



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS, LA 70118-3651

April 3, 2023

Regulatory Division
Eastern Evaluation Branch

Project Manager:
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Stephanie.L.Castaing@usace.army.mil

Application #: MVN-1998-02213-EPP

PUBLIC NOTICE

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: [X] 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), and/or [] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408)

MODIFICATION/TIME EXTENSION TO MAINTENANCE DREDGE AND DEPOSIT DREDGE MATERIAL WITHIN LAKE PONTCHARTRAIN IN ST. TAMMANY PARISH

NAME OF APPLICANT: Madisonville on the Lake Subdivision, c/o Keith LaGrange, 469 S. Chenier Drive, Madisonville, Louisiana 70447 or keithlagrange@gmail.com

LOCATION OF WORK: At approximately Latitude: 30.3862, Longitude: -90.2108, located along/within Lake Pontchartrain, in Madisonville, Louisiana, in St. Tammany Parish, as shown on the enclosed drawings. (Hydrologic Unit Code 08090201 Liberty Bayou-Tchefuncta).

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: Maintenance dredge existing channel/s to allow access for Madisonville on the Lake residential homeowners. The project would maintenance dredge previously authorized area within Lake Pontchartrain and an additional channel to include unauthorized activity adjacent to the Lake Pontchartrain and deposit material within the previously authorized spoil areas east of the existing jetty/bulkhead. The project as proposed would excavate and deposit approximately 76,000 cubic yards of native material and directly impact approximately 4.03 acres of non-wetland water/s.

MITIGATION: The applicant has stated that no jurisdictional wetlands shall be impacted; therefore, compensatory mitigation has not been proposed.

The applicant may be required to restore the site fully or partially to pre-project conditions if issuance of a permit is determined to be contrary to the public interest.

The comment period on the requested 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 request, and must be submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject permit application must reference the Applicant's Name and the Permit Application Number and can be preferably emailed to the Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGE, Stephanie Castaing**. Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 Branch Chief will review the request and the requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and will not exceed a total of 30 calendar days. This public notice is also available for review online at <https://go.usa.gov/xennJ>

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. Further, all factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project.

The New Orleans District is presently unaware of properties listed on the National Register of Historic Places at or near the proposed work but is pending further review in accordance with the National Historic Preservation Act. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer, and federally listed tribes regarding potential impacts to cultural resources.

It has been determined that the proposed work is not likely to adversely affect the Gulf Sturgeon per previous coordination with the NOAA and suggested measures and no effect of any other species listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any such species.

Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project is not likely to adversely affect the West Indian Manatee with the inclusion of the Standard Manatee Conditions for In-Water Activities and would have no effect on any other species listed as endangered by the U.S. Fish and Wildlife Service, nor affect any habitat designated as critical to the survival and recovery of any such species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal may result in the destruction, alteration, and/or disturbance of 4.03 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 applicable water quality standards will be required from the LA Department of Environmental Quality before a Department of the Army permit is issued.

Any person may request, (preferably by email to the project manager, or 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 (Louisiana Coastal Zone Application P20200462). 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 invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Brad P. LaBorde
Chief, Eastern Evaluation Branch
Regulatory Division

