

DEPARTMENT OF THE ARMY

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

May 1, 2023

Regulatory Division
Western Evaluation Branch

Project Manager: Sara Fortuna (504) 862-2284 sara.b.fortuna@usace.army.mil

Application #: MVN-2021-01168 WKK

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).

COMMERICAL DEVELOPMENT EXPANSION AND DETENTION PONDS IN CALCASIEU PARISH

NAME OF APPLICANT: Copart, c/o: D&S Environmental Services, Inc., Post Office Box 510, French Settlement, Louisiana 70733.

LOCATION OF WORK: Located in Calcasieu Parish, located near the intersection of Fabacher Road and Highway 90, in the community of Vinton, Louisiana, (Latitude North: 30.225503°N, Longitude West: -93.504706°W), as shown within the enclosed drawings. (Hydrologic Unit Code 08080206, Calcasieu Basin)

CHARACTER OF WORK:

Excavation Operations: Work consists of excavating approximately 53,183 cubic yards of earthen fill material to construct a 35-foot wide by 1,683-foot long northwest ditch, a 35-foot wide by 1,778-foot long southwest ditch, a 35-foot wide by 1,635-foot long northeast ditch, a 35-foot wide by 1,624-foot long southeast ditch, a 250-foot wide by 400-foot long northwest detention pond, a 300-foot wide by 400-foot long southwest detention pond, a 225-foot wide by 400-foot long northeast detention pond, and a 150-foot wide by 400-foot long detention pond. Approximately 1.71 acres of jurisdictional

wetlands would be permanently impacted via excavation operations.

Filling Operations: Work consists of placing approximately 21,273 cubic yards of cement stabilized soil and 21 cubic yards of rip rap to construct a 900-foot wide by 1,750-foot long storage facility on the western side of the detention ponds, a 675-foot wide by 1,650-foot long storage facility on the eastern side of the detention ponds, a 35-foot wide by 600-foot long access road to connect the storage facilities, a 35-foot wide by 110-foot long pond outfall channel, a 3-foot wide by 6-foot long northeast ditch rectangular box culvert, two 4-foot wide by 4-foot long pond equalizer culverts, a 3-foot wide by 6-foot long southwest ditch rectangular box culvert, and a 3-foot wide by 6-foot long southeast ditch rectangular box culvert. Approximately 13.24 acres of jurisdictional wetlands would be permanently impacted and 0.01 of ac acre of non-wetland waters would be temporarily impacted via filling operations.

Overall, a total of 14.95 acres of jurisdictional wetlands would be permanently impacted via project implementation. The purpose of the project is to expand the commercial facility. If a Department of the Army permit can be issued, the applicant has proposed to mitigate unavoidable wetlands impacts at an approved and acceptable mitigation bank within the N.O. District.

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, Sara Fortuna. 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.

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.

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 **N/A 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.

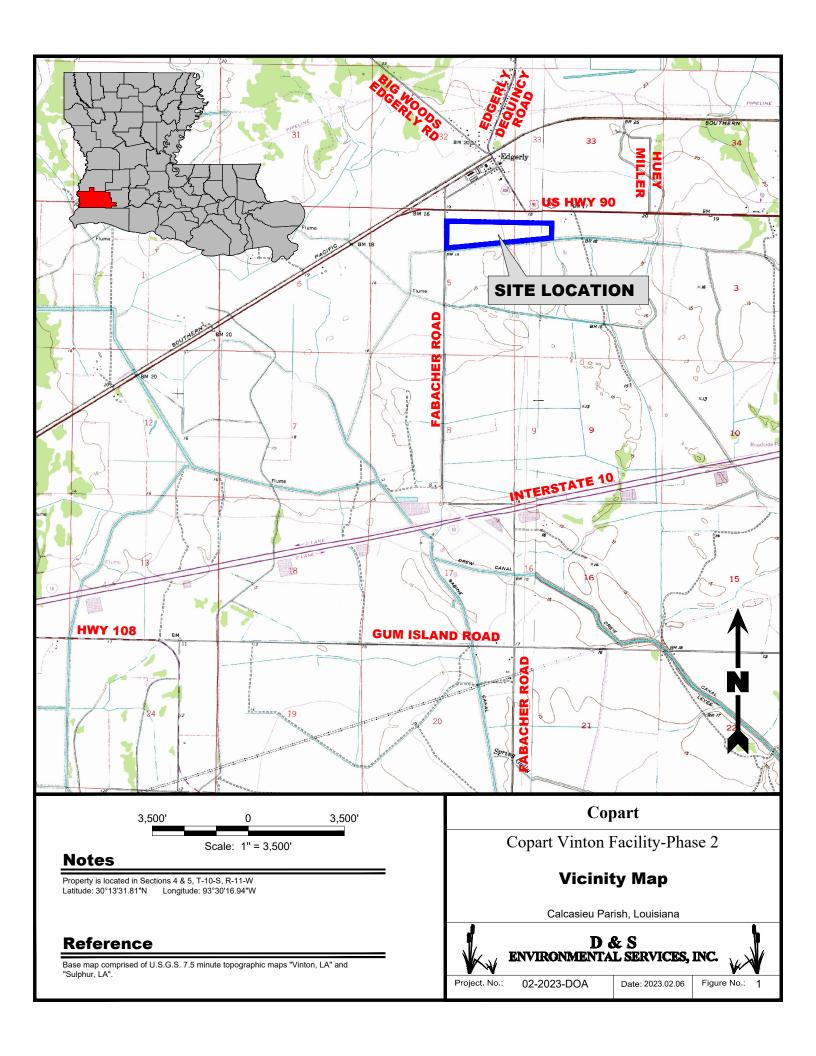
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not 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.

