



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	<u>MVK-2007-704</u>
EVALUATOR:	<u>Ms. Samantha Thompson</u>
PHONE NO.:	<u>(601) 631-5478</u>
E-MAIL:	<u>Samantha.H.Thompson@usace.army.mil</u>
DATE:	<u>September 14, 2021</u>
EXPIRATION	<u>October 4, 2021</u>

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District is considering an application for a Department of the Army permit for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-RD, 4155 Clay Street, Vicksburg, Mississippi 39183-3435.

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 or fill material into waters of the United States.

Name of Applicant:
Mr. Robbie Pierce
Rankin County Development Group
160 Rodeo Drive
Brandon, Mississippi 39047

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

Location of Work: Section 24, T5N-R3E, Latitude 32.263934, Longitude -89.945919, within the Middle-Pearl Strong Drainage Basin (8-git USGS HUC: 03180002), Rankin 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 activities conducted in jurisdictional areas for the purpose of constructing Phases 3B and 4 of the residential development, Arbor Landing. Phases 1, 2, and 3A were previously authorized under the same permit number in February of 2009 as was the mitigation compensation for Phases 1-4. The proposed project would be completed within an approximate 35.08-acre area situated along the north side of Fannin Landing Circle adjacent to the Ross Barnett Reservoir. Phase 3B contains approximately 14.27 acres and would include the development of approximately 37 residential lots averaging approximately 0.25-acre in size. Phase 4 contains approximately 20.81 acres and would include approximately 49 residential lots averaging between 0.25-acre and 0.35-acre in size. The development within both phases would include land clearing and grading preparation and construction of paved roads as well as construction of necessary storm water and drainage features.

The applicant proposes to fill approximately 2.0 acres within the Ross Barnett Reservoir to complete the remaining lots, walking trails and utilities. Along the perimeter of the lots and shoreline, rip rap would be placed along the fill line to complete stabilization and prevent erosion from occurring from fetch across the Ross Barnett Reservoir.

The vegetative communities within the project area are dominated by mature pine forest upland habitat type with a few cherrybark oak, shumard oak, and sweetgum scattered along the lakefront property boundary. Soils within the project site consist of Kipling soils, Falkner-Pelahatchie soils, and Tippah soils.

The proposed project would result in the fill of 2.0 acres of open water known as the Ross Barnett Reservoir. Mitigation was completed via Permittee-Responsible mitigation upon authorization of the original permit in 2009. Each aspect of the approved mitigation work plan has been completed within the mitigation site, and the site has remained in compliance. The required compliance inspections have been completed for the mitigation site with the mitigation site being considered restored. Per the conditions of the mitigation work plan and permit authorization, no further monitoring is required for the mitigation site. No additional or unaccounted for impacts to jurisdictional waters are anticipated to occur within the remaining Phases 3B and 4 of Arbor Landing.

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 area has been previously assessed for cultural resources. No historic properties will be affected by the proposed extension of time to perform previously authorized work.

Endangered Species: Threatened and Endangered Species for this area include the Northern long-eared bat and Wood stork. 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 species or their habitats.

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 located 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.

