



REPLY TO
ATTENTION OF:

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

December 12, 2023

South Mississippi Branch
Regulatory Division

SUBJECT: Department of the Army File Number SAM-2022-0489-CSP, Greene County Board of Supervisors, Greene County Rail Site, MS

Green County Board of Supervisors
Attention: [REDACTED]
Economic Development Director
[REDACTED]
[REDACTED]

Transmitted electronically to [REDACTED]

Dear [REDACTED]

This is in response to your request, submitted on your behalf by your agent FC&E Engineering, LLC for a Department of the Army (DA) Approved Jurisdictional Determination (AJD) on a 420-acre parcel along MS HWY 57 near McClain, Greene County, Mississippi. More specifically, the site is located within Section 16, Township 1N, Range 8W; Latitude 31.048299 N and Longitude -88.795947 W; HUC-03170005 – Lower Leaf.

Based on our review of the information and wetland determination data forms your agent furnished and other desktop information available to our office, we have completed an AJD for the site. Attached is an AJD Memorandum for Record (MFR) that describes the features identified on the site that are and are not subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE). Please be advised that this determination reflects current policy and regulation.

The features identified as S-1, S-2, S-3, S-4, S-5, S-6, S-7, S-8, S-9, S-11, S-12, W-1, W-2, W-3, W-6, W-7, W-8, W-11, W-12, W-13, W-14, W-15, W-16, W-20, W-21, W-22, W-25, and W-26, as depicted on the attached "Wetland Delineation Map", are waters of the United States and therefore are subject to DA jurisdiction. The features identified as S-s/e, S-10, W-4, W-5, W-9, W-10, W-17, W-18, W-19, W-23, W-24, and W-27, as depicted on the attached "Wetland Delineation Map", are not waters of the United States and therefore are not subject to DA jurisdiction. The attached AJD MFR further describes these areas. Please be advised that this AJD MFR is based on current policy and regulation and is valid for a period of five (5) years from the date of this letter. If after the 5-year period this jurisdictional determination has not been

specifically revalidated by the USACE, it shall automatically expire. If the information you have submitted, and on which the USACE has based its determination is later found to be in error, this decision may be revoked.

Your delineation site was reviewed pursuant to Section 404 of the Clean Water Act. Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including streams and wetlands, prior to conducting the work (33 U.S.C. 1344). For regulatory purposes, the USACE defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Please be advised that land clearing operations involving removal of vegetation with mechanized equipment such as front-end loaders, backhoes, or bulldozers with sheer blades, rakes, or discs; windrowing vegetation; land leveling; or other soil disturbance in areas subject to USACE jurisdiction are considered a discharge of dredged and/or fill material under our permitting jurisdiction. If future work proposed at this site includes a discharge or placement of dredged and/or fill material into waters of the U.S., a DA permit is required prior to initiating work.

This letter contains an AJD MFR. If you object to this determination, you may request an administrative appeal under USACE regulations at 33 CFR Part 331. Attached you will find a Notification of Administrative Appeal (NAP) Options and Process and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA for to the USACE, South Atlantic Division Office at the following mailing address and e-mail address: Krista Sabin, Acting Regulatory Review Officer, 60 Forsyth Street Southwest, Floor M9, Atlanta, Georgia 30303; Krista.D.Sabin@usace.army.mil.

In order for an RFA to be accepted, the USACE must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

The statements contained herein do not convey any property rights, or any exclusive privileges and do not authorize any injury to property, nor shall it be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations that may affect proposed work at this site.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of an NRCS Certified Wetland Determination with the local USDA service center, prior to starting work.

If you intend to sell property that is part of a project that requires DA authorization, it may be subject to the Interstate Land Sales Full Disclosure Act. The Property Report, required by Housing and Urban Development Regulation, must state whether or not a permit for the development has been applied for, issued, or denied by the USACE (Part 320.3(h) of Title 33 of the Code of Federal Regulations).

An electronic copy of this letter with attachments is being provided to your agent, [REDACTED] with FC&E Engineering, LLC at [REDACTED] and [REDACTED] with FC&E Engineering, LLC at [REDACTED].

We appreciate your cooperation with the Corps of Engineers' Regulatory Program. Please refer to file number **SAM-2022-0489-CSP** in all future correspondence regarding this project or if you have any questions concerning this determination.

Please contact me by telephone at (251) 455-8627 or by e-mail at christopher.s.pickering@usace.army.mil should you have any questions. For additional information about our Regulatory Program, visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>. Please take a moment to complete our customer satisfaction survey located under the menu header on the right side of the webpage. Your responses are appreciated and will allow us to improve our services.

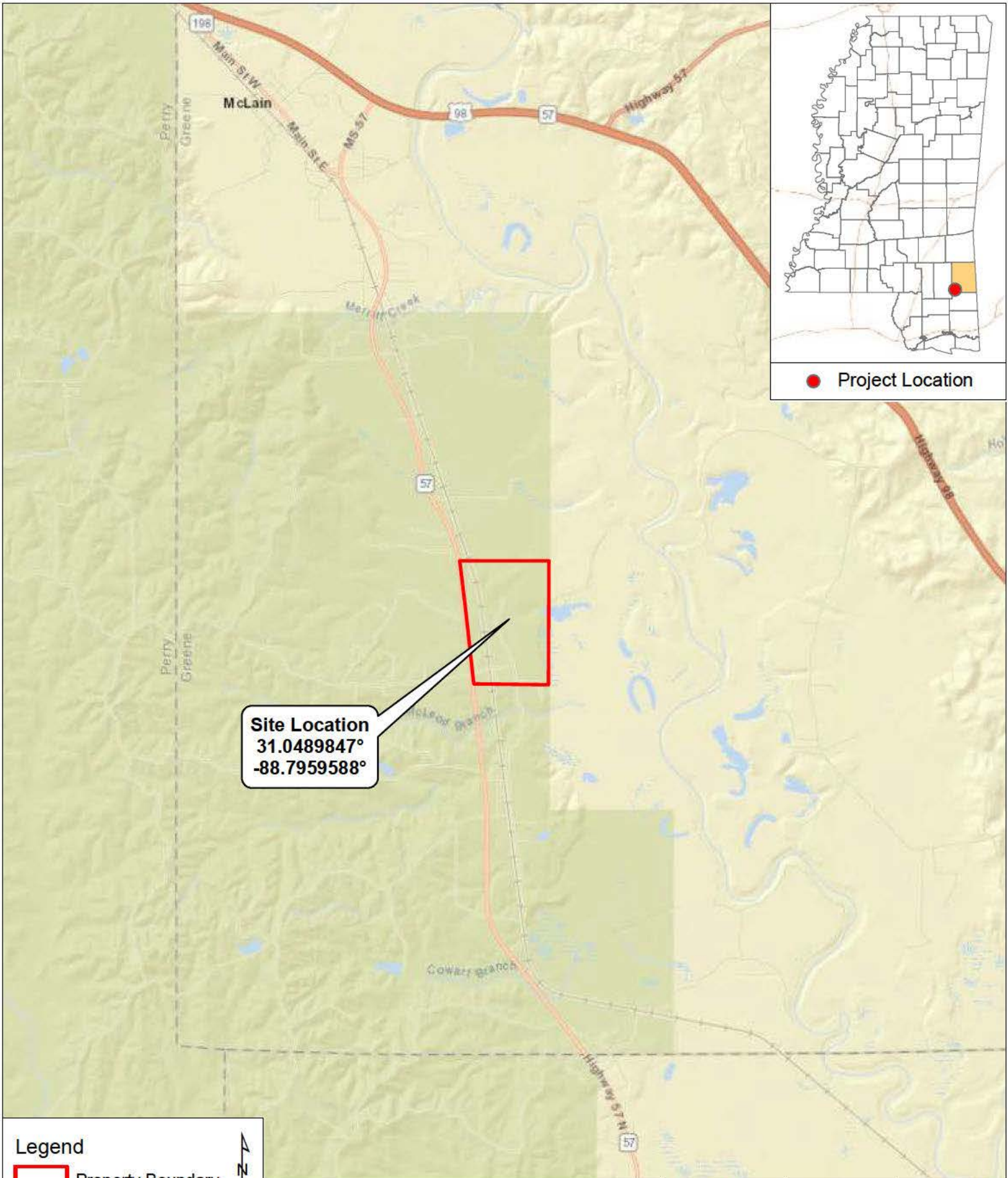
Sincerely,

Christopher
S Pickering

Digitally signed by
Christopher S
Pickering
Date: 2023.12.12
15:16:38 -06'00'

Christopher S. Pickering
Project Manager
South Mississippi Branch
Regulatory Division