Enclosures

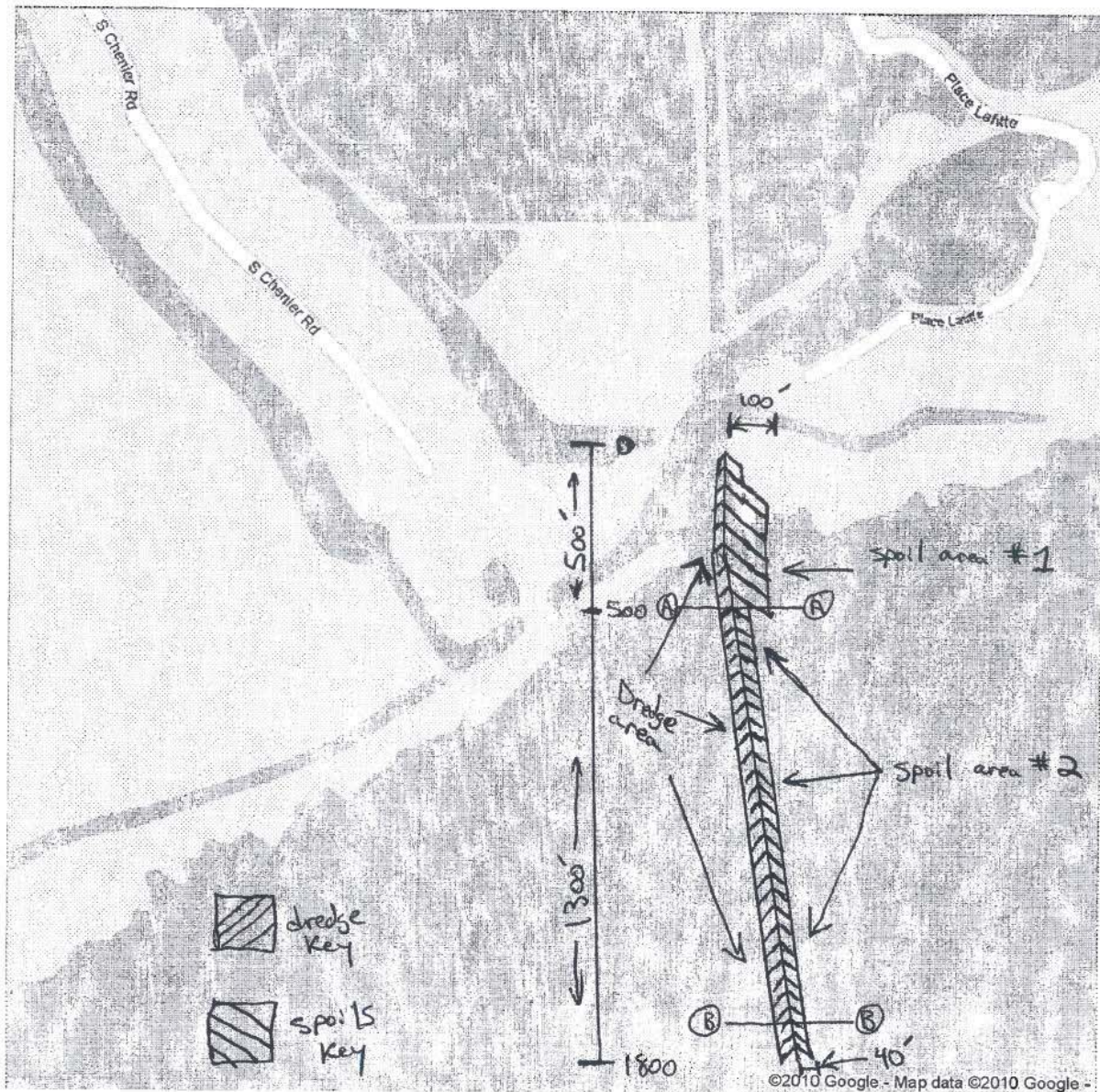
Madisonville on the Lake

Google maps

Plan View

Notes

Prit



Spoil Area #1 → specifically located at northeast corner of bulkhead, 0' → 500' on the bulkhead and 100' east ↔ west on the east side of the bulkhead.

Scale
500'

