



TRANSMITTAL MEMORANDUM

To: Florance Bass

From: Ron McMaster, Jr., P.E., P.S.

Date: July 08, 2020

Subject: Thornberry Subdivision Phase 2
Madison Co, MS

Transmitted Via:

Mail: X

Hand Delivered:

Overnight Mail:

Email:

Pages w/Cover:

Fax Number:

Items Enclosed/Description

Please find attached the Erosion Control Plan, SWPPP (Narrative), Army CoE Letter, USGS Quad Map, Major Modification Form, and Existing Permit for the above referenced project for review. Please contact me at 601-605-1090, Ext.102 if you need any additional information or have any comments.

Sincerely,

Ron McMaster, Jr., P.E., P.S.



**MAJOR MODIFICATION FORM
FOR LARGE CONSTRUCTION GENERAL PERMIT**
Coverage No. MSR10 7 6 0 5 County Madison



MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

INSTRUCTIONS

Coverage recipients shall notify the Mississippi Department of Environmental Quality at least 30 days in advance of the following activities (check all that apply). This form should be submitted with a modified Storm Water Pollution Prevention Plan (SWPPP), updated USGS topographic map, Corps of Engineers Section 404 documentation and wastewater collection and treatment information, as appropriate.

- ☒ SWPPP details have been developed and are ready for MDEQ review for subsequent phases of an existing, covered project.
- ☐ "Footprint" identified in the original LCNOI is proposed to be enlarged.

This form must be signed by the current coverage recipient under Mississippi's Large Construction General Permit. A different developer of new phases of existing subdivisions must apply for separate permit coverage through the submittal of a new complete LCNOI package. Coverage recipients are authorized to discharge storm water associated with proposed expansions of existing subdivisions or subsequent phases, under the conditions of the General Permit, only upon receipt of written notification of approval by MDEQ. All other modifications, such as changes of erosion and sediment controls used, must be in accordance with ACT6, S-1 (6) and S-2 (7) of the General Permit.

ALL INFORMATION MUST BE COMPLETED (indicate "N/A" where not applicable)

COVERAGE RECIPIENT INFORMATION

COVERAGE RECIPIENT CONTACT NAME: Scott Gideon TEL # (601) 750-5111
COMPANY NAME: Thornberry Development, LLC
STREET OR P.O. BOX: 124 One Madison Plaza, Suite 1500
CITY: Madison STATE: MS ZIP: 39110 E-MAIL: gideon2270@gmail.com

PROJECT INFORMATION

PROJECT NAME: Thornberry, Phase 2
CITY: Madison
ADDITIONAL ACREAGE TO BE DISTURBED: 34.40 TOTAL PROJECT ACREAGE: 81.68

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature (must be signed by coverage recipient)

Scott Gideon
Printed Name

07-07-2020

Date

Manager

Title

Please submit this form to:

Chief, Environmental Permits Division
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

JUL 08 2020

Revised: 42/12/16



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, VICKSBURG DISTRICT
4155 CLAY STREET
VICKSBURG, MISSISSIPPI 39183-3435

JUL 08 2020

July 2, 2020

Operations Division

SUBJECT: Approved Jurisdictional Determination – Phase II of the Thornberry Residential Development near Gluckstadt, Madison County, Mississippi

Mr. Scott Gideon
Thornberry Development, LLC
124 One Madison Plaza, Suite 1500
Madison, Mississippi 39110

Dear Mr. Gideon:

I refer to the information submitted to our office in regards to a request for an approved jurisdictional determination pursuant to the Navigable Waters Protection Rule (NWPR) on a property located in section 14, T8N-R1E, Madison County, Mississippi (enclosure 1).

Based upon the information provided, we have determined that a Department of the Army Section 404 permit will not be required for any of the proposed work, since there are no jurisdictional wetlands or other waters of the United States located on the proposed project site. Please be advised that the evaluation of your permit request is no longer necessary. For your information, I have enclosed a copy of the basis of our determination (enclosure 2), and appeals form (enclosure 3).

This jurisdictional determination is applicable for a period not to exceed 5 years from the date of this letter unless superseded by law or regulation. If the proposed work is not completed by this time, or if project plans change, you should contact this office for a reevaluation of permit requirements and refer to identification no. MVK-2020-281 when submitting the information.

This determination of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges, and does not authorize any injury to property or invasion of rights or local laws or regulations, or obviate the requirement to obtain state or local assent required by law for the activity discussed herein.

The decision regarding this action is based on information found in the administrative record, which documents the District's decision-making process, the basis for the decision, and the final decision.

A copy of this letter will be furnished to Mr. J. Clay Cromwell, Headwaters, Incorporated, Post Office Box 2836, Ridgeland, Mississippi 39158-2836. If we may be of any further assistance in this matter, please contact Ms. Kristi Hall of this office, telephone (601) 631-7528, or e-mail address: kristina.w.hall@usace.army.mil.

Sincerely,

ALLRED.CHARLES.R.JR.1230771690
Digitally signed by
ALLRED.CHARLES.R.JR.1
230771690
Date: 2020.07.02
08:43:55 -05'00'

Charles R. Allred, Jr.
Chief, Enforcement Section
Regulatory Branch

Enclosures

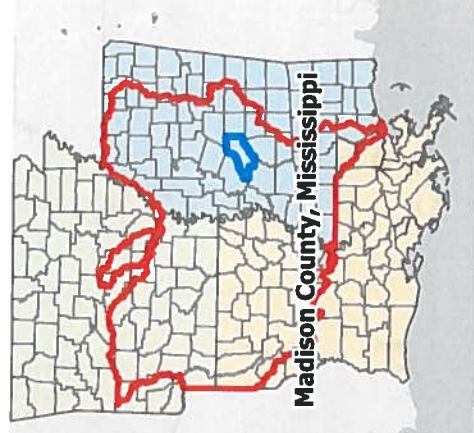


Approximate project location:
 Lat. 32.5357, Long. -90.1599

0 310 Feet



Approved Jurisdictional Determination



Madison County, Mississippi



Location

Legend

- Site Boundary
- Ephemeral Stream (non-jurisdictional)
- Emergent Wetland (non-jurisdictional)
- Forested Wetland (non-jurisdictional)
- Open Water Pond (non-jurisdictional)

ATI #73009
Gnp20170001



RECEIVED
DEC 19 2017

Dept. of Environmental Quality

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

**LARGE CONSTRUCTION NOTICE OF INTENT (LCNOI)
FOR COVERAGE UNDER THE LARGE CONSTRUCTION
STORM WATER GENERAL NPDES PERMIT**

INSTRUCTIONS

The Large Construction Notice of Intent (LCNOI) is for coverage under the Large Construction General Permit for land disturbing activities of five (5) acres or greater; or for land disturbing activities, which are part of a larger common plan of development or sale that are initially less than five (5) acres but will ultimately disturb five (5) or more acres. Applicant must be the owner or operator. For construction activities, the operator is typically the prime contractor. The owner(s) of the property and the prime contractor associated with regulated construction activity on the property have joint and severable responsibility for compliance with the Large Construction Storm Water General Permit MSRI0.

If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of its registration with the Mississippi Secretary of State and/or its Certificate of Good Standing. This registration or Certificate of Good Standing must be dated within twelve (12) months of the date of the submittal of this coverage form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Completed LCNOIs should be filed at least thirty (30) days prior to the commencement of construction. Discharge of storm water from large construction activities without written notification of coverage is a violation of state law.

Submittals with this LCNOI must include:

- A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit
- A detailed site-specific scaled drawing showing the property layout and the features outlined in ACT5 of the General Permit
- A United States Geological Survey (USGS) quadrangle map or photocopy, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined or highlighted. The name of the quadrangle map must be shown on all copies. Quadrangle maps can be obtained from the MDEQ, Office of Geology at 601-961-3523.

Additional submittals may include the following, if applicable:

- Appropriate Section 404 documentation from U.S. Army Corps of Engineers
- Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction
- Appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements
- Approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties

ALL QUESTIONS MUST BE ANSWERED (Answer "NA" if the question is not applicable)

MSR10 7605

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☒ OWNER ☒ PRIME CONTRACTOR

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: Scott GideonOWNER COMPANY LEGAL NAME: Thornberry Development, LLCOWNER STREET OR P.O. BOX: 124 One Madison Plaza, Ste. 1500OWNER CITY: Madison STATE: MS ZIP: 39110OWNER PHONE #: (601) 750-5111 OWNER EMAIL: gideon2270@gmail.com

PRIME CONTRACTOR CONTACT INFORMATION

PRIME CONTRACTOR CONTACT PERSON: Scott GideonPRIME CONTRACTOR COMPANY LEGAL NAME: Thornberry Development, LLCPRIME CONTRACTOR STREET OR P.O. BOX: 124 Madison Plaza, Ste. 1500PRIME CONTRACTOR CITY: Madison STATE: MS ZIP: 39110PRIME CONTRACTOR PHONE #: (601) 750-5111 PRIME CONTRACTOR EMAIL: gideon2270@gmail.com

FACILITY SITE INFORMATION

FACILITY SITE NAME: Thornberry, Phase 1

FACILITY SITE ADDRESS (If the physical address is not available, please indicate the nearest named road. For linear projects indicate the beginning of the project and identify all counties the project traverses.)

STREET: Deweese RoadCITY: Madison STATE: MS COUNTY: Madison ZIP: 39110FACILITY SITE TRIBAL LAND ID (N/A if not applicable): N/ALATITUDE: 32 degrees 31 minutes 58.5 seconds LONGITUDE: 90 degrees 09 minutes 29.1 secondsLAT & LONG DATA SOURCE (GPS (Please GPS Project Entrance/Start Point) or Map Interpolation): Map InterpolationTOTAL ACREAGE THAT WILL BE DISTURBED: 47.28

IS THIS PART OF A LARGER COMMON PLAN OF DEVELOPMENT?

YES ☒NO ☐

IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT: _____

AND PERMIT COVERAGE NUMBER: MSR10 _____

ESTIMATED CONSTRUCTION PROJECT START DATE:

2018-01-01

YYYY-MM-DD

ESTIMATED CONSTRUCTION PROJECT END DATE:

2018-10-01

YYYY-MM-DD

DESCRIPTION OF CONSTRUCTION ACTIVITY: Construction of residential lots with associated streets & utilities

PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN COMPLETED:

Residential

SIC Code _____ NAICS Code _____

NEAREST NAMED RECEIVING STREAM: Bear Creek

IS RECEIVING STREAM ON MISSISSIPPI'S 303(d) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found on MDEQ's web site: http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section) YES ☐ NO ☒

HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT? YES ☐ NO ☒

ARE THERE RECREATIONAL STREAMS, PRIVATE/PUBLIC PONDS OR LAKES WITHIN 1/2 MILE DOWNSTREAM OF PROJECT BOUNDARY THAT MAY BE IMPACTED BY THE CONSTRUCTION ACTIVITY? YES ☒ NO ☐

EXISTING DATA DESCRIBING THE SOIL (for linear projects please describe in SWPPP):
Sandy Clay (CL)

WILL FLOCCULANTS BE USED TO TREAT TURBIDITY IN STORM WATER? YES ☐ NO ☒

IF YES, INDICATE THE TYPE OF FLOCCULANT. ☐ ANIONIC POLYACRYLAMIDE (PAM)
☐ OTHER _____

IF YES, DOES THE SWPPP DESCRIBE THE METHOD OF INTRODUCTION, THE LOCATION OF INTRODUCTION AND THE LOCATION OF WHERE FLOCCULATED MATERIAL WILL SETTLE? YES ☐ NO ☐

¹ Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft² per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.

DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS
COVERAGE UNDER THIS PERMIT WILL NOT BE GRANTED UNTIL ALL OTHER REQUIRED
MDEQ PERMITS AND APPROVALS ARE SATISFACTORILY ADDRESSED

IS LCNOI FOR A FACILITY THAT WILL REQUIRE OTHER PERMITS?

YES ☐

NO ☒

IF YES, CHECK ALL THAT APPLY: ☐ AIR ☐ HAZARDOUS WASTE ☐ PRETREATMENT
 ☐ WATER STATE OPERATING ☐ INDIVIDUAL NPDES ☐ OTHER: _____

IS THE PROJECT REROUTING, FILLING OR CROSSING A WATER CONVEYANCE OF ANY KIND? (If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements.) YES ☒ NO ☐

IF THE PROJECT REQUIRES A CORPS OF ENGINEER SECTION 404 PERMIT, PROVIDE APPROPRIATE DOCUMENTATION THAT:

- The project has been approved by individual permit, or
- The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is required, or
- The work will be covered by a nationwide or general permit and NOTIFICATION to the Corps is required

IS A LAKE REQUIRING THE CONSTRUCTION OF A DAM BEING PROPOSED? YES ☐ NO ☒
(If yes, provide appropriate approval documentation from MDEQ Office of Land and Water, Dam Safety.)

