

JOINT PUBLIC NOTICE

November 6, 2017

United States Army
Corps of Engineers
New Orleans District
Attn: Regulatory Branch
7400 Leake Ave.
New Orleans, Louisiana 70118-3651

State of Louisiana
Department of Environmental Quality
Attn: Water Quality Certifications
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

Project Manager:
Bobby Quebedeaux
(504) 862-2224
bobby.d.quebedeaux@usace.army.mil
Application #: MVN-2012-2853-WJJ

Project Manager:
Elizabeth Hill
(225) 219-3225
WQC Application Number:
WQC 170830-01

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).

The application has also been mailed to the Louisiana Department of Environmental Quality, for a Water Quality Certification (WQC) in accordance with statutory authority contained in Louisiana Revised Statute 30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L. 95-17).

MULTI-FAMILY RESIDENTIAL DEVELOPMENT IN CALCASIEU PARISH

NAME OF APPLICANT: CM Charter Capital, LLC, c/o: T. Baker Smith, Attn: Curt Schaeffer, 17534 Old Jefferson Highway, Suite D, Prairieville, Louisiana 70769

LOCATION OF WORK: At the southeast corner of the intersection of Power Center Parkway and 5th Avenue in Lake Charles, Louisiana, in Calcasieu Parish (30.1870, -93.1864, Hydrologic Unit Code 08080302, Calcasieu River Watershed).

CHARACTER OF WORK:

ORIGINAL PLANS (as published in Public Notice dated December 10, 2012): Clear and grade approximately 20 acres to construct a commercial development consisting of retail stores, Frontier Hospital and parking areas, with approximately 30,000 cubic yards of native earthen fill and 11,000 cubic yards of aggregate materials to be placed for building foundations and parking lots. The original permitted plans included 0.97 acres of wetland impacts in which 1.2 acres of bottomland hardwood credits were purchased at Grand Canard Mitigation Bank. The project was permitted dated April 17, 2013, but was not completed.

MODIFIED PLANS: The developer is now proposing a multi-family complex versus the prior commercial development. The site plan/site design has been revised to clear, grub and grade approximately 15 acres to construct a 264-unit apartment complex and parking areas, with approximately 22,316 cubic yards of native earthen fill, approximately 5,852 cubic yards of concrete fill and approximately 6,386 cubic yards of aggregate fill to be placed for building foundations and parking lots. No additional wetlands will be impacted, therefore no further compensatory mitigation has been proposed.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **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 submitted 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 forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH.** **Individuals or parties may request an extension of time in which to comment on the proposed work by writing, faxing, 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.** 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.

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 public notice are being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

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. Based on the South Louisiana **Standard Local Operating Procedure for Endangered Species (SLOPES)**, as signed on October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project would have no effect to 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 may result in the destruction or alteration of **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.

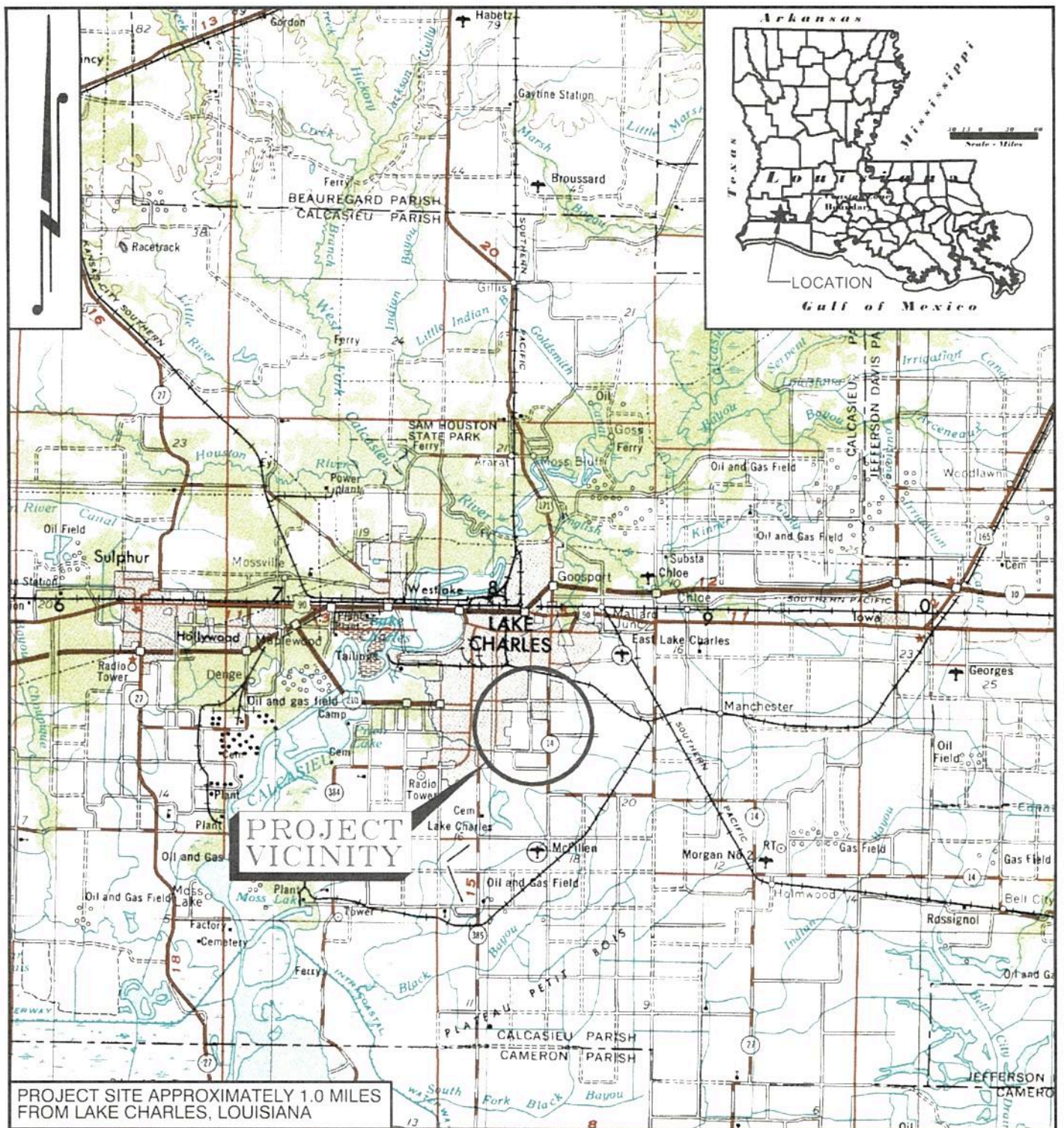
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, before a Department of the Army 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 invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch

Enclosure

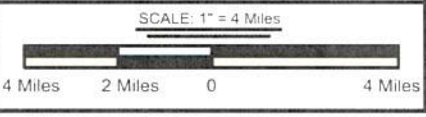


PROJECT SITE APPROXIMATELY 1.0 MILES FROM LAKE CHARLES, LOUISIANA

DRAWN BY:	CDG	APPROVED BY:	JBB
DATE:	10/02/17	JOB NO.:	2016.0801
DRAWING NAME:	16_0816_COE.DWG		
SHEET NO.:	1	OF	3
PROJECTION: LOUISIANA SOUTH GEO. DATUM: NAD83 VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET			

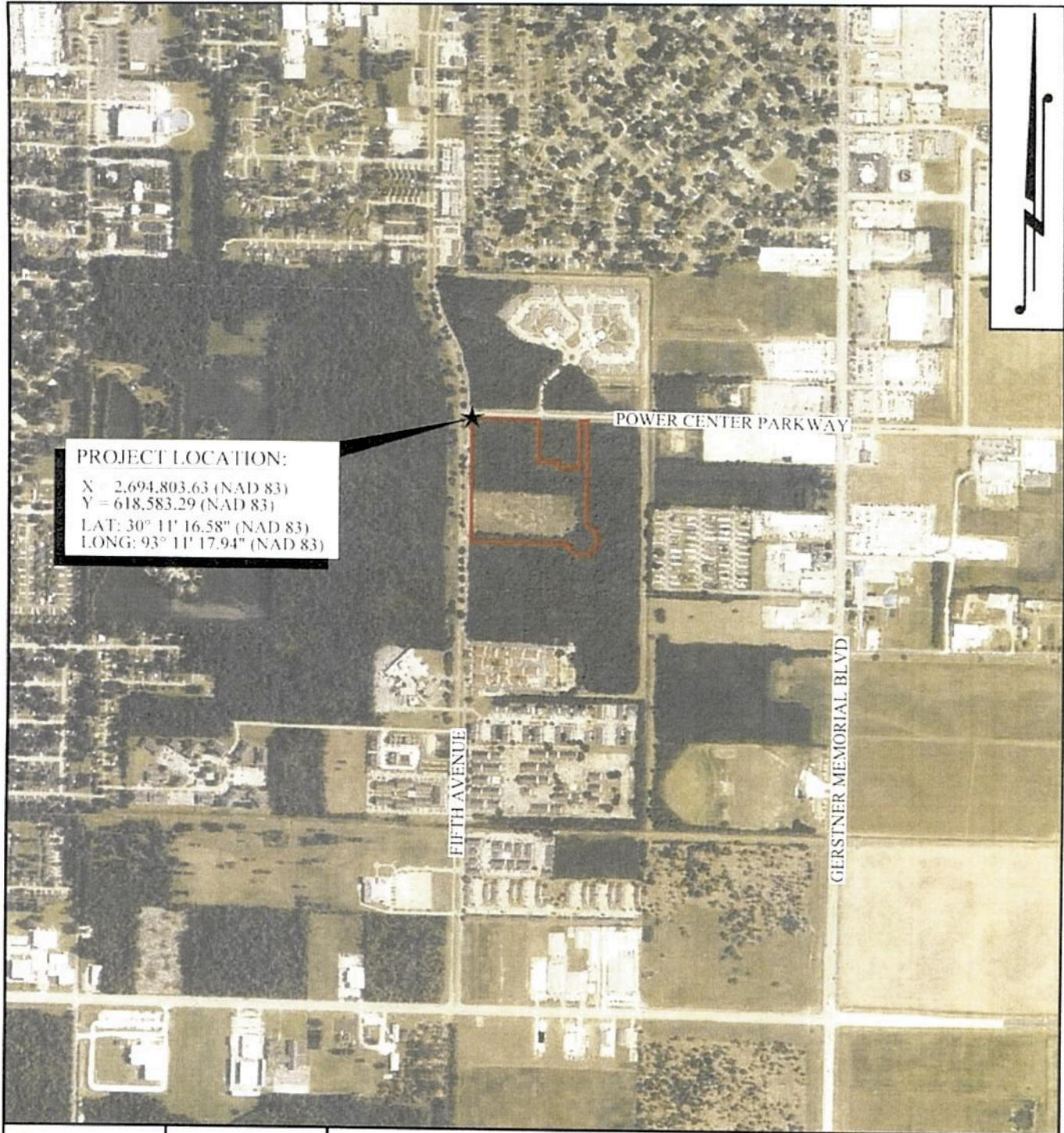
VICINITY MAP

LDG DEVELOPMENT
LE JOLLIET APARTMENT COMPLEX
POWER CENTER PARKWAY AND 5TH AVENUE
SECTION 16
T10S - 18W
LAKE CHARLES, LOUISIANA



REV. NO:	00	REV. DATE:	--/--	REV. BY:	--
REVISION DESCRIPTION:					

10/2/2017 - PLY-2016-2016.0816.DWG\PERMIT\16_0816_COE.DWG

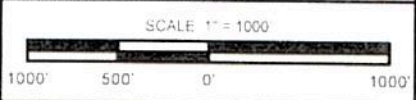


PROJECT LOCATION:
 X = 2,694,803.63 (NAD 83)
 Y = 618,583.29 (NAD 83)
 LAT: 30° 11' 16.58" (NAD 83)
 LONG: 93° 11' 17.94" (NAD 83)

EG00017 - P:\1\2016\0316.DWG\PERMIT\02 - PLAN VIEW.DWG

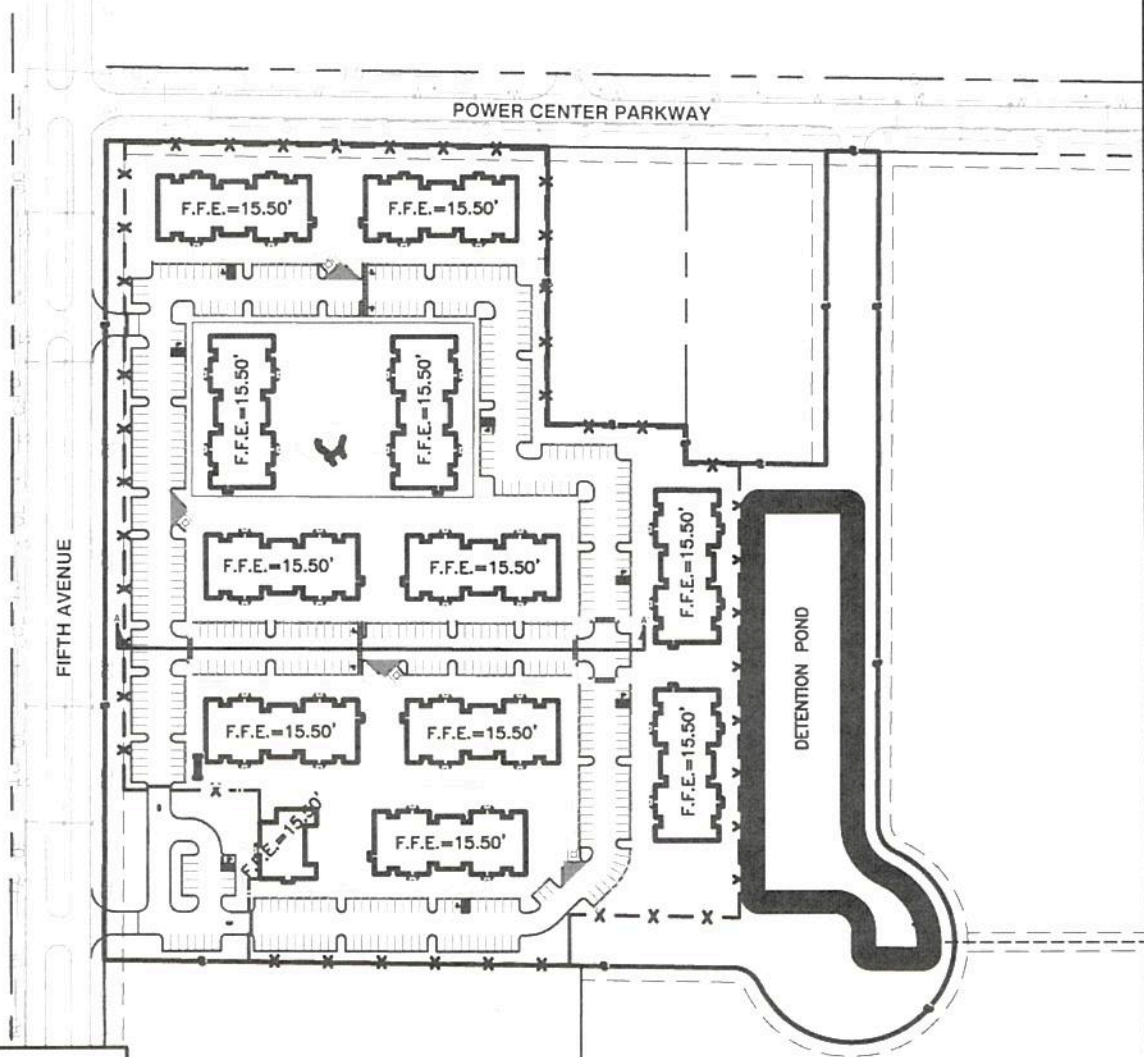
DRAWN BY	ADS	APPROVED BY	CSS
DATE	06/20/2017	JOB NO	2016.0816
DRAWING NAME	02 - PLAN VIEW DWG		
SHEET NO	2	OF	3
PROJECTION	PROJECTION		
GEO DATUM	GEO DATUM NAD83 VERT DATUM NAVD88		
GRID UNITS	GRID UNITS US SURVEY FEET		

OVERALL PLAN VIEW
LDG DEVELOPMENT
 LE JOLLIET APARTMENT COMPLEX
 POWER CENTER PARKWAY AND 5TH AVENUE
 WEST HALF OF THE SOUTHEAST QUARTER
 SEC 16, T10S, R18W - CITY OF LAKE CHARLES
 CALCASIEU PARISH, LOUISIANA




T. BAKER SMITH
 SOLUTIONS START HERE
112 Southway, Suite 100, Lake Charles, LA 70601
 706.658.1010 | www.tbbsmith.com

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REVISION DESCRIPTION					



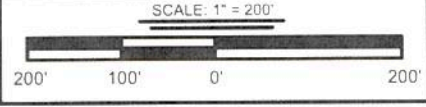
LEGEND	
	APARTMENT BUILDING
	BARRIER CURB
	FENCE
	PROPERTY LINE

NOTES:
 1. THESE PLATS ARE TO BE USED EXCLUSIVELY FOR THE ACQUISITION OF REGULATORY PERMITS.
 2. THIS DRAWING MAY NOT REPRESENT ALL HAZARDS IN PROJECT AREA.

DRAWN BY: CDG	APPROVED BY: JBB
DATE: 10/02/17	JOB NO: 2016.0801
DRAWING NAME: 16_0816_COE.DWG	
SHEET NO: 2	OF 3
PROJECTION: LOUISIANA SOUTH GEO. DATUM: NAD83 VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET	

PLAN VIEW

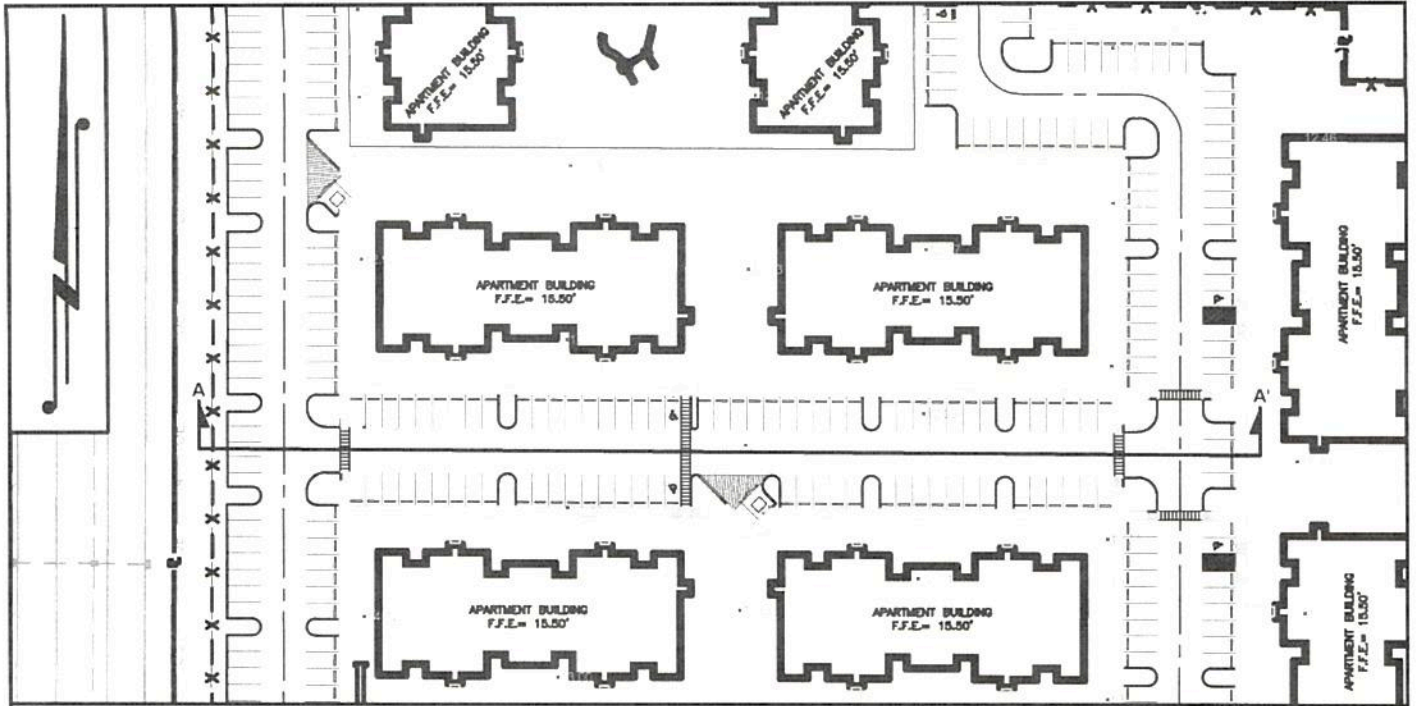
LDG DEVELOPMENT
 LE JOLLIET APARTMENT COMPLEX
 POWER CENTER PARKWAY AND 5TH AVENUE
 SECTION 16
 T10S - 18W
 LAKE CHARLES, LOUISIANA



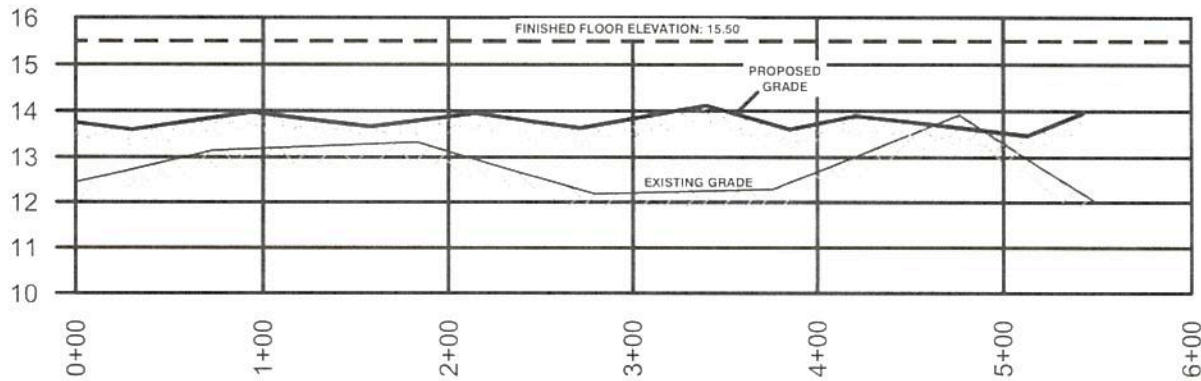
TBS
T. BAKER SMITH
 A CENTURY OF SOLUTIONS
 107 Loubser Circle, Lafayette, LA 70503
 (337) 734-2890 - tbsmith.com

REV. NO: 00	REV. DATE: --/--	REV. BY: --
REVISION DESCRIPTION: --		

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CROSS SECTION A-A'



