

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



APPLICATION NO.: MVK-2021-781

**EVALUATOR:** Ms. Camryn Willoughby

PHONE NO.: (601) 631-5478

E-MAIL: camryn.e.willoughby@usace.army.mil

DATE: April 27, 2023

EXPIRATION DATE: May 17, 2023

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.

The Clean Water Act (CWA) Section 401 Certification Rule (40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may 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) and the Corps of Engineers has notified the certifying agency of the reasonable period of time for them to act upon the certification.

<u>Law Requiring a Permit</u>: 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. Beau Holloway
Weyerhaeuser NR Company
706 Highway 167N
Dodson, Louisiana 71422

Name of Agent:
Mr. Charles Cook
FC&E Engineering, LLC
917 Marquette Road
Brandon, Mississippi 39042

<u>Location of Work</u>: Section 16, T13N-R3W, Latitude 32.113765N, Longitude -92.688436W, within the Dugdemona River Basin (8-digit USGS HUC: 08040303), Winn Parish, Louisiana.

<u>Description of Work</u>: (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 to increase the production and efficiency of an existing lumber mill. Weyerhaeuser proposes to expand the existing Dodson mill with the construction of three continuous dry kilns (CDK), a kiln condensate pond, and a storm water pond.

The proposed project is approximately 12 acres in size and immediately adjacent to the existing mill. Approximately 6.5 acres of the project will be in previously developed and maintained areas next to the mill, and approximately 5.5 acres will be in an undeveloped wooded area between the mill and the property line. Weyerhaeuser proposes the permanent filling of 0.74 acres of bottomland hardwood forested wetlands, and permanent filling of 1.32 acres of maintained herbaceous wetlands for a total of 2.06 acres of permanent impacts to jurisdictional wetlands. An existing ephemeral stream (manmade ditch) on the northern portion of the site will be avoided. An 839-foot ephemeral stream (manmade ditch) located within the project footprint will be rerouted via underground culvert to the proposed new stormwater detention pond.

The vegetative community within the forested wetland area consists of water oak, cherry bark oak, and sweet gum. The dominant vegetative community within the maintained, herbaceous wetland area consists of lizard's tail, cattail, soft rush, and pennywort. Soil within the project site is dominated by Frizzell-Guyton silt loam and Guyton silt loam.

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.

<u>State Water Quality Permit</u>: 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.

<u>Cultural Resources</u>: The Regulatory Archaeologist has reviewed the latest published version of the <u>National Register of Historic</u> Places, state 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: Given the archaeological sensitivity of the project location, the proposed ground disturbance, and lack of a previous Phase I cultural resources survey, the project could impact unrecorded archaeological resources. An investigation for the presence of potentially eligible historic properties is justified; therefore, a Phase I Cultural Resources Survey has been requested for the proposed project.

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: Threatened and Endangered Species for this area include the Northern Long-Eared Bat and the Red-cockaded woodpecker. 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 not likely to adversely affect the Northern Long-Eared Bat. The Corps has also determined that the proposed activity would have no effect on the Red-cockaded woodpecker as the project location does not contain suitable habitat for this species. 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. None 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.

<u>Public Involvement</u>: 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.

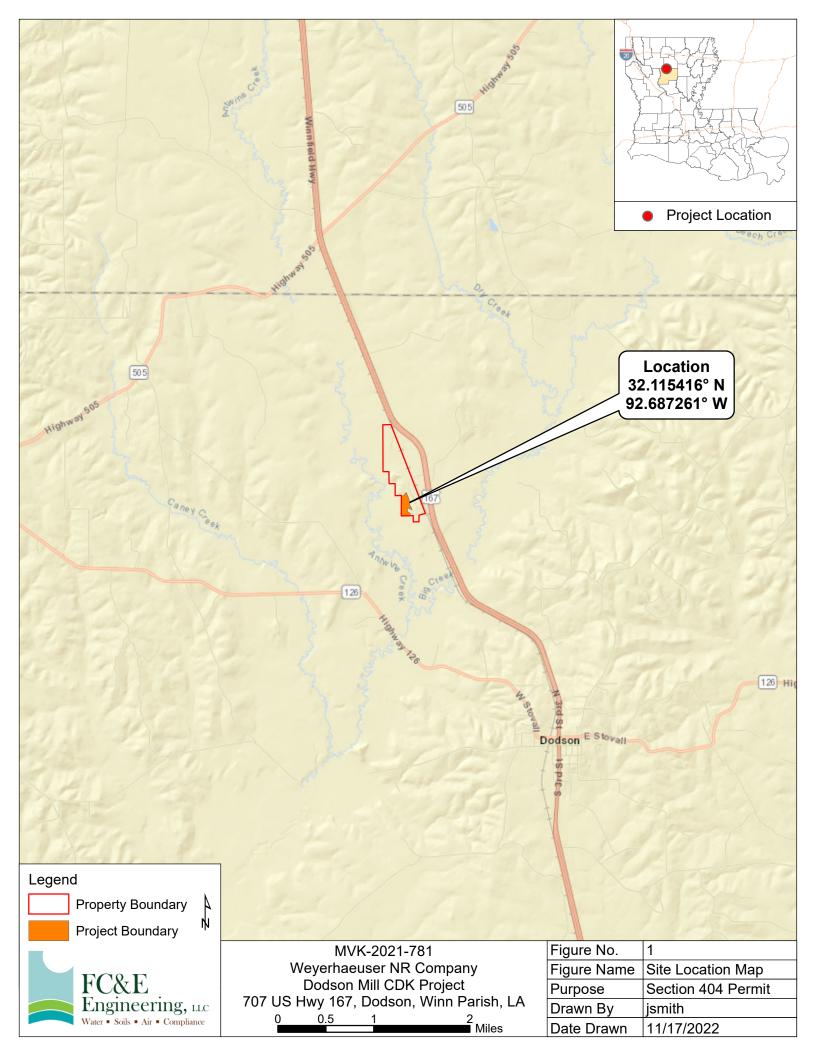
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <a href="http://www.mvk.usace.army.mil/Missions/Regulatory.aspx">http://www.mvk.usace.army.mil/Missions/Regulatory.aspx</a>.

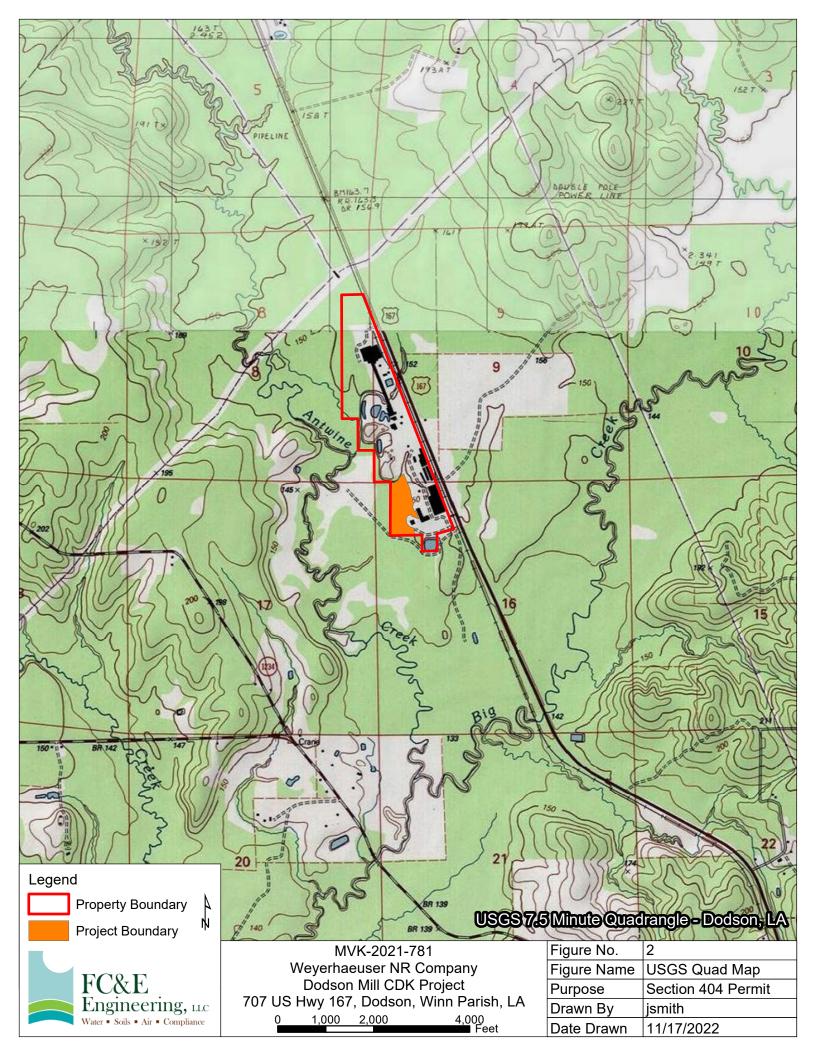
**Bryton Hixson** 

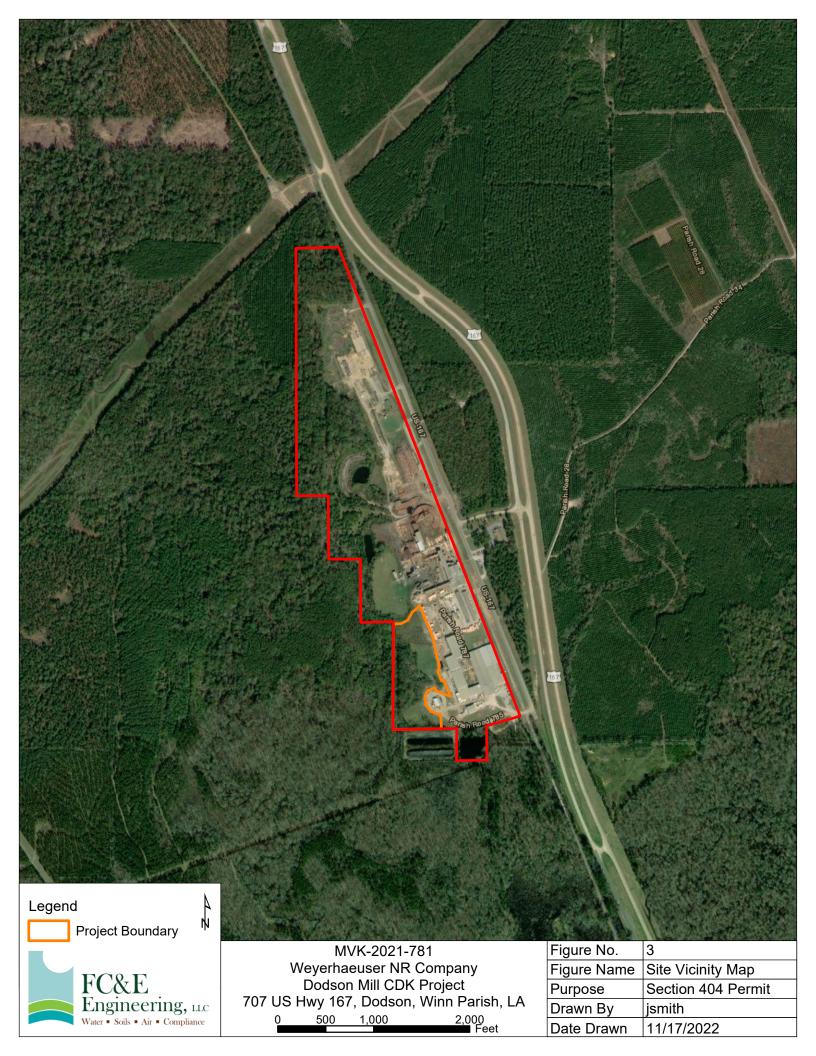
Acting Chief, Louisiana Branch Chief

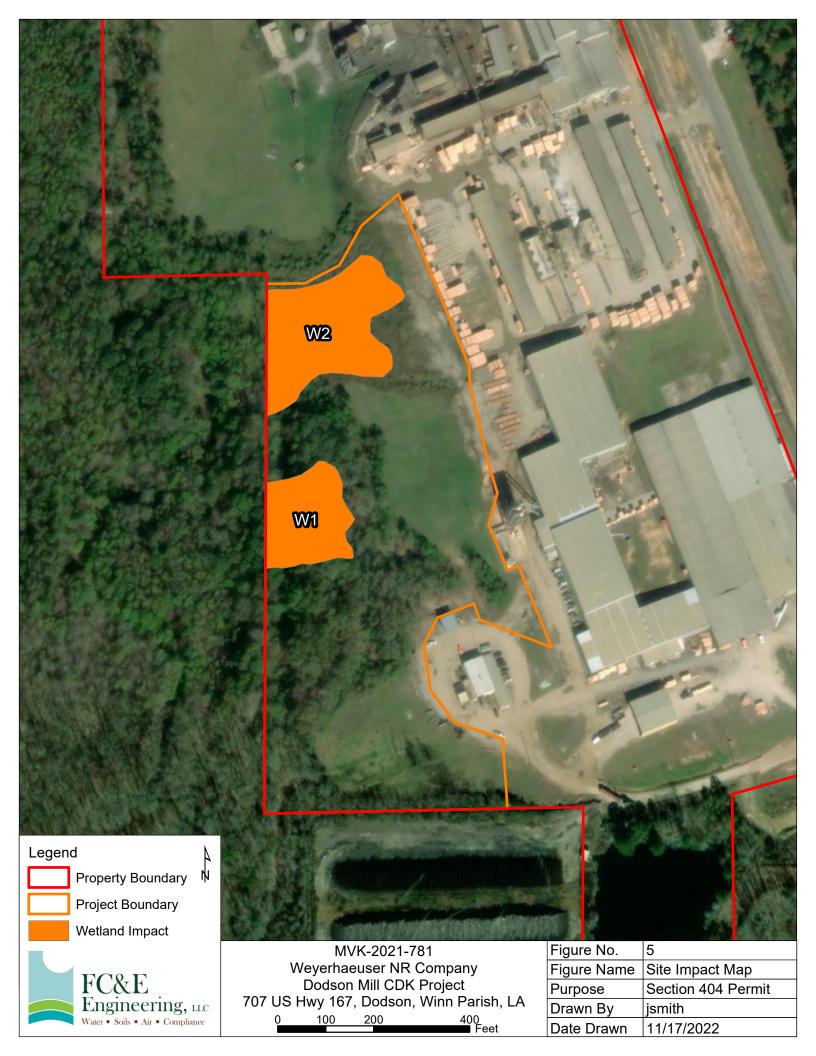
**Regulatory Division** 

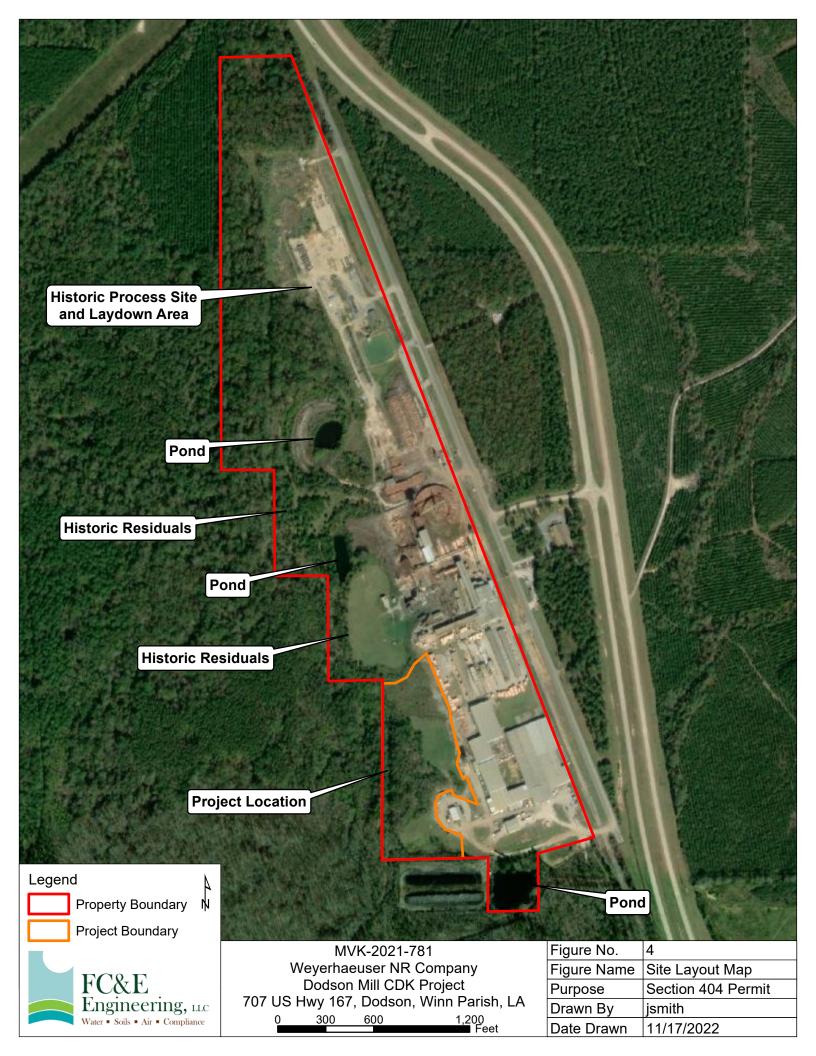
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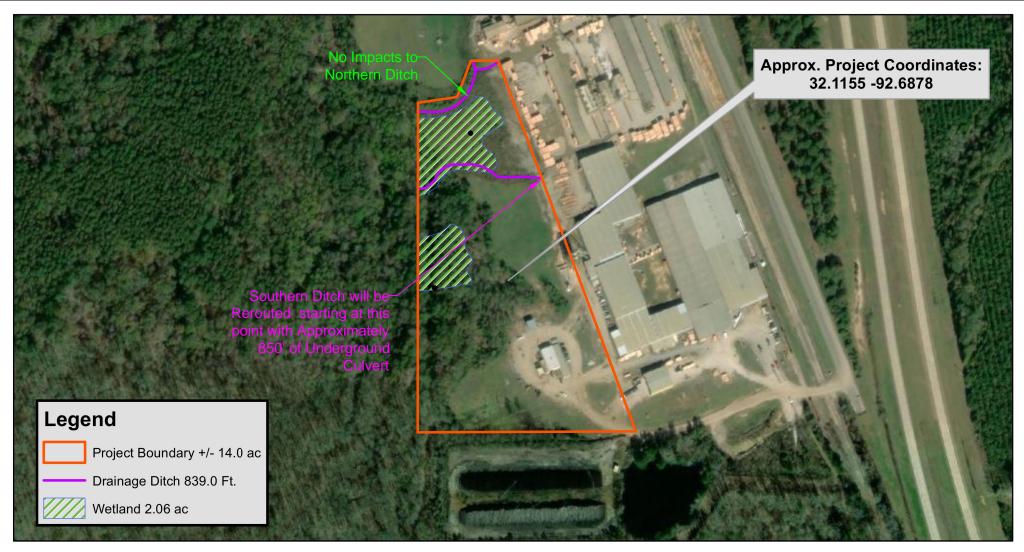
















## January 13, 2022 MVK-2021-781

Applicant: Weyerhaeuser NR Company

Proposed Work: Commercial Development

Location: Section 16, T13N-R3W Dodson, Quadrangle Winn 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** 

