



**US Army Corps
of Engineers** ®
Fort Worth District

Public Notice

Applicant: Mr. Douglas Landry

Project No.: SWF-2012-00145

Date: May 21, 2012

The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States*. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands*. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

Contact

Name: Mr. Stan Walker

Phone Number: 817-886-1740

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

AND

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

SUBJECT: Application for a Department of the Army Permit under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act of 1899, and for water quality certification under Section 401 of the CWA to discharge dredged or fill material into waters of the United States and conduct activities in, or affecting, navigable waters of the United States associated with the after-the-fact dredging of an access channel and boat slip in Toledo Bend Reservoir, Sabine Parish, Louisiana.

APPLICANT: Mr. Douglas Landry
1245 Staci Lane
Sulphur, Louisiana 70665

APPLICATION NUMBER: SWF-2012-00145

DATE ISSUED: May 21, 2012

LOCATION: The channel and slip would be located near Melrose Lane in the city of Many, Louisiana. The proposed project would be located approximately at Latitude: North 31 degrees and 23.112 minutes, Longitude: West -093 degrees and 36.805 minutes on the Negreet 7.5-minute USGS quadrangle map in the USGS Hydrologic Unit 12010004 (Sheet 1 of 1-6).

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification

PROJECT DESCRIPTION: The applicant excavated 1,875 cubic yards and discharged approximately 1,655 cubic yards of earthen fill into approximately 0.79 acre of waters of the United States, in conjunction with the dredging operation (Sheet 3 of 1-6). The project purpose was for maintenance of recreational use by providing navigational access and excavation of a boat slip for parking boats. The goal was to restore the existing shoreline from erosion and settlement. Due to a persistent drought, the lake level was at approximately 159 feet National Geodetic Vertical Datum (NGVD) when the work was completed. The conservation level of Toledo Bend Reservoir is 172 feet NGVD. The excavated boat channel is approximately 650-foot-long, 20-foot-wide, and 2-foot-deep (Sheet 3 of 1-6). The channel excavation included approximately 975 cubic yards. The boat slip is approximately 65-feet by 45-feet and 8-feet-

deep (Sheet 3 of 1-6). The boat slip excavation included approximately 900 cubic yards. The project included three dredge disposal areas between 169 and 172 feet NGVD, two on the Stroud shoreline area and one on the Landry shoreline area (Sheet 5 of 1-6). The dimensions on disposal areas are as follows:

1. Stroud Shoreline – 50-feet-wide by 90-feet-long (approximately 390 cubic yards)
2. Stroud Shoreline – 30-feet-wide by 50-feet-long (approximately 100 cubic yards)
3. Landry Shoreline – 80-feet-wide by 196-feet-long (approximately 1,165 cubic yards)

The difference between the excavated cubic yards and disposed cubic yards is the material placed above 172 feet NGVD. Work was completed using hydraulic track excavation equipment and a bulldozer.

MITIGATION: The applicant did not impact any special aquatic sites, therefore no mitigation is proposed for the project impacts.

AVOIDANCE AND MINIMIZATION: The applicant has avoided and minimized impacts to the aquatic environment by performing the work while the lake level was down.

NOTES: This public notice is being issued based on information furnished by the applicant. The project information has not been verified by the Corps.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefits 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 its cumulative effects. Among the factors addressed are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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 USACE 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 USACE in

determining whether to issue, issue with modifications, or conditions, 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 the 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.

STATE WATER QUALITY CERTIFICATION:

