

# JOINT PUBLIC NOTICE

April 24, 2017

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Avenue  
New Orleans, La. 70118-3651

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

(504) 862-2548/ FAX (504) 862-2574  
Project Manager  
Johnny Duplantis  
Permit Application Number  
MVN-2016-01459-WPP

(225) 219-3225/FAX (225) 325-8125  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC # 170419-01

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).

Application has also been made to the Louisiana Department of Environmental Quality, for a Water Quality Certification (WQC) in accordance with statutory authority contained in Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and provisions of Section 401 of the Clean Water Act (P.L.95-17).

## **PROPOSED CANAL CHANNELIZATION PROJECT IN IBERIA PARISH**

**NAME OF APPLICANT:** Sterling Sugars, LLC, c/o Wayne M. LeBiche Engineering, LLC, 117 Emile Verret Road, New Iberia, Louisiana 70560.

**LOCATION:** Latitude 29.923169, Longitude -91.837506. Located at the northwest quadrant of the intersection of LA Hwy 83 and Earl B. Wilson Road, approximately 500 yards south to the Port of Iberia, near the community of New Iberia, Louisiana, in Iberia Parish.

**DESCRIPTION:** Department of the Army (DA) permit, MVN-2008-03083-WDD, was issued to Sterling Sugars, LLC, on April 22, 2010, to excavate a new channel in order to create a waterfront industrial development site. The project has not been started and the permit expired on March 31, 2015. Approximately 1.20 acres of jurisdictional wetlands would be impacted by the proposal. There are no changes to the project since it was originally permitted. The applicant purchased 1.2 acres of mitigation at Lake Long Mitigation Bank, as compensatory mitigation at the time of original issuance of the DA permit. The applicant is requesting that the DA permit be reissued for the permitted activity. The Corps shall determine if any further mitigation shall be required prior to reissuance of the subject DA permit.

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**. Similar 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 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.

No properties listed on the National Register of Historic Places are near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Copies of this notice are being sent to the State Archeologist and the State Historic Preservation Officer.

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 would result in the destruction or alteration of 1.2 acre(s) 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.

