

JOINT PUBLIC NOTICE

November 18, 2019

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
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New Orleans, LA. 70118

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MVN-2015-01600-MB

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WQC Application Number
WQC # 171011-04

Interested parties are hereby notified that a prospectus and permit application has been received by the New Orleans District of the U.S. Army Corps of Engineers pursuant to: [X] 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).

CHAROLAIS RANCH MITIGATION BANK IN ST. JOHN THE BAPTIST PARISH

NAME OF APPLICANT: Michael & Cheryl Torres, c/o Trinity Mitigation Services, LLC, Attn: Chris Trepagnier, 331 Girod Street, Mandeville, Louisiana, 70448.

LOCATION OF WORK: The site is located in Sections 7, 8, 75 and 95, T11S, R7E, westerly of LaPlace, Louisiana in St. John the Baptist Parish, as shown on enclosed drawings (Latitude: 30.0785 N, Longitude: -90.51764 W). The Project is located in U.S.G.S. HUC 08070204 in the Lake Pontchartrain Basin.

CHARACTER OF WORK: The project was previously advertised by public notice on October 16, 2017. This public notice incorporates additional acreage not previously included. The proposed bank property totals approximately 226.8 acres of agricultural fields (cattle grazing and hay production), open water (municipal canal, agricultural ditches, and pond), and existing forest. The applicant/sponsor proposes the re-establishment of 82.1 acres and rehabilitation of 10.9 acres of bottomland hardwood wetlands and preservation of 131.0 acres of existing forested wetlands. Aspects of the proposed restoration plan include backfilling agricultural field ditches and grading an existing road to restore surface hydrology, construction of a berm along an existing municipal canal to promote sheetflow, and planting appropriate vegetation. Specific details of the proposed restoration plan can be found in the attached prospectus.

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.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, 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 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.

The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

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

Martin S. Mayer
Chief, Regulatory Branch

Enclosure

PROSPECTUS FOR THE PROPOSED
CHAROLAIS RANCH MITIGATION BANK
ST. JOHN THE BAPTIST PARISH, LOUISIANA

September 2019

SUBMITTED BY:

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AND

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1.0 INTRODUCTION

Michael Torres, Cheryl Torres, and Pat McTopy are submitting this prospectus in accordance with 33 CFR 332.8(d)(2). The proposed name of the mitigation bank is the Charolais Ranch Mitigation Bank (CRMB). The property currently supports 226.8 acres of wet pasture, upland hardwoods, upland pasture, agricultural ditches, and bottomland hardwoods. The purpose of the CRMB is to re-establish, rehabilitate, and preserve 224.0 acres of bottomland hardwoods. Details of the proposed mitigation types are presented in Table 1.

Table 1. Proposed Mitigation

Mitigation Type	Current Habitat	Proposed Habitat	Elevation	Acres
Rehabilitation	Wet Pasture	BLH	Below 5 Feet	6.1
	Upland Hardwoods	BLH	Below 5 Feet	4.8
	Total Rehabilitation			10.9
Re-establishment	Upland Pasture	BLH	Above 5 Feet	2.7
	Upland Pasture	BLH	Below 5 Feet	76.9
	Ag. Ditches	BLH	Below 5 Feet	0.9
	Road	BLH	Below 5 Feet	1.6
	Total Re-establishment			82.1
Preservation	Bottomland Hardwoods	BLH	Below 5 Feet	131.0*
	Total Preservation			131.0
Total Rehabilitation, Restoration, and Preservation				224.0
Non-Mitigation	Access Road/Berm			0.7
	Municipal Canals			1.4
	Barn and Road			0.4
	Pond			0.3
	Total Non-Mitigation			2.8
Total Conservation Servitude				226.8

* Physical acreage to be preserved; however, preservation credits should be calculated as half of the total rehabilitation and re-establishment acreage. Therefore, the allowable preservation acreage would be 46.5 acres ($93/2 = 46.5$).

The proposed CRMB is located adjacent to the existing Belle Pointe Coastal Mitigation Bank (BPCMB) and would be used as compensatory mitigation for the unavoidable impacts associated with Department of the Army and Louisiana Department of Natural

Resources Permits. The following prospectus summarizes the mitigation potential of the CRMB property.

1.1 Site Location

The proposed CRMB is located on a 226.8-acre tract near the city of Laplace in St. John the Baptist Parish, Louisiana. The property is located in Sections 7, 8, 75, and 95, Township 11 South and Range 7 East. The geographic coordinates in decimal degrees are 30.09186 and -90.52378 (Figures 1 and 2).

St. John the Baptist Parish has a humid, subtropical climate characterized by relatively high rainfall (average 60 inches per year). The average daily maximum temperature is 78° F and the average daily minimum temperature is 58° F. The growing season averages 322 days (28°F; 5 years in 10) and spans from January 30 to December 18. On the average there is sunshine, warm but not excessive temperatures, a long frost-free season, and abundant precipitation with high atmospheric humidity (USDA 2009).

The proposed CRMB is located in recent Mississippi Valley Alluvium in the backswamps that are associated with natural levees. The CRMB is located near the Mississippi River and the Maurepas Swamp. Elevation ranges from less than -2 feet North American Vertical Datum (NGVD) to greater than +5 feet NGVD. The majority of the property lies between -2 and +4 feet NGVD (Figure 3).

Currently the southern portion of the site is being used for agricultural purposes (cattle grazing and hay production). The northern portion is a mature bottomland hardwood forest. Land use on the property, and within a 1-mile radius, is presented in Figure 4.

1.2 Ownership and Sponsorship

Michael Torres, Cheryl Torres, and Pat McTopy are the owners of the proposed bank property and will serve as the Sponsors assuming long-term management of the site. Addresses for the Owners/Sponsors are listed in Section 6.1.

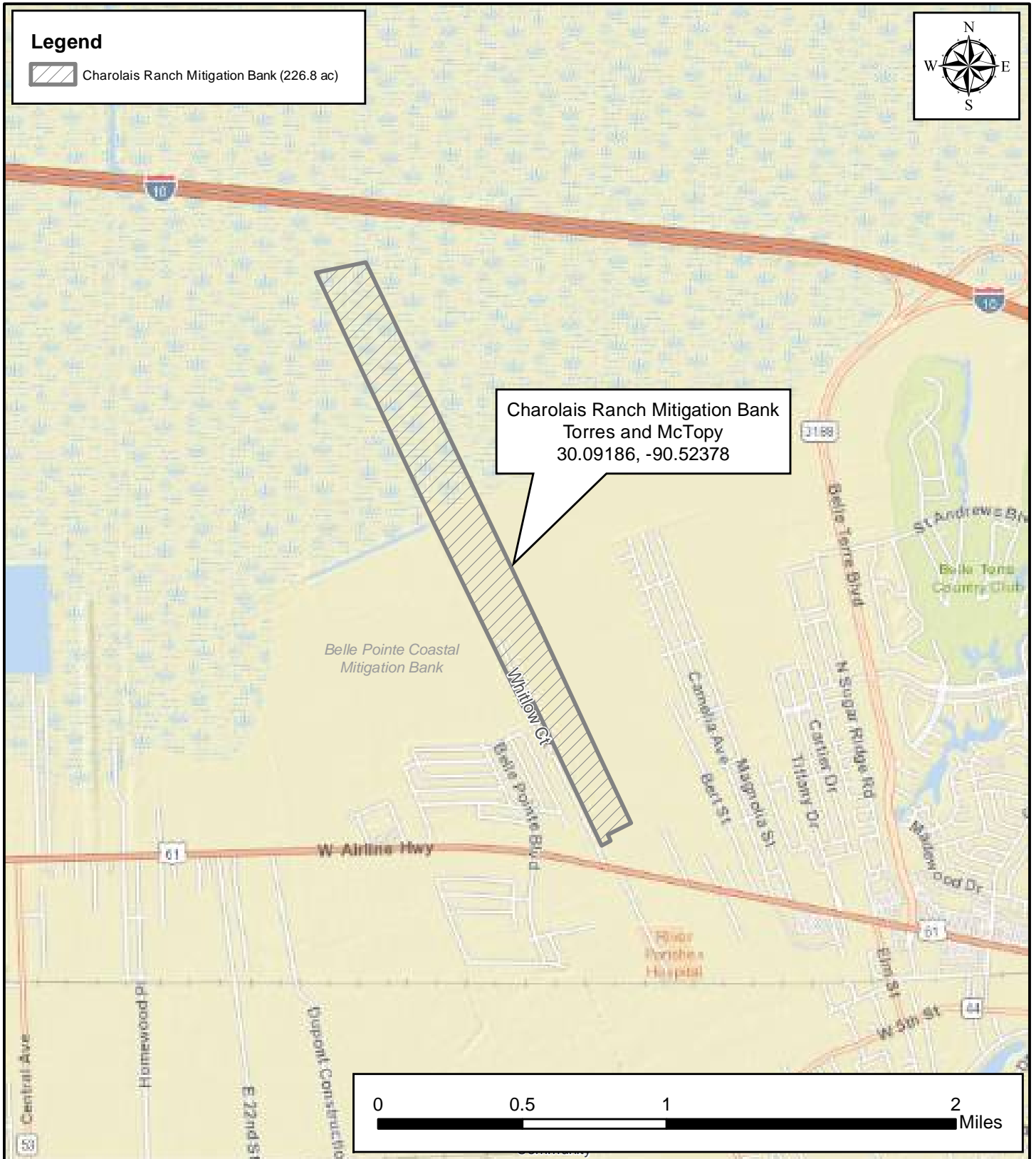
1.3 Driving Directions

From New Orleans take Interstate 10 West. Exit Belle Terre Boulevard (Highway 3188) South. Take 3188 South to US Route 61 (Airline Highway). Take US Route 61 West for approximately one mile (see Figure 1). The CRMB is located on the north side of US Route 61 behind the Torres residence.

2.0 PROJECT GOALS AND OBJECTIVES

The goal of the CRMB is to re-establish and rehabilitate 93.0 acres of a bottomland hardwood system and preserve 131.0 acres of an existing mature bottomland hardwood forest within the 226.8 acre tract (Figure 5). The property is entirely within USGS Hydrologic Unit Code 08070204 (see Figure 3) which designates that the proposed mitigation bank lies within cataloging unit 04, accounting unit 02, and sub-region unit 07 of the Lower Mississippi Region.

Figure 1. General Location of the Charolais Ranch Mitigation Bank



Trinity Mitigation Services, LLC.

