



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	RHW-MVK-2013-1131
EVALUATOR:	Ms. Ramona Warren
PHONE NO.:	(601) 631-5441
FAX NO.:	(601) 631-5459
E-MAIL:	Ramona.H.Warren@usace.army.mil
DATE:	March 20 , 2014
EXPIRATION DATE:	April 10, 2014

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. John H. Trezevant
Oxford Galleria II, LLC
9063 Corporate Gardens Drive
Germantown, Tennessee 38138

Name of Agent:
Mr. Cullen Daniel Dendy
Headwaters, Incorporated
P.O. Box 3658
Tupelo, Mississippi 38803

Location of Work: Sections 24 and 25, T8S-R4W, latitude 34.363877 N, longitude - 89.568378W, within the East Goose Valley Drainage Basin, Lafayette County, Oxford, 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 place dredged/fill material into other waters of the United States for the construction of a phase II commercial development in Lafayette County, Oxford, Mississippi.

Phase 1 of the Oxford Galleria was constructed in 2007, and no permit was required because the project was located in uplands. Recently, the general area has experienced significant growth with the recent location of other commercial businesses in the area. Therefore, the applicant proposed to construct a phase II development.

The proposed project would consist of the removal of an existing mobile home community and the construction of a new retail center named Oxford Galleria II. The Commercial development would consist of several restaurants, multiple retail shops, one or more department stores, and potentially a four-story hotel with 81 rooms and associated parking lots.

The project site is approximately 20 acres of which 0.06 acre of wetlands would be filled by construction of the proposed project. In addition, approximately 997.36 linear feet (LF) of a 1,410.07 LF perennial stream would be filled for the construction of the proposed parking lot. The perennial stream has a bottom width of approximately 6 to 7 feet, with steep side slopes, and 15-foot top width. Approximately 374.17 linear feet of the perennial stream would also be re-routed and piped through a double 10-foot X 14-foot concrete box culvert beneath the new parking lot to divert water into the riprap lined intermittent stream located along the eastern property boundary. In addition, approximately 30 LF of the intermittent stream would be bridged as part of the construction. The bridge would completely span the top bank of the intermittent channel.

Approximately 18,000 cubic yards of fill material would be required for the proposed project construction. The material would be obtained from an approved off-site borrow area free of contaminants.

The wetland vegetation on-site consists of Black willow, Common rush, and yellow fruit sedge. The soil on site consists of Ochlockonee that is frequently flooded. This soil is listed as hydric soil in Lafayette County, Mississippi on the National Hydric Soils list

The applicant proposes to compensate for unavoidable impacts to jurisdictional waters, 0.06 acre of wetlands and 0.16 acre (997.36 LF) of other waters, through purchase of appropriate wetland/ stream credits from an approved mitigation bank.

The placement of dredged and/or fill material in other waters of the United States associated with the mechanized land clearing requires a Department of the Army Permit.

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 any of the sites in Pearl River County, Mississippi, listed in the National Register of Historic Places. The Corps 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: An historic properties investigation has been conducted within the permit area. No sites determined eligible for or listed on the National Register of Historic Places are within the permit area or affected area. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps Regulatory archaeologist, 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 likely adversely affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will 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.

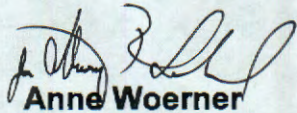
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may 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)(1) 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.

