



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

February 5, 2024

Regulatory Division
Western Evaluation Branch

Project Manager:
Johnny J. Duplantis
(504) 862-2548
johnny.j.duplantis@usace.army.mil

Application #: MVN-2018-00726-WPP

PUBLIC NOTICE

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), and/or [X] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

PROPOSED DREDGING FOR A BORROW PIT IN ST. MARY PARISH

NAME OF APPLICANT: Scott Green Properties, LLC, 1018 Pauline Ct., Morgan City, Louisiana 70380.

LOCATION OF WORK: Project located at approximately Latitude 29.649838, Longitude -91.2969806, near the community of Patterson, within St. Mary Parish, Louisiana. The Project is located within the Atchafalaya River Basin. (Hydrologic Unit Code 08080101, Atchafalaya River Watershed)

CHARACTER OF WORK: This proposal was originally placed on Public Notice on March 4, 2019. That application was withdrawn due to lack of response. The applicant has reapplied for a permit without any changes from the previous application. The applicant proposes construction of a borrow pit to supply projects at local and Parish levels with a new source of borrow material for upcoming projects. The borrow pit proposal will consist of clearing the vegetation and topsoil and installing infrastructure to accommodate the mining of clay materials from an approximately 36-acre site near Patterson, Louisiana. The proposal would permanently impact 1.1 acre of jurisdictional forested wetlands. The applicant proposes to purchase required in-kind credits from an approved mitigation bank to offset any unavoidable losses to wetland functions caused by project implementation, should a DA permit be issued.

The comment period on the requested Department of the Army Permit will close **20 days** 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 request, and must be submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject permit application must reference the Applicant's Name and the Permit Application Number and can be preferably emailed to the Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGW, Johnny J. Duplantis**. Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 Branch Chief will review the request and the requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and will not exceed a total of 30 calendar days. This public notice is also available for review online at <https://go.usa.gov/xennJ>

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.

This request will also be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-220, which provides policy and procedural guidance for processing requests to alter USACE civil works projects. The decision whether to grant permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

- 1) Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the USACE project

to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs. If USACE determines that the usefulness of the authorized project would be impaired, the request will be denied.

2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

The Section 408 review will consider the potential impact to the usefulness of the Federal project and whether the proposed alteration would be injurious to the public interest. Policy and legal compliance will also be considered.

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 presently unaware of properties listed on the National Register of Historic Places at or near the proposed work but is pending further review in accordance with the National Historic Preservation Act. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer, and federally listed tribes regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species. Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined

that the project would have no effect to 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 may result in the destruction, alteration, and/or disturbance of **0.0 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 Louisiana Department of Environmental Quality before a Department of the Army permit could be issued.*