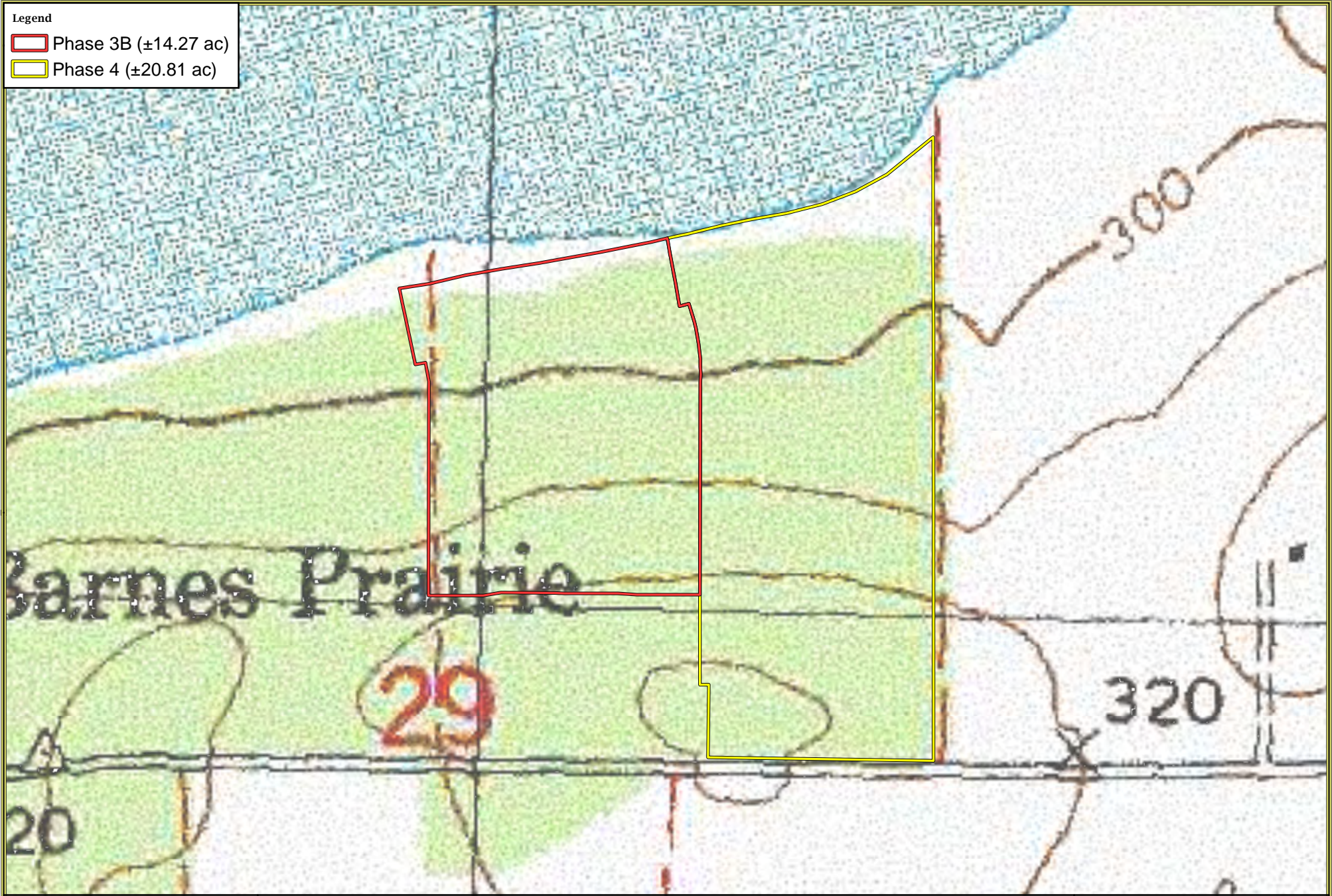
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>.

Jennifer G. Brown

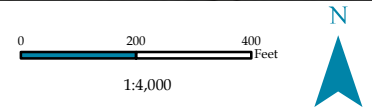
**Jennifer G. Brown
Team Lead, Permit and Evaluation Branch
Regulatory Division**

Legend

- Phase 3B (±14.27 ac)
- Phase 4 (±20.81 ac)



Rankin County Development Group
Arbor Landing - Phase 3B and 4
 Sec. 29 - T7N - R3E
 Rankin County, Mississippi
[Site Location Map](#)



NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

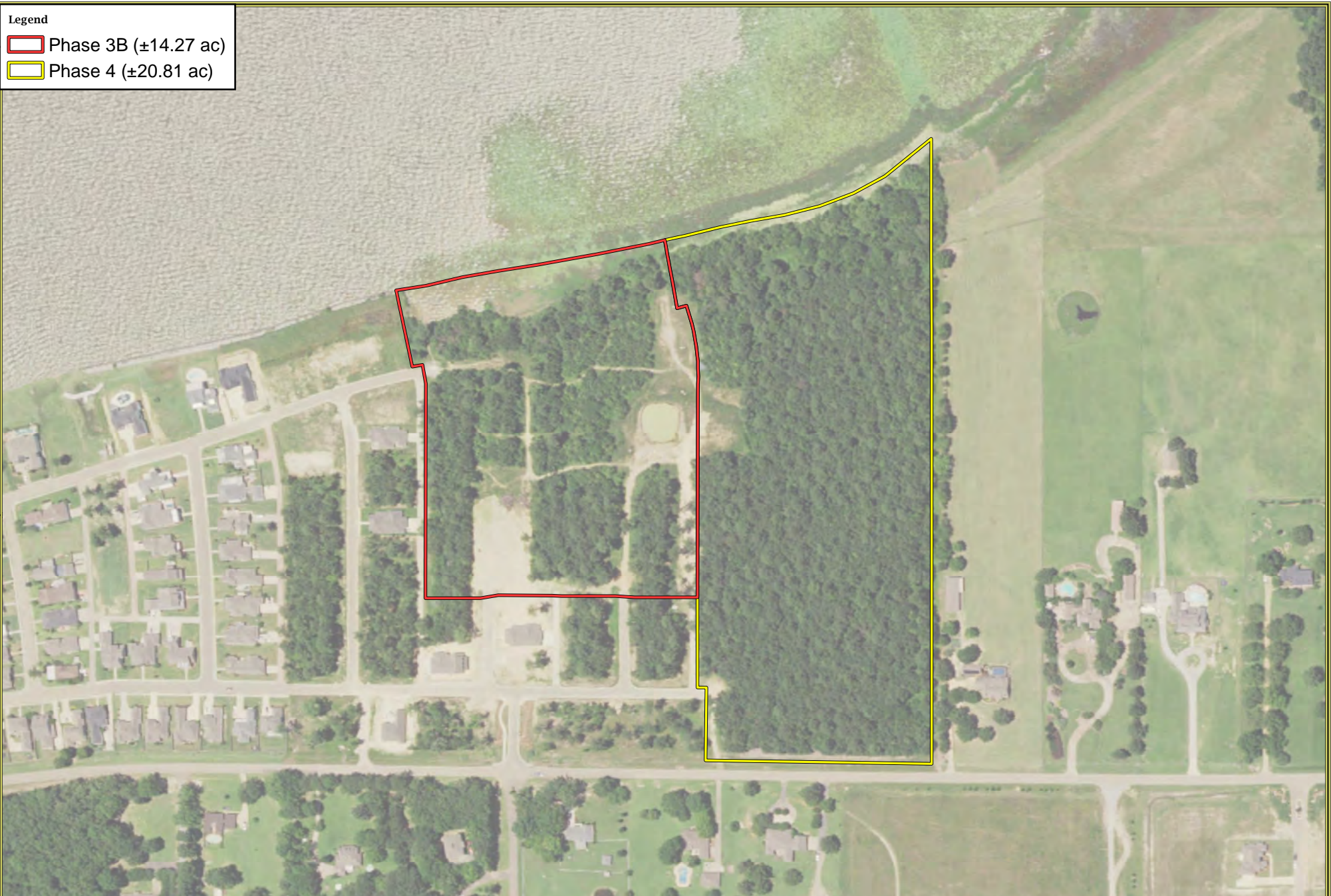
USGS Madison (MS) Quad Basemap

Date Created: 6/22/2021

Created by: JDL

Legend

- Phase 3B (±14.27 ac)
- Phase 4 (±20.81 ac)



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

Date Created: 6/22/2021 Created by: JDL

Rankin County Development Group
Arbor Landing - Phase 3B and 4
 Sec. 29 - T7N - R3E
 Rankin County, Mississippi
[Site Location Map](#)

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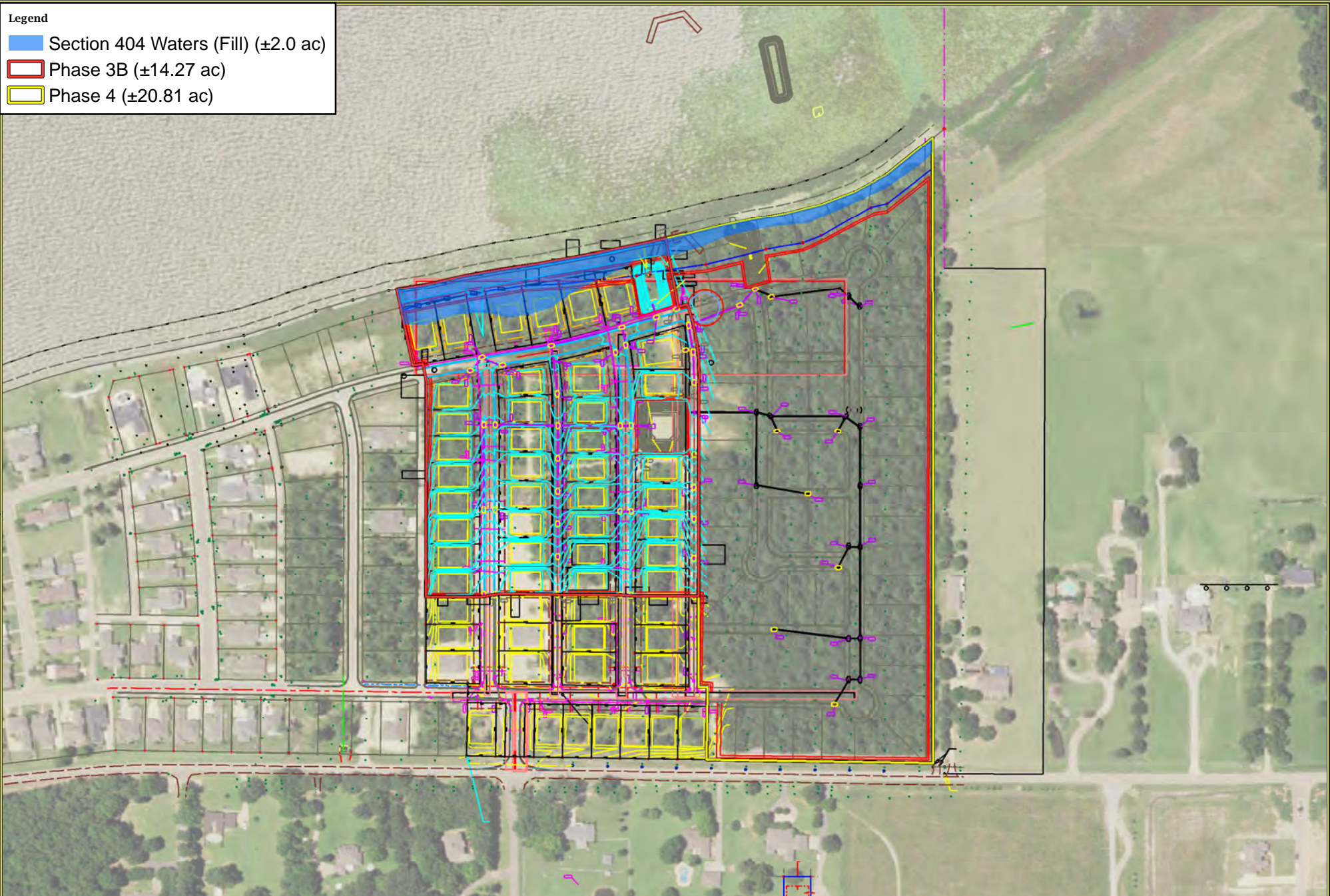
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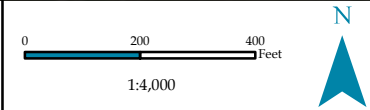
USDA NAIP 2020 Imagery Basemap

Legend

- Section 404 Waters (Fill) (±2.0 ac)
- Phase 3B (±14.27 ac)
- Phase 4 (±20.81 ac)



Rankin County Development Group
Arbor Landing - Phase 3B and 4
 Sec. 29 - T7N - R3E
 Rankin County, Mississippi
[Site Design/Impact Plan](#)



NAD 1983 StatePlane Mississippi West FIPS 2302 Feet
 USDA NAIP 2020 Imagery Basemap

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