



**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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| APPLICATION NO.: | MVK-2013-160 |
| EVALUATOR: | Ms. Samantha Thompson |
| PHONE NO.: | (601) 631-5478 |
| E-MAIL: | Samantha.H.Thompson@usace.army.mil |
| DATE: | March 29, 2018 |
| EXPIRATION DATE: | April 19, 2018 |

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. Michael Bellow
LaSalle Bioenergy, LLC
4915 Highway 125
Urania, Louisiana 71480

Name of Agent:
Mr. Tim Parrish
Headwaters, Incorporated
Post Office Box 2836
Ridgeland, Mississippi 39158

Location of Work: Section 4, 5, & 8- T10N- R2E, Latitude 31.8772, Longitude -92.2811, within the Lower Red-Ouachita Drainage Basin (8-digit USGS HUC 08040302), LaSalle 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 waters for the purpose of constructing an industry spur track that will provide rail access to the Union Pacific Railroad and transportation and logistic support required by the Drax Biomass facility. German Pellets, the company who owned the project property prior to Drax Biomass filled 1.68 acres of wetlands without authorization. Drax Biomass has proposed to compensate for those unauthorized impacts and purchase credits from a USACE approved mitigation bank that services the same 8-digit HUC 08040302.

In addition to the unauthorized work, the applicant proposes to impact 0.56-acre of emergent wetlands and 1.84-acres of forested wetlands for the rail spur construction. Approximately 20,000 cubic yards of clean fill material would be used for the project.

The vegetative communities within the project area are dominated by Black willow, Sweetgum, Loblolly pine, Chinese tallow tree, Sycamore, Privet, Yaupon, Baccharis, Rush, Goldenrod, Broom sedge, Cat tails, Panic grass, Sedge, and Wool grass. Soil within the project site consists of Frizzle silt loam soils.

The applicant proposes to mitigate for the proposed jurisdictional impacts through the purchase of credits from a USACE approved mitigation bank that services the same 8-digit HUC 08040302.

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 is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties. 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: Based on 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, it has been determined that the proposed activity will have no effect on the Red-cockaded woodpecker and a may affect, but not likely to adversely affect determination was made for the Northern long-eared bat. Currently, coordination with the U.S. Fish and Wildlife Service is being conducted as part of the permit review process for the Northern long-eared bat.

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 primarily located outside 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

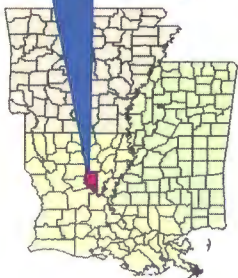
Approx. Project Coordinates:
31.8772 -92.2811

Legend

-  Project_Boundary/309.43ac
 -  Other_Waters/1,887 FT
- WET_TYPE**
-  Emergent Wetlands/6.31ac
 -  Forested Wetlands/10.15ac
 -  Open Water/5.10ac
 -  Prior Permitted Wetland Fill/0.46ac
 -  Prior Unpermitted Wetland Fill/1.68ac



LaSalle Parish



14 February 2018
MVK-2013-160

Applicant:
LaSalle BioEnergy, LLC

Proposed Work:
Facility Renovation

Location:
Sections 4,5,8, T10N-R2E
Olla West & Tulus LA, Quadrangle
LaSalle Parish, LA

Map Background:
NAIP Aerial Imagery (2004)

**Preliminary
Jurisdictional Determination**

Prepared by:
Robert G. Ulmer, Jr.



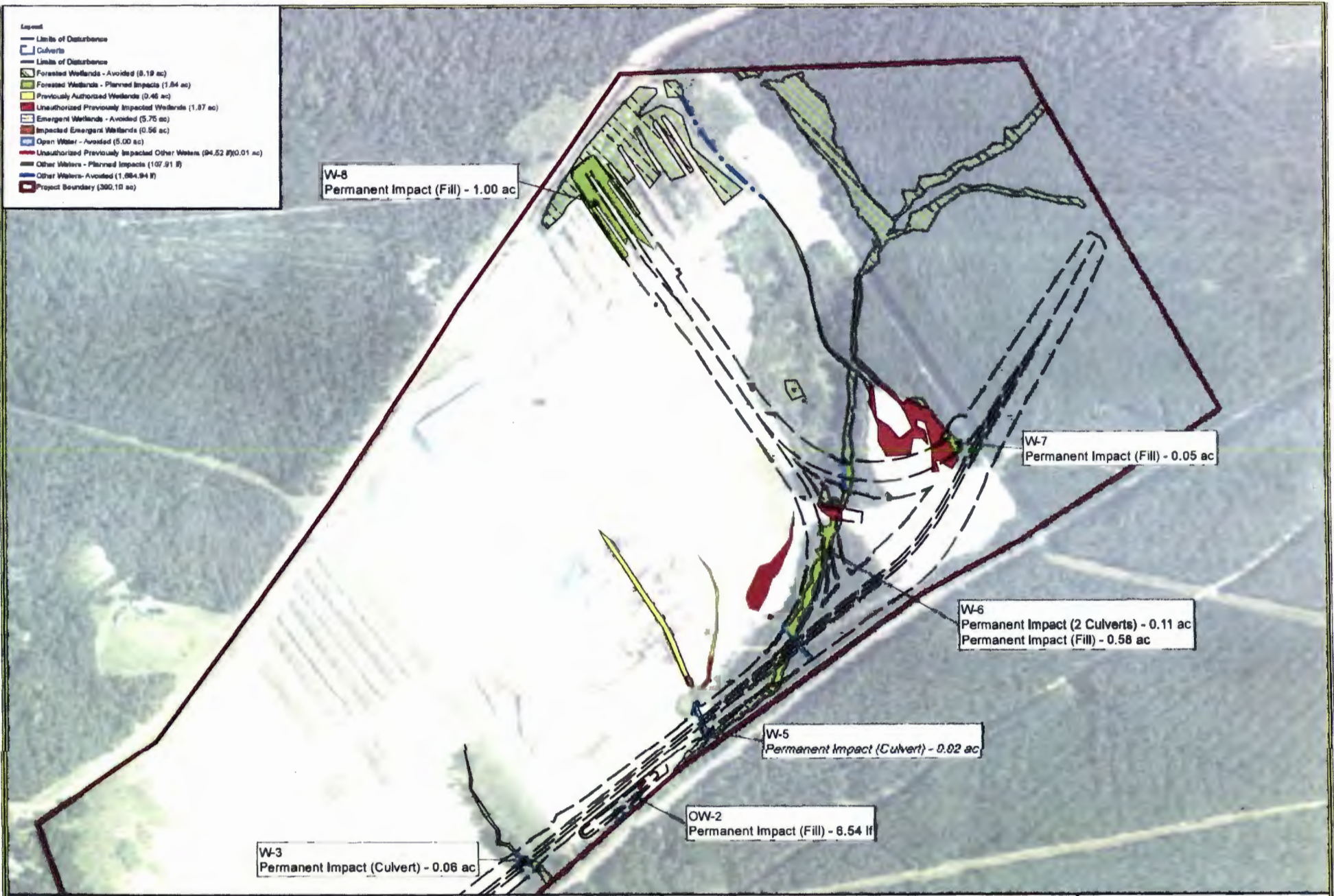
**US Army Corps
of Engineers**



Regulatory Branch

Enforcement Section





LaSalle BioEnergy, LLC

Sec. 4, 5, & 8 - T 10N - R2E
LaSalle Parish, Louisiana
Wetland Impact Map

Map 2 of 2



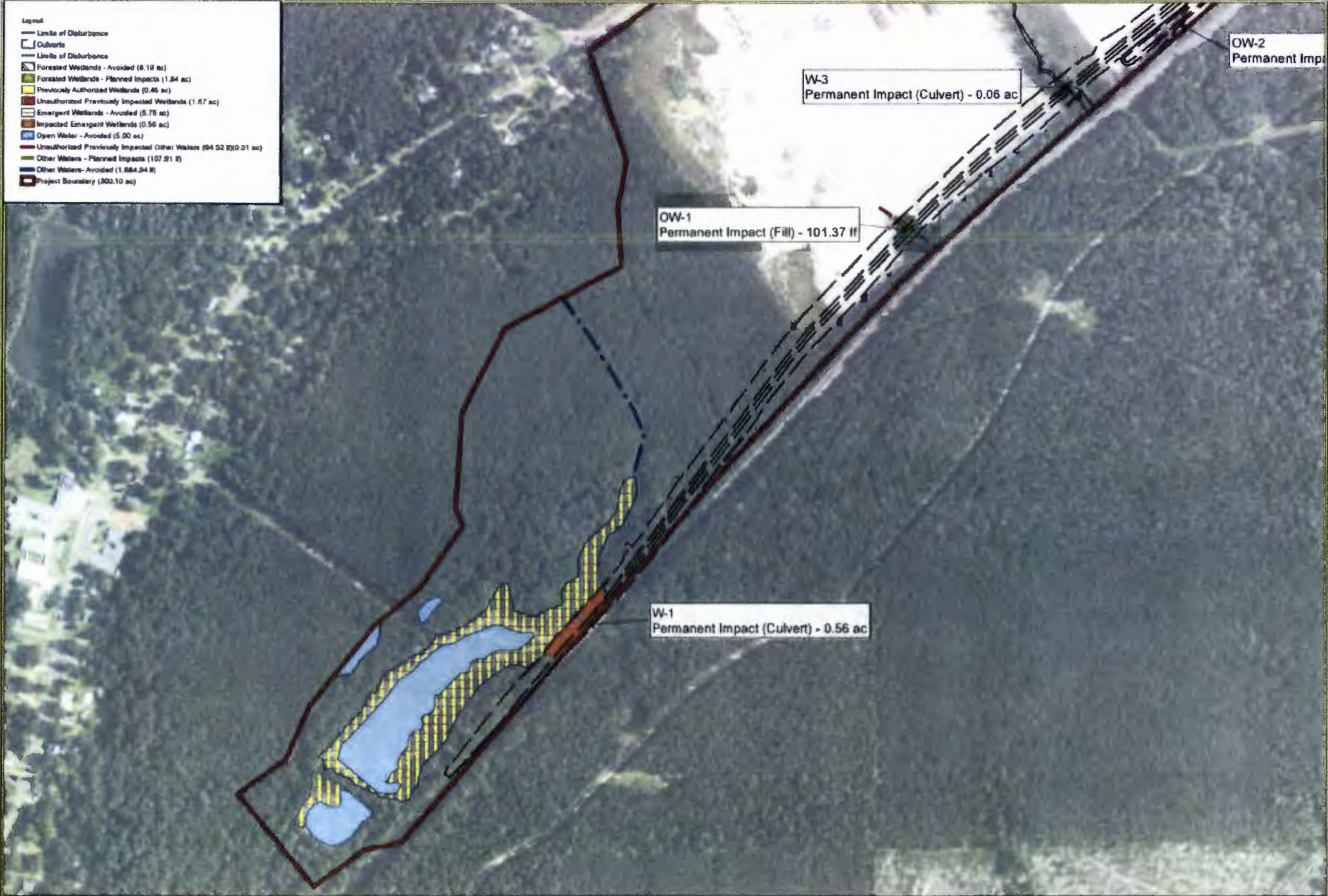
Date Created: 1/26/2018 Created by: JDL



NAD 1983 StatePlane Louisiana North FIPS 1701 Feet

USDA NAIP 2015 Imagery Basemap

- Legend**
- Limits of Disturbance
 - ▭ Culverts
 - Limits of Disturbance
 - ▨ Forested Wetlands - Avoided (8.19 ac)
 - ▨ Forested Wetlands - Planned Impacts (1.84 ac)
 - ▨ Previously Authorized Wetlands (0.46 ac)
 - ▨ Unauthorized Previously Impacted Wetlands (1.67 ac)
 - ▨ Emergent Wetlands - Avoided (5.75 ac)
 - ▨ Impacted Emergent Wetlands (0.56 ac)
 - ▨ Open Water - Avoided (5.00 ac)
 - ▨ Unauthorized Previously Impacted Other Waters (94.52 ft)(0.01 ac)
 - ▨ Other Waters - Planned Impacts (107.91 ft)
 - ▨ Other Waters - Avoided (1,884.94 ft)
 - ▭ Project Boundary (300.10 ac)



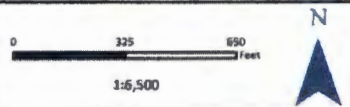
HEADWATERS^{INC.}
 NATURAL RESOURCES CONSULTING
WWW.HEADWATERS-INC.COM

Date Created: 1/26/2018 Created by: JDL

LaSalle BioEnergy, LLC

Sec. 4, 5, & 8 - T 10N - R2E
 LaSalle Parish, Louisiana
Wetland Impact Map

Map 1 of 2



MAD 1983 StatePlane Louisiana North FIPS 1701 Feet
 USDA NAIP 2015 Imagery Basemap