



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

February 12, 2024

Regulatory Division
Central Evaluation Branch

Project Manager
Kenny Blanke
(504) 862-1217
Kenneth.G.Blanke@usace.army.mil

Application #: MVN-2023-000250-CQ

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: [] 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).

PROPOSED DIRT PIT NEAR MATTHEWS IN LAFOURCHE PARISH

NAME OF APPLICANT: Delta Land Services, LLC, c/o: Delta Coast Consultants, LLC, attn.: Mr. Kenneth King, 4924 LA Highway 311, Houma, Louisiana 70360.

LOCATION OF WORK: Located on an approximate 41.64-acre site located east of LA Highway 308, in Section 12, Township 16 South, Range 19 East, near Matthews, Louisiana, in Lafourche Parish, within the Barataria Basin in hydrologic unit (HUC 08090301), as shown on the attached drawings (Latitude 29.671889 N, Longitude -90.518984 W).

CHARACTER OF WORK: The applicant has requested a Department of the Army permit to clear, grade, excavate and deposit fill to construct and maintain a borrow pit to provide fill material for future levee projects. Approximately 1,263,000 cubic yards of excavated fill material would be excavated and available for future levee construction projects. Approximately 8.19 acres of jurisdictional wet pasture wetlands and 11.59 acres of jurisdictional Other Waters of the US would be directly impacted as a result of the project. The applicant proposes to utilize best management practices for erosion and siltation control during and after the construction phase of the project.

MITIGATION: The applicant claims that the proposed project has been designed to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. To offset unavoidable impacts to jurisdictional wetlands, the applicant is proposing to purchase in kind within basin bottomland hardwood credits an approved mitigation bank.

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, RGC, Kenneth Blanke**. 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 neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered 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 project would have no effect to any listed 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 **0 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.***

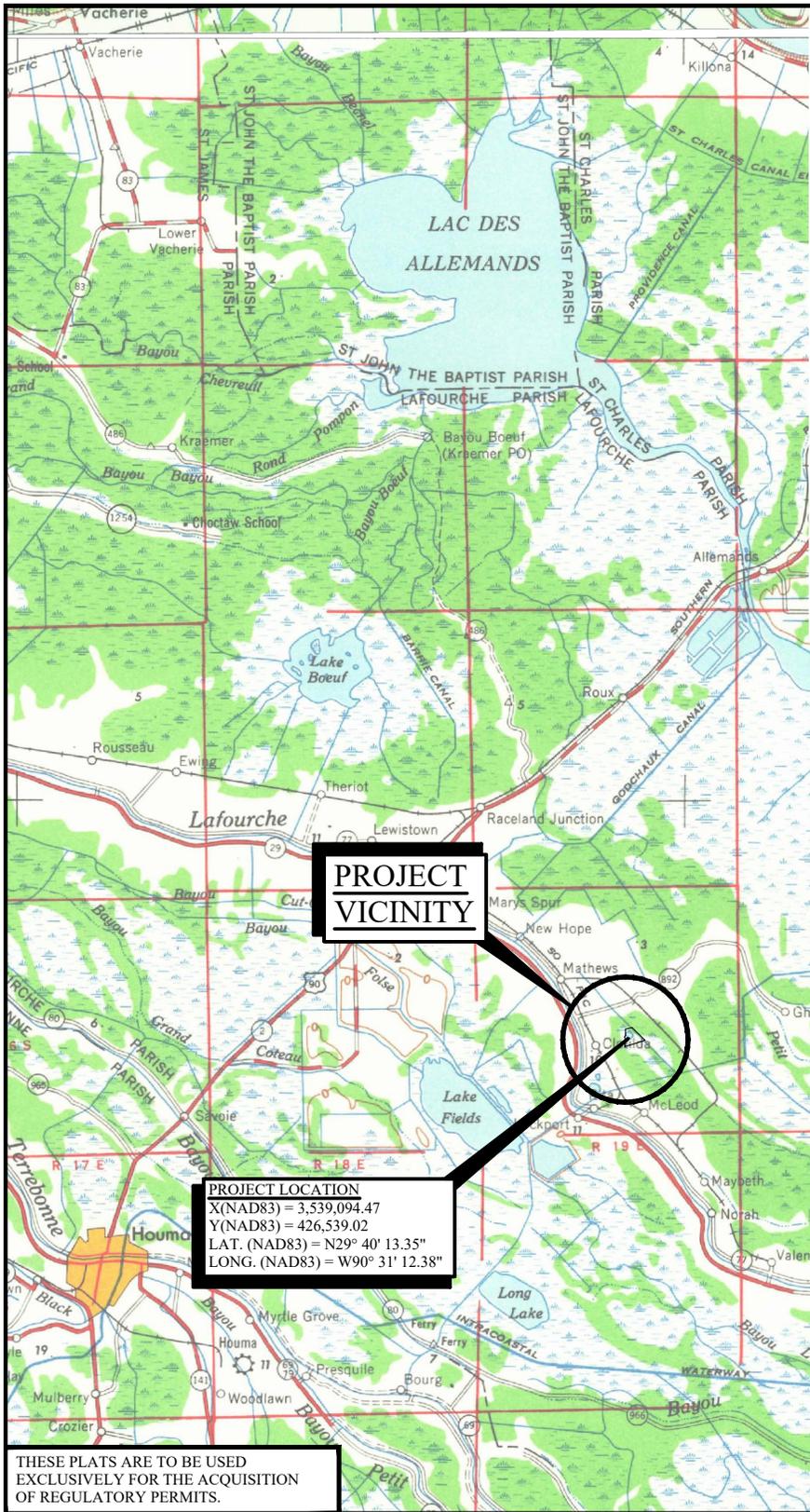
Any person may request, (preferably by email to the project manager, or in writing), within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 P20230147). 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.

John M. Herman
Chief, Central Evaluation Branch
Regulatory Division

Enclosures



PROJECT VICINITY

PROJECT LOCATION
 X(NAD83) = 3,539,094.47
 Y(NAD83) = 426,539.02
 LAT. (NAD83) = N29° 40' 13.35"
 LONG. (NAD83) = W90° 31' 12.38"

THESE PLATS ARE TO BE USED EXCLUSIVELY FOR THE ACQUISITION OF REGULATORY PERMITS.

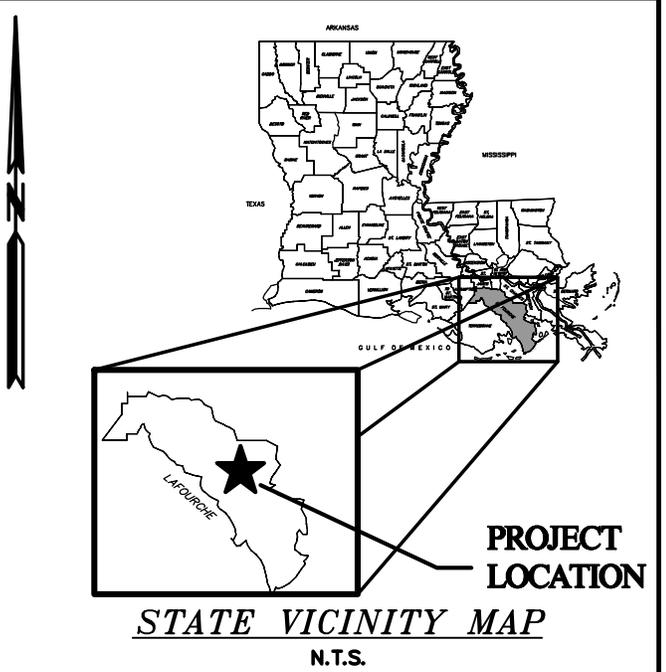


DELTA COAST CONSULTANTS, LLC
 631 S. HOLLYWOOD RD.
 HOUMA, LA 70360

PHONE: 985-655-3100

www.deltacoastllc.com

SCALE: 1" = 4 MILES



PROJECT LOCATION
STATE VICINITY MAP
 N.T.S.

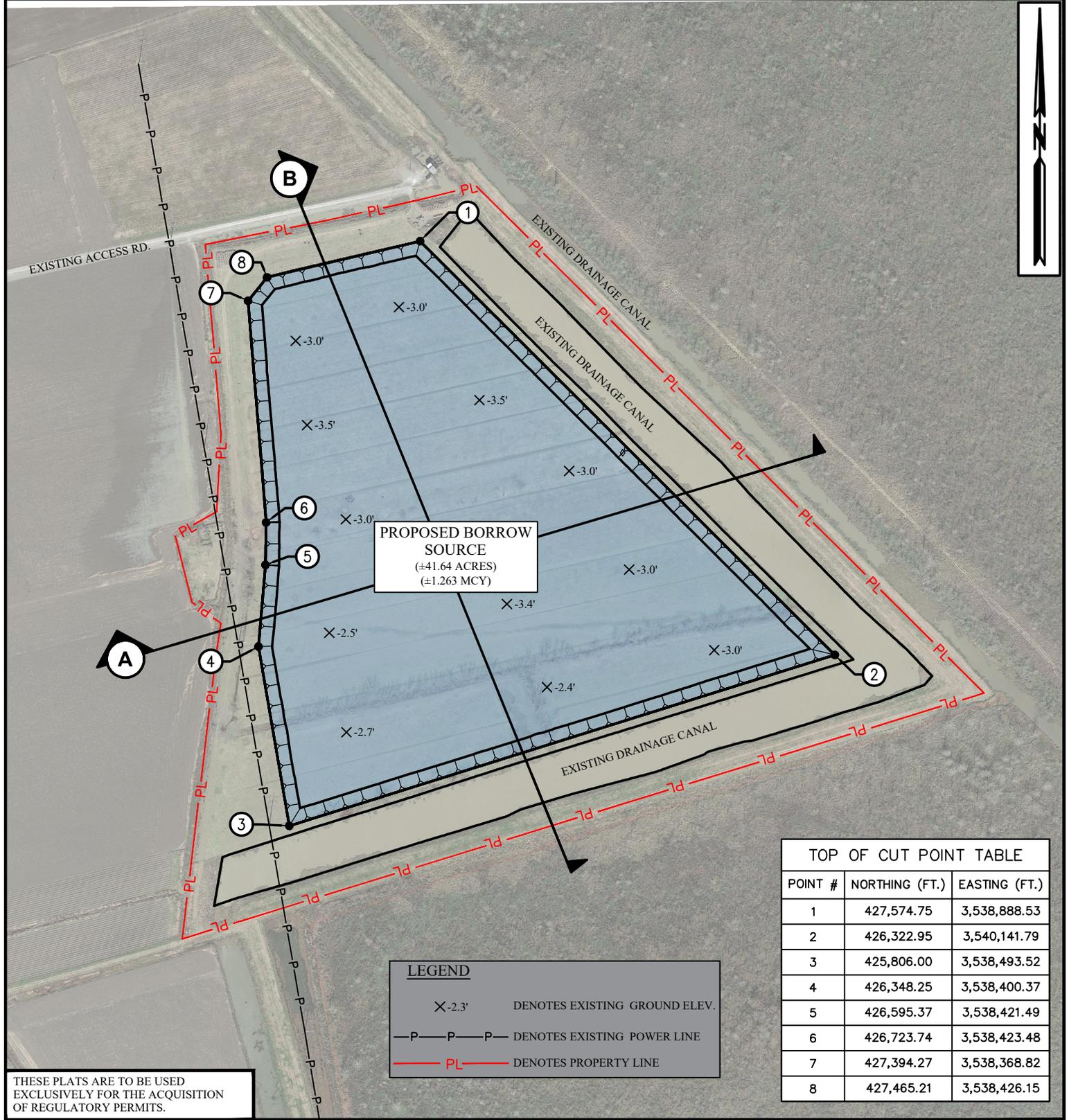


VICINITY MAP

DELTA LAND SERVICES, LLC

PROPOSED BORROW SOURCE
 TRACT CP3 OF CLOTILDA PLANTATION
 LAFOURCHE PARISH, LA
 SECTION 12, T16S-R19E

FILE: P:\2022\2022.097\DWG\ENVIRO\2023-02-08_PERMIT DRAWINGS\00_SHT 01_22097 PERMIT_VICINITY MAP.DWG	DATE 2/8/23	PROJECT 2022.097	REVISION NO.	DESIGNED BY	DRAWN BY KSP	CHECKED BY KJK	SHEET NO. 1 OF 4
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PROPOSED BORROW SOURCE
 (±41.64 ACRES)
 (±1.263 MCY)

TOP OF CUT POINT TABLE		
POINT #	NORTHING (FT.)	EASTING (FT.)
1	427,574.75	3,538,888.53
2	426,322.95	3,540,141.79
3	425,806.00	3,538,493.52
4	426,348.25	3,538,400.37
5	426,595.37	3,538,421.49
6	426,723.74	3,538,423.48
7	427,394.27	3,538,368.82
8	427,465.21	3,538,426.15

