

# JOINT PUBLIC NOTICE

May 27, 2019

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

(504) 862-1288  
Project Manager  
Zach Steinkoenig  
zachary.j.steinkoenig@usace.army.mil  
MVN 2010-01854-CF

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

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC #190514-01

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: [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 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.

## **PROPOSED MIXED-USE DEVELOPMENT in LIVINGSTON PARISH**

**NAME OF APPLICANT:** Head of Island Properties, L.L.C., 8385 Rushing Road East, Denham Springs, Louisiana 70726.

**LOCATION OF WORK:** In Head of Island, Louisiana, Point of Isle Development, Latitude 30.253836° N, Longitude -90.770513° W., in Livingston Parish, within the Pontchartrain River Basin in hydrologic unit (HUC 08070204), as shown on the attached drawings.

**CHARACTER OF WORK:** The permittee has requested a time extension for an expired Department of the Army permit to clear, grade, excavate and deposit fill and/or aggregate material to construct and maintain a mixed-use development, Point of Isle, including commercial retail and multi-family residential housing with pertinent buildings and parking to accommodate each facility. The project is still under development and the permittee needs additional time to complete the activity. Approximately 174,668.03 cubic yards of earthen material; 15,528.86 cubic yards of lime treated base; and, 21,363.99 cubic yards of concrete would be hauled in and deposited to achieve required grade elevation requirements. The proposed development is situated on an approximately 33.17-acre tract of which 27.83 acres is to be developed. Of this, approximately 0.96 acre of forested wetlands and 0.07 acre of "other waters" of the United States will be impacted by the development. Approximately 4.59 acres of forested wetlands and 0.75 acres of "other waters" of the United States will be avoided and left in its' natural state. It is anticipated that the proposed action would have minimal impact on adjacent wetlands.

As compensation for unavoidable wetland impacts, the applicant had purchased 1.7 acres of in-kind wetland credits from a Corps approved mitigation bank located in the watershed in accordance with the original authorization (MVN-2010-01854-CT).

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 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. 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 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.

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 Interior. 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.

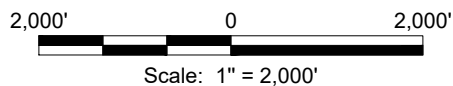
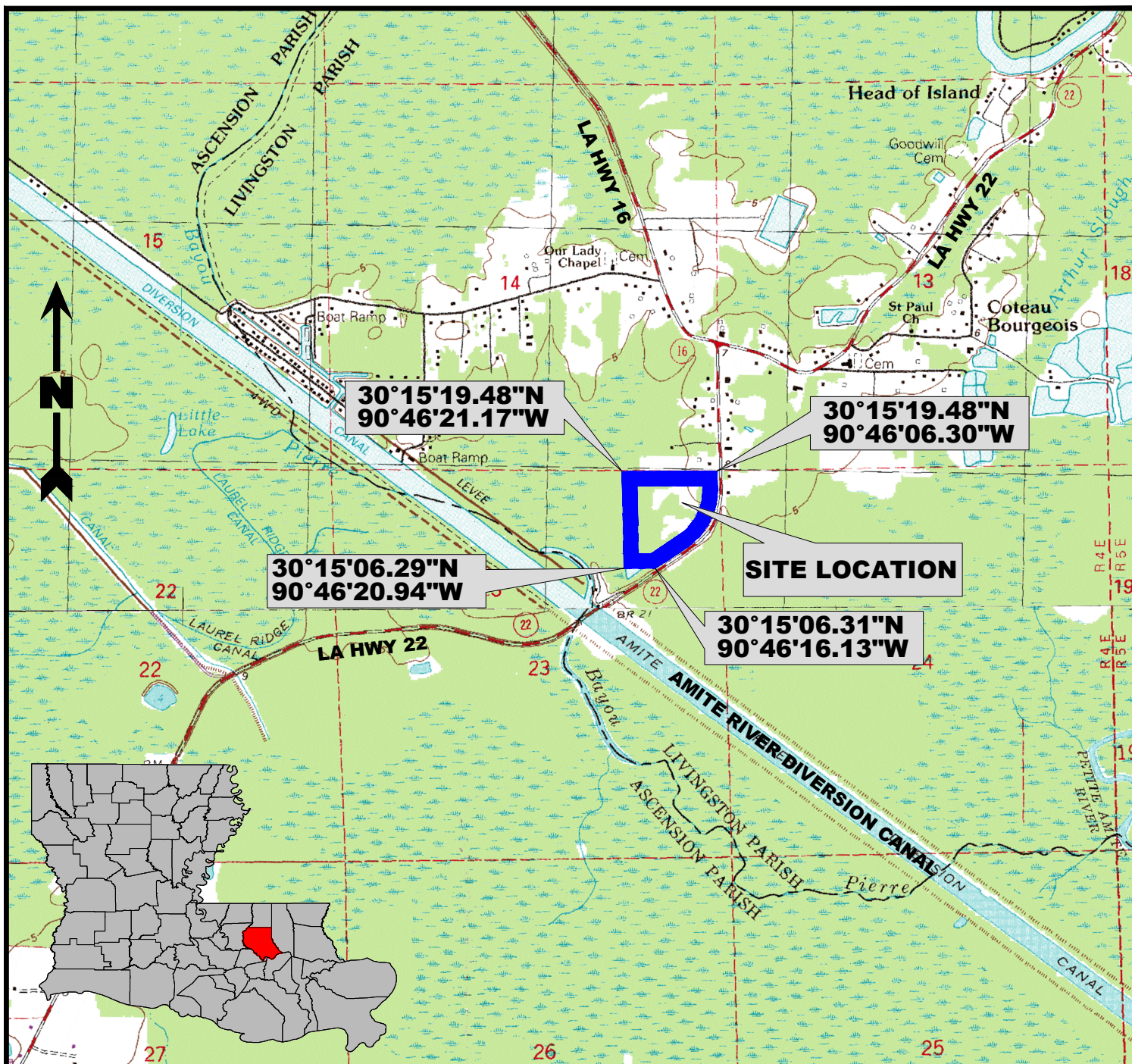
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program (Louisiana Coastal Zone Application P #20190418). The

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.

JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosures





## Notes

Property is located in Section 23, T-9-S, R-4-E  
Latitude: 30°15'13.81"N Longitude: 90°46'13.85"W

## Reference

Base map comprised of U.S.G.S. 7.5 minute topographic maps "French Settlement, LA" and "Sorrento, LA".

**Head of Island Properties, L.L.C.**

Pointe Of Isle

## Vicinity Map

Livingston Parish, Louisiana



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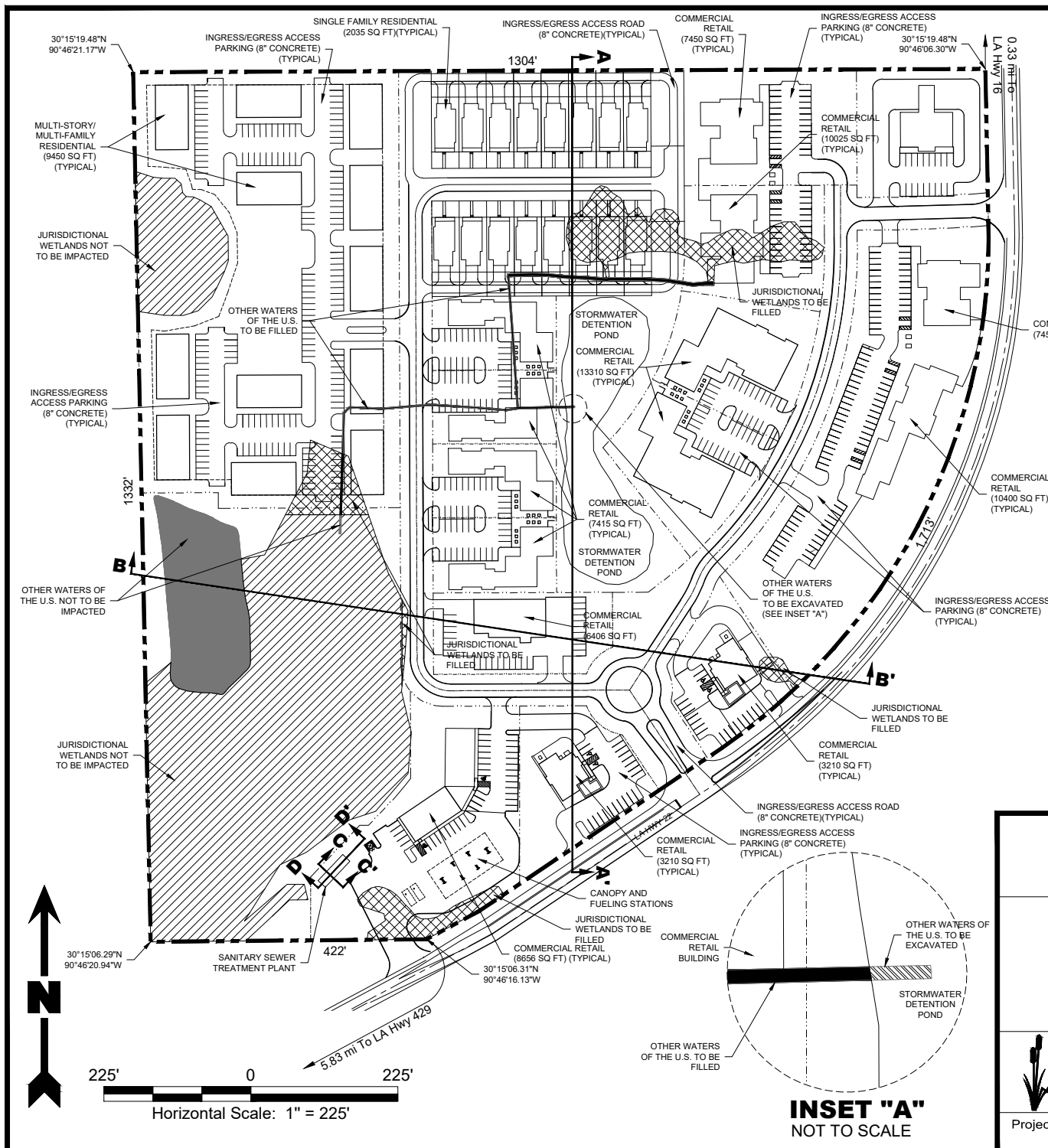


Project. No.: 03-2019-DOA

Date: 3-5-2019

Figure No.: 1





## Notes

1. The layout was provided by Quality Engineering & Surveying, LLC.
2. Jurisdictional Wetlands and Other Waters Of The US obtained from U.S. Army CORPS of Engineers Existing Jurisdictional Determination Account Number MVN-2009-00837-SK.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 2263C0370D Dated 8-23-2001, this property falls in Zone AE (Special Flood Hazard Areas Inundated By 100-Year Flood; Base Flood Elevations Determined). Base Flood Elevation=8.0' N.G.V.D.
4. Wetland Impacts by habitat type:  
> Bottomland Hardwood = 0.96 Acres

## Legend

- Property Boundary (33.17 Acres)
- Non-Wetlands (26.80 Acres)
- Development Limits
- Total Jurisdictional Wetlands (5.55 Acres)
- Jurisdictional Wetlands To Be Filled (0.96 Acres)
- Jurisdictional Wetlands Not To Be Impacted (4.59 Acres)
- Total Other Waters of the US (0.82 Acres)
- Other Waters of the US To Be Filled (0.06 Acres)
- Other Waters of the US To Be Excavated (0.01)
- Other Waters of the US Not To Be Impacted (0.75 Acres)

## Total Proposed Fill

Approximately 174,668.03 Cubic Yards of Earthen Material.  
Approximately 15,528.86 Cubic Yards of Lime Treated Base.  
Approximately 21,363.99 Cubic Yards of Concrete.

## Head of Island Properties, L.L.C.

Pointe Of Isle

## Plan View Map

Livingston Parish, Louisiana



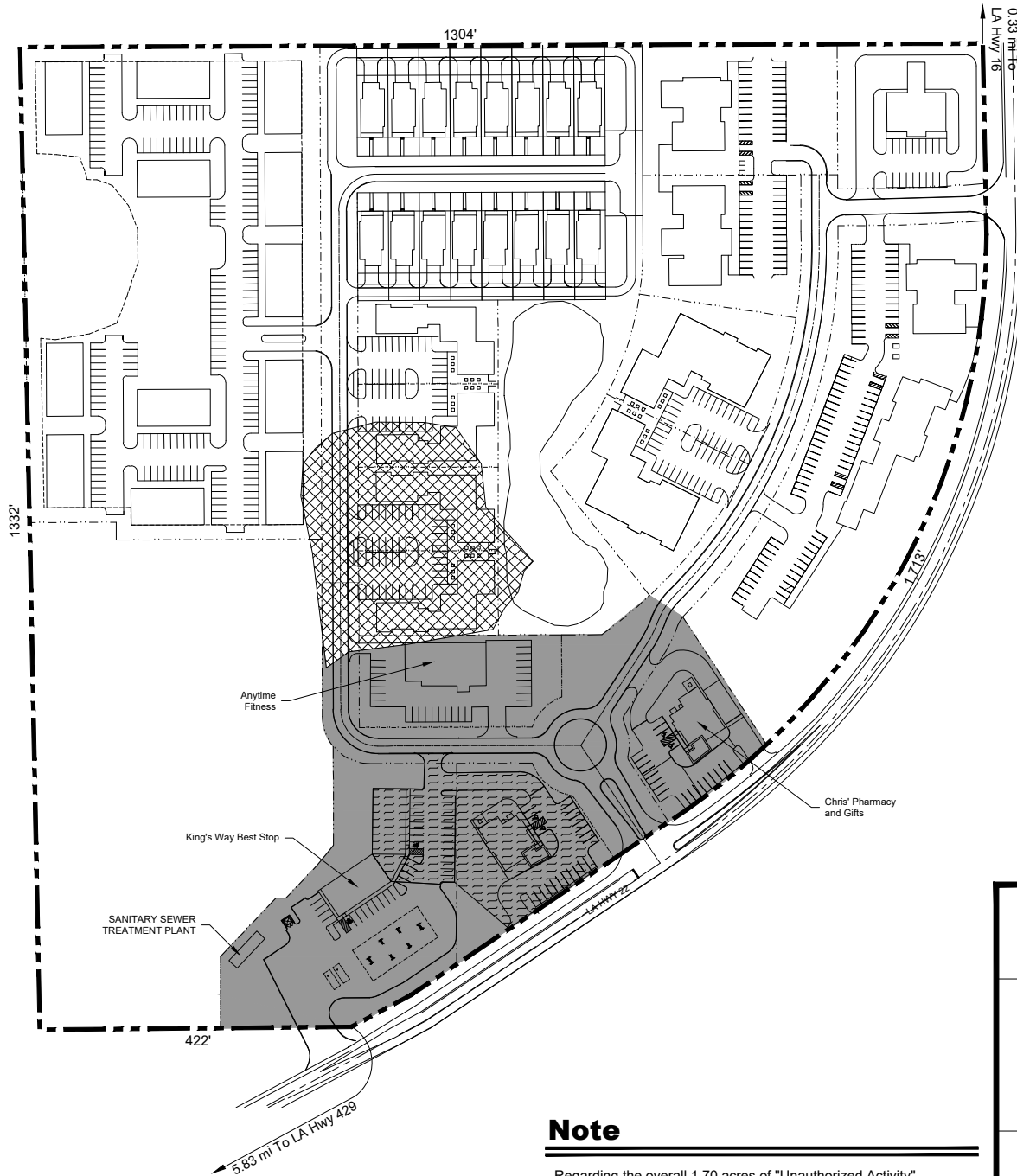
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Project. No.: 03-2019-DOA

Date: 03-05-2019

Figure No.: 2



## Legend

- Property Boundary (33.17 Acres)
- Proposed Construction To Date (26.14 Acres)
- Completed Construction To Date Under And In Accordance With CUP#: P20100849 & DOA Permit #: MVN-2010-1854-CT During Permit's Valid Period (5.33 Acres)
- Overall Area Of Unauthorized Activity After CUP#: P20100849 Expired (January 12, 2016) & DOA Permit #: MVN-2010-1854-CT Expired (February 28, 2016) (1.70 Acres) (865.27 Cubic Yards of Earthen Material; 30.73 Cubic Yards of Concrete)
- Placement Of Fill Material Only - No Structures In This Area To Date

**Head of Island Properties, L.L.C.**

## Pointe Of Isle Completed Work Plan View Map (Step 9c)

Livingston Parish, Louisiana



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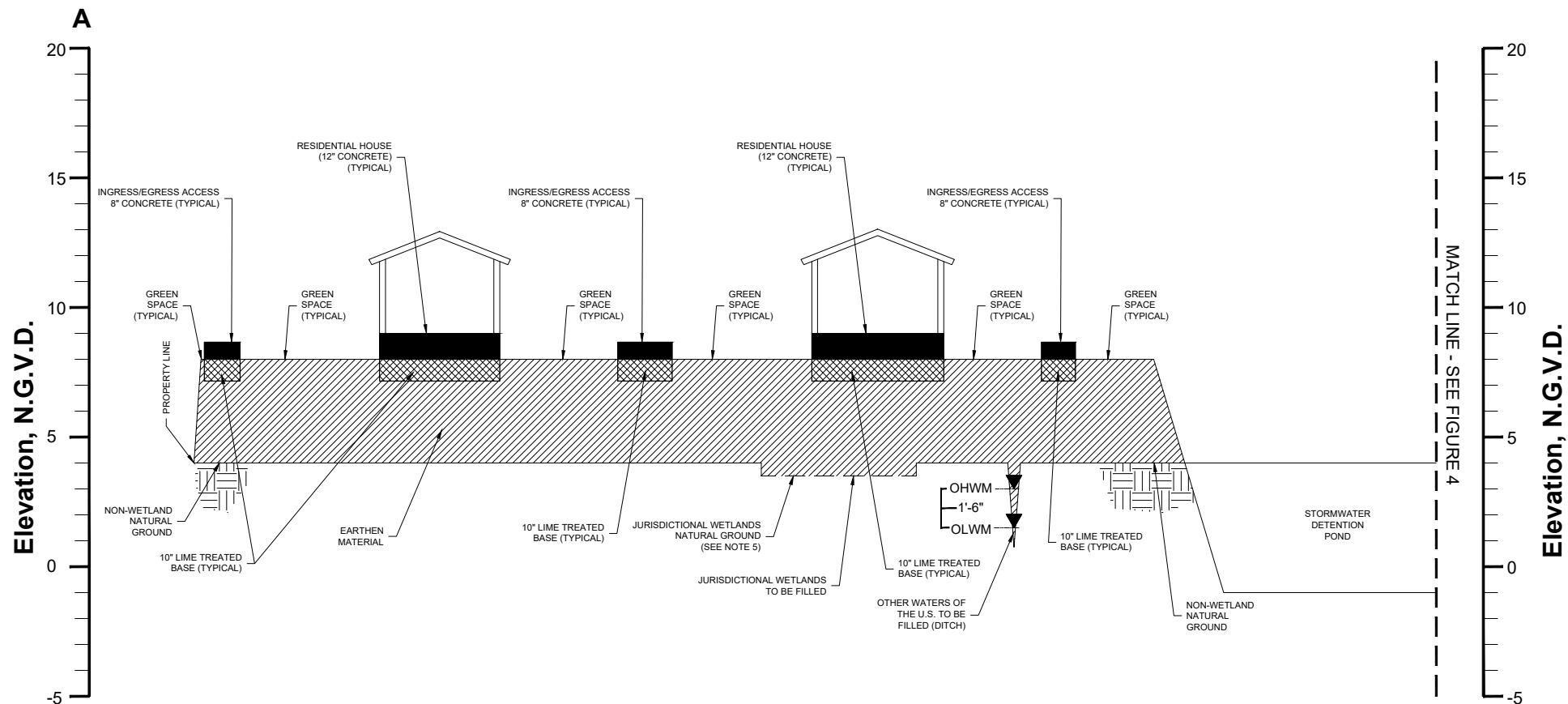
Project. No.: 03-2019-DOA

Date: 03-05-2019

Figure No.: 11

## Note

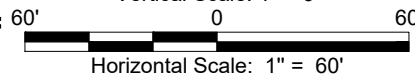
Regarding the overall 1.70 acres of "Unauthorized Activity", Jurisdictional wetlands constituted 0.004 Acres (166.98 sq ft) & "Other Waters Of The U.S." constituted 0.006 Acres (282.16 sq ft) of this 1.70 Acres of "Unauthorized Activity", which may be depicted by correlating figures 2 & 11.



### Section A-A'

Horizontal Scale: 1" = 60'

Vertical Scale: 1" = 6'



### Notes

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4. Non-wetland natural ground elevations range from 80'-0" to 95'-0" N.G.V.D. Elevation data was obtained from topographic data provided by Quality Engineering & Surveying, LLC.
5. Natural Ground elevations in existing jurisdictional wetlands are approximately 6" lower than adjacent non-wetland ground elevations.

### Legend

	Earthen Material
	Lime Treated Base
	Concrete
OHWM	Ordinary High Water Mark
OLWM	Ordinary Low Water Mark

