



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, VICKSBURG DISTRICT
4155 CLAY STREET
VICKSBURG, MISSISSIPPI 39183-3435

November 10, 2020

Regulatory Division

SUBJECT: Department of the Army Regulatory Requirements – Franks Investment Company, Commercial Development Site, Springback Tract, Highway 1, Shreveport, Louisiana; MVK-2016-24(2020)

Mr. Elliott Boudreaux
CSRS Incorporated
6767 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

Dear Mr. Boudreaux:

I refer to your request for a determination of Department of the Army permit requirements for the subject project area. The project site is located in section 15, T16N-R13W, Caddo Parish, Louisiana.

Based upon the information provided, it appears there are jurisdictional areas within the proposed project area subject to regulation pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. The site location and approximate extent of jurisdictional waters of the United States is depicted on the enclosed preliminary map (enclosure 1). Any work involving the discharge of dredged or fill material (land clearing, ditching, filling, leveeing, etc.) within the limits of the jurisdictional areas identified will require a Department of the Army Section 10/404 permit prior to beginning work. Please note that this jurisdictional determination is preliminary and should be used for planning purposes. A final determination of permit requirements will be made upon submission of a completed permit application, including final project plans. I have enclosed a copy of an appeals form (enclosure 2).

This delineation/determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

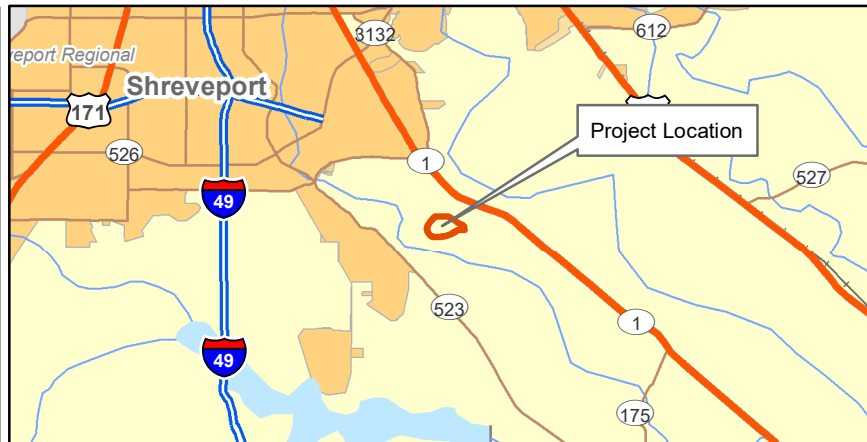
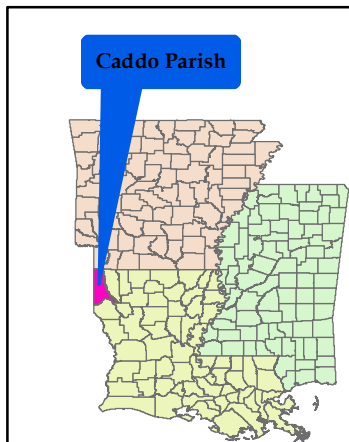
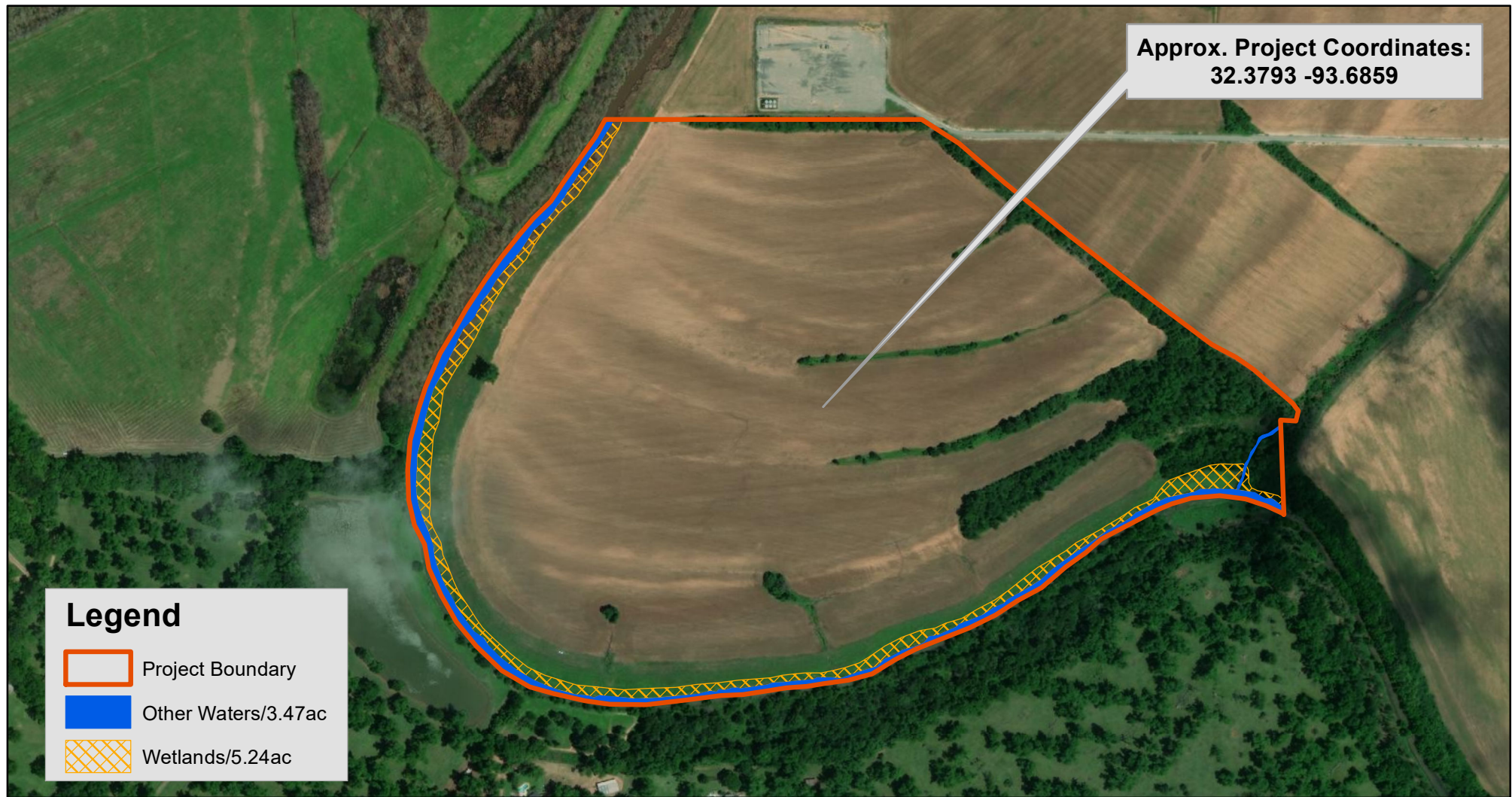
For your convenience, I am enclosing a Department of the Army permit application (enclosure 3). Your application for any proposed work in wetlands or other waters of the United States should be submitted at least 120 days in advance of the proposed starting date. To expedite the evaluation process, please refer to Identification No. MVK-2016-24 (2020) when submitting the application or requesting project updates.

If you need additional assistance in this matter, please contact Mr. Robert Ulmer of this office, telephone (601) 631-5637 or e-mail address robert.g.ulmer@usace.army.mil.

Sincerely,

Charles R. Allred, Jr.
Chief, Enforcement and Compliance Branch
Regulatory Division

Enclosures



November 10, 2020
MVK-2016-24-2020



Applicant:
Franks Management Co., LLC

Proposed Work:
Industrial Site Development

Location:
Section 15, T16N-R13W
Shreveport East, Quadrangle
Caddo Parish, LA

Map Background:
NAIP Aerial (2010)
Preliminary
Jurisdictional Determination

Prepared by:
Robert G. Ulmer, Jr.

**US Army Corps
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Regulatory Branch

Enforcement Section

0 370 740
Feet

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Franks Investment Company	File Number: MVK-2013-429-2020	Date: 10 Nov 2020
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://usace.army.mil/inet/functions/cw/cecwo/reg> 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 (JD) 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:

Robert Ulmer
U.S. Army Corps of Engineers
Regulatory Branch
4155 Clay Street
Vicksburg, MS 39183-3435
(601) 631-5637

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

Attn: Appeals Review Officer
Mississippi Valley Division
Post Office Box 80
Vicksburg, MS 39181-0080
(601)634-5820

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:

