



**US Army Corps  
of Engineers**

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



# Public Notice

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APPLICATION NO.:	<u>MVK-2017-850</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 10, 2018</u>
EXPIRATION DATE:	<u>April 30, 2018</u>

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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 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:  
Honorable Chokwe Antar Lumumba  
Mayor, City of Jackson  
219 South President Street  
Jackson, Mississippi 39205

Name of Agent:  
Mr. Clay Cromwell  
Headwaters Inc.  
P.O. Box 2836  
Ridgeland, Mississippi 39156

Location of Work: Section 23, T6N- R1E, Latitude 32.3476, Longitude -90.1707, within the Hanging Moss Creek-Pearl River Watershed in the Middle Pearl-Strong River Drainage Basin (8-digit USGS HUC 03180002), 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 conduct regulated activities in jurisdictional waters in order to reshape and stabilize 1,654 linear feet of Eubanks Creek. The stated purpose is to reduce erosion along the stream banks and stabilize the top banks of the stream to support the existing

riparian buffer zone and residential developments along either side of the stream. The proposed work would extend from North State Street to an area just south of Eagle Avenue and west of Robin Drive.

The stream has been previously channelized and is currently lined along the majority of the proposed 1,654 linear feet with concrete and riprap. The stream is currently in a state of degradation including stream-bank erosion causing concrete to be deposited into the stream. The current stream conditions have resulted in bank instability, increased turbidity, and continued erosion that jeopardizes adjacent developments and real estate along the stream reach. The proposed project would create a flat bottomed stream with a channel varying in width from 25 to 45 feet. Sheet pilings would be installed along both sides of the slope of the stream channel, and geotextile fabric with riprap would be installed at or below the current stream bottom. The proposed alterations would create a wider stream bottom and repair degraded armoring along this stretch of stream. In addition, an existing bridge and culvert would be removed at Seminole Avenue.

Approximately 7,000 cubic yards of riprap would be placed within the 1,654 linear feet stream reach. No wetlands would be impacted.

The vegetative communities within the project area are dominated by box elder (*Acer negundo*), sweet gum (*Liquidambar styraciflua*), water oak (*Quercus nigra*), sugarberry (*Celtis laevigata*), Chinese privet (*Ligustrum sinense*), black cherry (*Prunus serotina*), and green briar (*Smilax* spp.). Soil within the project site consists primarily of Riedtown silt loam with a hydric component percentage rating of 3.

The applicant has proposed no compensatory mitigation. The applicant's justification for no mitigation is that the project would provide erosion control and shoreline erosion protection to protect from residential land loss, and that the proposed work is considered maintenance to a previously channelized and armored stream reach.

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 a 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 these listed species: Ringed map turtle, Wood stork, or Gulf sturgeon. Utilizing SLOPES and the U.S. Fish and Wildlife Service's Streamlined 4(d) Guidance Form, the Corps has determined that the proposed activity may affect the Northern long-eared bat, but that any resulting incidental take of the Northern long-eared bat is not 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 project is completely inside of 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



**Legend**

-  Project Boundary
-  Eubanks Creek 1,654 ft (RPW-Perennial)

THERE ARE JURISDICTIONAL WATERS OF THE U.S. IDENTIFIED WITHIN THE PROPOSED PROJECT BOUNDARY, THUS A PERMIT MAYBE REQUIRED

**Enclosure 1**

January 23, 2018  
**MVK-2017-850**

Headwaters Inc.  
 City of Jackson  
 Eubanks Creek Drainage Improvements  
 Hinds County, MS

**Preliminary  
 Jurisdictional Determination**

**Aerial Imagery:  
 ESRI World Imagery**



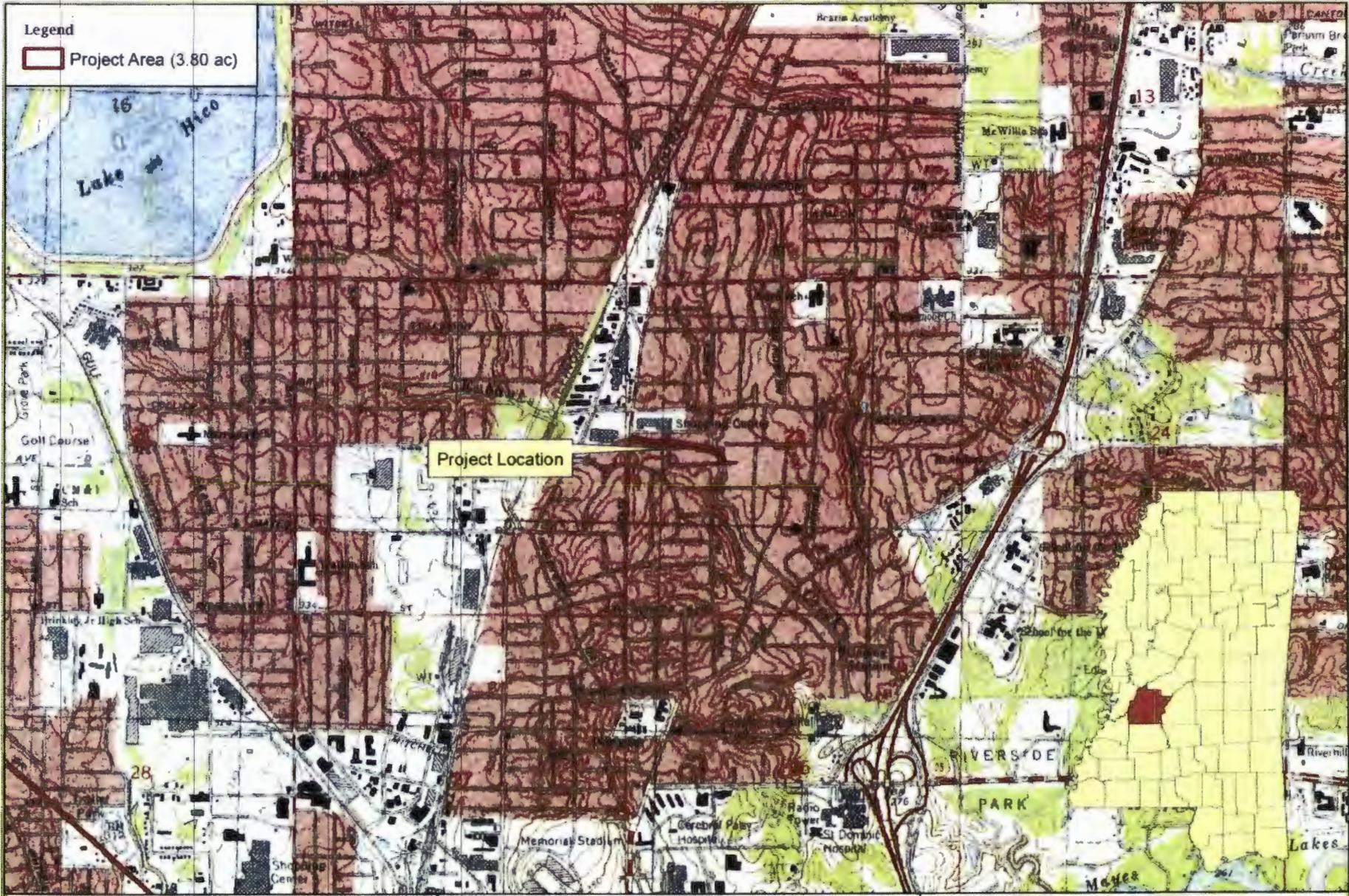
**US Army Corps  
of Engineers.**



**Regulatory  
Branch**

**Enforcement  
Section**

Jay Keen



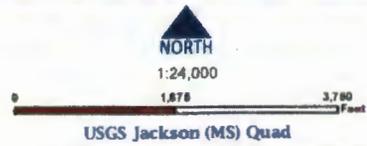
**Legend**

 Project Area (3.80 ac)

Project Location



**Stantec**  
**City of Jackson Eubanks Creek Project**  
 Sec. 23 - T 6N - R 1E  
 Hinds County, Mississippi  
General Location Map



© PROJECT FILES \Stantec\City of Jackson\Eubanks Creek Project\Mapping\MapDocs\msd

Legend

 Project Area (3.80 ac)



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroX, Geomatics, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community. Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors



**Stantec**  
**City of Jackson Eubanks Creek Project**

Sec. 23 - T 6N - R 1E  
Hinds County, Mississippi

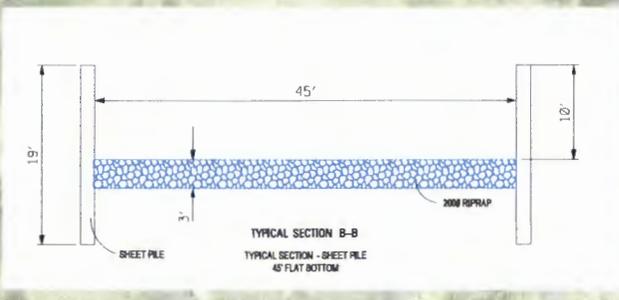
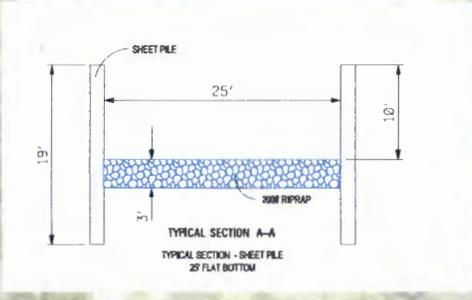
Site Location Map



1:24,000



ESRI World Imagery



SCALE: 1" = 50'

CITY OF JACKSON	
<b>DRAINAGE LAYOUT - SHEET PILE</b>	
EUBANKS CREEK	
DRAINAGE IMPROVEMENTS	
COUNTY: HINDS	PRELIMINARY
CITY PROJECT NO. : 1685000.701	NOT FOR CONSTRUCTION
FILENAME: DL-SHEET_PILE_OPTION.DGN	WORKING NUMBER: DL-SP-1
DESIGN TEAM: STANTEC	CHECKED: DATE
	SHEET NUMBER: \$PG\$

DATE: 08/11/11 11:48:00 AM SHEET PILE OPTION.DGN