

PUBLIC NOTICE

30 May 2022

United States Army
Corps of Engineers
New Orleans District
Regulatory, Eastern Evaluation Branch (RGE)
7400 Leake Avenue
New Orleans, Louisiana 70118

Permit Application Number:
MVN-2008-1186-EPP
Project Manager:
Stephanie Castaing
(504) 862-1564
Stephanie.L.Castaing@usace.army.mil

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 LANDFILL EXPANSION IN ST. CHARLES PARISH.

NAME OF APPLICANT: KV Enterprises, LLC, c/o Professional Engineering & Environmental Consultants, Inc., Attention: Mo Saleh, 1065 Muller Parkway, Suite B, Westwego, Louisiana 70094.

LOCATION OF WORK: Located at 5900 LA Highway 3127, in Killona, Louisiana, in St. Charles Parish, as shown on the attached drawings.

POB: Latitude: 30.00584 Longitude: -90.51464

Hydrologic Unit Codes: 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 the expansion of the existing Killona landfill; to include the installation of two (2) culverts. The project as proposed would directly impact approximately 32.9 acres of jurisdictional wetlands; of which approximately 8.31 acres had been cleared prior. The applicant proposed to contract with an approved mitigation bank to offset the adverse impact to jurisdictional wetlands.

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

The comment period on the requested 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 request, and must be submitted 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 requestor 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.

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 any other 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.

The New Orleans District has determined that the activity 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.

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.

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. 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 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 Branch

Enclosure



Legend

Site Boundary (62.24 acres)

Source: Base map comprised of ESRI StreetMap USA data.

Vicinity Map

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

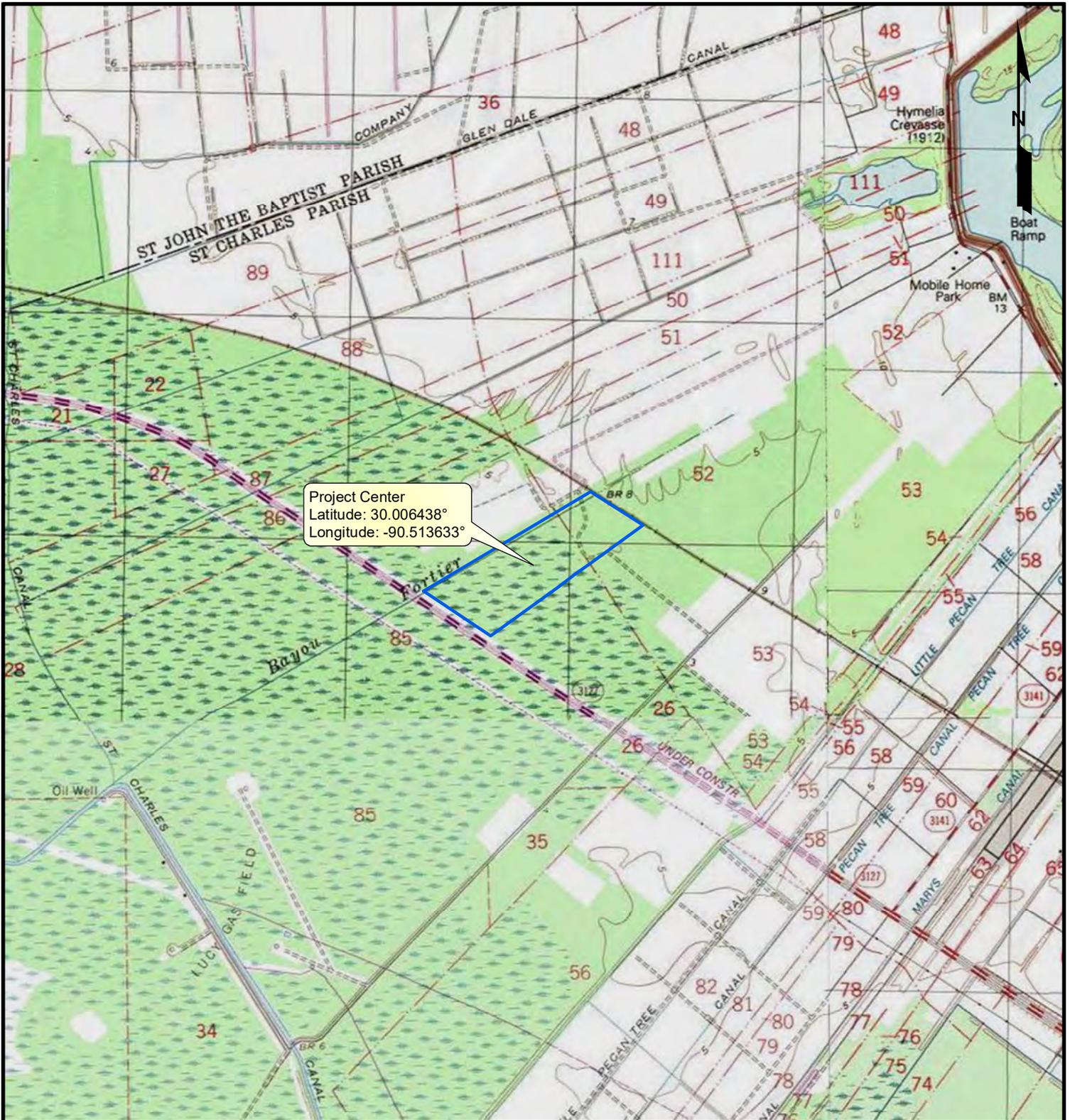
Approximately 70 Acres on LA 3127



MATRIXNEWORLD
Engineering Progress

Drawn By	LMM
Approved By	CEJ
Date	07/08/2020
Drawing No.	21-459-A001

1
Figure No.



Legend

 Site Boundary (62.24 acres)

Site Location Map

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

Approximately 70 Acres on LA 3127

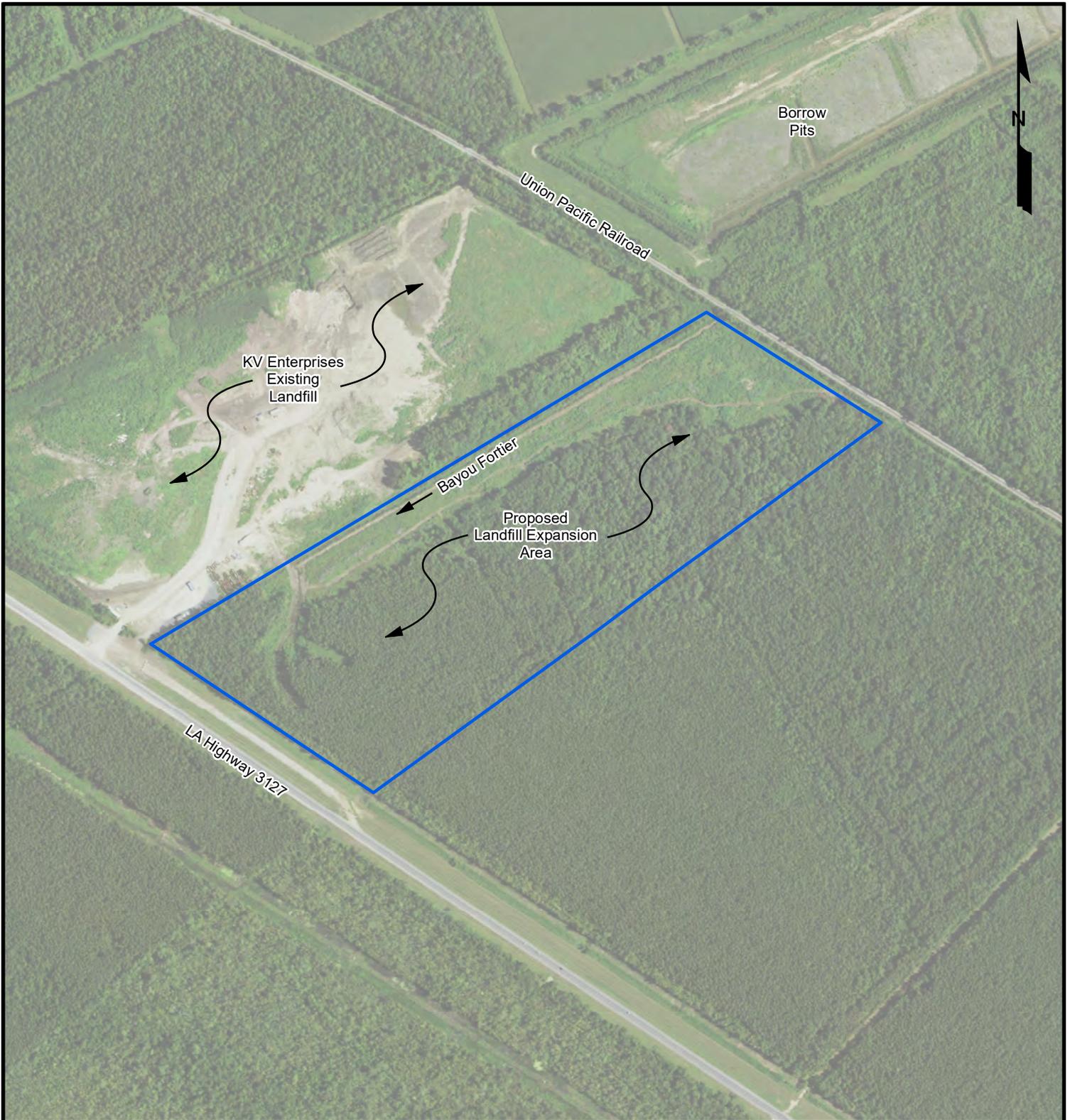


Source: Base map comprised of U.S.G.S. 7.5-minute topographic maps, "Reserve, LA" dated 1999, "Laplace, LA" dated 1998, "Lac des Allemands, LA" dated 1962, and "Hahnville, LA" dated 1995.

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Figure No.



Legend

 Site Boundary (62.24 acres)

Site Conditions

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

Approximately 70 Acres on LA 3127



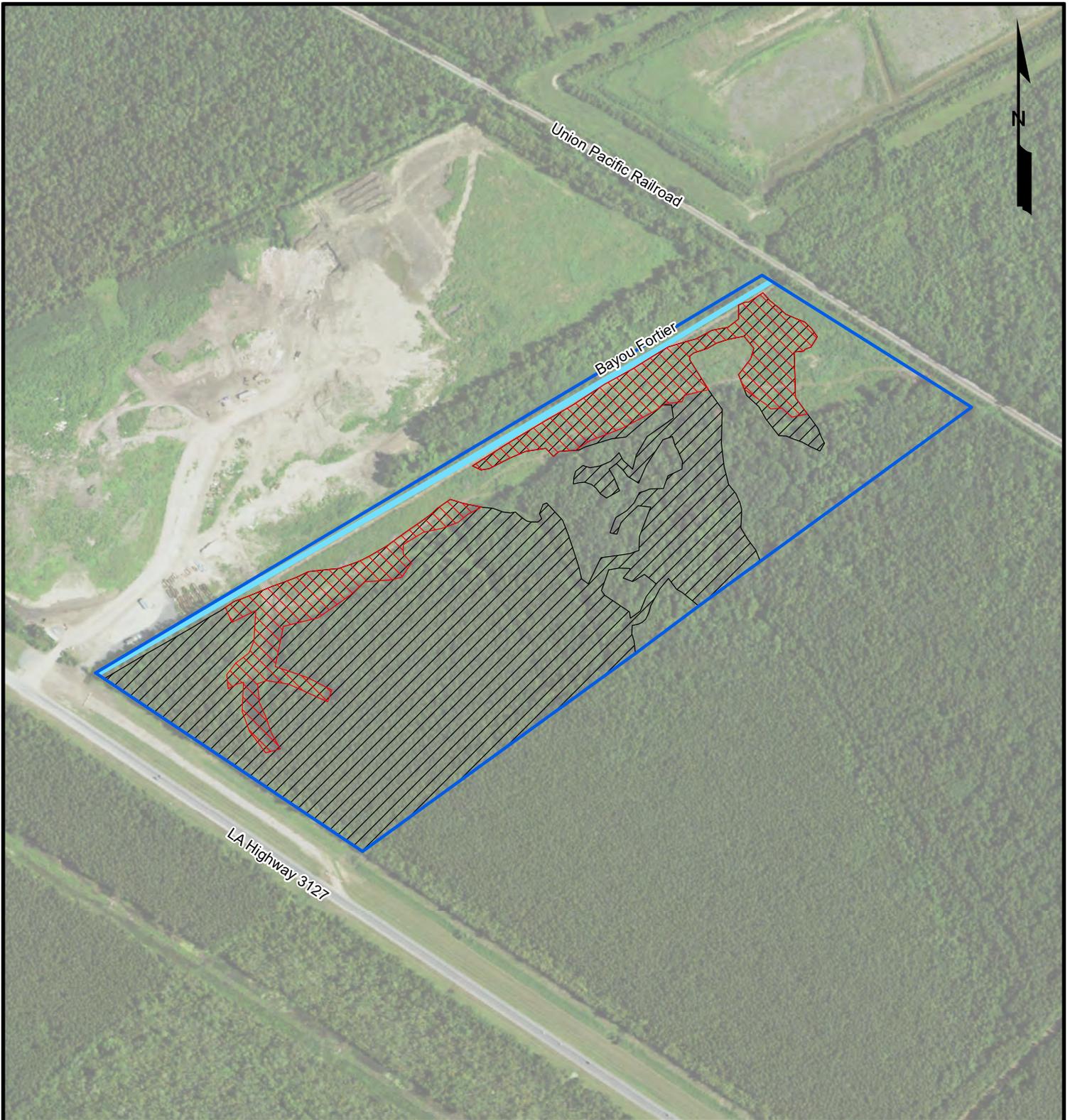
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Drawn By	LMM
Approved By	CEJ
Date	07/08/2020
Drawing No.	21-459-A003

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Figure No.

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



Legend

- Site Boundary (62.24 acres)
- Wetlands (41.99 acres)/(MVN-2008-01186-1-SY)
- Other Waters of The U.S. (1.13 acres)/(MVN-2008-01186-1-SY)
- Unauthorized Activity (8.31 acres)

Wetland Habitat Map

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

Approximately 70 Acres on LA 3127



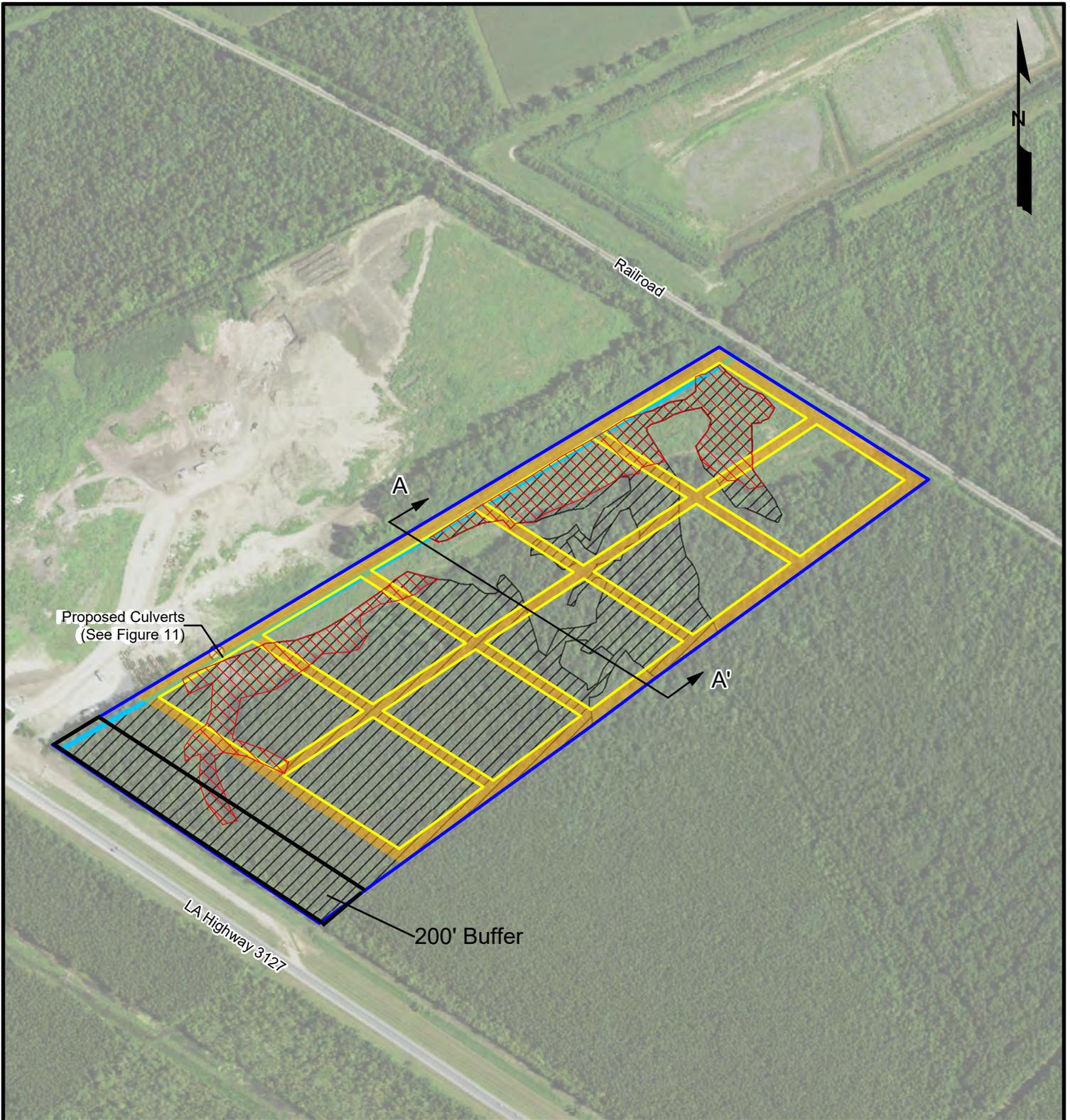
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Drawn By	LMM
Approved By	CEJ
Date	2/17/2022
Drawing No.	21-459-A015

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Figure No.

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



Legend

- Site Boundary(62.24 acres)
- Proposed 4.0 Acre Cell Locations
- Wetlands (41.99 acres) (MVN-2008-01186-1-SY)
- Other Waters of The U.S. (1.13 acres) / (MVN-2008-01186-1-SY)
- Unauthorized Activity (8.31 acres)
- Road / Work Area (12.12 acres))

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

Site Development Plan

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

Approximately 70 Acres on LA 3127

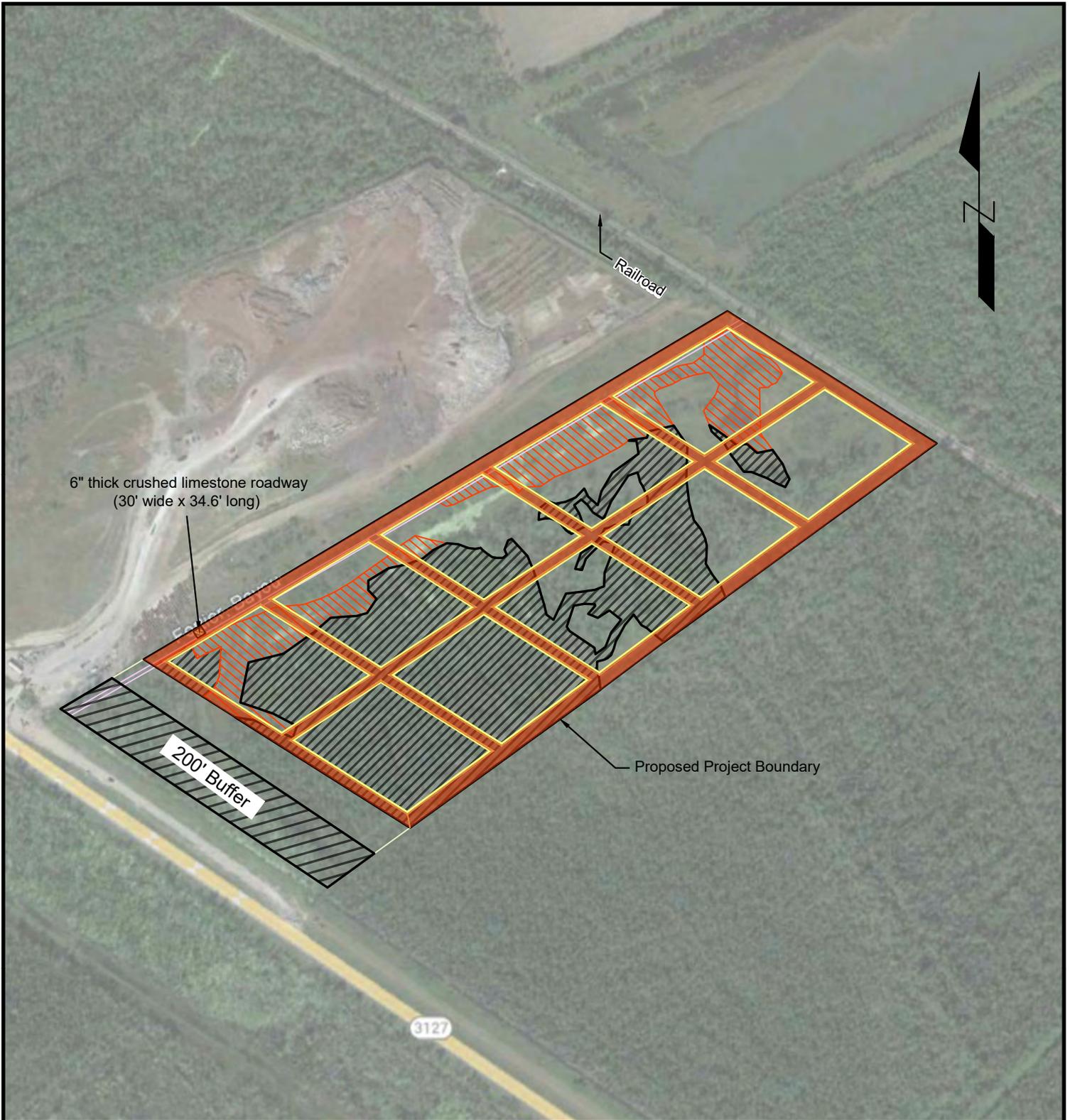


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Figure No.



Legend

Wetland Area within project site (32.96 Acres)

 **Unauthorized Activity Area (7.74 Acres)**

 **Remaining Wetland Area within project site (25.22 Acres)**

 **Road / Work Area (12.12 Acres)**

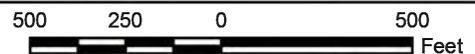
Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

Wetland Area Affected By The Proposed Project

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

Approximately 70 Acres on LA 3127

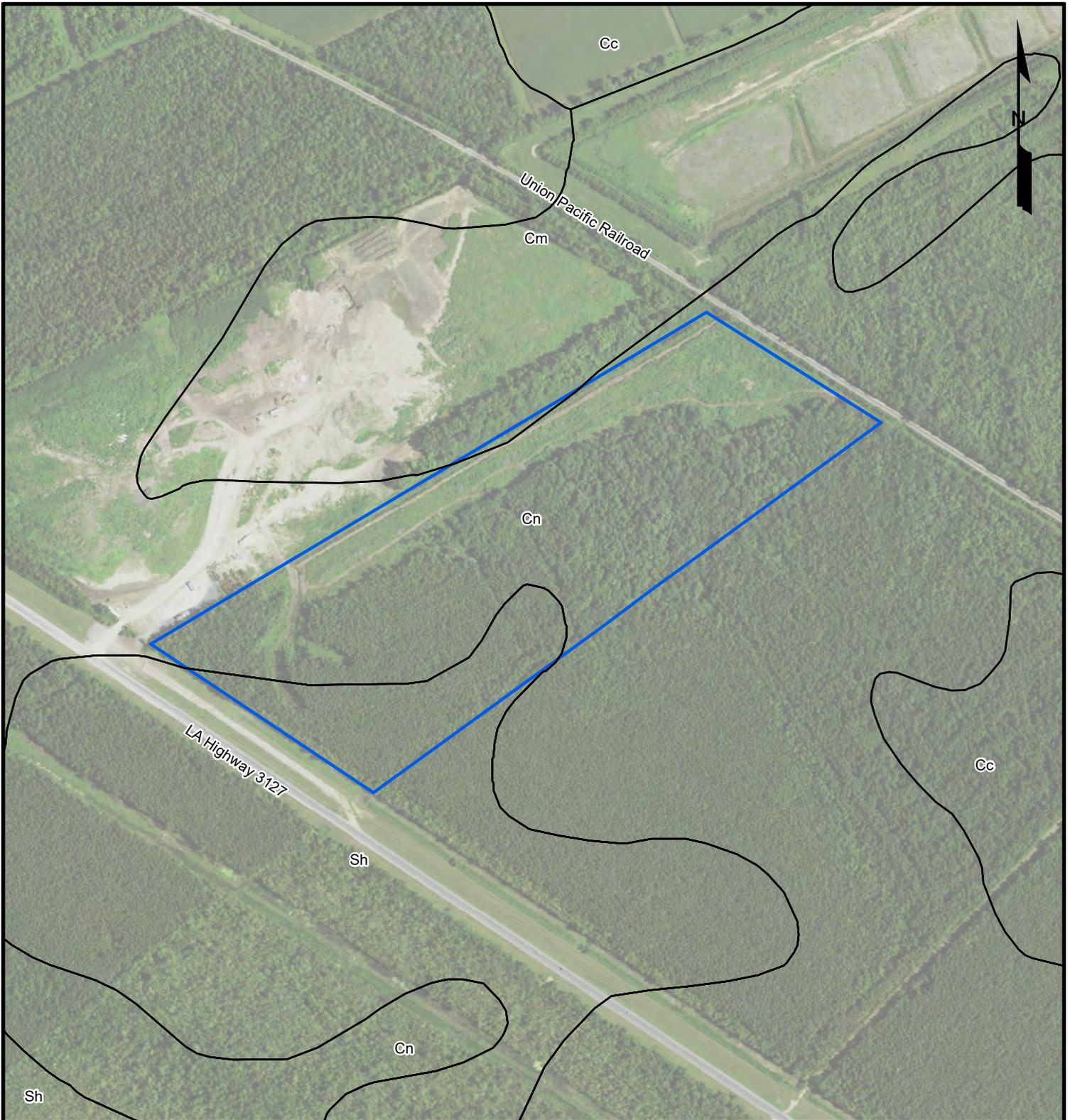


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Date	07/08/2020
Drawing No.	21-459-A017

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Figure No.



Legend

 Site Boundary (62.24 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

Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP). Soils data obtained from Natural Resources Conservation Service (NRCS) Web Soil Survey.

Soils Map

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

Approximately 70 Acres on LA 3127

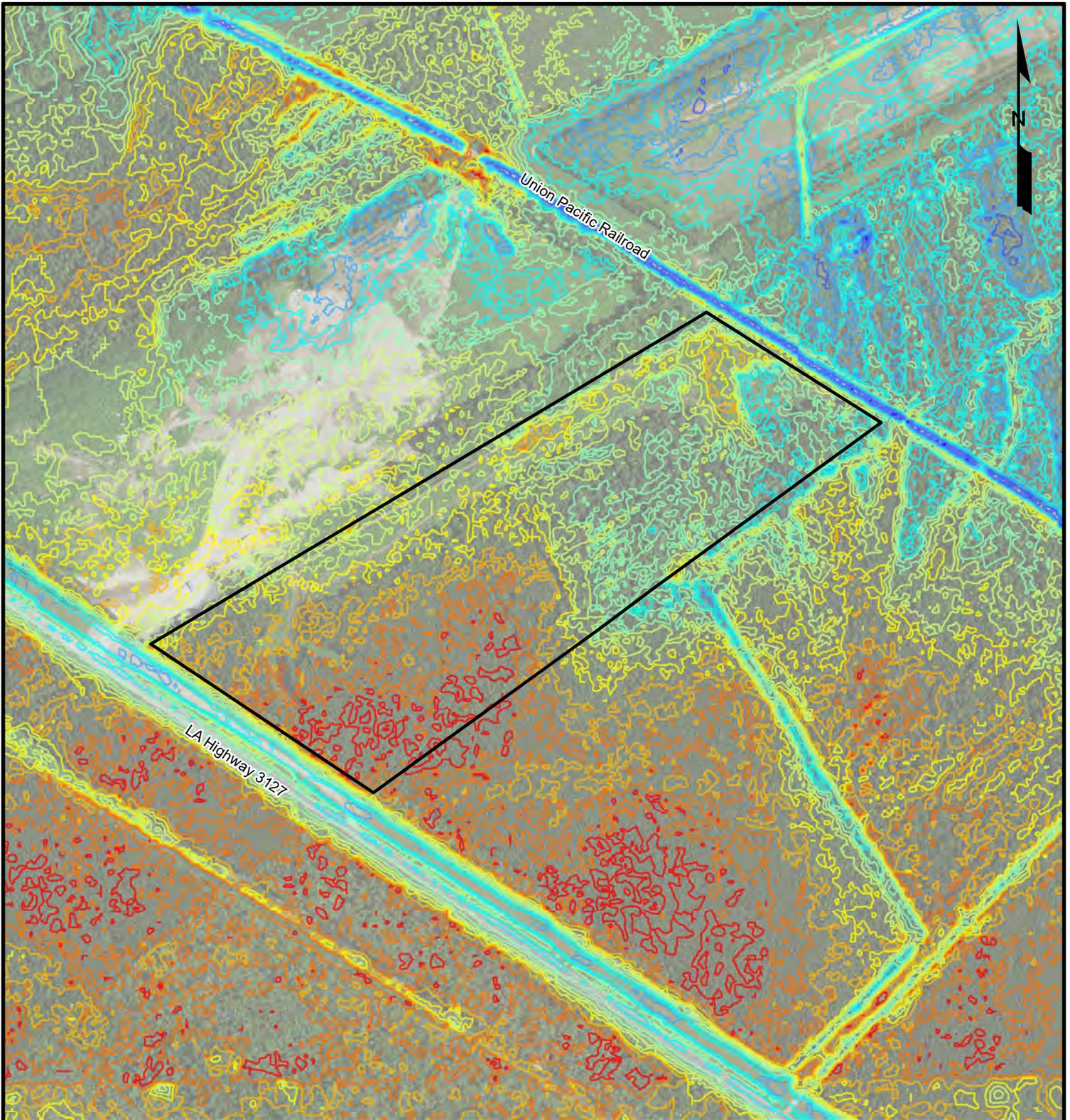


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Approved By	CEJ
Date	07/08/2020
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Figure No.



Legend

Site Boundary (62.24 acres)

Elevation Contours (0.5' Increments)	3.5 - 4.4
-0.1 - 0.9	4.5 - 5.4
1.0 - 1.4	5.5 - 6.4
1.5 - 1.9	6.5 - 7.4
2.0 - 2.4	7.5 - 8.9
2.5 - 3.4	

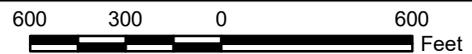
Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP). LiDAR Contours calculated from USACE/LOSCO Digital Elevation Model, dated 2002/2009.

LIDAR Map

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

Approximately 70 Acres on LA 3127

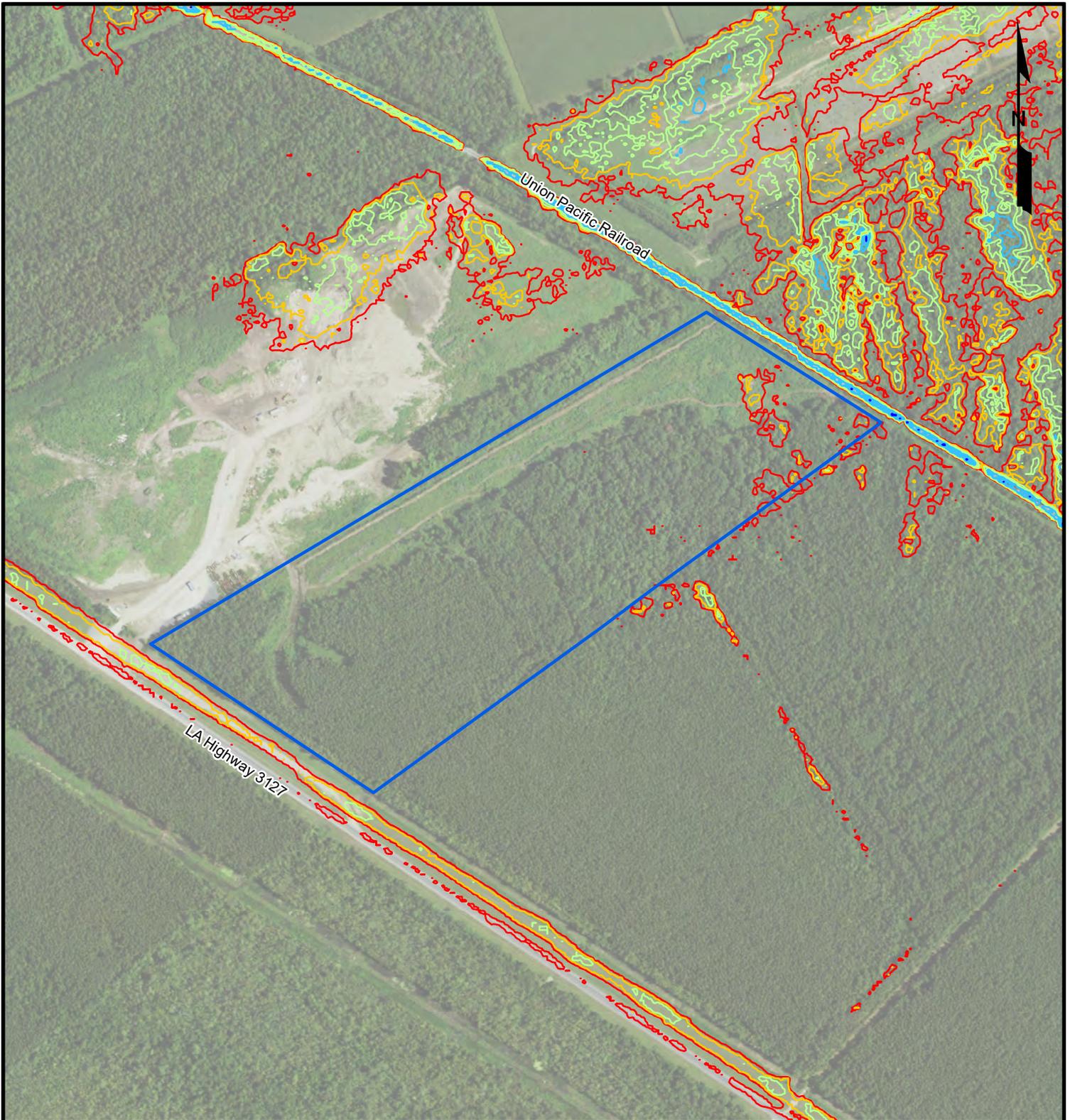


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Date	07/08/2020
Drawing No.	21-459-A007

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Figure No.



Legend

 Site Boundary (62.24 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

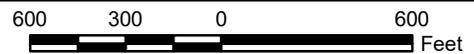
Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP). LIDAR Contours calculated from USACE/LOSCO Digital Elevation Model, dated 2002/2009.

5' LiDAR Map

Killona Landfill Expansion
St. Charles Parish, Louisiana

KV Enterprises, LLC

Approximately 70 Acres on LA 3127

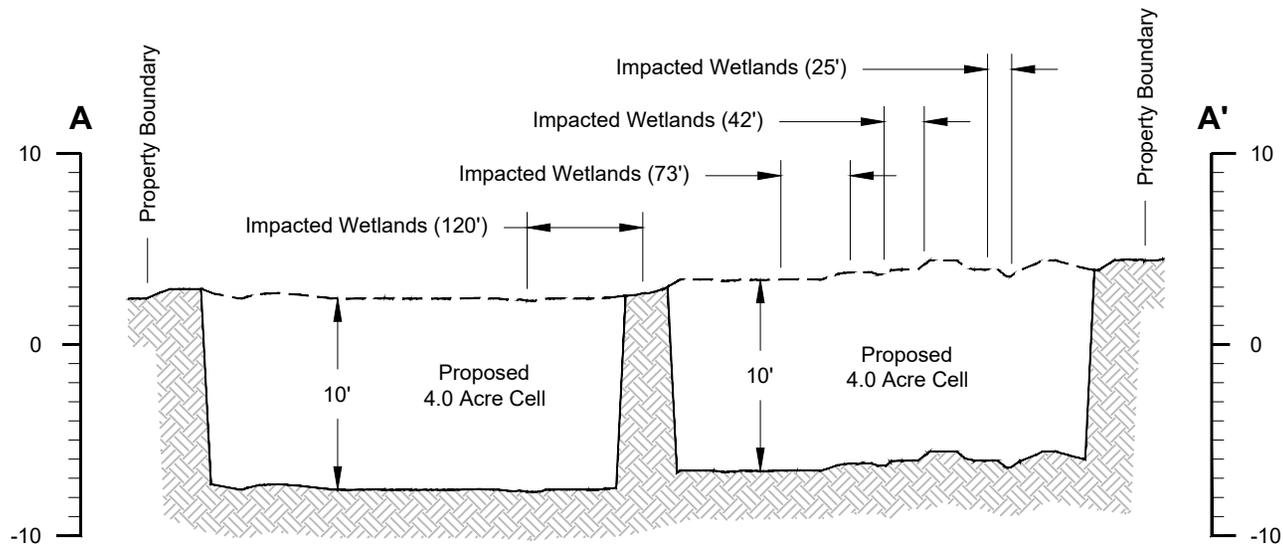


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Approved By	CEJ
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Drawing No.	21-459-A008

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Figure No.



Cross Section A-A'

Horizontal Scale: 1" = 200'
 Vertical Scale: 1" = 10'

Cross Section A-A'

Killona Landfill Expansion
 St. Charles Parish, Louisiana

KV Enterprises, LLC
 Approximately 70 Acres on LA 3127

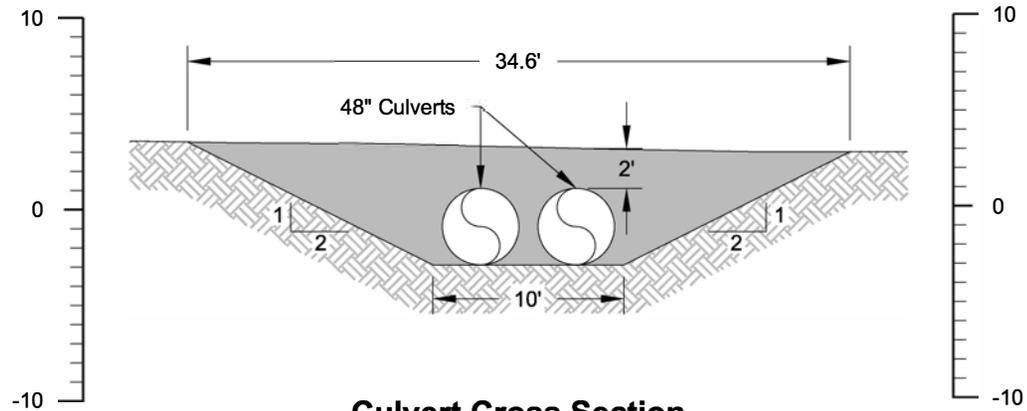


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 Engineering Progress

Drawn By	LMM
Approved By	CEJ
Date	09/08/2021
Drawing No	21-459-A010

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Figure No.



Culvert Cross Section

Horizontal Scale: 1" = 10'
 Vertical Scale: 1" = 10'

Culvert Cross Section

Killona Landfill Expansion
 St. Charles Parish, Louisiana

KV Enterprises, LLC
 Approximately 70 Acres on LA 3127



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 Engineering Progress

Drawn By	LMM
Approved By	CEJ
Date	06/09/2021
Drawing No	21-459-A011

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Figure No.