



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	<u>MVK-2021-225</u>
EVALUATOR:	<u>Ms. Tarmiko Graham</u>
PHONE NO.:	<u>(601) 631-5540</u>
E-MAIL:	<u>Tarmiko.V.Graham@usace.army.mil</u>
DATE:	<u>October 26, 2021</u>
EXPIRATION DATE:	<u>November 15, 2021</u>

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District is considering an application for a Department of the Army permit for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-RD, 4155 Clay Street, Vicksburg, Mississippi 39183-3435.

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority) and the Corps of Engineers has notified the certifying agency of the reasonable period of time for them to act upon the certification.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged and/or fill material into waters of the United States

Name of Applicant:
Mr. Dustin Richards
BLD Investments, LLC
2424 Tyler Street
Kenner, Louisiana 70062

Name of Agent:
Ms. Barbara Zelneka
J. V. Burkes & Associates, Inc.
1805 Shortcut Hwy
Slidell, Louisiana 70459

Location of Work: Section 37, Township 9 South, Range 15 East, Latitude 30.276871°; Longitude -89.71065°, within the Lower Pearl Drainage Basin (8-digit USGS HUC 03180004), St. Tammany Parish, Louisiana.

Description of Work: (See enclosed map and drawings.)

The following descriptions 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 to conduct regulated activities in jurisdictional wetlands to renew and modify the previously approved and mitigated residential subdivision to address the needs of residential housing in Slidell.

The project area is part of MVK MC-980008300 permit. Approximately 13.56 acres of wetlands were included in the original permit and previously mitigated. In order to satisfy current local ordinances and provide adequate circulation, additional wetlands acreage previously avoided is needed to complete the project. Construction of the project was halted in 2008 when the market fell. Portions of the project had been cleared, graded and filled with partial infrastructure installed. Completing the project should provide compatible housing in a desired public school district.

The proposed project would include clearing, grading, excavation and filling for the construction of streets, utilities, drainage and residential homes. The proposed project area contains 43.45 acres. Approximately 19.67 acres of wetlands would be utilized with 13.56 of those acres being previously mitigated. Approximately 48,500 cubic yards of native soil would be removed to accommodate appropriate bases and pond. Approximately 15,657 cubic yards of clean earthen fill and approximately 5,800 cubic yards of concrete would be utilized for streets and residential lot features including slabs for homes. Best management practices (BMPs) during construction would be utilized to reduce sedimentation and erosion potential. Permanent best management practices would be used including sodding and/or seeding of lots and disturbed areas.

Dominant vegetation includes Loblolly pine, Sweet bay magnolia, Water oak, Horse-sugar, Red maple, Black gum, Red bay, Yaupon holly, Chinese privet, Inkberry, Sawbriar, Muscadine, Laurel greenbrier, Sweet gallberry, Tall swamp panicgrass, Foxtail clubmoss, Ten-angle pipewort and Shortleaf St. John's wort. Soils within the project areas are Guyton silt loam and Prentiss fine sandy loam.

The project has been designed to minimize impacts to jurisdictional wetlands. The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from a USACE approved mitigation bank that services the project area.

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.

Cultural Resources: The Regulatory Archaeologist has reviewed the latest published version of the National Register of Historic Places, 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 is likely to yield resources eligible for inclusion in the National Register of Historic Places. An investigation for the presence of potentially eligible historic properties is justified.

Endangered Species: As per Memorandum of Agreement, signed on January 14, 2020, between the U.S. Army Corps of Engineers, Vicksburg District and the U.S. Fish and Wildlife Service, Louisiana Ecological Services Office, the Corps will use the online Information and Planning Consultation (IPaC) for Endangered Species in Louisiana. As of the date of this notice, the online IPaC system was down for maintenance. Prior to making a decision on whether or not to permit the proposed activity, the Corps will ensure that any necessary consultation is conducted according to the requirements of Section 7 of the Endangered Species Act.

Floodplain: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements. The project is not located within the 100-year floodplain.

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.

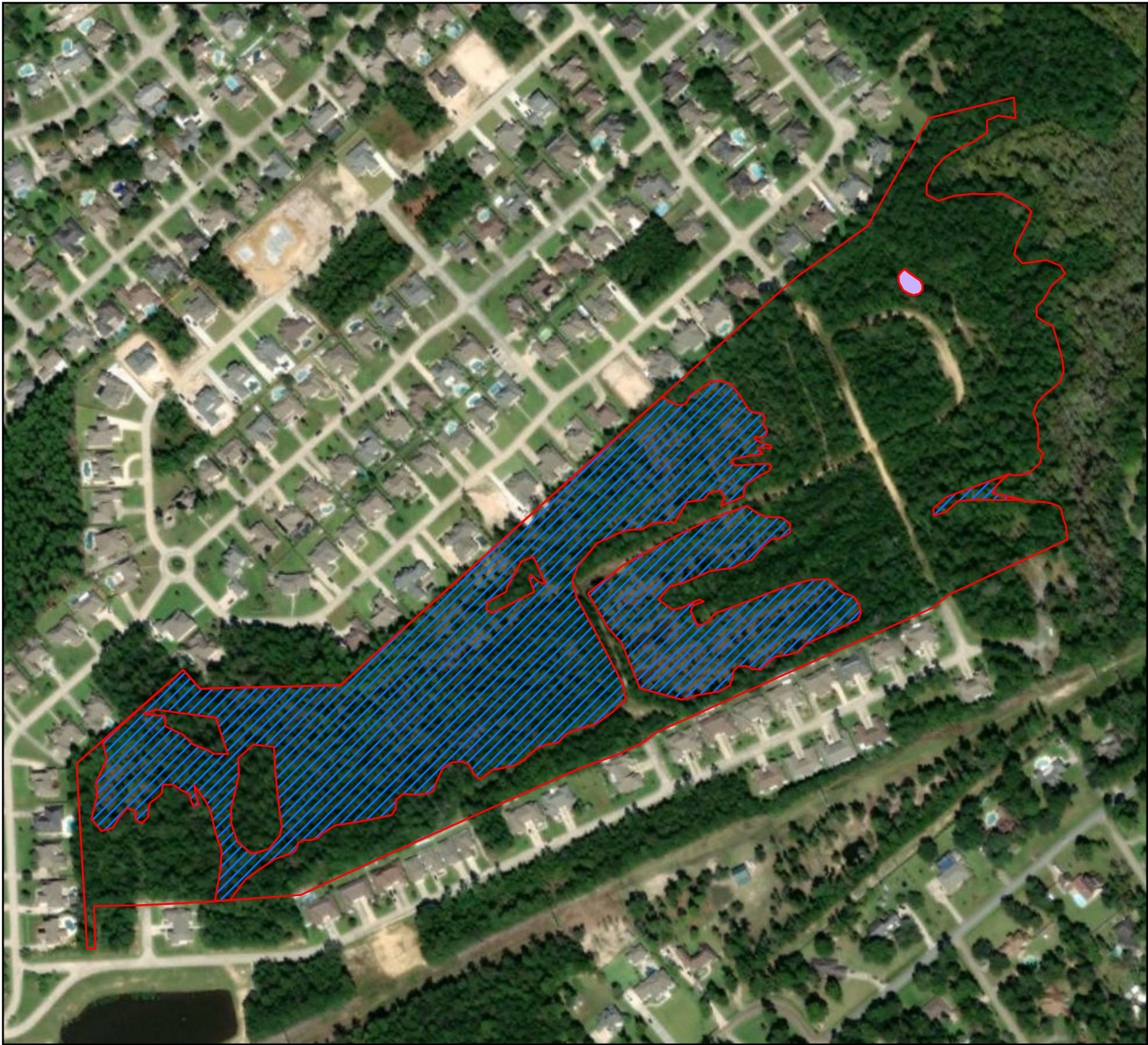
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine 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.

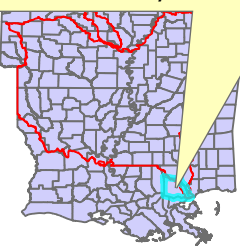
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>.



Jennifer G. Brown
Team Lead, Permit and Evaluation Branch
Regulatory Division



St. Tammany Parish, LA



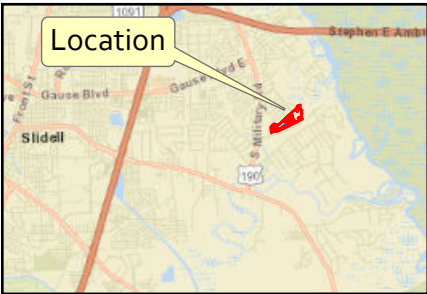
12 APRIL
MVK-2021-225

Coastal Plains Consulting, LLC
Tom Caruso Property
Hwy 11
St. Tammany Parish, LA

Approved
Jurisdictional Determination

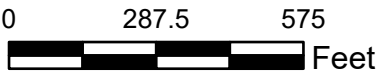
Jeremy Stokes




Location



**US Army Corps
of Engineers®**

REGULATORY BRANCH
ENFORCEMENT SECTION



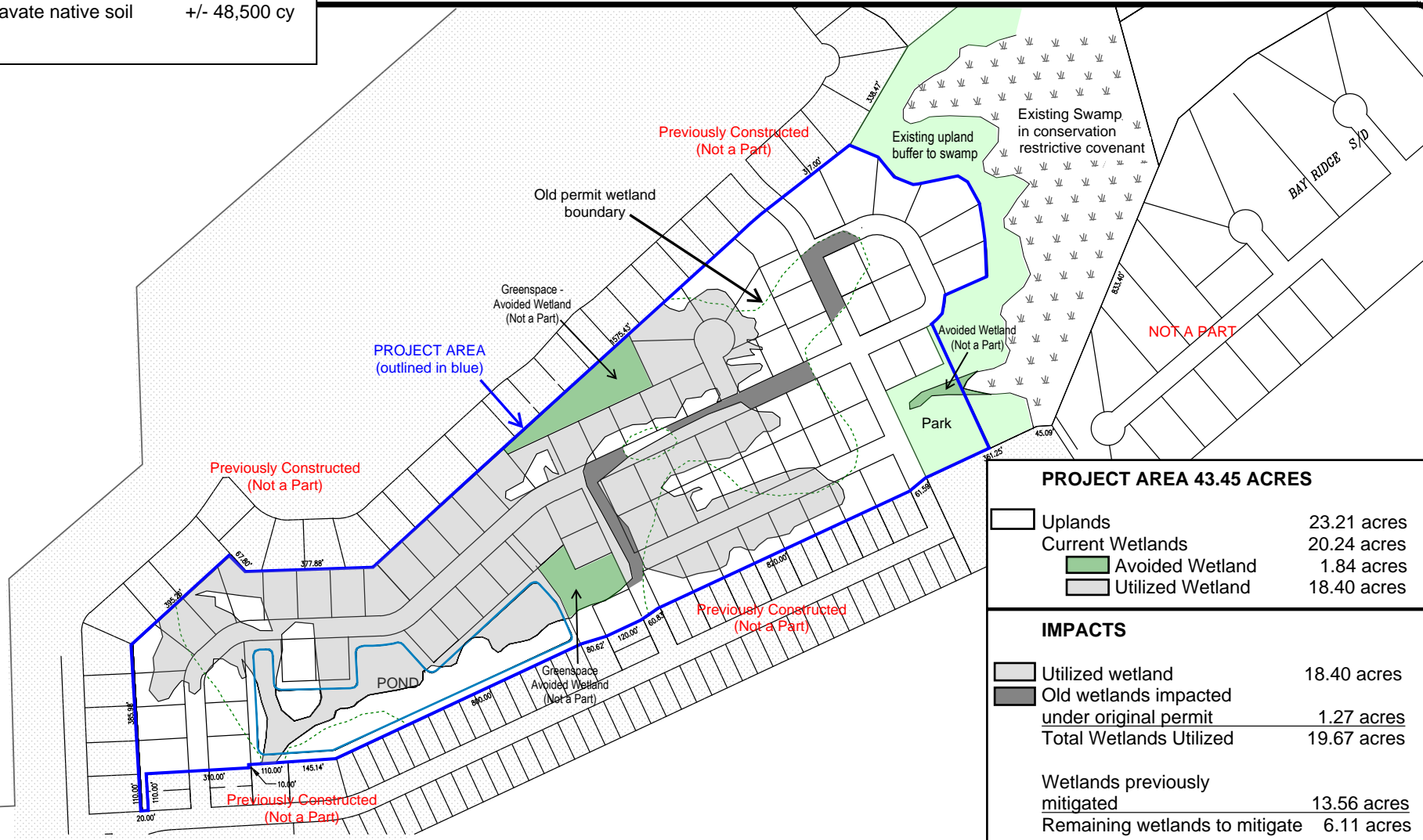
 Jurisdictional Wetlands (20.4 Acres)
  Excluded Wetlands (0.07 Acre)
  Property Boundary

