



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

October 2, 2023

Regulatory Division
Central Evaluation Branch

Project Manager
Kenny Blanke
(504) 862-1217
Kenneth.G.Blanke@usace.army.mil

Application #: MVN-2013-02500-CQ

PUBLIC NOTICE

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), and/or [] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

MODIFICATION TO VILLAGES AT MAGNOLIA SQUARE RESIDENTIAL DEVELOPMENT NEAR CENTRAL IN EAST BATON ROUGE PARISH

NAME OF APPLICANT: Tower Capital, c/o: Hydrik Wetlands Consultants, attn.: Mr. Michael Henry, 2323 LA Highway 190 E, Suite 2, Hammond, Louisiana 70401

LOCATION OF WORK: Located on an approximate 102.48-acre site located south and west of Lovett Road, in Sections 41 & 71, Township 6 South, Range 2 East, near Central, Louisiana, in East Baton Rouge Parish, within the Pontchartrain Basin in hydrologic unit (HUC 08070202), as shown on the attached drawings (Latitude 30.518232 N, Longitude -91.044093 W).

CHARACTER OF WORK: The applicant has requested a Department of the Army permit modification to previously authorized work to clear, grade, excavate and deposit fill to construct and maintain a residential subdivision (Villages at Magnolia Square) to include infrastructure, greenspace, onsite detention ponds, utilities and drainage infrastructure. The original Department of the Army permit authorization was issued on July 22, 2022, and has an expiration date of August 31, 2027. The proposed modification includes a change in project footprint, decrease in number of residential lots from 261 to 259, and expanded detention pond areas to comply with city and parish drainage authorities. Approximately 272,200 cubic yards of onsite material would be excavated and placed as fill material in jurisdictional areas. The project modification would propose to impact an additional 1.2 acres of jurisdictional forested wetlands. The original permit had mitigated for approximately 4.8 acres of impacts to jurisdictional wetlands. Approximately 3.612 acres of the total 9.525 acres of jurisdictional wetlands on the project site would be avoided in the proposed modification. Approximately 0.474 acre of jurisdictional Other Waters of the US would be directly impacted (excavated, filled, and/or modified/relocated) as a result of the project. Approximately 0.11 acre of jurisdictional Other Waters of the US would be avoided. The applicant proposes to

utilize best management practices for erosion and siltation control during and after the construction phase of the project. If authorized, the project will receive approval from all appropriate local drainage authorities. To offset unavoidable impacts to jurisdictional wetlands that were previously not mitigated for, the applicant is proposing to purchase in kind within basin bottomland hardwood credits an approved mitigation bank.

The comment period on the requested Department of the Army Permit will close **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 request and must be submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject permit application must reference the Applicant's Name and the Permit Application Number and can be preferably emailed to the Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, ATTENTION: REGULATORY DIVISION, RGC, Kenneth Blanke. Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 Branch Chief will review the request and the requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and will not exceed a total of 30 calendar days. This public notice is also available for review online at <https://go.usa.gov/xennJ>

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 presently unaware of properties listed on the National Register of Historic Places at or near the proposed work but is pending further review in accordance with the National Historic Preservation Act. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer, and federally listed tribes 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. Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project would have no effect to 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 may result in the destruction, alteration, and/or disturbance 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.

