



**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-2015-512
EVALUATOR:	Ms. Charlene Mosley
PHONE NO.:	(601) 631-5264
FAX NO.:	(601) 631-5459
E-MAIL:	Charlene.P.Mosley@usace.army.mil
DATE:	December 21, 2015
EXPIRATION DATE:	January 11, 2016

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 at the above address, and the Mississippi Department of Environmental Quality at Post Office Box 2261, Jackson, Mississippi 39225, 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. Lee Peek
Kansas City Southern Railway Company
Post Office Box 219335
Kansas City, Missouri 64121

Name of Agent:

Mr. Jeffrey Clay Cromwell
Headwaters, Incorporated
Post Office Box 2836
Ridgeland, Mississippi 39158

Location of Work: Section 24, T5N-R1E, latitude 32.2588N, longitude -90.1528W, within the Middle Pearl-Strong drainage basin, HUC: 03180002, Rankin 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 complete the High Oak Yard (HOY) Expansion- Phase III project providing additional rail storage capacity to accommodate an increase in rail traffic on the Meridian Speedway.

The proposed HOY expansion would be constructed on a 57-acre parcel of land located south of Interstate 20, east of US Highway 49, and west of MS Highway 468. The site plans would include the construction of six new yard tracks within the central portion of the yard interconnecting with the existing tracks. Approximately 2,879.29 linear feet by 6 feet wide of an intermittent stream located within the interior portion of the HOY would be filled and graded to provide the foundation of the new track beds. The existing intermittent stream would be rerouted along the north side of the existing mainline or outside of the HOY. The relocated channel would be approximately 2,755.41 linear feet by 10 feet wide with 2-2.5:1 graded slopes along both banks and would be constructed through the excavation of spoil material to facilitate proper drainage. The relocated channel would continue to receive storm water flow from north of the yard, and would convey the storm water to the northwest, paralleling the base of the mainline fill limits within the new channel. Approximately four 60-foot steel pipes would "jack and bore" underneath the HOY infrastructure to allow the relocated stream to merge with the existing channel located south of the HOY.

Approximately 0.40 acre of scrub-shrub wetlands and 0.31 acre of emergent wetlands would be permanently impacted as a part of the rail yard expansion. Approximately 2,600 cubic yards of silty clay loam fill material would be used for the proposed project. Approximately 0.24 acre of scrub-shrub wetlands and 0.27 acre of emergent wetlands would be temporarily impacted due to construction workplaces.

The vegetation within the scrub-shrub wetlands consists of black willow, Chinese tallow, loblolly pine, sweet gum, willow oak, wax myrtle, buttonbush, baccharis, marsh flat sedge, lamp rush, lizard's tail, spiderwort, and curly dock. The vegetation within the emergent wetlands consists of lamp rush, marsh flat sedge, coffeeweed, lizard's tail, curly dock, broomsedge, and red vine. Hydric soils within the scrub-shrub and emergent wetlands consists of Guyton silt loam, occasionally flooded and Leverett silt loam.

The applicant has proposed to mitigate for the unavoidable loss of wetland impacts by purchasing wetland credits from an approved mitigation bank whose service area includes the same 8-digit HUC unit 03180002.

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: An initial review indicates that the proposed project would not affect cultural resources listed, or eligible for listing, in the National Register of Historic Places. Cultural resources include prehistoric and historic archeological sites and areas or structures of cultural interest which occur in the permit area. 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 is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: The permit area was created in modern times and has had no human habitation; therefore, little likelihood exists for the proposed project to impinge upon a historic property. Copies of this notice have been sent to the State Historic Preservation Officer, the Corps Regulatory Archaeologist, Federally Recognized Tribes, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect the following endangered species nor their critical habitats: Gulf sturgeon, ringed map turtle, and Louisiana black bear.

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.

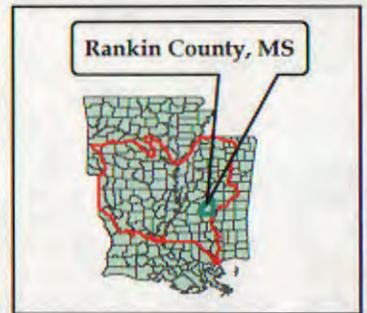
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may 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.

for *Chad R. Alford, Jr.*
Thomas A. McCabe
Acting Chief, Evaluation Section
Regulatory Branch



02 December 2015
MVK-2015-512
 Headwaters Inc.
 Kansas City Southern
 Rail Yard Expansion
 Rankin County, MS
**Preliminary
 Jurisdictional Determination**
 Jeremy Stokes



**US Army Corps
of Engineers**

**Regulatory Branch
Enforcement Section**

0 420 840
 Feet

Legend

- Seasonal RPW (3,914/1.26 Acres)
- Emergent Wetland (.63 Acre)
- MVK-2015-512 Upland
- Non-Jurisdictional Retention Areas/ Settling Basins (22.6 Acres)
- Scrub Shrub Wetland (.75 Acre)

1:8,000

