

# JOINT PUBLIC NOTICE

August 25, 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  
Water Quality Certification Section  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-2675  
Project Manager  
Jamie Crowe  
Jamie.M.Crowe@usace.army.mil  
Permit Application Number  
MVN 2014-1697 CO

(225) 219-3225  
Project Manager  
Elizabeth Johnson  
WQC Application Number  
WQC 140819-03

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, Office of Environmental Services, 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).

## **100-LOT RESIDENTIAL SUBDIVISION IN ASCENSION PARISH**

**NAME OF APPLICANT:** Kelly C. Sills, LLC, c/o D&S Environmental Services, Inc.,  
Attn: David Temple; Post Office Box 510, French Settlement, Louisiana 70733.

**LOCATION OF WORK:** Within the Lake Pontchartrain Basin, in the Lake Maurepas hydrologic unit (HUC 08070204); north of Highway 931 (Germany Road), approximately 0.5 mile east of its intersection with US Highway 61 (Airline Highway), near Prairieville, Louisiana, in Ascension Parish, as shown on the enclosed drawings.

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 since been deferred.

**CHARACTER OF WORK:** Clear, grade, and fill a 33.2-acre site to construct a 100-lot residential subdivision, which includes driveways, green space, detention pond, sewer treatment plant and access road. The applicant proposes to fill approximately 5.6 acres of wetlands and 0.3 acre of jurisdictional waters and excavate an additional 0.4 acre

and 0.04 acre of jurisdictional waters. Unauthorized mechanized land clearing occurred on 13.6 acres of the property. The unauthorized activity impacted 1.8 acres of jurisdictional wetlands and 0.4 acre of jurisdictional waters. As compensation for unavoidable wetland impacts the applicant proposes to purchase wetland credits from a Corps approved mitigation bank located in the watershed.

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**. 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. 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. 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.

### **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 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.

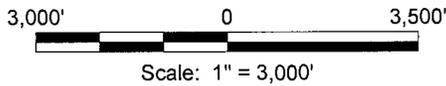
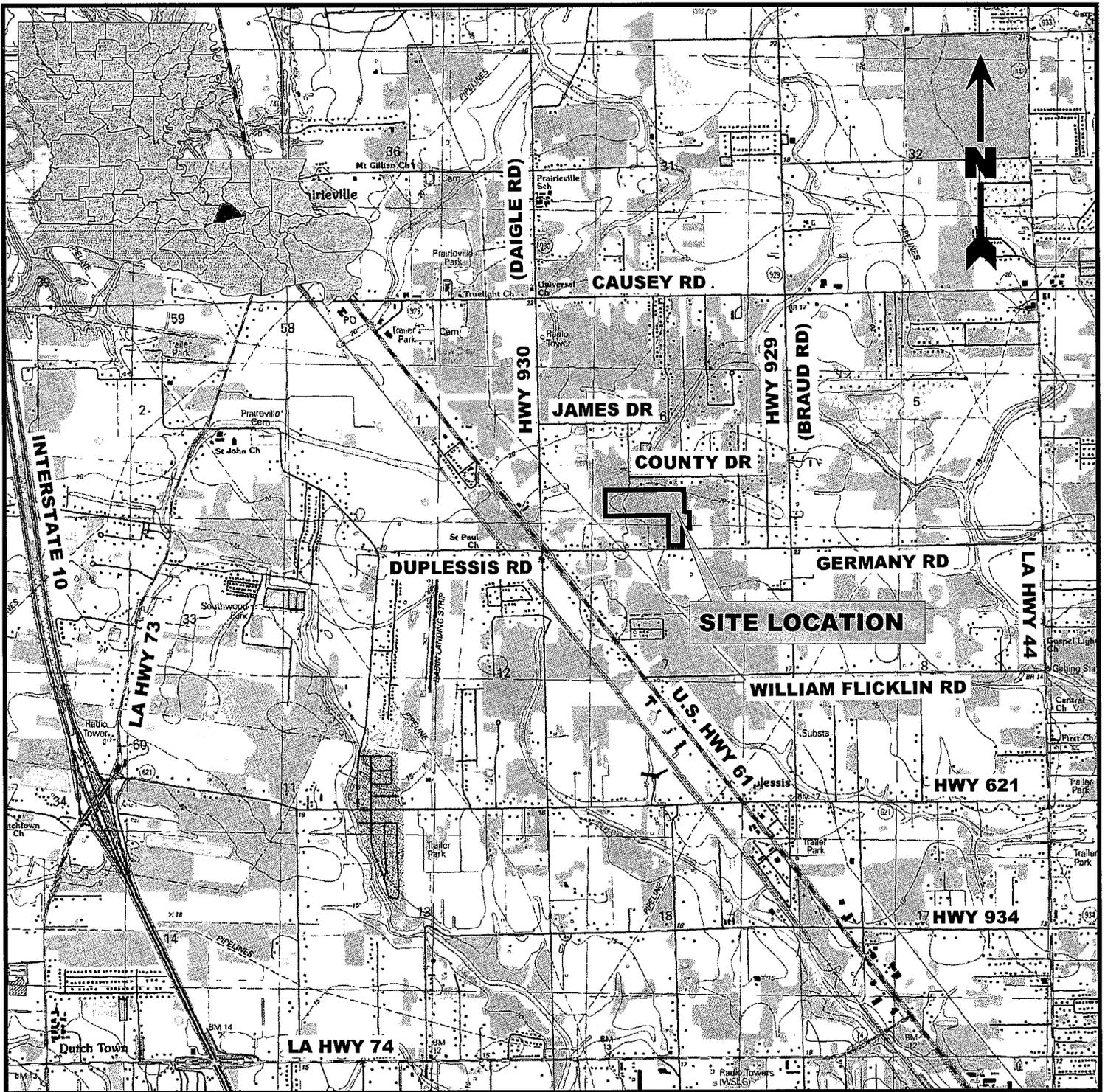
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

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John M. Herman  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure



**Notes**

Property is located in Section 6, T-9-S, R-3-E

Latitude: 30°17'11.06"N Longitude: 90°56'53.44"W

**Reference**

Base map comprised of U.S.G.S. 7.5 minute topographic map "Prairieville, LA".

**Kelly C. Sills, L.L.C.**

Germany Oaks

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**Vicinity Map**

Ascension Parish, Louisiana

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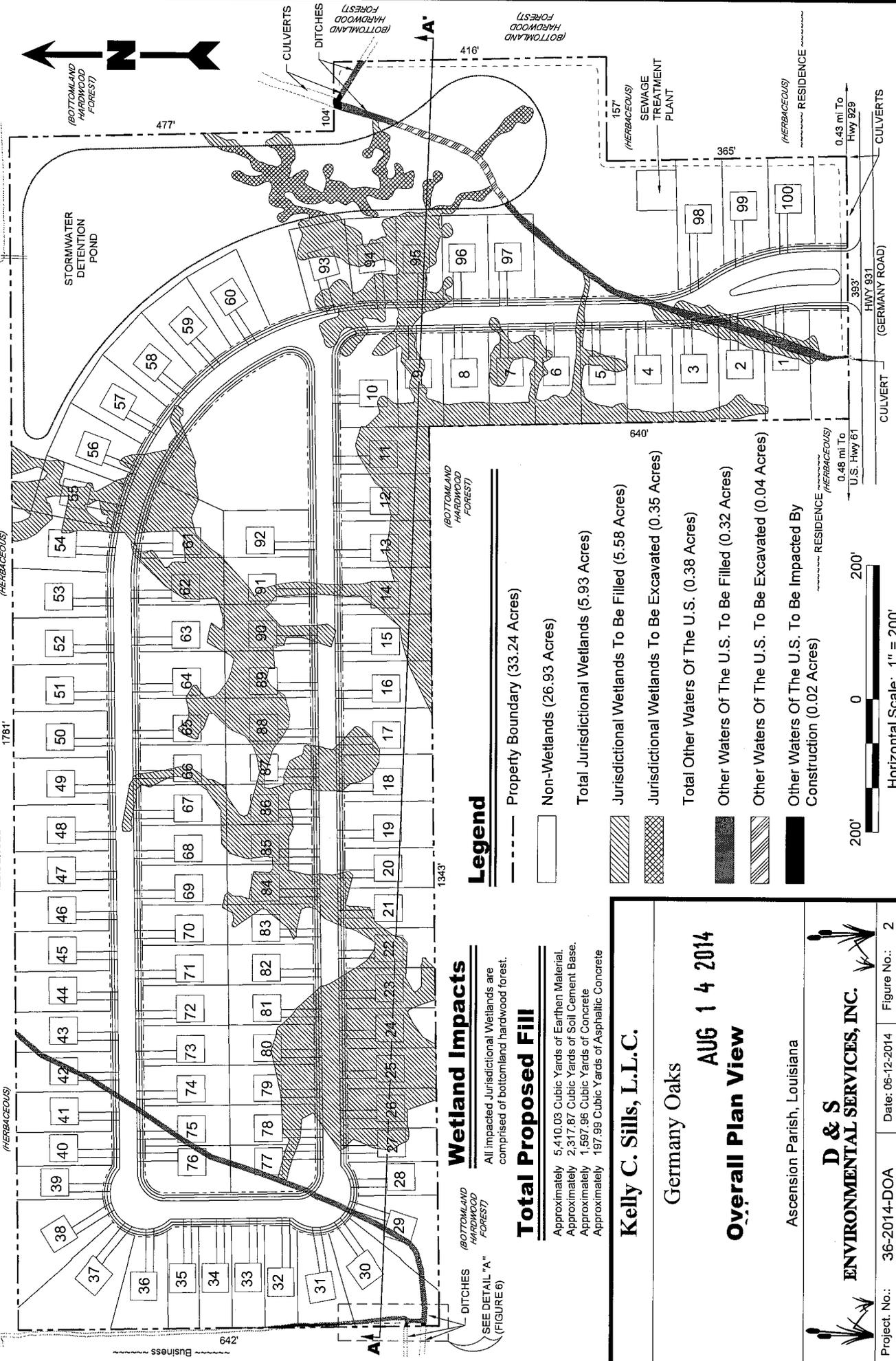
Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 1

