

# JOINT PUBLIC NOTICE

November 16, 2020

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

(504) 862-1288  
Project Manager  
Zach Steinkoenig  
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MVN 2020-01031-CF

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

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC #201105-01

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US Army Corps of Engineers pursuant to: [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 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.

## **REALIGNMENT OF BEN HUR ROAD in EAST BATON ROUGE PARISH**

**NAME OF APPLICANT:** CITY OF BATON ROUGE, EAST BATON ROUGE PARISH, c/o CK Associates, 8591 United Plaza Boulevard Suite 300, Baton Rouge, Louisiana 70809

**LOCATION OF WORK:** Ben Hur Road in Baton Rouge, Louisiana, within East Baton Rouge Parish, Latitude 30.378452, Longitude -91.166002, within the Lake Pontchartrain River Basin in hydrologic unit (HUC 08070202), as shown on the attached drawings.

**CHARACTER OF WORK:** The applicant has requested a Department of the Army authorization to clear, grade, excavate and deposit fill and/or aggregate material in emergent wetlands and other waters of the United States for the construction of a roadway, cul-de-sac, and at-grade railroad crossing in the realignment of Ben Hur Road. Approximately 10,088 cubic yards of earthen fill, 224 cubic yards of asphalt, and 556 cubic yards of stone would be hauled in and deposited to achieve required grade elevation requirements. It is anticipated that the proposed action would have minimal impact on adjacent wetlands.

A preliminary analysis has determined that the proposed project would directly impact 0.19 acre of wetlands and 0.42 acre of non-wetland waters.

The applicant is claiming/stated that the proposed project has been designed to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable. The applicant is also claiming that impacts to wetlands and non-wetland waters of the US are minimized along the proposed project by maximizing the use of non-wetland areas and using existing disturbed areas with low-quality, non-forested wetlands and man-made drainages.

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 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 being sent to the State Archeologist and State Historic Preservation Officer.

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 Commerce.

The New Orleans District has determined that the proposed project is located in waters known to be utilized by the West Indian manatee (*Trichechus manatus*) and determined that the proposed activity is not likely to adversely affect the species based on the Information & Planning Consultation for Endangered Species in Louisiana (IPaC), dated January 27, 220, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office.

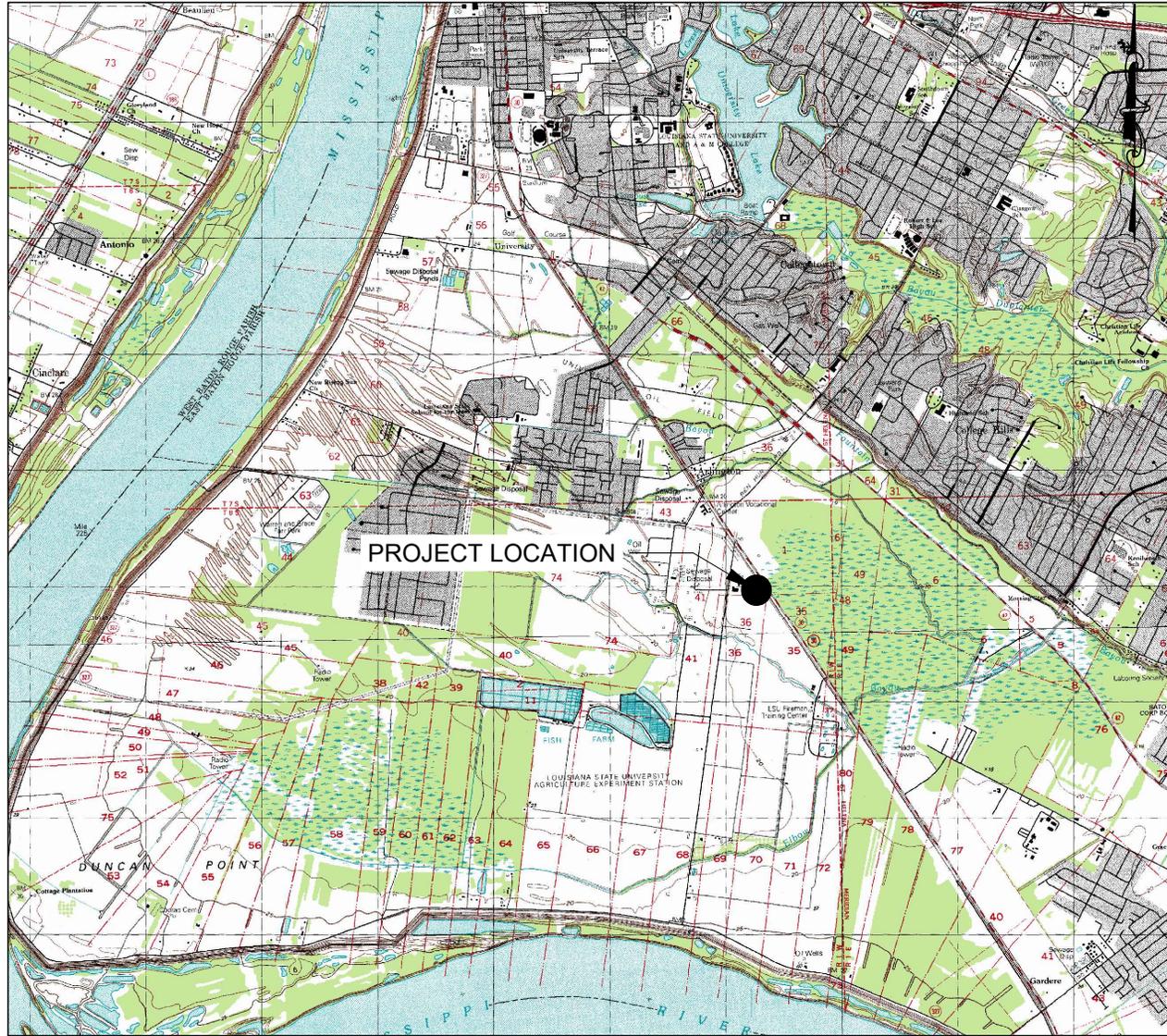
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of up to n/a acres of EFH utilized by various life stages of red drum and penaeid shrimp. 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, Office of Environmental Services before a permit is issued.

