

Department of Engineering  
Tim Bryan, P.E., County Engineer

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**MEMORANDUM**

February 9, 2021

To: Sheila Jones, Supervisor, District I  
Trey Baxter, Supervisor, District II  
Gerald Steen, Supervisor, District III  
Karl Banks, Supervisor, District IV  
Paul Griffin, Supervisor, District V

From: Tim Bryan, P.E., PTOE  
County Engineer

Re: Batchelor Creek Maintenance Project  
Wetlands Delineation and Determination and Permitting  
Headwaters Natural Resources Consulting

The Engineering Department is requesting the Board approve the proposal for Batchelor Creek Delineation and Permitting with Headwaters Natural Resources Consulting for a fee not to exceed \$7000.00. This contract will provide the required permitting in order to remove vegetative debris between the Canton city limits and I-55 to improve the flow during storm events.

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SHEILA JONES  
District One

TREY BAXTER  
District Two

GERALD STEEN  
District Three

KARL BANKS  
District Four

PAUL GRIFFIN  
District Five



February 9, 2021

Mr. Tim Bryan, P.E., PTOE  
County Engineer  
Madison County Board of Supervisors  
Engineering Department  
3137 South Liberty Street  
Canton, MS 39046

**RE: Batchelor Creek Maintenance Project  
Approximately 1.9 miles  
Between Canton City Limits and I-55  
Madison County, Mississippi  
Wetlands Delineation and Determination and Permitting**

Dear Mr. Bryan:

We have reviewed the information for the proposed maintenance of Batchelor Creek located between the Canton city limits and I-55 in Madison County, Mississippi. It is our understanding that the county would like to remove vegetative debris from the creek to improve the flow during storm events. Some clearing along the top bank of the creek would be required. Please review the following scope of work and budget estimate for the completion of a Wetlands Delineation and Assessment Report along with the associated USACE documentation for Permit authorization.

**Scope:**

**Wetland and Other Waters Delineation and NWP 3**

Prior to any permitting aspect of the project, we would propose to complete a field assessment of the subject property to conduct a wetland and other waters assessment as well as to review the drainage patterns of the property. The purpose of this assessment will be to determine if the property contains wetlands and/or other waters of the U.S. that would be considered regulated within the purview of the U.S. Army Corps of Engineers, Vicksburg District's (USACE) current regulatory framework. This assessment will determine the location, extent, and type of jurisdictional waters present on the property, if any. In addition, we will review the drainage patterns and provide recommendations that may assist with the overall project goals. Once this is established, we would submit a preliminary map to you for review and coordinate our findings with the project team.

Prior to submitting any documentation to the USACE, we would first submit our initial findings to you for review and approval as well as to discuss any potential permit/mitigation requirements that may be needed prior to beginning work. The delineation assessment would provide a baseline document that would be used to determine what, if any, potential permitting, and mitigation requirements would be.

We intend to complete the necessary documentation needed to obtain the permit documentation from the USACE immediately, if a permit is required. Based on the information provided, we believe the project can be authorized by the USACE under Nationwide Permit 3 (NWP 3). Per the USACE regulations, NWP 3(c) does not require that Applicants notify the USACE prior to beginning any work. We are proposing

to coordinate with the USACE to obtain concurrence for the utilization of NWP 3 for the project. We propose to complete the scope of work on an hourly basis for a not-to-exceed amount of \$7,000.00.

Please note that if the project does not qualify for a Nationwide Permit and an Individual Permit is needed, this budget and scope would be voided. We would provide a separate budget and scope of work at that time, if needed.

This cost does not include any wetland or stream mitigation costs that may be associated with the construction of the project. At this time, we cannot provide an estimated mitigation cost. Our goal is to obtain the permit authorization from the USACE, if a permit is needed, and not have any mitigation cost.

If mitigation is required, we would work with you and the County to minimize the cost as much as possible. If compensatory mitigation is required, the purchase of stream credits would be a transaction between the County and the mitigation bank. Headwaters neither owns nor brokers mitigation credits.

We appreciate the opportunity to assist you with the project. If you have any questions or need any additional information, please do not hesitate to contact us. If the scope and budget herein is acceptable, please sign and return a copy for our files.

Sincerely,



Lang Kirkwood  
Headwaters Inc.

Accepted By: \_\_\_\_\_

Print Name & Title: \_\_\_\_\_

Date: \_\_\_\_\_