



Public Notice

U.S. Army Corps Of Engineers	Permit Application No: _____	SWG-2008-00106
	Date Issued: _____	11 April 2017
	Comments _____	
Galveston District	Due: _____	11 May 2017

U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

PURPOSE OF PUBLIC NOTICE: To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. The U.S. Army Corps of Engineers (Corps) is not the entity proposing or performing the proposed work, nor has the Corps taken a position, in favor or against the proposed work.

AUTHORITY: This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

APPLICANT: Sabine River Authority
15091 Texas Highway
Many, Louisiana 71449-5718
POC: Mike Carr
Telephone: (318) 256-4114

AGENT: T. Baker Smith, LLC.
107 Global Circle, Suite 100
Lafayette, Louisiana 70506-5319
POC: Joey Runner
Telephone: (337) 735-2841

LOCATION: The project is located on the Sabine River Diversion Canal #1, intake canal, in Calcasieu Parish, Louisiana. The project can be located on the U.S.G.S. quadrangle map titled: Echo, Louisiana. Approximate UTM Coordinates in NAD 27 (meters): Zone 15; Easting: 435205; Northing: 3342872.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 30.253150° North; Longitude: 093.648906° West

PROJECT DESCRIPTION: The applicant proposes to mechanically or hydraulically dredge 57,880 cubic yards of dredge material from an existing canal. The canal is proposed to be dredged to a depth of 7 feet below Mean Sea Level with a bottom width

of 40 feet. The dredge material is proposed to be sidecast on the bank, on property within the canal Right of Way owned by the applicant and directly abutting the canal. The majority of the bank along the canal is uplands however this project proposes to place dredged material into approximately 1.75 acres of wetlands adjacent to the canal. The purpose of this project is to remove existing flow restrictions currently in the canal to provide sufficient volumes of water for commercial industrial, agricultural, and municipal clients.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by reducing the area of wetlands proposed to have dredged material deposited. The applicant has reduced the width of the proposed wetland spoil areas from 70-foot wide in uplands to 20-foot wide in wetlands. The applicant stated that the proposed impact have been minimized to the extent practicable.

MITIGATION: The applicant has stated that the dredged material proposed to be discharged into wetlands along the canal will settle and spread and that these areas will regain their wetland functions over time. No additional compensatory mitigation has been proposed at this time.

CURRENT SITE CONDITIONS: The project site is currently a 9,698 linear foot canal designed to have be 8 feet deep with a 30-foot wide bottom, and approximately 80-feet wide at the surface. The canal supplies water to 11 industrial customers in the Sulphur/Westlake area of southwest Louisiana. Water from the canal provides cooling and process water for these industries and a power generating plant. The canal and its right of way contain 70.8 acres with approximately 13.04 acres being the canal itself. The banks along the canal contain approximately 11.6 acres of emergent wetlands and 4.6 acres of forested wetlands (16.2 acres of wetlands total).

NOTES: This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. The applicant's plans are enclosed in 6 sheets.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the Clean Water Act (CWA).

OTHER AGENCY AUTHORIZATIONS: The project site is not located within the Louisiana Coastal Zone and therefore, does not require State of Louisiana Coastal Zone Management Consistency.

Louisiana Department of Environmental Quality (LDEQ) water quality certification is required. Concurrent with processing of this application, the LDEQ is reviewing this application under Section 401 of the Clean Water Act and in accordance with LRS

30:2074A(3) to determine if the work would comply with State water quality standards and other applicable provisions of the Clean Water Act. By virtue of an agreement between the Corps and the LDEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the LDEQ a decision on water quality certification under such act. Comments concerning this application should be filed within 30 days from the date of this notice with the Office of Environmental Services using the above permit application number as reference. Comments should be sent to: Louisiana Department of Environmental Quality, Office of Environmental Services, Attn: Water Quality Certifications, P.O. Box 4313, Baton Rouge, LA 70821-4313. Additional information is on file with LDEQ, 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. A final decision on this application will be made within 60 days after the date of this notice. The LDEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requester, or of persons represented by the requester; and a brief description of how the application, if granted, would adversely affect such interest.

The return water from upland contained dredge material placement area(s) requires authorization under Nationwide Permit (NWP) 16.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties: The proposed dredging is in an existing canal created in modern times and the material is proposed to be sidecast in an area where material had previously been sidecast. Therefore, the proposed project has no potential to effect historic properties.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat 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.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Programs of the Corps of Engineers, and other pertinent laws, regulations and executive orders. 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 benefits,

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: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

SOLICITATION OF COMMENTS: The 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 Corps of Engineers to determine whether to issue, 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 the other public interest factors listed above. Comments are used in the preparation of an Environmental Impact 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.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps of Engineers may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: The purpose of a public hearing is to solicit additional information to assist in the evaluation of the proposed project. Prior to the close of the comment period, any person may make a written request for a public hearing, setting forth the particular reasons for the request. The District Engineer will determine if the reasons identified for holding a public hearing are sufficient to warrant that a public hearing be held. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before **11 May 2017**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections.** Comments and requests for additional information should reference our file number, **SWG-2008-00106**, and should be submitted to:

North Evaluation Unit
Regulatory Division, CESWG-RD-E
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229
409-766-3869 Phone
409-766-6301 Fax
swg_public_notice@usace.army.mil

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS