

# JOINT PUBLIC NOTICE

April 13, 2020

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

(504) 862-1577  
Project Manager  
Patricia Clune  
[Patricia.R.Clune@usace.army.mil](mailto:Patricia.R.Clune@usace.army.mil)  
MVN 2019-00521-CE

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

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC # 200408-02

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 ☒ 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).

## **AFTER THE FACT COMMERCIAL DEVELOPMENT AND BOAT AND RV STORAGE LOT IN LIVINGSTON PARISH**

**NAME OF APPLICANT:** Plaza 22 West, LLC.

**LOCATION OF WORK:** In wetlands in Maurepas, Louisiana, in Livingston Parish, within the Lake Maurepas basin in hydrological unit (HUC 08070204 ), as shown on the attached drawings (Latitude: 30.255989, Longitude: -90.768556).

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 permit for the authorization to clear, grade, excavate and deposit fill and/or aggregate material to construct a commercial development and boat and RV storage lot. Approximately 23,420 cubic yards of fill will be placed on site to achieve required grade elevations. The proposed project is situated on a five-acre tract that has been determined to be comprised of 3.08 acres of uplands and 1.92 acres of forested wetlands. The proposed project will impact 1.92 acres of wetlands. The applicant stated that the proposed project was designed to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable.

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 the Army Permit modification 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 not result in the destruction or alteration 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 submitted to the Department of Environmental Quality, Water Quality Certifications Section under permit number 200408-02.

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.

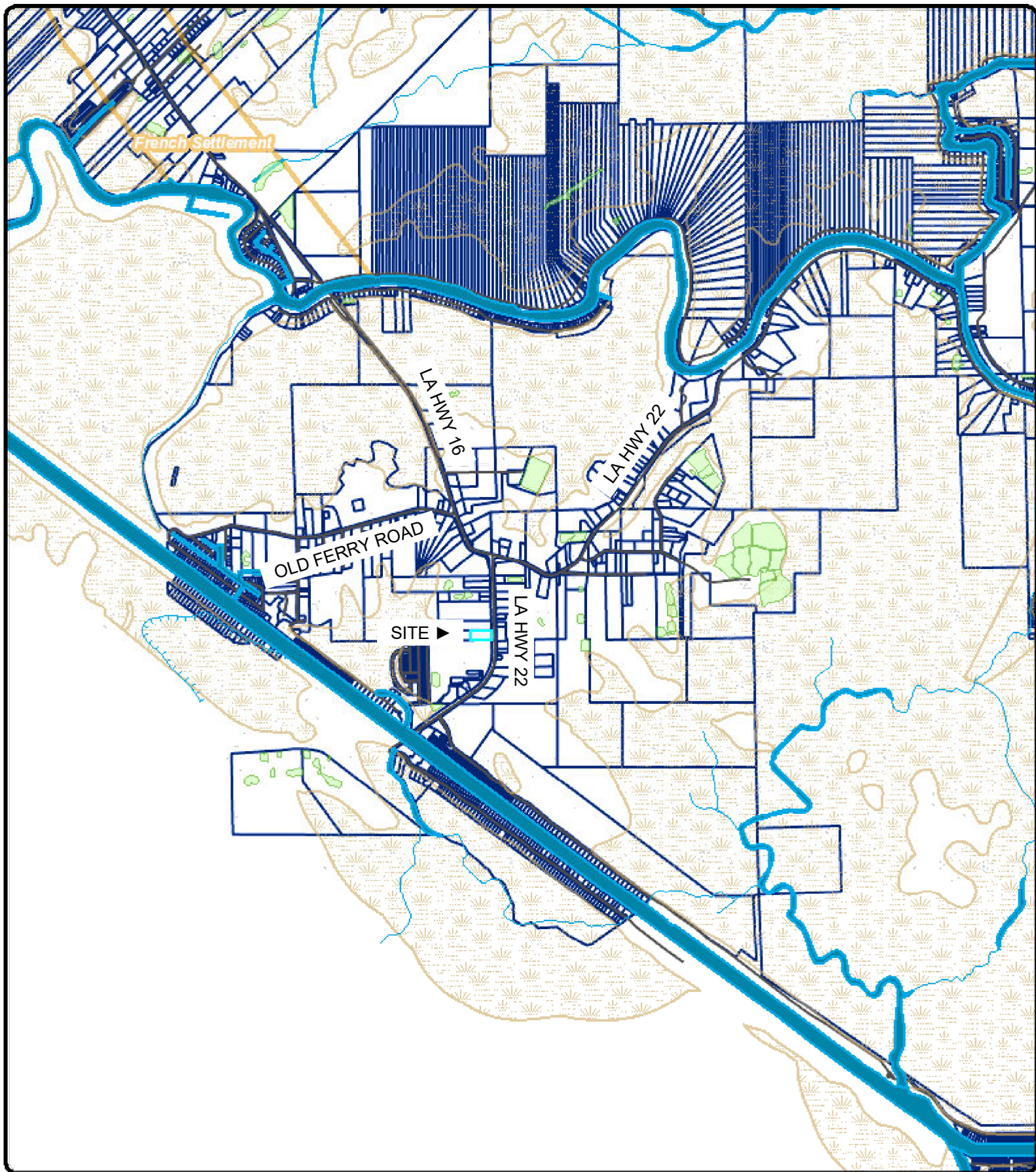
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program (Louisiana Coastal Zone Application P #20200146). The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

John M Herman  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure



# Geoportal Map



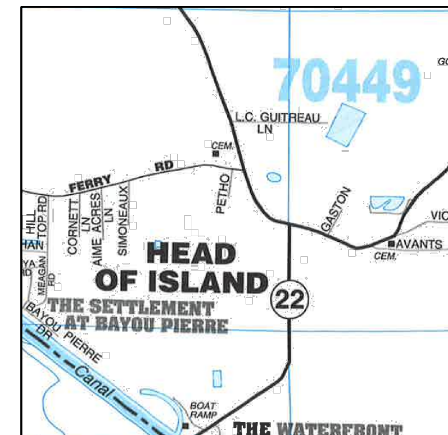
April 8, 2020

DISCLAIMER: Every reasonable effort has been made to assure the accuracy of the data presented. The Livingston Parish Assessor's Office makes no warranties, express or implied, regarding the completeness, reliability or suitability of the site data and assumes no liability associated with the use or misuse of said data. The Assessor retains the right to make changes and update data on this site at anytime without notification. The parcel data on the base map is used to locate, identify and inventory parcels of land in the Parish of Livingston only, and is not to be used or interpreted as a legal survey or legal document. Additional data layers not originating in the Assessor's Offices are also presented for informational purposes only. Before proceeding in any legal matter, all data should be verified by contacting the appropriate parish or municipal office.

1 inch = 2,597 feet

0 1,400 2,800 4,200 5,600 Feet





#### Notes:

- 1.) As-built drawings will be submitted within 30 days of completion of this project to the Louisiana Department of Natural Resources, Office of Coastal Management, P.O. Box 44487, Baton Rouge, LA 70804-4487.
- 2.) All structures, facilities, well and pipelines/flowlines occurring in open water areas or in oilfield canals or slips shall be removed within 120 days of abandonment or the facilities for the herein permitted use unless prior written approval to leave such structures in place is received from the Coastal Management Division. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required.
- 3.) Structures must also be marked/lighted in accordance with U.S. coast Guard regulations.
- 4.) In order to ensure the safety of all parties, the permittee shall contact the Louisiana One Call System (1-800-272-3020) a minimum of 48 hours prior to the commencement of any excavation (digging, dredging, jetting, etc.) or demolition activity.
- 5.) The area where the project is located is all part of the aboriginal homelands of the Chitimacha Tribe of Louisiana. As such, large villages, burial sites, and sacred sites were in place in that entire area. If at any time during the course of the work, any traditional cultural properties are discovered, Permittee shall immediately contact Kimberly S. Walden (Cultural Director) or Melanie Aymond (Research Coordinator) at (337) 923-9923 or (337) 923-4395. Office hours are Monday through Thursday from 7:30 A.M. - 5:00P.M. and on Friday between 7:30 A.M. - 11:30 A.M. If traditional cultural properties are discovered on the weekend or after business hours, the notification shall be made the next business morning.