Total Project Calculations

Clean Earthen Fill +/- 15,657 cy
 Concrete Fill +/- 5,800 cy
 Excavate native soil +/- 48,500 cy

Notes: Development Areas to be cleared and graded. Hauled in soils would be free of contaminants. Any removed soils not suitable for construction would be hauled off to a commercial disposal facility. Best Management Practices (BMPs) during Construction would be utilized to reduce sedimentation and erosion potential.

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PROJECT AREA 43.45 ACRES

Uplands	23.21 acres
Current Wetlands	20.24 acres
Avoided Wetland	1.84 acres
Utilized Wetland	18.40 acres

IMPACTS

Utilized wetland	18.40 acres
Old wetlands impacted under original permit	1.27 acres
Total Wetlands Utilized	19.67 acres

Wetlands previously mitigated 13.56 acres
 Remaining wetlands to mitigate 6.11 acres

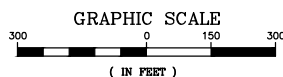
SCALE: 1"=446.508' Site Plan reduced to fit on 8.5"x11"

DATE: 07-21-2021

DRAWN BY: RMK CHECKED BY: BBZ

DWG. NO: 20200650

SHEET 1 OF 3



Note: Site Plan reduced from 11"x17" to fit on 8.5"x11".
 Reduced Scale: 1" = 446.508'

Site Plan and Proposed Modification of 43.45 Acre Portion of LaChenier S/D included in MVK MC-980008300

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J.V. Burkes & Associates, Inc.
 SURVEYING ENGINEERING ENVIRONMENTAL

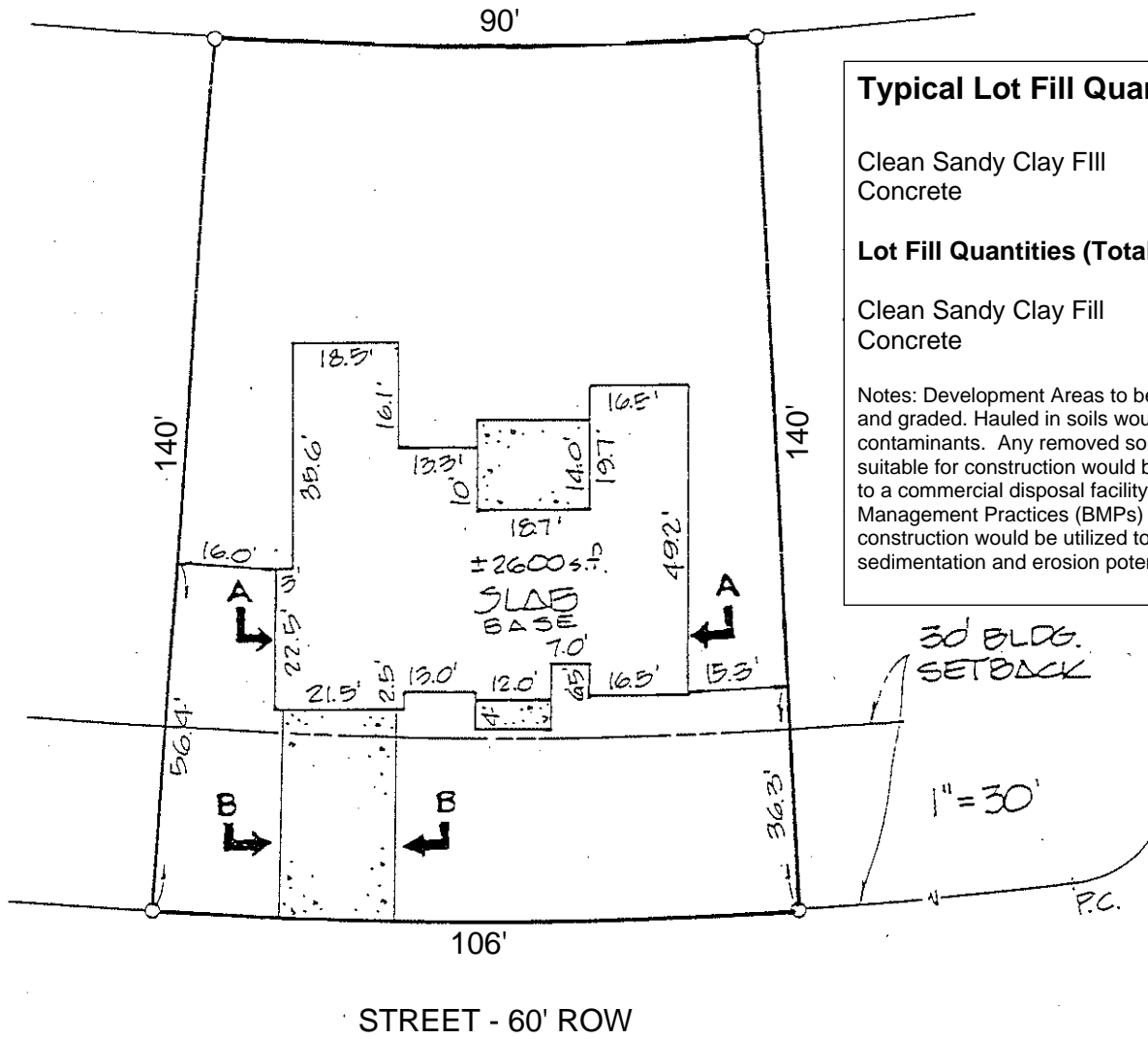


1805 Shortcut Highway
 Sibley, Louisiana 70458
 E-mail: jvbassoc@jvburkes.com

Phone: 985-649-0075 Fax: 985-649-0154

43.45 Acre Portion of LaChenier S/D Located in Section 27 - T9S - R15E, St. Tammany Parish, LA for BLD Investments, LLC

TYPICAL LOT SITE PLAN AND PROFILE



Typical Lot Fill Quantities

Clean Sandy Clay Fill 127 cy
Concrete 45 cy

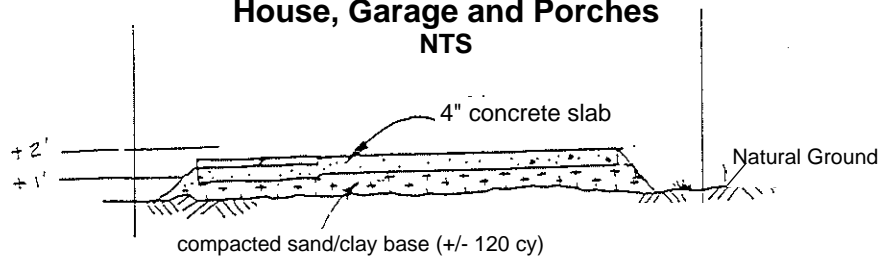
Lot Fill Quantities (Total 72 lots)

Clean Sandy Clay Fill 9144 cy
Concrete 3240 cy

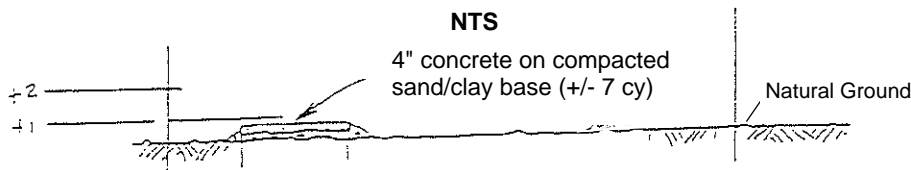
Notes: Development Areas to be cleared and graded. Hauled in soils would be free of contaminants. Any removed soils not suitable for construction would be hauled off to a commercial disposal facility. Best Management Practices (BMPs) during construction would be utilized to reduce sedimentation and erosion potential.

