

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

April 22, 2024

Regulatory Division Central Evaluation Branch

Project Manager: Jeremy Rodriguez (504) 862-1577 Jeremy.D.Rodriguez@usace.army.mil

Application #: MVN-2023-01190-CR

PUBLIC NOTICE

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US 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), [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

PROPOSED LEVEE CONSTRUCTION in LAFOURCHE PARISH

NAME OF APPLICANT: North Lafourche Levee District, c/o Delta Coast Consultants, LLC., 631 South Hollywood Road, Houma, Louisiana 70360.

LOCATION OF WORK: This project will occur near Hamilton Street in Larose, Louisiana, in Lafourche Parish, within the Barataria Basin in hydrologic unit (HUC) 08090301, as shown on the attached drawings. Coordinates: 29.597150, -90.393092.

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to clear, grade, and deposit fill and aggregate material to construct and maintain a forced drainage levee for the purpose of flood protection. Approximately 37,221 cubic yards of dirt and 160 cubic yards of aggregate fill material would be hauled in and deposited to achieve grade elevation requirements. The proposed project surrounds an area approximately 307-acres in size that has been determined to contain uplands, wetlands, and other waters. Of this, approximately 12.1 acres would be used in the construction of the levee. The remainder of the property will be left in its current state. The applicant states that the project will not adversely affect hydrology within the proposed levee system, as hydrologic connectivity will be maintained by an existing culvert that connects the interior wetlands to the 40 arpent canal. The proposed project would impact approximately 3.32 acres of emergent wetlands and 0.1 acre of jurisdictional waters of the U.S. It is anticipated that the proposed action would have minimal impact on adjacent wetlands outside of the levee system.

A Preliminary analysis has determined that the proposed project would directly impact 3.32 acres of wetlands and 0.1 acre of waters.

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. Any further reduction in the levee size would not meet the project purpose. Additionally, the applicant has stated that best management practices (BMP's) will be utilized during the construction of the project to avoid additional direct impacts and minimize secondary impacts to adjacent wetlands and waters. As compensation for unavoidable wetland impacts, the applicant proposes to use a Corps approved mitigation bank within the watershed of impact.

The comment period for the requested Department of Army Permit will close in 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, Jeremy Rodriguez. 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 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 District (CEMVN) and the U.S. Fish and Wildlife Service, CEMVN has determined that that the proposed project is located within waters known to be occupied by the threatened West Indian Manatee (*Trichechus manatus*) and determined with the inclusion of the Standard Manatee Conditions for In-Water Activities, the proposed activity is not likely to adversely affect the species. Additionally, CEMVN has determined that that the proposed project is located within wetlands that may be occupied by the threatened Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*) and determined that the project may affect this species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of up to <u>3.32</u> 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.

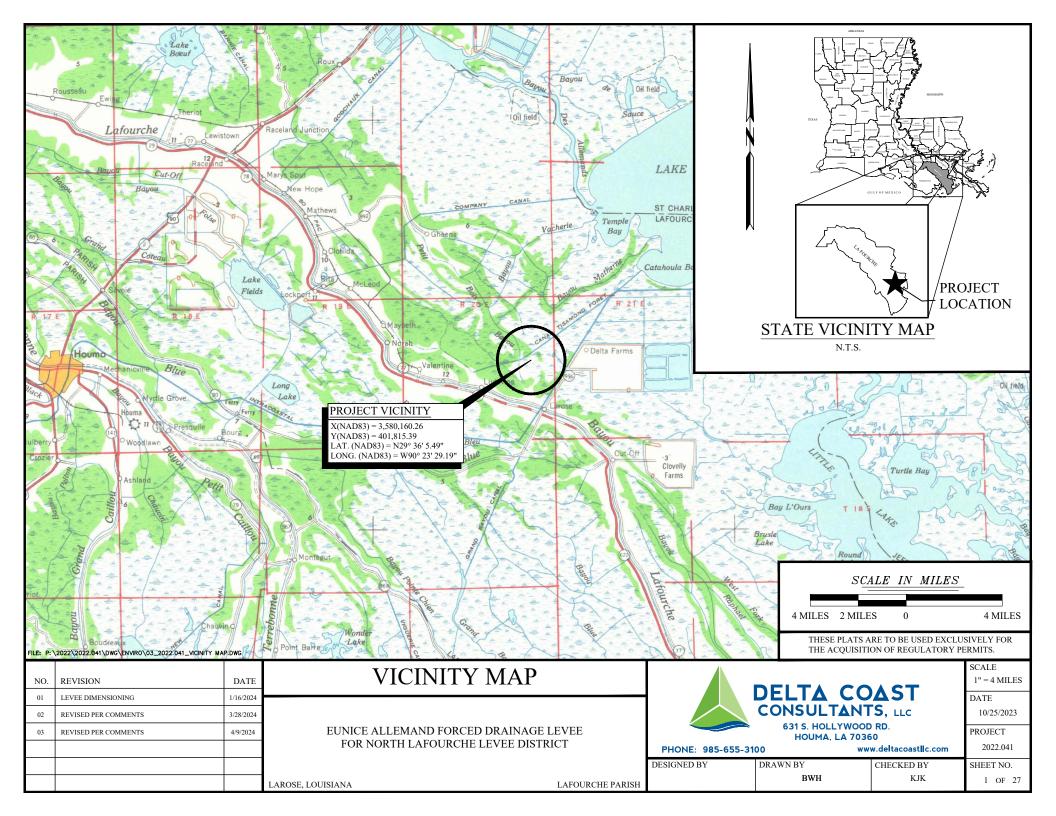
Any person may request, (preferably by email to the project manager, or in writing), within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 P20231034). 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.

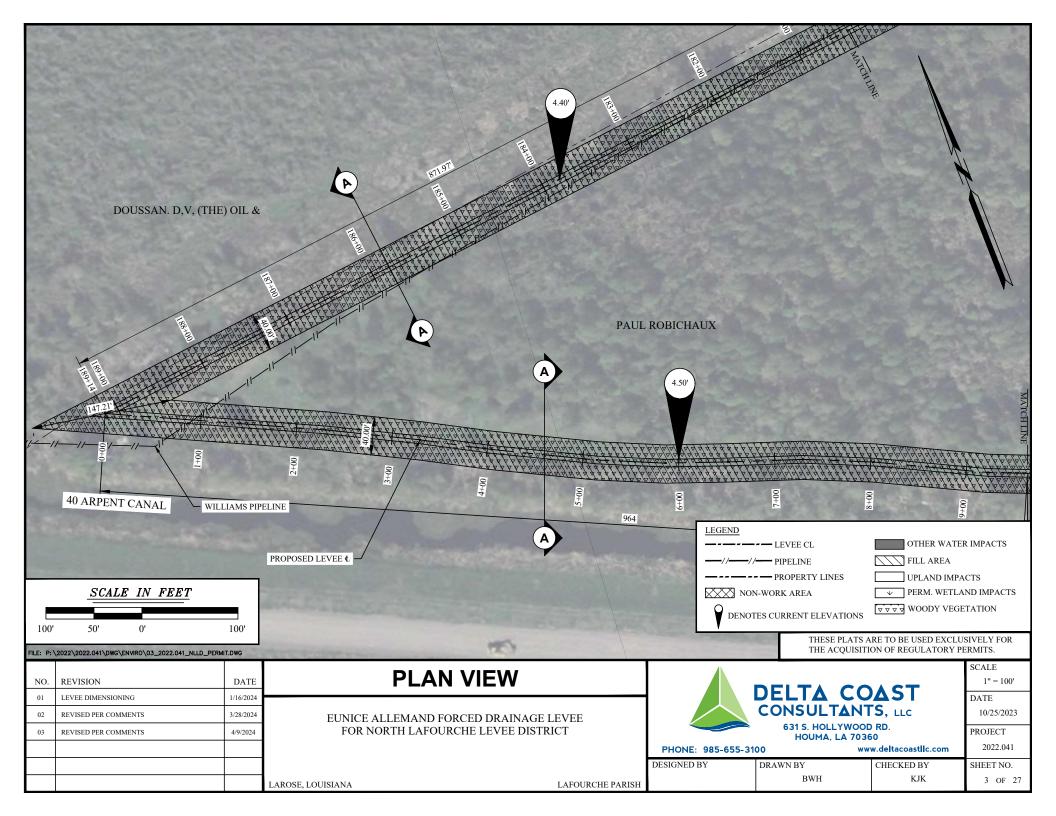
You are invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

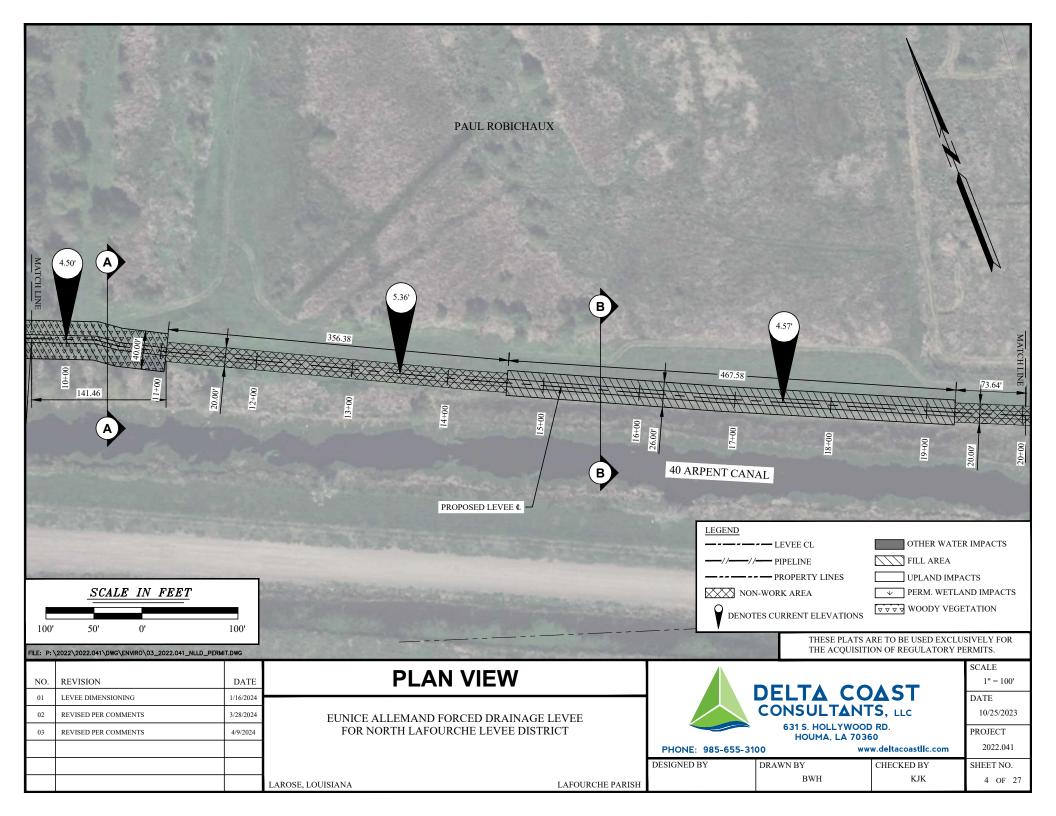
John M. Herman Chief, Central Evaluation Branch Regulatory Division

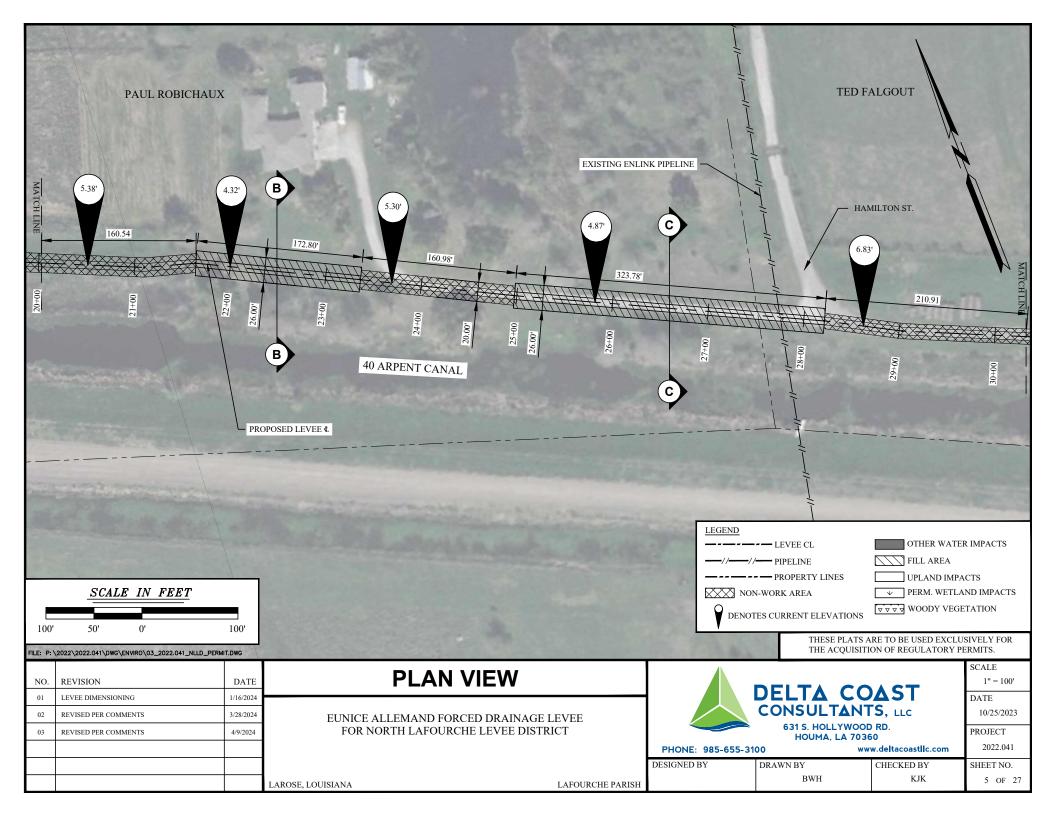
Enclosures

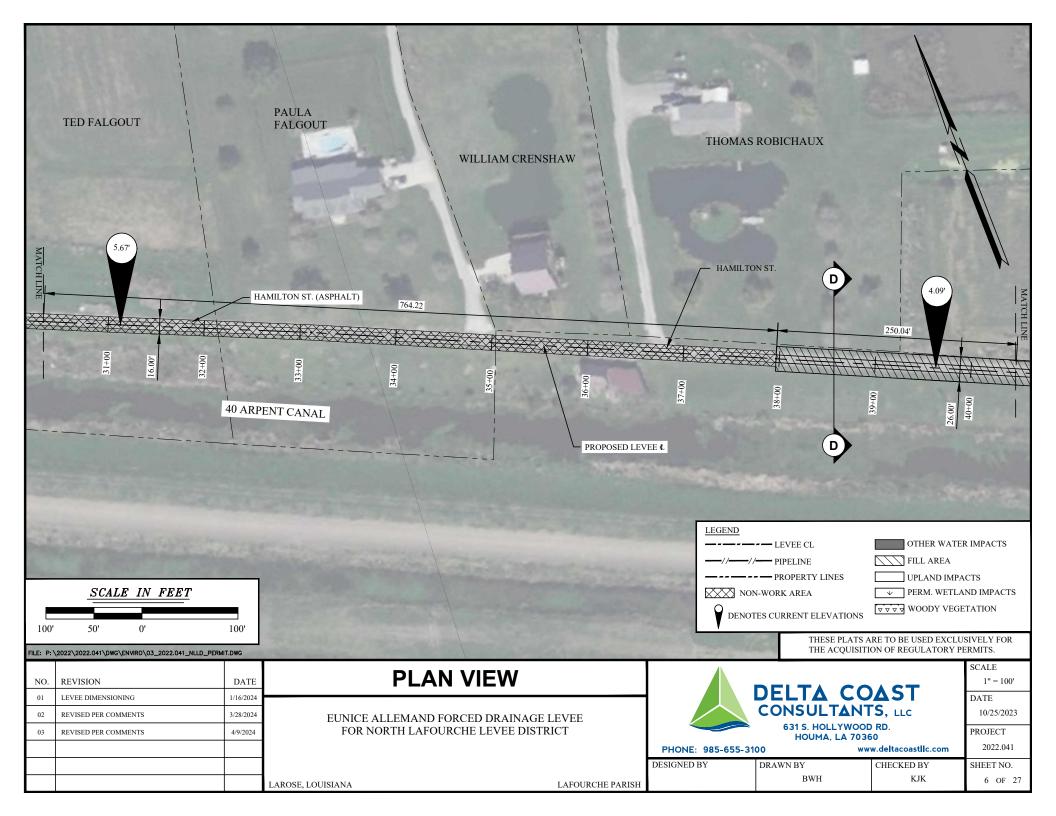


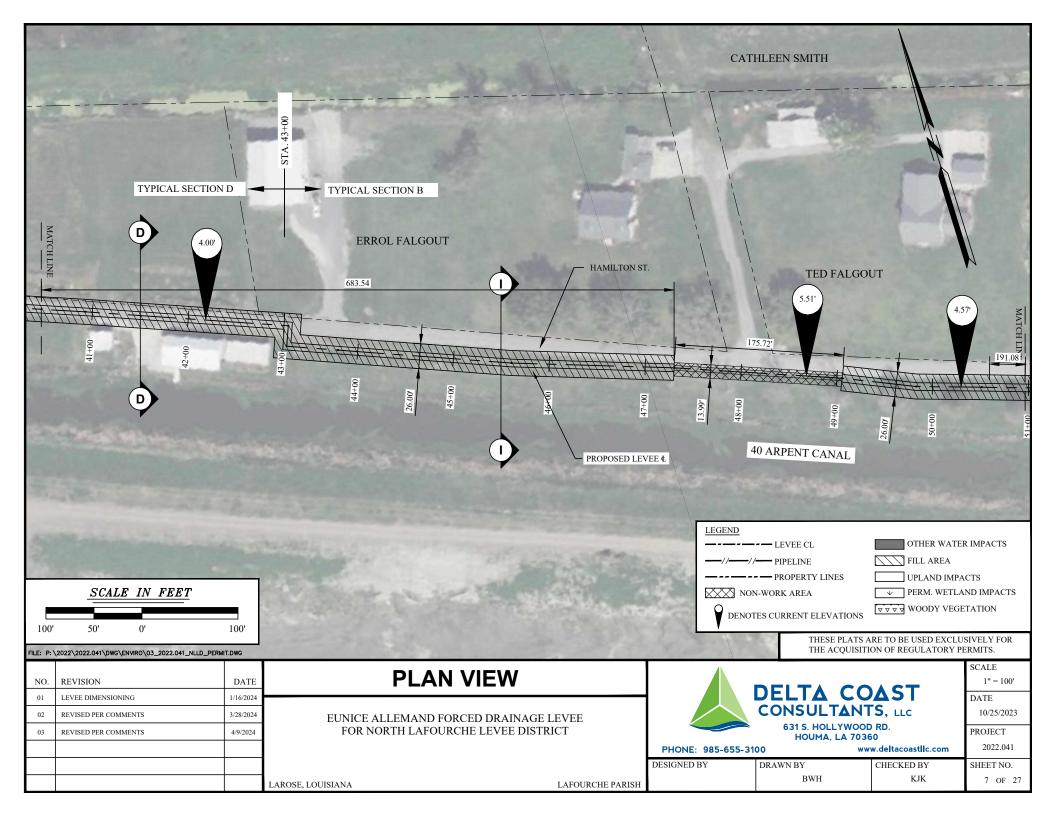
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NO.	REVISION	DATE	OVERALL	VIEW				SCALE 1" = 1000'
01	LEVEE DIMENSIONING	1/16/2024				DELTA CO	אַכ	DATE
02	REVISED PER COMMENTS	3/28/2024	EUNICE ALLEMAND FORCED DRAINAGE LEVEE					10/25/2023
03 REVISED PER COMMENTS 4/9/2024		4/9/2024	FOR NORTH LAFOURCHE L	HOUMA, LA 70360			PROJECT	
					PHONE: 985-655-31		ww.deltacoastllc.com	2022.041
			LAROSE, LOUISIANA	LAFOURCHE PARISH	DESIGNED BY	DRAWN BY BWH	CHECKED BY KJK	SHEET NO. 2 OF 27

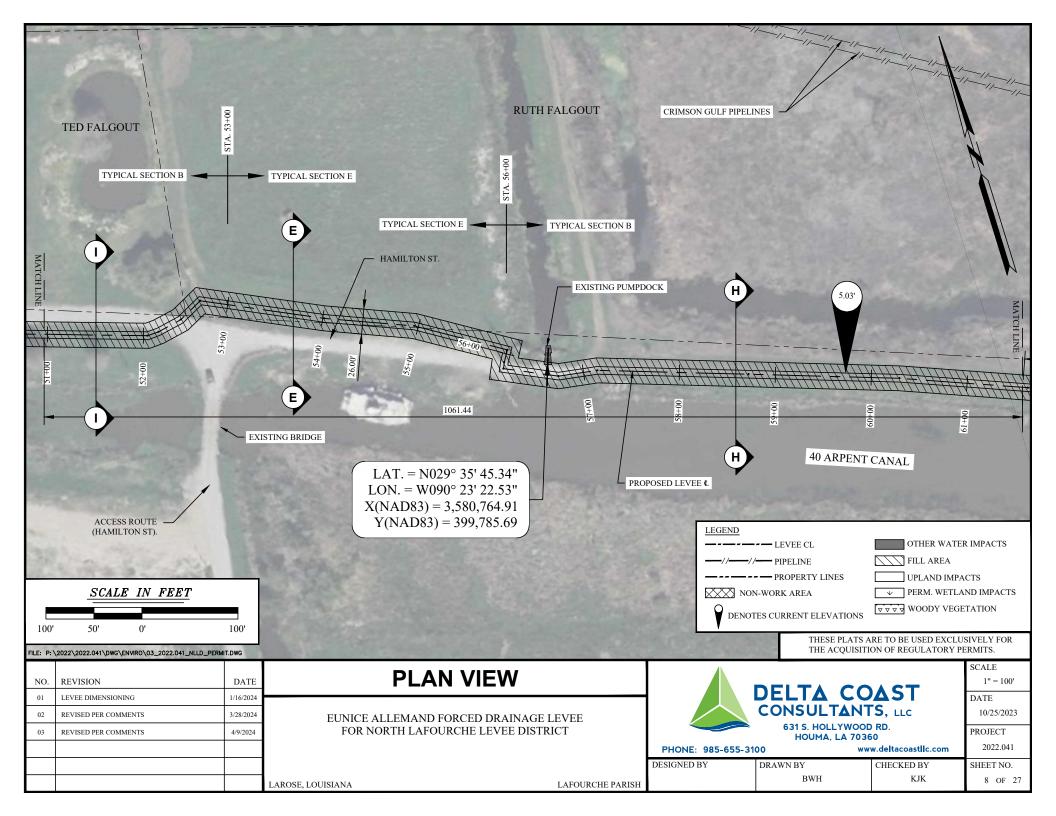


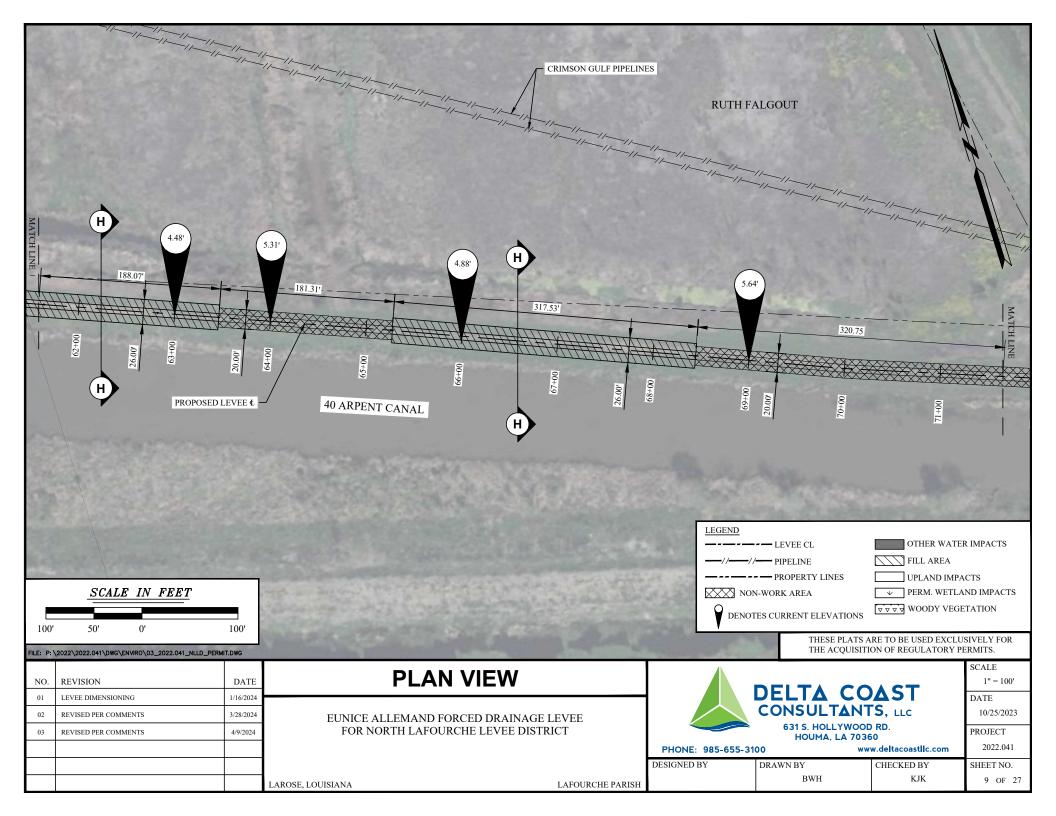


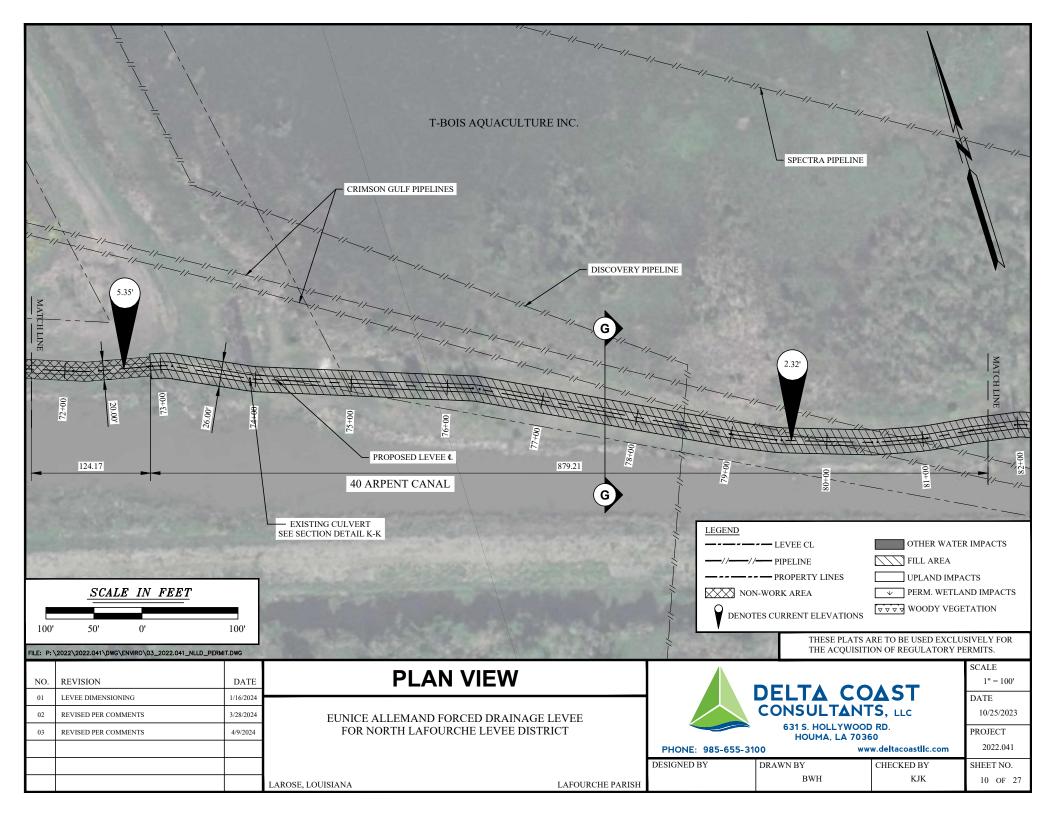


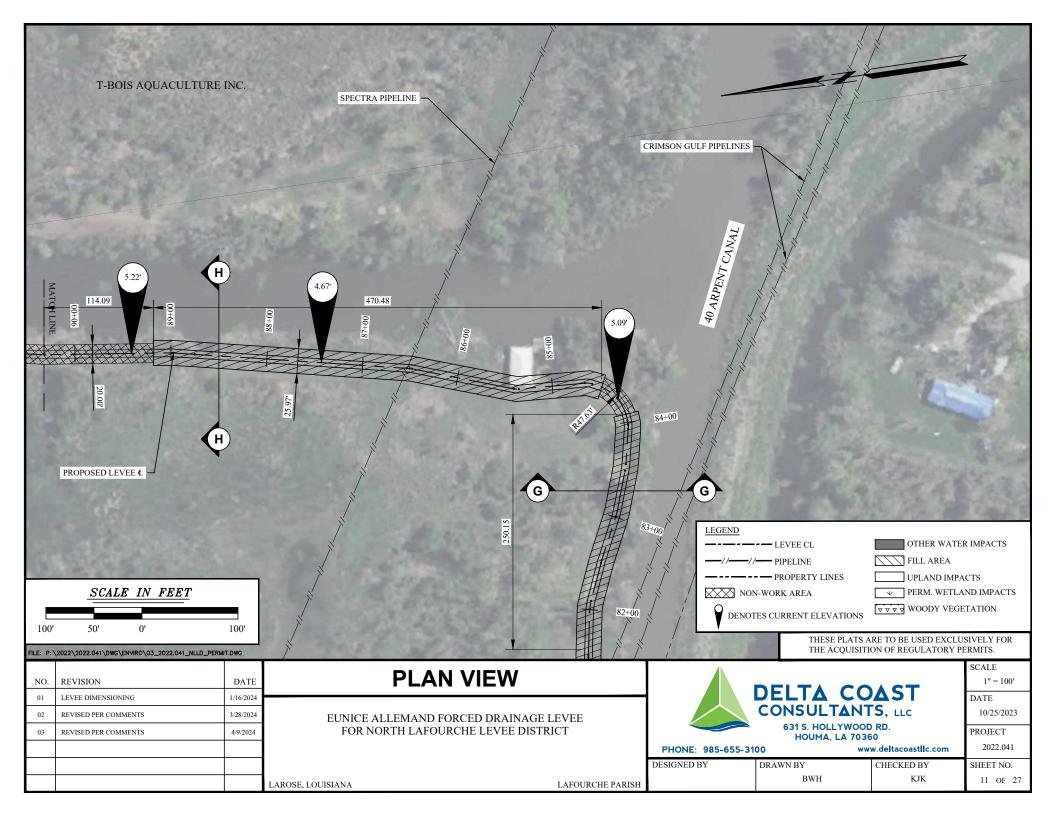


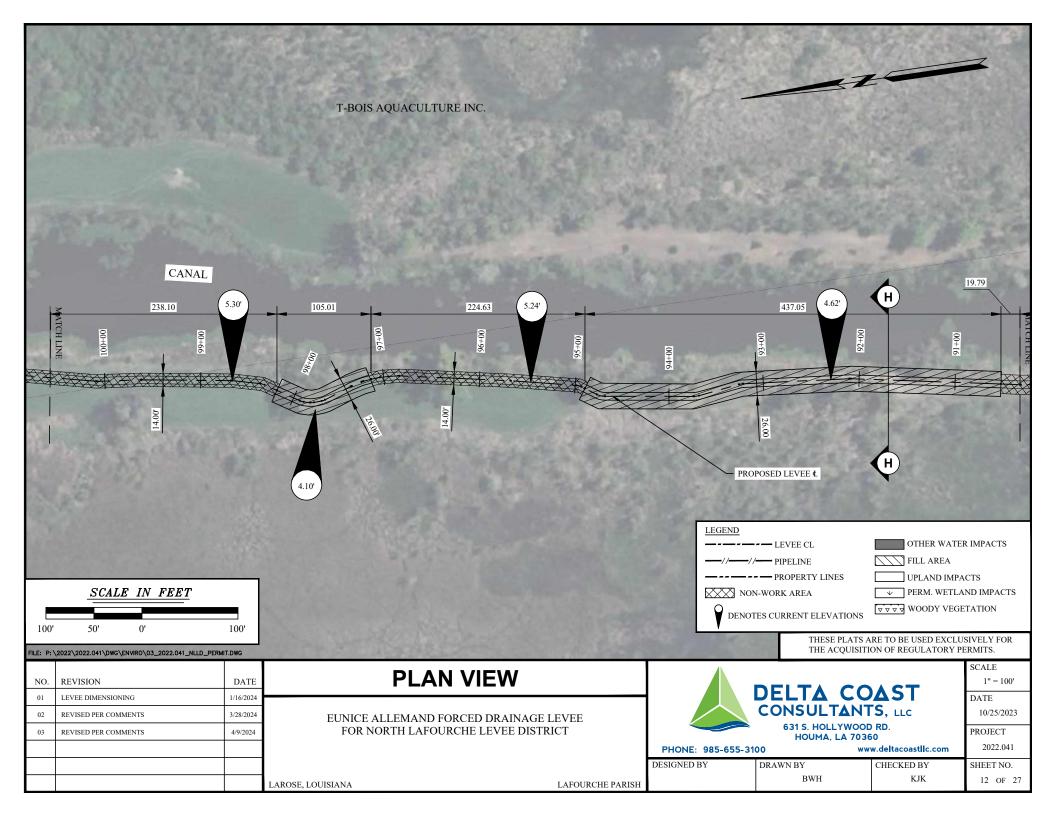




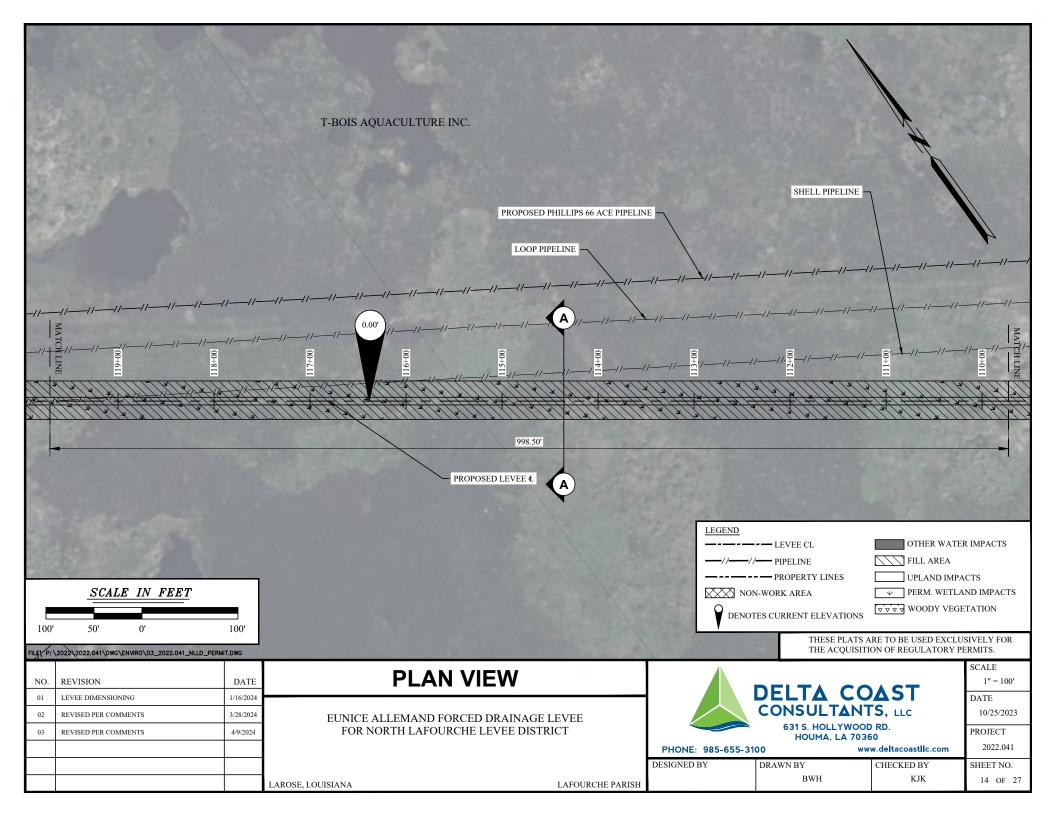


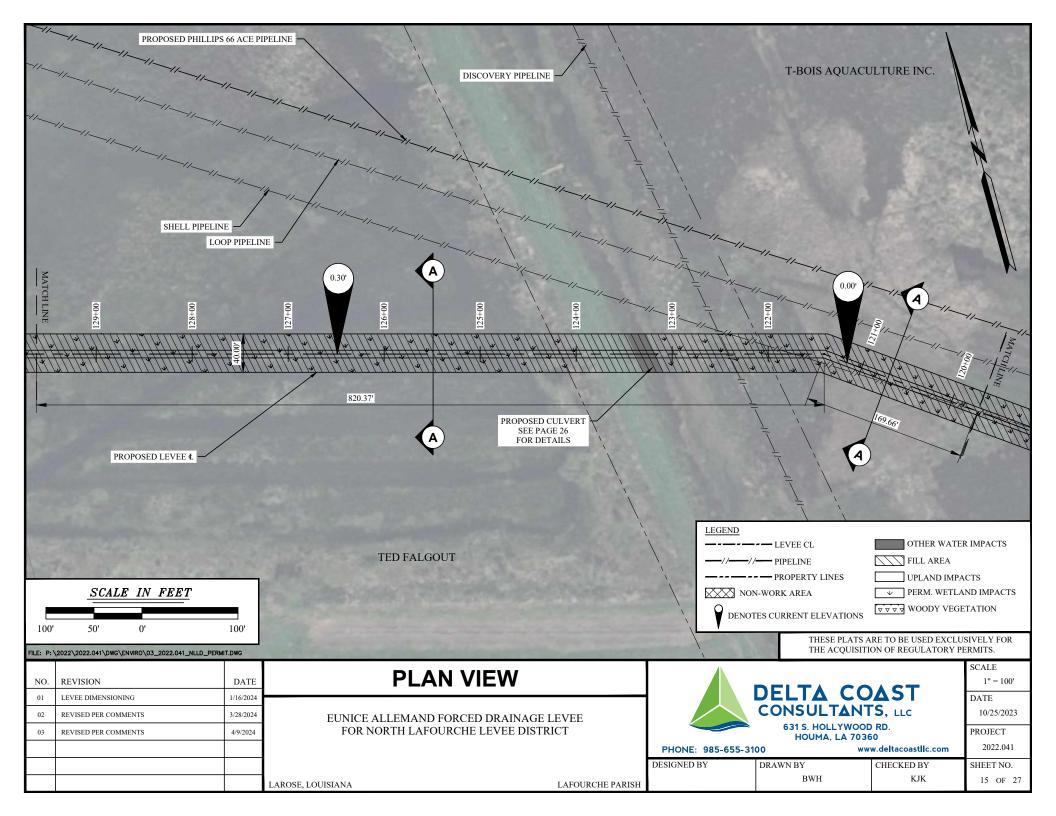


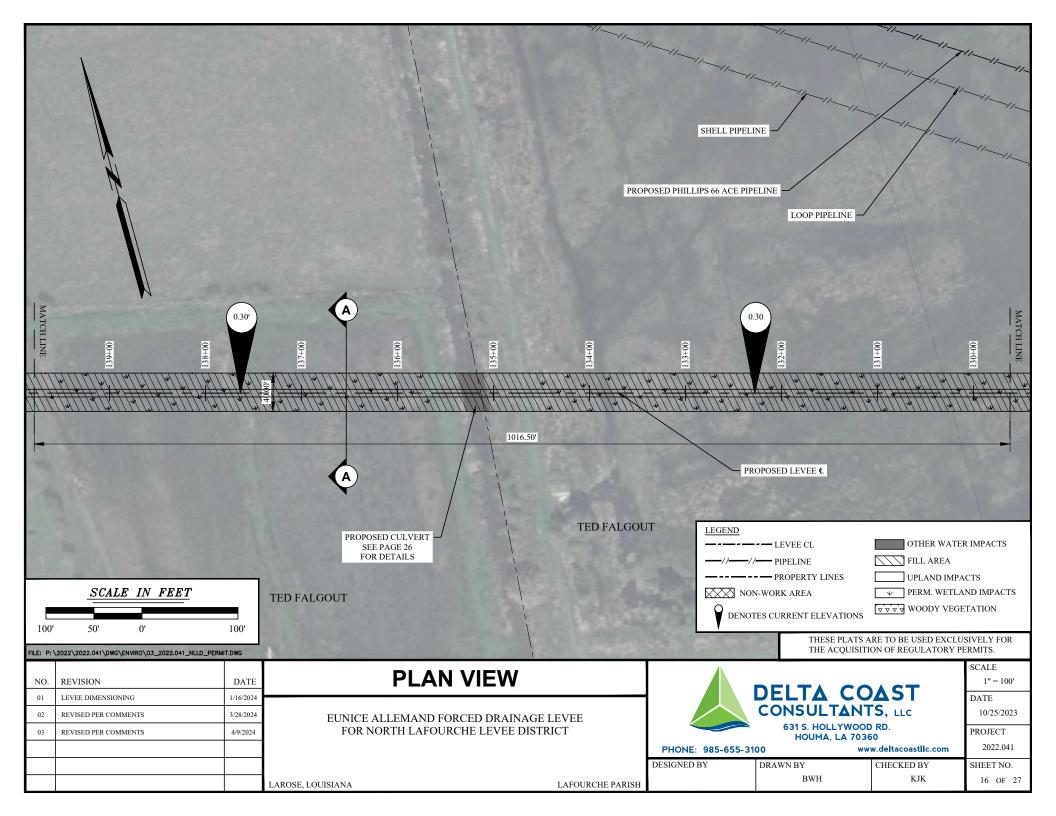


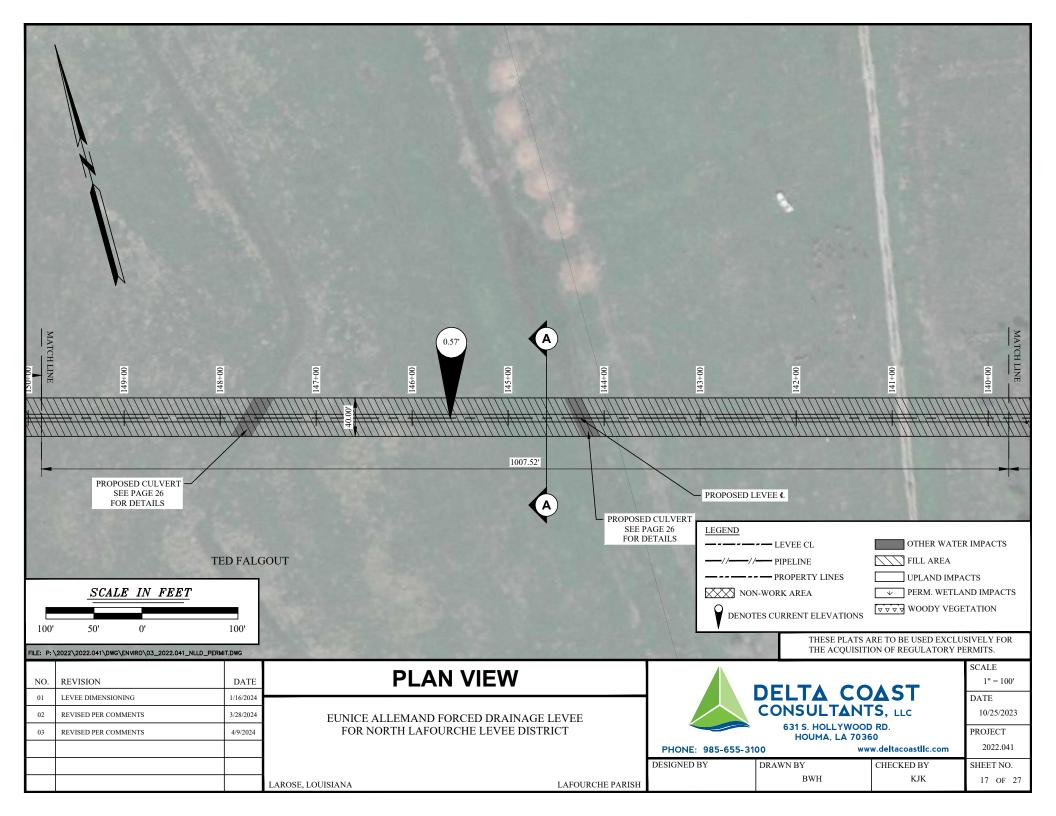


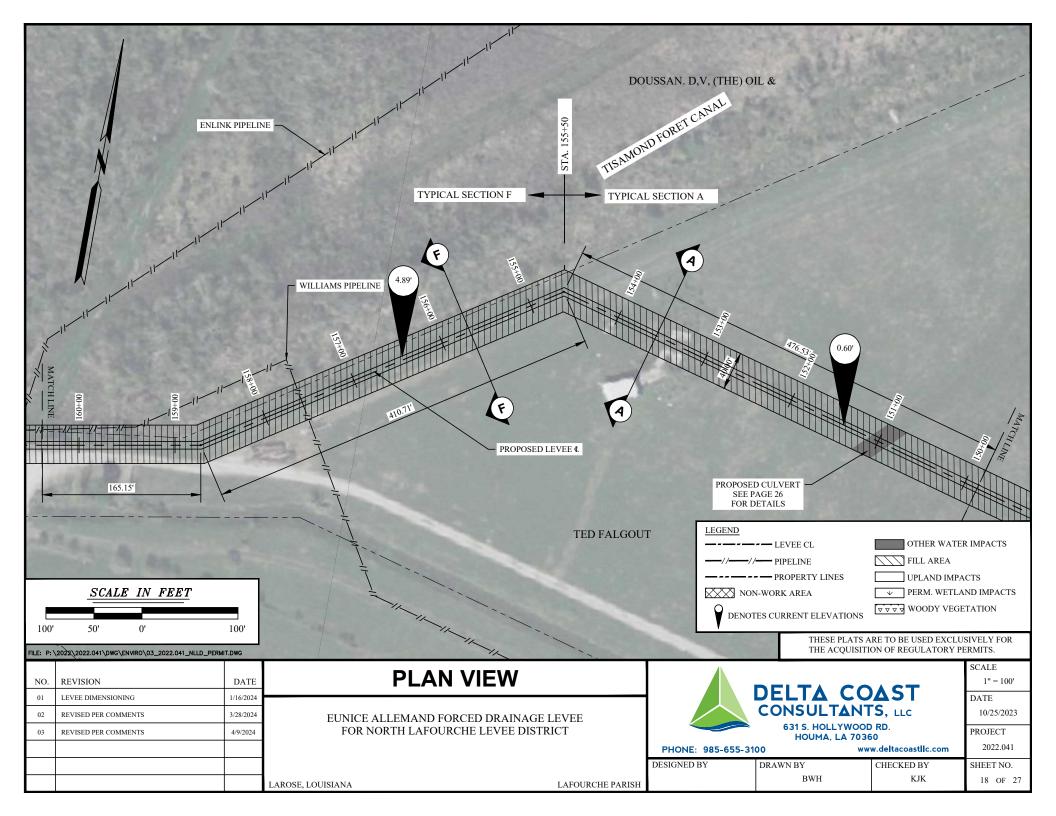
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	LAROSE, LOUISIANA	LAFOURCHE PARISH		DRAWN BY BWH	CHECKED BY KJK	SHEET NO. 13 OF 27

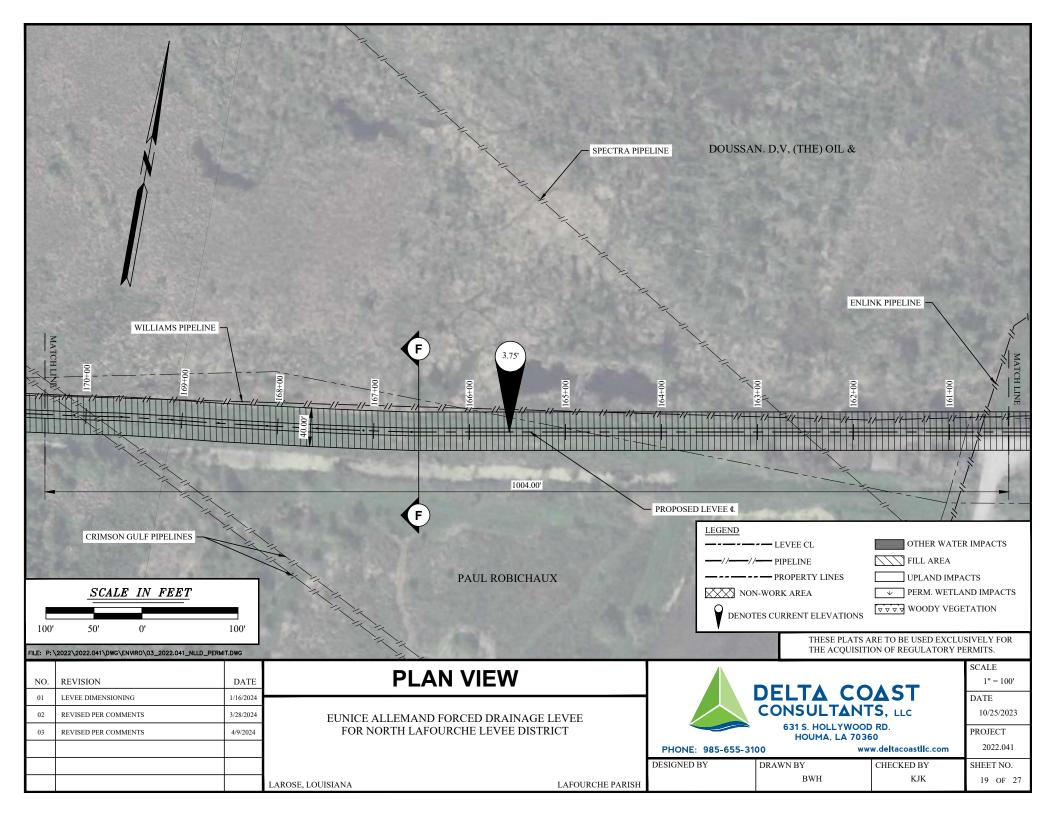


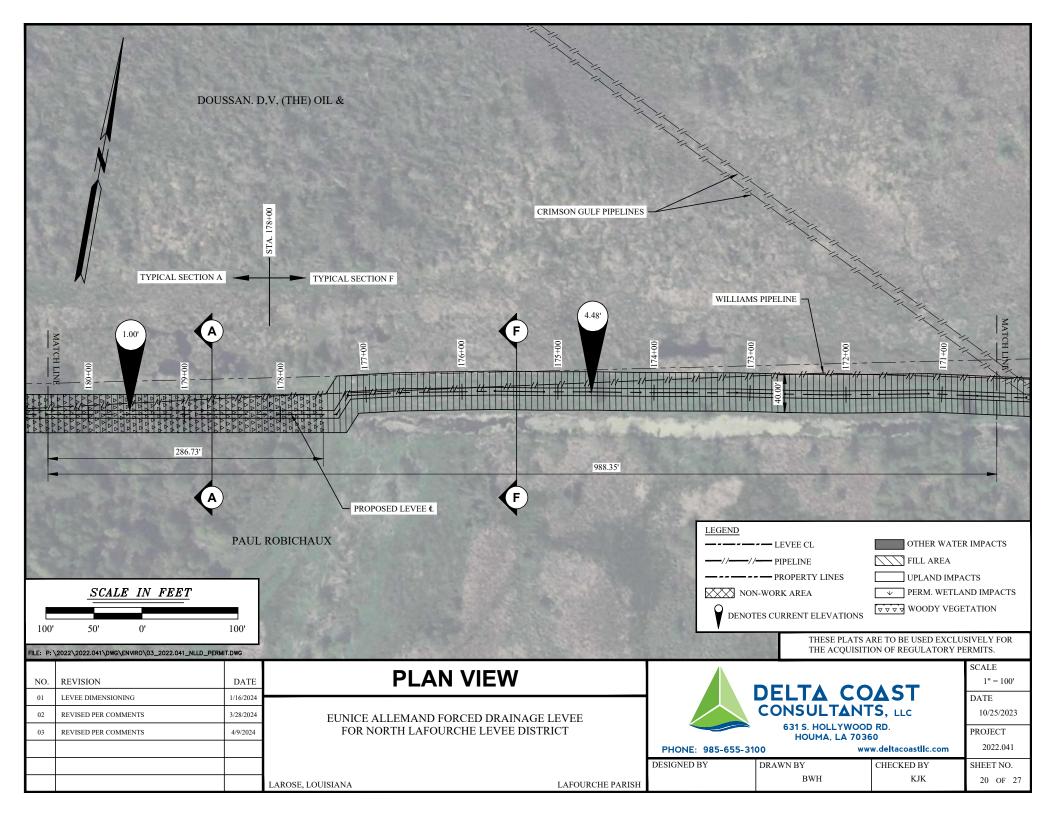


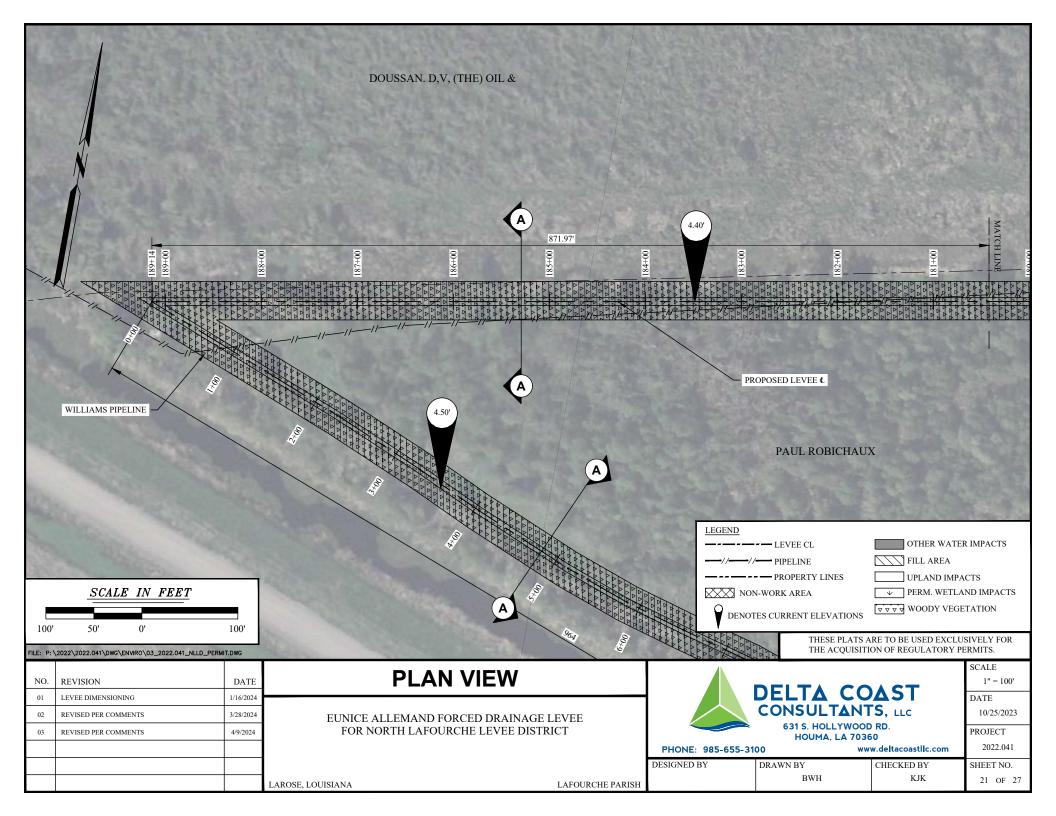


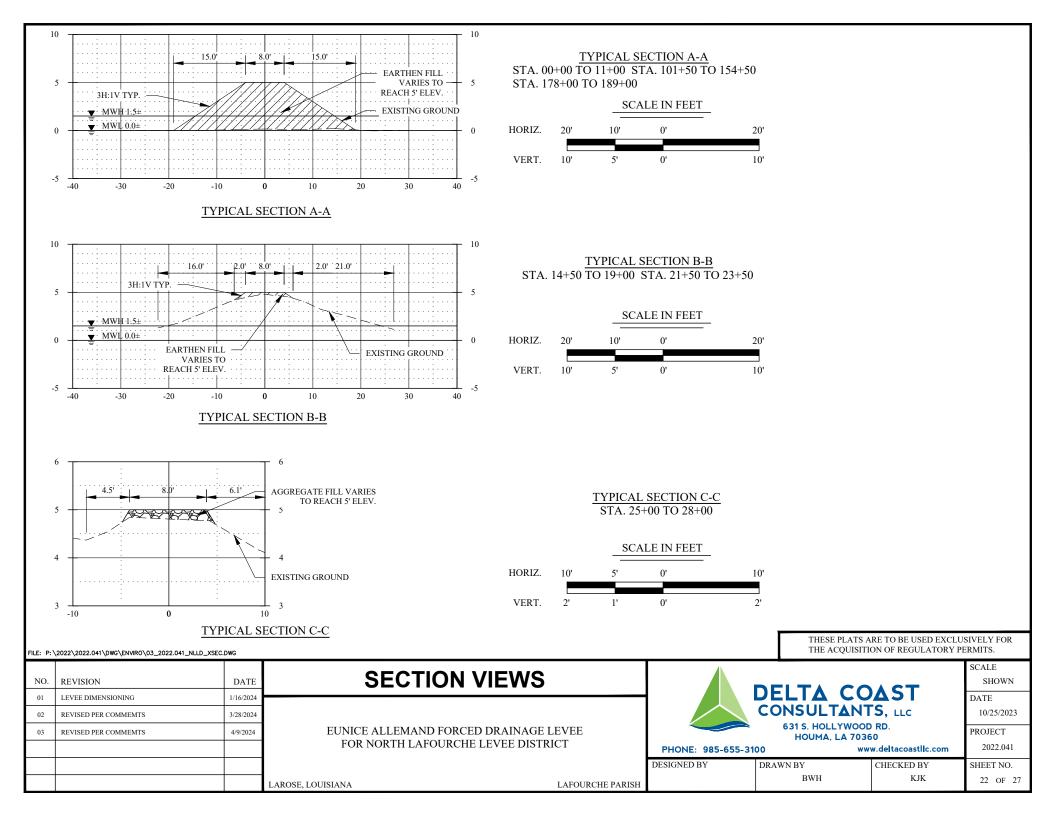


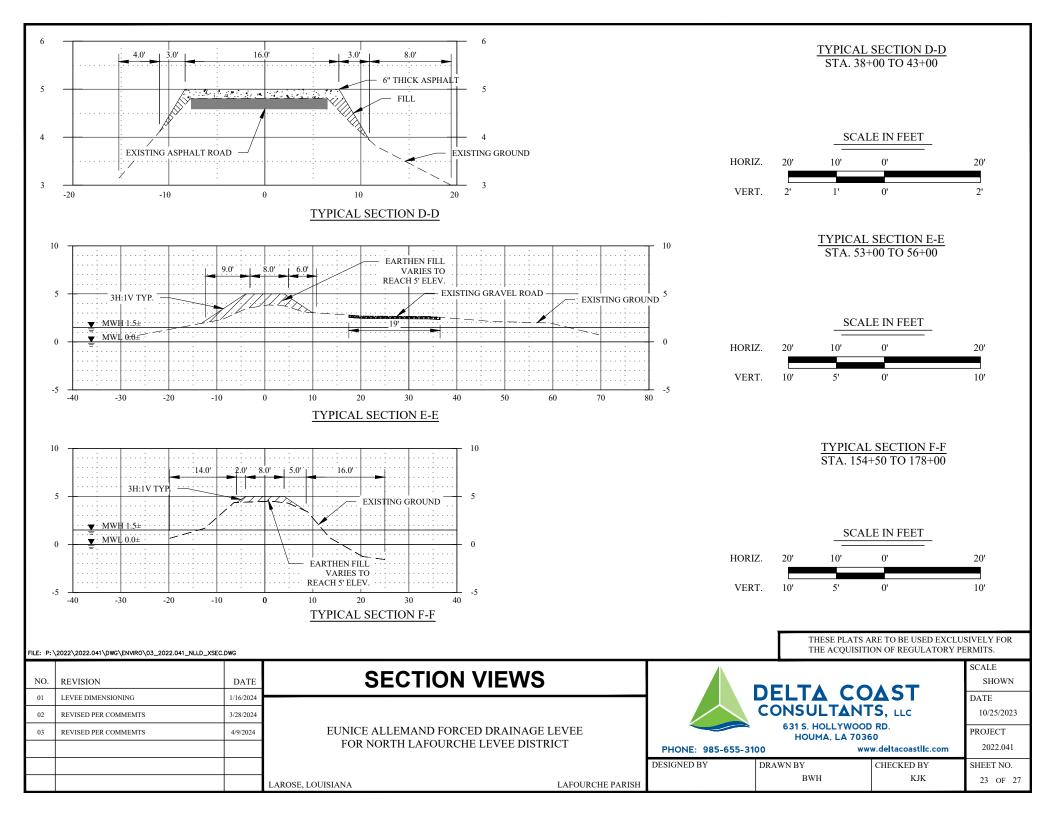


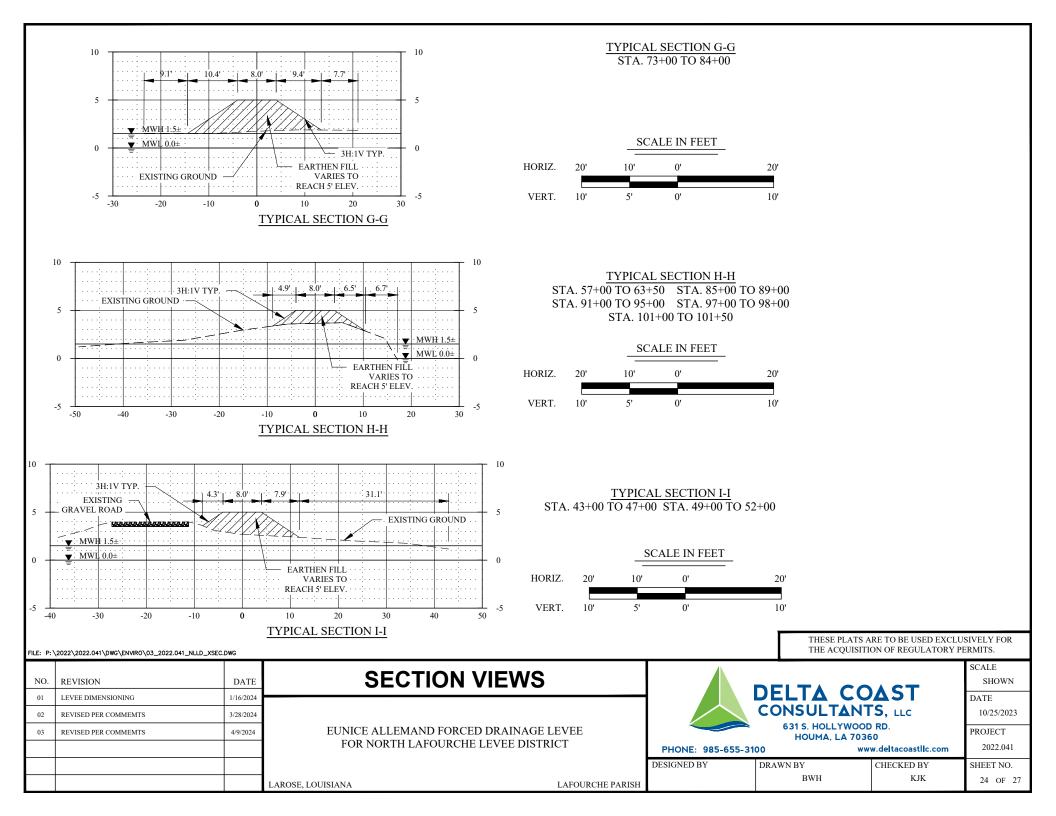


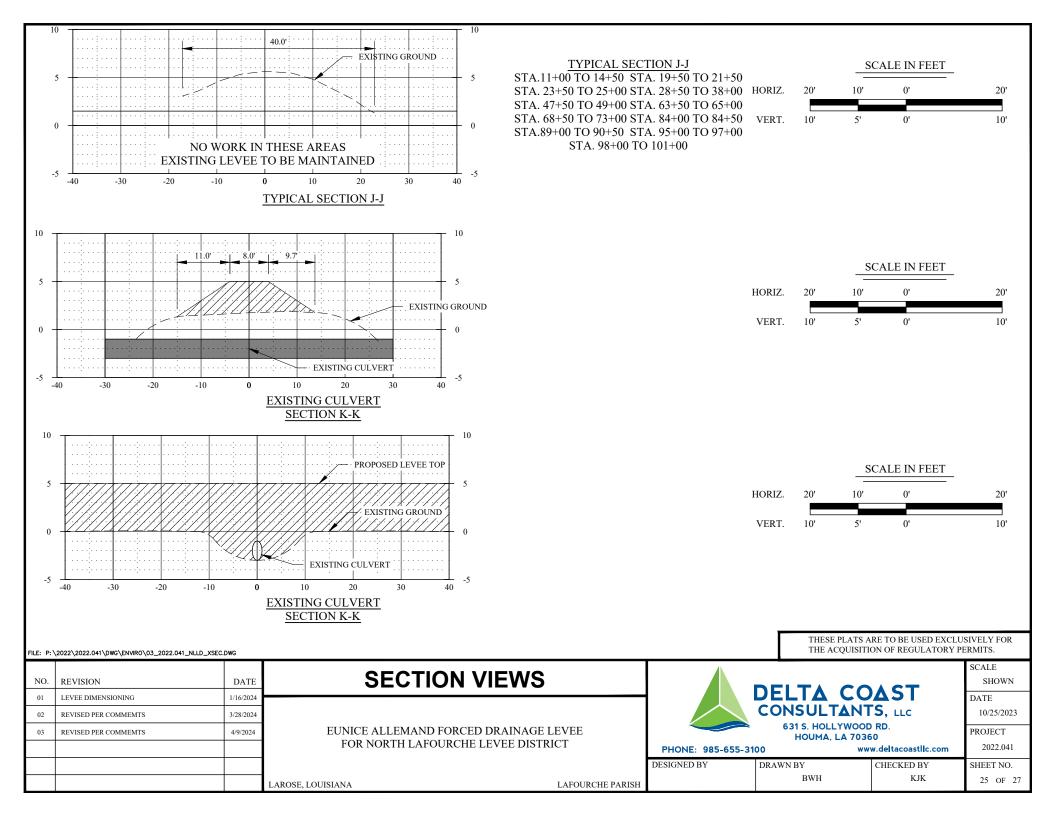


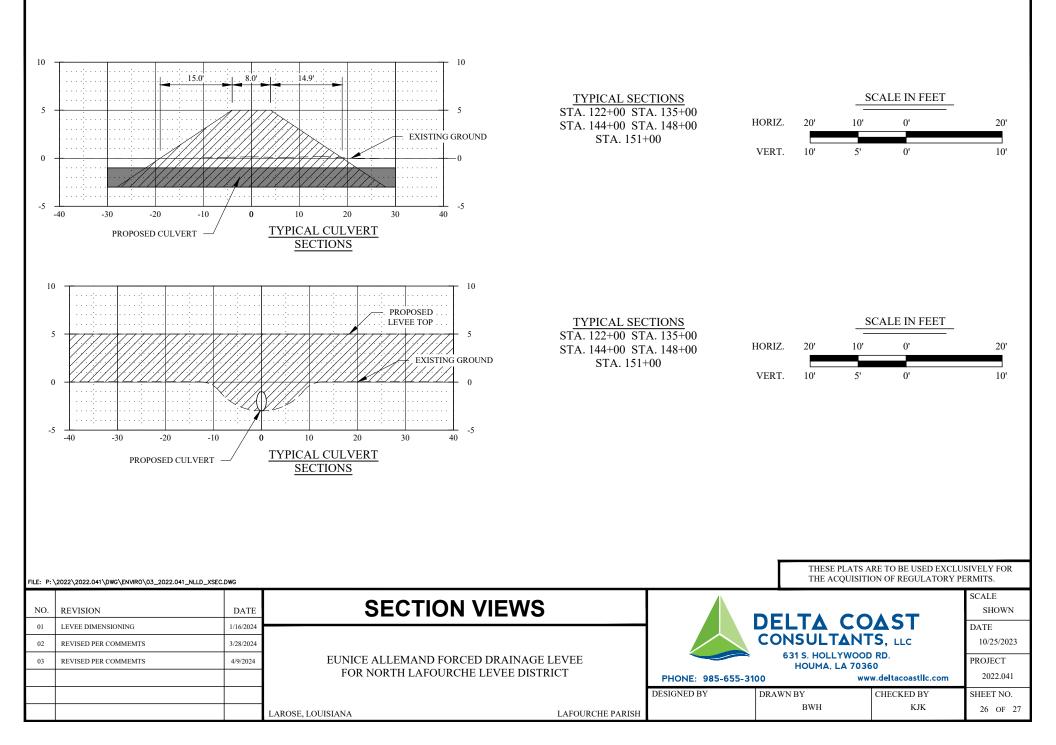












GENERAL NOTES:

- 1. AS-BUILT DRAWINGS WILL BE SUBMITTED WITHIN 30 DAYS OF COMPLETION OF THIS PROJECT TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF CONSERVATION, PIPELINE DIVISION, P. 0. BOX 94275 BATON ROUGE, LA 70804, AND TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, COASTAL MANAGEMENT DIVISION, P. 0. BOX 44487, BATON ROUGE, LA 70804-4487.
- 2. ALL STRUCTURES, FACILITIES, WELL AND PIPELINES/FLOWLINES OCCURRING IN OPEN WATER AREAS OR IN OILFIELD CANALS OR SLIPS SHALL BE REMOVED WITHIN 120 DAYS OF ABANDONMENT OR THE FACILITIES FOR THE HEREIN PERMITTED USE UNLESS PRIOR WRITTEN APPROVAL TO LEAVE SUCH STRUCTURES IN PLACE IS RECEIVED FROM THE COASTAL MANAGEMENT DIVISION. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED.
- 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.
- 5. APPLICANT IS SUBJECT TO ALL APPLICABLE STATE LAWS RELATED TO DAMAGES WHICH ARE DEMONSTRATED TO HAVE BEEN CAUSED BY THIS PROPOSED ACTION.
- 6. EXISTING PUMP TO BE UTILIZED, NO ADDITIONAL STRUCTURES ARE PROPOSED

ENVIRONMENTAL IMPACTS:

- 1. TOTAL LEVEE LENGTH 18,902.66 L.F.
- 2. ACREAGE INSIDE LEAVE 306.5 A.C.
- 3. PROXIMATELY 3.32 ACRES OF WETLANDS TO BE PERMANENT IMPACTED BY PROPOSED PROJECT.
- 4. APPROXIMATELY 0.63 ACRES OF OTHER WATERS TO BE PERMANENT IMPACTED BY PROPOSED PROJECT.
- 5. APPROXIMATELY 9.16 ACRES OF UPLANDS TO BE PERMANENT IMPACTED BY PROPOSED PROJECT.
- 6. ACCESS WILL BE VIA HAMILTON STREET TO THE PROJECT LOCATION. ACCESS FOR THE CONSTRUCTION OF THE LEVEE WILL BE DOWN THE CONSTRUCTION RIGHT-OF-WAY. NO STAGING OUTSIDE OF THE CONSTRUCTION RIGHT-OF-WAY WILL BE REQUIRED.
- 7. ALL VEGETATION WILL BE HAULED OFF-SITE AND DISPOSED OF AT A STATE-APPROVED FACILITY.

FILL AREAS (PEI	RMANENT IMPACTS):		
CLASSIFICATION	% AFFECTED	ACREAGE	
WETLANDS	25.32	3.32	
OTHER WATERS	4.81	0.10	
UPLANDS	69.87	8.63	
FILL M	IATERIALS:		
CLASSIFICATION	CUBIC YARDS		
CONCRETE/ASPHALT	0		
CRUSHED STONE OR GRAVEL:	160		
NATIVE MATERIAL (CLAY, MUD, SOIL):	N/.	A	
ROCK (RIP/RAP):	N/.	A	
SAND:	N/.	A	
TOPSOIL/DIRT:	N/.	A	
OTHER: HAULED-IN MATERIAL	37,2	221	

THESE PLATS ARE TO BE USED EXCLUSIVELY FOR

FILE: P:\2022\2022.041\DWG\ENVIRO\03_2022.041_NLLD_XSEC.DWG						THE ACQUISITION OF REGULATORY PERMITS.		
NO.	REVISION	DATE	SECTION VIEWS			ACT	SCALE	
01	LEVEE DIMENSIONING	1/16/2024			DELTA CC		DATE	
02	REVISED PER COMMEMTS	3/28/2024			CONSULTAN	FS , llc	10/25/2023	
03	REVISED PER COMMEMTS	4/9/2024	EUNICE ALLEMAND FORCED DRAINAGE LEVEE		631 S. HOLLYWOOD HOUMA, LA 7030		PROJECT	
			FOR NORTH LAFOURCHE LEVEE DISTRICT	PHONE: 985-655-310	PHONE: 985-655-3100 ww		2022.041	
				DESIGNED BY	DRAWN BY	CHECKED BY	SHEET NO.	
			LAROSE, LOUISIANA LAFOURCHE PARIS	Н	BWH	КЈК	27 OF 27	