



**US Army Corps
of Engineers.**

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



Public Notice

APPLICATION NO.:	MVK-2016-1022
EVALUATOR:	Mr. Andy Sanderson
PHONE NO.:	(601) 631-5083
E-MAIL:	Andy.Sanderson@usace.army.mil
DATE:	June 26, 2018
EXPIRATION DATE:	July 25, 2018

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 and / or fill material into waters of the United States.

Name of Applicant:
Mr. Andrew Densing
NCL Waste, LLC
14339 Hudson Krohn Road
Biloxi, Mississippi 39532

Name of Agent:
Mr. Jeremy Smith
FC&E Engineering, LLC
917 Marquette Road
Brandon, Mississippi 39042

Location of Work: Section 30, T7N- R1E, Latitude 32.4237, Longitude -90.2409, within the Upper Bogue Chitto Creek watershed in the Lower Big Black Drainage Basin (8-digit USGS HUC 08060202), Madison 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 activities within jurisdictional waters for the construction of a municipal solid waste landfill and associated appurtenances. Proposed impacts would be the fill of approximately 1.58 acres of forested wetlands, 2.00 acres of open water, 1,300

linear feet of intermittent stream, 1,617 linear feet of ephemeral stream, and the reroute of approximately 2,629 linear feet of intermittent stream. Total discharge of fill into jurisdictional areas would be approximately 12,580 cubic yards.

The footprint of the waste disposal area would be approximately 89 acres and would be surrounded by buffer zones. The landfill would be constructed in 13 subsequent cells and the footprint of site grading would be approximately 136 acres. Proposed construction includes site grading, roads, drainage, and storm water ponds within the buffer zones. Total jurisdictional waters on-site are approximately 2.08 acres of forested wetlands, 2.00 acres of open water, 4,375 linear feet of intermittent stream, and 2,071 linear feet of ephemeral stream.

The vegetative communities within the project area are dominated by American sweetgum, water oak, loblolly pine, American sycamore, American elm, black willow, Shumard oak, and cherrybark oak. Soils within the project site are dominated by Smithdale-Providence, Providence-Udorthents, and Loring silt loam with Natural Resources Conservation Service's (NRCS) hydric component percentage ratings of 5, 2, and 0, respectively.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an approved mitigation bank whose service area includes the same 8-digit USGS HUC code: 08060202.

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: The permit area has been so extensively modified that little likelihood exists for the proposed project to impinge upon an historic property, even if present within the affected area.

Endangered Species: 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, 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 that any resulting incidental take of the Northern long-eared bat would not be prohibited by the final 4(d) rule. 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.

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. The proposed project site is not 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>.

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



**Preliminary
Jurisdictional Determination**

FC&E Engineering
166 Acre Site
Madison County, Mississippi



Legend

-  Property
-  Ephemeral (2,071 LF)
-  Intermittent (4,375 LF)
-  Wetlands (2.08 Acres)
-  Open Water (2 Acres)

Prepared by:

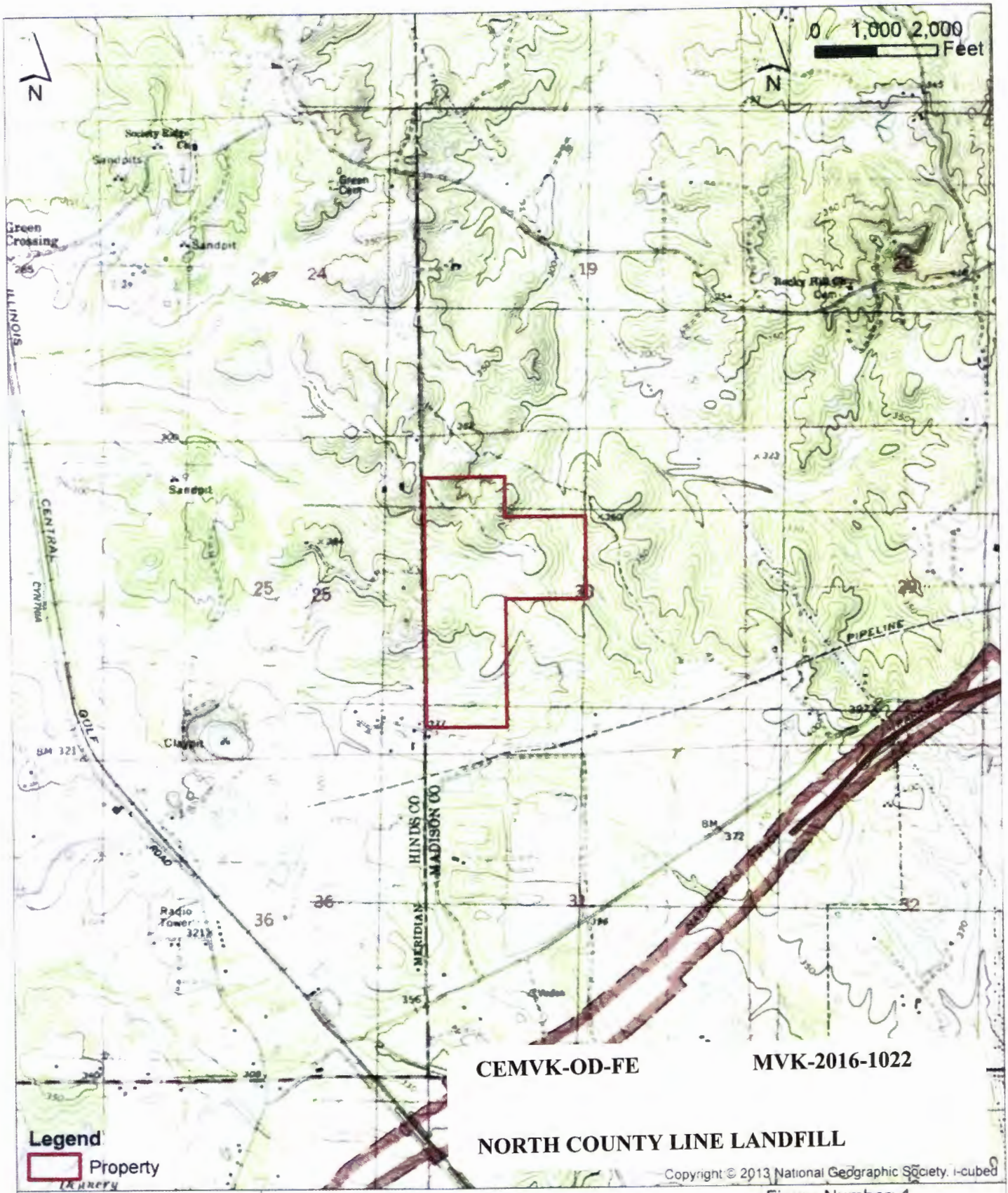
Bert Turcotte

Enclosure 1

CEMVK-OD-FE

MVK-2016-1022

NORTH COUNTY LINE LANDFILL



Legend

Property

CEMVK-OD-FE **MVK-2016-1022**

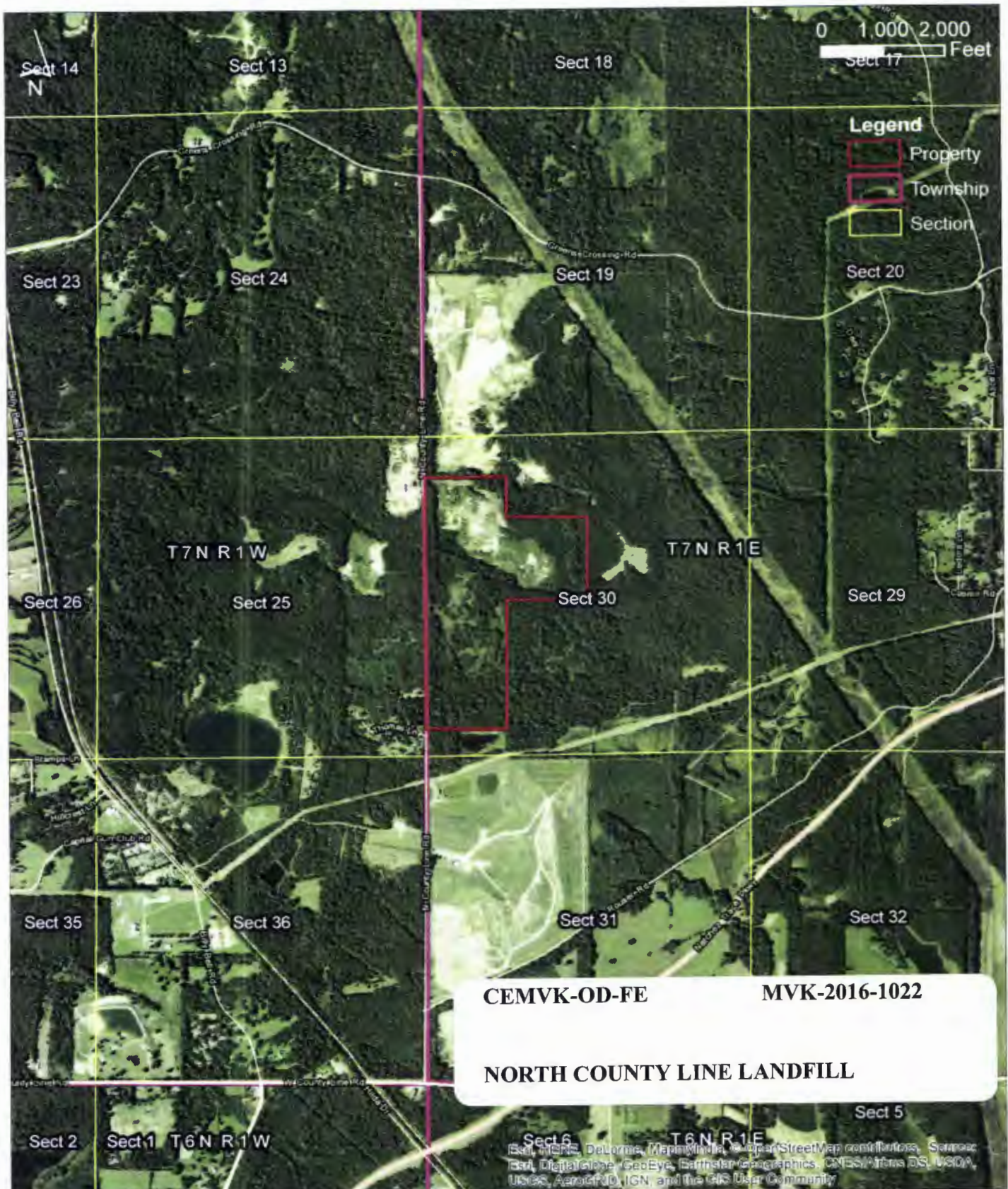
NORTH COUNTY LINE LANDFILL

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Request for Preliminary Jurisdictional Determination
 North County Line Site
 166 Acre Site in Section 30, T7N - R1E
 Madison County, Mississippi

Figure Number: 1
 Figure Name: Quad Map
 Purpose: JD Request
 Drawn By: jsmith
 Date Drawn: 10/03/2016



CEMVK-OD-FE

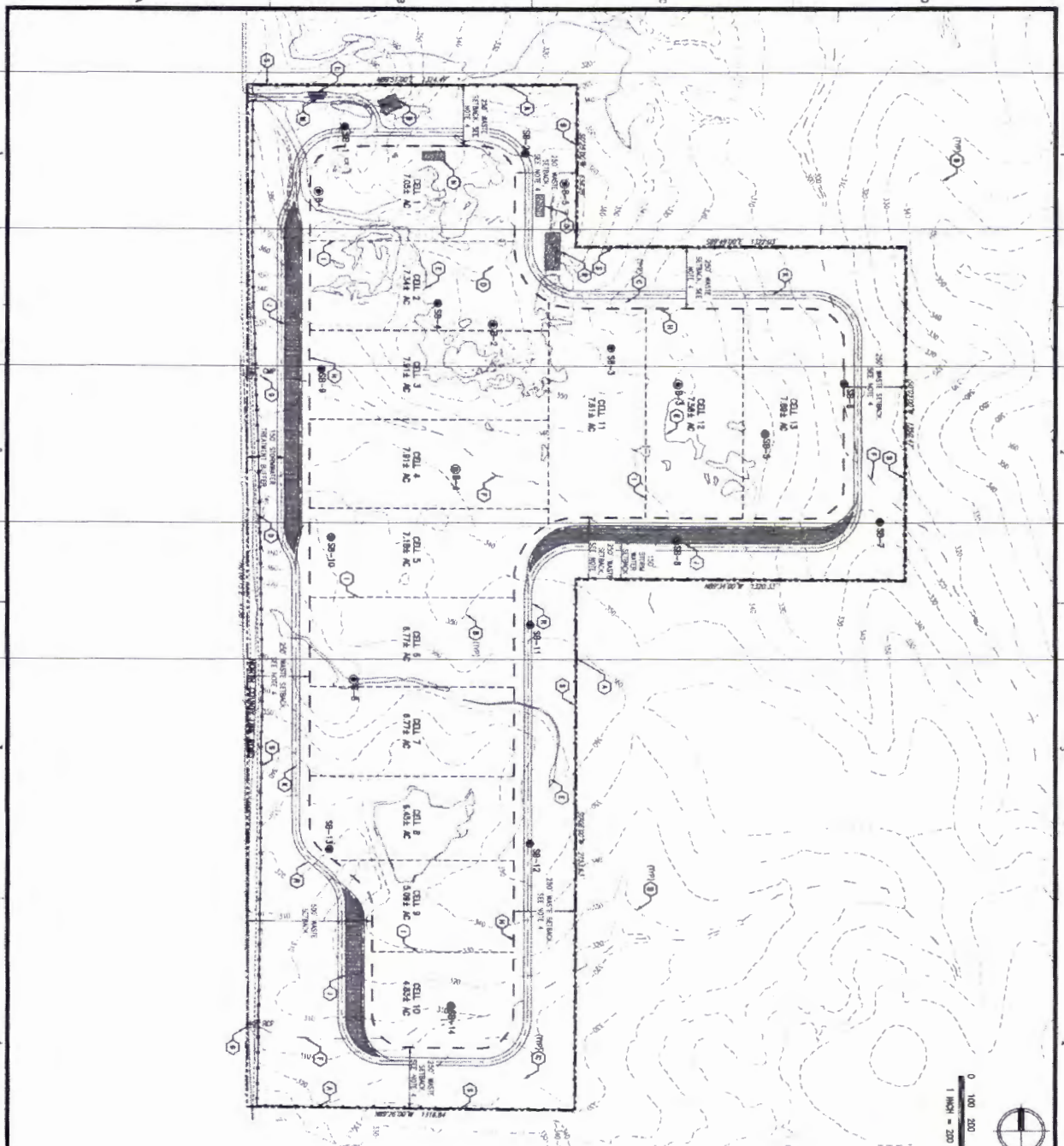
MVK-2016-1022

NORTH COUNTY LINE LANDFILL

Request for Preliminary Jurisdictional Determination
 North County Line Site
 166 Acre Site in Section 30, T7N - R1E
 Madison County, Mississippi

Figure Number: 2
 Figure Name: Vicinity Map
 Purpose: JD Request
 Drawn By: jsmith
 Date Drawn: 10/03/2016





0 100 200 400
1 INCH = 200 FEET



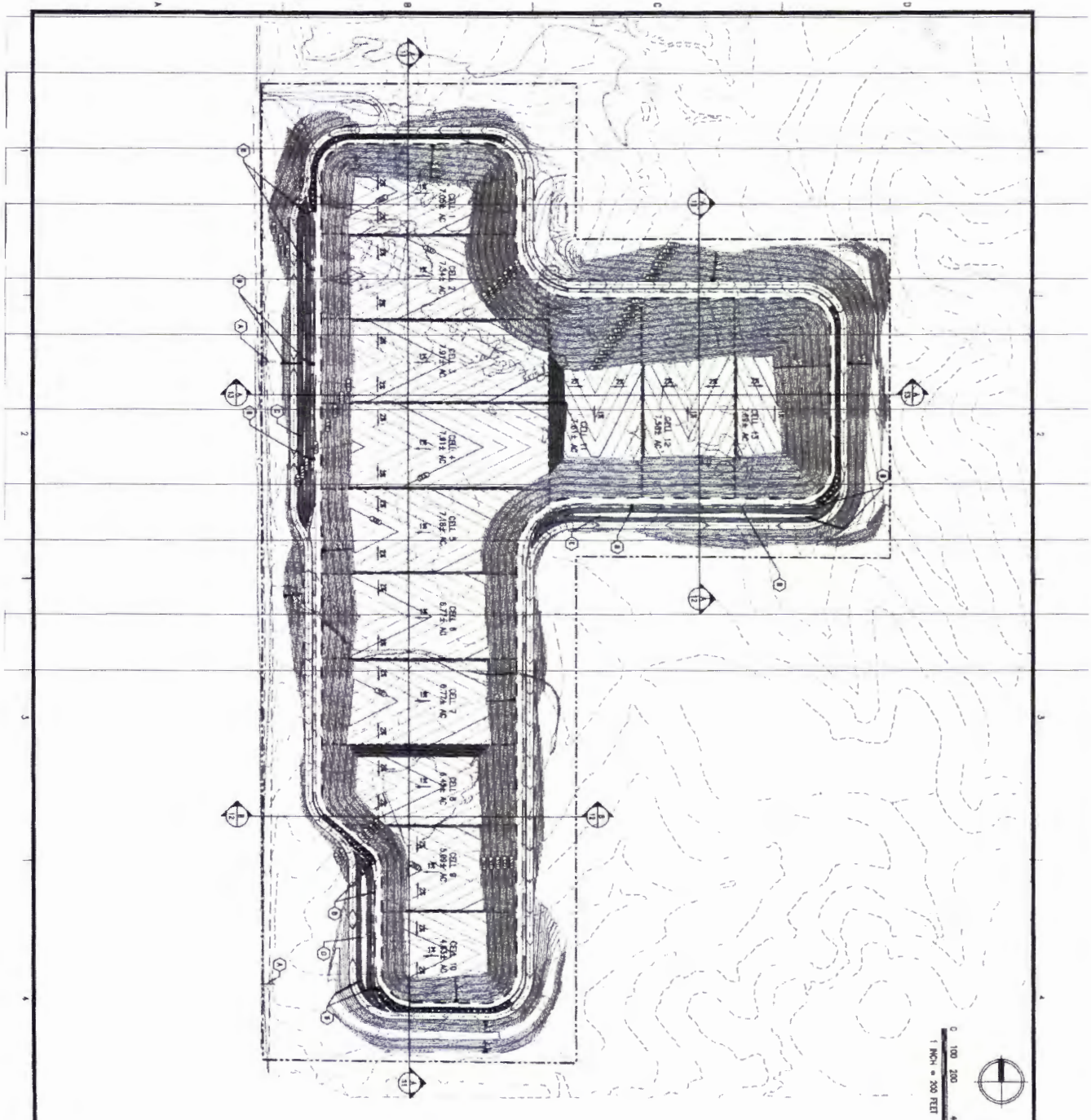
LANDFILL DEVELOPMENT PLAN FEATURES	
①	PROPERTY LINE
②	MAJOR DRAINAGE CHANNEL AND DRAINAGE CANAL (SEE PLAN ATTACHED)
③	MINOR DRAINAGE CHANNEL OR ROAD DRAINAGE
④	DRAINAGE CANAL
⑤	EXISTING TIE-IN LINE
⑥	EXISTING LINE FROM EXISTING INTERIOR SYSTEM
⑦	PROPOSED LINE FROM EXISTING INTERIOR SYSTEM
⑧	LINE OF RIGHT
⑨	CELL LIMITS
⑩	STANDARD ROAD
⑪	ACCESS ROAD 1
⑫	ROAD SCALE
⑬	ATTENTION BUILDING
⑭	SPECIAL MAST HEADS AND MAST
⑮	LANDFILL STORAGE TANK AREA
⑯	LANDFILL GAS CONTROL AND TREAT SYSTEM
⑰	LANDFILL OFFICE AND SHOP
⑱	ACCESS ROAD
⑲	PROPOSED FENCE
⑳	DOUBLE SHED LANE
㉑	CELL NUMBER, LOCATION AND DISTANCE FROM PROPERTY LINE
㉒	CELL SPACING, LOCATION AND DISTANCE FROM PROPERTY LINE
㉓	CELL SPACING, LOCATION AND DISTANCE FROM PROPERTY LINE

