



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	MVK-2016-178
EVALUATOR:	Ms. Kristi Hall
PHONE NO.:	(601) 631-7528
FAX NO.:	(601) 631-5459
E-MAIL:	Kristi.W.Hall@usace.army.mil
DATE:	May 19, 2016
EXPIRATION DATE:	June 8, 2016

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 39226-2261, 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. Dwayne Boyd
APAC – Mississippi, Incorporated
Post Office Box 24508
Jackson, Mississippi 39225

Name of Agent:
Mr. J. Clay Cromwell
Headwaters, Incorporated
Post Office Box 2836
Ridgeland, Mississippi 39158

Location of Work: Section 21, T12N- R1W, Latitude 32.8744, Longitude -90.3006, within the Upper Piney Creek watershed part of the Yazoo River Drainage Basin (8-digit USGS HUC 08030206), Yazoo County, MS.

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 to conduct regulated activities in jurisdictional wetlands for the purpose of gravel mining and construction of a gravel processing plant. The proposed plant site would include the following: rock crusher, material separating equipment, stockpiles of mined

materials, truck scales, plant office, parking, staging areas, associated maintenance shop and equipment areas. Two ponds would be constructed in uplands, one wastewater settlement pond and one freshwater pond. Two stream crossings would be proposed to access different mining areas. The stream crossings would pipe 80 feet of stream with a 72 inch corrugated metal pipe, and 10 feet of rip-rap would be placed on the up and down gradient openings in order to stabilize the crossings. All gravel mining activities would occur in uplands.

Approximately 4,000 cubic yards of clean fill material would be utilized to construct the mining plant site and 24 cubic yards of rip-rap would be used to stabilize the converted stream crossings. In order to construct the production facility, 0.47 acres of forested wetland and 295.0 feet of perennial channel would be filled. The two road crossings would impact approximately 200 feet of perennial channel.

The vegetative communities within the project area are dominated by green ash (*Fraxinus pennsylvanica*), yellow poplar (*Liriodendron tulipifera*), water oak (*Quercus nigra*), willow oak (*Quercus pehllos*), American elm (*Ulmus alata*), American sycamore (*Platanus occidentalis*), sweetgum (*Liquidambar styraciflua*), cottonwood (*Populus deltoides*), switchcane (*Arundinaria tecta*), and boxelder (*Acer negundo*). Soil within the project site consists of Morganfield silt loam, Memphis silt loam, Memphis-Natchez association and gravel pits. Morganfield is the only soil having a hydric component of 3 by the Natural Resource Conservation Service (NRCS).

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through an approved mitigation bank.

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. A 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: In correspondence dated February 19, 2016, the U.S. Fish and Wildlife Service (FWS) stated that the proposed project may affect the northern long-eared bat but would not result in prohibited incidental take pursuant to the final 4(d) rule. No further coordination under the ESA would be required with the FWS unless there are changes in the scope or location of the proposed project.

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 completely outside of 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.

