



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

August 7, 2023

Regulatory Division
Central Evaluation Branch

Project Manager
Neil Gauthier
(504) 862-1301
Neil.T.Gauthier@usace.army.mil
Application Number: MVN-2006-01716-CM

PUBLIC NOTICE

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), [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).

PERMIT MODIFICATION FOR ADDITIONAL PHASES OF CONSTRUCTION FOR A RESIDENTIAL SUBDIVISION DEVELOPMENT IN LIVINGSTON PARISH

NAME OF APPLICANT: J. Breaux Enterprises, c/o Hydrik Wetlands Consultants, Attn: Mike Henry, 2323 Hwy 190 East, Suite 2, Hammond, LA 70401.

LOCATION OF WORK: Between West Colyell Creek and Beaver Branch, on the south side of Springfield Rd., north of Cane Market Rd., east of Perkins Rd., and west of Walker Rd. (30.574544, -90.881303) in Walker, Louisiana, in Livingston Parish within the Amite River Basin hydrologic unit (HUC 08070202), as shown on the attached drawings.

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to clear, grade, excavate, and place fill on a 244-acre site for the construction of a phases 5-9 of a residential development (Whispering Springs) to include drainage, utility infrastructure, seven storm water detention ponds, roadways, and green space. Approximately 500,000 cubic yards of earthen fill material will be deposited for construction. Approximately 5,000 cubic yards of concrete and aggregate material will also be deposited for this project. Approximately 38.4 acres of jurisdictional forested wetlands will be permanently impacted by clearing, filling or excavation and approximately 36 acres of remaining wetlands will experience secondary impacts. Approximately 0.2 acre of jurisdictional non-wetland waters (NWW) will also be permanently impacted.

MITIGATION: The applicant proposes to avoid additional direct impacts and minimize secondary impacts to the maximum extent practicable. Any further reduction would limit usage of the property and therefore function, deeming the project impracticable.

As compensation for unavoidable wetland impacts, the applicant proposes to use a Corps approved mitigation bank within the watershed of impact.

During the permitting process, the applicant will be required to obtain approval from the local drainage authority to ensure drainage near the project is not compromised.

The comment period for the Department of Army will close in **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 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 preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGC, Neil Gauthier**. 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 Branch 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. 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 utilizes the National Register of Historic Places to identify properties listed on or near the proposed work and is presently unaware of non-listed eligible properties near the project site.

The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. However, extent of impacts is undetermined at this time pending a National Historic Preservation Act compliance determination. As deemed necessary, copies of this notice are made available to the State Archeologist and the State Historic Preservation Officer, and federally recognized Native American tribes regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would have no effect on any 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 endangered species.

Utilizing the Information & Planning Consultation for Endangered Species in Louisiana protocol, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans District (CEMVN) and the U.S. Fish and Wildlife Service, CEMVN has determined that the proposed project is located in an area which may be utilized by the red-cockaded woodpecker (*Picoides borealis*) and a No Affect Determination has been made.

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 0 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 Department of Environmental Quality, Office of Environmental Services, before a 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.

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.

John M. Herman
Chief, Central Evaluation Branch
Regulatory Division

Enclosures



**SECTION 404 PERMIT APPLICATION/MOD
MVN 2006 01715
J. BREAUX ENTERPRISES
“WHISPERING SPRINGS ADDED PHASES”
SINGLE FAMILY RESIDENTIAL DEV
WALKER, LA**

