

JOINT PUBLIC NOTICE

November 2, 2020

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
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

(504) 862-1301
Project Manager
Neil T. Gauthier
Neil.T.Gauthier@usace.army.mil
MVN 2020-00610-CM

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC 201026-01

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); 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, Office of Environmental Services, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act.

PROPOSED CONSTRUCTION OF A RESIDENTIAL SUBDIVISION (ALLEN TRAILS) IN LIVINGSTON PARISH

NAME OF APPLICANT: Kenny Lindsey Construction, L.L.C., c/o D & S Environmental Services, Inc., P.O. Box 510, French Settlement, Louisiana 70733.

LOCATION OF WORK: At 32203 LA Hwy 16, approximately 1.2 miles east of the Amite River in Denham Springs, Louisiana, in Livingston Parish within the Lake Pontchartrain Basin, Amite River, in hydrologic unit (HUC 08070202), as shown on the attached drawings.

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to clear, grade, excavate, and place fill on a 24-acre site for the construction of a 77-lot residential development (Allen Trails) to include drainage, utility infrastructure, a storm water detention pond, roadways, and green space. Approximately 3,808 cubic yards of native material will excavated for the detention pond and re-deposited on site to be used in the construction and approximately 1,212 cubic yards of concrete, soil cement base, and asphalt will be hauled in and deposited. Approximately 0.9 acre of forested and herbaceous jurisdictional wetlands will be permanently impacted by clearing, filling and excavation, approximately 0.25 acre of WOUS will be temporarily impacted by relocation, and approximately 0.05 acre of WOUS will be permanently impacted by fill and excavation. It is anticipated that the proposed project would have no impact on adjacent wetlands.

The applicant stated that the proposed project has been designed to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. Any further reduction would limit usage of the property deeming the project impracticable. As compensation for unavoidable wetland impacts, the applicant proposes to mitigate in-kind wetland credits from a Corps approved mitigation bank located in the watershed.

The comment period for the Department of Army will close in **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 US 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 US 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 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 Commerce.

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 the U.S. Fish and Wildlife Service Information for Planning and Consultation System (IPaC) on October 26, 2020, the Corps has determined that this project is in the parish where the Threatened West Indian manatee and the Endangered Red – cockaded woodpecker are located. A No Effect determination has been concluded for the two species base on the location of the project and the nature of the work.

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.

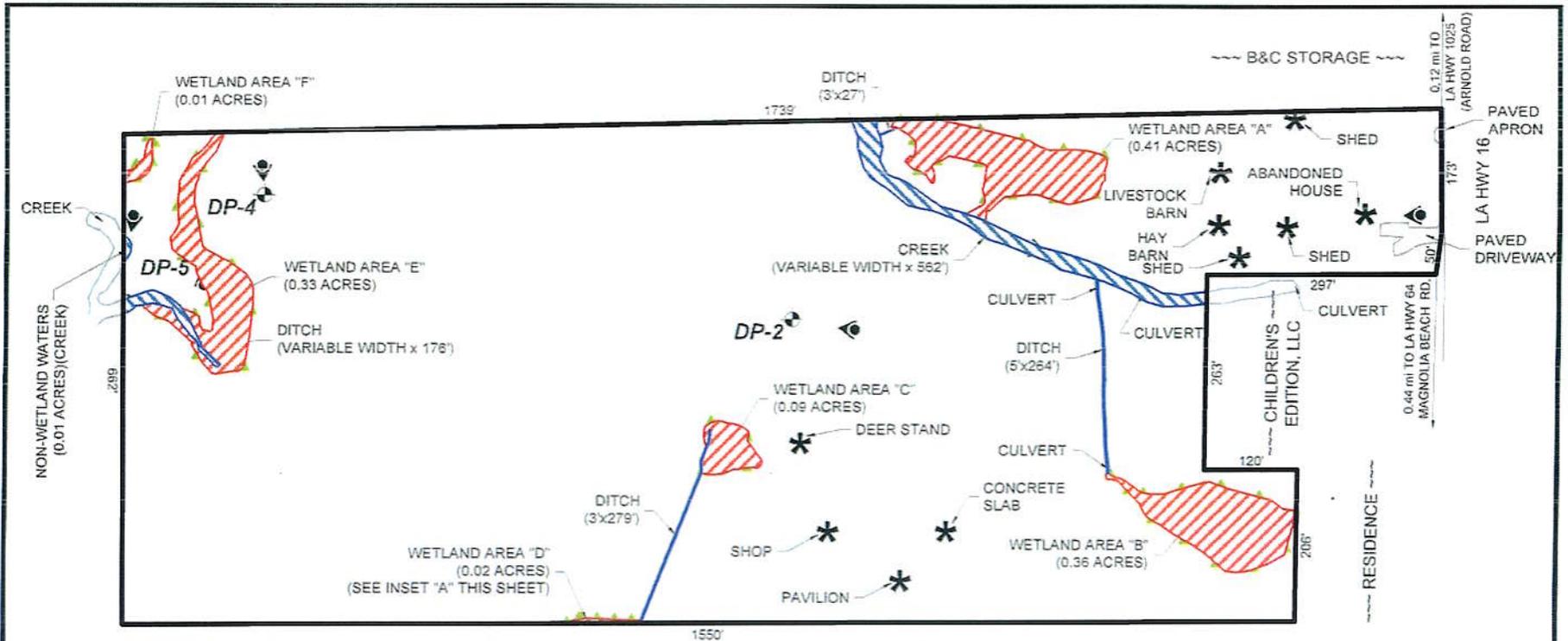
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate 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, 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

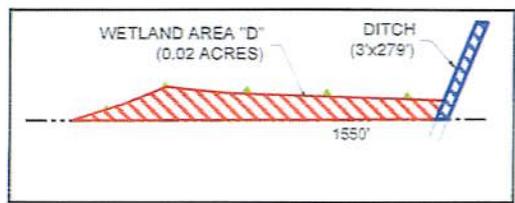
United States Army Corps of Engineers

Preliminary Jurisdictional Determination



WETLAND AREA & ACREAGE TABLE

AREA	ACREAGE
A	0.41
B	0.36
C	0.09
D	0.02
E	0.33
F	0.01



INSET "A"
SCALE 1"=50'

- JSACE
- n House: June 24, 2020
- otanist: M. Jeffrey Linville
- or: David C. Templet Jr.
- ccount # MVN-2020-00610-SL
- Wetlands
 - Non-Wetland Waters
 - J.D. Review Area



Kenny Lindsey Construction, L.L.C.