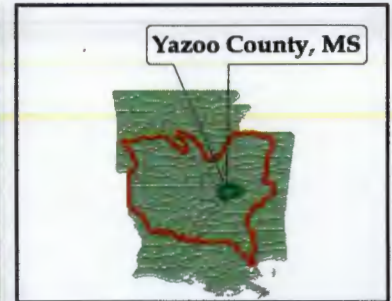
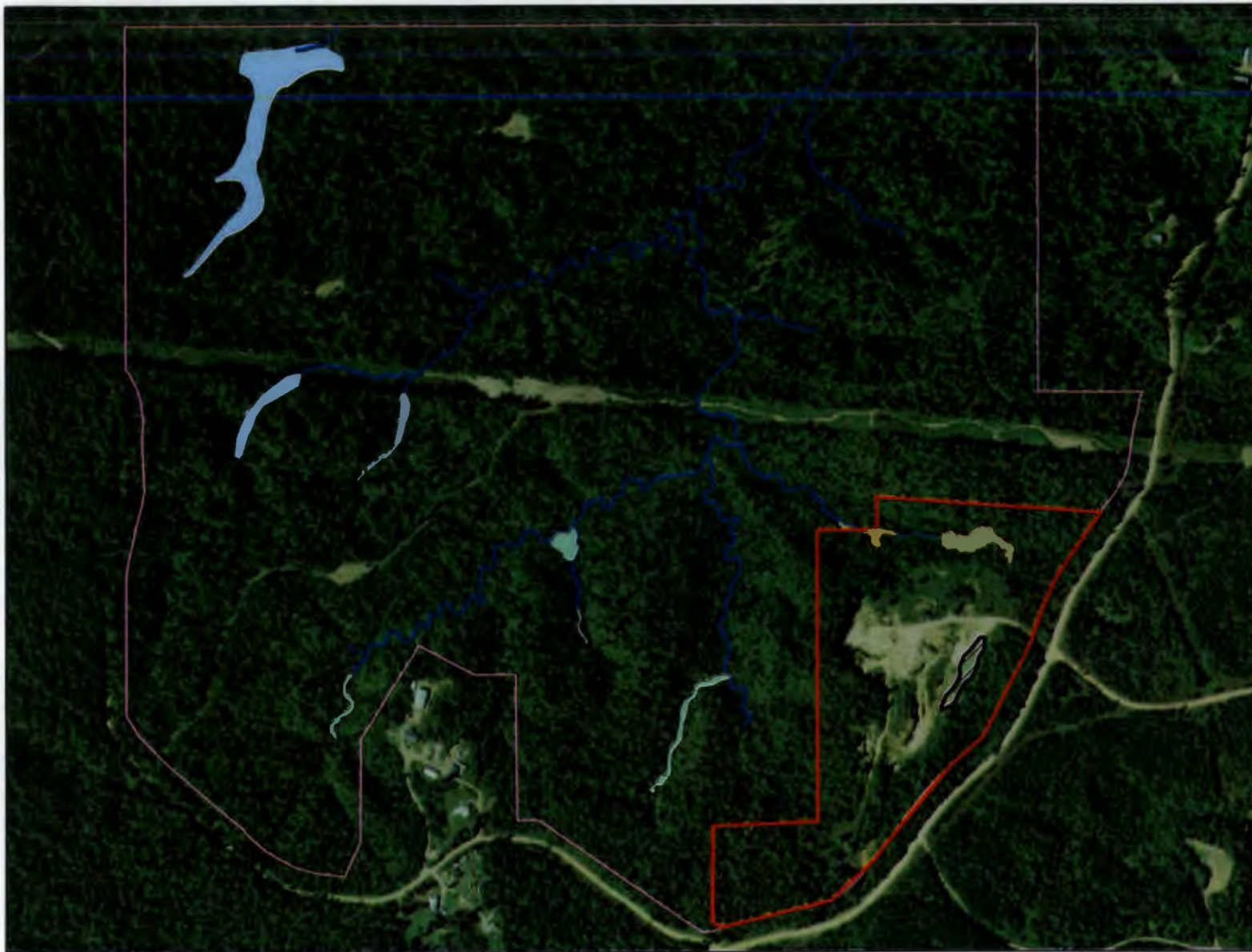
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this 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**



6 March 2016
MVK-2016-178
 APAC-Mississippi, Inc.,
 Proposed Benton Mining Plant
 Yazoo County, MS
**Preliminary
 Jurisdictional Determination**
 Katie Smith



- Legend**
- | | |
|--|----------------------------|
| Existing Mining Pit (Non-Jurisdictional) | Forested- Sapling Wetlands |
| Impacted Forested Wetlands-Sapling | Perennial_Stream |
| Impacted Perennial Stream | Intermittent Stream |
| Permit Boundary | Forested_Wetlands |
| Property Boundary | |



1:8,000

**US Army Corps
of Engineers.**

**Regulatory Branch
Enforcement Section**

0 420 840
 Feet

Legend

-  Site Boundary (±312.16 ac)
-  Proposed Plant Site (31.75 ac)



CEMVK-OD-FE KWH-MVK-2016-178

APAC – MISSISSIPPI, INC.

