



**US Army Corps
of Engineers.**

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



Public Notice

APPLICATION NO.:	MVK-2015-683
EVALUATOR:	Ms. Kristi Hall
PHONE NO.:	(601) 631-7528
FAX NO.:	(601) 631-5459
E-MAIL:	Kristi.W.Hall@usace.army.mil
DATE:	February 17, 2016
EXPIRATION DATE:	March 8, 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 or fill material into waters of the United States.

Name of Applicant:
Mr. Bishop Johnston
Johnston and Johnston
Post Office Box 2215
Monroe, Louisiana 71207

Location of Work: Section 21, Township 19N- Range 4E, Latitude 32.6146, Longitude -92.0612, within Lower Ouachita River Drainage Basin (8-digit USGS HUC 08040207), Ouachita 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 regulated activities in jurisdictional wetlands for the purpose of constructing a commercial development along Highway 165 in Ouachita Parish, Louisiana. Approximately 1.15 acres of forested wetlands were land cleared and filled, one to two feet of clean fill was brought into the project area in preparation for the development. The applicant is proposing to construct a 153 feet by 65 feet commercial building with associated parking on the prepared site.

The vegetative communities within the project area have been removed as a result of the violation activity. Vegetation in surrounding areas include green ash (*Fraxinus pennsylvanica*), overcup oak (*Quercus lyrata*), American elm (*Ulmus americana*), and sugar-berry (*Celtis laevigata*). Soil within the project site consists of Portland clay and Portland silt loam, having a respective hydric component percent rating of 10 and 5 by the Natural Resource Conservation Service (NRCS).

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through 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. A historic properties review 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. The area has been previously assessed for cultural resources. No historic properties will be affected by the proposed extension of time to perform previously authorized work.

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 may not likely to adversely affect the following species: Louisiana black bear and red-cockaded woodpecker. Based upon initial review we have determined the project is not likely to adversely affect the northern long-eared bat.

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. Portions of the project lie within the 100 year floodplain.

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.

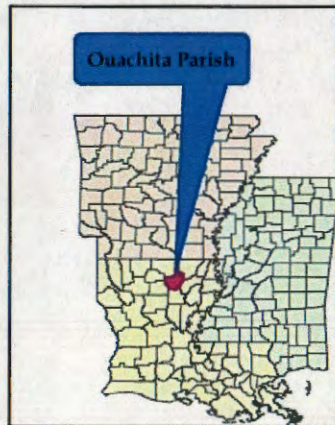
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>.

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



Legend

-  Site Area/4.25ac
-  Wetlands/1.15ac



October 26, 2015
MVK-2015-683

Applicant:
 Bishop Johnson

Proposed Work:
 Site Development

Location:
 Section 21, T19N-R4E
 Monroe North, Quadrangle
 Ouachita Parish, LA

Map Background:
 NAIP Aerial (2004)

**Preliminary
 Jurisdictional Determination**

Prepared by:
 Robert G. Ulmer, Jr.

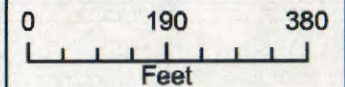


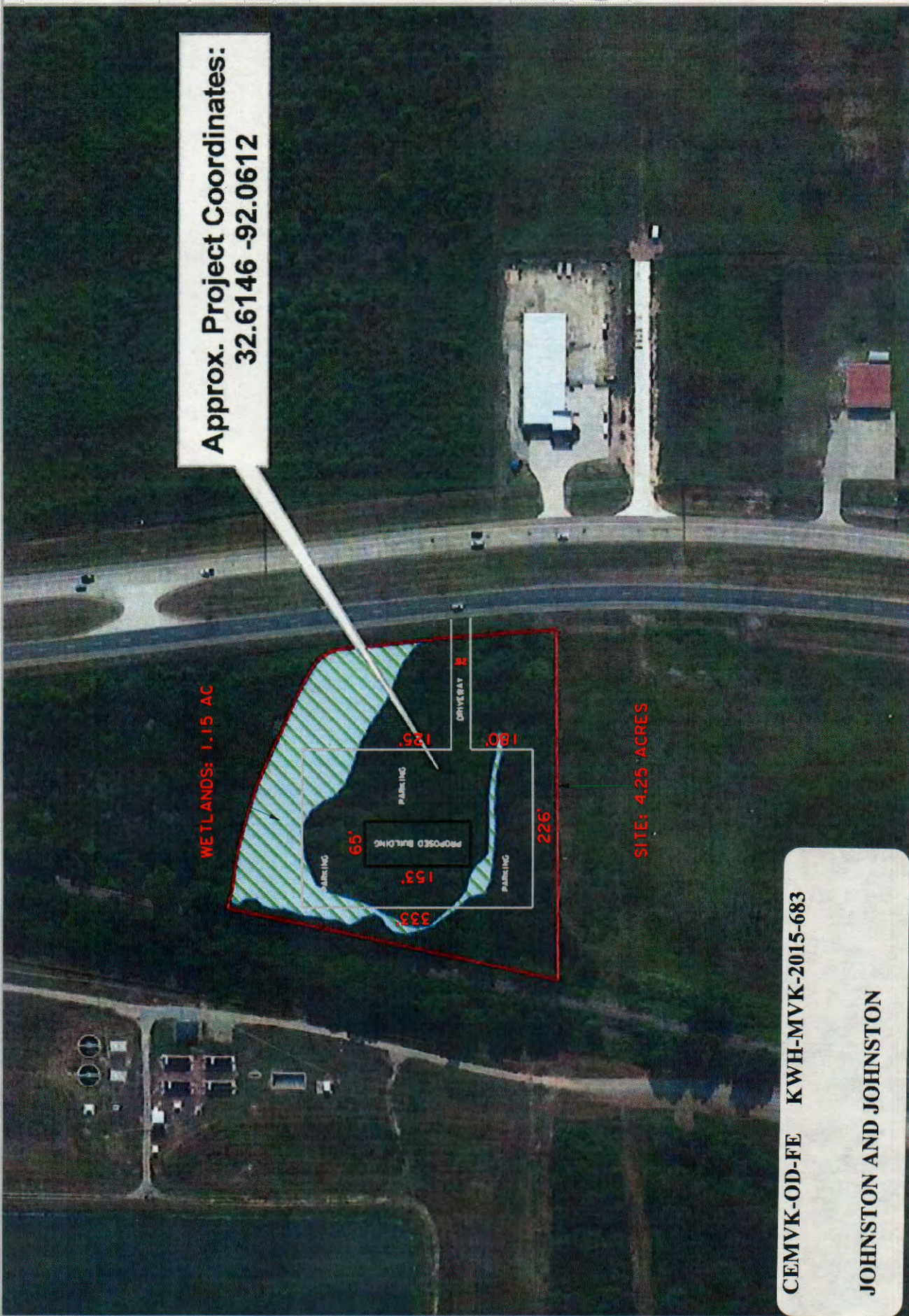
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Regulatory Branch

Enforcement Section





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 JOHNSTON AND JOHNSTON