### Head of Island Properties, L.L.C.

### Pointe Of Isle Section View A-A'

East Baton Rouge Parish, Louisiana

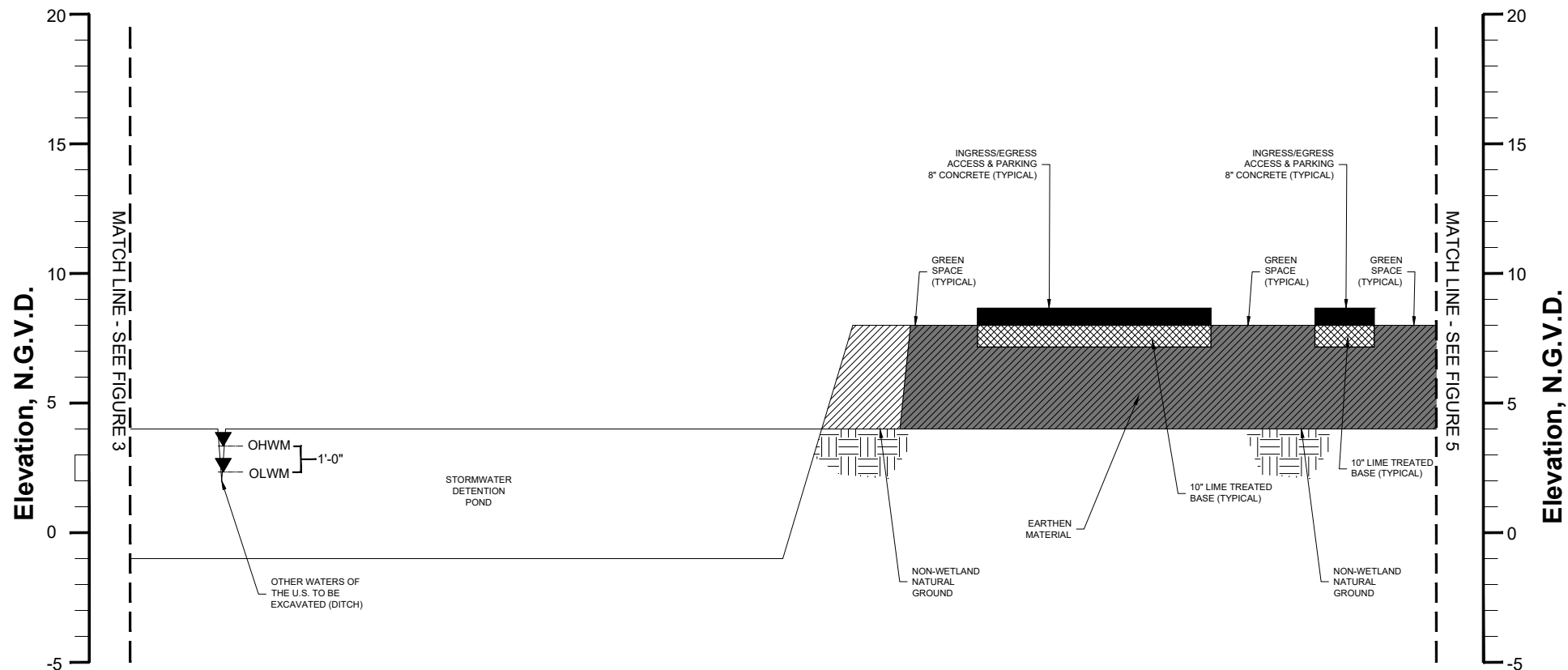


Project. No.: 03-2019-DOA

Date: 3-5-2019

Figure No.: 3





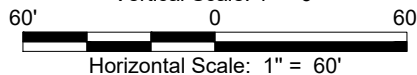
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## Section A-A'

Horizontal Scale: 1" = 60'

Vertical Scale: 1" = 6'



## Legend

- |  |                        |
|--|------------------------|
|  | Earthen Material       |
|  | Lime Treated Base      |
|  | Concrete               |
|  | Completed Work To Date |

## Head of Island Properties, L.L.C.

### Pointe Of Isle Section View A-A' (Continued)

East Baton Rouge Parish, Louisiana



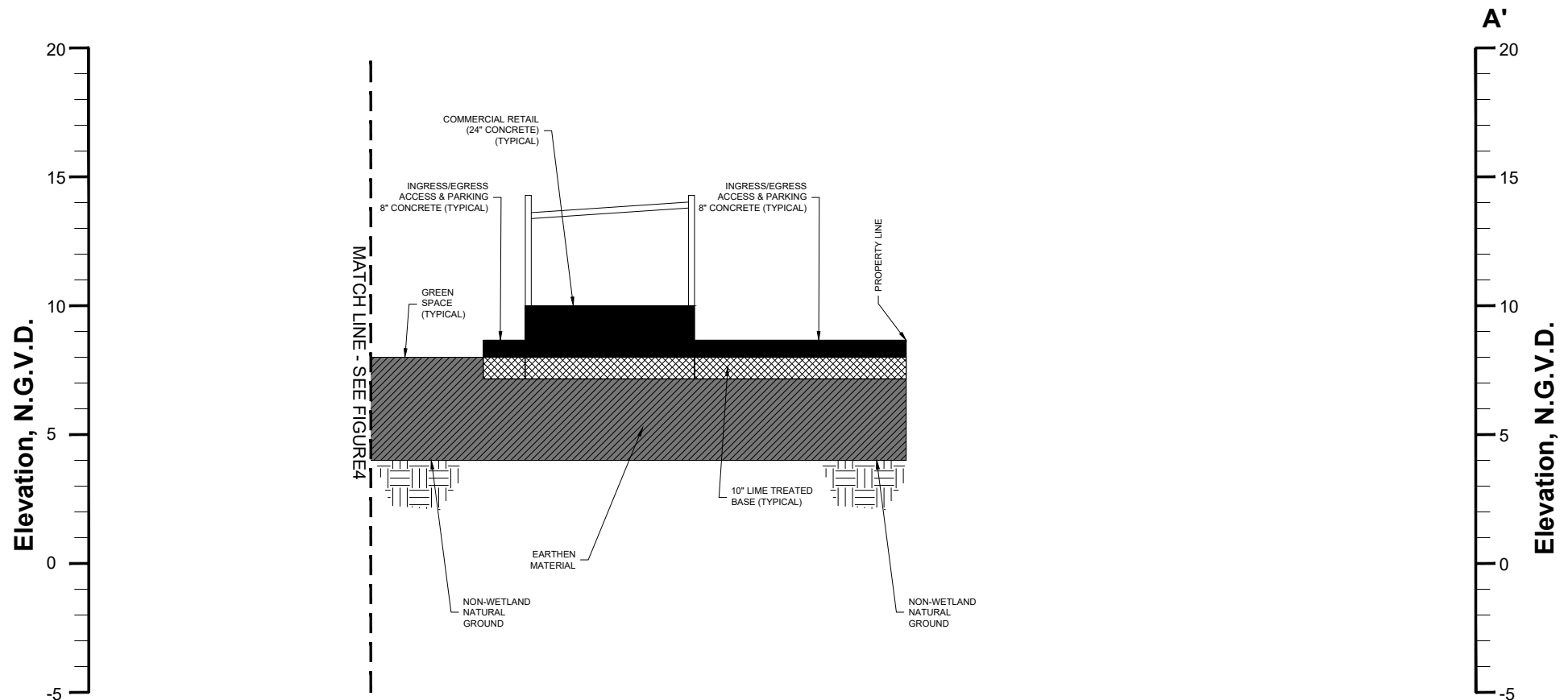
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Project. No.: 03-2019-DOA

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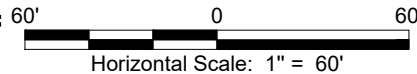
Figure No.: 4



### Section A-A'

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Vertical Scale: 1" = 6'



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### Legend

	Earthen Material
	Lime Treated Base
	Concrete
	Completed Work To Date

### Head of Island Properties, L.L.C.

### Pointe Of Isle Section View A-A' (Continued)

East Baton Rouge Parish, Louisiana



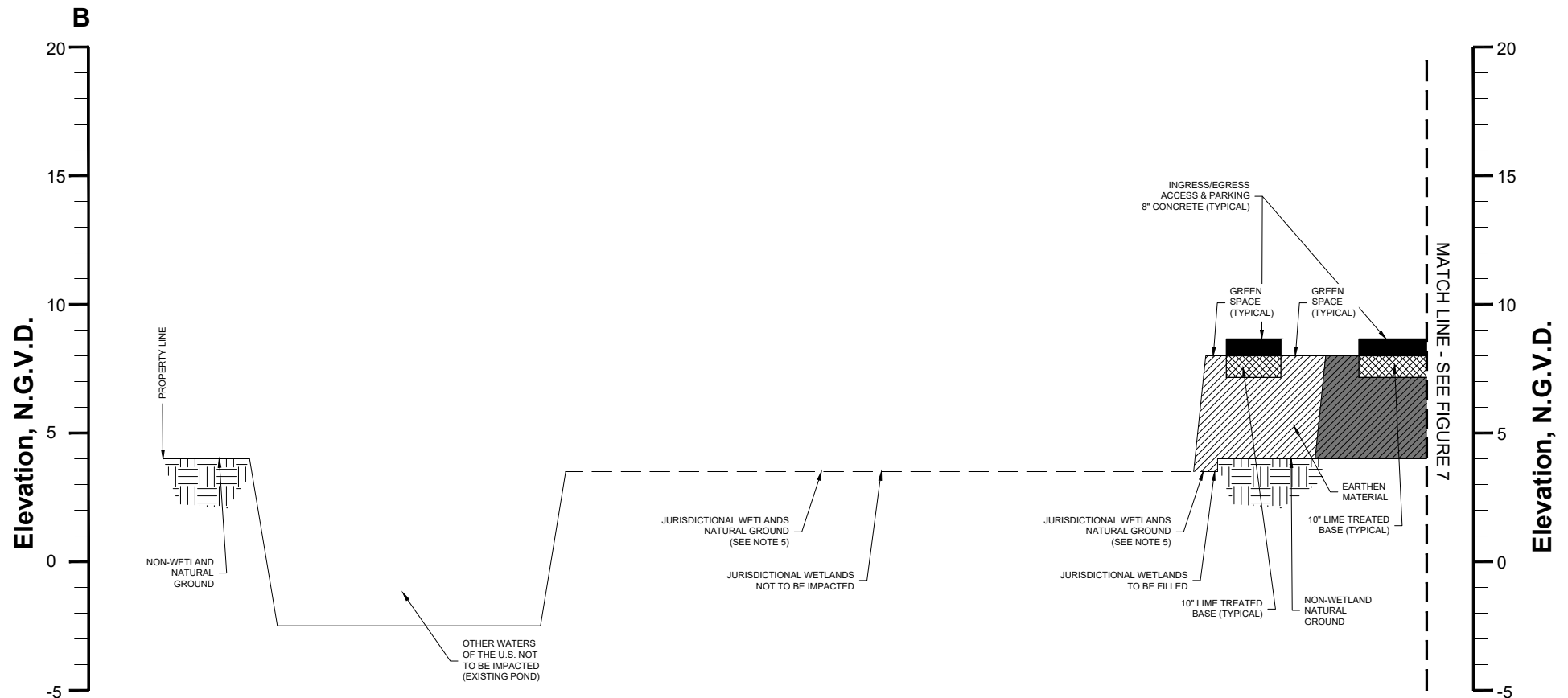
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Date: 3-5-2019

Figure No.: 5



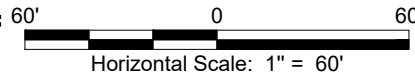
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## Section B-B'

Horizontal Scale: 1" = 60'

Vertical Scale: 1" = 6'



## Legend

	Earthen Material
	Lime Treated Base
	Concrete
	Completed Work To Date

## Head of Island Properties, L.L.C.

### Pointe Of Isle Section View B-B'

East Baton Rouge Parish, Louisiana



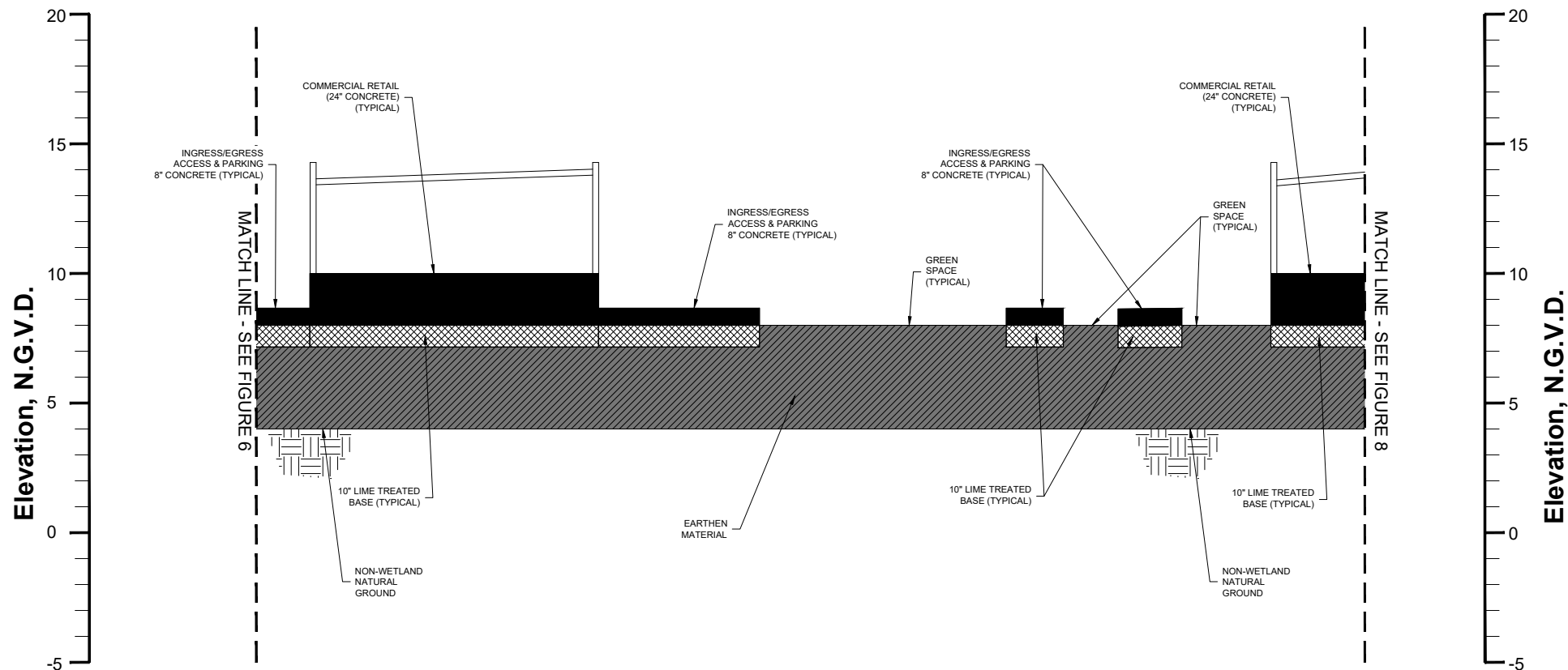
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Date: 3-5-2019

Figure No.: 6



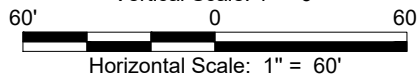
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## Section B-B'

Horizontal Scale: 1" = 60'

Vertical Scale: 1" = 6'



## Legend

	Earthen Material
	Lime Treated Base
	Concrete
	Completed Work To Date

## Head of Island Properties, L.L.C.

### Pointe Of Isle Section View B-B' (Continued)

East Baton Rouge Parish, Louisiana



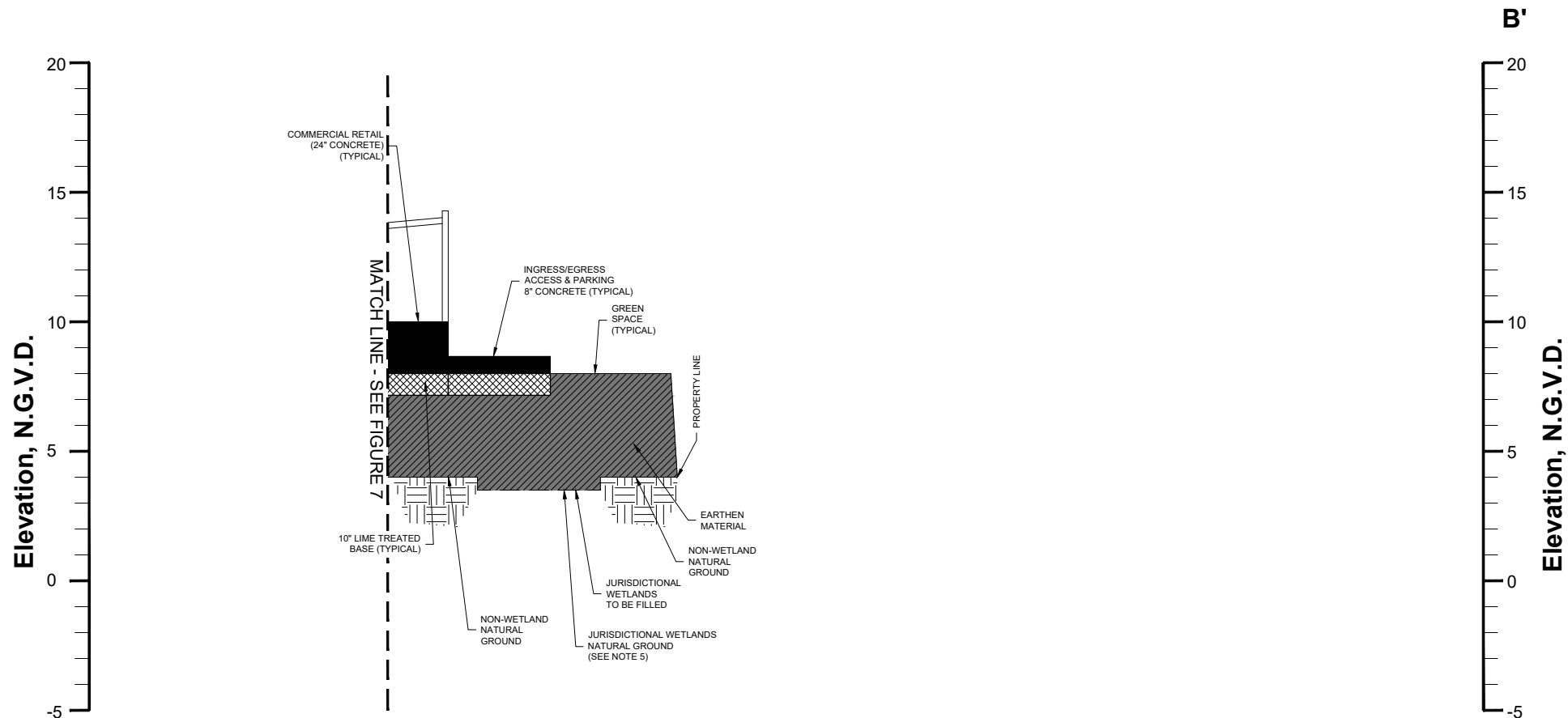
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Project. No.: 03-2019-DOA

Date: 3-5-2019

Figure No.: 7



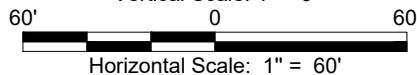
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## Section B-B'

Horizontal Scale: 1" = 60'

Vertical Scale: 1" = 6'



## Legend

	Earthen Material
	Lime Treated Base
	Concrete
	Completed Work To Date

## Head of Island Properties, L.L.C.

### Pointe Of Isle Section View B-B' (Continued)

East Baton Rouge Parish, Louisiana



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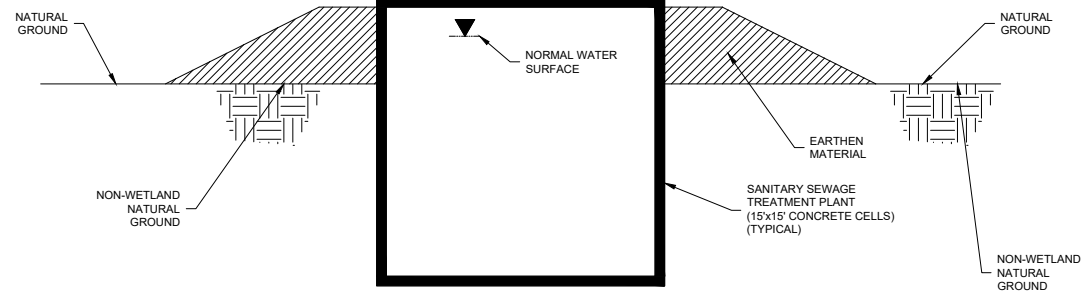


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Date: 3-5-2019

Figure No.: 8

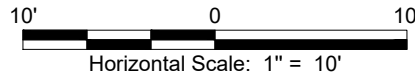




### Section C-C'

Horizontal Scale: 1" = 10'

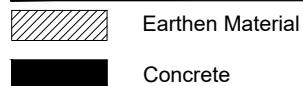
Vertical Scale: 1" = 10'



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### Legend



Head of Island Properties, L.L.C.

Pointe Of Isle  
Section View C-C'

East Baton Rouge Parish, Louisiana



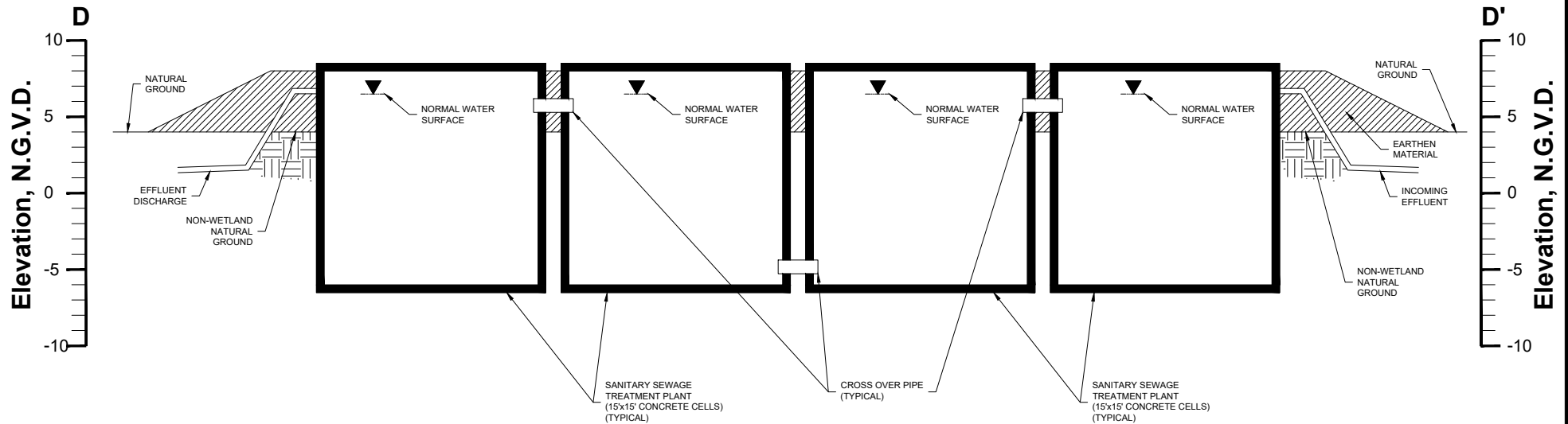
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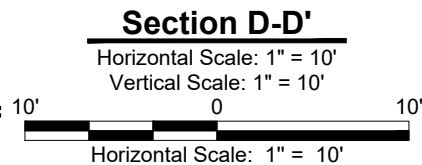
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Figure No.: 9

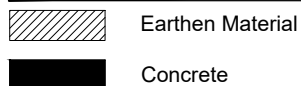


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## Legend



**Head of Island Properties, L.L.C.**

Pointe Of Isle  
**Section View D-D'**

East Baton Rouge Parish, Louisiana



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**ENVIRONMENTAL SERVICES, INC.**



Project. No.: 03-2019-DOA

Date: 3-5-2019

Figure No.: 10