Date: July 12, 2019

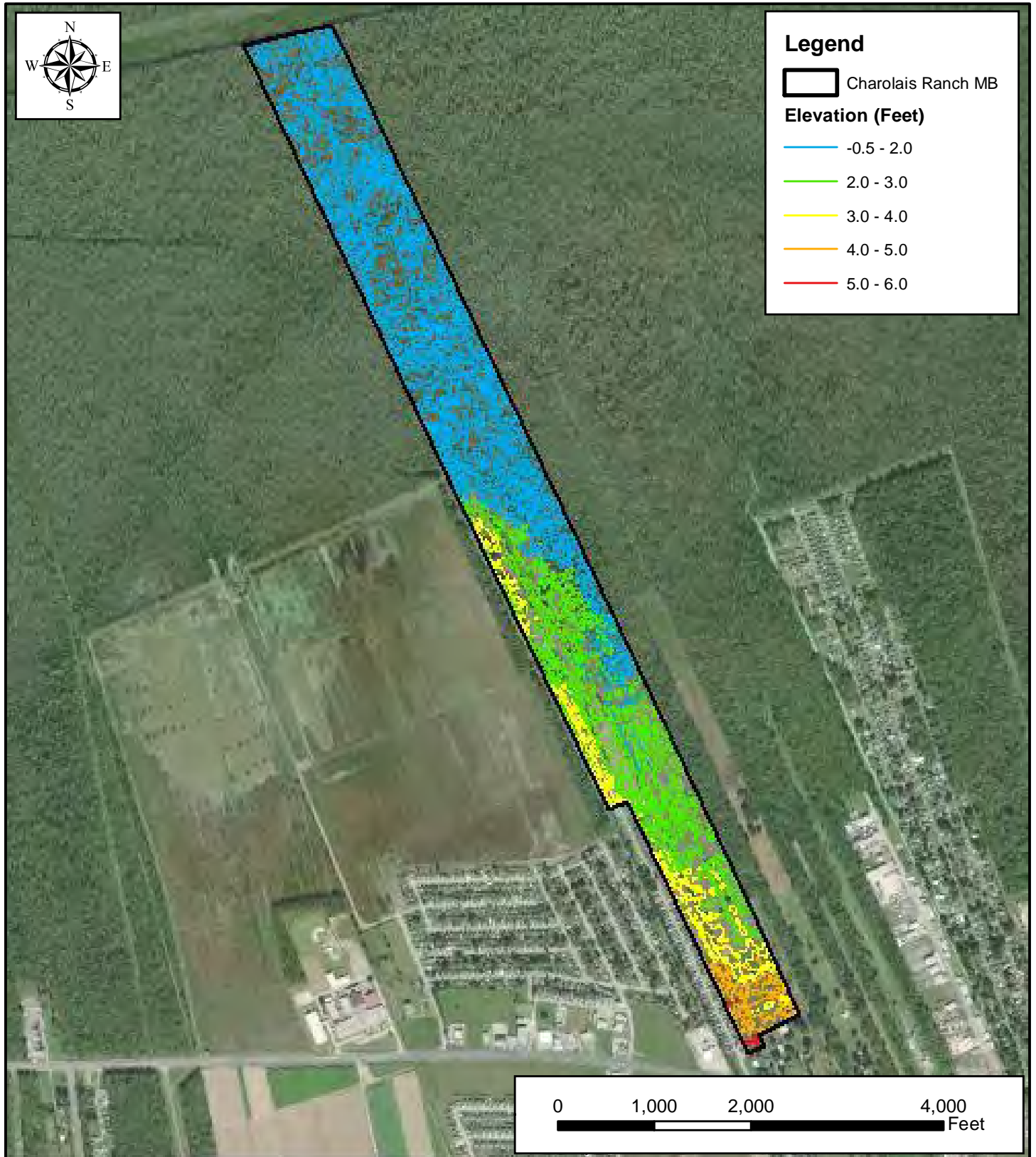
Figure 2. Location of CRMB adjacent to the BPCMB



Trinity Mitigation Services, LLC.

Date: July 12, 2019

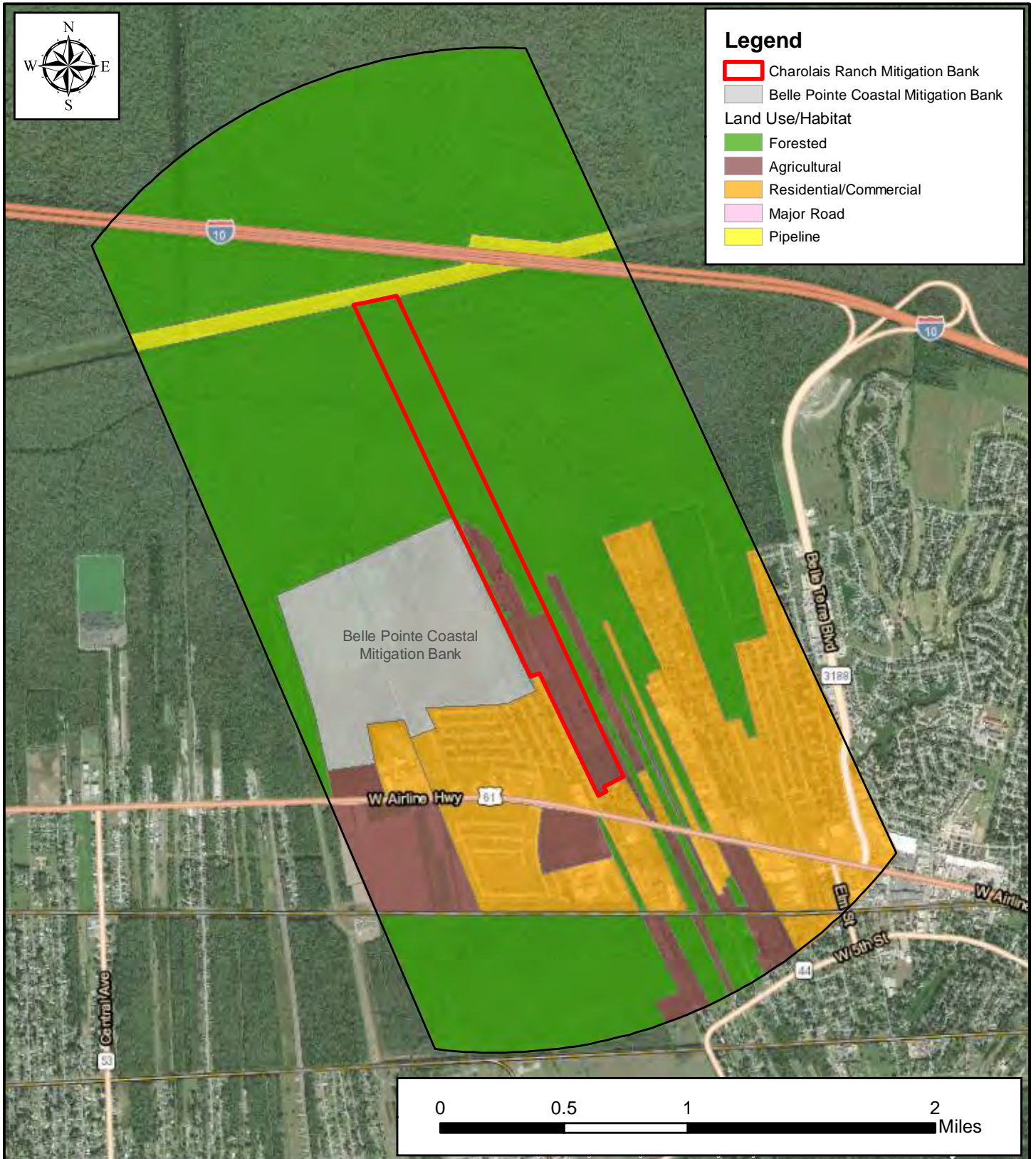
Figure 3. LIDAR-based Elevation Contours



Trinity Mitigation Services, LLC.

Date: July 12, 2019

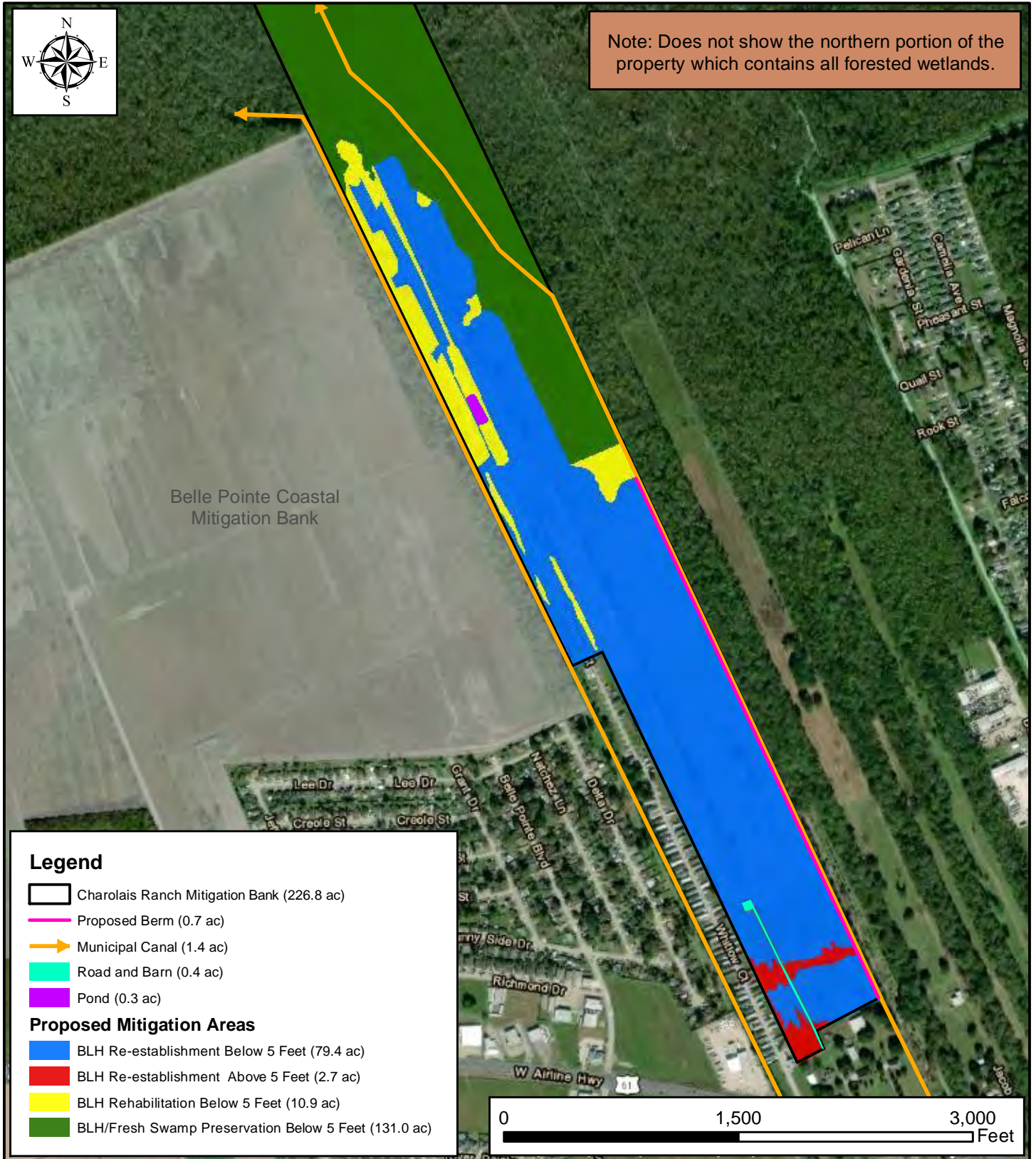
Figure 4. Land Use within 1 mile of Charolais Ranch Mitigation Bank



Trinity Mitigation Services, LLC.

Date: July 12, 2019

Figure 5. Proposed Mitigation Overview



Trinity Mitigation Services, LLC.

Date: July 12, 2019

The existing land uses and proposed mitigation types are summarized in Table 2.

Table 2. Existing Land Uses and Proposed Mitigation Types

Current Habitat	Current Land Use	Proposed Habitat	Mitigation Type	Elevation	Acres
Wet Pasture	Cattle/Hay Production	BLH	Rehabilitation	Below 5 Feet	6.1
Upland Hardwoods	None	BLH	Rehabilitation	Below 5 Feet	4.8
Total Rehabilitation					10.9
Upland Pasture	Cattle/Hay Production	BLH	Re-establishment	Above 5 Feet	2.7
Upland Pasture	Cattle/Hay Production	BLH	Re-establishment	Below 5 Feet	76.9
Ag. Ditches	Cattle/Hay Production	BLH	Re-establishment	Below 5 Feet	0.9
Road	Road	BLH	Re-establishment	Below 5 Feet	1.6
Total Re-establishment					82.1
Bottomland Hardwoods	Recreation	BLH	Preservation	Below 5 Feet	131.0
Total Preservation					131.0
Total Mitigation					224.0
Access Road	Access Road	Berm	Non-Mitigation	N/A	0.7
Municipal Canals	Municipal Canals	Municipal Canals	Non-Mitigation	N/A	1.4
Barn and Road	Barn and Road	Barn and Road	Non-Mitigation	N/A	0.4
Pond	Pond	Pond	Non-Mitigation	N/A	0.3
Total Non-Mitigation					2.8
Total Conservation Servitude					226.8

2.1 Objectives

The successful re-establishment and rehabilitation of a bottomland hardwood system will provide additional wetland functions and values not currently provided under the current land use. Hence, the objectives of the CRMB are to increase water quality and flood storage and to improve wildlife habitat. Establishment of the CRMB will restore and re-establish the unique wetland functions and values associated with a functioning bottomland hardwood ecosystem.

The following site improvements will further the objectives of the CRMB:

- Backfill 0.9 acres of interior agricultural ditches to restore natural hydrology to the upland hardwood areas and promote natural overland sheet flow
- Level and grade 1.6 acres of an existing road allowing natural overland sheet flow to help restore natural hydrology

- Place a 0.7 acre berm (± 1 ft. tall) on top of the existing access road and along the existing eastern municipal canal to prevent sheet flow from entering the municipal ditch; thus encouraging natural sheet flow north to the Maurepas Swamp
- Remove livestock from the property thereby improving water quality
- Re-establish and rehabilitate native bottomland hardwoods by planting 93.0 acres with native species indicative of historic bottomland hardwood forest
- Preserve 131.0 acres of existing bottomland hardwoods
- Provide long-term maintenance to prevent colonization of noxious and invasive species
- Provide long-term protection through the execution a conservation servitude to ensure perpetual existence of the site

3.0 ECOLOGICAL SUITABILITY OF THE SITE

The area encompassing the proposed CRMB was historically a functioning bottomland hardwood forest, however clearing, ditching for drainage purposes, and its use for agricultural production altered the once functioning wetland. It is anticipated that removal of the agricultural ditches and planting of native bottomland hardwood species will return the property to a fully functioning bottomland hardwood system. When considering the existing site characteristics, it is highly likely that the proposed mitigation bank will be successful.

3.1 Historical Ecological Characteristics of the Site

Historically, the area encompassing the proposed mitigation bank was a functioning bottomland hardwood forest that drained naturally via gravity drainage into Maurepas Swamp and eventually into Lake Maurepas (Figures 6 and 7). In the 1960s portions of the area encompassing the property was cleared and ditched for agricultural purposes, mainly livestock production. Cattle and hay production presently constitute the main activity on the property.

3.2 Current Ecological Characteristics of the Site

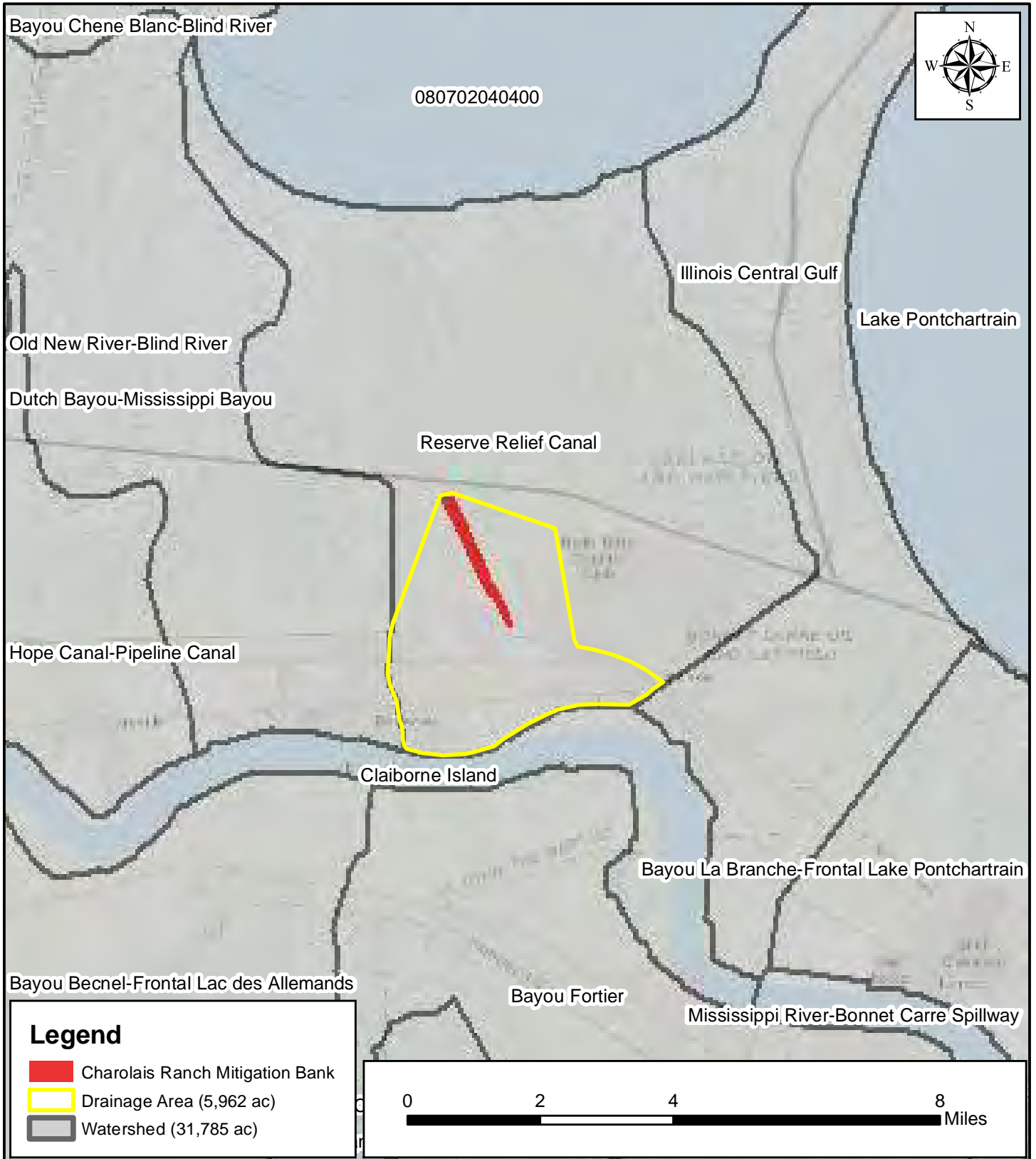
3.2.1 Soils

Soils within the property are mapped as Schriever clay (Sm and SkA), Barbary (Ba), and Gramercy (GrA). The majority of the soils have a hydric rating of 98% or higher (Figure 8). Field observations found soil characteristics similar to the above-mentioned soil series description from NRCS (2009).

3.2.2 Vegetation

The northern portion of the property consist primarily of bottomland hardwood forest. Dominant species observed in the forested areas included water oak (*Quercus nigra*), willow oak (*Quercus phellos*), sugarberry (*Celtis laevigata*), green ash (*Fraxinus pennsylvanica*), sedges (*Carex* spp.), bulrush (*Scirpus* spp.), rice cut grass (*Leersia oryzoides*), lizard's-tail (*Saururus cernuus*), and eastern poison-ivy (*Toxicodendron radicans*).

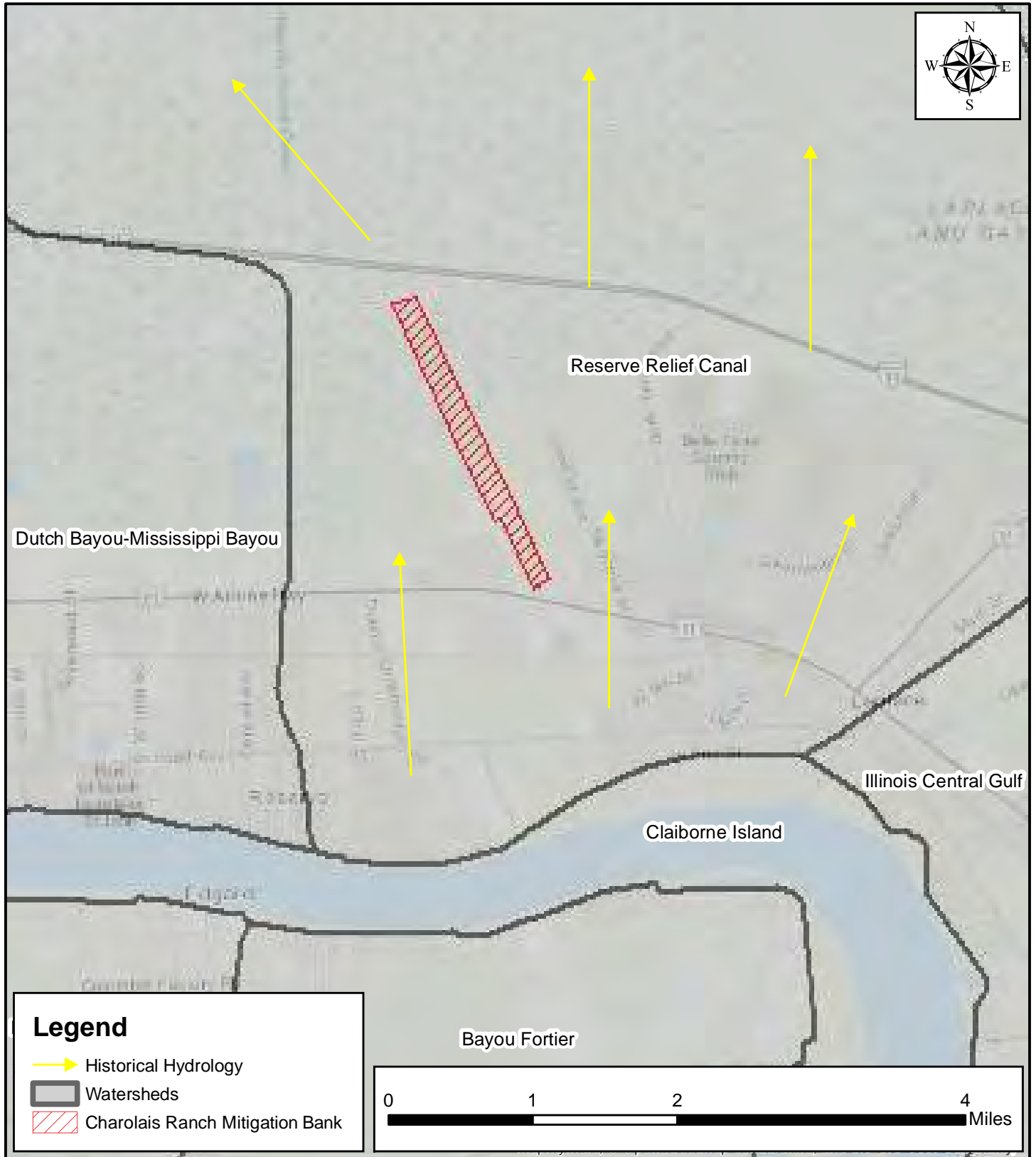
Figure 6. Drainage Area within the Reserve Relief Canal Watershed



Trinity Mitigation Services, LLC.

