

# JOINT PUBLIC NOTICE

March 9, 2015

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  
ATTN: Water Quality Certifications  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-2045  
[jennifer.e.burkett@usace.army.mil](mailto:jennifer.e.burkett@usace.army.mil)  
Project Manager  
Jennifer Burkett  
Permit Application Number  
MVN 2014-2575 EBB

(225) 219-3225  
Project Manager  
Elizabeth Johnson  
WQC Application Number  
WQC 150309-02

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 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).

## **BOATHOUSE ON BOGUE FALAYA RIVER IN ST. TAMMANY PARISH**

**NAME OF APPLICANT:** Cynthia Denman c/o Donald Lobell at Post Office Box 98, Springfield, Louisiana 70462.

**LOCATION OF WORK:** On the Bogue Falaya River, at 17497 Three Rivers Road, Covington, in St. Tammany Parish, Louisiana, as shown on the attached drawings.

**HUC:** 08090201; Liberty Bayou – Tchefuncte River

**CHARACTER OF WORK:** To install and maintain a 179' bulkhead and a 30' x 30' boathouse, as well as removal of an old dock, all to serve a residence. The boathouse will extend 30' into the river, which is approximately 288' wide at this location. Project implementation will impact approximately 0.03 acre of non-vegetated water bottom for bulkhead backfill. No adverse impacts to special aquatic sites are proposed; no compensatory mitigation is anticipated at this time.

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 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 Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species. Our initial finding is that the proposed work have "no effect" on either the dusky gopher frog (*Rana sevosa*) or the gopher tortoise (*Gopherus polyphemus*) listed as endangered by the U.S. Department of Interior, nor affect any habitat designated as critical to the survival and recovery of this species. Concurrence has been received from the US Fish and Wildlife Service per the Standard Local Operating Procedure for Endangered Species in Louisiana, dated October 22, 2014.

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 0.03 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 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 V. Farabee  
Chief, Eastern Evaluation Section

