# JOINT PUBLIC NOTICE

June 8, 2020

United States Army Corps of Engineers New Orleans District Attn: Regulatory Branch 7400 Leake Avenue New Orleans, Louisiana 70118

Project Manager: James W. Little, Jr. (225) 342-3099 / fax: (225) 342-9439 James.little@usace.army.mil Permit Application Number: MVN-2005-02218-WII State of Louisiana Department of Environmental Quality Attn: Water Quality Certification Sec. Post Office Box 4313 Baton Rouge, Louisiana 70821-4313

Project Manager: Elizabeth Hill (225) 219-3225 / fax: (225) 219-3156 WQC Application Number: WQC 200603-02

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: [] 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).

The application has also been mailed to the Louisiana Department of Environmental Quality, for a Water Quality Certification (WQC) in accordance with statutory authority contained in Louisiana Revised Statute 30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L. 95-17).

# CONSTRUCT TWO WELLSITES, ACCESS ROADS AND APPURTENANT STRUCTURES IN IBERVILLE PARISH

**NAME OF APPLICANT**: Texas Brine Company, LLC, c/o Miller Engineers & Associates, Inc., Attn: Mr. Joel Miller, 601 Main Street, Franklin, Louisiana 70538.

**LOCATION OF WORK**: In Iberville Parish, North 30.129764, West -91.236447, located off of Louisiana Highway 404, west of White Castle, Louisiana, as shown on the attached vicinity map.

**<u>CHARACTER OF WORK</u>**: Clear, grade, fill and/or excavate and construct a new 36 foot wide by 280 foot long access road, a 30 foot wide by 190 foot long access road, one 1-inch pipeline, one 4-inch pipeline, one 6-inch pipeline, one 10-inch pipeline, one 20-inch pipeline, and two 300 foot by 400 foot drill pads. Approximately 24,631 cubic yards of sand material, 4,072 cubic yards of limestone, and 328 cubic yards of onsite temporary excavation will be used for the access roads, wings and drill pads. Approximately 5.04 acres of forested wetlands and 0.01 acres of emergent wetlands would be impacted by project implementation. The applicant proposes to purchase compensatory mitigation acres at CEMVN approved mitigation banks in the area.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close <u>20 days</u> 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 submitted 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 forwarded 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, faxing, 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. Letters concerning the Water Quality Certification must reference the applicant's name and the WQC Application number and be mailed to the Louisiana Department of Environmental Quality at the address above.

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. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, pre-historical, 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. Based on the Information & Planning Consultation for Endangered Species in Louisiana (IPaC), as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, the proposed project was evaluated under the determination key on June 3, 2020 and it has been determined that the proposed project will "Not likely to adversely Affect" the Pallid Sturgeon (*Scaphirhynchus albus*). Also, the proposed project is within the range of the Louisiana black bear (*Ursus americanus luteolus*). The Louisiana Black Bear was listed as a threatened subspecies in 1992. Due to recovery, it was officially removed from the List of Endangered and Threatened Species on March 11, 2016 (effective April 11, 2016). Although the Louisiana Black Bear is no longer protected under the ESA it remains protected under Louisiana State law. Please go to the following site for more information http://www.fws.gov/southeast/pdf/fact-sheet/louisiana-black-bear-post-delisting-consultation.pdf.

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 or alteration of <u>N/A</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.

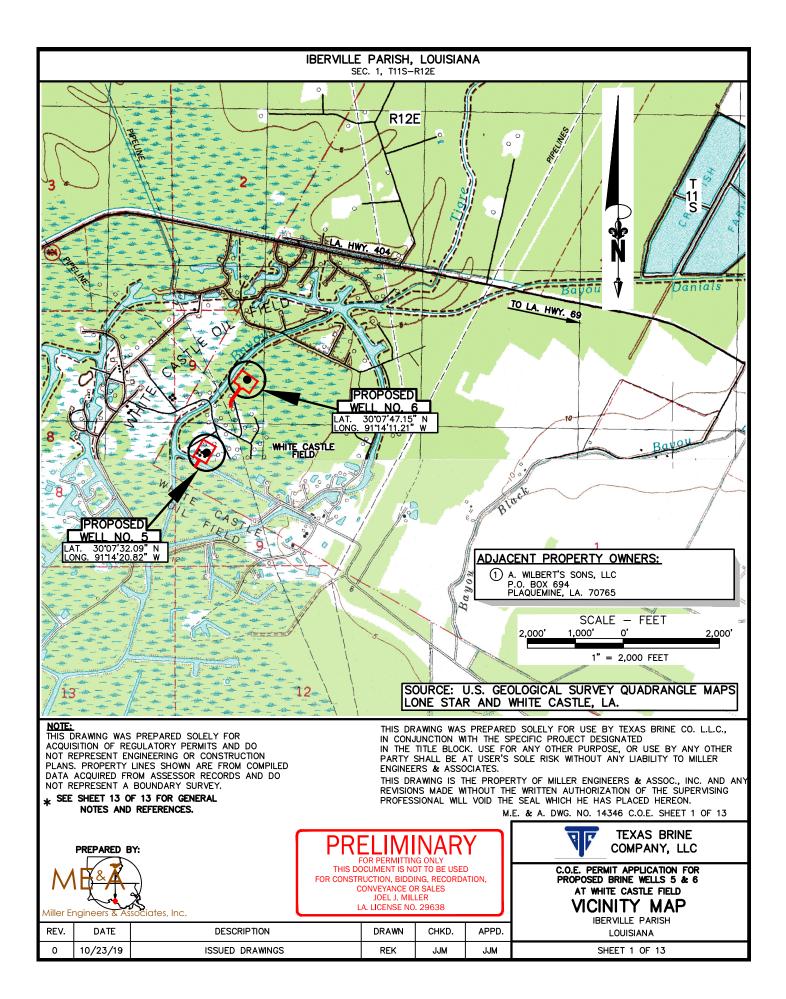
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

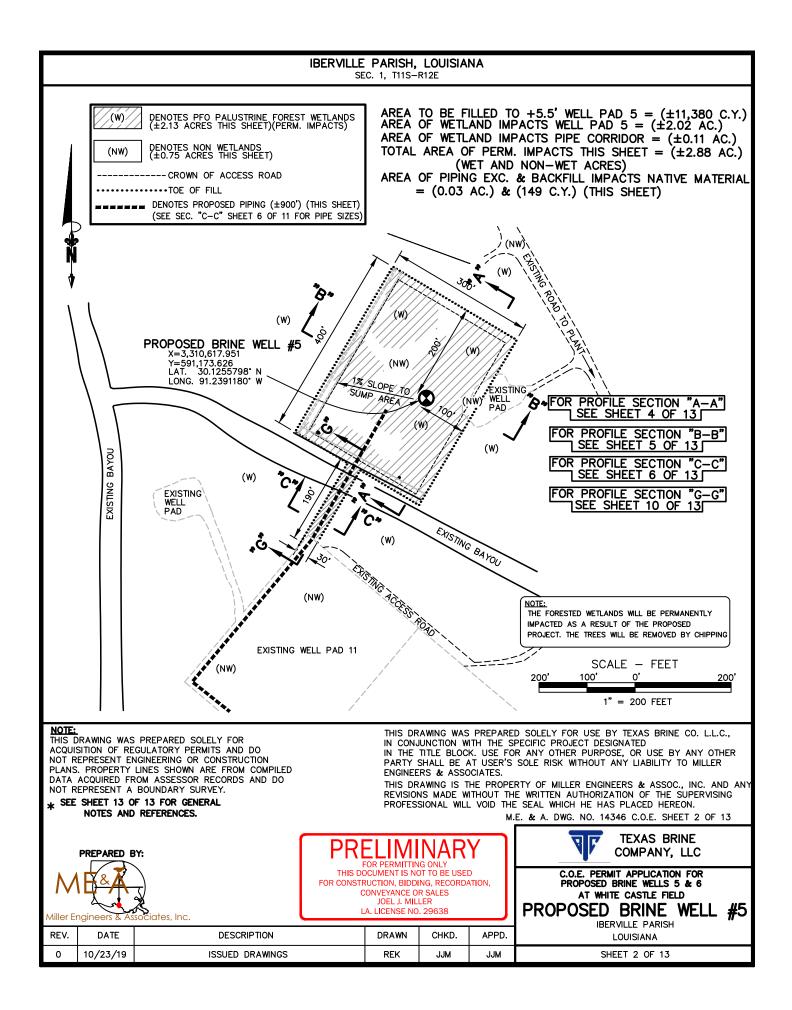
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

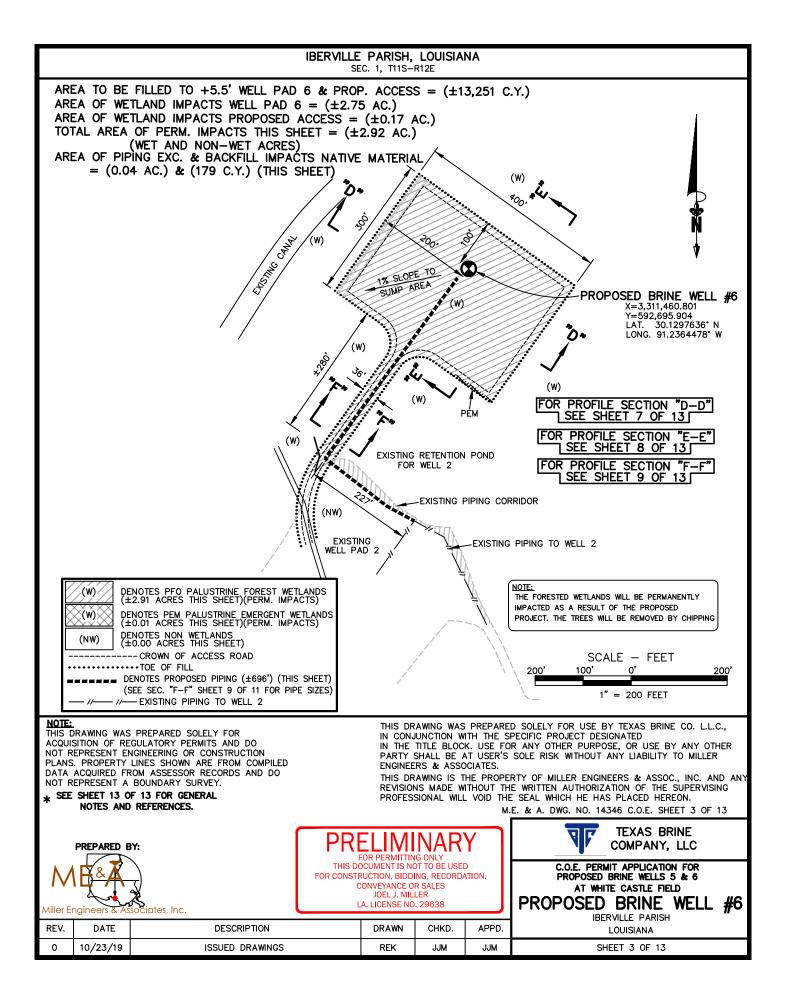
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

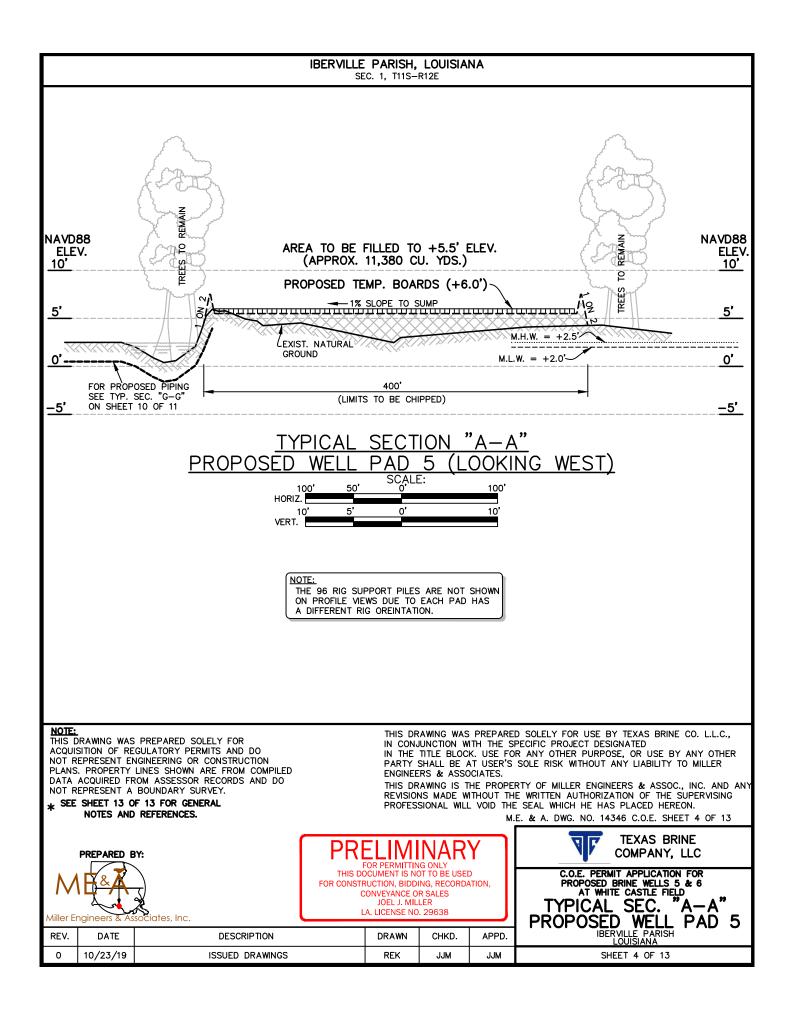
John M. Herman Chief, Central Evaluation Section Regulatory Branch

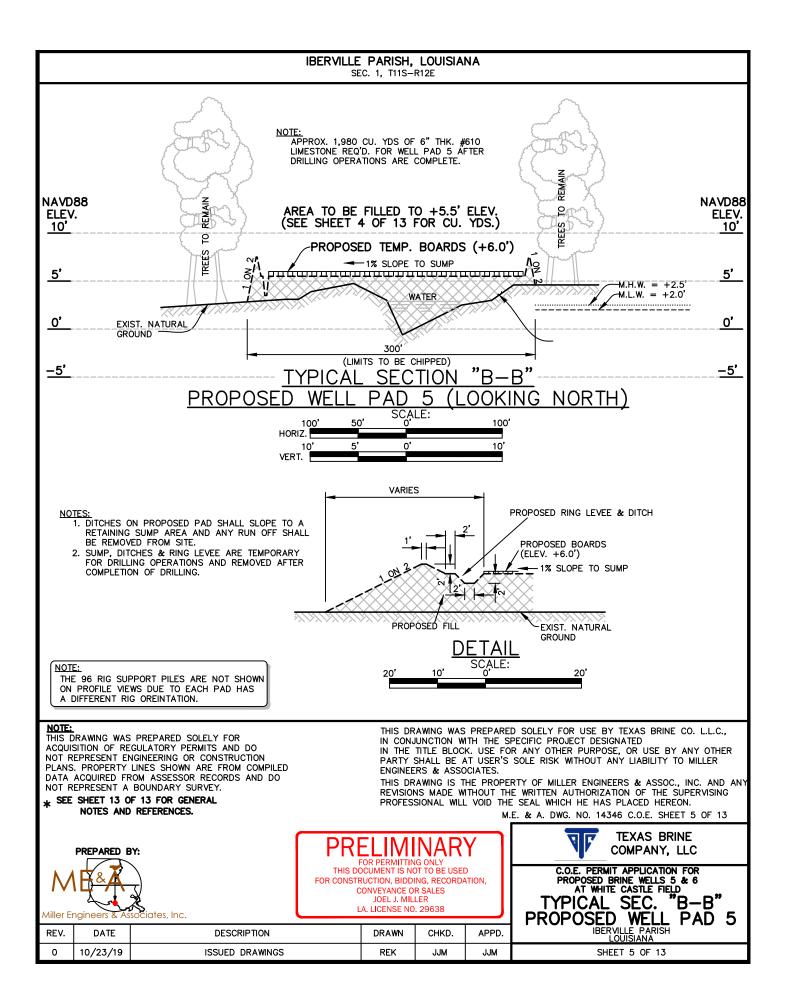
Enclosure

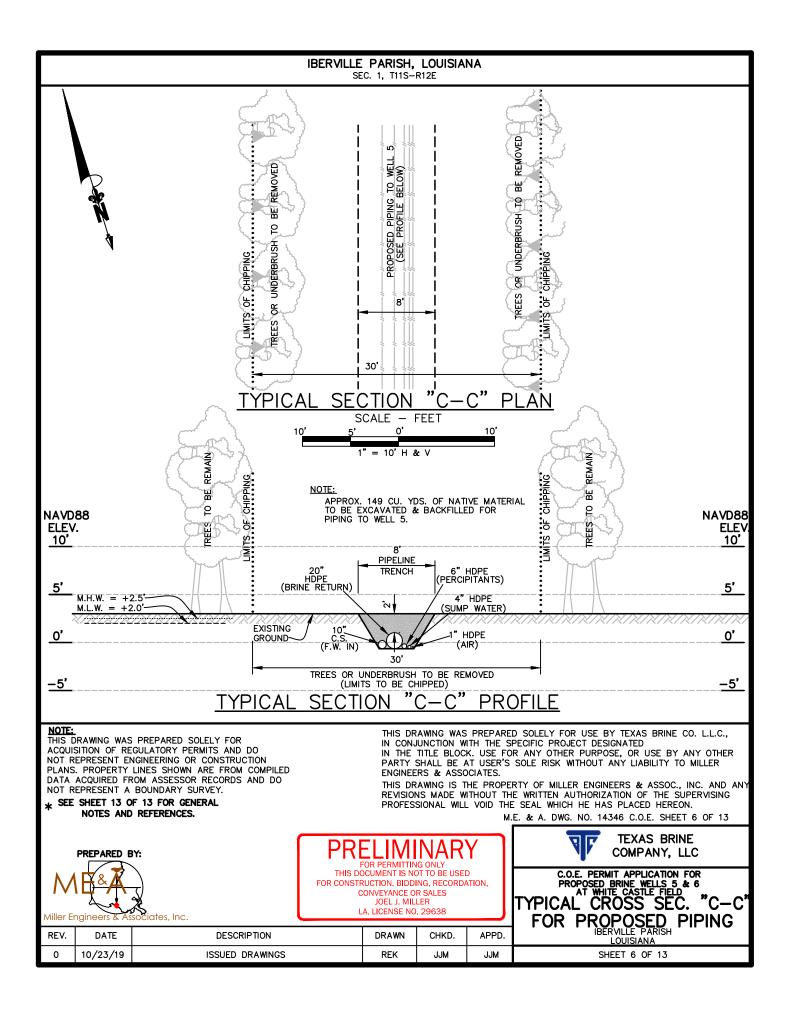


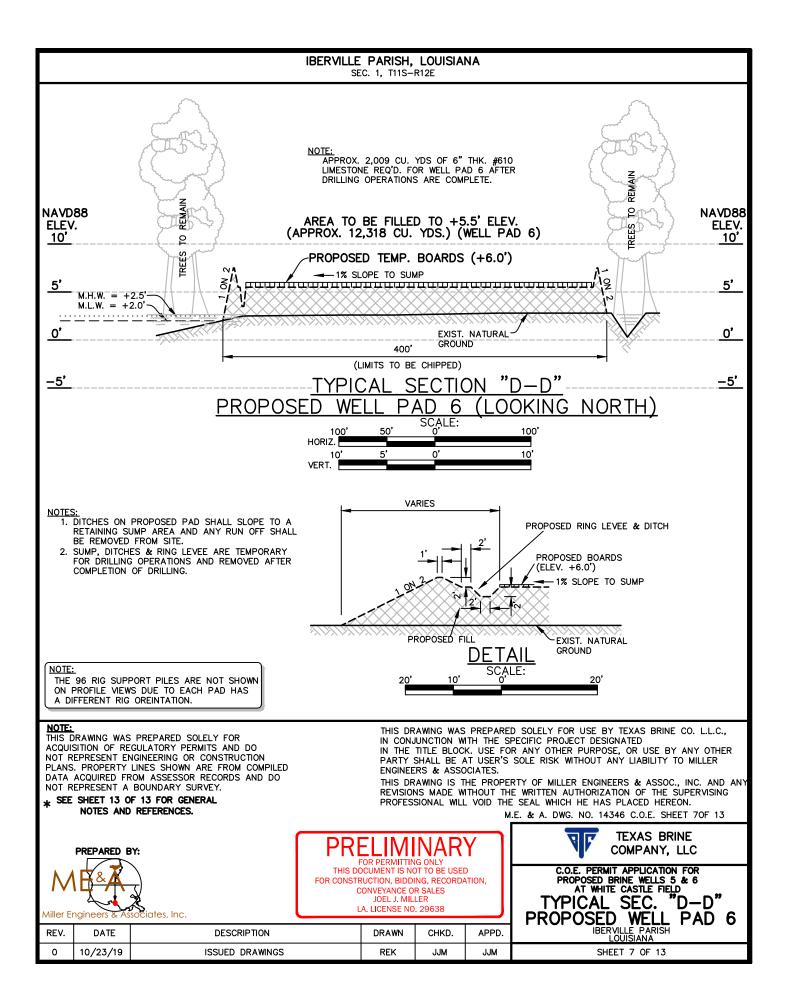


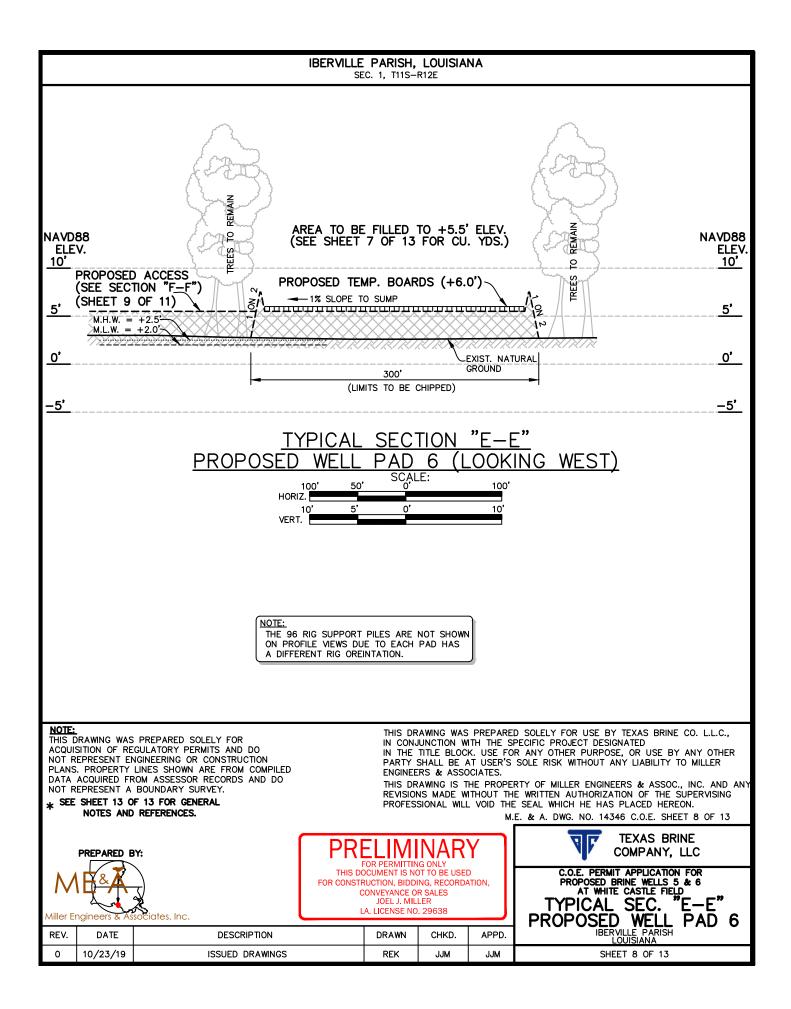


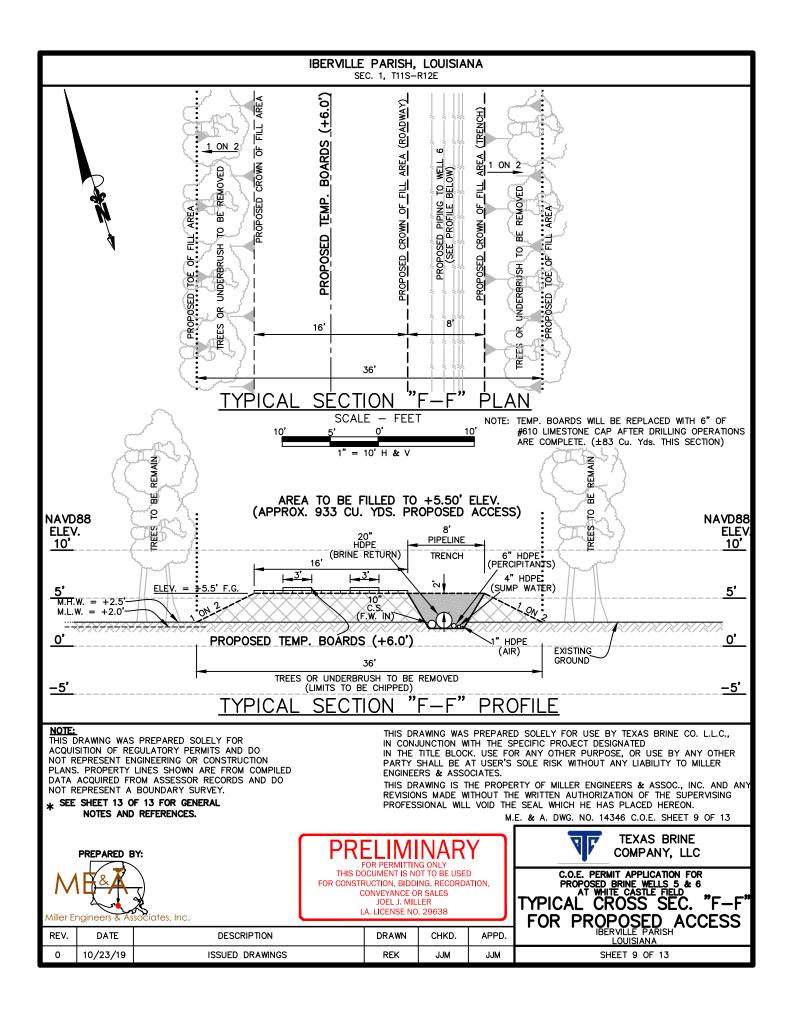


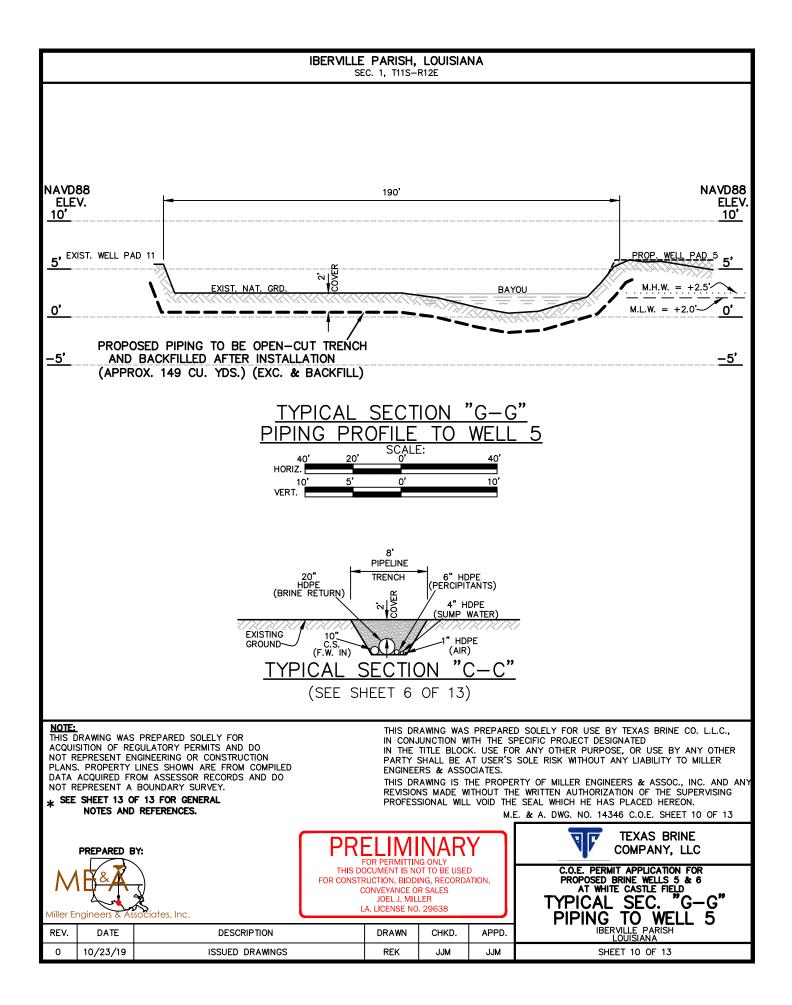


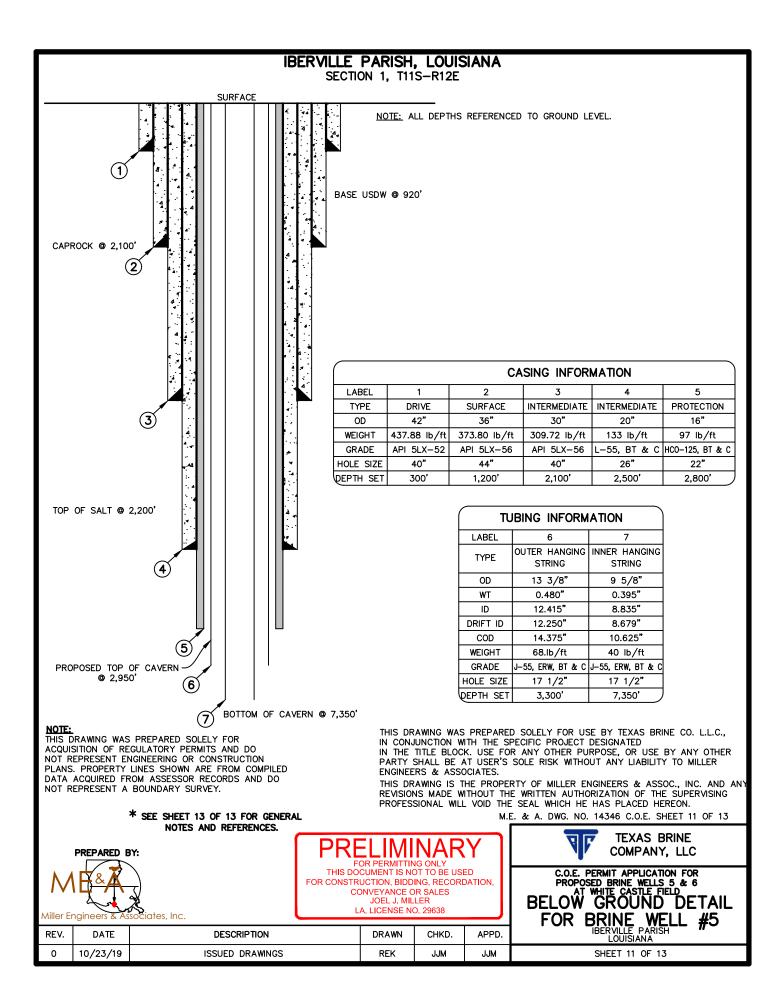


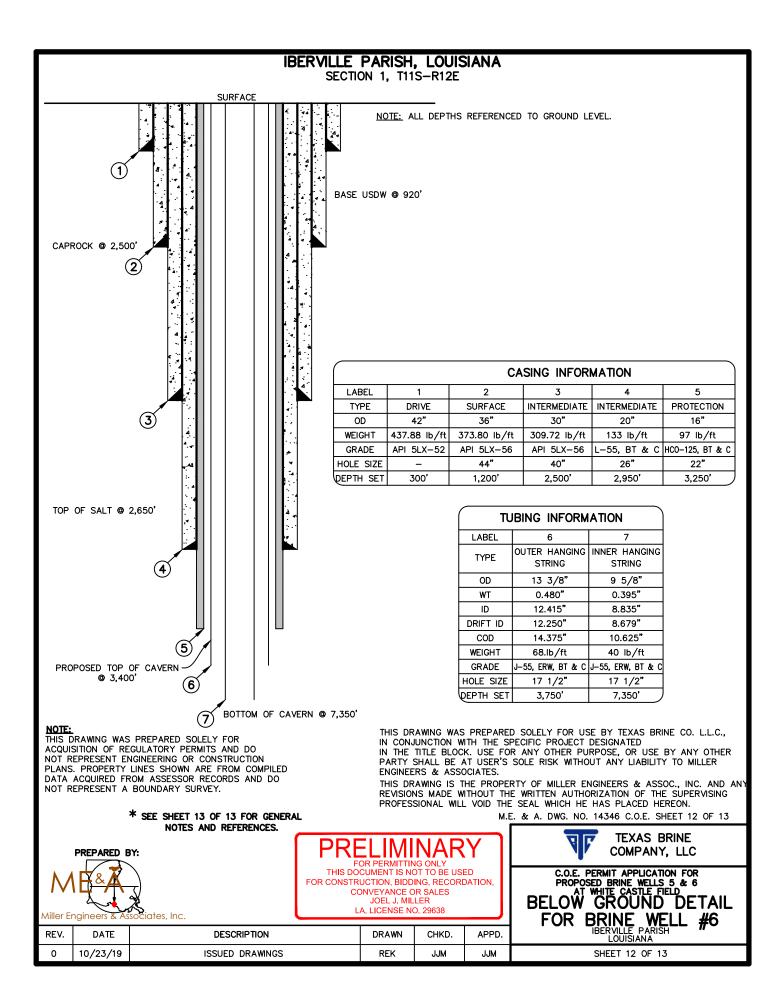












#### NOTES:

DESCRIPTION

ISSUED DRAWINGS

REV.

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DATE

10/23/19

NORTH ARROW AND GRID COORDINATES REFER TO THE LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NORTH AMERICAN DATUM OF 1983 (NAD 83)). BASED ON RTK GPS OBSERVATIONS.

ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 88). BASED ON RTK GPS OBSERVATIONS.

DISTANCES IN FEET BY HORIZONTIAL MEASURMENT.

PARISH, SECTION, TOWNSHIP, AND RANGE SCALED FROM REFERENCED U.S.C & G.S. QUADRANGLES, LONE STAR & WHITE CASTLE, LA. 1994

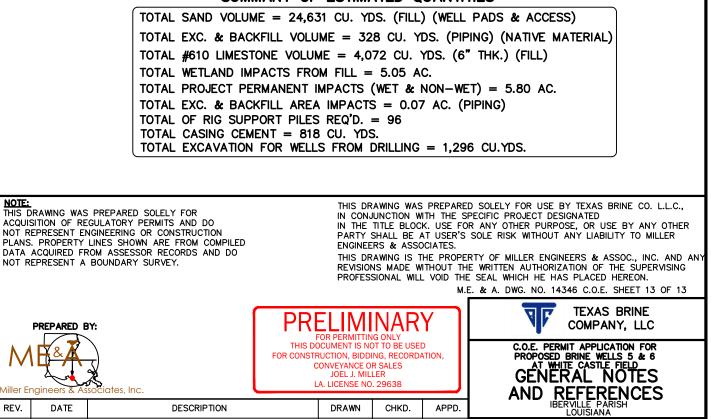
PROPOSED EXCAVATION LOCATIONS AND DIMENSIONS ARE APPROXIMATE BASED ON DATA PROVIDED TEXAS BRINE CO. LLC SURVEY PARTY CHIEF: HERSHEL SAUCE

DATE OF SURVEY: MAY 8, 2019

## SUMMARY OF CONSTRUCTION EQUIPMENT

DESCRIPTION	QUANTITY
AMPHIBIOUS TRACK EXCAVATOR (60' REACH) (FOR CHIPPING)	1
NON-AMPHIBIOUS TRACK EXCAVATOR (35' REACH) (FOR PIPELINE WORK)	1
TANDEM & TRACTOR TRAILER DUMP TRUCKS (ACCESS RD & PAD FILL)	1
BULL DOZER/GRADER (ACCESS RD & PAD CONSTRUCTION)	1
LAND BASED DRILLING RIG	1
1/2 TON & 3/4 TON CREW TRUCKS (CONSTRUCTION & DRILLING SUPPORT)	1

## SUMMARY OF ESTIMATED QUANTITIES



DRAWN

REK

CHKD.

JJM

APPD

JJM

SHEET 13 OF 13