



**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-2020-876</u>
EVALUATOR:	<u>Ms. Samantha Thompson</u>
PHONE NO.:	<u>(601) 631-5478</u>
E-MAIL:	<u>Samantha.H.Thompson@usace.army.mil</u>
DATE:	<u>October 6, 2021</u>
EXPIRATION DATE:	<u>October 26, 2021</u>

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District is considering an application for a Department of the Army permit for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-RD-PE, 4155 Clay Street, Vicksburg, Mississippi 39183-3435.

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may 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 Rule part 121.6, once the applicant submits a certification request the Corps of Engineers will notify the certifying agency of the reasonable period of time for them to act upon the certification.

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. Jesse Medlin, President
Desoto County Board of Supervisors
365 Loshier Street, Suite 300
Hernando, Mississippi 38632

Name of Agent:
Mr. Cullen Dendy
Headwaters, Incorporated
Post Office Box 3658
Tupelo, Mississippi 38803

Location of Work: Sections 13 & 14, T2S-R8W, GPS Coordinates: 34.908086, -90.009839, within Coldwater Drainage Basin (8-digit USGS HUC 08030204), Desoto County, 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 for conducting regulated activities in jurisdictional wetlands for the purpose of constructing a new Agri-Education Center to include an arena, community building, warm-up arena, stalls, equipment storage/bathroom building, parking, and horse trailer parking. Attendant features will also include roads, sidewalks, and utilities.

The purpose of the project is to provide agri-tourism opportunities and agricultural related programs within Desoto County, Mississippi.

The project site consists of approximately 230.75 acres of undeveloped land owned by the county. The project will require site grading and permanent fill impacts to approximately 0.56 acres of jurisdictional forested wetlands.

The vegetation within the project area is currently dominated by American sycamore, green ash, sweetgum, black willow, American elm, winged elm, black locust, eastern red cedar, sugarberry, cherrybark oak, loblolly pine, buttercup, smartweed, trumpet creeper, American pokeweed, Chinese privet, kudzu, Johnson grass, winged sumac, giant ragweed, goldenrod, paw paw, Bermuda grass and dog fennel. Soils within the project site consists of Collins silt loam, Collins and Falaya silt loams, Loring silt loam, Loring silty clay loam, and Richland silt loam.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional wetlands through the purchase of credits from a commercial mitigation bank that services the project area.

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 Corps 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. An 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: The Corps has determined that the proposed activity is not likely to adversely affect the Wood Stork and may affect the Northern long-eared bat; however, this project complies with the final 4(d) rule with incidental take covered by the U.S. Fish and Wildlife Service's Intra-Service Biological Opinion for the final 4(d) rule for the Northern long-eared bat. Our findings are based on utilizing the Standard Local Operating Procedures for Endangered Species in Mississippi (as per Memorandum of Agreement, signed on June 28, 2017, between the U.S. Army Corps of Engineers, Memphis, Mobile, Nashville and Vicksburg Districts and the U.S. Fish and Wildlife Service, Mississippi Ecological Services Office).

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 area is bound on the west side by 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.

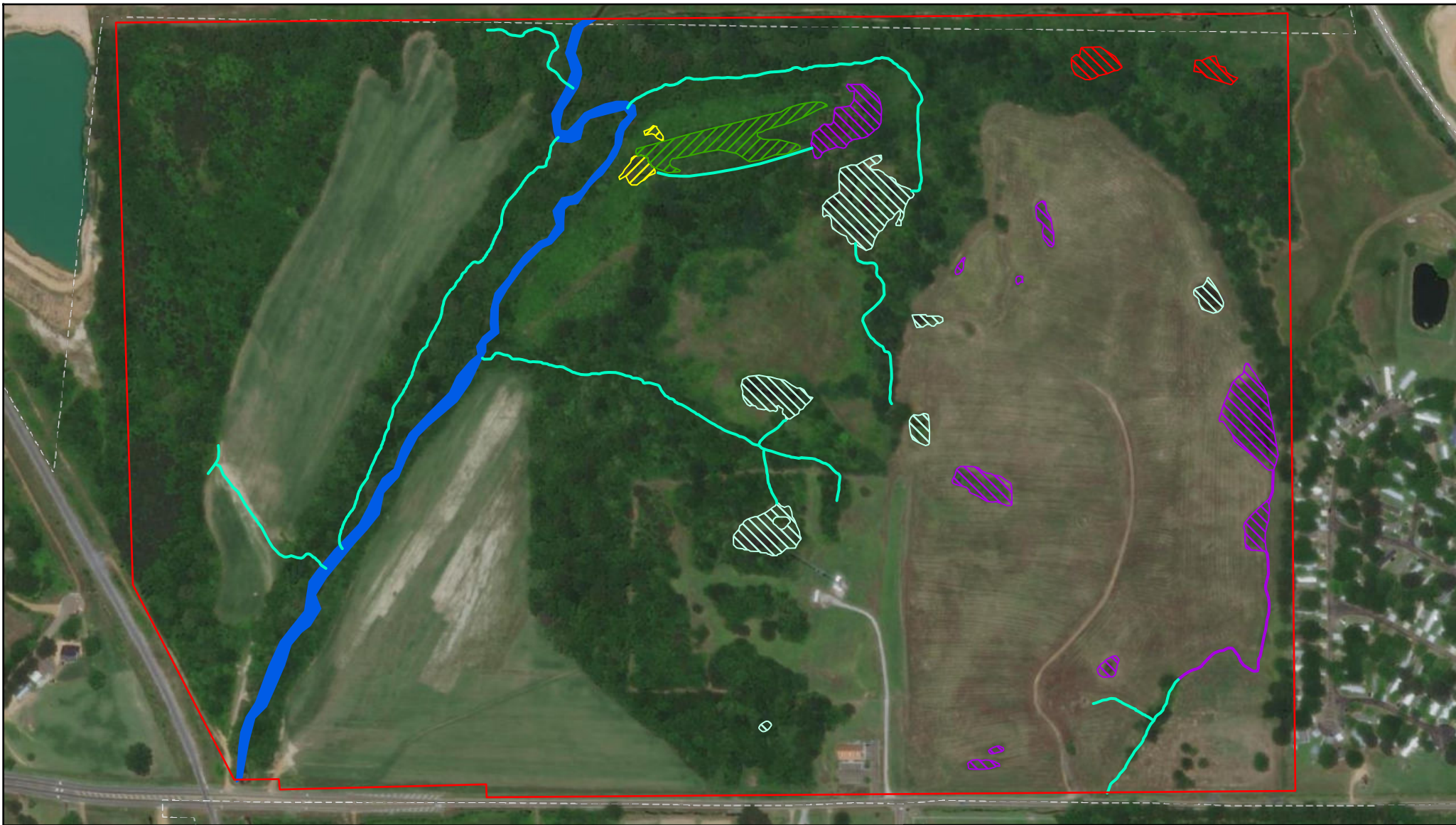
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine 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.

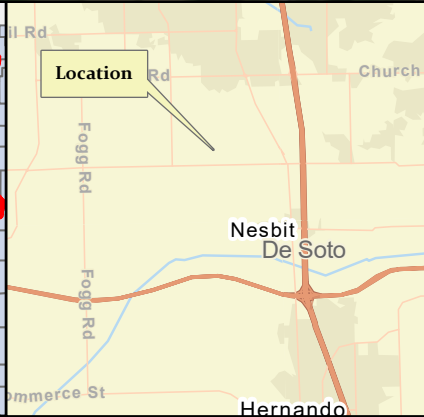
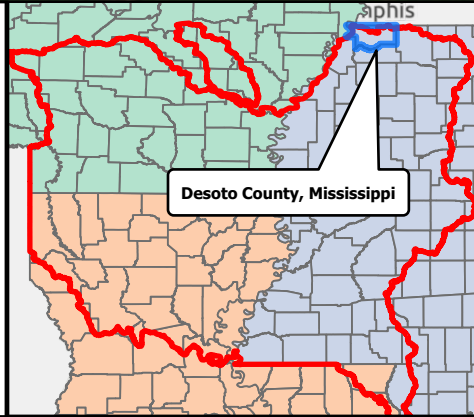
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>.



Jennifer Brown
Team Lead, Permit and Evaluation Branch
Regulatory Division



- Legend**
- Project Site
 - Non-jurisdictional**
 - Ephemeral Stream - 11,316 lf
 - Excluded Pond - 2.52 acres
 - Excluded Emergent - 2.58 acres
 - Excluded Forested - 0.46 acre
 - Jurisdictional**
 - Perennial Stream - 3,456 lf
 - Jurisdictional Forested Wetlands - 1.17 acre
 - Jurisdictional Emergent Wetlands - 0.19 acre



