

# JOINT PUBLIC NOTICE

May 22, 2017

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

State of Louisiana  
Department of Environmental Quality  
Office of Environmental Services  
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 2007-00831-CG

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC # 161026-01

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: [ ] 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.

## **RESIDENTIAL SUBDIVISION IN LIVINGSTON PARISH**

**NAME OF APPLICANT:** D.R. Horton, Gulf Coast , c/o Hydrik, Inc., 2323 Hwy 190 East, STE 2, Hammond, LA 70401.

**LOCATION OF WORK:** In Sections 51 and 31, T5S-R3E, near Watson, Louisiana in Livingston Parish, within the Amite River Basin in hydrologic unit (HUC 08070202), as shown on the attached drawings (Latitude 30.564501 N, Longitude -90.943301 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:** The work described herein was placed on public notice from November 11, 2016 through November 27, 2016 with the exception of the unauthorized clearing and placement of fill material in 0.53 acres of jurisdictional wetlands. Work to construct the 1<sup>st</sup> and 2<sup>nd</sup> Filing areas has been partially completed under the previous authorization issued to CJS, Inc. on January 10, 2008, extended on October 29, 2012. The applicant has procured the property and has requested Department of the Army authorization to modify a reconfiguration and complete the project to include clearing, grading, excavating and depositing fill and/or aggregate material to construct and maintain a residential subdivision (Audubon Lake Subdivision) including roads, ponds, housepads, driveways, utilities and drainage infrastructure for a total of 189 lots. Approximately 7,000 cubic yards of silt fill, 900 cubic yards of concrete and 200 cubic yards of asphalt would be hauled in and deposited to

achieve required grade elevation requirements. The proposed project is situated on an approximately 124-acre tract. It has been determined that the proposed project would impact approximately 4.37 acres of wetlands and 1.35 acres of waters of the U.S.

It is presumed that the applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. Any further reduction would limit usage of the property and therefore function, deeming the project impracticable. Previous compensatory mitigation required of CJS, Inc. for the original project has been assessed, collected and is considered to be satisfactory for the reconfiguration and remainder of work to be completed.

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 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 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. 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 the proposed activity would have no effect on any listed species.

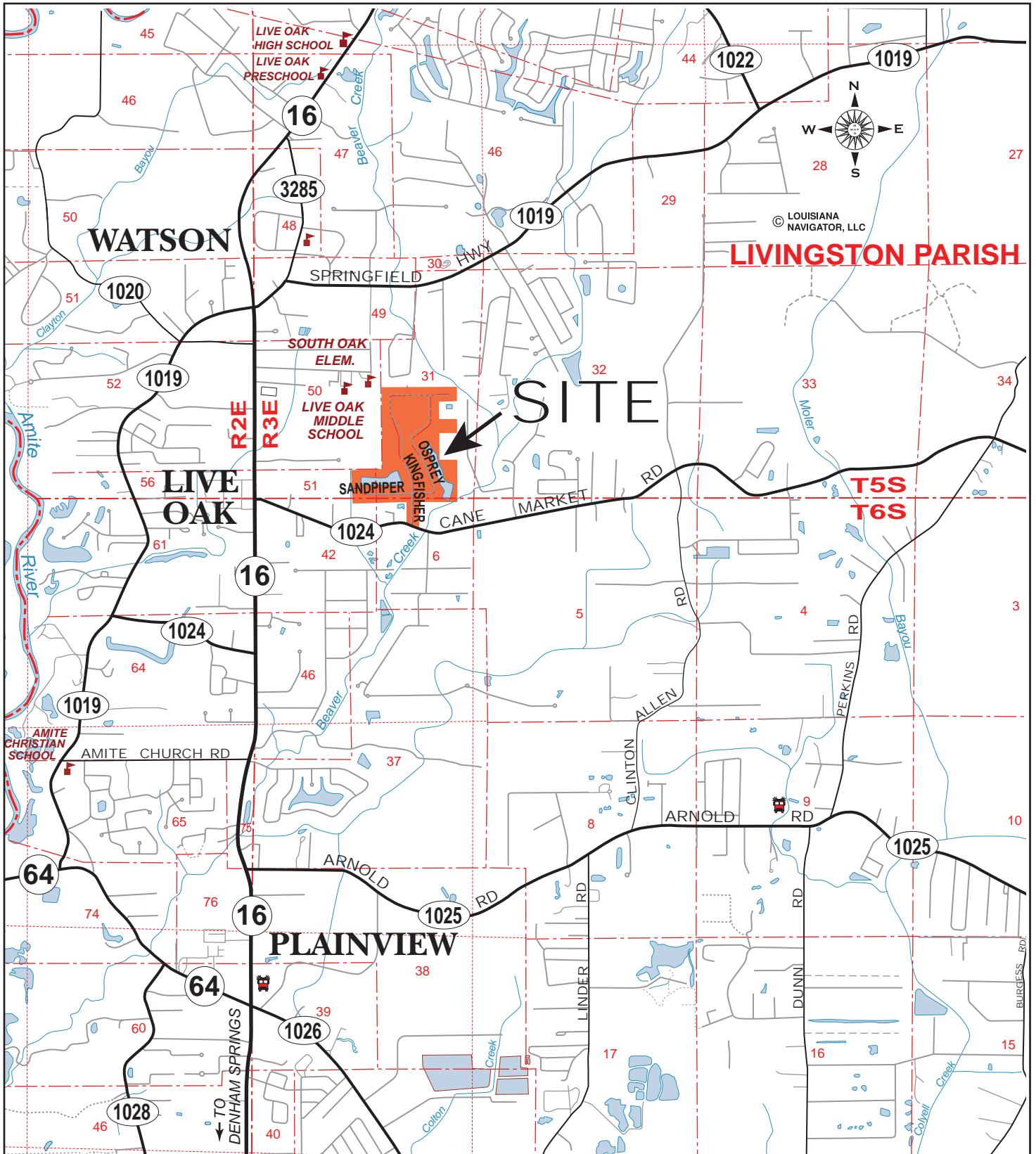
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of up to n/a acres of EFH utilized by various life stages of red drum and penaeid shrimp. 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.

*for* JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosures



**SITE VICINITY**  
 PROPOSED DEVELOPMENT  
 AUDUBON LAKES  
 SECTIONS 31 & 51, T5S-R3E  
 SECTION 6, T6S-R3E  
 LIVINGSTON PARISH, LA



**APPLICANT:**  
 D.R. HORTON, INC. - GULF COAST

**LEGEND**  
 = PROPOSED AUBUBON LAKES DEVELOPMENT

**FIGURE**  
 1

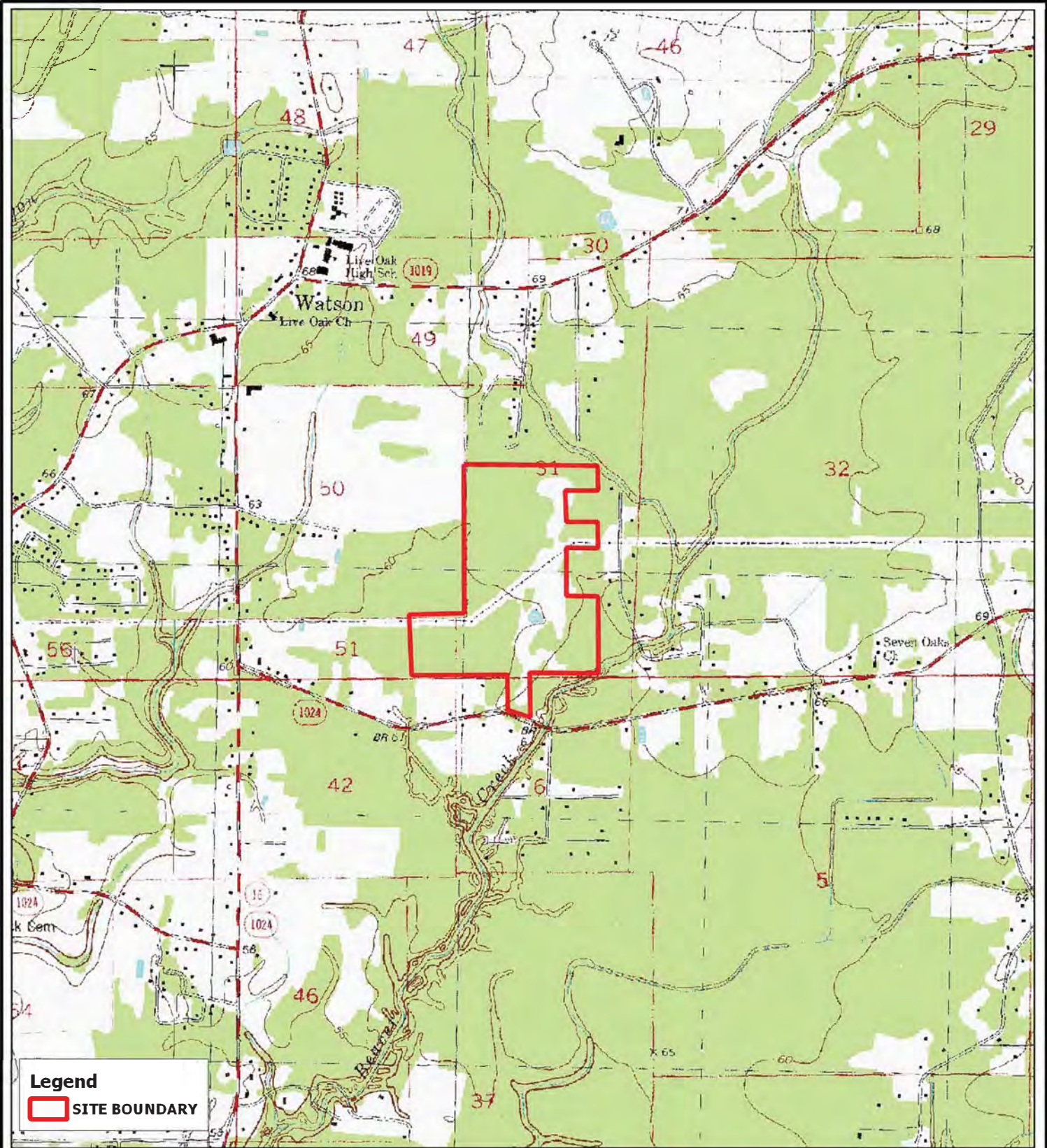
SITE COORDINATES @ CENTER HWY 1024  
 30°33'38" N, 90°56'42" W



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

HF: \_\_\_\_\_ DATE \_\_\_\_\_ APPROVED: \_\_\_\_\_





WALKER LOUISIANA  
 LIVINGSTON PARISH  
 LSP FIPS 1702 NAD 83



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

24K USGS

DR HORTON  
 AUDUBON LAKES SUBDIVISON

FIGURE  
 2




HF:1639C

DATE:080116

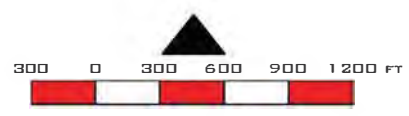
2323 HWY 190 EAST SUITE 2  
 HAMMOND, LA 70401  
 985 429 0333





**Legend**  
 **SITE BOUNDARY**

WALKER LOUISIANA  
 LIVINGSTON PARISH  
 LSP FIPS 1702 NAD 83



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

**08/2015 GE RGB**

DR HORTON  
 AUDUBON LAKES SUBDIVISON

FIGURE  
 3



HF:1639C  
 DATE:080116

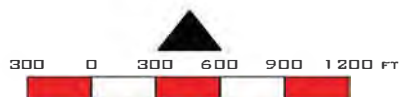
2323 HWY 190 EAST SUITE 2  
 HAMMOND, LA 70401  
 985 429 0333

Report a map error





WALKER LOUISIANA  
LIVINGSTON PARISH  
LSP FIPS 1702 NAD 83



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**2011 BING RGB**

DR HORTON  
AUDUBON LAKES SUBDIVISON

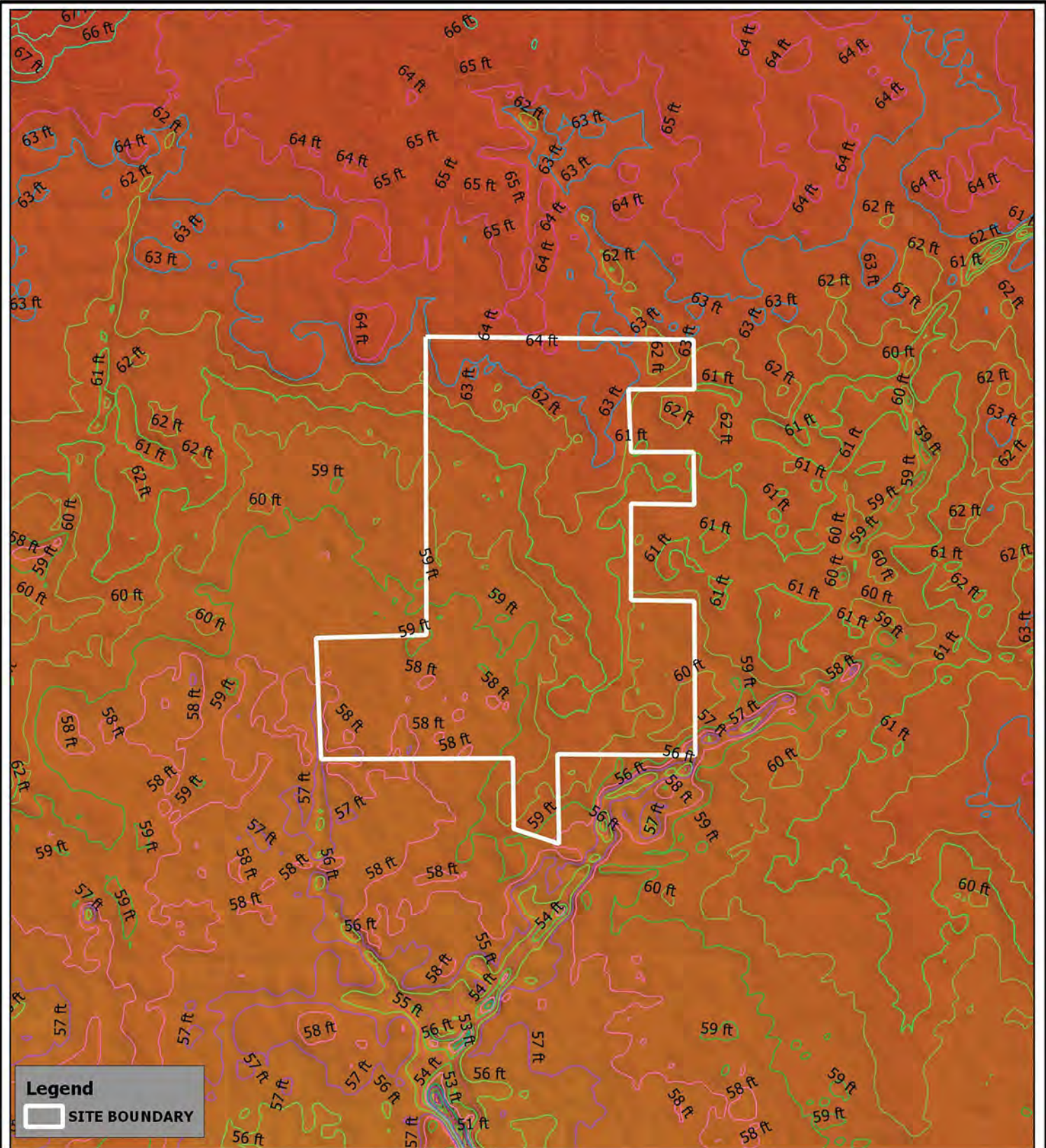
FIGURE  
4

HF:1639C

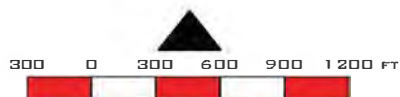
DATE:080116

2323 HWY 190 EAST SUITE 2  
HAMMOND, LA 70401  
985 429 0333





WALKER LOUISIANA  
 LIVINGSTON PARISH  
 LSP FIPS 1702 NAD 83



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**DEM WITH 1' LIDAR CONTS**

DR HORTON  
 AUDUBON LAKES SUBDIVISON

FIGURE  
 5



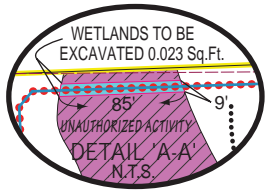
HF:1639C

DATE:080116

2323 HWY 190 EAST SUITE 2  
 HAMMOND, LA 70401  
 985 429 0333



NOTE:  
THIS SITE IS LOCATED IN FLOOD ZONES "AE" & "B" PER F.I.R.M. PANEL NO.'s 22063C0115 D & 22063C0150 D DATED 8/23/01. BASE FLOOD ELEV. = 59.0' to 64'



NOTE:  
ALL CONSTRUCTION WITHIN 1ST & 2ND FILING AREAS PERFORMED BY AUDUBON LAKES, LLC

**AREA OF UNAUTHORIZED ACTIVITY BY AUDUBON LAKES, LLC**

c/o CALVIN BLOUNT 0.53 Ac.  
9330 PECUE LANE  
BATON ROUGE, LA 70809

DETAIL 'A-A'

SEC. 50  
SEC. 51

30°33'47" N  
90°56'43" W

30°33'14" W 806'

50' DRAINAGE R/W

PRESERVED AREA UNDER EXPIRED PERMIT TO REMAIN PRESERVED 0.70 Ac.

SEC. 51  
SEC. 42

30°33'38" N  
90°56'42" W

URBAN

1305'

SEC. 42  
SEC. 6

30°33'47" N  
90°56'43" W

URBAN

466'

SEC. 42  
SEC. 6

30°33'34" N  
90°56'35" W

URBAN

606'

SEC. 42  
SEC. 6

30°33'39" N  
90°56'24" W

URBAN

1025'

SEC. 31  
SEC. 6

T5S-R3E  
T6S-R3E

LA HWY 1024  
CANE MARKET RD

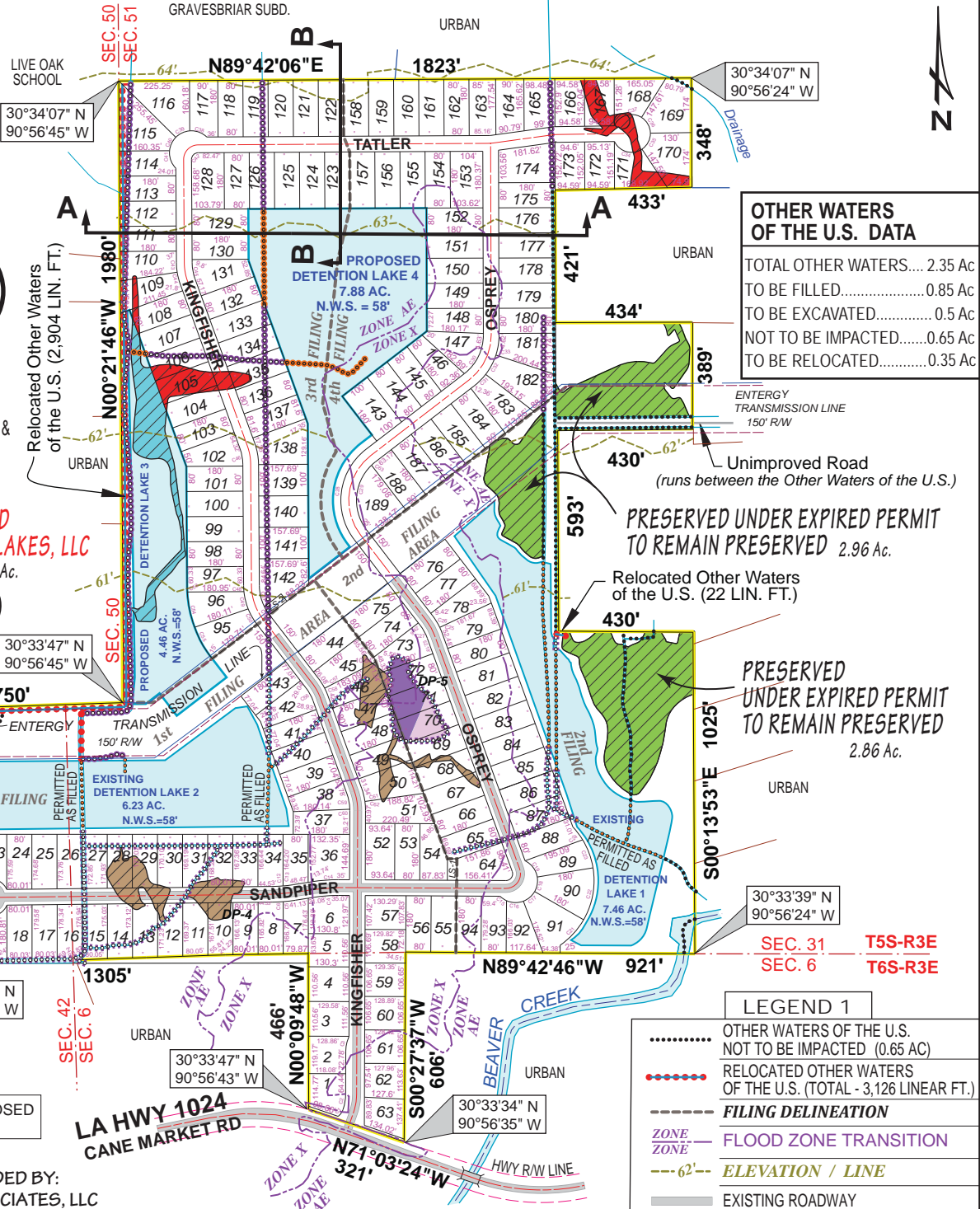
URBAN

321'

SEC. 42  
SEC. 6

30°33'38" N  
90°56'42" W

URBAN



**OTHER WATERS OF THE U.S. DATA**

TOTAL OTHER WATERS.....	2.35 Ac
TO BE FILLED.....	0.85 Ac
TO BE EXCAVATED.....	0.5 Ac
NOT TO BE IMPACTED.....	0.65 Ac
TO BE RELOCATED.....	0.35 Ac

ENTERGY TRANSMISSION LINE 150' R/W  
Unimproved Road (runs between the Other Waters of the U.S.)

PRESERVED UNDER EXPIRED PERMIT TO REMAIN PRESERVED 2.96 Ac.

Relocated Other Waters of the U.S. (22 LIN. FT.)

PRESERVED UNDER EXPIRED PERMIT TO REMAIN PRESERVED 2.86 Ac.

**LEGEND 1**

.....	OTHER WATERS OF THE U.S. NOT TO BE IMPACTED (0.65 AC)
.....	RELOCATED OTHER WATERS OF THE U.S. (TOTAL - 3,126 LINEAR FT.)
---	FILING DELINEATION
---	FLOOD ZONE TRANSITION
---	ELEVATION / LINE
---	EXISTING ROADWAY

TOTAL NUMBER OF PROPOSED RESIDENTIAL LOTS = 189

NOTE:  
BASE DRAWINGS PROVIDED BY:  
ALVIN FAIRBURN & ASSOCIATES, LLC  
DENHAM SPRINGS, LA

ALL WETLANDS & WATERWAYS PROPOSED FOR IMPACT WERE ORIGINALLY PERMITTED & MITIGATED UNDER EXPIRED PERMIT MVN 2007 831 CT. CURRENT EXTENSION REQUEST INCLUDES A SLIGHT DESIGN MODIFICATION COMPARED TO THE PREVIOUS PERMIT BUT NO ADDITIONAL JURISDICTIONAL IMPACTS.

**WETLANDS PROPOSED DEVELOPMENT AUDUBON LAKES SECTIONS 31 & 51, T5S-R3E SECTION 6, T6S-R3E LIVINGSTON PARISH, LA**

APPLICANT:  
**D.R. HORTON, INC. - GULF COAST**

SITE COORDINATES  
CENTER @ HWY: 30°33'38" N, 90°56'42" W



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**HYDRIK**  
WETLANDS - GIS - FLOOD CONTROL  
WWW.HYDRIK.COM (985)429-0333

**WETLANDS LEGEND:**

.....	WETLANDS IMPACTED VIA FILL & GRADING	2.90 AC.
.....	WETLANDS IMPACTED VIA EXCAVATION	0.94 AC.
.....	WETLANDS AVOIDED	6.52 AC.
.....	UNAUTHORIZED ACTIVITY IN WETLANDS BY AUDUBON LAKES, LLC	0.53 AC.
TOTAL JURISDICTIONAL WETLANDS = 10.89 AC		

**FIGURE 6**

HF: 1639C DATE: 9-26-2016  
REV: 11-2-2016  
REV: 4-6-2017  
APPROVED:

**WORK PERFORMED  
PRIOR TO EXPIRATION  
OF CURRENT PERMIT**

**FUTURE FILINGS  
BY D.R. HORTON, INC.**  
NUMBER OF PROPOSED  
RESIDENTIAL LOTS = 95

NOTE:  
ALL CONSTRUCTION WITHIN  
1ST & 2ND FILING AREAS PERFORMED  
BY AUDUBON LAKES, LLC

**AREA OF UNAUTHORIZED  
ACTIVITY BY AUDUBON LAKES, LLC**

c/o CALVIN BLOUNT 0.53 Ac.  
9330 PECUE LANE  
BATON ROUGE, LA 70809

SEC. 50

SEC. 51

SEC. 51

SEC. 51

SEC. 51

SEC. 51

SEC. 51

SEC. 51

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SEC. 51

SEC. 51

SEC. 51

SEC. 51

SEC. 51

SEC. 51

SEC. 51

SEC. 51

TOTAL NUMBER OF RESIDENTIAL LOTS COMPLETED TO-DATE = 94
AREA OF FILINGS 1 & 2 = 60.96 AC
AREA OF FILINGS 3 & 4 = 62.80 AC
TOTAL DEVELOPMENT = 123.76 AC

NOTE:  
BASE DRAWINGS PROVIDED BY:  
ALVIN FAIRBURN & ASSOCIATES, LLC  
DENHAM SPRINGS, LA

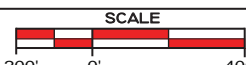
ALL WETLANDS & WATERWAYS PROPOSED FOR IMPACT WERE ORIGINALLY PERMITTED & MITIGATED UNDER EXPIRED PERMIT MVN 2007 831 CT.  
CURRENT EXTENSION REQUEST INCLUDES A SLIGHT DESIGN MODIFICATION COMPARED TO THE PREVIOUS PERMIT BUT NO ADDITIONAL JURISDICTIONAL IMPACTS.

**WORK PERFORMED**  
**PROPOSED DEVELOPMENT**  
**AUDUBON LAKES**  
**SECTIONS 31 & 51, T5S-R3E**  
**SECTION 6, T6S-R3E**  
**LIVINGSTON PARISH, LA**

APPLICANT:  
**D.R. HORTON, INC. - GULF COAST**

SITE COORDINATES  
CENTER @ HWY: 30°33'38" N, 90°56'42" W

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**LEGEND 3 OTHER WATERS OF THE U.S. FILLED / EXCAVATED**

	POND AREA PERMITTED FILLED - 0.23 AC.
	POND AREA FILLED - ORIGINALLY PERMITTED FOR EXCAVATION - 0.35 AC.
	MINOR DRAIN - FILLED PRIOR TO EXP. OF PERMIT
	MINOR DRAIN - EXCAVATED PRIOR TO EXP. OF PERMIT

**HYDRIK**  
WETLANDS - GIS - FLOOD CONTROL  
WWW.HYDRIK.COM (985)429-0333

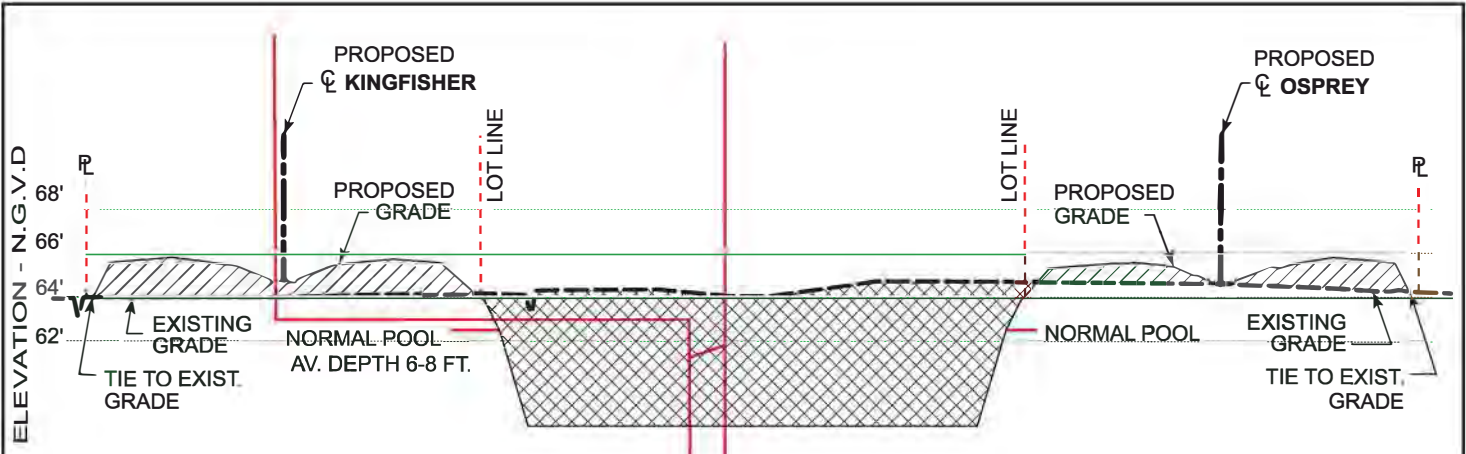
**WETLANDS LEGEND:**

	WETLANDS IMPACTED VIA FILL & GRADING 2.90 AC.
	WETLANDS IMPACTED VIA EXCAVATION 0.94 AC.
	WETLANDS AVOIDED 6.52 AC.
	UNAUTHORIZED ACTIVITY IN WETLANDS BY AUDUBON LAKES, LLC 0.53 AC.
<b>TOTAL JURISDICTIONAL WETLANDS = 10.89 AC</b>	

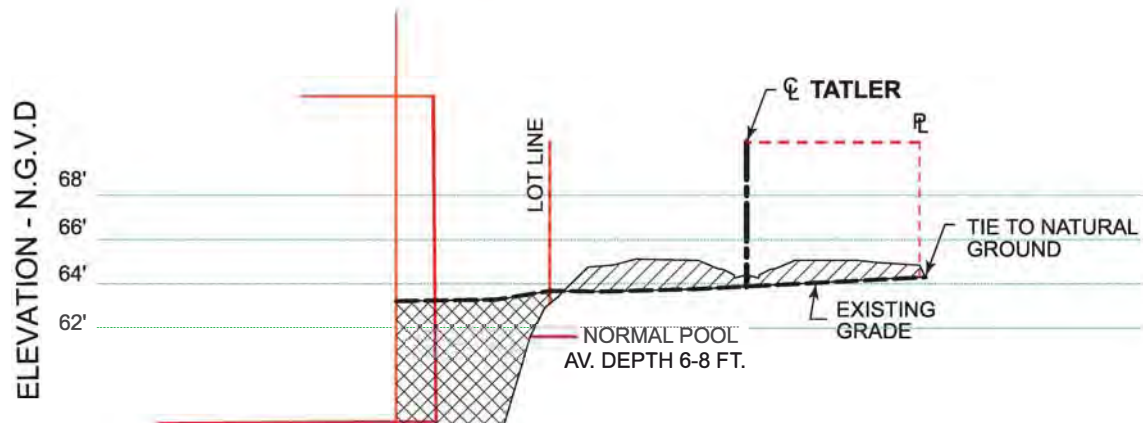
**FIGURE**  
**9**

HF: 1639C	DATE: 9-26-2016 REV: 11-2-2016 REV: 4-6-2017	APPROVED:
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**A** **A**  
**TYPICAL LOT / STREET / POND CROSS SECTION**



**B** **B**  
**TYPICAL LOT / STREET / POND CROSS SECTION**



NOTE:  
 ELEVATIONS SHOWN HEREON  
 ARE RELATIVE TO N.G.V.D. '29

**CROSS SECTIONS A,B**

PROPOSED DEVELOPMENT  
 AUDUBON LAKES - FILINGS 3 & 4  
 SECTIONS 31 & 51, T5S-R3E  
 SECTION 6, T6S-R3E  
 LIVINGSTON PARISH, LA



APPLICANT: **D.R. HORTON, INC. - GULF COAST**

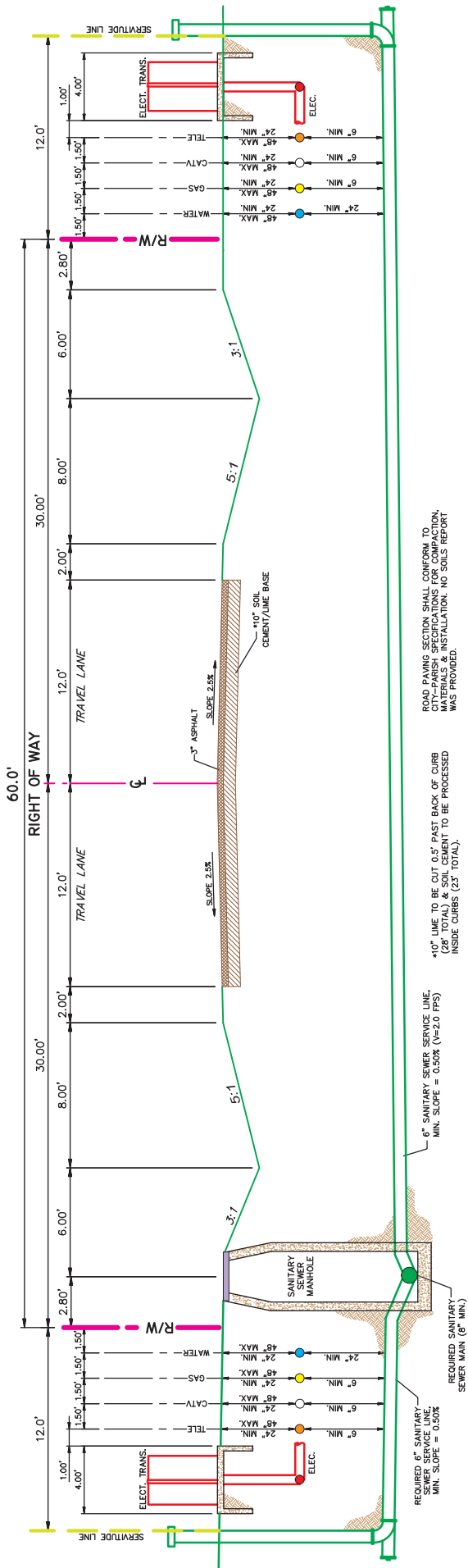
<b>LEGEND</b>	= PROPOSED FILL
	= PROPOSED EXCAVATION
	= PROPOSED ROAD CENTERLINE
	= EXISTING GRADE

**FIGURE 7**

SITE COORDINATES: \_\_\_\_\_ SCALE: **N.T.S.**

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HF: \_\_\_\_\_ DATE: \_\_\_\_\_ APPROVED: \_\_\_\_\_



ROAD PAVING SECTION SHALL CONFORM TO  
 STANDARD SPECIFICATIONS FOR CONSTRUCTION  
 MATERIALS & INSTALLATION. NO SOILS REPORT  
 WAS PROVIDED.

\*10" LIME TO BE CUT 0.5' PAST BACK OF CURB  
 (28" TOTAL) & SOIL CEMENT TO BE PROCESSED  
 INSIDE CURBS (23" TOTAL).

6" SANITARY SEWER SERVICE LINE,  
 MIN. SLOPE = 0.50% (1/2.0 FPS)

REQUIRED 6" SANITARY  
 SEWER SERVICE LINE,  
 MIN. SLOPE = 0.50%

**TYPICAL STREET SECTION**  
 SCALE: N.T.S.

EXISTING U.S. ARMY CORPS OF ENGINEERS  
 JURISDICTIONAL DETERMINATION  
 ACCOUNT NO. MVN-2006-2310-SU

**CROSS SECTIONS**

PROPOSED DEVELOPMENT  
 AUDUBON LAKES  
 SECTIONS 31 & 51, T5S-R3E  
 SECTION 6, T6S-R3E  
 LIVINGSTON PARISH, LA



APPLICANT:  
**D.R. HORTON, INC.**  
 - GULF COAST

**FIGURE**  
**8**

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HF:	DATE	APPROVED:
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