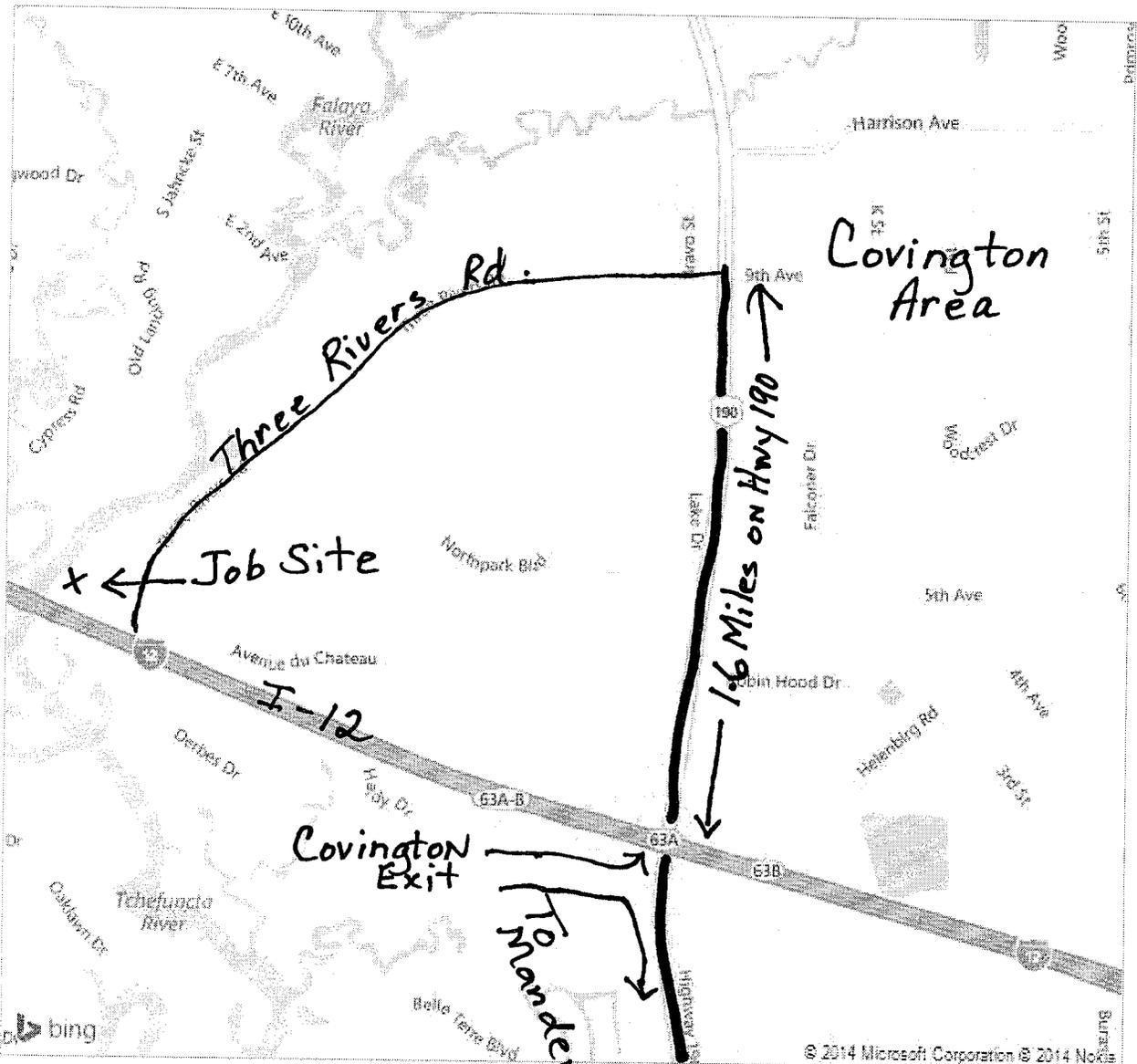
Enclosure

# Vicinity Map

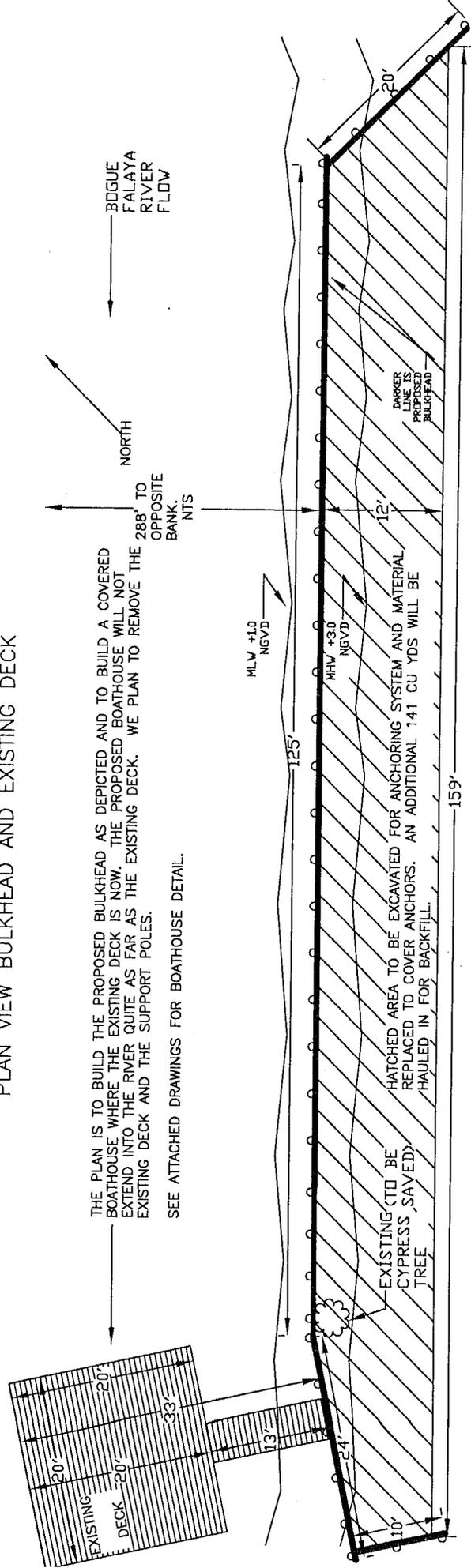


From i-12 exit 63 go north on US 190 for 1.6 miles. Turn left onto Three Rivers Road.

On the go? Use [m.bing.com](http://m.bing.com) to find maps, directions, businesses, and more



PLAN VIEW BULKHEAD AND EXISTING DECK



THE PLAN IS TO BUILD THE PROPOSED BULKHEAD AS DEPICTED AND TO BUILD A COVERED BOATHOUSE WHERE THE EXISTING DECK IS NOW. THE PROPOSED BOATHOUSE WILL NOT EXTEND INTO THE RIVER QUITE AS FAR AS THE EXISTING DECK. WE PLAN TO REMOVE THE EXISTING DECK AND THE SUPPORT POLES.

SEE ATTACHED DRAWINGS FOR BOATHOUSE DETAIL.

EXISTING (TO BE CYPRESS, SAVED) TREE

HATCHED AREA TO BE EXCAVATED FOR ANCHORING SYSTEM AND MATERIAL REPLACED TO COVER ANCHORS. AN ADDITIONAL 141 CU YDS WILL BE HAULED IN FOR BACKFILL.

DARKER LINE IS PROPOSED BULKHEAD

BOGUE FALAYA RIVER FLOW

NORTH

288' TO OPPOSITE BANK. NTS

MLW +1.0 NGVD

MHM +3.0 NGVD

125'

159'

EXISTING DECK 20' 20' 33'

13'

24'

10'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

12'

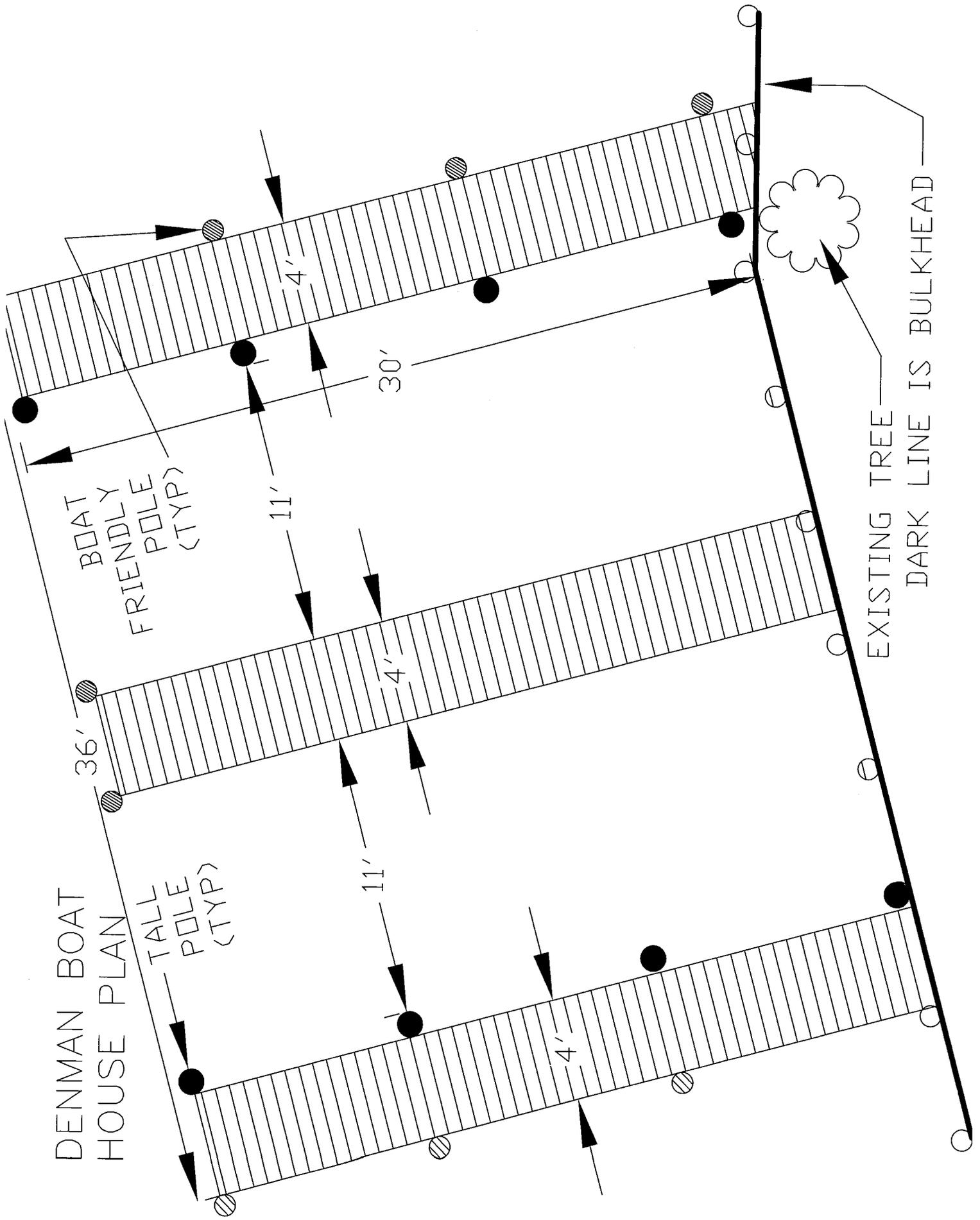
12'

12'

12'

12'

12'



DENMAN BOAT  
HOUSE PLAN

BOAT  
FRIENDLY  
POLE  
(TYP)

TALL  
POLE  
(TYP)

EXISTING TREE  
DARK LINE IS BULKHEAD

36'

11'

30'

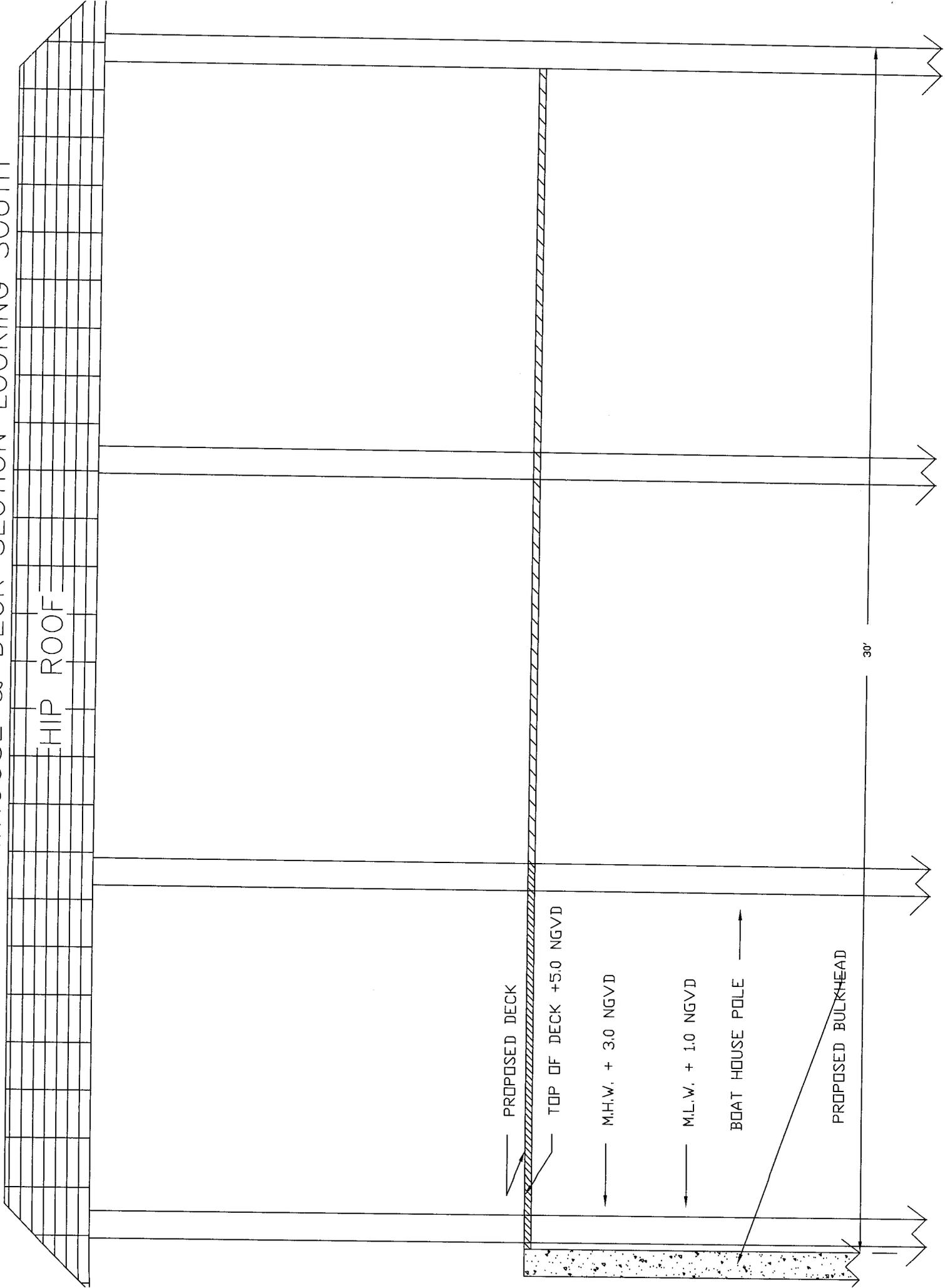
4'

4'

11'

4'

DENMAN BOATHOUSE & DECK SECTION LOOKING SOUTH



HIP ROOF

PROPOSED DECK

TOP OF DECK +5.0 NGVD

M.H.W. + 3.0 NGVD

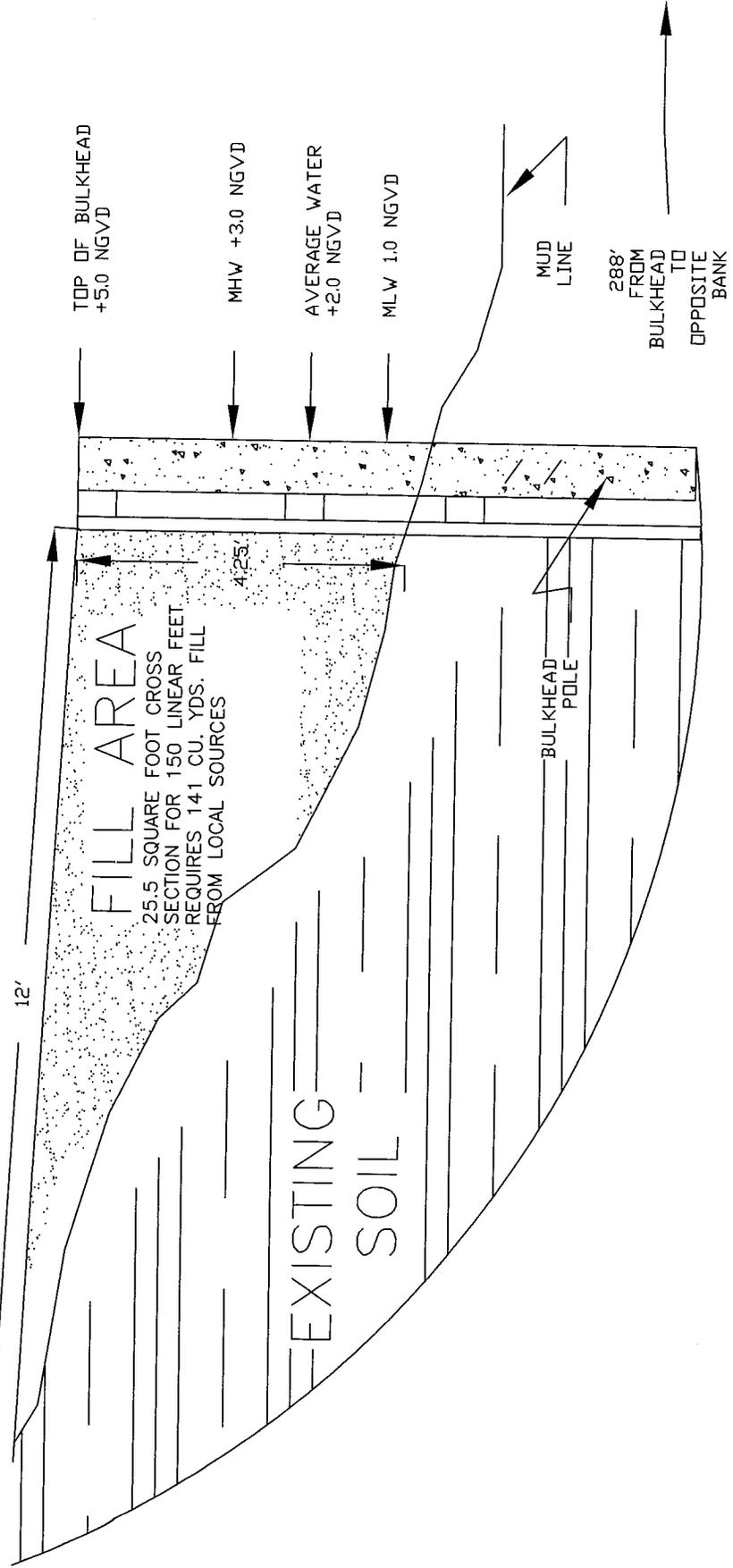
M.L.W. + 1.0 NGVD

BOAT HOUSE POLE

PROPOSED BULKHEAD

30'

DENMAN BULKHEAD SECTION VIEW LOOKING SOUTH



TOP OF BULKHEAD  
+5.0 NGVD

MHW +3.0 NGVD

AVERAGE WATER  
+2.0 NGVD

MLW 1.0 NGVD

MUD  
LINE

288'  
FROM  
BULKHEAD  
TO  
OPPOSITE  
BANK

FILL AREA  
25.5 SQUARE FOOT CROSS  
SECTION FOR 150 LINEAR FEET  
REQUIRES 141 CU. YDS. FILL  
FROM LOCAL SOURCES

EXISTING  
SOIL

BULKHEAD  
POLE

4:25