



**US Army Corps  
of Engineers**

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



# Public Notice

APPLICATION NO.:	<u>MVK-2021-985</u>
EVALUATOR:	<u>Ms. Jennifer Brown</u>
PHONE NO.:	<u>(601) 631-5147</u>
E-MAIL:	<u>Jennifer.G.Brown@usace.army.mil</u>
DATE:	<u>June 1, 2022</u>
EXPIRATION DATE:	<u>June 22, 2022</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-PE, 4155 East Clay Street, Vicksburg, Mississippi 39183-3435.

Application was made to the Louisiana Department of Environmental Quality, Office of Environmental Services (LDEQ) 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); Water Quality Certification was granted by LDEQ on May 17, 2022, under LDEQ certification number: WQC 220321-01. 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. Timothy Hicks  
326 Canbeal Road  
Farmerville, Louisiana 71241

**Name of Agent:**  
Mr. Bart Pittman  
Pittman Environmental Services, LLC  
Post Office Box 1926  
Purvis, Mississippi 39475

**Location of Work:** Section 26, T21N-R1W, Latitude 32.782186N, Longitude -92.445075W, within the Lower Bayou D'Arbonne watershed in the Lower Mississippi Region Drainage Basin (8-digit USGS HUC: 08040206), Union 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 (partial) Department of the Army permit for the discharge of dredged and fill material into jurisdictional wetlands for the purpose of elevating a residential lot for the construction of two single family residences. Approximately 1.04 acres of the 4.0-acre lot was cleared, graded, and portions of it were filled with material dredged from Lake D'Arbonne to accommodate two raised private residences, driveway, and associated features.

The additional proposed regulated activities include: discharging 0.5 acres of additional fill within wetlands; construction of a residential use concrete boat ramp (12 feet wide, 16 feet long); construction of two proposed piers (each pier would be 4 feet wide, and 25 feet long).

Approximately 1.98 of wetlands would be avoided.

The remaining vegetative communities within the project area are dominated by bald cypress (*Taxodium distichum*) and broom sedge (*Adropogon virginicus*). Soil within the project site is dominated by Harleston fine sandy loam with a NRCS hydric rating of 4 percent.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an 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 has certified that the described work will comply with the State's water quality standards and effluent limitations.

**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 is composed

predominantly of low-lying wetlands (frequently submerged) and has been so extensively modified that little likelihood exists for the project to impinge on a historic property, even if present within the affected area.

**Endangered Species:** Listed species for the project area include northern long-eared bat and red-cockaded woodpecker. Based on the Information and Planning Consultation (IPAC) for Endangered Species in Louisiana Agreement dated January 14, 2020, 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 would have no effect on red-cockaded woodpecker. This project may affect northern long-eared bat, but any resulting incidental take of northern long-eared bat is not prohibited by the final 4(d) rule.

**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 proposed project site is 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>.

*Bryan Williamson*

**Bryan Williamson  
Chief, Permit and Evaluation Branch  
Regulatory Division**

**U.S. Army Corps of Engineers (USACE)**  
**APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT**

33 CFR 325. The proponent agency is CECW-CO-R.

*Form Approved -*  
**OMB No. 0710-0003**  
**Expires: 02-28-2022**

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at . Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

**PRIVACY ACT STATEMENT**

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website:

**(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)**

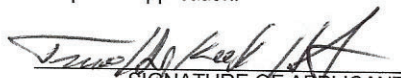
1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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**(ITEMS BELOW TO BE FILLED BY APPLICANT)**

5. APPLICANT'S NAME First - Timothy      Middle - Kirk      Last - Hicks Company - E-mail Address - Timothy.Hicks@mckesson.com			8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Bart      Middle - A      Last - Pittman Company - Pittman Environmental Services, LLC E-mail Address - bartpittman@gmail.com		
6. APPLICANT'S ADDRESS: Address- 326 Canbeal Road City - Farmerville      State - LA      Zip - 71241      Country -			9. AGENT'S ADDRESS: Address- P.O. Box 1926 City - Purvis      State - MS      Zip - 39475      Country -		
7. APPLICANT'S PHONE NOs. w/AREA CODE a. Residence      b. Business      c. Fax 318-376-8674			10. AGENTS PHONE NOs. w/AREA CODE a. Residence      b. Business      c. Fax 601-297-2487		

**STATEMENT OF AUTHORIZATION**

11. I hereby authorize, Bart A. Pittman to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

  
 SIGNATURE OF APPLICANT

2021-11-11  
 DATE

**NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY**

12. PROJECT NAME OR TITLE (see instructions) Proposed Single Family Residential		14. PROJECT STREET ADDRESS (if applicable) Address LA Highway #2	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Lake D'Arbonne		15. LOCATION OF PROJECT City - Farmerville      State- LA      Zip- 71241	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID      Municipality Monroe Section - 26      Township - 21N      Range - 1W			



17. DIRECTIONS TO THE SITE

The site is located adjacent to LA Highway #2 and Lake D'Arbonne in Farmerville LA.

18. Nature of Activity (Description of project, include all features)

The previous land owner (Mr. Jerry Rugg) conducted regulated activities that included excavation from Section 10 Waters (Lake D'Arbonne) and the depositing of excavated material within 1.04 acres of jurisdictional wetland adjacent to the lake. The current land owner/applicant is proposing to consolidate the material deposited by the previous owner into one permanent impact location that will be used for the construction of two single family residential homes. The applicant is proposing the construction of two piers and one boat ramp for boating access to Lake D'Arbonne.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The purpose of the project is to address the unauthorized impacts by the previous land owner by consolidating fill material into one area that will be used for the location of two single family home sites.

**USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED**

20. Reason(s) for Discharge

The previous land owner deposited fill into 1.04 acres of wetland in effort to create more usable property, the current land owner proposes to consolidate and utilize existing fill for residential home sites.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
+/-1,000 CY earthen fill		

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres 1.04 acres filled by previous land owner, applicant proposes an additional 0.5 acres of fill for a total of 1.54 acres of permanent fill  
or  
Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

The selected site plan incorporates the largest area of fill material deposited by the previous land owner, the proposed 1.54 acre permanent fill location allows for sufficient area to consolidate all the unauthorized fill deposits and will also allow for adequate space for construction of two residential home sites. Approximately 1.98 acres of wetland and 5.88 acres of open water habitat will be avoided. The selected site plan is the only layout that meets the project requirements while reducing permanent impacts to the greatest extent practicable. In effort to restore wetland functions, cypress seedlings will be planted in fill locations outside of the permanent impact location once fill is removed. The applicant will purchase compensatory mitigation credits from an USACE approved wetland mitigation bank for the proposed impacts.

24. Is Any Portion of the Work Already Complete?  Yes  No IF YES, DESCRIBE THE COMPLETED WORK

The previous land owner (Mr. Jerry Rugg) conducted regulated activities that included excavation from Lake D'Arbonne and the depositing of excavated material within 1.04 acres of jurisdictional wetland adjacent to the lake.

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- Herman Gerald Anderson C/O Melinda H. Floyd, 105 Circle Drive

City - Farmerville State - LA Zip - 71241

b. Address- J.H.T., Inc., P.O. Box 580

City - Jonesboro State - LA Zip - 71251

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-


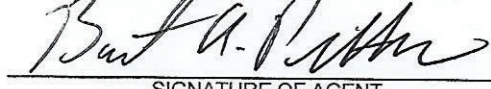
City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

\* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

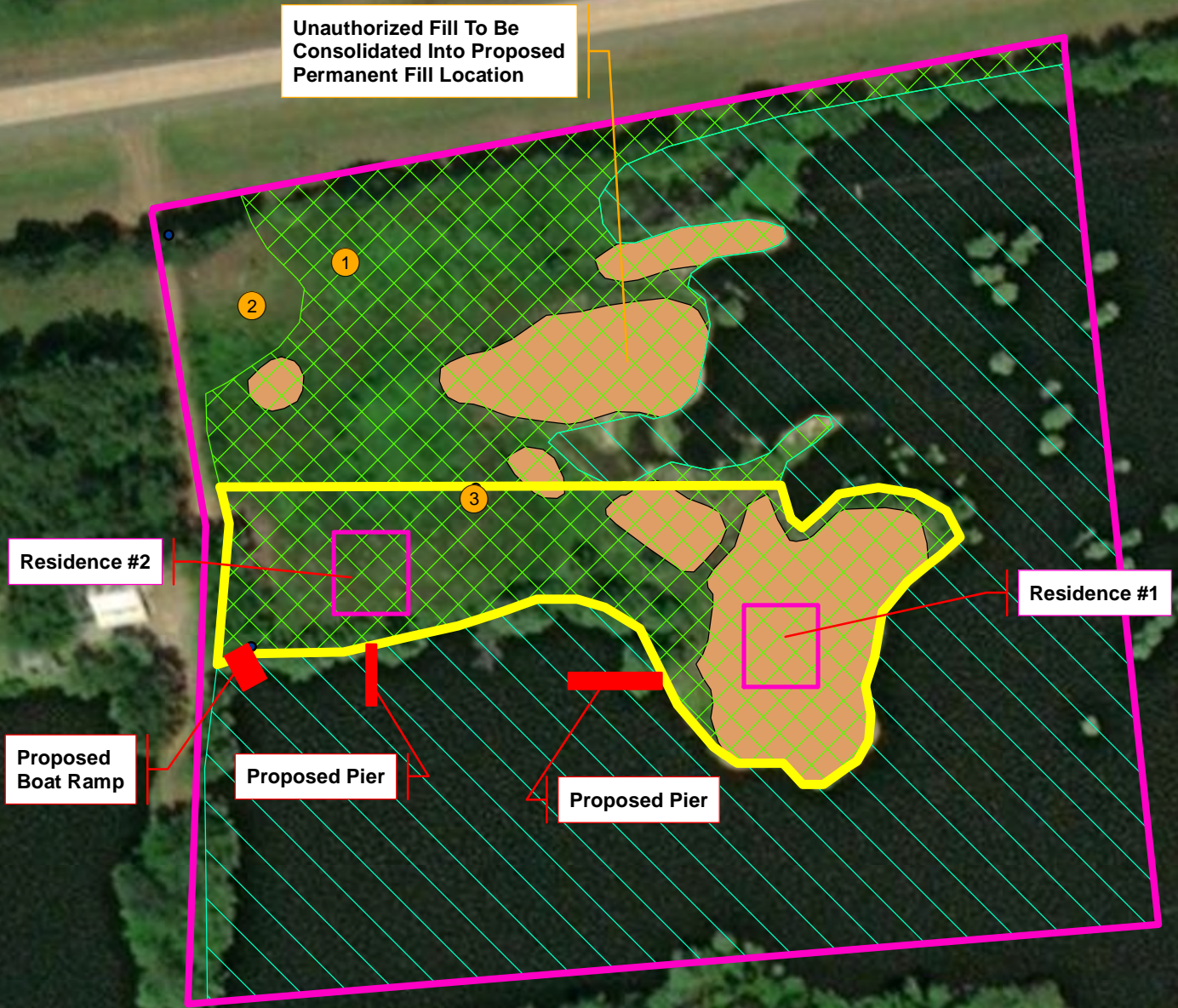



SIGNATURE OF APPLICANT      DATE      SIGNATURE OF AGENT      DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.





### Legend

- Delineation Limits 9.65 Acres
- Open Water (Lake D'Arbonne) 5.88 Acres
- Delineated Wetland 3.52 Acres
- Unauthorized Fill Placed Within Wetland 1.04 Acres
- Proposed Permanent Fill Impacts 1.54 Acres
- 2016 Data Point Locations




Timothy Hicks Property  
After-The-Fact Authorization  
Single Family Residential  
Lake D'Arbonne

