



# PERMIT APPLICATION

Permit # 857 (Assigned by Department)

The Louisiana Department of Wildlife and Fisheries' Scenic Rivers program is authorized by LRS title 56, Chapter 9 Part II. This law requires permits authorizing activities in or affecting rivers that have been designated by the Louisiana Legislature as Natural and Scenic. Information provided on this form will be used in evaluating the application for a permit. Information in this application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

## APPLICANT INFORMATION

|                   |                     |                        |     |
|-------------------|---------------------|------------------------|-----|
| Name of Applicant | BRENDA M. KENNEDY   | Name of Agent (if any) |     |
| Address           | 70485 D ST          | Address                | N/A |
| Address           | to:                 | Address                |     |
| City, State, Zip  | COVINGTON, LA 70433 | City, State, Zip       |     |
| Phone             | 601 215 1054        | Phone                  |     |

## DESCRIPTION OF THE PROPOSED ACTIVITY

Brief summary of the description and purpose of the proposed activity (details to be attached as a separate document)

CONSTRUCT A RESIDENCE, APPURTENANCES & INSTALL A CULVERT

Is any portion of the activity complete? YES NO (If yes indicate month and year of completion)

## LOCATION OF PROPOSED ACTIVITY

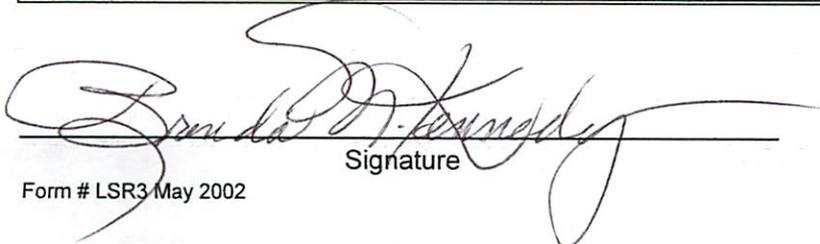
| Stream Name   | Parish      | Section | Township | Range | Latitude/Longitude                               | Names, Addresses, Phone Numbers of Adjacent Property Owners   |
|---------------|-------------|---------|----------|-------|--|---|
| BAYOU LACOMBE | ST. TAMMANY | H6      | T9S      | R 13E | Lat 30° 17' MIN 1 SEC<br>LONG 89° 53' MIN 54 SEC | BARBARA MORSE & ALVIN HANKE<br>59380 BOE DR<br>LACOMBE, LA 70445<br>PAULA R. WILLIAMS<br>3812 BISSONET DR<br>METAIRIE, LA 70003 |

## ENVIRONMENTAL ASSESSMENT

Must be a separate document. See the attached instruction sheet for completing the assessment.

## CONFIRMATION OF INFORMATION ACCURACY

Application is hereby made for a Scenic River Use Permit to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that, to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities, or I am acting as the duly authorized agent of the applicant.

  
Signature

Dec 18, 2012  
Date

# JOINT PUBLIC NOTICE

April 2, 2012

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

(504) 862-2259  
Project Manager  
Scott N. Kennedy  
Permit Application Number  
MVN 1998-2152 EMM

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

(225) 219-3225  
Project Manager  
Jamie Phillippe  
WQC Application Number  
WQC JP 980317-03

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 LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act.

## **PERMIT EXTENSION AND MODIFICATION TO CONSTRUCT A HOMESITE, ROADWAY, DRIVEWAY, AND DECK AND REMOVE A SPOIL BANK IN SAINT TAMMANY PARISH**

**NAME OF APPLICANT:** Brenda Kennedy, 70485 D Street, Covington, Louisiana 70433.

**LOCATION OF WORK:** In Section 46, Township 9 South, Range 13 East, off of Bayou Lacombe, near Lacombe, Louisiana, in Saint Tammany Parish, as shown on the attached drawings.

**CHARACTER OF WORK:** Clear, grade, and fill to construct a homesite, roadway, driveway, and pier. Approximately 4,500 cubic yards of hauled-in concrete, clay, and gravel would be placed in approximately 1.2 acres of jurisdictional wetlands. Project implementation would also include degrading a 65' by 19' spoil bank off Bayou Lacombe per parish request. The spoil bank removal will require the excavation and depositing of approximately 100 cubic yards of material in an approved upland site.

This time extension and modification is being proposed to complete the construction of the homesite, pier, and installation of culverts. The roadway and driveway were completed as part of EE-19-980-2152. Compensatory mitigation to offset the unavoidable impacts, discussed above, was provided for under the original authorization at the Nature Conservancy of Louisiana.

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 up to n/a 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 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 Farabee  
Chief, Eastern Evaluation Section

Enclosures



DEPARTMENT OF THE ARMY  
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

JUN 25 2007

12-18-12  
DESCRIPTION  
of  
PROPOSED PROJECT

REPLY TO  
ATTENTION OF

Operations Division  
Eastern Evaluation Section

SUBJECT: MVN 1998-2152 EMM

Brenda Kennedy  
70485 D Street  
Covington, Louisiana 70433

Gentlemen,

Additional drawings attached in 6 sheets furnished with your request to construct a homesite, roadway, driveway, and deck and remove a spoil bank in Lacombe, Louisiana, within Saint Tammany Parish, are approved and will be included in your plans for the work authorized by the Secretary of the Army in a permit, MVN 1998-2152 EMM, dated April 16, 1999, from the District Engineer at New Orleans, Louisiana. The permit is specifically extended to June 30, 2017.

The conditions to which the work is made subject, except the timeline for completion, remain in full force and effect. In addition, the following special conditions are being made part of this authorization.

1. Prior to commencing work on the project, the permittee must obtain all approvals necessary from Saint Tammany Parish.
2. The proposed activity was granted an LDWF Scenic River Permit on December 1, 1998. This Scenic River permit has expired. The applicant must obtain a new Scenic River Permit from LDWF prior to initiating any new work within or adjacent to the banks of Bayou Lacombe. Scenic Rivers coordinator Keith Cascio can be contacted at 318-343-4045 or [kcascio@wlf.la.gov](mailto:kcascio@wlf.la.gov).
3. The spoil bank and sewer treatment areas shall only be accessed via the existing driveway and walkway/pier right of ways.
4. The spoil bank material must be deposited in an approved off-site location.

A copy of the first page of this permit approval letter must be conspicuously displayed at the project site. Also, you must keep a copy of this signed letter, with attached drawings, at the project site until the work is completed.

Permittee is aware that this office may re-evaluate its decision on this permit at any time the circumstances warrant.

If the work authorized is not completed on or before the date herein specified, this authorization, if not previously revoked or specifically further extended, will cease and become null and void.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



