



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT  
7400 LEAKE AVE  
NEW ORLEANS, LA 70118-3651

March 1, 2021

Operations Division  
Central Evaluation Section  
Project Manager  
S. Gail Gainey  
(504) 862-1545

SUBJECT: MVN-1997-04474-CG

### **PUBLIC NOTICE**

Interested parties are hereby notified that an application has been received by the District engineer for a Department of the Army permit to authorize the following pursuant to (X) Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or ( ) section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

### **PERMIT MODIFICATION FOR THE CONSTRUCTION OF A RESIDENTIAL SUBDIVISION DEVELOPMENT IN EAST BATON ROUGE PARISH**

**NAME OF APPLICANT:** Lancaster Development, c/o Hydrik Wetlands Consultants, Attn: Mike Henry, 2323 Hwy 190 East, Suite 2, Hammond, LA 70401.

**LOCATION OF WORK:** On and west of Burbank Drive, Sections 75 and 76, Township 8 South, Range 1 East, near Baton Rouge, Louisiana, in East Baton Rouge Parish, within the Pontchartrain Basin in the Amite hydrologic unit (HUC 08070202), as shown on the attached drawings (Latitude 30.364795, N, Longitude -91.137355 W).

**CHARACTER OF WORK:** The work described herein was partially completed under the previous authorization to construct and maintain a residential subdivision (Pelican Lakes Subdivision) issued to RW Day & Associates as MVN-1997-04474-EB on February 14, 2002, modified to include apartment housing on February 5, 2013 and again on December 9, 2015. A total of approximately 7.22 acres of jurisdictional wetland impacts were authorized under the previous authorizations. The current applicant has purchased the project site and requests a modification to clear, grade, excavate and deposit fill and/or aggregate material to include 122 single-family residential lots, driveways, and drainage infrastructure. Approximately 74,814 cubic yards of earthen material would be excavated and redistributed and approx. 47,906 cubic yards of silt fill would be hauled in to construct the detention ponds and to achieve required grade elevation requirements. The proposed project will result in additional impacts to approx. 3.62 acres of jurisdictional forested wetlands and approx. 1,460 linear feet of jurisdictional waters of the U.S.

The applicant proposes to avoid additional direct impacts and minimize secondary impacts by avoiding approx. 31.93 acres of forested wetlands, by hauling all cleared vegetation to an off-site non-jurisdictional disposal location, by conducting the canal maintenance activity by hand-clearing only,

and by utilizing appropriate erosion and siltation controls during and after construction to establish hydro seeding and avoid sediment runoff into adjacent wetlands and waterways. Residential lots abutting the wetland boundaries will also be fenced to discourage further encroachment. This project was re-designed after a former modification proposal for greater impacts was withdrawn to decrease impacts further. The project will receive approval from all appropriate drainage and sewage agencies prior to construction. As compensation for unavoidable wetland impacts, the applicant proposes to mitigate in-kind wetland credits from a Corps approved mitigation bank located in the watershed.

The comment period for the Department of Army will close in **20 days** from the date of this 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 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 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.

### **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. Copies of this notice are made available to the State Archeologist and the 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.

Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of such species, listed as endangered by the U.S. Department of Interior. Utilizing the Information, Planning and Consultation (IPaC) for Endangered Species in Louisiana, signed January 27, 2020, 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.

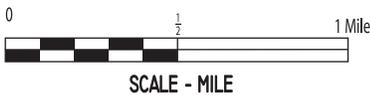
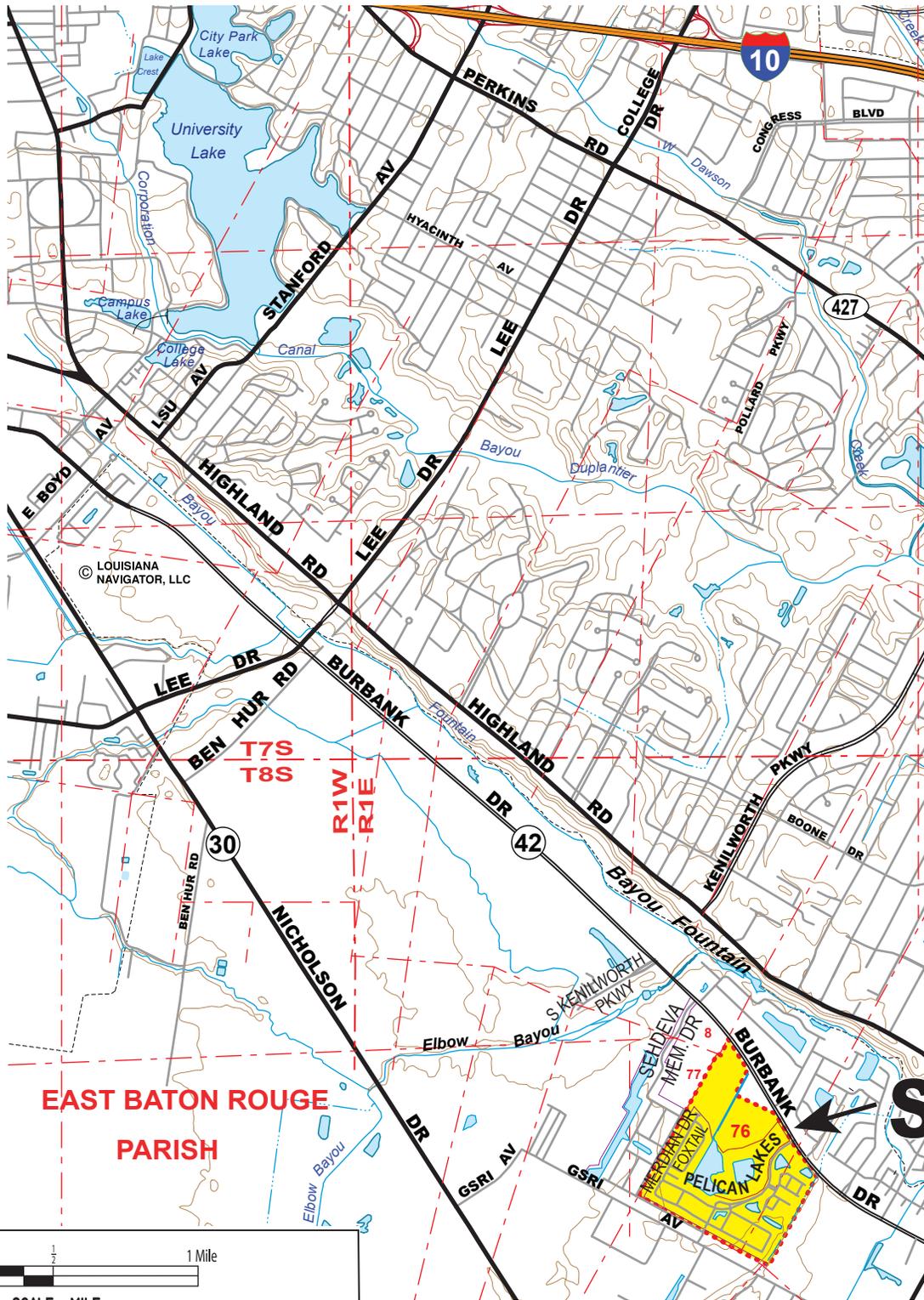
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of NA acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our 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

Enclosures



**PERMIT NO. MVN-1997-004474-CO**

**SITE VICINITY**  
**PELICAN LAKES**  
 SECTION 76, T8S-R1E  
 EAST BATON ROUGE PARISH, LA

**SITE COORDINATES**  
 30.364795 N, -91.137355 W



**APPLICANT:**  
**LANCASTER DEVELOPMENT**

**LEGEND**  
 = PROJECT LOCATION

**FIGURE**  
**1**

PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH.

HF: 20143C      DATE: 11-05-2020      APPROVED:

NOTES:  
BASE DRAWINGS PROVIDED BY:  
MR ENGINEERING & SURVEYING, LLC  
BATON ROUGE, LA

THIS SITE IS LOCATED IN FLOOD ZONES "AE" & "X"  
PER FEMA FLOOD INSURANCE RATE MAPS  
COMMUNITY NO. 220058, MAP NUMBER:  
22033C 0310 E, DATED MAY 2, 2008.  
BASE FLOOD ELEV. = 19.5'



