JOINT PUBLIC NOTICE

March 15, 2021

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

Project Manager: Michael H. Herrmann Jr. (504) 862-1954 Michael.h.herrmann@usace.army.mil Application # MVN-2021-00223-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 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).

CONSTRUCT TWO WATER DETENTION PONDS IN LAFAYETTE PARISH

NAME OF APPLICANT: Lafayette Consolidated Government, 1515 East University Ave., Lafayette, LA 70502

LOCATION OF WORK: The work is to take place off Malapart Road in Section 4 Township 9-S, Range 4-E, (30. 289, -92.059) in the City of Lafayette in the Parish of Lafayette, LA.

<u>CHARACTER OF WORK</u>: The applicant has requested a Department of the Army (DA) authorization to excavate and construct two detention ponds for flood control. Each pond will consist of outfall pipes and flexible revetment, installed in the adjacent channel known as W-10 Coulee Mine East. Approximately 443,000 cubic yards of material will be excavated for the ponds. Some of the material will be hauled offsite to a non-wet area, and a portion will be temporarily placed on an approximately 10 acre, non-wet site adjacent to pond # 2, for continuous removal over the course of the year.

Pond #1 will be 3 acres in size with 0.3 of an acre of proposed permanent impacts to herbaceous wetlands. Pond #2 will be 23 acres in size with 4.9 acres of proposed permanent impacts to herbaceous wetlands. Temporary impacts to approximately 0.8 of an acre of herbaceous wetlands due to staging/construction work areas are anticipated to impact 0.8 of an acre of herbaceous wetlands due to equipment movement and storage within the adjacent staging area. Following construction, areas temporarily impacted by the project will be restored to pre-construction grade and allowed to revegetate.

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 DA permit is warranted.

The comment period for the Department of the Army Permit will close <u>20 days</u> 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 must be submitted so as to be received before or by the last day of the comment period. Comments concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be emailed to the USACE project manager listed above, or forwarded to the Corps of Engineers at the address above, <u>ATTENTION: REGULATORY BRANCH</u>. 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 are being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

Based on the Information & Planning Consultation for Endangered Species in Louisiana (IPaC), as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, the proposed project was evaluated under the determination key on March 8, 2021 and it has been determined that the proposed project will "No Effect" on any known Threatened or Endangered 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 or disturbance of <u>N/A</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, 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











