



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

January 29, 2024

Regulatory Division
 Western Evaluation Branch

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

Application #: MVN-2022-00738-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 [**X**] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

BOAT SLIP, RIP RAP, BULKHEAD, AND FACILITY PAD IN TERREBONNE PARISH

NAME OF APPLICANT: Eagle Drydock and Marine Services, c/o: Duplantis Design Group, PC, 314 East Bayou Road, Thibodaux, Louisiana 70301.

LOCATION OF WORK: Located in Terrebonne Parish, located along the Gulf Intracoastal Waterway, off East Park Avenue, in the community of Houma, Louisiana, (Latitude North: 29.588250°N, Longitude West: -90.641317°W), as shown within the enclosed drawings. (Hydrologic Unit Code 08090302, Terrebonne Basin).

CHARACTER OF WORK: Conduct excavation operations within a 150-foot wide by 580-foot long area for a boat slip, install a 1-foot wide by 2,219-foot long bulkhead with additional 12-foot wide area behind bulkhead for placement of approximately 16,111 cubic yards of excavated earthen fill material, place approximately 11,728 cubic yards of limestone within a 640-foot wide by 989-foot long area for a facility pad, and place approximately 373 cubic yards of rip within a 10-foot wide by 1,007-foot long area in front of the bulkhead along the Gulf Intracoastal Waterway. Approximately 0.27 of an acre of Section 10 waters would be temporarily impacted via excavation operations for the boat slip, approximately 1.72 acres of non-wetland would be permanently impacted via excavation operations for the boat slip, 14.54 acres of non-wetland would be

permanently impacted via filling operations for facility pad construction, approximately 0.66 of an acre of Section 10 waters would be permanently impacted via bulkhead and backfill, and approximately 0.23 of an acre of Section 10 waters would be permanently impacted via rip rap placement. No wetlands would be impacted during project implementation, and therefore, no compensatory mitigation would be required. The purpose of the project is to facilitate construction for the U.S. Army Corps of Engineers Vicksburg District "Red River Basin, Catahoula Parish, Louisiana Lock and Dam No. 1 (BOGGS) Tainter Gate Replacement" Project.

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.

This request will also be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-220, which provides policy and procedural guidance for processing requests to alter USACE civil works projects. The decision whether to grant

permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

1) Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs. If USACE determines that the usefulness of the authorized project would be impaired, the request will be denied.

2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

The Section 408 review will consider the potential impact to the usefulness of the Federal project and whether the proposed alteration would be injurious to the public interest. Policy and legal compliance will also be considered.

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.

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 is located in waters known to be utilized by the West Indian Manatee (*Trichechus manatus*) and determined that the activity is not likely to adversely affect this species. If the DA permit is approved, the permittee will be required to follow the IPaC mitigative conditions for the West Indian Manatee.

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 **1.16 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 preferably emailed to the USACE project manager listed above or mailed to the address listed above.

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 Department of Natural Resource's Coastal Resources Program (Application # P20230808). The Department of the Army permit will not be issued unless the applicant receives approval or a waiver of the Coastal Use Permit by the Louisiana 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.

Darrell S. Barbara
Chief, Western Evaluation Branch
Regulatory Division

Enclosures





Legend

- JPA 1 (already permitted)
- JPA 2



0 125 250 500 Feet

Shapefiles as shown in this exhibit were created by DDG.
Map data presented here is not a legal survey and is for reference only.

Existing Conditions

Eagle Dry Dock
~211.19-acres on E Park Ave
Terrebonne Parish, LA








DRAWN BY:	ZMM	2 Exhibit
CHECKED BY:	JG	
DATE:	10/2/2023	
FILE:	3_23-1612_Existing_Conditions	

Data Source: ESRI Basemaps



Legend

-  JPA 1 (already permitted)
-  Pad (14.54-acres)
-  Boat Slip (1.99-acres)
-  Bulkhead and Backfill (0.66-acres)
-  Rip Rap (0.23-acres)



0 125 250 500 Feet

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Map data presented here is not a legal survey and is for reference only.

Proposed Conditions

Eagle Dry Dock
~211.19-acres on E Park Ave
Terrebonne Parish, LA

DDG

DRAWN BY: ZMM

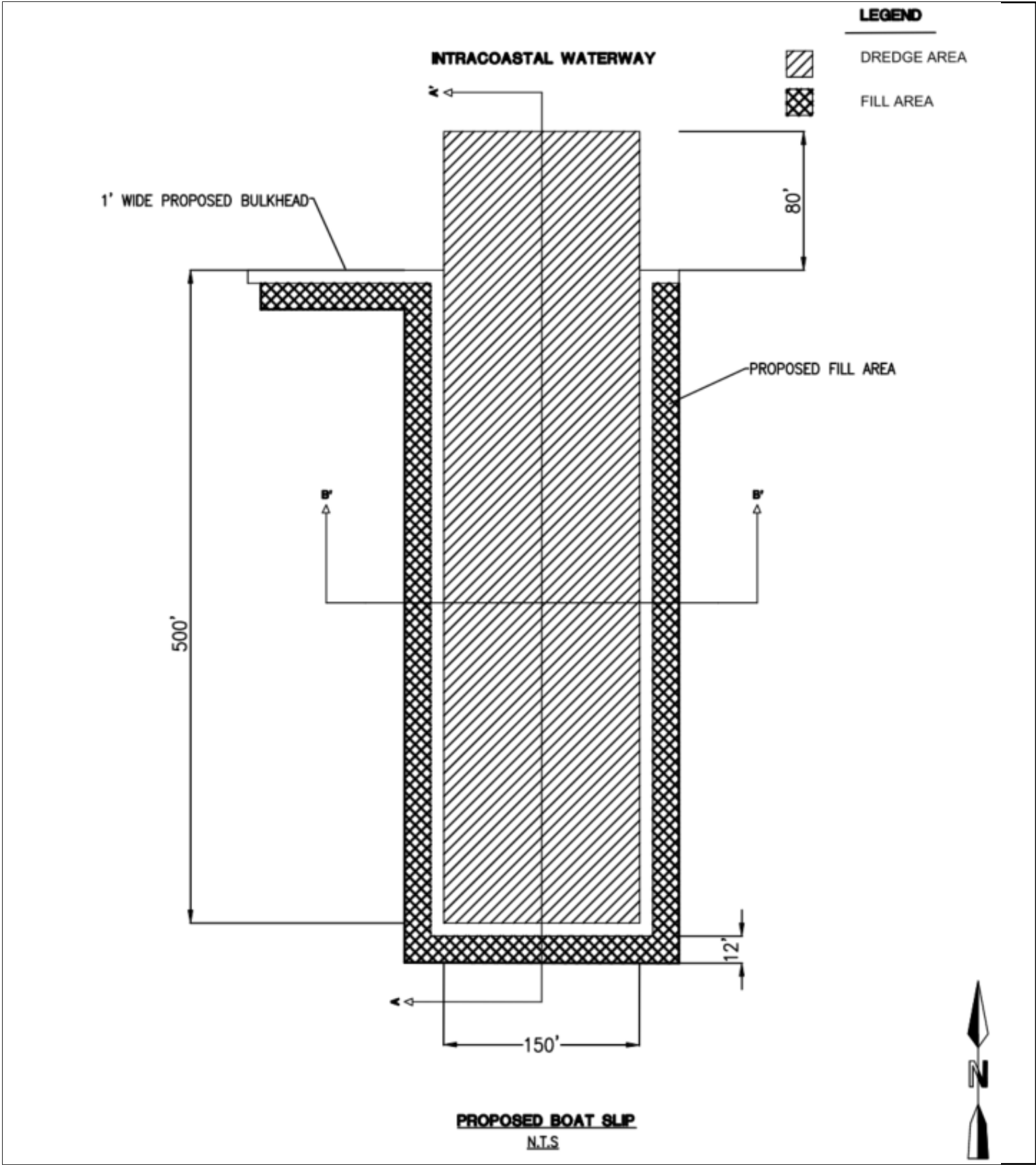
CHECKED BY: JG

DATE: 12/11/2023

FILE: 3_23-1612_Proposed_Conditions

3
Exhibit

Data Source: ESRI Basemaps



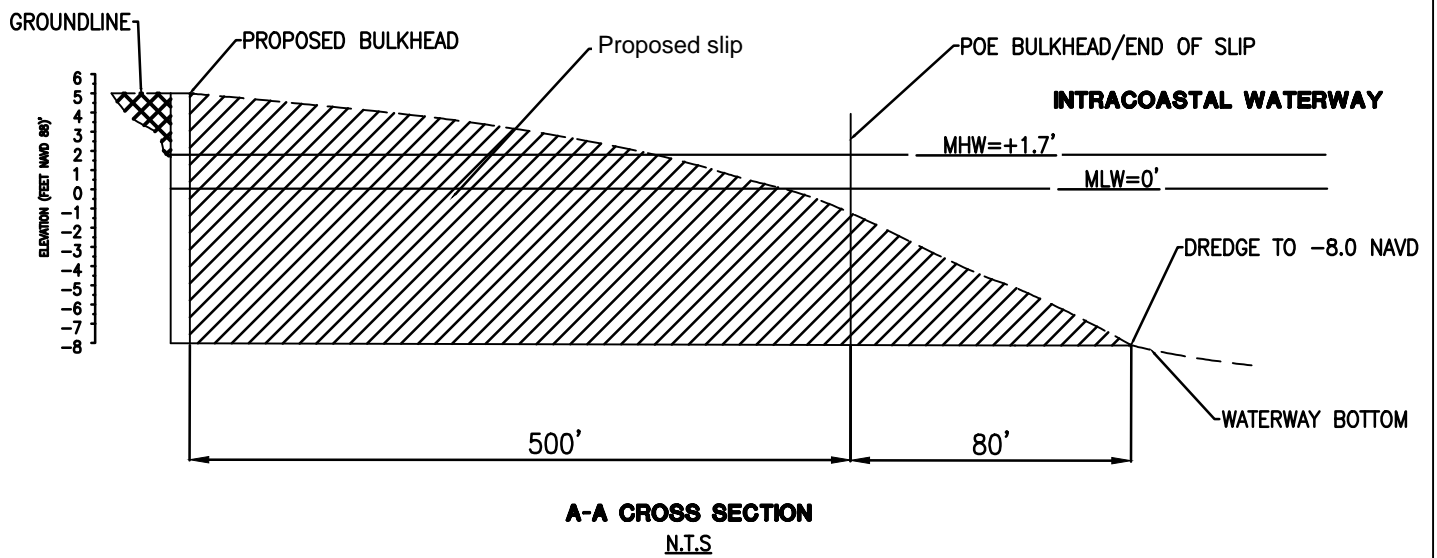
LEGEND



DREDGE AREA



FILL AREA



LEGEND

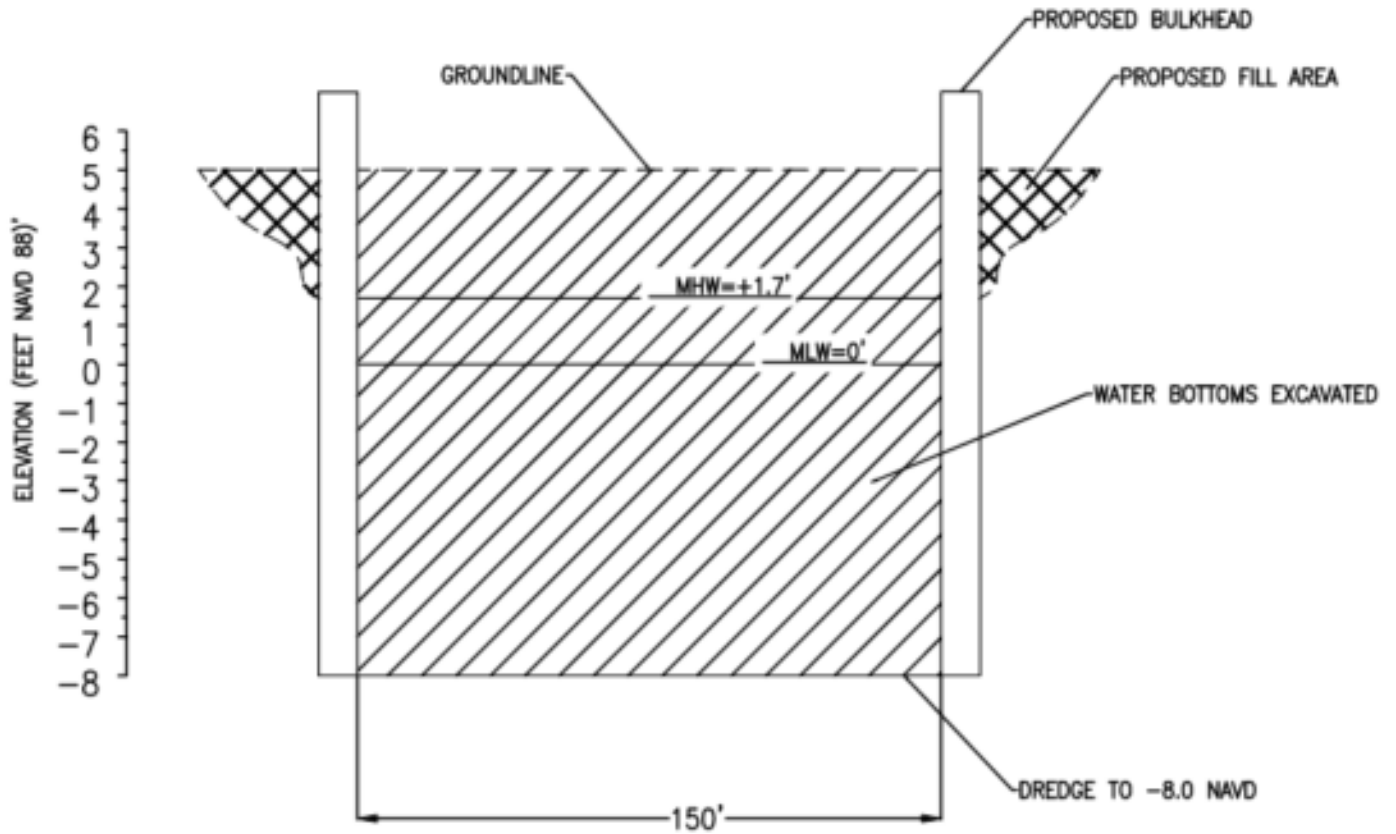


DREDGE AREA



FILL AREA

INTRACOASTAL WATERWAY



B-B CROSS SECTION

N.T.S



314 EAST BAYOU ROAD | THIBODAUX, LA
985.447.0090

PRELIMINARY
FOR PERMIT
PURPOSES ONLY

PROJECT NO. 23-1612

EAGLE DRY DOCK

10/2/2023

CHECKED
DRAWN BY

JG
KB

EXHIBIT

6

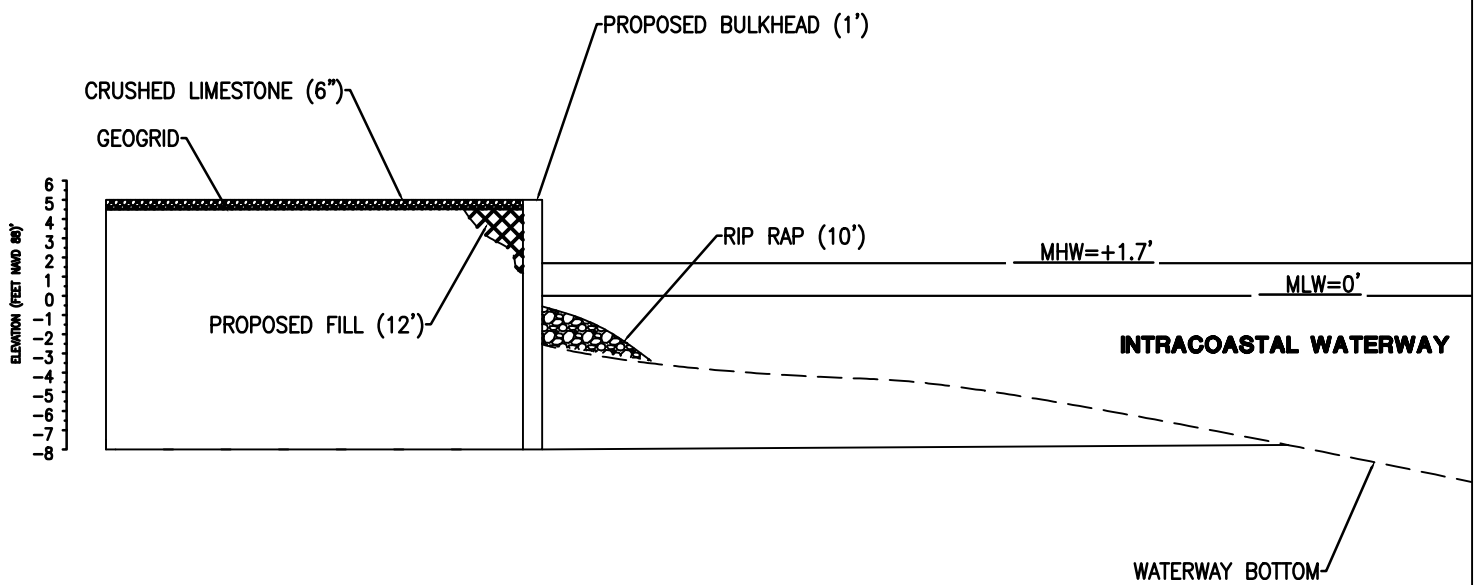
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DREDGE AREA



FILL AREA



C-C CROSS SECTION
N.T.S



