



**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.:	MVK-2022-188
EVALUATOR:	Mr. Thomas A. McCabe
PHONE NO.:	(601) 631-5588
E-MAIL:	<a href="mailto:thomas.a.mccabe@usace.army.mil">thomas.a.mccabe@usace.army.mil</a>
DATE:	June 29, 2022
EXPIRATION DATE	July 20, 2022

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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-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.

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority). In accordance with Certification Rule part 121.6, once the applicant submits a certification request the Corps of Engineers will notify the certifying agency of the reasonable period of time for them to act upon the certification.

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. Robert Accardo  
Pike County Board of Supervisors  
265 S Cherry Street  
Magnolia, Mississippi 39652

Name of Agent:  
Mr. Levi Redd  
Neel-Schaffer Incorporated  
206 Maryland Avenue  
McComb, Mississippi 39648

**Location of Work: Section 3, T2N-R9E, Latitude 31.165367, Longitude -90.280411, within the Bogue Chitto Drainage Basin (8-digit USGS HUC: 03180005), Pike 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 for the discharge of fill material into jurisdictional wetlands for the purpose of making improvements to the Bogue Chitto Water Park's Pedestrian Trail. The project consists of constructing 3,500 linear feet of asphalt pathways over the existing "River Trail" pathway. Additionally, the project intends to construct a new 1,100-linear foot asphalt pathway, a 16-foot by 30-foot shade structure, four new ADA parking spaces, and add safety lighting to three existing trail head. Other improvements include interpretive signage at overlook areas, erosion control, and safety/directional signage.**

**The project area totals approximately 48.5 acres and includes a total of approximately 27 acres of wetlands and 2,395 linear feet of perennial stream. The stream would not be impacted by the proposed work. A total of 0.82 acres of bottomland hardwood wetlands would be filled with asphalt for the pathways.**

**Plant communities in the study area were observed as forested uplands and bottomland hardwood wetlands. Forested uplands were dominated by Ilex vomitoria (yaupon), Ilex opaca (American holly), Magnolia grandiflora (southern magnolia), Ligustrum spp. (privet), and Triadica sebifera (Chinese tallow). Bottomland hardwoods consisted of Athyrium filix-femina (ladyfern), Fraxinus caroliniana (Carolina ash), Lygodium japonicum (Japanese climbing fern), Nekemias arborea (peppervine), Quercus alba (white oak), Quercus michauxii (swamp chestnut oak), Rubus argutus (sawtooth blackberry), and Smilax glauca (cat greenbriar). Soils within the project site consist of Calhoun silt loam, luka and Ochlockonee soils (lo), Stough silt loam, 0-2% slopes (SoA) and Stough-Prentiss complex, 2-5% slopes (SpB).**

**The applicant proposes to mitigate for the unavoidable loss of wetland functions through the purchase of credits from a USACE approved mitigation bank that services the project's 8-digit HUC (03180005) service area.**

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work would 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 would 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 would 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: 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.

**Endangered Species:** Threatened and Endangered Species for this area include the Ringed Map Turtle, Wood Stork and the Gulf Sturgeon. 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 the Gulf Sturgeon and would Not Likely Adverse Affect the Ringed Map Turtle.

**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 would be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision would 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 would 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 would 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 would be used to evaluate the impacts of this project. All comments would 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 would 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 would 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>.

