



**US Army Corps  
of Engineers**

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



# Public Notice

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|-------------------------|---|
| <b>APPLICATION NO.:</b> | <u>MVK-2021-892</u>                       |
| <b>EVALUATOR:</b>       | <u>Ms. Samantha Thompson</u>              |
| <b>PHONE NO.:</b>       | <u>(601) 631-5478</u>                     |
| <b>E-MAIL:</b>          | <u>Samantha.H.Thompson@usace.army.mil</u> |
| <b>DATE:</b>            | <u>December 1, 2021</u>                   |
| <b>EXPIRATION DATE:</b> | <u>December 22, 2021</u>                  |

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.

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  
Rural Route No. 3  
Mcleansboro, Illinois 62859

**Name of Agent:**  
Mr. Jerry Daigle  
Blue Frog Environmental, Soils  
and Wetland Services, LLC  
58 Foxfire Lane  
Alexandria, Louisiana 71302

**Location of Work:** Section 9, Township 9 North, Range 7 East, Latitude 31.77128; Longitude -91.75827, within 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 conduct regulated activities in jurisdictional wetlands and streams to allow for furrow irrigation for crops.

The applicant is proposing to fill two ephemeral stream segments and one wetland segment and clear two wetland segments for purposes of allowing more furrow irrigation due to the previous landowner allowing native trees and understory vegetation to grow adjacent to constructed farm ditches. In addition, the applicant proposes to remove the vegetation and reconstruct the existing farm ditches to match existing irrigation flume ditches and to square-up the existing fields to better facilitate the furrow irrigation operations utilized on other portions of the farm.

The proposed project would involve the filling of 0.186 acre of scrub-shrub wetlands and the clearing of 0.411 acre of scrub-shrub wetlands. In addition, the proposed project would also involve the modifying and filling of 3,408 linear feet of ephemeral stream.

Dominant vegetation includes Pecan, Green ash, Eastern poison ivy, Sugar berry, Horsebrier, Southern crab grass, Peppervine, Water oak, Yaupon, Annual ragweed, Morning glory, Maypop passionflower, Honey locust, Chinese privet, Swamp titi, and American buckwheatvine. Soils within the project areas are Dubbs silt loam, Openlake silty clay loam and Sharkey silty clay loam.

The project has been designed to minimize impacts to jurisdictional wetlands and streams. The applicant proposes to mitigate for the 404-regulated impacts through the purchase of credits from a 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, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties. The permit area has been so extensively modified that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

**Endangered Species:** The Corps has determined that the proposed activity will not affect the Northern long-eared bat and the Red-cockaded woodpecker. Our finding is based on utilizing the Information Planning and 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).

**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 not located 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>.



**Jennifer G. Brown**  
Team Lead, Permit and Evaluation Branch  
Regulatory Division

Figure 13. Location of wetlands.

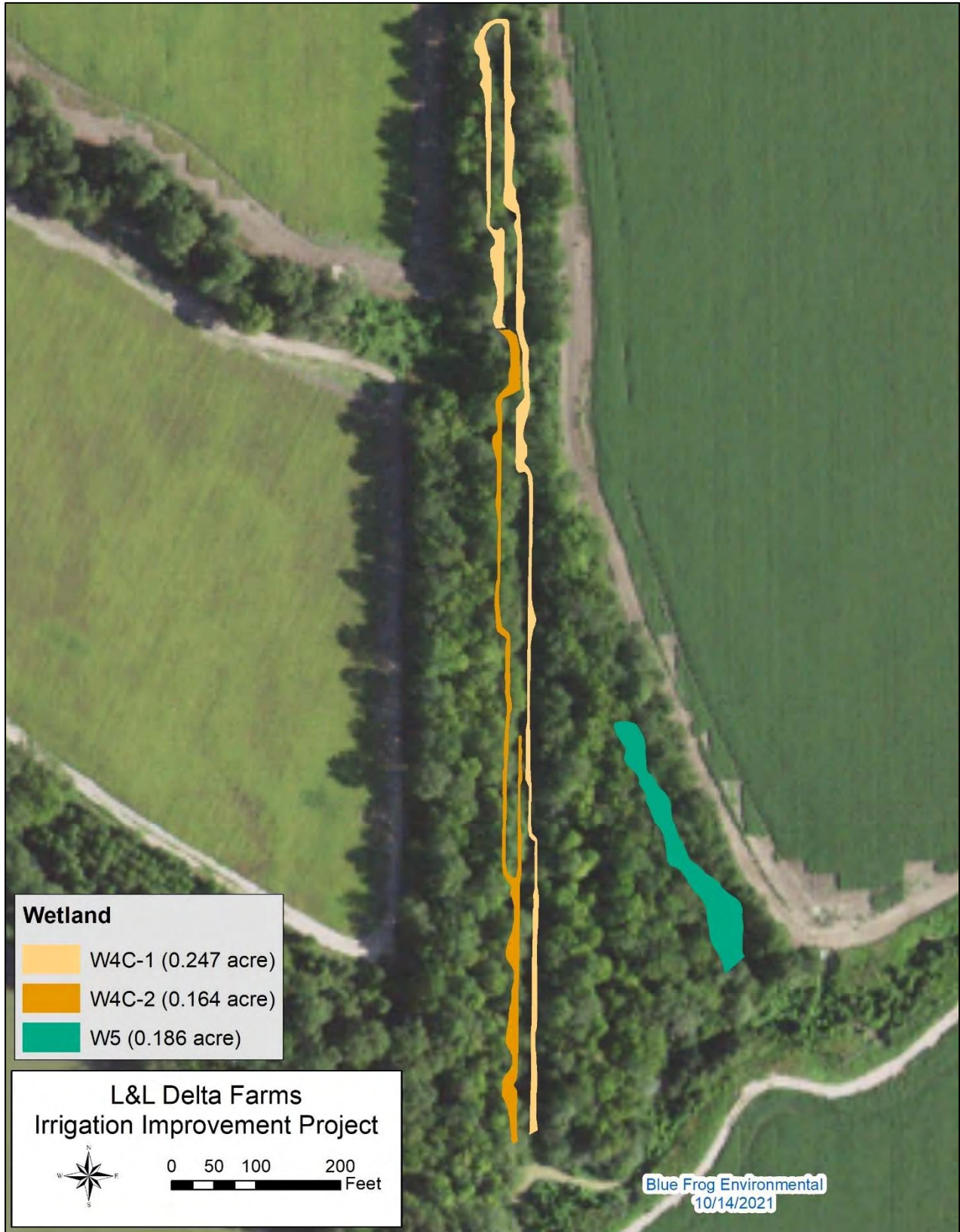


Figure 14. Location of channel fill.

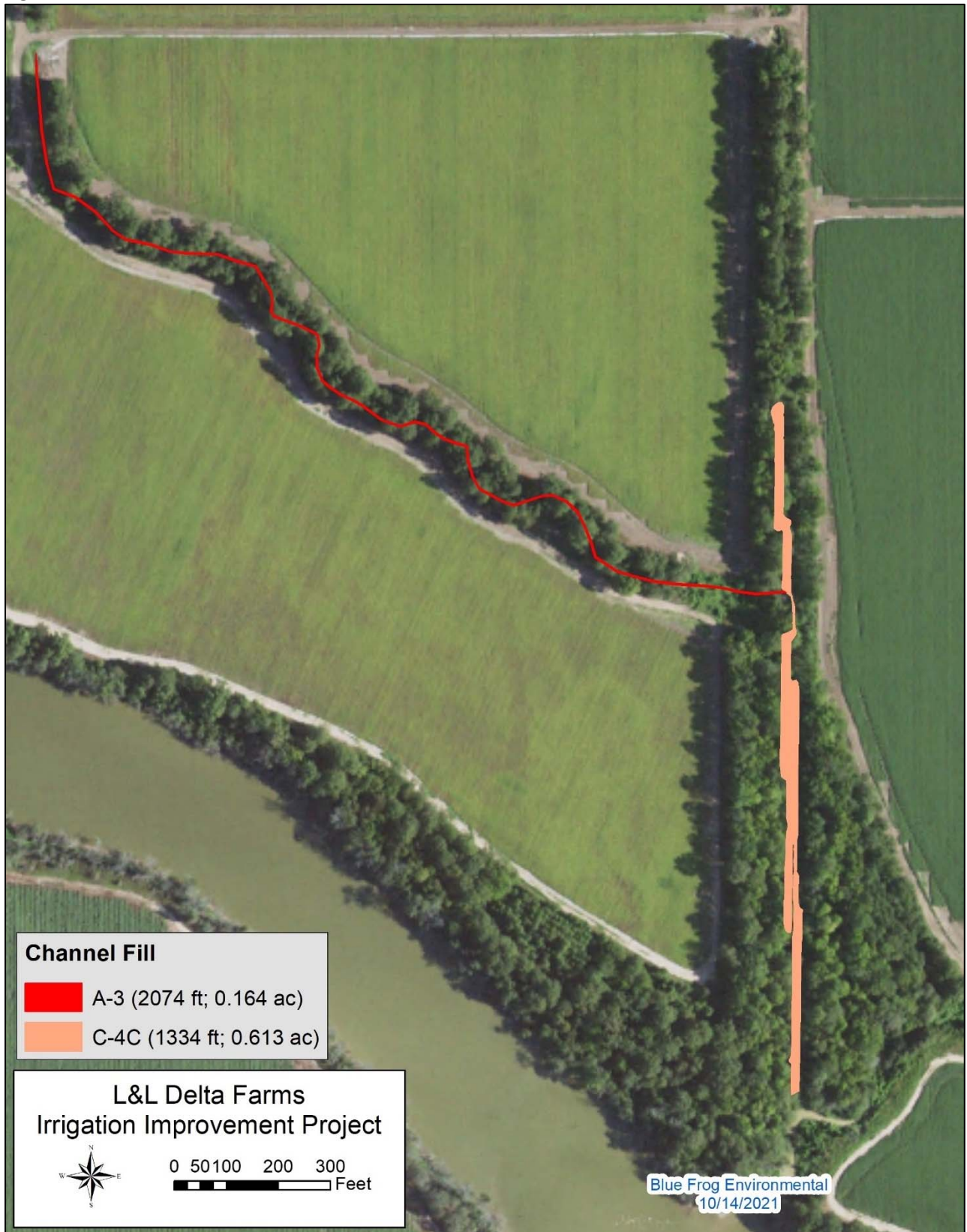


Figure 15. Location of Black Bayou Mitigation Bank.

