

DEPARTMENT OF THE ARMY PERMIT

Permittee: Louisiana Department of Transportation

Permit No.: TLA-MVK-2011-987

Issuing Office: CEMVK-OD-FE

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: See maps and drawings (encl 1).

Acres Impacted: 14.49 acres

Acres Mitigated: 40.2 acres

Stream Feet Impacted: 3,000 feet

Stream Feet Mitigated: 4,129 feet

Project Location: Section 31, T19N-R14W; Sections 5, 6, 8, 9, 10, 15, 16, 21, 22, and 28, T18N-R14W, within the Red River drainage basin, Caddo Parish, Louisiana.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on JUL 20 2017. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4, below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions (encl 2).

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of your permit.

#### Special Conditions:

1. The permittee shall use best management practices during construction to minimize erosion at the project site.

2. The permittee shall approve any offsite borrow area(s) and insure that in obtaining the borrow material, there are no unauthorized impacts to jurisdictional waters of the United States and/or cultural resource sites eligible or potentially eligible for inclusion in the National Register of Historic Places. If permits or other clearances are required for the use of the borrow site, those approvals must be obtained by the landowner of the site or his agent prior to use of the site for borrow.

3. The permittee shall provide mitigation for the loss of wetlands by purchasing 181 credits from the Shreveport mitigation bank in Bossier Parish, Louisiana. Written proof of the transaction was provided to the Corps of Engineers prior to issuance of the final permit (encl 3).

4. The permittee shall provide mitigation for the loss of wetlands by purchasing 6,970 credits from the Pelican Wardview mitigation bank in Bossier Parish, Louisiana. Written proof of the transaction was provided to the Corps of Engineers prior to issuance of the final permit (encl 4).

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project, or uses thereof, as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project, or uses thereof, as a result of current or future activities undertaken by, or on behalf of, the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.


b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4, above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7, or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.


6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
\_\_\_\_\_  
(PERMITTEE)  
MS. TRACI JOHNSON  
LOUISIANA DEPARTMENT OF  
TRANSPORTATION

July 3, 2012  
\_\_\_\_\_  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
\_\_\_\_\_  
(DISTRICT COMMANDER)  
Jeffrey R. Eckstein  
Colonel, Corps of Engineers  
District Commander

20 JUL 2012  
\_\_\_\_\_  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFeree)

\_\_\_\_\_  
(DATE)





**US Army Corps  
of Engineers**

Vicksburg District  
4155 Clay Street  
Vicksburg, MS 39183-3435  
[www.mvk.usace.army.mil](http://www.mvk.usace.army.mil)



# Public Notice

APPLICATION NO.:	TLA-MVK-2011-987
EVALUATOR:	Ms. Tonya Acuff
PHONE NO.:	(601) 631-7528
FAX NO.:	(601) 631-5459
E-MAIL:	<a href="mailto:Tonya.Acuff@usace.army.mil">Tonya.Acuff@usace.army.mil</a>
DATE:	March 22, 2012
EXPIRATION DATE:	April 12, 2012

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State Water Quality Certification for the work described herein. A Water Quality Certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address, and the state of Louisiana, Department of Environmental Quality, Attention: Water Quality Certifications, Post Office Box 4313, Baton Rouge, Louisiana 70821-4313.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Louisiana Department of  
Transportation and Development  
Post Office Box 94245  
Baton Rouge, Louisiana 70804

Location of Work: Section 31, T19N-R14W; Sections 5, 6, 8, 9, 10, 15, 16, 21, 22, and 28, T18N-R14W, within the Red River drainage basin, Caddo Parish, Louisiana.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to mechanically clear and fill 14.49 acres of wetlands and 17.48 acres of other waters of the United States associated with

the construction and maintenance of a four-lane, divided, fully controlled access highway on a new alignment located in Caddo Parish, Louisiana.

The highway work includes segments "J" thru "K" of I-49. Work begins at I-220 in Shreveport and extends in a northerly direction ending at LA 1. Four new lanes of either an asphaltic concrete or a Portland concrete roadway would be constructed and separated by a minimum 92-foot wide depressed median.

