

JOINT PUBLIC NOTICE

February 1, 2016

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

(504) 862-1301
Project Manager
Neil T. Gauthier
Neil.T.Gauthier@usace.army.mil
MVN 2015-01329-CM

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

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC 160129-01

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US 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.

FILL FOR THE CONSTRUCTION OF A COMMERCIAL RETAIL DEVELOPMENT IN LIVINGSTON PARISH

NAME OF APPLICANT: Louisiana Sportsman's Paradise Properties LLC, c/o D & S Environmental Services, Inc., P.O. Box 510, French Settlement, Louisiana 70733.

LOCATION OF WORK: On Juban Road, approximately 0.23 mile north of the intersection of Juban Road and Interstate-12, in Section 4, T7S-R3E, in Denham Springs, Louisiana, in Livingston Parish, within the Amite River Basin in hydrologic unit (HUC 08070202), as shown on the attached 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: The applicant has requested Department of the Army authorization to grade, excavate, and deposit earthen fill material, lime treated base, and concrete to construct and maintain a commercial retail building which includes a convenience store with a restaurant and gas station with fuel pumps, underground fuel tanks, parking, ingress/egress, and a loading area. Approximately 3,160 cubic yards of material would be hauled in and deposited to achieve required grade elevation requirements. The proposed project is situated on an approximate 1.65-acre tract that has

been determined to contain 0.93 acre of jurisdictional wetlands and 0.72 acre of uplands. It is anticipated that the proposed action would have minimal impact on adjacent wetlands.

A preliminary analysis has determined that the proposed project would directly impact 0.93 acre of wetlands.

The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. Any further reduction would limit usage of the property and, therefore function deeming the project impracticable. As compensation for unavoidable wetland impacts, the applicant proposes to mitigate in-kind 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 Army will close in **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 US 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 US 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, pre-historical, 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. 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 0 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.

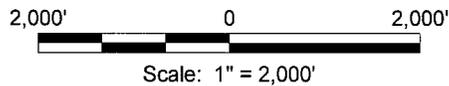
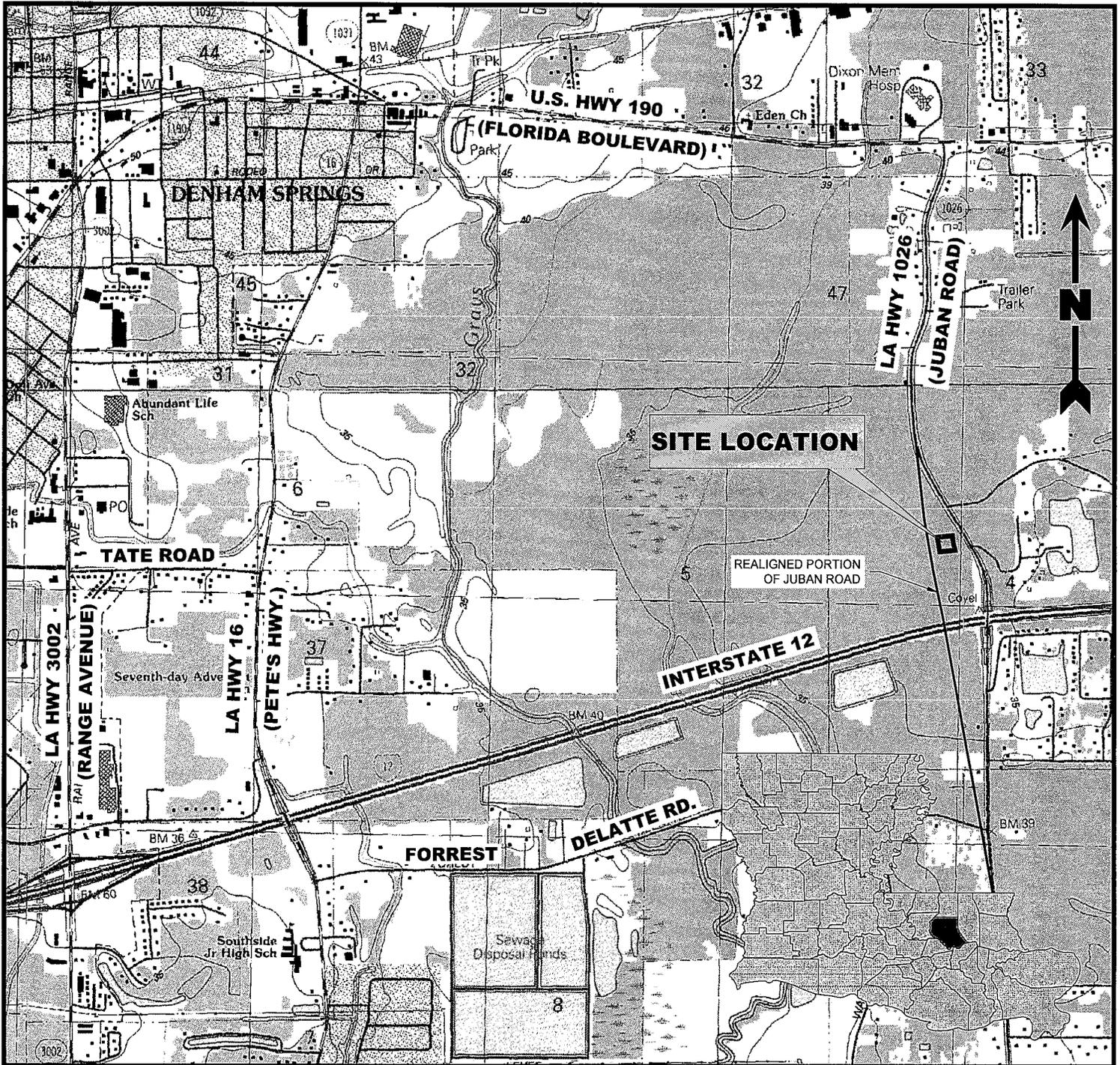
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

JOHN M. HERMAN
Chief, Central Evaluation Section
Regulatory Branch

Enclosures



Notes

Property is located in Section 4, T-7-S, R-3-E
 Latitude: 30°28'04.16"N Longitude: 90°55'03.14"W

Reference

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

**Louisiana Sportsman's Paradise
 Properties, L.L.C.**

Juban Chevron

Vicinity Map

Livingston Parish, Louisiana



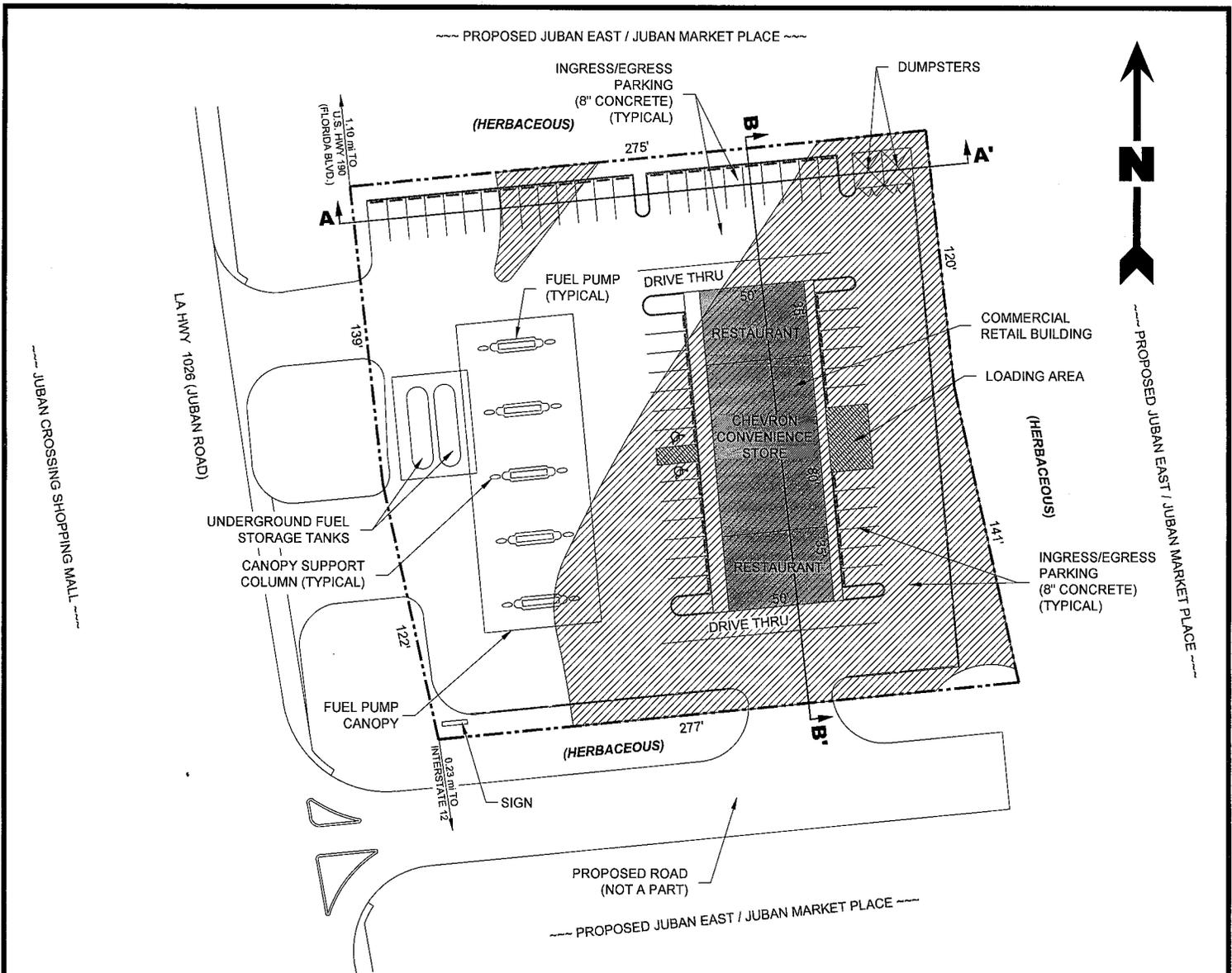
**D & S
 ENVIRONMENTAL SERVICES, INC.**



Project No.: 30-2015-DOA

Date: 10-21-2015

Figure No.: 1



Notes

1. The Proposed layout was provided by Ferris Engineering & Surveying, L.L.C.
2. Jurisdictional Wetlands obtained from U.S. Army CORPS of Engineers Jurisdictional Determination Account Number MVN-2014-01742-SQ.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22063C0210 E Dated 4-3-12, this property falls in Zone X (Areas determined to be outside the 0.2% annual chance floodplain) & Flood Zone AE (Special flood hazard areas (SFHAs) subject to inundated by the 1% annual chance flood; Base Flood Elevations Determined). Base Flood Elevation = 37'.
4. A portion of on-site drainage will connect via subsurface drainage system to the "Retention Basin" on the adjacent property to the east associated with the proposed "Juban East / Juban Marketplace" project (MVN-2015-00409-CM). The remaining stormwater runoff will sheet flow to the LA Hwy 1026 (Juban Road) roadside ditch, as depicted in the attached Parish approved "Drainage Impact Study."
5. Wetland impacts by habitat type:
 >Bottomland Hardwood (Pre- Unauthorized Activity) = 0.93 Acres



Legend

- Property Boundary (1.65 Acres)
- Non-Wetlands (0.72 Acres)
- Total Jurisdictional Wetlands (0.93 Acres)
- ▨ Jurisdictional Wetlands To Be Filled (0.93 Acres)

Total Proposed Fill

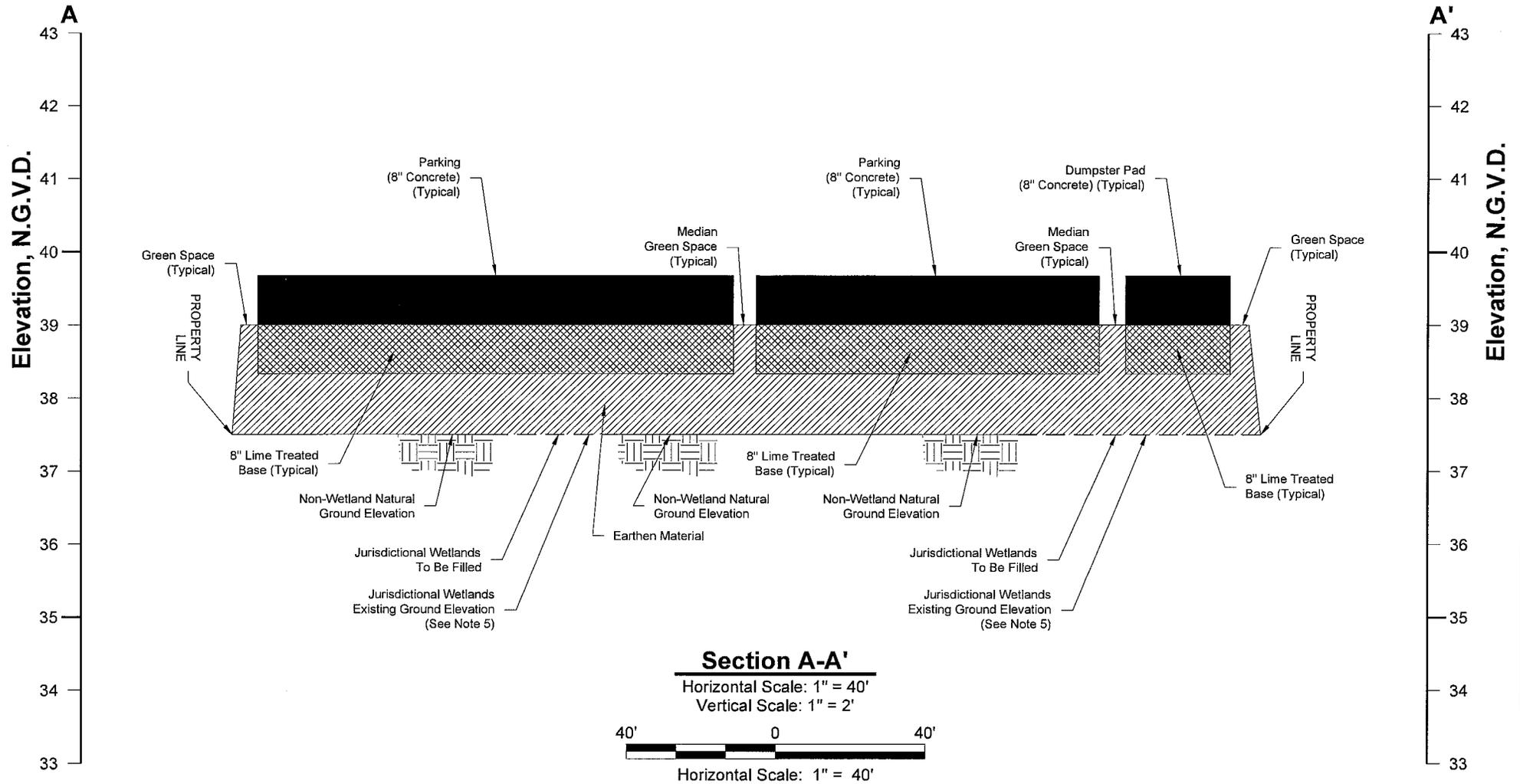
Approximately 1,071.30 Cubic Yards of Earthen Material.
 Approximately 860.53 Cubic Yards of Lime Treated Base.
 Approximately 1,227.36 Cubic Yards of Concrete.

Louisiana Sportsman's Paradise Properties, L.L.C.

Juban Chevron
Proposed Plan View
 Livingston Parish, Louisiana

D & S ENVIRONMENTAL SERVICES, INC.

Project No.: 30-2015-DOA	Date: 10-21-2015	Figure No.: 2
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4. Non-wetland natural ground elevation averages 37'-6" N.G.V.D. Elevation data was obtained from topographic data provided by Ferris Engineering & Surveying, L.L.C..
5. Ground elevations in existing jurisdictional wetlands are approximately the same elevation as non-wetland natural ground elevations due to the "Unauthorized Activity" mentioned in Blocks 18, 23 & 24 of the DOA Permit Application.

Legend

-  Earthen Material
-  Lime Treated Base
-  Concrete

**Louisiana Sportsman's Paradise
Properties, L.L.C.**

Juban Chevron

Section View A-A'

Livingston Parish, Louisiana



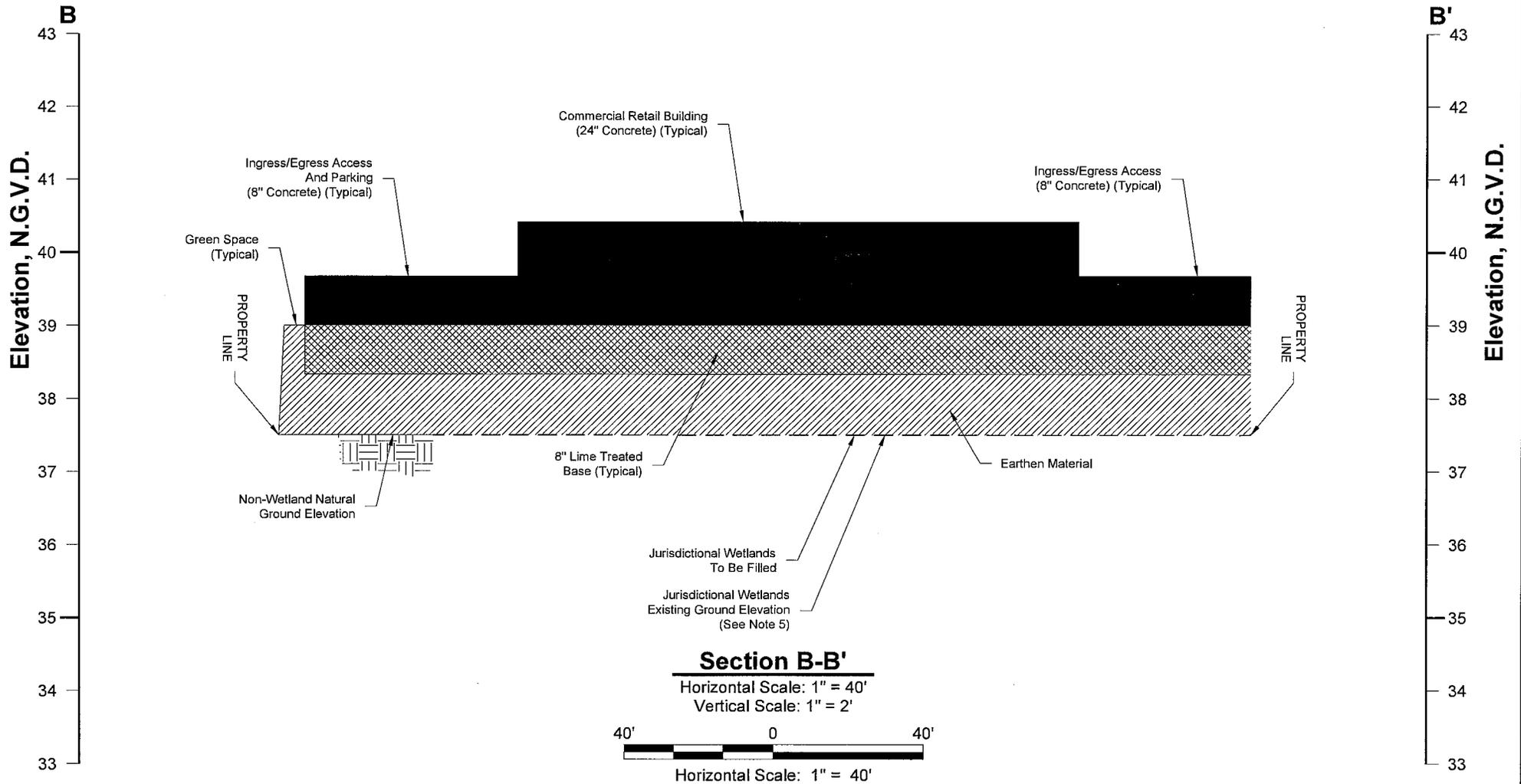
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Project No.: 30-2015-DOA

Date: 10-21-2015

Figure No.: 3



Notes

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Legend

-  Earthen Material
-  Lime Treated Base
-  Concrete

Louisiana Sportsman's Paradise Properties, L.L.C.

Juban Chevron

Section View B-B'

Livingston Parish, Louisiana

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Project No.: 30-2015-DOA	Date: 10-21-2015	Figure No.: 4
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