

# JOINT PUBLIC NOTICE

April 6, 2015

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch  
Post Office Box 60267  
New Orleans, Louisiana 70160-0267

(504) 862-1564  
[Stephanie.L.Castaing@usace.army.mil](mailto:Stephanie.L.Castaing@usace.army.mil)  
Project Manager  
Stephanie Castaing  
Permit Application Number  
MVN 2006-2971-EPP

State of Louisiana  
Department of Environmental Quality  
ATTN: Water Quality Certifications  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(225) 219-3225

Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC 060813-03

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: [ ] 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, Water Quality Certifications, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

## **TIME EXTENSION FOR RESIDENTIAL AND COMMERCIAL SUBDIVISION DEVELOPMENT IN ST. TAMMANY PARISH**

**NAME OF APPLICANT:** Rick Murphy, c/o Bernard Fromherz, 19411 Helenberg Road, Covington, Louisiana 70433.

**LOCATION OF WORK:** The project site is a 286.6 acre parcel, on Highway 1077, at the intersection of Highway 190, in St. Tammany Parish, Louisiana, as shown on the attached drawings.

Latitude: 30.50797/Longitude: -90.20092 Hydrologic Unit Codes: 08090201 Liberty Bayou-Tchefuncta.Louisiana.

**CHARACTER OF WORK:** Clear, grade, excavate, and fill to construct house pads, roadways, driveways, parking areas, retention ponds, and bicycle path/walkway for the development of a residential and commercial subdivision. By letter dated December 5, 2006, it was stated that the applicant purchased 30.0 acres of Pine Flatwood/Savannah mitigation credits from St. Tammany Mitigation Services, LLC to compensate for the loss of 19.9 acres of jurisdictional wetlands.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **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.

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 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 will result in no effect to the gopher tortoise (*Gopherus polyphemus*) and the dusky gopher frog (*Rana sevosa*); species listed as threaten and endangered by the U.S. Department of Commerce. Concurrence has been received from the US Fish and Wildlife Service per the Standard Local Operating Procedure for Endangered Species in Louisiana, dated October 22, 2014. By letter dated October 24, 2006, the U.S. Fish and Wildlife Service stated they concur with the previous project manager's determination that the proposed project is not likely to adversely affect the red-cockaded woodpecker (*Picoides borealis*).

Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of such species, listed as endangered by the U.S. Department of Commerce.

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 **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 applicable water quality standards will be required from the Department of Environmental Quality, Water Quality Certifications, 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.

Michael V. Farabee  
Chief, Eastern Evaluation Section

Enclosure

MUN-2000-2971

Page 1

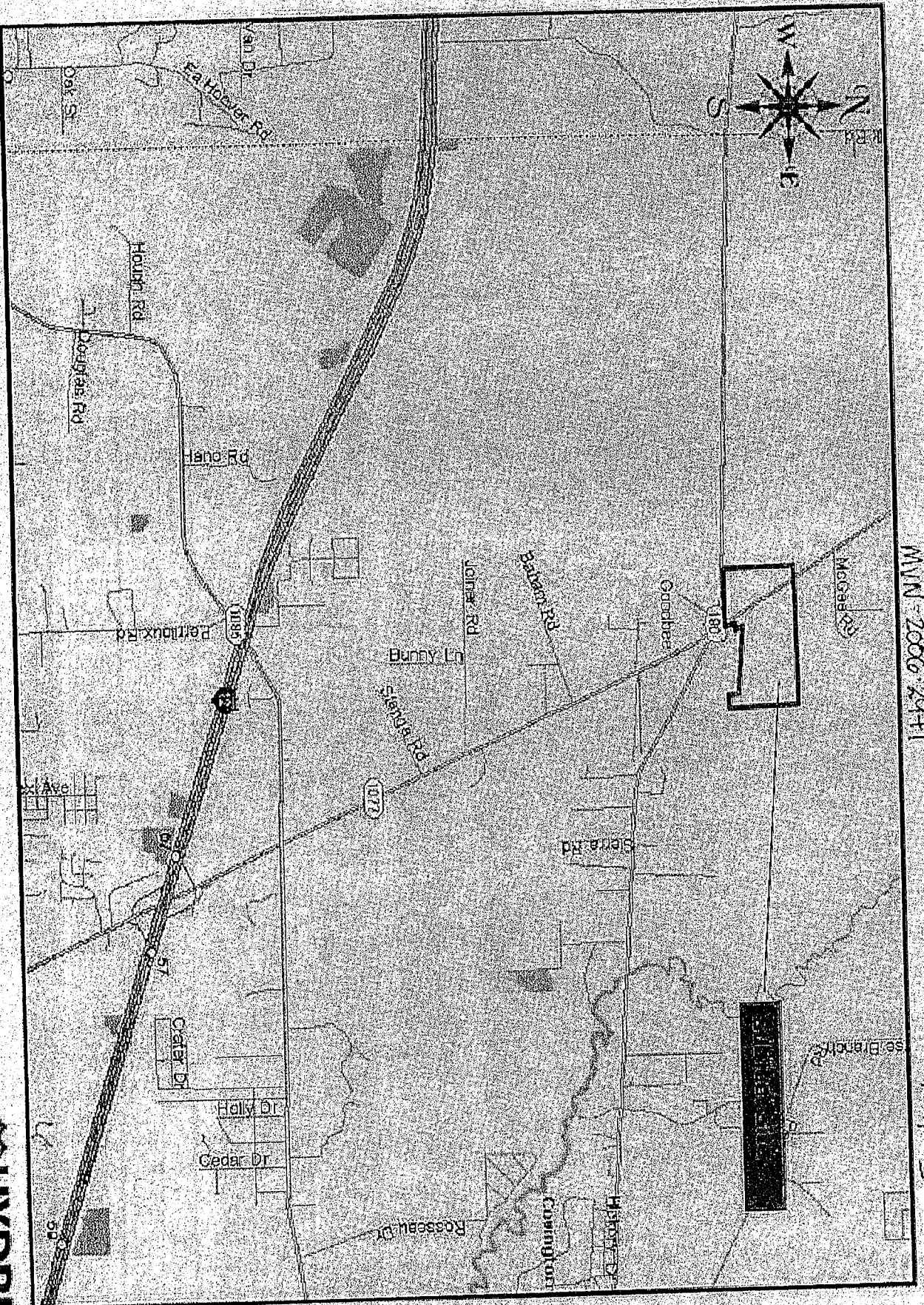
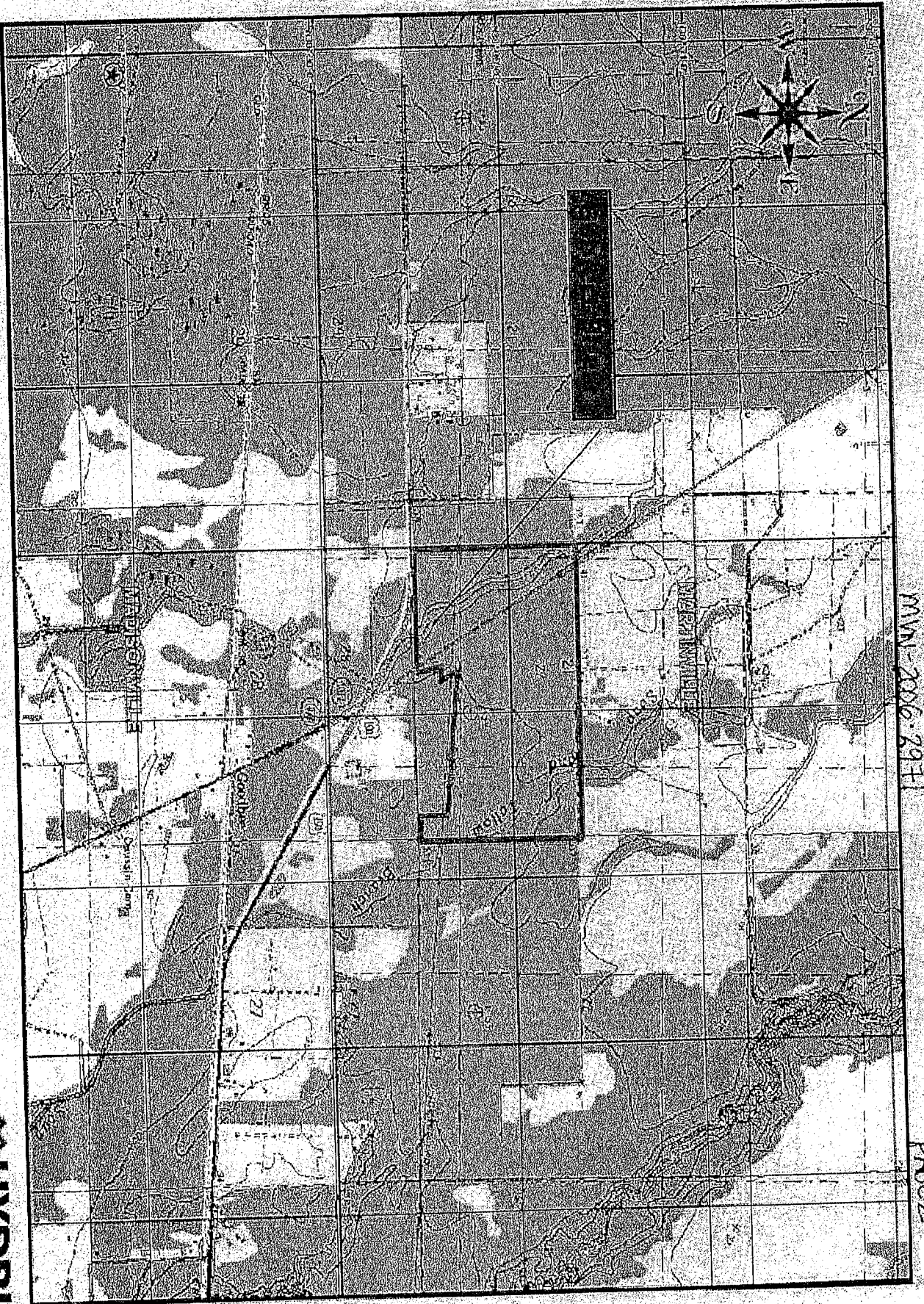


Exhibit 1, Highway Vicinity Map (S)



MNI-2006-2911

Page 2

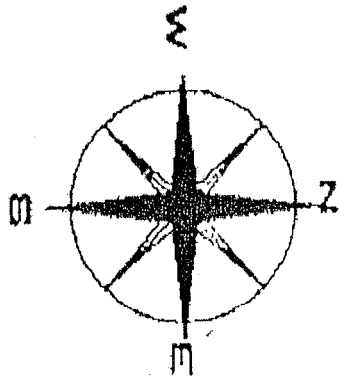
Exhibit 2, USGS topographic map, Ponchatoula Quad



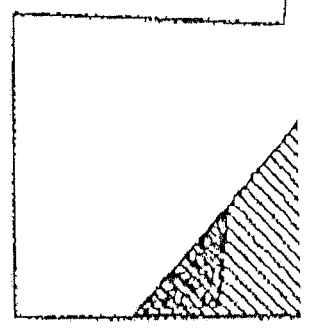
WMN-2006-2931

Page 3

Exhibit 5, USDA Soil Survey Map



NTS



Page 4A

GRAPHIC SCALE



LEGEND:



ADDITIONAL IMPACTS (FILL AND PREP) 3.47 ACRES



WETLANDS PERMITTED FOR FILL (GIVE BACK) 2.65 ACRES



WETLANDS PERMITTED FOR EXCAVATION (GIVE BACK) 0.85 ACRES

NET ADDITIONAL IMPACTED WETLANDS - 0.03 ACRES



UNPERMITTED WETLAND PRESERVATION



PREVIOUSLY PERMITTED TO REMAIN PERMITTED (FILL)



PREVIOUSLY PERMITTED TO REMAIN PERMITTED (EXCAVATION)

WATERS TO BE PRESERVED (CONVERTED WHERE INDICATED)

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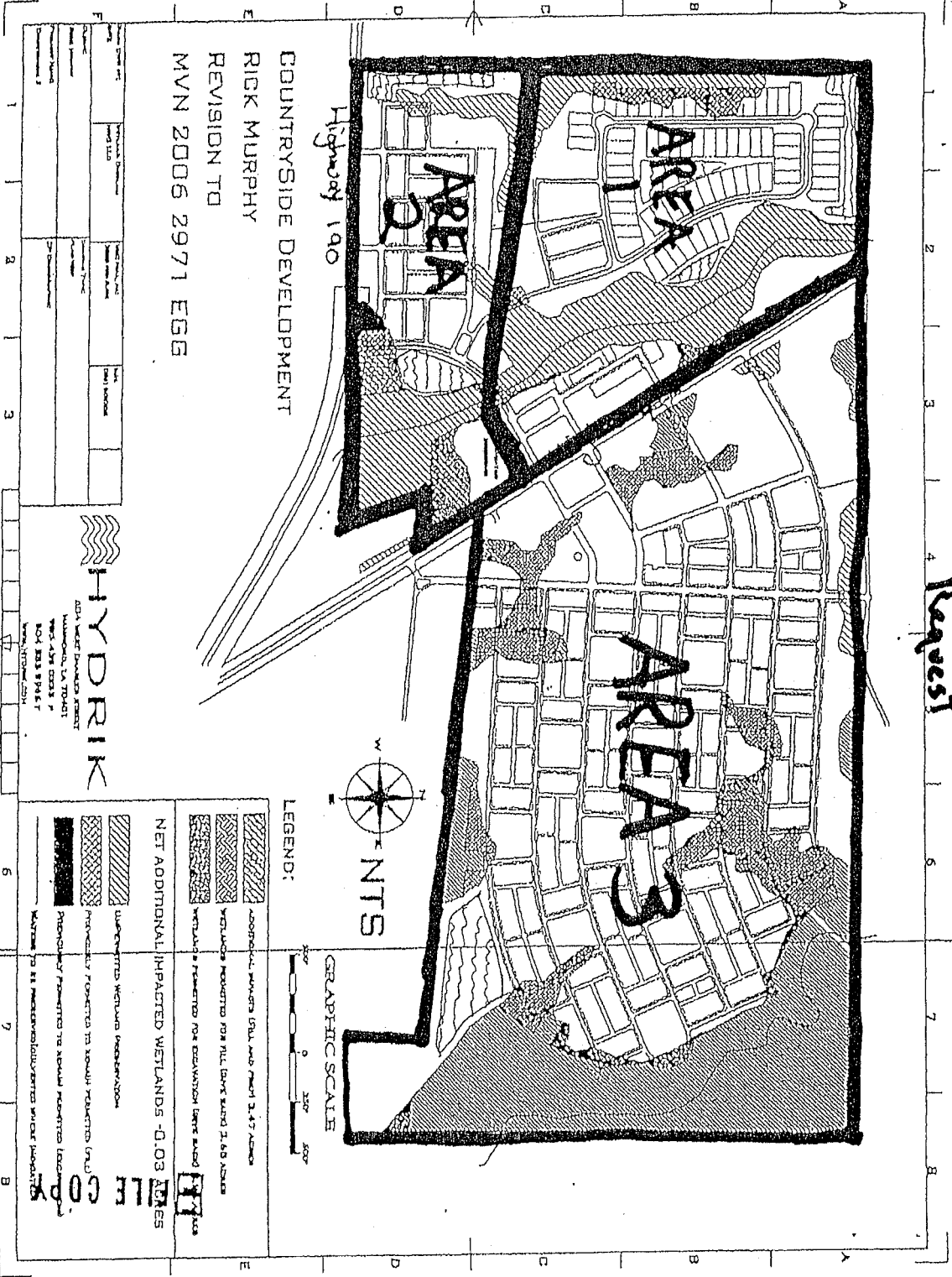
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E

*3/19 Time Extend Request*

*Page 4 B*



COUNTRYSIDE DEVELOPMENT  
 RICK MURPHY  
 REVISION TO  
 MVN 2006 2971 EGG

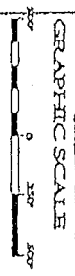
Highway 190

Item	Description	Quantity	Unit
1	...	...	...
2	...	...	...
3	...	...	...

**HYDRIK**  
 DATA SHEET PROVIDED PERMIT  
 NUMBER: 1A TR001  
 1001 30th Street  
 New York, NY 10017



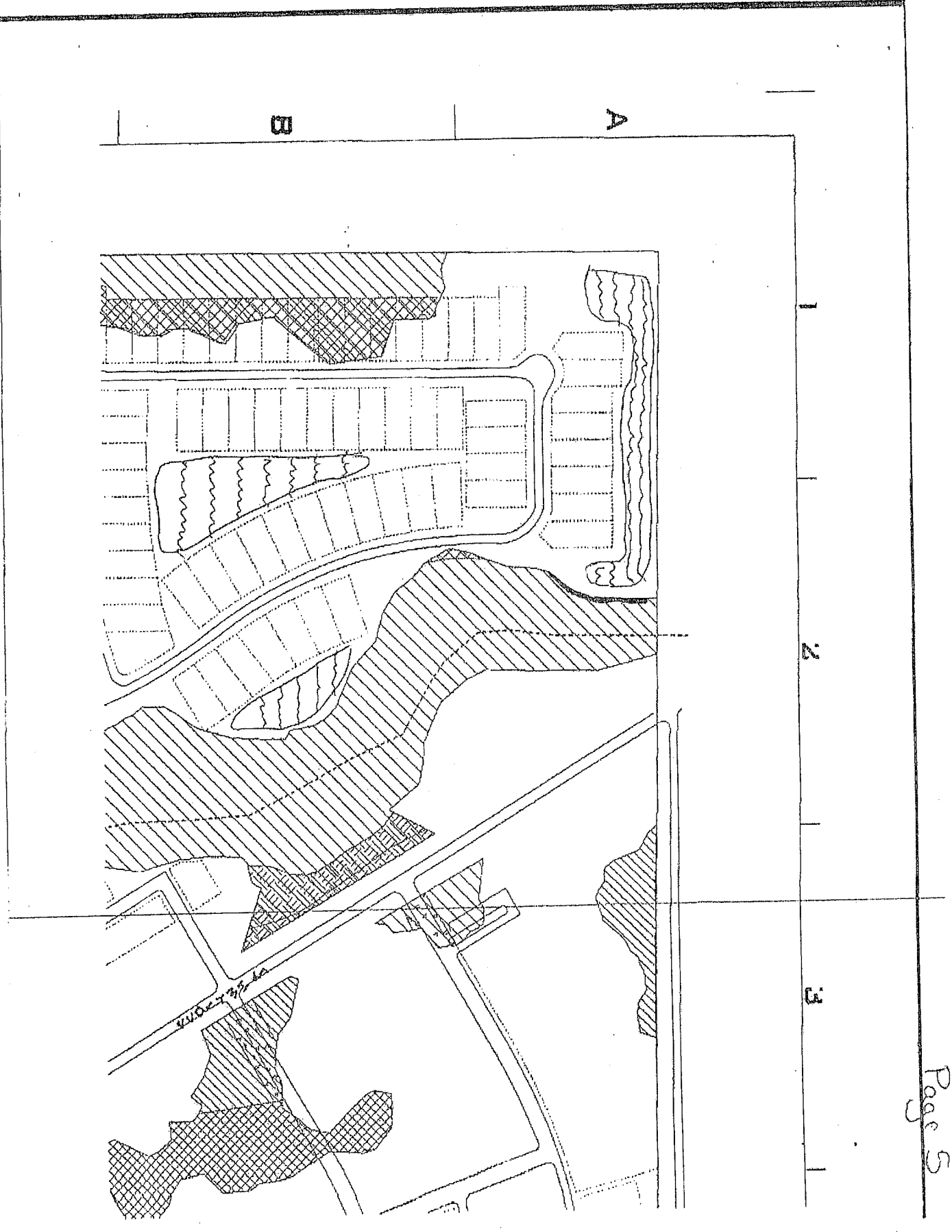
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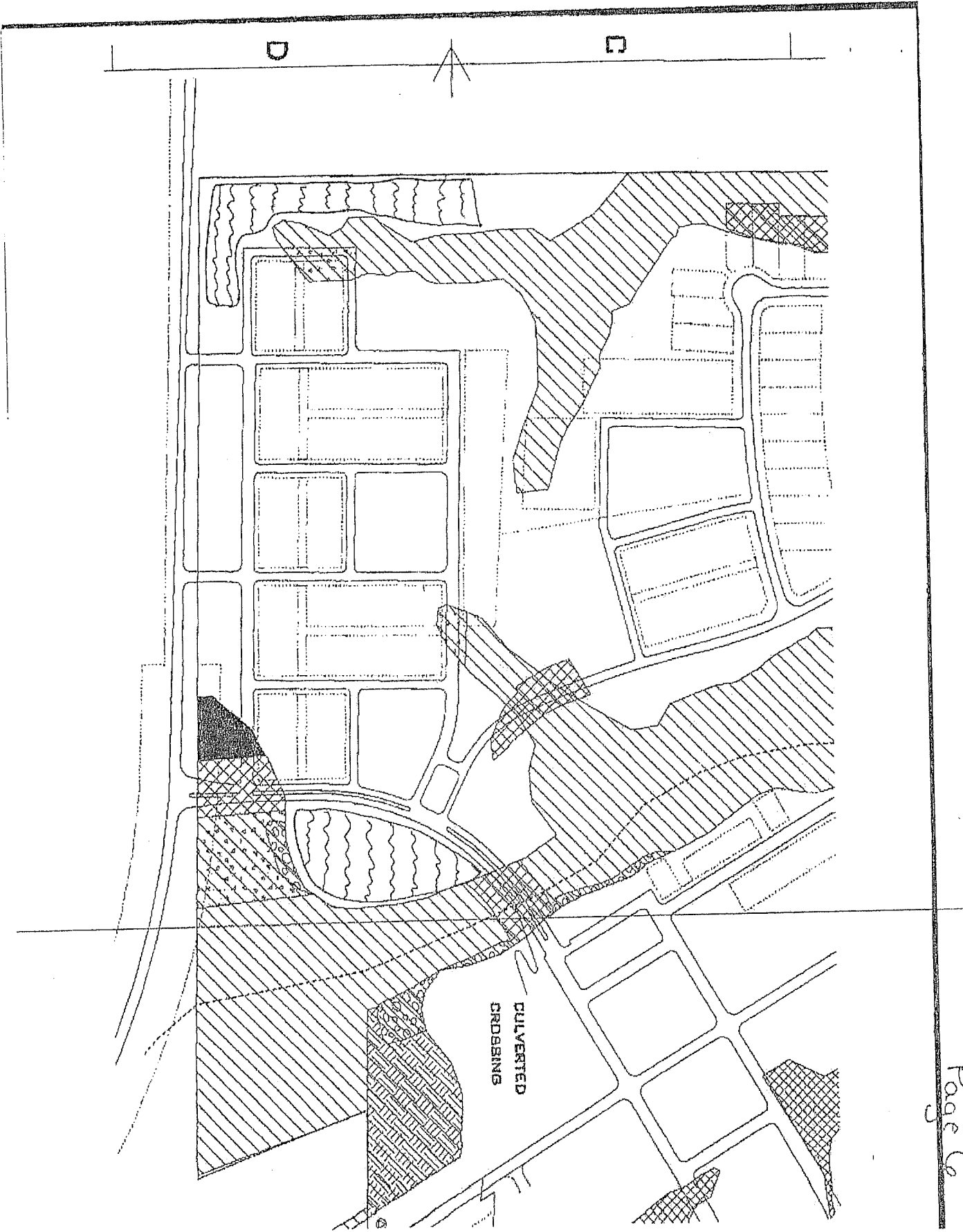


Pattern	Description
[Diagonal lines /]	ADDITIONAL BUFFER ZONE FROM 3.47 ACRES
[Diagonal lines \]	WETLANDS PROTECTED FOR FILL DATE 2/15/2006
[Cross-hatch]	WETLANDS PROTECTED FOR EXCAVATION DATE 2/15/2006
[Stippled]	NET ADDITIONAL IMPACTED WETLANDS - 0.03 ACRES
[Diagonal lines /]	UNDEVELOPED WETLAND PROTECTION
[Diagonal lines \]	PROPOSED PROTECTION TO REMAIN PROTECTED (N.A.)
[Cross-hatch]	PROPOSED PROTECTION TO REMAIN PROTECTED (LOCAL)
[Stippled]	WETLANDS TO BE REDEVELOPED/VERTICALLY INTEGRATED

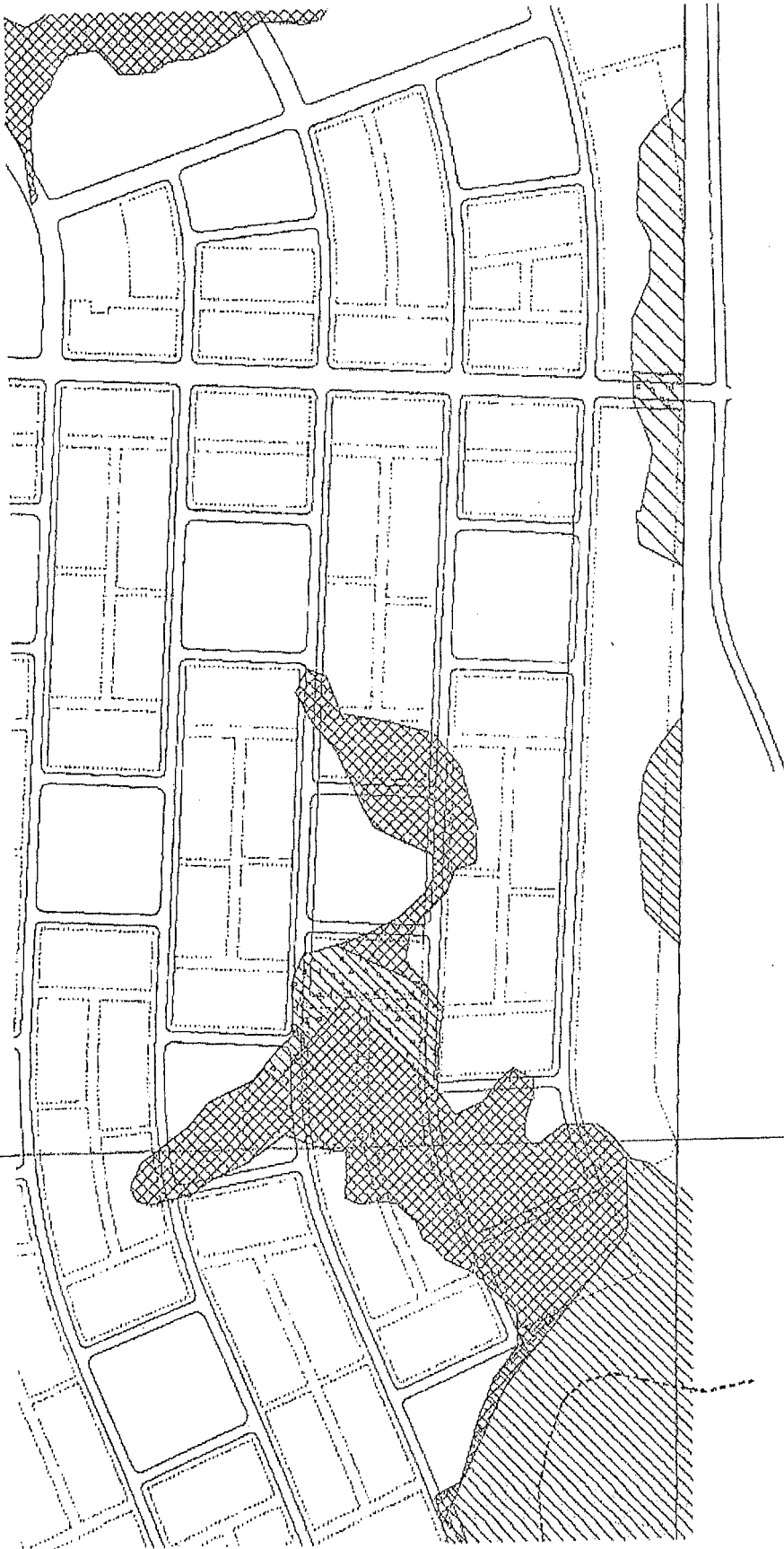
*Atlantic/Oceanic Pond*







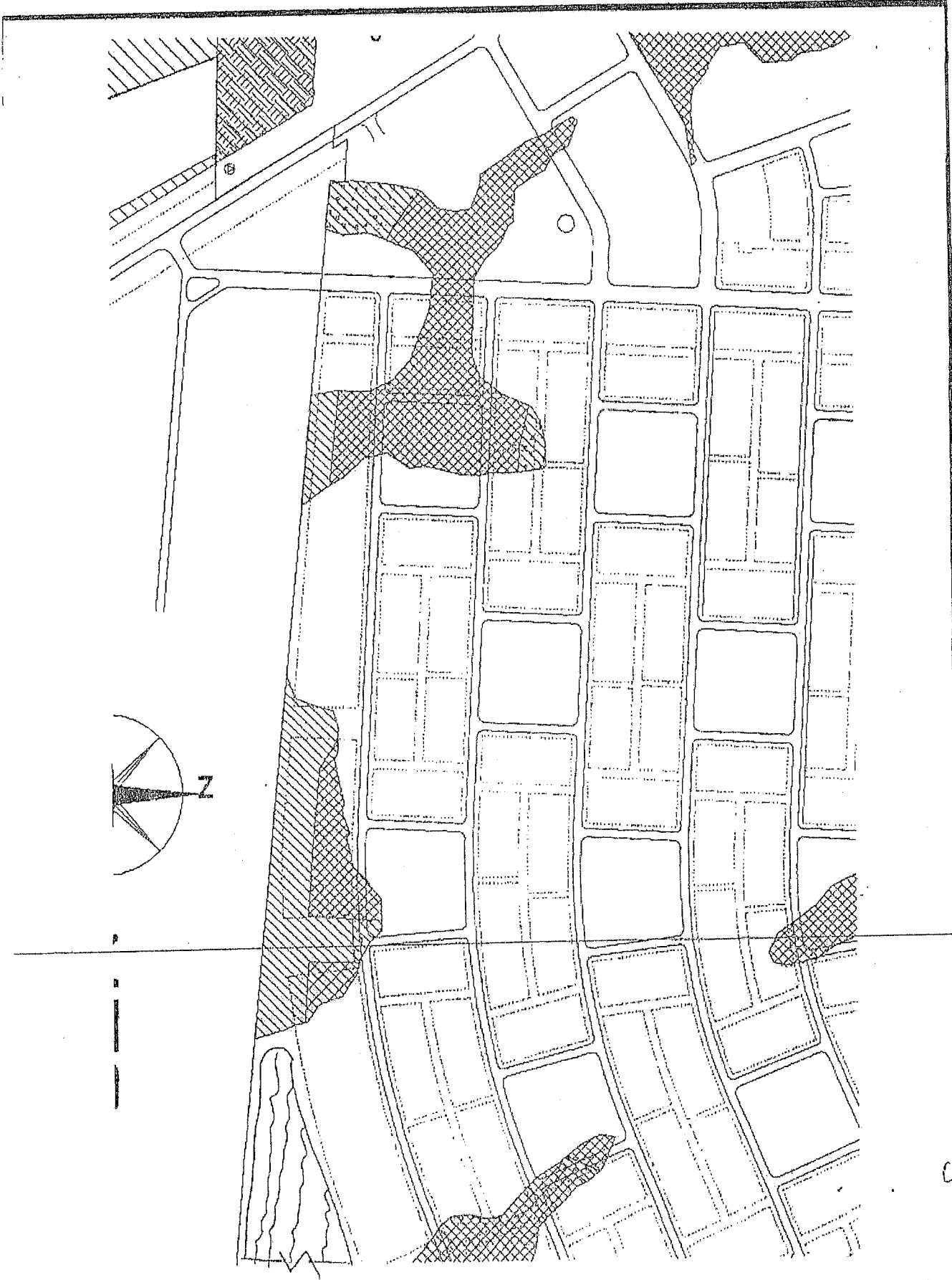
CULVERTED  
CROSSINGS

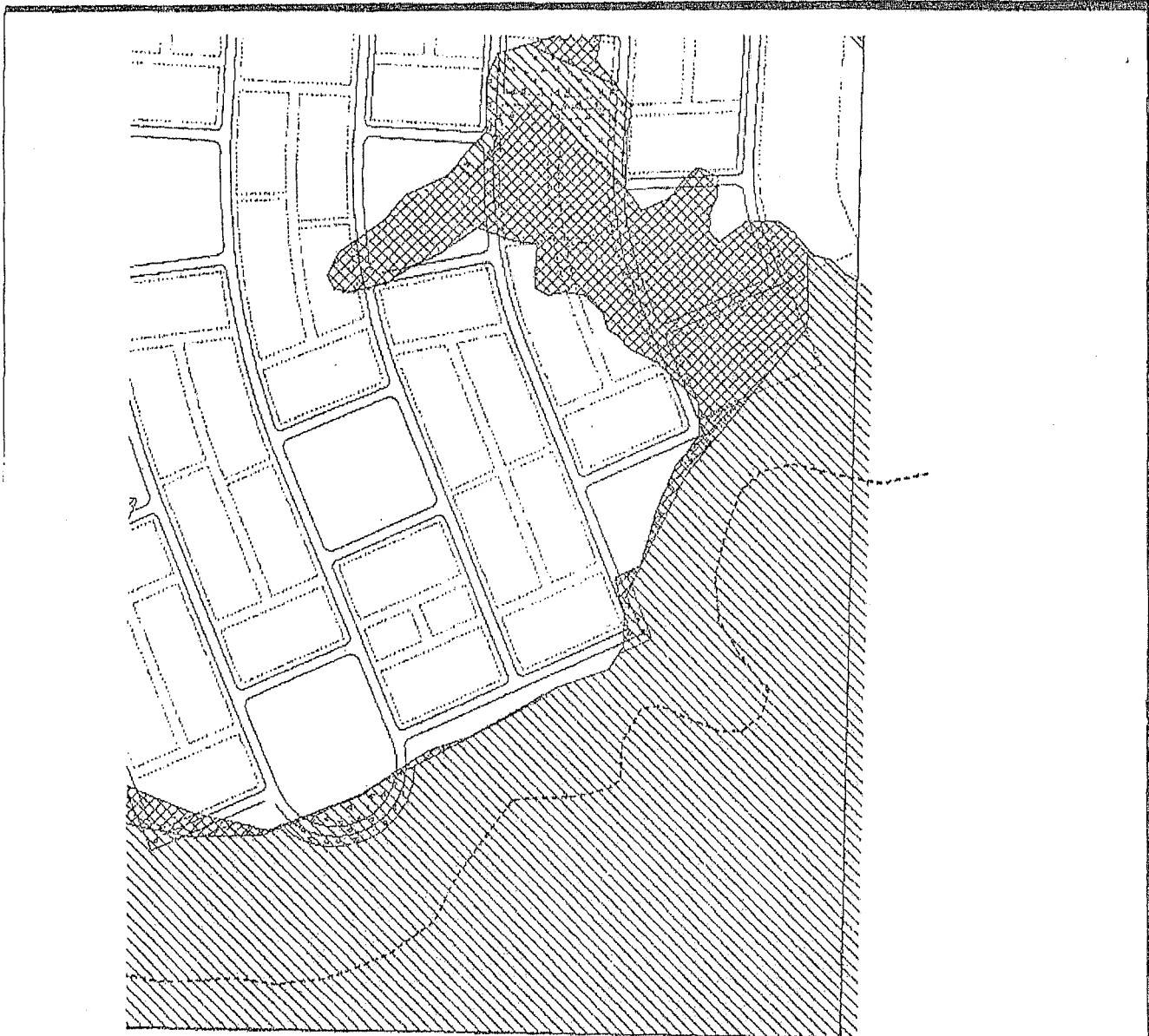


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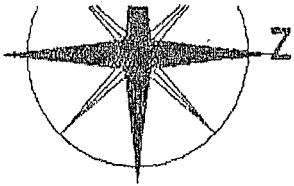
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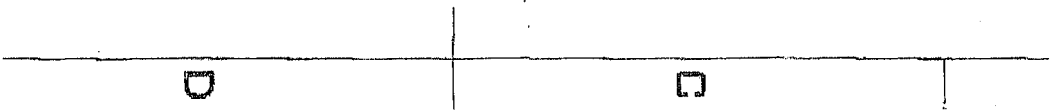
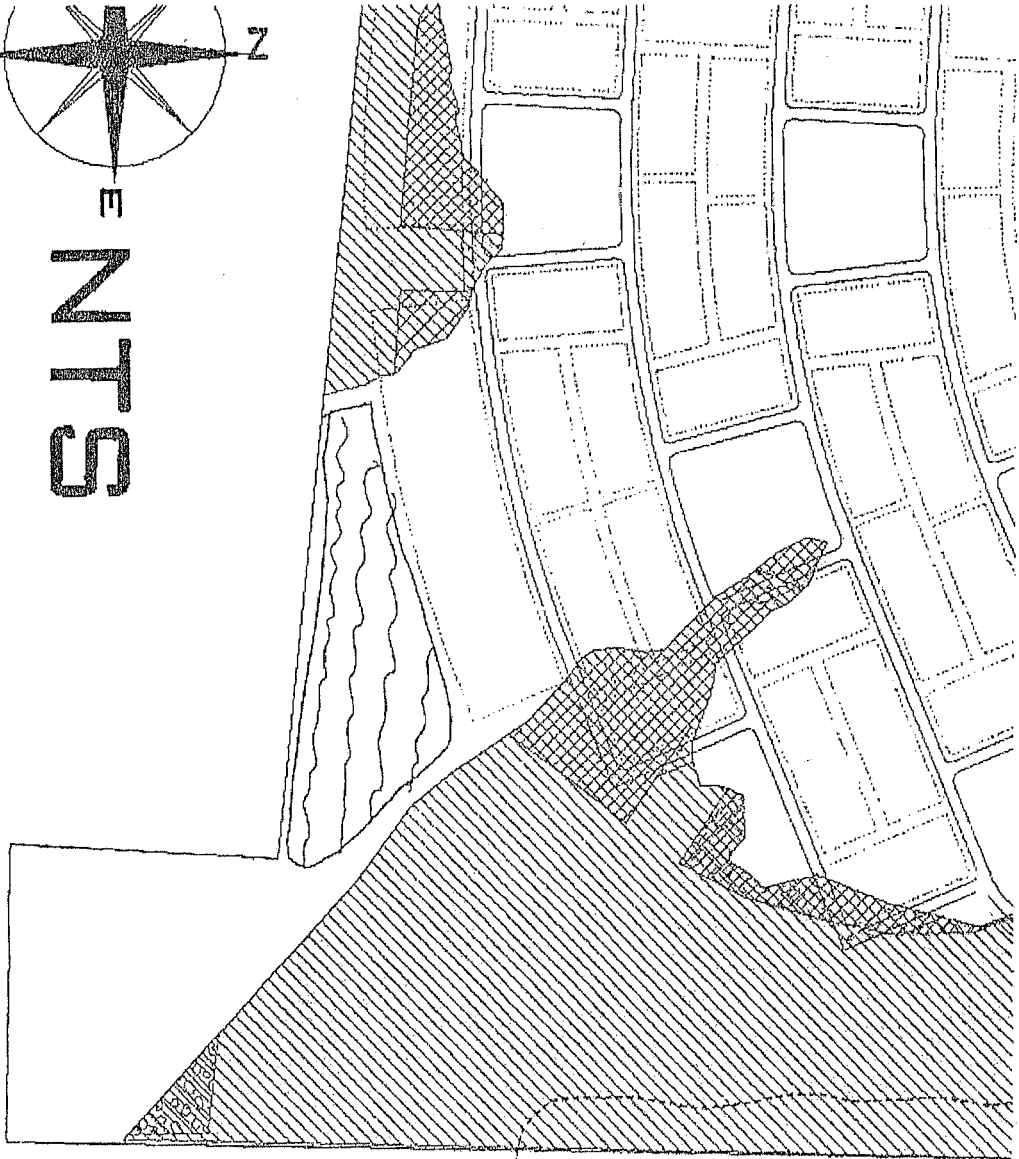


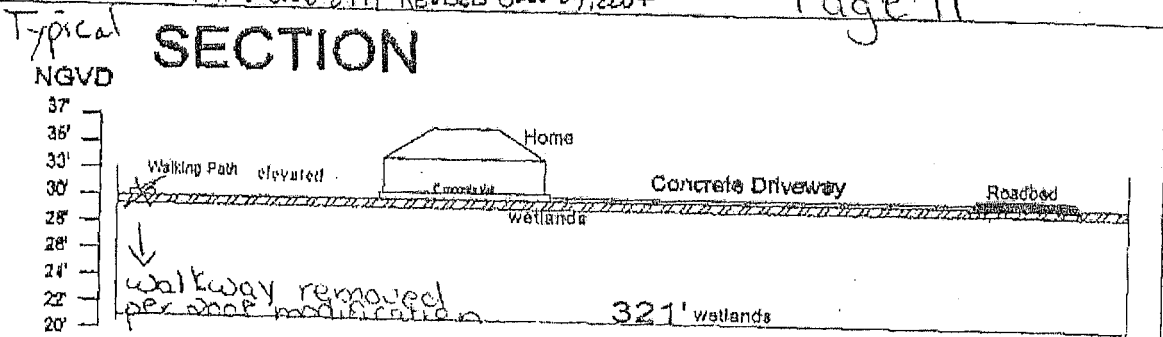


A B

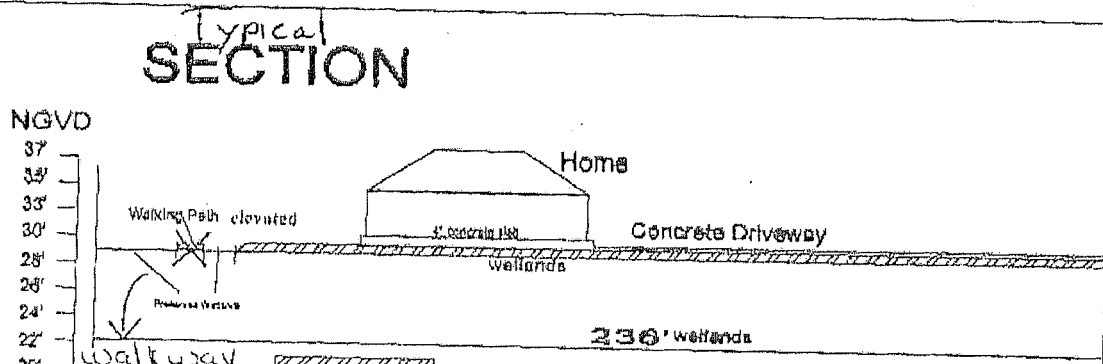


**ENTG**





WETLANDS- 1 inch average RII at 18.29 acres  
-2360 C.Y. Class B-FI FILL (represents total fill in wetlands on site)



WETLANDS- 1 inch average RII at 18.29 acres  
-2360 C.Y. Class B-FI FILL (represents total fill in wetlands on site)

Vertical Scale: as indicated  
Horizontal Scale: as indicated

**Rick Murphy**  
286.81 ACRES, La Hwy. 1077  
Lat: 30 deg, 30 min, 28.7 sec N  
Long: 90 deg, 12 min, 3.3 sec W

[www.hydril.com](http://www.hydril.com)

PLUT-4

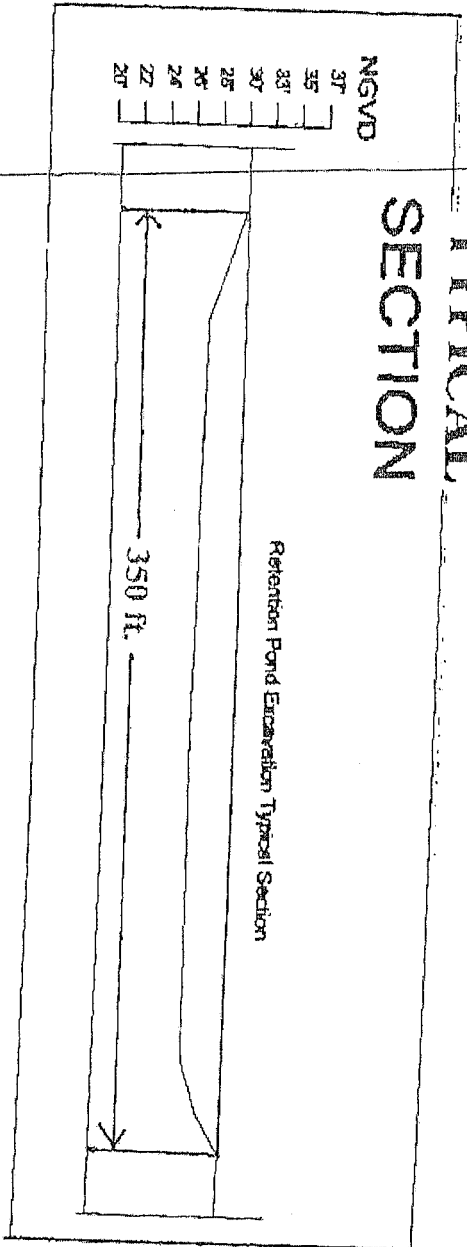
0622c

DRAWN BY: LJK  
CHECKED BY: TFM  
APPROVED BY:

REV.

MVN-2006-2971 REVISED : JAN 29, 2007

# TYPICAL SECTION



Retention Pond Excavation Typical Section

Vertical Scale: as indicated  
Horizontal Scale: as indicated

[www.hydrk.com](http://www.hydrk.com)

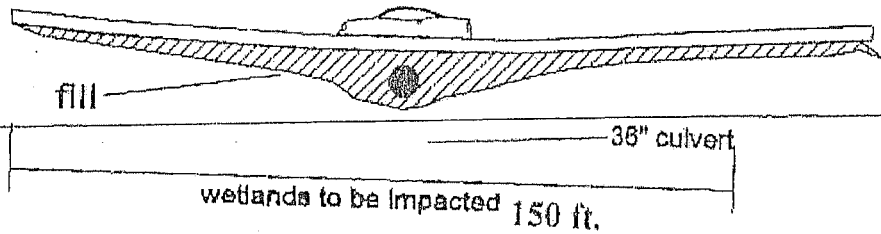
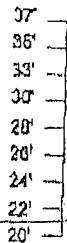
**Rick Murphy**  
288.61 ACRES, LA Hwy. 1077  
Lat: 30 deg. 30 min, 28.7 sec N  
Long: 90 deg. 12 min, 3.3 sec W

PROJECT #	0622c
DRAWN BY:	KUH
CHECKED BY:	TRV
APPROVED BY:	
DATE:	
REV	



# Culvert Detail "A"

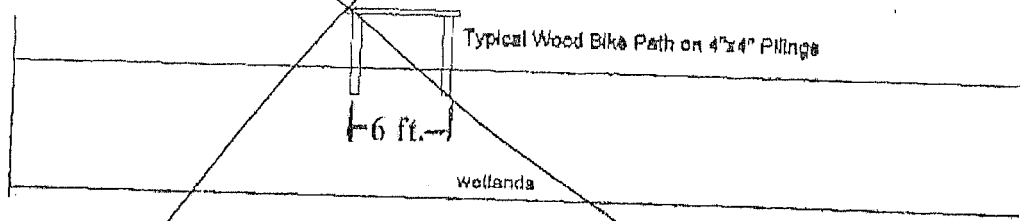
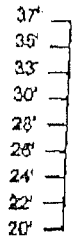
NGVD



\* Removed per 2008 modification

## SECTION D-D

NGVD



Vertical Scale: as indicated  
Horizontal Scale: as indicated

[www.hydrk.com](http://www.hydrk.com)

<b>Rick Murphy</b>	
268.81 ACRES, La Hwy. 1077	
Lat: 30 deg, 30 min, 28.7 sec N	
Long: 80 deg, 12 min, 3.3 sec W	
PRJT #	DRAWN BY: MJH
0622c	CHECKED BY: TPM
	APPROVED BY:
	REV.