



REPLY TO  
ATTENTION OF:

**CESAM-RD-M  
PUBLIC NOTICE NO. SAM-2019-00759-RCV**

**December 4, 2019**

**DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, MOBILE DISTRICT  
P.O. BOX 2288  
MOBILE, ALABAMA 36628-0001**

**JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF POLLUTION CONTROL**

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**PROPOSED WETLAND FILL FOR CONSTRUCTION OF A SINGLE-FAMILY  
RESIDENTIAL SUBDIVISION IN LATIMER, JACKSON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act. Please communicate this information to interested parties.

APPLICANT: **JR Road, LLC  
390 Malloy Station Road  
Suite 106  
Franklin, Tennessee 36067**

AGENT: **D. R. Sanders and Associates, Inc.  
19032 Old Port Gibson Road  
Utica, Mississippi 39175**

LOCATION OF WORK AND WATERWAY: **The proposed project site is located in wetlands adjacent to Bayou Costapia south of Jim Ramsey Road at Latitude 30.508°N, Longitude -88.839°W, in Section 24, Township 6 South, Range 9 West, Latimer, Jackson County, Mississippi.**

PROJECT PURPOSE: **The basic project purpose of the proposed development is the construction of an 86 lots, commercial residential subdivision development, including all utility lines, and internal roads. The U.S. Army Corps of Engineers (USACE) has initially determined this project to be non-water dependent.**

EXISTING CONDITIONS: **The subdivision project is proposed to be constructed on an approximately 115.9-acre tract located south of Jim Ramsey Road in Latimer, Jackson County, Mississippi (Figure 1). The property is undeveloped with a 100 percent canopy of trees and a very dense sapling/shrub stratum. The property has a water tower on the western limits and Bayou Costapia flows through the southern quarter of the property.**

**This proposed project was permitted on October 7, 2008 (SAM-2007-01999-ALF). The permit was issued and mitigation paid for all 11.47 acres of proposed low-quality pine**

savanna wetland fill. Due to economic factors, the project was never finished and the permit expired in 2013. The project site had a new wetland delineation performed in which expanded the amount of wetland acreage due to changes made in the 2010 Supplement to the Manual. The applicants then downsized his project to accommodate the different wetland delineation and reduce his impacts to 13.20 acres. As a result, he increased the proposed wetland impact 1.73 acres and reduced the lot number down to 86 from the original 220 lots.

The total area of wetlands on the property (Figure 2A) is 104.3 acres, but only 13.20 acres is proposed to be permanently filled. The property has an upland area positioned along the western property line with wetlands making up the remainder of the property. Bayou Costapia flows through the southern quarter of the property and will not be affected by this proposed project.

**PROPOSED WORK:** The 24.83-acre project site consists of the development of the 86 lot residential subdivision. Access to the project will be from Jim Ramsey Road. A total of 13.20 acres of impacted, low quality pine savanna wetlands are proposed to be permanently impacted by the project. The proposed wetland impacts consist of the filling of wetlands for the construction of access roads, curbs, utilities and house pads, including roads, walkways, and retention ponds.

**AVOIDANCE & MINIMIZATION:** A total of 91.10 acres of wetlands on the property will remain unfilled and avoided. Best management practices will be implemented during and following all construction activities. Silt fences and other appropriate materials will be installed to block erosion and sedimentation in wetlands outside the project area. The USACE has not verified the accuracy or adequacy of the applicant's avoidance and minimization at this time.

**MITIGATION:** The applicant proposes to purchase sufficient number of in-kind credits from a USACE's approved mitigation bank. The applicant had already purchased wetland credits for 11.47 wet pine savanna mitigation credits from an approved Wetland Mitigation Bank and will be purchasing an additional 3.46 credits to make up the 1.73 acres in additional wetland impacts. The (USACE) has not verified the adequacy of this mitigation proposal at this time.

The applicant has applied for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made by the Mississippi Department of Environmental Quality.

The National Register of Historic Places (NRHP) will be consulted for properties listed in or eligible for the National Register, which would be affected by the proposed work. Copies of this notice are being sent to the State Historic Preservation Officer (SHPO) and the U.S. Department of the Interior, National Park Service, and Division of Archeological Services for further consultation and comments. Previous investigations for the facility have determined

that **no properties are listed in or eligible for listing in the NRHP**. In accordance with Appendix C of 33 CFR Part 325, the USACE has determined the permit area is the full area of development for the overall project footprint. Copies of this public notice are being sent to the SHPO.

**ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate the proposed activity may require additional coordination with the U.S. Fish and Wildlife Service (FWS). The gopher tortoise is the only federally listed species that could potentially occur on this site knowing the presence of dense sapling/ shrub stratum, and to the lack of any supporting habitat that might otherwise be potentially occupied by Red-cockaded woodpeckers, Louisiana quillwort, Dusky gopher frog, Mississippi Sandhill Crane, or Black Pine Snake.**

**The site was surveyed by the agent representing the applicant and no evidence of occupancy (burrows or tracks) was found, allowing the conclusion the site is not occupied by gopher tortoises. Additional coordination will be performed with the FWS on the proposed project.**

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. 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, cultural values, fish and wildlife values, protected species, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and in general, the needs and welfare of the people.

The USACE 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 USACE 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 for consideration of this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2019-00759-RCV** and should be directed to the District Engineer, USACE Mobile District, Attention: **Mr. Rudolph C. Villarreal**, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Attention: **Ms. Florance Bass, P.E.**, Post Office Box 2261, Jackson, Mississippi 39225 and the Mississippi Department of Marine Resources, Attention: **Ms. Jennifer Wilder**, 1141 Bayview Avenue, Suite 101, Biloxi, Mississippi 39530.

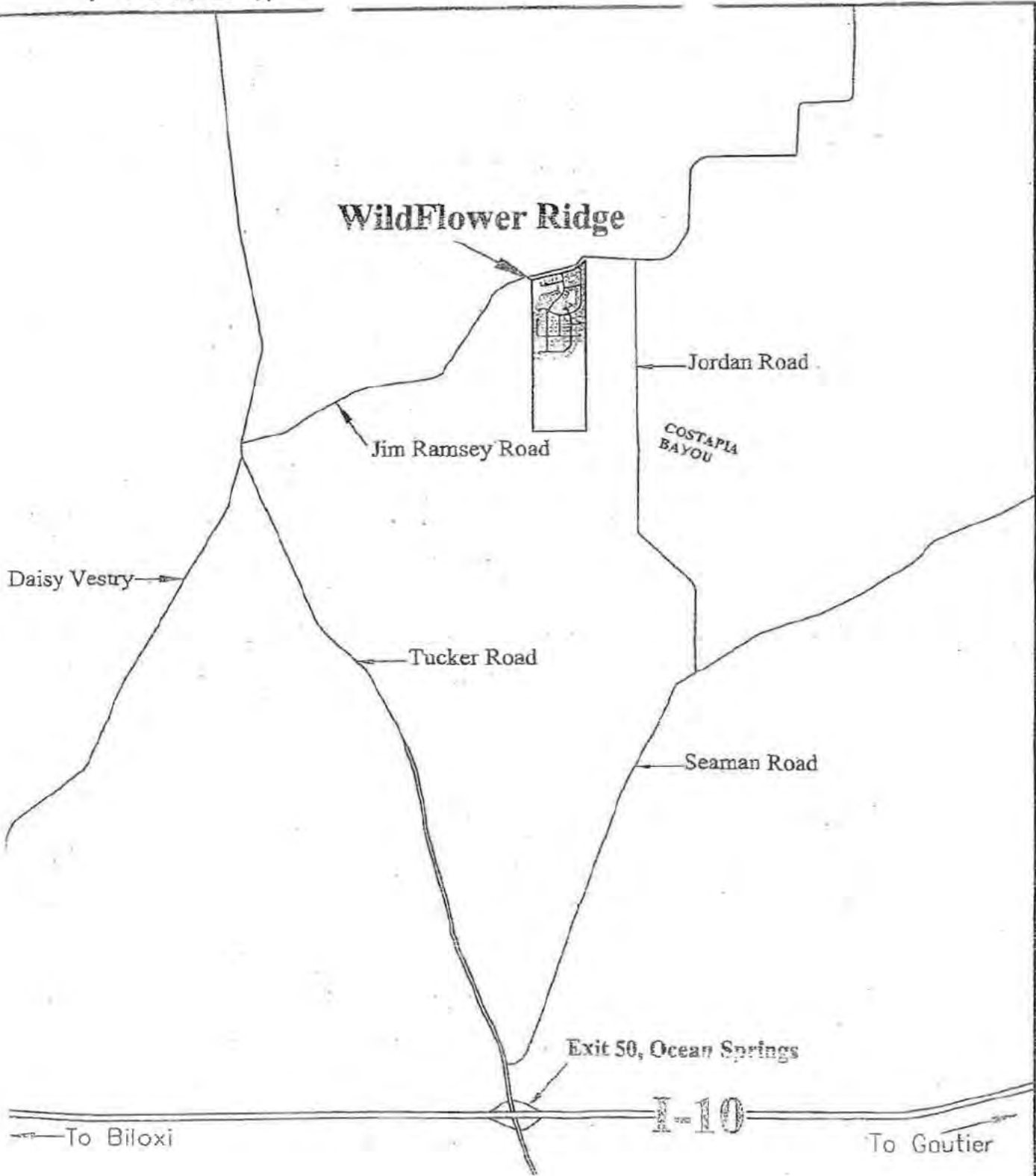
**All Comments should be received no later than 30 days from the date of this Public Notice.** If you have any questions concerning this publication, you may contact the project manager at (251) 690-3246, or email at [rudolph.c.villarreal@usace.army.mil](mailto:rudolph.c.villarreal@usace.army.mil). Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