*Jennifer G. Brown*  
for

**Bryan Williamson**  
Chief, Permit and Evaluation Branch  
Regulatory Division

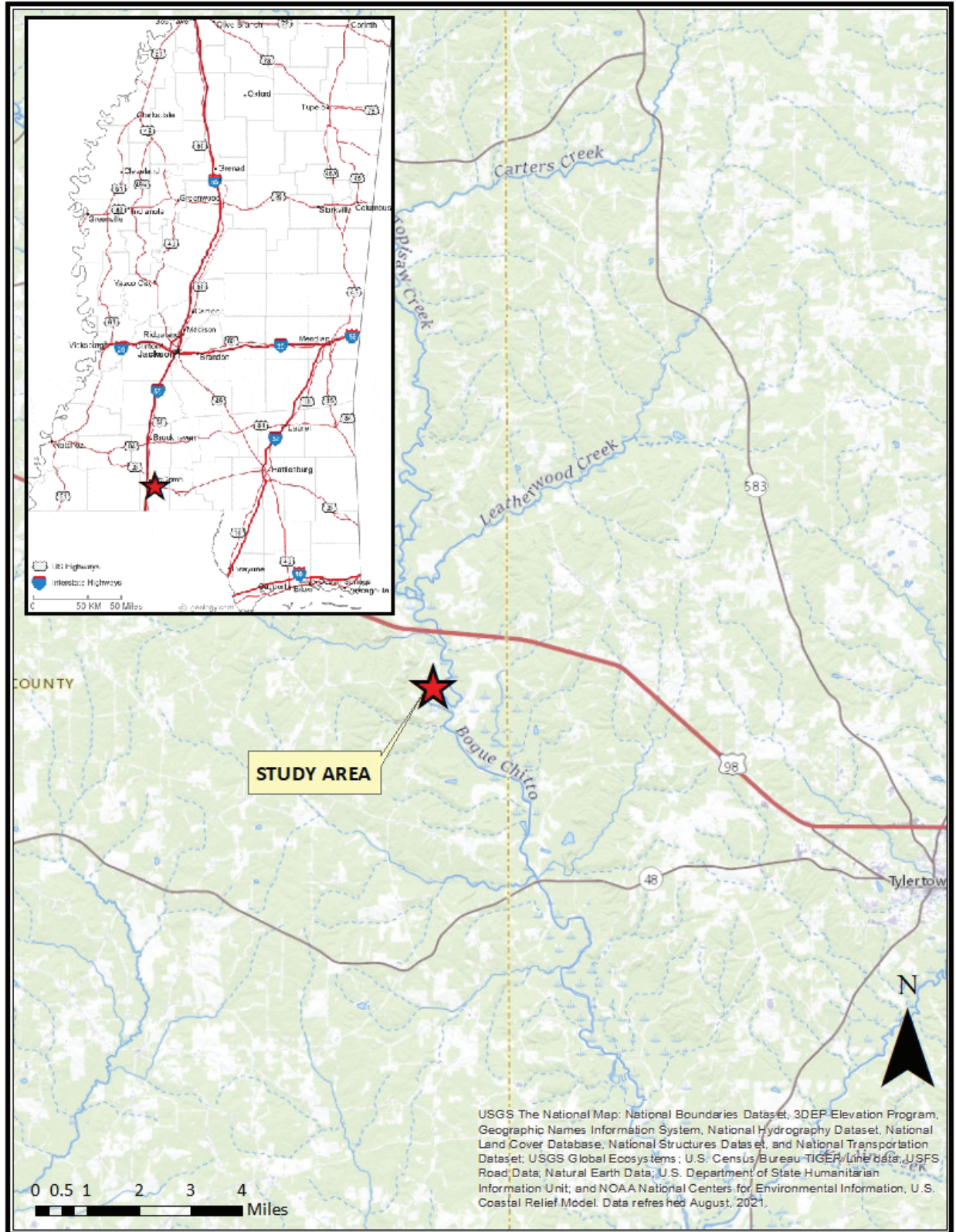


Figure 1. Site Location Map

PEDESTRIAN IMPROVEMENTS  
BOGUE CHITTO WATER PARK  
OVERALL SITE PLAN



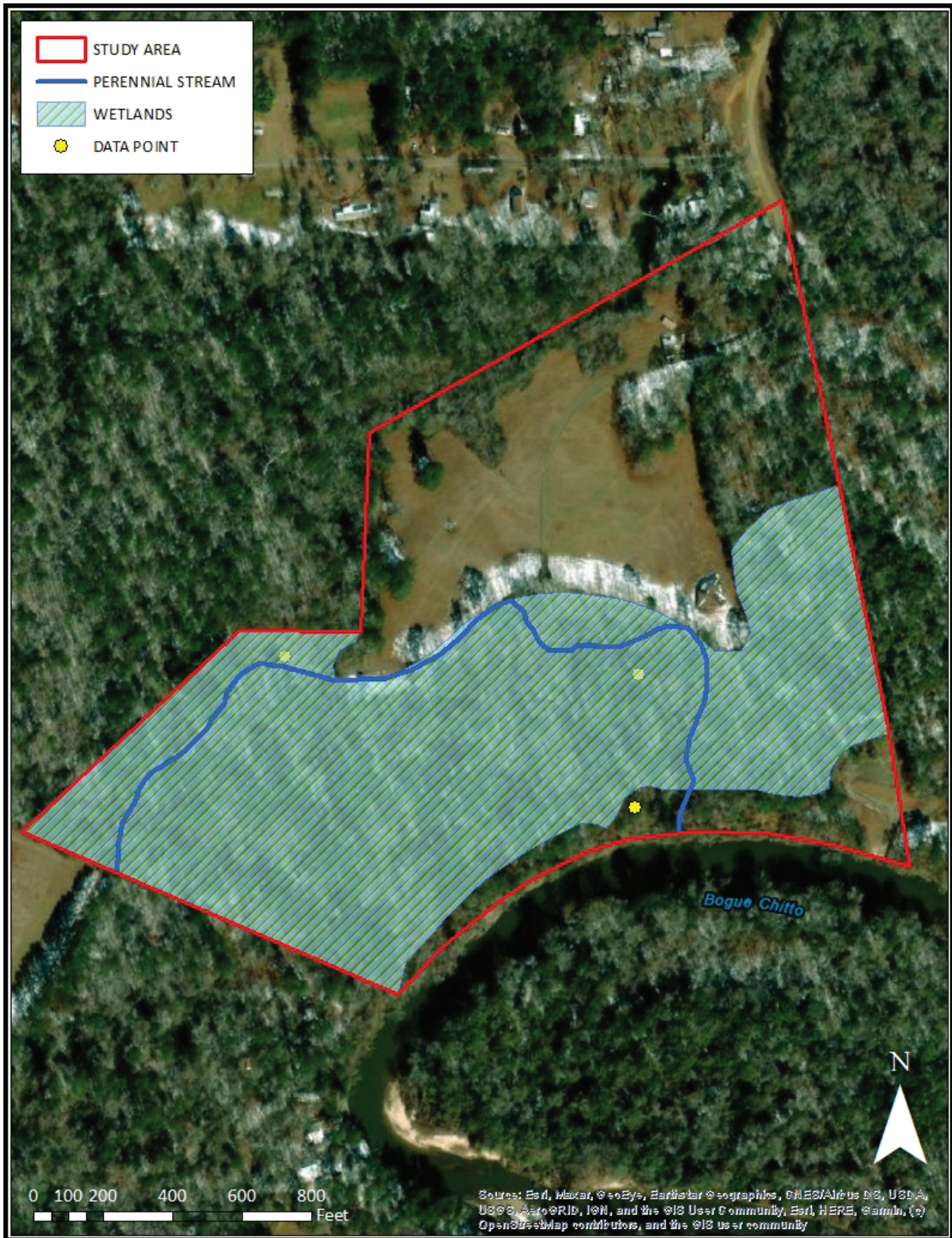
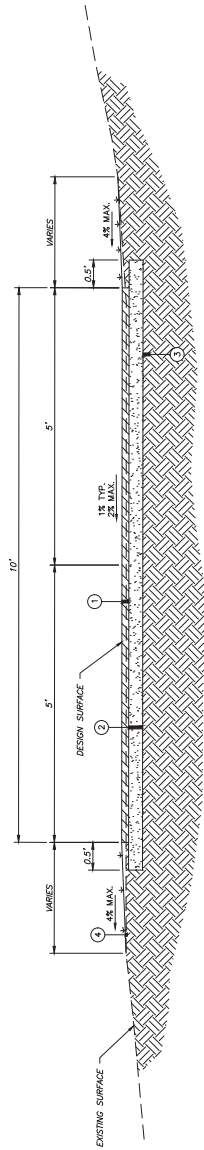


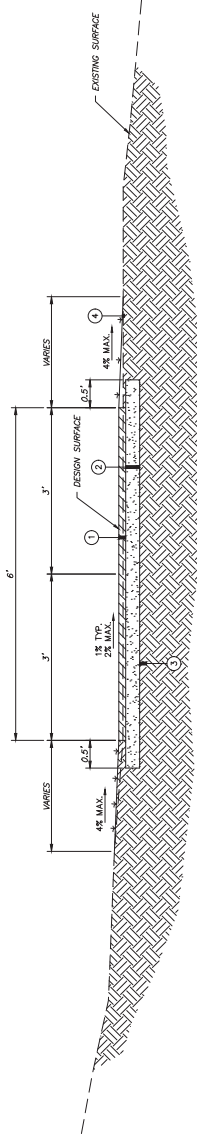
Figure 6. Sample Locations and Identified Wetlands and Other Waters within Study A

LEGEND

- ① 1.5" 9.5 mm. ST. ASPHALT PAVEMENT
- ② 3" CRUSHED STONE BASE
- ③ COMPACTED SUBGRADE
- ④ SEED, FERTILIZED AND MULCHED SURFACE



TYPICAL SECTION  
NORTH PATHWAY



TYPICAL SECTION  
SOUTH LOOP AND CONNECTOR TRAILS

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EXPENSES, INCLUDING ATTORNEY'S FEES, ARISING OUT OF OR  
RESULTING THEREFROM.

NO.	DATE	BY	REVISIONS	DESCRIPTION

DRAWING INFORMATION  
N-S PROJECT NO.: 16321  
FILENAME: 16321\_Typical Pathways.dwg  
SCALE: 1" = 1'  
SUBMITTED BY: NS  
DSSK: DWG DATE: 06/20/20  
DSSK: DWG DATE: 06/20/20  
CHKD: DATE: 06/20/20  
QA/QC: DATE:

BOGUE CHITTO WATER PARK  
PEDESTRIAN TRAIL IMPROVEMENTS  
STP-0057-00(020)I/PA/108816-701000  
PIKE COUNTY BOARD OF SUPERVISORS  
PIKE COUNTY, MS



FIGURE 3

WORKING NUMBER:	1
DRAWING NUMBER:	1