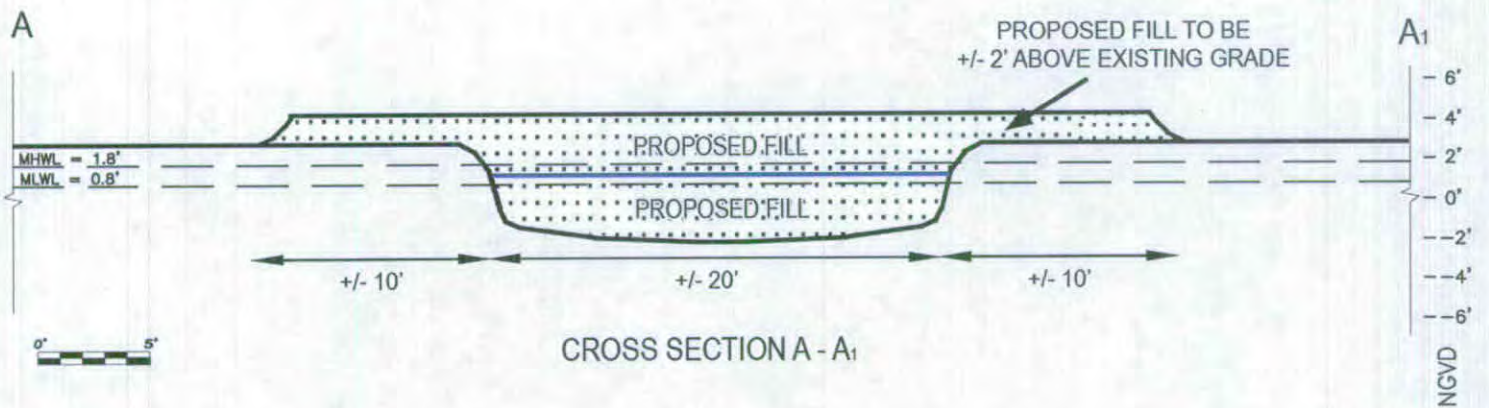
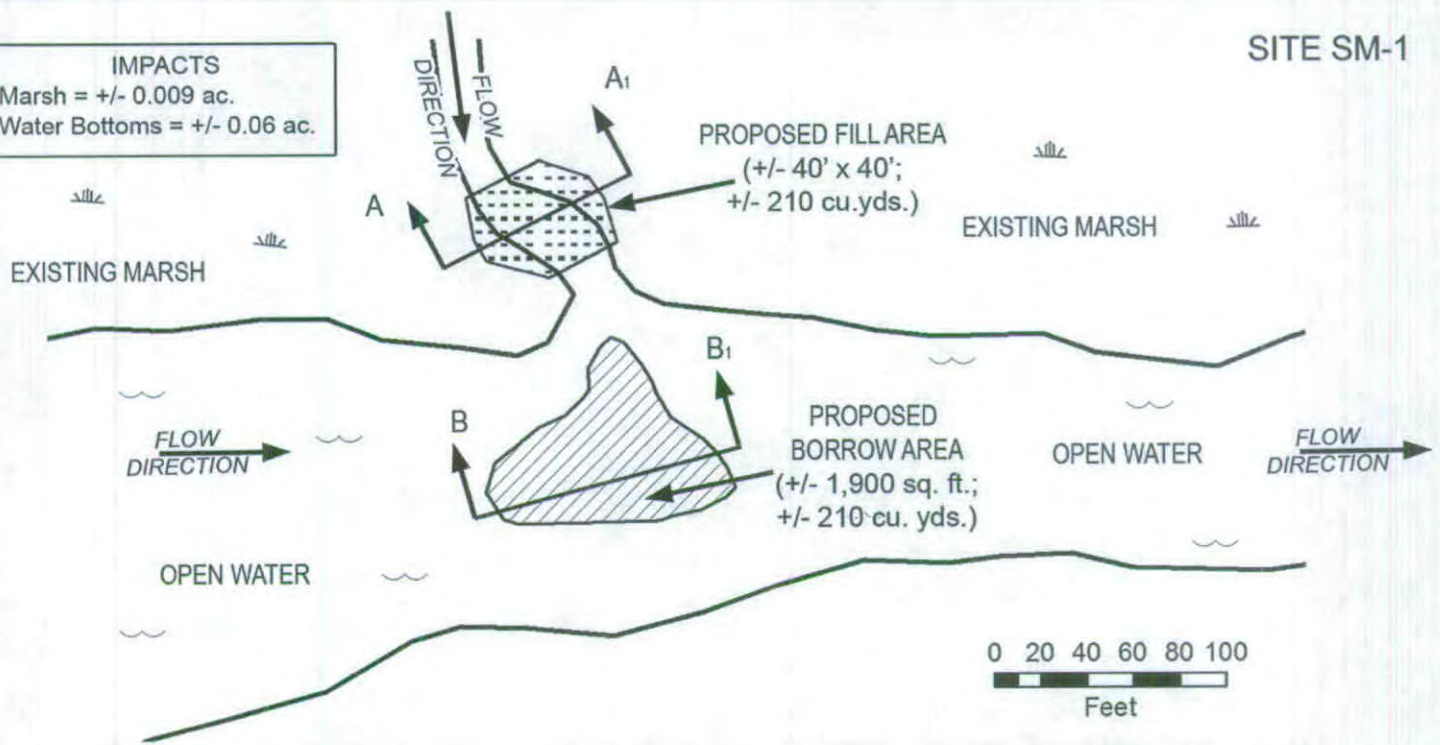
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EARTHEN EMBANKMENT PERMIT APPLICATION