Date: July 12, 2019

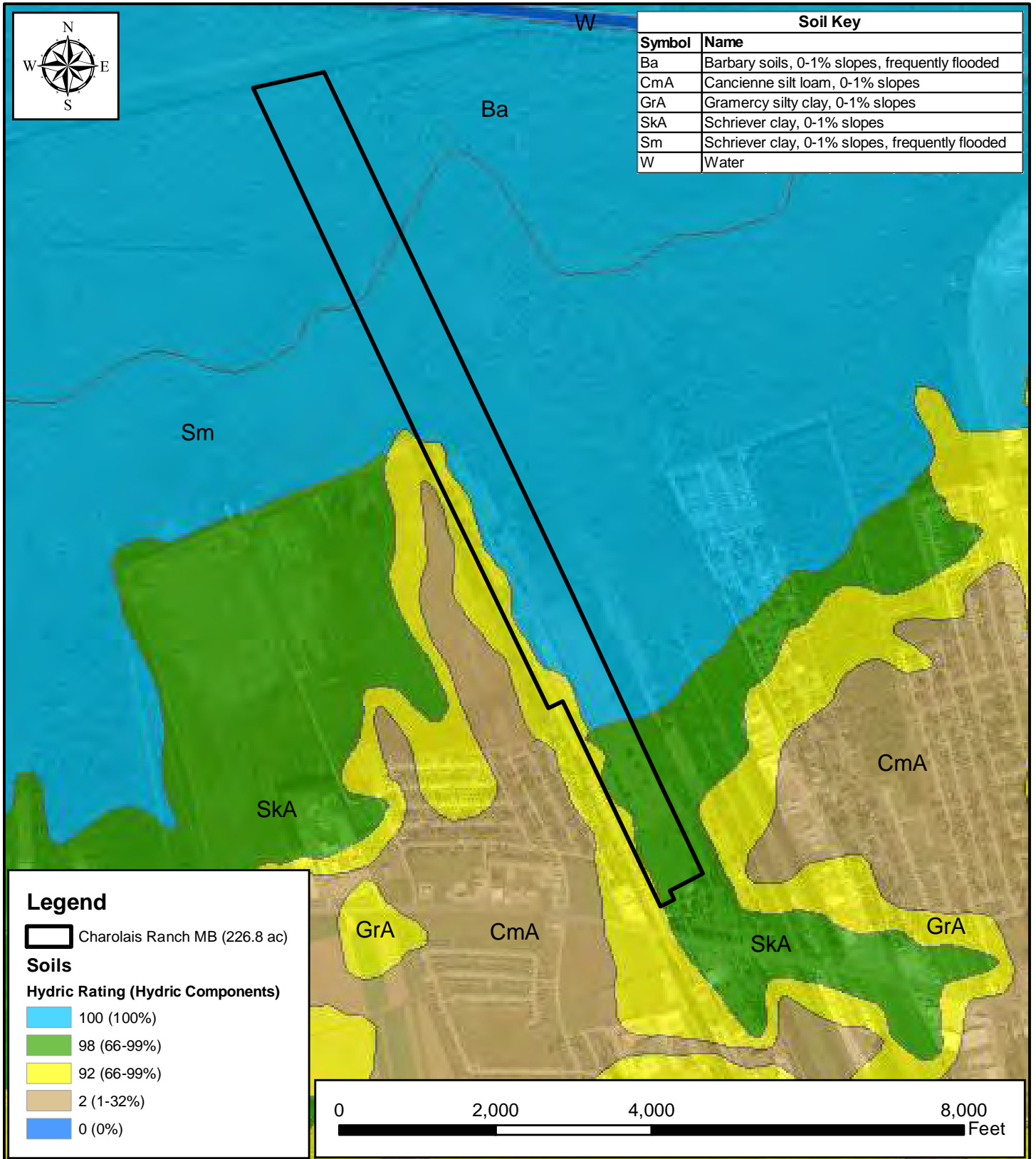
Figure 7. Historical Hydrology and Drainage Patterns



Trinity Mitigation Services, LLC.

Date: July 5, 2019

Figure 8. Soils Map



Trinity Mitigation Services, LLC.

Date: June 19, 2019

The southern portion of the property is agriculture/pasture (cattle/hay). Dominant vegetation consists of Bermuda grass (*Cynodon dactylon*), bahia grass (*Paspalum notatum*), ironweed (*Veronia gigantean*), bull thistle (*Cirsium vulgare*), white clover (*Trifolium repens*), dwarf palmetto (*Sabal minor*), umbrella sedge (*Fuirena* spp.), spike rush (*Eleocharis* spp.), Chinese tallowtree (*Triadica sebifera*), alligator-weed (*Alternanthera philoxeroides*), yellow thistle (*Cirsium horridulum*), and lamp rush (*Juncus effuses*).

3.2.3 Hydrology

The proposed CRMB is located within the Pontchartrain Basin. The Pontchartrain Basin consists of 5,072,541.3 acres. The contributing drainage area associated with the proposed mitigation bank is the Reserve Relief Canal Watershed. The Reserve Relief Canal Watershed consists of 31,785 acres and the sub-drainage area consists of 5,962 acres (see Figure 6).

Water within the southern portion of the property (pasture area) drains north via shallow tertiary agricultural ditches into secondary agricultural ditches which flow east into a single primary drainage canal which flows in a northerly direction into the existing bottomland hardwood forest area associated with Maurepas Swamp and eventually into Lake Maurepas (Figure 9).

3.3 Jurisdictional Determination

Deep South Mitigation, LLC prepared and submitted a wetland delineation to the U.S. Army Corps of Engineers (USACE), New Orleans District, Surveillance and Enforcement Section on September 9, 2015. A jurisdictional determination was issued on October 1, 2015, and is attached as Appendix A.

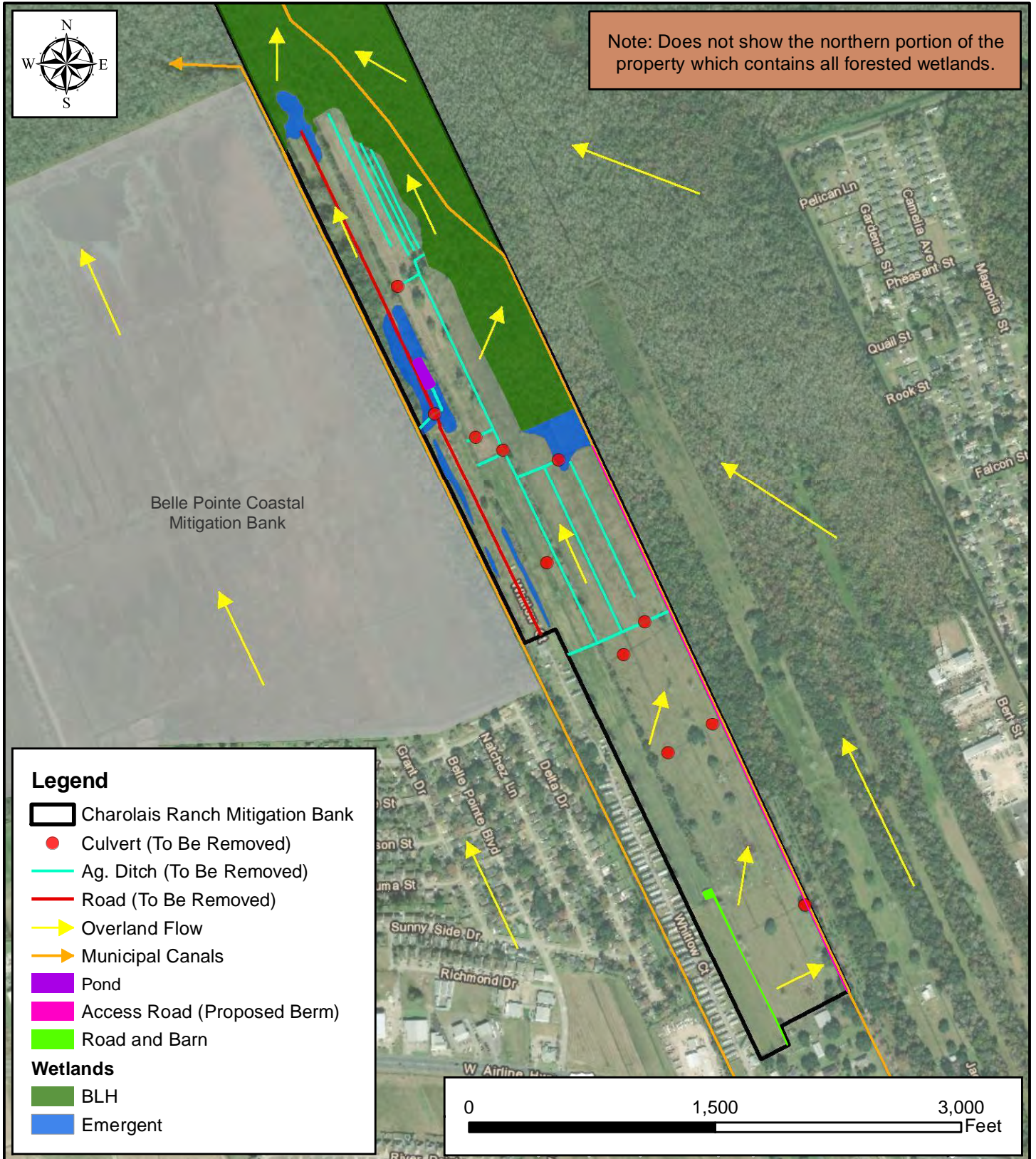
Based on comments received from the Mitigation Banking Review Team (MBRT), additional property was incorporated so that the proposed CRMB now abuts the Belle Pointe Coastal Mitigation Bank. Trinity Mitigation Services, LLC prepared and submitted a wetland delineation and jurisdictional determination request for the newly incorporated property to the USACE, New Orleans District on May 9, 2019. A jurisdictional determination has not been issued at this date.

Based on these delineation efforts, it was determined that the proposed CRMB supports other waters of the U.S., including wetlands (Figure 10).

3.4 General Need for the Project in this Area

The proposed CRMB is located within United States Geological Survey (USGS) Cataloging Unit 08070204 which includes portions of Ascension, Assumption, Livingston, St. John the Baptist, and Tangipahoa Parishes (Figures 11 and 12).

Figure 9. Existing Hydrology (Pre-construction)



Trinity Mitigation Services, LLC.

Date: September 25, 2019

Figure 10. Wetland Delineation



Trinity Mitigation Services, LLC.

Date: June 27, 2019

Figure 11. Hydrologic Units near the Charolais Ranch Mitigation Bank



Trinity Mitigation Services, LLC.

Date: June 19, 2019

Figure 12. Watershed Basins near the Charolais Ranch Mitigation Bank



Trinity Mitigation Services, LLC.

Date: June 19, 2019

Currently there are 23 active banks located in the Pontchartrain Basin, however the amount of credits currently available in these banks may not be sufficient to meet expected demand in the coming years. Additionally, the proposed CRMB is located within the Louisiana Coastal Zone and, as such, can be used to compensate for impacts to coastal resources under Coastal Use Permits issued by the Louisiana Department of Natural Resources, Office of Coastal Management.

It is anticipated that numerous pipelines will be constructed across the service areas of the proposed CRMB in the not-to-distant future as the demand for domestic oil increases. A recent Times-Picayune article predicted that the southern US, including Louisiana, will see nearly \$500 billion in spending on oil and gas related infrastructure over the next decade (Larino 2014). This article corroborates recent discussions with oil and gas companies that indicate the continued need for mitigation banks in the proposed service areas related to planned oil and gas activity in the future. Additional demand for mitigation in the service areas is likely to come from local, state, and federal governments related to hurricane protection in southeast Louisiana. Since Hurricane Katrina there has been an increased demand for mitigation credits in the service areas related to hurricane protection and this demand is likely to continue in light of the push to obtain funding for the West Shore levee system which is proposed to be constructed east of the Mississippi River through St. Charles, St. John the Baptist, St. James and Ascension Parishes.

3.5 Technical Feasibility

The work required to restore and re-establish the CRMB is routine and feasible. The sponsors have an extensive background in land manipulation. The consultants hired by the Sponsors have extensive backgrounds in wetlands science in general and mitigation banking in particular. The relatively flat landscape and the documented presence of hydric soils imply that minimal soil work will be required for successful restoration of wetland hydrology and successful reforestation of a bottomland hardwood forest. Further, the historical existence of bottomland hardwood forest on the proposed CRMB and the presence of bottomland hardwood forest adjacent to the property indicate a high potential for successful restoration of a functional bottomland hardwood forest.

4.0 ESTABLISHMENT OF THE MITIGATION BANK

The Sponsors propose to rehabilitate, re-establish and preserve approximately 224.0 acres of bottomland hardwood forest from pasture, uplands and agricultural ditches through surface hydrology restoration and native vegetative plantings (see Figure 5).

4.1 Site Restoration Plan

The proposed restoration activities include the removal of cattle and the resultant grazing activities; restoration of surface hydrology by removal of all culverts, agricultural ditches, and a road; vegetative restoration by seedling planting; and implementation of short-term, intermediate, and long-term management strategies.

4.1.1 Vegetative Restoration

Rehabilitation and re-establishment activities will be accomplished by removing all culverts, agricultural ditches, and a road; then preparing the site as needed (mowing, herbicide, disking, tilling, etc.) during the fall of 2019. No large hard-mast producing species located within the proposed CRMB would be removed during site preparation. Large hard-mast producing species will remain to provide a seed source for volunteer species. Planting of an appropriate species mixture of bottomland hardwood seedlings is proposed during the non-growing season (i.e., December, 2019 – March, 2019).

The bottomland hardwood re-establishment and rehabilitation areas will be planted using a mixture of both hard-mast and soft-mast producing species in the approximate percentages detailed in Table 3.