**LIVINGSTON PARISH
S26&35, T5S, R3E
JAN 2023**

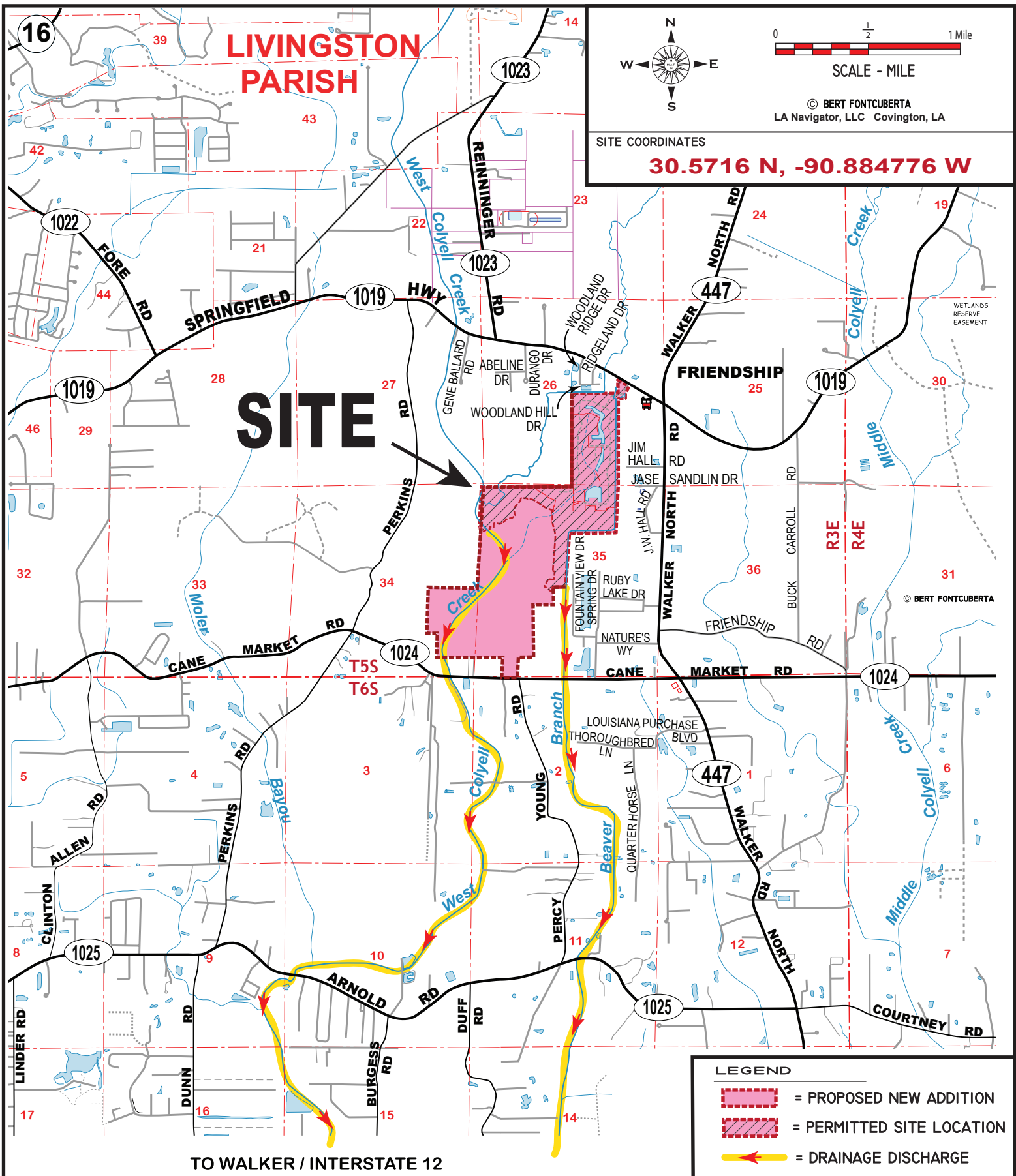


In an effort to reduce
paper consumption,
all reports are
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client digitally. A hard
copy will be provided
upon request only.



Prepared and Transmitted by:

**HYDRIK
2323 Highway 190 East Suite 2
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HF 22048C**














SITE DEVELOPMENT

CURRENT WETLANDS PERMITTED USES & MITIGATION PLAN

PERMIT NUMBER: MVN-2006-01716-CM

PHASES 1, 2, 3 & 4 ONLY (198.17 ACRES)

LEGEND: CHANGES TO PERMIT

- | | |
|---|--|
|  | PERMITTED AS FILLED NOW
AVOIDED 0.309 AC |
|  | PERMITTED AS EXCAVATED NOW
FILLED 0.378 AC |
|  | PERMITTED AS EXCAVATED TO
REMAIN EXCAVATED 0.659 AC |
|  | PERMITTED AS FILLED TO
REMAIN FILLED 4.12 AC |
|  | PERMITTED AS FILLED NOW
EXCAVATED 0.763 AC |
|  | PERMITTED AS EXCAVATED NOW
AVOIDED 1.786 AC |
|  | PERMITTED AS AVOIDED NOW
FILLED 0.043 AC |
|  | PERMITTED AS AVOIDED NOW
EXCAVATED 0.219 AC |
|  | AREA REMAIN FILLED / NO CHANGE |
|  | AREA REMAIN AVOIDED / NO CHANGE |
|  | AREA FILLED / CONVERTED |

NEW PERMIT IMPACTS

TOTAL WETLANDS = 14.581 ACRES
WETLANDS TO BE IMPACTED
VIA FILL / GRADING = 6.760 AC.
WETLANDS TO BE IMPACTED
VIA EXCAVATION = 1.593 AC.
WETLANDS TO BE AVOIDED = 6.228 AC.

AREA OF RE-DESIGN

AREA OF RE-DESIGN

WHISPERING SPRINGS
SECTIONS 26 & 35 T5S-R3E
LIVINGSTON PARISH, LA

APPLICANT:
J.BREAUX ENTERPRISES



NOTE:
BASE DRAWINGS PROVIDED BY:
QUALITY ENGINEERING & SURVEYING, LLC
PORT VINCENT, LA. DATED 1/2019,
12/20/19, 6/13/22.

THIS SITE IS LOCATED IN FLOOD ZONES "X" & "AE"
PER FEMA FLOOD INSURANCE RATE MAP
NUMBERS: 22063C 0125E & 0150E, DATED APRIL 3, 2012.
B.F.E. = 68'-72'

HF:	22048C
DATE:	10/15/22 12/20/22

FIGURE
1A

APPROVED:

LEGEND:

WETLANDS WITHIN NEW PHASE OF PROJECT: 74.419 ACRES

ADDITIONAL PROJECT AREA: 243.83 ACRES
(TOTAL PROJECT 442 ACRES)

WETLANDS TO BE IMPACTED
VIA FILL / GRADING = 34.217 AC.

WETLANDS TO BE IMPACTED
VIA EXCAVATION = 4.167 AC

WETLANDS TO BE AVOIDED = 36.035 AC

NON-WETLAND WATERS

TO REMAIN: 883 LIN. FT. / 0.075 AC

(WEST COLYELL CREEK 4,765' LIN. FT.)

NWW MODIFIED / CULVERTED WEST COLYELL CREEK
50 LIN. FT. / 0.026 AC.

NWW AVOIDED 883 LIN. FT. / 0.075 AC.

TO BE FILLED: 1,811 LIN. FT. / 0.160 AC.

TO BE MODIFIED / RE-ROUTED
122 LIN. FT. / 0.011 AC.

NEW RE-ROUTED NWW (WETLAND CONNECTOR)
170 LIN. FT. / 0.008 AC

PROPOSED DETENTION POND (6)

EXISTING DRAIN FLOW PRE-CONSTRUCTION

PROPOSED DRAIN FLOW PRE-CONSTRUCTION

PERMITTED AREA
PERMIT No. MVN-2006-01716 CM
198.17 ACRES
WETLANDS: 14.581 AC.
SEE FIGURE 1A FOR DETAIL INFO

IMPACTS - FIG. 1A

WETLANDS TO BE IMPACTED

VIA FILL / GRADING = 6.780 AC.

WETLANDS TO BE IMPACTED

VIA EXCAVATION = 1.593 AC.

WETLANDS TO BE AVOIDED = 6.228 AC

ADDITIONAL AREA
TO BE PERMITTED
243.83 ACRES

NOTE:
BASE DRAWINGS PROVIDED BY:
QUALITY ENGINEERING & SURVEYING, LLC
PORT VINCENT, LA.
DATED: 1/19, 2/21, 6/22 (SECOND FILING).

THIS SITE IS LOCATED IN FLOOD ZONES "X" & "AE"
PER FEMA FLOOD INSURANCE RATE MAP
NUMBERS: 22063C 0125E & 0150E, DATED APRIL 3, 2012.
B.F.E. = 68'-72'

SCALE
300' 200' 100' 0 300'

