



**US Army Corps
of Engineers**

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



Public Notice

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| APPLICATION NO.: | JHE-MVK-2015-557 |
| EVALUATOR: | Mr. Jared Everitt |
| PHONE NO.: | (601) 631-7104 |
| FAX NO.: | (601) 631-5459 |
| E-MAIL: | Jared.H.Everitt@usace.army.mil |
| DATE: | October 19, 2015 |
| EXPIRATION DATE: | November 9, 2015 |

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, MS 39183-3435, and must reach this office by the cited expiration date.

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, P. O. Box 4313, Baton Rouge, LA 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:
Mr. Earnest J. Whatley
7462 Highway 17
Pioneer, Louisiana 71266

Location of Work: Section 2, T20N-R10E, latitude 32.7515N, longitude -91.4081W, within the Boeuf-Tensas drainage basin, HUC: 8050002, in West Carroll 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 for the discharge of dredged and/or fill material into wetlands associated with mechanized land clearing for agricultural purposes. The applicant's stated purpose is to square-up fields so that it will improve the efficiency of the water management and land utilization.

The applicant proposes to create a larger agricultural area. The impacted area would be used for crop production. Approximately 3.2 acres of jurisdictional bottomland hardwood wetlands would be impacted by the proposed project. The area would be cleared and precision leveled in order to adjoin an existing 74.7-acre section of an agricultural field. Approximately 640 cubic yards of soil obtained on-site would be used as fill material.

Vegetation growing in the wetland area consists of green ash, swamp privet, shagbark hickory, Virginia creeper, and saw greenbrier. Hydric soils within the project site consist of Grenada-Calhoun clay series. One primary hydrology indicator observed within the wetland included oxidized rhizospheres on living roots.

The applicant proposes to mitigate for the unavoidable loss of wetland impacts through permittee responsible mitigation.

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: The permit area is composed of low-lying wetlands with no existing or subsided natural levee landforms; therefore it has a very low potential for yielding unidentified cultural deposits that may be eligible for the National Register of Historic Places.

landforms; therefore it has a very low potential for yielding unidentified cultural deposits that may be eligible for the National Register of Historic Places. Copies of the public notice have been sent to the Louisiana State Historic Preservation Office, Federally-recognized Tribes, and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

Endangered Species: Based on 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, it has been determined that the proposed activity is not likely to adversely affect the following species: Louisiana black bear. Our initial finding is that the proposed work may affect, but is not likely to adversely affect the following endangered species or their critical habitats: Northern long eared bat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat would 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 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.

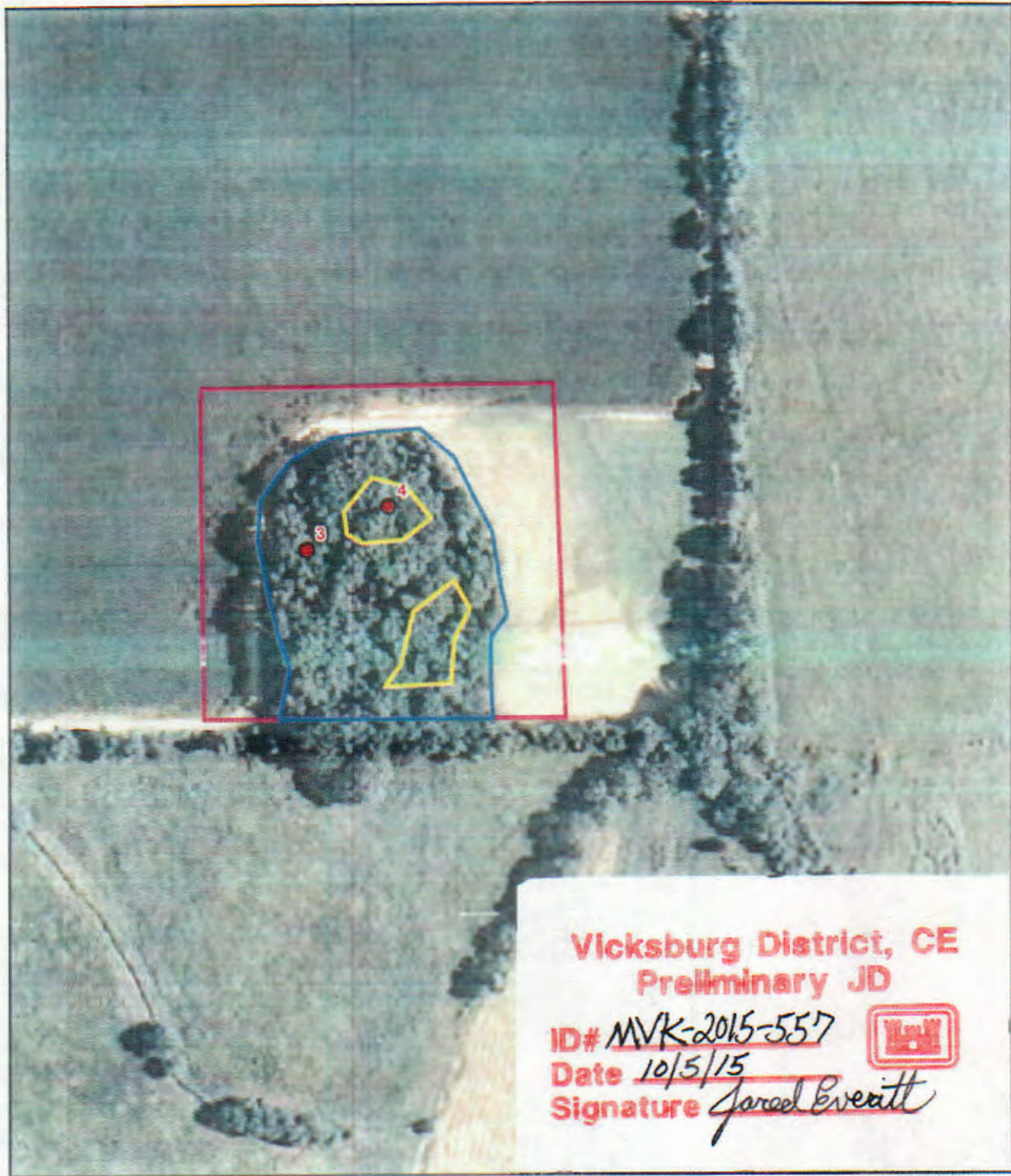
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this 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>, and click on ORM Permit Decisions under Program Links.

Thomas A. McCabe

Thomas A. McCabe
Acting Chief, Evaluation Section
Regulatory Branch

E.J. Whatley - Part of Tract 4394 - West Carroll Parish



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MR. EARNEST JOE WHATLEY

Legend

- Data_points
- Non Wetland Mounds
- Wetland
- Area in Question

0 80 160 320 480 640 Feet

1:3,000

Wetland = 3.2 Acres

Map By: J. Bolin 6/2015
 SS Area Data Summary ver 6 10/2014
 SS Tabular Data Summary ver 6 10/2014
 Aerial Imagery Date: 2013

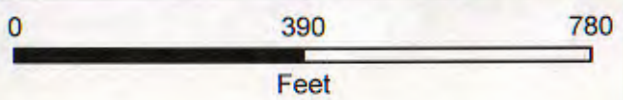


Earnest Whatley Project, West Carroll Parish, LA



General Location:
32.751634/-91.408021
Decimal Degrees

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aergrid, IGN, IGP, swisstopo, and the GIS User Community

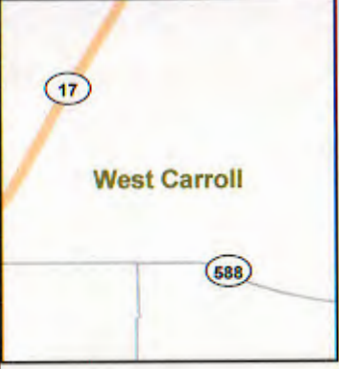
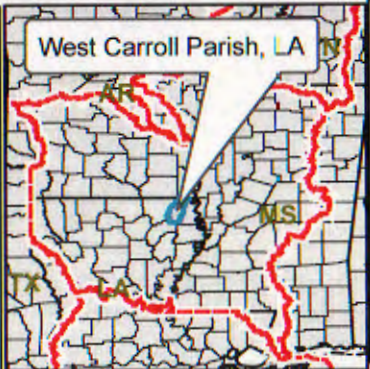


Wednesday, October 07, 2015

MVK-2015-557

Earnest Whatley's Project Location
~3.2 Acres of Forested Wetlands
Plans to Convert it into Row Crops.
West Carroll Parish, LA

Aerial Imagery: ESRI Online



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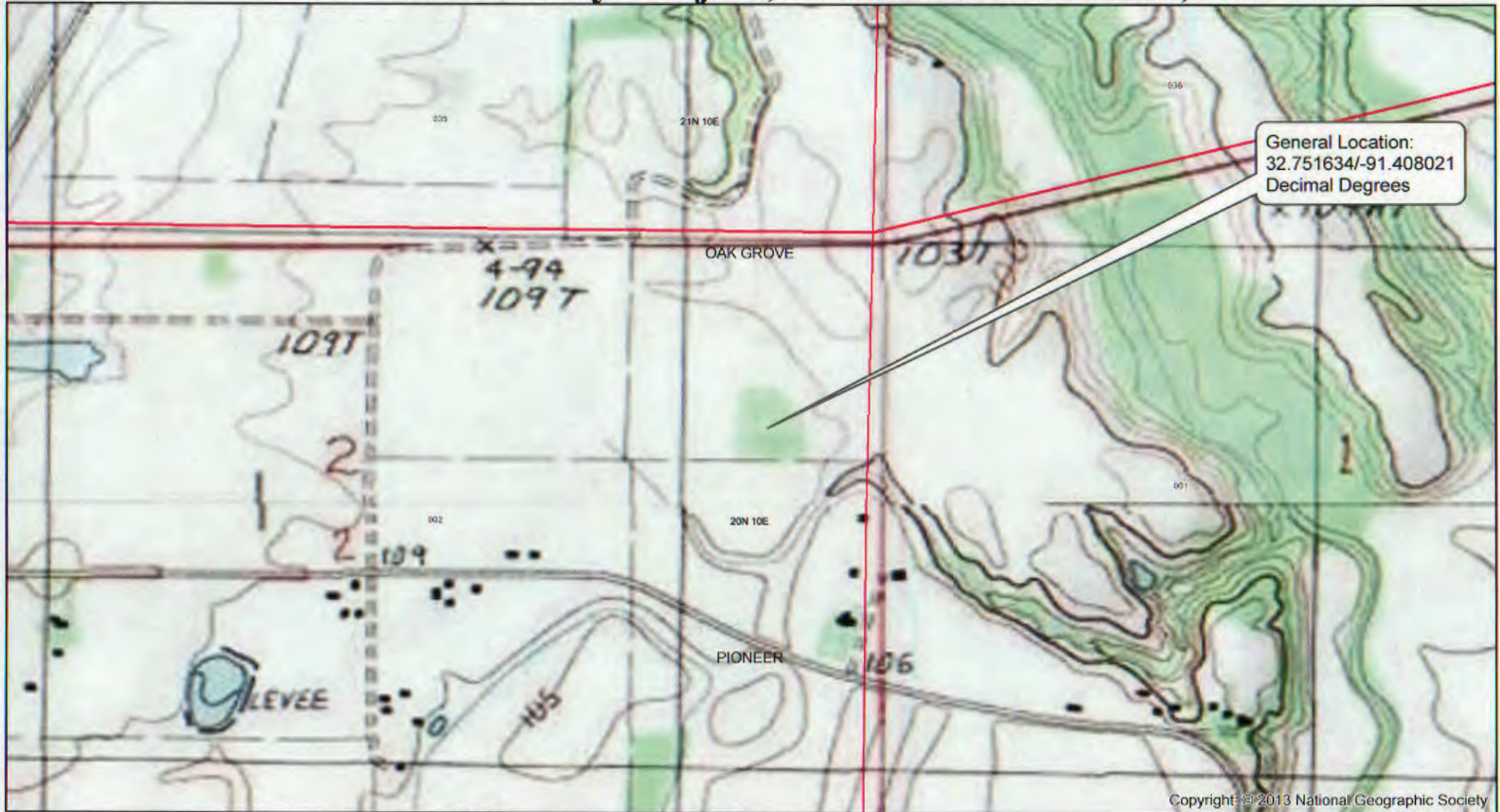
**Enforcement
Section**

CEMVK-OD-FE JHE-MVK-2015-557

MR. EARNEST JOE WHATLEY

Enclosure 1

Earnest Whatley Project, West Carroll Parish, LA



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MR. EARNEST JOE WHATLEY

Enclosure 1