



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT  
7400 LEAKE AVENUE  
NEW ORLEANS, LOUISIANA 70118

**April 24, 2017**

Operations Division  
Central Evaluation Section

Project Manager  
Dirreen Arnold  
(504) 862-2301  
Dirreen.S.Arnold@usace.army .mil

SUBJECT: MVN 2015-02126 CA

**PUBLIC NOTICE**

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 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or [ ] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

**PERMIT MODIFICATION TO ADDRESS PERMIT NON-COMPLIANCE FOR AN ENCLOSED STRUCTURE ON CHINQUAPIN CANAL, LIVINGSTON PARISH**

**NAME OF APPLICANT:** DONALD BOZEMAN, 23304 Chene Blanc Lane, Maurepas, Louisiana 70449

**LOCATION OF WORK:** Chinquapin Canal, Lot 78, Chinquapin Camp Subdivision, at 23304 Chene Blanc Road, Maurepas, Louisiana, (30.259167, -90.686389), in Livingston Parish, as shown on the enclosed drawings, within Hydrologic Unit Code 08070204, Lake Maurepas, Louisiana.

**CHARACTER OF WORK:** The applicant has requested Department of the Army authorization to install and maintain a 78' 4" bulkhead behind the existing bulkhead; a 30' 6" x 44' 7" deck which originates over land and extends 25' 11" channelward from the bulkhead; a 12' 3" x 2' 9" deck extension on the east side which originates over land; two (2) boat slips measuring 12' x 24' 6" and 10' x 24' 6" with a 4' x 24' 6" walkway in between and a 5' x 24' 6" walkway with a fish cleaning sink on the west side; a 31' x 5' 6" walkway behind the boat slips over land; an enclosed 28' x 20' structure over the deck designed for an outdoor kitchen, bathroom and sun room; and a 32' x 75' 7" metal roof over the entire deck and boat slips. The structure extends 25' 11" channelward where the Chinquapin Canal's width is approximately 124 feet wide. No dredging or fill is required. No special aquatic sites will be affected by this project and no mitigation is anticipated.

The original permit, issued on January 19, 2016, authorized the applicant to install and maintain a deck and two (2) walkways to create two (2) boat slips for recreational purposes. The applicant constructed the enclosed structure and was found to be non-compliant with the permit conditions.

The comment period for the 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 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**. 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.

### **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, pre-historical, 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.

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.

The New Orleans District has determined that the proposed project is located within waters known to be occupied by the endangered West Indian Manatee (*Trichechus manatus*) and determined with the inclusion of the Standard Manatee Conditions for In-Water Activities the proposed activity is not likely to adversely affect the species based on the 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.

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 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.

JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure

Google Maps 23307 Chene Blanc Ln

Vicinity Map



*Donald Bozeman  
 23307 Chene Blanc Ln  
 Maurepas, LA 70449*

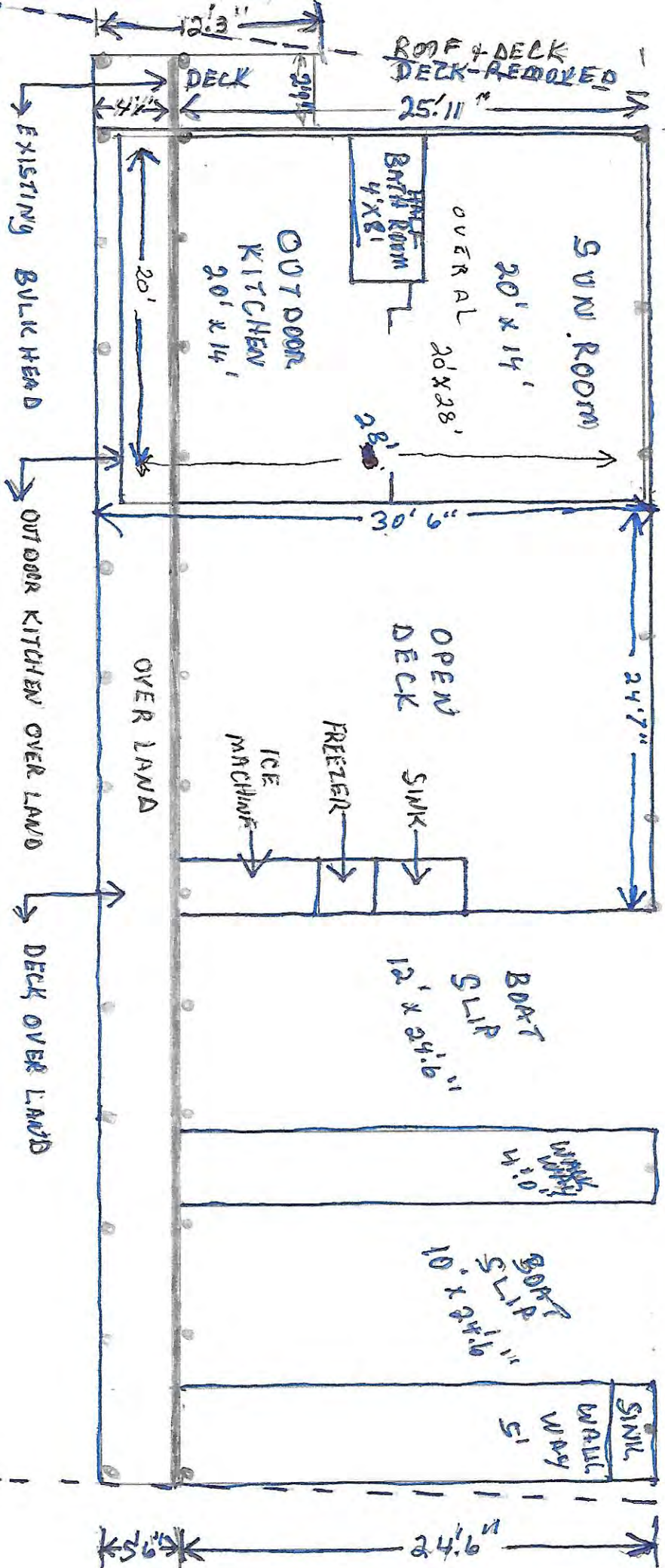
DOWN RIVER CHINODAPIN CAVAL  
124' OPPOSITE BANK UP RIVER

PLAN VIEW 2.  
REVISED AS BUILT  
WITH OVERHANG REMOVED  
FROM DOWN RIVER SIDE

MEANS HIGH AND LOW WATER  
ARE BOTH AT EXISTING BULKHEAD

Page 3 of 4

PERMITTED DIMENSION WAS 24' FROM BULKHEAD AND 76' LONG  
AS BUILT DIMENSION ARE 25'11" FROM BULKHEAD ON EAST END AND 24'6" ON WEST END  
NOTE: DECK EXCLUDED PERMIT 75'11" OUT FROM BULKHEAD AND 4" LONG



78'4"  
EXISTING BULKHEAD  
OUTDOOR KITCHEN OVER LAND  
DECK OVER LAND  
75'11"  
DECK & BOAT SLIPS COVERED WITH METAL TRUSS & TIN  
75'11" x 30'

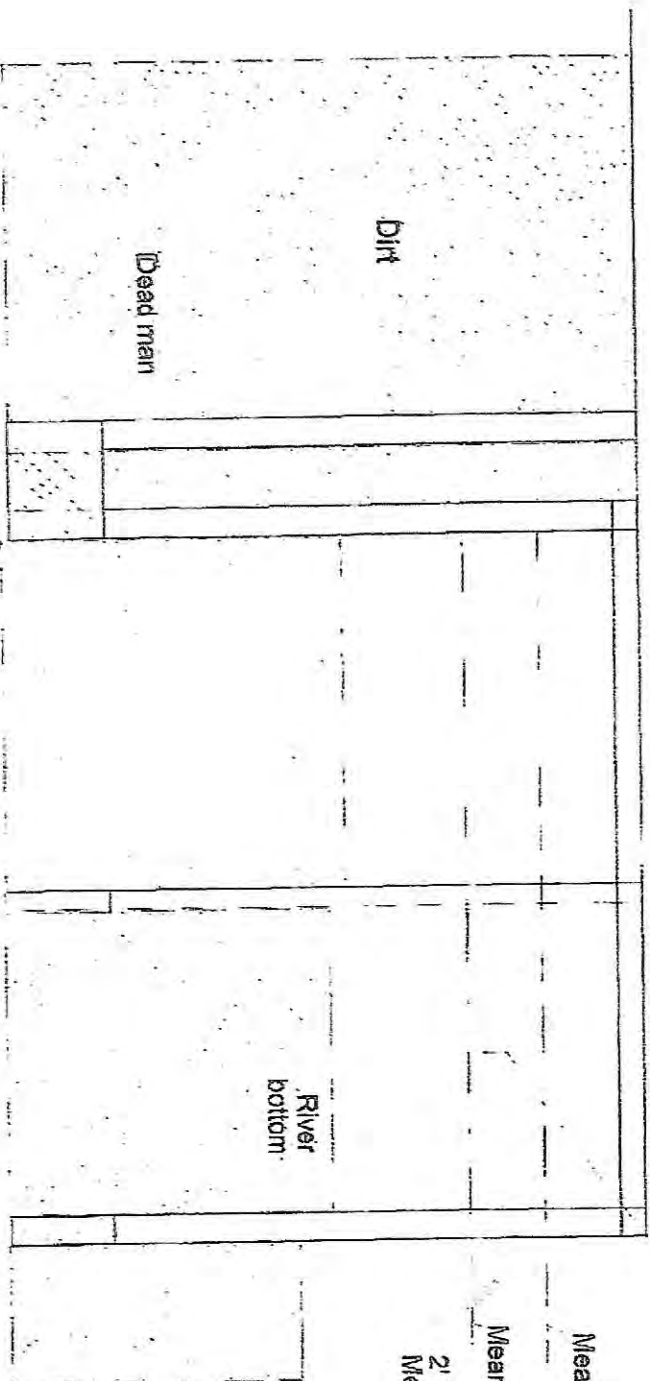
DOWNED BOZEMAN  
3-30-2017  
PROPERTY LINE

Note: Construction Barge and Boat are less than 1' Draft Fully Loaded



Proposed Deck

DECK COVERED WITH METAL ROOF  
2' Between High and Low Water



Mean High Water

Mean Low Water

2' Water at Mean Low Water

*Donald Boyer*

3-30-2011

Donald Boyer 10/2/10  
23304 Chene Blanc Ln.  
Maurapas, Livingston Parish

### Notes to be added to permit plats

1. As-built drawings and/or plats shall have written on them the date of completion of said activities and shall be submitted to the Louisiana Department of Natural Resources, Office of Coastal Management, P. O. Box 44487, Baton Rouge, LA 70804-4487 within 30 days following project completion.
2. All structures built under the authorization and conditions of this permit shall be removed from the site within 120 days of abandonment of the facilities for the herein permitted use, or when these structures fall into a state of disrepair such that they can no longer function as intended. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.
3. Structures must also be marked/lighted in accordance with U. S. Coast Guard regulations.
4. In order to ensure the safety of all parties, the permittee shall contact the Louisiana One Call System (1-800-272-3020) a minimum of 48 hours prior to the commencement of any excavation (digging, dredging, jetting, etc.) or demolition activity.

D.K.B  
03-30-2017