JOINT PUBLIC NOTICE

July 5, 2016

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

(504) 862-1217 Project Manager Kenny Blanke <u>Kenneth.G.Blanke@usace.army.mil</u> MVN 2016-0303-CQ State of Louisiana Department of Environmental Quality Water Quality Certifications Section Post Office Box 4313 Baton Rouge, Louisiana 70821-4313

(225) 219-3225 Project Manager Ms. Elizabeth Johnson WQC Application Number WQC 160321-04

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, Office of Environmental Services, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

PERFORM ADDITIONAL DREDGING ACTIVITIES IN AN EXISTING SLIP LOCATED OFF OF FLOTATION CANAL NEAR PORT FOURCHON IN LAFOURCHE PARISH

NAME OF APPLICANT: Bollinger Fourchon, LLC, c/o Corey Blanchard, 100 James Drive, Suite 250, Saint Rose, Louisiana 70087.

LOCATION OF WORK: On an approximate 173.5-acre project site, within the East Central Louisiana Coastal hydrologic unit (HUC 08090301), located south of Flotation Canal in existing Slip C, near Golden Meadow, Louisiana, in LAFOURCHE Parish, as shown on the enclosed drawings (Latitude 29.131389 N Longitude -90.193899 W).

CHARACTER OF WORK: The project (previously advertised by Joint Public Notice dated March 28, 2016) is proposing additional dredging impacts. Perform additional dredging activities along the southern portion of the existing Slip C, located off of Flotation Canal in Port Fourchon. The additional dredging is required to allow for deeper draft vessels for the installation of a drydock facility. Approximately 123,530 cubic yards of waterbottoms will be hydraulically dredged and placed as fill in previously approved spoil disposal areas. These spoil disposal areas were previously authorized under MVN-2008-0037-WPP and MVN-1998-1340-CZ. Approximately 8.74 acres of waterbottoms of the slip would be impacted by dredging activities. The fill placement will be contained in two disposal areas totaling approximately 167.9 acres. Retainer levees will be constructed during spoil placement activities and shall be graded to final fill elevation once spoil placement activities have ended and stabilized. The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable.

The comment period for the Department of Army Permit and the Louisiana Department of Environmental Quality will close in 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. 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. 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 State Historic Preservation Officer.

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.

The proposed activity is located in areas known to be utilized by the West Indian manatee (*Trichechus manatus*). 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 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 would result in the destruction or alteration of <u>NA</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, Office of Environmental Services, 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.

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.

JOHN M. HERMAN Chief, Central Evaluation Section Regulatory Branch

Enclosure







	PICCIOLA & AS	SOCIATES, INC.		REV3: 04-20-2016				
www	CIVIL ENGINEERS LAND SURVEYORS	NAVAL ARCHITECTS MARINE ENGINEERS		REV2: 01-12-2016				
	P.O. BOX. 687 CUT OFF, LOUISIANA 70345 (985) 632–5786		J.N. 1211-1501	DATE: 01-07-2016	SHEET	3	OF	5



