



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	MVK-2020-281
EVALUATOR:	Ms. Kristi Hall
PHONE NO.:	(601) 631-7528
E-MAIL:	Kristina.W.Hall@usace.army.mil
DATE:	June 18, 2020
EXPIRATION DATE:	July 9, 2020

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. Scott Gideon
Thornberry Development, LLC
124 One Madison Place, Suite 1500
Madison, Mississippi 39110

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

Location of Work: Sections 14, T8N-R1E, Latitude 32.5357, Longitude -90.1599, within the Bear Creek watershed of the Big Black River 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 regulated activities in jurisdictional wetlands for the purpose of constructing a residential development, Thornberry, Phase II. In March of 2018, a Nationwide Permit 29 (MVK-2017-844) authorized the impacts to 0.46 acre of jurisdictional

aquatic resources associated with Phase I of the development. The applicant is now proposing to expand the development to include an additional 72 single family residential lots, extension of the neighborhood road network and associated attendant features. Additional impacts would include the filling of 0.96 acres of forested wetland, 0.42 acre of emergent wetland, and 0.22 acre of open water, as well as the fill and re-route of 830 linear feet of ephemeral stream around a wet detention basin.

The project area is located in a rapidly growing portion of Madison County, and surrounded by residential developments. The vegetative communities within the project area are dominated by Chinese tallow trees, black willow, and red maple in forested areas. Juncus and Carex species are dominant in emergent wetland areas. Soils within the aquatic resources consists of Oaklimeter silt loam within wetland and stream areas and Loring silt loam at the open water pond. Oaklimeter silt loam is considered hydric by the Natural Resource Conservation Service (NRCS).

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

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 June 28, 2017 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 will have no effect on the Wood Stork. The Corps has determined that the above referenced project

may affect the northern long-eared bat, but that any resulting incidental take of the NLEB 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. The project is completely located outside 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
Chief, Evaluation Section
Regulatory Branch**



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

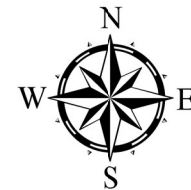


**US Army Corps
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Vicksburg District

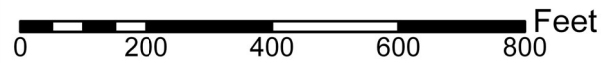
MVK-2020-281

**PRELIMINARY
JURISDICTIONAL
DETERMINATION**

THORNBERRY DEVELOPMENT
PHASE II PROJECT
MADISON COUNTY, MISSISSIPPI



- EPHEMERAL STREAM
- EMERGENT WETLAND
- OPEN WATER POND
- SITE BOUNDARY
- FORESTED WETLAND



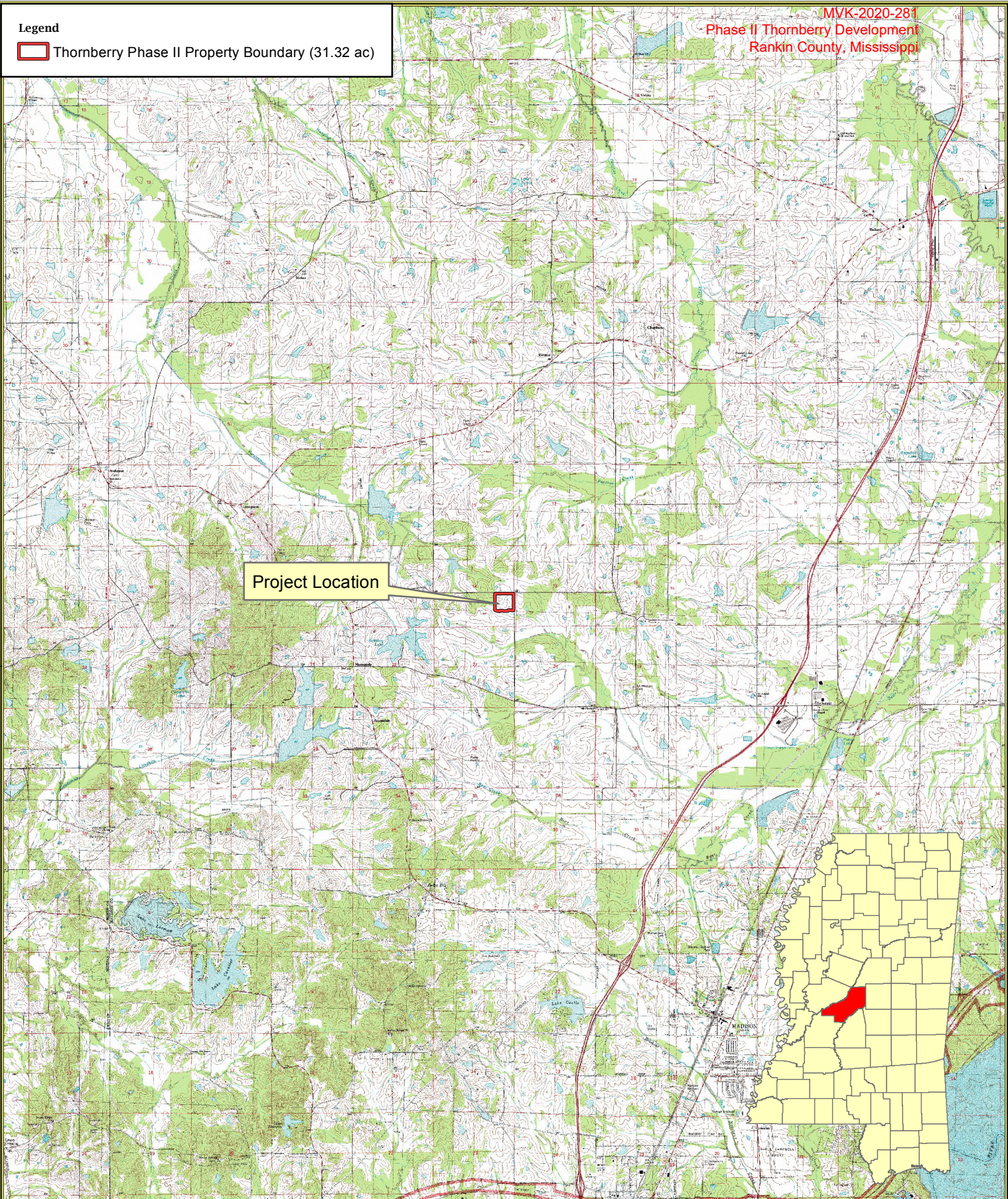
June 8, 2020

ENCLOSURE (1)

Legend

 Thornberry Phase II Property Boundary (31.32 ac)

MVK-2020-281
Phase II Thornberry Development
Rankin County, Mississippi

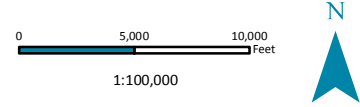


Project Location



HEADWATERS INC.
NATURAL RESOURCES CONSULTING
WWW.HEADWATERS-INC.COM

Thornberry Development, LLC
Thornberry Phase II
 Sec. 14 - T 8N - R 1E
 Madison County, Mississippi
General Location Map



NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USGS Charlton (MS) Quad Basemap

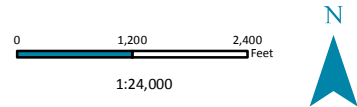
Date Created: 3/26/2020 Created by: JDL



Legend
[Red Outline] Thornberry Phase II Property Boundary (38.54 ac)



Thornberry Development, LLC
Thornberry Phase II
Sec. 14 - T 8N - R 1E
Madison County, Mississippi
[Site Location Map](#)

