



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	MVK-2018-128
EVALUATOR:	Ms. Samantha Thompson
PHONE NO.:	(601) 631-5478
E-MAIL:	Samantha.H.Thompson@usace.army.mil
DATE:	September 18, 2019
EXPIRATION DATE:	October 9, 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. Joseph Hayles
JWH Real Estate LLC
1101 Highway 80 West
Jackson, Mississippi 39204

Location of Work: Section 14, T5N, R1E, Latitude 32.279785, Longitude - 90.161676, within Middle Pearl-Strong Drainage Basin (8-digit 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 to conduct regulated activities in jurisdictional waters of the United States for the construction of a commercial development.

The construction of the project would allow for 7 commercial buildings to be constructed along Highway 80 in Flowood, Mississippi. The proposed buildings would be the development of a machine shop, equipment sales and pipe supplier.

The vegetative communities within the project area are dominated by loblolly pine, soft rush, sedge, panicgrass, marsh flatsedge, Chinese tallow, broomsedge, redvine, loblolly pine, and American sweetgum. Soil within the project site consist of Tip-po-Urban land complex.

Approximately 6.74 acres of wetlands (5.95 emergent, 0.49 scrub-shrub, 0.30 forested) would be permanently impacted by the project. Approximately 9,725 cubic yards of top soil and 110,133 cubic yards of clay would be used for the proposed project.

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 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: Our initial finding is that the proposed project will not effect the wood stork, ringed-map turtle, and may affect the northern long-eared bat, but that 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 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



Rankin County, MS



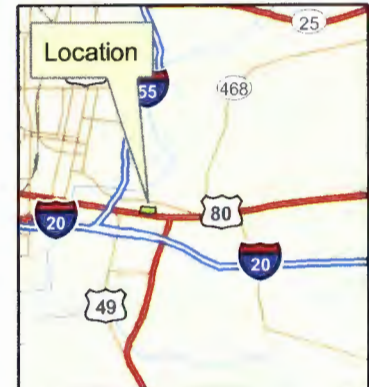


2 July 2018

MVK-2018-128

Headwaters Inc.
Highway 80 Commercial Property
Rankin County, MS

**Approved
Jurisdictional Determination
Significant Nexus
Determination**

Jeremy Stokes










**US Army Corps
of Engineers**

Regulatory Branch
Enforcement Section

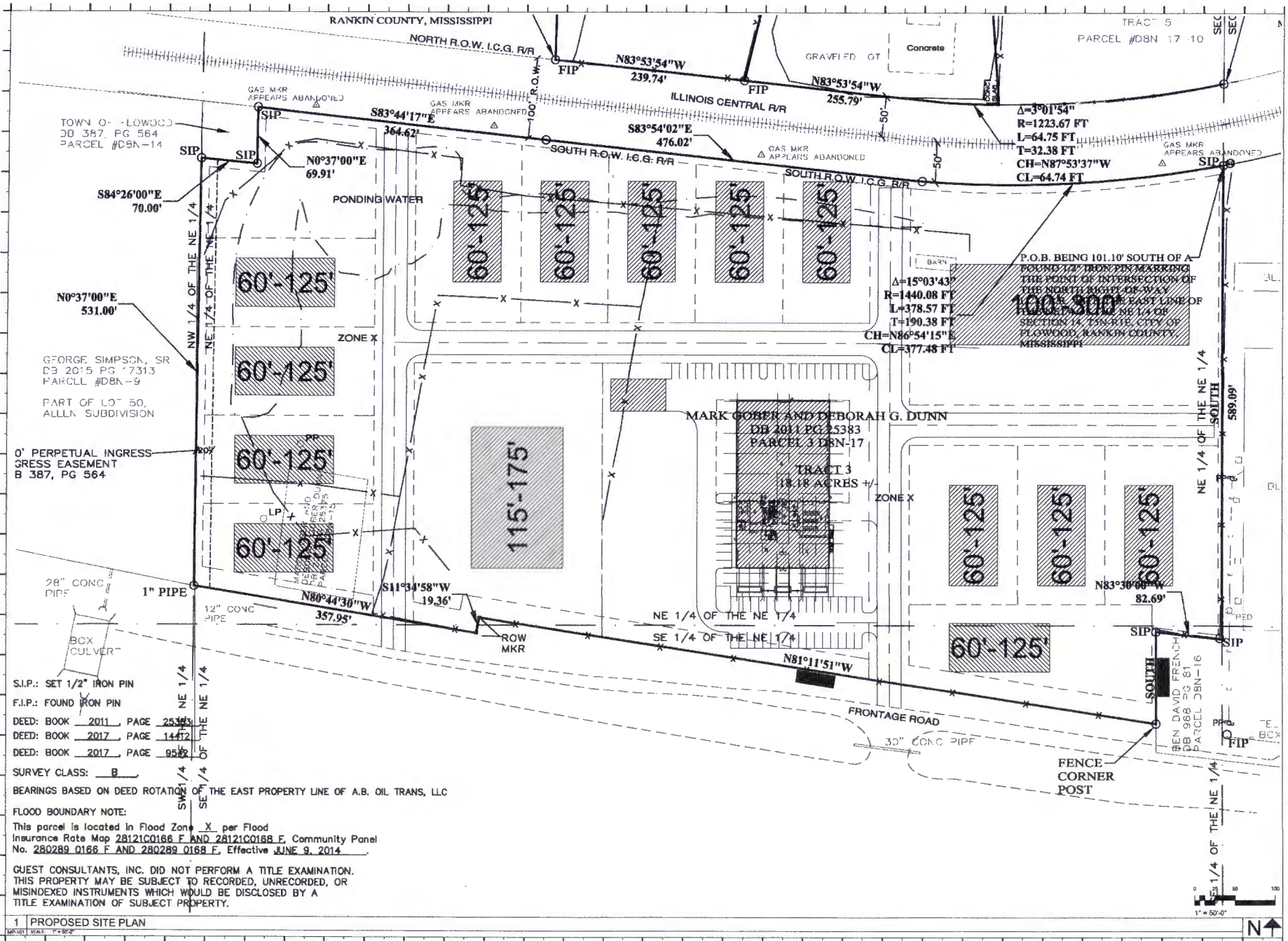
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Feet

Legend

-  Emergent Wetland (5.95 Acres)
-  Open Water (.9 Acre)
-  Forested Wetland (.97 Acre)
-  Scrub Shrub Wetland (.49 Acre)
-  Project Site Boundary

1:2,500

All waters and wetlands are jurisdictional



TOWN OF FLOWOOD
DB 387, PG 564
PARCEL #DBN-14

GEORGE SIMPSON, SR
D3 2015 PG 7313
PARCEL #DBN-9

PART OF LOT 50,
ALLIANCE SUBDIVISION

0' PERPETUAL INGRESS
GRESS EASEMENT
B 387, PG 564

28" CONC
PIPE

BCX
CULVERT

- S.I.P.: SET 1/2" IRON PIN
- F.I.P.: FOUND IRON PIN
- DEED: BOOK 2011, PAGE 2514
- DEED: BOOK 2017, PAGE 14472
- DEED: BOOK 2017, PAGE 9582

SURVEY CLASS: B

BEARINGS BASED ON DEED ROTATION OF THE EAST PROPERTY LINE OF A.B. OIL TRANS, LLC

FLOOD BOUNDARY NOTE:

This parcel is located in Flood Zone X per Flood Insurance Rate Map 28121C0166 F AND 28121C0168 F, Community Panel No. 280289 0166 F AND 280289 0168 F, Effective JUNE 9, 2014

GUEST CONSULTANTS, INC. DID NOT PERFORM A TITLE EXAMINATION. THIS PROPERTY MAY BE SUBJECT TO RECORDED, UNRECORDED, OR MISINDEXED INSTRUMENTS WHICH WOULD BE DISCLOSED BY A TITLE EXAMINATION OF SUBJECT PROPERTY.

1 PROPOSED SITE PLAN

J. SCOTT WILLIAMS
ARCHITECTURE, PLLC

1100 N. STATE ST.
JACKSON, MS 39202

601.928.0334
PROJECT NO. 2014-001

JWH EQUIPMENT, LLC
HWY 80 BUILDING

PROJECT FILE: PROJECT NO. 2014-001
FLOWOOD, MISSISSIPPI

PROJECT NO:
16-002

DATE:
27 MARCH 2019

REVISIONS:

SHEET NO.
MP-101