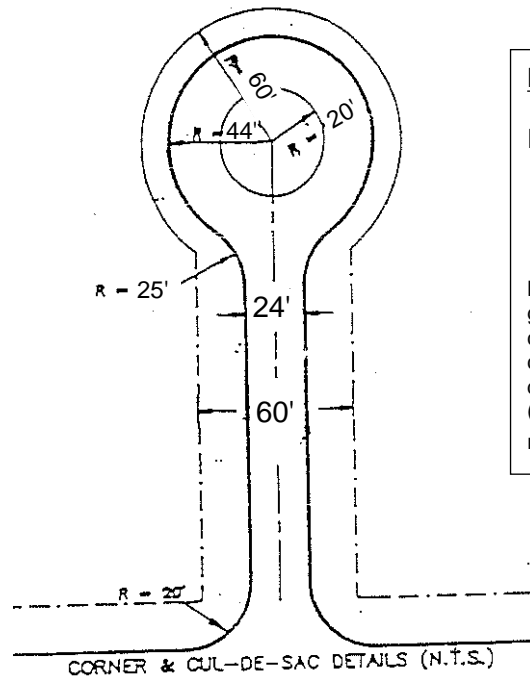
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Typical Profile House, Garage and Porches NTS



Typical Driveway Profile NTS



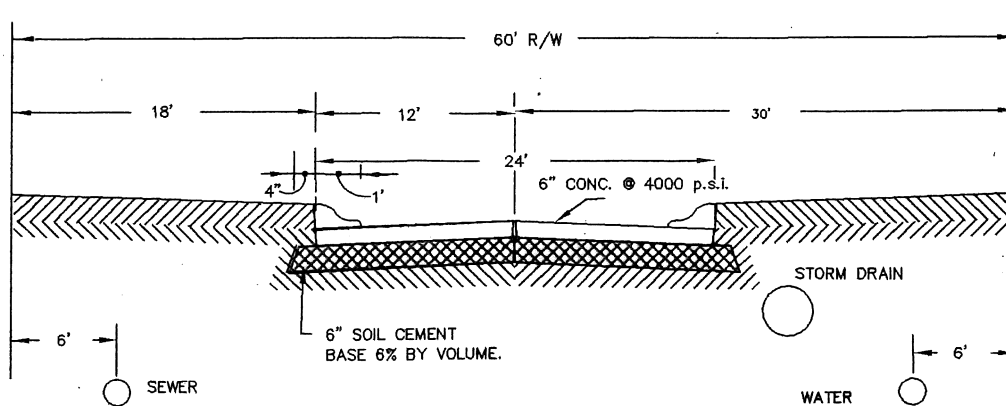


Road Calculations

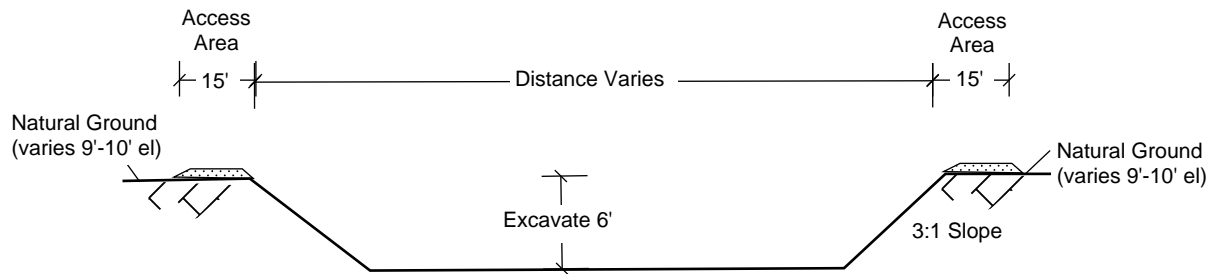
Road	Excavate native soil	+/- 12533 cy
	Clean Earthen Fill	+/- 5013 cy
	Concrete Fill	+/- 2506 cy

Notes: Development Areas to be cleared and graded. Hauled in soils would be free of contaminants. Any removed soils not suitable for construction would be hauled off to a commercial disposal facility. Best Management Practices (BMPs) during construction would be utilized to reduce sedimentation and erosion potential.

Typical Road Detail
NTS



Typical Road Profile
NTS



Typical Pond Profile
NTS

Pond Calculations

Pond
 Excavate native soil +/- 36000 cy
 Clean sandy fill (access) +/- 1500 cy

Notes: Pond Area to be cleared and graded.
 Hauled in soils would be free of contaminants.
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 would be hauled off to a commercial disposal
 facility. Best Management Practices (BMPs)
 during construction would be utilized to reduce
 sedimentation and erosion potential.