

JOINT PUBLIC NOTICE

April 1, 2013

U.S. Army Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, LA 70160-0267

(504) 862-2272
Project Manager: John C. Price
Permit Number: MVN-2013-00186-WNN

State of Louisiana
Department of Environmental Quality
Office of Environmental Services
Post Office Box 4313
Baton Rouge, LA 70821-4313

(225) 219-3225
Project Manager: Jamie Phillippe
WQC Number: WQC 130321-03

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: [] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403); and/or [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 U.S.C. 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 La. R.S. 30:2074(A)(3) and provisions of Section 401 of the Clean Water Act (P.L. 95-217; 33 U.S.C. 1341).

PLANT EXPANSION IN SAINT MARY PARISH

Name of Applicant: Crosstex Pelican, LLC, c/o T. Baker Smith, LLC, Post Office Box 2266, Houma, Louisiana 70361

Location of Work: Unnamed tributary of Bayou Patterson, Lat 29.69321°, Lon -91.34195°, Section 51, T15S-R11E, HUC 08080101-Atchafalaya, off of LA Highway 90, near Patterson, St. Mary Parish, Louisiana, as shown on the attached drawings.

Character of Work: Perform construction activities as required to install and maintain gravel drives, staging area, concrete piles, concrete slabs, earthen berm, concrete flume, and appurtenant structures, all to expand the original Pelican facility for natural gas liquid treating. Approximately 16,953 cubic yards of native earthen material would be excavated and placed in an off-site non-wetland area. Approximately 25,421 cubic yards of hauled-in earthen material, 1,394 cubic yards of bentonite and other clay material, 2,901 cubic yards of crushed limestone, 145 cubic yards of concrete, and 6 cubic yards of rip-rap are to be deposited as fill. Five geotechnical bores and approximately 205 concrete piles are to be installed. Project implementation would impact approximately 3.27 acres of bottomland hardwood wetlands. As compensation for any unavoidable wetland impacts, the applicant proposes to purchase mitigation credits from a Corps-approved mitigation bank.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC 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 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 Department of the Army permit application must reference the applicant's name and the Permit Application Number, and be mailed to the U.S. Army Corps of Engineers at the address above. 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.

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined 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 these being: 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.

No properties listed on the National Register of Historic Places are near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistoric, or historical sites or data. Copies of this notice are being sent to the State Archeologist and the State Historic Preservation Officer.

The proposed work appears to be located within an area designated by the U.S. Department of Interior as critical habitat for the threatened Louisiana black bear (*Ursus americanus luteolus*). Our initial determination is that the proposed activity, if conducted in compliance with terms and conditions of a duly authorized permit, is not likely to adversely affect the Louisiana black bear or its critical habitat. We are requesting U.S. Fish and Wildlife Service concurrence with this determination in accordance with applicable consultation provisions of the ESA.

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 **0.0** 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 U.S. Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Louisiana Department of Environmental Quality 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 receives approval or a waiver of the Coastal Use Permit by the Louisiana 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.

Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch

Enclosure