



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	ADS-MVK-2004-982
EVALUATOR:	Mr. Arel Simpson
PHONE NO.:	(601) 631-5996
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	August 30, 2004
EXPIRATION DATE:	September 20, 2004

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, ATTN: CEMVK-OD-F and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, Mississippi 39289-0385, 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:
Gaylon Lawrence &
Delta Pine Land Company LP
353 West Reed Road
Greenville, Mississippi 38701

Location of Work: Sections 14 and 15, T21N-R9W, latitude 33°38'51" longitude 91°08'14", within the Mississippi River drainage basin, Bolivar County, near Benoit, 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 to place dredged and/or fill material in wetlands and other waters of the United States associated with the rotation of a new center pivot irrigation system.

The proposed work would involve the clearing and filling of two wooded wetland areas with on-site borrow material from adjacent nonwetland farmed ridges. Approximately 60,000 cubic yards of

borrow material would be placed in the wetlands by bulldozers and tractor pulled dirt pans. The borrow material is typed as Bosket, Dundee, and Tunica soils.

The proposed project would impact two drainage areas containing 8.6 acres and 14.8 acres of wooded wetlands. These wetlands are surrounded by row crop fields under a soybean/cotton rotation and suffer from sedimentation.

In one area, approximately 8.6 acres of wooded wetlands would be cleared and filled, changing the farmed acreage from approximately 157 acres in three separate fields to a single field containing approximately 166 acres that can be irrigated and farmed. The wetlands vegetation consists of black willow with top dieback, honey locust, swamp privet, and redvine with scattered bitter pecan and young bald cypress. The cleared vegetation would be piled, burned, and buried under the borrow material.

In the second area, approximately 14.8 acres of wooded wetlands would be cleared and filled, changing the farmed acreage from approximately 99 acres in five separate fields to a single field containing approximately 114 acres that can be farmed and irrigated. The 14.8-acre wetlands vegetation consists of black willow with top dieback, swamp smartweed, and buttonbush. The cleared vegetation would be piled, burned, and buried under the borrow material.

The completed project would allow for a more efficient usage of the new irrigation system and adjacent farm acreage. The new irrigation pivot system would be able to traverse the filled wetlands.

The proposed mitigation plan would restore approximately 46.8 acres of prior converted wetlands to a bottomland forest with a conservation easement attached to the land deed. This is a 2:1 ratio, suggested by the National Resource Conservation Service in Bolivar County. The proposed mitigation area has hydric soils and floods periodically due to beaver impoundments. The mitigation area is vegetated with row crops, water lotus, and coffee weed.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and levee construction requires a Department of the Army Permit.

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: An initial review indicates that the proposed project would not affect any of the sites in Bolivar County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

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 that 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

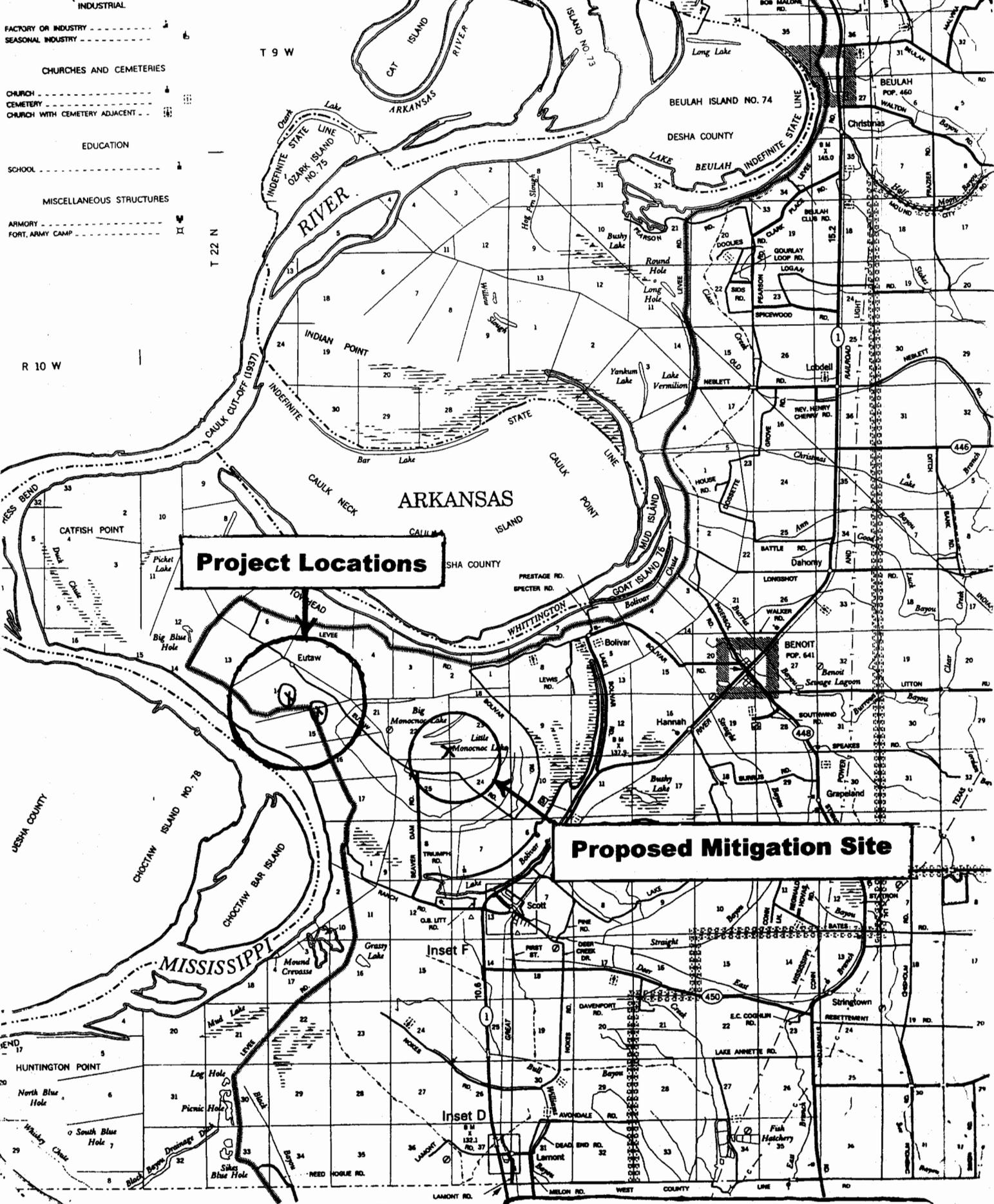
conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

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/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

- INDUSTRIAL
- FACTORY OR INDUSTRY
- SEASONAL INDUSTRY
- CHURCHES AND CEMETERIES
- CHURCH
- CEMETERY
- CHURCH WITH CEMETERY ADJACENT
- EDUCATION
- SCHOOL
- MISCELLANEOUS STRUCTURES
- ARMORY
- FORT, ARMY CAMP



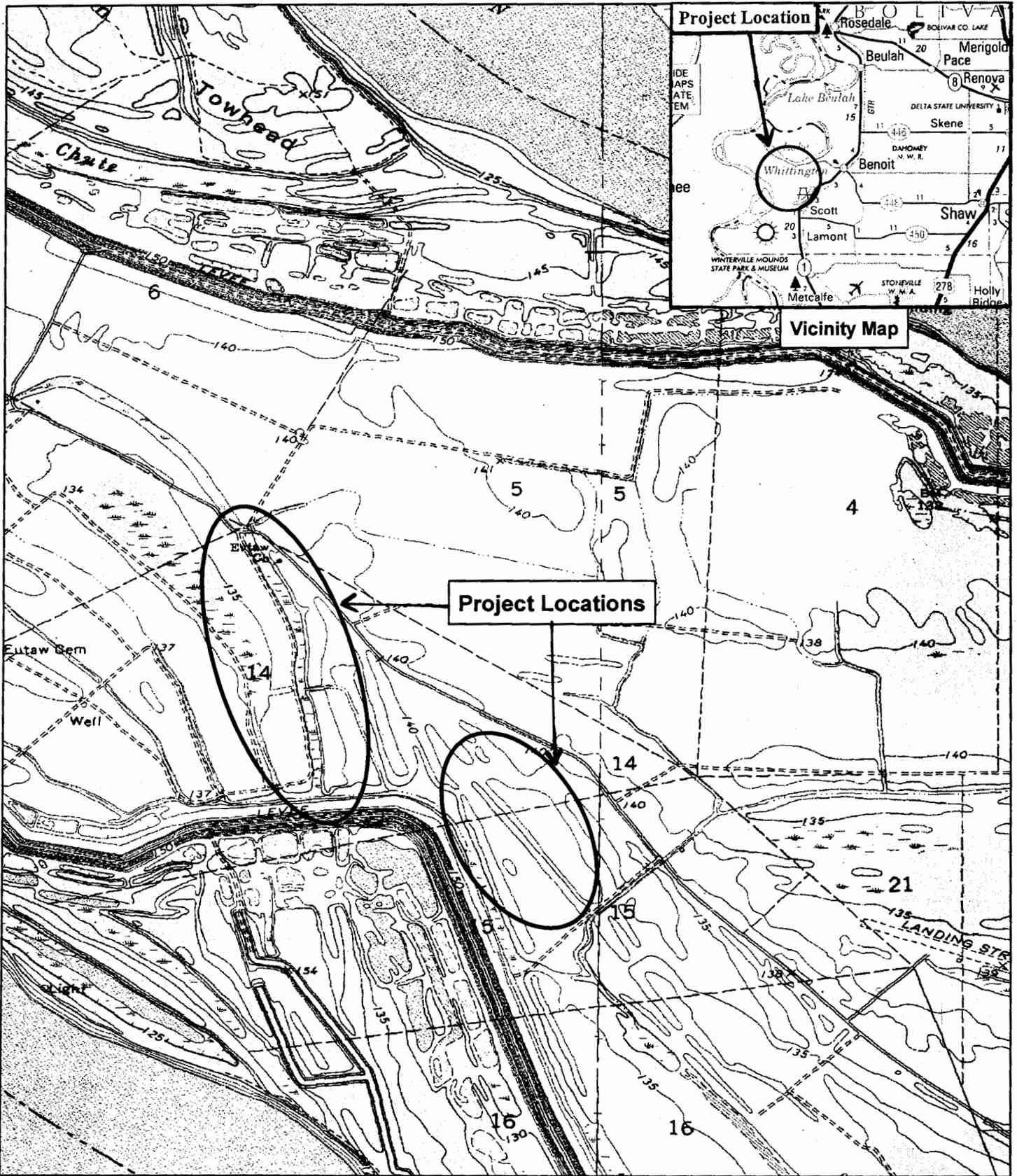
Project Locations

Proposed Mitigation Site

CEMVK-OD-FE ADS-MVK-2004-982
GAYLON M. LAWRENCE & DELTA PINE LAND CO. LP

OLD MALVINA NO. 14	PERMABLE
	Symonds

Eutaw Farms



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CEMVK-OD-FE ADS-MVK-2004-982

GAYLON M. LAWRENCE &
DELTA PINE LAND COMPANY, LP