JOINT PUBLIC NOTICE

February 28, 2022

United States Army Corps of Engineers New Orleans District Regulatory Division 7400 Leake Avenue New Orleans, Louisiana 70118

Project Manager: Neil Gauthier (504) 862-1301 <u>Neil.T.Gauthier@usace.army.mil</u> Application #: MVN- 2010-00430-CM State of Louisiana Department of Environmental Quality Water Permits Division Post Office Box 4313 Baton Rouge, Louisiana 70821-4313

Certification Analyst: Elizabeth Hill (225) 219-3225 WQC Application Number: WQC 210701-02

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US Army Corps of Engineers pursuant to: [] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403), [X] 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 LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act (P.L. 95-17).

PROPOSED CONSTRUCTION OF PHASE III FOR THE ISABELLEA LAKES RESIDENTIAL SUBDIVISION IN LIVINGSTON PARISH

NAME OF APPLICANT: Rockhurst LLC, c/o Hydrik Wetlands Consultants, Attn: Mike Henry, 2323 Hwy 190 East, Suite 2, Hammond, Louisiana 70401.

LOCATION OF WORK: Near Dumplin Creek, Section 24, T6S-R3E, at the intersection of Walker North Road and Corbin Avenue, in Walker, Louisiana, in Livingston Parish, within the Lake Pontchartrain Basin in hydrologic unit (HUC 08070202), as shown on the attached drawings.

CHARACTER OF WORK: The applicant has requested a Department of the Army authorization to clear, grade, excavate, and deposit fill and/or aggregate material to construct and maintain phase III of an existing residential subdivision (Isabella Lakes) to include roads, utility infrastructure, and drainage improvements with detention ponds. Approximately 108,500 cubic yards of onsite material would be excavated and redistributed to achieve required grade elevation requirements. The proposed project is situated on an approximately 57-acre tract that has been determined to contain 11.2 acres of forested wetlands. Approximately 2.2 acres would be permanently impacted for construction of the subdivision and 9.0 acres will be avoided and include strategically placed culverts to maintain hydrologic connection. It is anticipated that the proposed action would have minimal impact on adjacent wetlands.

A Preliminary analysis has determined that the proposed project would directly impact 2.2 acres of forested wetlands.

The applicant states that the proposed project has been designed to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. Any further reduction would limit usage of the property and, therefore function deeming the project impracticable. As compensation for unavoidable wetland impacts, the applicant proposes to use a Corps approved mitigation bank within the watershed of impact to mitigate.

The comment period for the Department of Army Permit and the Louisiana Department of Environmental Quality WQC will close in 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 and/or comments concerning the subject permit application must reference the applicant's name and the Permit Application Number and preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, ATTENTION: REGULATORY DIVISION, RGC, Neil Gauthier. 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 Branch 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 application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined during weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction. The public notice is also available for review online at <u>https://go.usa.gov/xennJ</u>.

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. Copies of this notice are being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

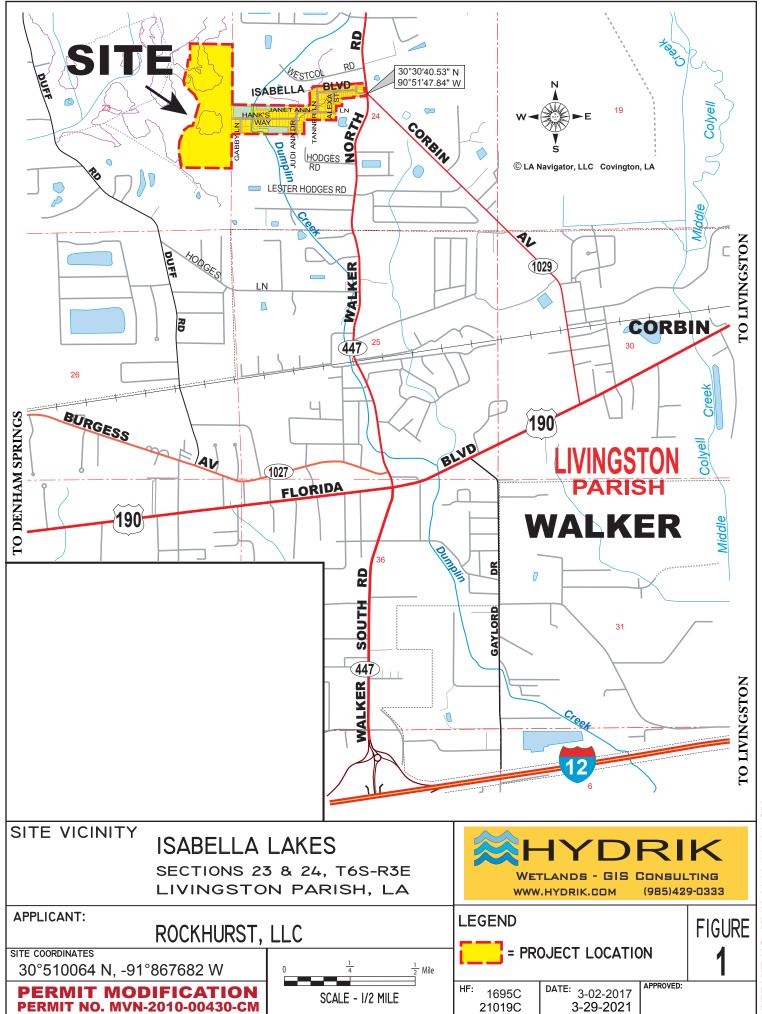
Our initial finding is that the proposed work is Not Likely to Adversely Affect any species as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species. Utilizing the Information Planning and Consultation (IPaC) procedure for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, the Corps has determined that the proposed activity would have no effect to any listed species.

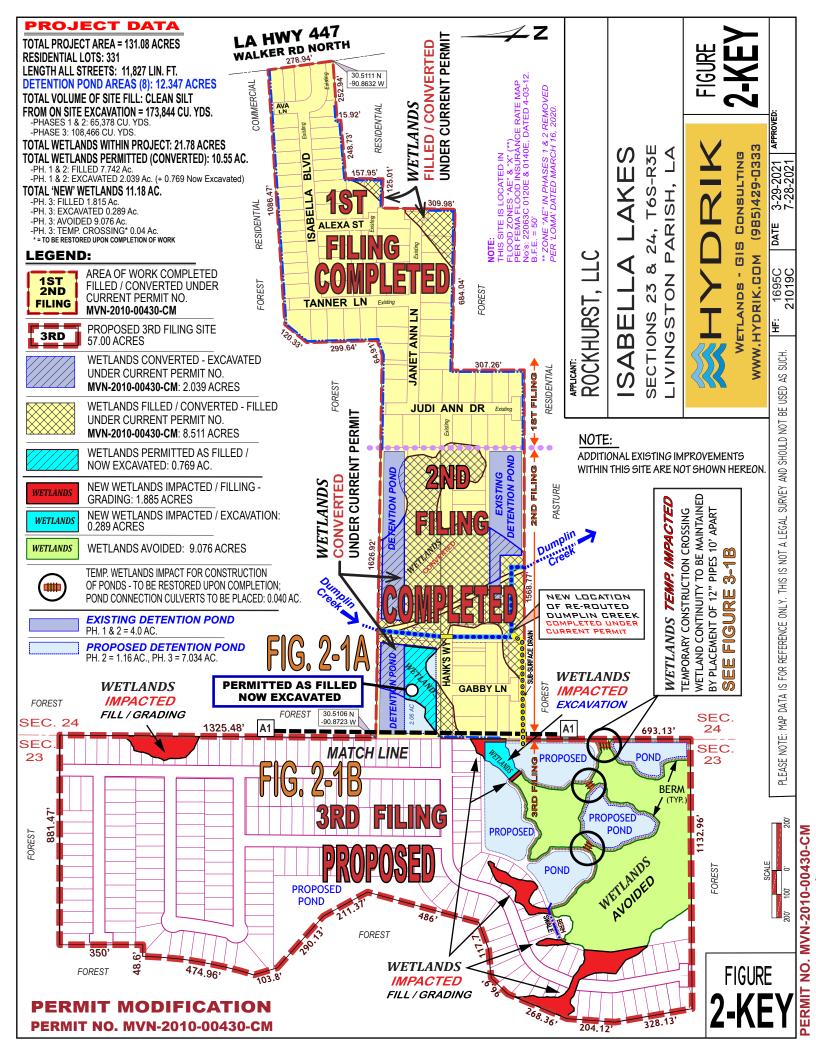
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal may result in the destruction, alteration and/or disturbance of **0** acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH 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.

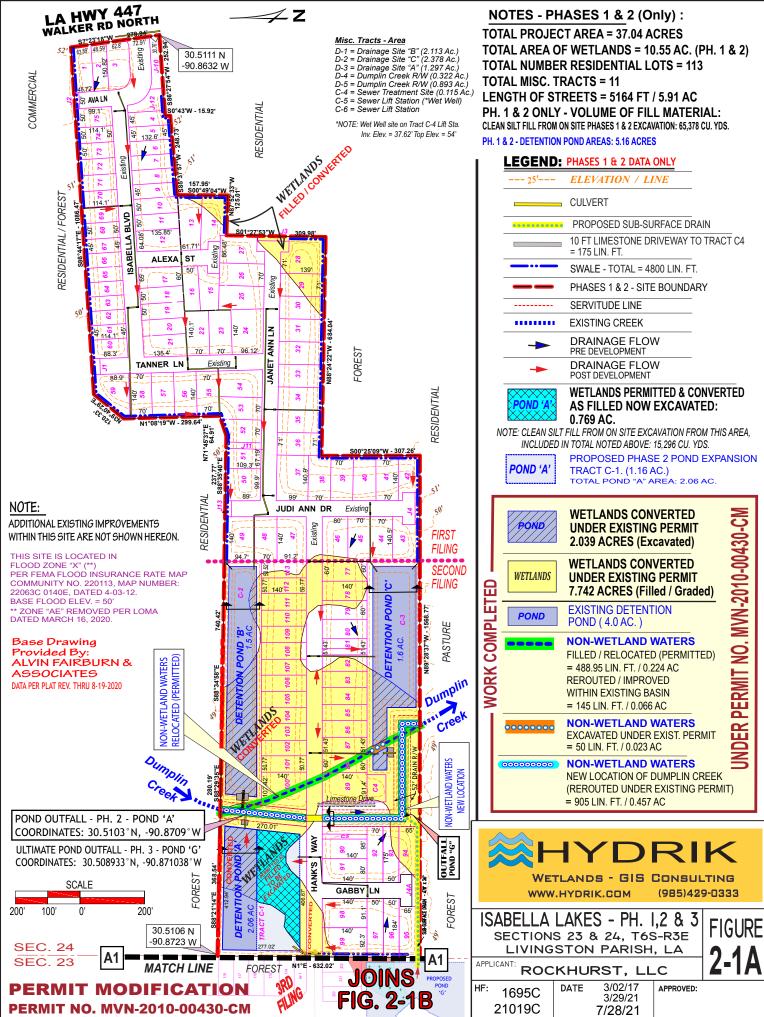
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

JOHN M. HERMAN Chief, Central Evaluation Branch Regulatory Division

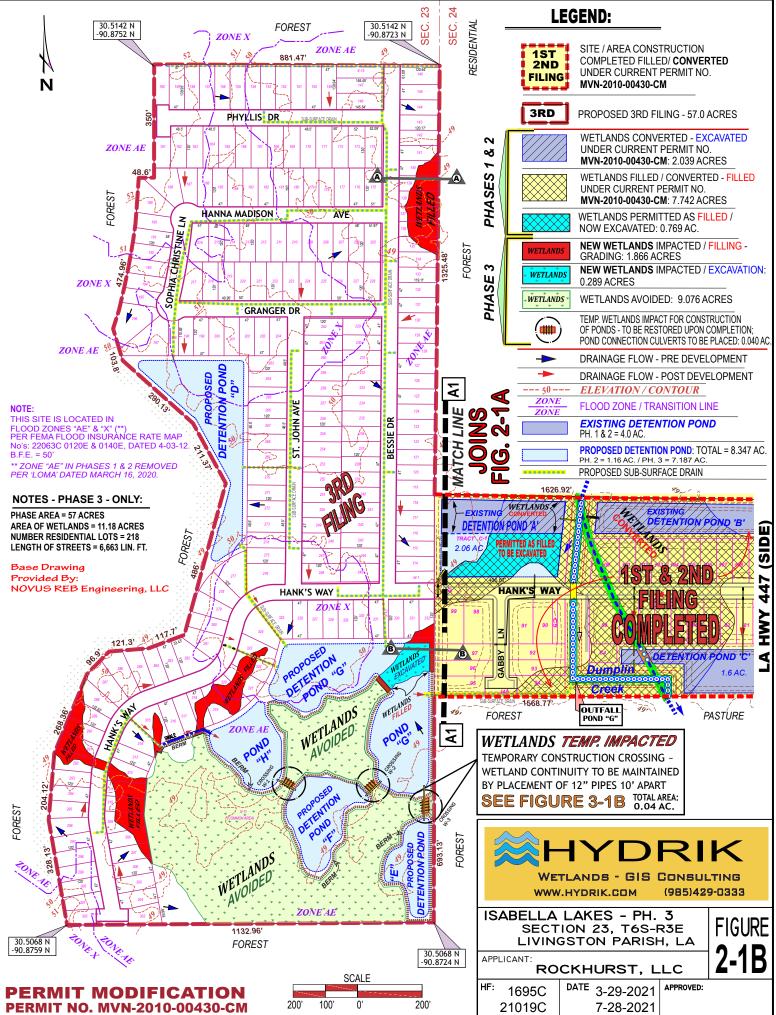
Enclosures



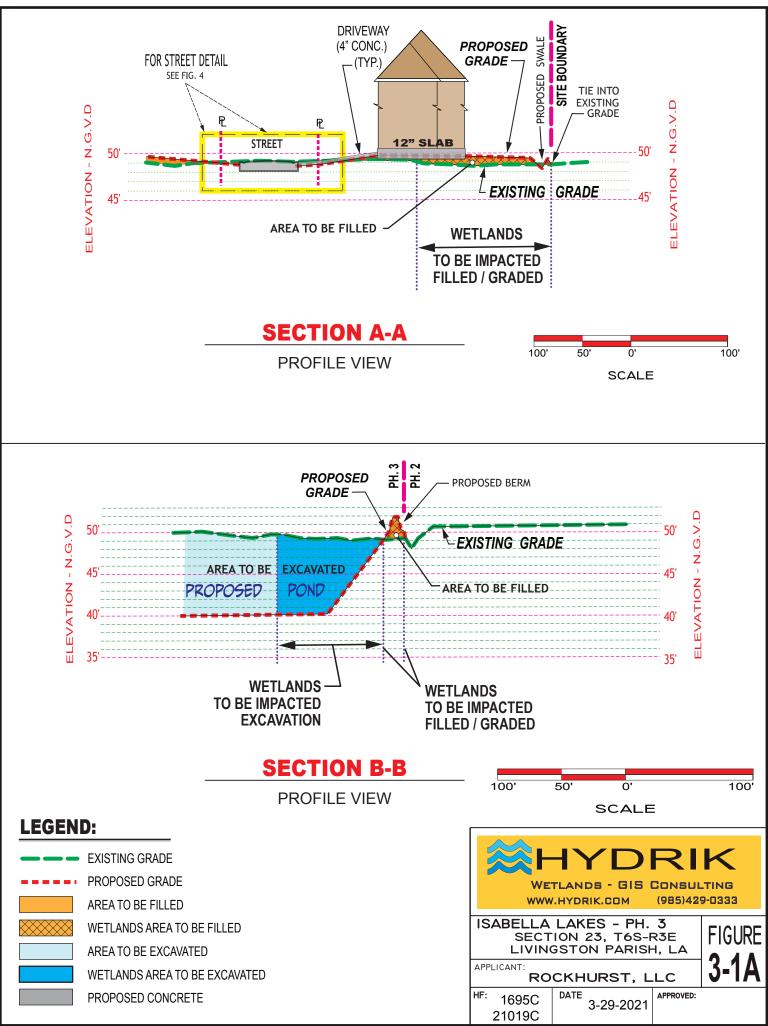


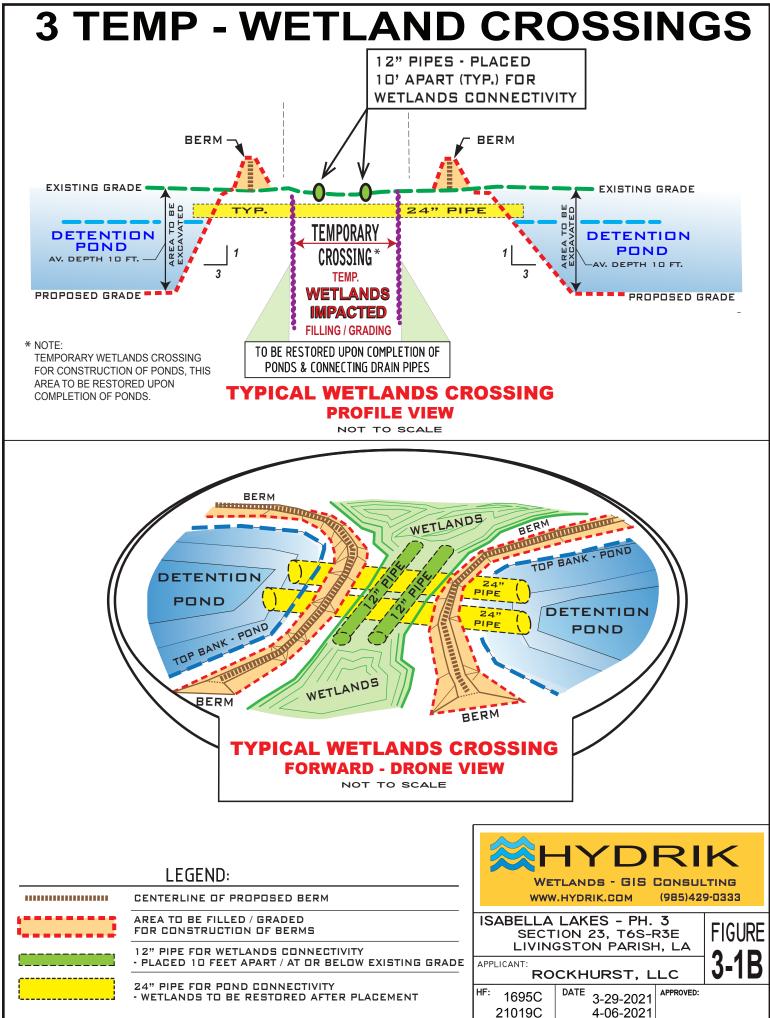


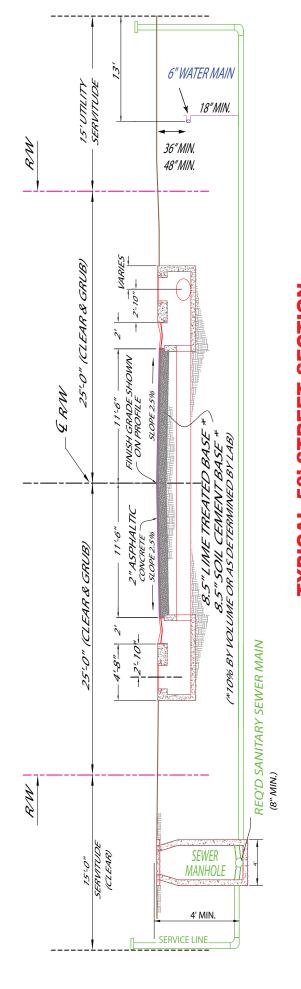
PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH.



PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH.









TO SCALE

⊢0Z