Attachments



Site Location
 31.0489847°
 -88.7959588°

● Project Location

Legend

 Property Boundary



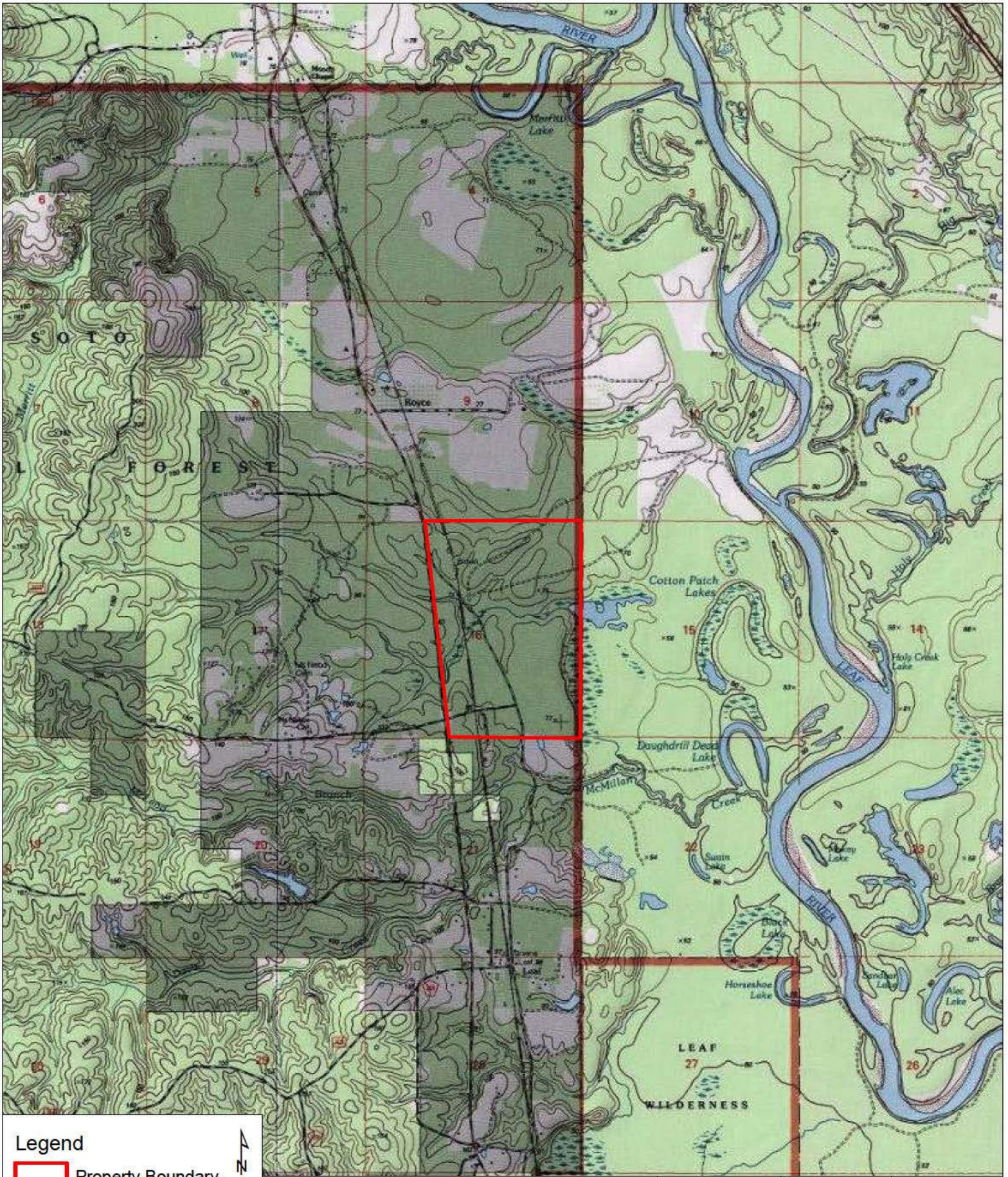


Water ■ Soils ■ Air ■ Compliance

Greene County Economic Development
 Greene County Rail Site
 MS Highway 57, McLain, MS

0 0.5 1 2 Miles

Figure No.	1	Project 1880
Figure Name	Location Map	
Purpose	Wetland Delineation	
Drawn By	[REDACTED]	
Date Drawn	04/27/2022	



Legend

 Property Boundary

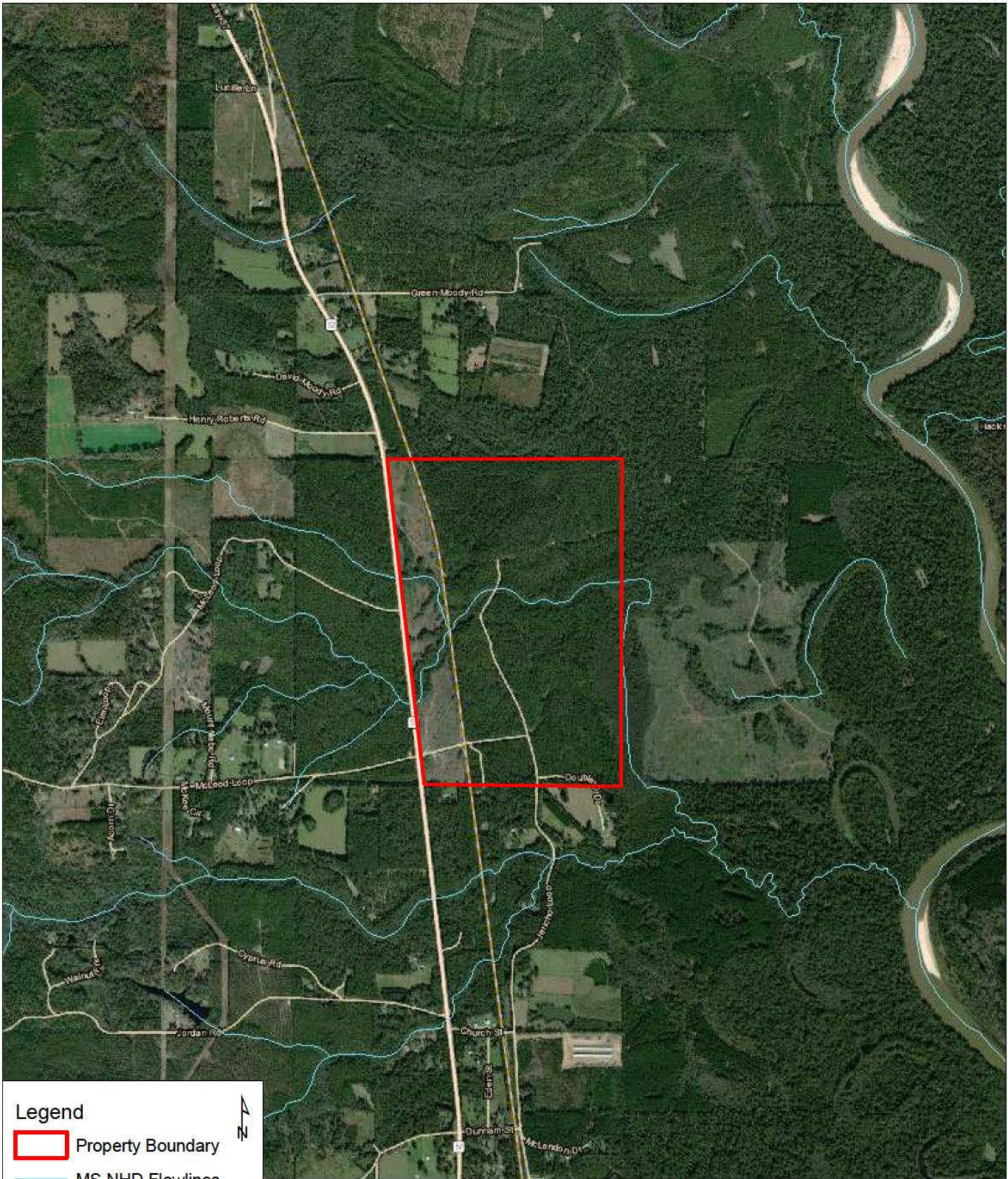


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Greene County Economic Development
Greene County Rail Site
MS Highway 57, McLain, MS

0 1,500 3,000 6,000
Feet

Figure No.	2	Project 1880
Figure Name	Quad Map	
Purpose	Wetland Delineation	
Drawn By	[REDACTED]	
Date Drawn	04/27/2022	



Legend

- Property Boundary
- MS NHD Flowlines

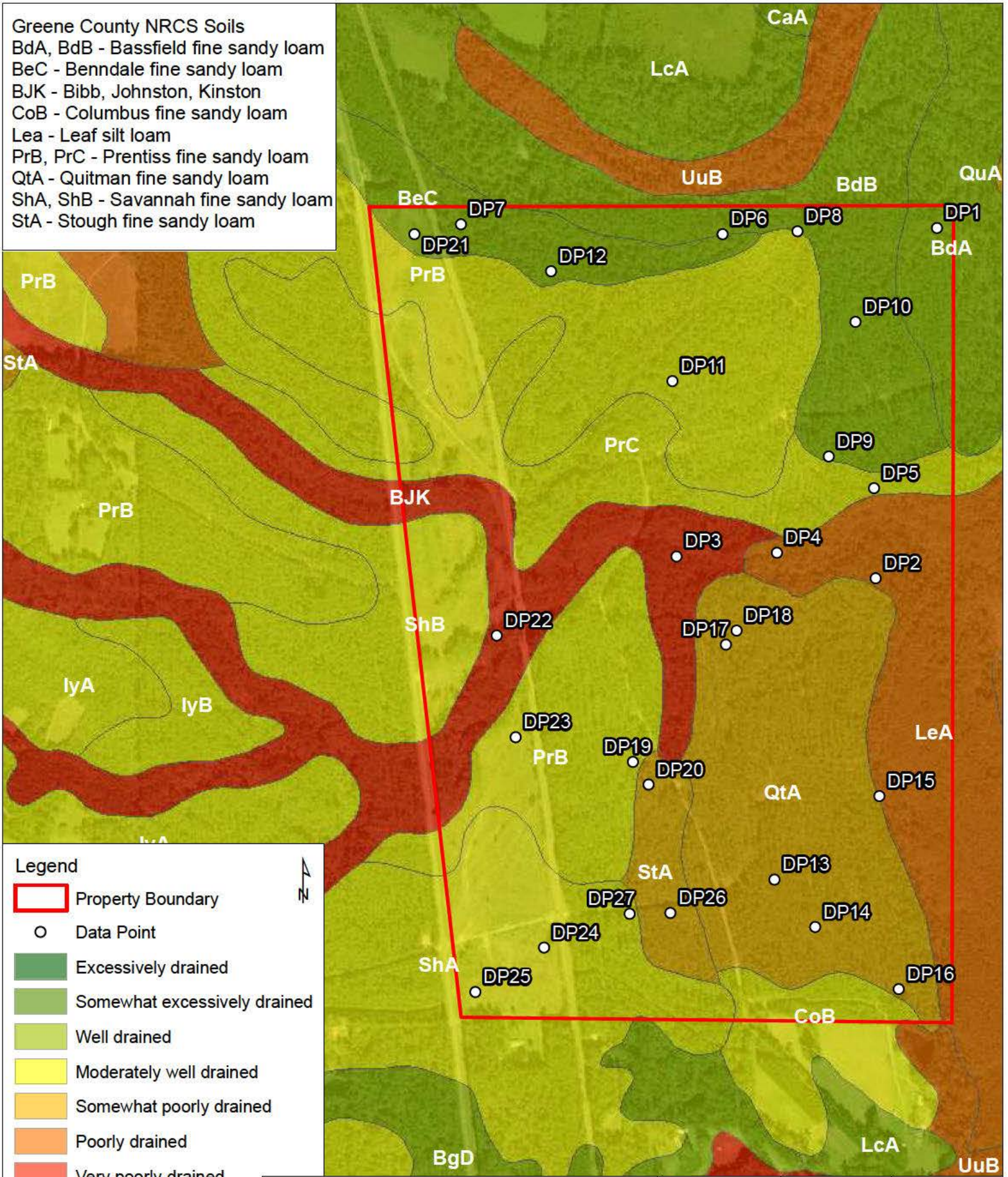
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Greene County Economic Development
 Greene County Rail Site
 MS Highway 57, McLain, MS

0 1,000 2,000 4,000
 Feet

Figure No.	3	Project 1880
Figure Name	Vicinity Map	
Purpose	Wetland Delineation	
Drawn By	[REDACTED]	
Date Drawn	04/27/2022	

Greene County NRCS Soils
 BdA, BdB - Bassfield fine sandy loam
 BeC - Benndale fine sandy loam
 BJK - Bibb, Johnston, Kinston
 CoB - Columbus fine sandy loam
 Lea - Leaf silt loam
 PrB, PrC - Prentiss fine sandy loam
 QtA - Quitman fine sandy loam
 ShA, ShB - Savannah fine sandy loam
 StA - Stough fine sandy loam



Legend

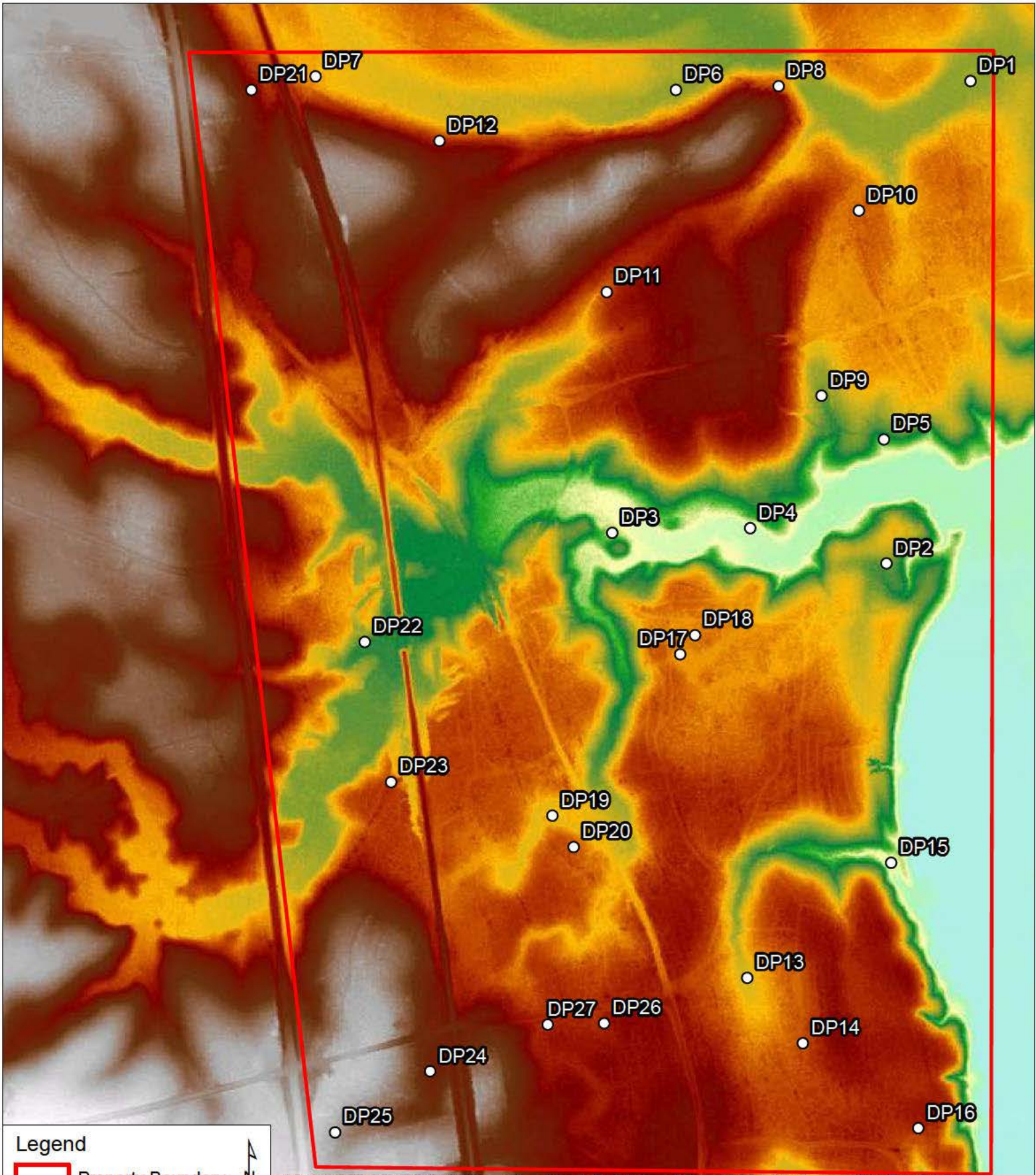
- Property Boundary
- Data Point
- Excessively drained
- Somewhat excessively drained
- Well drained
- Moderately well drained
- Somewhat poorly drained
- Poorly drained
- Very poorly drained

Greene County Economic Development
 Greene County Rail Site
 MS Highway 57, McLain, MS



Figure No.	4	Project 1880
Figure Name	Soil Map	
Purpose	Wetland Delineation	
Drawn By	[REDACTED]	
Date Drawn	04/27/2022	





Note: LIDAR Digital Elevation Model obtained from MARIS Camp Shelby 2016.

Legend

- Property Boundary
- Data Point



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Greene County Rail Site
MS Highway 57, McLain, MS

0 300 600 1,200
Feet

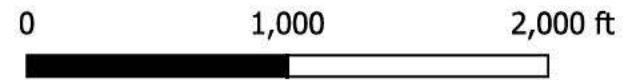
Figure No.	6	Project 1880
Figure Name	LIDAR DEM Map	
Purpose	Wetland Delineation	
Drawn By	[REDACTED]	
Date Drawn	04/27/2022	






Greene County Economic
Development
Greene County Rail Site
MS Highway 57, McLain, MS

Wetland Delineation Map
11/27/2023

Project 1880

Drawn by [REDACTED]



-  Property Boundary
-  Stream
-  Wetland
-  Non-Jurisdictional Areas
-  Non-WOTUS Tributaries

