PUBLIC NOTICE

April 26, 2021

United States Army
Corps of Engineers
New Orleans District
Attn: Regulatory Branch
7400 Leake Avenue
New Orleans, Louisiana 70118-3651

Project Manager:
Amy Oestringer
(504) 862-2272
Amy.L.Oestringer@usace.army.mil
Application #: MVN-2021-00165-WQQ

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).

The application has also been mailed to the Louisiana Department of Environmental Quality, for a Water Quality Certification (WQC) in accordance with statutory authority contained in Louisiana Revised Statute 30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L. 95-17).

SPOIL BANK REMOVAL AND RETENTION AREA PROJECT ALONG THE VERMILION RIVER IN LAFAYETTE AND ST. MARTIN PARISHES

NAME OF APPLICANT: Lafayette Parish Consolidated Government - Public Works, c/o: CK Associates, Attn: Autry Atkins, 8591 United Plaza Blvd. Suite 300, Baton Rouge, Louisiana 70809.

LOCATION OF WORK: Located along the Vermilion River, and adjacent to the Bayou Tortue Swamp, in Lafayette and St. Martin Parishes, Louisiana, (lat. 30.211503°, long. -91.969724°), as shown within the attached drawings. (Hydrologic Unit Code 08080103, Vermilion River Basin)

CHARACTER OF WORK: The applicant has requested authorization for the removal of existing upland spoil banks, construction of an aggregate access pathway, installation and removal of culverts and water control structures, and temporary equipment maneuvering and staging areas. The work is proposed to restore the natural hydraulic exchange between the Vermilion River and Bayou Tortue Swamp in periods of overbank flooding through the removal of existing upland spoil banks upstream from the confluence of Bayou Tortue and the Vermilion River. The project involves two work areas known as the Blanchet site and Chappuis site.

Excavated material from the Blanchet site will be loaded and transported via barge upstream and placed on existing upland levees to improve temporary flood storage retention capacity in an existing wetland area at the Chappuis site. The project is proposed to include 0.95 of an acre wetland impacts and 0.10 of an acre impacts to non-wetland waters of the US. Fill operations will include the deposition of approximately 1,907 cy of earthen fill and aggregate.

The applicant proposes to offset unavoidable wetland impacts by purchasing mitigation credits from a Corps-approved mitigation bank within the New Orleans District, if a DOA permit is warranted.

The comment period on the requested Department of the Army Permit 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 requested permit 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 e-mailed to the Corps of Engineers project manager listed above, or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH.** Individuals or parties may also request an extension of time in which to comment on the proposed work, by mail or by e-mailing 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 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 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. As 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 on the West Indian Manatee (*Trichechus manatus*).

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 approximately **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.

