

JOINT PUBLIC NOTICE

November 5, 2018

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, Louisiana 70160-0267

State of Louisiana
Department of Environmental Quality
ATTN: Water Quality Certifications
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

(504) 862-2041

(225) 219-3225

Benjamin.C.Sherman@usace.army.mil

Project Manager
Benjamin Sherman
Permit Application Number
MVN 2018-00502 ES

Project Manager
Elizabeth Hill
WQC Application Number
WQC 181024-02

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).

Application has also been made to the Louisiana Department of Environmental Quality, Water Quality Certifications, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

Construct and Maintain a Bulkhead, and Dock Pad within the Gulf Intracoastal Waterway Belle Chasse, Plaquemines Parish, Louisiana

NAME OF APPLICANT: D. Wilson Investments, LLC. c/o Paul J. Hogan, P.O. Box 250
Des Allemands, LA 70030

LOCATION OF WORK: Project site is located on the Gulf Intracoastal Waterway at 1509 Engineers Road, Belle Chasse, Plaquemines Parish, Louisiana, as shown on the attached drawings.

Hydrologic Unit Code: 08090301 - East Central Louisiana Coastal Location: Latitude: 29.853506,
Longitude: -90.020994

CHARACTER OF WORK: The applicant proposes to construct and maintain a 70' by 249' dock pad and a steel bulkhead and place approximately 3,900 cubic yards of sand fill under dock pad on the Gulf Intracoastal Waterway. The project that is proposed will cause permanent impacts to .4 acres of jurisdictional waters of United States. No permanent impacts to jurisdictional wetlands are anticipated with project implementation, thus, no compensatory mitigation measures are proposed at this time.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **20 days** from the date of this joint 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 and/or this WQC request and must be mailed so as to be received before or by the last day of the comment period. Letters concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be mailed to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH. 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 Section 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.**

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined during weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction.

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 unaware of properties listed on the National Register of Historic Places near the proposed work at this time. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The New Orleans District has determined that the project footprint is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*) and determined the activity is "not likely to adversely affect" this species based on the Standard Local Operating Procedure for Endangered

Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office.

Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of such species, listed as endangered by the U.S. Department of Commerce.

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 **0.4** 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 Department of Environmental Quality, Water Quality Certifications, before a permit is issued.

Any person may request, 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. 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 requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosure



VICINITY MAP

WILSON DOCK Gulf Intracoastal Waterway - Alternate Route 1509 ENGINEERS ROAD	
BELLE CHASSE, LOUISIANA	
DRAWING 1 OF 2	DATE: 03-31-18



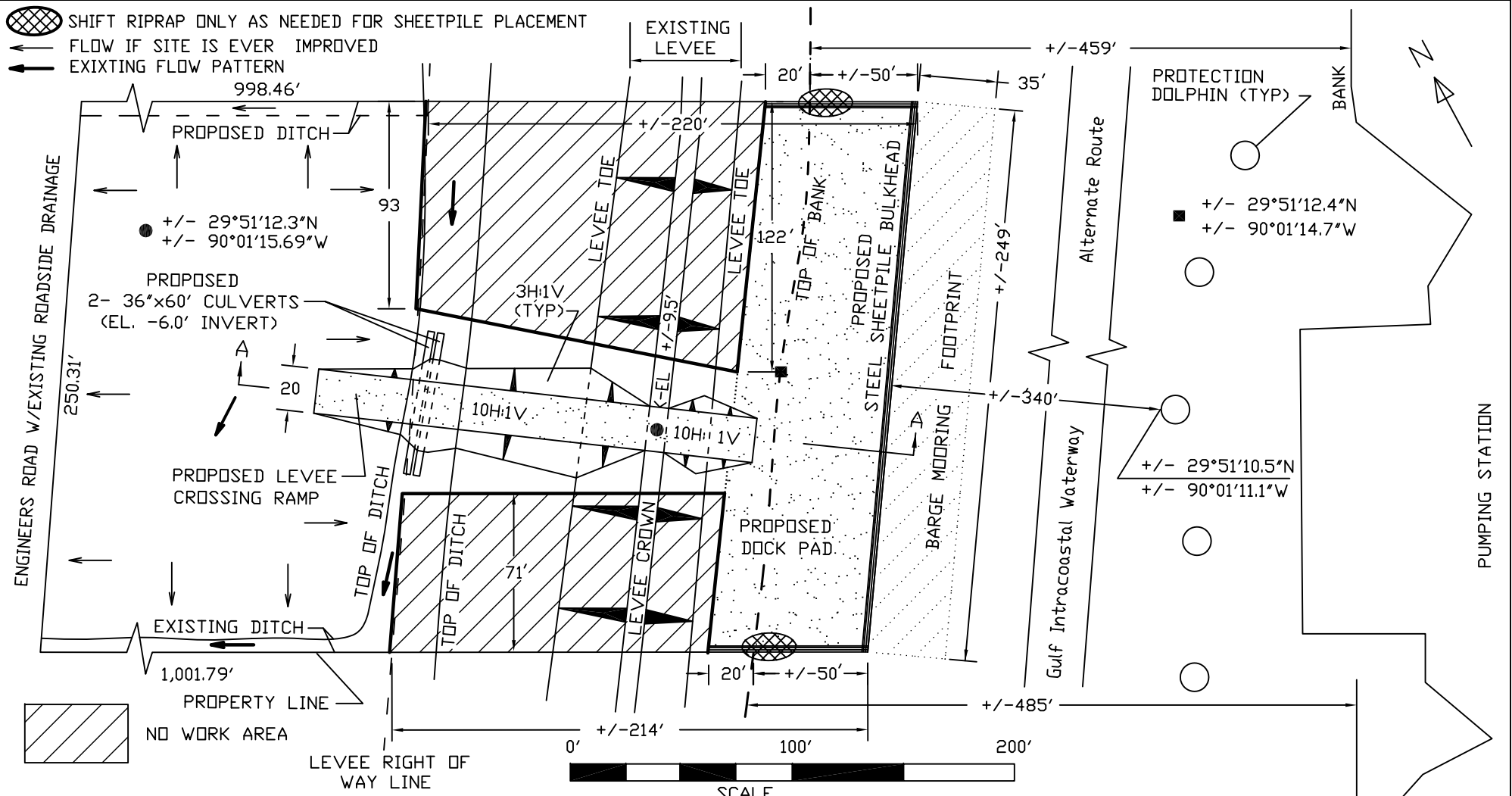
SHIFT RIPRAP ONLY AS NEEDED FOR SHEETPILE PLACEMENT



FLOW IF SITE IS EVER IMPROVED



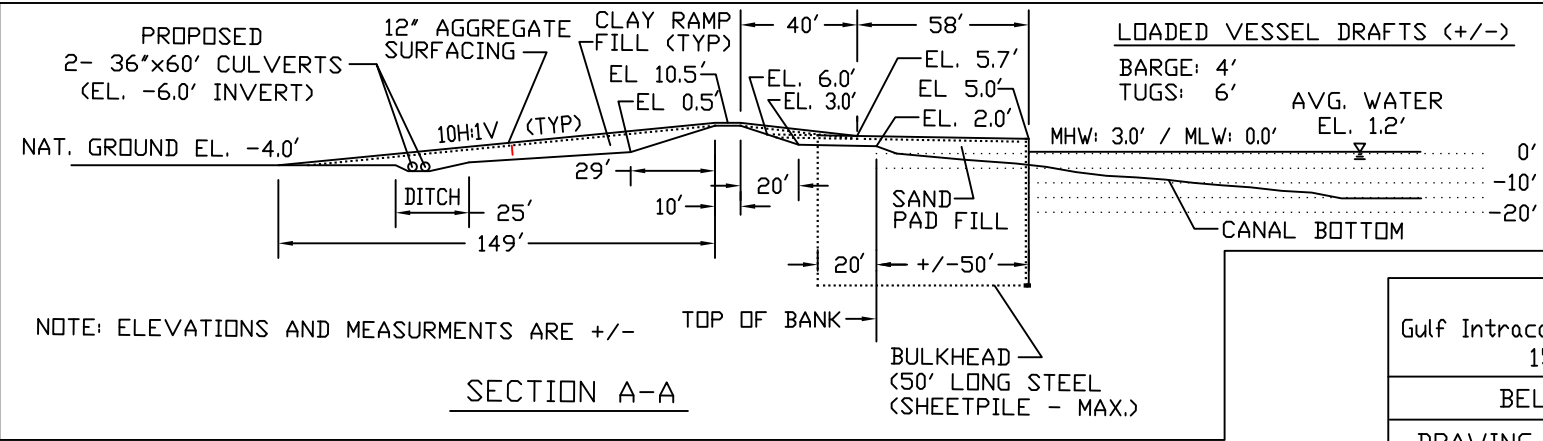
EXISTING FLOW PATTERN



PROTECTION
DOLPHIN (TYP)

