JOINT PUBLIC NOTICE

September 22, 2014

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

(504) 862-2278
Project Manager
Christine Thibodeaux
Christine.Thibodeaux@usace.army.mil
Permit Application Number
MVN 2014-00211 CJ

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 Johnson

WQC Application Number
140918-01

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 [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 LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

AFTER THE FACT, CLEAR, EXCAVATE AND FILL FOR A RECREATIONAL POND IN LIVINGSTON PARISH

NAME OF APPLICANT: Darryl George Hoover, 29865 Hoover Road, Holden, Louisiana 770744.

LOCATION OF WORK: Located at 29865 Hoover Road, Holden, Louisiana, in Section 30 Township 6 South Range 6 East, in Livingston Parish. The work described below was partially completed prior to obtaining a Department of the Army permit and was in violation of Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have been deferred.

Latitude: 30.497/Longitude: -90.64023, Hydrologic Unit Code 08070203 – Lower Mississippi–Lake Maurepas

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to clear, excavate and deposit fill for the construction of a recreational fish pond. The proposed project includes a 40-foot by 160-foot pond, impacting approximately 0.5 acres of mixed forested wetlands and no Other Waters of the U.S. subject to Corps of Engineers jurisdiction. The applicant proposes to mitigate for wetland impacts as compensation for unavoidable wetland impacts using a Corps approved mitigation bank within the watershed of impact.

The applicant may be required to fully or partially restore the site to pre-project conditions if issuance of a permit is determined to be contrary to the public interest.

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** 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 during 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 this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

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 applicable water quality standards will be required from the Department of Environmental Quality, 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.

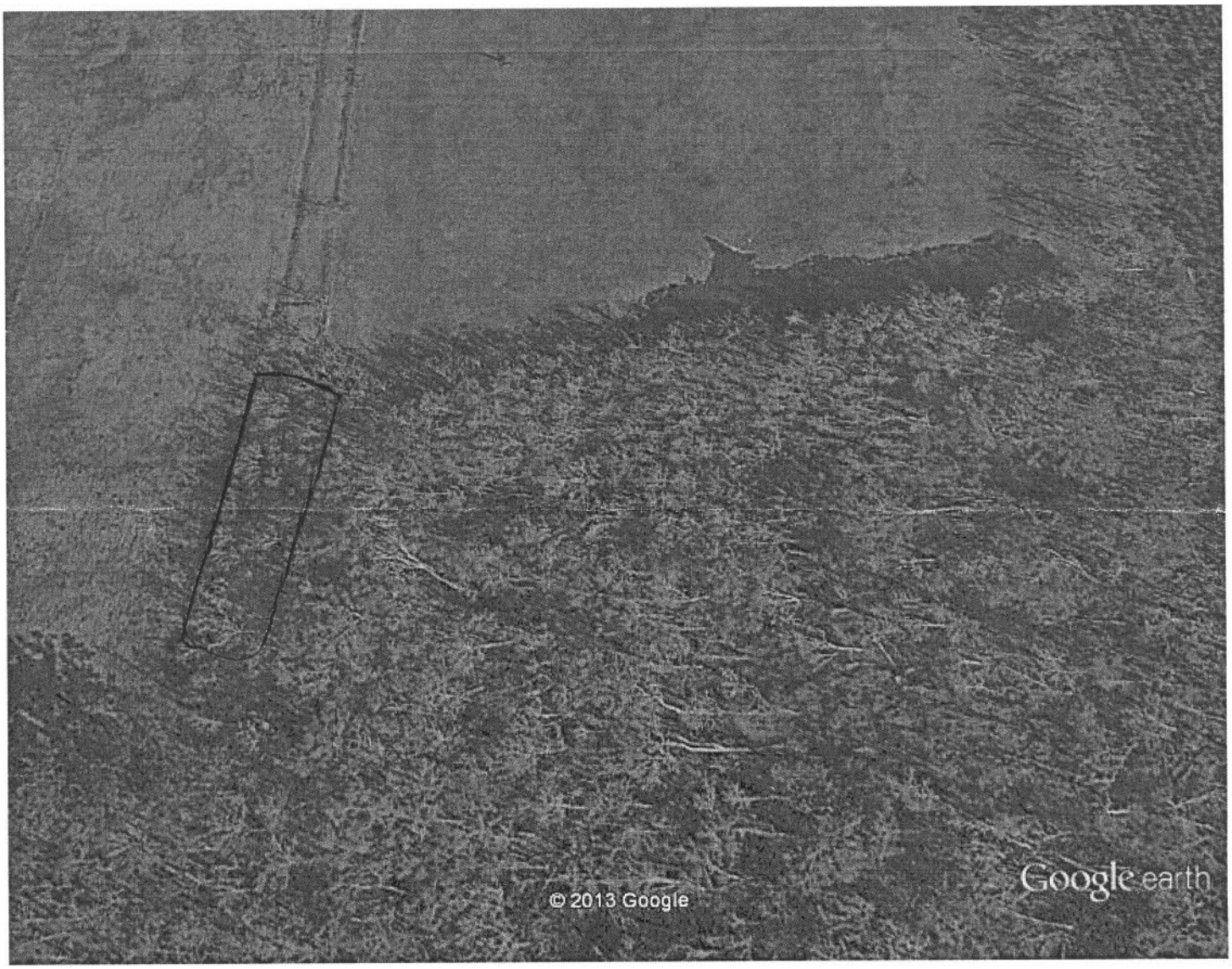
JOHN M. HERMAN
Chief, Central Evaluation Section
Regulatory Branch

Enclosure

Vicinity Map

MVN-2014-00211-CJ Darryl Hoover

MAR 18 RECD



Google earth feet 200 meters 80

(1) The pond will be constructed on the old Road that was on the property when our family purchased it in 1963.

(2) pond Dimension - 40' x 160'

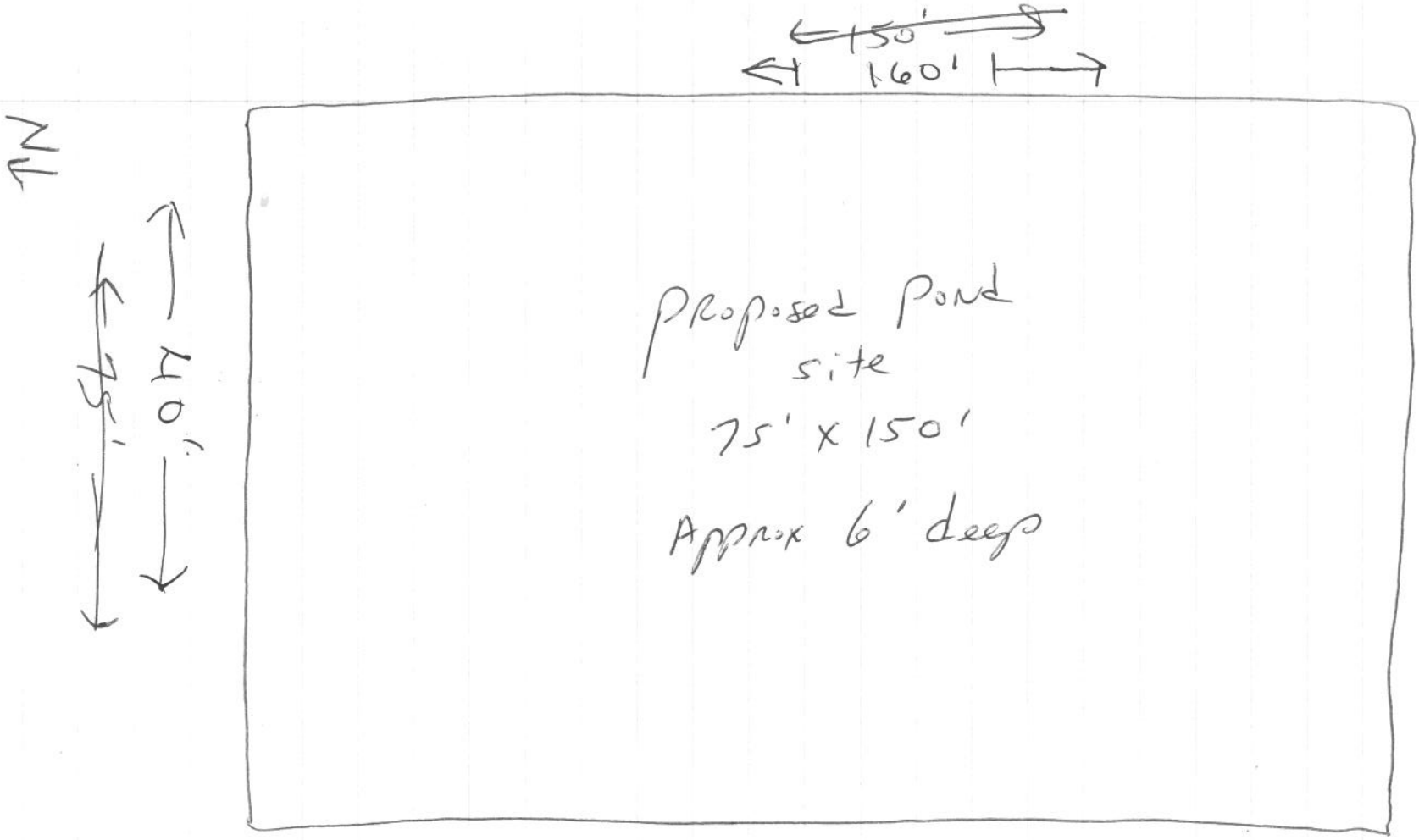
(3) The Road was overgrown with chinese Tallo trees

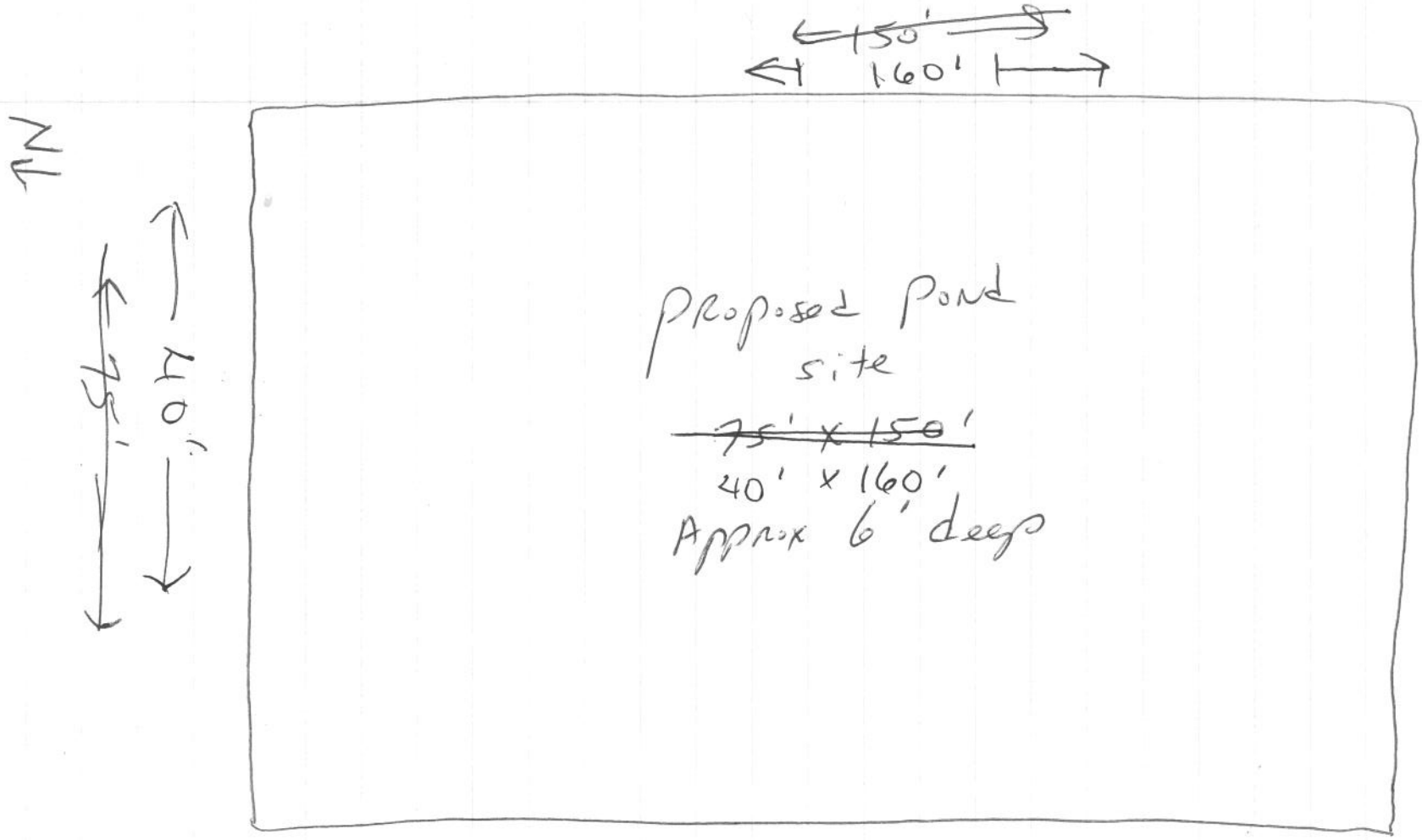
(4) please let me know If I can schedule an appointment with a field agent to look at the proposed site.

Thanks for your help -

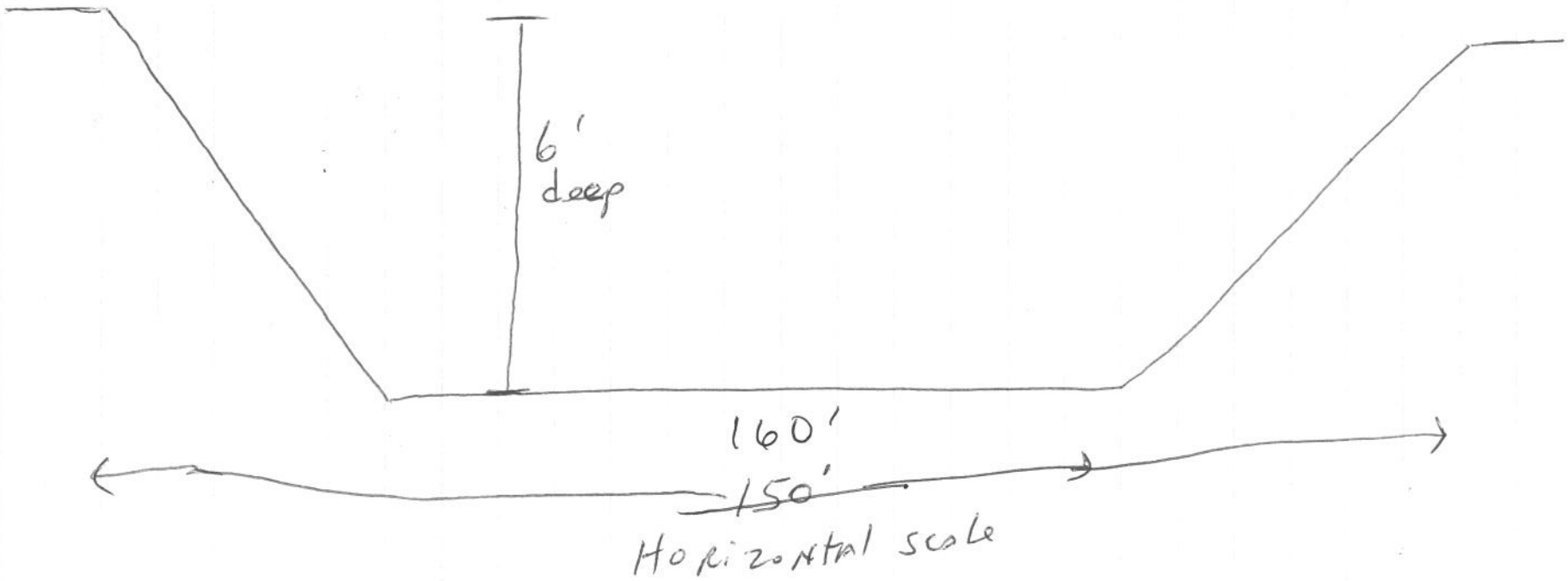
Reference #
MVN-2014-00211-CJ

Daryl L. Hoover
351-7044 (c)
(985) ~~630~~


~~150'~~
160'
N
75'
40'
Proposed Pond
site
75' x 150'
Approx 6' deep


~~150'~~
160'
N
~~75'~~
40'
Proposed Pond
site
~~75' x 150'~~
40' x 160'
Approx 6' deep

Proposed pond site



Note: Excavated dirt will
Be used to build up the
sides of the pond

Section View