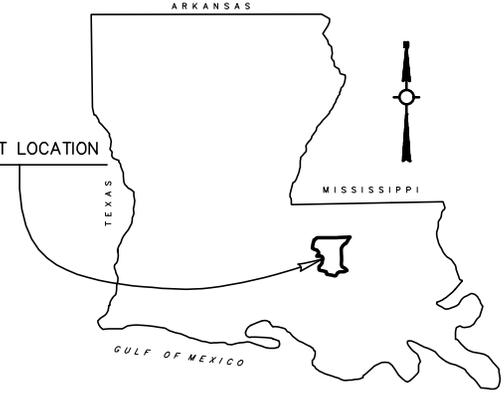
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. You are requested to communicate the information 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

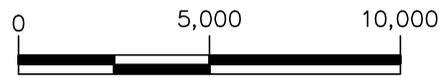
Enclosures



PROJECT LOCATION



VICINITY MAP



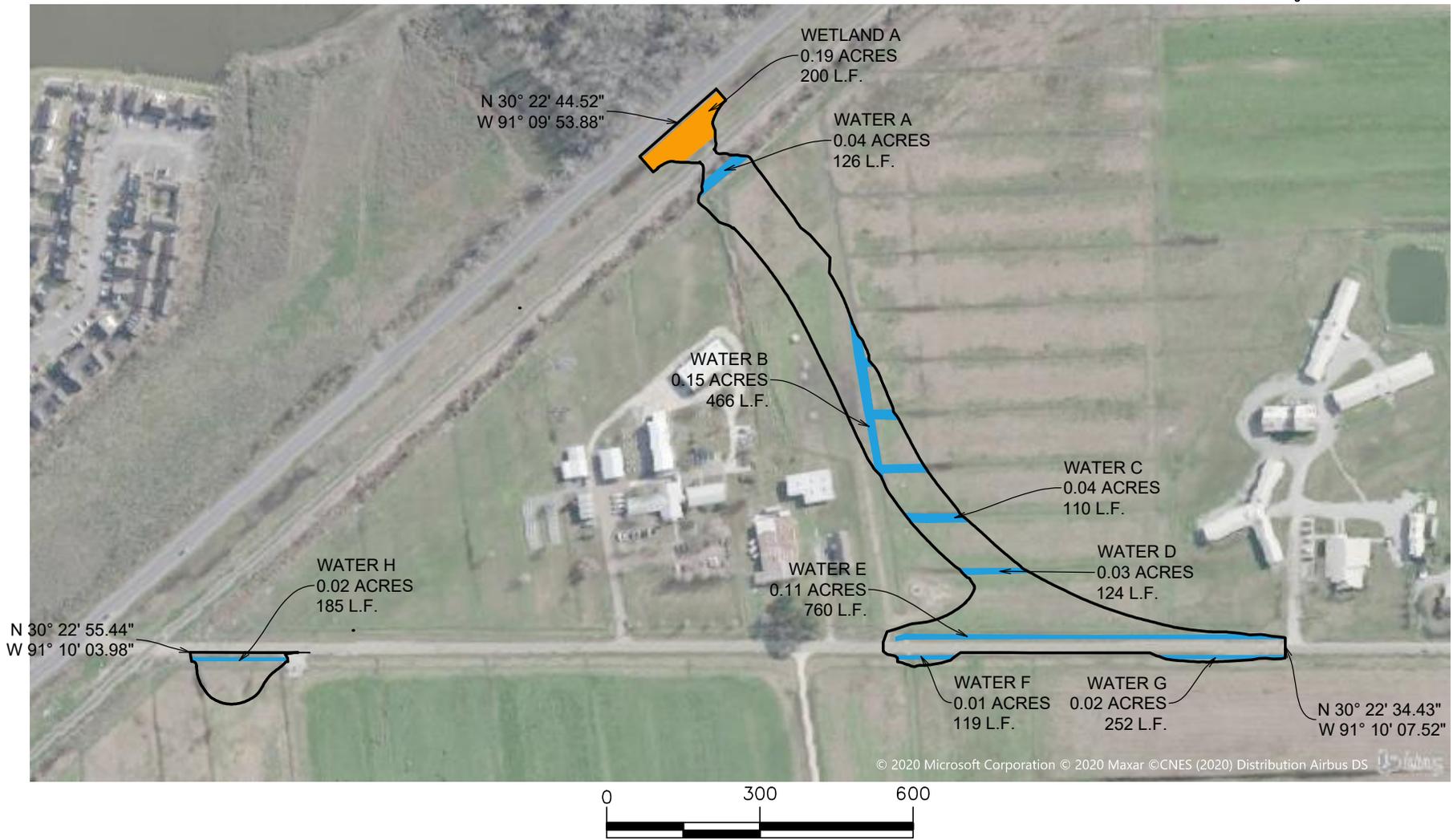
**WETLAND PERMIT**  
 For  
 City Parish Improvements  
 East Baton Rouge Parish

**SITE LOCATION MAP**  
 OCTOBER 2020

**1**

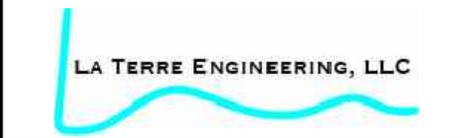
Figure

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- PROJECT AREA
- WETLANDS TO BE IMPACTED (0.19 ACRES)
- NON-WETLAND WATERS OF THE US TO BE IMPACTED (0.42 ACRES)
- NON-WETLANDS

**FILL VOLUMES**  
 EARTHEN FILL: 7,217 CY WETLANDS, 2,871 CY NON-WETLAND WATERS OF THE US  
 ASPHALT: 94 CY WETLANDS, 150 CY NON-WETLAND WATERS OF THE US  
 STONE BASE COURSE: 214 CY WETLANDS, 342 CY NON-WETLAND WATERS OF THE US

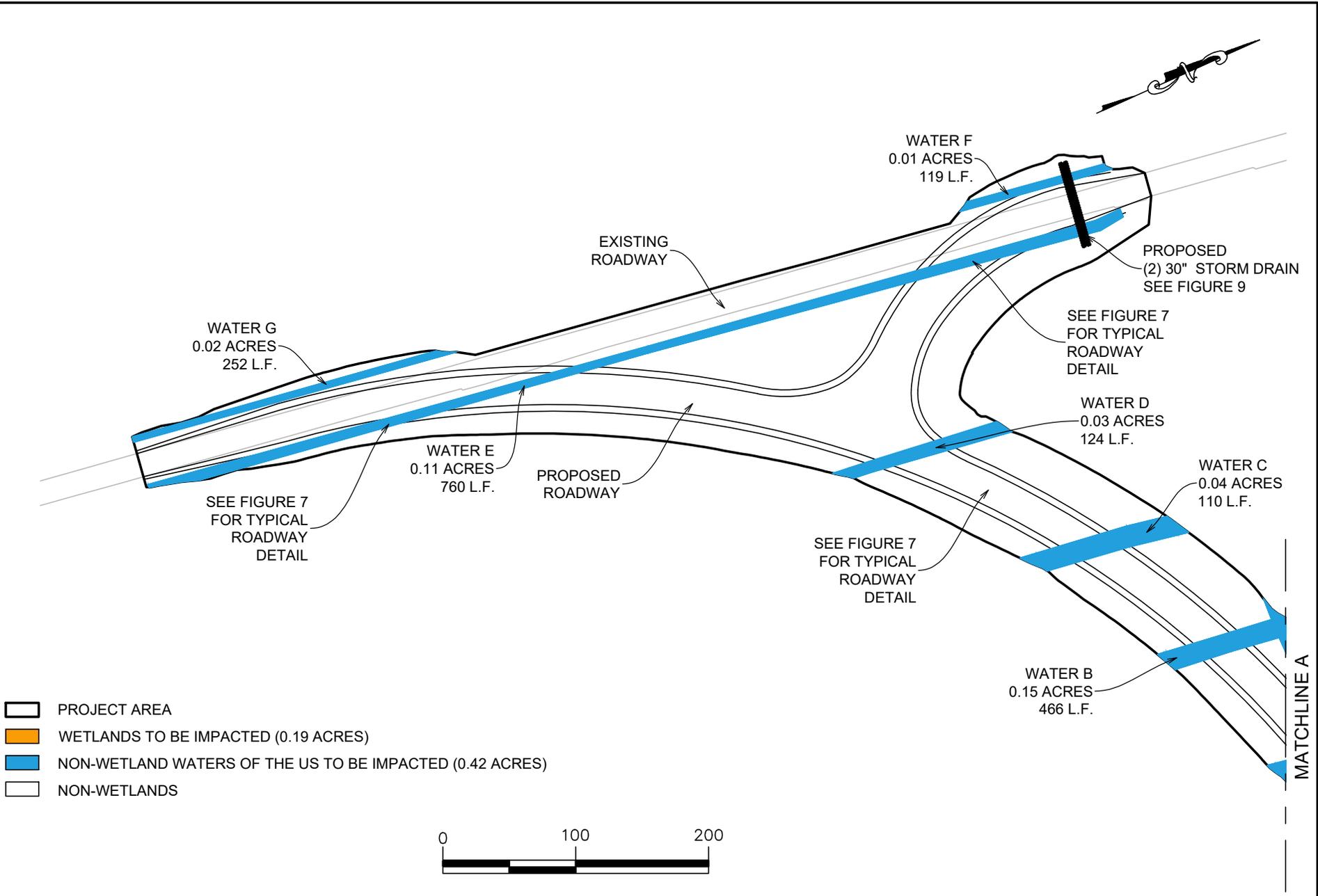


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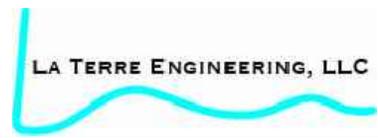
EXISTING CONDITIONS  
 OCTOBER 2020

**2**  
 Figure

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-  PROJECT AREA
-  WETLANDS TO BE IMPACTED (0.19 ACRES)
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-  NON-WETLANDS