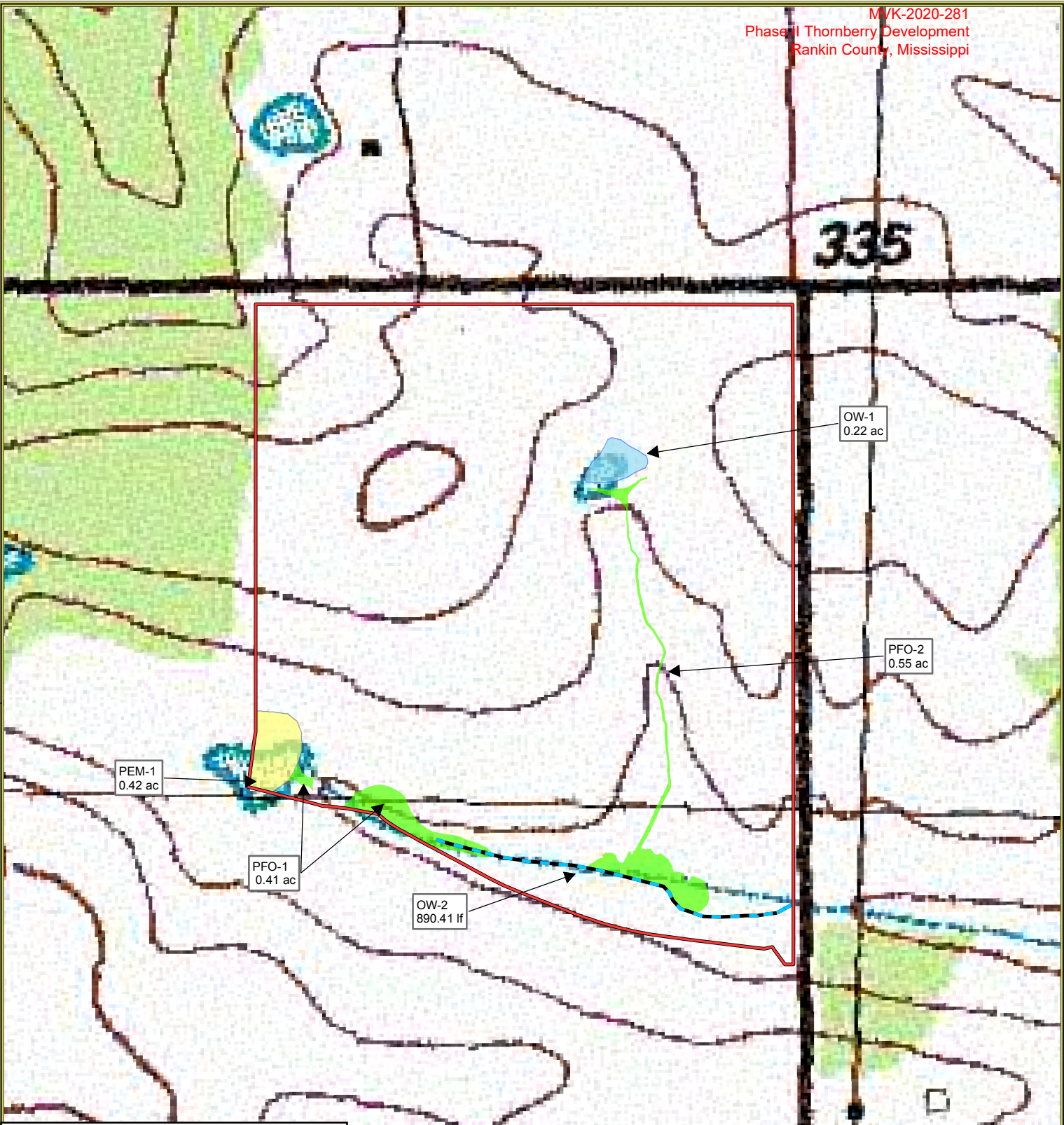


NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USDA NAIP 2018 Imagery Basemap

Date Created: 4/27/2020

Created by: JDL



335

OW-1
0.22 ac

PFO-2
0.55 ac

PEM-1
0.42 ac

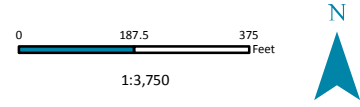
PFO-1
0.41 ac

OW-2
890.41 lf

- Legend**
- Thornberry Phase II Property Boundary (38.54 ac)
 - Ephemeral Stream (890.41 lf)
 - Emergent Wetland (0.42 ac)
 - Forested Wetland (0.96 ac)
 - Open Water Pond (0.22 ac)



Thornberry Development, LLC
Thornberry Phase II
Sec. 14 - T 8N - R 1E
Madison County, Mississippi
[Wetland Location Map](#)



NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USGS Charlton (MS) Quad Basemap

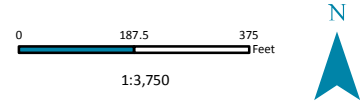
Date Created: 6/10/2020

Created by: JDL



- Legend**
- Thornberry Phase II Property Boundary (38.54 ac)
 - Ephemeral Stream (890.41 lf)
 - Emergent Wetland (0.42 ac)
 - Forested Wetland (0.96 ac)
 - Open Water Pond (0.22 ac)

Thornberry Development, LLC
Thornberry Phase II
 Sec. 14 - T 8N - R 1E
 Madison County, Mississippi
[Wetland Location Map](#)



