



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

May 8, 2023

Regulatory Division  
Central Evaluation Branch

Project Manager  
S. Gail Gainey  
(504) 862-1545  
Sandra.G.Gainey@usace.army.mil  
Application Number: MVN-2018-01007-CG

## **PUBLIC NOTICE**

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US Army Corps of Engineers pursuant to: [ ] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403), [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

### **PROPOSED AIRPORT FACILITY IN LIVINGSTON PARISH**

**NAME OF APPLICANT:** Livingston Parish Airport District, c/o ELOS Environmental, Inc., Attn: Flynn Daigle, 607 W. Morris Street, Hammond, LA 70403.

**LOCATION OF WORK:** In Sections 4, 9, 10, & 16, T7S-R4E, just south of Interstate 12, southeast of Walker, Louisiana, in Livingston Parish, within the Pontchartrain Basin in the hydrologic unit (HUC 08070202), as shown on the attached drawings (Latitude 30.457742 N, Longitude, -90.814678 W).

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 applicant has requested an after-the-fact Department of the Army authorization to clear, grade, excavate and deposit fill and/or aggregate material to construct and maintain an airport facility (Livingston Executive Airport) to include parking lot, terminal, runways, utilities and drainage infrastructure. Approximately 1,558 cubic yards of clay, 60,723 cubic yards of concrete, and 17,231 cubic yards of gravel material would be deposited to achieve required grade elevation requirements and approx. 78,512 cubic yards of native material will be excavated with approx. 116.25 cubic yards to be re-deposited on site. Approx. 0.82 acres of waters of the US and 5.52 acres of wetlands were impacted by the placement of fill material prior to authorization; 3.37 acres will be restored to natural grades and impacts to 2.42 acres of wetlands and 0.55 acres of waters will be evaluated after-the-fact. The proposed project is situated on approximately 93 acres of a

284-acre tract and proposes to impact a total of 36.98 acres of wetlands and 4.29 acres of waters of the US including those evaluated after-the-fact.

**MITIGATION:** The applicant proposes to avoid additional direct impacts and minimize secondary impacts to the maximum extent practicable by limiting the construction activity to the designated construction areas onsite, utilizing best management practices for erosion and siltation control during and after the construction phase of the project, disposing of all removed fill and vegetation not approved as fill material by burning on-site, and by proposing only temporary impacts to approx. 77.77 acres of wetlands via hand-clearing activity ensuring all natural elevations remain.

As compensation for unavoidable wetland impacts, the applicant proposes to use a Corps approved mitigation bank within the watershed of impact. If authorized, the project will receive approval from all appropriate local drainage authorities and sewerage agencies.

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 for the Department of Army will close in **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 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 preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGC, S. Gail Gainey**. 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 Branch 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. 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. 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 utilizes the National Register of Historic Places to identify properties listed on or near the proposed work and is presently unaware of non-listed eligible properties near the project site. A National Historic Preservation Act compliance determination will be coordinated with the State Archeologist and the State Historic Preservation Officer, and federally recognized Native American 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 endangered species under their jurisdiction.

Utilizing the Information & Planning Consultation (IPaC) tool for Endangered Species in Louisiana protocol, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans District (CEMVN) and the U.S. Fish and Wildlife Service, CEMVN has determined that the proposed activity 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 would result in the destruction or alteration of N/A 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, Office of Environmental Services, before a permit is issued.

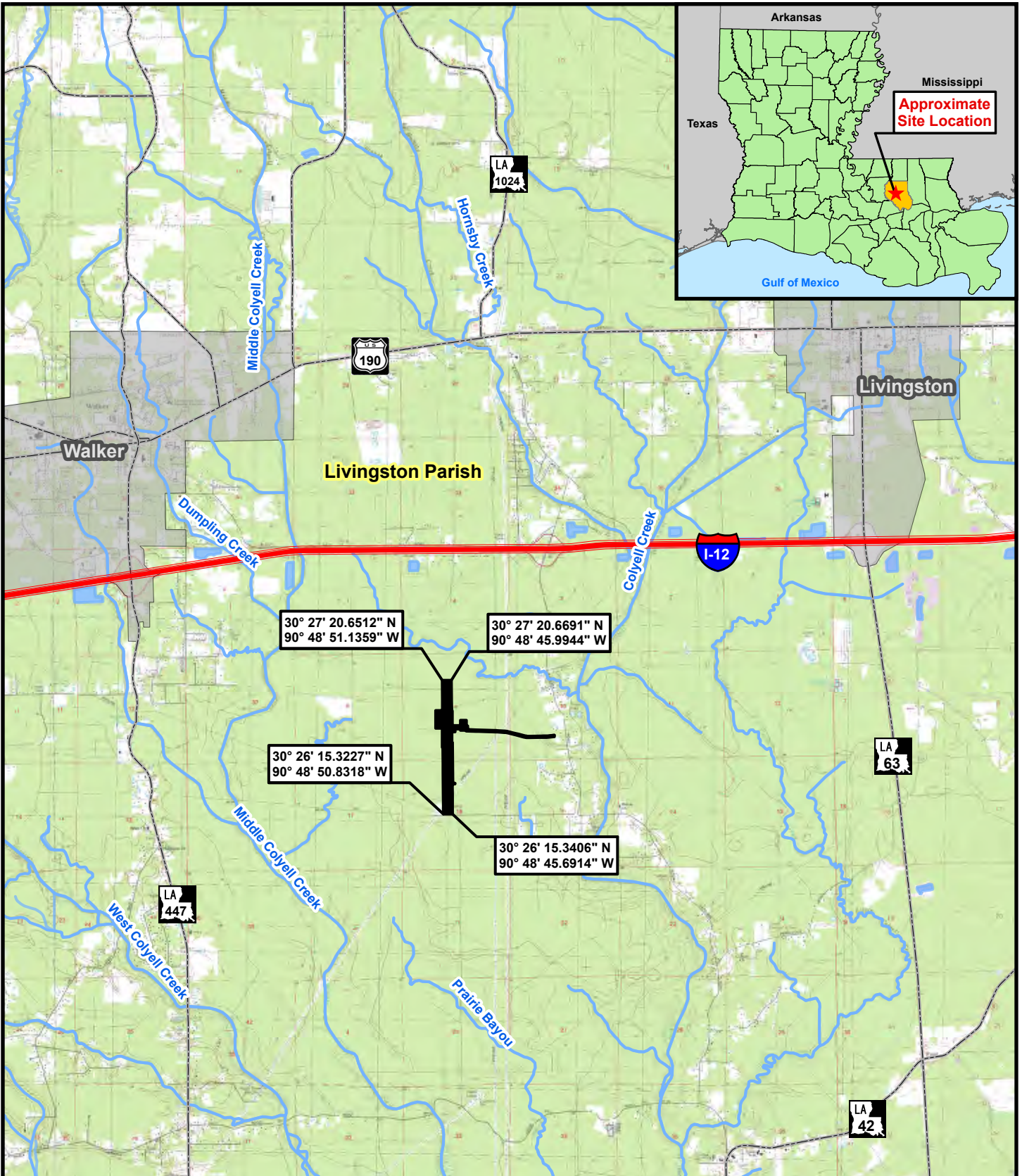
Any person may request, (preferably by email to the project manager, or in writing),

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.

John M. Herman  
Chief, Central Evaluation Branch  
Regulatory Division

Enclosures



0 4,500 9,000 Feet

Figure 1: TopoVicinity Map

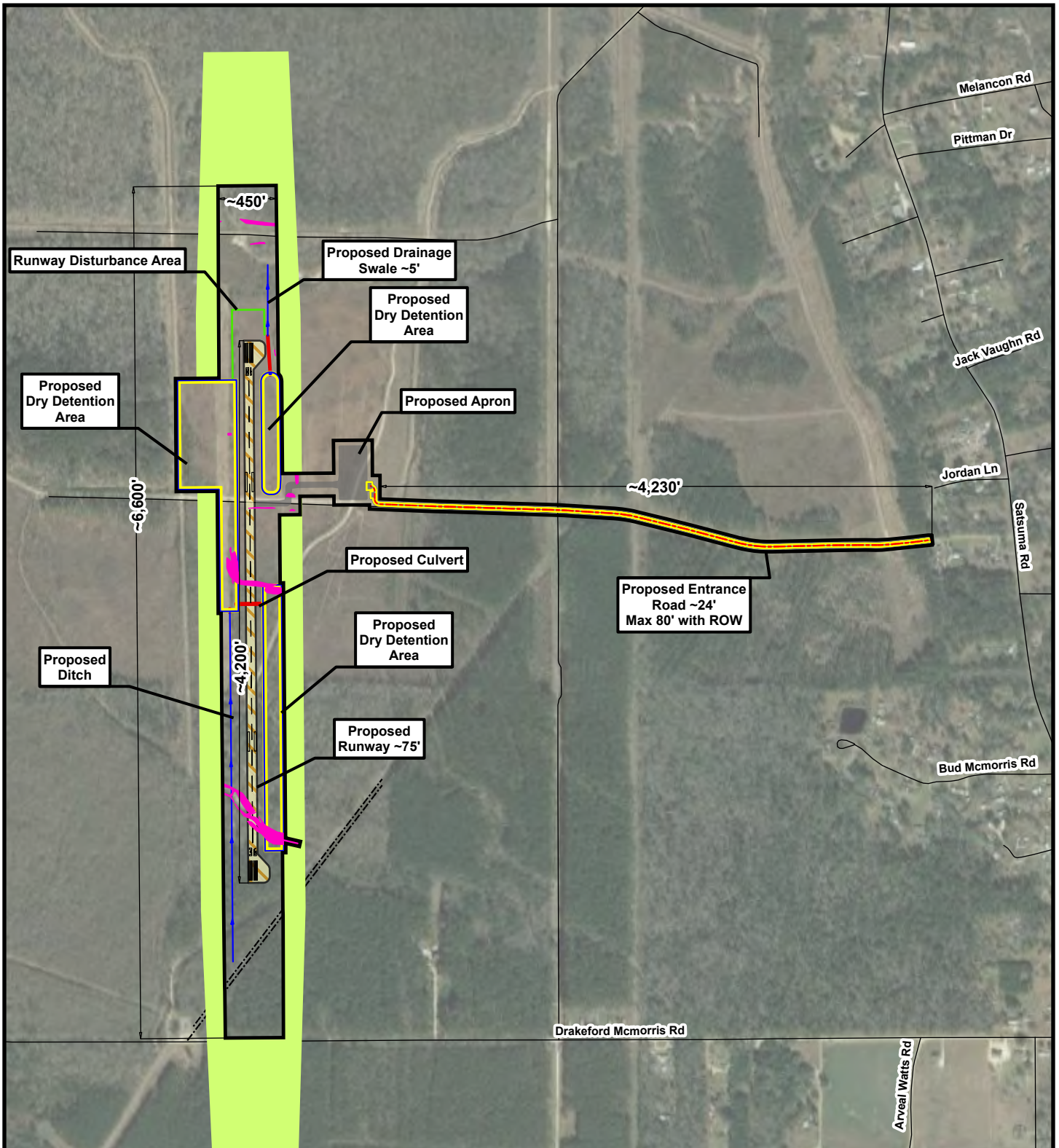
**Livingston Airport**

**Legend:**

- Site Outline
- Interstate
- Highway
- Stream/River
- Waterbody
- City/Town

Sectors: 4,9,10,16  
 Township: 07 South  
 Range: 04 East

This figure was prepared utilizing public and proprietary data. It should not be used to establish any legal boundaries or specific locations. ELOS Environmental, L.L.C., is not responsible for any usage of this figure contrary to its original, intended purpose.



