



**US Army Corps
of Engineers**

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

Public Notice

APPLICATION NO.:	MVK-2024-659
EVALUATOR:	Mr. William L Pigott
PHONE NO.:	(601) 631-7239
E-MAIL:	William.L.Pigott@usace.army.mil
DATE:	February 14, 2025
EXPIRATION DATE:	March 7, 2025

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 either be emailed to the project manager listed above, submitted through the Regulatory Request System at <https://rrs.usace.army.mil/rrs/public-notice>, or mailed in hard-copy 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 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. Marcus Morton
Cyber Square, LLC
2701 East 70th Street
Shreveport, Louisiana 71105

Name of Agent:
Mr. Tim Powers
PPM Consultants, Incorporated
7936 Office Park Boulevard, Suite A
Baton Rouge, Louisiana 70809

Location of Work: Section 5, T17N-R13W, Latitude 32.449313N, Longitude -93.686591W, within the Upper Red River Basin (8-digit USGS HUC: 11140202), Caddo and 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 an after-the-fact Department of the Army permit for the discharge of dredged and/or fill material into jurisdictional wetlands and other waters of the United States for the construction of sand sorting, washing, and processing facilities.

The proposed work area encompasses approximately 20.39-acres of Section 10/404 Palustrine Forested Wetlands, and 1.59-acres of Section 10/404 Palustrine Emergent Wetlands which have been filled to construct and operate a sand sorting and processing facility for the dredged material produced from the Blount Bros. Construction, LLC's dredging operation. No additional, subsequent fill of WOTUS is proposed in this application. The remaining WOTUS present within the project area would be avoided.

The dominant vegetative community within the forested wetland area consists of black willow, persimmon, sycamore, boxelder, and green ash. The dominant vegetative community within the scrub-shrub wetland area consists of sugarberry, eastern swamp privet, boxelder, black willow, and green ash. 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. The following determination is based on 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: Threatened and Endangered Species for this area include the Red-Cockaded Woodpecker and the Tricolored 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 will have no effect on the Red-Cockaded Woodpecker or the Tricolored Bat. 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.




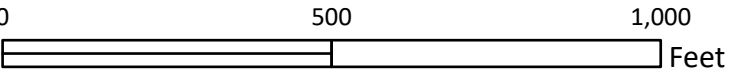
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this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



CHECKED BY:	MM
DRAWN BY:	TS
DATE:	1/29/2025
SCALE:	AS SHOWN
CAD NO:	N/A
PROJ NO:	2024.008

Legend	
	Cyber Square, LLC Boundary
Impacted Aquatic Resources (Jurisdictional and Non-Jurisdictional)	
	PEM Wetland (1.59 Acres)
	PFO Wetland (20.38 Acres)
	

Aquatic Resource Impacts
Cyber Square, LLC
Bossier Parish, Louisiana



FIGURE
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