

## JOINT PUBLIC NOTICE

February 09, 2013

DEPARTMENT OF THE ARMY  
NEW ORLEANS DISTRICT  
CORPS OF ENGINEERS  
REGULATORY FUNCTIONS BRANCH  
P.O. BOX 60267  
NEW ORLEANS, LA 70160

STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL  
QUALITY  
OFFICE OF ENVIRONMENTAL  
SERVICES  
P.O. BOX 4313  
BATON ROUGE, LA 70821-4313

STATE OF LOUISIANA  
DEPARTMENT OF NATURAL  
RESOURCES  
OFFICE OF COASTAL MANAGEMENT  
P.O. BOX 44487  
BATON ROUGE, LA 70804-4487

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COE REVIEWER:

**Darlene Herman**

DEQ REVIEWER:

**Jamie Phillippe**

OCM REVIEWER:

**Shimetia Gardner**

COE NUMBER:

**MVN 2013- 0075 WB**

WQC NUMBER:

**130128- 01**

CUP NUMBER:

**P20121675**

**NAME:** **CONRAD SHIPYARDS, LLC**  
c/o SHAW COASTAL, INC.  
197 ELYSIAN DRIVE  
HOUMA, LA 70363  
Attn: Charlotte Liner

**LOCATION:** **Saint Mary Parish, LA;** Duhon By-Pass Road; Bayou Boeuf/GIWW; Amelia, LA. Section 44; T16S-R13E. Lat. 29° 39' 2"N, Long. 91° 7' 19"W.

**DESCRIPTION:** Proposed construction of approximately 3,100' of bulkhead and filling of an existing slip. The slip will be filled using material hauled in from a non-wet site. Approximately 6,600 cubic yards of material will be hauled in to fill the existing slip. An additional 100 cubic yards of hauled in material will be used for backfill during bulkhead construction. Approximately an acre may be impacted as a result of this project.

NOTICE the Louisiana Department of Natural Resources, Office of Coastal Management (OCM) has received the above application for a Coastal Use Permit (CUP) in accordance with the State and Local Coastal Resources Management Act of 1978, as amended, (Louisiana R.S. 49:214.21-214.41), and the rules and regulations of the Coastal Resources Program. Applications for the proposed work may be inspected at 617 North 3rd Street, Room 1078, Baton Rouge, LA or on the OCM web page at:

<http://dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=591>. Copies may be obtained upon payment of cost of copying. Written comments, including suggestions for modifications or objections to the proposed work and stating the reasons thereof, are being solicited from the public. Comments must be received within 25 days of the date of publication of this notice. Comments should be uploaded to our electronic record, but may be mailed, faxed or emailed to the designated OCM Reviewer. All comments must contain the appropriate application number and the commenter's full name and contact information.

Application also has been made to the Louisiana Department of Environmental Quality, Office of Environmental Services for a Water Quality Certification in accordance with La. R.S. 30:2074(A)(93), and Section 401 of the Clean Water Act (P.L. 95-217). Additional information is on file with the above office, and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained upon payment of cost of copying. Comments concerning the application can be filed with the Office of Environmental Services within 20 days of this notice to the following address: Office of Environmental Services, P. O. Box 4313, Baton Rouge, LA 70821-4313.

The public comment period for Coastal Use Permit and Water Quality Certification applications begins on the date of publication of notice in the official journal (The Advocate), in accordance with LAC 43:I. 723(C)(5)(c). OCM will provide this date on request.

Additionally, interested parties are hereby notified that application has been received by the District Engineer for a Department of the Army permit to authorize the following pursuant to Section 404 of the Clean Water

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.

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, prehistorical, historical sites, or data. Copies of this notice are being sent 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.

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 n/a 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.

Darrell S. Barbara  
Chief, Western Evaluation Section  
Regulatory Branch

Enclosures