



**US Army Corps
of Engineers**
Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	<u>MVK-2021-265</u>
EVALUATOR:	<u>Mr. Andy Sanderson</u>
PHONE NO.:	<u>(601) 631-5083</u>
E-MAIL:	<u>Andy.Sanderson@usace.army.mil</u>
DATE:	<u>April 27, 2022</u>
EXPIRATION DATE:	<u>May 18, 2022</u>

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.

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. Bruce Kirkland
Horseshoe Bend, LLC
605 Steed Road
Ridgeland, Mississippi 39157

Name of Agent:
Mr. Clay Cromwell
Headwaters, Incorporated
Post Office Box 2836
Ridgeland, Mississippi 39157

Location of Work: Sections 7 and 8, T6N-R1W, Latitude 32.3777°N, Longitude -90.3306°W, within the Straight Fence Creek watershed in the Lower Big Black Drainage Basin (8-digit USGS HUC 08060202), Hinds 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 discharge dredged and/or fill material into jurisdictional waters of the United States for the construction of Phase II of the Horseshoe Bend residential subdivision in Clinton, Hinds County, Mississippi. The stated purpose is to help meet the demand for single-family housing within the City of Clinton area.

Phase I of the development did not require a permit. The proposed Phase II would include the construction of +/- 74 single-family residential house lots with a minimum lot size of 11,500 square feet, interior roads, utilities, and other associated appurtenances. Access to the site would be from Pinehaven Drive.

The total project site is approximately 30 acres in size, containing approximately 1.19 acres of forested wetlands, 1.62 acres of emergent wetlands, 83 linear feet of intermittent stream, and 1,493 linear feet of ephemeral stream channels. The proposed project would result in impacts to all jurisdictional areas except for the intermittent stream. Approximately 0.05 acre of forested wetlands and 1.20 acres of emergent wetlands would be graded and filled, and 1,493 lf of ephemeral stream channels would be rerouted to allow for construction of house lots, interior access roads, and underground drainage systems. The ephemeral stream would be rerouted into a grassed swale of approximately 1,526 linear feet. In addition, approximately 1.14 acres of forested wetlands and 0.42 acre of emergent wetlands would be cleared for the construction of a detention basin. Impacts to the intermittent stream would be avoided.

The vegetative communities within the project area are dominated by *lamprush* (*Juncus effusus*), curly dock (*Rumex crispus*), bushy bluestem (*Andropogon glomeratus*), *Carex spp*, sweetgum (*Liquidambar styraciflua*), water oak (*Quercus nigra*), Chinese privet (*Ligustrum sinense*), and winged elm (*Ulmus alata*). Soil within the project site consists primarily of Loring silt loam (LoB2, LoC3, LoD3), Oaklimer silt loam, and Riedtown silt loam soils with NRCS hydric component percentage ratings of 0-5, 2, and 3, respectively.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from a USACE-approved mitigation bank that services the project area.

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. As of the date of this public notice, the applicant has submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority) and the Corps of Engineers has notified the certifying agency of the reasonable period of time for them to act upon the certification.

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: The proposed work and/or structures are of such limited nature and scope that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

Endangered Species: Threatened and Endangered Species for this area include the Wood stork and Northern long-eared bat. 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 (USFWS), the Corps has determined that the proposed activity would have no effect on the Wood stork; and may affect the Northern long-eared bat, but any resulting incidental take is not prohibited by the final 4(d) rule.

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. A portion of the project 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

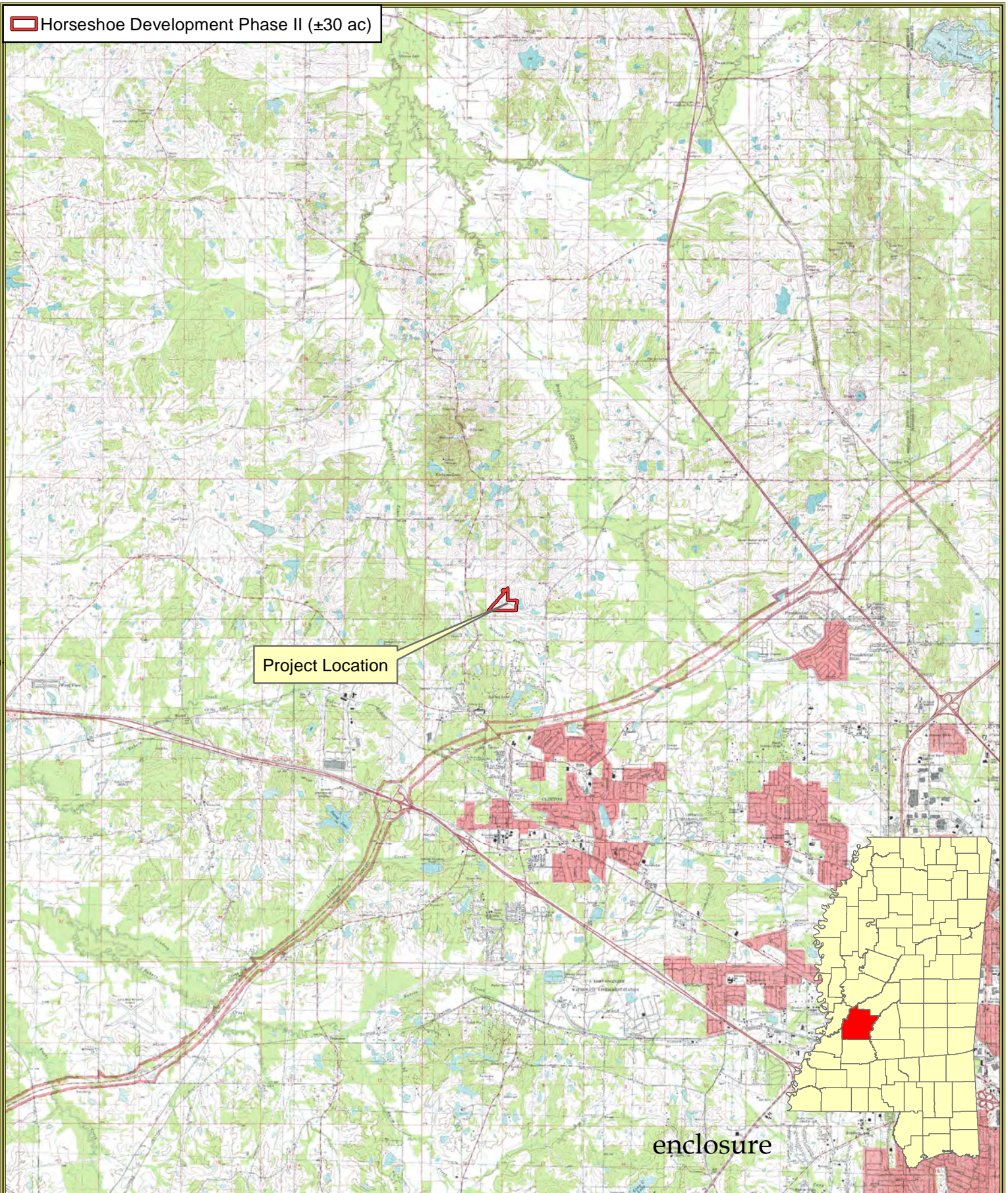
us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

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>.

Anthony R Lobred
for Bryan Williamson
Chief, Permit and Evaluation Section
Regulatory Branch

 Horseshoe Development Phase II (±30 ac)

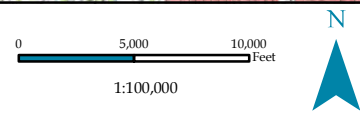


Project Location

enclosure



Horseshoe Bend Phase II
Sec. 7 & 8 - T 6N - R 1W
Hinds County, Mississippi
[General Location Map](#)




NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USGS Pocahontas (MS) Quad

Date Created: 2/22/2022

Created by: JDL

 Horseshoe Bend Development Phase II (±30 ac)

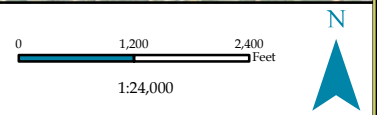


HEADWATERS
NATURAL RESOURCES CONSULTING
WWW.HEADWATERS-INC.COM

Date Created: 2/22/2022

Created by: JDL

Horseshoe Bend Phase II
Sec. 7 & 8 - T 6N - R 1W
Hinds County, Mississippi
[Site Location Map](#)



NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USDA NAIP 2020 Imagery Basemap

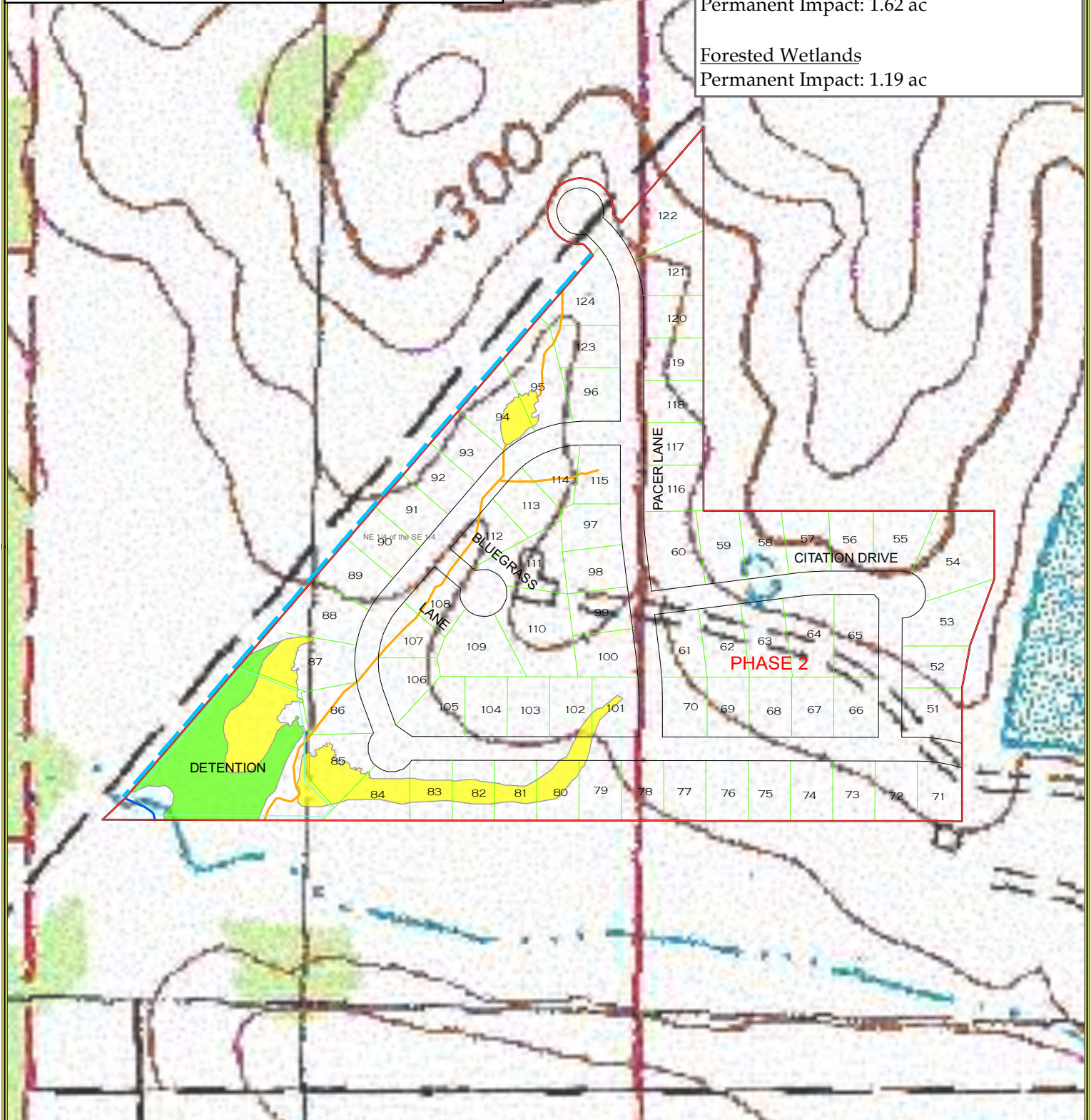
- Horseshoe Development Phase II (±30 ac)
- Intermittent Stream (82.54 lf)
- Ephemeral Stream (1,493.17 lf)(0.12 ac)
- Proposed Stream Reroute (Grass Swale)(1,525.94 lf)
- Forested Wetlands (1.19 ac)
- Emergent Wetlands (1.62 ac)

Horseshoe Bend Phase II Planned Impacts

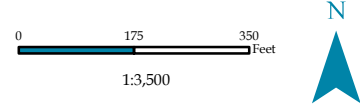
Ephemeral Stream
 Permanent Impact: 1,493.17 lf / 0.12 ac

Emergent Wetlands
 Permanent Impact: 1.62 ac

Forested Wetlands
 Permanent Impact: 1.19 ac



Horseshoe Bend Phase II
 Sec. 7 & 8 - T 6N - R 1W
 Hinds County, Mississippi
Preliminary Wetland Impact Map



NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USGS Pochontas (MS) Quad

Date Created: 4/21/2022

Created by: JDL

- Horseshoe Development Phase II (±30 ac)
- Intermittent Stream (82.54 lf)
- Ephemeral Stream (1,493.17 lf)(0.12 ac)
- · - Proposed Stream Reroute (Grass Swale)(1,525.94 lf)
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Horseshoe Bend Phase II Planned Impacts

Ephemeral Stream
Permanent Impact: 1,493.17 lf / 0.12 ac

Emergent Wetlands
Permanent Impact: 1.62 ac

Forested Wetlands
Permanent Impact: 1.19 ac

PJD Concurrence
PM: Andy Sanderson
26 April 2022

