



Public Notice

US Army Corps of Engineers. Vicksburg District 4155 Clay Street Vicksburg, MS 39183-3435 www.mvk.usace.army.mil

APPLICATION NO .:	RVH-MVK-2014-132
EVALUATOR:	Mr. Randy Holder
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DATE:	May 27, 2014
EXPIRATION DATE:	June 16, 2014

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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), which applies to structures or work in navigable waters of the United States, and 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. Stuart Johnson Louisiana Office of State Parks Post Office Box 44426 Baton Rouge, Louisiana 70804 <u>Name of Agent</u>: Ms. Kristi Hall Ecological Restoration Services, LLC Post Office Box 821181 Vicksburg, Mississippi 39182

Location of Work: Section 12, T19N-R10E, within the Harlan Bayou drainage basin, West Carroll Parish, 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 a Department of the Army permit for the discharge of dredged and/or fill material associated with the bank stabilization at Poverty Point State Park.

The applicant proposes to stabilize head cutting along Harlan Bayou at the Poverty Point State Historic Site to protect important cultural resources. Stream banks within the 1.32-acre project area are rapidly eroding due to head cutting. One meander in particular is approximately 20 feet high with vertical banks. The channel would be straightened and the length would be reduced from 585 linear feet to 386 linear feet. The meanders cut off by the straightening of the stream would still hold water during overbank events. The stream was previously channelized and rip-rapped by a U.S. Army Corps of Engineers sponsored project.

Approximately 2,071 cubic yards of rip-rap and on site fill material and 1,072 cubic yards of rip-rap and filter stone would be placed below the ordinary high water mark. Approximately 280 linear feet of stream would be filled by this proposed project. No wetlands would be impacted and there would be no identifiable loss of stream functions or values associated with this proposed action.

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.

<u>State Water Quality Permit</u>: 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.

<u>Cultural Resources</u>: The proposed work is being planned within the National Register of Historic Places and National Historic Landmark, Poverty Point State Park. The Regulatory Archaeologist is currently consulting with the State Historic Preservation Office and Federally-recognized Tribes regarding potential effects to this historic property. <u>Endangered Species</u>: Our initial finding is that the proposed work would not likely adversely affect any endangered species or their critical habitat. 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.

<u>Flood Plain</u>: 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.

<u>Evaluation Factors</u>: 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.

<u>Public Involvement</u>: 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.

<u>Opportunity for a Public Hearing</u>: 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.

<u>Notification of Final Permit Actions</u>: Each month, the final permit actions from the receding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <u>http://www.mvk.usace.army.mil/offices/od/odf/main.asp</u>, or go directly to the Final Permit Actions web page at

http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/Monthly Notice/pnmain.asp.

Anne Sl Woerner Chief, Evaluation Section Regulatory Branch



(134)

Legend



Project Area 1.32 Acres

Proposed New Channel

Jurisdictional Waters of the United States

(577)

Project Location

7 March 2014 MVK-2014-132 Applicant: Louisiana Department of Culture, Recreation and Tourism

Proposed Work: Bank Stabilization and New Channel

> Location: Section 12, T19N-R10E Pioneer, Quadrangle West Carroll Parish, LA

Map Background: NAIP Aerial Imagery (2010) Preliminary Jurisdictional Determination Prepared by: Jim Cole



Enforcement Section

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