

JOINT PUBLIC NOTICE

October 7, 2019

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch (ODR-E)
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

Project Manager
Benjamin Sherman
Permit Application Number
MVN 2019-00894 ES

Project Manager
Elizabeth Hill
WQC Application Number
WQC 190930-01

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).

Walkway and Boat Dock on Tangipahoa River at 39670 John Wild Road, Ponchatoula, Tangipahoa Parish, Louisiana

NAME OF APPLICANT: Jay & Rubye Devall c/o Lobell Construction, Attn: Donald Lobell, P.O. Box 98 Springfield, LA 70462

LOCATION OF WORK: Project site is located at 39670 John Wild Road, Ponchatoula, Tangipahoa Parish, Louisiana, as shown on the attached drawings.

Hydrologic Unit Code: 08070205 – Lower Mississippi-Lake Maurepas; Location: Latitude: 30.4371, Longitude: -90.077111

CHARACTER OF WORK: The applicant proposes to place temporary timber matting, install and maintain 3' by 30' walkway and 30' by 30' boat dock along the Tangipahoa River. Approximately .03 acres of jurisdictional wetlands will be temporarily impacted from construction activities and .02 acres of jurisdictional waters will be impacted by installing the boat dock. The applicant has proposed the use of an approved compensatory mitigation bank to offset any unavoidable impacts to jurisdictional wetlands.

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 **0.05** 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

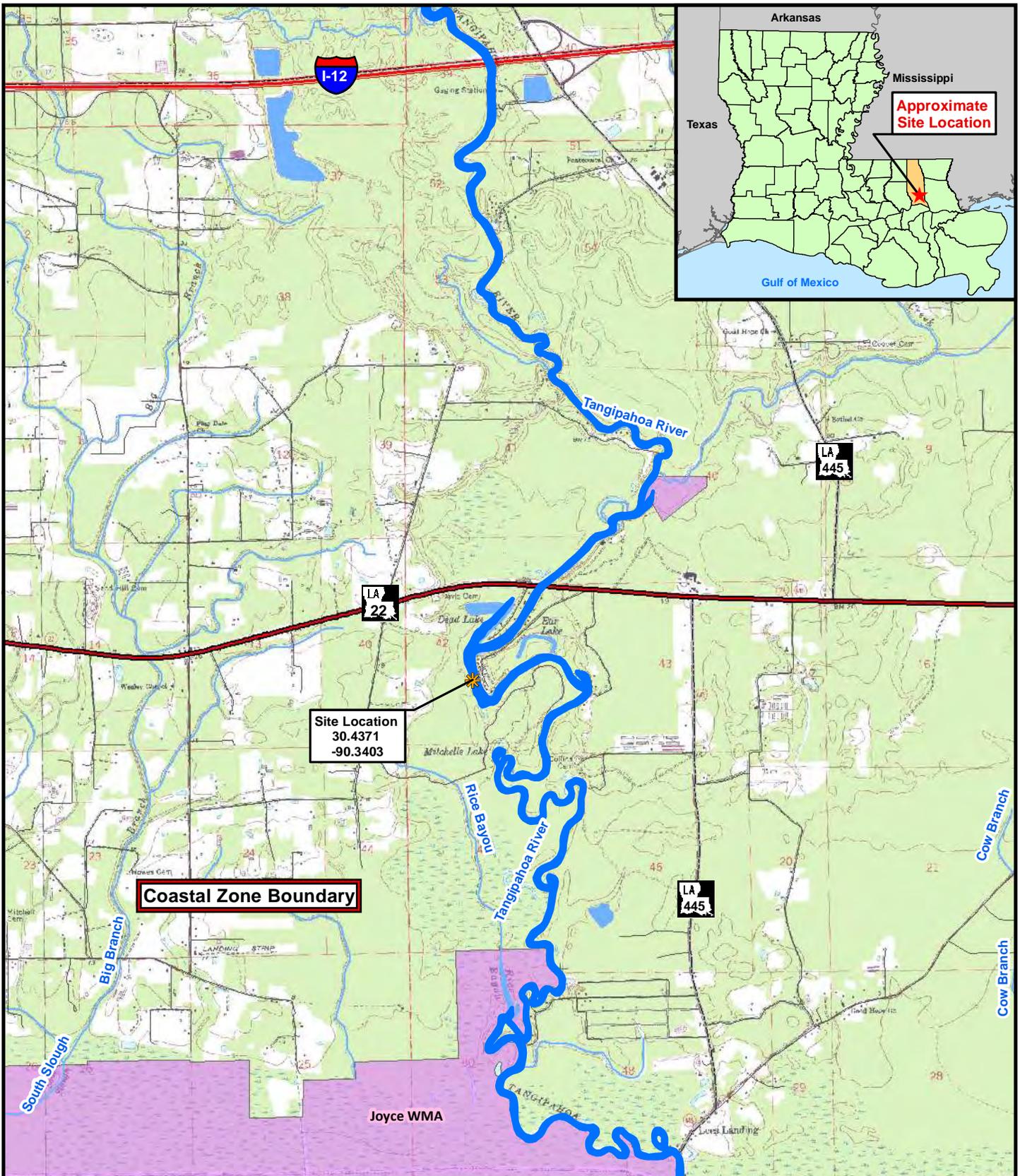
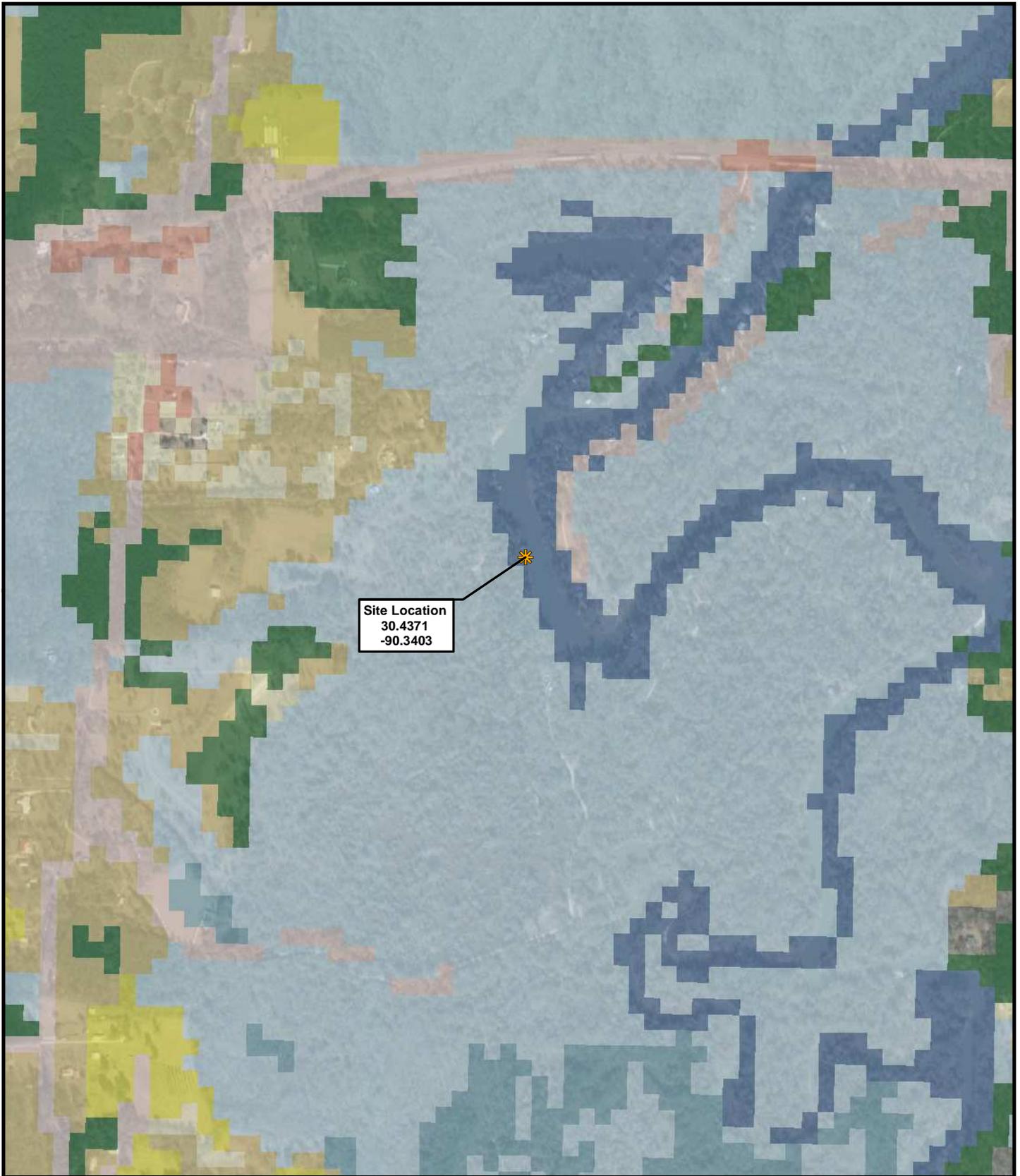


Figure 1: TopoVicinity Map

**John Wild Road
Boat Dock**

Section: 42
Township: 07 South
Range: 09 East



0 500 1,000 Feet

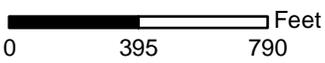
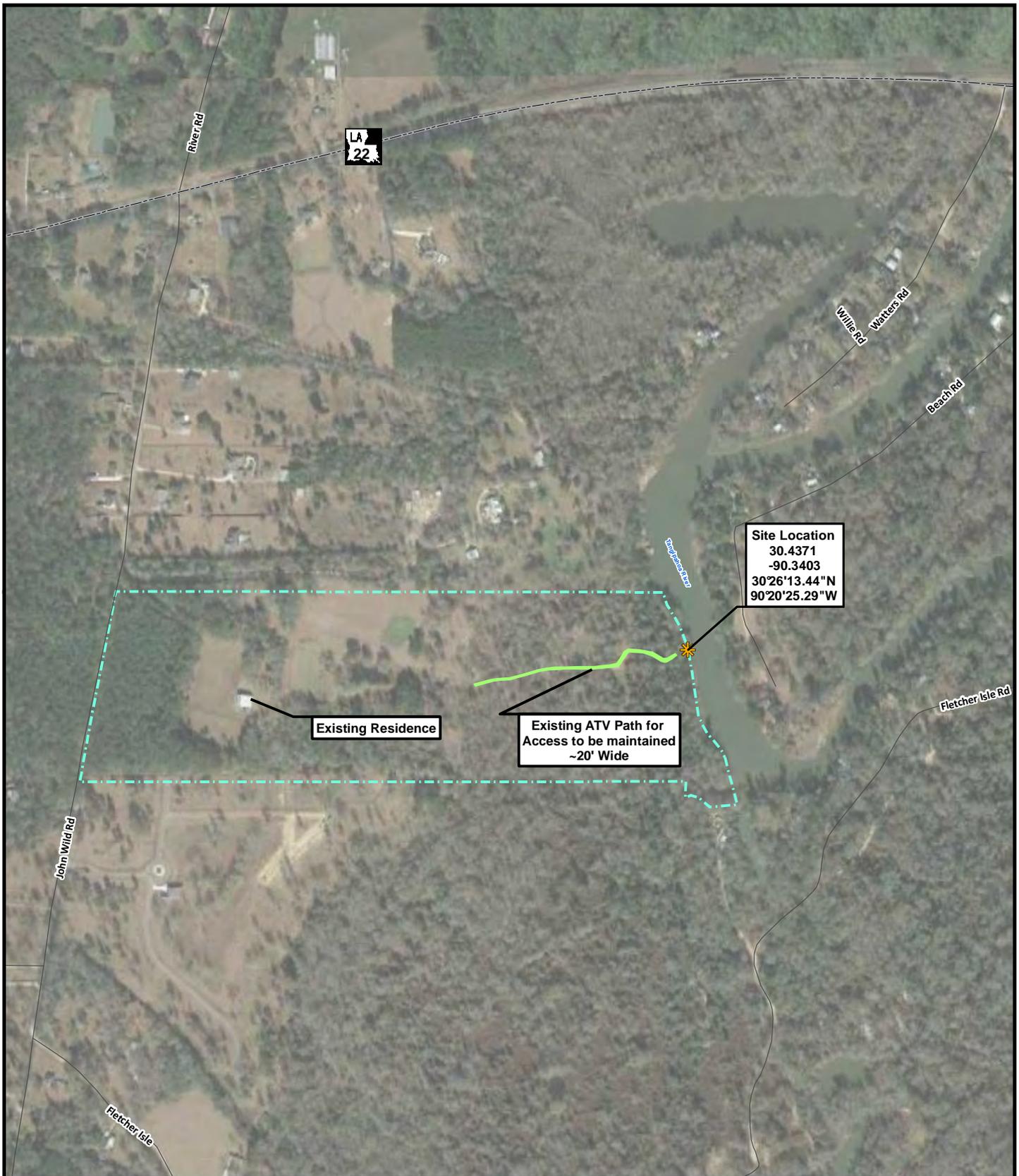