**Legend:**

Site Outline	Proposed Culvert	Runway Disturbance Area
Hand Clearing, No Permanent Impacts	Proposed Dry Detention Area	Proposed Drainage Swale
Unauthorized Work Area	Proposed Concrete	Roadways
	Proposed Runway	

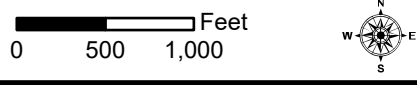
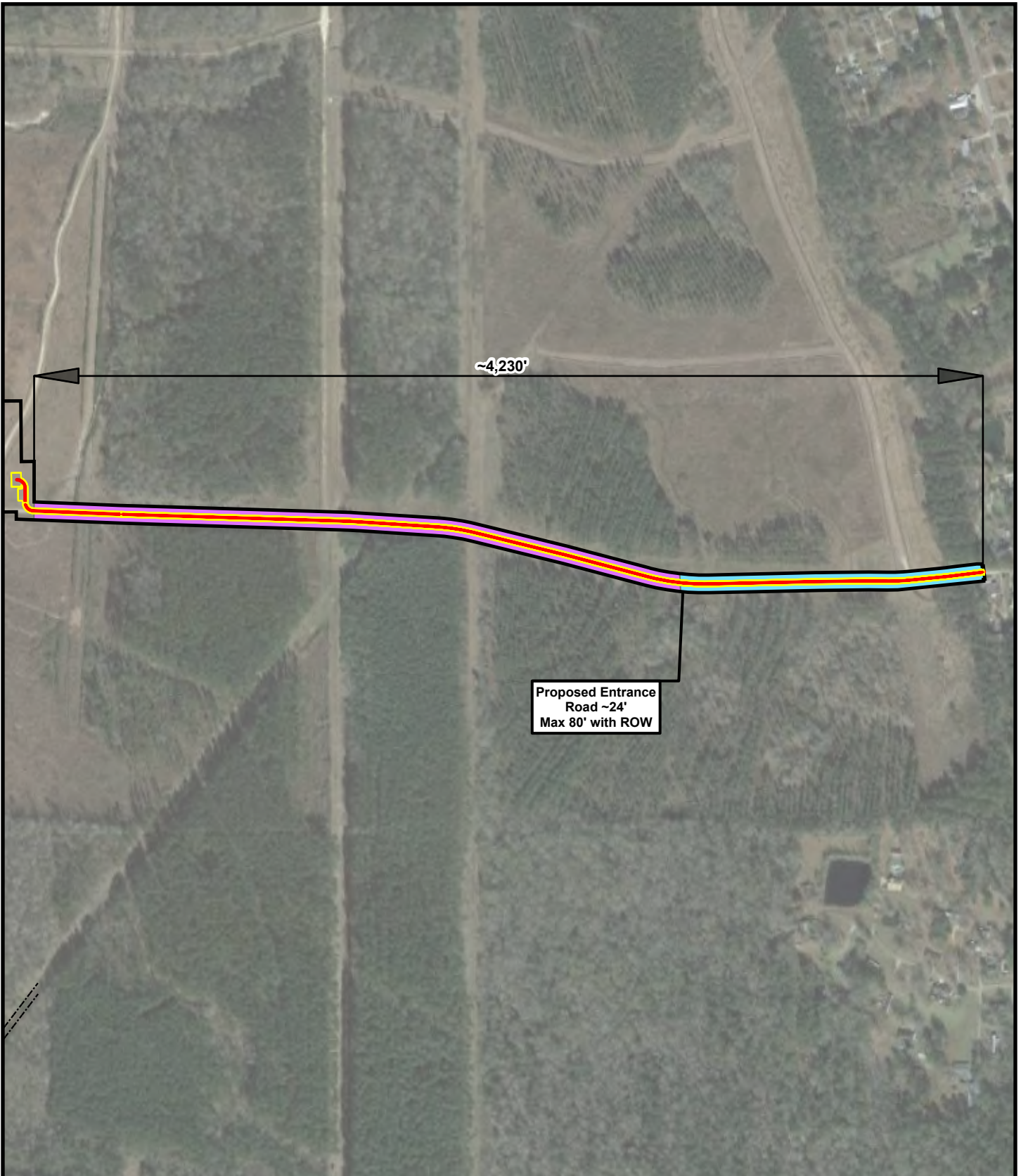


Figure 2: Plan View

# Livingston Airport

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Proposed Entrance  
Road ~24'  
Max 80' with ROW

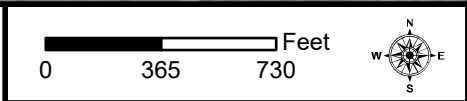
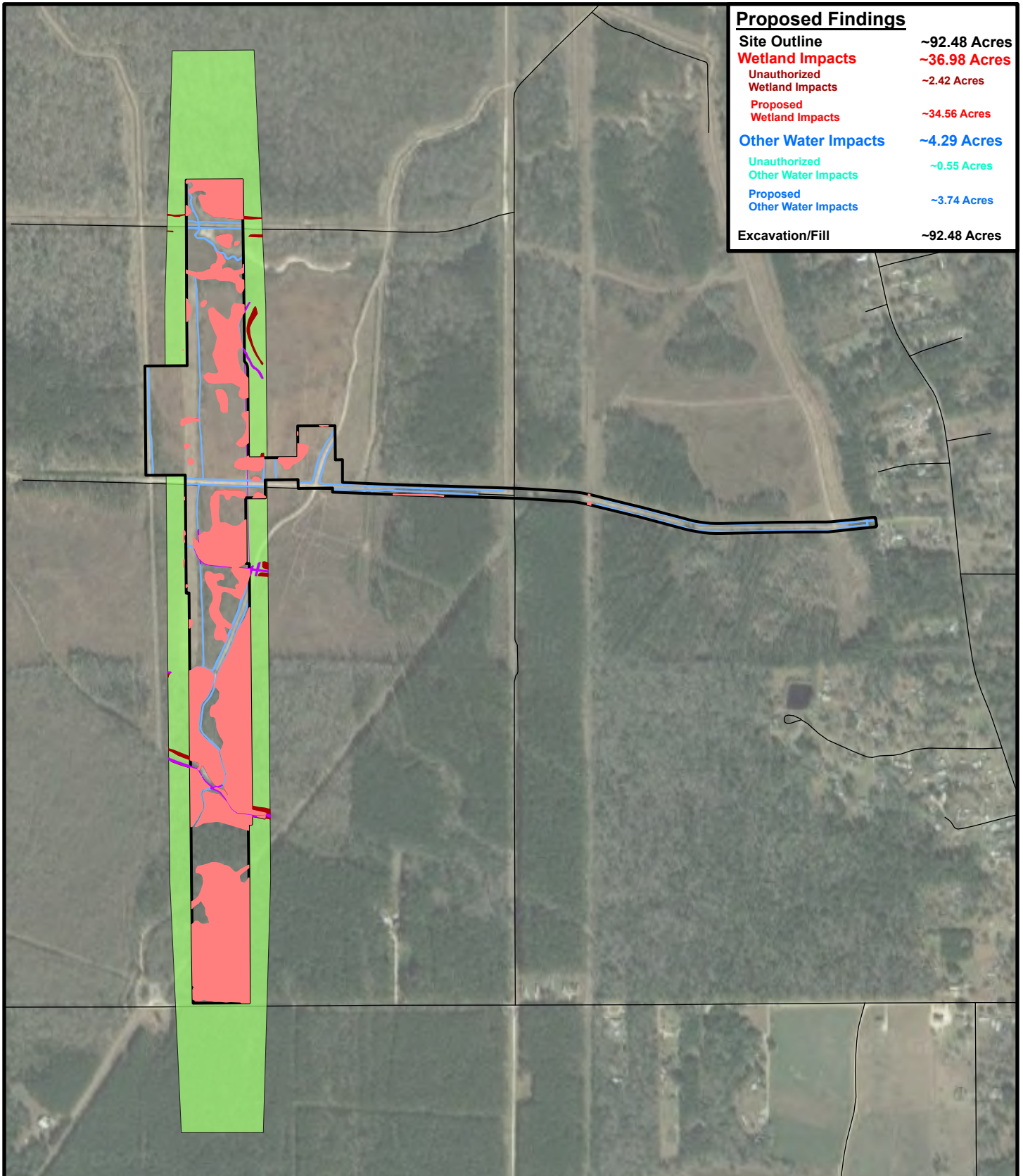


Figure 2.1: Plan View

**Livingston Airport**

- Legend:**
- Site Outline
  - New Construction
  - Widening of Existing Road

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Proposed Findings	
Site Outline	~92.48 Acres
<b>Wetland Impacts</b>	<b>~36.98 Acres</b>
Unauthorized Wetland Impacts	~2.42 Acres
Proposed Wetland Impacts	~34.56 Acres
<b>Other Water Impacts</b>	<b>~4.29 Acres</b>
Unauthorized Other Water Impacts	~0.55 Acres
Proposed Other Water Impacts	~3.74 Acres
Excavation/Fill	~92.48 Acres



0 725 1,450 Feet

Figure 3: Proposed Impacts

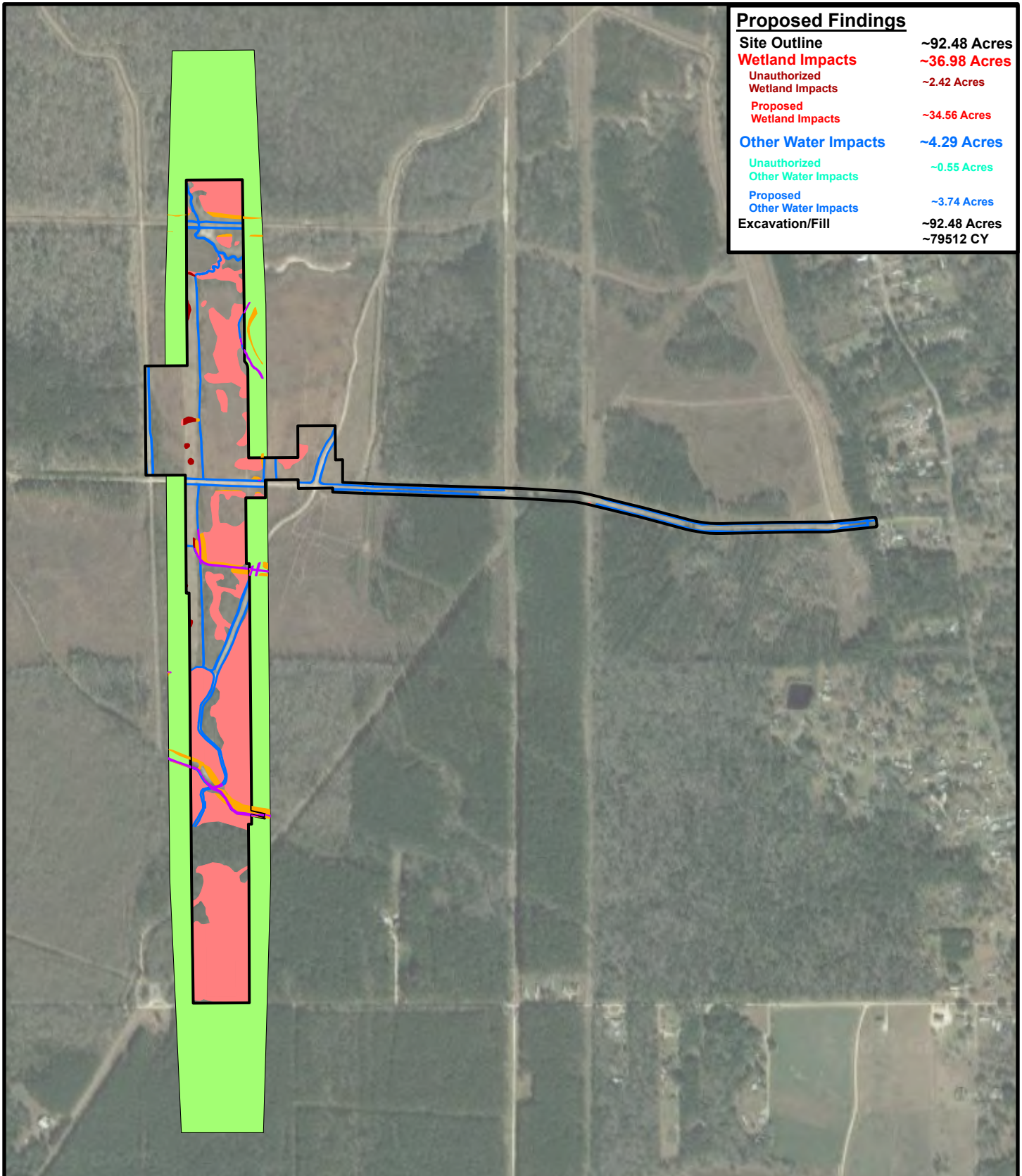
**Livingston Airport**

**Legend:**

Site Outline	Unauthorized Other Waters Impacts	Emergent, Hand-Cleared, Not Filled ~0.01 Acres
Hand Clearing, No Permanent Impacts	Other Waters Impacts	Roadways
Unauthorized Wetland Impacts	Wetland Impacts	

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Excavation/Fill	~92.48 Acres ~79512 CY



Figure 3.1: Proposed Impacts

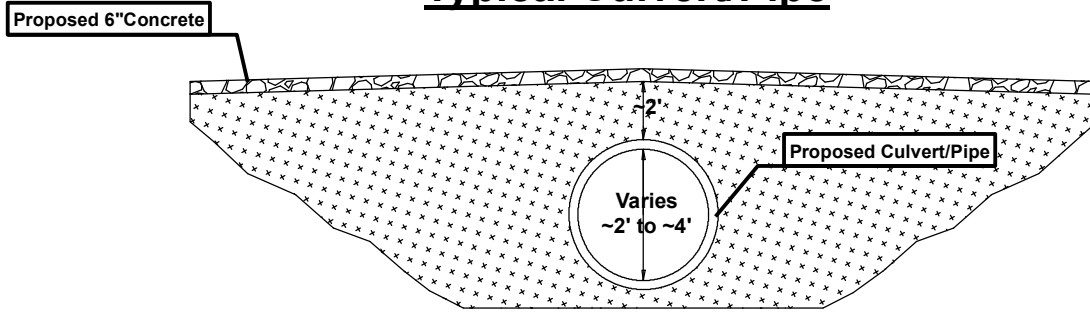
**Livingston Airport**

**Legend:**

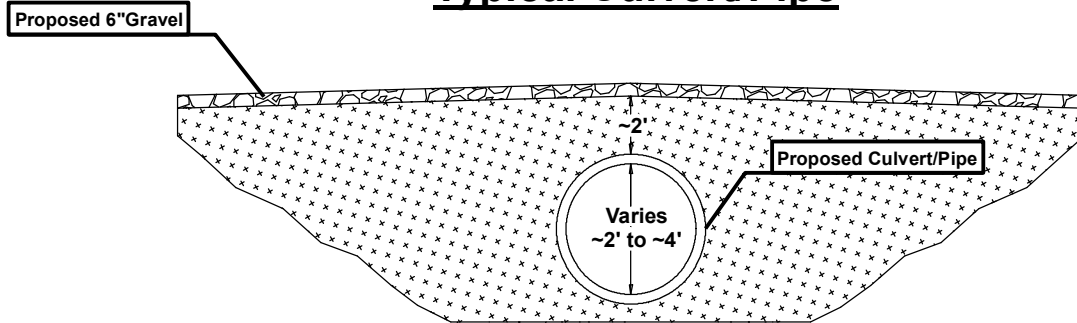
Site Outline	Forested Unauthorized, Cleared and Filled ~2.42 Acres	Other Waters Unauthorized, Cleared and Filled ~0.55 Acres
Forested, Hand-Cleared, Not Filled ~77.77	Forested, Cleared and Filled ~34.30 Acres	Other Waters, Cleared and Filled ~3.74 Acres
Emergent, Cleared ~0.26 Acres		

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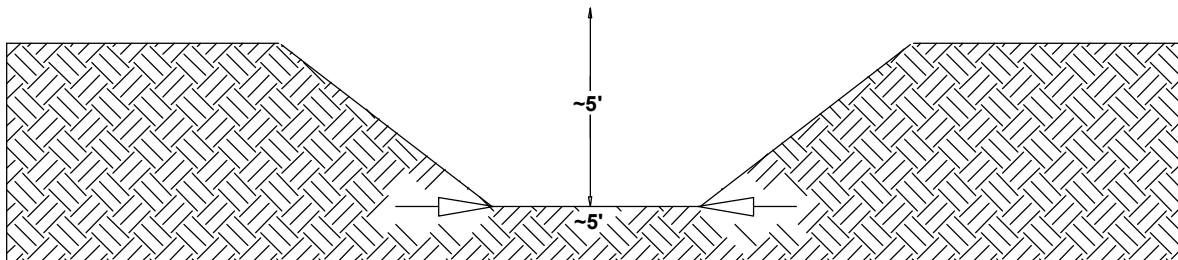
### Typical Culvert/Pipe



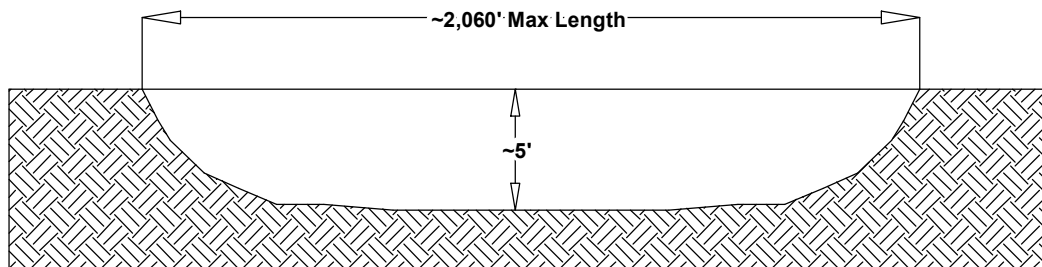
### Typical Culvert/Pipe



### Typical Drainage Swale



### Typical Dry Detention Pond



**Scale = Not to Scale**

Figure 4: Typical Section

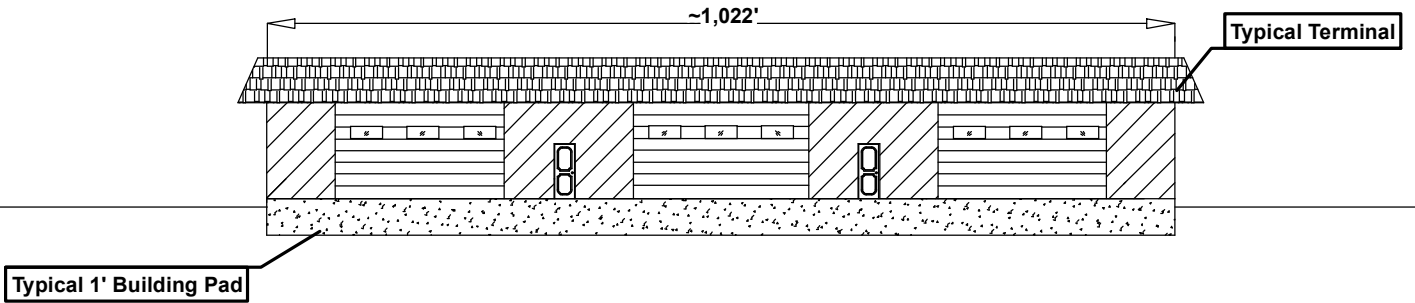
**Livingston Airport**

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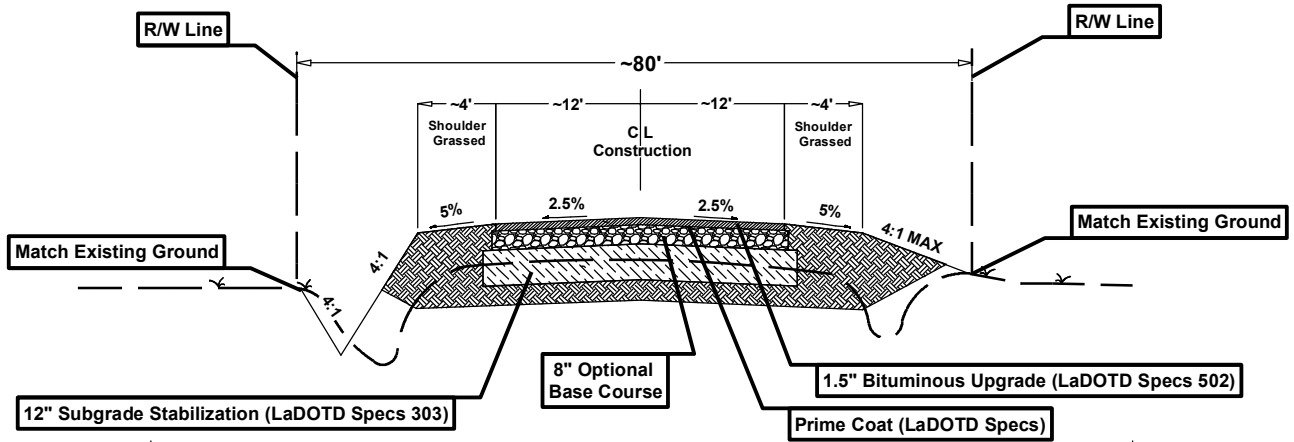


<http://www.eleosenv.com/>  
 43177 East Pleasant Ridge Road  
 Hammond, Louisiana 70403  
 P. 985-662-5501, F. 985-662-5504

