

JOINT PUBLIC NOTICE

October 28, 2019

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

(504) 862-1545
Project Manager
S. Gail Gainey
Sandra.G.Gainey@usace.army.mil
MVN 2018-00456-CG

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

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC # 191018-02

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.

PROPOSED RESIDENTIAL HOUSING DEVELOPMENT IN LIVINGSTON PARISH

NAME OF APPLICANT: Sumner Investments c/o Michael Henry of HYDRIK, 2323 Hwy 190 East, Suite 2, Hammond, Louisiana 70401.

LOCATION OF WORK: In Section 21, T5S-R3E, on an approximately 83-acre tract just north of the end of Rhonda Drive in Watson, Louisiana, in Livingston Parish, within the Pontchartrain Basin in hydrologic unit (HUC 08070202), as shown on the attached drawings (Latitude 30.59985 N, Longitude -90.914954 W).

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 clear, grade, excavate and deposit fill and/or aggregate material to construct and maintain a residential housing development (Oak Hills 8 Subdivision) to include road ways, individual lots, detention ponds, and drainage infrastructure and appurtenances. Approximately 85,369 cubic yards of material would be excavated and redistributed on site. The proposed project is situated on an approximately 83-acre tract and would impact approximately 14.82 acres of forested wetlands and approx. 0.40 acres

of waters of the US. Of that, approx. 2,080 linear feet of waters of the US have been impacted prior to obtaining a Department of the Army permit by approx. 308 cubic yards of fill material by the previous land owner and those impacts will be evaluated after the fact.

The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable by avoiding approx. 18.72 acres of forested wetlands on site, by proposing to utilize best management practices during and after the construction phase of the project, and by receive approval from all appropriate drainage and sewage authorities prior to construction. 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, prehistorical, historical sites, or data. Copies of this notice are made available 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, including the Inflated Heelsplitter.

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

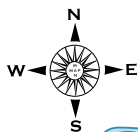
shall state, with particularity, the reasons for holding a public hearing. You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

JOHN M. HERMAN
Chief, Central Evaluation Section
Regulatory Branch

Enclosures

TO PINE GROVE

© LOUISIANA
NAVIGATOR, LLC
COVINGTON, LA



SITE

EAST BATON ROUGE
PARISH

WATSON

LIVINGSTON PARISH

**LIVE
OAK**

SPRINGFIELD

CANE MARKET

PLAINVIEW

TO DENHAM SPRINGS

SITE VICINITY

OAK HILLS 8TH FILING

SECTIONS 21, 42 & 43, T5S-R3W
LIVINGSTON PARISH, LA

APPLICANT:

SUMNER INVESTMENTS

SITE COORDINATES

30.59985, -90.91454

0 SCALE - MILE 1

PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY.
THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH.



HYDRİK

WETLANDS - GIS - FLOOD CONTROL
WWW.HYDRİK.COM (985)429-0333

LEGEND



= PROJECT SITE

= DRAINAGE DISCHARGE

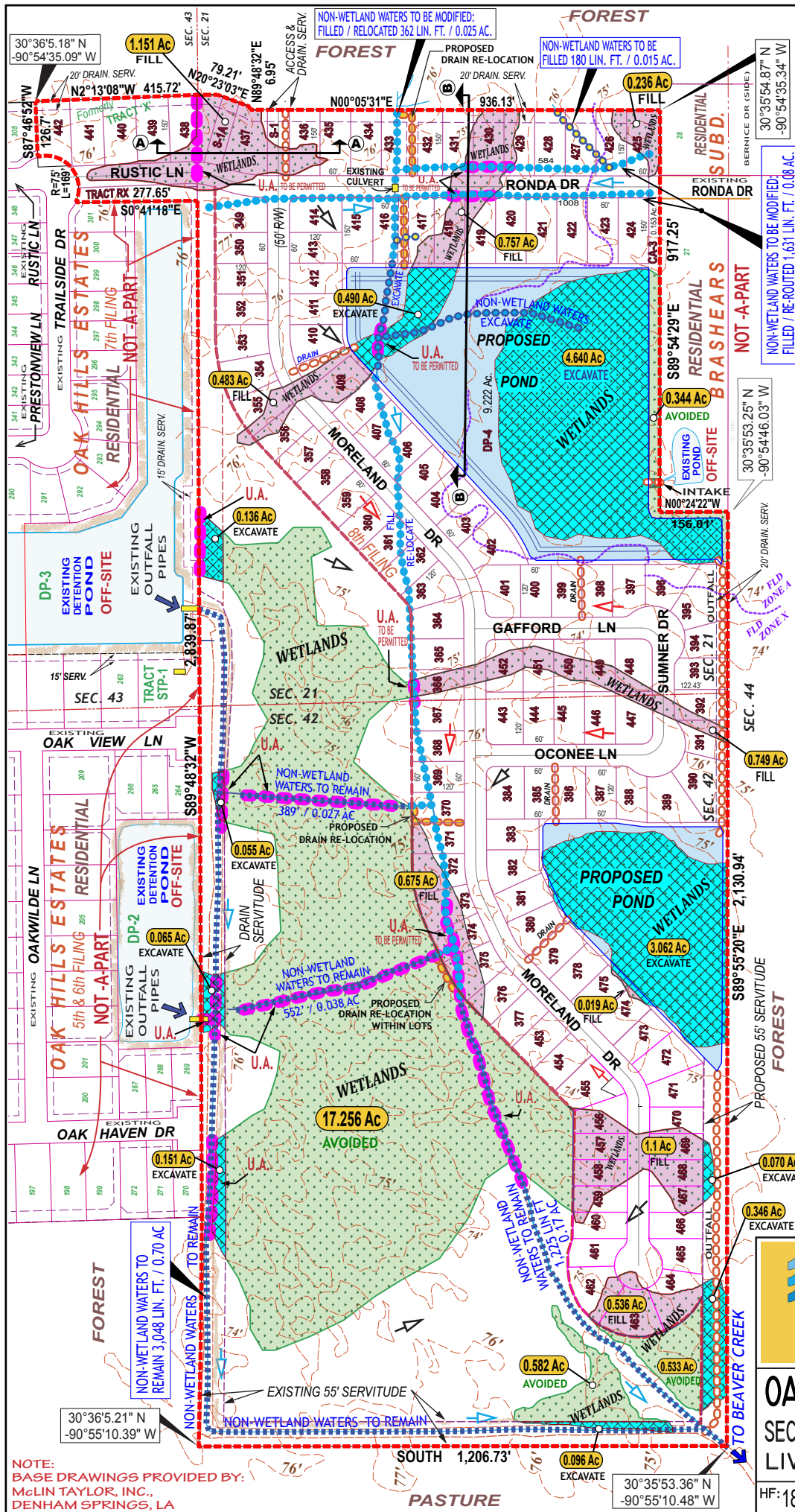
FIGURE

1

HF: 1899 112C

DATE 11-9-2018

APPROVED:



PROJECT NOTES:

TOTAL AREA = 82.9 ACRES
 TOTAL RESIDENTIAL LOTS = 126
 TOTAL LENGTH OF STREETS = 5,237 LIN. FT.
POND AREAS (2) = 11.72 AC.
 - 140,357 CU. YDS TO BE EXCAVATED & DISPERSED ON SITE.

LEGEND:

- PROJECT BOUNDARY - 82.9 AC.
- TOTAL WETLANDS = 33.532 ACRES**
- WETLANDS TO BE IMPACTED VIA - FILLING & GRADING (5.706 AC)
15,914 CU. YDS. OF CLEAN FILL TO BE PLACED IN WETLANDS
- WETLANDS AVOIDED NON-IMPACTED (18.715 ACRES)
- WETLANDS TO BE IMPACTED VIA - EXCAVATION (9.111 AC)
- ZONE A** FLOOD ZONE / TRANSITION LINE
- 75'** ELEVATION / CONTOUR
- DRAINAGE FLOW: PRE-CONSTRUCTION
- DRAINAGE FLOW: POST CONSTRUCTION
- NON-WETLAND WATERS:**
- TO BE MODIFIED: FILLED / RELOCATED 3,532 LIN. FT / 0.324 AC.
- TO BE IMPACTED VIA FILL / GRADING 279 LIN. FT / 0.013 AC.
- TO BE IMPACTED VIA EXCAVATION 724 LIN. FT / 0.066 AC.
- TO REMAIN: 5,214 LIN. FT / 0.949 AC.
- RE-ROUTED 663 LIN.FT. / 0.06 AC.
- **U.A. (UNAUTHORIZED ACTIVITY)**
- PROPOSED POND INTAKE / OUTFALL
- PROPOSED POND (2) = 11.72 AC.

POND NOTES:

-TOTAL VOLUME OF MATERIAL TO BE EXCAVATED AND DISPERSED ON SITE = 140,357 CU. YDS.
 -EACH POND TO BE ENCOMPASSED BY 15 FOOT MAINTENANCE SERVITUDE.

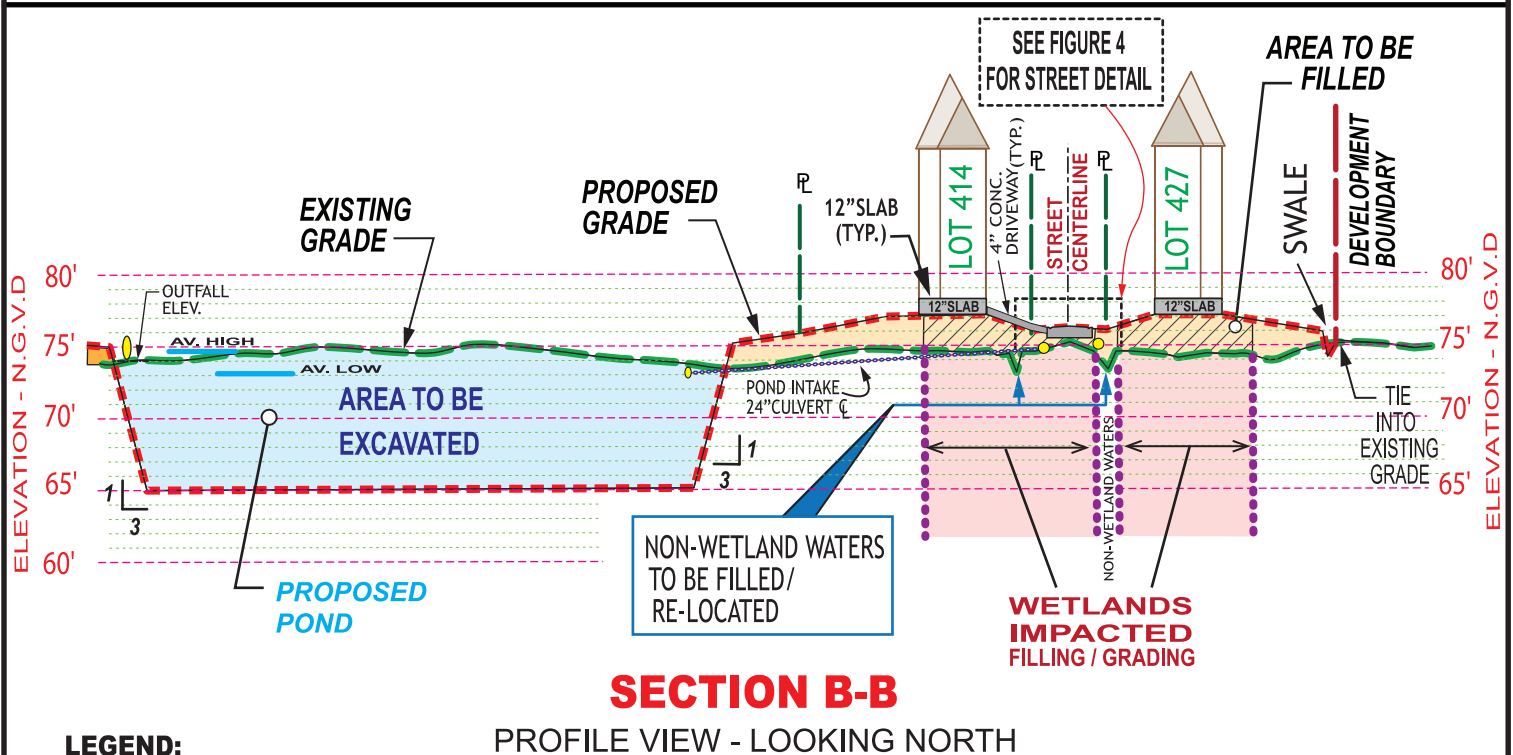
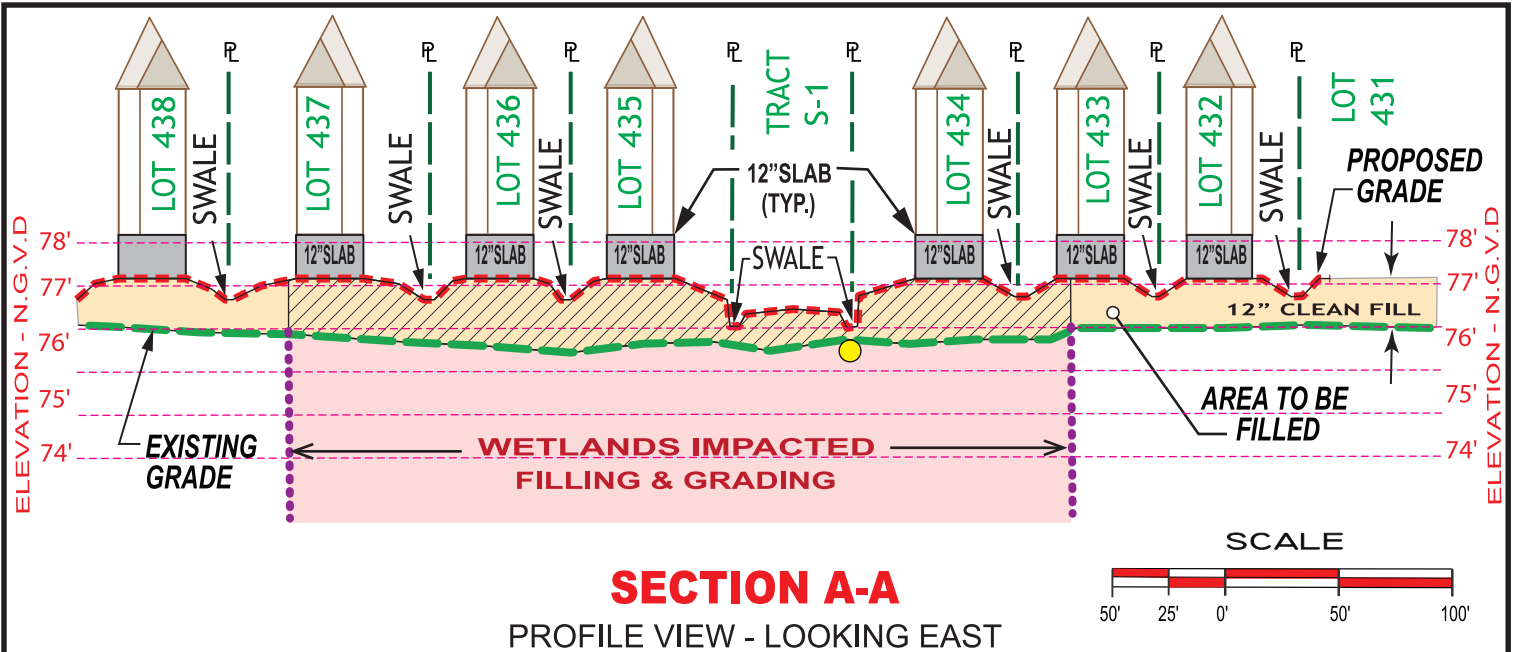


APPLICANT:
SUMNER INVESTMENTS

HYDRIK
 WETLANDS - GIS CONSULTING
 WWW.HYDRIK.COM (985)429-0333

OAK HILLS 8TH FILING **FIGURE**
 SECTIONS 21, 42 & 43, T5S-R3W
 LIVINGSTON PARISH, LA **2**

HF: 1899 112C DATE: 11/9/18, 2/13/19 APPROVED:
 5/02/19, 8/20/19



LEGEND:

- EXISTING GRADE
- PROPOSED GRADE
- PROPOSED CONCRETE
- PROPOSED DETENTION POND
- AREA TO BE FILLED
- WETLANDS TO BE FILLED

APPLICANT:

SUMNER INVESTMENTS

OAK HILLS 8TH FILING
SECTIONS 21, 42 & 43, T5S-R3W
LIVINGSTON PARISH, LA

CROSS SECTIONS



FIGURE
3

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DATE 11-9-2018

APPROVED:

