



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

November 8, 2021

Regulatory Division  
Central Evaluation Branch

Project Manager  
S. Gail Gainey  
(504) 862-1545  
Sandra.g.gainey@usace.army.mil

SUBJECT: MVN-2006-02850-CG

### **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 ( ) 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).

### **TIME EXTENSION FOR THE CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT IN ASCENSION PARISH**

**NAME OF APPLICANT:** K&D Development, 14880 Lucien Street, Denham Springs, LA 70726

**LOCATION OF WORK:** Wetlands near the intersection of William Ficklin Road and U.S. Highway 61, in Section 8, Township 9 South, Range 3 East, within the Lake Pontchartrain Basin (HUC 08070204), near Duplessis, Louisiana, in Ascension Parish, as shown on the attached drawings, (Latitude 30.281397 N, Longitude -90.934725 W).

**CHARACTER OF WORK:** The work described herein was previously authorized as Braud Subdivision to Energy Star Homes, LLC on November 27, 2006, extended on May 21, 2012, and modified as Belle Maison Subdivision to K&D Development on December 11, 2015. The applicant has requested a time extension for the Department of the Army authorization to clear, grade, excavate and deposit fill and/or aggregate material to construct and maintain the 54-lot single family residential subdivision (Belle Maison) to include driveways, green space, sidewalks, two stormwater detention ponds, a sewer treatment plant, and ingress/egress access. Approximately 3,252 cubic yards of earthen material and a combination of 2,624 cubic yards of soil and/concrete will be deposited during construction of the project, as shown on the drawings. The project is situated on 24.13 acres and proposes direct impacts to 3.71 jurisdictional wetlands and 0.38 acres of other waters of the US.

The applicant proposes to avoid additional direct impacts and minimize secondary impacts by avoiding 0.30 acre of jurisdictional aquatic resources and by utilizing best management practices for erosion and siltation control during and after the construction phase of the project. Compensatory mitigation required for the original project and the previous modification has been assessed,

collected and is considered to be satisfactory for the remainder of work to be completed.

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 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 DIVISION, RGC, S. Gail Gainey**. 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. Copies of this notice are made available to the State Archeologist and the State Historic Preservation Officer.

Utilizing the Information & Planning Consultation for Endangered Species in Louisiana protocol, dated January 27, 2020 between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office, 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.

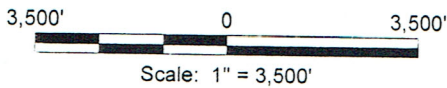
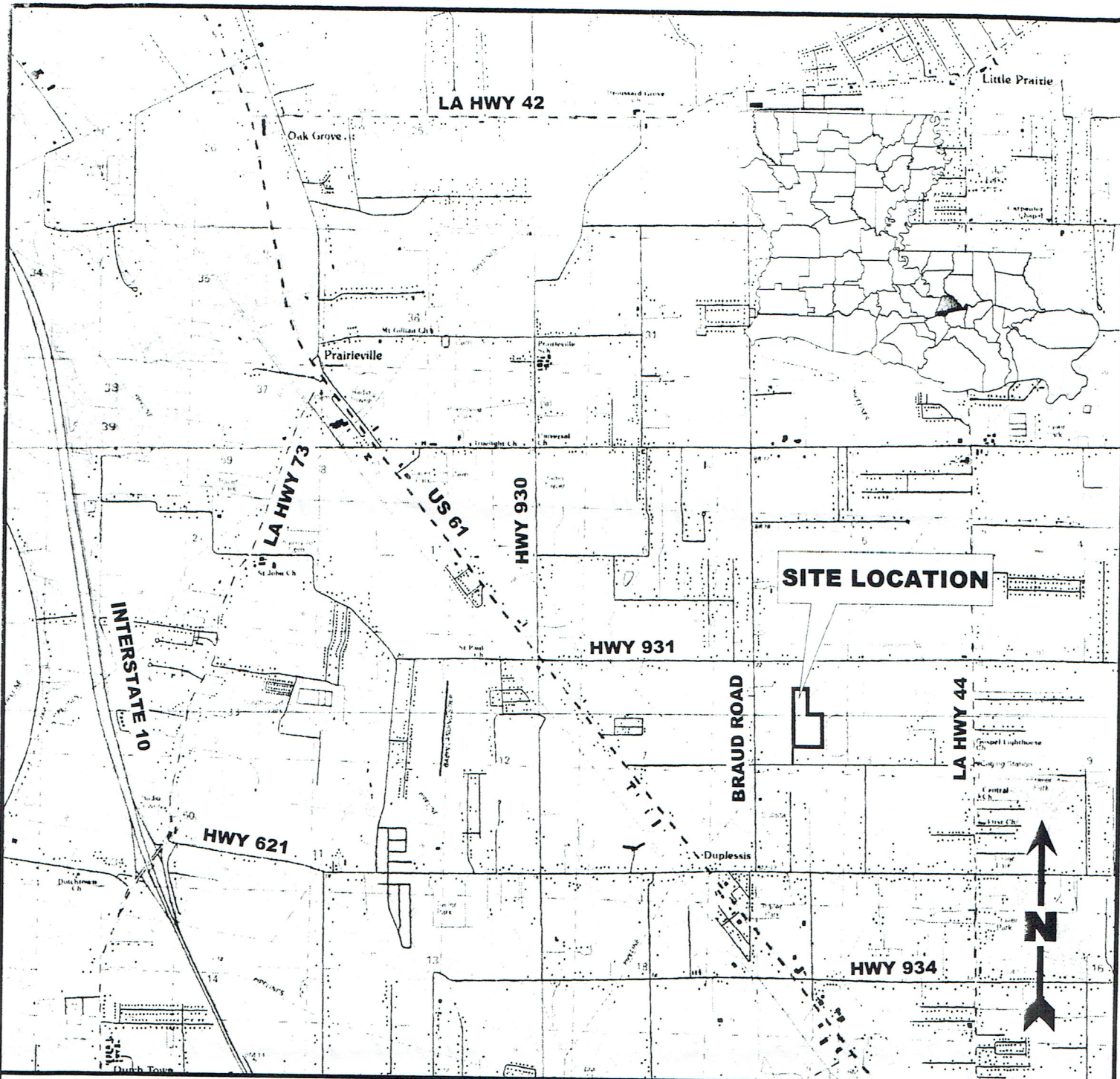
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of NA acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our 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, 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 Branch  
Regulatory Division

Enclosures



**Notes**

Property is located in Section 8, T9S-R3E.  
 Latitude: 30°16'53.03"N Longitude: 90°56'05.01"W

**Reference**

Base map comprised of U.S.G.S. 7.5 minute topographic maps "Prairieville, LA".

**K & D Development**








Belle Maison

**Vicinity Map**

Ascension Parish, Louisiana

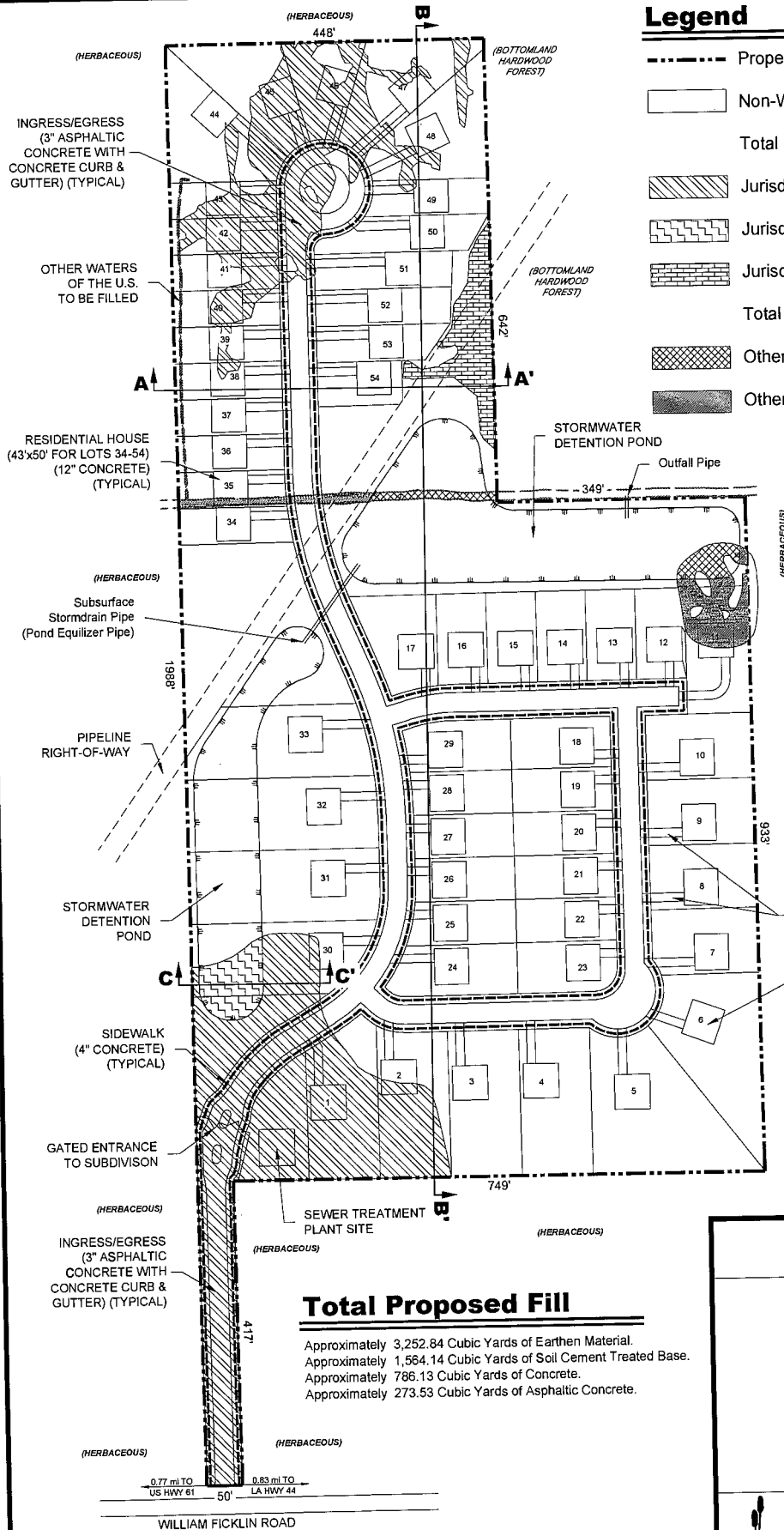
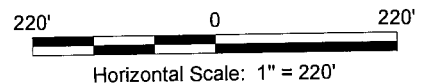
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## Legend

-  Property Boundary (24.13 Acres)
-  Non-Wetlands (19.74 Acres)
- Total Jurisdictional Wetlands (4.01 Acres)**
-  Jurisdictional Wetlands To Be Filled (3.54 Acres)
-  Jurisdictional Wetlands To Be Excavated (0.17 Acres)
-  Jurisdictional Wetlands Not To Be Impacted (0.30 Acres)
- Total Other Waters Of The U.S. (0.38 Acres)**
-  Other Waters Of The U.S. To Be Excavated (0.11 Acres)
-  Other Waters Of The U.S. To Be Filled (0.27 Acres)

## Notes

1. The Proposed layout was provided by Quality Engineering & Surveying, L.L.C.
2. Jurisdictional Wetlands and Other Waters Of The US obtained from U.S. Army CORPS of Engineers Jurisdictional Determination Account Number MVN-2005-2159-SZ and U.S. Army CORPS of Engineers Preliminary Jurisdictional Determination Account Number MVN-2014-01317-SQ.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22005C0045 E, Dated 8-16-07, this property falls in Flood Zone X (Other Areas; Areas determined to be outside 0.2% annual chance floodplain).
4. Wetland impacts by habitat type:  
 >Herbaceous / Scrub-Shrub = 3.05 Acres  
 >Bottomland Hardwood = 0.66 Acres



### Total Proposed Fill

Approximately 3,252.84 Cubic Yards of Earthen Material.  
 Approximately 1,584.14 Cubic Yards of Soil Cement Treated Base.  
 Approximately 786.13 Cubic Yards of Concrete.  
 Approximately 273.53 Cubic Yards of Asphaltic Concrete.

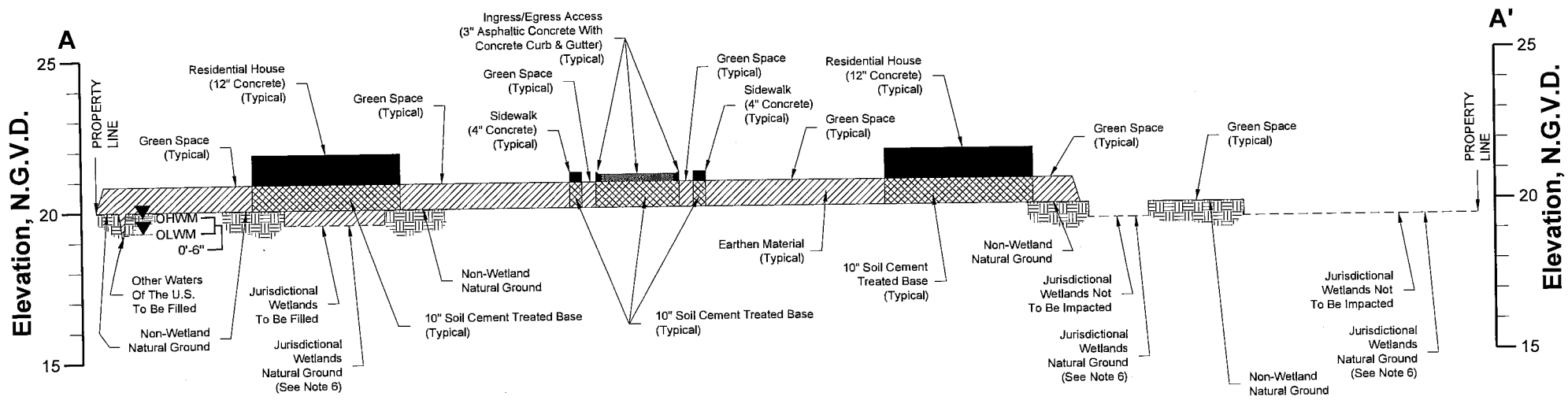
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**Proposed Plan View**

Ascension Parish, Louisiana

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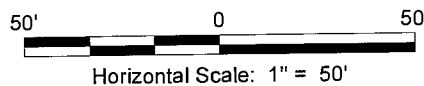


**Legend**

-  Earthen Material
-  Soil Cement Treated Base
-  Concrete
-  Asphaltic Concrete
- OHWM Ordinary High Water Mark
- OLWM Ordinary Low Water Mark

**Section A-A'**

Horizontal Scale: 1" = 50'  
Vertical Scale: 1" = 5'



**Notes**

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5. Non-wetland natural ground elevations averages 20' N.G.V.D. Elevation data was obtained from topographic data provided by Quality Engineering & Surveying, L.L.C.
6. Natural ground in existing jurisdictional wetlands are approximately 6" lower than non-wetland natural ground elevations.

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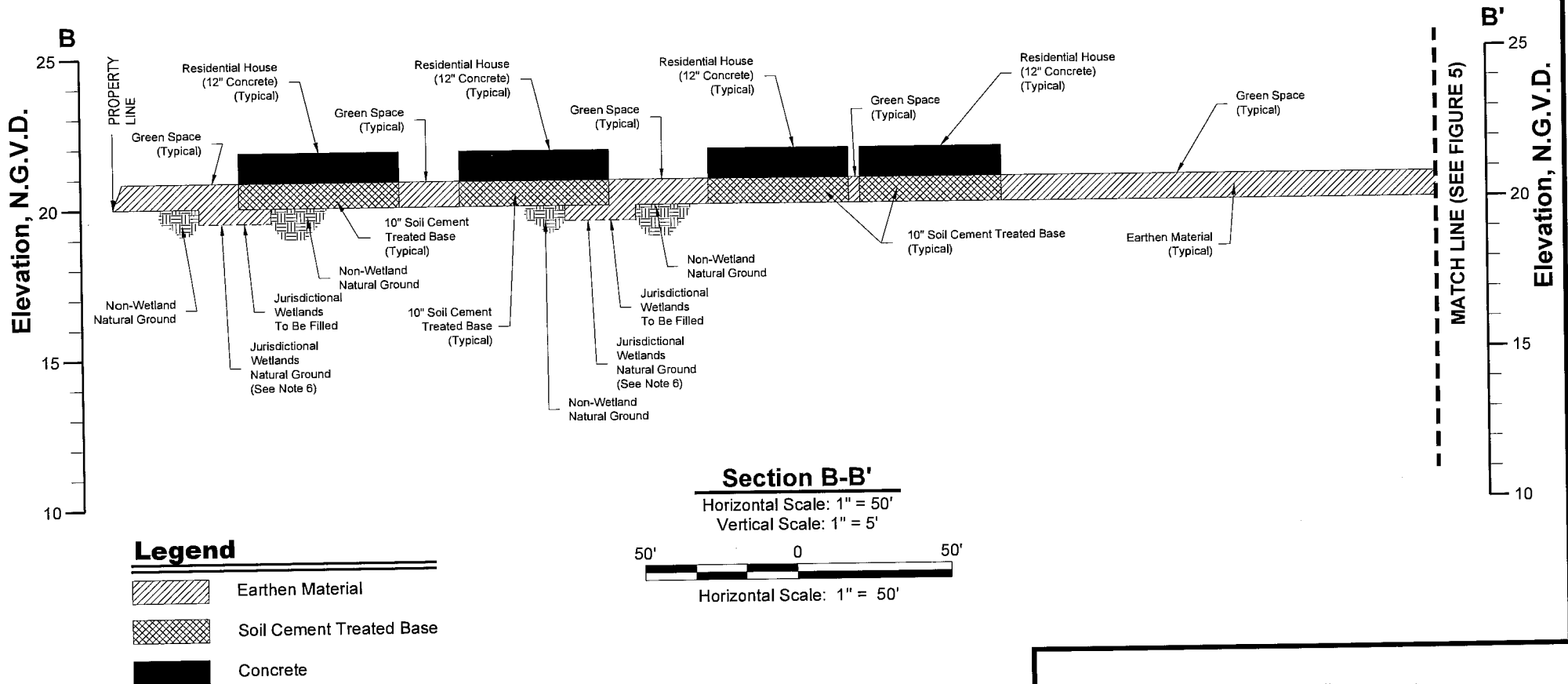
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**Section View A-A'**

Ascension Parish, Louisiana

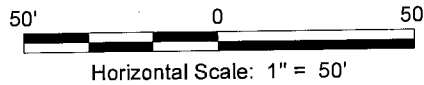
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Project No.: 32-2014-DOA Date: 05-28-2014 Figure No.: 3



**Section B-B'**

Horizontal Scale: 1" = 50'  
Vertical Scale: 1" = 5'



**Legend**

- Earthen Material
- Soil Cement Treated Base
- Concrete

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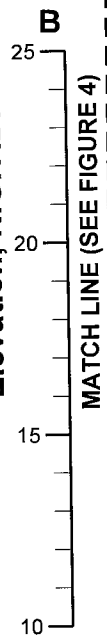
**Section View B-B'**

Ascension Parish, Louisiana

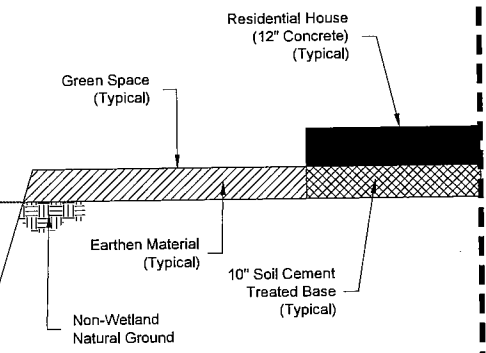
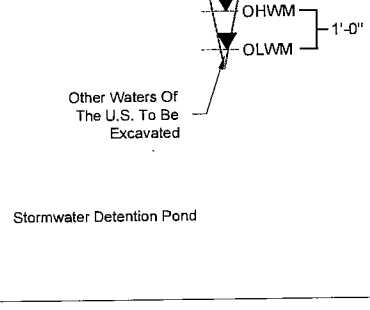
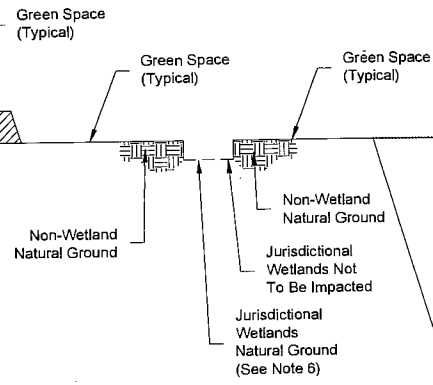
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Project No.: 32-2014-DOA      Date: 05-28-2014      Figure No.: 4




Elevation, N.G.V.D.



Elevation, N.G.V.D.

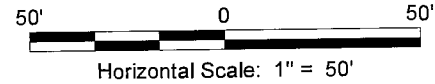


**Legend**

-  Earthen Material
-  Soil Cement Treated Base
-  Concrete
- OHWM Ordinary High Water Mark
- OLWM Ordinary Low Water Mark

**Section B-B'**

Horizontal Scale: 1" = 50'  
Vertical Scale: 1" = 5'



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**K & D Development**

Belle Maison

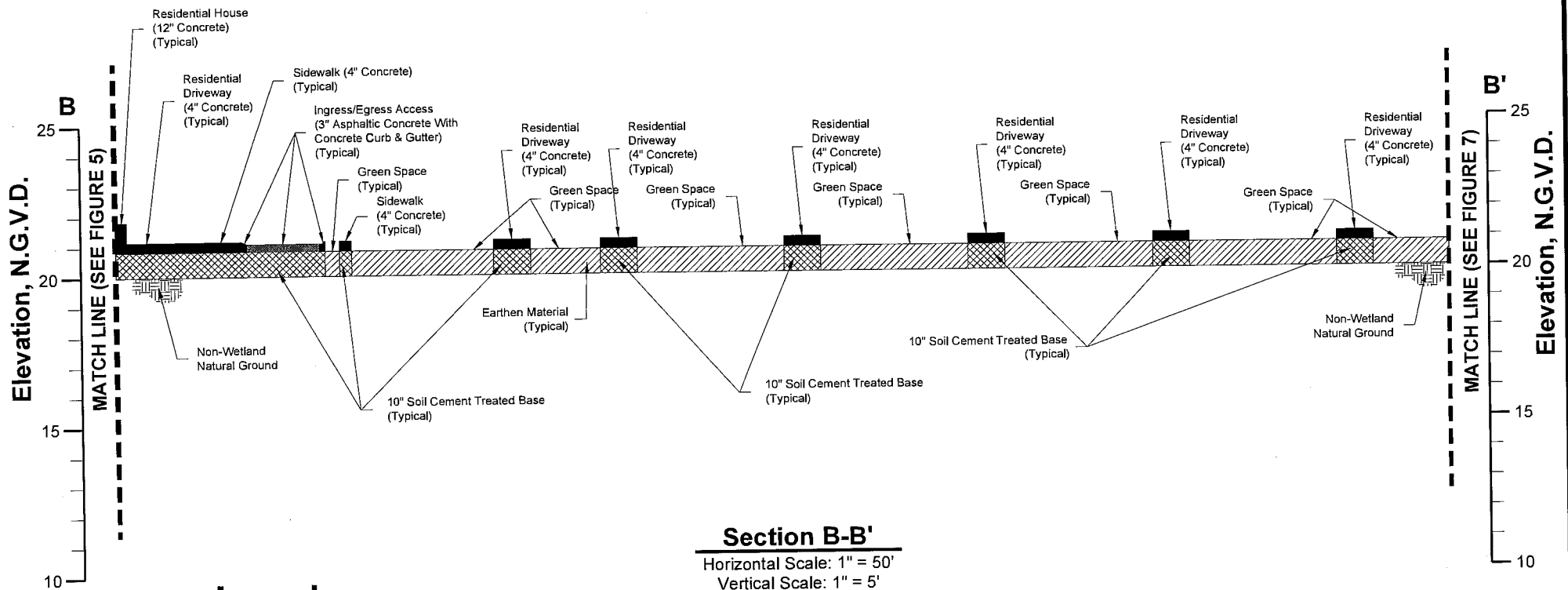
**Section View B-B'  
(Continued)**

Ascension Parish, Louisiana





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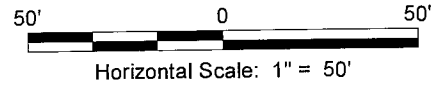
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| Project No.: | 32-2014-DOA | Date: 05-28-2014 | Figure No.: | 5 |
|--------------|-------------|------------------|-------------|---|





**Legend**

-  Earthen Material
-  Soil Cement Treated Base
-  Concrete
-  Asphaltic Concrete



**Section B-B'**

Horizontal Scale: 1" = 50'  
Vertical Scale: 1" = 5'

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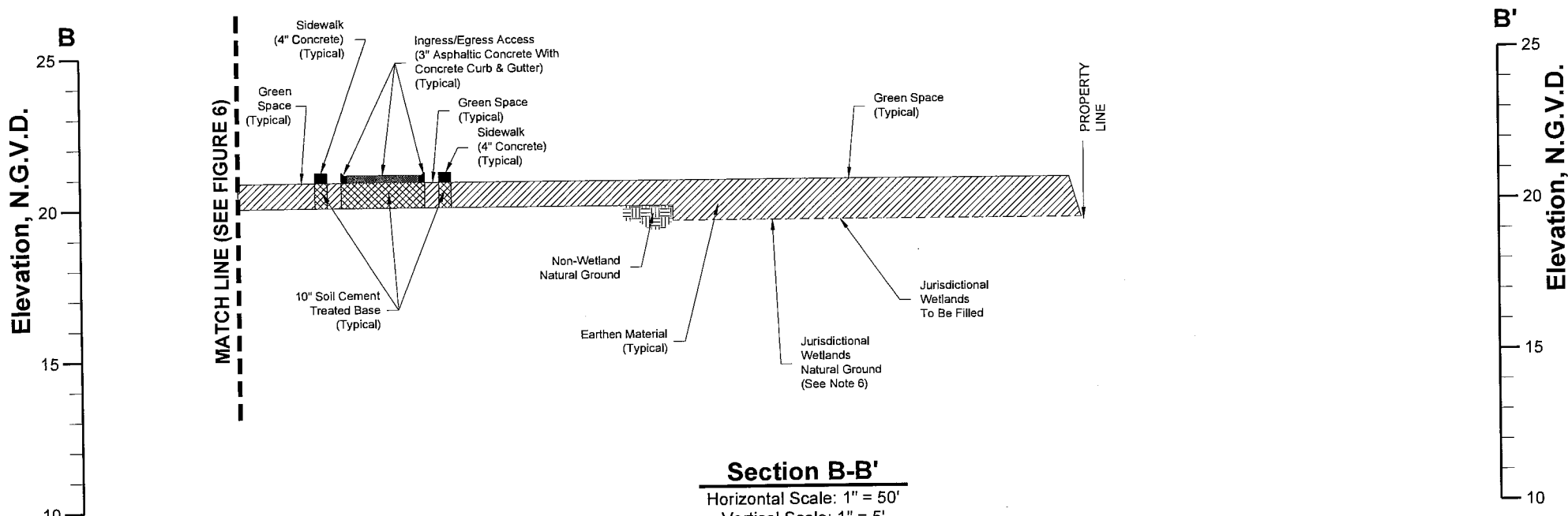
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**Section View B-B'  
(Continued)**





