

# JOINT PUBLIC NOTICE

March 23, 2015

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch  
Post Office Box 60267  
New Orleans, Louisiana 70160-0267

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

(504) 862-2675  
Project Manager  
Jamie Crowe  
Jamie.M.Crowe@usace.army.mil  
Permit Application Number  
MVN 2015-0409 CO

(225) 219-3225  
Project Manager  
Elizabeth Johnson  
WQC Application Number  
WQC 150312-02

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).

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 LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

## **COMMERCIAL DEVELOPMENT IN LIVINGSTON PARISH**

**NAME OF APPLICANT:** Juban Development Company, L.L.C., c/o D&S Environmental Services, Inc., Post Office Box 510, French Settlement, LA 70733.

**LOCATION OF WORK:** Within the Lake Pontchartrain Basin, in the Amite River hydrologic unit (HUC 08070100), at the northeast quadrant of the intersection of Juban Road and Interstate 12, near Denham Springs, Louisiana, within Livingston Parish, as shown on the enclosed drawings.

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:** The applicant has requested authorization to construct a 5-lot commercial development with pertinent parking, two storm water detention basins and outfalls, green space, and ingress/egress access. Unauthorized mechanized land clearing and fill activities have occurred on the site. The applicant proposes to excavate

two retention ponds and add additional fill to create suitable substrate for construction. Approximately 1.84 acres of forested wetlands will be impacted by the proposed activity. As compensation for unavoidable wetland impacts the applicant proposes to purchase wetland credits from a Corps approved mitigation bank located in the watershed.

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

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 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**. The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction. 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. 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.

### **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. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

This project has been evaluated using 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. 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.

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 **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, Office of Environmental Services, before a permit is issued.

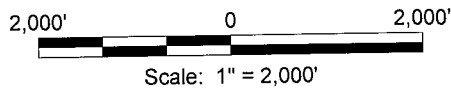
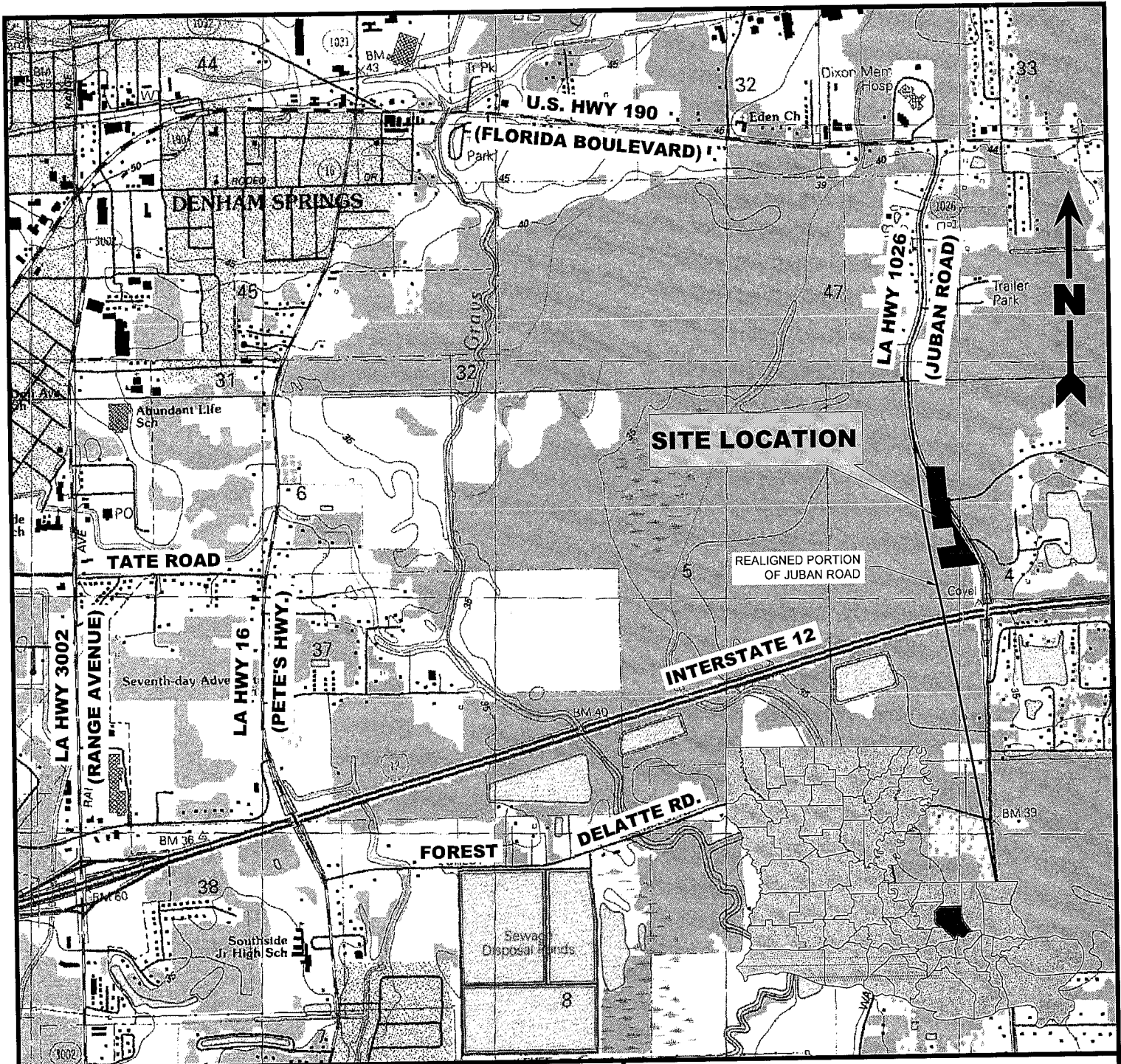
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. You are

requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

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



**Notes**

Property is located in Section 4, T-7-S, R-3-E  
 Latitude: 30°28'08.14"N Longitude: 90°55'04.94"W

**Reference**

Base map comprised of U.S.G.S. 7.5 minute topographic map "Denham Springs, LA".

**Juban Development Company, L.L.C.**

Juban East / Juban Marketplace

**Vicinity Map**

Livingston Parish, Louisiana



**D & S  
 ENVIRONMENTAL SERVICES, INC.**



Project No.: 02-2015-DOA

Date: 01-24-2015

Figure No.: 1

**Juban Development Company, L.L.C.**

**Juban East / Juban Marketplace**

**Overall Proposed Plan View**

Livingston Parish, Louisiana

**D & S**  
**ENVIRONMENTAL SERVICES, INC.**

Project No.: 02-2015-DOA

Date: 01-24-2015

Figure No.: 2

**Notes**

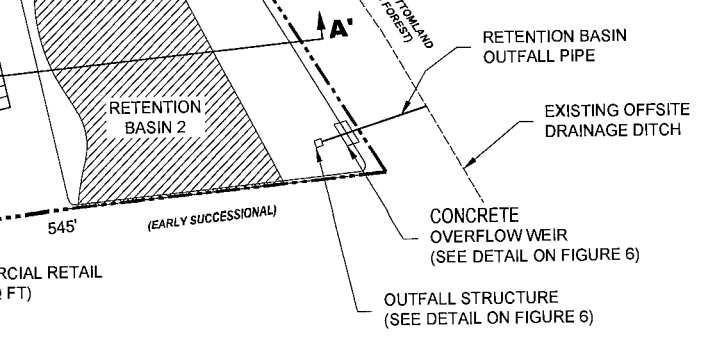
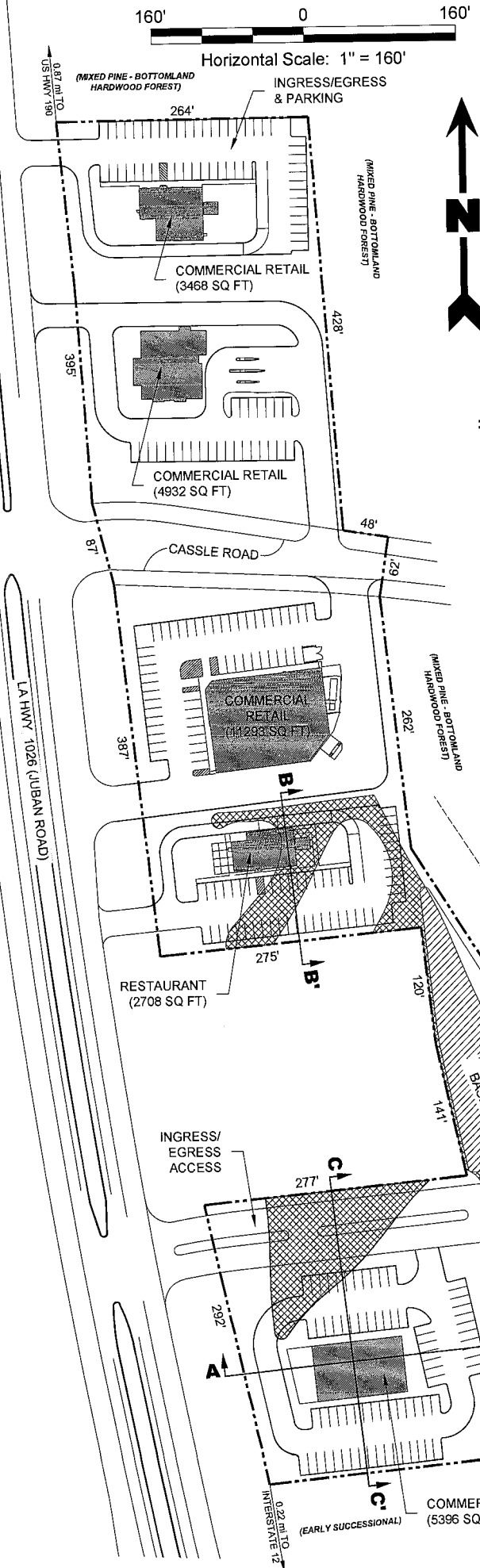
1. The Proposed layout was provided by Ferris Engineering & Surveying, L.L.C.
2. Jurisdictional Wetlands obtained from U.S. Army CORPS of Engineers Jurisdictional Determination Account Number MVN-2014-01742-SQ.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22063C0210 D Dated 8-23-01, this property falls in Flood Zone AE (Special flood hazard areas (SFHAs) subject to inundated by the 1% annual chance flood; Base Flood Elevations Determined). Base Flood Elevation = 37'.
4. Wetland impacts by habitat type:  
 >Bottomland Hardwood (Pre- Unauthorized Activity) = 1.84 Acres

**Legend**

- Property Boundary (9.16 Acres)
- Non-Wetlands (7.32 Acres)
- Total Jurisdictional Wetlands (1.84 Acres)
- ▨ Jurisdictional Wetlands To Be Filled (0.83 Acres)
- ▧ Jurisdictional Wetlands To Be Excavated (1.01 Acres)

**Total Proposed Fill**

Approximately 233.15 Cubic Yards of Earthen Material.  
 Approximately 519.97 Cubic Yards of Lime Treated Base.  
 Approximately 125.84 Cubic Yards of Concrete.  
 Approximately 194.98 Cubic Yards of Asphaltic Concrete.



# Legend

- Property Boundary (9.16 Acres)
- Non-Wetlands (7.32 Acres)
- Total Jurisdictional Wetlands (1.84 Acres)
- ▨ Jurisdictional Wetlands To Be Filled (0.83 Acres)
- ▩ Jurisdictional Wetlands To Be Excavated (1.01 Acres)

Juban Development Company, L.L.C.

Juban East / Juban Marketplace

## Proposed Plan View

Livingston Parish, Louisiana



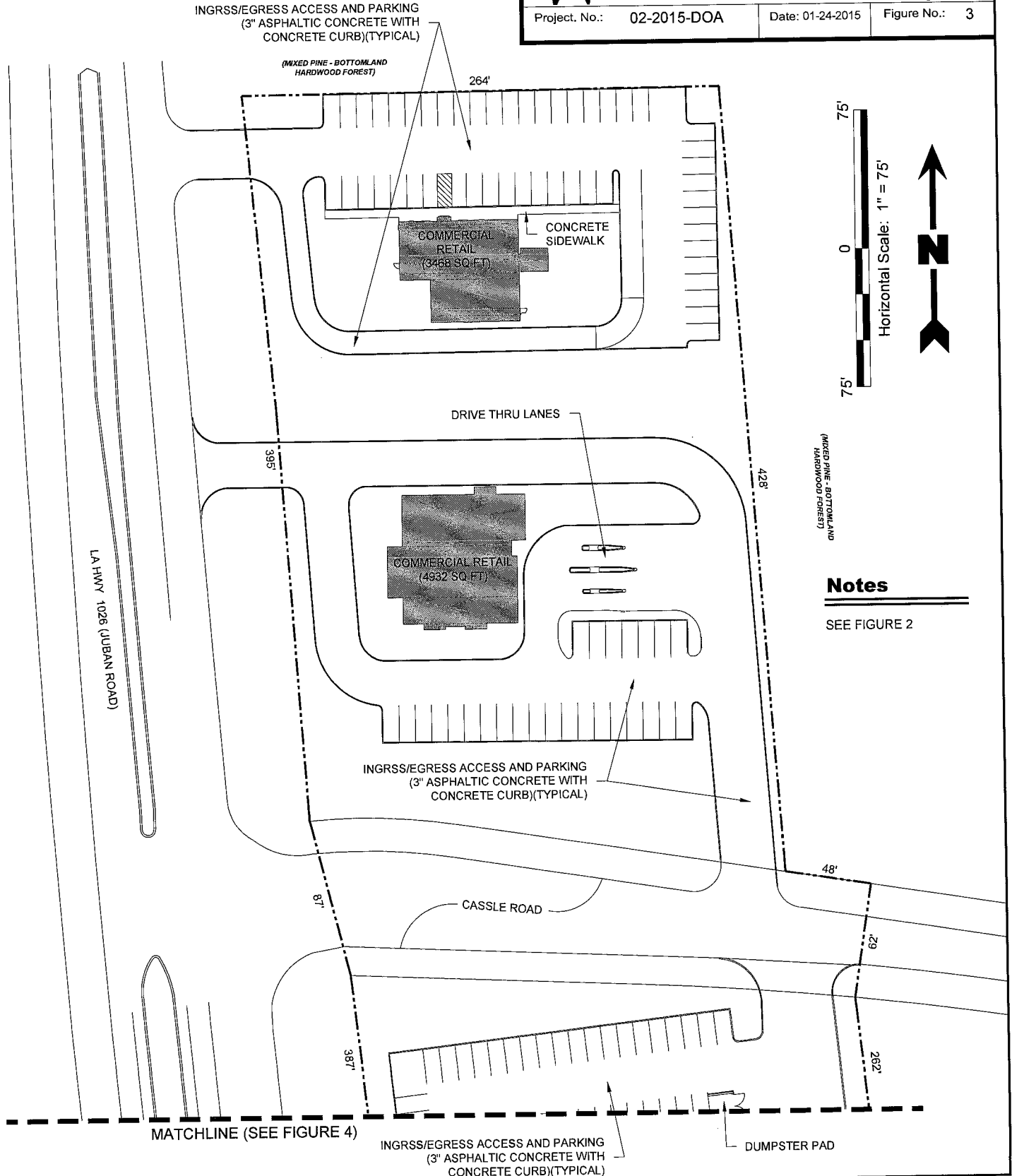
**D & S**  
**ENVIRONMENTAL SERVICES, INC.**



Project. No.: 02-2015-DOA

Date: 01-24-2015

Figure No.: 3

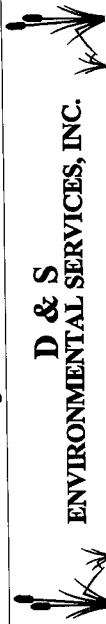


# Juban Development Company, L.L.C.

Juban East / Juban Marketplace

## Proposed Plan View

Livingston Parish, Louisiana



Project No.: 02-2015-DOA Date: 01-24-2015 Figure No.: 4

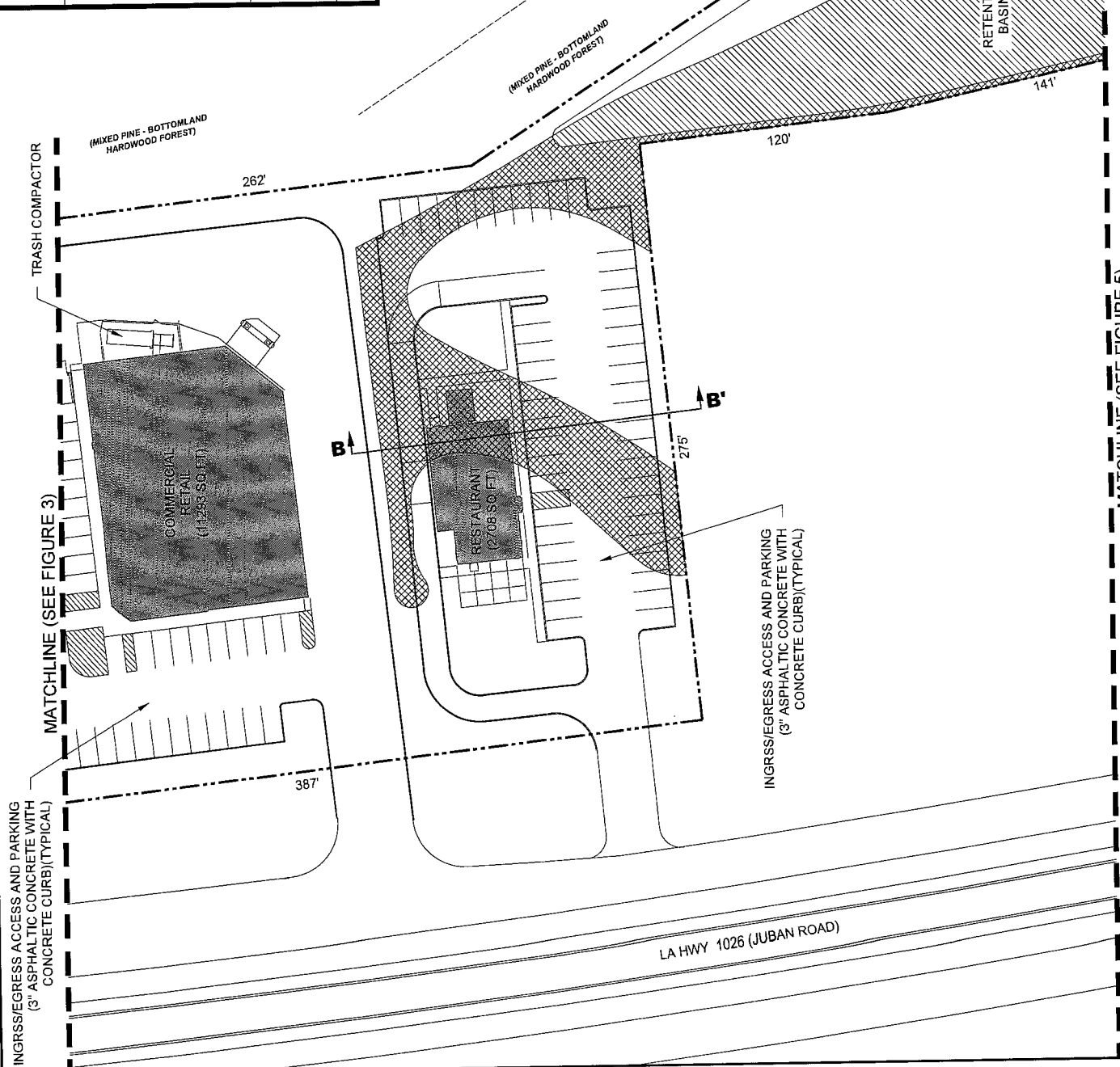
### Legend

- Property Boundary (9.16 Acres)
- Non-Wetlands (7.32 Acres)
- Total Jurisdictional Wetlands (1.84 Acres)
- Jurisdictional Wetlands To Be Filled (0.83 Acres)
- Jurisdictional Wetlands To Be Excavated (1.01 Acres)

### Notes

SEE FIGURE 2

EXISTING OFFSITE DRAINAGE DITCH



MATCHLINE (SEE FIGURE 5)



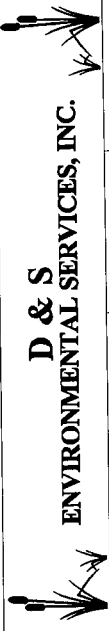
# Juban Development Company, L.L.C.

Juban East / Juban Marketplace

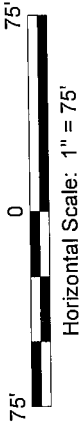
## Proposed Plan View

Livingston Parish, Louisiana

**D & S**  
**ENVIRONMENTAL SERVICES, INC.**



Project No.: 02-2015-DOA Date: 01-24-2015 Figure No.: 5



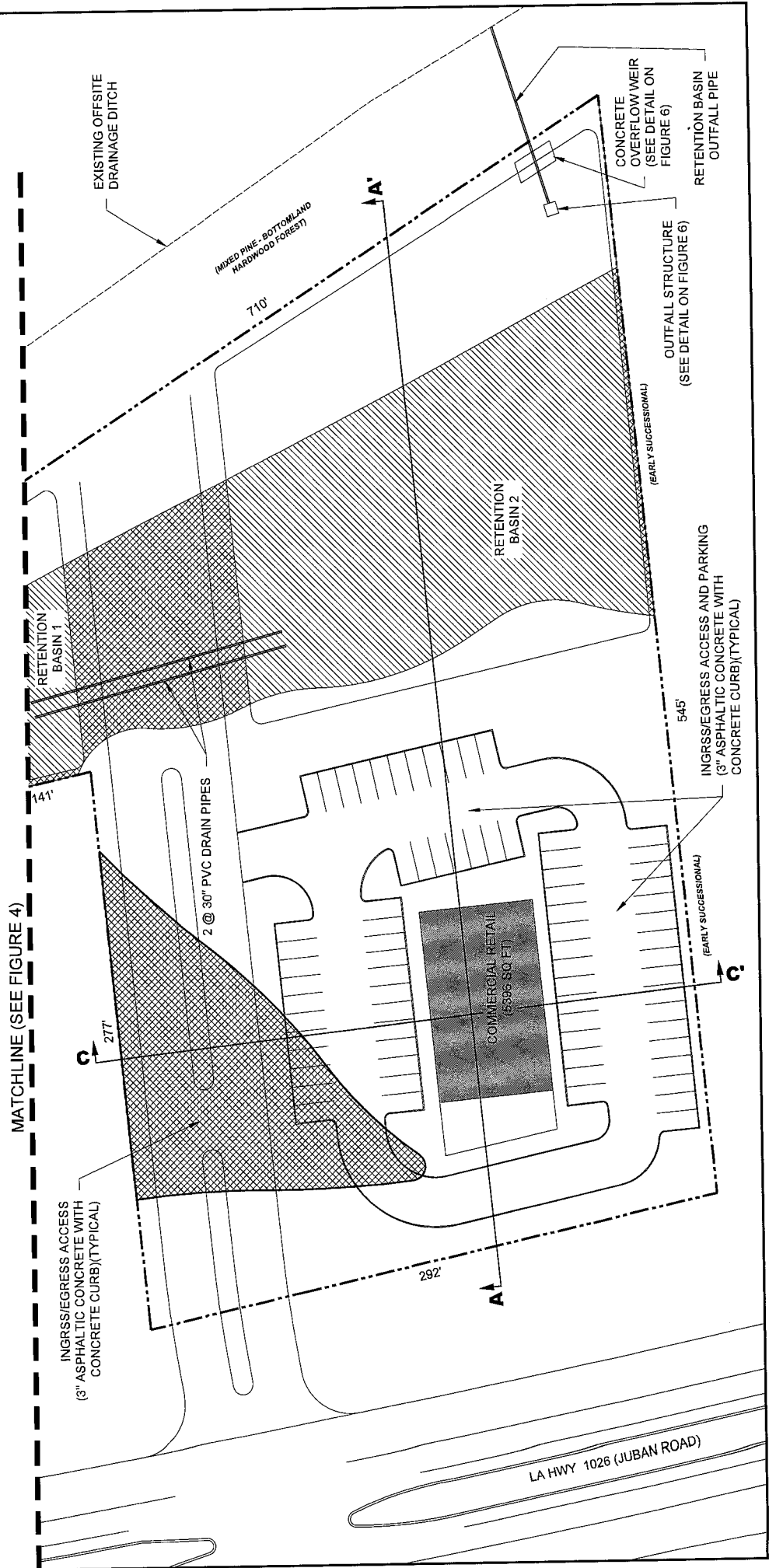
### Notes

SEE FIGURE 2

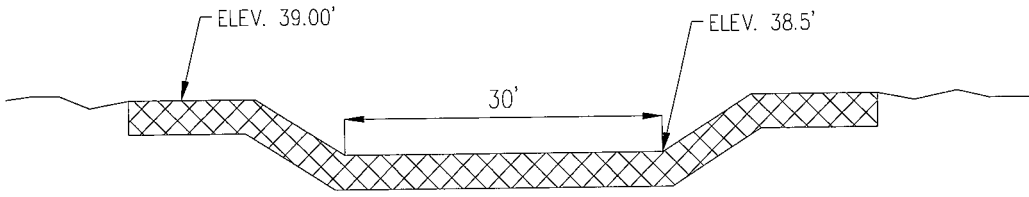
### Legend

- Property Boundary (9.16 Acres)
- Non-Wetlands (7.32 Acres)
- ▨ Total Jurisdictional Wetlands (1.84 Acres)
- ▩ Jurisdictional Wetlands To Be Filled (0.83 Acres)
- ▧ Jurisdictional Wetlands To Be Excavated (1.01 Acres)

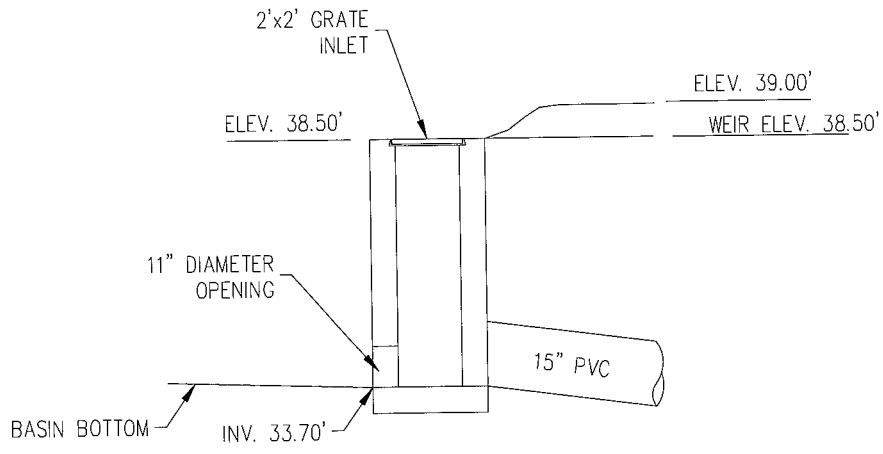
MATCHLINE (SEE FIGURE 4)





LA HWY 1026 (JUBAN ROAD)

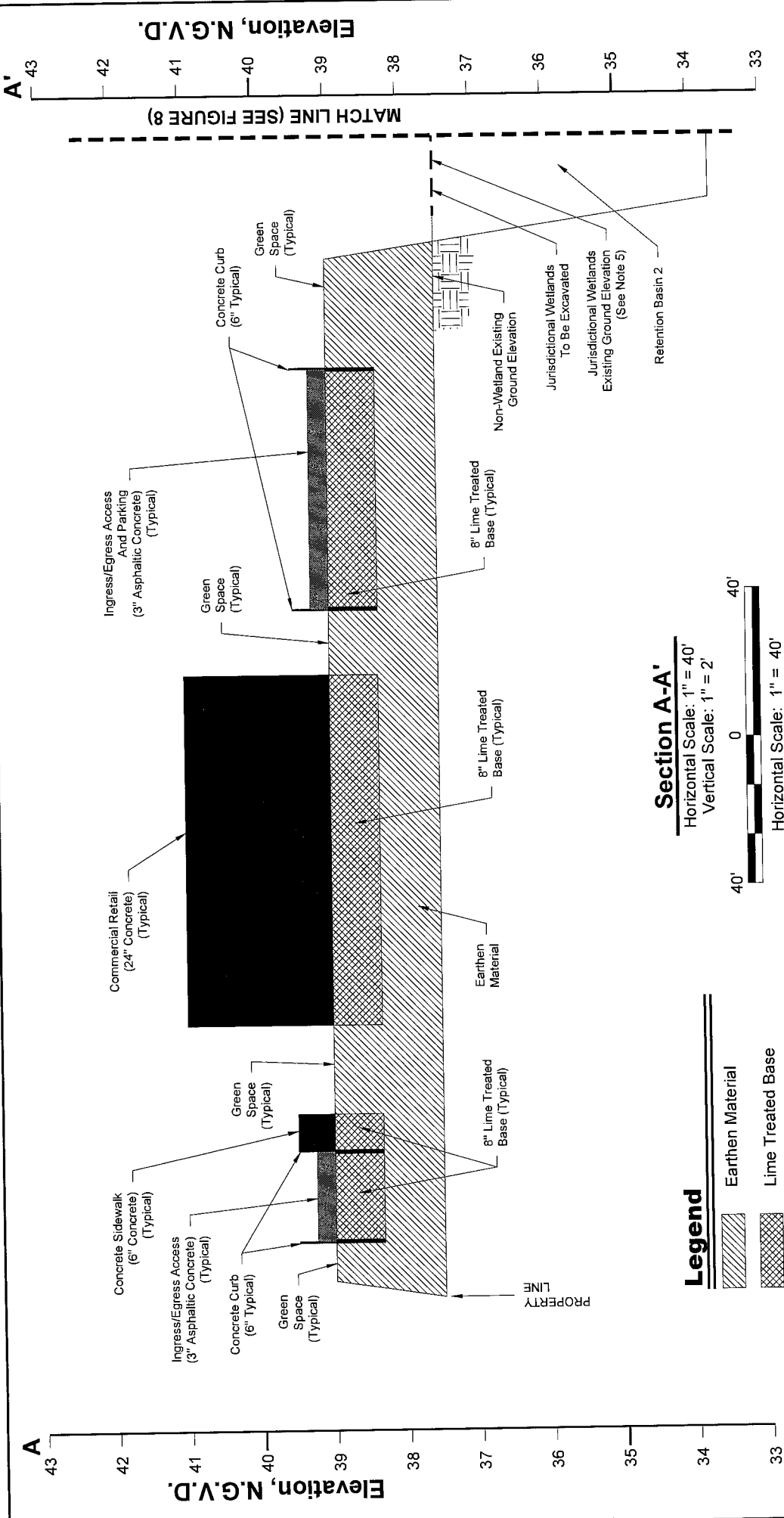


**RETENTION BASIN 2 OVERFLOW WEIR**  
N.T.S.

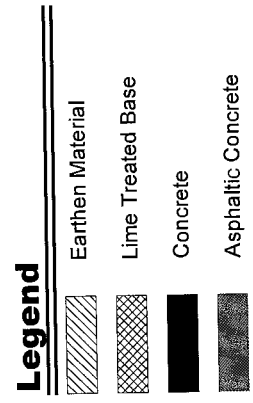
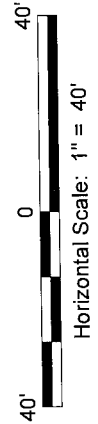


**RETENTION BASIN 2 OUTFALL STRUCTURE**  
N.T.S.

<b>Juban Development Company, L.L.C.</b>		
Juban East / Juban Marketplace		
<b>OVERFLOW WEIR / OUTFALL STRUCTURE DETAIL</b>		
Livingston Parish, Louisiana		
 <b>D &amp; S</b> <b>ENVIRONMENTAL SERVICES, INC.</b> 		
Project No.:	02-2015-DOA	Date: 01-24-2015
		Figure No.: 6



**Section A-A'**  
 Horizontal Scale: 1" = 40'  
 Vertical Scale: 1" = 2'



**Notes**

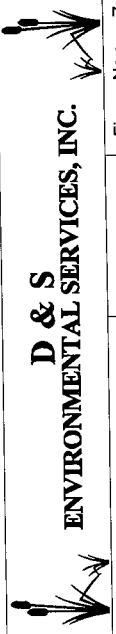
1. The proposed layout was provided by Ferris Engineering & Surveying, L.L.C..
2. Jurisdictional Wetlands obtained from U.S. Army CORPS of Engineers Jurisdictional Determination Account Number MVN-2014-01742-SQ.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22063C0210 D Dated 8-23-01, this property falls in Flood Zone AE (Special Flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; Base Flood Elevations Determined). Base Flood Elevation = 37'.
4. Non-wetland ground elevation average 37'-6" N.G.V.D. Elevation data was obtained from topographic data provided by Ferris Engineering & Surveying, L.L.C..
5. Ground elevations in existing jurisdictional wetlands are approximately the same elevation as non-wetland ground elevations due to the "Unauthorized Activity" mentioned in Blocks 18, 23 & 24 of the DOA Permit Application.

Juban Development Company, L.L.C.

Juban East / Juban Marketplace

**Section View A-A'**

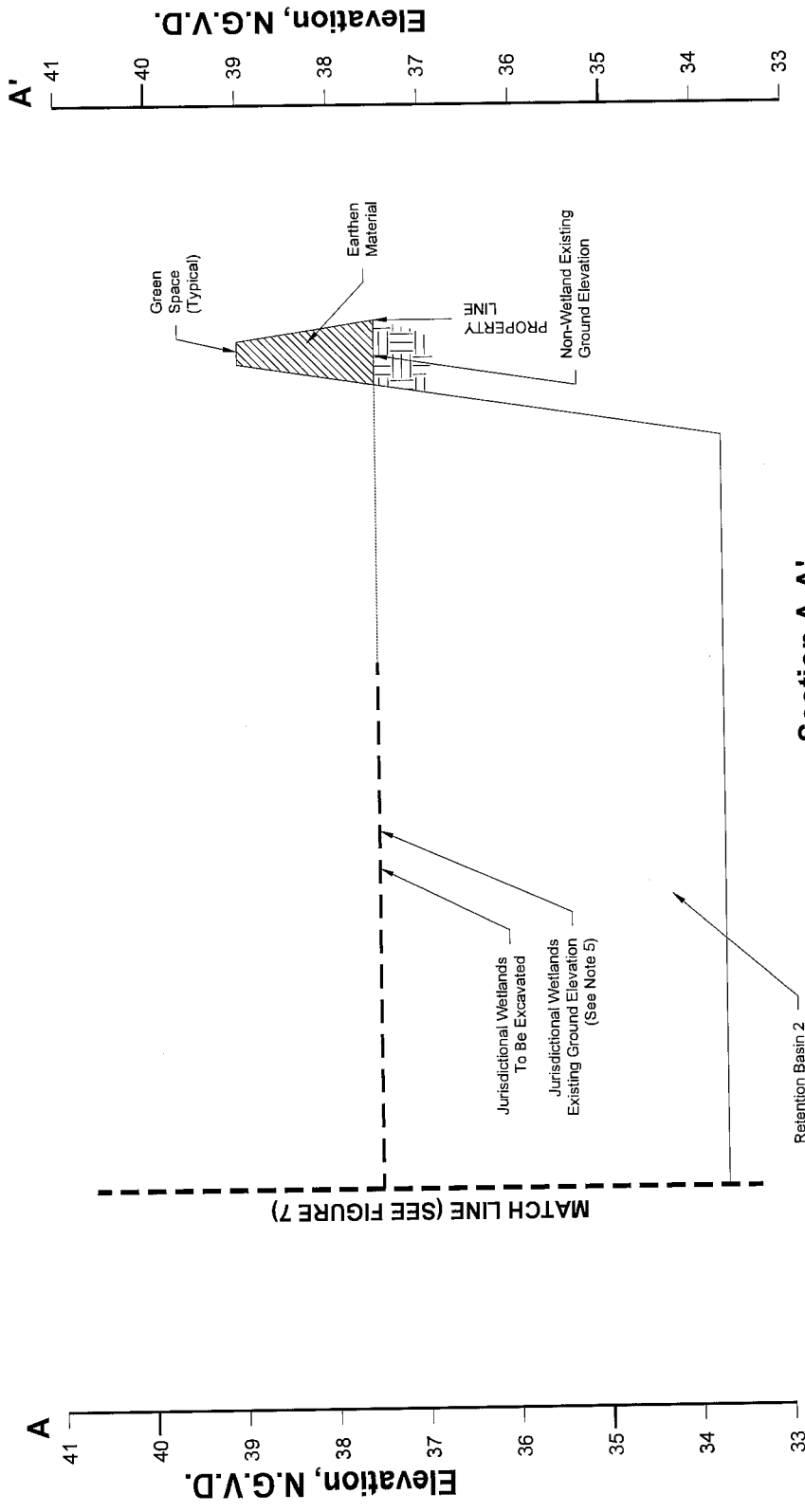
Livingston Parish, Louisiana



Project No.: 02-2015-DOA

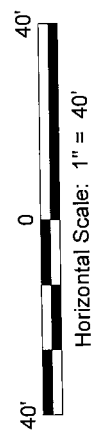
Date: 01-24-2015

Figure No.: 7



**Section A-A'**

Horizontal Scale: 1" = 40'  
Vertical Scale: 1" = 2'



