

# JOINT PUBLIC NOTICE

May 28, 2019

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  
[Sandra.G.Gainey@usace.army.mil](mailto:Sandra.G.Gainey@usace.army.mil)  
MVN 1999-00603-CG

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC # 190506-01

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: [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).

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.

## **BULKHEAD WITH BACKFILL, BOATSLIPS, AND BOAT DOCKS IN LIVINGSTON PARISH**

**NAME OF APPLICANT:** Carter Pines Properties, LLC, c/o Carey Perry with ELOS Environmental, LLC, 43177 E. Pleasant Ridge Road, Hammond, LA 70403.

**LOCATION OF WORK:** In Blood River and Simeon Branch, at Carter Plantation in Springfield, Louisiana, in Livingston Parish, within the Pontchartrain Basin in hydrologic unit (HUC 08070203), as shown on the attached drawings (Latitude 30.418701 N, Longitude -90.577535 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:** A previous authorization for the project site was issued as MVN-1999-00603-EC on 18 May 2000, and modified or extended for time on 21 July 2006, 20 November 2009, and 5 March 2014. Additionally, two dock structures have been constructed in Simeon Branch without prior authorization and are being evaluated after the fact. The applicant has requested Department of the Army authorization for an extension of time to complete the previously authorized bulkhead and boatslip construction and for the modification of the project to include construction and maintenance of a total of eighteen

(18) 150-square foot boat dock structures in Simeon Branch. Approximately 2,228 linear feet of bulkhead on Simeon Branch and approx. 5,235 linear feet on Blood River have yet to be completed and approx. 25,463 cubic yards of dredged material would be excavated and redistributed behind the bulkhead to complete construction of the boat slips on Blood River. The additional impacts due to the proposed dock structures would total approx. 0.065 acres of waters of the US.

The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. All wetland impacts have been mitigated under previous authorizations and proposed impacts will occur in open waters or in areas which were previously authorized. The applicant is proposing to utilize best management practices during and after the construction phase of the project.

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 has reviewed the National Register of Historic Places for properties listed 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.

The New Orleans District has determined that the proposed project is located in waters known to be utilized by the West Indian Manatee (*Trichechus manatus*). 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 with the inclusion of the Standard Manatee Conditions for In-Water Activities, proposed work is not likely to adversely affect the West Indian Manatee. Additionally, the proposed work has been determined to have no effect on the Inflated Heelsplitter (*Potamilus inflatus*).

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.

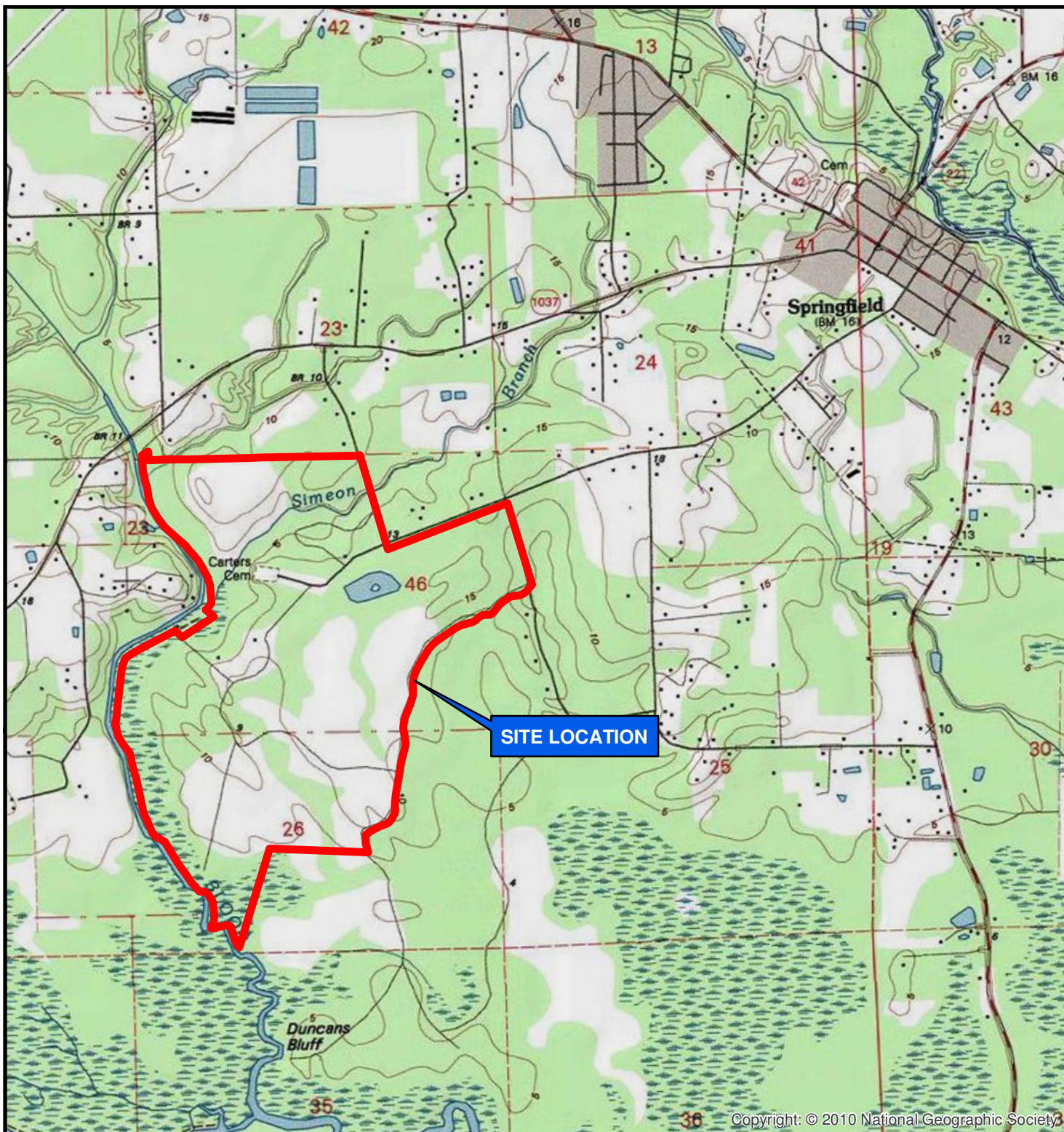
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

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 P20190267). 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.

JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosures





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LIVINGSTON  
PARISH



Feet

## Reference

U.S.G.S. 7.5 - MINUTE QUAD MAP, "SPRINGFIELD, LA".



**CMP FAMILY, LLC**  
SPRINGFIELD, LOUISIANA  
DOA/LDNR PERMIT

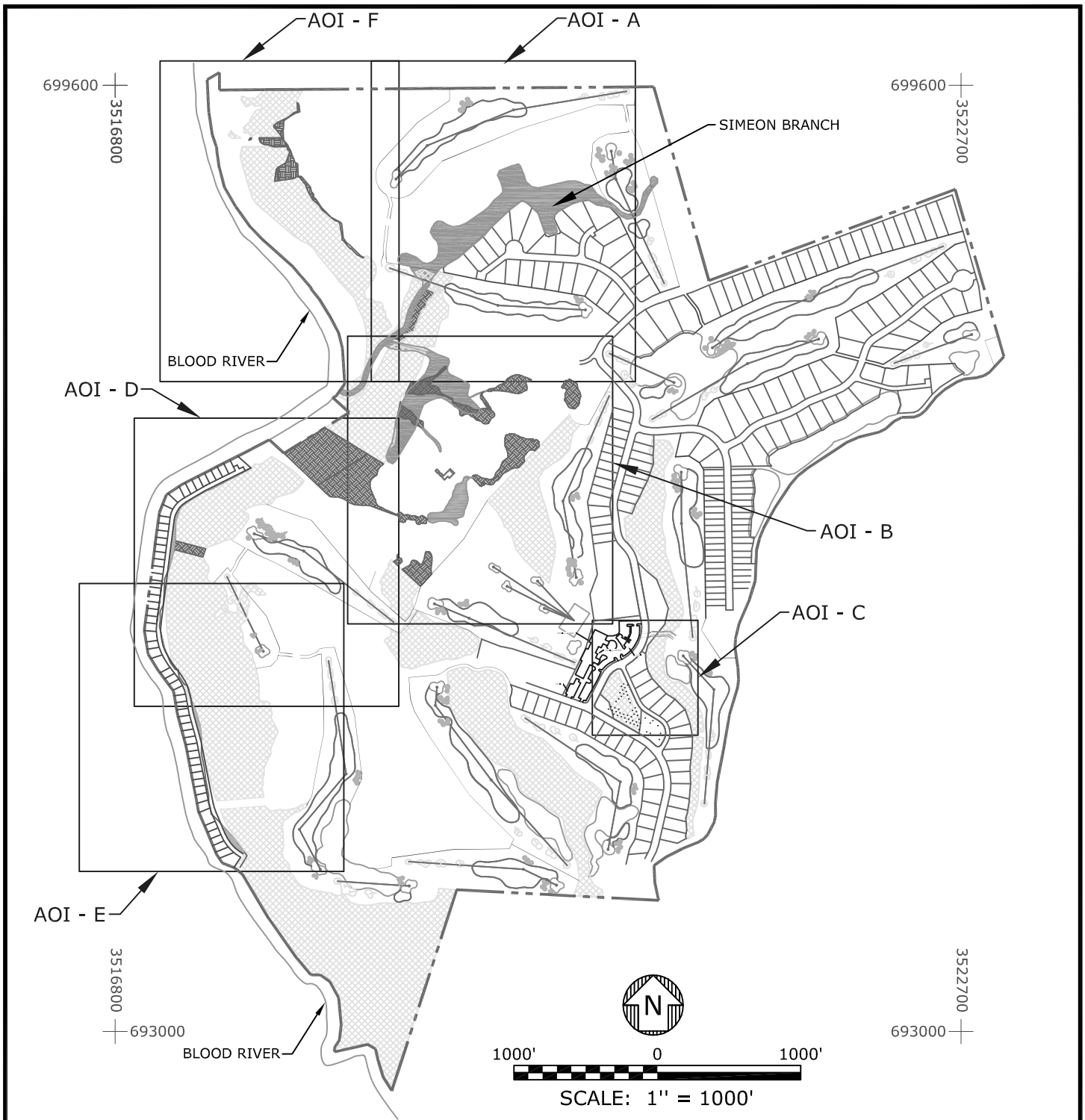
## SITE LOCATION MAP

LIVINGSTON PARISH

Drawn:	CAL/AM10.1
Checked:	BS
Approved:	TW
Date:	5/15/13
Dwg. No.:	A8318-24

**FIGURE 1**





## LEGEND

	PROJECT AREA (525.7 ACRES)
	EXISTING CONSERVATION SERVITUDE WETLANDS (102.9 ACRES)
	WETLANDS
	OTHER WATERS

## NOTES

COORDINATES ARE IN LOUISIANA STATE PLANE 83 FEET.  
SERVITUDE TO BE IMPACTED WILL BE RELOCATED AS SHOWN ON FIGURE 10 & 11.

C.P. LAND, LLC  
SPRINGFIELD, LOUISIANA  
DOA/LDNR PERMIT

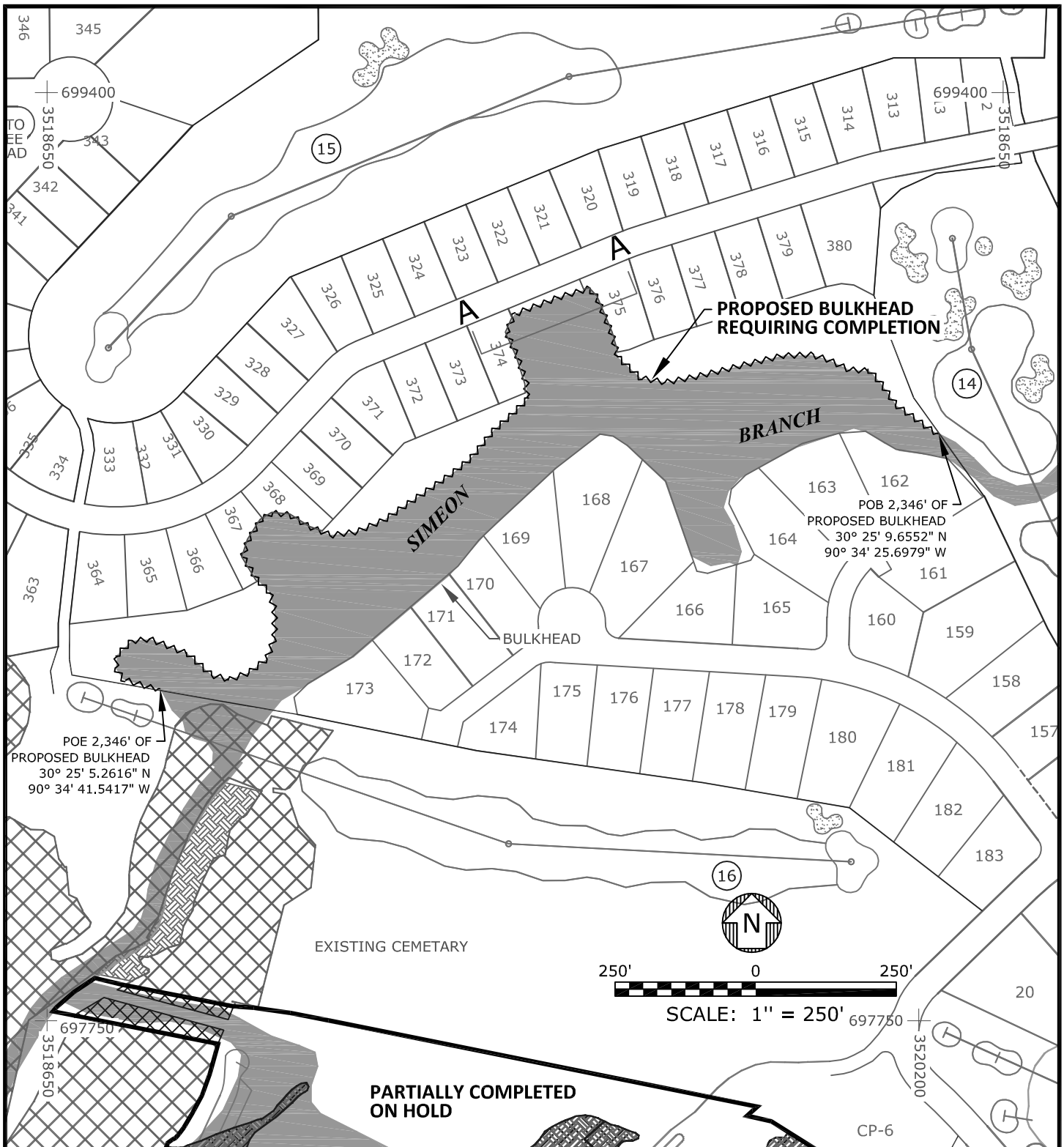
## PROPOSED PLAN VIEW

LIVINGSTON PARISH



Drawn:	CAL/ACAD
GT Checked:	---
Checked:	BS
Approved:	TW
Date:	5/15/13
Dwg. No.:	A8318-25

FIGURE 2



#### LEGEND

	PROJECT AREA (525.7 ACRES)		BULKHEAD
	CONSERVATION SERVITUDE WETLANDS (104.8 ACRES)		
	WETLANDS (11.0 ACRES)		
	OTHER WATERS (7.7 ACRES)		

#### NOTES

COORDINATES ARE IN LOUISIANA STATE PLANE 83 FEET.

**CMP FAMILY, LLC**  
SPRINGFIELD, LOUISIANA

DOA/LDNR PERMIT

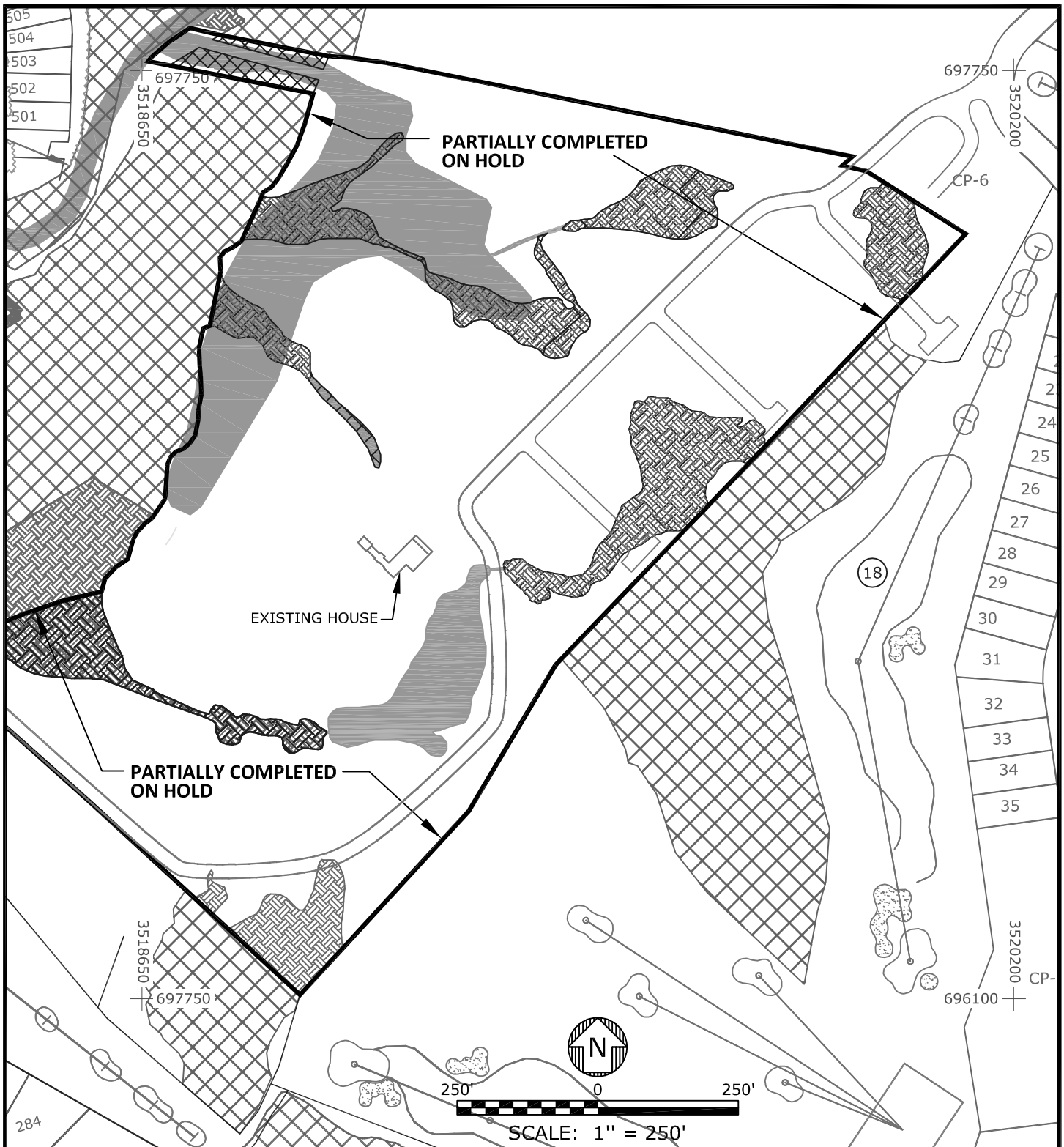
AOI - A

LIVINGSTON PARISH



Drawn:	CAL/ACAD
GT Checked:	
Checked:	BS
Approved:	TW
Date:	5/15/13
Dwg. No.:	A8318-26

**FIGURE 3**



# LEGEND

- PROJECT AREA (525.7 ACRES)
- ~~~~~ BULKHEAD
- CONSERVATION SERVITUDE WETLANDS (104.8 ACRES)
- WETLANDS (11.0 ACRES)
- OTHER WATERS (7.7 ACRES)
- WETLANDS TO BE EXCAVATED (0.8 ACRES)
- WETLANDS TO BE FILLED (4.3 ACRES)

## NOTES

COORDINATES ARE IN LOUISIANA STATE PLANE 83 FEET.

CMP FAMILY, LLC  
SPRINGFIELD, LOUISIANA

DOA/LDNR PERMIT

AOI - B

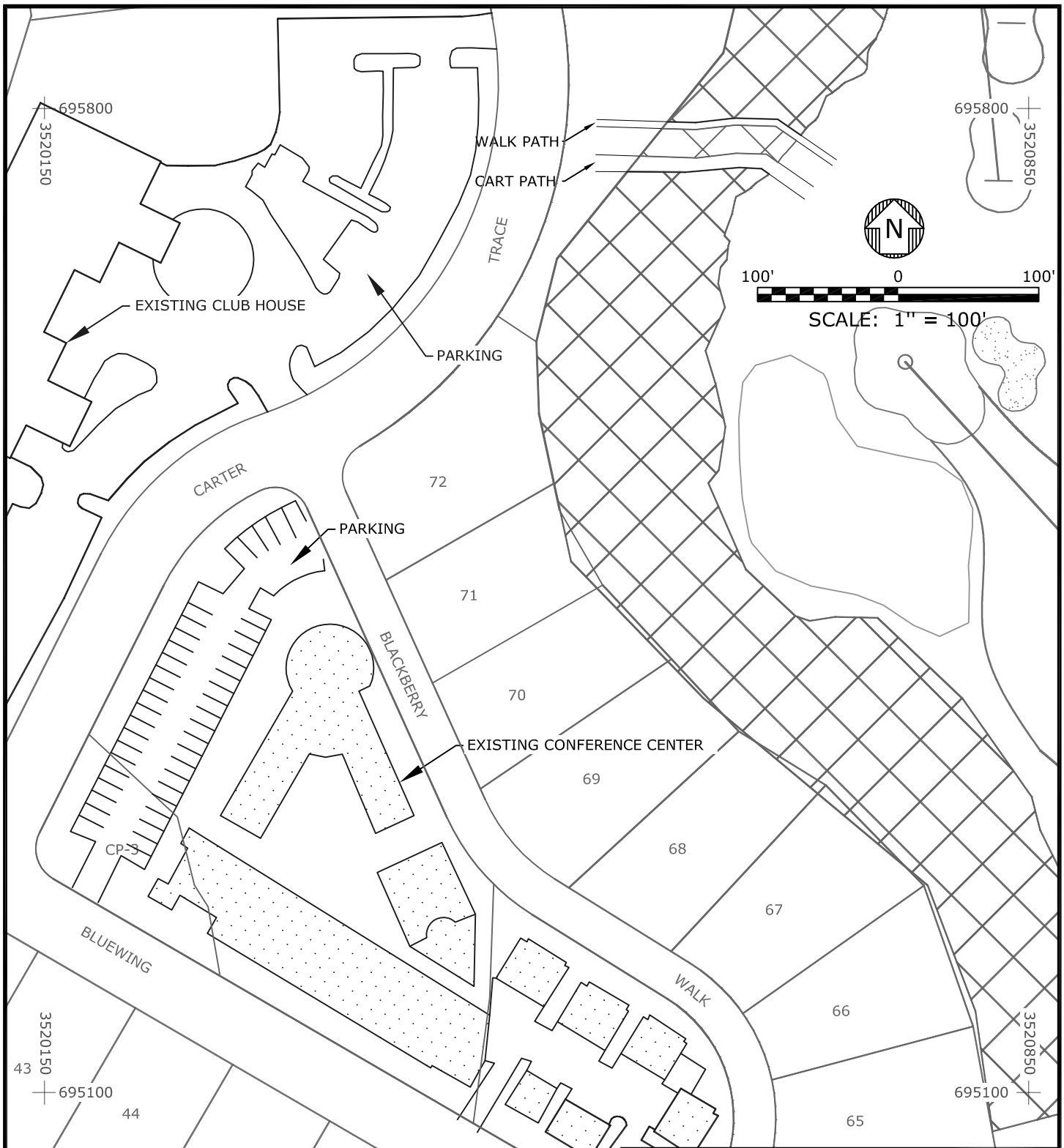
LIVINGSTON PARISH






Drawn:	CAL/ACAD
GT Checked:	
Checked:	BS
Approved:	TW
Date:	05/15/13
Dwg. No.:	A8318-27

FIGURE 4





# LEGEND

- PROJECT AREA (525.7 ACRES)
- ~~~~~ BULKHEAD
-  CONSERVATION SERVITUDE WETLANDS (104.8 ACRES)
-  WETLANDS (11.0 ACRES)
-  OTHER WATERS (7.7 ACRES)

# NOTES

COORDINATES ARE IN LOUISIANA STATE PLANE 83 FEET.

CMP FAMILY, LLC  
SPRINGFIELD, LOUISIANA

DOA/LDNR PERMIT

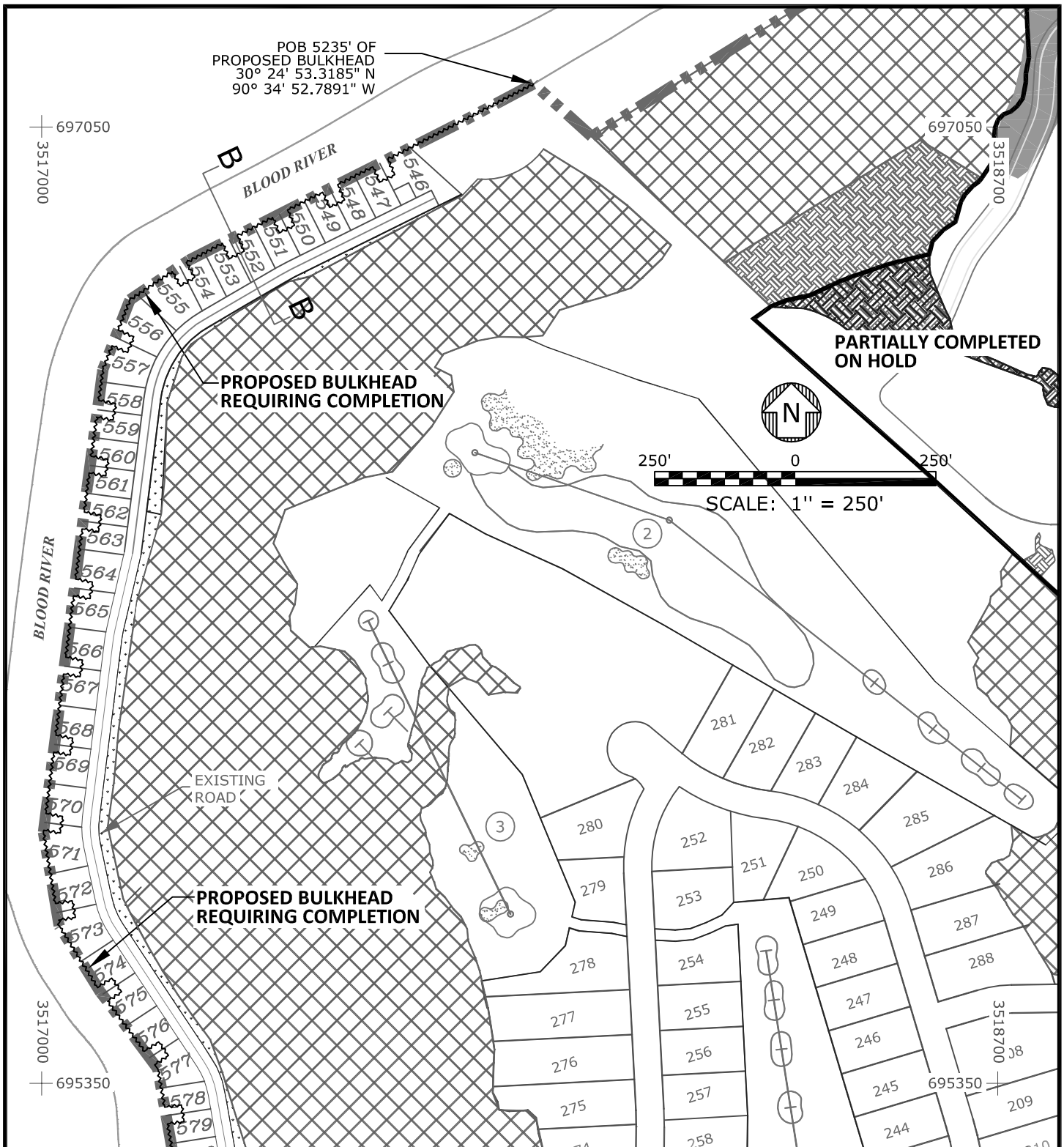
AOI - C

LIVINGSTON PARISH



Drawn:	CAL/ACAD
GT Checked:	
Checked:	BS
Approved:	TW
Date:	5/15/13
Dwg. No.:	A8318-28

FIGURE 5



# LEGEND

- PROJECT AREA (525.7 ACRES)
- CONSERVATION SERVITUDE WETLANDS (104.8 ACRES)
- WETLANDS (11.0 ACRES)
- WETLANDS PERMITTED BUT NOT FILLED
- OTHER WATERS (7.7 ACRES)
- BLOOD RIVER DEVELOPMENT WETLANDS CREATED (1.08 ACRES)
- BULKHEAD

COORDINATES ARE IN  
LOUISIANA STATE PLANE 83 FEET.

NOTE: 25,463 CUBIC YARDS WILL BE EXCAVATED FOR CREATION OF THE BOAT SLIPS  
AND USED FOR FILL BEHIND THE BULKHEAD.

CMP FAMILY, LLC  
SPRINGFIELD, LOUISIANA

DOA/LDNR PERMIT

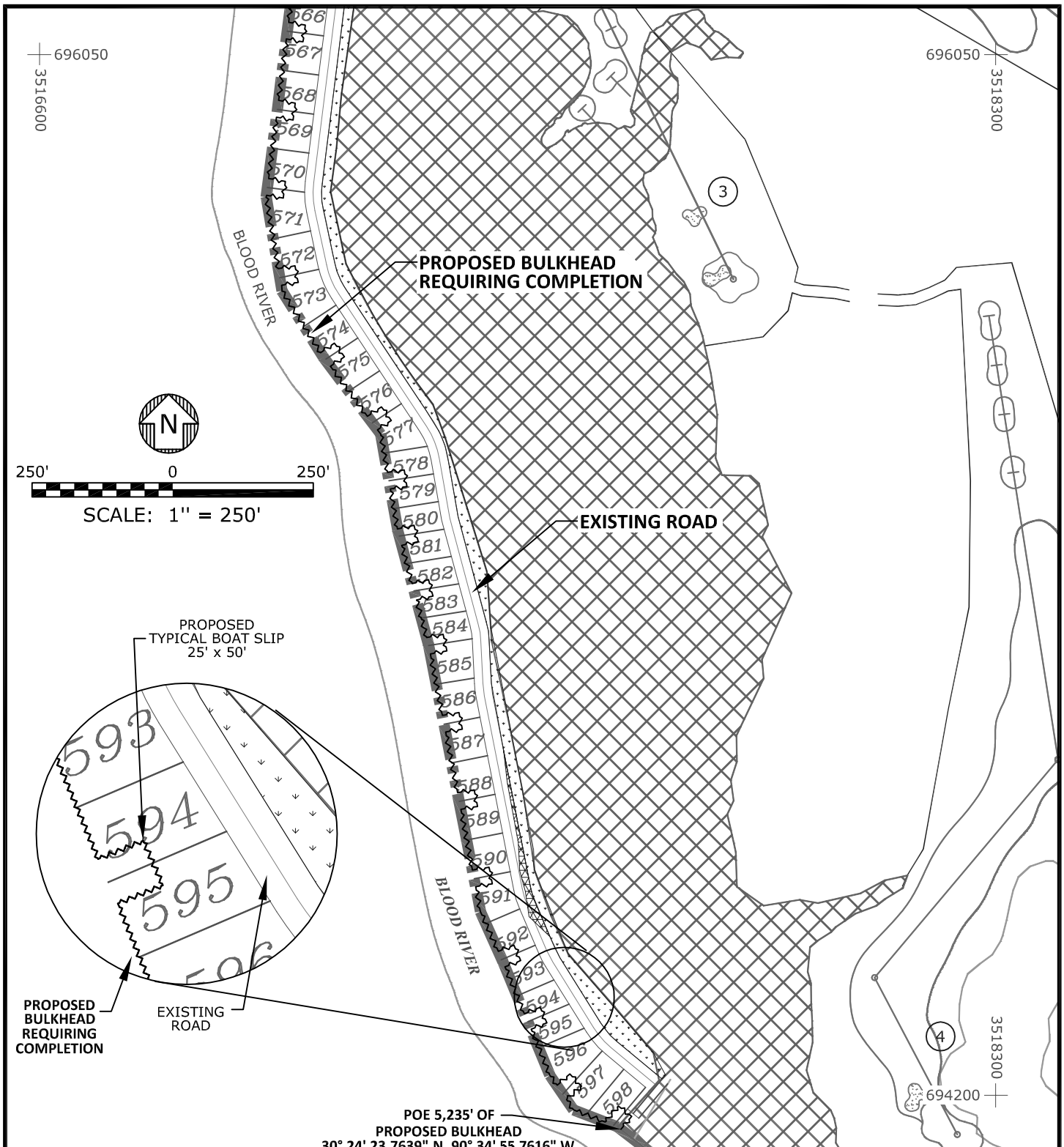
AOI - D

LIVINGSTON PARISH



Drawn: CAL/ACAD  
GT Checked:  
Checked: BS  
Approved: TW  
Date: 5/15/13  
Dwg. No.: A8318-29