12 February 2021



MVK-2020-876

Desoto Agricultural Center


Desoto County, Mississippi

Jurisdictional Determination

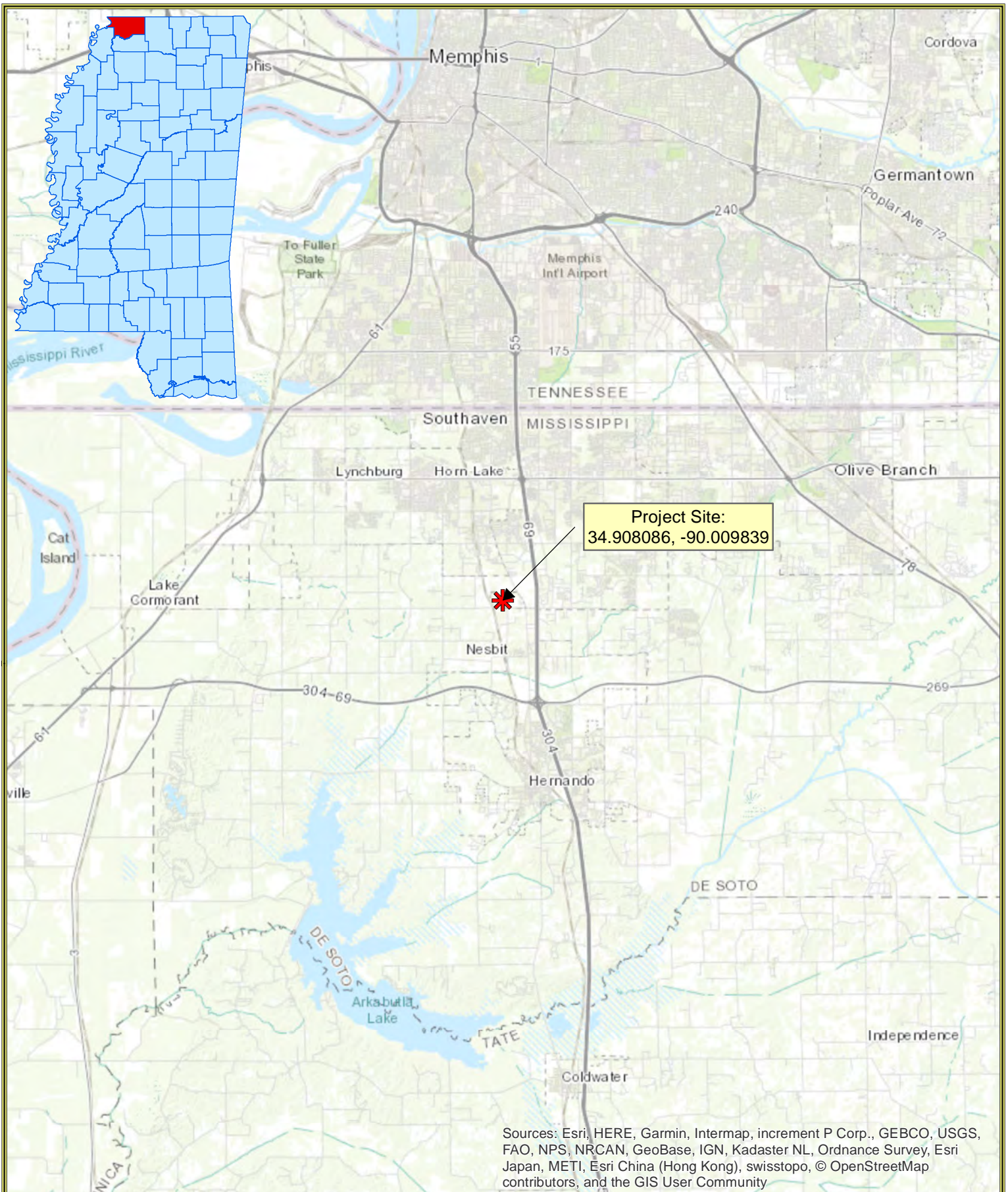
Andy Sanderson

Regulatory Division
Enforcement Branch



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Feet



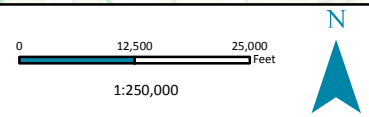
Project Site:
34.908086, -90.009839

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

Desoto County Agri-Education Center

Sections 13 & 14, Township 2S, Range 8W
Desoto County, Mississippi

General Location Map



NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USGS 1982 Horn Lake (MS) Quad Basemap

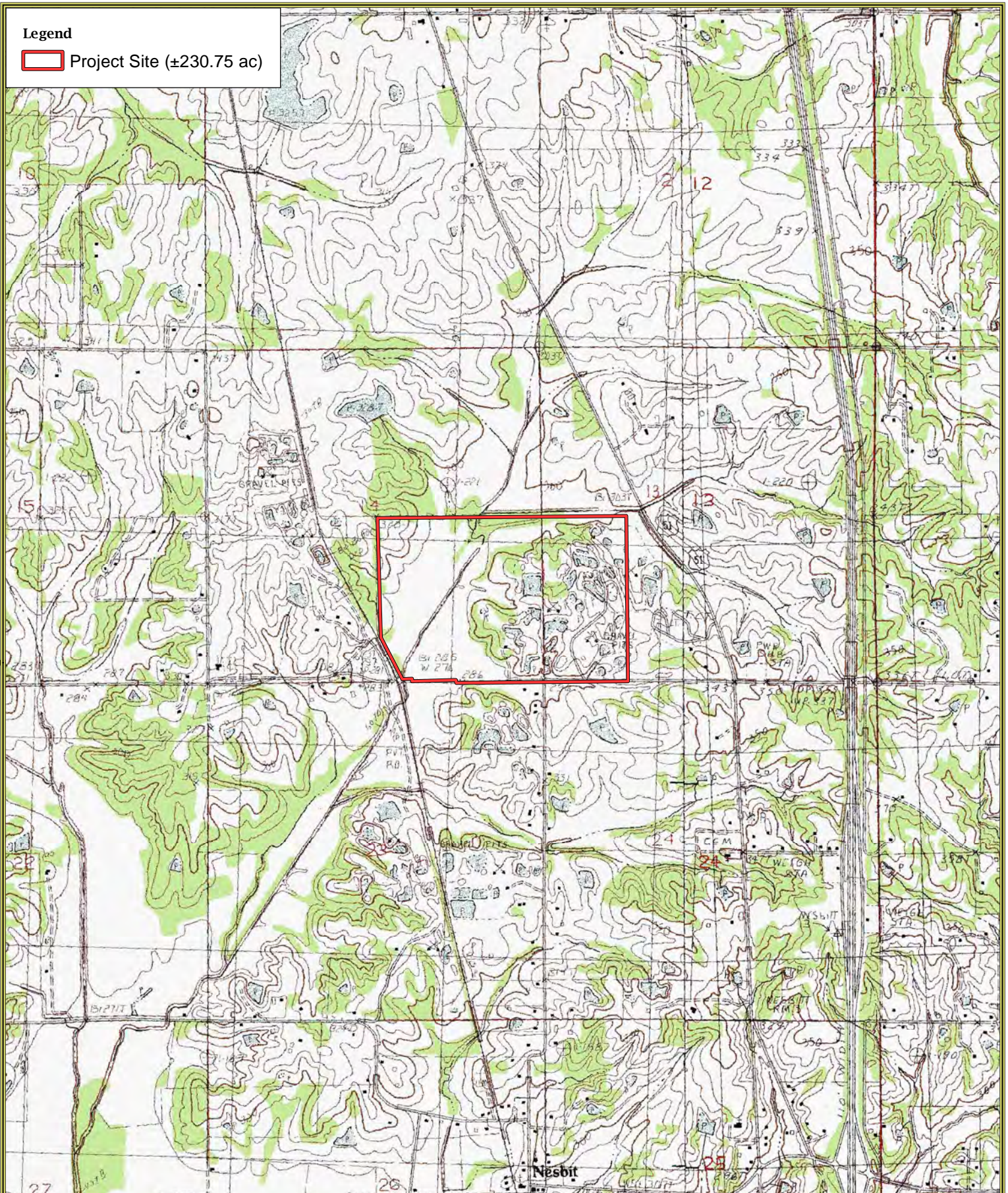


Date Created: 6/3/2020

Created by: PGH

Legend

 Project Site (±230.75 ac)



Desoto County Agri-Education Center

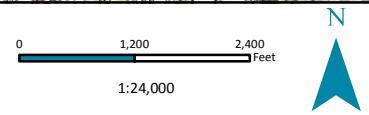
Sections 13 & 14, Township 2S, Range 8W
Desoto County, Mississippi

Site Location Map



Date Created: 6/3/2020

Created by: PGH

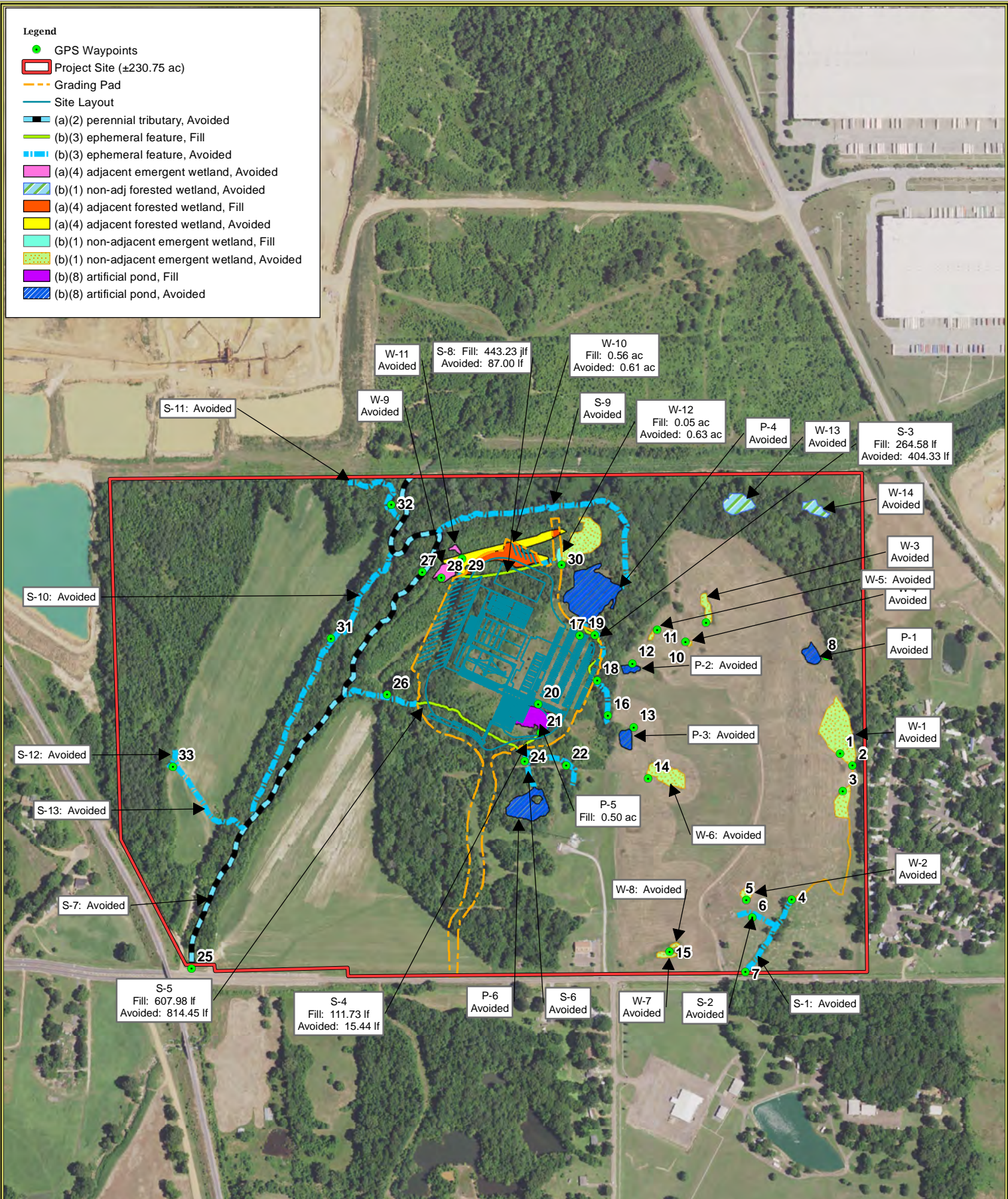


NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USGS 1982 Horn Lake (MS) Quad Basemap

Legend

- GPS Waypoints
- Project Site (±230.75 ac)
- Grading Pad
- Site Layout
- (a)(2) perennial tributary, Avoided
- (b)(3) ephemeral feature, Fill
- (b)(3) ephemeral feature, Avoided
- (a)(4) adjacent emergent wetland, Avoided
- (b)(1) non-adj forested wetland, Avoided
- (a)(4) adjacent forested wetland, Fill
- (a)(4) adjacent forested wetland, Avoided
- (b)(1) non-adjacent emergent wetland, Fill
- (b)(1) non-adjacent emergent wetland, Avoided
- (b)(8) artificial pond, Fill
- (b)(8) artificial pond, Avoided



HEADWATERS
NATURAL RESOURCES CONSULTING
WWW.HEADWATERS-INC.COM

Date Created: 4/27/2021 Created by: PGH

Desoto County Agri-Education Center
Sections 13 & 14, Township 2S, Range 8W
Desoto County, Mississippi

Site Plan/Wetland Impact Map

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0 400 800
Feet

1:8,000

NAD 1983 StatePlane Mississippi West FIPS 2302 Feet

USDA NAIP 2020 Imagery Basemap