Pete J. Serio  
Chief, Regulatory Branch

for

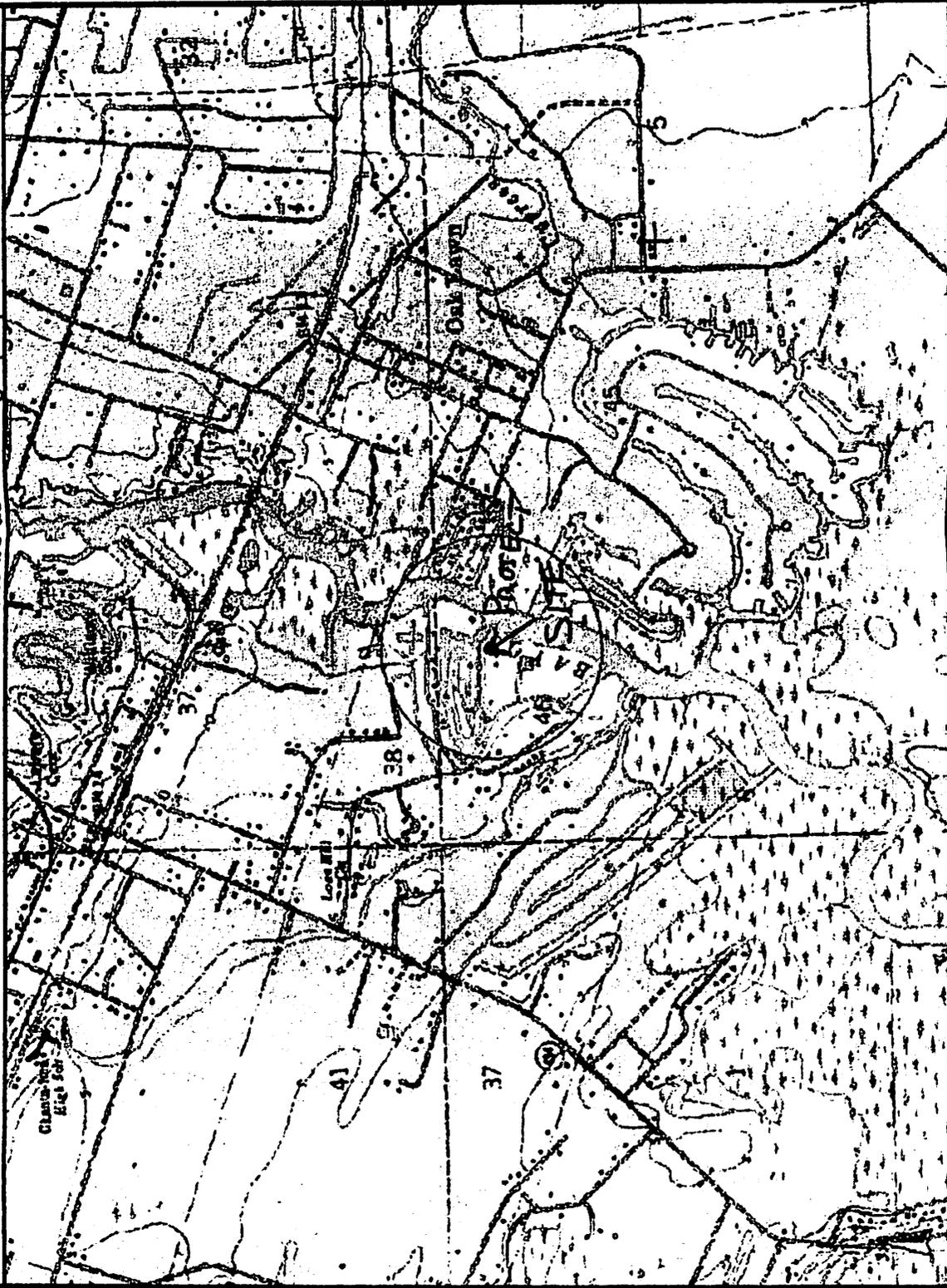
Edward R. Fleming  
Colonel, US Army  
District Commander

Enclosure

P20120076

Louisiana Department of Natural Resources - 2/2/2012

\*NOTE: Data from this web site are not to be used for legal purposes.

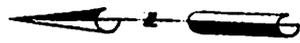


Louisiana Department of Natural Resources

0 0.31mi

**NOTES:**

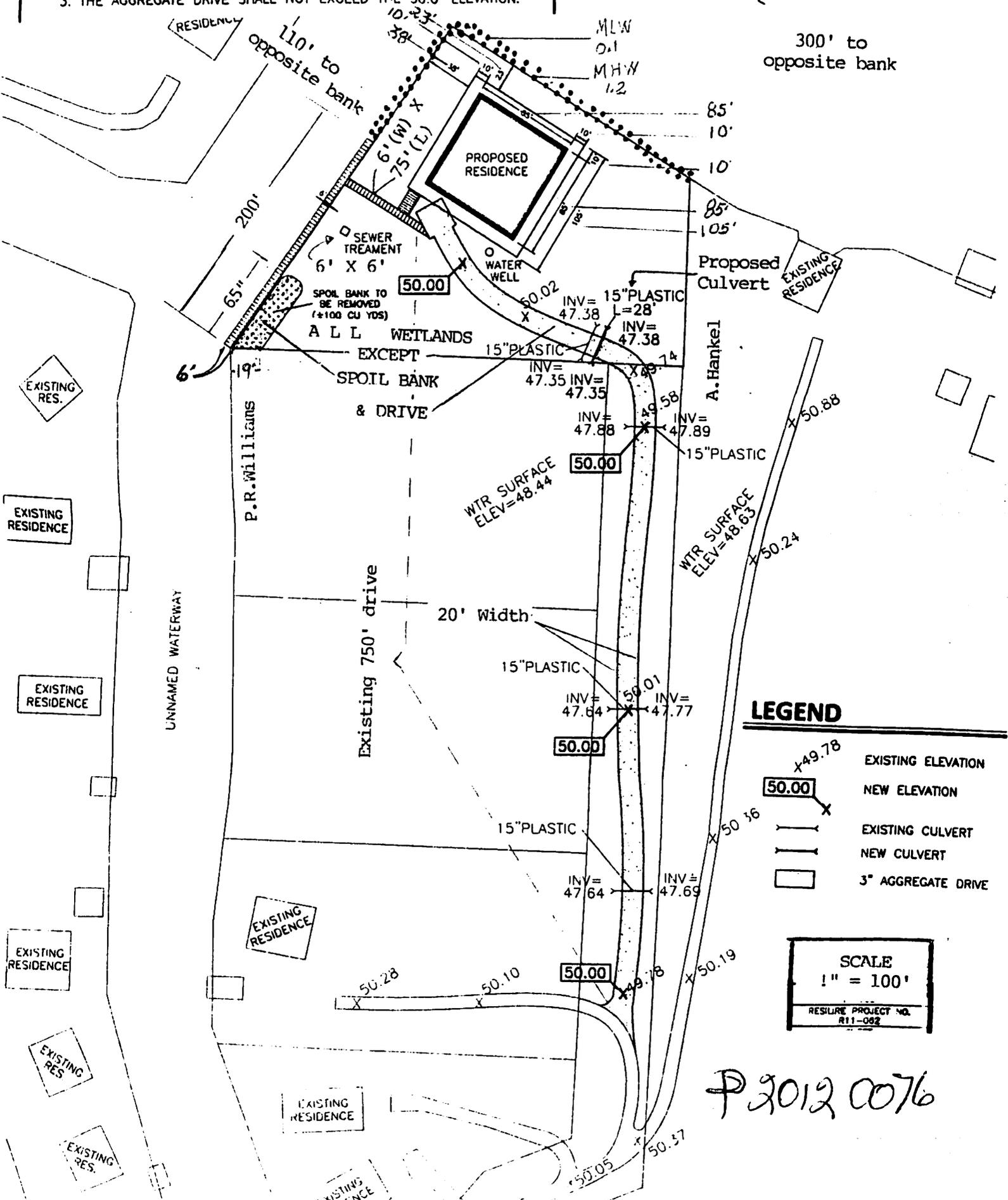
1. ALL ELEVATIONS SHOWN ARE RELATIVE. THEY ARE NOT BASED UPON A RECOGNIZED DATUM OR UPON GEODETIC SURVEY INFORMATION.
2. ±92 CU.YDS. REQUIRED FOR AGGREGATE DRIVE
3. THE AGGREGATE DRIVE SHALL NOT EXCEED THE 50.0' ELEVATION.



12-18-12

BAYOU LACOMBE

300' to opposite bank



**LEGEND**

- EXISTING ELEVATION
- NEW ELEVATION
- EXISTING CULVERT
- NEW CULVERT
- 3" AGGREGATE DRIVE

**SCALE**  
1" = 100'

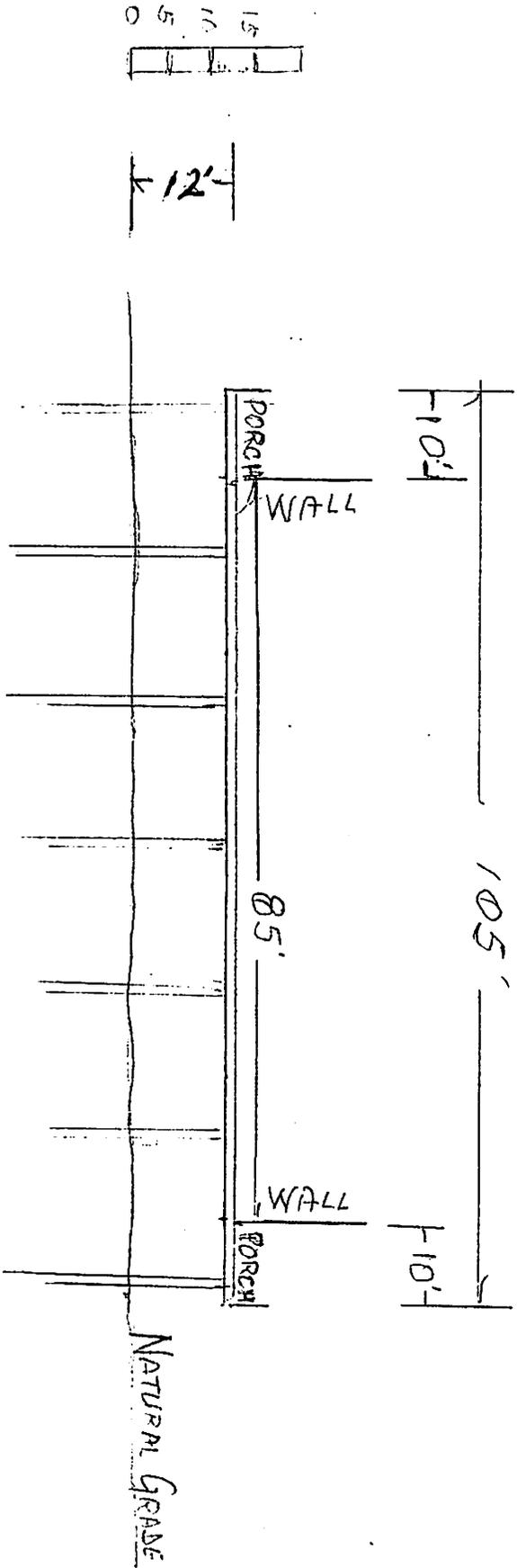
RESURF PROJECT NO.  
R11-092

P 2012 0076

# HOUSE CROSS SECTION

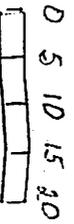
— ALL VIEWS —

12.18.12



SCALE: 1" = 20'

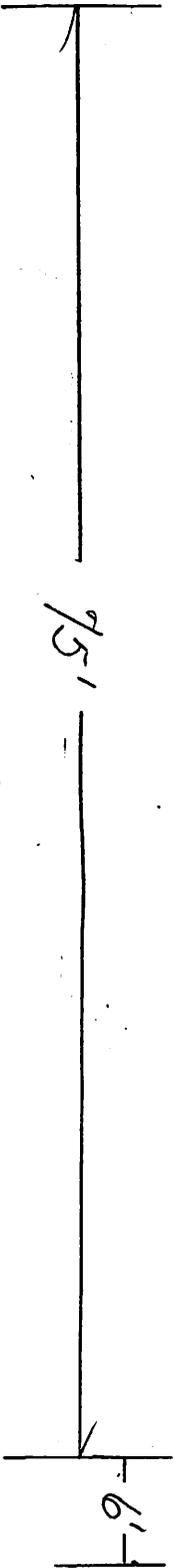
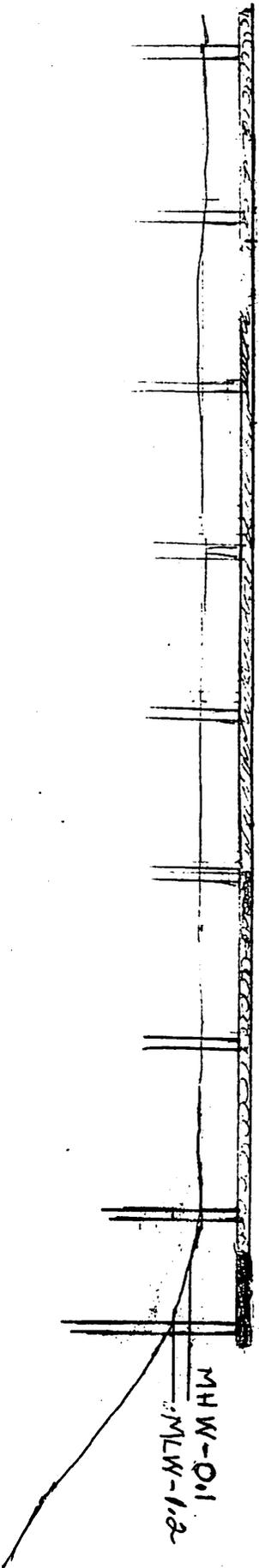
P 2012.0076



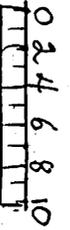
PROPOSED

75' WALKWAY FROM HOUSE  
TO UNIMPAVED WATERWAY 6' EIR  
WIDE PIER ALONG WATERWAY

12-18-12



1" = 10'



P 2012 0076

MUNICIPAL AND DISTRICT

PROPOSED AGGREGATE DRIVE SURFACE

97 CU. YDS.

12/18/12

AGGREGATE:

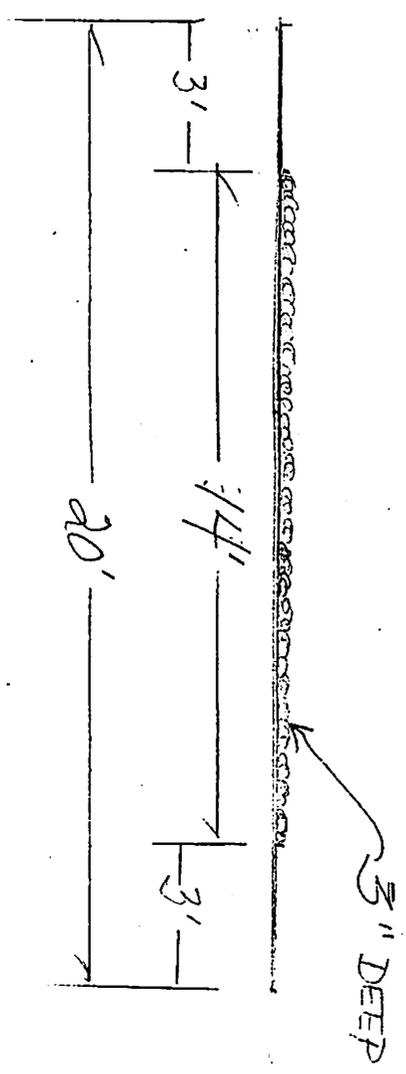
L - 750'

W - 14'

DEPTH - 3"

T.L. DRIVE

WIDTH - 20'



$$1'' = 4'$$

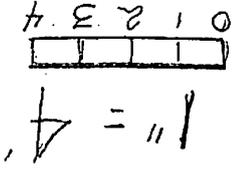
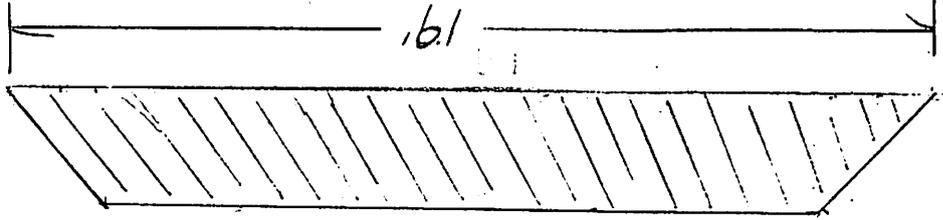
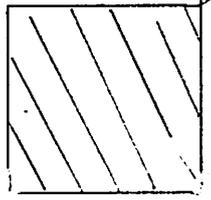


P2012 0076

SPOIL BANK TO BE REMOVED  
 LOCATED AT N.W. CORNER  
 ALONG UNNAMED WATERWAY

12-18-13

PROPOSED  
 EXCAVATED  
 AREA



L - 65'  
 W - 19'  
 H - 2 1/2'

PS012-0076



## State of Louisiana

BOBBY JINDAL  
GOVERNOR

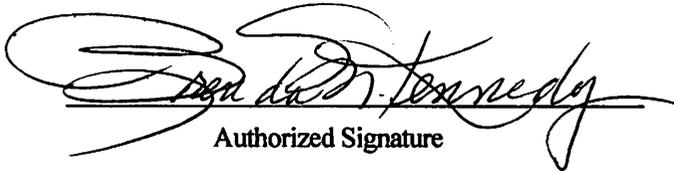
DEPARTMENT OF WILDLIFE AND FISHERIES

ROBERT J. BARHAM  
SECRETARY

Dear Scenic River Permit Applicant:

Please review and concur on the following statement regarding the issuance of permits by the Louisiana Department of Wildlife and Fisheries. This agreement must be signed and returned before a Scenic River Permit can be issued.

"I have been advised and do understand that by applying for and accepting a Scenic Rivers permit issued by the Louisiana Department of Wildlife and Fisheries, I am being allowed to engage in an activity which would otherwise be prohibited by law or for which a permit is required. I understand that the permit is not a license and confers no property right upon me. I specifically agree to abide by all State and Federal fish and wildlife laws and regulations, and all State and Federal laws and regulations which relate to this permit or the permitted activity, and by all other terms and conditions of this permit. I understand that the permit for which I am applying may be suspended, annulled, withdrawn or revoked and that I may be assessed civil penalties, all in accordance with the provision of the Louisiana Administrative Procedure Act, and that I may be denied future permits as a consequence of my failure to fully and completely comply with the terms and conditions of the permit, as well as other laws and regulations pertinent thereto. If served with or notified of a cease and desist order signed by the Scenic Rivers Administrator, I agree to immediately and without delay cease all activities and operations which relate to the permitted activity or which are impacting the Scenic River, until such time as the matter can be resolved in an adjudicatory hearing pursuant to the Louisiana Administrative Procedure Act. I understand and agree that any permit issued to me by the Louisiana Department of Wildlife and Fisheries is in the nature of a privilege which is being voluntarily extended to me by the Department and the failure on my part to cooperate with the Department can result in the loss of the privilege conferred and the denial of future requests for permits. By accepting this permit, I evidence my agreement to be bound by all conditions and stipulations set forth herein."

  
Authorized Signature

  
Date

REV. 4/12/10

- #1 PROJECT DESCRIPTION AND DRAWINGS: See enclosures.
- #2 MAP W/PROJECT LOCATION: See enclosed.
- #3 PHOTOS: Upstream, downstream and across bayou enclosed.
- #4 OTHER PERMITS REQUIRED: 1) U.S. Army Corps of Engineers/N. O. District  
2) LA Dept. of Environmental Quality  
3) LA Dept. of Natural Resources/Office of Coastal Mgmt.  
deferred to 4) following  
4) St. Tammany Par. Coastal Zone Mgmt.
- #5 ENVIRONMENTAL ASSESSMENT
- a. Existing Land Use - Not yet in use though previously mitigated for existing driveway, etc.
  - b. Historical/Archaeological Sites - No impact. Not known as historically or archeologically significant.
  - c. Economic Impact of Proj - Favorable. Construction jobs, material sales, sales taxes, etc will be generated.
  - d. Wilderness/Rural Quality - No impact other than project work. These characteristics of the area are desirable to applicant and will be preserved to the extent feasible.
  - e. Scenic/Aesthetic Value - No impact. Other than proposed project, site will remain unspoiled.
  - f. Recreational Use/Opportunities - No Impact to fishing, boating activities.
  - g. Ecological Systems Present - No impact other than proposed project. Nature's balance very desirable to applicant..
  - h. Fish & Wildlife in Area - No impact. Best management practices will adhered to preserve habitats, life.
  - i. Botanical Elements - Limited impact to grasses due to project. No impact to trees which grow along the shoreline/bank of river.
  - J. Geological Reatures - Minimum impact due to project design.
  - k. Hydrological Features - Minimum impact. Every effort will be made to preserve the hydrological quality.
  - l. Water Quality/Quantity - No impact. During construction best management practices will be utilized and high standard water discharge equipment installed.
- #6 SIGNED LEGAL AGREEMENT: Enclosed.
- #7 I have never been cited for a violation of the "Seenic Rivers Act".
- #8 STEPS TO MINIMIZE &/OR OFFSET IMPACTS: In addition to compensatory mitigation, I have worked closely with the Corps of Eng. & St. Tammany Coastal Management.
- #9 PROJECT ALTERNATIVES: Alternatives could have included filling in a greater portion of the land.

*Spencer D. Kennedy*  
*Dec. 18, 2012*

UPSTREAM



DOWNSTREAM



ACROSS BAYOU



46, 98, 13E — BAYOU LA COMBE — Kennedy