



**US Army Corps
of Engineers** ®
Fort Worth District

Public Notice

Applicant: DeSoto Parish Police Jury

Project No.: SWF-2016-00253

Date: March 7, 2018

The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States*. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands*. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

Contact

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JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

AND

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUBJECT: Application for a Department of the Army (DA) Permit under Section 404 of the Clean Water Act (CWA) and for water quality certification under Section 401 of the CWA to discharge dredged and fill material into waters of the United States associated with the construction of a roadway improvement project in the DeSoto Parish, Louisiana.

APPLICANT: DeSoto Parish Police Jury
c/o Mr. Beast Engineering
101 Franklin Street
Mansfield, Louisiana 71052

APPLICATION NUMBER: SWF-2016-00253

DATE ISSUED: March 7, 2018

LOCATION: The proposed roadway improvements project would be located 2.25 miles East of State Road 5 on Wood Springs Road (Exhibit Pgs. 1-3), DeSoto Parish, Louisiana. The proposed project would be located approximately at 32.068798° latitude and -93.920412° longitude on the Longstreet 7.5-minute USGS quadrangle map in the USGS Hydrologic Unit Castor Bayou 120100040303.

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification

PROJECT DESCRIPTION: The applicant proposes to permanently discharge dredged and fill material into approximately 0.78-acre of waters of the United States in conjunction with the construction of the Wood Springs Roadway Improvements Project. In addition, the applicant proposes to temporarily discharge dredged and fill material into approximately 0.23-acre of waters of the United States in conjunction with the construction of the Wood Springs Roadway Improvements Project. This includes permanent and temporary impacts to intermittent tributaries to Castor Bayou and an unnamed tributary; in addition, impacts to forested, scrub-shrub, and emergent wetlands (Exhibit Pg. 4).

I. INTRODUCTION: The applicant is proposing to upgrade an existing roadway within a rural area of DeSoto Parish, Louisiana. The applicant asserts the current culverts at this location have inadequate hydrologic capacity which is resulting in water over-topping the roadway during heavy rainfall and flood events. Over past decades road maintenance and degradation has

lowered the road bed and pushed materials to each side of the roadway causing levee like conditions on both sides of the roadway. In addition, the applicant asserts the bridge and culverts are inadequate to pass hydrologic flows during high rainfall events leading to portions of the being in danger of being washed out. The proposed project consist of elevating the roadbed, replacing the undersized culverts, and adding additional tank cars at critical locations to increase flow capacity and prevent flooding of the roadway. Additionally, the travel lanes are just wide enough to pass one vehicle at a time in areas causing a significant safety concern.

PURPOSE AND NEED STATEMENT: The purpose of the project is to upgrade the existing roadway to prevent future degradation and flooding of the road and to improve safety of the user.

II. **EXISTING CONDITIONS:** According to the Applicant, the project is located on Wood Springs Road at the crossing of the main Bayou Castor channels and several braided streams of Bayou Castor, as well as an unnamed tributary; Bayou Castor and its associated channels are perennial waterways and directly connected to each other. The Project is located within the floodplain of Bayou Castor and is frequently inundated and regularly overtops the roadway. The roadway drops approximately 20-25 feet into the floodplain of Bayou Castor and is flanked on either side by mixed hardwood forest and planted loblolly pine. The Project contains approximately 4,500 linear feet of an existing unpaved roadway located on Bayou Castor, its tributaries and floodplain. The current roadway consists of a concrete bridge crossing Bayou Castor and culverted crossings varying in size which are currently inadequate to pass current flow volumes during high rainfall events.

The *NRCS SSURGO Soil Survey data for DeSoto Parish* illustrated 6 soil types within the project site (Exhibit Pg. 5). These soil types include the Bonn silt loam, Cahaba fine sandy loam, Eastwood fine sandy loam, Guyton silt loam, Keithville very fine sandy loam, and Guyton-Iulus complex series. Guyton-Iulus complex soils are frequently flooded.

The FEMA FIRM: The Wood Springs Road Site is located on the Federal Emergency Management Agency (FEMA) National Flood Hazard Layer (NFHL) for DeSoto Parish, Louisiana. The site is designated as Zone A and X. Zone A describes areas subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Zone X would be described as an area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level. Zone X would be described as an area outside the 1-percent and .2-percent-annual-chance floodplains. No BFEs or base flood depths are shown within these zones.

III. **ADVERSE IMPACTS OF THE PROPOSED PROJECT:** The applicant proposes to permanently discharge dredged and fill material into approximately 0.78-acre of waters of the United States in conjunction with the construction of the Wood Springs Roadway Improvements Project.

IV. **ALTERNATIVES TO THE PROPOSED PROJECT:** The USACE has not yet evaluated the following alternatives analysis proposed by the applicant. According to the applicant, the nature

of the project makes the proposed project “water dependent” and “site dependent” therefore determining alternative actions are limited to determining on-site alternative actions and designs, thus no off-site alternatives were evaluated or proposed. The project is being proposed to eliminate a potential catastrophic failure in the roadway system which could result in additional loss of aquatic resources and functions, as well as a loss in property and life. The current roadway poses a potential hazard to emergency logistics and response as well as a direct safety hazard due to high water events and frequently impassable roadways during storm events. The following alternative analysis includes factors such as utilization of current construction techniques, transportation/logistical and safety needs, costs and access. The geographic boundary for this analysis is limited to areas considered for the on-site alternatives.

NO ACTION ALTERNATIVE: According to the applicant, the no build option would eliminate the proposed impacts to aquatic resources. However, this action would likely result in a catastrophic failure of the roadway and/or bridge which could result in greater impacts to aquatic ecosystem than what is being proposed in the preferred alternative.

OFF-SITE ALTERNATIVES: The applicant has not proposed any off-site alternatives (see comments in IV above).

ON-SITE ALTERNATIVES: The applicant considered two design alternatives for the preferred development site. According to the applicant, they were unable to avoid all impacts to on-site aquatic features because of the location of the existing project.

Alternative Design 1: According to the applicant, the original proposal involved larger areas to be cleared and disturbed as part of the project design in order to gain access to the creek bottom for dredging and clearing of the channel. This alternative was designed with 4:1 slopes, typical for these types of roadways and placed rip-rap on the upstream and downstream portions of each of the culvert locations with no weir on the tank car culverts located at 25+00. The construction of this alternative would result in an estimated total for permanent impacts to 0.074 ac of stream and 0.757 ac of wetland resources, with an additional 0.3 ac of stream and 0.29 ac of wetland temporary impacts. The practicality of this alternative would be roughly the same as Alternative 2 with slightly higher costs due to additional labor and materials for the additional clearing and in-stream work.

Preferred Design: According to the applicant, the preferred design would result in the fewest impacts to aquatic ecosystem of the alternatives considered. The original proposal called for significant in-stream work to be conducted for the purpose of conveyance of the flows in Bayou Castor into the new tank cars. This portion of the project has been eliminated, as it would likely disturb more area than is required to perform the primary purpose of the project. All in-stream work will be only for the direct replacement of the culverts and placement of rip-rap. Further reductions have been made in several locations to minimize impacts where they were deemed impracticable. A weir has been added at the inlet of station 25+00 to further mitigate for in-stream flows and provide for assurance that Bayou Castor will not be redirected or reduced below minimum baseline flows.

Proposed Design Technical Description: The roadway will be designed to meet RL-2 specifications with a 22-foot crown width, 9-foot travel lanes and 2-foot aggregate shoulders. The roadway grade will be raised a maximum of 4.5 feet at station 12+78.61. The existing roadway is below surrounding natural grade except at the bridge location. At station 12+78.61 the existing two (2) – 36 inch x 30-foot corrugated metal pipe culverts will be removed and replaced by two (2) -36 inch x 52-foot plastic pipe culverts at 90 degrees. At station 25+00, four (4) – 9.5-foot diameter by 80 foot long tank car culverts will be installed at a 45 degree skew. An 18-inch weir on the upstream portion of tank car culverts will maintain base flows within Bayou Castor and provide additional flow volumes during peak flow events. The applicant is not proposing upstream dredging beyond what is required to install the pipes. Downstream the culverts are directed into an existing backwater slough which is frequently flooded as it is directly connected to Bayou Castor. The downstream backwater slough is directly connected to the downstream will minimally re-graded to remove debris and drain to main channel. At station 32+63, three (3) - 60 inch x 60' plastic pipes will be installed to provide additional relief to bridge. At station 40+40.56, the existing 24 inch x 24 foot corrugated metal pipe will be replaced by one (1) 24 inch x 48 foot plastic pipe culvert at a 45 degree skew. Grouted rip-rap will be placed along the slopes and upstream and downstream of the tank car culverts (Exhibit Pgs. 6-21).

