



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMYCORPS OF ENGINEERS, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, AL 36628-0001

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2021-00620-APS

July 15, 2022

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS (USACE)

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL (MDEQ)

PROPOSED DISCHARGE OF FILL MATERIAL IN WATERS OF THE U.S.
FOR THE CONSTRUCTION OF AN INDUSTRIAL PARK,
NEW AUGUSTA, PERRY COUNTY, MISSISSIPPI

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Perry County Board of Supervisors
Attention: Mr. Tim Wise
Post Office Box 345
New Augusta, Mississippi 39462

WATERWAY AND LOCATION:

The project site is located near the northeast corner of the intersection of MS Highway 98 East and West Wingate Road in the town of New Augusta (Perry County), Mississippi. The nearest waterway is the Leaf River. Approximate coordinates for the site are latitude 31.205949° North and longitude 88.993346° West.

EXISTING CONDITIONS:

The proposed project area is located in the central portion of Perry County in hydrologic unit code (HUC) 03170005, Lower Leaf River. The site ranges in elevation from 100 to 117 feet. The project area contains a total of 7.07 acres of forested wetlands and 6,282 linear feet (LF) of stream. Open waters are not present within the project area. There are 5 individual wetlands that comprise the total acreage of wetland habitat. Tree species in the project area is primarily comprised of loblolly pine (*Pinus taeda*) with hardwood species (sp.) such as sweetbay magnolia (*Magnolia virginiana*), water oak (*Quercus nigra*), willow oak (*Quercus phellos*), red maple (*Acer rubrum*), and sweetgum (*Liquidambar styraciflua*) in the riparian areas. Shrubs and vines include gallberry (*Ilex glabra*), bayberry (*Myrica* sp.), sumac (*Rhus copallinum*), huckleberry (*Vaccinium* sp.), blackberry (*Rubus* sp.) and Smilax sp. Herbaceous species include *Carex* sp., rushes (*Juncus* sp.), bulrushes (*Scirpus* sp.), sedges, and grasses. Most of the project area was harvested for silvicultural purposes circa 2003-2004. There are 18 stream reaches that have been identified within the perimeter of the project area. Several of the reaches converge to create higher ordered streams. The

flow regime of the streams is as follows: 507 LF of perennial stream; 2,366 LF of intermittent stream; and 3,409 LF of ephemeral stream.

APPLICANT'S STATED PURPOSE:

The project purpose is to provide opportunities for economic development, job creation, and to meet growing supply chain demands by constructing an industrial park in an area that can provide access to existing transportation and infrastructure.

PROJECT DESCRIPTION:

The project proposes to construct a new industrial park in Perry County. The only impacts proposed to waters of the United States (wetlands and streams) are associated with the construction of the industrial park's access road and railroad spur. Permanent impacts include the placement of fill material in 1.88 acres forested wetlands and 81 LF of ephemeral stream. Culverts are proposed to be placed into 548 LF of intermittent stream.

AVOIDANCE AND MINIMIZATION:

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

COMPENSATORY MITIGATION:

The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

The applicant has attempted to avoid and minimize impacts where possible and will compensate to the extent practicable, for the remaining unavoidable losses with mitigation. The applicant proposes the following mitigation for the unavoidable impacts to waters of the United States. The applicant proposes to provide in-kind compensatory mitigation through a mitigation bank.

CULTURAL RESOURCES:

The Corps 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 Corps 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.

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 historic properties. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the entire area within the perimeter of the proposed project's boundaries. The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. The Corps has made a preliminary determination that the proposed project would have no effect on historic properties. However, we are seeking comment from the State Historic Preservation Officer, federally-recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and the general public regarding the existence or the potential for existence of significant cultural and historic properties which may be affected by the work. This action constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the project area.