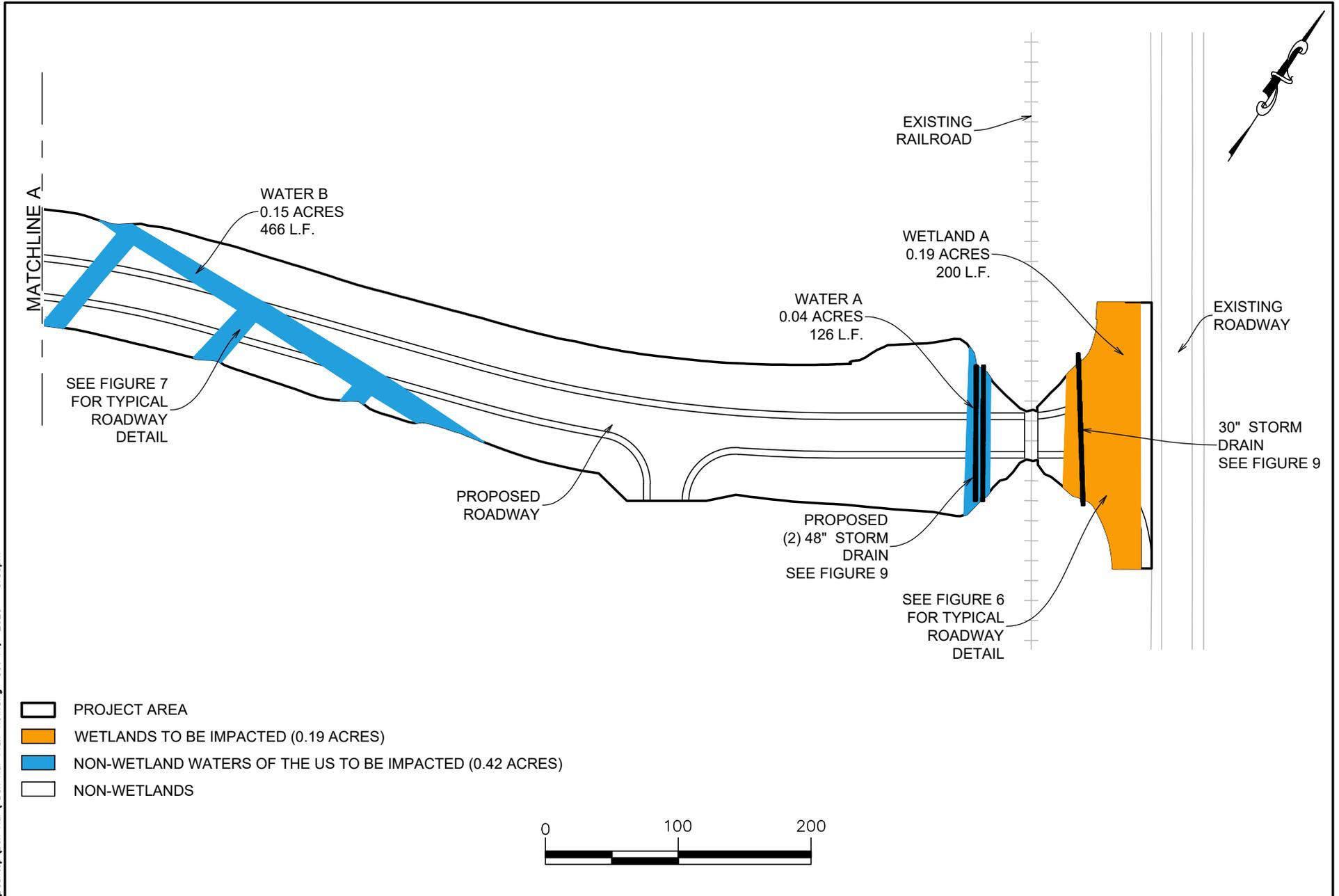
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PLAN VIEW  
OCTOBER 2020

**3**

Figure

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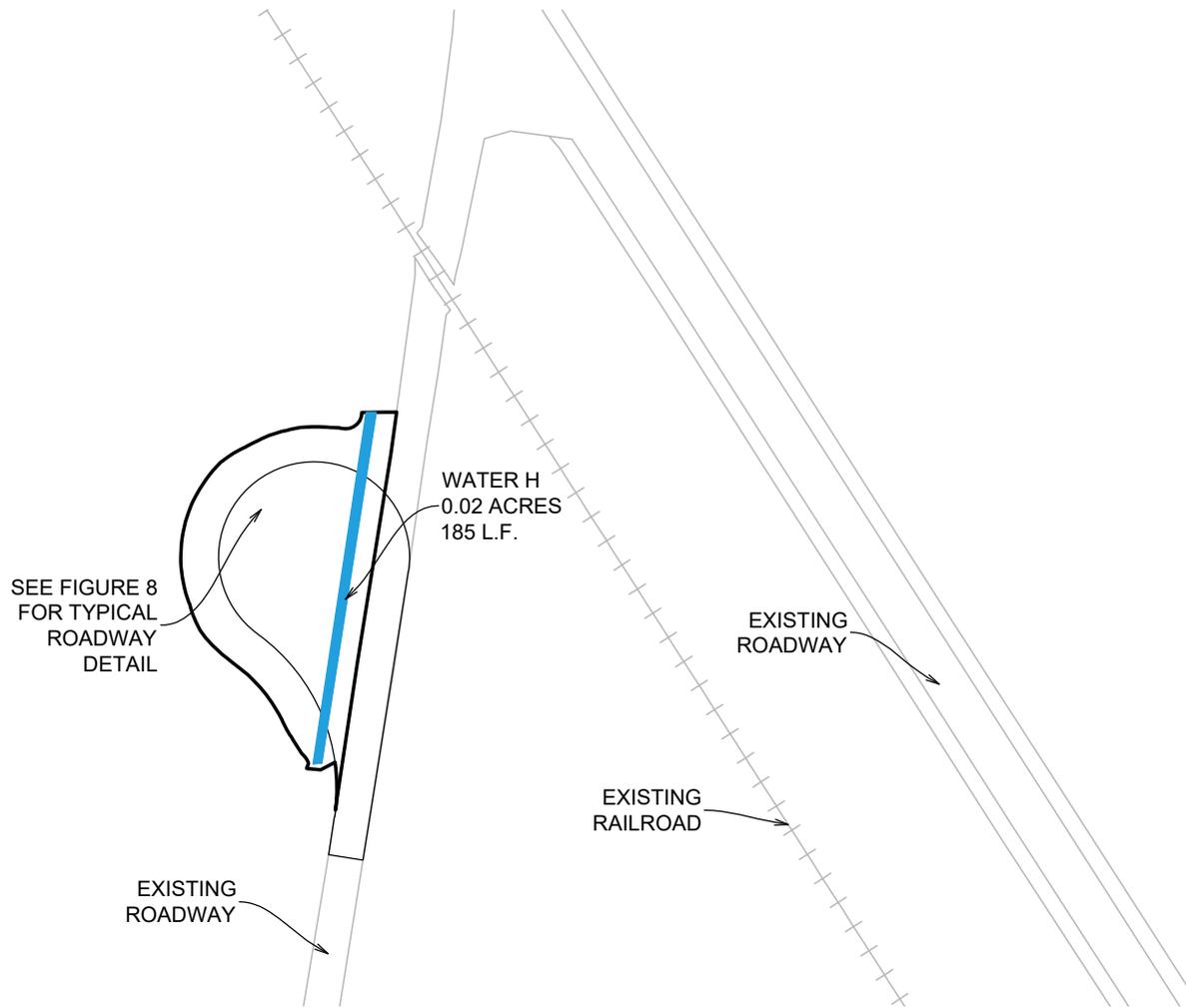


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PLAN VIEW  
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**4**

Figure



-  PROJECT AREA
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-  NON-WETLANDS



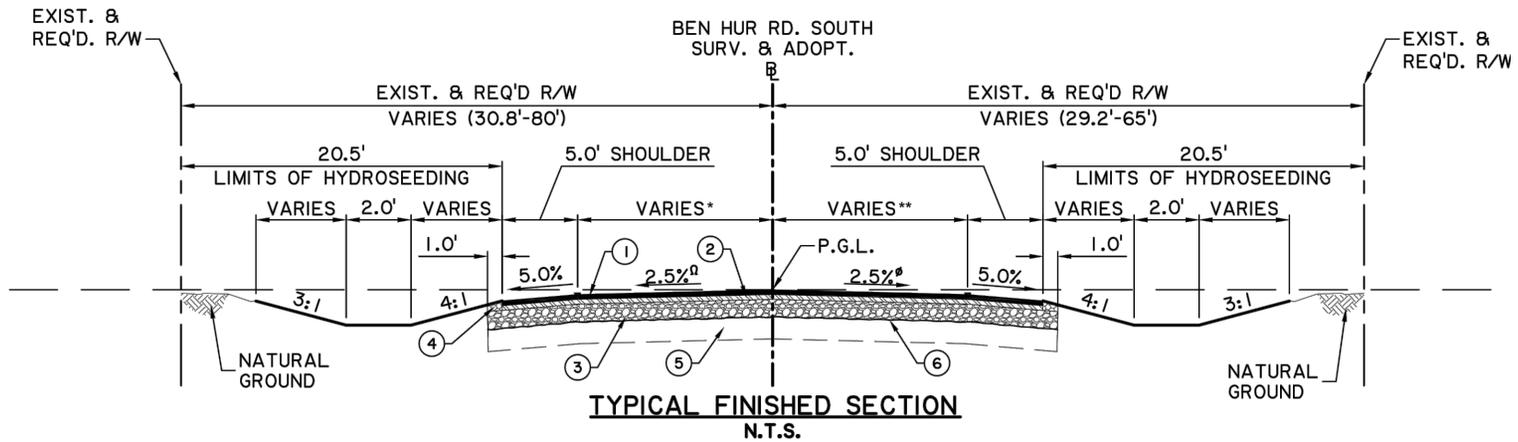
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PLAN VIEW  
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5

Figure

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**LEGEND: FLEXIBLE PAVEMENT**

- ① 1.5" POLYMERIZED ASPHALT CONCRETE WEARING COURSE, TYPE A
- ② 2.0" POLYMERIZED ASPHALT CONCRETE BINDER COURSE, TYPE B
- ③ 8.0" STONE BASE COURSE
- ④ EMBANKMENT (NO DIRECT PAY)
- ⑤ TYPE D SUBGRADE TREATMENT (12" DEPTH, 9% BY VOLUME)
- ⑥ GEOTEXTILE FABRIC

NOTE:  
DRAWINGS FROM FORTE AND TABLADA, INC. DATED 11-1-19 TITLED: TYPICAL SECTION & DETAILS



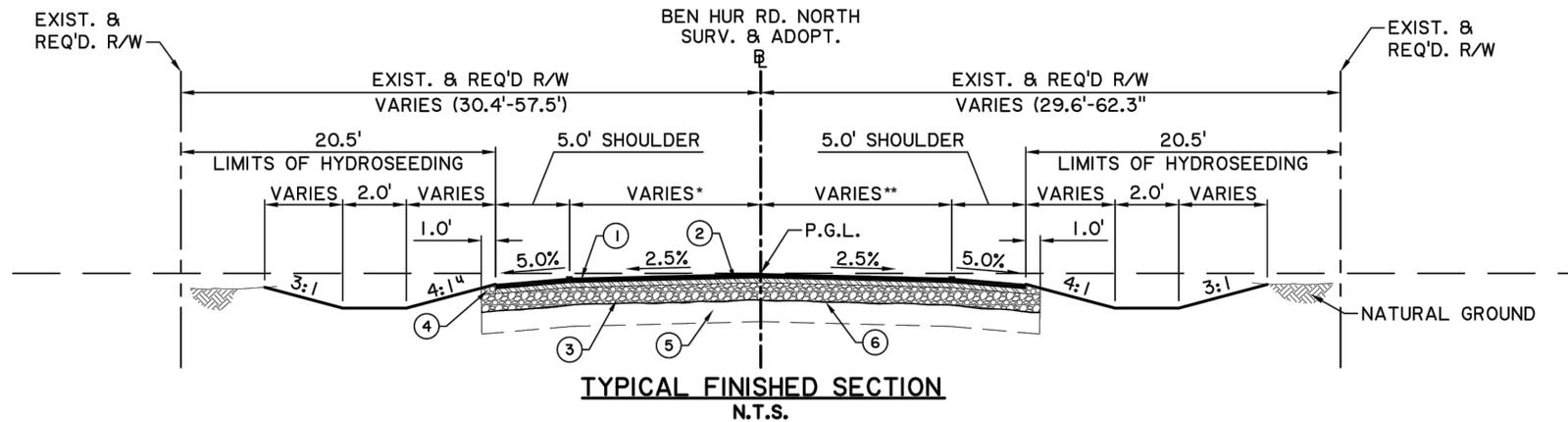
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TYPICAL ROADWAY DETAIL  
IN WETLANDS  
OCTOBER 2020

**6**

Figure

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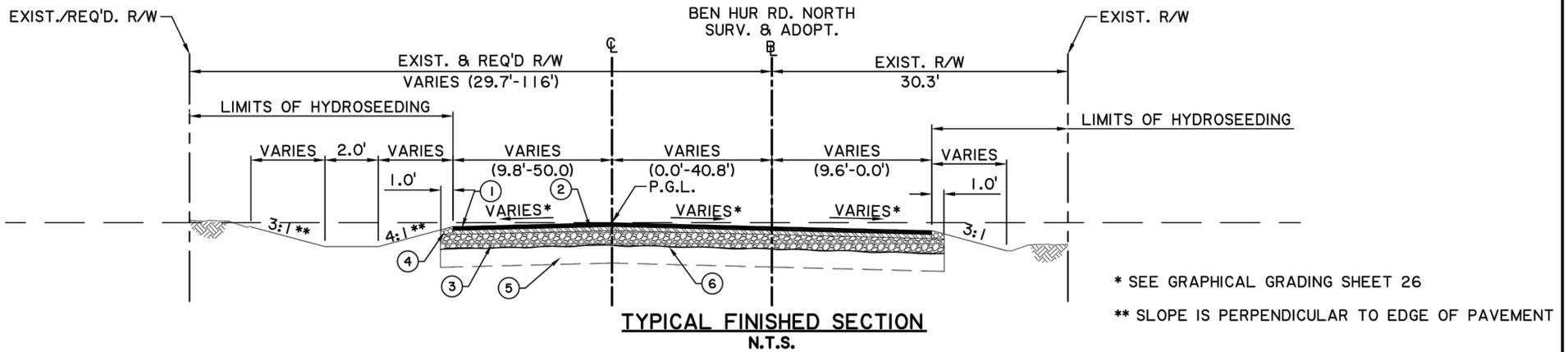


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**TYPICAL ROADWAY DETAIL**  
IN NON-WETLAND WATERS OF THE US  
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**7**

Figure



\* SEE GRAPHICAL GRADING SHEET 26  
 \*\* SLOPE IS PERPENDICULAR TO EDGE OF PAVEMENT

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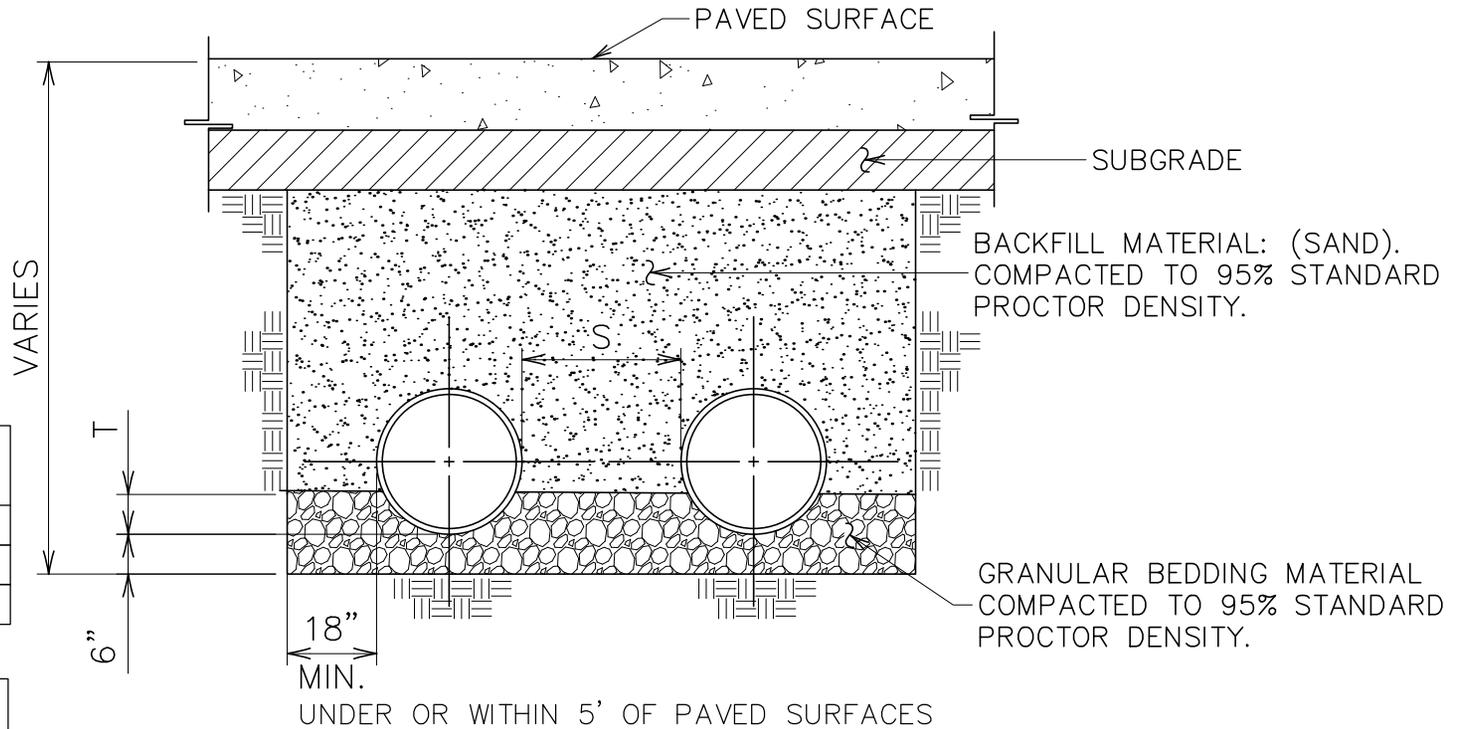


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**TYPICAL ROADWAY DETAIL**  
 IN NON-WETLAND WATERS OF THE US  
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PIPE SPACING	
PIPE SIZE	S
30"	1'-3"
48"	1'-7"

PIPE BEDDING SCHEDULE	
PIPE SIZE	T
12"-30"	6"
36"-60"	12"
66"-96"	18"



**RIGID PIPE BEDDING**  
SCALE: N.T.S.



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**TYPICAL STORM DRAIN  
CROSS SECTION**  
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