NDSI Notes

- As-built drawings and/or plats shall have written on them the date of completion of said activities and shall be submitted to the Louisiana Department of Natural Resources, Office of Coastal Management, P. O. Box 44487, Baton Rouge, La 70804-4487 within 30 days following project completion.
- All structures built under the authorization and conditions of this permit shall be removed from the site within 120 days of abandonment of the facilities for the herein permitted use, or when these structures fall into a state of disrepair such that they can no longer function as intended. this condition does not preclude the necessity for revising the current permit or obtaining a separate coastal use permit, should one be required, for such removal activities.
- Structures must also be marked/lighted in accordance with U. S. Coast Guard regulations.
- In order to ensure the safety of all parties, the permittee shall contact the Louisiana One Call system (1-800-272-3020) a minimum of 48 hours prior to the commencement of any excavation (digging, dredging, jetting, etc.) or demolition activity.

Project Notes

- The applicant has been awarded the construction phase of the USACE's "RED RIVER BASIN, CATAHOULA PARISH, LOUISIANA LOCK AND DAMN NO.1 (BOGGS) TAINTER GATE REPLACEMENT." That project is under the direction and oversight of the United States Army Corps of Engineers Vicksburg District. The proposed activities contained in this permit application are synergistic to the success of the Corp's lock project. The proposed site development contained in this permit application is to facilitate the construction and delivery of the tainter gate for the lock project.
- All dead/downed trees shall be chipped and distributed on site within the proposed project area
- All logs, stumps and other debris encountered during dredging activities shall be removed from the site during or immediately after the activity and disposed of in accordance with all applicable laws and regulations
- Approximately 16,111 cy of native material will be dredged and placed on site.
- Approximately 372.96 cy of fill rip-rap(rock) material will be hauled in and placed on site.
- Approximately 11,728 of limestone fill will be hauled in and placed on site.
- Dimensions:
 - Pad (989' x 640')
 - Boat Slip (580' x 150')
 - Bulkhead + Backfill (2219' x 13')
 - Riprap (1007' x 10')