



**US Army Corps
of Engineers.**

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



Public Notice

APPLICATION NO.:	MVK-2017-167
EVALUATOR:	Ms. Samantha Thompson
PHONE NO.:	(601) 631-5478
E-MAIL:	Samantha.H.Thompson@usace.army.mil
DATE:	September 6, 2018
EXPIRATION DATE:	September 27, 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. Jeff Lueke
L & L Delta Farms
Rural Route No. 3, Box 162
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 7, T9N- R8E, Latitude 31.7754, Longitude -91.6955, 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 waters for the purpose of clearing a vegetated fenced area. The applicant is proposing to clear the fenced area to allow for more efficient irrigation for agriculture fields. The fenced area will be mechanically cleared and precision leveled to facilitate the irrigation. Twenty-nine small wetlands will be filled during the land leveling operation. The sizes of these wetlands range from 0.004 acre to 3.859 acres.

The 52.4 acre project site contains a total of 5.73 acres of jurisdictional wetlands, which will be filled. Approximately 4,622 cubic yards of adjacent soil would be used for the project.

The vegetative communities within the project area are dominated by water oak, American elm, Eastern baccharis, dwarf palmetto, American holly, sugar berry, Southern bald-cypress, black willow, Southern cat-tail, winged-elm, yaupon, honey locust, saw-tooth blackberry, green ash, late goldenrod, Brazilian vervain, peatree, peppervine, Savannah-panic grass, sawbrier, horsebrier, Japanese honeysuckle, broom-sedge, prairie fleabane, and Chinese tallowtree. Soils within the project site consists of Sharkey silt clay loam and Dowling silt clay loam.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional wetlands through the purchase of credits from a commercial 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 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, Pallid sturgeon, and 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>.


FOR Thomas A. McCabe
Chief, Evaluation Section
Regulatory Branch





Legend

-  Boundary
-  Wetlands/5.73ac



November 28, 2017
MVK-2017-167
 Applicant:
 L & L Delta Farms
 Proposed Work:
 Land Conversion
 Location:
 Section 12, T9N-R7E & 8E
 Sicily Island, Quadrangle
 Catahoula 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

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 Feet

Figure 3. L & L Delta Farms – Farms 2481 & High Fence Area boundaries.



Figure 4. L & L Delta Farms – High Fence Area Jurisdictional Wetland Determination.

