



**US Army Corps
of Engineers.**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	MVK-2015-979
EVALUATOR:	Mr. Andy Sanderson
PHONE NO.:	(601) 631-5083
FAX NO.:	(601) 631-5459
E-MAIL:	Andy.Sanderson@usace.army.mil
DATE:	November 4, 2016
EXPIRATION DATE:	November 24, 2016

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District is considering an application for a Department of the Army permit for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, 4155 Clay Street, Vicksburg, Mississippi 39183-3435.

Application also has been made to the Louisiana Department of Environmental Quality, Office of Environmental Services for a Water Quality Certification in accordance with La. R.S. 30.2074(A)(93), and Section 401 of the Clean Water Act (P.L. 95-217). 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 copying. Comments concerning the application can be filed with the Office of Environmental Services within 20 days of this notice to the following address: Office of Environmental Services, 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 and / or fill material into waters of the United States.

Name of Applicant:
Mr. Jeff D. Porter
Jeff Porter Investments, LLC
42 Philadelphia Road
Pineville, Louisiana 71360

Name of Agent:
Dr. James Smith
American South Environmental
Services, LLC
Post Office Box 3515
Pineville, Louisiana 71361

Location of Work: Section 35, Township 05N - Range 02E, Latitude 31.3754, Longitude -92.2744, within the Lower Red Drainage Basin (8-digit USGS HUC 08040301), Rapides 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 an After-the-Fact Department of the Army permit for the discharge of dredged/fill material into jurisdictional wetlands for the purpose of constructing a residential development. Total fill was approximately 3.84 acres of low quality wetlands for lot levelling in association with residential development. Total discharge of fill into wetlands was approximately 12,390 cubic yards.

The vegetative communities within the project area were dominated by loblolly pine, shortbristle horned beaksedge, longspike tridens, soft rush, Southern red oak, black-eyed Susan, and highbush huckleberry. Soil within the project site was dominated by Borrow and sand pits with Ruston and Smithdale sandy loams included, according to the Natural Resource Conservation Service (NRCS).

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an approved mitigation bank.

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. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties. An historic properties investigation has been conducted within the permit area. No sites determined eligible for or listed on the National Register of Historic Places are within the permit area or affected.

Endangered Species: Our initial finding is that the proposed work will have no effect on the following species listed as endangered by the U.S. Departments of Interior to Commerce, nor affect habitat designated as critical to the survival and recovery of these species: Louisiana pearlshell mussel or Sprague's pipit. The

project may affect, but is not likely to adversely affect the Northern long-eared bat. Utilizing the Standard Local Operating Procedure for Endangered Species (SLOPES) as signed on December 1, 2014 between the U.S. Army Corps of Engineers, Vicksburg District and the U.S. Fish and Wildlife Service, the Corps has determined that the proposed activity would have no effect on these listed species: Red-cockaded woodpecker, Pallid sturgeon, or Interior least tern.

Floodplain: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain 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 which 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.

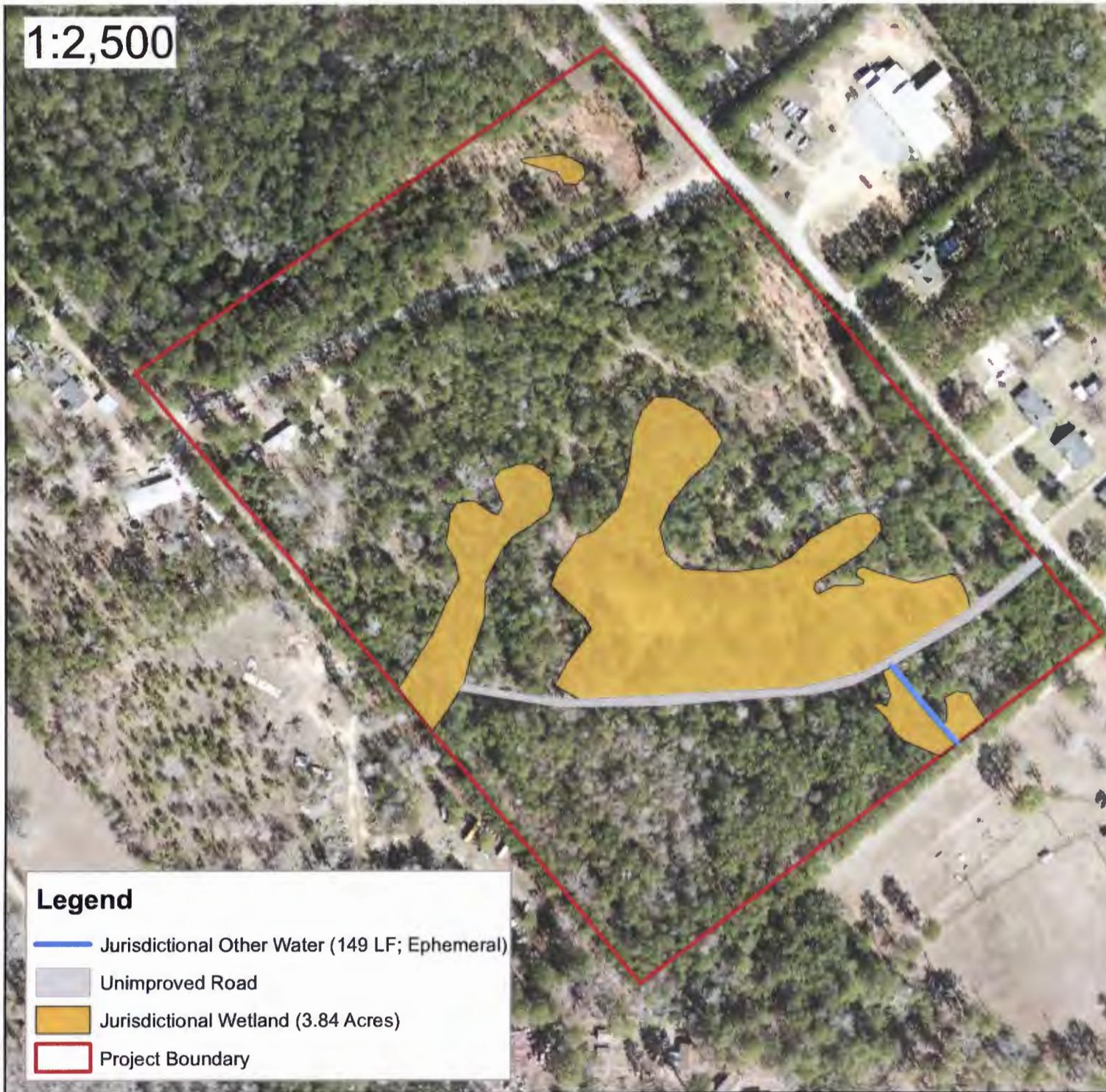
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine 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/Missions/Regulatory.aspx>.

Thomas A. McCabe
Thomas A. McCabe
Chief, Evaluation Section
Regulatory Branch

1:2,500



Legend

-  Jurisdictional Other Water (149 LF; Ephemeral)
-  Unimproved Road
-  Jurisdictional Wetland (3.84 Acres)
-  Project Boundary

Rapides Parish, LA



22 September 2016
MVK-2015-979

Jeff Derrel Porter
22.14 - Acre Property
Rapides Parish, LA

**Preliminary
Jurisdictional Determination**

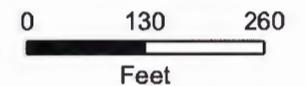
Aaron Posner



**US Army Corps
of Engineers.**



**Regulatory Branch
Enforcement Section**





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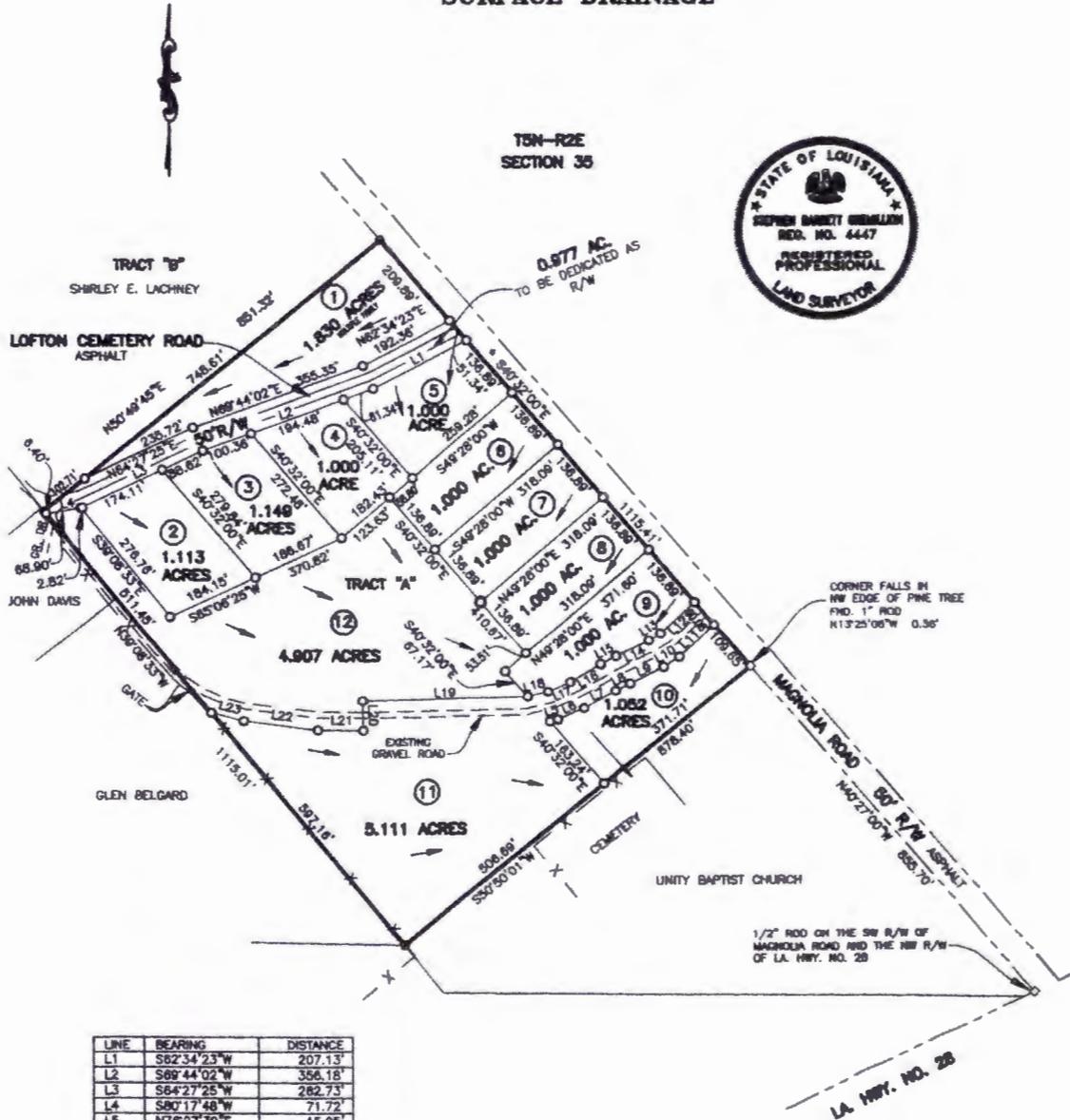
JEFF PORTER INVESTMENTS, LLC

SHEA BROOKE RIDGE SUBDIVISION

LOTS 1-12

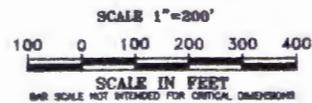
BEING TRACT "A" (22.14 ± ACRES) LOCATED IN SECTION 35, T5N-R2E, RAPIDES PARISH, LOUISIANA

SURFACE DRAINAGE



LINE	BEARING	DISTANCE
L1	S82°34'23"W	207.13'
L2	S69°44'02"W	356.18'
L3	S64°27'25"W	282.73'
L4	S80°17'48"W	71.72'
L5	N76°27'39"E	15.95'
L6	N86°23'59"E	58.85'
L7	N59°51'19"E	71.63'
L8	N62°05'13"E	32.16'
L9	N63°48'43"E	73.49'
L10	N58°05'48"E	35.94'
L11	N46°34'22"E	94.73'
L12	S46°34'22"W	91.71'
L13	S58°05'48"W	26.91'
L14	S63°48'43"W	71.39'
L15	S82°05'13"W	34.21'
L16	S59°51'19"W	80.37'
L17	S86°23'59"W	47.94'
L18	S76°27'39"W	41.24'
L19	S86°36'17"W	323.46'
L20	S01°03'34"E	80.00'
L21	N89°18'39"W	68.50'
L22	N82°54'55"W	148.92'
L23	N75°14'50"W	85.52'

JOB P-15885



SHEET 3 OF 3

CEMVK-OD-FE MVK-2015-979

JEFF PORTER INVESTMENTS, LLC