Allen Trails

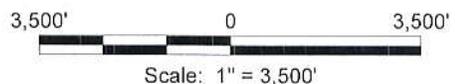
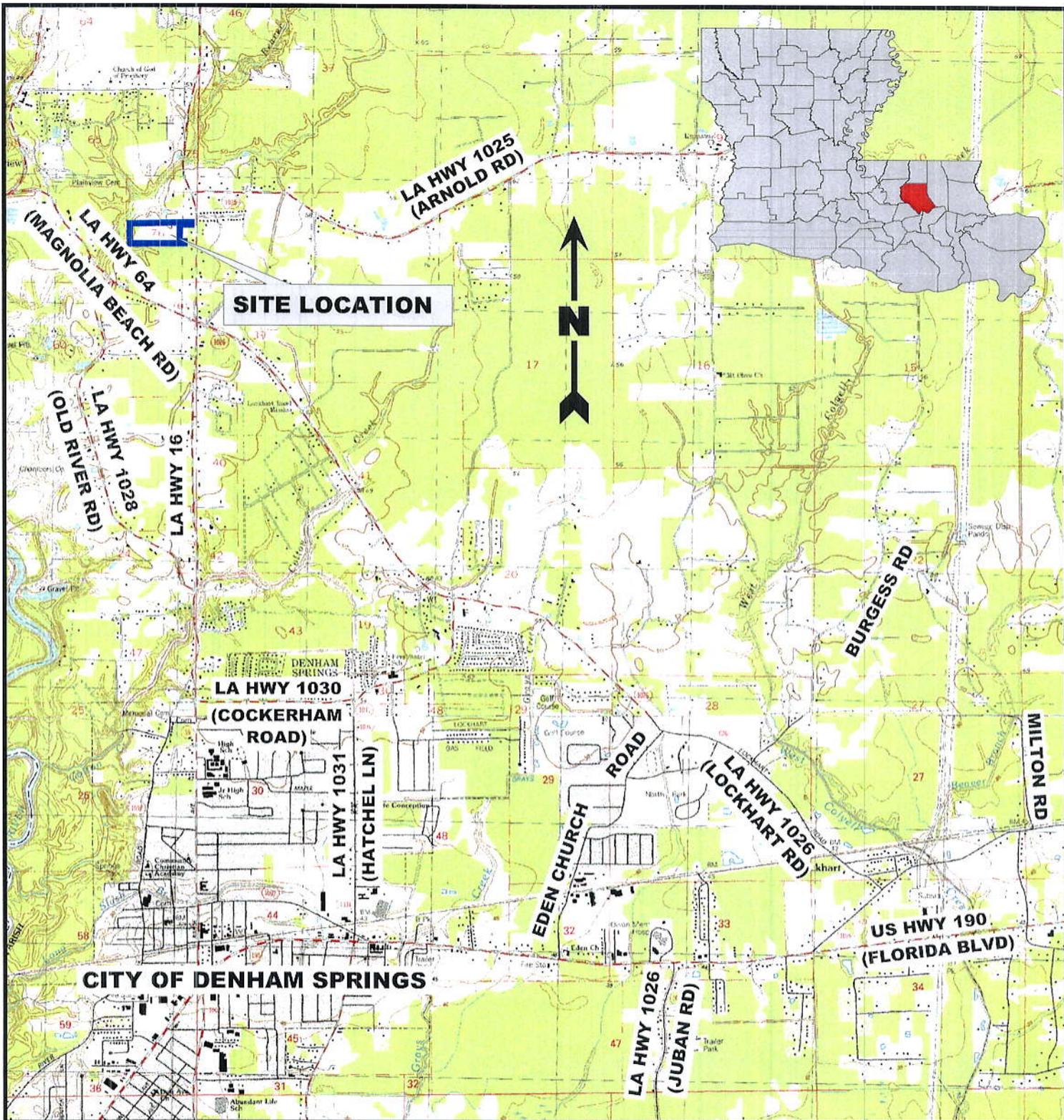
Jurisdictional Wetlands Map

Livingston Parish, Louisiana

D & S
ENVIRONMENTAL SERVICES, INC.

Project No.: 07-2020-JDM Date: 05-31-2020 Figure No.: 2

FIGURES



Notes

Property is located in Section 76 T6S-R2E

Latitude: 30°32'03.66"N Longitude: 90°57'33.66"W

Reference

Base map comprised of U.S.G.S. 7.5 minute topographic maps "Denham Springs, LA" and "Watson, LA".

Kenny Lindsey Construction, L.L.C.

Allen Trails

Vicinity Map

Livingston Parish, Louisiana



**D & S
ENVIRONMENTAL SERVICES, INC.**



Project No.: 08-2020-DOA

Date: 08-28-2020

Figure No.: 1

Total Fill

Approximately 3,807.94 Cubic Yards of Earthen Material.
 Approximately 668.22 Cubic Yards of Soil Cement Base.
 Approximately 490.47 Cubic Yards of Concrete.
 Approximately 53.14 Cubic Yards of Asphalt.



Legend

- Property Boundary (24.280 Acres)
- Non-Wetlands (22.720 Acres)
- Total Jurisdictional Wetlands (1.220 Acres)
- Jurisdictional Wetlands To Be Filled (0.853 Acres)
- Jurisdictional Wetlands To Be Excavated (0.014 Acres)
- Jurisdictional Wetlands Not To Be Impacted (0.353 Acres)
- Total Other Waters Of The U.S. (Non-Wetland Waters) (0.340 Acres)
- Other Waters Of The U.S. (Non-Wetland Waters) To Be Filled (0.049 Acres)
- Other Waters Of The U.S. (Non-Wetland Waters) To Be Filled And Relocated (0.247 Acres)
- Other Waters Of The U.S. (Non-Wetland Waters) To Be Excavated (0.001 Acres)
- Other Waters Of The U.S. (Non-Wetland Waters) Not To Be Impacted (0.043 Acres)

Notes

1. The layout was provided by Quality Engineering & Surveying, LLC.
2. Jurisdictional Wetlands and Other Waters Of The US obtained from U.S. Army CORPS of Engineers Preliminary Jurisdictional Determination Account Number MVN-2020-00610-SL.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22063C0115 E dated April 3, 2012, this property falls in Zone X (Areas determined to be outside the 0.2% annual chance floodplain) and Flood Zone AE (Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; Base Flood Elevations Determined). Base Flood Elevation = 53'.
4. Drainage features such as the stormwater detention pond will be maintained by subdivision HOA. The perimeter swale drainage ditches and storm drain system will be maintained by Livingston Parish DPW and Livingston Parish Gravity Drainage District 1.
5. Wetland Impacts by habitat type:
 - > Bottomland Hardwood = 0.376 Acres
 - > Herbaceous = 0.491 Acres

MAP APPROVED BY:
 David C. Templet, Jr., PWS, RF
 President/Professional Wetland
 Scientist/Registered Forester

D&S Environmental Services, Inc.
 P.O. Box 510
 French Settlement, Louisiana
 70733-0510
 Business: 225-698-3552
 Mobile: 225-413-4317

Kenny Lindsey Construction, L.L.C.

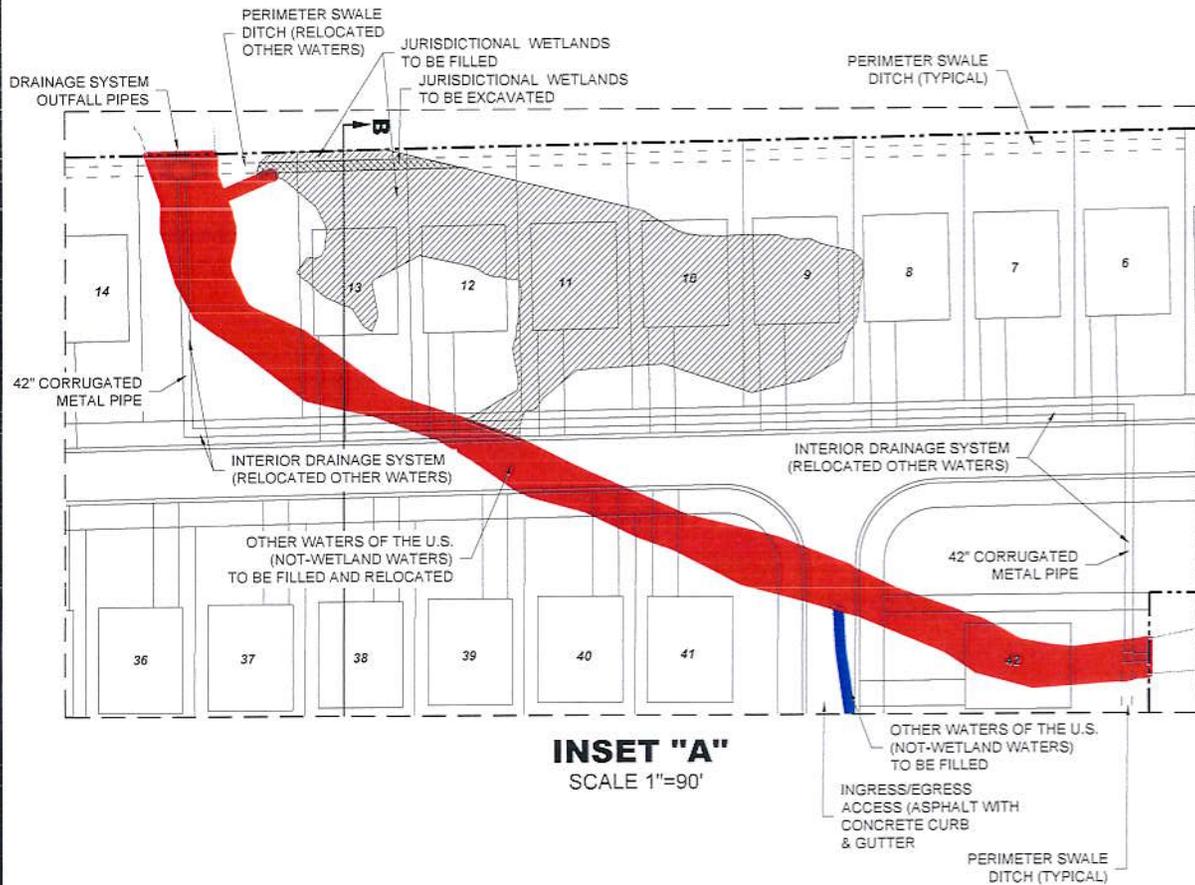
Allen Trails

Proposed Plan View

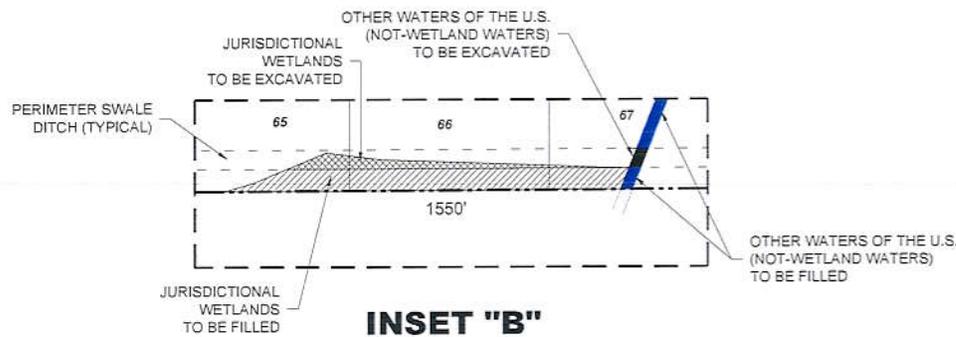
Livingston Parish, Louisiana

D & S
ENVIRONMENTAL SERVICES, INC.

Project No.: 08-2020-DOA	Date: 08-26-2020	Figure No.: 2
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INSET "A"
SCALE 1"=90'



INSET "B"
SCALE 1"=50'



Notes

SEE FIG 2

Legend

- Property Boundary (24.280 Acres)
- Non-Wetlands (22.720 Acres)
- Total Jurisdictional Wetlands (1.220 Acres)
- ▨ Jurisdictional Wetlands To Be Filled (0.853 Acres)
- ▩ Jurisdictional Wetlands To Be Excavated (0.014 Acres)
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Allen Trails

Inset "A" and "B"

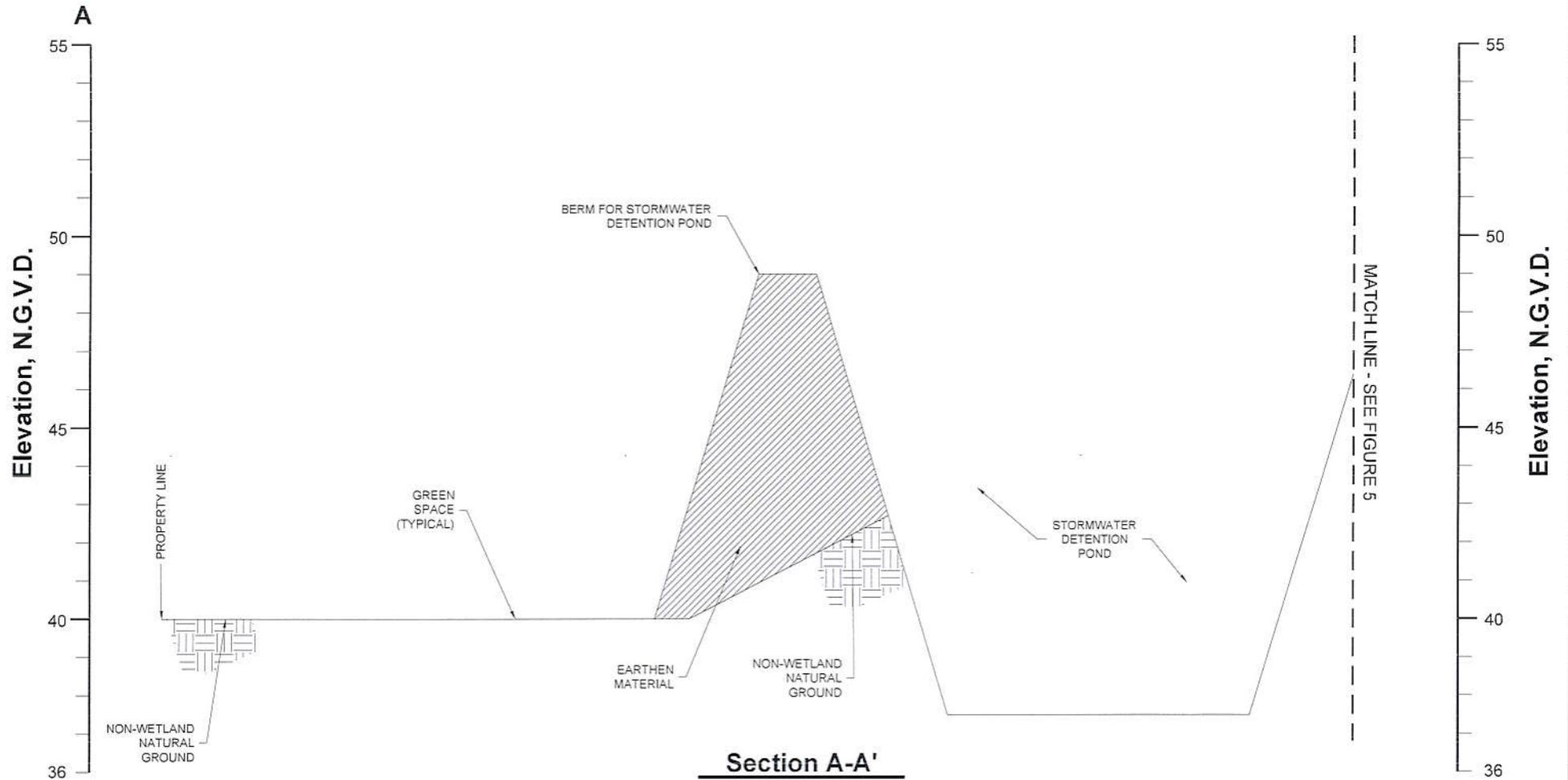
Livingston Parish, Louisiana

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ENVIRONMENTAL SERVICES, INC.

Project No.: 08-2020-DOA

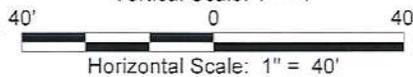
Date: 08-26-2020

Figure No.: 3



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4. Non-wetland natural ground elevations range from 40'-0" to 52'-0" N.G.V.D. Elevation data was obtained from topographic data provided by Quality Engineering & Surveying, LLC.
5. Natural Ground elevations in existing jurisdictional wetlands are approximately 6" lower than adjacent non-wetland ground elevations.



Legend

 Earthen Material

Kenny Lindsey Construction, L.L.C.

Allen Trails

Section View A-A'

Livingston Parish, Louisiana



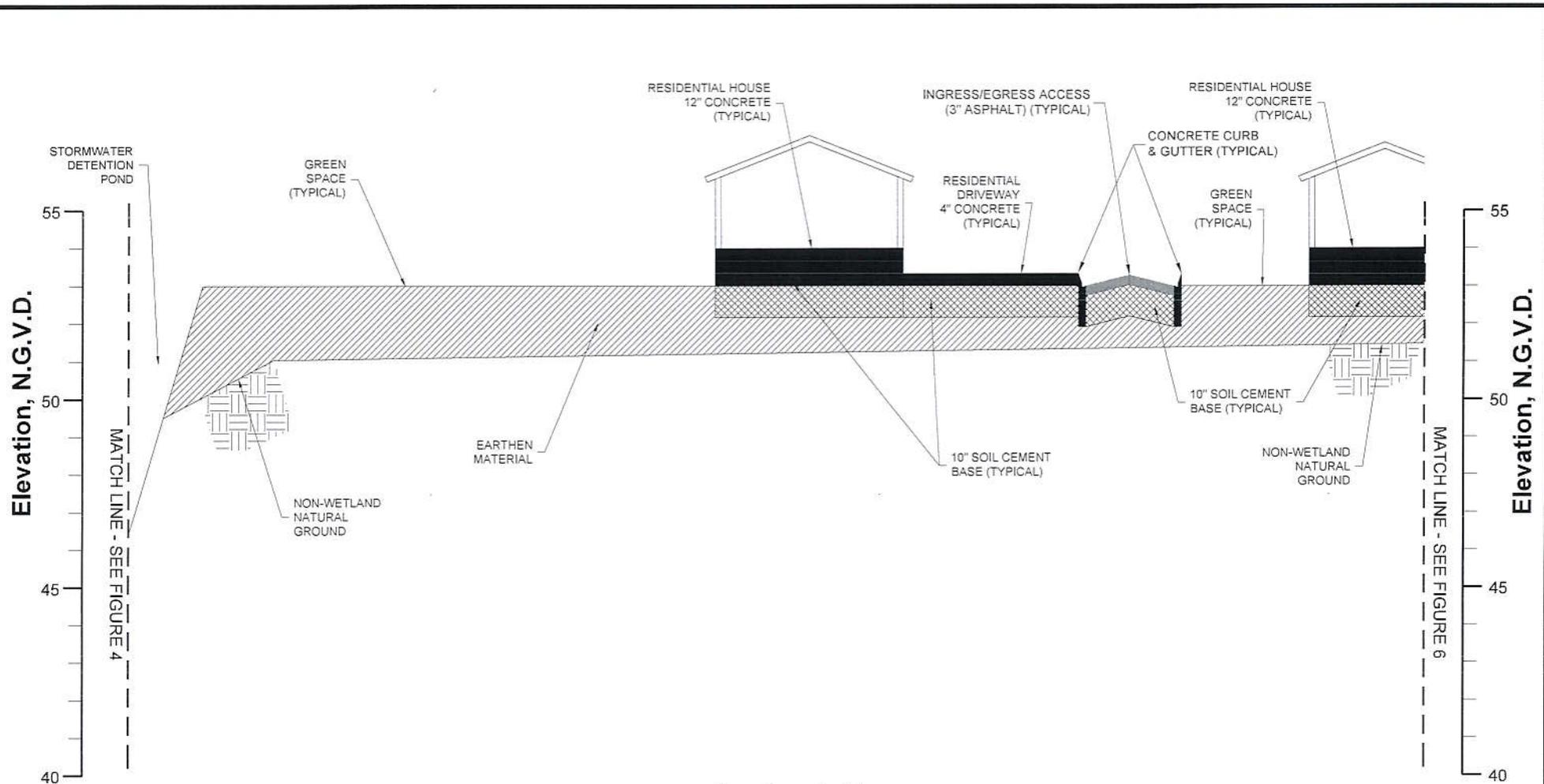
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ENVIRONMENTAL SERVICES, INC.



Project No.: 08-2020-DOA

Date: 08-26-2020

Figure No.: 4



Section A-A'

Horizontal Scale: 1" = 40'

Vertical Scale: 1" = 4'



Horizontal Scale: 1" = 40'

Legend

-  Earthen Material
-  Soil Cement Base
-  Concrete
-  Asphalt

Notes

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Kenny Lindsey Construction, L.L.C.

Allen Trails

**Section View A-A'
(Continued)**

Livingston Parish, Louisiana



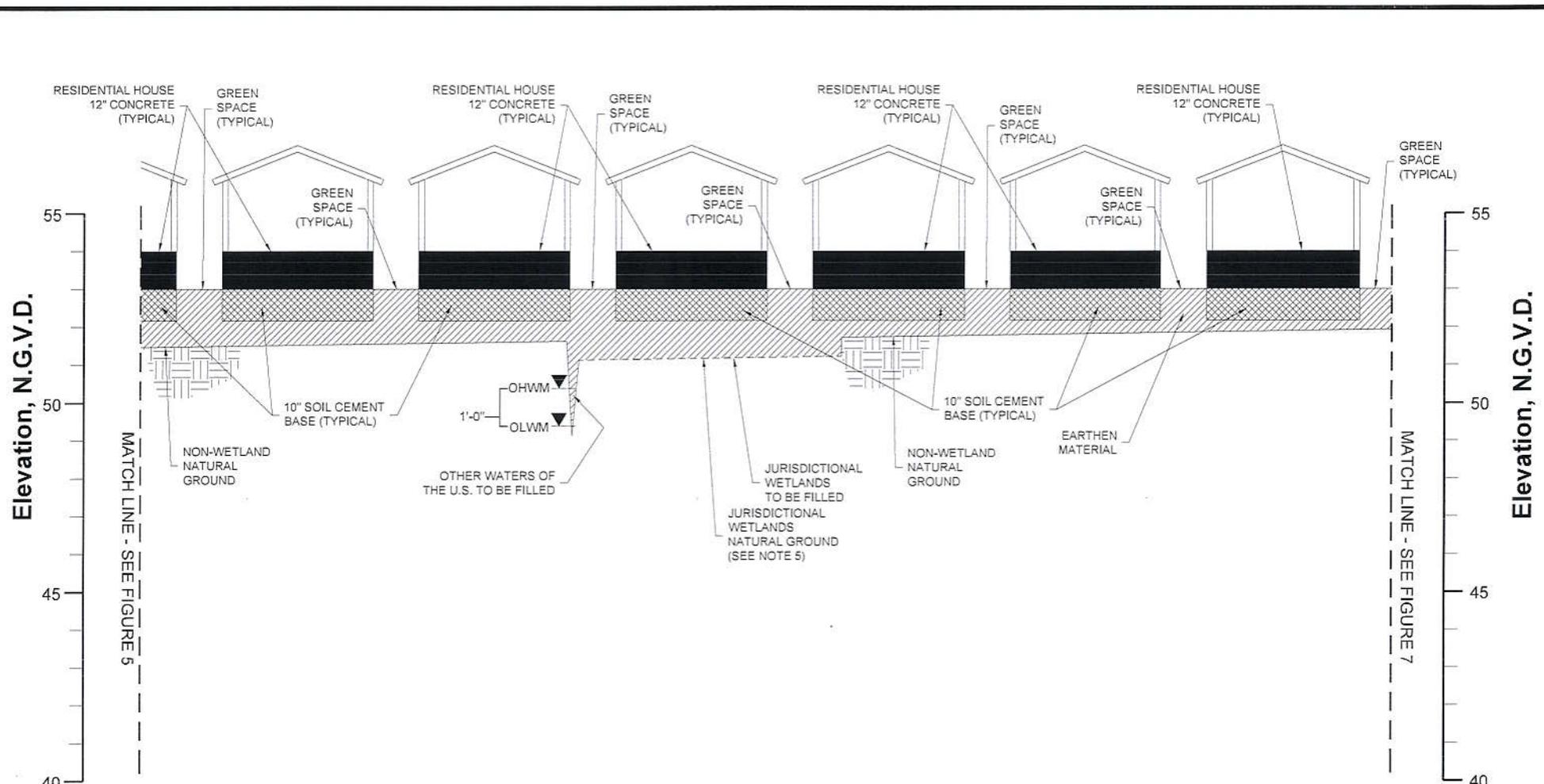
**D & S
ENVIRONMENTAL SERVICES, INC.**



Project No.: 08-2020-DOA

Date: 08-26-2020

Figure No.: 5



Section A-A'

Horizontal Scale: 1" = 40'

Vertical Scale: 1" = 4'



Horizontal Scale: 1" = 40'

Legend

-  Earthen Material
-  Soil Cement Base
-  Concrete

Notes

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Kenny Lindsey Construction, L.L.C.

Allen Trails

**Section View A-A'
(Continued)**

Livingston Parish, Louisiana



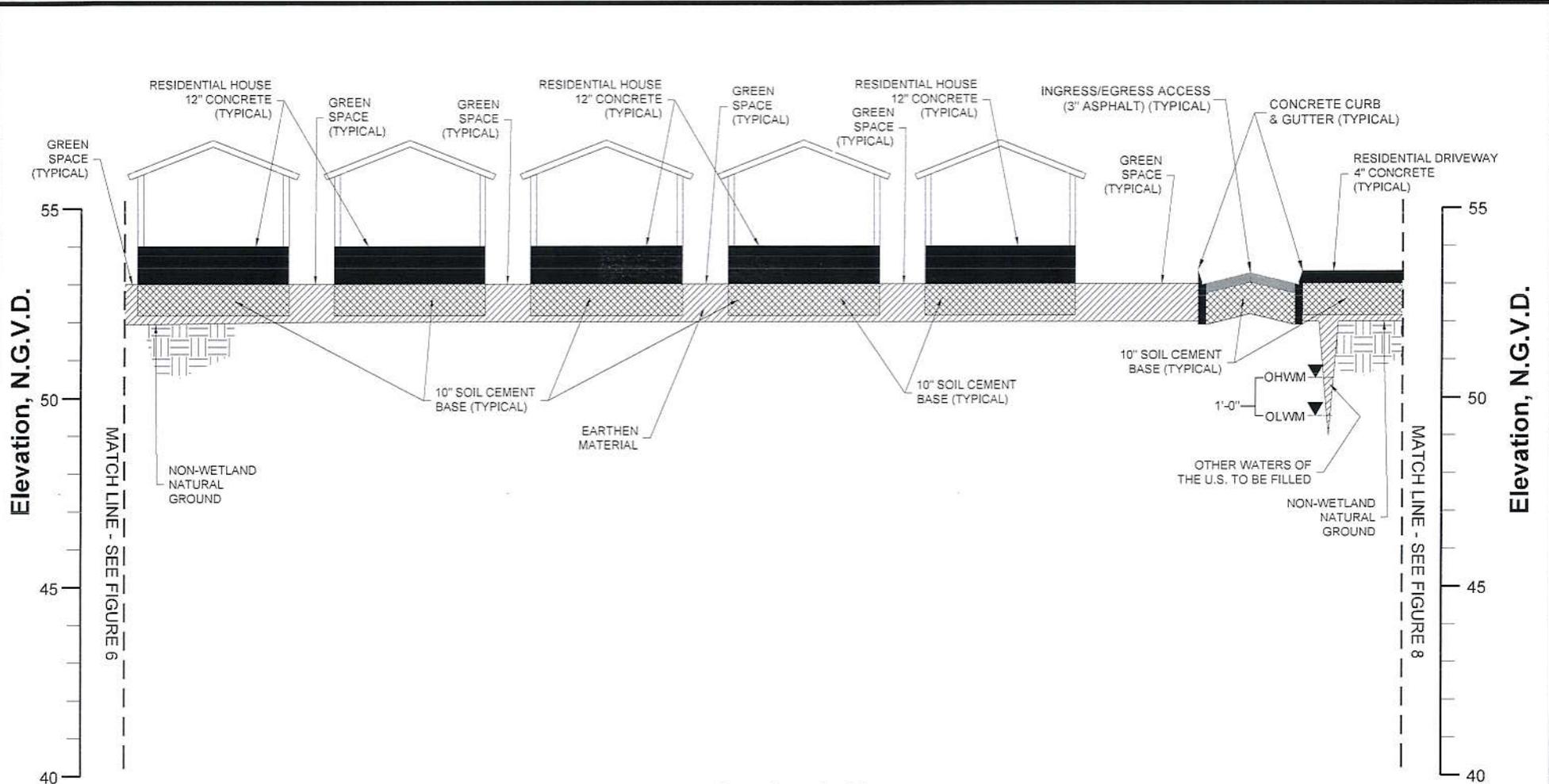
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Project No.: 08-2020-DOA

Date: 08-26-2020

Figure No.: 6



Section A-A'

Horizontal Scale: 1" = 40'
Vertical Scale: 1" = 4'



Horizontal Scale: 1" = 40'
Legend

- Earthen Material
- Soil Cement Base
- Concrete
- Asphalt
- OHWM Ordinary High Water Mark
- OLWM Ordinary Low Water Mark

Notes

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Kenny Lindsey Construction, L.L.C.

Allen Trails

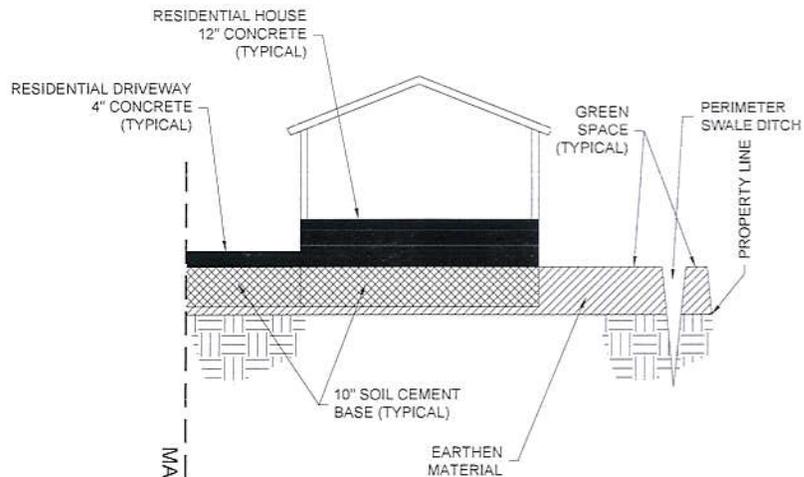
**Section View A-A'
(Continued)**

Livingston Parish, Louisiana

**D & S
ENVIRONMENTAL SERVICES, INC.**



Elevation, N.G.V.D.



MATCH LINE - SEE FIGURE 7

A'



Elevation, N.G.V.D.

Section A-A'

Horizontal Scale: 1" = 40'

Vertical Scale: 1" = 4'



Horizontal Scale: 1" = 40'

Legend

-  Earthen Material
-  Soil Cement Base
-  Concrete

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Kenny Lindsey Construction, L.L.C.

Allen Trails

Section View A-A' (Continued)

Livingston Parish, Louisiana



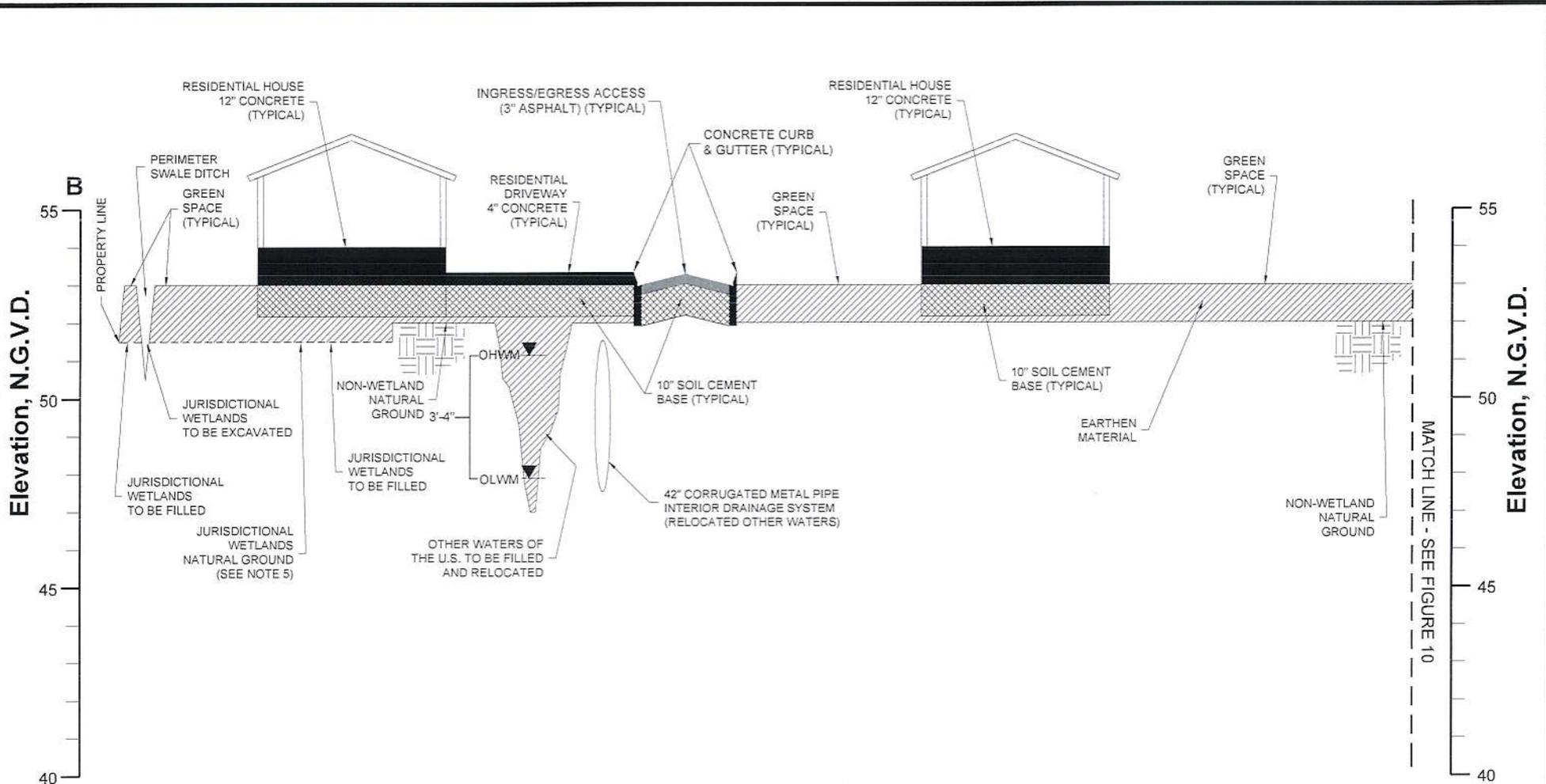
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Project No.: 08-2020-DOA

Date: 08-26-2020

Figure No.: 8



Section B-B'

Horizontal Scale: 1" = 40'

Vertical Scale: 1" = 4'



Horizontal Scale: 1" = 40'

Legend

-  Earthen Material
-  Soil Cement Base
-  Concrete
-  Asphalt
-  OHWM Ordinary High Water Mark
-  OLWM Ordinary Low Water Mark

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Allen Trails

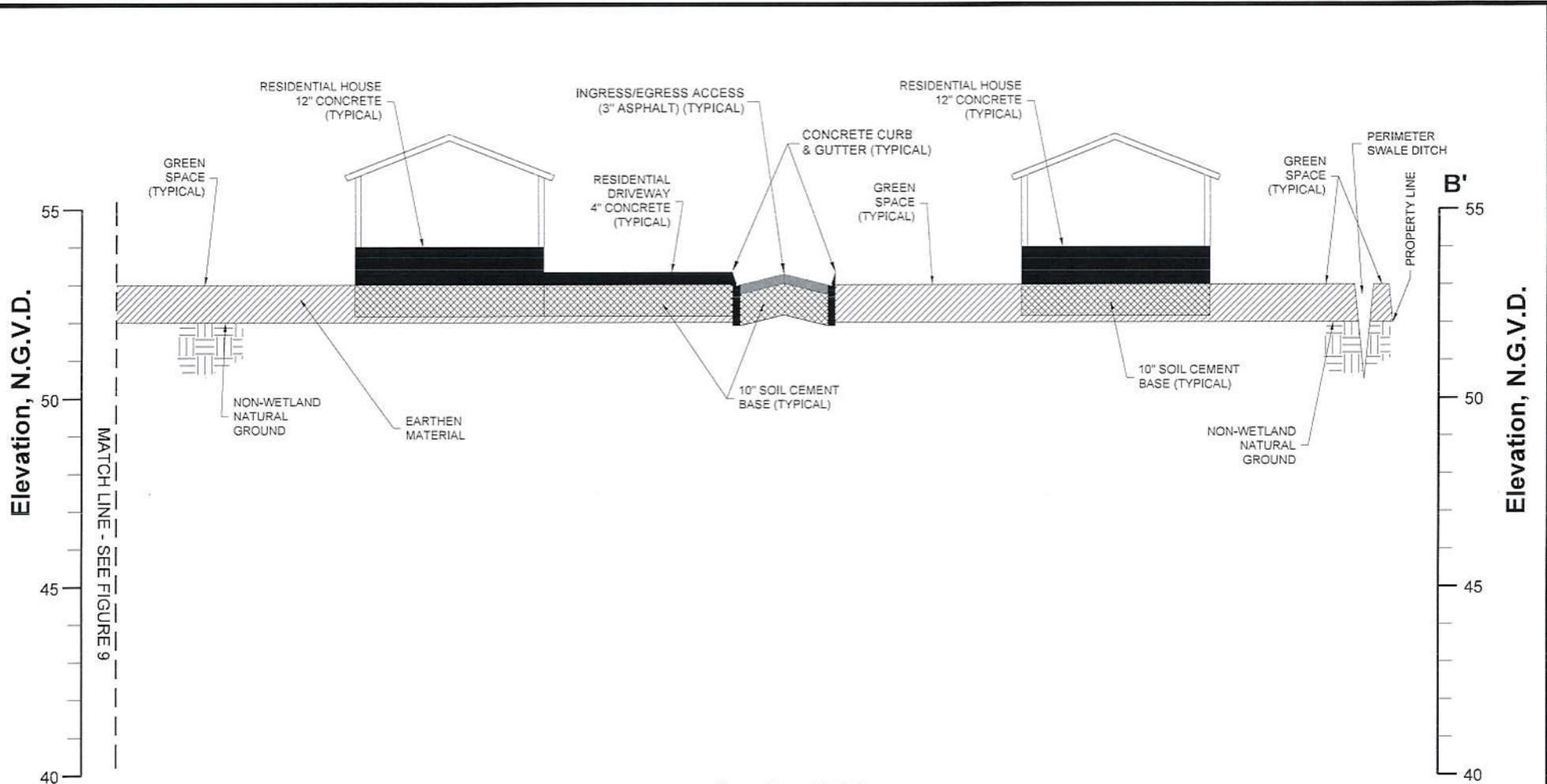
Section View B-B'

Livingston Parish, Louisiana



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ENVIRONMENTAL SERVICES, INC.





Section B-B'

Horizontal Scale: 1" = 40'
Vertical Scale: 1" = 4'



Horizontal Scale: 1" = 40'
Legend

- Earthen Material
- Soil Cement Base
- Concrete
- Asphalt

Notes

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Allen Trails

**Section View B-B'
(Continued)**

Livingston Parish, Louisiana



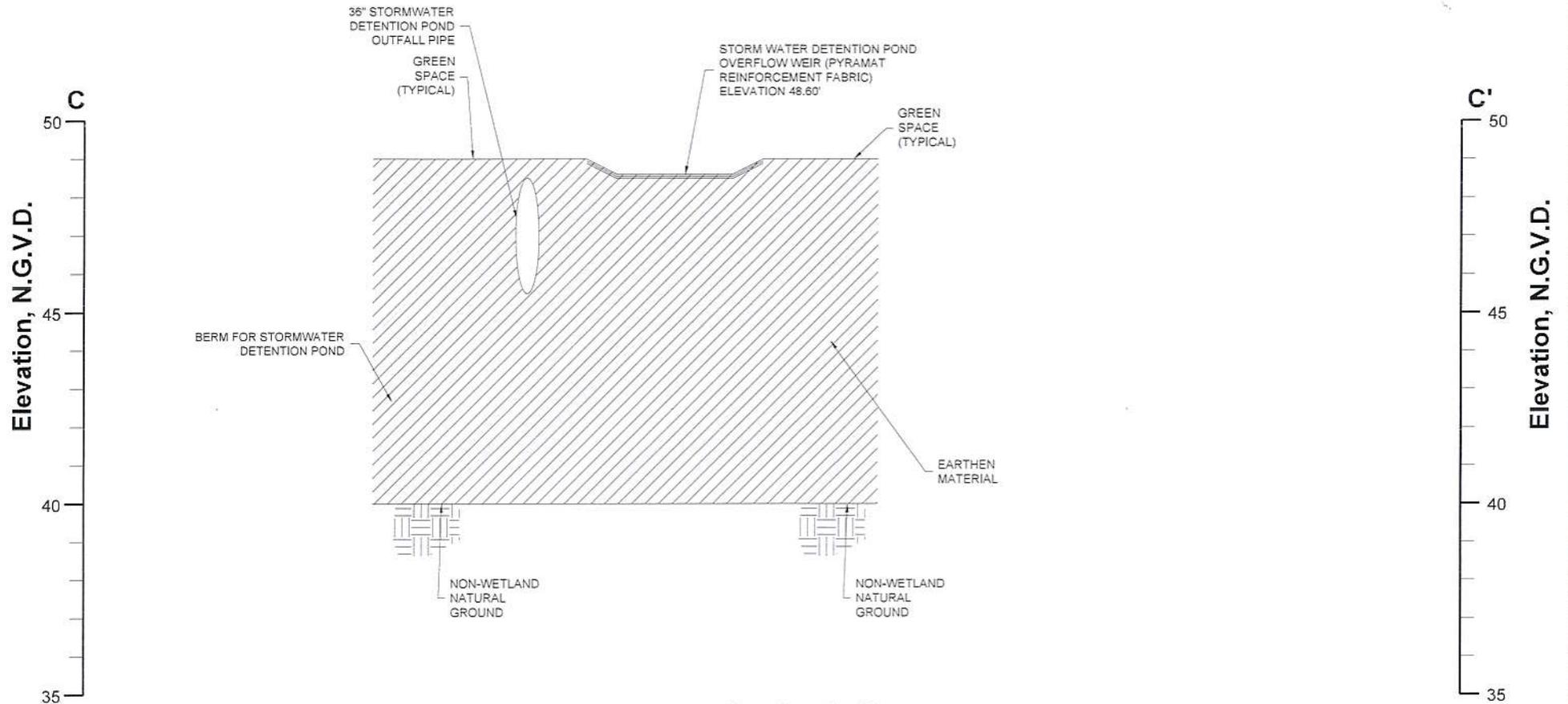
**D & S
ENVIRONMENTAL SERVICES, INC.**



Project No.: 08-2020-DOA

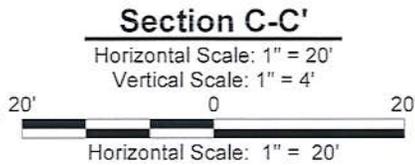
Date: 08-26-2020

Figure No.: 10



Notes

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Legend

Earthen Material

Kenny Lindsey Construction, L.L.C.

Allen Trails

Section View C-C'

Livingston Parish, Louisiana



D & S
ENVIRONMENTAL SERVICES, INC.

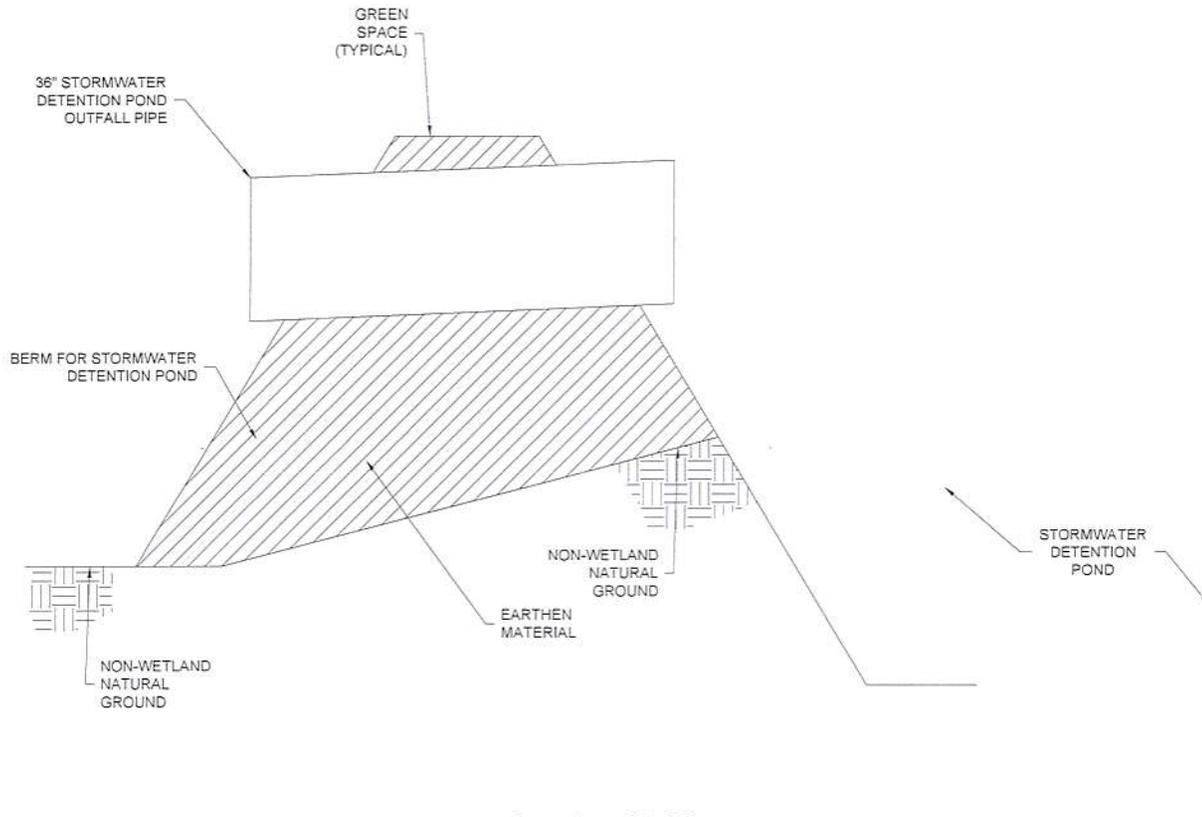


Project No.: 08-2020-DOA

Date: 08-26-2020

Figure No.: 11

Elevation, N.G.V.D.

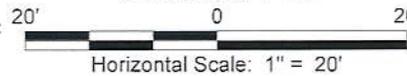


Elevation, N.G.V.D.

Section D-D'

Horizontal Scale: 1" = 20'

Vertical Scale: 1" = 4'



Legend

 Earthen Material

Notes

1. The layout was provided by Quality Engineering & Surveying, LLC.
2. Jurisdictional Wetlands and Other Waters Of The US obtained from U.S. Army CORPS of Engineers Preliminary Jurisdictional Determination Account Number MVN-2020-00610-SL.
3. According to F.E.M.A. F.I.R.M. Community Panel No. 22063C0115 E dated April 3, 2012, this property falls in Zone X (Areas determined to be outside the 0.2% annual chance floodplain) and Flood Zone AE (Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; Base Flood Elevations Determined). Base Flood Elevation = 53'.
4. Non-wetland natural ground elevations range from 40'-0" to 52'-0" N.G.V.D. Elevation data was obtained from topographic data provided by Quality Engineering & Surveying, LLC.
5. Natural Ground elevations in existing jurisdictional wetlands are approximately 6" lower than adjacent non-wetland ground elevations.

Kenny Lindsey Construction, L.L.C.

Allen Trails

Section View D-D'

Livingston Parish, Louisiana



D & S
ENVIRONMENTAL SERVICES, INC.



Project No.: 08-2020-DOA

Date: 08-26-2020

Figure No.: 12