

JOINT PUBLIC NOTICE

June 17, 2019

U.S. Army Corps of Engineers
New Orleans District
Attn: Regulatory Branch
7400 Leake Avenue
New Orleans, LA 70118

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

Project Manager:
Michael H. Herrmann
(504) 862-1954/ (504) 862-2574 fax
michael.h.herrmann@usace.army.mil
Application # MVN-2017-01394-WLL

Project Manager:
Elizabeth Hill
(225) 219-3225
WQC Application Number:
WQC 190611-04

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 U.S.C. 403); and/or Section 404 of the Clean Water Act (86 Stat. 816; 33 U.S.C. 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 La. R.S. 30:2074(A)(3) and provisions of Section 401 of the Clean Water Act (P.L. 95-217; 33 U.S.C. 1341).

HOMESITE AND POND IN CALCASIEU PARISH, LOUISIANA

Name of Applicant: McManus Construction, LLC, C/O Perennial Environmental Services, ATTN: Adam Rachunek, 13100 Northwest Freeway, Suite 150, Houston, TX 77040.

Location of Work: The project is located along State Hwy 27 Sulphur, LA 70665, Calcasieu Parish, as shown on the attached drawings. (30.1087, -93.3569) within the Calcasieu Watershed.

The work described below was completed prior to obtaining a Department of the Army permit and was in violation of Section 10 of the Rivers and Harbors Act of 1899 and Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have since been deferred.

Character of Work: Excavate a pond and clear, grade and place fill to construct a residential homesite. Project impacts will include filling approximately 1.77 acres of emergent wetlands and excavation of 1.15 acres of emergent wetlands. The applicant proposes to offset wetland impacts through the purchase of credits from a Corps approved mitigation bank, should a Department of the Army Permit be issued.

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

The comment period for the Department of the Army (DA) permit application 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 DA permit and WQC request and must be mailed, so as to be received before or by the last day of the comment period. Letters concerning the DA permit application must reference the applicant's name and the DA Permit Number, and be mailed to the U.S. Army Corps of Engineers at the address above. Similar letters concerning the WQC must reference the applicant's name and the WQC 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 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 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 these being: 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. Copies of this public notice are being sent to 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 no known Threatened or Endangered Species will be affected by this proposal.

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 0 acres of possible 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.

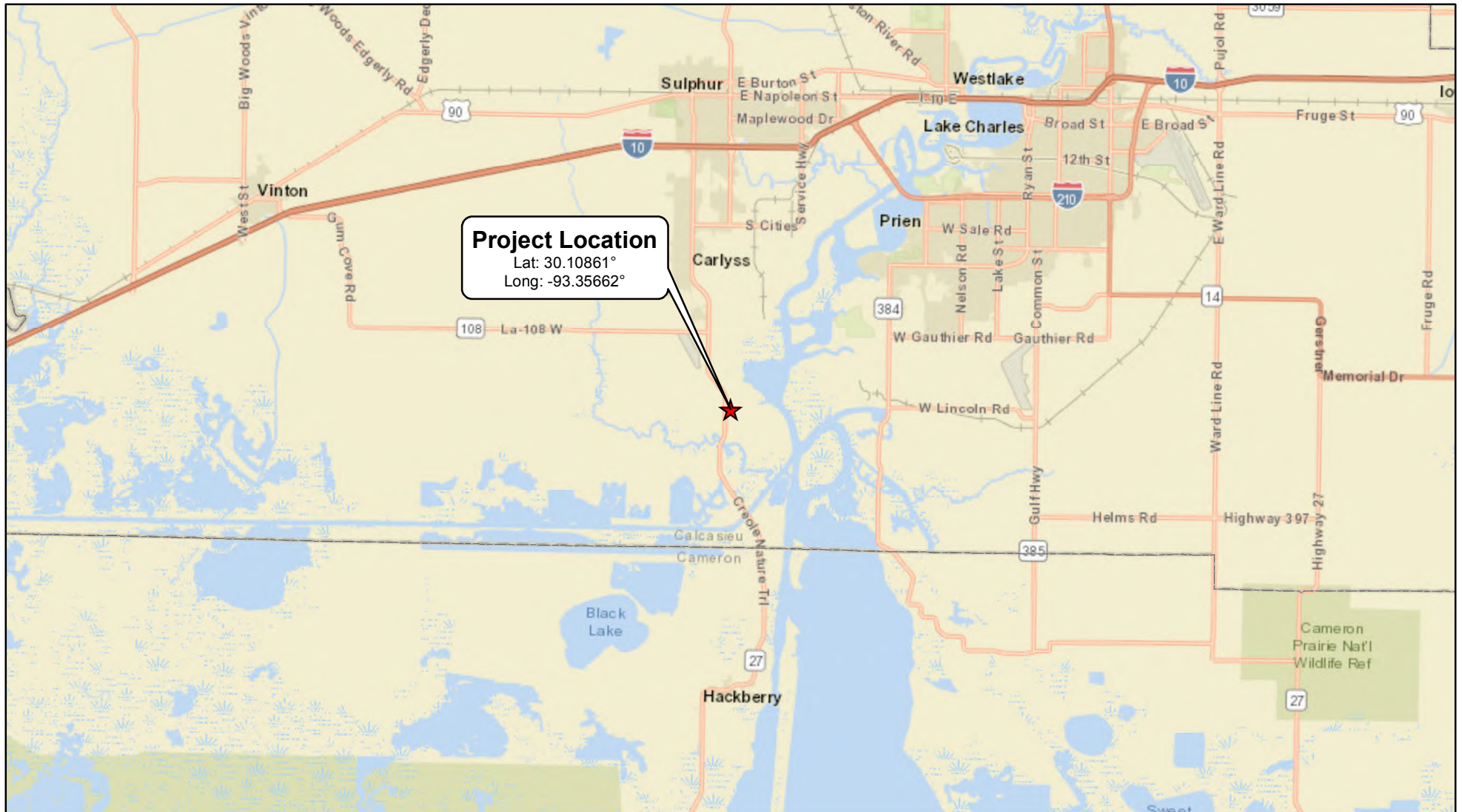
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Louisiana Department of Environmental Quality before a 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 invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.



Enclosure

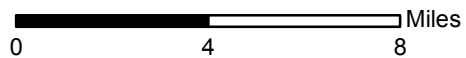
Darrell S. Barbara
Chief, Western Evaluation Section
Regulatory Branch



Project Location
 Lat: 30.10861°
 Long: -93.35662°

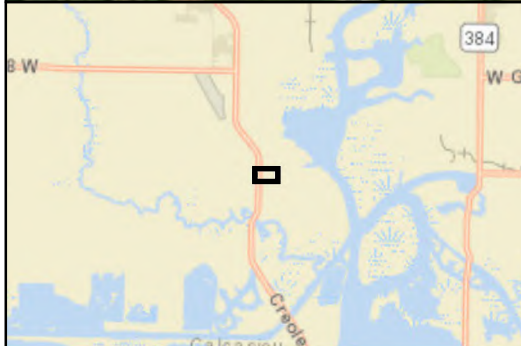
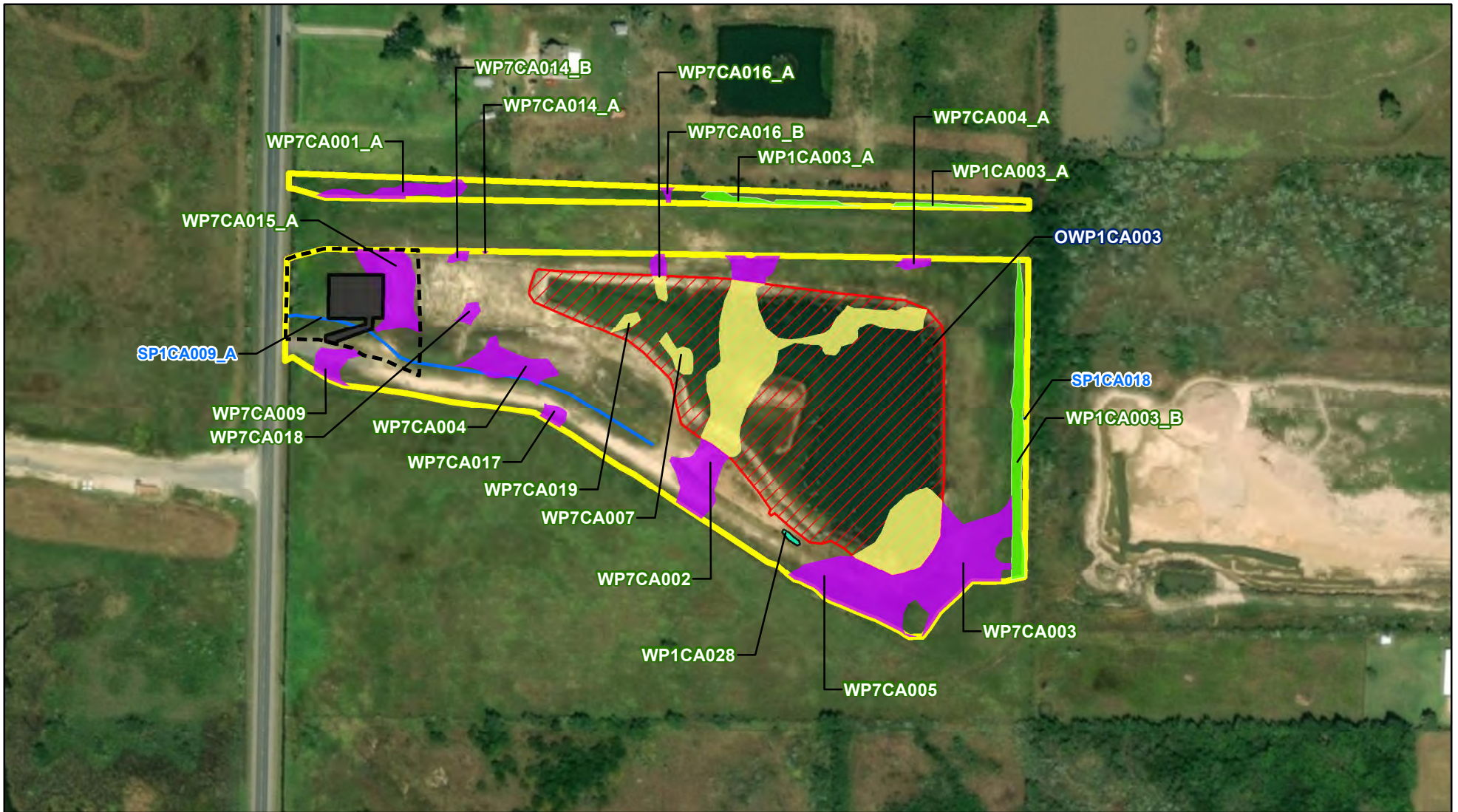











-  Project Location
-  Parish Boundary

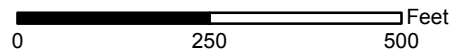


Vicinity Map
McManus Property Violation Project
McManus Construction, LLC
Calcasieu Parish, Louisiana

Page 1 of 4	Scale: 1:253,440
NAD83 StatePlane LA S ft	Date: April, 2019

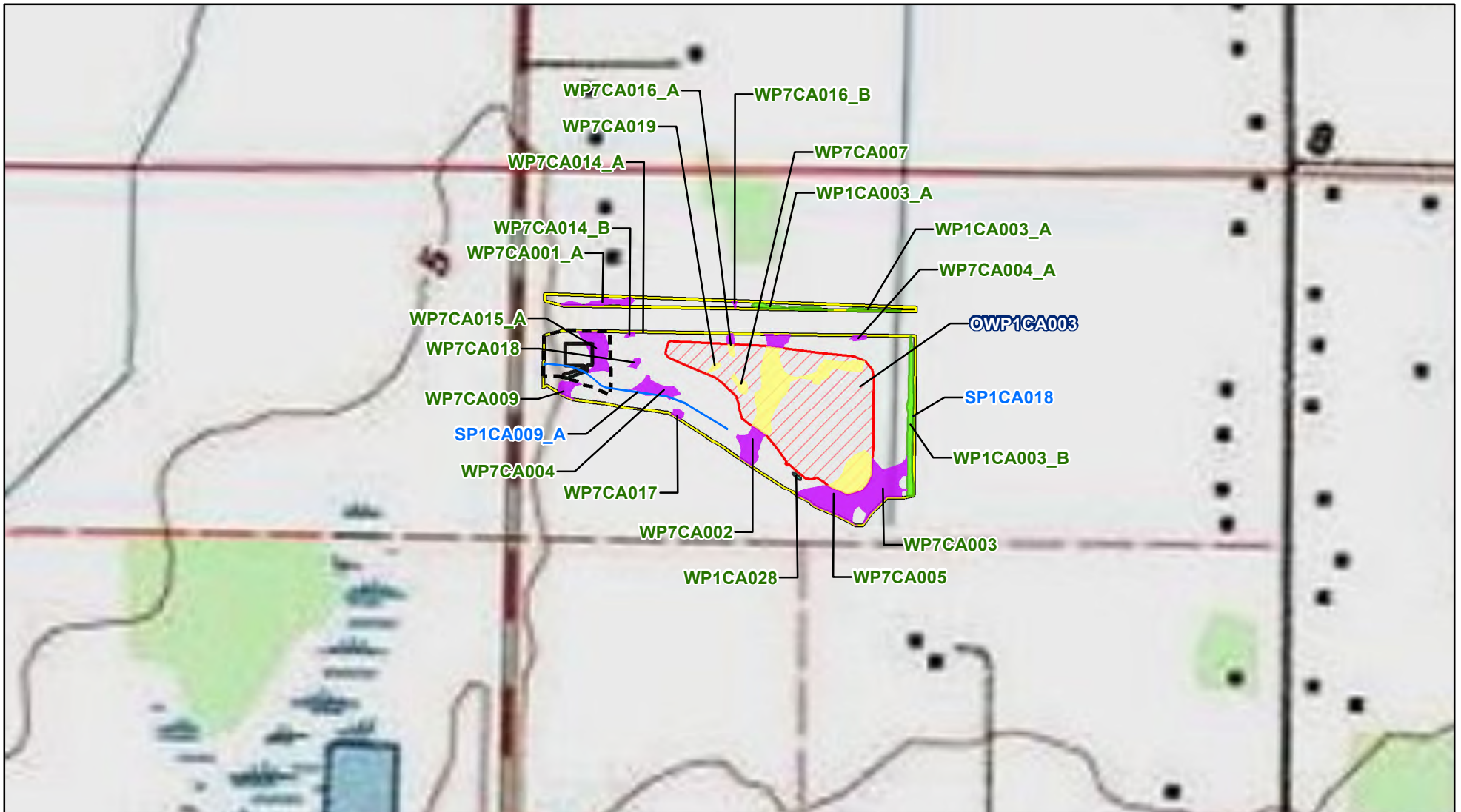


- | | |
|---|--|
|  Potential Homesite |  Existing Excavation in Wetlands |
|  Proposed Area to Raise Above Floodplain |  Existing Fill in Wetlands |
|  Workspace |  Existing Wetland Not Impacted by Project |
|  Excavated Soil Borrow Pit |  Nonwetland Water |
| |  Stream |

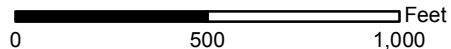


Aerial Map
McManus Property Violation Project
McManus Construction, LLC
Calcasieu Parish, Louisiana

Page 2 of 4	Scale: 1:3,000
NAD83 StatePlane LA S ft	Date: April, 2019

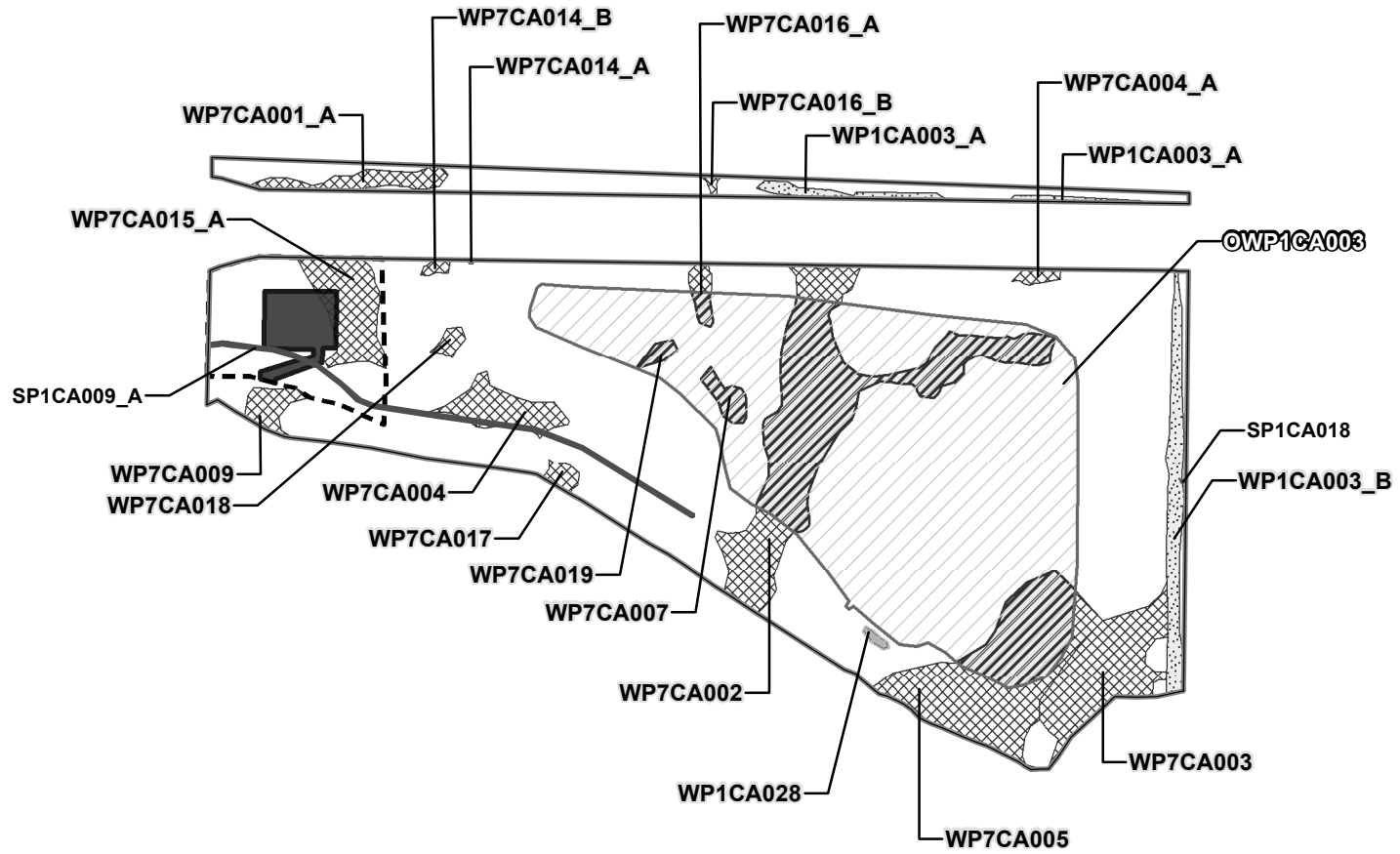











- Workspace
- Potential Homesite
- Proposed Area to Raise Above Floodplain
- Excavated Soil Borrow Pit
- Stream
- Existing Excavation in Wetlands
- Existing Fill in Wetlands
- Existing Wetland Not Impacted by Project
- Nonwetland Water

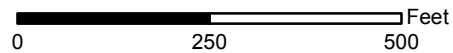


Topographic Map
McManus Property Violation Project
McManus Construction, LLC
Calcasieu Parish, Louisiana

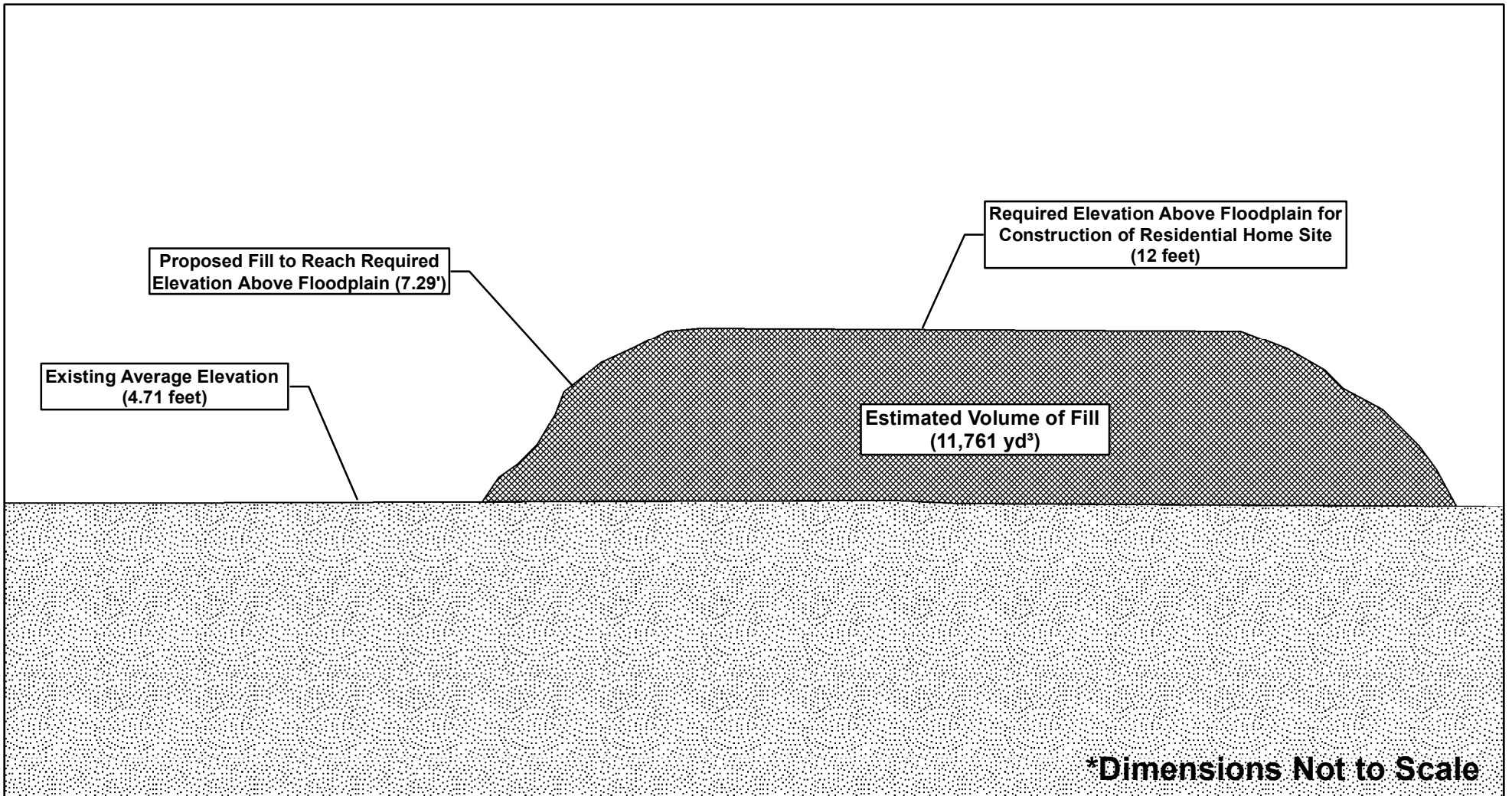
Page 3 of 4	Scale: 1:6,000
NAD83 StatePlane LA S ft	Date: April, 2019



-  Workspace
-  Stream
-  Potential Homesite
-  Proposed Area to Raise Above Floodplain
-  Excavated Soil Borrow Pit
-  Existing Excavation in Wetlands
-  Existing Fill in Wetlands
-  Existing Wetland Not Impacted by Project
-  Nonwetland Water



**Plan View Map
McManus Property Violation Project
McManus Construction, LLC
Calcasieu Parish, Louisiana**



Summary of Proposed Fill

- Site: Approximately 1 Acre
- Existing Average Elevation: Approximately 4.71 Feet
- Required Elevation Above Floodplain: 12 feet
- Proposed Fill Elevation: Approximately 7.29 feet
- Proposed Fill Volume: Approximately 11,761 yd³



Residential Home Site
 Cross Section Diagram
 McManus Property Violation Project
 McManus Construction, LLC
 Calcasieu Parish, Louisiana

Date: April 2019