

### U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT 7400 LEAKE AVE NEW ORLEANS LOUISIANA 70118-3651

November 21, 2022

Regulatory Division Central Evaluation Branch

Project Manager S. Gail Gainey (504) 862-1545 Sandra.g.Gainey@usace.army.mil Application Number: MVN-2019-00583-CG

# **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 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403), [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 MORGANZA TO GULF LEVEE SYSTEM TIE-IN AT GIWW WITH WATER CONTROL STRUCTURE IN BANANA GROVE (REACH 1) IN LAFOURCHE PARISH

**NAME OF APPLICANT**: North Lafourche Levee District, C/O Kenneth King of Delta Coast Consultants, 4924 Hwy 311, Houma, LA 70360.

**LOCATION OF WORK**: From GIWW to Banana Grove, Louisiana along LA Highway 657, in Lafourche Parish, within the Barataria Basin in hydrologic unit (HUC 08090301), as shown on the attached drawings (POB: Latitude 29.591800 N, Longitude -90.371543 W, POE: Latitude 29.601278 N, Longitude -90.405653 W).

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to clear, grade, excavate and deposit fill and/or aggregate material to construct and maintain an approx. 3-mile levee reach tie-in to include infrastructure for a future sector gate and a hydraulic structure equipped with sluice gates and drainage pipes. Approximately 42,951 cubic yards of material would be excavated and placed onsite along with approx. 284,701 cubic yards of hauled fill and approx. 660 cubic yards of rock material. The project site is within a 3-mile linear corridor and proposes to impact approx. 32.46 acres of wetlands and 2.18 acres of waters of the U.S.

<u>MITIGATION</u>: The applicant proposes to avoid additional direct impacts and minimize secondary impacts to the maximum extent practicable. Any further reduction in the levee and infrastructure would not meet engineering construction standards at the project site. The applicant has designed the project to allow the avoided wetlands located on the protected side of the levee to remain hydrologically connected, limiting the construction

activity to the designated project areas onsite. The applicant further proposes to avoid additional direct impacts and minimize secondary impacts by disposing of all removed vegetation by chipping and spreading not to exceed a depth of 4-inches and utilizing best management practices for erosion and siltation control during and after the construction phase of the project. As compensation for unavoidable wetland impacts, the applicant proposes to mitigate in-kind wetland credits from a Corps approved mitigation bank located in the watershed. If authorized, the project will receive approval from all appropriate local drainage authorities

The comment period for the Department of Army will close in **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 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 preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, ATTENTION: REGULATORY DIVISION, RGC, S. Gail **Gainey**. 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 Branch 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. 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 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. Further, all factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project. 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 New Orleans District utilizes the National Register of Historic Places to identify properties listed on or near the proposed work and is presently unaware of non-listed eligible properties near the project site. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. However, extent of impacts is undetermined at this time pending a National Historic Preservation Act compliance determination. As deemed necessary, copies of this notice are made available to the State Archeologist and the State Historic Preservation Officer, and federally recognized Native American tribes regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would have no effect on any species listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species under their jurisdiction.

Utilizing the Information & Planning Consultation (IPaC) tool for Endangered Species in Louisiana protocol, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans District (CEMVN) and the U.S. Fish and Wildlife Service, CEMVN has determined that the proposed project is located in waters known to be utilized by the West Indian Manatee (*Trichechus manatus*) and with the inclusion of the Standard Manatee Conditions for In-Water Activities, the proposed work is not likely to adversely affect the West Indian Manatee.

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 <u>NA</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.

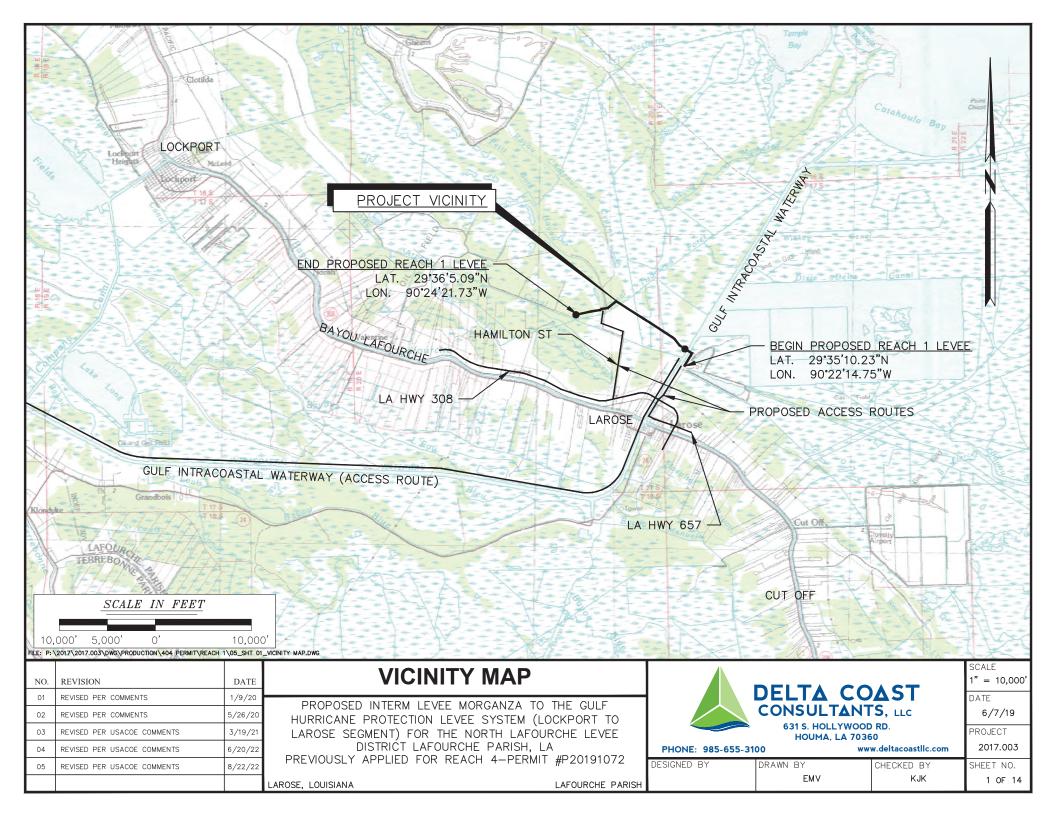
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

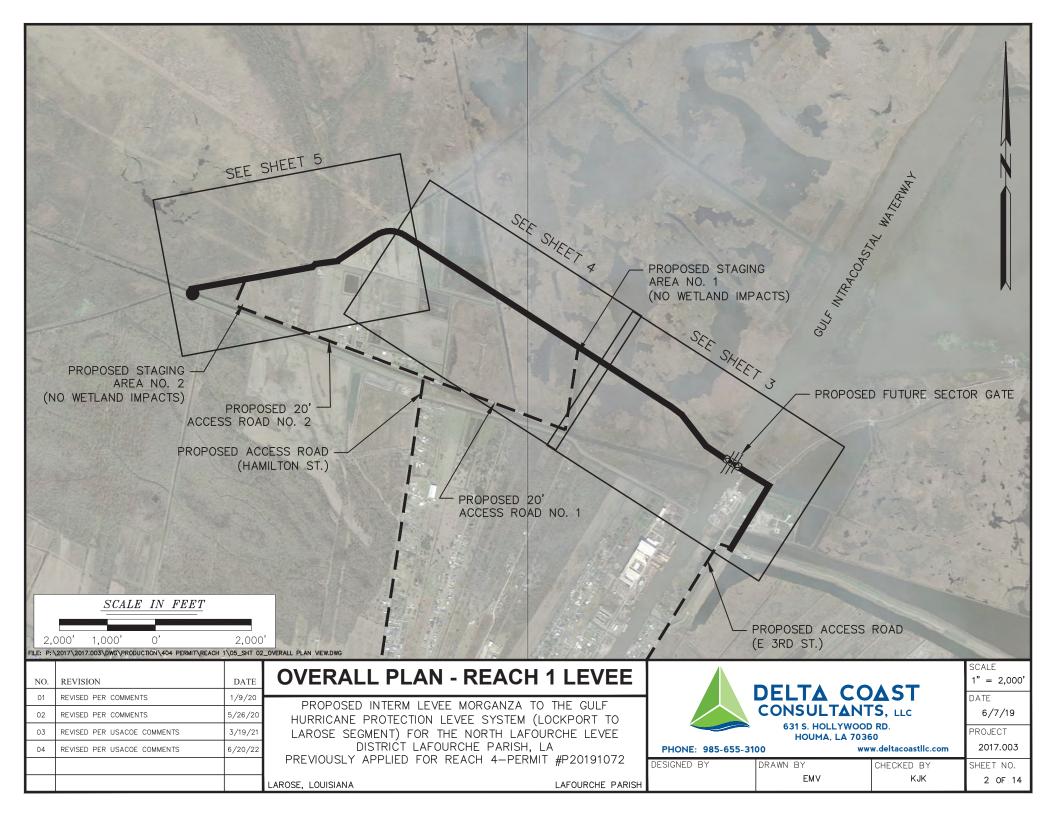
Any person may request, (preferably by email to the project manager, or in writing), within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

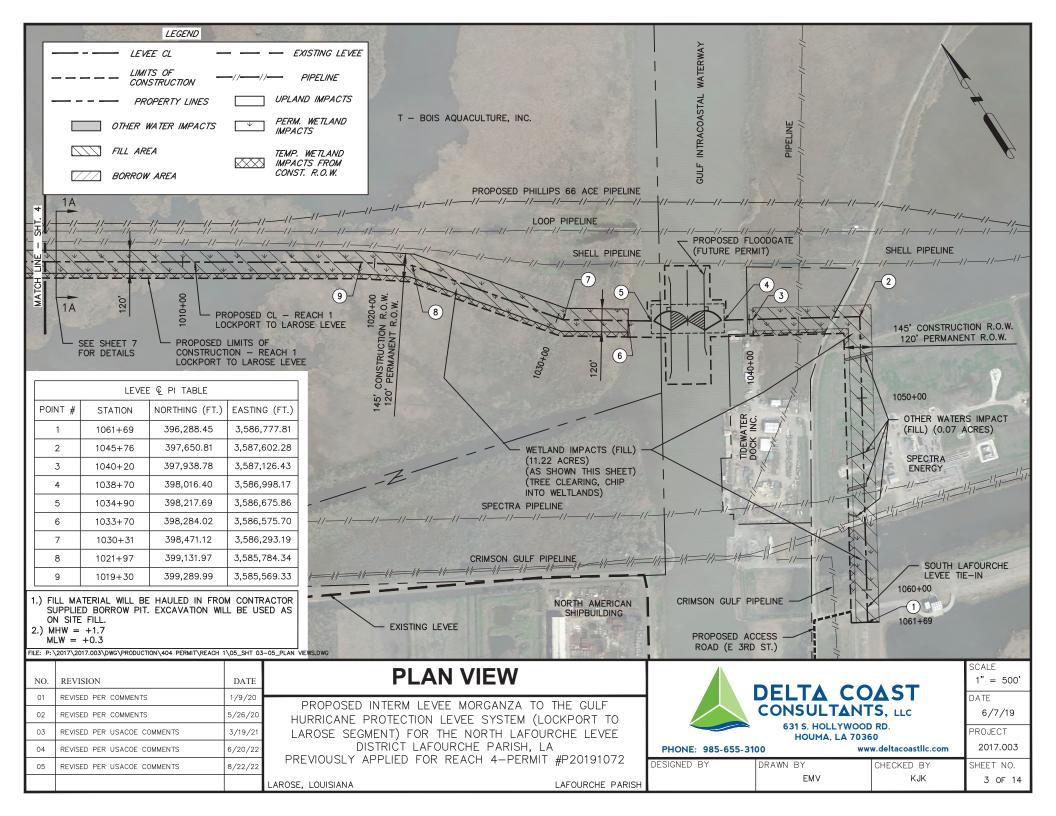
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program (Louisiana Coastal Zone Application P20200292). The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources

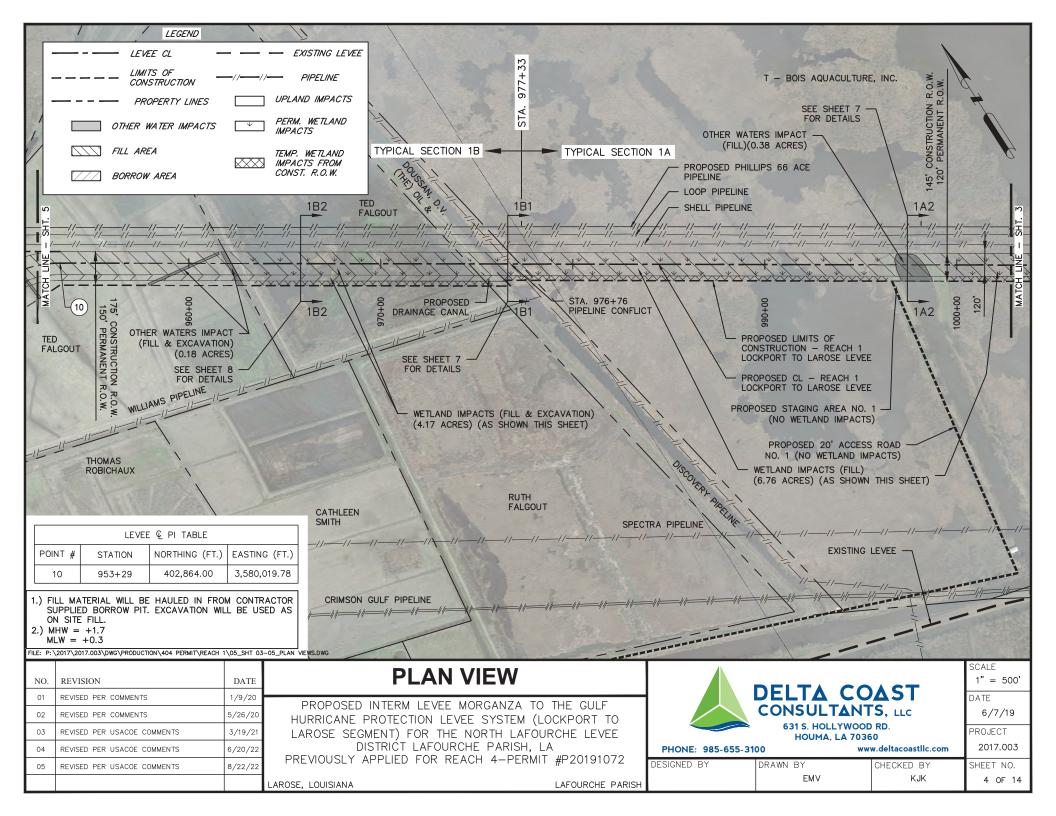
You are invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

