

# JOINT PUBLIC NOTICE

September 17, 2018

United States Army Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Avenue  
New Orleans, LA 70118-3651

State of Louisiana  
Department of Environmental Quality  
Attn: Water Quality Certifications  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-2272  
Project Manager  
Amy Oestringer  
[Amy.L.Oestringer@usace.army.mil](mailto:Amy.L.Oestringer@usace.army.mil)  
Application #: MVN-2017-00151 WQQ

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC 180831-01

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).

## **AFTER THE FACT PERMIT FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT IN CALCASIEU PARISH**

**NAME OF APPLICANT:** Mark Grindol, 3566 West Weatherby Drive, Sulphur, Louisiana 70665.

**LOCATION OF WORK:** South of 1700 Currie Drive, in Section 17, T10S, R10W, near Carlyss, Louisiana, Calcasieu Parish, as shown in the enclosed drawings.

Latitude: 30.1967 Longitude: -93.4134 Hydrologic Unit Code 08080206 Lower Calcasieu River

The work described below was partially completed prior to obtaining a Department of the Army permit and was in violation of the Clean Water Act. All legal issues concerning the unauthorized work have since been deferred.

**CHARACTER OF WORK:** Unauthorized clearing, filling and excavating activities on 1.6 acres of jurisdictional forested wetlands to construct a residential home site, driveway, yard, shed and fishing pond. The applicant proposes to permanently clear and fill approximately 0.7 acre, for construction of a driveway, housepad, yard and shed. Approximately 1.3 acres of jurisdictional wetlands previously impacted on the site will be allowed to self-restore naturally, hauled in fill will be removed and wetland contours will be re-established, as shown on the attached drawings. A 50' x 100' pond will be excavated and spoil material will be placed on-site for the proposed housepad. A 24-inch culvert will be placed in the jurisdictional ditch along the front of the property for driveway construction, impacting approximately 0.08 acre of a Water of the US. Compensatory mitigation for unavoidable wetland impacts will be satisfied through the purchase of credits at an approved mitigation bank.

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 will close **20 days** from the date of this 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 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 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.

### **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. Copies of this public notice are being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The New Orleans District has determined that the proposed activity will have no effect on any listed species based on the dichotomous key Standard Local Operating Procedure for Endangered Species of Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, Ecological Services Office.

Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of such species, listed as endangered by the U.S. Department of Commerce.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would have no impact on EFH or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts 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 and certification that the proposed activity will not violate applicable water quality standards will be required from the Louisiana 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.

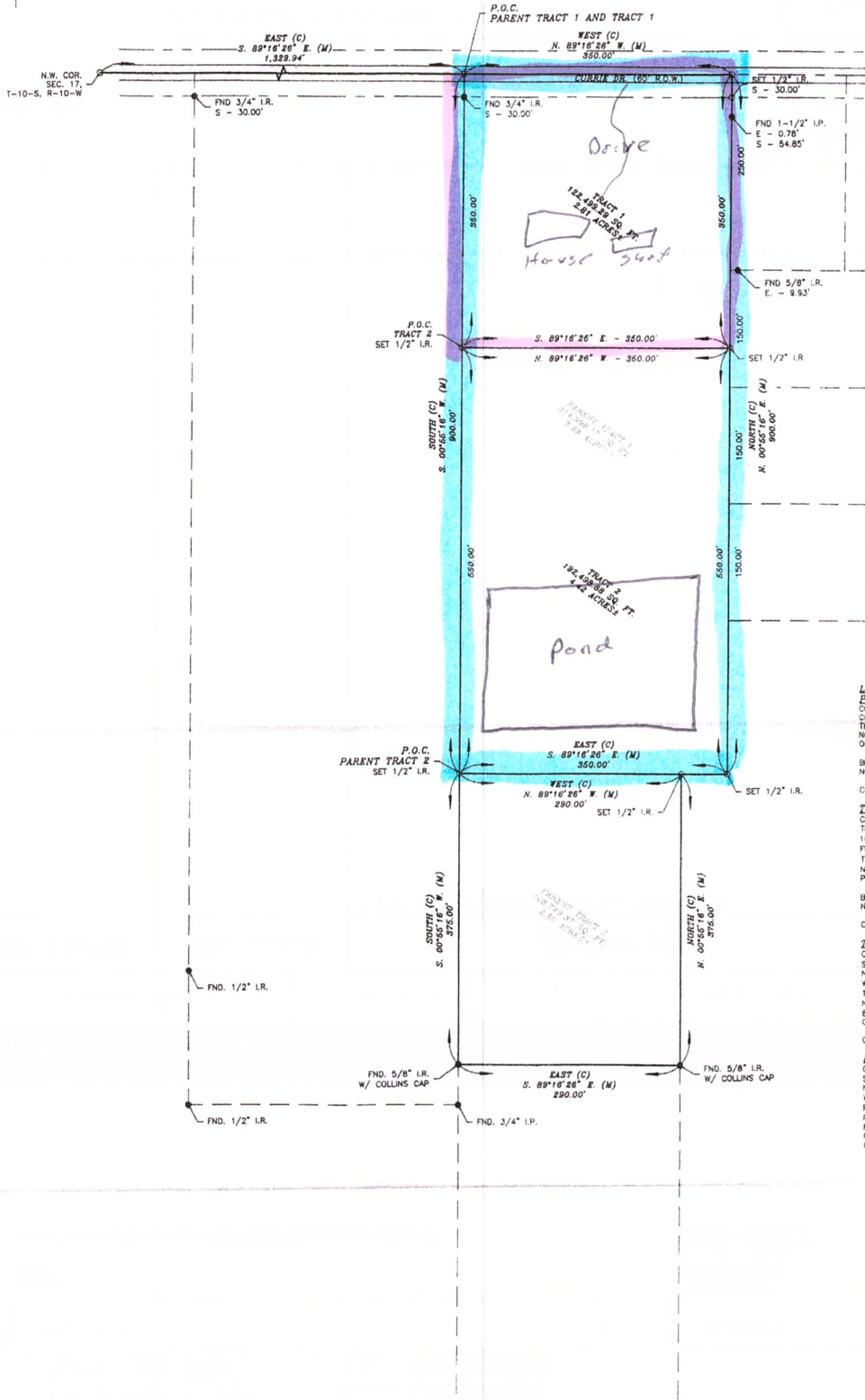
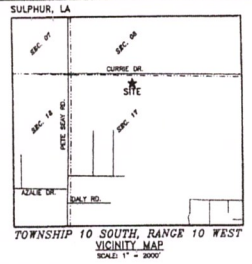
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

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.

Darrell S. Barbara  
Chief, Western Evaluation Section  
Regulatory Branch

Enclosure

**BOUNDARY SURVEY**  
 Situated in the:  
 SECTION 17, TOWNSHIP 10 SOUTH, RANGE 10 WEST,  
 SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN,  
 CALCASIEU PARISH, LOUISIANA.



- LEGEND**
- IRONS FOUND IN PLACE
  - CALLED DEED CORNER
  - POWER POLE
  - (C) CALL
  - (M) MEASURE
  - EASEMENT OR RIGHT OF WAY LINES
  - DEED OR RECORD LINES
  - INTERIOR AND ADJACENT LOT LINES
  - x x FENCES
  - CENTERLINE
  - OVERHEAD POWER LINES
  - BUILDING TIES

**LEGAL DESCRIPTIONS:**  
**PARENT TRACT 1:**  
 COMMENCING AT A POINT 1,329.94 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE SOUTH 900.00 FEET; THENCE EAST 350.00 FEET; THENCE NORTH 900.00 FEET; THENCE WEST 350.00 FEET, BACK TO THE POINT OF COMMENCEMENT.  
 BEING SUBJECT TO 30 FOOT OF A PUBLIC ROAD RIGHT OF WAY ON THE NORTH SIDE.  
 CONTAINING 314,998.17 SQUARE FEET OR 7.23 ACRES MORE OR LESS.

**TRACT 1:**  
 COMMENCING AT A POINT 1,329.94 FEET SOUTH 89°16'26" EAST FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE SOUTH 00°55'16" WEST, A DISTANCE OF 350.00 FEET; THENCE SOUTH 89°16'26" EAST, A DISTANCE OF 350.00 FEET; THENCE NORTH 00°55'16" EAST, A DISTANCE OF 350.00 FEET; THENCE NORTH 89°16'26" WEST, A DISTANCE OF 350.00 FEET, BACK TO THE POINT OF COMMENCEMENT.  
 BEING SUBJECT TO 30 FOOT OF A PUBLIC ROAD RIGHT OF WAY ON THE NORTH SIDE.  
 CONTAINING 122,499.29 SQUARE FEET OR 2.81 ACRES MORE OR LESS.

**TRACT 2:**  
 COMMENCING AT A POINT 1,329.94 FEET SOUTH 89°16'26" EAST AND SOUTH 00°55'16" WEST, A DISTANCE OF 900.00 FEET FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE SOUTH 00°55'16" WEST, A DISTANCE OF 550.00 FEET; THENCE SOUTH 89°16'26" EAST, A DISTANCE OF 350.00 FEET; THENCE NORTH 00°55'16" EAST, A DISTANCE OF 350.00 FEET; THENCE NORTH 89°16'26" WEST, A DISTANCE OF 350.00 FEET, BACK TO THE POINT OF COMMENCEMENT.  
 CONTAINING 192,498.88 SQUARE FEET OR 4.42 ACRES MORE OR LESS.

**PARENT TRACT 2:**  
 COMMENCING AT A POINT 1,329.94 FEET SOUTH 89°16'26" EAST AND SOUTH 00°55'16" WEST, A DISTANCE OF 900.00 FEET FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE BEARING NORTH 89°16'26" WEST, A DISTANCE OF 290.00 FEET; THENCE BEARING NORTH 00°55'16" EAST, A DISTANCE OF 375.00 FEET; THENCE BEARING SOUTH 89°16'26" EAST, A DISTANCE OF 290.00 FEET; THENCE BEARING SOUTH 00°55'16" WEST A DISTANCE OF 375.00 FEET BACK TO THE POINT OF COMMENCEMENT.  
 CONTAINING 108,749.37 SQUARE FEET OR 2.50 ACRES MORE OR LESS.

**BASIS OF BEARINGS:**  
 ALL BEARINGS SHOWN HEREON ARE BASED ON THE LOUISIANA SOUTH ZONE 1702, NAD 83.

**SERVITUDES RESEARCH NOTE:**  
 THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPLYING THE DATA FOR THIS SURVEY.

**CERTIFICATIONS:**  
 I HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND WAS PERFORMED IN ACCORDANCE WITH THE APPLICABLE PROFESSIONAL AND OCCUPATIONAL STANDARDS PER LOUISIANA ADMINISTRATIVE CODE, TITLE 46, PART LXI, CHAPTER 25, FOR A CLASS "C" SURVEY AS DEFINED IN SUBPART #2505.



**FLOOD ZONE INFORMATION:**  
 FIRM COMMUNITY PANEL NO. 22019C0433P  
 MAP REVISED: 2/18/11  
 PROPERTY IS IN ZONE "AE"  
 B.F.E. = 13.00'

**SURVEY AND MAP FOR:**  
 MARK GRINDEL  
 T.B.D. CURRIE DRIVE  
 SULPHUR, LA 70665

**ACCU~LINE SURVEYING, INC.**

DATE: 11/22/2016	SCALE: 1" = 100'	DRAWN BY: CAC	CHECKED BY: GJJ	W.O. NUMBER: 16-605	REVISION:
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235 LEWIS STREET PHONE: (337)-528-0060  
 SULPHUR, LOUISIANA FAX: (337)-528-0061



CURRIE DR

Cross Section #1

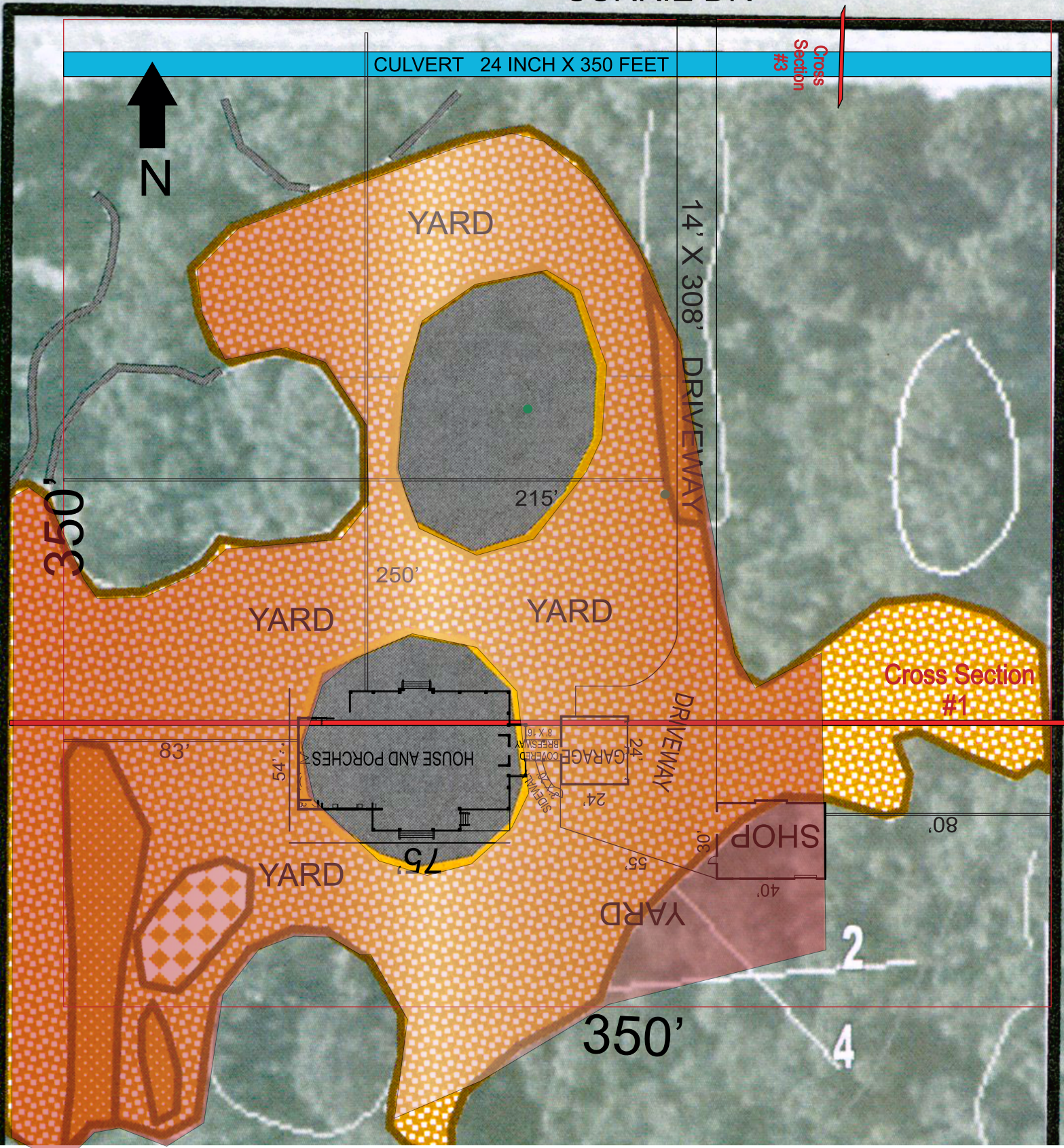
This map only constitutes a break down of the unauthorized activities occurring on the site. Refer to the Jurisdictional Determination Map for the limits of all aquatic resources on the site.

Cross Section #2

-  Boundary
-  Existing fill (0.3 wet acres) TO BE REMOVED AND ALLOW TO RESTORE
-  Existing land-clearing (1.59 wet acres)
-  Existing excavation (0.06 wet acres)
-  Proposed Restore 1.3Acres ALLOW TO SELF RESTORE NATURALLY
-  Proposed Fill 0.7 Acres
-  Proposed Excavation 50' X 100' .115 Acres
-  Proposed 24" Culverts 350' X 10' .08 Acres



# CURRIE DR



Total UA Violation (2 acre)



UA fill (0.3 wet acres)



PROPOSED FILL 0.7 ACRES

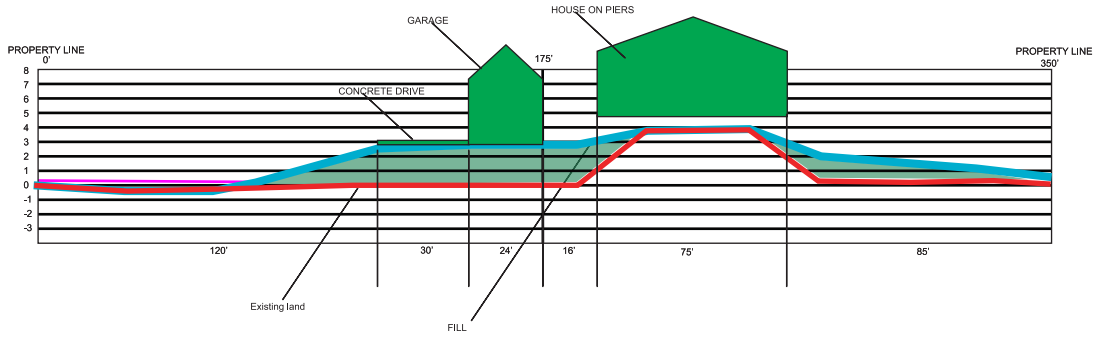


UA land-clearing (1.59 wet acres)

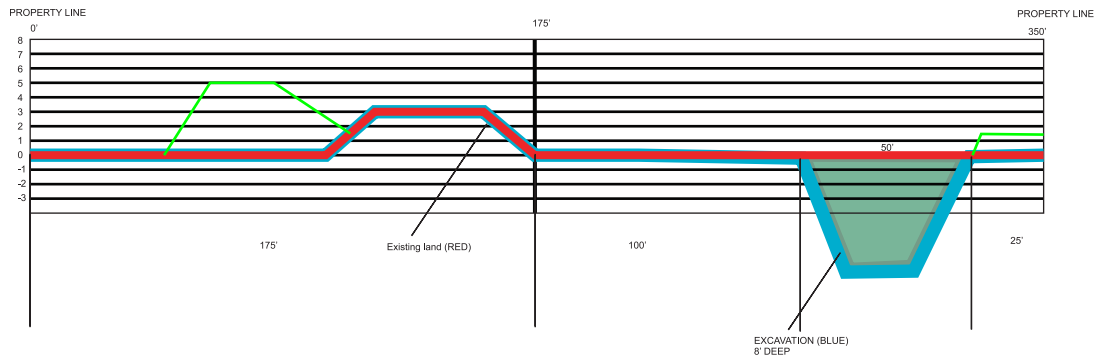


UA excavation (0.06 wet acres)

Cross Section #1



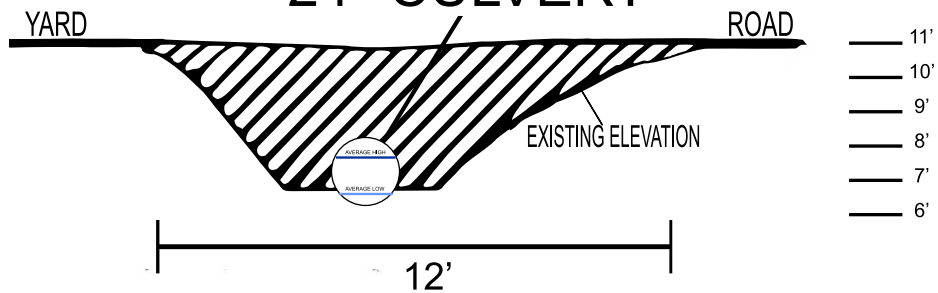
Cross Section #2



- Plan to re-vegetate naturally
- Unauthorized Fill (Plan to restore and re-vegetate naturally)
- IMPACT AREA
- Pre-work Elevation
- Proposed Elevation

## CULVERT CROSS SECTION

### 24" CULVERT



Cross Section #3

CLEAN FILL 400 CU FT of Clay

Scale .55" = 3'