



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

November 20, 2023

Regulatory Division
Central Evaluation Branch

Project Manager
Kenny Blanke
(504) 862-1217
Kenneth.G.Blanke@usace.army.mil

Application #: MVN-2021-001061-CQ

PUBLIC NOTICE

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),

AFTER-THE-FACT FILL PLACEMENT FOR RESIDENTIAL LOT ALONG BAYOU TRANQUILLE ROAD NEAR PIERRE PART IN ASSUMPTION PARISH

NAME OF APPLICANT: Mr. Jack Thomas Marionneaux, 264 Bayou Tranquille Road, Pierre Part, Louisiana 70403.

LOCATION OF WORK: Located at approximate address of 264 Bayou Tranquille Road, across and north of street along Lots 76-A, 75-A, and 74-A, near Pierre Part, Louisiana, in Assumption Parish, within the Terrebonne Basin in hydrologic unit (HUC 08090302), as shown on the attached drawings (Latitude 29.88393 N, Longitude -91.191920 W).

CHARACTER OF WORK: The applicant has requested an after-the-fact Department of the Army permit to clear, grade, excavate and deposit fill material to construct a temporary residence and permanent storage area along three lots along Bayou Tranquille Road. Approximately 2,110 cubic yards of hauled in material was placed as fill material in jurisdictional areas. Approximately 0.18 acre of high quality jurisdictional swamp wetlands were directly impacted as a result of the project. The applicant proposes to utilize best management practices for erosion and siltation control during and after the construction phase of the project. If authorized, the project will receive approval from all appropriate local drainage authorities.

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 and Section 10 of the Rivers and Harbors Act of 1899. All legal issues concerning the unauthorized work have been deferred.

MITIGATION: The applicant claims that the proposed project has been designed to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. To offset unavoidable impacts to jurisdictional wetlands, the applicant is proposing to purchase in kind within basin cypress swamp credits an approved mitigation bank.

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 on the requested Department of the Army Permit will close **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 request and 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 can be preferably emailed to the Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGC, Kenneth Blanke**. Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and 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.

The New Orleans District is presently unaware of properties listed on the National Register of Historic Places at or near the proposed work but is pending further review in accordance with the National Historic Preservation Act. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer, and federally listed tribes regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species. Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project would have no effect to 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 may result in the destruction, alteration, and/or disturbance of **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 applicable water quality standards will be required from the LA Department of Environmental Quality before a Department of the Army 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

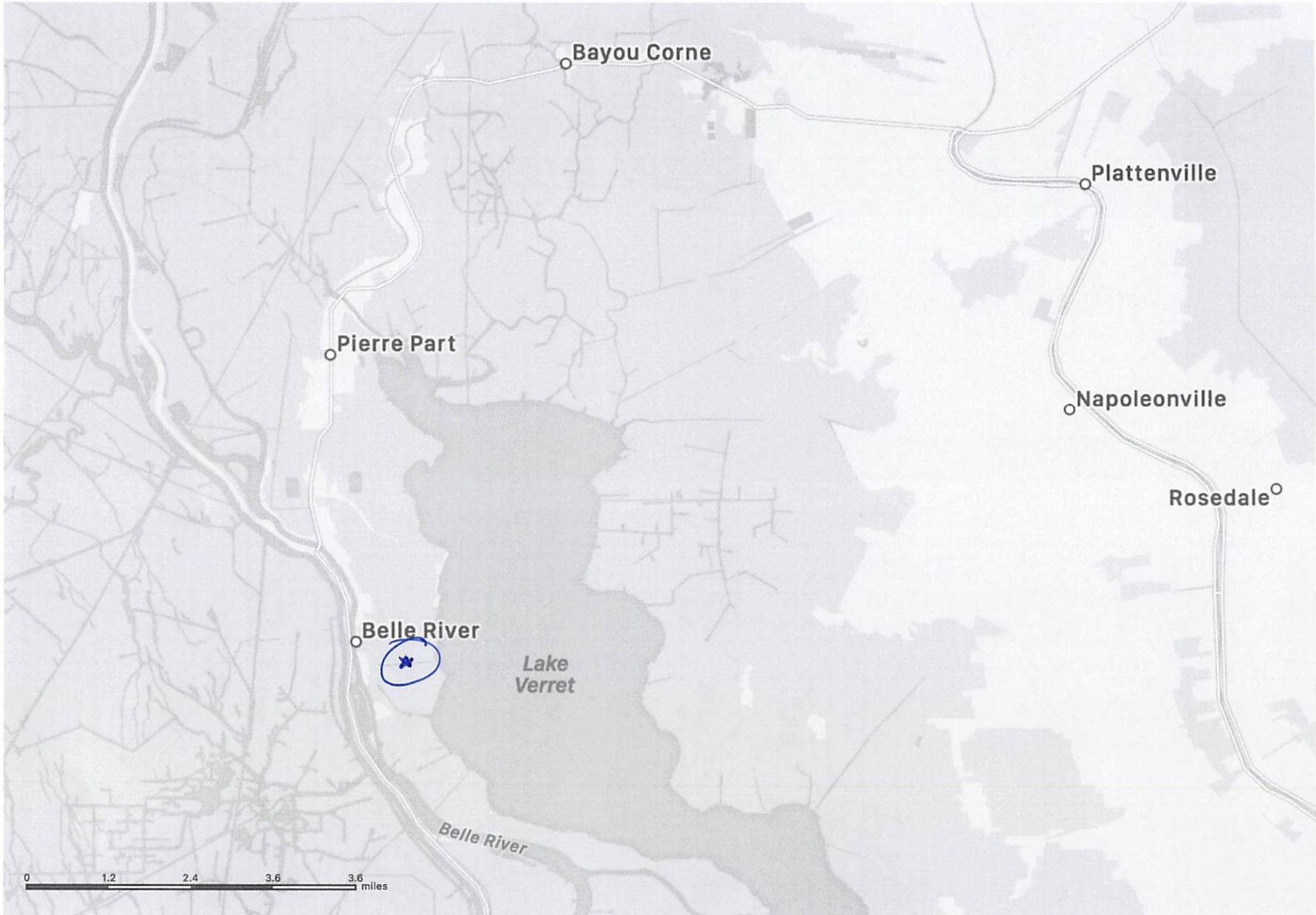


Napoleonville

Louisiana



21499 + 21500



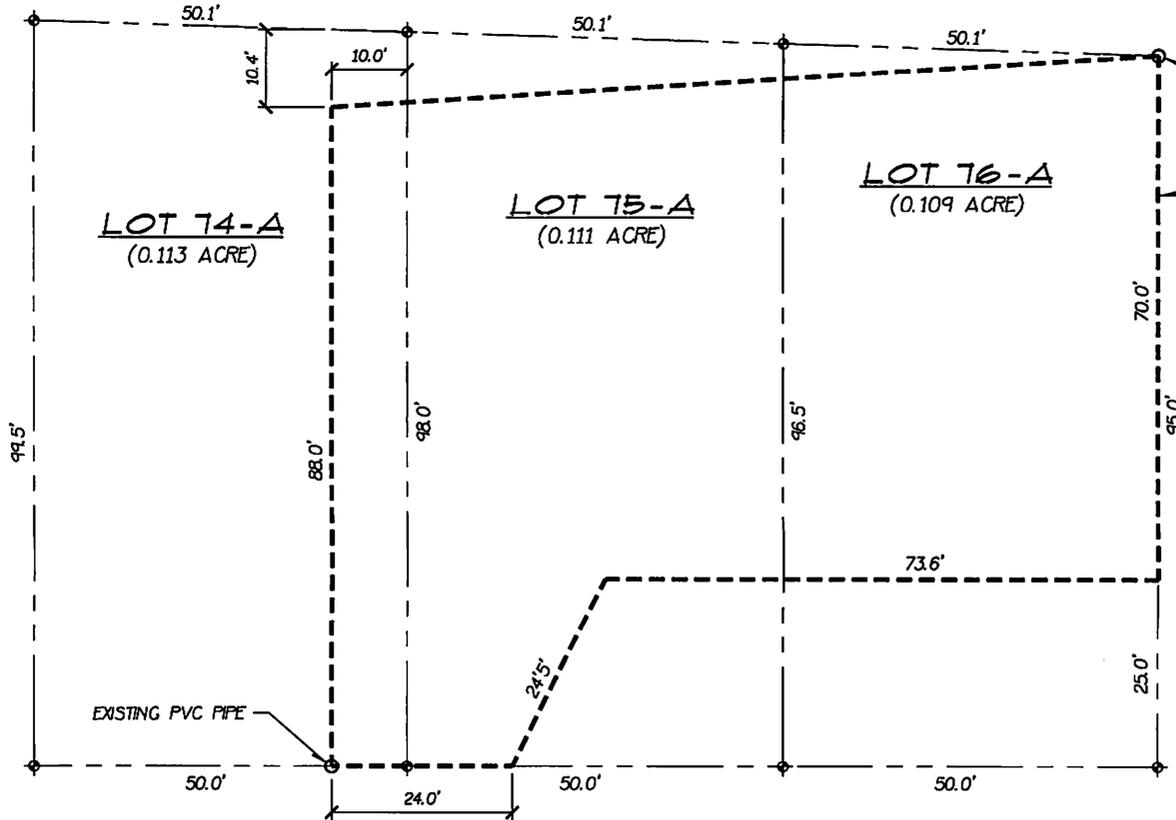
21499 + 21500



SUNSHINE PROPERTIES

STANLEY DAIGLE PROPERTY

NOTE:
ALL PROPERTY DIMENSIONS
ARE APPROXIMATE. EVERY ATTEMPT
FOR ACCURACY HAS BEEN MADE.



EXISTING METAL PIPE

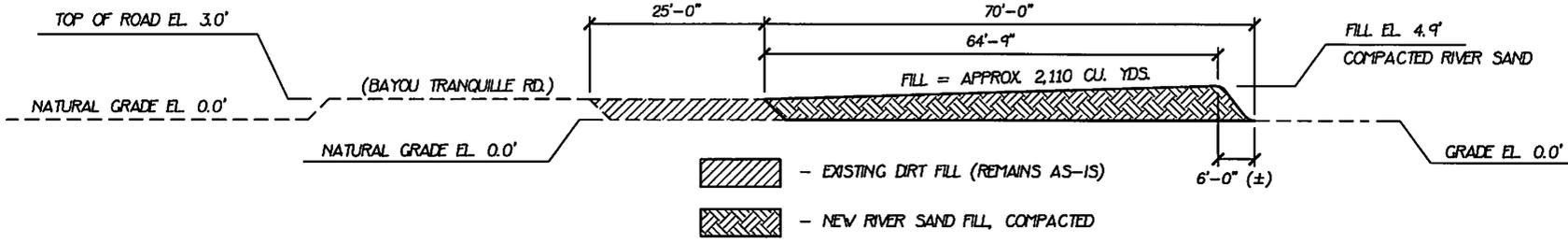
NEW FILL AREA
APPROX. 0.18 ACRE

BRENT RICHARD PROPERTY

EXISTING PVC PIPE

LATITUDE: 29° 53' 02"
LONGITUDE: 91° 11' 31"
SECT. 1, T-14-S, R-12-E
PIERRE PART, LOUISIANA
ASSUMPTION PARISH

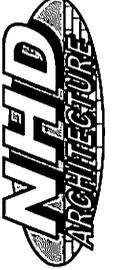
BAYOU TRANQUILLE ROAD



- EXISTING DIRT FILL (REMAINS AS-IS)
- NEW RIVER SAND FILL, COMPACTED

JACK MARIONNEAUX
BAYOU TRANQUILLE RD.
LOTS 74-A, 75-A & 76-A

Robert L. Nelson Jr.
2447 La. Hwy. 69
Jackson, La.
(225) 572-7816

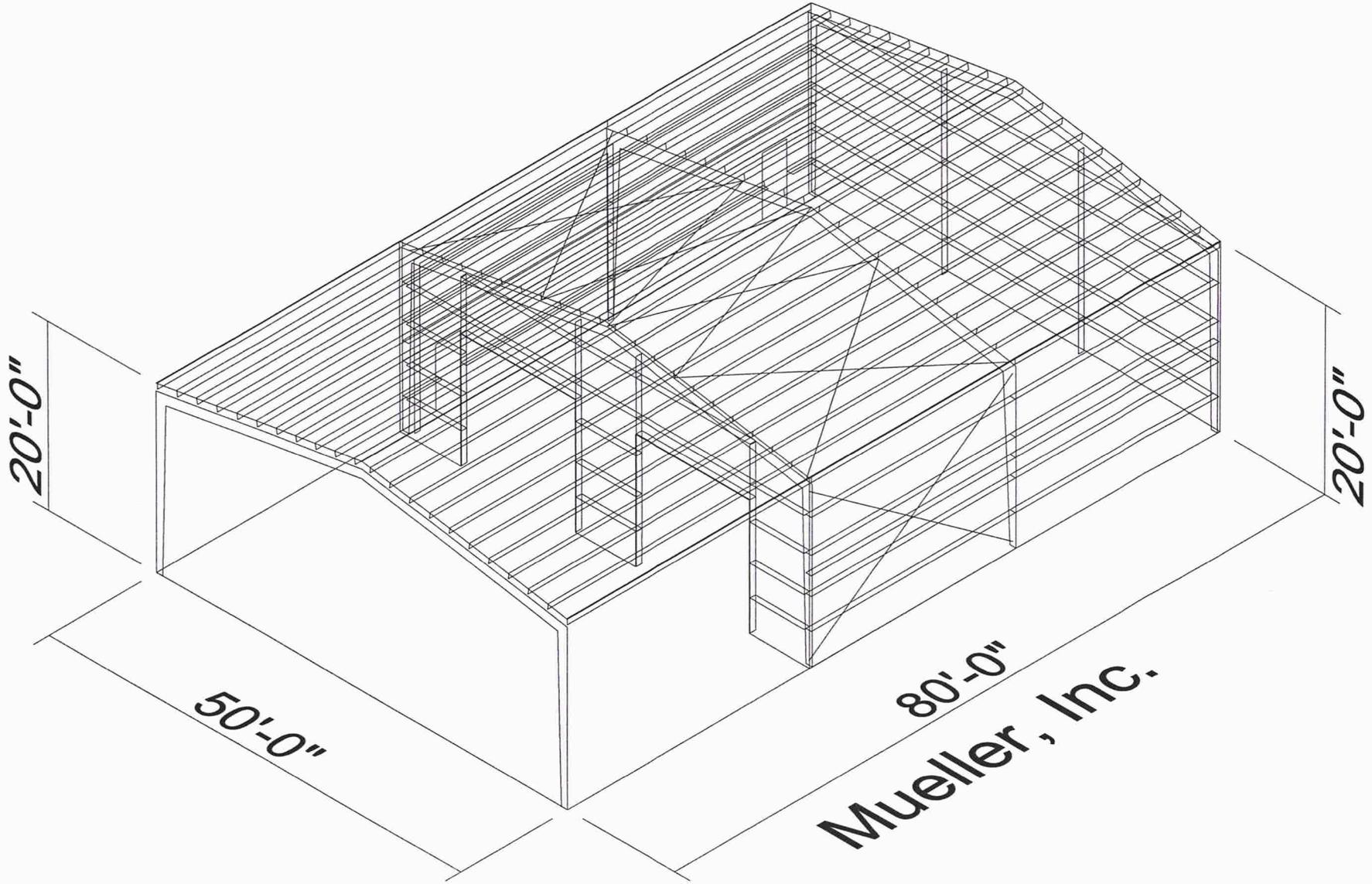


DRAWN BY
R. NELSON
DATE
10/20/2021
SCALE
1/16" = 1'-0"
SHEET NO.

101

21499721500
jmarionneau.dwg
PLOTDATE: 10/25/2021 5:08 PM

THESE PLANS ARE THE PROPERTY OF ROBERT NELSON. ALL RIGHTS ARE RESERVED BY THE DESIGNER AND ANY USE OTHER THAN THAT WHICH IS AUTHORIZED IS EXTREMELY PROHIBITED. PLANS TO BE USED ON LOT INDICATED ONLY. THIS DESIGNER, NOT BEING A REGISTERED ARCHITECT OR ENGINEER, STANDS NO LIABILITY FOR STRUCTURAL OR ARCHITECTURAL DESIGN INTEGRITY. EVERY EFFORT HAS BEEN MADE TO ENSURE ALL DIMENSIONS ARE CORRECT AND ALL LOCAL AND COMMUNITAL REGULATIONS HAVE BEEN MET. IF AN ERROR AND/OR OMISSION DOES OCCUR, IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR OWNER TO CORRECT THE ERROR AND/OR OMISSION AT HIS/HER OWN EXPENSE, AND NOT THE RESPONSIBILITY OF THE DESIGN SERVICE.



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