

# JOINT PUBLIC NOTICE

## September 8, 2014

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch  
Post Office Box 60267  
New Orleans, Louisiana 70160-0267

State of Louisiana  
Department of Environmental Quality  
Attn: Water Quality Certification  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-2041 FAX (504) 862-2117

[robert.m.tewis2@usace.army.mil](mailto:robert.m.tewis2@usace.army.mil)

Project Manager

Robert Tewis

Permit Application Number

MVN-1997-01715-ETT

(225) 219-3225;

Fax (225) 219-3156

Project Manager

Elizabeth Johnson

WQC Application Number

WQC-140829-02

Interested parties are hereby notified that a permit application has been received by the U.S. Army Corps of Engineers, New Orleans District (CEMVN) of the pursuant to:  Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or  Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

Application has also been made to the Louisiana Department of Environmental Quality, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

### **DRAINAGE IMPROVEMENTS AT A RESIDENTIAL-COMERCIAL DEVELOPMENT IN TAMMANY PARISH, LOUISIANA**

**NAME AND ADDRESS OF APPLICANT:** Bedico Creek Preserve, LLC c/o J.V. Burkes & Associates, Attention: Barbara Zelenka, 1805 Shortcut Highway, Slidell, Louisiana 70458.

**LOCATION OF WORK:** South of Interstate 12 (I-12), west of Highway 1085 within Sections 5, 6, 7, & 8, Township 7 South, Range 10 East and Section 31, Township 6 South, Range 10 East, St. Tammany Parish, Louisiana.

**EXISTING CONDITIONS:** The ongoing construction of this residential-commercial development was authorized by CEMVN via permit # MVN-1997-01715-ETT. The property and development rights were purchased from the original permittee and the permit was previously transferred to the applicant referenced above. The required compensatory mitigation for the ongoing work has been satisfied via purchase of wetland acre credits from Mossy Hill Mitigation Bank and by an onsite conservation servitude which is being preserved and maintained in perpetuity, in accordance with the Corps Regulatory Guidelines. The original drainage design inherited by the current owner/developer has proven to be inadequate and the applicant is proposing to make drainage improvements to alleviate reoccurring street and property flooding.

**CHARACTER OF WORK:** Clear, excavate, fill and grade to construct two drainage ditches. Both drainage ditches would be approximately 7 feet deep by 42 feet wide; one would be 1,610 feet long

and drain to an existing 10 acre stormwater treatment pond. The second ditch would be 435 feet long and drain to an existing drainage ditch. The proposal would result in direct impacts to  $\pm$  0.34 acres of herbaceous wetlands located within an existing drainage easement and  $\pm$  0.88 acres of pine forested wetlands abutting the easement. Other minimal direct wetland impacts would occur within the authorized development footprint. Those impacts were mitigated for under the previous authorization. The applicant proposes to provide the required compensatory mitigation at a CEMVN 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 Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be mailed to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH**. 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. Individuals or parties may request an extension of time in which to comment on the proposed work by writing or e-mailing the Corps of Engineers Project Manager listed above. Any request must be specific and substantively supportive of the requested extension, and received by this office prior to the end of the initial comment period. The Section Chief will review the request and the requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous to the initial comment period and, inclusive of the initial comment period, will not exceed a total of 30 calendar days.

#### **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.

The New Orleans District is unaware of any properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The Corps is unaware of any Endangered Species Act (ESA) listed species or designated critical habitat that may be adversely affected by the proposed activity. Our initial finding is that the proposed work would neither affect any ESA listed species nor affect any habitat designated as critical to the survival and recovery of a listed species.

This notice initiates the EFH consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would result in temporary adverse impacts to N/A acres of EFH utilized by various life stages of red drum, blue crab and penaeid shrimp. Our initial determination is that the proposed action may have temporary adverse impacts on EFH or federally managed fisheries of 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 NMFS.

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 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 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.

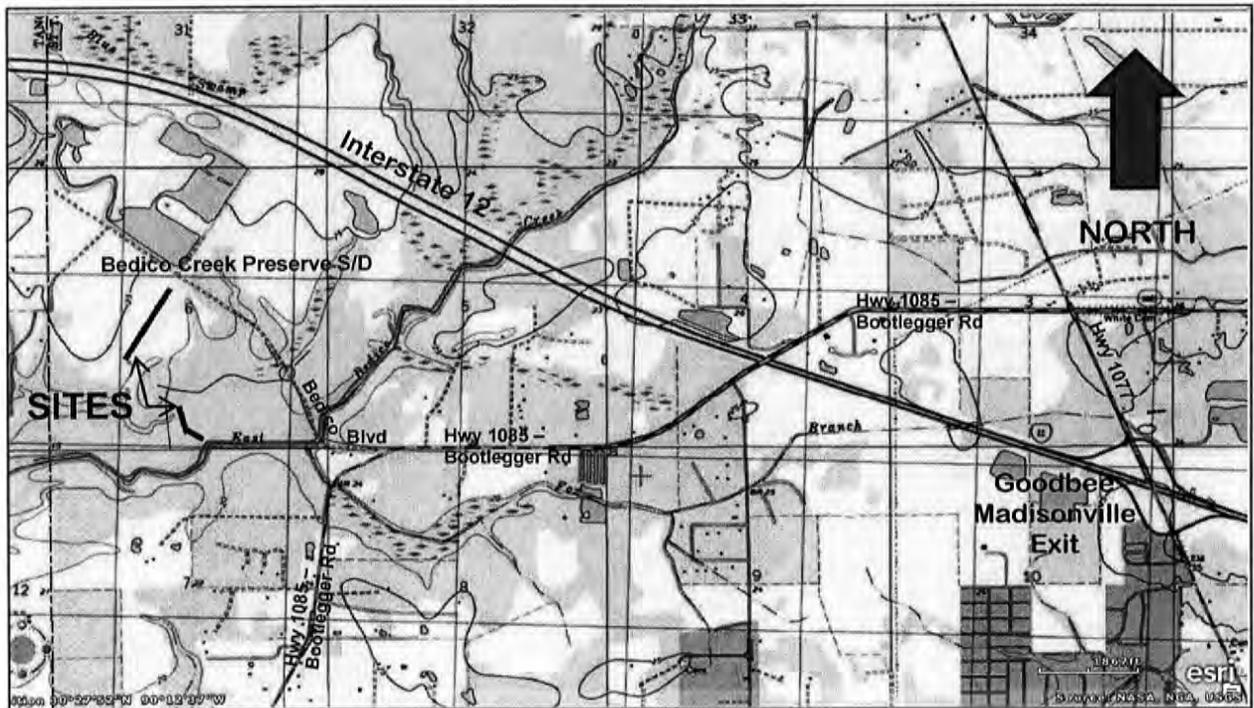
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Michael V. Farabee  
Chief, Eastern Evaluation Section  
Regulatory Branch

Attachments

## Location Map

1867'



### Two Proposed Drainage Ditches in Bedico Creek Preserve

Located in  
Sections 6 - T7S - R10E  
St. Tammany Parish, LA

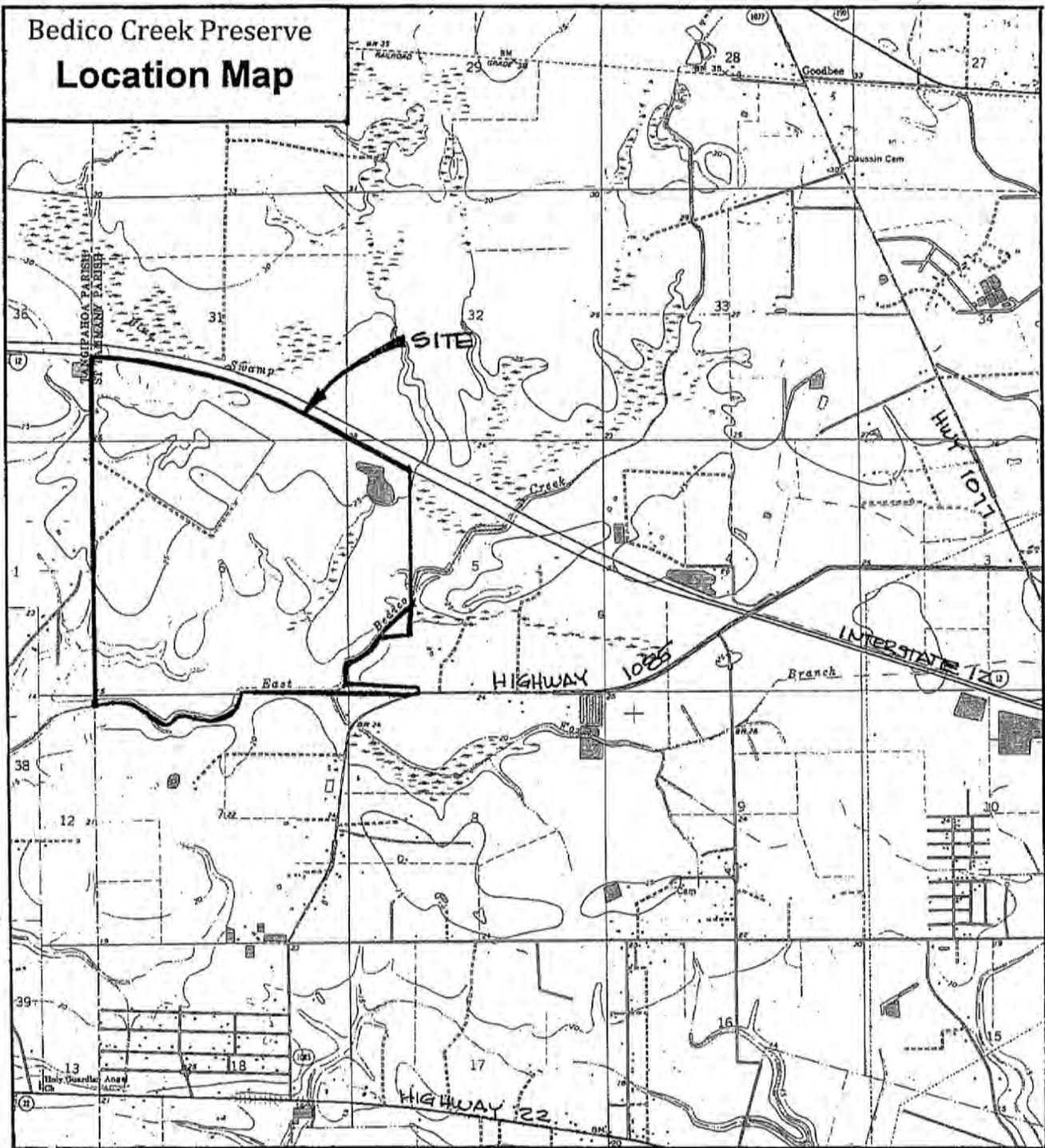
#### 1610' Ditch

30 ° 28' 04.92"N  
90 ° 14' 13.70"W

#### 435' Ditch

30 ° 27' 35.99" N  
90 ° 14' 05.92" W

**Bedico Creek Preserve  
Location Map**



**Latitude: N 30° 28' 21"**  
**Longitude: W 90° 14' 14"**

**Located in Sec. 5, 6, & 7 - T7S - R10E  
and Sec. 31 - T6S - R10E  
St. Tammany Parish, LA**

INTERSTATE No. 18

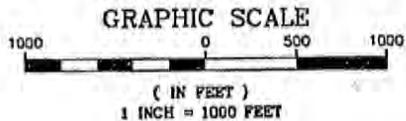
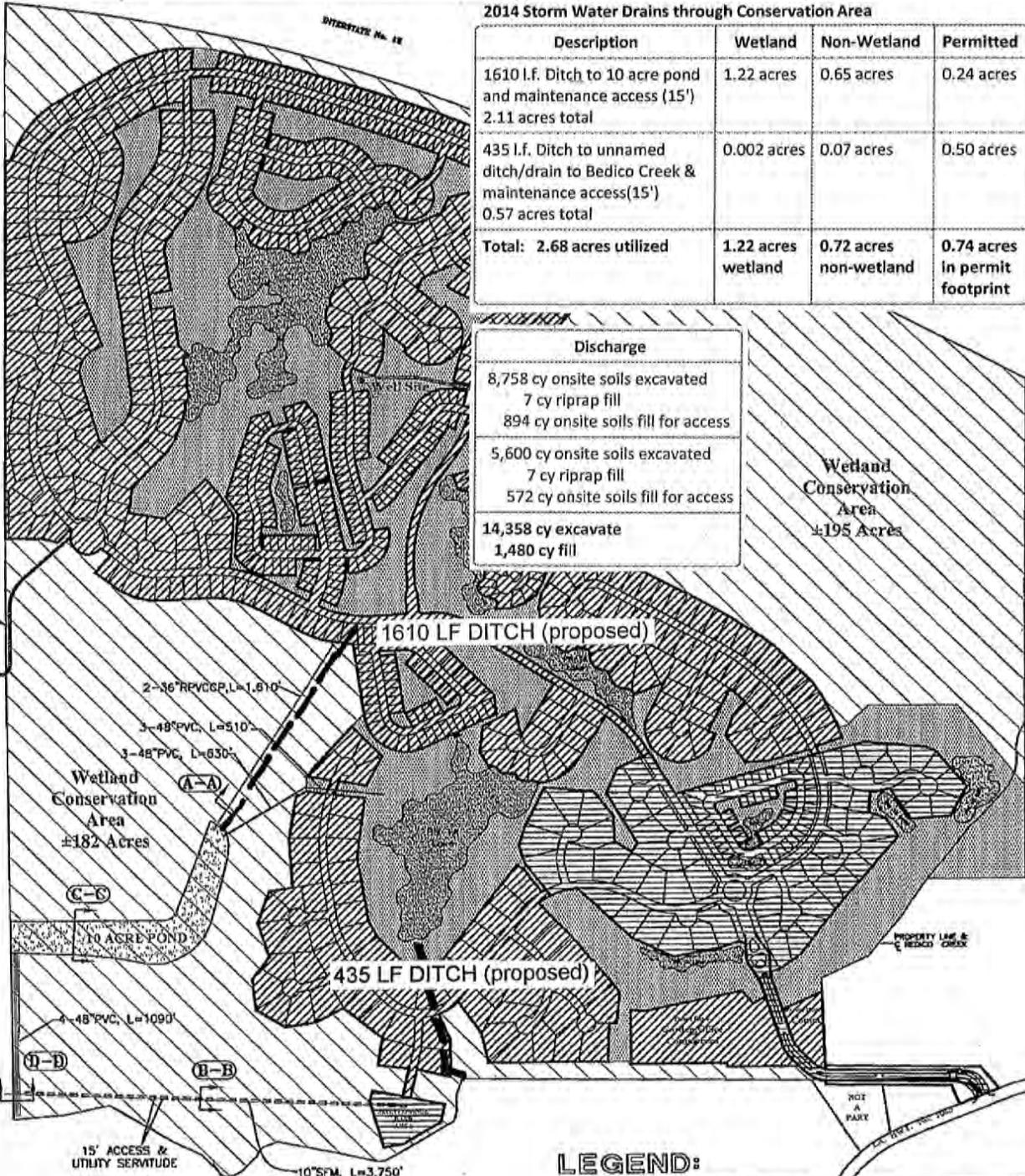
EXISTING DIRT/GRAVEL ROAD - EMERGENCY AND CONSTRUCTION ACCESS

2014 Storm Water Drains through Conservation Area

Description	Wetland	Non-Wetland	Permitted
1610 l.f. Ditch to 10 acre pond and maintenance access (15') 2.11 acres total	1.22 acres	0.65 acres	0.24 acres
435 l.f. Ditch to unnamed ditch/drain to Bedico Creek & maintenance access(15') 0.57 acres total	0.002 acres	0.07 acres	0.50 acres
<b>Total: 2.68 acres utilized</b>	<b>1.22 acres wetland</b>	<b>0.72 acres non-wetland</b>	<b>0.74 acres in permit footprint</b>

Discharge
8,758 cy onsite soils excavated 7 cy riprap fill 894 cy onsite soils fill for access
5,600 cy onsite soils excavated 7 cy riprap fill 572 cy onsite soils fill for access
14,358 cy excavate 1,480 cy fill

Wetland Conservation Area  
±195 Acres



LEGEND:

- CONSERVATION EASEMENT APPROXIMATELY 377 ACRES
- DEVELOPED AREA APPROX. 63.07 ACRES
- FUTURE DEVELOPABLE AREA APPROX. 312.0 ACRES
- GREENSPACE AREA APPROX. 187.0 ACRES

SITE PLAN

SCALE: 1" = 1000'

10-007

S-1

07-07-14  
07-07-10

PLANS FOR  
**BEDICO CREEK**  
SEC. 5,6,7&8, TOWNSHIP 7 S., RANGE 10 E.  
ST. TAMMANY PARISH, LOUISIANA

**CEI COOPER ENGINEERING, INC.**  
Civil Engineering • Planning • Environmental  
P.O.Box 1870 Covington, Louisiana 70434 (985) 898-0182

UPDATED WITH PROPOSED DITCHES (7.07.14) JVB

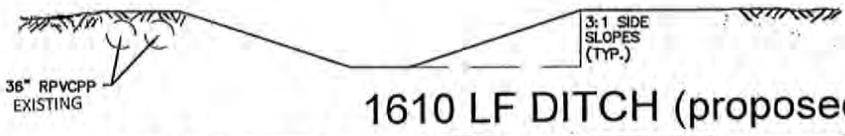
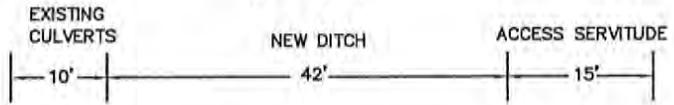
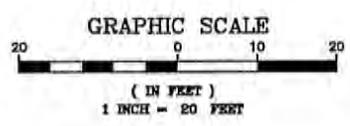
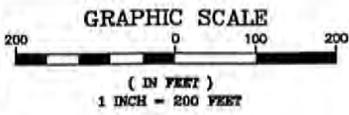
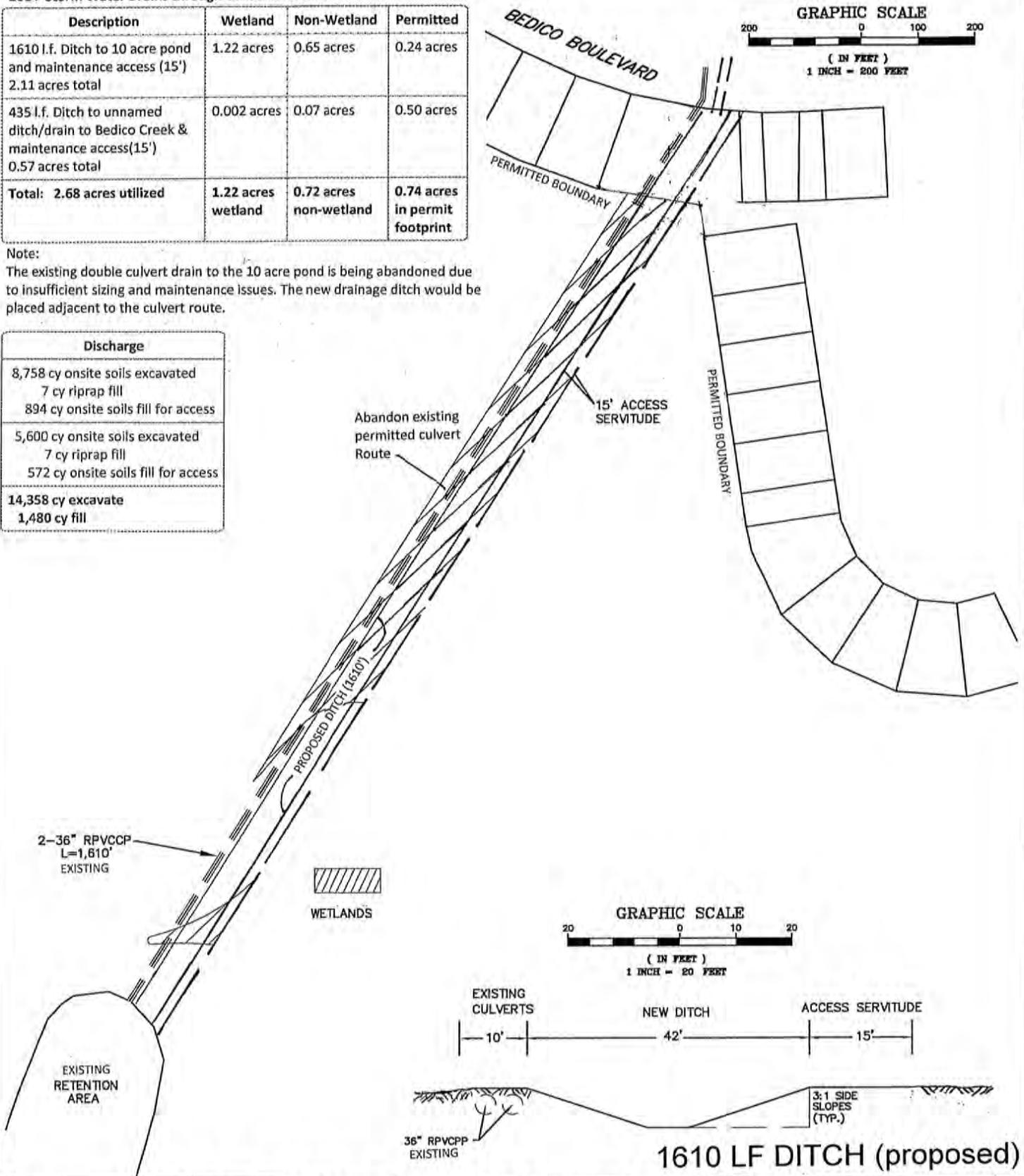
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<b>Total: 2.68 acres utilized</b>	<b>1.22 acres wetland</b>	<b>0.72 acres non-wetland</b>	<b>0.74 acres in permit footprint</b>

Note:

The existing double culvert drain to the 10 acre pond is being abandoned due to insufficient sizing and maintenance issues. The new drainage ditch would be placed adjacent to the culvert route.

Discharge
8,758 cy onsite soils excavated 7 cy riprap fill 894 cy onsite soils fill for access
5,600 cy onsite soils excavated 7 cy riprap fill 572 cy onsite soils fill for access
<b>14,358 cy excavate</b> <b>1,480 cy fill</b>



1610 LF DITCH (proposed)

DATE:  
6/18/14

SCALE:  
1"=200'

**J.V. Burkes & Associates, Inc.**

SURVEYING ENGINEERING • ENVIRONMENTAL

1805 Shortcut Highway  
Slidell, Louisiana 70458  
E-mail: jvbassoc@jvburkes.com  
Phone: 985-649-0075 Fax: 985-649-0154  
Mississippi Phone: 228-435-5800

**PROPOSED DRAINAGE  
IMPROVEMENT BEDICO  
CREEK PRESERVE,  
ST. TAMMANY  
PARISH, LOUISIANA**



FLOW FROM EXISTING POND

NEW DITCH

ACCESS SERVITUDE

42'

15'

3:1 SIDE SLOPES (TYP.)

2014 Storm Water Drains through Conservation Area

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123

PROPOSED 15' ACCESS SERVITUDE

PROPOSED DITCH

PERMITTED BOUNDARY

0.002 ACRES WETLANDS

APPROX. C/L EXIST. DITCH

APPROX. TOP OF BANK

PERMITTED BOUNDARY

CREEK

APPROX. C/L CREEK

SENAC DR.

BEDICO

GRAPHIC SCALE



( IN FEET )

1 INCH = 100 FEET

435 LF DITCH (proposed)

DATE:  
6/18/14

SCALE:  
1"=100'

**J.V. Burkes & Associates, Inc.**

SURVEYING

ENGINEERING • ENVIRONMENTAL



1805 Shortcut Highway  
Slidell, Louisiana 70458

E-mail: jvbassoc@jvburkes.com  
Phone: 985-649-0075 Fax: 985-649-0154  
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