



**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-2015-552
EVALUATOR:	Ms. Charlene Mosley
PHONE NO.:	(601) 631-5264
FAX NO.:	(601) 631-5459
E-MAIL:	Charlene.P.Mosley@usace.army.mil
DATE:	September 4, 2015
EXPIRATION DATE:	September 24, 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 at the above address, 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. Tom Underwood
UCR Properties, LLC
Post Office Box 321442
Jackson, Mississippi 39232

Name of Agent:
Mr. Michael E. Goff
Headwaters, Incorporated
307 Highland Park Cove
Ridgeland, Mississippi 39158

Location of Work: Section 18, T5N-R3E, latitude 32.2801N, longitude -90.0372W, 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. The applicant's stated purpose is to provide a location for additional retail and commercial space within the City of Brandon.

The proposed commercial development would be constructed on a 12.45-acre parcel of land located south of Disotell Boulevard, north of Interstate 20, and west of MS Highway 18 (Crossgates Boulevard). The site plans would include the construction of five retail buildings ranging from 2,100 - 11,500 square feet including associated parking, a 51,500-square foot motel building, and associated parking areas and amenities. Approximately 350 parking spaces would be developed for all lots to include the construction of additional parking space adjacent to and in conjunction with an existing restaurant located at the northeast corner of the project site. A 42,054-square foot storm water retention area would be constructed in the southeast portion of the project site to provide the required post-construction storm water treatment capacity for the development area.

Approximately 5.32 acres of scrub-shrub wetlands identified within the limits of the subject property would be impacted as a part of the planned development. Approximately 43,000 cubic yards of clean silt fill material would be used for the proposed project.

The vegetation at the project site consists of poison sumac, baccharis, Chinese privet, and popcorn trees. Hydric soils within the project site consist of Gillsburg silt loam, occasionally flooded.

The applicant has proposed to mitigate for the unavoidable loss of wetland impacts by pursuing permittee responsible mitigation within 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 has been so extensively modified that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area. 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: Atlantic sturgeon, Northern long-eared bat, ringed map turtle, and Louisiana black bear. In a letter dated November 16, 2011, U.S. Fish and Wildlife Service determined that no federal listed species or their habitats would be affected from the proposed 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.



**Thomas A. McCabe
Acting Chief, Evaluation Section
Regulatory Branch**

Commercial Development, Rankin County, MS



General Location:
32.280100/-90.037232
Decimal Degrees



Legend

- Project Site
- Other Waters of the U.S.
- Wetlands

Enclosure 2

Wednesday, August 05, 2015

MVK-2015-552

Proposed Commercial Site
Site has changed hands. We formally
Did A PRE-JD on this Site Under
MVK-2011-658. This is A revised Map
showing the new project boundary.
Rankin County, MS

