

# JOINT PUBLIC NOTICE

August 13, 2018

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch (OD-SE)  
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) 862-2041

(225) 219-3225

[Benjamin.C.Sherman@usace.army.mil](mailto:Benjamin.C.Sherman@usace.army.mil)

Project Manager  
Benjamin Sherman  
Permit Application Number  
MVN 2012-00543 ES

Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC 180802-01

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).

## **Construction of a Residential Camp, Driveway, Walkway, Boathouse on HWY 90 Brazillier Island Lot 14A , Orleans Parish, Louisiana**

**NAME OF APPLICANT:** Charles Silvas, 101 E Cherrywood Ln., Pearl River, LA 70452

**LOCATION OF WORK:** Project site is located at 55495 Hwy 90 Brazillier Island Lot 14A, New Orleans, in Orleans Parish, Louisiana, as shown on the attached drawings.

Hydrologic Unit Code: 08090203 - Eastern Louisiana Coastal Location: Latitude: 30.15021, Longitude: -89.739416.

**CHARACTER OF WORK:** The applicant proposes to construct a 8' by 500' driveway, a 30' by 60' residential camp, a 20' by 20' parking area, a 5' by 30' walkway, and a 10' by 40' boathouse within approximately .15 acres of jurisdictional wetlands and .01 acres of jurisdictional other waters of the US. If approved, compensatory mitigation measures will be required from an approved mitigation bank.

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. 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 at this time. 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.

The New Orleans District has determined that the project footprint is located in waters known to be utilized by the West Indian manatee (*Trichechus manatus*) and determined the activity is "not likely to adversely affect" this species based on the 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. If authorized, "The Standard Manatee Conditions for In-Water Activities" will be made part of the permit's special conditions.

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 **0.15** 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, 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.

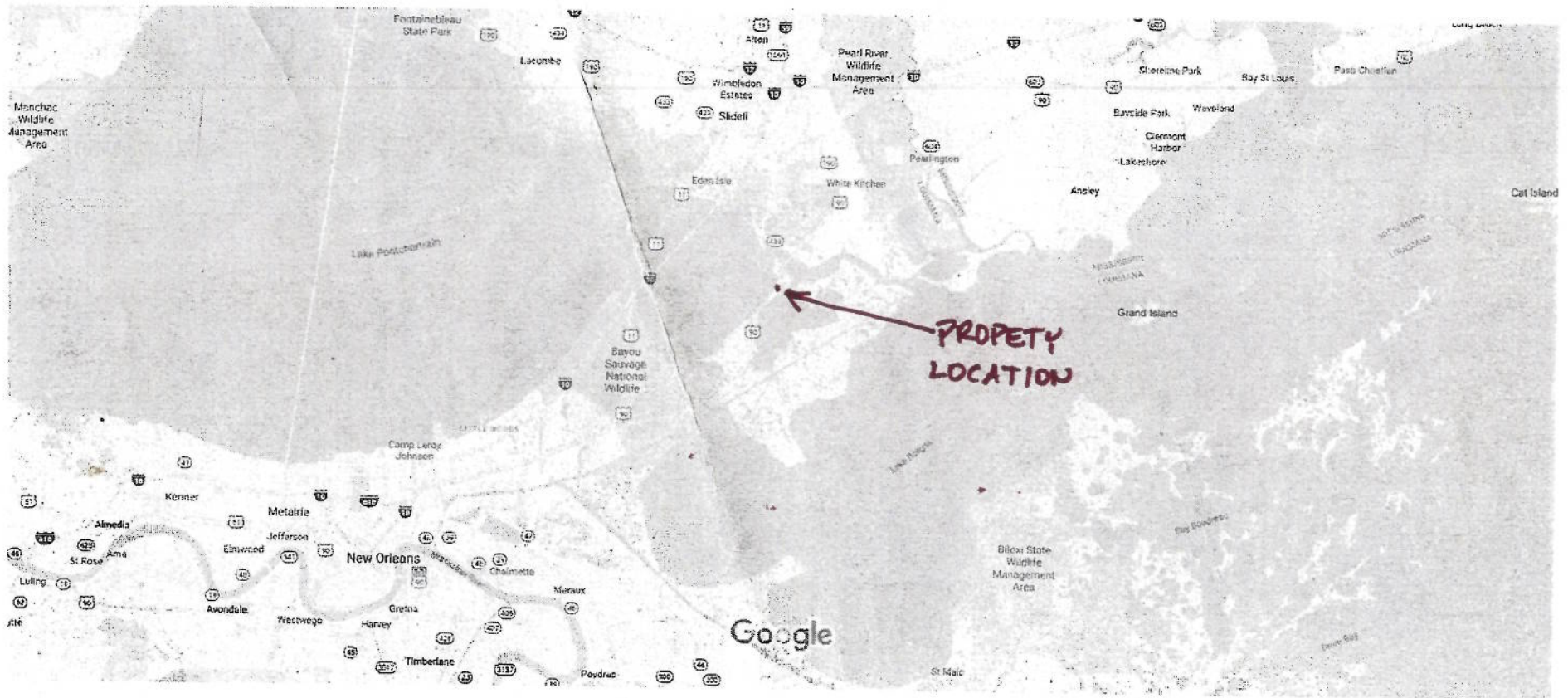
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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

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

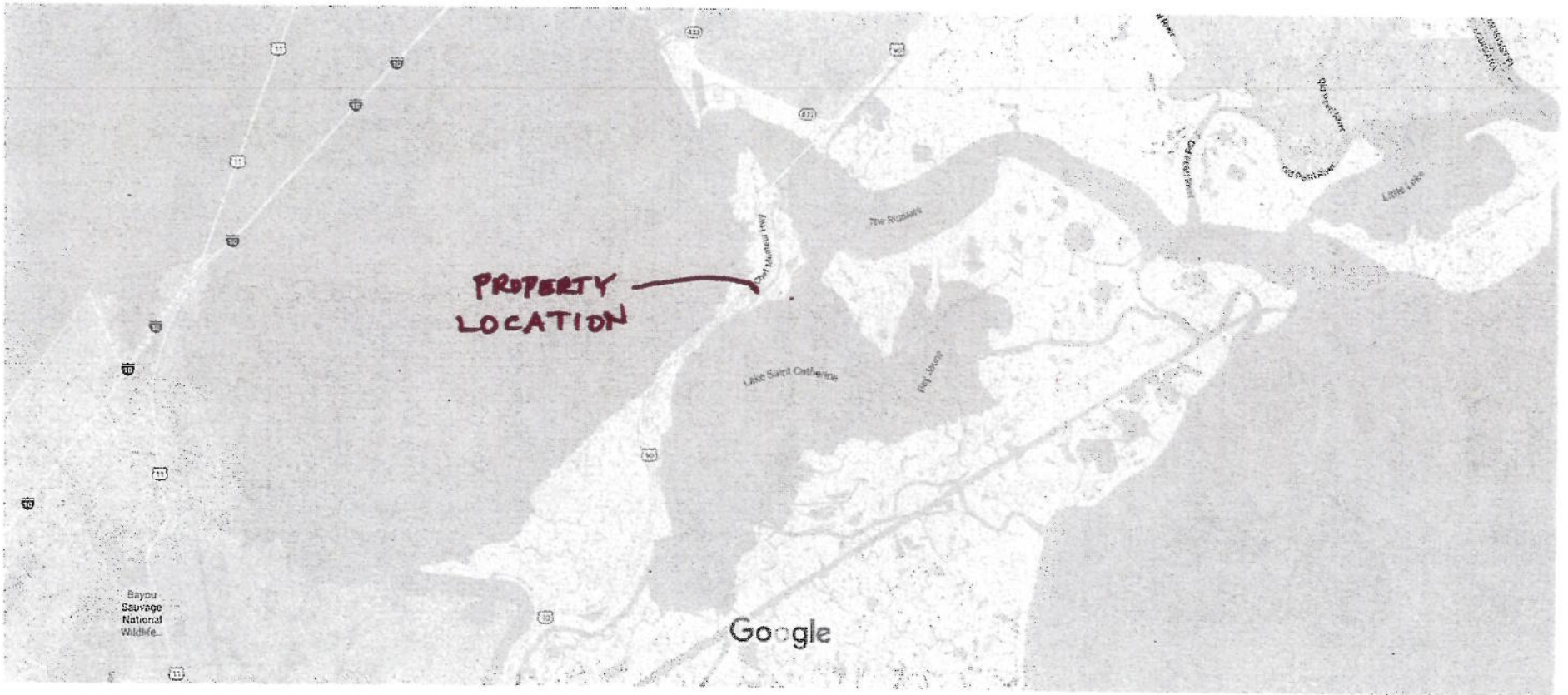
Google Maps



VICINITY MAP 1

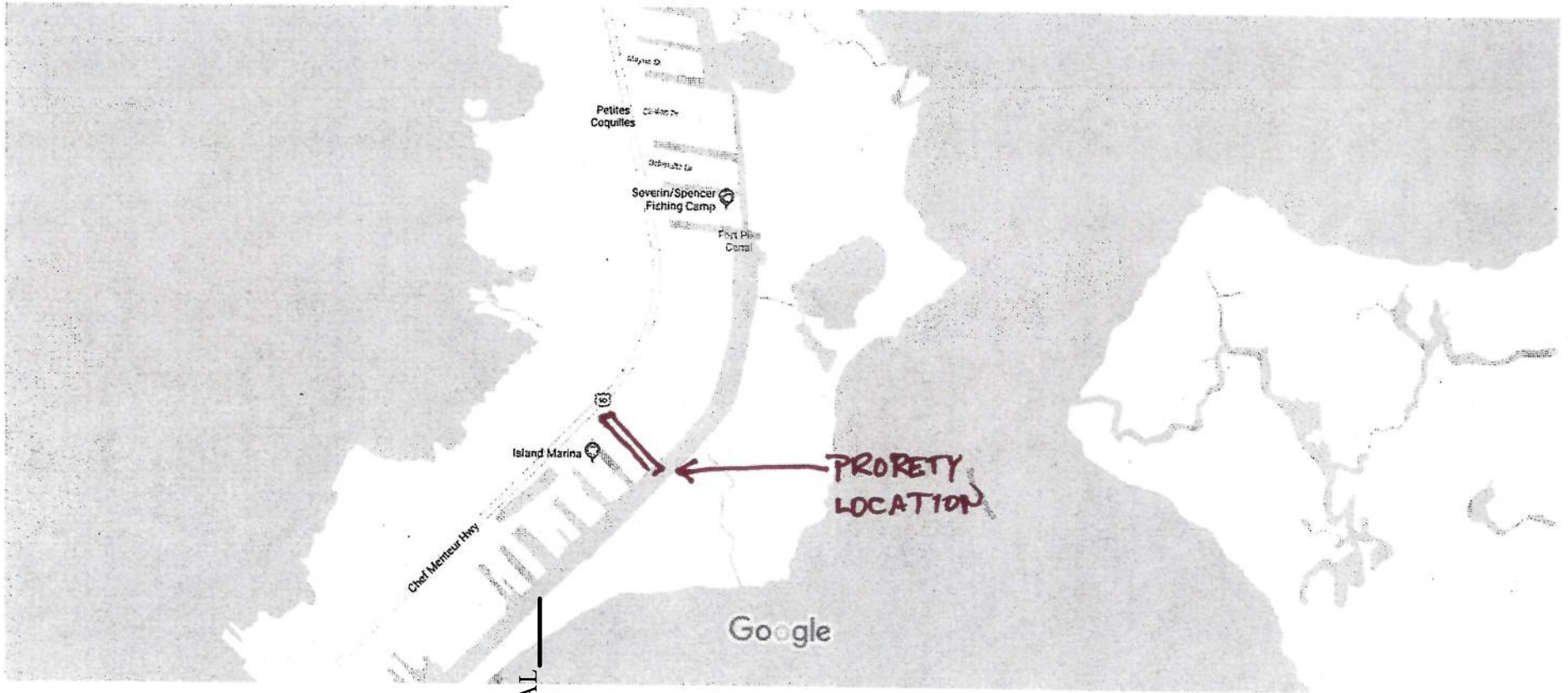
Google Maps

VICINITY MAP 2



Map data ©2018 Google, INEGI 1 mi

Google Maps

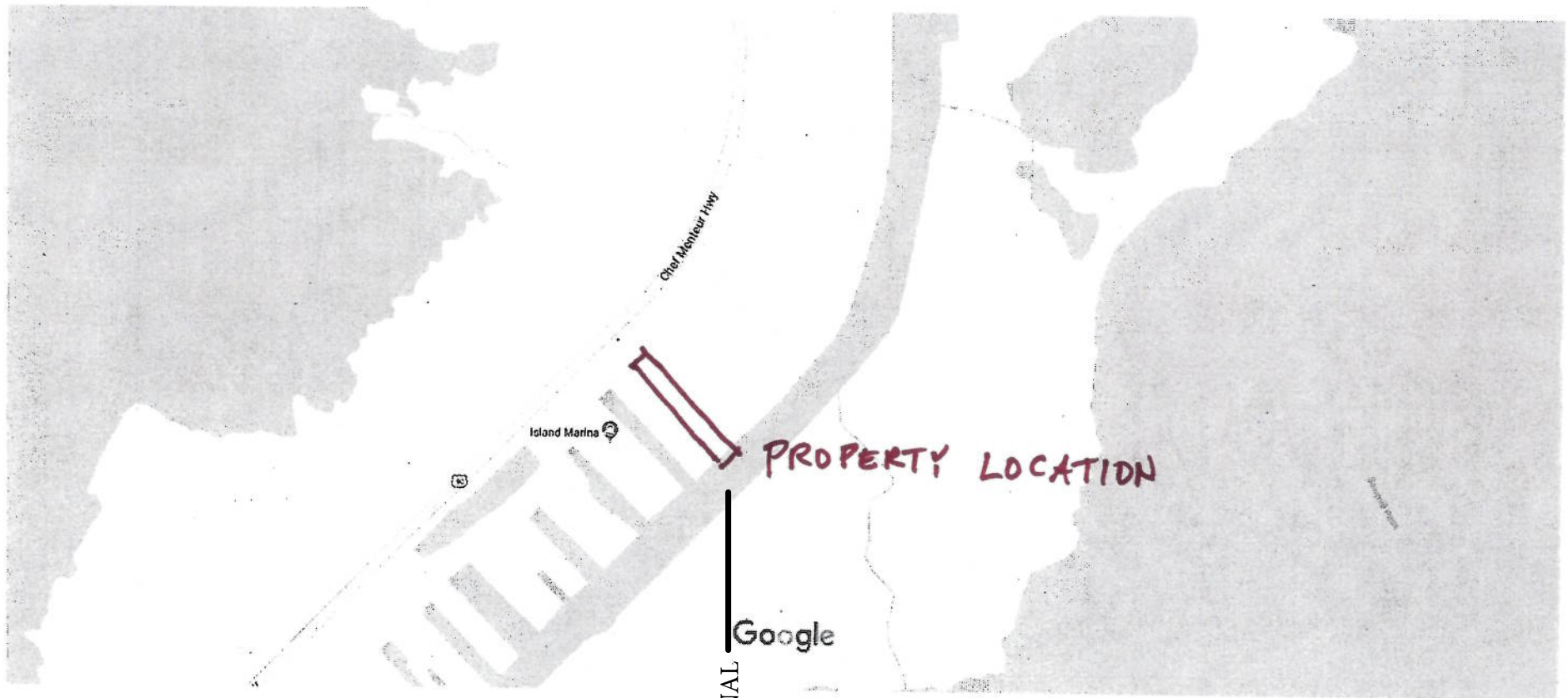


VICINITY MAP 3

FORT PIKE CANAL

Map data ©2018 Google 500 ft

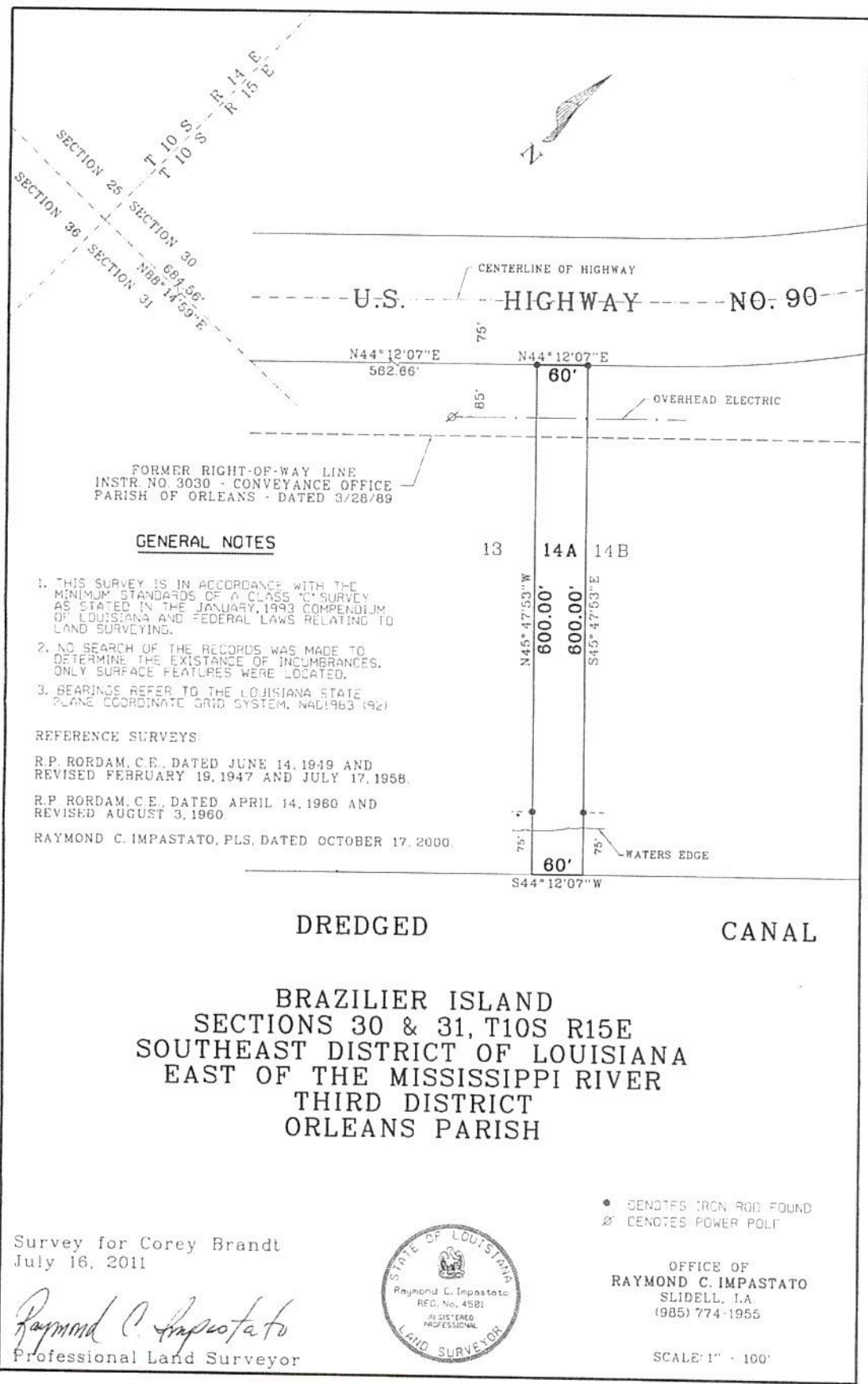
Google Maps



VICINITY MAP 4

FORT PIKE CANAL

Map data ©2018 Google 200 ft



FORMER RIGHT-OF-WAY LINE  
 INSTR. NO. 3030 - CONVEYANCE OFFICE  
 PARISH OF ORLEANS - DATED 3/28/89

**GENERAL NOTES**

1. THIS SURVEY IS IN ACCORDANCE WITH THE MINIMUM STANDARDS OF A CLASS "C" SURVEY AS STATED IN THE JANUARY, 1993 COMPENDIUM OF LOUISIANA AND FEDERAL LAWS RELATING TO LAND SURVEYING.
2. NO SEARCH OF THE RECORDS WAS MADE TO DETERMINE THE EXISTANCE OF INCUMBRANCES. ONLY SURFACE FEATURES WERE LOCATED.
3. BEARINGS REFER TO THE LOUISIANA STATE PLANE COORDINATE GRID SYSTEM, NAD1983 (92)

**REFERENCE SURVEYS:**

- R.P. RORDAM, C.E., DATED JUNE 14, 1949 AND REVISED FEBRUARY 19, 1947 AND JULY 17, 1958.
- R.P. RORDAM, C.E., DATED APRIL 14, 1960 AND REVISED AUGUST 3, 1960.
- RAYMOND C. IMPASTATO, PLS, DATED OCTOBER 17, 2000.

**DREDGED**

**CANAL**

**BRAZILIER ISLAND  
 SECTIONS 30 & 31, T10S R15E  
 SOUTHEAST DISTRICT OF LOUISIANA  
 EAST OF THE MISSISSIPPI RIVER  
 THIRD DISTRICT  
 ORLEANS PARISH**

Survey for Corey Brandt  
 July 16, 2011

*Raymond C. Impastato*  
 Professional Land Surveyor



- DENOTES IRON ROD FOUND
- Ø DENOTES POWER POLE

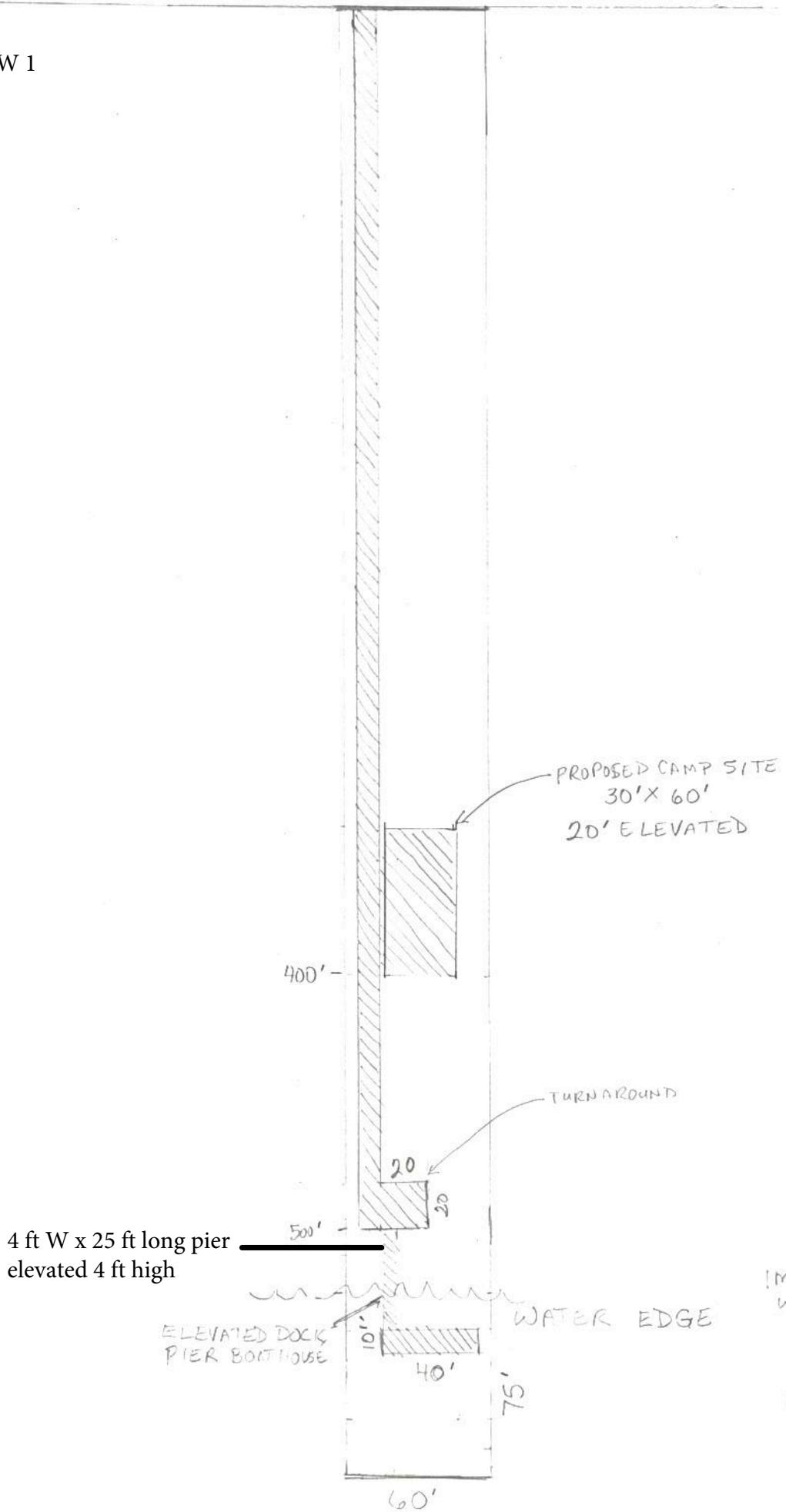
OFFICE OF  
**RAYMOND C. IMPASTATO**  
 SLIDELL, LA.  
 (985) 774-1955

SCALE: 1" = 100'



US HWY 90,  
5.8'

PLAN VIEW 1



APPROX 4600  
SQUARE FEET

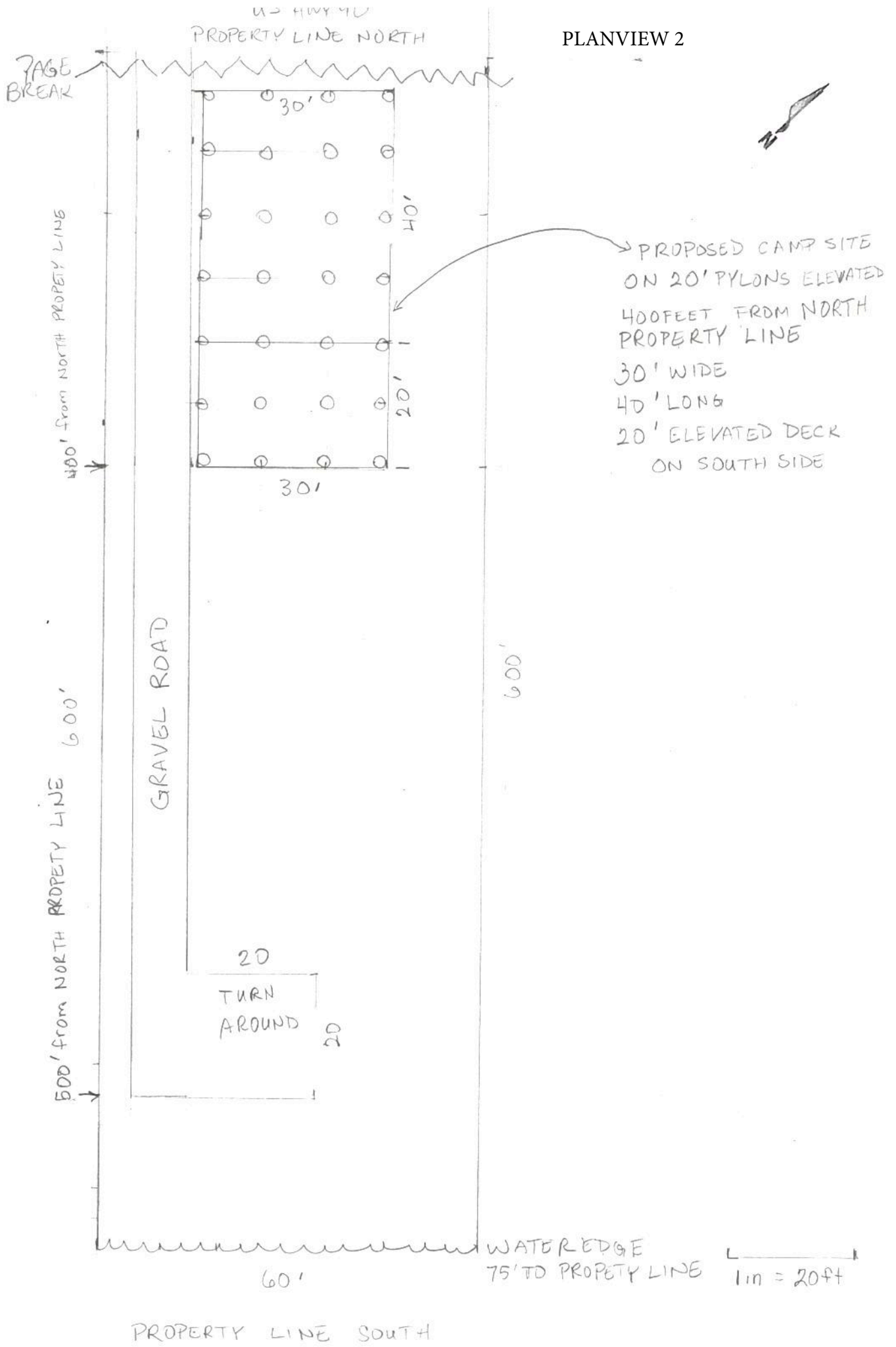


IMPACTED  
WETLANDS



1 in = 60 ft

PLANVIEW 2



PROPERTY LINE NORTH



5' 8'

PAGE BREAK

DIRT AND GRAVEL ROAD

20'x20'  
TURN AROUND  
PARKING PAD  
DIRT & GRAVEL

PROPERTY LINE WEST 600'

PROPERTY LINE EAST 600'

4FT W x 25FT l x 4FT HIGH  
EVEVATED WALK



WATER EDGE 75'

ELEVATED WALK

40'

10'

DOCK

BOAT HOUSE

15'

PROPERTY LINE SOUTH  
50' DOWN

5'

1" = 10'

PLAN VIEW 4

85' OVERHEAD ELECTRIC

5' 8"

POWER POLE

POWER POLE

PROPOSED WELL SITE

PROPOSED CAMP SITE  
30' X 60'  
20' ELEVATED

PROPOSED SEWAGE  
TREATMENT PLANT

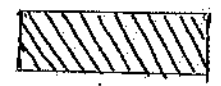
400'

TURNAROUND

500'

20'  
20'

APPROX 4600  
SQUARE FEET



IMPACTED  
WETLANDS

ELEVATED DOCK  
PIER BOATHOUSE

WATER EDGE

FORT PIKE CANAL

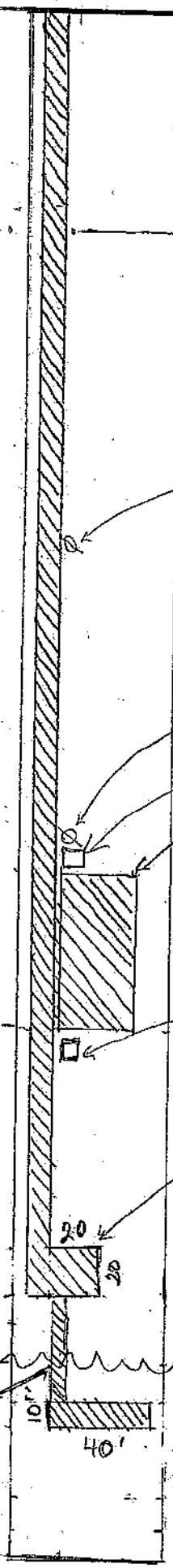
60'

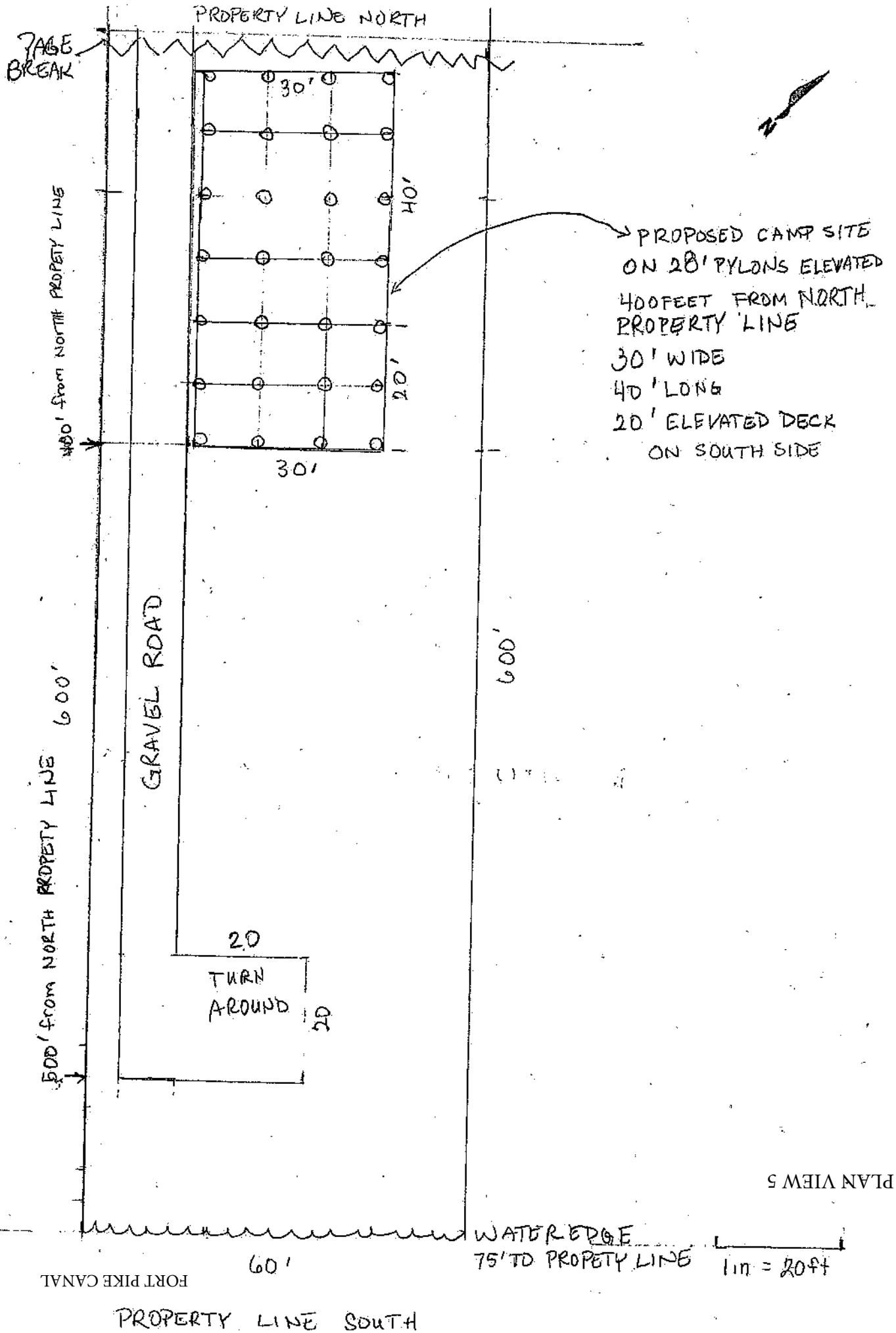
75'



1 in = 60 ft

PLAN VIEW 4





PLAN VIEW 5

PROPERTY LINE NORTH



5' 8'

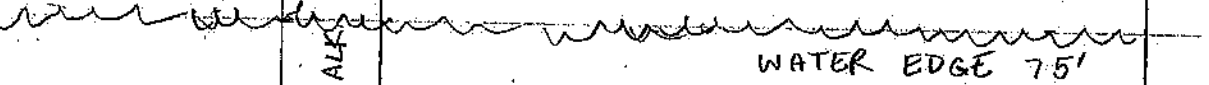
PAGE BREAK

DIRT AND GRAVEL ROAD

20'x20'  
TURN AROUND  
PARKING PAD  
DIRT & GRAVEL

PROPERTY LINE WEST 600'

PROPERTY LINE EAST 600'



WATER EDGE 75'

ELEVATED WALK

FORT PIKE CANAL

40'

10'

DOCK

BOAT HOUSE

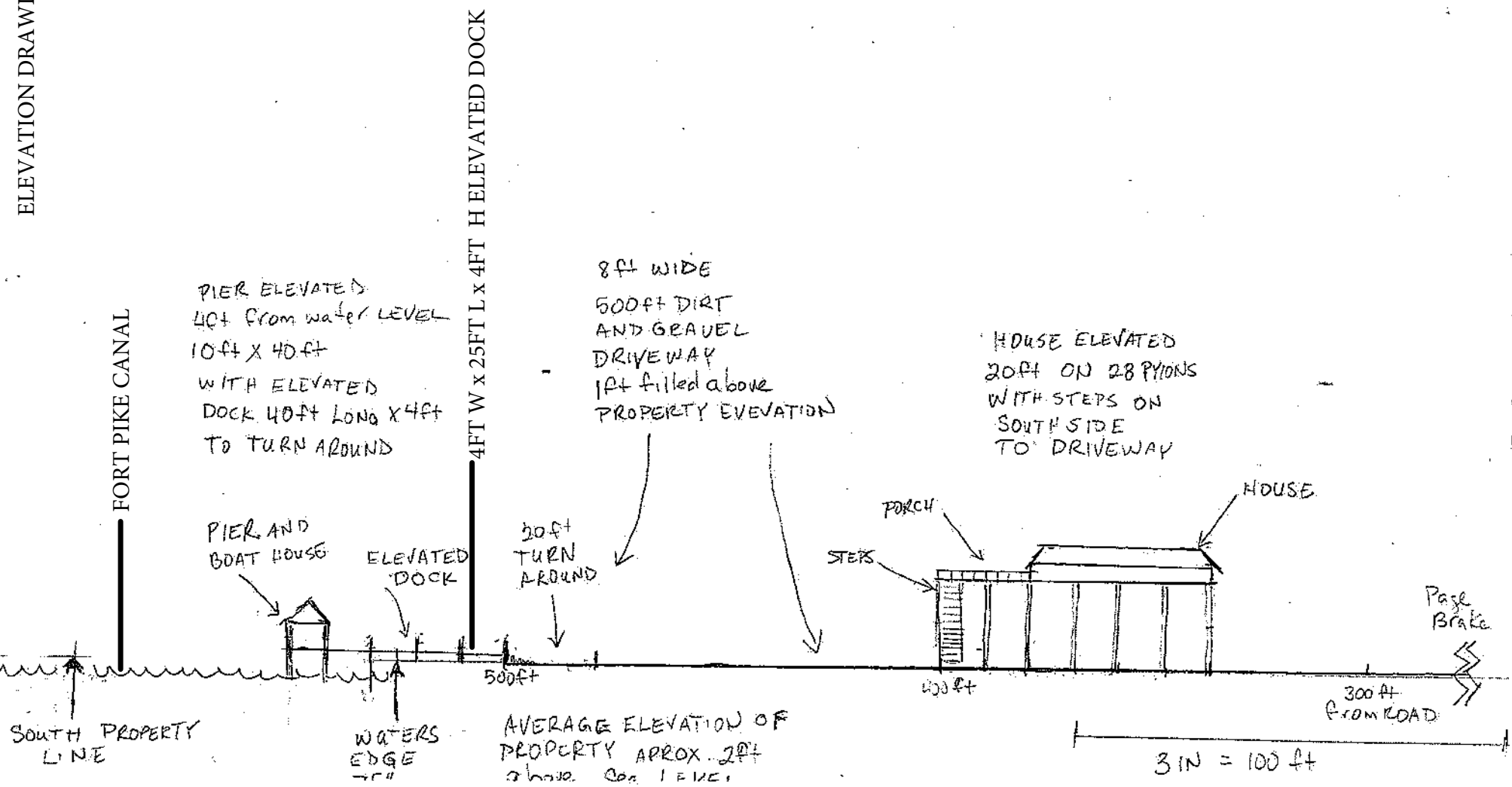
15'

PROPERTY LINE SOUTH  
50' DOWN

5'

1" = 10' -

ELEVATION DRAWING 1



SOUTH PROPERTY LINE

FORT PIKE CANAL

PIER ELEVATED  
40ft from water LEVEL  
10ft x 40ft  
WITH ELEVATED  
DOCK 40ft LONG x 4ft  
TO TURN AROUND

PIER AND  
BOAT HOUSE

ELEVATED  
DOCK

4FT W x 25FT L x 4FT H ELEVATED DOCK

500ft

30ft  
TURN  
AROUND

8ft WIDE  
500ft DIRT  
AND GRAVEL  
DRIVEWAY  
1ft filled above  
PROPERTY ELEVATION

AVERAGE ELEVATION OF  
PROPERTY APPROX 2ft  
above sea level

HOUSE ELEVATED  
20ft ON 28 PIONS  
WITH STEPS ON  
SOUTH SIDE  
TO DRIVEWAY

STEPS

PORCH

HOUSE

500ft

300ft  
FROM ROAD

Post  
Brake

3 IN = 100 ft

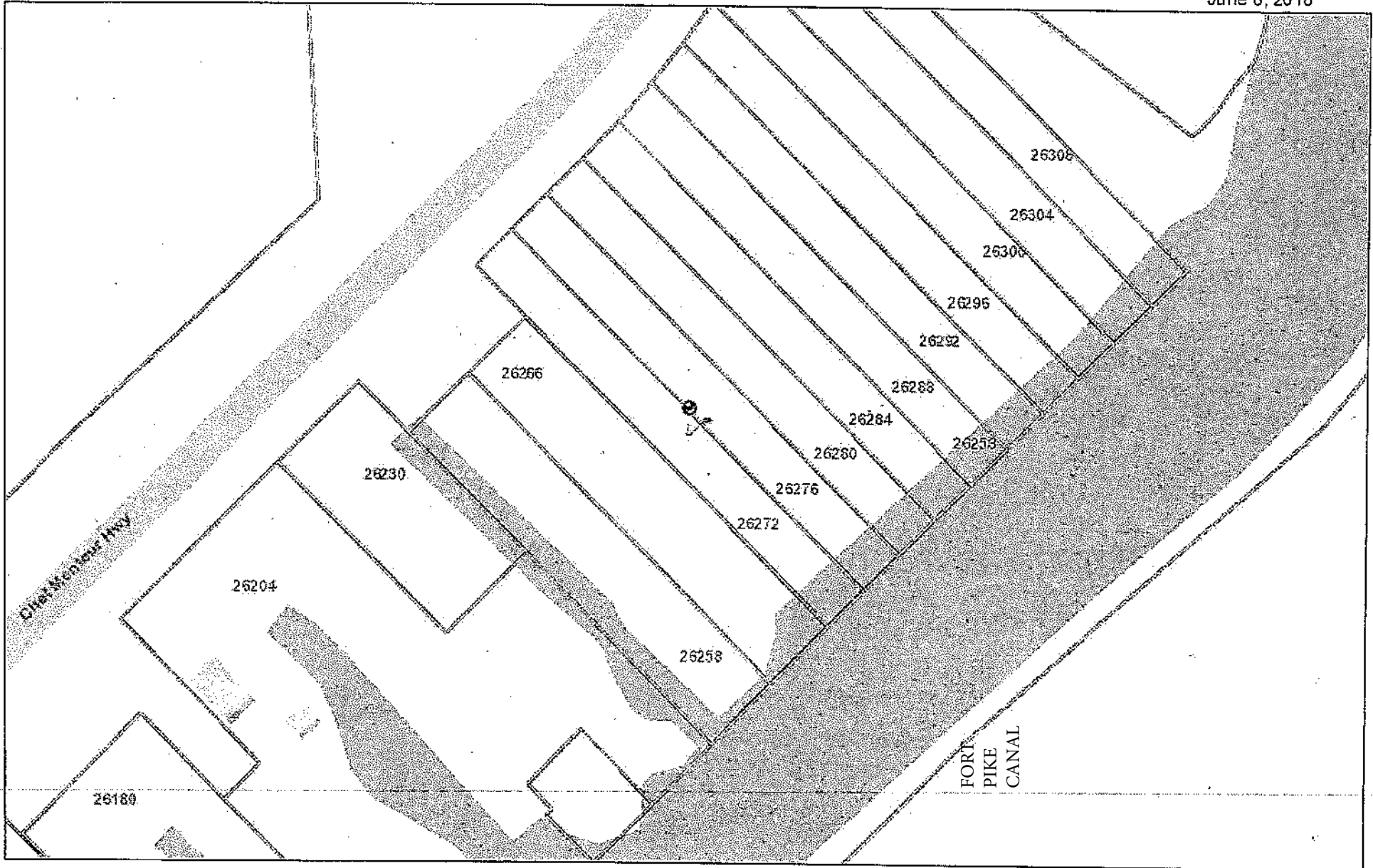
US 29 90



# City of New Orleans Property Viewer

June 8, 2018

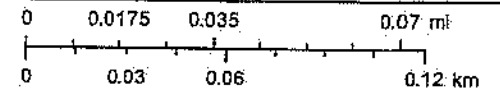
VICINITY MAP 5



pointLayer



Override 1



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**APPROVED**  
 JURISDICTIONAL DETERMINATION

FORMER RIGHT-OF-WAY LINE  
 INSTR. NO. 3030 - CONVEYANCE OFFICE  
 PARISH OF ORLEANS - DATED 3/28/89

**GENERAL NOTES**

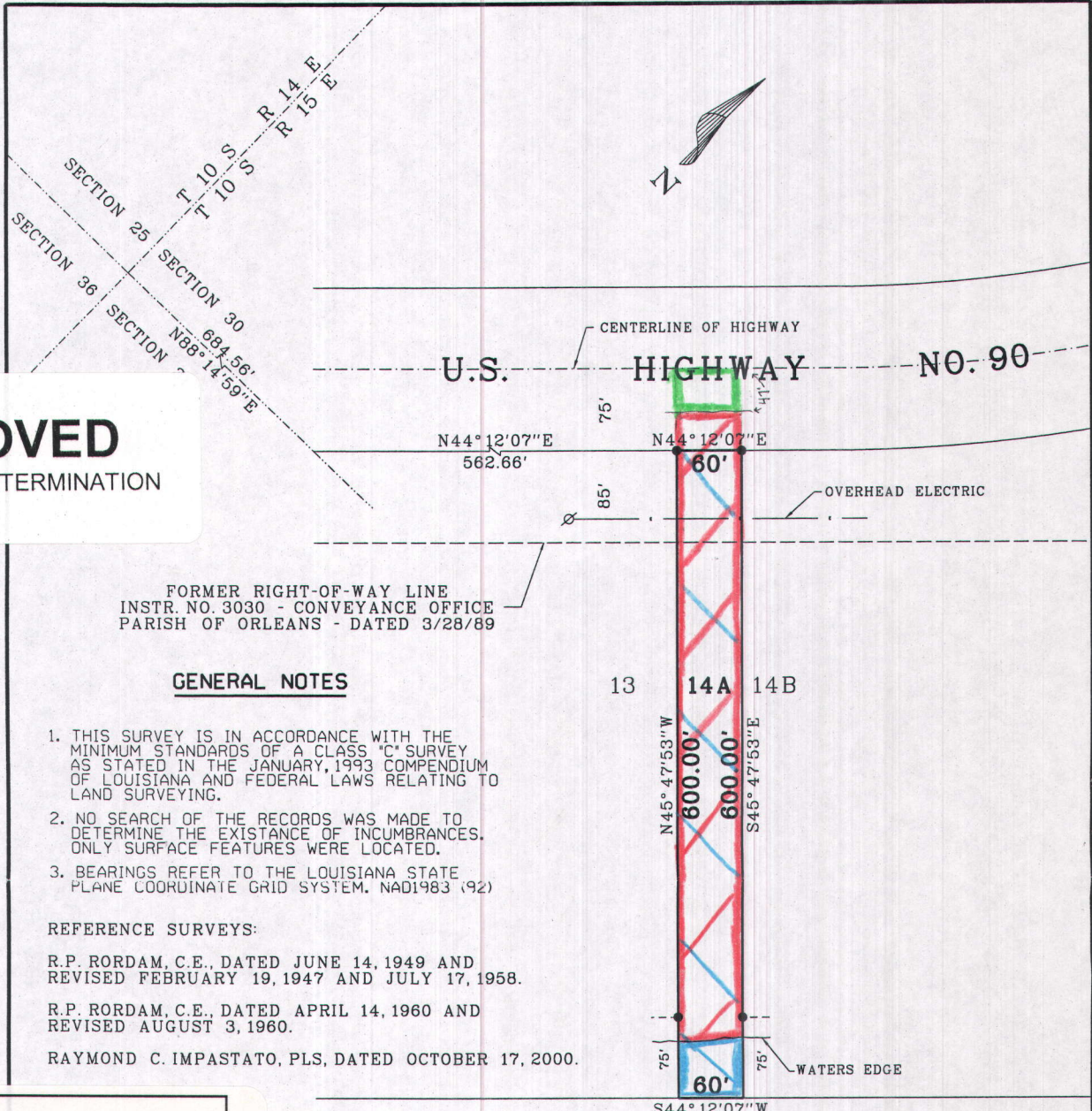
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RAYMOND C. IMPASTATO, PLS, DATED OCTOBER 17, 2000.



**USACE**  
 FSV 1 (H) Date: 3/21/12  
 Botanist: WINDHAM  
 Requestor: BRANDT  
 # MVN-2012-00543-SK  
 [Red hatched box] - WETLAND (10/404)  
 [Green box] - NON-WETLAND  
 [Blue box] - WATERS OF THE US (10/404)

DREDGED CANAL

BRAZILIER ISLAND  
 SECTIONS 30 & 31, T10S R15E  
 SOUTHEAST DISTRICT OF LOUISIANA  
 EAST OF THE MISSISSIPPI RIVER  
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