Roadbed dimensions for the newly constructed four-lane interstate roadway would have an average top width of 160 feet and an average bottom width of 270 feet. The average right-of-way would be 450 feet with a minimum right-of-way of 350 feet to a maximum right-of-way of 500 feet. At the interchange locations, the right-of-way can be as wide as approximately 2,800 feet, due to the off and on ramps. The travel lanes would be 12 feet wide with shoulders an average of 10 feet for the outside and 4 feet on the inside. The total length of the project would be 6.2 miles including some cross roads (I-220 and MLK Boulevard) that would be reconstructed for geometric connections.

The purpose of the work is to construct and maintain a new, fully controlled access, Interstate 49 roadway in order to provide a four-lane, north-south link between Kansas City, Missouri to New Orleans, Louisiana to improve accessibility along the I-49 corridor by increasing the safety and level of service of the highway.

I-49 North has a high priority designation as stated in the Intermodal Surface Transportation Efficiency Act (ISTEA, 1991) which provided funding to further develop this corridor in Louisiana. The National Highway Designation Act of 1995 defined and identified I-49N as the Number one High Priority Corridor of national significance. The Shreveport, Louisiana to Kansas City, Missouri was one of the longest corridors identified. The I-49 North (North-South Expressway) project from Shreveport to Arkansas state line forms the most southern segment of the Shreveport to Kansas City corridor.

An alternatives analysis was conducted for the project and the potential impacts. An Environmental Impact Statement (EIS) was drafted, and a subsequent Record of Decision (ROD) approved the Selected Alignment.

A total of 5 sites were identified as wetlands that would be impacted by the project. A total of 14.49 acres of jurisdictional wetlands would be impacted by the construction of the proposed project, including the cleared right-of-way.

Some of the dominant species of vegetation at the delineated wetland sites include: Green ash, sugarberry, black willow, bald cypress, American elm, water hickory, willow oak, overcup oak,

common rush, Eastern false-willow, lizard tail, and climbing hempvine.

A total of 17.48 acres of other waters of the United States would be impacted by the construction of the proposed project including the cleared right-of-way. There were 7 sites identified as other waters of the United States. One of these sites was a 5.34-acre retention pond.

There would be a realignment of McCain Creek in the area of where the I-49 ramps meet LA 1. Approximately 3,000 linear feet (0.71 acre) of perennial channel would be filled. Approximately 3,200 feet (0.73 acre) of new channel would be constructed so that the stream flows cleanly under the new highway corridor, and hydrologic connectivity is maintained.

Most other waters impacts would occur as a result of placing rip-rap and concrete along approaches and support pilings associated with bridge construction. Perennial and intermittent streams would be culverted (where applicable) with the appropriate culvert size to insure no interruption of the flow of the stream.

Mitigation for wetlands and streams being impacted by construction activities would be in the form of purchasing credits from an appropriate and approved mitigation bank within the watershed.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: The Regulatory Archaeologist has reviewed the latest published version of the National Register of Historic Places, state lists of properties determined eligible, and other sources of information. Currently this office is coordinating with the State Historic Preservation Officer, Federally Recognized Tribes and other interested parties regarding



potential effects to historic properties that could result from the proposed activity.

Endangered Species: Our initial finding is that the proposed work would not likely adversely affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact 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 that may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed

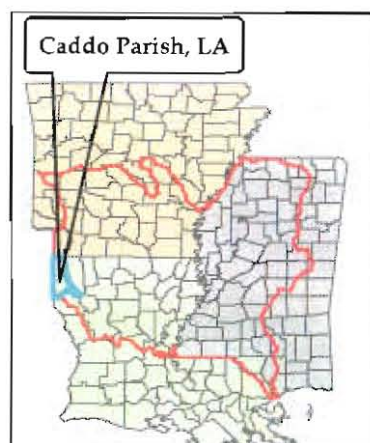
work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

A handwritten signature in cursive script, reading "Anne S. Woerner".

Anne S. Woerner  
Chief, Evaluation Section  
Regulatory Branch





## Legend

- Project Boundary (640 Acres)
- Jurisdictional Other Waters of the U.S. (17,488 Acres)
- Jurisdictional Forested Wetlands (14.49 Acres)



13 February 2012

MVK-2011-987

Applicant:  
LADOTD

Proposed Work:  
Commercial Construction

Location:  
North Highlands, LA Quadrangle

Caddo Parish, Louisiana

Map Background:  
NAIP Aerial Imagery (2010)

**Preliminary  
Jurisdictional Determination**

Prepared by:  
Jim Cole



**US Army Corps  
of Engineers.**



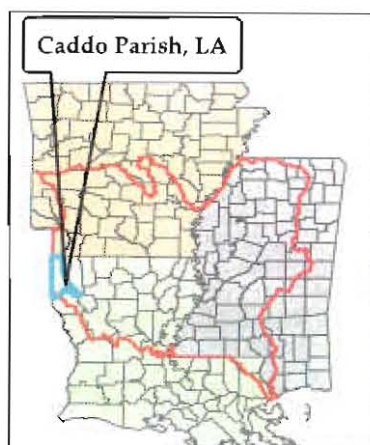
**Regulatory Branch**

**Enforcement Section**

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Feet

Enclosure 1





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**US Army Corps  
of Engineers**



**Regulatory Branch**

**Enforcement Section**

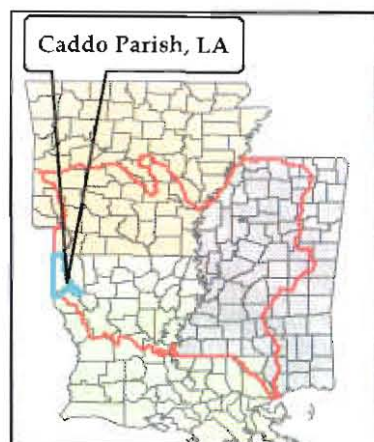
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Prepared by:  
Jlm Cole



