



**US Army Corps  
of Engineers**

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



# Public Notice

APPLICATION NO.:	MVK-2014-442
EVALUATOR:	Mr. Andy Sanderson
PHONE NO.:	(601) 631-5083
E-MAIL:	Andy.Sanderson@usace.army.mil
DATE:	April 29, 2019
EXPIRATION DATE:	May 19, 2019

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.

Application also has been made 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 and / or fill material into waters of the United States.

**Name of Applicant:**  
Mr. Paul Sander  
Aethon Energy Operating, LLC  
12377 Merit Drive, Suite 1200  
Dallas, Texas 75251

**Name of Agent:**  
Ms. Kerri Smith  
Sphere 3 Environmental, Inc.  
1501 Bill Owens Parkway  
Longview, Texas 75604

**Location of Work:** Section 7, T16N-R11W, Latitude 32.3903N, Longitude -93.5414W, within the Lower Red Chute Bayou watershed in the Red Chute Drainage Basin (8-digit USGS HUC: 11140204), Bossier 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 to discharge dredged and/or fill material into jurisdictional wetlands for the purpose of expanding an existing well pad for subsurface natural gas and oil recovery in Bossier Parish, Louisiana. The well pad expansion would include drilling the proposed Feist 7-18 HC No. 1 Alt and No. 2 Alt wells.

The project site is approximately 6.94 acres in size. A portion of the proposed site and the access road was permitted and mitigated for under a Nationwide Permit 32. The current proposal is to fill the remaining 4.14 acres of jurisdictional wetlands on-site in order to expand the existing well pad for additional natural resource extraction. Approximately 27,000 cubic yards of fill material would be placed into the wetlands and topped with approximately 1,700 cubic yards of crushed rock.

The vegetative communities within the project area are dominated by American elm, swamp sedge, water hickory, cedar elm, overcup oak, and water elm. Soil within the project site is dominated by Buxin clay and Yorktown clay with NRCS hydric ratings of 0 and 100 percent, respectively.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an USACE approved mitigation bank that services the project area.

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. The permit area is composed 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.

**Endangered Species:** Listed species for the project area include the Northern long-eared bat, pallid sturgeon, interior least tern, and red-cockaded woodpecker. Utilizing 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, the Corps has determined that the proposed activity would have no effect on the pallid sturgeon, interior least tern, or red-cockaded woodpecker, and may affect the Northern long-eared bat, but that take is not prohibited under 4(d) Rule.

**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 proposed project site is not within the 100 year floodplain.

**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>.



*Thomas A. McCabe*  
**Thomas A. McCabe**  
**Chief, Evaluation Section**  
**Regulatory Branch**

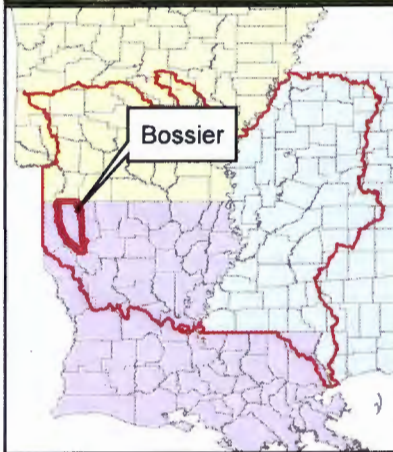


CEMVK-OD-FE MVK-2014-442

AETHON ENERGY OPERATING, LLC

**Legend**

-  Project Boundary
-  Impacted Wetlands



THERE ARE JURISDICTIONAL WATERS OF THE U.S. IDENTIFIED WITHIN THE PROPOSED PROJECT BOUNDARY, THUS A PERMIT MAYBE REQUIRED

April 15, 2019  
**MVK-2014-442**

Proposed Feist 7-18 HC No. 1 Alt.  
 and No. 2 Alt. Well Site  
 Bossier Parish, LA

**Preliminary  
 Jurisdictional Determination**

**Aerial Imagery:  
 ESRI World Imagery**



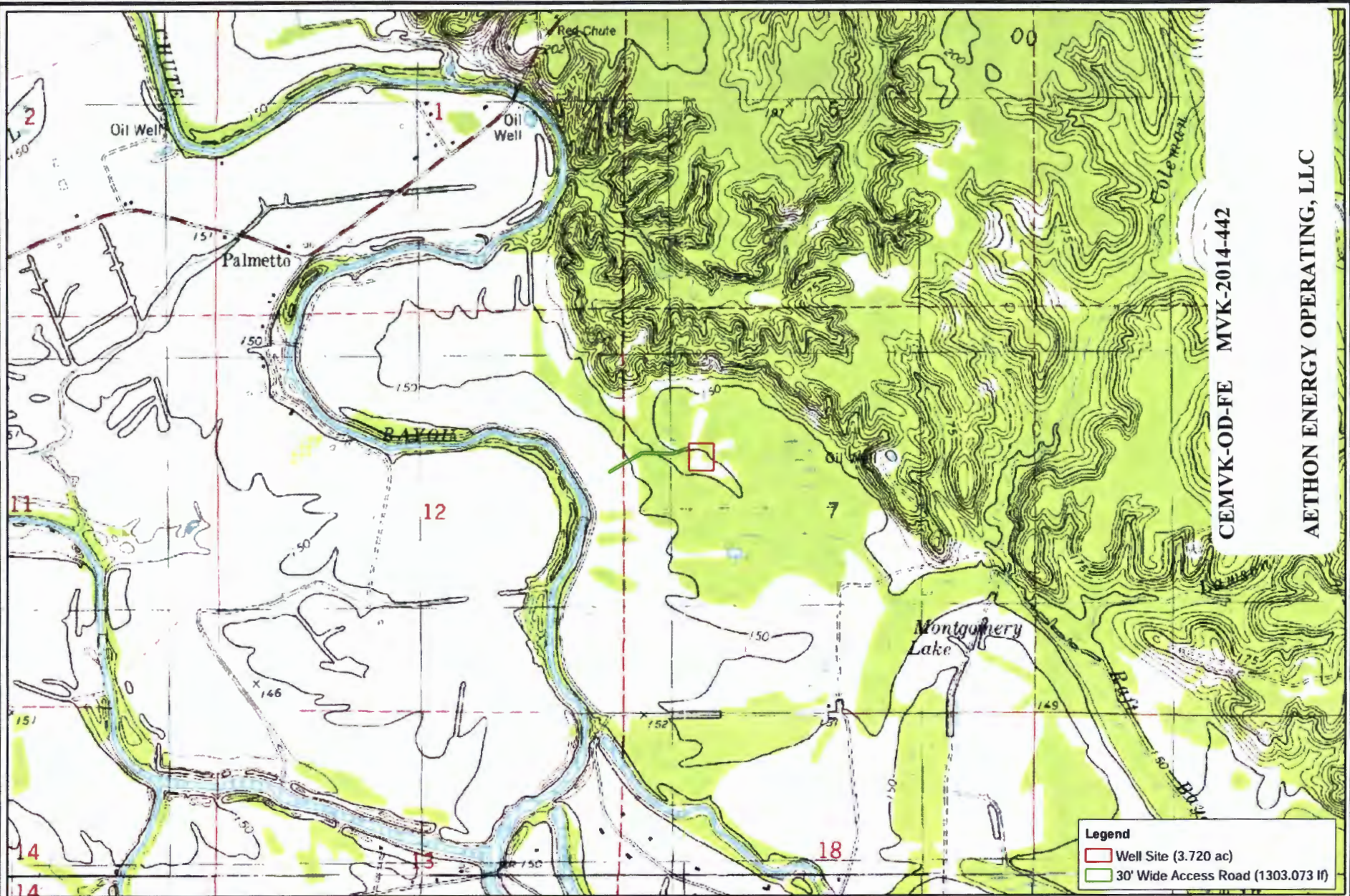
US Army Corps  
 of Engineers



**Regulatory Branch  
 Enforcement Section**



Prepared By: Jay Keen  
**Enclosure 1**



CEMVK-OD-FE MVK-2014-442  
 AETHON ENERGY OPERATING, LLC

**Legend**  
 [Red Square] Well Site (3.720 ac)  
 [Green Shaded Area] 30' Wide Access Road (1303.073 If)

**HEADWATERS**  
 NATURAL RESOURCES CONSULTING, INC.

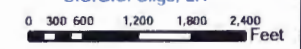
www.headwaters-inc.com

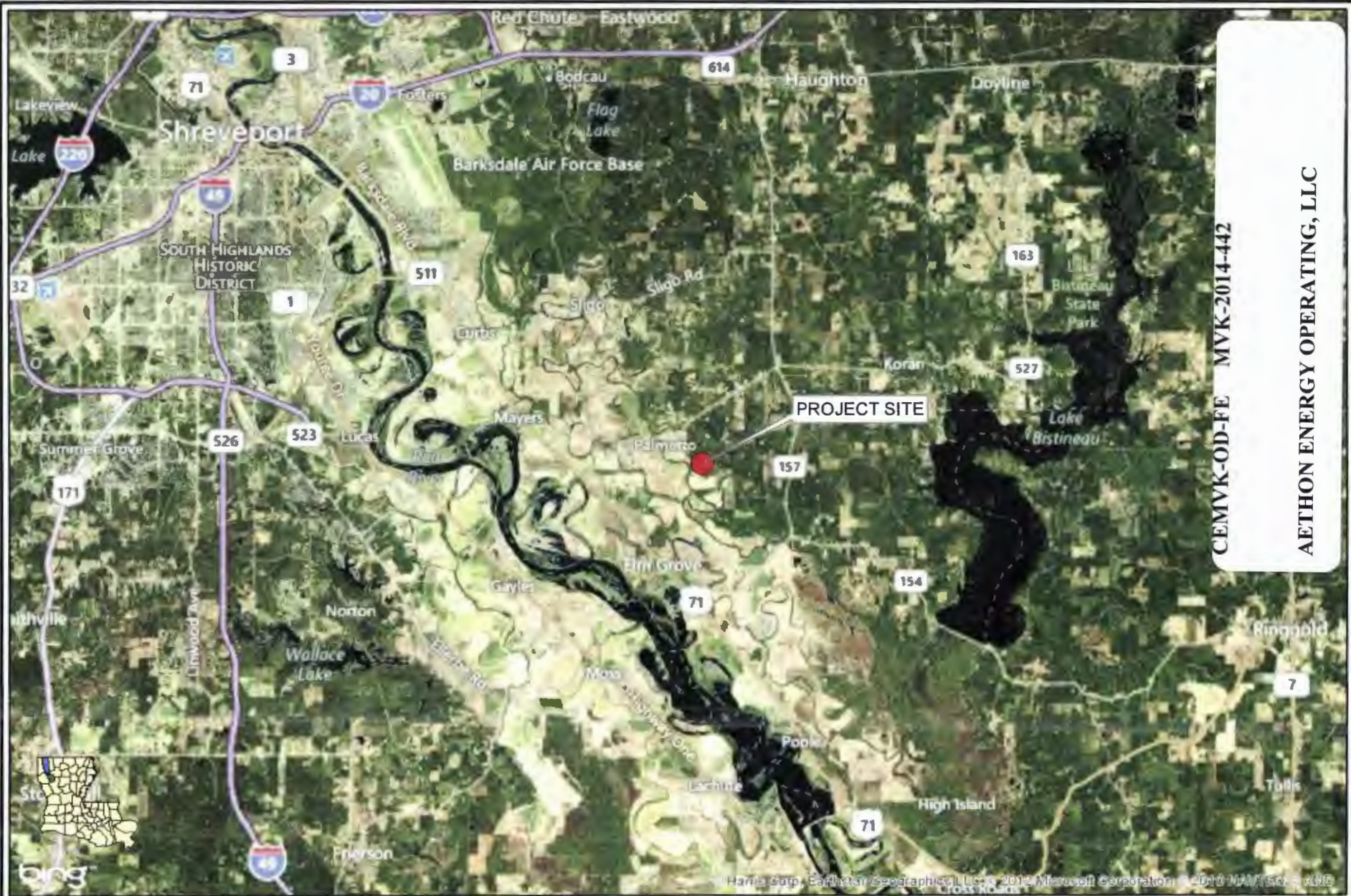


BHP New Owner Audit - Haynesville  
 CVS 238768 ROOS 07-13  
 Bossier Parish, Louisiana

**NORTH**  
 1:24,000

**SITE LOCATION MAP**  
 U.S.G.S. Sligo, LA





CEMVK-OD-FE MVK-2014-442

AETHON ENERGY OPERATING, LLC



www.headwaters-inc.com



**BHP New Owner Audit - Haynesville**  
**CVS 238768 ROOS 07-13**  
 Bossier Parish, Louisiana



1:250,000

-93.541116 32.38997

**GENERAL LOCATION MAP**

Bing Aerial Hybrid