Ascension Parish, Louisiana

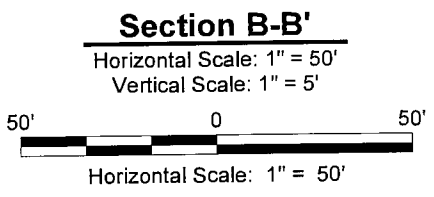
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Project. No.: 32-2014-DOA      Date: 05-28-2014      Figure No.: 6



**Legend**

|   |                          |
|---|--------------------------|
|    | Earthen Material         |
|  | Soil Cement Treated Base |
|  | Concrete                 |
|  | Asphaltic Concrete       |



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**K & D Development**

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Belle Maison


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**Section View B-B'  
(Continued)**

Ascension Parish, Louisiana

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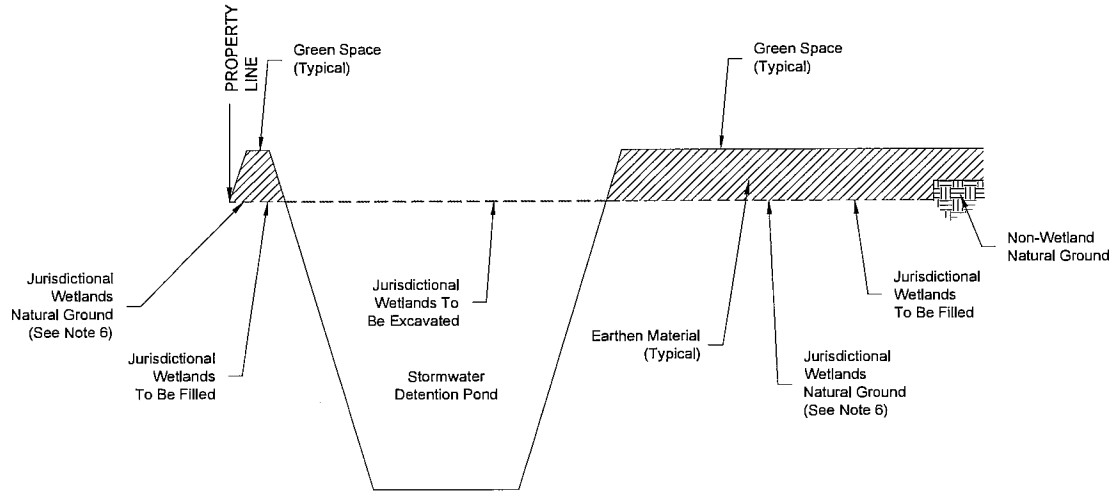





|                          |                  |               |
|--------------------------|------------------|---------------|
| Project No.: 32-2014-DOA | Date: 05-28-2014 | Figure No.: 7 |
|--------------------------|------------------|---------------|

Elevation, N.G.V.D.  
25  
20  
15  
10

Elevation, N.G.V.D.  
25  
20  
15  
10

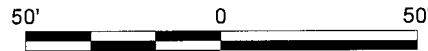


**Legend**

 Earthen Material

**Section C-C'**

Horizontal Scale: 1" = 50'  
Vertical Scale: 1" = 5'



Horizontal Scale: 1" = 50'

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**K & D Development**

Belle Maison

**Section View C-C'**

Ascension Parish, Louisiana



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