



**US Army Corps
of Engineers.**

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



Public Notice

APPLICATION NO.:	MVK-2018-720
EVALUATOR:	Ms. Kristi Hall
PHONE NO.:	(601) 631-7528
E-MAIL:	Kristina.W.Hall@usace.army.mil
DATE:	April 5, 2019
EXPIRATION DATE:	April 26, 2019

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 39226-2261, 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 and / or fill material into waters of the United States.

Name of Applicant:
Mr. Mike Bailey
Short Creek Investment, LLC
498 West Bankhead Street
New Albany, Mississippi 38652

Name of Agent:
Mr. J. Clay Cromwell
Headwaters, Incorporated
Post Office Box 2836
Ridgeland, Mississippi 39158

Location of Work: Section 4, T3S- R6W, Latitude 34.8456, Longitude -89.8456, within Short Branch watershed part of the Upper Yazoo River Drainage Basin (8-digit USGS HUC 08030204), DeSoto 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 an after-the-fact Department of the Army permit to conduct regulated activities in jurisdictional wetlands for the purpose of a residential development which would have 2 acre single family lots with associated roadways and infrastructure improvements. Filled portions of each 2 acre lot are areas considered necessary for the buildout of 2,500 square foot

homes and associated amenities within the central portion of each lot. The remaining portions of lots would remain undisturbed. Future purchasers of lots would be notified by the applicant of the existence of aquatic resources on their property. Approximately, 2.39 acres of wetlands would be permanently filled as part of the future buildout of the project. A total of 1.20 acres of forested wetlands have already been impacted by the applicant as well as 1,238 linear feet of ditches dug in wetlands to facilitate draining of the site.

The project area consisted of 6.65 acres of forested wetlands prior to impacts, 615 linear feet of ephemeral stream, 454 linear feet of intermittent stream, 156 linear feet of perennial stream, and 1,238 linear feet of drainage ditch excavated in wetlands.

The vegetative communities within the project area are dominated by sweet gum, American elm, and browntop grass. Soil within the project site consists of Collins silt loam and Falaya silt loam, on the Natural Resource Conservation Service (NRCS) hydric soils list.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from a commercial mitigation bank commercial 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.

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 is likely to yield resources eligible for inclusion in the National Register of Historic Places. An investigation for the presence of potentially eligible historic properties is justified.

Endangered Species: Based on the Standard Local Operating Procedure for Endangered Species (SLOPES) as signed on December 1, 2014 between the U.S. Army Corps of Engineers, Vicksburg District and the U.S. Fish and Wildlife

Service, it has been determined that the proposed activity is may adversely affect the following species: Northern Long Eared Bat. Further coordination with the U.S. Fish and Wildlife Service will be conducted as part of the permit review process.

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 this project is located within the 100 year floodplain (FEMA panel 28033C0255H).

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

- Property Boundary
- Road (Approximate)
- Culvert
- Upland Drainage Feature
- Jurisdictional Waters**
 - Drainage Ditch | 1237.99 lf
 - Ephemeral | 615.83 lf
 - Intermittent 454.58 lf
 - Perennial | 156.63 lf
- Jurisdictional Wetlands**
 - Forested Wetland | 5.45 ac
 - Impacted PFO | 1.20 ac



January 30, 2019
MVK-2018-720

Project:
 Mr. Mike Bailey
 Short Creek Investment, LLC
 Anderson Lane Phase II Project
 Location:
 Section 4, T3S-R6W
 Lewisberg Quadrangle
 DeSoto County, MS

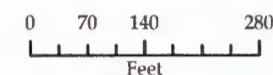
Aerial Imagery:
 ESRI World Imagery
**Jurisdictional
 Determination**