**HYDRİK**  
WETLANDS - GIS CONSULTING  
WWW.HYDRİK.COM (985)429-0333



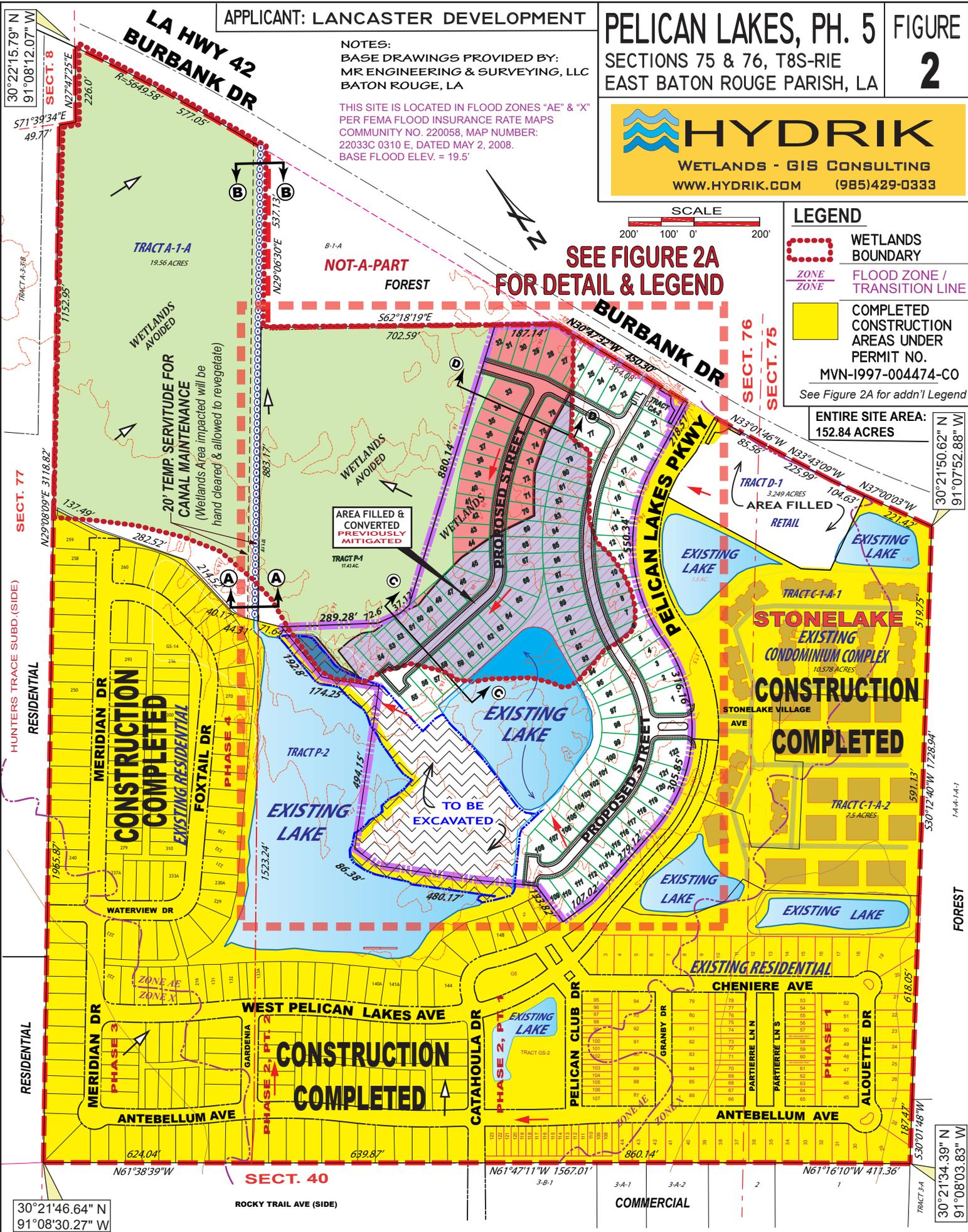
**LEGEND**

- WETLANDS BOUNDARY
- FLOOD ZONE / TRANSITION LINE
- COMPLETED CONSTRUCTION AREAS UNDER PERMIT NO. MVN-1997-004474-CO

See Figure 2A for addn'l Legend

ENTIRE SITE AREA:  
152.84 ACRES

SEE FIGURE 2A  
FOR DETAIL & LEGEND



30°21'46.64" N  
91°08'30.27" W

SECT. 40  
ROCKY TRAIL AVE (SIDE)

N61°47'11"W 1567.01'  
3-B-1

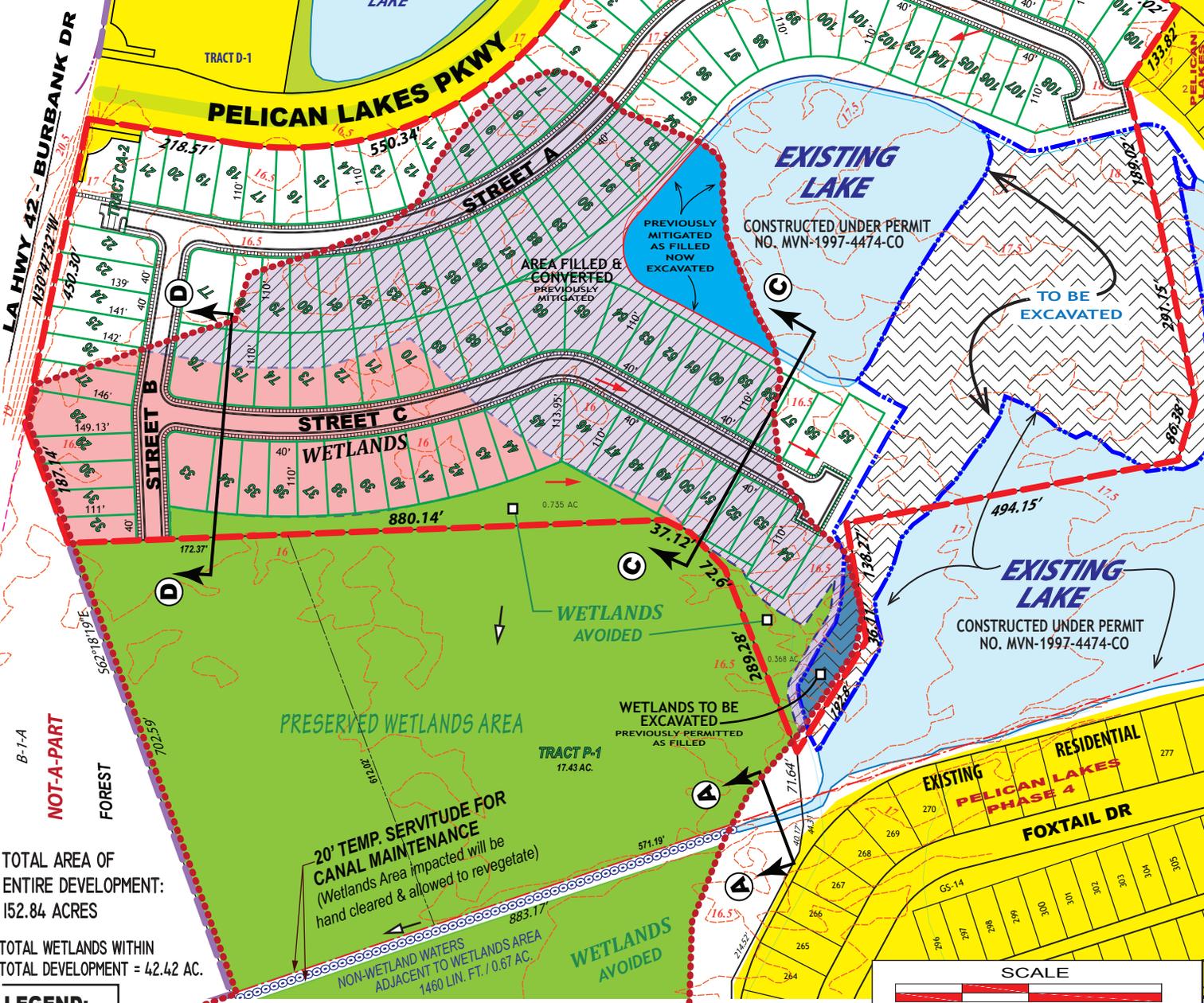
3-A-1  
3-A-2  
COMMERCIAL

N61°16'10"W 411.36'  
1

30°21'34.39" N  
91°08'03.83" W

**PROJECT DATA**

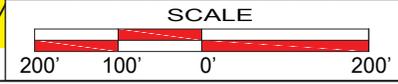
PROJECT AREA = 28.98 ACRES  
 TOTAL RESIDENTIAL LOTS: 122  
 TOTAL VOLUME OF FILL MATERIAL OF CLEAN SILT FILL FROM ON SITE EXCAVATION:  
 • 74,814 CU. YDS. TO BE PLACED ON SITE  
 TOTAL VOLUME OF NEW CLEAN FILL MATERIAL:  
 • 47,906 CU. YDS. TO BE PLACED ON SITE  
 TOTAL LENGTH OF STREETS:  
 • 3,093 LIN. FT.



TOTAL AREA OF ENTIRE DEVELOPMENT: 152.84 ACRES  
 TOTAL WETLANDS WITHIN TOTAL DEVELOPMENT = 42.42 AC.

**LEGEND:**

- PHASE 5 PROJECT BOUNDARY: 28.98 AC.
- 19' ELEVATION / LINE
- DRAINAGE FLOW: PRE-CONSTR.
- DRAINAGE FLOW: POST-CONSTR.
- EXISTING LAKE
- PROPOSED ADDITION TO LAKE 5 AC. / 74,814 CU. YDS TO BE EXCAVATED & DISPERSED ON SITE
- NON-WETLAND WATERS**
- TO BE IMPROVED = 1460 LIN. FT. / 0.67 AC. (PREVIOUS: 340 LIN. FT. MODIFIED INTO POND)
- AREA CONSTRUCTION COMPLETED UNDER PERMIT NO. MVN-1997-004474-CO.
- WETLANDS LIMITS
- WETLANDS AVOIDED: 31.933 AC.
- WETLANDS TO BE IMPACTED VIA FILLING / GRADING (3.617 ACRES)
- WETLANDS PREVIOUSLY PERMITTED AS FILLED NOW EXCAVATED: 0.30 AC.
- WETLANDS PREVIOUSLY PERMITTED & MITIGATED VIA FILL NOW EXCAVATED: 1.01 ACRE - CONVERTED.
- WETLANDS PREVIOUSLY PERMITTED & MITIGATED VIA FILLING & GRADING (TO REMAIN): 5.56 ACRES - CONVERTED.



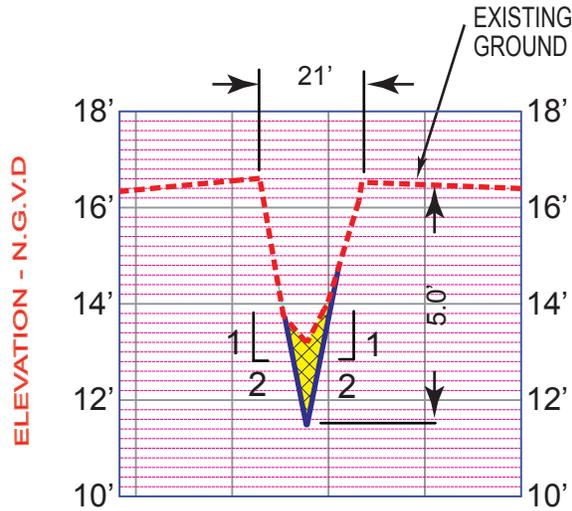
APPLICANT: LANCASTER DEVELOPMENT

**HYDRIK**  
 WETLANDS - GIS CONSULTING  
 WWW.HYDRIK.COM (985)429-0333

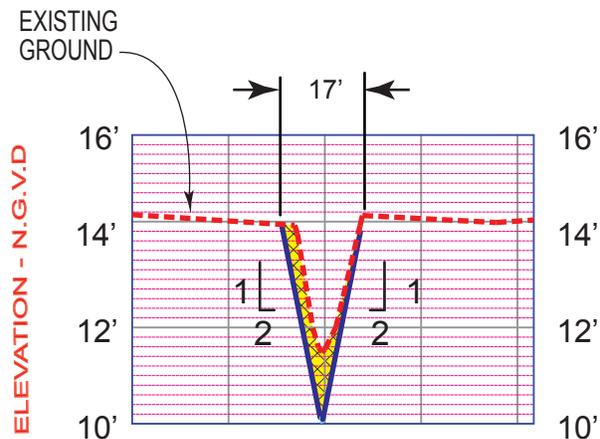
PELICAN LAKES, PH. 5 SECTIONS 75 & 76, T8S-RIE EAST BATON ROUGE PARISH, LA	FIGURE <span style="font-size: 2em; font-weight: bold;">2-A</span>
HF: 20143C	DATE: 11-5,24-2020 12-07-2020 2-24-2021
APPROVED:	

PERMIT NO. MVN-1997-4474-CO

PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH.

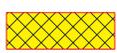


**SECTION A-A**  
**NON-WETLAND WATERS - CROSS SECTION**  
 NOT TO SCALE



**SECTION B-B**  
**NON-WETLAND WATERS - CROSS SECTION**  
 NOT TO SCALE

**LEGEND:**

 AREA TO BE EXCAVATED

NOTE:  
 BASE DRAWINGS PROVIDED BY:  
 MR ENGINEERING & SURVEYING, LLC  
 BATON ROUGE, LA

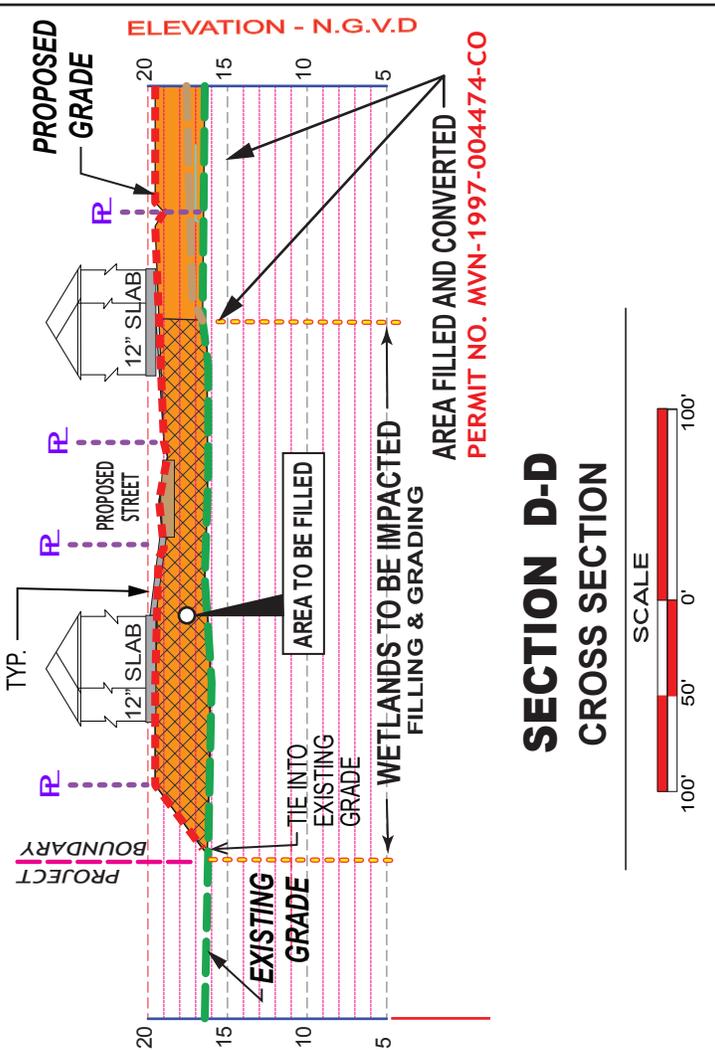
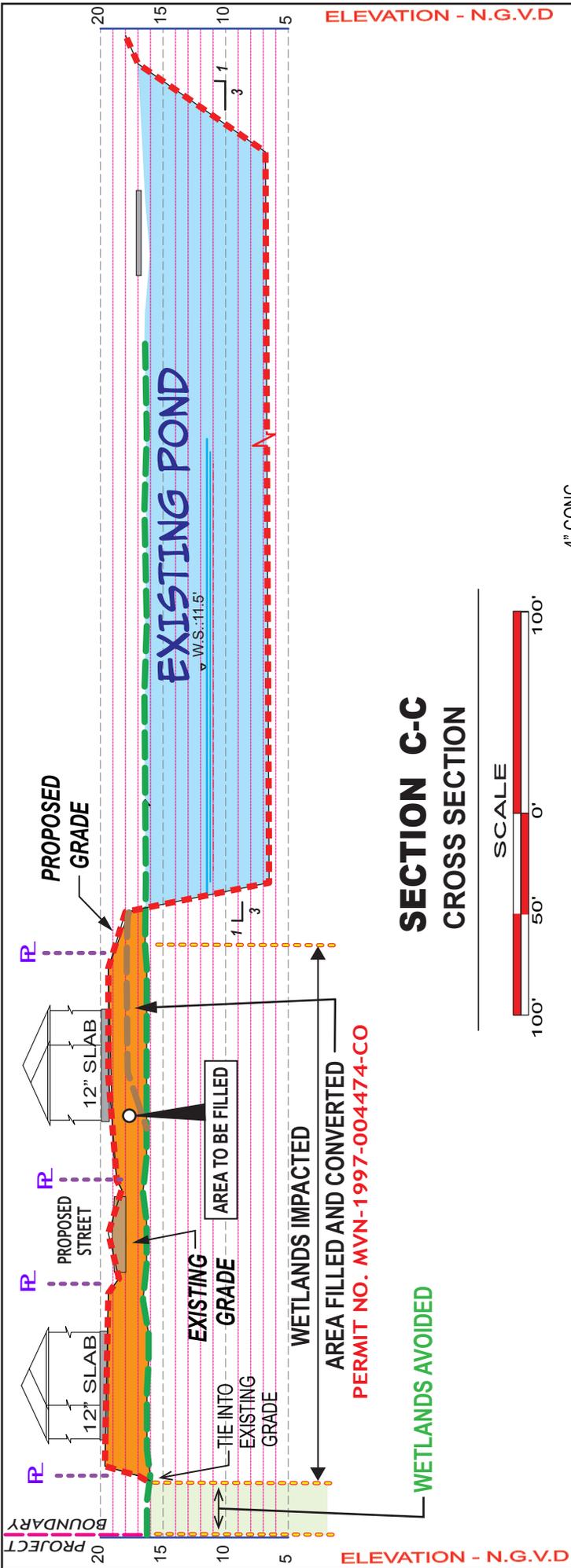
APPLICANT:  
 LANCASTER DEVELOPMENT



PELICAN LAKES, PH. 5  
 SECTIONS 75 & 76, T8S-RIE  
 EAST BATON ROUGE PARISH, LA

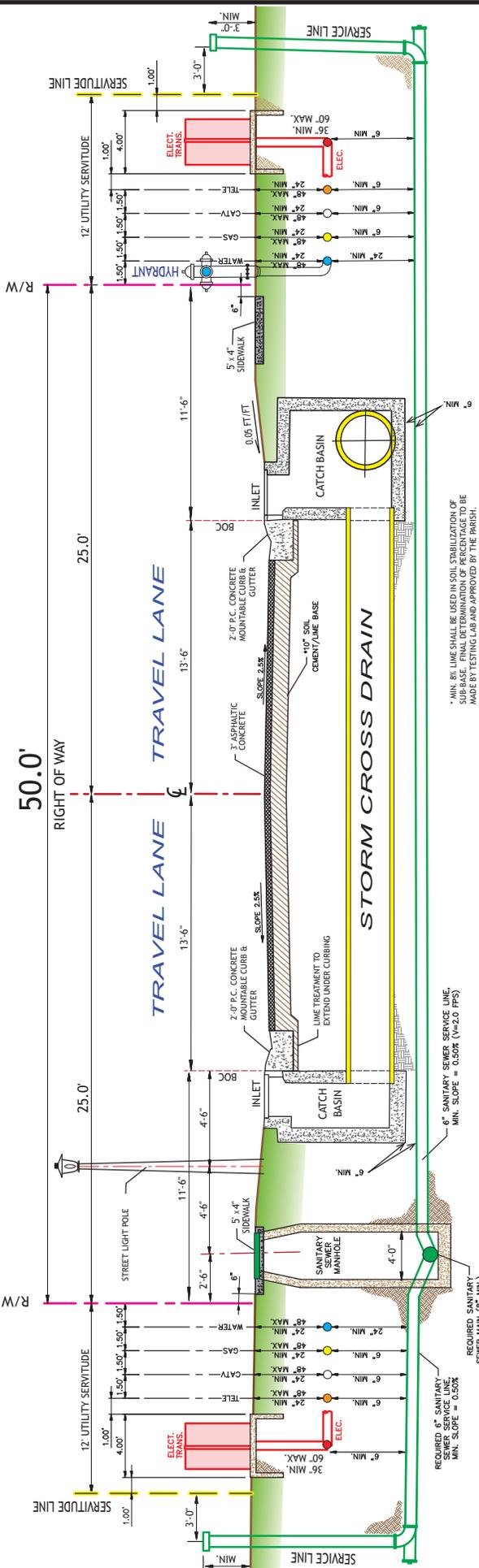
FIGURE  
**3-A**

HF: 20143C      DATE: 11-05-2020      APPROVED:



- LEGEND:**
- EXISTING GRADE
  - - - PROPOSED GRADE
  - PROPOSED FILL
  - PROPOSED CONCRETE
  - WETLANDS TO BE FILLED

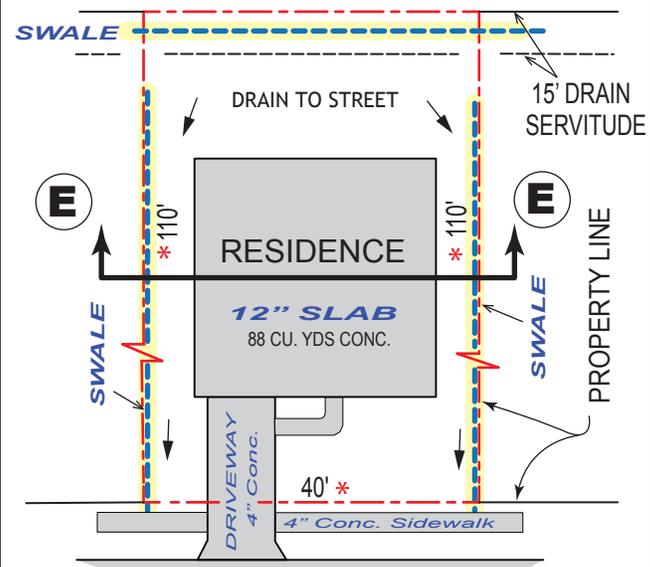
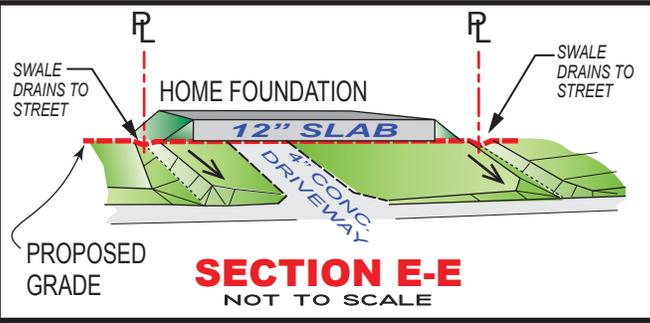
APPLICANT: <b>LANCASTER DEVELOPMENT</b>	
<p style="font-size: small;">WETLANDS - GIS - FLOOD CONTROL WWW.HYDRIK.COM (985)429-0333</p>	
<b>PELICAN LAKES, PH. 5</b> SECTIONS 75 & 76, T8S-RIE EAST BATON ROUGE PARISH, LA	<b>FIGURE 3-B</b>
HF: 20143C	DATE: 11-05-2020 11-24-2020
APPROVED:	



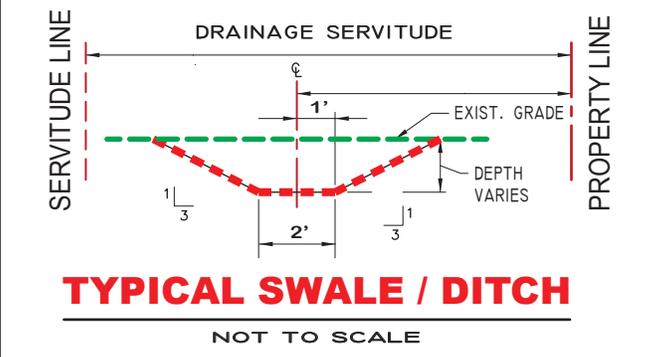
**TYPICAL 50' STREET SECTION**  
NOT TO SCALE

\* MIN. 8% SLOPE SHALL BE USED IN SOIL STABILIZATION OF ALLSLOPES TO BE REFINISHED TO BE MADE BY TESTING LAB AND APPROVED BY THE RASH.

REQUIRED 12" SANITARY SEWER SERVICE LINE MIN. SLOPE = 0.50% (1/200)  
REQUIRED 6" SANITARY SEWER SERVICE LINE MIN. SLOPE = 0.50% (1/200)



**TYPICAL LOT LAYOUT**  
NOT TO SCALE  
\* NOTE: LOT DIMENSION VARIES



**TYPICAL STREET / LOT DETAILS**

APPLICANT:  
**LANCASTER DEVELOPMENT**

**PELICAN LAKES, PH. 5**  
SECTIONS 75 & 76, T8S-RIE  
EAST BATON ROUGE PARISH, LA

**FIGURE 4**