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors





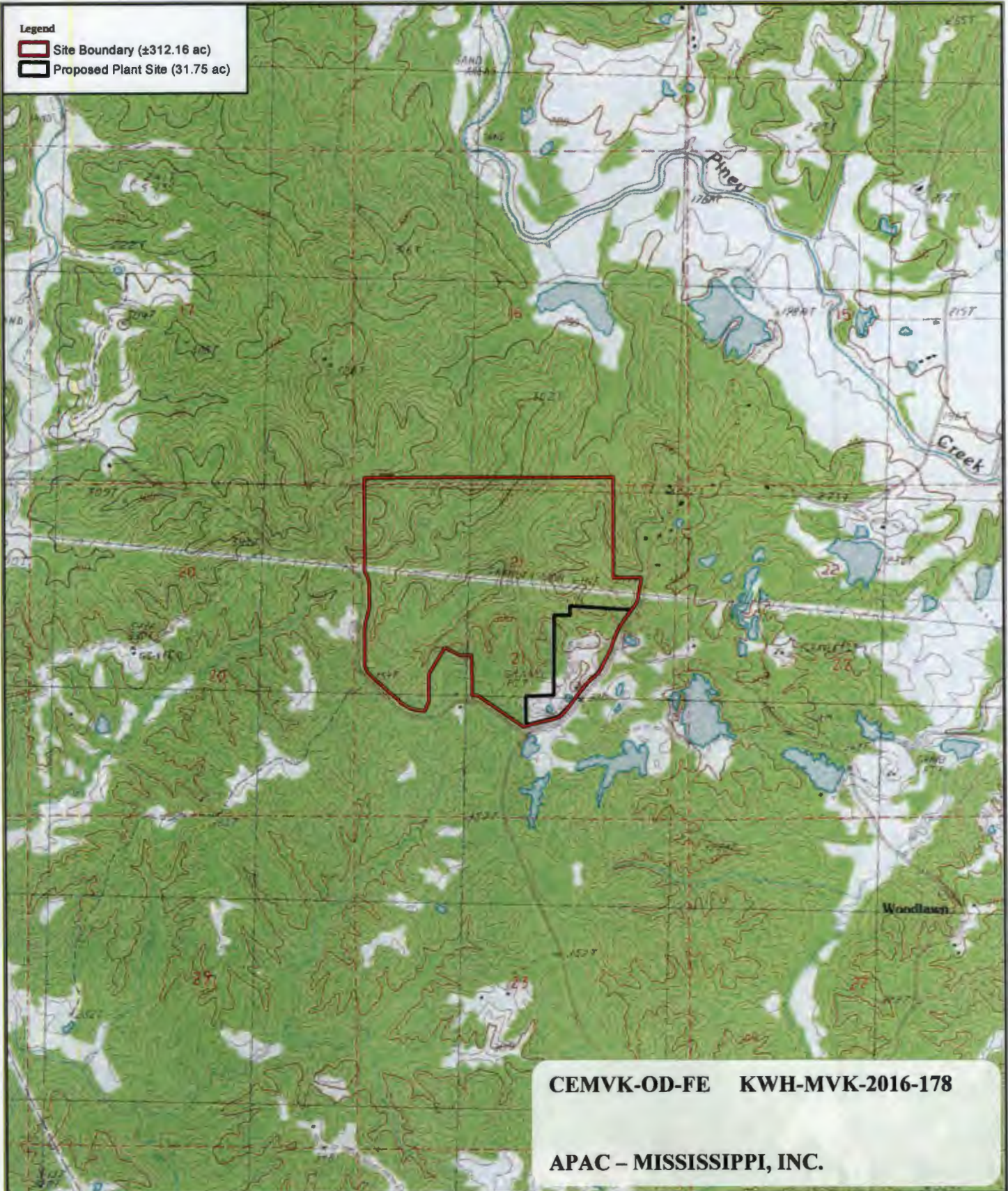
**APAC-Mississippi, Inc.
Benton Mine Site**

Yazoo County, Mississippi
General Location Map



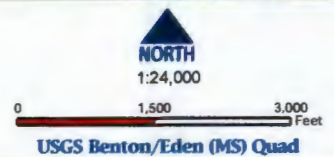
Legend

-  Site Boundary (±312.16 ac)
-  Proposed Plant Site (31.75 ac)



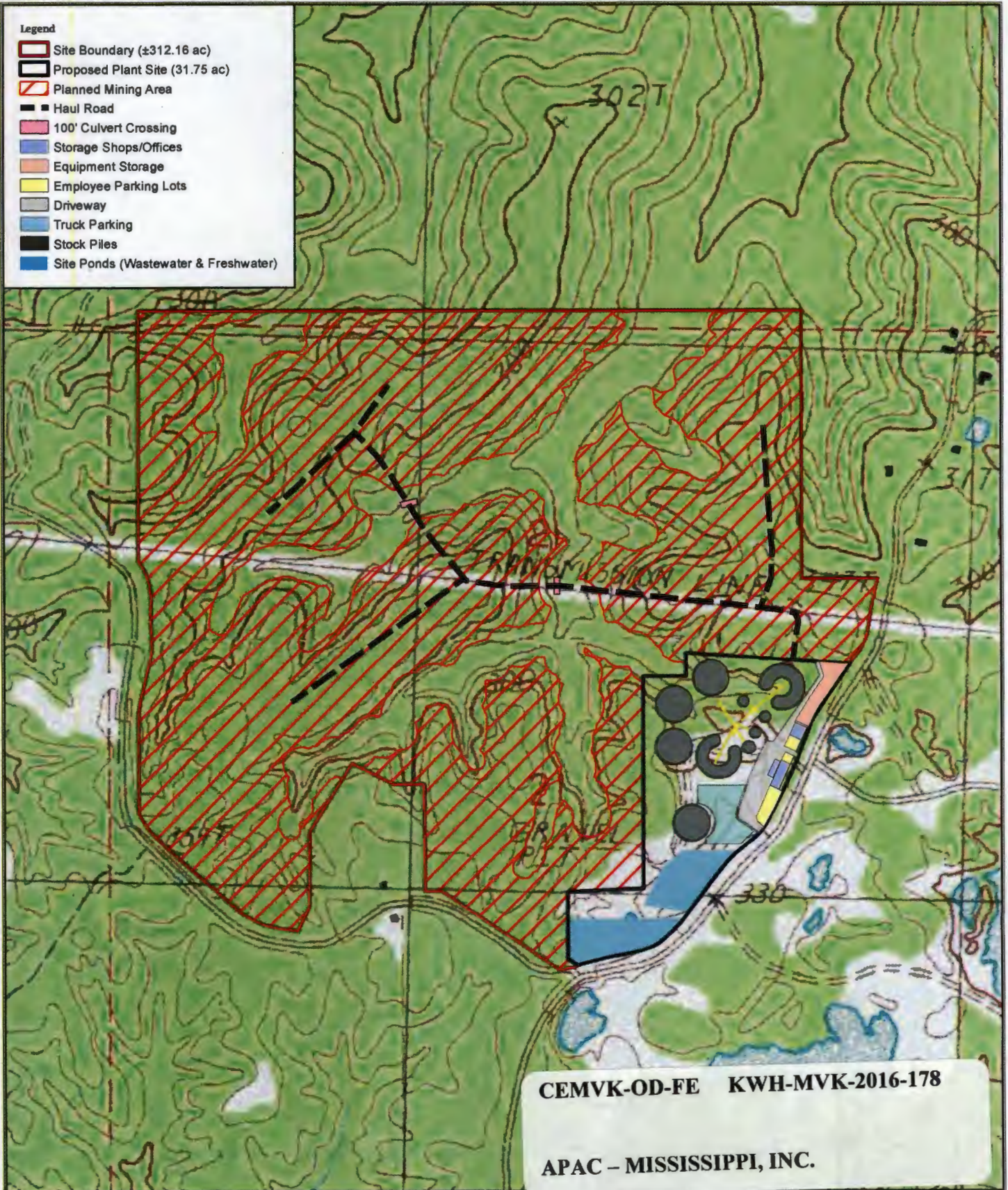
APAC-Mississippi, Inc.
Benton Mine Site

Yazoo County, Mississippi
Site Location Map



Legend

-  Site Boundary (±312.16 ac)
-  Proposed Plant Site (31.75 ac)
-  Planned Mining Area
-  Haul Road
-  100' Culvert Crossing
-  Storage Shops/Offices
-  Equipment Storage
-  Employee Parking Lots
-  Driveway
-  Truck Parking
-  Stock Piles
-  Site Ponds (Wastewater & Freshwater)



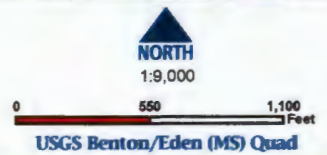
CEMVK-OD-FE KWH-MVK-2016-178

APAC - MISSISSIPPI, INC.



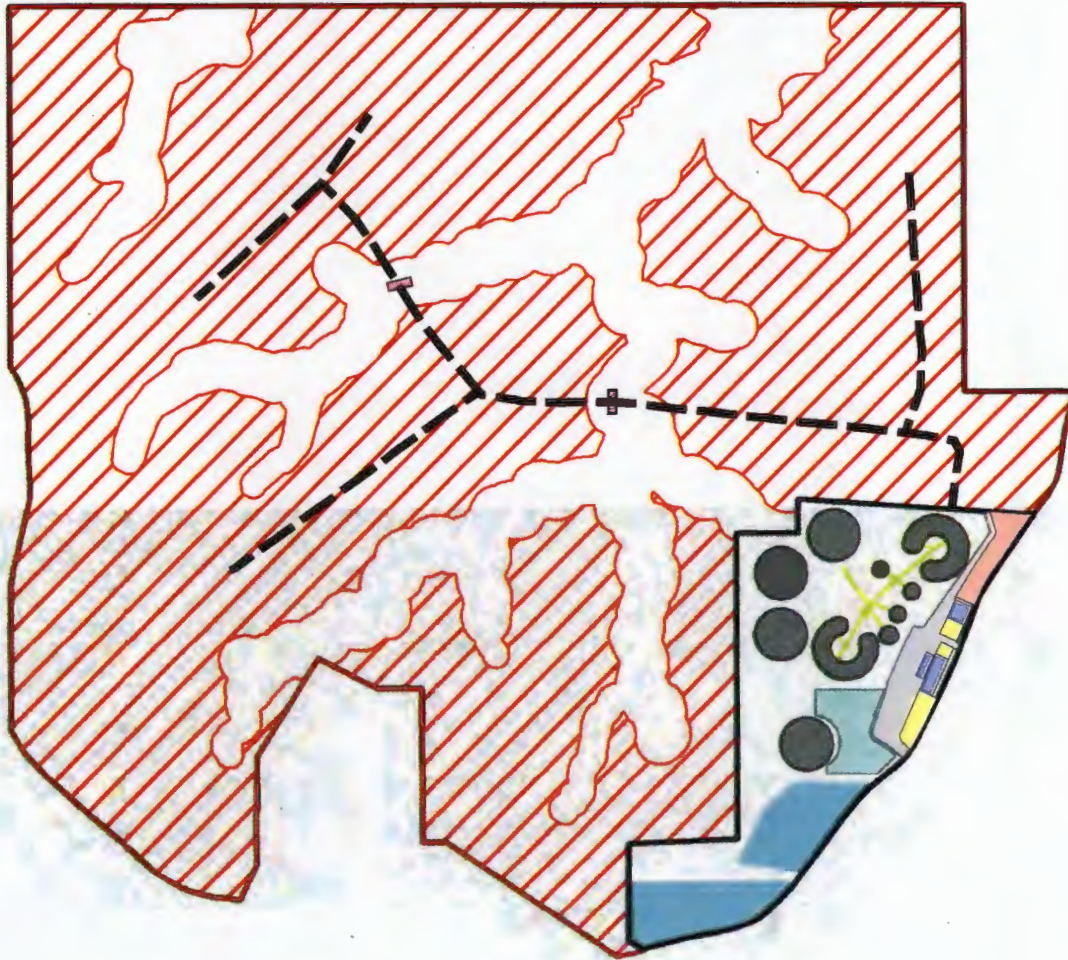
APAC-Mississippi, Inc.
Benton Mine Site

Yazoo County, Mississippi
Site Layout Map



Legend

-  Site Boundary (±312.16 ac)
-  Proposed Plant Site (31.75 ac)
-  Planned Mining Area
-  Haul Road
-  100' Culvert Crossing
-  Storage Shops/Offices
-  Equipment Storage
-  Employee Parking Lots
-  Driveway
-  Truck Parking
-  Stock Piles
-  Site Ponds (Wastewater & Freshwater)



CEMVK-OD-FE KWH-MVK-2016-178

APAC – MISSISSIPPI, INC.










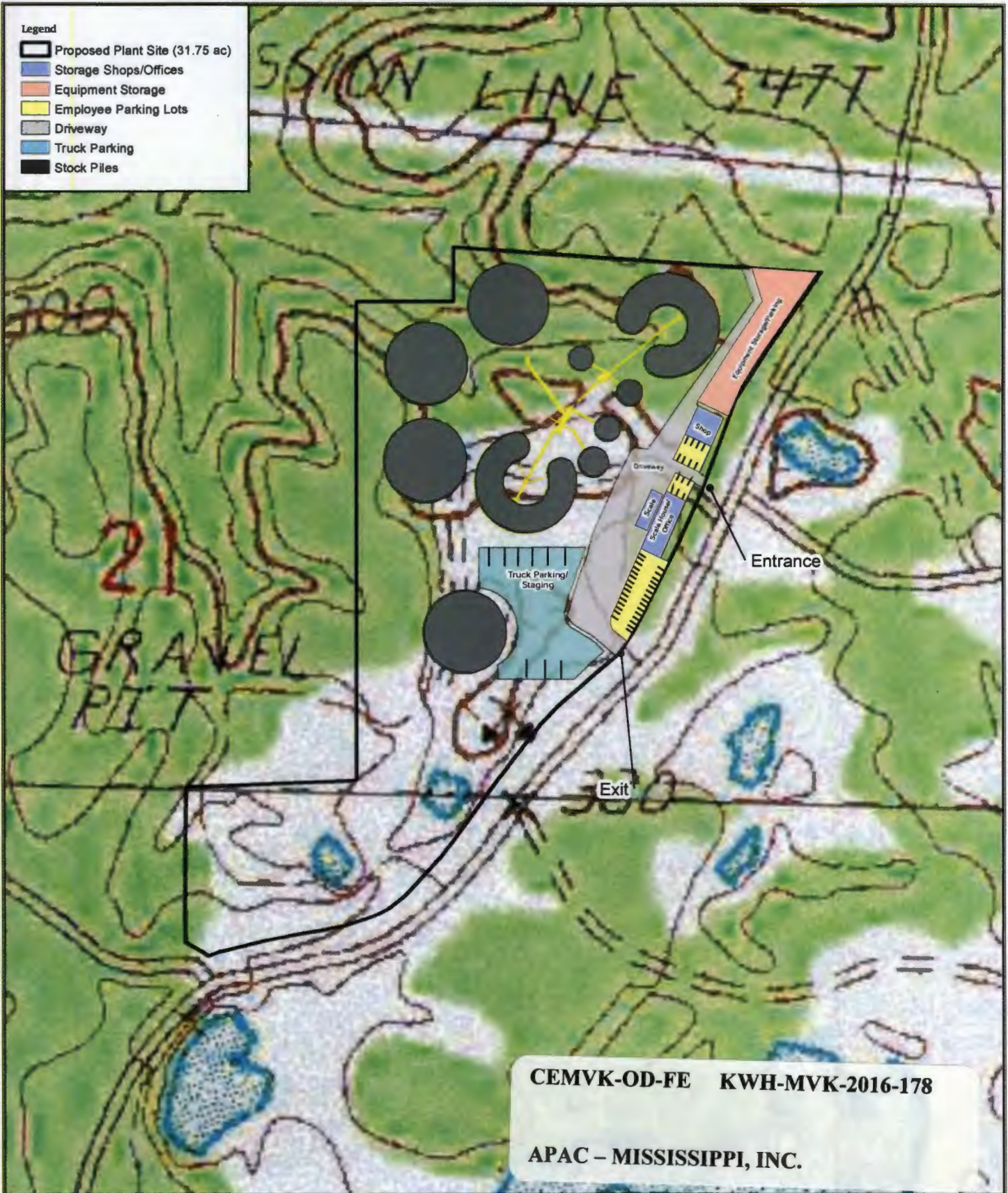
APAC-Mississippi, Inc.
Benton Mine Site

Yazoo County, Mississippi
Site Layout Map



Legend

-  Proposed Plant Site (31.75 ac)
-  Storage Shops/Offices
-  Equipment Storage
-  Employee Parking Lots
-  Driveway
-  Truck Parking
-  Stock Piles



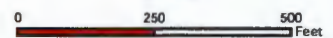
CEMVK-OD-FE KWH-MVK-2016-178

APAC - MISSISSIPPI, INC.



APAC-Mississippi, Inc.
Benton Mine Site

Yazoo County, Mississippi
Plant Site Design Map



USGS Benton/Eden (MS) Quad

Benton Mine Stream Crossing Detail

Overhead Detail

20 Tons of 6" dia. oversize gravel with geotextile fabric for stabilization extending 10' from the end of the CMP.

~72" Diameter Corrugated Metal Pipe (CMP)
80' Linear Feet Long

20 Tons of 6" dia. oversize gravel with geotextile fabric for stabilization extending 10' from the end of the CMP.

10.00'

Backfill Detail

Existing Ground Elevation

Existing Ground Elevation

Earthen Backfill

Embed Pipe 14.5" (min 20% of pipe)

6" Aggregate Bedding

72" CMP

Slope Stabilization Detail

Existing Ground Elevation

Existing Ground Elevation

20 Tons of 6" dia. oversize gravel with geotextile fabric for stabilization extending both 10' upstream and downstream

Embed Pipe 14.5" (min 20% of pipe)

6" Aggregate Bedding

72" CMP



CEMVK-OD-FE KWH-MVK-2016-178

APAC - MISSISSIPPI, INC.

N.T.S.