



**US Army Corps
of Engineers.**

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

Public Notice

APPLICATION NO.:	MVK-2008-1357
EVALUATOR:	Mr. Jared Everitt
PHONE NO.:	(601) 631-7104
E-MAIL:	Jared.H.Everitt@usace.army.mil
DATE:	March 25, 2024
EXPIRATION DATE:	April 25, 2024

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-RD, and the Mississippi Department of Environmental Quality at Post Office Box 2261, Jackson, Mississippi 39225-2261, and must reach these offices by the cited expiration date.

The Clean Water Act (CWA) Section 401 Water Quality Certification Improvement Rule (Certification Improvement Rule, 40 CFR 121), effective November 27, 2023, requires certification for any license or permit that authorizes an activity that has the potential to result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority). In accordance with Certification Improvement Rule, once the applicant submits a certification request, the U.S. Army Corps of Engineers and the certifying authority will jointly establish the reasonable period of time for the certifying authority to act upon the certification request.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged and/or fill material into waters of the United States.

Name of Applicant:
Mr. Adrian Lumpkin
Pearl River County Board of Supervisors
200 South Main Street
Poplarville, Mississippi 39470

Name of Agent:
Mr. Bart Pittman
Pittman Environmental Services
Post Office Box 1926
Purvis, Mississippi 39475

Location of Work: The proposed project site is located in Sections 2, 10, 11, 14 and 33 T4S-R16W, Latitude 30.721496, Longitude -89.572802 within the Lower Pearl River Drainage Basin (8-digit USGS HUC 03180004), Pearl River County, Mississippi.

Description of Work: (See enclosed maps and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to conduct regulated activities in “Waters of the U.S.” for the purpose of constructing the Lake Troy Reservoir, within Pearl River County, Mississippi.

The Pearl County Board of Supervisors is proposing to construct an approximately 872 surface acre reservoir to support camping, fishing, boating, hiking, horseback riding, and other outdoor recreational opportunities within a 10,000-acre controlled capacity public access area, or County Conservation Lands (CCL). The Lake and CCL are both integral parts in supporting the Pearl River County Conservation and Recreation Project (PRCCRP). The proposed project is intended to provide the public with vast recreational resources, improve quality of life for local residents, provide economic lift to the County through eco-tourism and ancillary growth, and provide a net increase in ecological functions within the County. Secondary public benefits also include the ability to provide limited flood control and water storage for the City of Picayune.

The Lake Troy Reservoir is the central component necessary for the eco-tourism draw and for the financial viability of the PRCCRP. The proposed pool elevation would inundate approximately 872 acres while the dam impact area is approximately 30 acres. The construction of the Reservoir’s dam and subsequent impounding of habitats below the normal pool elevation will impact aquatic resources.

The following is a breakdown of the identified aquatic resources found within the project site:

Permanent fill of 16 acres of pine plantation wetland
Permanent fill of 4 acres of bottomland hardwood wetland
Permanent inundation of 467 acres of pine plantation wetland
Permanent inundation of 63.5 acres bottomland hardwood wetland
Permanent fill or inundation of 27,252 linear feet of perennial stream channel

Approximately 467 acres of low-quality pine plantation wetlands and 63.5 acres of bottomland hardwood wetlands will be permanently lost via conversion to open water habitat. Approximately 16 acres of low-quality pine plantation wetlands and

4.0 acres of bottomland hardwood wetlands will be permanently lost via fill for the footprint of the Reservoir dam. A combination of conversion to open water habitat and fill will permanently impact 27,252 linear feet of perennial stream channel. Fill material to construct the dam will be borrowed from two (2) locations adjacent to the proposed Site.

The applicant considered other alternative sites and evaluated those sites in an alternative's analysis for determining the proposed project location. The other alternatives considered and evaluated had similar or greater resource impacts as the proposed preferred alternative. For unavoidable impacts, the applicant proposes to offset losses to aquatic resources through the creation of a Permittee Responsible Mitigation (PRM) Site.

The majority of the proposed Reservoir site is currently forested and contains both wet and non-wet pine plantation, as well as mixed pine/hardwood wetlands. Primary hydrology indicators observed on site include saturation, high water table, FAC-Neutral test and oxidized rhizospheres along living roots. The dominant wetland vegetation within the project area consists of loblolly pine (*Pinus taeda*), slash pine (*Pinus elliotii*), poplar (*Liriodendron tulipifera*), sweetbay (*Magnolia virginiana*), water oak (*Quercus nigra*) and blackgum (*Nyssa aquatica*). Soils within the project area consists of Smithton association, frequently flooded; Smithton association, occasionally flooded; Malbis-Saucier association, sloping; and Malbis-Susquehanna-Saucier association, sloping.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: The Regulatory Archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following determination is based on current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: The permit area is likely to yield resources eligible for inclusion in the National Register of historic places. An investigation for the presence of potentially eligible historic properties is justified.

Copies of this public notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

Endangered Species: Threatened and Endangered Species for this area include the black pine snake, dusky gopher frog, gopher tortoise, and wood stork. Utilizing the Standard Local Operating Procedure for Endangered Species (SLOPES) as signed on June 28, 2017, between the U.S. Army Corps of Engineers, Vicksburg District and the U.S. Fish and Wildlife Service and the Service's IPAC system, the Corps has determined that the proposed activity would have no effect on the black pine snake, dusky gopher frog and wood stork and a not likely to adversely affect for the gopher tortoise. Also, the project should not negatively impact the proposed threatened Pearl River Map Turtle.

Floodplain: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements. Most of project site is located within the 100-year floodplain.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>.

Bryan Williamson
Chief, Mississippi Branch
Regulatory Division

PEARL RIVER COUNTY LAKE CONCEPTUAL PLAN

LEGEND

- LAKE
- DAM
- EXISTING ROAD



100' WIDE PRESERVATION
BUFFER AROUND LAKE

100' WIDE PRESERVATION
BUFFER AROUND LAKE

EXISTING COUNTY
FACILITIES

PEARL RIVER COUNTY LAKE
±875 ACRES

SAVANNAH MILLARD ROAD

INTERSTATE 59

BOGGY BRANCH ROAD

INTERSTATE 59

100' WIDE PRESERVATION
BUFFER AROUND LAKE

EMERGENCY
SPILLWAY

DAM

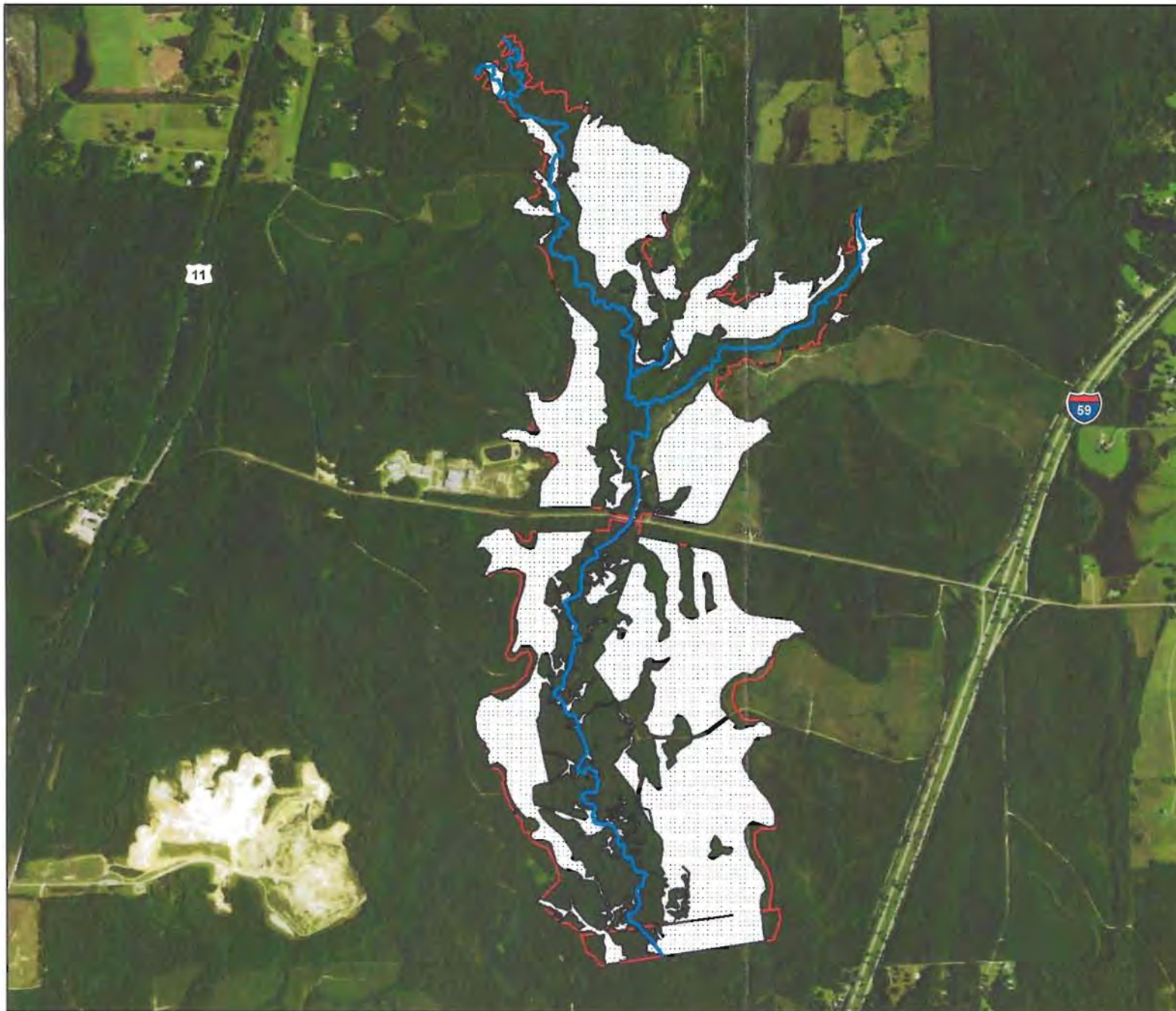
EMERGENCY
SPILLWAY

100' WIDE PRESERVATION
BUFFER AROUND LAKE

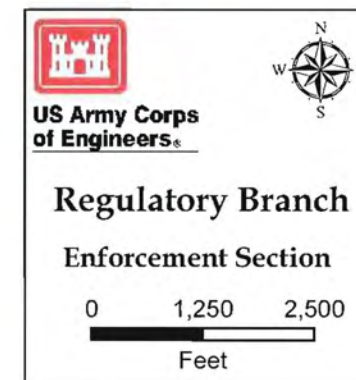
EXISTING ROAD TO BE DEVELOPED
FOR LAKE ACCESS TO ALLOW FOR
DAM OPERATION AND MAINTENANCE

30 YEARS
EST. 1993



DUNGAN
ENGINEERING



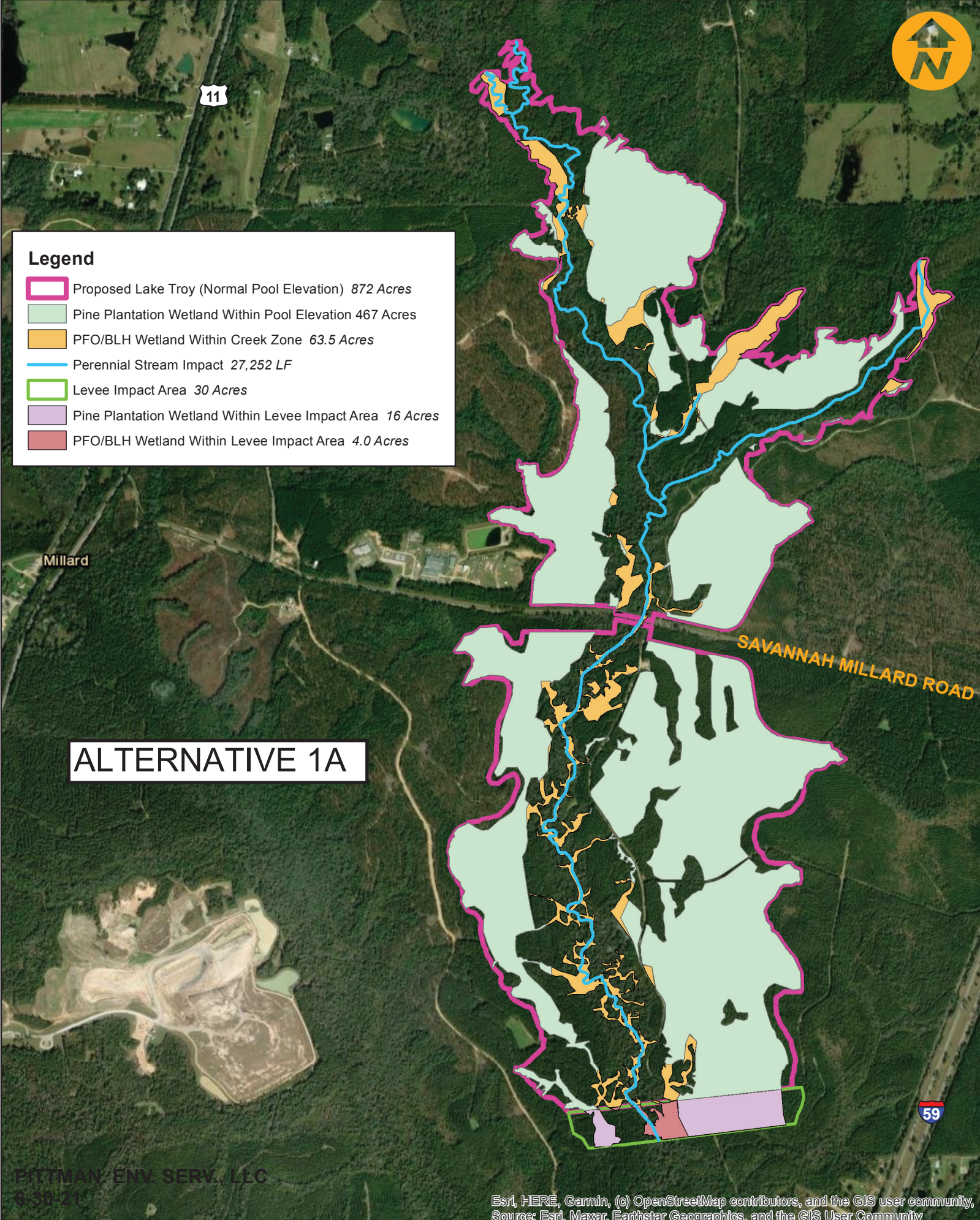
19 June 2017
MVK-2008-1357
Lake Troy
Pearl River County Lake
Pittman Environmental Services, LLC
**Preliminary
Jurisdictional Determination**
Jeremy Stokes



Legend

- Other Waters (27,252')  Forested Wetlands (~551 Acres)
 Lake Boundary

1:25,000



Legend

- Proposed Lake Troy (Normal Pool Elevation) 872 Acres
- Pine Plantation Wetland Within Pool Elevation 467 Acres
- PFO/BLH Wetland Within Creek Zone 63.5 Acres
- Perennial Stream Impact 27,252 LF
- Levee Impact Area 30 Acres
- Pine Plantation Wetland Within Levee Impact Area 16 Acres
- PFO/BLH Wetland Within Levee Impact Area 4.0 Acres