

# JOINT PUBLIC NOTICE

December 9, 2019

United States Army Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Avenue  
New Orleans, Louisiana 70118

State of Louisiana  
Department of Environmental Quality  
Water Permits Division  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-1577  
Project Manager  
Patricia Clune  
[Patricia.R.Clune@usace.army.mil](mailto:Patricia.R.Clune@usace.army.mil)  
MVN 2018-00955-CE

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC #191113-01

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: [ ] 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 Permits Division, 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).

## **PROPOSED AFTER THE FACT AUTHORIZATION TO EXPAND AGRICULTURAL FARMLAND IN ST. JAMES PARISH**

**NAME OF APPLICANT:** Ten-R Company, Inc., c/o T. Baker Smith, P.O. Box 2266, Houma, LA 70361.

**LOCATION OF WORK:** In wetlands (Latitude: 29.945600, Longitude: -90.723342) in Vacherie, Louisiana, in St. James Parish, within the East Central Louisiana Coastal basin in hydrological unit (HUC 08090301), as shown on the attached drawings.

**CHARACTER OF WORK:** The applicant has requested an after the fact authorization from the Department of the Army to clear and grade 9.23 acres of bottomland hardwood wetlands and mitigate for the clearing of five individual areas totaling 12.34 acres of wetlands and the excavation of 4,100 cubic yards of material to widen an existing drainage ditch for the purpose of expanding agricultural farmland. Five individual areas comprise the total acreage impacted with Area 1 measuring 1.04 acres; Area 2 measuring 2.16 acres; Area 3 measuring 1.53 acres; Area 4 measuring 2.17 acres; and Area 5 measuring 5.53 acres. To offset impacts to the 12.43 acres of wetlands, Ten-R Company proposes the planting of a 21.66-acre tract adjacent to and including Areas 1 and 2 and restoration of the previously excavated ditches.

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 modification 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. Copies of this notice are being sent to the State Archeologist and the State Historic Preservation Officer.

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 Interior. Utilizing 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, the Corps has determined that the proposed activity would have no effect on 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 would result in the destruction or alteration of up to 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 has been issued from the Department of Environmental Quality, Water Permits Division under permit number WQC-191113-01.

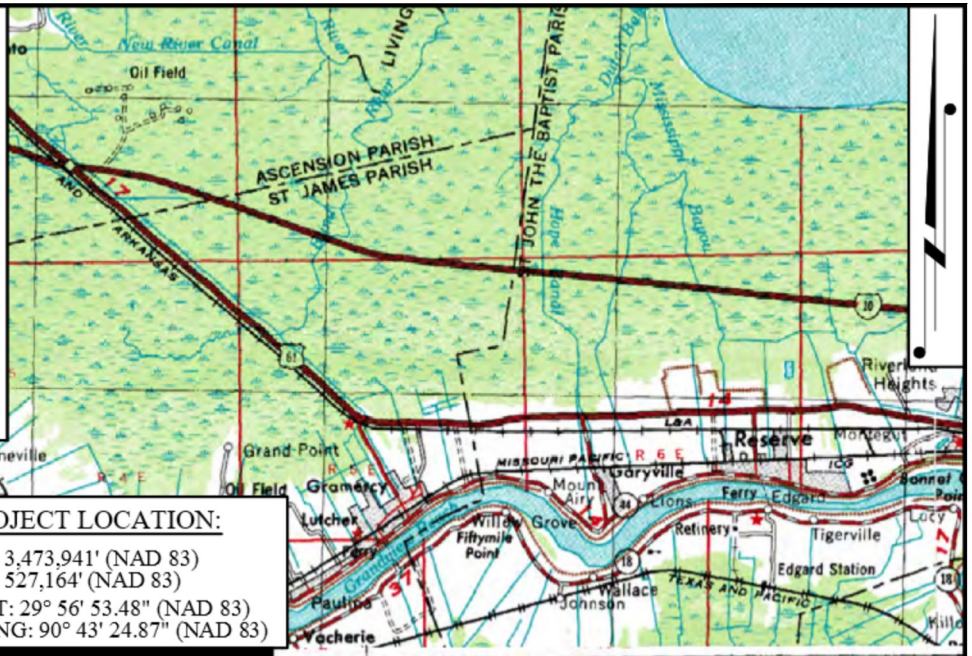
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

John M Herman  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure

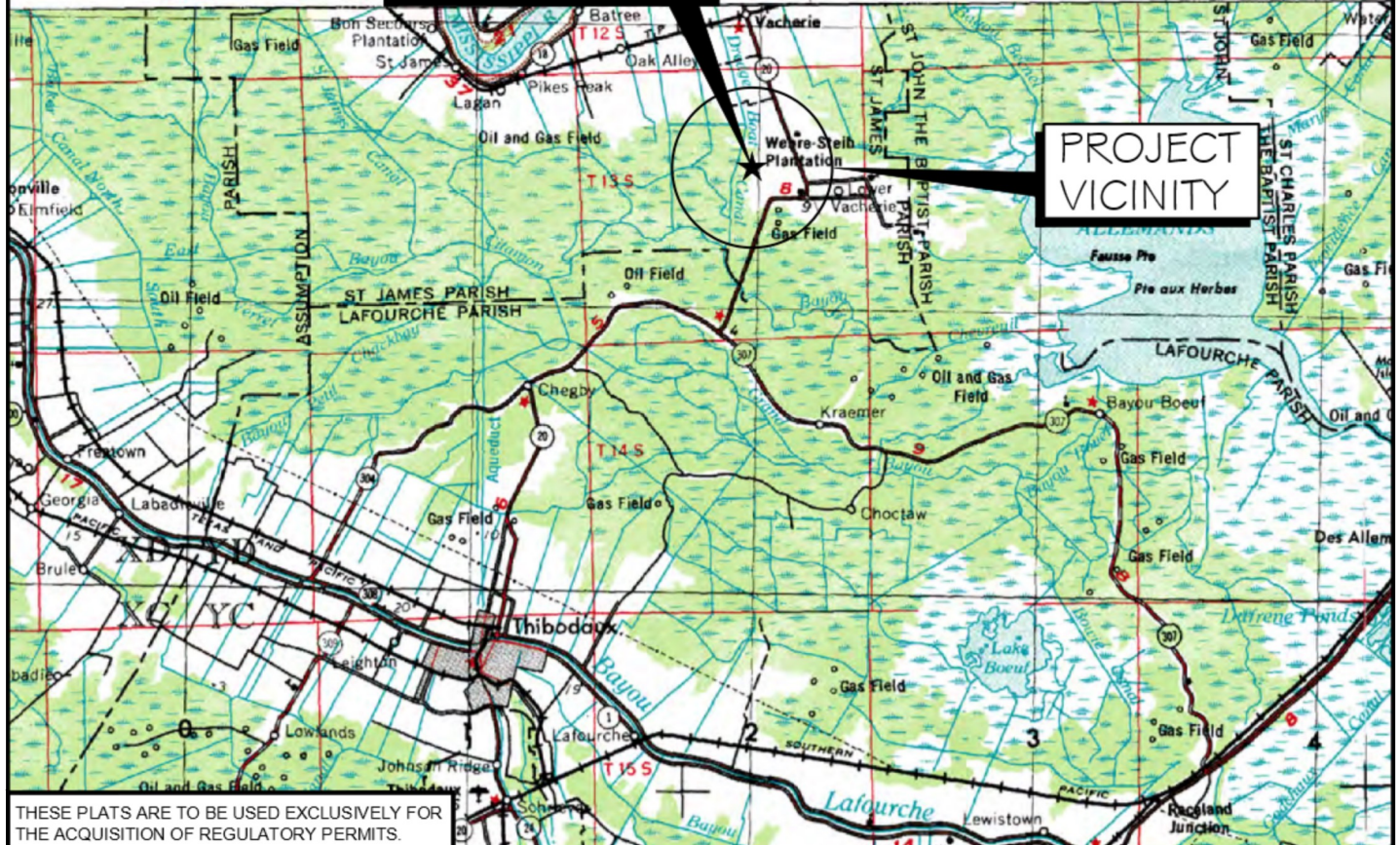
## Appendix A-Vicinity Map





**PROJECT LOCATION:**  
 X = 3,473,941' (NAD 83)  
 Y = 527,164' (NAD 83)  
 LAT: 29° 56' 53.48" (NAD 83)  
 LONG: 90° 43' 24.87" (NAD 83)

**PROJECT VICINITY**



THESE PLATS ARE TO BE USED EXCLUSIVELY FOR THE ACQUISITION OF REGULATORY PERMITS.

DRAWN BY:	SPM	APPROVED BY:	KJB
DATE:	05/28/2019	JOB NO.:	2019.0346
DRAWING NAME:	190346R- 1.DWG		
SHEET NO.:	1	OF	7
PROJECTION: LOUISIANA SOUTH ZONE GEO. DATUM: NAD83   VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET			
SCALE: 1" = 4 MILES			

**VICINITY MAP  
 TEN - R COMPANY**

MITIGATION & RESTORATION PLAN FOR  
 PROPERTY NEAR LOUISIANA HWY. 20  
 LOCATED IN SECTION 15 T13S - R17E  
 ST. JAMES PARISH, LOUISIANA



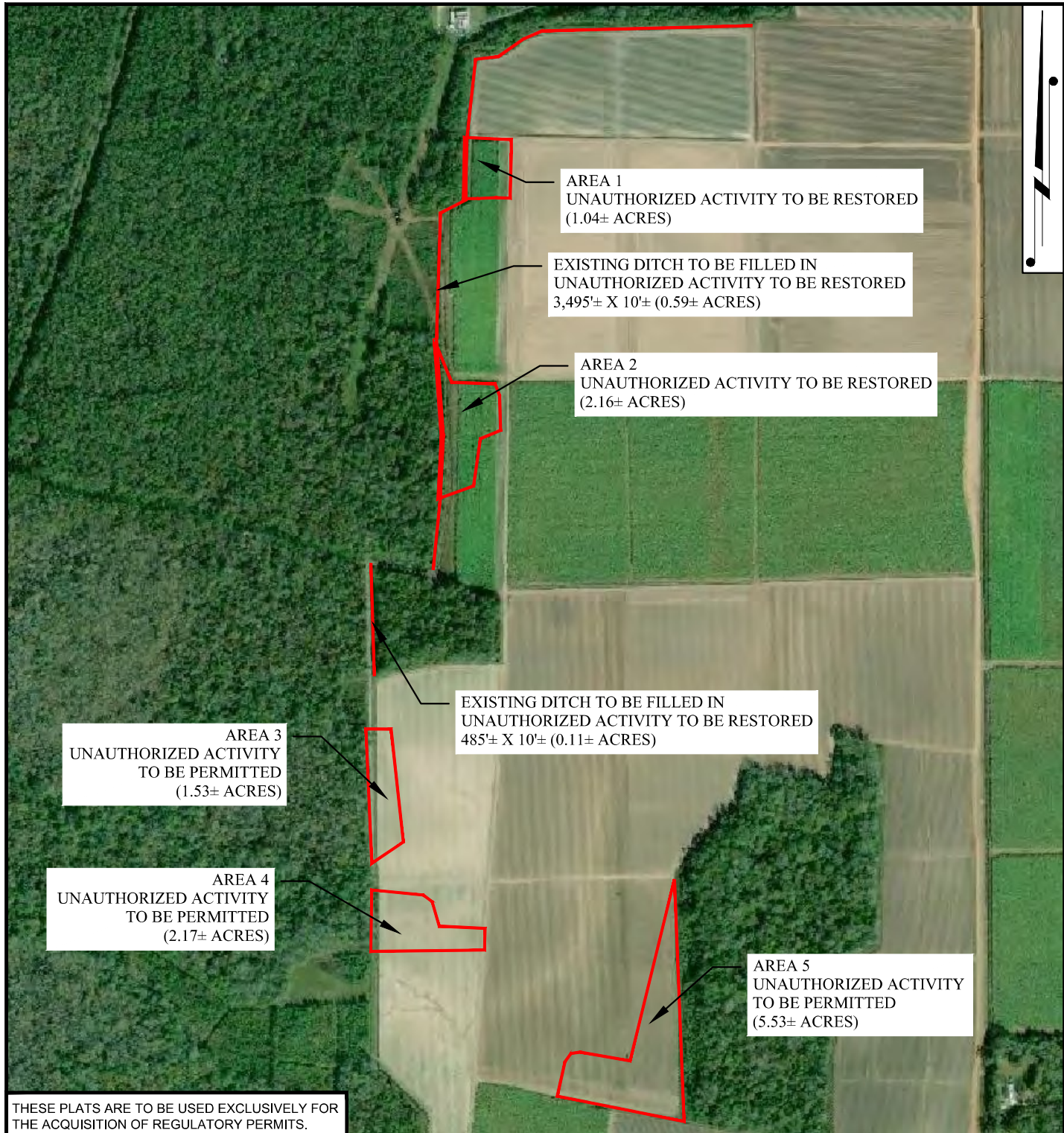
REV. NO.:	03	REV. DATE:	09/16/2019	REV. BY:	SPM
REVISION DESCRIPTION: OCM REVISIONS.					

9/16/2019 - P:\Y-2019\2019.0346\DWG\MITIGATION PLAN\190346R- 1.DWG

## Appendix B-Project Area Existing Conditions Map



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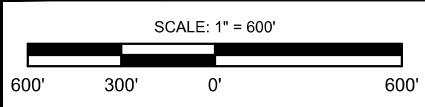
THESE PLATS ARE TO BE USED EXCLUSIVELY FOR THE ACQUISITION OF REGULATORY PERMITS.

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DATE: 05/28/2019	JOB NO: 2019.0346
DRAWING NAME: 190346R-2_REV.DWG	
SHEET NO: 2 OF 7	
PROJECTION: LOUISIANA SOUTH ZONE GEO. DATUM: NAD83   VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET	

**PLAN VIEW**

**TEN - R COMPANY**

MITIGATION & RESTORATION PLAN FOR  
PROPERTY NEAR LOUISIANA HWY. 20  
LOCATED IN SECTION 15 T13S - R17E  
ST. JAMES PARISH, LOUISIANA



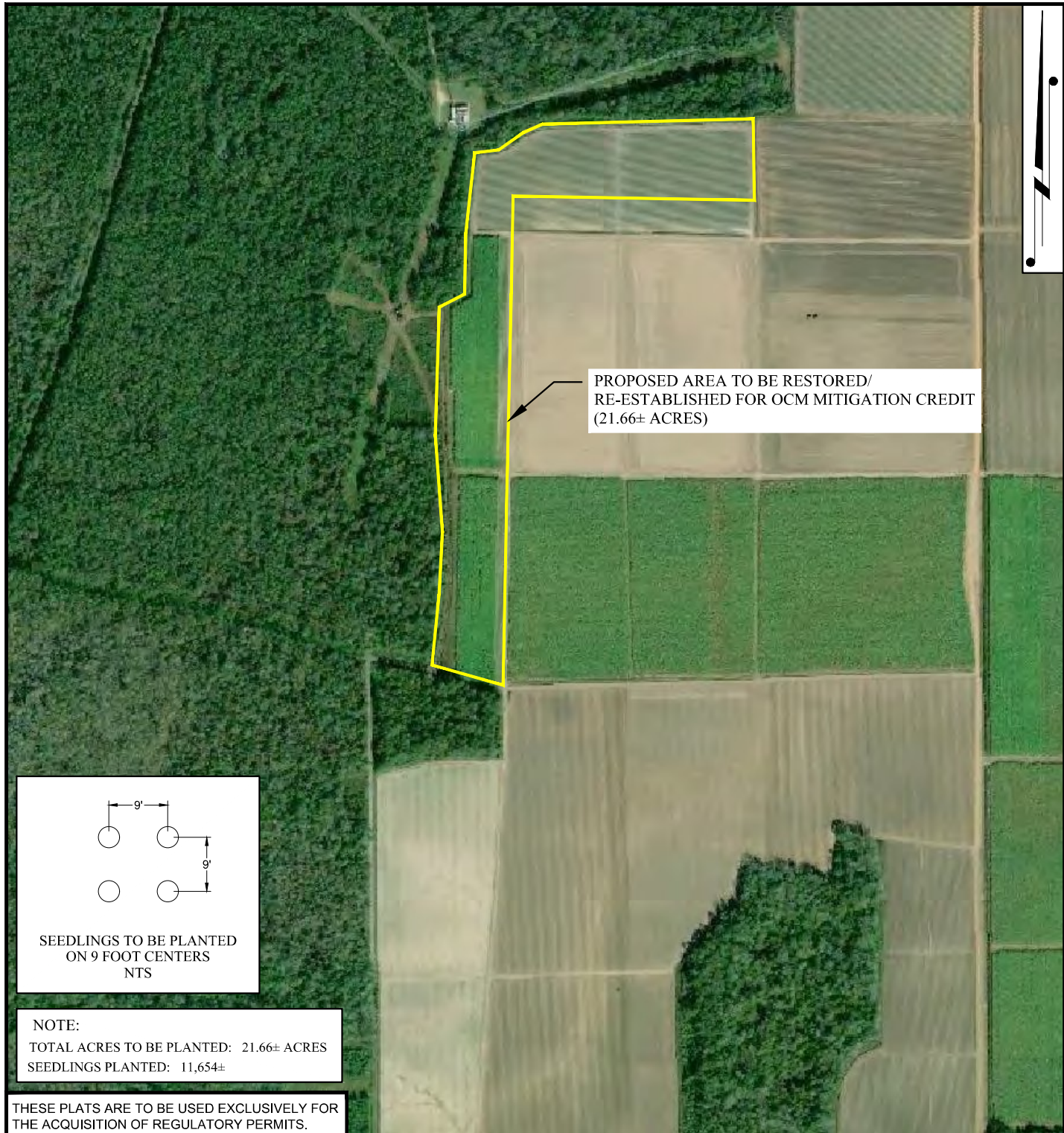
**T. BAKER SMITH**  
A CENTURY OF SOLUTIONS  
412 South Van Ave. Houma, LA 70303  
909.288-1650 - tbsmith.com

REV. NO: 03	REV. DATE: 09/16/2019	REV. BY: SPM
REVISION DESCRIPTION: OCM REVISIONS.		

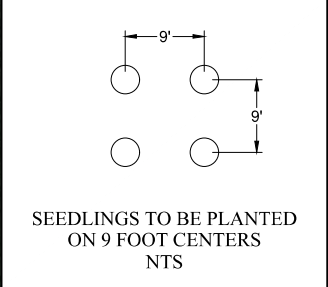


## Appendix C- Mitigation Areas Map

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PROPOSED AREA TO BE RESTORED/  
RE-ESTABLISHED FOR OCM MITIGATION CREDIT  
(21.66± ACRES)



NOTE:  
TOTAL ACRES TO BE PLANTED: 21.66± ACRES  
SEEDLINGS PLANTED: 11,654±

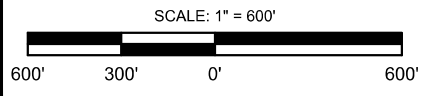
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THE ACQUISITION OF REGULATORY PERMITS.

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DATE:	05/28/2019	JOB NO:	2019.0346
DRAWING NAME:	190346R-2_REV.DWG		
SHEET NO:	3	OF	7
PROJECTION:	LOUISIANA SOUTH ZONE		
GEO. DATUM:	NAD83   VERT. DATUM: NAVD88		
GRID UNITS:	US SURVEY FEET		

**PLAN VIEW**

**TEN - R COMPANY**



OCM MITIGATION & RESTORATION PLAN FOR  
PROPERTY NEAR LOUISIANA HWY. 20  
LOCATED IN SECTION 15 T13S - R17E  
ST. JAMES PARISH, LOUISIANA

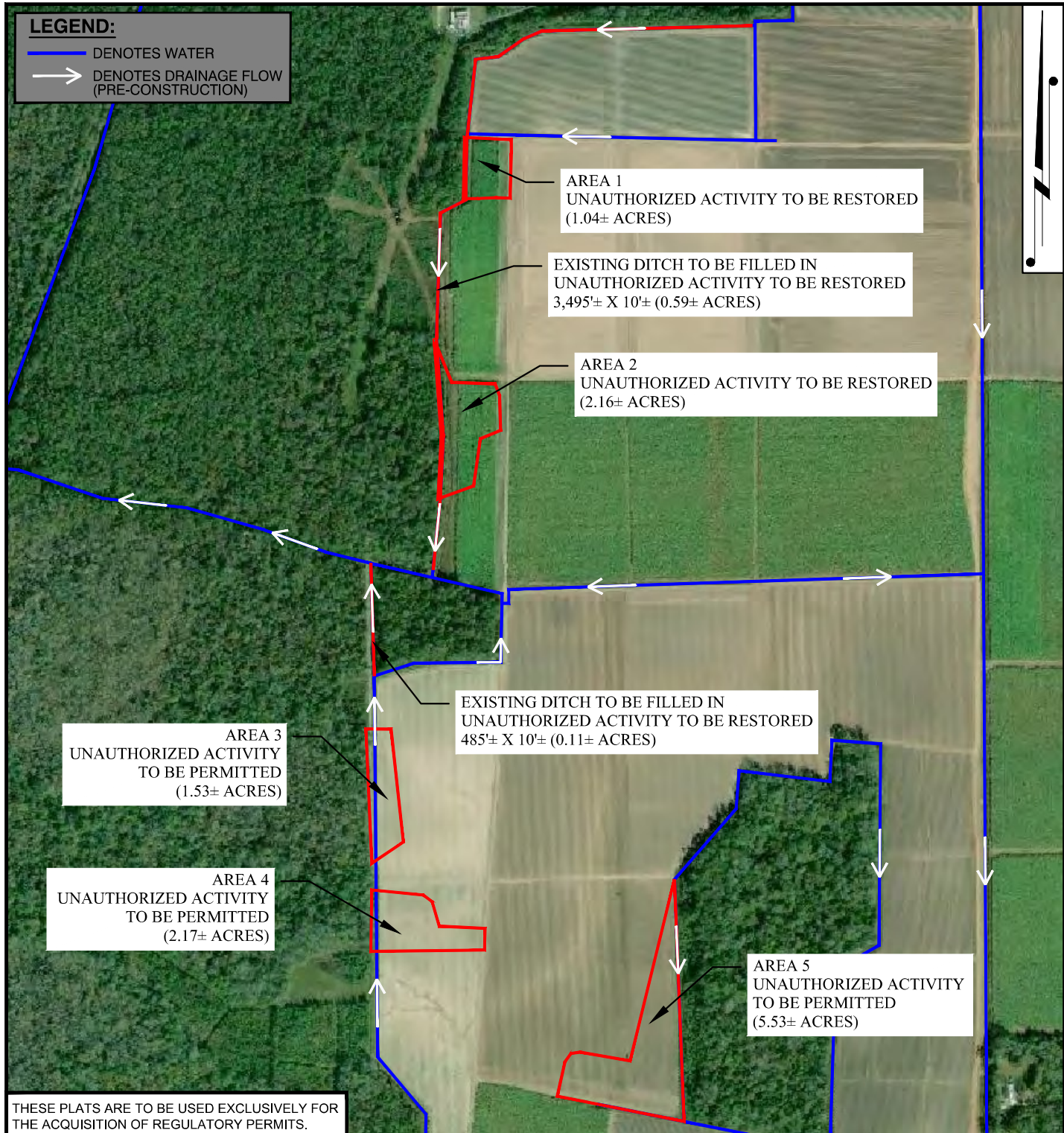


REV. NO:	03	REV. DATE:	09/16/2019	REV. BY:	SPM
REVISION DESCRIPTION: OCM REVISIONS.					

## Appendix D- Hydrologic Flow Maps

**LEGEND:**

-  DENOTES WATER
-  DENOTES DRAINAGE FLOW (PRE-CONSTRUCTION)



AREA 1  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
(1.04± ACRES)

EXISTING DITCH TO BE FILLED IN  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
3,495'± X 10'± (0.59± ACRES)

AREA 2  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
(2.16± ACRES)

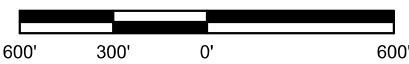
EXISTING DITCH TO BE FILLED IN  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
485'± X 10'± (0.11± ACRES)

AREA 3  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(1.53± ACRES)

AREA 4  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(2.17± ACRES)

AREA 5  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(5.53± ACRES)

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THE ACQUISITION OF REGULATORY PERMITS.

DRAWN BY: SPM	APPROVED BY: KJB
DATE: 05/28/2019	JOB NO: 2019.0346
DRAWING NAME: 190346R-2_REV.DWG	
SHEET NO: 4 OF 7	
PROJECTION: LOUISIANA SOUTH ZONE GEO. DATUM: NAD83   VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET	
SCALE: 1" = 600'	
	

**PRE-HYDROLOGIC FLOW  
TEN - R COMPANY**



MITIGATION & RESTORATION PLAN FOR  
PROPERTY NEAR LOUISIANA HWY. 20  
LOCATED IN SECTION 15 T13S - R17E  
ST. JAMES PARISH, LOUISIANA



REV. NO: 03	REV. DATE: 09/16/2019	REV. BY: SPM
REVISION DESCRIPTION: OCM REVISIONS.		

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**LEGEND:**

-  DENOTES WATER
-  DENOTES DRAINAGE FLOW (POST CONSTRUCTION)

AREA 1  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
(1.04± ACRES)

PROPOSED AREA TO BE RESTORED/  
RE-ESTABLISHED FOR OCM MITIGATION CREDIT  
(21.66± ACRES)

AREA 2  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
(2.16± ACRES)

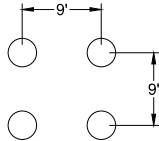
EXISTING DITCH TO BE FILLED IN  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
3,495± X 10± (0.59± ACRES)

AREA 3  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(1.53± ACRES)

EXISTING DITCH TO BE FILLED IN  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
485± X 10± (0.11± ACRES)

AREA 4  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(2.17± ACRES)

AREA 5  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(5.53± ACRES)

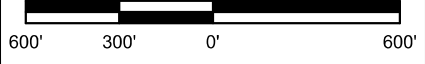


SEEDLINGS TO BE PLANTED  
ON 9 FOOT CENTERS  
NTS

**NOTE:**

TOTAL ACRES TO BE PLANTED: 21.66± ACRES  
SEEDLINGS PLANTED: 11,654±

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THE ACQUISITION OF REGULATORY PERMITS.

DRAWN BY:	SPM	APPROVED BY:	KJB
DATE:	05/28/2019	JOB NO:	2019.0346
DRAWING NAME:	190346R-2_REV.DWG		
SHEET NO:	5	OF	7
PROJECTION:	LOUISIANA SOUTH ZONE		
GEO. DATUM:	NAD83   VERT. DATUM: NAVD88		
GRID UNITS:	US SURVEY FEET		
SCALE: 1" = 600'			
			

**POST-HYDROLOGIC FLOW  
TEN - R COMPANY**

MITIGATION & RESTORATION PLAN FOR  
PROPERTY NEAR LOUISIANA HWY. 20  
LOCATED IN SECTION 15 T13S - R17E  
ST. JAMES PARISH, LOUISIANA

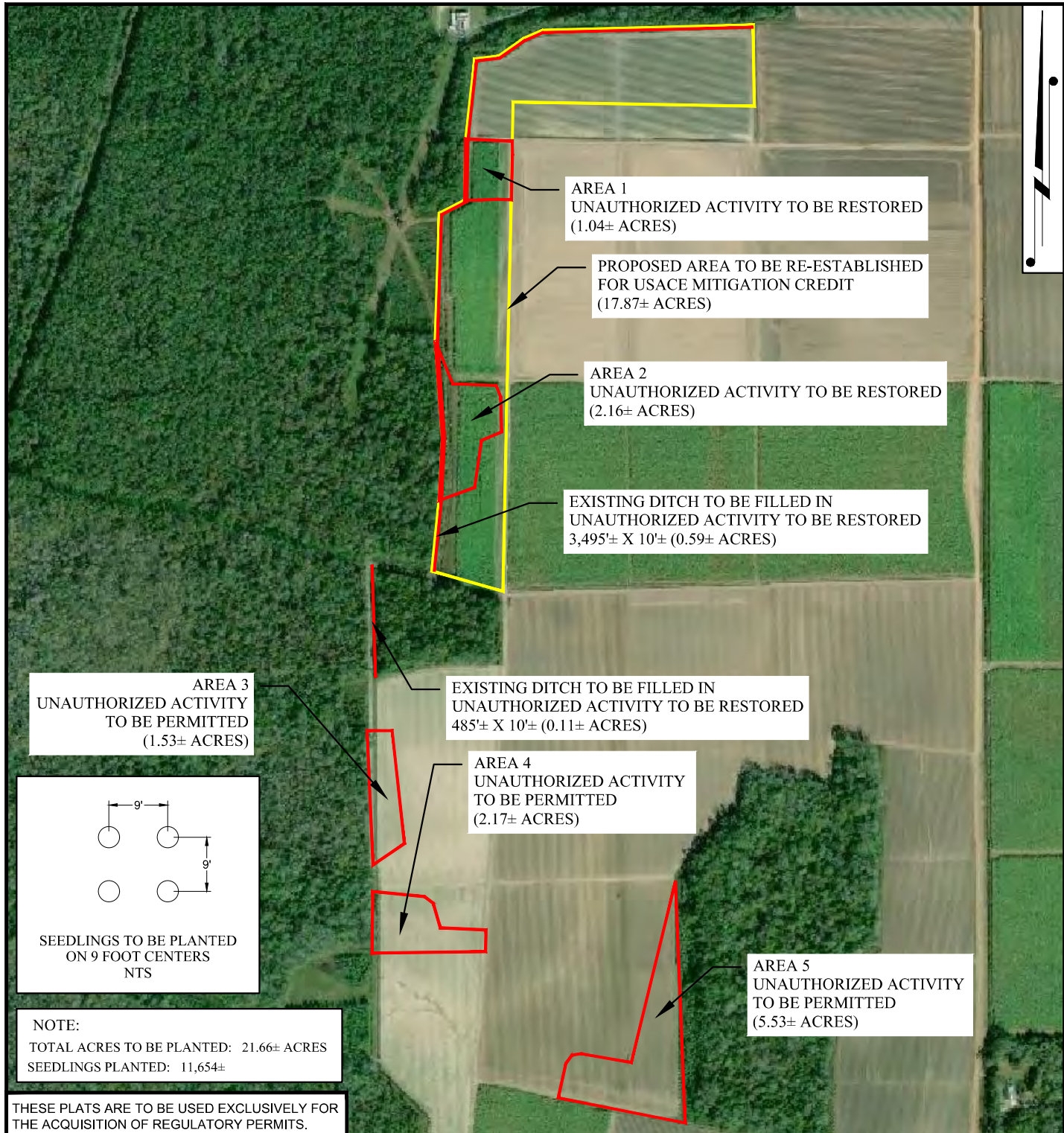


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REVISION DESCRIPTION: OCM REVISIONS.					

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## Appendix E- Mitigation Details Map

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AREA 3  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(1.53± ACRES)

AREA 1  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
(1.04± ACRES)

PROPOSED AREA TO BE RE-ESTABLISHED  
FOR USACE MITIGATION CREDIT  
(17.87± ACRES)

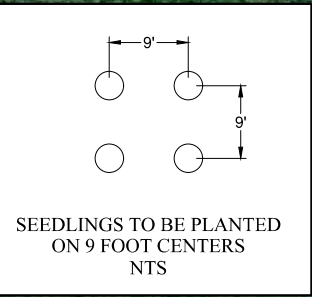
AREA 2  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
(2.16± ACRES)

EXISTING DITCH TO BE FILLED IN  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
3,495'± X 10'± (0.59± ACRES)

EXISTING DITCH TO BE FILLED IN  
UNAUTHORIZED ACTIVITY TO BE RESTORED  
485'± X 10'± (0.11± ACRES)

AREA 4  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(2.17± ACRES)

AREA 5  
UNAUTHORIZED ACTIVITY  
TO BE PERMITTED  
(5.53± ACRES)

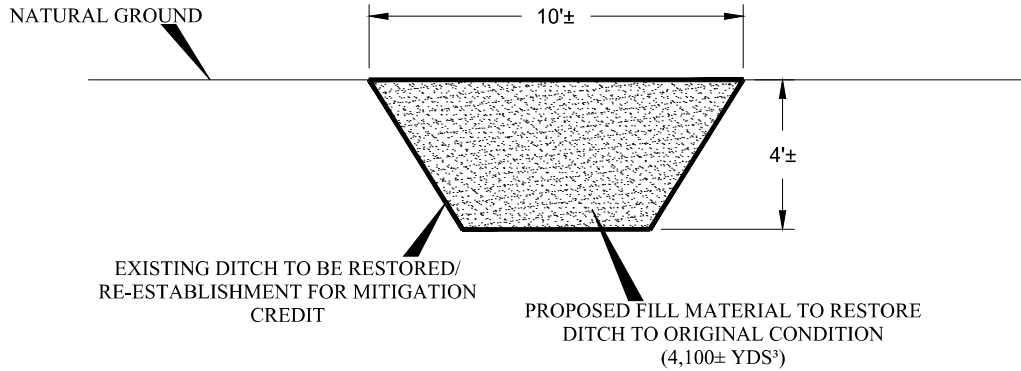


NOTE:  
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SEEDLINGS PLANTED: 11,654±

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THE ACQUISITION OF REGULATORY PERMITS.

DRAWN BY: SPM	APPROVED BY: KJB
DATE: 05/28/2019	JOB NO: 2019.0346
DRAWING NAME: 190346R-2_REV.DWG	
SHEET NO: 6 OF 7	
PROJECTION: LOUISIANA SOUTH ZONE GEO. DATUM: NAD83   VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET	
SCALE: 1" = 600'	

<b>PLAN VIEW</b>		
<b>TEN - R COMPANY</b>		
USACE MITIGATION & RESTORATION PLAN FOR PROPERTY NEAR LOUISIANA HWY. 20 LOCATED IN SECTION 15 T13S - R17E ST. JAMES PARISH, LOUISIANA		
REV. NO: 03	REV. DATE: 09/16/2019	REV. BY: SPM
REVISION DESCRIPTION: OCM REVISIONS.		
<b>T. BAKER SMITH</b> <small>A CENTURY OF SOLUTIONS 412 South Van Ave. Houma, LA 70303 (806) 888-1858 - tbsmith.com</small>		




## DITCH RESTORATION DETAIL

### TREES TO BE PLANTED

- 25% WATER OAK
- 25% NUTTAL OAK
- 25% SWEET PECAN
- 6.25% DRUMMOND RED MAPLE
- 6.25% GREEN ASH
- 6.25% SUGAR BERRY
- 6.25% BALD CYPRESS

THESE PLATS ARE TO BE USED EXCLUSIVELY FOR THE ACQUISITION OF REGULATORY PERMITS.

DRAWN BY: SPM	APPROVED BY: KJB	<h3 style="margin: 0;">DETAIL &amp; NOTES</h3> <h3 style="margin: 0;">TEN - R COMPANY</h3> <p style="margin: 0;">MITIGATION &amp; RESTORATION PLAN FOR PROPERTY NEAR LOUISIANA HWY. 20 LOCATED IN SECTION 15 T13S - R17E ST. JAMES PARISH, LOUISIANA</p>						
DATE: 05/28/2019	JOB NO: 2019.0346							
DRAWING NAME: 190346R- 2_REV.DWG								
SHEET NO: 7 OF 7								
PROJECTION: LOUISIANA SOUTH ZONE GEO. DATUM: NAD83   VERT. DATUM: NAVD88 GRID UNITS: US SURVEY FEET								
NOT TO SCALE	 <p><b>T. BAKER SMITH</b> A CENTURY OF SOLUTIONS 412 South Vert Ave. Houma, LA 70063 909.268-1650 - tbsmith.com</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">REV. NO: 03</td> <td style="width: 20%;">REV. DATE: 09/16/2019</td> <td style="width: 60%;">REV. BY: SPM</td> </tr> <tr> <td colspan="3">REVISION DESCRIPTION: OCM REVISIONS.</td> </tr> </table>	REV. NO: 03	REV. DATE: 09/16/2019	REV. BY: SPM	REVISION DESCRIPTION: OCM REVISIONS.		
REV. NO: 03	REV. DATE: 09/16/2019	REV. BY: SPM						
REVISION DESCRIPTION: OCM REVISIONS.								