



**US Army Corps  
of Engineers**

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



# Public Notice

APPLICATION NO.:	CPM-MVK-2013-1011
EVALUATOR:	Ms. Charlene Mosley
PHONE NO.:	(601) 631-5264
FAX NO.:	(601) 631-5459
E-MAIL:	Charlene.P.Mosley@usace.army.mil
DATE:	February 5, 2015
EXPIRATION DATE:	February 26, 2015

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-OD-F, and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, Mississippi 39289-0385, and must reach these offices by the cited expiration date.

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

Name of Applicant:  
Mr. Heath Rushing  
RBR Development  
125 Roger Storme Road  
Madisonville, Louisiana 70447

Name of Agent:  
Mr. Michael Henry  
Hydrik Wetlands Consultants  
2323 Highway 190, Suite 2  
Hammond, Louisiana 70401

Location of Work: Section 14, T3N-R7E, latitude 31.226043N, longitude -90.47642W, within the Tangipahoa River drainage basin, Pike County, Mississippi.

Description of Work: (See enclosed map 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 jurisdictional wetlands and other waters of the United States. The applicant's stated purpose is to provide commercial and residential resources to the growing community in the McComb area.**

**The proposed commercial development would be constructed on a 37.9-acre parcel of land located at the northeast intersection of Interstate 55 and Louisiana Highway 98. The development would include a commercial/retail component that would consist of a hotel, craft store, sporting goods store, grocery store, and miscellaneous shops. A residential component would be constructed to the north and accessed through a culverted crossing over an existing intermittent stream. Associated roads, parking lots, and utilities would be constructed as a part of the planned facility.**

**Approximately five buildings with parking would be constructed on-site. Building sizes would range from 6,200 square feet to 71,000 square feet to accommodate retail buildings and a hotel. The residential component would be comprised of approximately 13 single-family residential house lots with a minimum lot size of 2,000 square feet. Silt fencing would be placed during construction to prevent runoff into adjacent wetlands and other waters. A large wooded 14-acre area would remain intact between the Little Tangipahoa River to the east and the development acting as a buffer and green space.**

**Approximately 1.62 acres of bottomland hardwood wetlands identified within the limits of the subject property would be impacted as a part of the planned development. Approximately 60 linear feet of an intermittent stream would be impacted. Approximately 0.48 acre of bottomland hardwood wetlands and approximately 4,787 linear feet of an intermittent stream would be avoided. Approximately 9,000 cubic yards of clean silt fill material and approximately 4,000 cubic yards of concrete would be used for the proposed project.**

**The vegetation at the project site consists of common rush, woolgrass, southern waxy sedge, fall panicgrass, and Chinese tallow. Hydric soils within the project site consist of Falaya silt loam.**

**The applicant has proposed to mitigate for the unavoidable loss of wetland impacts by purchasing credits from an approved mitigation bank within the same 8-digit HUC unit 8070205.**

**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, state lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: No known historic properties exist in the proposed permit area. Copies of the public notice have been sent to Federally recognized Tribes and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

**Endangered Species:** Our initial finding is that the proposed work would not affect the following endangered species nor their critical habitats: Atlantic sturgeon and Louisiana black bear. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat would be addressed in our evaluation of the described work.

**Flood Plain:** In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

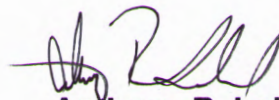
**Evaluation Factors:** The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which 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>, and click on ORM Permit Decisions under Program Links.

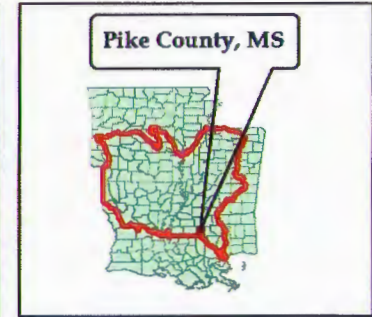


**Anthony R. Lobred  
Acting Chief, Evaluation Section  
Regulatory Branch**

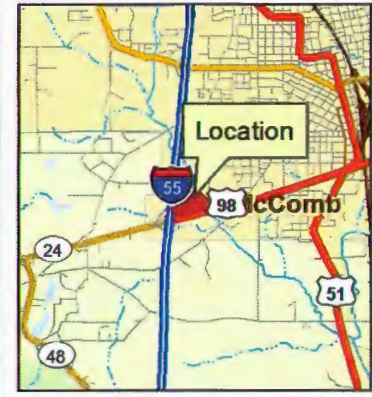




**Legend**

-  Project boundary
-  Other waters (4,847 linear ft.)
-  Culverted crossings (60 linear ft.)
-  Wetlands (2.1 acres)
-  Wetlands impacted (1.62 acres)



14 January 2015  
**MVK-2013-1011**  
 RBR Development,  
 Parklane Road and MS Hwy 98, McComb, MS  
**Preliminary  
 Jurisdictional Determination**  
 Kevin Philley

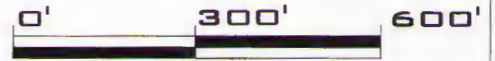




**US Army Corps  
of Engineers.**

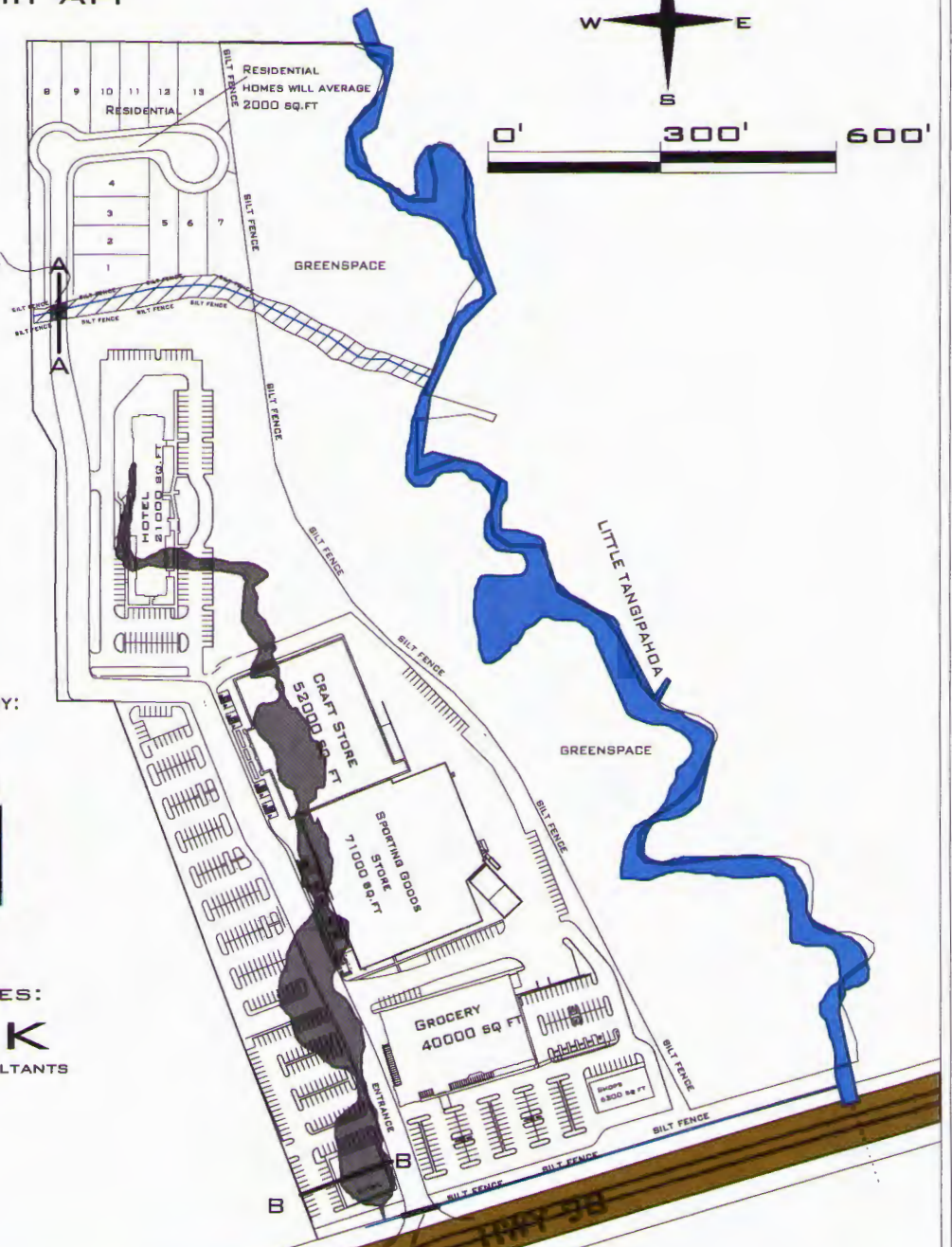
**Regulatory Branch**  
**Enforcement Section**

0 195 390  
 Feet

**RBR DEVELOPMENT  
MCCOMB CROSSING  
SECTION 404 PERMIT APP  
MCCOMB, MS**



CULVERTED  
CROSSING  
24" CULVERT  
DITCH 2'D X 3'W  
2:1 SLOPE



PRELIM DESIGNS PROVIDED BY:  
CLEARPOINT ENGINEERS  
6652 US HIGHWAY 98  
HATTIESBURG, MS 39402



WETLAND SERVICES:  
**HYDRIK**  
WETLAND AND GIS CONSULTANTS  
WWW.HYDRIK.COM

CULVERTED  
CROSSING  
24" CULVERT  
ROADSIDE DITCH

- WETLANDS TO BE IMPACTED 1.6 ACRES
- WETLANDS TO REMAIN 0.48 ACRES
- OTHER WATERS  
(ONLY IMPACTED AT TWO CROSSING)

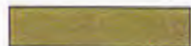
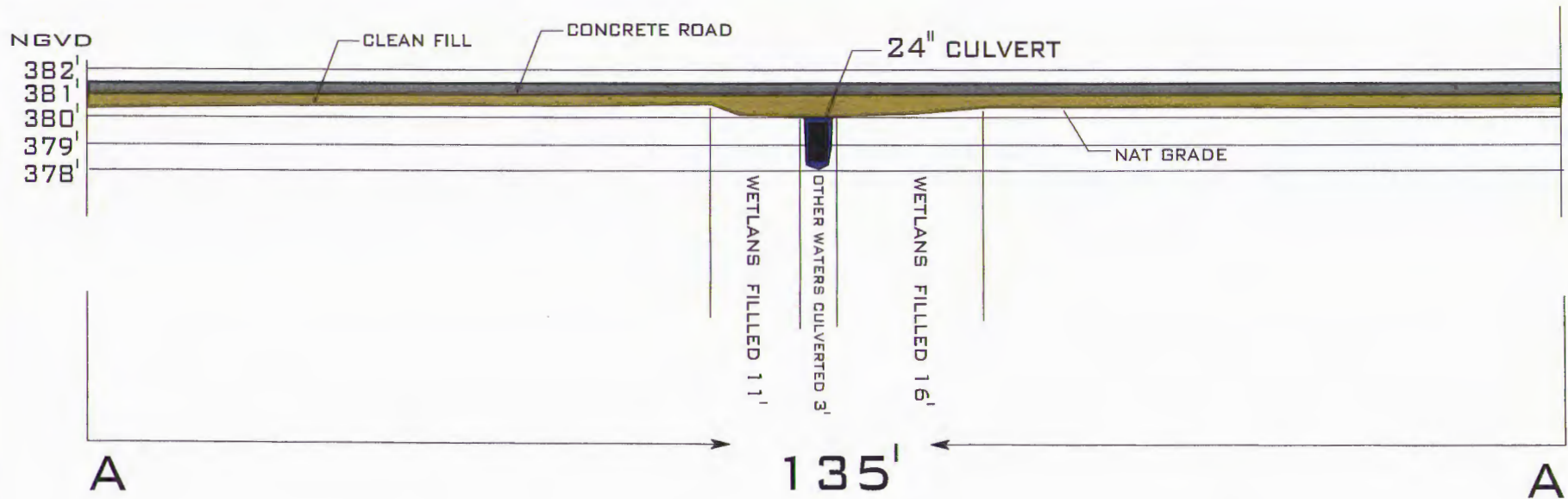
RBR DEVELOPMENT MCCOMB, LA ~37.9 ACRES	
FILE: 1447c	DATE: REV 020215

**CEMVK-OD-FE CPM-MVK-2013-1011**

**MR. HEATH RUSHING  
RBR DEVELOPMENT**

RBR DEVELOPMENT  
 McCOMB CROSSING  
 SECTION 404 PERMIT APP  
 McCOMB, MS

# SECTION A-A



CLEAN SILT FILL FROM GRADING  
 POND FILL FROM COMMERCIAL PROVIDER

**HYDRIK**  
 WETLAND AND GIS CONSULTANTS  
 WWW.HYDRIK.COM

RBR DEVELOPMENT  
 McCOMB, LA  
 ~37.9 ACRES

FILE: 1447c

DATE: 120414

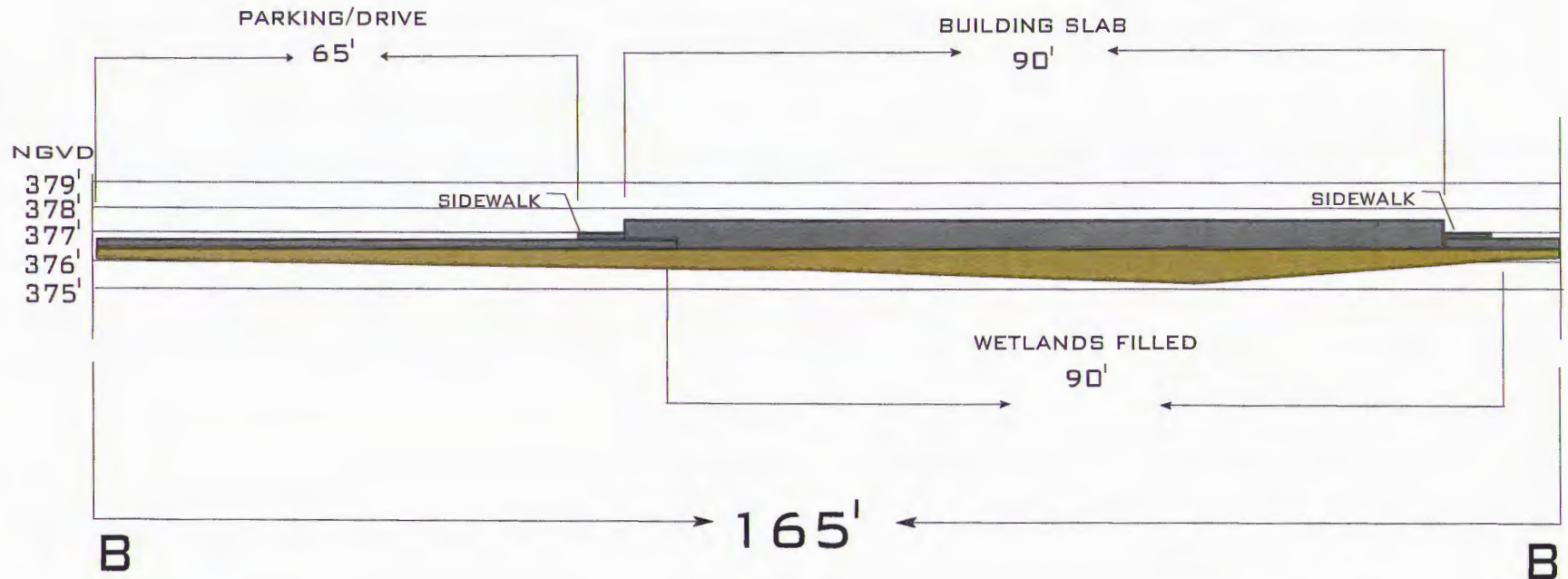
HORIZONTAL AND VERTICAL SCALES AS LABELED



**CEMVK-OD-FE CPM-MVK-2013-1011**

**MR. HEATH RUSHING**  
**RBR DEVELOPMENT**

RBR DEVELOPMENT  
 McCOMB CROSSING  
 SECTION 404 PERMIT APP  
 McCOMB, MS

# SECTION B-B



 CLEAN SILT FILL FROM GRADING  
 POND FILL FROM COMMERCIAL PROVIDER

 **HYDRIK**  
 WETLAND AND GIS CONSULTANTS  
 WWW.HYDRIK.COM

RBR DEVELOPMENT McCOMB, LA ~37.9 ACRES	
FILE: 1447C	DATE: 120414

HORIZONTAL AND VERTICAL SCALES AS LABELED

**CEMVK-OD-FE CPM-MVK-2013-1011**

**MR. HEATH RUSHING**  
 RBR DEVELOPMENT