



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	<u>SYK-MVK-2013-988</u>
EVALUATOR:	<u>Ms. Sarah Koepfel</u>
PHONE NO.:	<u>(601) 631-5894</u>
FAX NO.:	<u>(601) 631-5459</u>
E-MAIL:	<u>Sarah.Y.Koepfel@usace.army.mil</u>
DATE:	<u>August 20, 2014</u>
EXPIRATION DATE:	<u>September 9, 2014</u>

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. Ray Delia
Muddy Bottoms ATV
Recreation, LLC
11288 Hwy 371 South
Sibley, LA 70173

Name of Agent:
Mr. Lee Womack
Providence Engineering and &
Environmental Group, LLC
1201 Main Street
Baton Rouge, LA 70802

Location of Work: Sections 26, 27, 34, 35 & 37, T23N-R11W, and Section 37, T22N-R11W, latitude 32.944907N, longitude -93.49513W within the Bayou Bodcau

drainage basin, near the city of Sarepta, in Webster 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 the discharge of dredged and/or fill material associated with the construction of the Muddy Bottoms all-terrain vehicle park. The 665.72 acre project area consists of approximately 18.94 acres of wetlands, 13,485.53 linear feet of streams, and 269.96 acres of other waters of the United States. A total of 8.92 acres of wetlands, 2,863.68 linear feet of stream, and 2.93 acres of other waters have been impacted.

Unauthorized discharge of fill material is associated with the creation of paved roads and site features, and excavation required for the construction of approximately 37.48 acres of drainage ditches. Fill material consisted of 30,185.47 cubic yards of on-site excavated material. Construction has been completed.

Vegetation growing in the wetland area includes Loblolly pine, tall beaksedge, juncus, water smartweed, sawtooth blackberry, blackjack oak, sweet gum, roundleaf greenbriar, Japanese honeysuckle, water oak and eastern baccharis. Hydric soil within this project consists of Guyton-Ouachita silt loams, frequently flooded, and Wrightsville silt loam.

The applicant proposes to restore approximately .74 acre of wetlands to pre-construction conditions. The applicant proposes to mitigate for remaining jurisdictional impacts by purchasing credits from an approved mitigation bank.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and commercial development 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, state lists of properties determined eligible, and other sources of information. An historic properties investigation is justified and has been required. Currently this office is coordinating with the State Historic Preservation Officer, Federally Recognized Tribes and other interested parties regarding potential effects to historic properties that could result from the proposed activity.

Endangered Species: Our initial finding is that the proposed work would have no effect to the Red-cockaded Woodpecker. 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.

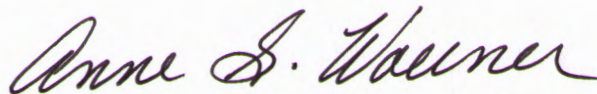
Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this 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.aspx>, or go directly to the Final Permit Actions web page at <http://geo.usace.army.mil/egis/f?p=340:1:0:::::>.



Anne S. Woerner
Chief, Evaluation Section
Regulatory Branch

Muddy Bottoms ATV & Recreation Park, LLC

Springhill

Project Location

Sarepta



US Army Corps
of Engineers.

Regulatory Branch

Enforcement Section

25 February 2014

MVK-2013-988

Applicant:
Muddy Bottoms ATV & Recreation, LLC

Proposed Work:
Commercial Construction

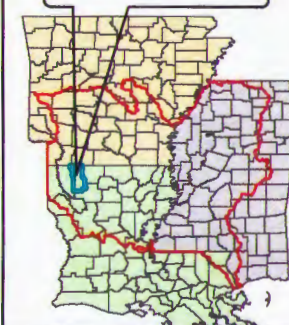
Location:
Sections 26, 27, 34, 35 and 37, T23N-R11W
Cullena & Caterville, LA Quadrangle
Webster Parish, Louisiana

Map Background:
Street Map USA

**Project Location
Map**

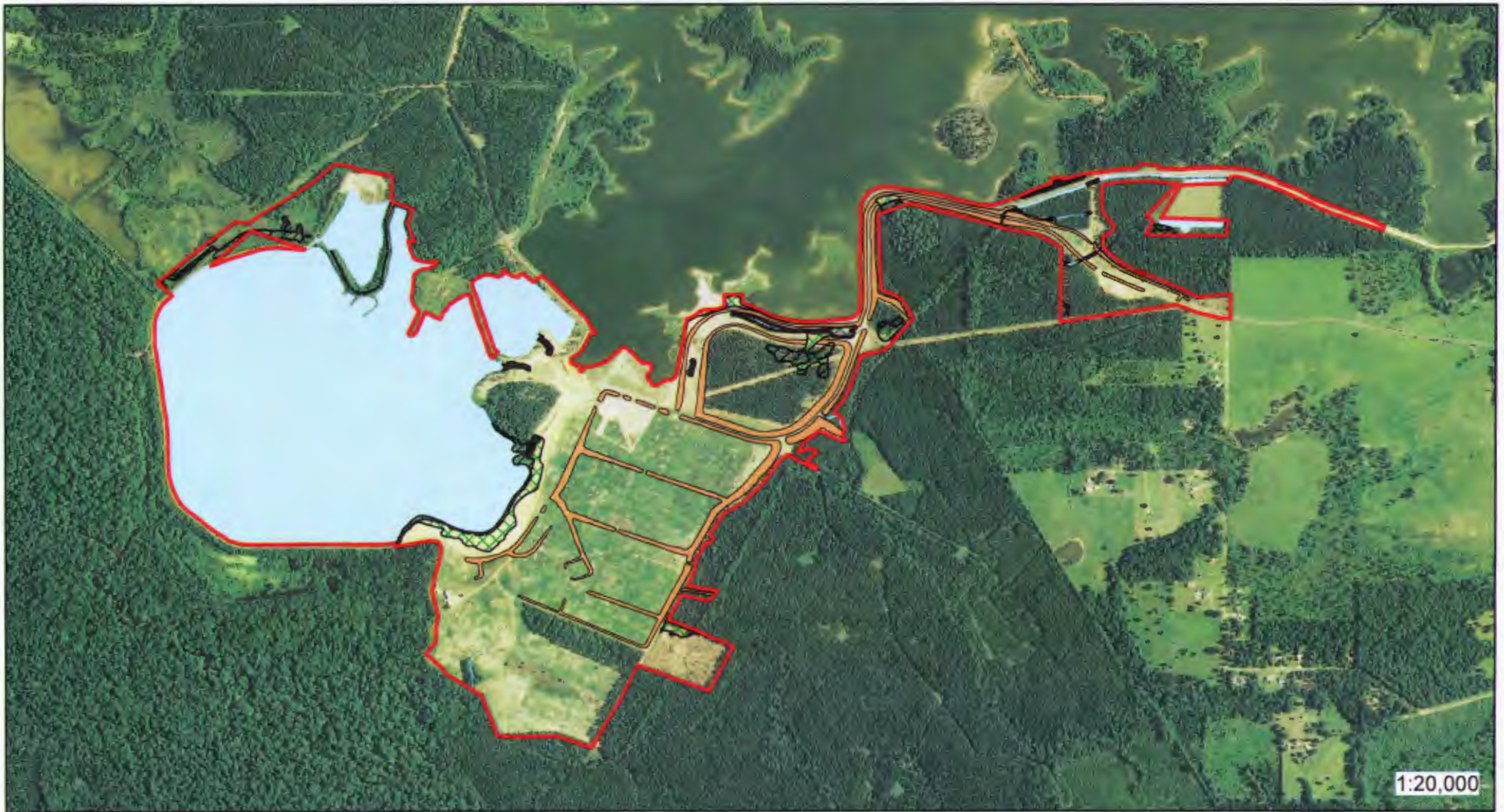
Prepared by:
Jim Cole

Webster Parish, LA





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Enclosure 1



Legend

-  Limits of Delineation ~ 665 Acres
- Muddy Bottoms Wetlands (18.94 Acres)**
-  Total Non-Impacted 8.92 Acres
-  Total Wetlands Impacted (Acres 10.02)
-  Constructed Ditches (37.48 Acres)


- Other Waters (271.70 Acres)**
-  Total Non-Impacted OW 268.48
 -  Total Impacted OW 3.22

US Army Corps of Engineers.

Regulatory Branch

Enforcement Section

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 Feet

25 February 2014

MVK-2013-988

Applicant:
 Muddy Bottoms ATV & Recreation Park, LLC

Proposed Work:
 Commercial Construction

Location:
 Sections 26, 27, 34, 35 and 37, T18N-R8W
 Cartersville & Cullen, LA Quadrangle
 Webster Parish, Louisiana

Map Background:
 NAIP Aerial Imagery (2010)

Cease and Desist
Map

Prepared by:
 Jim Cole

Enclosure 2