LOCATION: Sections 20 & 21;
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 PARISH: St. Mary, LA
 MAP DATE: August 2015



IMPACTS
 Marsh = +/- 0.009 ac.
 Water Bottoms = +/- 0.06 ac.



SITE SM-1

NOTE: VERTICAL SCALES AND REPRESENTATIONS ARE EXAGGERATED TO SHOW DETAIL

FIGURE 3

APPLICANT:
 SM-Energy
 PURPOSE:
 Stabilize and manage conditions conducive
 for re-establishing lost wetland areas by
 constructing earthen embankment plugs
 MAP BASE: CEI Survey

**PROPOSED EARTHEN
 EMBANKMENT PLUGS**

COASTAL ENVIRONMENTS, INC.
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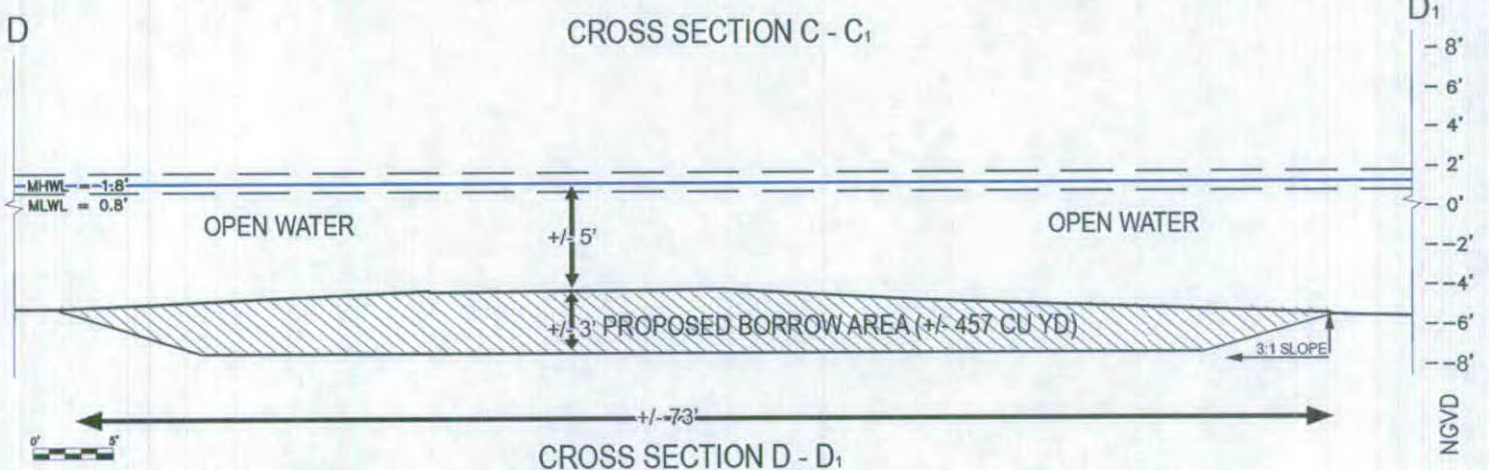
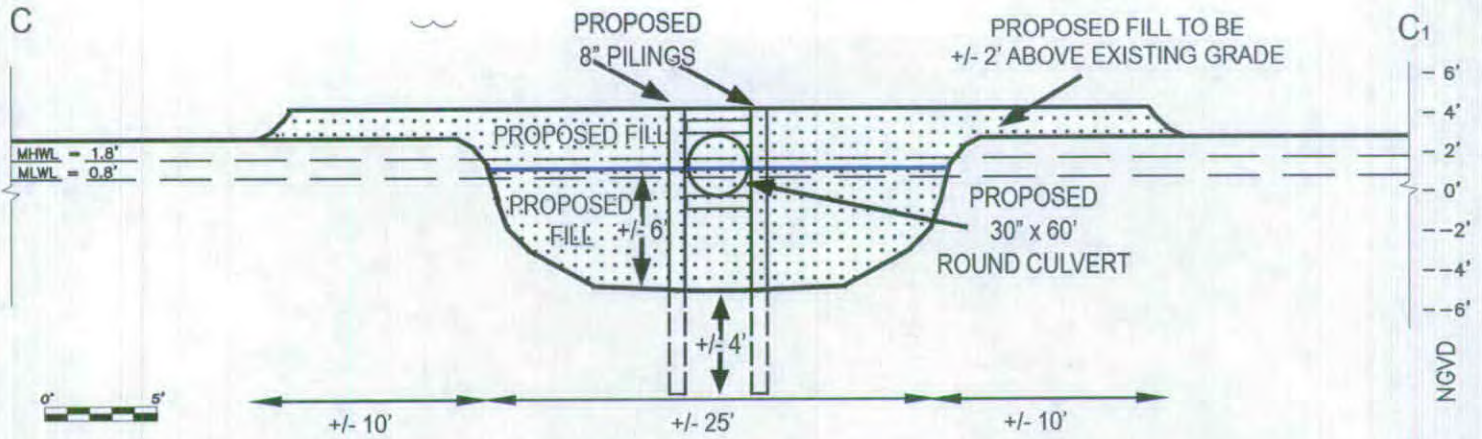
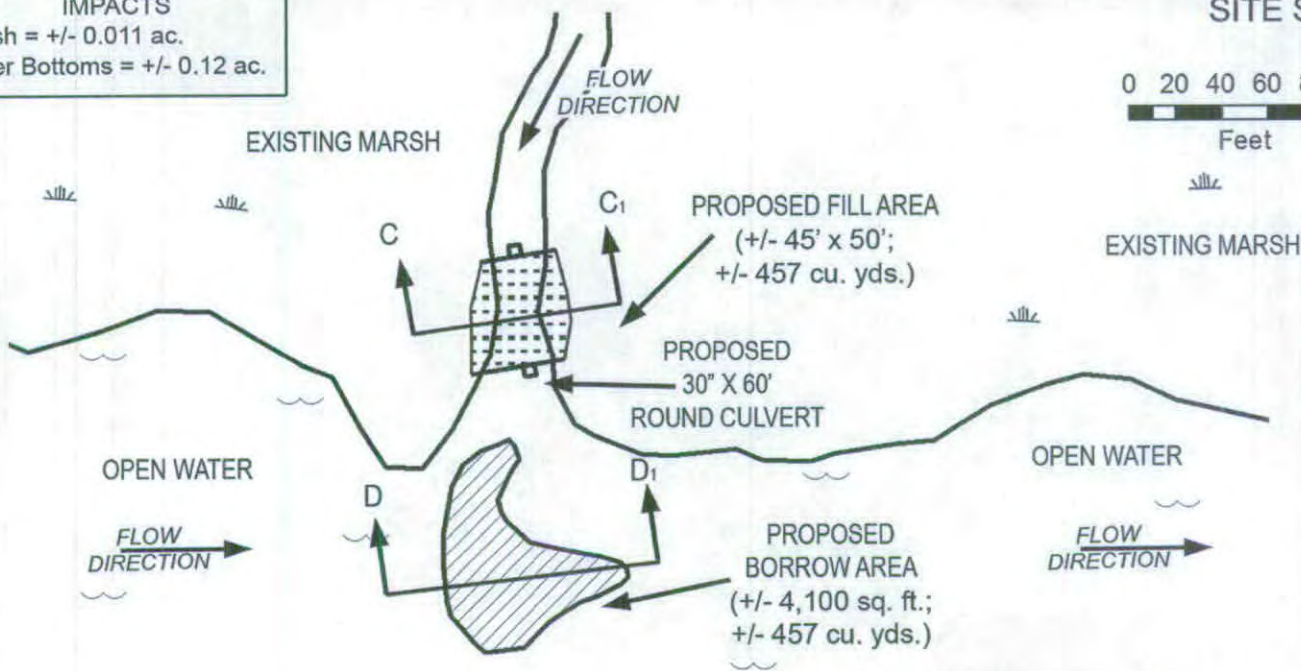
**EARTHEN EMBANKMENT
 PERMIT APPLICATION**

LOCATION: Sections 20 & 21;
 T-17-S, R-10-E
 PARISH: St. Mary, LA
 MAP DATE: August 2015



IMPACTS
 Marsh = +/- 0.011 ac.
 Water Bottoms = +/- 0.12 ac.

SITE SM-2



SITE SM-2

NOTE: VERTICAL SCALES AND REPRESENTATIONS ARE EXAGGERATED TO SHOW DETAIL

FIGURE 4
 APPLICANT: SM-Energy
 PURPOSE: Stabilize and manage conditions conducive for re-establishing lost wetland areas by constructing earthen embankment plugs
 MAP BASE: CEI Survey

PROPOSED EARTHEN EMBANKMENT PLUGS

COASTAL ENVIRONMENTS, INC.
 BATON ROUGE, LA., 70802
 Tel.# (225) 383-7451

EARTHEN EMBANKMENT PERMIT APPLICATION

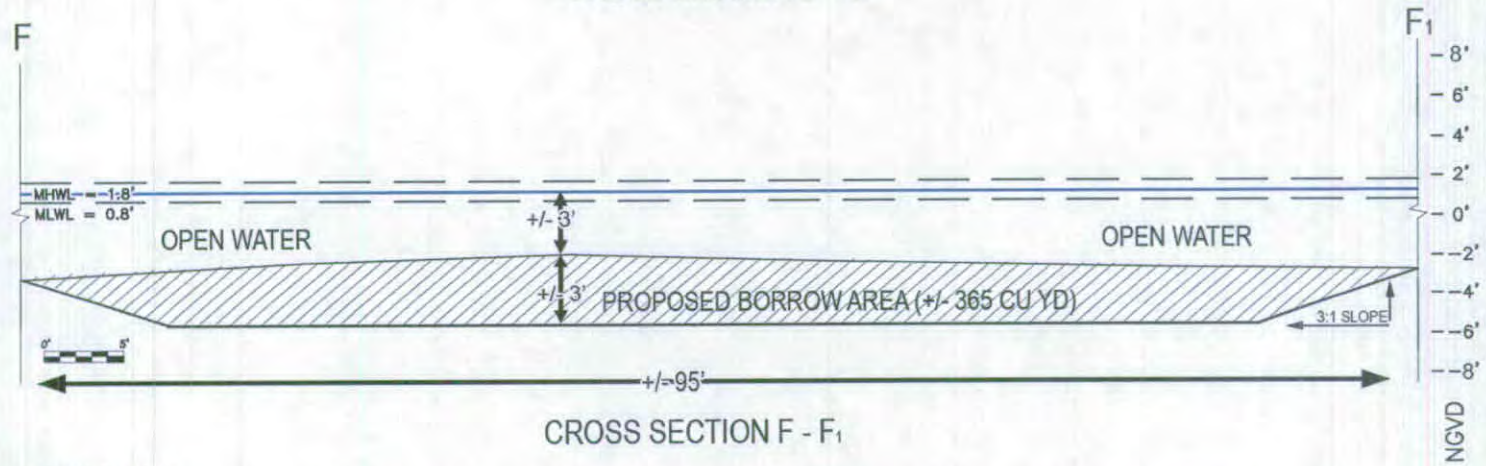
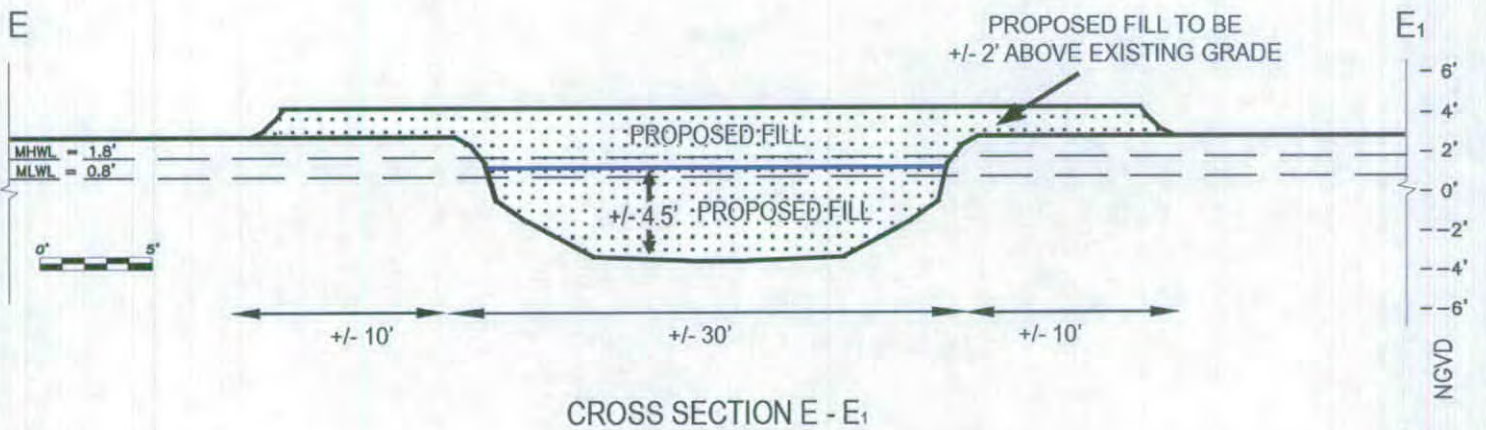
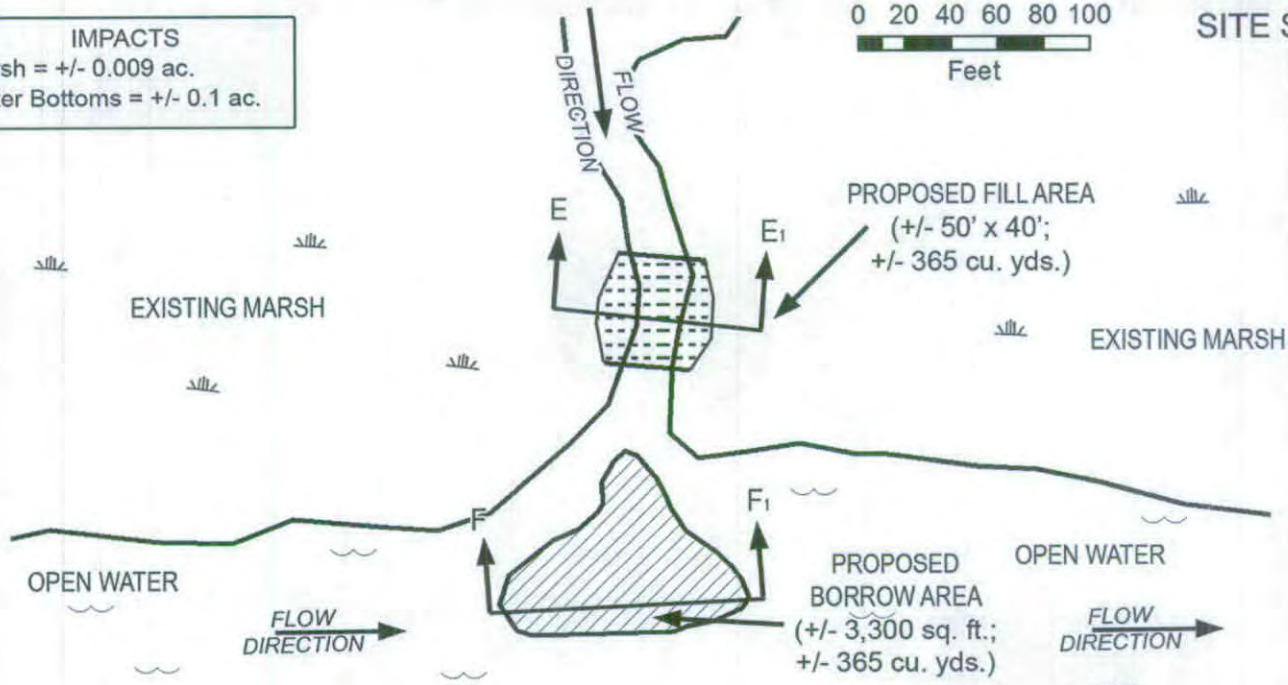
LOCATION: Sections 20 & 21;
 T-17-S, R-10-E
 PARISH: St. Mary, LA
 MAP DATE: August 2015



IMPACTS
 Marsh = +/- 0.009 ac.
 Water Bottoms = +/- 0.1 ac.



SITE SM-3



SITE SM-3

NOTE: VERTICAL SCALES AND REPRESENTATIONS ARE EXAGGERATED TO SHOW DETAIL

APPLICANT:
 SM-Energy
 PURPOSE:
 Stabilize and manage conditions conducive
 for re-establishing lost wetland areas by
 constructing earthen embankment plugs
 MAP BASE: CEI Survey

FIGURE 5

**PROPOSED EARTHEN
 EMBANKMENT PLUGS**

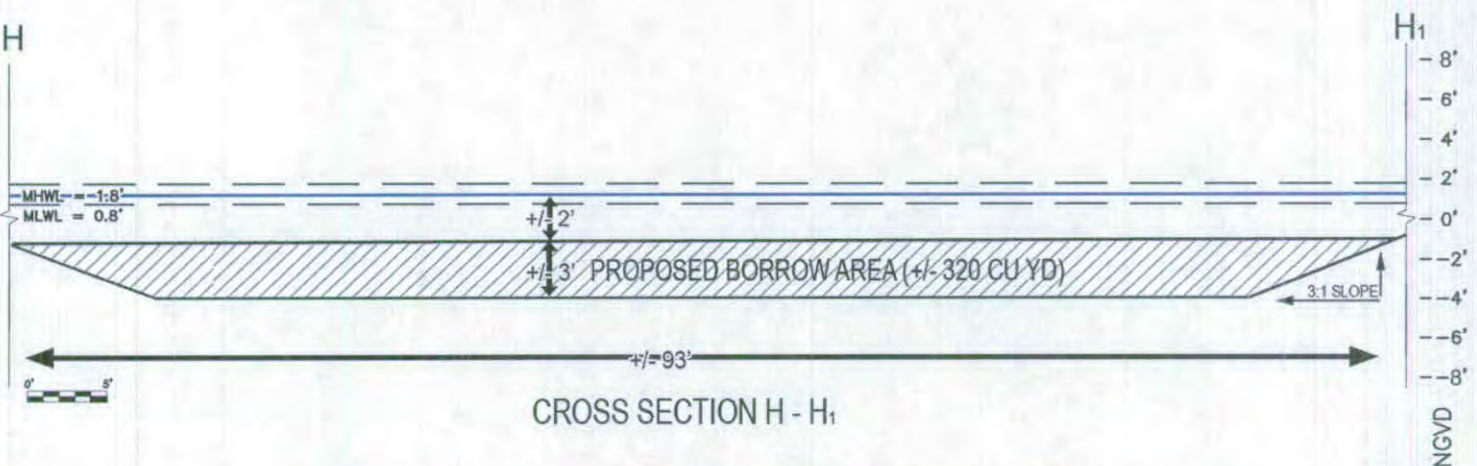
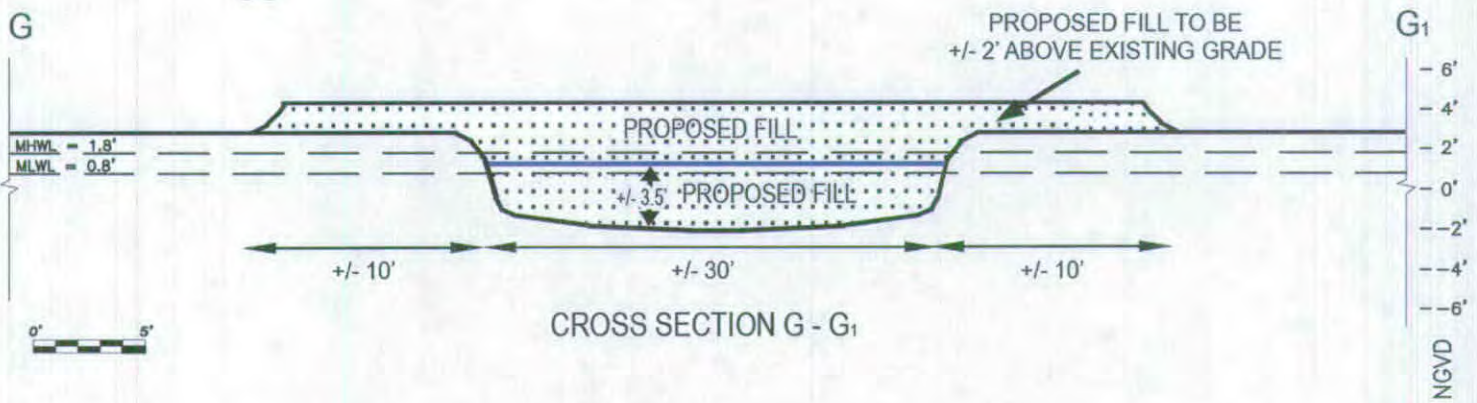
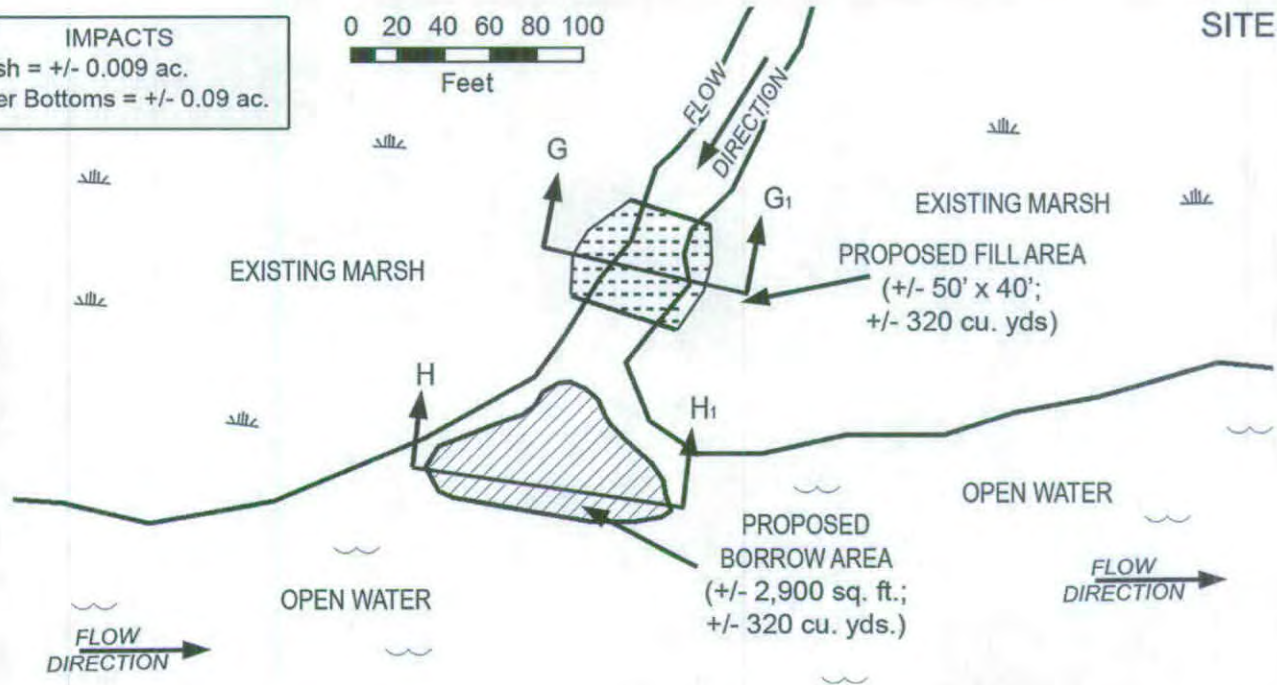
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**EARTHEN EMBANKMENT
 PERMIT APPLICATION**

LOCATION: Sections 20 & 21;
 T-17-S, R-10-E
 PARISH: St. Mary, LA
 MAP DATE: August 2015



IMPACTS
 Marsh = +/- 0.009 ac.
 Water Bottoms = +/- 0.09 ac.



SITE SM-4

NOTE: VERTICAL SCALES AND REPRESENTATIONS ARE EXAGGERATED TO SHOW DETAIL

FIGURE 6
 APPLICANT: SM-Energy
 PURPOSE: Stabilize and manage conditions conducive for re-establishing lost wetland areas by constructing earthen embankment plugs
 MAP BASE: CEI Survey

PROPOSED EARTHEN EMBANKMENT PLUGS

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