

# JOINT PUBLIC NOTICE

May 20, 2019

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Ave.  
New Orleans, La. 70160-0267  
(337) 291-3141/ FAX (337) 291-3040  
David.M.Soileau@usace.army.mil  
Project Manager  
David Soileau  
Permit Application Number  
MVN-2013-02198-MR

State of Louisiana  
Department of Environmental Quality  
Post Office Box 4313  
Baton Rouge, La. 70821-4313  
Attn: Water Quality Certifications  
(225) 219-3225 FAX (225) 325-8250  
Elizabeth.Hill@la.gov  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC # 190502-01

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the U.S. Army Corps of Engineers 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).

Application has also been made to the Louisiana Department of Environmental Quality, for a Water Quality Certification (WQC) in accordance with statutory authority contained in Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and provisions of Section 401 of the Clean Water Act (P.L.95-17).

## **BIG WOODS MITIGATION BANK IN CALCASIEU PARISH**

**NAME OF APPLICANT:** Peace River Mitigation, LLC; Care of: Matrix New World Engineering, Land Surveying, and Landscape Architecture, P.C.; Attention: Lee Womack; 2798 O'Neal Lane, Building F; Baton Rouge, Louisiana 70816.

**LOCATION OF WORK:** The 883.4-acre site is located approximately 5.5 miles north of Vinton, Louisiana, in Calcasieu Parish as shown on attached drawings (Latitude: 30.282118° N, Longitude: -93.594902° W). The Project is located within the Calcasieu-Mermentau River Basin, Hydrologic Units 08080205 and 08080206.

**CHARACTER OF WORK:** Remnant agricultural levees will be removed and resultant material will be used to fill associated artificial drainage features. Elevated earthen beds associated with an existing slash pine plantation will be removed with a bedding rack or commercial disk to restore natural contours. Appropriately 657.5 acres of the site will be planted with longleaf pine seedlings, and 130.7 acres will be planted with an appropriate assemblage of bottomland hardwood species. All work is being done for the purpose of constructing a mitigation bank.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **30 days** from the date of this joint public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit and/or this WQC request and must be mailed so as to be received before or by the last day of the comment period. Letters concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be mailed to the Corps of Engineers

at the address above, **ATTENTION: REGULATORY BRANCH**. Similar letters concerning the Water Quality Certification must reference the applicant's name and the WQC Application Number and be mailed to the Louisiana Department of Environmental Quality at the address above.

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined during weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction.

### **Corps of Engineers Permit Criteria**

The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 which 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, considerations of property ownership and, in general, the needs and welfare of the people.

The U.S. Army 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 U.S. Army Corps of Engineers to determine whether to make, 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 other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an 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.

The New Orleans District is unaware of properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources. After receipt of comments from this public notice the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the national Historic Preservation Act, as appropriate.

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

Utilizing Standard Local Operating Procedures for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office, the Corps has determined that the proposed activity would have no effect on any species listed as threatened or endangered by the U.S. Department of the Interior.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of N/A acre(s) 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. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, 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.

for

Martin S. Mayer  
Chief, Regulatory Branch

Enclosure

# Draft Prospectus for the Proposed Big Woods Mitigation Bank

Calcasieu Parish, Louisiana

May 2019

Sponsor:



Peace River Mitigation, LLC  
P.O. Box 1179  
Minden, Louisiana 71058-1179

Agent:

**MATRIX**NEWORLD

Engineering Progress

Matrix New World Engineering, Land Surveying,  
and Landscape Architecture, P.C.  
2798 O'Neal Lane, Building F  
Baton Rouge, Louisiana 70816

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## 1. INTRODUCTION

The following report has been prepared to summarize the existing conditions of the proposed Big Woods Mitigation Bank (BWMB or Site or tract) and assess the potential for establishing a mitigation bank to provide compensatory wetland mitigation for unavoidable impacts to wetlands associated with Department of the Army (DA) permits authorized under Section 404 of the Clean Water Act of 1972 and Section 10 of the Rivers and Harbors Act of 1899 issued by the U.S. Army Corps of Engineers (USACE), New Orleans District. The report summarizes the mitigation potential on the proposed 883.4-acre Site in Calcasieu Parish, Louisiana.

### 1.1 Site Location

The approximate 883.4-acre tract (Site) is sited south of the Houston River and north of the Sabine River Diversion System, approximately 5.5 miles north of Vinton, Louisiana (**Figure 1**). The Site is centered at approximate Latitude 30.282118° Longitude - 93.594902° in Sections 9, 10, 15, and 16, Township 9 South, Range 12 West, Calcasieu Parish, Louisiana (**Figure 2**).

The BWMB is in the South-Central Plain Level III Ecoregion, Flatwoods Level IV Ecoregion (35f, Daigle et. al. 2006). Additionally, the Site is the Atlantic and Gulf Coast Lowland Forest and Crop Land Resource Region (LRR T), which comprises 16,365 square miles, the majority of the BWMB is located in the Western Gulf Coast Flatwoods (MLRA 152B, NRCS 2006) and a small southern portion in the Gulf Coast Prairies (MLRA 150A, NRCS 2006). The MLRA 152B and MLRA 150A are in the Coastal Plain Province of the Atlantic Plain (NRCS 2006), which is characterized by nearly level plains that have low local relief and are dissected by rivers and streams that flow toward the Gulf of Mexico.

Calcasieu Parish has a humid, subtropical climate characterized by relatively high rainfall. The average annual rainfall is 52.38 inches. Average annual daily temperatures range from a minimum of 43° to a maximum of 90° Fahrenheit (USDA 1988).

## 2. PROJECT GOALS AND OBJECTIVES

The proposed BWMB will encompass 883.4 acres placed in a conservation easement, including 807.4 acres in which wetland enhancement activities are proposed. The goal of Peace River Mitigation, LLC (Peace River) will be to convert 807.4 acres (91% of tract) of monoculture slash pine plantation to a sustainable longleaf pine savannah and bottomland hardwood ecosystem; including: 267.9 acres of longleaf pine savannah enhancement, 220.7 acres of longleaf pine savannah rehabilitation, 5.7 acres of longleaf pine savannah re-establishment, 81.3 acres of bottomland hardwood rehabilitation, 46.1 acres of bottomland hardwood enhancement, 3.3 acres of bottomland hardwood re-establishment, 163.2 acres of upland longleaf pine savannah restoration, and 19.2 acres of upland hardwood restoration.

3. ECOLOGICAL SUITABILITY OF THE SITE/BASELINE CONDITIONS

This section describes the ecological suitability of the site to achieve the objectives of the proposed mitigation bank, including the physical, chemical, and biological characteristics of the bank site and how that site will support the planned types of aquatic resources and function, as stated in 33 CFR 332.8(d)(2)(vii)(B). This section provides the baseline/current site conditions on and adjacent to the proposed site.

3.1 Land Use

3.1.1 Historical Land Use

Based on U.S. Department of Agricultural, Natural Resource Conservation Service (NRCS) 2011 National Land Cover Data Set the majority of the of the BWMB and surrounding land use is agricultural land, including cultivated crops, pasture, and timber (**Figure 3**). Additionally, available aerial photography (1952-2017, **Figures 4 – 10**), indicates the BWMB was utilized for cultivated rice production prior to 1952 through 1985 (**Figures 4 – 7**). At some point between 1985 and 1998 rice production ceased on the tract and the land use on BWMB was converted to pine timber production, which the BWMB is currently utilized for today (**Figures 8 – 10**).

During the period when the BWMB was utilized for rice production, on-site hydrology was severely hampered through the construction of levees and drainage features, many of which are still present on the tract, but do not currently expedite water on or off the tract.

3.1.2 Existing/Current Land Use

The major land use on the BWMB consists of timber production in the form of bedded and non-bedded slash pine plantation (803.9 acres, 91% of the tract). The remainder of the tract (**Figures 14a – 14b**) consists of other waters of the U.S. (10.6 acres), remnant agricultural levees (9.5 acres), existing utility and drainage easements (55.4 acres), and existing roads (4.0 acres). **Table 1** contains pre-restoration habitat descriptions and acreages of jurisdictional wetlands and upland areas proposed for enhancement and restoration activities within the BWMB.

**Table 1: Pre-Restoration Habitat Acreage Summary**

<b>Class</b>	<b>Habitat</b>	<b>Acreage</b>
<b>Jurisdictional Wetlands/Waters</b>	Non-bedded Slash Pine-Dominant	316.2
	Bedded Slash Pine-Dominant	306.4
	Other Water of the U.S.	10.6
<b>Non-Jurisdictional Areas</b>	Slash Pine-Dominant Uplands	181.3
	Roads	4.0



Class	Habitat	Acreage
Other	Remnant Agricultural Levees	9.5
	Existing Easements	55.4
<b>TOTALS</b>		<b>883.4</b>

3.2 Soils

The NRCS Web Soil Survey (**Figure 11**) shows that the Site may be underlain by five soil map units (NRCS Web Soil Survey 2017). Glenmora silt loam, 1 to 3 percent slopes (Ge); Guyton silt loam, 0 to 1 percent slopes, occasionally flooded (Go); Guyton-Messer complex, 0 to 1 percent slopes, rarely flooded (Gy); Kinder-Gist complex, 0 to 1 percent slopes (Kd); Prairieland silt loam, 0 to 1 percent slopes, rarely flooded (Lt). **Table 2** depicts the soil map unit’s individual soil components, component percentage, and hydric status within Calcasieu Parish (NRCS Survey Area Data: Version13, September 23, 2017).

**Table 2: Soil Map Unit Components and Hydric Status**

Map Unit Name	Soil Series/ Component	Component Percentage	Hydric Status
Glenmora silt loam, 1 to 3 percent slopes			
	Glenmora	80-95	No
	Messer	0-10	No
	Caddo	0-5	Yes
	Kinder	0-5	Yes
Guyton silt loam, 0 to 1 percent slopes, occasionally flooded			
	Guyton	80-90	Yes
	Glenmora	0-10	No
	Caddo	0-10	Yes
	Messer	0-10	No
Guyton-Messer complex, 0 to 1 percent slopes, rarely flooded			
	Guyton	50-65	Yes
	Messer	25-45	No
	Caddo	0-10	Yes
	Brimstone	0-5	Yes
	Glenmora	0-10	No
Kinder-Gist complex, 0 to 1 percent slopes			
	Kinder	55-70	Yes
	Gist	25-35	No
	Acadia	0-10	No
	Glenmora	0-10	No

Map Unit Name	Soil Series/ Component	Component Percentage	Hydric Status
Prairieland silt loam, 0 to 1 percent slopes, rarely flooded			
	Prairieland	73-86	Yes
	Edgerly	8-18	No
	Crowley	1-7	No
	Midland	1-7	Yes
	Kaplan	1-5	No
	Kinder	1-5	No

### 3.3 Hydrology

#### 3.3.1 Contributing Watershed

The BWMB is sited in the Lower Mississippi Region, Louisiana Coastal Subregion, within the Calcasieu-Mermentau River Basin. The BWMB is split between two, eight-digit USGS HUCs (sub-basins). The northern portion of the Site is in USGS HUC 08080205 (West Fork Calcasieu), while the southern portion of the Site is in USGS HUC 08080206 (Lower Calcasieu). Additionally, USGS splits the BWMB into two watersheds, with the northern portion of the Site in the Houston River Watershed, while the southern portion of the Site is in the Sabine Canal – Bayou Choupique Watershed. These USGS watersheds are additionally broken down, to split the tract into two separate sub-watersheds, with the northern portion of the tract sited in the Bear Head Creek-Houston River sub-watershed, and the southern portion of the tract sited in the Sabine Canal-Spring Gully sub-watershed (**Figure 12**).

#### 3.3.2 Historical Hydrology and Drainage Patterns

Historically, the northern third of the tract drained via an unnamed tributary north/northeast to the Houston River. Prior to the construction of the Sabine River Authority (SRA) Diversion System, the southern two-thirds of the tract historically drained southeast through two unnamed tributaries to Coon Gully, which ultimately emptied into the Gulf Intracoastal Waterway (GIWW).

#### 3.3.3 Existing/Current Hydrology and Drainage Patterns

Similar to historic drainage patterns, the northern third of the tract still drains north/northeast and the southern two-thirds of the tract drains southeast (**Figure 13**). The northern drainage is currently intercepted by an east/west man-made drainage feature which appears to have been constructed to facilitate rice cultivation on the BWMB and lands north of the BWMB, prior to 1952. The southern drainage is currently intercepted by the Sabine River Authority (SRA) Diversion System approximately 0.2 mile south of the tract. Additionally, remnant levees and drains are present on the Site which also appear to be associated with rice cultivation on the BWMB, prior to 1952. The majority of these remnant drains are confined to the BWMB and/or originate within the BWMB.

### 3.3.4 Jurisdictional Wetlands

A request for preliminary jurisdictional determination (JD) was submitted to the USACE, New Orleans District on behalf of Weyerhaeuser NR Company for the subject tract in 2013. A field investigation was conducted by Conestoga-Rovers & Associates, Inc and the USACE New Orleans District on November 15, 2013. Following the field investigation, a preliminary JD was rendered on December 17, 2013 (MVN-2013-02190-SR). On December 11, 2018, a request for renewal of preliminary JD MVN-2013-02190, was submitted on behalf of Peace River to the USACE, New Orleans District. The amended preliminary JD was issued March 4, 2019, a copy of which is included as **Appendix A**.

## 3.4 Vegetation

### 3.4.1 Historical Plant Community

The NRCS Longleaf Pine Initiative (LLPI) identifies the Site as being within the historical range of longleaf pine savannah. It appears that longleaf pine was likely the dominant overstory species on BWMB, with a diverse herbaceous component likely consisting of broomsedges (*Andropogon* spp.), panic grasses (*Panicum* spp.) three-awn grasses (*Aristida* spp.) plume-grasses (*Erianthus* spp.), beak-rushes (*Rhychospora* spp.), yellow-eyed grasses (*Xyris* spp.). The habitat also likely supported a variety of forb species, such as lobelias (*Lobelia* spp.), gerardias (*Rhexia* spp.), milkworts (*Polygala* spp.), and bladderworts (*Utricularia* spp.).

Bottomland hardwoods were likely found within lower elevation, very poorly drained portions of the BWMB, currently characterized by NRCS as being underlain with inclusions of Guyton silt loam. The dominant species likely consisted of water oak (*Quercus nigra*), laurel oak (*Quercus laurifolia*), cherry-bark oak (*Quercus pagoda*), swamp chestnut oak (*Quercus michauxii*), red maple (*Acer rubrum drummondii*), sweetgum (*Liquidambar styraciflua*), black gum (*Nyssa sylvatica*), Elliott's blueberry (*Vaccinium elliotii*), yaupon (*Ilex vomitoria*), arrowwood (*Viburnum dentatum*), and southern bayberry (*Morella cerifera*).

### 3.4.2 Existing Plant Community

Dominant species identified on the BWMB includes primarily slash pine (*Pinus elliotii*) with sweet-gum (*Liquidambar styraciflua*), Chinese tallow tree (*Triadica sebifera*), southern bayberry (*Morella cerifera*), yaupon (*Ilex vomitoria*), Elliot's blueberry (*Vaccinium elliotii*), long-leaf wood oats (*Chasmanthium sessiliflorum*), slender wood oats (*Chasmanthium laxum*), lamp rush (*Juncus effusus*), angle-stem beak sedge (*Rhynchospora caduca*), bushy bluestem (*Andropogon glomeratus*), broom-sedge bluestem (*Andropogon virginicus*), cypress panic grass (*Dichanthelium dichotomum*), saw-tooth blackberry (*Rubus argutus*), and cat greenbrier (*Smilax glauca*).

### 3.5 General Need for the Project in this Area

As noted in the *Natural Communities of Louisiana*, western longleaf pine savannahs are floristically rich, herb dominated wetlands (LNHP 2009), with a very high floristic diversity (LNHP 1996). At the beginning of the 17<sup>th</sup> century, there were an estimated 90 million acres of longleaf pine forests with nearly 900 different plant species in the southeastern United States. In western Louisiana, the historic range of longleaf pine included all or parts of Acadia, Allen, Avoyelles, Beauregard, Calcasieu, Evangeline, Jefferson Davis, Natchitoches, Rapides, Sabine, St. Landry, and Vernon Parishes. The habitat type has been reduced by 95-99% of its original extent in the Lower West Gulf Coastal Plain ecoregion in the southwest and west central portions of Louisiana. Threats to western longleaf pine savannahs include construction of roads, pipeline or utilities, conversion to loblolly and slash pine plantations, fire exclusion or inappropriate fire regimes, use of chemical herbicides or fertilizers, invasive or alien species, and hydrological alterations.

In 2009, America's Longleaf Restoration Initiative (ALRI) was launched through collaboration with many stakeholders, including non-governmental organizations, state and federal agencies, private industry, universities and research extensions, and private landowners. The 15-year goal of the ALRI is to increase longleaf pine acreages by 3.4 to 8.0 million acres. In 2010, the NRCS established the LLPI to partner with landowners to restore longleaf forests, in support of the ALRI. The goal of the LLPI is to restore an additional 4.6 million acres of longleaf pine ecosystems in their natural range by 2025. Within Louisiana, Allen Parish, along with Beauregard, Tangipahoa, St. Tammany, Vernon, and Washington Parishes, is listed as a priority area by NRCS for longleaf pine restoration. The restoration and preservation of longleaf pine habitat within BWMB is consistent with and supports the goals of both the ALRI and the LLPI.

As development activities increase in the Calcasieu Basin, a need for high quality mitigation to offset for unavoidable impacts to longleaf pine savannahs and bottomland hardwoods will increase. According to a study conducted for the SWLA Economic Development Alliance, approximately \$65 billion in capital investment is planned in southwest Louisiana, consisting of Allen, Beauregard, Calcasieu, Cameron, and Jefferson Davis Parishes. As a result of the influx of capital investment, it is predicted that southwest Louisiana, most of which is located within the Calcasieu Basin, could see an increase of 50,000 new residents by the year 2020 (Adrian and Icaza).

In addition, longleaf pine savannahs provide habitat for 23 species of conservation concern in Louisiana, including the federally-listed red-cockaded woodpecker (*Picoides borealis*) which is currently listed as an endangered species in Calcasieu Parish.

## 4. ESTABLISHMENT OF A MITIGATION BANK

This section described how the mitigation bank will be established, as stated in 33 CFR 332.8(d)(2) (ii); the technical feasibility of the proposed mitigation bank, as stated in 33

CFR 332.8(d)(2) (iv); and the assurance of sufficient water rights to support the long-term sustainability of the mitigation bank, as stated in 33 CFR 332.8(d)(2)(vii)(A).

4.1 Site Restoration Plan

This section provides information on the proposed soils/hydrologic and vegetative work that was determined to be necessary for restoration and/or enhancement of the proposed site.

**Tables 3** and **4** contain post-construction habitats and acreage descriptions for the proposed restoration and enhancement of wetlands and uplands associated with the 883.4-acre tract, as well as areas not proposed for restoration and enhancement activities.

**Table 3: Post-Restoration Habitat Acreage Summary**

Habitat	Re-Establishment (Currently Other Waters and Levees)	Rehabilitation (Currently Bedded Slash Pine)	Enhancement (Currently Non-bedded Slash Pine)	Restoration
Bottomland Hardwood Wetlands	3.3 acres	81.3	46.1 acres	N/A
Longleaf Pine Savannah Wetlands	5.7 acres	220.7	267.9	N/A
Longleaf Pine Uplands	N/A	N/A	N/A	163.2
Hardwood Uplands	N/A	N/A	N/A	19.2
<b>Totals</b>	<b>9.0 acres</b>	<b>302 acres</b>	<b>314 acres</b>	<b>182.4 acres</b>

**Table 4: Areas Not Proposed for Restoration or Enhancement**

Areas	Acreage
Existing Easements	56 acres
Other Waters of the U.S.	6 acres
Existing Roads	4 acres
Fire Lanes	9.5 acres
Remnant Levees to Remain	0.5 acre
<b>Totals</b>	<b>76 acres</b>

#### 4.1.1 Soils/Hydrologic Work

The Sponsor will restore hydrologic conditions by removing remnant agriculture levees constructed prior to 1952, which no longer serve a function on the BWMB. The material from the levees will be utilized to fill drainages which entirely commence and terminate within the tract and/or begin within the tract and were historically constructed to expedite water off the tract (**Figures 15a-15d**). Following the removal of levees and filling of historic, man-made drainage features, existing beds associated with the slash pine plantation, which currently restricts lateral sheet flow on the tract, will be removed with a bedding rack or commercial disk (**Figure 16, 17, 18, 19, and 20**). Prior to conducting the vegetative work, a chemical herbicide treatment of the tract will be conducted, followed by an initial burn administered a minimum of four weeks following the herbicide application.

#### 4.1.2 Vegetative Work

##### *Longleaf Pine*

Following hydrologic restoration, longleaf pine seedlings will be planted on approximately 657.5 acres during the standard planting season (December-March). As lower planting densities are optimal for longleaf pine ecosystem restoration, seedlings shall be planted using 12 x 12 spacing for an initial stocking level of 302 trees per acre. The Sponsor will target 50 trees per acre for the Year 1 survival criteria and 40 longleaf per acre for Year 5.

Herbaceous understory will be re-established through natural recruitment. The native ground cover communities that historically characterized the great majority of the bank have been severely impacted by the pine plantation management. Prescribed fire will arguably be the most important long-term management tool used on the tract to reestablish the native grasses, forbs, and herbaceous plants. Burning is essential for rehabilitation/perpetuation of grass-herbaceous ground-cover communities. Among other effects, properly timed fires stimulate native grass and herbaceous plants to grow vigorously, flower and produce seeds, stimulate longleaf pine to grow out of the "grass-stage", and control brown spot needle-blight on young longleaf.

##### *Bottomland Hardwoods*

Approximately 130.7 acres of bottomland hardwood re-establishment, rehabilitation, and enhancement areas will be planted with an appropriate species mixture of bottomland hardwoods during the standard planting season (December-March). These areas are primarily underlain with Guyton silt loam and exhibit lower elevation, very poorly drained areas which do not appear to be conducive to longleaf pine establishment. These areas are proposed based on a combination of factors, including: the presence of Guyton silt loam, elevations at or below 26' NGVD, are adjacent to existing other waters of the U.S., and occur in large enough tracts to minimize negative influences from the proposed burning regime associated with the longleaf pine areas. Thin fingers and small inclusions

of Guyton silt loam were not proposed as bottomland hardwood re-establishment, rehabilitation, or enhancement, due to the potential negative influences from the proposed fire regime for the longleaf pine savannah areas.

Seedlings will be planted on approximately using 9 x 9 spacing for an initial stand density of at least 537 seedlings per acre. A mixture of at least 60 percent hard-mast and a maximum of 40 percent soft-mast-producing species will be planted in accordance with the following species selection list (Table 5). If seedling availability renders a discrepancy of more than five percent from the desired mixture of hard-mast to soft-mast species, New Orleans District approval to modify the plan will be obtained. A mixture of the following species will be planted to restore bottomland hardwoods:

**Table 5: Bottomland Hardwood Species Selection List**

COMMON NAME	SCIENTIFIC NAME	MAST	Percentage
Laurel oak	<i>Quercus laurifolia</i>	Hard	10%
Texas red oak	<i>Quercus texana</i>	Hard	10%
Willow oak	<i>Quercus phellos</i>	Hard	10%
Water oak	<i>Quercus nigra</i>	Hard	10%
Cherrybark Oak	<i>Quercus pagoda</i>	Hard	10%
Overcup Oak	<i>Quercus lirata</i>	Hard	5%
Water hickory	<i>Carya aquatica</i>	Hard	5%
<b>Percent Composition</b>		<b>60%</b>	<b>60%</b>
Sweet gum	<i>Liquidambar styraciflua</i>	Soft	8%
Bald cypress	<i>Taxodium distichum</i>	Soft	8%
Red maple	<i>Acer rubrum</i>	Soft	8%
Black gum	<i>Nyssa sylvatica</i>	Soft	8%
Sugar-berry	<i>Celtis laevigata</i>	Soft	8%
<b>Percent Composition</b>		<b>40%</b>	<b>40%</b>

4.2 Technical Feasibility

The Site is relatively isolated and not threatened by surrounding land uses (current or proposed). The construction work required to complete accomplish restoration on BWMB is routine in nature and feasible, consisting primarily of removal of bedded rows and berms in order to return the site to its pre-agriculture hydrologic conditions, as well as vegetative plantings of longleaf pine and bottomland hardwood species.

4.3 Current Site Risks

The primary site risk associated with the BWMB is the current influx of oil, gas and LNG transmission lines intended to service the southwestern Louisiana and southeast Texas industrial complex. Due to the presence of several utility corridors which traverse the BWMB, the potential for additional co-located pipelines may exist. The existing corridor/easement acreages have been excluded from the restoration plan acreage, but will be within the conservation servitude boundary. Although the easements will not be

subordinate to the conservation servitude while the pipeline(s) is operational, it will be protected by the conservation servitude in the event the easements are terminated.

Although common within the vicinity of the BWMB, Peace River does not anticipate any risks to the Site from oil and gas exploration or production. According to the Louisiana Department of Natural Resources Strategic Online Natural Resources Information System (SONRIS), there are two one oil and gas wells (Serial Number 973336 and 239148) located adjacent to the BWMB project area. According to SONRIS, one (Serial number 97336) was permitted on September 1, 2005 but was never put into service and the permit was allowed to expire, while the other well (Serial Number 239148) was plugged and abandoned December 28, 2008.

#### 4.4 Long-Term Sustainability of the Site

Active and adaptive management will ensure the long-term viability and sustainability of the BWMB including, but not limited to, invasive species control, prescribed burning, appropriate monitoring, and boundary maintenance. No long-term structural management of water control structures will be required for the success of BWMB.

According to Article 667 – *Limitations on Use of Property*, of the Louisiana Civil Code, states that although a landowner may do with his estate whatever he pleases, still he cannot harm his neighbor. The proposed BWMB will depend primarily on precipitation, and seasonal high-water tables. Long-term hydrology maintenance will not depend on the utilization of water captured from irrigation wells; therefore, sufficient water rights are ensured for such purposes. The Sponsor does not foresee any adverse impacts on neighboring properties as a result of this project.

### 5. PROPOSED SERVICE AREA

The BWMB is located in the West Fork Calcasieu USGS HUC 08080205 and the Lower Calcasieu HUC 08080206 of the Calcasieu Basin. The BWMB service area will include non-tidally influenced wetlands within entire Calcasieu Basin which includes HUCs 08080203, 08080204, 08080205, and 08080206 (**Figure 21**), within portions of Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Natchitoches, Rapides, and Vernon Parishes. Portions of HUC 08080206 extend south to the Gulf of Mexico and are characterized by tidally influenced fresh, brackish, and salt marsh wetland habitats. The BWMB will not offset impacts for tidally influenced wetlands in HUC 08080206.

### 6. OPERATION OF THE MITIGATION BANK

This section describes how the proposed Bank will be operated, as stated in 33 CFR 332.8(d)(2) (ii) and provides details on the proposed ownership arrangements and long-term management strategy for the mitigation bank, as stated in 33 CFR 332.8(d)(2) (v.)



## 6.1 Project Representatives

*Sponsor:* *Peace River Mitigation, LLC*  
*P.O. Box 1179*  
*Minden, Louisiana 71058-1179*  
*ray@loneoakmitigation.com*  
*(318) 337-0928*

*Agent:* *Matrix New World Engineering*  
*Lee Womack*  
*2798 O'Neal Lane, Building F*  
*Baton Rouge, Louisiana 70816*  
*lwomack@matrixnewworld.com*  
*(225) 508-4813*

*Landowner:* *Crest Natural Resources, LLC*  
*4725 Highway 28 East*  
*Pineville, Louisiana 71360*

## 6.2 Qualifications of the Sponsor

Peace River Mitigation, LLC has twelve years' experience in the mitigation banking business, with four approved mitigation banks: one in the USACE New Orleans District (Pelican Echo Mitigation Bank, MVN-2009-02857) and six in the USACE Vicksburg District (Pelican Wardview Mitigation Bank, MVK-2010-00809; Pelican Foster Mitigation Bank, MVK-2012-00197; Dorcheat Bayou Mitigation Bank, MVK-2006-1017; Dorcheat Bayou Mitigation Bank North Expansion, MVK-2006-1017; Little Bodcau Mitigation Bank, MVK-2014-00676, and Bashaway Creek Mitigation Bank, MVK-2014-00569). Currently, Peace River has one mitigation bank pending in the USACE New Orleans District (Beacons Gully Mitigation Bank, MVN-2016-01011), two mitigation banks pending in the USACE Vicksburg District (Kelly Bayou, MVK-2014-00602 and Three Creeks Mitigation Banks, MVK-2017-00951) and one in the USACE Mobile District (Arlington Plantation Mitigation Bank, SAM-2014-00722).

## 6.3 Proposed Long-Term Ownership and Management Representatives

The long-term manager and owner of the BGMB will be Crest Natural Resource, LLC (Crest Natural Resources).

## 6.4 Site Protection

The Sponsor will execute a perpetual conservation servitude held by a non-profit conservation group (pursuant to the Louisiana Conservation Servitude Act, R.S. 9:1271 et. seq.). A copy of the conservation servitude will be filed in the real estate records of the Mortgage and Conveyance Office of Calcasieu Parish and shall be provided to the USACE for review and approval prior to filing. After filing, a copy of the recorded

conservation servitude, clearly showing the book, page and date of filing, will be provided to the USACE.

## 6.5 Long-Term Strategy

Long-term management will consist of monitoring, prescribed burning, vegetation management, invasive species control, boundary maintenance, site protection and funding of such activities. The wetland habitats will be managed to increase and maintain the biological, chemical, and physical wetland functions of the BWMB and to provide forested habitat capable of supporting populations for priority wildlife species (e.g., native wildlife and Nearctic-Neotropical migrants).

A long-term management plan will be included with the Draft Mitigation Banking Instrument, which will detail long-term management needs, costs and identify a funding mechanism. The Sponsor and Long-term Steward, its Owner, or its heirs, assigns or purchasers shall be responsible protecting land contained within the BWMB in perpetuity. An interest-bearing long-term management account, specifically an escrow account, will be established to insure adequate funding is available to cover the costs of these activities in the future.

## 7. REFERENCES

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Homer, C.G., Dewitz, J.A., Yang, L., Jin, S., Danielson, P., Xian, G., Coulston, J., Herold, N.D., Wickham, J.D., and Megown, K., 2015, Completion of the 2011 National Land Cover Database for the conterminous United States-Representing a decade of land cover change information. *Photogrammetric Engineering and Remote Sensing*, v. 81, no. 5, p. 345-354

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Louisiana Natural Heritage Program. 2009. The Natural Communities of Louisiana. Louisiana Department of Wildlife and Fisheries.

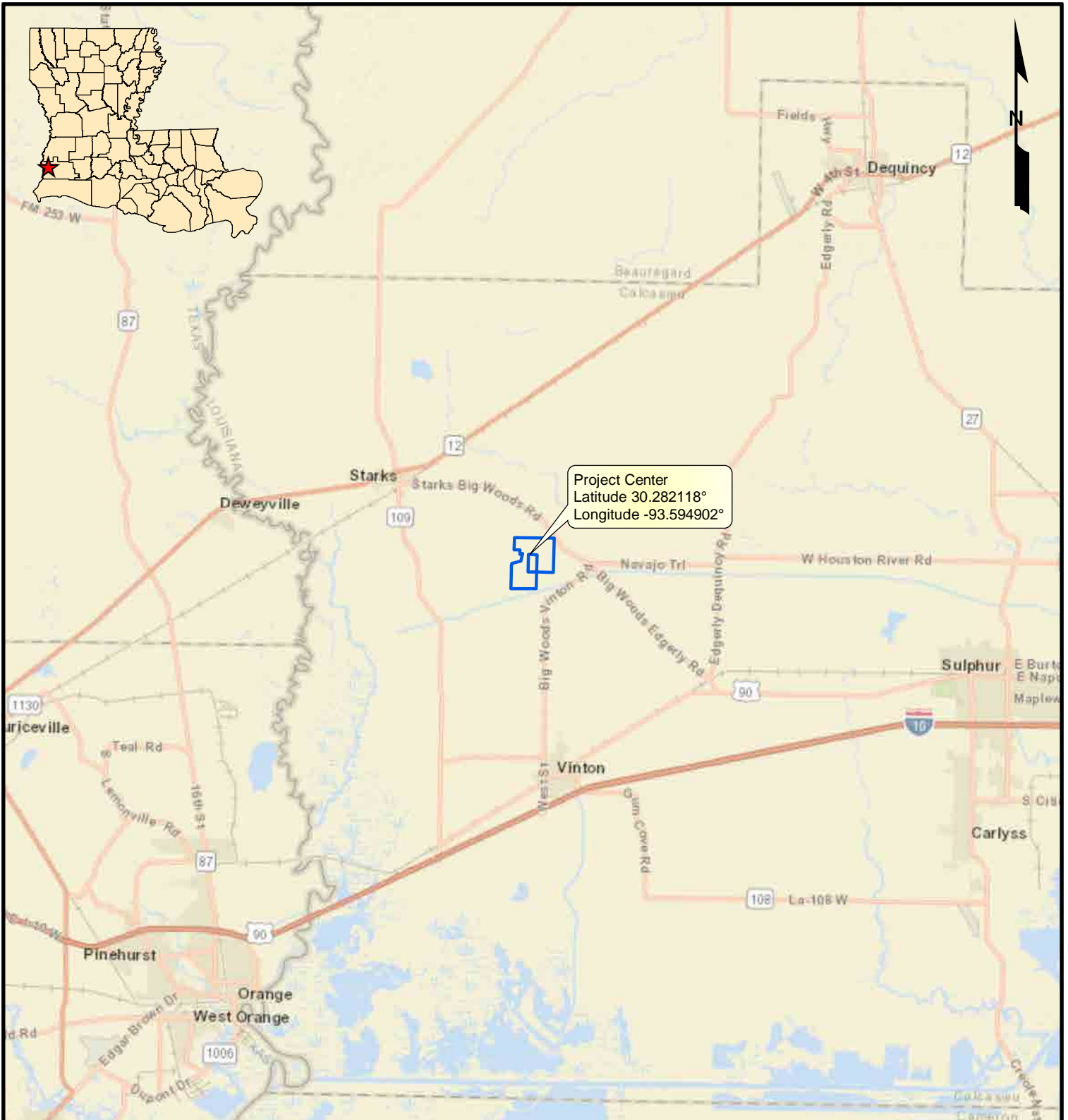
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United States Department of Agriculture, Soil Conservation Service. 1988. Soil Survey of Calcasieu Parish, Louisiana.

## **FIGURES**



**Legend**

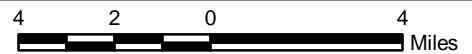
 Bigwoods Mitigation Bank (883.4 acres)

**Vicinity Map**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

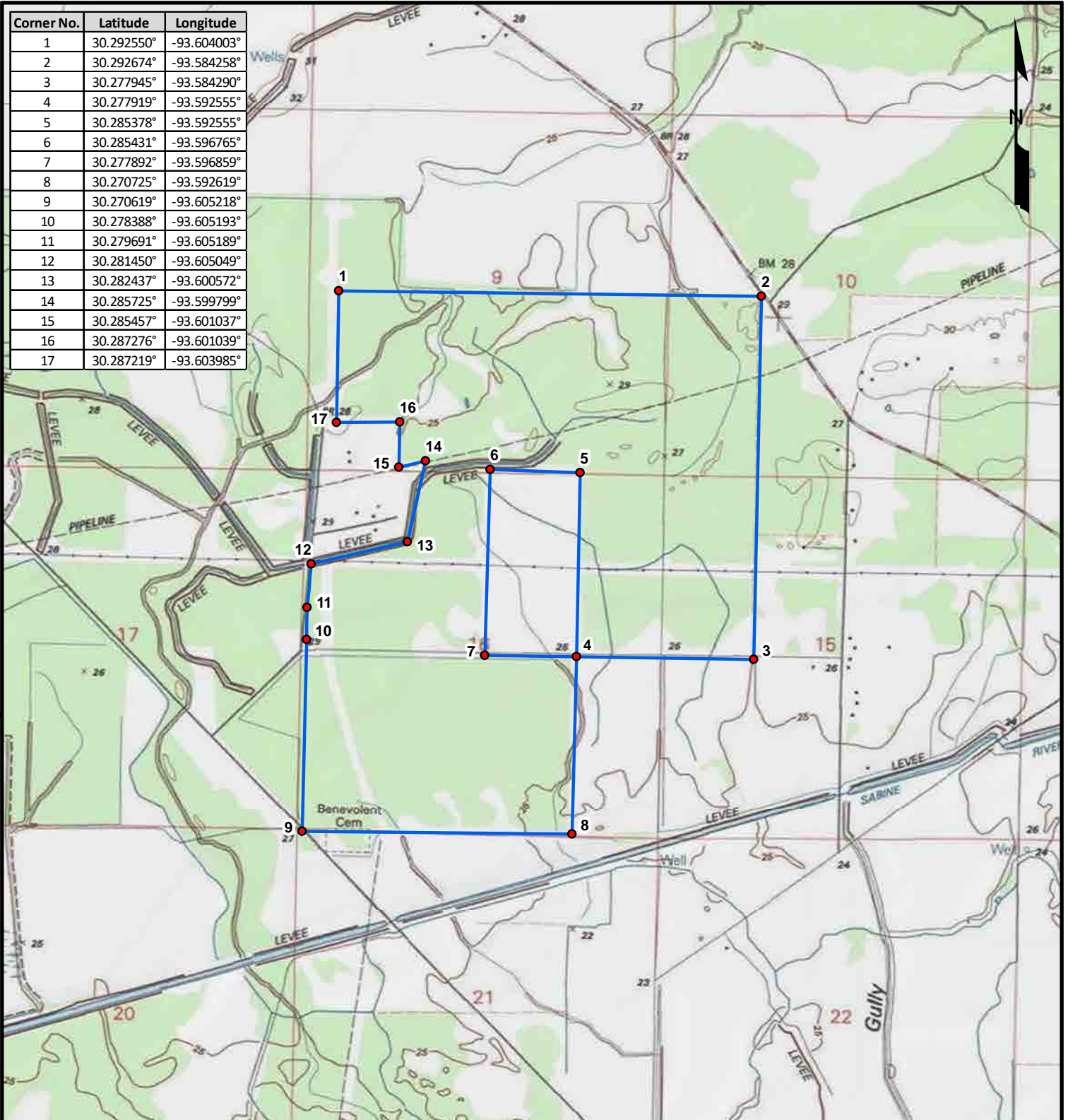
Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A005

**1**

Figure No.

Source: Base map comprised of ESRI StreetMap USA data.

