

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

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Regulatory Division Central Evaluation Branch

Project Manager: Zachary Steinkoenig (504) 862-1288 Zachary.j.steinkoenig@usace.army.mil

Application #: MVN-2022-00681-CF

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).

PROPOSED BREAKWATERS AND SAND FILL FOR BEACH NOURISHMENT ON FOURCHON BEACH IN LAFOURCHE PARISH

NAME OF APPLICANT: GREATER LAFOURCHE PORT COMMISSION, c/o Angelette Picciola, LLC, 13379 Louisiana 3235, Larose, LA 70373 Attn: Sandy Guidry

LOCATION OF WORK: In the Gulf of Mexico and along Fourchon Beach, in Fourchon, Louisiana, in Lafourche Parish, within the Barataria Basin (HUC 08090301), as shown on the attached drawings.

CHARACTER OF WORK: The applicant has requested a Department of the Army authorization to dredge, discharge fill, and construct breakwaters to restore the existing beach and to prevent further erosion. Approximately 1,184,311 cubic yards of sand material will be dredged at a borrow area located within the Gulf of Mexico and transferred to a proposed pump-out offshore area where it will be transferred to a submerged discharge pipe and pumped to the disposal fill location. Approximately 1,153,18 3 cubic yards of fill material will be placed along Fourchon Beach. Ten 0.46-acre rock breakwaters will be placed adjacent to the shoreline. It is anticipated that the proposed action would have minimal impact on adjacent vegetated wetlands. The applicant states that no vegetated wetlands will be affected by the project and that the project will provide additional protection for adjacent vegetated wetlands from erosion.

The comment period for the Department of Army Permit will close in 20 days 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 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 preferably emailed to the Corps of Engineers project manager listed above or mailed to the Corps of Engineers at the address above, ATTENTION: REGULATORY DIVISION, RGC, Zachary Steinkoenig. 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 being sent to the State Archeologist, State Historic Preservation Officer and federally listed tribes regarding potential impacts to cultural resources.

The New Orleans District has determined that the 214.5-acre fill area footprint is located in waters known to be utilized by the Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*) and West Indian Manatee (*Trichechus manatus*) and it was determined the activity is not likely to adversely affect this species based on the Information & Planning Consultation for Endangered Species (IPaC) procedure, as 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. Additionally, the fill area footprint is located in areas known to be utilized by the Red Knot (*Calidris canutus rufa*), Piping Plover (*Charadrius melodus*), Loggerhead Sea Turtle (*Caretta caretta*), Leatherback Sea Turtle (*Dermochelys coriacea*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), and the Hawksbill Sea Turtle (*Eretmochelys imbricata*). It was determined the activity may affect these species based on the IPaC and informal consultation has been initiated.

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 up to <u>446</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 water quality standards will be required from the Louisiana 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.

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 P20220311). 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 invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

JOHN M. HERMAN Chief, Central Evaluation Branch Regulatory Division

Enclosure





















