

**JOINT PUBLIC NOTICE**

March 8, 2000

DEPARTMENT OF THE ARMY  
NEW ORLEANS DISTRICT  
CORPS OF ENGINEERS  
REGULATORY FUNCTIONS BRANCH  
P.O. BOX 60267  
NEW ORLEANS, LA 70160  
(504) 862-2299

COE REVIEWER:  
Roger Swindler

COE NUMBER:  
EM-20-000-0835

STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF WATER RESOURCES  
WATER POLLUTION CONTROL DIVISION  
P.O. BOX 82215  
BATON ROUGE, LA 70884  
(225) 765-0664

DEQ REVIEWER:  
James Little

WQC NUMBER:  
WQC991228-06

STATE OF LOUISIANA  
DEPARTMENT OF NATURAL RESOURCES  
COASTAL MANAGEMENT DIVISION  
P.O. BOX 44487  
BATON ROUGE, LA  
70804-4487  
(225) 342-8917

CMD REVIEWER:  
Jeff Thibodeaux

CUP NUMBER:  
P991483

Interested parties are hereby notified that the Coastal Management Division of the Department of Natural Resources has received the following application for a Coastal Use Permit in accordance with the State and Local Coastal Resources Management Act of 1978, as amended, (Louisiana R.S. 49, Sections 214.21-214.41), and the rules and regulations of the Coastal Resources Program.

Additionally, 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 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344), [X]Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403).

Application has also been made to the Louisiana Department of Environmental Quality, Office of Water Resources for a Water Quality Certification in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and Provisions of Section 401 of the Clean Water Act (P.O. 95-217).

**NAME: Rathborne Land Company and St. Charles Parish**  
c/o J. V. Burkes & Associates, Inc.  
Attn: Barbara Pellegrini  
2990 East Gause Boulevard, Suite B  
Slidell, LA 70461

**LOCATION: St. Charles Parish, LA; Bayou Cypriere Longue; Sections 3, 4, 5, 9, 10, 15, 39, & 40; T14S-R21E;**  
**POB: Lat. 29° 53' 23", Long. 90° 21' 00", POE: Lat. 29° 53' 44", Long. 90° 20' 20".**

**DESCRIPTION: Proposed refurbishment of approximately 37,500' of an existing levee to provide adequate elevation height in severe storm events. Approximately 12,400 cu. yds. of onsite clay material will be removed from borrow areas and placed on existing levee. Approximately 17.2 acres of the existing levee may be impacted by the proposed project.\*\***

\*This date represents the beginning date of the Corps of Engineers public notice period. The official date of the beginning of the public comment period for Coastal Use Permit and Water Quality Certification applications begins on the date of publication of the notice in the official state journal (The Advocate), in accordance with the Rules and Procedures for Coastal Use Permits, §723.C.5.c. The Coastal Management Division will inform interested parties of the exact date of publication on request.

\*\*Habitat impacts are based on available in-house data and may not represent actual conditions. Field reconnaissance may be required to verify extent of impacts.

127

P 991483

FILE

(2)

THE APPLICANT MUST SECURE A STATE COASTAL USE PERMIT PLUS A DEPARTMENT OF THE ARMY PERMIT OR A GENERAL PERMIT AUTHORIZATION FROM THE CORPS OF ENGINEERS. INDEPENDENT EVALUATIONS AND DECISIONS WILL BE MADE BY THE COASTAL MANAGEMENT DIVISION AND THE CORPS OF ENGINEERS.

Plans for the proposed work are now on file and may be inspected at the Office of the Coastal Management Division, Department of Natural Resources, State Land and Natural Resources Building, 625 North 4th Street, Room 1011, Baton Rouge, LA 504/342-7591. Written comments, including objections to the proposed work and reasons therefore, and suggestions for modifications thereof, are solicited from anyone having an interest in the matter. Comments to the state of Louisiana must be mailed within 25 days of the date of official journal publication of this notice and must be addressed to Coastal Management Division, Louisiana Department of Natural Resources, P. O. Box 44487, Baton Rouge, LA. 70804. Comments can be filed with the Office of Water Resources within ten days of this notice to the following address: Louisiana Department of Environmental Quality, Office of Water Resources, Water Pollution Control Division, P. O. Box 82215, Baton Rouge, LA 70884. Comments to the Corps of Engineers must be received up to and including 20 days from the date of the public notice and must be addressed to the Regulatory Functions Branch, U.S. Army Corps of Engineers, Post Office Box 60267, New Orleans, LA 70160-0267. All comment letters should contain both the applicant's name and the application number.

State of Louisiana Coastal Use Permit Criteria

The decision on whether or not to issue a Coastal Use Permit will be based on an evaluation of the probable impacts of the proposed activity in accordance with the state policies outlined in R.S. 49:214.22. The decision will reflect the national concern for both protection and utilization of important resources. The decision must be consistent with the state program and approved local programs for affected parishes and must represent an appropriate balancing of social, environmental and economic factors. All factors which may be relevant to the proposal will be considered; among these are flood and storm hazards, water quality, water supply, feasible alternative sites, drainage patterns, historical sites, economics, public and private benefits, coastal water dependency, impacts on natural features, compatibility with the natural and culture setting and the extent of long term benefits or adverse impacts.

Certification that the proposed activity will not violate applicable water and air quality laws, standards and regulations will be required before a permit is issued.

State of Louisiana Water Quality Certification Criteria

In accordance with the Joint Public Notice Agreement between Coastal Management Division and the Office of Water Resources, notice is hereby given that the applicant has applied to the Louisiana Department of Environmental Quality, Office of Water Resources for a Water Quality Certification in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and provision of Section 401 of the Clean Water Act (P.L. 95-217).

Comments concerning this application can be filed with the Office of Water Resources within ten days of this notice to the following address: Louisiana Department of Environmental Quality, Office of Water Resources, Water Pollution Control Division, P.O. Box 82215, Baton Rouge, Louisiana 70884.

Additional information is on file with the above office, and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained upon payment of cost of printing. A final decision on this application will be made within 60 days after publication of this notice.

Corps of Engineers Federal 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 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

SCANNED  
9-10-03

128

P991483

3

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 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 Corps of Engineers to determine whether to issue, 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 the other public interest factors listed above. Comments are used in 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.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. 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 and coordination with the National Marine Fisheries Service.

No properties listed in the National Register of Historic Places are near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archaeological, scientific, prehistorical, or historical sites or data. Copies of this notice are being sent to the State Archaeologist 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. Department of Interior nor affect any habitat designated as critical to the survival and recovery of any endangered species.

The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant receives approval or waiver of the Coastal Use Permit by the Department of Natural Resources.

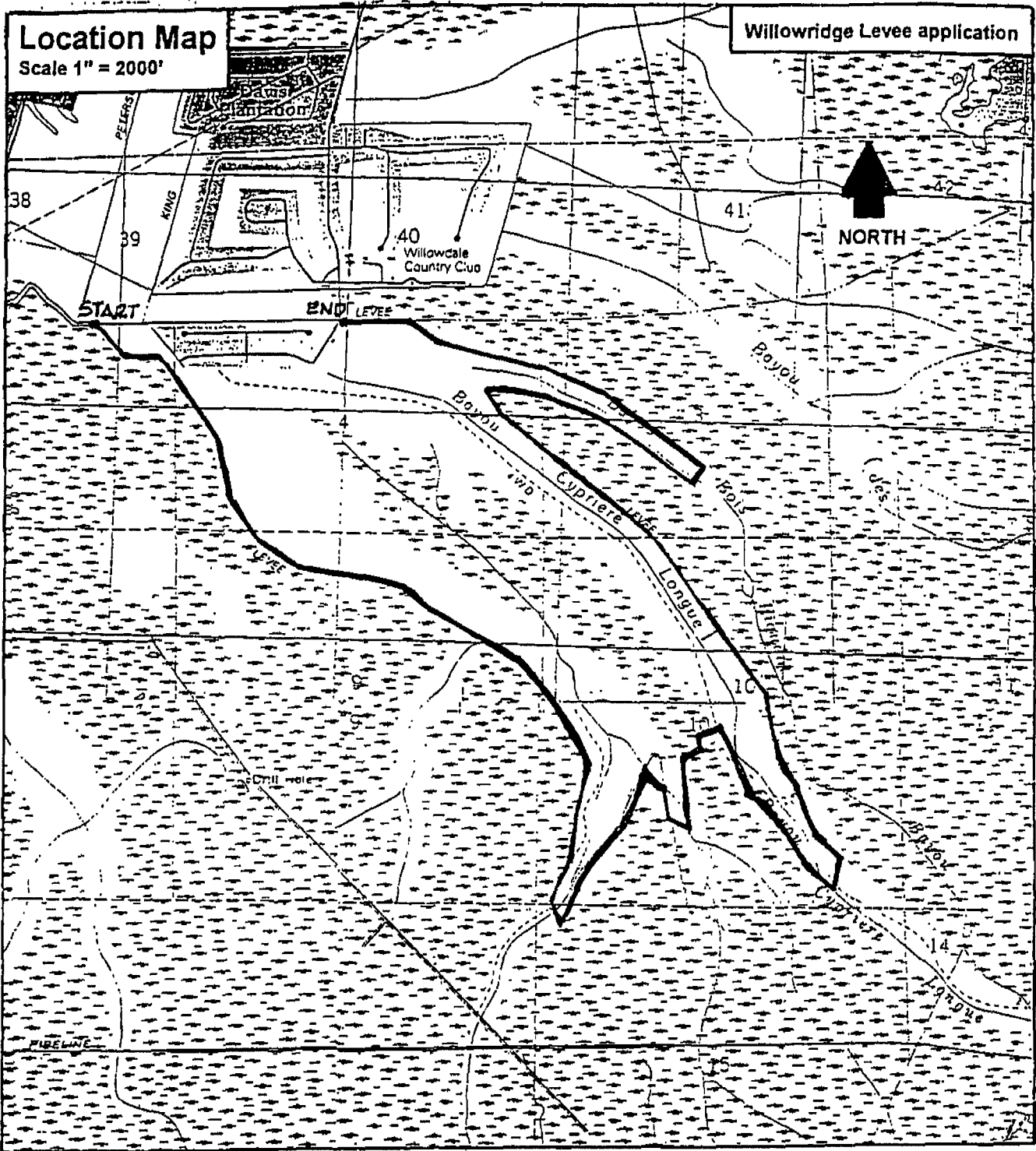
If the proposed work involves deposits of dredged or fill material into waters of the United States, the evaluation of the probable impacts will include the application guidelines established by the Administrator of the Environmental Protection Agency. Certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, Office of Water Resources before a permit is issued.

You are requested to communicate the information contained in this letter to any other parties whom you deem likely to have interest in this matter.

**Public Hearings**

Any person may request, in writing, within the comment period specified in this notice, that a State or Federal public hearing be held to consider this application. Request for public hearings shall state, with particularity, the reasons for holding a public hearing.

129



4  
P 991483

Willowridge Levee located in  
 Sections 3,4,5,9,10,15,39, and 40 – T14S – R21E  
 St. Charles Parish, Louisiana

Start Point  
 Latitude: 29° 53' 23" N  
 Longitude: 90° 21' 00"W

End Point  
 Latitude: 29° 53' 24" N  
 Longitude: 90° 20' 20"W

130

SCANNED  
 9-10-03

START CONSTRUCTION

END CONSTRUCTION



NORTH

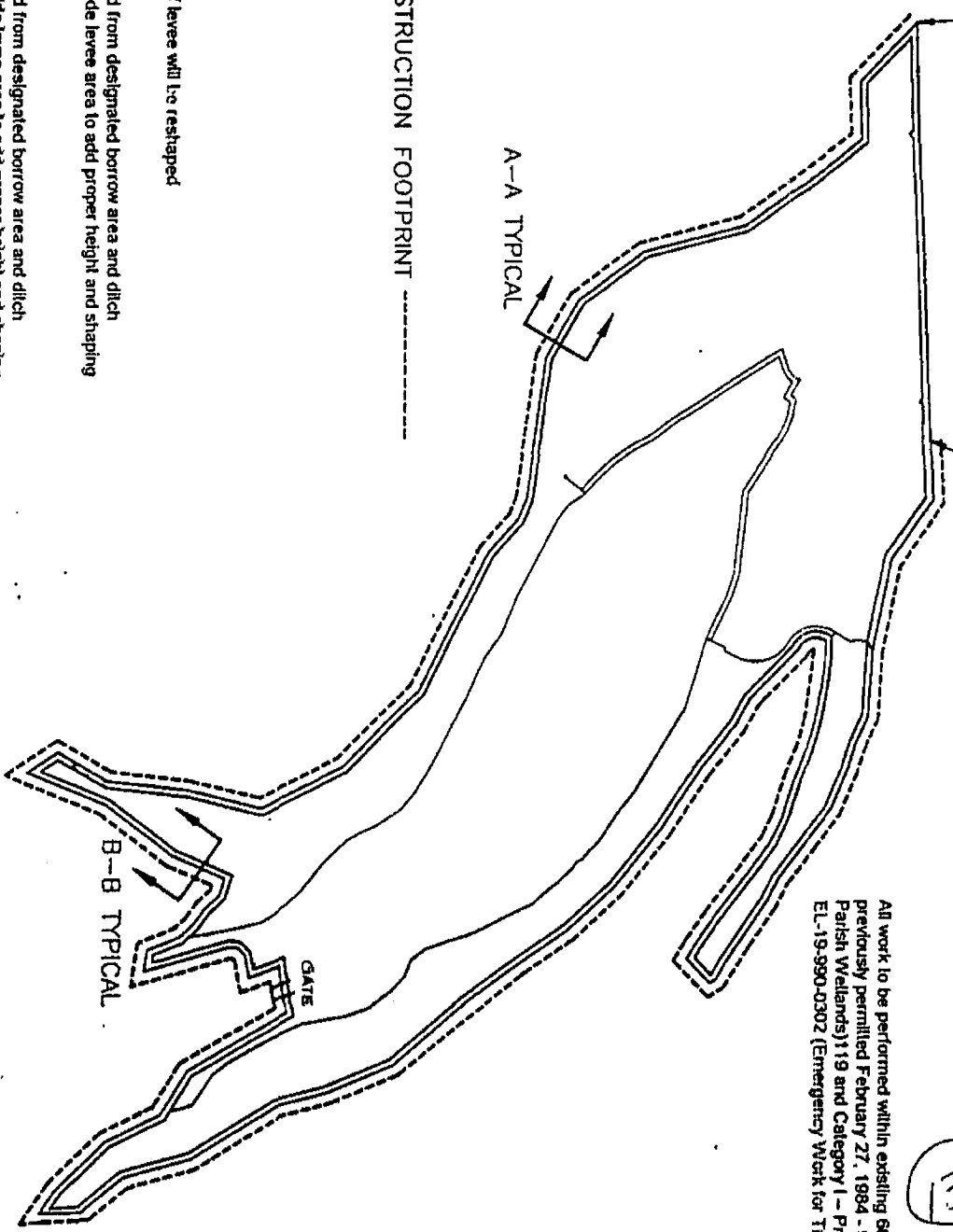
P99148-3

Willowridge Levee application

# Site Plan

(131)

All work to be performed within existing 60' wide ring levee easement previously permitted February 27, 1984 - LMNOD-SP St. Charles Parish Wetlands) 119 and Category I - Programmatic General Permit EL-19-990-0302 (Emergency Work for Tropical Storm Francis)



CONSTRUCTION FOOTPRINT -----

Approximately 37,500 linear feet of levee will be restaped

**Section A-A**  
Approximately 5,500 c.y. excavated from designated borrow area and ditch  
Re-deposited within existing 16' wide levee area to add proper height and shaping

**Section B-B**  
Approximately 6,900 c.y. excavated from designated borrow area and ditch  
Re-deposited within existing 16' wide levee area to add proper height and shaping

DATE	REVISION
11/27/99	SECTION NOTES/REMARKS: HY
12/3/99	SLOW GATE LOCATION

PLAN VIEW WILLOWRIDGE LEVEE

PLAN VIEW TO BE MODIFIED

ULURNO, LA

ST. CHARLES

Danny J. Hebert, P.E.

Licensed Civil and Environmental Engineer  
P.O. BOX 1528  
Luling, Louisiana

DESIGNED BY	DJH	DRAWN BY	DJH	CHECKED BY	DJH
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STAMP

SCALE 1" = 150'

DATE 11/11/99

BY WRL

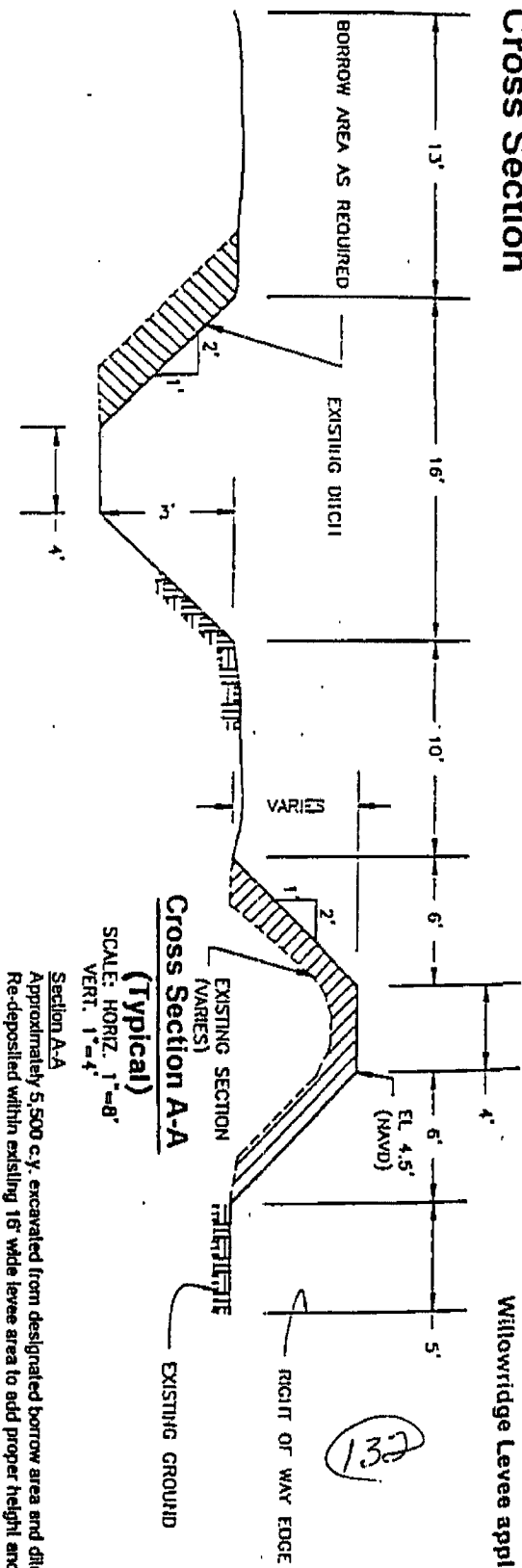
SHEET NO. 1 OF 1

# Typical Cross Section

Willowridge Levee application

P991483

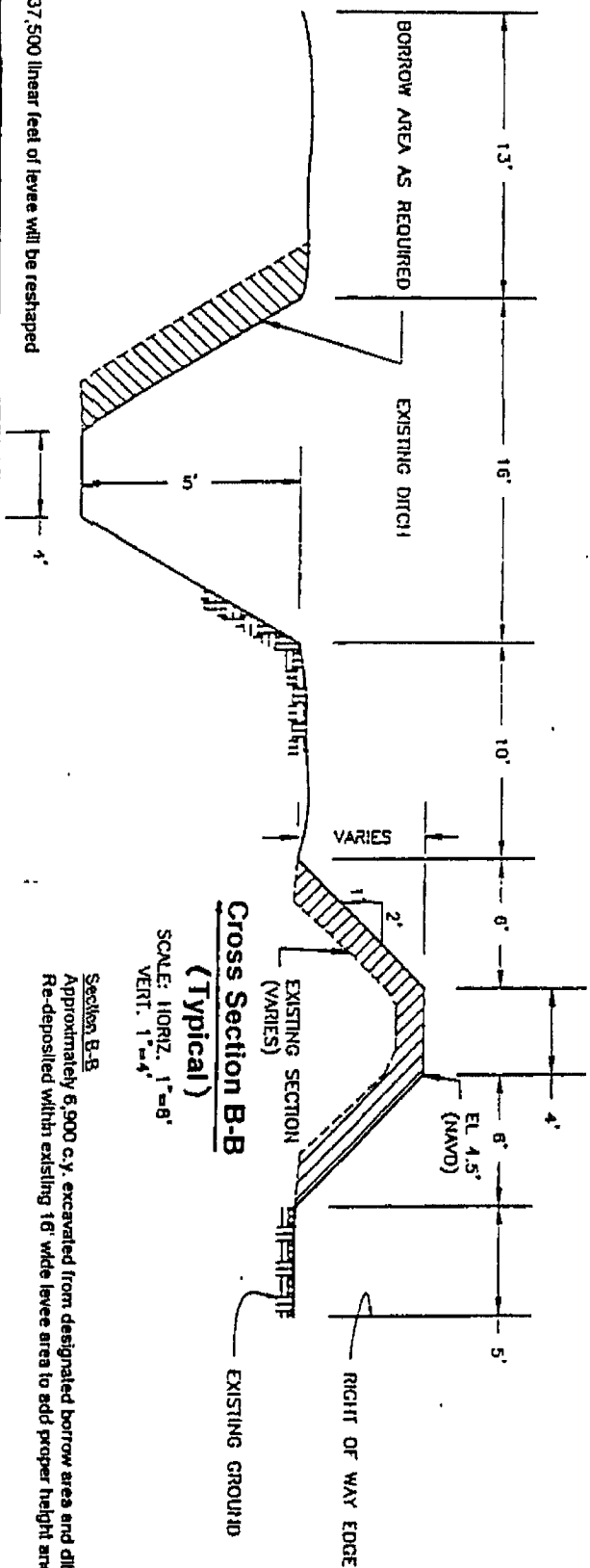
6e



132

Section A-A  
Approximately 5,500 c.y. excavated from designated borrow area and ditch  
Re-deposited within existing 16' wide levee area to add proper height and shaping

Cross Section A-A  
(Typical)  
SCALE: HORIZ. 1"=8'  
VERT. 1"=4'



Cross Section B-B  
(Typical)  
SCALE: HORIZ. 1"=8'  
VERT. 1"=4'

Section B-B  
Approximately 6,800 c.y. excavated from designated borrow area and ditch  
Re-deposited within existing 16' wide levee area to add proper height and shaping

Approximately 37,500 linear feet of levee will be reshaped

DATE	REVISION	WILLOWRIDGE LEVEE SECTION	DANNY J. HEBERT, P.E.	STAMP	SCALE AS SHOWN
11/21/91	ADD SECTION NOTES & ASSURE OF THE				
PROPOSED CROSS SECTIONS FOR THE EXISTING WILLOWRIDGE RING LEVEE		Licensed Civil and Environmental Engineer		11/1/98	
LUDWIG, LA		P.O. BOX 1528		NRL	
ST. CHARLES		Luling, Louisiana		1 of 2	

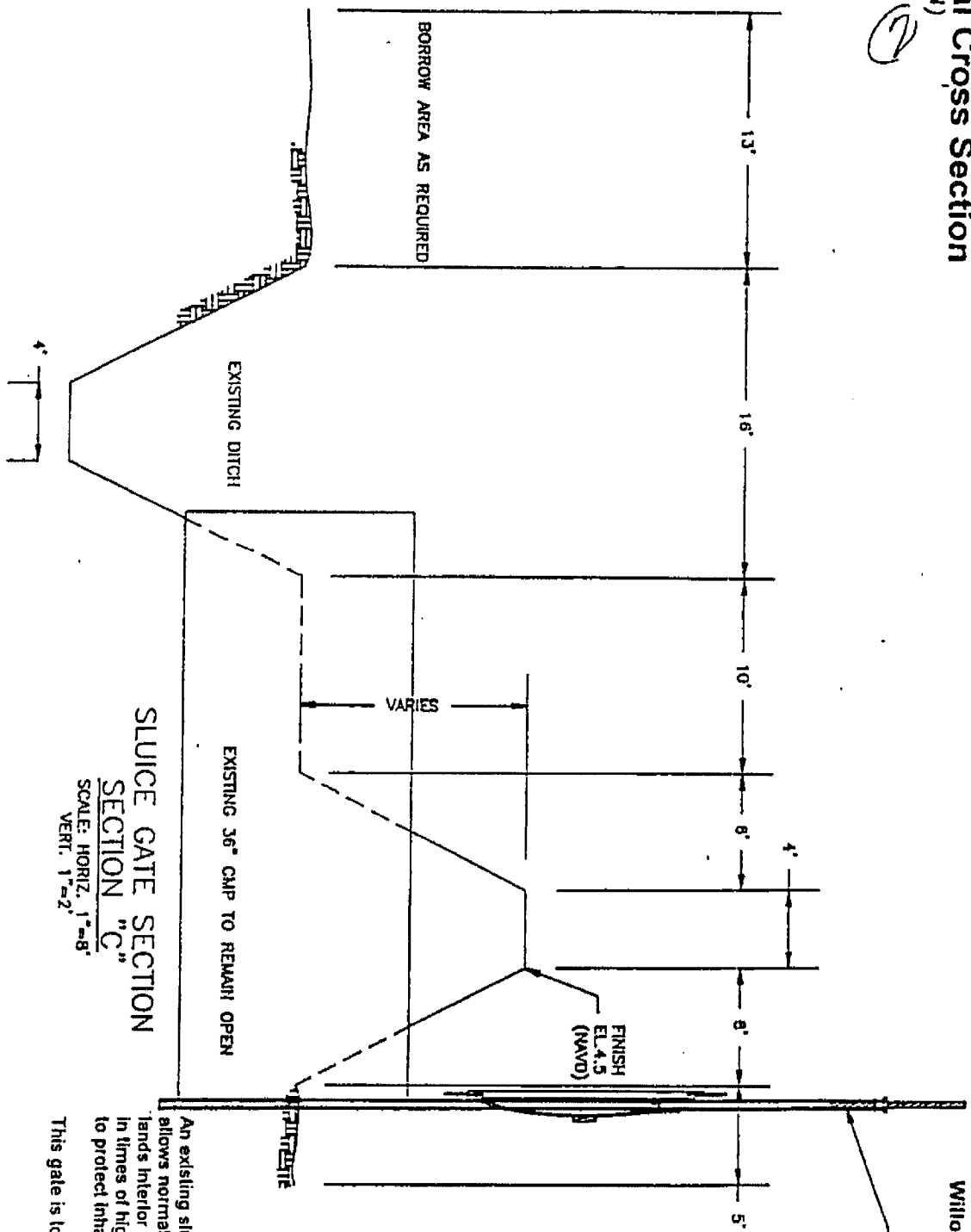
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# Typical Cross Section

(continued)

P991483

(2)



Willowridge Levee application

EXISTING SCREW GATE TO REMAIN OPEN

133

An existing sluice gate built into the levee allows normal interchange of water between lands interior and exterior to the levee except in times of high water when the gate is closed to protect inhabited areas.  
This gate is to remain in place.

## SLUICE GATE SECTION SECTION "C"

SCALE: HORIZ. 1"=8'  
VERT. 1"=2'

EXISTING 36" GAMP TO REMAIN OPEN

VARIES

FINISH EL. 4.5 (NAVD)

## WILLOWRIDGE LEVEE SECTION

CROSS SECTIONS FOR WILLOWRIDGE RING LEVEE

LULING, LA

ST. CHARLES

Danny J. Hebert, P.E.  
Licensed Civil and Environmental Engineer  
P.O. BOX 1328  
Luling, Louisiana

DATE	REVISION	DATE	REVISION
12-3-91	ENLARGE GATE NOTE		
	ADD CASE		

DATE	REVISION

### AFFIDAVIT OF NOTIFICATION TO OWNER OF PROPERTY

State of Louisiana

Parish of St. Charles

Rathborne Land Co., Inc. and St. Charles Parish Public Works Department is applying to the Coastal Management Division of the Louisiana Department of Natural Resources for a Coastal Use Permit for the purpose of:

**Levee maintenance along Willowridge Levee**

This activity is to occur on the following described property:

**Sections 3,4,5,9,10,39 & 40 – T14S – R21E, St. Charles, LA**

Further, with regard to ownership of the above described property ( check appropriate block):

I am the owner of the property on which the above described activity is to occur.

I have made every reasonable effort to determine the identity and current address of the owner(s) of the land on which the above described use is to occur, which included, if necessary, a search of public records of the parish. The owner(s) and their address(es) are as follows:

Rathborne Land Company, Inc.  
P.O. Box 157  
Harvey, LA 70059

St. Charles Parish  
P.O. Box 302  
Hahnville, LA 70057

A copy of the application has been distributed to the above listed owner(s).

Signed this 10<sup>th</sup> day of December, 1999

By: *Greg Lier* *Chris Tregre*  
Applicants: Greg Lier for Rathborne Land Co., Inc and Chris Tregre for St. Charles Parish

\* J.V. Burkes & Associates  
2990 East Gause Blvd. Suite B  
Slidell, LA 70461  
Tel (504) 649-0075

\*Authorized agent for above applicants



APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT (33 CFR 325)

OMB APPROVAL NO. 0710-003 Expires October 1998

burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, reaching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 04, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction at the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine Use: Information provided on this form will be used in evaluating the application for permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS

Table with 4 columns: APPLICATION NO., FIELD OFFICE CODE (P99148300), DATE RECEIVED, DATE APPLICATION COMPLETED

ITEMS BELOW TO BE FILLED BY APPLICANT

Table with 2 columns: APPLICANT'S NAME (Rathborne Land Company and St. Charles Parish), APPLICANT'S ADDRESS (Rathborne Land Co., Inc, P.O. Box 157, Harvey, LA 70059), APPLICANT'S PHONE NOS. (Residence, Business), AUTHORIZED AGENT'S NAME AND TITLE (Barbara B. Pellegrini, J.V. Burkes & Associates, Inc.), AGENT'S ADDRESS (2990 East Gause Boulevard, Suite B, Slidell, LA 70461), AGENT'S PHONE NOS. (Residence, Business)

STATEMENT OF AUTHORIZATION

I hereby authorize, J.V. Burkes & Associates, Inc. to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

Handwritten signature of Charles A. Ryan

Handwritten date: 12/10/99

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

Table with 2 columns: PROJECT NAME OR TITLE (Willowridge Levee Maintenance Project), NAME OF WATERBODY, IF KNOWN (St. Charles), LOCATION OF PROJECT (St. Charles COUNTY, Louisiana STATE), PROJECT STREET ADDRESS

OTHER LOCATION DESCRIPTIONS, IF KNOWN. Sections 3,4,5,9,10,15,38, & 40 - T14S - R21E, St. Charles Parish at latitude 29 53'23"N and longitude 90 21'00"W

DIRECTIONS TO THE SITE

Interstate 10 to Interstate 310 South. Turn left at Highway 90. Travel approximately 4.1 miles to Willowridge Boulevard, turn right. Travel approximately 1.8 miles to Cottage Drive, turn right. Starting Point at end of Cottage Drive.

18. Nature of Activity (Description of project, include all features)

All work to be performed within an existing, previously permitted 60' easement. Dredge from existing borrow ditch and adjacent 13' wide borrow area to provide material to rebuild and reshape the existing levee to bring to a minimum 4.5' NGVD. Fill material will remain within existing 16' wide levee. The levee base will not be expanded. No work will be performed on the gate. It will remain open according to the original permit conditions.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The purpose of the project is to maintain levee integrity and provide adequate elevation height in severe storm events for the existing residents of Willowidge Subdivision. Approximately 400 homes are located within this public subdivision and would benefit from the levee maintenance. The levee is dedicated to St. Charles Parish and is to be publicly maintained. Because of the coordinated effort, the work is to be performed by Rathborne Land Company on behalf of St. Charles Parish Public Works Department. No public funds will be incurred.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

The reason for the discharge is to provide suitable material for reshaping the levee and bring the minimum levee height to 4.5' NGVD in order to protect approximately 400 homes in the area.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

Approximately 12,400 c.y. of onsite clays to be removed from borrow areas and placed on existing levee

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

No wetlands or other waters will be filled

23. Is Any Portion of the Work Already Complete? Yes  No  IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

25. List of Other Certifications or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
NOCOE	Section 404	LMNOD-SP (St Charles Parish wetlands)119		2-84	
NOCOE	PGP-category 1	EL-19-990-0302		6-99	

\*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Chris A. [Signature] 12/10/99  
 SIGNATURE OF APPLICANT DATE

\_\_\_\_\_  
 SIGNATURE OF AGENT DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

START CONSTRUCTION

END CONSTRUCTION

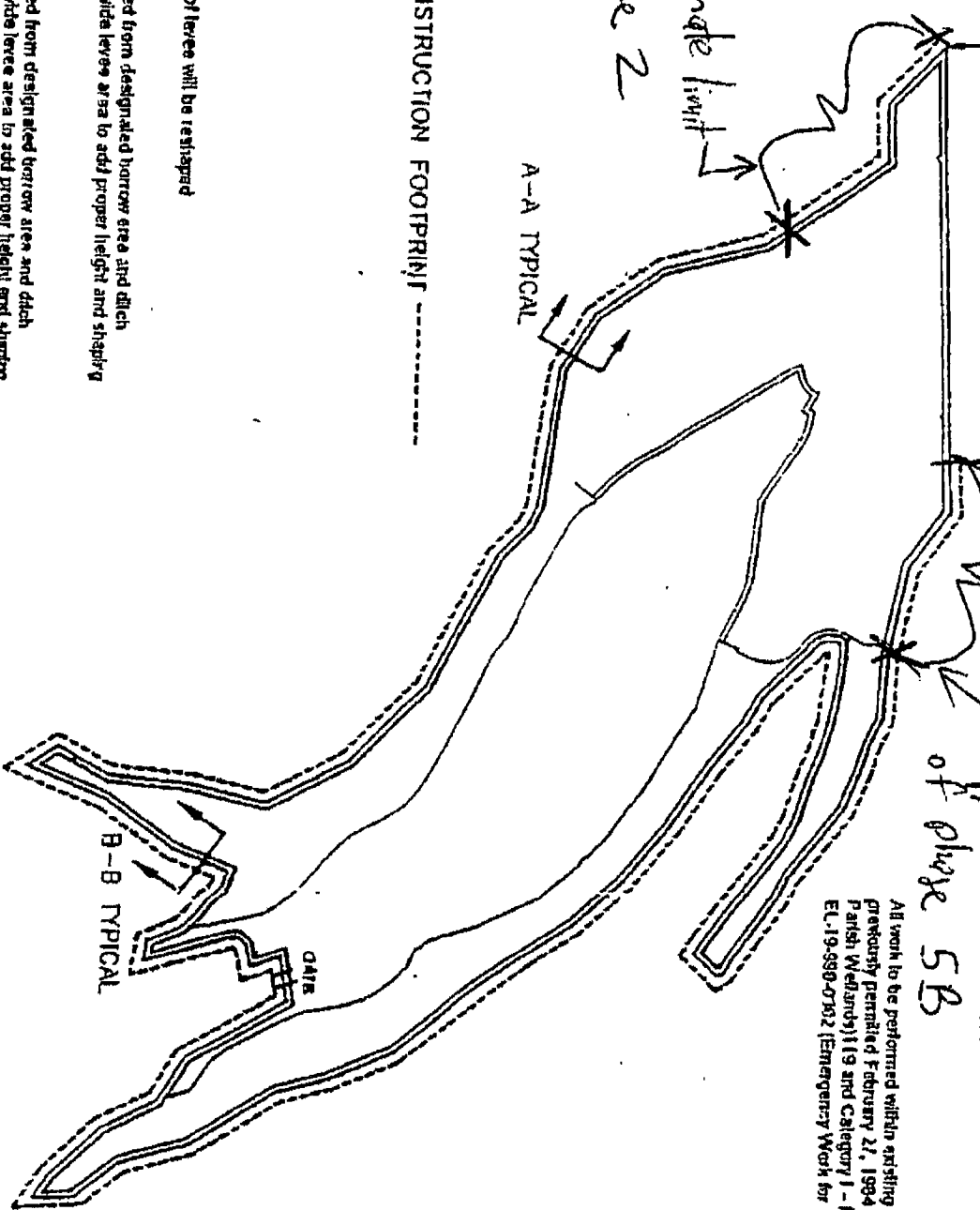


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Approximate limit of phase 2

Approximate limit of phase 5B

CONSTRUCTION FOOTPRINT



All work to be performed within existing 60' wide (10' long levee assessment previously permitted February 27, 1984 - LAAHOD-SP St Charles Parish (Weidman) 119 and Category I - Programmatic General Permit E-19-890-0702 (Emergency Work for Tropical Storm Francis)

Willowridge Levee application

Site Plan

DJH ENGINEERS

Approximately 37,500 linear feet of levee will be reshaped  
along A-A  
approximately 5,500 c.y. excavated from designated borrow area and ditch  
deposited within existing 16' wide levee area to add proper height and shaping  
along B-B  
approximately 8,500 c.y. excavated from designated borrow area and ditch  
deposited within existing 18' wide levee area to add proper height and shaping

03/28/00 TUE 10:26 FAX 044646197

REVISION
1 SECONDAL AORTON, FREEMANING, J.H.P.
2 STUDY DATE LOCATIONS

PLAN VIEW WILLOWRIDGE LEVEE
PLAN VIEW TO BE MODIFIED
USING, US
ST. CHARLES

Prepared by	DATE	Checked by	DATE	Designed by	DATE
Danny J. Hebert, P.E.					
Licensed Civil and Environmental Engineer					
P.O. Box 1528					
Luling, Louisiana					

Scale	DATE
1"=100'	11/11/88
US	WTJ
Sheet No.	