ENDANGERED SPECIES:

Pursuant to the Endangered Species Act of 1973, the Corps conducted a preliminary review of the application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants and the National Marine Fisheries Service list of Mississippi's Threatened and Endangered Species which indicate the proposed activity will have no effect on endangered or threatened species, or their critical habitat. This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for information on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

OTHER REQUIRED AUTHORIZATIONS:

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. 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 submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority).

EVALUATION:

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 utilization 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, historic

properties, fish and wildlife values, flood hazards, floodplain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill material in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

COMMENTING INFORMATION:

The Corps is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidated State Viewpoint or written position of the Governor; 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 Corps 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 (NEPA). 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 the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

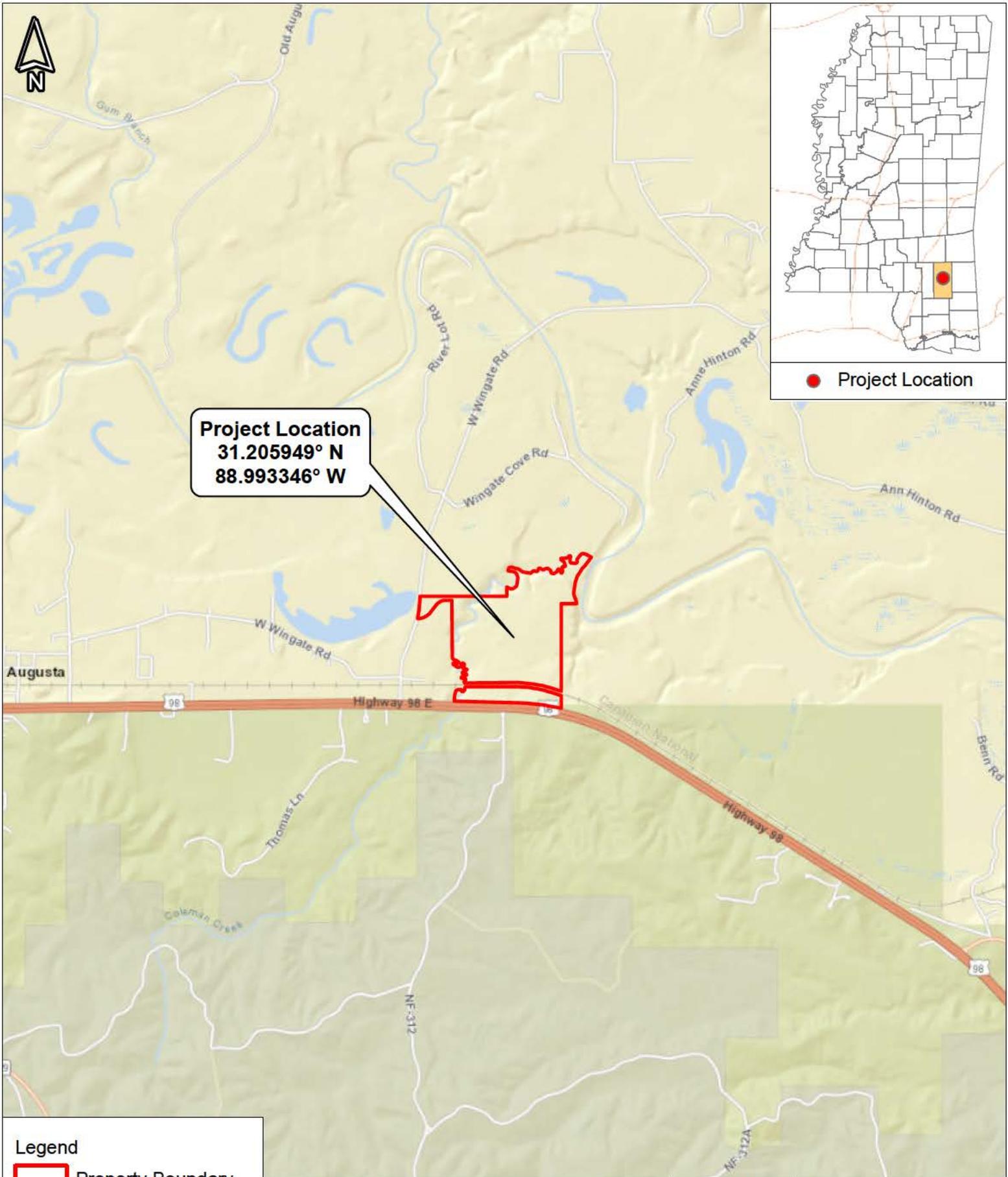
Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2021-00620-APS and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628 0001, Attention: South Mississippi Branch, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225.

The Corps will receive written comments pertinent to the proposed work, as outlined above, until 5 pm, August 14, 2022. Comments and/or any questions concerning this publication should be submitted to Mrs. Amiee P. Smith at (228) 627-8641 or via email at Amiee.P.Smith@usace.army.mil. Please refer to the above Public Notice number (i.e., SAM-2021-00620-APS).

For additional information about our Regulatory Program, please visit our website at: www.usace.army.mil and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



Project Location
 31.205949° N
 88.993346° W

● Project Location

Legend

 Property Boundary

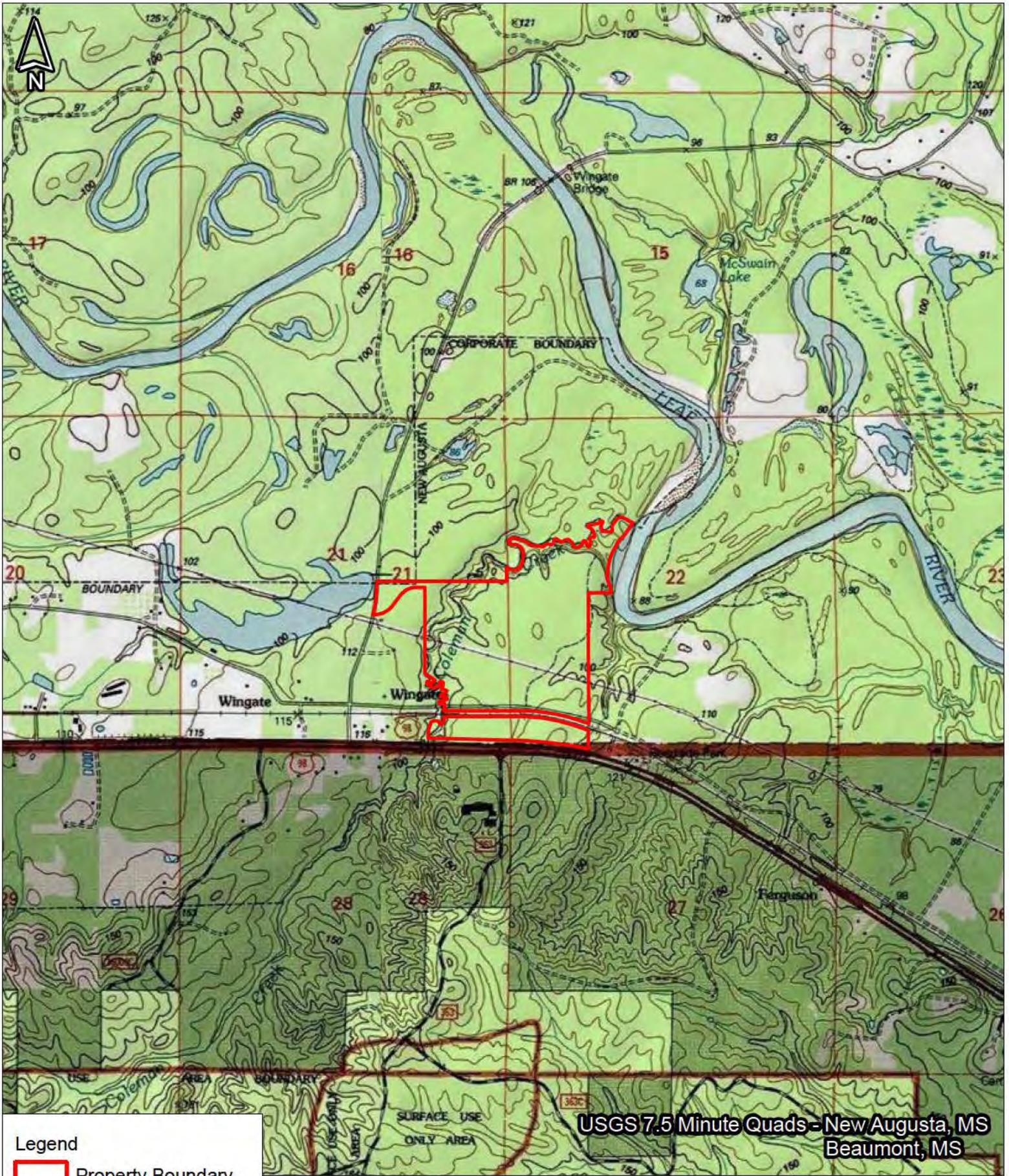


FC&E
 Engineering, LLC
 Water ■ Soils ■ Air ■ Compliance

Perry County Proposed Industrial Park
 Perry County Board of Supervisors
 Sections 21 & 22, T 3 N - R10 W
 MS Highway 98 E, Perry County, MS

0 1,500 3,000 6,000
 Feet

Figure No.	1
Figure Name	Location Map
Purpose	Section 404 Permit
Drawn By	jsmith
Date Drawn	03/14/2022



Legend
 Property Boundary

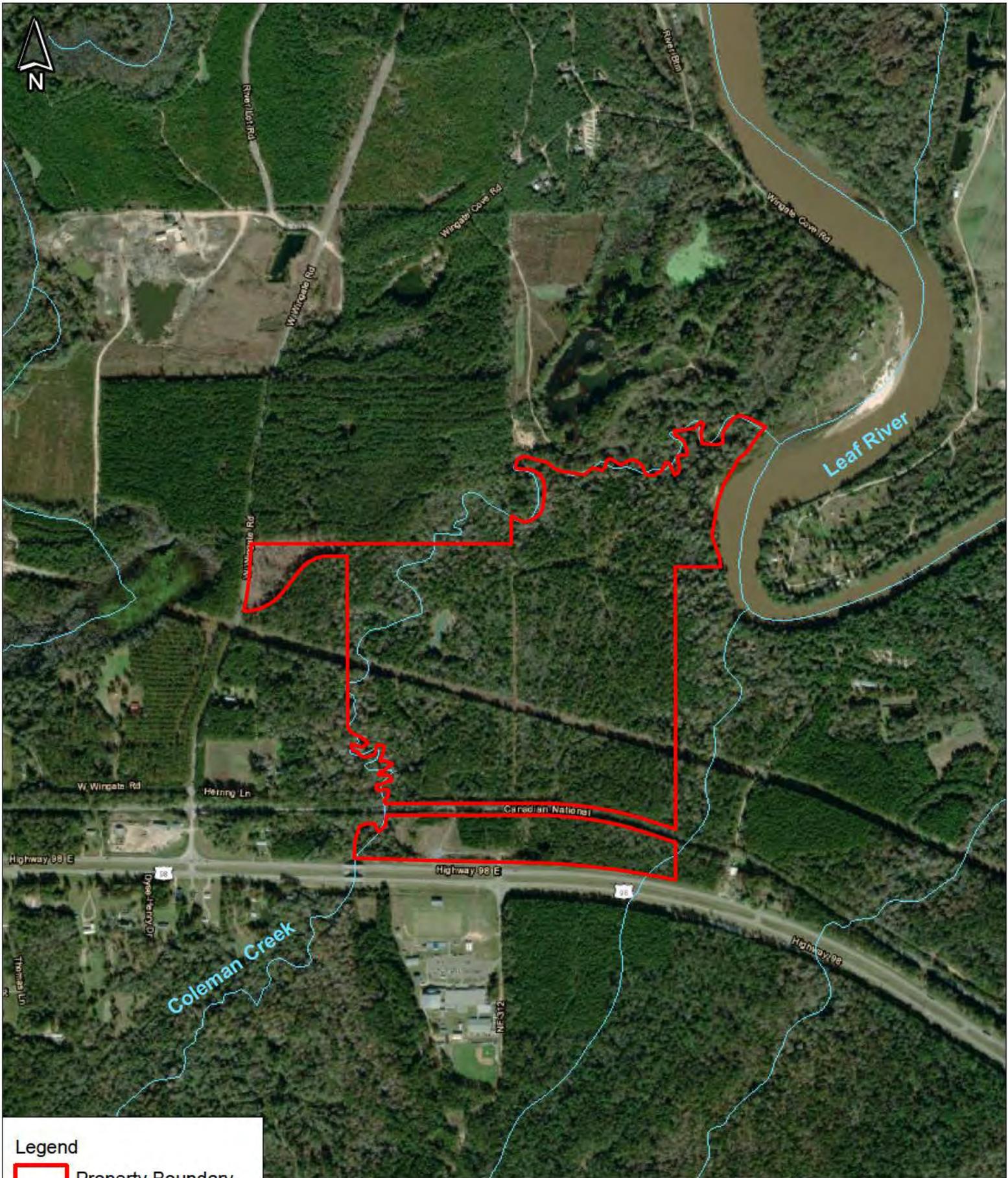


Perry County Proposed Industrial Park
 Perry County Board of Supervisors
 Sections 21 & 22, T 3 N - R10 W
 MS Highway 98 E, Perry County, MS



**USGS 7.5 Minute Quads - New Augusta, MS
 Beaumont, MS**

Figure No.	2
Figure Name	USGS Quad Map
Purpose	Section 404 Permit
Drawn By	jsmith
Date Drawn	03/14/2022



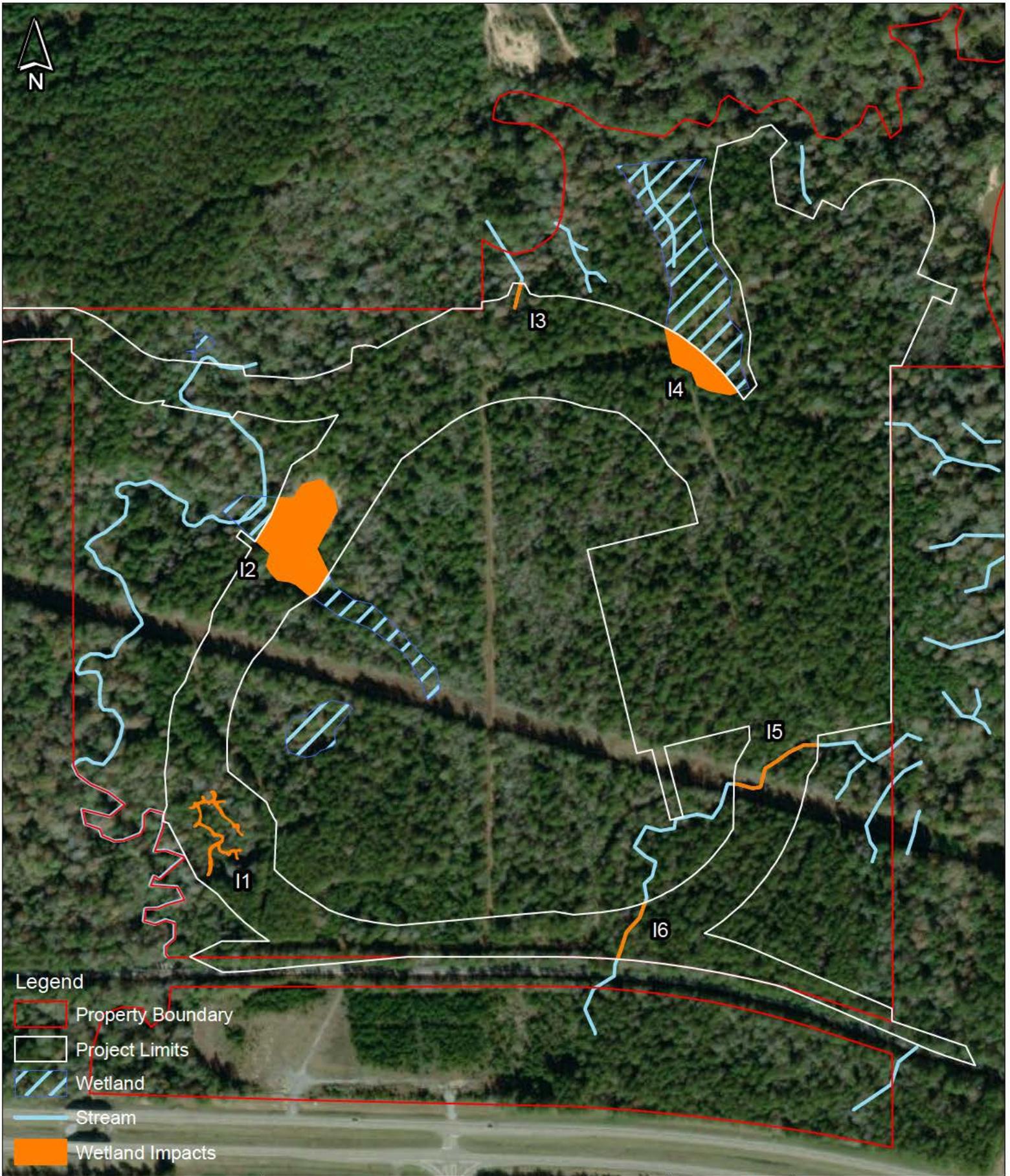
Legend
 Property Boundary



Perry County Proposed Industrial Park
 Perry County Board of Supervisors
 Sections 21 & 22, T 3 N - R10 W
 MS Highway 98 E, Perry County, MS



Figure No.	3
Figure Name	Vicinity Map
Purpose	Section 404 Permit
Drawn By	jsmith
Date Drawn	03/14/2022



Legend

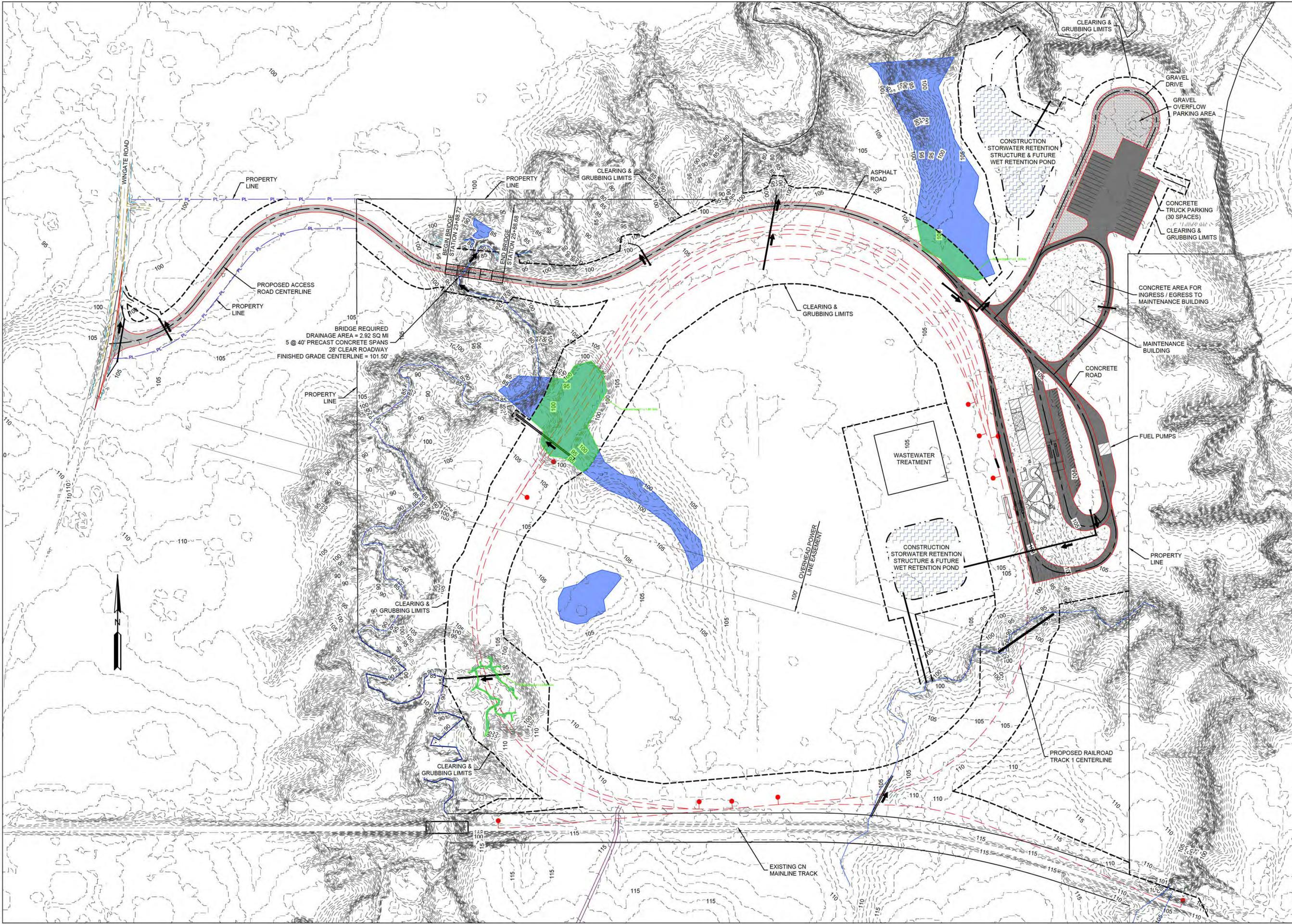
-  Property Boundary
-  Project Limits
-  Wetland
-  Stream
-  Wetland Impacts

Perry County Proposed Industrial Park
Perry County Board of Supervisors
Sections 21 & 22, T 3 N - R10 W
MS Highway 98 E, Perry County, MS



Figure No.	5
Figure Name	Impact Map
Purpose	Section 404 Permit
Drawn By	jsmith
Date Drawn	03/14/2022





SURVEYED BY
N/A

DESIGNED BY
Jason Ulmer, P.E., P.S.

DRAWN BY
Jason Ulmer, P.E., P.S.

CHECKED BY
Donald Walker, PE, PLS

**PERRY COUNTY INDUSTRIAL PARK
SITE IMPROVEMENTS PLAN
PERRY COUNTY BOARD OF SUPERVISORS
PERRY COUNTY, MS**

SCALES:
12"x18"
HORIZ.: NOT TO SCALE

24"x36"
HORIZ.: NOT TO SCALE

THE WALKER ASSOCIATES
ENGINEERS ■ PLANNERS ■ DESIGNERS

2203 Hardy Street, Hattiesburg, MS 39401 601/583-2127

DATE:
OCTOBER 2021

SERIAL NO.
162-19

SHEET NO.
1.2