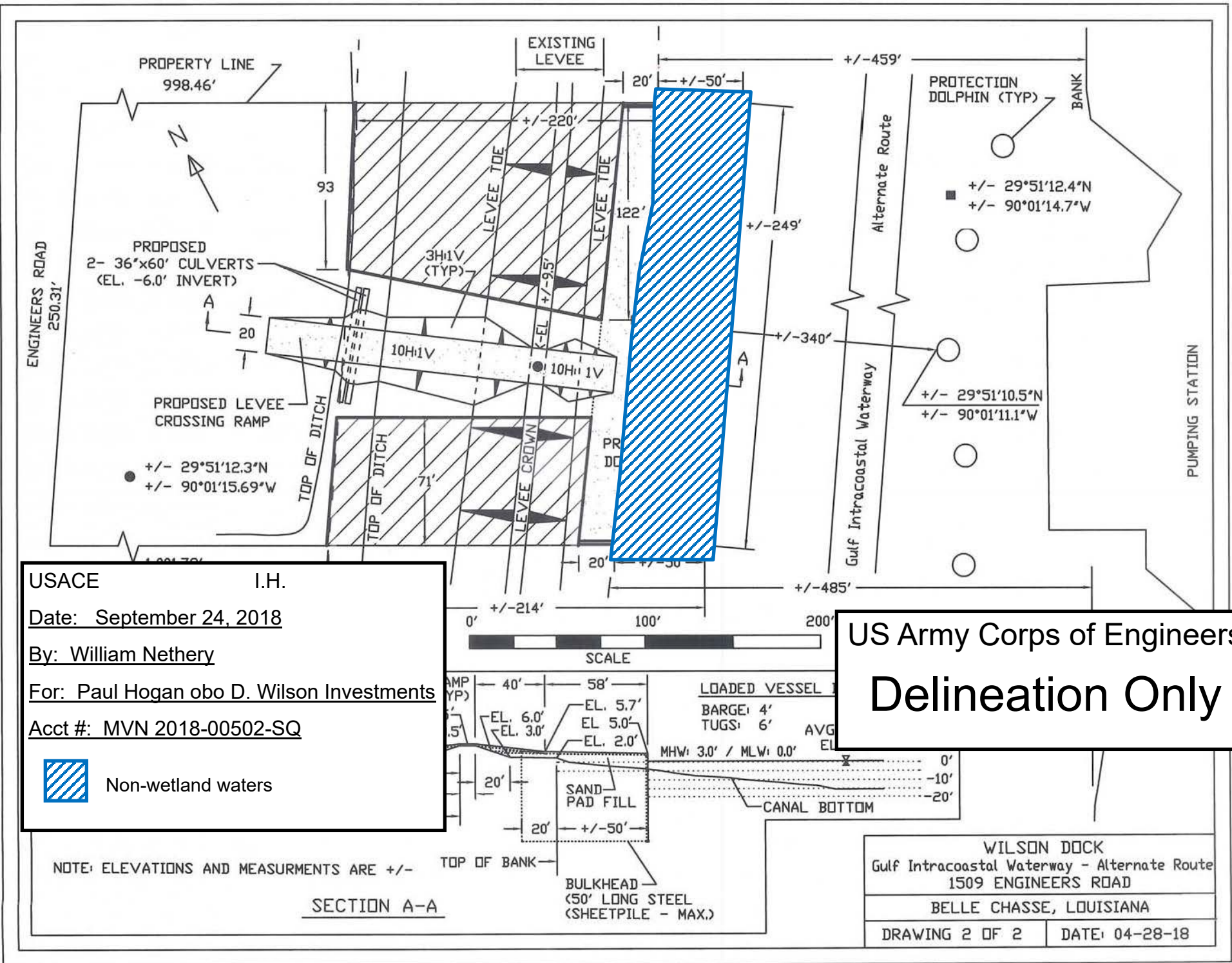
± 29°51'12.4"N
± 90°01'14.7"W

± 29°51'10.5"N
± 90°01'11.1"W




Revised 06-23-18

WILSON DOCK	
Gulf Intracoastal Waterway - Alternate Route	
1509 ENGINEERS ROAD	
BELLE CHASSE, LOUISIANA	
DRAWING 2 OF 2	DATE: 04-28-18



USACE I.H.
 Date: September 24, 2018
 By: William Nethery
 For: Paul Hogan obo D. Wilson Investments
 Acct #: MVN 2018-00502-SQ

 Non-wetland waters

US Army Corps of Engineers
Delineation Only

NOTE: ELEVATIONS AND MEASUREMENTS ARE +/- TOP OF BANK

SECTION A-A

BULKHEAD
 (50' LONG STEEL SHEETPILE - MAX.)

WILSON DOCK
 Gulf Intracoastal Waterway - Alternate Route
 1509 ENGINEERS ROAD
 BELLE CHASSE, LOUISIANA
 DRAWING 2 OF 2 DATE: 04-28-18