



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2014-01197-JMT

DATE 8 April 2016

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS AND
STATE OF MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY

REQUEST FOR THE FILLING OF WATERS OF THE UNITED STATES ASSOCIATED
WITH THE PHASE 3 DEVELOPMENT OF RESIDENTIAL LOTS WITHIN COUNTRY
CLUB ESTATES, STARKVILLE, MISSISSIPPI

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Frank Jones Development, LLC
107 Tuxford Road
Starkville, Mississippi 39759

AGENT: Pritchard Engineering
Attention: Mr. Clyde Pritchard
Post Office Box 2523
Starkville, Mississippi 39760

LOCATION: The proposed project site is located within the City of Starkville located off Turnberry Lane within Country Club Estates (N33.42288, W-88.80275). Specifically, the project is located in Section 14; Township 18 North; Range 14 East in Oktibbeha County, Mississippi. Impacts to waters of the United States are within the Noxubee Watershed (HUC 03160108).

PROJECT PURPOSE: The basic project purpose is residential development.

WORK: The applicant is seeking authorization for the discharge of fill material into waters of the United States for the purpose of adding eighty-five residential lots of various sizes, constructing roads, and storm water detention swales as Phase 3 of an

existing subdivision. These activities would impact 631 linear feet of ephemeral stream, 887 linear feet of intermittent stream, and 2.35 acres of forested wetland.

AVOIDANCE AND MINIMIZATION: The applicant proposes to fill all jurisdictional waters of the U.S. located on the 40-acre parcel identifying loss of potential lot development and the City of Starkville Stormwater Management Ordinance as the citing factors for not avoiding or minimizing impacts. The applicant stated that five parcels of property were considered, including the preferred site, however other properties were not selected due to location, cost or availability to purchase.

MITIGATION: The applicant proposes to purchase compensatory stream and wetland credits from the Black Swamp Mitigation Bank.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and use of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

CULTURAL RESOURCES: In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to effect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of this undertaking are also being considered. We are seeking comment from the State Historic Preservation Officer, federally-recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. Historic architectural or archaeological investigations may be necessary to ascertain the existence of such resources. Efforts will be made through the consultation process to avoid, minimize, or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking.

ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity most likely will not affect listed endangered or threatened species, or their critical habitat. **By letter dated May 28, 2015, the USFWS commented that there is no suitable habitat for the Indiana bat (*Myotis sodalist*), the Northern long-eared bat (*Myotis septentrionalis*), or Price's potato bean within the project footprint. Therefore, we anticipate that no protected species will be impacted by the proposed activity.**

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2014-01197-JMT and should be directed to:

U.S. Army Engineer District, Mobile
Birmingham Field Office
Attention: Mr. Joseph Tanko
218 Summit Parkway, Suite 222
Homewood, Alabama 35209

with a copy to the:

State of Mississippi

Department of Environmental Quality
Post Office Box 2261
Jackson, Mississippi 39225

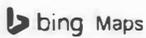
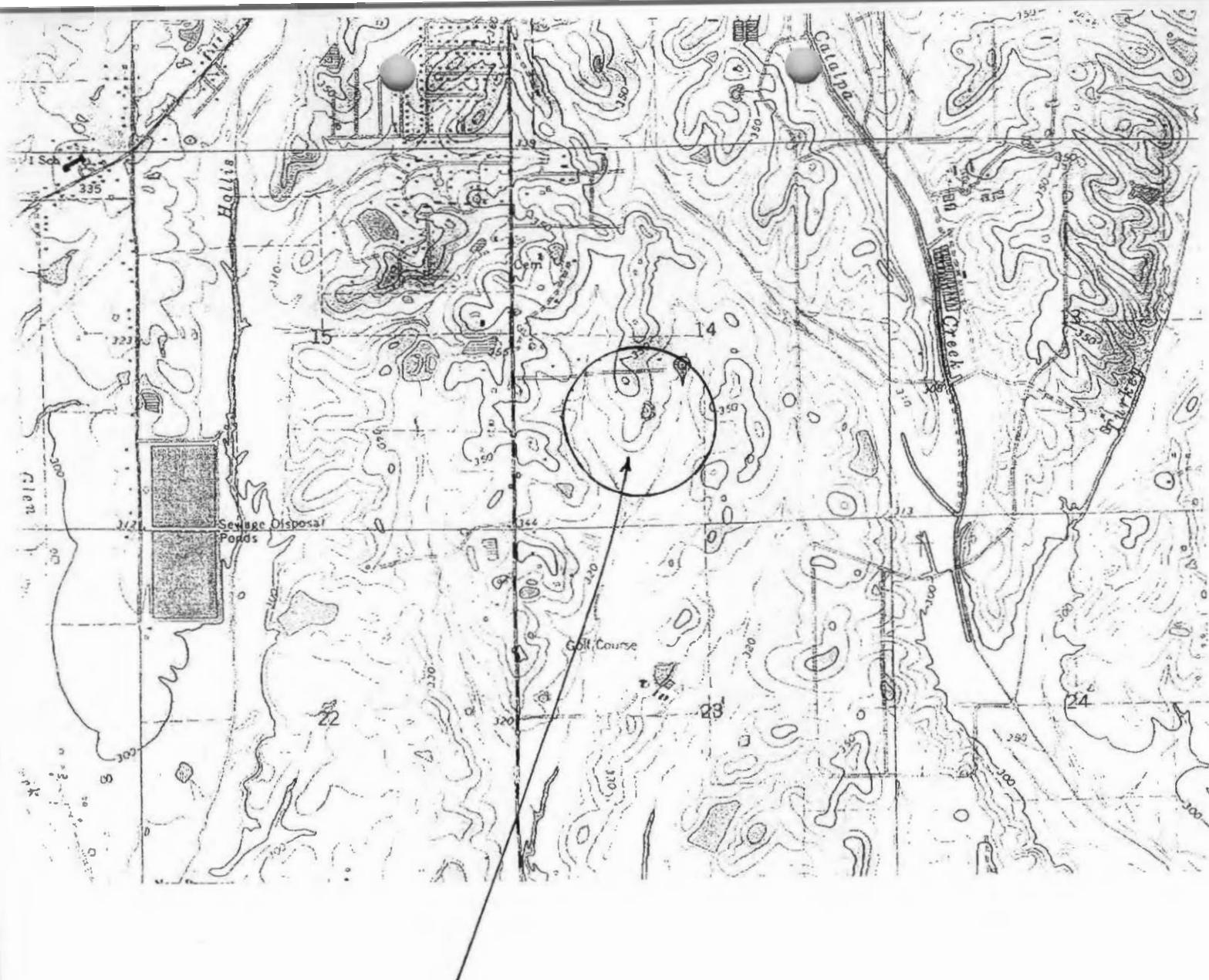
Comments should be received no later than **30 days** from the date of this Public Notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at joseph.m.tanko@usace.army.mil or telephone number **(205) 290-9096**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx. Also, please take a moment to complete our customer satisfaction survey located near the bottom of the webpage. Your responses are appreciated and will help us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineer

Enclosures



A near MS-182 W, Starkville, MS 39759

B Turnberry Ln, Starkville, MS 39759

Route: 6.4 mi, 14 min

My Notes

On the go? Use m.bing.com to fast maps, directions, businesses, and more.

A	near MS-182 W, Starkville, MS 39759	A-B: 6.4 mi 14 min
	1. Depart MS-182 W toward Old Mayhew Rd	2.2 mi
	2. Take ramp left for MS-12 W / Veterans Memorial Dr	1.4 mi
	3. Turn left onto S Montgomery St <i>Hardee's on the corner</i>	2.5 mi
	4. Turn left onto Turnberry Ln	0.3 mi
B	5. Arrive at Turnberry Ln, Starkville, MS 39759 <i>The last intersection is Oakmont Rd</i> <i>If you reach Royal Troon Rd, you've gone too far</i>	

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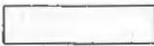
SITE PLAN NORTH

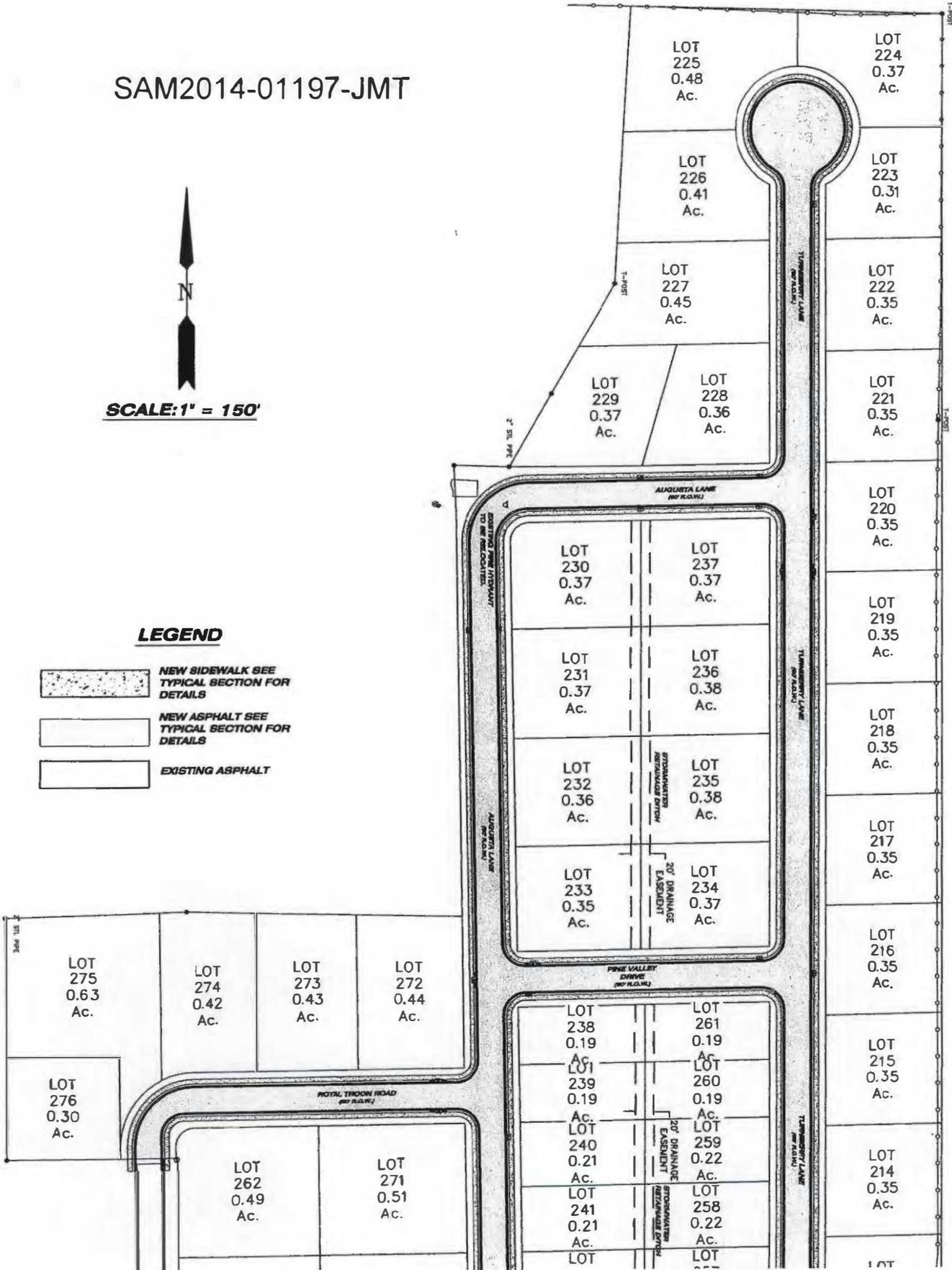
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SCALE: 1" = 150'

LEGEND

-  **NEW SIDEWALK SEE TYPICAL SECTION FOR DETAILS**
-  **NEW ASPHALT SEE TYPICAL SECTION FOR DETAILS**
-  **EXISTING ASPHALT**



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SITE PLAN SOUTH