Corner No.	Latitude	Longitude
1	30.292550°	-93.604003°
2	30.292674°	-93.584258°
3	30.277945°	-93.584290°
4	30.277919°	-93.592555°
5	30.285378°	-93.592555°
6	30.285431°	-93.596765°
7	30.277892°	-93.596859°
8	30.270725°	-93.592619°
9	30.270619°	-93.605218°
10	30.278388°	-93.605193°
11	30.279691°	-93.605189°
12	30.281450°	-93.605049°
13	30.282437°	-93.600572°
14	30.285725°	-93.599799°
15	30.285457°	-93.601037°
16	30.287276°	-93.601039°
17	30.287219°	-93.603985°



**Legend**

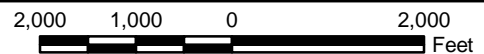
- Bigwoods Mitigation Bank (883.4 acres)
- Property Corners

**Site Location Map**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



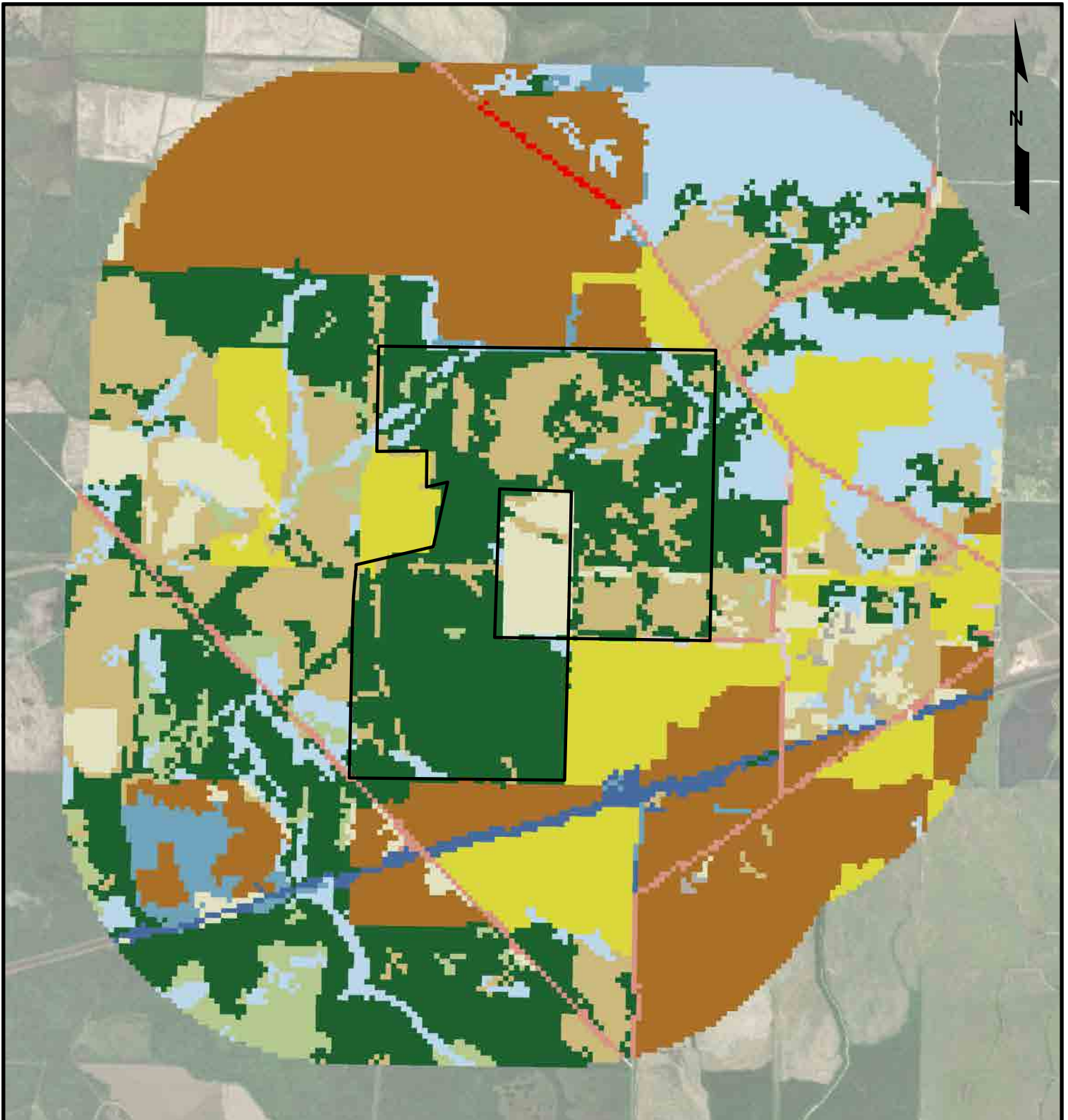
**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/24/2018
Drawing No.	17-565-A006

**2**

Figure No.

Source: Base map comprised of U.S.G.S. 7.5-minute topographic map(s), "Lunita, LA" dated 1994.



**Legend**

Bigwoods Mitigation Bank (883.4 acres)

**Land Use**

- |                             |                              |
|-----------------------------|------------------------------|
| Open Water                  | Shrub/Scrub                  |
| Developed, Open Space       | Herbaceous                   |
| Developed, Low Intensity    | Hay/Pasture                  |
| Developed, Medium Intensity | Cultivated Crops             |
| Barren Land                 | Woody Wetlands               |
| Evergreen Forest            | Emergent Herbaceous Wetlands |
| Mixed Forest                |                              |

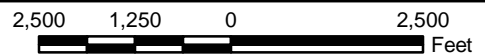
**Source:** Base map comprised of ESRI World Imagery. Land use data obtained from the USDA/NRCS 2011 National Land Cover Dataset (NLCD).

**Land Use Map**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress


Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A007

**3**

Figure No.



**Legend**

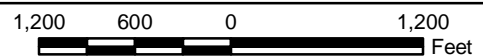
 Bigwoods Mitigation Bank (883.4 acres)

**1952 Aerial Photograph**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A008

**4**

Figure No.

Source: U.S. Geological Survey (U.S.G.S). Aerial Single Frame Photo ID: ARA000960162638 [aerial photo]. Sioux Falls, S. Dak.: EROS Data Center, April 15, 1952.





**Legend**

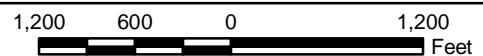
Bigwoods Mitigation Bank (883.4 acres)

**1967 Aerial Photograph**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



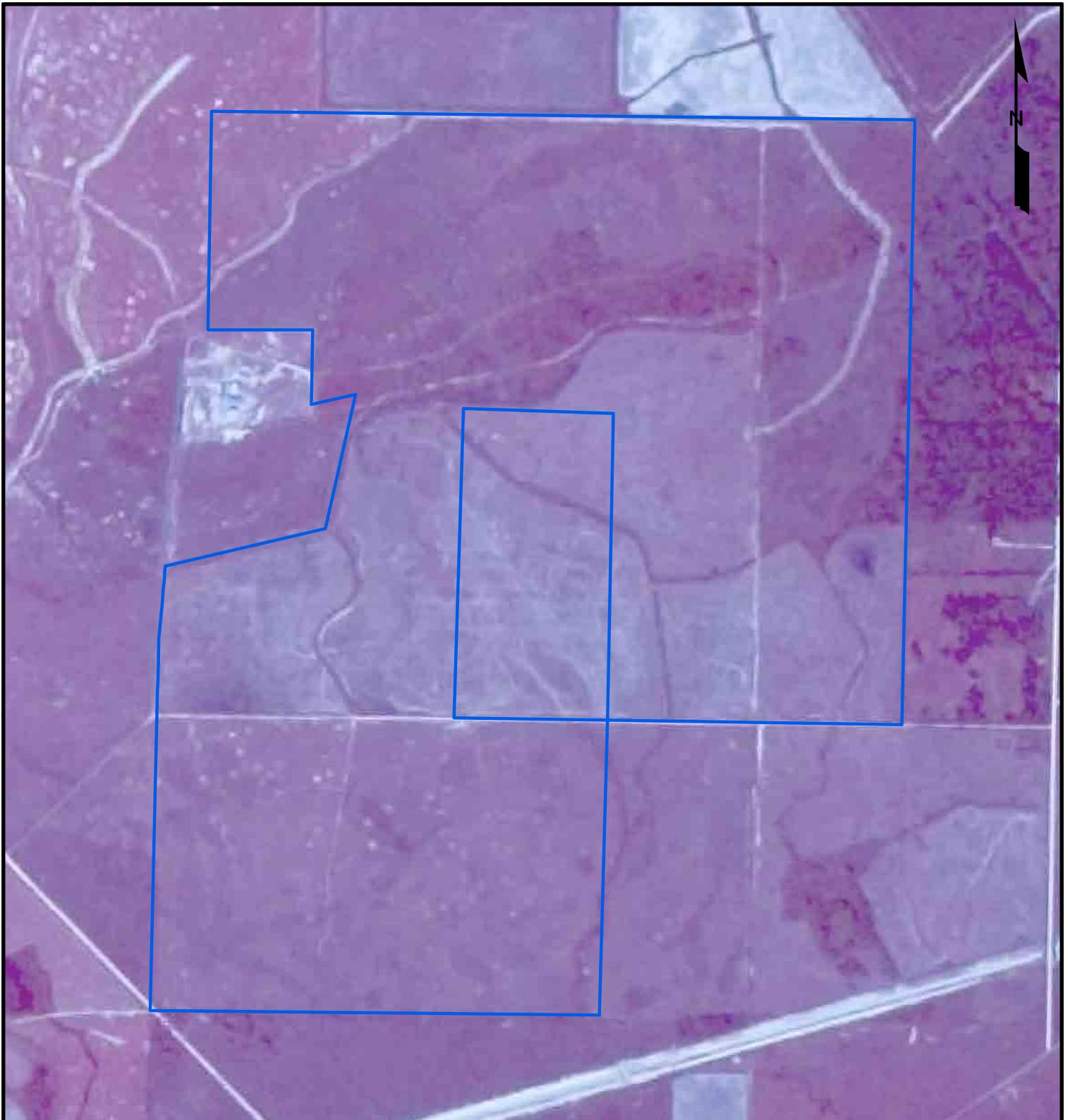
**Source:** U.S. Geological Survey (U.S.G.S). Aerial Single Frame Photo ID: AR1VBWB00020067 [aerial photo]. Sioux Falls, S. Dak.: EROS Data Center, December 3, 1967.

**MATRIX**NEWORLD  
Engineering Progress


Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A009

**5**

Figure No.



**Legend**

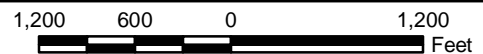
 Bigwoods Mitigation Bank (883.4 acres)

**1978 Aerial Photograph**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



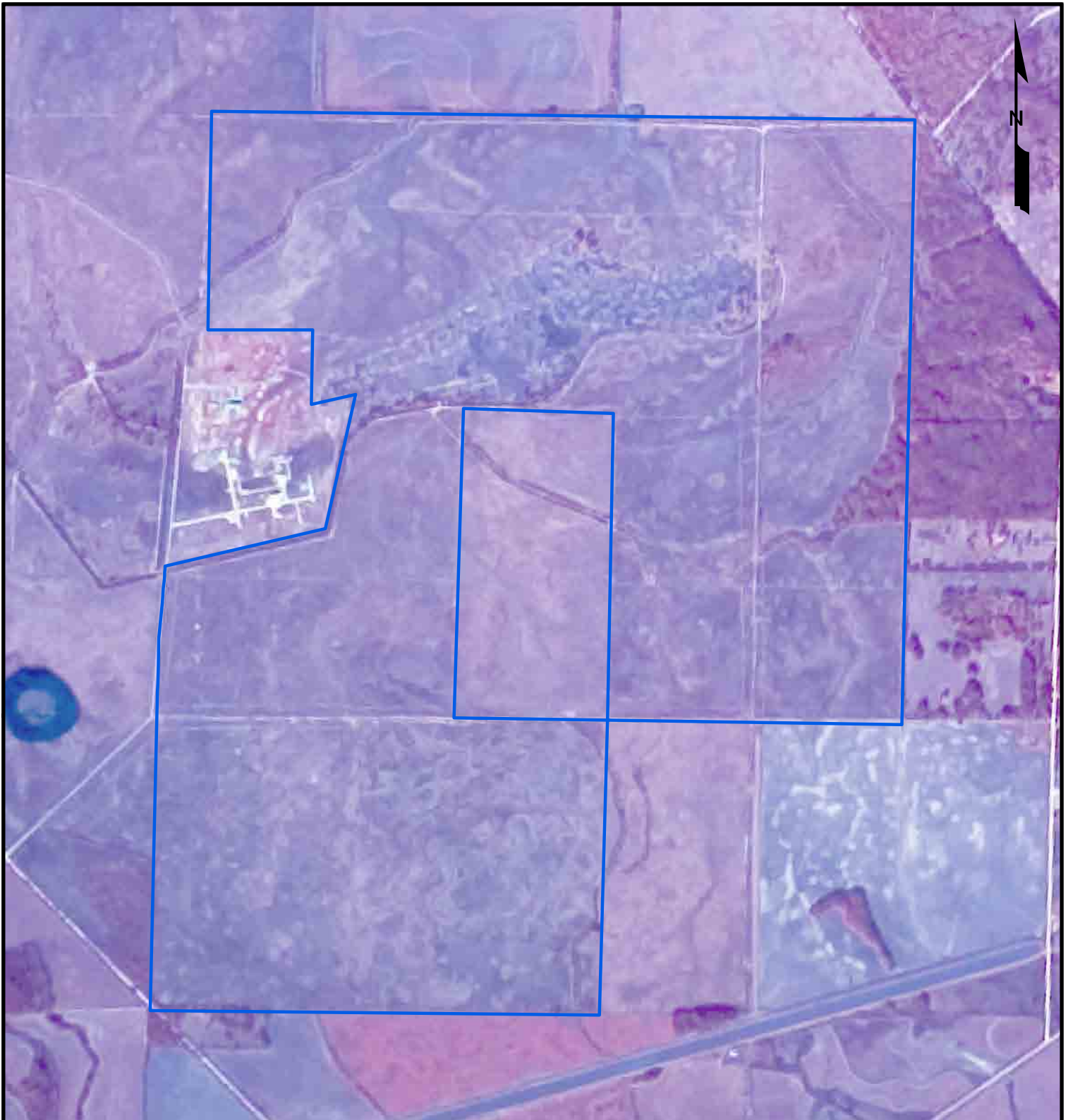
**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A010


**6**

Figure No.

Source: U.S. Geological Survey (U.S.G.S). Aerial Single Frame Photo ID: AR5780026910338 [aerial photo]. Sioux Falls, S. Dak.: EROS Data Center, October 9, 1978.



**Legend**

 Bigwoods Mitigation Bank (883.4 acres)

**1985 Aerial Photograph**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank

1,200 600 0 1,200  
Feet

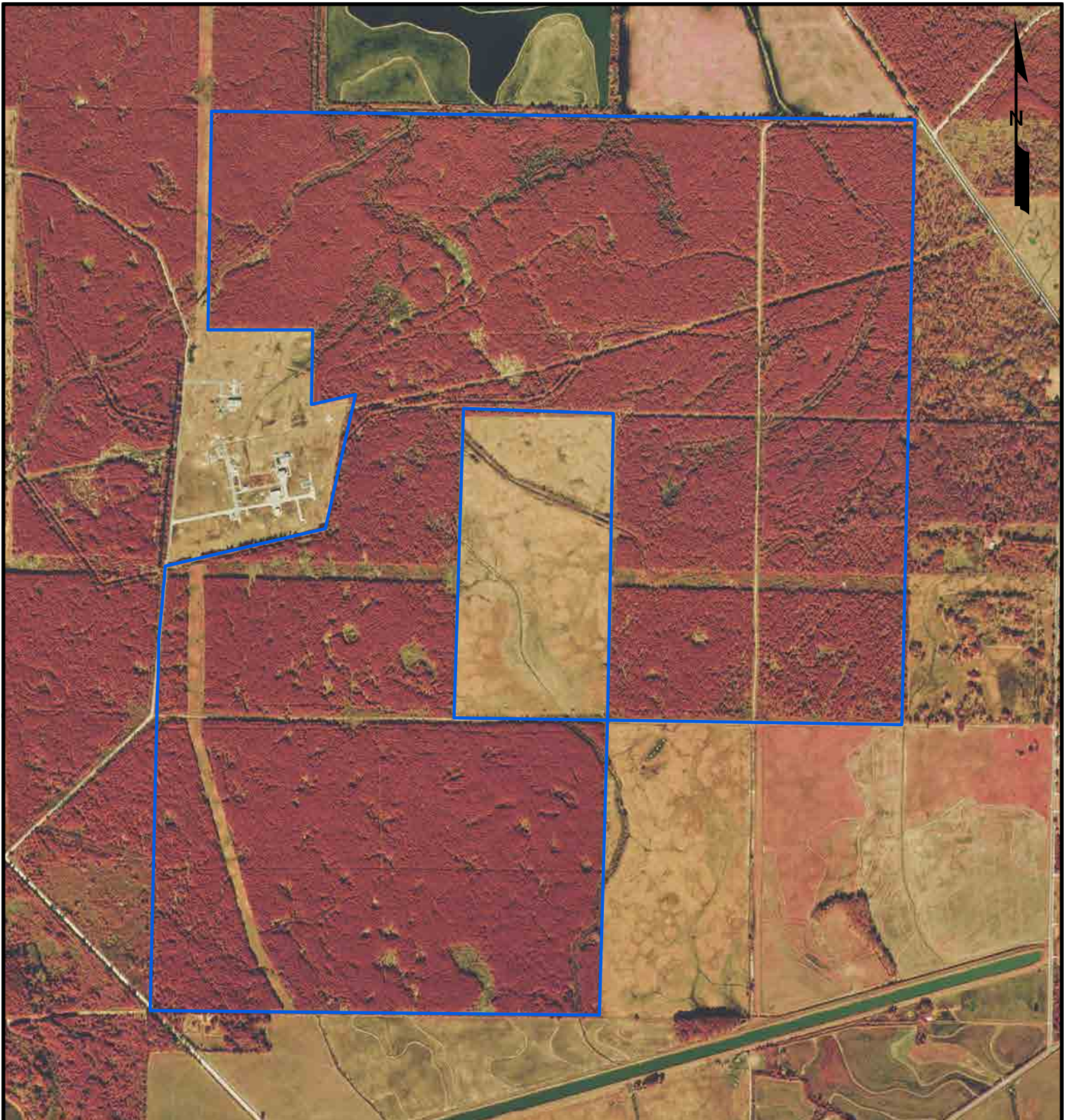
**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A011

**7**

Figure No.

Source: U.S. Geological Survey (U.S.G.S). Aerial Single Frame Photo ID: AR5850035501922 [aerial photo]. Sioux Falls, S. Dak.: EROS Data Center, December 14, 1985.



