

JOINT PUBLIC NOTICE

December 19, 2011

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, Louisiana 70160-0267

State of Louisiana
Department of Environmental Quality
Attn: Water Quality Certifications
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

(504) 862-1217
Project Manager
Kenny Blanke
Permit Application Number
MVN 2011-3023-CQ

(225) 219-3225
Project Manager
Mr. Jamie Phillippe
WQC Application Number
WQC 111213-01

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: [] 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, Office of Environmental Services, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

AFTER-THE-FACT RECREATIONAL POND AND HOME SITE IN ASCENSION PARISH

NAME OF APPLICANT: Joshua Pittman, 14442 Autumn Woods Ct., Gonzales, Louisiana 70737

LOCATION OF WORK: In Section 7, Township 9 South, Range 3 East, located at 14442 Autumn Woods Ct., near Gonzales, Louisiana, in ASCENSION PARISH, 30.28139 N and -90.94306 W, as shown on the enclosed drawings.

The work described below was partially completed prior to obtaining a Department of the Army permit and was in violation of Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have been deferred.

CHARACTER OF WORK: Clear, grade, and excavate fill material for the construction of a recreational pond and place and maintain fill material for a residential home site. The pond was constructed for private recreation and to provide building pad base material for the residential home site, driveway, and appurtenant structures. The applicant has cleared and excavated approximately 0.75 acre of jurisdictional bottomland hardwood forested wetlands that were a part of a Conservation Servitude under Department of the Army Permit MVN-2006-0698-CZ. Additionally, approximately 0.5 acre jurisdictional bottomland hardwood forested wetlands were impacted by fill placement for the residential home site and driveway. All jurisdictional areas of the applicant's lot were originally placed under protection of the Conservation Servitude. Approximately 4,000 cubic yards of native material were excavated during pond construction and placed as fill for the home site construction. The pond and residential home site were constructed in 2008. The applicant proposes to contract with an approved compensatory mitigation bank to offset wetland impacts associated with the project.

The applicant may be required to fully or partially restore the project site to pre-project conditions, if issuance of a permit is determined to be contrary to the overall public interest.

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 NA 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, Office of Environmental Services, 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.

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.

MARTIN S. MAYER
Chief, Central Evaluation Section
Regulatory Branch

Enclosure