

JOINT PUBLIC NOTICE

November 19, 2018

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
7400 Leake Avenue
New Orleans, Louisiana 70118

State of Louisiana
Department of Environmental Quality
Water Permits Division
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

(504) 862-1217
Project Manager
Kenny Blanke
Kenneth.G.Blanke@usace.army.mil
MVN 2008-03207-CQ

(225) 219-3225
Project Manager
Ms. Elizabeth Hill
WQC Application Number
WQC 181031-02

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, Office of Environmental Services, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

AFTER-THE FACT RESIDENTIAL SUBDIVISION IN LIVINGSTON PARISH

NAME OF APPLICANT: 6844, LLC, c/o Hydrik Wetlands Consultants, Attn: Michael Henry, 2323 LA Highway 190 East, Suite 2, Hammond, Louisiana 70401.

LOCATION OF WORK: Located on an approximate 111.65-acre site, in Sections 10 & 11, Township 7 South, Range 3 East, along and south of Buddy Ellis Road, approximately 1.65 miles west of Louisiana Highway 447, near Denham Springs, Louisiana, located in Livingston Parish, as shown on the enclosed drawings (Latitude 30.4530 N Longitude -90.8931 W). This project is located in the Pontchartrain Basin (Amite River HUC 08070202).

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 been deferred.

CHARACTER OF WORK: The applicant is requesting an after-the-fact Department of the Army permit authorization to clear, grade, excavate, place and maintain fill material for the construction of an approximate 256-lot residential subdivision (Ellis Estates), near Denham Springs, Louisiana, within Livingston Parish. The proposed development would include residential homesites, 4 detention ponds, utility and drainage infrastructure and appurtenances, green space areas, and ingress/egress. Approximately 416,258 cubic yards of native material would be excavated as a result of pond construction and placed as fill in jurisdictional areas during project construction. Approximately 0.66 acre of jurisdictional wetlands have been impacted prior to the applicant obtaining a Department of the Army permit. Approximately 14.26 acres of jurisdictional forested wetlands (including after-the-fact portion) would be directly impacted as a result of project implementation. Approximately 1.25 acres of jurisdictional Other

Waters of the United States (OWOUS) would be excavated and 1.03 acres OWOUS would be avoided and not directly impacted. The applicant has claimed that the project has been designed to avoid and minimize direct and secondary adverse wetland impacts to the maximum extent practicable. The applicant is proposing to utilize best management practices during and after the construction phase of the project. The applicant is proposing to compensate for the unavoidable impact by purchasing mitigation credits from an approved mitigation bank.

The applicant may be required to fully or partially restore the project site to pre-project conditions, if issuance of a permit is determined to be contrary to the overall public interest

The comment period for the Department of Army Permit and the Louisiana Department of Environmental Quality 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 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.

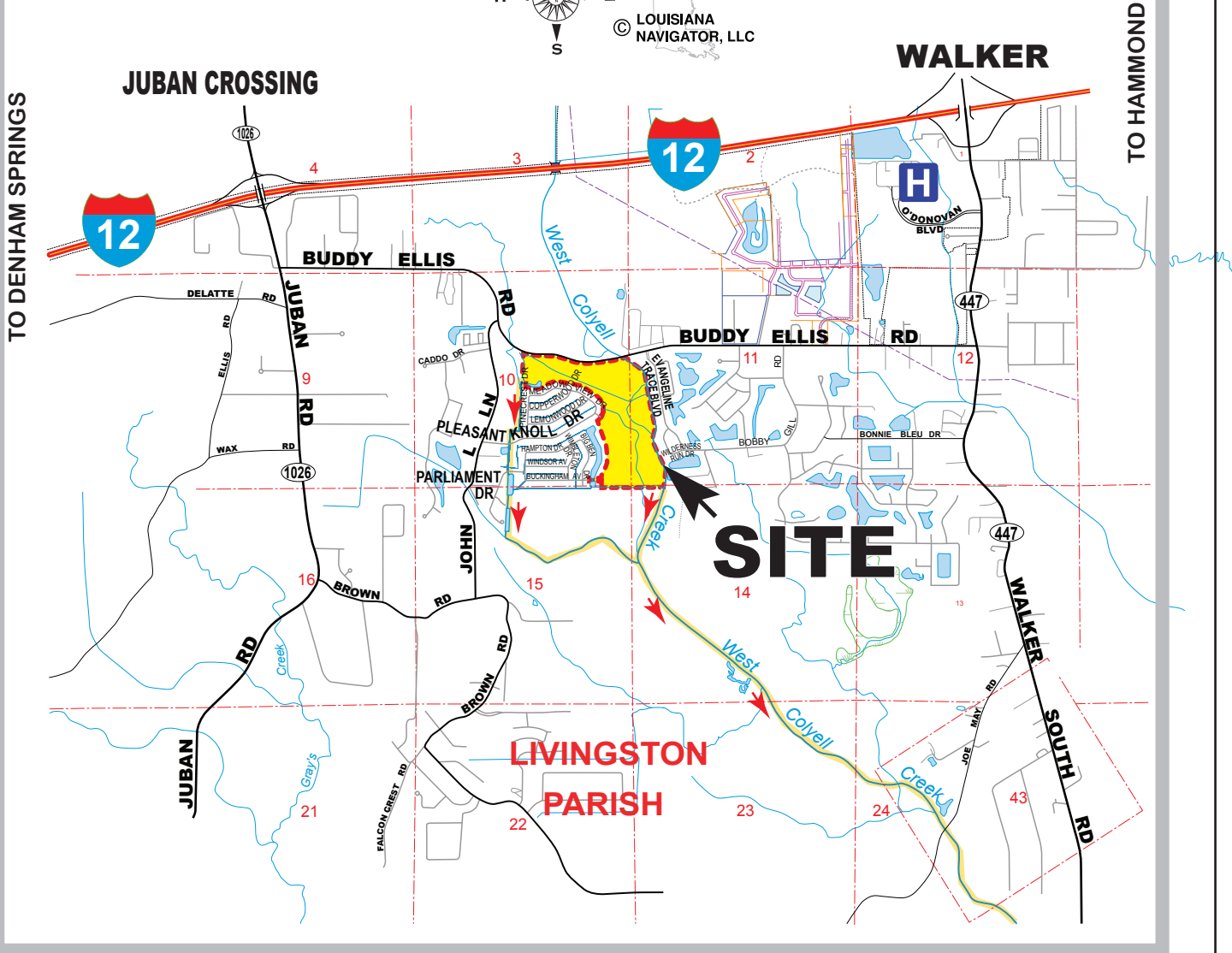
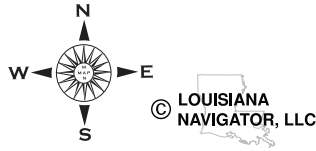
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of 0 acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our 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, 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 Section
Regulatory Branch

Enclosure



SITE VICINITY

PROPOSED
BUDDY ELLIS RD SITE
 SECTIONS 10,11, T7S-R3E
 LIVINGSTON PARISH, LA

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

APPLICANT: 6844, LLC

LEGEND

= PROJECT SITE

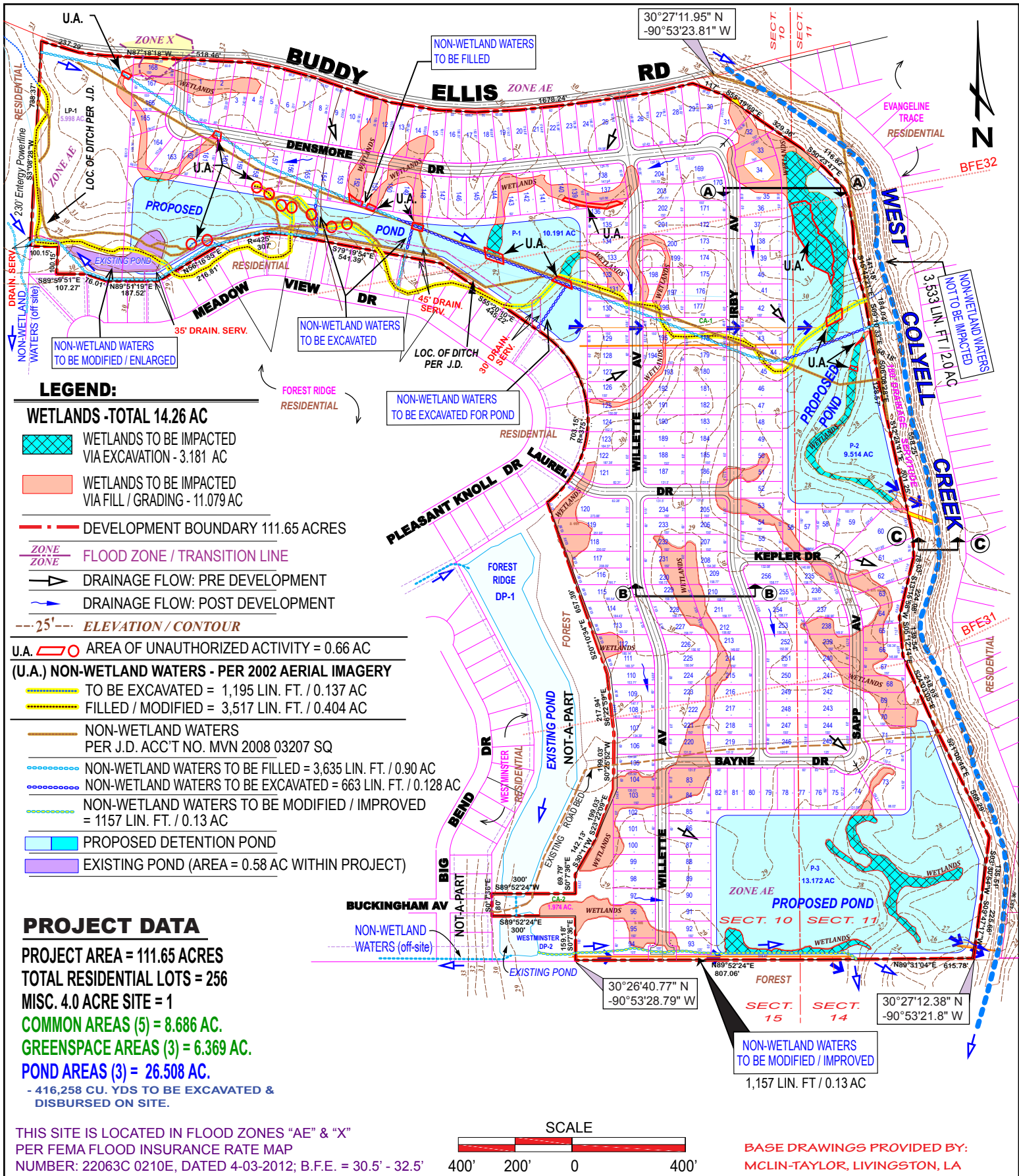
= DRAINAGE DISCHARGE

FIGURE
 1

SITE COORDINATES - CENTER (BUDDY ELLIS RD)
 30°27'11.1" N, -90°53'35.09" W

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

HF: 1625 BC DATE 1-05-2018 APPROVED:



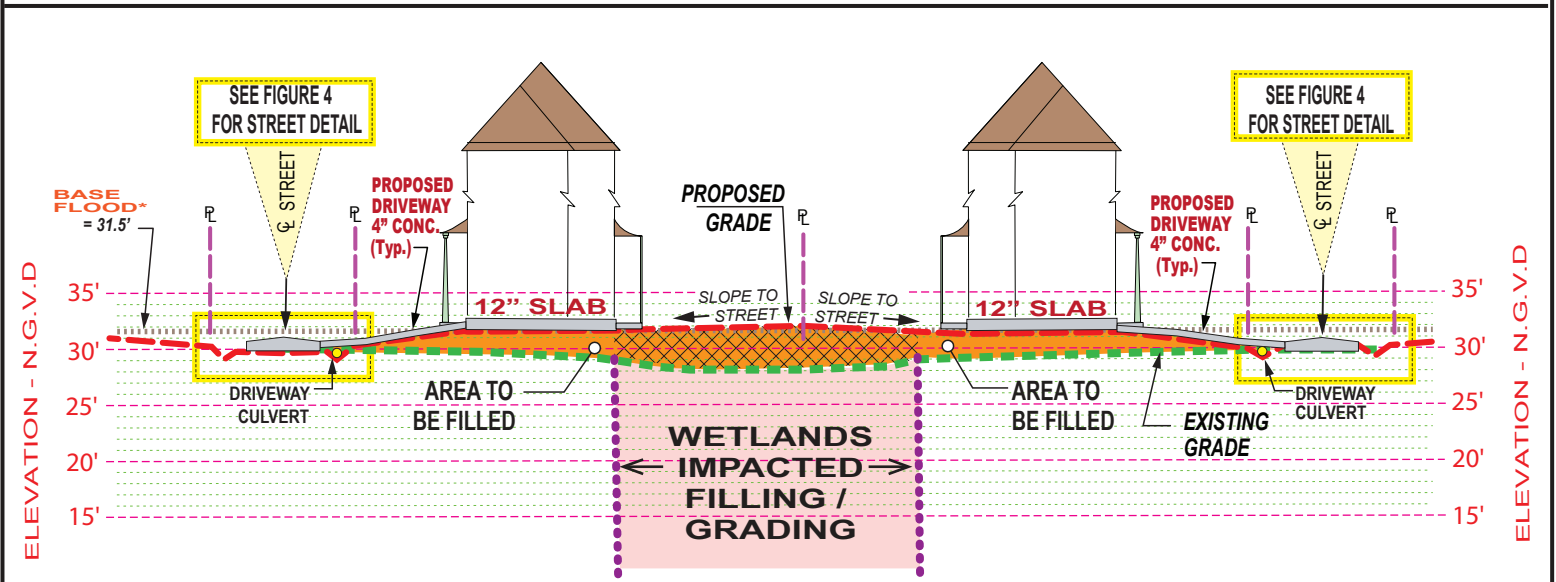
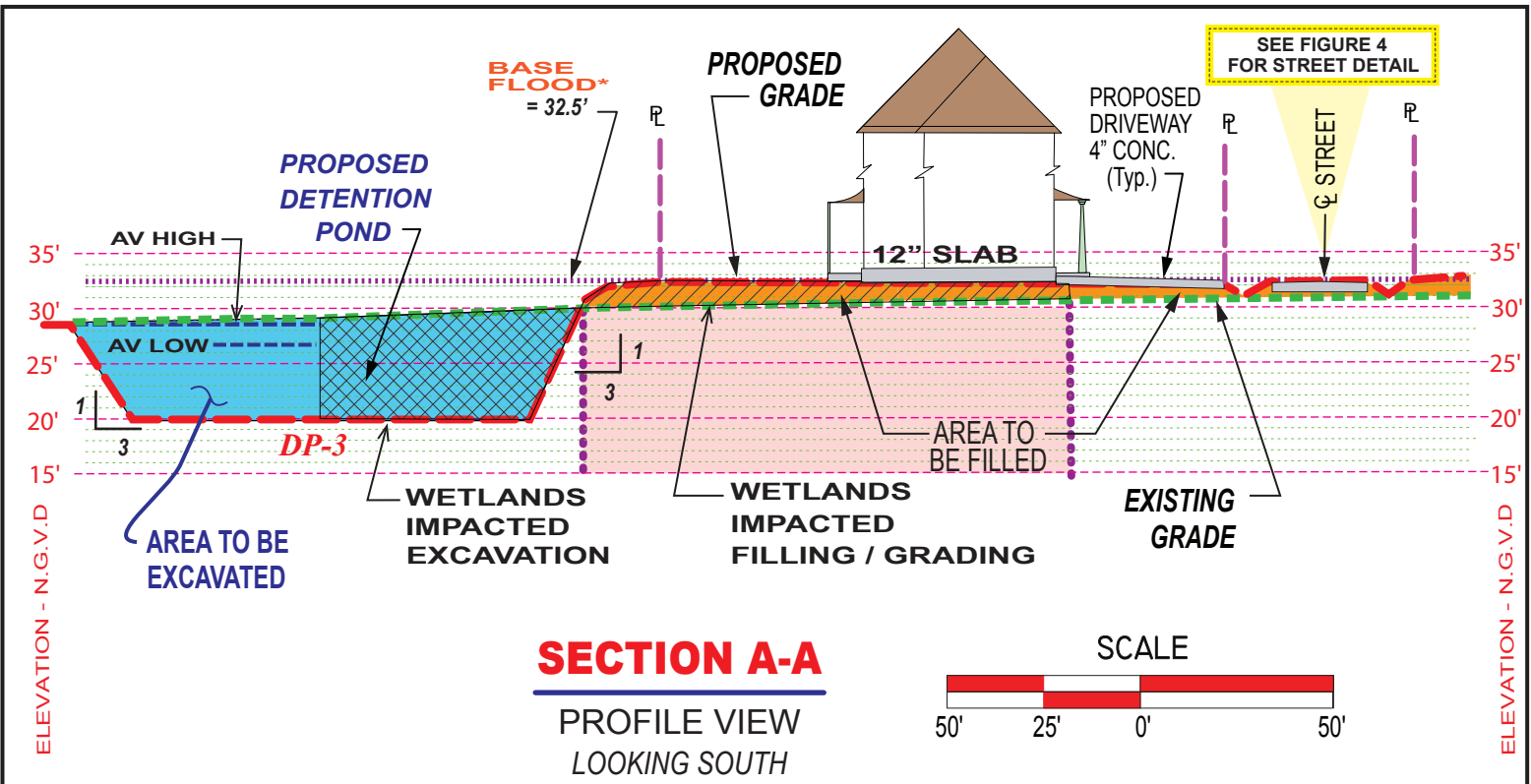
APPLICANT: 6844, LLC

BUDDY ELLIS RD SITE
 SECTIONS 10 & II, T7S-R3E
 LIVINGSTON PARISH, LA

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

FIGURE 2

PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH. HF: 1625 BC DATE 1-05-2018, 6-28-2018, 8-30-2018, 9-17-2018 APPROVED:



LEGEND:

- - - - EXISTING GRADE
- - - - PROPOSED GRADE
- PROPOSED CONCRETE
- AREA TO BE EXCAVATED
- WETLANDS IMPACTED VIA EXCAVATION
- AREA TO BE FILLED
- WETLANDS IMPACTED VIA FILLING / GRADING

(*) NOTE:
BASE FLOOD FOR THIS SITE
IS FROM 30.5 FT TO 32.5 FT

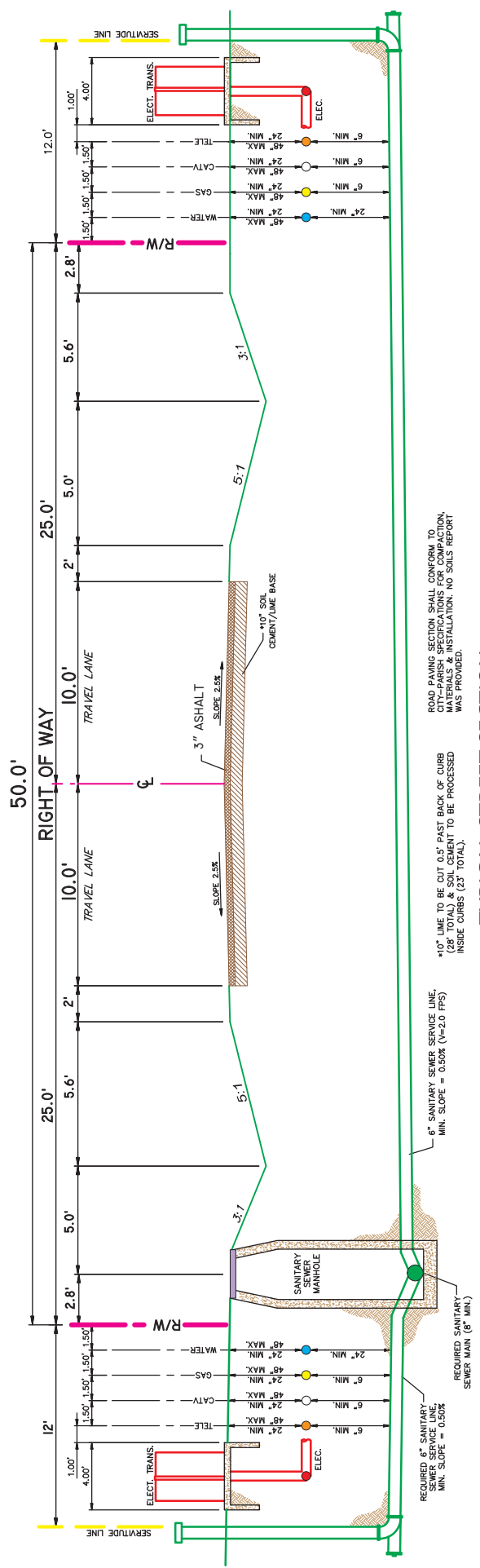
FIGURE
3

BUDDY ELLIS RD SITE
SECTIONS 10 & 11, T7S-R3E
LIVINGSTON PARISH, LA

APPLICANT:
6844, LLC

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HF: 1625 BC | DATE: 1-5-2018, 9-17-2018 | APPROVED:



ROAD PAVING SECTION SHALL CONFORM TO ROAD PAVING SECTION 701.01 FOR COMPACTION MATERIALS & INSTALLATION. NO SOILS REPORT WAS PROVIDED.

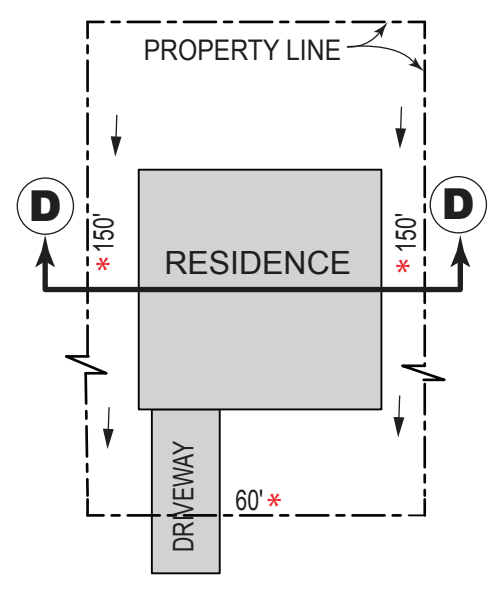
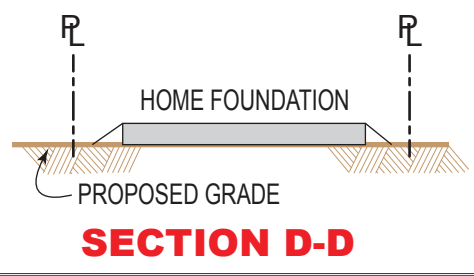
TYPICAL STREET SECTION
SCALE: N.T.S.

*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 = 0.30% (1/2.0 FPS)

REQUIRED 6" SANITARY SEWER SERVICE LINE, MIN. SLOPE = 0.30%

REQUIRED SANITARY SEWER MAN (6" DIA.)



TYPICAL LOT LAYOUT

NOT TO SCALE
* NOTE: LOT DEMINION VARIES

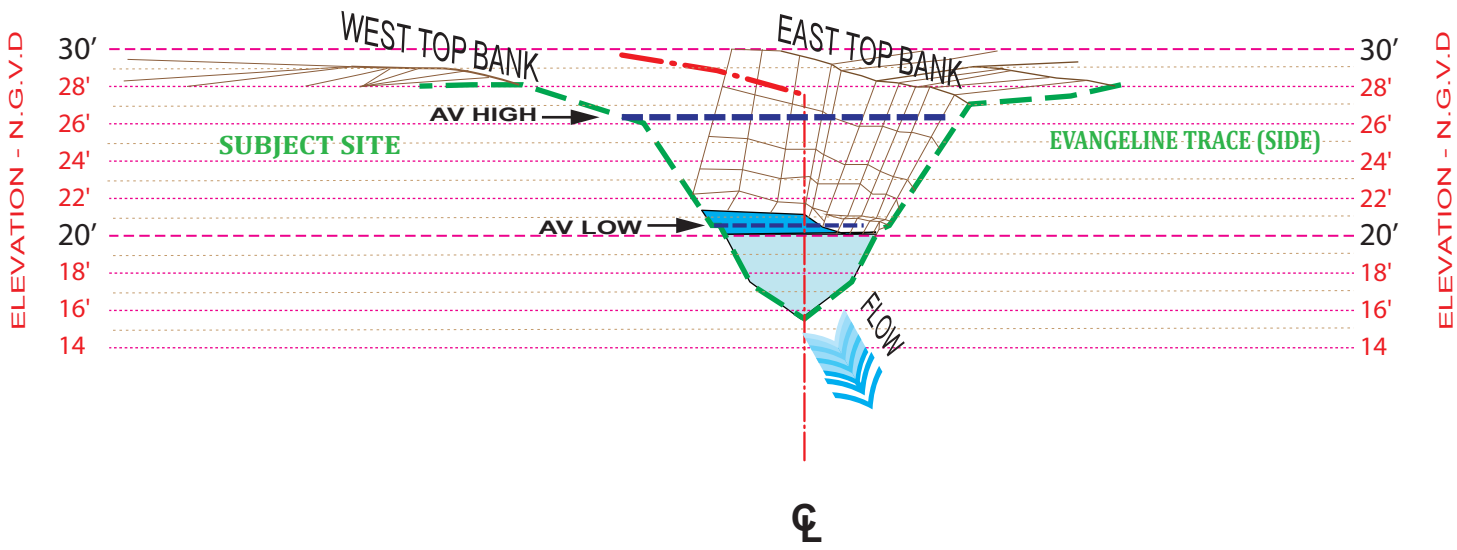
TYPICAL STREET / LOT PROFILE

APPLICANT: 6844, LLC

BUDDY ELLIS RD SITE
SECTIONS 10 & 11, T7S-R3E
LIVINGSTON PARISH, LA

FIGURE
4

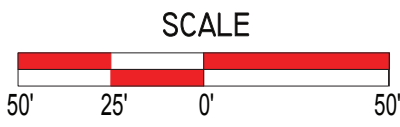
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COLYELL CREEK

SECTION C-C

PROFILE VIEW
LOOKING NORTH



NOTE:
THIS AREA WILL NOT BE IMPACTED

LEGEND:
— — — — — EXISTING GRADE

FIGURE
5

BUDDY ELLIS RD SITE
SECTIONS 10 & 11, T7S-R3E
LIVINGSTON PARISH, LA

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