FIGURE 6



# LEGEND

- PROJECT AREA (525.7 ACRES)
- CONSERVATION SERVITUDE WETLANDS (104.8 ACRES)
- WETLANDS (11.0 ACRES)
- WETLANDS PERMITTED BUT NOT FILLED
- OTHER WATERS (7.7 ACRES)
- BLOOD RIVER DEVELOPMENT WETLANDS CREATED (1.08 ACRES)

~~~~~ BULKHEAD

COORDINATES ARE IN LOUISIANA STATE PLANE 83 FEET.

NOTE: 25,463 CUBIC YARDS WILL BE EXCAVATED FOR CREATION OF THE BOAT SLIPS AND USED FOR FILL BEHIND THE BULKHEAD.

CMP FAMILY, LLC  
SPRINGFIELD, LOUISIANA  
DOA/LDNR PERMIT

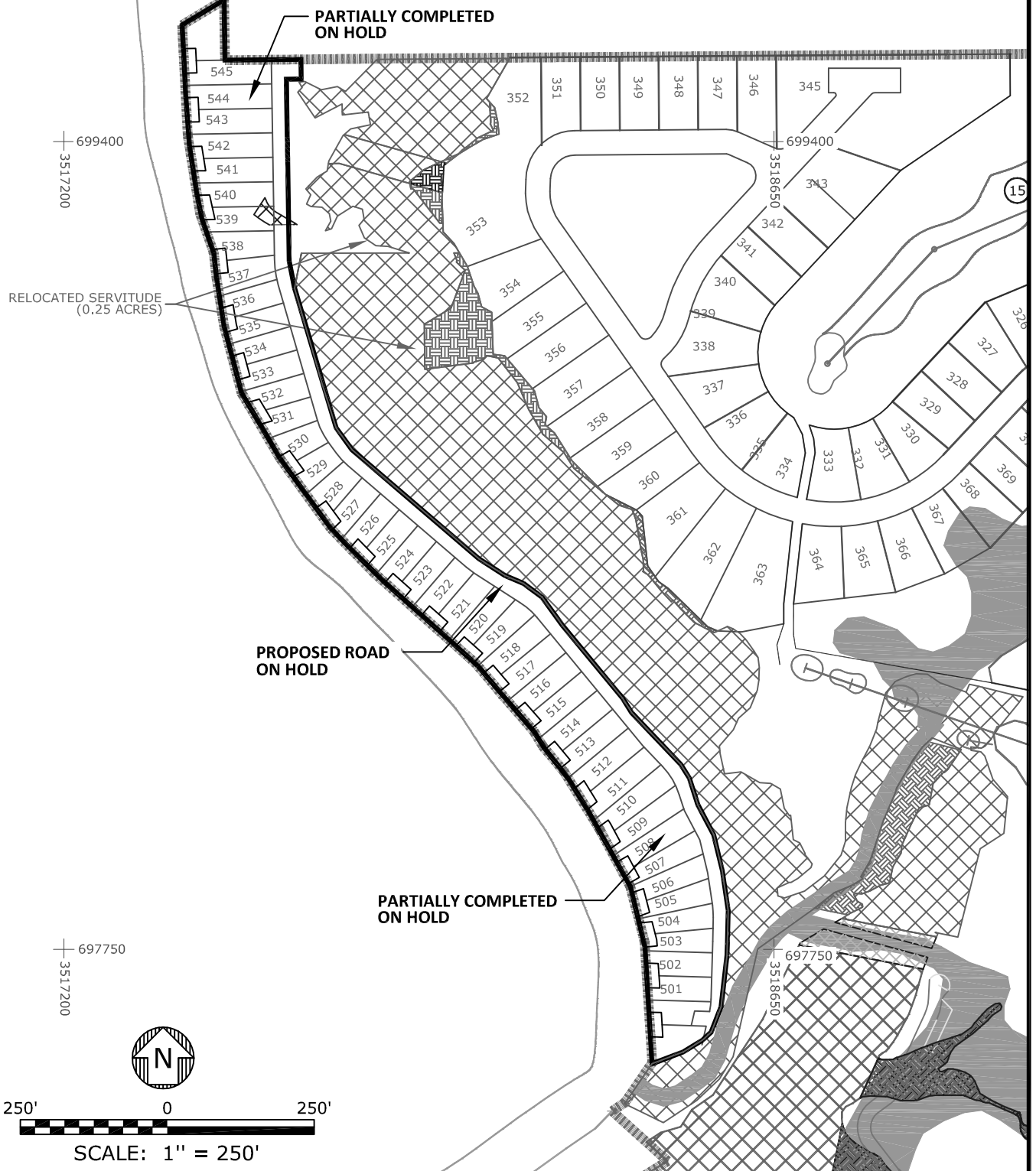
AOI - E

LIVINGSTON PARISH



|             |          |
|-------------|----------|
| Drawn:      | CAL/ACAD |
| GT Checked: | ---      |
| Checked:    | BS       |
| Approved:   | TW       |
| Date:       | 5/15/13  |
| Dwg. No.:   | A8318-30 |

FIGURE 7



# LEGEND

|                                               |            |
|-----------------------------------------------|------------|
| --- PROJECT AREA (525.7 ACRES)                | — BULKHEAD |
| CONSERVATION SERVITUDE WETLANDS (104.8 ACRES) |            |
| WETLANDS (11.0 ACRES)                         |            |
| WETLANDS PERMITTED BUT NOT FILLED             |            |
| OTHER WATERS (7.7 ACRES)                      |            |

## NOTES

COORDINATES ARE IN LOUISIANA STATE PLANE 83 FEET.

**CMP FAMILY, LLC**  
SPRINGFIELD, LOUISIANA

DOA/LDNR PERMIT

AOI - F

LIVINGSTON PARISH

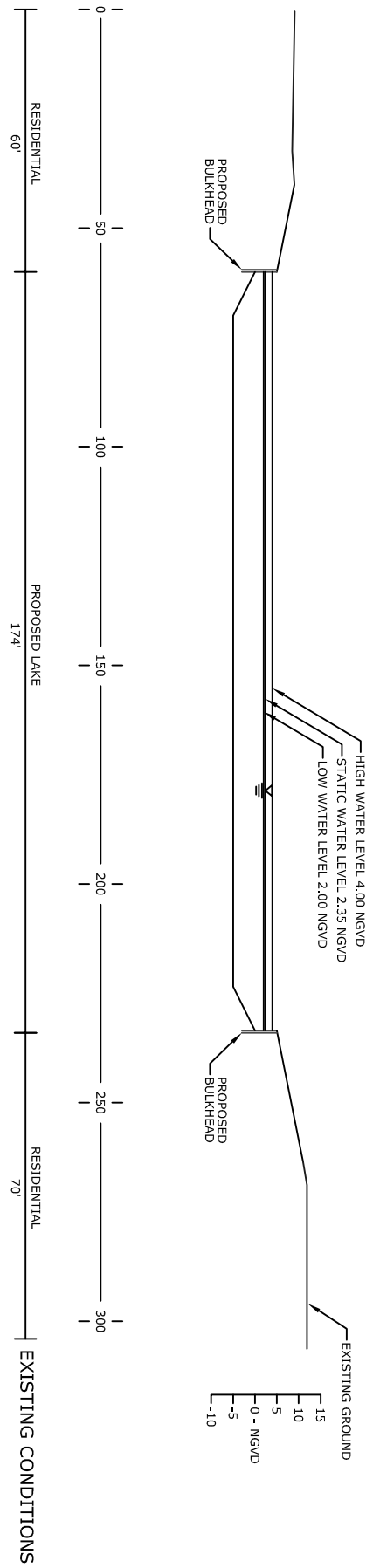


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| Drawn:      | CAL/ACAD |
| GT Checked: | ---      |
| Checked:    | BS       |
| Approved:   | TW       |
| Date:       | 5/15/13  |
| Dwg. No.:   | A8318-31 |


**FIGURE 8**



SECTION A-A  
SCALE: 1"=30'

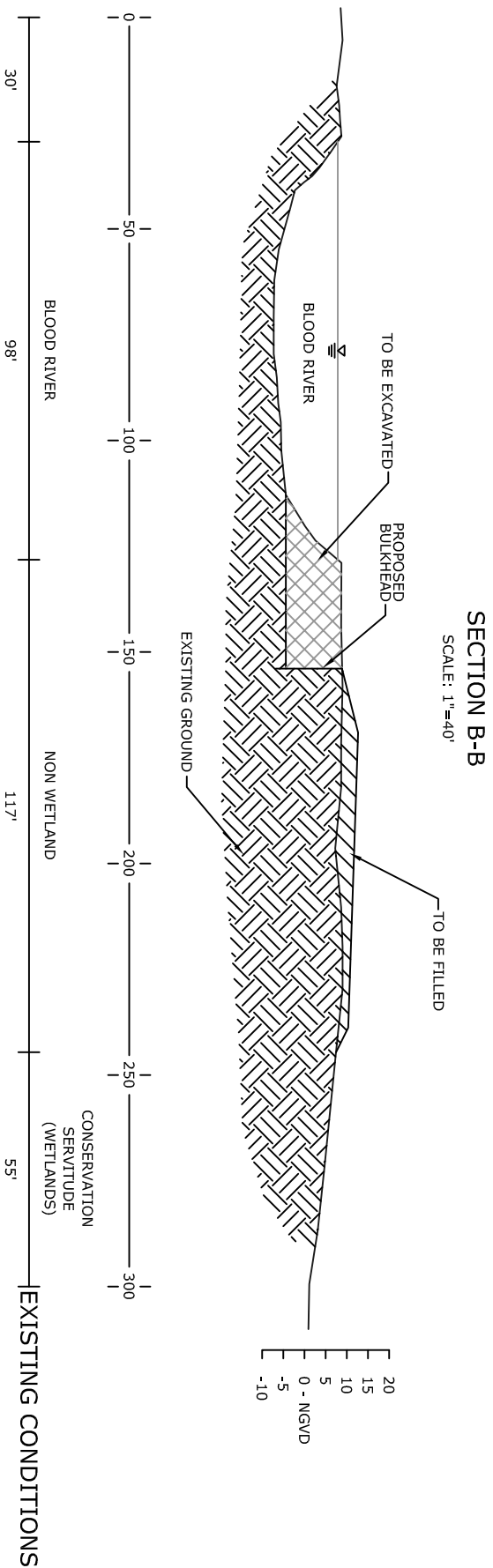


|                                                  |          |
|--------------------------------------------------|----------|
| <b>CMP FAMILY, LLC</b><br>SPRINGFIELD, LOUISIANA |          |
| DOA/LDNR PERMIT                                  |          |
| <b>CROSS SECTION<br/>A-A</b>                     |          |
| LIVINGSTON PARISH                                |          |
| Drawn:                                           | CAL/ACAD |
| GT Checked:                                      | ---      |
| Checked:                                         | BS       |
| Approved:                                        | TW       |
| Date:                                            | 5/15/13  |
| Dwg. No.:                                        | A8318-32 |



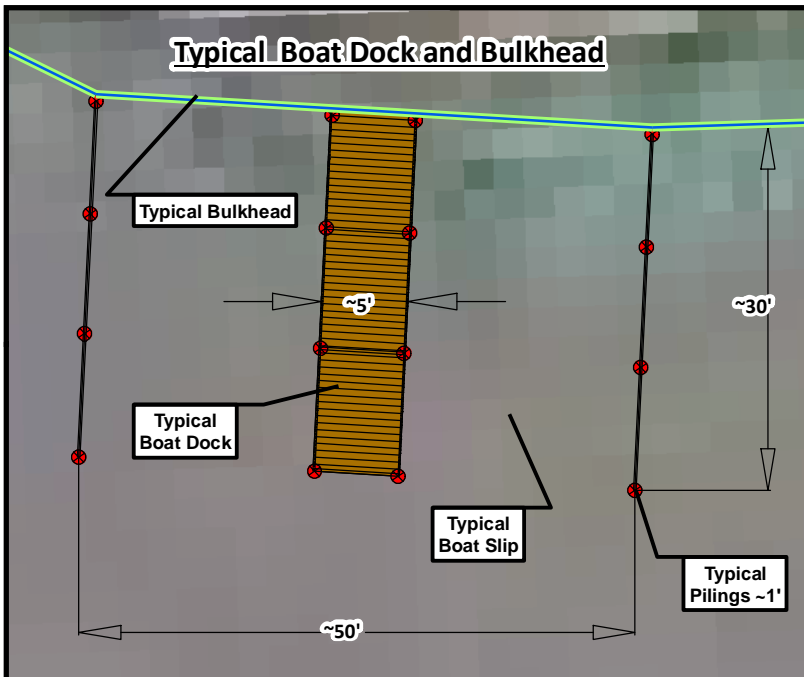
**CK**  
ASSOCIATES, LLC  
ENVIRONMENTAL & ENGINEERING  
CONSULTANTS

**FIGURE 9**



NOTE: 25,463 CUBIC YARDS WILL BE EXCAVATED FOR CREATION OF THE BOAT SLIPS  
AND USED FOR FILL BEHIND THE BULKHEAD.

|                                                                                                             |                  |
|-------------------------------------------------------------------------------------------------------------|------------------|
| <b>CMP FAMILY, LLC</b><br>SPRINGFIELD, LOUISIANA<br>DOA/LDNR PERMIT                                         |                  |
| <b>CROSS SECTION B-B</b><br>LIVINGSTON PARISH                                                               |                  |
| Drawn: CAL/ACAD<br>GT Checked: ---<br>Checked: BS<br>Approved: TW<br>Date: 09/20/2013<br>Dwg. No.: A8318-33 | <b>FIGURE 10</b> |



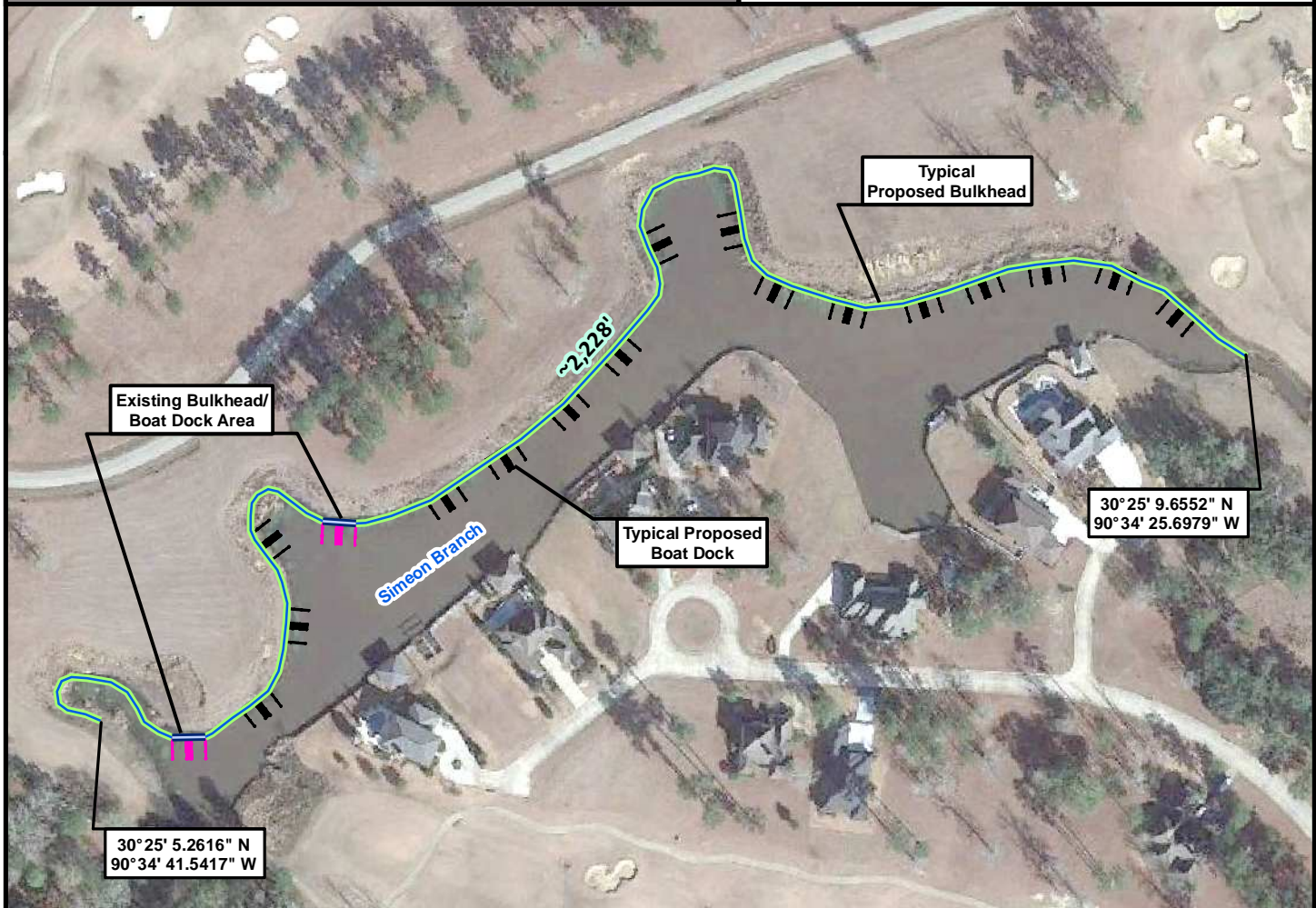
#### Notes:

- Two identical Existing Boat Docks and associated Bulkhead are currently constructed on Simeon Branch.

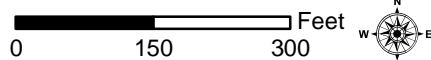
- Additional Proposed Bulkhead and up to 16 additional Proposed Boat Docks of the same typical style will be constructed along Simeon Branch.

-A total of ~2,228' of additional bulkhead remains to be constructed.

-A total of ~118' of bulkhead has previously been constructed under permit numbers  
Coastal Use Permit No. P20121570  
USACE Permit No: MVN-1999-00603-CL



43177 East Pleasant Ridge Road  
Hammond, Louisiana 70403  
P. 985-662-5501, F. 985-662-5504



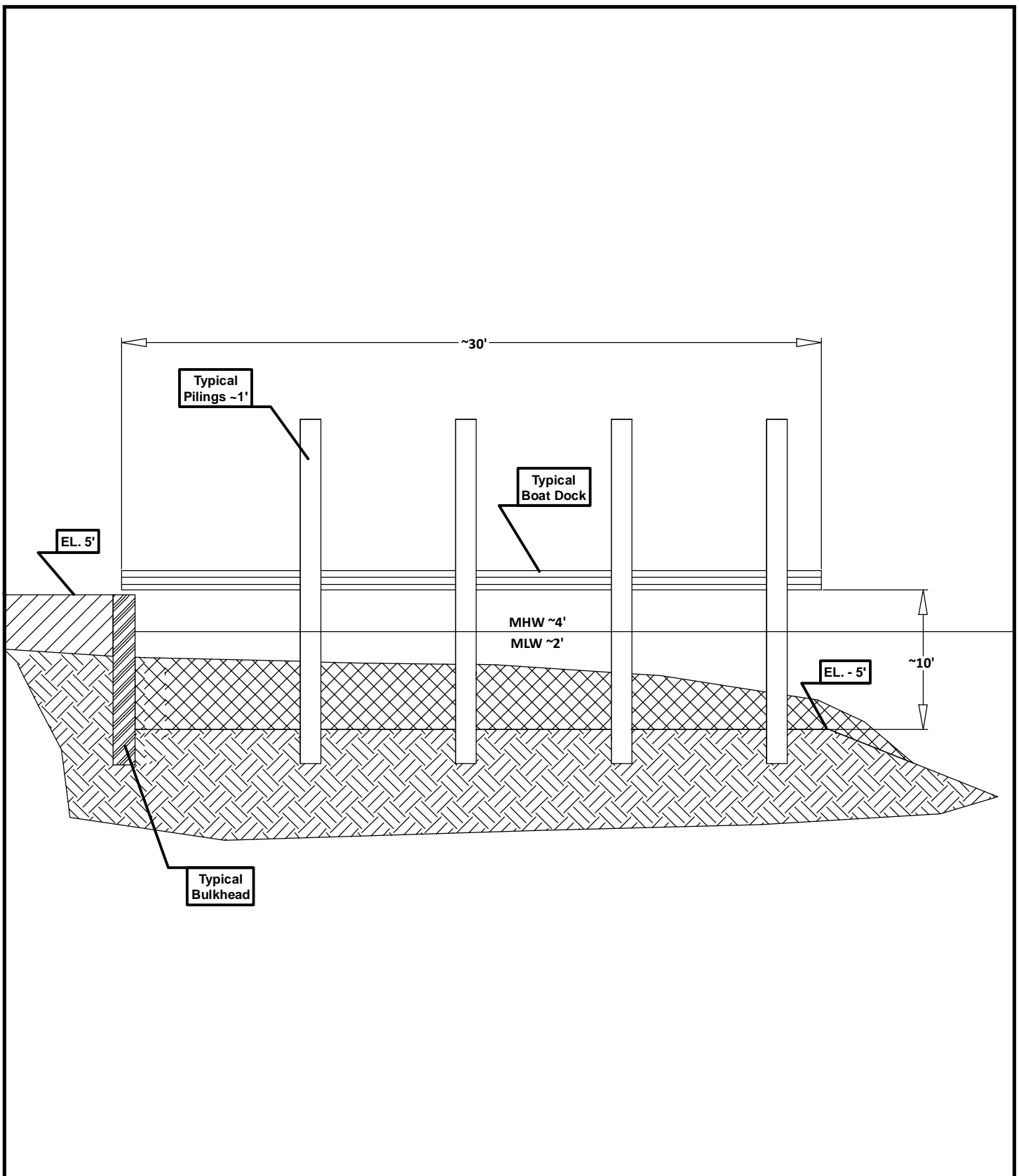
Typical Bulkhead and Boat Dock


### Carter Plantation Subdivision

#### Legend:

- Typical Dock
- Typical Piling
- Proposed Bulkhead
- Existing Bulkhead
- Existing Dock
- Proposed Dock

This figure was prepared utilizing public and proprietary data. It should not be used to establish any legal boundaries or specific locations. ELOS Environmental, L.L.C., is not responsible for any usage of this figure contrary to its original, intended purpose.



|                                                                                                                                                                                                                                                            |                                             |                                                                                                                                                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p> <a href="http://elosenv.com/">http://elosenv.com/</a><br/> 43177 East Pleasant Ridge Road<br/> Hammond, Louisiana 70403<br/> P. 985-662-5501, F. 985-662-5504 </p> | <p><b>Scale = Not to Scale</b></p>          |                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                            | <p>Typical Section</p>                      |                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                            | <p><b>Carter Plantation Subdivision</b></p> | <p>This figure was prepared utilizing public and proprietary data. It should not be used to establish any legal boundaries or specific locations. ELOS Environmental, L.L.C., is not responsible for any usage of this figure contrary to its original, intended purpose.</p> |