JOINT PUBLIC NOTICE

November 2, 2020

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

Project Manager
Johnny Duplantis
johnny.j.duplantis@usace.army.mil
(504) 862-2548
Permit Application Number
MVN-2015-02209-WPP

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

Project Manager
Elizabeth Hill

(225) 219-3225/FAX (225) 325-8125
WQC Application Number
WQC # 160204-02

TO WHOM IT MAT CONCERN: Interested parties are hereby notified that a permit application was received by the New Orleans District of the U.S. Army Corps of Engineers (USACE) 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 was also distributed 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).

NAME OF APPLICANT: Louisiana Department of Natural Resources, Atchafalaya Basin Program, Post Office Box 44487, Baton Rouge, 70802.

LOCATION: Located at Latitude 29.99472, Longitude -91.44444, in and adjacent to Grand Lake, near Jeanerette, Louisiana, within Iberia Parish. The project is located within the Atchafalaya Basin Floodway, Hydrologic Unit 08080101.

ADMINISTRATIVE AND PROJECT HISTORY: A previous joint public notice was posted on February 8, 2016 for an initially proposed project, which included the dredging of sediment accretion and shoaling areas in Grand Lake, for the purpose of restoring deeper water habitats and reducing a major navigation hazard for boaters. Material dredged from Grand Lake was initially proposed to be transported and deposited into the Atchafalaya River. Due to issues and concerns expressed by the USACE Operations Division regarding the discharge of dredge material into a federally maintained channel, the applicant explored other options and developed a less environmentally damaging practicable alternative (beneficial placement of dredge material into a nearby Section 10 private pipeline canal), that still met the overall project purpose. A State WQC was issued to the State of Louisiana, Department of Natural Resources, Atchafalaya Basin Program on June 10, 2016, and subsequently a DA permit was issued for the modified project on September 29, 2017. In light of a recent challenge filed against the DA permit in the United States Federal District Court for the Western District of Louisiana, the New Orleans District, USACE has volunteered to post a new public notice and re-evaluate the final authorized modified project plans. The USACE is soliciting comments from all interested parties during this special 20-day public review process, in order to consider and re-evaluate the project.

AUTHORIZED - MODIFIED PROJECT DESCRIPTION: The applicant requested a DA permit to dredge material from Grand Lake and re-deposit the dredge material into a nearby pipeline canal, at the location specified above. A channel training breach at the Atchafalaya River in 2011 caused rapid sediment accretion and the formation of a large sand bar and shoaling area in Grand Lake, which contains some of the last remaining deep water habitat in the Atchafalaya Basin. In addition to degrading deep water habitat in Grand Lake, this sediment accretion has become a major navigational hazard to boaters and has extended across much of the lake's width. The purpose of the authorized project is to restore the lake to its previous bottom elevations by dredging the newly formed sand bar and shoaling areas in Grand Lake. The total dredging volume will be approximately 200,000 cubic yards, and spoil generated from this project was proposed to be transferred by dredge pipeline and used beneficially to fill an adjacent private pipeline canal. An existing authorized rock berm and plug is located on the western end of the canal at the Atchafalaya River, and a newly constructed sediment trap and containment berms were proposed to be installed on the eastern end of the canal. Fill operations were proposed to be located and deposited in a manner that would avoid any disruption to the natural course and flow of Swing Chute at its intersection with the pipeline canal, as can be viewed in the attached drawings. Any excess sediment that exceeds the volume of the canal will remain in Grand Lake. The Technical Advisory Group and Research and Promotion Board of the Atchafalaya Basin Program (ABP) approved this dredging project for the Fiscal Year 2016 ABP Annual Plan and have identified it as a number one priority for the program. All approved dredging is within Grand Lake, avoiding impacts to vegetated wetlands, and creating approximately 6 acres of wetlands from beneficial placement of the dredge material into the adjacent pipeline canal. Compensatory mitigation was not required, as there were no proposed impacts to jurisdictional wetlands, and consequently a net gain in wetland creation from project construction.

NOTE: *As per information provided by the ABP, it is understood that all and/or most all of the authorized project work activities have been completed, to include excavation of shoaling areas in Grand Lake, rehabilitation of the western canal berm, construction of the eastern canal berms and sediment trap, and beneficial placement of excavated spoil materials into portions of the subject pipeline canal.*

The comment period on the subject 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 requested 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 permit application must reference the applicant's name and the Permit Application Number, and can be e-mailed to the Corps of Engineers project manager listed above, or forwarded to the Corps of Engineers at the address above, ATTENTION: REGULATORY BRANCH. Individuals or parties may also request an extension of time in which to comment on the proposed work, by mail or 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 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 and inclusive of the initial comment period, and will not exceed a

total of 30 calendar days. Letters or comments 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 5:00 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, prehistorical, historical sites, or data. As 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 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. Utilizing 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, the Corps has determined that the proposed activity would have no effect on any listed 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 **36.40 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 Department of the Army permit is issued.

Any person may request by email 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.

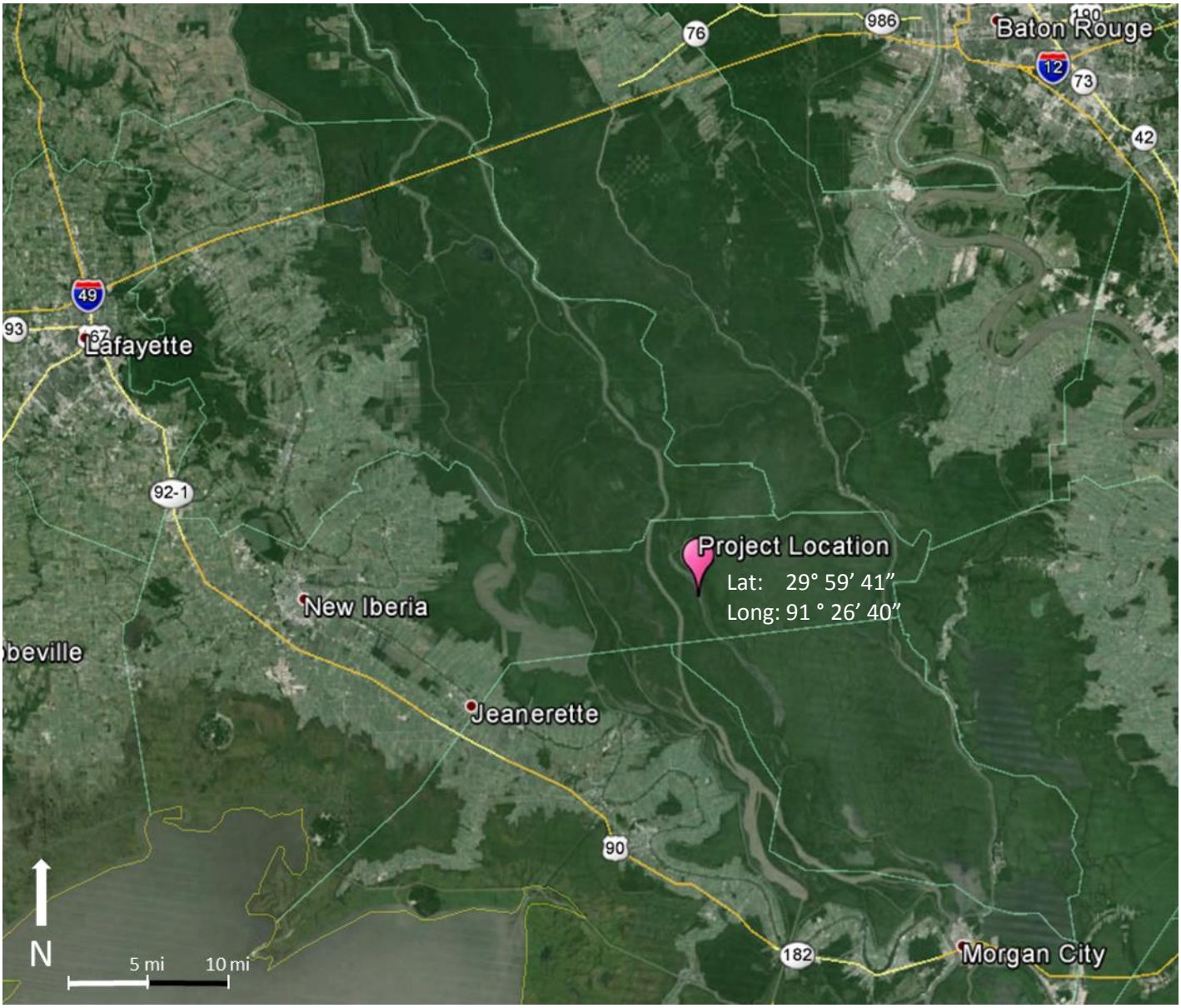
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver 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.

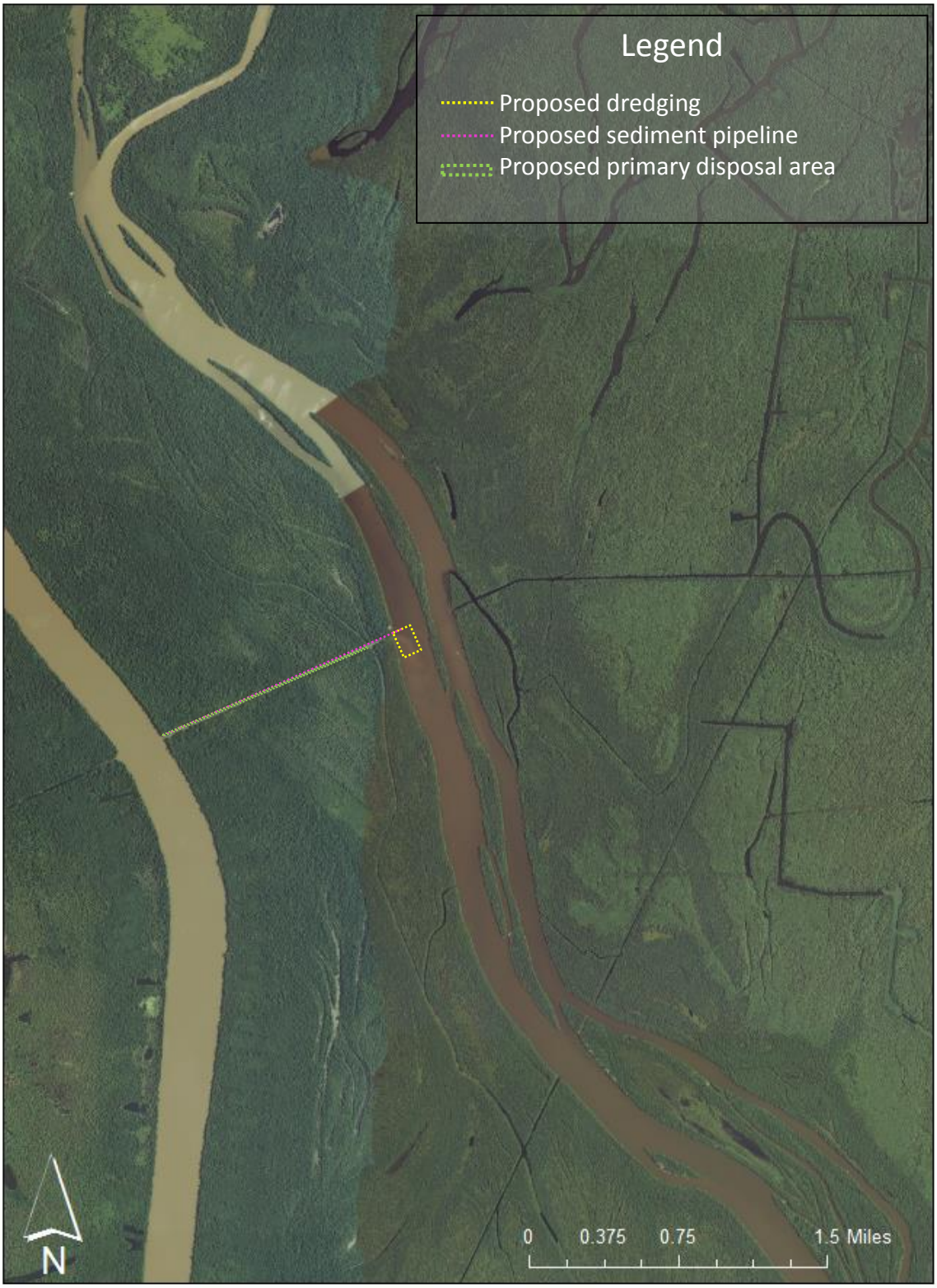
Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch

Enclosures

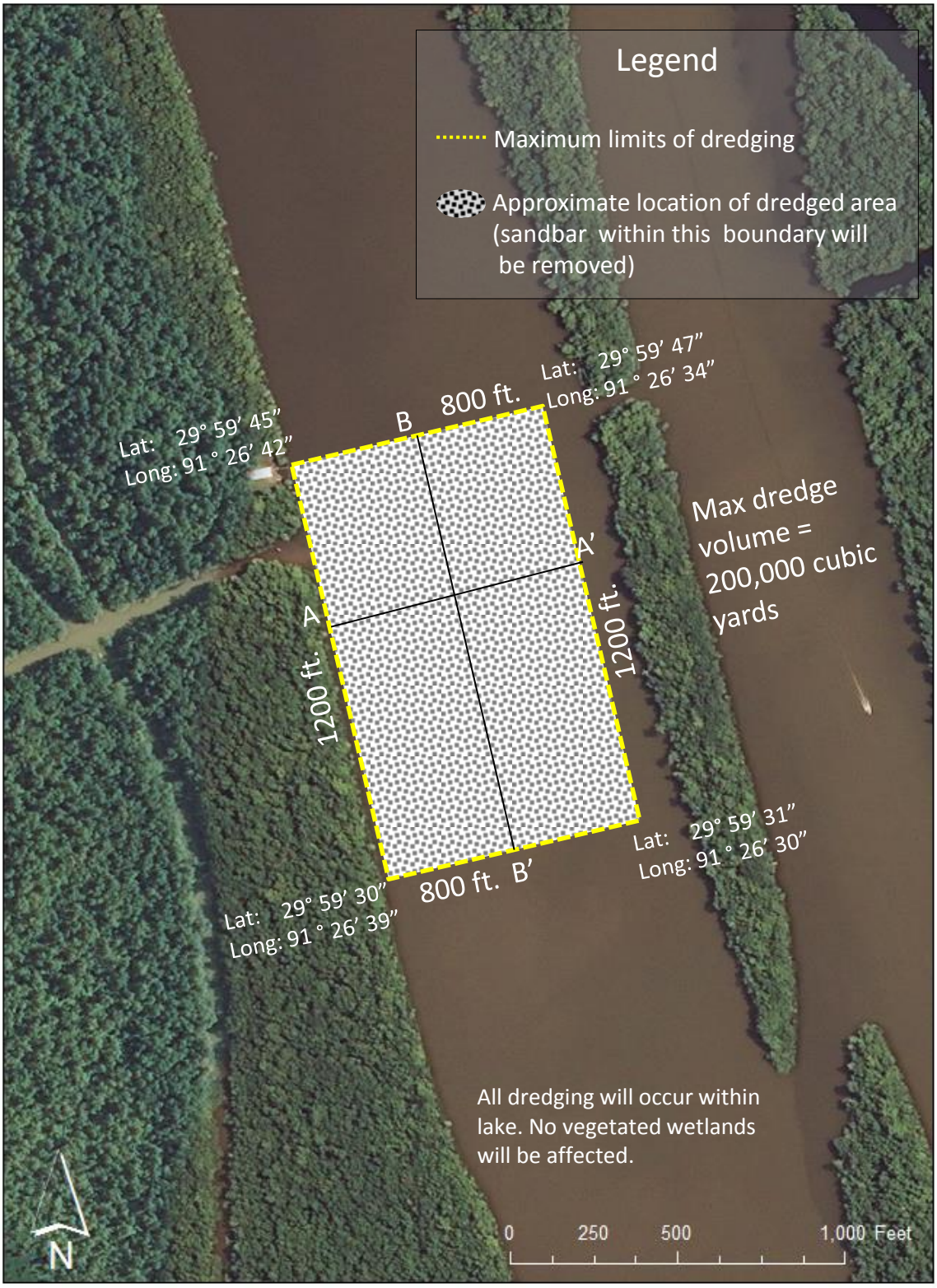
Atchafalaya Basin Program Restorative Dredging Project
Vicinity Map



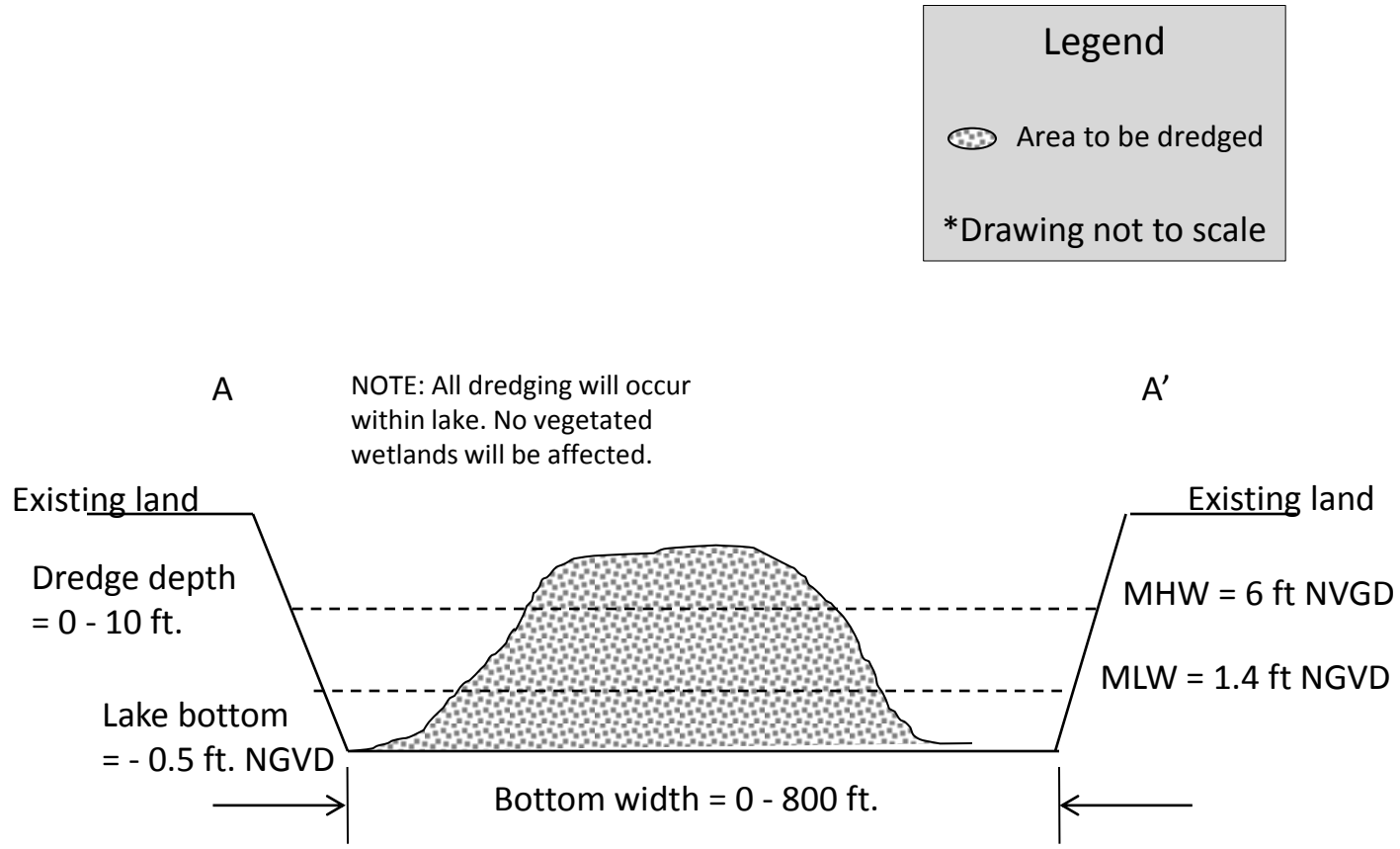
Atchafalaya Basin Program Restorative Dredging Project Overview Map