WHISPERING SPRINGS
SECTIONS 26, 34 & 35 T5S-R3E
LIVINGSTON PARISH, LA

APPLICANT:
J.BREAUX ENTERPRISES

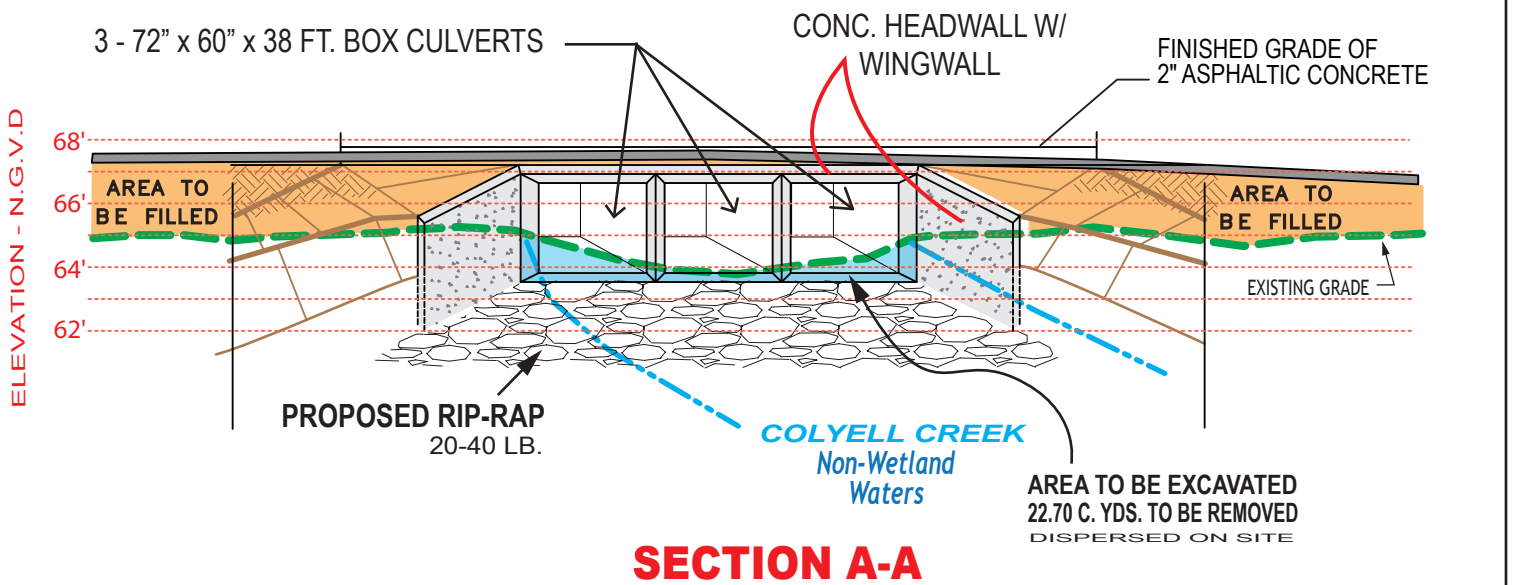
HYDRIK
WWW.HYDRIK.COM

HF: 22048c
DATE: 10-10-22

APPROVED:

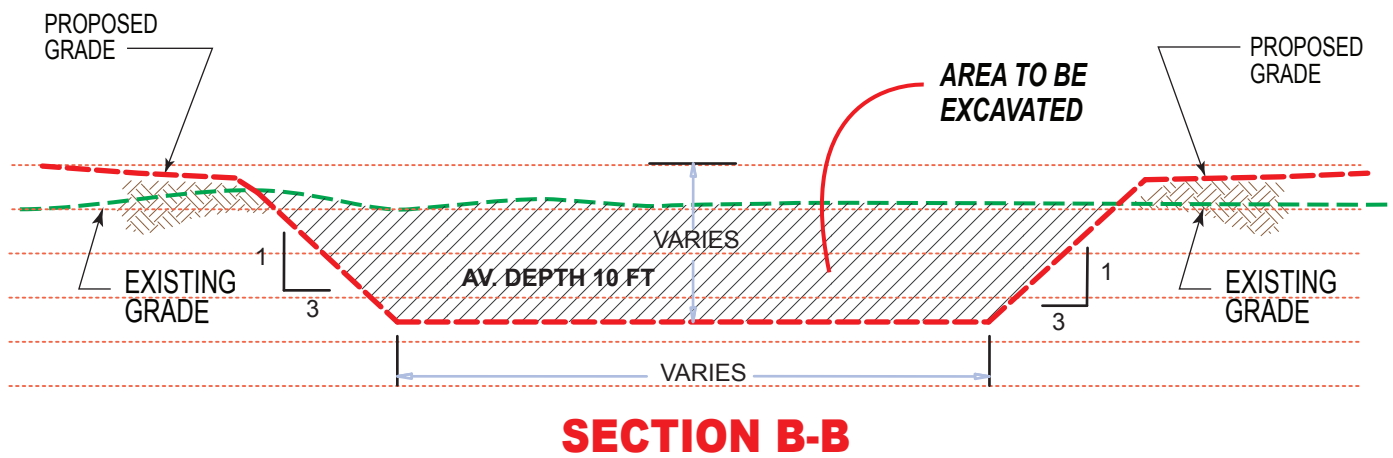
FIGURE
2

LA HWY 1024 - CANE MARKET RD



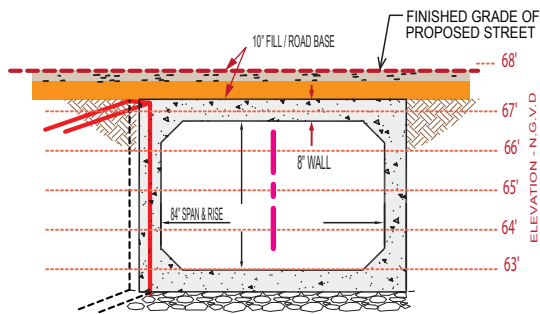
BOX CULVERT - COLYELL CREEK CROSSING

PROFILE VIEW
NOT TO SCALE



TYPICAL DETENTION POND SECTION

PROFILE VIEW
NOT TO SCALE



TYPICAL CONCRETE BOX CULVERT DETAIL

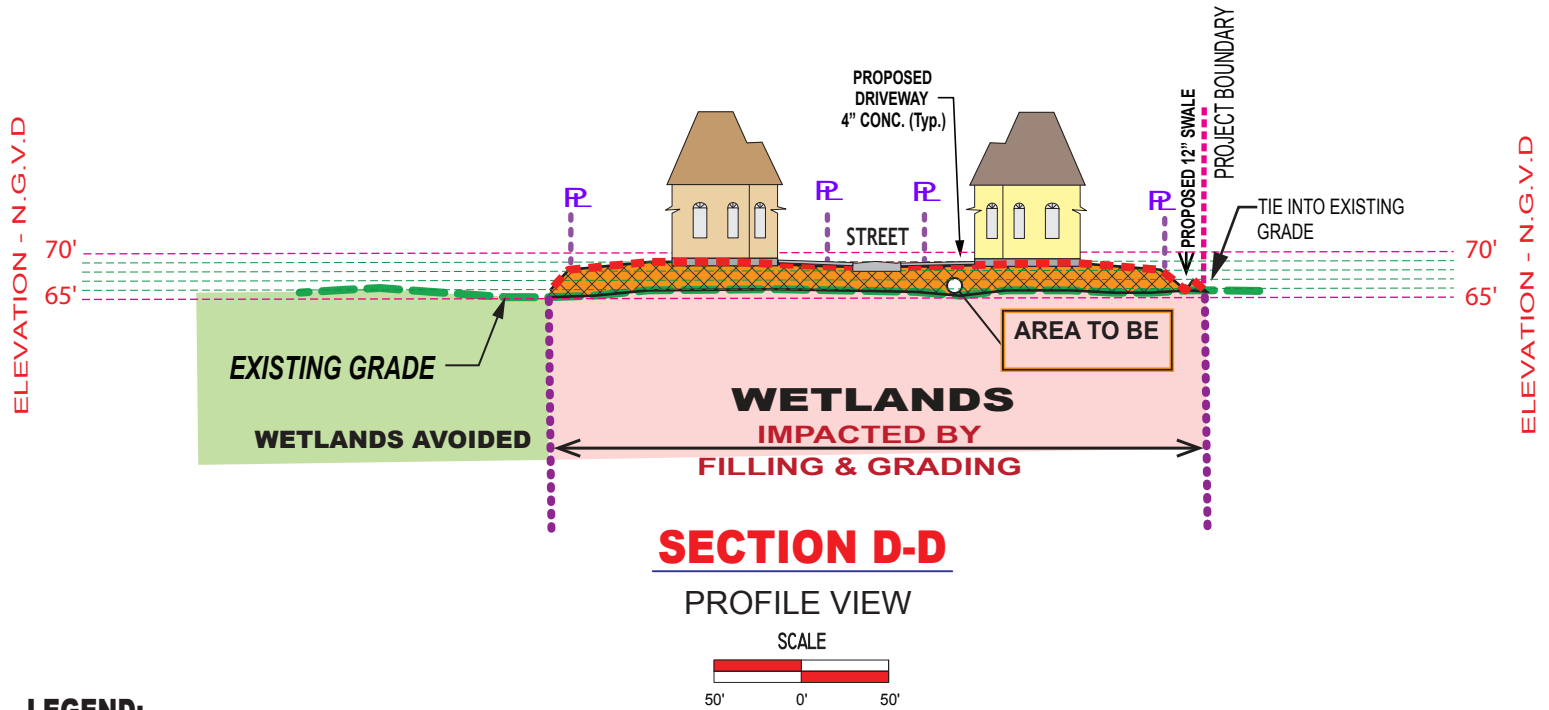
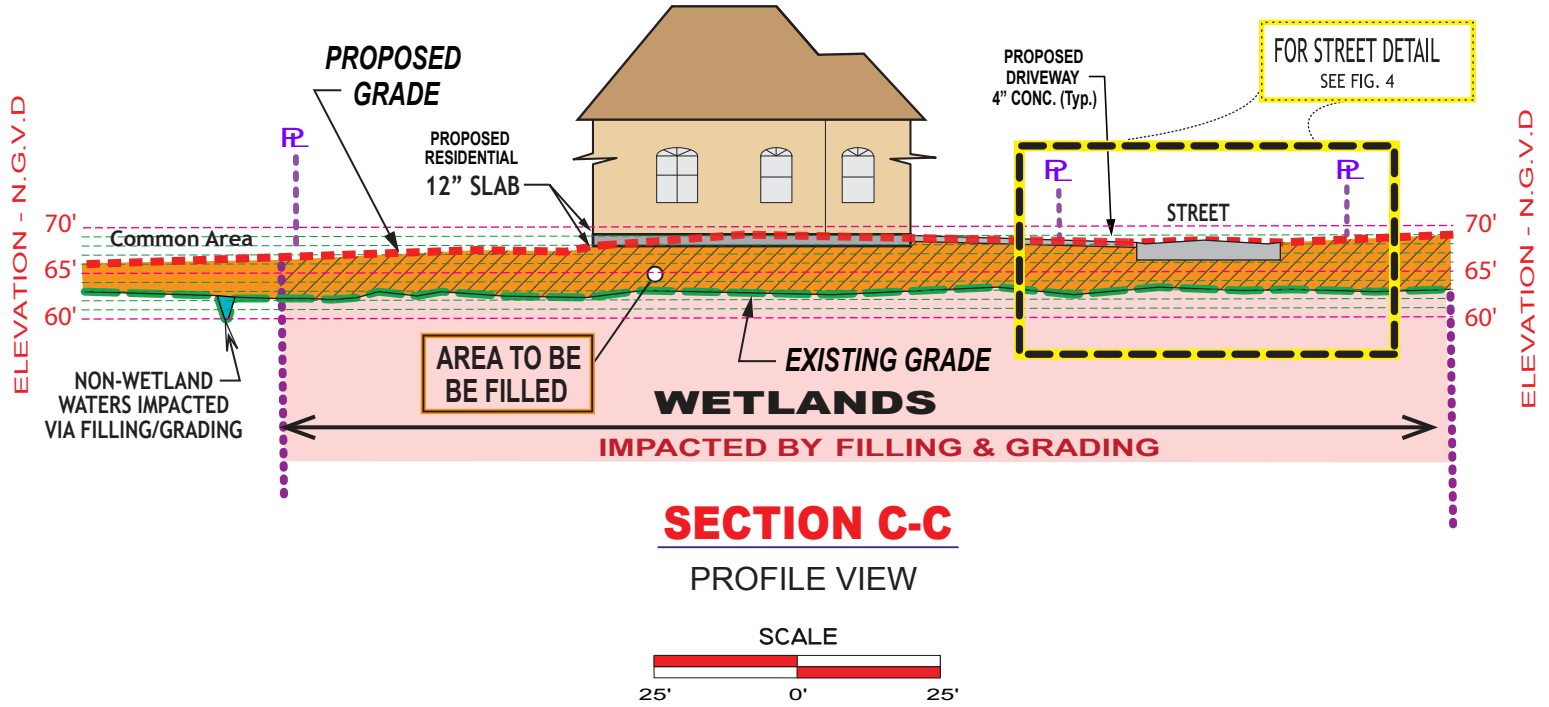
APPLICANT:
J.BREAUX ENTERPRISES