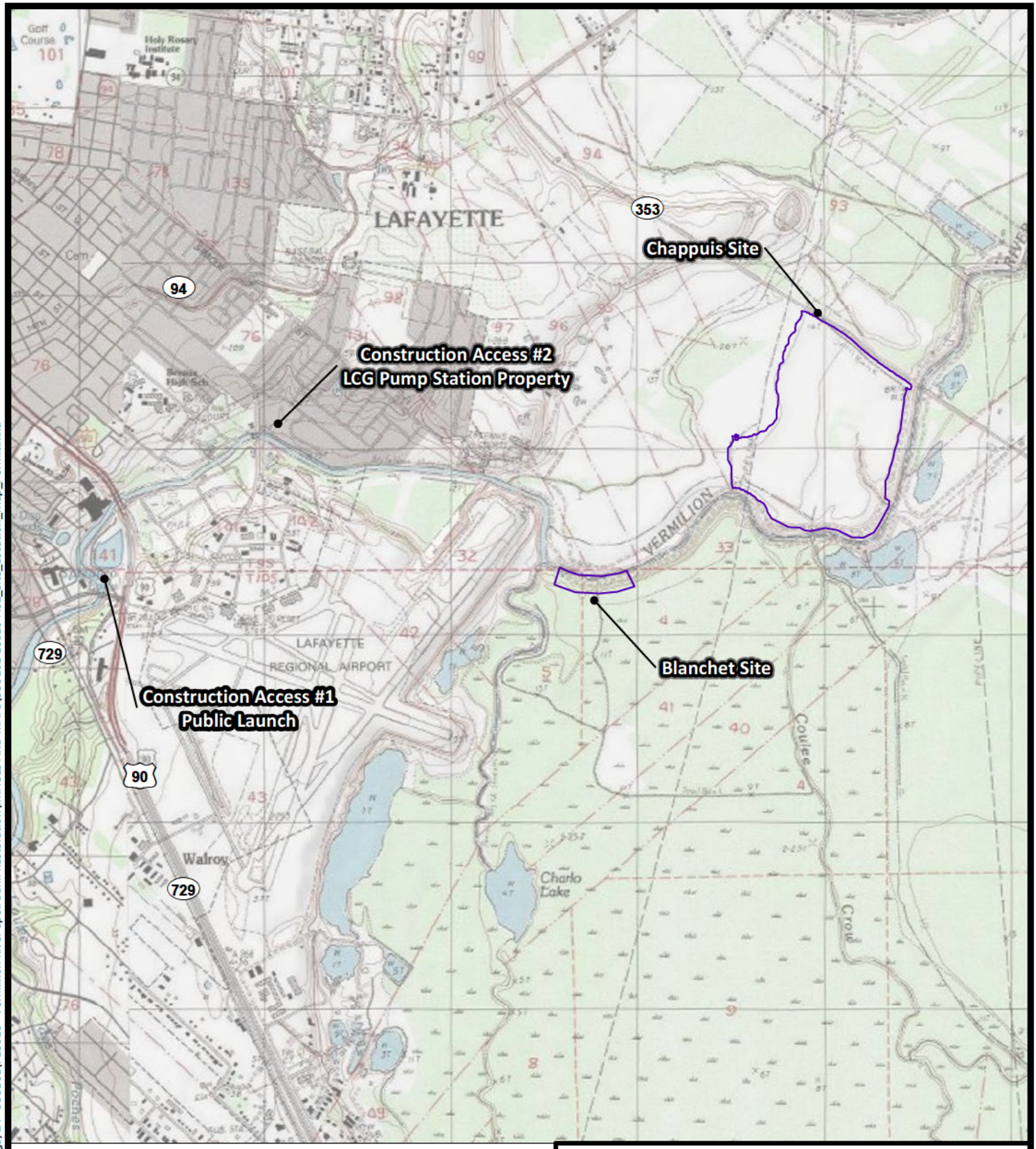
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

Enclosures



Southeast Engineers, LLC
Lafayette, Louisiana

Vermilion River Spoil Bank Project

Site Location Map

Lafayette & St. Martin Parish

CK Associates Environmental Consultants

Drawn:	AGA	Checked:	BLN
Date:	3/4/2021	Approved:	AGA
Dwg. No.:	SO3101-18620-A01		Figure 1

P:\O-S\Southeast Engineers, Inc. - Baton Rouge, LA - SO3101\P18620 - Vermillion River Spoil Bank Restoration\IMAGES AND MAPS\SO3101-18620-A01_Site_Location_Map_Permit.mxd

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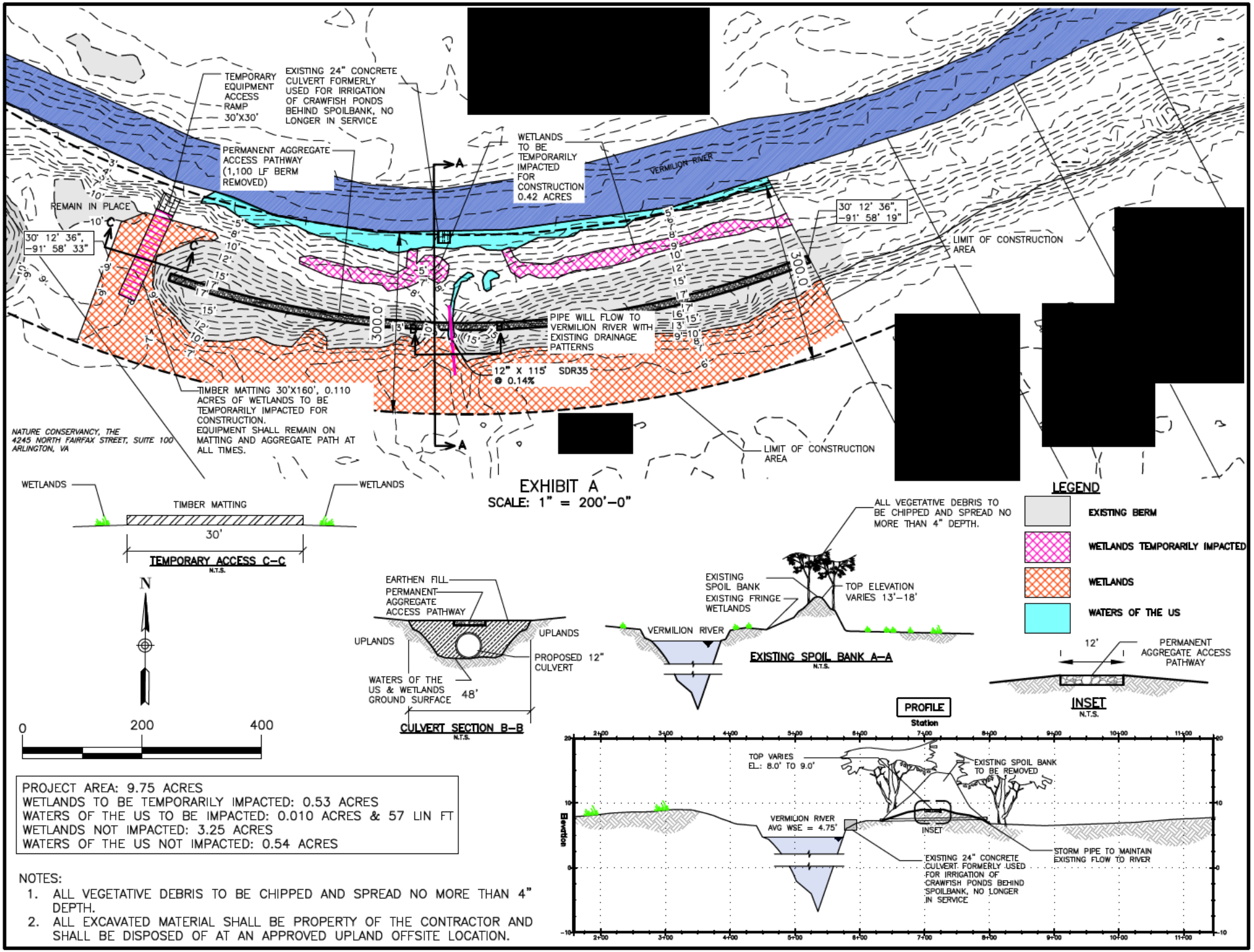


EXHIBIT A

SCALE: 1" = 200'-0"

TEMPORARY ACCESS C-C
N.T.S.

CULVERT SECTION B-B
N.T.S.

EXISTING SPOIL BANK A-A
N.T.S.

LEGEND

- EXISTING BERM
- WETLANDS TEMPORARILY IMPACTED
- WETLANDS
- WATERS OF THE US

INSET
N.T.S.

PROFILE

PROJECT AREA: 9.75 ACRES
WETLANDS TO BE TEMPORARILY IMPACTED: 0.53 ACRES
WATERS OF THE US TO BE IMPACTED: 0.010 ACRES & 57 LIN FT
WETLANDS NOT IMPACTED: 3.25 ACRES
WATERS OF THE US NOT IMPACTED: 0.54 ACRES

NOTES:

1. ALL VEGETATIVE DEBRIS TO BE CHIPPED AND SPREAD NO MORE THAN 4" DEPTH.
2. ALL EXCAVATED MATERIAL SHALL BE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF AT AN APPROVED UPLAND OFFSITE LOCATION.

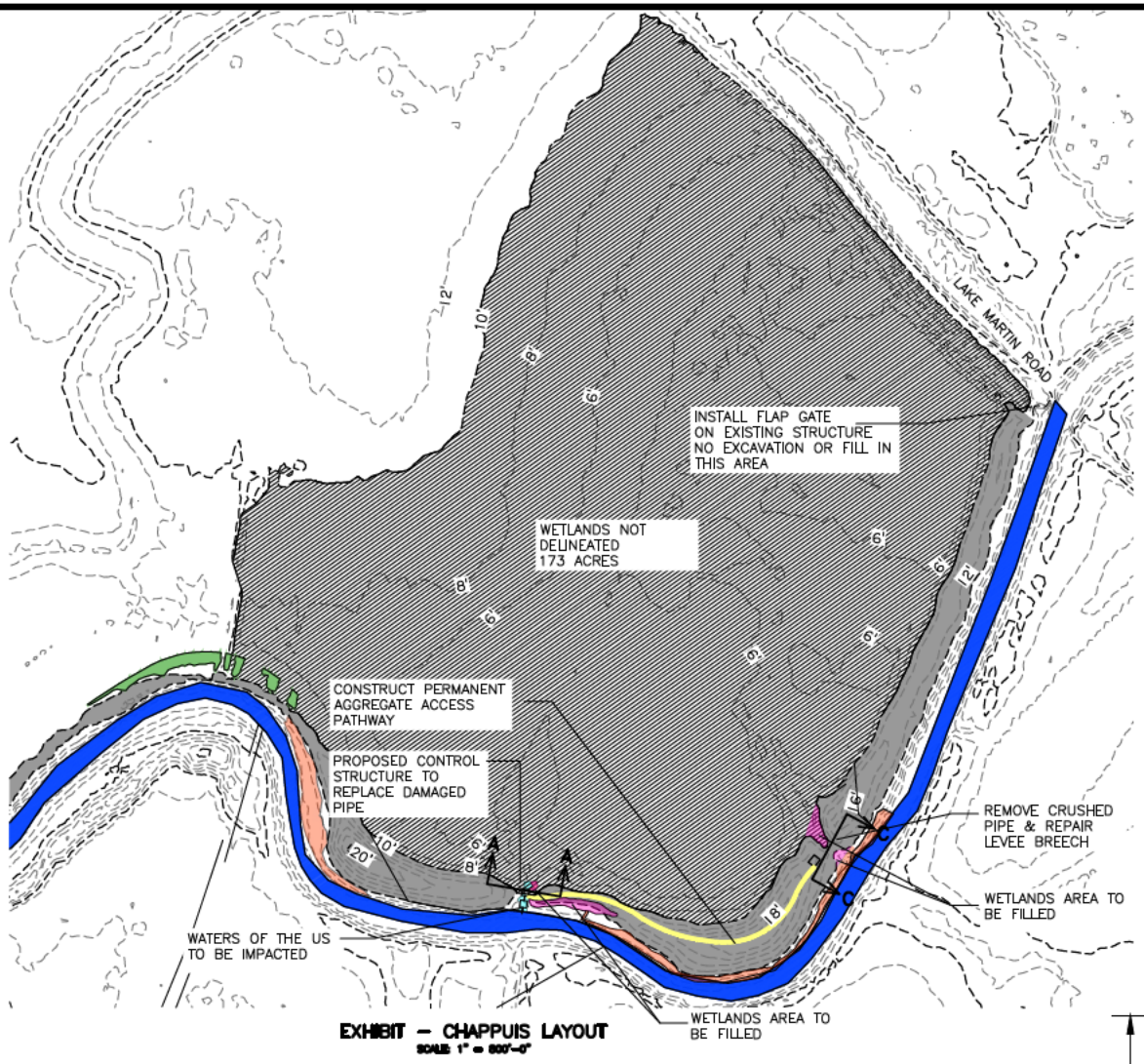
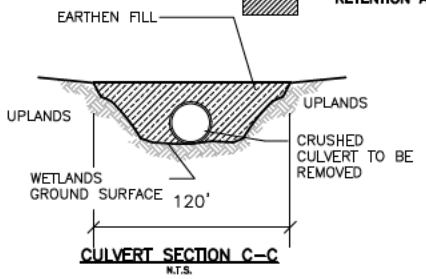


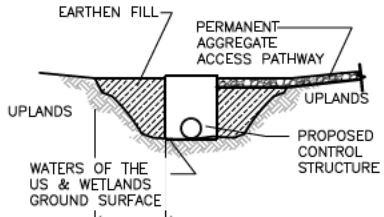
EXHIBIT – CHAPPUIS LAYOUT
SCALE 1" = 800'-0"

LEGEND

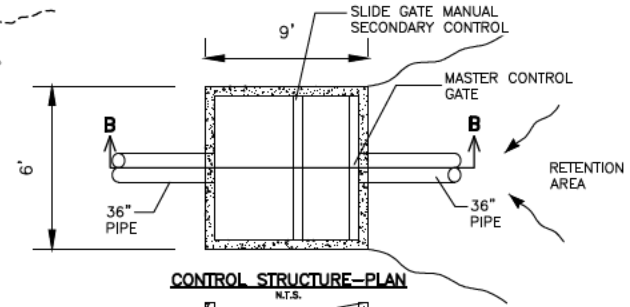
- EXISTING BERM
- WETLANDS
- WETLANDS TO BE FILLED
- WATERS OF THE US
- RETENTION AREA



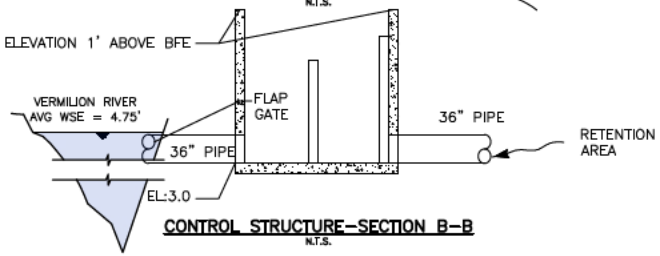
CULVERT SECTION C–C
N.T.S.



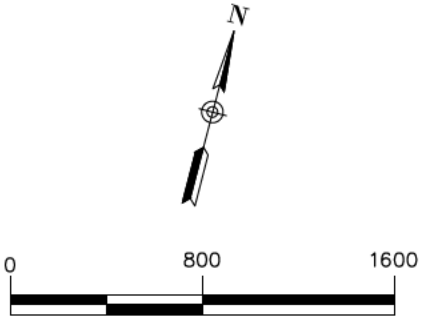
CONTROL STRUCTURE SECTION A–A
N.T.S.



CONTROL STRUCTURE–PLAN
N.T.S.



CONTROL STRUCTURE–SECTION B–B
N.T.S.



PROJECT AREA: 180.7 ACRES
WETLANDS TO BE IMPACTED: 0.53 ACRES & 1,367 CY
WATERS OF THE US TO BE IMPACTED: 0.09 ACRES & 108 LIN FT
WETLANDS NOT IMPACTED: 1.08 ACRES
WATERS OF THE US NOT IMPACTED: 0.00 ACRES
RETENTION AREA: 173 ACRES

1.0 NATURE OF ACTIVITY

The applicant, Lafayette Parish Consolidated Government (the Parish), proposes to construct a spoil bank removal and restoration project along the Vermilion River and adjacent to the Bayou Tortue Swamp in Lafayette and St. Martin Parish, Louisiana. The proposed project will involve temporary and permanent clearing and filling of wetlands and non-wetland Waters of the US for the removal of existing upland spoil banks, construction of an aggregate access pathway, installation and removal of culverts and control structures, and temporary equipment maneuvering and staging areas. The project will involve 0.95 acres of wetland impacts and 0.10 acres of permanent non-wetland Waters of the US impacts.

The project involves two distinct areas known as the Blanchet site and Chappuis site (Figure 1). Excavated material from the Blanchet site will be loaded and transported via barge upstream and placed on existing upland levees to improve temporary flood storage retention capacity in an existing wetland area at the Chappuis site.

1.1 Project Components

1.1.1 Blanchet Site

- Clearing of forested wetlands (0.42 acres) for the construction of temporary equipment access ramp and timber matting area for maneuvering and staging
- Installation of a 12-inch, 115 linear foot culvert to facilitate hydraulic exchange in a non-wetland waters of the US (0.01 acres; 57 linear foot) and wetlands (0.001 acres, 58 linear foot)
- Tree clearing and removal of spoil material from existing upland spoil banks
- Chipping of woody debris and spreading in a layer no more than 4 inches thick in wetlands adjacent to and south of the existing spoil banks
- Loading barge(s) to haul off excavated upland spoil material to the Chappuis site upstream

1.1.2 Chappuis Site

- Install flap gate on existing culvert near Lake Martin Road
- Remove existing crushed stormwater outfall pipe on bank of Vermilion River and backfill levee breech
- Construct permanent aggregate road to access proposed control structure
- Create 173-acre temporary retention area to control the release of discharge into the Vermilion River at river stage below 10 feet

2.0 PROJECT PURPOSE

The purpose of the project is to restore the natural hydraulic exchange rate between the Vermilion River and Bayou Tortue Swamp in periods of overbank flooding through the removal of existing upland spoil banks just upstream from the confluence of Bayou Tortue and the Vermilion River (Blanchet site). The purpose of the project also includes the creation of a temporary flood storage retention area in an

existing wetland area west of Lake Martin Road that is historically and currently subject to flooding from both seasonal rainfall and overbank flooding events (Chappuis site).

In addition to inundation from seasonal rainfall, the Chappuis site currently experiences flooding when the Vermilion stage reaches approximately 8 feet (NAVD88). At this stage, the Vermilion River still effectively conveys runoff and flow downstream. At river stages above 10 feet, the Vermilion begins to experience reverse flow phenomenon due to the downstream urban runoff rates which exceed the capacity and discharge rate of the Vermilion channel. Having this temporary retention basin available to accommodate flood storage volume during high river stages and reverse flow phenomenon provides benefit by reducing water surface elevation and peak discharge rates upstream of urban areas in the vicinity of the city of Lafayette. The proposed control structure will discharge the temporarily retained flood water after the Vermilion has receded below the overbank flood elevation at the Chappuis site. It is estimated that the Chappuis site will provide 600 acre-feet of temporary flood storage retention capacity at a Vermilion River stage of 10 feet.

The combination of these two project components is intended to reduce flooding in the City of Lafayette and surrounding areas by lowering the peak rate of discharge in a problematic area subject to reverse flow phenomenon.

2.1 Project Need

During the historic August 2016 flood event in south Louisiana, the Vermilion River in Lafayette experienced a rise from 6 feet at the Surrey Street gage on August 12 to a record 17.62 feet on August 15, 2016. Overall, more than 7,000 structures located within Lafayette, St. Martin, Iberia, and Vermilion Parishes experienced flood damage as a result. This event led to many calls for the US Army Corps of Engineers (USACE) to dredge Vermilion River, which resulted in a USACE and University of Louisiana-Lafayette (ULL) study of a 10- and 100-year design storm event to quantify the potential benefits of such a project. The study concluded that the dredging project would result in minimal river stage reduction (less than 1 foot) and benefit only around a few hundred homes.

In light of the study results, the ULL's Louisiana Watershed Flood Center concluded that the primary solution to mitigating flood impacts in the region is to increase flood water storage and retention capacity in the watershed. Following the 2016 flood, Governor John Bell Edwards created the Louisiana Watershed Initiative to study watershed-based floodplain management, develop procedures, and build flood mitigation projects.

2.2 Project Objective & Consideration of Alternatives

The objective of the project is to provide regional flood storage retention capacity consistent with the Louisiana Watershed Initiative's mission of providing proactive flood risk mitigation at the watershed level. A no-action alternative would be inconsistent with this mission by failing to address flood risk mitigation within the watershed and leaving citizens and businesses vulnerable to an ever-increasing threat of major flood events.

Based on the known shoaling issues and reverse flow phenomenon that occurs in the vicinity of the project, the applicant maintains that the project is location specific. Alternative sites for the creation of

temporary flood storage retention were considered not feasible either due to the lack of suitable property and landowner agreement, or the risk of potentially adversely affecting the hydraulic regime of nearby high-value wetland areas such as the Bayou Tortue Swamp.

The Blanchet site work, adjacent to the Bayou Tortue Swamp, will restore the natural hydraulic exchange rate between the Vermilion River and Bayou Tortue Swamp in periods of overbank flooding through the removal of existing upland spoil banks. Therefore, no primary or secondary significant adverse effects to the hydrology of the adjacent cypress swamp as described in 40 CFR 230.11(b), (e), and (g) are anticipated as a result of the proposed project.

The Chappuis site is an existing depressional area historically subject to inundation from seasonal rainfall and overbank flooding from the Vermilion River. Aerial imagery from all available years shows the site's ability to hold water at variable depths. The Chappuis site contains some forested wetlands of variable density and composition, although generally of low to medium functional value based on the successional-type habitat and persistent inundation that has historically existed across the site. Based on the existing site characteristics, the use of this property as a temporary retention area is not anticipated to convert wetlands to open waters. A large portion of the Chappuis site was formerly used for crawfish aquaculture and contains an existing water control structure and levee system that can be easily improved upon to meet the project's purpose, thereby minimizing environmental impacts from the selection of a greenfield site requiring extensive earthwork in wetlands and likely conversion of habitat through the alteration of hydrology for a retention area. Based on the historic nature, hydrology, and current condition of the Chappuis site, the proposed project is not anticipated to result in any adverse cumulative and/ or secondary effects on the aquatic ecosystem as described in 40 CFR 230.11(g) and (h).

In conclusion, the applicant maintains that, pursuant to 33 CFR 320.4, the public need and benefit of the project far outweighs the loss of aquatic resource function needed to construct and maintain the project components, especially in consideration of the proposed project benefits to wetlands that function in the interest of the public as described in 33 CFR 320.4(b)(2).