



**US Army Corps
of Engineers.**

Vicksburg District

4155 Clay Street

Vicksburg, MS 39183-3435

www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	KWH-MVK-2014-991
EVALUATOR:	Ms. Kristi Hall
PHONE NO.:	(601) 631-7528
FAX NO.:	(601) 631-5459
E-MAIL:	Kristi.W.Hall@usace.army.mil
DATE:	March 6, 2015
EXPIRATION DATE:	April 6, 2015

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District proposes to discharge dredged and fill material into waters of the United States pursuant to Section 404 of the Clean Water Act for the proposed construction described herein. A water quality certification is required in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(93) and provisions of Section 401 of the Clean Water Act (P.L. 95 217). 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.

The Louisiana Department of Environmental Quality has additional information on file in their office in Baton Rouge which may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing.

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. Tim Mitch, Jr.
Polestar Development, LLC
736 Cherry Street
Chattanooga, Tennessee 47402

Name of Agent:
Mr. Jeremy Rowden
Rowden Consulting, LLC
Post Office Box 978
Bullard, Texas 75757

Location of Work: The project is located in Sections 2 and 11, T16N-R14W, located at the northwest corner of Bert Kouns Industrial Loop at Linwood Avenue within the Bayou Pierre watershed (USGS HUC 11140206) part of the Red River drainage basin, in Shreveport, Louisiana.

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

The following description 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 and/or fill material associated with a commercial development.

Polestar Development, LLC is proposing a 9.94 - acre commercial development and utility extension. The project consists of a 42,000 square foot grocery store, with attendant features including a fuel station, commercial out lots, utilities, site lighting, parking, driveways, a stormwater detention pond and other features typical of a commercial development. Over one acre of wetlands were filled by a previous landowner, the current applicant is electing to apply for an after-the-fact permit for the previous fill on their property and any additional fill in jurisdictional areas to properly develop the site.

Approximately 10,000 cubic yards of fill has been placed on the property, and an additional 1,000 cubic yards of fill would be used to complete site preparation. A total of 1.49 acres of wetlands would be filled as a result of the current and past work on the property. Approximately 30 linear feet of stream armoring would be required. The applicant proposes to mitigate for all jurisdictional impacts by purchasing credits from an approved mitigation bank.

The placement of dredged and/or fill material in waters of the United States, 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, 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 area. Copies of this public notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

Endangered Species: The following threatened or endangered species are known to reside in Union Parish: earth fruit (T), pallid sturgeon (E), interior least tern (E), and red-cockaded woodpecker (E). 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.

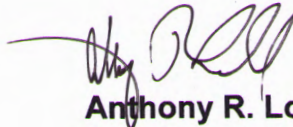
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may 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/PublicNotices.aspx> , and click on ORM Permit Decisions under Program Links.



**Anthony R. Lobred
Acting Chief, Evaluation Section
Regulatory Branch**

24 February 2015

MVK-2014-991

Applicant:
Folestar Development, LLC

Proposed Work:
Commercial Construction

Location:
Section 2, T16N-R14W
Shreveport West, LA Quadrangle
Caddo Parish, Louisiana

Map Background:
NAIP Aerial Imagery (2013)

**Preliminary
Jurisdictional Determination**

Prepared by:
Jim Cole

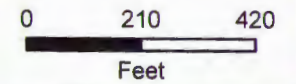


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of Engineers.**

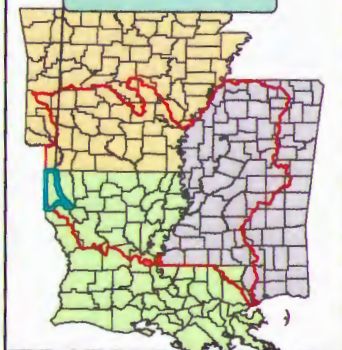


Regulatory Branch




Enforcement Section



Caddo Parish, LA



Legend

-  Project Boundary (9.94 Acres)
-  Jurisdictional Other Waters (219 Linear Feet)
-  Jurisdictional Wetlands (1.49 Acres)

1:4,000



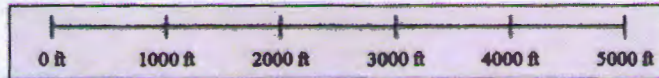
LEGEND
 Project Location

CEMVK-OD-FE RVH-MVK-2014-991

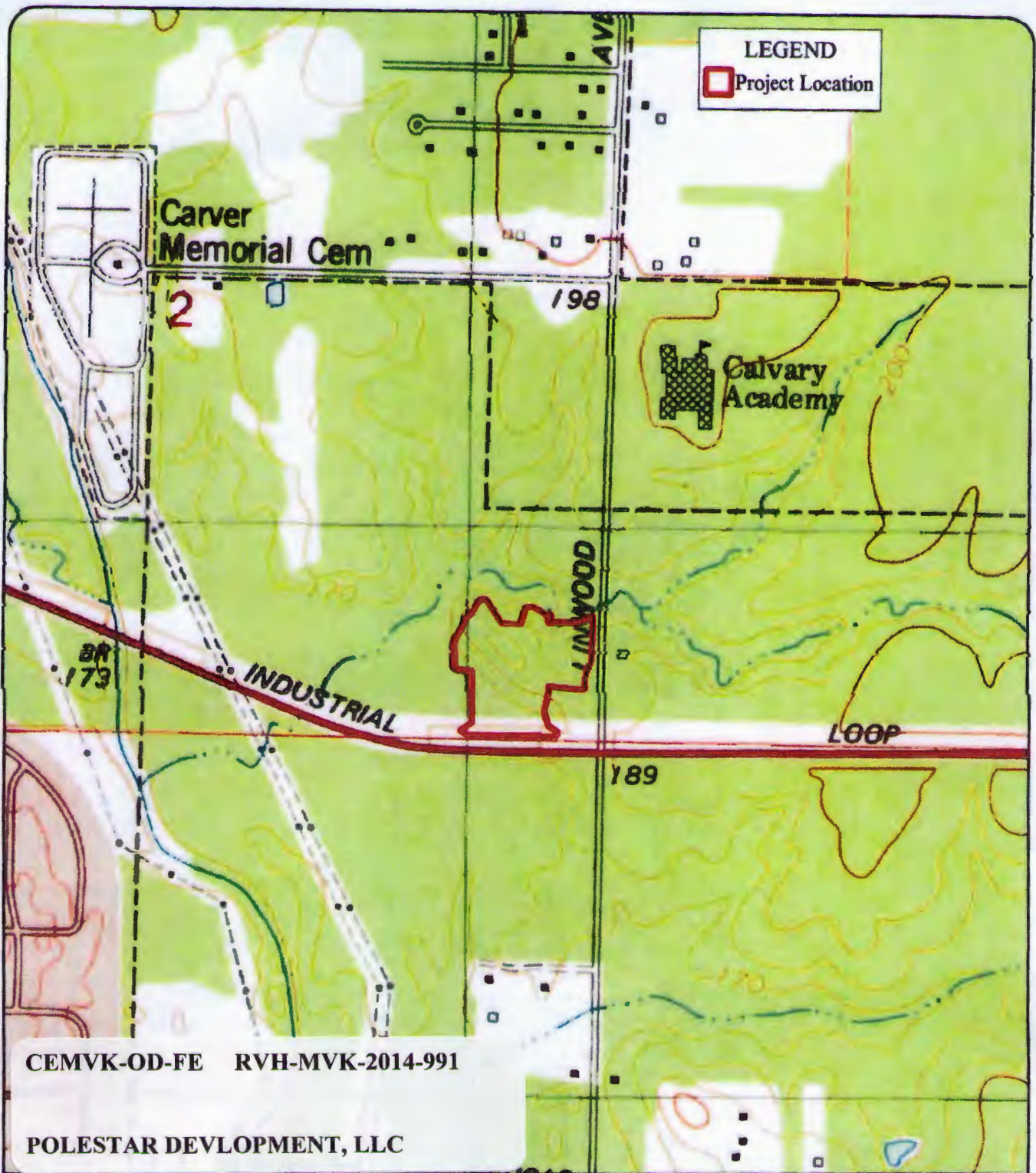
POLESTAR DEVELOPMENT, LLC



Location Map



Rowden Consulting, LLC
 Environmental Services



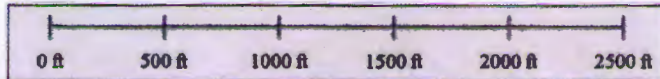
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Project Location

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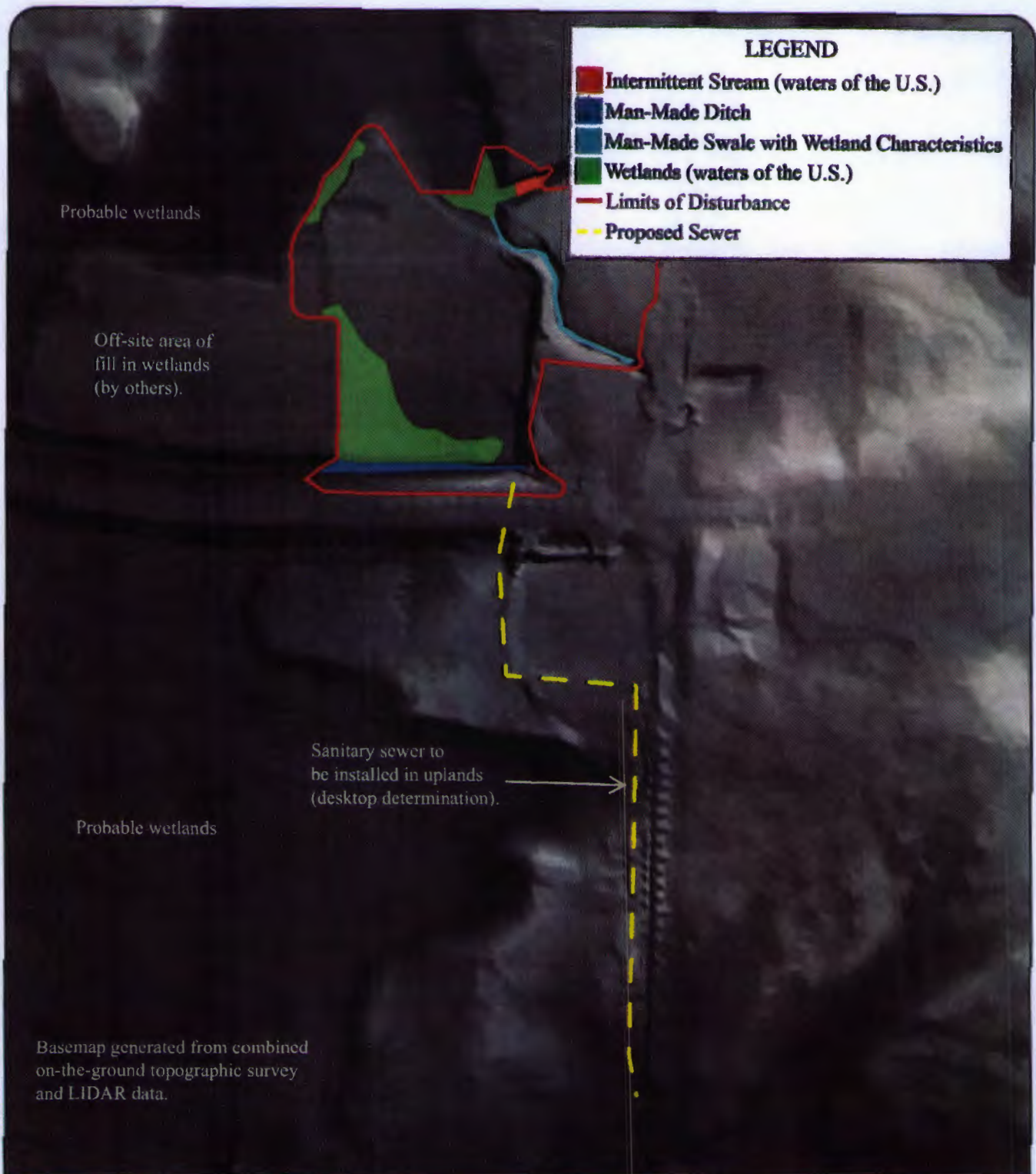
POLESTAR DEVELOPMENT, LLC



1980 USGS Topo Map



Rowden Consulting, LLC
Environmental Services



LEGEND

- Intermittent Stream (waters of the U.S.)
- Man-Made Ditch
- Man-Made Swale with Wetland Characteristics
- Wetlands (waters of the U.S.)
- Limits of Disturbance
- - - Proposed Sewer

Probable wetlands

Off-site area of fill in wetlands (by others).

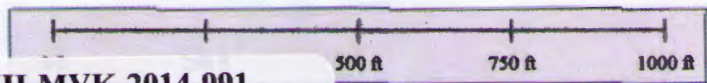
Sanitary sewer to be installed in uplands (desktop determination).

Probable wetlands

Basemap generated from combined on-the-ground topographic survey and LIDAR data.



**Jurisdictional Determination Map
Showing Off-Site Sewer Extension**



Rowden Consulting, LLC
Environmental Services

CEMVK-OD-FE RVH-MVK-2014-991

POLESTAR DEVELOPMENT, LLC



CEMVK-OD-FE RVH-MVK-2014-991

POLESTAR DEVELOPMENT, LLC



Proposed Site Plan



Rowden Consulting, LLC
Environmental Services