1. DRAINAGE CANAL INFORMATION WAS OBTAINED FROM COUNTY ENGINEER AND SOILS BUREAU OF MADISON COUNTY. PHOTOGRAPHS DATED 10/24/2013.
2. PLANNING OF THE DRAINAGE SYSTEM BASED ON FIELD SURVEY DATA AND THE TYPICAL MAST HEAD SPACING FROM GAS CONTROL SYSTEM.
3. PROPOSED FENCE WAS OBTAINED FROM THE COUNTY ENGINEER.
4. ALL LANDFILL CELL NUMBER LOCATIONS OBTAINED FROM COUNTY ENGINEER AND SOILS BUREAU OF MADISON COUNTY. PHOTOGRAPHS DATED 10/24/2013.

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NORTH COUNTY LINE LANDFILL

LANDFILL DEVELOPMENT PLAN

6



LEGEND

	INCOMPLETE CELL
	LAND OR WATER
	CELL LIMITS
	EXISTING ROAD
	PROPOSED ROAD
	EXISTING WATER LINE
	PROPOSED WATER LINE
	EXISTING UTILITY LINE
	PROPOSED UTILITY LINE
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	CELL 3
	CELL 4
	CELL 5
	CELL 6
	CELL 7
	CELL 8
	CELL 9
	CELL 10
	CELL 11
	CELL 12
	ACCESS ROAD 1
	ACCESS ROAD 2
	ACCESS ROAD 3
	ACCESS ROAD 4
	ACCESS ROAD 5
	LANDMARK
	UTILITY POLE
	UTILITY POINT
	UTILITY STATION
	UTILITY MARKER
	UTILITY BOUNDARY
	UTILITY AREA
	UTILITY POINT 1
	UTILITY POINT 2
	UTILITY POINT 3
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	UTILITY POINT 50

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NORTH COUNTY LINE LANDFILL

	<p>7</p>	<p>SUBGRADE EXCAVATION PLAN</p>