

# JOINT PUBLIC NOTICE

October 9, 2018

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

State of Louisiana  
Department of Environmental Quality  
Water Permits Division  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-1545  
Project Manager  
S. Gail Gainey  
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MVN 2017-01087-CG

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC # 180524-01

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 [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 LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act.

## **MULTI-FAMILY RESIDENTIAL DEVELOPMENT IN ST. HELENA PARISH**

**NAME OF APPLICANT:** Donald Ott, c/o Howard Nass of Gulf South Research Corporation, 8081 Innovation Park Drive, Baton Rouge, Louisiana 70820.

**LOCATION OF WORK:** In Section 43, T4S-R4E, approximately 6 miles west of Pine Grove, Louisiana, in St. Helena Parish, within the Pontchartrain Basin in hydrologic unit (HUC 08080202), as shown on the attached drawings (Latitude 30.685675 N, Longitude - 90.845304 W).

**CHARACTER OF WORK:** The applicant has requested Department of the Army authorization to clear, grade, excavate and deposit fill and/or aggregate material to construct and maintain a residential housing development to include driveways, yard space and drainage infrastructure. Approximately 1,323 cubic yards of earthen material and approx. 312 cubic yards of aggregate material would be hauled in and deposited to achieve grade elevation requirements. Approximately 164 cubic yards will be excavated and deposited on site. The proposed project is situated on an approximately 4.08-acre tract that has been determined to contain wetlands. Of this, approximately 0.6 acres of wetlands would be permanently impacted and 0.08 acres of wetlands would be temporarily impacted in construction of the development.

The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to aquatic resources by including design features to prevent sediment runoff and minimize direct impacts to wetlands onsite and by utilizing non jurisdictional areas for staging and workspaces. Any further reduction would limit usage of the property and, therefore

function, deeming the project impracticable. The applicant is proposing to utilize best management practices during and after the construction phase of the project and that the project will receive approval from all appropriate drainage and sewage agencies. 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 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, prehistorical, historical sites, or data. Copies of this notice are being sent to the State Archeologist and the State Historic Preservation Officer.

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 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 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