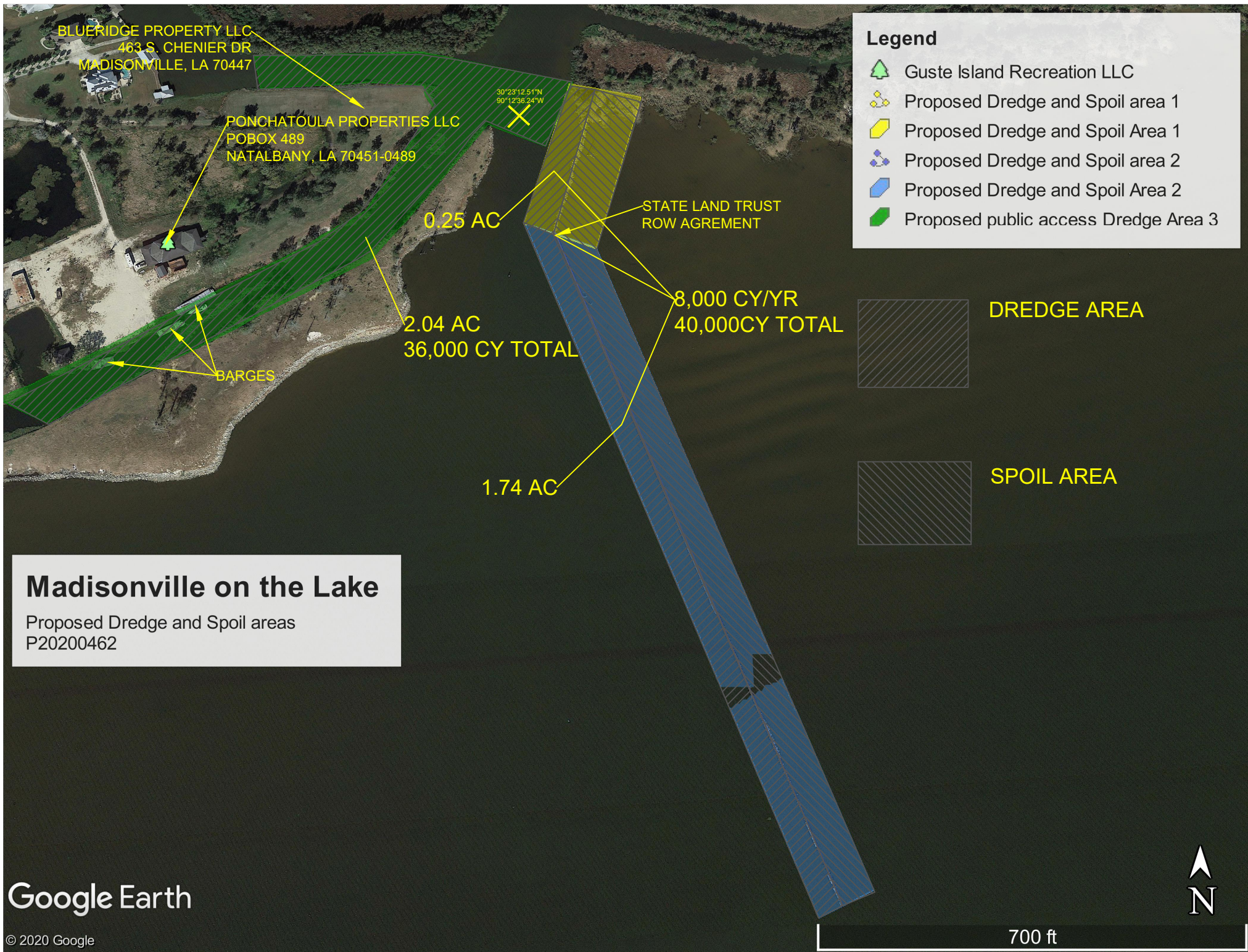
Spoil Area #2 → specifically located from 500' → 1800' on the bulkhead and 40' east ↔ west on the east side of the bulkhead.

- ★ All spoils to be deposited in a manner conducive to marsh growth, 1.5' above mean sea level. All dredge operations will be done with a crane and bucket dredge.

P20200462




PROPOSED PUBLIC ACCESS
DREDGE AREA
SCALE: 1" = 100'



Madisonville on the Lake

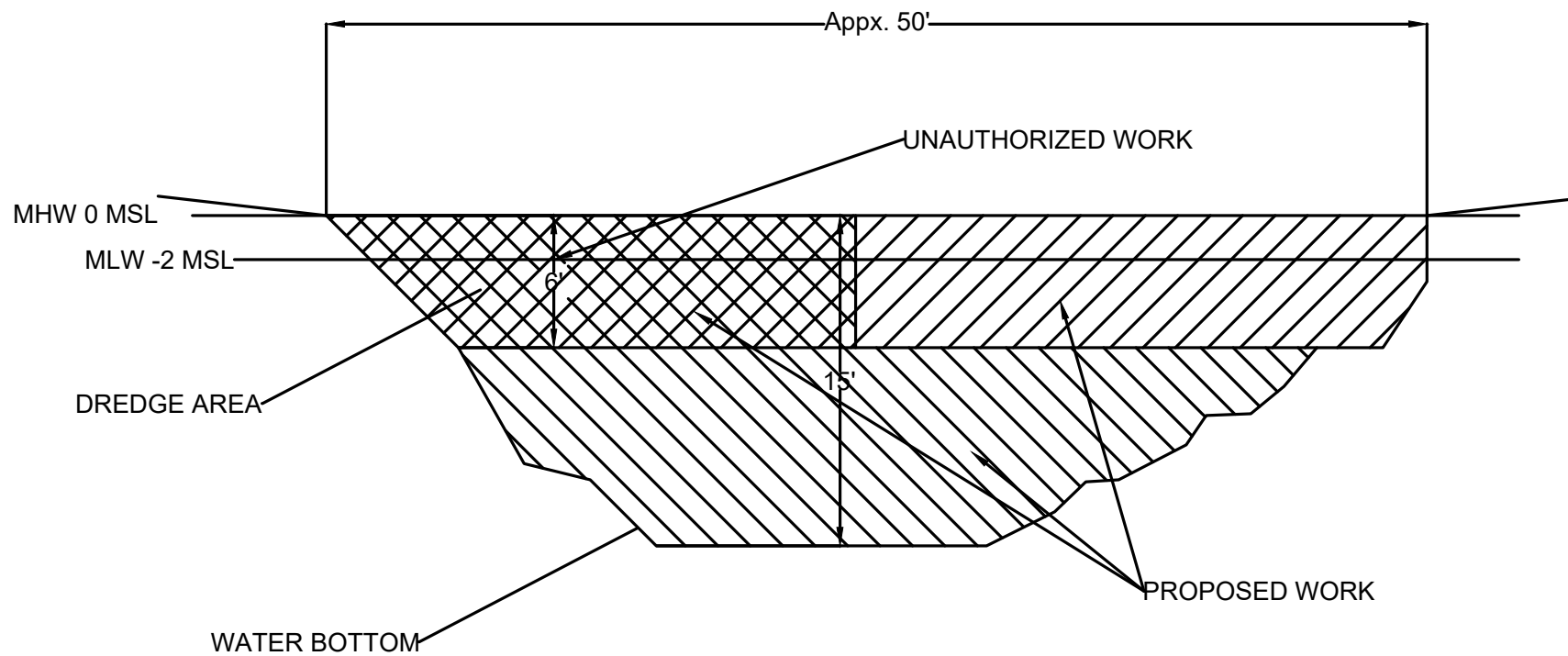
Unauthorized Work
P20200462

Legend

 Unauthorized work



2333 CY
REMOVED



PROPOSED PUBLIC ACCESS DREDGING

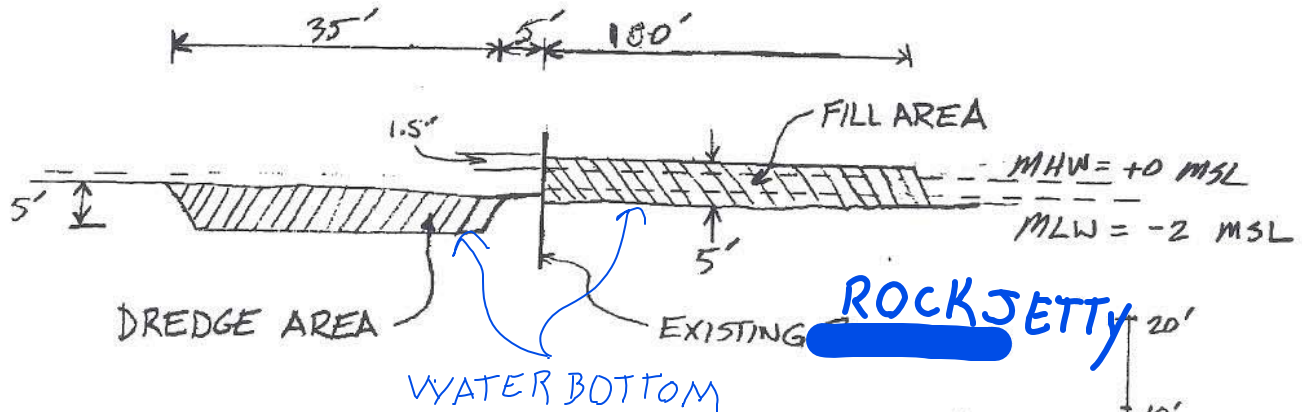
SCALE: 1/8" = 1'

MADISONVILLE ON THE LAKE

P20200462

5-18-20

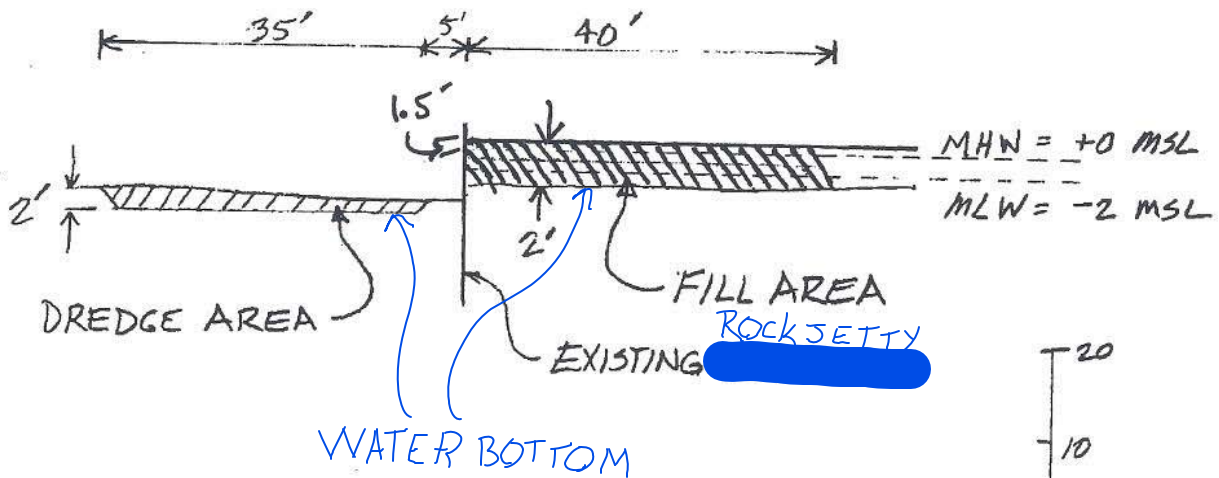
CROSS SECTION A-A



NOTE: Spoils to be deposited in a manner conducive to Marsh growth. 1.5' above mean sea level.

SCALE 1" = 20'

CROSS SECTION B-B



▨ DREDGE AREA

▨ FILL AREA

SCALE 1" = 20'

NOTE: Spoils to be deposited in a manner conducive to marsh growth. 1.5' above mean sea level.

Spoils Plan for Madisonville on the Lake Maintenance Dredging

As notated on the map (page 1), the spoils from the channel depth maintenance project will be placed in 2 locations:

- 1) A primary location will be on the northeast corner of the existing bulkhead in an effort to rebuild the eroded shoreline. This area will be a primary spoils location and as long as the crane can reach this location, this will be a main area of concentration.
- 2) The secondary location will be directly against the east side of the existing bulkhead wall.

NOTE: The main plan is to rebuild the shoreline on the northeast corner of the bulkhead, so the concentration will be to reach as far to the northeast side with the crane for the majority of the spoils deposit. Obviously, as the crane approaches the south side of the bulkhead it will not be able to reach the shoreline; so at that point, the spoils will be deposited and spread directly behind the bulkhead wall.