Louisiana Department of Environmental Quality (LDEQ) water quality certification is required. Concurrent with processing of this application, the LDEQ is reviewing this application under Section 401 of the Clean Water Act and in accordance with Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A (3) to determine if the work would comply with State water quality standards and other applicable provisions of the CWA. By virtue of an agreement between the USACE and the LDEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the LDEQ a decision on water quality certification under such act. **Comments concerning this application for water quality certification in Louisiana must be submitted, using the applicant's name, to: State of Louisiana, Department of Environmental Quality, Attn: Water Quality Certifications, P.O. Box 4313, Baton Rouge, LA 70821-4313.** The public comment period extends 30 days from the publication date of this notice. A copy of the public notice with a description of the work is available for review between 8:00 a.m. and 4:30 p.m. weekdays at the LDEQ office at 602 North 5th Street, Baton Rouge, Louisiana 70802. Copies may be obtained upon payment of the cost of printing. The LDEQ may conduct a public hearing to consider all comments concerning water quality if requested in writing. A request for a public hearing must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requester, or of persons represented by the requester; and a brief description of how the application, if granted, would adversely affect such interest.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the U.S. Fish and Wildlife Service's latest published version of endangered and threatened species to determine if any may occur in the project area. The proposed project would be located in a parish where the Red-cockaded woodpecker (*Picoides borealis*), and Louisiana black bear (*Ursus americanus luteolus*) are known to occur or may occur as migrants. The Red-cockaded woodpecker is an endangered species and the Louisiana black bear is a threatened species. Our initial review indicates that the proposed work would have no effect on federally-listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: The USACE has reviewed the latest complete published version of the National Register of Historic Places and found no listed properties to be in the project area. However, presently unknown scientific, archaeological,

cultural or architectural data may be lost or destroyed by the proposed work under the requested permit.

FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.

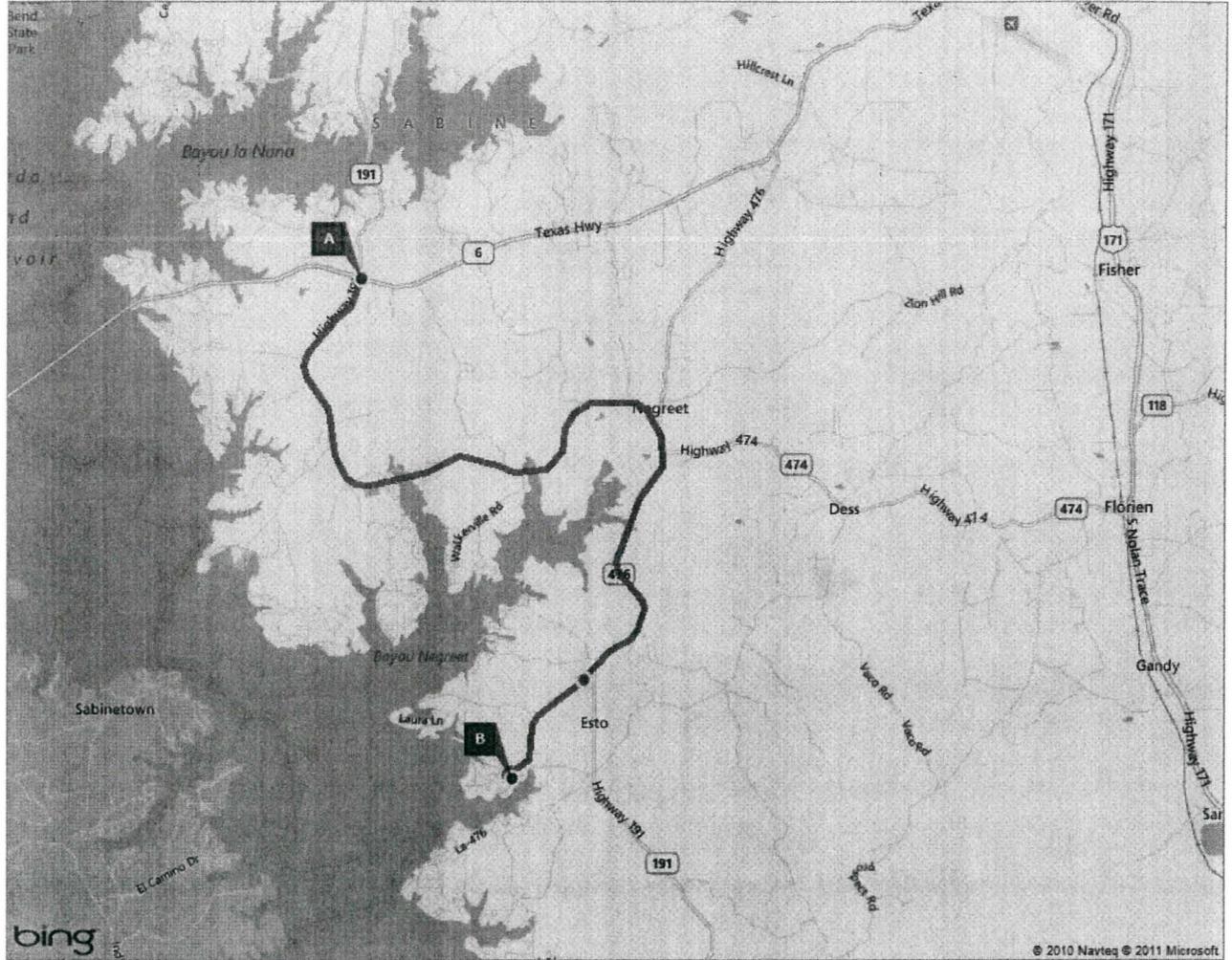
SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before June 20, 2012, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to ; Regulatory Branch, CESWF-PER-R; U. S. Army Corps of Engineers; Post Office Box 17300; Fort Worth, Texas 76102-0300. You may visit the Regulatory Branch in Room 3A37 of the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday. Telephone inquiries should be directed to (817) 886-1731. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

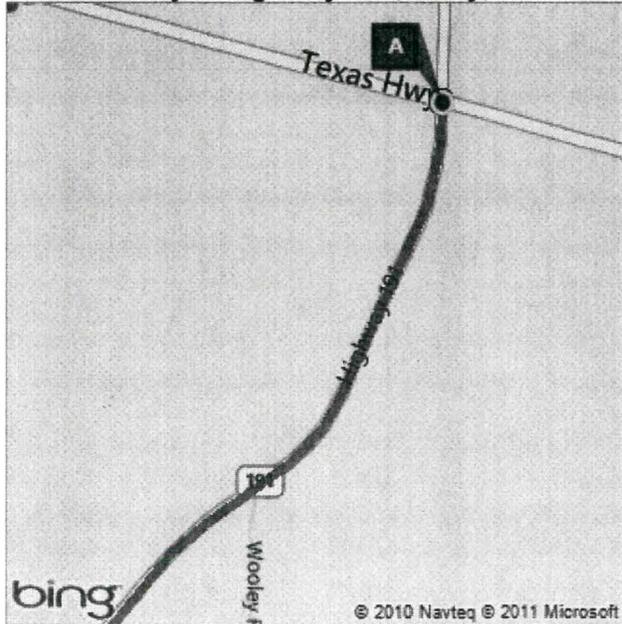
DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS

Route: 15.8 mi, 21 min

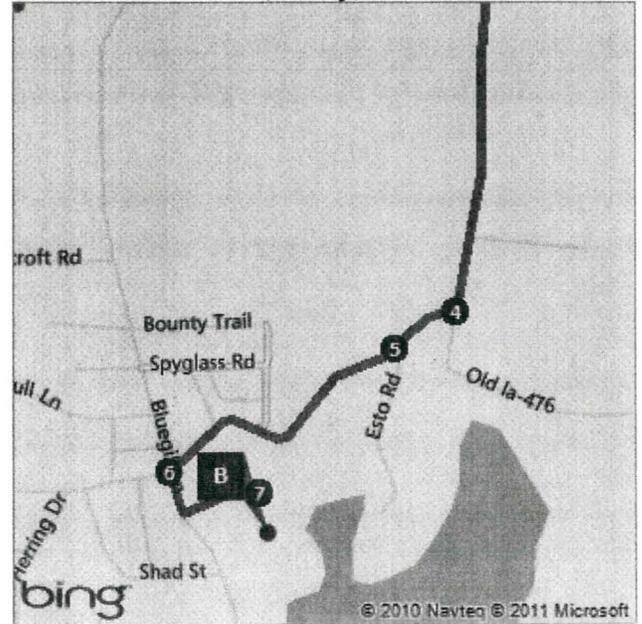


This was your map view in the browser window.

A: Texas Hwy & Highway 191, Many, LA 71449



B: near Melrose Ln, Many, LA 71449



Elevation Line $\geq 172'$ Before Project

1. Top of Ground Elevation @ Base of Existing Tree 169.5'
2. Top of Ground Elevation Line $\geq 172'$



North
↑

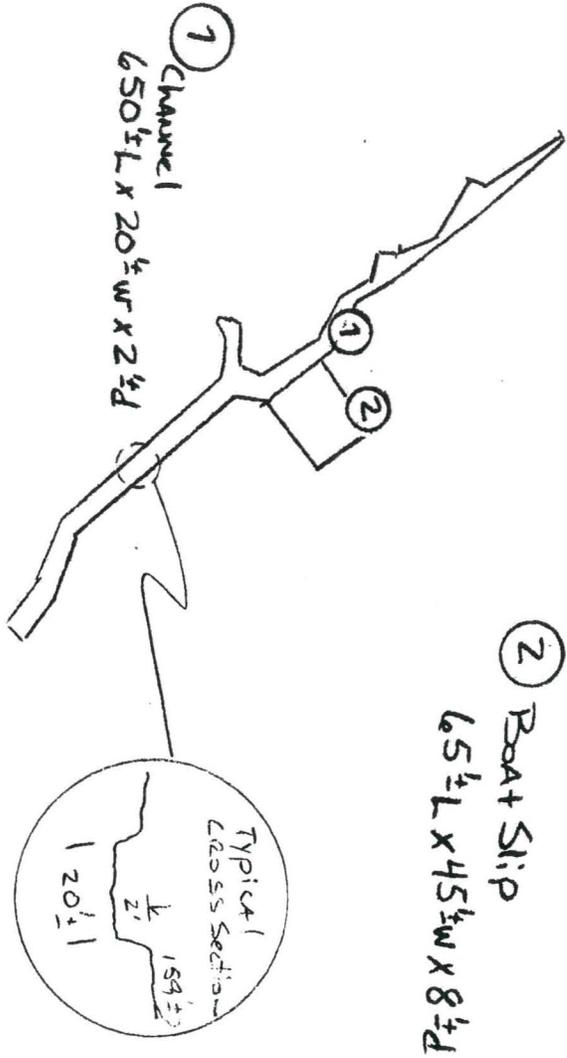
Excavation Areas

1. Channel Excavation ~ 2' Deep, ~975 cu yds
2. Excavation for Boat Slip ~900 cu yds



North
↑

North

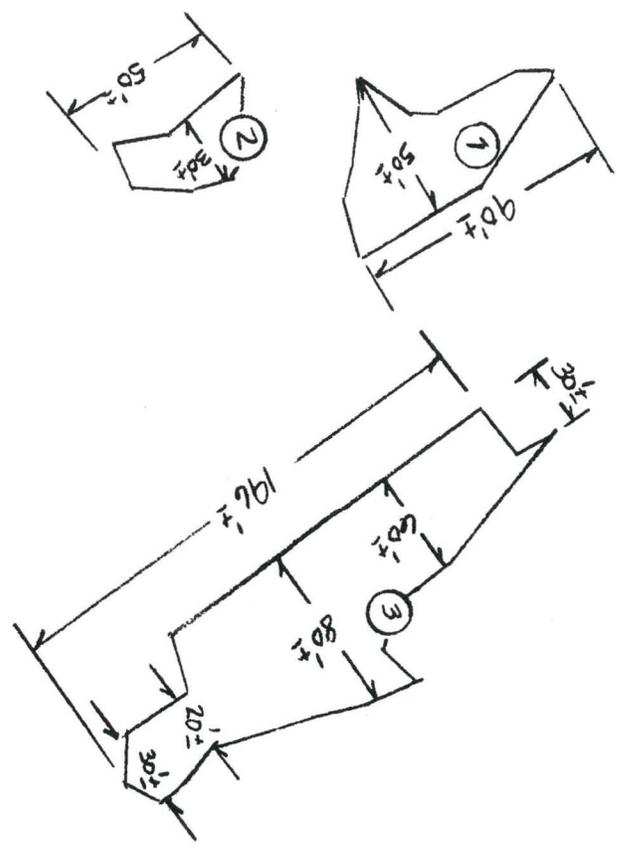


Reference - LANDRY SWF-2012-00145
Overlay MAP - Channel & Boat Slip Dimensions



North
↑

Reference - Landray SWF-2012-00145
OVERLAY MAP DIMENSIONS



North
4

