

# JOINT PUBLIC NOTICE

April 15, 2019

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Avenue  
New Orleans, Louisiana 70118

State of Louisiana  
Department of Environmental Quality  
Water Permits Division  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-1217  
Project Manager  
Kenny Blanke  
[Kenneth.G.Blanke@usace.army.mil](mailto:Kenneth.G.Blanke@usace.army.mil)  
MVN 2008-00423-CQ

(225) 219-3225  
Project Manager  
Ms. Elizabeth Hill  
WQC Application Number  
WQC 190409-02

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).

## **MIXED USE DEVELOPMENT IN EAST BATON ROUGE PARISH**

**NAME OF APPLICANT:** Old Towne Development, LLC, c/o Matrix New World Engineering, Attn: Charles Jones, 2798 O'Neal Lane, Building F, Baton Rouge, Louisiana 70816.

**LOCATION OF WORK:** Located on an approximate 413.64-acre site, in Sections 60, 61, 75, & 76, Township 5 South, Range 1 West, along and south of Louisiana Highway 64 (E Mount Pleasant Zachary Road), near Zachary, Louisiana, located in East Baton Rouge Parish, as shown on the enclosed drawings (Latitude 30.646594 N Longitude -91.208741 W). This project is located in the Bayou Sara- Thompson Creek watershed (HUC 08070201).

**CHARACTER OF WORK:** The applicant is requesting a Department of the Army permit authorization to clear, grade, excavate, place and maintain fill material for the construction of a mixed use (residential, commercial, and recreational) development (Americana Development), near Zachary, Louisiana, within East Baton Rouge Parish. The development would consist of residential housing, shopping center, health care facilities, grocery stores, offices, and other amenities. The proposed development would include approximately 1,700+ housing units including single-detached homes, townhouses, condominiums, live and work units, and senior living accommodations. Approximately 500,000 square feet of commercial and retail developments including a grocery store, theater, YMCA, indoor commercial amusement facility, and a civic building are proposed in the development. Approximately 8.27 acres of jurisdictional wetlands and 1.64 acres of jurisdictional Other Waters of the U.S. (OWOUS) would be directly impacted as a result of project implementation. Approximately 1,625 linear feet of OWOUS and 349 linear feet of OWOUS would be filled and excavated, respectively, as a result of project implementation. Approximately 119,937 cubic yards of clean earthen fill material would be

placed as fill in jurisdictional areas during project construction. The applicant has claimed that the project has been designed to avoid and minimize direct and secondary adverse wetland impacts to the maximum extent practicable. The current proposed project footprint represents a reduction in proposed impact to jurisdictional wetlands from 11.2 acres to 8.27 acres. Approximately 90.25 acres of forested wetlands would not be directly impacted by the project and remain on the project site. The applicant is proposing to utilize best management practices during and after the construction phase of the project. The applicant is proposing to compensate for the unavoidable impact by purchasing mitigation credits from an approved mitigation bank.

The comment period for the Department of Army Permit and the Louisiana Department of Environmental Quality will close in **20 days** from the date of this joint public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit and/or this WQC request and must be mailed so as to be received before or by the last day of the comment period. Letters concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be mailed to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH**. Similar letters concerning the Water Quality Certification must reference the applicant's name and the WQC application number and be mailed to the Louisiana Department of Environmental Quality at the address above. Individuals or parties may request an extension of time in which to comment on the proposed work by writing or e-mailing the Corps of Engineers Project Manager listed above. Any request must be specific and substantively supportive of the requested extension, and received by this office prior to the end of the initial comment period. The Section Chief will review the request and the requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous to the initial comment period and, inclusive of the initial comment period, will not exceed a total of 30 calendar days.

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined during weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction.

### **Corps of Engineers Permit Criteria**

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit 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 the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline 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 US Army Corps of Engineers 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 US Army Corps of Engineers to determine whether to make, modify, condition, 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 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.

The New Orleans District is unaware of properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Copies of this notice are being sent to the State Archeologist and State Historic Preservation Officer.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species. Utilizing Standard Local Operating Procedure for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office, the Corps has determined that the proposed activity would have no effect on any listed species.

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 0 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.

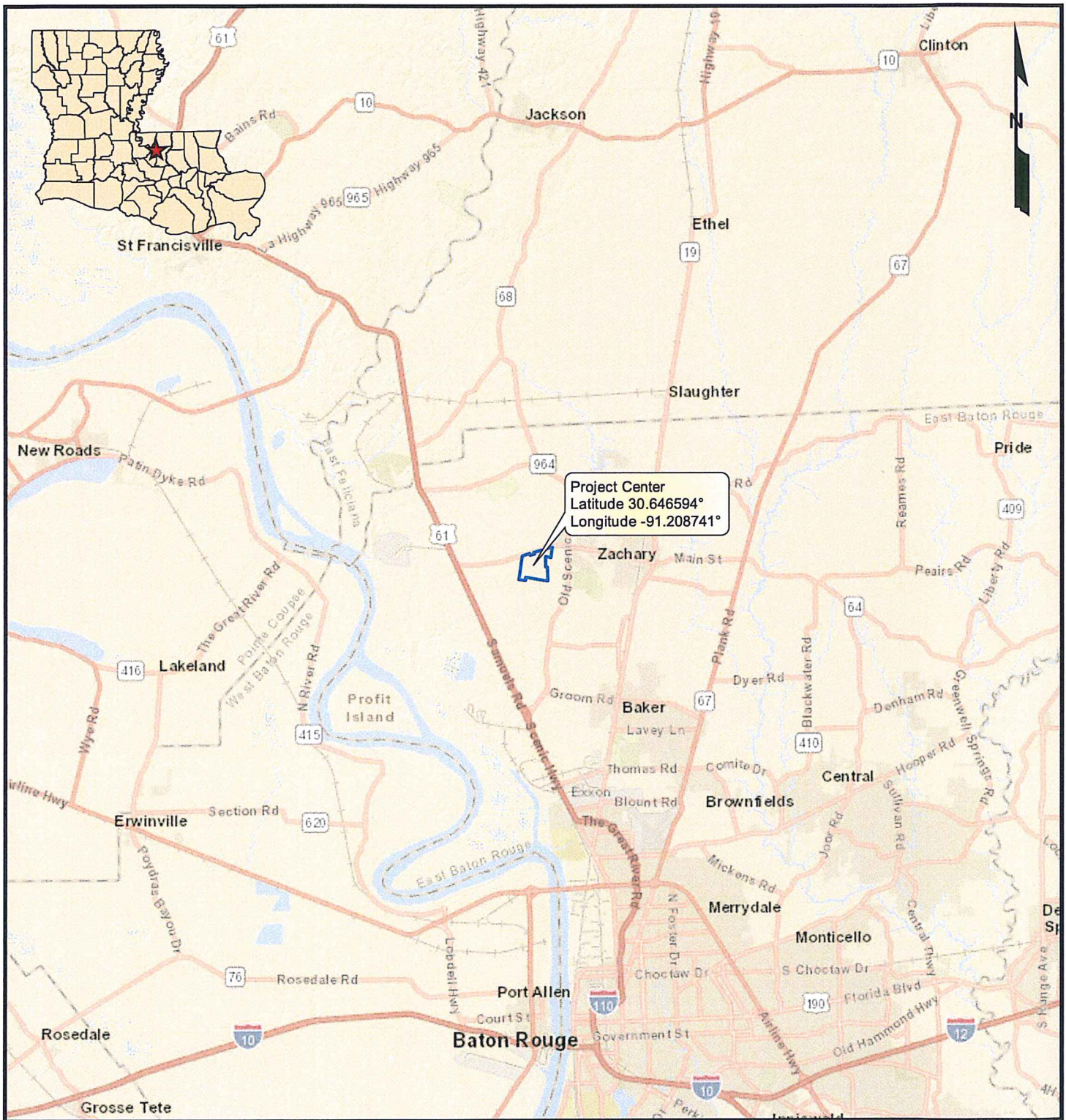
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not 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.

for JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure





**Legend**

 Property Boundary (413.64 acres)

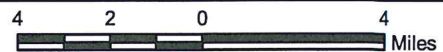
Source: Base map comprised of ESRI StreetMap USA data.

**Vicinity Map**

Revised Section 404 Permit Application  
(MVN-2008-0423-CQ)  
Zachary, East Baton Rouge Parish, Louisiana

**Old Towne Development Group, L.L.C.**

Americana Traditional Neighborhood Development

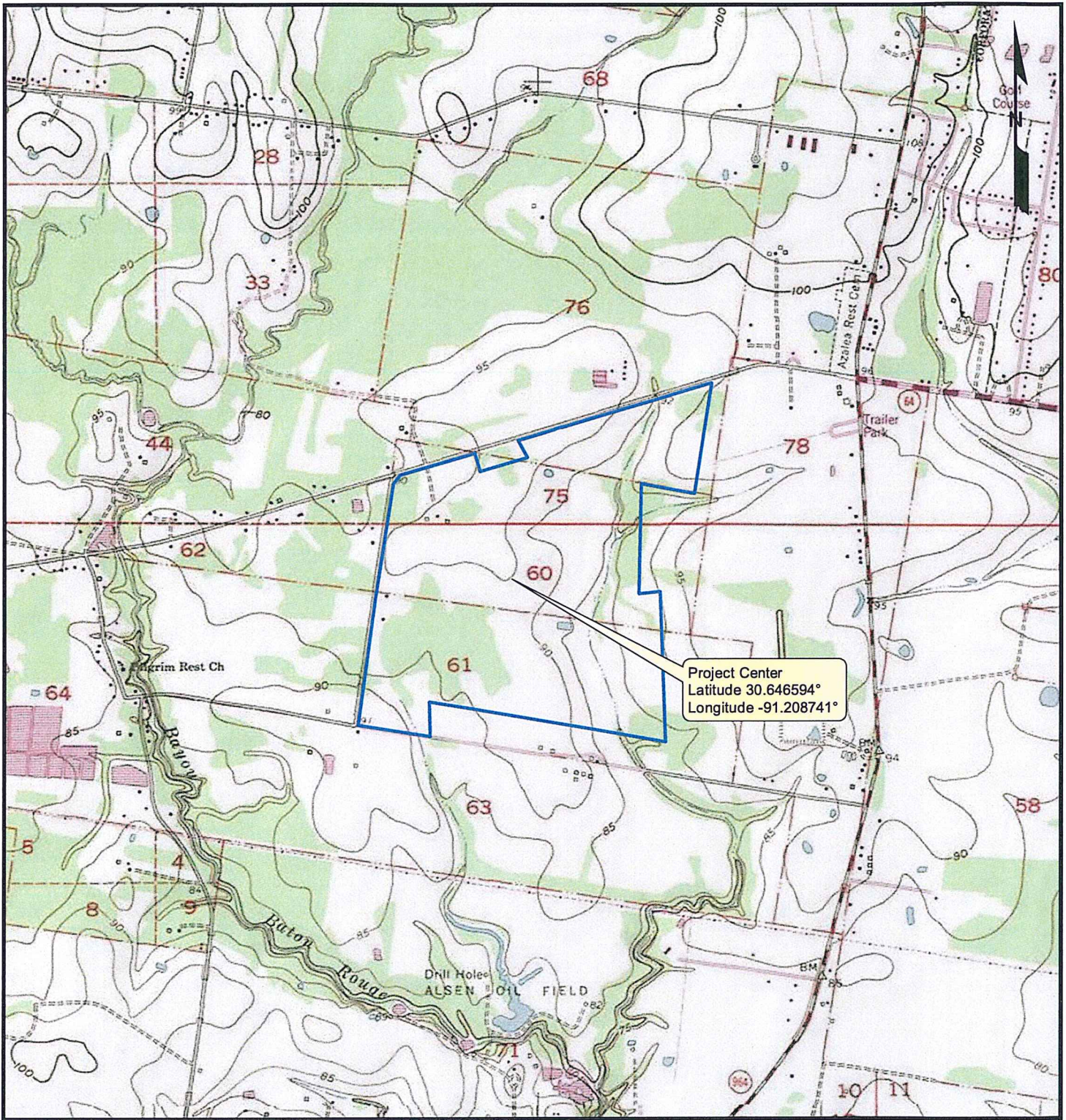


**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	1/29/2019
Drawing No.	15-579-A020

**1**  
Figure No.





**Legend**

 Property Boundary (413.64 acres)

Source: Base map comprised of U.S.G.S. 7.5-minute topographic map(s), "Zachary, LA" dated 1963.

**Site Location Map**

Revised Section 404 Permit Application  
(MVN-2008-0423-CQ)  
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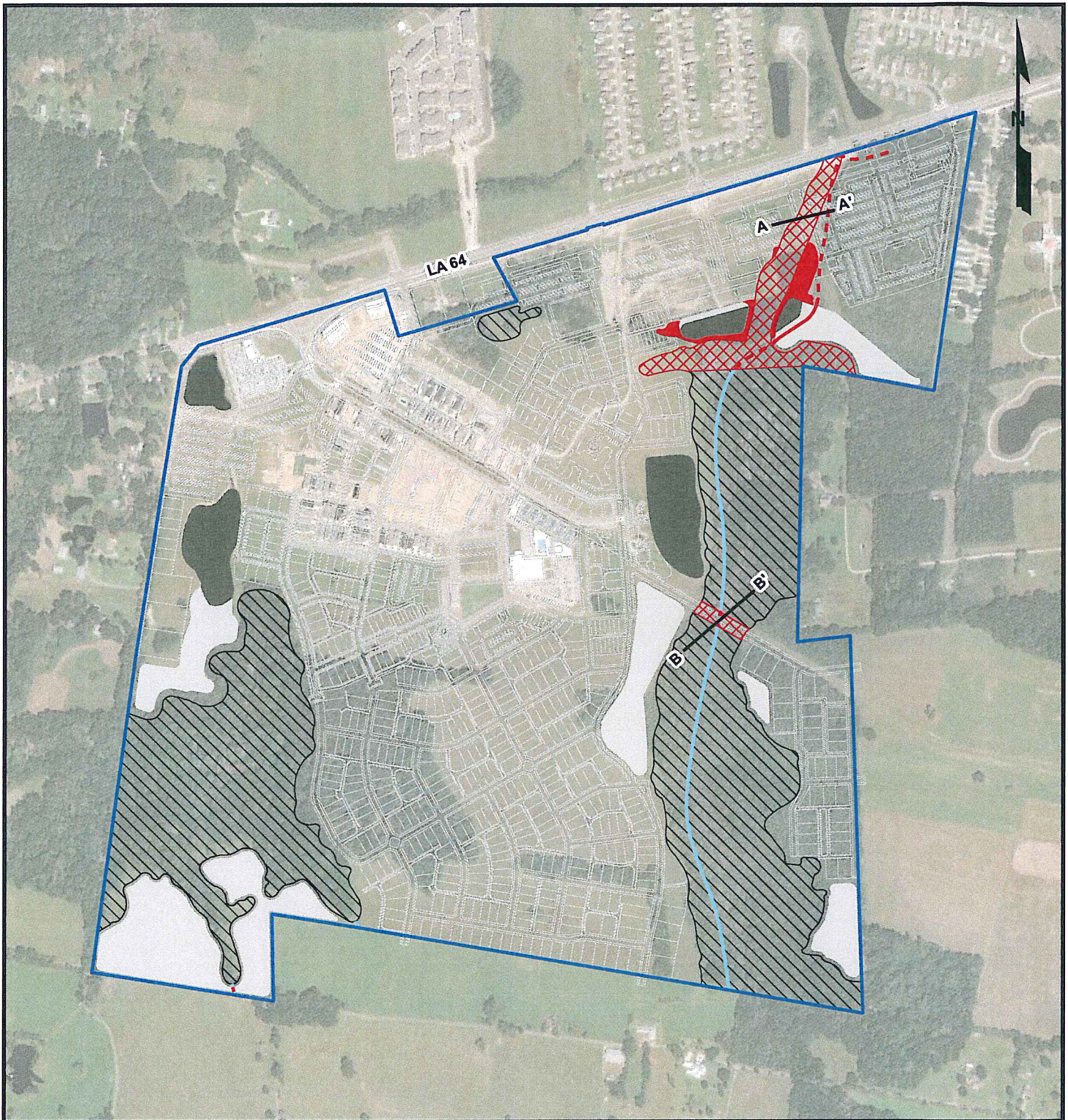


**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	1/29/2019
Drawing No.	15-579-A021

**2**  
Figure No.





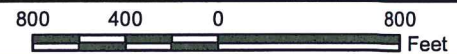
**Legend**

- Property Boundary (413.64 acres)
- Filled Wetlands (8.27 acres)
- Non-Impacted Wetlands (90.25 acres)
- Filled Other Waters of the U.S. (1,624.01 linear feet)
- Existing Ponds
- Proposed Ponds
- Excavated Other Waters of the U.S. (348.07 linear feet)
- Non-Impacted Other Waters of the U.S. (3,753.18 linear feet)

Source: Base map comprised of ESRI World Imagery. Site plan obtained from client.

**Site Plan**  
 Revised Section 404 Permit Application  
 (MVN-2008-0423-CQ)  
 Zachary, East Baton Rouge Parish, Louisiana

**Old Towne Development Group, L.L.C.**  
 Americana Traditional Neighborhood Development



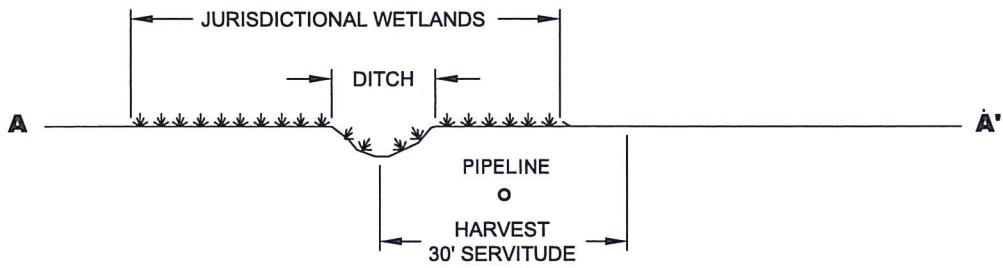
**MATRIX**NEWORLD  
 Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	1/29/2019
Drawing No.	15-579-A022

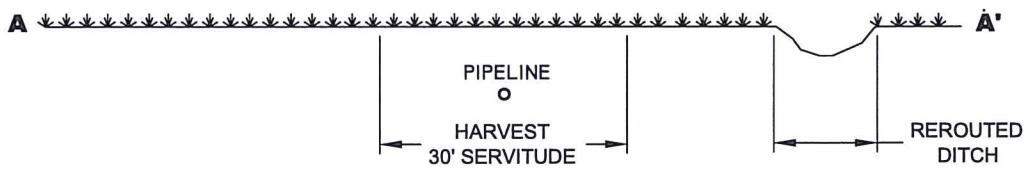
3

Figure No.

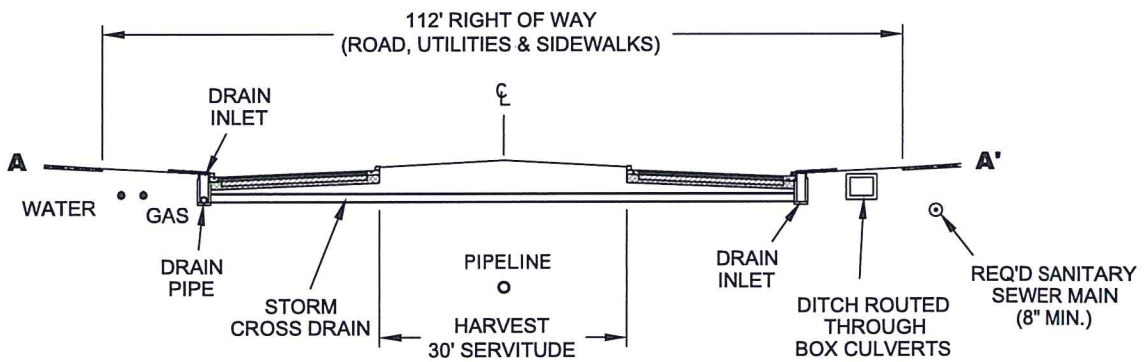




**CROSS SECTION A-A'**  
 PRE-CONSTRUCTION  
 NOT TO SCALE



**CROSS SECTION A-A'**  
 CURRENT CONDITION  
 NOT TO SCALE



**CROSS SECTION A-A'**  
 PROPOSED POST-CONSTRUCTION  
 NOT TO SCALE

**Cross Section A-A'**  
 Revised Section 404 Permit Application  
 (MVN-2008-0423-CQ)  
 Zachary, East Baton Rouge Parish, Louisiana

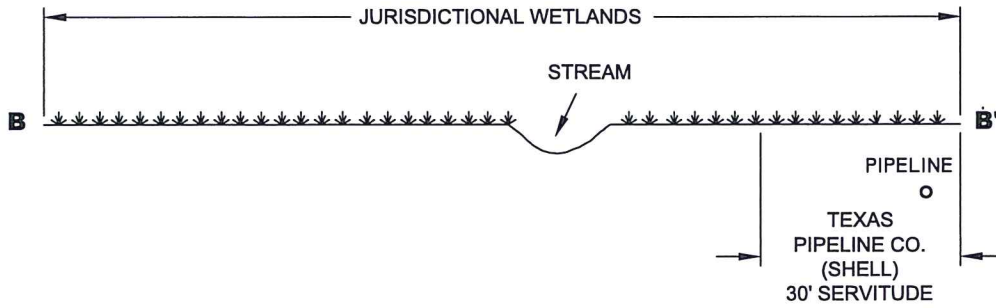
**Old Towne Development Group, L.L.C.**  
 Americana Traditional Neighborhood Development

**Not to Scale**

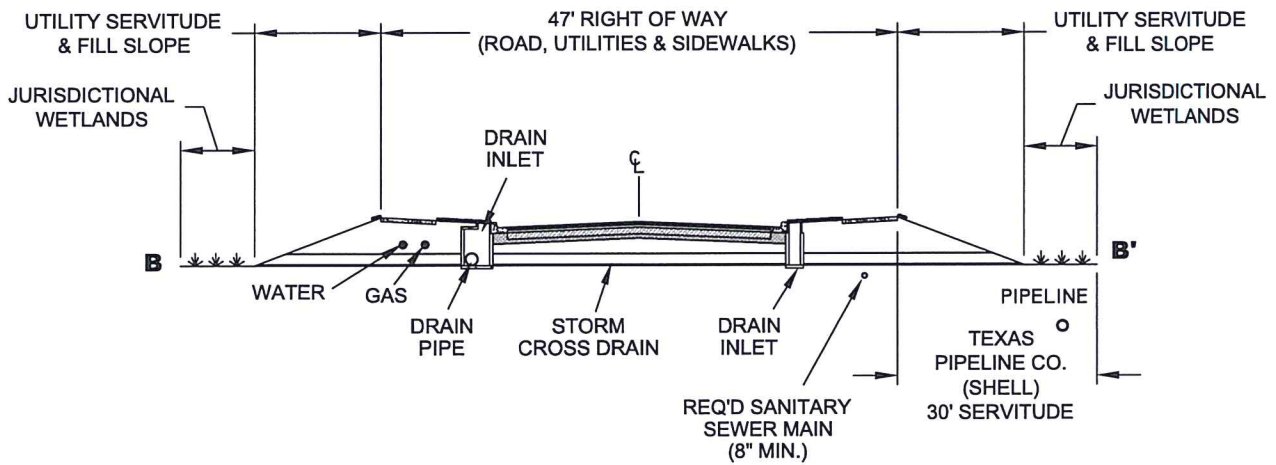
**MATRIX**NEWORLD  
 Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	1/29/2019
Drawing No.	15-579-A023

**4**  
 Figure No.



**CROSS SECTION B-B'**  
PRE-CONSTRUCTION  
NOT TO SCALE



**CROSS SECTION B-B'**  
PROPOSED POST-CONSTRUCTION  
NOT TO SCALE

**Cross Section B-B'**  
Revised Section 404 Permit Application  
(MVN-2008-0423-CQ)  
Zachary, East Baton Rouge Parish, Louisiana

**Old Towne Development Group, L.L.C.**  
Americana Traditional Neighborhood Development

**Not to Scale**

**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	1/29/2019
Drawing No.	15-579-A024

**5**  
Figure No.