



September 26, 2014

Mr. Scott Weeks
Zoning Administrator
Madison County Planning and Development
125 West North Street
Canton, MS 39046

**RE: Crosstown Farms, LLC
Proposed MS Highway 22 Mining Pit
Madison County, Mississippi
Application for Special Exemption, Surface Mining**

Dear Mr. Weeks:

Headwaters, Inc. has been retained by Crosstown Farms, LLC to serve as agent on his behalf in all matters related to the above referenced proposed MS Highway 22 Mining Pit site located in Madison County, Mississippi. As per our conversations, we have prepared the appropriate Application for Special Exception, Surface Mining permit application for the proposal to excavate an approximate 46.57 acre area within the western portion of the subject property.

Please accept the attached Application for Special Exemption, Surface Mining permit application on behalf of Crosstown Farms, LLC. As always, we appreciate your assistance in this matter. If you have any questions or need any additional information, please do not hesitate to contact us.

Sincerely,

J. Clay Cromwell
Vice President

JCC\
Attachments
CC: Mr. Todd Sandridge

APPLICATION FOR SPECIAL EXCEPTION
Surface Mining-

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| Applicant CROSSTOWN FARMS, LLC P.O. BOX 2756 MADISON, MS 39130 | Street Address of Property (if different address): KNOWLES ROAD (PVT.) + MS HIGHWAY 22 |
|--|--|

| APPLICATION DATE | Present Zoning of Property | Legal Description of Property: | TAX PARCEL NUMBER | FLOOD ZONE | MAP/PLAT OF PROPERTY |
|------------------|----------------------------|--------------------------------|-------------------|--------------|----------------------|
| 10/03/2014 | A-1 | SEE ATTACHED | SEE ATTACHED | SEE ATTACHED | SEE ATTACHED |

Other Comments: As per Section 2605 of the Madison County Zoning Ordinance.

Respectfully Submitted
J. Clay Cromwell (agent)
Headwaters, Inc.

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Petition submitted to Madison County Planning and Development Commission on _____

Recommendation of Madison County Planning and Development Commission on Petition _____

Public Hearing date as established by the Madison County Board of Supervisors _____

Final disposition of Petition _____

Surface Mining Application

1. Copy of deed (proof of ownership)

A copy of the Warranty Deed is attached for your use and reference.

2. Legal description in word format on cd or floppy disc

Please see the attached cd for your use and reference.

3. Hours of operation and life of operation

It is proposed to complete all mining operations and hauling of mined materials between the hours of 8:00am to 3:30pm Monday through Friday. The hours of operation will be limited to daytime only and generally during the middle of the day to avoid periods of high traffic (morning and evening commuters). It is proposed to utilize the mining site for a period of 1.5 - 2 years depending on market availability.

4. Proposed haul route

The proposed borrow site is located along the north side of MS Highway 22, west of U.S. Interstate 55 within Madison County, Mississippi. The project site is also generally located near Knowles Road (Private) within a forested habitat. The proposed haul route would consist of improvements to an existing interior woods access road that is currently utilized to access the subject property. The proposed haul road would provide access from the mining site south to MS Highway 22 where trucks would begin their route west and east along MS Highway 22. As previously mentioned, U.S. Interstate 55 is located east of the subject property. Haul routes would be expected to travel east along MS Highway 22 towards U.S. Interstate 55 and the commercial developments ongoing in the area.

5. Proposal to minimize road damage

An approximate 30' wide existing access road would be improved and utilized as a part of the planned project. The access road currently extends from MS Highway 22 north to the planned mining site. The improved access road would grant access to MS Highway 22 for the hauling of mined material. The proposed haul road improvements would be constructed of clean, free of contaminants, silty clay loam fill material excavated from the mining site. Adjacent to MS Highway 22 it is specifically proposed to utilize the existing drainage culvert within the

existing road side drainage feature to maintain current storm water drainage along the north boundary of MS Highway 22. To reduce the transport of dirt material onto MS Highway 22, it is also proposed to place 1.5-3.5" rock aggregate at the entrance, a minimum of 6" thick and approximately 50' long extending north from MS Highway 22. The aggregate material is intended to minimize the transport of dirt and other materials onto the highway. As applicable, MS Highway 22 will be swept or cleaned to prevent potential damage to vehicles traveling the highway.

6. Traffic safety plan

The proposed project would include the mining of material within the limits of the planned mining site within the Crosstown Farms, LLC Property. The material excavated from within the proposed mining site will be sold and hauled to other properties in the vicinity. The hours of operation would be limited to 8:00am to 3:30pm restricting hauling activities to daytime only and not during peak traffic times. Hauling of excavated material would be generally limited to the central portion of the day avoiding the congestion of morning and evening commuters.

Type III barricades shall be placed at entrance when construction crews are not working. Further, yellow caution signs referencing "Trucks Entering Highway" shall be placed east and west of the proposed access road along MS Highway 22. Other safety precautions can be provided as required by Madison County or the Mississippi Department of Transportation (MDOT).

7. Proof of application with MDEQ

The Mississippi Department of Environmental Quality (MDEQ), Office of Geology requires that a Surface Mining Permit Application be completed for mining activities that are greater than four (4) acres in size. As required, a complete copy of the MDEQ Surface Mining Permit Application form has been completed and submitted to Mr. Ron Porter, Office of Geology, Mining and Reclamation Division, MDEQ. MDEQ received the mining application on September 18, 2014. It is currently on Public Notice until October 09, 2014.

For mining activities of this size, the MDEQ, Office of Pollution Control requires applicants to complete a Mining Notice of Intent (MNOI) and a Storm Water Pollution, Prevention Plan (SWPPP). As required, the MNOI and SWPPP will be maintained at the permitted site or locally available in case site review is necessary. As required, a MNOI and SWPPP specific to

the project site has been prepared and submitted to MDEQ. The MNOI has been received by MDEQ and they have issued permit number MSR322438 for the storm water discharges associated with the proposed MS Highway 22 Dirt Pit mining activities.

8. Reclamation plan

Once the mining activities are completed in late 2016, it is the intention of Crosstown Farms, LLC to develop an open water lake and a grass cover field habitat as part of the mining reclamation plan. The open water lake, which will be constructed within the eastern portion of the mining area, will be managed for fisheries and recreational purposes. The lake reclamation site will be approximately 20 acres in size and will be designed to maintain adequate water depths, ranging from 12 - 18 feet, to support fisheries throughout the year. The banks of the lake site shall be graded, seeded and stabilized with warm/cool season grasses (depending on season) and maintained as a part of the mining reclamation plan. The western portion of the mining area reclamation plan includes the establishment of an open field, grass cover habitat. Approximately eight (8) feet of the soil within this portion of the mining area will be excavated during the mining activities. The reclamation plan will include the re-distribution of the top soil onto the excavated area to create a smooth, even slope, which will drain to the east towards the proposed open water feature. Once the top-soil is applied, a warm/cool season grass seed mixture (depending on the season) will be established within this area and will be maintained as an open field habitat. Regular mowing or clipping activities would be utilized for maintenance within this open field habitat once the grass is established. As previously mentioned, an existing access road will be improved and extended to be utilized as a haul and mining area access road during the mining activities. Upon the completion of the excavation activities, the access road will remain in place to provide access to the subject property.

9. Erosion control plan

The use of Best Management Practices (BMP's) shall be used through the completion of the project. BMP's shall be used to maintain all sediments within the limits of the site and prevent the transport of sediment off site or downstream from the project site. Storm water is expected to flow generally as sheet flow and via secondary drainage features across the property to the east towards Panther Creek. The primary receiving water for the subject property is considered Panther Creek, flowing north to

south east of the planned mining site. The proposed mining activities are not intended to directly impact Panther Creek or its adjacent tributaries.

The most significant potential pollutants are soil particulars subject to removal by storm water. Other potential pollutants subjects to removal by storm water are spilled fuel and lubricants. Material may also be inadvertently tracked off-site or blown off-site when distributed by hauling equipment. To this end, one (1) construction ingress and egress location shall be appropriate rocked to minimize and eliminate soil movement onto MS Highway 22 via trucks and equipment. The storm water which leaves the site shall meet the non-numeric limitations of being free from oil, scum, debris and other floating materials; eroded soils and other materials that will settle out of the storm water to form objectionable deposits in receiving waters; suspended solids, turbidity and color levels inconsistent with the receiving waters; chemicals in concentrations that would cause violations of the State Water Quality Criteria in the receiving waters.

Within the project area, storm water flows will generally be to the east across the site towards Panther Creek, located to the east of the mining area. Construction activities will include an interior hauling access road to the mining area providing access into and out of the mining site. Construction activities will the excavation of soil material from the mining area footprint, and then grading activities for the proposed lake and grass cover habitat will occur on the site. Within the project area, storm water flows will generally be to the east across the natural sloping topography. Construction activities will include the construction of one (1) haul road and the excavation of an approximate 46.57 acre mining site. Temporary controls such as hay bales or hay waddles will be placed adjacent to MS Highway 22 on either side of the access road within the road side drainage features. Silt fencing, hay bales, rock check dams, or a combination of these shall be installed along either side of the haul road within the roadside drainage features to prevent sediment from flowing down gradient towards the natural topographic depression within the central portion of the haul road. The haul road will also contain a gravel construction entrance to prevent tracking construction sediment and debris onto the highway. Also, a silt fence will encompass the north and west sides of the top soil stockpile area to prevent storm water from carrying sediment from this stockpile away from the project site. It is also recommended to apply a grass seed mixture to the stockpile once all the top soil has been stripped from the site. This will stabilize the slopes of the stockpile and eliminate the potential for erosion and sediment runoff. Another segment of silt fence will be implemented adjacent to the east

boundary limits of the proposed mining area. This layer of silt fence will prevent sediment from within the mining area from being carried off-site to the east towards Panther Creek, which is primary receiving water from this proposed mining project. Appropriate BMP controls shall be implemented and maintained as applicable to prevent soil movement into the receiving stream. The proposed plan will reduce and filter soil movement within the limits of the project area.

Upon the completion of the project, all exposed soils shall be established with native warm/cool season (depending on season) grasses for site stabilization.

10. Proposal to submit road damage bond if local streets/roads are part of haul route

As applicable, Crosstown Farms, LLC is willing to provide a road damage bond to correct deficiencies that were directly caused by the hauling of excavated materials from the proposed mining site.

11. United States Corps of Engineers (USACE) – Section 404 Consultation

Headwaters, Inc. has been retained by Crosstown Farms, LLC to complete a wetland assessment on the above referenced proposed MS Highway 22 property located within Madison County, Mississippi. Headwaters completed a site review and assessment including a wetlands assessment of the subject property on July 16, 2014.

Crosstown Farms, LLC owns a larger parcel of land extending primarily further to the east. The completion of the wetland assessment allowed us to utilize the subject property for mining purposes while avoiding and minimizing impacts to wetlands and “other waters.”. Given this, the planned 46.57 acre mining site was positioned within an upland habitat confined to the central and western portion of the Crosstown Farm, LLC land ownership. Given that adverse impacts to wetlands and/or “other waters” are not anticipated as a part of the planned project, a USACE Section 404 wetlands permit is not required for the completion of the planned project.

A complete copy of the wetland assessment is included within this submittal for your use and review.

12. Site plans

- a. U.S.G.S. Canton, Mississippi Quadrangle General Location Map

- b. U.S.G.S. Canton, Mississippi Quadrangle Site Map
- c. ESRI World Imagery color photograph
- d. Warranty Deed
- e. Fema Flood Map
- f. Survey Plat Map
- g. Site Plan
- h. Yearly Mining Plan
- i. Yearly Reclamation Plan
- j. Lake Reclamation Cross Sections
- k. Grass Area Reclamation Cross Sections
- l. Post Mining Reclamation Map
- m. Pit Corner GPS Location Map
- n. MDEQ Mining Public Notice & Surface Mining Permit Application
- o. USACE Section 404 Wetlands Assessment



