



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

December 19, 2022

Regulatory Division
Eastern Evaluation Branch

Project Manager:
Jennifer Burkett
(504) 862-2045
jennifer.e.burkett@usace.army.mil

Application #: MVN-2022-01238-EBB

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).

SAND DREDGING OPERATION ON THE MISSISSIPPI RIVER IN PLAQUEMINES PARISH

NAME OF APPLICANT: Alliance River Properties, LLC, Attention: Mark Pivach, 8311 Louisiana Highway 23, Suite 104, Belle Chasse, Louisiana 70037.

LOCATION OF WORK: Located on the right descending bank of the Mississippi River, approximately 60 miles above Head of Passes, in Myrtle Grove, Plaquemines Parish, Louisiana, (lat. 29.645311, long. -89.959736), as shown on the attached drawings. (Hydrologic Unit Code: 08090301; East – Central Louisiana Coastal)

CHARACTER OF WORK: The proposed project is to hydraulically dredge 250,000 cubic yards of sand from twenty-eight acres of the Mississippi River deposit it in a previous sand pit. The 3600-foot sixteen-inch dredge pipe will cross the levee and discharge into a twenty-eight-acre site surrounded by existing containment dikes. The purpose of the project is to meet the need for sand material closer to ongoing and future industrial projects in the area. The project as proposed will require fill for the levee crossing as well as clearing of 0.46 acres of forested batture wetlands for the pipe.

MITIGATION: The applicant proposes to minimize impacts to wetlands to the maximum extent practicable. 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 **30 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, Jennifer Burkett**. 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.

The New Orleans District has determined that the work is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*) and concluded the activity is not likely to adversely affect this 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. If the project is authorized, cutterhead/suction dredge operational parameters will be included as permit conditions.

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 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 P20220645). 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

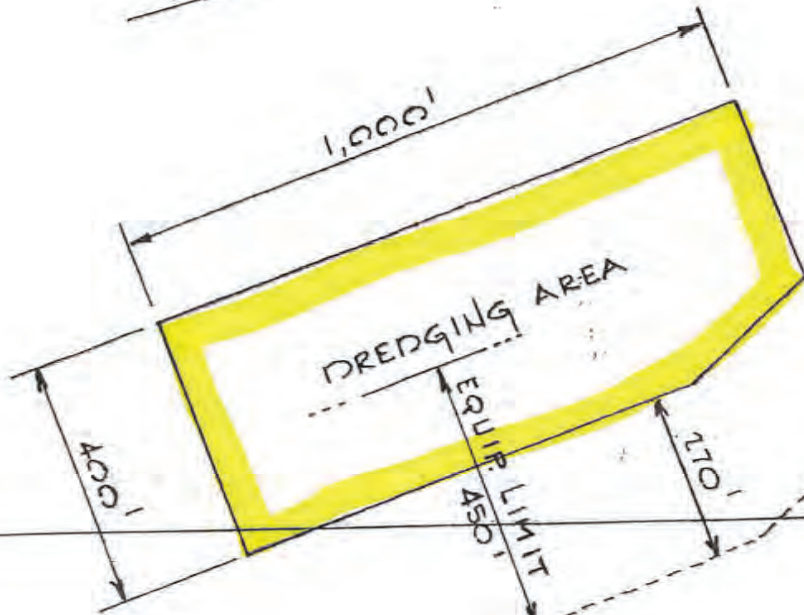
Enclosures

M.P.
60.4

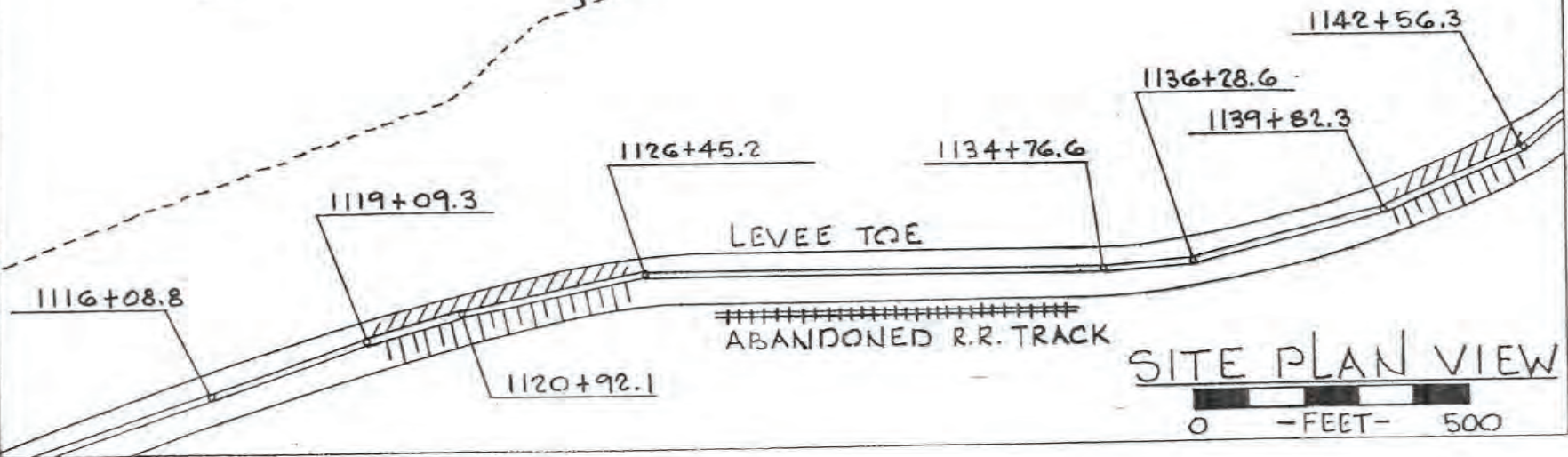
MISS. RIVER FLOW

RENEWAL OF SAND
DREDGING/STOCK PILE
FOR
ALLIANCE RIVER PROPERTIES, LLC
8311 HWY 23
BELLE CHASSE, LA 70037

3/10

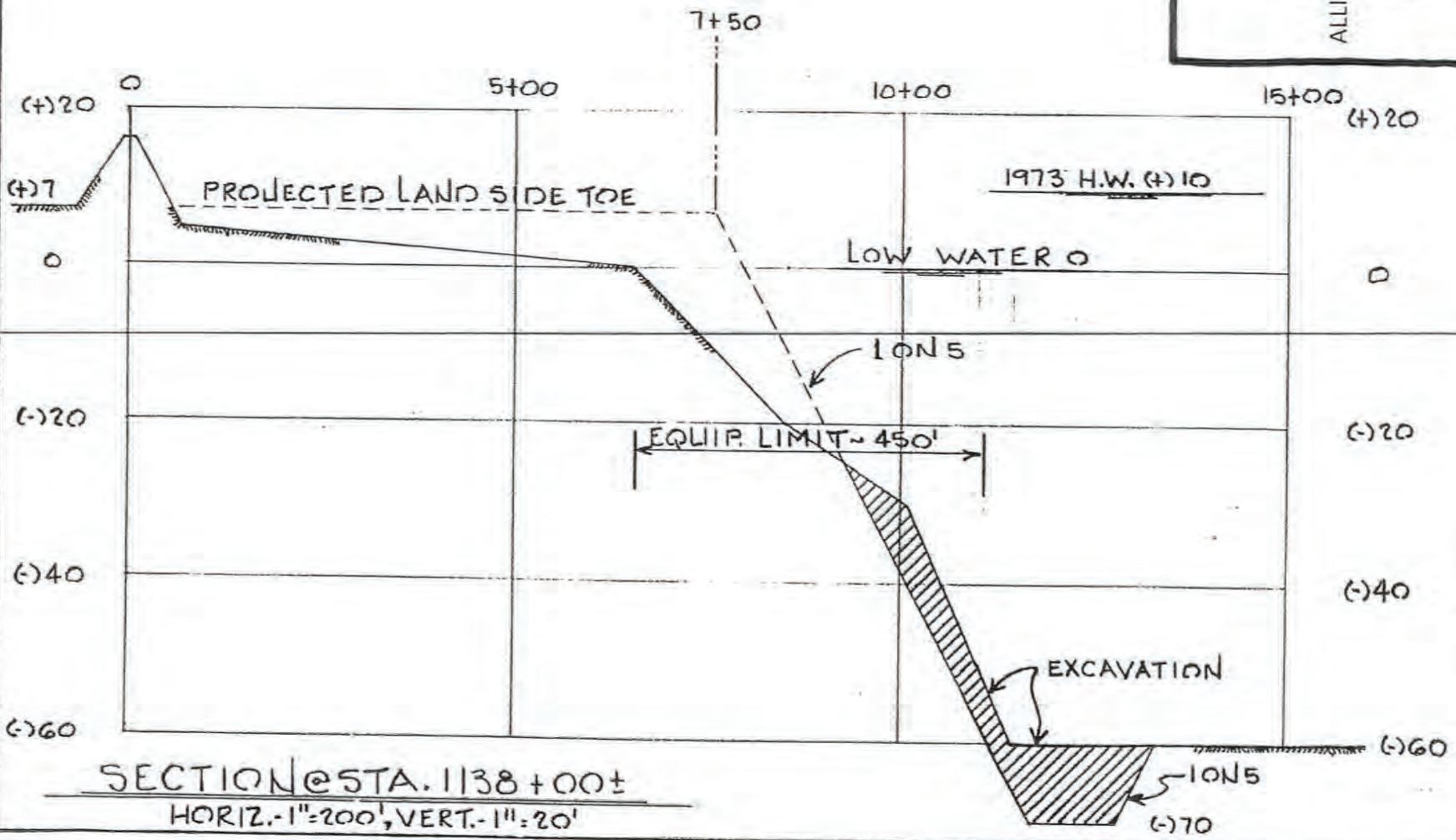


L.W.R.P. 0.01



RENEWAL OF SAND
 DREDGING/STOCK PILE
 FOR
 ALLIANCE RIVER PROPERTIES, LLC
 8311 HWY 23
 BELLE CHASSE, LA 70037

4/10





MISSISSIPPI RIVER Flow



Proposed BORROW

DEDEF. PIPE

Proposed SAND PIT

6/10



Monsecour

Highway 39

Saint Rosalie

Highway 23

Highway 22



Acres

Measurement Result

28.6 Acres

Clear Close

DREDGE PIPE

N

PROPOSED SAND PIT
28 ACRES

River Flow

SCALE
1" = 400'

750'

1650'

1650'

9-16S-29E

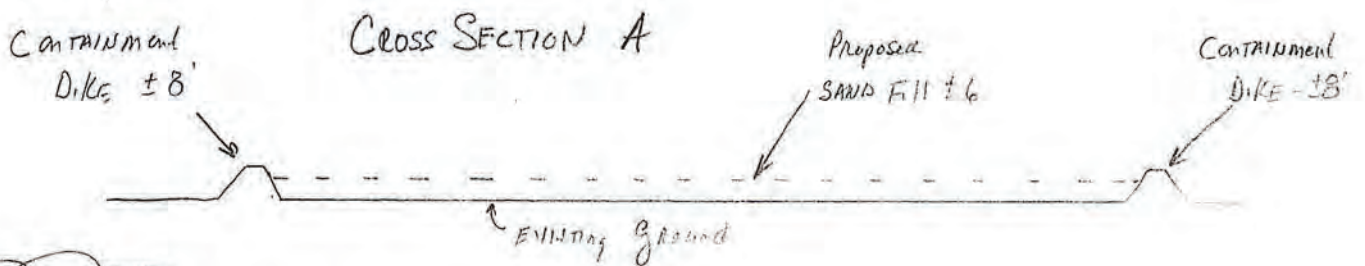
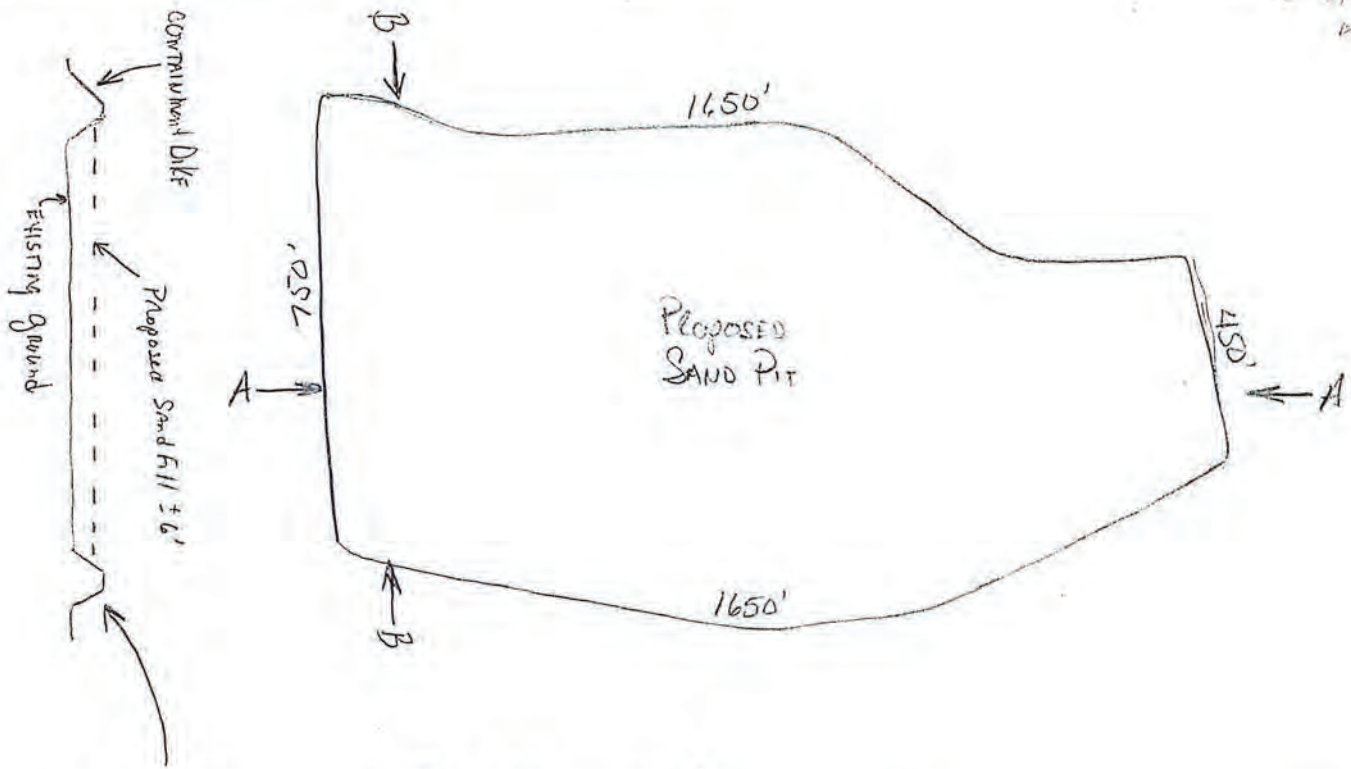
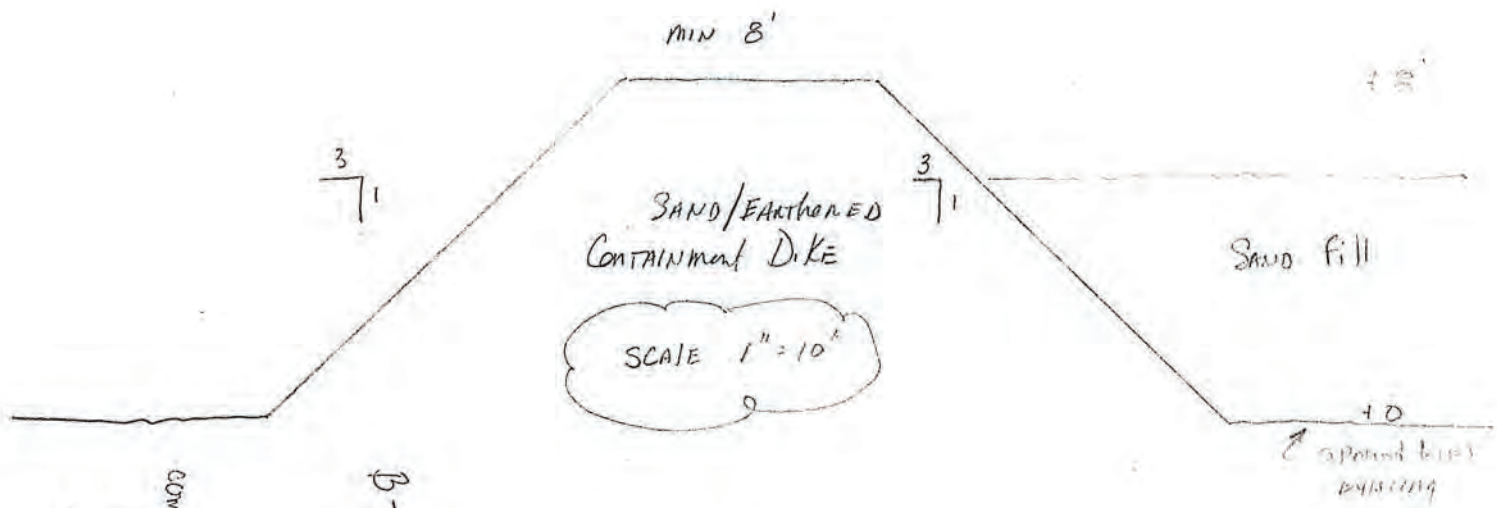
7-05E

10-16S-29E

7/10

38
151
133 139
23 130 134
116 141
149 127 135
109

CROSS SECTIONS



SCALE 1" = 350'

← ± 1650' →