

Public Notice

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil

APPLICATION NO.:

RVH-MVK-2014-875

EVALUATOR:

Mr. Randy Holder

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DATE:

December 23, 2014

EXPIRATION DATE:

January 12, 2015

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District proposes to discharge dredged and fill material into waters of the United States pursuant to Section 404 of the Clean Water Act for the proposed construction described herein. A water quality certification is required in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(93) and provisions of Section 401 of the Clean Water Act (P.L. 95 217). Comments concerning the application can be filed with the Office of Environmental Services within 20 days of this notice to the following address: Office of Environmental Services, Post Office Box 4313, Baton Rouge, Louisiana 70821-4313.

The Louisiana Department of Environmental Quality has additional information on file in their office in Baton Rouge which may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing.

<u>Law Requiring a Permit</u>: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), which applies to structures or work in navigable waters of the United States, and Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Mr. Ronnie Prudhomme
Folley Beach Development, LLC
115 North Roclay Drive

Lafayette, Louisiana 70506

Name of Agent:

Mr. Roger Bright Jones Environmental, Inc. 708 Milan Street, Suite 100 Shreveport, Louisiana 71101 Location of Work: Section 1, T20N-R1W, within the Bayou D'Arbonne drainage basin, Union Parish, Louisiana.

<u>Description of Work</u>: (See enclosed map and drawings.)

The following description of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit for the discharge of dredged and/or fill material associated with reclaiming eroded waterfront.

Folley Beach Development, LLC is proposing an 18.91 acre development consisting of a dock, marina, bait shop, restaurant, condominiums, and a waterfront hotel. The applicant proposes to mechanically dredge, via an excavator, approximately 12,250 cubic yards of silt/sand from the bottom of Lake D'Arbonne. The dredged material would be deposited along the adjacent, non-wetland existing water line for reclamation. After approximately 50-70% of the material has been placed in the fill area, a bulkhead, constructed of composite sheet piles and timbers, composite decking, and hot dipped galvanized hardware would be installed along the length of the fill area. The bulkhead would run west to east approximately 950 feet and would be installed 50 feet off of the existing water line. Dredged material would be placed on the eastern side of the bulkhead and protect the filled area from further erosion until the area has been filled to the required elevation.

Approximately 12,250 cubic yards of lake bottom silt/sand would be used a fill material. Approximately 3.81 acres of other waters would be filled. The applicant proposes to mitigate for all jurisdictional impacts by purchasing credits from an approved mitigation bank.

The placement of dredged and/or fill material in waters of the United States, requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment, and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan, as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

<u>Cultural Resources</u>: The Regulatory Archaeologist has reviewed the latest published version of the <u>National Register of Historic Places</u>, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: The permit area was created in modern times and has had no human habitation: therefore, little likelihood exists for the proposed project to impinge upon a historic property. Copies of this public notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

<u>Endangered Species</u>: The following threatened or endangered species are known to preside in Union Parish: Red-cockaded woodpecker (E). This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

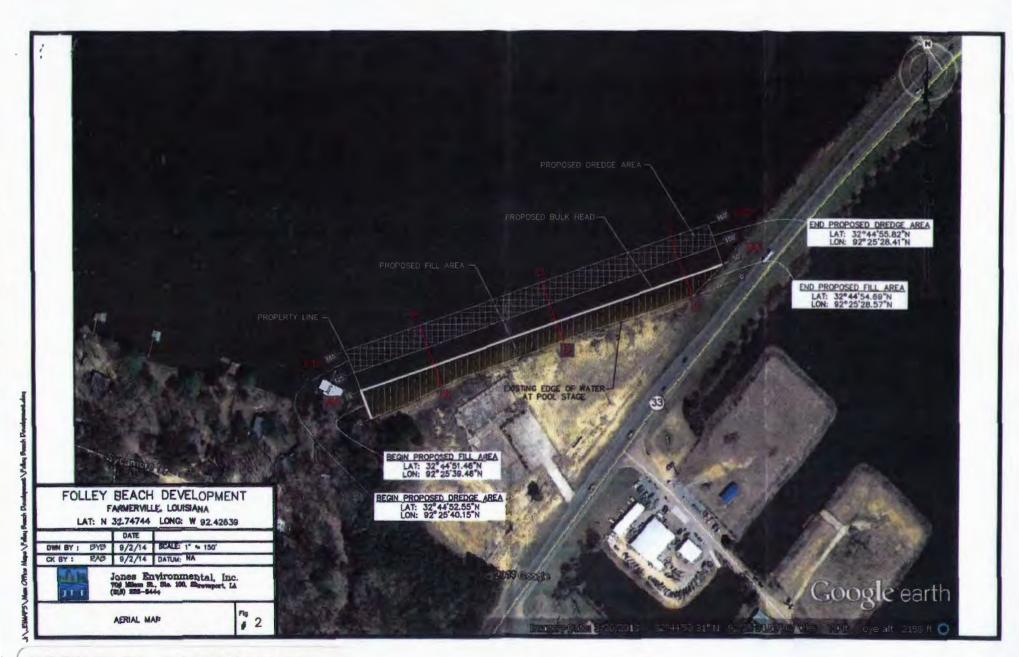
<u>Public Involvement</u>: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, http://www.mvk.usace.army.mil/Missions/Regulatory.aspx, and click on ORM Permit Decisions under Program Links.

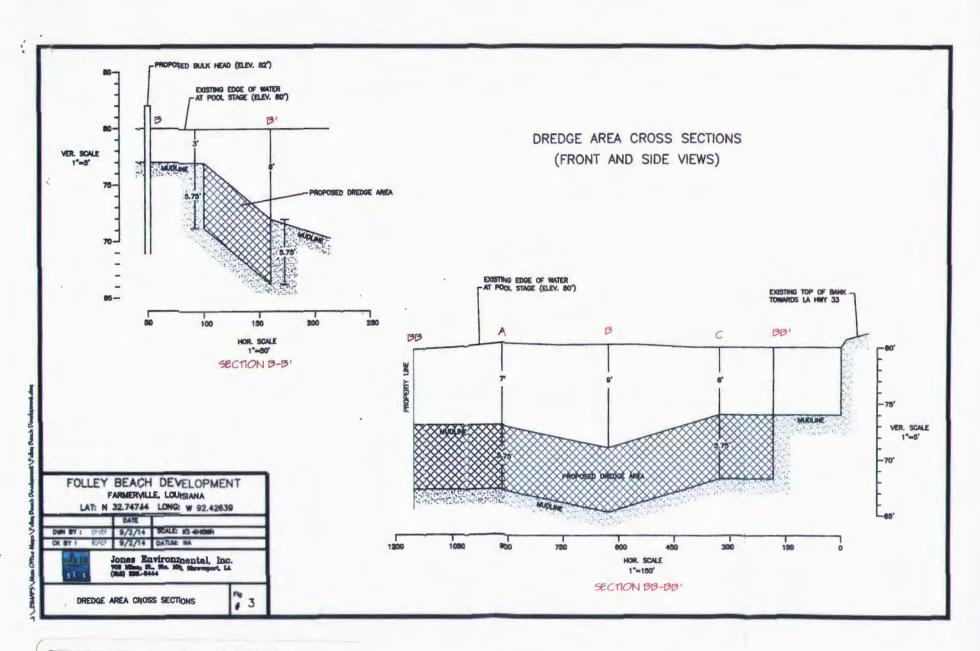
Anne S. Woerner Chief, Evaluation Section





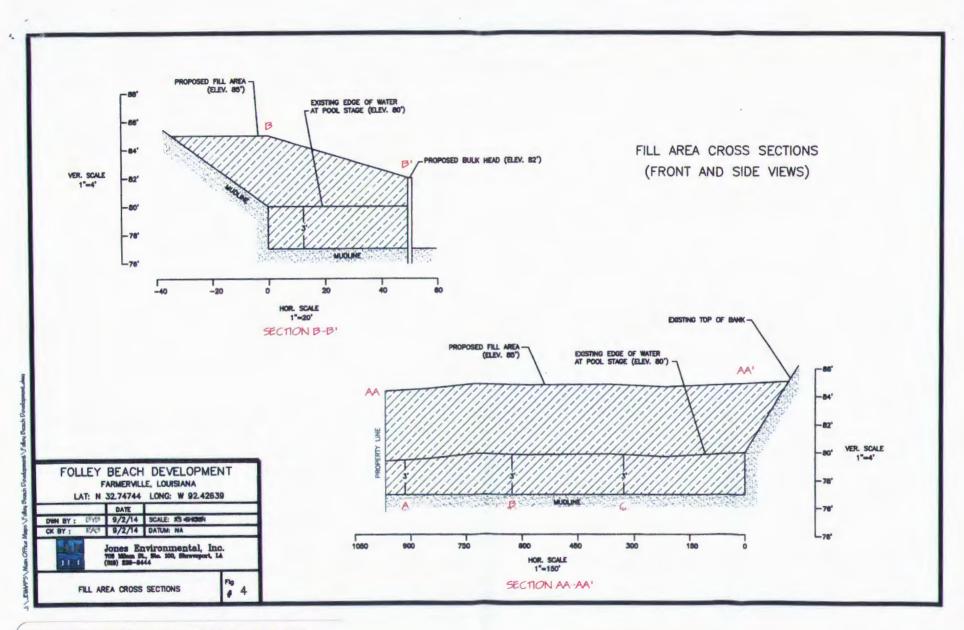
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