



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	MVK-2019-424
EVALUATOR:	Ms. Tarmiko Graham
PHONE NO.:	(601) 631-5540
E-MAIL:	Tarmiko.V.Graham@usace.army.mil
DATE:	September 17, 2019
EXPIRATION DATE:	October 8, 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 at the above address, and the Mississippi Department of Environmental Quality at Post Office Box 2261, Jackson, Mississippi 39225, 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. Neal Creasy
Buford Farm
Post Office Box 230
Glendora, Mississippi 38928

Name of Agent:
Mr. Gary Dyksterhouse
Post Office Box 230
Glendora, Mississippi 38928

Location of Work: Section 5, T23N-R1W, Latitude 33.89289, Longitude -90.31587, in the Swan Lake watershed within the Tallahatchie Drainage Basin (8-digit USGS HUC: 08030202), Tallahatchie 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 in conjunction with the Natural Resources Conservation Service (NRCS) for the discharge of dredged and/or fill material into jurisdictional wetlands for the purpose of increasing the conservation practices of Swan Lake in Tallahatchie County, Mississippi.

The project includes the construction of a weir at the outlet of Swan Lake that would increase the storage of surface water in Swan Lake, which would allow for crop irrigation and a reduction in the demand of water from the Mississippi alluvial aquifer.

The proposed weir would encompass an area of 101 feet X 111.25 feet wide and consist of placing 65 cubic yards of earthen fill (15' top, 4:1 side slopes @ elevation 130.0). Approximately 1,413 tons of rock riprap, 2 feet thick, would be placed on top and sides extended 26 feet upstream and downstream of slope. Approximately 1,247 square yards of geo textile fabric would be placed beneath the rock. Approximately 187 cubic yards of concrete grout would cover the entire surface, approximately 6 inches thick.

Approximately 0.25 acre of forested wetlands would be filled. Approximately 65 cubic yards of fill material would be placed in the jurisdictional areas.

Dominate species include Bitter pecan, Swamp privet, and Willow oak. Hydric soil within the project site include Forestdale silty clay loam.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an approved mitigation bank, whose service area includes the same 8-digit HUC: 08030202.

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

Endangered Species: Our initial finding is that the proposed work would not affect the following endangered species or their critical habitats: Northern long-eared bat, Wood stork and Pondberry. Utilizing the Standard Local Operating Procedure for Endangered Species (SLOPES) as signed on December 1, 2014 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 any listed species.

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 proposed project site is not 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.

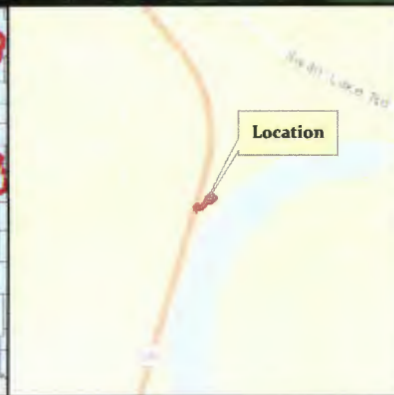
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this 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



- Legend**
-  Project Boundary
 -  Forested Wetlands (0.25 Acres)



25 June 2019

MVK-2019-424

**Buford Farms/Ducks Unlimited
Swan Lake Weir**

**Preliminary
Jurisdictional Determination**


Bryton Hixson



US Army Corps
of Engineers

Regulatory Branch
Enforcement Section

0 110
Feet





Legend

-  Project Boundary
-  132 ft. Elevation



25 June 2019

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**Buford Farms/Ducks Unlimited
Swan Lake Weir**

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Bryton Hixson



**US Army Corps
of Engineers®**

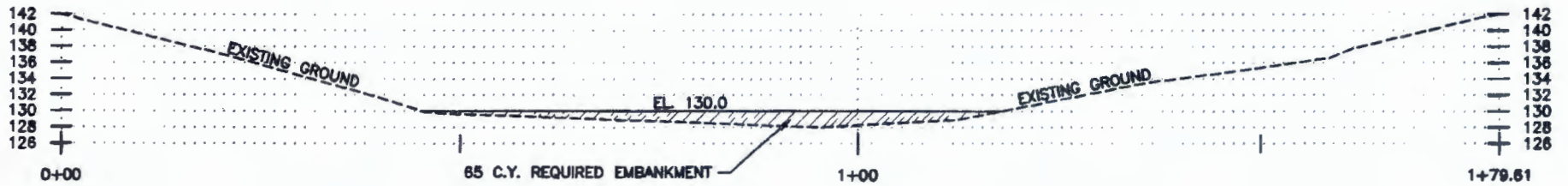


**Regulatory Branch
Enforcement Section**

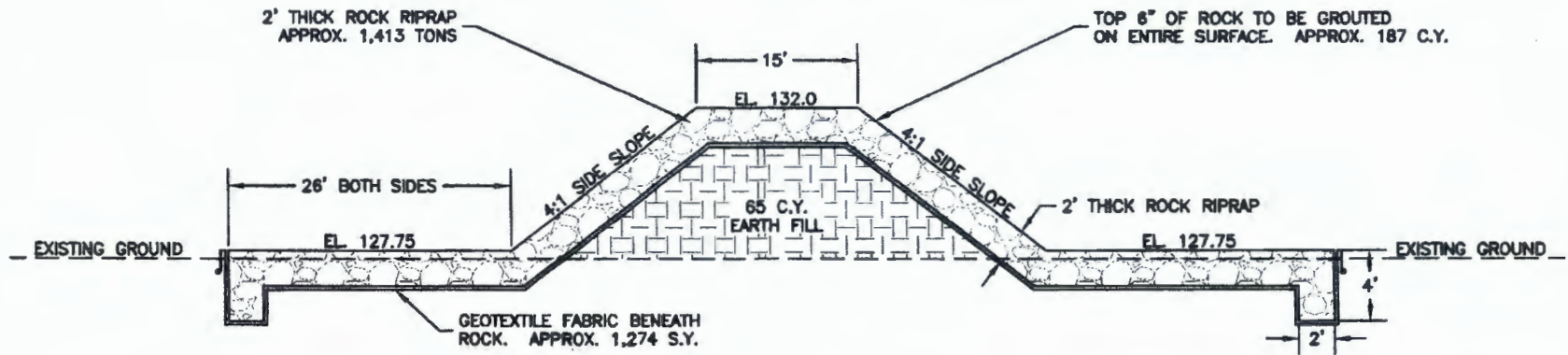


* Secondary impacts includes Swan Lake and the surrounding areas (approximately 541 acres)

SWAN LAKE WEIR PROJECT
TALLAHATCHIE COUNTY, MISSISSIPPI



PROFILE OF WEIR
NOT TO SCALE



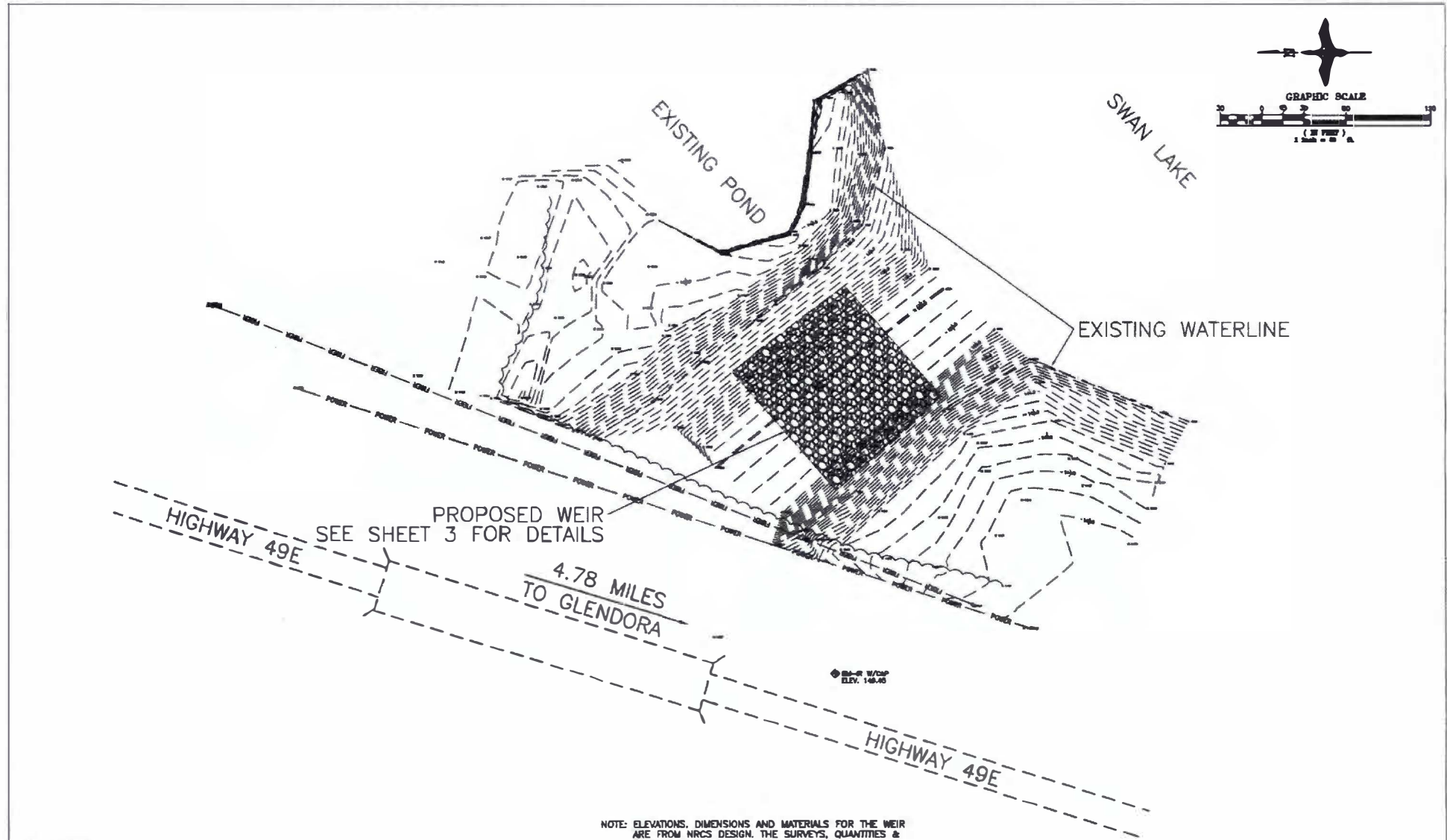
TYPICAL SECTION OF WEIR
NOT TO SCALE

FOR PERMITTING ONLY - THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, RECORDATION, CONVEYANCE OR SALES.

DUCKS UNLIMITED INC.
SOUTHERN REGIONAL OFFICE
183 Business Park Drive, Suite E
Ridgeland, MS 39157

PROJECT NO. MS-128-1
STURDIVANT PROPOSED WEIR PROFILE & DETAIL
4/19 | SHEET 3 OF 3

SWAN LAKE WEIR PROJECT
TALLAHATCHIE COUNTY, MISSISSIPPI



NOTE: ELEVATIONS, DIMENSIONS AND MATERIALS FOR THE WEIR ARE FROM NRCS DESIGN. THE SURVEYS, QUANTITIES & DRAWINGS ARE BY DUCKS UNLIMITED, INC.

GENERAL NOTES:

- 1) Horizontal survey control is Mississippi State Plane Coordinates, West Zone, NAD83; and Vertical Control is NAVD83 (Geoid12A). Based on TRIPLE-CORNER-BENCH-BOX post-processed solution from data collected at autonomous Base position.
- 2) All utilities observed at the time of survey are shown on the drawings; however, existence of utilities on drawing is not assurance that other utilities do not exist on this site. The contractor will be responsible for any damage to any utilities or structures during construction.
- 3) It is the contractor's responsibility to call the National "811" "Call Before You Dig" number to verify any conflicting utilities prior to beginning any work.
- 4) The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or use of these plans. All changes to the plan must be in writing and must be approved by the preparer of these plans.

NOTICE
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW.
IT IS NOT TO BE USED FOR CONSTRUCTION OR BIDDING PURPOSES.

DUCKS UNLIMITED INC. ENGINEERING SERVICES, OFFICE 2000 W. STATE ST., SUITE 100 TALLAHATCHIE, MISSISSIPPI 38671-1919 PHONE: 662-287-1111 FAX: 662-287-1112 WWW: WWW.DUCKSUNLIMITED.COM	PROJECT NO. DU-MS-128-1	DESIGNED BY: BJM CHECKED BY: DSH DRAWN BY: DSH CADD BY: BJM DATE: 4/19
	STURDIVANT EXISTING TOPO	CONTRACT #
2 OF 3		