



DEPARTMENT OF THE ARMY  
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

July 1, 2013

REPLY TO  
ATTENTION OF:

Operations Division  
Regulatory Branch  
Project Manager  
Brenda A. Archer  
(504) 862-2046

SUBJECT: MVN-2006-00473-MA

### **PUBLIC NOTICE**

Interested parties are hereby notified that an application has been received by the District engineer for a Department of the Army permit to authorize the following pursuant to ( ) Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or (X) Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

### **PROPOSED BAYOU WAUKSHA MITIGATION BANK IN ST. LANDRY PARISH**

**NAME OF APPLICANT:** Crown Ranch, LLC and Robert A. Kahn c/o John Chance Land Surveys, Inc, Regulatory and Ecological Services, 900 South College Road, Suite 301, Lafayette, Louisiana 70506

**LOCATION OF WORK:** The project area is located in all or portions of Sections 8 and 17, Township 5S, Range 5E, approximately 4.6 miles east-northeast of Washington, Louisiana in St. Landry Parish, within the Bayou Teche (HUC 08080102) watershed.

**CHARACTER OF WORK:** The Sponsor proposes to establish a wetland mitigation bank to include the cumulative rehabilitation and enhancement of 233.3 acres of wetland habitats including bottomland hardwoods and cypress-tupelo swamp. Additional details of the proposed restoration plan are attached for review in the mitigation banking prospectus.

The comment period will close **30 days** from the date of this public notice advertisement. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons therefore, are being solicited from anyone having interest in this permit request. Letters must reference the applicant's name and the subject number, be addressed and mailed to the above address, ATTENTION: REGULATORY BRANCH.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

No properties listed in the National Register of Historic Places are near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, pre-historical or historical sites or data. Copies of this notice are being sent to the State Archeologist and the State Historic Preservation Officer.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Department of Interior nor affect any habitat designated as critical to the survival and recovery of any endangered species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnus-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the alteration of 0 acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency and certification that the proposed activity will not violate applicable water quality standards will be required from the Louisiana Department of Environmental Quality, Office of Water Resources, before a permit is issued.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Martin S. Mayer  
Chief, Regulatory Branch

# Bayou Wauksha Mitigation Bank

St. Landry Parish, Louisiana

May 2013

**Sponsor:**

Crown Ranch, LLC and Robert A. Kahn  
315 S. College Road, Suite 165  
Lafayette, Louisiana 70503

**Agent:**

John Chance Land Surveys, Inc.  
Regulatory and Ecological Services 900 South College Road, Suite 301  
Lafayette, Louisiana 70506

Contact:	Matt Conn	Ecological Supervisor	(337) 268-3394	mconn@fugro.com
	Tyler Thigpen	Ecological Project Manager	(337) 268-3279	tthigpen@fugro.com

ISO 9001:2008 Quality Management System Certificate of Approval

ISO 14001:2004 Environmental Management System Certificate of Approval

OHSAS 18001:2007 Occupational Health & Safety Management System Certificate of Approval

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Supporting Figures and Attachments are included in remaining document.

## 1.0 INTRODUCTION

Crown Ranch, LLC and Robert A. Kahn submit the following Prospectus to the U.S. Army Corps of Engineers- New Orleans District (CEMNV) and the CEMNV Mitigation Banking Interagency Review Team (IRT) in sponsorship of establishing the Bayou Wauksha Mitigation Bank (BWMB; Figure 1). The BWMB is currently in agricultural use for milo—a variety of commercial sorghum (*Sorghum bicolor*)—production. The proposed BWMB is located in the Bayou Teche/Vermillion drainage area, specifically within the floodplain of Bayou Wauksha with lands surrounding the proposed Bank consisting of generally high quality Bottomland Hardwood (BLH) and Cypress-Tupelo Swamp (SW) forests.

### 1.1 Site Location

Bayou Wauksha Mitigation Bank measures approximately 233.3 acres within 8 tracts of land in Sections 8 and 17, of Township 5 South – Range 5 East (Figure 1). The proposed Bank is located in the Lafayette Loess Plains of the West Gulf Coastal Plain (LDWF 2005) in St. Landry Parish, Louisiana approximately 4.6 miles east-northeast of Washington, Louisiana, with Thistlethwaite Wildlife Management Area (TWMA) bordering the Bank on the western, northern, and eastern sides of the property. The property is located north of Highway 103. The coordinates for the center of the property are: 30.628686°, -91.980619°.

Russell Bryant Kahn (Crown Ranch, LLC) and Robert Alfred Kahn are the owners and managers of the property. The property measures approximately 500 acres total with the proposed 233.3 acres currently in milo production.

Acreage calculations were obtained by John Chance Land Surveys, Inc. (JCLS) wetland scientists navigating the 8 tracts of the proposed BWMB and collecting perimeter data with a GEO HT 6000 Global Positioning System (GPS) unit (Trimble Navigation Limited, Sunnyvale, California, USA). The BWMB is a single phase mitigation banking project comprised of 8 distinct banking areas equaling approximately 233.3 in total acreage (Figure 2):

Tract 1 = ± 13.9 acres	Tract 5 = ± 93.0 acres
Tract 2 = ± 6.1 acres	Tract 6 = ± 22.6 acres
Tract 3 = ± 43.5 acres	Tract 7 = ± 20.5 acres
Tract 4 = ± 6.4 acres	Tract 8 = ± 27.3 acres

The details of the Bank's terms to be developed, managed, and operated as a bank shall be outlined in the Mitigation Banking Instrument (MBI).

## 2.0 PROJECT GOALS AND OBJECTIVES

The project goal of BWMB is the cumulative re-establishment of approximately 233.3 acres of BLH and SW forest as outlined in the Site Restoration Plan below. The Bank will provide approximately 233.3 acres of freshwater forested wetlands, of which approximately 210 acres will be predominately hardwood species and 20.3 acres will be SW species. The Sponsor plans to re-establish the naturally occurring flora to increase the overall quality of the property.

By re-establishing freshwater wetlands and decreasing forest fragmentation in this watershed, the Sponsor will provide high quality wetlands that create extensive wetland habitat for various forms of wildlife including threatened and endangered species such as the Louisiana black bear (*Ursus*

*americanus luteolus*) and the Eastern harvest mouse (*Reithrodontomys humulis*). The wetlands will increase flood storage and increase the overall productivity of native floral and faunal communities.

In addition to the re-establishment of the BLH and SW forest areas, the Sponsor proposes that the development of BWMB will directly support restoration of currently impaired aquatic functions. These include: fish, wildlife, and plant habitat, natural water quality and biogeochemical cycling, natural hydrologic cycling, natural ecological, spatial, and structural attributes, atmospheric maintenance, flood storage, and natural aesthetics. Restoration of this area will also provide continuation of the habitat occurring in the adjacent TWMA, thus restoring aquatic functions to a more natural state.

### **3.0 ECOLOGICAL SUITABILITY OF THE SITE**

#### **3.1 Historical Ecological Characteristics of the Site**

According to the landowner, the Bank seasonally flooded prior to hydrologic manipulation and other efforts to keep the site dry. The land has been in agricultural use by the landowner's family for a minimum of 80 years.

According to the St. Landry Parish Soil Survey (Murphy et al. 1986), the area was shaped by deposition from the Mississippi and Red Rivers. The deposition is evidence by the ridge and swale topography of the region.

Heavy rains and overbank flooding result in site inundation. The poorly drained, hydric soils are also a testament to the likely existence of forested wetlands in the past. In general, the property mildly slopes south-north towards TWMA (Figure 3). Prior to hydrologic and topographic modifications, water likely flowed into Bayou Wauksha, the flumes traversing the land, and/or drained to the east, and towards the lower lying areas in the Bank, as evidenced by LIDAR and topographic maps and historic drainage maps (Figure 3, 4).

Prior to agricultural practices in the area, the proposed BWMB was most likely comprised of BLH and SW forests as evidenced by the surrounding TWMA (to the east, west, and north), landowner accounts, the species composition present in the adjacent areas not currently in use for agriculture, and the soils present on the site. Additionally, JCLS scientists inspected the site and surrounding areas and determined that the proposed site was previously BLH and SW forests prior to clearing and manipulating for agricultural uses.

The conditions present on TWMA, which surrounds the proposed Bank on three sides, provides the most insight into accurate historical ecological characteristics of the site. The areas immediately surrounding and adjacent to the proposed mitigation bank are currently BLH and SW forests. Species present are: sugarberry (*Celtis laevigata*), water oak (*Quercus nigra*), red maple (*Acer rubrum* var *Drummondii*) green ash (*Fraxinus pennsylvanica*), live oak (*Quercus virginiana*), and Palmetto (*Sabal minor*). In some locations just behind the agricultural fields and near drainages are areas of emergent marsh within these areas is primarily cattail (*Typha latifolia*), cutgrass (*Zizaniopsis miliacea*), bulltongue (*Sagittaria lancifolia*) and rattlebox (*Sesbania punicea*). Forest cover in TWMA consists of water oak, willow oak, overcup oak, white oak, cherrybark oak, nuttall oak, cow oak, and post oak. Other species are pecan and hickory (*Carya* spp.), Sugar-berry (*Celtis laevigata*), sweetgum (*Liquidambar styraciflua*), green ash, elms (*Ulmus* spp.) and red maple. The southern areas, which border the prospective Bank, contain cypress and tupelo gum (<http://www.wlf.louisiana.gov>, last accessed 4 April 2013).

### **3.2 Current Ecological Characteristics of the Site**

The prospective BWMB is used for milo production and is located in the Western Gulf Coastal Plain of the Bayou Teche Watershed, specifically in the Lafayette Loess Plains. The lands within the area are associated with the Mississippi Valley and capped with a loess veneer. Today, this area is generally composed of urban and agricultural areas (ftp.epa.gov; last accessed 3 April 2013).

Since the establishment of agricultural practices in the region, hydrology in this area has been managed through a combination of levees, drainage ditches, detention ditches, and lift pumps to eliminate site wetness. Localized man-made drainage features, predominately drainage ditches, have been installed to ensure proper drainage for the existing agricultural fields on all 8 tracts. A site visit by JCLS scientists yielded a map of all hydrologic modifications within the proposed Bank site (Figure 4).

General property topography of the Bank is mildly sloping from south to north as the property encroaches upon TWMA (Figure 3). The proposed Bank is influenced by both naturally occurring and anthropogenic sources. Because of the proximity of the Bank to Bayou Wauksha and TWMA, it is traversed by several flumes. To the north, east, and west, TWMA employees manipulate waters on the property for different management regimes. These waterways may influence freshwater inputs from surface drainage north of the property and are not controlled by the Sponsor.

Prior to preparation of this prospectus, site delineation was conducted of the subject property by JCLS wetland scientists. According to the US Department of Agriculture, Soil Conservation Service, 3 soils exist among the 8 tracts: Baldwin-Sharkey complex, gently undulating (Bh); Dundee silty clay loam (Df); and Dundee-Sharkey complex, gently undulating (Ds; Figure 5).

The proposed BWMB is located within the Bayou Teche Watershed, which runs north to south from Boyce, Louisiana to coastal Louisiana (Vermillion and West Cote Blanche Bays), respectively (Figure 1,2). The watershed is approximately 1418042.5 acres/5738.6 square kilometers. The hydroperiod in this area, during normal circumstances, includes saturation at the soil surface from December through April. Bayou Wauksha is located to the west and south of the proposed Bank.

The northern part of the prospective BWMB is low lying and bordered by SW forests in TWMA. The eastern and western borders of BWMB are BLH forests. Highway 103 is near the southern border of the prospective Bank is traversed by and Bayou Wauksha.

Currently, the proposed Bank is bare and the rows have been harvested, disked, and flattened, with adjacent forested areas consisting of 10-20% SW stands and 80-90% BLH stands.

USACE Jurisdictional Determination has found that currently 100% of the intended Bank use area is non-wetland and does not fall under USACE jurisdiction (MVN-2012-02321-SC; see Attachment1) for Section 10/ 404 permitting issues. Because BWMB exists on hydric soils and is classified by CEMNV as non-wetland, it is candidate land for a mitigation bank.

### **3.3 General Need for the Project in this Area**

Because of the proximity to TWMA, the BWMB will create 233.3 acres of BLH and SW forest that will adjoin and expand upon the existing wetland habitat in the adjacent TWMA (Figure 1, 6).

The primary service area for the Bank is located within the United States Geological Survey (USGS) cataloging unit 08080102 (the Bayou Teche watershed) which includes portions of Rapides, Evangeline, Avoyelles, St. Landry, St. Martin, Iberia, and St. Mary Parishes (Figure 7). The

secondary service area for BWMB is 08080103 (the Vermilion watershed; Figure 7). This area is well-suited to provide compensatory mitigation for CEMVN permitted projects with unavoidable wetland impacts. Because of increased onshore drilling for oil and natural gas and overall wetland loss, there is an increased need for mitigation banks.

This wetland loss is compounded by the conversion of existing, historic bottom land hardwood to commercial or agricultural uses. Tallis et al. (2010) concluded that commercial/industrial development, construction of drainage systems, agricultural conversion, crop production practices, incompatible forestry practices, invasive species, oil and gas development, and levee construction are immediate threats to the long term health and viability of the watershed. Parishes within the Bayou Teche and Vermilion watersheds are currently, and have historically, had oil and gas activity. These activities can reasonably be expected to produce wetlands impacts. Some examples of anticipated activities in the area include:

- Several transmission pipeline and energy storage projects are proposed to cross or be situated in St. Landry Parish
- Flood protection for the Washington, Louisiana area
- Onshore oil and gas exploration/drilling
- Interstates 49 and 10 and highway 190 upgrades
- Commercial and residential development

### **3.4 Technical Feasibility**

The construction work required to develop the Bank is routine in nature and feasibility. The mitigation activities involve re-vegetation using bare-root seedlings, filling of cross drains and ditches and widening of levee gaps at cross drains to restore hydrology and connectivity to adjacent waters, and the leveling and sub soil ripping of the soils to create macropores for bare-root seedling establishment and aid in ecological and hydrologic restoration. These activities have long been utilized in wetland restoration and mitigation projects and are proven methods. The Sponsor has the necessary funds and personnel to successfully implement the proposed activities to create the Bank.

## **4.0 ESTABLISHMENT OF THE MITIGATION BANK**

### **4.1 Site Restoration Plan**

The Sponsor intends to re-establish the original wetland vegetation in the agricultural croplands by conducting vegetative planting and partial manipulation of the existing topography and hydrology within the 8 mitigation tracts (Figure 4, 6). Soil preparation has been shown to significantly increase re-forestation success in BLH forest restoration (Löp et al. 2012).

Hydrologic restoration is also important for the process and will be passive once established; after interior ditches have been removed, soils within the restoration tracts will be mechanically prepared for vegetative plantings. The soil surface will be disk-leveled to eliminate agricultural bedding. Certain tracts may be leveled using a bulldozer to eliminate topographical inconsistencies created by decades of agricultural use. Sub soil ripping will be employed to alleviate soil compaction and create macropores for water and air, thus promoting root growth. If necessary, soils will be disked again approximately two months prior to vegetative plantings to reduce weed competition (Allen et al. 2005). Tree seeding plantings will be conducted during the first planting season, approximately 15 December to 15 March.

No temporary structures (weirs, pipes, etc.) are needed for the hydrologic restoration of the Bank. The area comprising the northern part of the prospective Bank is low-lying in elevation and will allow SW seedling to establish naturally, while the remaining acreage will be planted with BLH seedlings (Figure 3). Widening of cross drain gaps and leveling the bedded areas of interest will likely be sufficient in restoring the natural hydrology of the area. The average water level for the mitigation bank will be determined based on the surrounding average water levels and ecological requirements for the species being established within the Bank.

Both mechanical (e.g. mowing and grading) and chemical (e.g. herbicide application) will be employed prior to planting vegetation. An appropriate mix of BLH and SW seedlings will be planted at approximately 9' x 9' with a density of 538 trees per acre (Figure 6). The BLH restoration will comprise 210 acres, while the SW forest will equal 20.3 acres. The areas with proposed SW plantings are the depressed areas located within the bank (Figure 6). Stands of SW exist in the areas bayou and flumes adjacent to the proposed SW plantings and meet the hydrologic requirements of these species, which includes more flood tolerance and a longer hydroperiod. Tree species were selected because of their natural occurrence in the target area. These species are commercially available. Proposed tree species include:

<b>Bottomland Hardwood Species Composition</b>	<b>Percentage <sup>1</sup></b>	<b>WIS<sup>2</sup></b>
Swamp White Oak ( <i>Quercus bicolor</i> )	5	FACW
Willow Oak ( <i>Quercus phellos</i> )	5	FACW
Overcup Oak ( <i>Quercus lyrata</i> )	5	OBL
Nuttall Oak ( <i>Quercus texana</i> )	10	FACW
Laurel Oak ( <i>Quercus laurifolia</i> )	5	FACW
American Sycamore ( <i>Platanus occidentalis</i> )	5	FACW
Red Maple ( <i>Acer rubrum</i> )	5	FAC
Green Ash ( <i>Fraxinus pennsylvanica</i> )	15	FACW
Sweet-gum ( <i>Liquidambar styraciflua</i> )	5	FAC
Water Hickory ( <i>Carya aquatica</i> )	10	OBL
Sugar-berry ( <i>Celtis laevigata</i> )	10	FACW
Southern Bald Cypress ( <i>Taxodium distichum</i> )	20	OBL
<b>Cypress-Tupelo Swamp Species Composition</b>		
Southern Bald Cypress ( <i>Taxodium distichum</i> )	50	OBL
Tupelo Gum ( <i>Nyssa aquatic</i> )	40	OBL
Red Maple ( <i>Acer rubrum</i> )	10	FAC

<sup>1</sup>Represents percentage of species making up total planting scheme

<sup>2</sup>Wetland Indicator Status

The existing levees will be initially used to manage hydrology during soil preparation and tree planting. Concurrent with the vegetative planting, the gaps will be widened. This will allow the re-established areas to return to a more natural, deposition and flood influenced hydrology. All existing cross-drains will be removed to restore hydrology (Figure 3). It is anticipated that the long-term hydrologic management of the areas will be passive.

## **4.2 Current Site Risks**

The proximity to TWMA will allow the Bank to protect and extend valuable BLH hardwood forests within the area, creating a total of approximately 11,325 acres of contiguous forests. The restored habitat will protect flora and fauna in the area and provide habitat for various native species.

Since the early 1900's, lands within the proposed mitigation bank have been used for agricultural crop production. The US Department of Agriculture, Natural Resources Conservation Service has designated a majority of the property as prior-converted cropland. The lands adjacent to east, north, and west of the proposed mitigation bank are designated as TWMA, which is seasonally managed hydrologically to maintain wildlife habitat suitability. The land south is currently in agricultural production and is drained to keep the land in crop production. The management of TWMA will enhance the Bank site, while the land south will have no effect on the Bank's hydrology.

Crown Ranch, LLC and Robert A. Kahn, as the owners of the property and the proposed Sponsor of the Bank, do hereby attest that: the property is solely owned and managed by Crown Ranch, LLC and Robert A. Kahn; is not subject to any mortgage or lien; and is not presently encumbered by any servitude. There are no proposed development projects in the areas adjacent to the Bank. BWMB and adjacent property are within unincorporated areas and without any zoning regulations, surface leases or encumbrances.

## **4.3 Long-term Sustainability of the Site**

The management of the Bank, once established, should be routine and relatively simple, thus meeting the requirements of the site's ability to endure through renewal, maintenance, and sustenance, or nourishment. After planting the BLH and SW forested stands, the area will provide contiguous forested wetlands that will merge with adjacent, established stands in TWMA. The proximity of the site to TWMA will ensure sustainability and natural maintenance of BWMB.

The Sponsor intends to use all prudent efforts—chemical and/or mechanical—to eliminate existing undesirable/non-native vegetation (e.g. Chinese Tallow [*Triadaca sebiferum*]) on the site. Herbicides will be applied to noxious plants to reduce long-term presence of noxious plants to 3% per acre or less. Additionally, after establishing the planted seedlings in target areas, the Sponsor will control undesirable species as part of site maintenance and monitoring plans. The Sponsor will also maintain temporary structural management devices as long as needed. Long-term hydrologic control regimes are most likely unnecessary based on historical hydrology.

## **5.0 PROPOSED SERVICE AREA**

The primary service area for the Bank is located within the United States Geological Survey (USGS) Bayou Teche watershed, unit 08080102, which includes portions of Rapides, Evangeline, Avoyelles, St. Landry, St. Martin, Iberia, and St. Mary Parishes (Figure 7). Considering a watershed approach, this cataloging unit will serve as the primary service area for unavoidable impacts to wetlands and "Waters of the United States". USGS cataloging unit 08080103 (Vermilion) to the west could provide secondary service areas. Use beyond this area will be determined by the CEMVN on a case-by case basis. The BWMB could provide compensatory mitigation for projects that are permitted under Section 404 or FSA "Swampbusters", but need to mitigate off-site for reasons deemed appropriate and acceptable by the regulatory resource agencies. Any potential project site in the Bayou Teche/Vermilion watersheds may be a candidate for mitigation credits.

## **6.0 OPERATION OF THE MITIGATION BANK**

The BWMB will operate as a for-profit enterprise following operational criteria established under 33 CFR Part 332, and within the parameters of the final MBI. Crown Ranch, LLC and Robert A. Kahn comprise a family owned establishment that owns and manages approximately 500 acres of land in St. Landry Parish, Louisiana. An essential element of the family vision is rehabilitating and preserving its land holdings. Mitigation banking fits this vision.

### **6.1 Project Representatives**

Sponsor:	Crown Ranch, LLC and Robert A. Kahn 315 S. College Road, Suite 165 Lafayette, Louisiana 70503 (337) 828-7090 POC: Mr. Russell Kahn rkahn@hoytlaw.com
Agent:	John Chance Land Surveys, Inc. 200 Dulles Drive Lafayette, Louisiana 70506 Mr. Matt Conn or Ms. Tyler Thigpen MConn@fugro.COM or TThigpen@fugro.COM (337) 237-1300
Landowner:	Russell Bryant Kahn and Robert Alfred Kahn 315 S. College Road, Suite 165 Lafayette, Louisiana 70503 POC: Mr. Russell Kahn rkahn@hoytlaw.com (337) 828-7090

### **6.2 Qualifications of the Sponsor**

While the Sponsor's family has 80 years of land management experience in Louisiana including sugar cane, milo, and crawfish production and cattle ranching, this company is new to the mitigation banking system. The Sponsor may potentially secure the services of conservation-oriented 501(c) (3) organization to be determined. This organization shall be specifically experienced with mitigation banking.

### **6.3 Proposed Long-Term Ownership and Management Representatives**

The property encompassing the proposed 233.3 BWMB (Figure 1,2) is currently owned by Crown Ranch, LLC and Robert A. Kahn, who will remain the legal owners upon its implementation as a mitigation bank (i.e. responsible for conservation servitude filing and implementation of the mitigation work plan). Crown Ranch, LLC and Robert A. Kahn, will also serve as the mitigation service providers (Sponsor) and the long-term steward of the Bank.

**Long-term Ownership:**

Crown Ranch, LLC and Robert A. Kahn  
315 S. College Road, Suite 165  
Lafayette, Louisiana 70503  
(337) 828-7090  
POC: Mr. Russell Kahn  
rkahn@hoytlaw.com

#### **6.4 Site Protection**

Pursuant to the Louisiana Conservation Servitude Act, R.S. 9:1271 et seq., perpetual conservation servitude will be placed on the 233.3 acre Bank. This servitude will be held by a conservation-oriented 501(c) (3) organization to be determined. The conservation servitude will be binding to and run with the title of the property. This conservation servitude will prohibit activities that would reduce the quality and quantity of the restored/enhanced wetlands, e.g. clear cutting, the discharge of fill, construction activities, and cattle grazing or other agricultural activities.

The servitude will also specify permitted activities such as hunting, fishing, recreational use, and mineral exploration given that the activity does not negatively affect the functions and values of the rehabilitated, reestablished, and enhanced wetlands.

#### **6.5 Long-Term Strategy**

The Long Term Strategy for the Bank is to convert the current PC/ USACE non-jurisdictional cropland into healthy functioning BLH and SW wetlands using for hydrologic and soils management, ground leveling, vegetative planting, and exotic species control methods. Methods detailing all aspects of bank construction, timeline, monitoring and reporting will be outlined in the MBI Work Plan. An overview of major milestones include: (1) short- and long-term financial assurances; (2) perpetual conservation servitude; (3) noxious plant species control; (4) hydrology/ reconnection to the natural hydrologic regime surrounding the site and thus making it a passive wetland system (i.e. no weirs or culverts will be necessary to manage hydrology in the “long-term”); (5) vegetative planting; and (6) monitoring and reporting. An adaptive management plan will also be provided in the MBI document to help ensure long term success of the Bank.

### **7.0 REFERENCES**

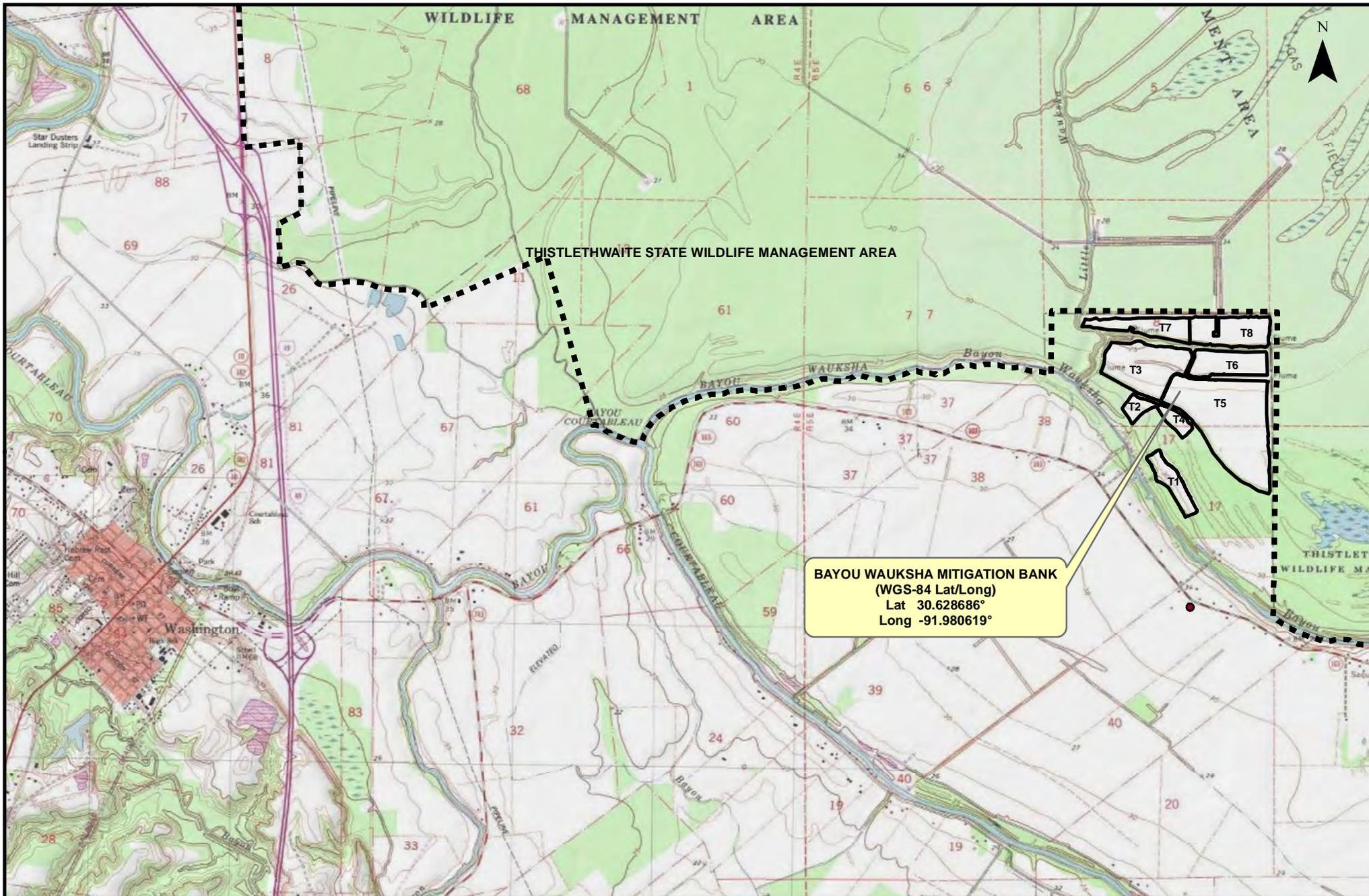
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- Murphy KE, JK Vidrine, DR McDaniel. 1986. Soil Survey of St. Landry Parish. United States Department of Agriculture, 202 pgs.

United States Army Corps of Engineers. <http://www.mvn.usace.army.mil>; last accessed 12 October 2012.

United States Environmental Protection Agency. <http://cfpub.epa.gov/surf/huc.cfm>; last accessed 12 October 2012.

Table 1. Breakdown of acreage within the proposed Bayou Wauksha Mitigation Bank. The area measures a total of approximately ~233.3 acres.

<u>Tract Number</u>	<u>Acreage</u>
1	±13.9
2	± 6.1
3	± 43.5
4	± 6.4
5	± 93.0
6	± 22.6
7	± 20.5
8	± 27.3
<hr/> Total	<hr/> ± 233.3



- Bayou Wauksha Boundary
- La\_State\_Wildlife\_Managed

1 inch = 3,000 feet

NAD\_1927\_StatePlane\_Louisiana\_South\_FIPS\_1702

**BAYOU WAUKSHA MITIGATION BANK**  
*Section 8, 17 Township 5 South, Range 5 East*  
*St. Landry Parish, Louisiana*

Drawing No.: Bayou\_Wauksha\_Vicinity

Date: 5/13/2013

Author: Matt Conn

**JOHN CHANCE**  
 LAND SURVEYS, INC.



**FIGURE 1 VICINITY MAP**

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-  Bayou Wauksha Boundary (233.3 acres)
-  La\_State\_Wildlife\_Managed

1 inch = 750 feet

NAD\_1927\_StatePlane\_Louisiana\_South\_FIPS\_1702

**BAYOU WAUKSHA MITIGATION BANK**  
*Section 8, 17 Township 5 South, Range 5 East*  
*St. Landry Parish, Louisiana*

Drawing No.: Bayou\_Wauksha\_Boundary

Date: 5/2/2013

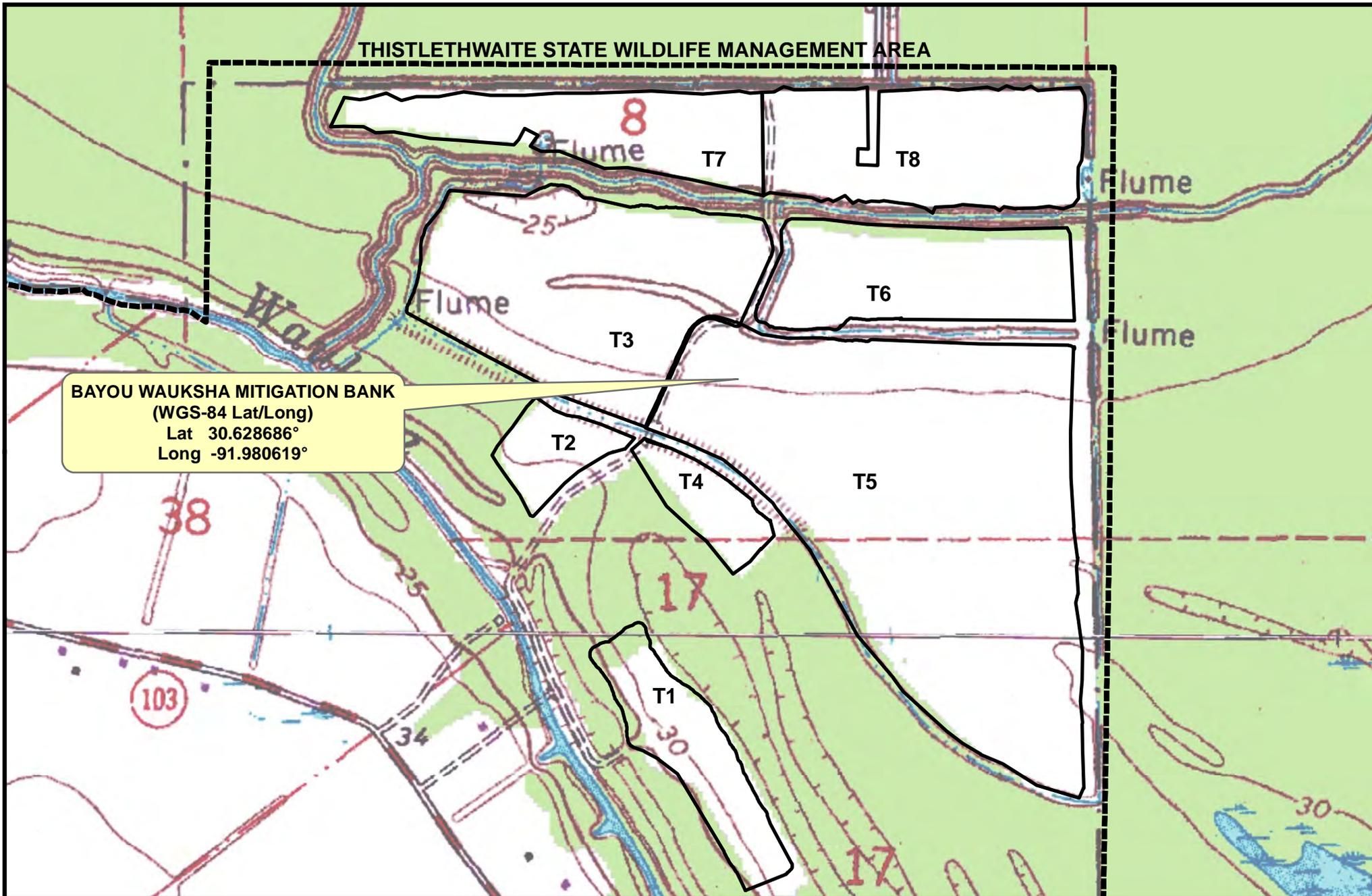
Author: Matt Conn

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**FIGURE 2 Boundary Map**

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**BAYOU WAUKSHA MITIGATION BANK**  
(WGS-84 Lat/Long)  
Lat 30.628686°  
Long -91.980619°

 La\_State\_Wildlife\_Managed  
 Bayou Wauksha Boundary

1 inch = 750 ft

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**BAYOU WAUKSHA MITIGATION BANK**  
Section 8, 17 Township 5 South, Range 5 East  
St. Landry Parish, Louisiana

Drawing No.: Bayou\_Wauksha\_Elevation-Topo

Date: 5/2/2013

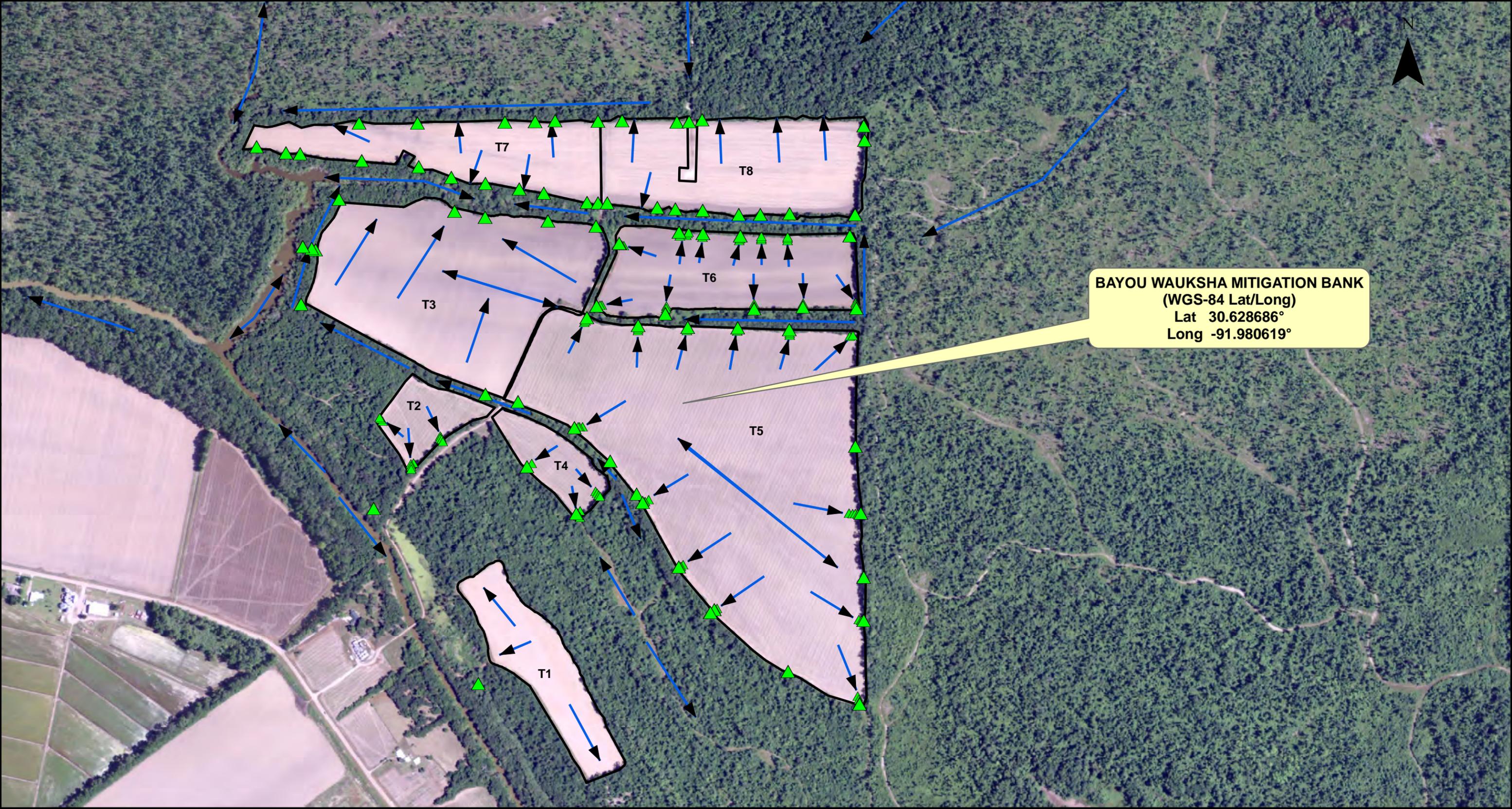
Author: Matt Conn

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**FIGURE 3 Elevation Map**

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**BAYOU WAUKSHA MITIGATION BANK**  
 (WGS-84 Lat/Long)  
 Lat 30.628686°  
 Long -91.980619°

- ← Hydrologic Direction
- ▲ Cross Drains (To Be Removed)
- Bayou Wauksha Boundary

1inch = 625 feet

**BAYOU WAUKSHA MITIGATION BANK**  
*Section 8, 17 Township 5 South, Range 5 East*  
*St. Landry Parish, Louisiana*

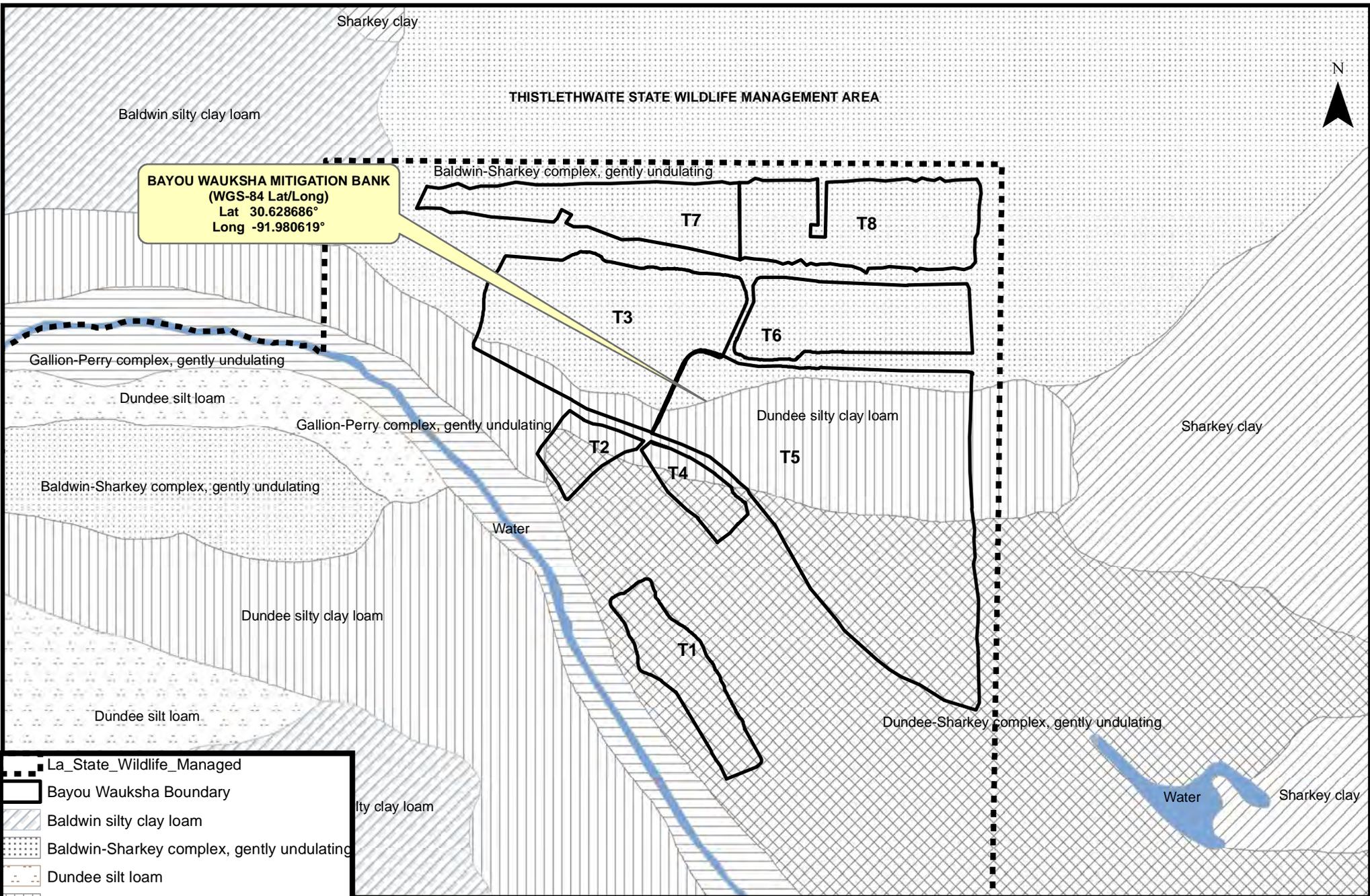
Drawing No.: Bayou\_Wauksha\_Elevation  
 Date: 5/14/2013  
 Author: Matt Conn

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**FIGURE 4 Hydrology**  
**(Current and Historic)**

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**BAYOU WAUKSHA MITIGATION BANK**  
 (WGS-84 Lat/Long)  
 Lat 30.628686°  
 Long -91.980619°

- La\_State\_Wildlife\_Managed
- Bayou Wauksha Boundary
- Baldwin silty clay loam
- Baldwin-Sharkey complex, gently undulating
- Dundee silt loam
- Dundee silty clay loam
- Dundee-Sharkey complex, gently undulating
- Fausse and Sharkey soils
- Gallion-Perry complex, gently undulating
- Sharkey clay
- Water

**BAYOU WAUKSHA MITIGATION BANK**  
*Section 8, 17 Township 5 South, Range 5 East*  
*St. Landry Parish, Louisiana*

---

Drawing No.: Bayou\_Wauksha\_Soils

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Date: 5/2/2013

---

Author: Matt Conn

---

1 in = 1,000 ft

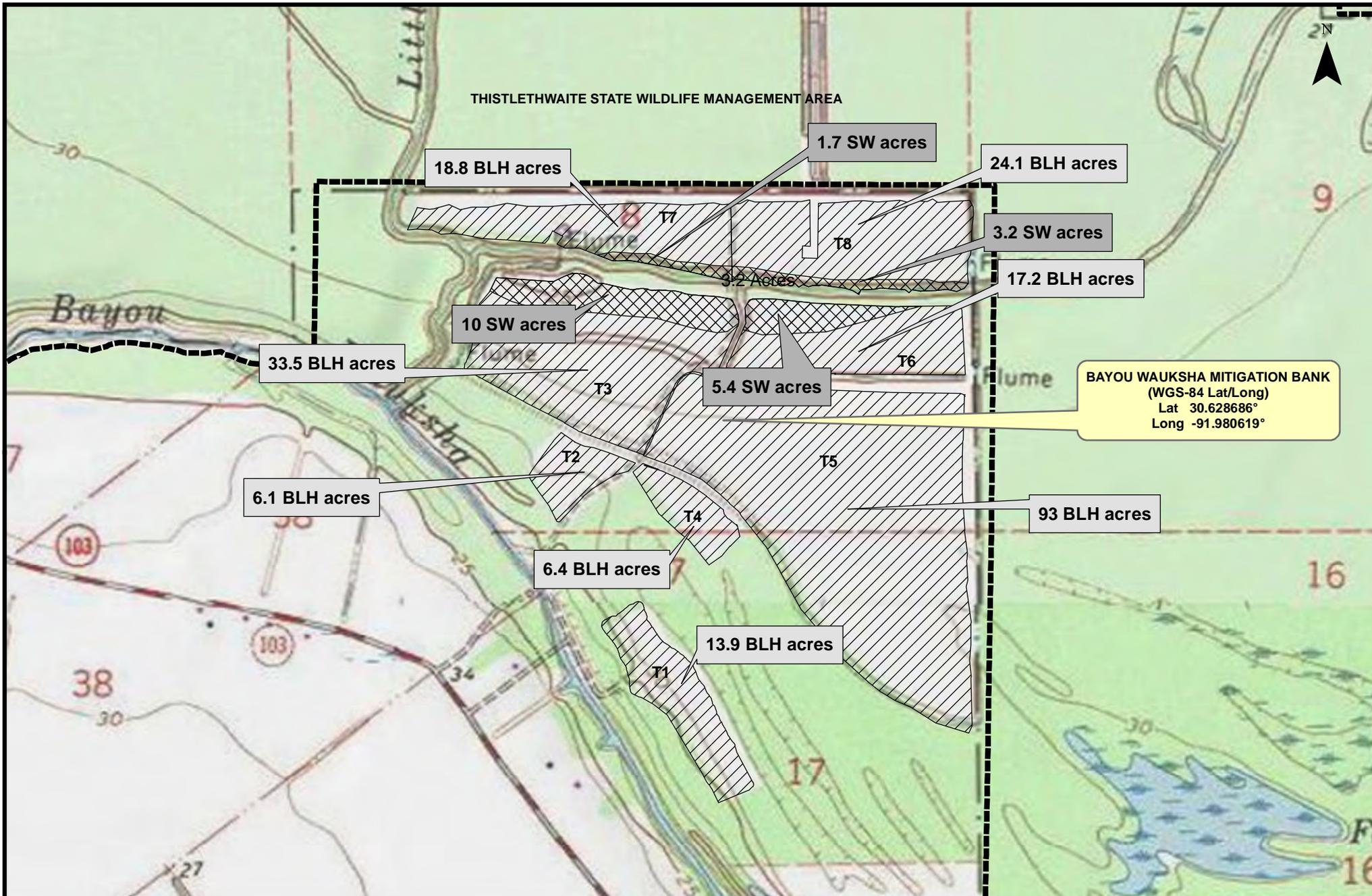
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**FIGURE 5 Soils Map**

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-  9'X9' Cypress Planting Areas (20.3 Acres)
-  La\_State\_Wildlife\_Managed
-  9'X9' Bottomland Hardwood (BLH) (213 Acres)

1 in = 1,000 ft

**BAYOU WAUKSHA MITIGATION BANK**  
*Section 8, 17 Township 5 South, Range 5 East*  
*St. Landry Parish, Louisiana*

Drawing No.: Bayou\_Wauksha\_Planting

Date: 5/2/2013

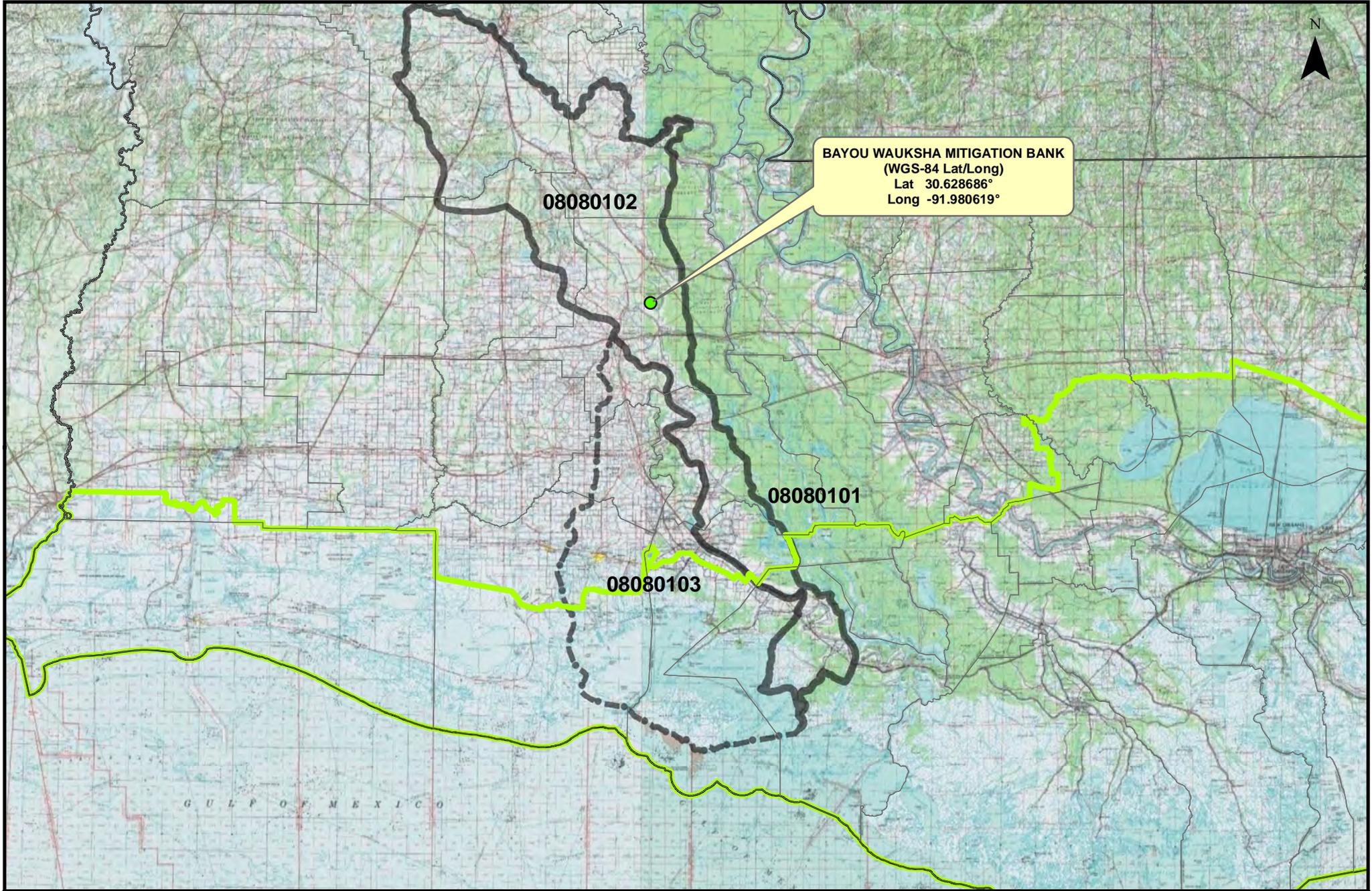
Author: Matt Conn

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**FIGURE 6 Planting Map**

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**BAYOU WAUKSHA MITIGATION BANK**  
 (WGS-84 Lat/Long)  
 Lat 30.628686°  
 Long -91.980619°

08080102

08080101

08080103

G U L F O F M E X I C O

 2012\_State\_Coastal\_Zone\_Boundary

**Hydrologic Unit Codes**

 08080102 Primary

 08080103 Secondary

**BAYOU WAUKSHA MITIGATION BANK**  
*Section 8, 17 Township 5 South, Range 5 East*  
*St. Landry Parish, Louisiana*

Drawing No.: Bayou\_Wauksha\_HUC

Date: 5/2/2013

Author: Matt Conn

NAD\_1927\_StatePlane\_Louisiana\_South\_FIPS\_1702

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**FIGURE 7 HUC Map**

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