

# JOINT PUBLIC NOTICE

February 25, 2019

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch (ODR-E)  
7400 Leake Avenue  
New Orleans, Louisiana 70118

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

(504) 862-2041

(225) 219-3225

[Benjamin.C.Sherman@usace.army.mil](mailto:Benjamin.C.Sherman@usace.army.mil)

Project Manager  
Benjamin Sherman  
Permit Application Number  
MVN 2018-00359 ES

Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC 190218-01

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, Water Quality Certifications, 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).

## **Construction of Residential Camp, Driveway, Boathouse, Bulkhead and Backfill in Jefferson Parish, Louisiana**

**NAME OF APPLICANT:** Jim Owen, 11311 Huey Drive, Abbeville, LA 70510

**LOCATION OF WORK:** Project site is located on Barataria Waterway at 5286 Privateer Boulevard, Barataria, in Jefferson Parish, Louisiana, as shown on the attached drawings.

Hydrologic Unit Code: 08090203 - Eastern Louisiana Coastal Location: Latitude: 29.669619, Longitude: -90.111963.

**CHARACTER OF WORK:** The applicant proposes to construct a 14' by 210' driveway, a 60' by 35' residential camp, a 30' by 30' boathouse, a bulkhead and backfill behind bulkhead with dredged material from the footprint of the proposed boathouse. The proposed project will impact approximately .048 acres of jurisdictional wetlands and .044 acres of jurisdictional other waters. If approved, compensatory mitigation measures will be required from an approved mitigation bank.

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. 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 at this time. 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.

The New Orleans District has determined that the project footprint is located in waters known to be utilized by the West Indian manatee (*Trichechus manatus*) and determined the activity is "not likely to adversely affect" this species based on the 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. If authorized,

“The Standard Manatee Conditions for In-Water Activities” will be made part of the permit’s special conditions.

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.

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 **0.092** 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, Water Quality Certifications, 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.

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.

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

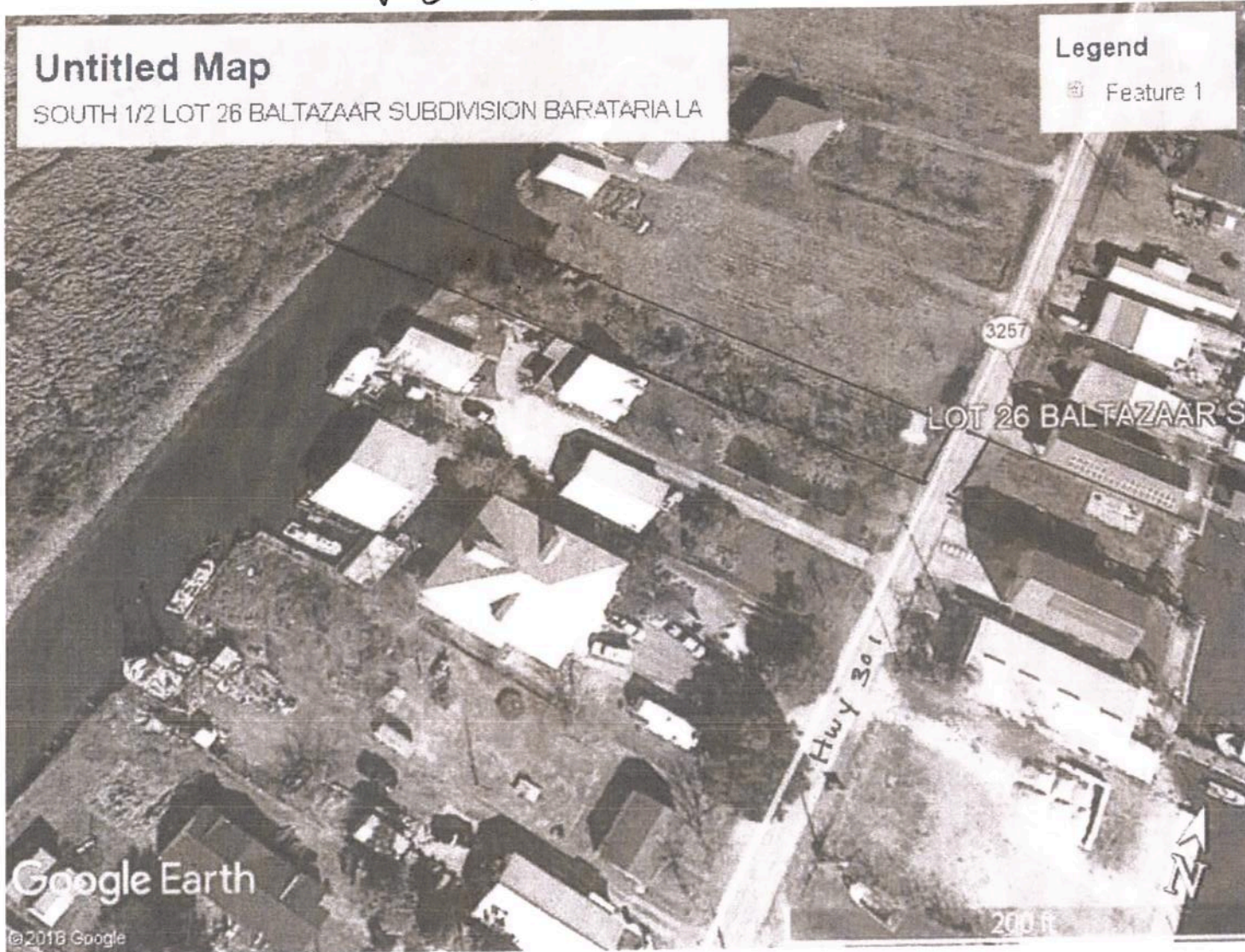
Enclosure

SOUTH

1/2 LOT 26 BALTAZAR PT  
BARATARIA LA

JIM OWEN  
Applicant Dual  
Permit

