



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

March 27, 2023

Regulatory Branch  
Eastern Evaluation Branch

Project Manager:  
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(504) 862-1564  
[Stephanie.L.Castaing@usace.army.mil](mailto:Stephanie.L.Castaing@usace.army.mil)

Application #: MVN-2021-00715-EPP

## **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 [ ] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408)

### **LAFITTE TIDAL PROTECTION, PAILET BASIN LEVEE IN JEFFERSON PARISH**

**NAME OF APPLICANT:** Lafitte Area Independent Levee District, c/o ELOS Environmental, LLC, Attn: Flynn Daigle, 607 West Morris Avenue, Hammond, Louisiana 70403 or [fdaigle@elosenv.com](mailto:fdaigle@elosenv.com)

**LOCATION OF WORK:** At approximately Latitude: 29.7312, Longitude: -90.1324, located near LA Highway 302, in Barataria, Louisiana, in Jefferson Parish, as shown on the enclosed drawings. (Hydrologic Unit Code 08090301 East Central Louisiana Coastal).

**CHARACTER OF WORK:** Clear, grade, excavate and fill for levee system to provide tidal flood protection for residents and businesses. Project specifics include the construction of an earthen levee to 8.5 feet and installation of bulkhead and I-wall to 7.5 feet, swing gates, roller gate, and drainage infrastructure. The project site outline is approximately 32.24 acres. The project as proposed would permanently impact 3.56 acres and temporarily impact 1.93 acres of jurisdictional wetlands and impact 3.56 acres of non-wetland waters.

**MITIGATION:** For compensation for unavoidable wetland impacts, the applicant proposes to use a Corps approved mitigation bank within the watershed of impact.

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, RGE, Stephanie Castaing**. 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.

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 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 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 such 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 activity is not likely to adversely affect the West Indian Manatee with the inclusion of the Standard Manatee Conditions for In-Water Activities and may affect the Eastern Black Rail. Further coordination has been initiated with the Louisiana Ecological Services Office regarding the Eastern Black Rail.

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 5.5 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 LA Department of Environmental Quality before a Department of the Army permit is issued.

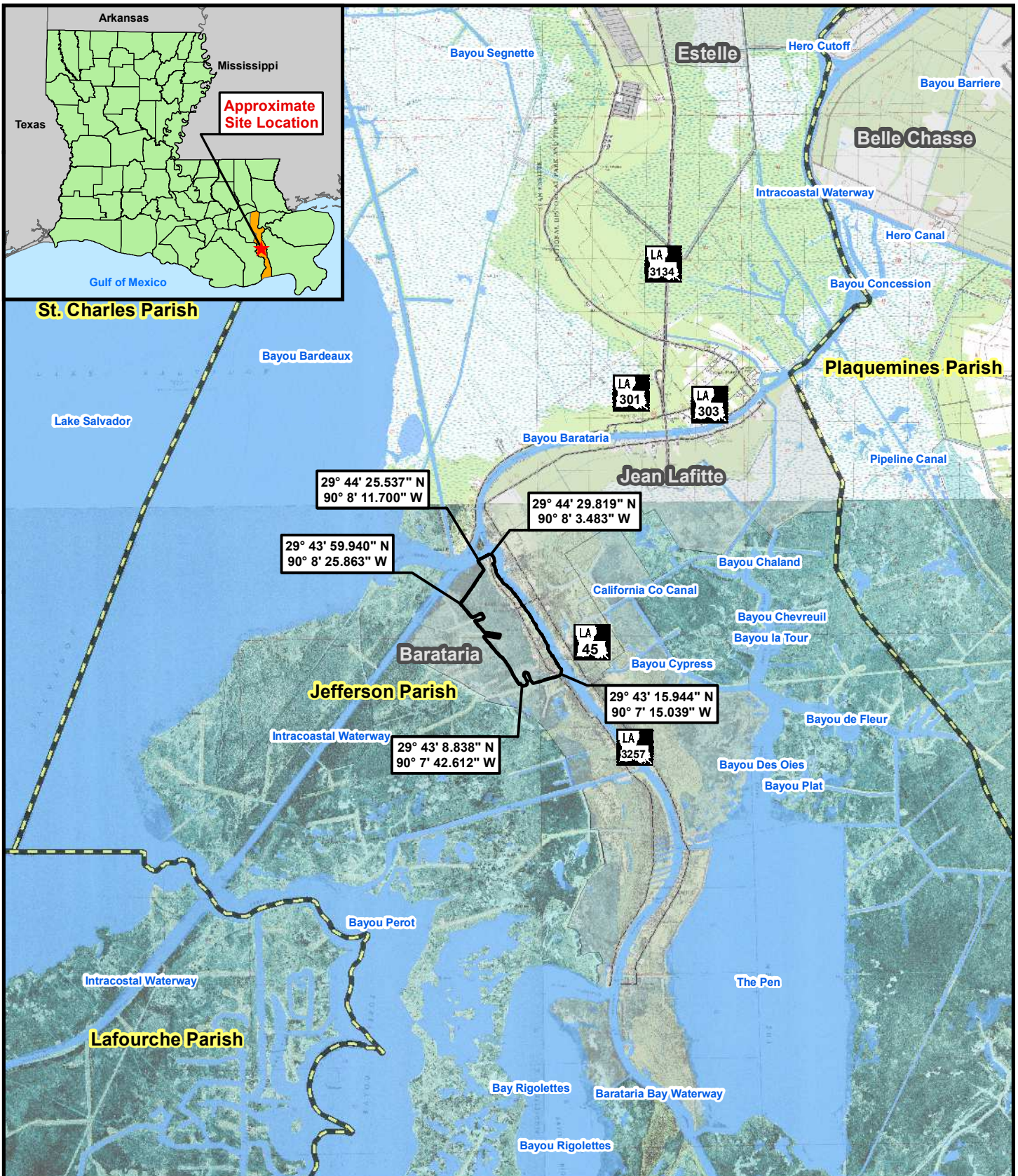
Any person may request, (preferably by email to the project manager, or in writing), within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 P20210610). 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.

Brad P. LaBorde  
Chief, Eastern Evaluation Branch  
Regulatory Division

Enclosures



0 5,500 11,000 Feet

Figure 1: TopoVicinity Map

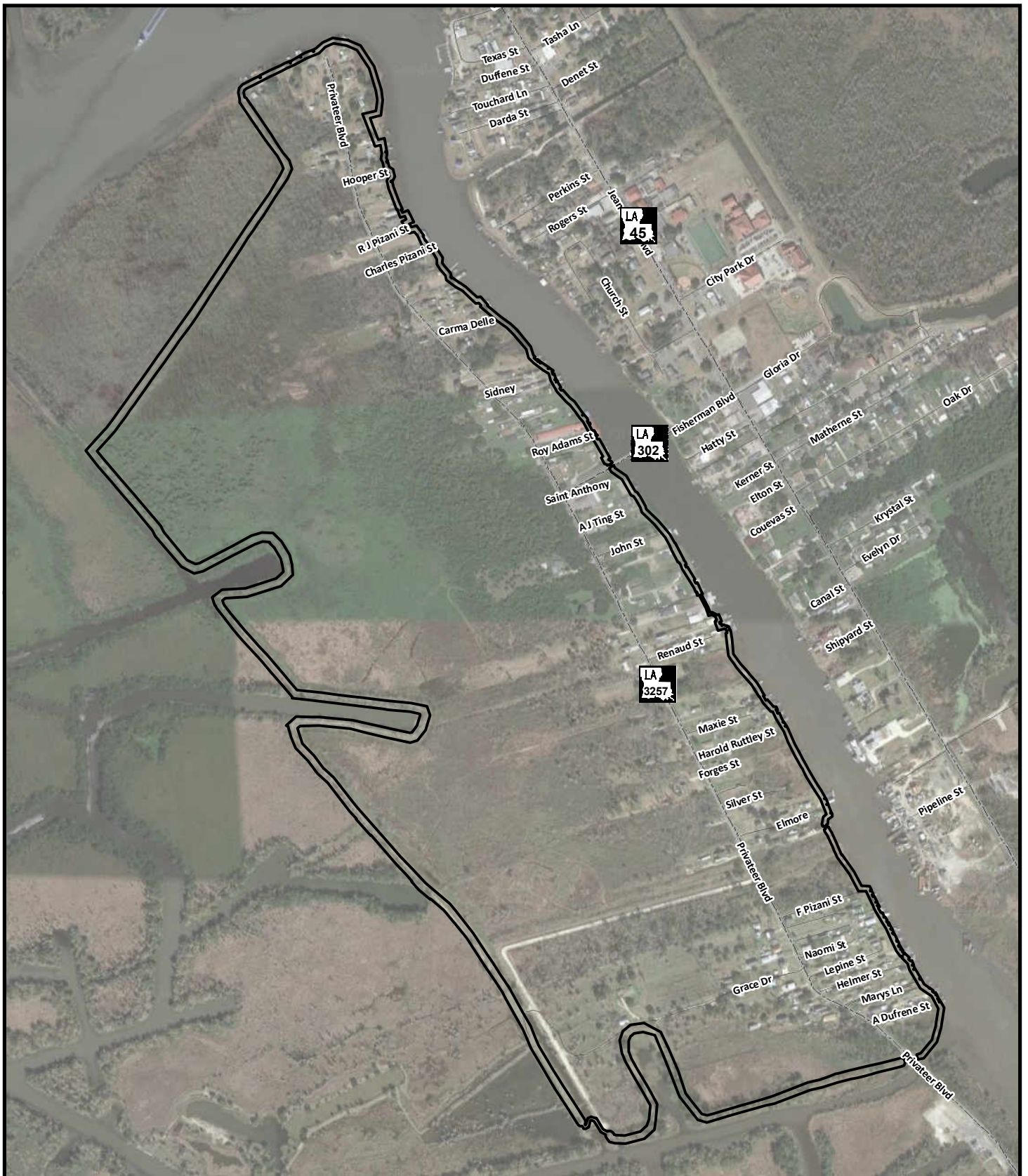
**Pallet Basin**

**Legend:**

- Site Outline
- Parish Boundary
- City/Town
- Highway
- Roadway
- Stream/River
- Waterbody

**Sections: 2, 22**  
**Townships: 15, 16 South**  
**Range: 23 East**

This figure was prepared utilizing public and proprietary data. It should not be used to establish any legal boundaries or specific locations. ELOS Environmental, L.L.C., is not responsible for any usage of this figure contrary to its original, intended purpose.



