

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

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Regulatory Division Central Evaluation Branch

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## PUBLIC NOTICE

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US Army Corps of Engineers pursuant to [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

## PROPOSED RING LEVEE AND DRILLING RIG TO DRILL THE A. WILBERT SONS, LLC WELL NO.1 in WEST BATON ROUGE PARISH

**NAME OF APPLICANT**: PETROLEX OPERATING VENTURES, LLC, c/o Tim Morton & Associates, Inc., 500 S. Morgan Avenue, Broussard, Louisiana 70518.

**LOCATION OF WORK**: In Green Lake Oil and Gas Field, Latitude 30.420621, Longitude -91.363977, approximately 4.3 miles northwesterly from Grosse Tete, Louisiana, in West Baton Rouge Parish, within the Terrebonne Basin in hydrologic unit (HUC 08070300), as shown on the attached drawings.

**CHARACTER OF WORK**: The applicant has requested a Department of the Army authorization to clear, grade, excavate and deposit fill and/or aggregate material to construct and maintain a ring levee system with appurtenances to drill the A. Wilbert Sons, LLC Well No. 1. Approximately 8,900 cubic yards of fill material would be hauled in and deposited to level the drill site area. The proposed project drill site area consists entirely of forested wetlands. Additionally, the applicant has proposed to extend two metal culverts and place 90 cubic yards of fill material to these two areas. The culverts are to be extended to widen the turns of the existing road for access to 18-wheelers.

A Preliminary analysis has determined that the proposed project would directly impact 3.68 acres of mostly forested wetlands.

The applicant states that the proposed drill site was located adjacent to an existing road to avoid impacts which would have occurred with the construction of a new access road. As compensation for unavoidable wetland impacts, the applicant proposes to use a Corps approved mitigation bank within the watershed of impacts.

The comment period for the Department of Army Permit will close in <u>20 days</u> 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, <u>ATTENTION: REGULATORY DIVISION</u>, <u>REG-C, Zachary Steinkoenig.</u> 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. 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.

## **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 being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

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 (IPaC) procedure, as signed on 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 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 up to <u>xx</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 water quality standards will be required from the Louisiana 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