#### Geolocation Wetland Map w/ Observation Points

Michael Lebon  
Plaza 22 West



**Engineers - Land Surveyors - Environmental Consultants**  
ph: (985) 542-0391 fax: (985) 542-6515  
42333 Deluxe Plaza Suite 8 Hammond, LA  
Engineer - Robert C. Barrilleaux, PE # 28869

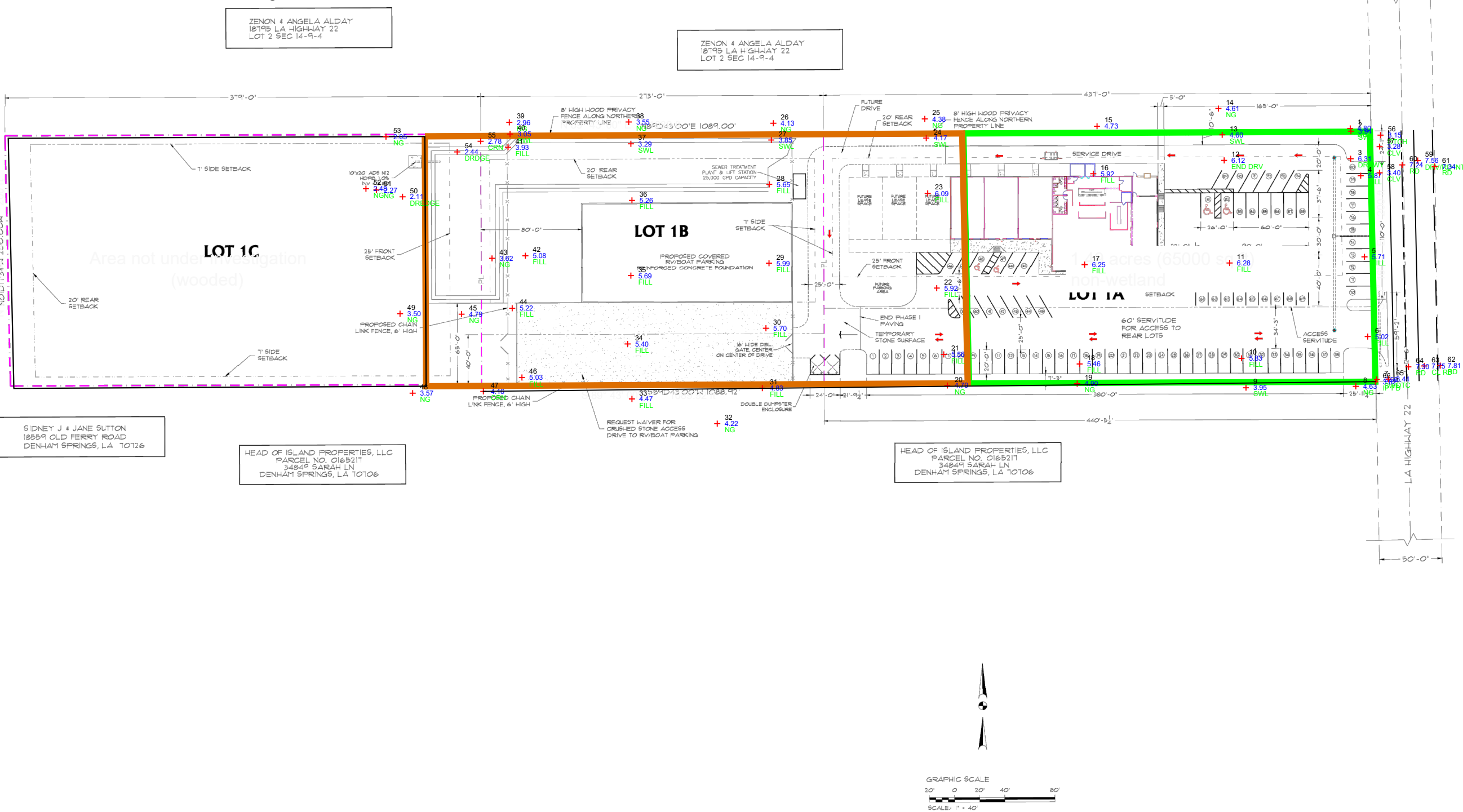
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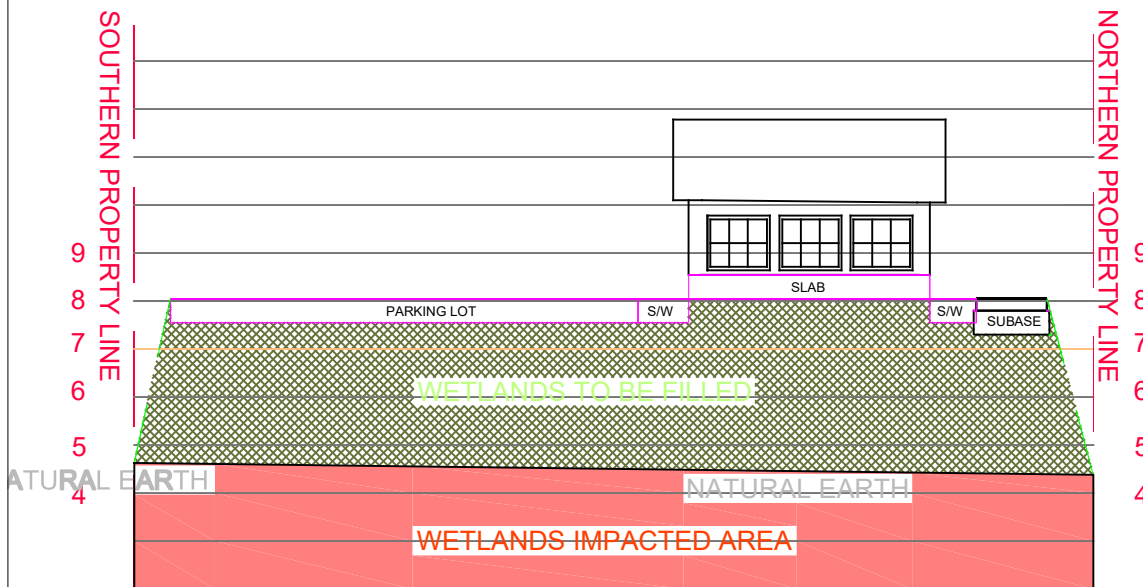
Drawn by: DLQ

Scale: 0 75 150

Revised:

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## LEGEND

- PROPOSED SLAB
- PROPOSED GRADE
- WETLANDS IMPACTED
- AREA TO BE FILLED
- WETLANDS TO BE FILLED
- WETLANDS TO BE EXCAVATED
- NATURAL EARTHEN GRADE

EAST SECTION VIEW "A-A"  
SCALE: 1"=10' HORIZONTAL  
1"=1' VERTICAL

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## SECTION VIEWS COMPANY: PLAZA 22 WEST

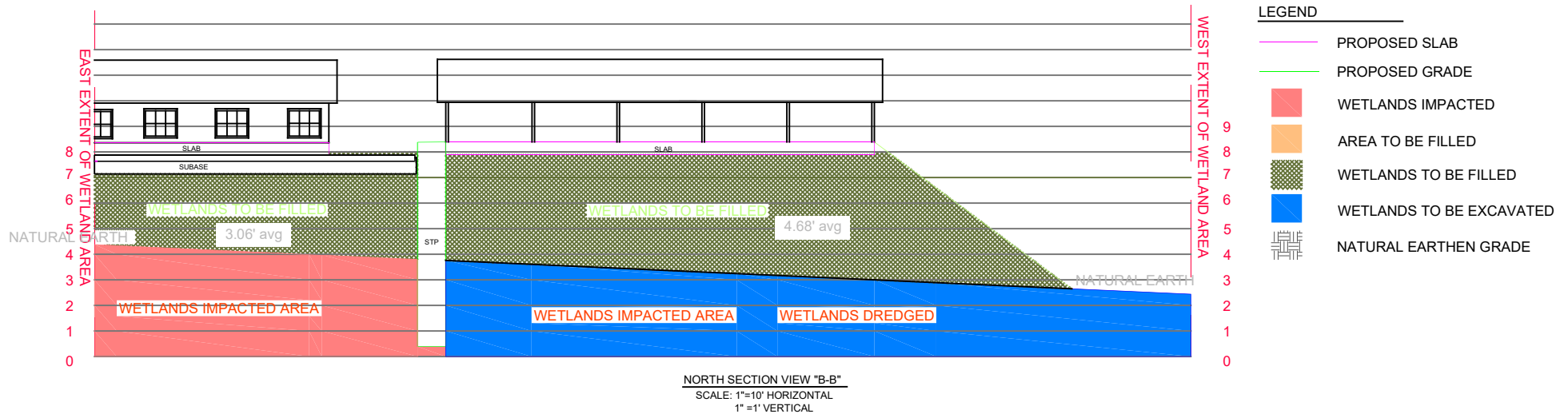


42333 Deluxe Plaza Suite 8  
Hammond, LA  
Engineer - Robert C. Barrilleaux, PE # 28869

Date: 2-3-20  
Drawn by: RKL

Scale: 1" = 40'  
Revised: 3.24.20





**Notes:**

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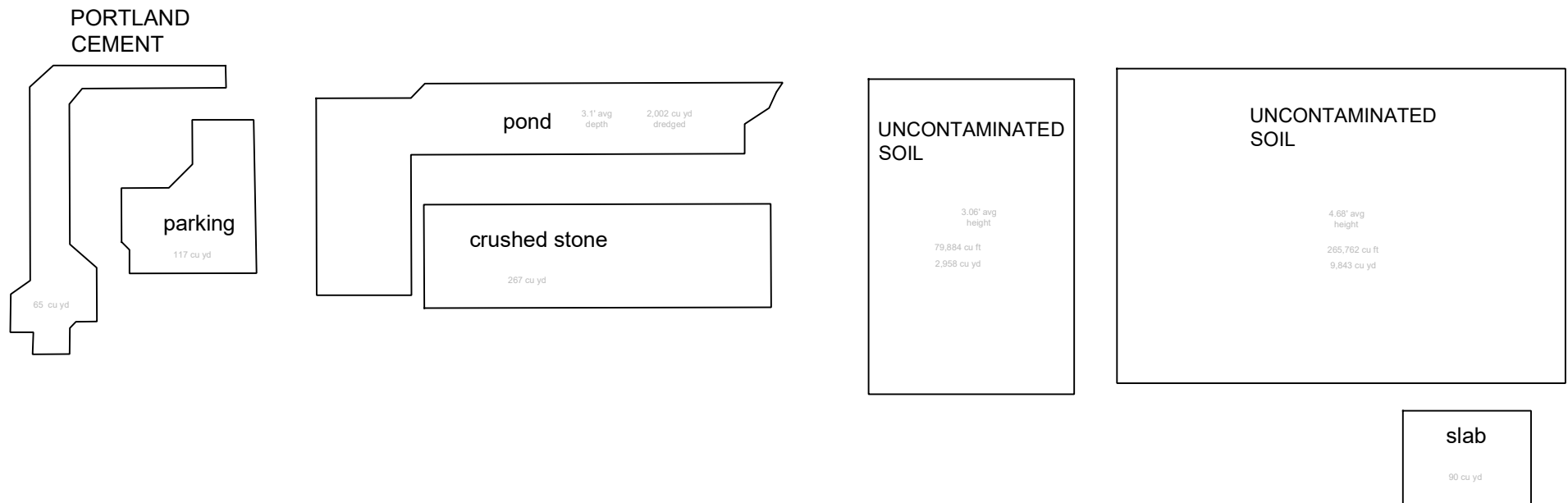
**SECTION VIEWS**  
**COMPANY: PLAZA 22 WEST**



42333 Deluxe Plaza Suite 8  
 Hammond, LA  
 Engineer - Robert C. Barrilleaux, PE # 28869

Date: 2-3-20  
 Drawn by: DLQ

Scale: 1" = 60'  
 Revised: 3.24.20



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**AREAS AND VOLUMES  
COMPANY: PLAZA 22 WEST**



42333 Deluxe Plaza Suite 8  
Hammond, L A  
Engineer - Robert C. Barrilleaux, PE # 28869

Date: 2-3-20  
Drawn by: DLQ

Scale: 1" = 60'  
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