

JOINT PUBLIC NOTICE

14 September 2015

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

(504) 862-2045
jennifer.e.burkett@usace.army.mil
Project Manager
Jennifer Burkett
Permit Application Number
MVN 2015-1555 EBB

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

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC 150817-01

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: [X] 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 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).

HOME SITE WITH BOATHOUSE ON TCHEFUNCTE RIVER IN SAINT TAMMANY PARISH

NAME OF APPLICANT: Ed Brown III c/o Biological Surveys, Inc. at Post Office Box 94, Covington, Louisiana 70434.

LOCATION OF WORK: Off the Tchefuncte River, at the end of Lake Forest Drive, Covington, in Saint Tammany Parish, Louisiana, as shown on the attached drawings.

HUC: 08090201; Liberty Bayou – Tchefuncte River

CHARACTER OF WORK: To install and maintain a 370' bulkhead, 30'x 40' boathouse and fill, all to develop a home site. Project implementation will require permanent impacts to 0.08 acre of forested wetlands and 0.31 acre of other waters of the U.S. Approximately 2005 cubic yards of material will be placed on site, and the project will extend 73' into the waterway, which is 150' at this location. The applicant proposes to purchase credits from a mitigation bank to offset any unavoidable losses to wetland functions caused by project implementation.

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**. 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. 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.

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 on the Dusky Gopher Frog (*Lithobates sevosus*) or Gopher Tortoise (*Gopherus polyphemus*). In addition, the proposed activity is "not likely to adversely affect" the West Indian manatee (*Trichechus manatus*) listed as endangered by the U.S. Department of Interior, nor affect any habitat designated as critical to the survival and recovery of this species. If this permit is issued, the permittee will be required to follow the Standard Manatee Conditions for In-Water Activities.

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 before a permit is issued.

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.

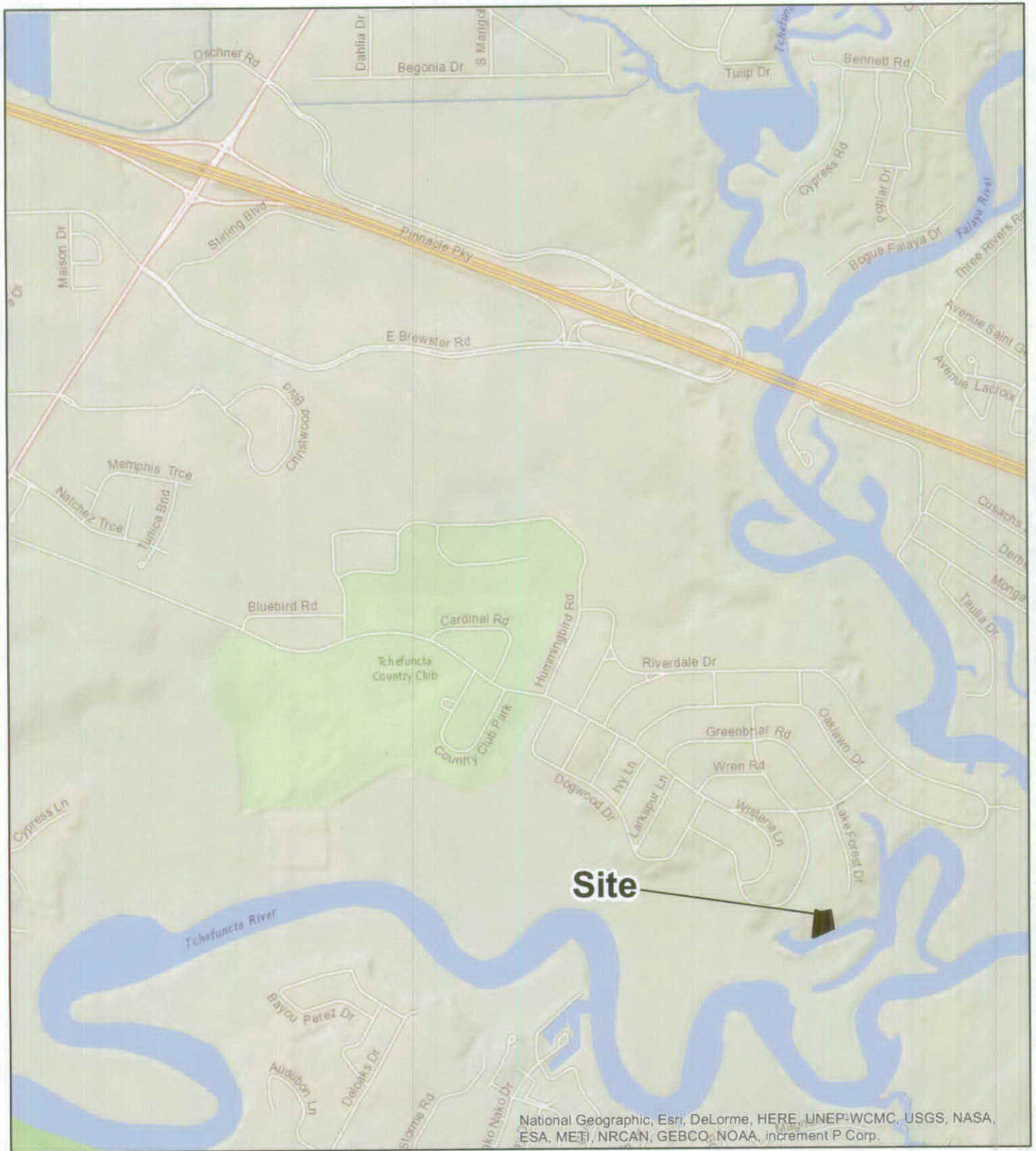
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosure

Figure 1. Vicinity Map



**+/- 1.3 Acres in Covington
Section 51, T7S-R11E
St. Tammany Parish
Ed Brown**



BENCHMARK/ELEVATIONS

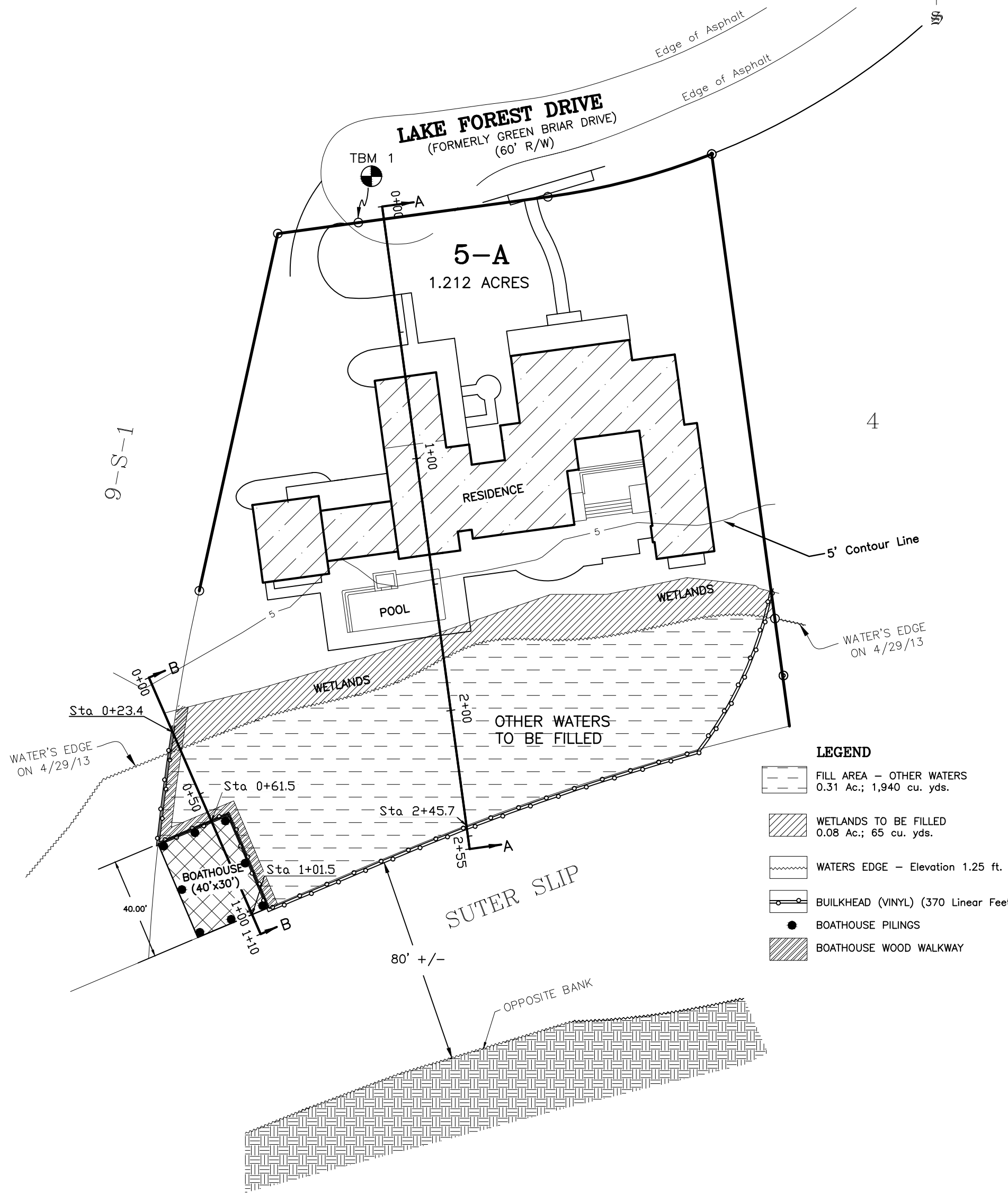
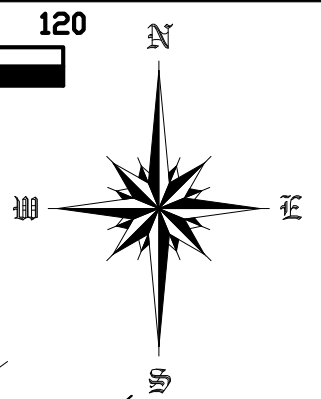
REFERENCE: GPS-C4GNET (NAVD88)

TBM 1: Top of PK Nail
Elev: 15.10'(NAVD88)

0 40 80 120



GRAPHIC SCALE - FEET



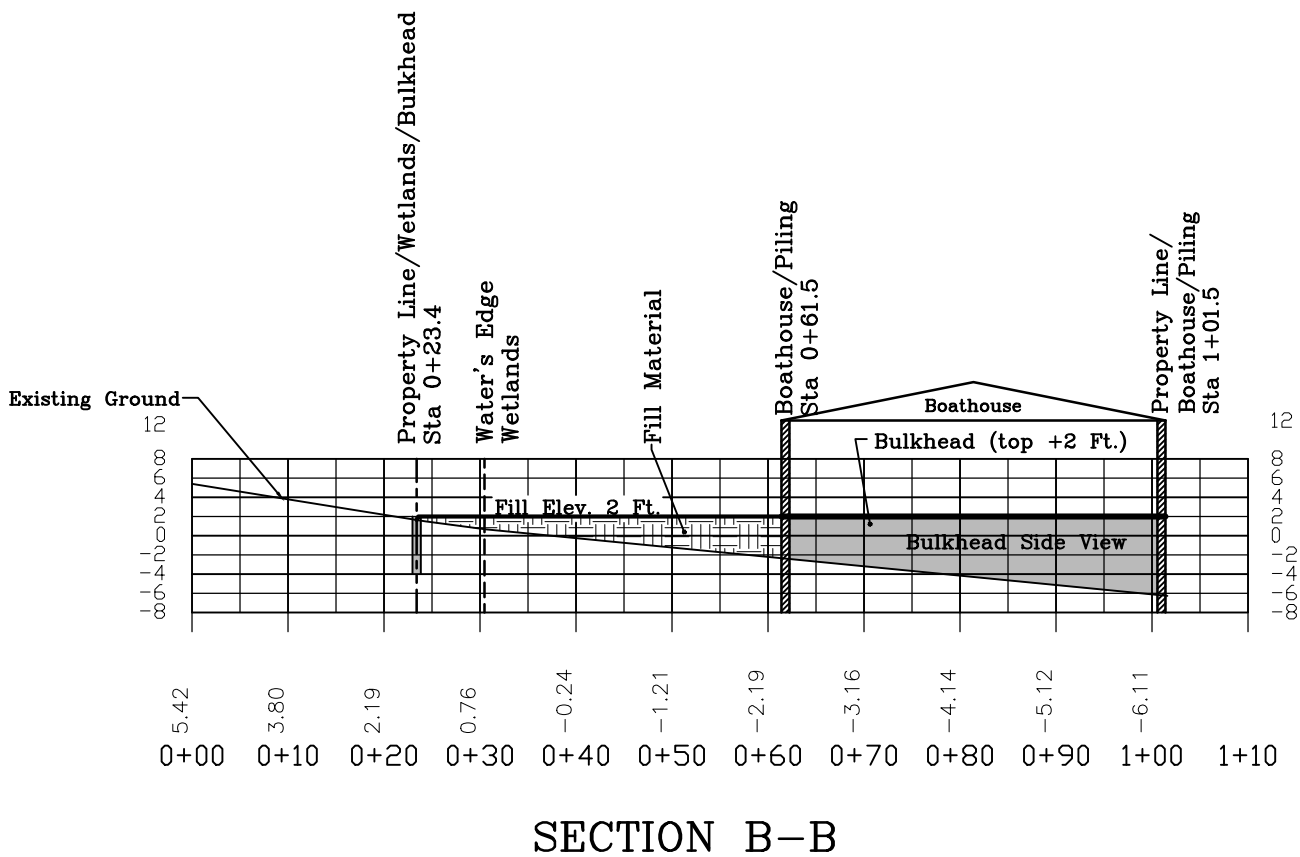
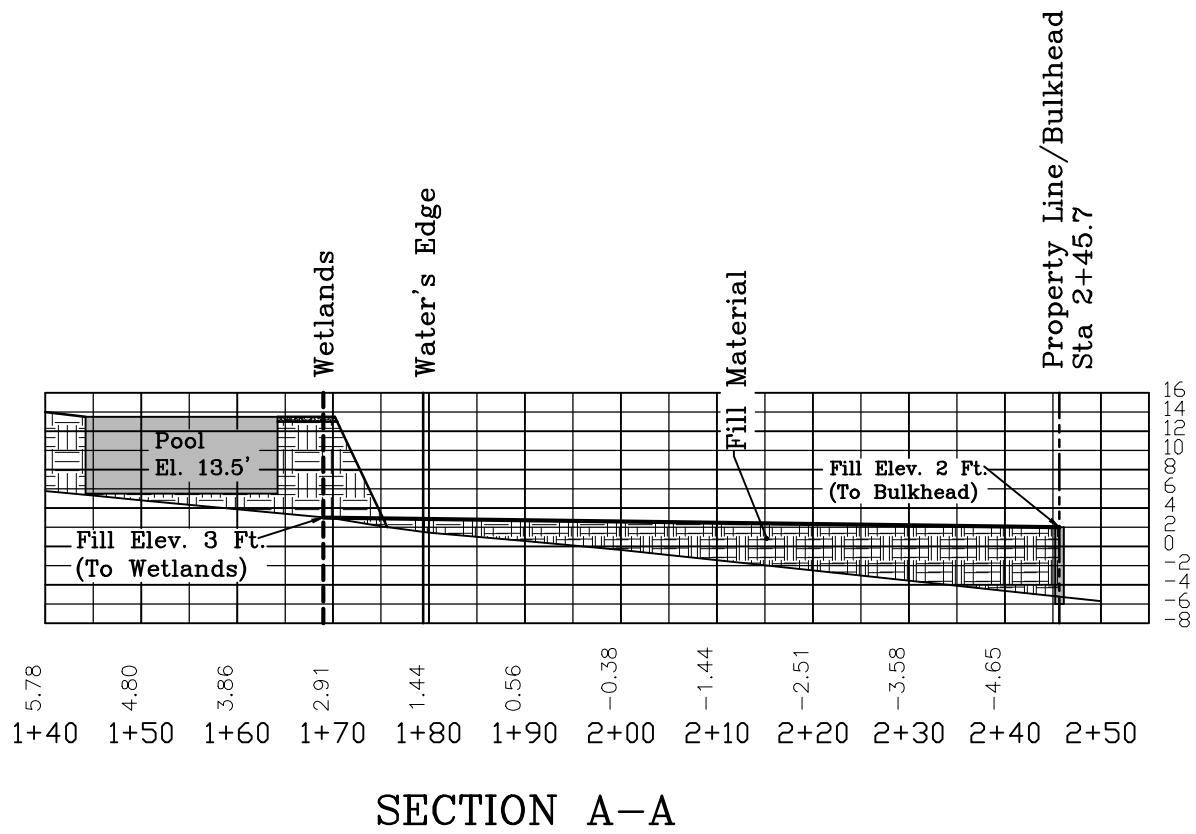
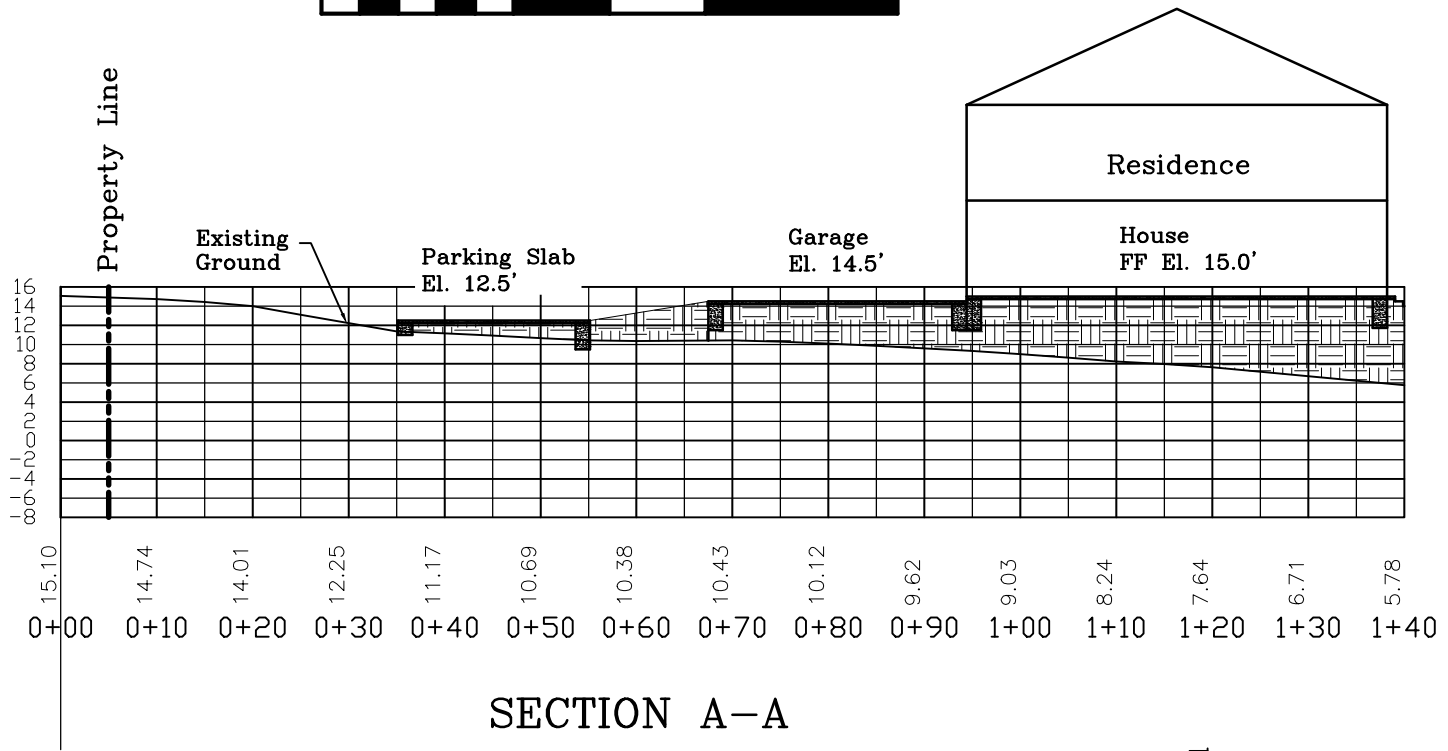
LEGEND

- FILL AREA - OTHER WATERS
0.31 Ac.; 1,940 cu. yds.
- WETLANDS TO BE FILLED
0.08 Ac.; 65 cu. yds.
- WATERS EDGE - Elevation 1.25 ft.
- BULKHEAD (VINYL) (370 Linear Feet)
- BOATHOUSE PILINGS
- BOATHOUSE WOOD WALKWAY

**MAP & TOPOGRAPHIC SURVEY
SHOWING BROWN RESIDENCE
IN
LOT 5-A
TCHEFUNCTA CLUB ESTATES
EXTENSION**

LOCATED IN SECTION 51, T7S-R11E
GREENSBURG LAND DISTRICT
ST. TAMMANY PARISH, LOUISIANA



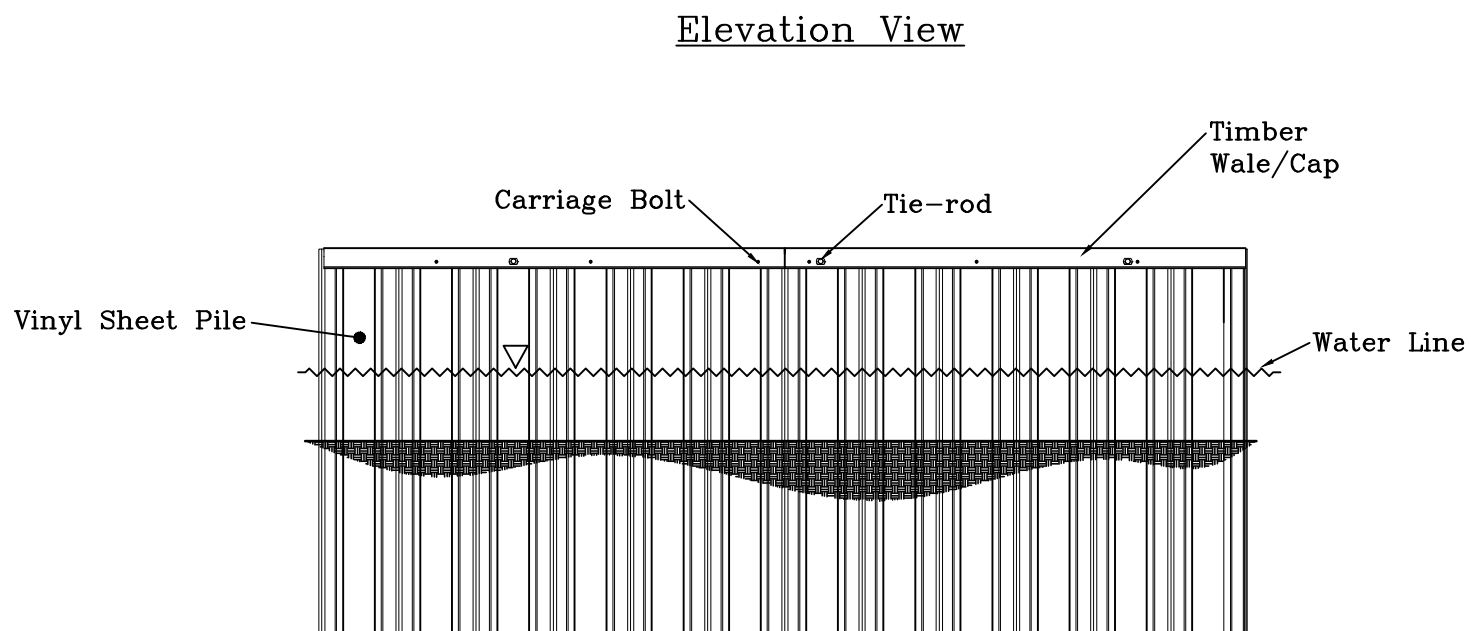
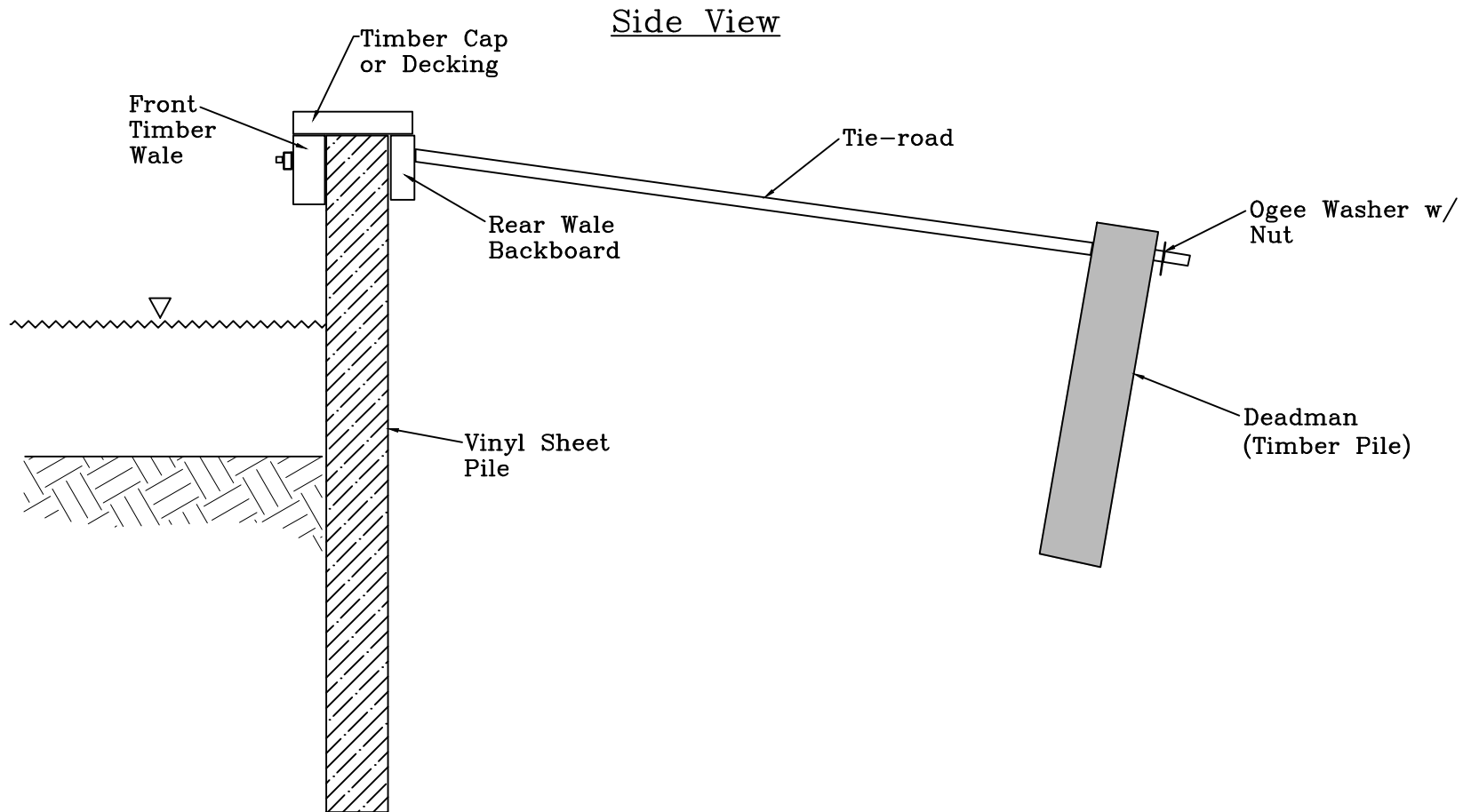


CROSS-SECTIONS OF BROWN RESIDENCE
IN
LOT 5-A
TCHEFUNCTA CLUB ESTATES
EXTENSION

LOCATED IN SECTION 51, T7S-R11E
GREENSBURG LAND DISTRICT
ST. TAMMANY PARISH, LOUISIANA



Vinyl Sheet Pile Retaining Wall



**BULKHEAD DETAIL OF BROWN
RESIDENCE
IN
LOT 5-A
TCHEFUNCTA CLUB ESTATES
EXTENSION**

LOCATED IN SECTION 51, T7S-R11E
GREENSBURG LAND DISTRICT
ST. TAMMANY PARISH, LOUISIANA

