

# JOINT PUBLIC NOTICE

June 28, 2021

United States Army Corps of Engineers  
New Orleans District  
ATTN: Regulatory Branch  
7400 Leake Avenue  
New Orleans, LA 70118

Project Manager:  
Johnny J. Duplantis.  
(504) 862-2548  
Johnny.J.Duplantis@usace.army.mil  
Application # MVN-2021-00501-WPP

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).

## **PROPOSED BULKHEAD, WALKWAYS AND BOAT SLIPS IN**

### **TERREBONNE PARISH**

**NAME OF APPLICANT:** Don Stelly, c/o T. Baker Smith, LLC, PO Box 2266, Houma, LA 70582.

**LOCATION OF WORK:** The work is to take place in and adjacent to Bayou Point Au Chene, centered at Latitude 29.43674, Longitude -90.460639, near the City of Montegut, Terrebonne Parish, LA. Located in the Terrebonne Basin Watershed, HUC 08090302.

**CHARACTER OF WORK:** The applicant has requested a Department of the Army (DA) authorization to install a bulkhead, walkways and boat slips, as described in the attached drawings. The project would be constructed along Bayou Pointe Au Chene. Recreational boating vessels of different lengths would utilize the docks once constructed. Approximately 150 cy of crushed stone and earthen material will be deposited during construction and approximately 0.04 of an acre of waterbottoms would be impacted. No impacts to jurisdictional wetlands are expected from this proposal, therefore a mitigation plan was not proposed by the applicant.

The comment period for the Department of the Army Permit 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 must be submitted so as to be received before or by the last day of the comment period. Comments concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be emailed to the USACE project manager listed above, 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.

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 public notice are being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

Based on the **Information & Planning Consultation for Endangered Species in Louisiana (IPaC)**, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, the proposed project was evaluated under the determination key on June 23, 2021 and it has been determined that the project is located in habitat known to be utilized by the West Indian Manatee (*Trichechus manatus*). Preliminary determination is that the activity is not likely to adversely affect this species. If this permit is issued, the permittee will be required to follow the IPaC conditions.

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 or disturbance of **0.04** 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 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.

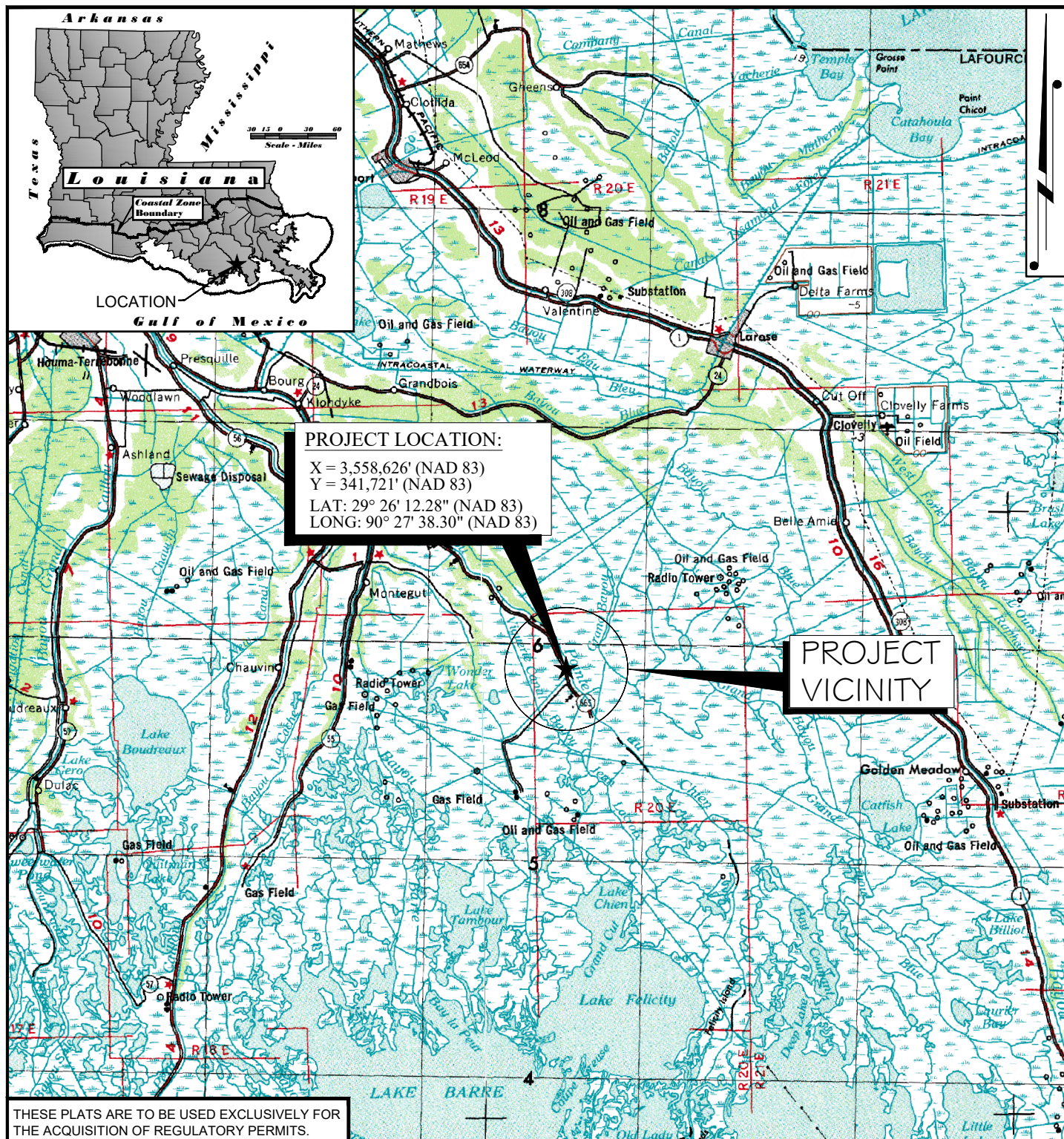
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Darrell S. Barbara  
Chief, Western Evaluation Section  
Regulatory Branch

Enclosure



3/5/2021 - P-1-Y-20210201.0096DWGENVPERMIT 20210096 P-1.DWG



DRAWN BY:	DPP	APPROVED BY:	MDT
DATE:	03/03/2021	JOB NO:	20210096
DRAWING NAME:	20210096 P-1		
SHEET NO:	1	OF	5
PROJECTION: LOUISIANA SOUTH ZONE 1702 (SPCS) GEO. DATUM: NAD83   VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET			
SCALE: 1" = 4 MILES			
4 MI 2 MI 0' 4 MI			

**VICINITY MAP**  
**DON STELLY**

PROPOSED BULKHEAD, WALKWAYS &  
BOAT SLIPS  
LOCATED IN T19S-R20E  
TERREBONNE PARISH, LOUISIANA

REV. NO:      REV. DATE:      REV. BY:

REVISION DESCRIPTION:

**TBS** **T. BAKER SMITH**  
A CENTURY OF SOLUTIONS  
412 South Vern Ave, Houma, LA 70303  
(800) 988-1050 - tbsmith.com



MHW = +2.0'  
MLW = +0.5'

**BEGIN BULKHEAD**

X = 3,558,916' NAD 83  
Y = 341,958' NAD 83  
LAT = 29° 26' 14.60"  
LONG = 90° 27' 35.00"

OAK POINTE ROAD

LA HWY 665

BOAT SHED

BOAT SHED

BOAT SHED

BOAT SHED

PROPOSED TREATED  
TIMBER WALKWAYS

PROPOSED TREATED  
TIMBER PILES (40)

PROPOSED EXCAVATION (25' x 80')

EXISTING HIGH BANK

PROPOSED BULKHEAD (188'±)  
SEE DETAILS SHEET 4

BAYOU PONTE AU CHEN

SEE SECTION A-A'  
SHEET 3

AGGREGATE &  
DREDGED FILL  
(10' x 68')

APPROXIMATE  
PROPERTY LINE

NOTE:  
ANY ADDITIONAL DREDGED  
MATERIAL NOT UTILIZED AS FILL  
WILL BE HAULED OFF SITE TO A  
STATE APPROVED FACILITY.