0 700 1,400 Feet

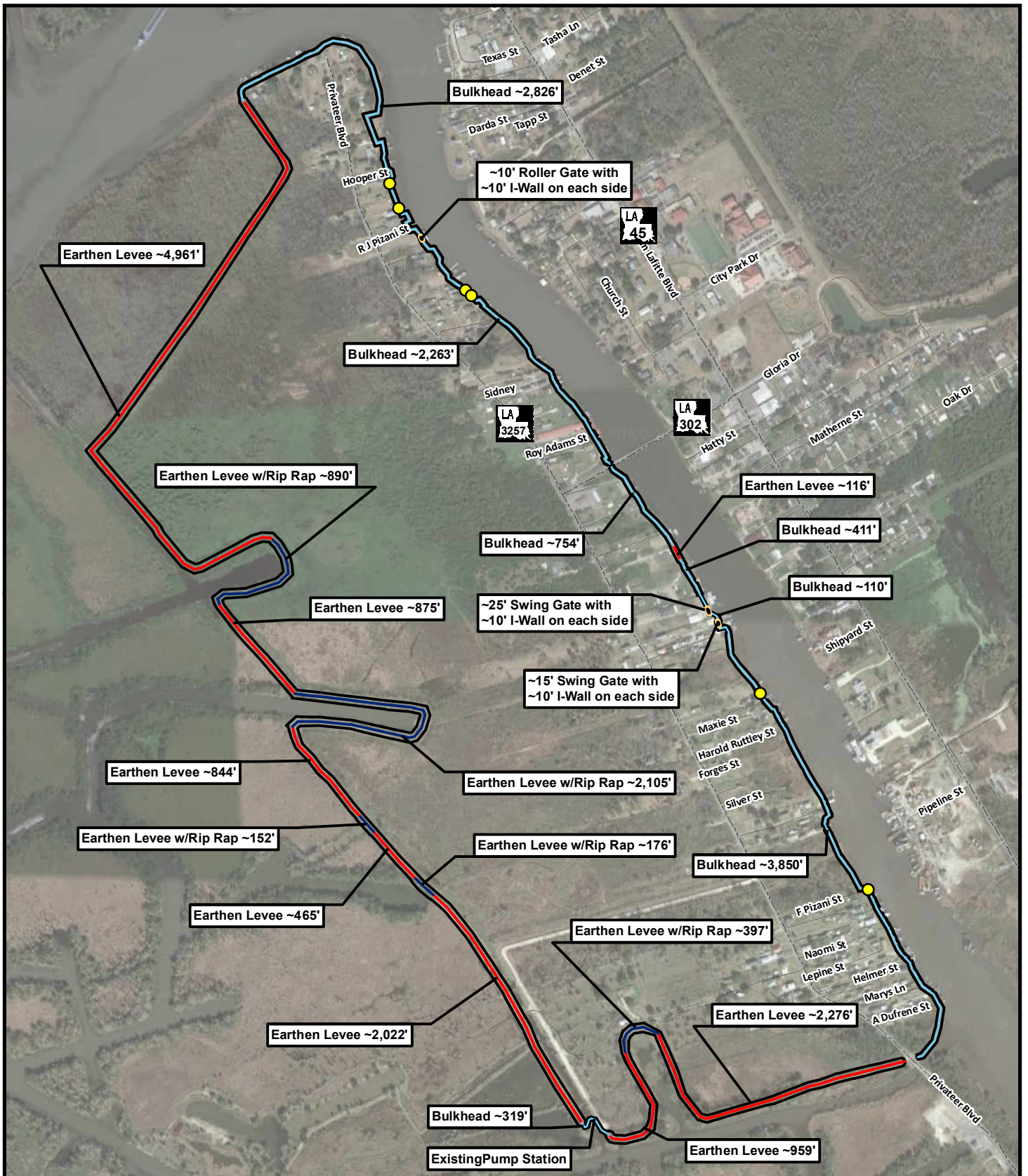
Figure 2: Existing Conditions


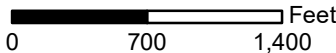










**Pallet Basin**

**Legend:**

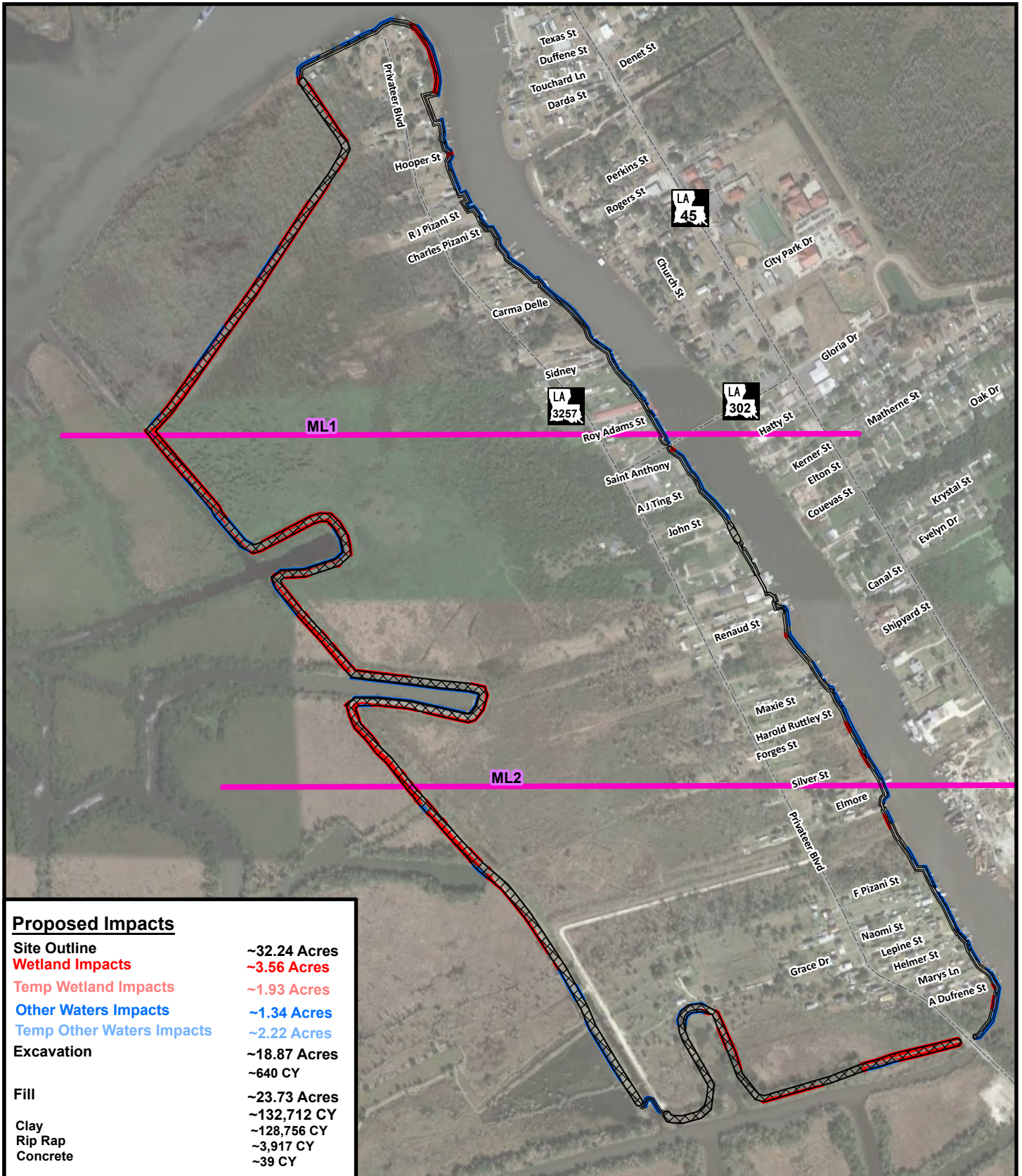
- Site Outline
- Highway
- Roadway

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 <p><a href="http://elosenv.com/">http://elosenv.com/</a></p>			<b>Legend:</b>  Site Outline  Bulkhead  Highway  18" CMP w/check valve  Earthen Levee  Roadway  Gate  Earthen Levee w/Rip Rap  I-Wall
	<b>Figure 3: Plan View</b>		
	<b>Pallet Basin</b>		

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**Proposed Impacts**

Site Outline	~32.24 Acres
Wetland Impacts	~3.56 Acres
Temp Wetland Impacts	~1.93 Acres
Other Waters Impacts	~1.34 Acres
Temp Other Waters Impacts	~2.22 Acres
Excavation	~18.87 Acres ~640 CY
Fill	~23.73 Acres ~132,712 CY
Clay	~128,756 CY
Rip Rap	~3,917 CY
Concrete	~39 CY

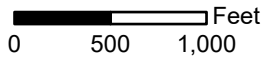


Figure 4: Proposed Impacts

**Pallet Basin**

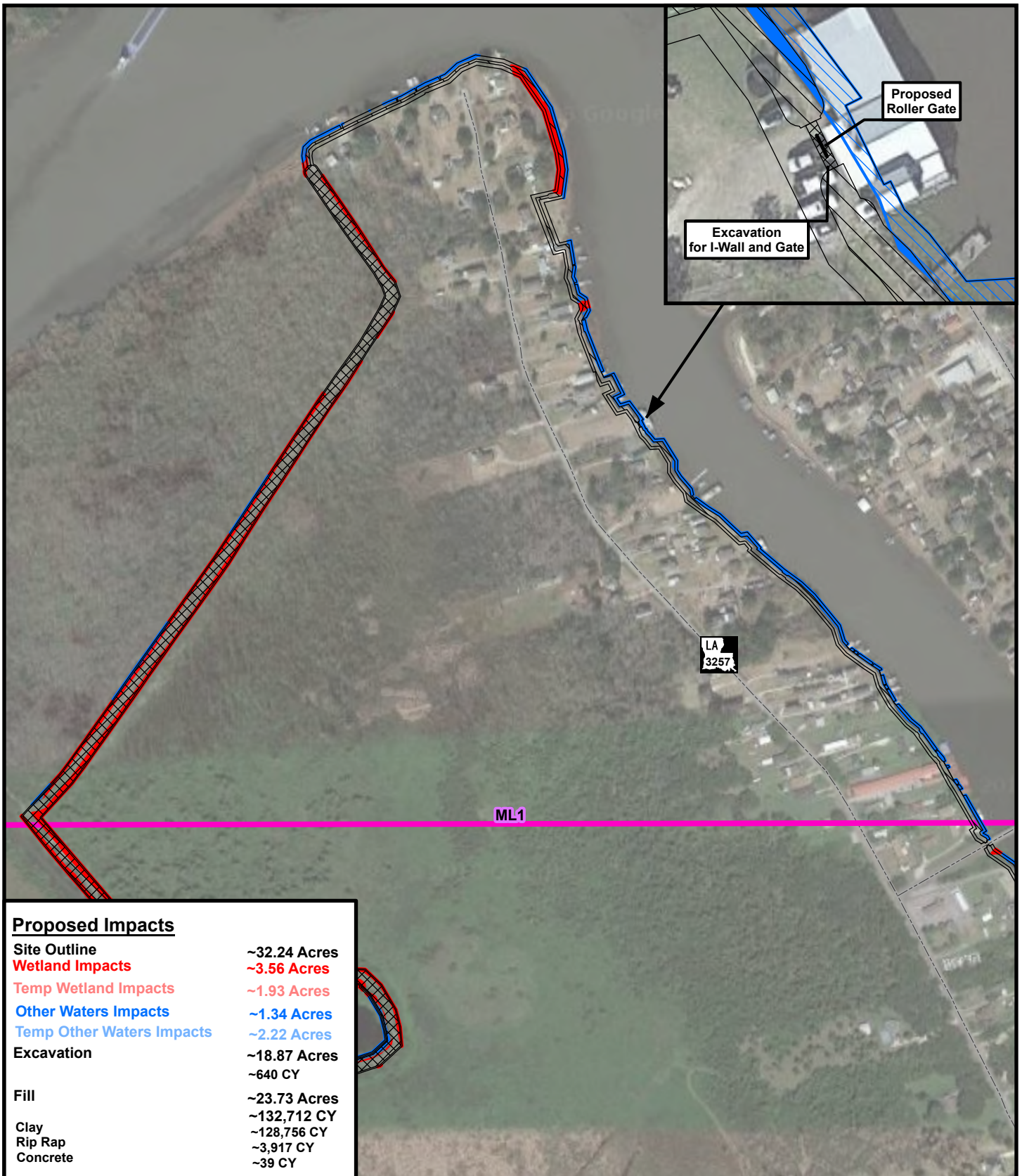
**Legend:**

- Site Outline
- Exc/Fill
- Fill
- Perm. Other Water Impacts
- Temp. Other Water Impacts
- Perm. Wetland Impacts
- Temp. Wetland Impacts
- Match Line

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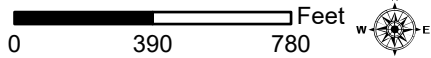


Figure 4.1: Proposed Impacts

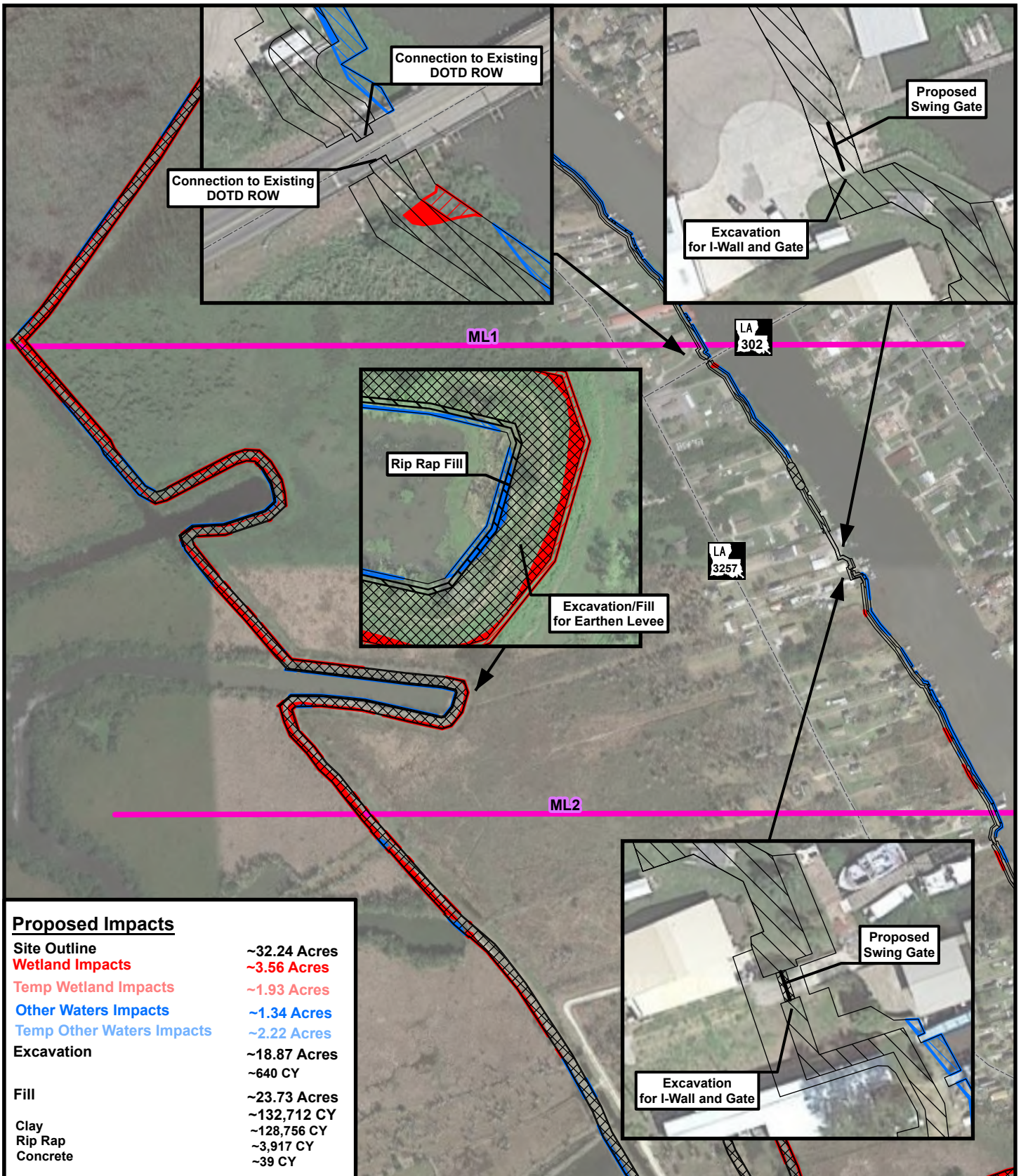
**Pailet Basin**

**Legend:**

- Site Outline
- Exc/Fill
- Temp. Other Water Impacts
- Perm. Wetland Impacts
- Fill
- Temp. Wetland Impacts
- Perm. Other Water Impacts
- Match Line

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**Proposed Impacts**

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Excavation	~18.87 Acres ~640 CY
Fill	~23.73 Acres ~132,712 CY ~128,756 CY ~3,917 CY ~39 CY

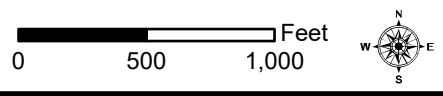


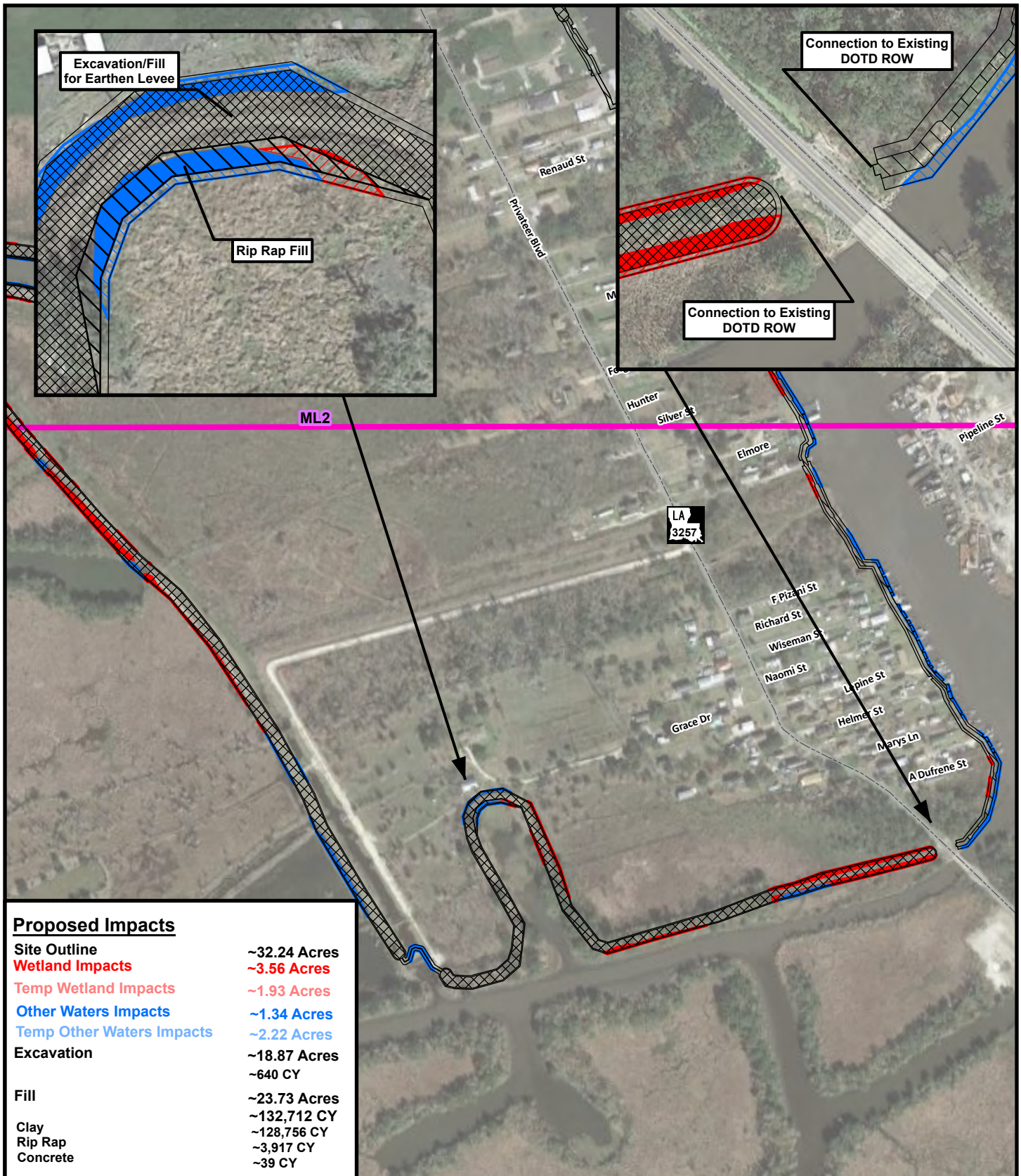
Figure 4.2: Proposed Impacts

**Pallet Basin**

**Legend:**

Site Outline	Temp. Other Water Impacts
Exc/Fill	Perm. Wetland Impacts
Fill	Temp. Wetland Impacts
Perm. Other Water Impacts	Match Line

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Other Waters Impacts	~1.34 Acres
Temp Other Waters Impacts	~2.22 Acres
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Fill	~23.73 Acres ~132,712 CY
Clay	~128,756 CY
Rip Rap	~3,917 CY
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0 435 870 Feet

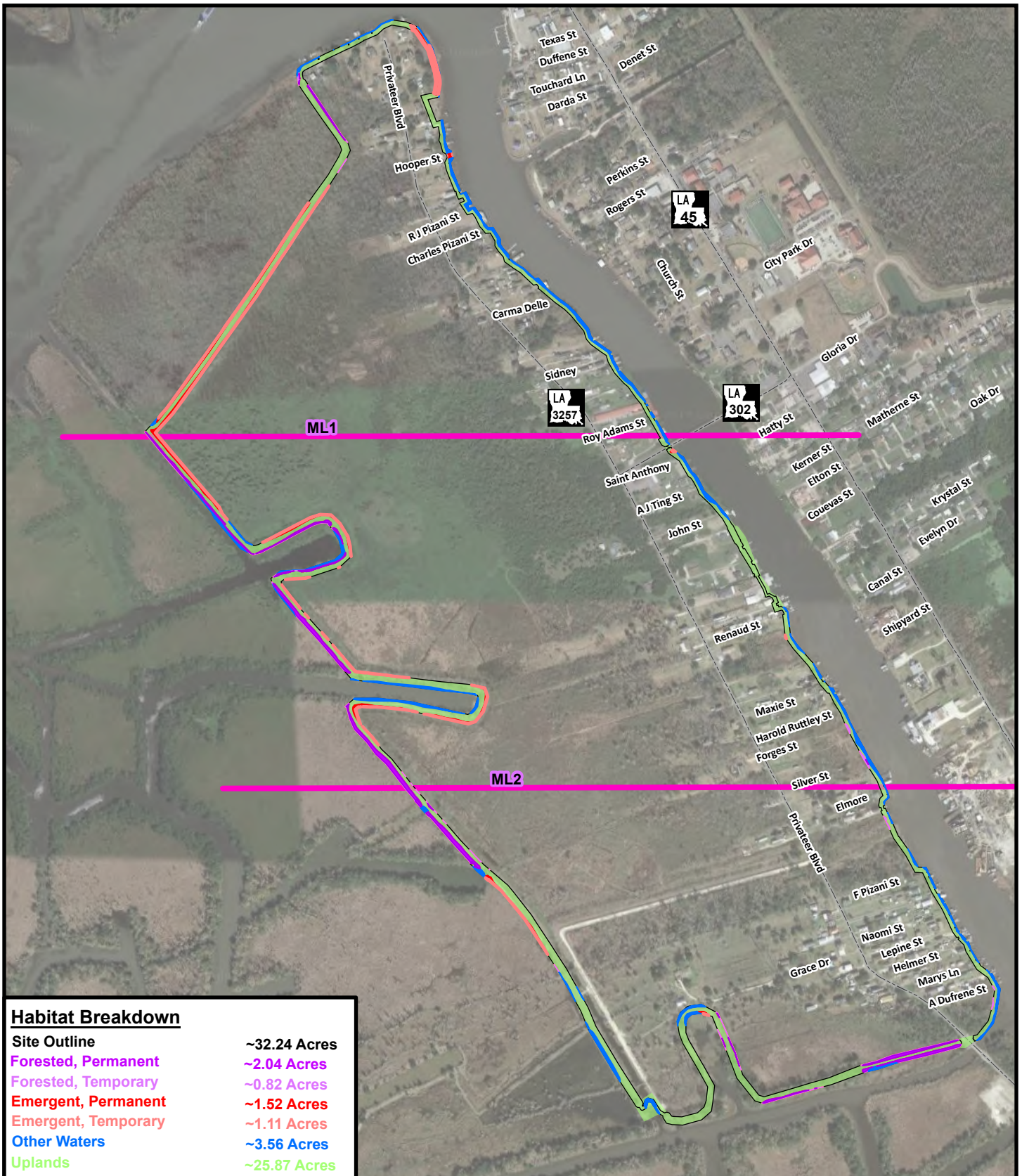
Figure 4.3: Proposed Impacts

**Pallet Basin**

**Legend:**

- Site Outline
- Exc/Fill
- Fill
- Perm. Other Water Impacts
- Temp. Other Water Impacts
- Perm. Wetland Impacts
- Temp. Wetland Impacts
- Match Line

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**Habitat Breakdown**

Site Outline	~32.24 Acres
Forested, Permanent	~2.04 Acres
Forested, Temporary	~0.82 Acres
Emergent, Permanent	~1.52 Acres
Emergent, Temporary	~1.11 Acres
Other Waters	~3.56 Acres
Uplands	~25.87 Acres

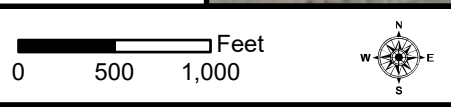


Figure 5: Habitat Breakdown

**Pallet Basin**

**Legend:**

Site Outline	Emergent, Temp	Forested, Temp	Uplands
Emergent, Perm	Forested, Perm	Other Waters	Match Line

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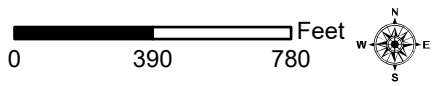
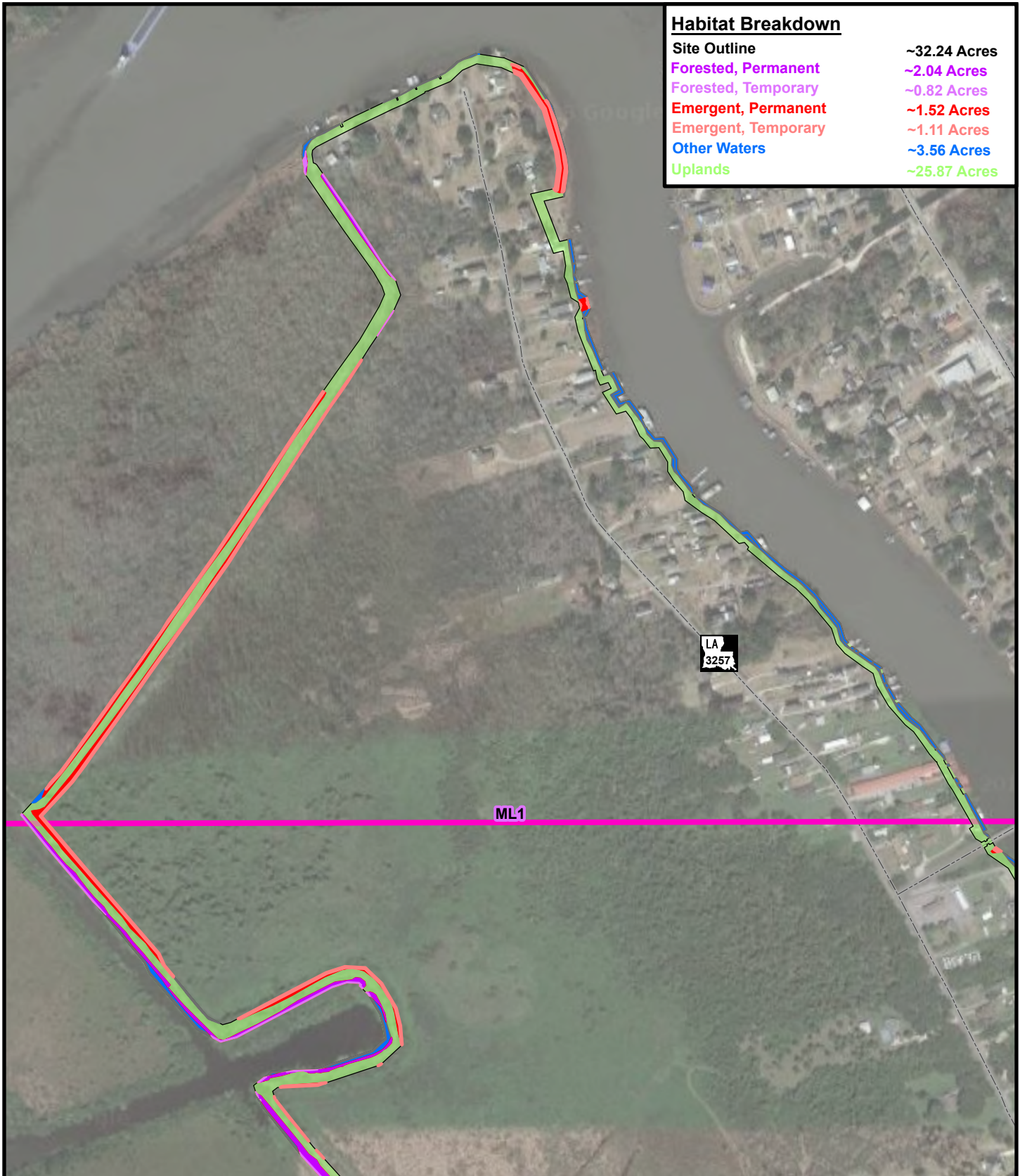


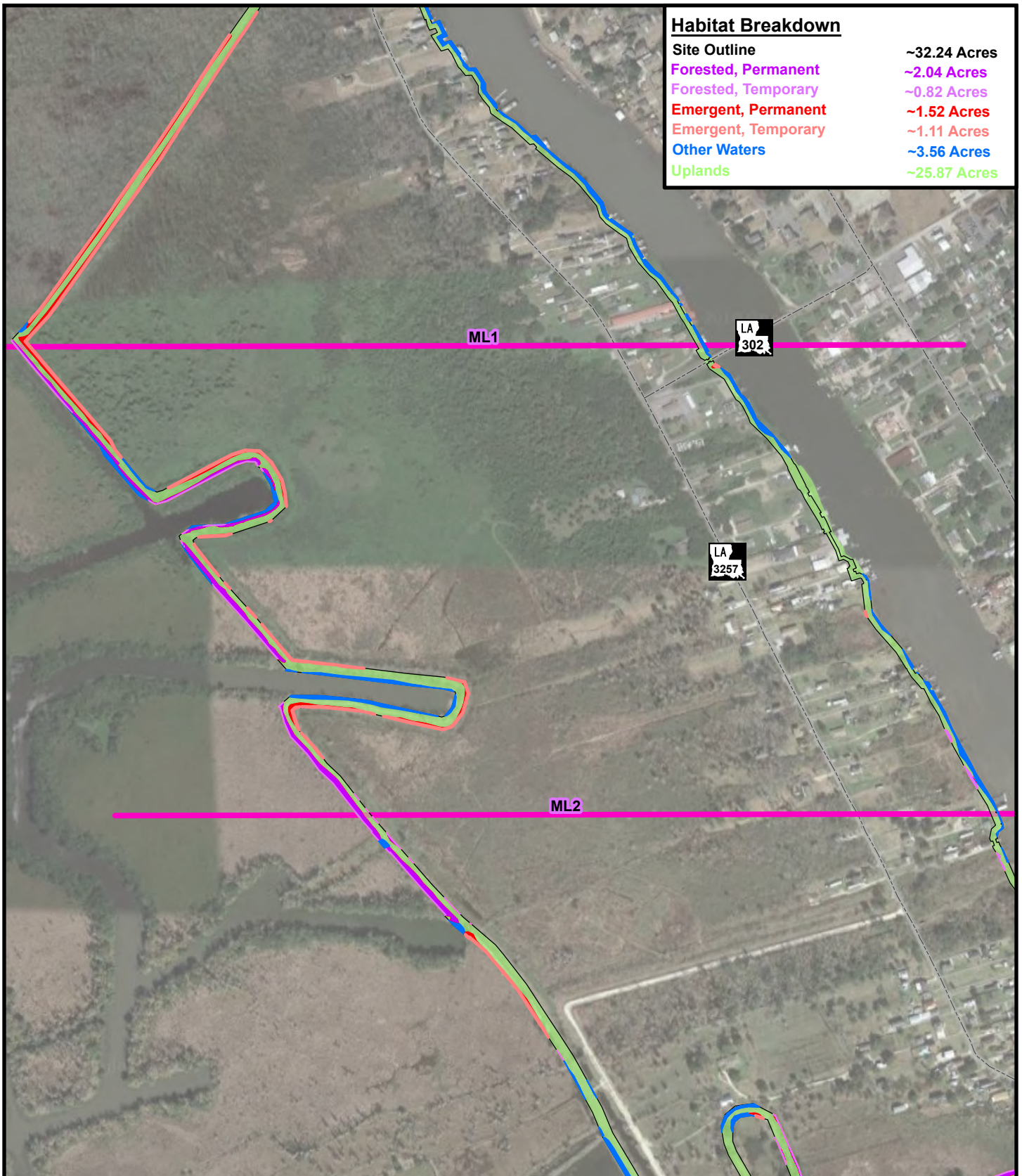
Figure 5.1: Habitat Breakdown

**Pallet Basin**

**Legend:**

- Site Outline
- Emergent, Temp
- Forested, Temp
- Uplands
- Emergent, Perm
- Forested, Perm
- Other Waters
- Match Line

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0 500 1,000 Feet

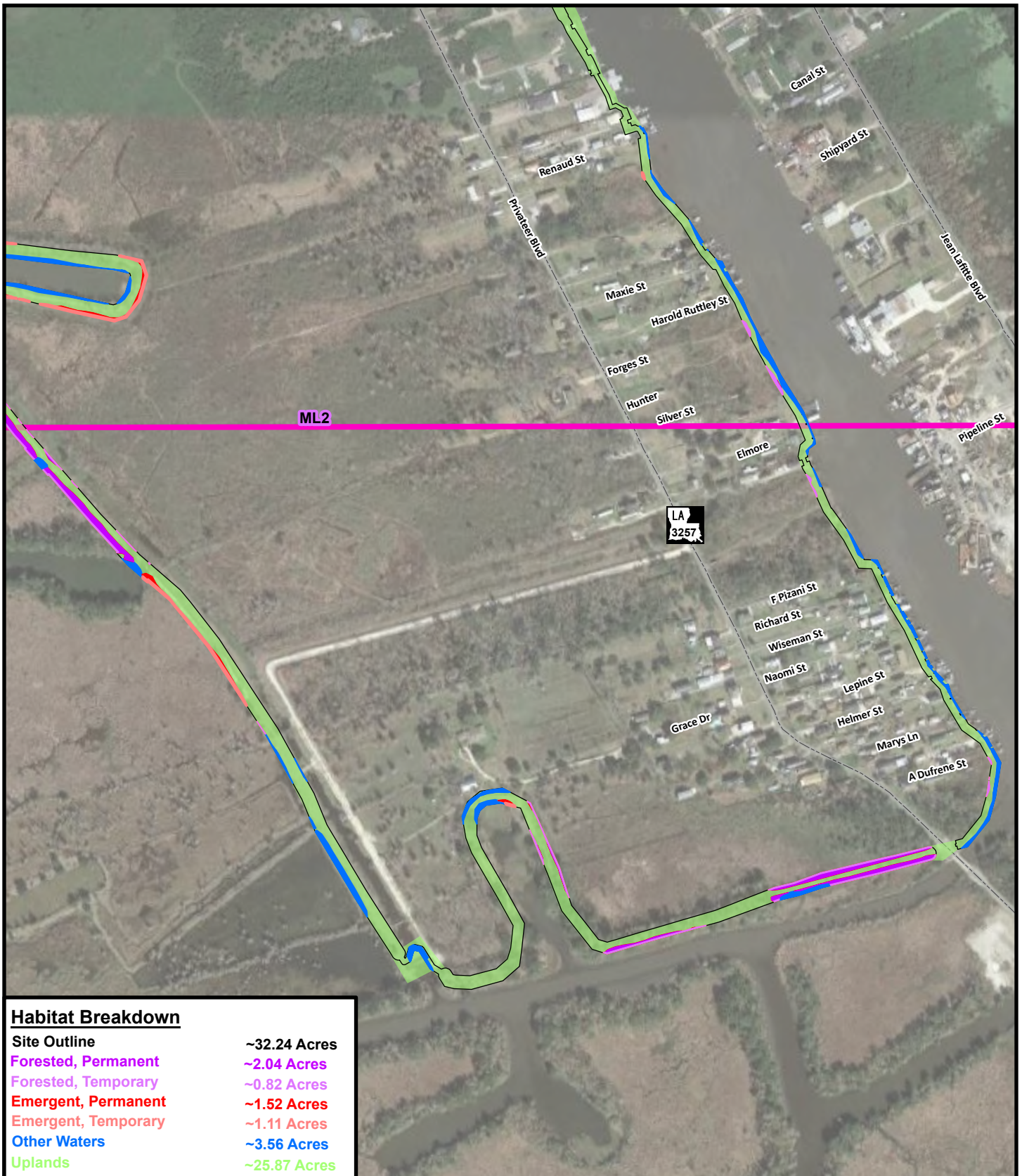
Figure 5.2: Habitat Breakdown

**Pallet Basin**

**Legend:**

Site Outline	Emergent, Temp	Forested, Temp	Uplands
Emergent, Perm	Forested, Perm	Other Waters	Match Line

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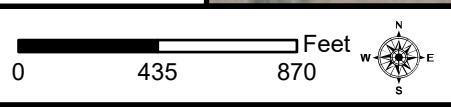


Figure 5.3: Habitat Breakdown

**Pallet Basin**

**Legend:**

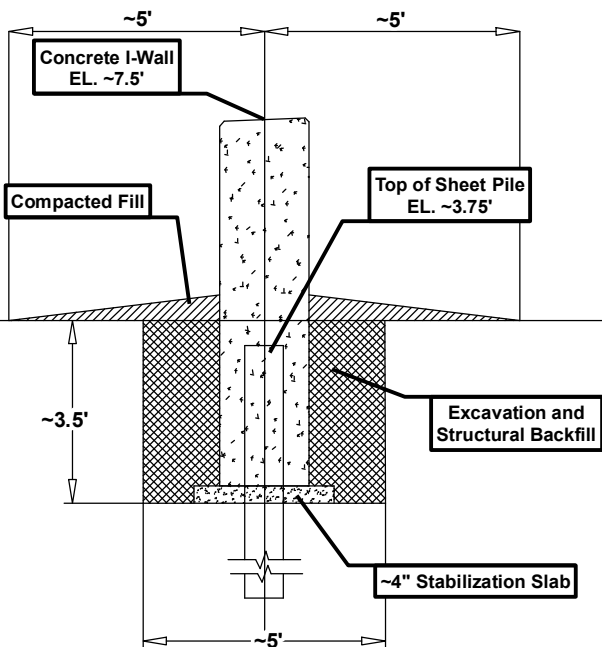
Site Outline	Emergent, Temp	Forested, Temp	Uplands
Emergent, Perm	Forested, Perm	Other Waters	Match Line

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# Typical I-Wall

Temporary Work Area  
~0-15'

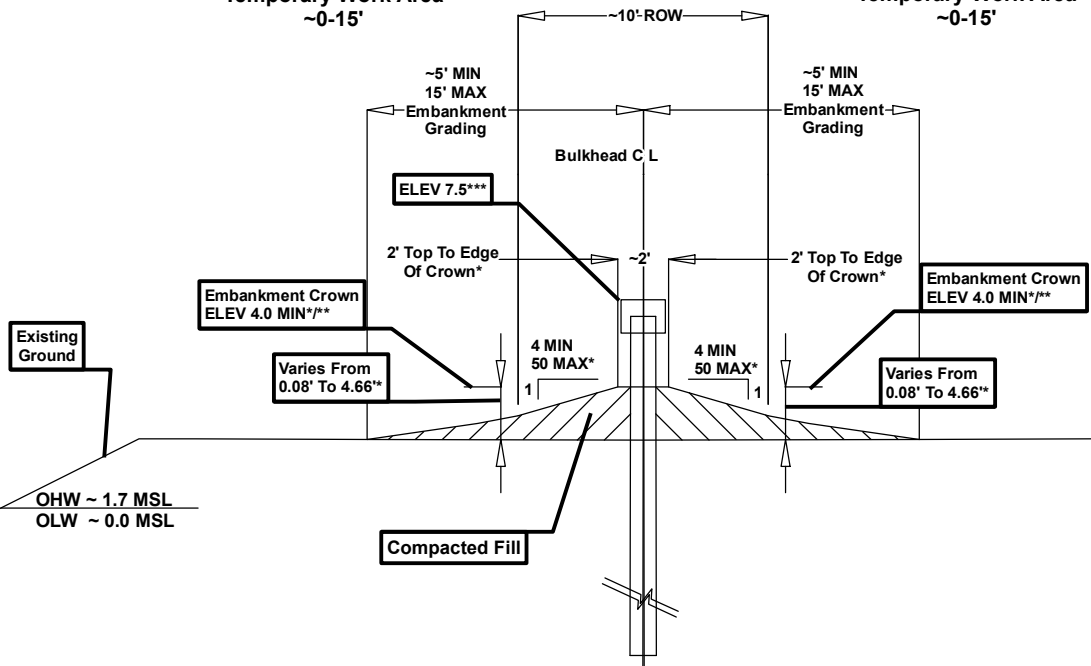
Temporary Work Area  
~0-15'



# Typical Bulkhead

Temporary Work Area  
~0-15'

Temporary Work Area  
~0-15'



Scale = Not to Scale

Elevations Represented in NAVD88

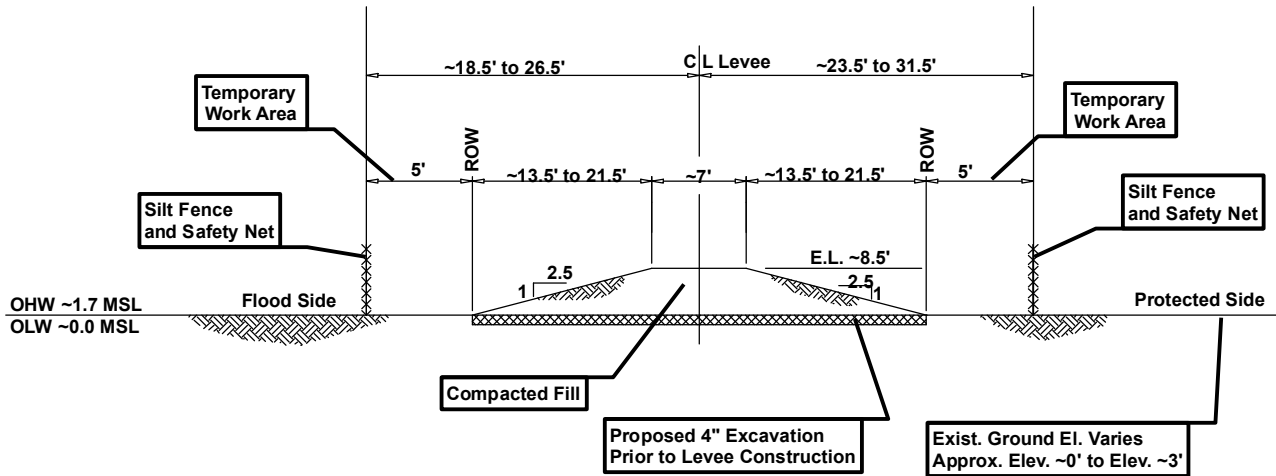
Figure 6: Typical Section

Pallet Basin

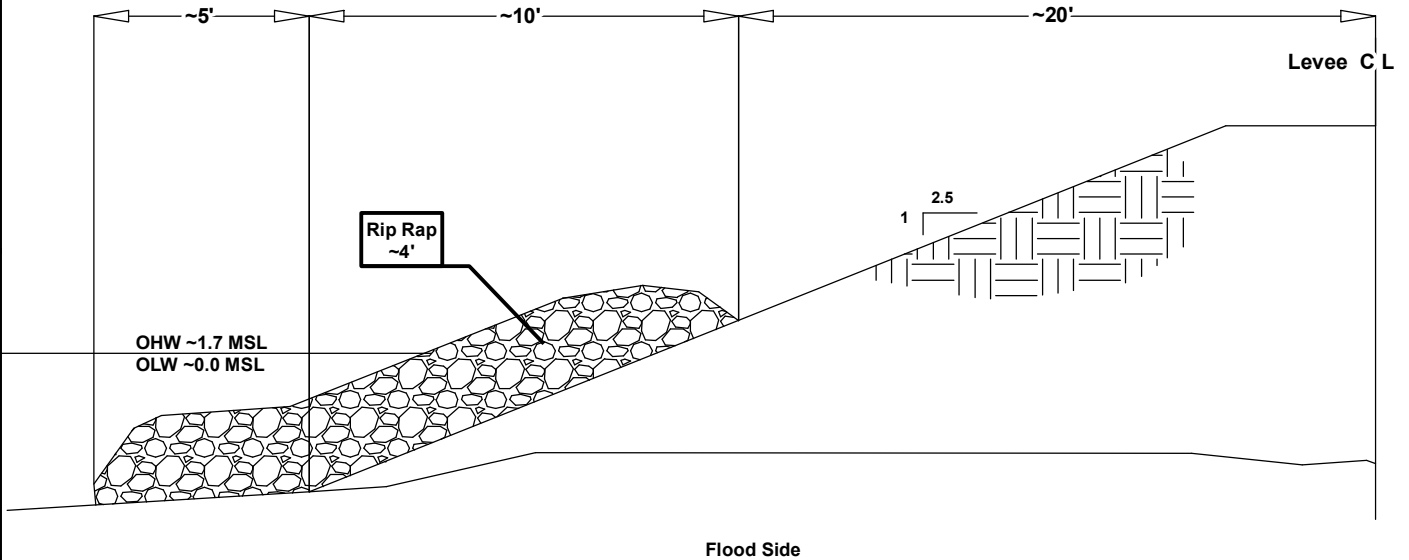
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## Typical Earthen Levee



## Typical Earthen Levee with Rip Rap



**Scale = Not to Scale**

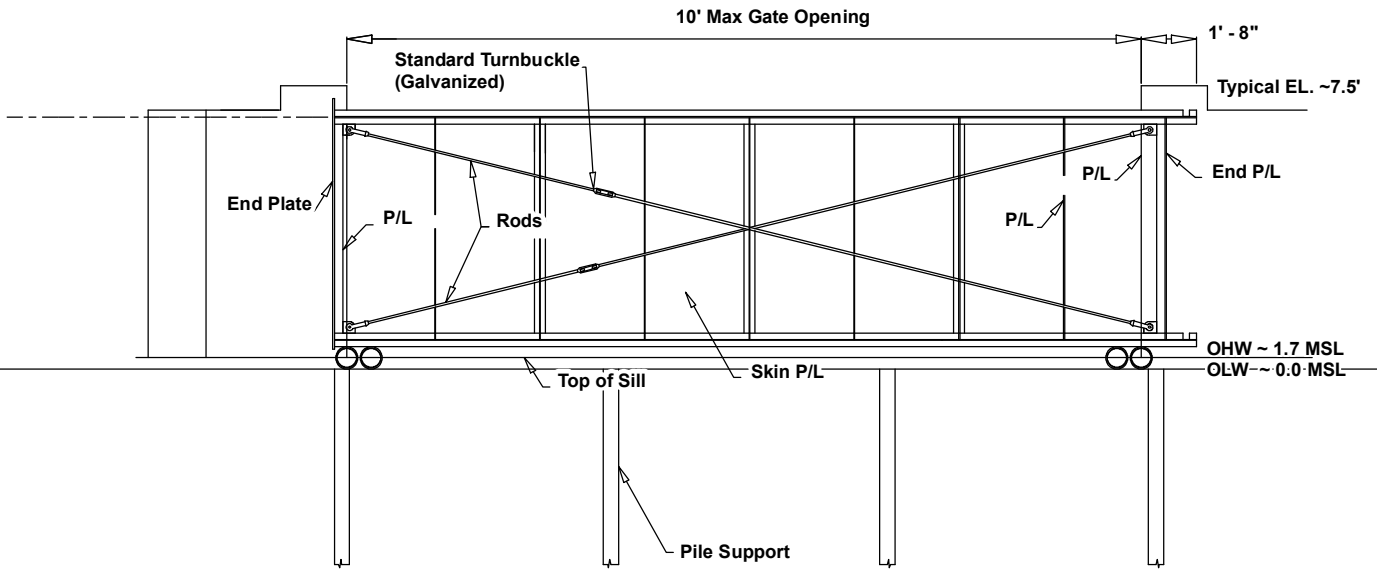
Figure 7: Typical Section

**Paillet Basin**

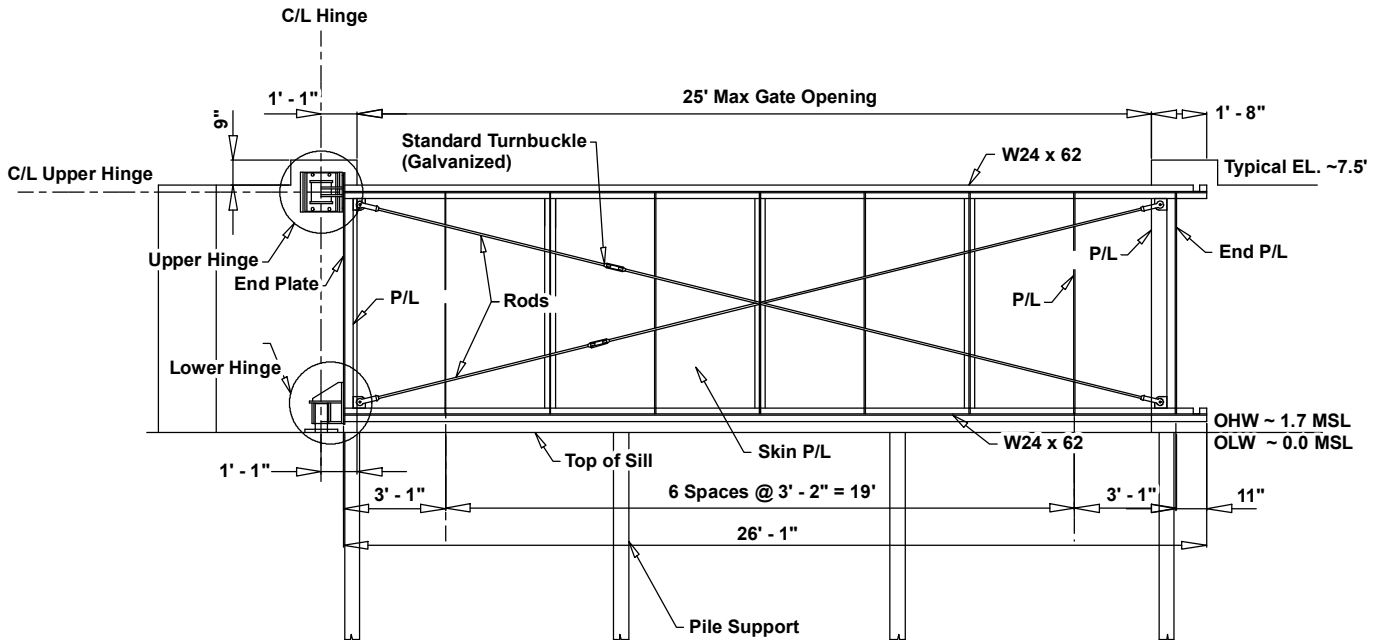
**Elevations Represented in NAVD88**

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## Typical Roller Gate



## Typical Swing Gate



**Scale = Not to Scale**

Figure 8: Typical Section

**Pallet Basin**

Elevations Represented in NAVD88


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## Operation Plan

**Based on storm and wind probability by the National Weather Service, Lafitte Area Independent Levee District begins gate closure approximately 72 hours before landfall of any tropical development.**

**The Swing and Roller Gates within the Paillet Levee will be closed once Bayou Baratavia reaches an elevation of ~3.00':**

**At the Highway 302 bridge and the south closure of the levee system, sandbags will be utilized once Bayou Baratavia reaches an elevation of ~3.00'.**

 <a href="http://elosenv.com/">http://elosenv.com/</a>	<b>Scale = Not to Scale</b>	<b>Elevations Represented in NAVD88</b>
	Figure 9: Typical Section	
	<b>Paillet Basin</b>	This figure was prepared utilizing public and proprietary data. It should not be used to establish any legal boundaries or specific locations. ELOS Environmental, L.L.C., is not responsible for any usage of this figure contrary to its original, intended purpose.