**Preliminary
Jurisdictional Determination**

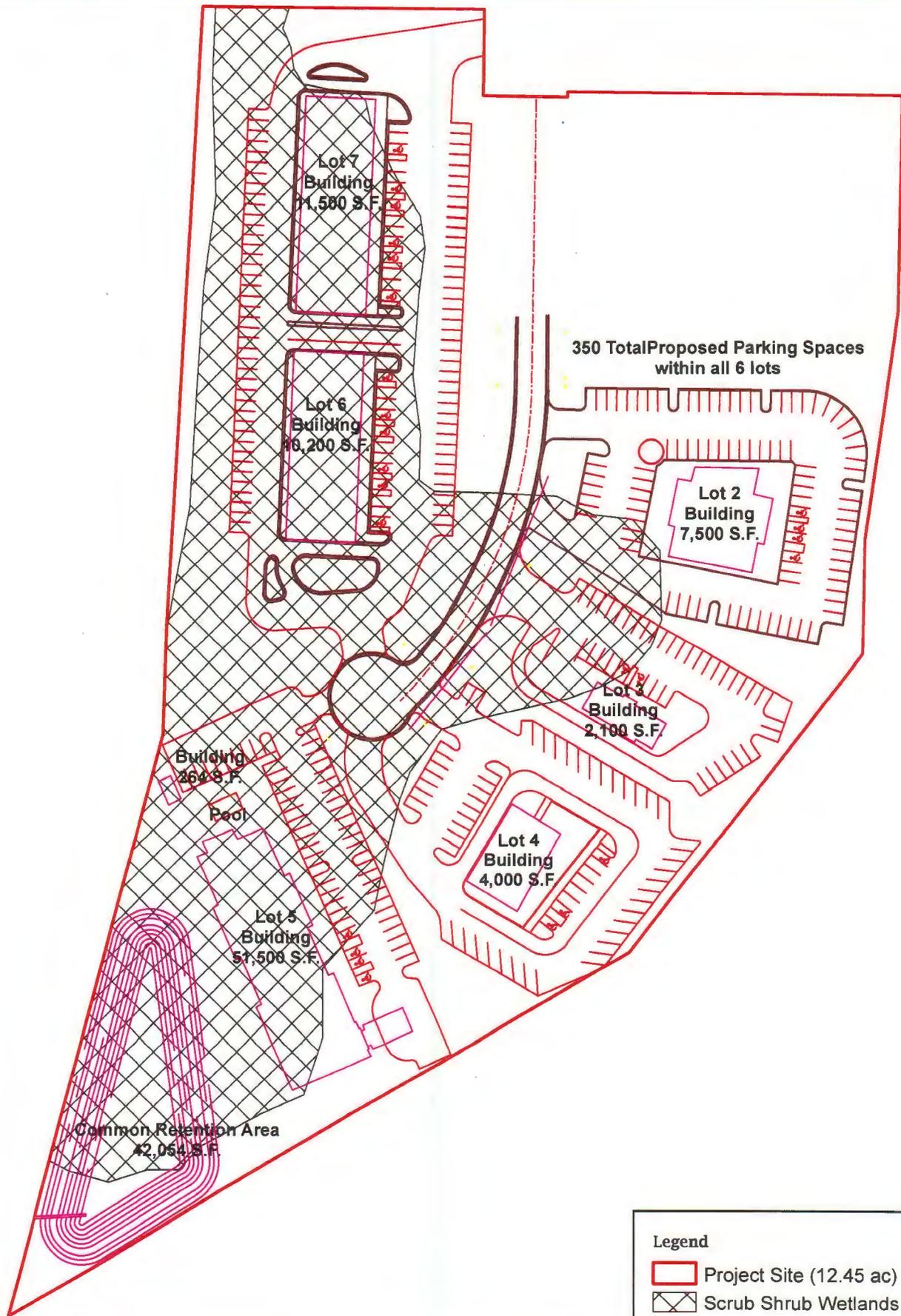
Aerial Imagery: NAIP 2014



**US Army Corps
of Engineers**

**Regulatory
Branch**

**Enforcement
Section**



Legend

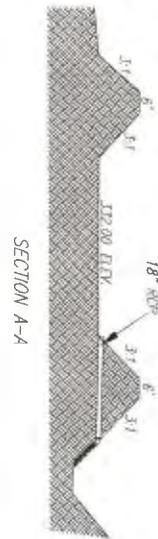
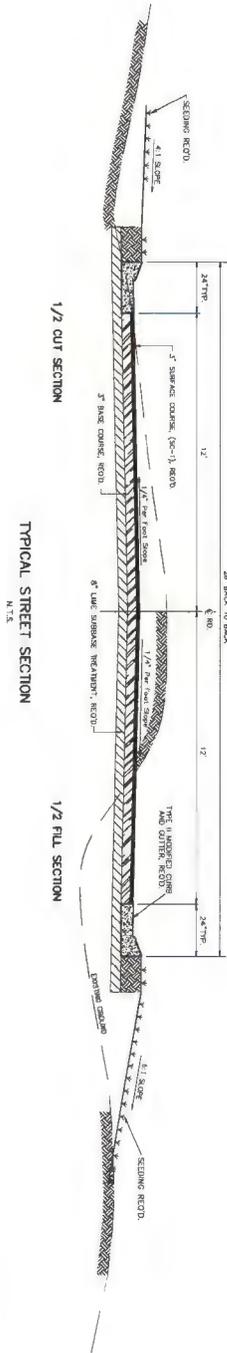
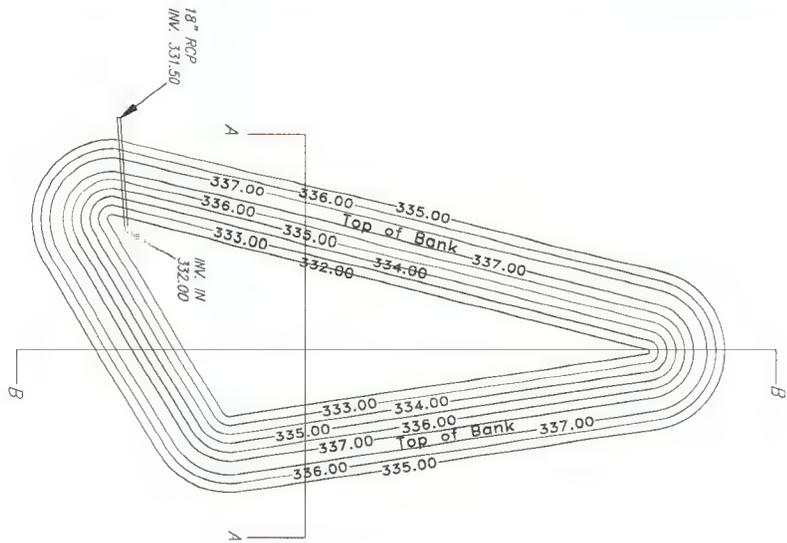
- Project Site (12.45 ac)
- Scrub Shrub Wetlands (5.323 ac)



UCR Properties
Crossgates Crossing
 Sec. 18 - T 5 N, R 3 E
 Rankin County, Mississippi
[Wetland Location Map](#)

CEMVK-OD-FE CPM-MVK-2015-552

UCR PROPERTIES, LLC
MR. TOM UNDERWOOD



DRAWING TITLE: COMMON RETENTION AREA	CLIENT: UNDERWOOD PROPERTY	REV	DATE	DES
	PROJECT TITLE: UNDERWOOD PROPERTY			
PROJ. NO.: 15-013				
DATE: 8-11-2015				
SHEET NO.: 7				

CEMVK-OD-FE CPM-MVK-2015-552
UCR PROPERTIES, LLC
MR. TOM UNDERWOOD