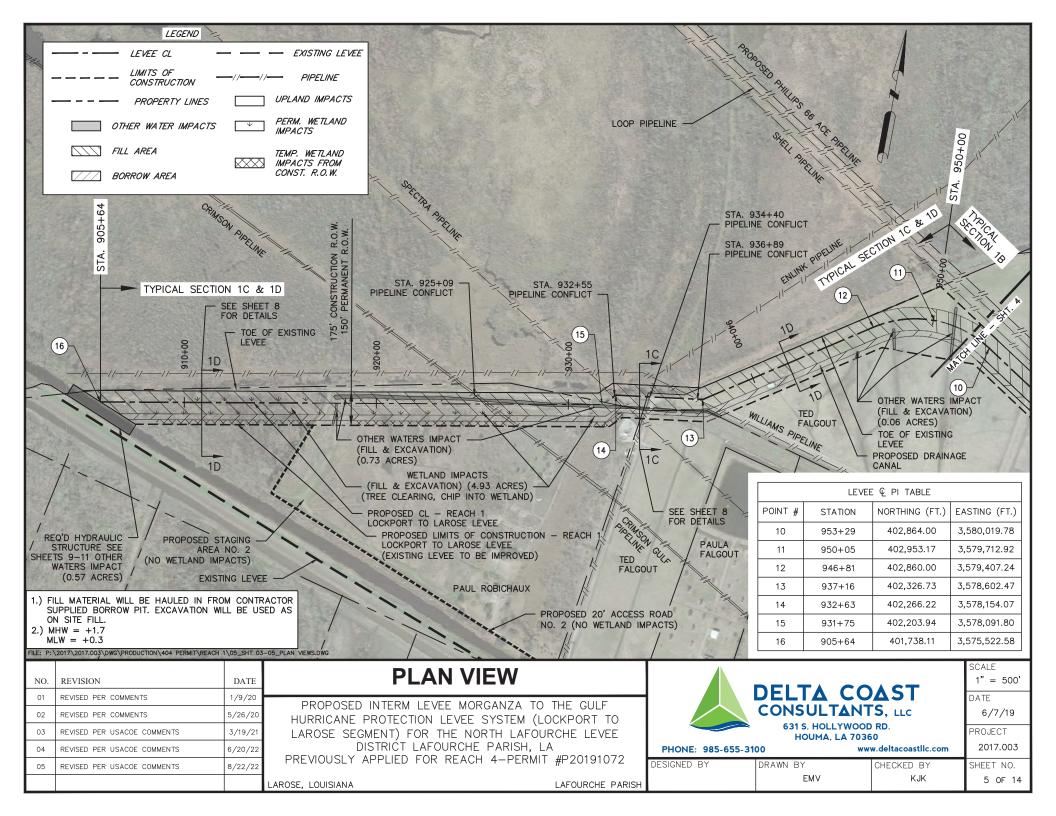
John M. Herman Chief, Central Evaluation Branch Regulatory Division

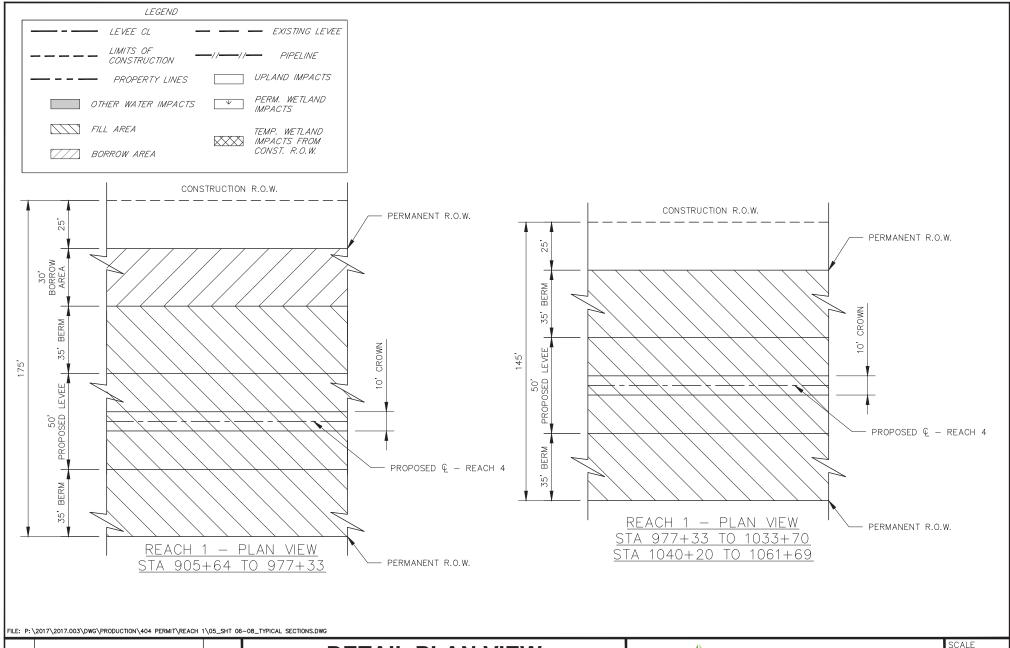












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01	REVISED PER COMMENTS	1/9/20
02	REVISED PER COMMENTS	5/26/20
03	REVISED PER USACOE COMMENTS	3/19/21
04	REVISED PER USACOE COMMENTS	6/20/22
05	REVISED PER USACOE COMMENTS	8/22/22

### **DETAIL PLAN VIEW**

PROPOSED INTERM LEVEE MORGANZA TO THE GULF HURRICANE PROTECTION LEVEE SYSTEM (LOCKPORT TO LAROSE SEGMENT) FOR THE NORTH LAFOURCHE LEVEE DISTRICT LAFOURCHE PARISH, LA

PREVIOUSLY APPLIED FOR REACH 4-PERMIT #P20191072

LAROSE, LOUISIANA LAFOURCHE PARISH



631 S. HOLLYWOOD RD. HOUMA, LA 70360

PHONE: 985-655-3100 www.deltacoastllc.com

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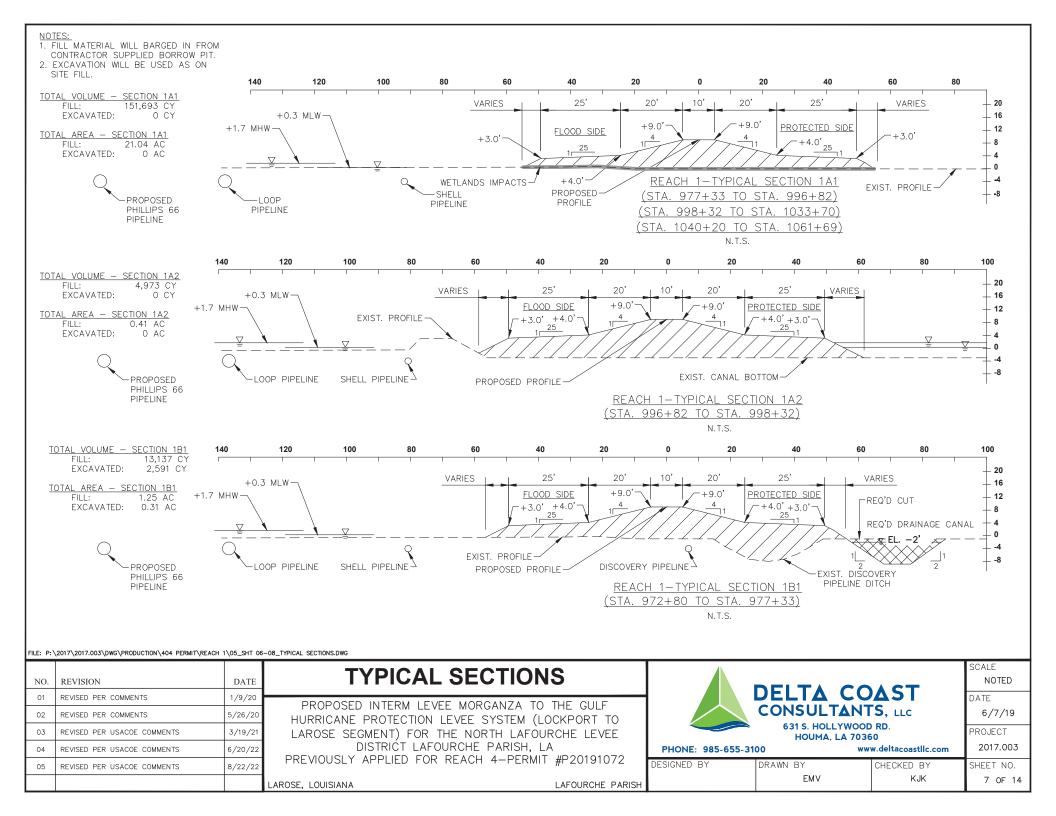
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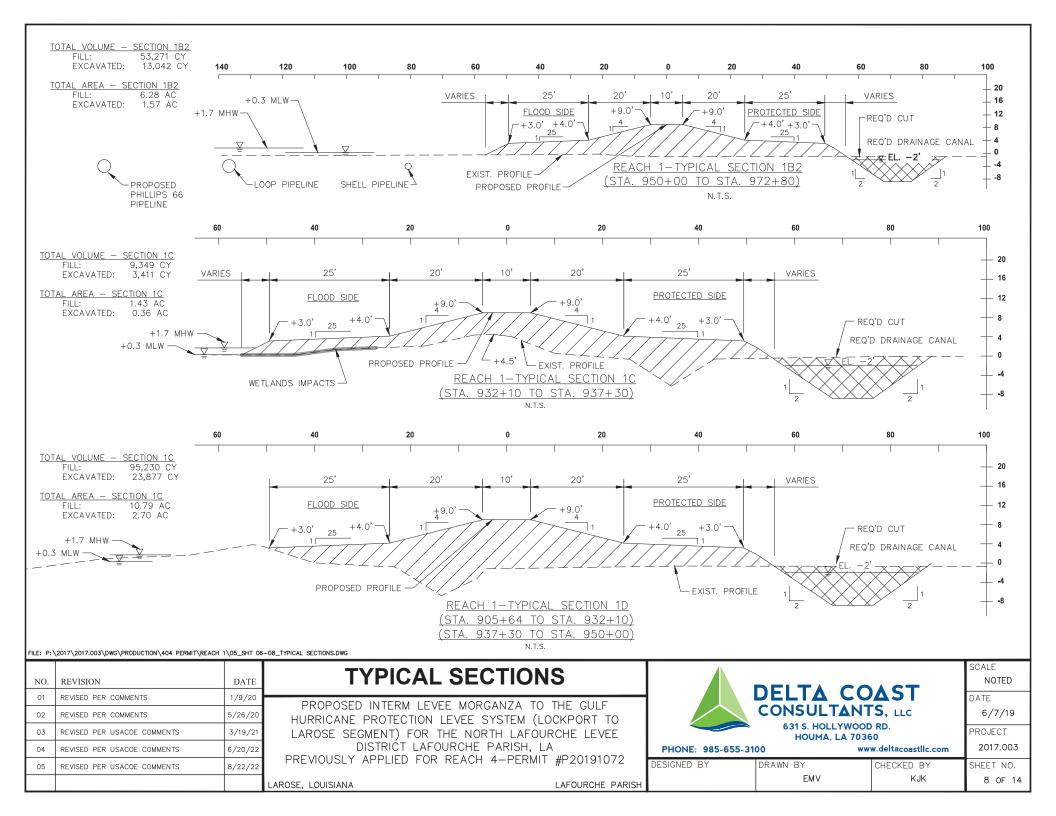
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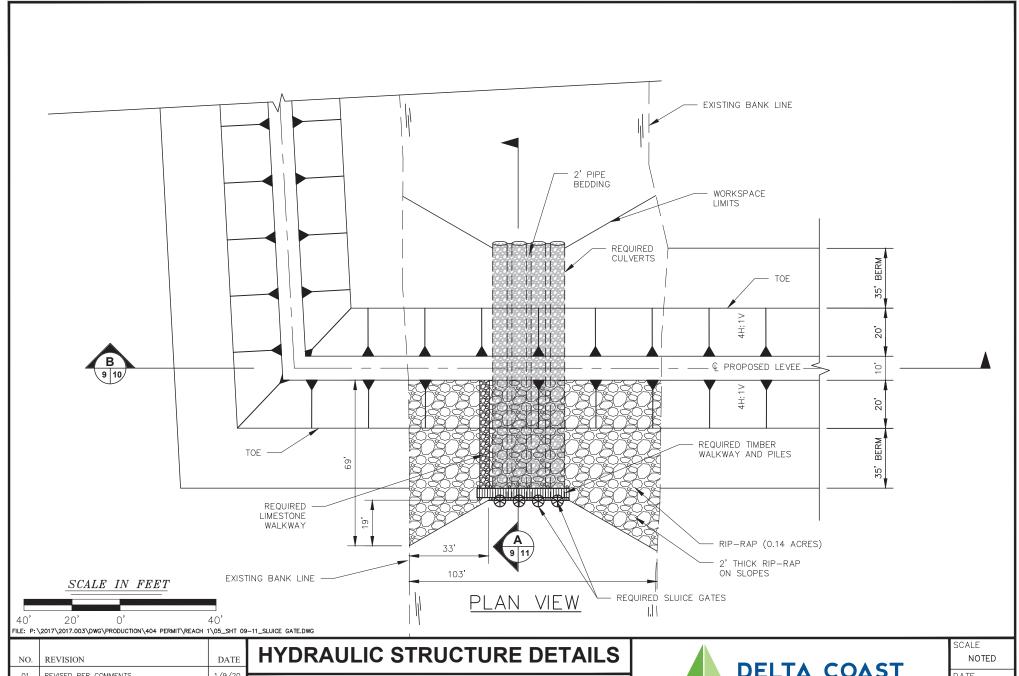
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SHEET NO. 6 OF 14







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01	REVISED PER COMMENTS	1/9/20
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LAROSE, LOUISIANA

PHONE: 985-655-3100 LAFOURCHE PARISH

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CONSULT	TANTS, LLC
631 S. HOLL	YWOOD RD.

HOUMA, LA 70360

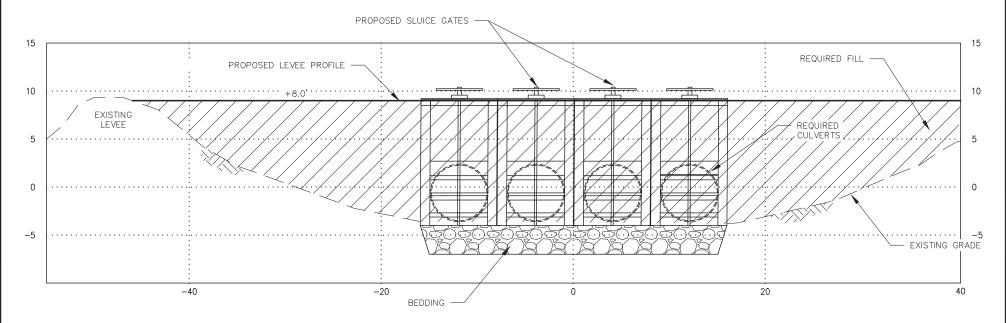
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### **HYDRAULIC STRUCTURE DETAILS**

PROPOSED INTERM LEVEE MORGANZA TO THE GULF HURRICANE PROTECTION LEVEE SYSTEM (LOCKPORT TO LAROSE SEGMENT) FOR THE NORTH LAFOURCHE LEVEE DISTRICT LAFOURCHE PARISH, LA

PREVIOUSLY APPLIED FOR REACH 4-PERMIT #P20191072



LAFOURCHE PARISH

DELTA COAST CONSULTANTS, LLC

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PHONE: 985-655-3100 www.deltacoastllc.com

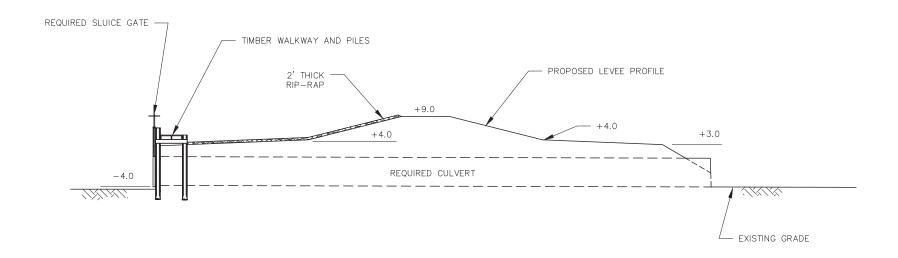
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LAROSE, LOUISIANA LAFOURCHE PARISH



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HOUMA, LA 70360

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#### GENERAL NOTES:

- 1. AS-BUILT DRAWINGS WILL BE SUBMITTED WITHIN 30 DAYS OF COMPLETION OF THIS PROJECT TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF CONSERVATION, PIPELINE DIVISION, P. O. BOX 94275 BATON ROUGE. LA 70804, AND TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, COASTAL MANAGEMENT DIVISION, P. O. BOX 44487, BATON ROUGE, LA 70804-4487.
- 2. ALL STRUCTURES, FACILITIES, WELL AND PIPELINES/FLOWLINES OCCURRING IN OPEN WATER AREAS OR IN OILFIELD CANALS OR SLIPS SHALL BE REMOVED WITHIN 120 DAYS OF ABANDONMENT OR THE FACILITIES FOR THE HEREIN PERMITTED USE UNLESS PRIOR WRITTEN APPROVAL TO LEAVE SUCH STRUCTURES IN PLACE IS RECEIVED FROM THE COASTAL MANAGEMENT DIVISION. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED.
- 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.
- 5. APPLICANT IS SUBJECT TO ALL APPLICABLE STATE LAWS RELATED TO DAMAGES WHICH ARE DEMONSTRATED TO HAVE BEEN CAUSED BY THIS PROPOSED ACTION.
- 6. APPLICANT SHALL STACK WOOD CHIP PILES TO A MAXIMUM OF 4".

**NOTES** 

#### **ENVIRONMENTAL IMPACTS:**

- 1. APPROXIMATELY 27.08 ACRES OF WETLANDS TO BE PERMANENT IMPACTED BY PROPOSED PROJECT.
- 2. APPROXIMATELY 1.99 ACRES OF OTHER WATERS TO BE PERMANENT IMPACTED BY PROPOSED PROJECT.
- 3. APPROXIMATELY 17.45 ACRES OF UPLANDS TO BE PERMANENT IMPACTED BY PROPOSED PROJECT.
- 4. APPROXIMATELY 5.38 ACRES OF WETLANDS TO BE TEMPORARY IMPACTED BY 25 FOOT CONSTRUCTION SERVITUDE.
- 5. APPROXIMATELY 0.19 ACRES OF OTHER WATERS TO BE TEMPORARY IMPACTED BY 25 FOOT CONSTRUCTION SERVITUDE.
- 6. APPROXIMATELY 3.34 ACRES OF UPLANDS TO BE TEMPORARY IMPACTED BY 25 FOOT CONSTRUCTION SERVITUDE.

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04	REVISED PER USACOE COMMENTS	6/20/22	
05	REVISED PER USACOE COMMENTS	8/22/22	PREVIOUSLY APPLIED FOR REACH 4-PERMIT #P20191072
			LAROSE, LOUISIANA LAFOURCHE PARI



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DESIGNED BY DRAWN BY EMV

PHONE: 985-655-3100

SHEET NO. 12 OF 14

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PROJECT

OTHER WATERS 3.79 0.18  UPLANDS 51.58 2.45  FILL AREAS (PERMANENT IMPACTS):  CLASSIFICATION % AFFECTED ACREAGE  WETLANDS 59.76 24.96  OTHER WATERS 4.33 1.81  UPLANDS 35.91 15.00  25 FT. CONSTRUCTION SERVITUDE AREAS (TEMPORARY IMPACTS):  CLASSIFICATION % AFFECTED ACREAGE  WETLANDS 60.38 5.38  UPLANDS 2.13 0.19  OTHER WATERS 37.49 3.34  FILL MATERIALS:  CLASSIFICATION CUBIC YARDS  CONCRETE: N/A  CRUSHED STONE OR GRAVEL: N/A  NATIVE MATERIAL (CLAY, MUD, SOIL): 42,951  ROCK (RIP/RAP): 660  SAND: N/A  TOPSOIL/DIRT: N/A	EXCAVATIONS (PERMANENT IMPACTS):				
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STATE   STAT	WETLANDS	44.63	2.12		
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OTHER WATERS  TILL MATERIALS:  CLASSIFICATION  CUBIC YARDS  CONCRETE:  N/A  CRUSHED STONE OR GRAVEL:  NA  NATIVE MATERIAL (CLAY, MUD, SOIL):  ROCK (RIP/RAP):  SAND:  N/A  TOPSOIL/DIRT:  N/A	WETLANDS	60.38	5.38		
FILL MATERIALS:  CLASSIFICATION CUBIC YARDS  CONCRETE: N/A  CRUSHED STONE OR GRAVEL: N/A  NATIVE MATERIAL (CLAY, MUD, SOIL): 42,951  ROCK (RIP/RAP): 660  SAND: N/A  TOPSOIL/DIRT: N/A	UPLANDS	2.13	0.19		
CLASSIFICATION  CUBIC YARDS  CONCRETE:  N/A  CRUSHED STONE OR GRAVEL:  NA  NATIVE MATERIAL (CLAY, MUD, SOIL):  ROCK (RIP/RAP):  SAND:  N/A  TOPSOIL/DIRT:  N/A	OTHER WATERS	37.49	3.34		
CONCRETE:  N/A  CRUSHED STONE OR GRAVEL:  NATIVE MATERIAL (CLAY, MUD, SOIL):  ROCK (RIP/RAP):  SAND:  N/A  TOPSOIL/DIRT:  N/A	FILL M	ATERIALS:			
CRUSHED STONE OR GRAVEL:  N/A  NATIVE MATERIAL (CLAY, MUD, SOIL):  ROCK (RIP/RAP):  SAND:  N/A  TOPSOIL/DIRT:  N/A	CLASSIFICATION	CUBIC	YARDS		
NATIVE MATERIAL (CLAY, MUD, SOIL): 42,951  ROCK (RIP/RAP): 660  SAND: N/A  TOPSOIL/DIRT: N/A	CONCRETE:	N,	/A		
ROCK (RIP/RAP):         660           SAND:         N/A           TOPSOIL/DIRT:         N/A	CRUSHED STONE OR GRAVEL:	N,	/A		
SAND: N/A TOPSOIL/DIRT: N/A	NATIVE MATERIAL (CLAY, MUD, SOIL):	42,951			
TOPSOIL/DIRT: N/A	ROCK (RIP/RAP):	660			
· · · · · · · · · · · · · · · · · · ·	SAND:	N/A			
OTHER: HAULED-IN MATERIAL 284,701	TOPSOIL/DIRT:	N/A			
	OTHER: HAULED-IN MATERIAL	284	,701		

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NO.	REVISION	DATE	EXC
01	REVISED PER COMMENTS	1/9/20	PROPOSEI
02	REVISED PER COMMENTS	5/26/20	HURRICANE
03	REVISED PER USACOE COMMENTS	3/19/21	LAROSE SE
04	REVISED PER USACOE COMMENTS	6/20/22	DDE MOUGLY
05	REVISED PER USACOE COMMENTS	8/22/22	PREVIOUSLY
			LAROSE, LOUISIANA

## **EXCAVATION/FILL CHART**

PROPOSED INTERM LEVEE MORGANZA TO THE GULF HURRICANE PROTECTION LEVEE SYSTEM (LOCKPORT TO LAROSE SEGMENT) FOR THE NORTH LAFOURCHE LEVEE DISTRICT LAFOURCHE PARISH, LA

PREVIOUSLY APPLIED FOR REACH 4-PERMIT #P20191072



LAFOURCHE PARISH

DELTA COAST CONSULTANTS, LLC

631 S. HOLLYWOOD RD. HOUMA, LA 70360

www.deltacoastllc.com

PHONE: 985-655-3100 DESIGNED BY

DRAWN BY CHECKED BY SHEET NO. EMV KJK 13 **OF 14** 

SCALE

DATE

N/A

6/7/19

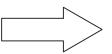
2017.003

PROJECT

THE FOLLOWING OPERATIONAL PLAN IN BASED UPON A SIGNIFICANT HURRICANE SURGE FROM THE GULF OF MEXICO INTO THE GULF INTRACOASTAL WATERWAY (GIWW) AT LAROSE, LA WITH POTENTIAL FOR IMPACTING COMMUNITIES OF LAFOURCHE PARISH. THE GIWW FLOOD GATE AT LAROSE AND SLUICE GATE CONTROL STRUCTURE AT STA 905+64 WILL BE OPERATED UNDER THE FOLLOWING CRITERIA TO REDUCE WATER SURFACE ELEVATIONS AND PREVENT BACKWATER FLOODING OF COMMUNITIES ON THE WEST SIDE OF THE LAROSE TO LOCKPORT REACH OF THE MORGANZA TO THE GULF (MTG) LEVEE SYSTEM. THE CLOSURE CRITERIA OUTLINED BELOW ARE BASED ON PUBLICLY AVAILABLE REAL TIME GAGES LOCATED IN NEARBY WATERWAYS.

#### STAGE 1

USACE/USGS GAGE #07381235 IN GIWW WEST OF BAYOU LAFOURCHE AT LAROSE. LA MEASURES +2.7' (MLG) (+1.7 NAVD 88) OR NAMED TROPICAL STROM IN THE GULF OF MEXICO WITH EXPECED TROPICAL STORM WINDS IMPACTS TO LAFOURCHE PARISH



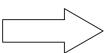
#### PROVIDE NOTICE OF INTENT (NOI)

- USACE
- USCG
- LOCAL STAKEHOLDERS

#### STAGE 2

USACE/USGS GAGE #073812535 IN GIWW WEST OF BAYOU LAFOURCHE AT LAROSE, LA MEASURES +3.0' (MLG)

(+2.0 NAVD 88) OR 48 HOURS PRIOR TO PROJECED TROPICAL FORCE WINDS HITTING LAFOURCHE PARISH.



#### INITIAL CLOSURE OF GIWW

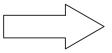
SECTOR GATE @ LAROSE, LA UNDER SLACK TIDE OR FLOOD TIDE CONDITIONS.



AFTER FLOOD CREST USGS GAGE #07381235 IN THE GIWW WEST OF BAYOU LAFOURCHE AT LAROSE, LA MEASURES +2.7' (MLG) (+1.7 NAVD 88) OR LOWER



THE DIFFERENCE IN WATER SURFACE ELEVATION BETWEEN THE FLOOD-SIDE AND PROTECTED-SIDE OF FLOOD GATE IS NO GREATER THAN 1.0'.



INITIATE OPENING OF G.I.W.W. SECTOR GATE UNDER SLACK TIDE OR EBB TIDE CONDITION (OPENING TIME < 5HRS)

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NO.	REVISION	DATE
01	REVISED PER COMMENTS	1/9/20
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03	REVISED PER USACOE COMMENTS	3/19/21
04	REVISED PER USACOE COMMENTS	6/20/22
05	REVISED PER USACOE COMMENTS	8/22/22

### **OPERATION PLAN**

PROPOSED INTERM LEVEE MORGANZA TO THE GULF HURRICANE PROTECTION LEVEE SYSTEM (LOCKPORT TO LAROSE SEGMENT) FOR THE NORTH LAFOURCHE LEVEE DISTRICT LAFOURCHE PARISH, LA PREVIOUSLY APPLIED FOR REACH 4-PERMIT #P20191072



DELTA COAST CONSULTANTS. LLC

> 631 S. HOLLYWOOD RD. **HOUMA. LA 70360**

www.deltacoastllc.com PHONE: 985-655-3100

2017.003

DESIGNED BY

DRAWN BY EMV CHECKED BY KJK

SHEET NO. 14 OF 14

SCALE

DATE

N/A

6/7/19

PROJECT

LAROSE, LOUISIANA

LAFOURCHE PARISH