



APPLICATION NO.: SHC-MVK-2016-117

EVALUATOR:

Ms. Samantha Claypool

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DATE:

March 22, 2016

EXPIRATION DATE: April 11, 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, and must reach this office by the cited expiration date.

The application also has been made available 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. Tom Watson Munoco Company L.C. 200 North Jefferson, Suite 308 El Dorado, Arkansas 71730

Name of Agent:

Mr. James Nugent Nugent Land Services, LLC Post Office Box 543 Jena, Louisiana 71342

Location of Work: Section 21, T8N-R7E, latitude 31.6583, longitude -91.7620, within the Lower Ouachita drainage basin, HUC: 08040207, in Catahoula 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 the construction of a well pad and an access road. The applicant's stated purpose for the well pad and access road is to drill, discover, and produce oil. The access road would be approximately 1,089.22 ft by 20 ft and the proposed well pad would be approximately 225 ft by 225 feet.

During the drilling phase, the road and well pad would be cleared of timber and leveled. Munoco Company would utilize a "closed loop drilling mud system", no earthen pits would be constructed. No foreign material would be introduced to the road or well pad during this phase of the operation. The drilling phase would take 7 to 10 days. Once the well reaches total depth, a decision would be made to complete the well as a producing well or plug the well and abandon it. Should the well be plugged and abandoned, the well pad and road would be returned to its original condition.

If the well is completed as a producing well, the road and approximately one-half of the well pad would be upgraded to an "all weather road". "Pit run", a clay and gravel fill material, would be hauled in by truck so that the well pad could be accessed year round. A concrete slab approximately 10 ft by 30 ft would be poured to support the pumping unit.

The proposed total project footprint consists of approximately 1.50 acres, during the production phase approximately 1,200 cubic yards of "pit run" fill would be used for the access road. A total of 0.26 acre of emergent wetlands and 1.22 acres forested wetlands would be impacted by the proposed project.

Vegetation growing in the wetland area consists of willow oak, nutall oak, American elm, southern hackberry, bush palmetto, peppervine, and trumpet vine. Hydric soils within the project site consist of Alligator clay series.

The applicant proposes to mitigate for the unavoidable loss of wetland impacts through purchasing wetland credits from an approved mitigation bank whose service area includes the same 8-digit HUC unit 08040207.

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.

<u>Cultural Resources</u>: The Regulatory Archaeologist has reviewed the latest published version of the <u>National Register of Historic Places</u>, 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 (entirely) of low-lying wetlands with no existing or subsided natural levee landforms; and therefore, 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 would not affect the following species: Pallid Sturgeon, Sprague's Pipit, Louisiana Black Bear, Redcockaded woodpecker. Our initial finding is that the proposed work 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.

<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.

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.

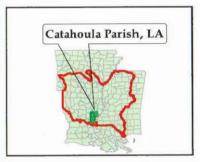
Thomas A. McCabe

Chief, Evaluation Section

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Regulatory Branch





24 February 2016

MVK-2016-117

Munoco Company L.C. White WPL #3 Catahoula Parish Jena, LA

Preliminary Jurisdictional Determination

Jay Keen







US Army Corps of Engineers

Regulatory Branch

Enforcement Section

125 250 Feet

Legend



Project Boundary (1.55 Acres)

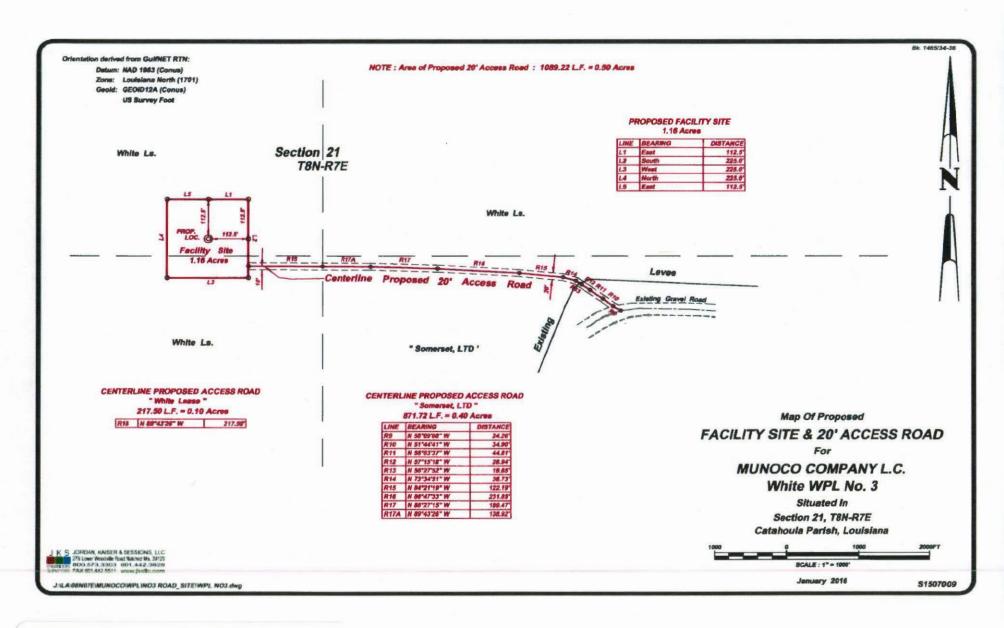


Emergent Wetland (0.26 Acres)



Forested Wetland (1.22 Acres)

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MUNOCO COMPANY L.C.