 **HYDRIK**
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WHISPERING SPRINGS
SECTIONS 26 & 35 T5S-R3E
LIVINGSTON PARISH, LA

FIGURE
3

HF: 22048C DATE 10/15/22 APPROVED:



LEGEND:

- EXISTING GRADE
- PROPOSED GRADE
- PROPOSED CONCRETE
- NON-WETLAND WATERS FILLED / GRADED
- WETLANDS AVOIDED
- AREA TO BE FILLED
- WETLANDS TO BE FILLED

WHISPERING SPRINGS
SECTIONS 26, 34 & 35 T5S-R3E
LIVINGSTON PARISH, LA

APPLICANT:
J.BREAUX ENTERPRISES

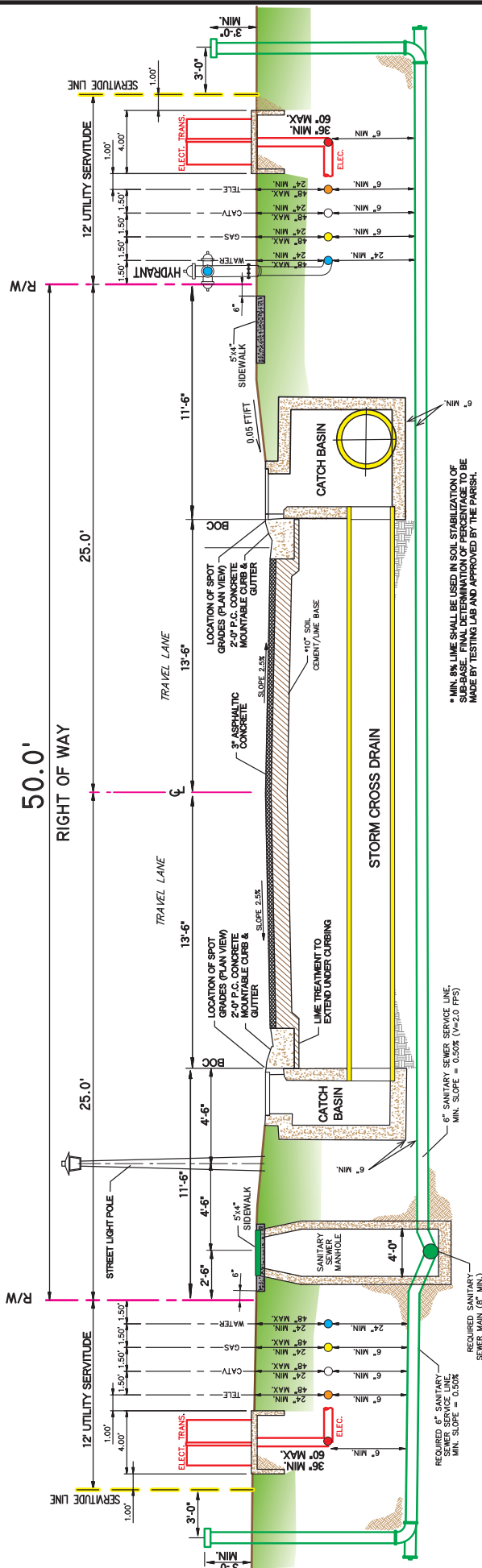


FIGURE
4

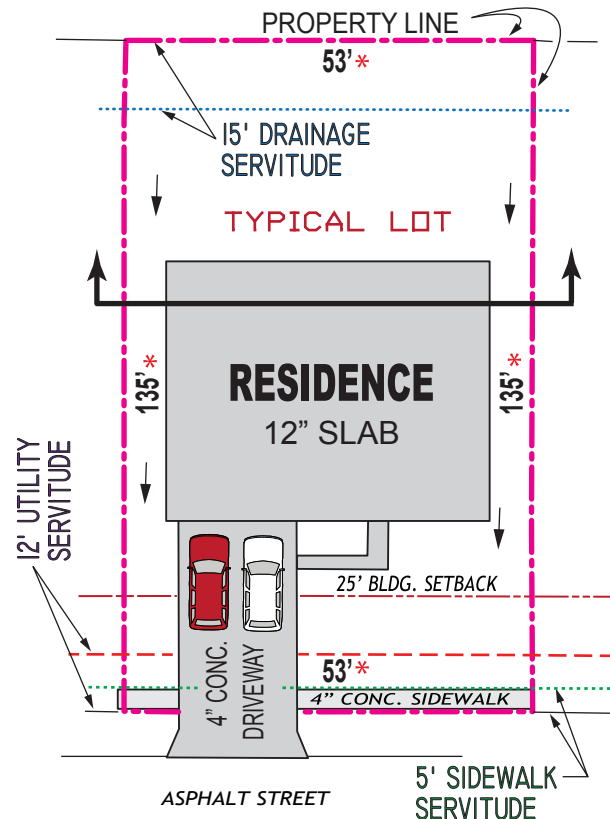
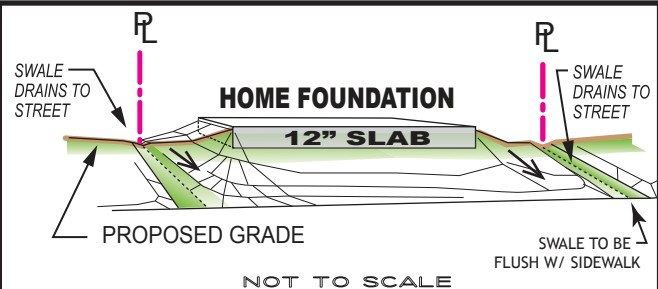
HF:
22048c