Table 3. Percent Composition of species to be planted at the CRMB

Common Name	Scientific Name	Composition
Nuttall Oak	<i>Quercus nutalli</i>	20%
Willow Oak	<i>Quercus phellos</i>	20%
Water Oak	<i>Quercus nigra</i>	10%
Bitter Pecan	<i>Carya x lecontei</i>	5%
Overcup Oak	<i>Quercus lyrata</i>	5%
Green Ash	<i>Fraxinus pennsylvanica</i>	5%
Drummond Red Maple	<i>Acer rubrum var. drummondi</i>	5%
Sweetgum	<i>Liquidambar styraciflua</i>	5%
Persimmon	<i>Diospyros virginiana</i>	5%
Sugarberry	<i>Celtis laevigata</i>	5%
American Elm	<i>Ulmus Americana</i>	5%
Baldcypress	<i>Taxodium distichum</i>	5%
Mayhaw	<i>Crataegus opaca</i>	5%

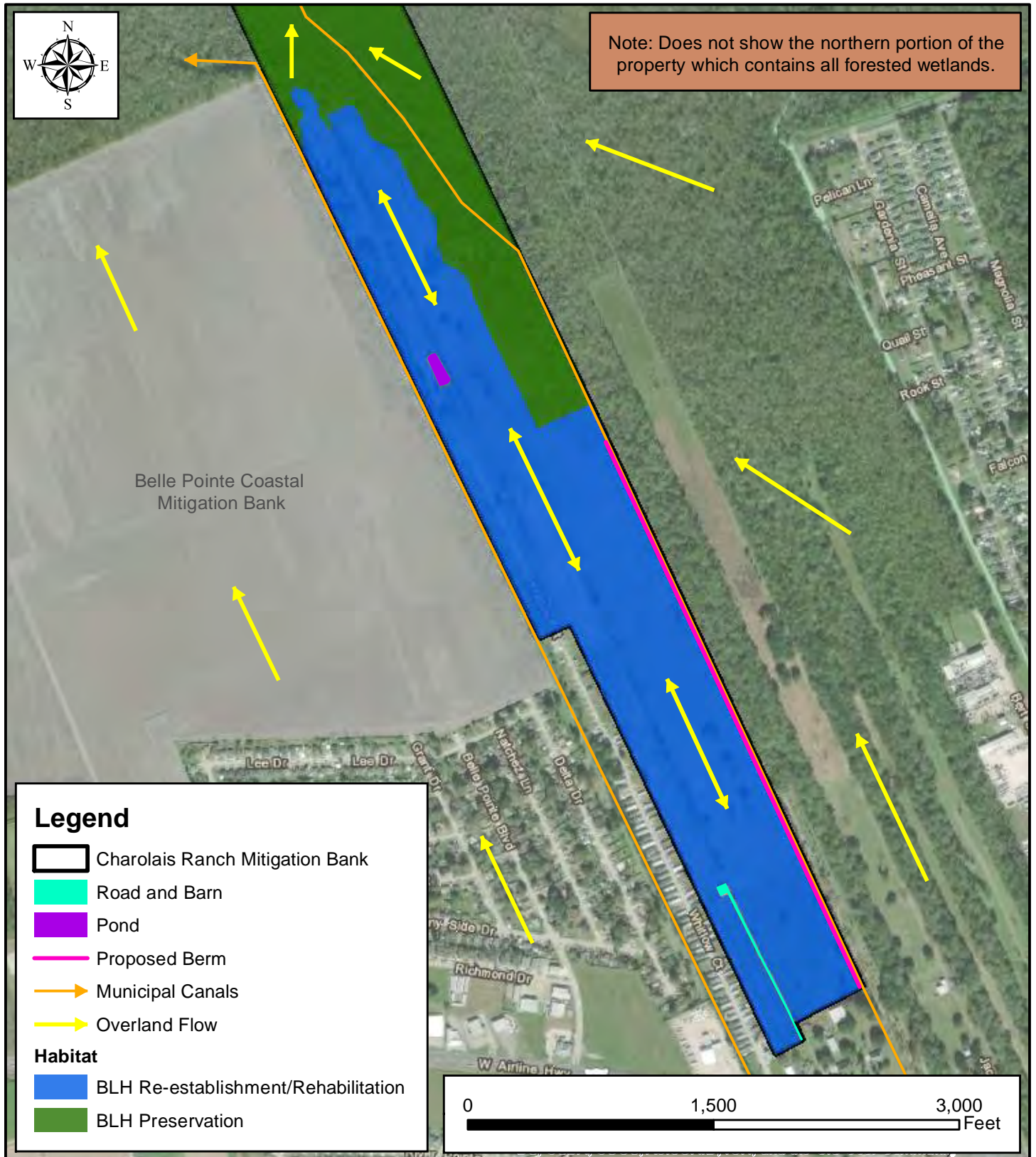
4.1.2 Hydrologic Restoration

It is proposed that all culverts will be removed, all agricultural ditches will be backfilled with native material, the existing road within the mitigation bank (Whitlow Court) will be leveled and graded, and the site mechanically prepared for planting. A berm will be constructed (elev. +/-1 ft.) on the west side of the existing eastern municipal canal, which runs north-south through the southern third of the property, to prevent runoff from entering the ditch and promote sheet flow to the north of the property (Figures 13-18). The proposed hydrologic restoration activities will increase surface water retention, promote sheet flow to the north, reduce nonpoint source runoff, and improve water quality within the proposed mitigation bank property. The anticipated schedule for hydrologic restoration activities will occur in fall 2019.

4.1.3 Invasive Species Control

Invasive and exotic flora such as Chinese Tallow (*Triadica sebifera*) will be controlled by either cutting, herbicide treatment or a combination of these methods. Exotic fauna such as nutria (*Myocastor coypus*) will be controlled by legal methods such as trapping, shooting, etc.

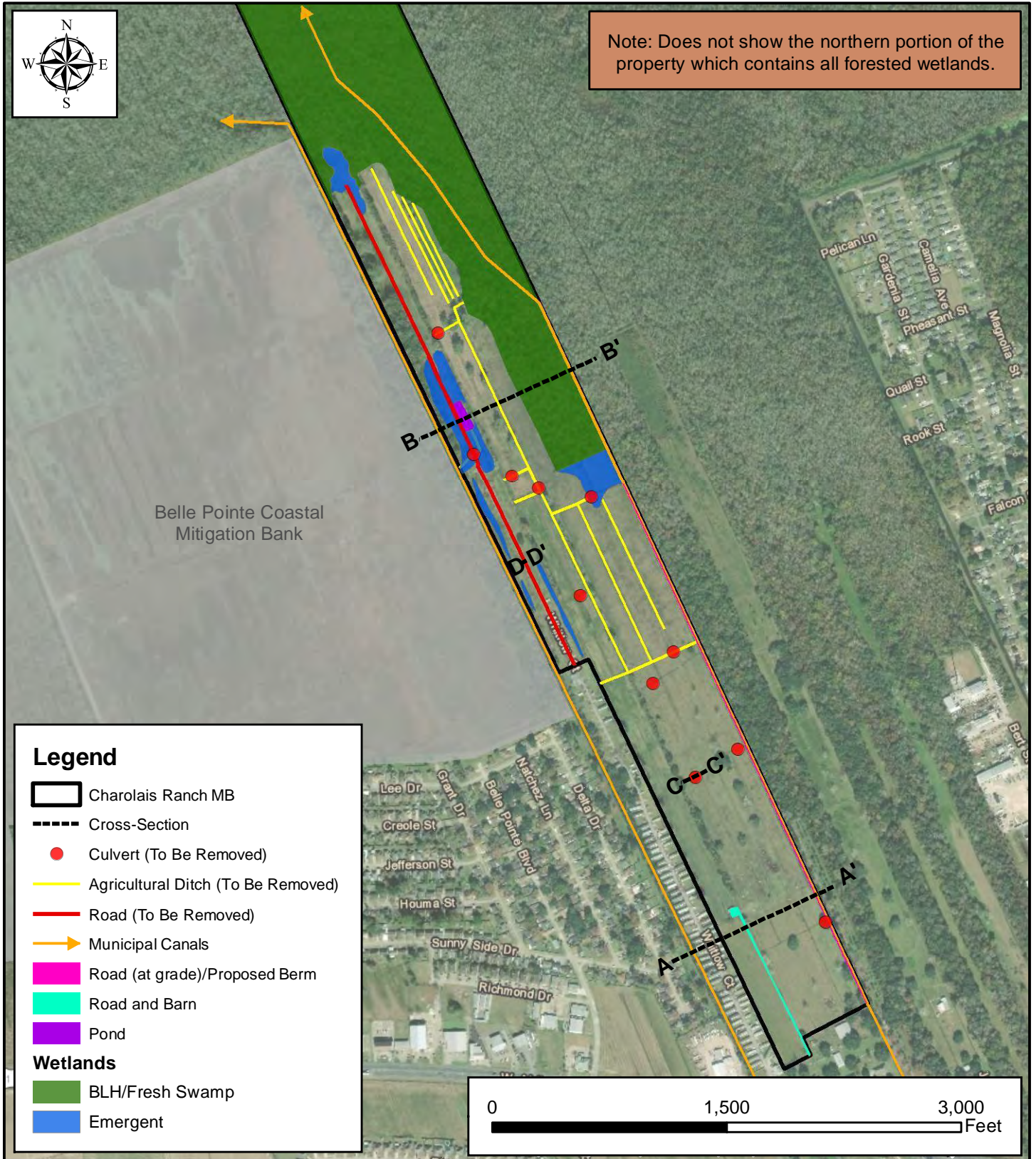
Figure 13. Proposed Hydrology Restoration (Post Construction)



Trinity Mitigation Services, LLC.

Date: July 5, 2019

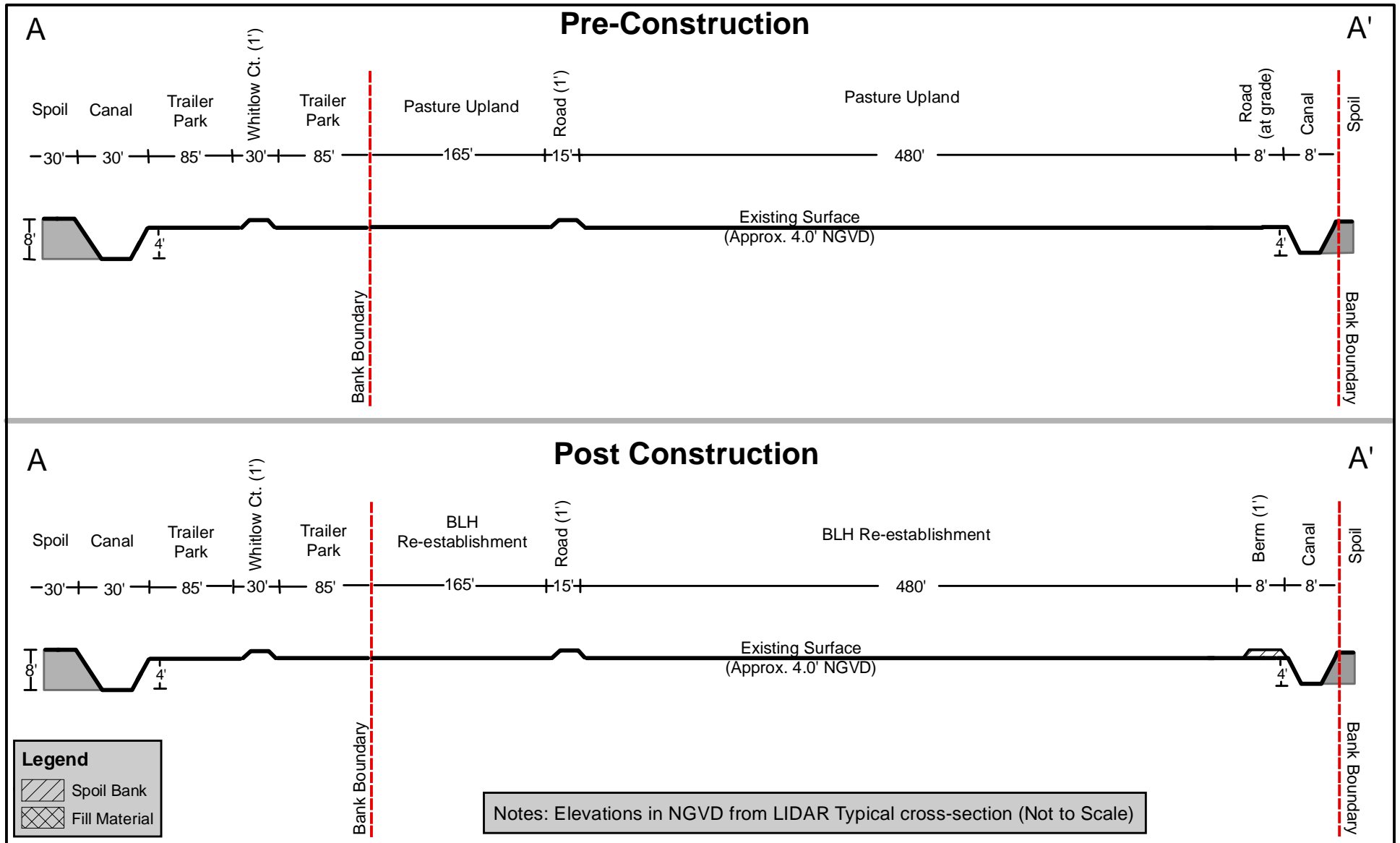
Figure 14. Cross-Section Index



Trinity Mitigation Services, LLC.

Date: September 25, 2019

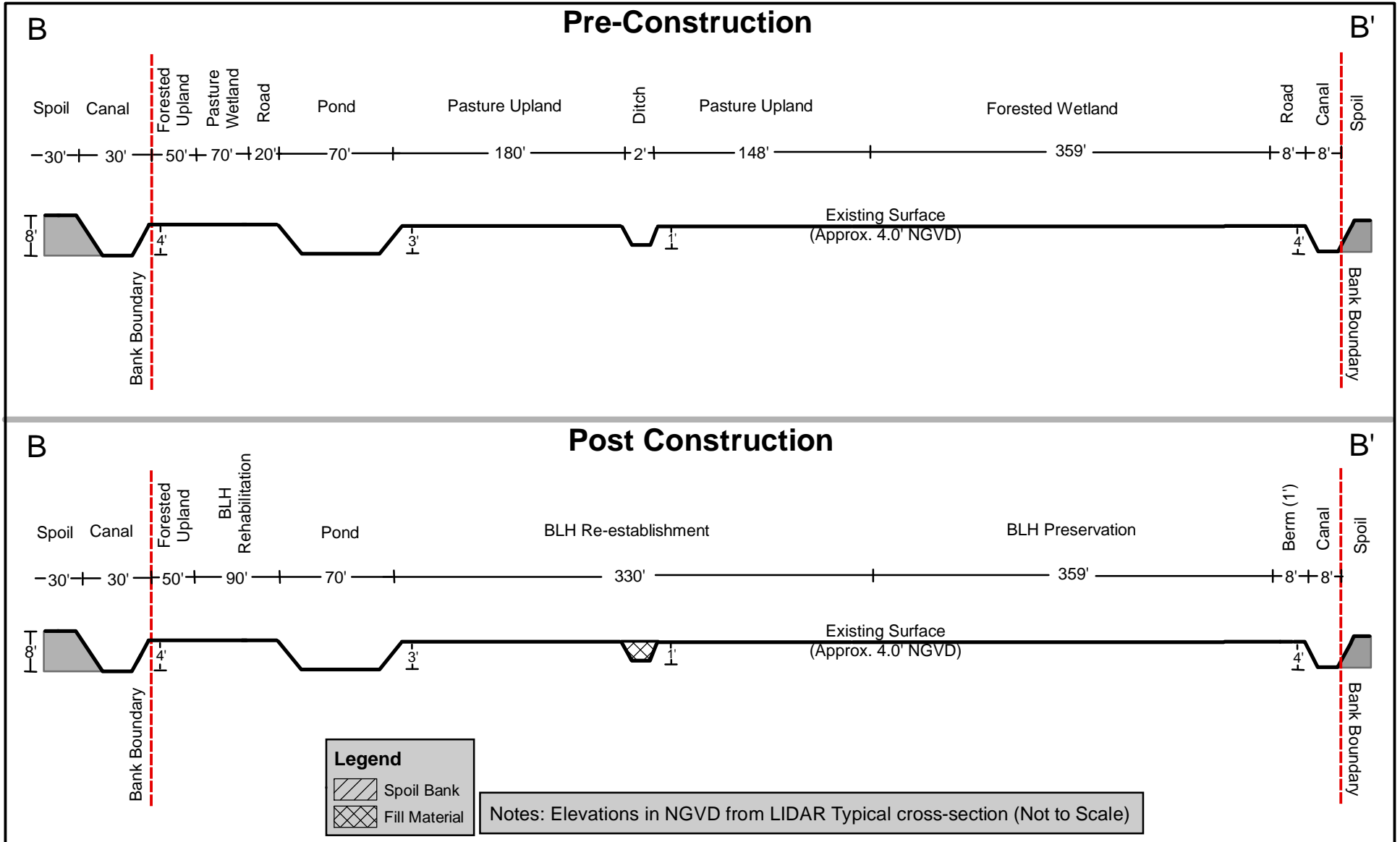
Figure 15. Cross-Section A-A'



Trinity Mitigation Services, LLC.

Date: July 8, 2019

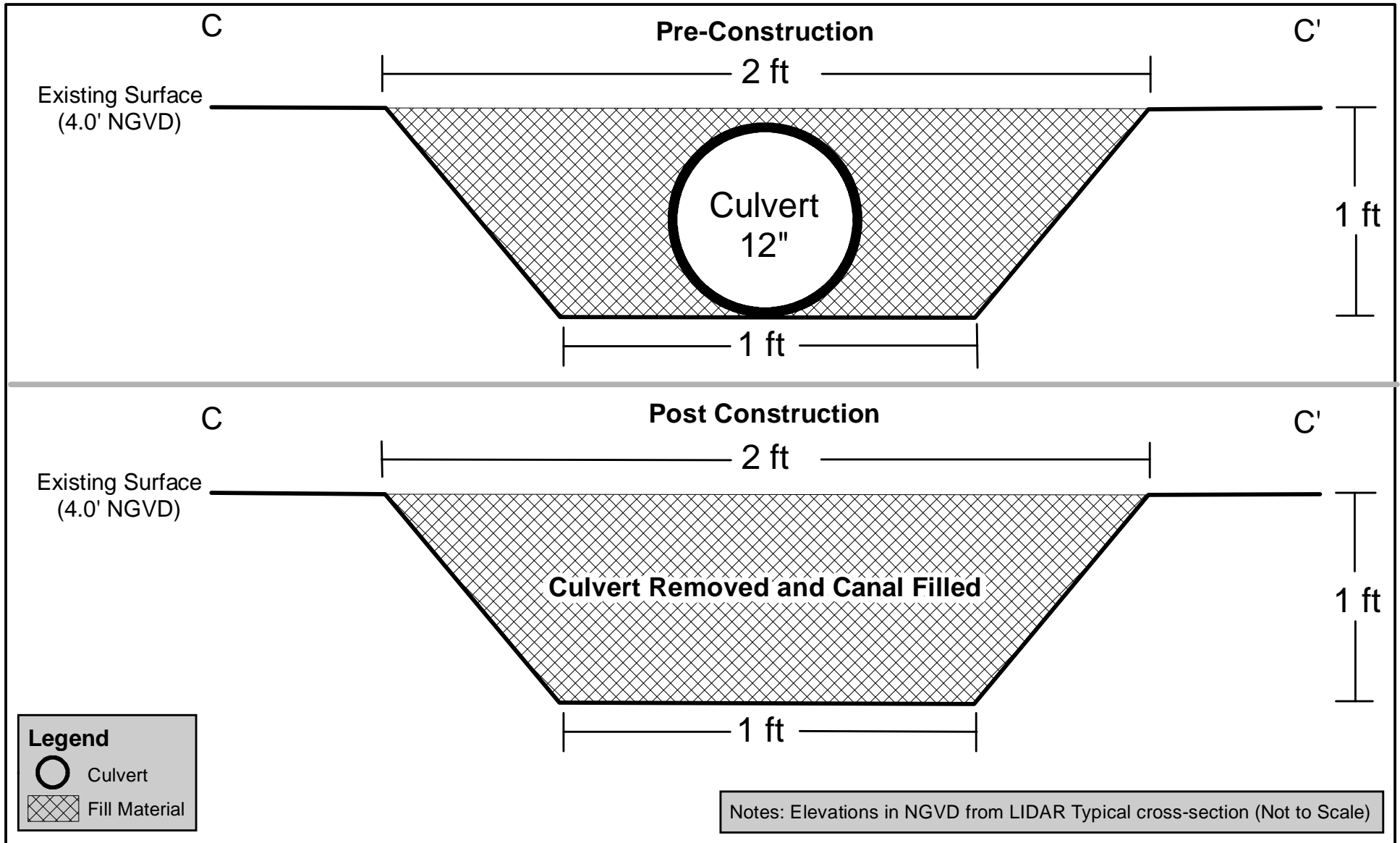
Figure 16. Cross-Section B-B'



Trinity Mitigation Services, LLC.

Date: September 25, 2019

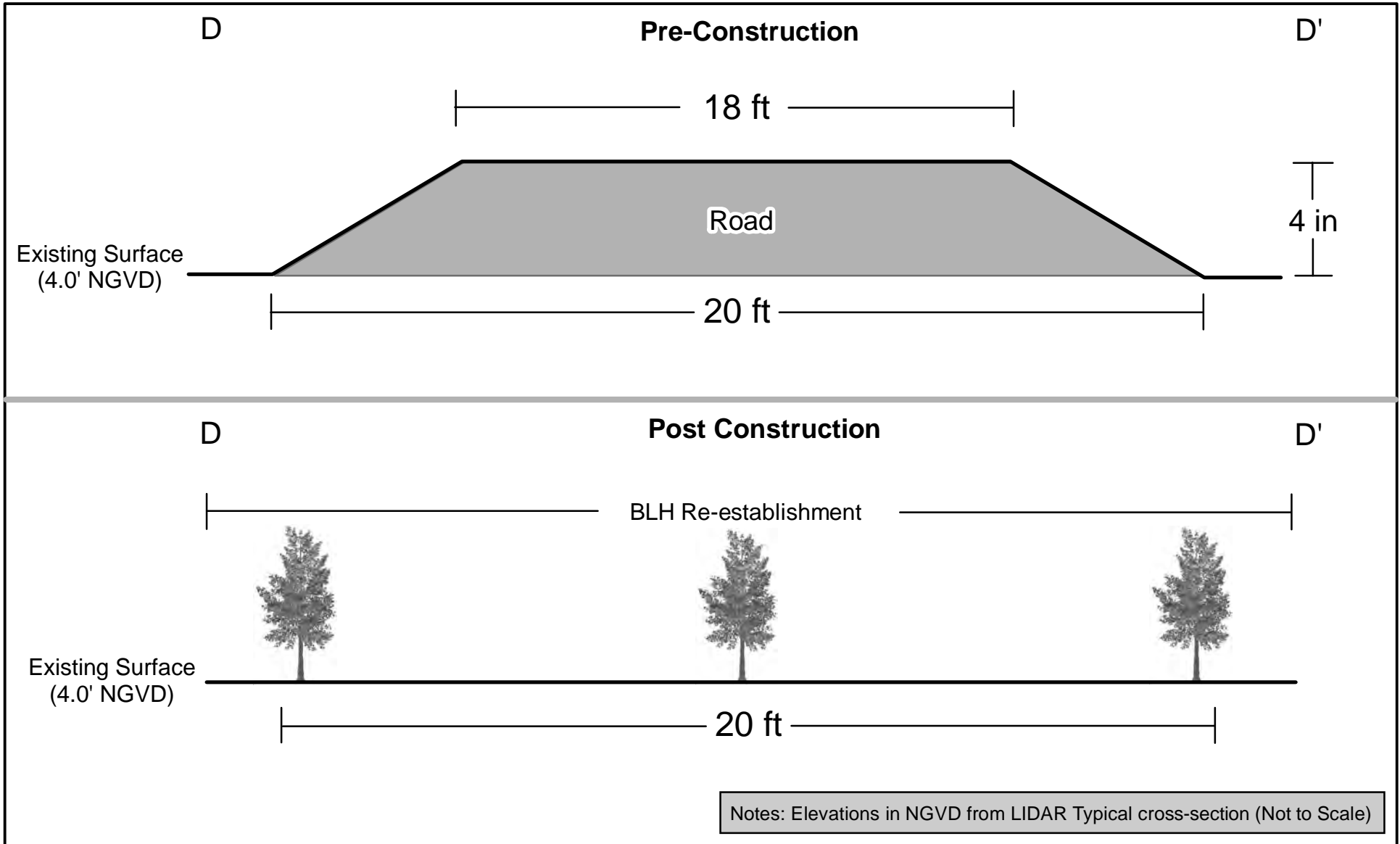
Figure 17. Culvert Removal Cross-Section (C - C')



Trinity Mitigation Services, LLC.

Date: July 8, 2019

Figure 18. Road Removal Cross-Section (D - D')



Trinity Mitigation Services, LLC.

Date: September 25, 2019

4.2 Current Site Risks

The Sponsors do not foresee any adverse impacts to the proposed CRMB resulting from the continued existence and operation of the neighboring land uses. The adjacent properties consist of an approved mitigation bank to the west (Belle Pointe Coastal Mitigation Bank), pasture and forested wetlands to the east, forested wetlands to the north and residential areas to the south. There are two municipal drainage canals located on each side (east and west) of the property flowing north which drain properties south of Airline Highway and over which the Sponsors have no control. The Sponsors control all other hydrologic disturbances on the CRMB.

4.3 Mortgages, Easements and Encumbrances

A title opinion has been rendered to the Sponsors and will be attached to the draft Mitigation Banking Instrument (MBI). The Sponsors own the property in fee simple title and there are no mortgages, easements or encumbrances that would affect the success or sustainability of the CRMB.

There are no existing pipeline rights-of-way located within the CRMB or any other encumbrances that would negatively affect the success or sustainability of the proposed CRMB.

4.4 Long-Term Sustainability of the Site

Long-term viability and sustainability of the CRMB will be ensured through active and adaptive management including, but not limited to, invasive species control, appropriate monitoring, and long-term maintenance. No long-term structural management will be required. A long-term management plan will be included within the mitigation banking instrument which will be prepared subsequent to submission of this prospectus and will contain a long-term management plan and costs associated with same and will identify a funding mechanism in accordance with 33 CFR 332.7(d).

5.0 PROPOSED SERVICE AREA

The primary service area for the CRMB is the Pontchartrain Basin, as defined by the Louisiana Department of Environmental Quality (see Figures 11 and 12), which is comprised of the Lake Maurepas Watershed (08070204) and the Lake Pontchartrain/Breton Sound/Chandeleur Sound as defined by USGS accounting units 080902 and 080702, except cataloging unit 08070201. Projects impacting bottomland hardwood and bald cypress/tupelogum swamps and fresh/intermediate marsh, where determined appropriate by CEMVN within the Pontchartrain Basin, could use the CRMB to compensate for wetland impacts associated with Department of the Army and Louisiana Department of Natural Resources permits.

6.0 OPERATION OF THE MITIGATION BANK

The CRMB shall be operated, maintained, and managed by Mike Torres, Cheryl Torres, Pat McTopy, and their agent (Trinity Mitigation Services, LLC) as follows:

6.1 Project Representatives

Sponsors: Michael & Cheryl Torres
2332 Airline Highway
LaPlace, LA 70068
(504) 494-0546

Wheel Estates Properties, LLC
c/o Pat McTopy
10383 Buddy Gore Road
Gonzales, LA 70737
(985) 817-9525

Agents: Chris M. Trepagnier and Jerry Bolton
Trinity Mitigation Services, LLC
331 Girod Street
Mandeville, LA 70448
chris@treplawfirm.com
(985) 778-0888

Landowners: Michael & Cheryl Torres
2332 Airline Highway
LaPlace, LA 70068
(504) 494-0546

Wheel Estates Properties, LLC
c/o Pat McTopy
10383 Buddy Gore Road
Gonzales, LA 70737
(985) 817-9525

6.2 Qualifications of the Sponsors

The Sponsors have been involved in farming and manipulation of the project site since the 1960s, as such the Sponsors are intimately familiar with the site conditions and have the experience necessary to successfully implement all facets of the mitigation banking agreement.

Additionally, the Sponsors have hired Chris M. Trepagnier and Jerry Bolton and their associated company, Trinity Mitigation Services, LLC, to provide consulting services with regard to the establishment and management of the CRMB.

6.3 Proposed Long-Term Ownership and Management Representatives

The long-term ownership of the site will be maintained by Michael Torres, Cheryl Torres, and Pat McTopy. The management of the of the CRMB will be the ultimate responsibility of Mike Torres and Pat McTopy, however the Sponsors have contracted

with Mr. Chris Trepagnier and Mr. Jerry Bolton of Trinity Mitigation Services, LLC to oversee project management.

Mr. Trepagnier and Mr. Bolton have extensive experience in wetland science in general and mitigation banking in particular and are well versed in all facets of mitigation banking. Mr. Trepagnier and Mr. Bolton currently manage three active mitigation banks within the New Orleans District: the Upper Bayou Folsé Mitigation Bank, the Laurel Oak Mitigation Bank and the Bayou Bijou Mitigation Bank. They also manage the Bayou Napoleon Mitigation Bank, which are currently being reviewed by the IRT for approval. In addition, Mr. Trepagnier owned and operated a mitigation bank in Avoyelles Parish and represented the Sawgrass Bayou Mitigation Bank in St. John the Baptist Parish.

6.4 Site Protection

The Sponsors shall be responsible for protecting all lands within the entire 226.8 acre tract proposed for establishment of the CRMB. In order to ensure protection of the property within the CRMB boundary, the Owner shall execute a perpetual Louisiana conservation servitude in accordance with the Louisiana Conservation Servitude Act (La. R.S. 9:1271, *et seq.*) on the entire 226.8 acre tract. The conservation servitude shall be recorded in the Mortgage and Conveyance Records of St. John the Baptist Parish.

The holder of the conservation servitude will be Nature Holding, LLC. Nature Holding, LLC is a qualified, non-profit corporation approved to hold conservation servitudes in accordance with Corps' guidelines.

6.5 Long-Term Strategy

The Sponsors will ensure the long-term success and sustainability of the CRMB through such mechanisms as vegetative plantings, hydrologic restoration and maintenance, invasive species control, site monitoring, establishment of financial assurances, and perpetual protection through the filing of a Louisiana conservation servitude. A long-term management plan will be included in the Mitigation Banking Instrument that will address long-term management needs, costs and the identification of a funding mechanism in accordance with 33 CFR 332.7(d).

7.0 CONCLUSION

In summary, the CRMB has a high potential of successfully re-establishing and rehabilitating 93.0 acres of bottomland hardwoods and preserving 131.0 acres of existing mature bottomland hardwood forest within a 226.8 acre tract of land. By discontinuing agricultural usage of the property, restoring natural hydrology, and restoring a bottomland hardwood forest, the CRMB will improve local aquatic resources and habitats while accomplishing the specific goals and objectives of the CRMB.

8.0 REFERENCES

- Barras, J., Beville, S., Britsch, D., Hartley, S., Hawes, S., Johnston, J., Kemp, P., Kinler, Q., martucci, A., Porthouse, J., Reed, D., Roy, K., Sapkota, S., and Suhayda, J. 2003. Historical and projected coastal Louisiana land changes; 1978-2050: USGS Open File Report 03-334, 39 p.
- Larino, J. (2014). Southern U.S. to see nearly \$500 billion in oil and gas infrastructure spending by 2025, report says.
- United State Army Corps of Engineers (USACE 2010). Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0). ERDC/EL TR-10-20.
- USACE (1987) Corps of Engineers Wetland Delineation Manual. USACE Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture (USDA 2019). Web Soil Survey. <http://websoilsurvey.nrcs.usda.gov/app/>
- USDA (2018). The PLANTS Database, Version 3.5. U.S. Department of Agriculture, Natural Resources Conservation Services, National Plant Data Center. Accessed January 2018. Available URL: <http://plants.usda.gov>.
- USDA (2009). Soil Survey of St. John the Baptist Parish, Louisiana. U.S. Department of Agriculture, Natural Resources Conservation Services. 203p.
- USDA (1995). Soil Mapping Units and Hydric Soils Designations, Louisiana. Soil Conservation Service, 3rd edition.

APPENDIX A
Jurisdictional Determination



REPLY TO
ATTENTION OF

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

OCT 01 2015

Operations Division
Surveillance and Enforcement Section

Mr. Stephen Smith
Deep South Mitigation, LLC
Post Office Box 8394
Clinton, Louisiana 70722

Dear Mr. Smith:

Reference is made to your request, on behalf of Mr. Mike Torres, for a U.S. Army Corps of Engineers' (Corps) jurisdictional determination on property located in Sections 7, 8, 75, and 95, Township 11 South, Range 7 East, St. John Parish, Louisiana (enclosed map). Specifically, this property is identified as a 179.6 acre tract located north of United States Route 61.

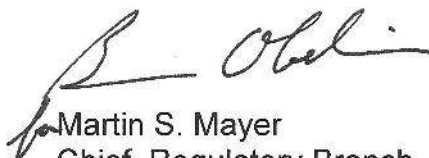
Based on review of recent maps, aerial photography, soils data, the information provided with your request, and a field inspection on September 3, 2015, we have determined that part of the property is wetland and may be subject to Corps' jurisdiction. The approximate limits of the wetland are designated 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 jurisdictional wetland. A portion of this wetland may also be subject to Corps' jurisdiction under Section 10 of the Rivers and Harbors Act (RHA). A DA Section 10 permit will be required prior to any work in waters of the United States, including wetlands, subject to Corps jurisdiction under Section 10 of the RHA. Additionally, a DA permit will be required if you propose to deposit dredged or fill material into other waters subject to Corps' jurisdiction. Other 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 or the District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

Please be advised that this property is in the Louisiana Coastal Zone and a Coastal Use Permit may be required prior to initiation of any activities on this site. For additional information, contact Ms. Christine Charrier, Office of Coastal Management, Louisiana Department of Natural Resources at (225) 342-7953.

Should there be any questions concerning these matters, please contact Mr. Kyle Gordon at (504) 862-1627 and reference our Account No. MVN-2015-01600-SA. If you have specific questions regarding the permit process or permit applications, please contact our Eastern Evaluation Section at (504) 862-2292.

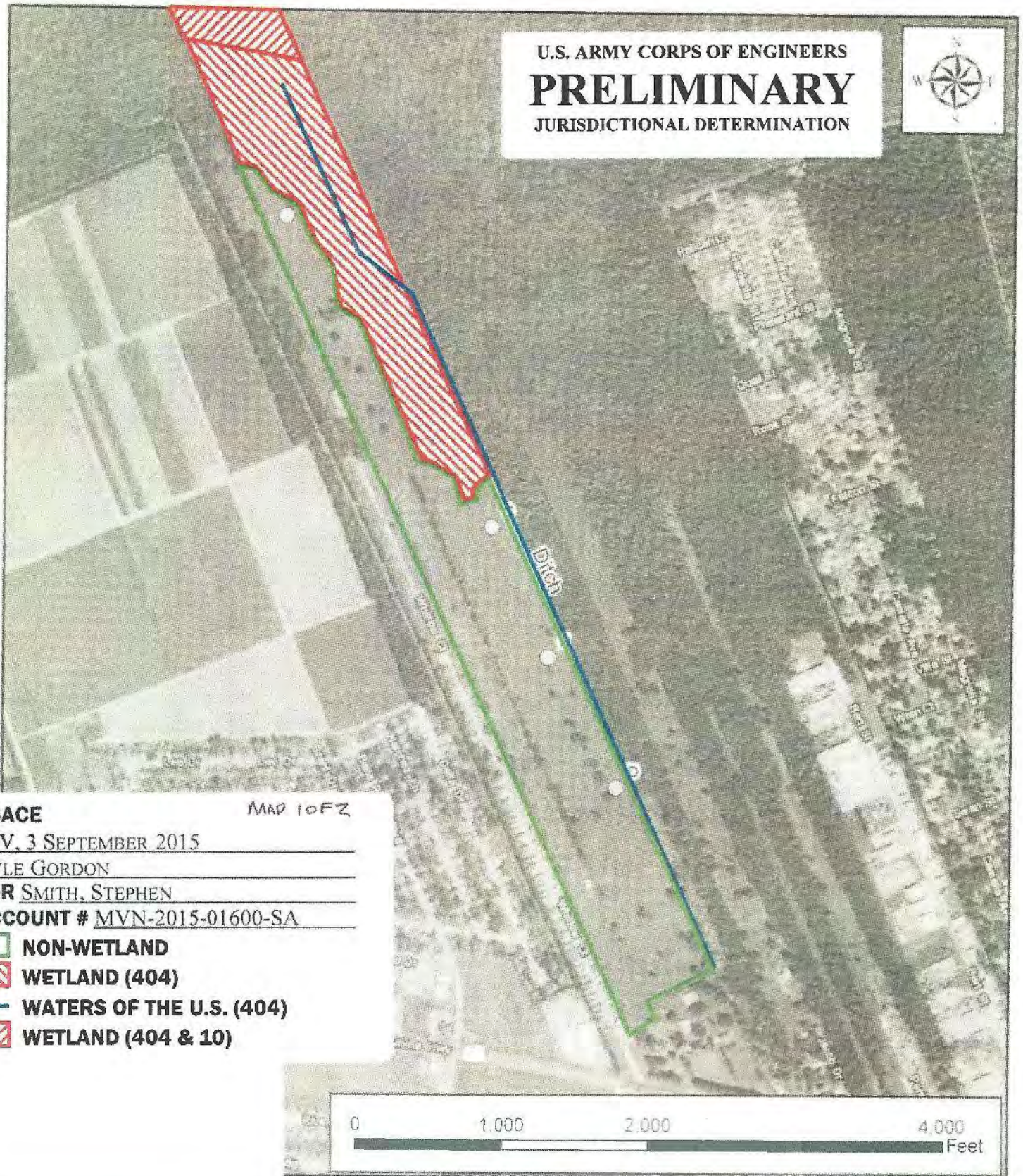
Sincerely,

A handwritten signature in black ink, appearing to read "Martin S. Mayer". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Martin S. Mayer
Chief, Regulatory Branch

Enclosures

Figure 4. Wetland Delineation (Southern Portion of Property)



Deep South Mitigation, LLC

Date: September 9, 2015

Figure 5. Wetland Delineation (Northern Portion of Property)



Deep South Mitigation, LLC

Date: September 9, 2015



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

October 29, 2019

Operations Division
Surveillance and Enforcement Section

Mr. Chris M. Trepagnier
The Trepagnier Law Firm
331 Girod Street
Mandeville, LA 70448

Dear Mr. Trepagnier:

Reference is made to your request, on behalf of Mr. Pat McTopy, for a U.S. Army Corps of Engineers' (Corps) jurisdictional determination on property located in Section 76, Township 11 South, Range 7 East, St. John Parish, Louisiana (enclosed map). Specifically, this property is identified as a 47.3-acre site described as the McTopy Property.

Based on review of recent maps, aerial photography, soils data, and the information provided with your request, we have determined that part of the property is wetland and non-wetland waters that may be subject to Corps' jurisdiction. The approximate limits of the wetland and non-wetland waters are designated 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 a wetland or non-wetland water that are waters of the United States. Additionally, wetlands that may be subject to Corps' jurisdiction under Section 10 of the Rivers and Harbors Act (RHA) are indicated on the map. A DA permit will be required prior to any work in wetlands subject to Corps' jurisdiction under Section 10 of the RHA.

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 or the District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

Please be advised that this property is in the Louisiana Coastal Zone and a Coastal Use Permit may be required prior to initiation of any activities on this site. For additional information, contact Ms. Christine Charrier, Office of Coastal Management, Louisiana Department of Natural Resources at (225) 342 7953.

Should there be any questions concerning these matters, please contact Mr. Michael Windham at (504) 862-1235 and reference our Account No. MVN-2015-01600-1-SK. If you have specific questions regarding the permit process or permit applications, please contact our Eastern Evaluation Section at (504) 862-2292.

Sincerely,

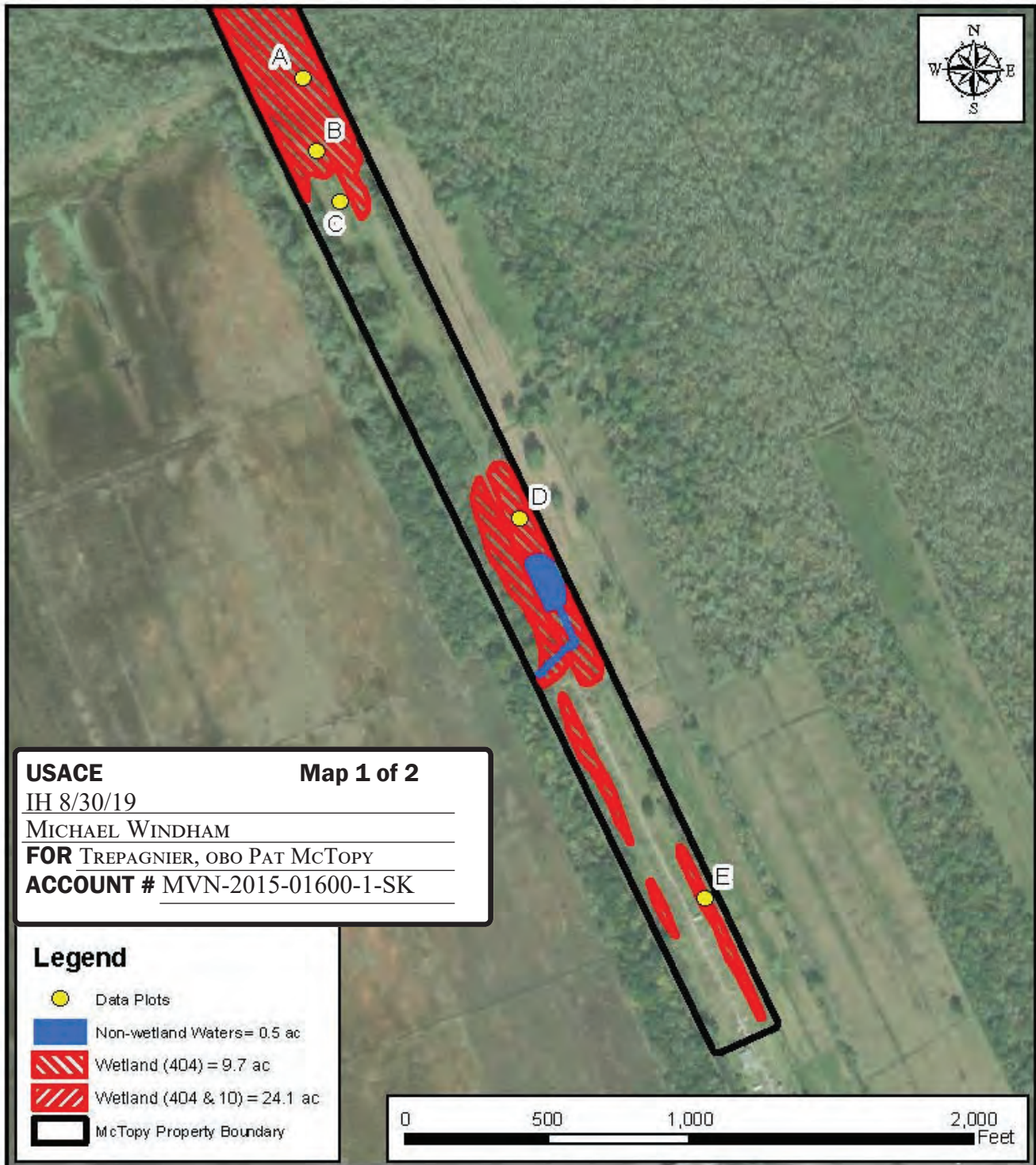
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22131179
Date: 2019.10.29 11:27:52 -05'00'

for Martin S. Mayer
Chief, Regulatory Branch

Enclosures

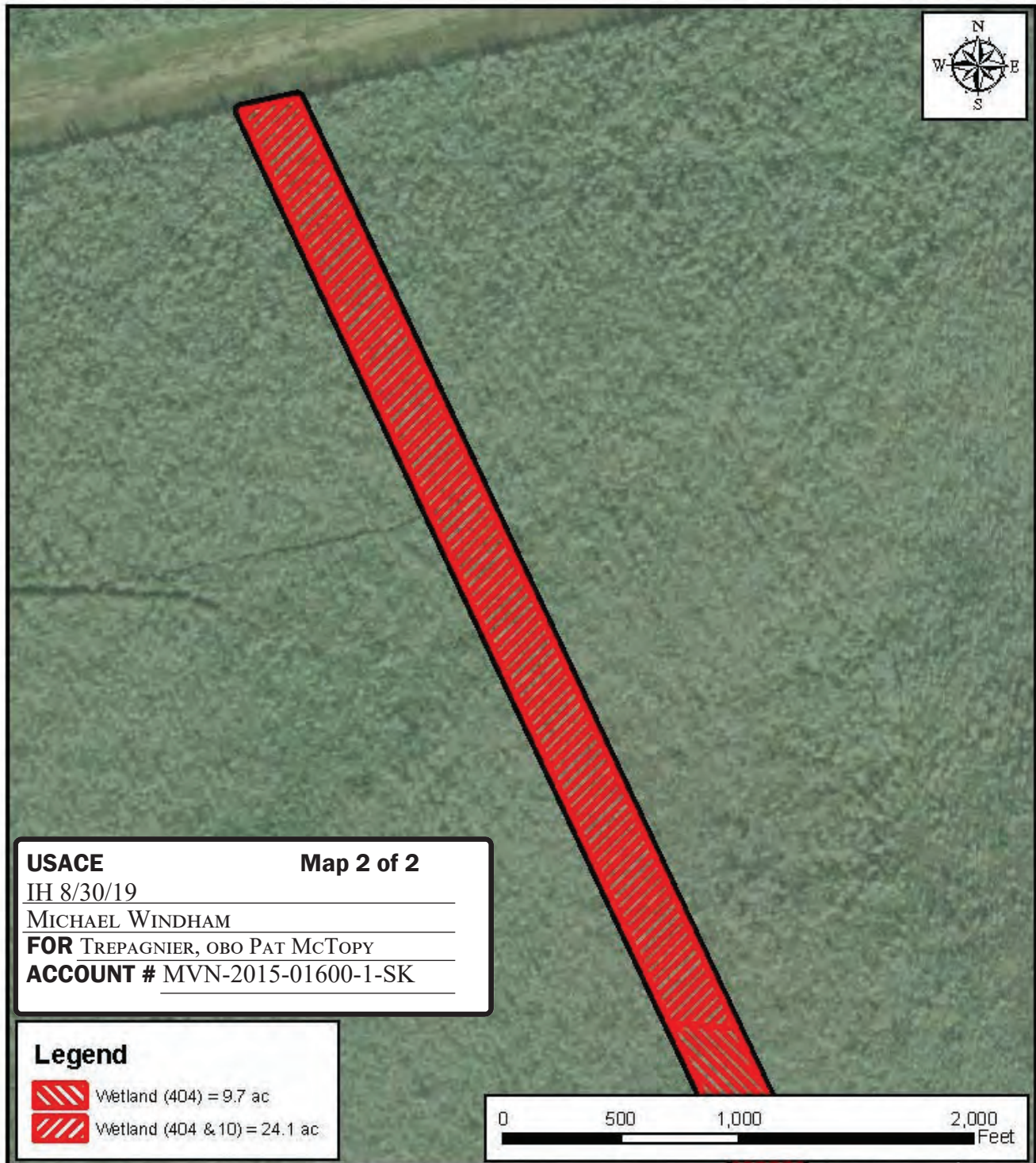
Figure 4. Wetland Delineation (Southern Portion of Property)



Trinity Mitigation Services, LLC.

Date: May 9, 2019

Figure 5. Wetland Delineation (Northern Portion of Property)



Trinity Mitigation Services, LLC.

Date: May 9, 2019