



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

August 6, 2018

Operations Division
Eastern Evaluation Section
Project Manager
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(504) 862-2041

SUBJECT: MVN 2018-00643 ES

PUBLIC NOTICE

Interested parties are hereby notified that an application has been received by the District engineer for a Department of the Army permit to authorize the following pursuant to (X) Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or () Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

Install and Maintain a Waterway Closer Gate in Braithwaite, Plaquemines Parish

NAME OF APPLICANT: Elton Meyers, #9 South Lake Court Violet, LA 70092

LOCATION OF WORK: Project site is located in Braithwaite, Plaquemines Parish, Louisiana, as shown on the attached drawings.

Hydrologic Unit Code: 08090203- East Central Louisiana Coastal Location: Latitude: 29.742411, Longitude: -89.986344.

CHARACTER OF WORK: The applicant proposes to install and maintain a 42' waterway closer gate across a canal. The applicant is not proposing impacts to jurisdictional wetlands, thus compensatory mitigation is not anticipated at this time.

The comment period will close **15 days** from the date of this public notice advertisement. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons therefore, are being solicited from anyone having interest in this permit request. Letters must reference the applicant's name and the subject number, be addressed and mailed to the above address, 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 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. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The New Orleans District has determined that the project footprint is located in waters known to be utilized by the West Indian manatee (*Trichechus manatus*) and determined the activity is “not likely to adversely affect” this species based on the 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. If authorized, “The Standard Manatee Conditions for In-Water Activities” will be made part of the permit’s special conditions.”

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Department of Commerce nor affect any habitat designated as critical to the survival and recovery of any endangered species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnus-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of **NA** 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 and certification that the proposed activity will not violate applicable water quality standards will be required from the Louisiana Department of Environmental Quality, Office of Environmental Services, before a permit is issued.

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.

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.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosures



Kenner

Metairie

Scout Island
Demourelles Island

River Ridge

New Orleans

Chalmette

Meraux

Gretna

Westwego

Marrero

Violet

Timberlane

St Bernard

Woodmere

Belle Chasse

Couba Island

Delacroix Is

Proposed Gate

Bonne Isle

Jean Lafitte

Google Earth

Image © 2018 TerraMetrics

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Ile De Barataria



Proposed Gate

lat 29 44 32.68
lon 89 59 10.84

Legend

 Proposed Gate

 Proposed Gate

Google Earth

© 2018 Google

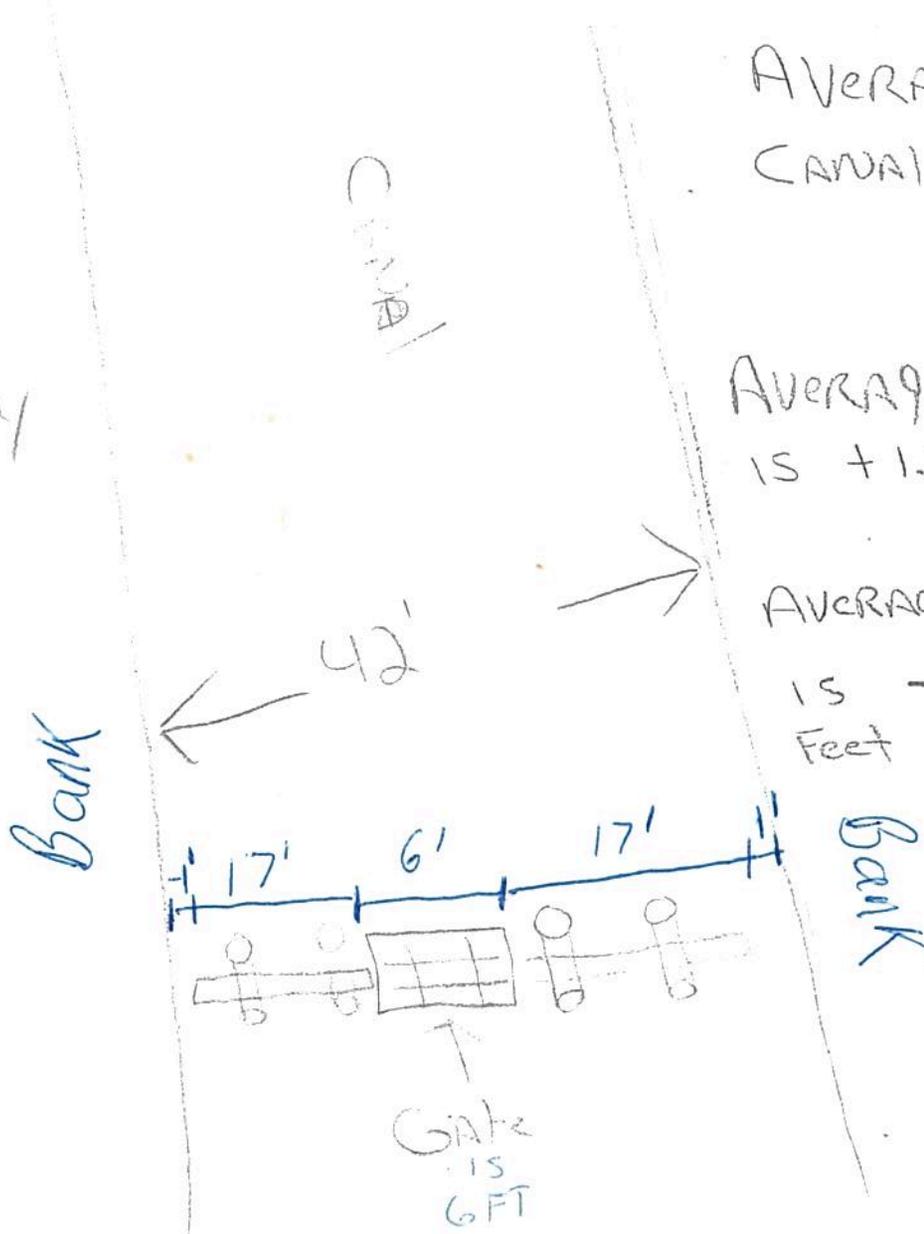


400 ft

Plans View

↑
North

Gate will
Be completely
out of the
water AND
visible at all
times



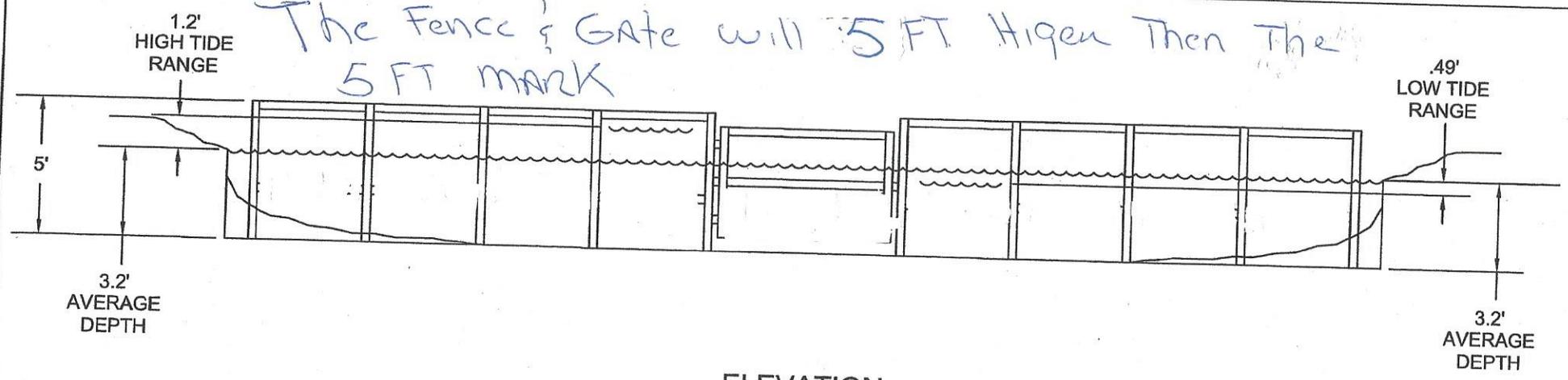
Average Depth of
Canal 3.2 Feet

Average High Tide Range
is +1.2 Feet

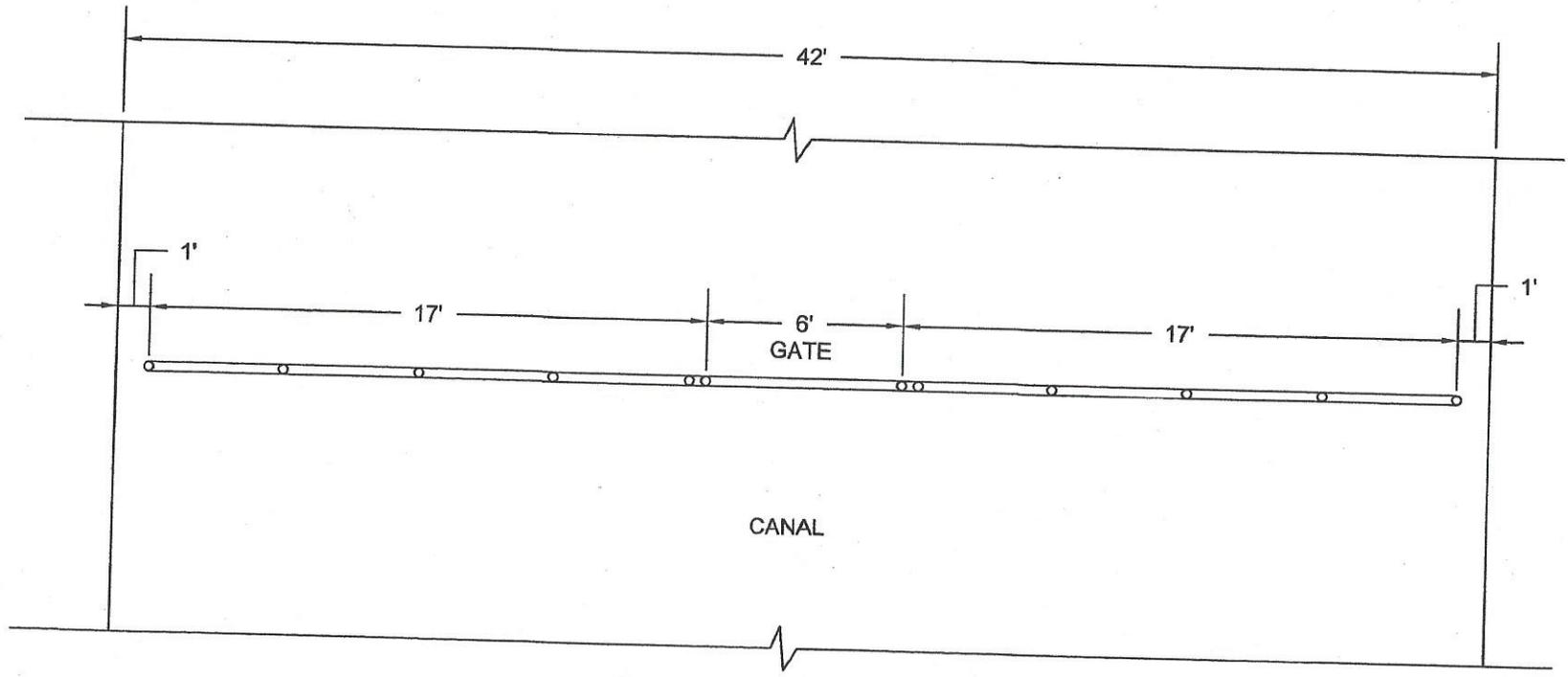
Average Low Tide Range
is -0.03 Feet To .049
Feet

Scale
1" = 10'

The Fence & Gate will 5 FT Higher Than The 5 FT mark



ELEVATION



PLAN VIEW

SCALE: 3/16" = 1'-0"