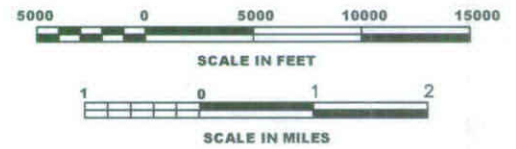
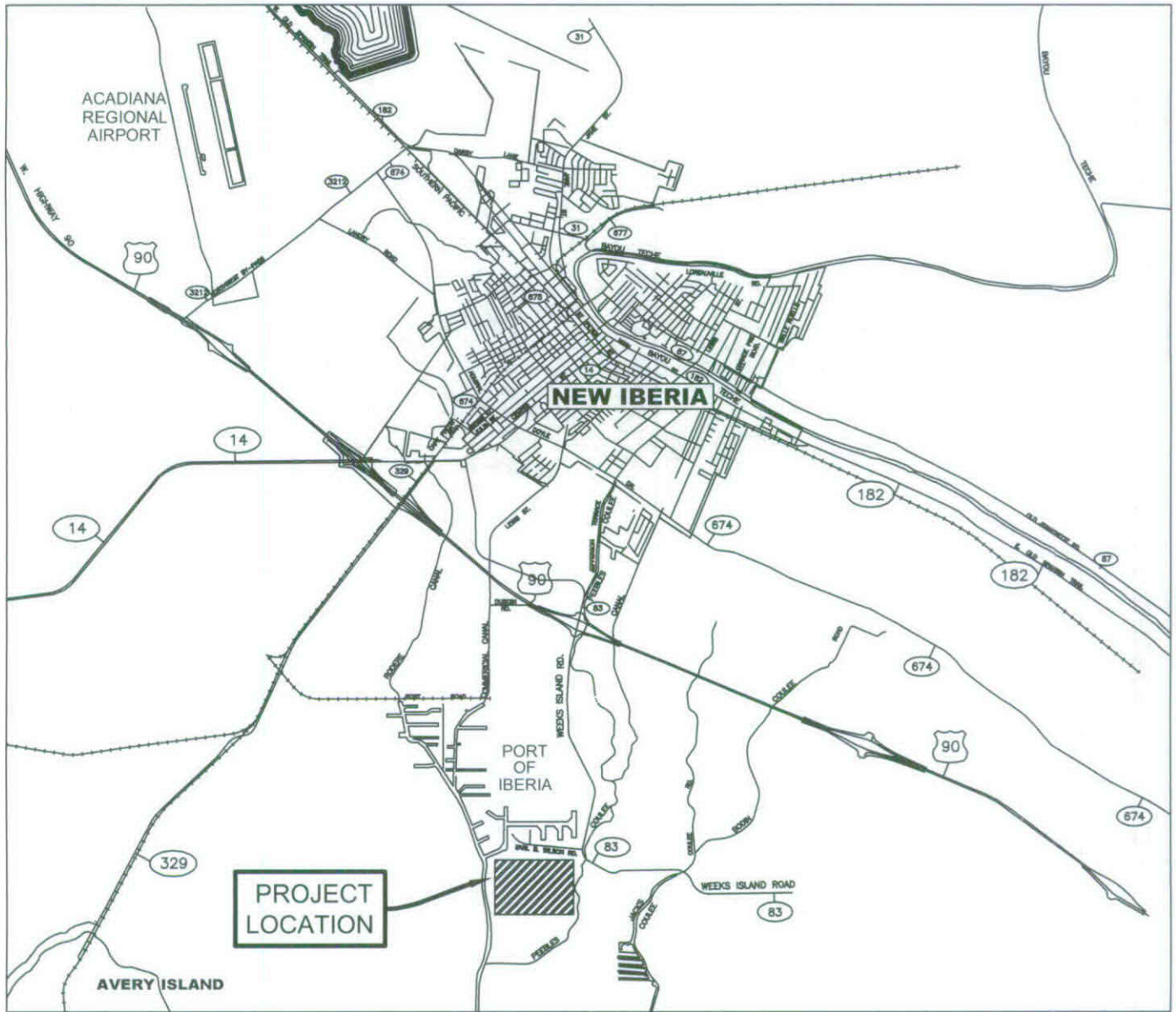
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not 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.

