

# JOINT PUBLIC NOTICE

August 18, 2014

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 2006-0737-CQ

(225) 219-3225  
Project Manager  
Ms. Elizabeth Johnson  
WQC Application Number  
WQC 140724-01

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).

## **MODIFICATION TO MIXED USE DEVELOPMENT, THE VILLAGE AT RIVERWOOD, IN EAST BATON ROUGE PARISH**

**NAME OF APPLICANT:** Charles Lambert d.b.a. Louisiana Riverboat Casinos, Inc., c/o Natural Resource Professionals, LLC, Attn: Gregg Fell, 4664 Jamestown Avenue, Suite 420, Baton Rouge, Louisiana 70808.

**LOCATION OF WORK:** In Sections 58 and 63, Township 8 South, Range 1 West, near Baton Rouge, Louisiana, in EAST BATON ROUGE PARISH, 30.35333 N and -91.1994 W, as shown on the enclosed drawings. This project is located in USGS Hydrologic Unit Code (HUC) 08070202- Amite River HUC.

**CHARACTER OF WORK:** Modification to previously authorized work involves the proposed relocation of a previously authorized access road within the development and the package sewer plant for the development. This modification request also includes the proposed construction of a subsurface drainage system for the entire Riverwood development. This drainage system would include 3 primary drainage outlet pipes that will collect surface runoff and direct flow north into Elbow Bayou. These pipes will be constructed within 20-foot permanent drainage servitude. Wetland vegetation will be hand cleared and placed in a non-wetland location. Pipes will be installed via trench and backfill methodology. Approximately 0.13 acre of jurisdictional forested wetlands would be permanently converted to herbaceous wetlands within the 20-foot drainage servitude. Approximately 0.08 acre of jurisdictional forested wetlands would be permanently impacted as a result of roadway relocation. Approximately 1,500 cubic yards of clay material, 500 cubic yards of clean native fill material,

and 120 cubic yards of concrete would be placed in jurisdictional areas for this proposed modification. The original Department of the Army permit for the Riverwood development was issued on February 12, 2014. The original permit authorized 14.9 acres of direct impacts to forested wetlands and 8.5 acres of avoided forested wetlands were to be impounded as a result of the development. The compensatory mitigation for the original development entailed 91.5 acres of swamp enhancement credits for the direct impacts and 48.7 acres of swamp preservation credits for the avoided wetland secondary impacts. The applicant has stated that due to the fact that all wetlands have been mitigated for in the original permit and the relatively small amount of additional permanent wetland impact proposed in the current modification that no additional compensatory mitigation be required for this modification proposal.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **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**. Individuals or parties may request an extension of time in which to comment on the proposed work by writing to the project manager or clicking on the project manager's name on the public notice grid on the web page. 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. 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.

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 U.S. 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 U.S. 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. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

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.

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.

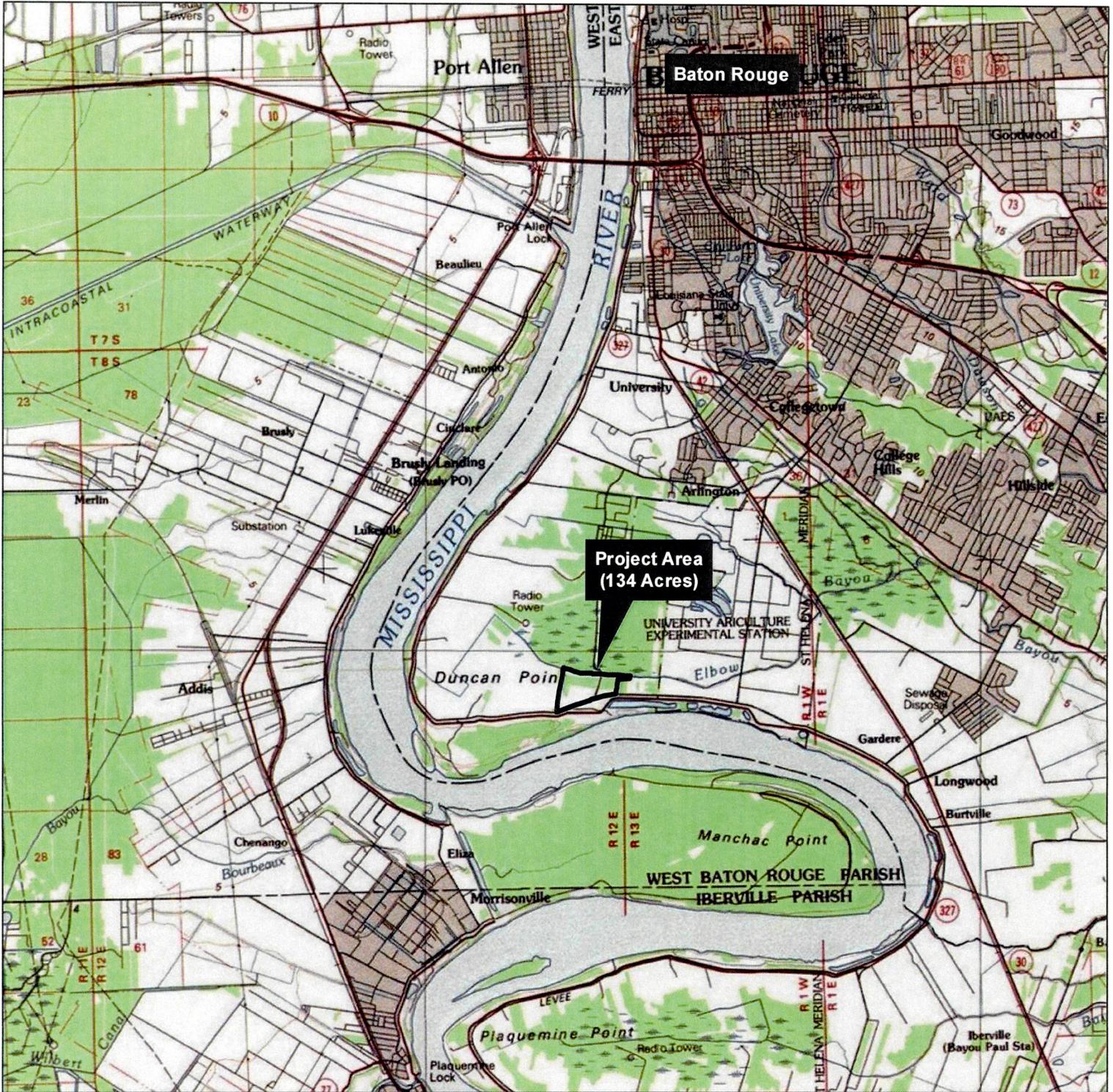
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not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

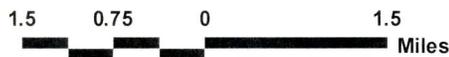
JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure



**Legend**

 Project Boundary (134 Acres)



- Map Notes:
1. The boundary shown is based on the boundary survey provided by the client.
  2. Map projected to NAD83 UTM Zone 15.
  3. Topographic map obtained online from ArcGIS server.

**The Village at Riverwood**

**Baton Rouge, LA**

**VICINITY MAP**

**EAST BATON ROUGE PARISH, LOUISIANA**

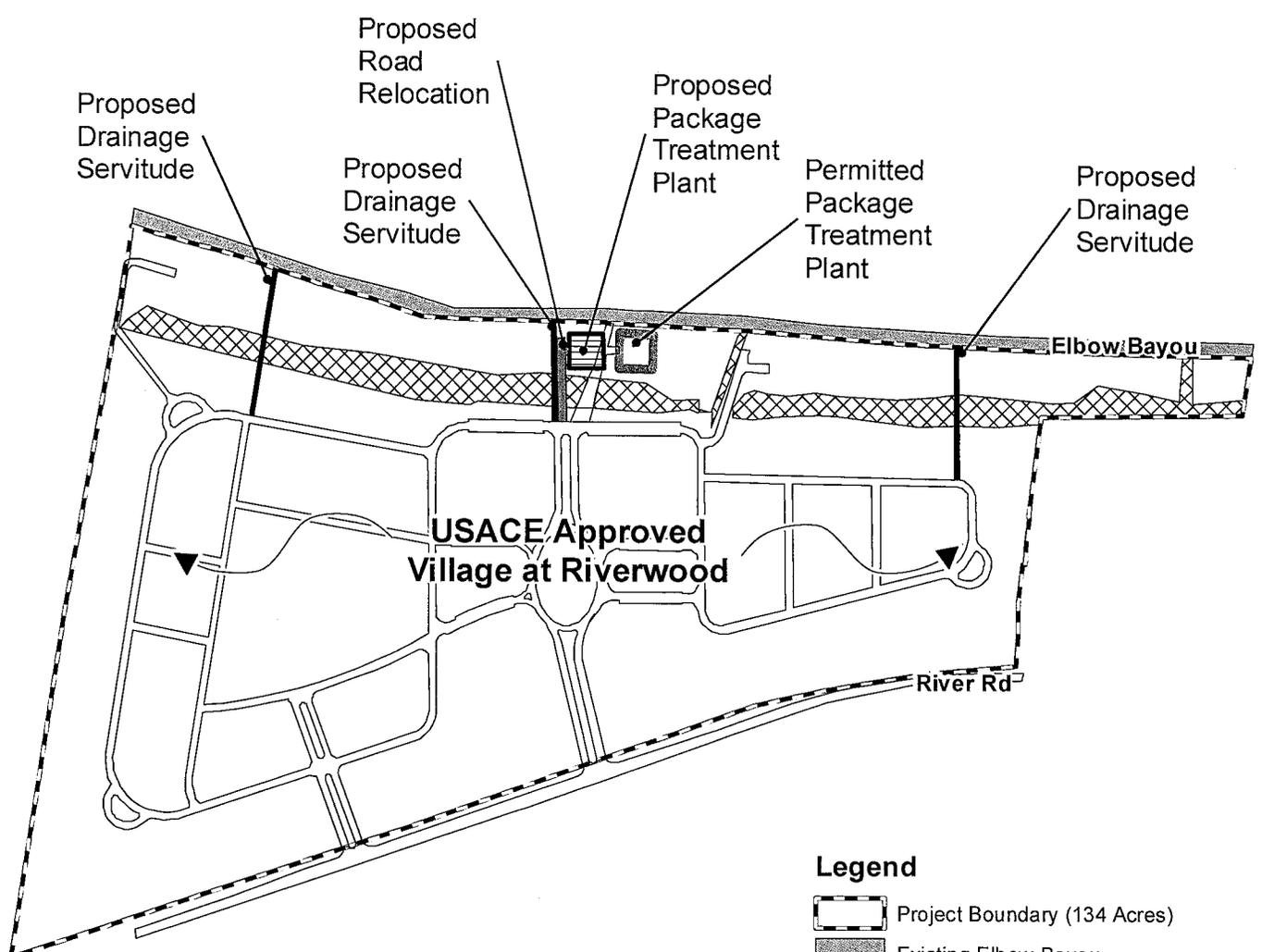
Created : AGB/ArcView

Approved : GLF

Date : 07/08/2014

Map No. :

**FIGURE 1**



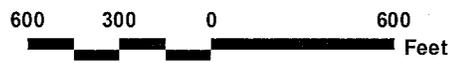
See Figures 7 & 8  
for Drainage Pipe Details

**Legend**

- Project Boundary (134 Acres)
- Existing Elbow Bayou
- Permitted Roadways
- Permitted Package Treatment Plant
- Proposed Road Relocation (0.22 Acres)
- Proposed Drainage Servitude (0.54 Acres)
- Proposed Package Treatment Plant
- Jurisdictional Wetlands (8.5 Acres)

**Map Notes:**

1. The boundary shown is based on the boundary survey provided by the client.



**The Village at Riverwood**

**Baton Rouge, LA**

DRAINAGE SERVITUDE  
SITE MAP

EAST BATON ROUGE PARISH, LA

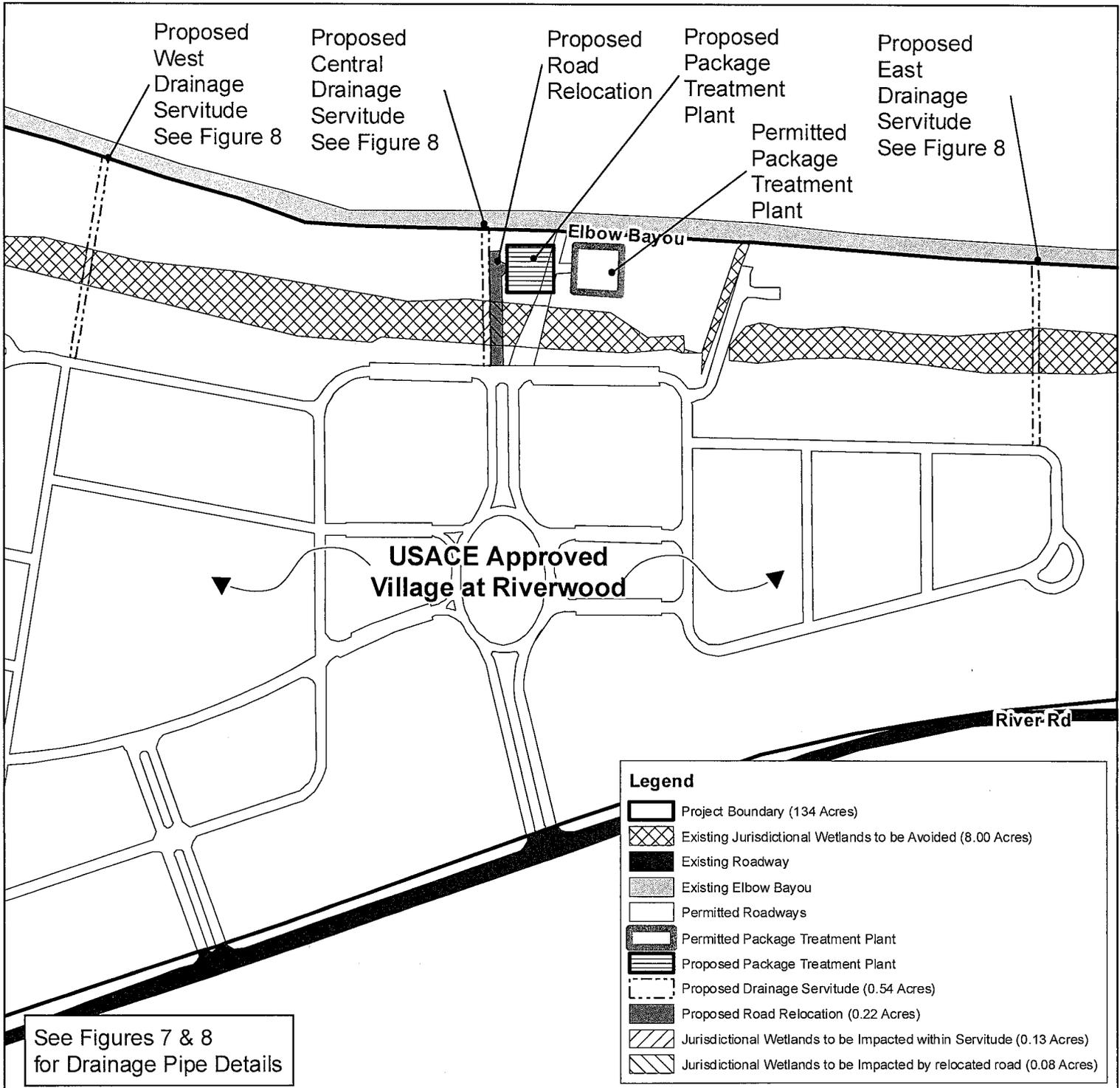
Created : AGB/ArcView

Approved : GLF

Date : 07/08/2014

Map No. :

FIGURE 2



**Map Notes:**

1. The boundary shown is based on the boundary survey provided by the client.



**The Village at Riverwood**

**Baton Rouge, LA**

DRAINAGE SERVITUDE

SITE MAP

EAST BATON ROUGE PARISH, LA

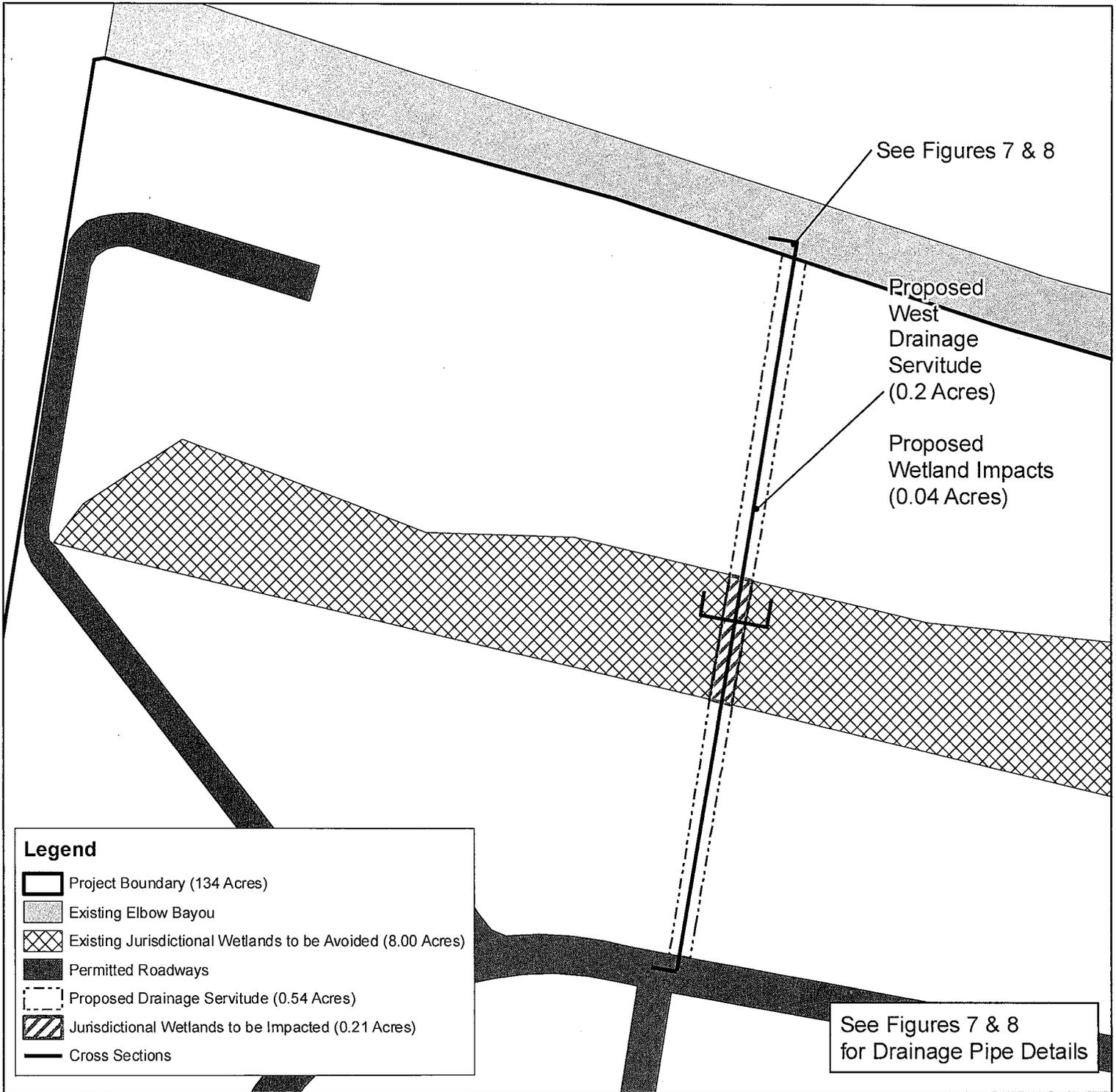
Created : AGB/ArcView

Approved : GLF

Date : 07/08/2014

Map No. :

FIGURE 3



**Map Notes:**

1. The boundary shown is based on the boundary survey provided by the client.



**NRP**



**The Village at Riverwood**

**Baton Rouge, LA**

WEST DRAINAGE SERVITUDE  
CROSS SECTION MAP  
EAST BATON ROUGE PARISH, LA

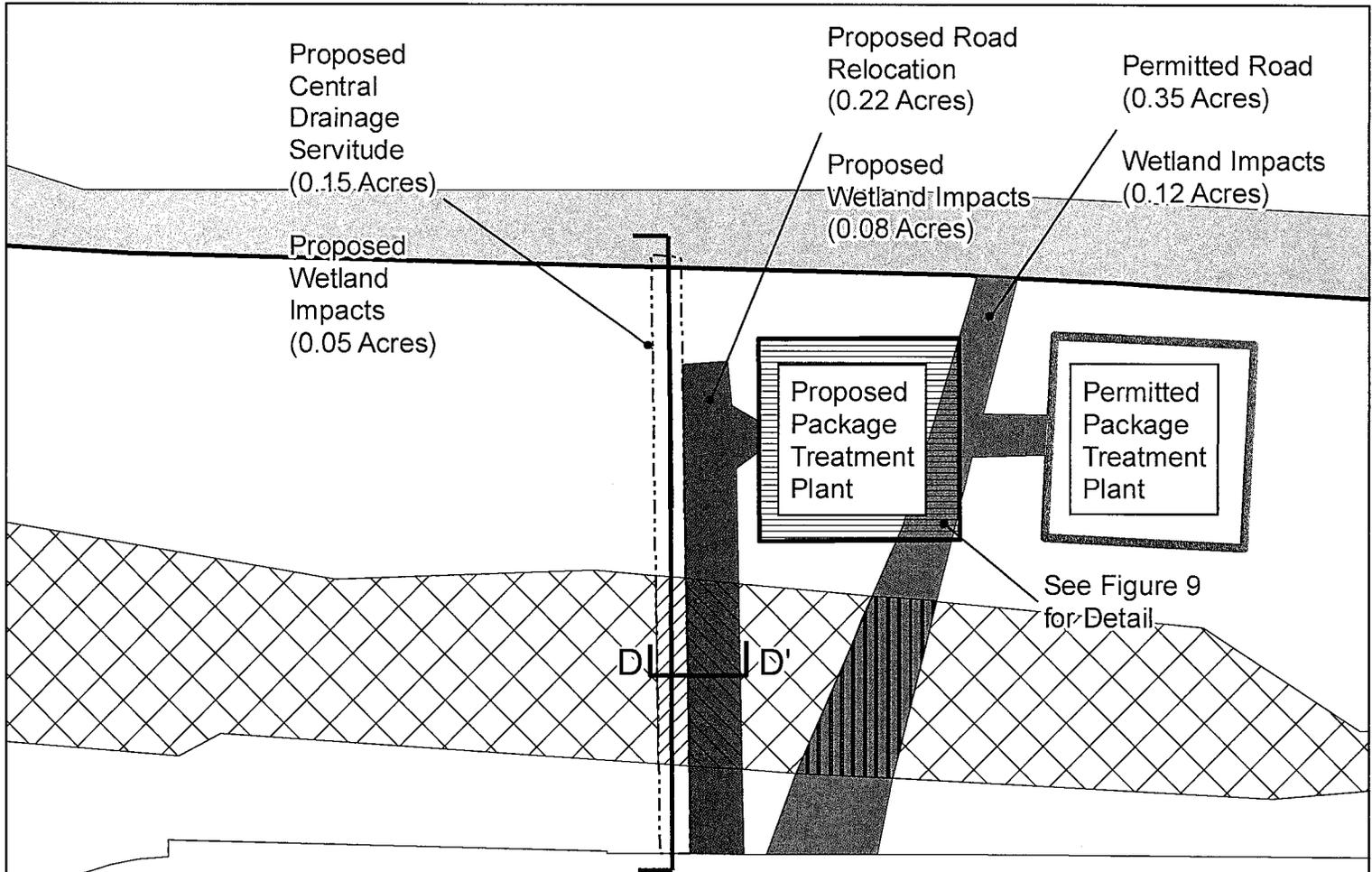
Created : AGB/ArcView

Approved : GLF

Date : 07/08/2014

Map No. :

FIGURE 4



**Legend**

- Project Boundary (134 Acres)
- Existing Jurisdictional Wetlands to be Avoided (8.00 Acres)
- Existing Elbow Bayou
- Permitted Road
- Permitted Wetland Impacts
- Permitted Roadways
- Permitted Package Treatment Plant
- Proposed Package Treatment Plant
- Proposed Drainage Servitude (0.54 Acres)
- Proposed Road Relocation (0.22 Acres)
- Jurisdictional Wetlands to be Impacted within Servitude (0.13 Acres)
- Jurisdictional Wetlands to be Impacted by relocated road (0.08 Acres)
- Cross Sections

See Figures 7 & 8 for Drainage Pipe Details

**Map Notes:**

1. The boundary shown is based on the boundary survey provided by the client.



**The Village at Riverwood**

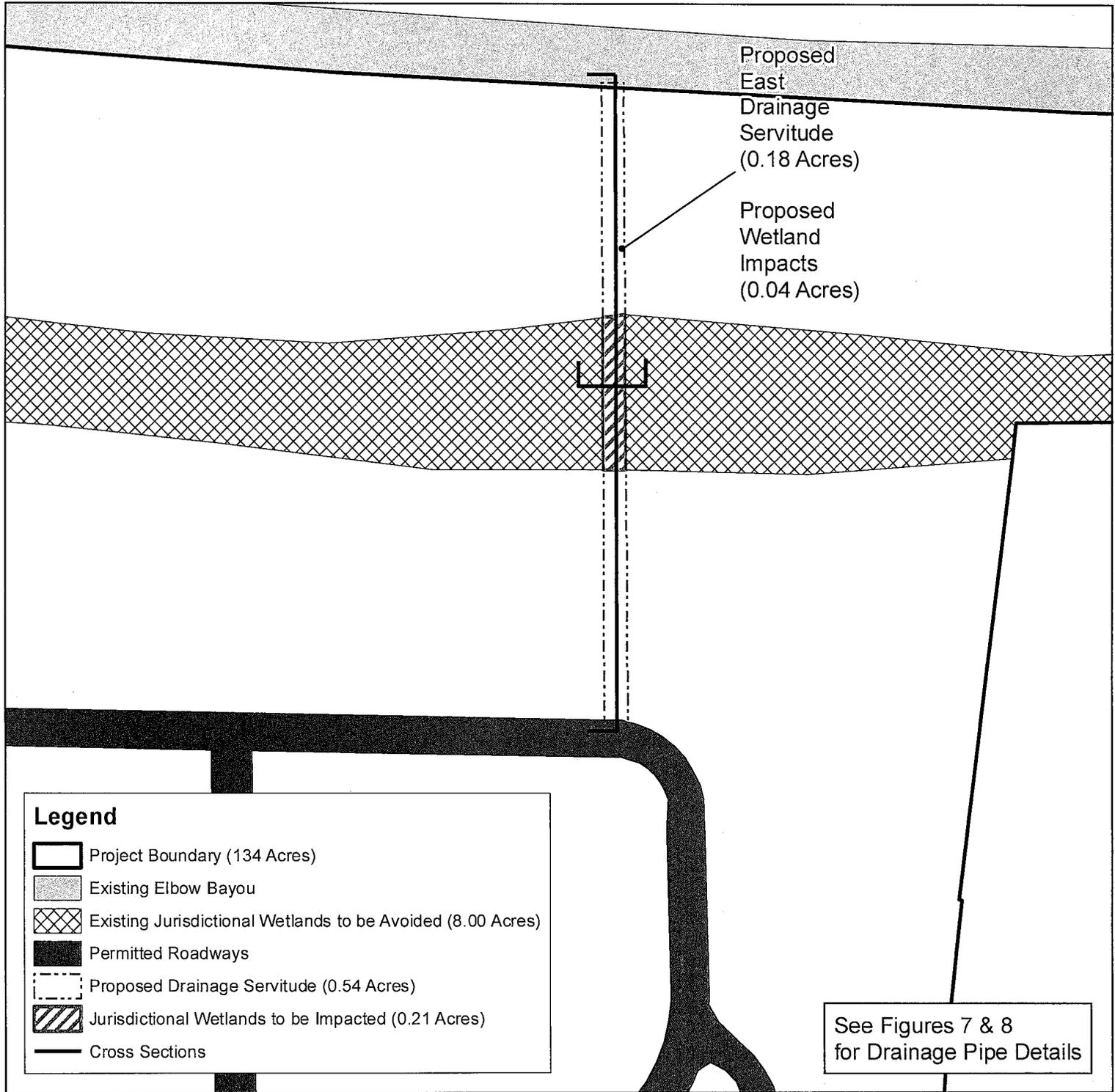
**Baton Rouge, LA**  
 CENTRAL DRAINAGE SERVITUDE  
 CROSS SECTION MAP  
 EAST BATON ROUGE PARISH, LA

Created : AGB/ArcView

Approved : GLF

Date : 07/08/2014

Map No. :



**Map Notes:**

1. The boundary shown is based on the boundary survey provided by the client



**NRP**



**The Village at Riverwood**

**Baton Rouge, LA**

EAST DRAINAGE SERVITUDE  
CROSS SECTION MAP  
EAST BATON ROUGE PARISH, LA

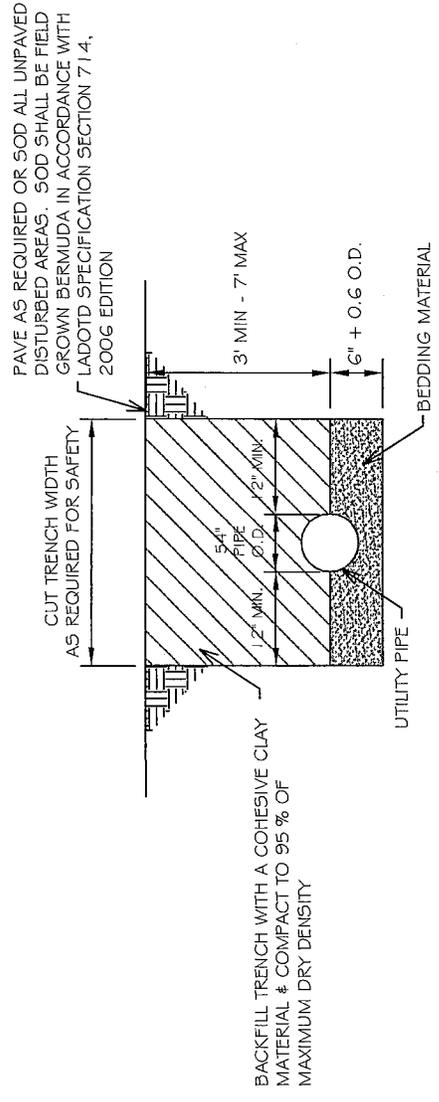
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Approved : GLF

Date : 07/08/2014

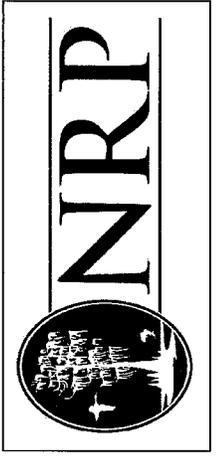
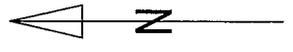
Map No. :

FIGURE 6



TRENCH AND BACKFILL TYPICAL SECTION

The Village at Riverwood  
 Baton Rouge, LA  
 TYPICAL DRAINAGE OUTFALL  
 CROSS SECTION  
 EAST BATON ROUGE PARISH, LA  
 Created: AGB/Autocad  
 Approved: GLF  
 Date: 07/08/2014  
 Map No.:



**Map Notes:**

1. The boundary shown is based on the boundary survey provided by the client.



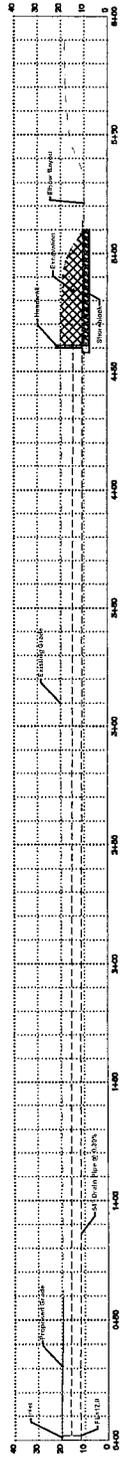
1 - SEWER PROFILE



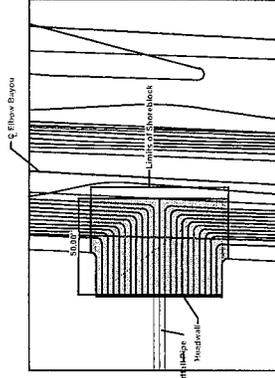
2 - EAST DRAINAGE OUTFALL PROFILE



3 - CENTRAL DRAINAGE OUTFALL PROFILE



4 - WEST DRAINAGE OUTFALL PROFILE



4 - TYPICAL DRAINAGE OUTFALL DETAIL

The Village at Riverwood

Baton Rouge, LA

DRAINAGE OUTFALL  
CROSS SECTIONS  
EAST BATON ROUGE PARISH, LA

Created: AGB/Autocad

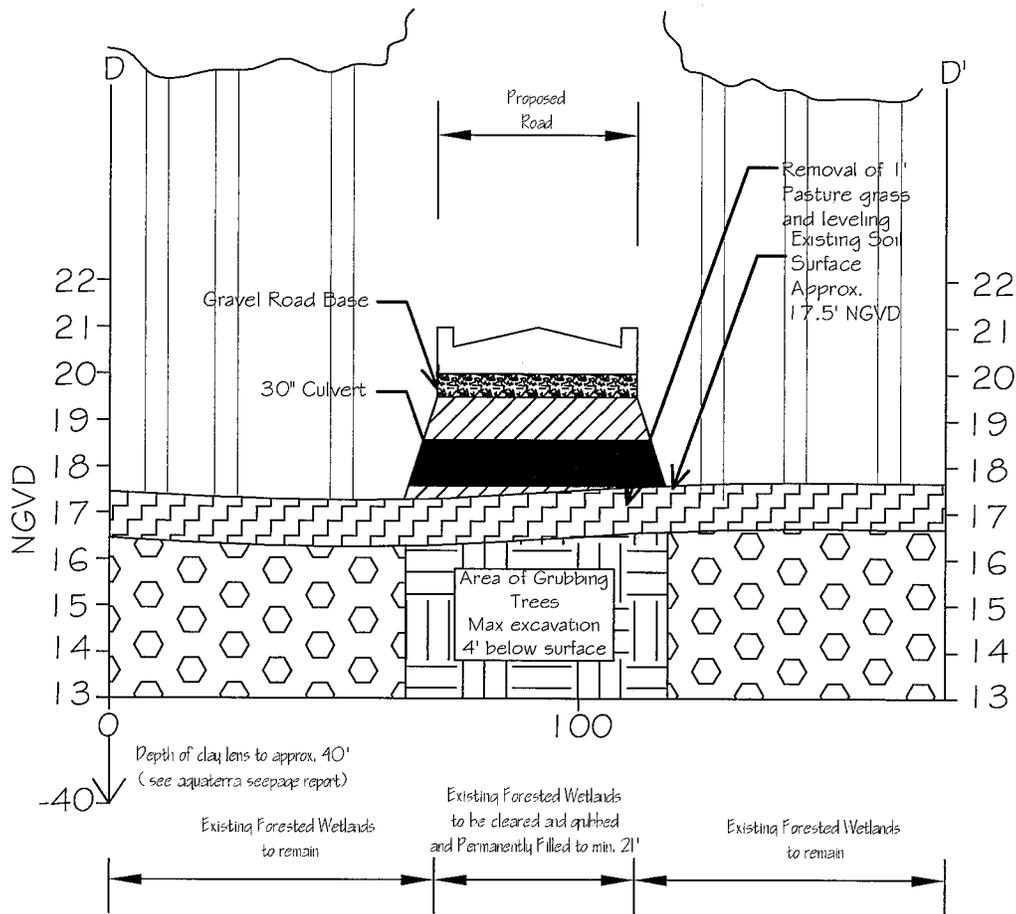
Approved: GLF

Date: 07/08/2014

Map No.:



Map Notes:  
1. The boundary shown is based on the boundary survey provided by the client.



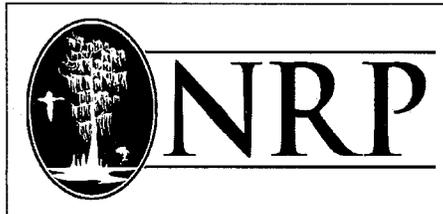
Section D-D'  
Scale: NTS  
10:1 Vertical Scale

**Legend:**

- Clean, Earthen Fill
- Area of Tree Grubbing
- Aggregate/Concrete Base
- Existing Soil

**Map Notes:**

1. The boundary shown is based on the boundary survey provided by the client.
2. All developed areas including roads, greenspace, and lots will be cleared of existing vegetation and filled with clean earthen soil.
3. All fill will be provided from \_\_\_\_\_.



The Village at Riverwood

Baton Rouge, LA  
CROSS SECTION D-D'

E BATON ROUGE PARISH, LA

Created: AGB

Approved: GLF

Date: 07/08/2014

Map No.:

FIGURE 9