# Vicinity Map





SOUTH 1/2 LOT 26 Balatazzor PT.  
Barratarie LA

Vicinity Map

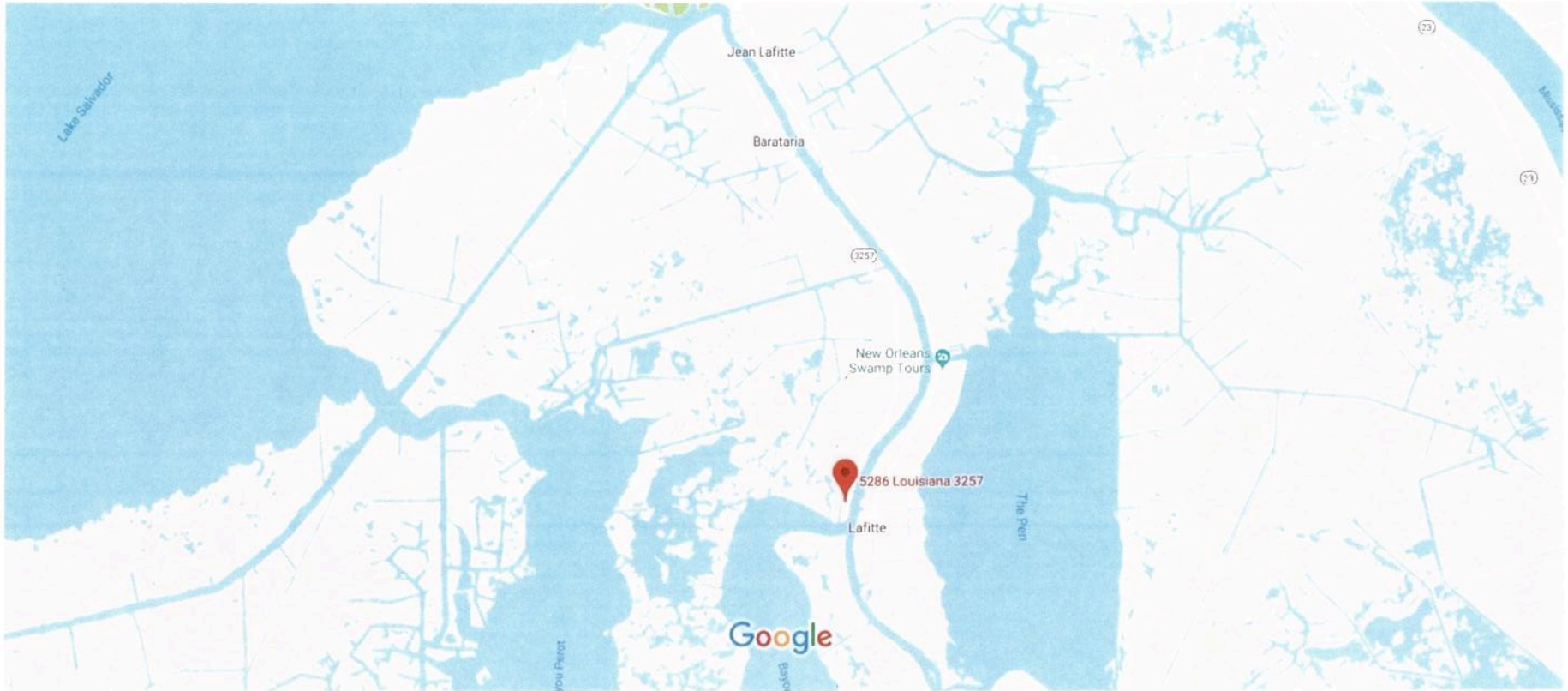




Vicinity map 3



Google Maps 5286 Privateer Blvd



Map data ©2019 Google 1 mi

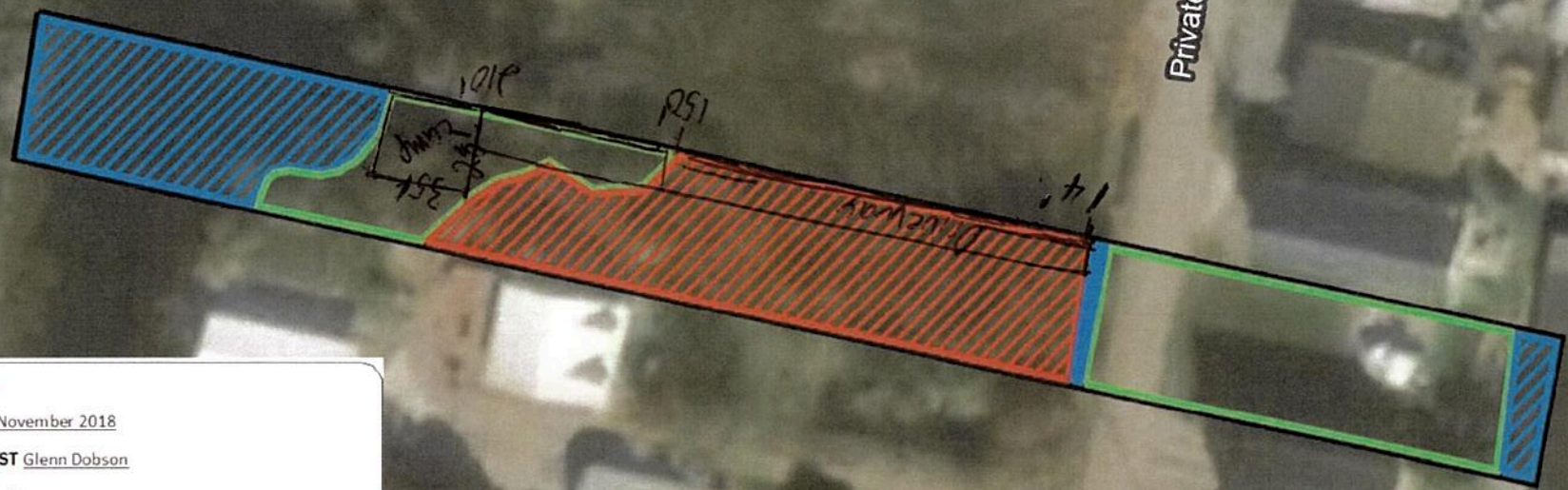


Planview 1






US Army Corps of Engineers  
Approved Jurisdictional Determination

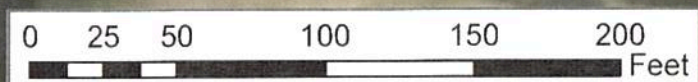


Privateer Blvd



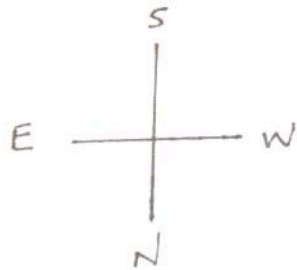
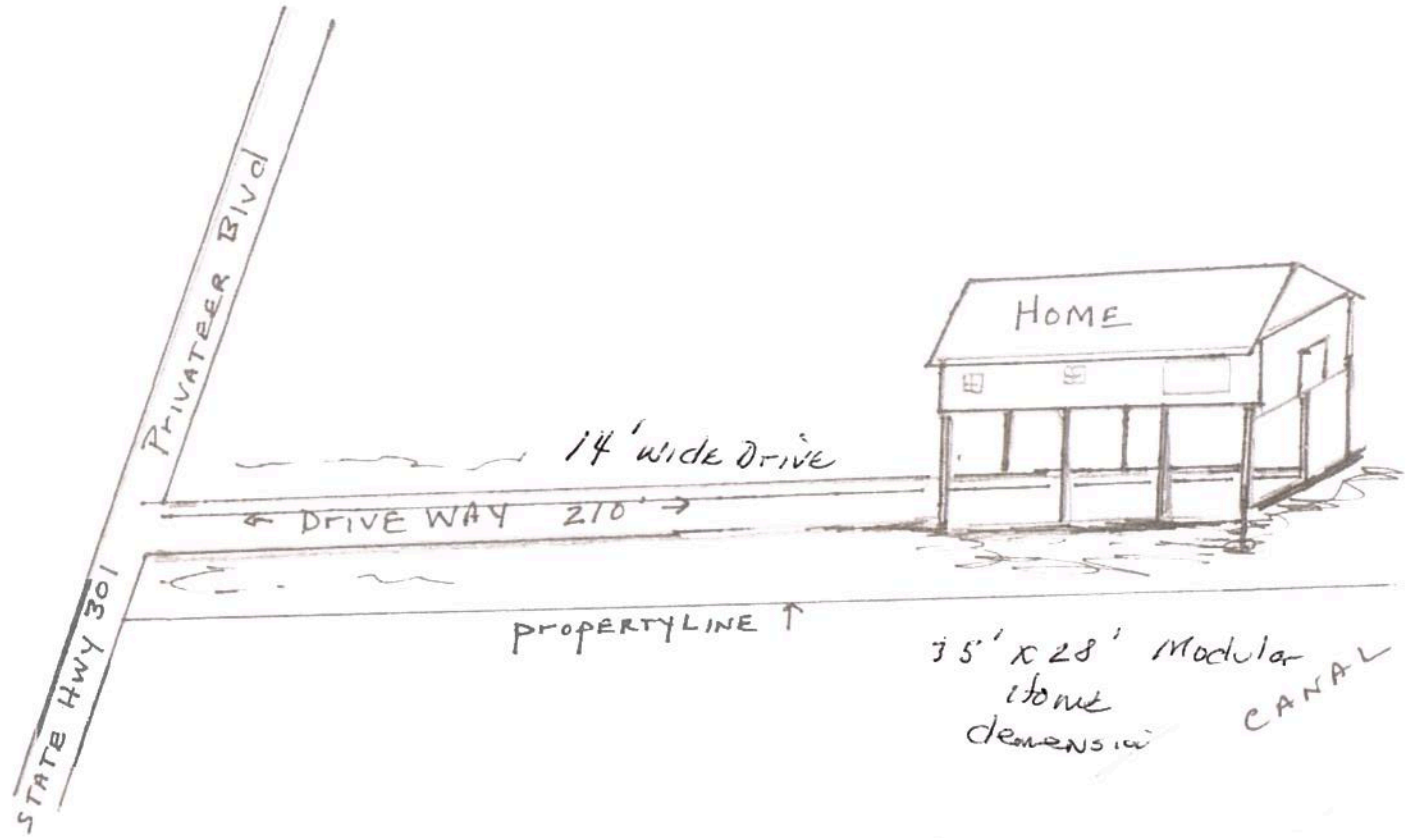
**USACE**  
FSV, 05 November 2018  
**BOTANIST** Glenn Dobson  
**FOR** Jim Owen  
**ACCOUNT #** MVN-2018-00359-1-SD

-  Wetlands (Section 404)
-  Waters of the US (Section 404)
-  Waters of the US (Section 10/404)
-  Uplands
-  Review Area



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# Planview & Cross section



LOT 26 BALTAZZANO POINT  
Barataria La



Neighbor Property Planview 3

SOUTH 1/2 LOT 26 WEST SIDE  
260' by 50' 13,000 sq/ft

Proposed USAGE 5,960 sq/ft  
DRIVEWAY & HOME FOUNDATION

SOUTH PROPERTY LINE

7' FROM SOUTH PROPERTY LINE

50.45'

CANAL

HOUSE FOUNDATION

2,600 sq/ft  
RAISED PAD  
2' SAND & CRUSHED  
ROCK  
OR CONCRETE

DRIVEWAY = 3,360 sq/ft

16'

28'

210'

~~5~~ 35'

3' FROM NORTH

← 260' →

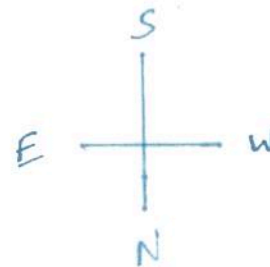
NORTH PROPERTY LINE

Neighbor Property

EAST SIDE LOT 26  
1/2 SOUTH

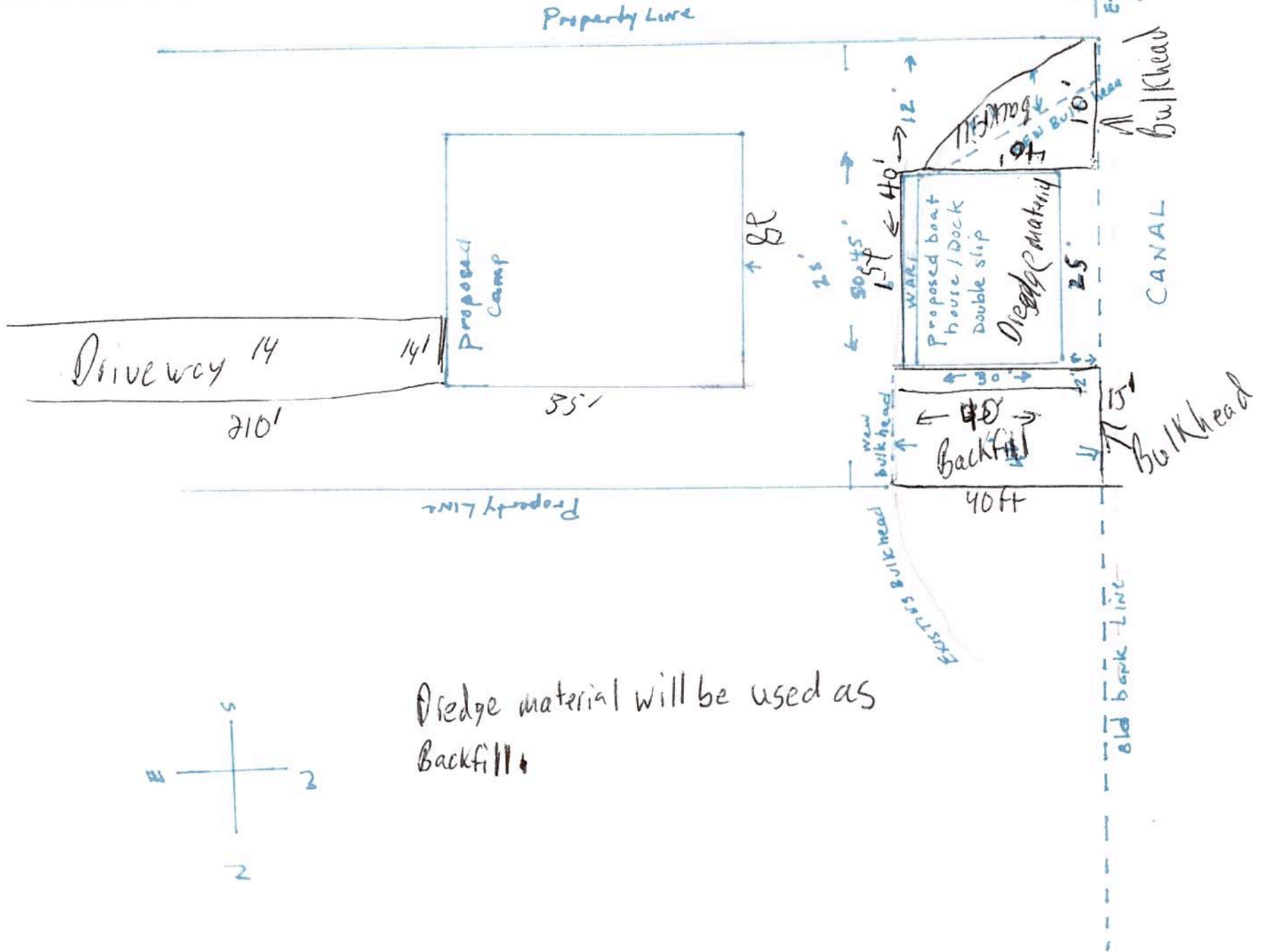
PRIVATEER BLVD

STATE HWY 301

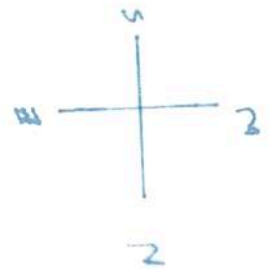


Planview 4  
 Top View Boat House / WARP

LOT 26  
 Barataria La



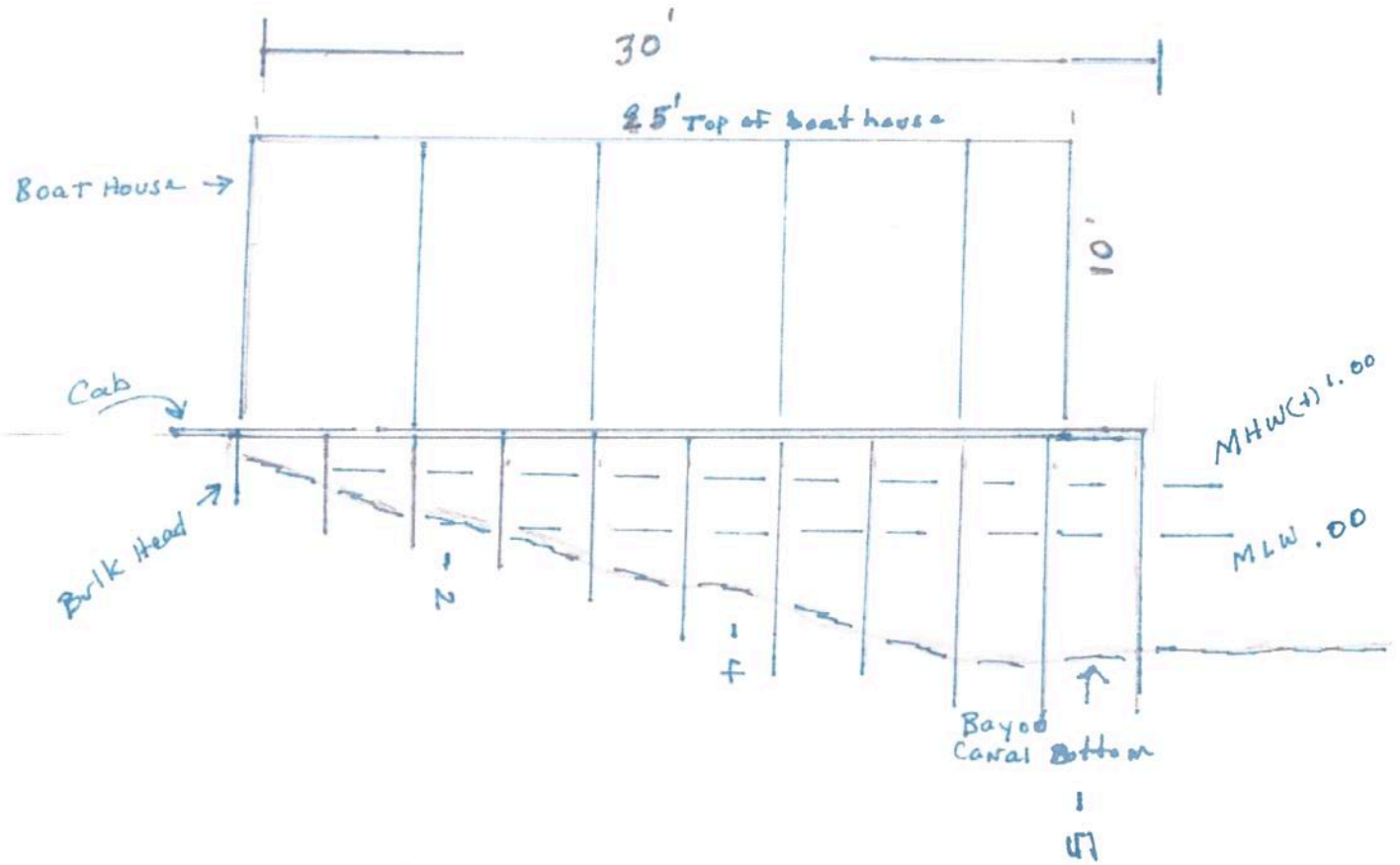
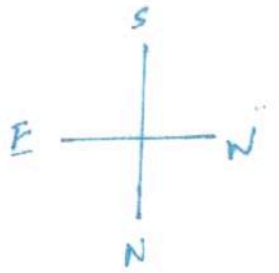
Dredge material will be used as  
 Backfill



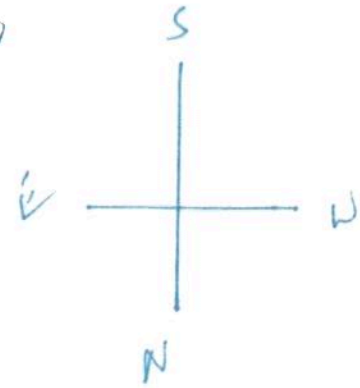


Boat House / WARE  
Cross section 1

CROSS SECTION  
Boat House / WARE  
LOT 26 BARATARIA LA

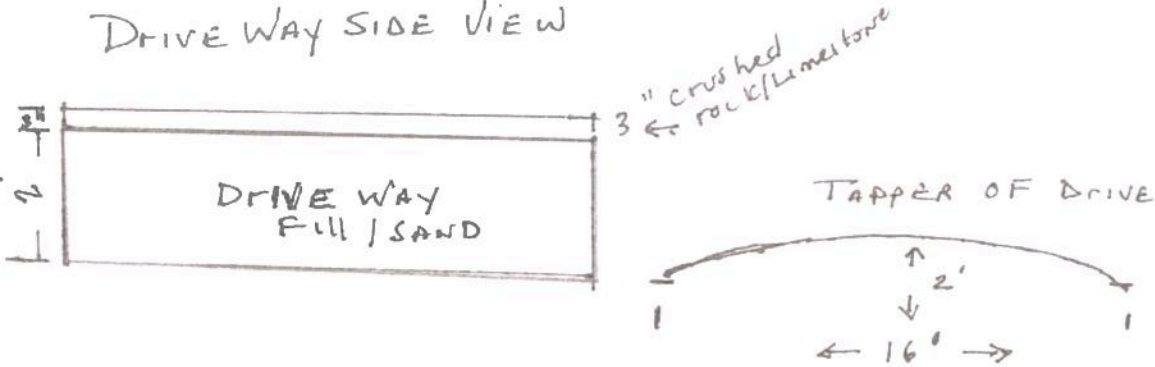


CROSS SECTION 2  
 Drive Home FOUNDATION  
 LOT 26



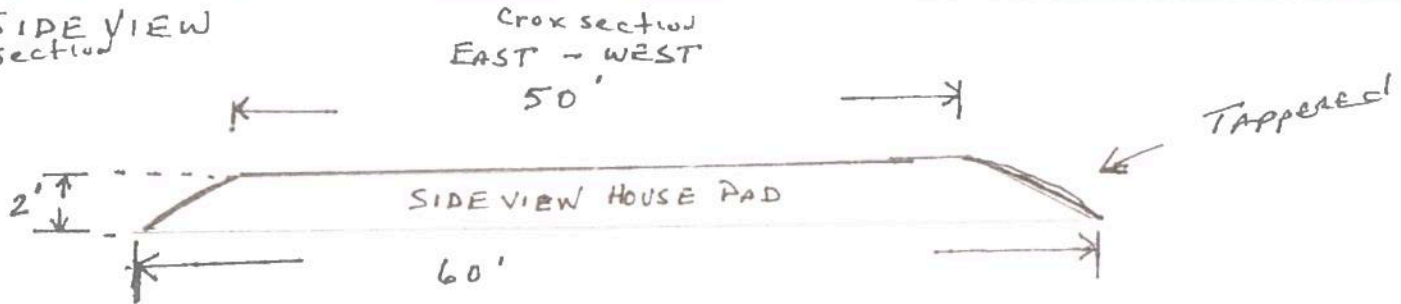
ELEVATION  
 FILL MAX HEIGHT TAPPED CROWN

Cross section  
 DRIVE WAY SIDE VIEW

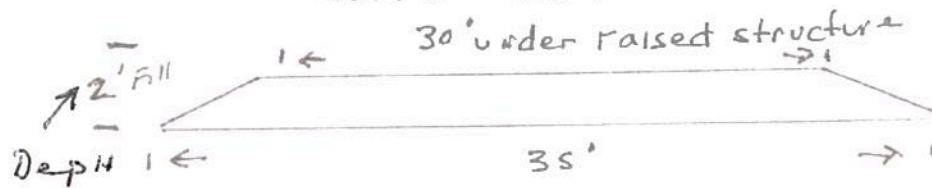


↑ 2'  
 ↓ 2'  
 HEIGHT OF FILL  
 RIVER SAND  
 CRUSHED ROCK

HOME PAD SIDE VIEW  
 cross section



SOUTH - North Side View





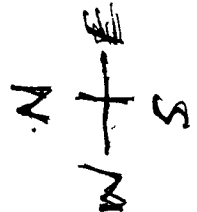
Dry

STATE HWY FIVE STAR BVD

← 50' →

DRIVEWAY

WET LANDS

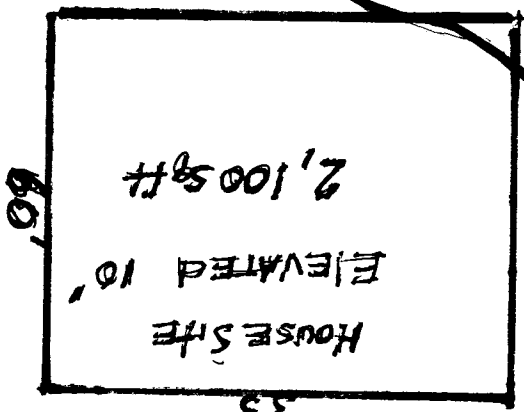


South 1/2 LOT 26  
BARATARIE LA

150' L

14' WIDTH = .048 ACRES

← 124' →



Dry

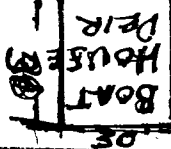
35'

BUCK HEAD

Back Fill  
Dredge

BUCK HEAD

142'



BUCK HEAD

Back Fill  
Dredge

CANAL

50'

44'