DATE: 10/15/22

APPROVED:



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



TYPICAL LOT LAYOUT

NOT TO SCALE

* NOTE: LOT DEMINSION VARIES

TOTAL LENGTH OF STREETS (PERMITTED): 17,458 LIN. FT.
TOTAL LENGTH OF STREETS (NEW AREA): 21,289 LIN. FT.
OVERALL PROJECT TOTAL LENGTH OF STREETS: 38,747 LIN. FT.

TYPICAL STREET / LOT PROFILE

J.BREAUX ENTERPRISES



WHISPERING SPRINGS
SECTIONS 26 & 35 T5S-R3E
LIVINGSTON PARISH, LA

FIGURE
5

HF: 22048C

DATE 12/10/22

APPROVED:

CURRENT WETLANDS PERMITTED USES & MITIGATION PLAN







PERMIT NUMBER: MVN-2006-01716-CM

PHASES 1, 2, 3 & 4 ONLY (198.17 ACRES)

TOTAL WETLANDS WITHIN THESE PERMITTED PHASES = 14.581 ACRES

WETLAND USE	PERMITTED	NEW	DIFF.
WETLANDS TO BE IMPACTED VIA FILL / GRADING	7.220	6.760	+ 0.522
WETLANDS TO BE IMPACTED VIA EXCAVATION	2.958	1.593	+ 1.391
WETLANDS TO BE AVOIDED	4.403	6.228	+ 1.825
			+3.738







NEW PERMIT IMPACTS
TOTAL WETLANDS = 14.581 ACRES
WETLANDS TO BE IMPACTED VIA FILL / GRADING = 6.760 AC.
WETLANDS TO BE IMPACTED VIA EXCAVATION = 1.593 AC.
WETLANDS TO BE AVOIDED = 6.228 AC.

NO CHANGE	NON-WETLAND WATERS
	 TO REMAIN: 7,805 LIN. FT. / (WEST COLYELL CREEK 728')
	 TO BE CULVERTED 80 LIN. FT. /
	 TO BE EXCAVATED: 38 LIN. FT. / 0.005 AC (FIG. 2B)
	 TO BE FILLED: 384 LIN. FT. / 0.053 AC (FIG. 2B)
	 TO BE MODIFIED / RE-ROUTED / FILLED 1,255 LIN. FT / 0.576 AC (FIG. 2D)
	 NEW RE-ROUTED DRAIN 392 LIN. FT. / 0.018 AC (FIG. 2D)

PROPOSED WETLAND IMPACTS: PHASES 5 THRU 9 ONLY (243.83 ACRES)

WETLANDS WITHIN NEW PHASE OF PROJECT: 74.419 ACRES

WETLAND USE	PROPOSED IMPACT (NEW)
WETLANDS TO BE IMPACTED VIA FILL / GRADING	34.217 AC
WETLANDS TO BE IMPACTED VIA EXCAVATION	4.167 AC
WETLANDS TO BE AVOIDED	36.035 AC

NON-WETLAND WATERS	
	TO REMAIN: 883 LIN. FT. / 0.075 AC (WEST COLYELL CREEK 4,765' LIN. FT.)
	NWW MODIFIED / CULVERTED WEST COLYELL CREEK 50 LIN. FT / 0.026 AC.
	NWW AVOIDED 883 LIN. FT. / 0.075 AC.
	TO BE FILLED: 1,811 LIN. FT. / 0.160 AC.
	TO BE MODIFIED / RE-ROUTED 122 LIN. FT / 0.011 AC.
	NEW RE-ROUTED NWW (WETLAND CONNECTOR) 170 LIN. FT. / 0.008 AC

TOTAL PROJECT (442 ACRES) WETLAND IMPACTS
TOTAL PROJECT WETLANDS = 89.00 ACRES
WETLANDS TO BE IMPACTED: VIA FILL / GRADING = 40.977 AC.
WETLANDS TO BE IMPACTED: VIA EXCAVATION = 5.760 AC.
WETLANDS TO BE AVOIDED = 42.263 AC

WHISPERING SPRINGS
SECTIONS 26 & 35 T5S-R3E
LIVINGSTON PARISH, LA

APPLICANT:
J.BREAUX ENTERPRISES



HF: 22048C DATE: 12/10,20/22

APPROVED:

FIGURE
5