LEGEND	
	APARTMENT BUILDING
	BARRIER CURB
	FENCE
	PROPERTY LINE
	EXISTING ELEVATION

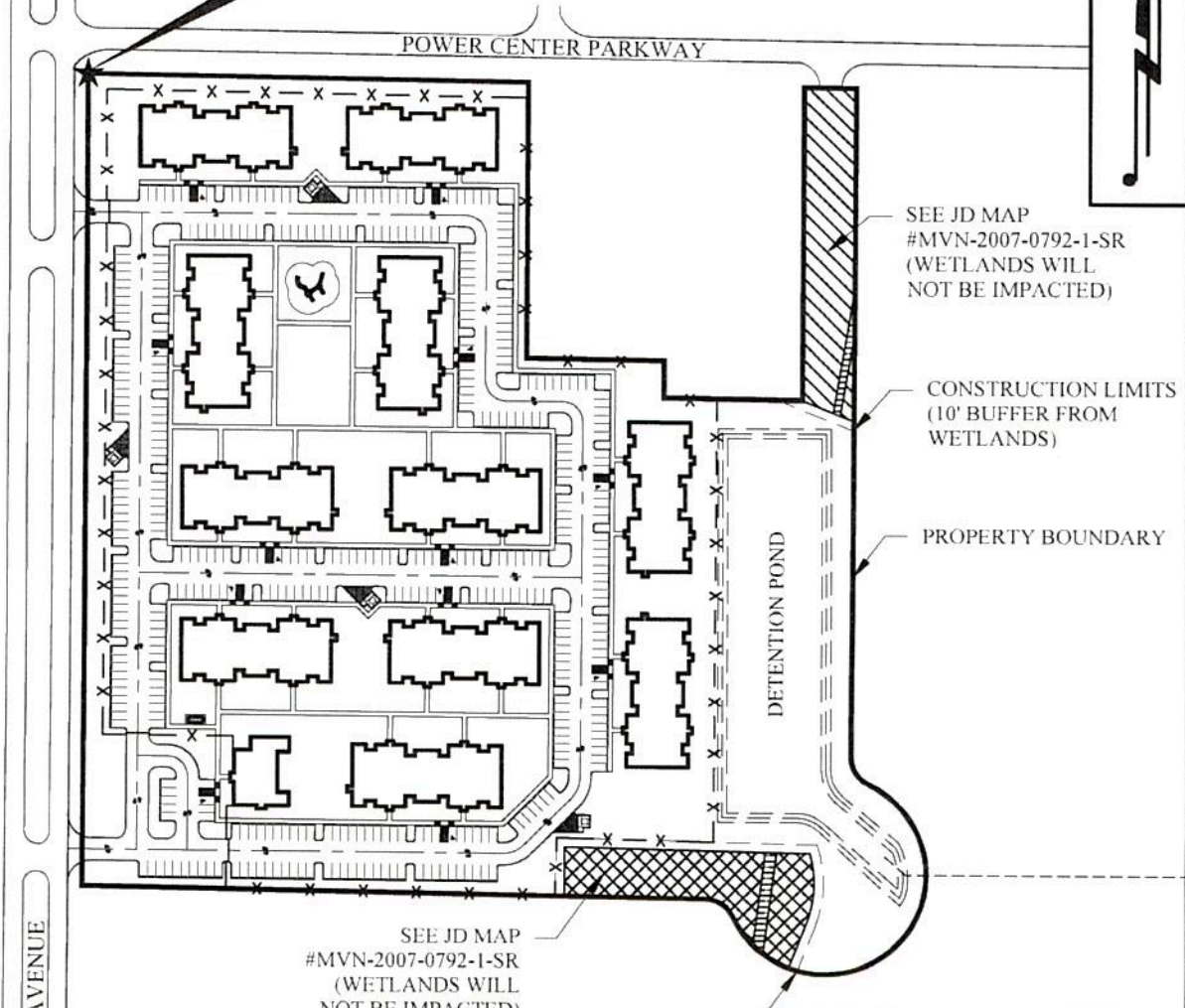
- NOTES:
1. THESE PLATS ARE TO BE USED EXCLUSIVELY FOR THE ACQUISITION OF REGULATORY PERMITS.
 2. THIS DRAWING MAY NOT REPRESENT ALL HAZARDS IN PROJECT AREA.
 3. THE PROJECT PLANS IMPACT .97 ACRES OF BOTTOMLAND HARDWOODS WHICH HAVE BEEN PREVIOUSLY MITIGATED FOR AND PURCHASED FROM GRAND CANARD MITIGATION BANK.
 4. APPROXIMATELY 22,316 CUBIC YARDS OF EARTHEN FILL NEEDED.
 5. APPROXIMATELY 5,852 CUBIC YARDS OF CONCRETE FILL MATERIAL NEEDED.
 6. APPROXIMATELY 6,386 CUBIC YARDS OF AGGREGATE FILL MATERIAL NEEDED.

DRAWN BY: CDG	APPROVED BY: JBB
DATE: 10/02/17	JOB NO: 2016.0801
DRAWING NAME: 16_0816_COE.DWG	
SHEET NO: 3 OF 3	
PROJECTION: LOUISIANA SOUTH GEO. DATUM: NAD83 VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET	
SCALE: 1" = 100'	

PROFILE		
LDG DEVELOPMENT		
LE JOLLIET APARTMENT COMPLEX		
POWER CENTER PARKWAY AND 5TH AVENUE		
SECTION 16		
T10S - 18W		
LAKE CHARLES, LOUISIANA		
REV. NO: 00	REV. DATE: --/--	REV. BY: --
REVISION DESCRIPTION: --		
T. BAKER SMITH <small>A CENTURY OF SOLUTIONS</small> <small>107 Global Circle, Lafayette, LA 70501</small> <small>(337) 785-2500 • tbsmri.com</small>		

10/2/2017 - P:\11-2016\2016.0816\DWG\PERMIT\16_0816_COE.DWG

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 Y = 618,583.29 (NAD 83)
 LAT: 30° 11' 16.58" (NAD 83)
 LONG: 93° 11' 17.94" (NAD 83)



SEE JD MAP
 #MVN-2007-0792-1-SR
 (WETLANDS WILL NOT BE IMPACTED)

CONSTRUCTION LIMITS
 (10' BUFFER FROM WETLANDS)

PROPERTY BOUNDARY

SEE JD MAP
 #MVN-2007-0792-1-SR
 (WETLANDS WILL NOT BE IMPACTED)

CONSTRUCTION LIMITS
 (10' BUFFER FROM WETLANDS)

LEGEND:

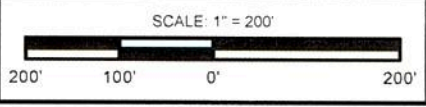
	PROPERTY BOUNDARY (± 15.32 ACRES)
	30% WETLANDS - NOT IMPACTED (± 0.14 ACRES)
	46% WETLANDS - NOT IMPACTED (± 0.21 ACRES)
	WATERS OF THE U.S. (± 0.05 ACRES)

NOTES:
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DRAWN BY: ADS	APPROVED BY: CSS
DATE: 06/20/2017	JOB NO: 2016.0816
DRAWING NAME: 03 - WETLAND MAP DWG	
SHEET NO: 3 OF 3	
PROJECTION: PROJECTION GEO DATUM: NAD83 VERT DATUM: NAVD88 GRID UNITS: US SURVEY FEET	

WETLAND MAP

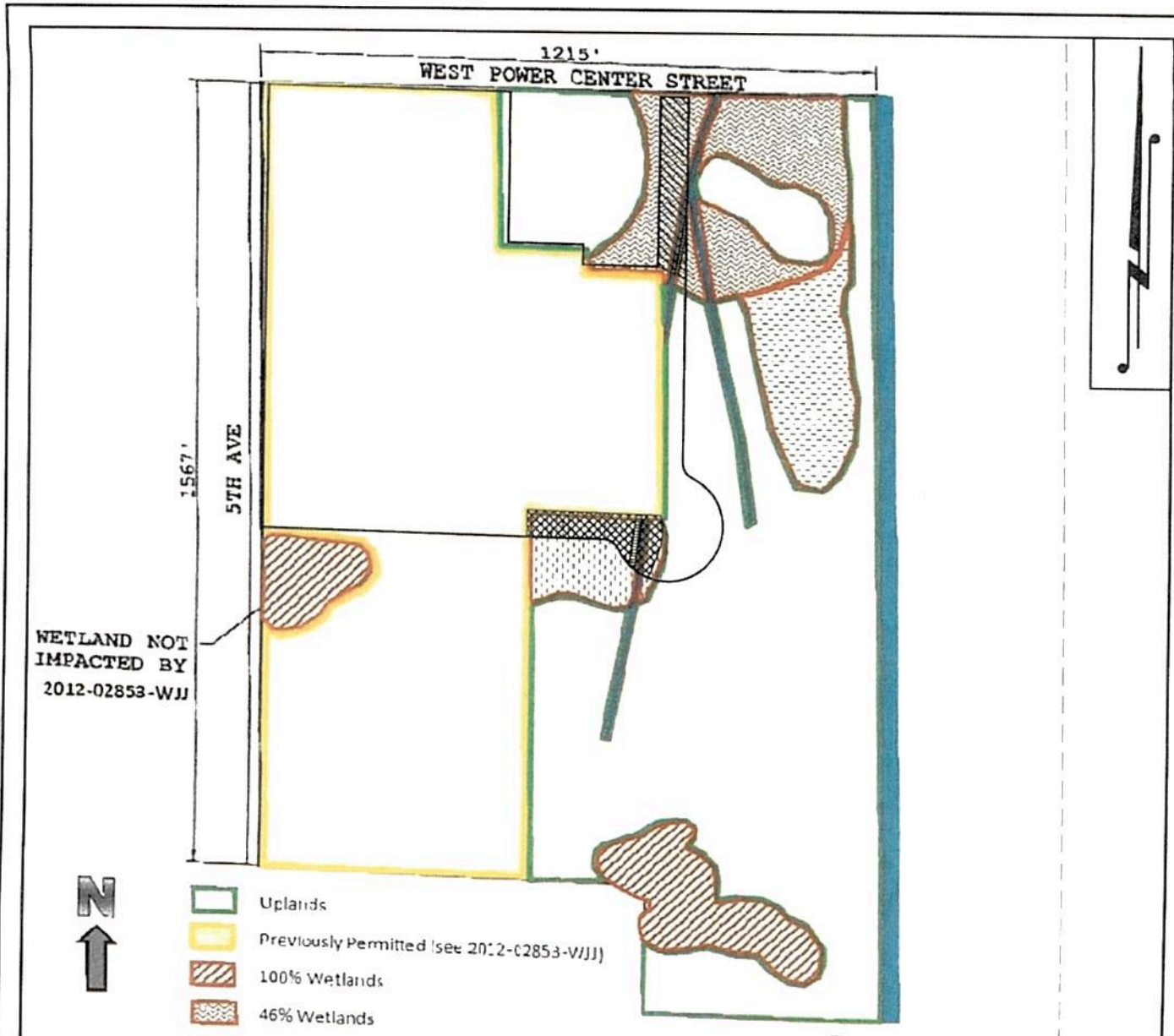
LDG DEVELOPMENT
 LE JOLLIET APARTMENT COMPLEX
 POWER CENTER PARKWAY AND 5TH AVENUE
 WEST HALF OF THE SOUTHEAST QUARTER
 SEC 16, T10S, R18W - CITY OF LAKE CHARLES
 CALCASIEU PARISH, LOUISIANA



TBS **T. BAKER SMITH**
 SOLUTIONS START HERE
 412 South Van Ave. Houma, LA 70363
 (905)888-1050 - tbsm@tbs.com

REV. NO: 00	REV. DATE: --/--	REV. BY: --
REVISION DESCRIPTION		
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7/6/2017 - P:\Y-2016\2016.0816\DWG\PERMIT\03 - WETLAND MAP.DWG



WETLAND NOT IMPACTED BY 2012-02853-WJJ



- Uplands
- Previously Permitted (see 2012-02853-WJJ)
- 100% Wetlands
- 46% Wetlands
- 30% Wetlands
- 25% Wetlands
- Waters



- LEGEND:**
- PROJECT BOUNDARY (± 15.32 ACRES)
 - 30% WETLANDS - NOT IMPACTED (± 0.14 ACRES)
 - 46% WETLANDS - NOT IMPACTED (± 0.21 ACRES)
 - WATERS OF THE U.S. (± 0.05 ACRES)

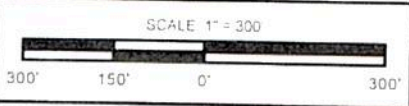
USACE
 FSV / (IH) Date: 12-8-16
 Botanist: Rosie Schwamenfeld
 Requestor: Cleve Hoffpauir
 # MVN-2007-0792-1-SR

NOTES
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DRAWN BY	ADS	APPROVED BY	CSS
DATE	06/20/2017	JOB NO	2016 0815
DRAWING NAME	04 - JD MAP DWG		
SHEET NO	4	OF	4
PROJECTION PROJECTION: GEO DATUM NAD83 VERT DATUM NAVD88 GRID UNITS US SURVEY FEET			

JD MAP - #MVN-2007-0792-1-SR

LDG DEVELOPMENT
 LE JOLLIET APARTMENT COMPLEX
 POWER CENTER PARKWAY AND 5TH AVENUE
 WEST HALF OF THE SOUTHEAST QUARTER
 SEC 16, T10S, R18W - CITY OF LAKE CHARLES
 CALCASIEU PARISH, LOUISIANA



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T. BAKER SMITH
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 (337) 685-1500 | Fax: (337) 685-1501

REV NO	00	REV DATE	12-8-16	REV BY	
REVISION DESCRIPTION					

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