

# **SUMMARY OF PERMITS, MITIGATION, AND COMMITMENTS**

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Prior to the construction of the Louisiana Highway 70 (LA 70) Bypass, the following actions will be required in the event the project moves forward:

- Preliminary and Final design (including studies required to complete the design, *i.e.*, geotechnical, *etc.*)
- Development of a construction sequencing and traffic management plan
- Acquisition of right-of-way (ROW)
- Obtain permits for construction
- Utility relocations
- Fulfillment of commitments and mitigation

### **PERMITS**

Permits required to be obtained prior to construction of the bypass include:

- United States Army Corps of Engineers (USACE) Section 404 Permit for impacts to jurisdictional wetlands
- USACE Section 10 Permit for impacts to navigable waters
- Coastal Use Permit (CUP) issued by the Louisiana Department of Natural Resources (LDNR) for activities within the Louisiana Coastal Zone
- Section 401 Water Quality Certification issued by the Louisiana Department of Environmental Quality (LDEQ) in support of the Section 404 permit
- Louisiana Pollutant Discharge Elimination System (LPDES) Storm Water Discharge Permit for Construction Activities (greater than five acres) issued by the LDEQ
- Assumption Parish construction permit for roadway construction, as applicable

### **COMMITMENTS AND MITIGATION**

The following permits, commitments, and mitigation will be implemented by the Louisiana Department of Transportation and Development (DOTD) to ensure that adverse environmental impacts as a result of the project are avoided or minimized to the maximum extent practicable.

#### ***Utility Relocation***

Utilities that may require relocation or mitigation for the construction of the bypass along with the length of conflict and estimated costs are defined on **Tables ES-3, ES-4, 4-3, and 4-4**. All ROW purchased for relocations will be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform

Act). These purchases will be based on fair market value as determined by local, recent real estate transactions as approved by the DOTD.

### ***Wildlife***

In accordance with the United States Fish and Wildlife Service (USFWS), and Louisiana Department of Wildlife and Fisheries (LDWF), there are no impacts to rare, threatened or endangered species, or critical habitats anticipated to be affected by the project. Wading and nesting bird surveys will be conducted in the ROW no sooner than two weeks prior to construction. The LDWF will be consulted if construction activities will come within 400 meters of nesting colonies, or within 700 meters of brown pelican nesting colonies.

### ***Wetlands***

A preliminary jurisdictional determination request will be submitted to the USACE. This determination confirms the presence of jurisdictional wetlands or navigable waters in the project area and if a Section 404/10 permit is required prior to the deposition or redistribution of dredged or fill material into wetlands or navigable waters. Jurisdictional wetland impacts are anticipated. Therefore, a joint permit application will be submitted to the LDNR for the proposed project prior to construction. Prior to obtaining a permit, compensatory mitigation will be required for wetland impacts as a result of the proposed project. An approved mitigation plan will be prepared to offset losses of wetland acreage. The required mitigation will be determined during the LDNR/USACE joint permit application process. In addition, impacts to wetlands will be minimized through adherence to the Louisiana Standard Specifications for Roads and Bridges, 2006 edition.

### ***Significant Trees***

There is a potential for significant trees to be located in the project area. During design, their locations will be identified on the final plans in accordance with the DOTD Engineering Directives and Standards, Treatment of Significant Trees in DOTD Right-of-Way (EDSM No: I.1.1.21). The DOTD will accommodate these trees where practical.

### ***Best Management Practices (BMPs)***

BMPs will be utilized during construction to mitigate nonpoint source pollution. The types of BMPs will be defined in the Storm Water Pollution Prevention Plan required to be developed as part of the construction-related LPDES permit. Any BMPs defined as conditions in the Section 404/CUP permit will also be followed.

### ***Cultural Resources***

Should any significant or Native American cultural resources be unearthed during construction, the Louisiana Department of Culture, Recreation, and Tourism, Offices of Archaeology and Historic Preservation, as well as the Jena Band of Choctaw Indians, and any other tribe that may have an interest will be contacted immediately. Construction

will cease in the area of the discovery until a plan is developed for the recovery of the resources in accordance with section 107.27 of the Louisiana Standard Specifications for Roads and Bridges, 2006 edition.

***ROW Acquisition***

All ROW purchased will be in accordance with the Uniform Act and will be based on fair market value as determined by local, recent real estate transactions as approved by the DOTD.

One observation relief well (ORW) is located within 160 feet of the proposed ROW for Bypass Alternative 3, and will be required to be plugged and abandoned in accordance with the LDNR Office of Conservation requirements. The DOTD will be responsible for coordinating with the LDNR, the well owner, to determine feasibility of plugging and abandoning this well.

Various recognized environmental conditions were detailed in the Phase I Environmental Site Assessment report for Bypass Alternative 3. In the event this project moves forward and Bypass Alternative 3 is chosen for construction, a Phase II Site Investigation/Assessment will be conducted during the design phase to assess whether the site represents an environmental liability concern that requires remediation prior to construction. Remediation of the site will be conducted, if required.

***Floodplains***

Hydrologic and hydraulic studies will be conducted during the design phase to ensure the construction of the detour route results in no increase in flood elevation on surrounding properties.

***Construction***

Construction equipment will be properly muffled, and all motor panels will be closed to minimize the construction noise impacts to nearby areas. Fugitive dust control measures will be implemented during construction to minimize the potential release of particulate matter from the construction site. Such measures may include cover or treatment of disturbed areas with dust suppression techniques.