



**US Army Corps
of Engineers.**

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



Public Notice

APPLICATION NO.:	MVK-2018-373
EVALUATOR:	Ms. Tarmiko Graham
PHONE NO.:	(601) 631-5540
E-MAIL:	Tarmiko.V.Graham@usace.army.mil
DATE:	June 20, 2018
EXPIRATION DATE:	July 10, 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. Byron Trust
Petro-Chem Operating
Company, Inc.
416 Travis St., Suite 812
Shreveport, Louisiana 71101

Name of Agent:
Mr. Jimmy Nugent
Nugent Land Services, LLC
Post Box 543
Jena, Louisiana 71342

Location of Work: Section 31, T5N- R7E, Latitude 31.36795, Longitude -91.79205, within the Bayou Cocodrie drainage basin (USGS HUC 08040306), Concordia 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 for the discharge of dredged and/or fill material into wetlands associated with the mechanized land clearing and construction of the Shively FB #2 well pad (0.72-acre) and access road (0.47-acre) in Concordia Parish, Louisiana. The applicant's stated purpose is to drill and produce oil. The proposed project would consist of two phases: an exploration phase and a production phase.

Phase one, exploration phase: no earthen pits would be constructed. No foreign material would be introduced to the road or location. A closed loop drilling mud system would be utilized. The drilling would take approximately 7 to 10 days. Drilling would occur to a depth of 6,600 feet. The well would be 1,100 feet from the center of the Black River Levee. Once the well reaches total depth, a decision would be made to complete the well as a producing well or to plug and abandon. Should the well be plugged and abandoned, the location and road would be returned to its original condition. Approximately 1.91 acres of forested and emergent wetlands would be cleared for drilling during the exploration phase. Mitigation for wetlands impacted by the exploration activities would be in the form of purchasing credits from an approved mitigation bank servicing the 8-digit HUC unit 08040306.

Phase two, production phase: the proposed well pad would be approximately 250 feet x 250 feet. Upon completion of the well as a producing oil well, fill would be hauled and placed on the access road and approximately one-half (½) of the location necessary to access the well during wet periods. The total well pad construction would impact approximately 0.72-acre of jurisdictional forested and emergent wetlands. A concrete slab approximately 10-foot X 30-foot would be poured to support this pumping unit. The access road would be approximately 1,027.86-foot x 20-foot. Approximately 0.47-acre of jurisdictional forested and emergent wetlands would be permanently impacted by the construction of the proposed access road. The access road would be covered with a total of approximately 700 cubic yards of clay and gravel fill, which would come from a commercial borrow pit in Catahoula Parish, Louisiana. Because the mineral ownership of the proposed location is the same as the Shively FB #1, production from this well would be pipelined from the FB #2 well to the tank battery constructed for the FB #1. The ownership of this well would be common with that of the Shively FB #1 well. Fluids produced would be piped to the tank battery located on the Shively FB #1 location. If necessary, mitigation for wetlands impacted by the production activities would be in the form of purchasing credits from an approved mitigation bank servicing the 8-digit HUC unit 08040306.

The vegetative communities within the project area are dominated by Nuttall oak, Sweetgum, Stiff dogwood, Poison ivy, Peppervine, Trumpet, Creeper, and Broomsedge blumstem. Soil within the project site is dominated by Tensas-Alligator complex.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an approved mitigation bank servicing 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 Northern long-eared bat and Fat pocketbook pearly mussel, and a may affect, but not likely to adversely affect determination was made for the Pallid sturgeon and Interior least tern.

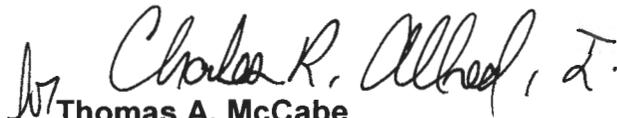
Floodplain: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements. Portions of the proposed project site are partially 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>.


Thomas A. McCabe
Chief, Evaluation Section
Regulatory Branch

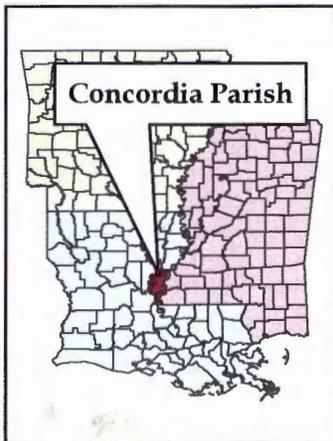
Access Road Approx. Dimensions:
1027.86' x 20'

Well Pad Approx. Dimensions:
250' x 250'

Legend

-  Proposed Well Pad
-  Proposed Access Road
-  Emergent Wetland (0.46 ac.)
-  Forested Wetland (1.45 ac.)

THERE ARE JURISDICTIONAL WATERS OF THE U.S. IDENTIFIED WITHIN THE PROPOSED PROJECT BOUNDARY, THUS A PERMIT MAY BE REQUIRED



June 11, 2018

MVK-2014-373

Project:
Shively FB No. 2
Proposed Well Pad and
Access Road
S31, T5N- R7E
Concordia Parish, LA

Aerial Imagery:
ESRI World Imagery

**Preliminary
Jurisdictional Determination**



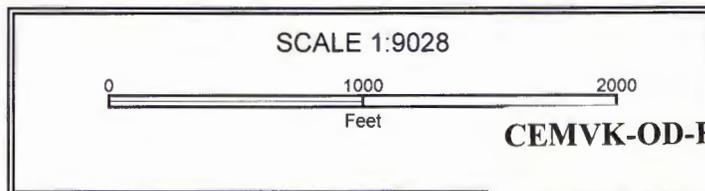
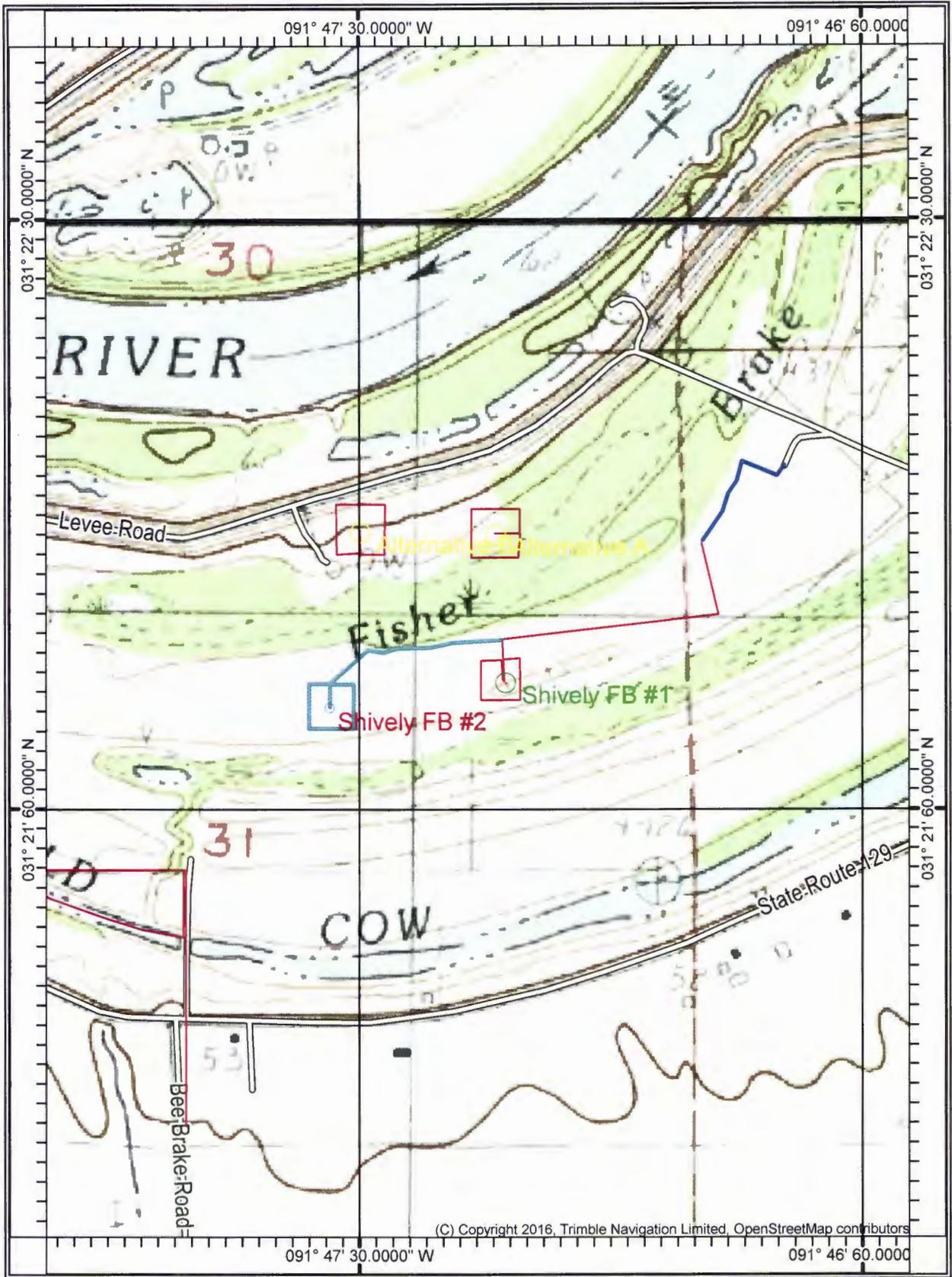

**US Army Corps
of Engineers.**

**Regulatory Branch
Enforcement Section**

NOT TO SCALE

Prepared By: Eli L. Polzer

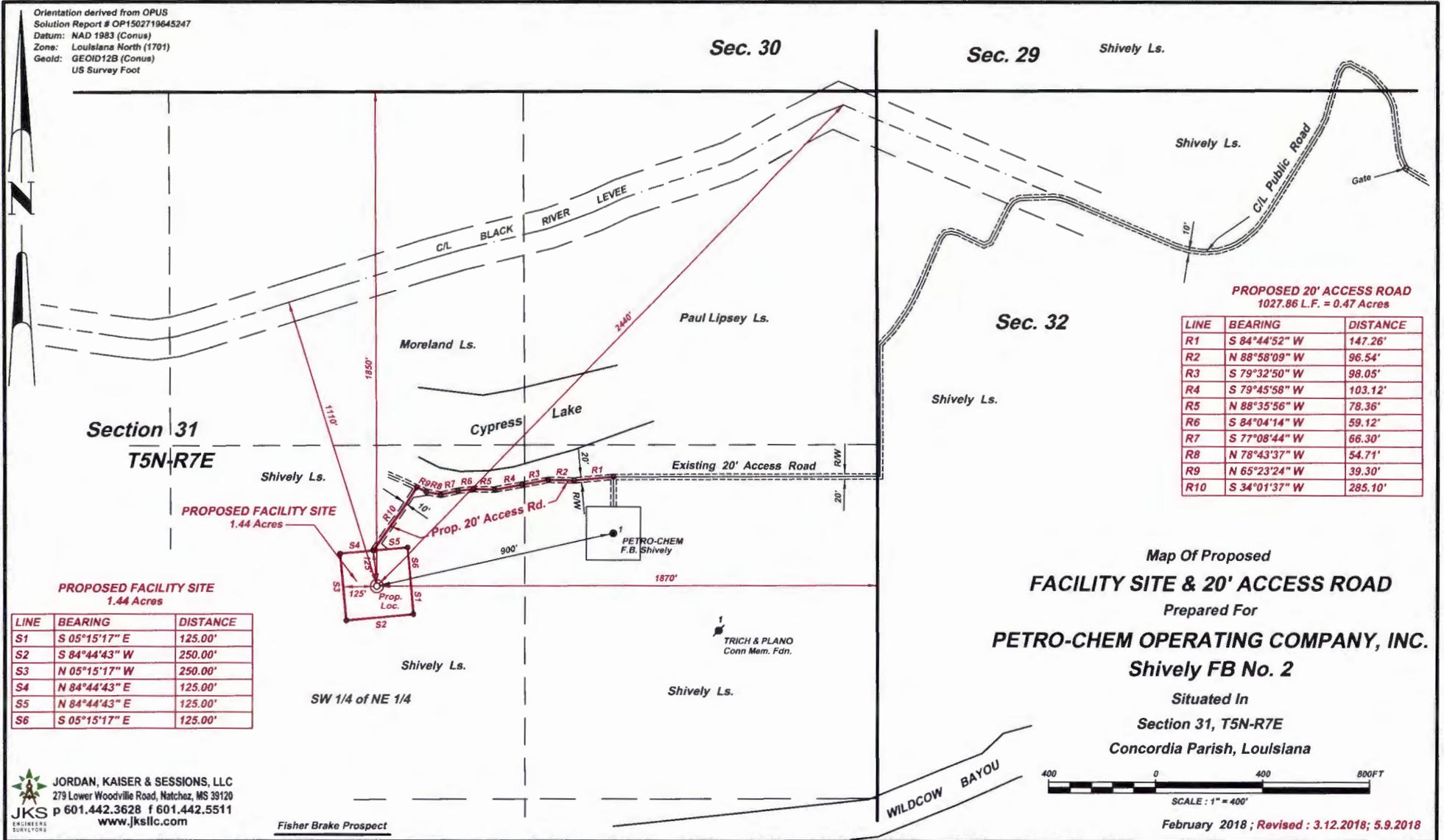
Enclosure 1



CEMVK-OD-FE KWH-MVK-2018-233

MR. BYRON T. TRUST
 PETRO-CHEM OPERATING COMPANY, LLC

Orientation derived from OPUS
 Solution Report # OP1502719645247
 Datum: NAD 1983 (Conus)
 Zone: Louisiana North (1701)
 Geoid: GEOID12B (Conus)
 US Survey Foot



JORDAN, KAISER & SESSIONS, LLC
 279 Lower Woodville Road, Natchez, MS 39120
 p 601.442.3628 f 601.442.5511
 www.jksllc.com

Fisher Brake Prospect

400 0 400 800FT
 SCALE: 1" = 400'

February 2018 ; Revised : 3.12.2018; 5.9.2018

S1408006

CEMVK-OD-FE TVG-MVK-2018-373

MR. BYRON T. TRUST
 PETRO-CHEM OPERATING COMPANY, LLC