



**US Army Corps  
of Engineers**

Vicksburg District  
4155 Clay Street  
Vicksburg, MS 39183-3435  
[www.mvk.usace.army.mil](http://www.mvk.usace.army.mil)



# Public Notice

APPLICATION NO.:	<u>MVK-2020-155</u>
EVALUATOR:	<u>Mr. Thomas McCabe</u>
PHONE NO.:	<u>(601) 631-5588</u>
E-MAIL:	<u><a href="mailto:Thomas.a.mccabe@usace.army.mil">Thomas.a.mccabe@usace.army.mil</a></u>
DATE:	<u>December 14, 2020</u>
EXPIRATION DATE:	<u>January 4, 2021</u>

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, Regulatory Division 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 Louisiana 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. Brad Peck  
Love's Travel Stops & Country Stores  
10601 N Pennsylvania Avenue  
Oklahoma City, Oklahoma 73120

**Name of Agent:**  
Ms. Rebecca Gaspard  
Terracon Consultants, Incorporated  
524 Elmwood Park Blvd., Suite 170  
New Orleans, Louisiana 70123

**Location of Work:** Section 2, T12N-R12W, Latitude 32.064703N, Longitude -93.566239W, within the Bayou Pierre watershed of the Red-Saline River Drainage Basin (8-digit USGS HUC 11140206), DeSoto Parish, Louisiana.

**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 Love's Travel Stop consisting of a large convenience store, auto fueling and parking, truck fueling and parking and associated appurtenances located within the city limits of Mansfield.

The 30-acre project site includes 18.83 acres of forested wetlands, 0.99 acre of mixed canopy inundated wetlands, 878.50 linear feet of Mundy Bayou, a perennial stream, and 1,036.60 linear feet of non-jurisdictional ephemeral streams. The applicant practiced avoidance and minimization by reducing the overall development from a larger footprint, typically used by Love's along Interstates, to a much smaller one. The reduced footprint plans would impact 5.4 acres of the forested wetlands and 0.8 acre of the mixed canopy inundated wetlands by land clearing and with the discharge of 5-8 feet of suitable fill material obtained from an upland source. Access to the development will utilize an existing road on the western side of the development and by a new ingress/egress to Highway 84. Storm water runoff will be collected into storm sewers to be routed thru a proposed stormwater management facility that discharges directly into Mundy Bayou with 0.14 acre of temporary wetland impacts from its construction.

The vegetative communities within the project area are dominated by overstory bottomland hardwood forest with a minimal understory and groundcover. Dominant tree and sapling species observed include sweetgum, American elm, and Chinese privet, with other dominant vegetation being Indian wood oats and honey suckle. Soil within the project site consists of Guyton-lulus complex soils 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 Corps approved 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 composed of low-lying wetlands with no existing or subsided natural levee landforms: and therefore, has a very low potential for yielding unidentified cultural deposits that may be eligible for the National Register of Historic Properties. Copies of this public notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

**Endangered Species**

Based on the Information and Planning Consultation (IPaC) for Endangered Species in Louisiana Agreement dated January 14, 2020 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 would have no effect on the following species: Red-cockaded woodpecker and Earth fruit. This project may affect the Northern long-eared bat (NLEB), but 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. A portion of 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.

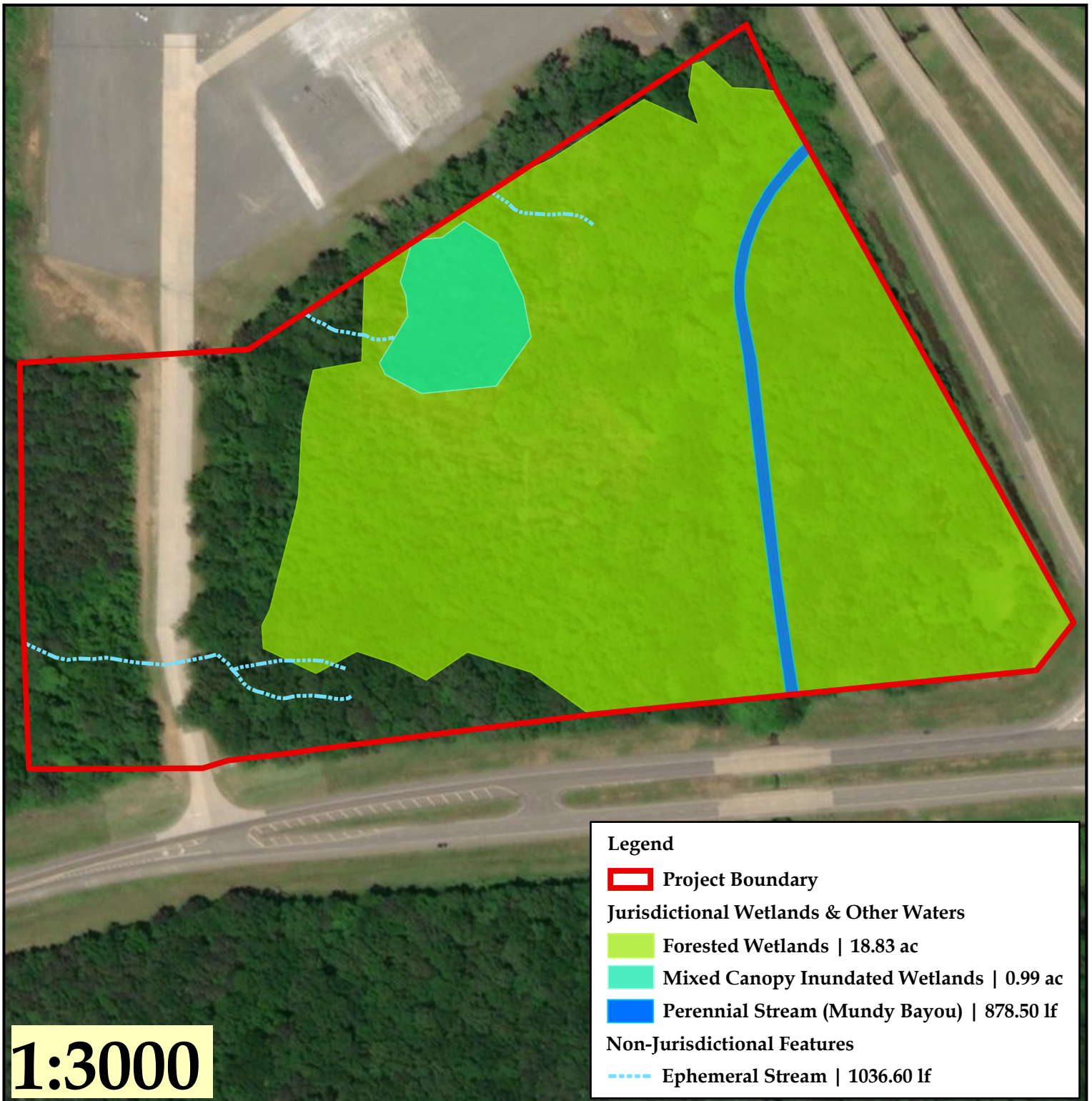
**Public Involvement:** The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help 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.

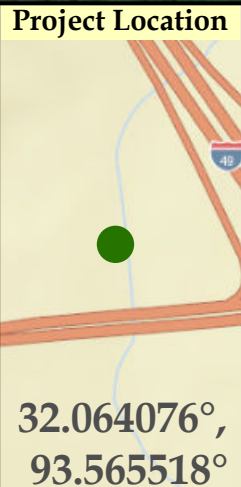
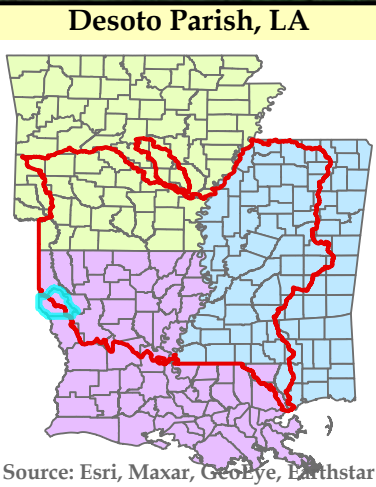
**Notification of Final Permit Actions:** Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>.

*Cori Carraway*

**Cori Carraway  
Chief, Permit and Evaluation Branch  
Regulatory Division**



**1:3000**



**MVK-2020-155**

**Project:**  
Love's Travel Stops  
& Country Stores  
Proposed Love's Travel Stop  
**Location:**  
Section 2, T12N-R12W  
Bayou Lake Pierre Quadrangle  
Desoto Parish, LA

**Approved**  
**Jurisdictional Determination**

**US Army Corps of Engineers®**  
**Regulatory Division**  
Enforcement & Compliance  
Branch

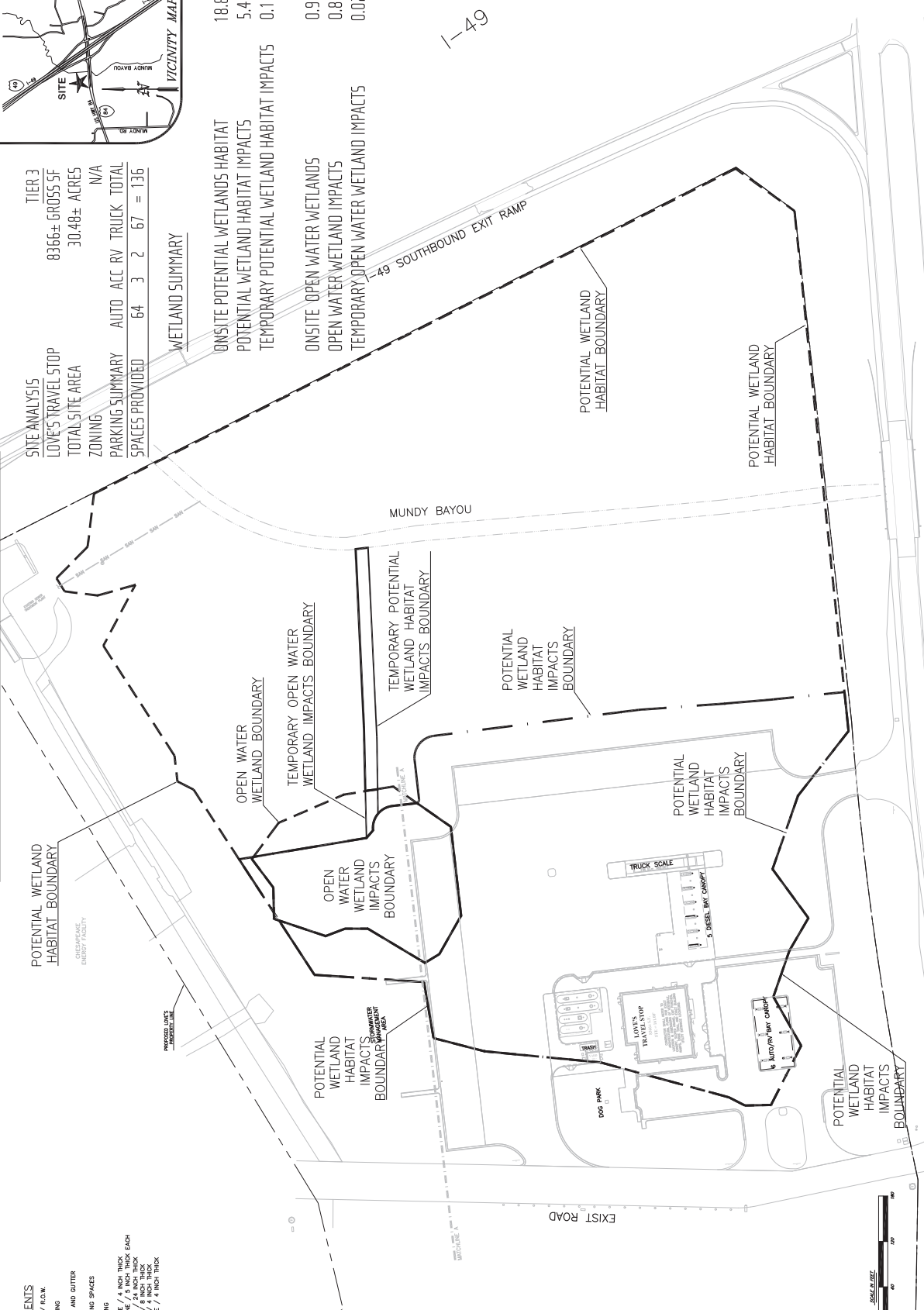
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**Enclosure 1**

# Current Site Plan and Impacts

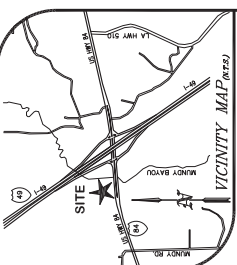
## LEGEND FOR PROPOSED IMPROVEMENTS


- PROPERTY LINE / R.O.W.
- PROPOSED BUILDING
- PROPOSED CURB AND GUTTER
- PROPOSED PARKING SPACES
- PROPOSED FENCING
  - Ø3/4"x4" - SINGLE YELLOW SOLID LINE / 4 INCH THICK
  - Ø3/4"x4" - DOUBLE YELLOW SOLID LINE / 5 INCH THICK EACH
  - Ø1/2"x4" - SINGLE WHITE SOLID LINE / 4 INCH THICK
  - Ø1/2"x4" - DOUBLE WHITE SOLID LINE / 5 INCH THICK EACH
  - Ø1/2"x4" - SINGLE WHITE DASHED LINE / 4 INCH THICK
  - Ø1/2"x4" - DOUBLE WHITE DASHED LINE / 5 INCH THICK




SITE ANALYSIS	
LOVE'S TRAVEL STOP	TIER 3
TOTAL SITE AREA	83,66± ACROSS 5 F
ZONING	N/A
PARKING SUMMARY	AUTO ACC RV TRUCK TOTAL
SPACES PROVIDED	64 3 2 67 = 136

WETLAND SUMMARY	
ONSITE POTENTIAL WETLANDS HABITAT	18.83± AC
POTENTIAL WETLAND HABITAT IMPACTS	5.40± AC
TEMPORARY POTENTIAL WETLAND HABITAT IMPACTS	0.12± AC
ONSITE OPEN WATER WETLANDS	0.99± AC
OPEN WATER WETLAND IMPACTS	0.80± AC
TEMPORARY OPEN WATER WETLAND IMPACTS	0.02± AC





Know what's below.  
Call before you dig.



SCALE - FEET



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 Baton Rouge, Louisiana 70805  
 ResourceConsulting@gmail.com  
 (713) 761-9809 Fax: (713) 766-6572



ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION  
 THIS DRAWING IS NOT VALID WITHOUT AN ORIGINAL SILENCE SIGNATURE AND ORIGINAL HANDWRITTEN DATE OF A LICENSED PROFESSIONAL ENGINEER

## WETLANDS EXHIBIT MAP

1/28/2019 10:00 AM C:\Users\jgibson\OneDrive\Work\1390218\2-50-08\MS\pdm\copyright\Resource Consulting, LLC