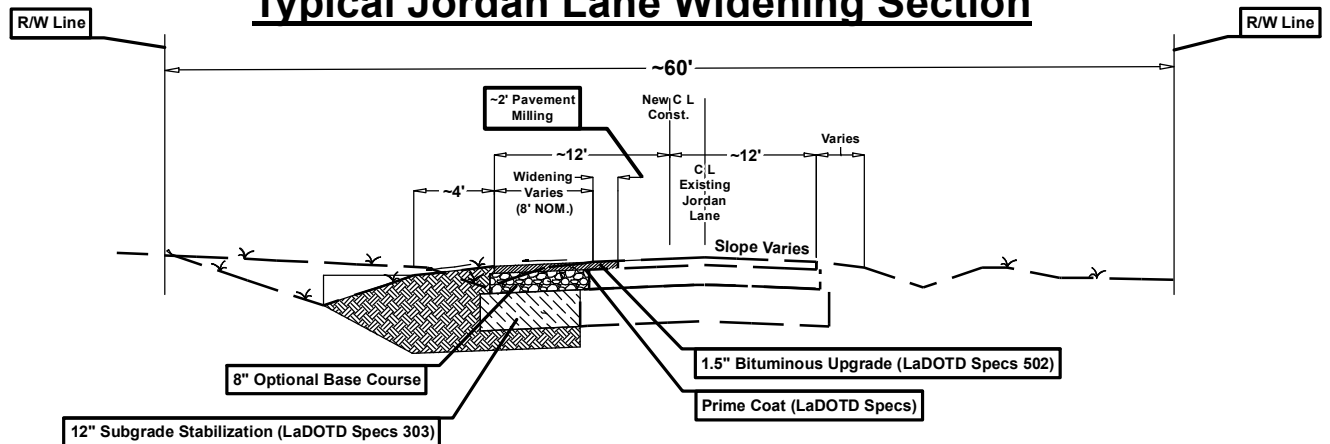
### Typical Terminal Section



### Typical Entrance Road Section



### Typical Jordan Lane Widening Section



**Scale = Not to Scale**

Figure 5: Typical Section

**Livingston Airport**

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# Typical Runway Section

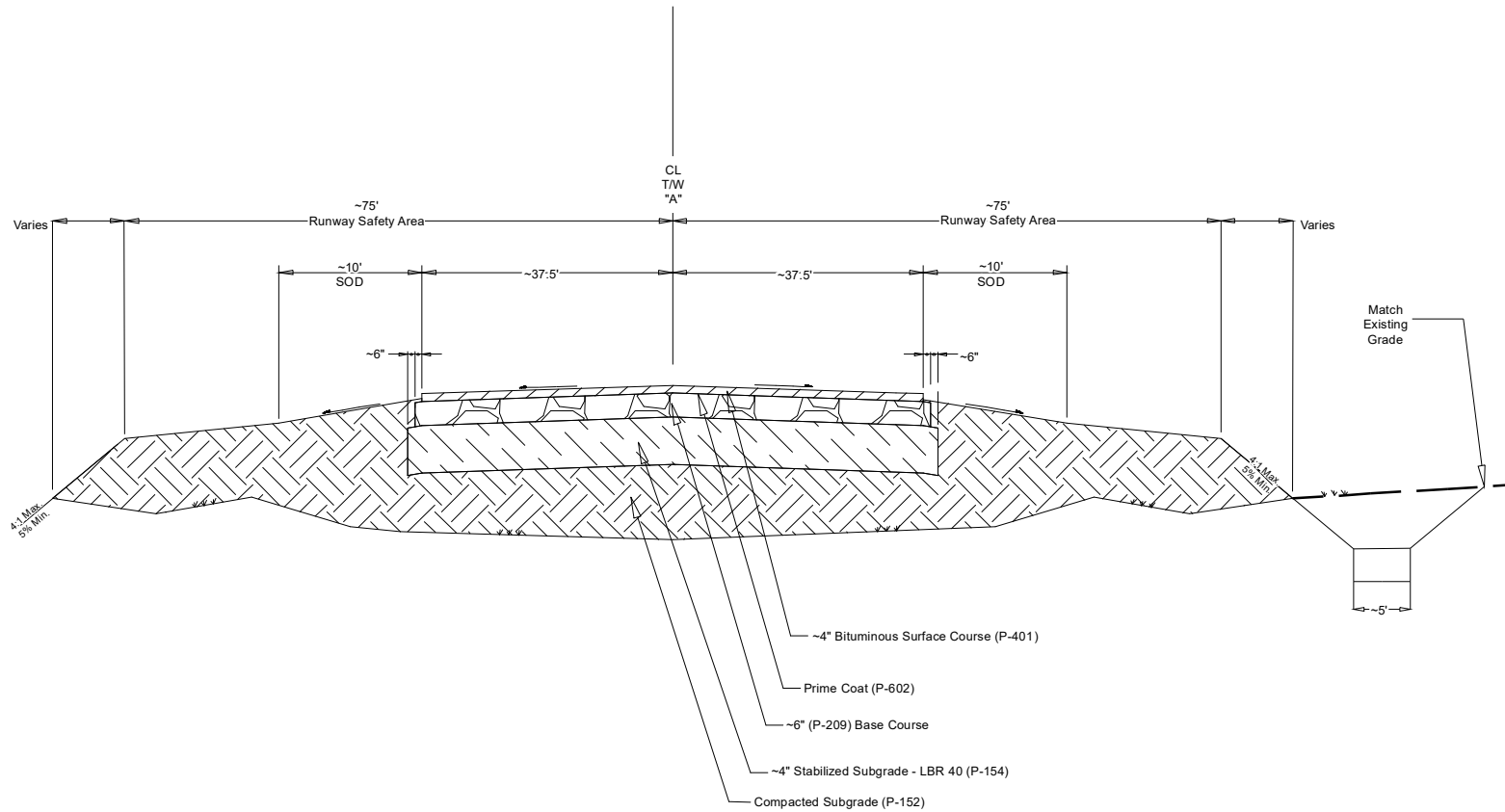


Figure 6: Typical Section

## Livingston Airport

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**Scale  
=  
Not To  
Scale**



## Typical Apron Section

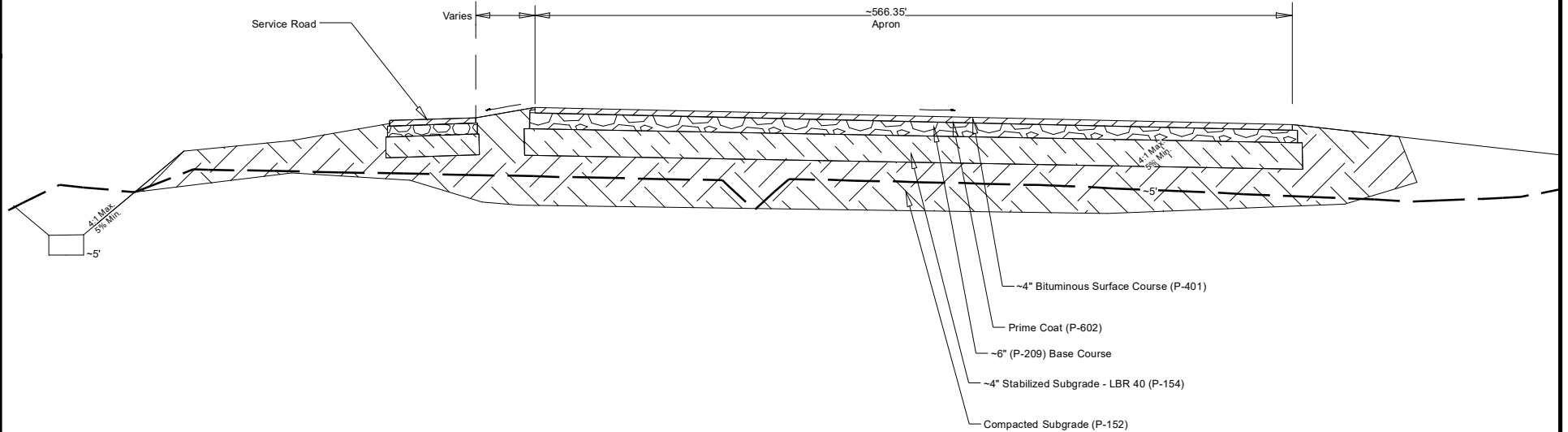
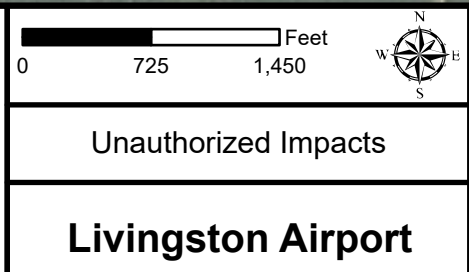
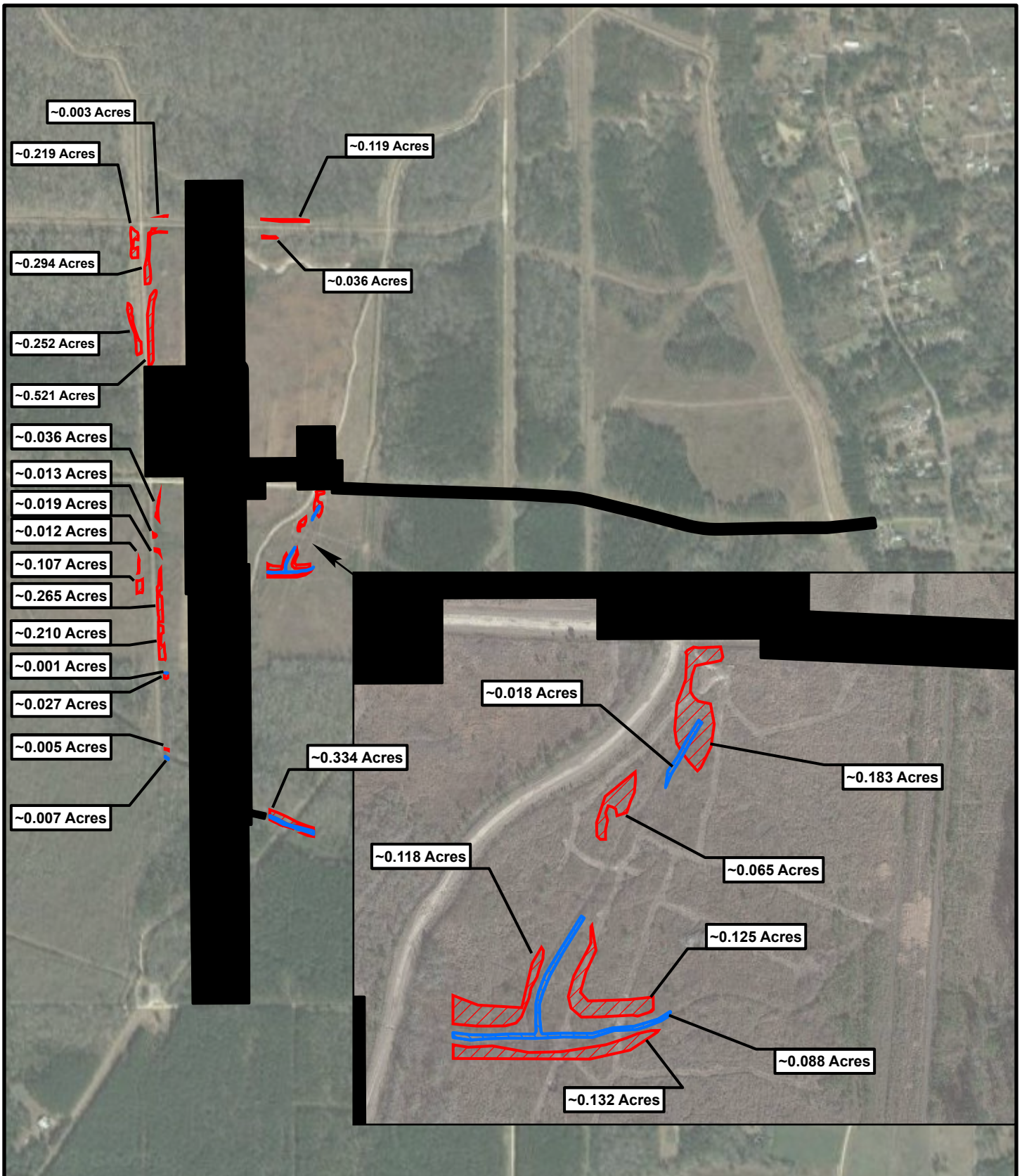


Figure 7: Typical Section

### Livingston Airport

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**Scale  
=  
Not To  
Scale**



**Legend:**

- Site Outline
- Unauthorized Impacts Outside Hand Clearing - Wetlands ~3.10 Acres
- Unauthorized Impacts Outside Hand Clearing - Other Waters ~0.27 Acres

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