



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

September 8, 2014

Operations Division  
Eastern Evaluation Section

Project Manager  
Brad LaBorde  
[Brad.LaBorde@usace.army.mil](mailto:Brad.LaBorde@usace.army.mil)  
(504) 862-2225

SUBJECT: MVN 2001-3842 EOO

**PUBLIC NOTICE**

Interested parties are hereby notified that an application has been received by the District engineer for a Department of the Army permit to authorize the following pursuant to (X) 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).

**Private Boardwalk in Mandeville, Louisiana**

**NAME OF APPLICANT:** H. Boone Kenyon, 1905 Highway 59, Mandeville, Louisiana 70448.

**LOCATION OF WORK:** Within Bayou Tete L'Ours (a tributary off the Tchefuncta River) and at 9 Iris Lane, Mandeville, Louisiana, in Saint Tammany Parish, as shown on the enclosed drawings.

Latitude: 30.413056/Longitude: -90.111944, Hydrologic Unit Code 08090201 – Liberty Bayou – Tchefuncta

**CHARACTER OF WORK:** Install and maintain a private boardwalk for access to swamp on the applicant's property. The boardwalk would extend approximately 660 feet and be constructed to an elevation of +12 to minimize impacts to vegetation. The boardwalk would include a 100 foot long by 20 feet wide observation deck. Construction equipment will work on top of the existing structure and avoid mature trees. Any clearing of tree saplings or brush will either be allowed to fall into place or hauled off via the existing boardwalk.

This boardwalk will replace the existing one on the property. The applicant maintains that the existing boardwalk, constructed at elevation +4, is shading and killing native vegetation. No compensatory mitigation measures are proposed at this time.

The comment period will close **15 days** from the date of this public notice advertisement. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons therefore, are being solicited from anyone having interest in this permit request. Letters must reference the applicant's name and the

subject number, be addressed and mailed to the above address, 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. 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.

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, Water Quality Certifications Section before a permit is issued.

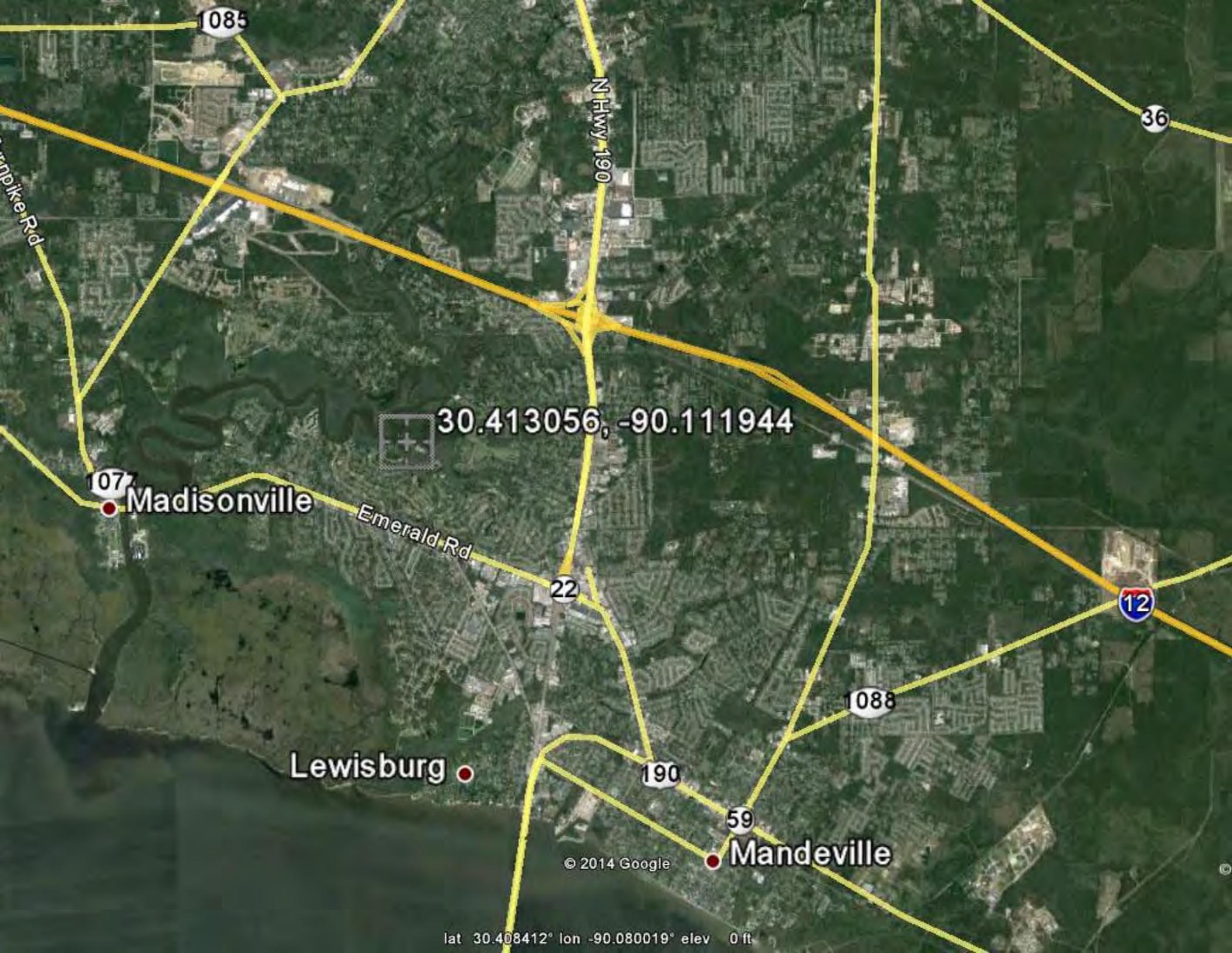
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

Michael V. Farabee  
Chief, Eastern Evaluation Section

Enclosures



1085

N Hwy 190

36

30.413056, -90.111944

107

Madisonville

Emerald Rd

22

12

1088

Lewisburg

190

59

Mandeville

© 2014 Google

lat 30.408412° lon -90.080019° elev 0 ft



Google earth

Google earth



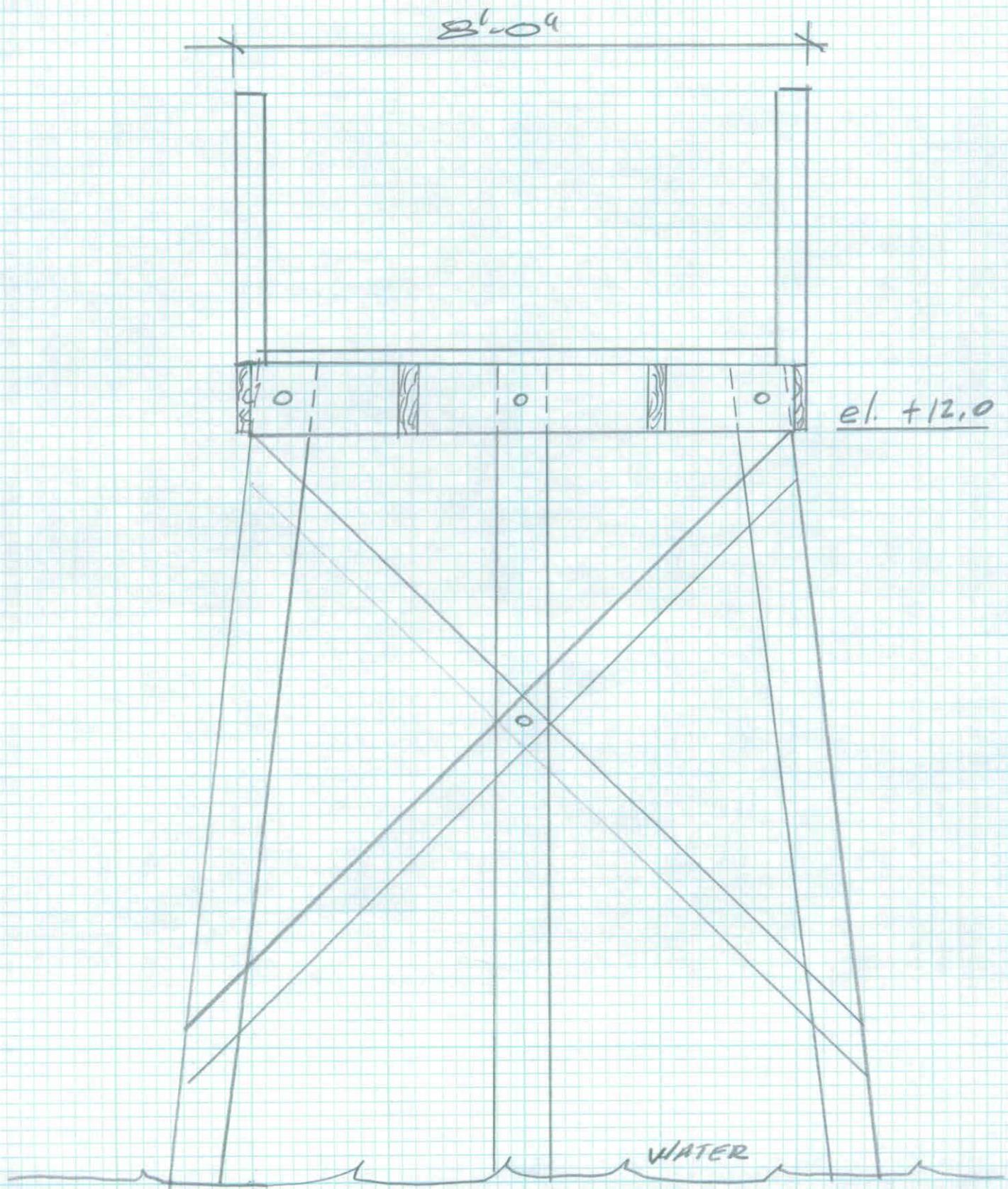
 Existing walk & Dock to be removed  
at elev. +4.0 msl 7552 sf.



Google earth



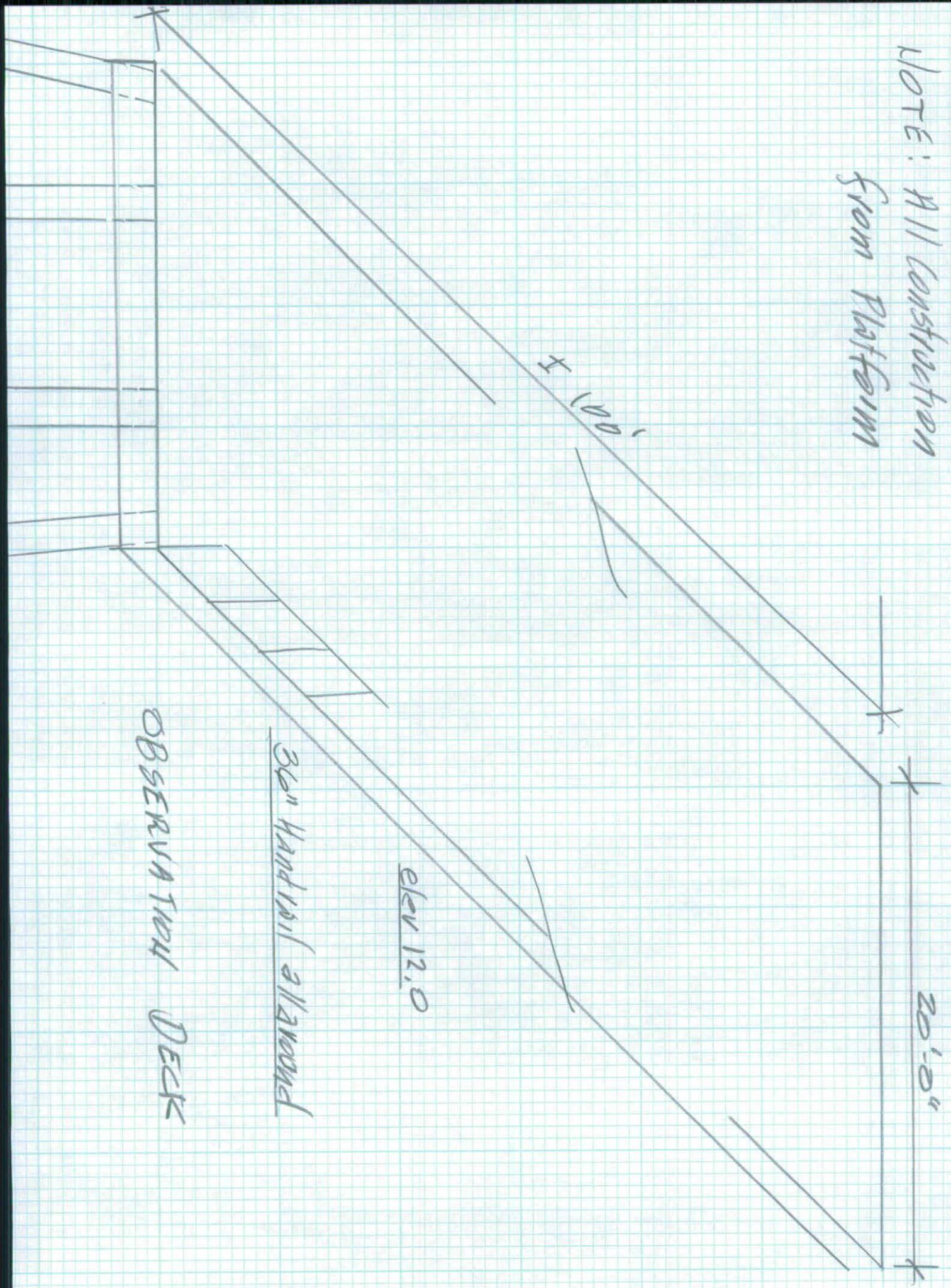
— New construction over water at el. +12.0  
6490 sf.



All construction from Platform

NATURE WALK

NOTE: All construction  
from Platform

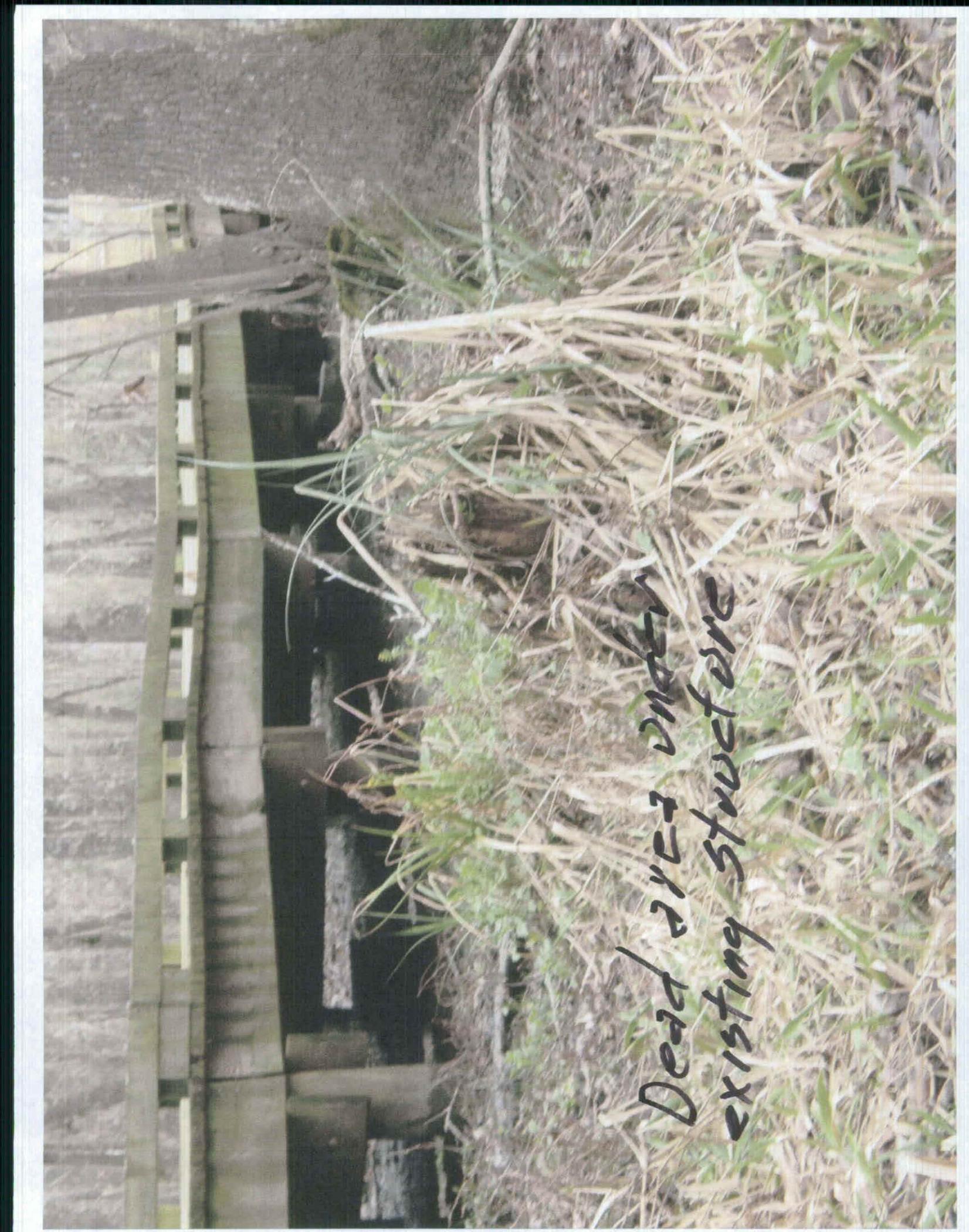




Google earth



*Plan showing photo directions*



Dead area under  
existing structure

①

Existing Walk Thru  
Vegetative Area.

New Walk-  
Over non-  
vegetative  
Water Bottom

2







