

JOINT PUBLIC NOTICE

1 April 2019

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

(504) 862-2045
jennifer.e.burkett@usace.army.mil
Project Manager
Jennifer Burkett
Permit Application Number
MVN 2019-0179 EBB

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

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC 190321-01

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 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).

COMMERCIAL DEVELOPMENT IN SAINT TAMMANY PARISH

NAME OF APPLICANT: DL Investments, LLC c/o ELOS Environmental, LLC., Attention: Cory Ricks, at 43177 East Pleasant Ridge Road, Hammond, Louisiana 70403.

LOCATION OF WORK: At the northeastern junction of Louisiana Highway 22 and Perrilloux Road, in Madisonville, Saint Tammany Parish, Louisiana, as shown on the attached drawings.

Hydrologic Unit Code: 08090201 – Liberty Bayou – Tchefuncte
Latitude: 30.431407, Longitude: -90.201418

CHARACTER OF WORK: To clear, grade, excavate, and install and maintain fill to construct the Pine Creek Area Commercial Site project. The project will include businesses such as an air conditioned self-storage facility, car wash, gas station, and a pharmacy. Project implementation will require approximately 35,224 cubic yards of concrete fill and 61,353 cubic yards of clay fill. Access will be via a culverted crossing off of Louisiana Highway 22. Catch basins will be installed throughout parking lots and reverted to roadside ditches, and a new ditch will be installed along Perrilloux Road. The entire 6.45-acre site will be impacted, including 2.46 acres of forested wetlands and 0.02 acres of Other Waters of the US. The applicant proposes to purchase credits from a mitigation bank to offset any unavoidable losses to wetland functions caused by project implementation.

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**. 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. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would neither affect any species, nor habitat designated as critical to the recovery of any species, listed as endangered by the U.S. Department of Commerce.

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 species listed as endangered by the U.S. Department of Interior.

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 before a permit is issued.

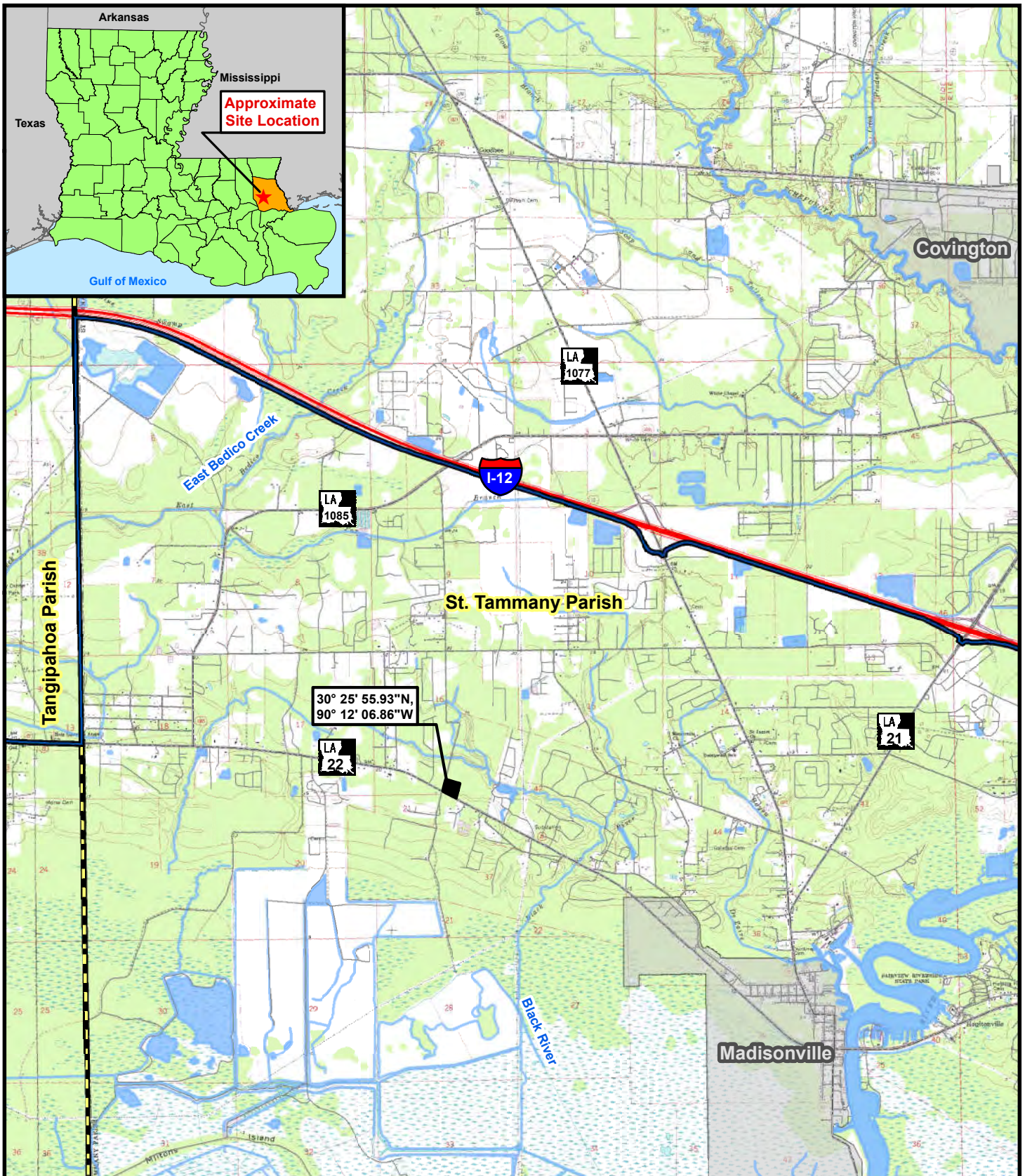
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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

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.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosure




<http://elosenv.com/>
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 Hammond, Louisiana 70403
 P. 985-662-5501, F. 985-662-5504

0 4,000 8,000 Feet

Figure 1: TopoVicinity Map

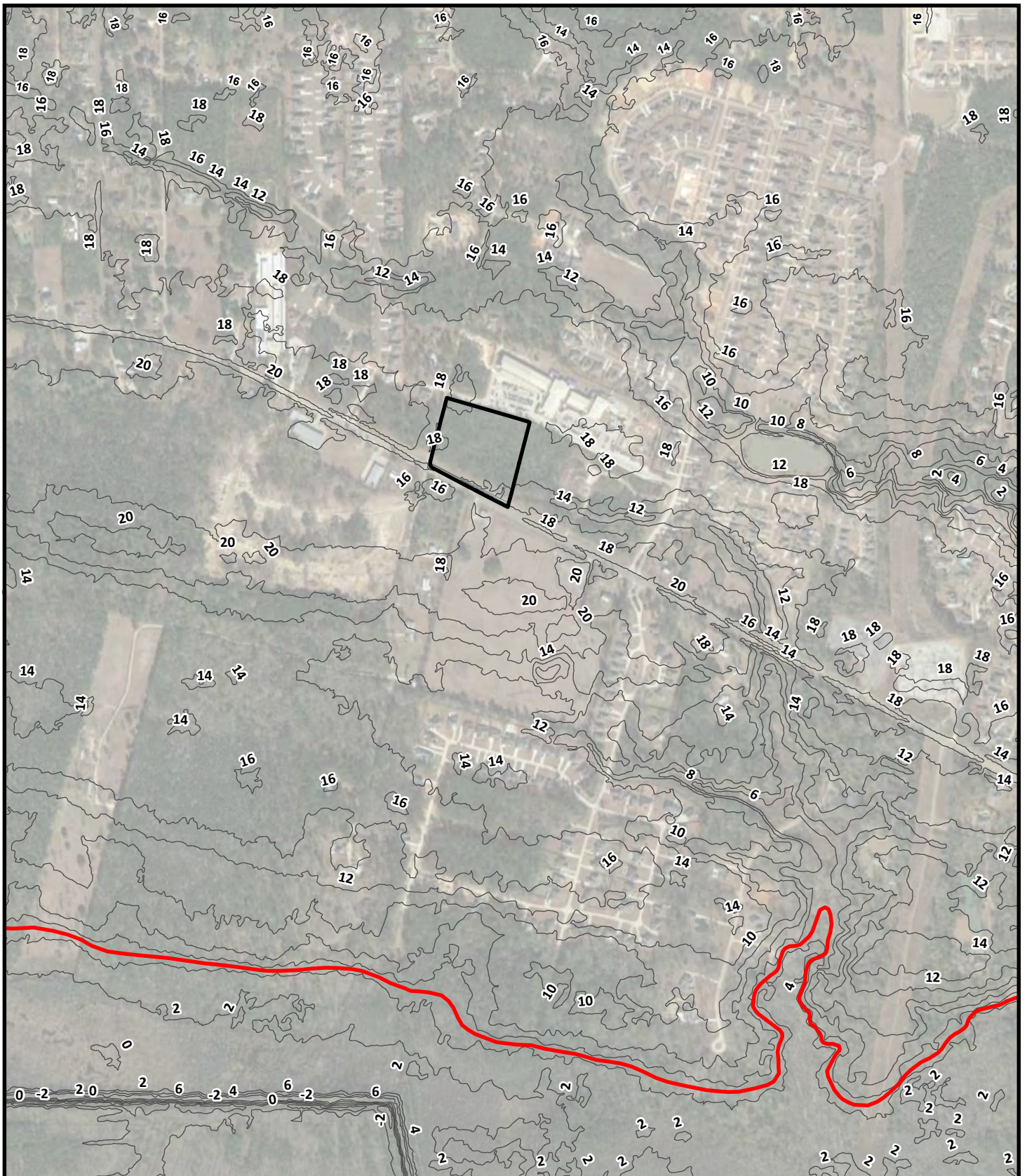
Pine Creek Area Commercial Site

Legend:

- Site Outline
- Coastal Zone Boundary
- City/Town
- Interstate
- Highway
- Roadway
- Waterbody
- Stream/River

Section: 42
 Township: 07 South
 Range: 10 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.



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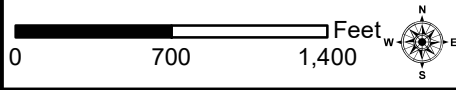





Figure 2: Five Foot Contour

**Pine Creek
 Area Commercial Site**

Legend:

-  Site Outline
-  Contour
-  Five Foot Contour Line

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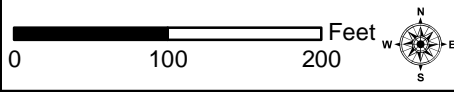


Figure 3: Existing Conditions

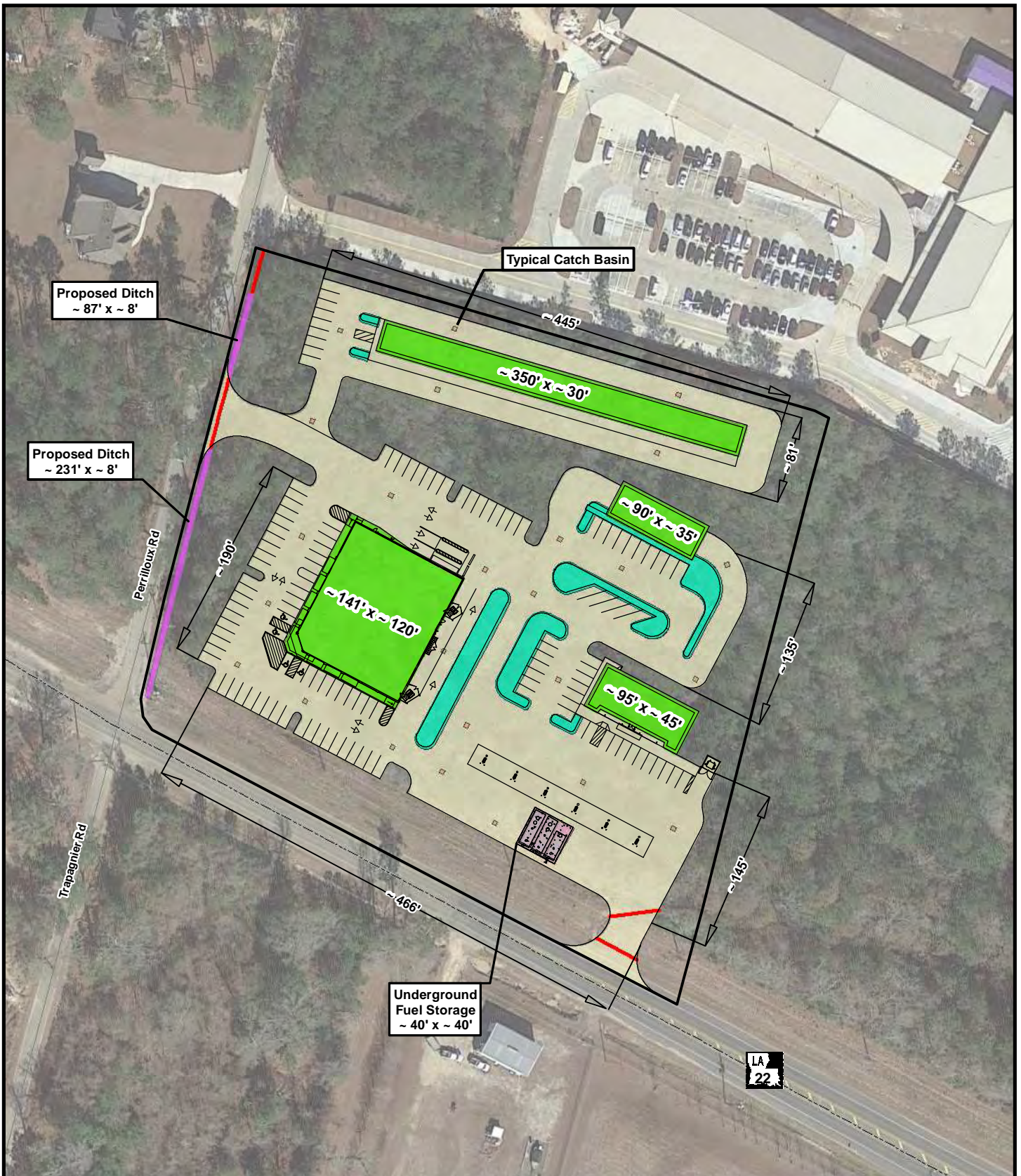
**Pine Creek
Area Commercial Site**

Legend:

- Site Outline
- Other Waters
- Highway
- Existing Ditch
- Wetlands
- Roadway

Refer to MVN-2005-3860-SZ

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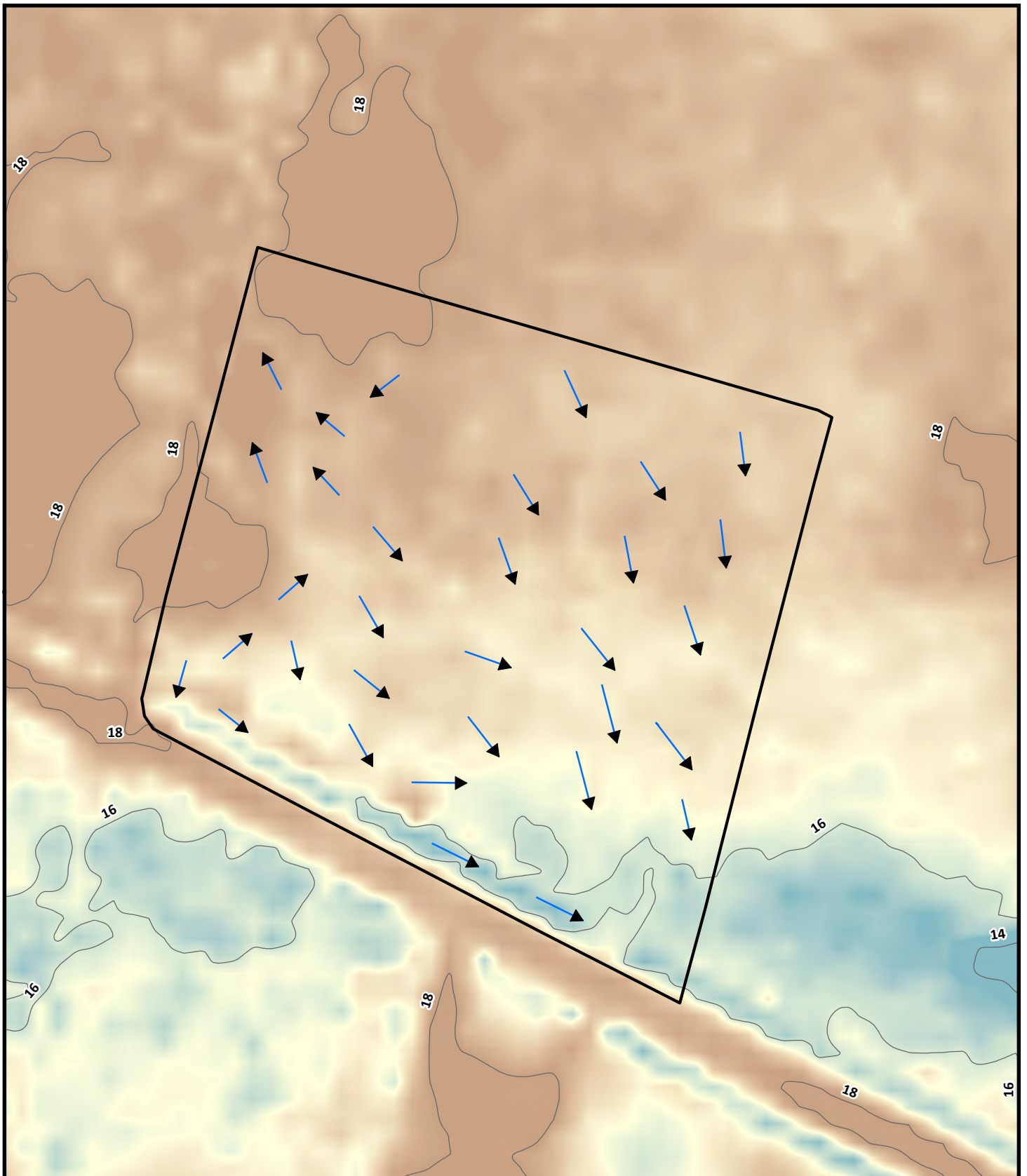
Figure 4: Plan View

**Pine Creek
 Area Commercial Site**

Legend:

- Site Outline
- Proposed Building
- Parking/Driveway
- Curb/Median
- Underground Fuel Storage
- Proposed Ditch
- Proposed Catch Basin
- Proposed Culvert
- Highway

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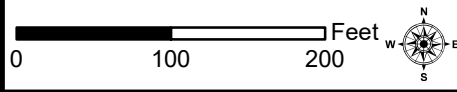


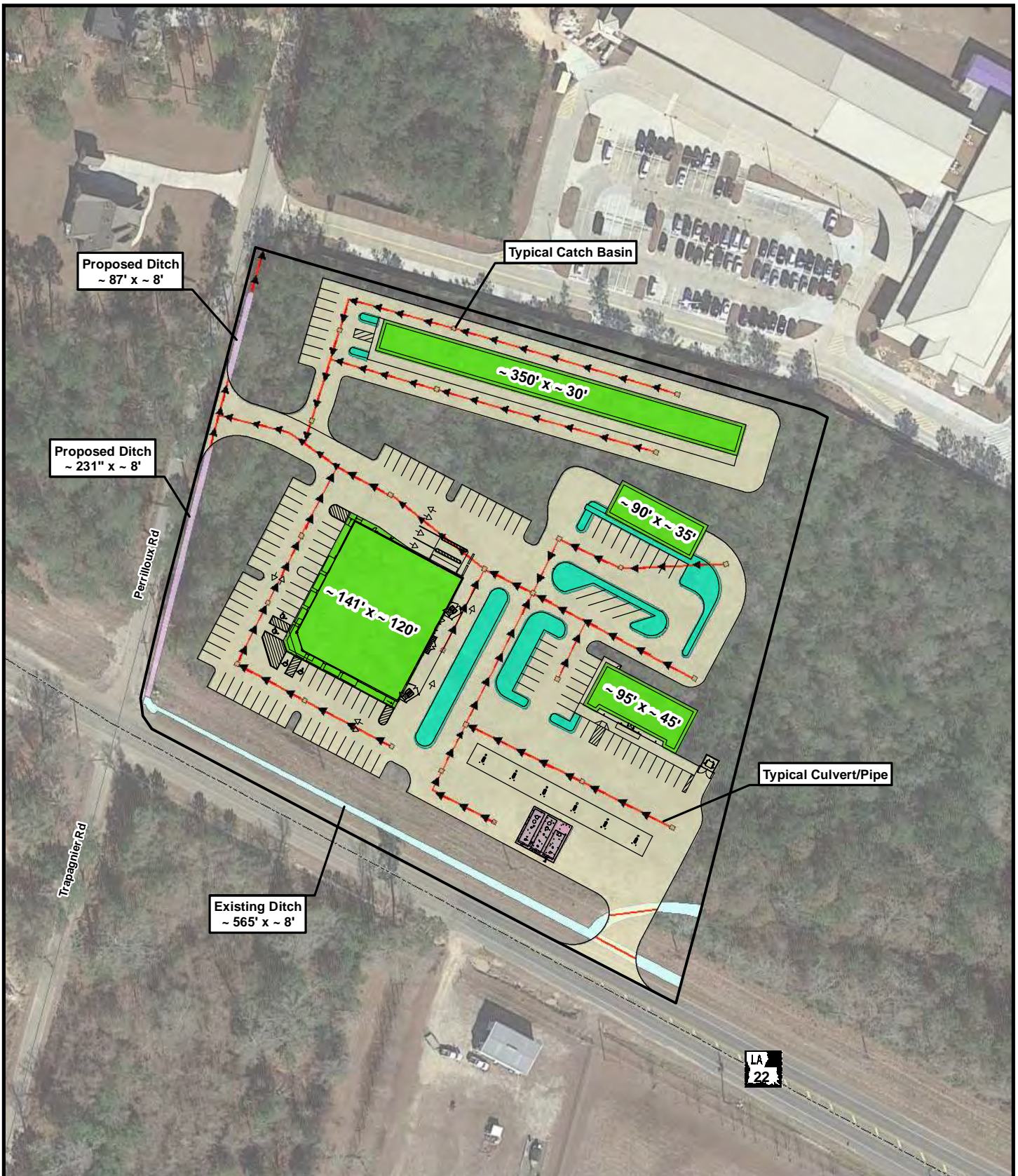
Figure 5: Pre-Drainage Flow

**Pine Creek
Area Commercial Site**

Legend:

- Site Outline
- Pre Drainage
- Contours
- Higher
Lower

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0 100 200 Feet

Figure 6: Post Drainage Flow

Pine Creek Area Commercial Site

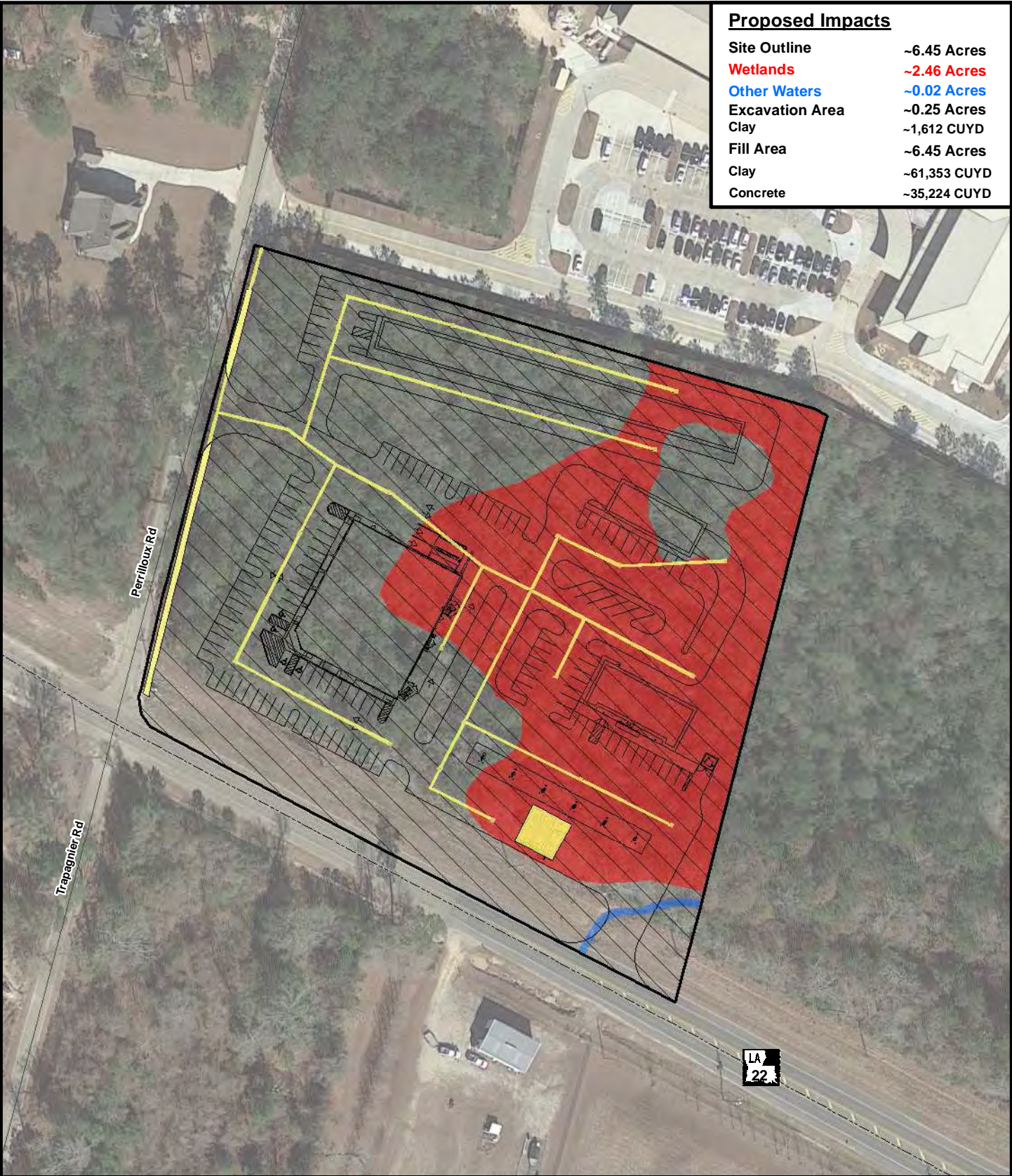
Legend:

- Site Outline
- Proposed Building
- Parking/Driveway
- Curb/Median
- Underground Fuel Storage
- Proposed Ditch
- Existing Ditch
- Proposed Catch Basin
- Culvert/Pipe
- Highway
- Roadway

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Proposed Impacts

Site Outline	~6.45 Acres
Wetlands	~2.46 Acres
Other Waters	~0.02 Acres
Excavation Area	~0.25 Acres
Clay	~1,612 CUYD
Fill Area	~6.45 Acres
Clay	~61,353 CUYD
Concrete	~35,224 CUYD



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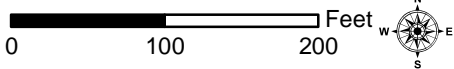


Figure 7: Proposed Impacts

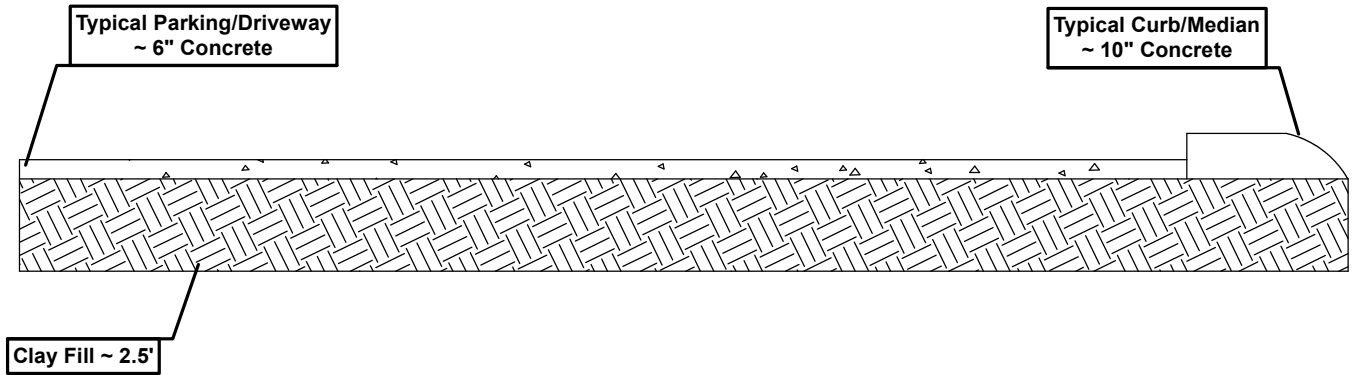
Pine Creek Area Commercial Site

Legend:

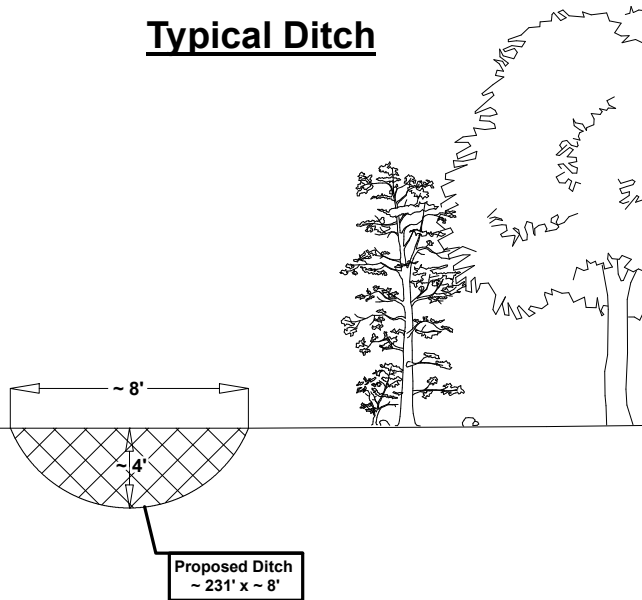
- Site Outline
- Excavation
- Highway
- Other Waters Impacts
- Fill
- Roadway
- Wetland Impacts

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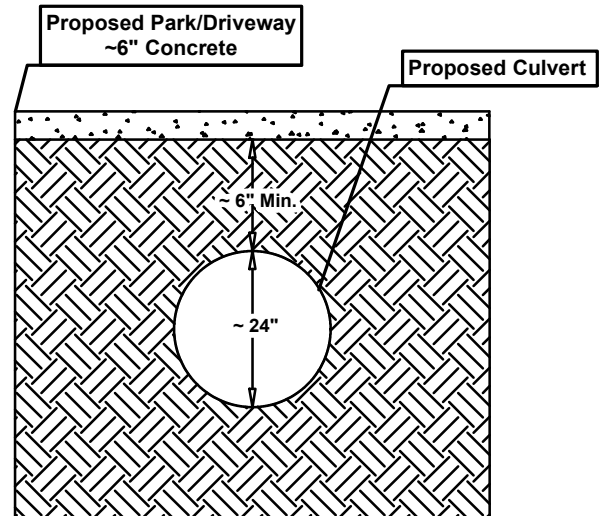
Typical Parking/Driveway



Typical Ditch



Typical Culvert



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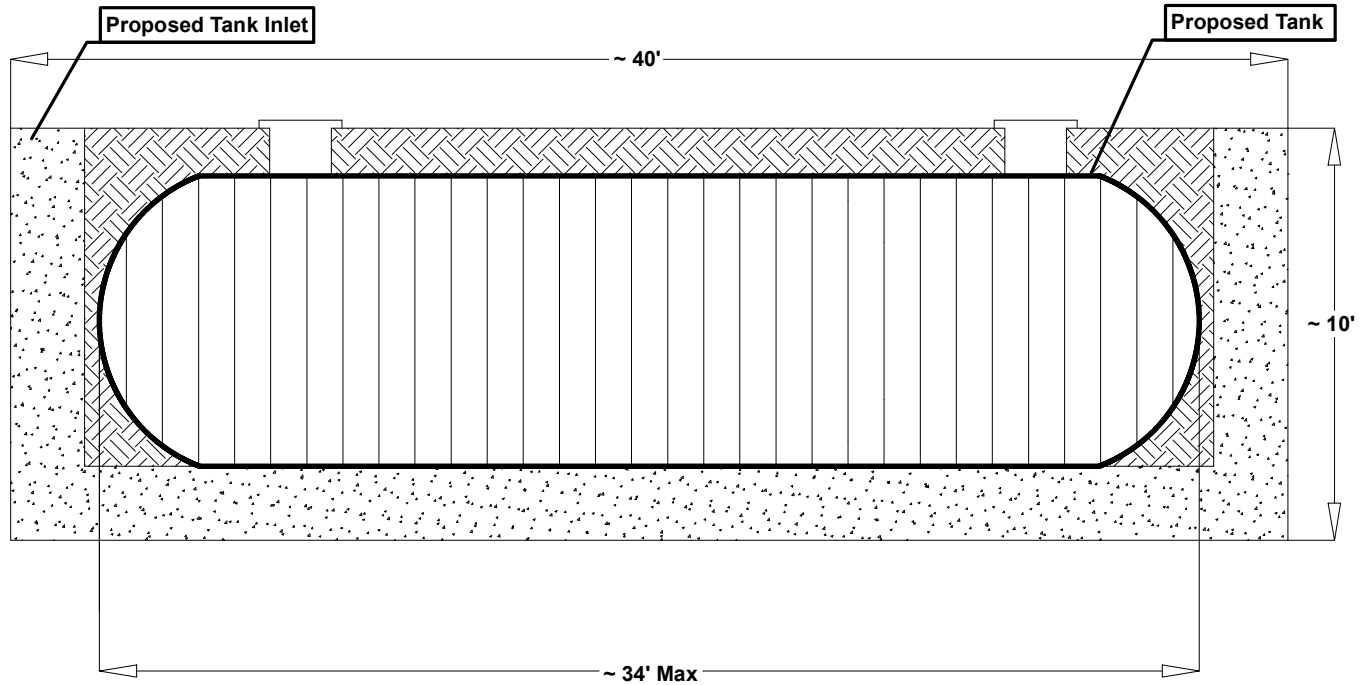
Scale = Not to Scale

Figure 8: Typical Sections

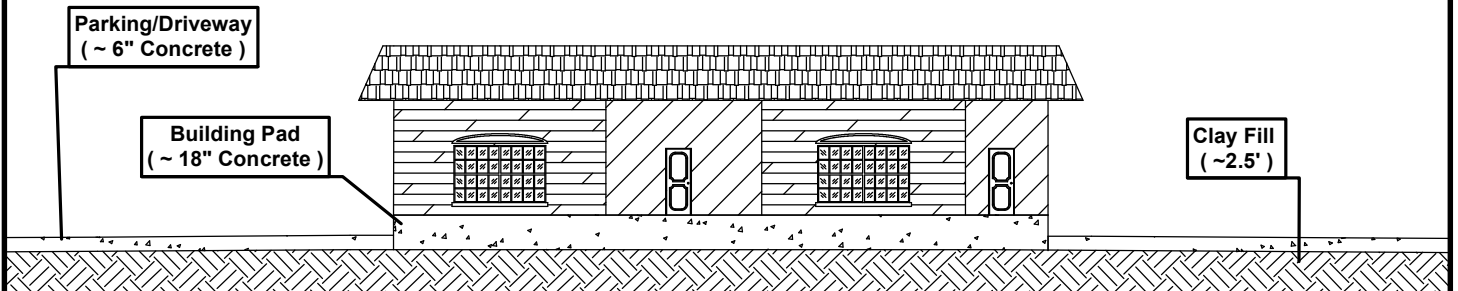
**Pine Creek
Area Commercial Site**

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Typical Underground Fuel Storage



Typical Building



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Scale = Not To Scale

Figure 9: Typical Sections

**Pine Creek
 Area Commercial Site**

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