# JOINT PUBLIC NOTICE

### February 12, 2018

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

(504) 862-1301 Project Manager Neil T. Gauthier Neil.T.Gauthier@usace.army.mil MVN 2014-00763-CM State of Louisiana Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, Louisiana 70821-4313

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC 180207-02

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: [ ] 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 LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act.

# CLEAR, EXCAVATE, AND FILL FOR ACCESS TO AND MAINTENANCE OF WEST COLYELL CREEK IN LIVINGSTON PARISH

**NAME OF APPLICANT**: Livingston Parish Gravity Drainage District No. 2, c/o D & S Environmental Services, Inc., Attn: David Templet, P.O. Box 510, French Settlement, Louisiana 70733.

**LOCATION OF WORK**: On West Colyell Creek beginning on LA Hwy 1023 approximately 0.8 miles south of Weiss Rd. and continuing southward and ending at LA Hwy 1024 approximately 1.6 miles north of Arnold Rd. in Denham Springs, Louisiana, in Livingston Parish, within the Lake Pontchartrain Basin in hydrologic unit (HUC 08070202), as shown on the attached drawings.

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to clear, excavate native material, and deposit crushed concrete to create a 15' wide access/permanent maintenance corridor and to clean out and re-shape West Colyell Creek to improve area drainage. The excavated native material will be distributed into non-wetland areas onsite. Approximately 1,412 cubic yards of crushed concrete will be placed to fill and stabilize parts of the maintenance corridor and areas of the creek for erosion protection and creek bottom stabilization. A Preliminary analysis has determined that the proposed project would permanently impact approximately 1.6 acres of forested wetlands within the project site and temporarily impact approximately 22.7 acres of "other

waters of the US".

The applicant stated that they have designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. Any further reduction would limit their ability to provide proper access drainage maintenance and, therefore deem the project impracticable. As compensation for unavoidable wetland impacts, the applicant proposes to mitigate in-kind wetland credits from a Corps approved mitigation bank located in the watershed.

The comment period for the Department of Army 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 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.

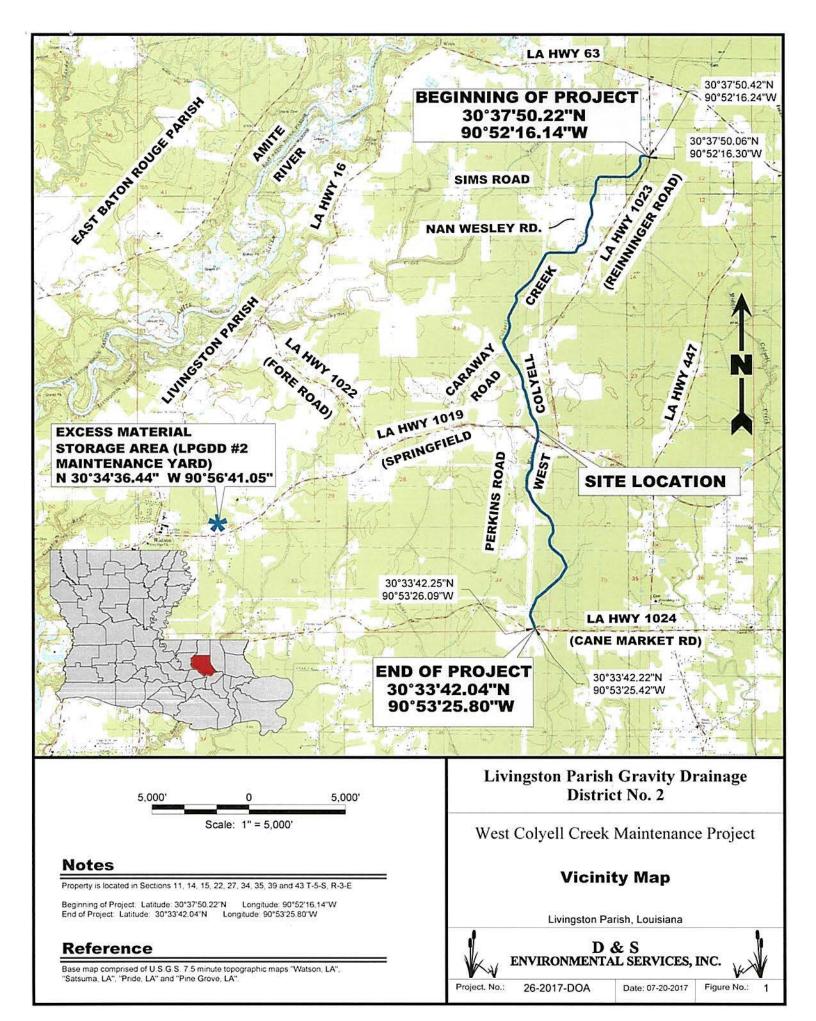
Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of such species, listed as endangered by the U.S. Department of Interior. Utilizing Standard Local Operating Procedure for Endangered Species in Louisiana (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.

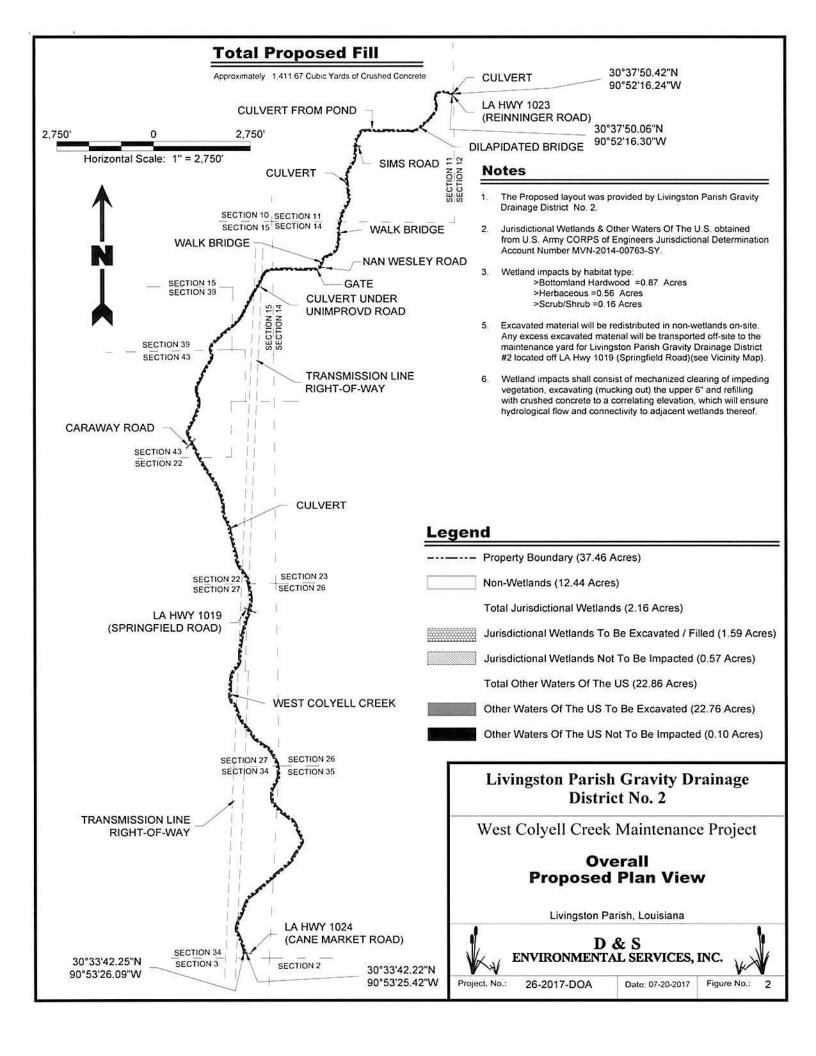
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of up to  $\underline{\mathbf{0}}$  acres of EFH utilized by various life stages of 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.

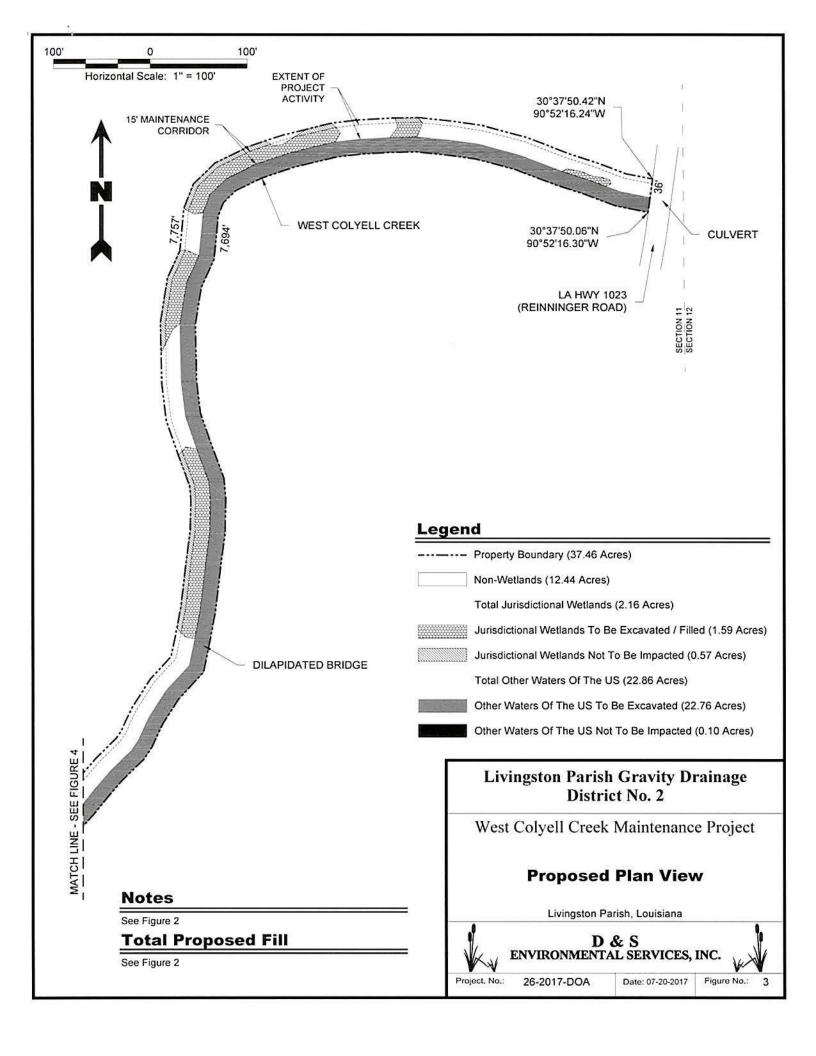
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate water quality standards will be required from the Department of Environmental Quality, Office of Environmental Services before a permit is issued.

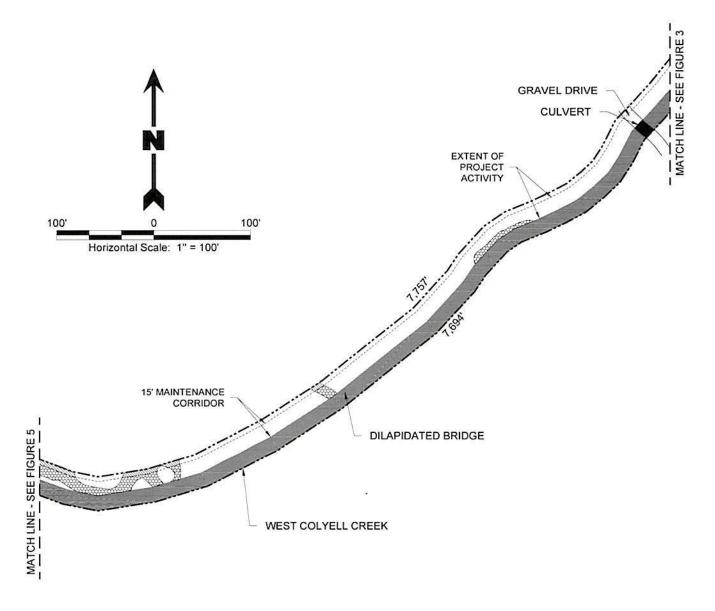
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. You are requested to communicate the information 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









### **Total Proposed Fill**

See Figure 2

### Legend

Property Boundary (37.46 Acres)

Non-Wetlands (12.44 Acres)

Total Jurisdictional Wetlands (2.16 Acres)

Jurisdictional Wetlands To Be Excavated / Filled (1.59 Acres)

Jurisdictional Wetlands Not To Be Impacted (0.57 Acres)

Total Other Waters Of The US (22.86 Acres)

Other Waters Of The US To Be Excavated (22.76 Acres)

Other Waters Of The US Not To Be Impacted (0.10 Acres)

### Livingston Parish Gravity Drainage District No. 2

West Colyell Creek Maintenance Project

### **Proposed Plan View**

Livingston Parish, Louisiana

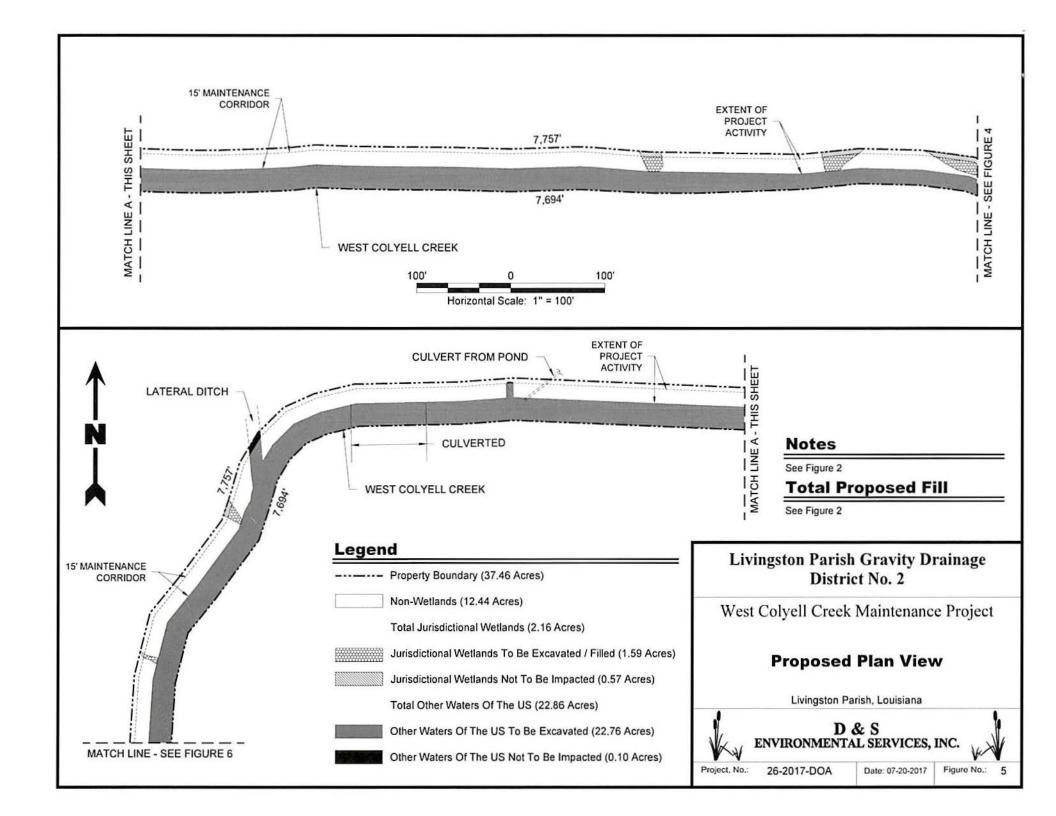


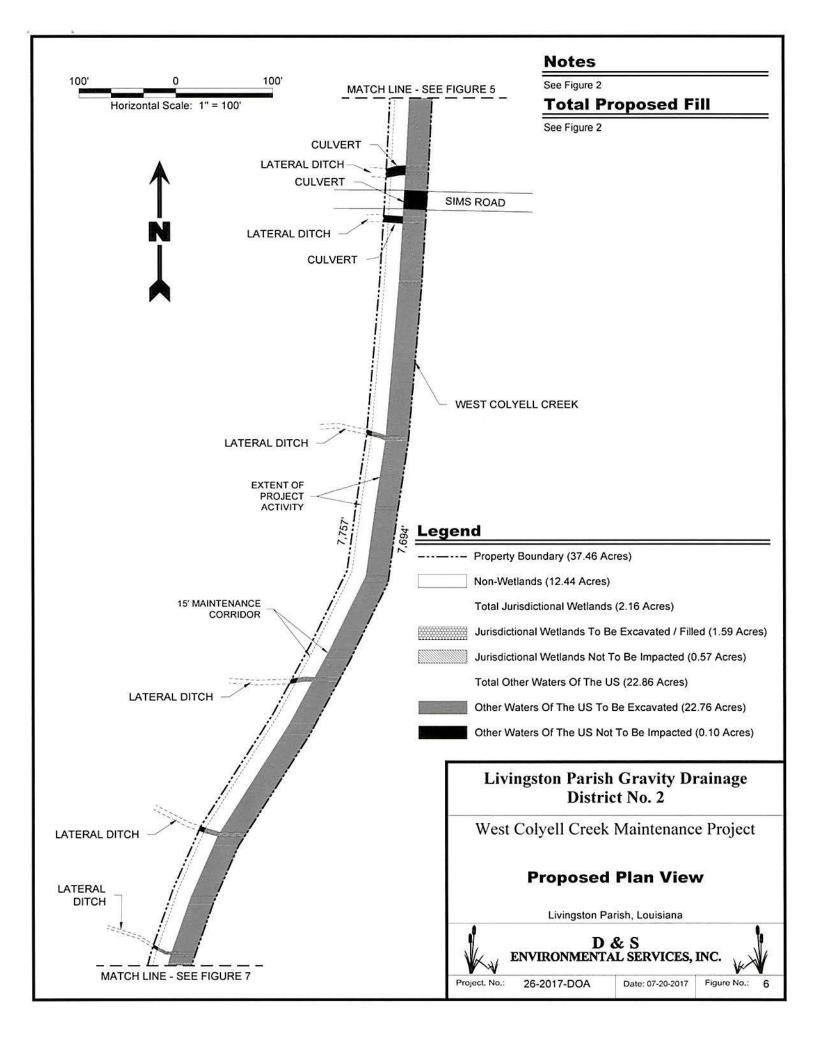
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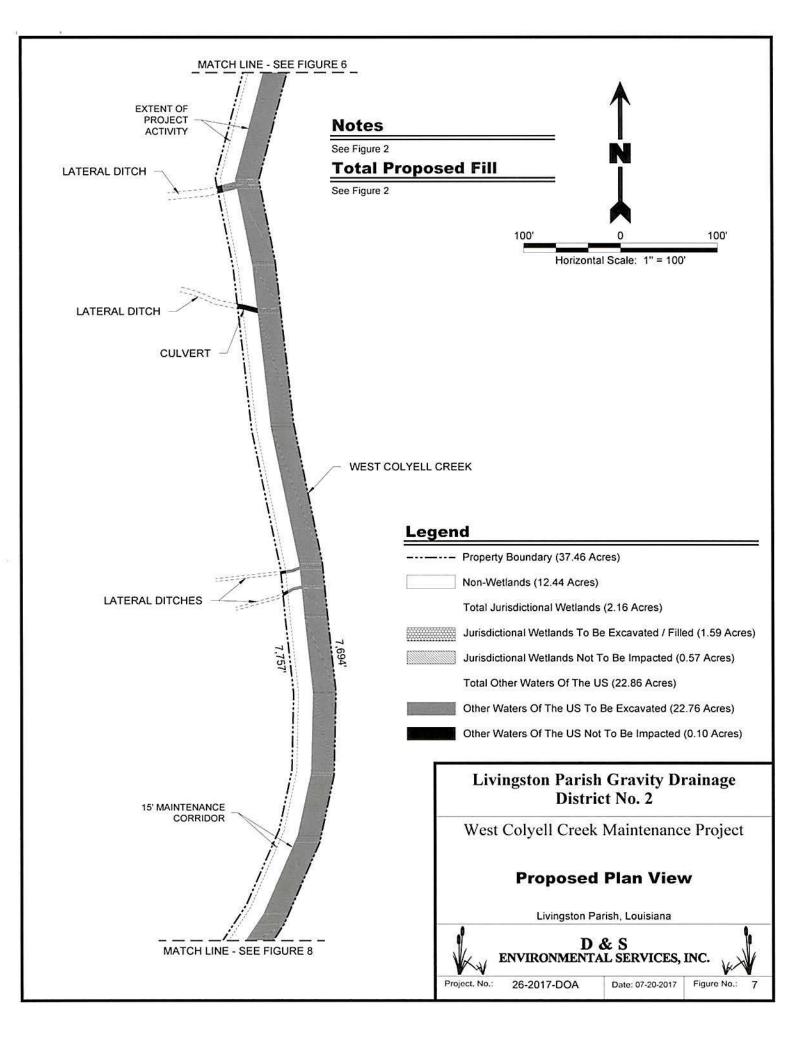
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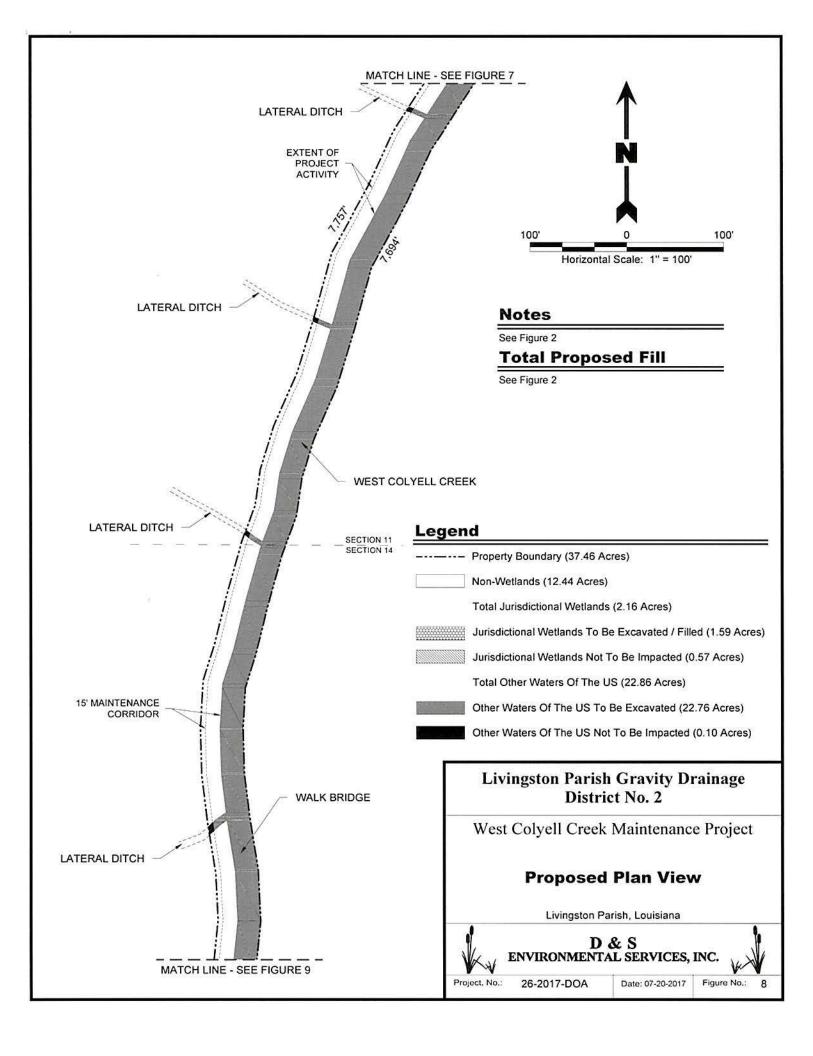
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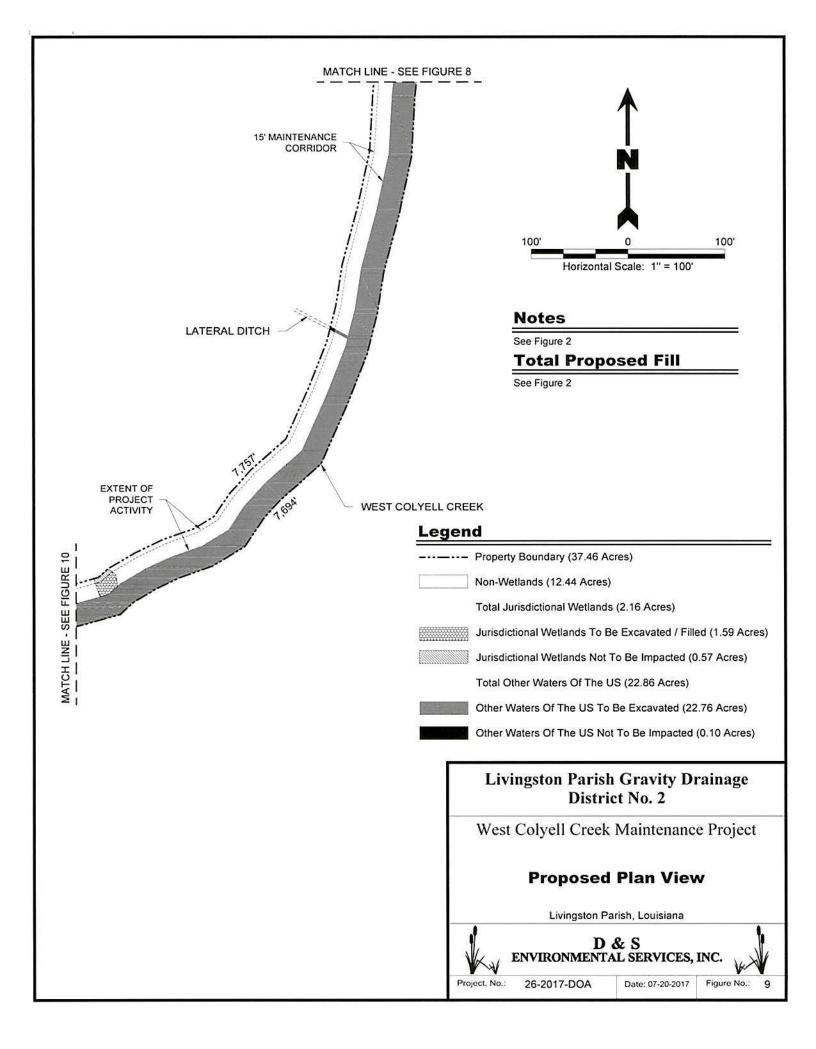
26-2017-DOA

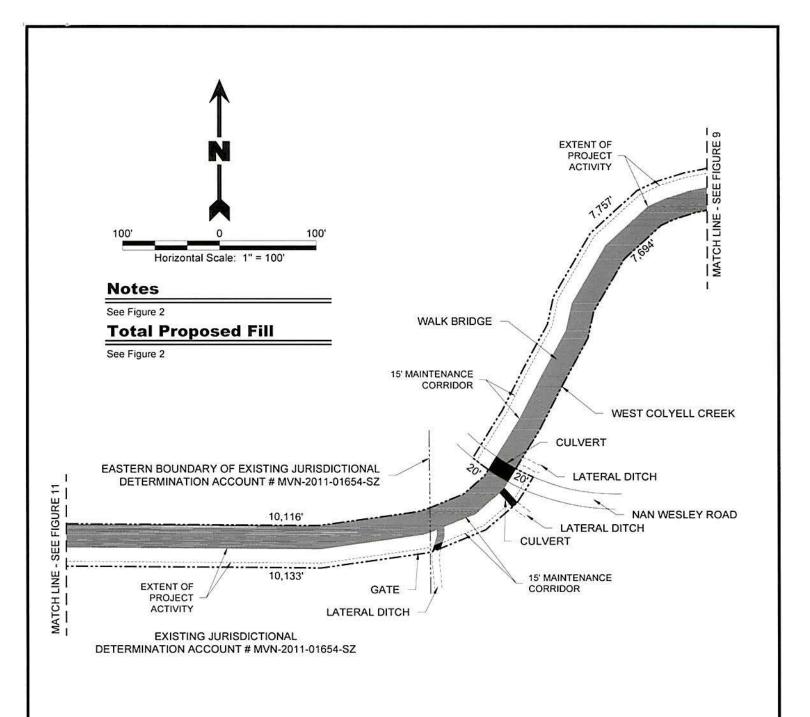


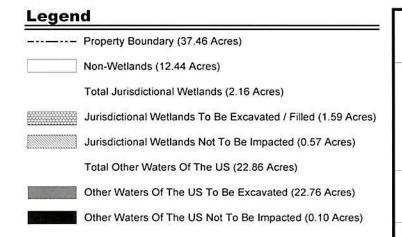












### Livingston Parish Gravity Drainage District No. 2

West Colyell Creek Maintenance Project

### **Proposed Plan View**

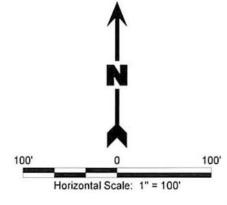
Livingston Parish, Louisiana

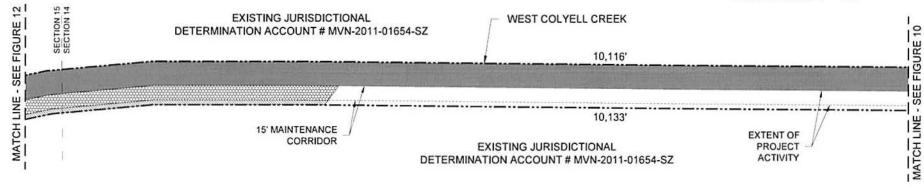


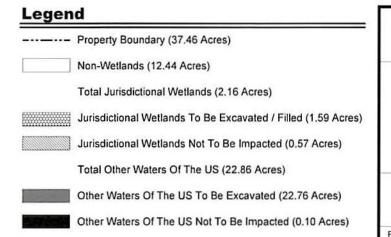
26-2017-DOA

Date: 07-20-2017 Figure No.: 10

# Notes See Figure 2 Total Proposed Fill See Figure 2







## Livingston Parish Gravity Drainage District No. 2

West Colyell Creek Maintenance Project

### **Proposed Plan View**

Livingston Parish, Louisiana



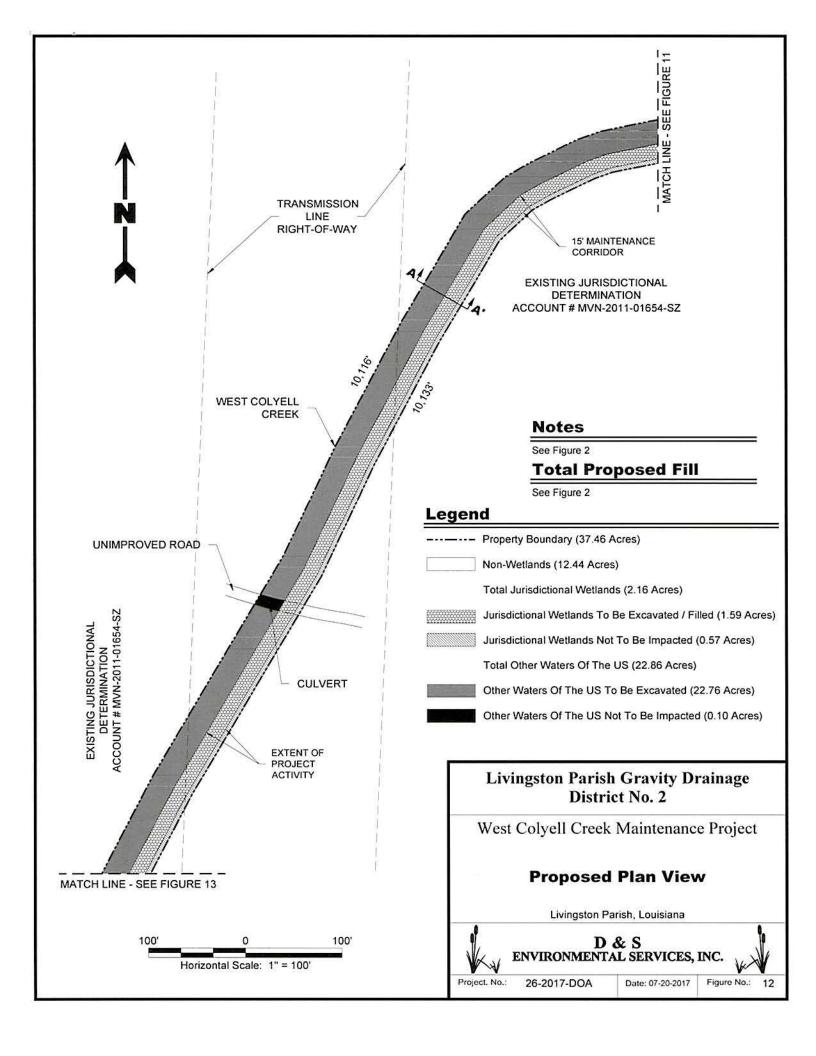
D & S ENVIRONMENTAL SERVICES, INC.

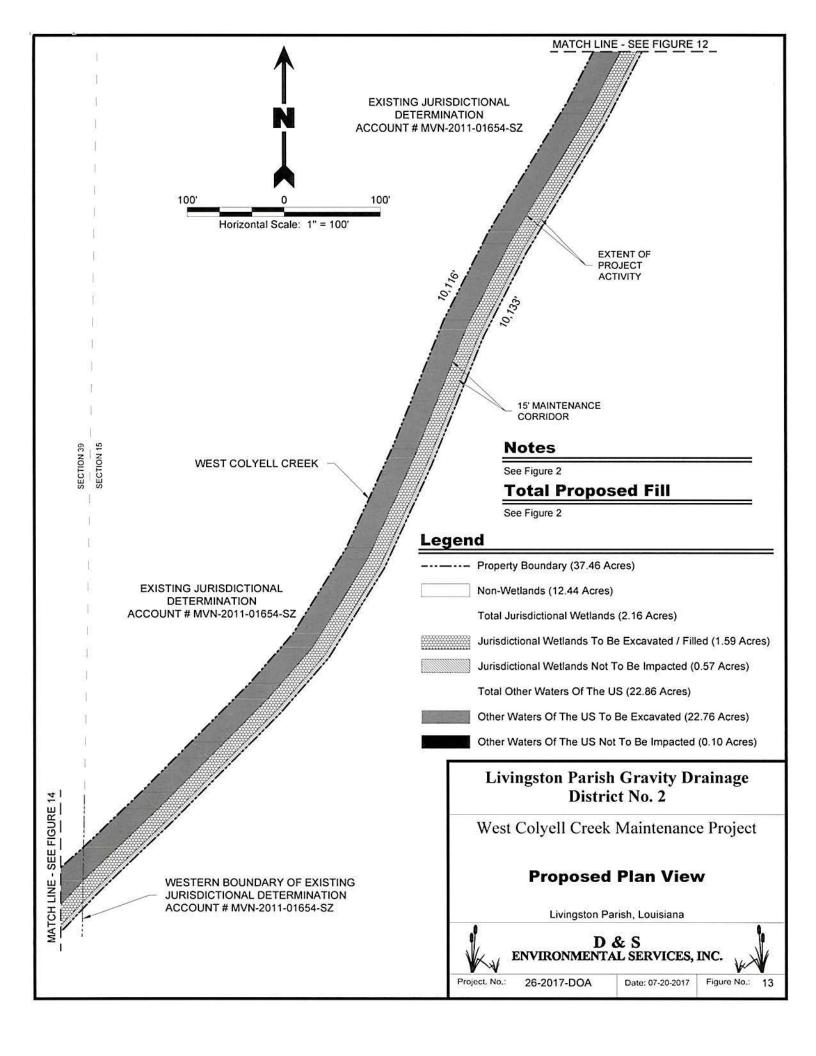


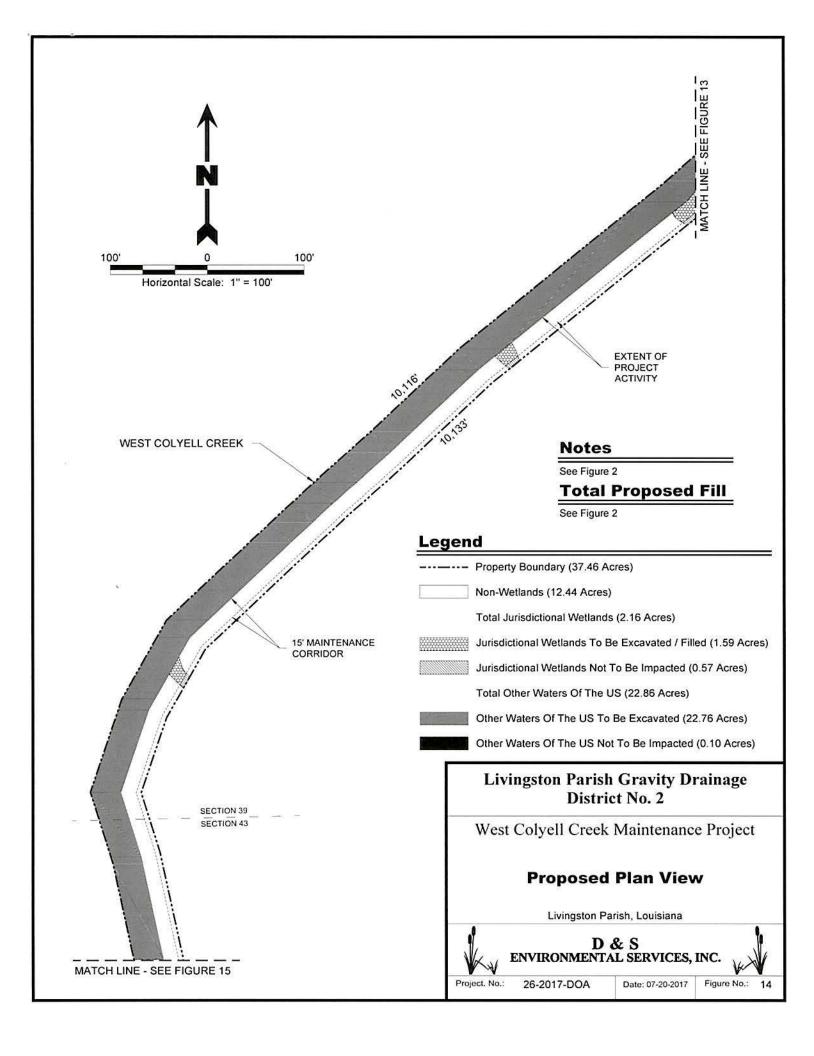
Project. No.: 26

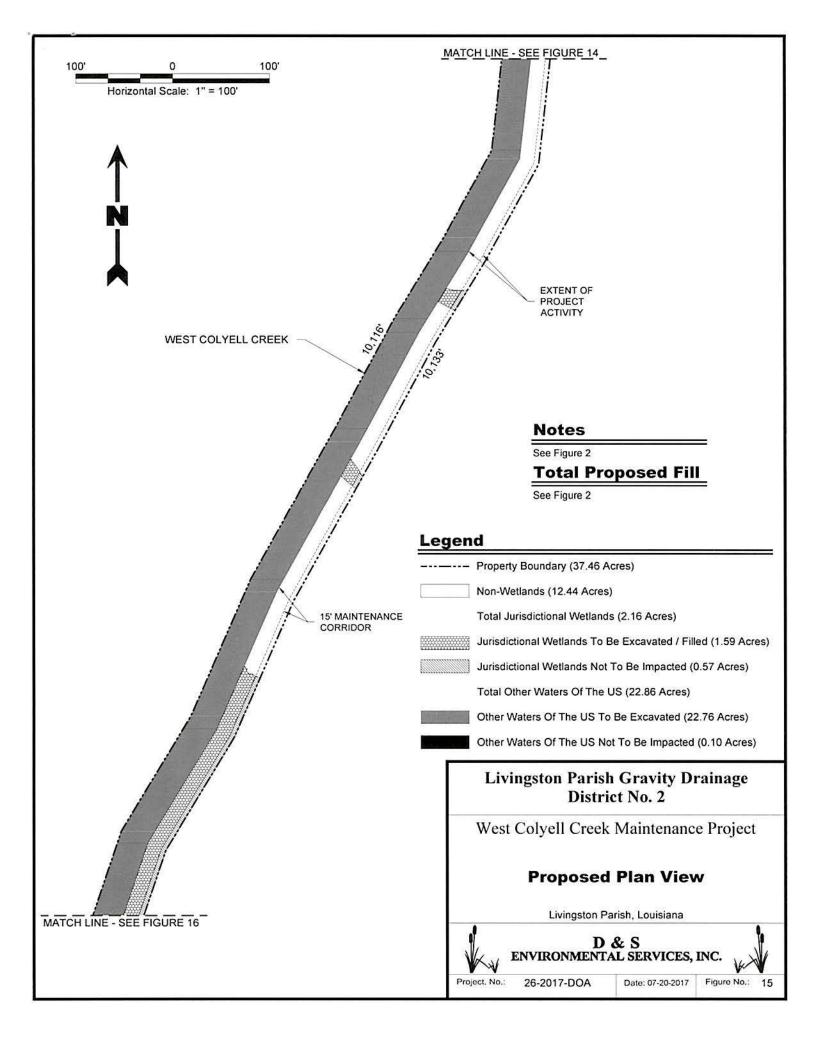
26-2017-DOA

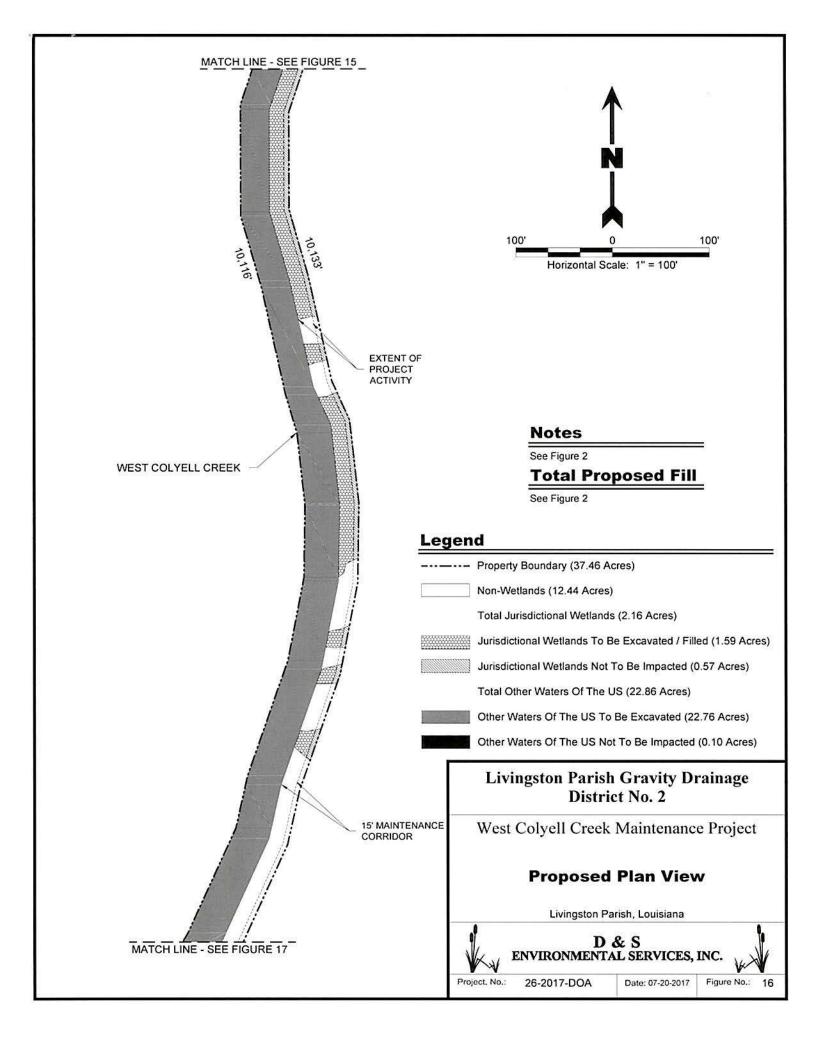
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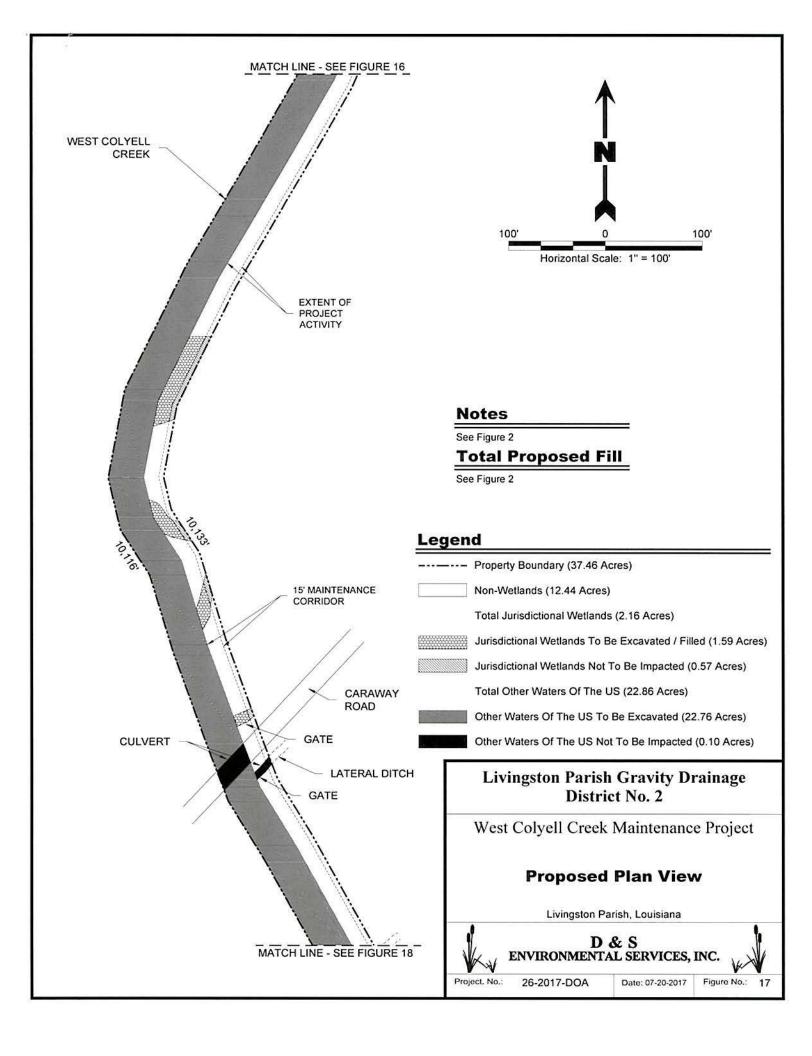


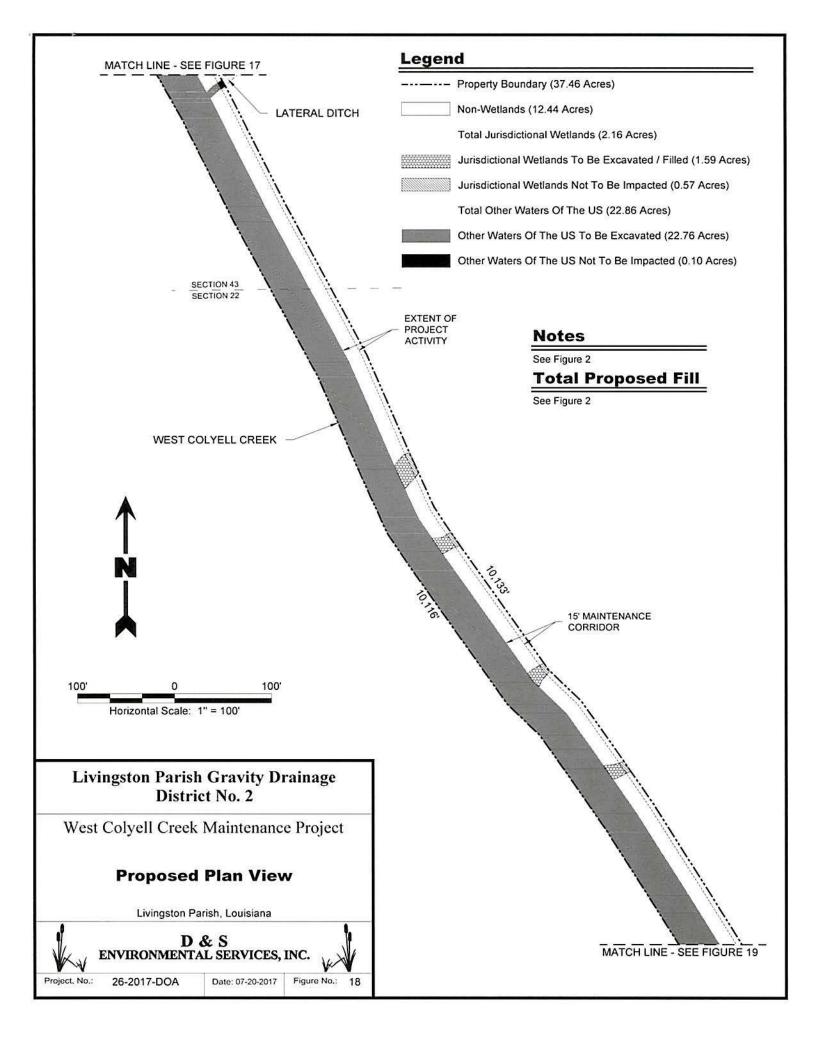


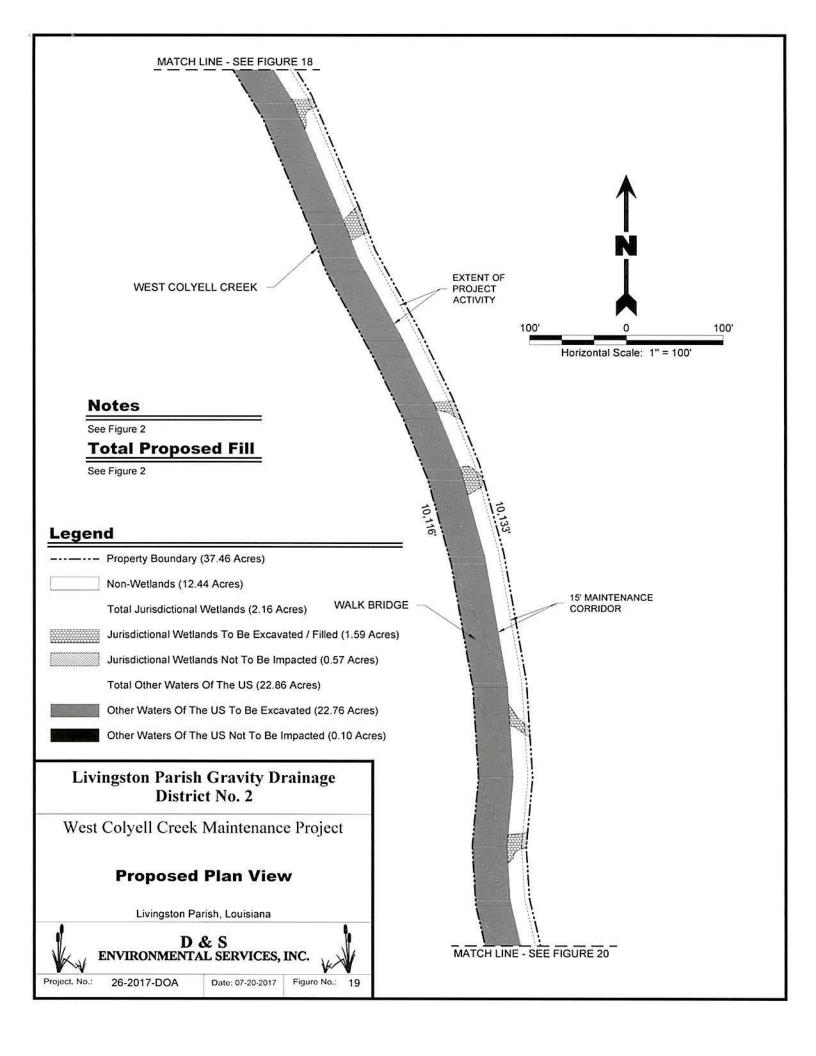


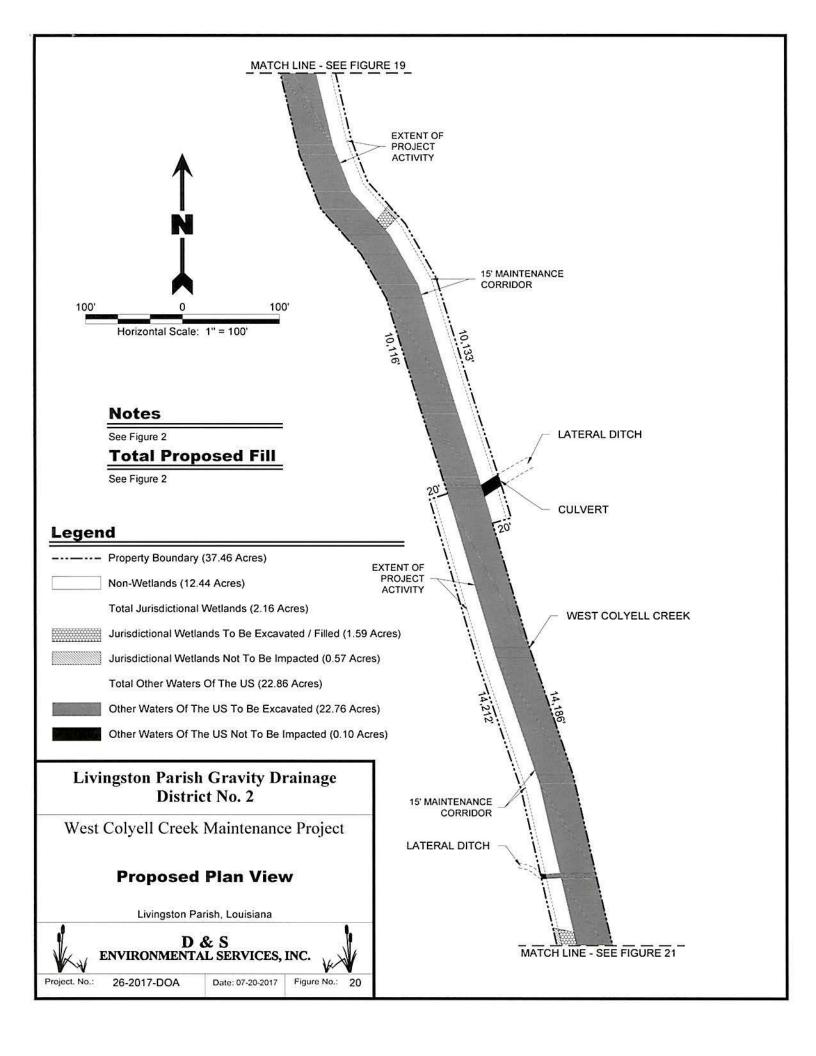


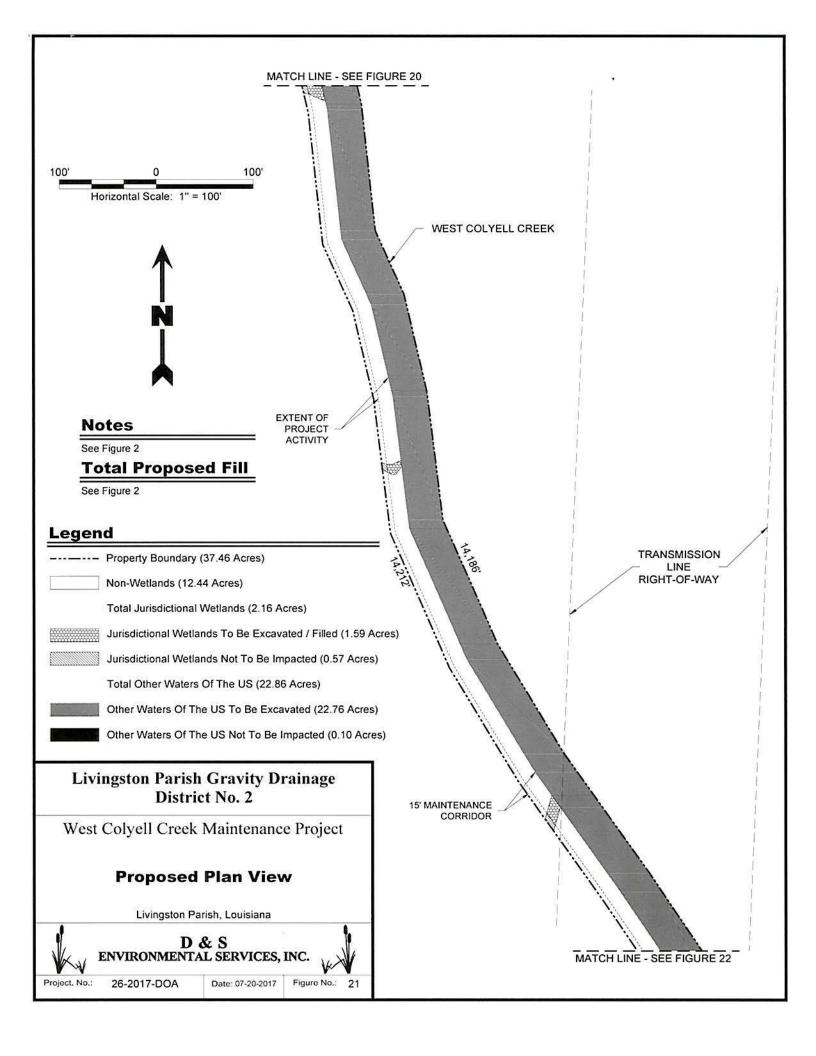


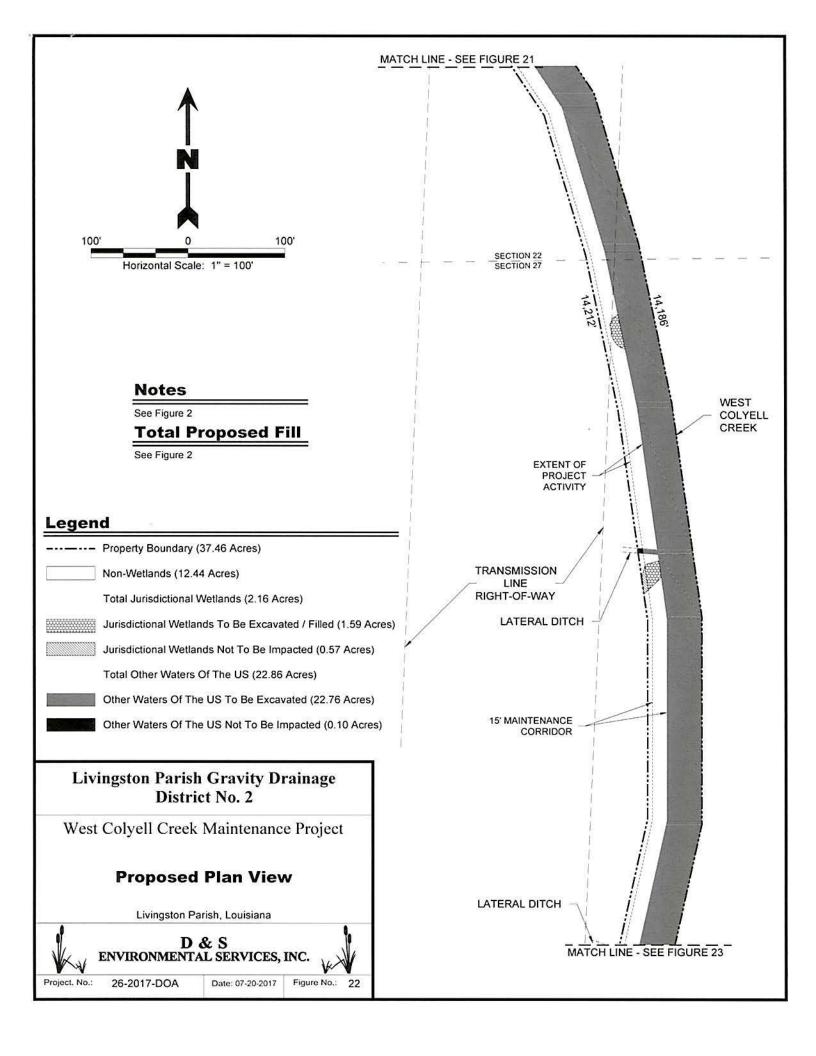


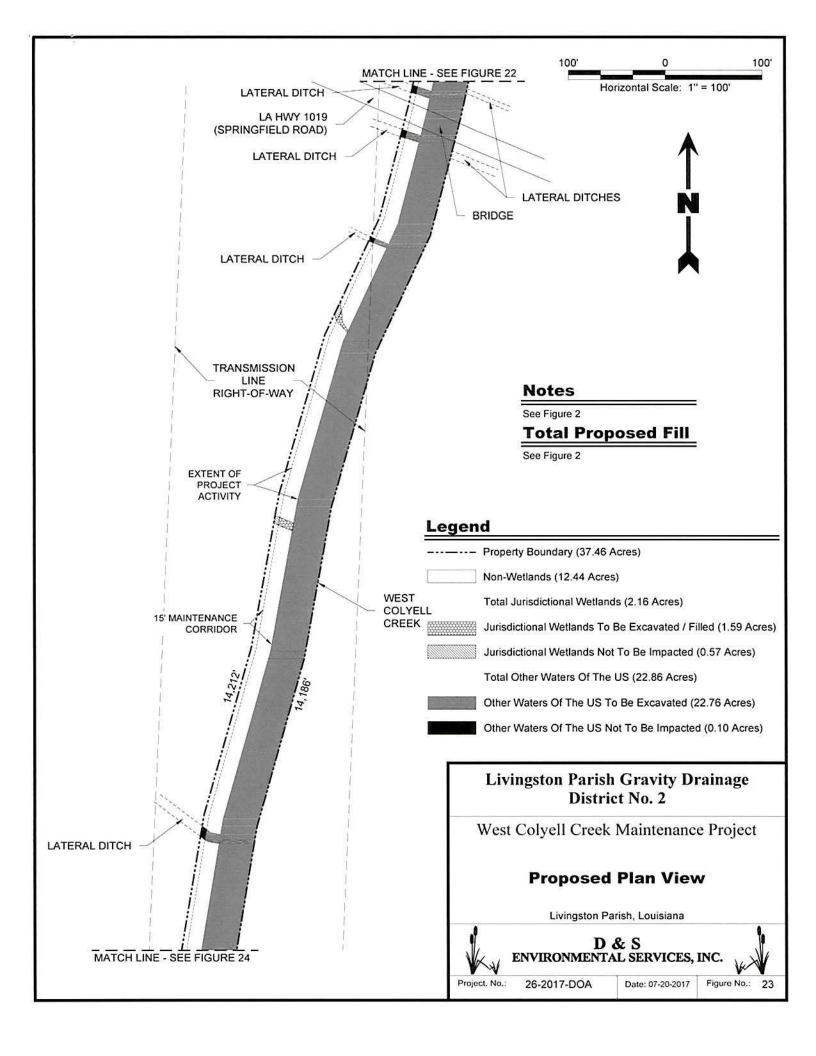


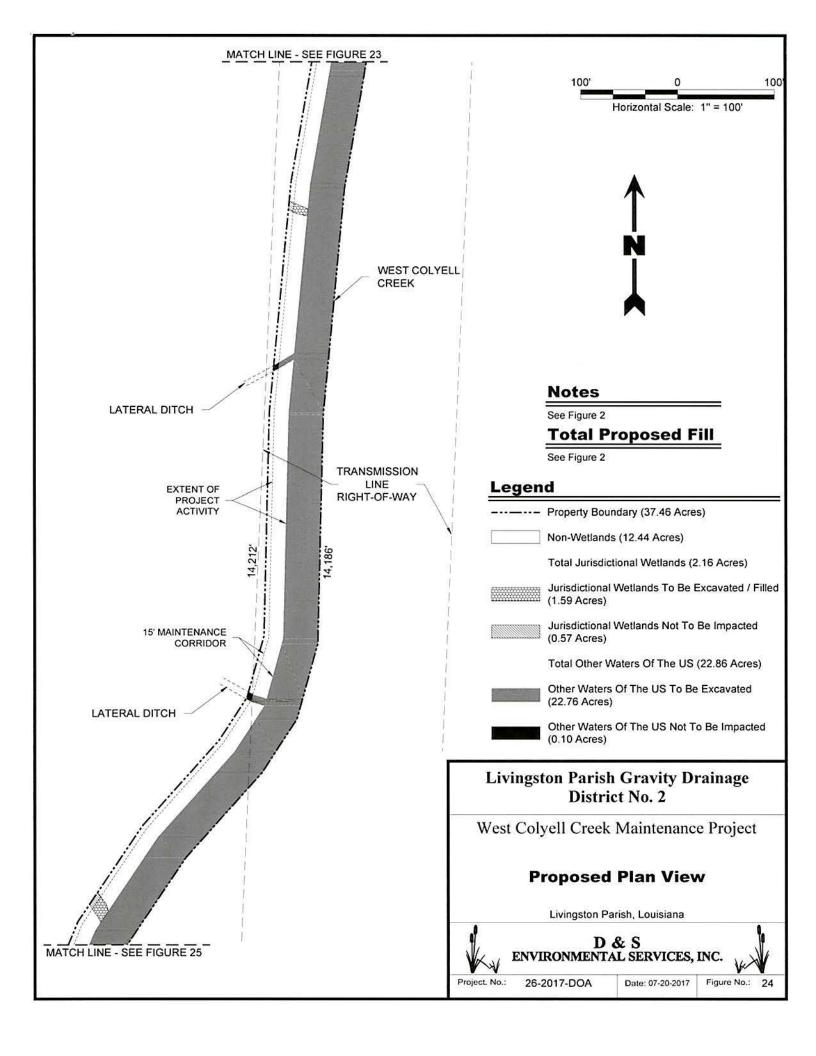


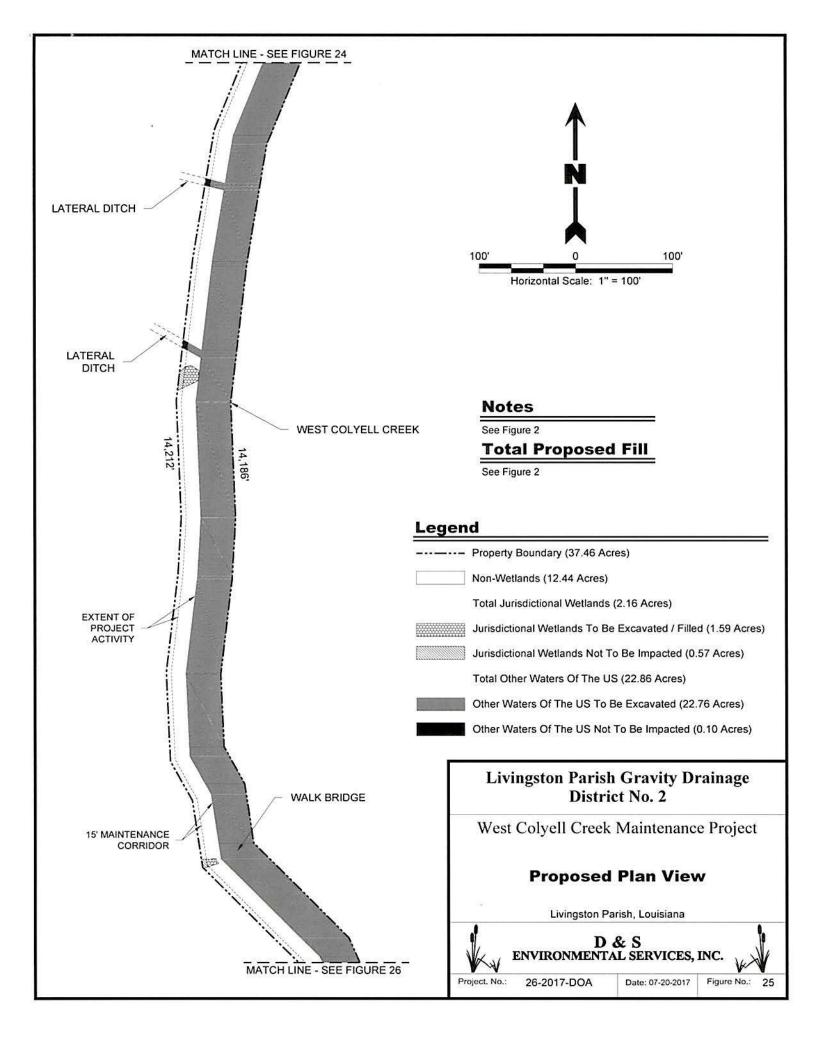


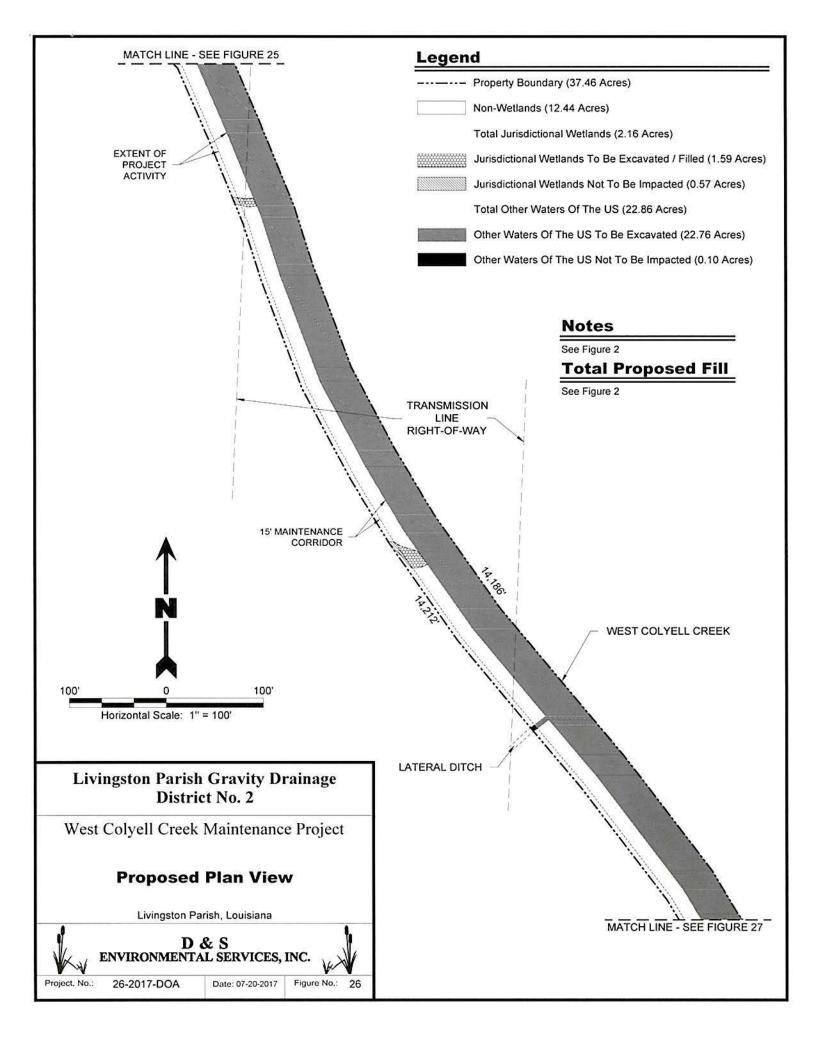


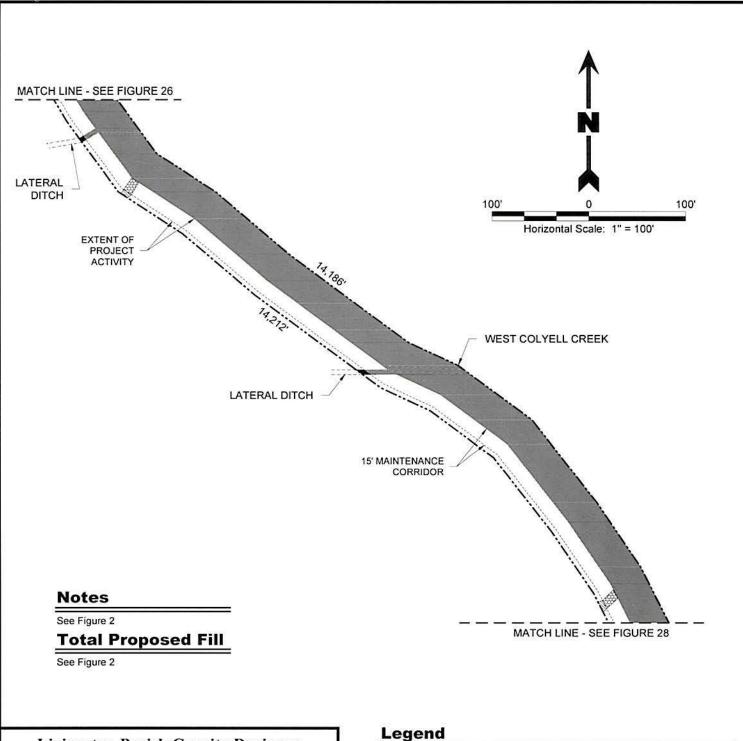












### **Livingston Parish Gravity Drainage** District No. 2

West Colyell Creek Maintenance Project

### **Proposed Plan View**

Livingston Parish, Louisiana



D & S



Project. No.: 26-2017-DOA

Date: 07-20-2017

Property Boundary (37.46 Acres)

Non-Wetlands (12.44 Acres)

Total Jurisdictional Wetlands (2.16 Acres)

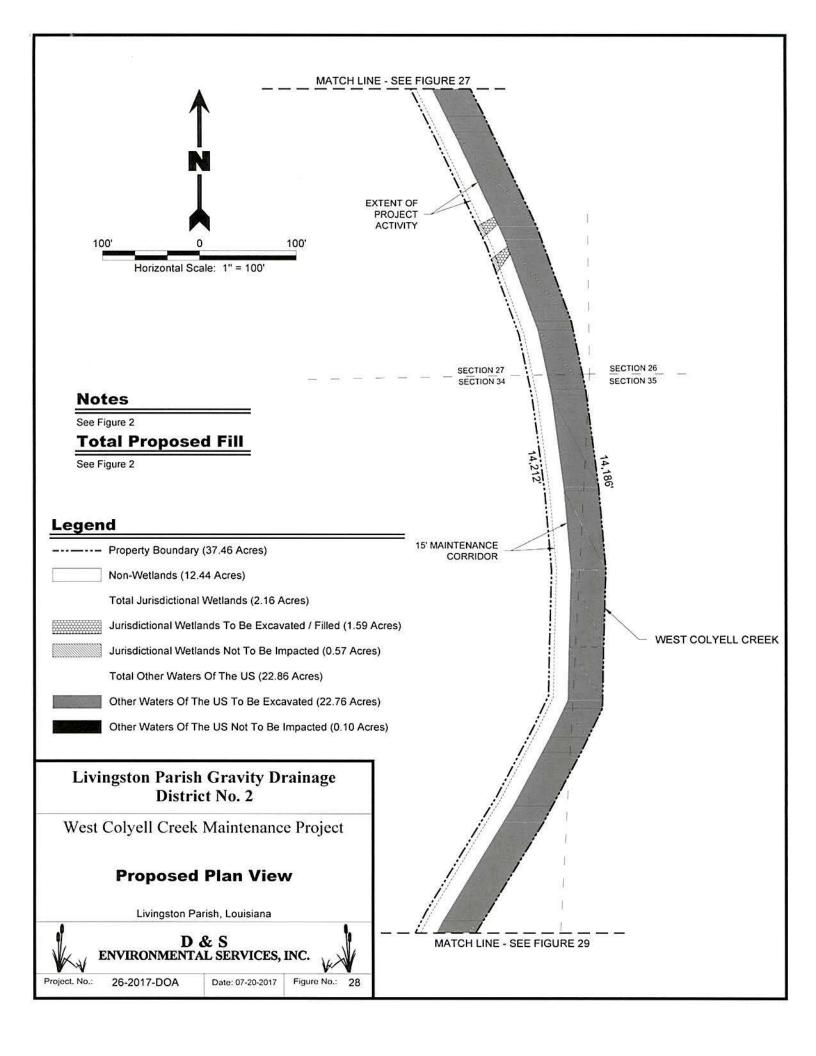
Jurisdictional Wetlands To Be Excavated / Filled (1.59 Acres)

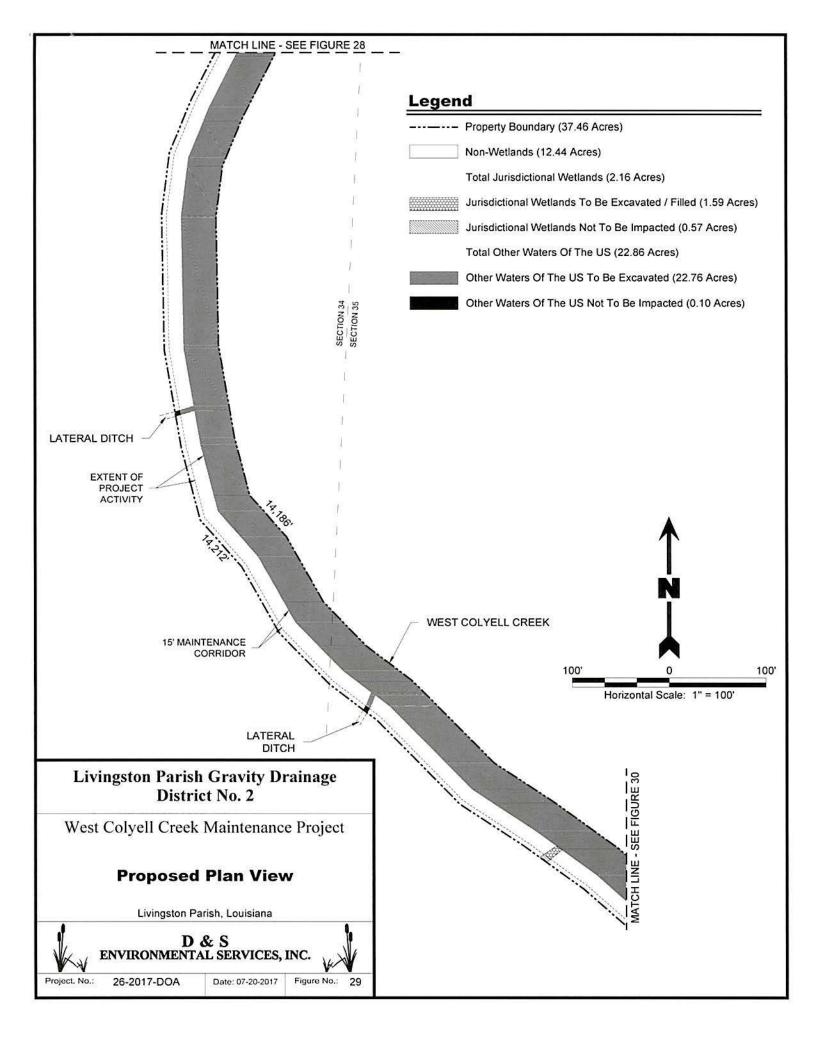
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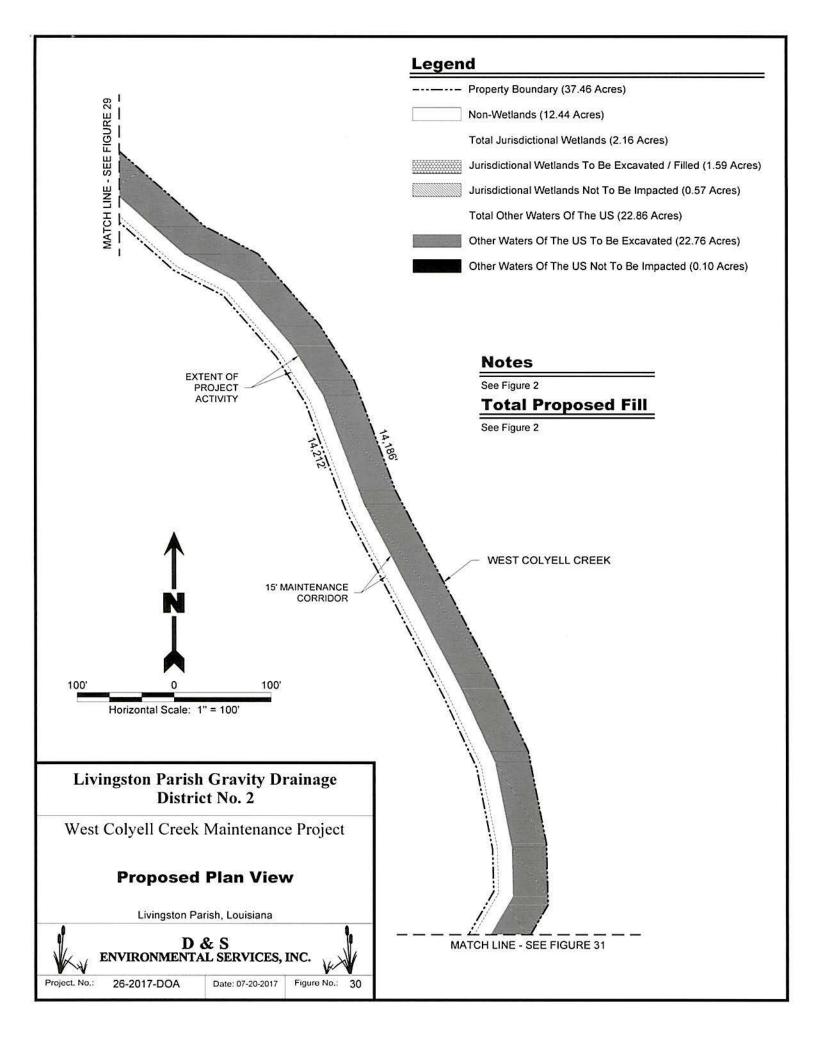
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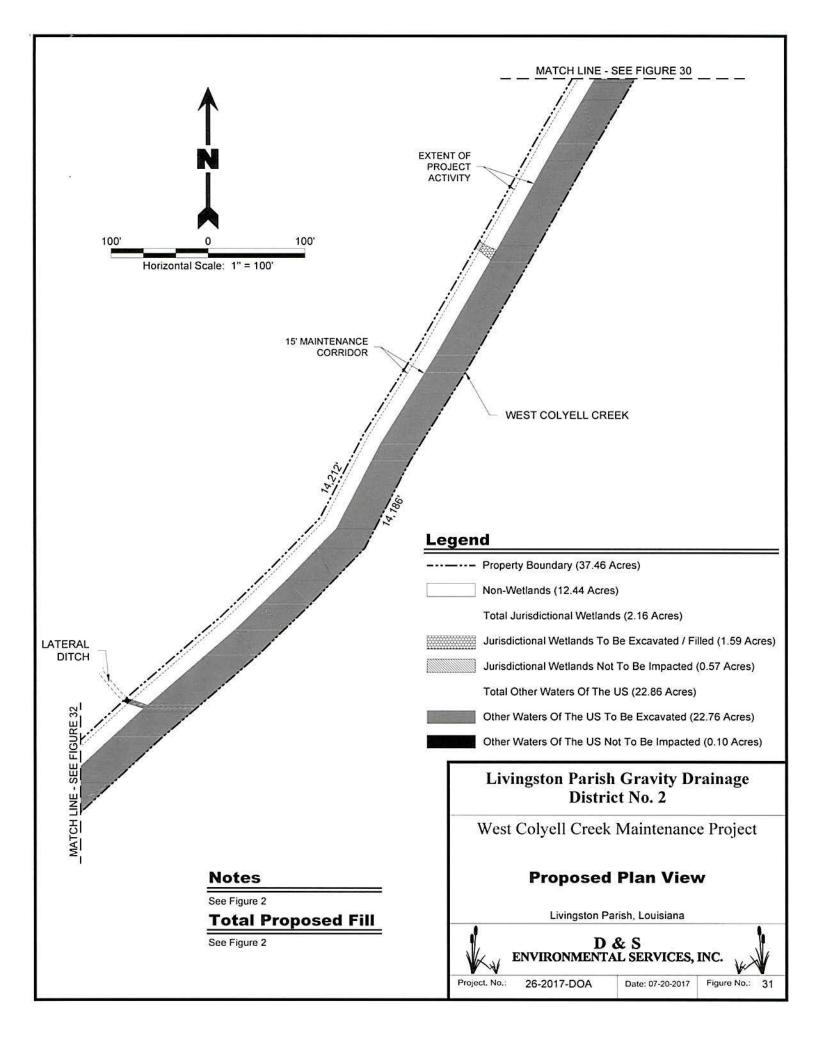
Other Waters Of The US To Be Excavated (22.76 Acres)

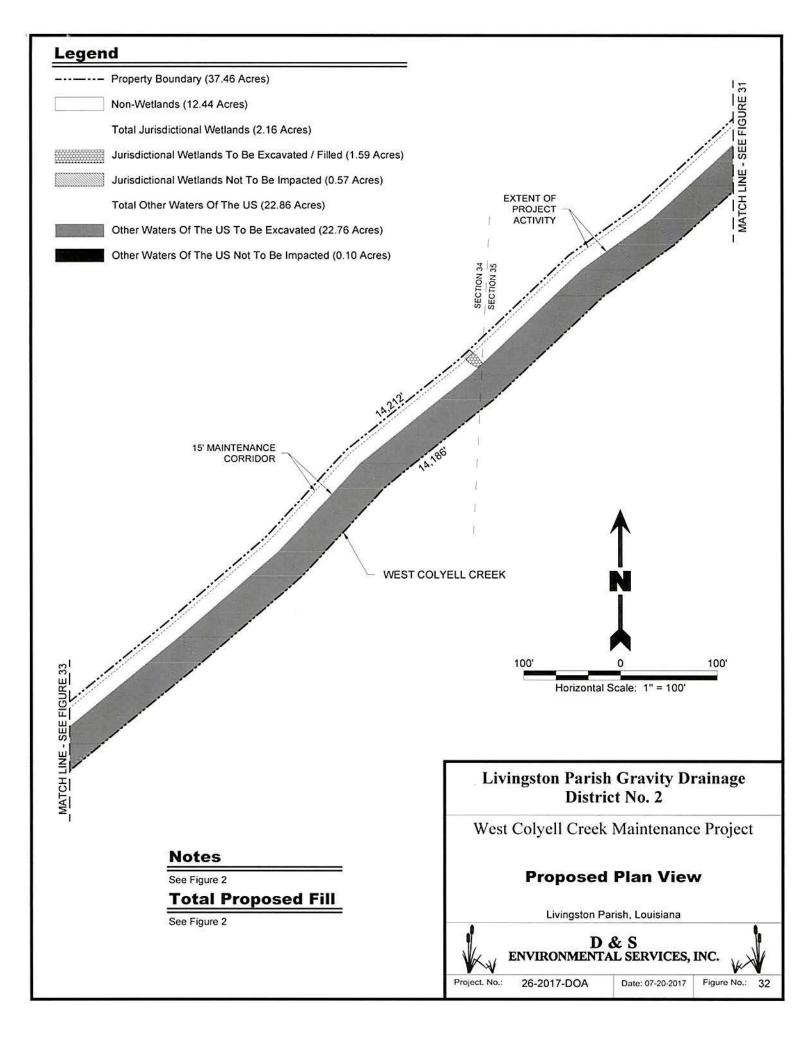
Other Waters Of The US Not To Be Impacted (0.10 Acres)

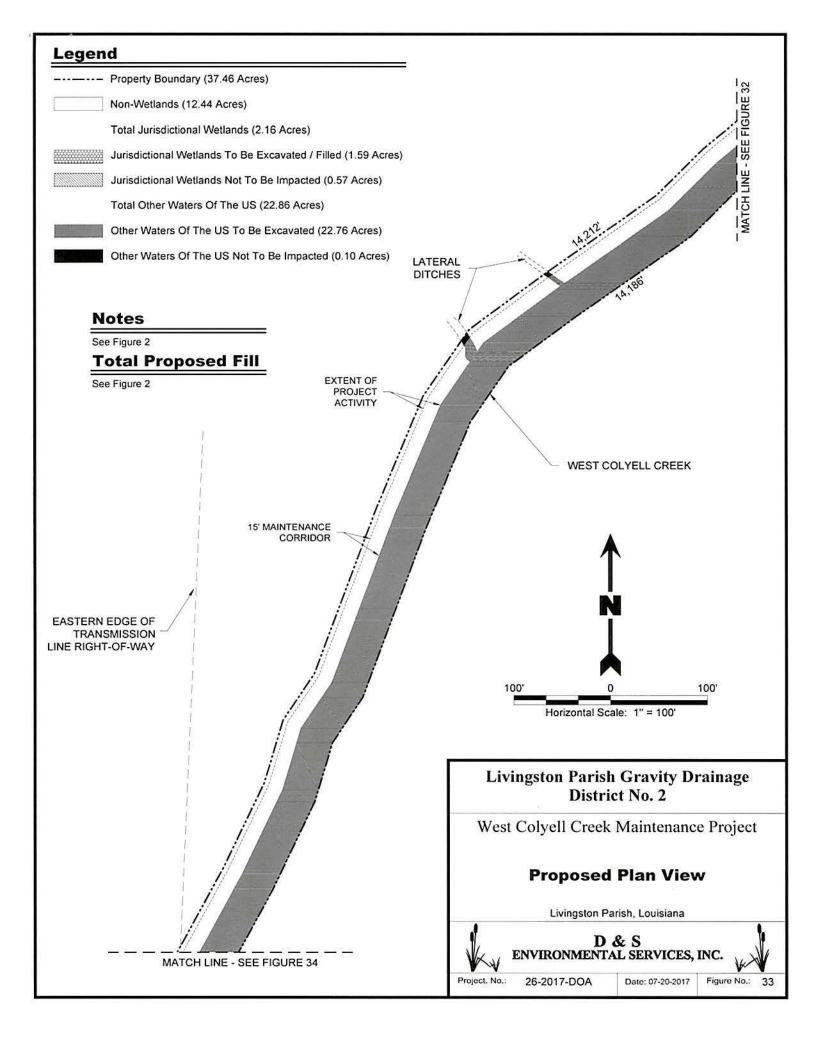


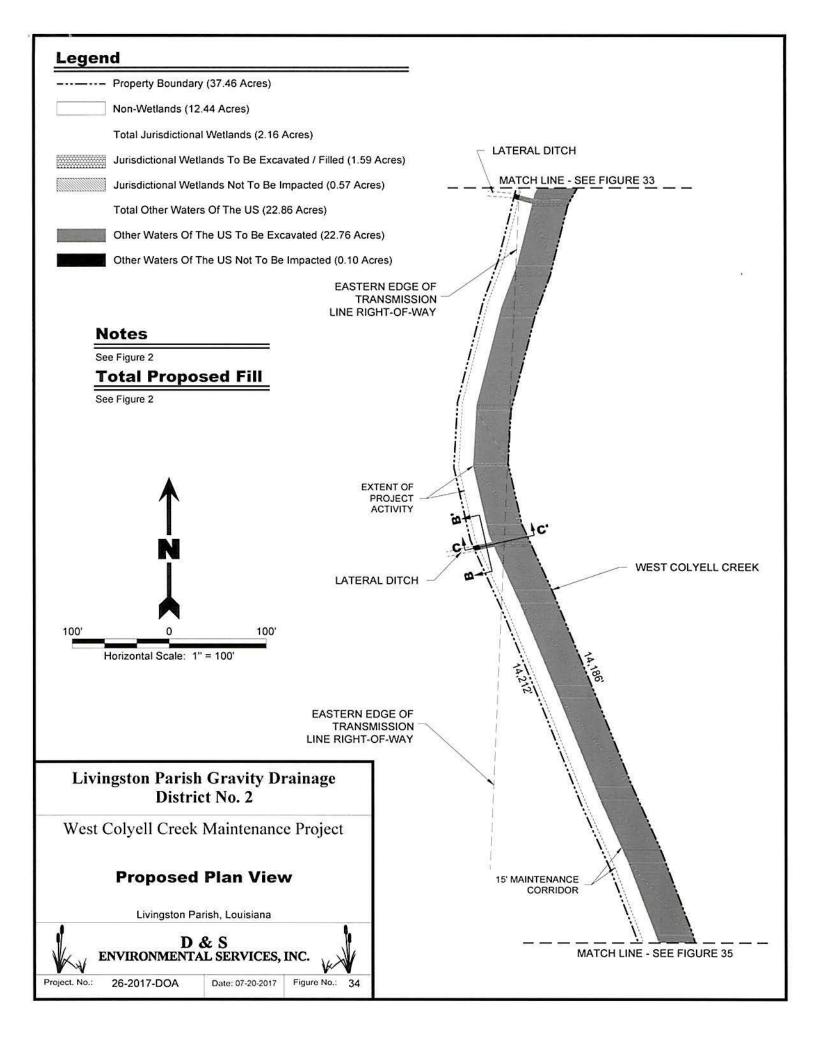








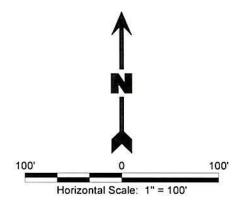


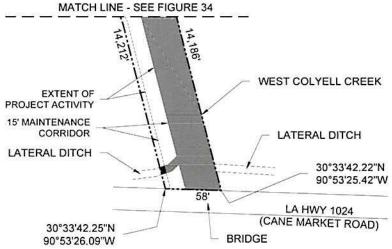


See Figure 2

### **Total Proposed Fill**

See Figure 2





SECTION 34
SECTION 3

### Livingston Parish Gravity Drainage District No. 2

West Colyell Creek Maintenance Project

### **Proposed Plan View**

Livingston Parish, Louisiana



D & S ENVIRONMENTAL SERVICES, INC.



Project. No.: 26-2017-DOA

Date: 07-20-2017

Figure No.: 35

### Legend

---- Property Boundary (37.46 Acres)

Non-Wetlands (12.44 Acres)

Total Jurisdictional Wetlands (2.16 Acres)

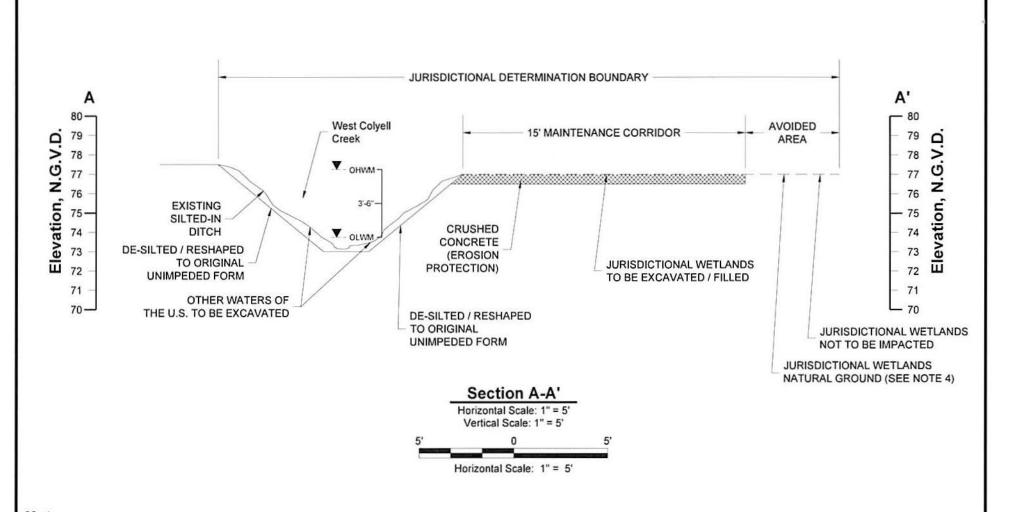
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- 1. The Proposed layout was provided by Livingston Parish Gravity Drainage District No. 2.
- Jurisdictional Wetlands & Other Waters Of The U.S. obtained from U.S. Army CORPS of Engineers Jurisdictional Determination Account Number MVN-2014-00763-SY.
- Non-wetland ground elevations vary from 86 ' to 63' N.G.V.D. Elevation data was obtained from USGS Quad Maps.
- Natural ground elevations in existing Jurisdictional Wetlands are approximately 6" lower than non-wetland ground elevations.

### Legend

|      | Crushed Concrete         |
|------|--------------------------|
| оним | Ordinary High Water Mark |
| OLWM | Ordinary Low Water Mark  |

### Livingston Parish Gravity Drainage District No. 2

West Colyell Creek Maintenance Project

### **Section View A-A'**

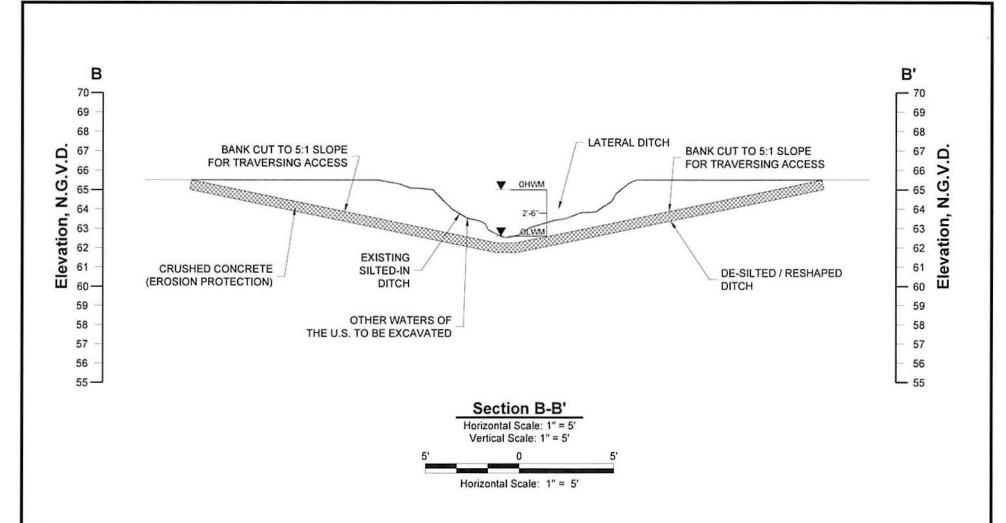
Livingston Parish, Louisiana



D & S ENVIRONMENTAL SERVICES, INC.

Date:

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### Legend

|      | Crushed Concrete         |
|------|--------------------------|
| ОНУМ | Ordinary High Water Mark |
| OLWM | Ordinary Low Water Mark  |

### Livingston Parish Gravity Drainage District No. 2

West Colyell Creek Maintenance Project

### Section View B-B'

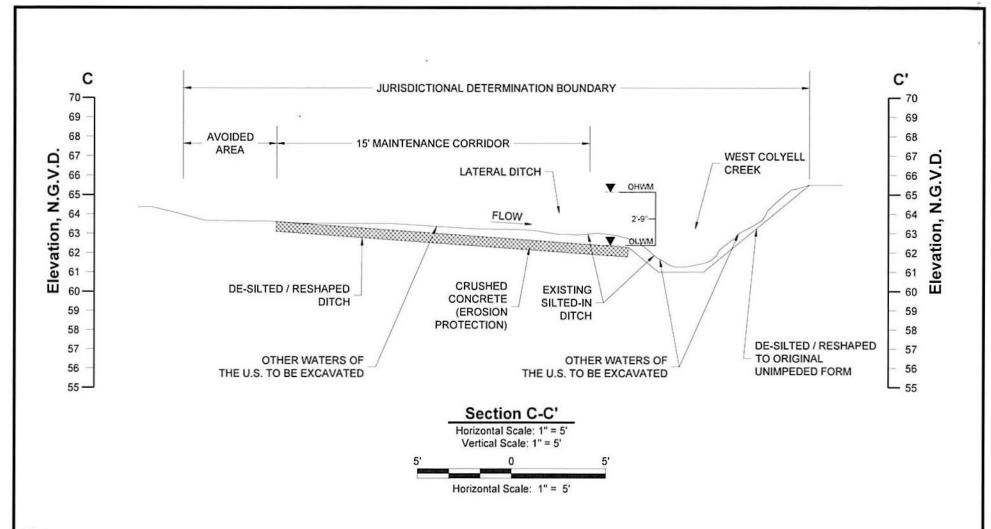
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### Livingston Parish Gravity Drainage District No. 2

West Colyell Creek Maintenance Project

### Section View C-C'

Livingston Parish, Louisiana



D & S ENVIRONMENTAL SERVICES, INC

26-2017-DOA

Date: 07-20-2017