**Legend**

Earthen Material

**Notes**

1. The proposed layout was provided by Ferris Engineering & Surveying, L.L.C.
2. Jurisdictional Wetlands obtained from U.S. Army CORPS of Engineers Jurisdictional Determination Account Number MVN-2014-01742-SQ.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22063C0210 D Dated 8-23-01, this property falls in Flood Zone AE (Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; Base Flood Elevations Determined). Base Flood Elevation = 37'.
4. Non-wetland ground elevation average 37'-6" N.G.V.D. Elevation data was obtained from topographic data provided by Ferris Engineering & Surveying, L.L.C.
5. Ground elevations in existing jurisdictional wetlands are approximately the same elevation as non-wetland ground elevations due to the "Unauthorized Activity" mentioned in Blocks 18, 23 & 24 of the DOA Permit Application.

Juban Development Company, L.L.C.

Juban East / Juban Marketplace

**Section View A-A'**  
**(Continued)**

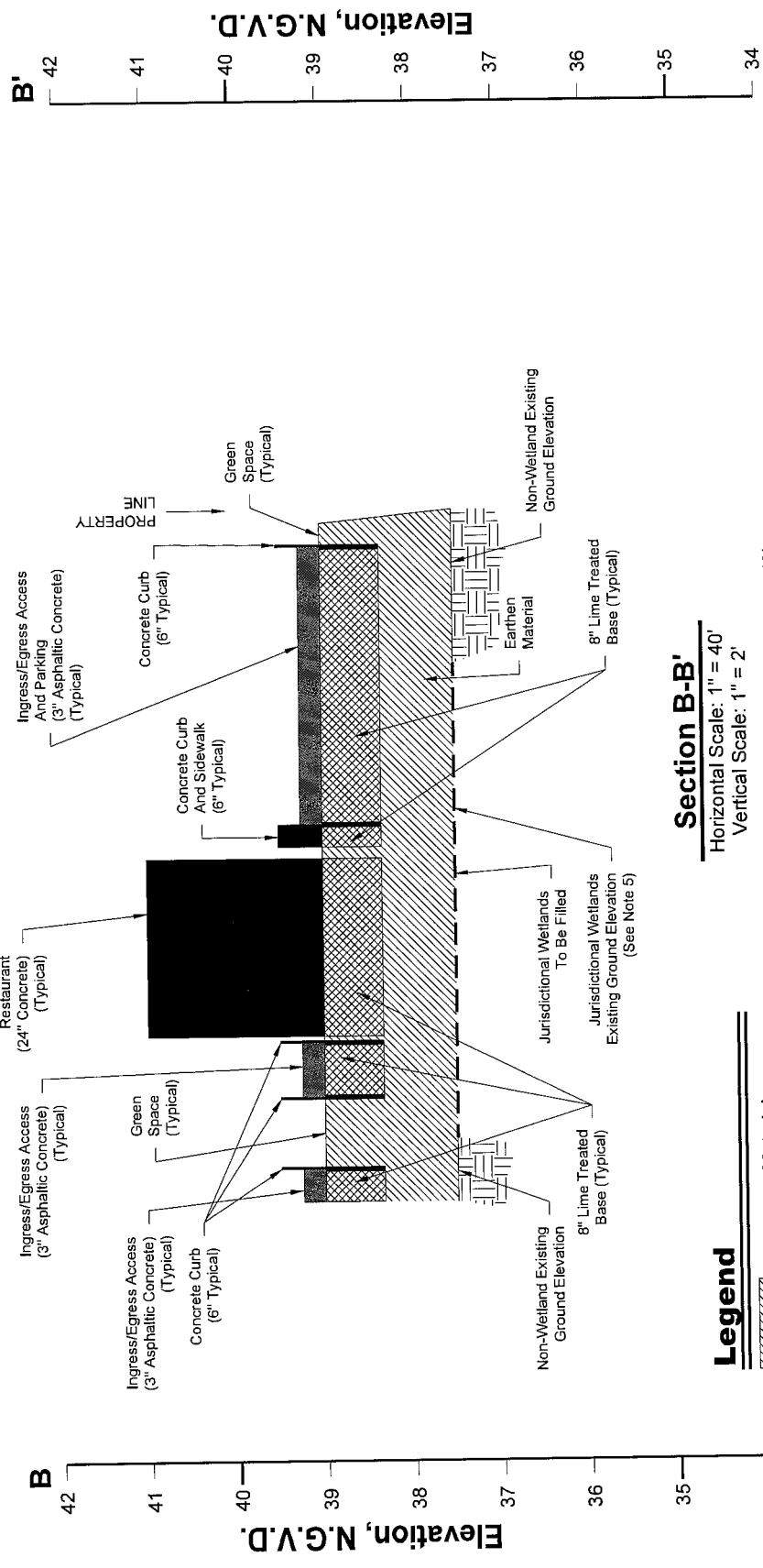
Livingston Parish, Louisiana

**D & S**  
**ENVIRONMENTAL SERVICES, INC.**

Project No.: 02-2015-DOA

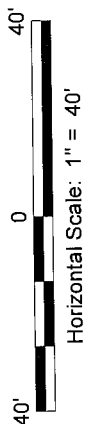
Date: 01-24-2015

Figure No.: 8



**Section B-B'**

Horizontal Scale: 1" = 40'  
Vertical Scale: 1" = 2'



**Legend**

-  Earthen Material
-  Lime Treated Base
-  Concrete
-  Asphaltic Concrete

**Notes**

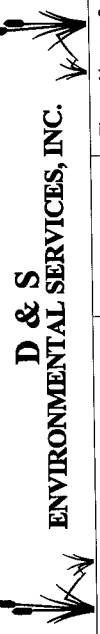
1. The proposed layout was provided by Ferris Engineering & Surveying, L.L.C..
2. Jurisdictional Wetlands obtained from U.S. Army CORPS of Engineers Jurisdictional Determination Account Number MVN-2014-01742-SQ.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22063C0210 D Dated 8-23-01, this property falls in Flood Zone AE (Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; Base Flood Elevations Determined). Base Flood Elevation = 37'.
4. Non-wetland ground elevation average 37'-6" N.G.V.D. Elevation data was obtained from topographic data provided by Ferris Engineering & Surveying, L.L.C..
5. Ground elevations in existing jurisdictional wetlands are approximately the same elevation as non-wetland ground elevations due to the "Unauthorized Activity" mentioned in Blocks 18, 23 & 24 of the DOA Permit Application.

Juban Development Company, L.L.C.

Juban East / Juban Marketplace

**Section View B-B'**

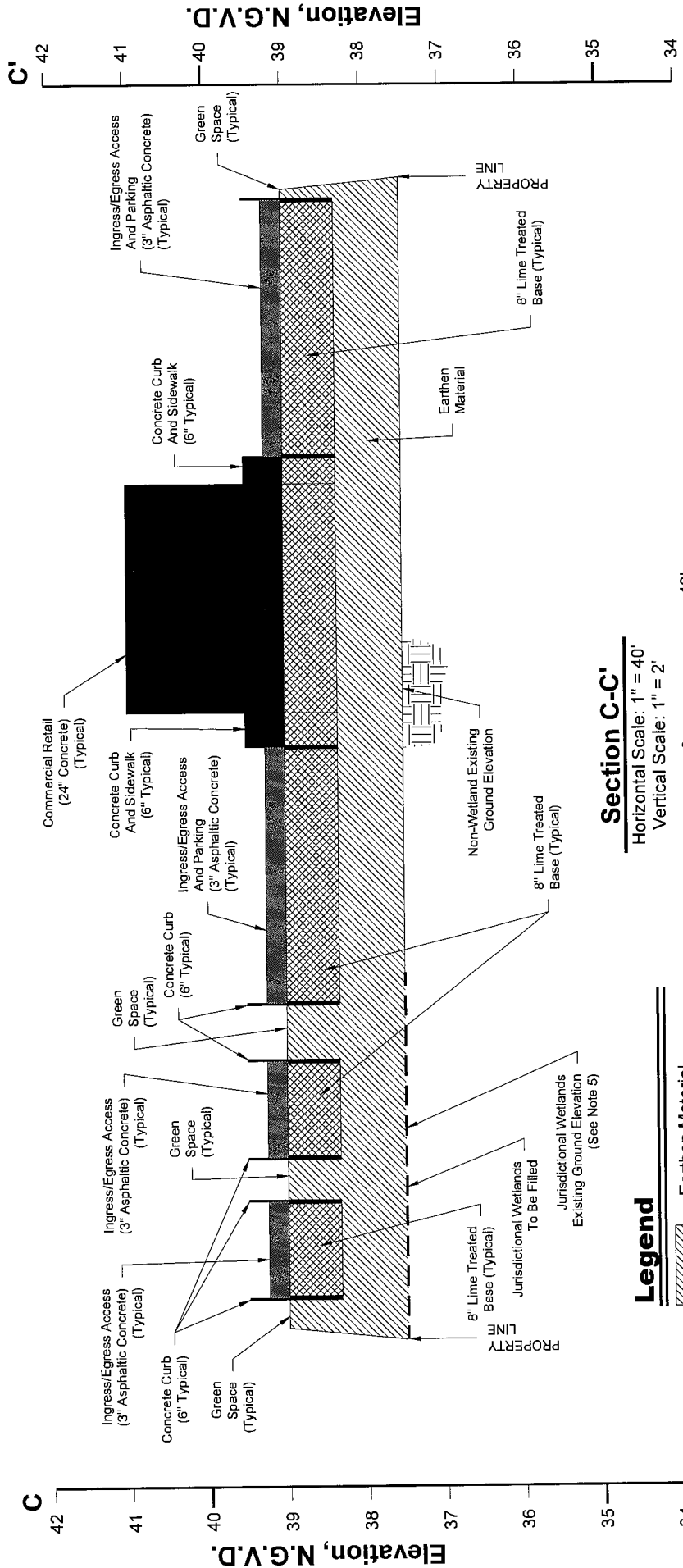
Livingston Parish, Louisiana



Project No.: 02-2015-DOA

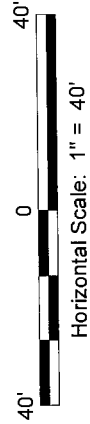
Date: 01-24-2015

Figure No.: 9



**Section C-C'**

Horizontal Scale: 1" = 40'  
Vertical Scale: 1" = 2'



**Legend**

- Earthen Material
- Lime Treated Base
- Concrete
- Asphaltic Concrete

**Notes**

1. The proposed layout was provided by Ferris Engineering & Surveying, L.L.C..
2. Jurisdictional Wetlands obtained from U.S. Army CORPS of Engineers Jurisdictional Determination Account Number MVN-2014-01742-SQ.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22063C0210 D Dated 8-23-01, this property falls in Flood Zone AE (Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; Base Flood Elevations Determined). Base Flood Elevation = 37'.
4. Non-wetland ground elevation average 37'-6" N.G.V.D. Elevation data was obtained from topographic data provided by Ferris Engineering & Surveying, L.L.C..
5. Ground elevations in existing jurisdictional wetlands are approximately the same elevation as non-wetland ground elevations due to the "Unauthorized Activity" mentioned in Blocks 18, 23 & 24 of the DOA Permit Application.

Juban Development Company, L.L.C.

Juban East / Juban Marketplace

**Section View C-C'**

Livingston Parish, Louisiana

**D & S**  
**ENVIRONMENTAL SERVICES, INC.**



Project No.: 02-2015-DOA

Date: 01-24-2015

Figure No.: 10