



**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-2023-00396</u>
EVALUATOR:	<u>Mr. Michael Maaninen</u>
PHONE NO.:	<u>(601) 953-9350</u>
E-MAIL:	<u>Michael.A.Maaninen@usace.army.mil</u>
DATE:	<u>November 14, 2024</u>
EXPIRATION DATE:	<u>December 14, 2024</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-RD, 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.

The Clean Water Act (CWA) Section 401 Water Quality Certification Improvement Rule (Certification Improvement Rule, 40 CFR 121), effective November 27, 2023, requires certification for any license or permit that authorizes an activity that has the potential to result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority). In accordance with Certification Improvement Rule, once the applicant submits a certification request, the U.S. Army Corps of Engineers and the certifying authority will jointly establish the reasonable period of time for the certifying authority to act upon the certification request.

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. Brad Peck,
Love's Travel Stops and Country Stores
10601 North Pennsylvania Avenue
Oklahoma City, Oklahoma 73120
Brad.Peck@loves.com**

Name of Agent:

**Bart Pittman
Pittman Environmental Services
Post Office Box 1926
Purvis, Mississippi 39475
Bartpittman@pittmanenv.com**

Location of Work: The proposed project site is located in Section 5, T4N-R1E, Latitude 32.218880, Longitude -90.224954, at the intersection of I-55 and Elton Road, Jackson, Hinds County, Mississippi.

Description of Work: (See enclosed maps 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 to conduct regulated activities in "Waters of the U.S." for the purpose of developing a Love's Travel Stop retail store and truck stop located on I-55 between Byram and Jackson, Mississippi.

The planned Love's truck stop development would include the construction of a retail store, multiple gas pump stations, and parking areas throughout the project area.

Other phases of construction will include installation of stormwater drainage, associated utilities, curb and gutter, and asphalt paving. The stormwater management plan will be designed in accordance with the Mississippi Department of Environmental Quality's (MDEQ) specific design criteria.

Approximately 1.75 acres of forested wetlands and 0.03 acres of roadside ditch would be impacted on the approximately 55-acre site by the proposed project. To off-set the unavoidable impacts, the applicant proposes to purchase compensatory mitigation credits from an approved mitigation bank.

The dominant vegetation within the project consists of Chinese tallow, box elder, sweet gum, and hackberry. Soil within the project area consists of Siwell silt loam and Calloway silt loam.

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, lists of properties determined eligible, and other sources of information. A phase I cultural resource survey was conducted yielding the remains of one 20th century structure. Consultation was initiated with the SHPO and Native American Tribes. Concurrence with the Corp's no effect to historic properties determination was received from the Quapaw Nation. No other comments were received within the 30-day review period. The Corps assumes concurrence for the no effect to historic properties determination, and review under Section 106 of the National Historic Preservation Act is complete.

Endangered Species: Threatened and Endangered Species for this area include the Northern Long-eared Bat, the Gulf Sturgeon, and the Ringed-map Turtle. 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 the Gulf Sturgeon and the Ringed-map Turtle, and may affect, not likely to adversely affect the Northern long-eared bat, but any resulting incidental take is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

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 not located within the 100-year floodplain.

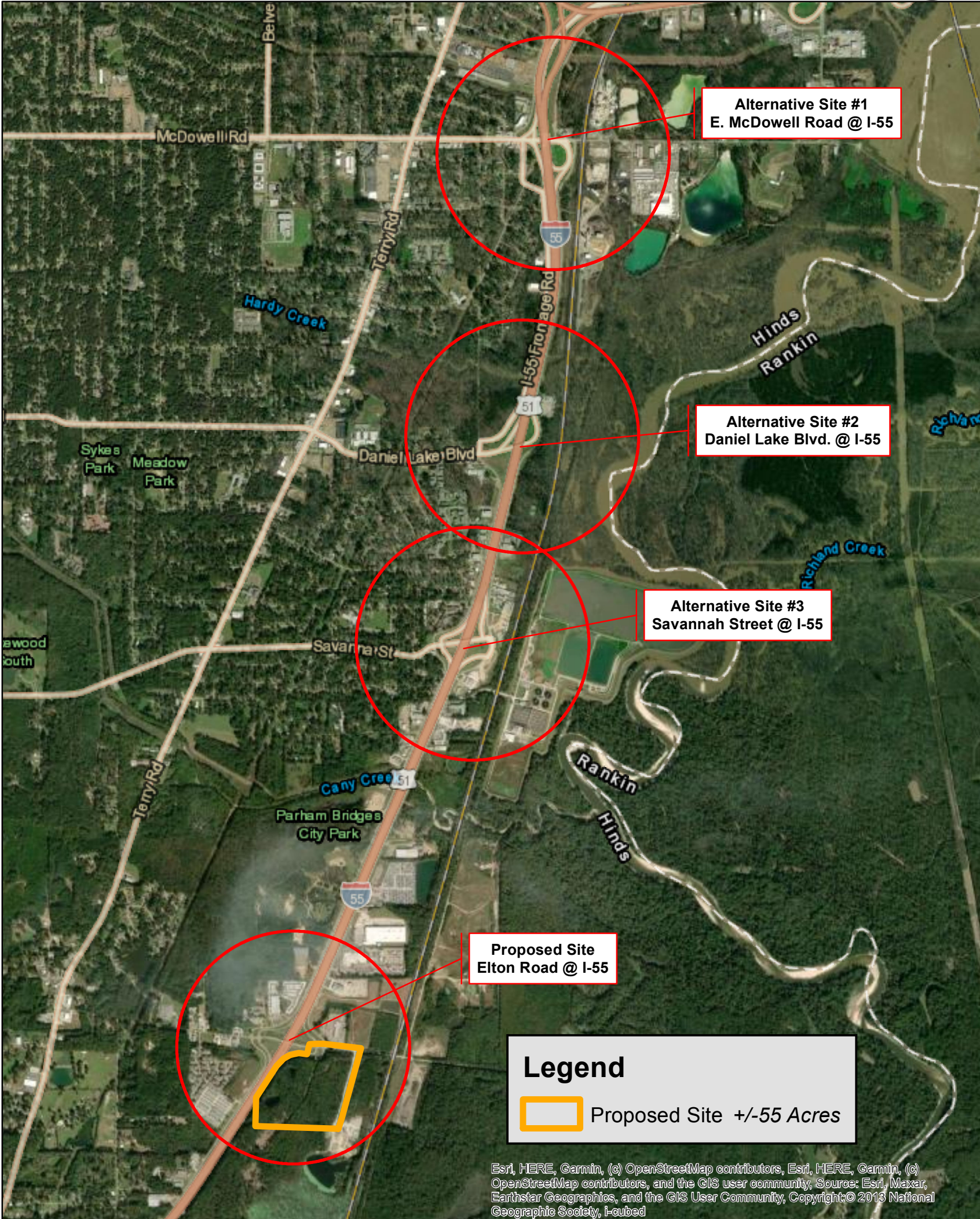
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may 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>.

Bryan Williamson
Chief, Mississippi Branch/Deputy
Regulatory Division



Alternative Site #1
E. McDowell Road @ I-55

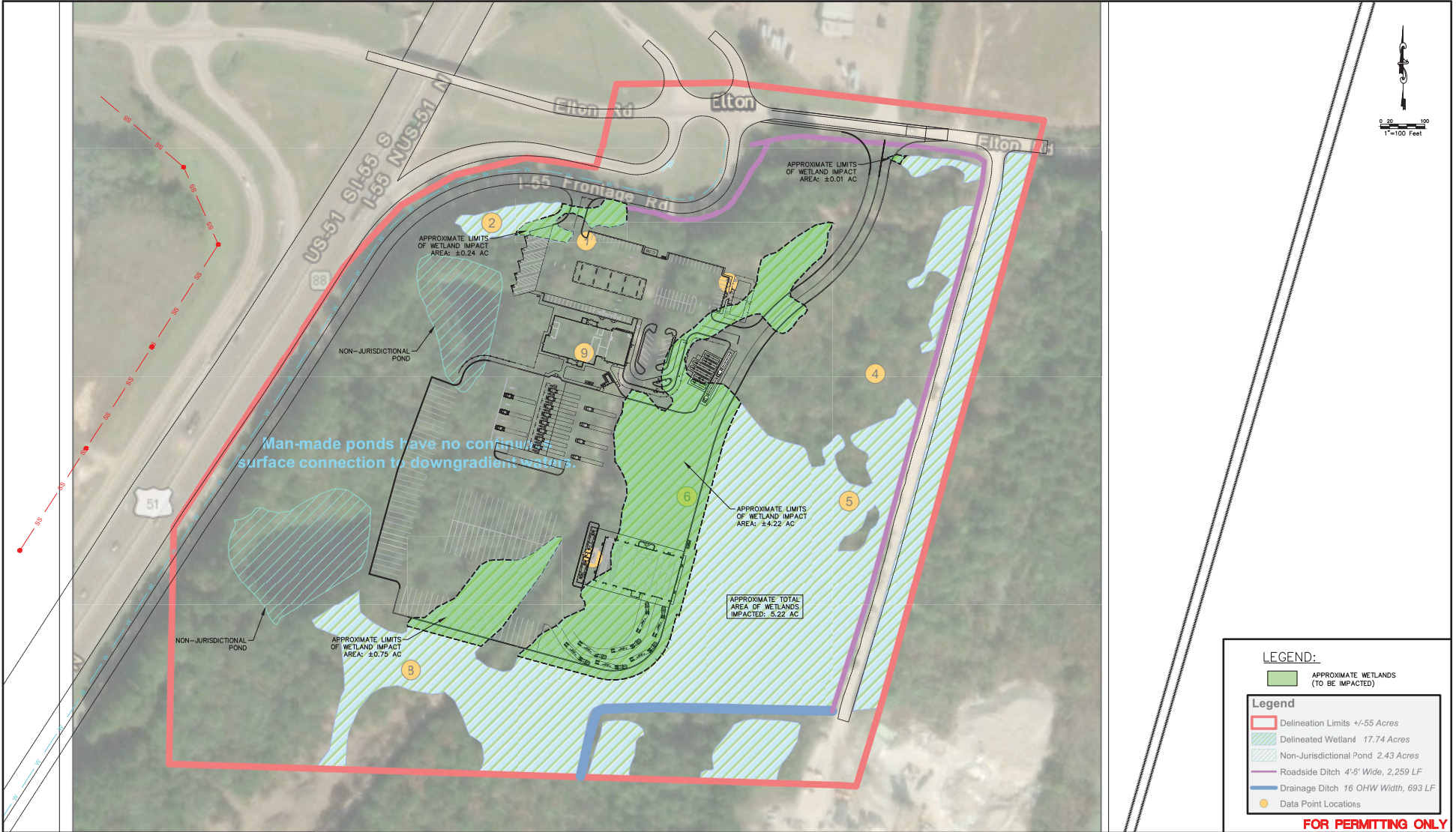
Alternative Site #2
Daniel Lake Blvd. @ I-55

Alternative Site #3
Savannah Street @ I-55

Proposed Site
Elton Road @ I-55

Legend

 Proposed Site +/-55 Acres



LEGEND:

- APPROXIMATE WETLANDS (TO BE IMPACTED)
- Delineation Limits +/-55 Acres
- Delineated Wetland 17.74 Acres
- Non-Jurisdictional Pond 2.43 Acres
- Roadside Ditch 4'-5" Wide, 2,259 LF
- Drainage Ditch 16' OHW Width, 693 LF
- Data Point Locations

FOR PERMITTING ONLY

Chipola Engineering Group, Inc.

 CIVIL ENGINEERING, DESIGN, PLANNING,
 ENVIRONMENTAL PERMITTING, &
 CONSTRUCTION SERVICES
 4420 JACKSON STREET, MARIANNA, FL 32448
 PHONE (850) 372-4045
 CERTIFICATE OF AUTHORIZATION NO. : 30579

DRAWN BY :	RAP	DATE :	6/5/23	
CHECKED BY :	SAP	DATE :	6/5/23	
DESIGNED BY :	SAP	CAD NAME :	CONCEPT A	
SCALE :	1"=100'	PILOT DATE :	7/24/24	

CLIENT :
**LOVE'S TRAVEL STOPS
 & COUNTRY STORES**

PROJECT :
JACKSON, MS

SHEET TITLE :
**ALTERNATIVE ONSITE
 CONCEPTUAL SITE PLAN**

SEAL
 PROJ. NO. :
2023005
 SHEET NO. :
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NOT VALID UNLESS EMBOSSED