



**US Army Corps
of Engineers.**

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



Public Notice

APPLICATION NO.:	MVK-2016-1083
EVALUATOR:	Mr. Andy Sanderson
PHONE NO.:	(601) 631-5083
E-MAIL:	Andy.Sanderson@usace.army.mil
DATE:	August 6, 2019
EXPIRATION DATE:	August 26, 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. Jeff Lueke
L & L Delta Farms, LLC
Rural Route No. 3, Box 162
Mcleansboro, Illinois 62859

Name of Agent:
Mr. Jerry Daigle
Blue Frog Environmental
58 Foxfire Lane
Alexandria, Louisiana 71302

Location of Work: Section 30, T10N-R8E, Latitude 31.8272°N, Longitude -91.7013°W, within the Black Bayou watershed in the Lower Ouachita Drainage Basin (8-digit USGS HUC: 08040207), 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 to discharge dredged and/or fill material into jurisdictional streams and wetlands for the purpose of converting forested areas and ephemeral streams into row crop and to facilitate the installation of a furrow irrigation system for agricultural purposes.

The property is 92.66 acres in size and contains approximately 7.16 acres of wetlands. Of these wetlands, approximately 1.76 acres are isolated and not jurisdictional; 3.3 acres were CRP lands previously converted under a Nationwide Permit 27; and 2.1 acres are jurisdictional and are currently proposed for filling. The property also contains approximately 5,132 linear feet (lf) of ephemeral streams that the applicant proposes to fill and reroute into approximately 5,199 linear feet of ephemeral channels along the southwest and northeast property boundaries. A total of 4,360 cubic yards of fill material would be placed into the streams and wetlands.

The vegetative communities within the project area are dominated by sugar berry, green ash, American elm, willow oak, Nuttall oak, peppervine, Eastern poison ivy, saw-tooth blackberry, horsebrier, yaupon, and Chinese privet. Soil within the project site is dominated by Calhoun silt loam, Calloway silt loam, and Loring silt loam with NRCS hydric component ratings of 90, 8, and 6 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

Properties. 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: Listed species for the project area include the Northern long-eared bat, red-cockaded woodpecker, and the pallid sturgeon. 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 red-cockaded woodpecker or pallid sturgeon, and may affect the Northern long-eared bat, but that take is not prohibited under 4(d) Rule. 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.

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.

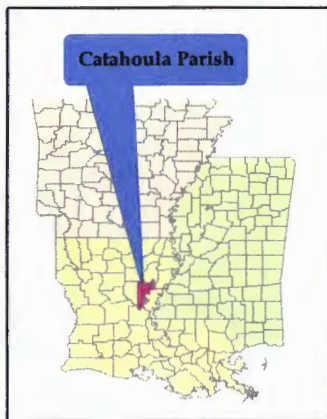
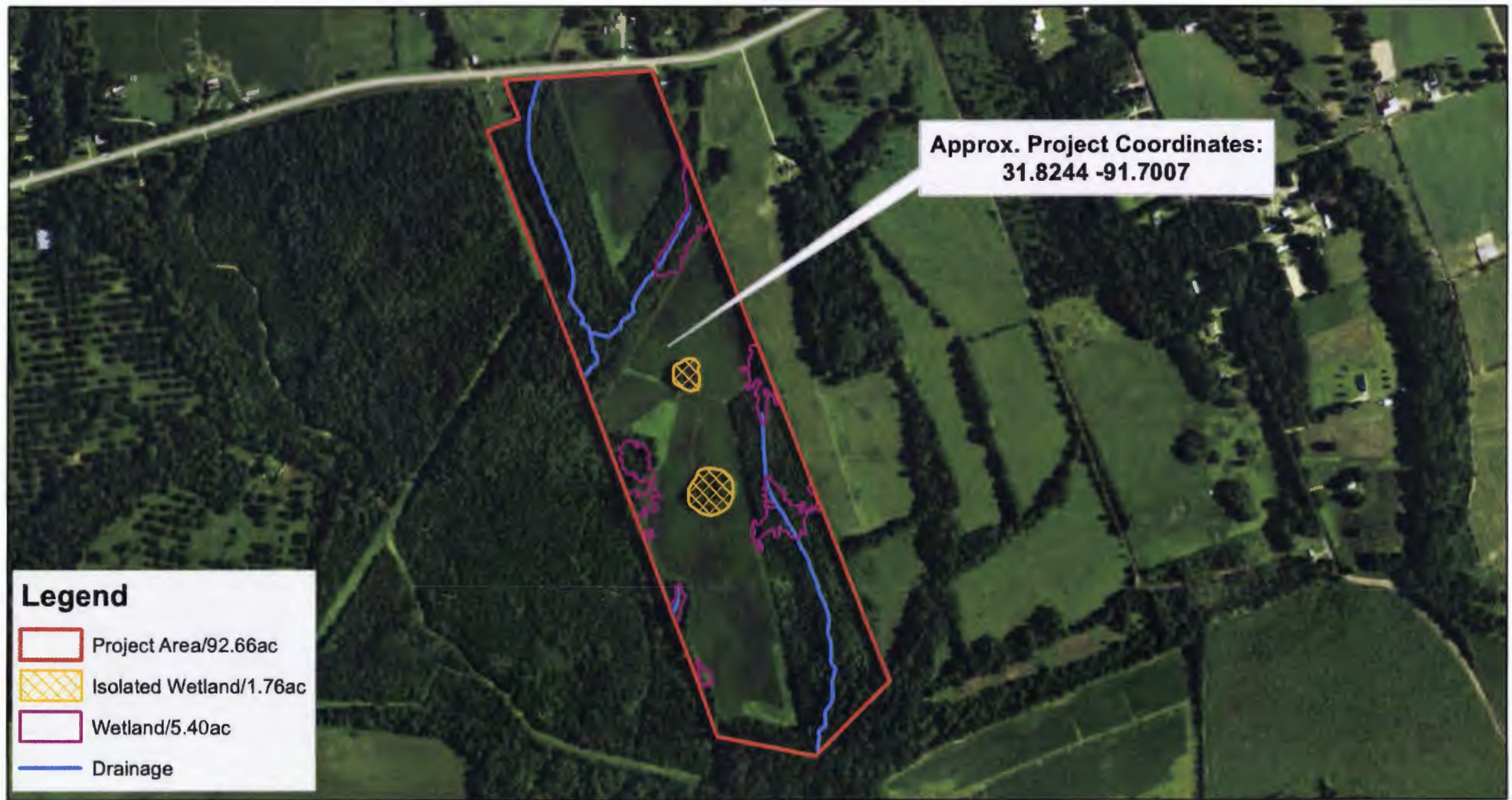
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may 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



November 2, 2017
MVK-2016-1083
 Applicant:
 Jeff Luke
 Proposed Work:
 Farm Land Improvement
 Location:
 Section 38 & 44, T10N-R7E & R8E
 Sicily Island, Quadrangle
 Catahoula Parish, LA
 Map Background:
 NAIP Aerial (2010)
Preliminary
Jurisdictional Determination
 Prepared by:
 Robert G. Ulmer, Jr.

US Army Corps of Engineers

Regulatory Branch
 Enforcement Section







0 530 1,060
 Feet



**Approx. Project Coordinates:
31.8244 -91.7007**



Legend **MVK-2016-1083**

-  Project Area- 92.66ac
-  Drainage- 5,132 linear feet
-  Isolated Wetland- 1.76ac
-  Forested wetland- 2.1ac
-  CRP- wetland conversion covered under NWP 27- 3.3ac
-  Existing Forested