Legend:

- Project Location
- Woody Wetlands
- Shrub/Scrub
- Open Water
- Herbaceous
- Hay/Pasture
- Evergreen Forest
- Emergent Herbaceous Wetlands
- Developed, Open Space
- Developed, Low Intensity

Figure 2: Land Use Map

**John Wild Road
Boat Dock**

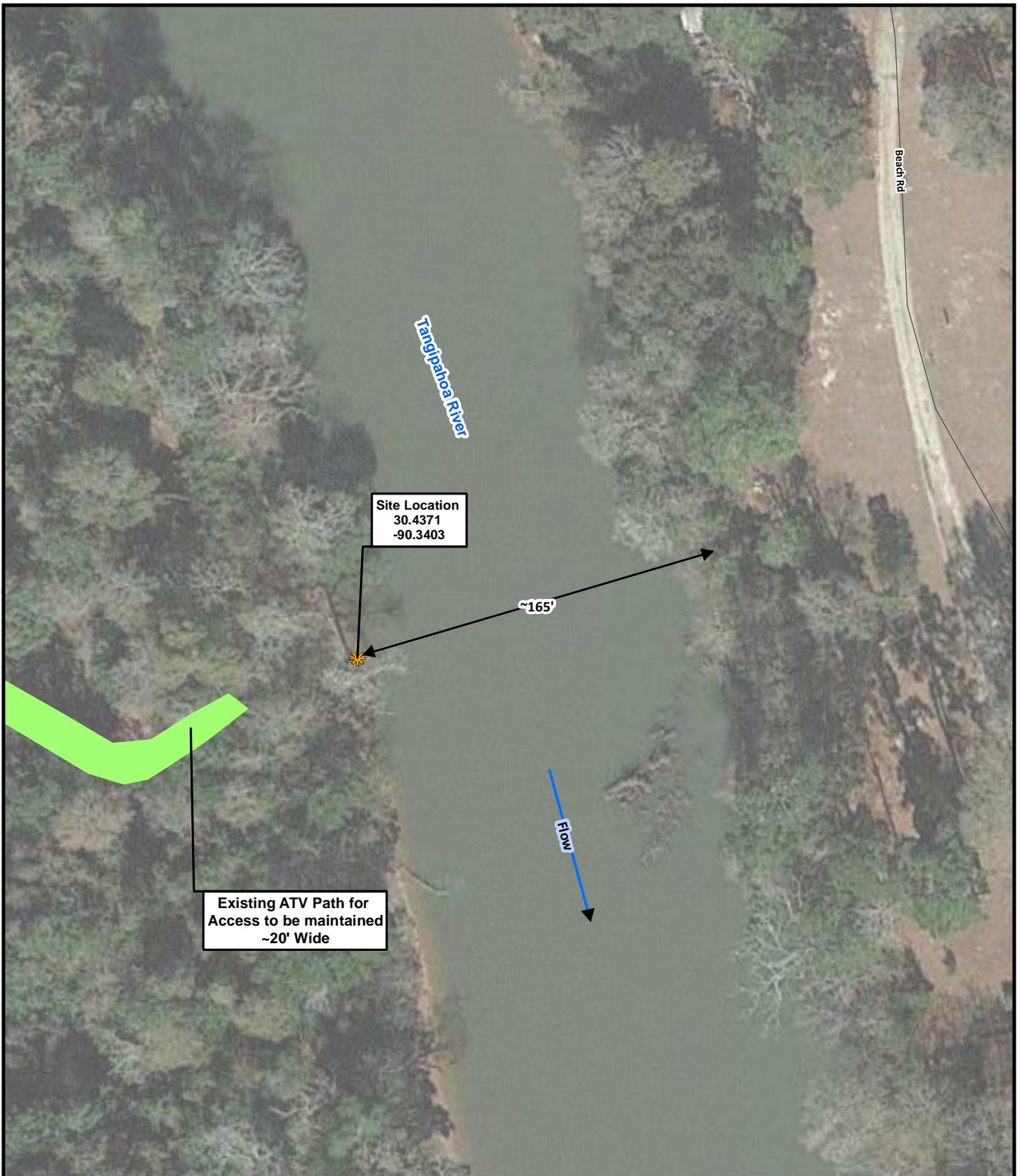


Legend:

-  Project Location
-  Property Boundary
-  Existing ATV Path
-  Roadway

Figure 4: Site Location

**John Wild Road
Boat Dock**



Site Location
30.4371
-90.3403

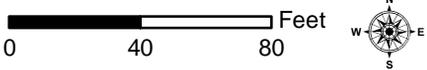
~165'

Existing ATV Path for
Access to be maintained
~20' Wide

Flow

Beach Rd

Tangipaha River



Legend:

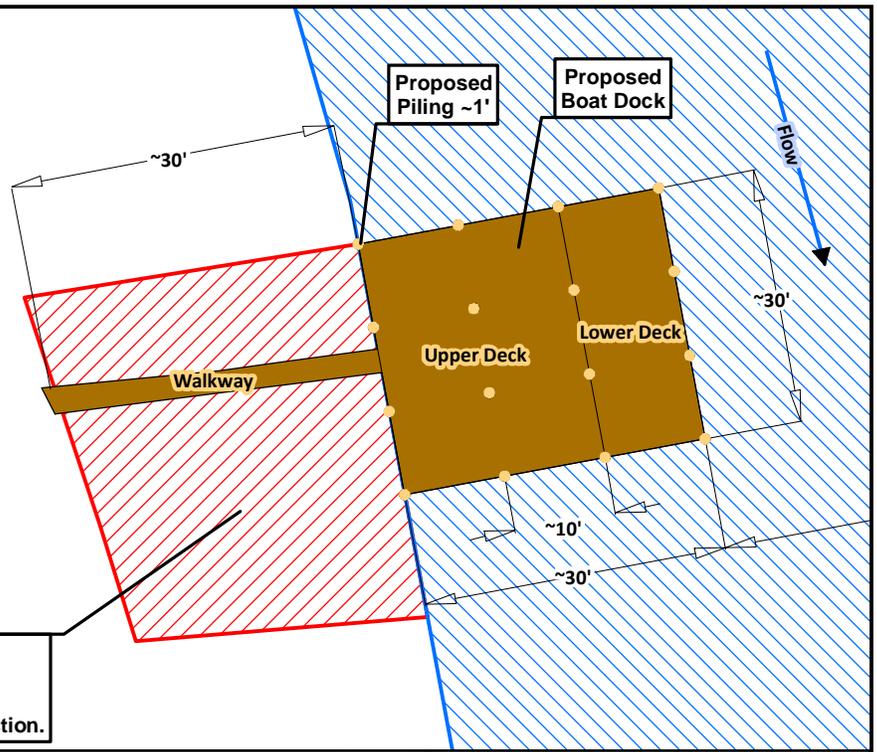
-  Project Location
-  Existing ATV Path
-  Roadway

Figure 5: Existing Conditions

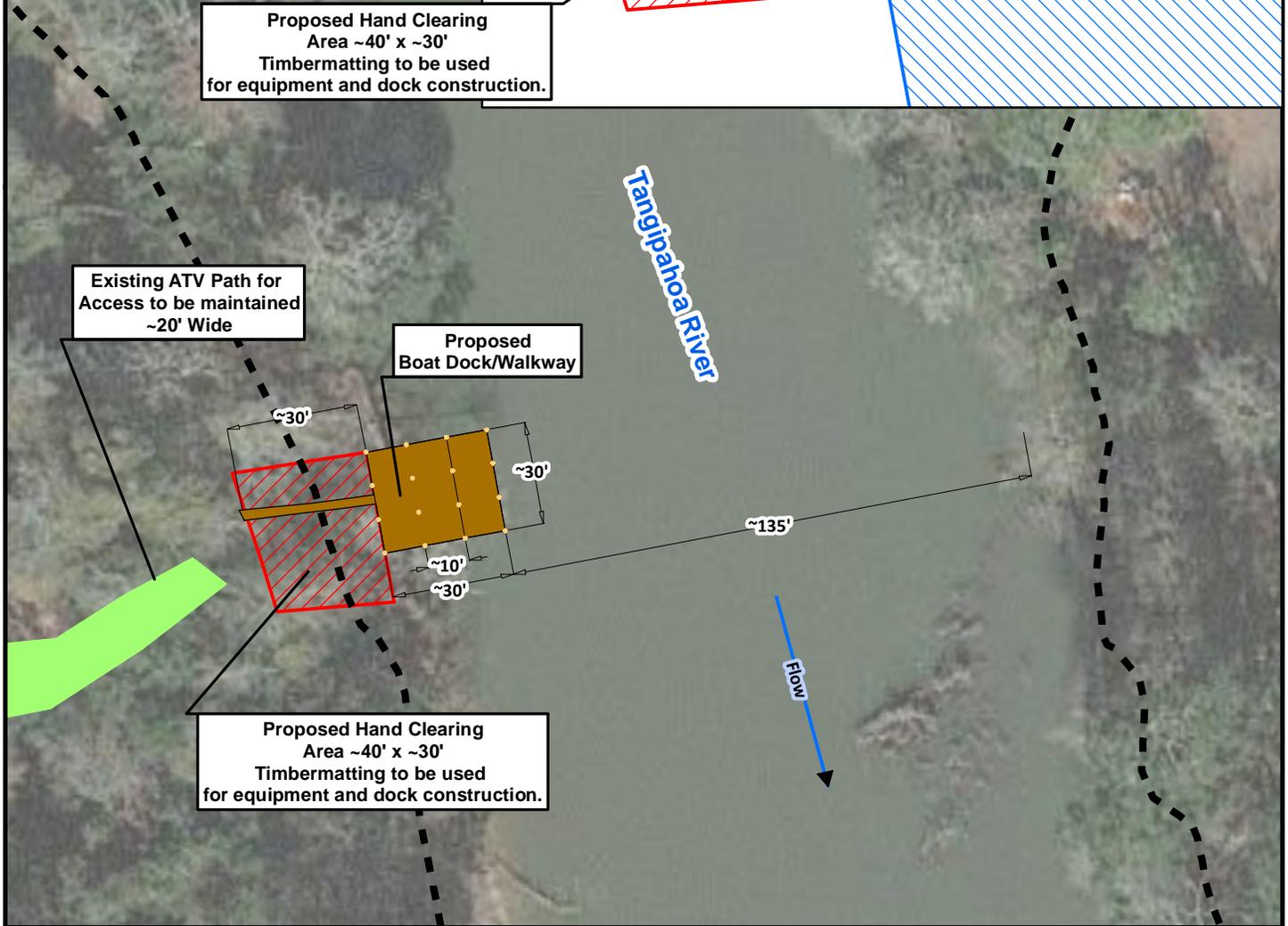
**John Wild Road
Boat Dock**

Notes:

- 1) No living trees greater than 6" DBH shall be cut.
- 2) Clearing of vegetation will remain within Temporary Wetland Impact Area. Stumps, and root systems shall remain to retain bank stability.
- 3) Temporary Timbermatting shall be used for equipment and Dock Construction.



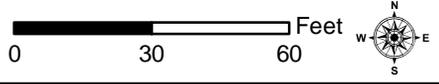
Proposed Hand Clearing Area ~40' x ~30'
Timbermatting to be used for equipment and dock construction.



Existing ATV Path for Access to be maintained ~20' Wide

Proposed Boat Dock/Walkway

Proposed Hand Clearing Area ~40' x ~30'
Timbermatting to be used for equipment and dock construction.



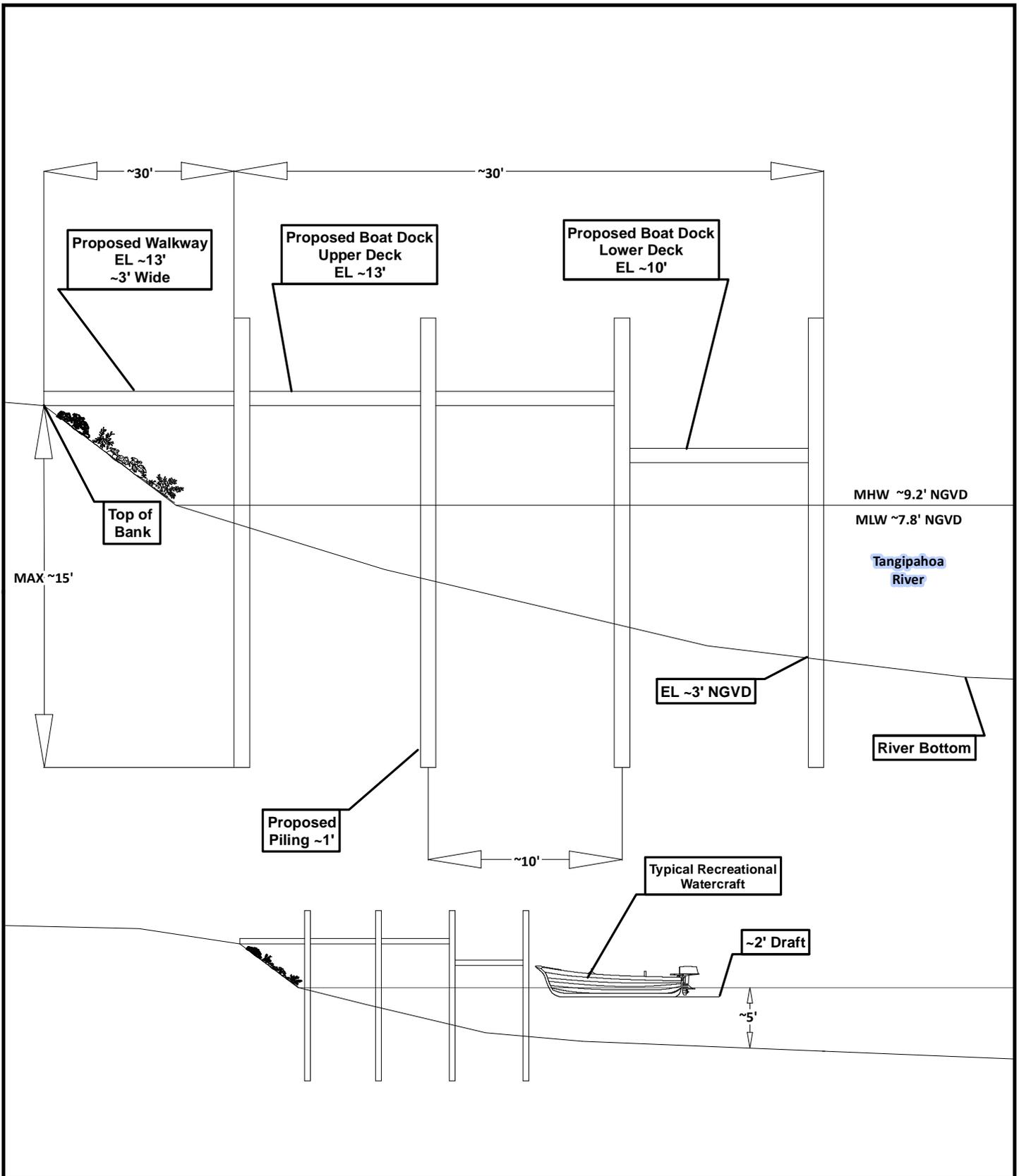
- Legend:**
- 5' Contour
 - Proposed Piling
 - Proposed Dock/Walkway
 - ▨ Temporary Wetland Impacts
 - Existing ATV Path

Proposed Impacts

Other Water Impacts	~.0003 Acres
Fill (Piling)	~7 CY
Temporary Wetland Impacts	~.03 Acres

Figure 6: Plan View

John Wild Road Boat Dock



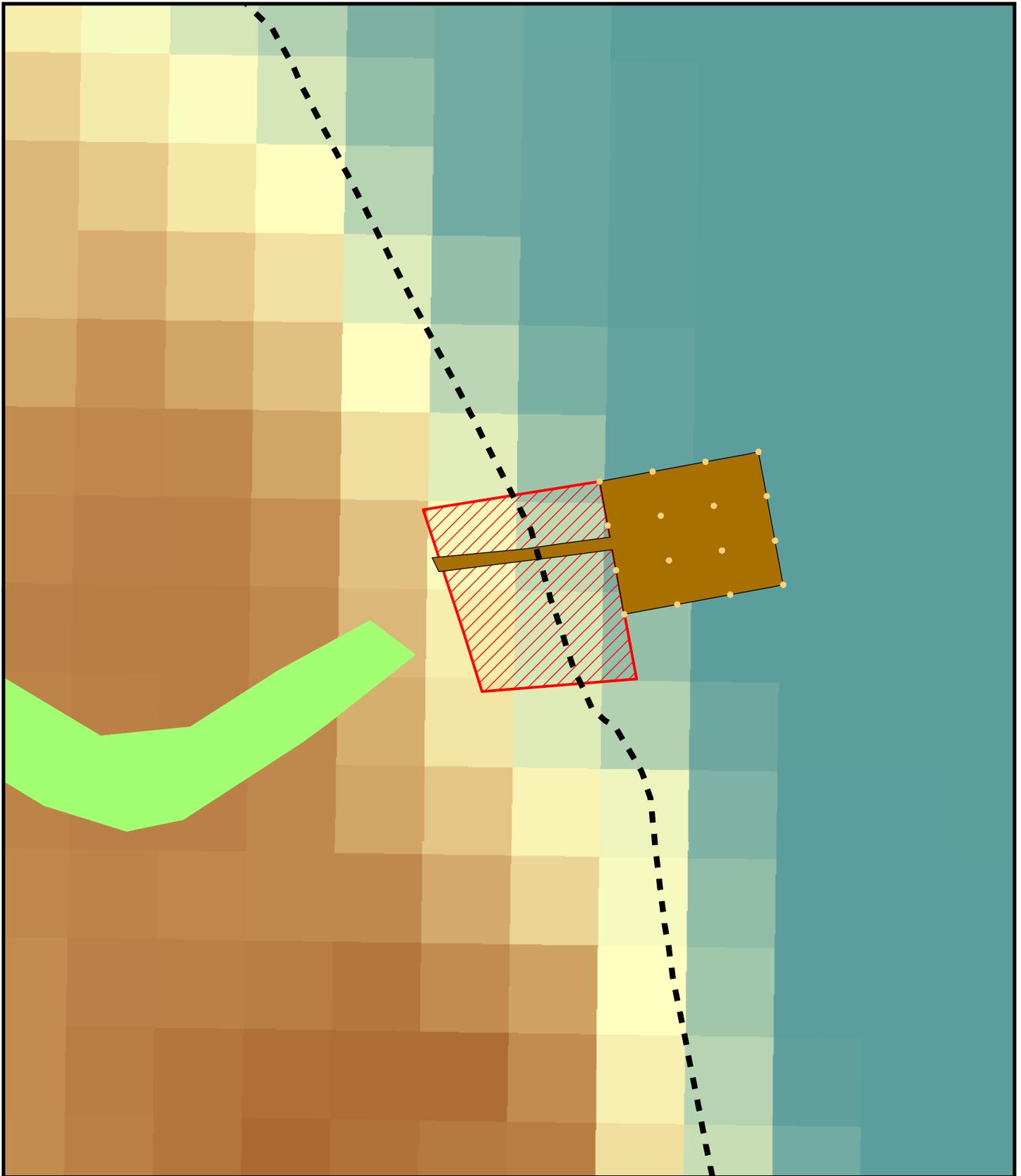
Scale = Not to Scale

Figure 7: Typical Section

**John Wild Road
Boat Dock**

NDSI Notes:

1. As-built drawings and/or plats shall have written on them the date of completion of said activities and shall be submitted to the Louisiana Department of Natural Resources, Office of Coastal Management, P. O. Box 44487, Baton Rouge, LA 70804-4487 within 30 days following project completion.
2. All structures built under the authorization and conditions of this permit shall be removed from the site within 120 days of abandonment of the facilities for the herein permitted use, or when these structures fall into a state of disrepair such that they can no longer function as intended. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.
3. Structures must also be marked/lighted in accordance with U. S. Coast Guard regulations.
4. In order to ensure the safety of all parties, the permittee shall contact the Louisiana One Call System (1-800-272-3020) a minimum of 48 hours prior to the commencement of any excavation (digging, dredging, jetting, etc.) or demolition activity.



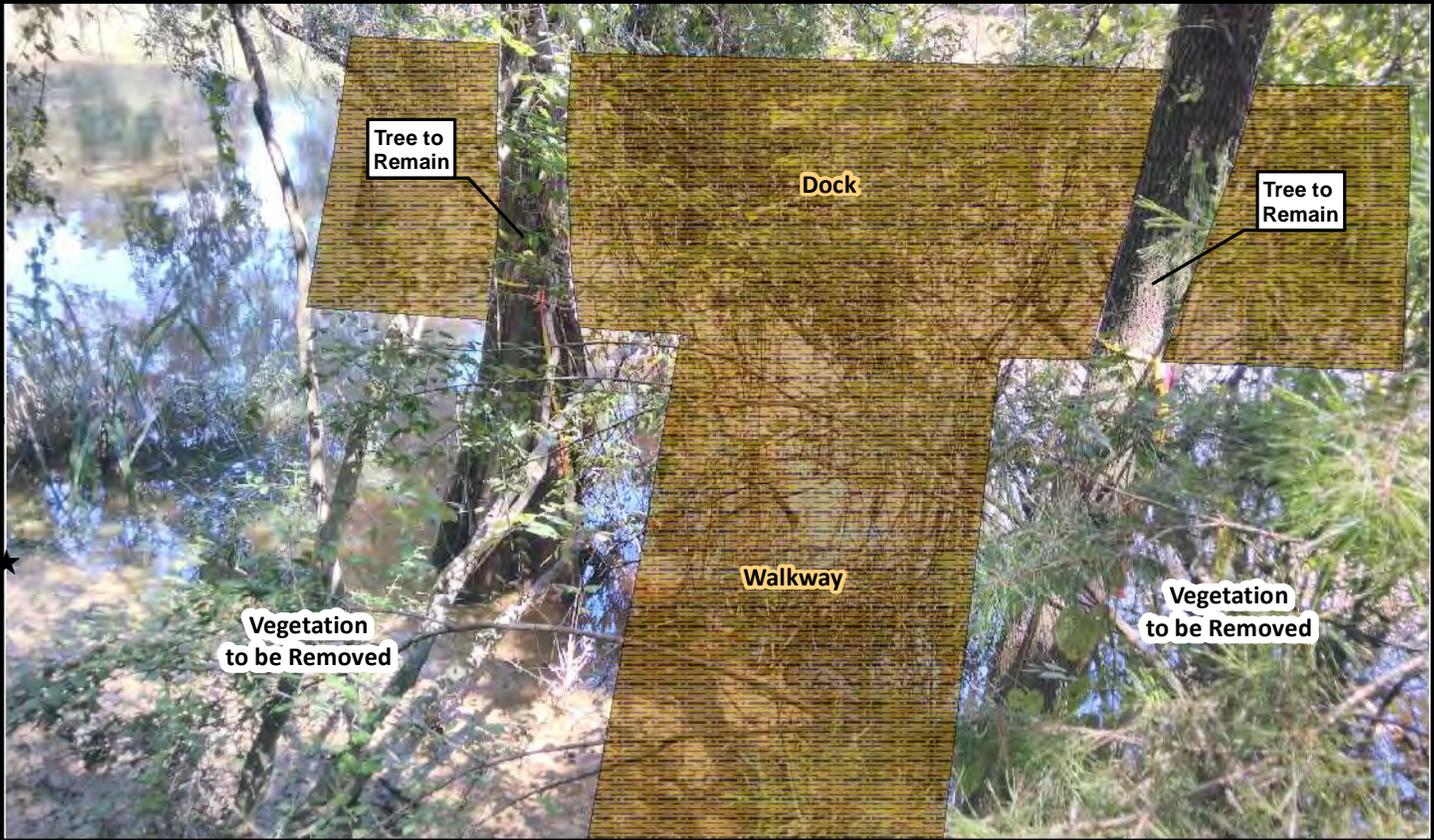
Legend:

- 5' Contour
- Proposed Piling
- Proposed Dock/Walkway
- Temporary Wetland Impacts
- Existing ATV Path



Figure 8: Elevation Map

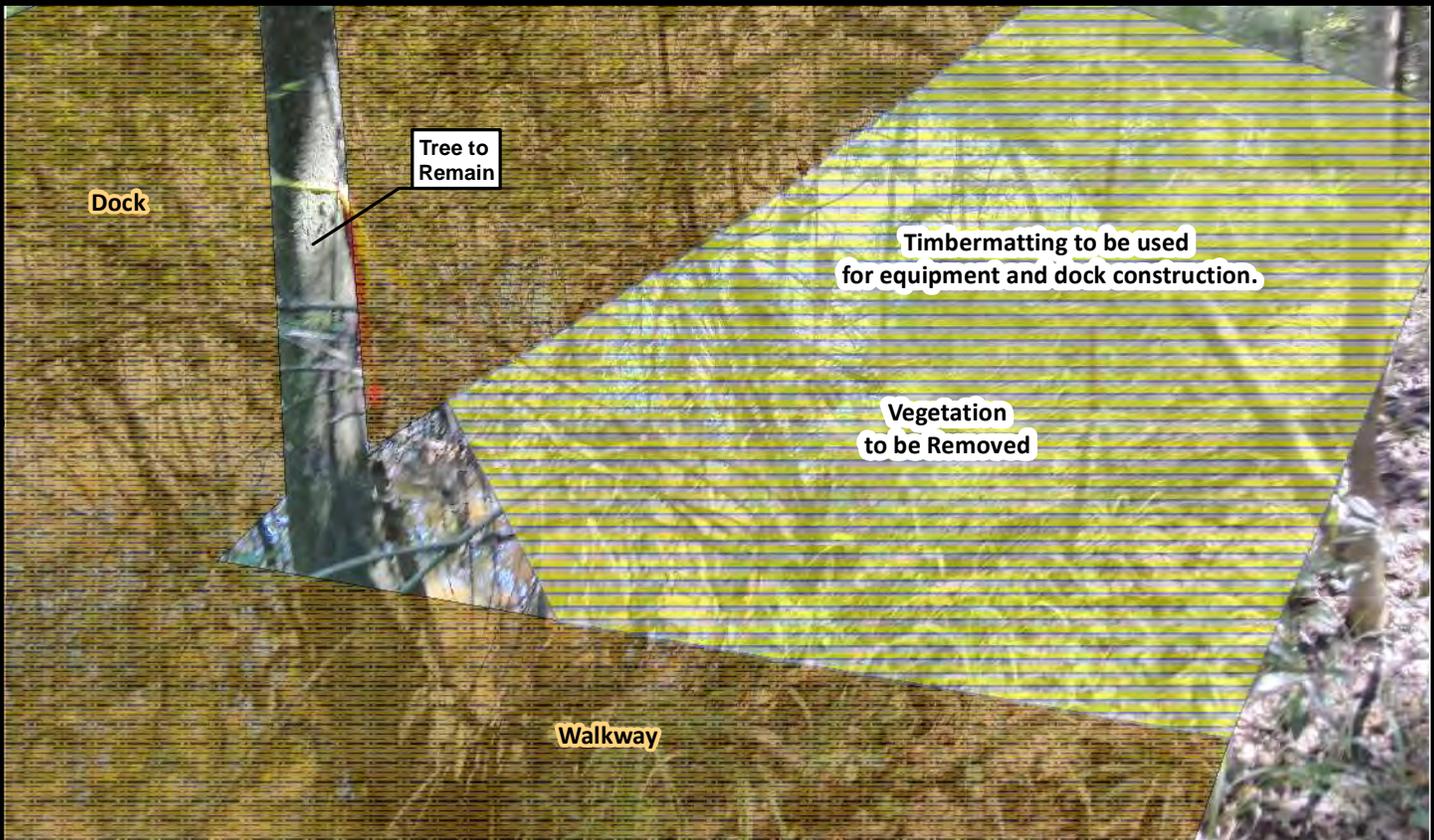
**John Wild Road
Boat Dock**



Scale = Not to Scale

Figure 9: Walkway

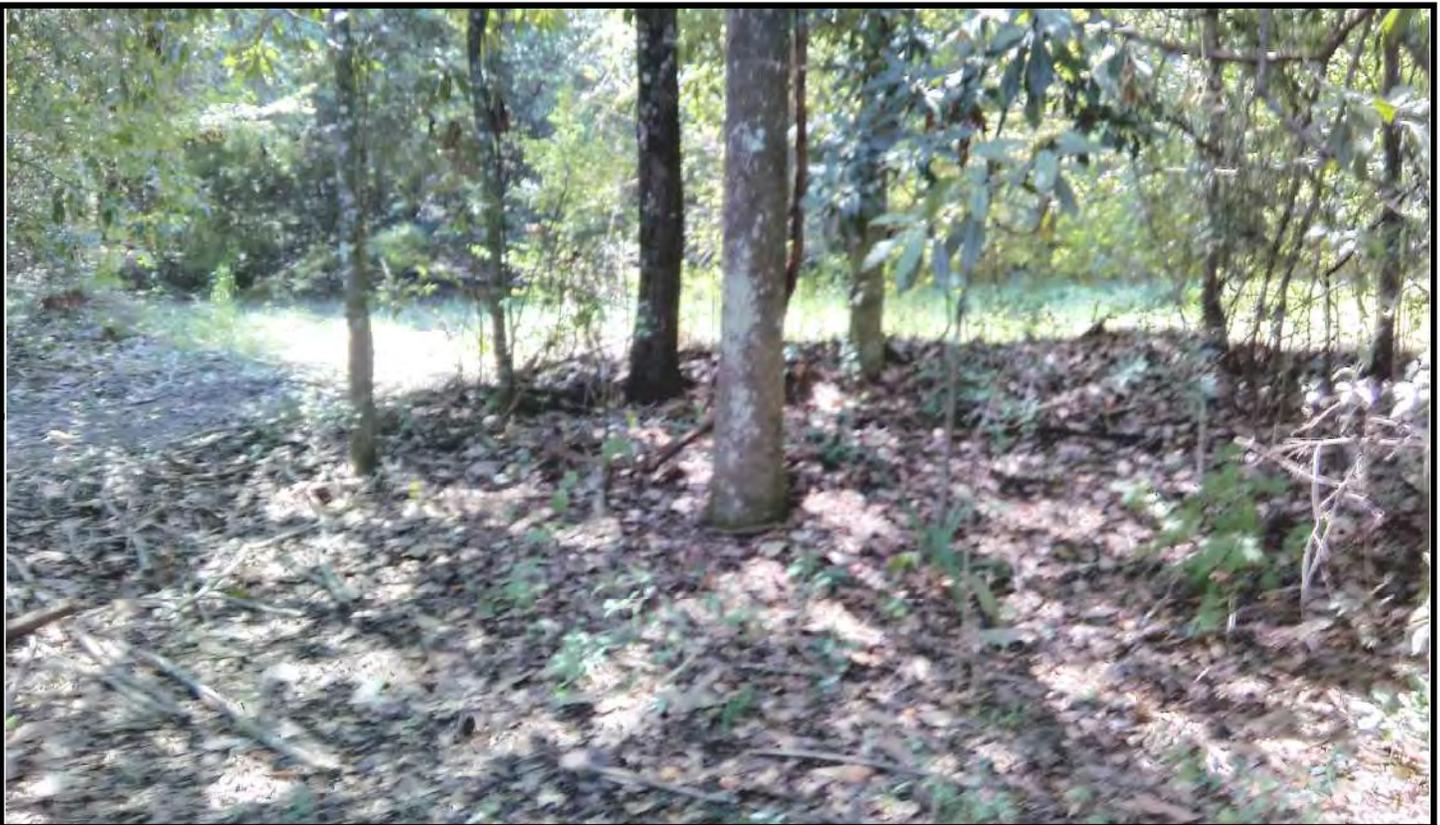
**John Wild Road
Boat Dock**



Scale = Not to Scale

Figure 10: Right Side Bank Access

John Wild Road Boat Dock



Scale = Not to Scale

Figure 11: Existing ATV Path

**John Wild Road
Boat Dock**



Scale = Not to Scale

Figure 12: Area from ATV Path to Bank Access

**John Wild Road
Boat Dock**