**US Army Corps
 of Engineers**

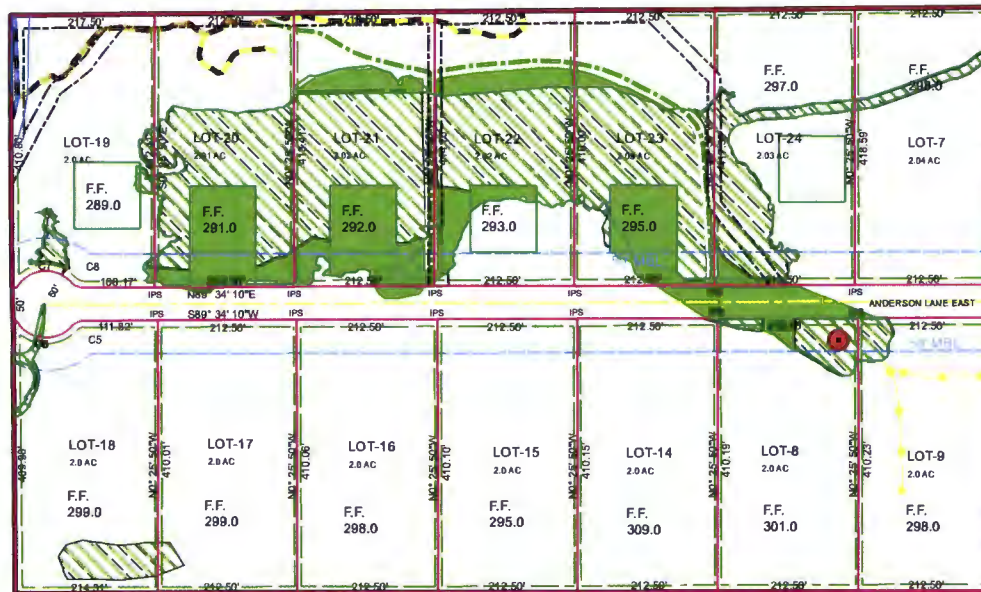


Regulatory Branch
 Enforcement Section



Prepared by: Eli L. Polzer

Enclosure 1



- Legend**
- Culvert
 - Property Boundary (30.21 ac)
 - Upland Drainage Feature
 - Drainage Ditch (1237.99 lf)
 - Ephemeral Stream (615.83 lf)
 - Intermittent Stream (454.58 lf)
 - Perennial Stream (156.63 lf)
 - Forested Wetlands (4.26 ac)
 - Impacted Forested Wetlands (2.39 ac)

CEMVK-OD-FE KWH-MVK-2018-720

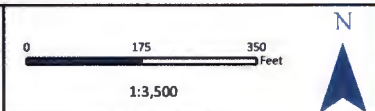
ANDERSON LANE PHASE II PROJECT
DESOTO COUNTY, MISSISSIPPI



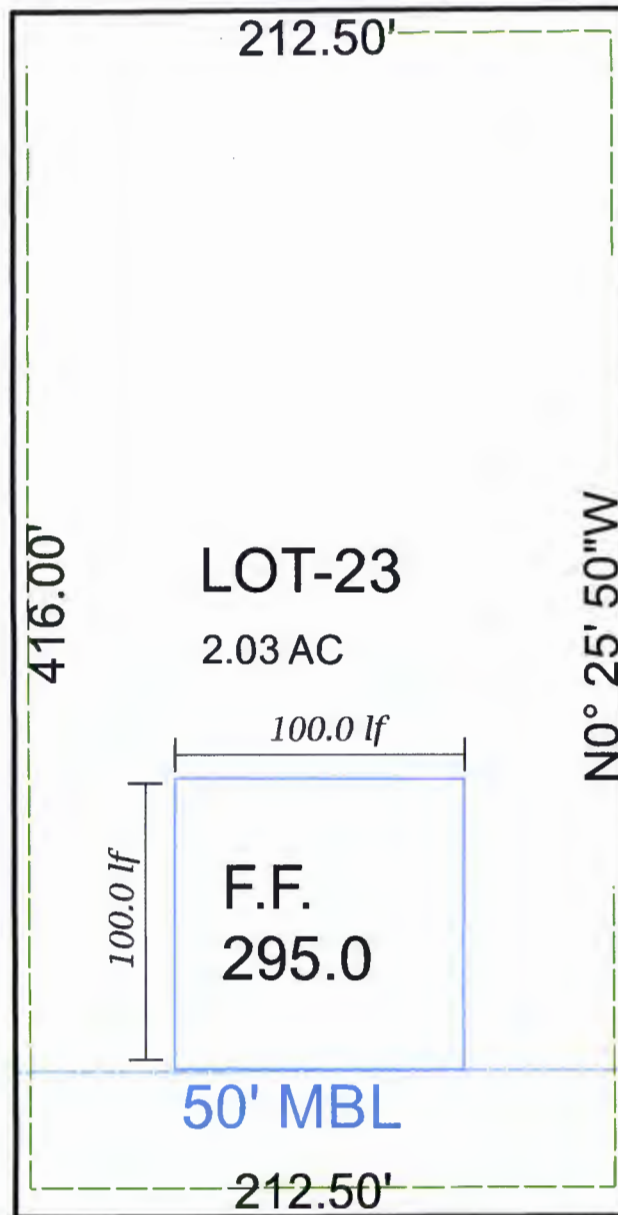
Date Created: 3/1/2019

Created by: JDL

Anderson Lane
Sec. 4 - T 3S - R6W
Desoto County, Mississippi
Wetland Impact Map



NAD 1983 2011 StatePlane Mississippi West FIPS 2302 Ft US



CEMVK-OD-FE KWH-MVK-2018-720

ANDERSON LANE PHASE II PROJECT
DESOTO COUNTY, MISSISSIPPI



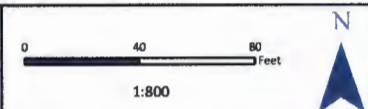
Date Created: 3/26/2019

Created by: JDL

Anderson Lane

Sec. 4 - T 3S - R6W
Desoto County, Mississippi

Site Layout Map



NAD 1983 2011 StatePlane Mississippi West FIPS 2302 Ft US