



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT  
7400 LEAKE AVENUE  
NEW ORLEANS LA 70118-3651

November 21, 2022

Regulatory Division  
Western Evaluation Branch

Project Manager:  
Sara Fortuna  
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Application #: MVN-2016-00146 WKK

## **PUBLIC NOTICE**

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), and/or [ ] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

### **SINGLE-FAMILY HOME RESIDENTIAL DEVELOPMENT IN CALCASIEU PARISH**

**NAME OF APPLICANT:** Heard Development, Inc., c/o: Southland Environmental, L.L.C., 510 Clarence Street, Lake Charles, Louisiana 70601.

**LOCATION OF WORK:** Located in Calcasieu Parish, English Bayou, on Fitzenreiter Road, located in the community of Lake Charles, Louisiana, (Latitude North: 30.266276°N, Longitude West: -93.189399°W), as shown within the enclosed drawings. (Hydrologic Unit Code 08080203, Calcasieu Basin.

**CHARACTER OF WORK:** Time extension to conduct clearing, grubbing, and grading operations, dredge an 80-foot wide by 80-foot long area for a boat slip, construct a 20-foot wide by 24-foot long boat house, an 8-foot wide by 20-foot long dock, two 8-foot wide by 100-foot long docks, an 8-foot wide by 50-foot long dock, a 30-foot wide by 100-foot long concrete ramp, and place approximately 1,075 cubic yards of dredged fill material and 56 cubic yards of concrete to prepare a 7.5 acre site for a single-family home residential development. Work completed includes clearing approximately 0.36 of an acre of jurisdictional bottomland hardwoods on the lot. The applicant compensated for wetland impacts by purchasing credits at a Department of the Army approved mitigation bank.

The comment period on the requested 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 request, and must be submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject permit application must reference the Applicant's Name and the Permit Application Number and can be preferably emailed to the Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGW, Sara Fortuna**. Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 Branch Chief will review the request and the requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and will not exceed a total of 30 calendar days. This public notice is also available for review online at <https://go.usa.gov/xennJ>

### **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 presently unaware of properties listed on the National Register of Historic Places at or near the proposed work but is pending further review in accordance with the National Historic Preservation Act. The possibility exists that the proposed work may damage or destroy presently unknown archeological,

scientific, prehistorical, historical sites, or data. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer, and federally listed tribes 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 Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, 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, alteration, and/or disturbance of **0.03 of an acre** 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.

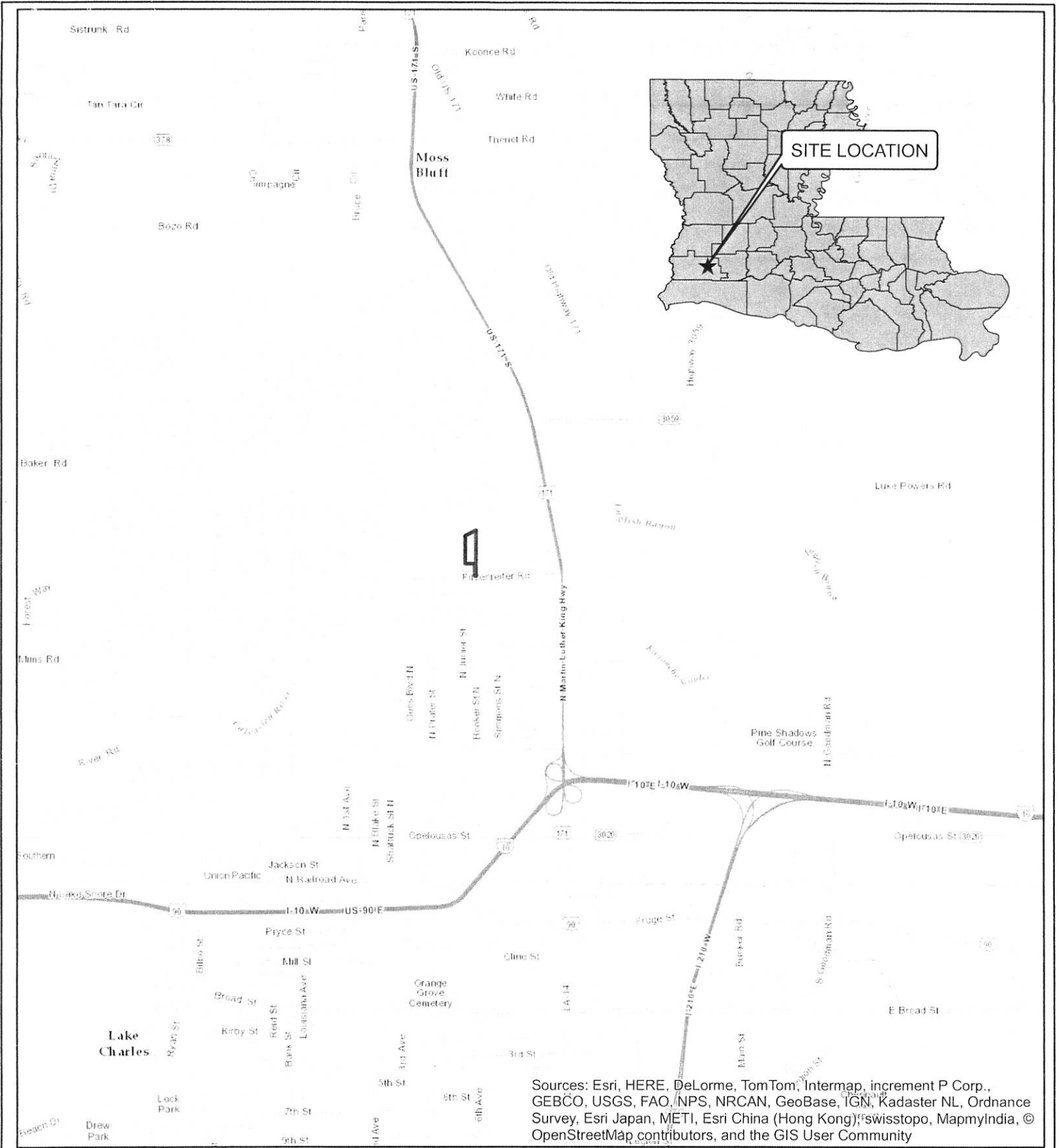
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

Any person may request 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, and can be preferably emailed to the USACE project manager listed above or mailed to the address listed above.

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 Branch  
Regulatory Division

Enclosures

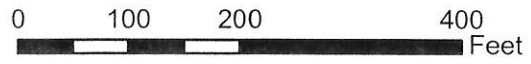
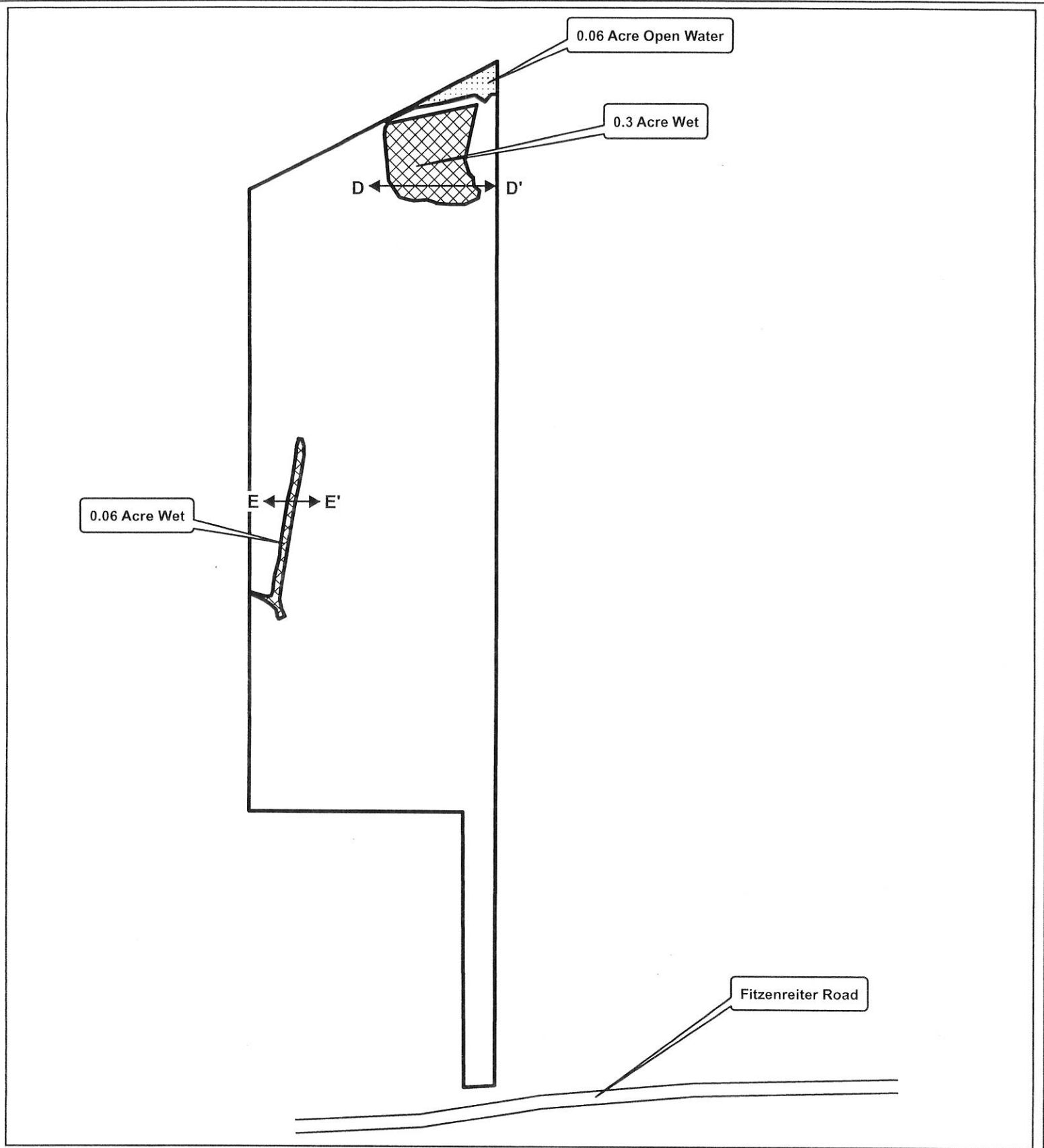





Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



		<b>Heard Development, Inc.</b> <b>Fitzenreiter Road Tract</b>	
<b>FIGURE 1 OF 7</b> <b>SITE LOCATION MAP</b> PERMIT APPLICATION HEARD DEVELOPMENT, INC. FITZENREITER ROAD CALCASIEU PARISH, LOUISIANA			
Drawn By:	JRK	Date:	04/05/16
Checked By:	CBJ	Date:	
		AES Project #	11444
		Revised:	

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	NON-WETLANDS (7.08 AC)
	WETLANDS (0.36 AC)
	OPEN WATER (0.06 ACRE)



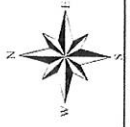
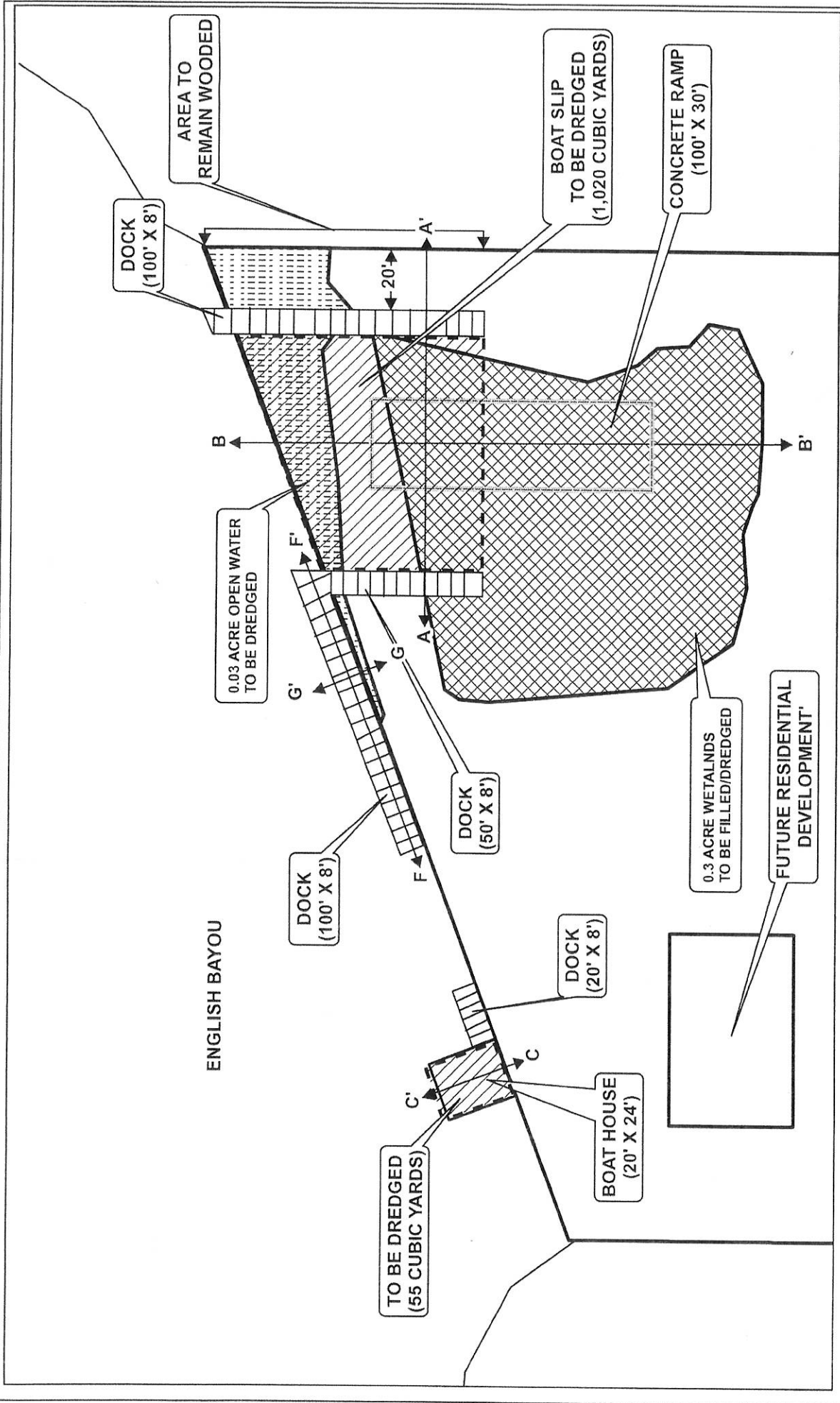
ARABIE ENVIRONMENTAL SOLUTIONS

Heard Development, Inc.  
Fitzenreiter Road Tract

**FIGURE 2 OF 7**  
**SITE DIAGRAM**  
PERMIT APPLICATION  
HEARD DEVELOPMENT, INC.  
FITZENREITER ROAD  
CALCASIEU PARISH, LOUISIANA

Drawn By: JRK	Date: 04/05/16	AES Project # 11444
Checked By: CBJ	Date:	Revised:

*Handwritten initials*



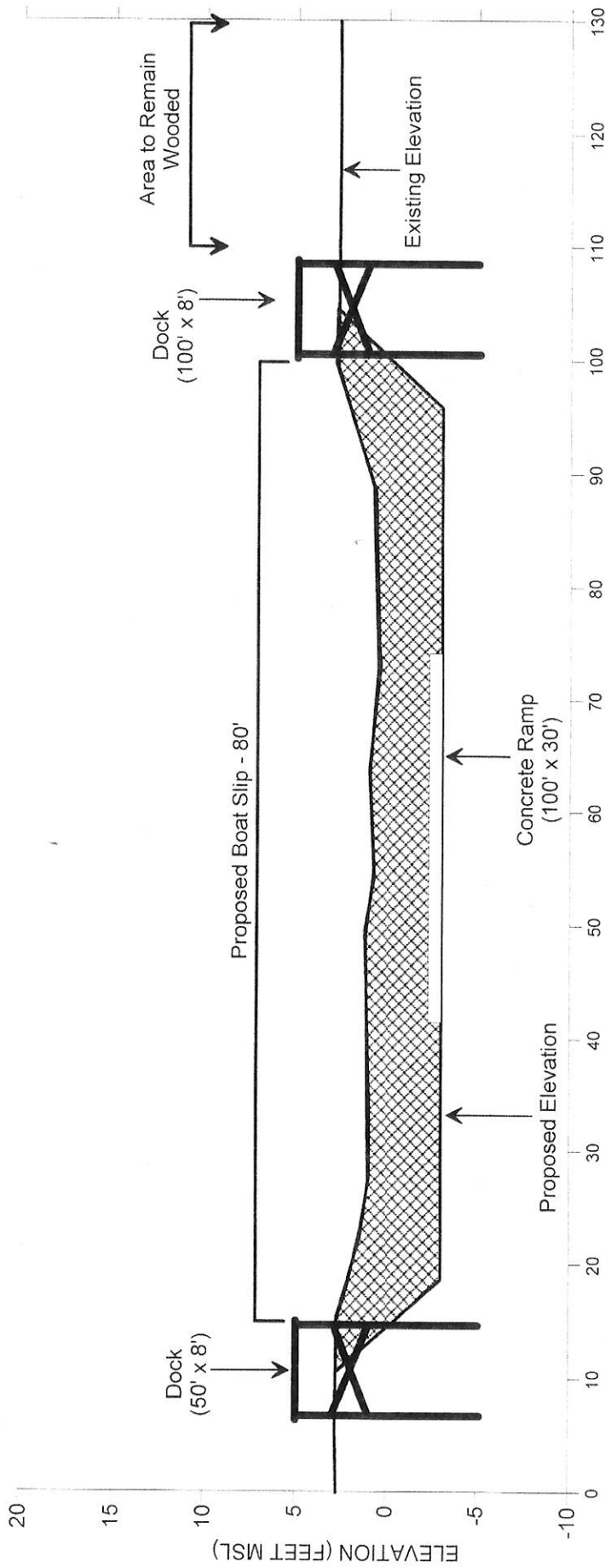
ARABIE ENVIRONMENTAL SOLUTIONS	Heard Development, Inc. Fitzenreiter Road Tract	
	<b>FIGURE 3 OF 8</b> <b>SITE DIAGRAM</b> PERMIT APPLICATION HEARD DEVELOPMENT, INC. FITZENREITER ROAD CALCASIEU PARISH, LOUISIANA	
Drawn By: JRK	Date: 04/04/16	AES Project #: 11444
Checked By: CBJ	Date:	Revised: 09/13/16

DREDGE AREAS - 1,075 CUBIC YARDS

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West

East



CUMMULATIVE DISTANCE (FEET)

CROSS-SECTION A-A'



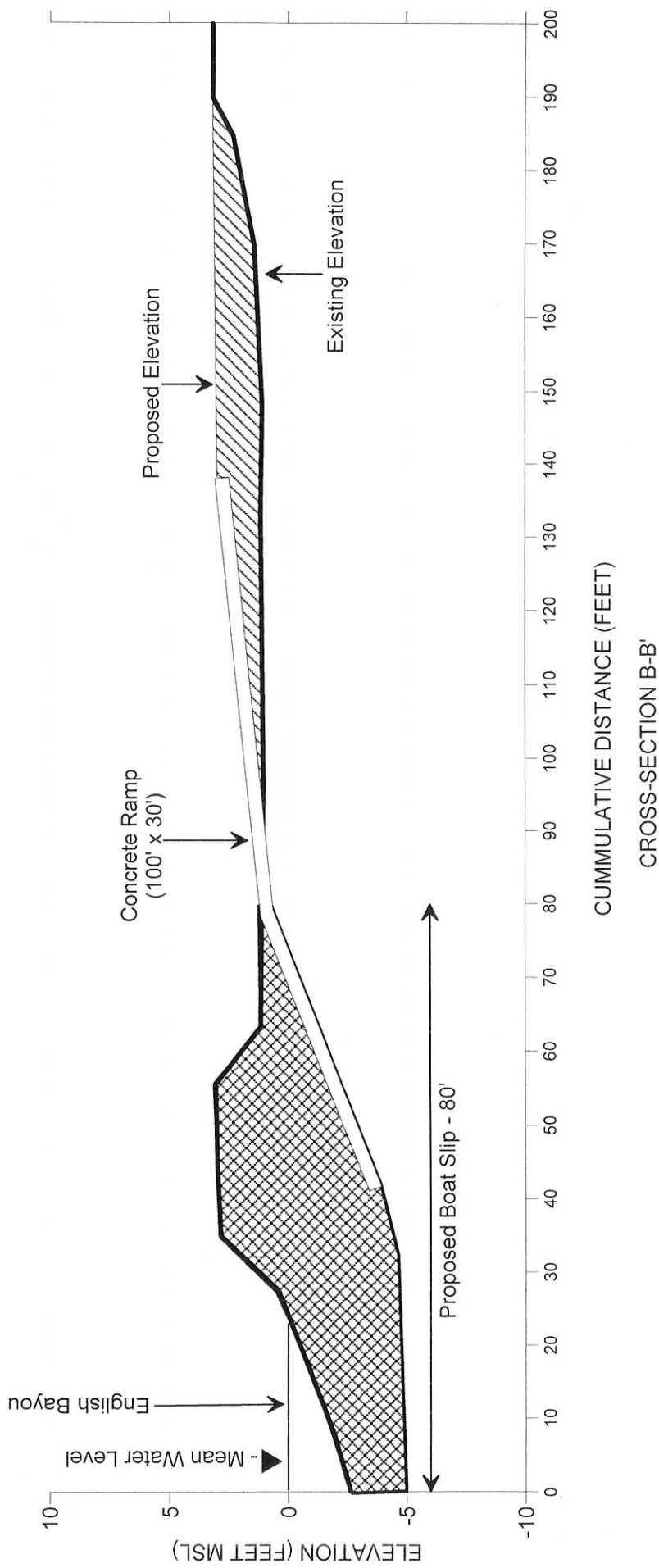
TOTAL DREDGED AREA - 1,020 CUBIC YARDS

NOTE: DRAWING NOT TO SCALE, DIMENSIONS AS SHOWN ELEVATIONS ARE FEET MSL

ARABIE ENVIRONMENTAL SOLUTIONS	PERMIT APPLICATION HEARD DEVELOPMENT, INC. FITZINGER ROAD TRACT CALCASIEU PARISH, LOUISIANA
FIGURE 4 OF 8 A-A' CROSS-SECTION	
Drawn By: JRK	Date: 09/13/16   AES Project #11444

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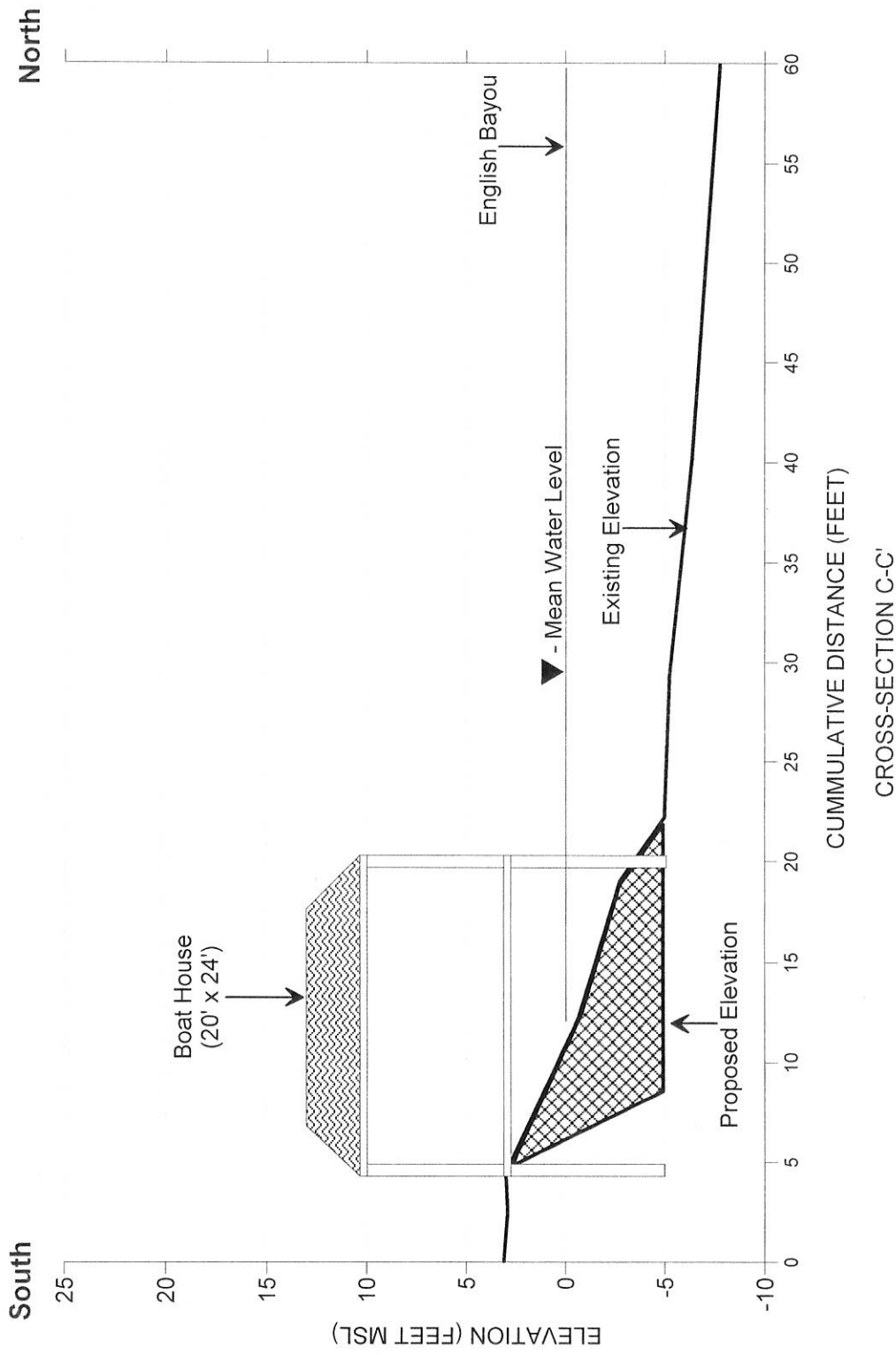
North South



- TOTAL FILL AREA - 880 CUBIC YARDS
  - TOTAL DREDGED AREA - 1,020 CUBIC YARDS
- NOTE: DRAWING NOT TO SCALE, DIMENSIONS AS SHOWN  
 ELEVATIONS ARE FEET MSL  
 MEAN HIGH WATER LEVEL - +1.5 FT  
 MEAN LOW WATER LEVEL - -1.5 FT

ARABIE ENVIRONMENTAL SOLUTIONS	PERMIT APPLICATION HEARD DEVELOPMENT, INC. FITZNERITER ROAD TRACT CALCASIEU PARISH, LOUISIANA
FIGURE 5 OF 7 B-B' CROSS-SECTION	
Drawn By: JRK	Date: 03/31/16
AES Project #11444	

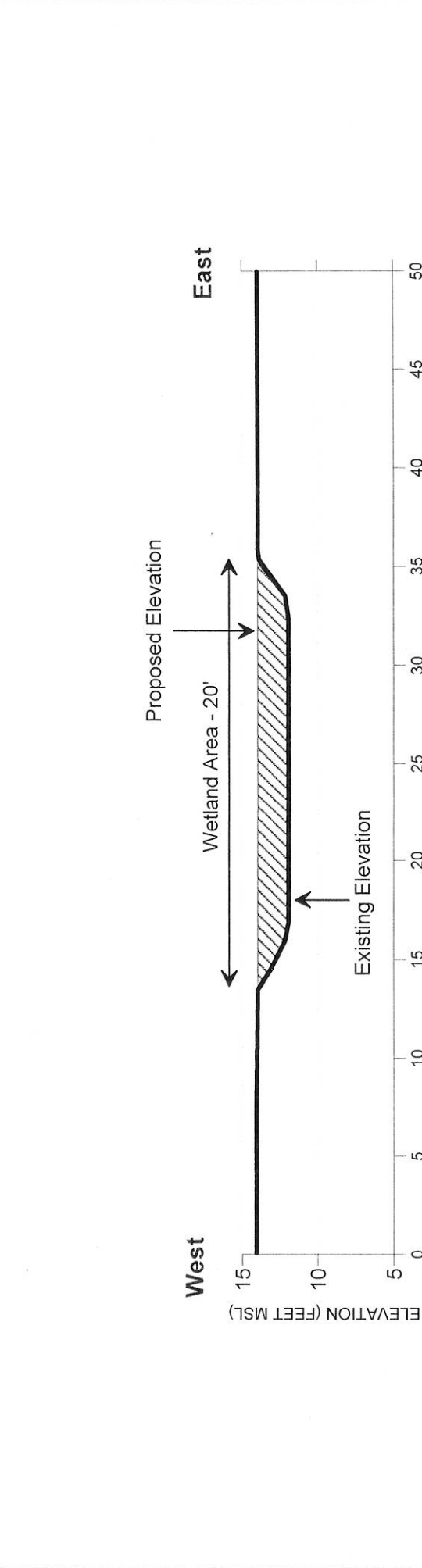
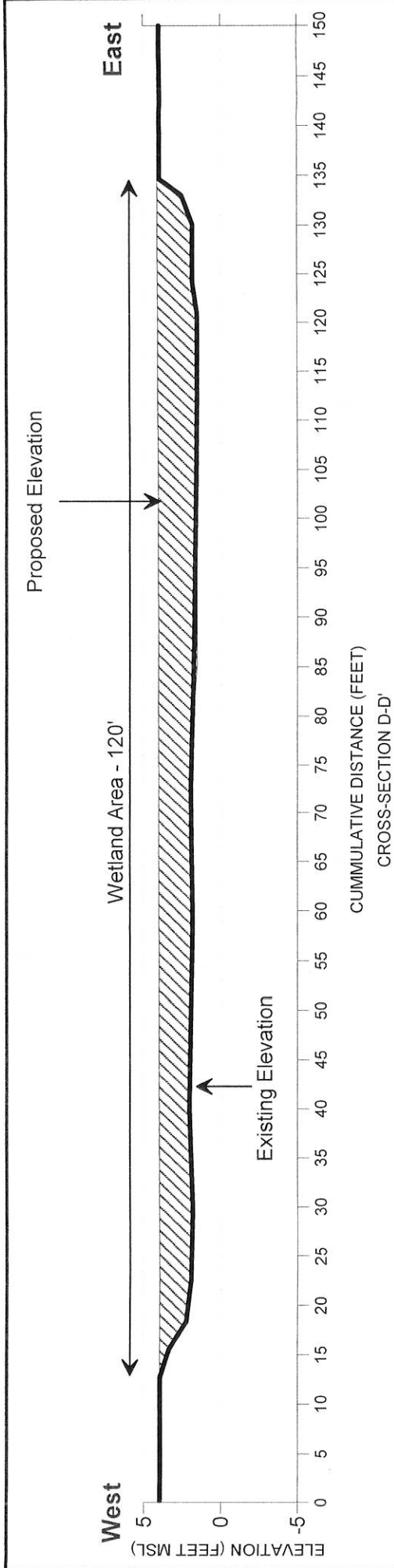




 DREDGE AREA - 55 CU. YDS.

NOTE: DRAWING NOT TO SCALE, DIMENSIONS AS SHOWN  
 ELEVATIONS ARE FEET MSL  
 MEAN HIGH WATER LEVEL - +1.5 FT  
 MEAN LOW WATER LEVEL - -1.5 FT

ARABIE ENVIRONMENTAL SOLUTIONS	PERMIT APPLICATION HEARD DEVELOPMENT, INC. FITZREITER ROAD TRACT CALCASIEU PARISH, LOUISIANA
FIGURE 6 OF 7 C-C' CROSS-SECTION	
Drawn By: JRK	Date: 04/04/16 AES Project #11474



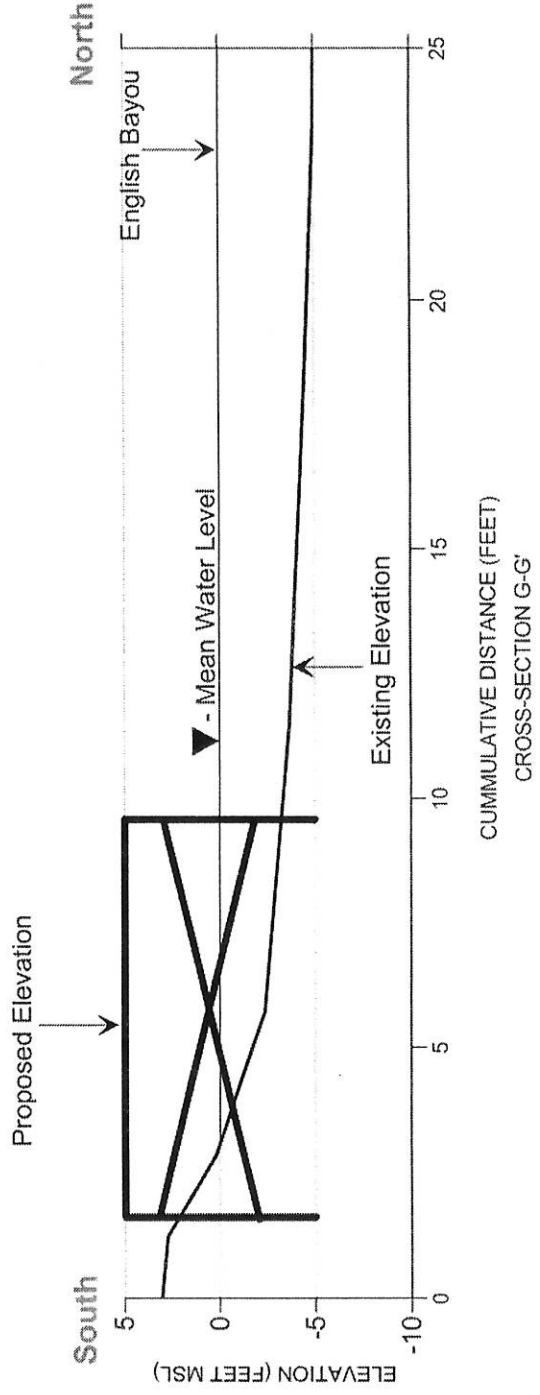
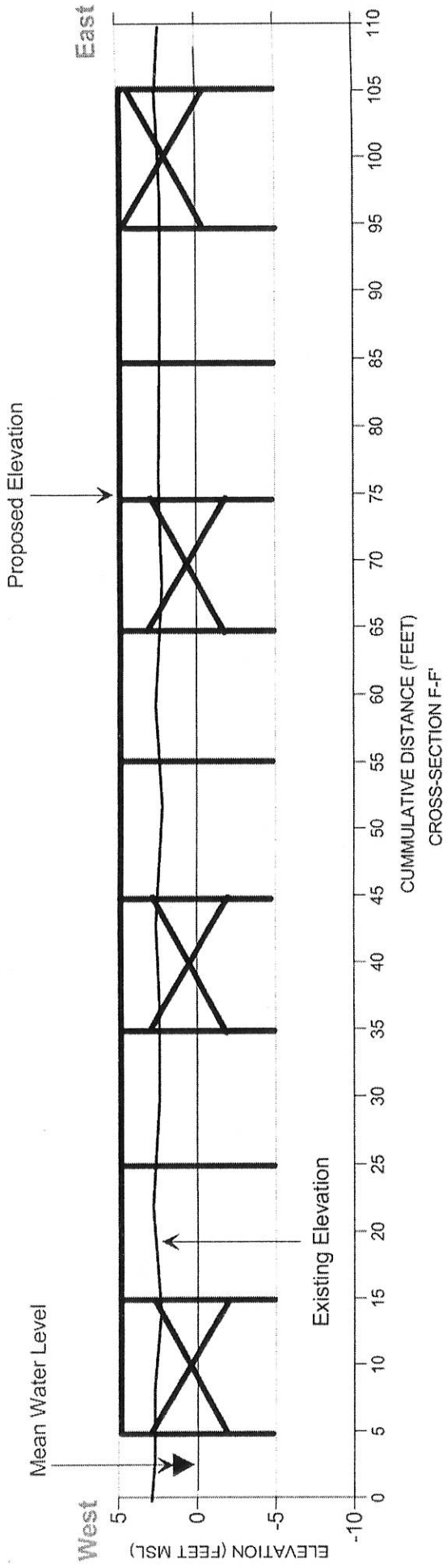
ARABIE ENVIRONMENTAL SOLUTIONS	PERMIT APPLICATION HEARD DEVELOPMENT, INC. FITZREITER ROAD TRACT CALCASIEU PARISH, LOUISIANA
FIGURE 7 OF 7 CROSS-SECTIONS	
Drawn By: JRK	Date: 04/04/16 AES Project #11474

TOTAL FILL AREA - 1,075 CU. YDS.

NOTE: DRAWING NOT TO SCALE, DIMENSIONS AS SHOWN  
ELEVATIONS ARE FEET MSL



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NOTE: DRAWING NOT TO SCALE, DIMENSIONS AS SHOWN  
 ELEVATIONS ARE FEET MSL  
 MEAN HIGH WATER LEVEL - +1.5 FT  
 MEAN LOW WATER LEVEL - -1.5 FT

AVARILE ENVIRONMENTAL SOLUTIONS	PERMIT APPLICATION HEARDELL BOULDER FEASIBILITY STUDY FAYETTEVILLE ROAD TRACT CALCASIEU PARISH, LOUISIANA
Drawn By: JRK	Date: 05/19/16
FIGURE 8 OF 8 CROSS-SECTIONS	

*JRK*