



**US Army Corps  
of Engineers**

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



# Public Notice

APPLICATION NO.:	<u>MVK-2020-29</u>
EVALUATOR:	<u>Ms. Samantha Thompson</u>
PHONE NO.:	<u>(601) 631-5478</u>
E-MAIL:	<u>Samantha.H.Thompson@usace.army.mil</u>
DATE:	<u>July 21, 2020</u>
EXPIRATION	<u>August 11, 2020</u>

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 39225-2261, 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 or fill material into waters of the United States.

**Name of Applicant:**  
Mr. Claude Dinkins IV  
B&L Land Company  
Post Office Box 227  
Grace, Mississippi 38744

**Name of Agent:**  
Mr. Tim Huggins  
Delta Wildlife, Incorporated  
Post Office Box 276  
Stoneville, Mississippi 38776

**Location of Work:** Section 15, T13N- R8W, Latitude 32.974711, Longitude -91.004939, within the Yazoo Drainage Basin (8-digit USGS HUC: 08030209), Issaquena 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 an after-the-fact Department of the Army permit for activities conducted in jurisdictional areas for the purpose of constructing a levee for a greentree reservoir (GTR). The purpose of the proposed project is to improve access to the property for timber management, logging operations, and to enhance waterfowl and shorebird habitat through seasonal flooding. The GTR

would be approximately 24 acres in size. The levee would be approximately 1400 feet long, an average of 2.5 feet high and 8 feet wide with 2:1 side slopes.

The vegetative communities within the project area are dominated by water oak, bald cypress, water hickory, buttonbush, pepper vine, liverseed grass, panic grass, Carolina horsenettle, water pepper, trumpet vine and red vine. Soils within the project site consist of Sharkey and Dowling clay silt loam.

The proposed project would result in the fill of 0.58 acres of forested wetlands. The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from a USACE approved 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: An historic properties investigation has been conducted within the permit area. No sites determined eligible for or listed on the National Register of Historic Places are within the permit area or affected area.

**Endangered Species:** Threatened and Endangered Species for this area include the interior least tern, pallid sturgeon, fat pocketbook mussel, Northern long-eared bat, and ponderry. Utilizing the Standard Local Operating Procedure for Endangered Species (SLOPES) as signed on June 28, 2017, 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 these species or their habitats.

**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 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>.

Thomas A. McCabe  
Chief, Evaluation Section  
Regulatory Branch

# LAFAYETTE LAKE PROJECT

## LEGEND

-  Proposed Levee/Road  
1400 ft x 18 ft wide bottom = 0.58 acre  
Wetlands
-  Proposed Green Tree Reservoir  
24 Acres  
Wetlands
-  Proposed Borrow Areas  
2.4 Acres
-  Existing Spoil Mound  
with Pipes

2

1

Steele Bayou

Proposed Greentree Reservoir - MVK-2020-29

Preliminary Jurisdictional Determination  
By Will Pigott - Enforcement Section

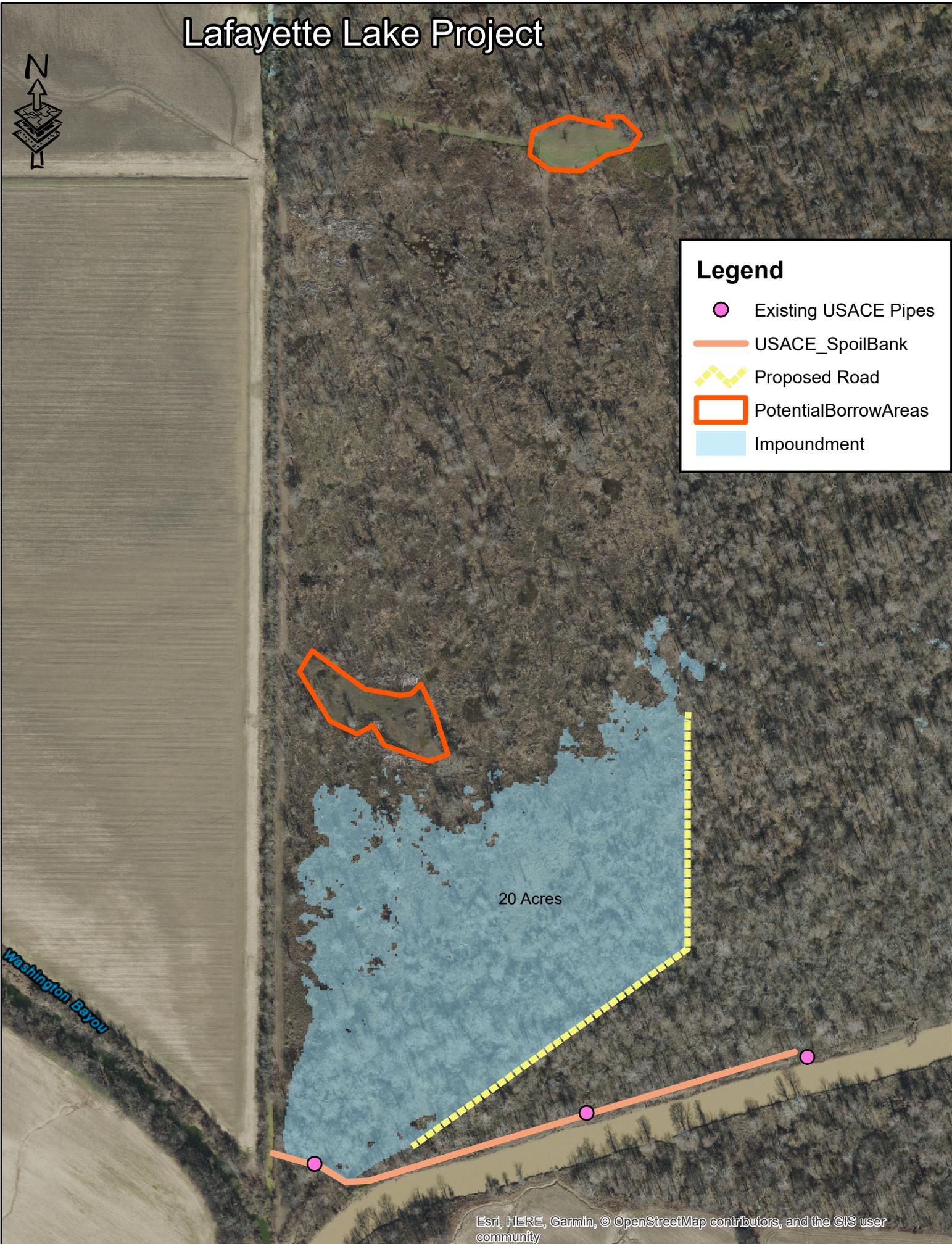
Vicksburg District  
Corps of Engineers

# Lafayette Lake Project



## Legend

- Existing USACE Pipes
- USACE\_SpoilBank
- Proposed Road
- PotentialBorrowAreas
- Impoundment



20 Acres

Washington Bayou