



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

December 12, 2022

Regulatory Division  
Eastern Evaluation Branch

Project Manager:  
Melissa Marino  
(504) 862-2637  
melissa.l.marino@usace.army.mil

Application #: MVN-2017-00075-MM

## **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: [ ] 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)

### **PERMIT MODIFICATION OF THE EXTENSION OF OCHSNER BOULEVARD TO HIGHWAY 1077 IN ST. TAMMANY PARISH**

**NAME OF APPLICANT:** St. Tammany Parish Government, c/o Biological Surveys, Post Office Box 94, Covington, Louisiana 70434

**LOCATION OF WORK:** Project site is located north of I-12 and east of Highway 1077 (Latitude: 30.456119, Longitude: -90.164059), in Covington, Louisiana, in St. Tammany Parish, as shown on the attached drawings. HUC: 08090201

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 work described herein is to excavate a detention area associated with previously permitted work under MVN-2017-00075-EPP to extend Ochsner Boulevard to Highway 1077. The purpose of the detention area is to address drainage concerns in the area. The proposed modification would permanently impact approximately 2.5 acres of jurisdictional wetlands.

**MITIGATION:** The applicant proposes to use a Corps approved mitigation bank within the watershed of impact in order to offset adverse impacts to jurisdictional wetlands. 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 on the requested Department of the Army Permit will close **30 days** from the date of this public notice. This public notice is also available for review online at <https://go.usa.gov/xennJ>. 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, RGE, Melissa Marino.**

### **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. Further, all factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project.

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 have no effect on any species listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any such 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 species listed as endangered by the U.S. Fish and Wildlife Service, nor affect any habitat designated as critical to the survival and recovery of any such 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 0.0 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.

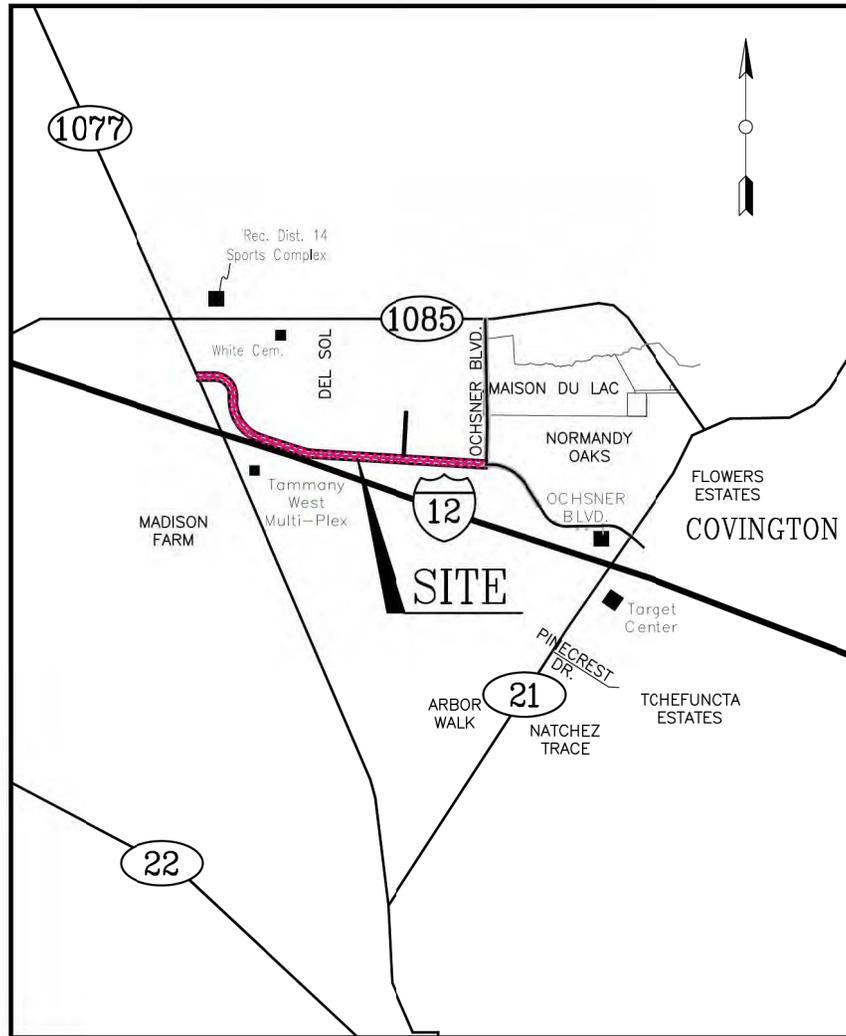
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

Any person may request, (preferably by email to the project manager, or 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 invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Brad LaBorde  
Chief, Eastern Evaluation Branch  
Regulatory Division

Enclosures



VICINITY MAP  
NOT TO SCALE

PRELIMINARY  
NOT FOR CONSTRUCTION

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**LA 1077 TO OCHSNER/ LA 21 CONNECTOR**  
**Ochsner Blvd. Extension- Phase III**  
**Section 46, T7S-R11E**  
**VICINITY MAP**  
**St. Tammany Parish, Louisiana**

**BIOLOGICAL  
SURVEYS, INC.**

985-893-1321

P.O. BOX 94  
Mandeville, LA 70470

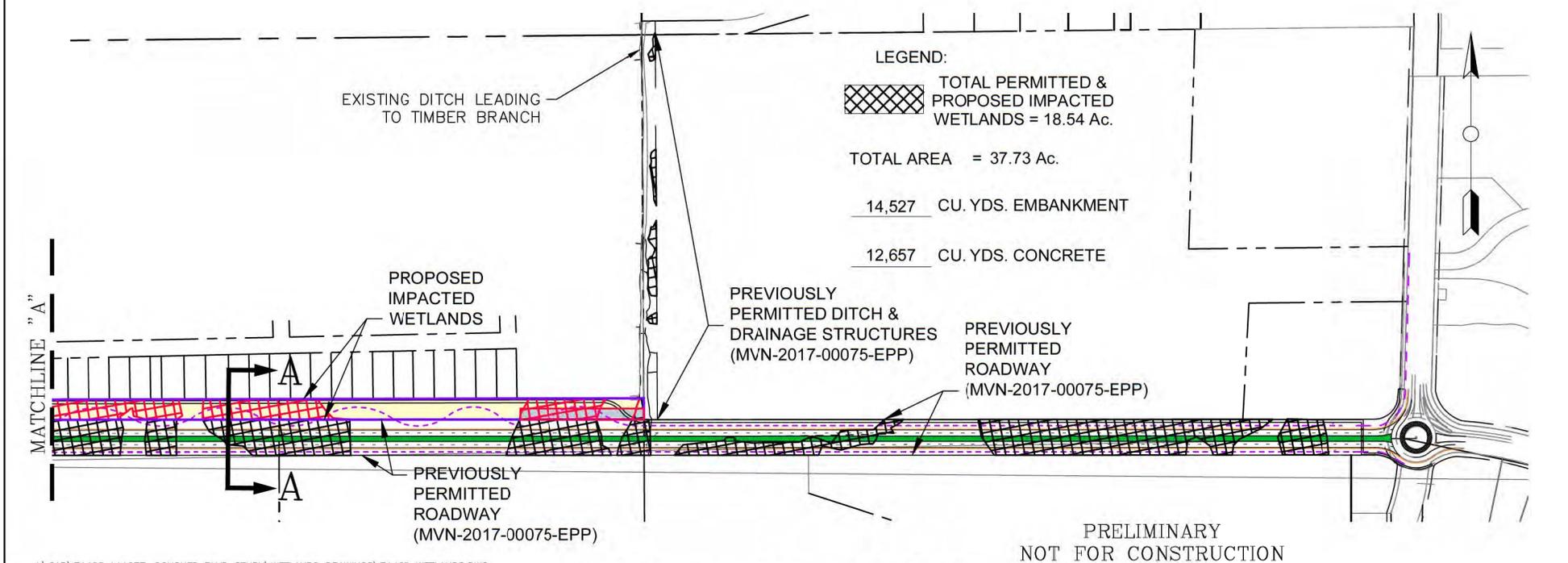
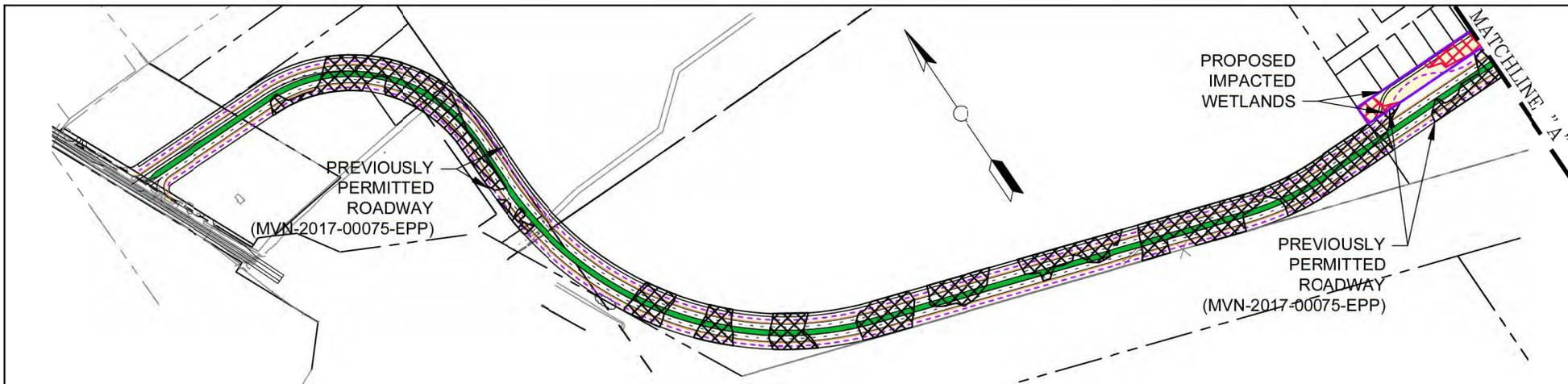
RE:

DRAWING SOURCE:

Date: 09-15-22  
JOB NO.: 714-08

DRAWING NO.

**5**



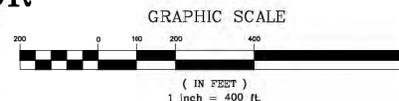
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**BIOLOGICAL SURVEYS, INC.**

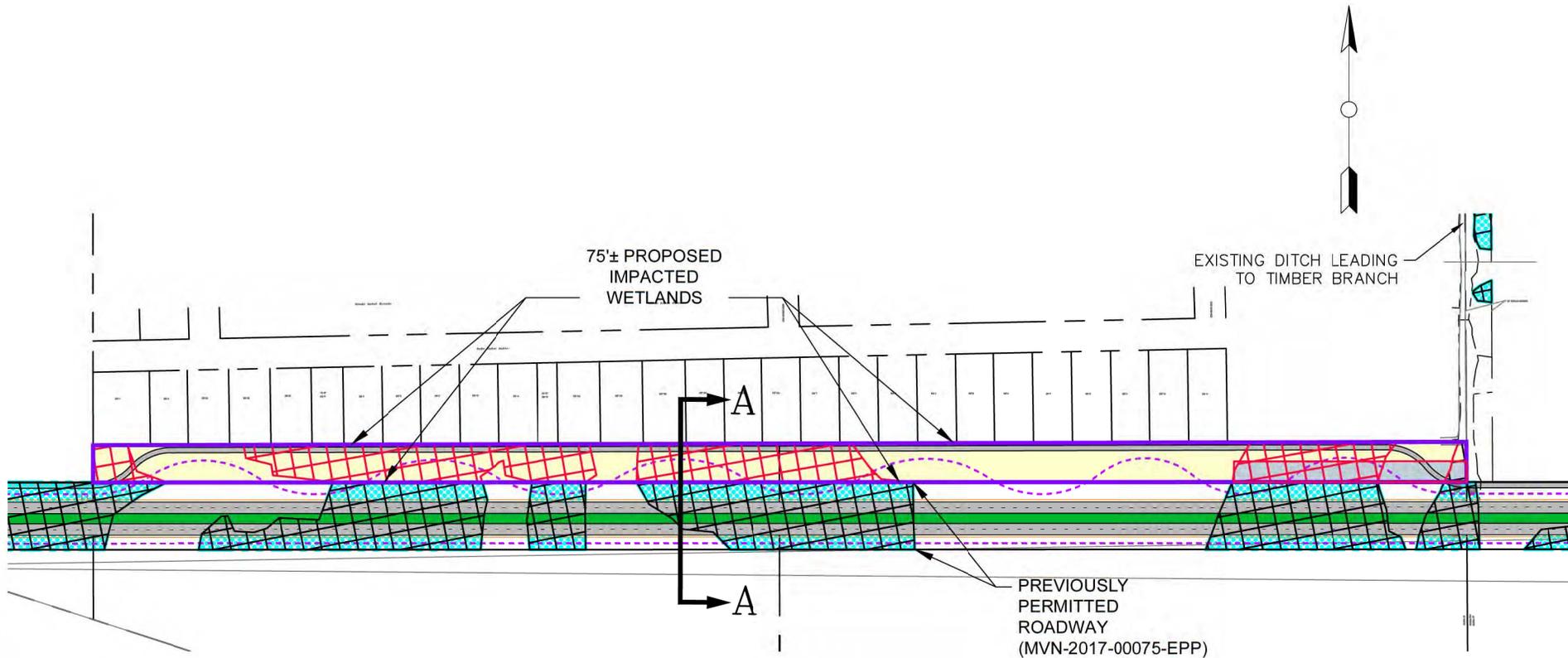
P.O. BOX 94  
Mandeville, LA 70470

985-893-1321

**LA 1077 TO OCHSNER/ LA 21 CONNECTOR**  
**Ochsner Blvd. Extension- Phase III**  
**Section 46, T7S-R11E**  
**WETLAND PLAN**  
**St. Tammany Parish, Louisiana**



<b>RE:</b>	<b>Date:</b> 09-15-22	<b>DRAWING NO.</b> 1
<b>DRAWING SOURCE:</b>	<b>JOB NO.:</b> 714-08	

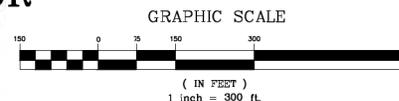


**LEGEND:**

-  PROPOSED IMPACTED WETLANDS = 2.48 Ac.
-  UNAUTHORIZED CLEARING OF WETLANDS = 0.26 Ac.
-  CLEARED AREA = 0.41 Ac.
-  TOTAL AREA = 4.55 Ac.

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**LA 1077 TO OCHSNER/ LA 21 CONNECTOR**  
**Ochsner Blvd. Extension - Phase III**  
**Section 46, T7S-R11E**  
**WETLAND PLAN**  
**St. Tammany Parish, Louisiana**



**BIOLOGICAL SURVEYS, INC.**

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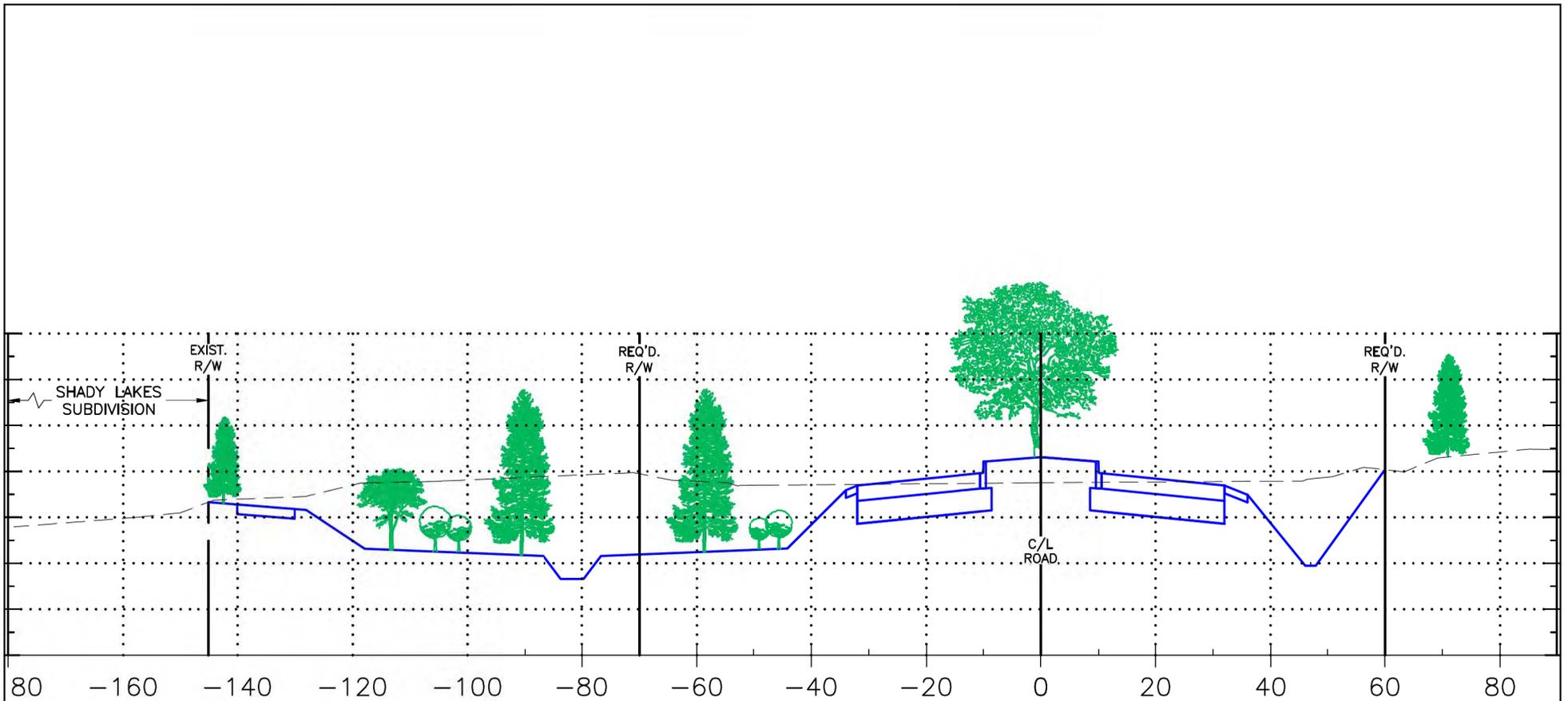
P.O. BOX 94  
Mandeville, LA 70470

RE:  
DRAWING SOURCE:

Date: 09-15-22  
JOB NO.: 714-08

DRAWING NO. **2**





## TYPICAL LANDSCAPING AT DRAINAGE POND

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**BIOLOGICAL SURVEYS, INC.**  
 P.O. BOX 94  
 Mandeville, LA 70470  
 985-893-1321

**LA 1077 TO OCHSNER/ LA 21 CONNECTOR**  
 Ochsner Blvd. Extension- Phase III  
 Section 46, T7S-R11E  
 TYPICAL CROSS SECTIONS  
 St. Tammany Parish, Louisiana

PRELIMINARY  
 NOT FOR CONSTRUCTION

RE:  
 DRAWING SOURCE:

Date: 09-15-22  
 JOB NO.: 714-08

DRAWING NO. **4**