

JOINT PUBLIC NOTICE

January 11, 2016

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

(504) 862-2259
Project Manager
Scott N. Kennedy
scott.n.kennedy@usace.army.mil
Permit Application Number
MVN 2012-01881 EMM

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

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC 151208-01

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 pursuant to: [X] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or [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, Water Quality Certifications, 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.

MINE GRAVEL, INSTALL AND MAINTAIN AN EARTHEN BERM, AND CREATE A BUFFER ALONG THE TANGIPAHOA RIVER IN TANGIPAHOA PARISH

NAME OF APPLICANT: Diamond B Construction LLC Inc, c/o Maurepas Environmentalists, Thom Barlow, 39016 S. Thibodeaux Road, Pontchatoula, Louisiana 70454.

LOCATION OF WORK: Section 48, Township 3 South, Range 7 East, near the Tangipahoa River, in Roseland, Louisiana, in Tangipahoa Parish, as shown on the attached drawings.

HUC: 08070205: Tangipahoa River
Latitude: 30.76556 Longitude: -90.49381

CHARACTER OF WORK: To mine gravel on approximately 140 acres of non-wet uplands and jurisdictional waters of the U.S. A Louisiana Wildlife and Fisheries approved 200-450 foot buffer along the Tangipahoa River will be established and an earthen berm approximately 12' high and 50' wide will be constructed between the buffer and the mining area, in Roseland, Louisiana. Approximately 4,493 linear feet of jurisdictional waters of the U.S. will be backfilled by on-site material. Sediment fences will be constructed on the outside of the berm to collect any runoff. No impacts to jurisdictional wetlands are anticipated, as such, no compensatory mitigation has been proposed.

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 application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction.

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 the public notice solicits input from the State Archeologist and State Historic Preservation Office regarding potential impacts to cultural resources.

The New Orleans District has determined that the proposed work would neither affect any species listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species.

Utilizing Standard Local Operating Procedure for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office, the Corps has determined that the proposed activity would have no effect on 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 would result in the destruction or alteration of up to N/A 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 Department of Environmental Quality, Water Quality Certifications, 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 Farabee
Chief, Eastern Evaluation Section

Enclosures



1048

Roch Rd

Curt Ln

Hill St

Michigan Ave
Louisiana Ave

Houeye Rd

Central Ave

Roseland Ave

Simpson Ln
Seibert Rd

Bennett Rd

Richardson Rd

Bennett Rd E

Reahus Ln

1048

Step Toe Rd

Arcola

E Russell Town Rd

Commercial Street

Roseland

Church St

Roseland Ave

Fouks Ln

N Duncan Ave

Pecan St
Cedar St
Walnut St

N 1st St
N 2nd St

Daniel St
Hardy St
N Duncan Ave

Amite City
E Oak St

N Laurel St

S Laurel St

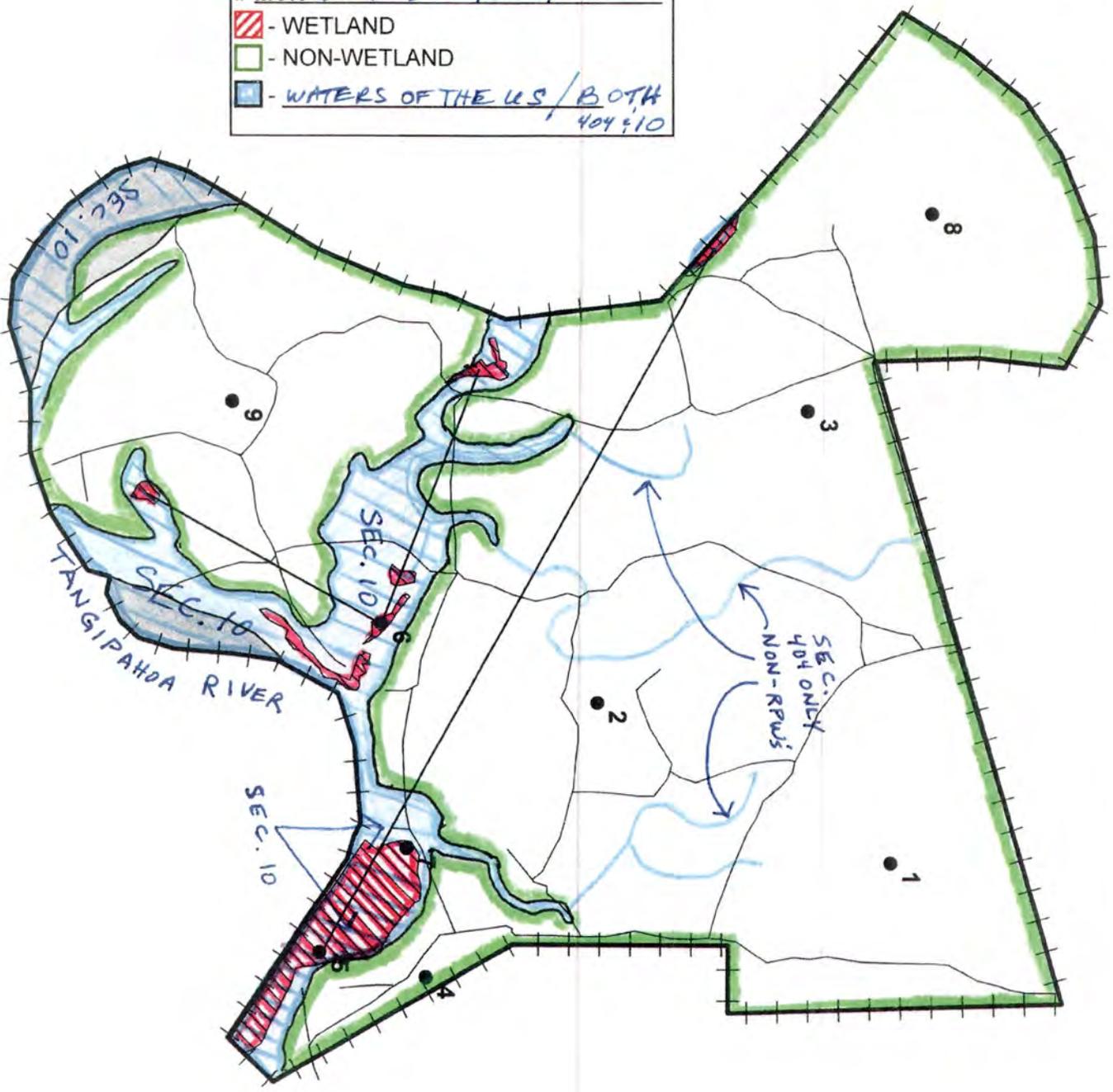
S Bay St

SW C

APPROVED

JURISDICTIONAL DETERMINATION

USACE
 (FSV) IH Date: 12-13-2011
 Botanist: [Signature]
 Requestor: KOCH
 # MVN-2011-02590-SY
 - WETLAND
 - NON-WETLAND
 - WATERS OF THE U.S. / BOTH
 404 & 10



