



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	TVG-MVK-2007-1164
EVALUATOR:	Ms. Tarmiko Graham
PHONE NO.:	(601) 631-5540
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@usace.army.mil
DATE:	November 26, 2008
EXPIRATION DATE:	December 16, 2008

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A (3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address, and the Louisiana Department of Environmental Quality, Office of Environmental Services, Post Office Box 4313, Baton Rouge, Louisiana 70821-4313, and must reach these offices by the cited expiration date.

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. Lamar Perry
1397 Lensing Lane
Lake Providence, Louisiana 71254

Location of Work: Section 18, T20N-R12E, latitude 32.7308° longitude -91.2723°, within the Tensas River Drainage Basin, East Carroll 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, in conjunction with the U.S.D.A. Natural Resource Conservation Service's Program for Statewide Wildlife Habitat Improvement Projects (WHIP), is applying for an after-the-fact Department of the Army permit to discharge dredged and/or fill material into wetlands associated with mechanized land clearing and construction of a water control levee in East Carroll Parish, Louisiana. The applicant's stated purpose of the completed project was to enhance private property for outdoor recreation.

The unauthorized work involved mechanized land clearing and filling approximately 3.2 acres of jurisdictional wetlands, to construct a levee for the completed project. The project was designed for water control to hold adequate water in Swan Lake. The project would be managed according to NRCS specifications to create optimal waterfowl and wetland wildlife habitat. The levee is approximately 1,850 feet in length, with a 75-foot base width, 8 foot top width, 3:1 slide slopes, and required approximately 3,748 cubic yards of sharkey clay fill material. The levee has (2) 18" drop pipes placed to control water levels for drainage. A water level management plan would be developed for the project.

The project involved planting Rye grass for temporary vegetation and Bermuda grass for permanent vegetation, which provided food and shelter for waterfowl species. Existing vegetation within the project site consists of black willow, cypress, water elm, and button bush. Soil within the project site consists of shubuta fine sandy loam, a moderately well drained soil.

A total of approximately 15.0 acres of wetlands were impacted by the proposed project, of which 3.2 acres would be direct impacts due to levee construction. Approximately 11.8 acres would be seasonally flooded for waterfowl habitat. The unauthorized placement of dredged and/or fill material in wetlands associated with mechanized land clearing and construction of the proposed waterfowl/wetland wildlife habitat 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: An initial review indicates that the proposed project would not affect any of the sites in East Carroll Parish listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not 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.

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.

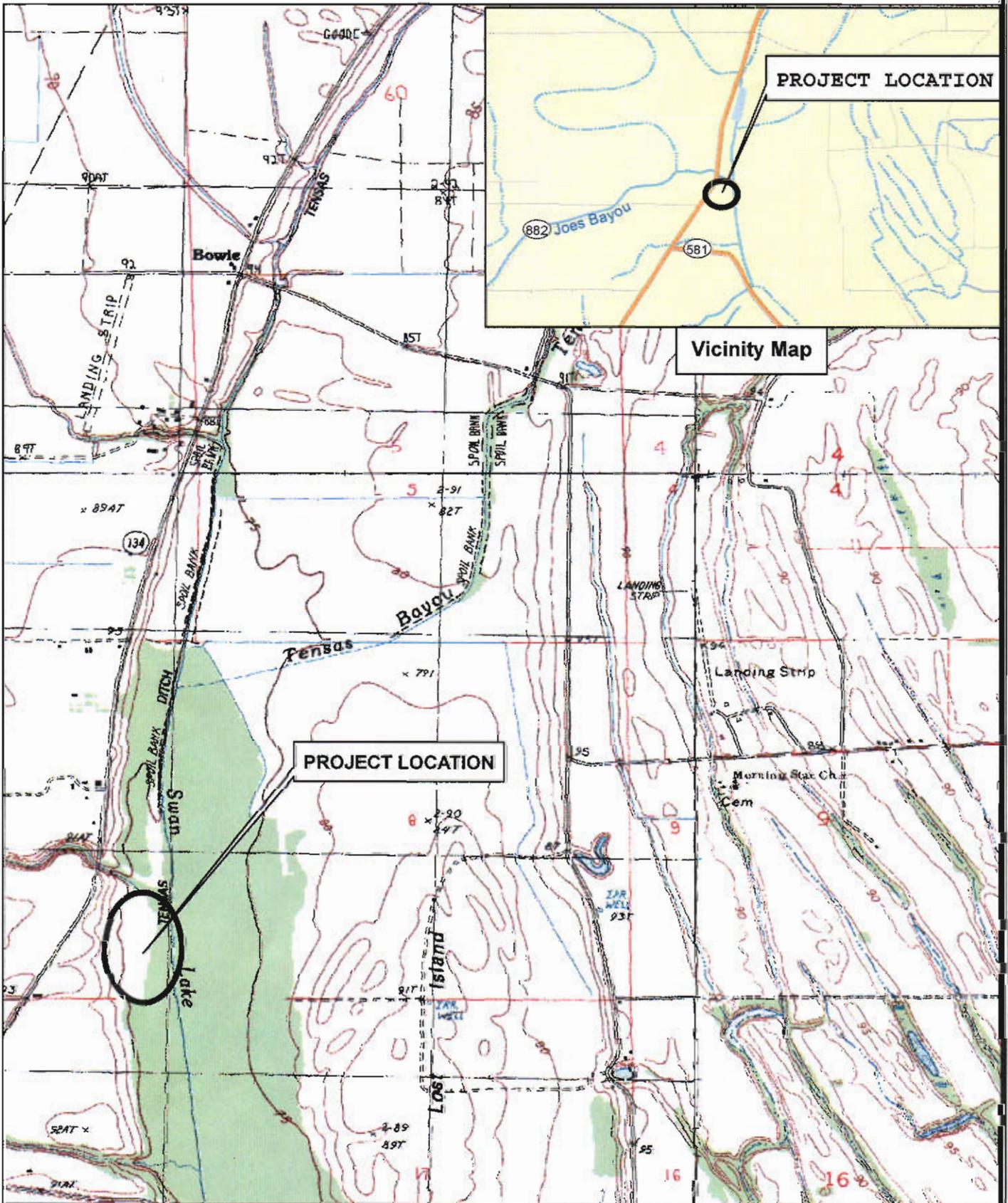
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this 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/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.



Anne S. Woerner
Chief, Evaluation Section
Regulatory Branch

SWAN LAKE LEVEE PROJECT



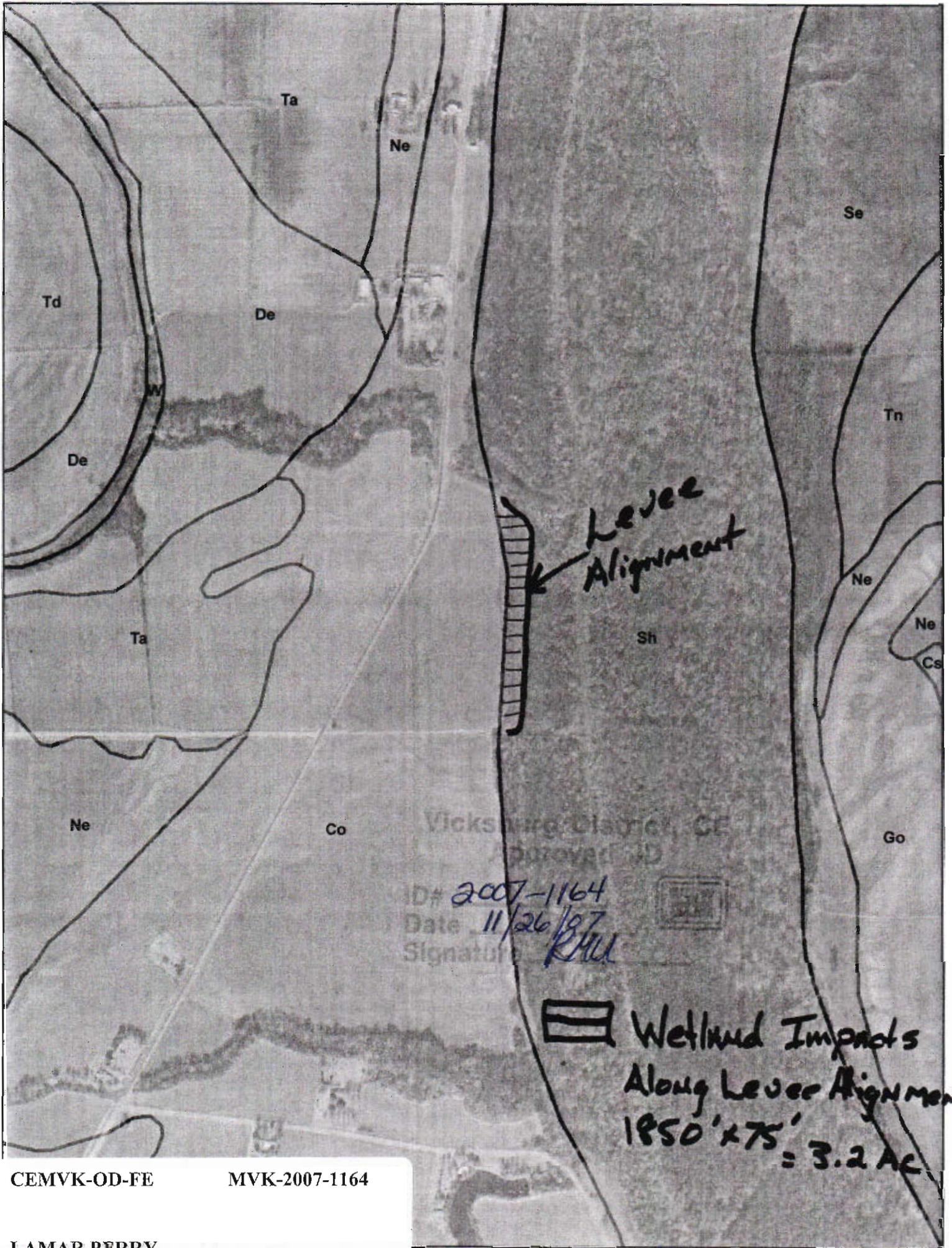
Caraway Lake Quad
1:24,000



CEMVK-OD-FE

MVK-2007-1164

MR. LAMAR PERRY



CEMVK-OD-FE

MVK-2007-1164

LAMAR PERRY

Customer(s): LAMAR PERRY

District: EAST CARROLL SOIL & WATER CONSERVATION DISTRICT

Approximate Acres: 15.8

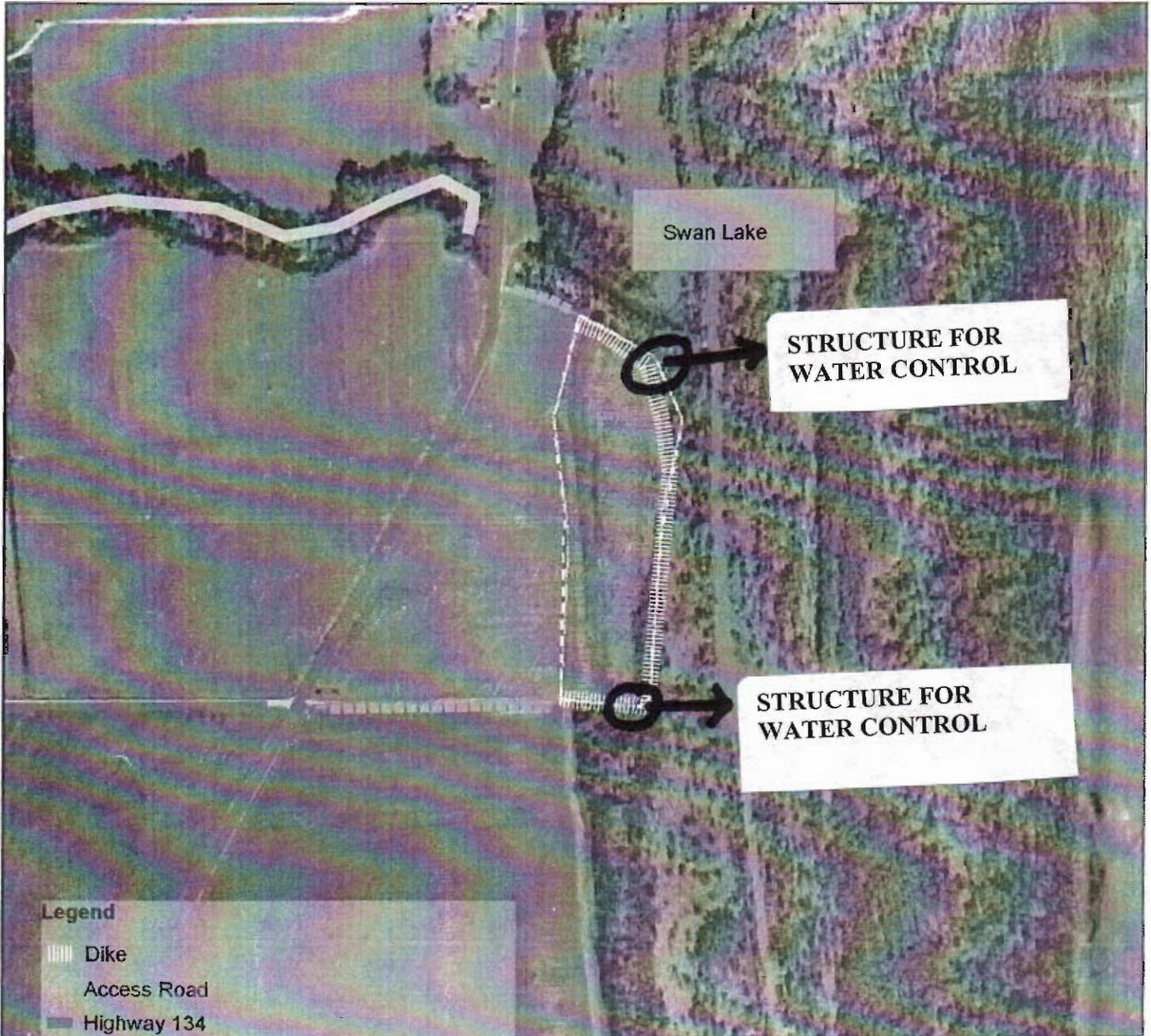
Field Office: LANE PROVIDENCE SERVICE CENTER

Agency: NRCS

Assisted By: Eran C Robinson



Land Units:



Legend

- Dike
- Access Road
- Highway 134
- Highway 882
- Joes Bayou/Dry Prong Bayou
- Structure For Water Control
- Shallow Water Development and Management
- CTAT332

Field No.	Acres	Landuse
1	15.0	Wildlife
Total	15.0	

1"=660'



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LAMAR PERRY