

## JOINT PUBLIC NOTICE

October 11, 2011

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

**Phone** (504) 862- 2224

**Fax** (504) 862- 2574

**Phone** (225) 219-3225

**Fax** (225) 325-8250

**Phone** (225) 342-1076

**Fax** (225) 342-9439

**Email** monica.dandurand@la.gov

**CORPS REVIEWER:**

**Bobby Quebedeaux**

**DEQ REVIEWER:**

**Jamie Phillippe**

**OCM REVIEWER:**

**Nicole Dandurand**

**COE NUMBER:**

**MVN- 2011- 1087- WJJ**

**WQC NUMBER:**

**110503- 02**

**CUP NUMBER:**

**P20110539**

Interested parties are hereby notified that the Office of Coastal Management of the Department of Natural Resources has received the following 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, Sections 214.21-214.41), and the rules and regulations of the Coastal Resources Program. Via this notice, the public is invited to provide comment on the following application.

Additionally, interested parties are hereby notified that applications have been received by the District Engineer for a Department of the Army permit to authorize the following pursuant to: [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344) and/or [X] Section 10 of the River and Harbor Act of 1899 (33 USC 403).

Application has also been made to the Louisiana Department of Environmental Quality, Office of Environmental Services for a Water Quality Certification in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A93) and Provisions of Section 401 of the Clean Water Act (P.O. 95-217).

The official date of the beginning of the public comment period for Coastal Use Permit and Water Quality Certification applications begins on the date of publication of the notice in the official state journal (The Advocate), in accordance with the Rules and Procedures for Coastal Use Permits, §723.C.5.c. The Office of Coastal Management will inform interested parties of the exact date of publication on request.

\*Habitat impacts are based on available in-house data and may not represent actual conditions. Field reconnaissance may be required verify extent of impacts.

Approximately NO acres of Essential Fish Habitat (EFH) utilized by various life stages of red drum and panaeid shrimp would be altered or destroyed by this project. This information is provided to initiate federal consultation requirements pertaining to EFH under the Magnuson-Stevens Fishery Conservation and Management Act.

**NAME: TERREBONNE LEVEE AND CONSERVATION DISTRICT**

c/o MORRIS P. HEBERT, INC.

P. O. BOX 3106

HOUMA, LA 70361

Attn: Michael Capello

**LOCATION: Terrebonne Parish, LA; Section 4, 16-18, 23-25 T19S-R19E; SE of Houma,**  
(POB levee) Lat. 29° 26' 10.81"N, Long. -90° 33' 21.09"W;  
(POE levee) Lat. 29° 27' 36.47"N, Long. -90° 29' 13.85"W.

**DESCRIPTION:** Proposed 25,744' +/- of protection levee along the alignment of Reach J Segment 2 of the proposed Morganza to the Gulf Levee System. Approximately 19,144' of the proposed levee will be on and expand the existing levee crossing the Pointe Aux Chenes Wildlife Refuge. Approx 5,200' of new levee will be constructed east of Pointe Farm Road to the existing Lower 4-1. Approx 1,400' of existing levee will be widened connecting new levee to Reach J Segment 1 of Morganza to the Gulf levee. An existing water control structure consisting of ten 4' x 5.5' double gates (called structure #1) operated by LDWF will be removed and replaced. A new culvert structure consisting of six 72" corrugated pipes (called structure #3) will be installed east of Pointe Farm Road. An existing drainage ditch will be filled in. Approximately 536,801 cubic yards of dirt and 113,563 cubic yards of rip-rap will be hauled in for installation activities. This material includes previously unauthorized material placed for previous repair work and material stockpiled for proposed levee work. The work described was partially completed prior to obtaining a Department of the Army permit and was in violation of Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have been deferred. The applicant may be required to fully or partially restore the project site to pre-project conditions, if issuance of a permit is determined to be contrary to the overall public interest.

\*Approximately 29.6 acres of wetland, 28.1 acres of upland and 39.5 acres of non-vegetated water bottom may be directly impacted by the proposed work.

THE APPLICANT MUST SECURE A STATE COASTAL USE PERMIT PLUS A DEPARTMENT OF THE ARMY PERMIT OR A GENERAL PERMIT AUTHORIZATION FROM THE CORPS OF ENGINEERS. INDEPENDENT EVALUATIONS AND DECISIONS WILL BE MADE BY THE OFFICE OF COASTAL MANAGEMENT AND THE CORPS OF ENGINEERS.

### **State of Louisiana Coastal Use Permit Criteria**

Plans for the proposed work are now on file and may be inspected at the Office of the Coastal Management, Department of Natural Resources, LaSalle Building, 617 North 3rd Street, Room 1048, Baton Rouge, LA . Written comments, including suggestions for modifications or objections to the proposed work and stating the reasons thereof, are being solicited from anyone having an interest in the matter. Comments to the State of Louisiana, Office of Coastal Management must be received within 25 days of the date of official journal publication of this notice. Comments may be mailed, faxed or emailed to the contact information listed above or uploaded to the record using our online database found at:

[http://sonris-www.dnr.state.la.us/www\\_root/sonris\\_portal\\_1.htm](http://sonris-www.dnr.state.la.us/www_root/sonris_portal_1.htm)

All comments must contain the applicant's name and appropriate application number and the commenter's full name and contact information.

The decision on whether or not to issue a Coastal Use Permit will be based on an evaluation of the probable impacts of the proposed activity in accordance with the state policies outlined in R.S. 49:214.22. The decision will reflect the national concern for both protection and utilization of important resources. The decision must be consistent with the state program and approved local programs for affected parishes and must represent an appropriate balancing of social, environmental and economic factors. All factors which may be relevant to the proposal will be considered; among these are flood and storm hazards, water quality, water supply, feasible alternative sites, drainage patterns, historical sites, economics, public and private benefits, coastal water dependency, impacts on natural features, compatibility with the natural and culture setting and the extent of long term benefits or adverse impacts.

Certification that the proposed activity will not violate applicable water and air quality laws, standards and regulations will be required before a permit is issued.

### **State of Louisiana Water Quality Certification Criteria**

In accordance with the Joint Public Notice Agreement between the Office of Coastal Management and the Office of Water Resources, notice is hereby given that the applicant has applied to the Louisiana Department of Environmental Quality, Office of Environmental Services for a Water Quality Certification in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and provision of Section 401 of the Clean Water Act (P.L. 95-217).

Comments concerning this application can be filed with the Office of Environmental Services within twenty days of this notice to the following address: Louisiana Department of Environmental Quality, Office of Environmental Services, P.O. Box 4313, Baton Rouge, Louisiana 70821-4313.

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 printing.

### **Corps of Engineers Federal Permit Criteria**

The notice and notice policies of the Corps of Engineers - New Orleans District can be found on their web page at <http://www.mvn.usace.army.mil/ops/regulatory/publicnotices.asp>.

### **Public Hearings**

Any person may request, in writing, within the comment period specified in this notice, that a State or Federal public hearing be held to consider this application. Request for public hearings shall state, with particularity, the reasons for holding a public hearing.

Attached Plats: 1) P20110539 Notice Plats 09/27/2011

2) P20110539 Notice Plats 05/23/2011