Darrell S. Barbara  
Chief, Western Evaluation Section  
Regulatory Branch

Attachments

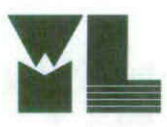


***VICINITY MAP***

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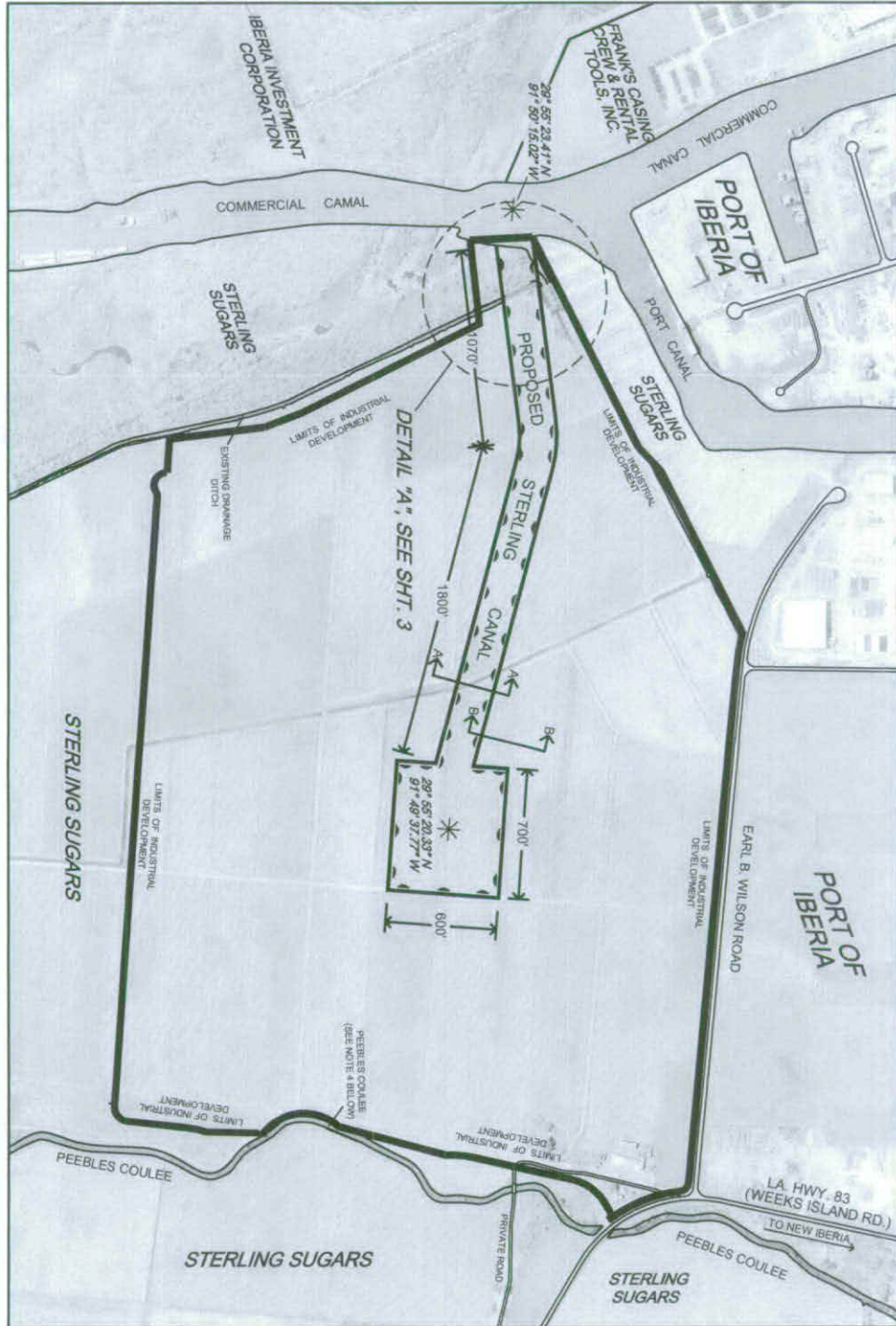
DRAWN BY:	DP	DATE	REVISION	BY:
CHK BY:	WML			
DATE:	10/10/16			
SCALE:	AS SHOWN			
SHEET:	1 OF 5			

FOR:  
**STERLING SUGARS, LLC**  
 611 IRISH BEND RD.  
 FRANKLIN, LA 70538



**WAYNE M. LaBICHE ENGINEERING**  
 CIVIL ENGINEERING, STRUCTURAL DESIGN, FOUNDATION DESIGN  
 SUBDIVISION PLANNING, CONSTRUCTION MANAGEMENT  
 117 EMILE YERBERT  
 NEW IBERIA, LA 70560-4530 (337) 364-7895





**GENERAL NOTES:**

- 1) A TOTAL OF APPROXIMATELY 650,302 CUBIC YARDS OF MATERIAL WILL BE EXCAVATED DURING THE CONSTRUCTION OF THE NEW CHANNEL.
- 2) EXCAVATED MATERIAL TO BE SPREAD THROUGHOUT THE LIMITS OF THE PROPOSED INDUSTRIAL DEVELOPMENT, AND SLOPED TO DRAIN.
- 3) SILT SCREEN FENCING WILL BE INSTALLED CONTINUOUSLY ALONG THE LIMITS OF THE INDUSTRIAL DEVELOPMENT TO PREVENT RUNOFF OF THE EXCAVATED MATERIAL INTO THE NEIGHBORING PROPERTIES.
- 4) BOTH PEEBLES COULEE AND THE EXISTING DRAINAGE DITCH SHOWN ON THIS PLAN ARE TO REMAIN AS IS AND SHALL BE ALLOWED TO FUNCTION AS THE CHANNELS CURRENTLY EXIST.



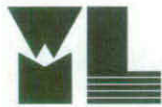
F:\PROJ\SDRAWINGS\CIVIL\2007\07013-0-1\PERMIT RENEWAL-2016\SITE PLAN

# SITE PLAN

DRAWN BY: DP  
 CHK BY: WML  
 DATE: 10/10/16  
 SCALE: AS SHOWN  
 SHEET: 2 OF 5

DATE	REVISION	BY

FOR:  
**STERLING SUGARS, LLC**  
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 FRANKLIN, LA 70538



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 117 EMILE VERRET  
 NEW IBERIA, LA 70560-4530 (337) 364-7695



**AREA MITIGATED IN  
2010**

***DETAIL "A"***

SCALE N.T.S.

F:\1-PROJ\DRAWINGS\CIVIL\2007\07013-01\PERMIT RENEWAL-2016\WETLAND AREA

DRAWN BY: DP  
 CHK BY: WML  
 DATE: 10/10/16  
 SCALE: N.T.S.  
 SHEET: 3 OF 5

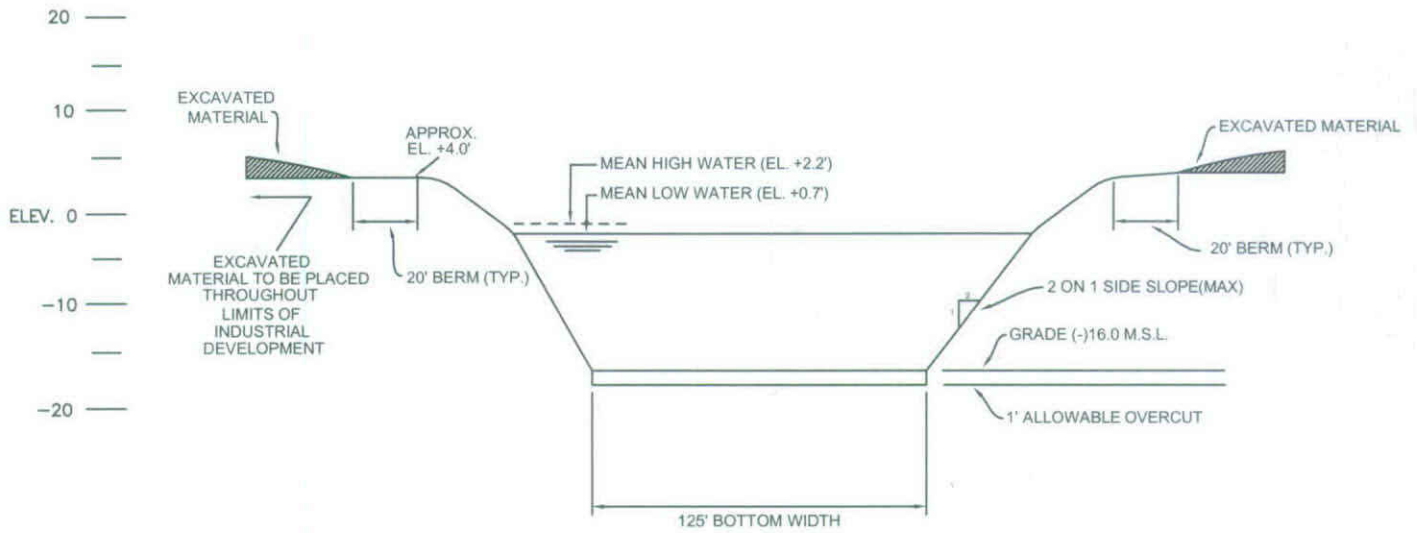
DATE	REVISION	BY:

FOR:  
**STERLING SUGARS, LLC**  
 611 IRISH BEND RD.  
 FRANKLIN, LA 70538



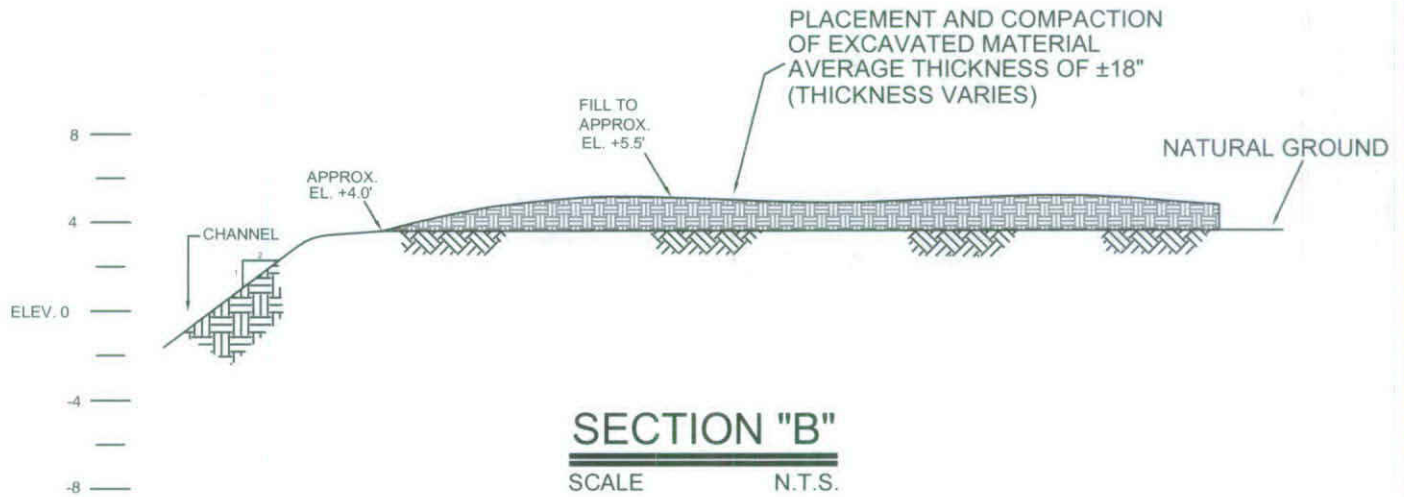
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**SECTION "A"**

SCALE N.T.S.



**SECTION "B"**

SCALE N.T.S.

***CROSS SECTIONS***

F:\PROJS\DRAWINGS\CIVIL\2007\07013-01\PERMIT RENEWAL-2016\CROSS SECTIONS

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 SCALE: AS SHOWN  
 SHEET: 4 OF 5

DATE	REVISION	BY:

FOR:

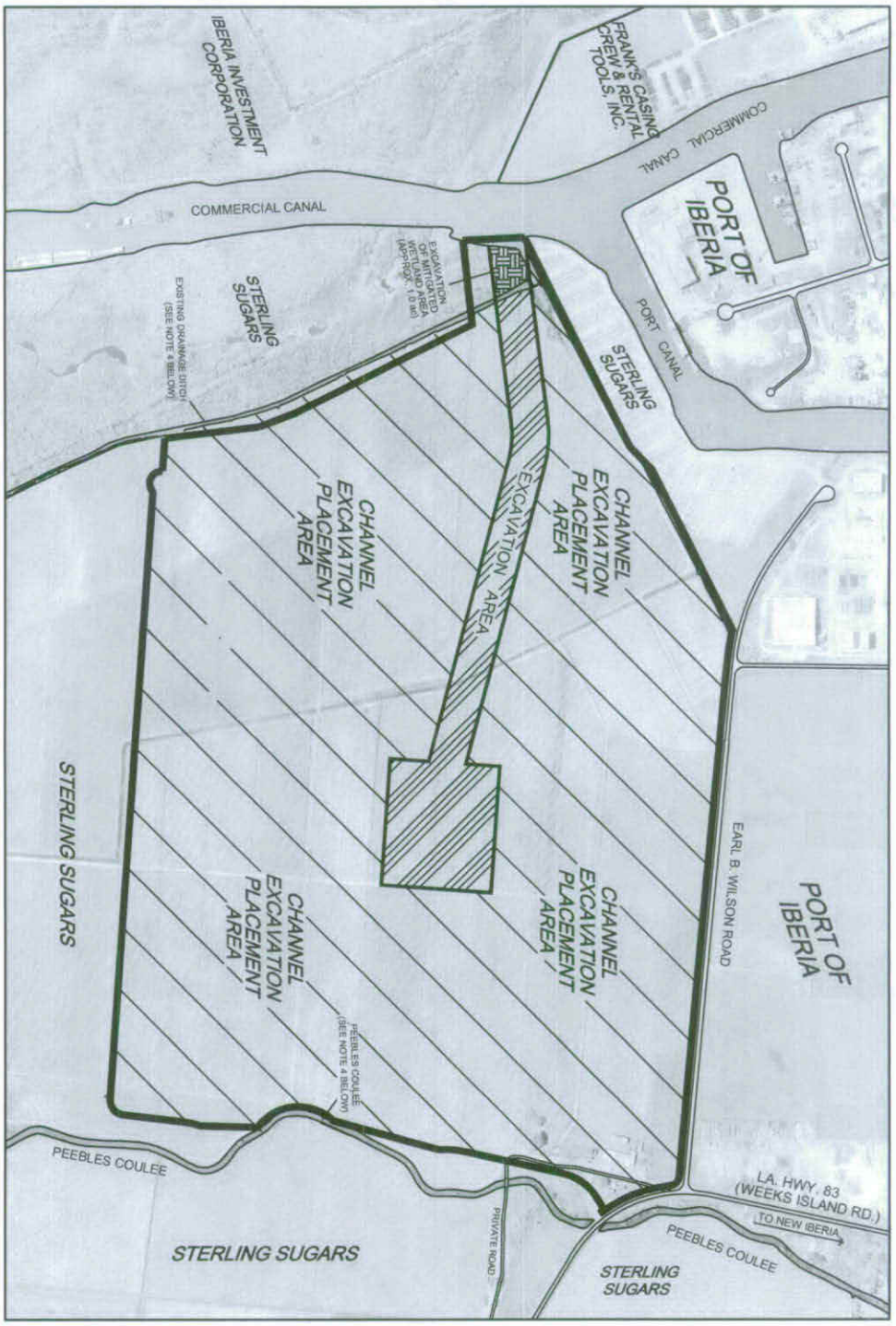
STERLING SUGARS, LLC  
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**LEGEND**

-  EXCAVATED MATERIAL DISPOSAL AREA
-  EXCAVATION AREA
-  ANTIGATED WETLAND AREA



**GENERAL NOTES:**

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# EXCAVATION PLACEMENT PLAN

F:\PROJSDRAWINGS\CIVIL\2007\0713-0-1\PERMIT RENEWAL-2016\SOIL DISPOSAL

DRAWN BY: DP  
 CHK BY: WML  
 DATE: 10/10/16  
 SCALE: AS SHOWN  
 SHEET: 5 OF 5

DATE	REVISION	BY

FOR:  
**STERLING SUGARS, LLC**  
 611 IRISH BEND RD.  
 FRANKLIN, LA 70538



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