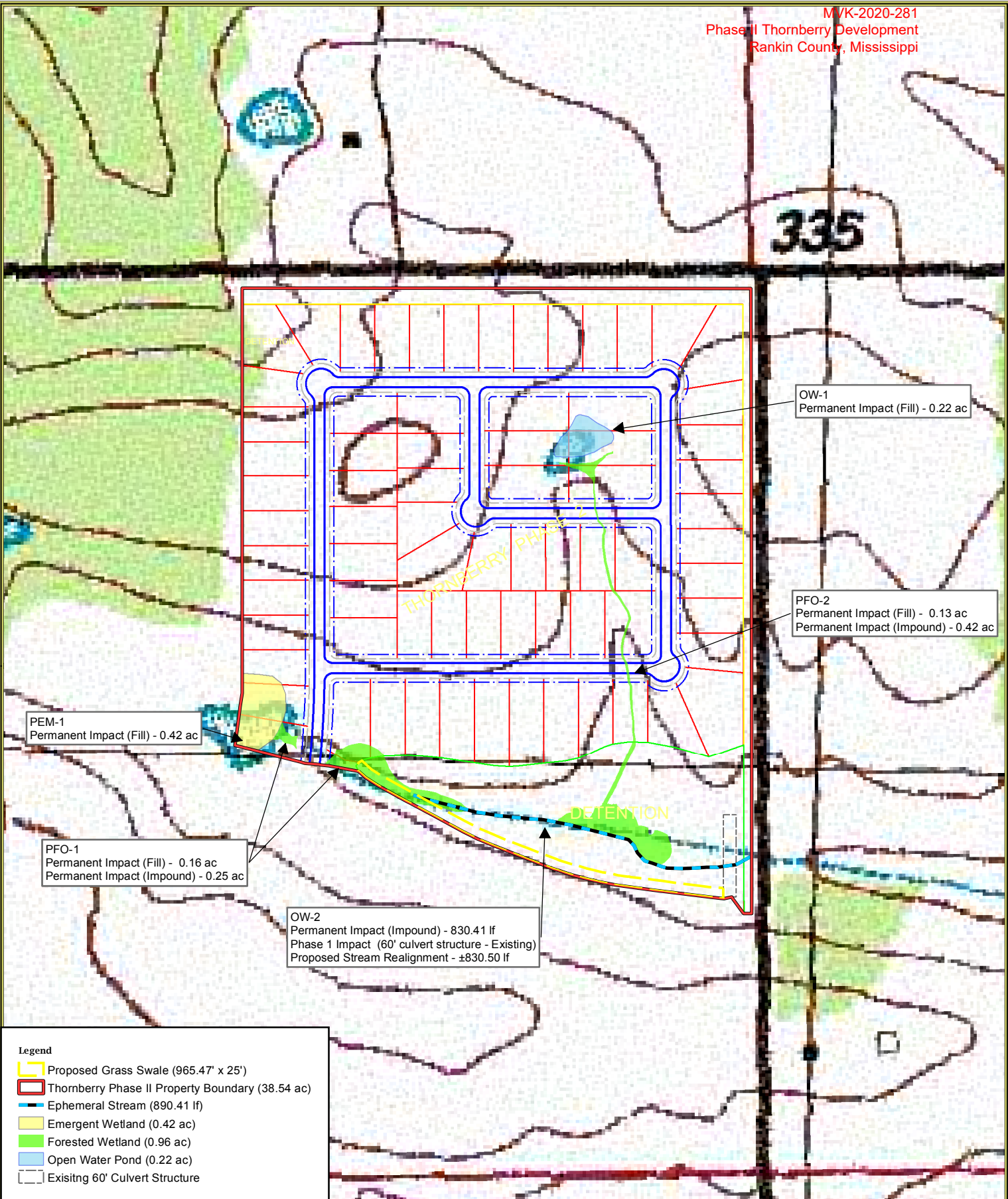
NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

2019 Google Earth Imagery



Date Created: 6/10/2020 Created by: JDL

335



Legend

- Proposed Grass Swale (965.47' x 25')
- Thornberry Phase II Property Boundary (38.54 ac)
- Ephemeral Stream (890.41 lf)
- Emergent Wetland (0.42 ac)
- Forested Wetland (0.96 ac)
- Open Water Pond (0.22 ac)
- Existing 60' Culvert Structure

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 NATURAL RESOURCES CONSULTING
 WWW.HEADWATERS-INC.COM

Date Created: 6/9/2020 Created by: JDL

Thornberry Development, LLC
Thornberry Phase II
 Sec. 14 - T 8N - R 1E
 Madison County, Mississippi
Wetland Impact Map

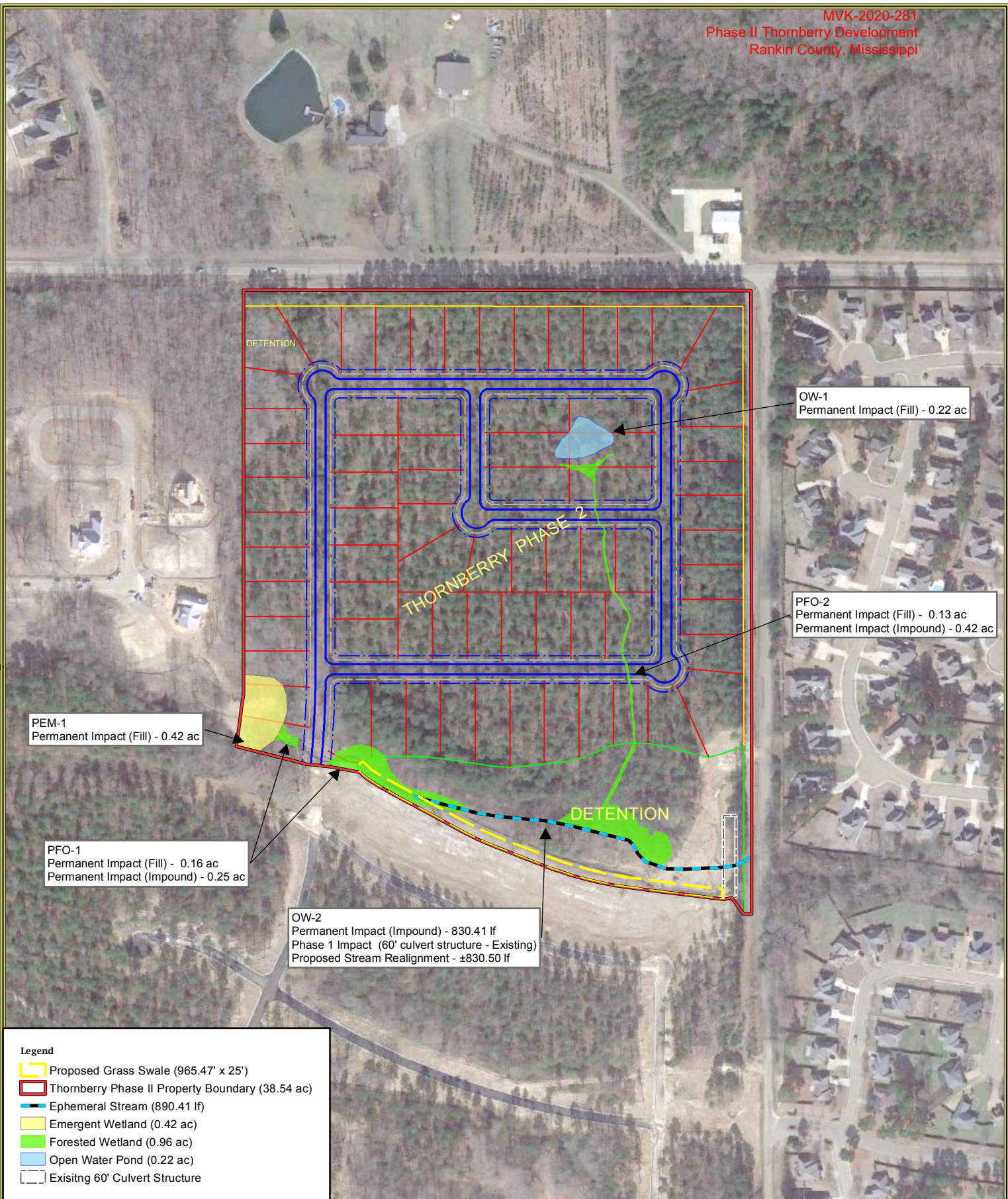
0 187.5 375
 Feet

1:3,750

N

NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USGS Charlton (MS) Quad Basemap



PEM-1
 Permanent Impact (Fill) - 0.42 ac

PFO-1
 Permanent Impact (Fill) - 0.16 ac
 Permanent Impact (Impound) - 0.25 ac

OW-2
 Permanent Impact (Impound) - 830.41 lf
 Phase 1 Impact (60' culvert structure - Existing)
 Proposed Stream Realignment - ±830.50 lf

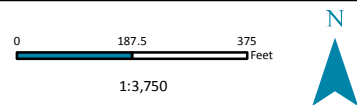
OW-1
 Permanent Impact (Fill) - 0.22 ac

PFO-2
 Permanent Impact (Fill) - 0.13 ac
 Permanent Impact (Impound) - 0.42 ac

- Legend**
- Proposed Grass Swale (965.47' x 25')
 - Thornberry Phase II Property Boundary (38.54 ac)
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 - Emergent Wetland (0.42 ac)
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 - Existing 60' Culvert Structure



Thornberry Development, LLC
Thornberry Phase II
 Sec. 14 - T 8N - R 1E
 Madison County, Mississippi
Wetland Impact Map

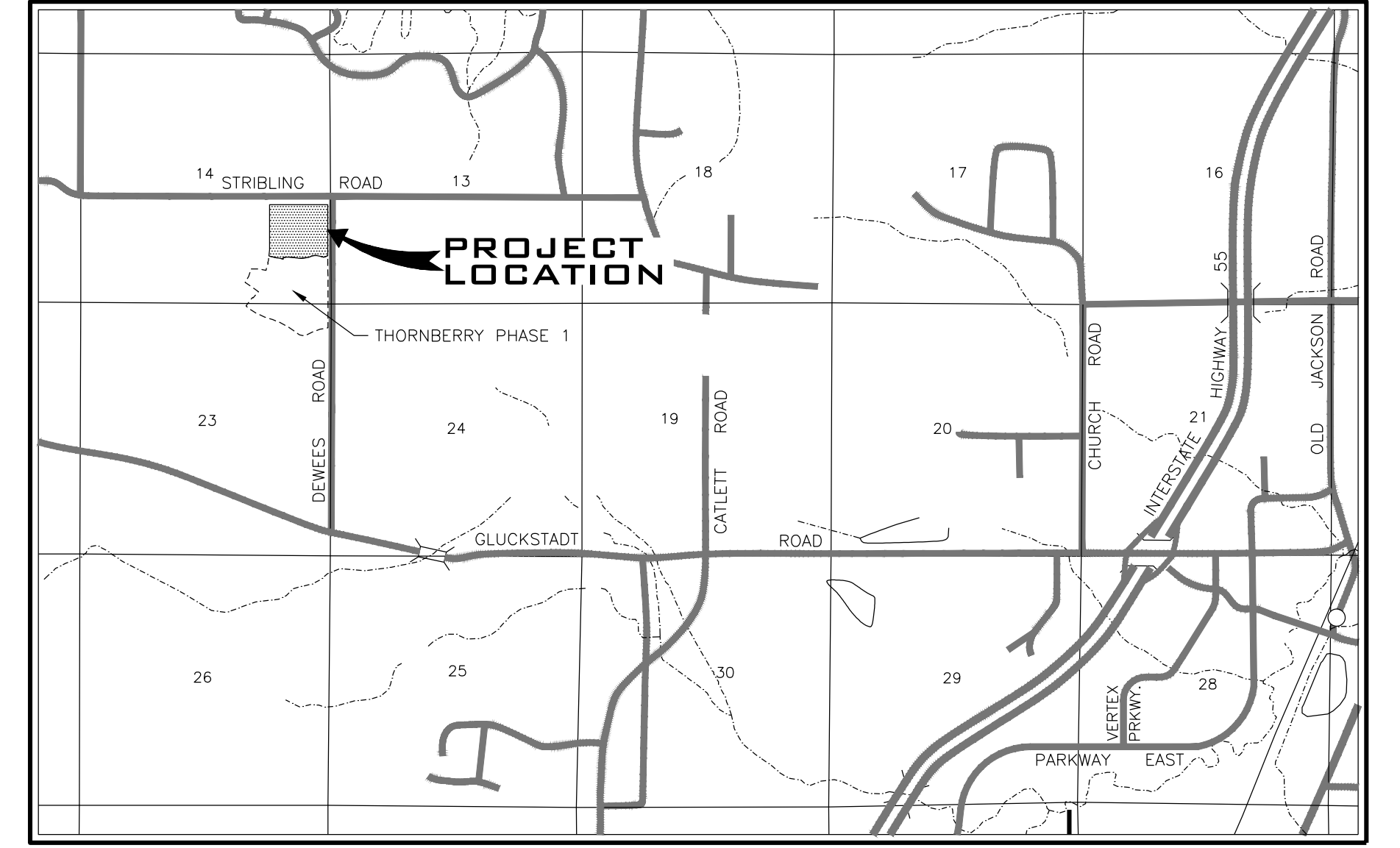
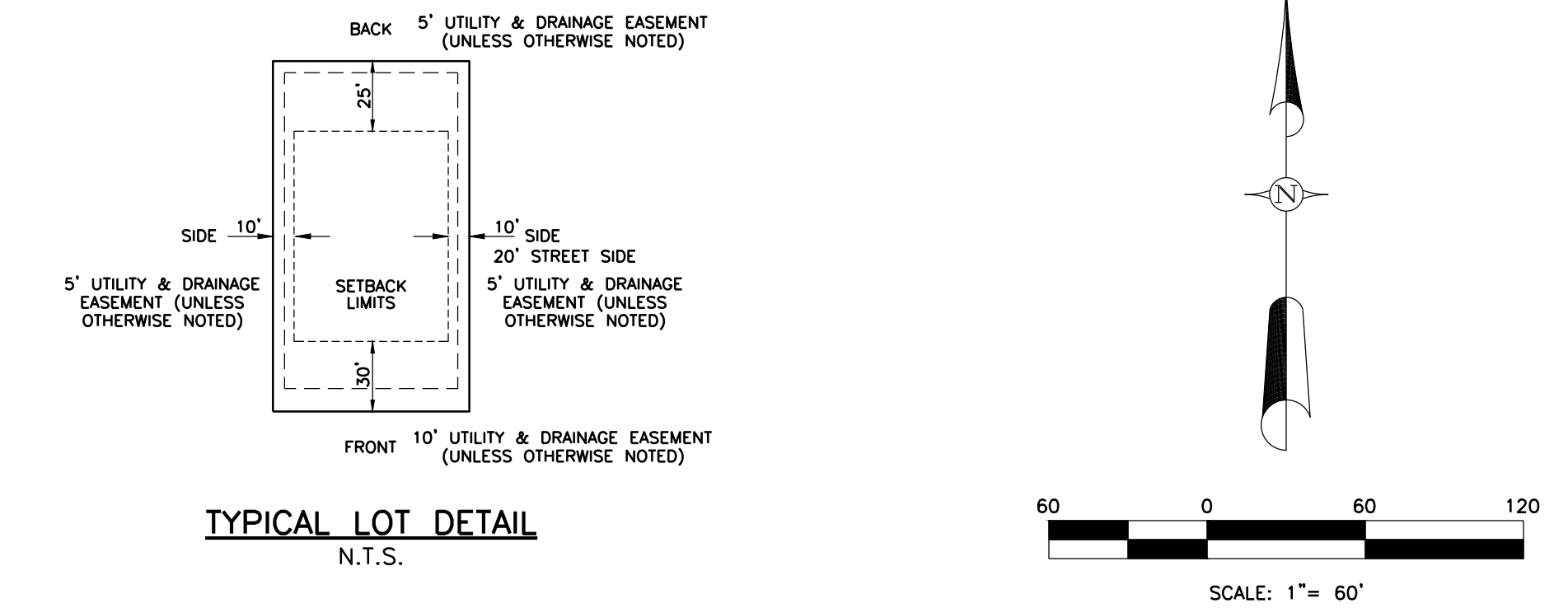


NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

2019 Google Earth Imagery

Date Created: 6/9/2020

Created by: JDJ



SURVEYOR'S CERTIFICATE OF COMPLIANCE
STATE OF MISSISSIPPI COUNTY OF MADISON

I, RONALD C. McMASTER, JR., PROFESSIONAL ENGINEER AND SURVEYOR, DO HEREBY CERTIFY THAT THE MONUMENTS AND MARKERS SHOWN HEREON ARE IN PLACE ON THE GROUND AND THE PLAT AND PLAN SHOWN AND DESCRIBED HEREON ARE A TRUE AND CORRECT REPRESENTATION OF A SURVEY TO THE ACCURACY DESIGNATED IN THE SUBDIVISION REGULATIONS FOR MADISON COUNTY, MISSISSIPPI.

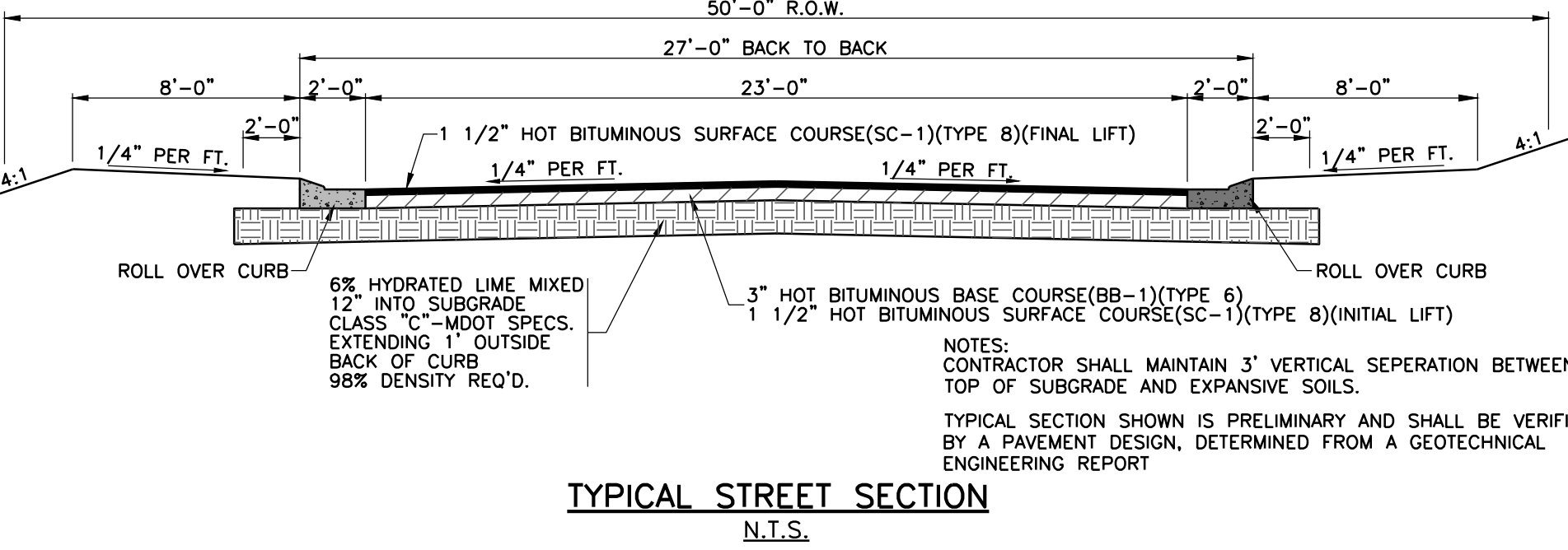
WITNESS MY SIGNATURE THIS THE _____ DAY OF _____, 2020.

RONALD C. McMASTER, JR., PROFESSIONAL ENGINEER AND SURVEYOR

NOTES:
THE TOTAL AREA FOR THIS PARCEL IS ±31.32 ACRES.
THE TOTAL COMMON AREA FOR THIS PARCEL IS ±0.58 ACRES.
THIS PARCEL OF LAND IS SITUATED IN FLOOD ZONE "X", WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN, ACCORDING TO F.I.A. COMMUNITY PANEL NO. 28089C0395F, MADISON CO. MS DATED MARCH 17, 2010.
CONTRACTOR SHALL MAKE EVERY EFFORT TO KEEP EXISTING PUBLIC ROADS FREE AND CLEAN OF DEBRIS DURING CONSTRUCTION.
ELEVATIONS ARE BASED ON NGS BENCH MARK STAMPED "POCAH, 1959", ELEV. 228.52'(NAVD 88).
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS FOR MADISON COUNTY, MS.
CONTRACTOR SHALL CONTACT MISSISSIPPI ONE CALL SYSTEM TO LOCATE AND MARK ALL UNDERGROUND UTILITIES BEFORE ANY EXCAVATION IS PERFORMED ON SITE.
ALL RADIIUSES ARE MEASURED TO THE EDGE OF PAVEMENT.

OWNER:
THORNBERRY DEVELOPMENT, LLC
124 ONE MADISON PLAZA STE.
1500 MADISON, MS 39110
PH. 601-750-5111

NUMBER	LINE BEARING	DISTANCE
L1	S 84°16'57" E	50.00'
L2	S 79°31'19" E	84.11'
L3	N 26°02'21" W	14.18'
L4	N 34°57'59" E	11.67'
L5	N 61°27'06" E	10.56'
L6	N 73°32'43" E	20.07'
L7	N 82°24'39" E	34.37'
L8	N 88°08'18" E	50.95'
L9	S 87°47'54" E	38.88'
L10	S 84°30'49" E	46.36'
L11	S 81°34'50" E	85.93'
L12	S 82°03'01" E	49.94'
L13	S 87°06'19" E	35.59'
L14	N 86°59'46" E	19.99'
L15	N 83°41'38" E	65.44'
L16	N 84°12'02" E	52.35'
L17	N 77°52'38" E	33.67'
L18	N 67°46'58" E	21.61'
L19	N 64°24'40" E	47.22'
L20	N 73°44'16" E	23.34'
L21	N 81°31'11" E	38.95'
L22	S 88°41'21" E	46.49'
L23	S 79°20'30" E	68.96'
L24	S 73°58'44" E	85.56'
L25	N 70°29'06" E	90.33'



Revisions				Project No.	Designed By	
#	Date	Nature	By	App'd.	M-2376-3	R.C.M.
					Date	Drawn By
					3-19-20	K.S.P.
					Scale	Checked By
					SEE ABOVE	R.C.M.

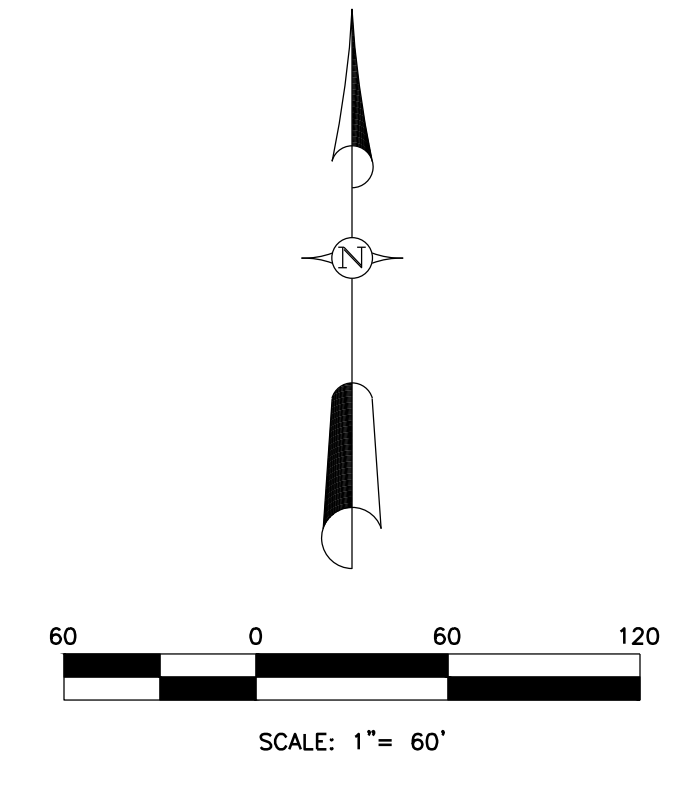
THORNBERRY, PHASE 2
MADISON COUNTY, MISSISSIPPI

M. McMASTER & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS

212 WATERFORD SQUARE
SUITE 300
MADISON, MS 39110
601.605.1090

PRELIMINARY PLAT

1



Revisions				
#	Date	Nature	By	App'd.

Project No.	M-2376-3-1	Designed By	R.C.M.
Date	4-30-20	Drawn By	K.S.P.
Scale	SEE ABOVE	Checked By	R.C.M.

THORNBERRY, PHASE 2
 MADISON COUNTY, MISSISSIPPI

M^{MASTER & ASSOCIATES, INC.}
 CIVIL ENGINEERS & LAND SURVEYORS

212 WATERFORD SQUARE
 SUITE 300
 MADISON, MS 39110
 601.605.1090

**NOT FOR
 CONSTRUCTION**

WETLAND
 EXHIBIT
1