

JOINT PUBLIC NOTICE

August 14, 2017

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

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

(504) 862-1280/FAX (504) 862-1697
Brandon.D.Gaspard@usace.army.mil
Project Manager
Brandon Gaspard
Permit Application Number
MVN 2017-00862-MG

(225) 219-3225/FAX (225) 325-8250
Elizabeth.Hill@la.gov
Project Manager
Elizabeth Hill
WQC Application Number
WQC 170808-03

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).

LAKE CHARLES HARBOR AND TERMINAL DISTRICT BENEFICIAL USE OF DREDGED MATERIAL AREA IN CALCASIEU PARISH

NAME OF APPLICANT: C.H. Fenstermaker & Associates, L.L.C., on behalf of Lake Charles Harbor and Terminal District, ATTN: Mr. Nicholas Gaspard, 135 Regency Square, Lafayette, Louisiana 70508.

LOCATION OF WORK: Located approximately 6.7 miles southwest of Lake Charles in Calcasieu Parish, Louisiana, as shown on the enclosed drawings.

Location: Latitude: 30.174722/Longitude: -93.304166
Hydrologic Unit Code: 08080206 – Lower Calcasieu. LA.

CHARACTER OF WORK: Lake Charles Harbor and Terminal District (LCHTD) is proposing to construct a containment area for the beneficial use of material dredged for the previously permitted Port of Lake Charles Bulk Terminal 1 Project. The proposed fill area will convert an approximate 120 acre open water area back to its historical condition of intermediate/brackish marsh. Approximately 41,820 cubic yards of native material will be excavated from within the beneficial use placement area to create a perimeter berm. The perimeter berm will contain two tidal exchange breaches on the western and eastern edges. There will also be a decant structure on the northern border of the BUDM area. Pending geotechnical analysis, the berm may be armored on the exterior to prevent erosion from wave and wake activity. The beneficial use area will contain approximately 623,073 cubic yards of dredged material when filled to an elevation of 1.5 feet NAVD88.

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. Copies of this public notice will be forwarded to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The New Orleans District has determined that the approximately 120 acre footprint is located in West Indian Manatee Consultation Zone (*Trichechus manatus*) and determined that the activity is not likely to adversely affect this species based on the Standard Local Operating Procedure for Endangered Species in Louisiana (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 the following conditions provided in the SLOPES manual:

- All work, equipment, and vessel operation should cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone on its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).
- If a manatee(s) is sighted in or near the project area, all vessels associated with the project should operate at "no wake/idle" speeds within the construction area and at all times while in waters where the draft of the vessel provides less than a four-foot clearance from the bottom. Vessels should follow routes of deep water whenever possible.
- If used, siltation or turbidity barriers should be properly secured, made of material in which manatees cannot become entangled, and be monitored to avoid manatee entrapment or impeding their movement.
- Temporary signs concerning manatees should be posted prior to and during all in-water project activities and removed upon completion. Each vessel involved in construction activities should display at the vessel control station or in a prominent location, visible to all employees operating

the vessel, a temporary sign at least 8½ " X 11" reading language similar to the following: "CAUTION BOATERS: MANATEE AREA/ IDLE SPEED IS REQUIRED IN CONSTRUCTION AREA AND WHERE THERE IS LESS THAN FOUR FOOT BOTTOM CLEARANCE WHEN MANATEE IS PRESENT". A second temporary sign measuring 8½ " X 11" should be posted at a location prominently visible to all personnel engaged in water-related activities and should read language similar to the following: "CAUTION: MANATEE AREA/ EQUIPMENT MUST BE SHUTDOWN IMMEDIATELY IF A MANATEE COMES WITHIN 50 FEET OF OPERATION".

- Collisions with, injury to, or sightings of manatees should be immediately reported to the Service's Louisiana Ecological Services Office (337/291-3100) and the Louisiana Department of Wildlife and Fisheries, Natural Heritage Program (225/765-2821). Please provide the nature of the call (i.e., report of an incident, manatee sighting, etc.); time of incident/sighting; and the approximate location, including the latitude and longitude coordinates, if possible.

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 120 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.

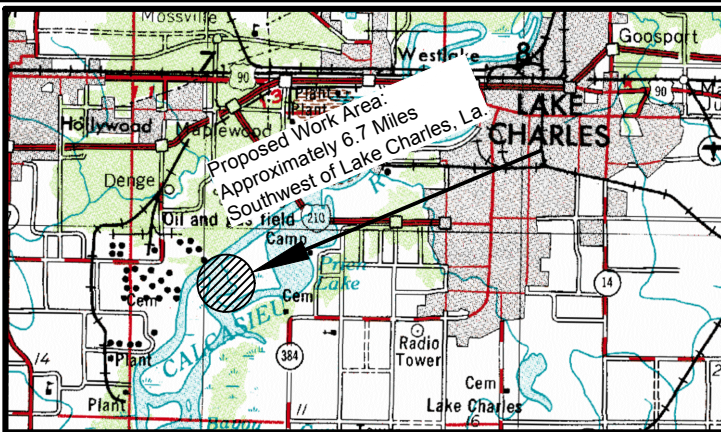
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, 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.

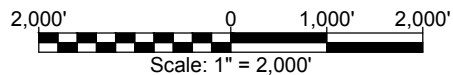
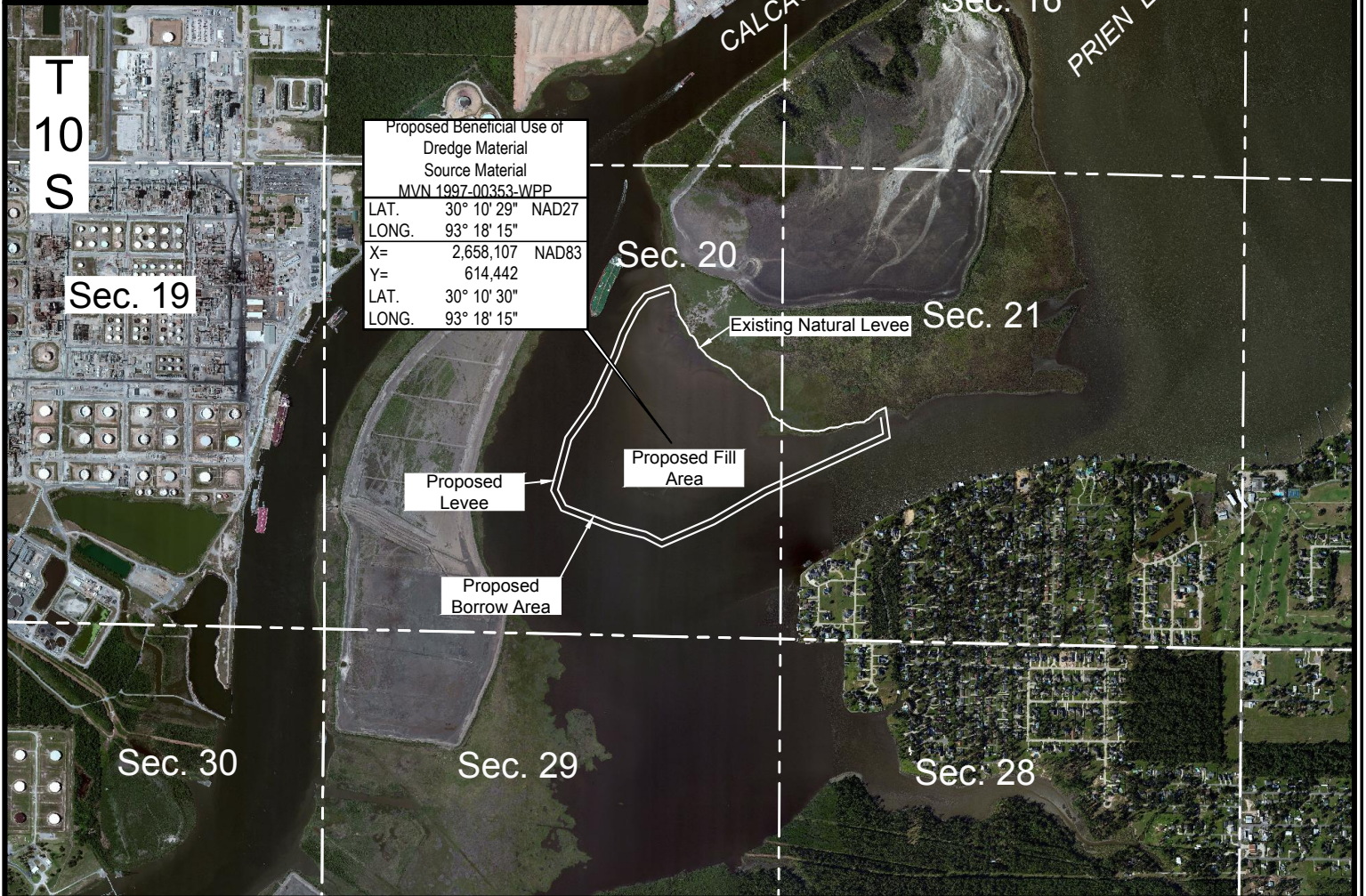
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch

Enclosure



VICINITY MAP
NOT TO SCALE



LAKE CHARLES HARBOR AND TERMINAL DISTRICT

Proposed Beneficial Use of Dredge Material

Disposal Area 7

Sections 20 & 21, T10S-R9W

Calcasieu Parish, Louisiana

DRAWN BY: TSM

REVISED: 07/27/2017

DATE: 06/12/2017

PROJ. MGR.: JF

08/08/2017

SHEET 1 OF 6 SHEETS

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Not to be used for construction, bidding, recordation, conveyance, sales, or engineering design.

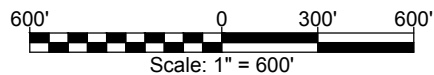
PRELIMINARY

Ricardo Johnson
Professional Land Surveyor
Registration No. 4767



C. H. Fenstermaker & Associates, L.L.C.
135 Regency Sq., Lafayette, LA 70508
Ph. 337-237-2200 Fax. 337-232-3299
www.fenstermaker.com

NOTE: THESE PLANS ARE INTENDED EXCLUSIVELY FOR THE PURPOSE OF OBTAINING ENVIRONMENTAL COMPLIANCE PERMITS AND ARE NOT TO BE USED FOR CONSTRUCTION, BIDDING, RECORDATION, CONVEYANCE, SALES OR ENGINEERING DESIGN.



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Sec. 20

Sec. 21

Additional Project Features

1.5 Contour Line

Natural Levee
±3,524'

Post Settlement Tidal
Exchange Breach

A

Proposed Beneficial Use of
Dredge Material
±120 Acres @1.5' Elev.

Water Control Structures
2-36" Weir Board Structures

A'

Post Settlement Tidal
Exchange Breach

Proposed
Borrow Area
±7,214'
5.63 Acres

Proposed
Levee
±7,734'
6.04 Acres

600' 0 300' 600'
Scale: 1" = 600'

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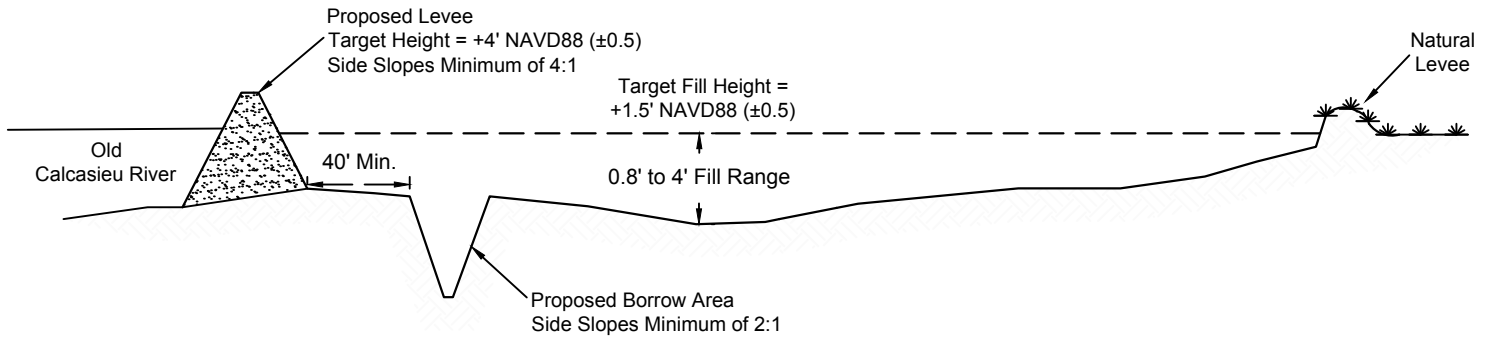
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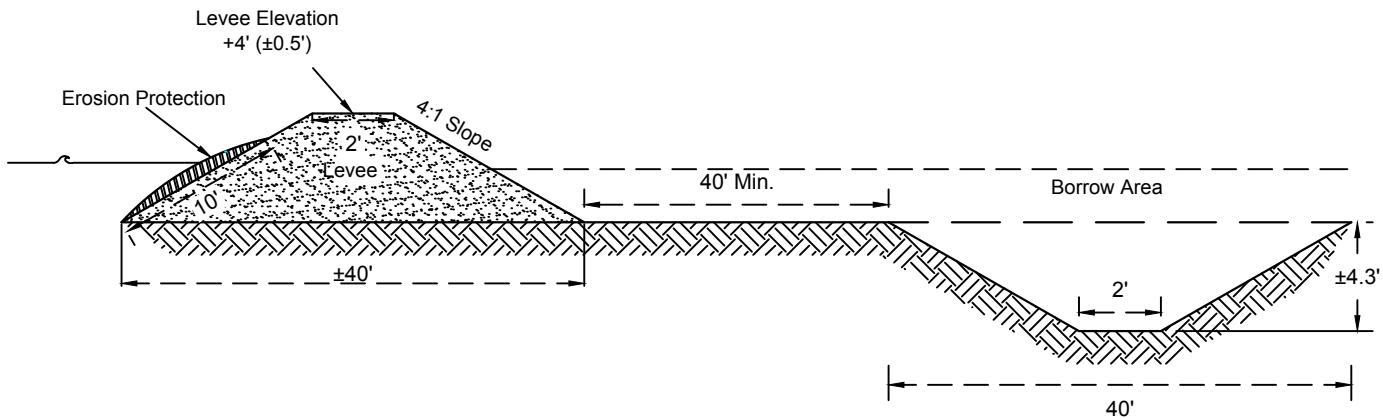