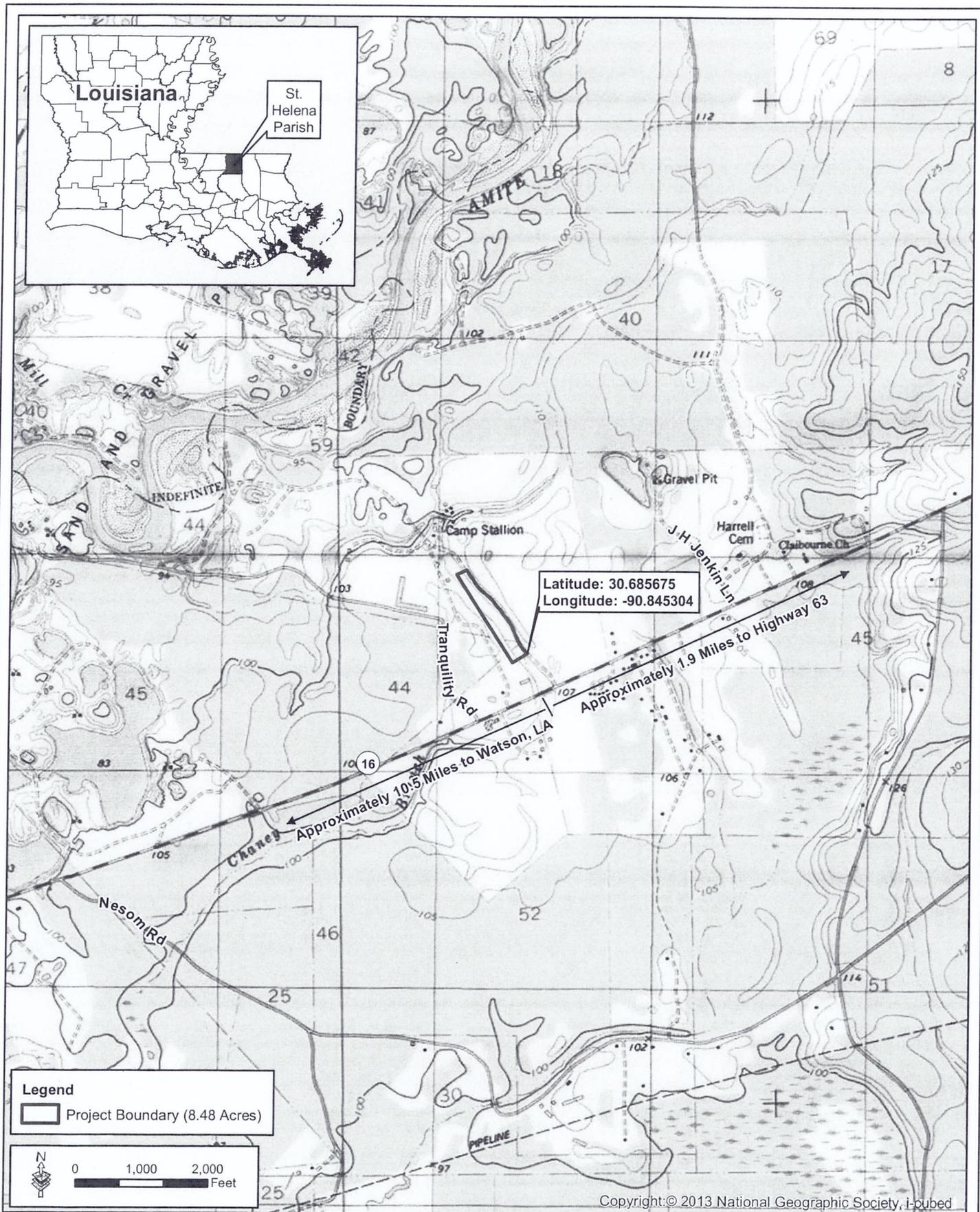


Figure 1. Project Location Map  
 Ott 11-acre Residential Permit  
 Section 43, Township 4 South, Range 4 East  
 St. Helena Parish, Louisiana

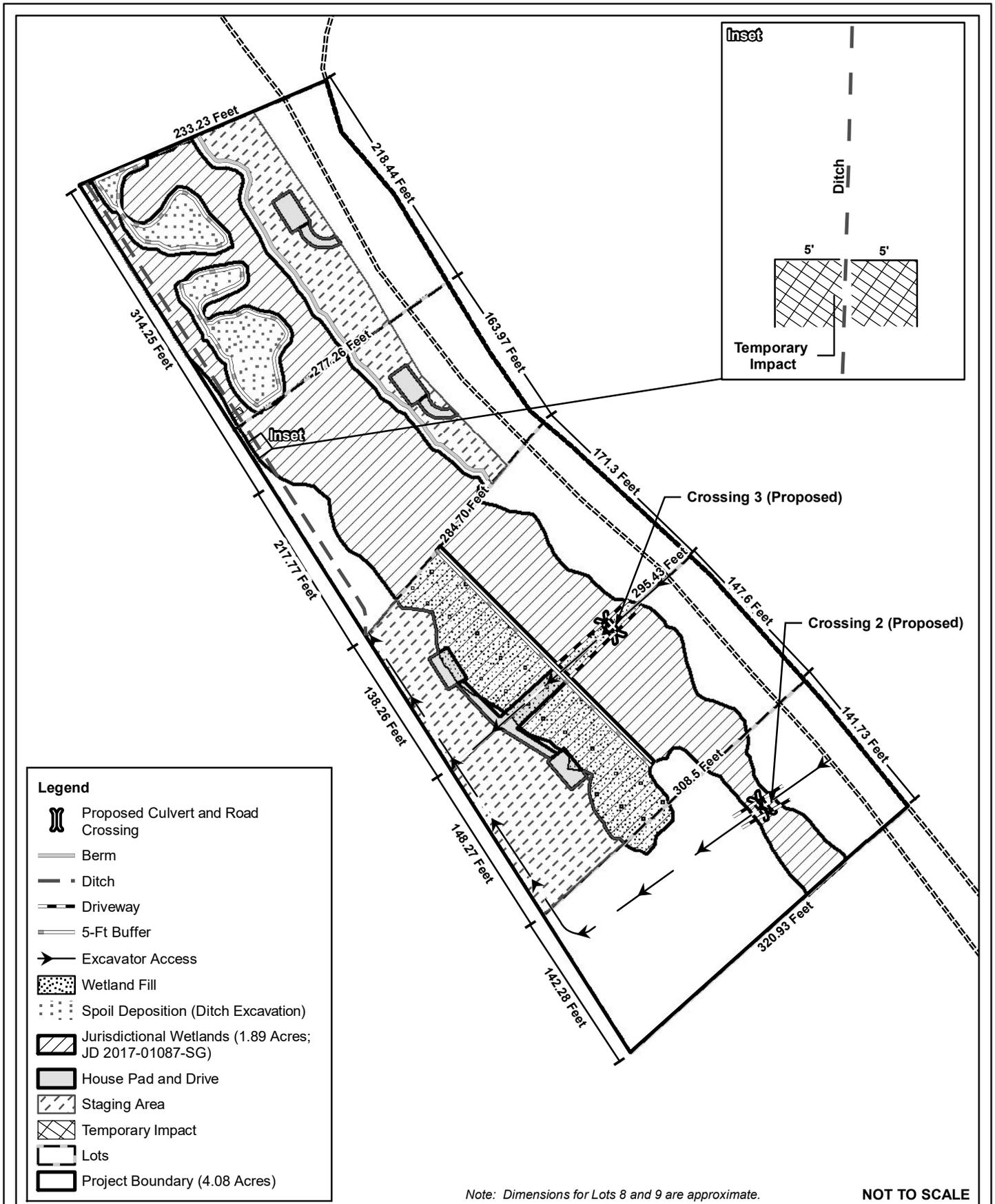


Figure 2. Planview  
 Ott Residential Permit  
 Section 43, Township 4 South, Range 4 East  
 St. Helena Parish, Louisiana

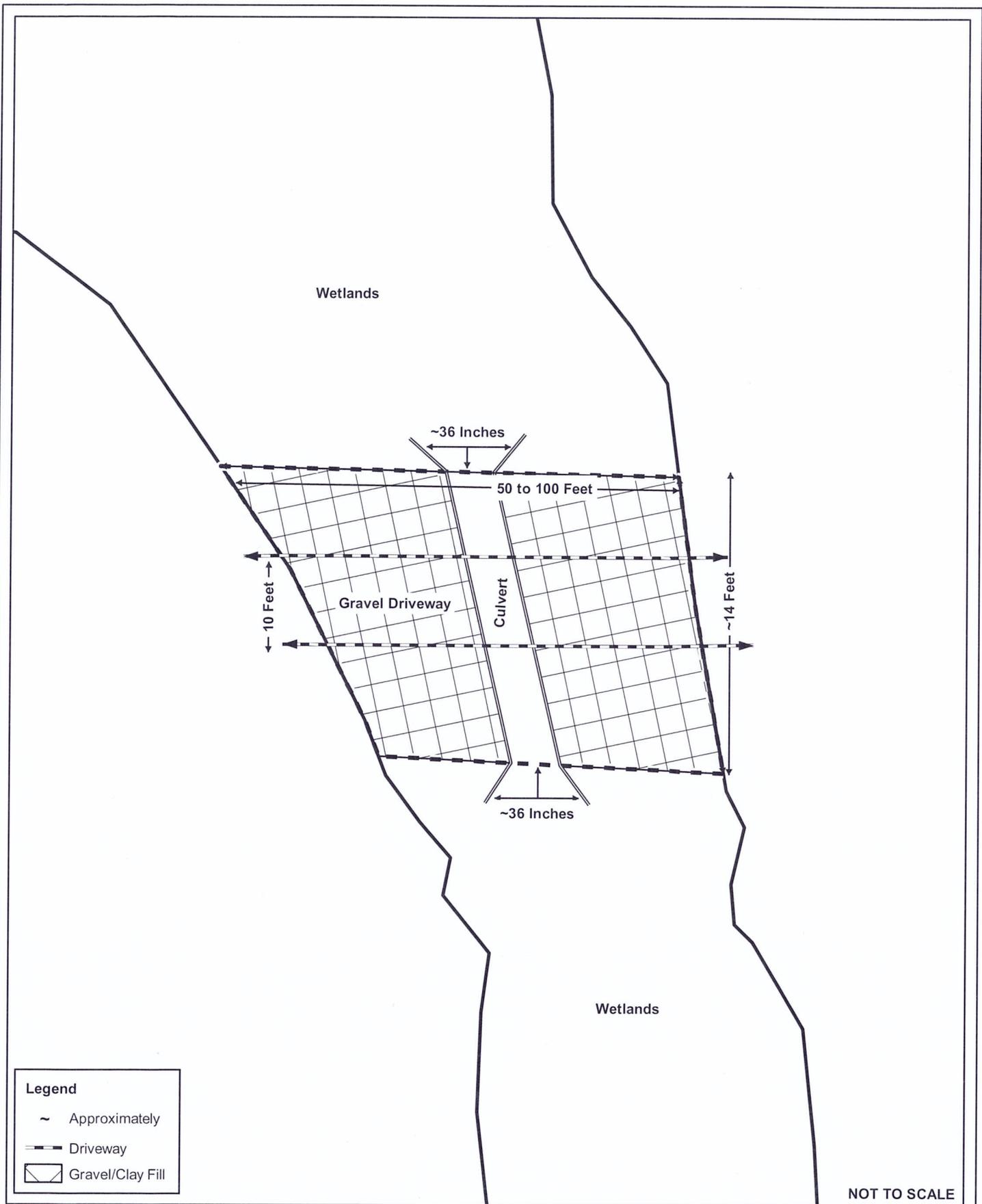
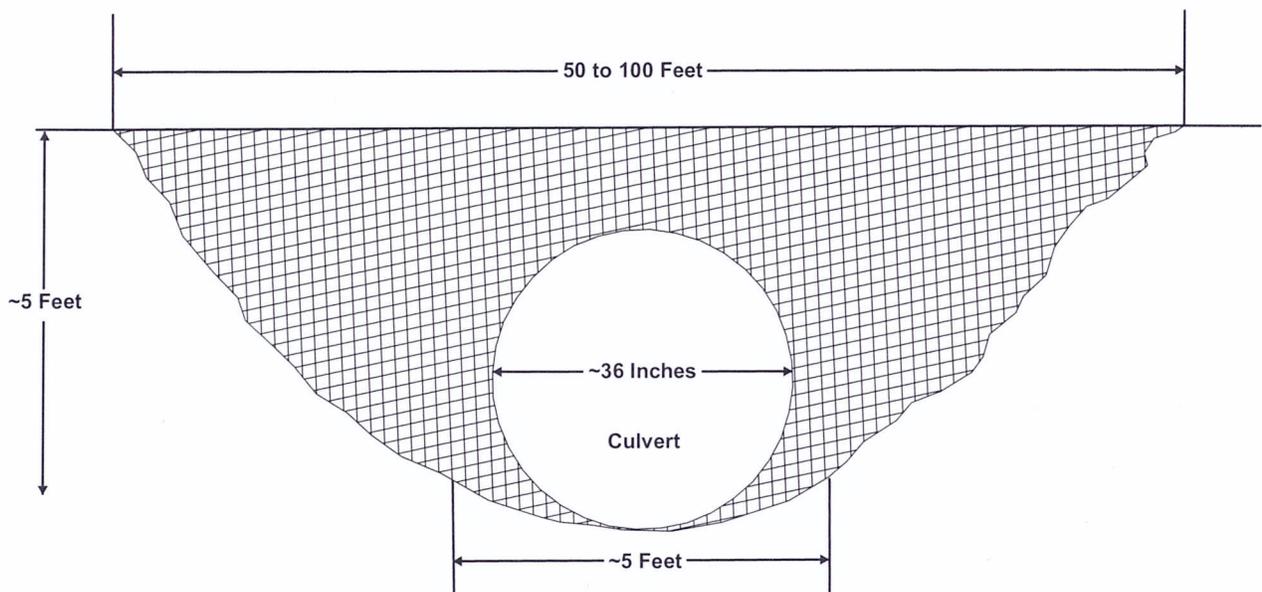


Figure 3. Typical Plan View of Driveway Crossing  
 Ott 11-acre Residential Permit  
 Section 43, Township 4 South, Range 4 East  
 St. Helena Parish, Louisiana



March 2018



**Legend**

~ Approximately

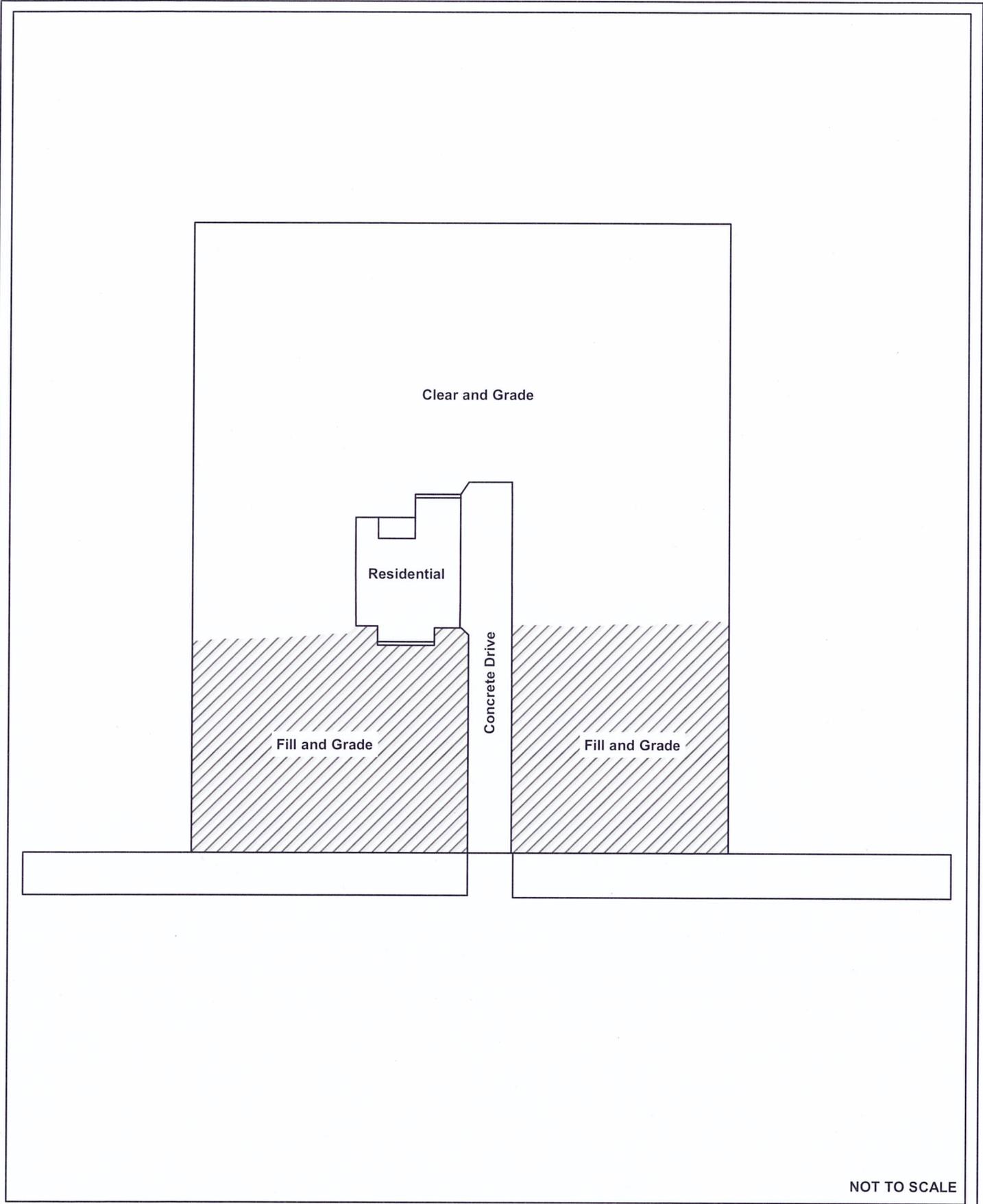
 Approximately Gravel/Clay Fill

NOT TO SCALE

Figure 4. Typical Driveway Crossing Section  
 Ott 11-acre Residential Permit  
 Section 43, Township 4 South, Range 4 East  
 St. Helena Parish, Louisiana



March 2018

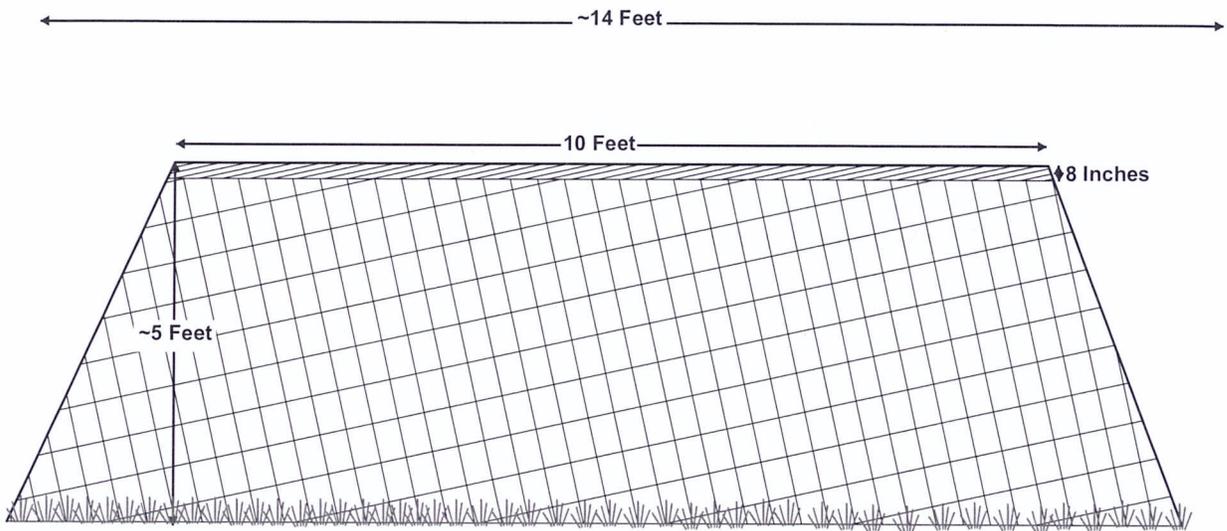


NOT TO SCALE

Figure 5. Typical Lot Plan View (Lots 6 and 7)  
Ott 11-acre Residential Permit  
Section 43, Township 4 South, Range 4 East  
St. Helena Parish, Louisiana



March 2018



**Legend**

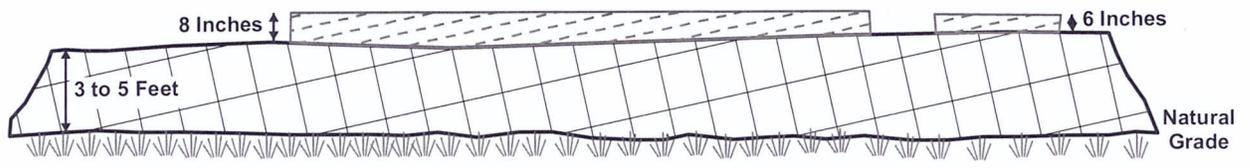
- ~ Approximately
- Wetlands
- Clay Gravel
- Earthen Fill

NOT TO SCALE

Figure 6. Typical Driveway Section (Lots 6 and 7)  
 Ott 11-acre Residential Permit  
 Section 43, Township 4 South, Range 4 East  
 St. Helena Parish, Louisiana



March 2018

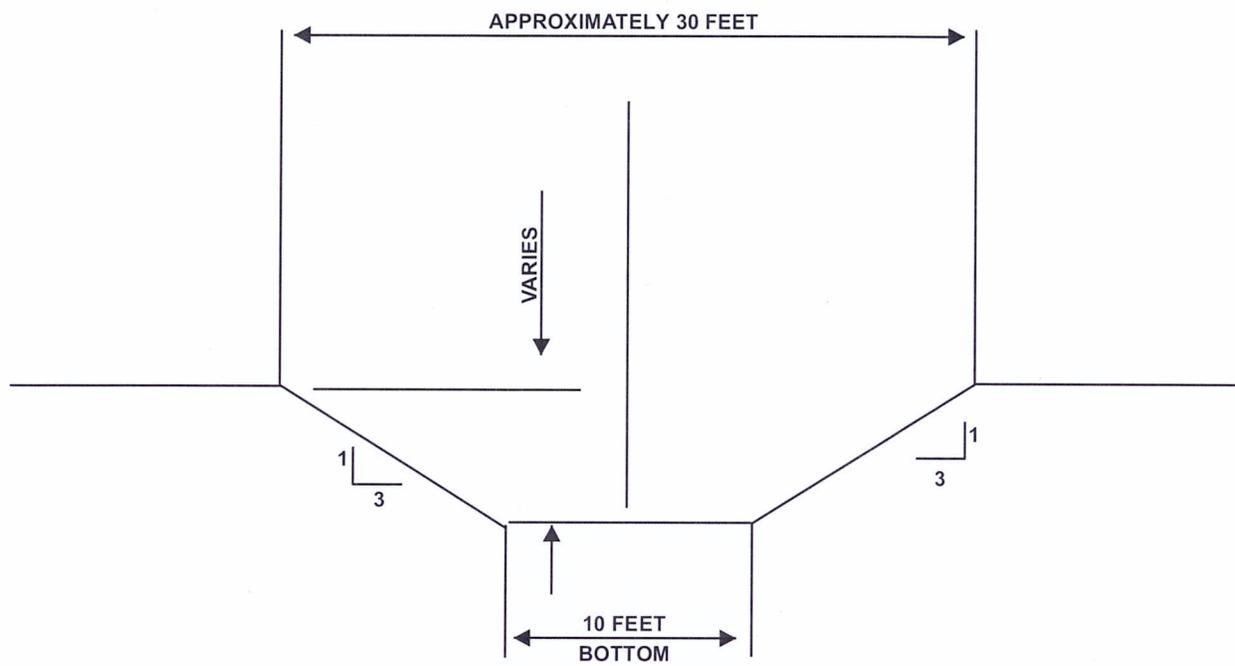


**Legend**

- ~ Approximately
- ⌋ Wetlands
- ⌘ Earthen Fill
- ⌘ House Slab and Driveway

NOT TO SCALE

Figure 7. Typical Fill Section (Lots 6 and 7)  
 Ott 11-acre Residential Permit  
 Section 43, Township 4 South, Range 4 East  
 St. Helena Parish, Louisiana



NOT TO SCALE

Figure 8. Typical Ditch Cross Section  
 Ott 11-acre Residential Permit  
 Section 43, Township 4 South, Range 4 East  
 St. Helena Parish, Louisiana