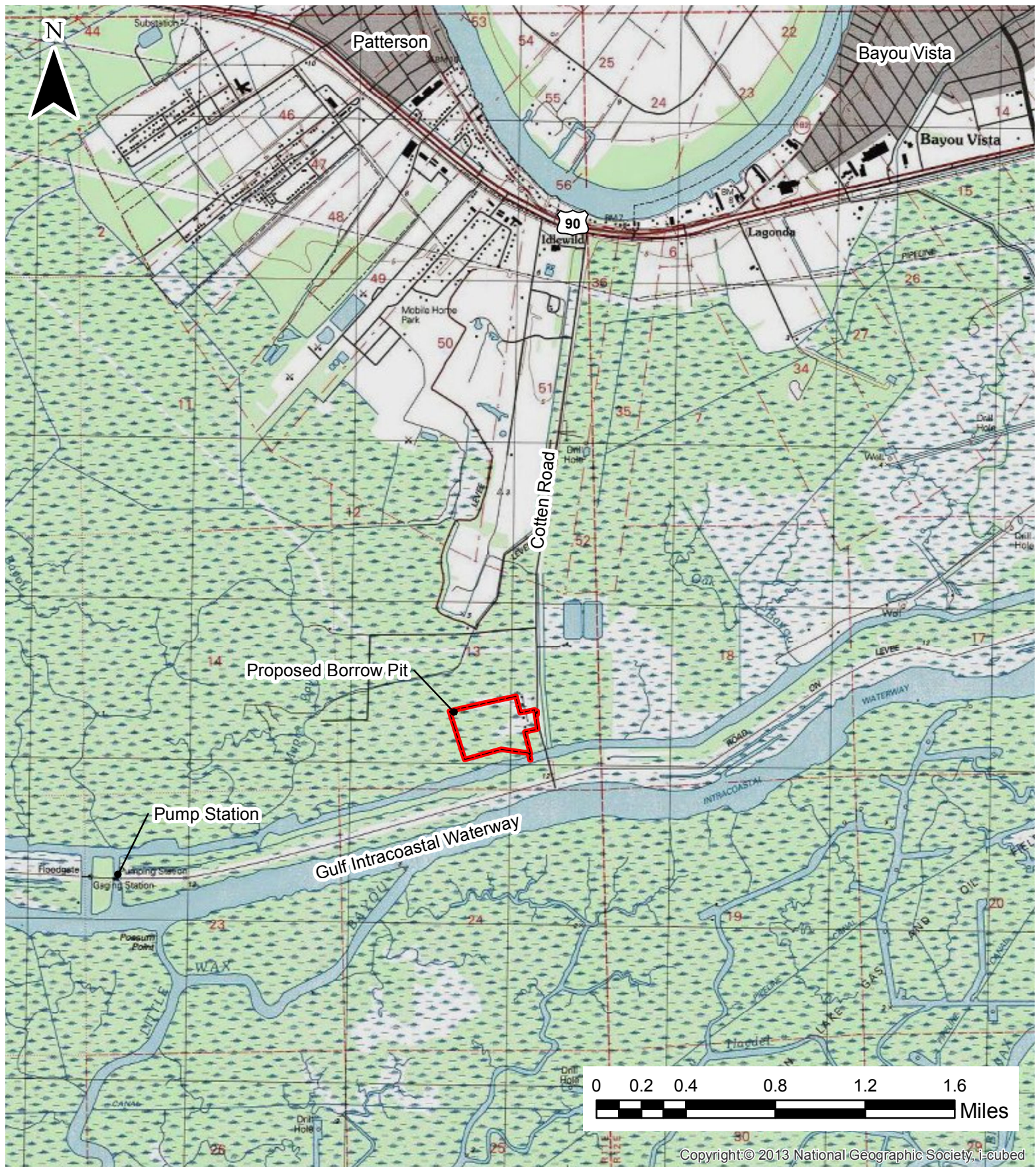
Any person may request within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing, and can be preferably emailed to the USACE project manager listed above or mailed to the address listed above.

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 Department of Natural Resource's Coastal Resources Program (Application #P20180536). The Department of the Army permit will not be issued unless the applicant receives approval or a waiver of the Coastal Use Permit by the Louisiana 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 Branch
Regulatory Division

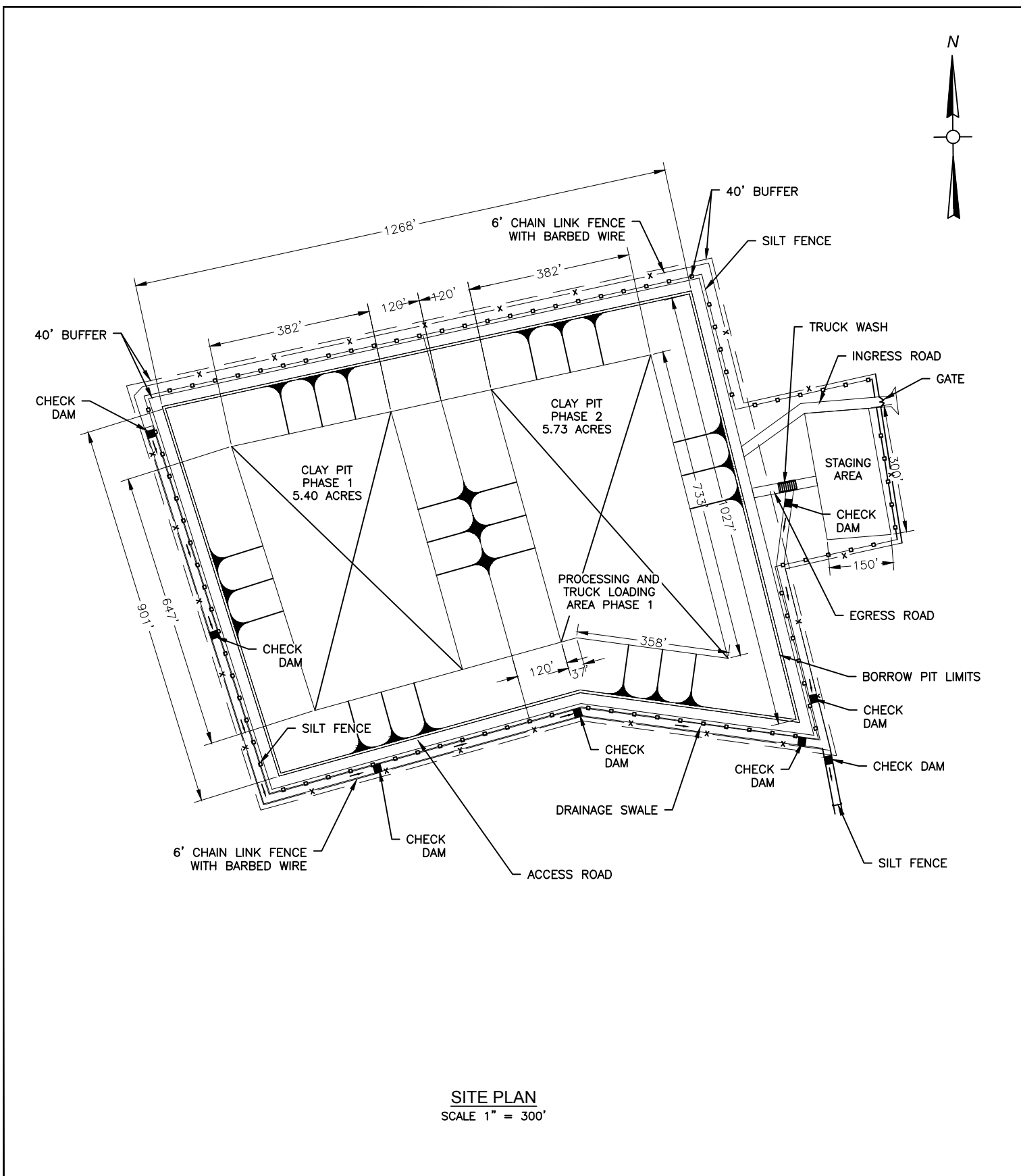
Enclosures



VICINITY MAP
PROPOSED PATTERSON BORROW PIT
ST. MARY PARISH, LA

SCOTT GREEN PROPERTIES, LLC
1018 PAULINE COURT
MORGAN CITY, LA 70380

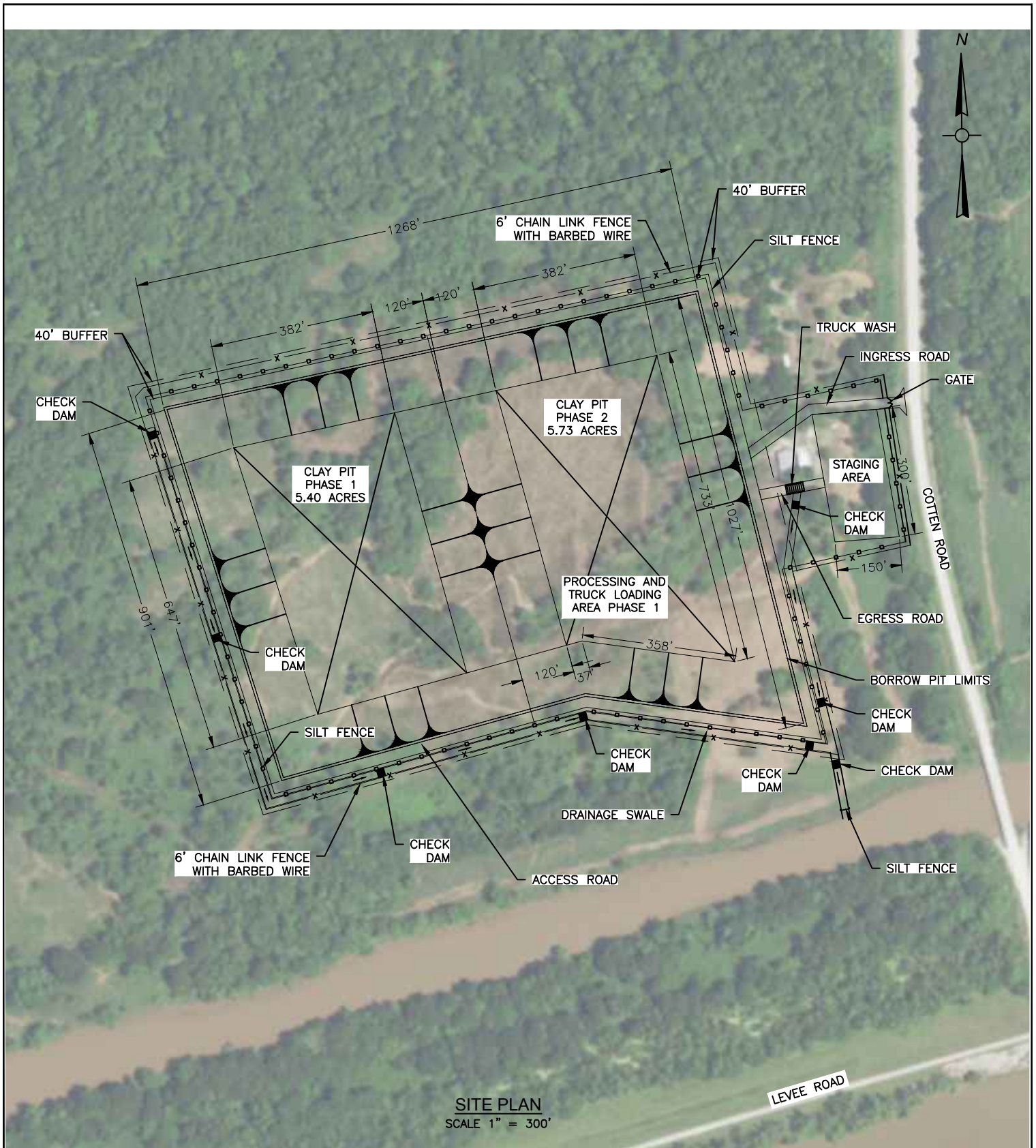




PLAN VIEW
PROPOSED PATTERSON BORROW PIT
ST. MARY PARISH, LA

SCOTT GREEN PROPERTIES, LLC
1018 PAULINE COURT
MORGAN CITY, LA 70380





PLAN VIEW
PROPOSED PATTERSON BORROW PIT
ST. MARY PARISH, LA

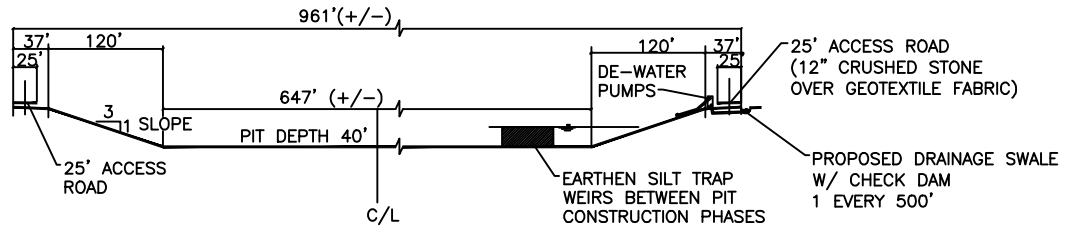
SCOTT GREEN PROPERTIES, LLC
1018 PAULINE COURT
MORGAN CITY, LA 70380



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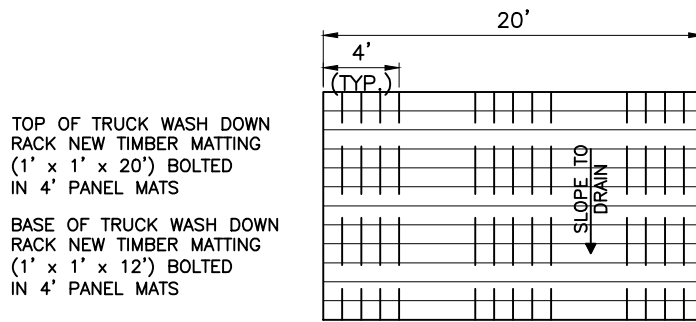
MAY 11, 2018

PG. 3



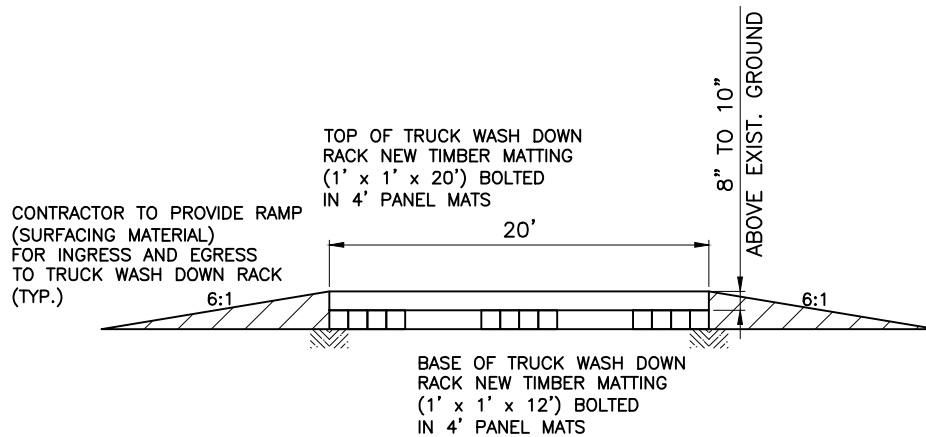
TYPICAL SECTION THROUGH CLAY PIT

SCALE: 1"=200'



PLAN VIEW

(ACCESS/HAUL ROAD)
N.T.S.



PROFILE

N.T.S.

NOTES:

1. SLOPE TIMBER MATTING TO DRAIN TOWARDS DITCH/CANAL.
2. DISPOSE OF MUD AS DIRECTED.
3. REMOVE TIMBER MATTING AFTER WORK COMPLETION.
4. LOCATION TO BE DETERMINED BY CONTRACTOR.

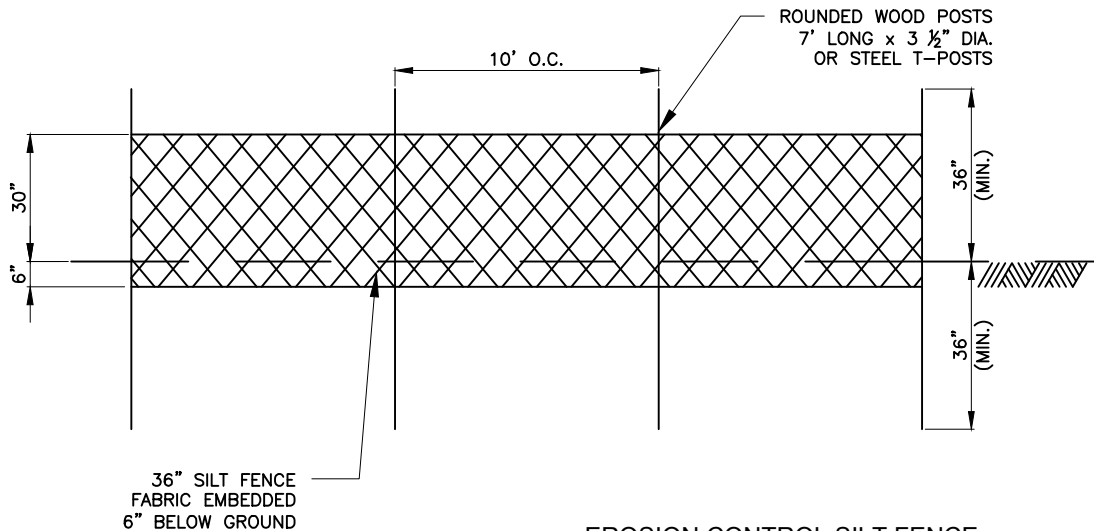
TRUCK WASH DOWN RACK

N.T.S.

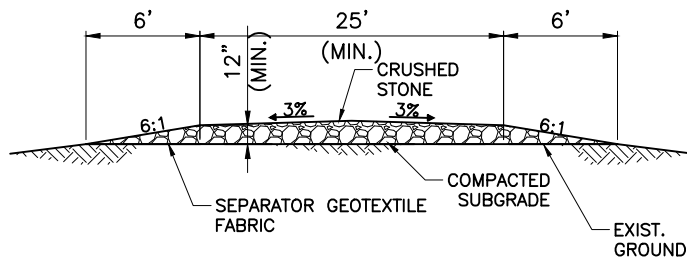
DETAILS
PROPOSED PATTERSON BORROW PIT
ST. MARY PARISH, LA

SCOTT GREEN PROPERTIES, LLC
1018 PAULINE COURT
MORGAN CITY, LA 70380





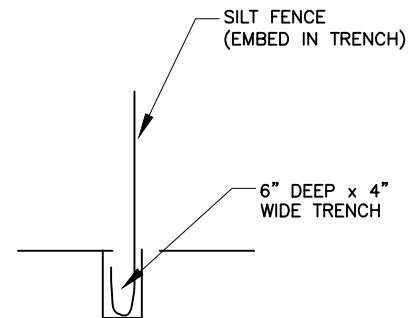
EROSION CONTROL SILT FENCE
N.T.S



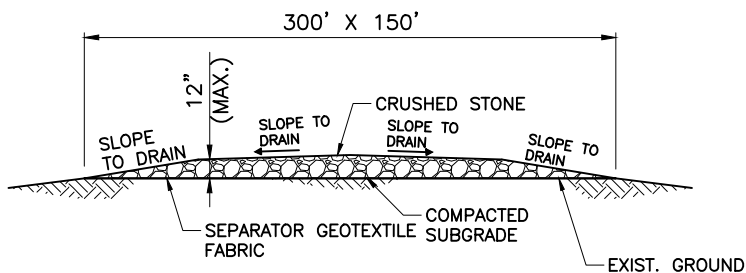
TEMPORARY ACCESS ROADWAY
N.T.S

NOTES:

1. TEMPORARY ACCESS ROAD TO THE SITE TO BE REMOVED UPON CLOSURE OF BORROW PIT.



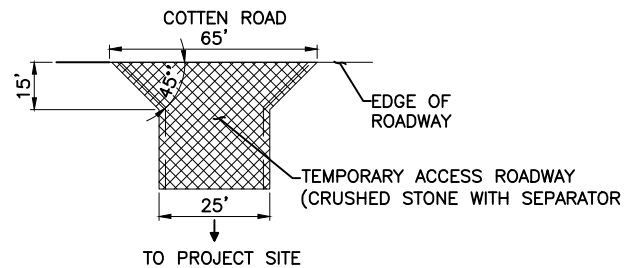
SILT FENCE PROFILE
N.T.S



CONSTRUCTION STAGING AREA
N.T.S

NOTES:

1. CONSTRUCTION STAGING AREA TO BE REMOVED UPON CLOSURE OF BORROW PIT.
2. THE CONSTRUCTION STAGING AREA CRUSHED STONE THICKNESS SHALL NOT EXCEED 12\".
3. SEE SHEET 1 FOR LIMITS OF STAGING AREA.

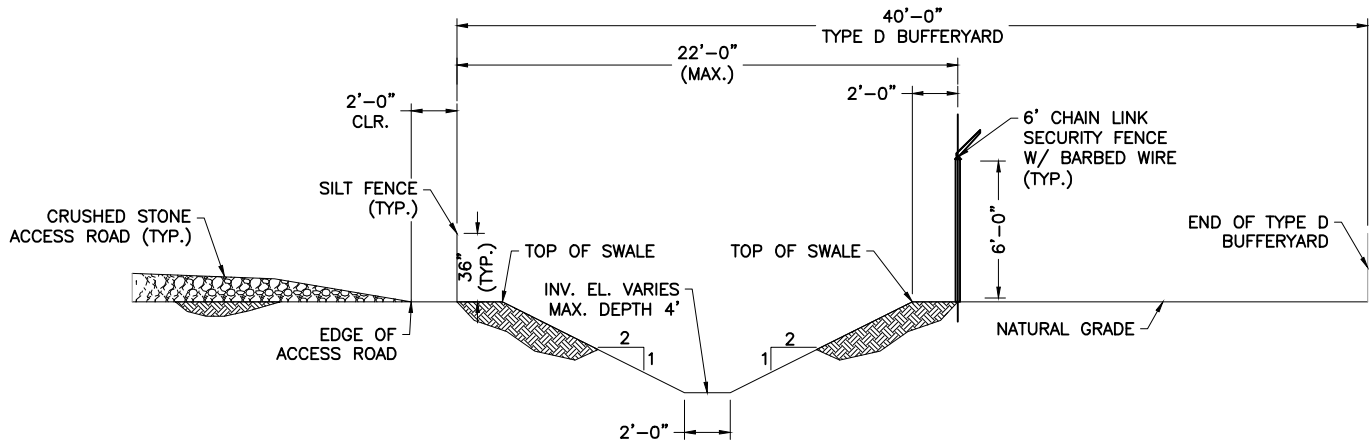


**TEMPORARY ACCESS ROADWAY
TIE-IN DETAIL**
N.T.S

DETAILS
PROPOSED PATTERSON BORROW PIT
ST. MARY PARISH, LA

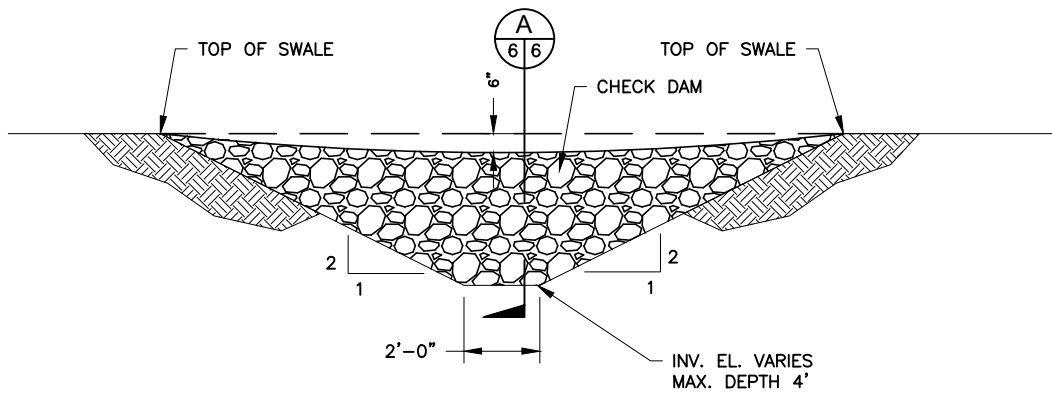
SCOTT GREEN PROPERTIES, LLC
1018 PAULINE COURT
MORGAN CITY, LA 70380





SWALE AND BUFFER YARD DETAIL

SCALE: 1" = 100'

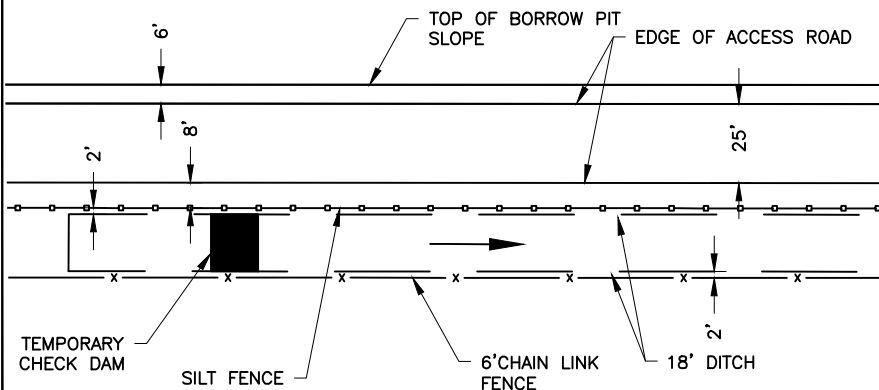


CHECK DAM DETAIL

SCALE: 1" = 60'

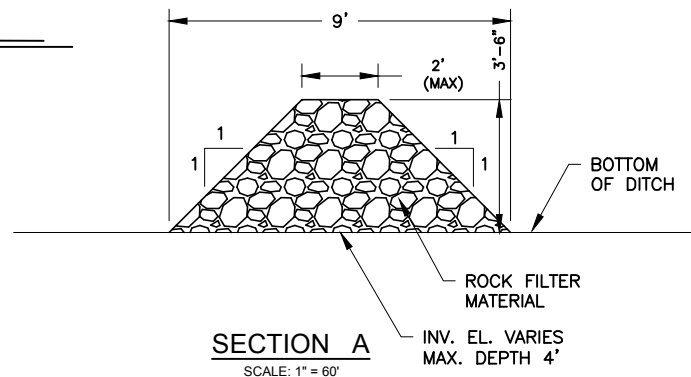
NOTES:

A STONE CHECK DAM IS A SMALL TEMPORARY DAM CONSTRUCTED ACROSS A SWALE OR DRAINAGE DITCH. THE PURPOSE OF THIS MEASURE IS TO REDUCE THE VELOCITY OF CONCENTRATED STORM WATER FLOWS, THEREBY REDUCING EROSION OF THE SWALE OR DITCH. THE STONE CHECK DAM WILL TRAP SMALL AMOUNTS OF SEDIMENTS GENERATED IN THE DITCH ITSELF. FOR STONE SPECIFICATIONS, SEE PROJECT SPECIFICATIONS FOR RIPRAP, (CLASS 2 LB.)



PLAN VIEW

SCALE: 1" = 60'



SECTION A

SCALE: 1" = 60'

DITCH DETAILS
PROPOSED PATTERSON BORROW PIT
ST. MARY PARISH, LA

SCOTT GREEN PROPERTIES, LLC
1018 PAULINE COURT
MORGAN CITY, LA 70380



NDSI Notes

1. As-built drawings and/or plats shall have written on them the date of completion of said activities and shall be submitted to the Louisiana Department of Natural Resources, Office of Coastal Management, P. O. Box 44487, Baton Rouge, LA 70804-4487 within 30 days following project completion.
2. All structures built under the authorization and conditions of this permit shall be removed from the site within 120 days of abandonment of the facilities for the herein permitted use, or when these structures fall into a state of disrepair such that they can no longer function as intended. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.
3. Structures must also be marked/lighted in accordance with U. S. Coast Guard regulations.
4. 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.