IF THE PROJECT IS A SUBDIVISION OR A COMMERCIAL DEVELOPMENT, HOW WILL SANITARY SEWAGE BE DISPOSED? Check one of the following and attach the pertinent documents.

- ☒ **Existing Municipal or Commercial System.** Please attach plans and specifications for the collection system and the associated "Information Regarding Proposed Wastewater Projects" form or approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties. If the plans and specifications can not be provided at the time of LCNOI submittal, MDEQ will accept written acknowledgement from official(s) responsible for wastewater collection and treatment that the flows generated from the proposed project can and will be transported and treated properly. The letter must include the estimated flow.
- ☐ **Collection and Treatment System will be Constructed.** Please attach a copy of the cover of the NPDES discharge permit from MDEQ or indicate the date the application was submitted to MDEQ (Date: _____.)
- ☐ **Individual Onsite Wastewater Disposal Systems for Subdivisions Less than 35 Lots.** Please attach a copy of the Letter of General Acceptance from the Mississippi State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.
- ☐ **Individual Onsite Wastewater Disposal Systems for Subdivisions Greater than 35 Lots.** A determination of the feasibility of installing a central sewage collection and treatment system must be made by MDEQ. A copy of the response from MDEQ concerning the feasibility study must be attached. If a central collection and wastewater system is not feasible, then please attach a copy of the Letter of General Acceptance from the State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.

INDICATE ANY LOCAL STORM WATER ORDINANCE WITH WHICH THE PROJECT MUST COMPLY:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Signature of Applicant (owner or prime contractor)

10-23-17

Date Signed

Scott Gideon

Printed Name

Manager

Title

This application shall be signed as follows:

- For a corporation, by a responsible corporate officer.
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.

For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official

Please submit the LCNOI form to:

Chief, Environmental Permits Division
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

PRIME CONTRACTOR CERTIFICATION

LARGE CONSTRUCTION GENERAL PERMIT

Coverage No. MSR10 _____ County _____

(Fill in your Certificate of Coverage Number and County)



MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

By completing and submitting this form to MDEQ, the prime contractor is certifying that (1) they have operational control over the erosion and sediment control specifications (including the ability to make modifications to such specifications) or (2) they have day-to-day operational control of these activities at the site necessary to ensure compliance with the SWPPP and applicable permit conditions.

The owner(s) of the property and the prime contractor associated with regulated construction activity on the property have joint and severable responsibility for compliance with the permit. Notwithstanding any permit condition to the contrary, the coverage recipient and any person who causes pollution of waters of the state or places waste in a location where they are likely to cause pollution of any waters of the state shall remain responsible under applicable federal and state laws and regulations and applicable permits.

PRIME CONTRACTOR INFORMATION

PRIME CONTRACTOR CONTACT PERSON: Scott Gideon PHONE NUMBER: (601) 750-5111

PRIME CONTRACTOR COMPANY: Thornberry Development, LLC

PRIME CONTRACTOR STREET (P.O. BOX): 124 One Madison Plaza, Ste. 1500

PRIME CONTRACTOR CITY: Madison STATE: MS ZIP: 39110

E-MAIL ADDRESS: gideon2270@gmail.com

OWNER INFORMATION

OWNER CONTACT PERSON: Scott Gideon PHONE NUMBER: (601) 750-5111

OWNER COMPANY NAME: Thornberry Development, LLC

PROJECT INFORMATION

PROJECT NAME: Thornberry, Phase 1

DESCRIPTION OF CONSTRUCTION ACTIVITY: Construction of residential lots with associated streets & utilities

PHYSICAL SITE ADDRESS (If the physical address is not available indicate the nearest named road. For linear projects, indicate the beginning of the project and identify all counties the project traverses.)

STREET: Deweese Road

CITY: Madison COUNTY: Madison

I certify that I am the prime contractor for this project and will comply with all the requirements in the above referenced general NPDES permit. I further certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Scott Gideon
Prime Contractor Signature

10-23-17

Date Signed

Scott Gideon

Printed Name

Member

Title

*This application shall be signed as follows:

- For a corporation, by a responsible corporate officer
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.
- For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official.

This Prime Contractors Certification form shall be submitted to:

Chief, Environmental Permits Division
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

Revised 10/25/16

SUBJECT: STORM WATER POLLUTION PREVENTION PLAN
PROJECT NAME: THORNBERRY PHASE 2
PROJECT NUMBER: M-2376-3-1
COUNTY: MADISON COUNTY

SITE INFORMATION

The 34.40 acre site is located in the SE ¼ of Section 14 and the NE ¼ of Section 23, T8N-R1E, Madison County, Mississippi. The subject property is also referenced by Global Positioning System (GPS) N32.535555 – W90.159500. During the proposed construction of the site, 34.40 acres will be disturbed to some extent and will include the construction of asphalt paved streets with residential homes. All acres are in medium erosion hazard due to soil type and slopes.

Site Description: before

The site is comprised of rolling terrain with slopes generally from 3 to 6 percent. Most of the overland drainage can be considered sheet flow and predominately drains northeasterly from the center of the site.

Site Description: after

The site will include asphalt paved streets with residential homes. All open areas will be grassed and stabilized before the project is finalized.

SEDIMENT AND EROSION CONTROL REQUIREMENTS

VEGETATIVE CONTROLS: All diversions will be grassed within seven calendar days. Permanent erosion controls (soil preparation, fertilizing, seeding, and mulching, sodding and matting, and riprap) will be placed accordingly as shown on the Storm Water Pollution Prevention Plan sheet. Any disturbed areas laid-up for over 7 days will be seeded (temporary) immediately. After final grading, all disturbed areas will be seeded immediately.

STRUCTURAL CONTROLS: The construction entrance/exit, temporary silt fence, temporary sediment basin, and all other controls, as shown on the Storm Water Pollution Prevention Plan Sheet, will be installed prior to construction. Immediately following clearing and grubbing, additional silt fence and wattles will be installed where necessary throughout the project. Other controls such as silt fence, wattles, slope breaks, and diversions will also be utilized to prevent sediment runoff.

HOUSEKEEPING PRACTICES: The contractor is reminded of his responsibilities which include equipment maintenance and repair, concrete chute wash off, trash/debris, storage of chemicals and other toxic materials, and sanitary facilities. Storm water pollution prevention best management practice techniques are to be applied throughout the construction of this project, the cost of which is to be included in regular bid items.

IMPLEMENTATION SEQUENCE

The construction entrance/exit, temporary silt fence, temporary sediment basin, and all other controls, as shown on the Storm Water Pollution Prevention Plan Sheet, will be installed prior to construction operations beginning. Immediately following clearing and grubbing, additional silt fence and wattles will be installed where necessary throughout the project. Permanent erosion control measures should be placed as construction progresses and no later than 7 days after substantial completion of grade and drain operations.

MAINTENANCE PLAN

Check all disturbed areas, erosion and sediment controls after each significant rainfall but not less than once per week. Make needed repairs within 24 hours. Sediment will be removed from behind the silt fence when it becomes one-third to one-half the height of the control. The silt fence will be replaced if necessary to maintain barrier. Accumulated sediment in the temporary sediment basin shall be removed when the capacity has been reduced by 50%. All removed sediment shall be properly disposed.

FINAL STABILIZATION

Following the construction of the homes, all open areas will be permanently seeded and mulched. Landscaping operations using trees and shrubs will also be added to the lots. Once a permanent vegetative cover is established on the site, all silt fence and temporary measures will be removed and coverage terminated.



*State of Mississippi
Department of Environmental Quality
Office of Pollution Control*

Certificate of Permit Coverage

under Mississippi's Large Construction Storm Water General NPDES Permit

Be it known

Thornberry Development, LLC
Madison, Mississippi

having submitted an acceptable Construction Notice of Intent, is hereby granted this Certificate of Permit Coverage in order to discharge storm water associated with the construction of

Thornberry, Phase 1
Receiving Stream: Bear Creek
Madison County

Coverage No: **MSR107605**

Date of Coverage: **January 19, 2018**

Date General Permit Expires: **December 31, 2021**

73009 GNP20170001

Kristal Bullock
Chief, Environmental Permits Division