

JOINT PUBLIC NOTICE

July 29, 2012

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

State of Louisiana
Department of Environmental Quality
Post Office Box 4313
Baton Rouge, LA 70821-4313

(504) 862-2224 FAX (504) 862-2574
Project Manager: Bobby Quebedeaux
Permit Application Number:
MVN-2013-0134-WJJ

(225) 219-3225 FAX (225) 325-8250
Project Manager: Jamie Phillippe
WQC Application Number:
WQC130318-01

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: 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, Office of Environmental Services, 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.

RESIDENTIAL DEVELOPMENT IN CAMERON PARISH

NAME OF APPLICANT: Breaux, Incorporated, Attn: Sam Breaux, 1557 Carl Lyons Road, Sulfur, Louisiana, 70665.

LOCATION OF WORK: At Christy Lane in Hackberry, Louisiana, in Cameron Parish (29.9853, -93.34262; HUC: 08080206, Lower Calcasieu Watershed).

CHARACTER OF WORK: Conduct clearing and earth-moving operations to facilitate construction of a 10-lot subdivision for residential homes and duplexes. Project implementation will impact approximately 0.45-acre of Corps jurisdictional wetlands, to be compensated for through the purchase of credits from an approved mitigation bank in the same hydrologic basin.

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**. **Individuals or parties may request an extension of time in which to comment on the proposed work by writing to the project manager or clicking on the project manager's name on the public notice grid on the web page. 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.** 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.

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.

No properties listed on the National Register of Historic Places are 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 the State Historic Preservation Officer.

Our initial finding is that the proposed work would neither affect any species listed 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.

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 **N/A acre(s)** 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, 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.

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 received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

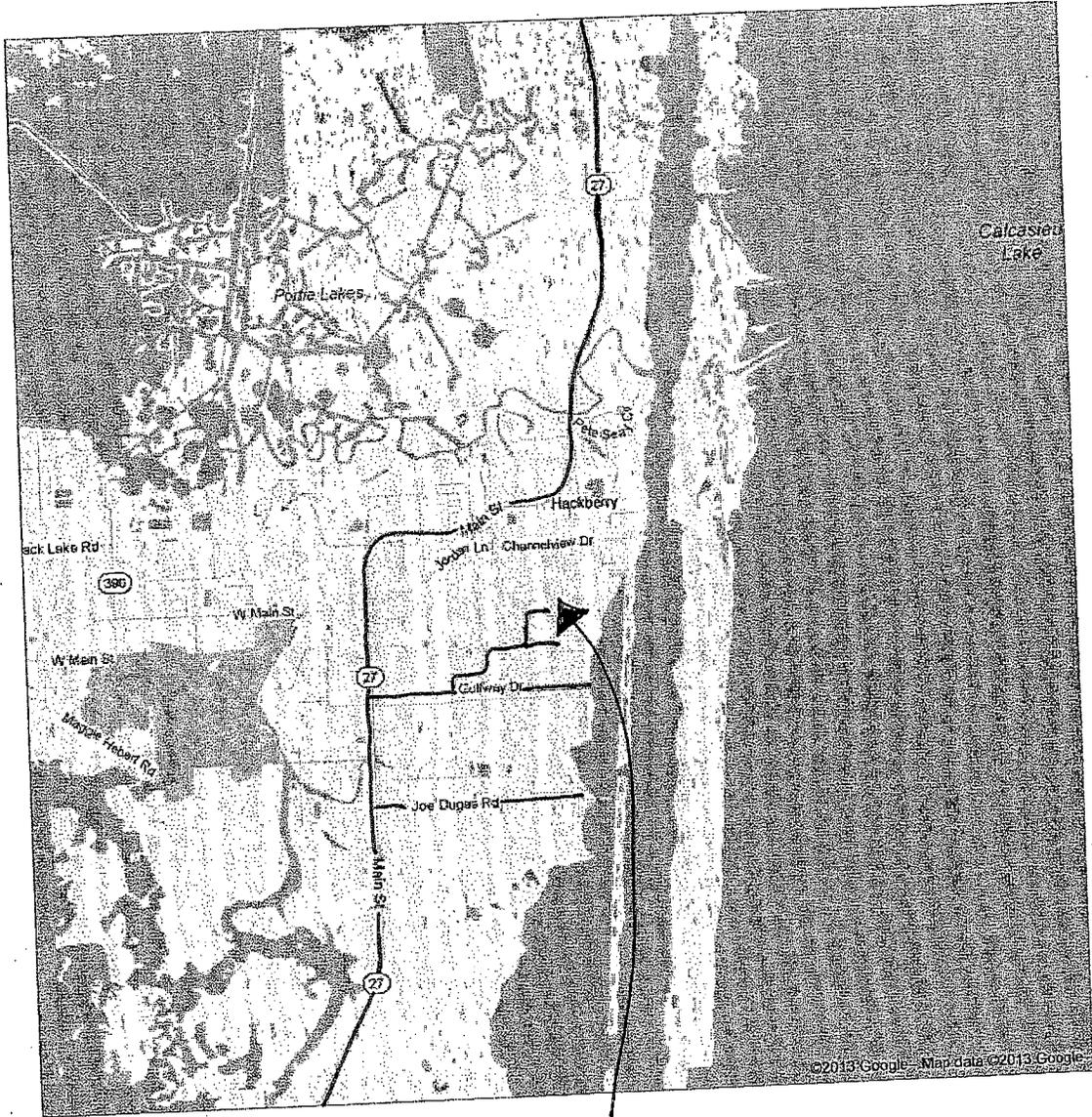
Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch

Enclosure

2

Google

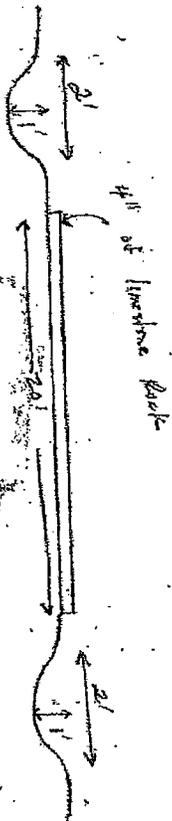
Get Google Maps on your phone
Text the word "GMAPS" to 466453



Project Site

7/22/13

Cross Section of Pipe
Roads: Rippled



7/22/13

3

Lay out of 10 Lots (Redfish Row)
 90' x 312' Limestone Rd

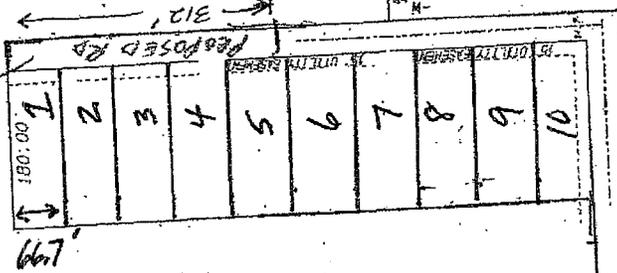
N-88°57' 489.7

NORTH LINE SECTION 44

S-88°57'41"-E

NORTH LINE SECTION 44

Each lot will be
 667' x 180'



CALCASTEU LAKE

S-28°04'39"-W 1016.9

SE CORNER SECTION 44 T-12-S, R-10-W

251.27' 1480.27' 11'-W

56.28'

1/1111 = 7.8'

7/22/13

AKF

PER WILLIAMS SURVEY OFFICE PLAT 14

N-00°35'20"-E 5.00'

1490.14'

ANGLER BAY DRIVE

403.97'

— FND 1 1/2"