**END BULKHEAD**

X = 3,558,997' NAD 83  
Y = 341,788' NAD 83  
LAT = 29° 26' 12.91"  
LONG = 90° 27' 34.11"

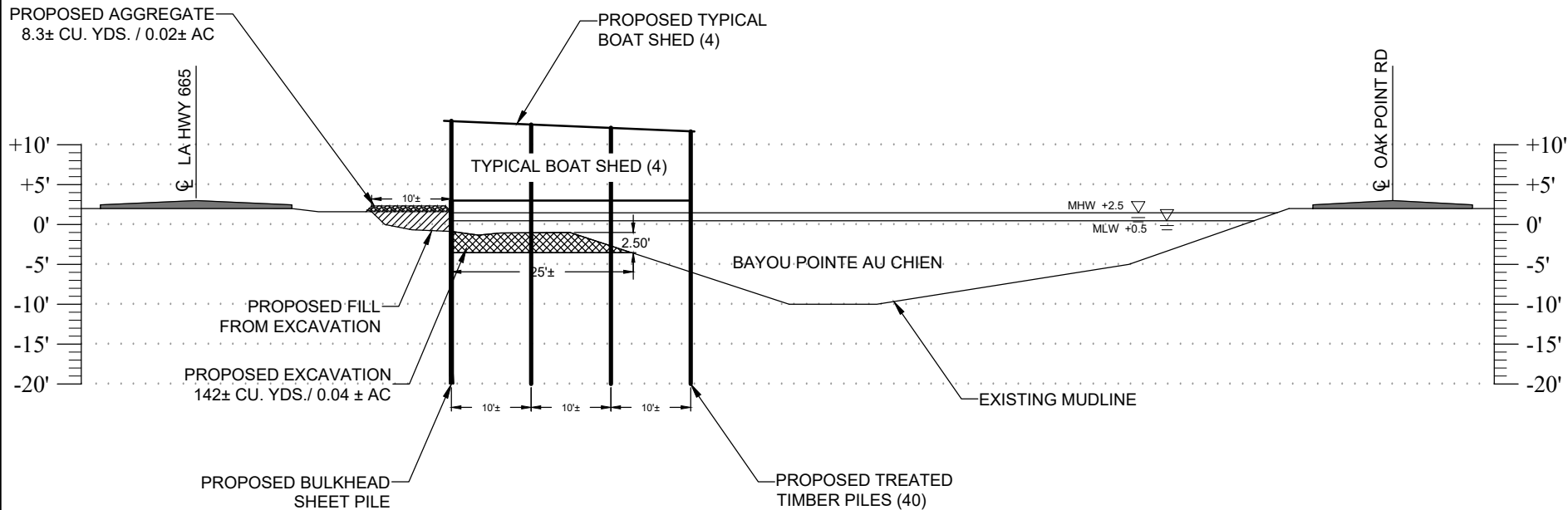
THESE PLATS ARE TO BE USED EXCLUSIVELY FOR  
THE ACQUISITION OF REGULATORY PERMITS.

DRAWN BY:	DPP	APPROVED BY:	MDT
DATE:	03/05/2021	JOB NO:	20210096
DRAWING NAME:	20210096 P-2		
SHEET NO:	2	OF	5
PROJECTION: LOUISIANA SOUTH ZONE 1702 (SPCS) GEO. DATUM: NAD83   VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET			
SCALE: 1" = 30'			

<b>PLAN</b>	
<b>DON STELLY</b>	
PROPOSED BULKHEAD, WALKWAYS & BOAT SLIPS LOCATED IN T19S-R20E TERREBONNE PARISH, LOUISIANA	
REV. NO: 02	REV. DATE: 04/01/2019
REVISION DESCRIPTION: EXISTING DOCK REMOVAL	
REV. BY: DPP	

**T. BAKER SMITH**  
A CENTURY OF SOLUTIONS  
412 South Van Ave., Houma, LA 70303  
(800)888-1050 - tbsmith.com

MHW = +2.0'  
MLW = +0.5'

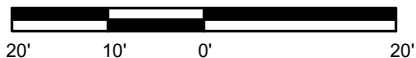


NOTE:  
ANY ADDITIONAL DREDGED  
MATERIAL NOT UTILIZED AS FILL  
WILL BE HAULED OFF SITE TO A  
STATE APPROVED FACILITY.

## SECTION A-A'

THESE PLATS ARE TO BE USED EXCLUSIVELY FOR  
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SCALE: 1" = 20'



DRAWN BY: DPP APPROVED BY: MDT

DATE: 03/05/2021 JOB NO: 20210096

DRAWING NAME: 20210096 P-2

SHEET NO: 3 OF 5

PROJECTION: LOUISIANA SOUTH ZONE 1702 (SPCS)  
GEO. DATUM: NAD83 | VERT. DATUM: NAVD88  
GRID UNITS: US SURVEY FEET

REVISION DESCRIPTION:

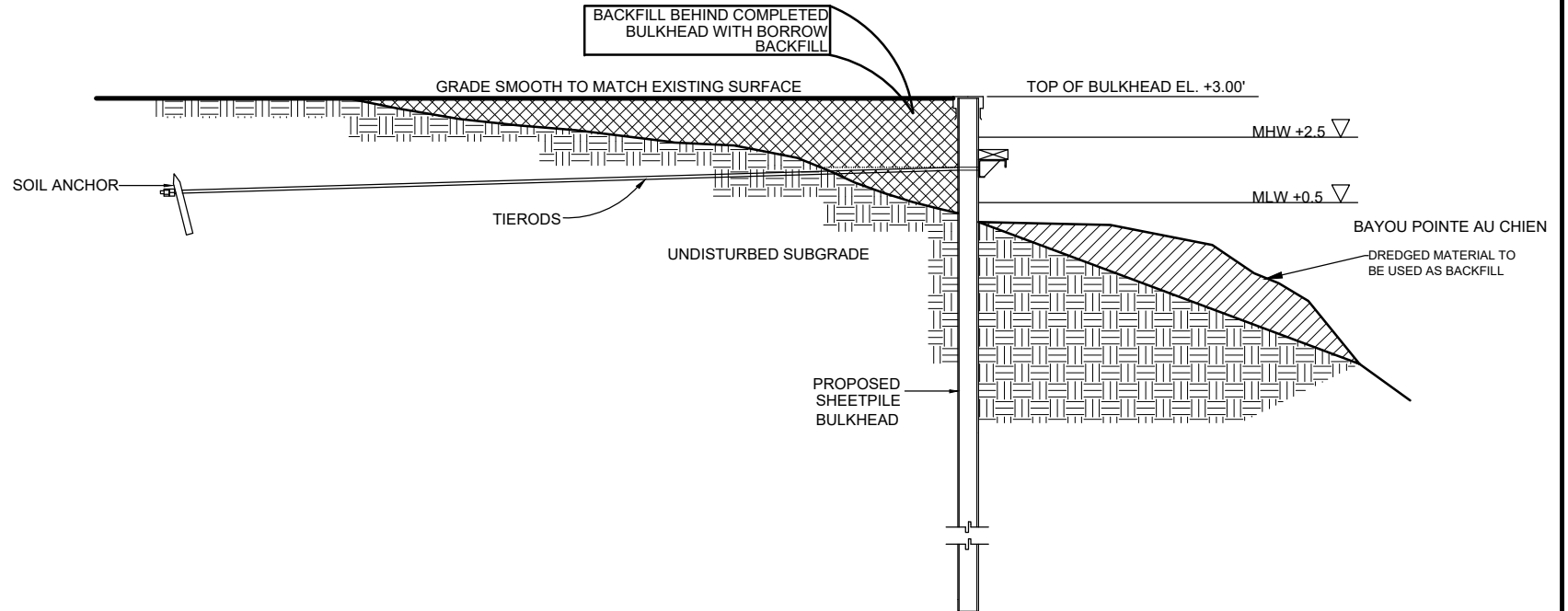
REV. NO: 00 REV. DATE: --/-- REV. BY: --

PROFILE

DON STELLY

PROPOSED BULKHEAD, WALKWAYS &  
BOAT SLIPS  
LOCATED IN T19S-R20E  
TERREBONNE PARISH, LOUISIANA

MHW = +2.0'  
MLW = +0.5'



## TYPICAL BULKHEAD DETAIL

THESE PLATS ARE TO BE USED EXCLUSIVELY FOR  
THE ACQUISITION OF REGULATORY PERMITS.

NOT TO SCALE



DRAWN BY: DPP APPROVED BY: MDT

DATE: 03/05/2021 JOB NO: 20210096

DRAWING NAME: 20210096 P-2

SHEET NO: 4 OF 5

PROJECTION: LOUISIANA SOUTH ZONE 1702 (SPCS)  
GEO. DATUM: NAD83 | VERT. DATUM: NAVD88  
GRID UNITS: US SURVEY FEET

REV. NO: 00 REV. DATE: --/-- REV. BY: --

REVISION DESCRIPTION:

## DETAILS BULKHEAD

DON STELLY

PROPOSED BULKHEAD, WALKWAYS &  
BOAT SLIPS  
LOCATED IN T19S-R20E  
TERREBONNE PARISH, LOUISIANA

**NOTES:**

ALL STRUCTURES, FACILITIES, WELLS AND PIPELINES/FLOWLINES OCCURRING IN OPEN WATER AREAS, OR IN OILFIELD CANALS, OR SLIPS 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 COASTAL MANAGEMENT DIVISION. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED FOR SUCH ACTIVITIES.

AS-BUILT DRAWINGS SHALL BE SUBMITTED WITHIN 30 DAYS OF COMPLETION OF THIS PROJECT TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, COASTAL MANAGEMENT DIVISION POST OFFICE BOX 94275, BATON ROUGE, LA 70804 AND OFFICE OF CONSERVATION, PIPELINE SAFETY DIVISION, POST OFFICE BOX 44487, BATON ROUGE, LA 70804.

IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITEE SHALL CONTACT THE LOUISIANA ONE CALL SYSTEM (1-800-272-3020) A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION (DIGGING, DREDGING, JETTING, ETC.) OR DEMOLITION ACTIVITY.

ALL STRUCTURES WILL BE MARKED AND LIGHTED IN ACCORDANCE WITH U.S. COAST GUARD REGULATIONS.

**TOTAL IMPACTS**

EXCAVATIONS

NON-WETLANDS: 142± CU. YDS.  
0.04± ACS.

WETLANDS: 0 CU. YDS.  
0 ACS.

FILL AREAS

NON-WETLANDS: 142± CU. YDS.  
0.02± ACS.

WETLANDS: 0 CU. YDS.  
0 ACS.

FILL MATERIALS

NATIVE MATERIAL: 142± CU. YDS.  
AGG. LIMESTONE: 8.3± CU. YDS.

**EQUIPMENT**

DUMP TRUCK  
PILE DRIVING EQUIPMENT  
EXCAVATOR

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DRAWN BY: DPP APPROVED BY: MDT

DATE: 03/03/2021 JOB NO: 20210096

DRAWING NAME: 20210096 P-2

SHEET NO: 5 OF 5

PROJECTION: LOUISIANA SOUTH ZONE 1702 (SPCS)  
GEO. DATUM: NAD83 | VERT. DATUM: NAVD88  
GRID UNITS: US SURVEY FEET

NOT TO SCALE

**NOTES**

**DON STELLY**

PROPOSED BULKHEAD, WALKWAYS &  
BOAT SLIPS  
LOCATED IN T19S-R20E  
TERREBONNE PARISH, LOUISIANA



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(800)888-1050 - tbasmith.com

REV. NO: 02 REV. DATE: 04/01/2019 REV. BY: DPP

REVISION DESCRIPTION:  
EXISTING DOCK REMOVAL