LEGEND	
X -2.3'	DENOTES EXISTING GROUND ELEV.
—P—P—P—	DENOTES EXISTING POWER LINE
—PL—	DENOTES PROPERTY LINE

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SCALE: 1" = 400'

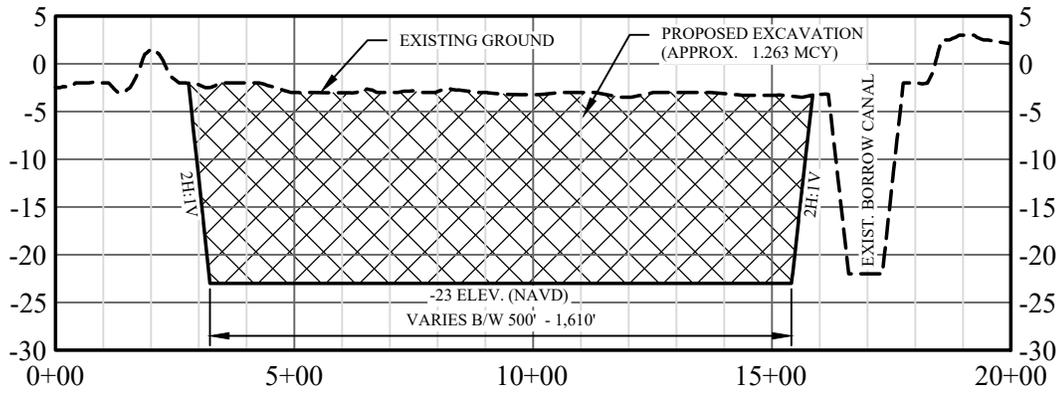


PLAN VIEW

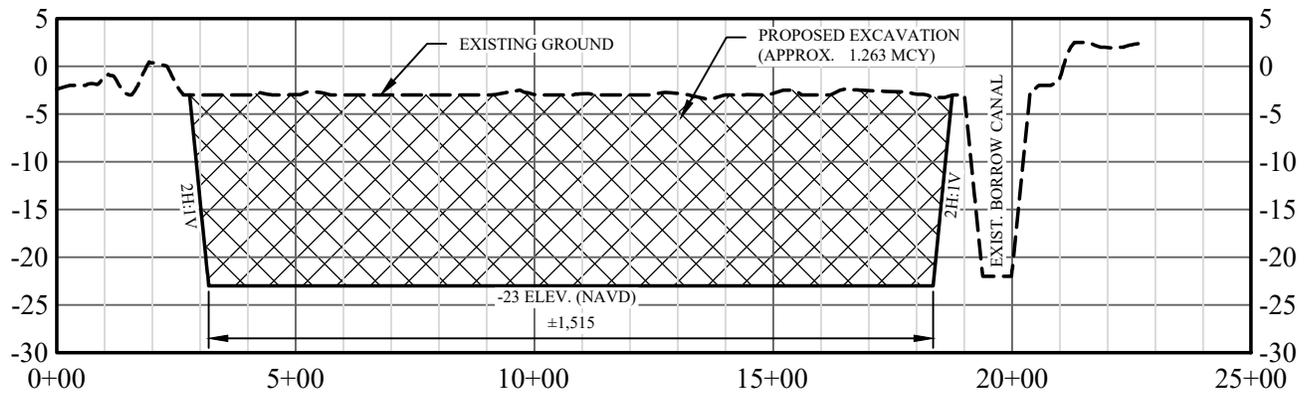
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 LAFOURCHE PARISH, LA
 SECTION 12, T16S-R19E

FILE: P:\2022\2022.097\DWG\ENVIRO\2023-02-08_PERMIT DRAWINGS\00_SHT 02-04_22097 PERMIT_PLAN & SECTIONS.DWG	DATE 2/8/23	PROJECT 2022.097	REVISION NO.	DESIGNED BY	DRAWN BY KSP	CHECKED BY KJK	SHEET NO. 2 OF 4
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Section A-A



Section B-B

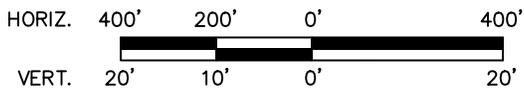
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SECTION VIEWS

DELTA LAND SERVICES, LLC

PROPOSED DIRT PIT
TRACT CP3 OF CLOTILDA PLANTATION
LAFOURCHE PARISH, LA
SECTION 12, T16S-R19E

GENERAL NOTES:

1. 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.
2. 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.
3. STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U. S. COAST GUARD REGULATIONS.
4. 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.

EXCAVATION :

1,263,000 CY OR 41.66 ACRES

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LEGEND
 STUDY AREA (73.72 T.AC.)



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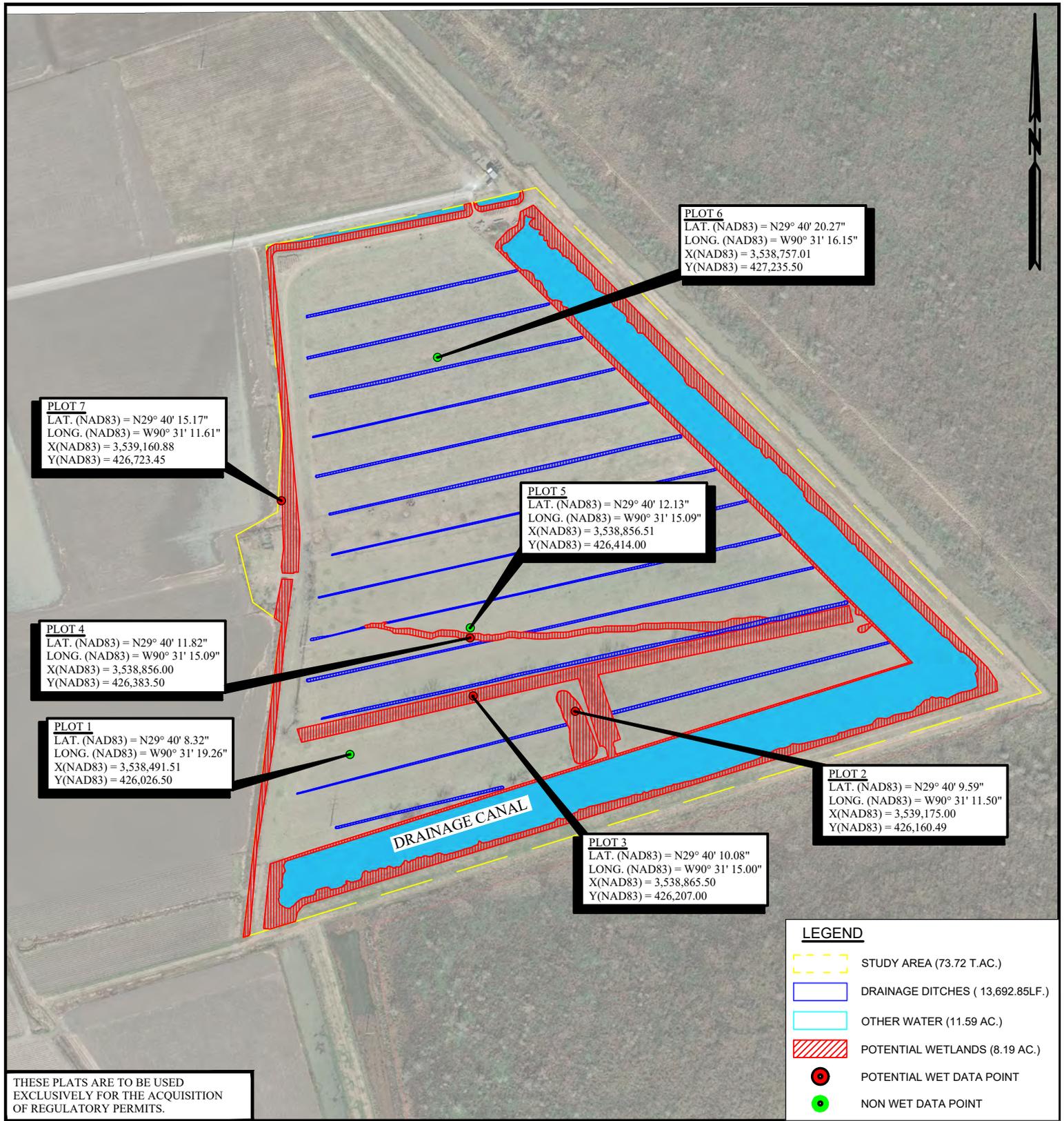


STUDY AREA

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PLAN VIEW

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