Diamond-B Roseland Site

Data Form Location Maps
12 AUG 2011

N

Stream
 Rough Boundary
 Sand Bar
 Wetland
 trails

12AUG2011
Drawn: EKG



This map constructed expressly for Diamond-B Roseland, La Site Wetlands Report

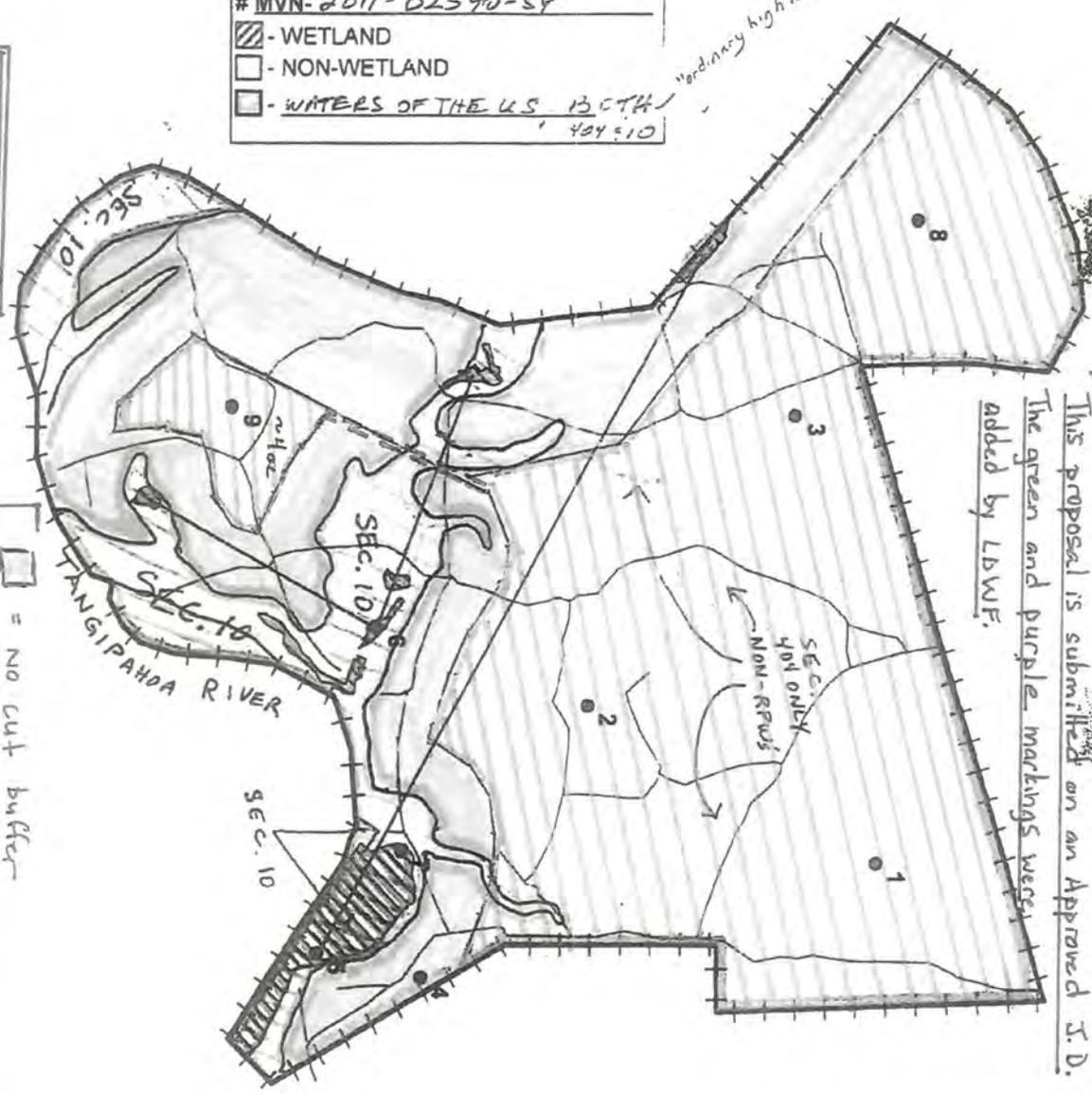
This wetlands delineation map represents the professional opinion of ECG LLC

APPROVED
 JURISDICTIONAL DETERMINATION

7

USACE
 FSV/1 IH Date: 12-13-2011
 Botanist: [Signature]
 Requestor: KOCH
 # MVN-2011-02590-SY
 [Hatched Box] - WETLAND
 [White Box] - NON-WETLAND
 [Blue Box] - WATERS OF THE U.S. 13 CTH
404-10

ordinary high water



This proposal is submitted on an Approved I.D.
 The green and purple markings were added by LDWF.

LDWF PROPOSAL - 8.14.2013

[Hatched Box] = mining area

LDWF Legend

[White Box] = No cut buffer

Buffer widths:

- 1. 450' on western side of peninsula
- 2. 200' on upper Tangipahoa River and on most Sec. 10 waters and wetlands
- [Dashed Line] = temporary road

350' of loss from 76'-10" + 100' ± 450'