Alternatives Summary: According to the applicant, the no build option is included as an alternative, however, this would result to further deterioration of the roadway and likely failure of one or more of the culverts requiring additional emergency work and potentially a catastrophic failure of the system resulting in potentially greater impacts to aquatic ecosystem. Every effort has been made in the preferred design to minimize impacts to aquatic ecosystem to the maximum extent practicable, such as reducing the footprint of the roadway by reducing slopes from 4:1 to 3:1 and adding grouted rip-rap (allowing higher slope values) where applicable, reducing the numbers of trees removed and limiting clearing to only the adjacent roadway. The original proposal would result in an additional impacts of 0.22-ac of temporary stream, 0.15-ac of temporary wetland, 0.2-ac of permanent, and 0.02-ac impacts to wetlands. The current preferred design alternative would be the least damaging practicable alternative (LEDPA).

V. COMPENSATORY MITIGATION: To offset unavoidable adverse impacts to potential waters of the U.S., the applicant proposes to purchase credits at the Bushneck Bayou Mitigation Bank.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefits 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 its cumulative effects. Among the factors addressed are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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 USACE 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 USACE in determining whether to issue, issue with modifications, or conditions, 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 the 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.

STATE WATER QUALITY CERTIFICATION: Louisiana Department of Environmental Quality (LDEQ) water quality certification is required. Concurrent with processing of this application, the LDEQ is reviewing this application under Section 401 of the Clean Water Act and in accordance with Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A (3) to determine if the work would comply with State water quality standards and other applicable provisions of the CWA. By virtue of an agreement between the USACE and the LDEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the LDEQ a decision on water quality certification under such act.

Comments concerning this application for water quality certification in Louisiana must be submitted, using the applicant's name, to: State of Louisiana, Department of Environmental Quality, Attention: Water Quality Certifications, P.O. Box 4313, Baton Rouge, LA 70821-4313. The public comment period extends 30 days from the publication date of this notice. A copy of the public notice with a description of the work is available for review between 8:00 a.m. and 4:30 p.m. weekdays at the LDEQ office at 602 North 5th Street, Baton Rouge, Louisiana 70802. Copies may be obtained upon payment of the cost of printing. The LDEQ may conduct a public hearing to consider all comments concerning water quality if requested in writing. A request for a public hearing must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requester, or of persons represented by the requester; and a brief description of how the application, if granted, would adversely affect such interest.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the U.S. Fish and Wildlife Service's latest published version of endangered and threatened species to determine if any may occur in the project area. The proposed project would be located in DeSoto Parish where the Northern long-eared bat (*Myotis septentrionalis*), Bald eagles (*Haliaeetus*

leucocephalus), Red-cockaded woodpeckers (*Picoides borealis*), and the Earth-fruit (*Geocarpon minimum*) are known to or believed to occur or may occur as migrants. All of the aforementioned species are listed as endangered species in this county. Our initial review indicates that the proposed work would have no effect on federally-listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: The area of the proposed Wood Springs Roadway Improvements Project has been surveyed for the presence of historic or prehistoric cultural resources. There are no properties eligible for, or listed on, the National Register of Historic Places within the proposed permit area.

FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.

SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before April 5, 2018, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to ; Regulatory Division, CESWF-DE-R; U. S. Army Corps of Engineers; Post Office Box 17300; Fort Worth, Texas 76102-0300. You may visit the Regulatory Branch in Room 3A37 of the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday. Telephone inquiries should be directed to Steve D. Lindamood at (817) 886-1670. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS