

JOINT PUBLIC NOTICE

March 17, 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

Project Manager

Robert Tewis

Permit Application Number

MVN-1998-02074-ETT

(225) 219-3225;

Fax (225) 219-3156

Project Manager

Elizabeth Johnson

WQC Application Number

WQC-980624-01R

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the U.S. Army Corps of Engineers (Corps) 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).

EXTEND THE EXPIRATION DATE OF AN EXISTING CORPS PERMIT, FOR A COMMERCIAL DEVELOPMENT, IN ST. TAMMANY PARISH, LOUISIANA

NAME OF APPLICANT: KT Properties Investments, LLC, c/o Thomas K. Brown, P.O. Box 94, Covington, Louisiana 70433.

LOCATION OF WORK: Along Manton Drive abutting the east side of the U.S. Highway 190 bypass, in Covington, St. Tammany Parish, Louisiana.

EXISTING CONDITIONS: Corps permit # EK-19-980-2074 was issued to James H. Manton Jr., on 12 November 1998, authorizing the construction of a commercial development. The development is partially complete and the permit referenced above was previously transferred to KT Properties Investments, LLC, which is requesting to extend the time limit of the permit to complete the project.

CHARACTER OF WORK: Continue to grade, excavate, and fill to complete the development as shown on the original site plans. The compensatory mitigation required for the project was satisfied through the purchase of 4.30 acre credits from the Southeast Louisiana Pine Wetlands Mitigation Bank in November 1998, prior to the start of any construction activity at the project site.

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.

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.

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 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 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 any ESA 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.

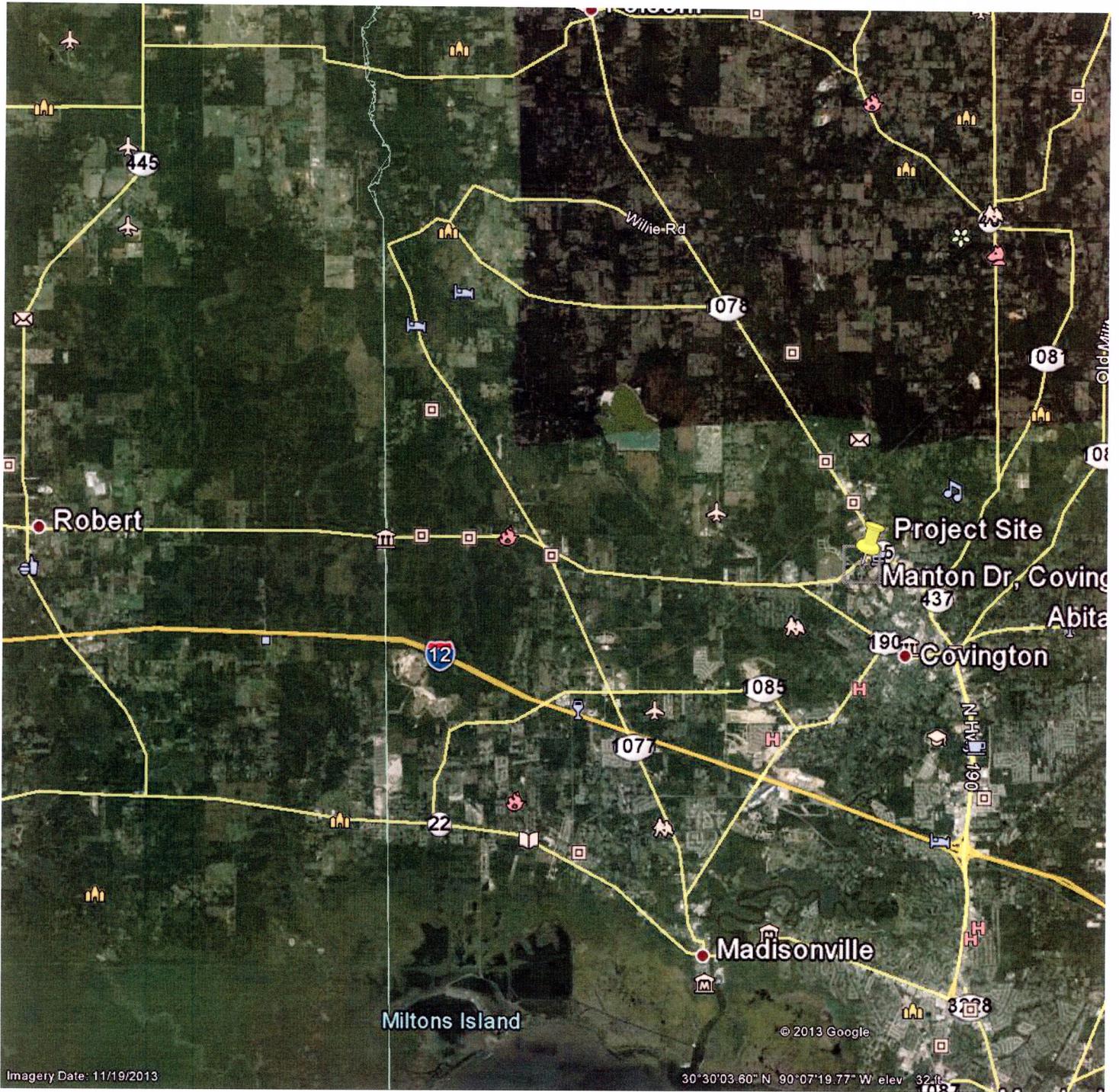
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, 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.

Michael V. Farabee
Chief, Eastern Evaluation Section
Regulatory Branch

Attachments



MVN-1998-2074-ETT



MVN-1998-2074-ETT

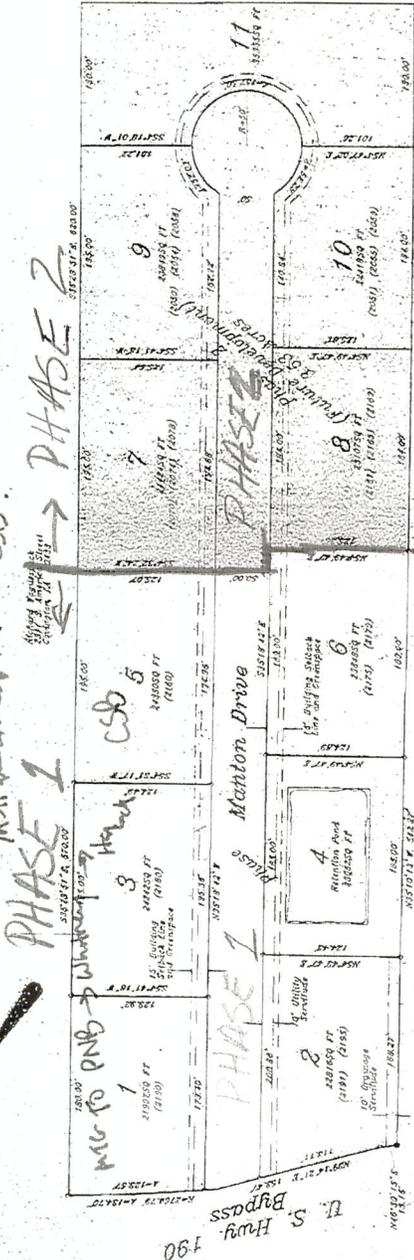
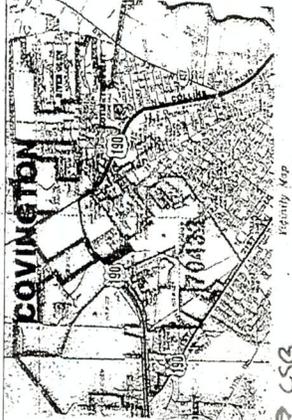
AS BUILT - NOV. 2013

ADDENDUM 1

St Tammany Parish Clerk of Court Map#4565 - MAPS MAY NOT PRINT TO SCALE

MANTON PROPERTIES

Phase 1
Located in Section 45 Township 6 South, Range 11 East,
City of Covington, St. Tammany Parish, Louisiana



RESISTIVE COVENANTS

1. BUILDING STRUCTURES MUST MEET OR EXCEED THE CITY OF COVINGTON REQUIREMENTS.
2. NO TOWER SHALL BE CONSIDERED APPROVED BY THE CITY OF COVINGTON UNLESS THE TOWER MEETS ALL CITY REQUIREMENTS FOR TOWER HEIGHT, LOCATION, AND USE.
3. ALL TOWER STRUCTURES SHALL BE CONSIDERED AS AN ANTENNA STRUCTURE UNDER THE CITY OF COVINGTON REQUIREMENTS.
4. ALL PLANS AND SPECIFICATIONS FOR ANY DEVELOPMENT ON ANY LOT SHALL BE REVIEWED & APPROVED BY THE ARCHITECTURAL REVIEW COMMITTEE WHICH INCLUDES THAT A COPY OF THE ARCHITECTURAL REVIEW COMMITTEE REPORT SHALL BE SUBMITTED TO THE CITY OF COVINGTON.
5. NO TOWER SHALL BE SUBMITTED INTO SMALLER LOTS.
6. ALL TOWER STRUCTURES SHALL BE FINISHED TO CONFORM WITH ALL CITY REQUIREMENTS.
7. ALL TOWER STRUCTURES SHALL BE FINISHED TO CONFORM WITH ALL CITY REQUIREMENTS.
8. ADDITIONAL COVENANTS ACCORDING TO C.O.B. FROM PUBLIC WORK SHALL BE MAINTAINED IN EACH TITLE AND REFERENCE SHALL BE MADE THEREIN TO EACH TITLE AND REFERENCE.

THIS PLAN IS CERTIFIED TO CONFORM TO THE PROVISIONS OF THE STATE OF LOUISIANA, AND THE CITY OF COVINGTON, AND IS SUBJECT TO ALL APPLICABLE STATE, FEDERAL, AND LOCAL REQUIREMENTS, AND IS SUBJECT TO ALL APPLICABLE STATE, FEDERAL, AND LOCAL REQUIREMENTS, AND IS SUBJECT TO ALL APPLICABLE STATE, FEDERAL, AND LOCAL REQUIREMENTS.

DEDICATION

BE IT REMEMBERED, BY THE UNDERSIGNED ENGINEER OF THE LAND AS SHOWN AND DESCRIBED HEREIN, THAT THE UNDERSIGNED HAS RECEIVED FROM THE DEVELOPER AND OWNER OF THE LAND AS SHOWN AND DESCRIBED HEREIN, A DEED OF DEDICATION OF THE LAND AS SHOWN AND DESCRIBED HEREIN, TO THE PUBLIC, FOR THE PURPOSE OF CONVEYING TO THE PUBLIC THE RIGHT OF WAY AND EASEMENTS FOR THE PURPOSES OF THE PROJECT AS SHOWN AND DESCRIBED HEREIN, AND THAT THE UNDERSIGNED HAS BEEN ADVISED BY THE DEVELOPER AND OWNER OF THE LAND AS SHOWN AND DESCRIBED HEREIN, THAT THE LAND AS SHOWN AND DESCRIBED HEREIN IS BEING OFFERED TO THE PUBLIC FOR THE PURPOSES OF THE PROJECT AS SHOWN AND DESCRIBED HEREIN, AND THAT THE UNDERSIGNED HAS BEEN ADVISED BY THE DEVELOPER AND OWNER OF THE LAND AS SHOWN AND DESCRIBED HEREIN, THAT THE LAND AS SHOWN AND DESCRIBED HEREIN IS BEING OFFERED TO THE PUBLIC FOR THE PURPOSES OF THE PROJECT AS SHOWN AND DESCRIBED HEREIN.

APPROVAL

11-13-2007

11-13-2007

11-13-2007

PHASE 1 COMPLETE

PHASE 2 NOT CONSTRUCTED

PHASE 3 NOT CONSTRUCTED

LAND SURVEYING, INC.
518 N. COLUMBIA ST.
COVINGTON, LA. 70433

Manton Properties

Phase 1

Phase 2

Phase 3

11-13-2007

11-13-2007

11-13-2007

11-13-2007

11-13-2007

11-13-2007

