



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

Applicant:  
Tommie Lee Ivy  
Lee County Board of Supervisors

Published: June 12, 2025  
Expires: July 14, 2025

**Mobile District  
Permit Application No. SAM-2025-00367-JCC**

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

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

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Tommie Lee Ivy  
Lee County Board of Supervisors  
300 West Main Street  
Tupelo, Mississippi 38804

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

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with Town Creek. The project/review area is located east of Commerce Street and west of US Highway 45, 0.5 miles north of the intersection of Commerce Street and East Main Street in Sections 20 and 32, 9 South, 6 East; at Latitude 34.264788 and Longitude -88.696881; in Tupelo, Lee County, Mississippi.

**EXISTING CONDITIONS:** The approximately 51.34-acre parcel features a mixture of undeveloped forestland and open fields. Much of the property has been historically modified and cleared and currently contains the existing Lee County Sheriff's Department and Lee County Juvenile Detention Center. Aquatic resources on site include tributaries, scrub/shrub wetlands, emergent wetlands, and forested wetlands.

## **PROJECT PURPOSE:**

**Basic:** The Corps has determined that the basic project purpose is institutional housing.

**Overall:** The Corps has determined that the overall project purpose is to increase the capacity for housing inmates in Lee County.

**PROPOSED WORK:** The applicant requests authorization to discharge fill material within waters of the US for the construction of an adult detention center and its supporting infrastructure, including access roads, parking areas, a loading/unloading zone and stormwater ponds. Approximately 2,686 cubic yards of clean earthen fill would be placed within 0.21-acre of scrub shrub wetlands, 0.19-acre of forested wetlands, 1.15 acres of emergent wetlands, and 1,102.34 linear feet (0.114-acre) of intermittent stream for the proposed building pads, parking areas and access roads. In addition, 27.17 linear feet (0.001-acre) of intermittent stream will be piped to extend an existing culvert for the construction of an access road.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant reconfigured a detention pond design in the center of the site to three smaller detention ponds around the perimeter of the building pad and moving an access road to avoid impacts. An analysis of off- and on-site alternatives was provided, and the chosen site design avoids 0.22-acre of wetlands and 12.48 linear feet of stream within the overall site footprint. The Corps has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

**COMPENSATORY MITIGATION:** The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to purchase approximately 1.08 wetland credits and 5,297.05 stream credits from the Buttahatchie River MS/Phase II prior to the discharge of fill material into waters of the United States. The Corps has not verified the adequacy of the applicant's mitigation proposal at this time.

## **CULTURAL RESOURCES:**

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full

consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Preliminary review of the USFWS IPaC indicates the following species have the potential to occur in the vicinity of the proposed project: Indiana bat, tricolored bat, alligator snapping turtle, monarch butterfly, and Price's potato-bean.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

**NAVIGATION:** The proposed structure or activity is not located in the vicinity of a federal navigation channel.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification may be required from the Mississippi Department of Environmental Quality (MDEQ). The applicant will apply 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 water quality certification will be made by the MDEQ.

**NOTE:** This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

**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 benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion

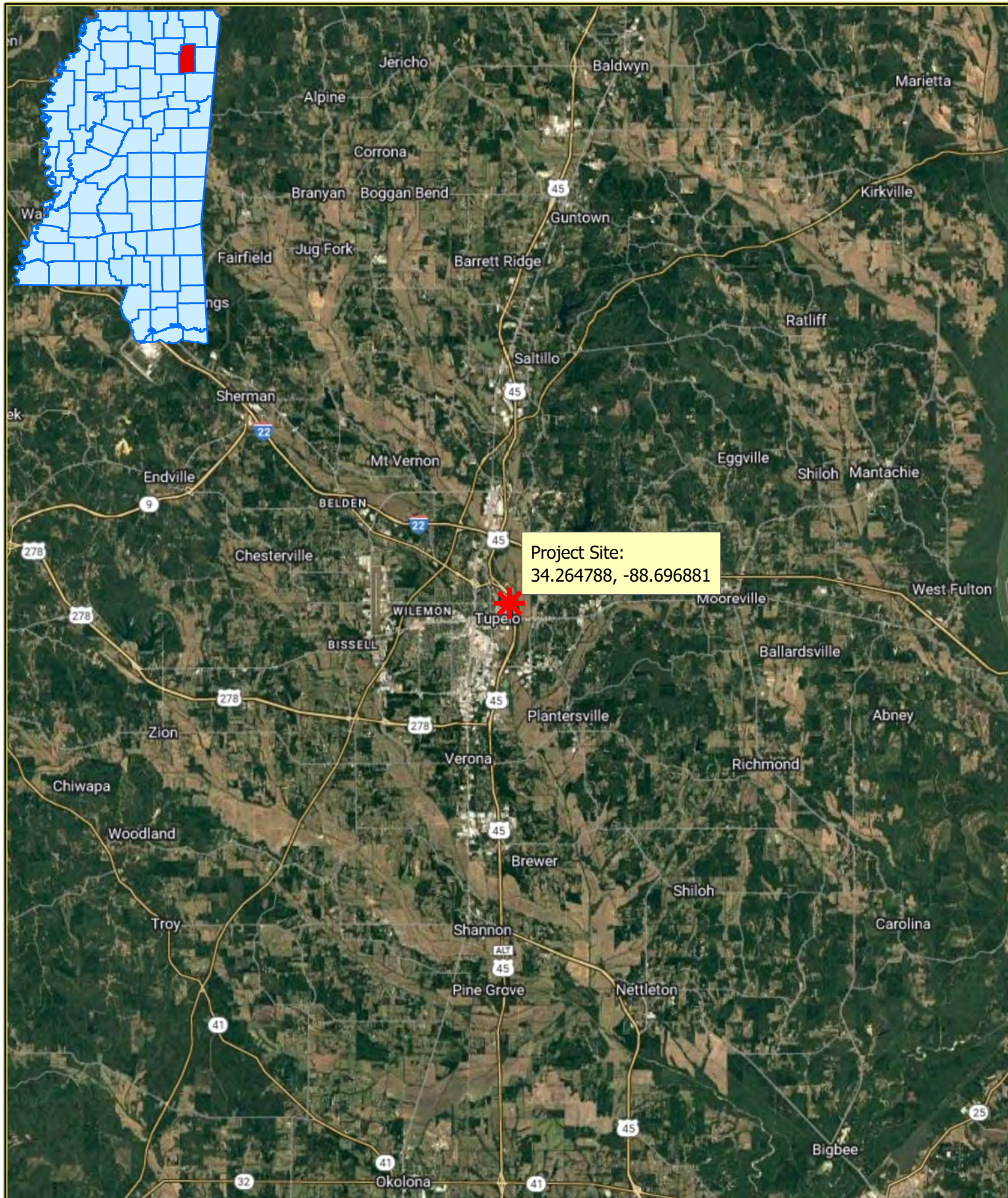
and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

**COMMENTS:** 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 determination, comments are used to assess impacts to 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 (EA) 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.

The Mobile District will receive written comments on the proposed work, as outlined above, until July 12, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Jessica Comeaux at [Jessica.C.Comeaux@usace.army.mil](mailto:Jessica.C.Comeaux@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Jessica Comeaux, Post Office Box 2288, Mobile, Alabama 36628. Copies of all comments should be furnished to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39530. Please refer to the permit application number in your comments.

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.

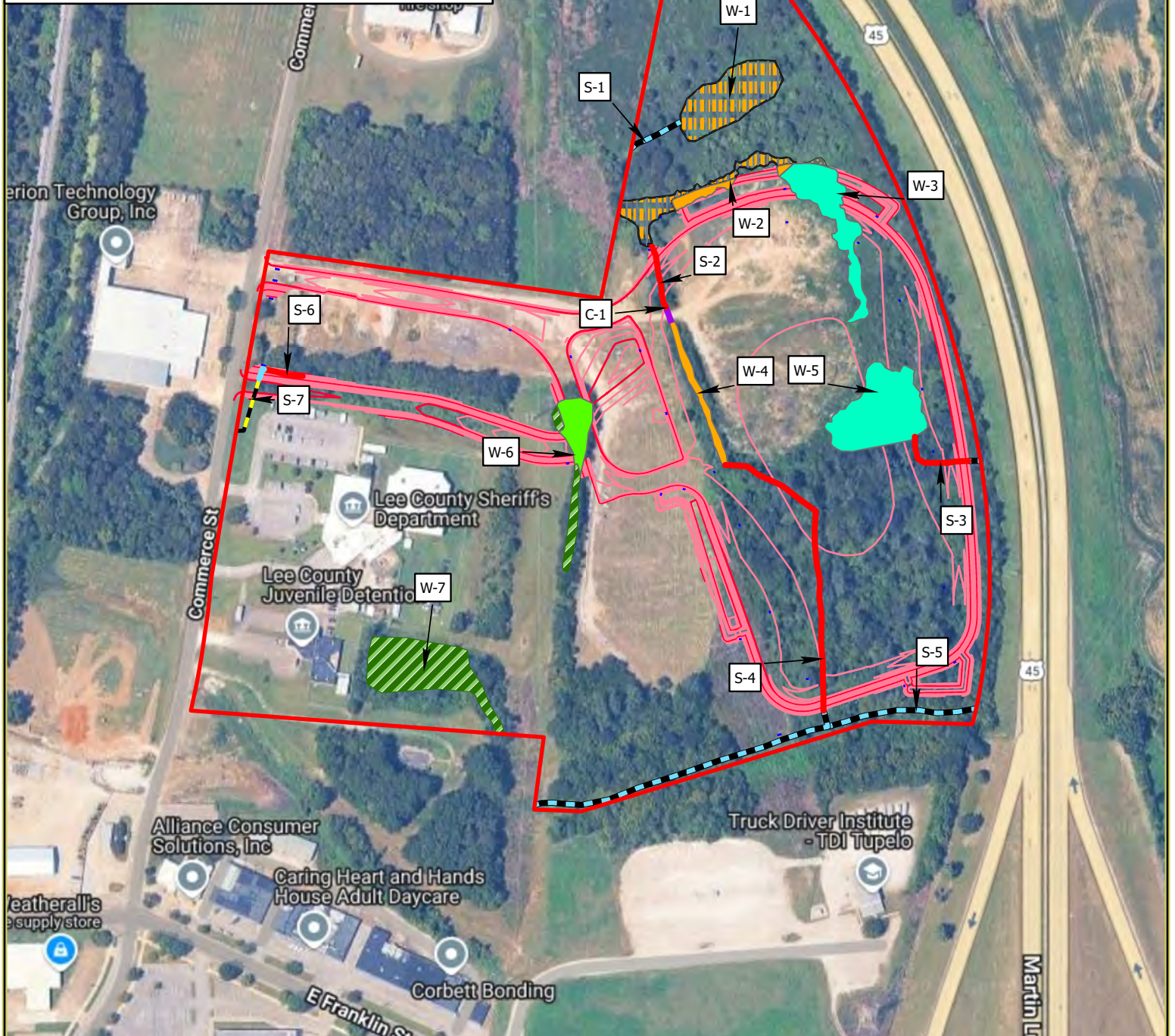




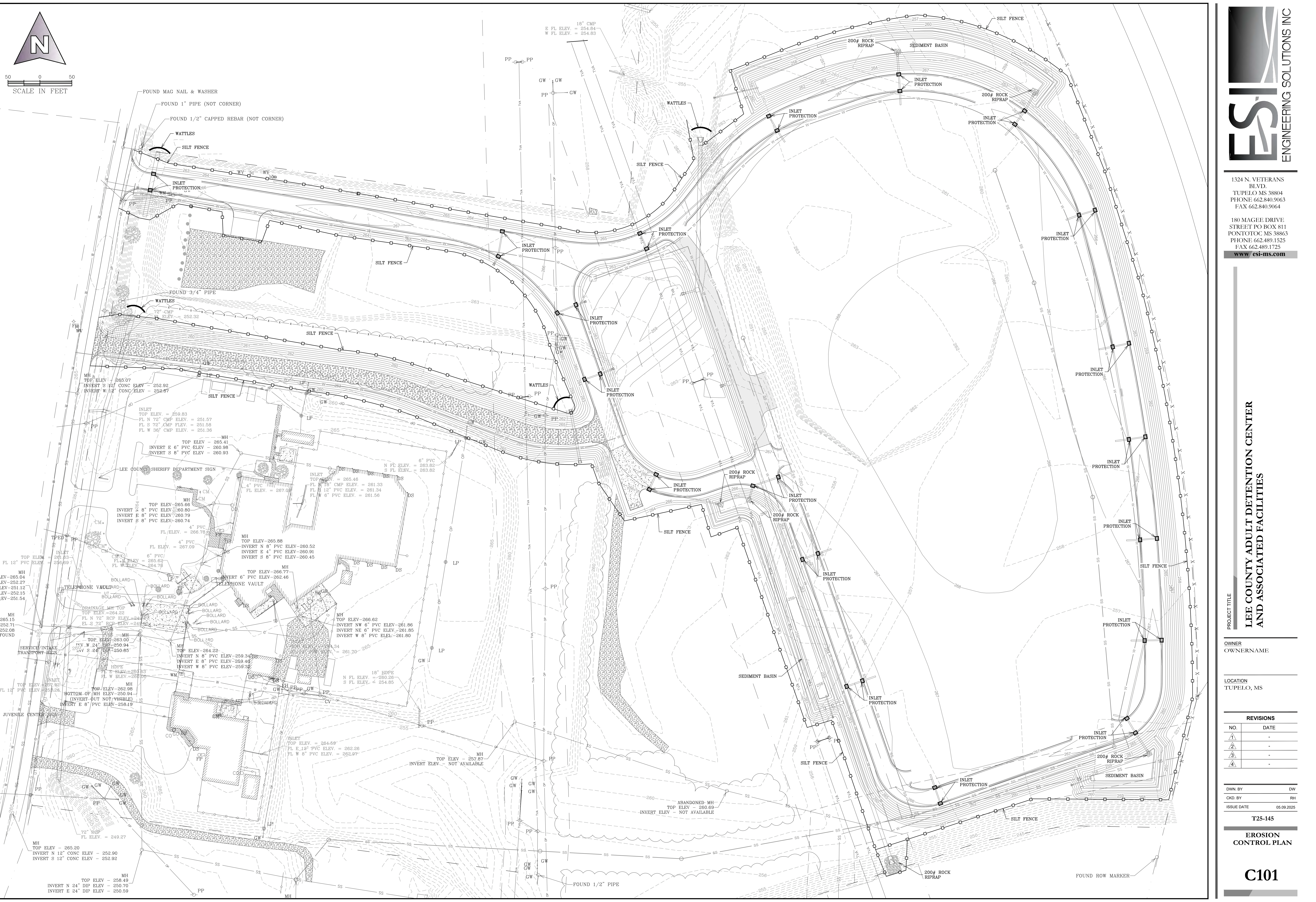


# Legend

- ▬ Project Boundary (±51.34 ac)
- ▬ Existing culvert (±31.87 lf/ 0.002 ac)
- ▬ Intermittent Tributary (±1,243.12 lf/ 0.136 ac)
- ▬ Intermittent Tributary, Existing pipe (±141.49 lf/ 0.006 ac)
- ▬ Intermittent, Fill (±1,102.34 lf/ 0.114 ac)
- ▬ Intermittent, Pipe (±27.17 lf/ 0.001ac)
- Emergent Wetland (±0.01 ac)
- Forested Wetland (±0.80 ac)
- Scrub/Shrub Wetland (±0.81 ac)
- Emergent Wetland, Fill (±1.15 ac)
- Forested Wetland, Fill (±0.19 ac)
- Scrub/Shrub Wetland, Fill (±0.21 ac)







1324 N. VETERANS BLVD.  
TUPELO MS 38804  
PHONE 662.840.9063  
FAX 662.840.9064

180 MAGEE DRIVE  
STREET PO BOX 811  
PONTOTOC MS 38863  
PHONE 662.489.1525  
FAX 662.489.1725  
[www.esi-ms.com](http://www.esi-ms.com)

PROJECT TITLE  
**LEE COUNTY ADULT DETENTION CENTER  
AND ASSOCIATED FACILITIES**

OWNER  
OWNERNAME

LOCATION  
TUPELO, MS

REVISIONS	
NO.	DATE
1	-
2	-
3	-
4	-

DWN. BY DW  
CKD. BY RH  
ISSUE DATE 05.09.2025

T25-145

EROSION  
CONTROL PLAN

C101