



**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.:	MVK-2018-736
EVALUATOR:	Ms. Samantha Thompson
PHONE NO.:	(601) 631-5478
E-MAIL:	<a href="mailto:Samantha.H.Thompson@usace.army.mil">Samantha.H.Thompson@usace.army.mil</a>
DATE:	September 15, 2020
EXPIRATION DATE:	October 6, 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-RD, 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. Andrew Hammer  
Exeter Highway 51 Land, LLC  
16650 Westgrove Drive, Suite 600  
Addison, Texas 75001

**Name of Agent:**  
Ms. Jennifer Lewis  
Brophy - Heineke & Associates, Inc.  
2978 Shelby Street  
Bartlett, Tennessee 38134

**Location of Work:** Section 14, T2S, R8W, Latitude 34.91494, Longitude -90.007727, within Yazoo Drainage Basin (8-digit USGS HUC: 08030204), Southaven, 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 a Department of the Army permit to conduct regulated activities in jurisdictional waters of the United States for the purpose of constructing a distribution facility. The distribution facility would include the construction of two warehouse buildings, associated parking lots, and access

roads. Building 1 would be 902,720 square feet and Building 2 would be 473,760 square feet. Areas of the site to be paved consist of parking spaces and access roads. There would be 336 parking stalls for trucks, 814 stalls for cars, and 17 ADA parking stalls.

In order for the site to be developed, 1.716 acres of wetlands will be filled. In addition, Stream 1 will be impacted at two locations for culvert installation to provide road crossings for access to Building 2 and for associated bank grading. Stream 2 will be impacted for the extension of a culvert crossing

These two culverted road crossings along Stream 1 will consist of an 80-foot long, 8-foot by 20-foot box culvert at the northern road crossing (latitude 34.91829, longitude -90.00777) and a 335 linear foot long, 7-foot by 20-foot box culvert at the southern road crossing (latitude 34.91569, longitude -90.00836). Each crossing will also include an additional 70 linear feet of impacts for bank grading. The grading work would extend from the top bank to the toe of the slope at the invert of the channel and riprap would be placed along the banks at the tie-in locations.

A culvert extension of the road crossing at Highway 51 (which is being widened by MS Department of Transportation) would require 20 feet of impacts (fill), and a total of 650 linear feet of the downgradient end of Stream 2 being relocated into a 735 linear foot long channel.

The vegetative communities within the project area are dominated by lizard's tail, black willow, green bulrush, barnyard grass, and rice-cut grass. Soil within the project site consist of Collins silt loam.

The total project area is approximately 129.5 acres and consists of 1.7 acres of wetlands and 3,890 linear feet of intermittent stream channel. All 1.7 acres of jurisdictional wetlands would be filled as a result of the project and 1,210 linear feet of stream will be impacted.

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

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. Currently this office is coordinating with the State Historic Preservation Officer, Federally-recognized Tribes, and other interested parties regarding potential effects to historic properties that could result from the proposed activity.

**Endangered Species:** Our initial finding is that the proposed project would have no effect on the pallid sturgeon, interior least tern, fat pocketbook mussel, and pondberry, and may affect, but is not likely to adversely affect the northern long-eared bat, and any resulting incidental take of the northern long eared bat is not prohibited by the final 4(d) rule utilizing the Standard Local Operating Procedure for Endangered Species (SLOPES) as signed on June 6, 2017 between the U.S. Army Corps of Engineers, Vicksburg District and the U.S. Fish and Wildlife Service.

**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. Portions of the project are located within the 100 year floodplain.

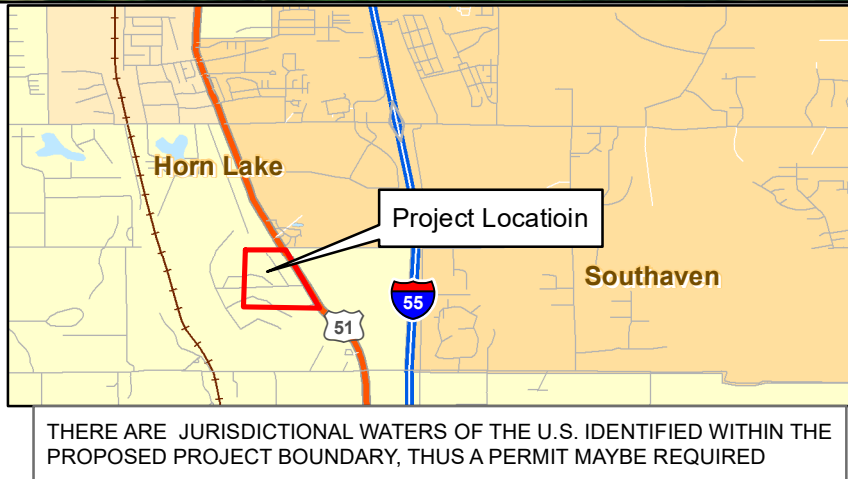
**Evaluation Factors:** The decision whether or not to issue a permit would be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision would reflect the national concern for both protection and utilization of important resources. The benefits which 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>.

Cori Carraway  
Chief, Permit and Evaluation Branch  
Regulatory Division



May 2, 2019

**MVK-2018-736**

Brophy- Heineke & Associates, Inc.  
Parcel B Highway 51 West  
DeSoto County  
Southaven, MS

**Preliminary  
Jurisdictional Determination**

**Aerial Imagery:  
ESRI World Imagery**

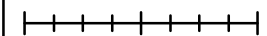


**US Army Corps  
of Engineers**



**Regulatory Branch  
Enforcement Section**

0 180 360 720 Feet



Prepared By: Jay Keen

**Enclosure 1**



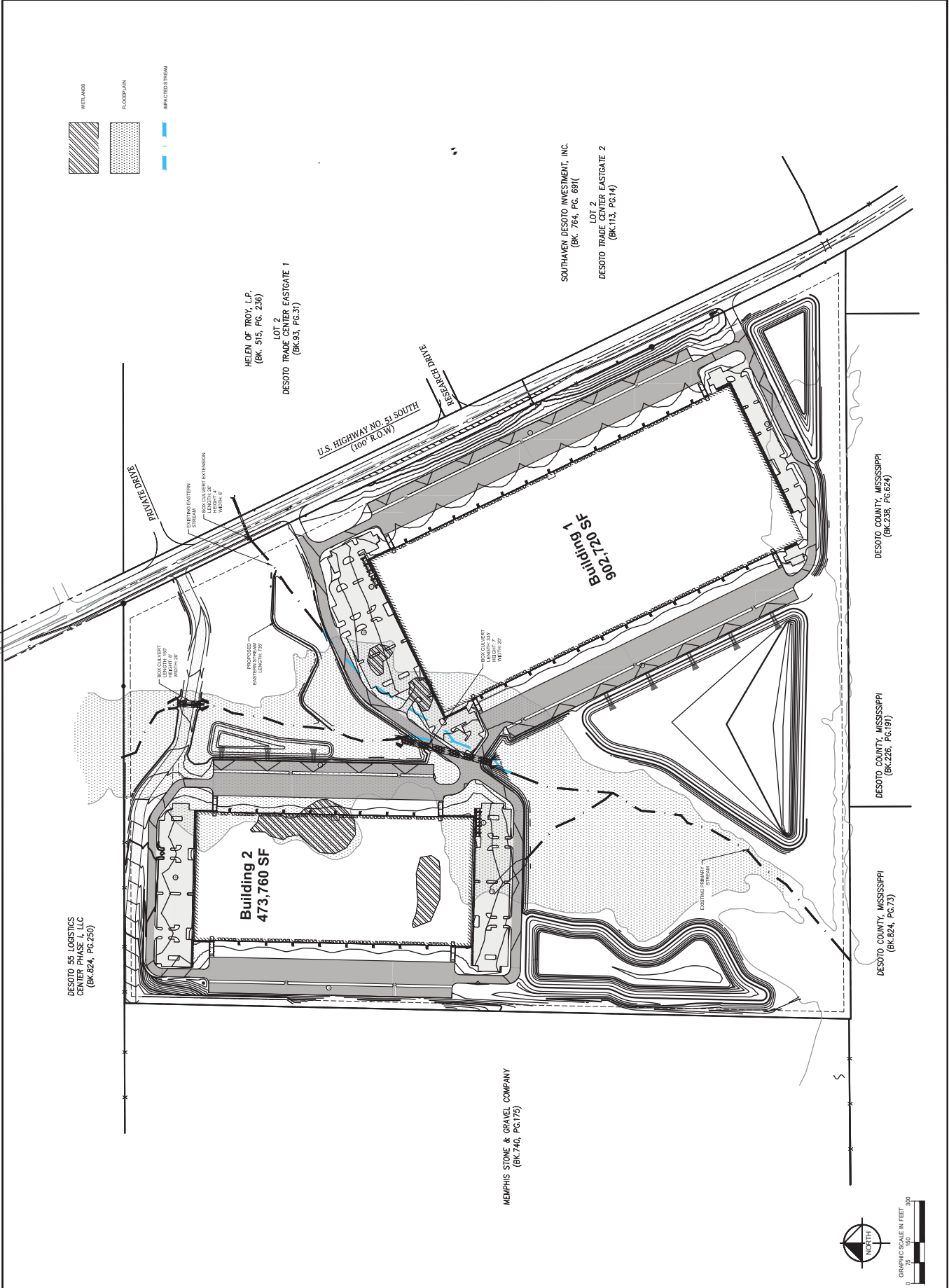
NO.	REVISIONS	DATE	BY

**Kimley-Horn**  
 6750 POPULAR AVENUE, SUITE 600, MEMPHIS TN 38136  
 PHONE: 901-724-9109  
 WWW.KIMLEY-HORN.COM

KHA PROJECT  
 11532000  
 DATE 06/01/2020  
 SCALE AS SHOWN  
 DESIGNED BY  
 DRAWN BY  
 CHECKED BY

SOUTHAVEN PARK 55  
 PREPARED FOR  
 EXETER HIGHWAY 51 LAND, LLC  
 MISSISSIPPI

SHEET NUMBER



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# Parcel B - Highway 51 West Features Map



\*Map shows the general location of wetlands.  
The delineated boundaries are shown on the survey plat.

- Site Boundary
- Wetland
- Isolated Farm Pond
- Stream
- Upland Drainage

**Parcel B - Highway 51 West  
Wetland Survey Plat**

