

US Army Corps

Public Notice

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

MVK-2024-740
Ms. Tarmiko Graham
(601) 631-5540
Tarmik.V.Graham@usace.army.mi
December 12, 2024
January 2, 2025

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, 4155 East Clay Street, Vicksburg, Mississippi 39183-3435 and must reach this office 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 potential 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 authority. As of the date of this public notice, the applicant has submitted a certification request to the Louisiana 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.

<u>Law Requiring a Permit:</u> 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.

<u>Name of Applicant</u>: Ms. Pamela Gregorski Laidley, LLC One American Square Indianapolis, Indiana 46282 <u>Name of Agent:</u> Mr. Nick Carmean Barge Design Solutions, Incorporated 615 3rd Avenue South, Ste. 700 Nashville, Tennessee 37210

<u>Location of Work</u>: Section 34, T18N-R8E, Latitude 32.499969N, Longitude -91.635911W within the Boeuf Drainage Basin (8-digit USGS HUC: 08050001), Richland Parish, Louisiana.

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 within jurisdictional waters of the United States (U.S.) for the development of a corporate data center campus in Rayville, Richland Parish, Louisiana. The property is over 2,250 acres and has been used primarily for agriculture since at least the 1980's. It is zoned for agricultural use and currently contains active corn, soy, and rice crop fields. The site is presently owned by the State of Louisiana.

This specific series of parcels was chosen for the proposed action due in part to the minimal environmental impacts required to construct the project. The site is highly disturbed from its natural state, and onsite water features are concentrated in a way that maximizes continuous buildable space.

The applicant proposes mass grading of the site and establishment of data center buildings and associated infrastructure, such as stormwater ponds, parking facilities, logistic centers, utility support, and access roads.

Approximately 16.81 acres of jurisdictional wetlands would be impacted. Approximately 0.03 acres/176 linear feet of a perennial stream would be impacted. Approximately 26,700 cubic yards (CY) of fill would be placed in the jurisdictional wetlands. Discharged material would be dirt excavated from the site during grading activities and clean shot rock.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an approved 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.

<u>State Water Quality Permit</u>: 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.

<u>Cultural Resources</u>: The Regulatory Archaeologist has reviewed the latest published version of the <u>National Register of Historic Places</u>, lists of properties determined eligible, and other sources of information. Currently this office is coordinating with the State Historic Preservation Officer, Federally recognized Tribes, and other interested parties regarding potential effects to historic properties that could result from the proposed activity.

<u>Endangered Species</u>: Utilizing the Information for Planning and Consultation tool for Endangered Species in Louisiana (as per Memorandum of Agreement, signed on January 14, 2020, between the U.S. Army Corps of Engineers, Vicksburg District and the U.S. Fish and Wildlife Service, Louisiana Ecological Services Office), no Threatened or Endangered Species were identified for the project site.

<u>Floodplain</u>: 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 not located within the 100-year floodplain.

<u>Evaluation Factors</u>: The decision 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.

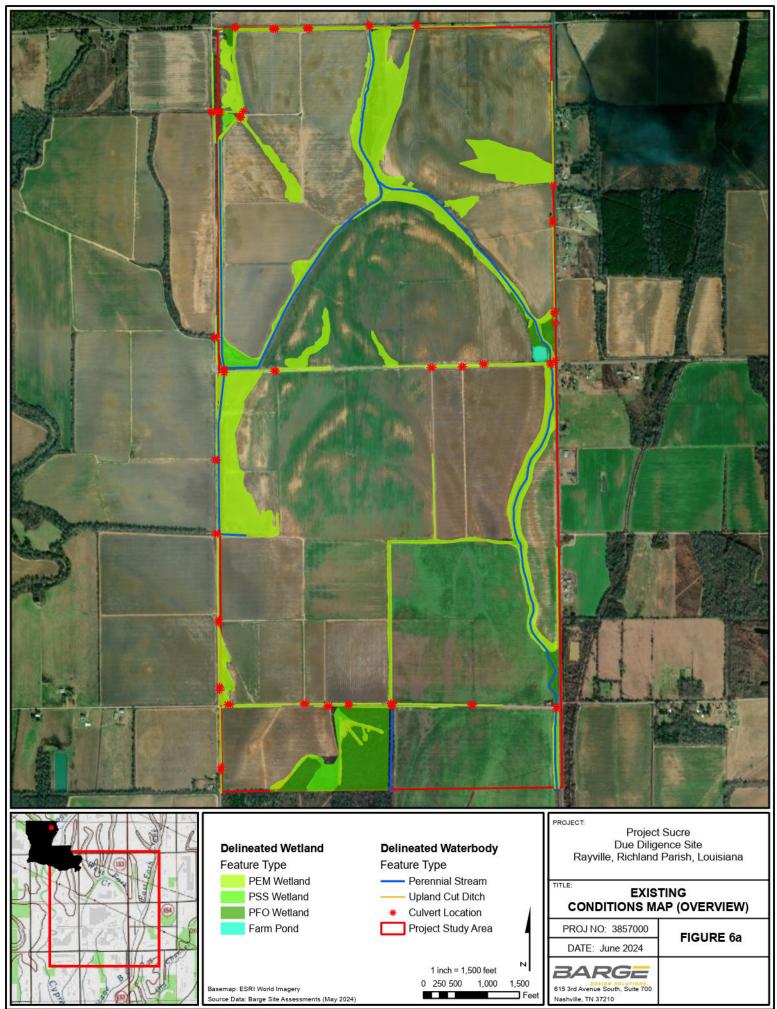
<u>Public Involvement</u>: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties.

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.

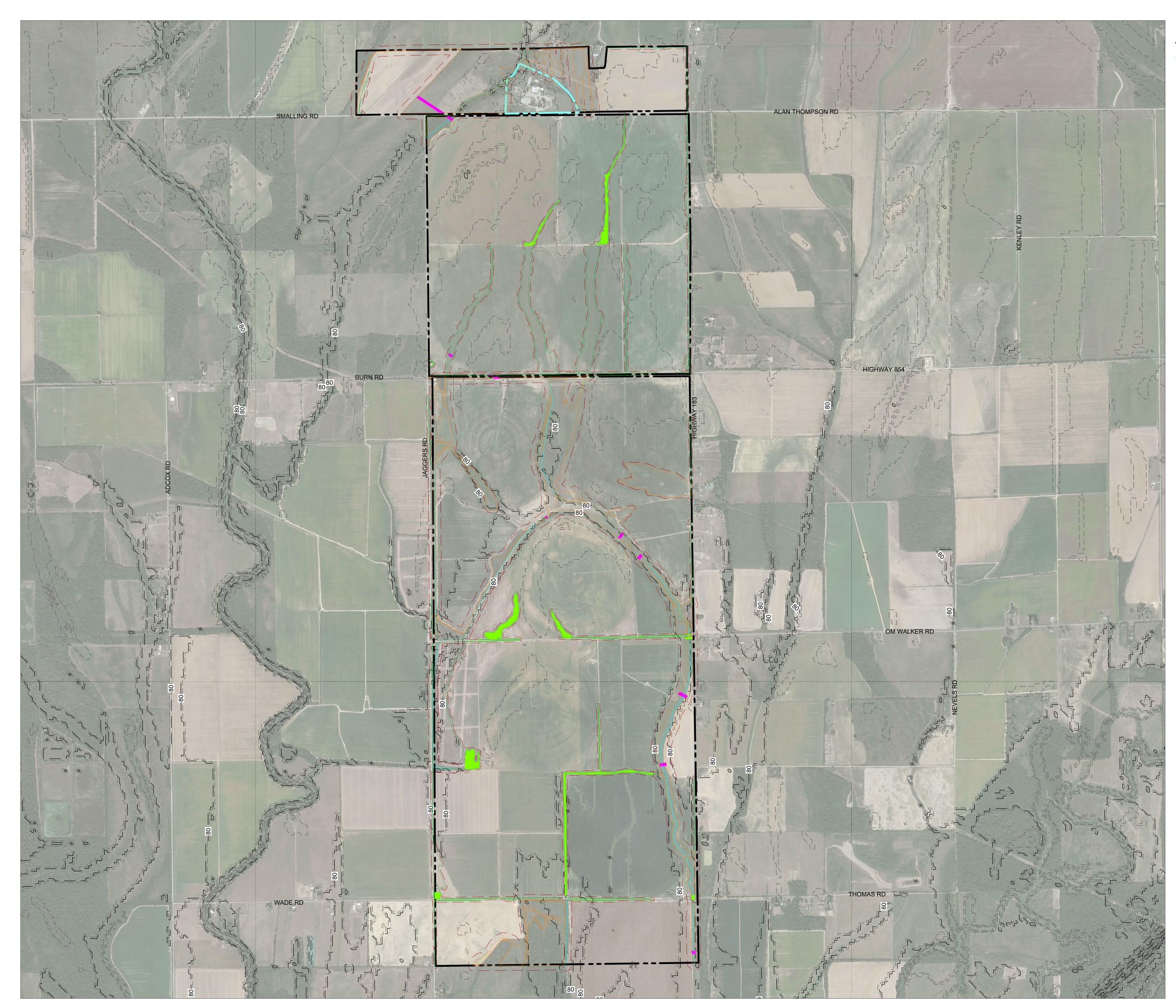
<u>Opportunity for a Public Hearing</u>: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment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

<u>Notification of Final Permit Actions</u>: 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, <u>http://www.mvk.usace.army.mil/Missions/Regulatory.aspx</u>.

Andy Sanderson Chief, Arkansas/Louisiana Branch Regulatory Division



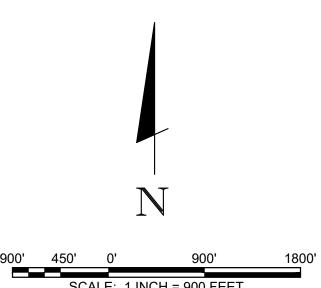
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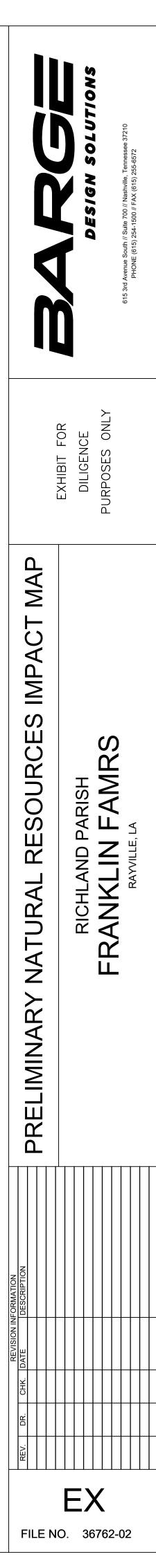
 PROPERTY BOUNDARY
 PROPERTY BOUNDARY EXCLUSION ZONE
 SETBACK/BUFFER LINE
 EXISTING MAJOR CONTOURS (10' CONTOURS)
 EXISTING MINOR CONTOURS (2' CONTOURS)
 DELINEATED WATERBODY - NO IMPACT
 DELINEATED WETLAND
 DELINEATED WETLAND
DELINEATED DITCH
PERMANENT IMPACT TO WETLAND
TEMPORARY IMPACT TO WETLAND

NOTE:

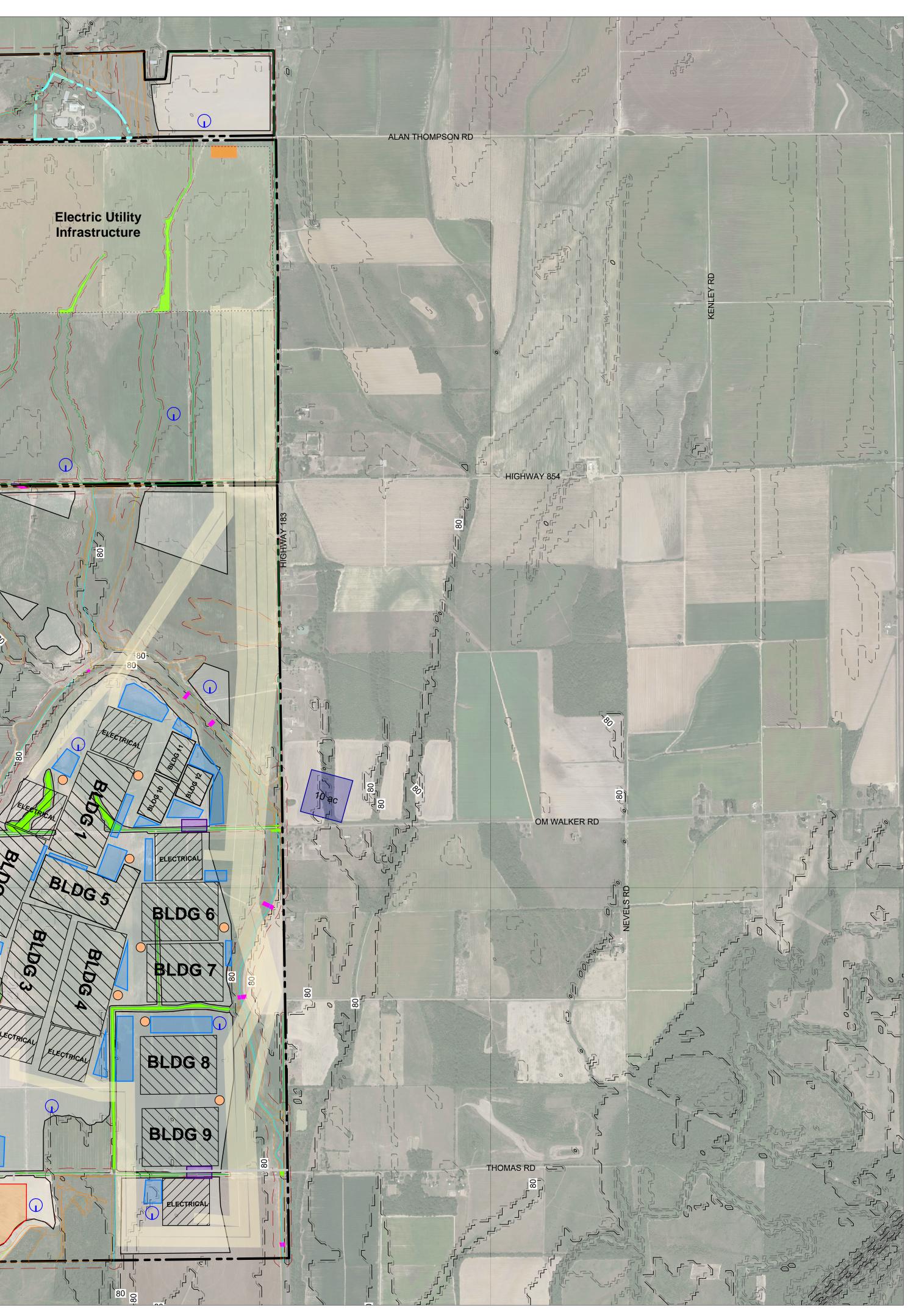
- 16.71 ACRES OF PERMANENT WETLAND IMPACTS.
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 398 LF/0.04 ACRES OF TEMPORARY WATERBODY IMPACTS.
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THE SHOWN BLOCK PLAN IS PROVIDED BY OTHERS.

