



**DEPARTMENT OF THE ARMY  
MOBILE DISTRICT, CORPS OF ENGINEERS  
BIRMINGHAM FIELD OFFICE  
218 SUMMIT PARKWAY, SUITE 222  
HOMEWOOD, ALABAMA 35209**

**CESAM-RD-N**

**June 6, 2017**

**PUBLIC NOTICE NO. SAM-2014-00322-JMT**

**JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS AND  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF POLLUTION CONTROL**

**PROPOSED DISCHARGE OF FILL MATERIAL INTO WATERS OF THE UNITED  
STATES IN ASSOCIATION WITH A PROPOSED INDUSTRIAL DEVELOPMENT  
LEE COUNTY, MISSISSIPPI**

**TO WHOM IT MAY CONCERN:** This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

**APPLICANT:** Community Development Foundation  
398 East Main Street  
Tupelo, Mississippi 38804

**AGENT:** Headwaters, Inc.  
Post Office Box 3658  
Tupelo, Mississippi 38803

**LOCATION:** The proposed project is located on approximately 100 acres in west Tupelo (Hancock Ranch Property), Lee County, Mississippi (34.218191, -88.806152) within Sections 7, 8, 17, and 18; Township 10 South; Range 5 East. The project is located within the Town Creek watershed (HUC 03160102).

**PROJECT PURPOSE:** The basic project purpose is industrial development.

**WORK:** The applicant is seeking authorization for the discharge of fill material into waters of the United States for purposes of constructing an industrial facility and attendant features to be utilized by the Community Development Foundation. These activities would impact 1,814.34 linear feet of ephemeral streams located on the property. The proposed development would include three buildings totaling 1,000,000 square feet and include parking lots and roads totaling 700,389 square feet.

**AVOIDANCE & MINIMIZATION:** The applicant considered two off-site alternatives during the project planning stages. Once the preferred site was selected, design plans were prepared and revised to minimize impacts to aquatic resources on the preferred site. According to the applicant, the final proposed plan avoids impacts to 509.38 linear feet of intermittent stream. The USACE has not verified the adequacy of the applicant's avoidance and minimization at this time.

**MITIGATION:** The applicant proposes to mitigate for unavoidable impacts through the purchase of stream credits from an USACE approved mitigation bank. The USACE has not verified the adequacy of the applicant's compensatory mitigation plan at this time.

**WATER QUALITY:** The applicant has applied for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to consistency will be made by the Mississippi Department of Environmental Quality.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and use 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 will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

The USACE 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 will be considered by the USACE 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 person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

**HISTORIC AND CULTURAL RESOURCES:** In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. The applicant submitted a cultural resource survey for the western 27.3-acre portion of the property and referenced in their report a reconnaissance survey conducted in 2013 that included the entire 100-acre site and a Phase I survey conducted in 2013-14 which included the eastern 72.7-acre portion of the site. The information submitted will be reviewed as well as other historical data and the USACE will make an effects determination

**ENDANGERED/THREATENED SPECIES:** Preliminary review of this application, and the U.S. Department of the Interior List of Endangered and Threatened Species indicates that the proposed activity will have "no effect" on any listed endangered or threatened species or their critical habitat. A copy of this public notice is being sent to the U.S. Fish and Wildlife Service for review and comment.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2014-00322-JMT and should be directed to:

U.S. Army Corps of Engineers Mobile District  
Birmingham Field Office  
Attention: Mr. Joseph Tanko  
218 Summit Parkway, Suite 222  
Homewood, Alabama 35209

with a copy to the:

Mississippi Department of Environmental Quality  
Office of Pollution Control  
Post Office Box 2261  
Jackson, Mississippi 39225

6/6/2017

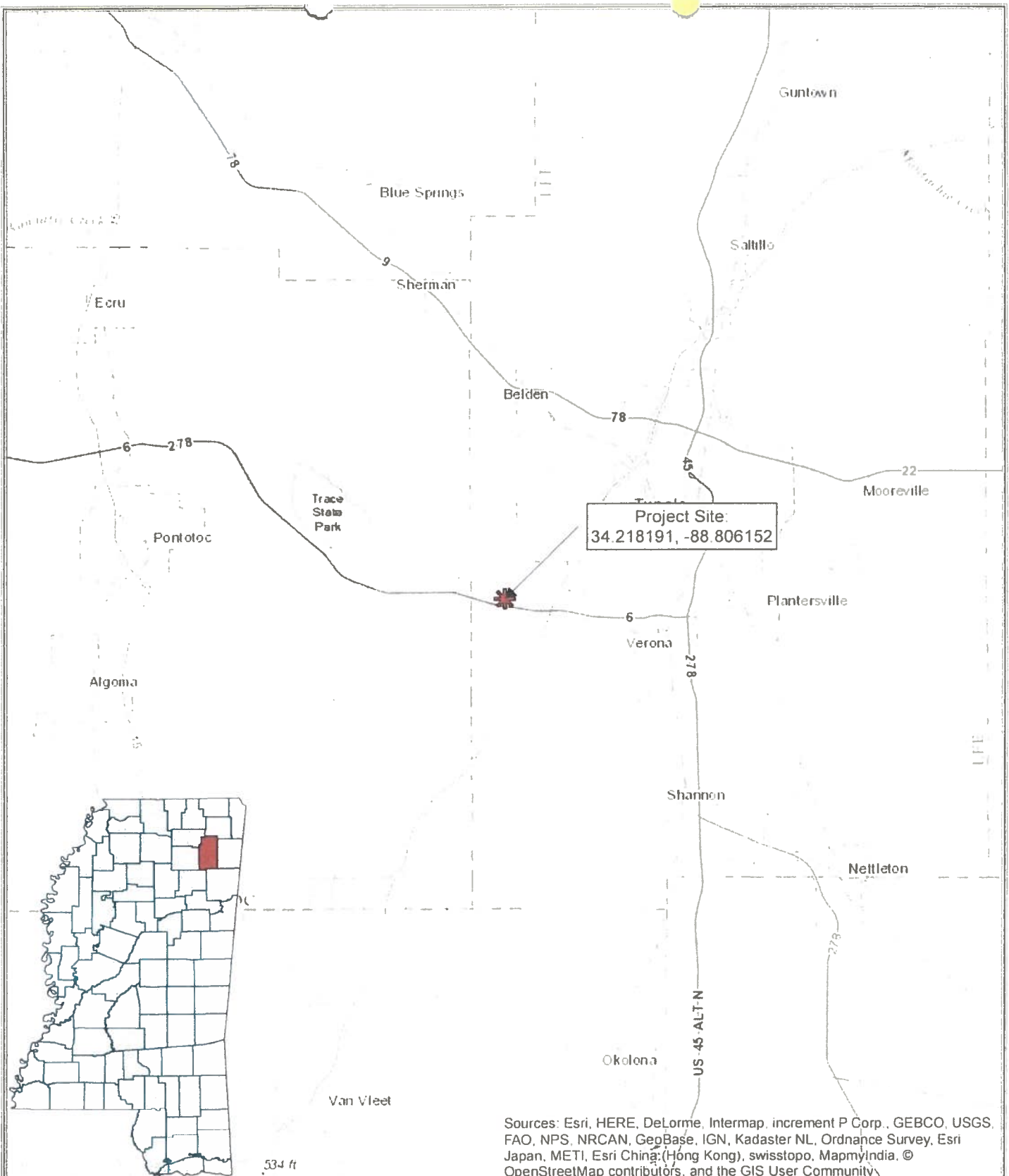
Comments should be received no later than **30 days** from the date of this Public notice.


If you have any questions concerning this publication, you may contact the project manager, Mr. Joseph Tanko, via e-mail at **Joseph.M.Tanko@usace.army.mil** or telephone number **(205) 290-9096**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>, and if you have time, please take a moment to complete our customer satisfaction survey located near the bottom of the webpage. Your responses are appreciated and will allow us to improve our services.

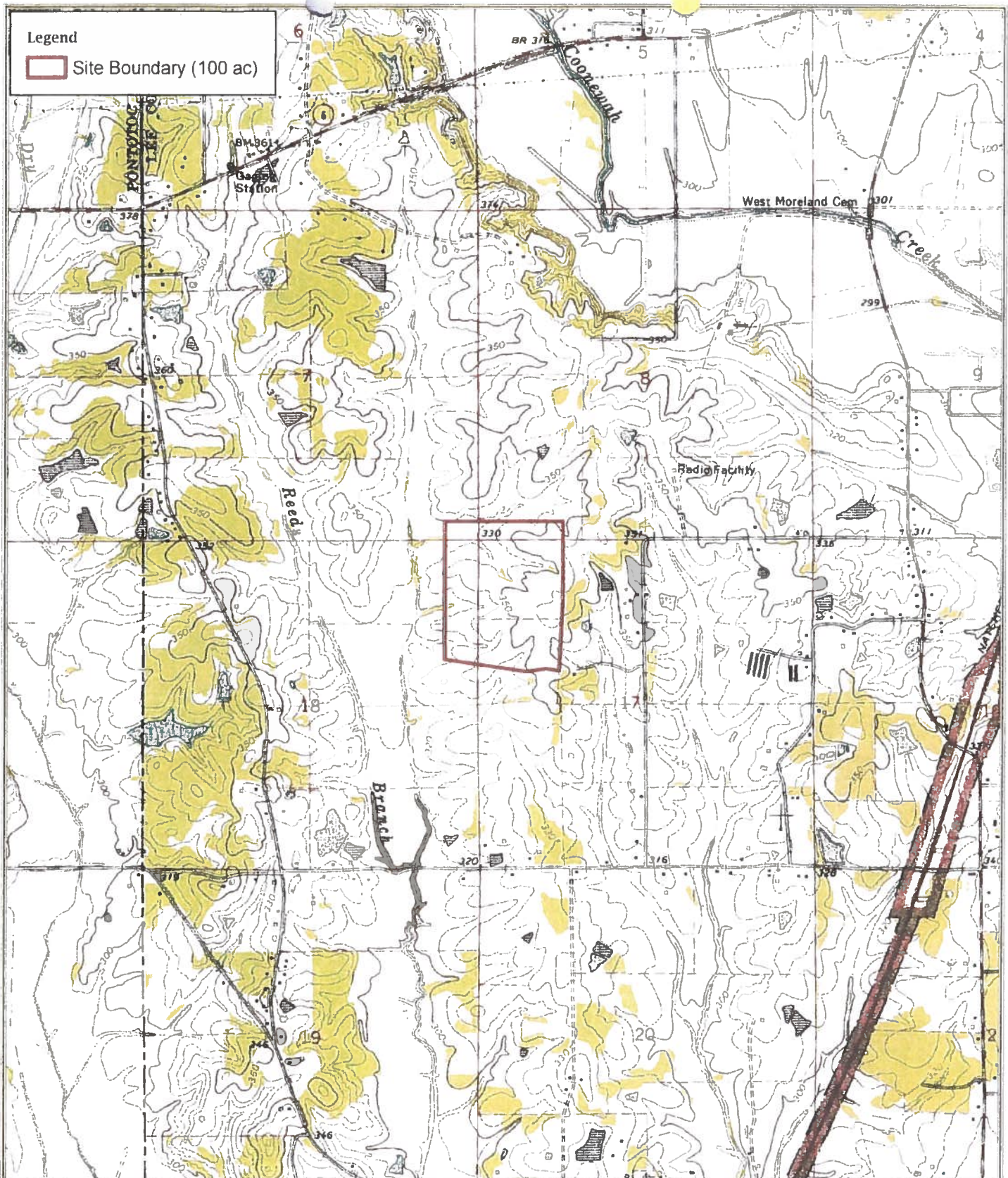
MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures



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|  <p><b>SAM-2014-00322-JMT</b><br/><b>HEADWATERS</b> INC.<br/>NATURAL RESOURCES CONSULTING<br/>WWW.HEADWATERS-INC.COM</p> | <p align="center"><b>Community Development Foundation</b><br/><b>The Hive 100 Acre Site</b><br/>Sections 7, 8, 17 &amp; 18, Township 10 S, Range 5 E<br/>Lee County, Mississippi<br/><b>General Location Map</b></p> |  | <p align="center">0 12,500 25,000<br/>Feet<br/>1:250,000</p> <p align="center">NAD 1983 StatePlane Mississippi East FIPS 2301 Feet<br/>USGS 1979 Bissell (MS) Quad</p> |
| <p>Date Created: 4/21/2017</p>   | <p>Created by: PGH</p>   |  |  |





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**HEADWATERS** INC.  
 NATURAL RESOURCES CONSULTING  
 WWW.HEADWATERS-INC.COM

Date Created: 4/23/2017 Created by: PGH

**Community Development Foundation**  
**The Hive 100 Acre Site**  
 Sections 7, 8, 17 & 18, Township 10 S, Range 5 E  
 Lee County, Mississippi  
**Site Location Map**

0 1,200 2,400 Feet  
 1:24,000

NAD 1983 StatePlane Mississippi East FIPS 2303 Feet

USGS 1979 Bissell (MS) Quad



**Legend**

- Site Boundary (100 ac)
- Building Footprint
- Grading Limits
- Parking and Roads
- Stormwater Management Facilities
- Intermittent (1,787.79 lf)
- Ephemeral (1,814.34 lf)
- Ephemeral: Fill (1,814.34 lf)

Parking & Roads  
700,389 sq ft

Buildings  
1,000,000 sq ft

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NATURAL RESOURCES CONSULTING  
WWW.HEADWATERS-INC.COM

**Community Development Foundation**  
**The Hive 100 Acre Site**  
Sections 7, 8, 17 & 18, Township 10 S, Range 5 E  
Lee County, Mississippi  
**Wetland Impact Map**

Date Created: 5/25/2017

Created by: PGH

0 250 500  
1:5,000  
feet



NAD 1983 StatePlane Mississippi East FIPS 2301 Feet

USDA NAIP 2016 Imagery Basemap