

DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT 7400 LEAKE AVE NEW ORLEANS, LA 70118-3651

May 2, 2022

Regulatory Division Central Evaluation Branch

Project Manager S. Gail Gainey (504) 862-1545 Sandra.g.gainey@usace.army.mil

SUBJECT: MVN-2017-01257-CG

PUBLIC NOTICE

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US 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); [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344), and/or [] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

PERMIT MODIFICATION TO COMPLETE ACCESS DREDGE IN LAKE BULLY CAMP FIELD IN LAFOURCHE PARISH

NAME OF APPLICANT: Badger Oil Corp. c/o Tim Morton & Associates, Inc., 500 S. Morgan Avenue, Broussard, LA 70518

LOCATION OF WORK: Access canals in the Bully Camp Field adjacent to and within the Point-aux-Chenes WMA in Sections 32, 36, 53, Township 19 South, Range 21 East and Sections 55, 56, 61, 62, 63, 64, Township 18 South, Range 21 East, southeast of Houma, Louisiana, in Lafourche Parish, within the Terrebonne Basin in hydrologic unit (HUC 08090302), as shown on the attached drawings (Latitude 29.467368 N, Longitude -90.359555 W).

CHARACTER OF WORK: The work described herein was partially completed under Emergency Authorization MVN-2017-01257-CG/ EUA 21-058 dated September 21, 2021, in response to Hurricane Ida. Approximately 62% of the work has been completed in response to the Emergency Authorization. The applicant has requested Department of the Army authorization to complete the maintenance dredging of the access canals in Bully Camp Field to include disposal of dredged material onto existing spoil banks and/or broadcast over adjacent shallow open water in locations which lack existing spoil banks. Approximately 119,208 cubic yards of material will be dredged from approximately 36.60 acres of canals within traditionally navigable waters and deposited in approximately 73.17 acres of mixed open water/spoil bank areas. It is anticipated that the proposed action would have minimal impact on adjacent wetlands as the applicant has proposed disposal only onto existing spoil or within open waters.

The applicant proposes to avoid additional direct impacts and minimize secondary impacts to wetlands to the maximum extent practicable by completing the work from waterborne vessels to avoid unnecessary impacts to wetlands and waterbottoms and by depositing dredged material in non-wetland areas. As compensation for unavoidable wetland impacts, the applicant proposes to mitigate in-kind wetland credits from a Corps approved mitigation bank located in the watershed.

The comment period for the Department of Army will close in <u>20 days</u> from the date of this 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 must be mailed 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 preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above <u>ATTENTION:</u> <u>REGULATORY DIVISION, RGC, S. Gail Gainey</u>. 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 Branch 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. This public notice is also available for review online at https://go.usa.gov/xennJ.

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 made available 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.

The New Orleans District has determined that the proposed project is located in waters known to be utilized by the West Indian Manatee (*Trichechus manatus*). Utilizing the Information, Planning and Consultation for Endangered Species in Louisiana (IPAC), signed on January 27, 2020, 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 with the inclusion of the Standard Manatee Conditions for In-Water Activities, proposed work is not likely to adversely affect the West Indian Manatee.

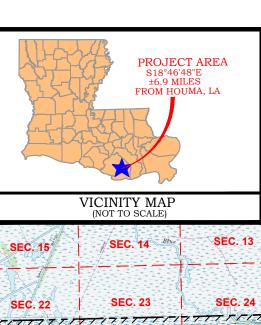
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of <u>NA</u> acres of EFH utilized by various life stages of red drum and penaeid shrimp. 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.

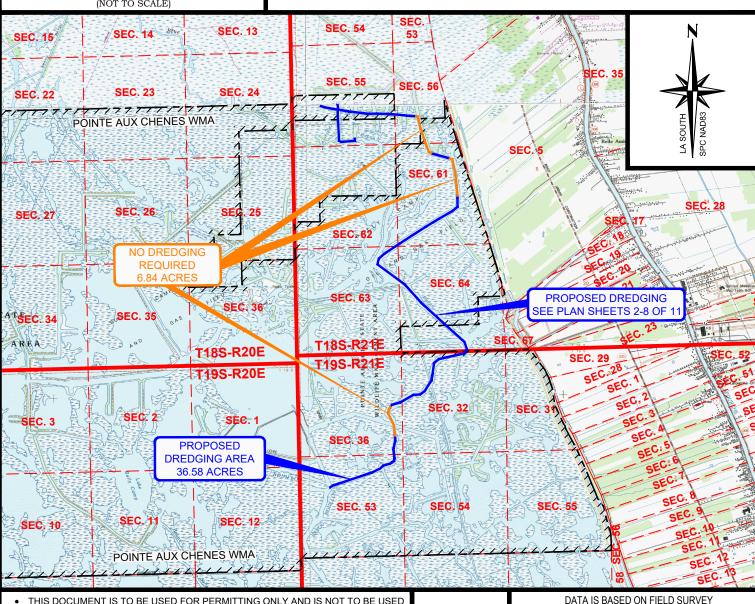
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. You are requested to communicate the information 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 (Louisiana Coastal Zone Application P20211052). 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 Branch Regulatory Division



- All structures, facilities, well and pipelines/flowlines occurring in open water areas or in oilfield canals or slopes shall be removed within 120 days of abandonment of the facilities for the herein permitted use unless prior written approval to leave such structures in place is received from the Office of Coastal Management. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required.
- As-Built drawings shall have date of completion of shown permitted activities and submitted with 30 days of said
 date to Louisiana Department of Natural Resources, Office of Coastal Management, P.O. Box 44487, Baton Rouge,
 LA 70804-4487.
- 3. Structures shall be marked/lighted in accordance with U.S. Coast Guard regulations.
- 4. In order to ensure the safety of all parties, the permittee shall contact the Louisiana ONE CALL system (1-800-272-3020)(811) a minimum of 48 hours prior to the commencement of any excavation (Digging, Dredging, Jetting, etc.) or demolition activity.



- THIS DOCUMENT IS TO BE USED FOR PERMITTING ONLY AND IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, RECORDATION, CONVEYANCE OR SALES.
- ALL ELEVATIONS AND WATER LEVELS SHOWN ARE BASED ON NAVD 88.
- ALL UNITS OF MEASUREMENT SHOWN ARE BASED ON GRID U.S. FEET.
- AREA MLW = +1.0'
- AREA MHW = +2.5'

LOCAL AREA VIEW DATA IS BASED ON FIELD SURVEY

DATES 09/20-22/2021

5000' 0' 5000'

SCALE IN FEET

BADGER OIL CORPORATION

LAFAYETTE, LOUISIANA

PROPOSED MAINTENANCE DREDGING Secs. 55,56,61,62,63,64, T18S-R21E & Secs. 32,36,53, T19S-R21E BULLY CAMP FIELD LAFOURCHE PARISH, LOUISIANA



111 ARABIAN DRIVE LAFAYETTE, LA 70507 OFFICE: (337) 565-6083 LA REG No. 738 JOB NO. 210243 SIZE: 8.5x11 FILENAME: C210243_PG1,DWG

CHK: BCH | DWG: JLR | DATE: 11/09/2021 | SHEET: 1 OF 11 | REV: 0