Typical Lot with House Pad & Parking

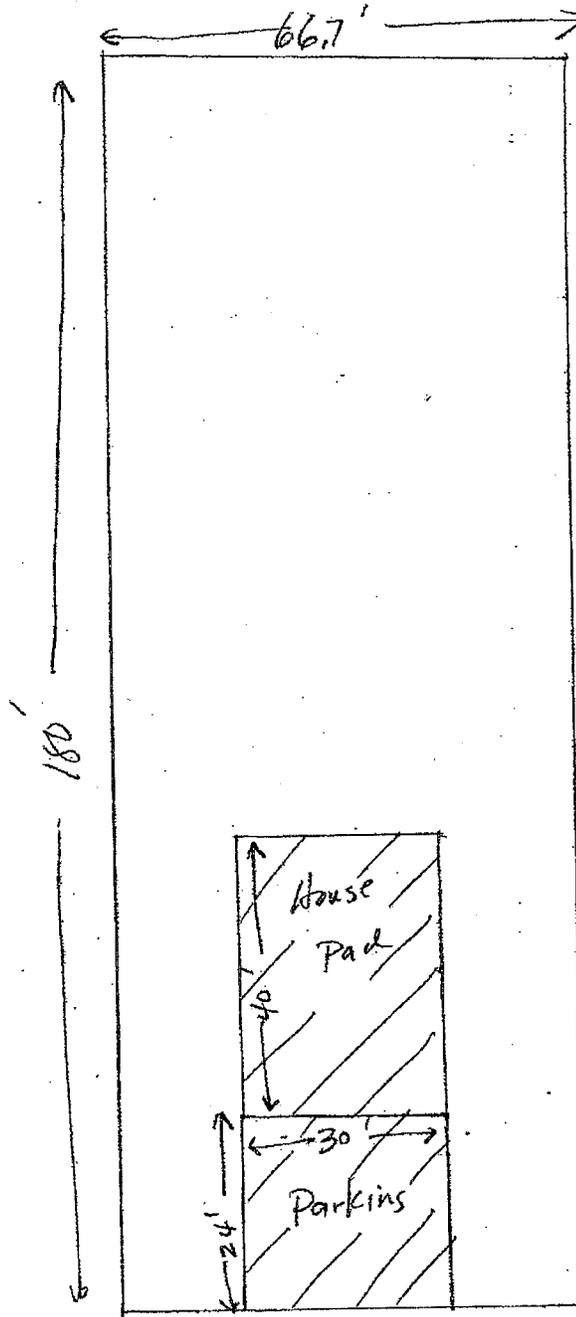
(5)

Fill Area

Concrete (House)
 $30' \times 40' = 1200 \text{ ft}^2$
 $= 15 \text{ yd}^3$

Concrete Parking

$24' \times 30' = 720 \text{ ft}^2$
 $= 9 \text{ yd}^3$



 = Fill Area

7/22/13

Total fill area per lot is $1920 \text{ ft}^2 = 0.04 \text{ Acres}$

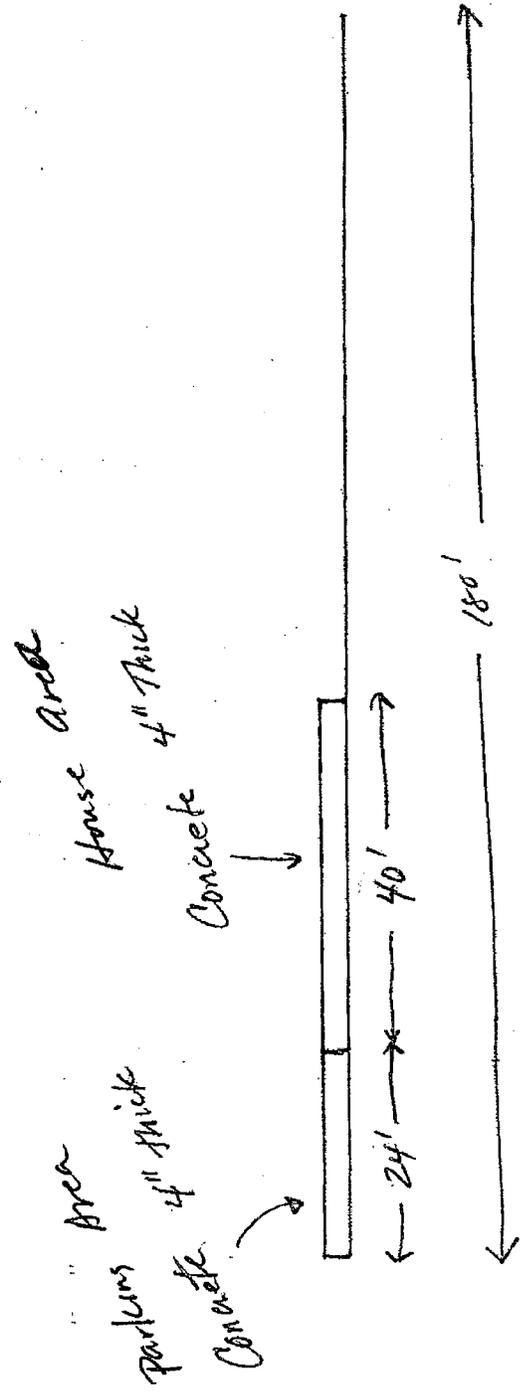
* None of the area outside of the above area labeled "Fill Area" will be cleared or filled, only mowed.

Cross Section of Typical Lot

6

6/20/13

7/22/13



Lay out of 10 lots (Kearison ROW)

N-88°57' 489.7

S-88°57'41"-E

NORTH LINE SECTION 44

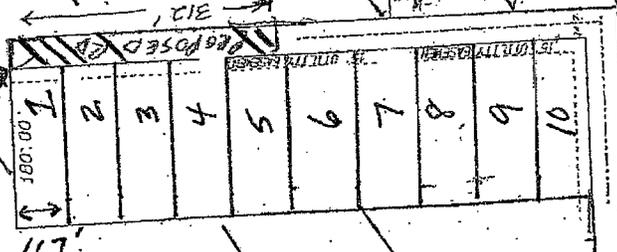
NORTH LINE SECTION 44

Each lot will be
667' x 180'

Not Part of Project

Not Part of Project

1mm = 7.8'



CALCASTEU LAKE

SE CORNER
SECTION 44
T-12-S-R-10-W

AKF

DEER WILLIAMS SURVEY
OFFICE PLAT
14

N-00°35'20"E
5.00

ANGLER BAY DRIVE

403.97

END 1 1/2'

END 1 1/2'

N-00°35'20"
189.0'

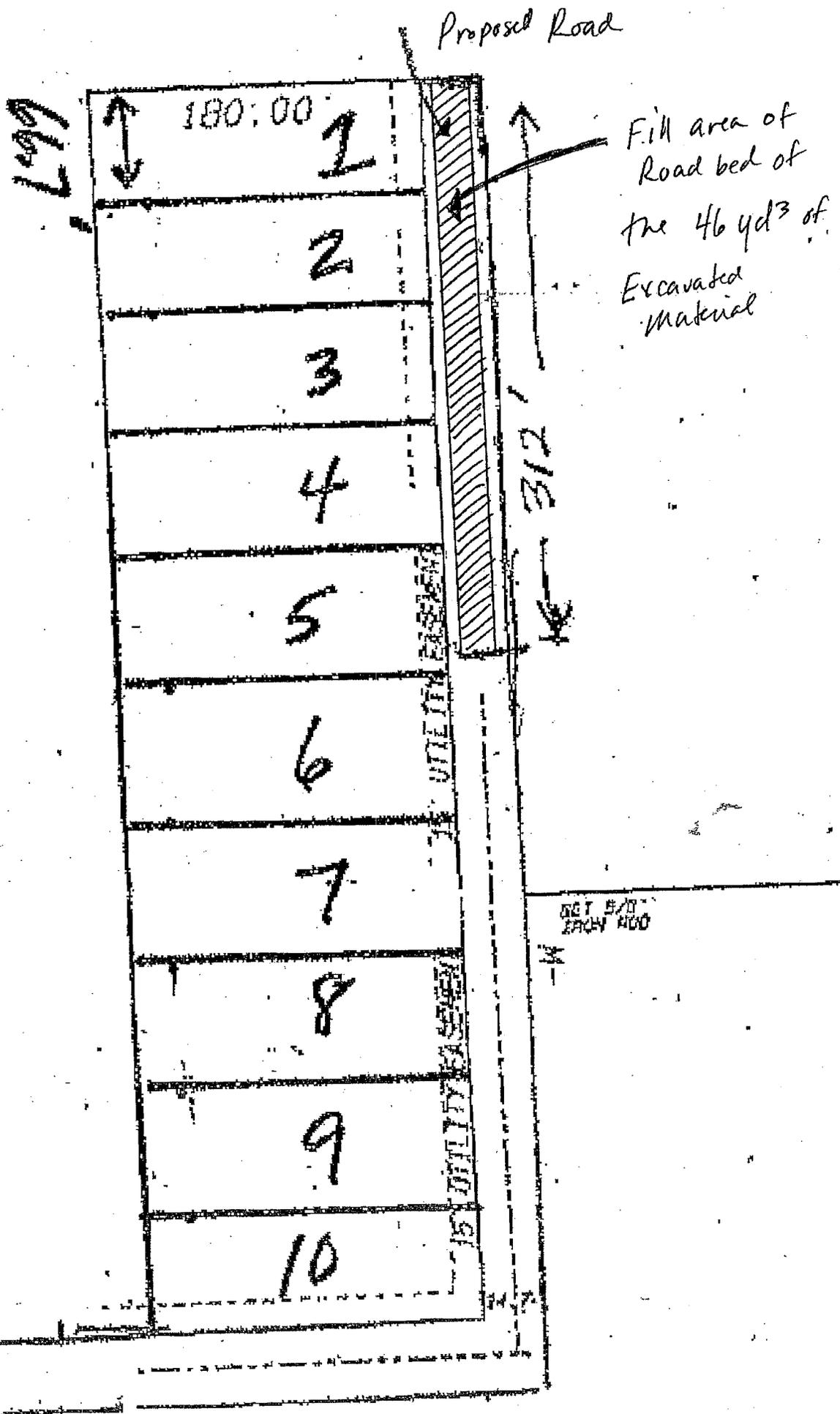
1490.14'

251.27'

S-29°04'39"-W
1016.9'

(8)

7/24/13



USACE
 Account # MVN-2013-01265-SR
 Lat: 29.985009
 Long: -93.343619

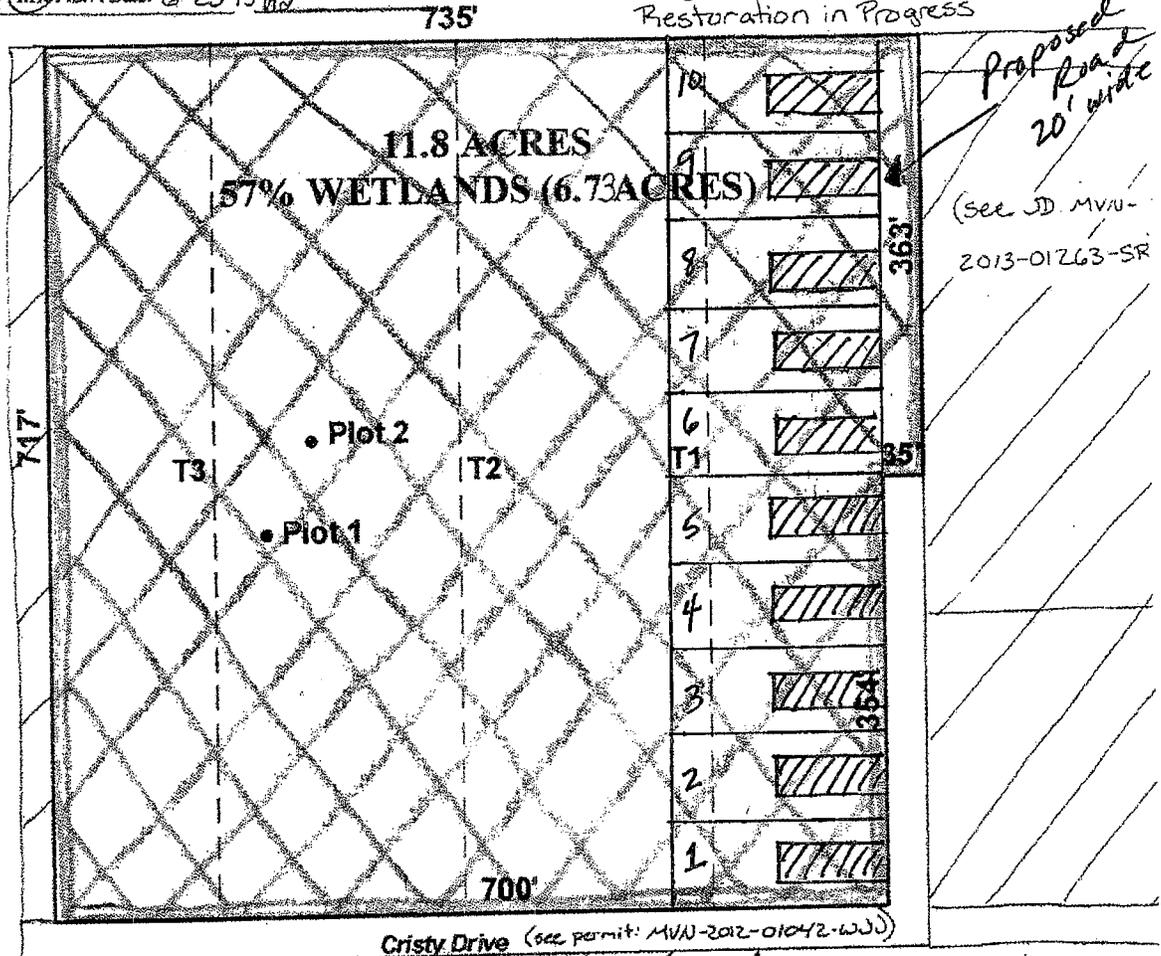
Section, Township, Range: 44, 43 / T12S / R10W
 Parish, LA Cameron
 (I.H.) F.S.V. Date: 6-25-13

PRELIMINARY JURISDICTIONAL DETERMINATION

(see UA-2009-01087-SC)
 - Unauthorized Activity in 57% Wetlands (Sec 404) Restoration in Progress



(mm=6')



Proposed Road 20' wide
 (see JD MVN-2013-01263-SR)

Total Impacts
 0.45 acres

 - Proposed Fill Area
 2640 ft² per Lot
 for House Pad & Parking

SITE DIAGRAM
 Angler Bay Subdivision
 Sam Breaux
 Hackberry, Louisiana

Housing impacts = 2640 ft² * 10 Lots * 0.57% = 15,048 ft² ≈ 0.35 Acres
 Road impacts = 20' * 363' * 0.57 = 4138 ft² = 0.095 Acres

Alternatives Analysis for P20121679

1. Define the project objective(s) and identify the proposed features required to meet the objective(s). Identify any project objectives that may limit the range of alternatives to be considered.
 - a. Redfish Row will be a small subdivision that will provide water view properties for residential, multifamily, and/or light commercial use (Charter Fishing Guides).
2. Identify, on a map, the location of each site considered for development. If no alternate locations were identified, provide an explanation of the efforts undertaken to find alternate sites.
 - a. I have searched the surrounding area to try to locate property with access to the water and none were found.
 - b. I also currently own this property, so purchasing a different parcel of property is not commercially feasible.
3. Describe each site considered. Include parcel size relative to development size, general topography and water/wetland features, habitat type(s) present, if known, and estimate of impact to each. If access to the property is limited or unavailable, explain the limitations and provide any information that can be gained about the site. Identify any limiting factors and explain how those factors limit development.
 - a. No other sites were found.
4. Identify the availability and capacity of existing infrastructure (roads, utilities, water, sewer, etc.). Describe any new infrastructure required (excluding tie-in from individual units to existing infrastructure).
 - a. There is currently a road constructed to the property already. The road was permitted under P20120467.
 - b. Utilities present at the site:
 - i. Electrical-Entergy
 - ii. Water-Individual water wells
 - iii. Sewer-Individual sewer systems
 - iv. Cable/phone-Cameron Telephone
5. Describe the surrounding land use within one-quarter (1/4) mile of each site considered. Radius should extend from the outside boundaries of the proposed development. Include type and extent of existing use and any planned future uses, if known.
 - a. To the North of the property there is no development at all.
 - b. To the South of the property is Angler Bay Subdivision, of which all lots are sold.
 - c. To the East of the property is Joe's Cove (Calcasieu Lake).
 - d. To the West of the property there is no development.

6. Provide a narrative explaining the reasons for the elimination of each site considered but not selected for development. Please note that the factors used to compare each site should be identified and should be consistent among sites.
 - a. No other sites were considered because:
 - i. None were available.
 - ii. I already own this property.

Category 2: A minimum of 4 sites should be considered, however OCM reserves the right to suggest consideration of other sites-not identified by the applicant. Items 1-6 above plus the following should be provided for each site considered.

7. If no alternate sites were identified, provide supporting documentation for item #2 above. Documentation can include letters of refusal from landowners to sell property or written chronology/summary of attempts to contact landowners, MLS or other real estate searches resulting in no matches (include search parameters and full results), aerial photos showing no available undeveloped/unused land, etc.
 - a. I searched Trulia.com, Hfguide.com.
8. Describe the surrounding land use within one-half (1/2) mile of each site considered. Radius should extend from the outside boundaries of the proposed development. Include type and extent of existing use and any planned future uses, if known.
 - a. N/A

Justification of Large Project with Medium Impacts with Moderate Surrounding Land Use

1. Provide the name of the development and the name and address of the developer(s)
 - a. Redfish Row, Breaux Inc., 1557 Carl Lyons Rd. Sulphur, La. 70665
2. Describe the development. Include the number and type of units proposed (single family detached, single-family townhouse, duplex, multi-family, mobile/manufactured home, elderly housing, etc.) and other proposed amenities (marina facilities, boat docks, wharves/piers, bulkheads, neighborhood park, etc.).
 - a. The number of units will vary as each lot can be developed in different ways. i.e. the lots can be used to put one residential home, multiple multi-family units, multiple single unit condominiums, or one large lodge for charter businesses.
3. Provide the objective(s) of the development (fishing and/or hunting camps, primary homes, vacation homes, etc.)
 - a. The objective of the project will be to provide water view property that can be used for multi-family, single family, or light commercial use. There is currently no property available in the area that will provide this.

4. Describe the development site and any physical limitations of the development and/or site. Include total project impacts in acres and the type and extent, in acres, of any anticipated coastal resource impacts.
 - a. According to the currently accepted Jurisdictional Determination, the project will impact a total of 0.45 acres of Intermediate Marsh.

5. Describe the type and level of current surrounding land use in the proximity of the proposed project site. If the proposed site is surrounded by development, please describe the types of developments/current land use surrounding each alternative site. If surrounding properties may be impacted in any way as a result of the proposed project being constructed, operated or maintained, please describe those impacts and how they will be addressed. If the applicant owns the surrounding property, future plans for that property must be provided.
 - a. To the North of the property there is no development at all.
 - b. To the South of the property is Angler Bay Subdivision, a restricted single family residential development only, of which all lots are sold.
 - i. No impacts to this established subdivision will occur.
 - c. To the East of the property is Joe's Cove (Calcasieu Lake)
 - d. To the West of the property there is no development.
 - e. Breaux Inc. owns the property to the West of the project and if this project is completed and sells out quickly, it will apply to develop more of its property to the West. The idea is to start as small as possible to avoid unnecessary impacts until the demand justifies expansion.

6. Describe the availability of existing utilities and the need for any necessary utilities. If additional utilities will be required, describe the type, source and impacts associated with installation of these utilities. Indicate the party responsible for installing those utilities. Any impacts resulting from installation of utilities are considered secondary impacts to the proposed development and must be considered during review of the development application.
 - a. Electrical-Energy
 - i. No impacts expected.
 - b. Water-Individual water wells
 - i. No impacts expected.
 - c. Sewer-Individual sewer systems
 - i. No impacts expected.
 - d. Cable/phone-Cameron Telephone
 - i. No impacts expected.

7. Describe the current roadway access to the project location. If improvements to the existing roadways will be required to accommodate the proposed development, describe the required improvements and indicate the party responsible for making those improvements. Any impacts resulting from roadway improvements are considered secondary impacts to the

proposed development and must be considered during review of the development application.

- a. All roads leading to the project are completed and are currently in use, so no new impacts will be created by development of new roads.
 - b. A small section of new road, 363', will be constructed inside the project. This is part of the impacts previously accounted for by the DNR Biologist.
- 8. Explain how you believe there is a public need and demand for your development at the proposed site. (No formal documentation is necessary.)**
- a. There is absolutely no water view property available in Hackberry for multi-family or light commercial use.
 - b. There are other single family properties available for sale, but the building restrictions prohibit the majority of folks in the area from being able to afford to build.
 - c. The multi-family properties will provide access to folks to lease property and be able to enjoy the ownership of water view property without having to bear the heavy cost and burden of building.
 - d. These properties will also qualify for to be involved with the Cameron Parish repopulation initiative to provide rental housing units in the Parish. (see Community Block Grant Development Plan at www.parihofcameron.org)
 - e. These properties will also provide much needed housing the area due to two multibillion dollar LNG facility expansions in the area (Cameron LNG, Sempra Global LNG).
- 9. Discuss any future plans for expansion of the proposed development into adjacent properties or for other types of development on adjacent properties.**
- a. Should the need arise; the project can be expanded to the West on other properties that Breaux Inc. currently owns.

Moderate Justification: Address 1-9 above plus:

- 10. Provide any additional available documentation such as letters from realtors regarding local housing trends, lot purchase agreements or letters of intent to purchase, etc. that demonstrate a demand or need for the proposed development.**
- a. I really can't get any purchase agreements until I get the lots developed, and I can't develop the lots till I get a permit, and it seems I can't get a permit until I get the project justified, so I can see how this is even something the State can ask for at this point.
 - b. With the units being located near the waterfront, the values will exceed \$100 ft² vs. less than \$40/ft² on non-waterfront homes. This will provide much needed property tax base for the Parish.