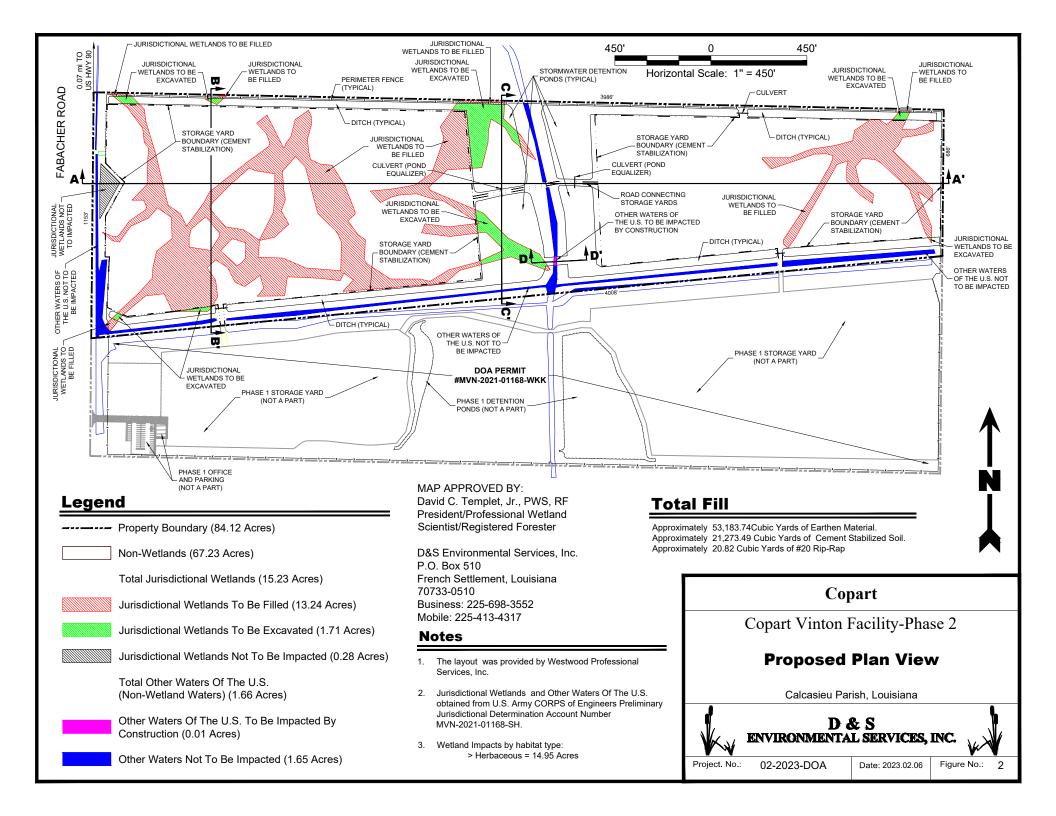
Any person may request within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing, and can be <u>preferably</u> emailed to the USACE project manager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

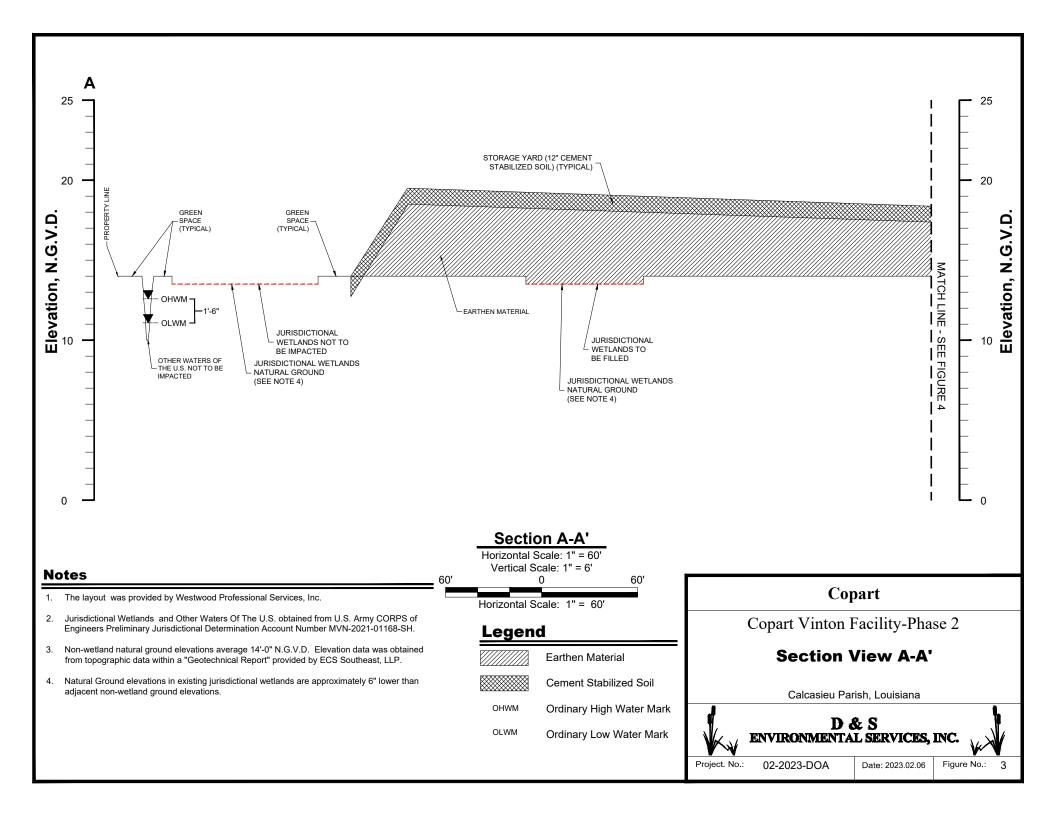
You are invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

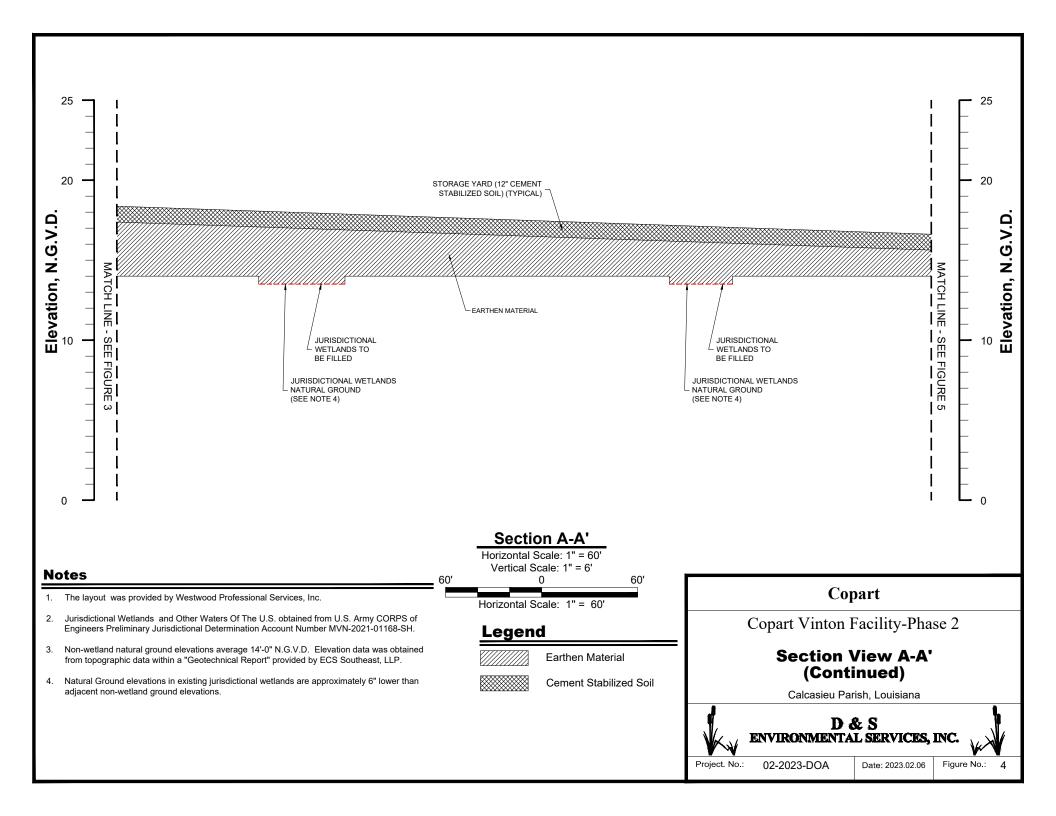
Darrell S. Barbara Chief, Western Evaluation Branch Regulatory Division

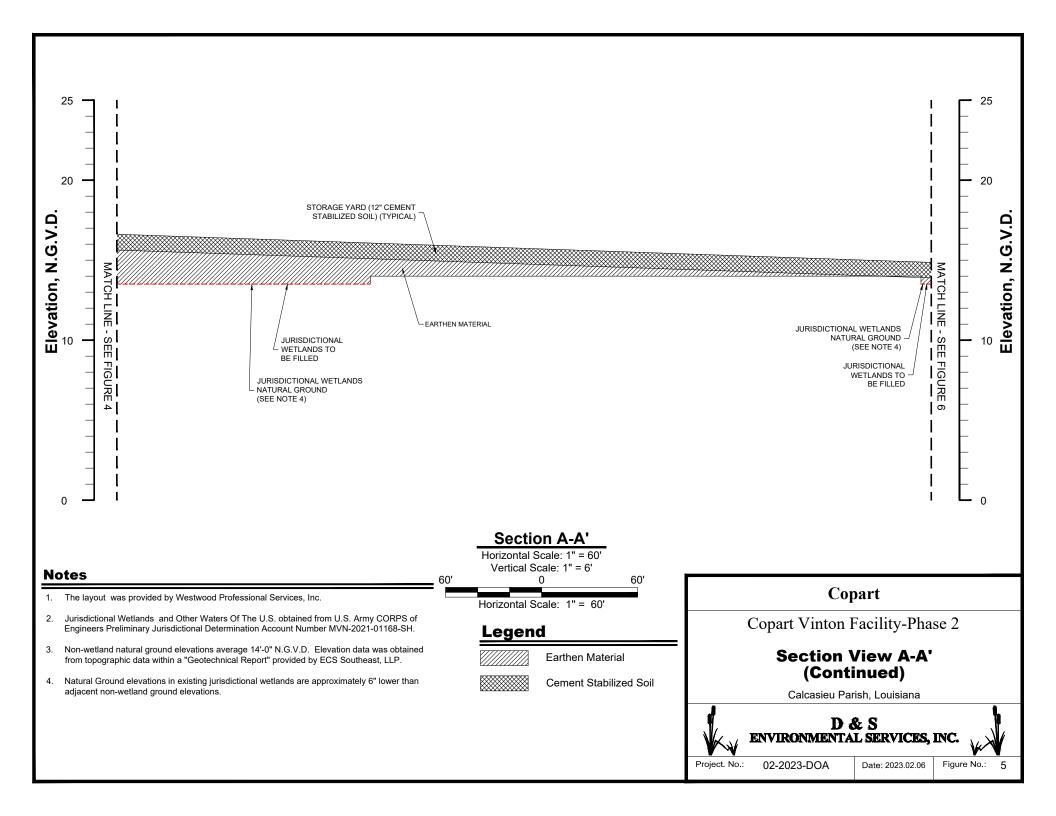
Enclosures

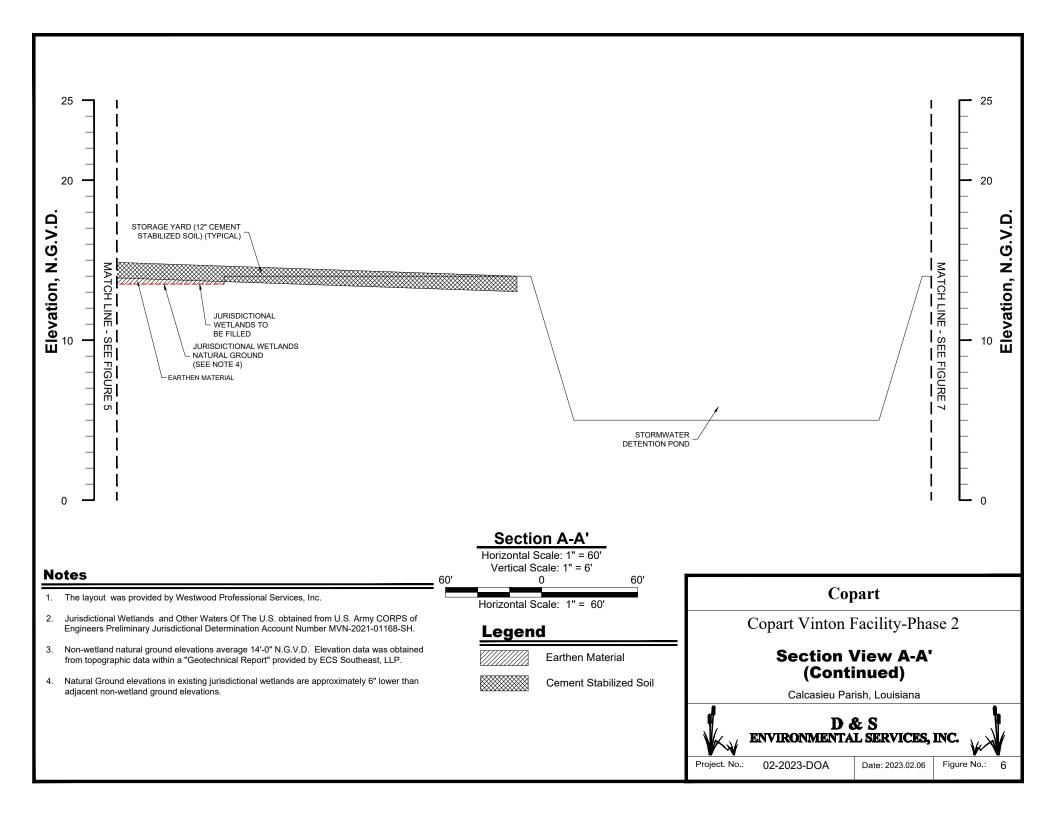


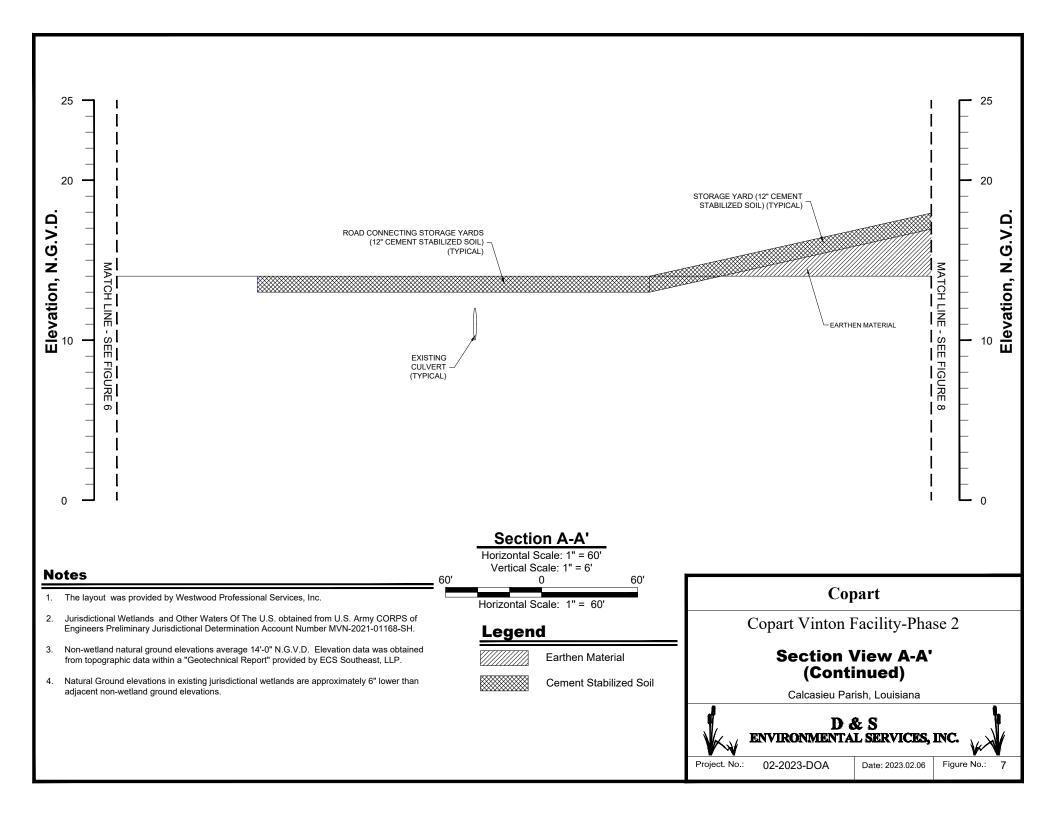


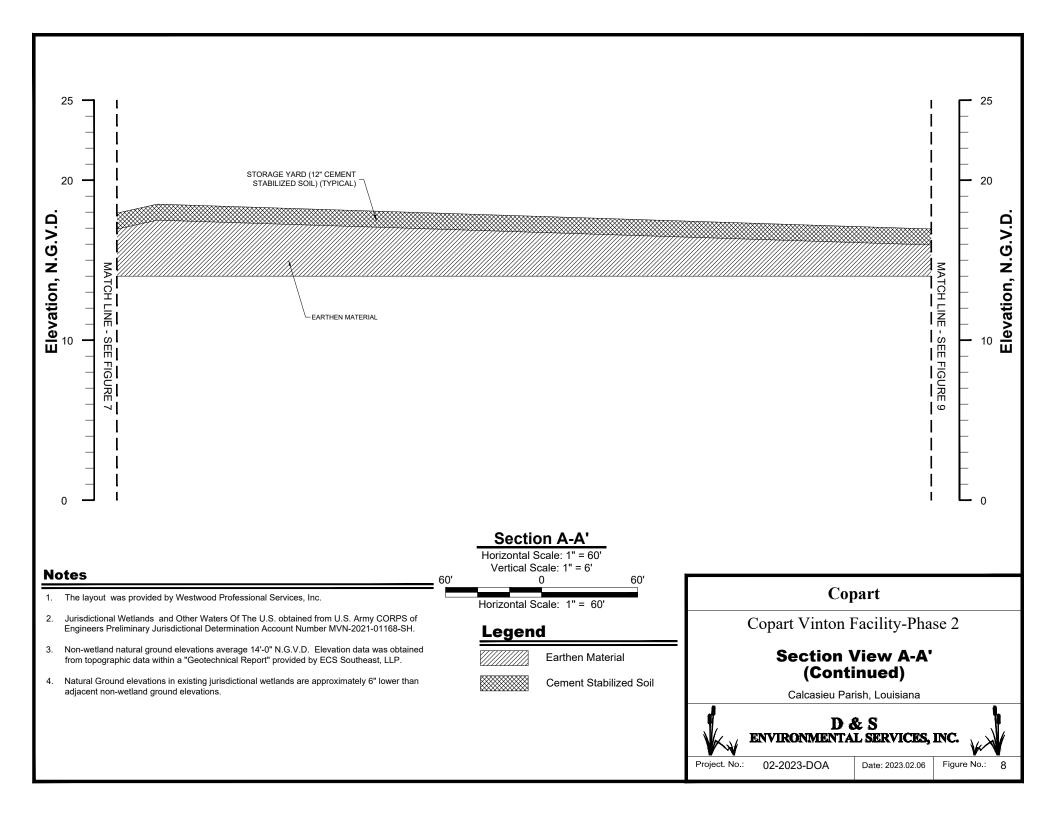


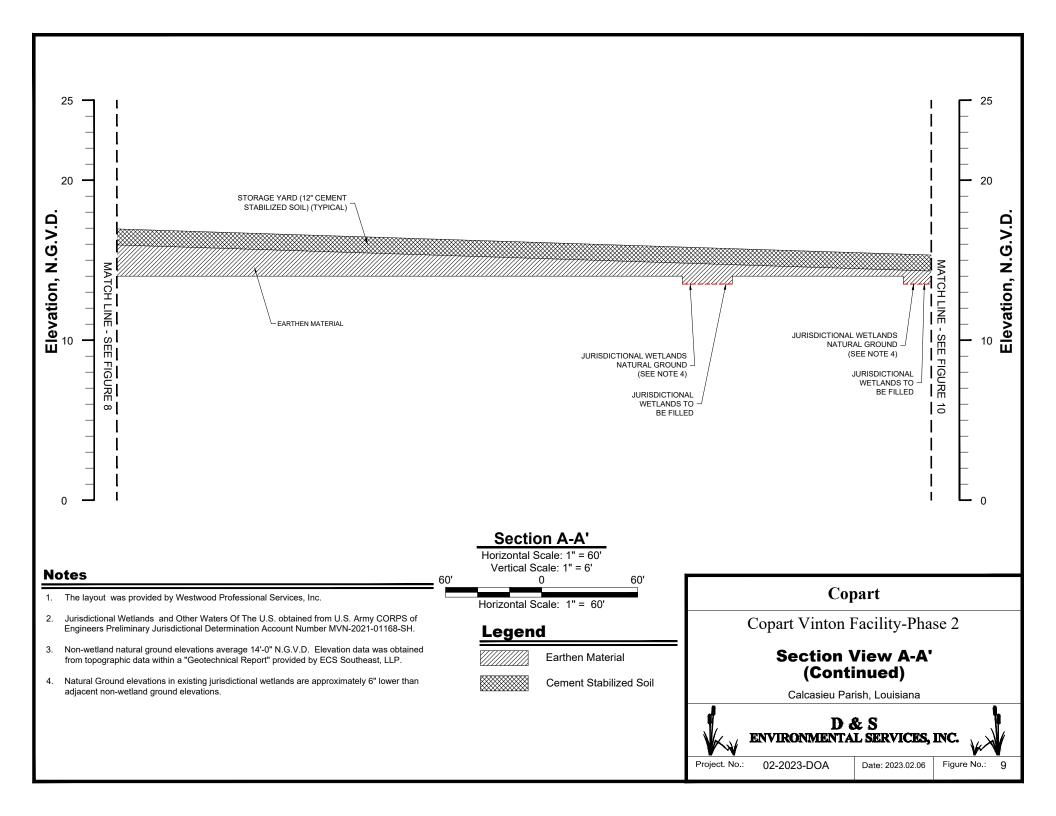


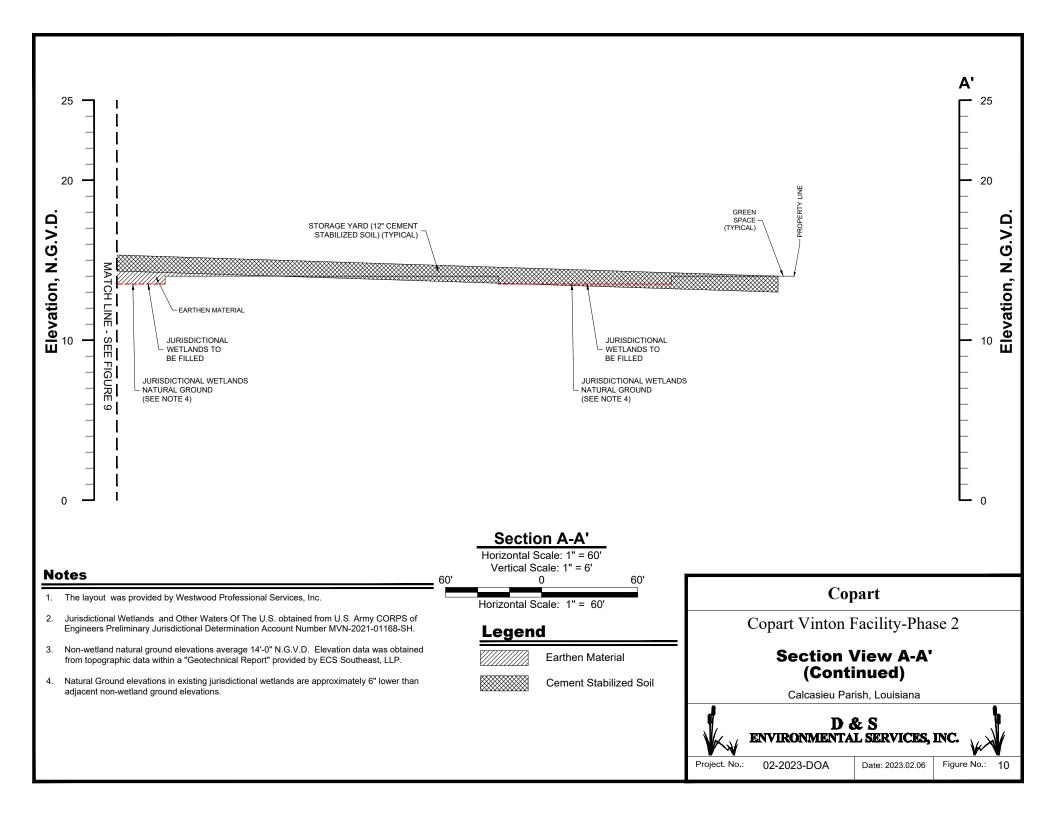


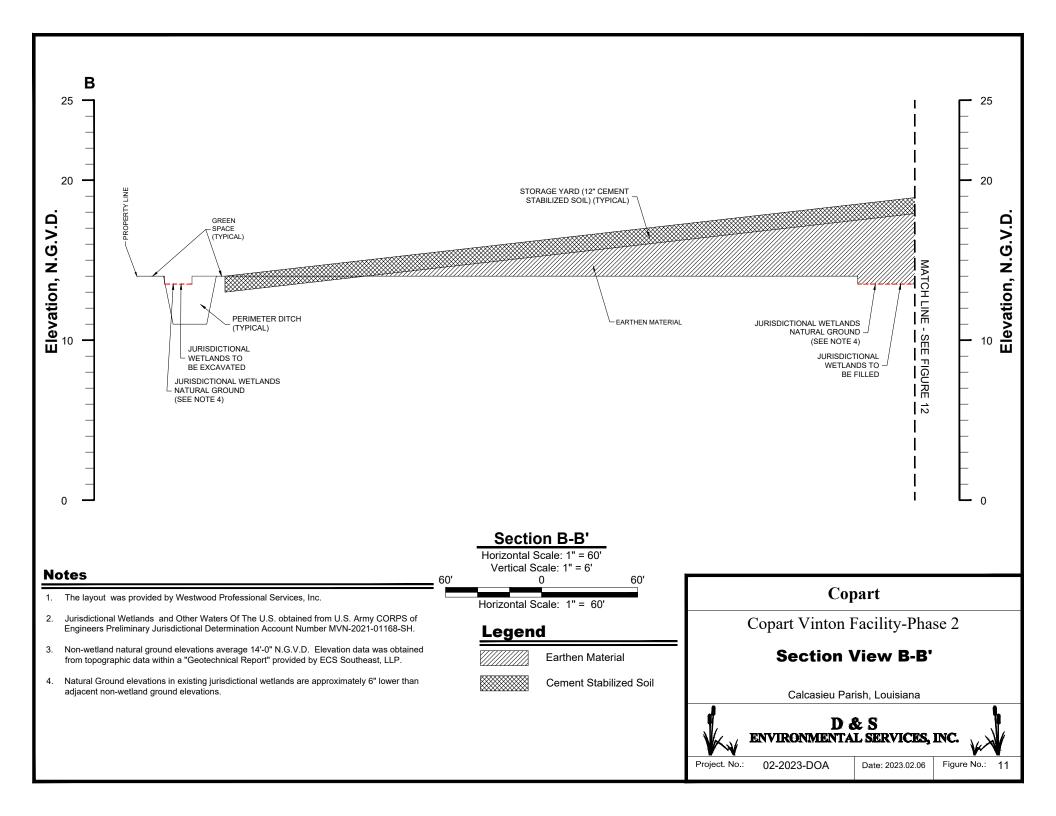


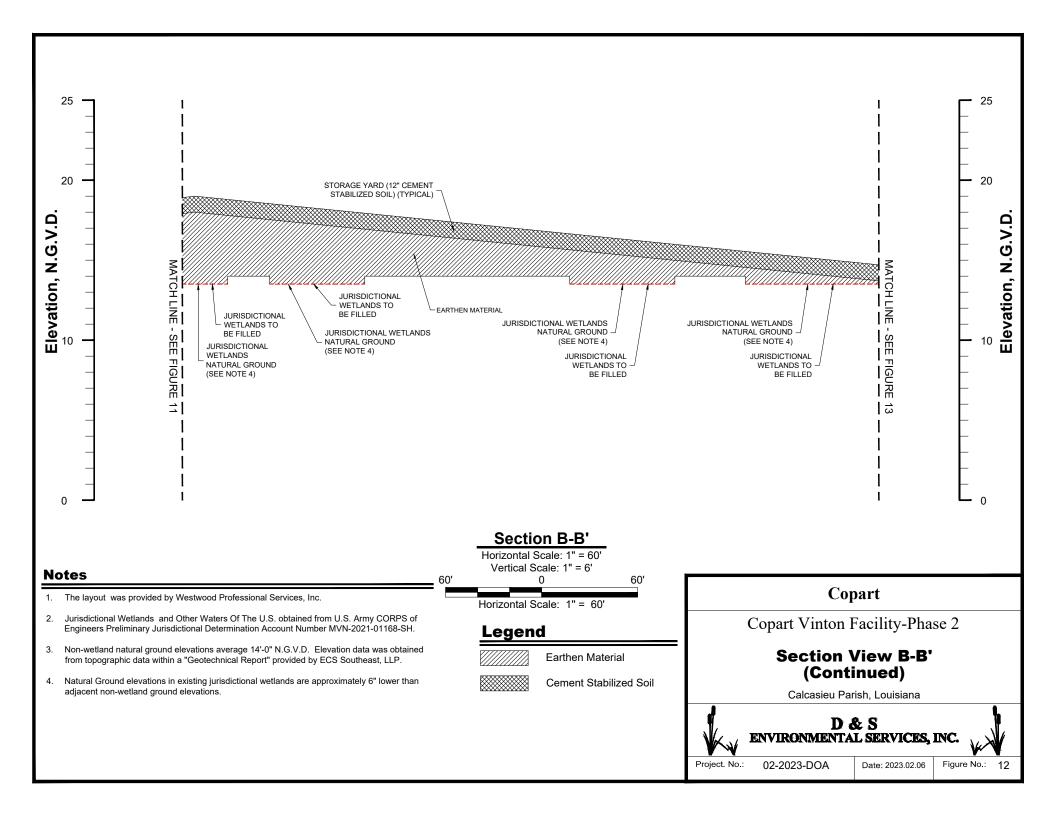


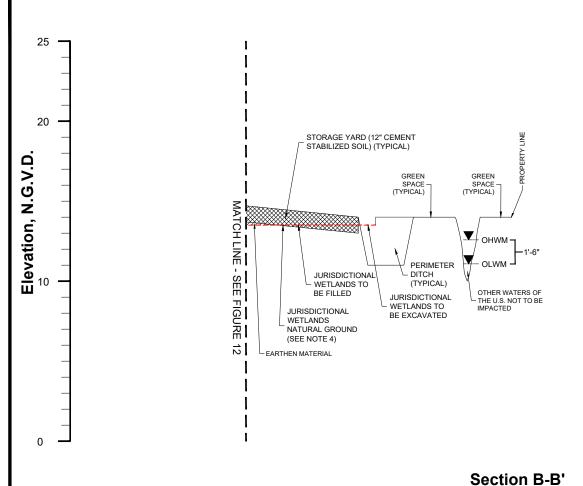














1. The layout was provided by Westwood Professional Services, Inc.

Notes

Jurisdictional Wetlands and Other Waters Of The U.S. obtained from U.S. Army CORPS of Engineers Preliminary Jurisdictional Determination Account Number MVN-2021-01168-SH.

- Non-wetland natural ground elevations average 14'-0" N.G.V.D. Elevation data was obtained from topographic data within a "Geotechnical Report" provided by ECS Southeast, LLP.
- 4. Natural Ground elevations in existing jurisdictional wetlands are approximately 6" lower than adjacent non-wetland ground elevations.

Horizontal Scale: 1" = 60' Vertical Scale: 1" = 6' Horizontal Scale: 1" = 60'

Legend

Earthen Material Cement Stabilized Soil OHWM Ordinary High Water Mark OLWM Ordinary Low Water Mark

Copart

Copart Vinton Facility-Phase 2

Section View B-B' (Continued)

Calcasieu Parish, Louisiana



D & S ENVIRONMENTAL SERVICES, INC



02-2023-DOA

Date: 2023.02.06

Figure No.:

