

JOINT PUBLIC NOTICE

December 21, 2020

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch, ODR-W
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) 862-1445

(225) 219-3225

Pierre.P.Castaing@usace.army.mil

Project Manager
Pierre Castaing
Permit Application Number
MVN-2020-00168-WRR

Project Manager
Elizabeth Hill
WQC Application Number
WQC 201210-01

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).

DEREDGING, BULKHEAD, WALKWAY, AND COVERED BOAT HOUSE IN CALCASIEU PARISH

NAME OF APPLICANT: Mr. Melvin Marque, c/o Cypress Engineering and Development Group, LLC, Attention: David Minton, 4310 Ryan Street Suite 122, Lake Charles, Louisiana 70605.

LOCATION OF WORK: Project site is located at 4940 Fernwood Dr, in Calcasieu Parish, Louisiana, as shown on the attached drawings.

Latitude: 30.1669 Longitude: -93.2956

Hydrologic Unit Codes: 08080206, Calcasieu - Mermentau

CHARACTER OF WORK: Dredging approximately 496 cu. yds of material to widen an existing canal, install 100' of bulkhead, and to construct timber walkways and a covered boat house. The project as proposed would directly impact 0.1 of an acre of tidal waters. The applicant has stated that no jurisdictional wetlands will be impacted; therefore, compensatory mitigation has not been proposed.

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. As required, copies of this public notice will be sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The New Orleans District has determined that the proposed activity is not likely to adversely affect the threatened West Indian manatee (*Trichechus manatus*) species based on the Information for Planning and Consultation (IPaC) system, between the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, Ecological Services Office.

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 0.1 of an acre 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.

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.

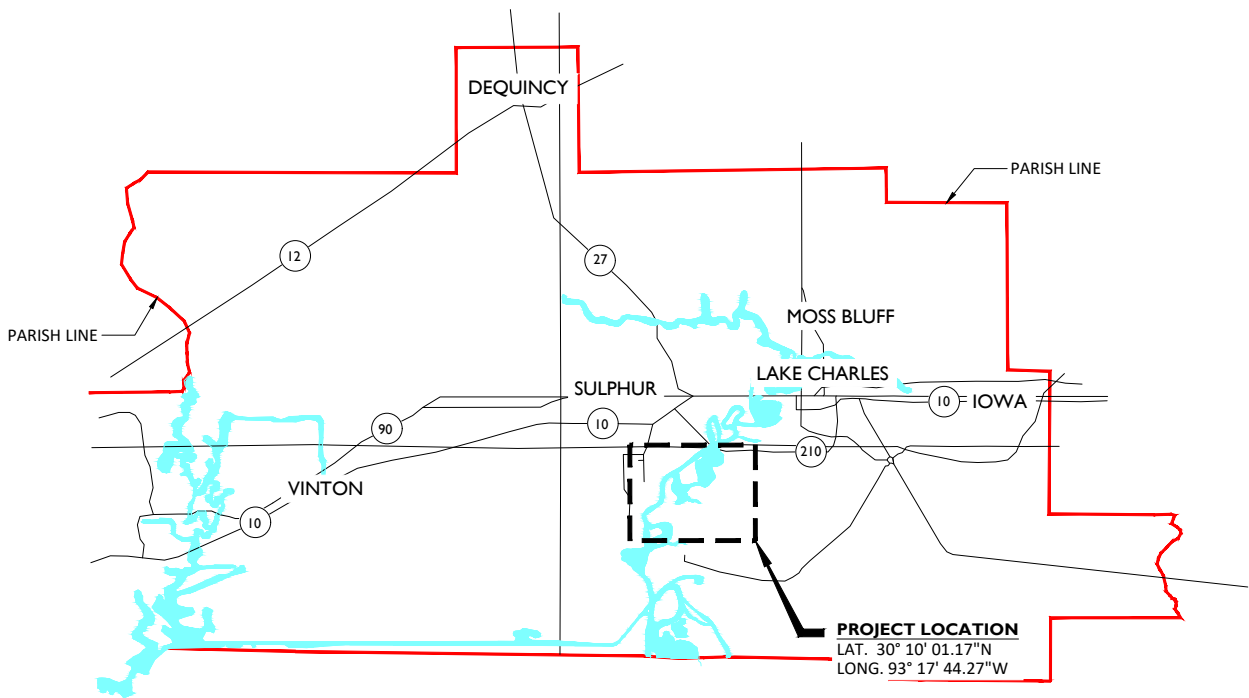
For Darrell S. Barbara
Chief, Western Evaluation Section

Enclosure

NOTE: THESE DRAWINGS ARE TO BE USED EXCLUSIVELY FOR ACQUISITION OF REGULATORY PERMITS.

REVISED: 12/7/2020

CALCASIEU PARISH, LOUISIANA



THE CYPRESS GROUP
4310 RYAN ST. STE 122
LAKE CHARLES, LA
OFFICE - 337.504.7755
FAX - 337.504.7744

MELVIN MARQUE AFTER-THE- FACT

4940 FERNWOOD DR.
LAKE CHARLES, LOUISIANA 70605

VICINITY MAP

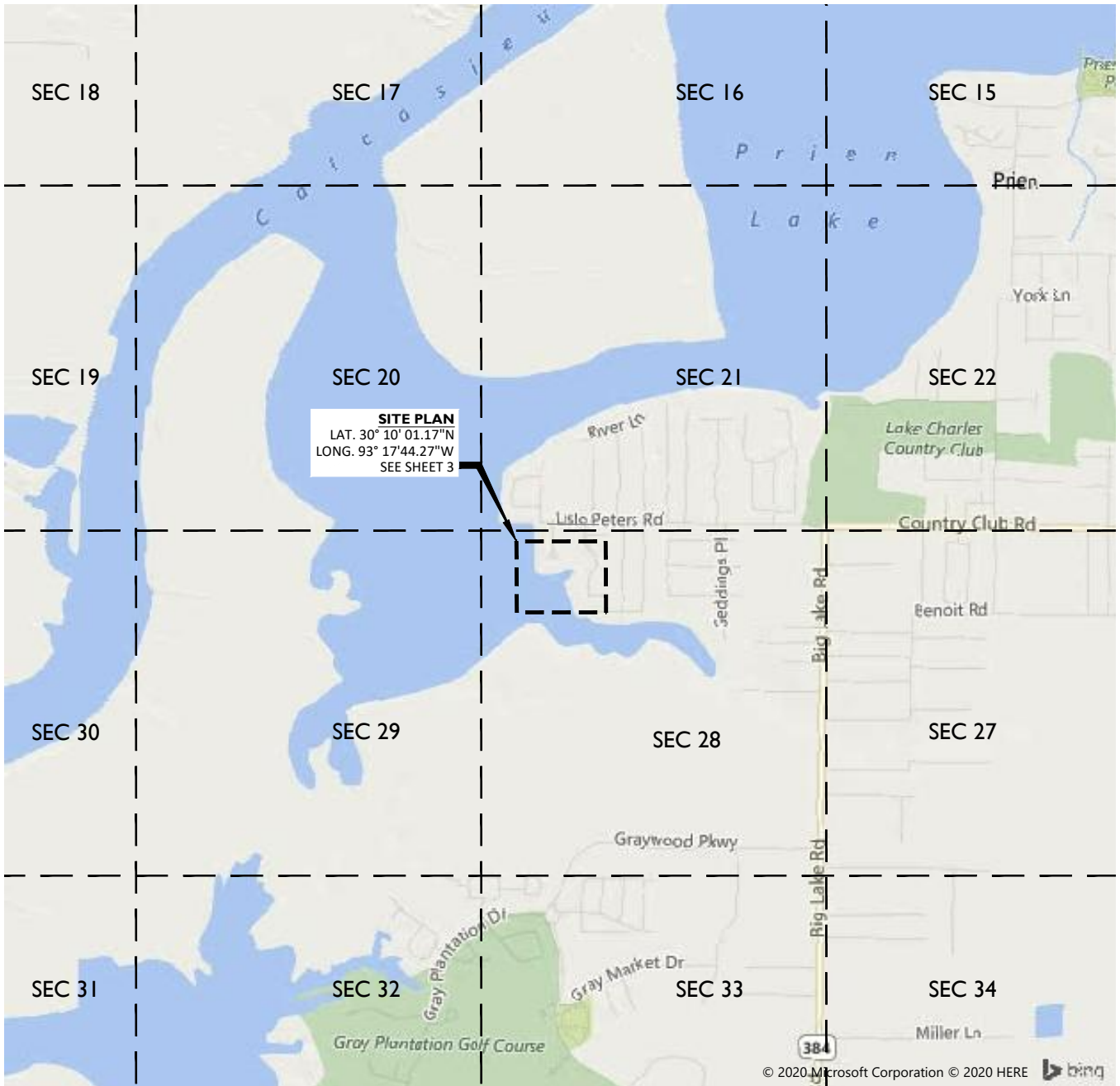
C.G.S.
6/9/2020
1" = 5,000'

