



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

August 7, 2023

Regulatory Division  
Eastern Evaluation Branch

Project Manager:  
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(504) 862-1564  
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Application # : MVN-2008-01186-EPP

## **PUBLIC NOTICE**

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).

### **AFTER-THE-FACT WEIGH STATION AND TRUCK LOADING AREA ASSOCIATED WITH THE KILLONA LANDFILL EXPANSION IN ST. CHARLES PARISH**

**NAME OF APPLICANT:** KV Enterprises, LLC, c/o Professional Engineering & Environmental Consultants, Inc., Attention: Mo Saleh, 46148 LA Highway 445, Robert, Louisiana 70455 or [mo@peecinc.com](mailto:mo@peecinc.com)

**LOCATION OF WORK:** At approximately Latitude: 30.00584, Longitude: -90.51464, at 5900 LA Highway 3127, in Killona, Louisiana, in St. Charles Parish, as shown on the enclosed drawings.

Hydrologic Unit Code: 08090301 (East Central Louisiana Coastal)

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:** Clear, grade, excavate, and fill for a weigh station and truck loading area associated with the Killona Landfill expansion. The project as proposed would directly impact approximately 5.35 acres of jurisdictional wetlands; of which approximately 0.57 acre had been cleared prior and mitigated.

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

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 the Army Permit will close 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 and must be mailed 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 can be 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, RGE, Stephanie Castaing. Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and 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 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 is Not Likely to Adversely Affect any species listed as endangered by the U.S. Departments of Commerce, nor affect any habitat designated as critical to the survival and recovery of such species.

The New Orleans District has determined that the proposed project activities will have no effect on any listed species, based on the Information & Planning Consultation for Endangered Species in Louisiana (IPaC), dated January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would have no 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.

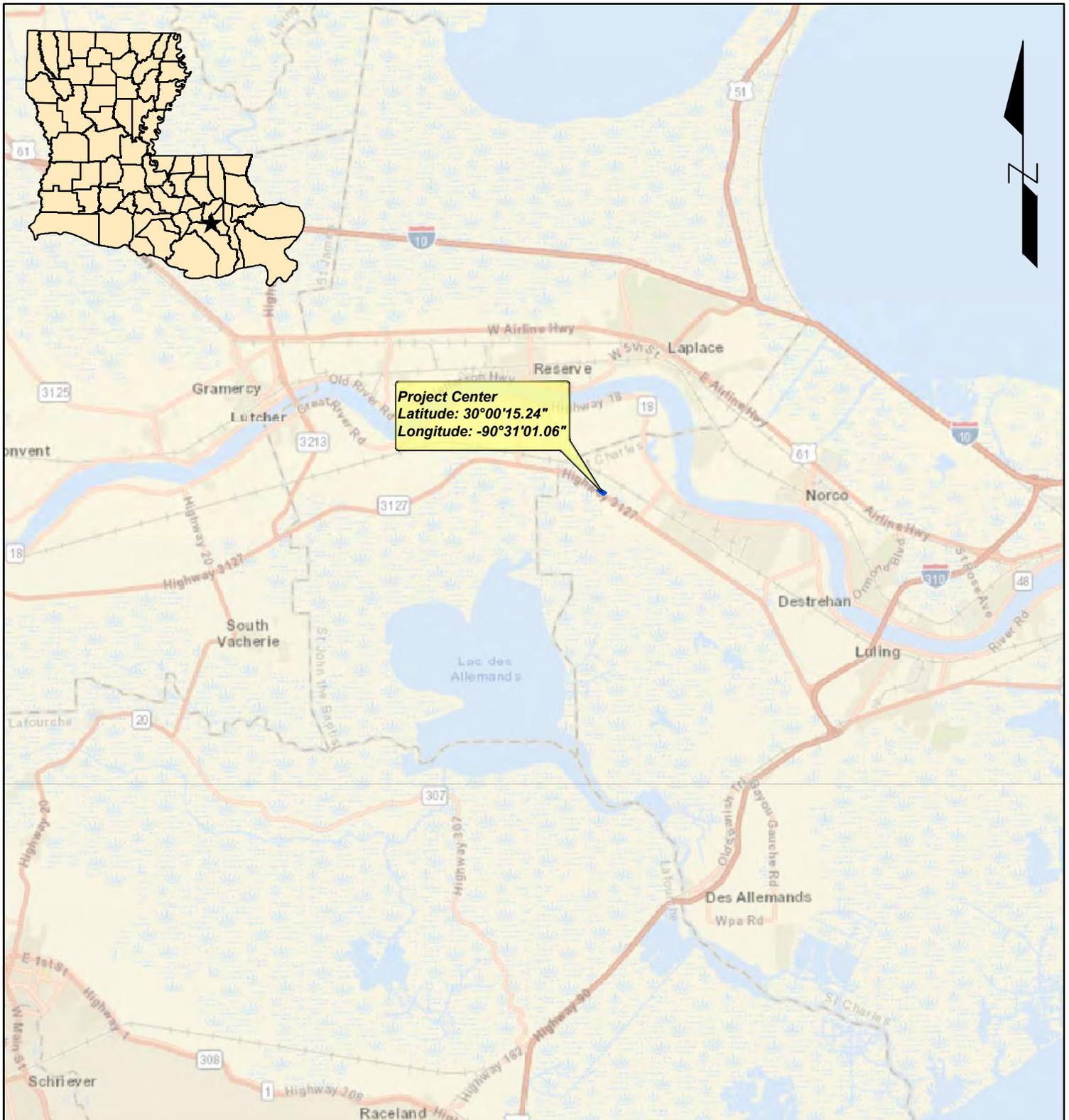
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not 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.

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 P20230577). 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.

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.

Brad P. LaBorde  
Chief, Eastern Evaluation Branch  
Regulatory Division



**Legend**

 Site Boundary (5.35 Acres)



**PROFESSIONAL  
ENGINEERING AND  
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CONSULTANTS, INC.**

**ENGINEERS, PLANNERS AND ENVIRONMENTAL CONSULTANTS  
48148 LA. HWY. 445, ROBERT, LA. 70455**

Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Vicinity Map**

Killona Landfill Expansion  
St. Charles Parish, Louisiana

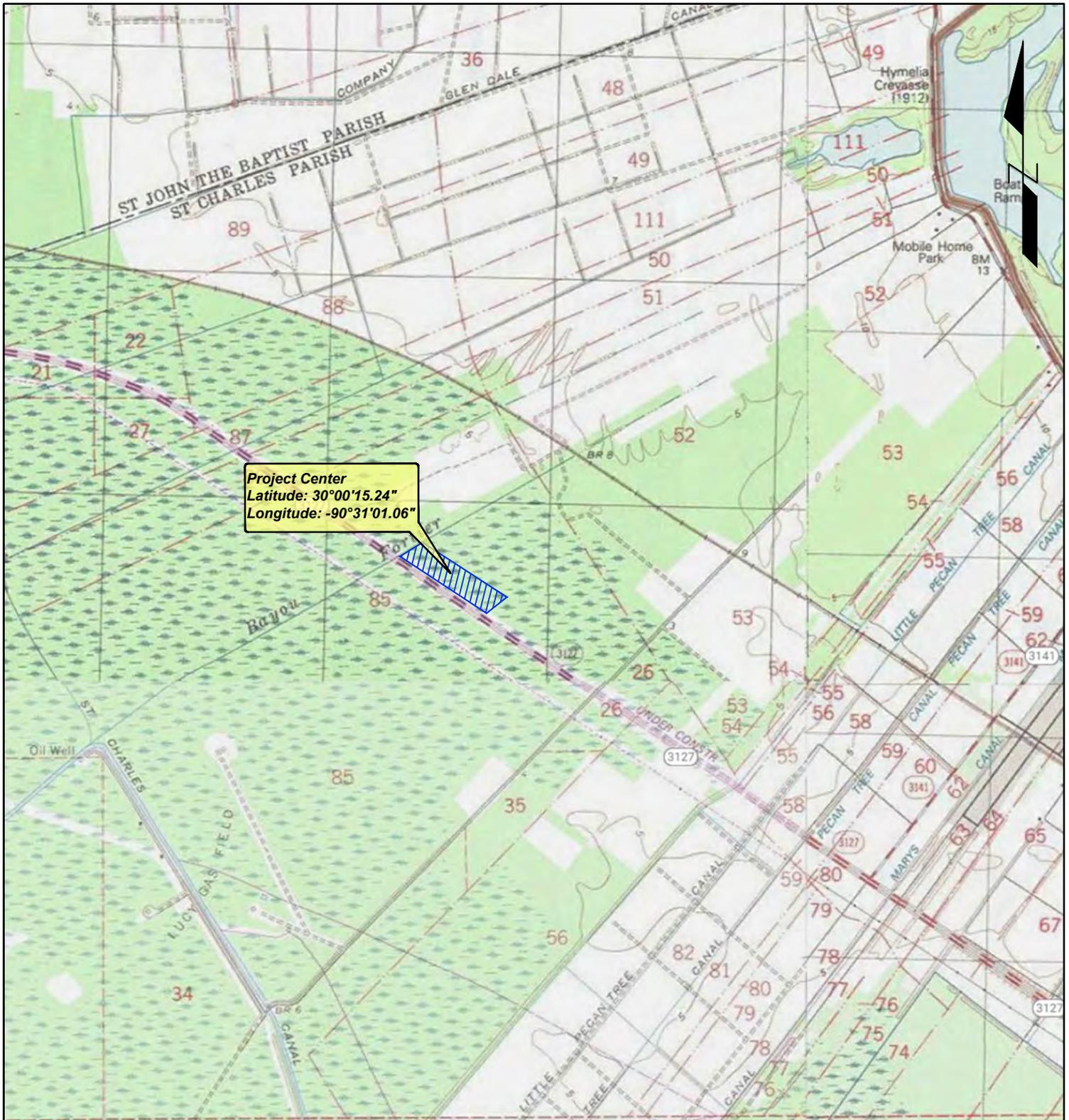
**KV Enterprises, LLC**



**MATRIXNEWORLD**  
Engineering Progress

Drawn By	DEP
Approved By	MS
Date	06/16/2023
Drawing No.	21-459-A017

**1**  
Figure No.



Project Center  
 Latitude: 30°00'15.24"  
 Longitude: -90°31'01.06"

**Legend**

 Site Boundary (5.35 Acres)



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**Site Location Map**

Killona Landfill Expansion  
 St. Charles Parish, Louisiana

**KV Enterprises, LLC**



**MATRIX**NEWORLD  
 Engineering Progress

Drawn By	DEP
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Date	06/16/2023
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**2**  
 Figure No.



### Legend

- 200' Wide By 1165' Long Area To Be Used For Weigh Station & Truck Loading (5.35 Acres)
- Unauthorized Activity Area (7.74 Acres)
- Wetland Area Within The Permitted Site (25.22 Acres)
- Impacted Wetland Area Within The 200' Area (0.57 Acres)
- Wetland Area Within The 200' Area (4.78 Acres)



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Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

## Wetland Habitat Map

Killona Landfill Expansion  
St. Charles Parish, Louisiana

**KV Enterprises, LLC**

500 250 0 500  
Feet

**MATRIXNEWORLD**  
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Date	06/16/2023
Drawing No.	21-459-A017

**3**

Figure No.



**Legend**

-  Site Boundary (5.35 Acres)
-  Soils
- Cm - Cancienne silty clay loam, 0 to 1 percent slopes
- Cn - Cancienne silty clay loam, frequently flooded
- Sh - Schriever clay, 0 to 1 percent slopes, frequently flooded



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Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Soils Map**

Killona Landfill Expansion  
St. Charles Parish, Louisiana

**KV Enterprises, LLC**

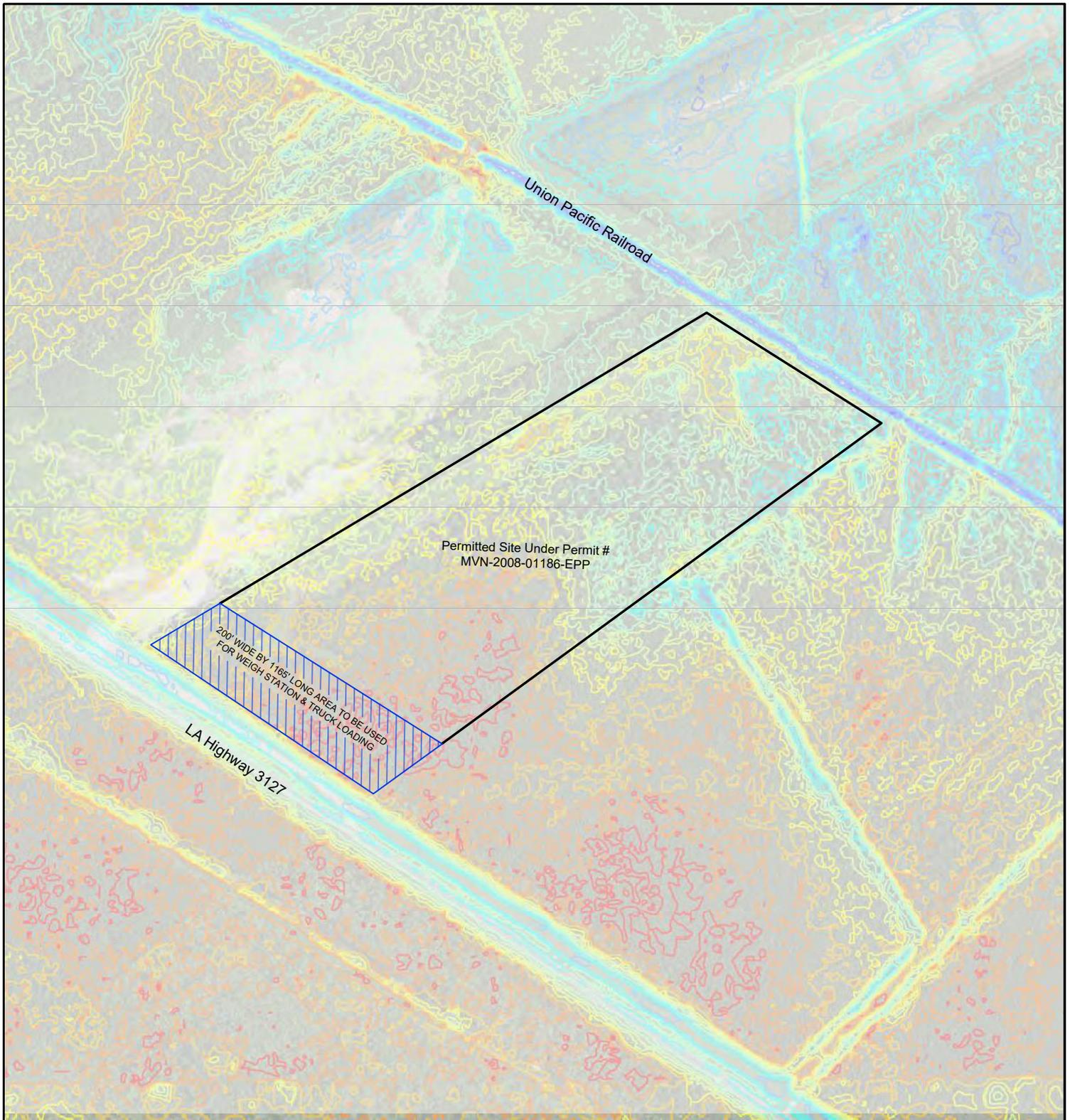


**MATRIX**NEWORLD  
Engineering Progress

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Date	06/16/2023
Drawing No.	21-459-A017

**4**

Figure No.



### Legend

 Site Boundary (5.35 acres)

#### Elevation Contours (0.5' Increments)

-  -0.1 - 0.9
-  1.0 - 1.4
-  1.5 - 1.9
-  2.0 - 2.4
-  2.5 - 3.4
-  3.5 - 4.4
-  4.5 - 5.4
-  5.5 - 6.4
-  6.5 - 7.4
-  7.5 - 8.9



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Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP). LiDAR Contours calculated from USACE/LOSCO Digital Elevation Model, dated 2002/2009.

## LiDAR Map

**Killona Landfill Expansion**  
St. Charles Parish, Louisiana

**KV Enterprises, LLC**

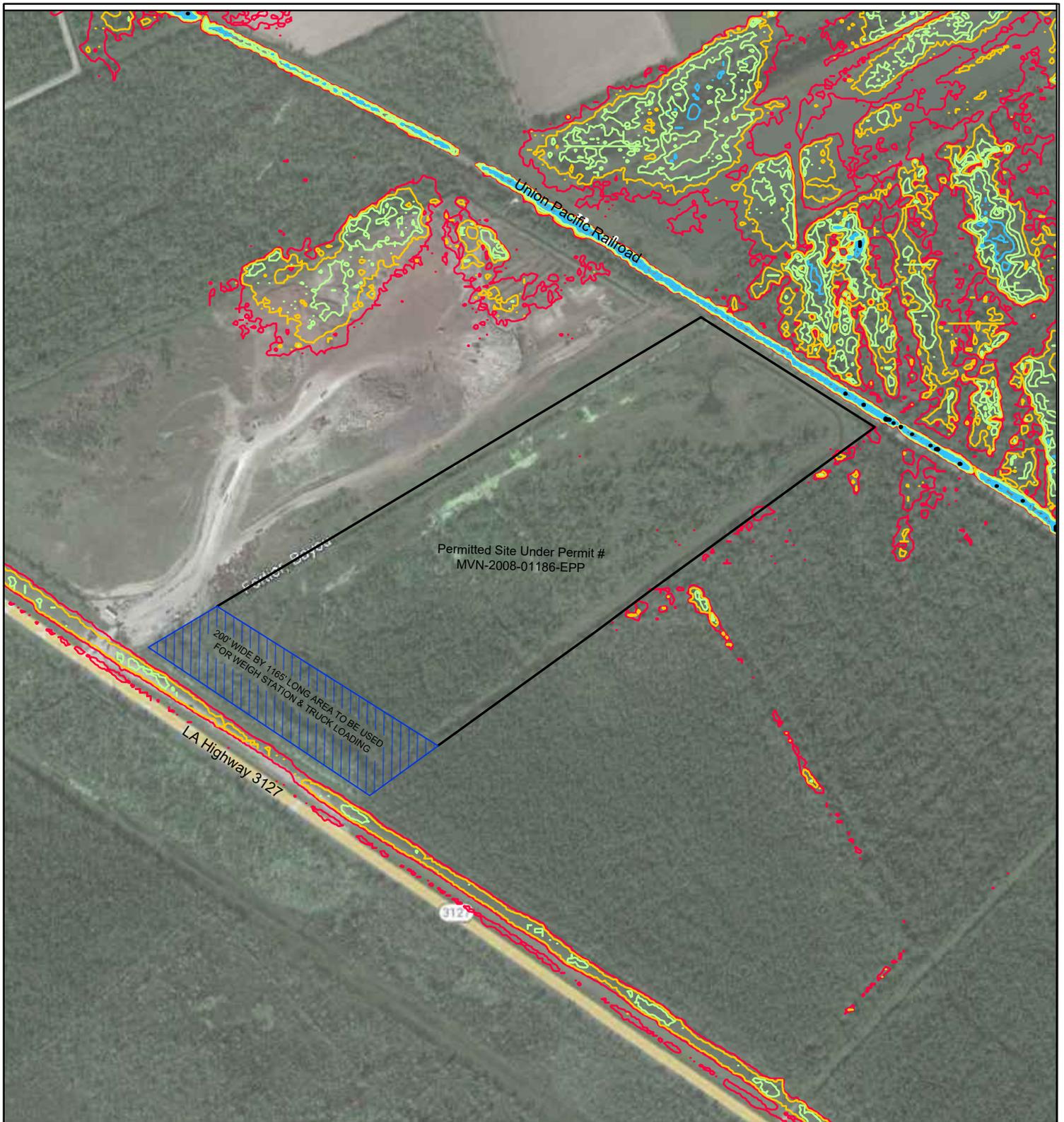
600 300 0 600  
Feet

**MATRIX** **NEWORLD**  
Engineering Progress

Drawn By	LMM
Approved By	CEJ
Date	06/16/2023
Drawing No.	21-459-A007

**5**

Figure No.



**Legend**

 Site Boundary (5.35 acres)

**Elevation Contours (0.5' Increments)**

-  4.4 - 4.9
-  5.0 - 5.4
-  5.5 - 6.4
-  6.5 - 7.4
-  7.5 - 8.9



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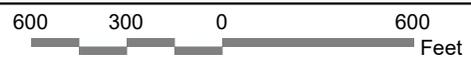
**ENGINEERS, PLANNERS AND ENVIRONMENTAL CONSULTANTS  
46148 LA. HWY. 445, ROBERT, LA. 70455**

Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP). LIDAR Contours calculated from USACE/LOSCCO Digital Elevation Model, dated 2002/2009.

**5' LiDAR Map**

**Killona Landfill Expansion**  
St. Charles Parish, Louisiana

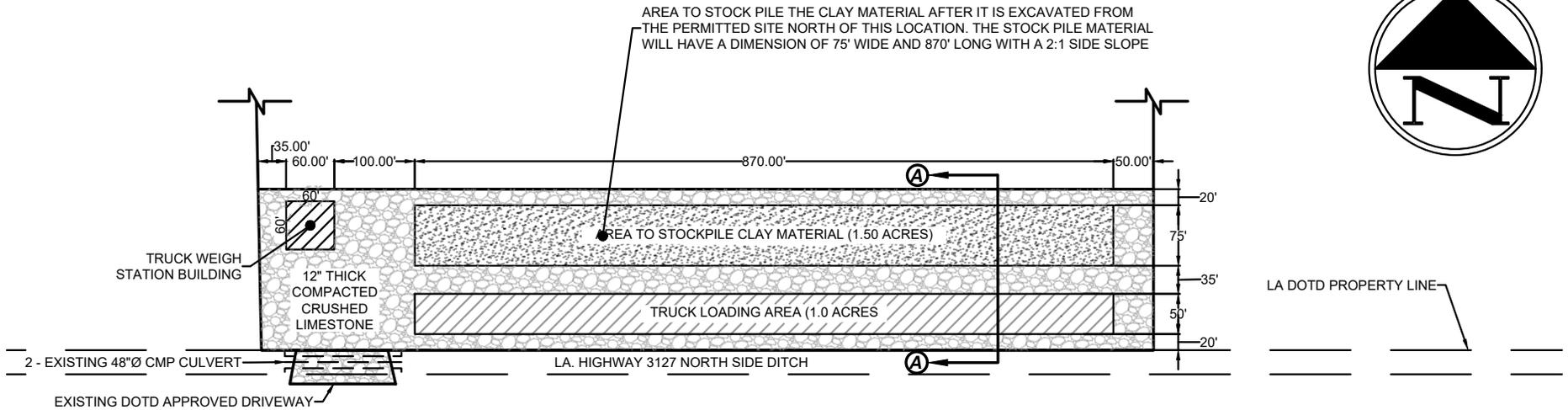
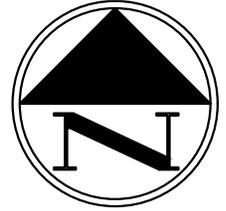
**KV Enterprises, LLC**



**MATRIX**NEWORLD  
Engineering Progress

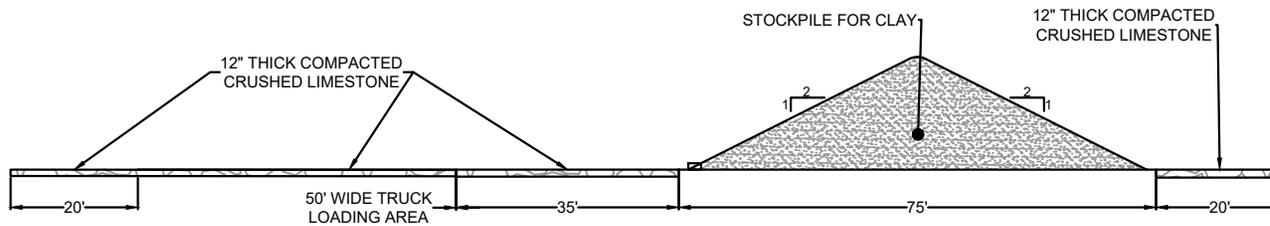
Drawn By	LMM
Approved By	CEJ
Date	06/16/2023
Drawing No.	21-459-A008

**6**  
Figure No.



**WEIGH STATION & TRUCK LOADING AREA**

SCALE: 1" = 200'



**SECTION A-A**

SCALE: 1" = 30'

Crushed Limestone = 6,080 c.y.  
Volume Of Clay Stockpiled = 22,657 c.y.

Area For Crushed Limestone = 3.77 Acres  
Area For Clay Stockpile = 1.50 Acres  
Area For The Weigh Station = 0.08 Acres  
Total Area = 5.35 Acres



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**Weigh Station & Truck  
Loading Area**

Killona Landfill Expansion  
St. Charles Parish, Louisiana

**KV Enterprises, LLC**

Drawn By	DEP
Approved By	MS
Date	6/15/2023
Drawing No.	21-459-A017

**7**

Figure No.