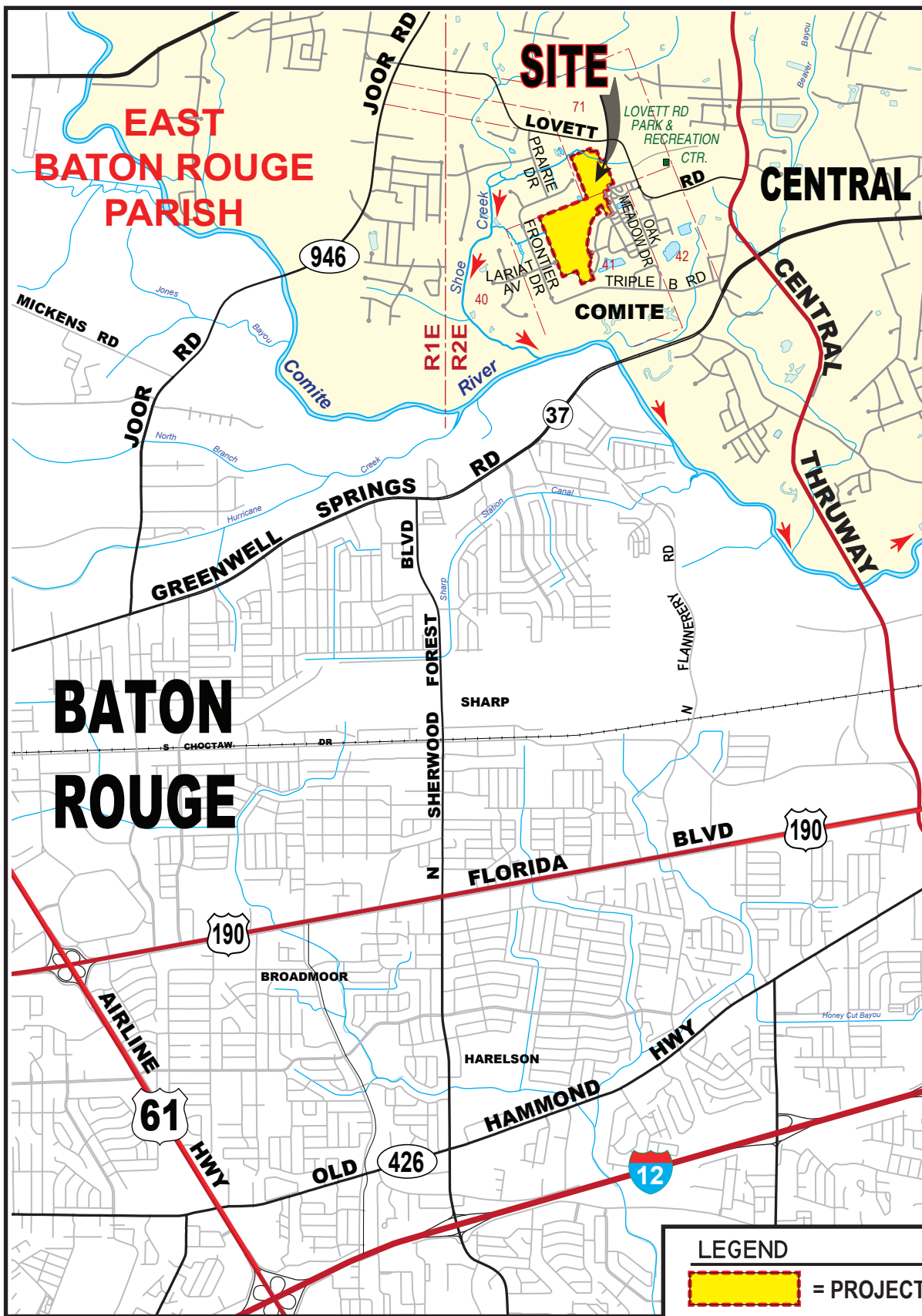
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. ***Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the LA Department of Environmental Quality before a Department of the Army permit is issued.***

Any person may request, (preferably by email to the project manager, or 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 invited 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 Branch Regulatory
Division

Enclosures



0 1/2 1 Mile
SCALE - MILE

SITE COORDINATES
30.518232 N, -91.044093 W

LEGEND

- = PROJECT LOCATION
- ➔ = DRAINAGE DISCHARGE

APPLICANT:

TOWER CAPITAL CORPORATION

VILLAGE AT MAGNOLIA SQUARE (WEST)

CITY OF CENTRAL
SECTIONS 41 & 71, T6S-R2E

EAST BATON ROUGE PARISH, LA



HYDRIK

WETLANDS - GIS CONSULTING

WWW.HYDRIK.COM (985)429-0333

**FIGURE
1**

HF: 21039 C

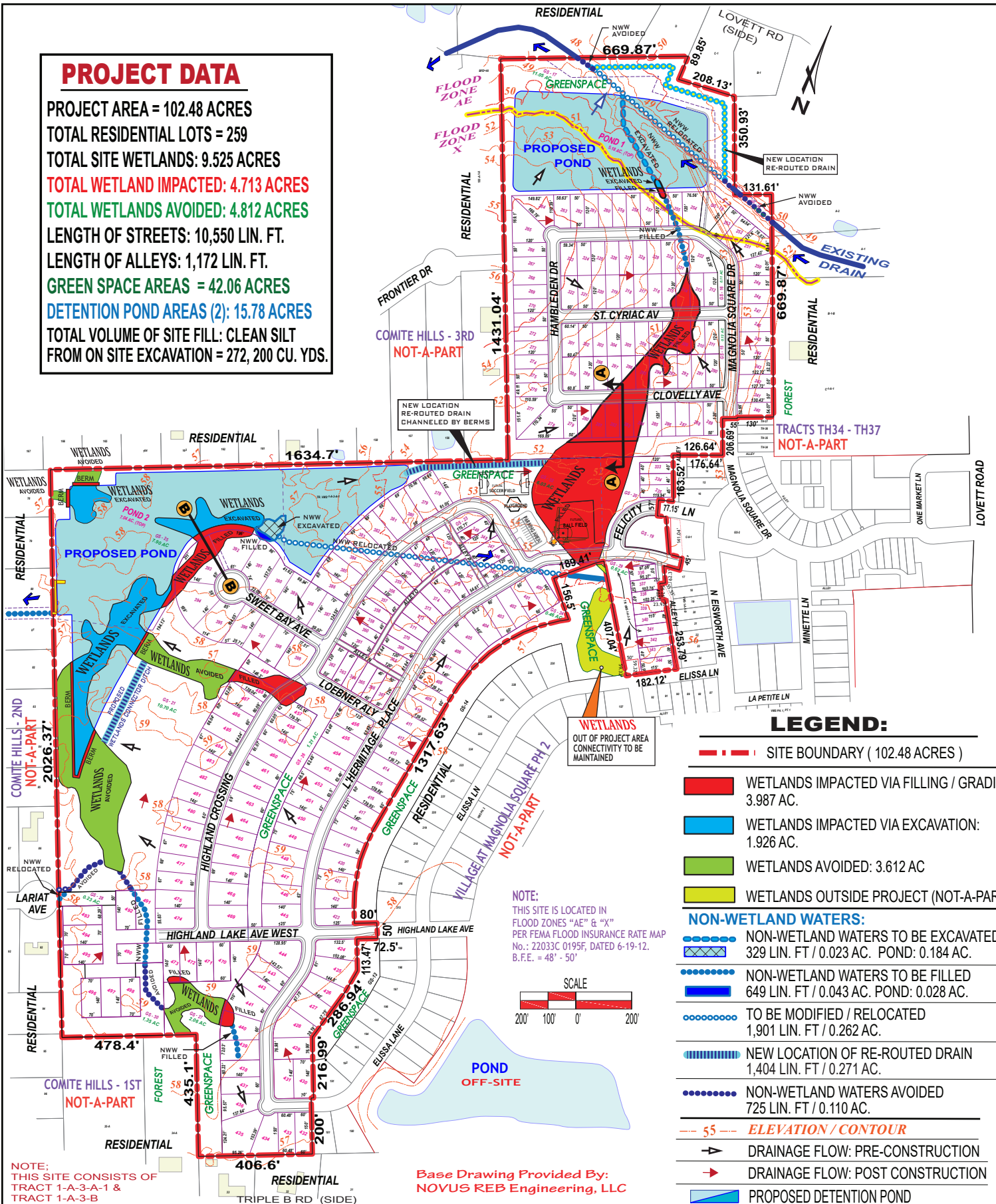
DATE 053123

APPROVED:

MVN-2013-02500-1-SL

PROJECT DATA

PROJECT AREA = 102.48 ACRES
 TOTAL RESIDENTIAL LOTS = 259
 TOTAL SITE WETLANDS: 9.525 ACRES
 TOTAL WETLAND IMPACTED: 4.713 ACRES
 TOTAL WETLANDS AVOIDED: 4.812 ACRES
 LENGTH OF STREETS: 10,550 LIN. FT.
 LENGTH OF ALLEYS: 1,172 LIN. FT.
 GREEN SPACE AREAS = 42.06 ACRES
 DETENTION POND AREAS (2): 15.78 ACRES
 TOTAL VOLUME OF SITE FILL: CLEAN SILT
 FROM ON SITE EXCAVATION = 272, 200 CU. YDS.



APPLICANT: **TOWER CAPITAL CORPORATION**
VILLAGE AT MAGNOLIA SQUARE (WEST)
 CITY OF CENTRAL
 EAST BATON ROUGE PARISH, LA

 **HYDRIK**
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FIGURE
2

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

HF: 21039 C

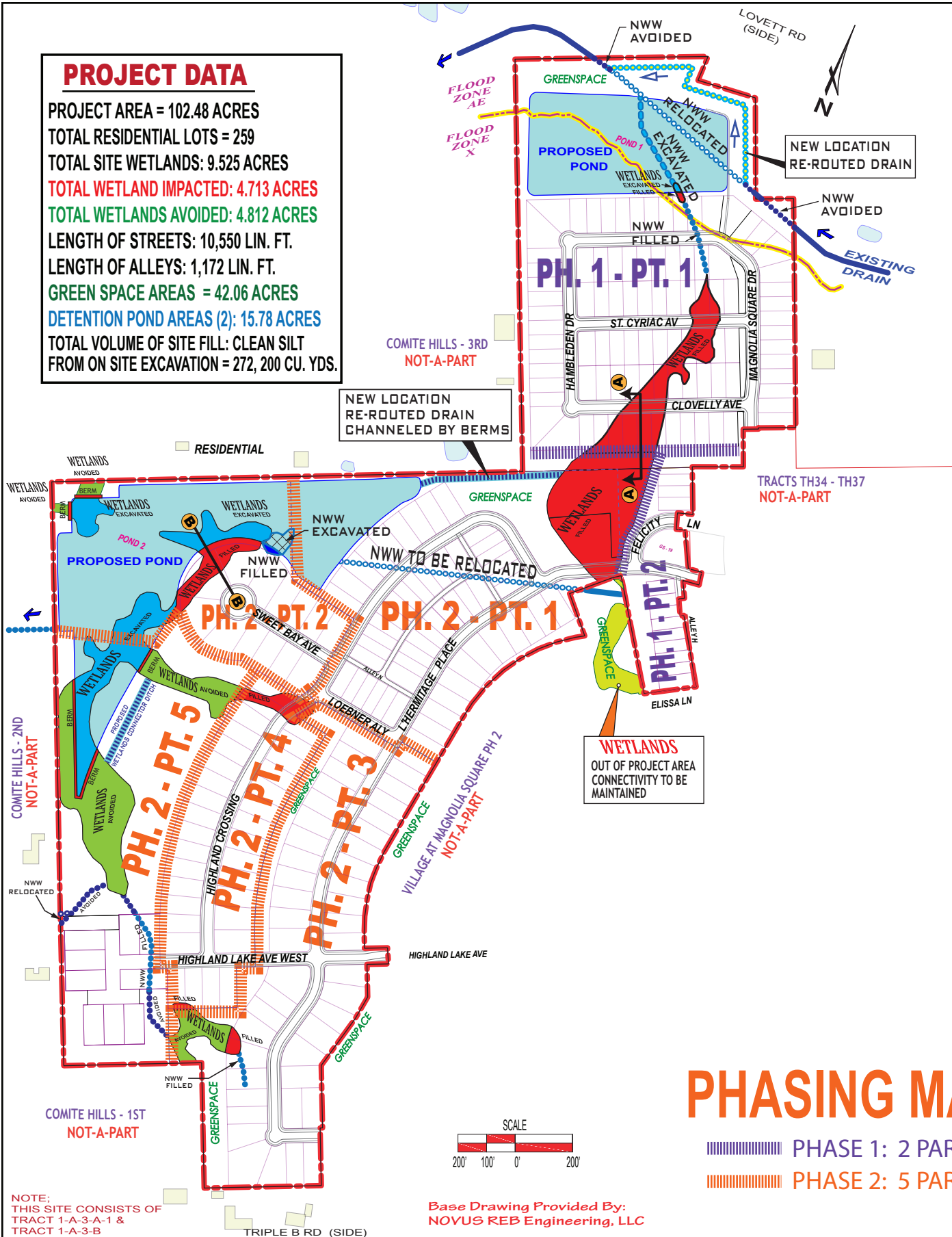
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PHASING MAP

PHASE 1: 2 PARTS
 PHASE 2: 5 PARTS

NOTE:
 THIS SITE CONSISTS OF
 TRACT 1-A-3-A-1 &
 TRACT 1-A-3-B

APPLICANT: TOWER CAPITAL CORPORATION
 VILLAGE AT MAGNOLIA SQUARE (WEST)
 CITY OF CENTRAL
 EAST BATON ROUGE PARISH, LA

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FIGURE
 2A

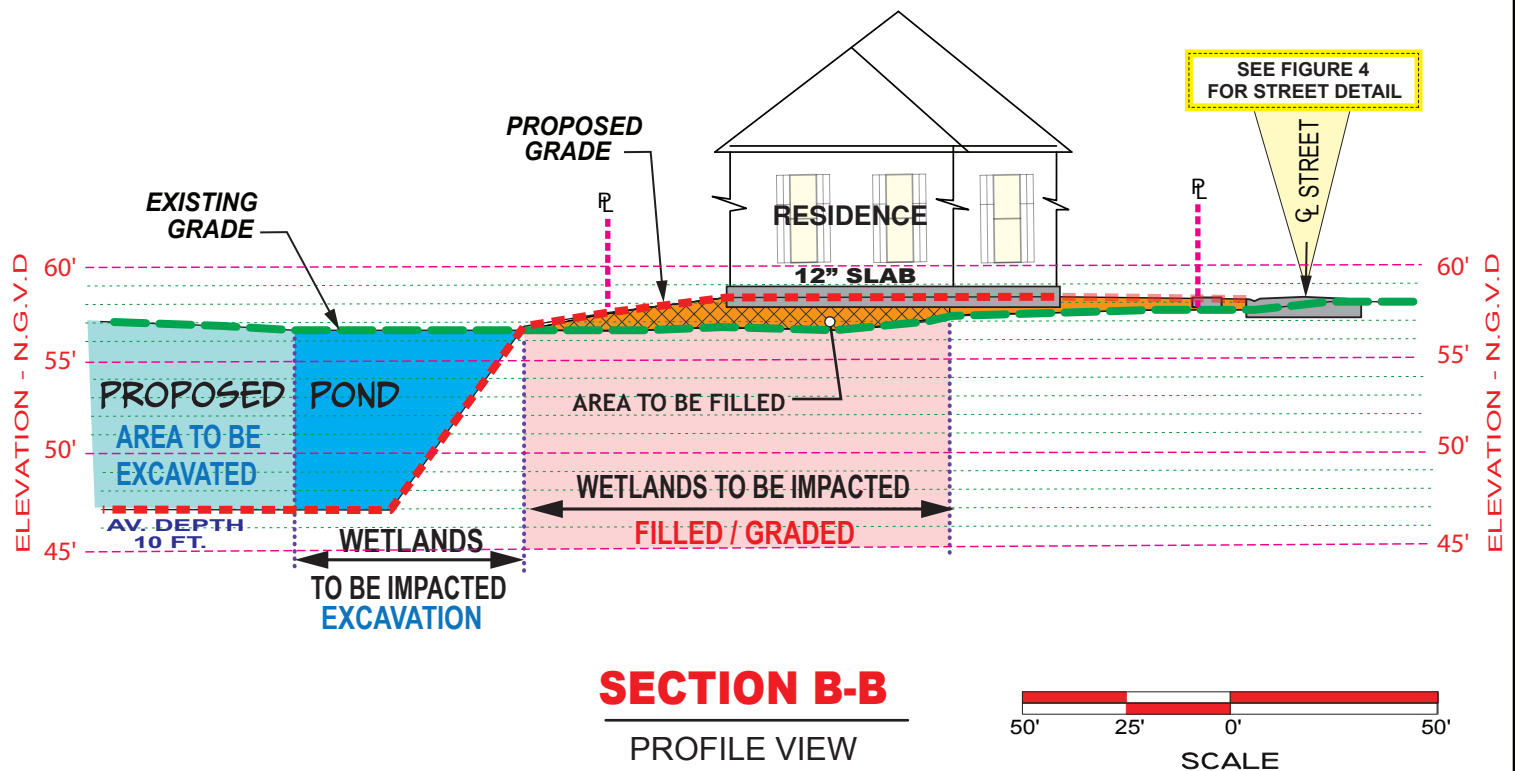
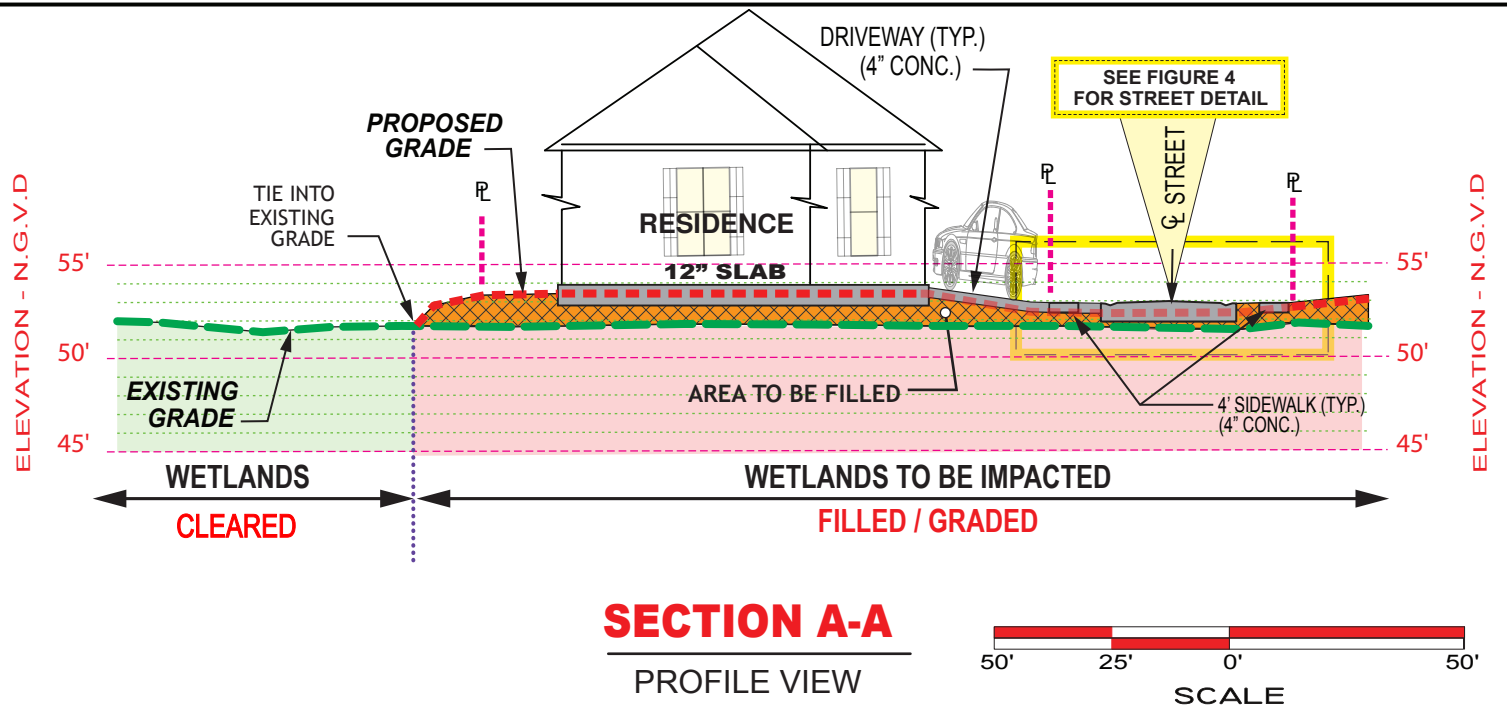
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APPROVED:

MVN-2013-02500-1-SL
 2



LEGEND:

- EXISTING GRADE
- PROPOSED GRADE
- AREA TO BE FILLED
- WETLANDS IMPACTED VIA FILLING / GRADING
- AREA TO BE EXCAVATED
- WETLANDS IMPACTED VIA EXCAVATION
- PROPOSED CONCRETE

APPLICANT

TOWER CAPITAL CORPORATION

VILLAGE AT MAGNOLIA SQUARE (WEST)

CITY OF CENTRAL
EAST BATON ROUGE PARISH, LA

FIGURE
3



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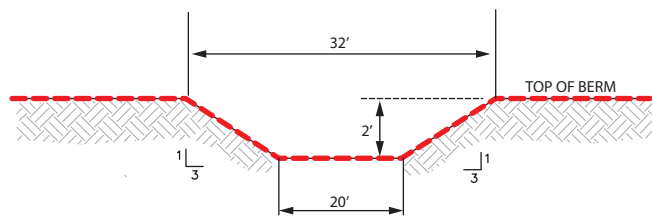
(985) 429-0333

HF: 21039 C

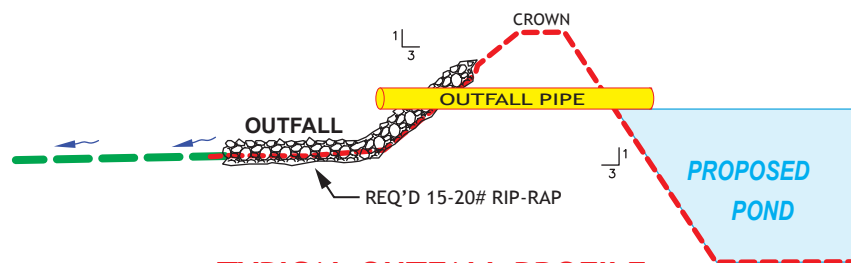
DATE: 053123

APPROVED:

[Signature]



POND - EMERGENCY SPILLWAY - TYPICAL
NOT TO SCALE



TYPICAL OUTFALL PROFILE
NOT TO SCALE

APPLICANT **TOWER CAPITAL CORPORATION**

VILLAGE AT MAGNOLIA SQUARE (WEST)
CITY OF CENTRAL
EAST BATON ROUGE PARISH, LA

FIGURE
3A



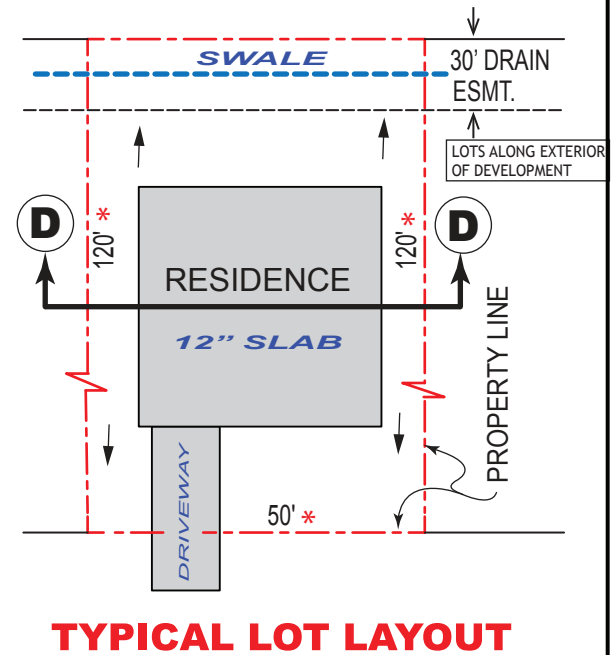
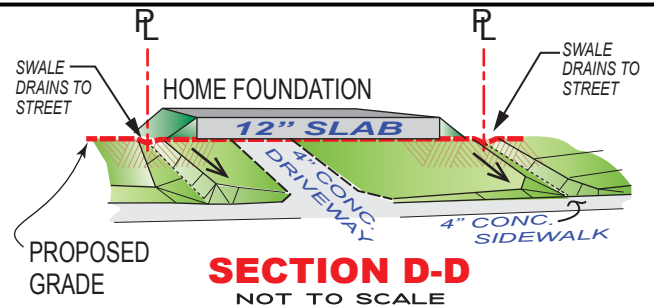
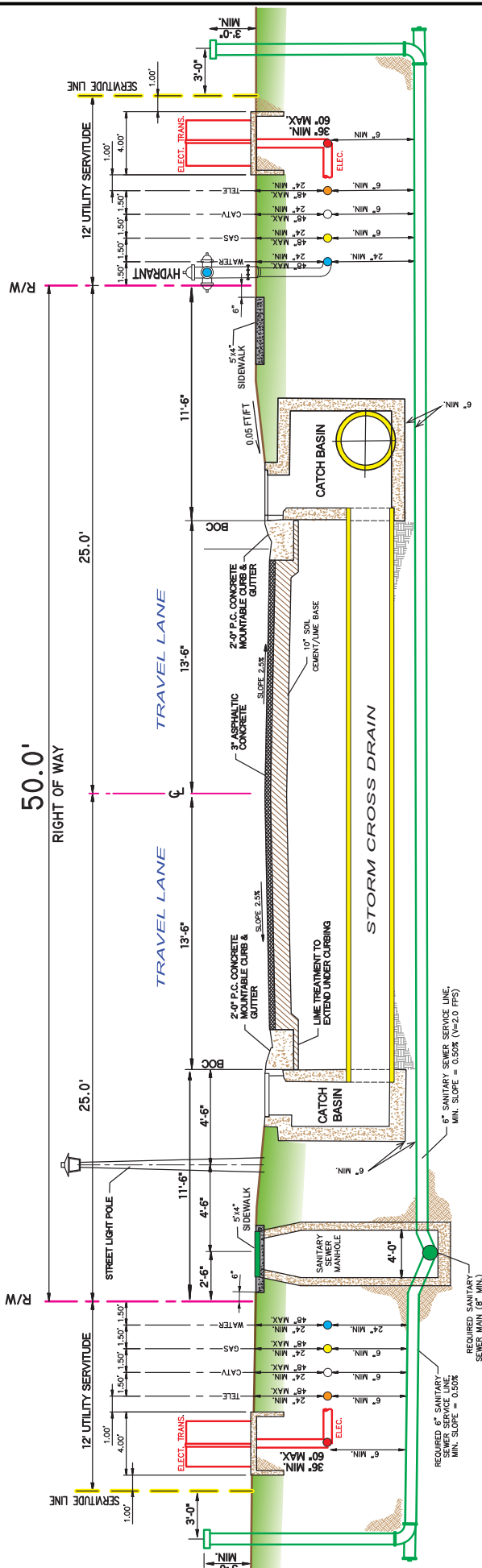
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APPLICANT TOWER CAPITAL CORPORATION		
VILLAGE AT MAGNOLIA SQUARE (WEST) CITY OF CENTRAL EAST BATON ROUGE PARISH, LA		FIGURE 4
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