32.782186, -92.445075  
Section 26, T-21N, R-1W  
Union Parish, Louisiana



**Legend**

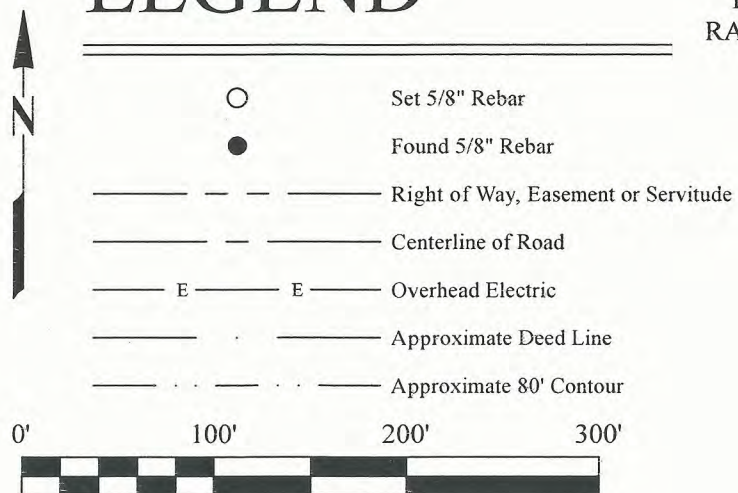
 Delineation Limits 9.65 Acres



# PLAT OF SURVEY FOR TIMOTHY HICKS

SURVEYED AT THE REQUEST OF TIM HICKS FOR PROPOSED CONVEYANCE.  
BEING LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 21 NORTH,  
RANGE 1 WEST, LAND DISTRICT NORTH OF RED RIVER, UNION PARISH, LOUISIANA

## LEGEND



NOTES:  
BASIS OF BEARINGS:  
RELATIVE TO GRID BEARINGS OF LOUISIANA COORDINATE SYSTEM  
OF 1983 - NORTH ZONE, AS OBTAINED BY GPS OBSERVATION  
(REFERENCE FRAME: NAD\_83(2011)(EPOCH:2010.000).

THIS PLAT DOES NOT REPRESENT A GUARANTEE OF TITLE. I DID  
NOT CONDUCT EXTENSIVE TITLE RESEARCH. NO COPIES OF  
SERVITUDES WERE PROVIDED AND NOT NECESSARILY ALL ARE  
SHOWN HEREON.



CERTIFICATION:

I, CRAIG T. STIFFLER, A LICENSED PROFESSIONAL LAND SURVEYOR  
IN THE STATE OF LOUISIANA, HEREIN CERTIFY THIS PLAT REFLECTS  
AN ACTUAL SURVEY MADE UNDER MY DIRECT SUPERVISION AND  
MONUMENTS ARE AS NOTED. THIS SURVEY CONFORMS TO THE  
STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS FOR A CLASS  
"C" SURVEY AS CURRENTLY ADOPTED BY THE LAPELS BOARD  
UNDER LAC TITLE 46, PART LXI, CHAPTER 29.

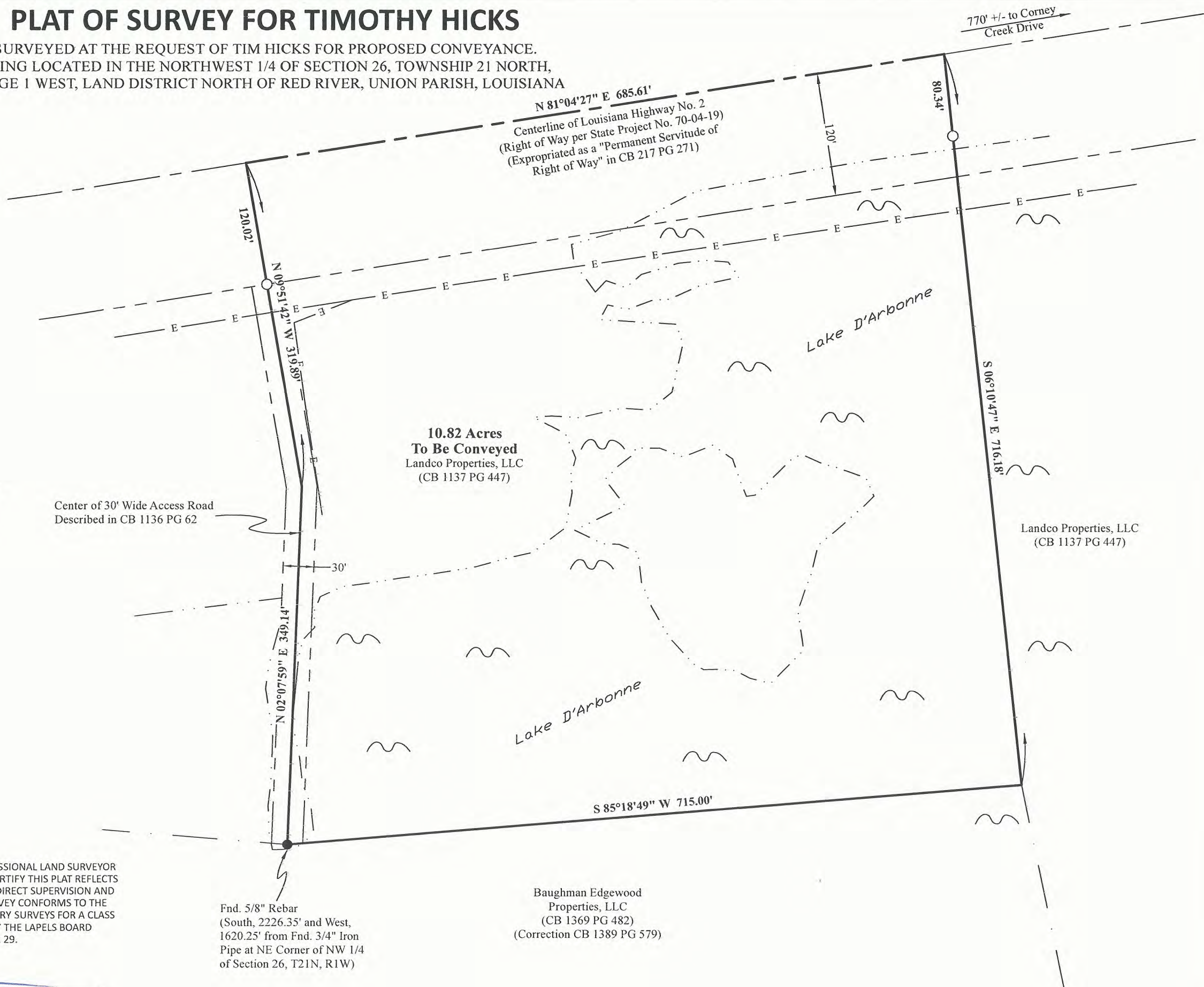
*Craig T. Stiffler*  
CRAIG T. STIFFLER, P.L.S.  
LOUISIANA LICENSED PROFESSIONAL  
LAND SURVEYOR NO. 5161



104 WEST BAYOU STREET, SUITE 2  
FARMERVILLE, LA 71241  
PHONE: 318-982-8090

PROJECT NO: 21-07-10

DATE: 7/16/2021 | SCALE: 1" = 100'



**10.82 Acres  
To Be Conveyed**  
Landco Properties, LLC  
(CB 1137 PG 447)

Center of 30' Wide Access Road  
Described in CB 1136 PG 62

Landco Properties, LLC  
(CB 1137 PG 447)

Baughman Edgewood  
Properties, LLC  
(CB 1369 PG 482)  
(Correction CB 1389 PG 579)

Fnd. 5/8" Rebar  
(South, 2226.35' and West,  
1620.25' from Fnd. 3/4" Iron  
Pipe at NE Corner of NW 1/4  
of Section 26, T21N, R1W)

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, PH.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL SERVICES

MAY 17 2022

Mr. Bart Pittman  
Pittman Environmental services, LLC  
P. O. Box 1926  
Purvis, MS 39475

AI No.: 233205  
Activity No.: CER20220001

RE: Timothy Hicks – Single Family Residential  
Water Quality Certification WQC 220321-01  
Corps of Engineers Permit JGB-MVK-2021-985  
Union Parish

Dear Mr. Pittman:

The Louisiana Department of Environmental Quality, Water Permits Division (LDEQ), has reviewed the application to clear, grade, excavate, and place fill to construct two (2) residences, two (2) piers, and a boat ramp located off of LA Highway #2 in Farmerville, Union Parish.

The information provided in the application and the additional information received May 5, 2022, has been reviewed in terms of compliance with State Water Quality Standards, the approved Water Quality Management Plan and applicable state water laws, rules and regulations. LDEQ determined that the requirements for a Water Quality Certification have been met. LDEQ concludes that the discharge of fill will not violate water quality standards as provided for in LAC 33:IX.Chapter 11. Therefore, LDEQ hereby issues Timothy Hicks – Single Family Residential Water Quality Certification, WQC 220321-01.

Should you have any questions concerning any part of this certification, please contact Elizabeth Hill at (225) 219-3225 or by email at [elizabeth.hill@la.gov](mailto:elizabeth.hill@la.gov). Please reference Agency Interest (AI) number 233205 and Water Quality Certification 220321-01 on all future correspondence to this Department to ensure all correspondence regarding this project is properly filed into the Department's Electronic Document Management System.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Guilliams".

Scott Guilliams  
Administrator  
Water Permits Division

c: IO-W

ec: [jennifer.g.brown@usace.army.mil](mailto:jennifer.g.brown@usace.army.mil)