

## **Public Notice**

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

APPLICATION NO.:

EVALUATOR:

PHONE NO.:

E-MAIL:

DATE:

EXPIRATION DATE:

MVK-2017-222

Mr. Jared Everitt

(601) 631-7104

Jared.H.Everitt@usace.army.mil

July 11, 2024

July 31, 2024

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-RD, 4155 Clay Street, Vicksburg, Mississippi 39183-3435 and must reach this office by the cited expiration date.

The Clean Water Act (CWA) Section 401 Water Quality Certification Improvement Rule (Certification Improvement Rule, 40 CFR 121), effective November 27, 2023, requires certification for any license or permit that authorizes an activity that has the potential to result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has submitted a certification request to the Louisiana Department of Environmental Quality (certifying authority). In accordance with Certification Improvement Rule, once the applicant submits a certification request, the U.S. Army Corps of Engineers and the certifying authority will jointly establish the reasonable period of time for the certifying authority to act upon the certification request.

<u>Law Requiring a Permit:</u> Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged and/or fill material into waters of the United States.

Name of Applicant:
Ms. Kim Smith
Sierra Frac Sand, LLC
1155 East Johnson Street
Tatum, Texas 75691

Name of Agent:
Mr. Lee Womack
Matrix New World Engineering
2798 O'Neal Lane, Building F
Baton Rouge, Louisiana 70816

<u>Location of Work</u>: The proposed project site is located in Sections 14, 15, 22, and 23, T21N-R14W, Latitude 32.800199, Longitude -93.792704, within the Arkansas, White, and Red Rivers Drainage Basin (8-digit USGS HUC 11140202), Bossier Parish, Louisiana.

**<u>Description of Work</u>**: (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 and permit modification to an existing Department of the Army permit to conduct regulated activities in "Waters of the U.S." for the purpose of Sand mining and dredging within Bossier Parish, Louisiana.

Sierra's Cedar Bluff Sand Mining Facility's current operation was authorized by the USACE Vicksburg District March 30, 2023. In addition to the continued operation of the Cedar Bluff Plant, Sierra is submitting this Section 10/404 After-the-Fact Permit and Modification Request Application to continue authorized operations under the March 30, 2023, permit, address non-compliance issues discovered during a USACE compliance inspection conducted December 4, 2023, and modify the currently authorized Operation.

The following activities have already been conducted and are proposed to be covered as after-the-fact permit features.

- 1. Twenty-five geotechnical borings were conducted within the Red River between July 7 and July 16, 2023. Sierra has obtained a Letter of No Objection for the subject borings from the Caddo Levee District.
- 2. Approximately 0.21 acres of Section 10 waters were impacted by the installation of a haul road entrance onto the sandbar.

The following activities are proposed as additional modifications to the existing authorized permit.

- 1. Installation of four, 18-inch-diamter helical piles to moor the Red River Dredge. The helical piles will be placed in uplands along the top bank of the river.
- 2. Incorporated 3.69 acres of Red River bank reclamation where it is currently sloughing.
- 3. Modify the location of the Red River Dredge discharge pond locations.
- 4. Modify a 0.58-acre area previously permitted at a 3:1 slope to a 6.5:1 slope to facilitate the Red River Dredge Deployment.

The Applicant proposes to purchase the required compensatory mitigation credits from a USACE Vicksburg District approved mitigation bank.

The majority of this site has already been disturbed through the existing operation of the Cedar Bluff facility. This includes the areas for the proposed modifications. The after-the-fact activities already occurred and took place within the Red River. 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 Regulatory Archaeologist has reviewed the latest published version of the <u>National Register of Historic Places</u>, lists of properties determined eligible, and other sources of information. The permit area was created in modern times and has had no human habitation: therefore, little likelihood exists for the proposed project to impinge upon a historic property. Copies of this public notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

Endangered Species: The Threatened and Endangered Species list gained via the U.S. Fish and Wildlife Service's Information for Planning and Consultation Tool for the project area includes: Northern Long-Eared Bat (Endangered), Tricolored Bat (Proposed Endangered), Red-cockaded Woodpecker (Endangered), and Alligator Snapping Turtle (Proposed Threatened). The Corps has determined that the proposed activity would have No Effect on Northern Long-Eared Bat, Red-cockaded Woodpecker, and Tricolored Bat as the project site does not contain suitable habitat for these species. While suitable habitat for the Alligator Snapping Turtle might be present within the proposed work areas, the proposed activities should not jeopardize the species.

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. The project is located within the 100-year floodplain.

<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

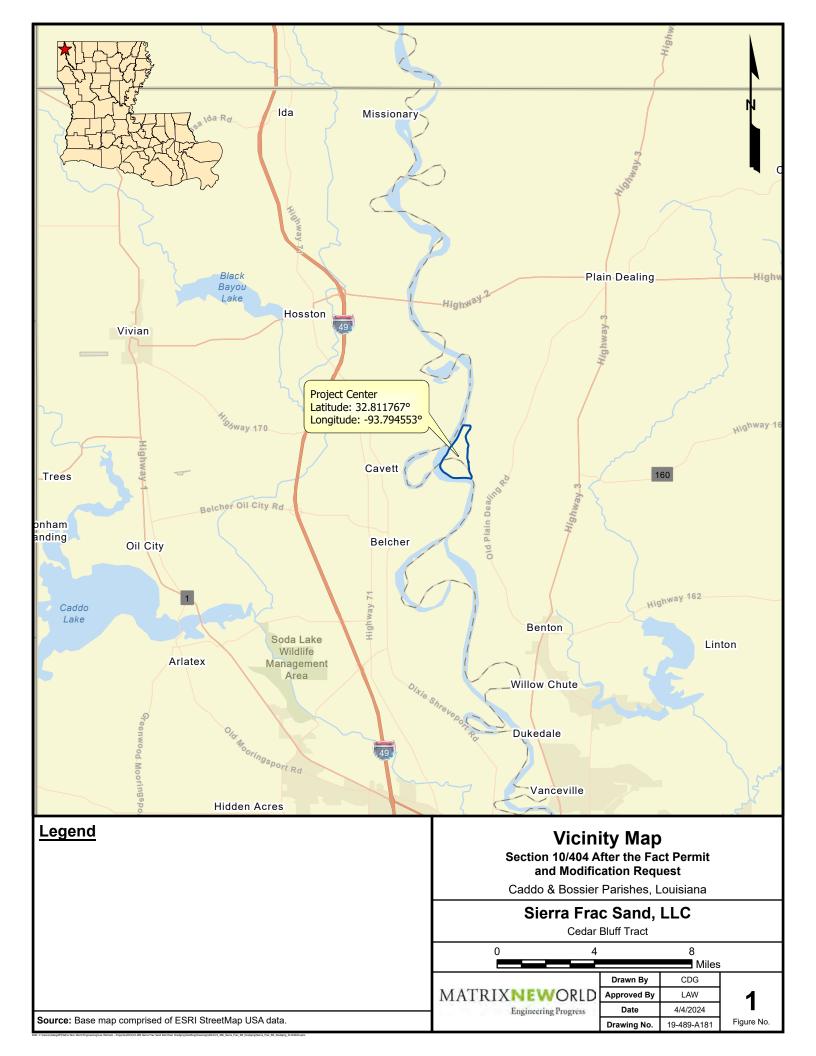
are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of 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.

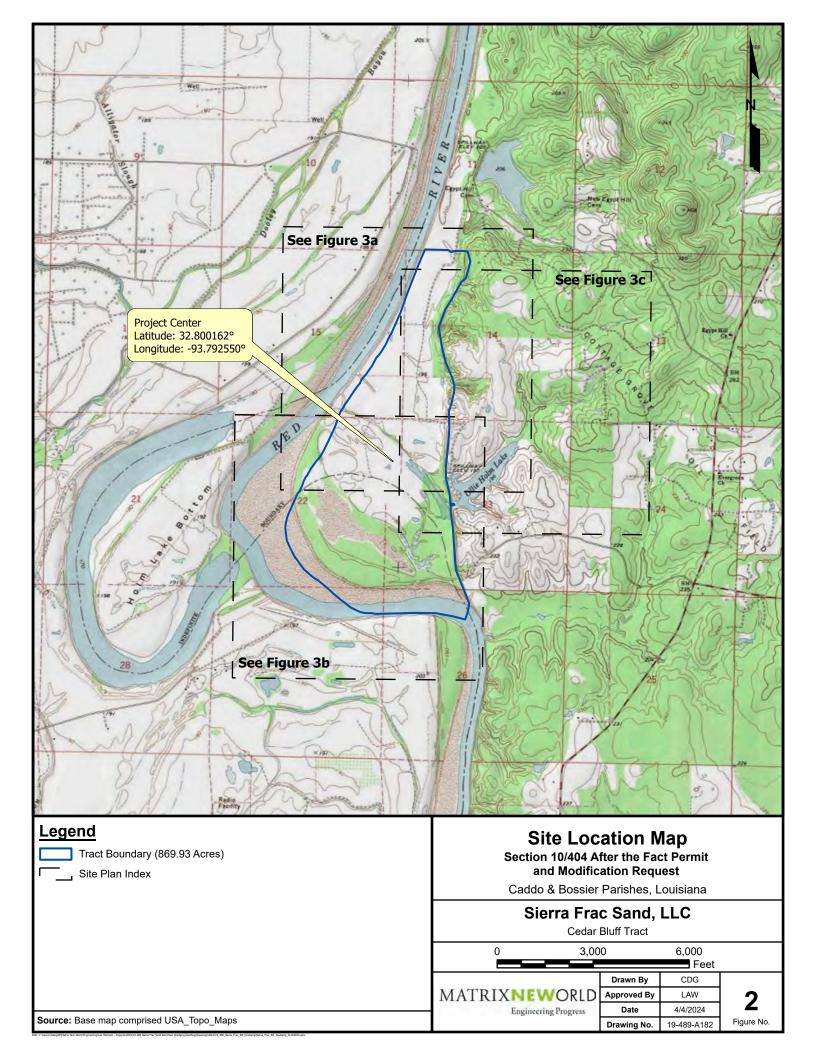
<u>Public Involvement</u>: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to 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.

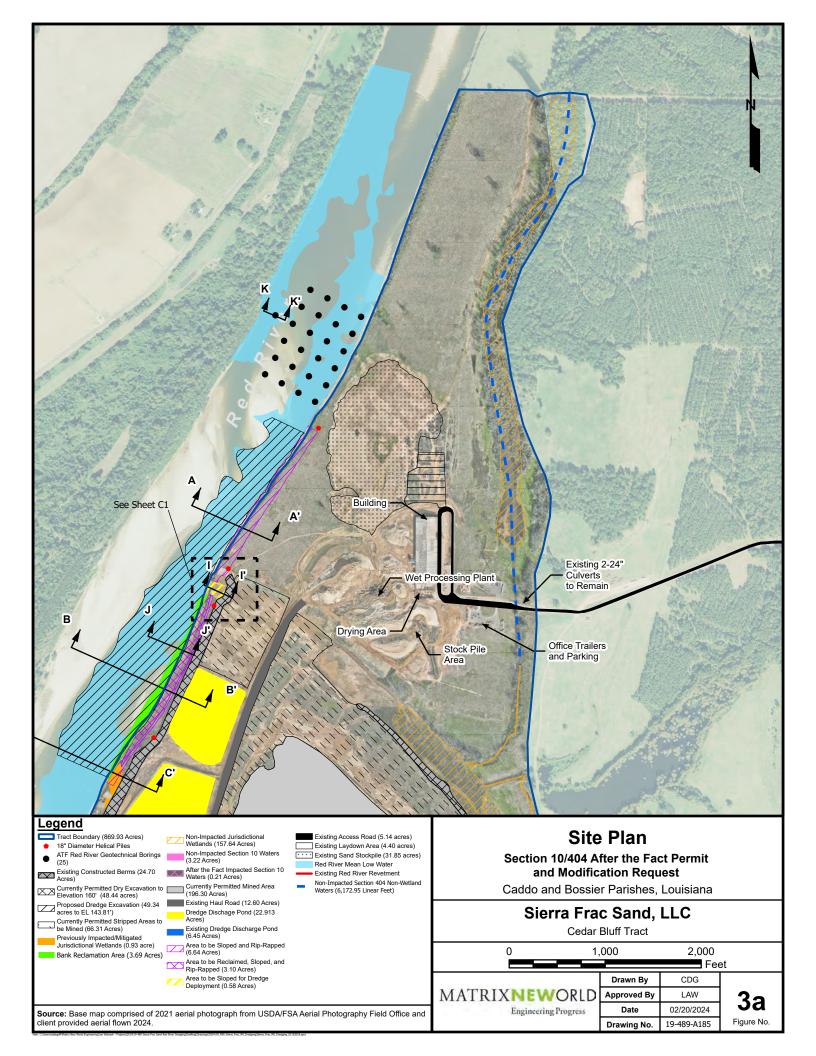
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this 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.

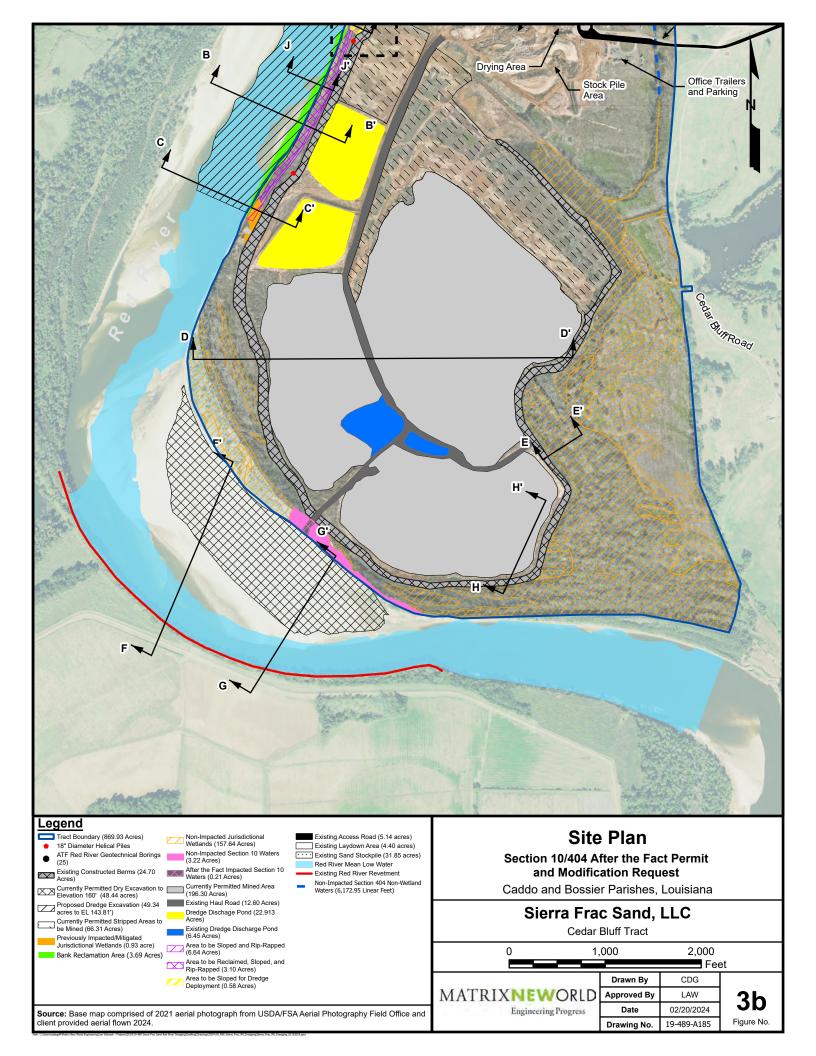
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <a href="http://www.mvk.usace.army.mil/Missions/Regulatory.aspx">http://www.mvk.usace.army.mil/Missions/Regulatory.aspx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

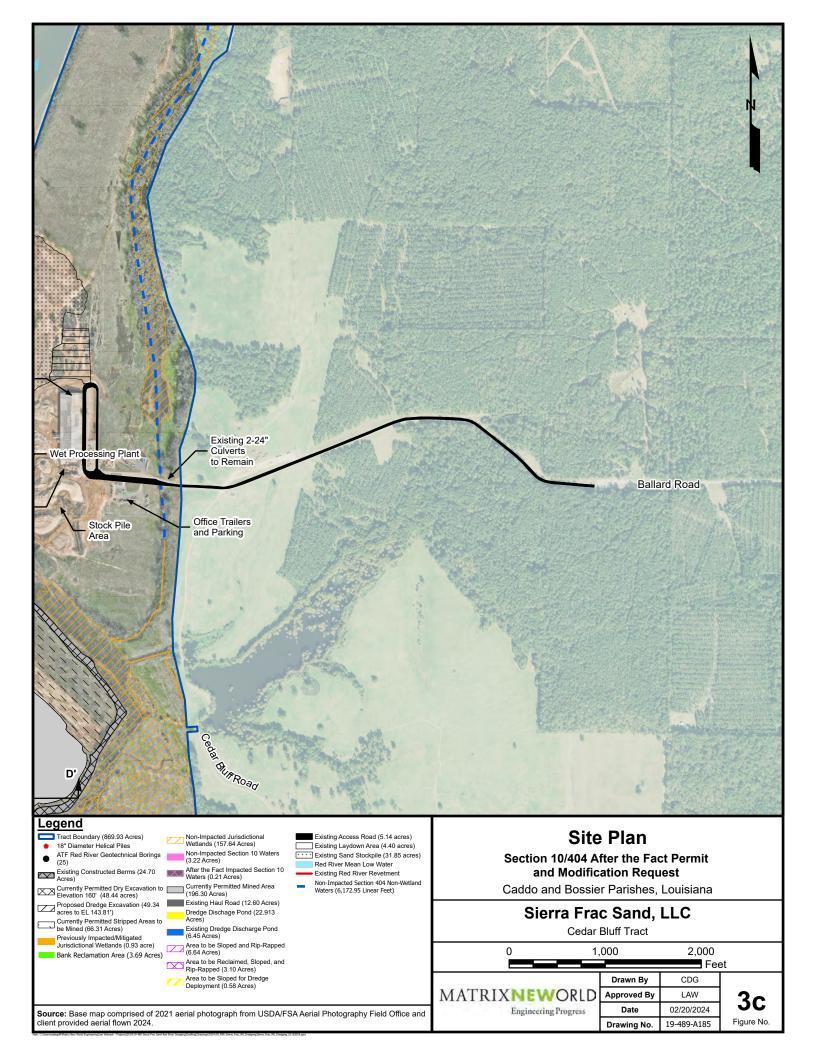
For Andy Sanderson
Chief, Louisiana Branch
Regulatory Division

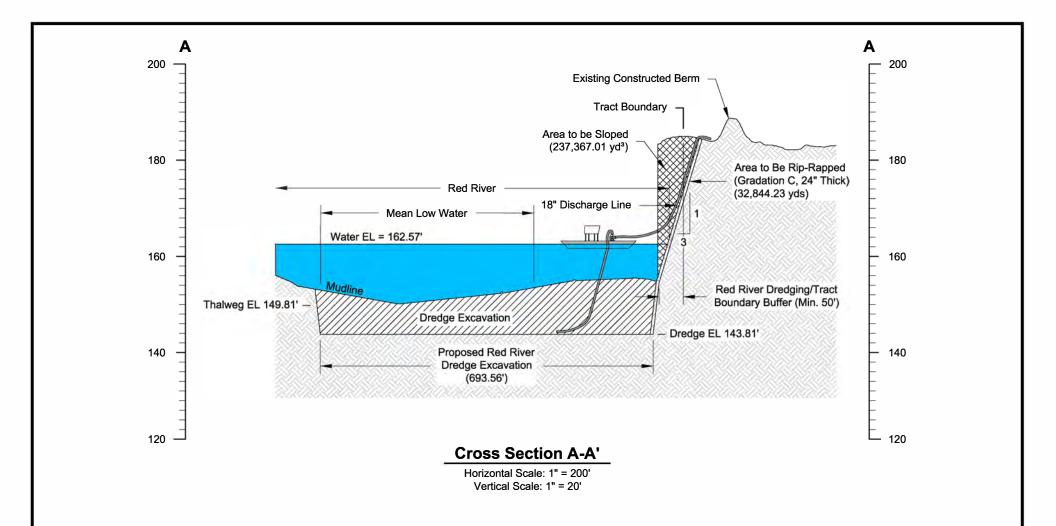












#### **Notes**

MLW EL = 153.29' NAVD 88

Red River bottom elevations and sand bar elevations based on topographic survey information collected 09/10/2020, 09/15/2020, 03/29/2021, and 11/19/2021.

Red River water level collected 09/10/2020.

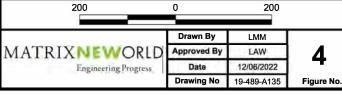
Red River Dredge Excavation = 692,137.89 yd3

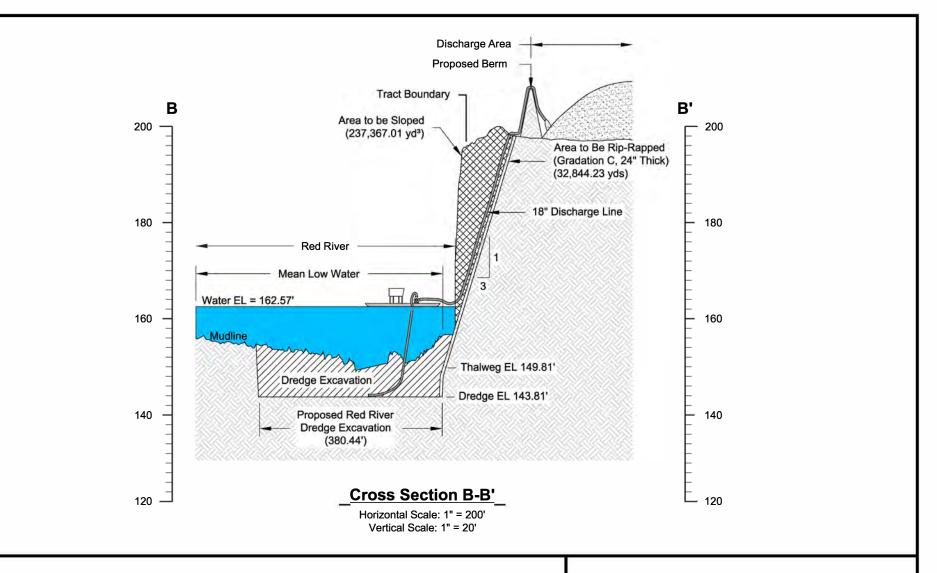
#### **Cross Section A-A'** Section 10/404 After the Fact Permit and Modification Request

Caddo and Bossier Parishes, Louisiana

#### Sierra Frac Sand, LLC

Cedar Bluff Tract 0





#### **Notes**

MLW EL = 153.29' NAVD 88

Red River bottom elevations and sand bar elevations based on topographic survey information collected 09/10/2020, 09/15/2020, 03/29/2021, and 11/19/2021.

Red River water level collected 09/10/2020.

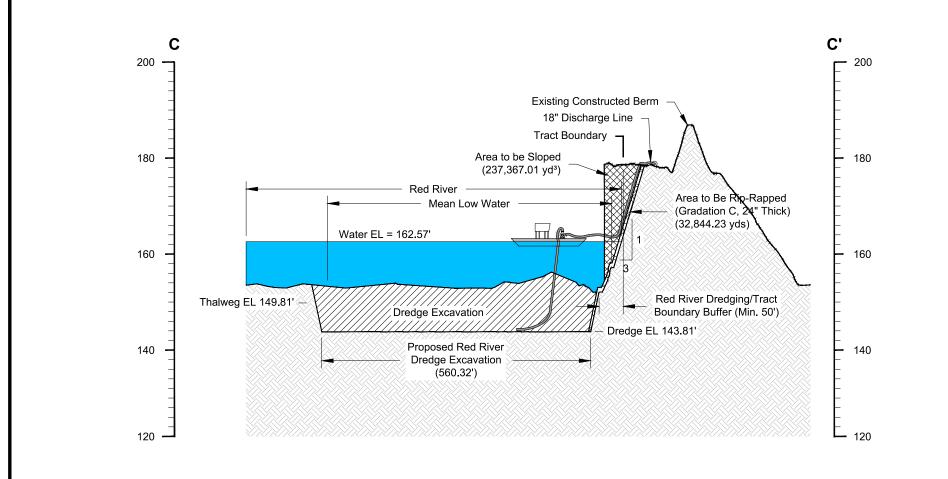
Red River Dredge Excavation = 692,137.89 yd3

# Cross Section B-B' Section 10/404 After the Fact Permit and Modification Request Caddo and Bossier Parishes, Louisiana

Sierra Frac Sand, LLC

Cedar Bluff Tract

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	Drawn By	LMM	
MATRIXNEWORLD	Approved By	LAW	5
Engineering Progress	Date	12/06/2022	J
	Drawing No	19-489-A134	Figure No.



#### **Cross Section C-C'**

Horizontal Scale: 1" = 200' Vertical Scale: 1" = 20'

#### **Notes**

MLW EL = 153.29' NAVD 88

Red River bottom elevations and sand bar elevations based on topographic survey information collected 09/10/2020, 09/15/2020, 03/29/2021, and 11/19/2021.

Red River water level collected 09/10/2020.

Red River Dredge Excavation = 692,137.89 yd<sup>3</sup>

# Cross Section C-C' Section 10/404 After the Fact Permit and Modification Request

Caddo and Bossier Parishes, Louisiana

#### Sierra Frac Sand, LLC

Cedar Bluff Tract

200 0 200

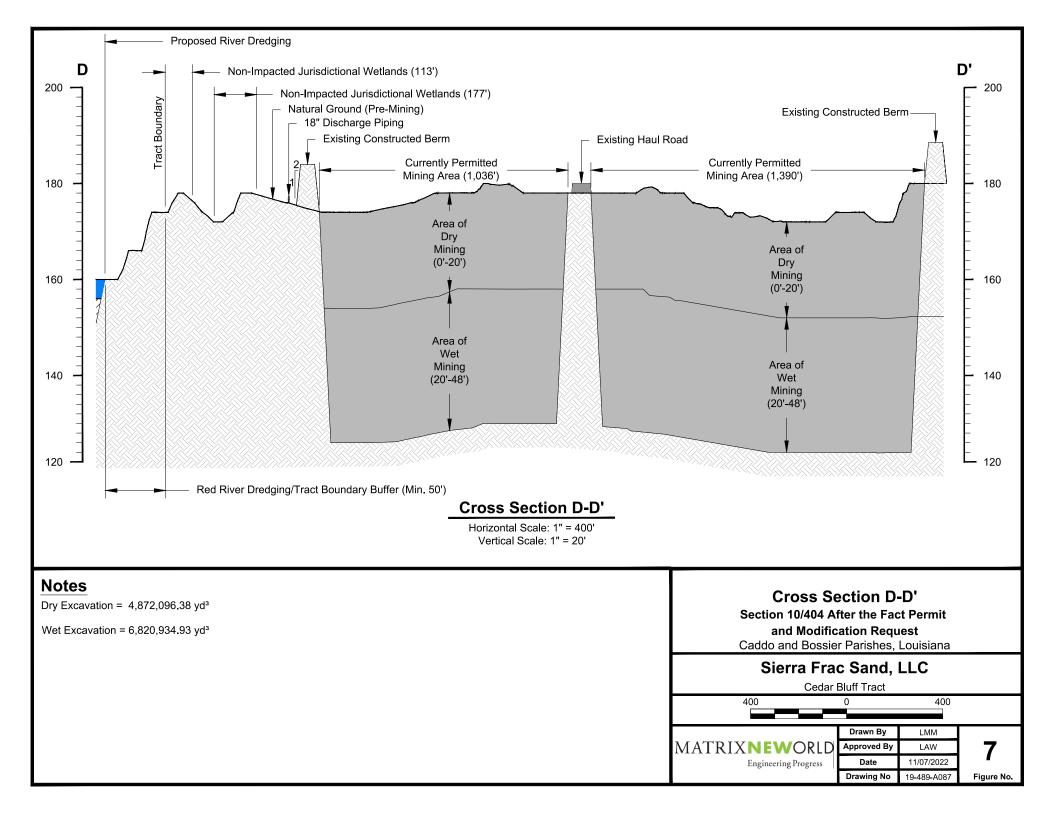


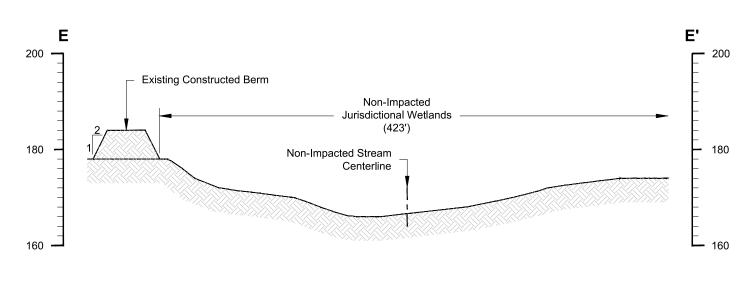
 Drawn By
 LMM

 Approved By
 LAW

 Date
 12/06/2022

 Drawing No
 19-489-A136





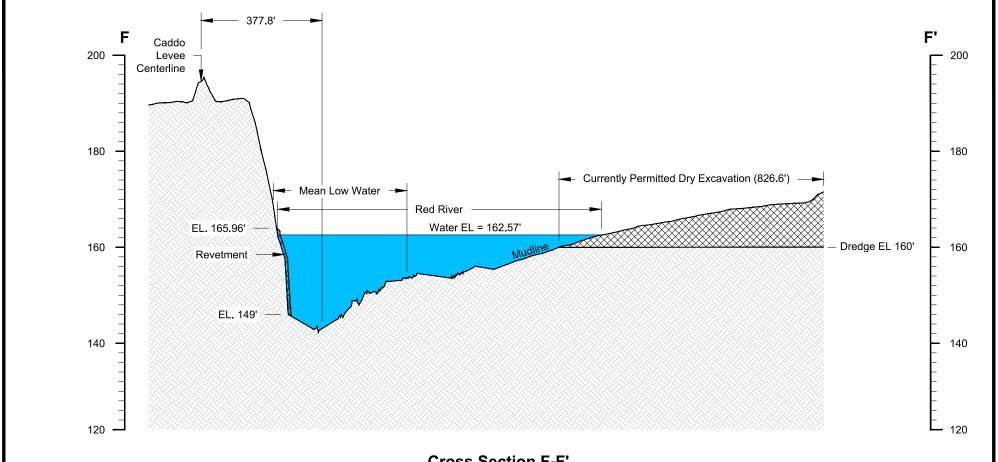
#### **Cross Section E-E'**

Horizontal Scale: 1" = 80' Vertical Scale: 1" = 20'

#### **Cross Section E-E' Section 10/404 After the Fact Permit** and Modification Request Caddo and Bossier Parishes, Louisiana Sierra Frac Sand, LLC Cedar Bluff Tract 80 Drawn By LMM MATRIX**NEW**ORLD 8 Approved By LAW Engineering Progress Date 11/07/2022

Drawing No

19-489-A088



#### Cross Section F-F'

Horizontal Scale: 1" = 300' Vertical Scale: 1" = 20'

#### **Notes**

MLW EL = 153.29' NAVD 88

Red River bottom elevations and sand bar elevations based on topographic survey information collected 09/10/2020, 09/15/2020, 03/29/2021, and 11/19/2021.

Red River water level collected 09/10/2020.

Permitted Excavation = 434,185.82 yd<sup>3</sup>

# Cross Section F-F' Section 10/404 After the Fact Permit and Modification Request Caddo and Bossier Parishes, Louisiana

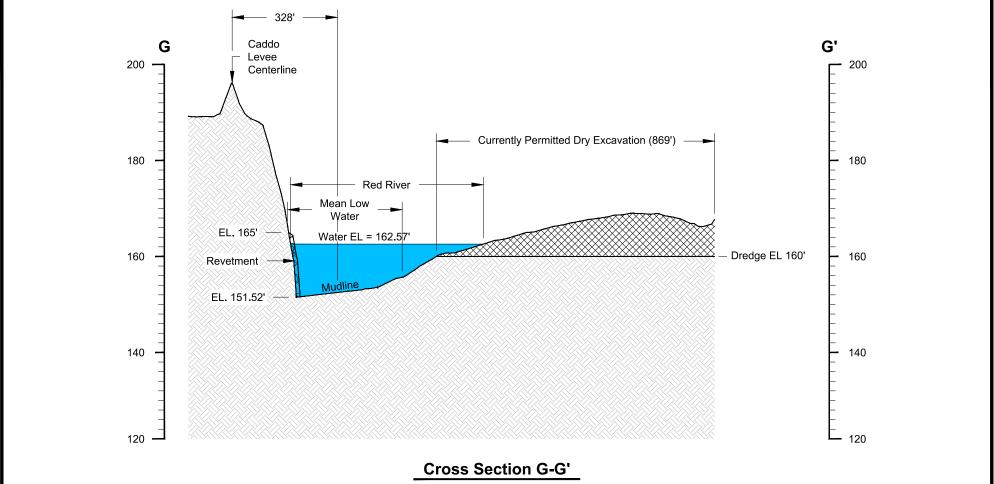
Sierra Frac Sand, LLC

Cedar Bluff Tract

300

9

Figure No.



Horizontal Scale: 1" = 300' Vertical Scale: 1" = 20'

#### **Notes**

MLW EL = 153.29' NAVD 88

Red River bottom elevations and sand bar elevations based on topographic survey information collected 09/10/2020, 09/15/2020, 03/29/2021, and 11/19/2021.

Red River water level collected 09/10/2020.

Permitted Excavation = 434,185.82 yd<sup>3</sup>

# Cross Section G-G' Section 10/404 After the Fact Permit and Modification Request Caddo and Bossier Parishes, Louisiana

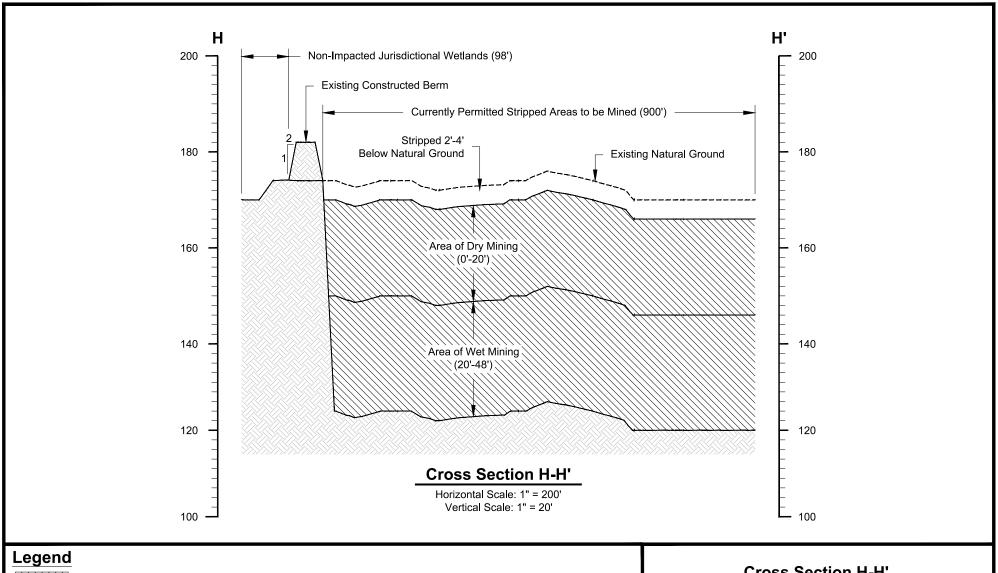
#### Sierra Frac Sand, LLC

300

10

Figure No.

Cedar Bluff Tract



Currently Permitted Stripped Area to be Mined

#### **Notes**

Dry Excavation =  $4,872,096.38 \text{ yd}^3$ 

Wet Excavation = 6,820,934.93 yd3

#### **Cross Section H-H'**

Section 10/404 After the Fact Permit and Modification Request Caddo and Bossier Parishes, Louisiana

#### Sierra Frac Sand, LLC

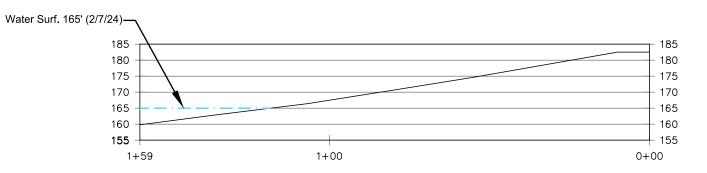
Cedar Bluff Tract 0

200





Scale: 1" = 500'



#### Cross Section I - I'

Horizontal Scale: 1" = 30' Vertical Scale: 1" = 30'

#### **Notes**



Area to be Sloped for Dredge Deployment (0.58 acres, 3333.11 cubic yards)

#### Reference

Topographic survey conducted by Sierra Frac Sand, LLC on 1/10/24 & 2/7/24.

#### **Cross Section**

I - I'

Section 10/404 After the Fact Permit and Modification Request
Caddo & Bossier Parishes, Louisiana

#### Sierra Frac Sand, LLC

Cedar Bluff Tract

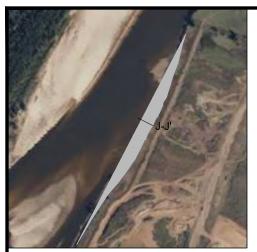


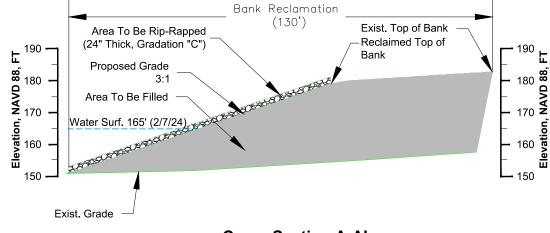
MATRIXNEWORLD

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Drawn By	BJR
Approved By	LAW
Date	3/5/24
Drawing No	19-489-A185

12





#### **Cross Section A-A'**

Horizontal Scale: 1" = 30' Vertical Scale: 1" = 30'

#### **Notes**

105,115 cubic yards of fill material; 4.42 acres

Area To Be Rip-Rapped (24" Thick, Gradation "C"): 15,918.76 cubic yards

#### Reference

Topographic survey conducted by Sierra Frac Sand, LLC on 1/10/24 & 2/7/24.

#### Cross Section J-J'

Section 10/404 After the Fact Permit and Modification Request

Caddo & Bossier Parishes, Louisiana

#### Sierra Frac Sand, LLC

Cedar Bluff Tract



Approved By

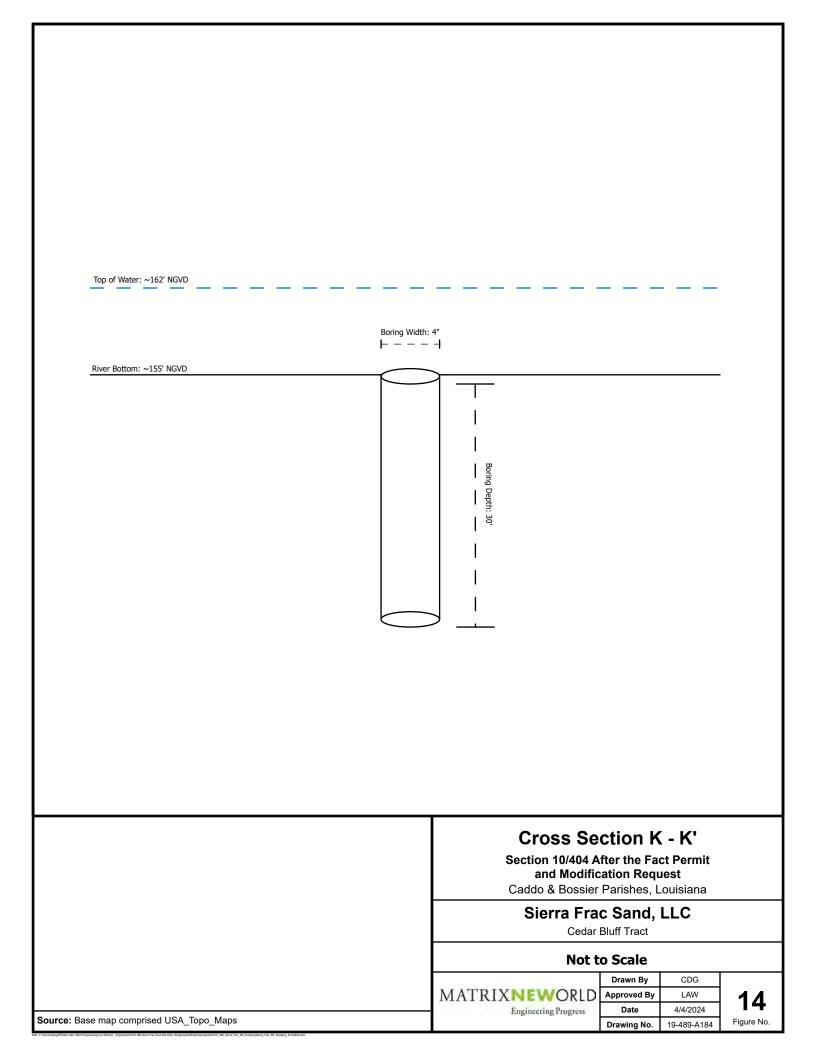
Date

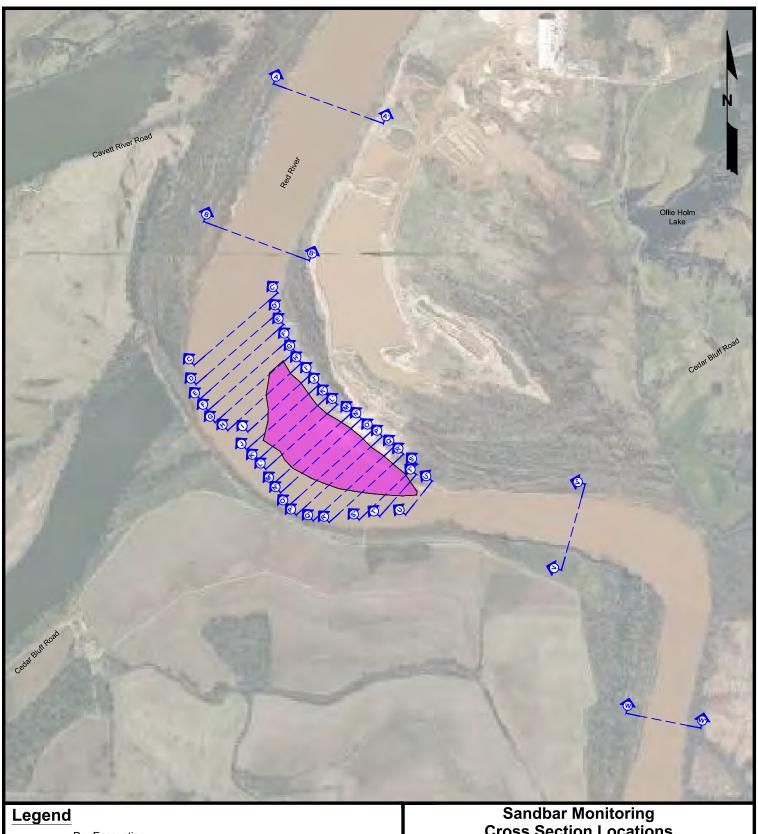
Drawing No

13

2/15/24

19-489-A185





Dry Excavation (44.26 acres to Elevation 160')

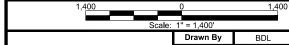
# Sandbar Monitoring Cross Section Locations Section 10/404 After the Fact Permit

and Modification Request

Caddo and Bossier Parishes, Louisiana

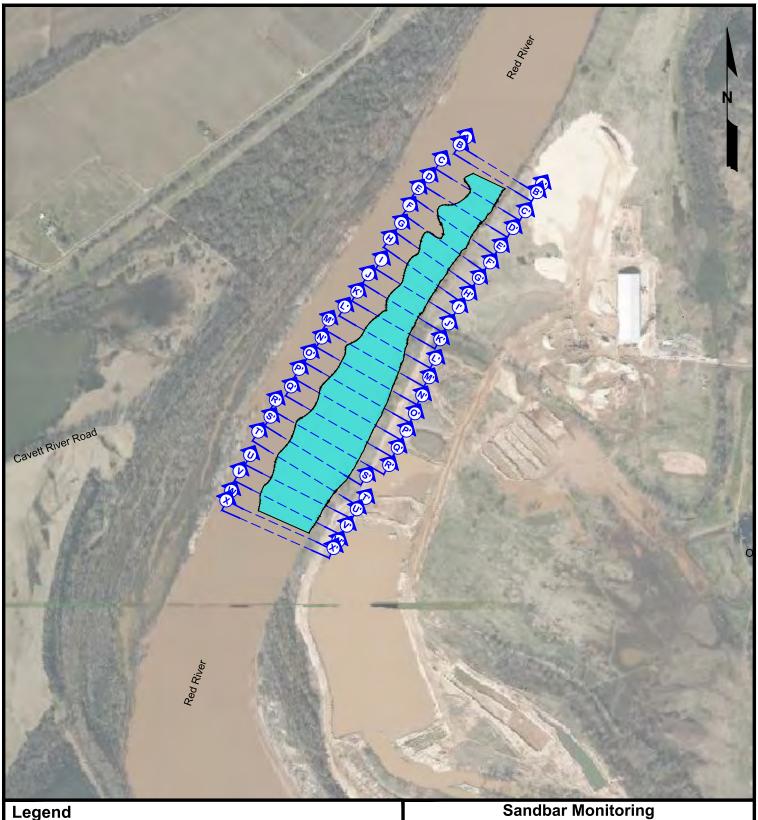
#### Sierra Frac Sand, LLC

Cedar Bluff Tract



**Source**Base map comprised from Bing Maps aerial imagery from (c) 2022 Microsoft Corporation and its data suppliers, dated 01/27/2019 - 01/29/2019.

Scale:	1" = 1,400	
	Drawn By	BDL
IATRIXNEWORLD	Approved By	LAW
Engineering Progress	Date	7/31/2023
	Drawing No.	10 490 4120



#### Legend

River Dredging (49.34 acres to Elevation 143.81')

### **Cross Section Locations** Section 10/404 After the Fact Permit

and Modification Request

Caddo and Bossier Parishes, Louisiana

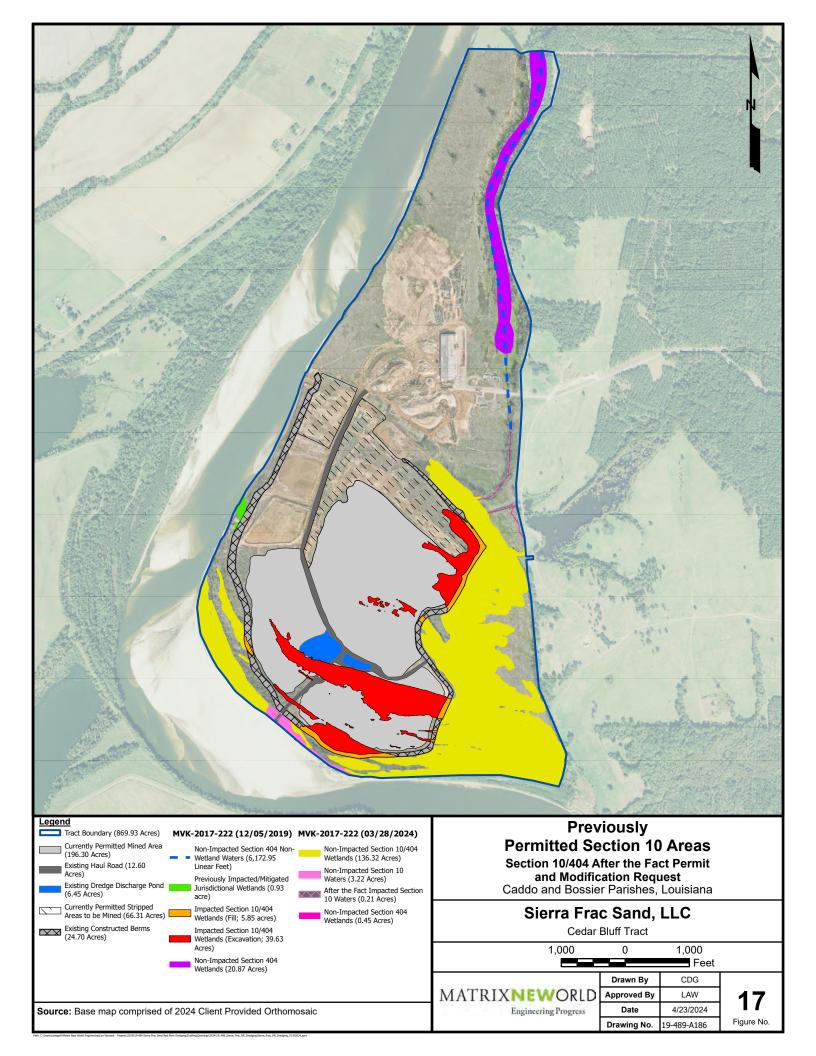
#### Sierra Frac Sand, LLC

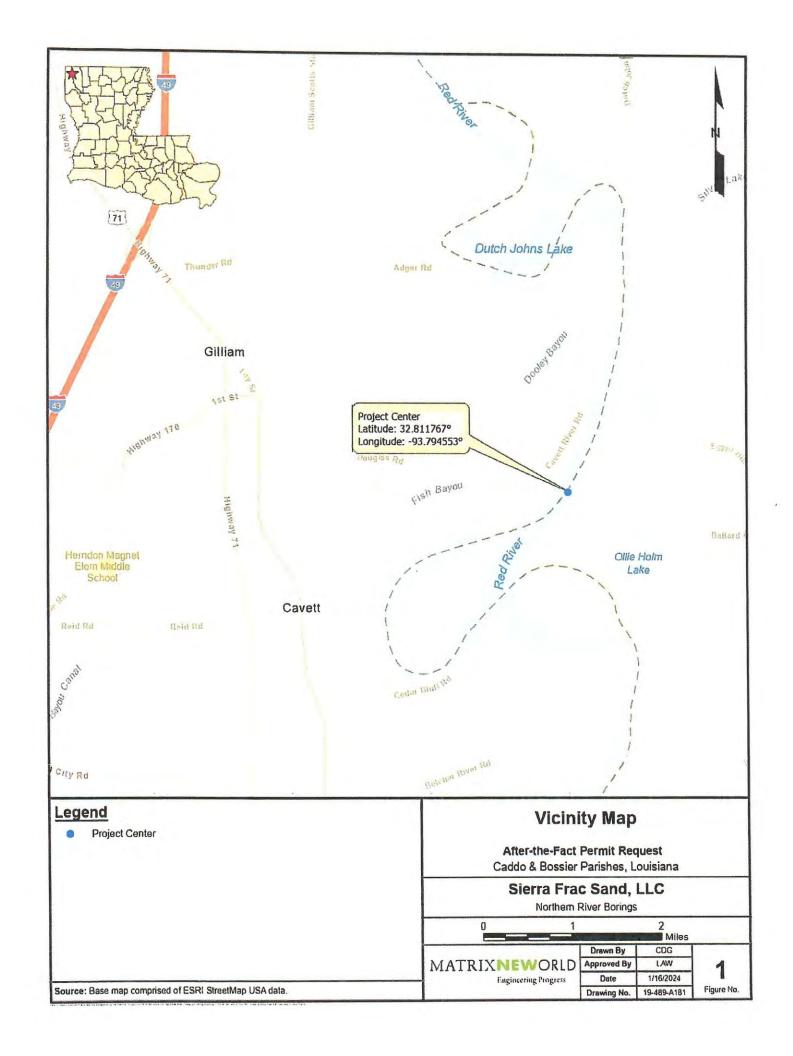
Cedar Bluff Tract

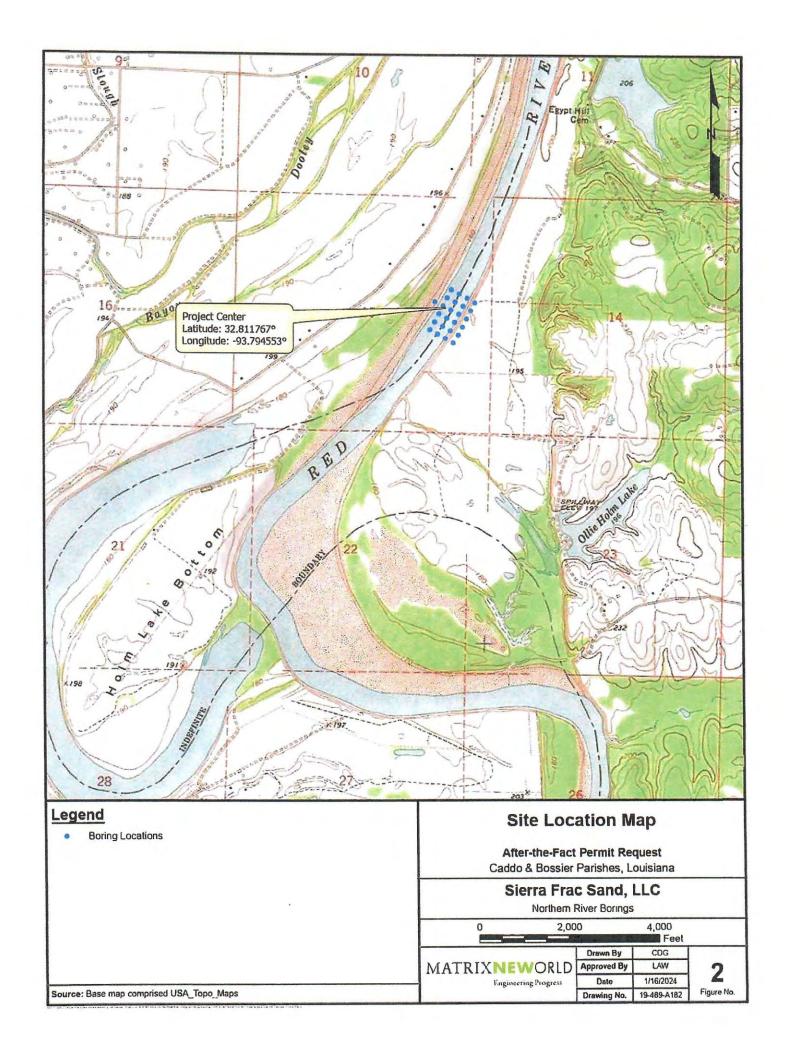
Source Base map comprised from Bing Maps aerial imagery from (c) 2022 Microsoft Corporation and its data suppliers, dated 01/27/2019 - 01/29/2019.

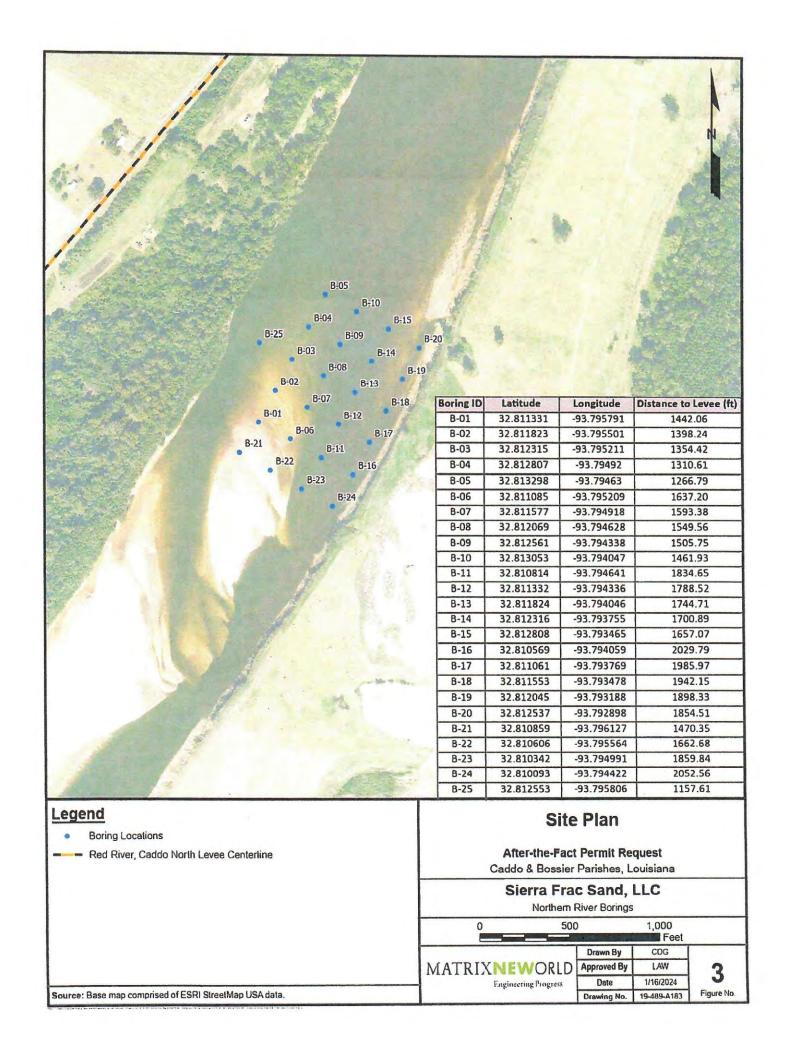
Engineering Progress
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Drawn By	BDL
Approved By	LAW
Date	7/31/2023
Drawing No	19-489-A140

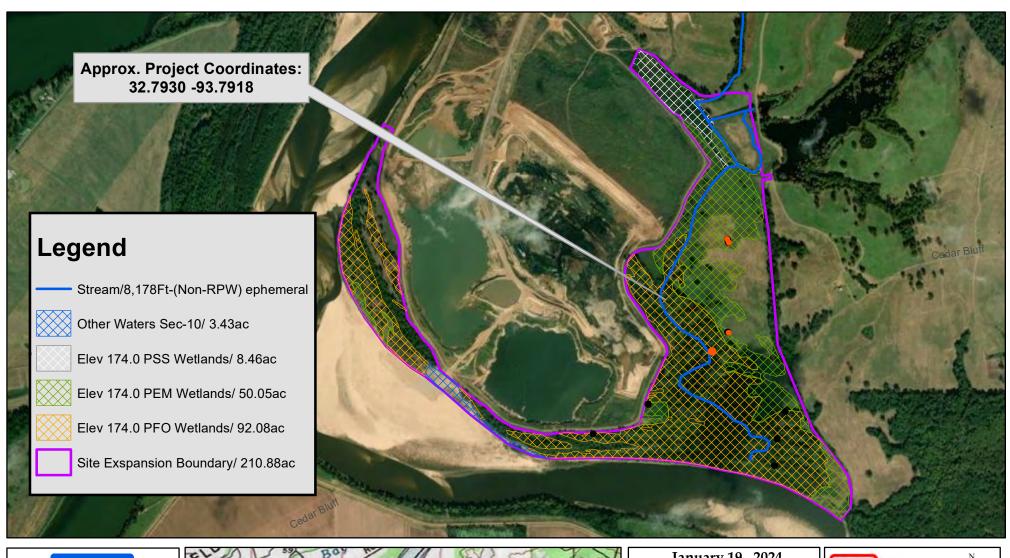




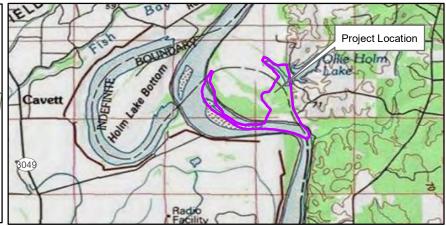




Top of Water; ~162' NGVD	
	Boring Width: 4"  ├
River Bottom: ~155' NGVD	
	Boring Depth: 30'
	Typical of Boring  After-the-Fact Permit Request
	Caddo & Bossier Parishes, Louisiana  Sierra Frac Sand, LLC  Northern River Borings
	Sierra Frac Sand, LLC







#### January 19, 2024 MVK-2017-222

Applicant: Sierra Frac Sand, LLC

Proposed Work: Sand Minning

Location: Section 22 & 23, T21N-R14W Gilliam, Quadrangle Bossier Parish, LA

Map Background: NAIP Aerial (2015)

### Approved Jurisdictional Determination

Prepared by: Robert G. Ulmer, Jr.

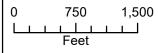


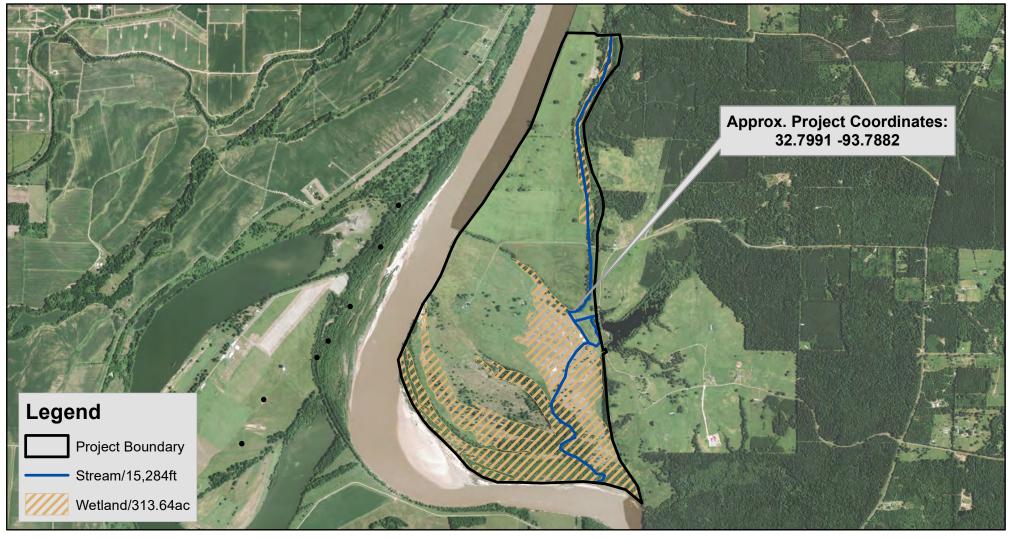


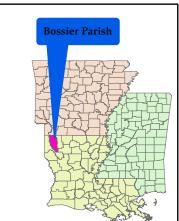


#### **Regulatory Branch**

**Enforcement Section** 









### December 5, 2019 MVK-2017-222 Applicant: Sierra Frac Sand, LLC

Proposed Work: Sand Minning

Location: Section 14-15,& 22-23, T21N-R14W Gilliam Quad, Quadrangle Bossier Parish, LA

Map Background: NAIP Aerial (2015)

#### **Preliminary Jurisdictional Determination**

Prepared by: Robert G. Ulmer, Jr.

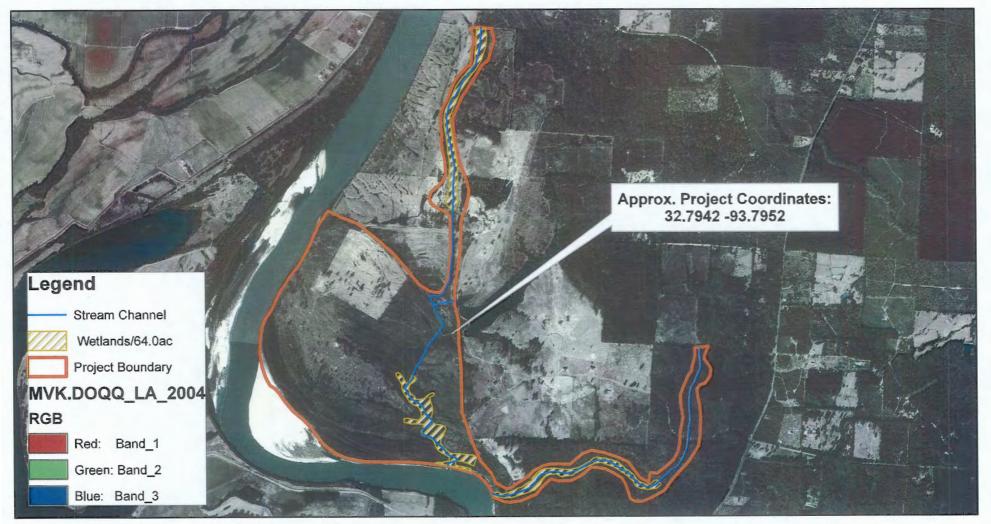


US Army Corps of Engineers

#### **Regulatory Branch**

**Enforcement Section** 

1,600 3,200 Feet







## 1 August 2012

MVK-2012-484 Applicant: Disiere Properties

Proposed Work: Mitigation Bank Creation

Location: Section 14 ,and 22-26 T21N-R14W Gilliam, Quadrangle Bossier Parish, LA

Map Background: NAIP Aerial Imagery (2010)

Preliminary

Jurisdictional Determination

Prepared by: Robert G. Ulmer, Jr.





US Army Corps of Engineers

Regulatory Branch

**Enforcement Section** 

1,400 2,800

Feet