Diamond-B Construction

This wetlands delineation map represents the professional opinion of ECG LLC

This map constructed expressly for Diamond-B
 Roseland, La
 Site Wetlands Report

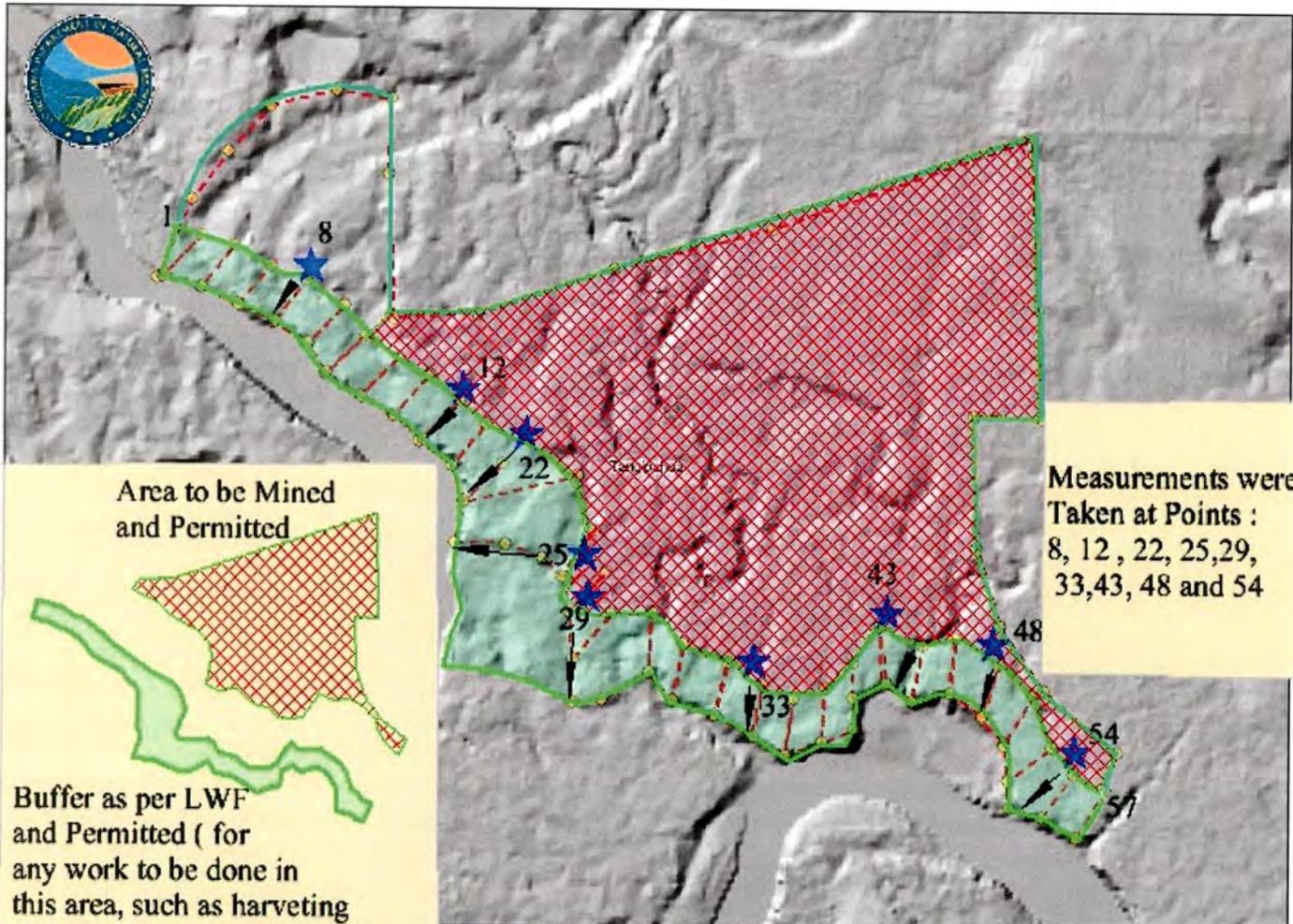
12AUG2011
 Drawn: ECG

0 125250 500 Feet

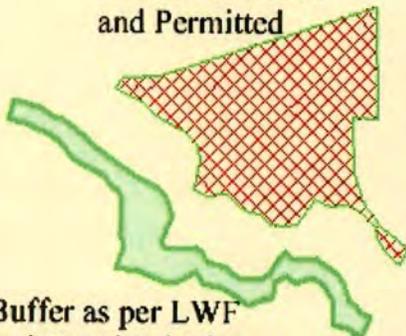
N

- [Symbol] Stream
- [Symbol] Rough Boundary
- [Symbol] Sand Bar
- [Symbol] Wetland
- [Symbol] trails

Diamond-B
Roseland Site
 Data Form Location Map
 12 33



Area to be Mined and Permitted



Buffer as per LWF and Permitted (for any work to be done in this area, such as harveting trees not closer to 100 ft from River

Measurements were Taken at Points :
8, 12 , 22, 25,29,
33,43, 48 and 54

Diamond B LIDAR Buffer Map

Disclaimer: This data is not to be used for legal purposes

Date: 8/15/2015

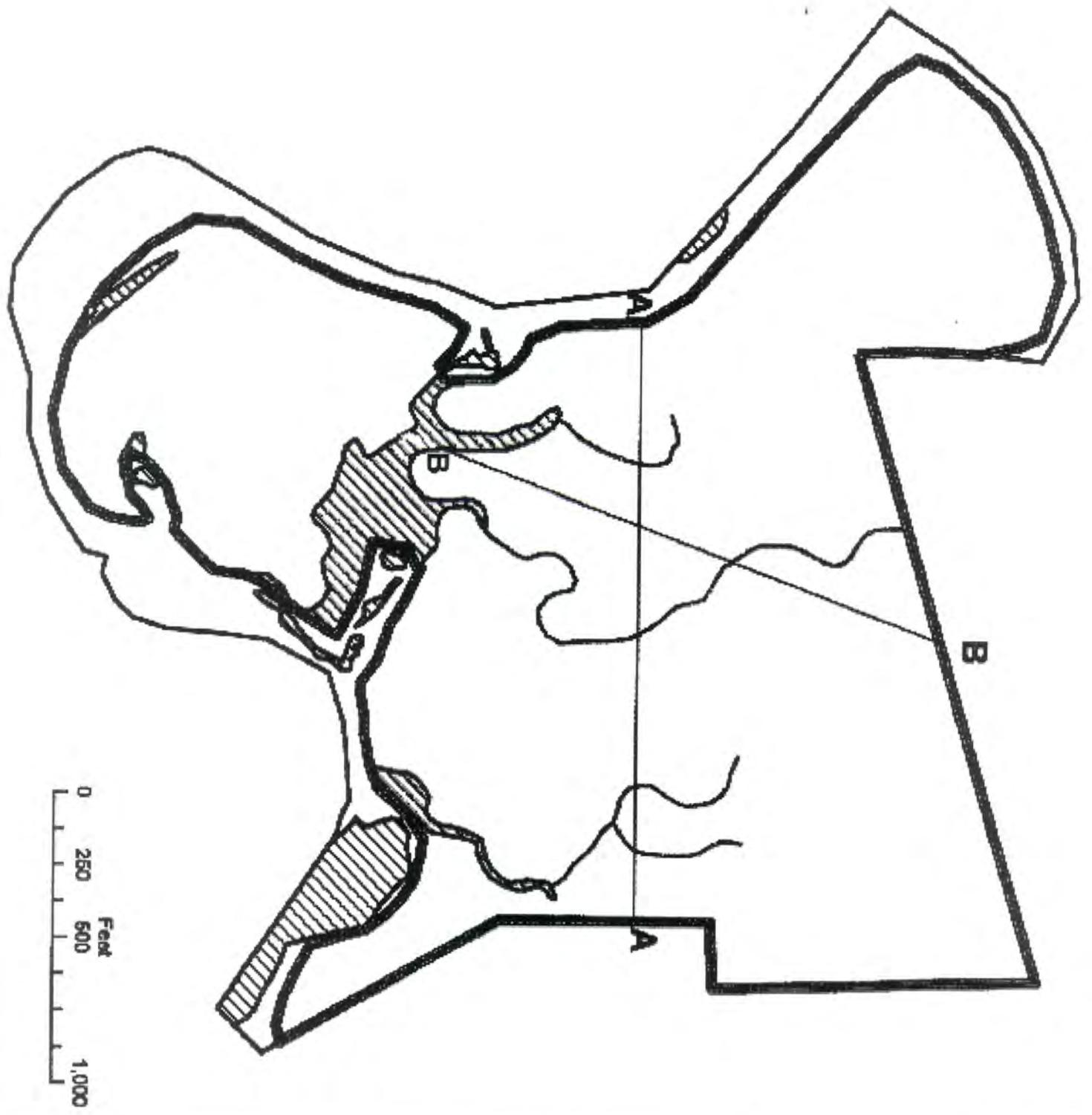


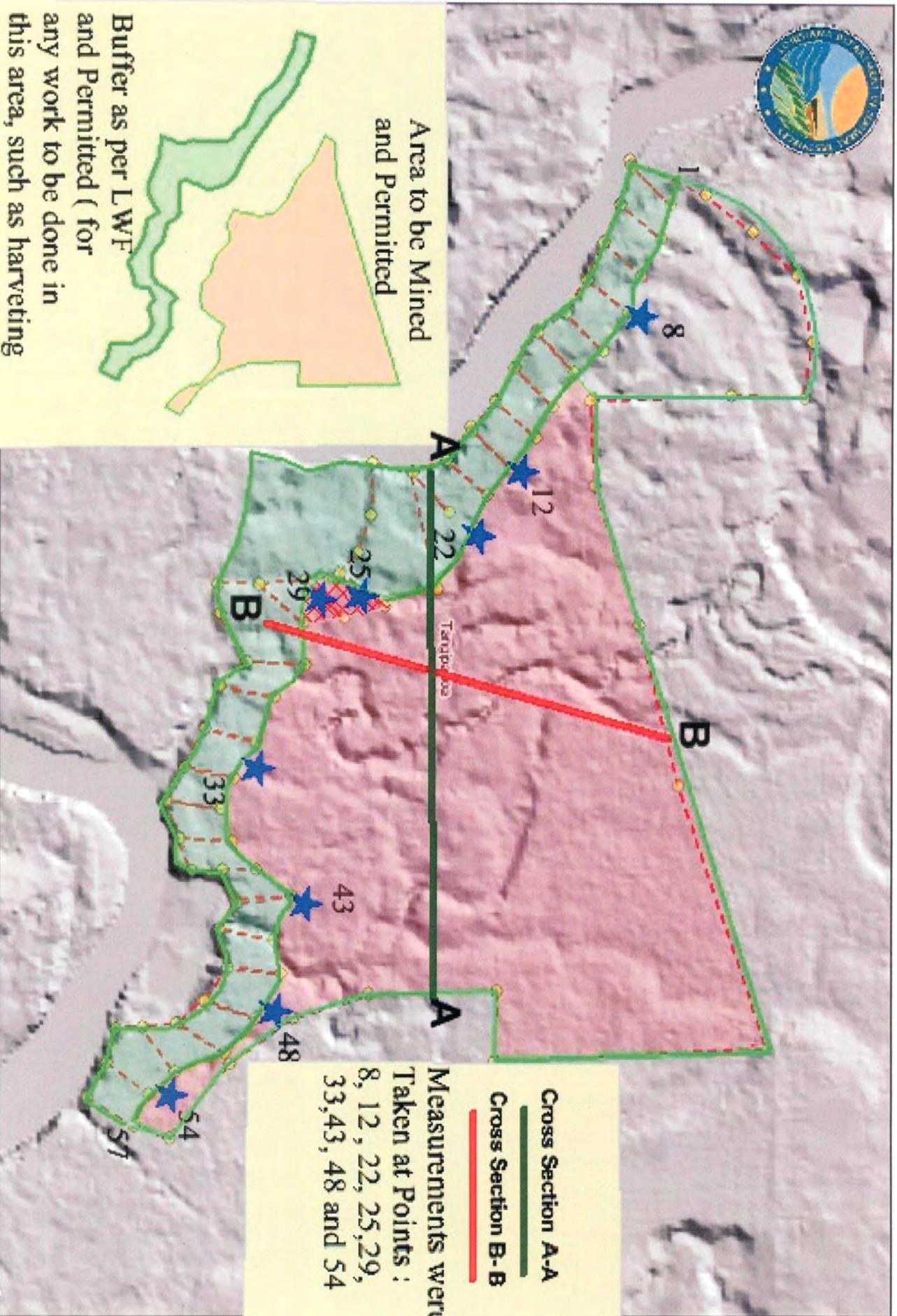
Diamond-B Roseland Site Plan View

-  Boundary
-  Sec. 404 Non-RPV
-  404 Wetland
-  Sec. 10

20 June 2012
Drawn: EGK

Note 1: A minimum buffer of 25' shall apply the eastern border and the eastern bank of the Troughs Run.





Cross Section A-A
Cross Section B-B

Measurements were Taken at Points :
8, 12, 22, 25, 29, 33, 43, 48 and 54

Area to be Mined and Permitted

Buffer as per LWF and Permitted (for any work to be done in this area, such as harveting trees not closer to 100 ft from River

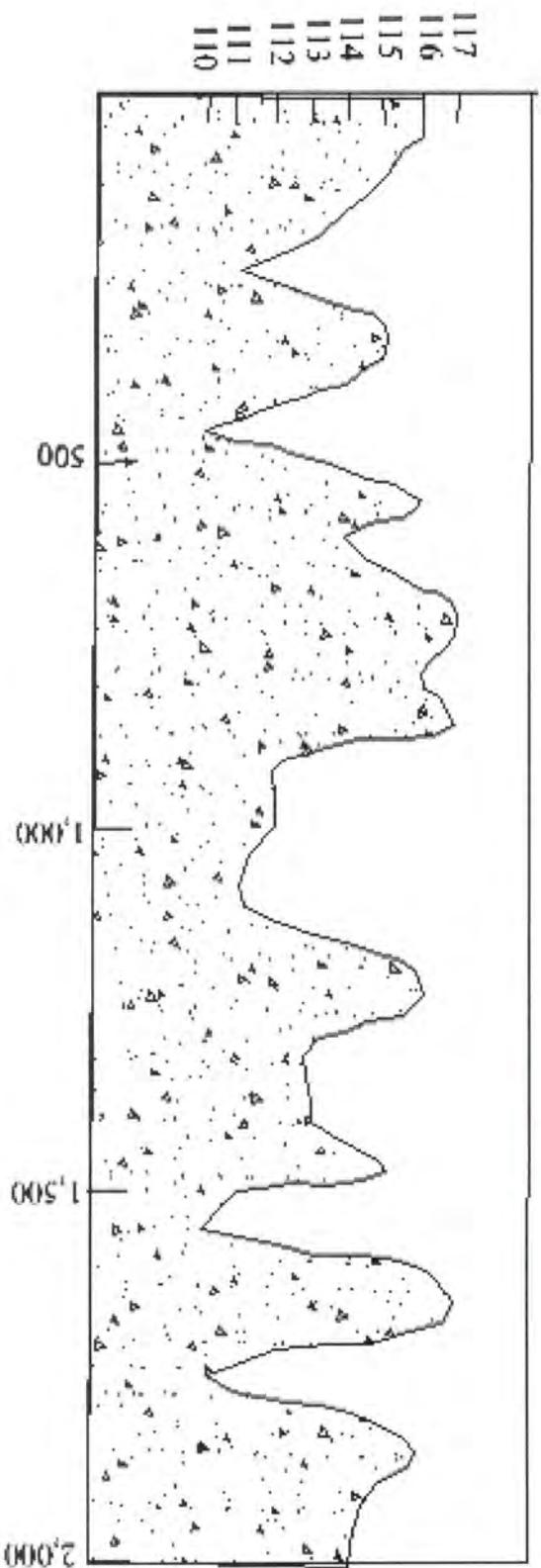
Diamond B LIDAR Buffer Map

Disclaimer: This data is not to be used for legal purposes

Date: 8/15/2015

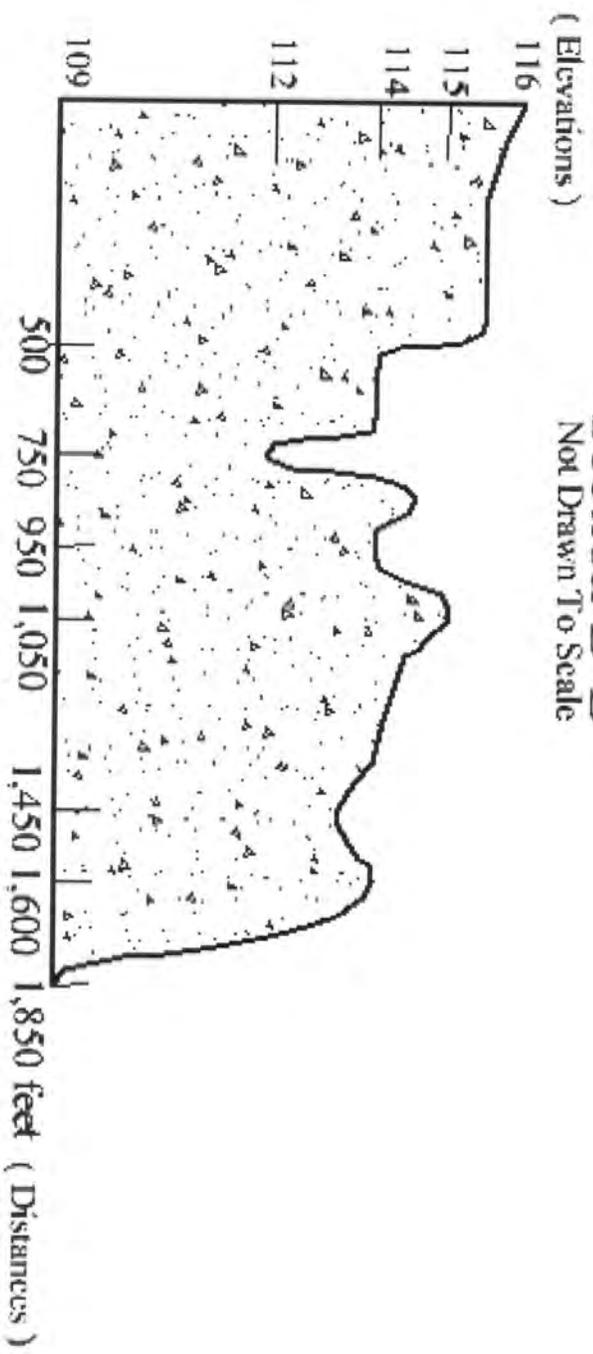


Section A-A Not Drawn To Scale

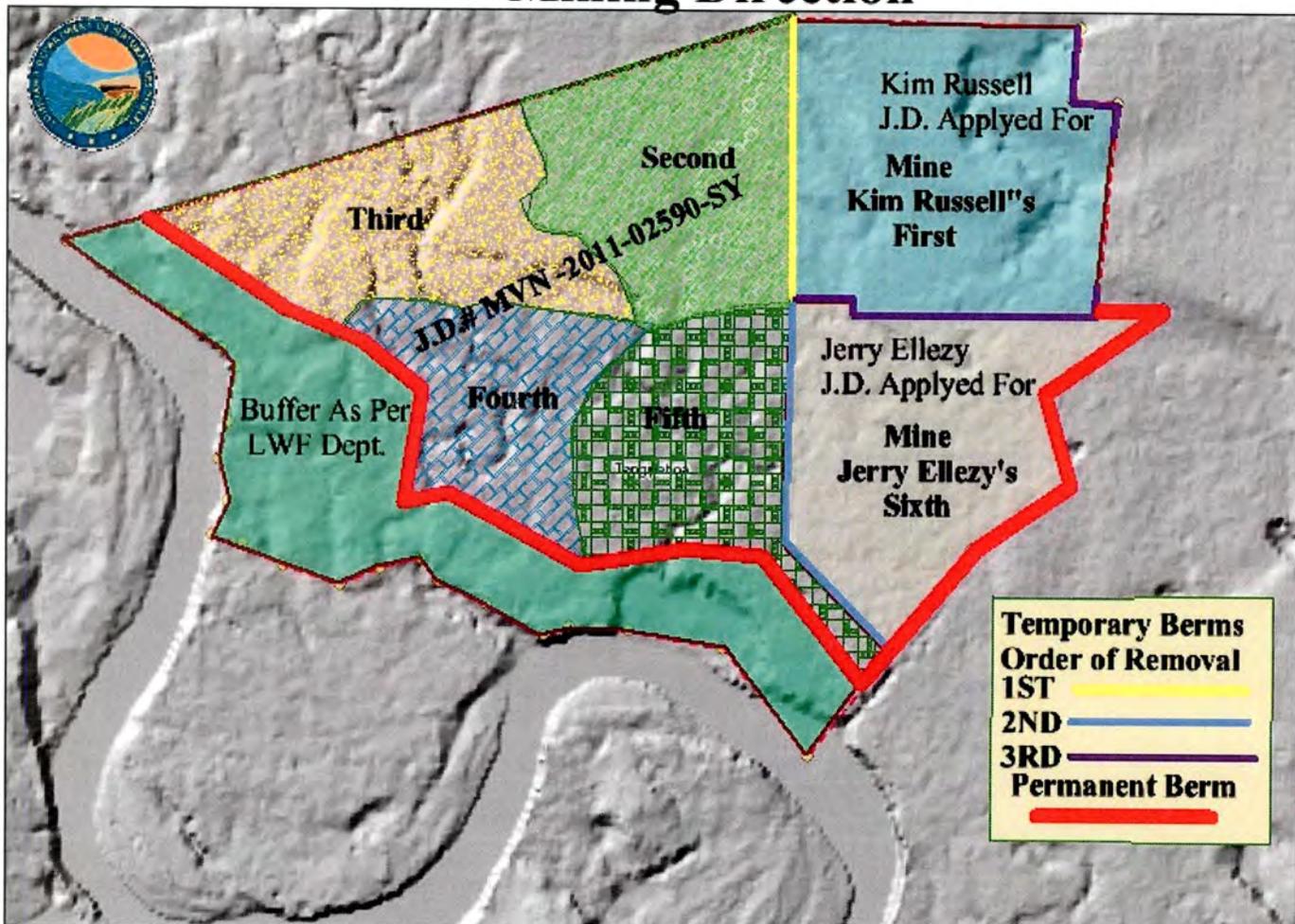


Section B-B

Not Drawn To Scale



Mining Direction



0 0.045 0.09 Absolute Scale: 1:6,117
Relative Scale: 1 inch = 510 feet

Diamond B Total Pit Area LIDAR

Disclaimer: This data is not to be used for legal purposes.

Date: 8/28/2015



Mining Direction

Temporary Berm Cross Section For Hollaway Pit

Length of Temporary Berm : 1,586 Ln Ft + or -

This Berm will be Removed as Diamond B

Moves East to the next Location, the Jerry Ellezy Property

Length of Permanant Berm 4,349 LnFt +or-

As Depicted in Over All Pit Map