1

NOTE: THESE DRAWINGS ARE TO BE USED EXCLUSIVELY FOR ACQUISITION OF REGULATORY PERMITS.

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SECTION 28, T. 10S., R. 9 W., CALCASIEU PARISH, LOUISIANA



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PROJECT LOCATION

C.G.S.	2
6/9/2020	
1" = 5,000'	

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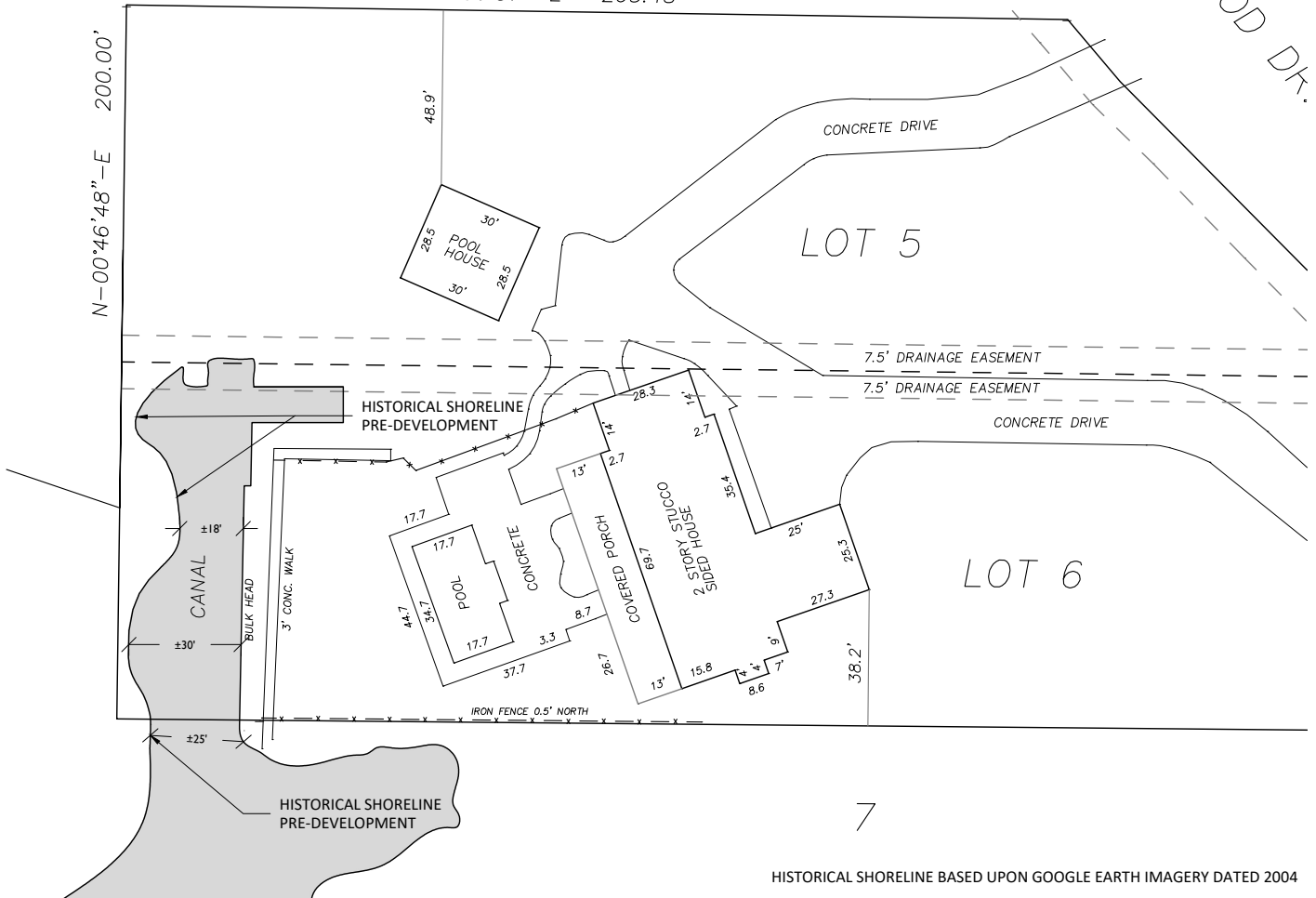
SECTION 28, T. 10S., R. 9 W.,
CALCASIEU PARISH, LOUISIANA

4

FERNWOOD DR.

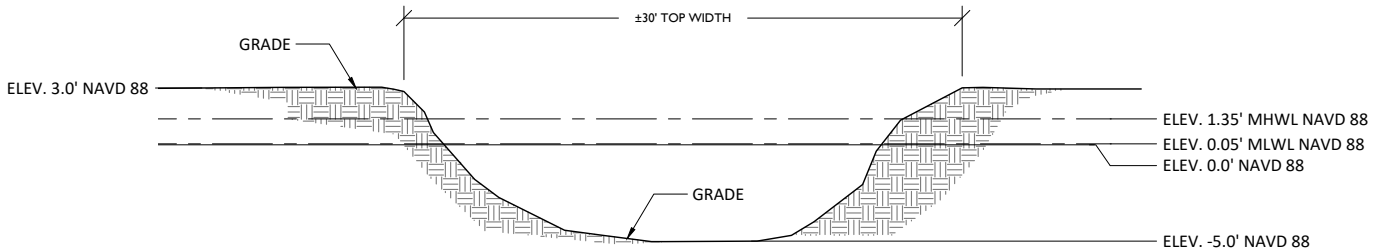
S-89°06'57"-E 263.48'

N-00°46'48"-E 200.00'



7

HISTORICAL SHORELINE BASED UPON GOOGLE EARTH IMAGERY DATED 2004



PRE- DEVELOPMENT SECTION VIEW



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PRE-DEVELOPMENT
SITE PLAN

C.G.S.
6/9/2020
1" = 50'

3

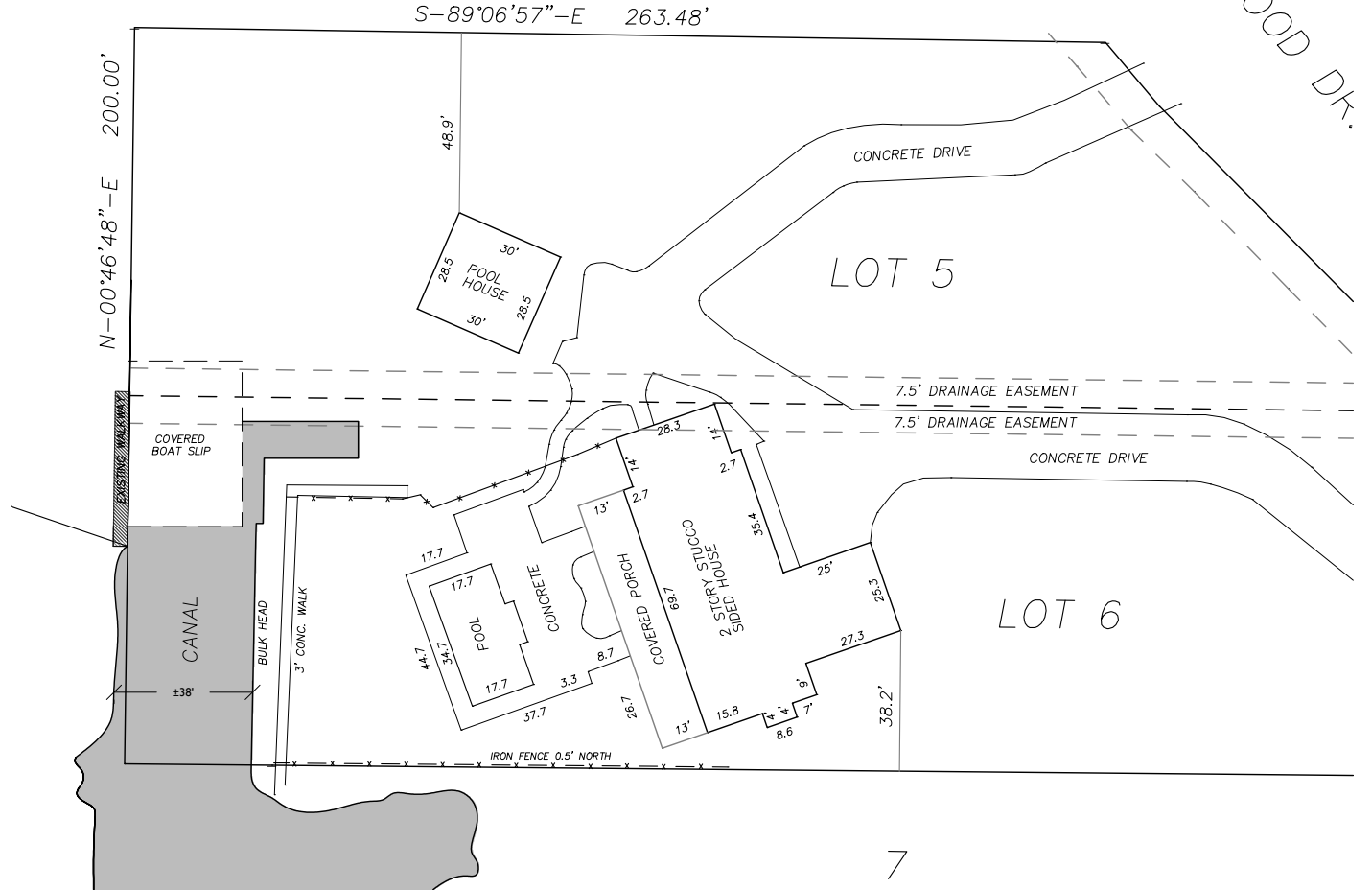
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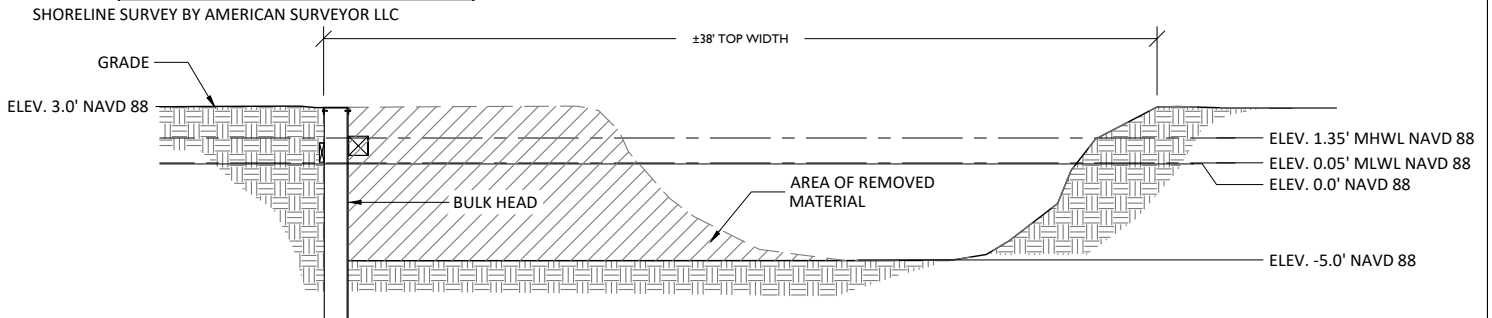
SECTION 28, T. 10S., R. 9 W.,
CALCASIEU PARISH, LOUISIANA

4

FERNWOOD DR.



7



PRE AND POST - DEVELOPMENT COMPARATIVE
SECTION VIEW

GENERAL NOTES AFTER-THE-FACT:

- APPROXIMATELY 496 CYD OF MATERIAL REMOVED FOR BULK HEAD INSTALLATION DATED 2005.



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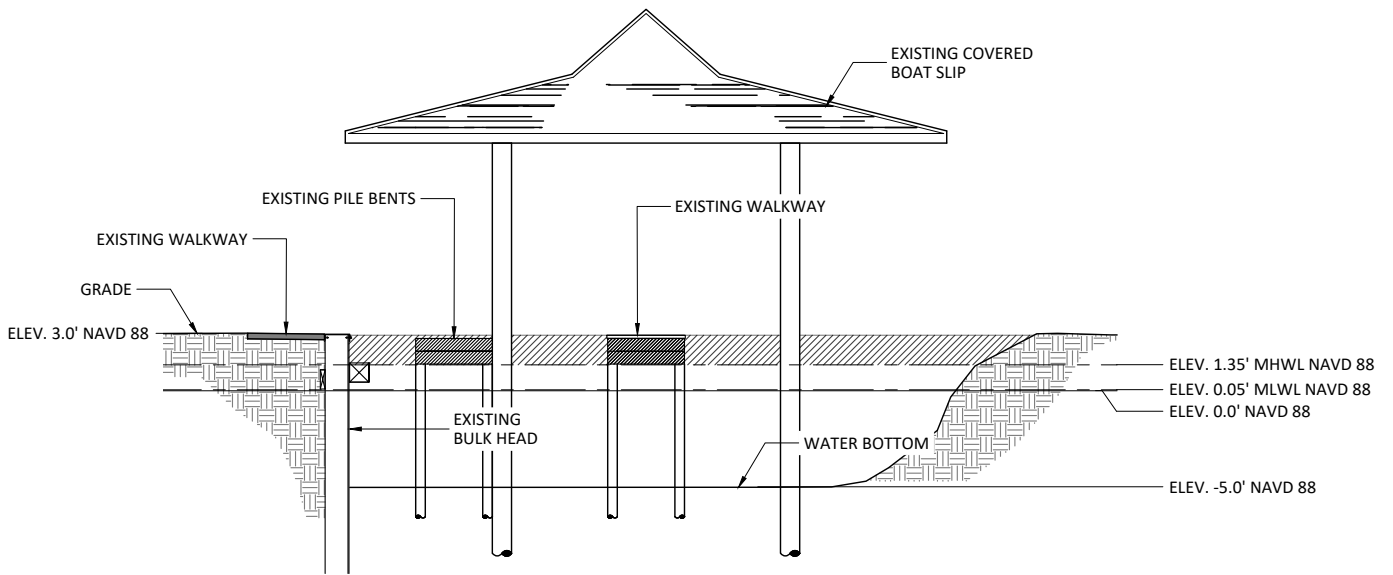
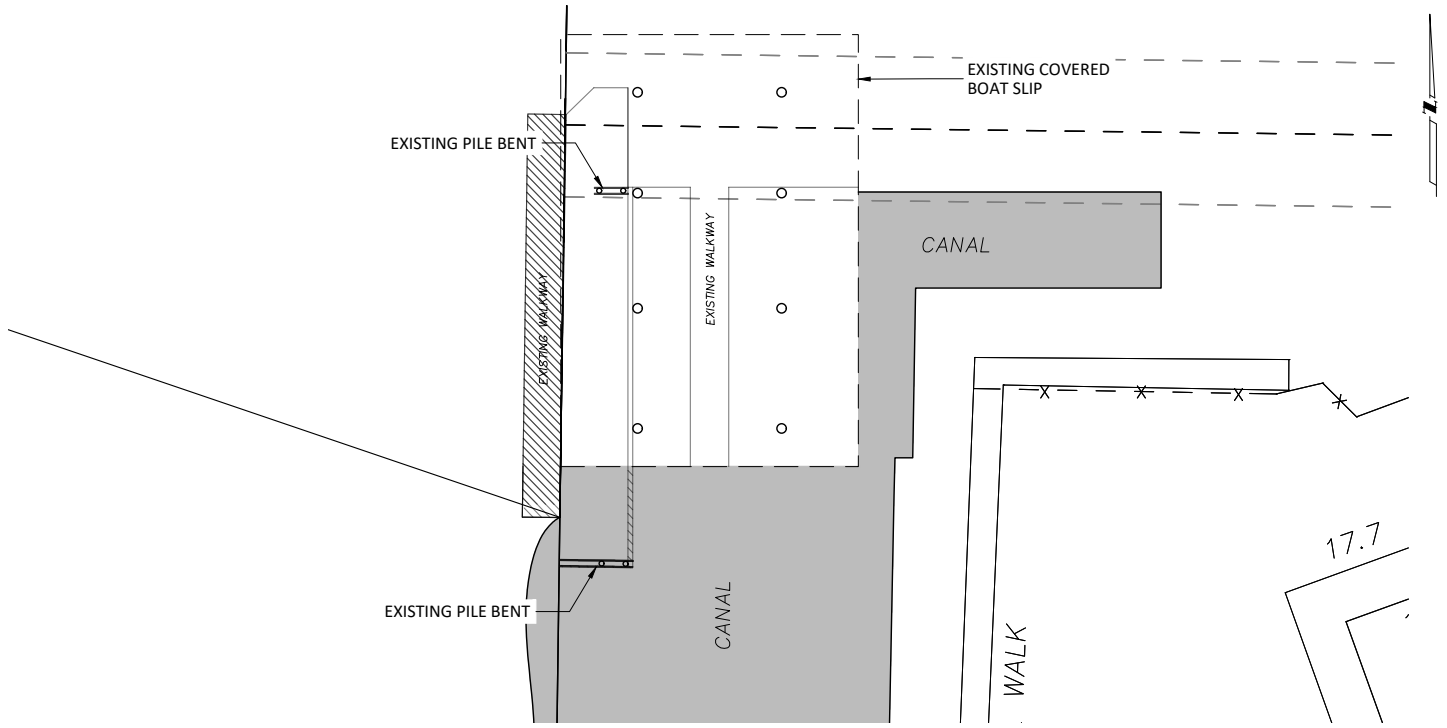
POST-DEVELOPMENT
SITE PLAN

C.G.S.	4
6/9/2020	
1" = 50'	

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REVISED: 12/7/2020

SECTION 28, T. 10S., R. 9 W., CALCASIEU PARISH, LOUISIANA



POST- DEVELOPMENT CANAL (Existing)
SECTION VIEW



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MELVIN MARQUE AFTER-THE- FACT

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LAKE CHARLES, LOUISIANA 70605

POST-DEVELOPMENT
SITE PLAN

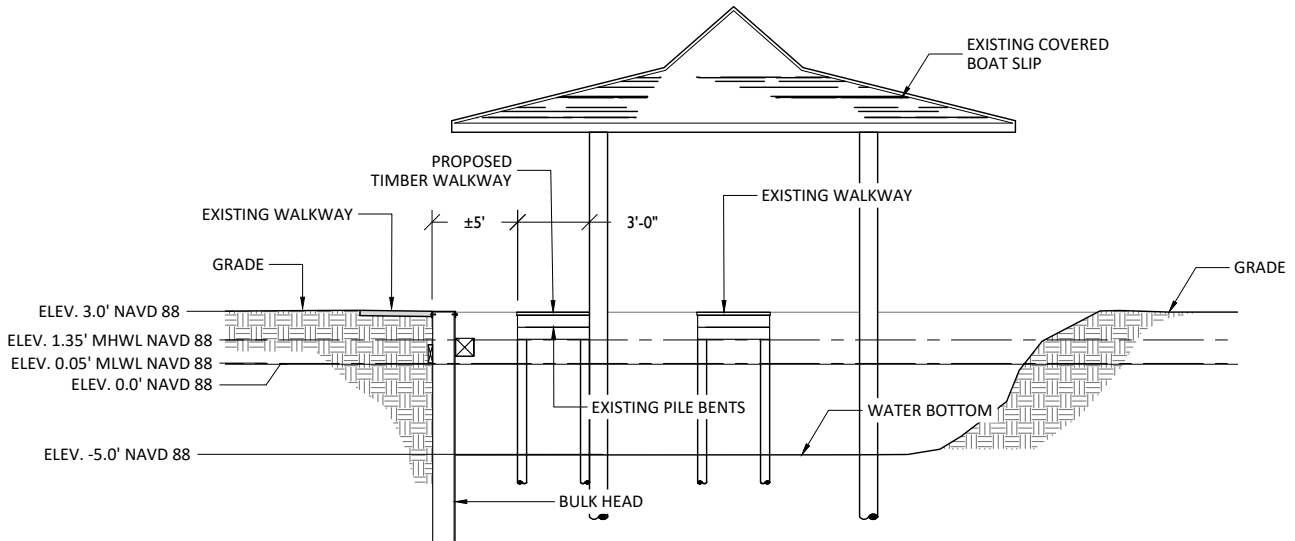
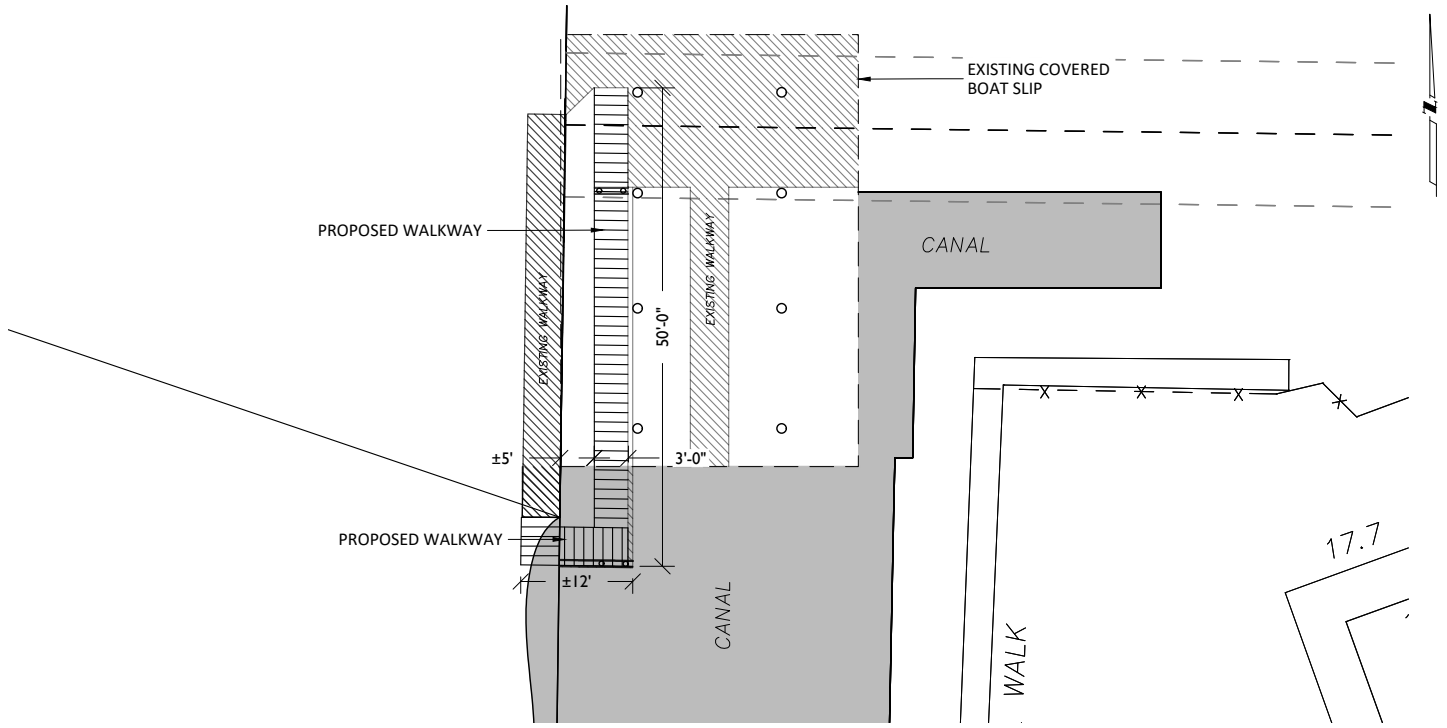
C.G.S.
6/9/2020
N.T.S.

5

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REVISED: 12/7/2020

SECTION 28, T. 10S., R. 9 W.,
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POST- DEVELOPMENT CANAL (Proposed)
SECTION VIEW



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POST-DEVELOPMENT
SITE PLAN

C.G.S.	6
6/9/2020	
N.T.S.	