**Legend**

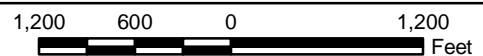
Bigwoods Mitigation Bank (883.4 acres)

**1998 Aerial Photograph**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



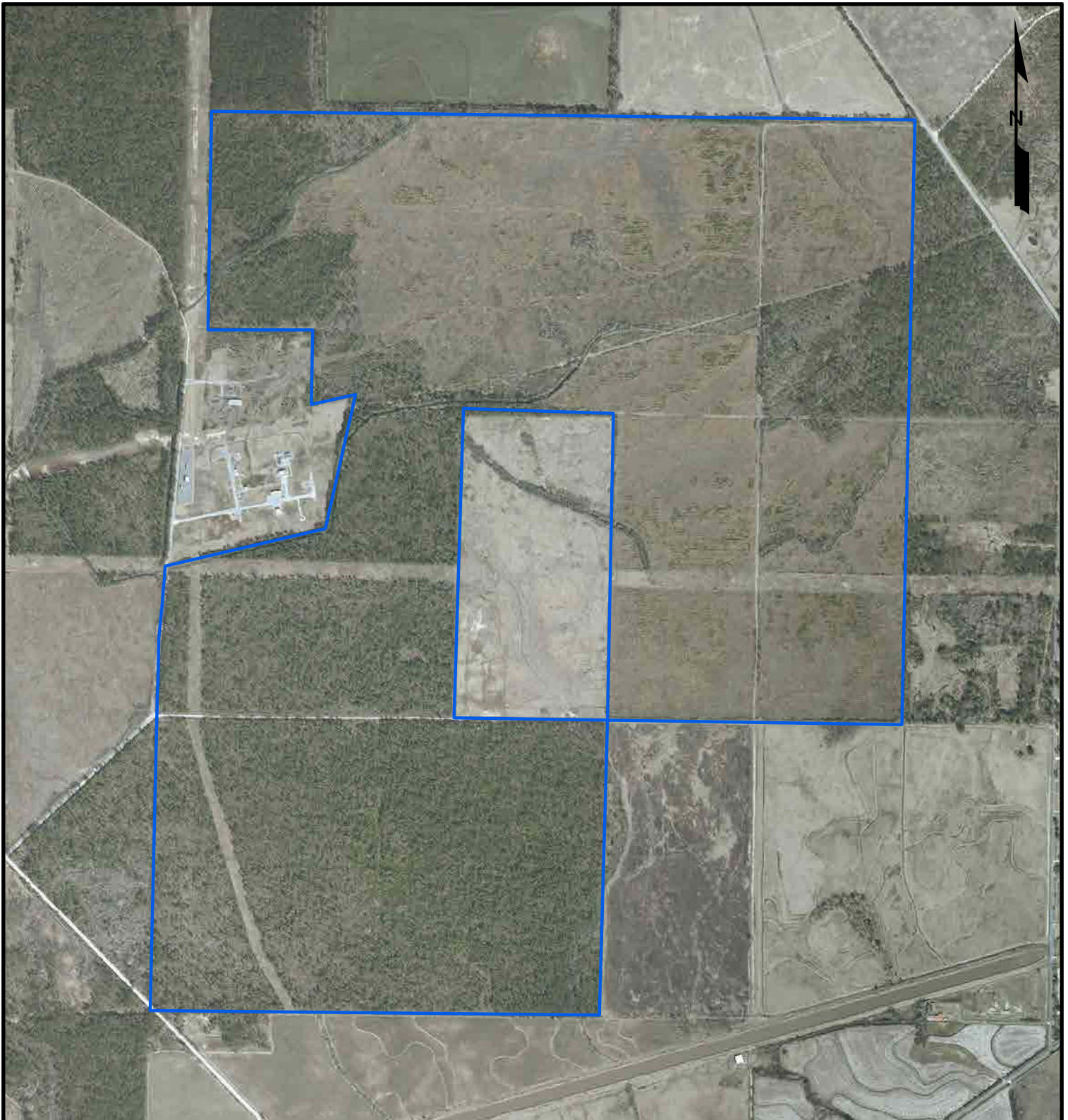
**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A012


**8**

Figure No.

**Source:** Base map comprised of 1998 aerial photography from the Louisiana Oil Spill Coordinators Office (LOSCO).



**Legend**

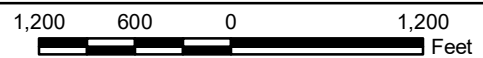
 Bigwoods Mitigation Bank (883.4 acres)

**2010 Aerial Photograph**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



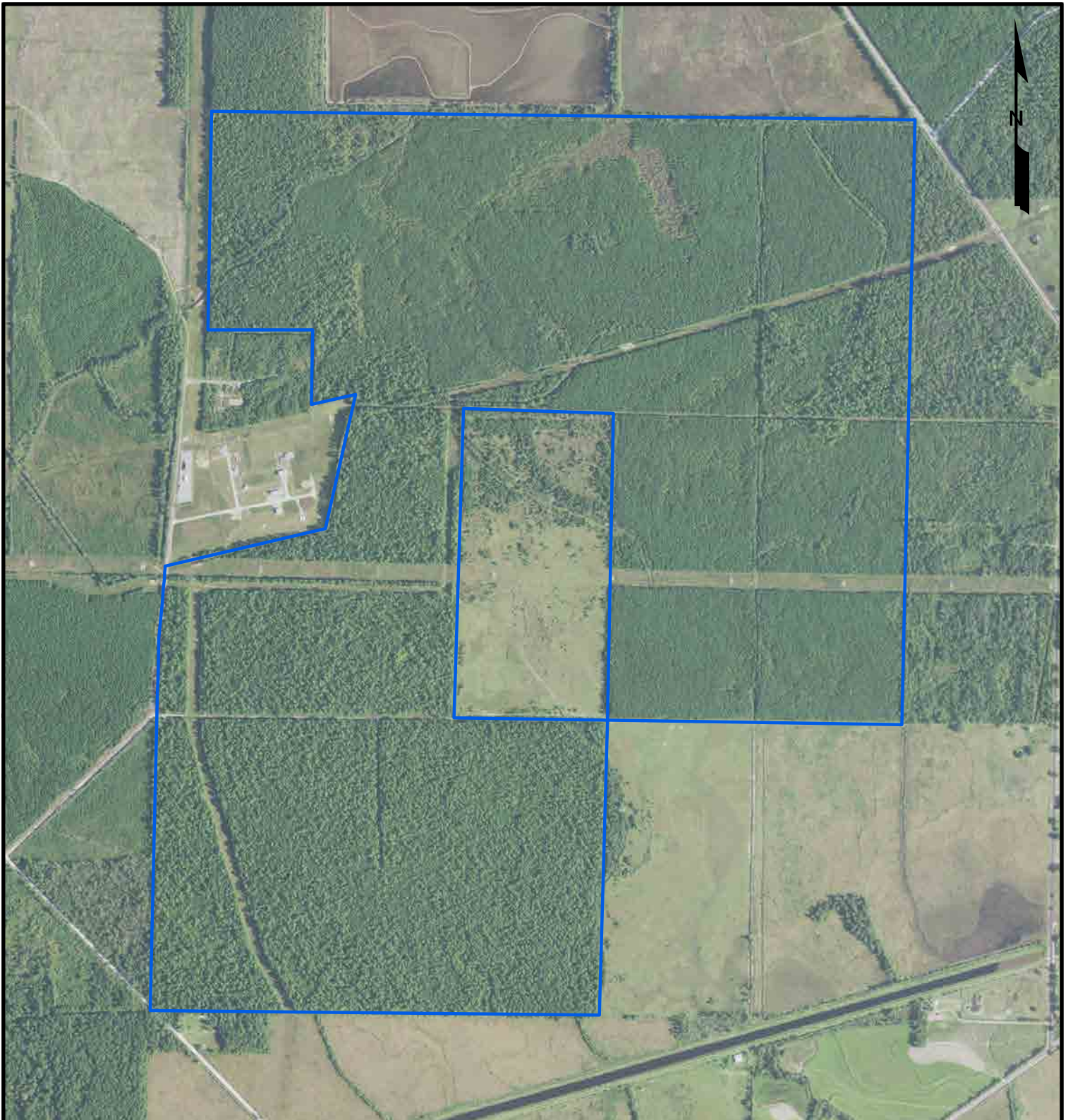
**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A013


**9**

Figure No.

**Source:** Base map comprised of 2010 aerial photography from the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP).



**Legend**

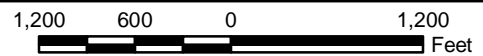
 Bigwoods Mitigation Bank (883.4 acres)

**2017 Aerial Photograph**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank

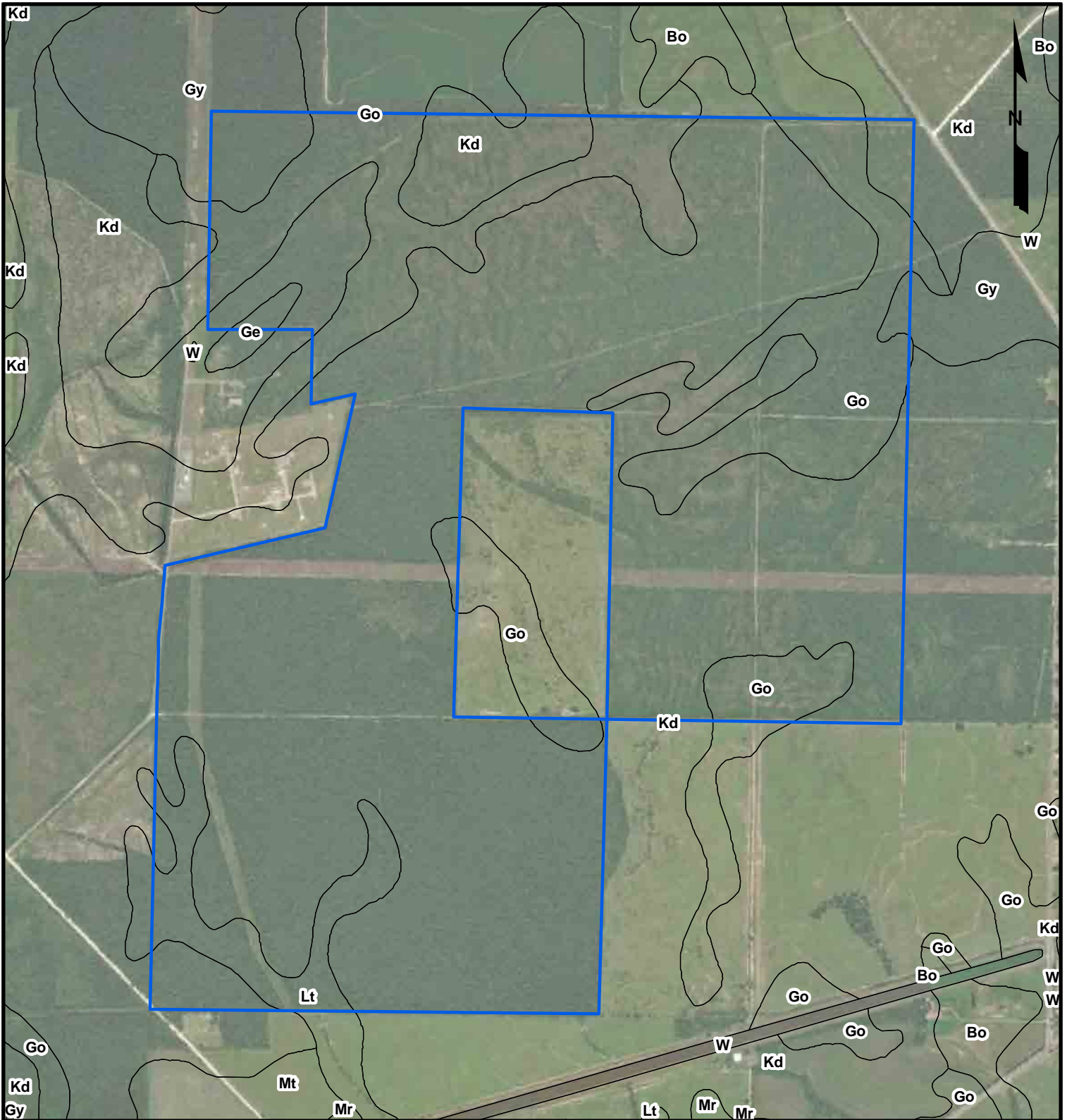


**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A014

**10**  
Figure No.

**Source:** Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).



**Legend**

Bigwoods Mitigation Bank (883.4 acres)

Soils

- Ge - Glenmora silt loam, 1 to 3 percent slopes
- Go - Guyton silt loam, 0 to 1 percent slopes, occasionally flooded
- Gy - Guyton-Messer complex, 0 to 1 percent slopes, rarely flooded
- Kd - Kinder-Gist complex, 0 to 1 percent slopes
- Lt - Prairieland silt loam, 0 to 1 percent slopes, rarely flooded

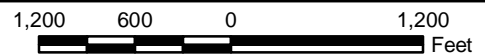
**Source:** Base map comprised of ESRI World Imagery. Soils data obtained from Natural Resources Conservation Service (NRCS) Web Soil Survey.

**Soils Map**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

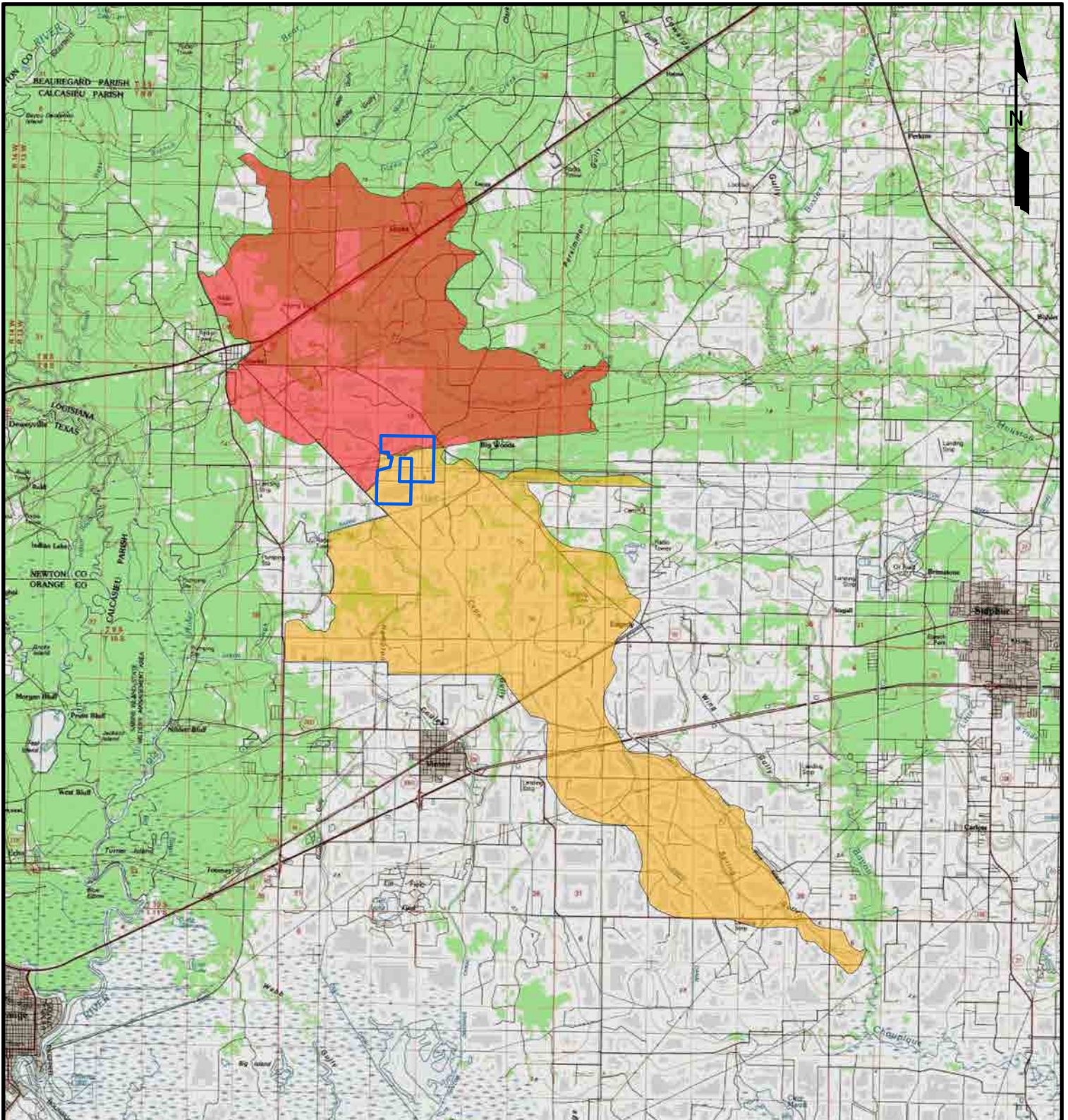
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A015

**11**  
Figure No.



**Legend**

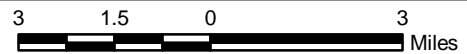
- Bigwoods Mitigation Bank (883.4 acres)
- Bear Head Creek-Houston River Watershed (34.7 sq. miles)
- Sabine Canal-Spring Gully (42.0 sq. miles)

**Contributing Watershed Map**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



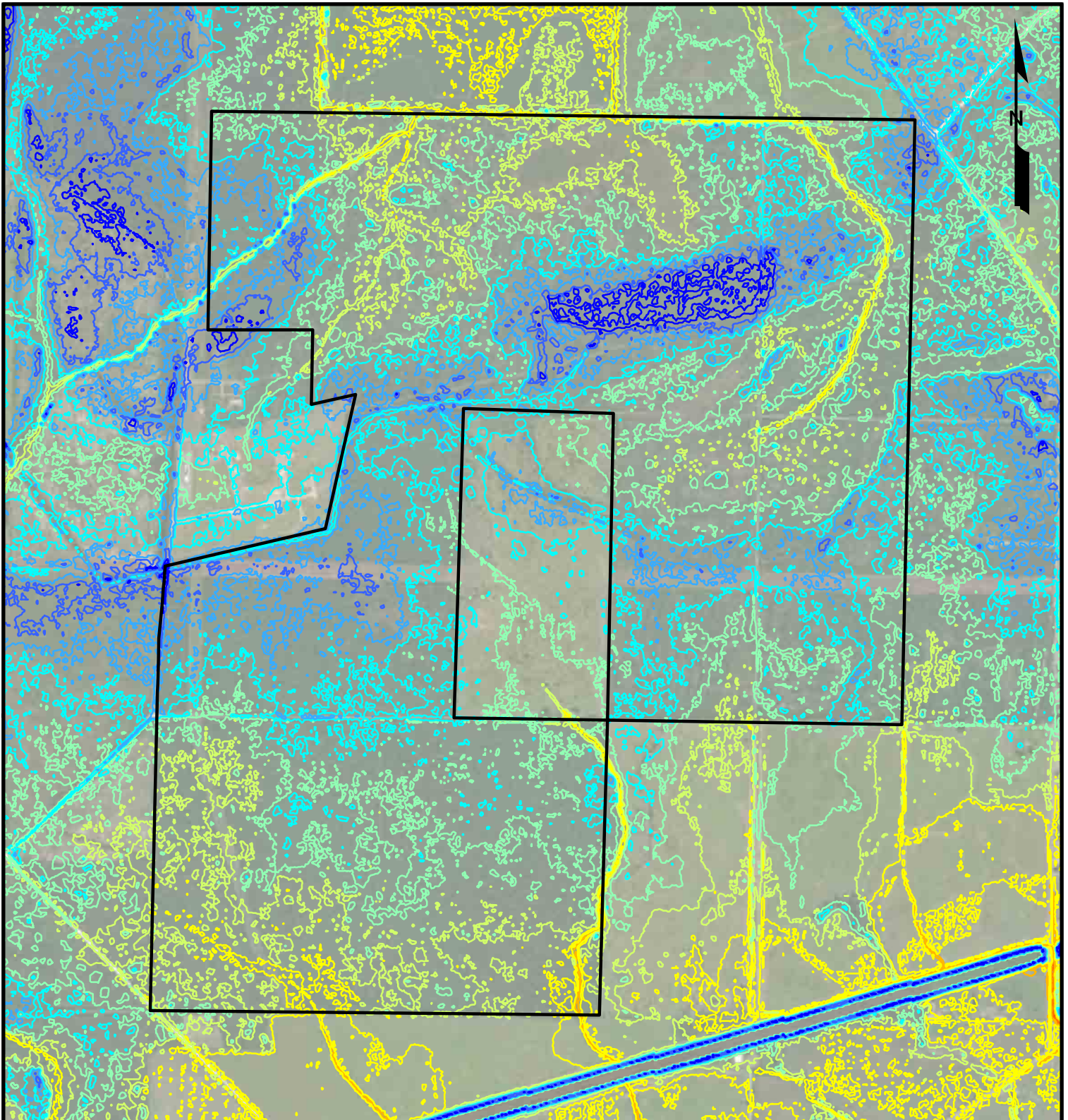
**Source:** Base map comprised of U.S.G.S. 100K topographic map, "Lake Charles, LA" dated 1986. Watershed boundaries obtained from the Watershed Boundary Dataset (USDANRCS/USGS/EPA).

**MATRIX**NEWORLD  
Engineering Progress


Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A016

**12**  
Figure No.















**Legend**

 Bigwoods Mitigation Bank (883.4 acres)

**Elevation Contours (feet)**

- |  |   |
|--|---|
|  17 - 18 |  26      |
|  19 - 20 |  27      |
|  21 - 22 |  28      |
|  23 - 24 |  29      |
|  25      |  30 - 33 |

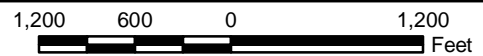
**Source:** Base map comprised of ESRI World Imagery, LIDAR Contours calculated from USACE/LOSCCO Digital Elevation Model, dated 2002/2009.

**LIDAR Map**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

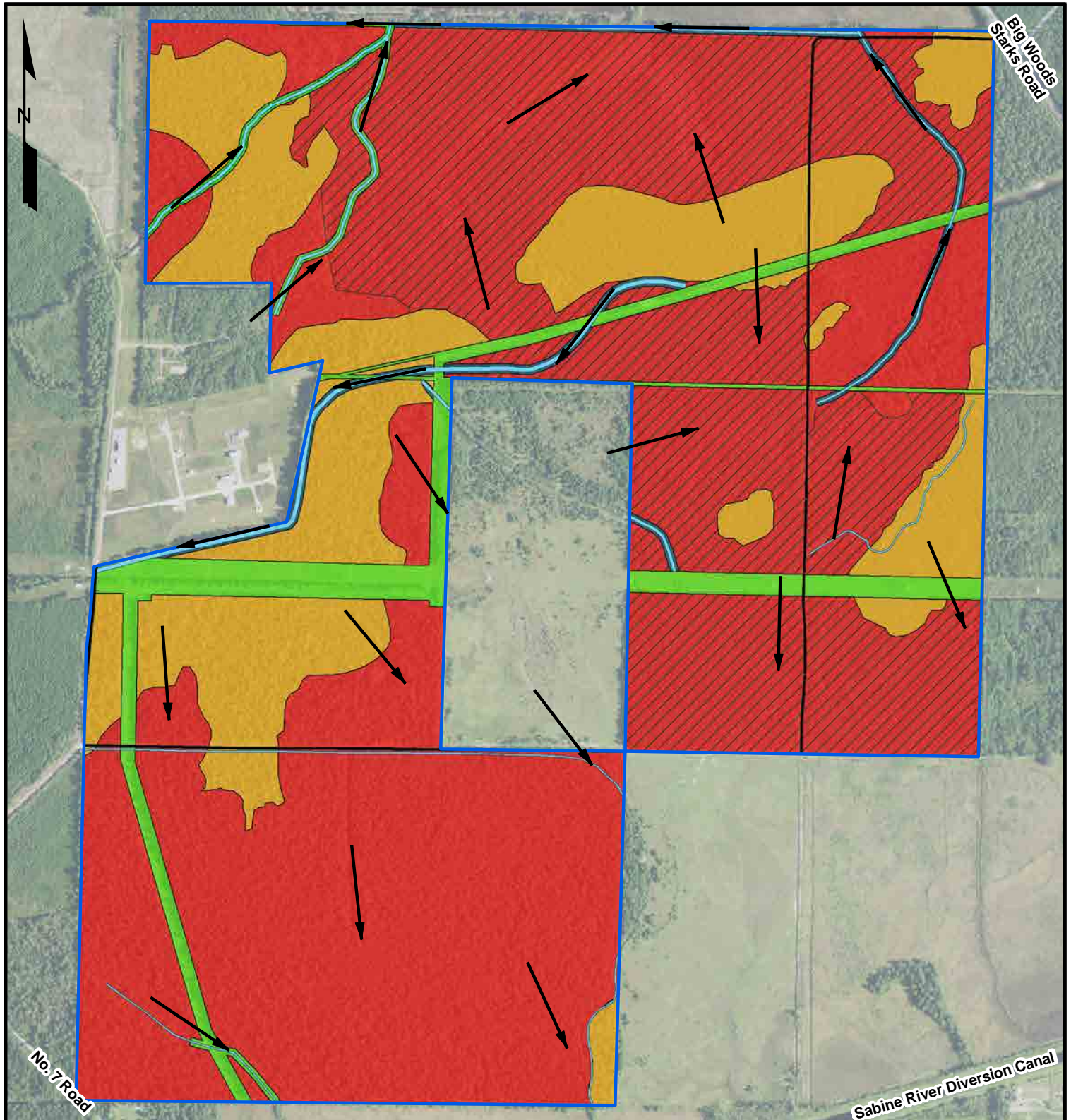
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/16/2018
Drawing No.	17-565-A017

**13**  
Figure No.



**Legend**

- Bigwoods Mitigation Bank (883.4 acres)
- Non-Bedded Slash Pine-Dominant Wetlands (316.2 acres)
- Bedded Slash Pine-Dominant Wetlands (306.4 acres)
- Slash Pine-Dominant Uplands (181.3 acres)
- Other Waters of the U.S. (10.6 acres)
- Remnant Agricultural Levees (9.5 acres)
- Existing Easements (55.4 acres)
- Remnant Agricultural Levees within Drainage Easement
- Existing Roads (4.0 acres)
- Drainage Flow

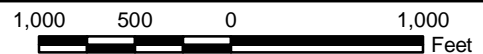
**Source:** Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Overall Existing Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

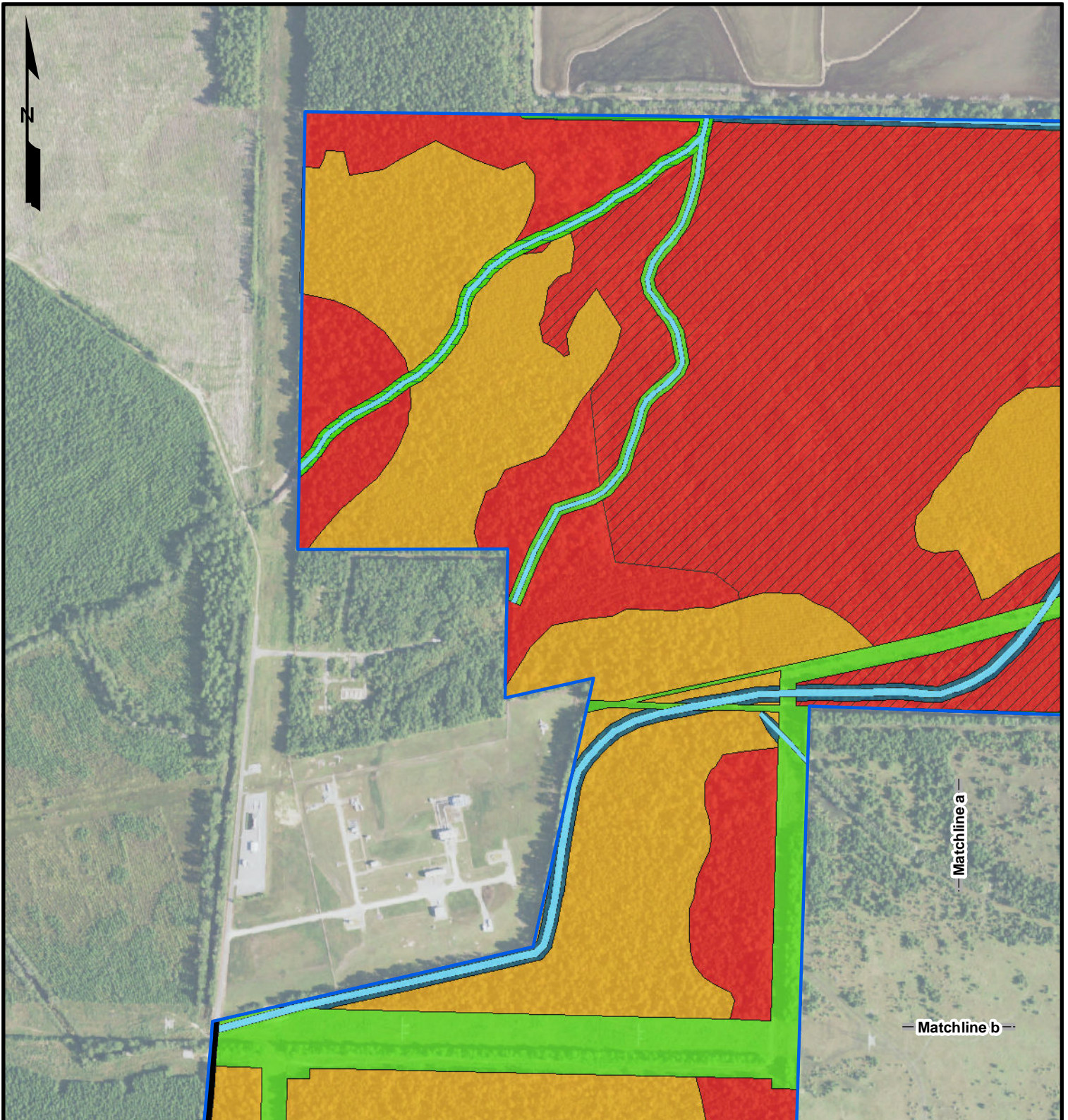
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	LMM
Approved By	LAW
Date	4/30/2019
Drawing No.	17-565-A026

**14**  
Figure No.



**Legend**

- Bigwoods Mitigation Bank (883.4 acres)
- Non-Bedded Slash Pine-Dominant Wetlands (316.2 acres)
- Bedded Slash Pine-Dominant Wetlands (306.4 acres)
- Slash Pine-Dominant Uplands (181.3 acres)
- Other Waters of the U.S. (10.6 acres)
- Remnant Agricultural Levees (9.5 acres)
- Existing Easements (55.4 acres)
- Remnant Agricultural Levees within Drainage Easement
- Existing Roads (4.0 acres)

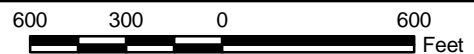
**Source:** Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Existing Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

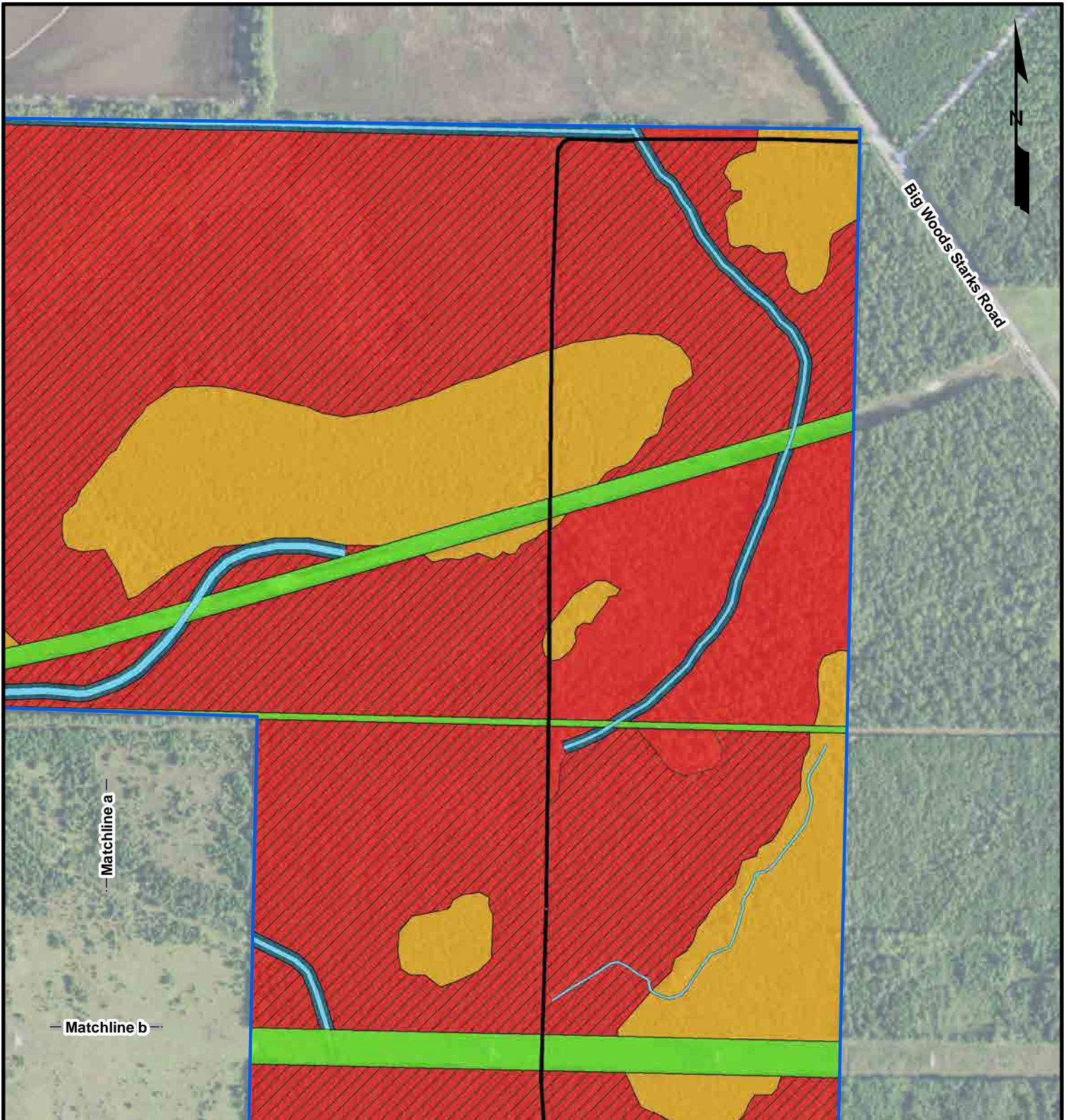
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	3/19/2019
Drawing No.	17-565-A018

**14a**  
Figure No.



**Legend**

- Bigwoods Mitigation Bank (883.4 acres)
- Non-Bedded Slash Pine-Dominant Wetlands (316.2 acres)
- Bedded Slash Pine-Dominant Wetlands (306.4 acres)
- Slash Pine-Dominant Uplands (181.3 acres)
- Other Waters of the U.S. (10.6 acres)
- Remnant Agricultural Levees (9.5 acres)
- Existing Easements (55.4 acres)
- Remnant Agricultural Levees within Drainage Easement
- Existing Roads (4.0 acres)

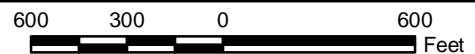
**Source:** Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Existing Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

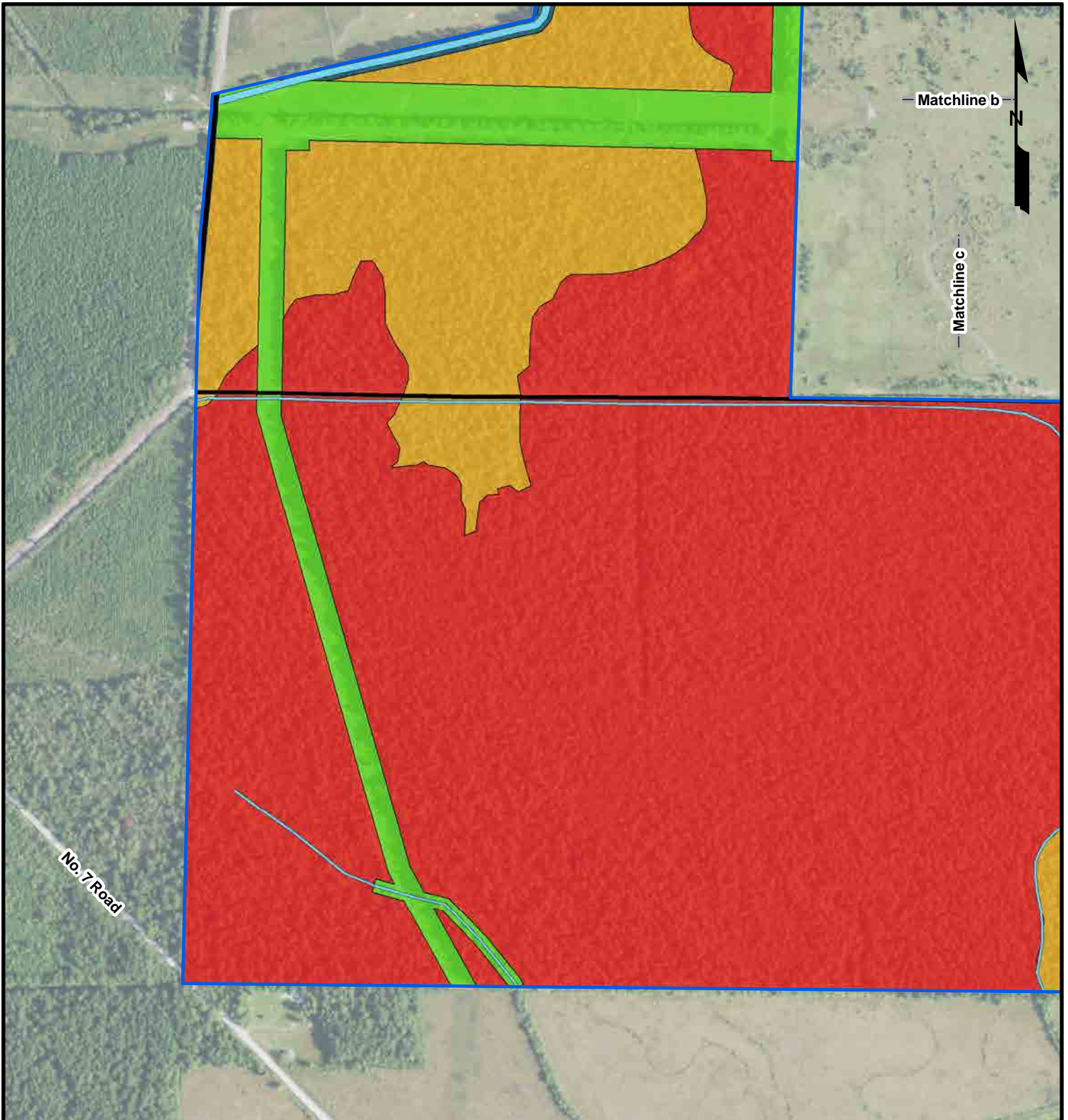
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	10/16/2018
Drawing No.	17-565-A018

**14b**  
Figure No.



**Legend**

- Bigwoods Mitigation Bank (883.4 acres)
- Non-Bedded Slash Pine-Dominant Wetlands (316.2 acres)
- Bedded Slash Pine-Dominant Wetlands (306.4 acres)
- Slash Pine-Dominant Uplands (181.3 acres)
- Other Waters of the U.S. (10.6 acres)
- Remnant Agricultural Levees (9.5 acres)
- Existing Easements (55.4 acres)
- Remnant Agricultural Levees within Drainage Easement
- Existing Roads (4.0 acres)

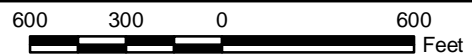
**Source:** Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Existing Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

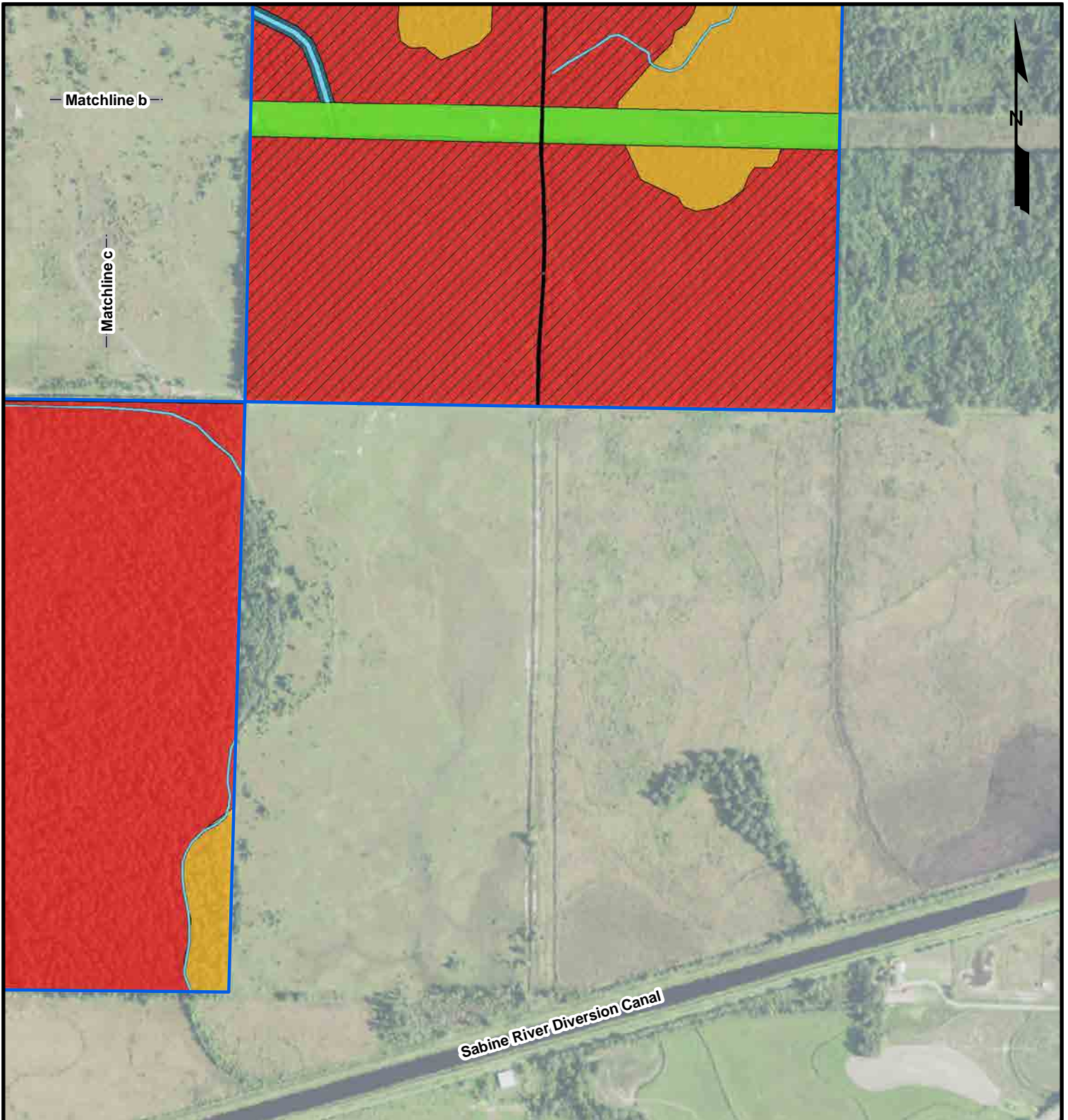
Bigwoods Mitigation Bank



**MATRIXNEWORLD**  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	10/16/2018
Drawing No.	17-565-A018

**14c**  
Figure No.



**Legend**

- Bigwoods Mitigation Bank (883.4 acres)
- Non-Bedded Slash Pine-Dominant Wetlands (316.2 acres)
- Bedded Slash Pine-Dominant Wetlands (306.4 acres)
- Slash Pine-Dominant Uplands (181.3 acres)
- Other Waters of the U.S. (10.6 acres)
- Remnant Agricultural Levees (9.5 acres)
- Existing Easements (55.4 acres)
- Remnant Agricultural Levees within Drainage Easement
- Existing Roads (4.0 acres)

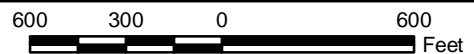
**Source:** Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Existing Site Plan**

**Mitigation Bank Prospectus**  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

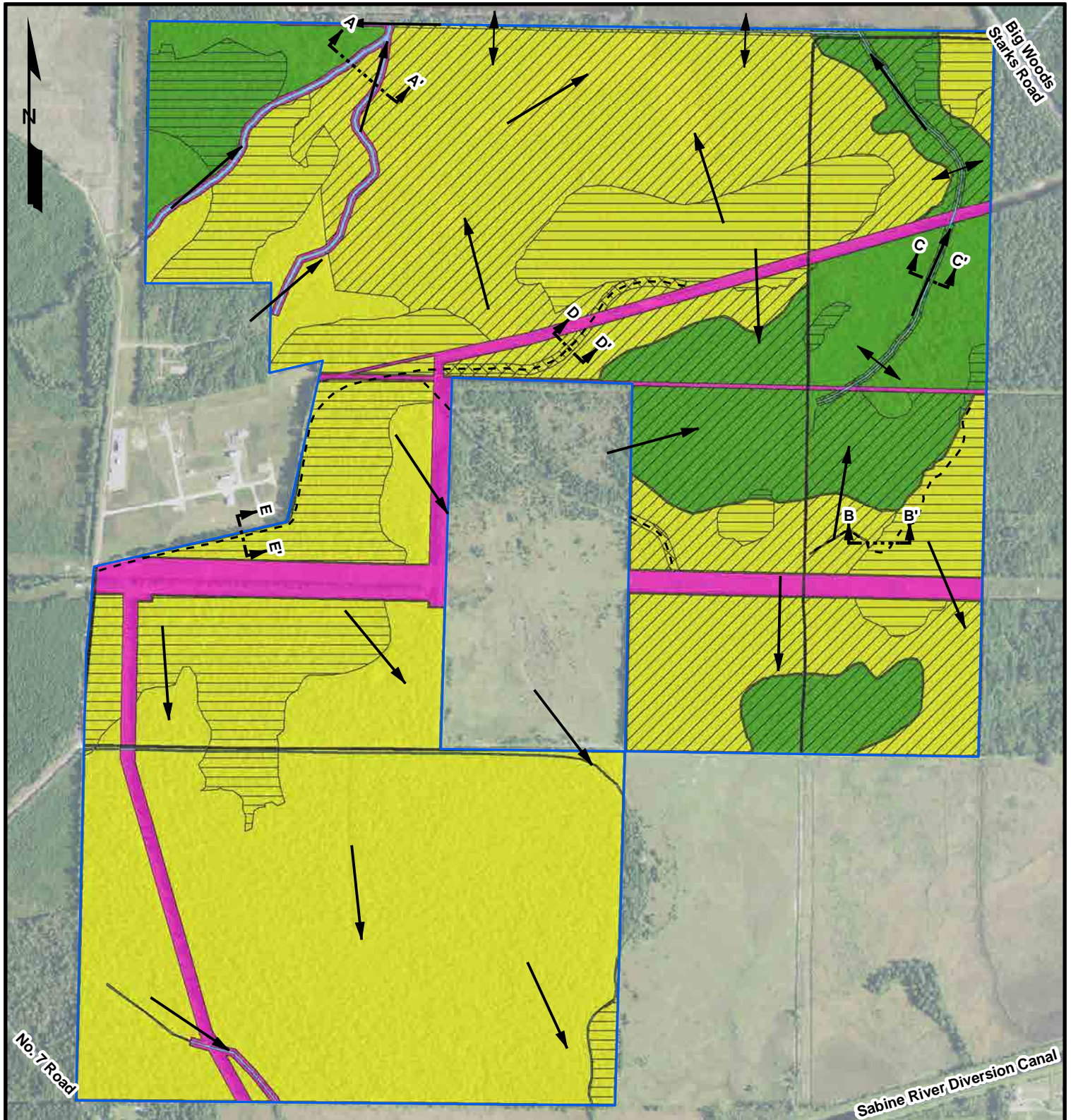
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	10/16/2018
Drawing No.	17-565-A018

**14d**  
Figure No.



**Legend**

- Bigwoods Mitigation Bank (883.4 acres)
- Longleaf Pine Savannah Re-Establishment (Filled Other Waters and Graded Levees; 5.7 acres)
- Bottomland Hardwood Re-Establishment (Filled Other Waters and Graded Levees; 3.3 acres)
- Longleaf Pine Savannah Rehabilitation (220.7 acres)
- Bottomland Hardwood Rehabilitation (81.3 acres)
- Longleaf Pine Savannah Enhancement (267.9 acres)
- Bottomland Hardwood Enhancement (46.1 acres)
- Longleaf Pine Upland Restoration (163.2 acres)
- Hardwood Upland Restoration (19.2 acres)
- Drainage Flow
- Remaining Other Waters of the U.S. (6.0 acres)
- Filled Other Waters
- Fire Lanes (9.5 acres)
- Existing Roads (4.0 acres)
- Remnant Agricultural Levees to Remain (0.5 acre)
- Existing Easements (56.0 acres)
- Remnant Agricultural Levees to Remain within Drainage Easement

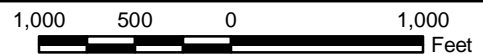
Source: Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Overall Restoration Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

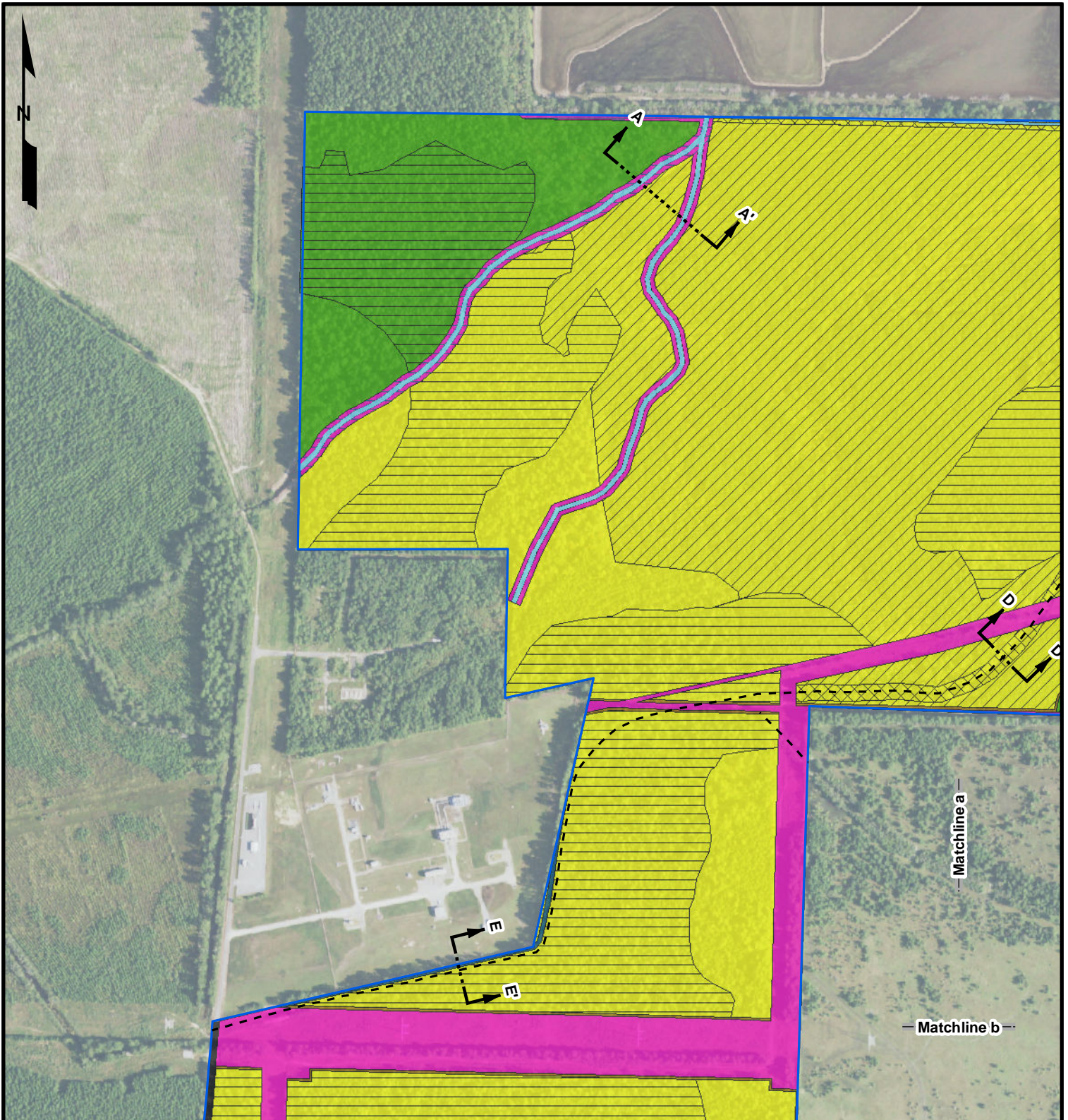
Bigwoods Mitigation Bank



**MATRIXNEWORLD**  
Engineering Progress

Drawn By	LMM
Approved By	LAW
Date	4/30/2019
Drawing No.	17-565-A027

**15**  
Figure No.



**Legend**

- |  |  |  |
|--|--|--|
| Bigwoods Mitigation Bank (883.4 acres)   | Bottomland Hardwood Rehabilitation (81.3 acres)  | Remaining Other Waters of the U.S. (6.0 acres)                 |
| Longleaf Pine Savannah Re-Establishment (Filled Other Waters and Graded Levees; 5.7 acres) | Longleaf Pine Savannah Enhancement (267.9 acres) | Filled Other Waters  |
| Bottomland Hardwood Re-Establishment (Filled Other Waters and Graded Levees; 3.3 acres)    | Bottomland Hardwood Enhancement (46.1 acres)     | Fire Lanes (9.5 acres)   |
| Longleaf Pine Savannah Rehabilitation (220.7 acres)  | Longleaf Pine Upland Restoration (163.2 acres)   | Existing Roads (4.0 acres)                                     |
|  | Hardwood Upland Restoration (19.2 acres)         | Remnant Agricultural Levees to Remain (0.5 acre)               |
|  |  | Existing Easements (56.0 acres)                                |
|  |  | Remnant Agricultural Levees to Remain within Drainage Easement |

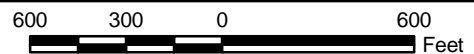
Source: Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Restoration Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank

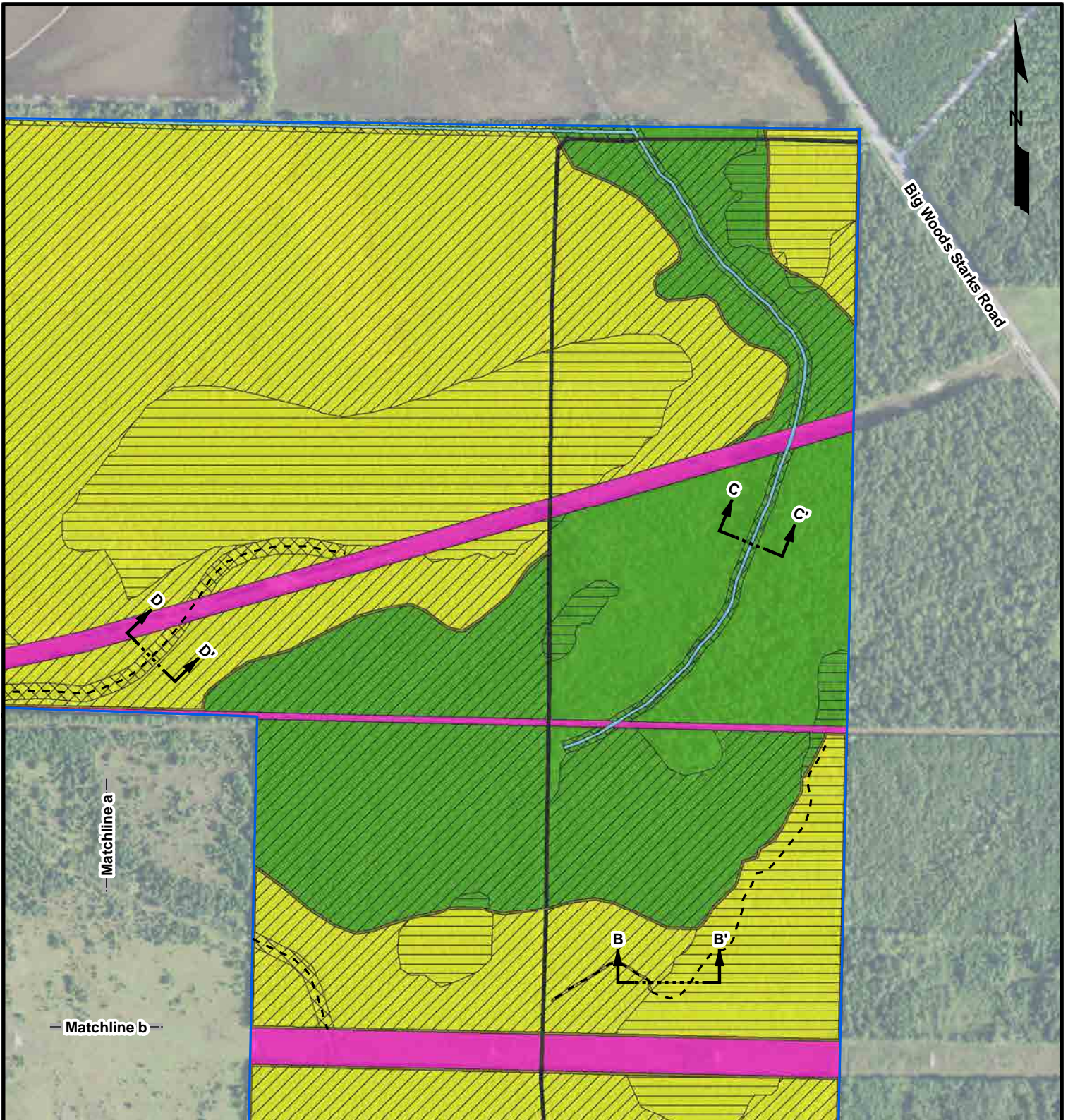


**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	3/19/2019
Drawing No.	17-565-A019

**15a**  
Figure No.





Big Woods Starks Road

Matchline a

Matchline b

**Legend**

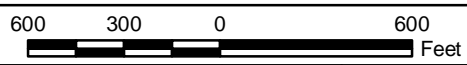
- Bigwoods Mitigation Bank (883.4 acres)
- Longleaf Pine Savannah Re-Establishment (Filled Other Waters and Graded Levees; 5.7 acres)
- Bottomland Hardwood Re-Establishment (Filled Other Waters and Graded Levees; 3.3 acres)
- Longleaf Pine Savannah Rehabilitation (220.7 acres)
- Bottomland Hardwood Rehabilitation (81.3 acres)
- Longleaf Pine Savannah Enhancement (267.9 acres)
- Bottomland Hardwood Enhancement (46.1 acres)
- Longleaf Pine Upland Restoration (163.2 acres)
- Hardwood Upland Restoration (19.2 acres)
- Remaining Other Waters of the U.S. (6.0 acres)
- Filled Other Waters
- Fire Lanes (9.5 acres)
- Existing Roads (4.0 acres)
- Remnant Agricultural Levees to Remain (0.5 acre)
- Existing Easements (56.0 acres)
- Remnant Agricultural Levees to Remain within Drainage Easement

**Restoration Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank

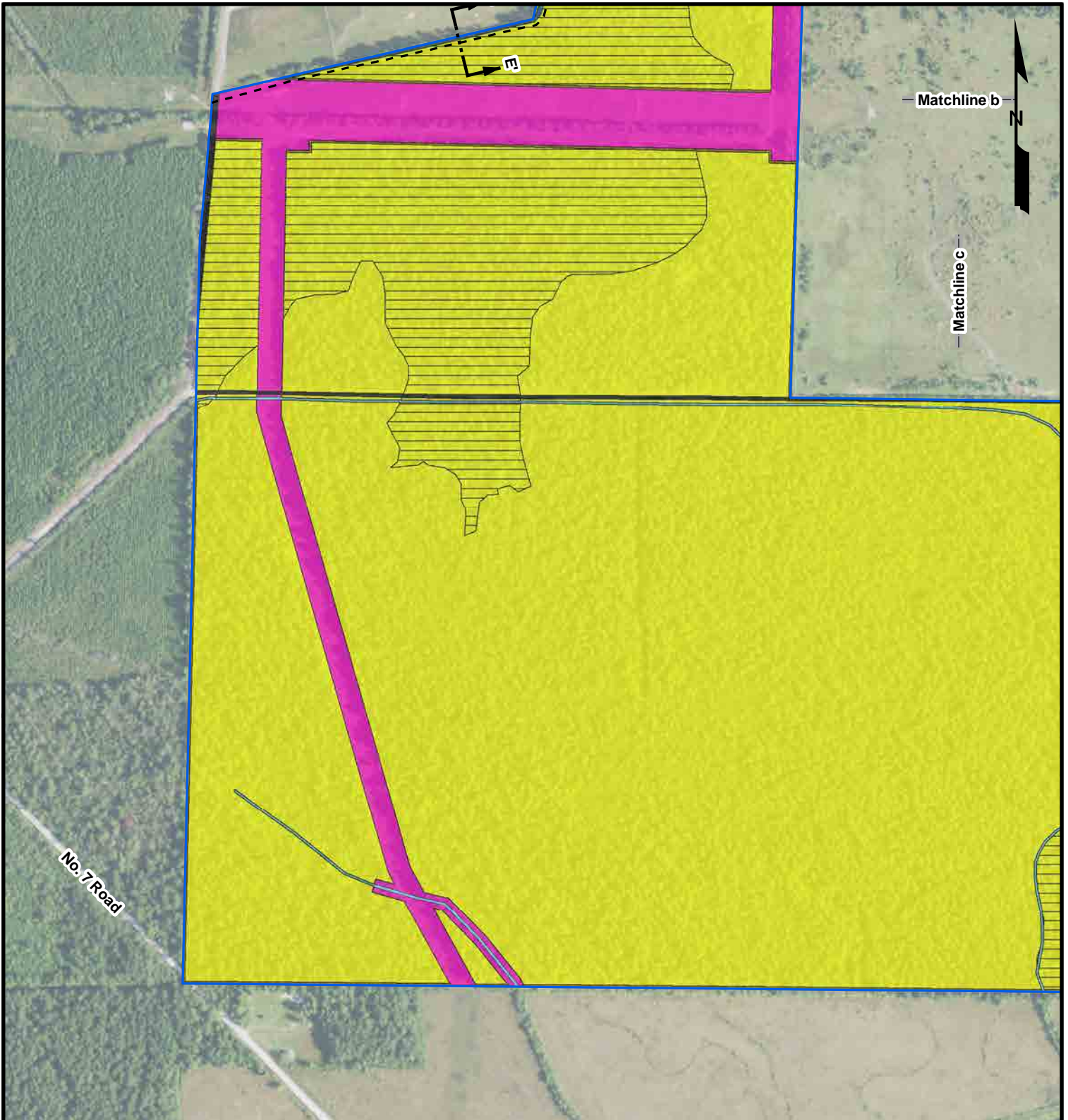


**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	10/23/2018
Drawing No.	17-565-A019

**15b**  
Figure No.

Source: Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).



**Legend**

- |  |  |  |
|--|--|--|
| Bigwoods Mitigation Bank (883.4 acres)   | Bottomland Hardwood Rehabilitation (81.3 acres)  | Remaining Other Waters of the U.S. (6.0 acres)                 |
| Longleaf Pine Savannah Re-Establishment (Filled Other Waters and Graded Levees; 5.7 acres) | Longleaf Pine Savannah Enhancement (267.9 acres) | Filled Other Waters  |
| Bottomland Hardwood Re-Establishment (Filled Other Waters and Graded Levees; 3.3 acres)    | Bottomland Hardwood Enhancement (46.1 acres)     | Fire Lanes (9.5 acres)   |
| Longleaf Pine Savannah Rehabilitation (220.7 acres)  | Longleaf Pine Upland Restoration (163.2 acres)   | Existing Roads (4.0 acres)                                     |
|  | Hardwood Upland Restoration (19.2 acres)         | Remnant Agricultural Levees to Remain (0.5 acre)               |
|  |  | Existing Easements (56.0 acres)                                |
|  |  | Remnant Agricultural Levees to Remain within Drainage Easement |

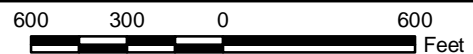
Source: Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Restoration Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

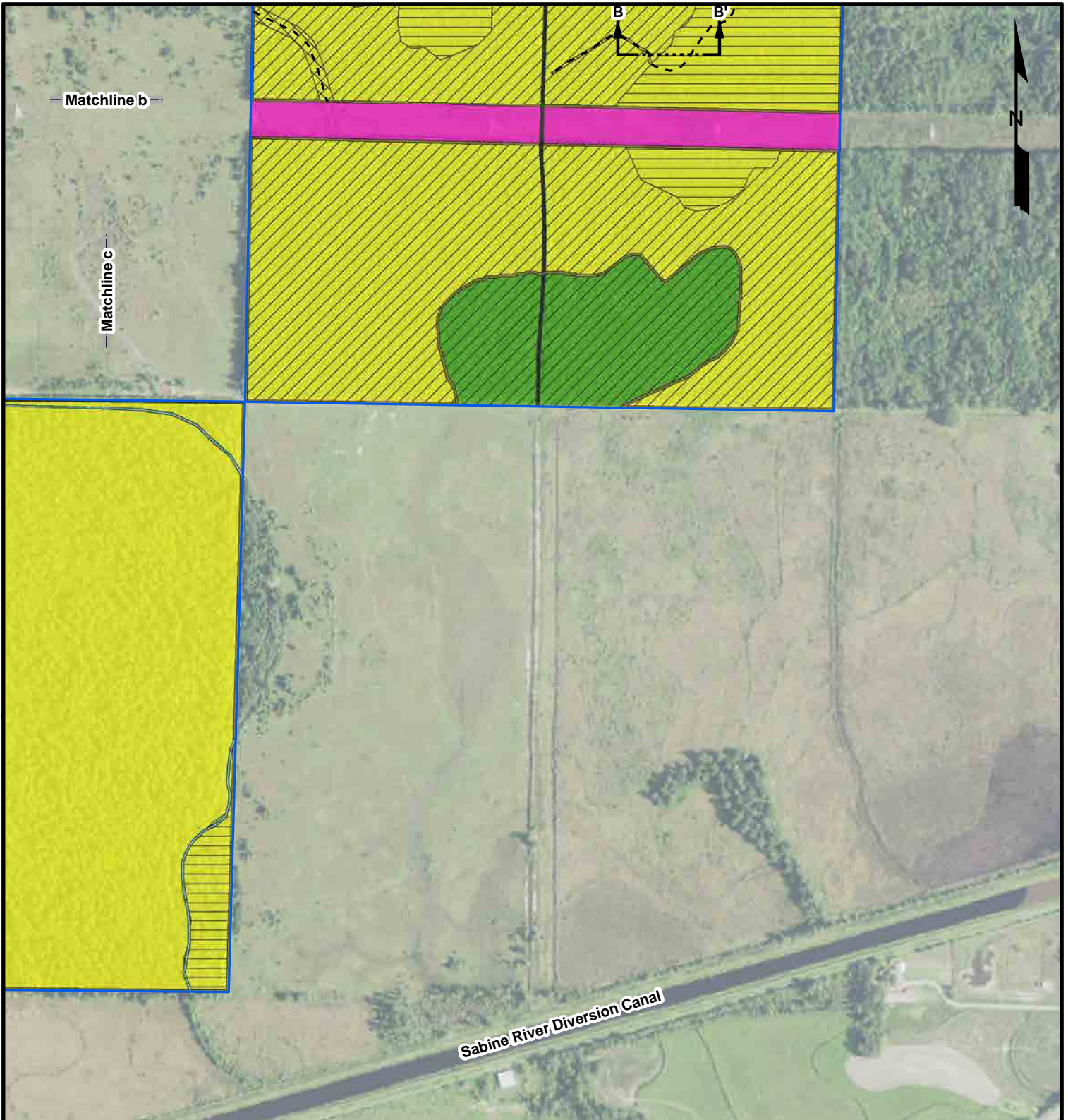
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	10/23/2018
Drawing No.	17-565-A019

**15c**  
Figure No.



**Legend**

- Bigwoods Mitigation Bank (883.4 acres)
- Longleaf Pine Savannah Re-Establishment (Filled Other Waters and Graded Levees; 5.7 acres)
- Longleaf Pine Savannah Rehabilitation (220.7 acres)
- Bottomland Hardwood Re-Establishment (Filled Other Waters and Graded Levees; 3.3 acres)
- Bottomland Hardwood Rehabilitation (81.3 acres)
- Longleaf Pine Savannah Enhancement (267.9 acres)
- Bottomland Hardwood Enhancement (46.1 acres)
- Longleaf Pine Upland Restoration (163.2 acres)
- Hardwood Upland Restoration (19.2 acres)
- Remaining Other Waters of the U.S. (6.0 acres)
- Filled Other Waters
- Fire Lanes (9.5 acres)
- Existing Roads (4.0 acres)
- Remnant Agricultural Levees to Remain (0.5 acre)
- Existing Easements (56.0 acres)
- Remnant Agricultural Levees to Remain within Drainage Easement

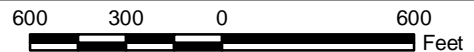
Source: Base map comprised of 2017 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

**Restoration Site Plan**

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

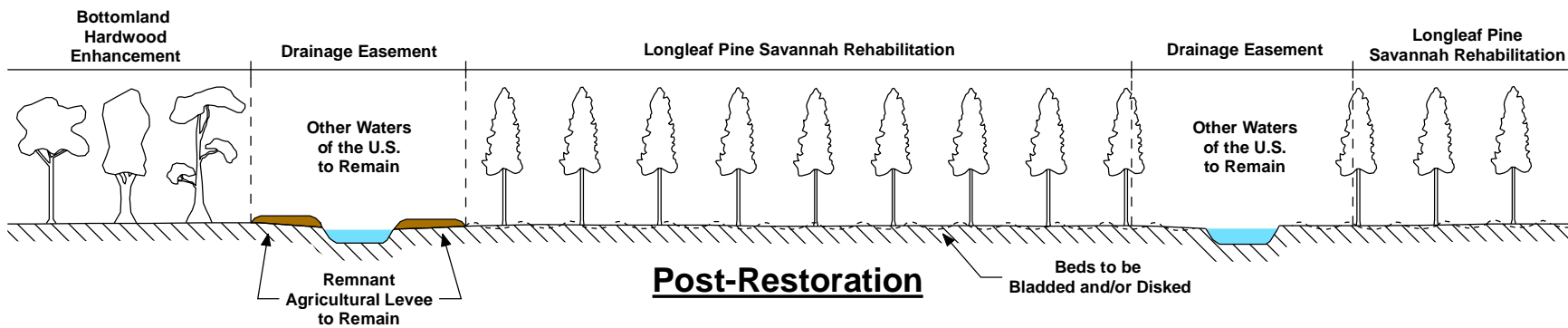
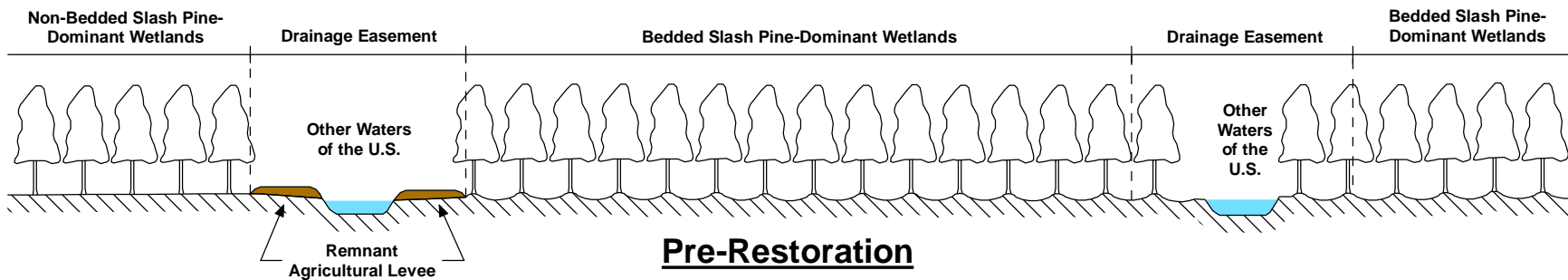
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	CEJ
Date	10/23/2018
Drawing No.	17-565-A019

**15d**  
Figure No.

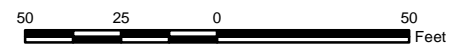


## Cross Section A-A'

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

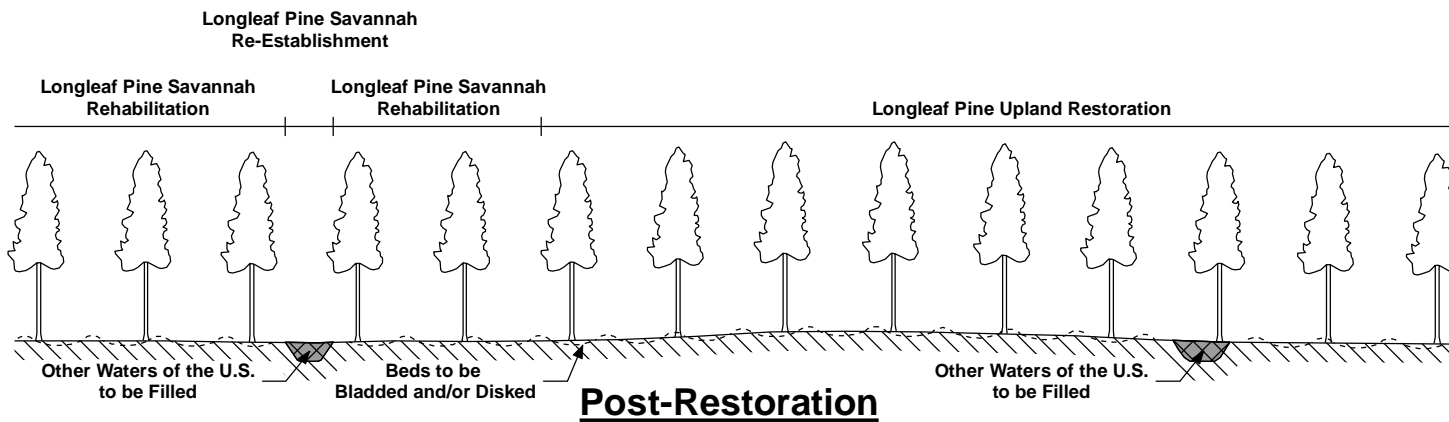
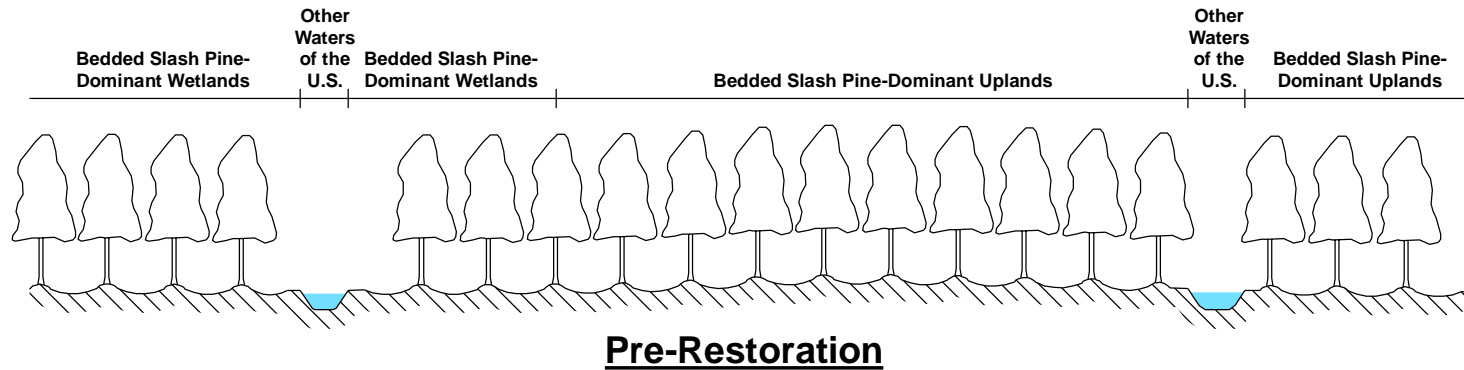
Bigwoods Mitigation Bank



**MATRIX** **NEWORLD**  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/24/2018
Drawing No.	17-565-A020

**16**  
Figure No.

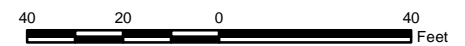


## Cross Section B-B'

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

### Peace River Mitigation, LLC

Bigwoods Mitigation Bank

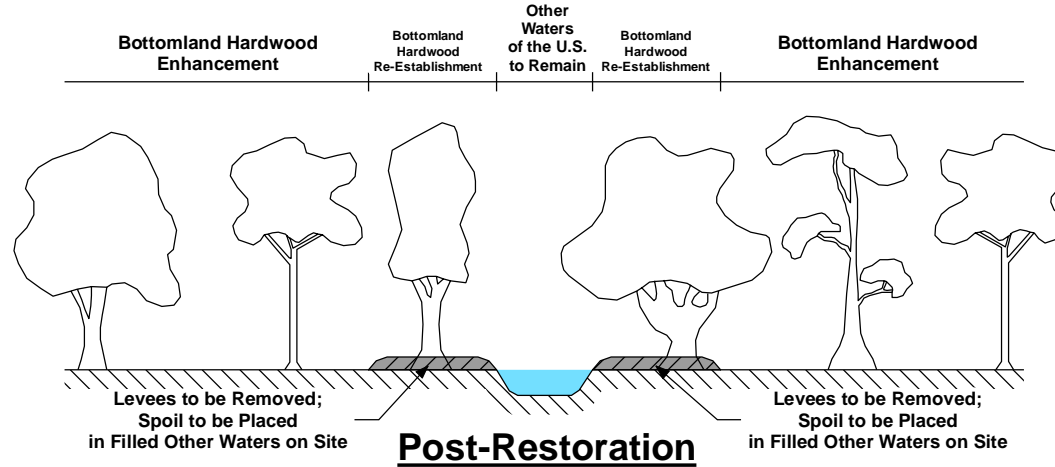
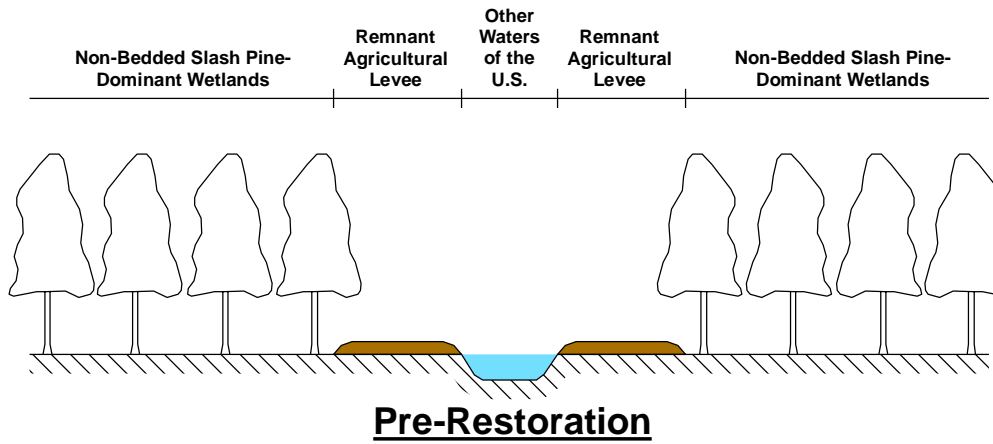


**MATRIX** **NEWORLD**  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/24/2018
Drawing No.	17-565-A021

17

Figure No.

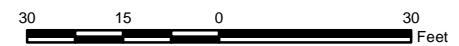


## Cross Section C-C'

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

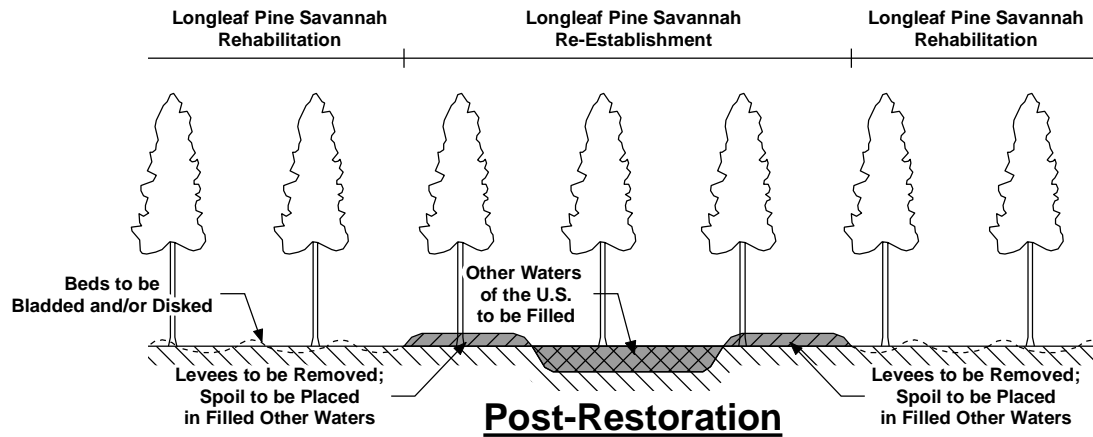
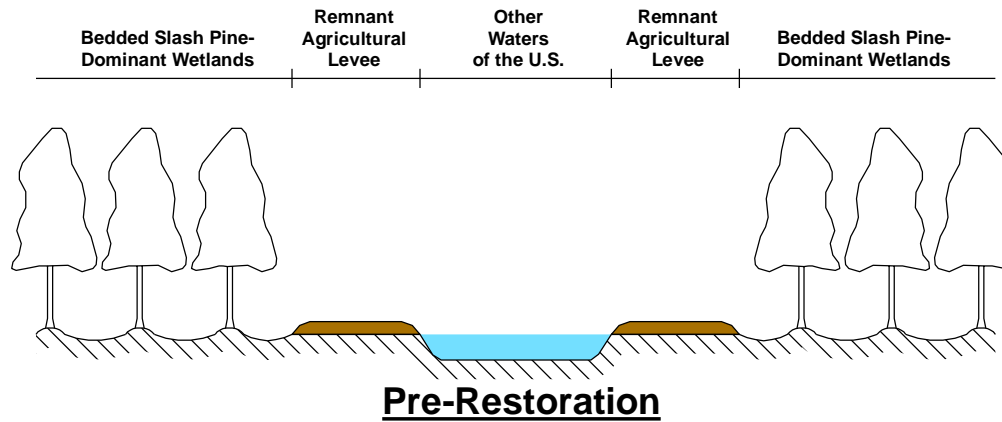
Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/24/2018
Drawing No.	17-565-A022

**18**  
Figure No.

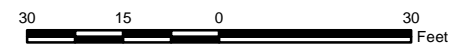


### Cross Section D-D'

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

### Peace River Mitigation, LLC

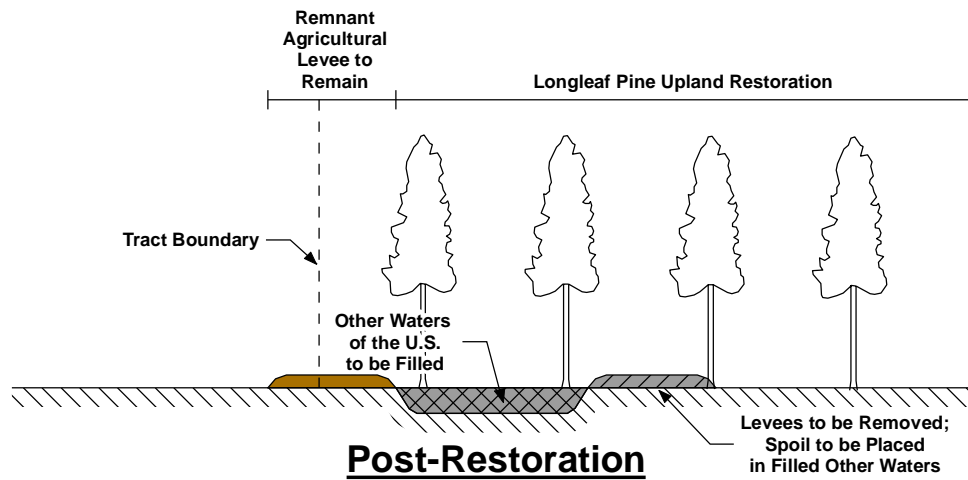
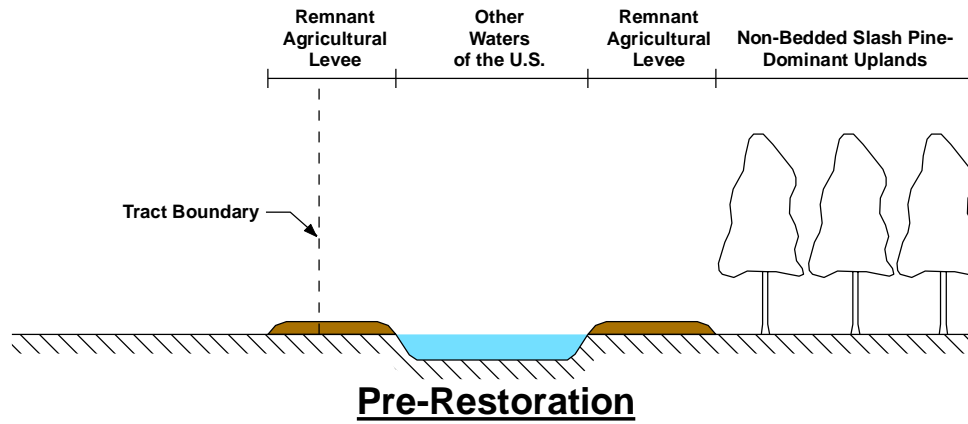
Bigwoods Mitigation Bank



**MATRIX** **NEWORLD**  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/24/2018
Drawing No.	17-565-A023

**19**  
Figure No.

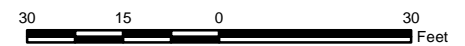


## Cross Section E-E'

Mitigation Bank Prospectus  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank

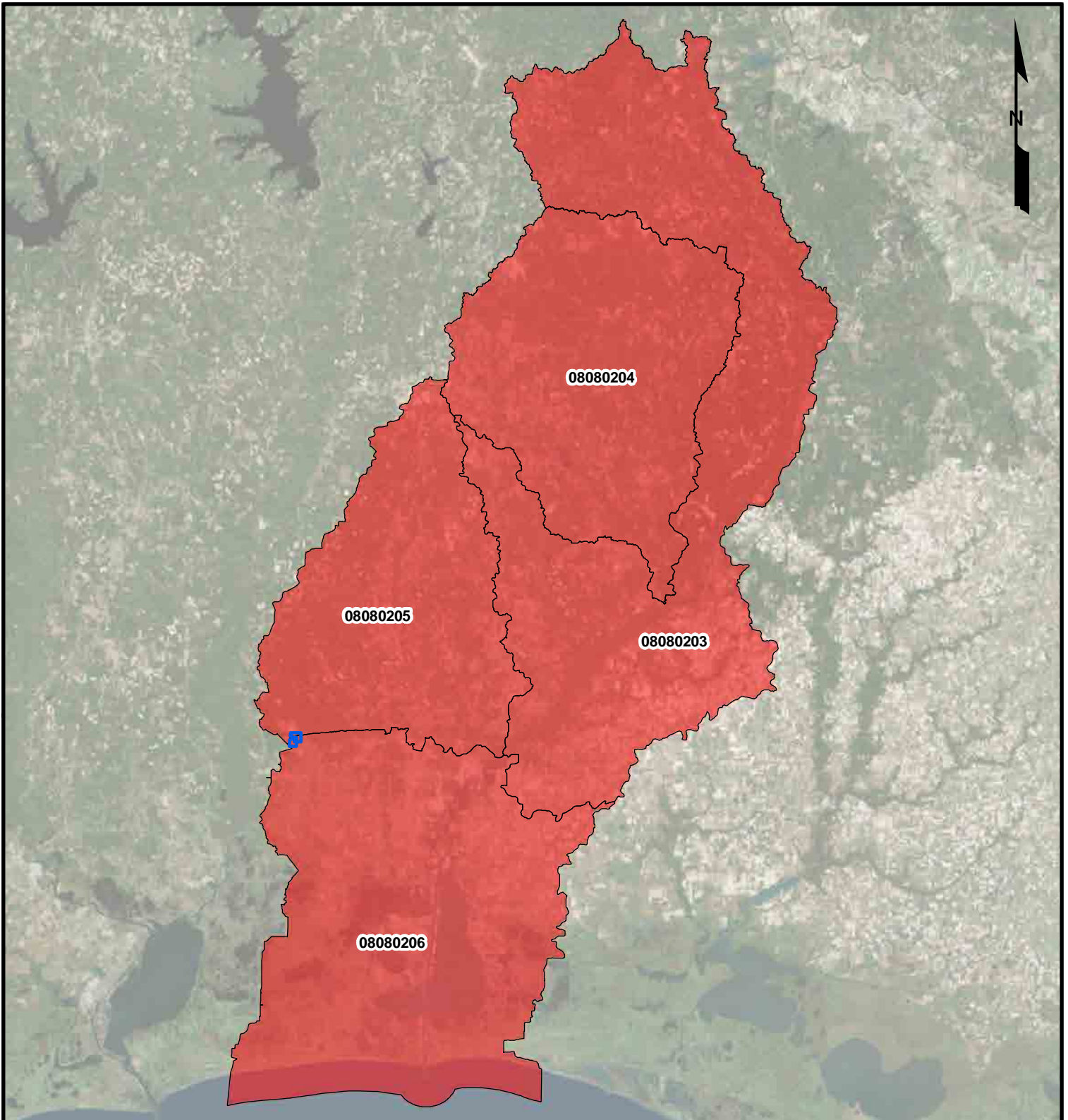


**MATRIX** **NEWORLD**  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/24/2018
Drawing No.	17-565-A024

**20**  
Figure No.





**Legend**

- Bigwoods Mitigation Bank (883.4 acres)
- Service Area (Calcasieu Basin)
- Hydrologic Unit Boundary

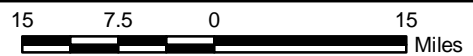
**Source:** Base map comprised of ESRI World Imagery. Hydrologic Unit boundaries obtained from the Watershed Boundary Dataset (USDA-NRCS/USGS/EPA).

**Service Area Map**

**Mitigation Bank Prospectus**  
Calcasieu Parish, Louisiana

**Peace River Mitigation, LLC**

Bigwoods Mitigation Bank



**MATRIX**NEWORLD  
Engineering Progress

Drawn By	CET
Approved By	LAW
Date	10/23/2018
Drawing No.	17-565-A025

**21**  
Figure No.

**APPENDIX A**

**PRELIMINARY JURISDICTIONAL DETERMINATION**



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT  
7400 LEAKE AVE  
NEW ORLEANS LA 70118-3651

March 4, 2019

Operations Division  
Surveillance and Enforcement Section

Mr. Lee Womack  
Matrix New World  
4451 Bluebonnet Blvd  
Baton Rouge, Louisiana 70809

Dear Mr. Womack:

Reference is made to your request, on behalf of Peace River Mitigation LLC, for a U.S. Army Corps of Engineers' (Corps) jurisdictional determination on property located in Sections 9, 10, 15 and 16, Township 9 South, Range 12 West, Calcasieu Parish, Louisiana (enclosed map). Specifically, this property is identified as approximately 900 acres southwest of Big Woods Starks Road, northeast of No Seven Road, and north of the Sabine River Diversion Canal near Big Woods.

Based on review of recent maps, aerial photography, and soils data, we have determined that part of the property is wetland and may be subject to Corps' jurisdiction. The approximate limits of the wetland are designated in red on the map. A Department of the Army (DA) permit under Section 404 of the Clean Water Act will be required prior to the deposition or redistribution of dredged or fill material into wetlands that are waters of the United States. Additionally, a DA permit will be required if you propose to deposit dredged or fill material into non-wetland waters subject to Corps' jurisdiction. Non-wetland waters that may be subject to Corps' jurisdiction are indicated in blue on the map.

You and your client are advised that this preliminary jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision prior to the expiration date. Additionally, this determination is valid for the identified client only and is not to be used for decision-making by any other individual or entity.

Should there be any questions concerning these matters, please contact Dr. Rosie Schwamenfeld at (337) 291-3045 and reference our Account No. MVN-2013-02190-1-SR. If you have specific questions regarding the permit process or permit applications, please contact our Western Evaluation Section at (504) 862-2261.

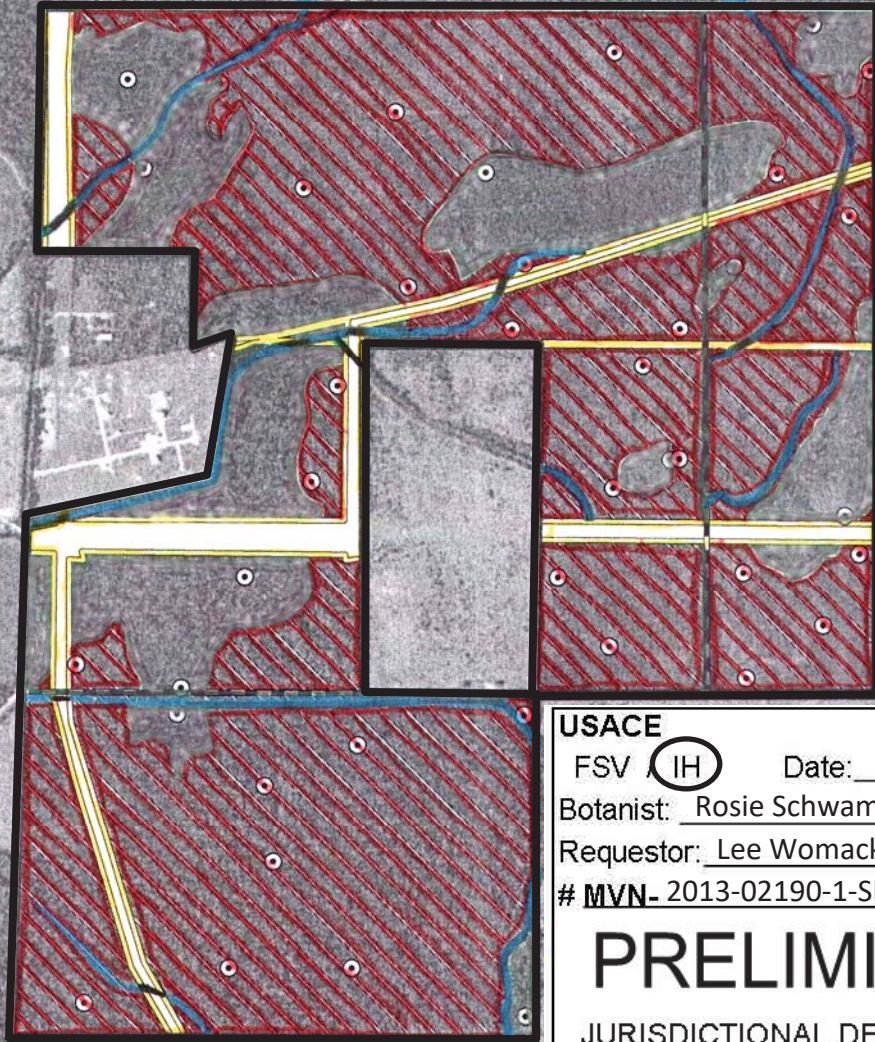
Sincerely,  
**OBERLIES.BRIAN.MC**  
**INNIS.1230779739**

Digitally signed by OBERLIES.BRIAN.MC  
INNIS.1230779739  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA, cn=OBERLIES.BRIAN.MC  
INNIS.1230779739  
Date: 2019.03.04 10:38:09 -06'00'

for Martin S. Mayer  
Chief, Regulatory Branch

Enclosures

**PRELIMINARY  
JURISDICTIONAL DETERMINATION**



**USACE**  
FSV IH Date: 2-20-19  
Botanist: Rosie Schwamenfeld  
Requestor: Lee Womack  
# MVN- 2013-02190-1-SR

**PRELIMINARY**  
JURISDICTIONAL DETERMINATION

- Legend**
- Sample Location
  - Roads
  - Nonwetland Waters
  - Right Of Way *Not A Part*
  - ▨ Wetlands
  - ▭ Review Area

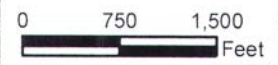


Figure 2  
SITE PLAN  
BIG WOODS MITIGATION BANK  
CALCASIEU PARISH, LOUISIANA  
Weyerhaeuser NR Company

RE: ESRI World Imagery (2011).

Source: E  
Getmapp  
Community

**PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM**

**BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR PJD:** 3/4/19

**B. NAME AND ADDRESS OF PERSON REQUESTING PJD:**

Lee Womack, Matrix New World  
4451 Bluebonnet Blvd, Baton Rouge, LA 70809

**C. DISTRICT OFFICE, FILE NAME, AND NUMBER:** MVN-2013-02190-1-SR

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:**

**(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)**

State: Louisiana County/parish/borough: Calcasieu City:

Center coordinates of site (lat/long in degree decimal format):

Lat.: 30.2818 ° Long.: -93.5979 °

Universal Transverse Mercator:

Name of nearest waterbody: unnamed tributaries

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

Office (Desk) Determination. Date: 2-20-19

Field Determination. Date(s):

**TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.**

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
			640.1 acres	wetland	404
			19,980 feet	nonwetland water	404

**SUPPORTING DATA. Data reviewed for PJD (check all that apply)**

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:  
Map: \_\_\_\_\_.
- Data sheets prepared/submitted by or on behalf of the PJD requestor.
  - Office concurs with data sheets/delineation report.
  - Office does not concur with data sheets/delineation report. Rationale: \_\_\_\_\_.
- Data sheets prepared by the Corps: \_\_\_\_\_.
- Corps navigable waters' study: \_\_\_\_\_.
- U.S. Geological Survey Hydrologic Atlas: \_\_\_\_\_.
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24000 Lunita.
- Natural Resources Conservation Service Soil Survey. Citation: NRCS wss.
- National wetlands inventory map(s). Cite name: \_\_\_\_\_.
- State/local wetland inventory map(s): \_\_\_\_\_.
- FEMA/FIRM maps: 1% and 0.2% annual flood hazard zones.
- 100-year Floodplain Elevation is: \_\_\_\_\_. (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): CIR: 98,04,08,10,13.  
or  Other (Name & Date): google earth pro.
- Previous determination(s). File no. and date of response letter: 2013-02190-1-SR (12-17-13).
- Other information (please specify): lidar.

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

SCHWAMENFELD.ROS  
E.ELLEN  
PALUMBO.1388591702

Digitally signed by SCHWAMENFELD.ROSE ELLEN  
PALUMBO.1388591702  
DN: c=US, o=U.S. Government, ou=DAD, ou=PKI,  
ou=USA, cn=SCHWAMENFELD.ROSE ELLEN  
PALUMBO.1388591702  
Date: 2019.02.20 15:04:10 -0600

Signature and date of  
Regulatory staff member  
completing PJD

requested by mail  
Signature and date of  
person requesting PJD  
(REQUIRED, unless obtaining  
the signature is impracticable)<sup>1</sup>

<sup>1</sup> Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Peace River Mitigation, LLC	File Number: MVN-2013-02190-1-SR	Date: 3/4/19
Attached is:		See Section below
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input checked="" type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.



**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Brad Guarisco  
Chief, Surveillance & Enforcement Section  
U.S. Army Corps of Engineers  
7400 Leake Avenue  
New Orleans, LA 70118  
504-862-2274

If you only have questions regarding the appeal process you may also contact:

Kyle Gordon  
Administrative Appeals Review Officer  
Mississippi Valley Division  
P.O. Box 80 (1400 Walnut Street)  
Vicksburg, MS 39181-0080  
601-634-5820 FAX: 601-634-5816

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number: