



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	MVK-2018-218
EVALUATOR:	Ms. Tarmiko Graham
PHONE NO.:	(601) 631-5540
E-MAIL:	Tarmiko.V.Graham@usace.army.mil
DATE:	June 1, 2018
EXPIRATION DATE:	June 21, 2018

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. Raymond Foxworth
Foxworth Holdings, LLC
120 Stone Creek Blvd, Suite 100
Flowood, Mississippi 39232

Name of Agent:
Ms. Diane Hartman
ChiroHealthUSA
120 Stone Creek Blvd, Suite 100
Flowood, Mississippi 39232

Location of Work: Section 32, T6N-R2E, Latitude 32.3257, Longitude -90.1184, in the Richland Creek watershed within the 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 for the discharge of dredged and/or fill material into jurisdictional wetlands for the construction of a 1.1-acre commercial development. The proposed development would consist of a 14,320 square feet single-story building with an adjoining 54 space parking lot.

The development would provide services to a network of over 4,500 chiropractors nationwide.

Approximately 1 acre of emergent wetlands would be impacted for the proposed project. A total of approximately 2,610 cubic yards of expansive clay material would be removed from the site and a total discharge of fill into wetlands would be approximately 6,030 cubic yards of clean earthen material.

The vegetative communities within the project area are dominated by soft rush, fox sedge, forked rush and swamp verbena. Soil within the project site is dominated by Tipso silt loam, occasionally flooded.

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 code, 03180002.

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 has been so extensively modified that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

Endangered Species: 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 (Corps) and the U.S. Fish and Wildlife Service, the corps has determined that the proposed activity would have no effect on the Northern long-eared bat, Wood stork, Ringed map turtle and the Gulf sturgeon. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat would be addressed in our evaluation of the described work.

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>.

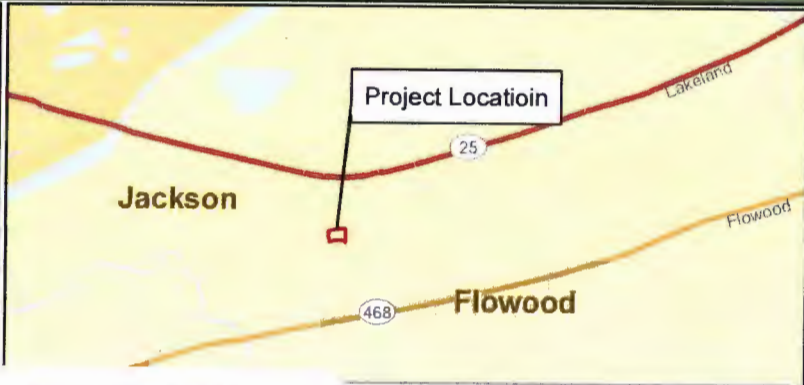
Thomas A. McCabe

Thomas A. McCabe
Chief, Evaluation Section
Regulatory Branch



Legend

- Project Boundary
- Potential Wetlands



May 3, 2018

MVK-2018-218

ChiroHealth
Flowood, MS
Rankin County

**Preliminary
Jurisdictional Determination**

Aerial Imagery:
ESRI World Imagery

**Regulatory Branch
Enforcement Section**

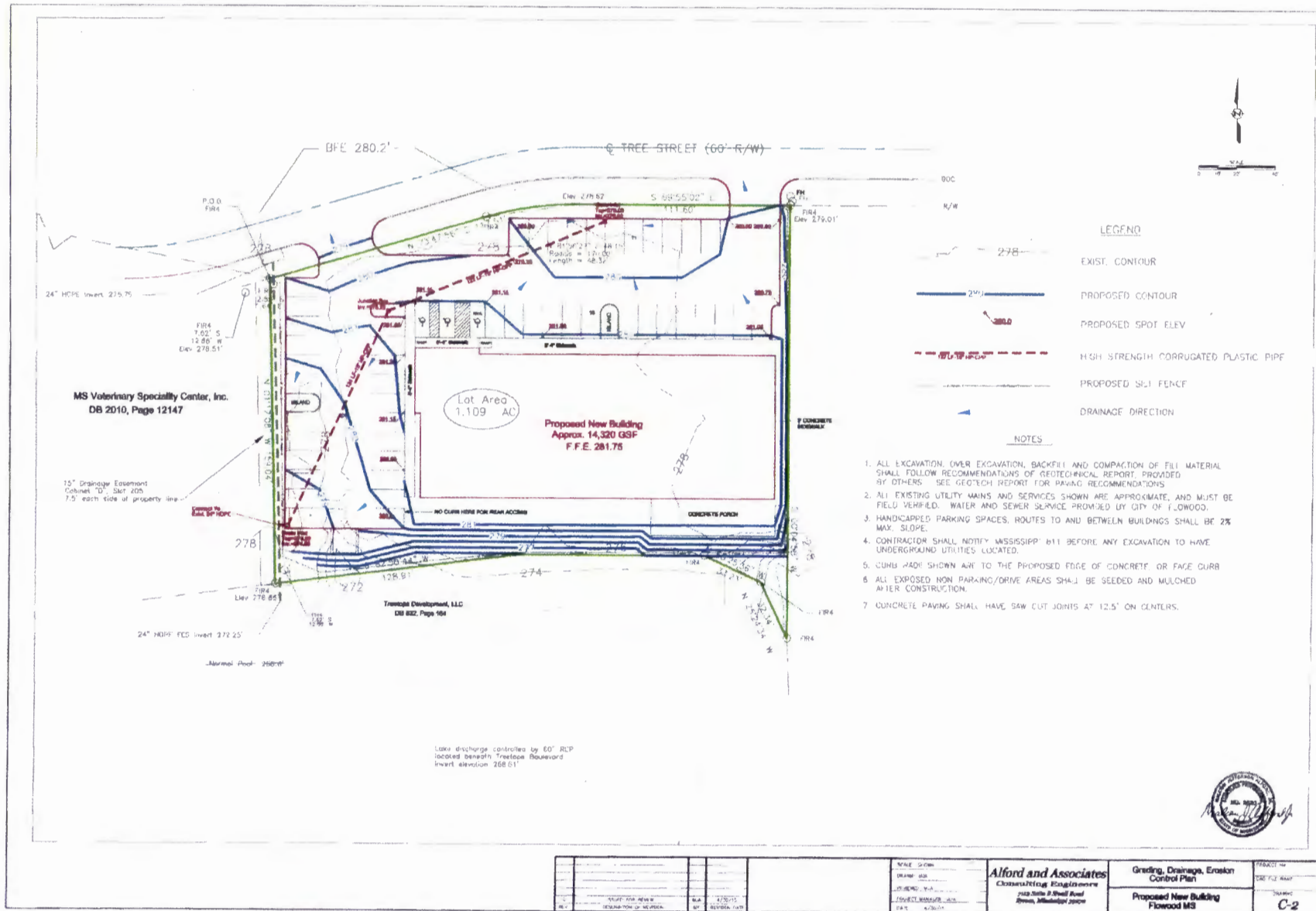
CEMVK-OD-FE

MVK-2018-218

WATERS OF THE U.S. IDENTIFIED WITHIN THE
RY, THUS A PERMIT MAYBE REQUIRED

Prepared By: Jay Keen
Enclosure 1

**CHIROHEALTH USA COMMERCIAL
DEVELOPMENT**

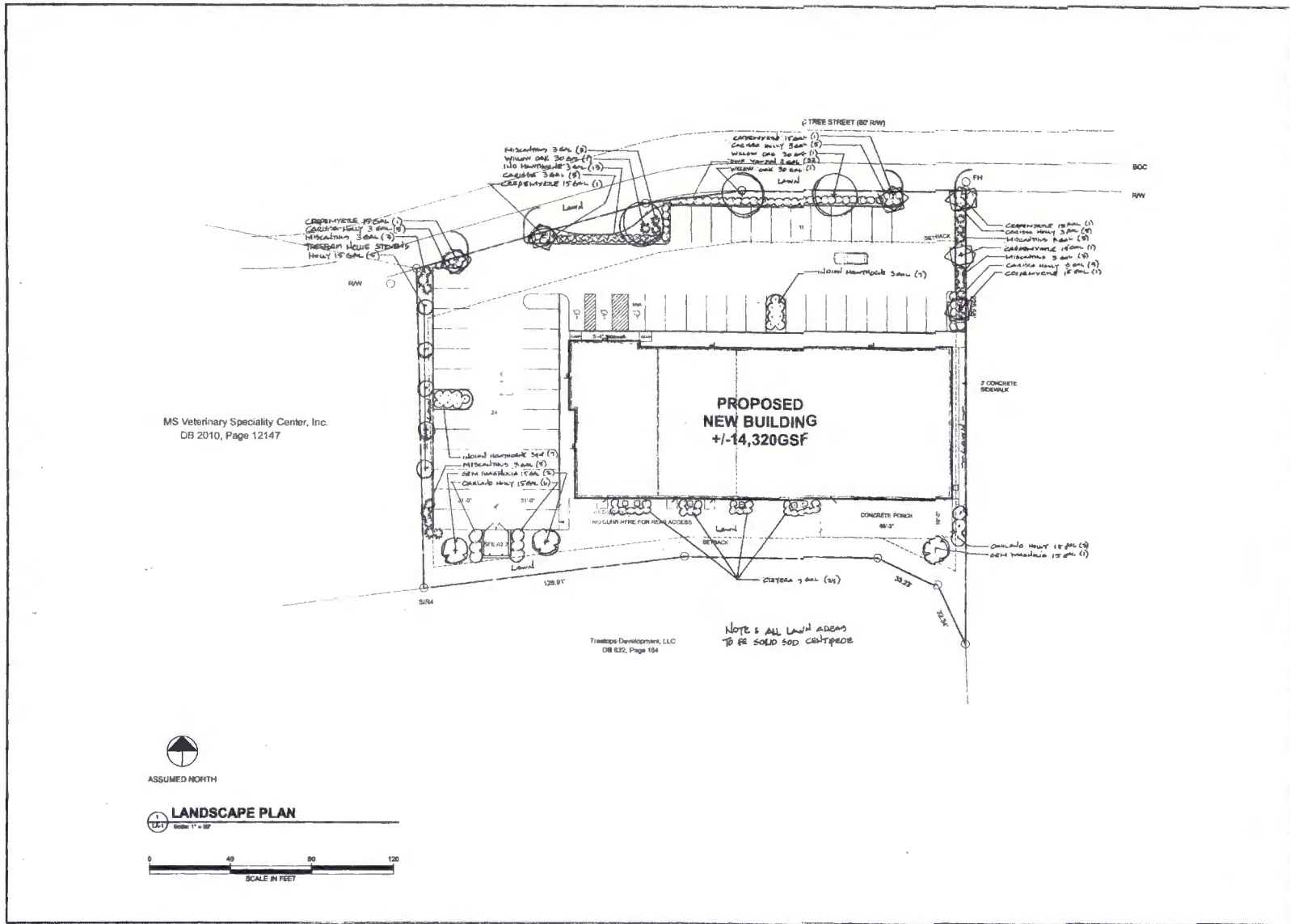


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CHIROHEALTH USA COMMERCIAL
DEVELOPMENT

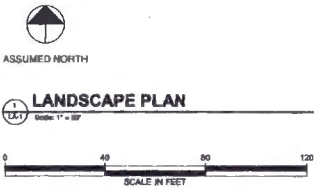
DATE: 11/15/18	BY: [Signature]	SCALE: AS SHOWN	Alford and Associates Consulting Engineers 7020 State Street Flowood, Mississippi 39238	Grading, Drainage, Erosion Control Plan Proposed New Building Flowood MS	PROJECT NO.:
DATE: 11/15/18	BY: [Signature]	SCALE: AS SHOWN			PROJECT NO.:
DATE: 11/15/18	BY: [Signature]	SCALE: AS SHOWN	PROJECT NO.:	PROJECT NO.:	DATE: 11/15/18
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MS Veterinary Specialty Center, Inc.
DB 2010, Page 12147

Tranetop Developers, LLC
DB 832, Page 104

NOTE: ALL LAWN AREAS
TO BE SOLID 50D GRASSPIDE



CRUMLEY ARCHITECTS, P.A.
On the Historic Square • 178 W. Central Street, Canton, Mississippi • 601.864.0817
crumleyarchitects.com • 801.864.0817

NEW BUILDING FOR:
ChiroHealth USA
Flowood, Mississippi 39222



REVISIONS:	
NO.	DATE:

PROJECT NO: 1708
DATE: 1/17/2017

LA-1

CEMVK-OD-FE

MVK-2018-218

**CHIROHEALTH USA COMMERCIAL
DEVELOPMENT**