



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

February 6, 2023

Regulatory Division
Central Evaluation Branch

Project Manager
S. Gail Gainey
(504) 862-1545
Sandra.g.gainey@usace.army.mil

SUBJECT: MVN-2022-00629-CG

PUBLIC NOTICE

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); [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344), and/or [] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

PROPOSED CONSTRUCTION OF A RESIDENTIAL SUBDIVISION **DEVELOPMENT IN LIVINGSTON PARISH**

NAME OF APPLICANT: DR Horton Inc. c/o Hydrik Wetlands Consultants, Attn: Mike Henry, 2323 Hwy 190 East, Suite 2, Hammond, LA 70401.

LOCATION OF WORK: On and east of 4-H Club Road (LA Highway 1032), in Section 40, Township 7 South, Range 3 East, in Denham Springs, Louisiana, in Livingston Parish, within the Pontchartrain Basin in hydrologic unit (HUC 08070202), as shown on the attached drawings (Latitude 30.42802 N, Longitude -90.95937 W).

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to clear, grade, excavate and deposit fill and/or aggregate material to construct and maintain a 480-lot residential housing development (Sweetwater) to include roads, home sites, a clubhouse area, and utilities and drainage infrastructure. Approximately 380,526 cubic yards of earthen material would be excavated and redistributed onsite to achieve required grade elevation requirements. The proposed project is situated on an approximately 147-acre tract that has been determined to contain forested wetlands. A Preliminary analysis has determined that the proposed project would directly impact 16.59 acres of wetlands and 0.22 acre of waters of the U.S; however, extent of coverage and impacts at this time is pending confirmation via wetland delineation.

The applicant proposes to avoid additional direct impacts and minimize secondary impacts to the maximum extent practicable by limiting the construction activity to the designated project boundary, disposing of all removed fill and vegetation not approved as fill material to an off-site, non-jurisdictional location, and utilizing 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 and sewerage agencies. As compensation for unavoidable wetland impacts, the applicant proposes to use a Corps approved mitigation bank within the watershed of impact.

The comment period for the Department of Army will close in **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 must be mailed 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 preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGC, S. Gail Gainey**. 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 Branch 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. 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 utilizes the National Register of Historic Places to identify properties listed on or near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. However, extent of coverage and impacts is undetermined at this time pending a National Historic Preservation Act compliance determination. Copies of this notice are made available to the State Archeologist and the State Historic Preservation Officer.

Our initial finding is that the proposed work would not affect any species listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species in their purview. Utilizing the Information & Planning Consultation for Endangered Species in Louisiana protocol, dated January 27, 2020 between the U.S. Army Corps of Engineers, New Orleans District has determined that the proposed project is located in an area which may be utilized by the red-cockaded woodpecker. The Corps has requested a survey be completed to determine the presence of red-cockaded woodpecker at the project site to be coordinated with the U.S. Fish and Wildlife Service in order to avoid and minimize impacts to the 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 result in the destruction or alteration of NA 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, Office of Environmental Services, before a permit is issued.

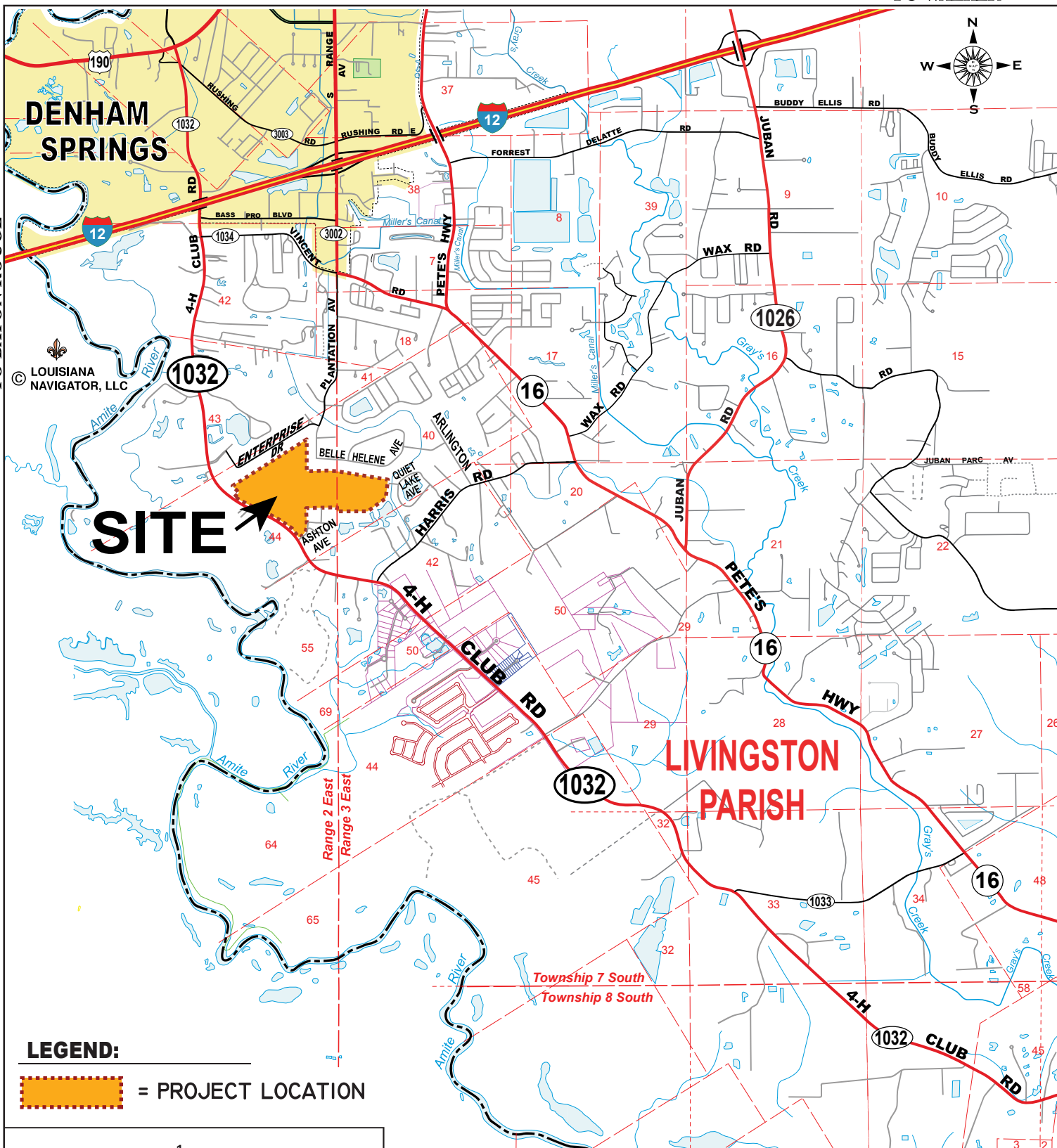
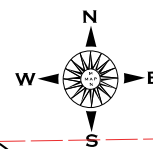
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

John M. Herman
Chief, Central Evaluation Branch
Regulatory Division

Enclosures

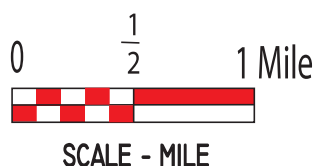
TO WALKER

TO BATON ROUGE



LEGEND:

 = PROJECT LOCATION



SITE COORDINATES
30.42802° N, -90.95937° W

APPLICANT:

SWEETWATER
SECT. 44, T7S-R2E & SECT. 44, T7S-R3E
DENHAM SPRINGS
LIVINGSTON PARISH, LA

 **HYDRIK**
WWW.HYDRIK.COM

FIGURE
1

HF: 22018 BC

DATE: 4-08-22

APPROVED:



30.427084° N
-90.966526° W

4-H CLUB RD

LA HWY 1032

147.08 AC.

WETLANDS

ZONE AE

ENTERPRISE DR (SIDE)
PLANTATION WEST SUBD. (SIDE)

WETLANDS

WETLANDS

30.431943° N
-90.959368° W

RESIDENTIAL
PLANTATION AV (SIDE)

EXISTING CONDITIONS & DRAINAGE FEATURES

SWEETWATER

SECT. 44, T7S-R2E & SECT. 44, T7S-R3E
DENHAM SPRINGS
LIVINGSTON PARISH, LA

APPLICANT:
D.R. HORTON, INC. - GULF COAST

HYDRIK
WWW.HYDRIK.COM

NOTE:
EXISTING SERVITUDES &
ANY ADDITIONAL UTILITIES
ARE NOT SHOWN HEREON.

LEGEND:

--- SITE BOUNDARY (147.08 ACRES)

WETLANDS: 20.49 AC.

NON-WETLAND WATERS
1,487.7 LIN. FT. / 0.137 AC.

ELEVATION / CONTOUR
FLOOD ZONE / TRANSITION LINE

THIS SITE IS LOCATED IN FLOOD ZONES "AE" & "X"
PER FEMA FLOOD INSURANCE RATE MAP
NUMBER: 22066C 0225E, DATED 4-03-2012.
B.F.E. = 34' - 36'

SCALE

200' 100' 0' 200'

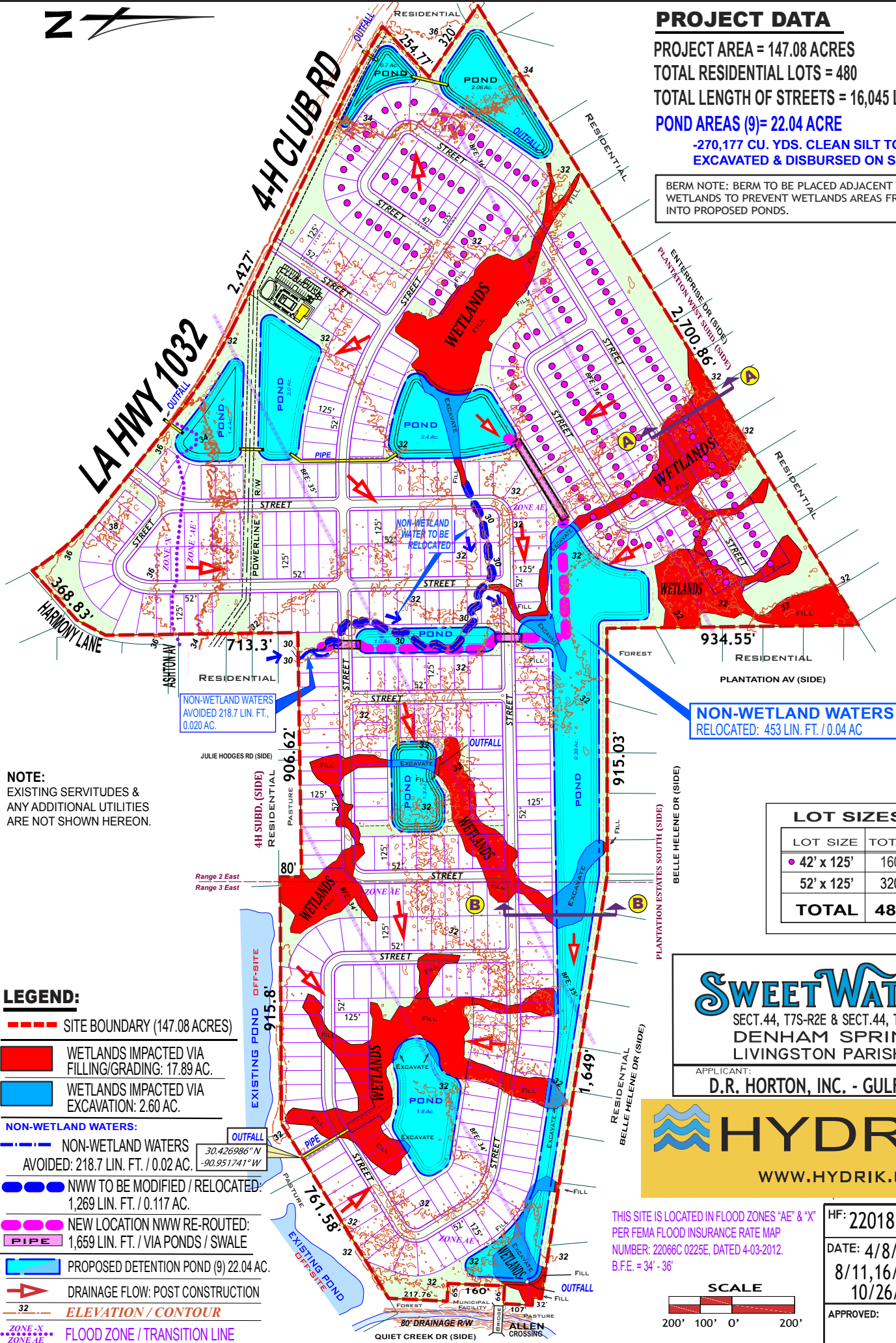
HF:
22018 BC

DATE:
4-08-22
8-11-22

APPROVED:

**FIGURE
1A**

MVN-2005-3460-SK



PROJECT AREA = 147.08 ACRES
TOTAL RESIDENTIAL LOTS = 480
TOTAL LENGTH OF STREETS = 16,045 LIN. FT.
POND AREAS (9)= 22.04 ACRE
-270,177 CU. YDS. CLEAN SILT TO BE
EXCAVATED & DISBURSED ON SITE.

BERM NOTE: BERM TO BE PLACED ADJACENT TO PRESERVED WETLANDS TO PREVENT WETLANDS AREAS FROM DRAINING INTO PROPOSED PONDS.

NOTE:
EXISTING SERVITUDES &
ANY ADDITIONAL UTILITIES
ARE NOT SHOWN HEREON.

--- SITE BOUNDARY (147.08 ACRES)

 WETLANDS IMPACTED VIA
FILLING/GRADING: 17.89 AC.

NON-WETLAND WATERS
 AVOIDED: 218.7 LIN. FT. / 0.02 AC.

●●● NWW TO BE MODIFIED / RELOCATED:
1,269 LIN. FT. / 0.117 AC.

NEW LOCATION NWW RE-ROUTED:
PIPE 1,659 LIN. FT. / VIA PONDS / SWALE

 PROPOSED DETENTION POND (9) 22.04 AC.

 DRAINAGE FLOW: POST CONSTRUCTION

32 *ELEVATION / CONTOUR*

ZONE -X

FLOOD ZONE / TRANSITION LINE

LOT SIZE	TOTAL
● 42' x 125'	160
52' x 125'	320
TOTAL	480

SECT.44, T7S-R2E & SECT.44, T7S-R3E
DENHAM SPRINGS
LIVINGSTON PARISH, LA

APPLICANT:
D.R. HORTON, INC. - GULF COAST



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THIS SITE IS LOCATED IN FLOOD ZONES "A"
PER FEMA FLOOD INSURANCE RATE MAP
NUMBER: 22066C 0225E, DATED 4-03-2012.
B.F.E. = 34' - 36'

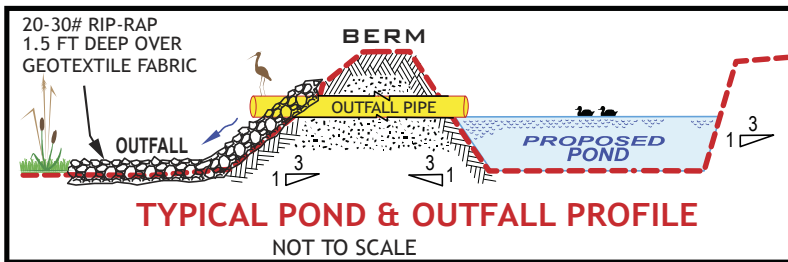
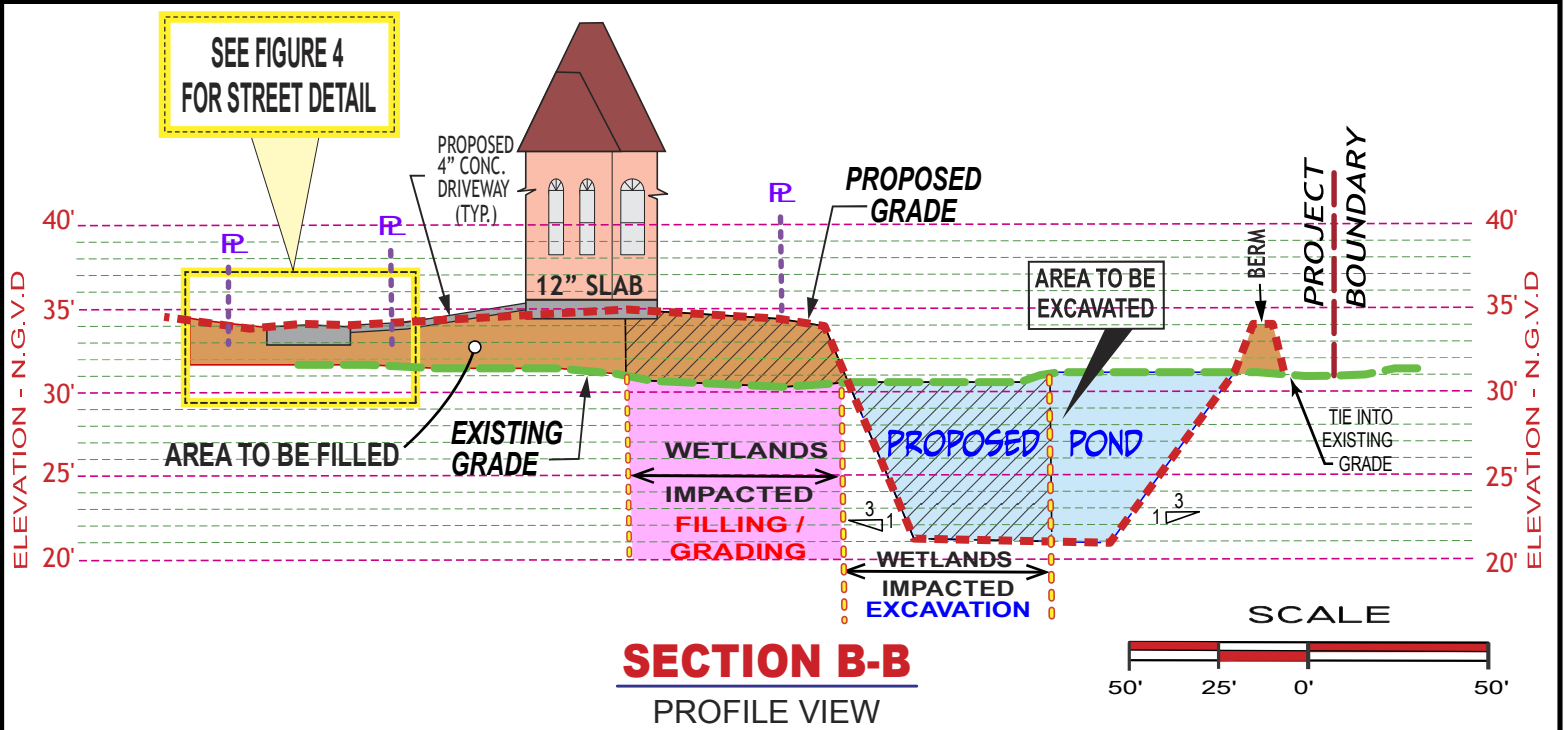
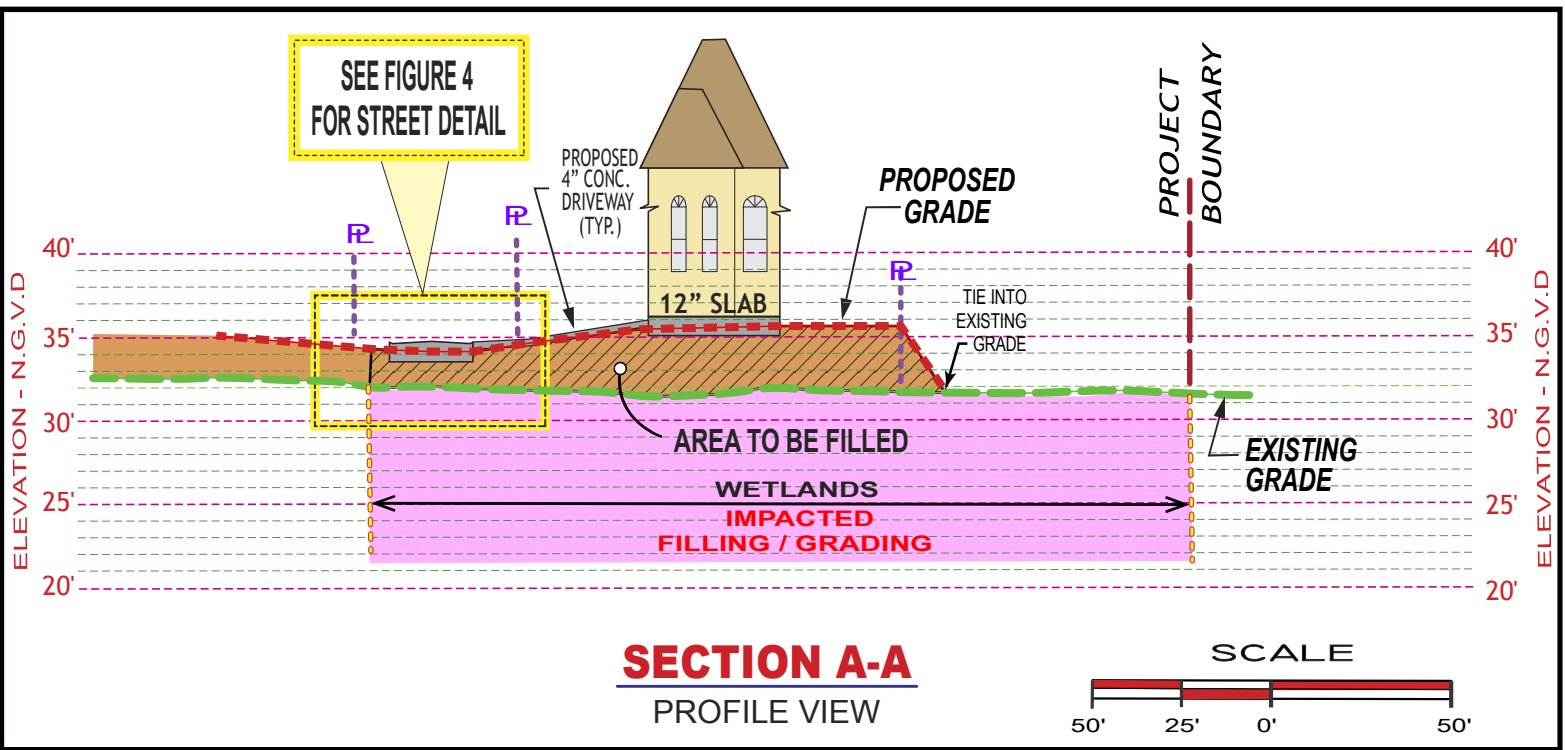
HF: 22018 BC
DATE: 4/8/22, 8/11,16/22, 10/26/22

APPROVED:

FIGURE 2

MVN-2005-3460-SK

PLANTATION LAKE SUBD. (SIDE) PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH.



LEGEND:

	EXISTING GRADE		AREA TO BE EXCAVATED
	PROPOSED GRADE		NWW AREA TO BE FILLED
	AREA TO BE FILLED		PROPOSED CONCRETE
	NWW AREA TO BE FILLED		

SWEETWATER

SECT. 44, T7S-R2E & SECT. 44, T7S-R3E
DENHAM SPRINGS
LIVINGSTON PARISH, LA

APPLICANT: D.R. HORTON, INC. - GULF COAST



HYDRIK

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FIGURE
3

HF: 22018 BC

DATE: 4-08-22, 10-26-22

APPROVED:

