



**US Army Corps
of Engineers**

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

Public Notice

APPLICATION NO.:	MVK-2023-825
EVALUATOR:	Mr. Durham Norman
PHONE NO.:	(601) 631-7478
E-MAIL:	Durham.A.Norman@usace.army.mil
DATE:	July 3, 2024
EXPIRATION DATE:	July 24, 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 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.

Law Requiring a Permit: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), which applies to structures or work in navigable waters of the United States, and 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. Jacob Pruitt
Chesapeake Operating, LLC
6100 N Western Avenue
Oklahoma City, Oklahoma 73118

Name of Agent:
Mr. Autry Akins
Geosyntec Consultants
2600 CitiPlace Court, Suite 500
Baton Rouge, Louisiana 70808

Location of Work: Section 5, T11N-R9W, Latitude 31.96335N, Longitude -93.31825W, within the Red River Basin (8-digit USGS HUC: 11140202), Red River 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 and other waters to mine sand from the project area (including the Red River) in a four-phase process, with clearing and excavation taking place across the four distinct phases over the course of 15 years. As sand is mined, it will be transported via a sand slurry pipeline to an adjacent sand processing facility where the sand will be washed and exported. During low water events, pumps will be utilized at locations along the Red River to allow for continued operation.

The proposed dredging area of the project is approximately 698.82 acres with approximately 313.63 acres of Section 10/404 Other Waters, 1.01-acres of Section 404 Other Waters, 17.82-acres of Section 10/404 wetlands (approximately 15.32-acres of PEM wetlands, 2.46-acres of PFO wetlands, and 0.04-acres of PSS wetlands), and 67.13-acres of Section 404 wetlands (approximately 12.90-acres of PEM wetlands, 42.17-acres of PFO wetlands, and 12.06-acres of PSS wetlands). Additionally, the proposed wash plant site contains approximately 1883.88 linear feet of relatively permanent streams. Chesapeake Operating, LLC proposes permanent filling of all aquatic resources within the dredging portion of project area (listed above) and 83 linear feet of impacts (culverting) to the 1883.88 linear feet of other waters present within the wash plant portion of the project area. An existing non-relatively permanent channel (manmade ditch) on the wash plant portion of the site will be entirely avoided.

The dominant vegetative community within the forested wetland area consists of pecan, persimmon, and possumhaw. The dominant vegetative community within the scrub-shrub wetland area consists of possumhaw, red maple, and honey locust. The dominant vegetative community within the emergent wetland areas consist of swamp rose mallow, hairy buttercup, and lance leaf frogfruit. Soil within the project site is dominated by Severn very fine sandy loam with a hydric soil rating of 1%.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an 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. 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: Threatened and Endangered Species for this area include the Northern Long-Eared Bat. Utilizing the Information and Planning Consultation for Endangered Species in Louisiana (as per Memorandum of Agreement, signed on January 14, 2020, between the U.S. Army Corps of Engineers, Vicksburg District and the U.S. Fish and Wildlife Service, Louisiana Ecological Services Office), the Corps has determined that the proposed activity may affect, but is not likely to adversely 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. Portions of the proposed project site are within the 100-year floodplain.

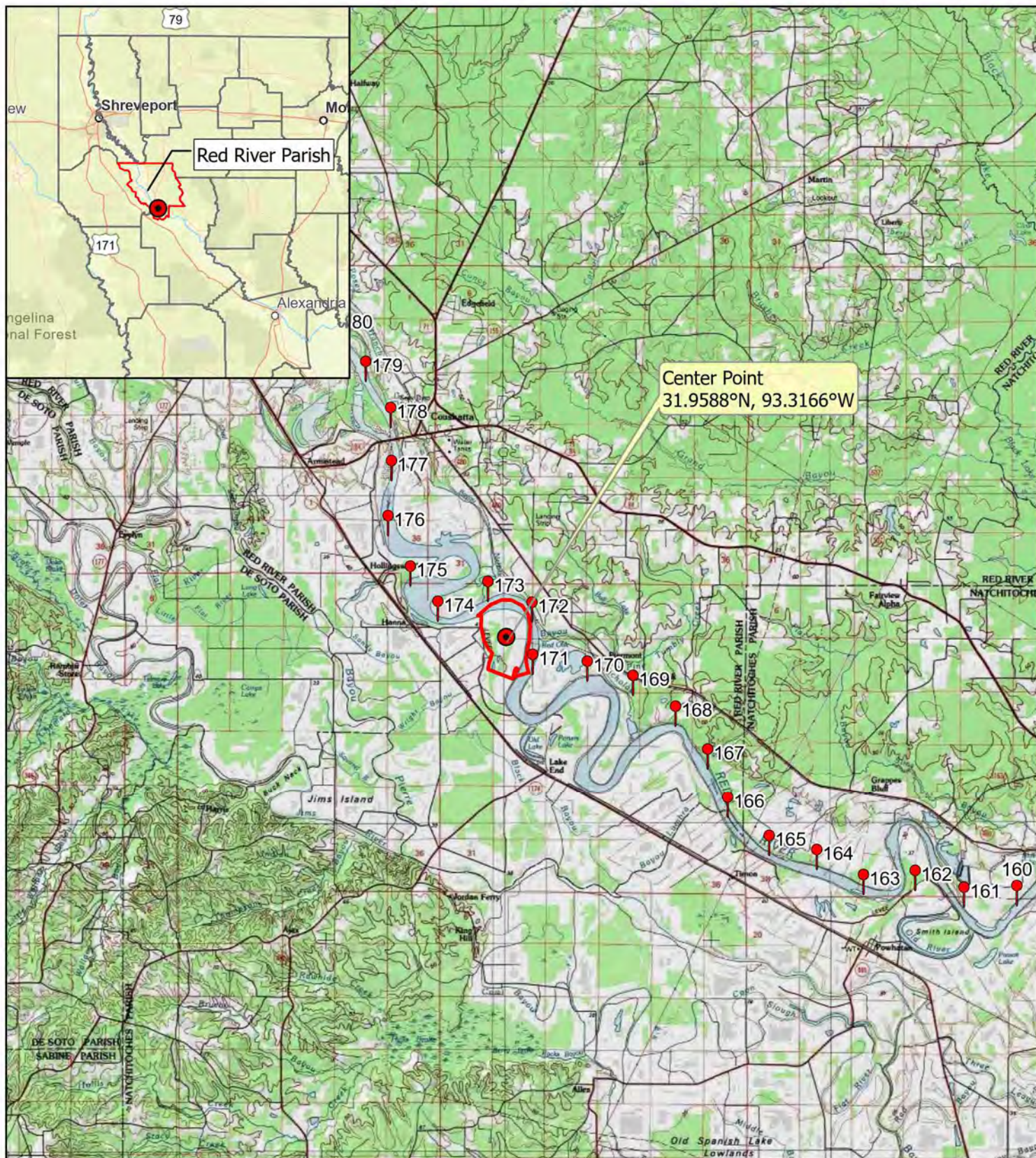
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may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

Andy Sanderson
Chief, Louisiana Branch
Regulatory Division



- Property Boundary
- Survey Center
- | River Mile Marker



0 16,000 Feet

Site Location Map

Chesapeake Operating LLC
Alternatives Analysis
Red River Parish, Louisiana

Geosyntec
consultants

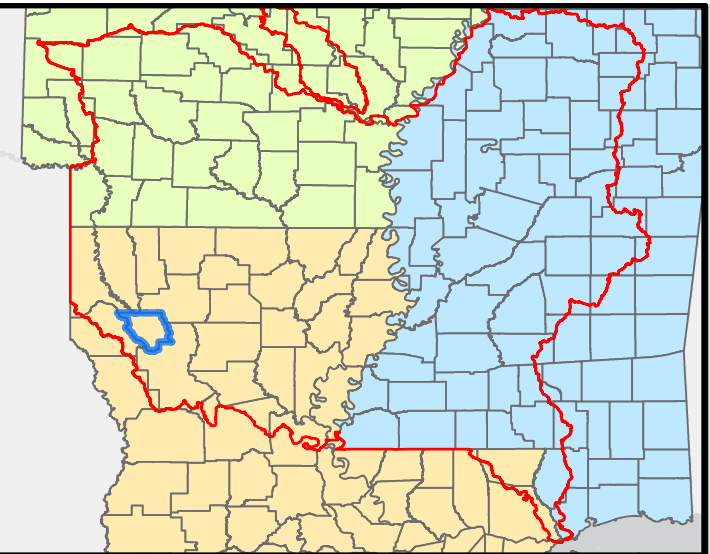
Figure

1

Baton Rouge, Louisiana

May 2024

- Legend
- Approximate Project Area
 - Jursidictional Section 10 Waters (313.63 Ac.)
 - Potentially Jurisdictional Other Waters (1.01 Ac.)
 - Potentially Jurisdictional Wetlands (10/404-17.82 Ac.)
 - Potentially Jurisdictional Wetlands (404/67.13 Ac.)



Red River Parish, Louisiana



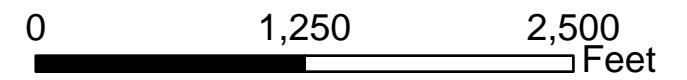
MVK-2023-825

Jacob Pruitt
Chesapeake Energy Corporation
Sand Mine Facility

Vicksburg District
Regulatory Division
April 25, 2024
Bryton Hixson



Preliminary Jurisdictional Determination





Legend

- Dredge Avoidance Area
- Wash Plant Area

Phase

- 1
- 2
- 3
- 4



0 1,080 Feet

Project Phases

Chesapeake Operating LLC
Alternatives Analysis
Red River Parish, Louisiana

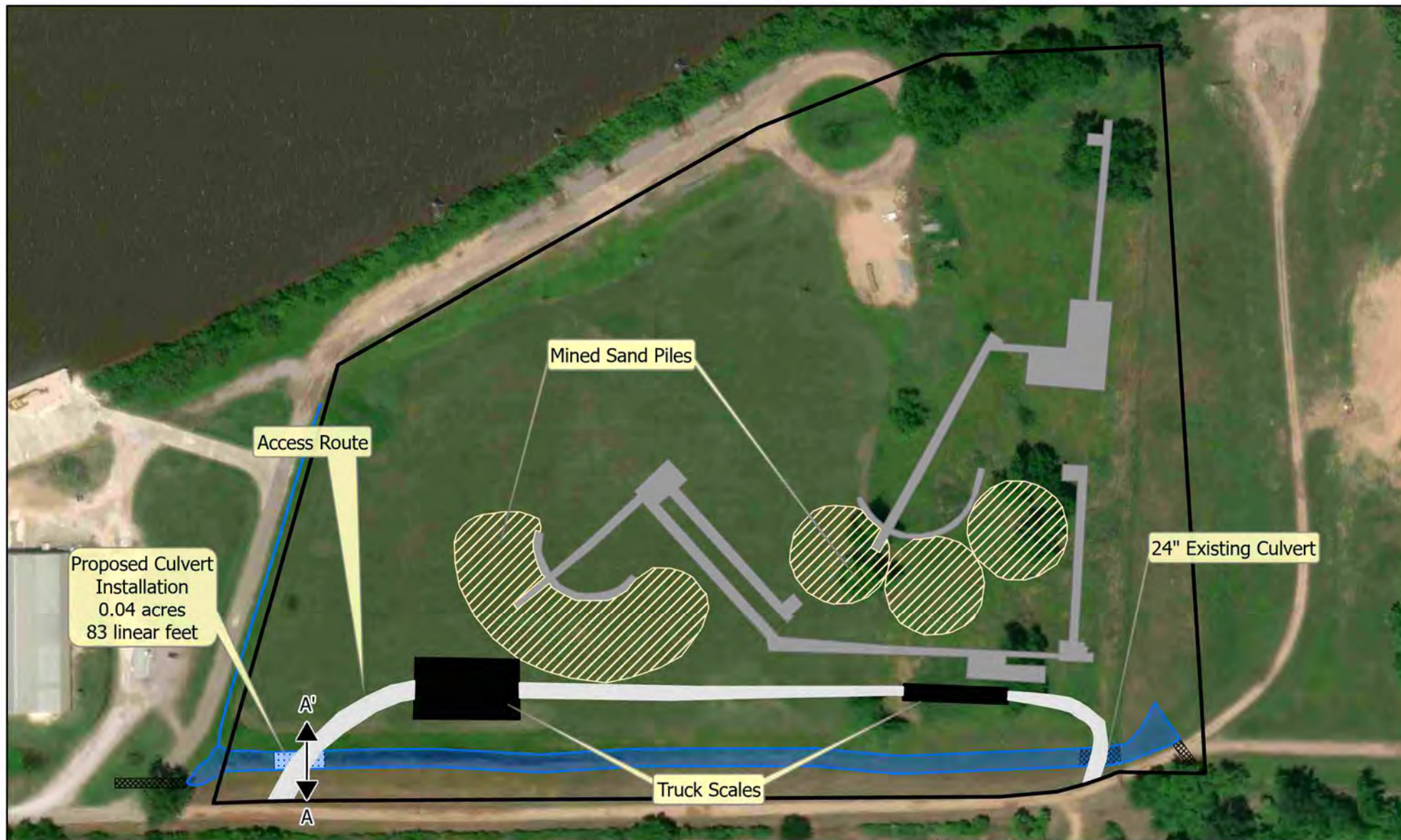
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consultants

Baton Rouge, LA

May 2024

Figure

2



Legend

- Wash Plant Property Boundary
- Existing Ditch
- Existing Culvert
- Proposed Culvert: 0.04 acres, 83 linear feet

Wash Plant

- Access Route
- Facility
- Sand Piles
- Truck Scale



0 220 Feet

Facility Plan View

Chesapeake Operating LLC
Alternatives Analysis
Red River Parish, Louisiana

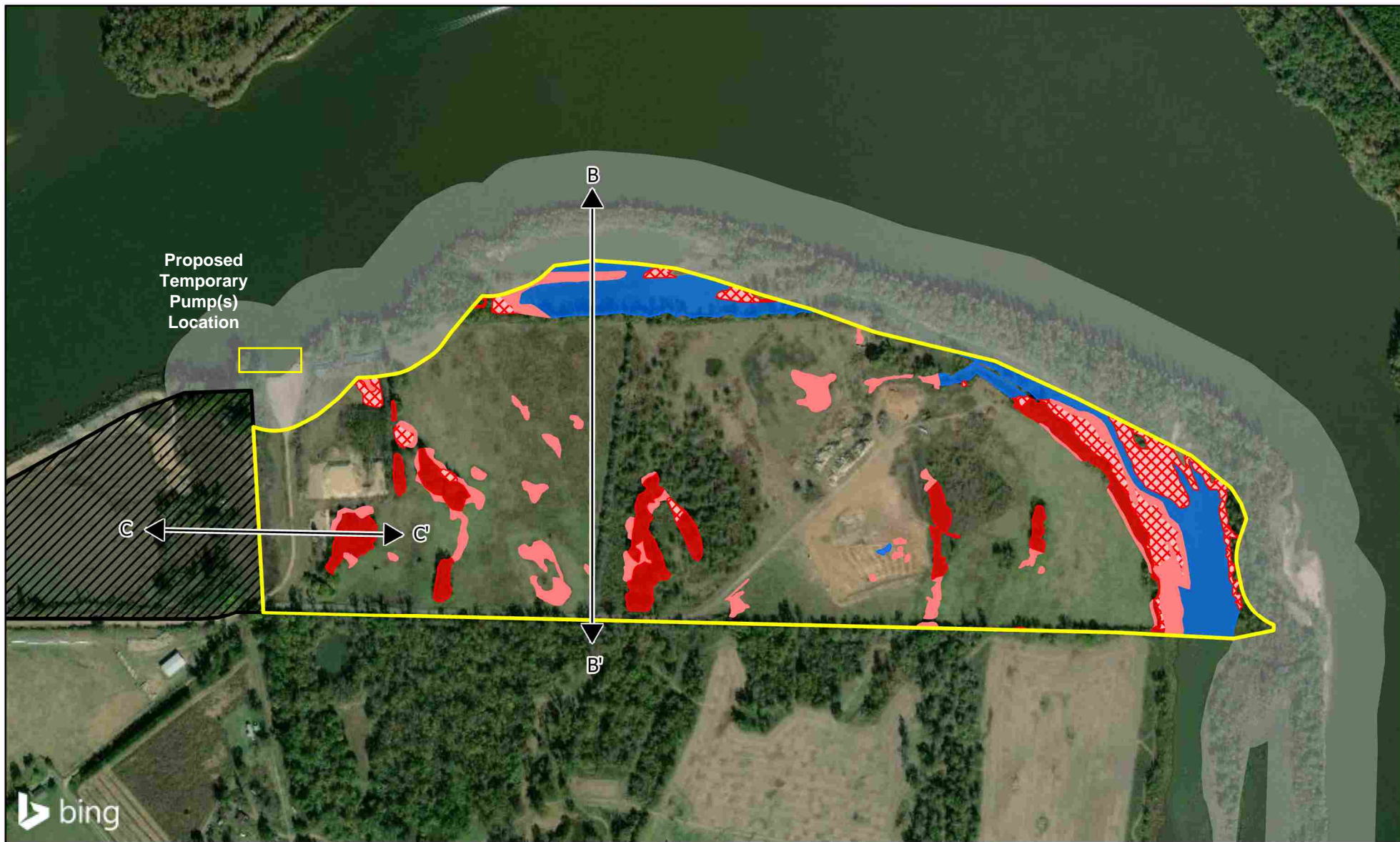
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Baton Rouge, LA





May 2024

Figure




3



Legend

-  Wash Plant Footprint
-  Dredge Avoidance Area
-  Phase 1 Boundary (129.29 acres)
-  Phase 1 Waters To Be Excavated (9.32 acres)

Phase 1 Wetlands To Be Excavated:

-  PEM (5.56 acres)
-  PFO (5.84 acres)
-  PSS (4.66 acres)



0 660 Feet

Phase 1 Plan View

Chesapeake Operating LLC
Alternatives Analysis
Red River Parish, Louisiana

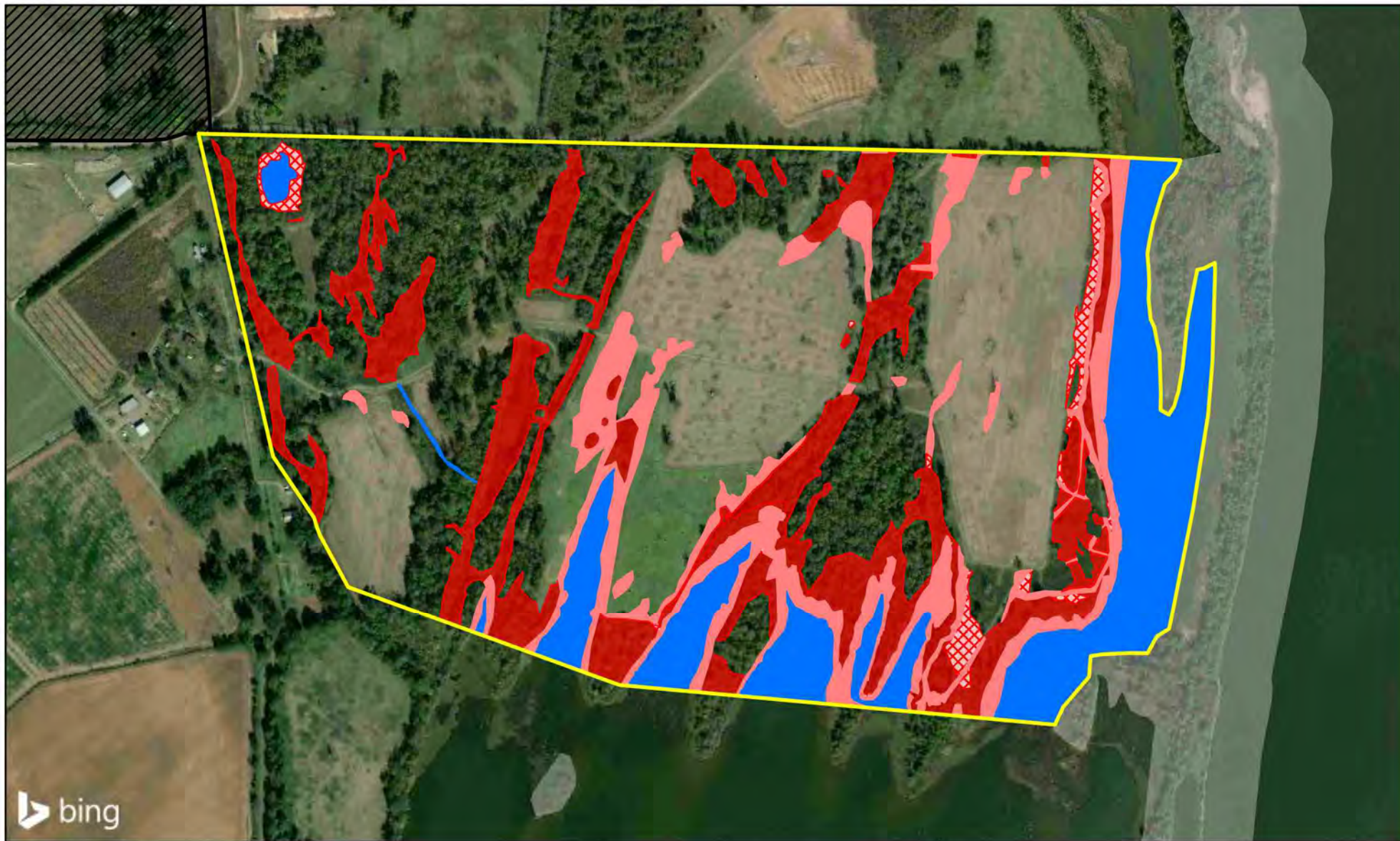
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Baton Rouge, LA





May 2024

Figure




4



Legend

-  Wash Plant Footprint
-  Dredge Avoidance Area
-  Phase 2 Boundary (228.73 acres)
-  Phase 2 Waters To Be Excavated (30.34 acres)

Phase 2 Wetlands To Be Excavated:

-  PEM (18.82 acres)
-  PFO (36.01 acres)
-  PSS (2.90 acres)



0 660 Feet

Phase 2 Plan View

Chesapeake Operating LLC
Alternatives Analysis
Red River Parish, Louisiana

Geosyntec
consultants

Baton Rouge, LA




May 2024

Figure



5



Legend

-  Dredge Avoidance Area
-  Phase 3 Boundary (140.00 acres)
-  Phase 3 Waters To Be Excavated (131.96 acres)

Phase 3 Wetlands To Be Excavated:

-  PEM (2.19 acres)
-  PFO (4.25 acres)



0 560 Feet

Phase 3 Plan View

Chesapeake Operating LLC
Alternatives Analysis
Red River Parish, Louisiana

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Baton Rouge, LA

May 2024

Figure

6

