

PUBLIC NOTICE

December 24, 2018

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

Project Manager:
Michael H. Herrmann
(504) 862-1954/ (504) 862-2574 fax
michael.h.herrmann@usace.army.mil
Application # MVN-2018-00959-WLL

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: Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403); and/or Section 404 of the Clean Water Act (86 Stat. 816; 33 U.S.C. 1344).

WATERWAY CLOSURES IN VERMILION PARISH, LOUISIANA

Name of Applicant: MBM Holdings, LLC., 6215 Bent Oak Lane, New Iberia, LA 70560.

Location of Work: The project is located in St. Mary Parish, Louisiana, adjacent to West Cote Blanche Bay at the confluence of four (4) separate waterways that drain into the Bay. Centrally located at (29 43 02.30, -91 50 32.46).

Character of Work: The applicant proposes to install temporary floating gates, bound together by high visibility chain with floating life raft rings which consist of 6x6 treated timber posts on each side of the waterway, to float across 4 waterways during the hunting season (from September 1st through February 31st) for the purpose of preventing unauthorized access, trespassing and poaching on private property.

The comment period for the Department of the Army (DA) permit application and the Louisiana Department of Environmental Quality WQC will close **15 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.

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 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 Commerce. 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 the U.S. Fish and Wildlife Service, it has been determined that the wooden pile structures are located in waters known to be utilized by the Western Indian Manatee and determined that the activity is not likely to adversely affect this species. If this permit modification/time extension is issued, the permittee will be required to follow 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 **0.0** acres of possible EFH utilized by various life stages of red drum and penaeid shrimp. Other possible effects to EFH include a culverted, earthen road crossing across a tidal tributary connected to Prien Lake. 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.

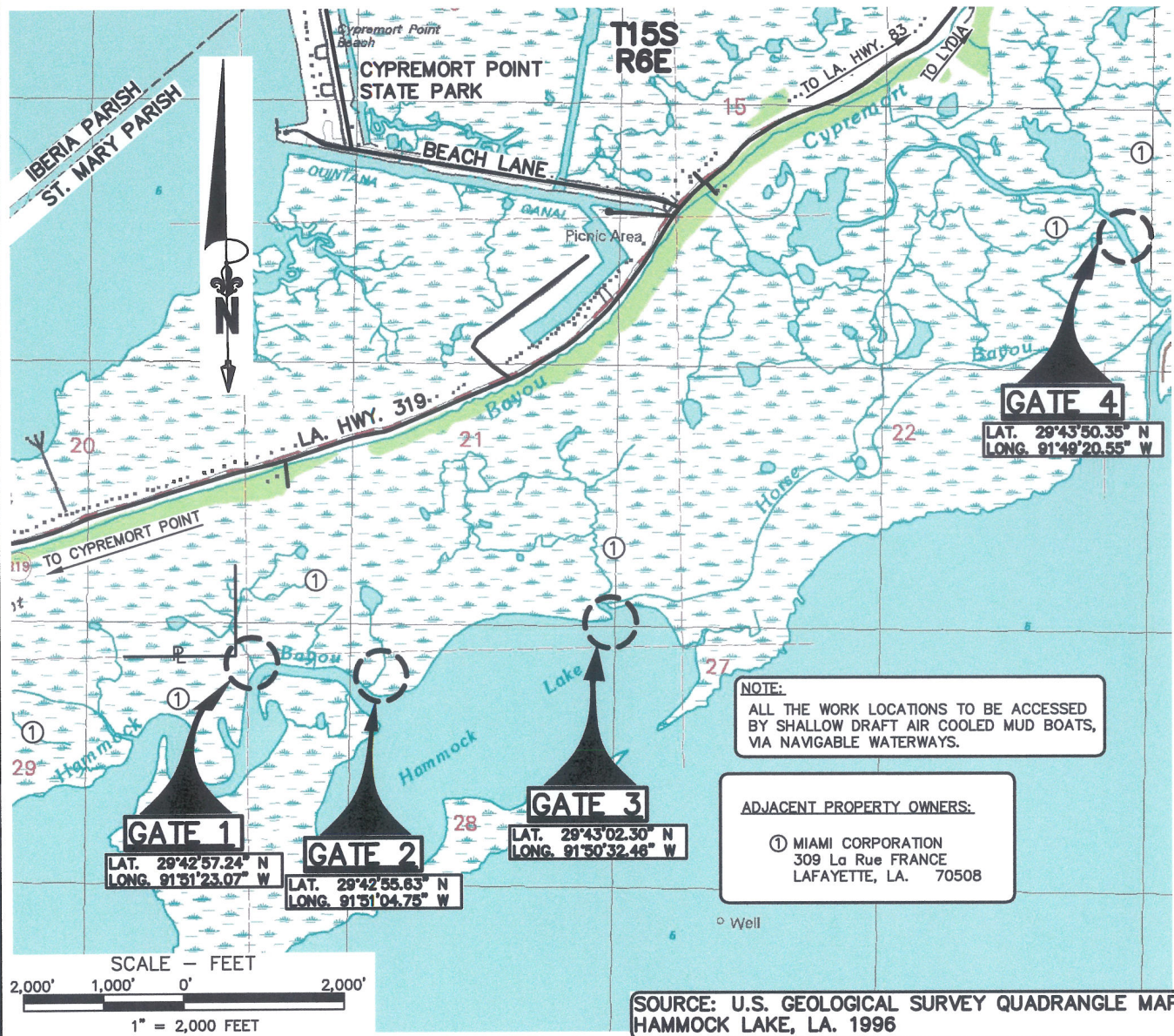
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver 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.

Enclosure

Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch

ST. MARY PARISH, LOUISIANA
SECTION 21,23 & 28, T15S-R6E



NOTE:
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PREPARED BY:



Miller Engineers & Associates, Inc.

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JOEL J. MILLER
LA. LICENSE NO. 29638

MBM HOLDINGS, LLC

PERMIT APPLICATION FOR PROPOSED FLOATING GATES ON VARIOUS BAYOU/SLOUGHS

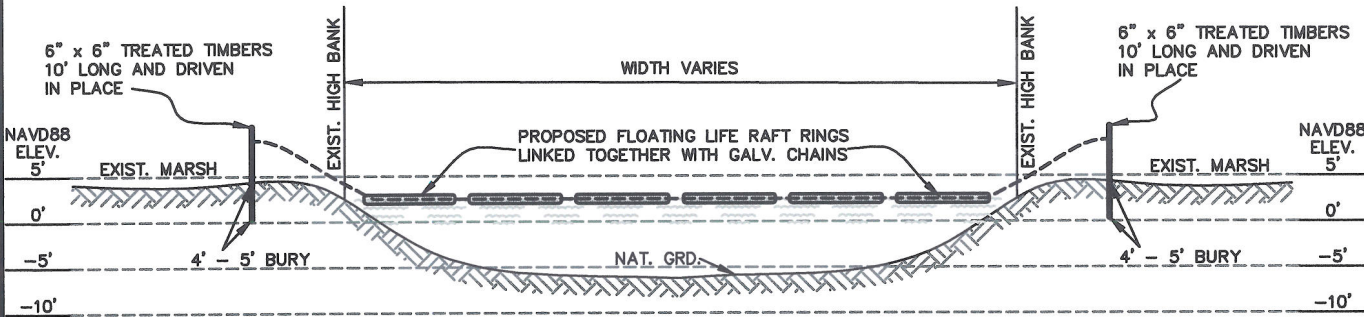
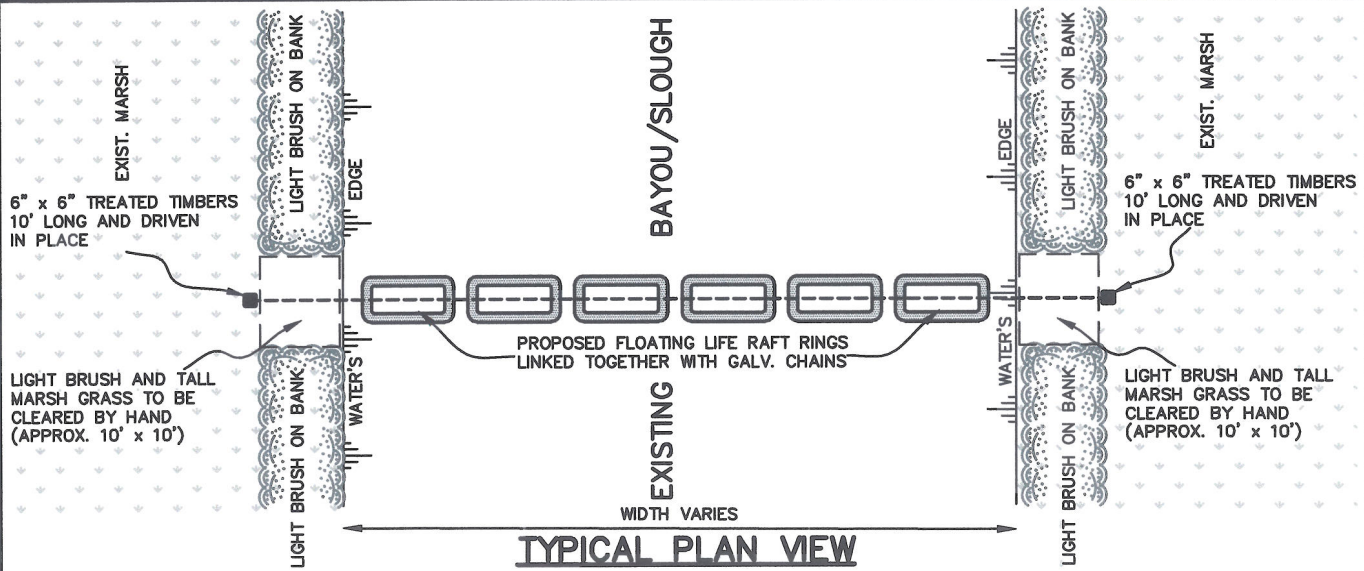
VICINITY MAP

ST. MARY PARISH
LOUISIANA

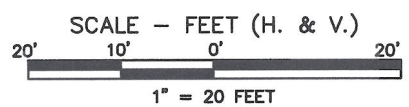
REV.	DATE	DESCRIPTION	DRAWN	CHKD.	APPD.
0	7/17/18	ISSUED FOR REVIEW	REK	JJM	JJM

M.E. & A. DWG. NO. 14280, SHEET 1 OF 2

ST. MARY PARISH, LOUISIANA
SECTION 21,23 & 28, T15S-R6E



MEAN HIGH WATER = +2.5'
MEAN LOW WATER = 0.0'



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TYP. PLAN & PROFILE
ST. MARY PARISH
LOUISIANA

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M.E. & A. DWG. NO. 14280, SHEET 2 OF 2

