# JOINT PUBLIC NOTICE

## August 17, 2020

United States Army Corps of Engineers New Orleans District Attn: Regulatory Branch 7400 Leake Ave. New Orleans, Louisiana 70118-3651

Project Manager: Johnny Duplantis (504) 862-2548 Johnny.j.duplantis@usace.army.mil Application #: MVN-2011-02351-WPP State of Louisiana Department of Environmental Quality Attn: Water Quality Certifications Post Office Box 4313 Baton Rouge, Louisiana 70821-4313

Project Manager: Elizabeth Hill (225) 219-3225 WQC Application Number: WQC 121012-01

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).

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).

### FLOOD PROTECTION SYSTEM IN TERREBONNE PARISH

**NAME OF APPLICANT**: Terrebonne Parish Consolidated Government, C/O: T. Baker Smith, LLC, P.O. Box 2266, Houma, LA 70361.

**LOCATION OF WORK**: Point of Beginning: Latitude 29° 31' 05.01"N / Longitude -90° 40' 05.68"W; Point of Ending: Latitude 29° 29' 46.62"N / Longitude -90°40' 40.55"W; Section 79, T18S, R18E, in Terrebonne Parish, Louisiana.

**CHARACTER OF WORK:** This proposal was originally placed on Public Notice (PN) on May 18, 2018, which has since expired, and the application was subsequently withdrawn. The applicant has re-submitted a new application for the proposed project, which includes a proposed flood protection levee system, water control structure, and pump station from the Ashland Landfill Road to Cedar Grove, in Terrebonne Parish, LA. The project will include the placement of approx.119,764 cy of material for project construction and 74,221 cubic yards of excavated material to be hauled off to a non-wetland area. This excavation is needed to muck out the top 12" of the proposed levee base and proposed borrow canal due to this material not containing soil properties conducive to the required levee construction. The levee alignment has been shifted westward which has reduced wetland impacts and will have permanent impacts to unvegetated waterbottoms, and 41.81 acres of encompassed wetlands within the proposed levee system. The applicant proposes to acquire in-kind credits from an approved mitigation bank to offset any unavoidable losses to wetland functions caused by project implementation, should a DA permit be issued.

The comment period on 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 submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be emailed to the USACE project manager or 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 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 state Water Quality Certification must reference the applicant's name and the WQC Application number and be mailed to the LDEQ at the address above.

The application for this proposed project is on file with the LDEQ 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 possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Copies of this public notice are being sent to the State Archeologist and State Historic Preservation Officer 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 and Planning Consultation for Endangered Species in Louisiana (IPaC), as signed 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 is located in waters known to be utilized by the Western Manatee and determined that the activity is not likely to adversely 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 may result in the destruction, alteration, and/or disturbance of **9.33** 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 LDEQ, before a Department of the Army permit is issued.

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.

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 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 Section Regulatory Branch

Enclosure

























#### NOTES: 1) AS BUILT DRAWINGS WILL BE PROVIDED TO LA. DNR, CMD AND PIPELINE DIVISION WITHIN 30 DAYS OF COMPLETION OF THIS PROJECT. 2) ALL STRUCTURES WILL BE MARKED IN ACCORDANCE WITH U.S. COAST GUARD REGULATION. 3) TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITTEE SHALL CONTACT THE LOUISIANA ONE CALL SYSTEM (1-800-272-3020) A MINIMUM OF 96 HOURS PRIOR TO COMMENCEMENT OF ANY EXCAVATION (DIGGING, DREDGING, JETTING, ETC.) OR DEMOLITION ACTIVITY. 4) APPROXIMATELY (179,311 ± CUBIC YARDS) OR (21.90 ± ACRES) OF NATIVE MATERIAL WILL BE EXCAVATED. 5) APPROXIMATELY (105,090 ± CUBIC YARDS) OR (9.43 ± ACRES) WILL BE PLACED AS FILL. 6) APPROXIMATELY (12.30 ± ACRES) OF WETLANDS ARE EXPECTED TO BE PERMANENTLY IMPACTED AND 4.19 ± ACRES TEMPORARILY IMPACTED BY THIS PROJECT. 7) APPROXIMATELY (402± CUBIC YARDS) OR (0.21± ACRES) OF RIPRAP WILL BE PLACED AS FILL. 8) ALL ACCESS ROUTES WILL BE WITHIN EXISTING ROAD RIGHT OF WAYS AND THE REQUIRED CONSTRUCTION RIGHT OF WAYS. 9) WHEN WATER SURFACE ELEVATIONS INSIDE THE FORCED DRAINAGE AREA REACH +1.25 NAVD DUE TO RAIN EVENTS, PUMPING WILL BEGIN. WHEN THE WATER SURFACE ELEVATION ON THE PROTECTED SIDE REACHES +0.80 NAVD PUMPING WILL STOP. 10) WHEN WATER SURFACE ELEVATIONS ON THE FLOOD AND PROTECTED SIDE ARE ANTICIPATED TO EXCEED +3.50 NAVD DUE TO APPROACHING TROPICAL EVENTS, THE GATES AT THE WATER CONTROL STRUCTURE WILL BE CLOSED. ONCE THE WATER SURFACE ELEVATION ON THE FLOOD SIDE HAS RETURNED TO NORMAL CONDITIONS THE GATES WILL BE REOPENED. THE EXISTING LEVEL OF PROTECTION ALONG THE ST. LOUIS CANAL IS A MINIMUM OF +4.0 NAVD. ALL RUNOFF WATER UNDER THE FORCE DRAINAGE SYSTEM WILL GRAVITY DRAIN TO THE BORROW CANAL AND PUMP STATION AND NOT TO THE ST. LOUIS CANAL. EXCAVATION FILL PERMANENT IMPACTS IMPORTED FILL IMPORTED FILL EXCAVATION **EXCAVATION** FILL FILL AREA (AC) AREA (AC) VOLUME (CY) VOLUME (CY) AREA (AC) VOLUME (CY) 9,832 WETLANDS 54,498 3.98 41,407 1.63 12.30 1,511 30,639 0.09 OTHER WATERS 3.16 6.08 10,934 0.90 2,929 NON-WETLANDS 113,879 2.29 33,044 3.70 14,272 179,311 9.43 105,090 2.62 TOTALS 22.08 THESE PLATS ARE TO BE USED EXCLUSIVELY FOR THE ACQUISITION OF REGULATORY PERMITS. 12/02/2013 PERMANENT IMPACTS NOTE REVISION NOTES

#### **TERREBONNE PARISH CONSOLIDATED GOVERNMENT**

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NO.

DATE

PROPOSED FLOOD PROTECTION LEVEE SYSTEM, WATER CONTROL STRUCTURE AND PUMP STATION FROM THE ASHLAND LANDFILL ROAD TO CEDAR GROVE LOCATED IN SECTION 79, T18S-R18E TERREBONNE PARISH

HOUMA, LOUISIANA

T. BAKER SMITH ACENTURY OF COLUTIONS 412 South Van Ave, Houma, LA 70363 (985)568-1050 - tbamith.com	NOT TO SCALE	SHEET 13	OF 13
		DRAWN BY:	DPP
		APPROVED BY:	HJT, KJB
		SCALE:	NTS
		DATE:	03/07/2013
		JOB NUMBER:	2011.0086
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