



Public Notice

U.S. Army Corps
of Engineers
Tulsa District

Reply To:

U.S. Army Corps of Engineers
ATTN: Regulatory Office
2488 E 81st Street
Tulsa, OK 74137

SWT-2024-183
Public Notice No.

November 20, 2024
Public Notice Date

December 20, 2024
Expiration Date

PURPOSE

The purpose of this public notice is to inform you of a proposal for work in which you might be interested and to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

SECTION 10

The U.S. Army Corps of Engineers is directed by Congress through Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition, or capacity of navigable waters of the United States. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404

The U.S. Army Corps of Engineers is directed by Congress through Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharges of dredged and fill material into all waters of the United States. These waters include lakes, rivers, streams, mudflats, sandflats, sloughs, wet meadows, natural ponds, and wetlands adjacent to other waters. The intent of the law is to protect these waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical, and biological integrity.

NOTICE TO PUBLISHERS

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DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, TULSA DISTRICT
2488 EAST 81ST STREET
TULSA, OKLAHOMA 74137-4290

Application No. SWT-2024-183

PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
(30-DAY COMMENT PERIOD)

Interested parties are hereby notified that the District Engineer (DE) has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (CWA).

Applicant: William Harkinson
Sherman Crossroads, Ltd.
4560 Beltline Road, Suite 400
Addison, TX 75001

Agent: Karisa Fenton
Integrated Environmental Solutions, LLC.
301 W. Eldorado Parkway, Suite 101
McKinney, TX 75069

Location: The proposed project is located at the southwestern corner of South Travis Street and Crossroads Boulevard in the City of Sherman, Grayson County, Texas. The project site can be found on the Howe, Texas 7.5 Minute USGS Quadrangle map at North Latitude 33.597509 and West Longitude 96.610568.

Project Description: The application is to place clean soil fill material within a pond and associated emergent wetland to construct a grocery store and commercial development.

Approximately 63.11 acres, the Sherman Crossroads site would be a mid-sized retail, grocery, and entertainment complex that would ultimately include 2.75 million square feet of retail and entertainment space, and ancillary infrastructure including roads, parking lots, stormwater management systems, etc. The overall configuration of the Sherman Crossroads site requires shared infrastructure components such as roads, utilities, and setbacks from roadways and associated buildings. The entire Sherman Crossroads site works together with shared infrastructure to provide an efficient traffic flow and complimentary usage. Under the proposed actions, the proposed development would provide these services in the southern region (Sherman) with all associated infrastructure.

Purpose: The basic purpose of this work is to construct a new grocery store and retail commercial development. The project is not a water dependent activity.

The overall project purpose is to meet local demands for an additional grocery store and associated retail shopping development in the City of Sherman, Texas.

Summary Table of Impacts:

Original Proposal					
Number or Location	Impact Activity	Type of Water	Type of Fill Material	Qty of Material cys below OHWM	Footprint (ac and/or lf)
Stormwater detention pond	Fill	Stormwater pond	Clean soil fill	12,161	2.512 ac
Emergent wetland	Fill	Emergent wetland	Clean soil fill	158	0.196 ac / 350 lf
cubic yards (cys), ordinary high water mark (OHWM), acre (ac), linear feet (lf)					

Description of Work: The applicant proposes to place approximately 12,319 cubic yards of clean soil fill material within a 2.51-acre pond and 0.196-acre emergent wetland that abuts the pond. The applicant is proposing to construct a grocery store (building), roadways, parking lot, and stormwater drainage over the proposed fill material. A new stormwater detention pond is proposed to be constructed within the same drainage area on-site which would be approximately 5.3 acres.

The project would result in grading and soil fill material being placed within the pond and wetland using typical construction equipment such as loaders, bulldozers, scrapers, and dump trucks.

Avoidance and Minimization Information: The applicant provided the following statement with regard to how avoidance and minimization of impacts to aquatic resources was incorporated into the project plan:

Due to the nature of the pond and wetland extending through the southern area of the site, the ability to avoid the aquatic features and develop the southern region was impracticable based on parking and building requirements. Minimization would be accomplished through the construction of an on-site detention pond along the western side of the planned development, which would directly offset the stormwater detention and flood control functions provided by the existing pond. Additionally, stormwater would be routed downslope through a series of culverts and under Farm-to-Marked Road 1417 to avoid dewatering the downstream aquatic features. Permanent adverse impacts would be mitigated

through improvements to a nearby Natural Resources Conservation Service (NRCS) reservoir. The mitigation area would provide a series of functions including surface water storage, streamflow stabilization, sediment removal and nutrient cycling, support of aquatic productivity, support of biodiversity, and wildlife habitat.

Mitigation: Furthermore, the applicant proposes the following as compensatory mitigation for the unavoidable impacts to aquatic resources expected from the proposed project:

The proposed compensatory mitigation area is located on a nearby, off-site property (22.3 acre) owned by the City of Sherman. The property is currently undeveloped, and a Natural Resources Conservation Service (NRCS) reservoir occupies the southern region. The reservoir is NRCS Choctaw Creek WS Site 8a. City officials seek to integrate the mitigation area with a park. This property was selected based on the proposed land use, the abundance of on-site and adjacent water features, its location within the existing 100-year floodplain, and its relatively close proximity to the impact areas.

The proposed on-site detention pond along the western side of the planned development would directly offset the stormwater detention and flood control functions provided by the existing pond at a 2:1 acreage ratio. As the detention functions have been balanced on-site, the applicant is proposing the remaining mitigation off-site and generate ecological function along an existing aquatic feature. The applicant is proposing the addition of a 2.5-acre lacustrine fringe wetland along the existing NRCS reservoir would increase water quality, pollutant storage, and sediment removal, provide shading and fish spawning areas, and serve as an educational amenity for the public.

This mitigation plan is the applicant's proposal. The Corps has made no determination at this time with regard to the adequacy of the proposed mitigation relative to the federal mitigation rules and guidance, including Tulsa District's Mitigation and Monitoring Guidelines. Compensatory Mitigation for unavoidable impacts may be required to ensure that this activity requiring a Section 404 permit, if issued, complies with the Section 404 (b)(1) Guidelines. The Corps bears the final decision on the need for and extent of mitigation required if the project proposed herein is authorized.

Project Setting: The project vicinity is comprised of commercial and industrial development along the Highway 75 corridor. The impact area and the proposed mitigation area fall within the Headwaters Choctaw Creek watershed (Hydrologic Unit Code [HUC] 111401010101) and the Post Oak Creek watershed (HUC 111401010102),

respectively, which are part of the Bois d'Arc – Island watershed (HUC 11140101). The Headwaters Choctaw Creek and Post Oak Creek watersheds are comprised of approximately 48,375 acres or 195.8 square kilometers near Sherman. Bois d'Arc Island watershed is comprised of approximately 1,268,913 acres or 5,135.1 square kilometers in both Texas and Oklahoma. The drainages from the project and mitigation area boundaries flow into Choctaw Creek, east and southeast of the property boundaries.

The USGS topographic map illustrates one pond at the headwater of an unnamed tributary to Choctaw Creek within the project area. The overall site topography is illustrated with slopes oriented northwest to the southeast. The maximum site elevation is approximately 740 feet above mean sea level (msl) with a minimum site elevation of approximately 710 feet msl.

The project area is characterized as a fallow agricultural property partially disturbed from historic earth-moving activities. One distinct vegetation community was observed: pastureland. The pastureland consisted of species such as eastern red cedar (*Juniperus virginiana*), live oak (*Quercus virginiana*), Shumard oak (*Quercus shumardii*), eastern cottonwood (*Populus deltoides*), black willow (*Salix nigra*), spreading hedge parsley (*Torilis arvensis*), Engelmann daisy (*Engelmania peristenia*), perennial ryegrass (*Lolium perenne*), Bermudagrass (*Cynodon dactylon*), Johnsongrass (*Sorghum halepense*), southern dewberry (*Rubus trivialis*), Texas wintergrass (*Nassella leucotricha*), annual bastard cabbage (*Rapistrum rugosum*), Texas Indian paintbrush (*Castilleja indivisa*), spreading bladderpod (*Physaria gracilis*), pink evening primrose (*Oenothera speciosa*), annual fleabane (*Erigeron annuus*), and poison ivy (*Toxicodendron radicans*).

Existing Condition: The project area is an undeveloped property surrounded by commercial and industrial developments along the Highway 75 corridor. The project site has been extensively graded/alterd from past drainage improvement activities, including the construction of the existing stormwater detention pond. The site was previously used for agricultural activities.

State Water Quality Certification: This proposed project triggers review under Section 401 of the CWA. The Texas Commission on Environmental Quality (TCEQ) would review this application under Section 401 of the CWA in accordance with Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. If you have comments or questions on this proposed project's State water quality certification process, please contact 401certs@tceq.texas.gov. You may also find information on the Section 401 process here: <https://www.epa.gov/cwa-401/basic-information-cwa-section-401-certification>.

Cultural Resources: The DE is responsible to ensure compliance with the National Historic Preservation Act of 1966 (NHPA) (Public Law 89-665), as amended, and other cultural resources laws and Executive Orders. A preliminary review of the state's records has been completed for the presence of sites included in, or eligible for, inclusion in the National Register of Historic Places. There are no known historic properties, as defined by the NHPA, in or within the vicinity of the proposed permit area. A cultural resources desktop analysis was conducted by staff archaeologists at Integrated Environmental Solutions and reviewed by Bradford Patterson of the Texas Historical Commission (THC).

Threatened and Endangered Species: The following federally listed species are known to occur in the vicinity or are listed for the county in which the proposed action is located: piping plover (*Charadrius melodus*), rufa red knot (*Calidris canutus rufa*), whooping crane (*Grus americana*), alligator snapping turtle (*Macrochelys temminckii*) (proposed threatened), and monarch butterfly (*Danaus plexippus*) (candidate). A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies. The IPAC consultation number is 2024-0146539. Our preliminary determination is that the proposed activity would not affect listed threatened or endangered species or their critical habitat.

Evaluation Factors: The decision whether to issue a permit would be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. That decision would reflect the national concern for both protection and utilization 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 would be considered, including the cumulative effects thereof: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownerships, and, in general, the needs and welfare of the people. A permit would be denied if the discharge does not comply with the Environmental Protection Agency's 404(b)(1) Guidelines. Subject to the 404(b)(1) Guidelines and any other applicable guidelines or criteria, a permit would be granted unless the DE determines that it would be contrary to the public interest.

Plans and Data: Plans showing the location of the proposed activity and other data are enclosed with this notice. If additional information is desired, it may be obtained from

Mr. Bryan Noblitt, Tulsa District U.S Army Corps of Engineers, ATTN: Regulatory Office, 2488 East 81st Street, Tulsa, OK 74137; or telephone 918-669-7400.

Comments: The U.S. Army Corps of Engineers 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 would 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 comments on this proposal must be submitted to be received by the Corps by the expiration date of this public notice comment period. Comments received after this date will not be considered in our decision. You may submit comments to mailing address Tulsa District Corps of Engineers, ATTN: Regulatory Office, 2488 East 81st Street, Tulsa, OK 74137 or email CESWT-RO@usace.army.mil. Please include the public notice number SWT-2024-00183 in the subject line of your email message.

Andrew R. Commer
Chief, Regulatory Office

Enclosures

SWT-2024-183
 Sherman Crossroads, Ltd.
 Grayson County, Texas
 Unnamed tributary to Choctaw Creek
 Enclosure 1 of 9

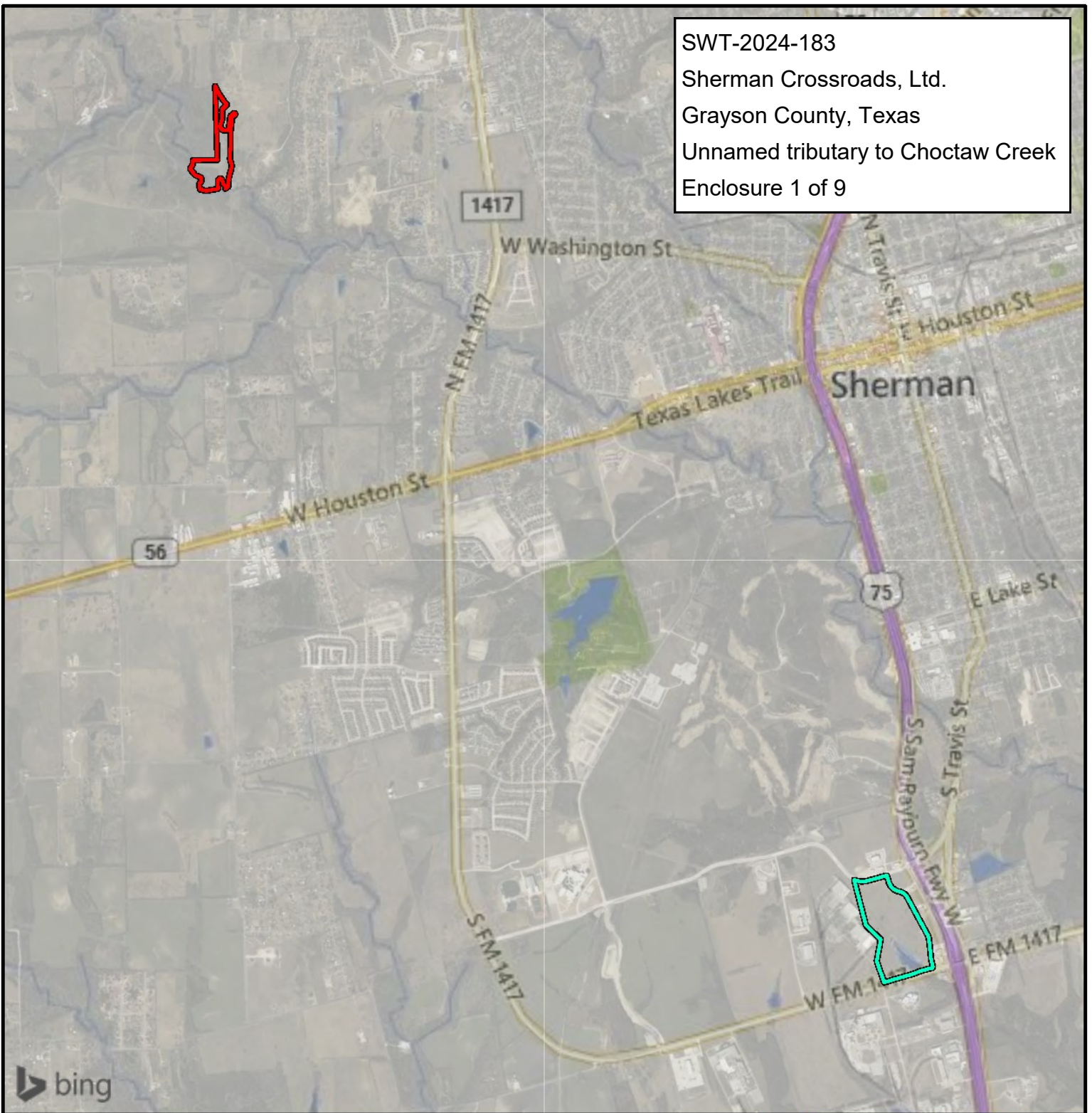


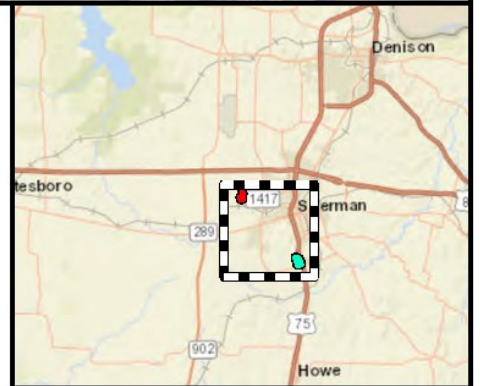
Figure 2B.
Mitigation and Project Sites
General Location Map

Sherman Crossroads
 City of Sherman
 Grayson County, Texas

-  Mitigation Site
-  Project Site



File Ref. 04.354.130
 Date: 9/23/2024



Area of Detail Scale: 1 inch equals 10 miles

SWT-2024-183
Sherman Crossroads, Ltd.
Grayson County, Texas
Unnamed tributary to Choctaw Creek
Enclosure 2 of 9

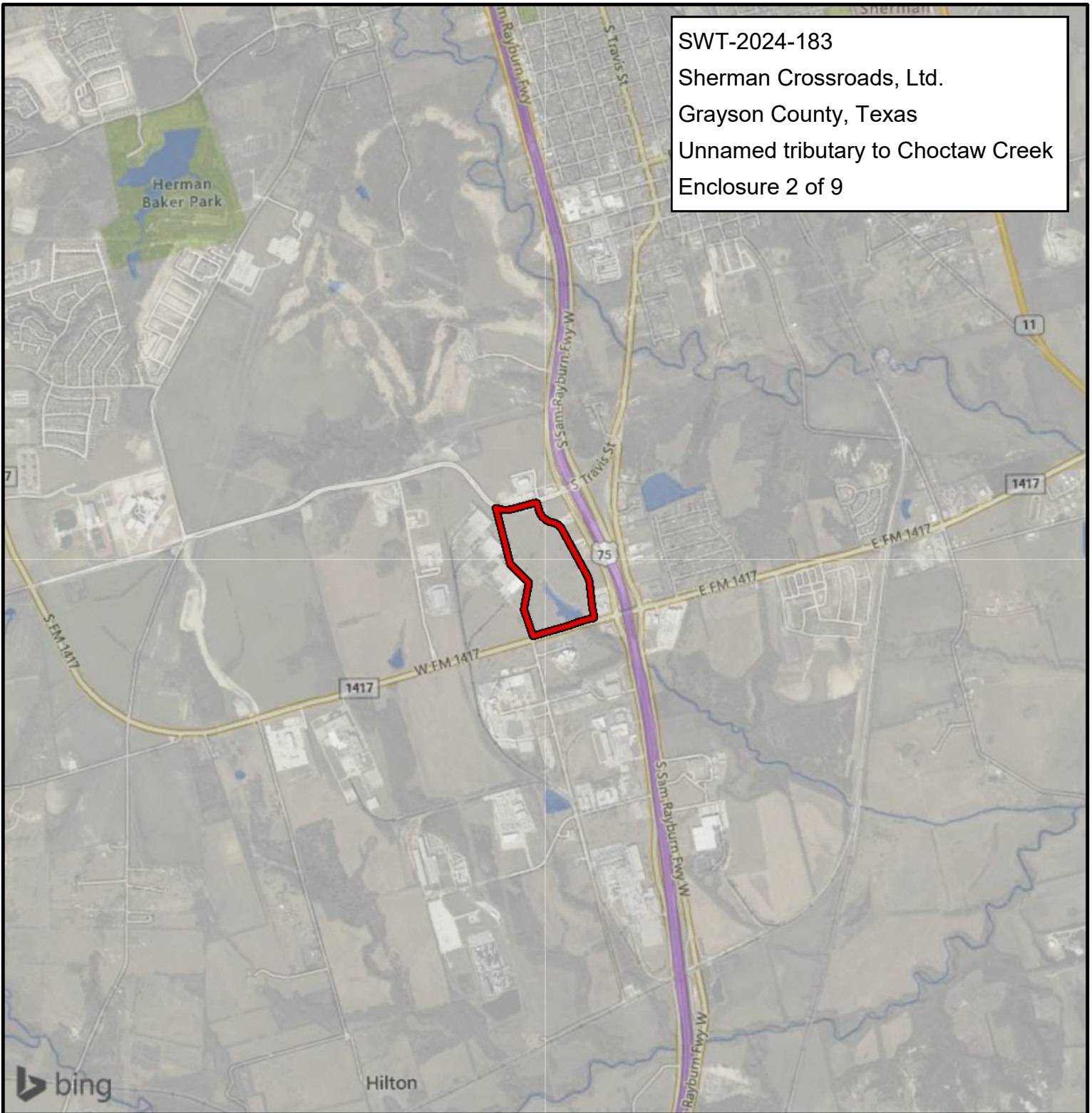



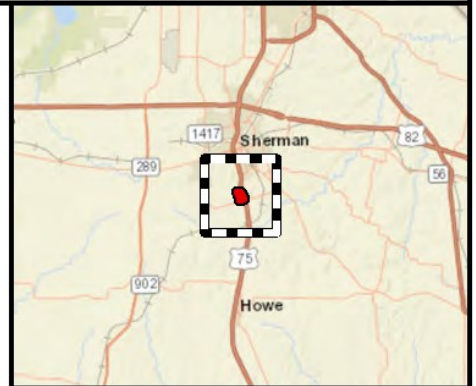
Figure 1.
General Location Map

Sherman Crossroads
City of Sherman
Grayson County, Texas



File Ref. 04.371.002
Date: 3/7/2024

 Survey Area



Area of Detail Scale: 1 inch equals 10 miles

SWT-2024-183
 Sherman Crossroads, Ltd.
 Grayson County, Texas
 Unnamed tributary to Choctaw Creek
 Enclosure 3 of 9

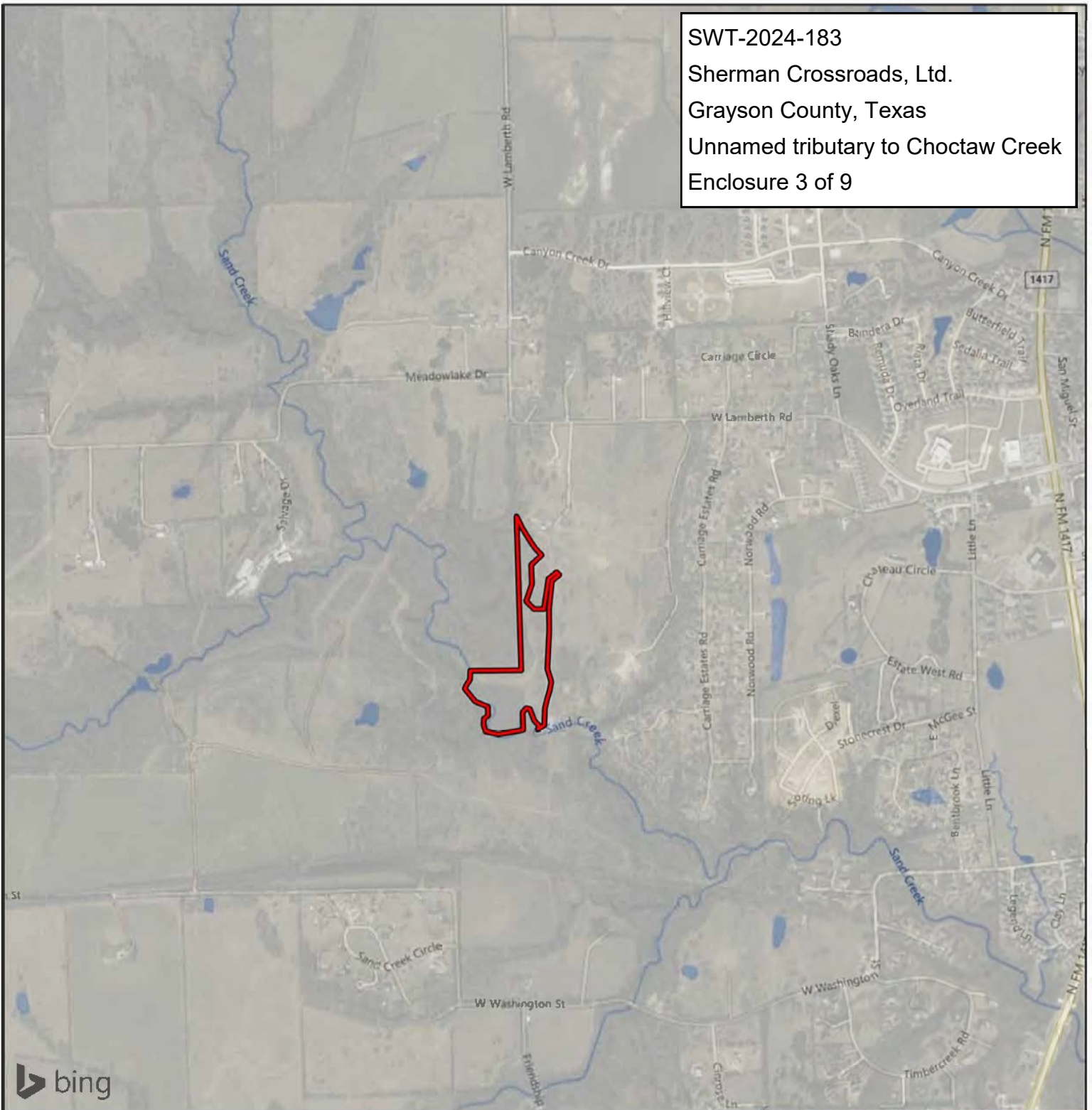
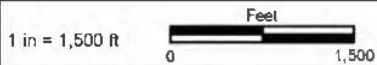


Figure 1.
General Location Map

Hickory Hill
 City of Sherman
 Collin County, Texas



File Ref: 04.354.036
 Date: 9/23/2024

 Survey Area



Area of Detail Scale: 1 inch equals 10 miles

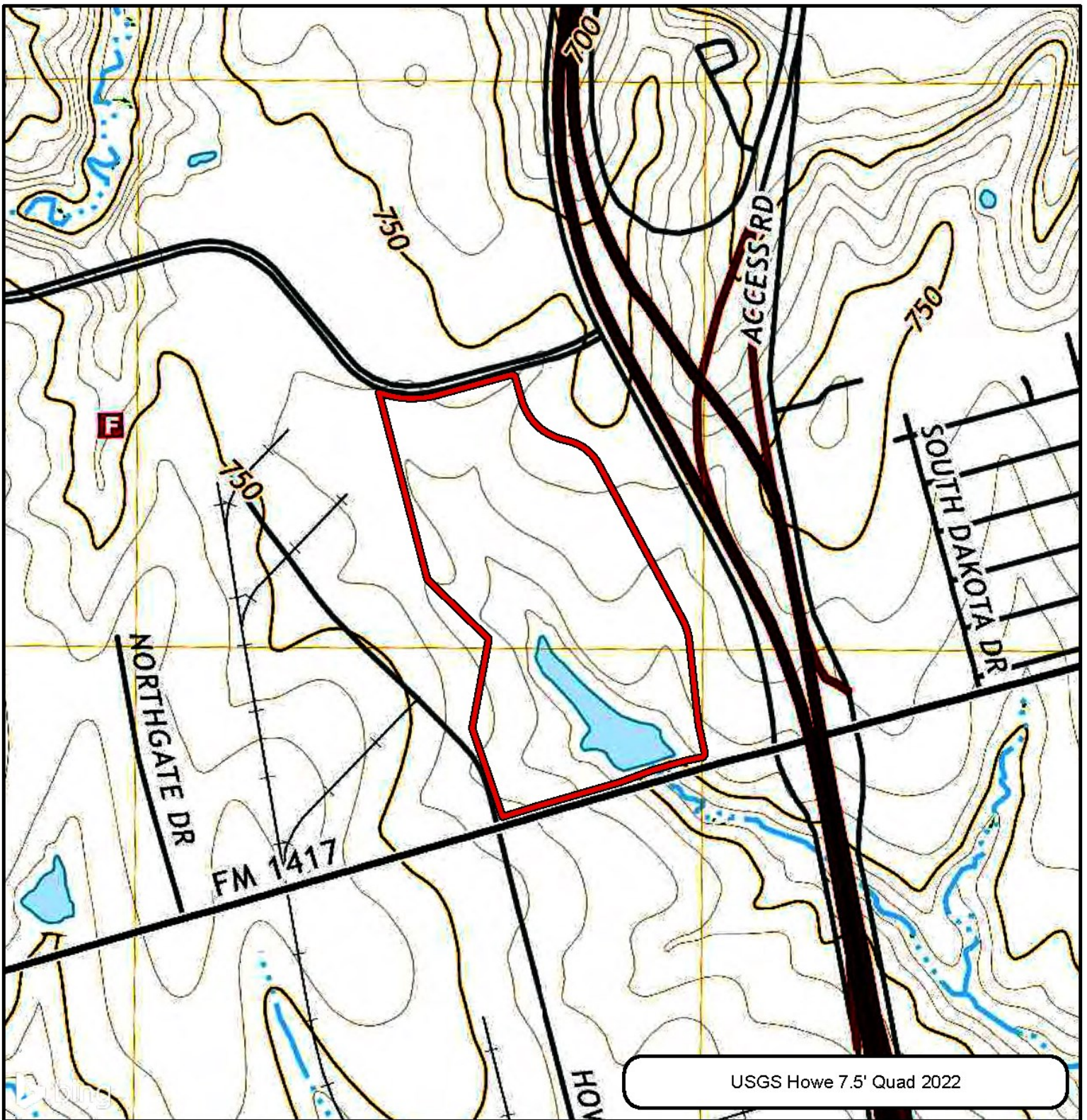
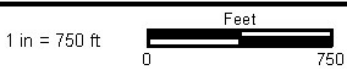


Figure 2B.
Topographic Setting

Sherman Crossroads
 City of Sherman
 Grayson County, Texas



File Ref. 04.371.002
 Date 3/7/2024

 Survey Area

SWT-2024-183
 Sherman Crossroads, Ltd.
 Grayson County, Texas
 Unnamed tributary to Choctaw Creek
 Enclosure 4 of 9

SWT-2024-183
Sherman Crossroads, Ltd.
Grayson County, Texas
Unnamed tributary to Choctaw Creek
Enclosure 5 of 9



Figure 6.
Delineation Concurrence Map

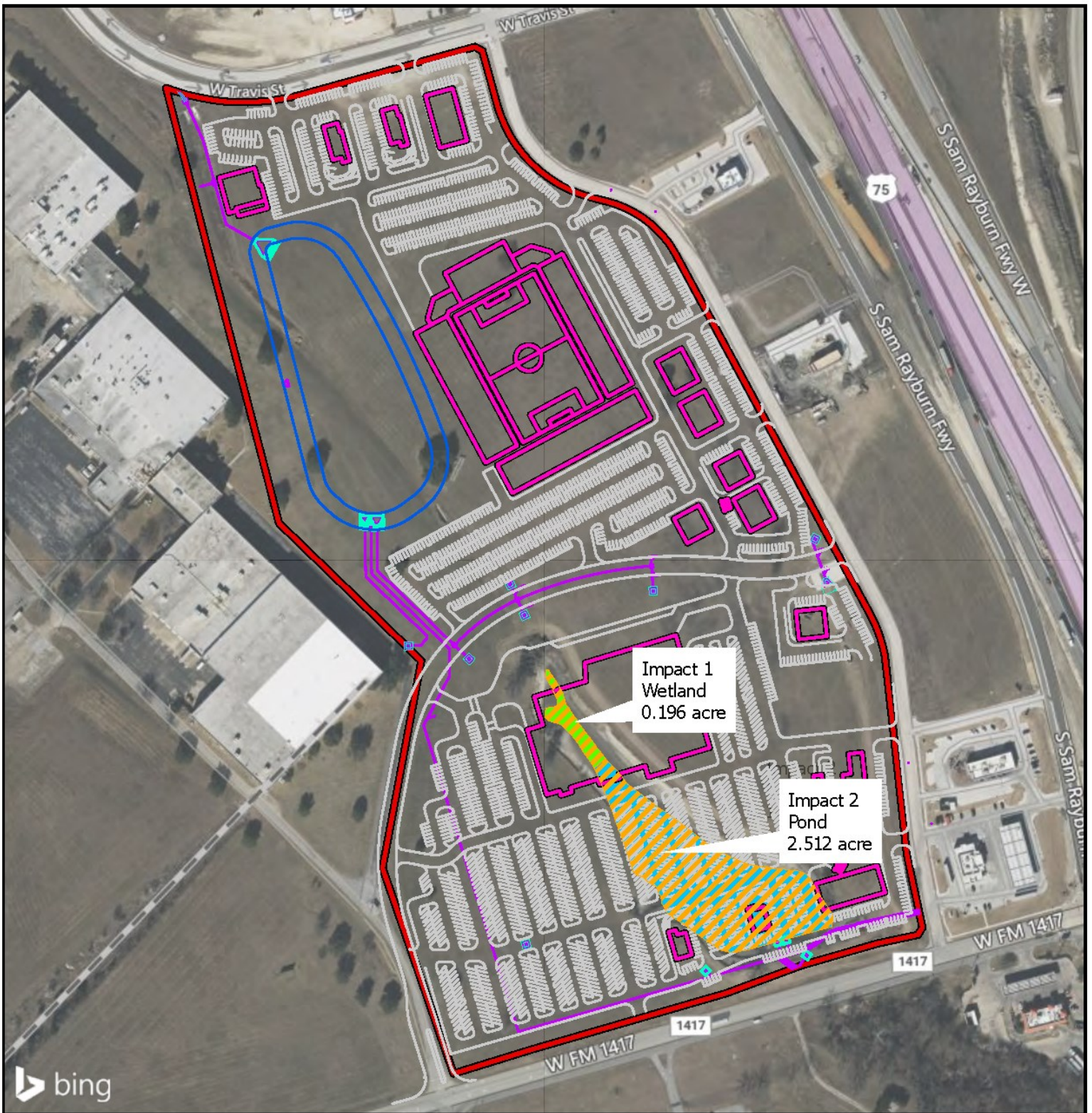
Sherman Crossroads
City of Sherman
Grayson County, Texas

-  Survey Area
- Aquatic Features**
-  Wetland
-  Impoundment

1 in = 350 ft
0 275
Feet



File Ref. 04.371.002
Date: 3/6/2024



**Figure 7A. On-Site
Alternative 1 (Preferred)**

Sherman Crossroads
City of Sherman
Grayson County, Texas



File Ref. 04.371.002
Date: 9/18/2024



Survey Area

Direct/ Permanent Impacts

Aquatic Features

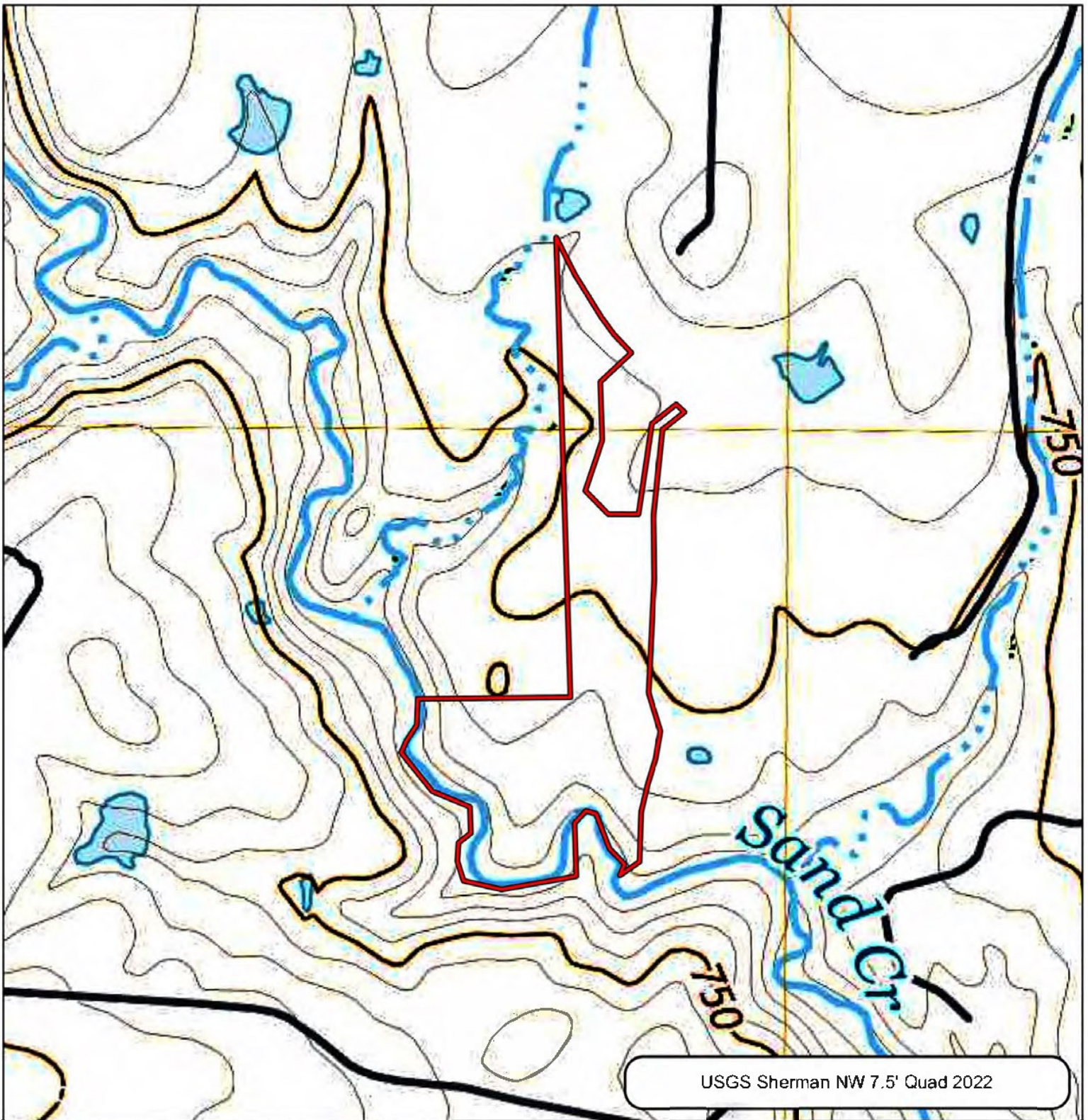
Wetland

Pond

Site Plan

Building

SWT-2024-183
Sherman Crossroads, Ltd.
Grayson County, Texas
Unnamed tributary to Choctaw Creek
Enclosure 6 of 9



**Figure 2B.
Topographic Setting**

Hickory Hill
City of Sherman
Grayson County, Texas



File Ref. 04.354.036
Date: 9/23/2024

 Survey Area

SWT-2024-183
Sherman Crossroads, Ltd.
Grayson County, Texas
Unnamed tributary to Choctaw Creek
Enclosure 7 of 9

SWT-2024-183
Sherman Crossroads, Ltd.
Grayson County, Texas
Unnamed tributary to Choctaw Creek
Enclosure 8 of 9

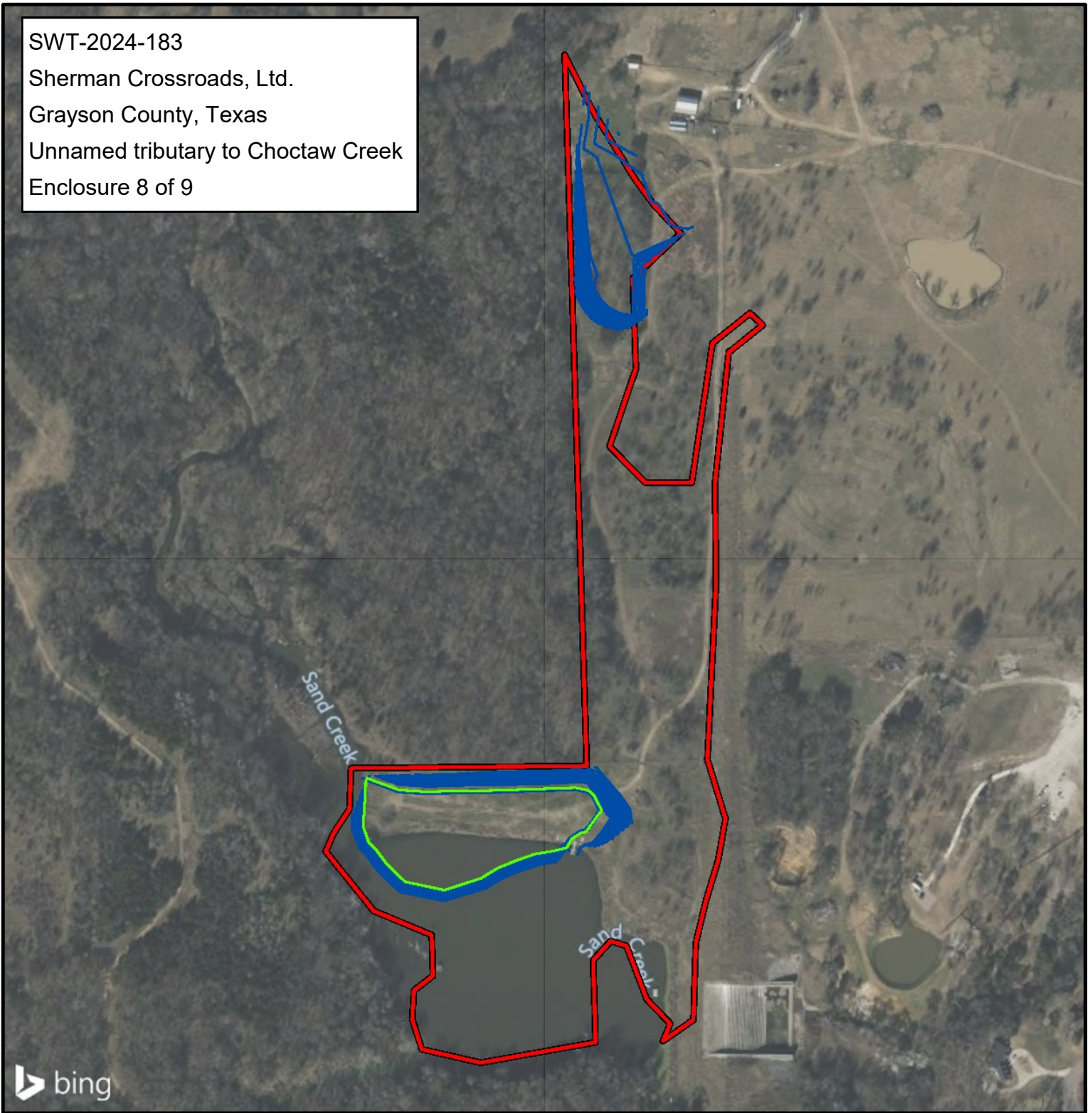


Figure 3A.
Wetland Mitigation Area
Site Plan

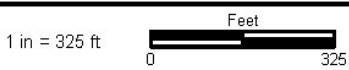
Sherman Crossroads
City of Sherman
Grayson County, Texas

 Mitigation Site

Site Plan

 Grading

 Wetland Mitigation Area



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Sherman Crossroads, Ltd.
Grayson County, Texas
Unnamed tributary to Choctaw Creek
Enclosure 9 of 9

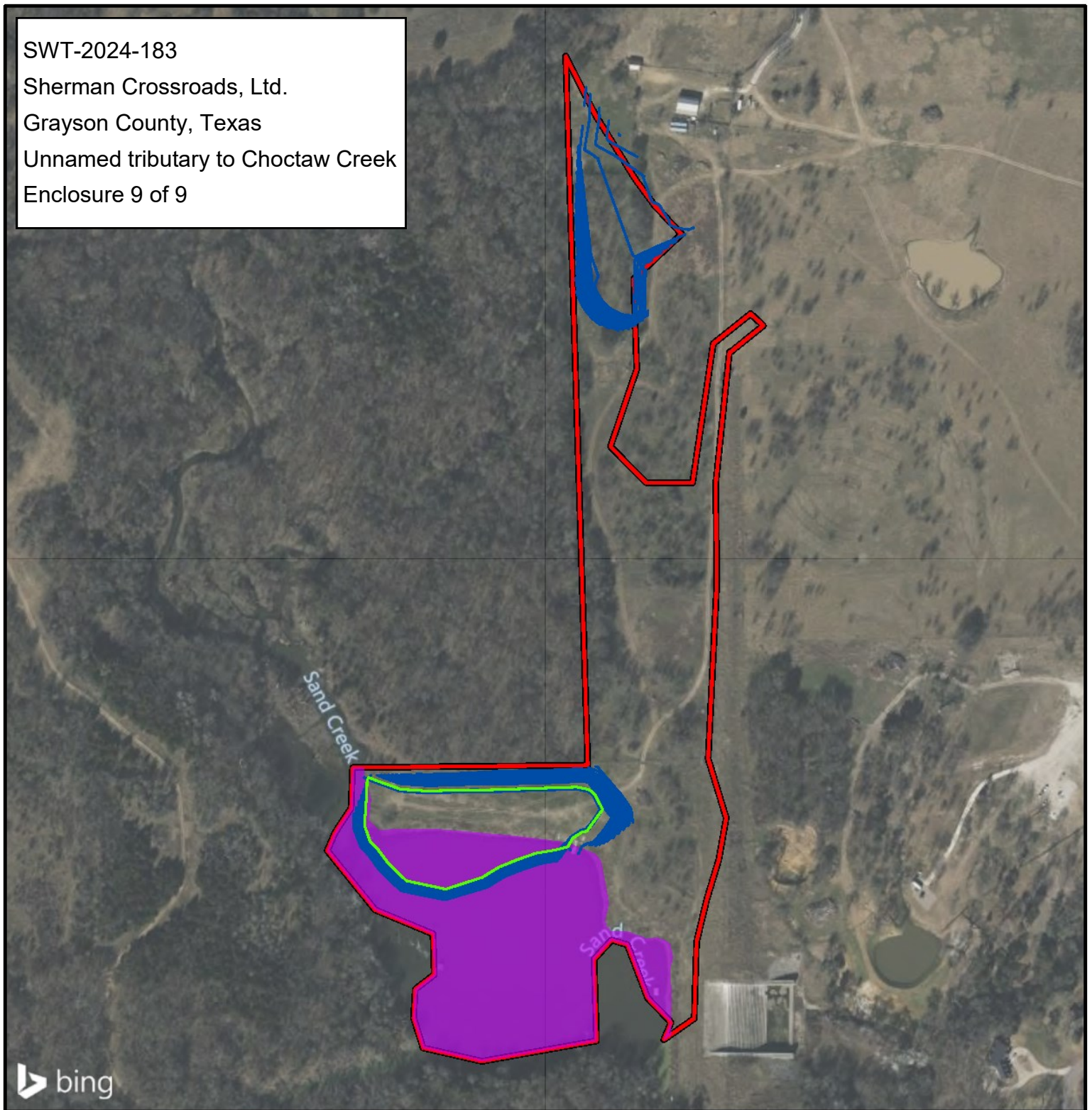
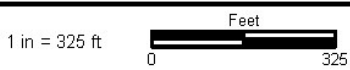


Figure 3B.
Wetland Mitigation Area
Site Plan

Sherman Crossroads
City of Sherman
Grayson County, Texas



File Ref. 04.354.130
Date: 9/23/2024

-  Mitigation Site
- Existing Aquatic Features**
-  Impoundment
- Site Plan**
-  Grading
-  Wetland Mitigation Area