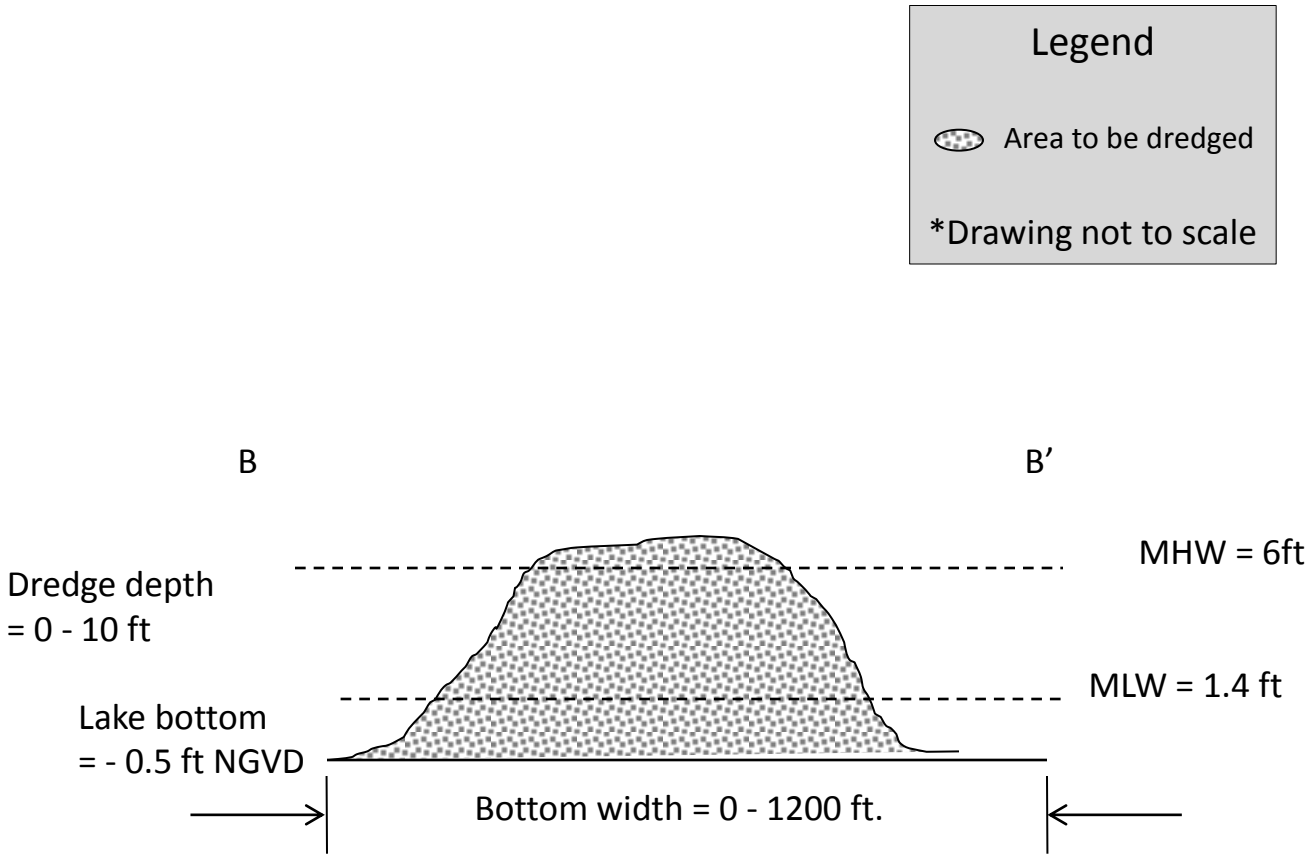
Atchafalaya Basin Program Restorative Dredging Project
Grand Lake Dredging



Atchafalaya Basin Program Restorative Dredging Project
Grand Lake Dredging - Typical Section

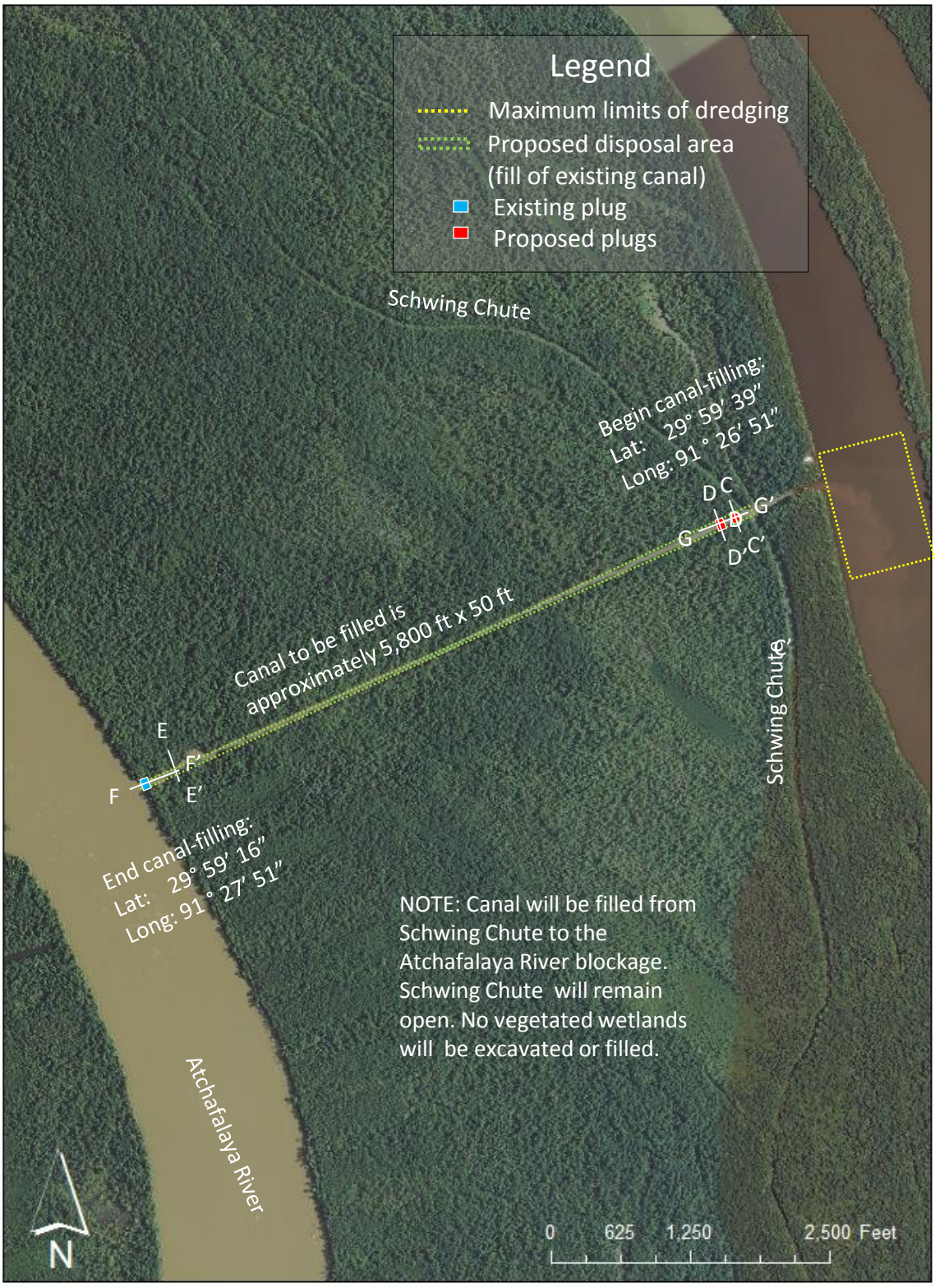


Atchafalaya Basin Program Restorative Dredging Project
Grand Lake Dredging - Typical Section

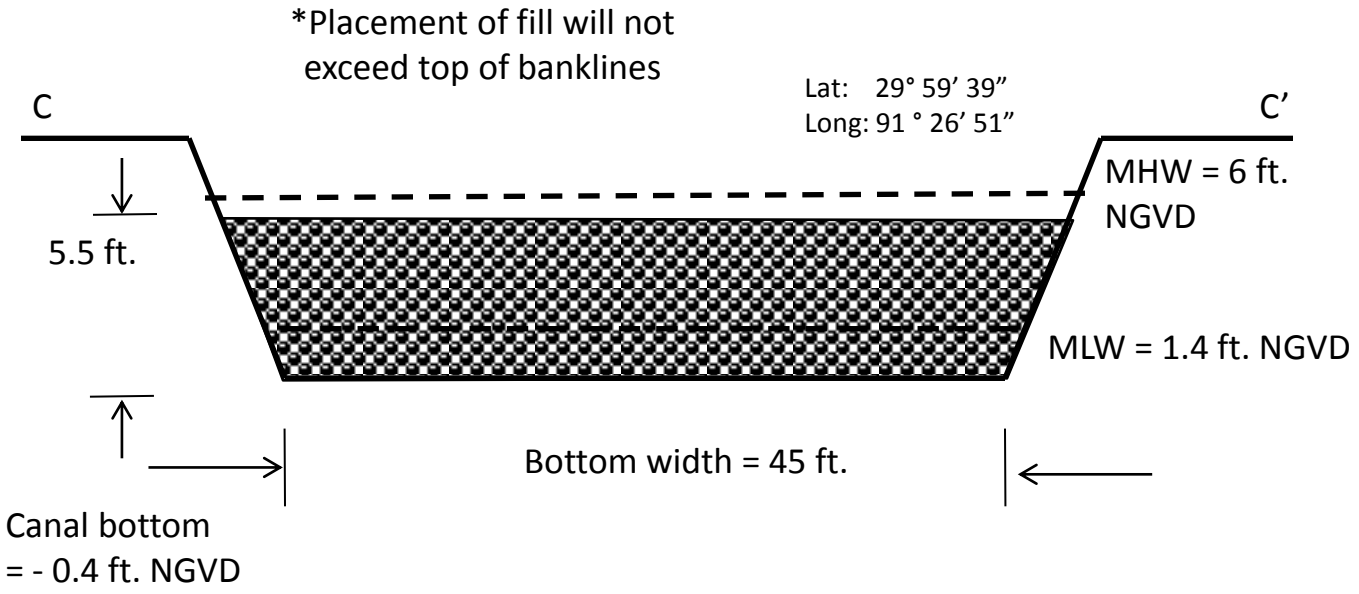


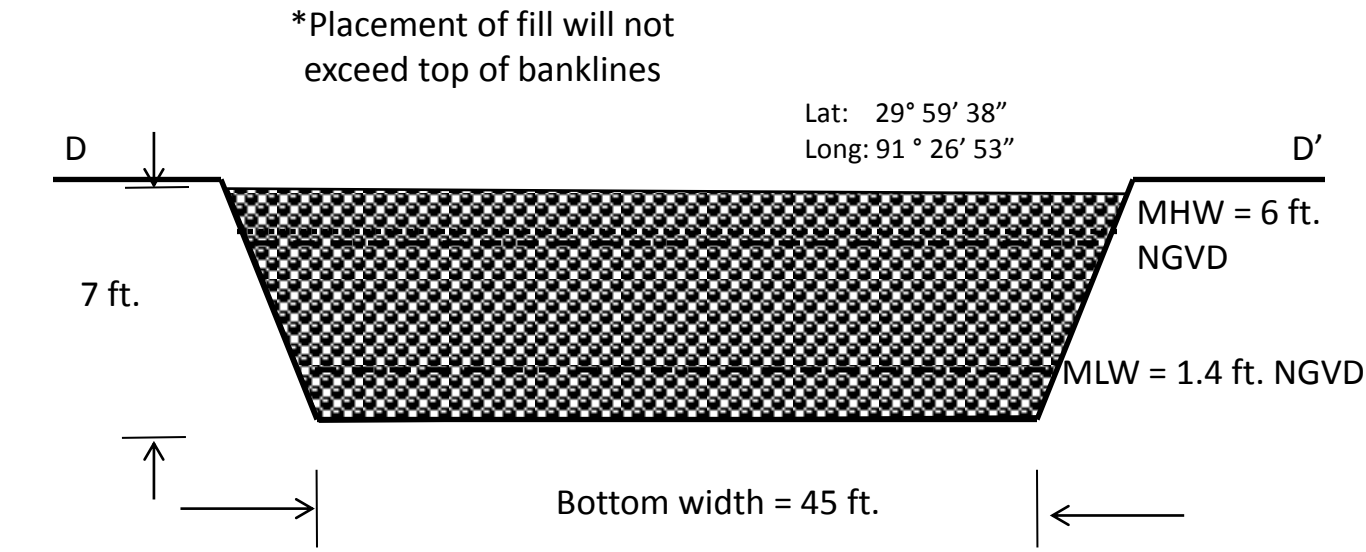
NOTE: All dredging will occur within lake. No vegetated wetlands will be affected.

Atchafalaya Basin Program Restorative Dredging Project Disposal Area



Atchafalaya Basin Program Restorative Dredging Project
Rock Berm- Section

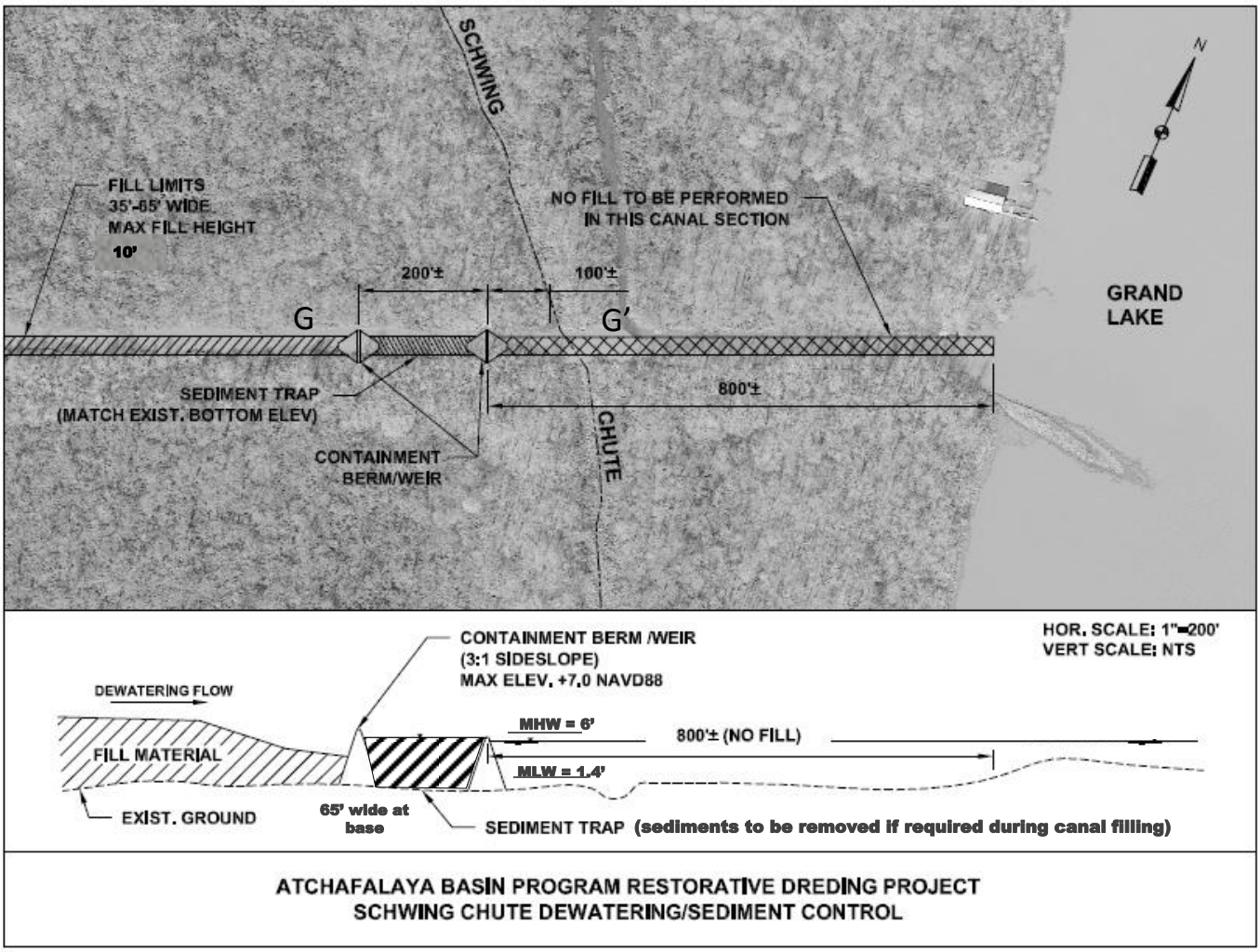




Area to be rocked

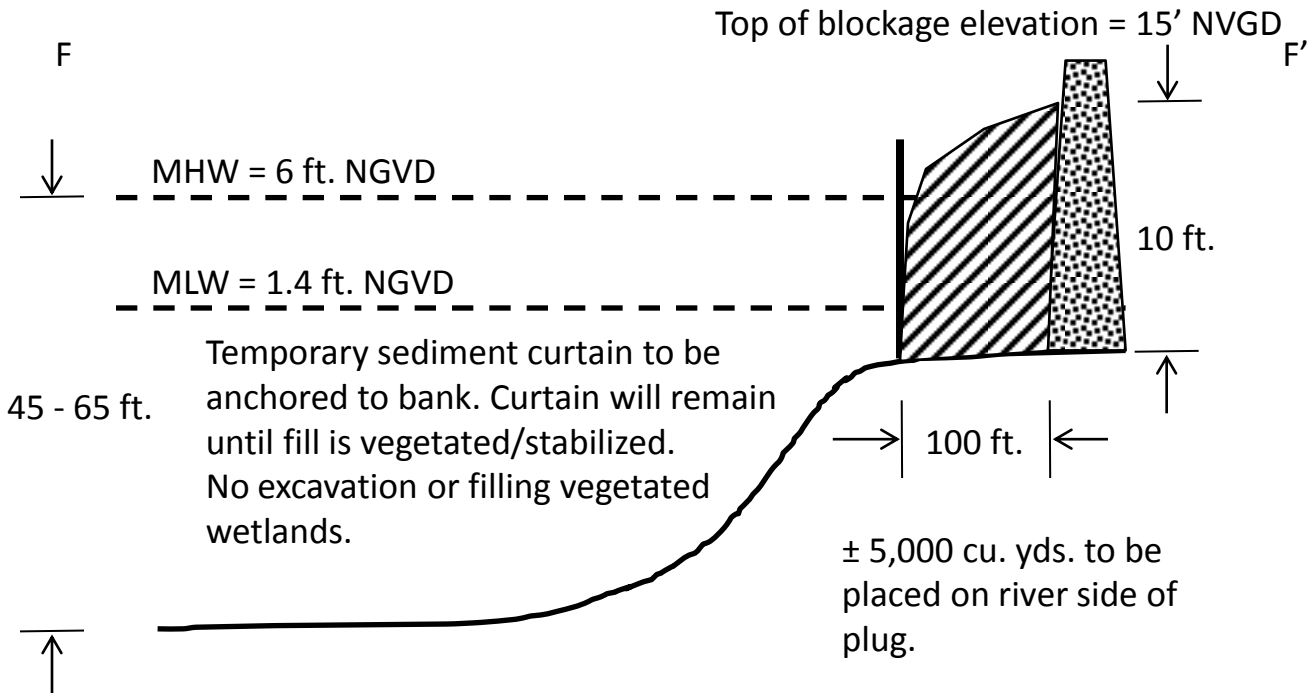
*Drawing not to scale

Atchafalaya Basin Program Restorative Dredging Project
Disposal Area – Plug at Schwing Chute



Atchafalaya Basin Program Restorative Dredging Project
Primary Disposal Area – Existing plug

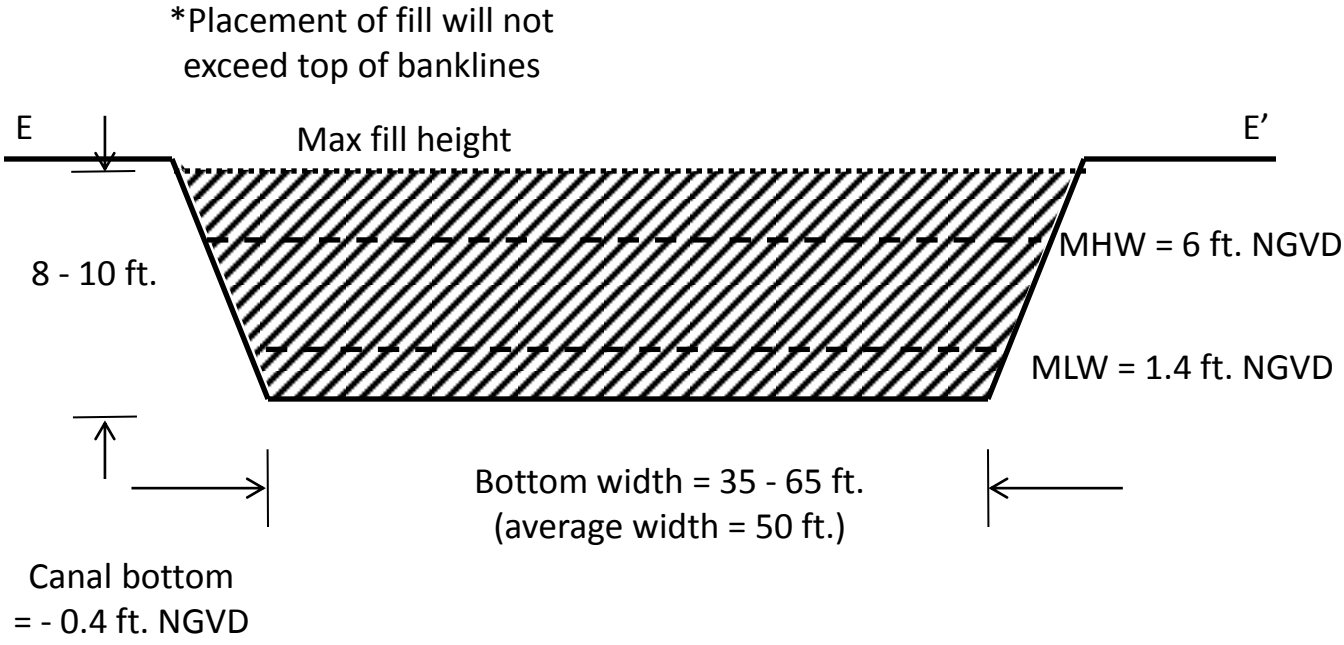
Lat: 29° 59’ 16.8”
Long: 91 ° 27’ 49.6”



Area to be filled

*Drawing not to scale

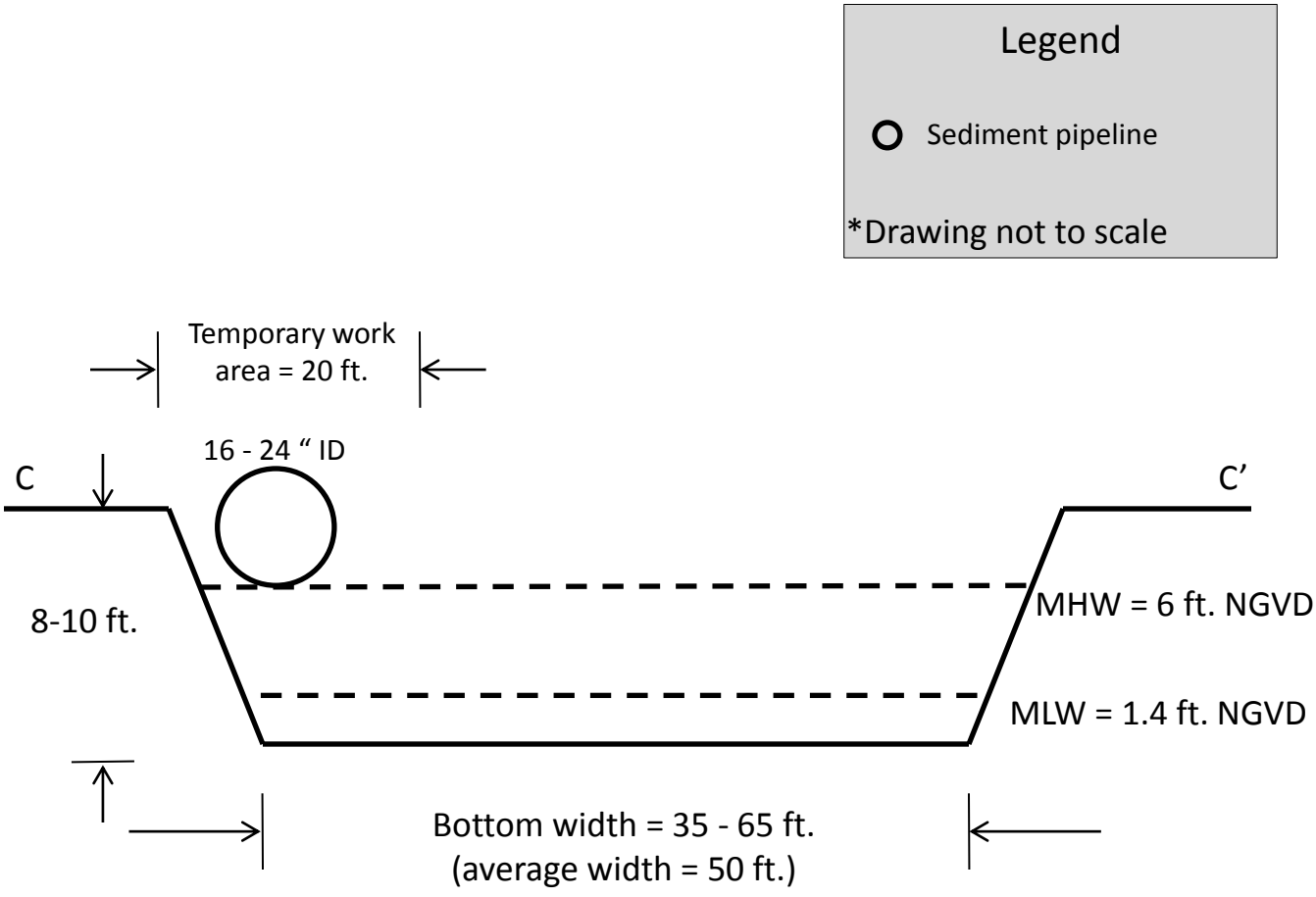
Atchafalaya Basin Program Restorative Dredging Project
Disposal Area - Typical Section



*Drawing not to scale

Area to be filled

Atchafalaya Basin Program Restorative Dredging Project
Sediment Pipeline Discharge - Typical Section



NOTE: Pipeline will be within canal banks. No vegetated wetlands will be affected.

Atchafalaya Basin Program Restorative Dredging Project
Proposed access route

Atchafalaya Basin Program Restorative Dredging Project

Additional notes:

Sediment removed from Grand Lake will be discharged into the specified pipeline canal to a depth not to exceed existing bank height. For additional armoring of the existing rock dike blockage at the Atchafalaya River, a volume of material not to exceed 5,000 cubic yards will be placed on the river side of the blockage. A temporary silt curtain at the intersection of the canal and the Atchafalaya River will prevent discharge of sediments into the river.

Work vessel access to proposed dredging areas will only occur when water depth is 6 feet minimum depth.

Vessel drafts:

Barge	5 feet
Tugboat	5 feet
Crew boat	4 feet
Airboat	0.5 feet

Atchafalaya Basin Program Depth Restoration Project

Background

A channel training breach in the Atchafalaya River in 2011 has caused rapid sediment accretion and the formation of a large sand bar in Grand Lake (Figures 1 and 2), which contains some of the last remaining deep water habitat in the Atchafalaya Basin. In addition to degrading habitat in Grand Lake, this sediment accretion has become a navigational hazard to boaters, because it has created shallow water depths in a popular fishing area where previously there was deep water.

Numerous stakeholders and government agencies are aware of the problem and have indicated their support of removing the newly deposited sandbar and restoring the lake to its pre-breach elevation. The Technical Advisory Group and Research and Promotion Board of the Atchafalaya Basin Program (ABP) approved this dredging project for the FY2016 ABP Annual Plan and have identified it as the number one priority for the program. The Atchafalaya National Heritage Area, which is in the office of the Lieutenant Governor, has also expressed concern about the rapid accretion of the sand bar Grand Lake and has given their support of its removal by the Atchafalaya Basin Program.

Description of Project

This project aims to restore the lake to its pre-breach bottom elevation by dredging the newly formed sand bar in Grand Lake (Figure 3). The total dredging volume will be approximately 200,000 cubic yards. Spoil generated from this project will be used beneficially to fill the adjacent pipeline canal that is the source of the sedimentation problem (Figure 4). Any excess sediment that exceeds the volume of the canal will remain in Grand Lake.

Per the recommendation of the ABP's Technical Advisory Group, this dredging activity is dependent upon the prior restoration the channel training blockage. As of January 2017, the blockage has been completed, and deposition of sediments dredged from Grand Lake will strengthen the blockage.

Figure 1: A 2011 breach of an Atchafalaya River channel training feature has caused rapid habitat degradation and navigational hazards in Grand Lake.

Figure 2: DNR staff visited the newly formed sandbar on August 27, 2015.

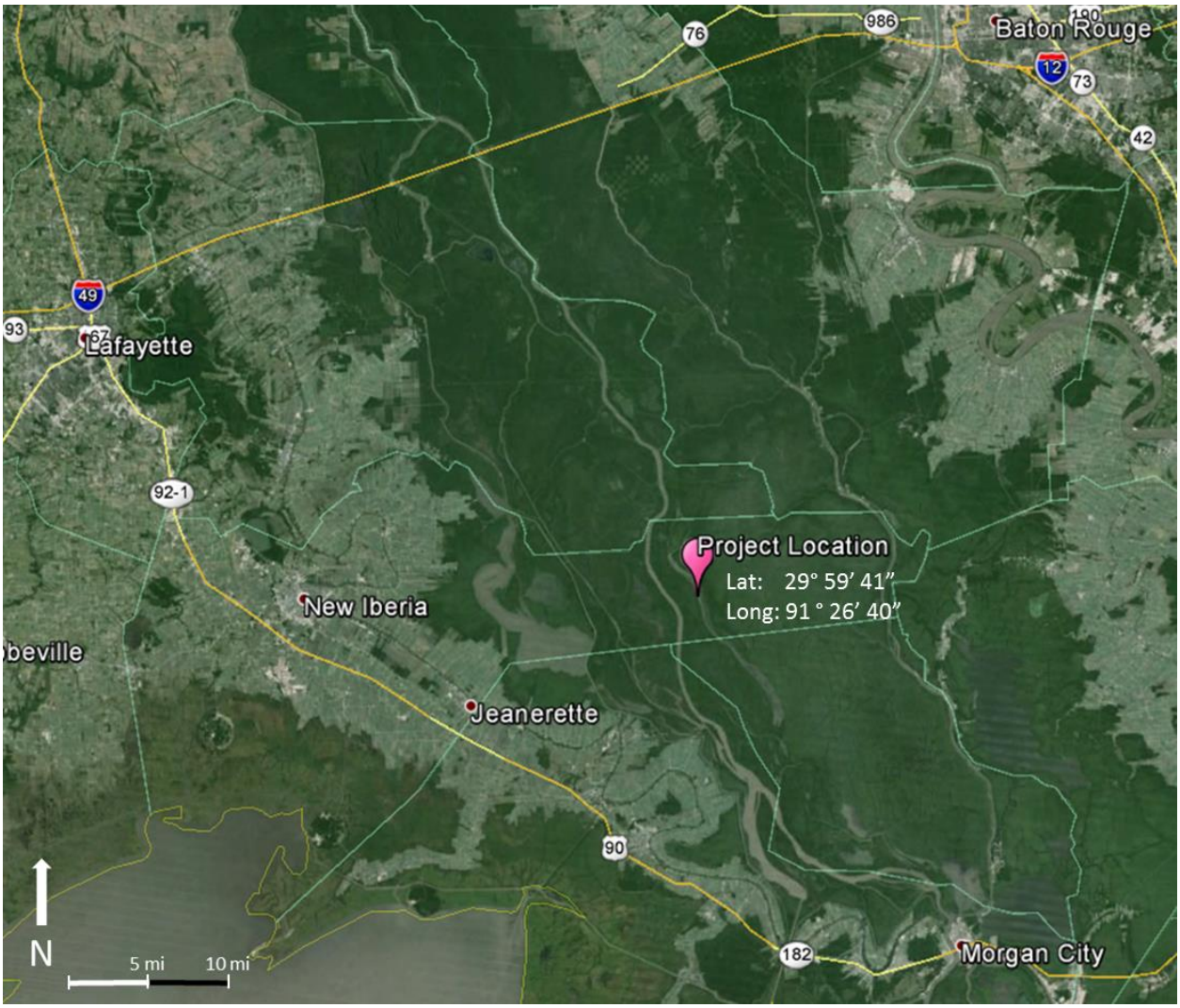


Figure 3: Location of dredging projects.

Figure 4: Location of disposal site. Dredged sediments will be deposited in the adjacent pipeline canal.