**Notes**

- The proposed layout was provided by Quality Engineering & Surveying, L.L.C.
- Jurisdictional Wetlands and Other Waters Of The U.S. obtained from U.S. Army CORPS of Engineers Preliminary Jurisdictional Determination Account Number MVN1-2014-00605-SQ.
- According to F.E.M.A. F.I.R.M. Community Panel No. 22005C0040 E Dated 8-16-07, this property falls in Flood Zone A (Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; No base flood elevations determined) & Zone X (Other Areas; Areas determined to be outside 0.2% annual chance floodplain. Base Flood Elevation = 17' N.G.V.D.



**Wetland Impacts**

All impacted Jurisdictional Wetlands are comprised of bottomland hardwood forest.

**Total Proposed Fill**

- Approximately 5,410.03 Cubic Yards of Earthen Material.
- Approximately 2,317.87 Cubic Yards of Soil Cement Base.
- Approximately 1,597.96 Cubic Yards of Concrete
- Approximately 197.99 Cubic Yards of Asphaltic Concrete

**Kelly C. Sills, L.L.C.**

Germany Oaks

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**Overall Plan View**

Ascension Parish, Louisiana

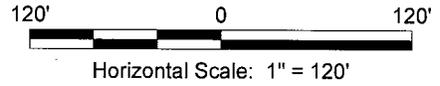
**D & S ENVIRONMENTAL SERVICES, INC.**

# Wetland Impacts

All impacted Jurisdictional Wetlands are comprised of bottomland hardwood forest.

DITCH TERMINATES AT BOUNDARY

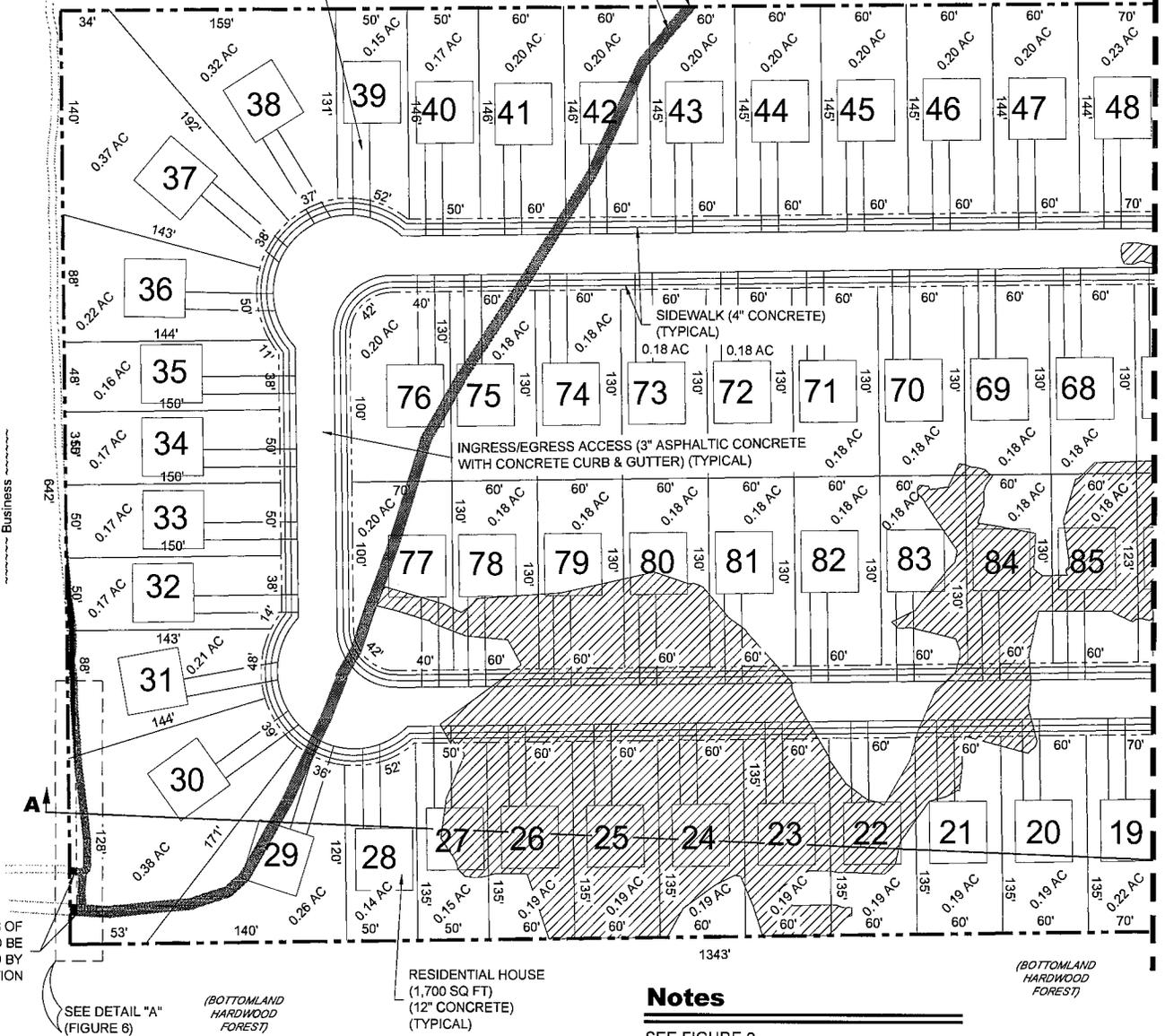
OTHER WATERS OF THE U.S. TO BE FILLED



(BOTTOMLAND HARDWOOD FOREST)

DRIVEWAY (4" CONCRETE) (TYPICAL)

(HERBACEOUS)



MATCH LINE - SEE FIGURE 4

## Notes

SEE FIGURE 2

## Total Proposed Fill

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## Legend

- Property Boundary (33.24 Acres)
- Non-Wetlands (26.93 Acres)
- Jurisdictional Wetlands To Be Filled (5.58 Acres)
- Jurisdictional Wetlands To Be Excavated (0.35 Acres)
- Total Other Waters Of The U.S. (0.38 Acres)
- Other Waters Of The U.S. To Be Filled (0.32 Acres)
- Other Waters Of The U.S. To Be Excavated (0.04 Acres)
- Other Waters Of The U.S. To Be Impacted By Construction (0.02 Acres)

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**Plan View**

Ascension Parish, Louisiana

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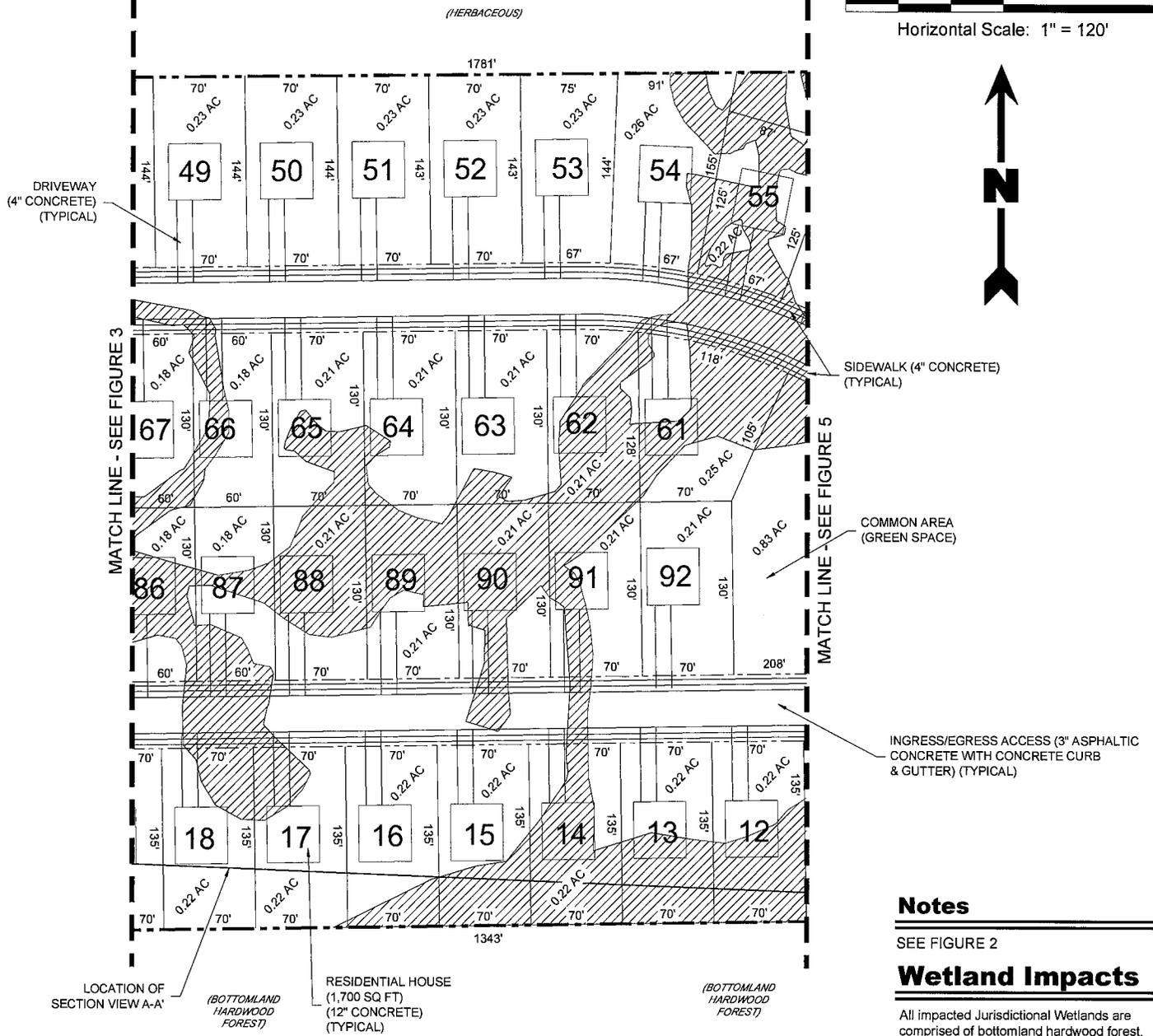
Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 3



Horizontal Scale: 1" = 120'



**Notes**

SEE FIGURE 2

**Wetland Impacts**

All impacted Jurisdictional Wetlands are comprised of bottomland hardwood forest.

**Legend**

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**Kelly C. Sills, L.L.C.**

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**Plan View**

Ascension Parish, Louisiana

**D & S ENVIRONMENTAL SERVICES, INC.**

Project. No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 4

120' 0 120'

Horizontal Scale: 1" = 120'



**Notes**

SEE FIGURE 2

**Wetland Impacts**

All impacted Jurisdictional Wetlands are comprised of bottomland hardwood forest.

(BOTTOMLAND HARDWOOD FOREST)

(BOTTOMLAND HARDWOOD FOREST)

OTHER WATERS OF THE U.S. TO BE IMPACTED BY CONSTRUCTION

REALIGNED DITCH

OTHER WATERS OF THE U.S. TO BE FILLED

COMMON AREA (GREEN SPACE)

A'

(BOTTOMLAND HARDWOOD FOREST)

REALIGNED DITCH

DITCH (HERBACEOUS)

1781'

OUTFALL PIPE TO EXISTING DITCH

STORMWATER DETENTION POND

6.27 AC

MATCH LINE - SEE FIGURE 4

56

57

58

59

60

DRIVEWAY (4" CONCRETE) (TYPICAL)

COMMON AREA (GREEN SPACE)

COMMON AREA (GREEN SPACE)

SIDEWALK (4" CONCRETE) (TYPICAL)

10

11

8

93

94

95

96

RESIDENTIAL HOUSE (1,700 SQ FT) (12" CONCRETE) (TYPICAL)

MATCH LINE - SEE FIGURE 6

INGRESS/EGRESS ACCESS (3" ASPHALTIC CONCRETE WITH CONCRETE CURB & GUTTER) (TYPICAL)

**Legend**

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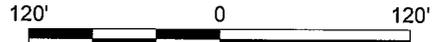
Ascension Parish, Louisiana

**D & S ENVIRONMENTAL SERVICES, INC.**

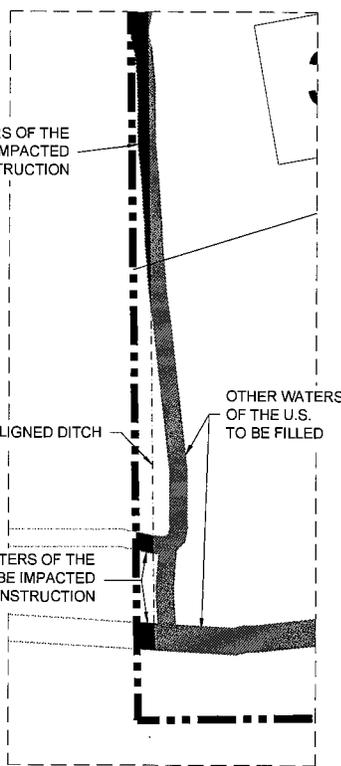
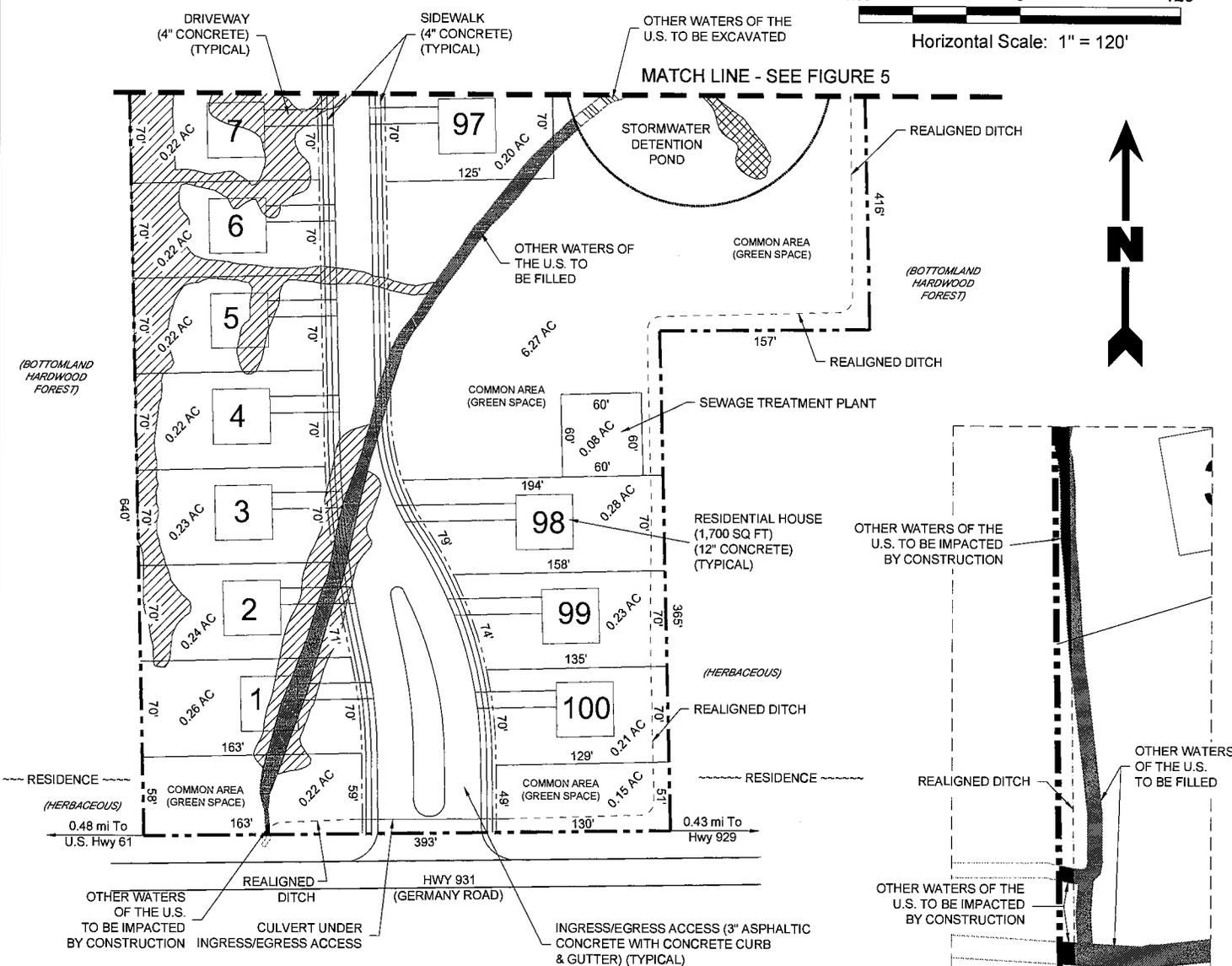
Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 5



Horizontal Scale: 1" = 120'



**DETAIL "A"**  
NOT TO SCALE

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**Notes**

SEE FIGURE 2

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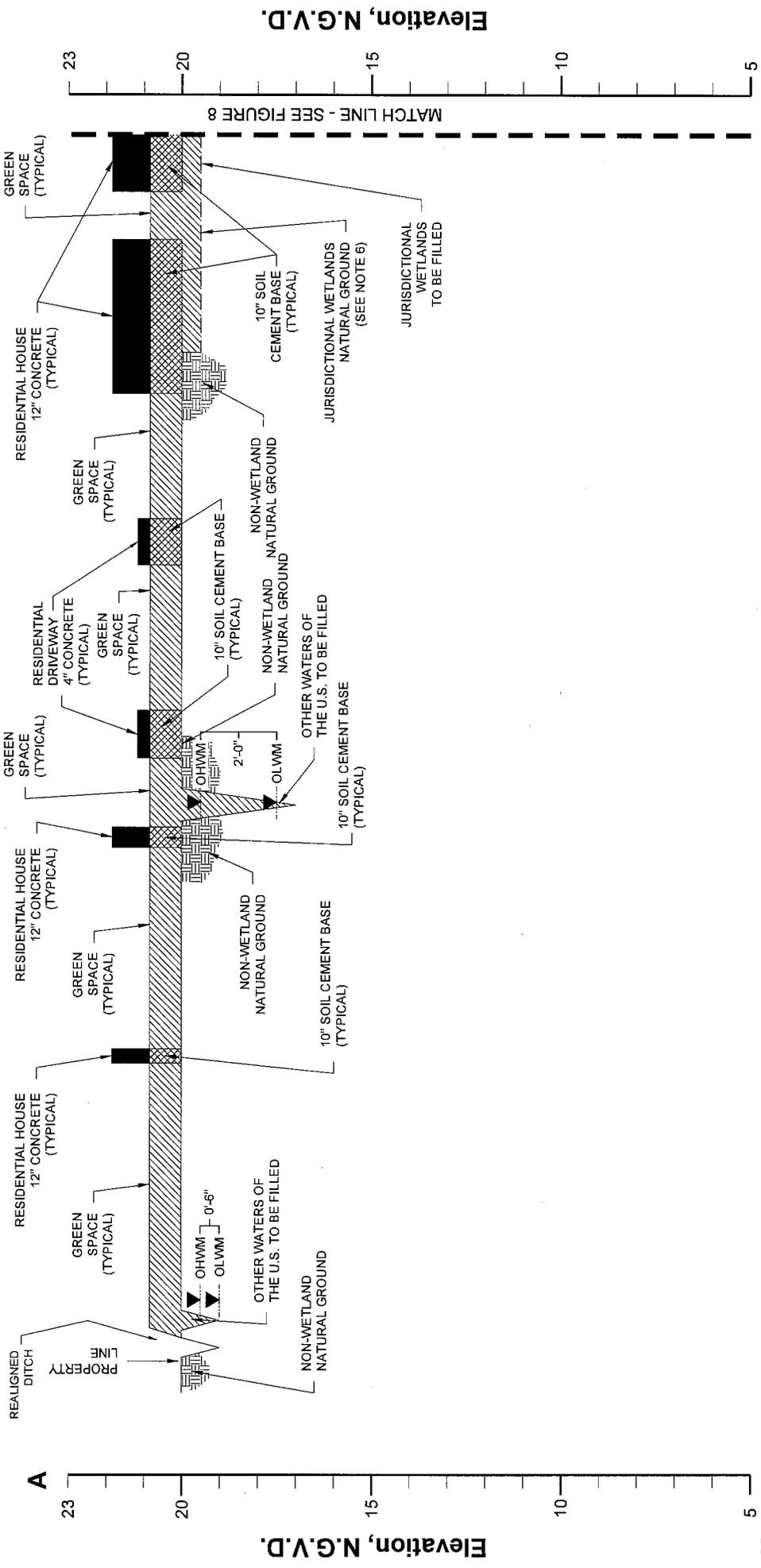
**Plan View**

Ascension Parish, Louisiana

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**D & S**  
**ENVIRONMENTAL SERVICES, INC.**

Project No.: 36-2014-DOA	Date: 06-12-2014	Figure No.: 6
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**Section A-A'**

Horizontal Scale: 1" = 40'  
Vertical Scale: 1" = 4'



**Legend**

- Soil Cement Base
- Earthen Material
- Concrete
- OHWM
- OLWM
- Ordinary High Water Mark
- Ordinary Low Water Mark

**Notes**

1. The proposed layout was provided by Quality Engineering & Surveying, L.L.C.
2. Excavated material to be distributed as on-site fill.
3. Jurisdictional Wetlands and Other Waters Of The U.S. obtained from U.S. Army CORPS of Engineers Preliminary Jurisdictional Determination Account Number MVN-2014-00605-SQ.
4. According to F.E.M.A. F.I.R.M. Community Panel No. 22005C0040 E Dated 8-16-07, this property falls in Flood Zone A (Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; No base flood elevations determined) & Zone X (Other Areas; Areas determined to be outside 0.2% annual chance floodplain. Base Flood Elevation = 17' N.G.V.D.
5. Non-wetland natural ground elevations averages 20'-0" N.G.V.D. Elevation data was obtained from topographic data provided by Quality Engineering & Surveying, L.L.C.
6. Natural ground in existing Jurisdictional Wetlands are approximately 6" lower than non-wetland natural ground elevations.

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**Section View A-A'**

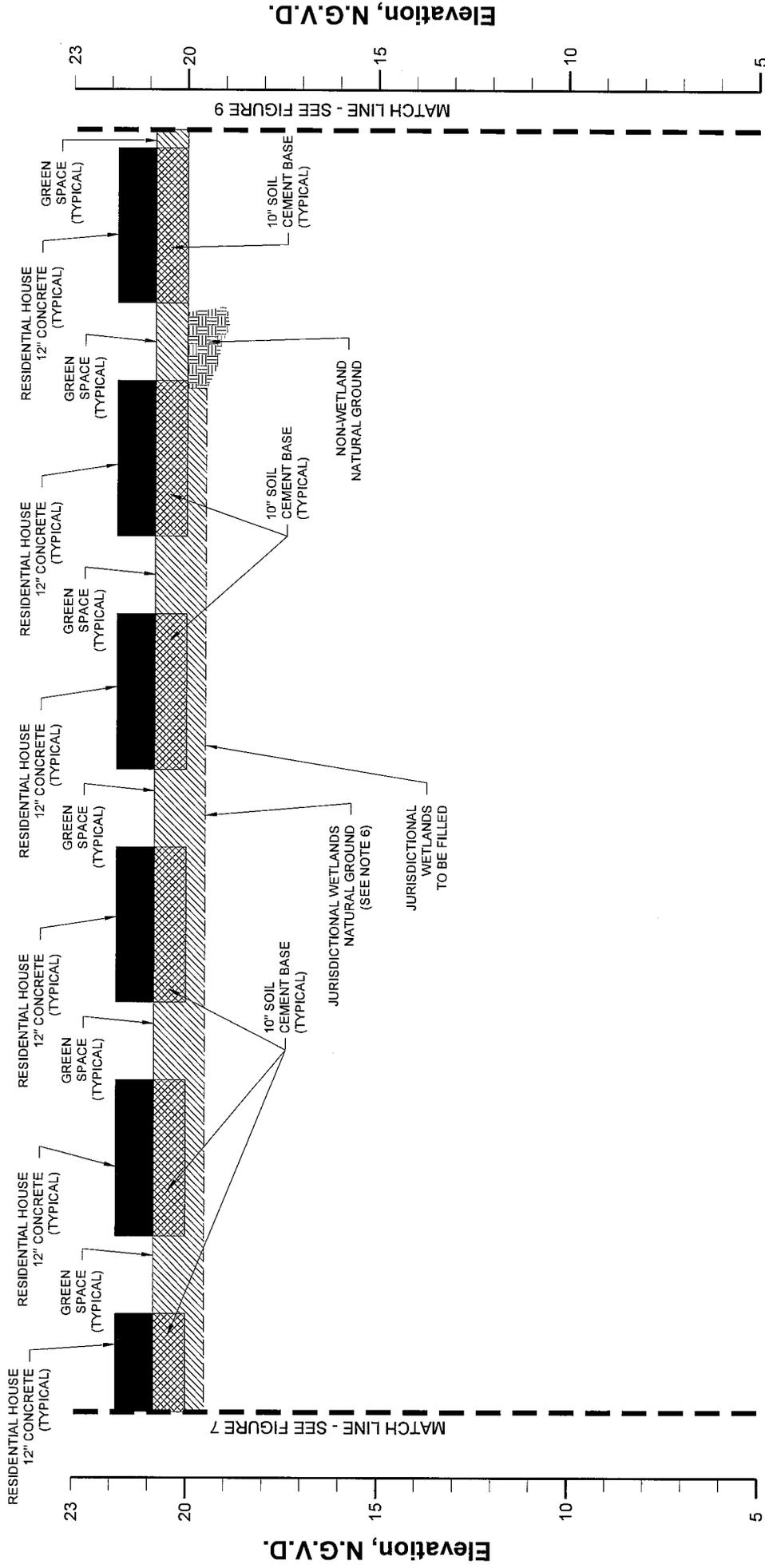
Ascension Parish, Louisiana



Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 7



**Notes**

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**Section A-A'**

Horizontal Scale: 1" = 40'  
Vertical Scale: 1" = 4'



**Legend**

- Soil Cement Base
- Earthen Material
- Concrete

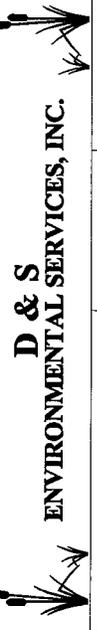
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**Section View A-A'**  
**(Continued)**

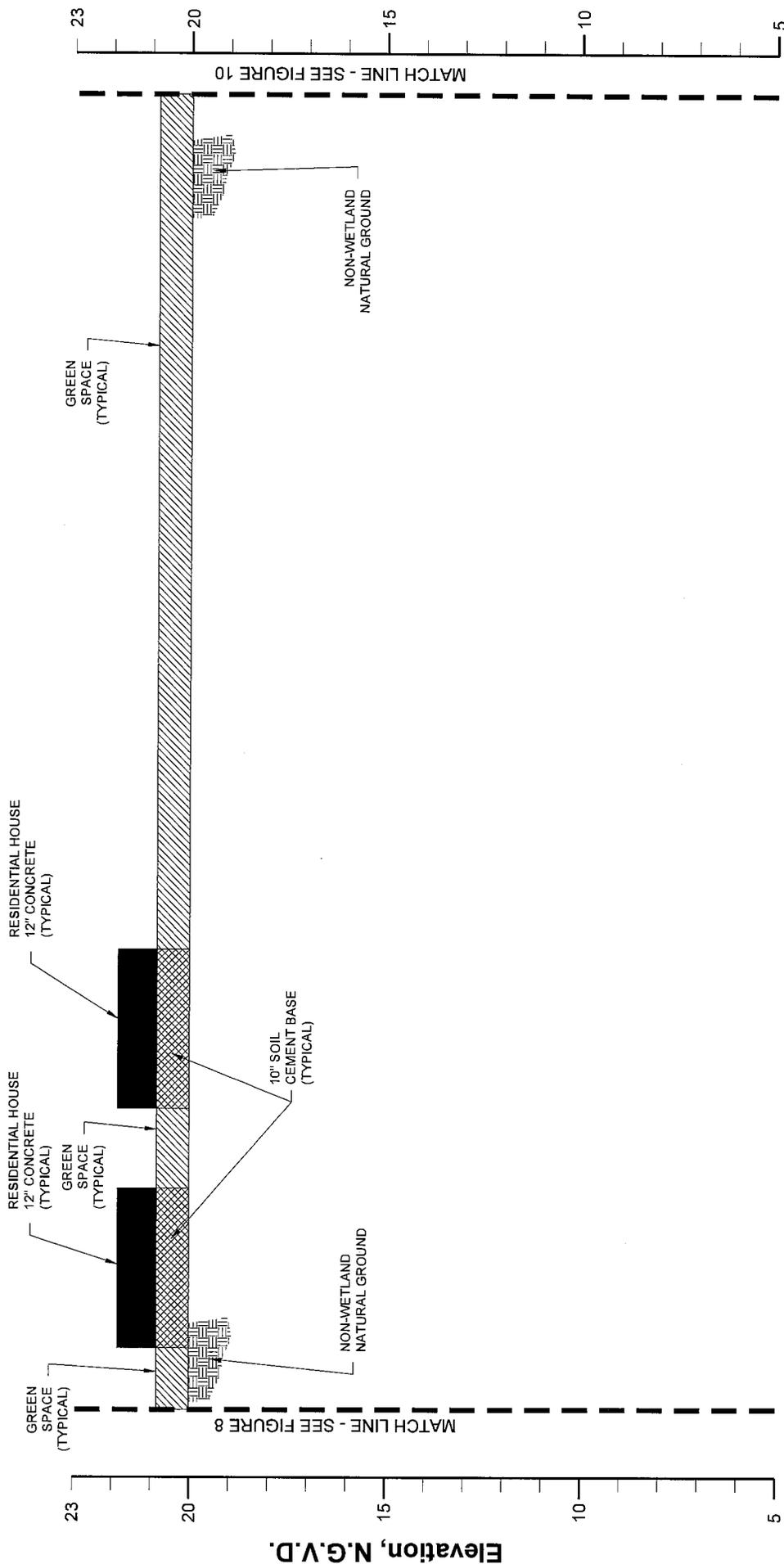
Ascension Parish, Louisiana



Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 8



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**Section A-A'**

Horizontal Scale: 1" = 40'  
Vertical Scale: 1" = 4'



**Legend**

- Soil Cement Base
- Earthen Material
- Concrete

**Kelly C. Sills, L.L.C.**

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**Section View A-A'**  
**(Continued)**

Ascension Parish, Louisiana

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**ENVIRONMENTAL SERVICES, INC.**

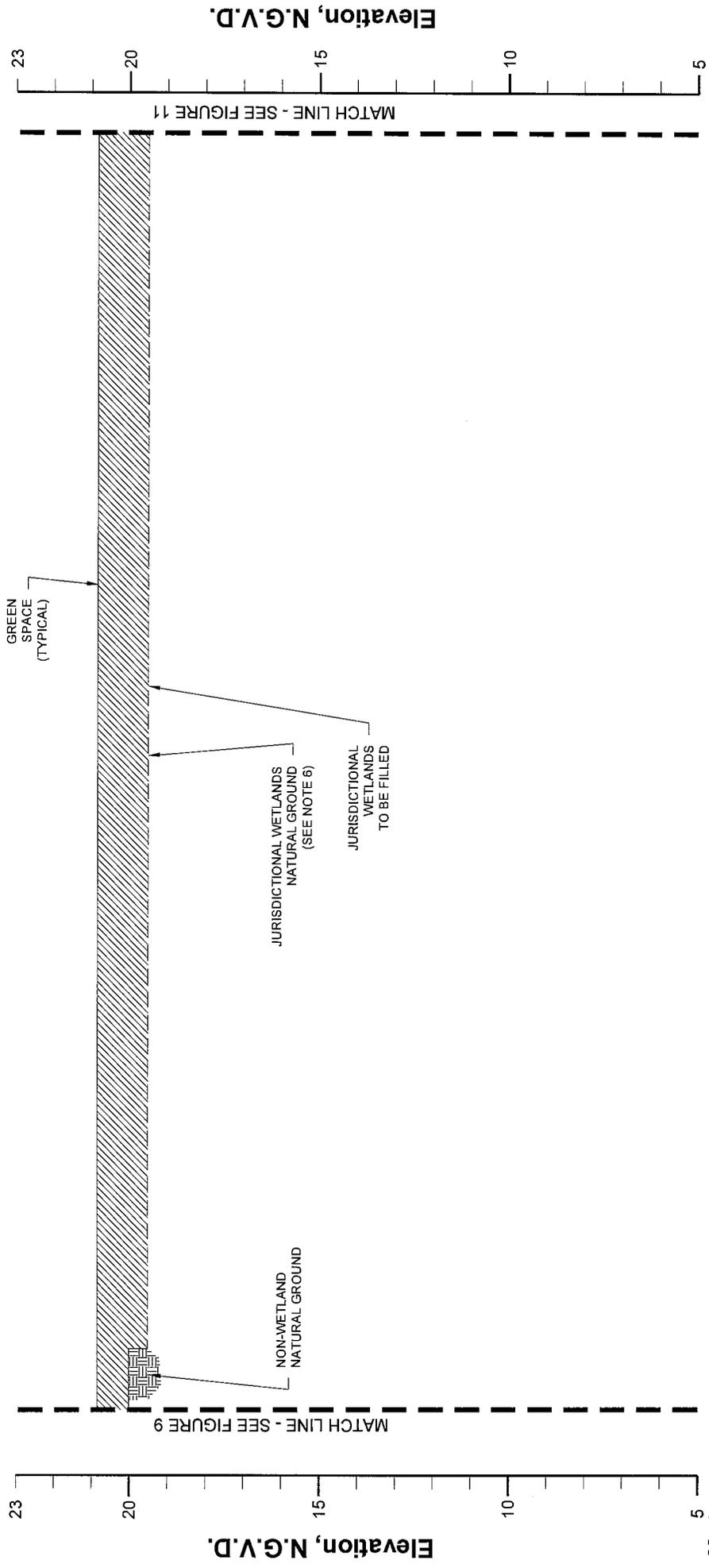
Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 9

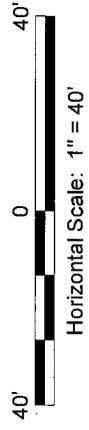
Elevation, N.G.V.D.

Elevation, N.G.V.D.

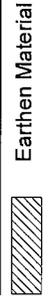


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**Section A-A'**  
 Horizontal Scale: 1" = 40'  
 Vertical Scale: 1" = 4'



**Legend**



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**Section View A-A'**  
**(Continued)**

Ascension Parish, Louisiana

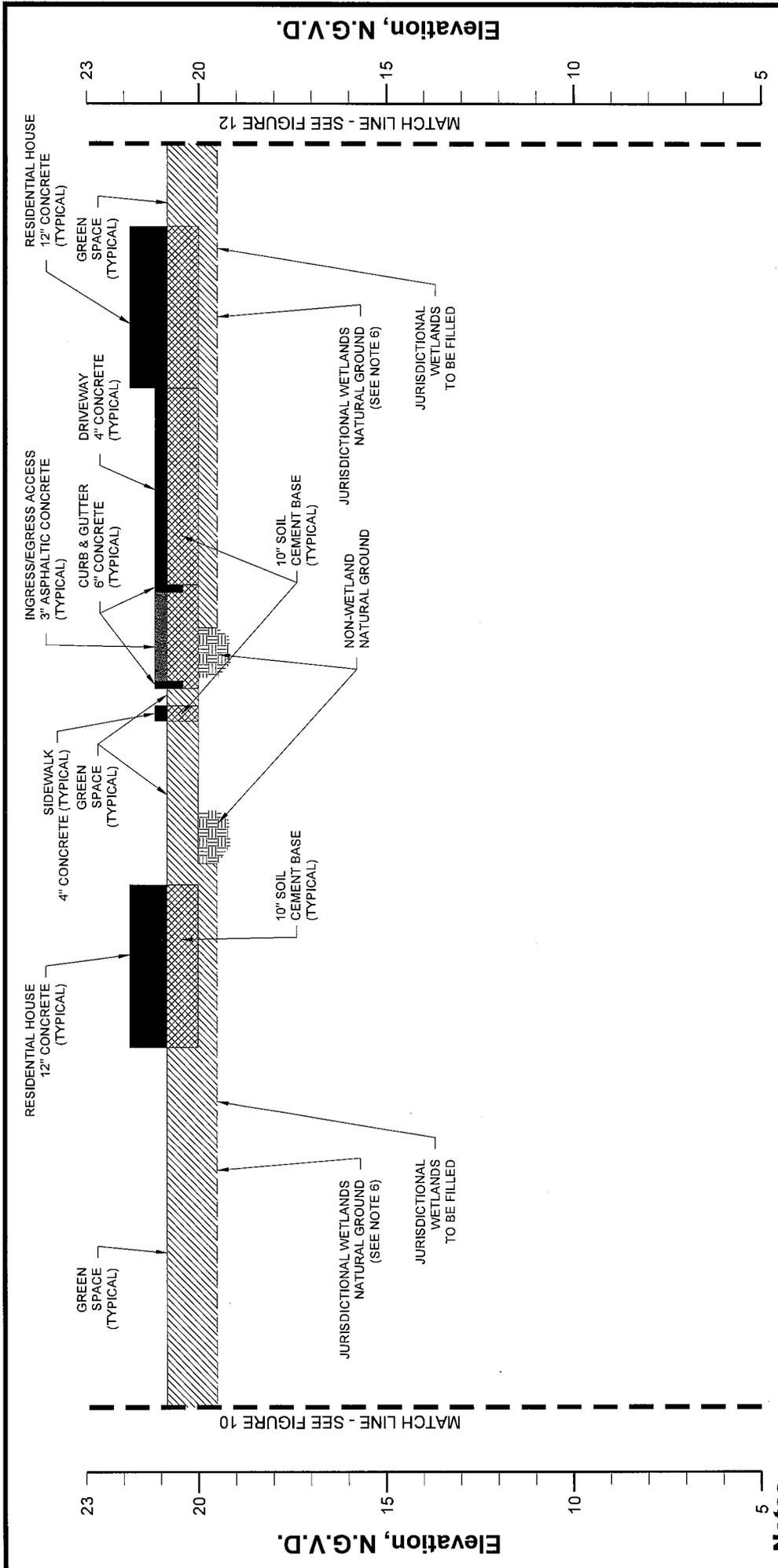
**D & S**  
**ENVIRONMENTAL SERVICES, INC.**



Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 10

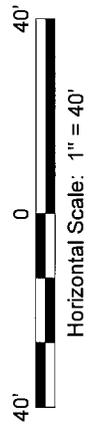


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**Section A-A'**

Horizontal Scale: 1" = 40'  
 Vertical Scale: 1" = 4'



**Legend**

- Soil Cement Base
- Earthen Material
- Concrete
- Asphaltic Concrete

**Kelly C. Sills, L.L.C.**

Germany Oaks

AUG 14 2014

**Section View A-A'  
(Continued)**

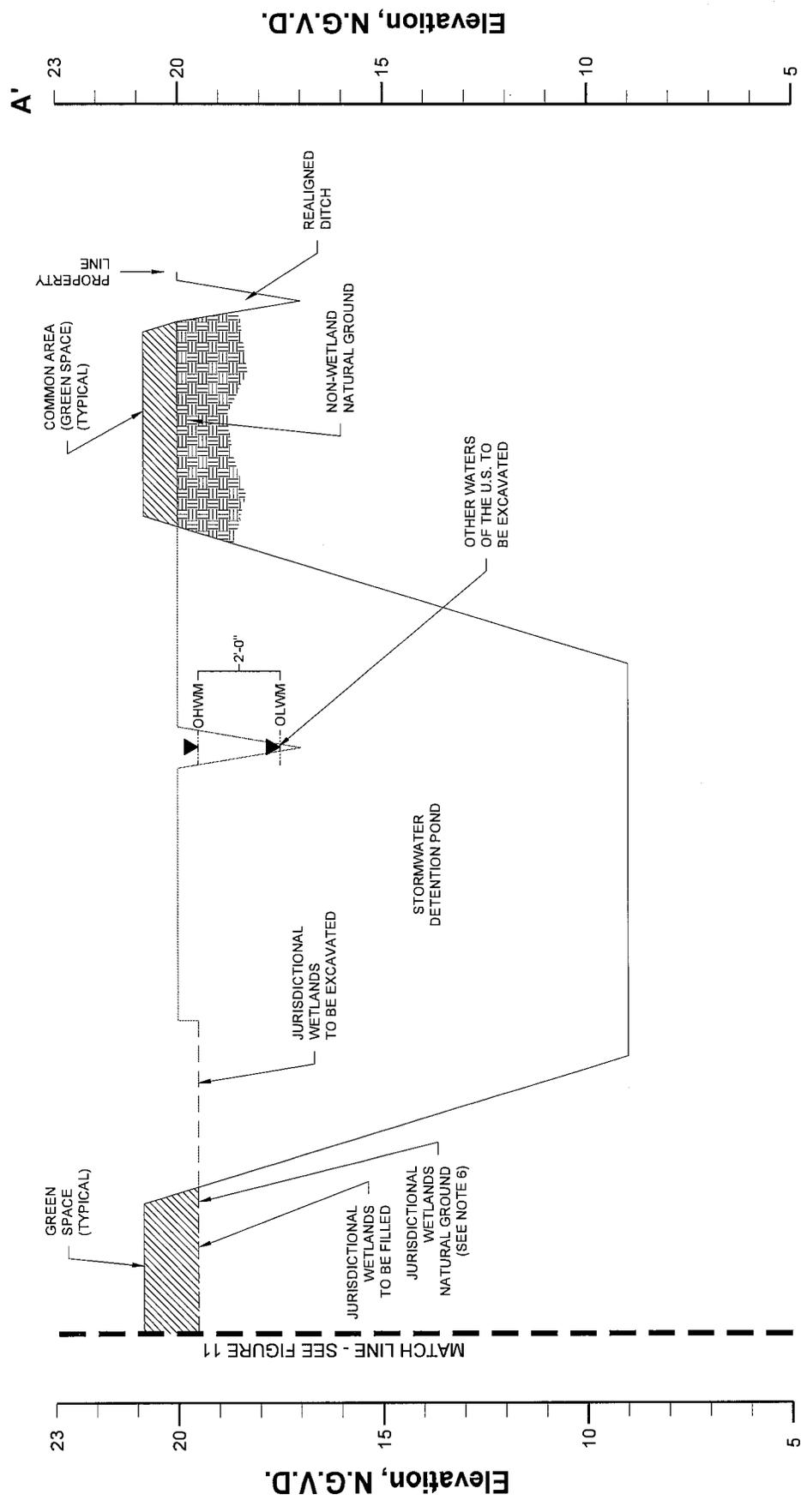
Ascension Parish, Louisiana



Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 11

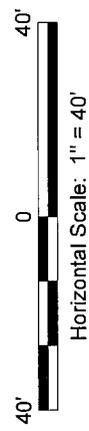


**Notes**

1. The proposed layout was provided by Quality Engineering & Surveying, L.L.C.
2. Excavated material to be distributed as on-site fill.
3. Jurisdictional Wetlands and Other Waters Of The U.S. obtained from U.S. Army CORPS of Engineers Preliminary Jurisdictional Determination Account Number MVN-2014-00605-SQ.
4. According to F.E.M.A. F.I.R.M. Community Panel No. 22005C0040 E Dated 8-16-07, this property falls in Flood Zone A (Special flood hazard areas (SFHAs) subject to inundated by the 1% annual chance flood; No base flood elevations determined) & Zone X (Other Areas; Areas determined to be outside 0.2% annual chance floodplain; Base Flood Elevation = 17' N.G.V.D.).
5. Non-wetland natural ground elevations averages 20'-0" N.G.V.D. Elevation data was obtained from topographic data provided by Quality Engineering & Surveying, L.L.C.
6. Natural ground in existing Jurisdictional Wetlands are approximately 6' lower than non-wetland natural ground elevations.

**Section A-A'**

Horizontal Scale: 1" = 40'  
Vertical Scale: 1" = 4'



**Legend**

- Earthen Material
- Ordinary High Water Mark
- Ordinary Low Water Mark

Kelly C. Sills, L.L.C.

Germany Oaks

AUG 14 2014

**Section View A-A'**  
**(Continued)**

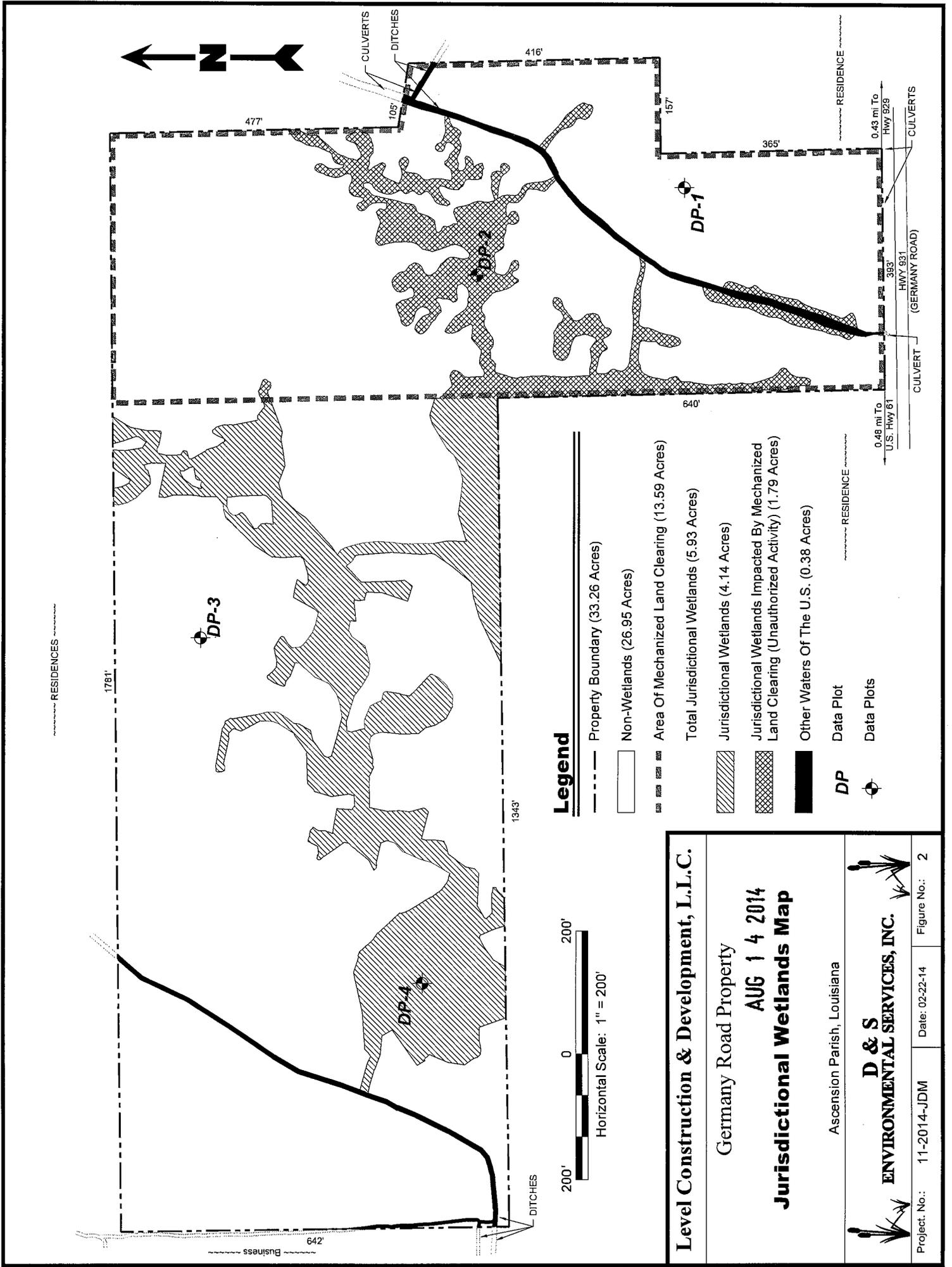
Ascension Parish, Louisiana

**D & S**  
**ENVIRONMENTAL SERVICES, INC.**

Project No.: 36-2014-DOA

Date: 06-12-2014

Figure No.: 12



**Legend**

- Property Boundary (33.26 Acres)
- Non-Wetlands (26.95 Acres)
- ▨ Area Of Mechanized Land Clearing (13.59 Acres)
- ▩ Total Jurisdictional Wetlands (5.93 Acres)
- ▧ Jurisdictional Wetlands (4.14 Acres)
- ▦ Jurisdictional Wetlands Impacted By Mechanized Land Clearing (Unauthorized Activity) (1.79 Acres)
- Other Waters Of The U.S. (0.38 Acres)
- DP Data Plot
- ⊕ Data Plots
- ..... RESIDENCE

**Level Construction & Development, L.L.C.**

Germany Road Property

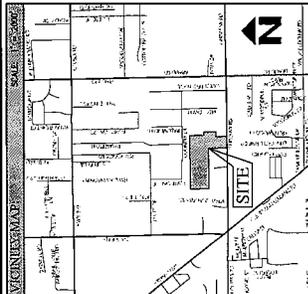
**AUG 14 2014**  
**Jurisdictional Wetlands Map**

Ascension Parish, Louisiana

**D & S**  
**ENVIRONMENTAL SERVICES, INC.**

Project No.: 11-2014-JDM Date: 02-22-14 Figure No.: 2





- GENERAL NOTES:**
- NO ATTEMPT HAS BEEN MADE BY QUALITY ENGINEERING & SURVEYING, L.L.C. TO VERIFY THE EXISTING UTILITIES SHOWN ON THIS MAP. THE USER SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES.
  - LOT AREAS AND LOT DIMENSIONS MAY BE EXCEEDED BY THE NEIGHBORING ADJACENT PROPERTY OWNERS. THE USER SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES.
  - ALL IMPROVEMENTS HEREIN SHALL BE BUILT TO ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE INTERNATIONAL PLUMBING AND MECHANICAL CODES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES.
  - ALL LOTS SHOWN HEREIN HAVE THE MINIMUM LOT SIZE AND LOT FRONTAGE PERMITTED BY THE LOCAL ZONING ORDINANCES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES.
  - NO COPIES OF THIS PLAN SHALL BE MADE OR REPRODUCED WITHOUT THE WRITTEN PERMISSION OF QUALITY ENGINEERING & SURVEYING, L.L.C. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES.
  - THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES.
  - THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES.

**SEWAGE DISPOSAL NOTE:**  
 ALL SEWAGE SHALL BE TREATED AT A SEWER TREATMENT PLANT. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONFORMING TO ALL APPLICABLE REGULATIONS AND ORDINANCES.

**PURVEYOR'S NOTE:**  
 THESE PLANS AND SPECIFICATIONS ARE PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION, RECORDATION, SALES, OR AS THE BASIS FOR THE ISSUANCE OF A PERMIT.

**EXHIBIT 4 - POST-DEVELOPMENT WATERBUSH MAP**

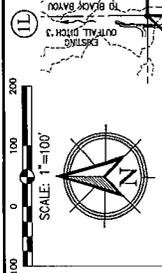
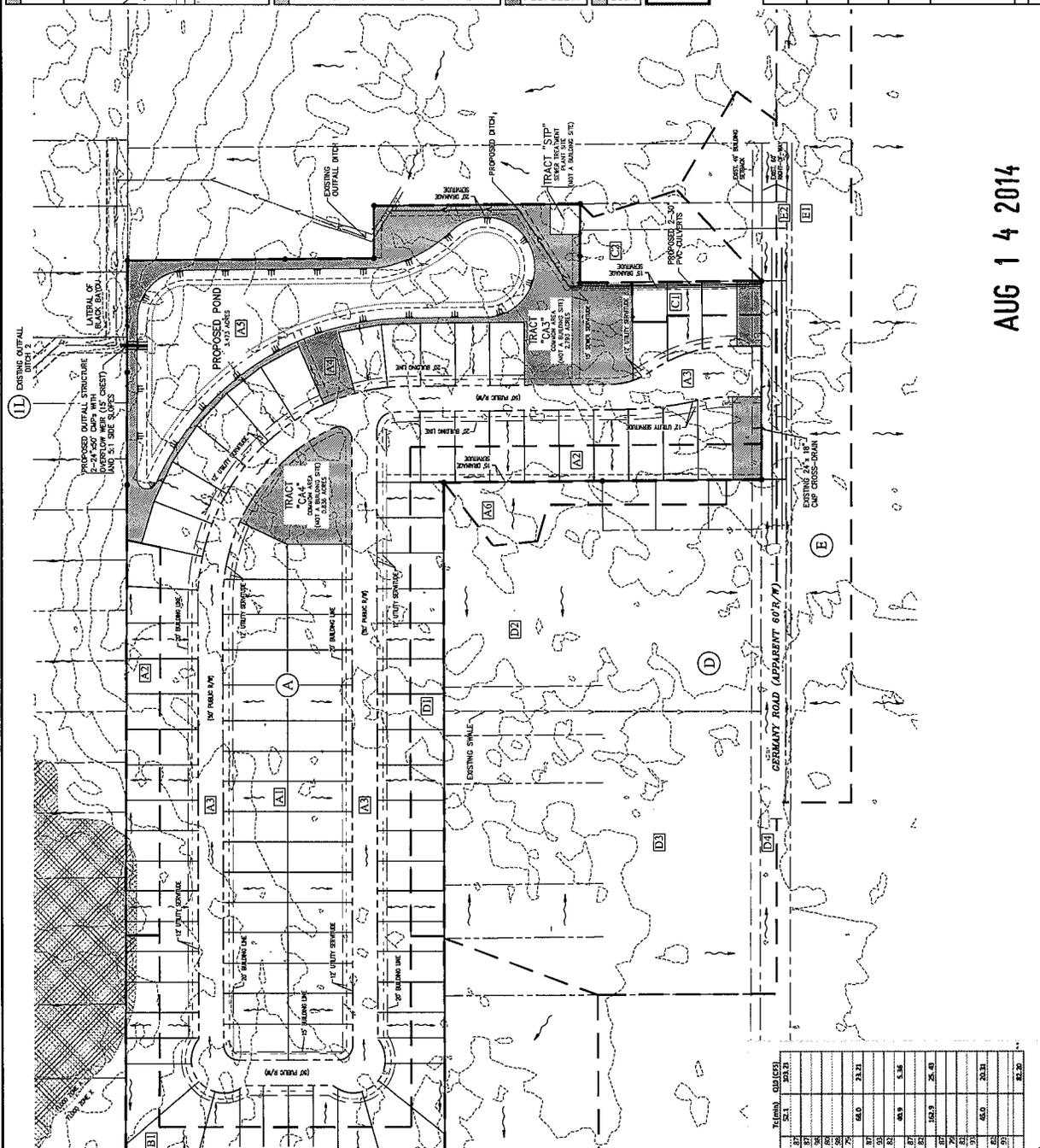
**GERMANY OAKS**

LOCATED IN SECTION 34, TOWNSHIP 10N, RANGE 10E, MERIDIAN 10W, BAYOU LA TERRE, LOUISIANA 70088

KELLY C. SHILS, L.L.C.  
 4615 JAMES TOWN AVENUE  
 BAYOU LA TERRE, LOUISIANA 70088

DATE: 08/14/2014  
 DRAWN BY: JLS

QUALITY ENGINEERING & SURVEYING, L.L.C.  
 1400 W. STATE STREET, SUITE 200  
 METairie, LA 70002  
 PHONE: 504-885-1111  
 WWW.QESURV.COM



**POST-DEVELOPMENT DRAINAGE SUMMARY**

NODE	DESCRIPTION	AREA (AC)	CH	IN (ft)	OUT (ft)	QD (CFS)
A	Total Area	30.00		0.0	0.0	0.0
A1	Lot Area	15.51	0.0	0.0	0.0	0.0
A2	Lot Area	14.49	0.0	0.0	0.0	0.0
A3	Lot Area	14.49	0.0	0.0	0.0	0.0
A4	Lot Area	14.49	0.0	0.0	0.0	0.0
A5	Lot Area	14.49	0.0	0.0	0.0	0.0
A6	Lot Area	14.49	0.0	0.0	0.0	0.0
B	Lot Area	14.49	0.0	0.0	0.0	0.0
B1	Lot Area	14.49	0.0	0.0	0.0	0.0
B2	Lot Area	14.49	0.0	0.0	0.0	0.0
B3	Lot Area	14.49	0.0	0.0	0.0	0.0
C	Lot Area	14.49	0.0	0.0	0.0	0.0
C1	Lot Area	14.49	0.0	0.0	0.0	0.0
C2	Lot Area	14.49	0.0	0.0	0.0	0.0
C3	Lot Area	14.49	0.0	0.0	0.0	0.0
D	Lot Area	14.49	0.0	0.0	0.0	0.0
D1	Lot Area	14.49	0.0	0.0	0.0	0.0
D2	Lot Area	14.49	0.0	0.0	0.0	0.0
D3	Lot Area	14.49	0.0	0.0	0.0	0.0
E	Lot Area	14.49	0.0	0.0	0.0	0.0
E1	Lot Area	14.49	0.0	0.0	0.0	0.0
E2	Lot Area	14.49	0.0	0.0	0.0	0.0
E3	Lot Area	14.49	0.0	0.0	0.0	0.0
T	Block Total	62.25				62.25

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