**US Army Corps  
of Engineers.**

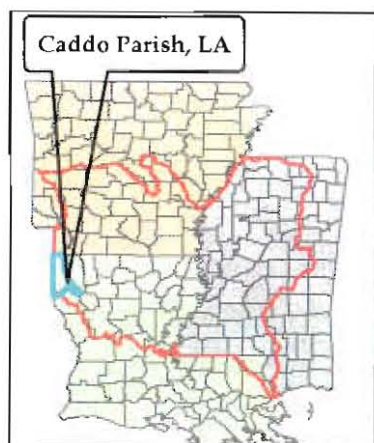


**Regulatory Branch**

**Enforcement Section**

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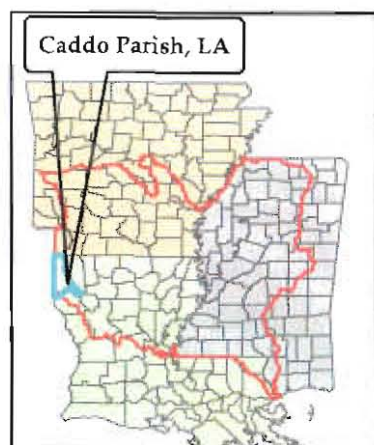
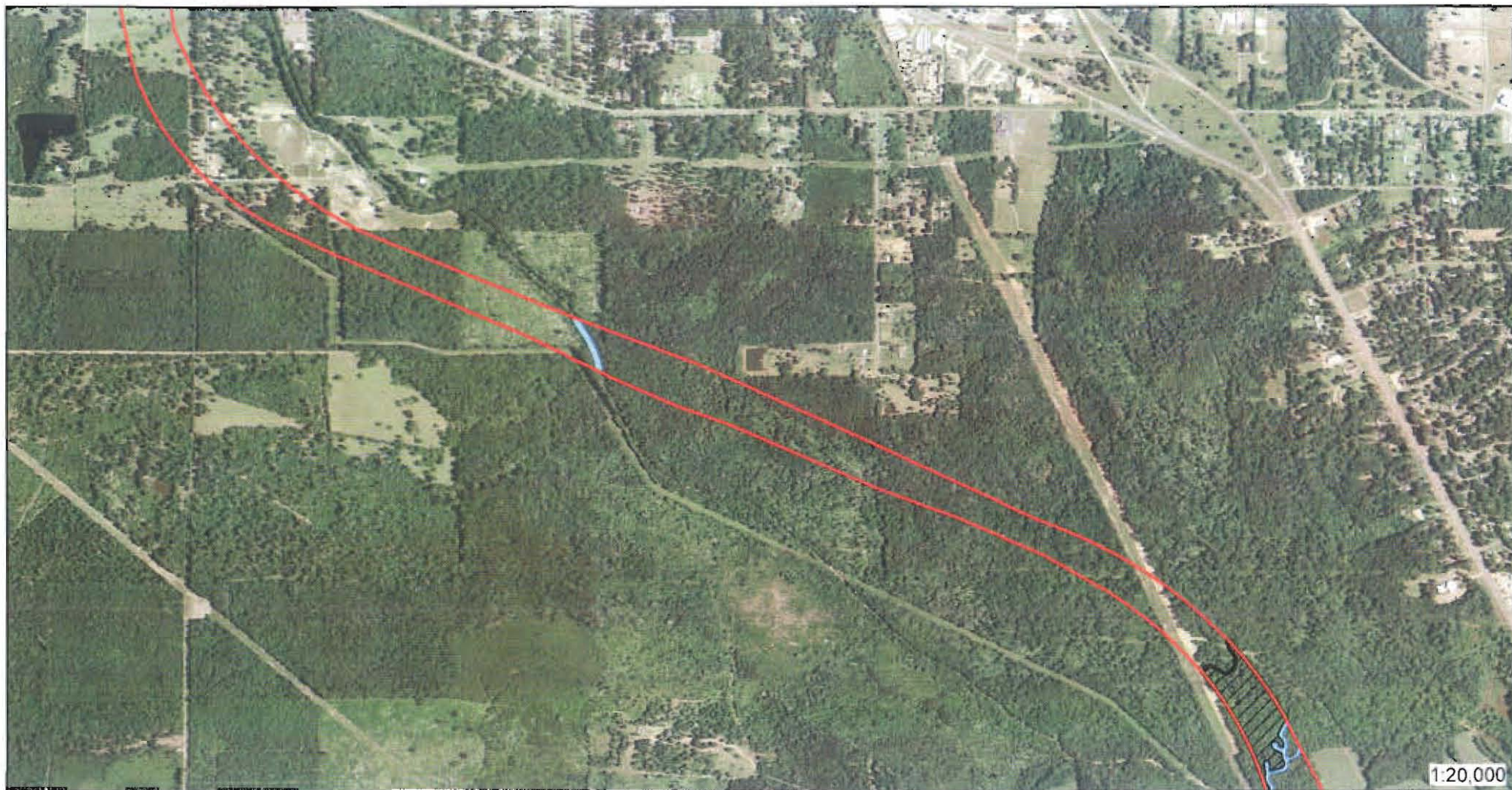


**Regulatory Branch**

**Enforcement Section**

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**Preliminary  
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Prepared by:  
Jim Cole



**US Army Corps  
of Engineers**

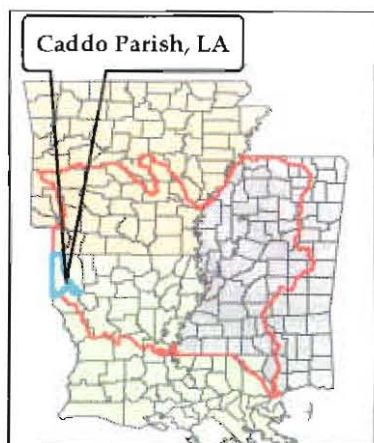
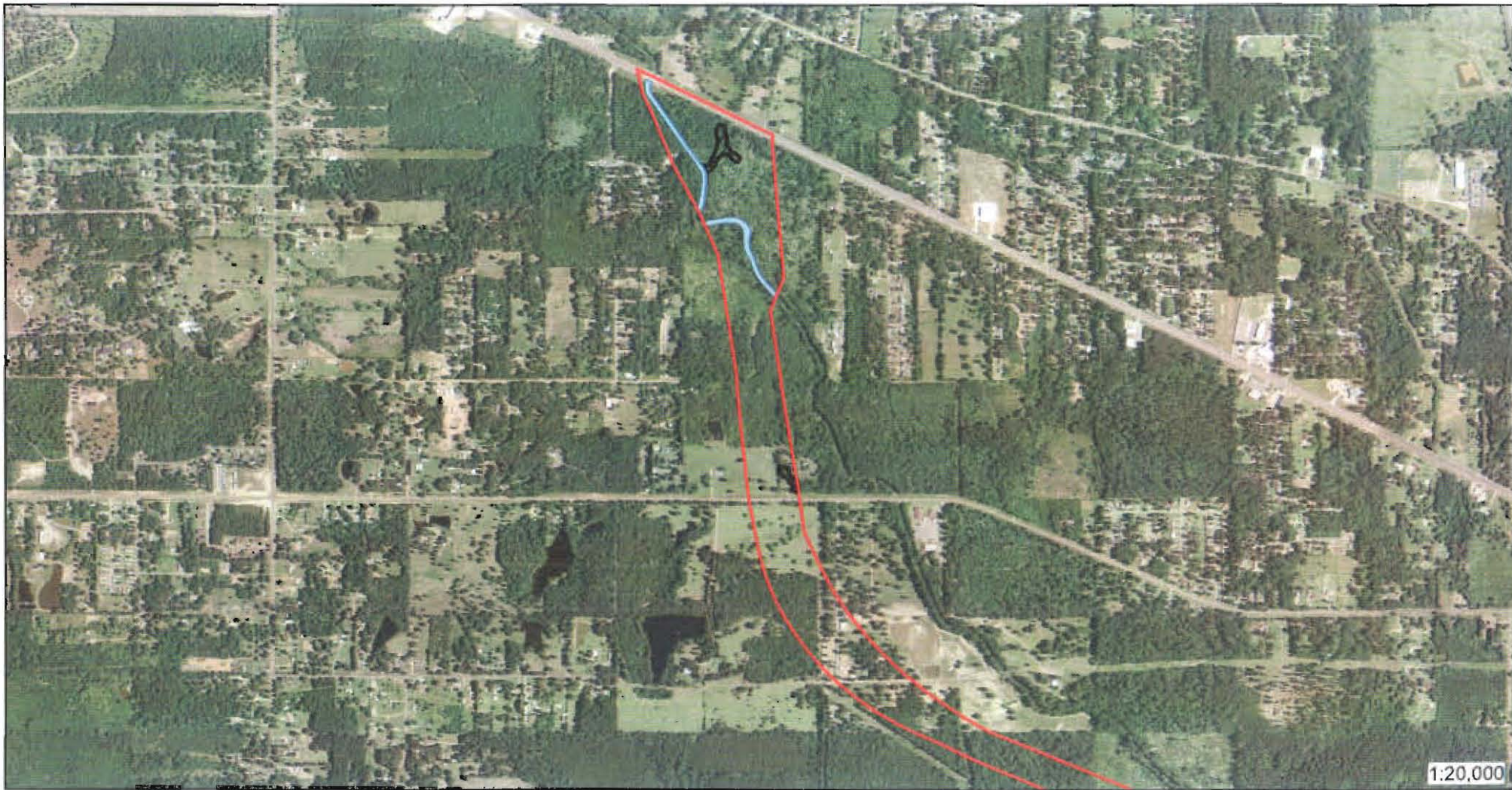


**Regulatory Branch**

**Enforcement Section**

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13 February 2012

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North Highlands, LA Quadrangle  
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**Preliminary  
Jurisdictional Determination**

Prepared by:  
Jim Cole



**US Army Corps  
of Engineers.**



**Regulatory Branch**

**Enforcement Section**

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The image contains two technical drawings of bridge sections, labeled 'SECTIONING 1' and 'SECTIONING 2'. Both drawings show a cross-section of a bridge deck and its supporting structure, with various layers and dimensions indicated.

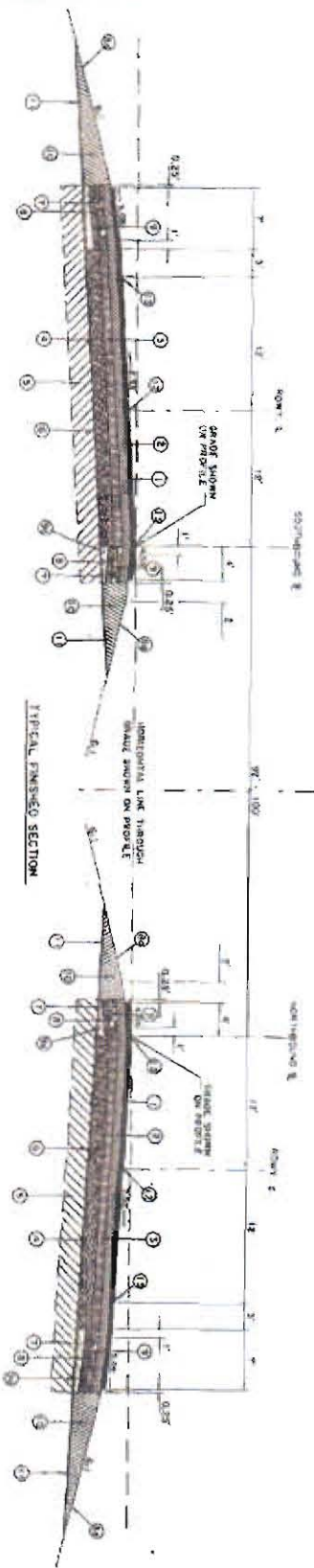
**SECTIONING 1:** This drawing shows a cross-section of a bridge deck. The top layer is labeled '1.1% ROAD'. Below this is a layer labeled '1.1% ROAD'. The deck is supported by a structure labeled '1.1% ROAD'. The drawing includes various dimensions and labels for different layers and components.

**SECTIONING 2:** This drawing shows a cross-section of a bridge deck. The top layer is labeled '1.1% ROAD'. Below this is a layer labeled '1.1% ROAD'. The deck is supported by a structure labeled '1.1% ROAD'. The drawing includes various dimensions and labels for different layers and components.

**TYPICAL FINISHED SECTION:** This drawing shows a cross-section of a bridge deck. The top layer is labeled '1.1% ROAD'. Below this is a layer labeled '1.1% ROAD'. The deck is supported by a structure labeled '1.1% ROAD'. The drawing includes various dimensions and labels for different layers and components.

[illegible]

STATE OF LOUISIANA  
DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT  
BATON ROUGE  
August 22, 2011  
SHEET 2 OF 16



TYPICAL PAVED SECTION

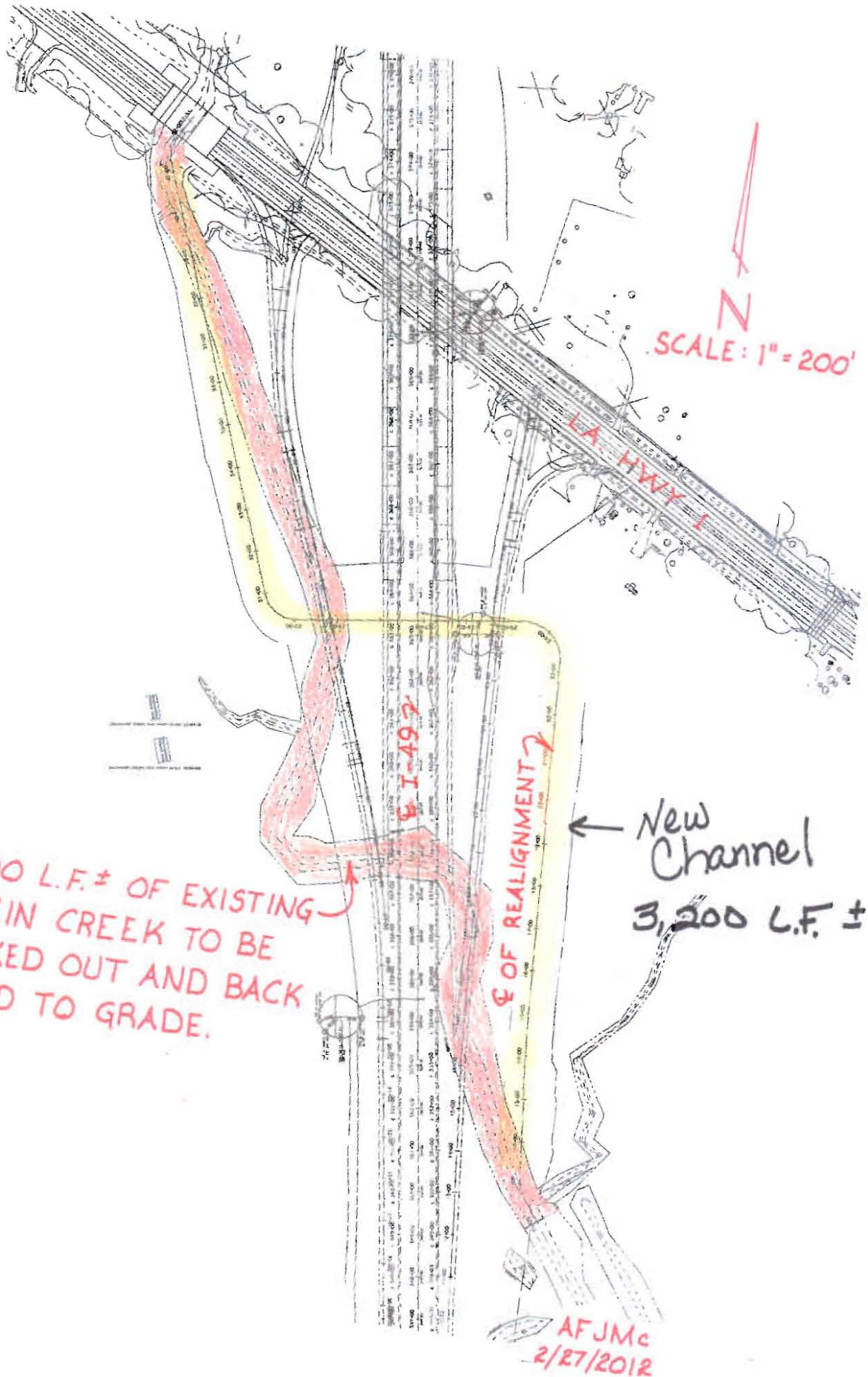
ELEMENTS AND MATERIALS DESIGN

1. 2" ASPHALT CONCRETE (AC) BASE COURSE
2. 4" ASPHALT CONCRETE (AC) BASE COURSE
3. 4" ASPHALT CONCRETE (AC) BASE COURSE
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11. 4" ASPHALT CONCRETE (AC) BASE COURSE
12. 4" ASPHALT CONCRETE (AC) BASE COURSE

Typical Section  
(Asphaltic concrete Alternate)

STATE PROJECT #s:	455-09-0001 & 455-09-0002
F.A.P. #s:	0900(503) & 0021(011)
NAME:	I-49N (I-220 To MLK Blvd.) & (MLK Blvd. - La 1)
ROUTE:	I-49
PARISH:	Cadido

STATE OF LOUISIANA  
DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT  
BATON ROUGE  
August 22, 2011  
SHEET 3 OF 16





BOBBY JINDAL  
GOVERNOR



PEGGY M. HATCH  
SECRETARY

**State of Louisiana**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**ENVIRONMENTAL SERVICES**

APR 02 2012

Louisiana Department of Transportation & Development  
P.O. Box 94245  
Baton Rouge, LA 70804-9245

Attention: Traci Johnson

RE: Water Quality Certification (WQC 120322-01/AI 91949/CER 20120001)  
Corps of Engineers Permit (MVK-2011-987)  
Caddo Parish

Dear Ms. Johnson:

We have received notice of your application for a Corps of Engineers 404 Permit to clear land and place fill material for the construction of a federal interstate highway (I-49 segments J & K), between I-220 and LA Hwy. 1 in Shreveport, Louisiana. Prior to processing the certificate, this office requires:

**1. A non-commercial processing fee of \$33.00.**

Be sure to include our reference number (WQC 120322-01/AI 91949) on all responses. Please send all correspondence and your check or money order made payable to the Louisiana Department of Environmental Quality to the following address:


Louisiana Department of Environmental Quality  
Water Permits Division  
P.O. Box 4313  
Baton Rouge, LA 70821-4313  
Attn: Water Quality Certifications

04-12-12 P12:01 IN



If we haven't received this information within 30 days from the date of this letter, your application will be considered inactive. If you have any questions, please call Jamie Phillippe at 225-219-3225.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Killeen". The signature is fluid and cursive, with the first name "Tom" and last name "Killeen" clearly distinguishable.

Tom Killeen, Environmental Scientist Manager  
Municipal and General Water Permits Section

TK/jjp

c: Corps of Engineers- Vicksburg District