

JOINT PUBLIC NOTICE

December 10, 2008

JAN 2009

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
COASTAL MANAGEMENT DIVISION
P.O. BOX 44487
BATON ROUGE, LA 70804-4487

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CMD REVIEWER:

Nicole Dandurand

COE NUMBER:

MVN- 2008- 01469- WJJ

WQC NUMBER:

080520- 01

CUP NUMBER:

P20080535

Interested parties are hereby notified that the Coastal Management Division 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.

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 Coastal Management Division 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: **BP AMERICA PRODUCTION COMPANY**
c/o C. L. JACK STELLY & ASSOCIATES, INC.
P. O. BOX 53353
LAFAYETTE, LA 70505
Attn: Paul H. Hebert, Jr.

LOCATION: **Saint Mary Parish, LA;** Section 18, T17S-R10E;
(POB) Lat. 29° 34' 10"N, Long. -91° 28' 47"W.
(POE) South Tigon Well #1. Lat. 29° 33' 46"N, Long. -91° 28' 36"W. (NAD 83), X = 1,954,455; Y = 325,786. (NAD 27)

DESCRIPTION: Proposed deepening portions of Beach Bayou and of Julian Bayou, cutting a turning wing at the intersection of the two bayous, straightening two curves in Julian Bayou, and cutting a slip area, all to access and drill the proposed South Tigon Well No. 1.

A total of 78,354 cubic yards of native material will be displaced by bucket dredge. Total length of dredging will be approximately 4,446' with widths varying between 70' and 160' to a depth of -8' (with cuts between 3' and 9'). Spoil will be stacked on either side of the Bayou at heights varying from 3' to 6' and widths from 40' to 80'. A slip measuring 180' x 345' with a 90' wing will be excavated.

If the well is successful, a well protection structure will be installed. Following are the drafts of vessels to be used: Tugs-7', Drilling Barge-8', and Workboats-3'. No additional dredge or fill is required. *Approximately 15 acres of fresh marsh may be directly impacted.

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 COASTAL MANAGEMENT DIVISION 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 Division, 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, Coastal Management Division must be received within 25 days of the date of official journal publication of this notice. Comments may be faxed to us at (225)342-9439 or may be emailed to us at the email address listed above. All comment letters should contain both the applicant's name and the appropriate application number and should be mailed to the Coastal Management Division, Louisiana Department of Natural Resources, P.O. Box 44487, Capitol Station, Baton Rouge, Louisiana 70804-4487.

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 Coastal Management Division 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 ten 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. A final decision on this application will be made within 60 days after publication of this notice.

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.