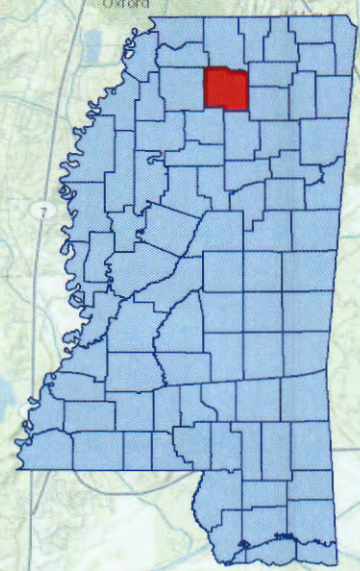
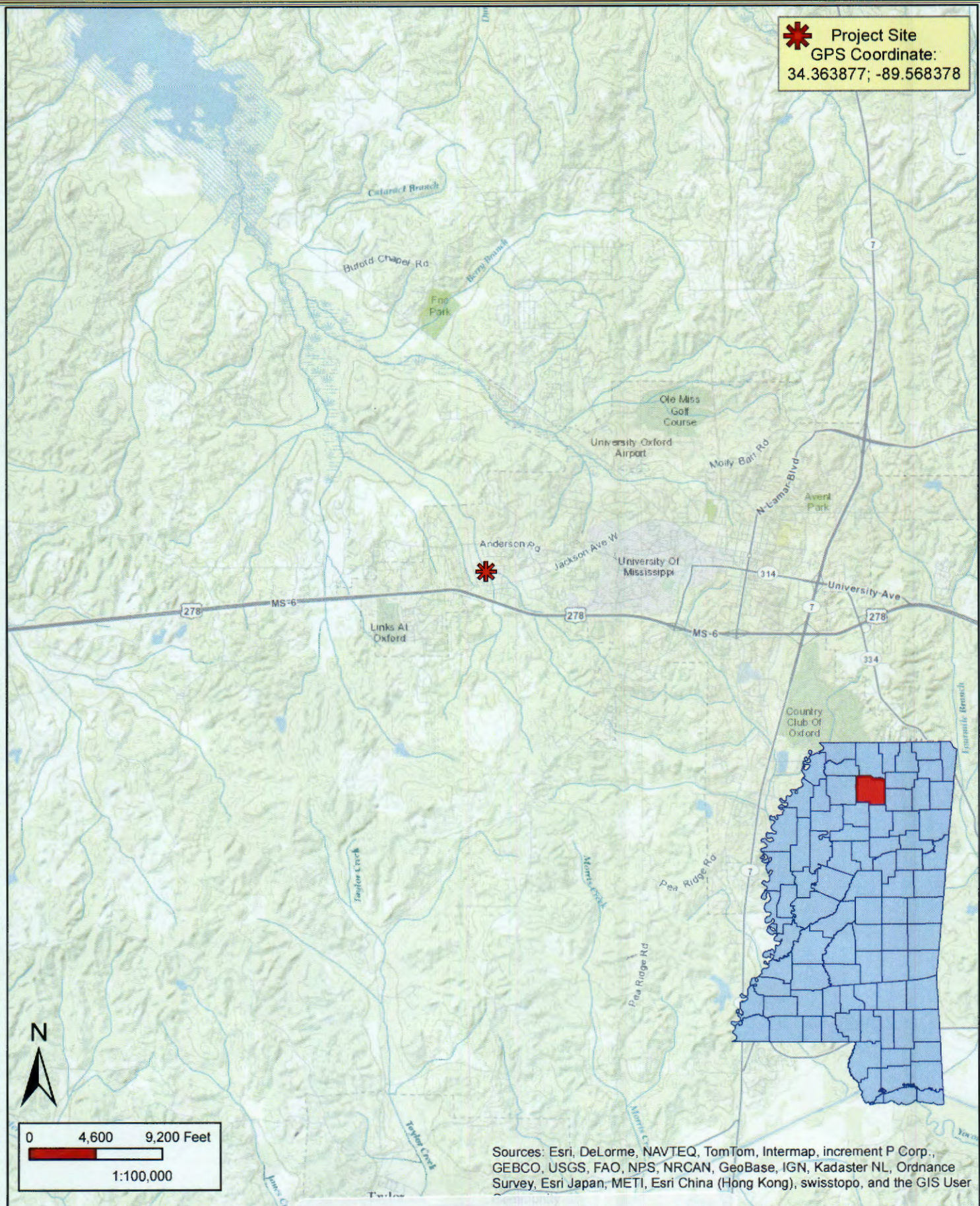
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date, and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this 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.



Anne Woerner
Chief, Evaluation Section
Regulatory Branch

 **Project Site**
GPS Coordinate:
 34.363877; -89.568378



Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, and the GIS User

CEMVK-OD-FE RHW-MVK-2013-1131

MR. JOHN H. TREZEVANT
OXFORD GALLERIA II, LLC

General Location Map
 U.S.G.S. Oxford South, MS



Sewage Disposal Pond

LEGEND

 Boundary

EAST

380

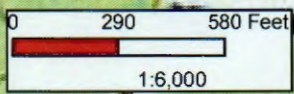
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Trailer Parks

Drive-in Theater

6

BYP



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Field Map

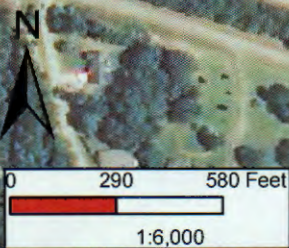
MR. JOHN H. TREZEVANT
OXFORD GALLERIA II, LLC

I.S.G.S. Oxford South, MS



LEGEND

 Boundary



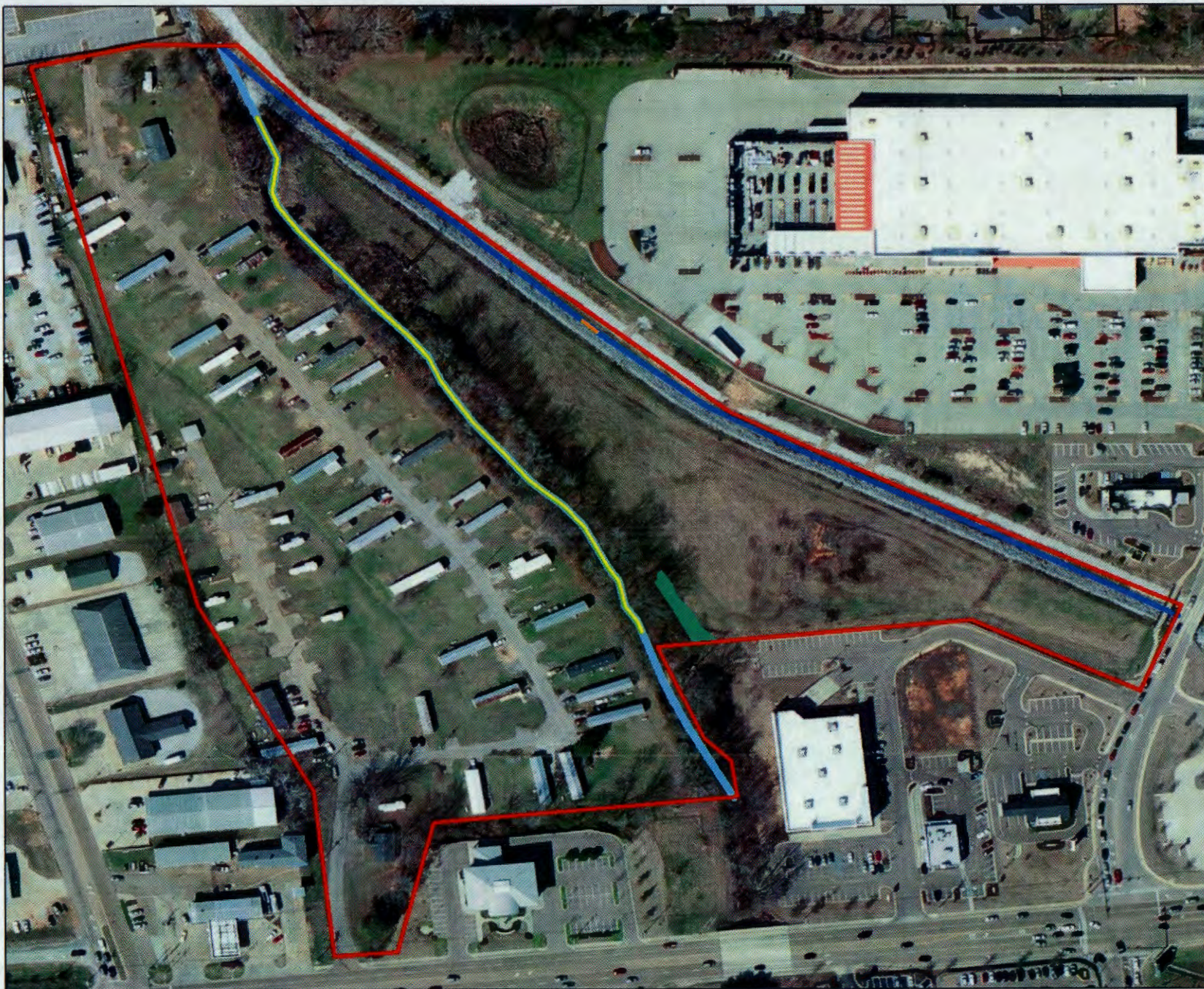
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**MR. JOHN H. TREZEVANT
OXFORD GALLERIA II, LLC**

Field Map

USDA 2012 NAIP





Lafayette County, MS



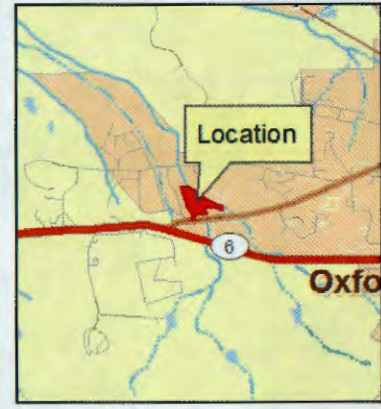
12 March 2014

MVK-2013-1131

Oxford Galleria II, LLC
Sections 24 & 25, T8S-R4W

**Preliminary
Jurisdictional Determination**

Kevin Philley

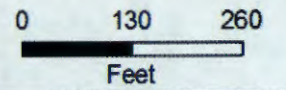


**US Army Corps
of Engineers**



Regulatory Branch

Enforcement Section



Legend

- Project Boundary
- Perennial Stream (1,410.07 linear ft.)
- Impacts to Perennial Stream (997.35 linear ft.)
- Emergent Wetland - Impacted (0.06 acres)
- Intermittent Stream (1,575.01 linear ft.)
- Impacts to Intermittent Stream (30.0 linear ft.)