

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

July 1, 2024

Regulatory Division Western Evaluation Branch

Project Manager: Amy Oestringer (504) 862-2272 amy.l.oestringer@usace.army.mil

Application #: MVN-2024-00500-WQQ

PUBLIC NOTICE

Interested parties are hereby notified that a permit application has been received by the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) 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), and/or [] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

INSTALLATION OF ACCESS ROADS AND WELL PADS IN ST. MARTIN PARISH

NAME OF APPLICANT: Bayou Bouillon Operating LLC., c/o T. Baker Smith, Attn: Josh Broussard, 107 Global Circle, Lafayette, LA 70503.

LOCATION OF WORK: Located in the Bayou Bouillon Field, in Section 13, Township 9 South Range 8 East, near the Little Atchafalaya River, Louisiana, in St. Martin Parish, within the Atchafalaya River Basin in hydrologic unit (HUC 08080101), as shown on the attached drawings (Latitude 30.26420 N, Longitude -91.602438 W).

<u>CHARACTER OF WORK</u>: The applicant has requested Department of the Army authorization to clear, grade, and deposit fill and/or aggregate material for access roads and drill pads to drill 5 production wells. Board mats will be placed to install a 290' x 310' production well pad, each with a 30' wide limestone access road. Upon completion of productive wells, the pads will be reduced to 100' x 100' maintained production pads. A preliminary analysis has determined that the proposed project would directly impact approximately 3 acres of forested wetlands, 0.1 of an acre of emergent wetlands and 0.2 of an acre of open waters. These acreages are being verified through a pending wetland delineation.

<u>MITIGATION</u>: As compensation for unavoidable wetland impacts, the applicant proposes to mitigate in-kind wetland credits from a Corps approved mitigation bank located in the watershed.

The comment period for the Department of Army 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 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 preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, ATTENTION: REGULATORY DIVISION, RGW, Amy Oestringer. Individuals or parties may request an extension of time in which to comment on the proposed work by writing or e-mailing the Corps of Engineers Project Manager listed above. Any request 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 requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous to the initial comment period and inclusive of the initial comment period, 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.

CEMVN 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 CEMVN 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.

CEMVN 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 endangered species under their jurisdiction.

Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the CEMVN and the U.S. Fish and Wildlife Service, Ecological Services Office (USFWS), it has been determined that the proposed project is located in waters known to be utilized by the Pallid Sturgeon (*Scaphirhynchus albus*); however, the proposed work has been determined not likely to adversely affect this species as there will be no dredging activities associated with the work (or inclusion of guidance for water intake, etc.).

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 <u>NA</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.

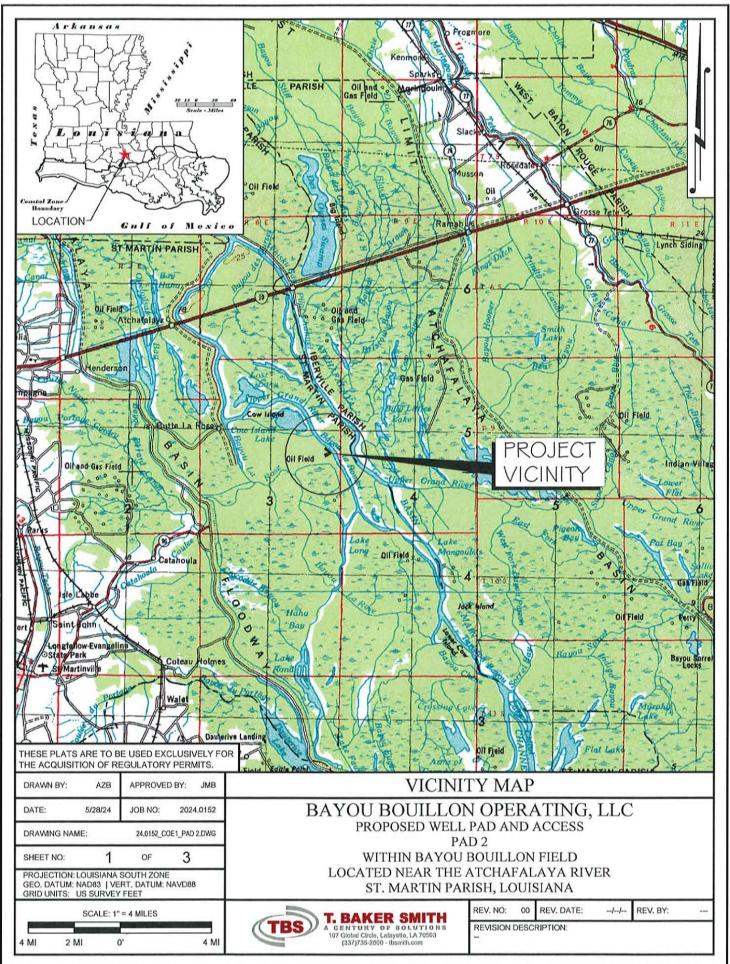
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the LA Department of Environmental Quality before a Department of the Army permit is issued.

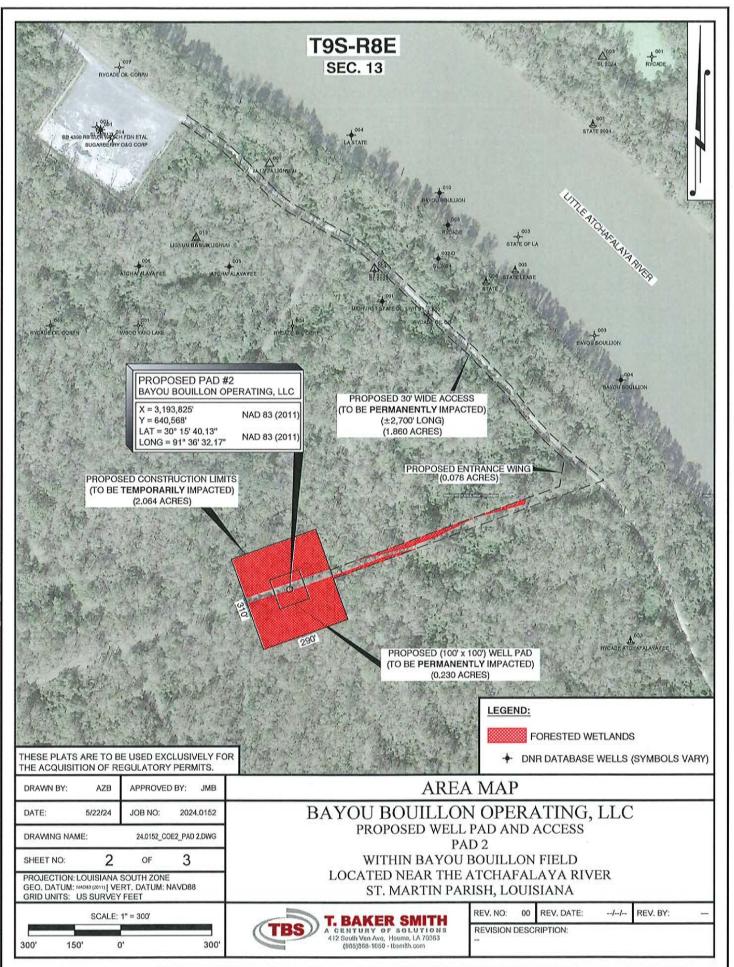
Any person may request, (preferably by email to the project manager, or in writing), within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

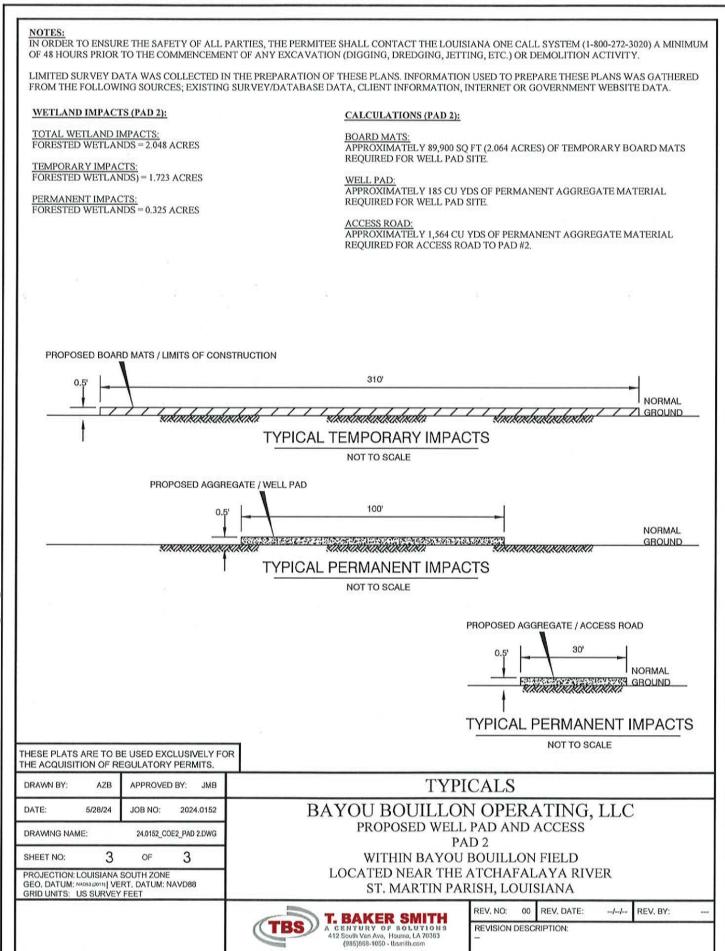
You are invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

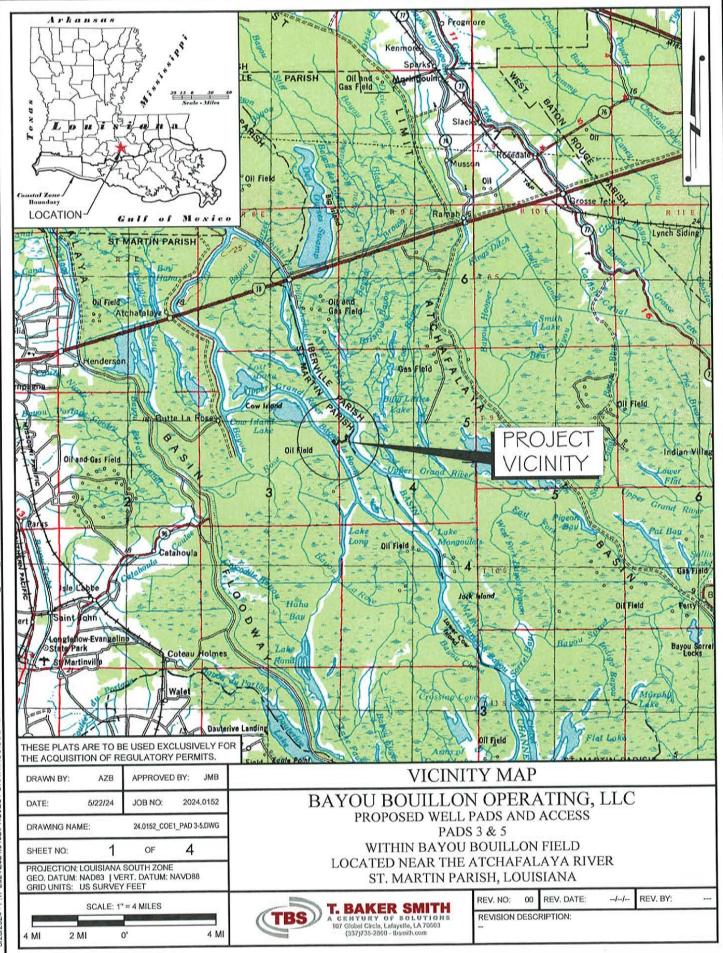
Darrell S. Barbara Chief, Western Evaluation Branch Regulatory Division

Enclosures

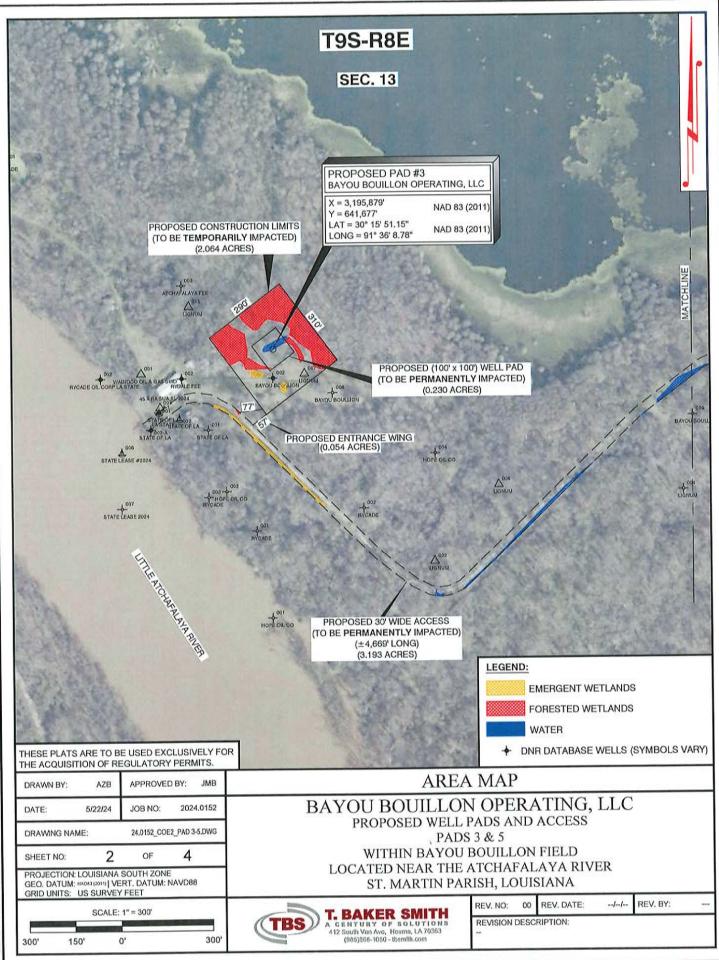


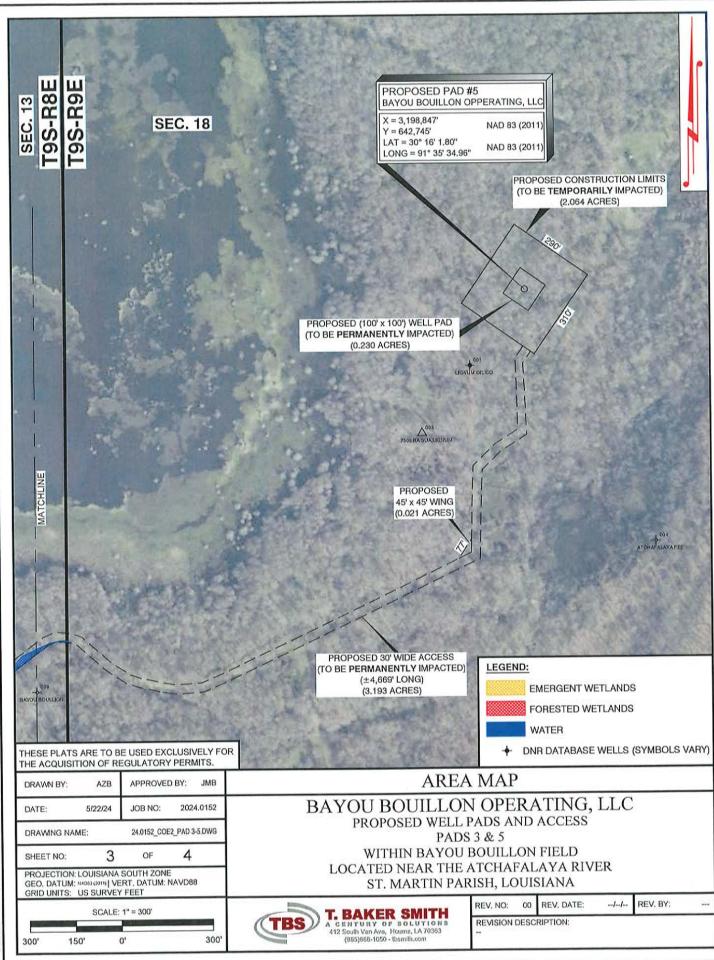






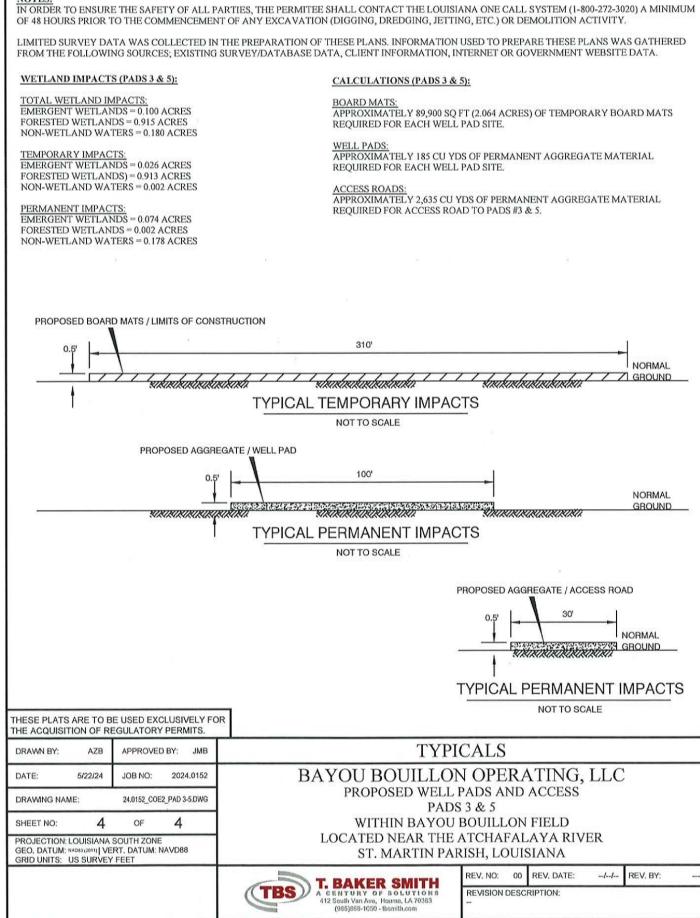
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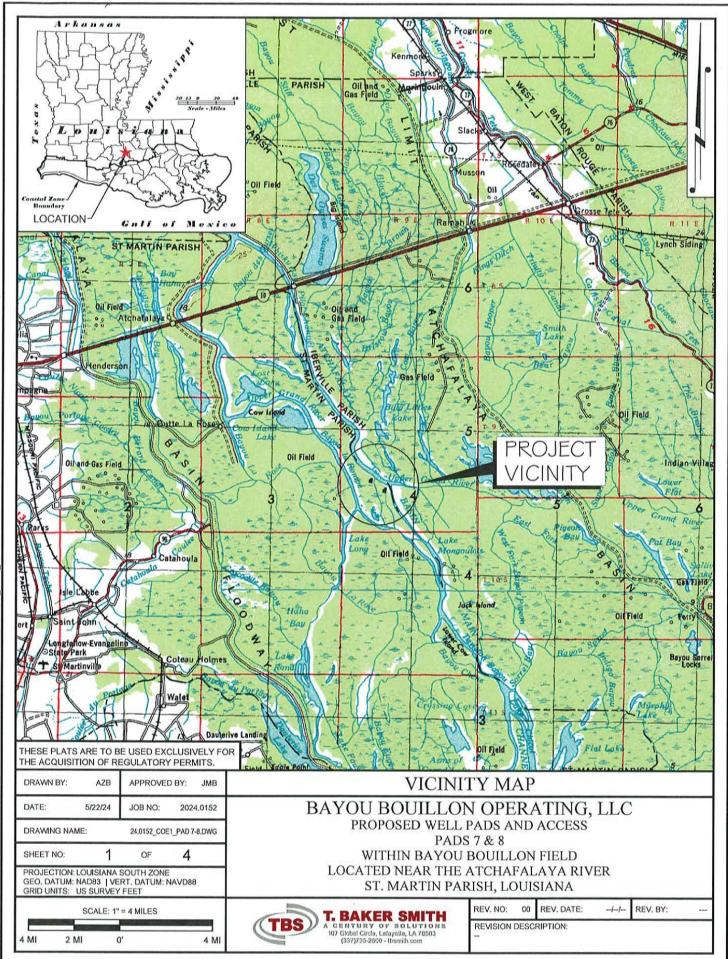


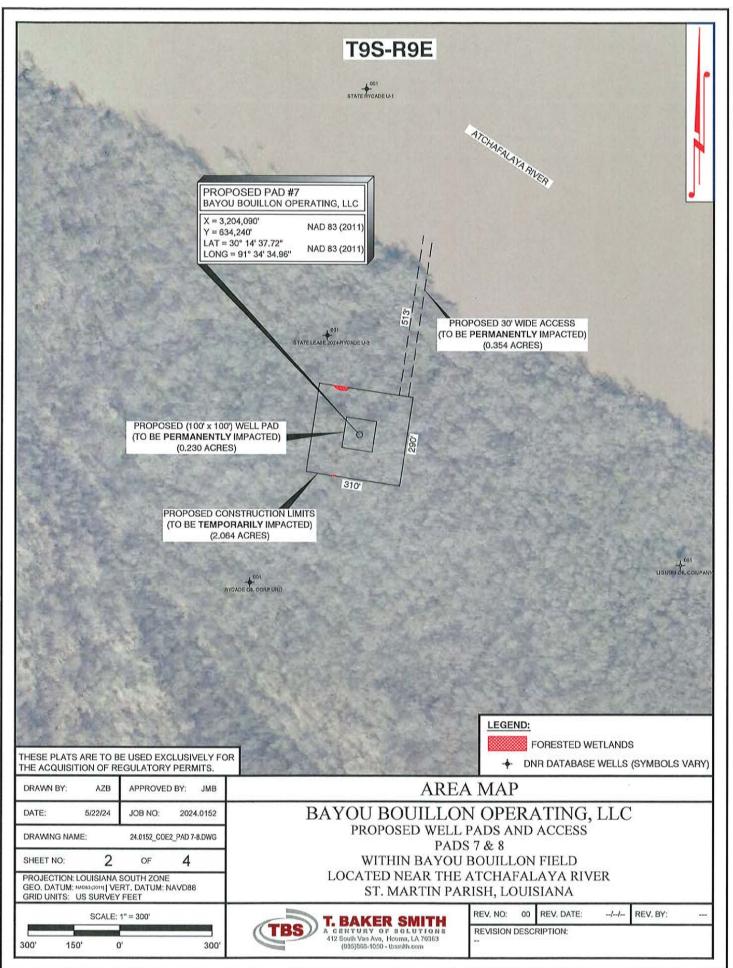
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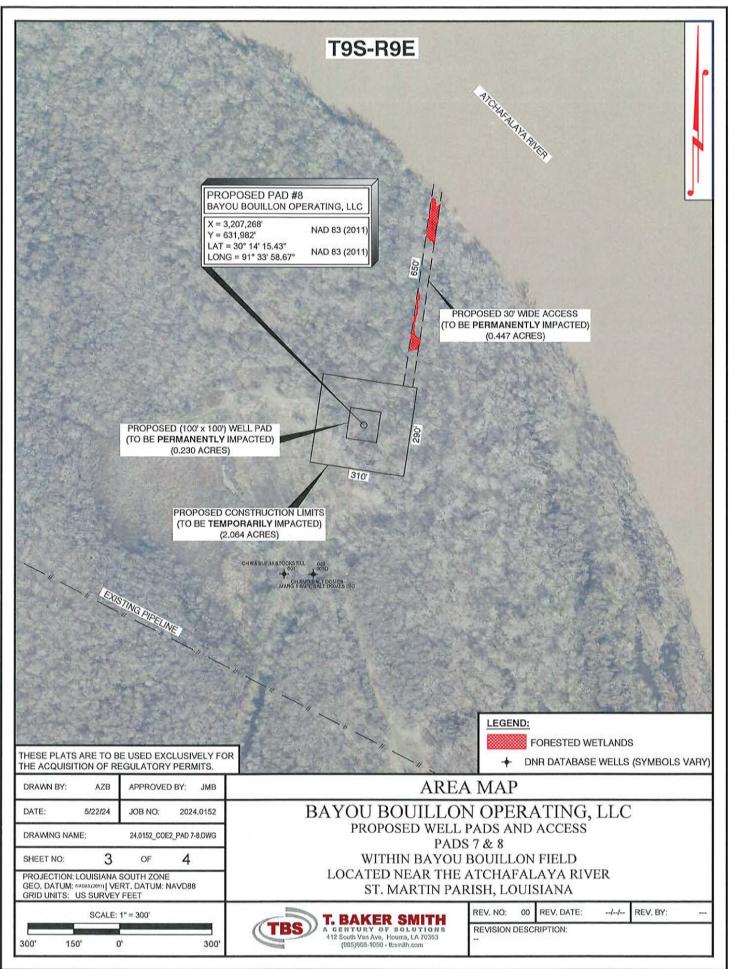
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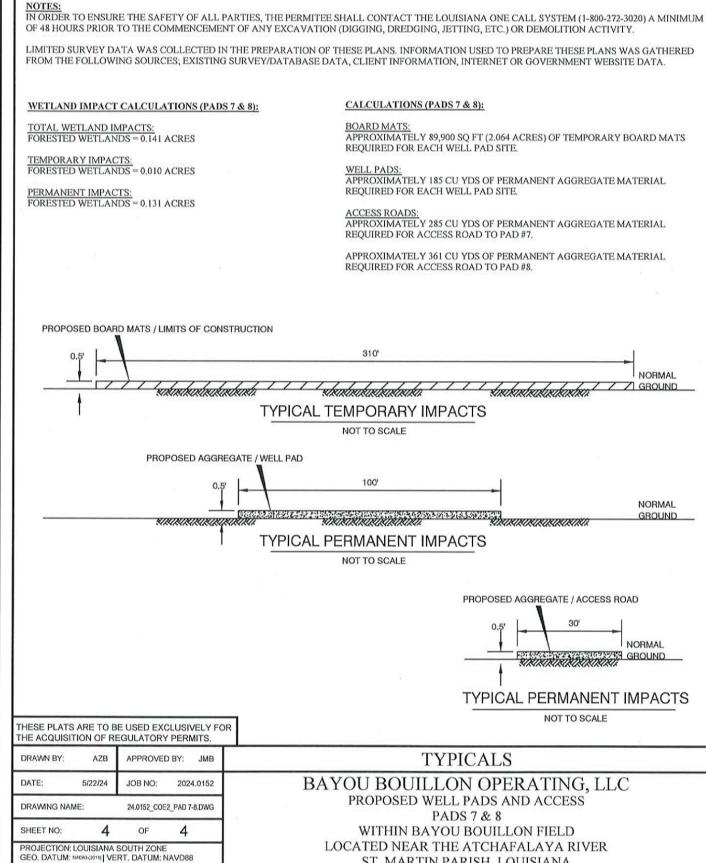


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ST. MARTIN PARISH, LOUISIANA

T. BAKER SMITH

412 South Van Ave, Houma, LA 70363 (985)858-1050 - tbemith.com

TBS

REV. NO:

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REVISION DESCRIPTION:

REV. DATE:

-1-1-

REV. BY:

3/23/2024 - P:IV-2024/2024.0152/PROJECT DRAWINGS/COE PERMIT PLATS/PAD 7 AND 8/24.0152_COE2_PAD 7-8.DWG

GRID UNITS: US SURVEY FEET