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MHW +0.6' NAVD 88
MLW -0.4' NAVD 88



Cross Section A-A'
TYPICAL BENEFICIAL USE OF DREDGE MATERIAL
No Scale



TYPICAL LEVEE AND BORROW AREA
No Scale

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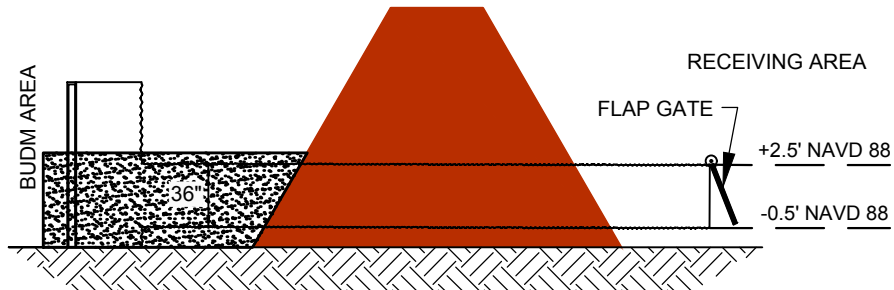
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MLW -0.4' NAVD 88



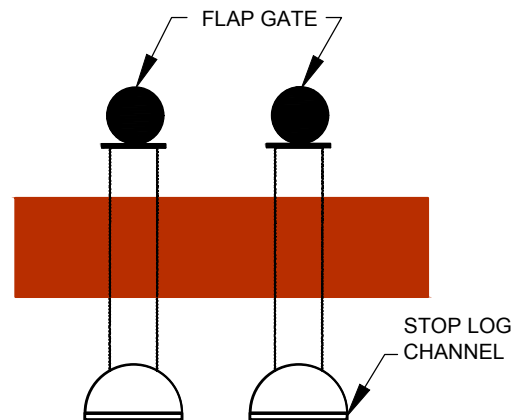
**CROSS-SECTION OF TYPICAL
36" DECANT STRUCTURE**

No Scale



**TYPICAL TIDAL EXCHANGE BREACH
(Post Settlement)**

No Scale



**PLAN VIEW OF TYPICAL 36"
DECANT STRUCTURE**

No Scale

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Fill Required for Levee Construction 41,820 Cubic Yds.
 Excavation Required for Levee Construction 41,820 Cubic Yds.
 Capacity at 1.5' (NAVD88) Elevation. 623,073 Cubic Yds.
 Erosion Protection 1,432 Cubic Yds.

NOTES:

1. In order to ensure the safety of all parties, the permittee shall contact the Louisiana ONE CALL System (1-800-272-3020), a minimum of 48 hours prior to the commencement of any excavation (Digging, Dredging, Jetting, etc.) or demolition activity.
2. Structures and Corridors will also be marked in accordance with U.S. Coast Guard regulations.

DISCLAIMER: At this time, C. H. Fenstermaker & Associates, L.L.C. has not performed nor was asked to perform any type of engineering, hydrological modeling, flood plain, or "No Rise" certification analyses, including but not limited to determining whether the project will impact flood hazards in connection with federal/FEMA, state, and/or local laws, ordinances and regulations. Accordingly, Fenstermaker makes no warranty or representation of any kind as to the foregoing issues, and persons or entities using this information shall do so at their own risk.

NOTE: This plat is not a boundary, route or unitization survey, and as such, does not comply with the "Standards of Practice for Property Boundary Surveys, Route Surveys and/or Unitization Surveys" as adopted by the Louisiana Professional Engineering & Land Surveying Board.

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