FIGURE 1,



VICINITY MAP

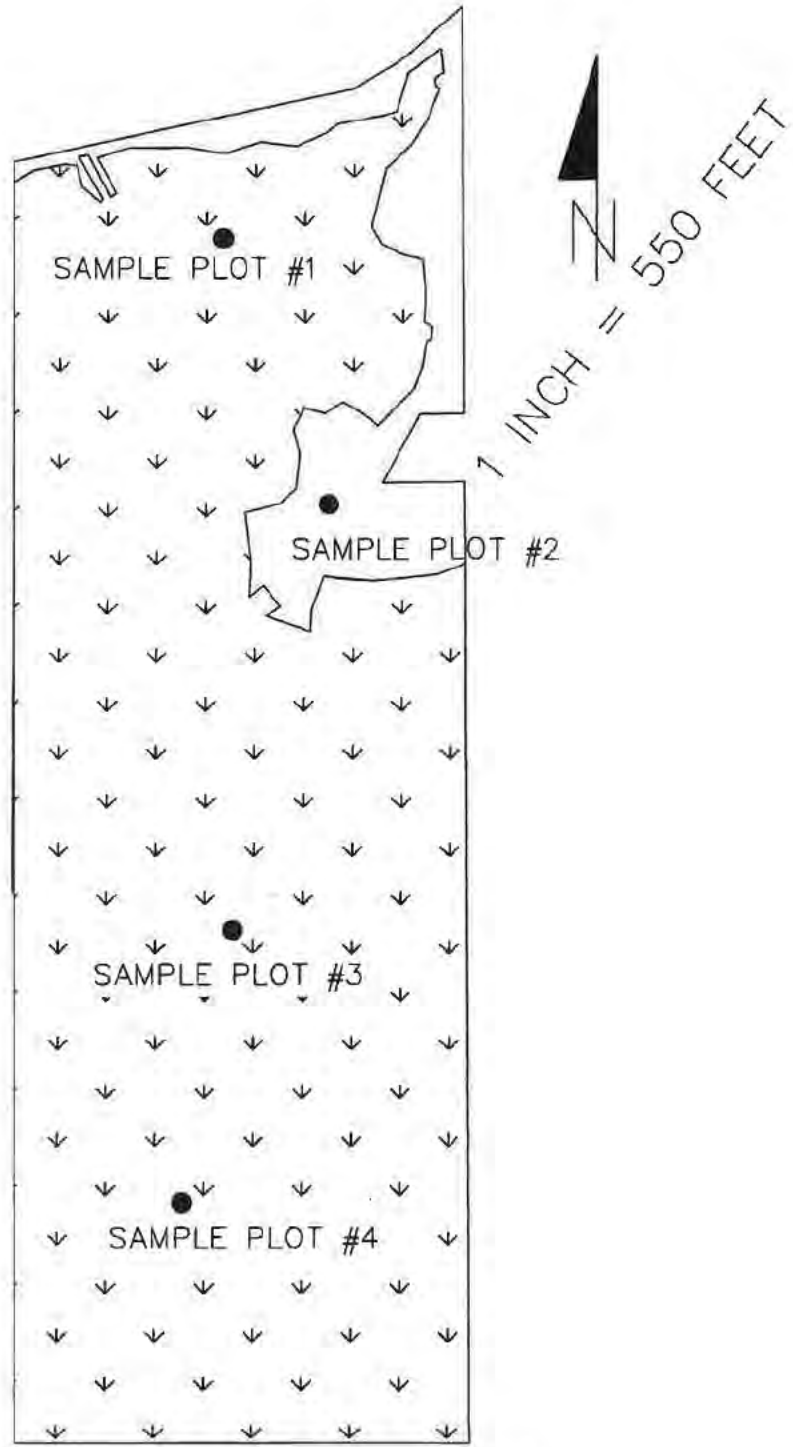


Not to Scale

**APPROVEN**



FIGURE 2. WETLAND DELINEATION FOR  
~~SANDERS ENVIRONMENTAL, LLC~~  
~~19032 Old Port Gibson Road, Vicksburg, Mississippi 39180~~  
~~WIDFLOWER SUBDIVISION PROJECT AREA~~  
 LATIMER, JACKSON COUNTY, MS



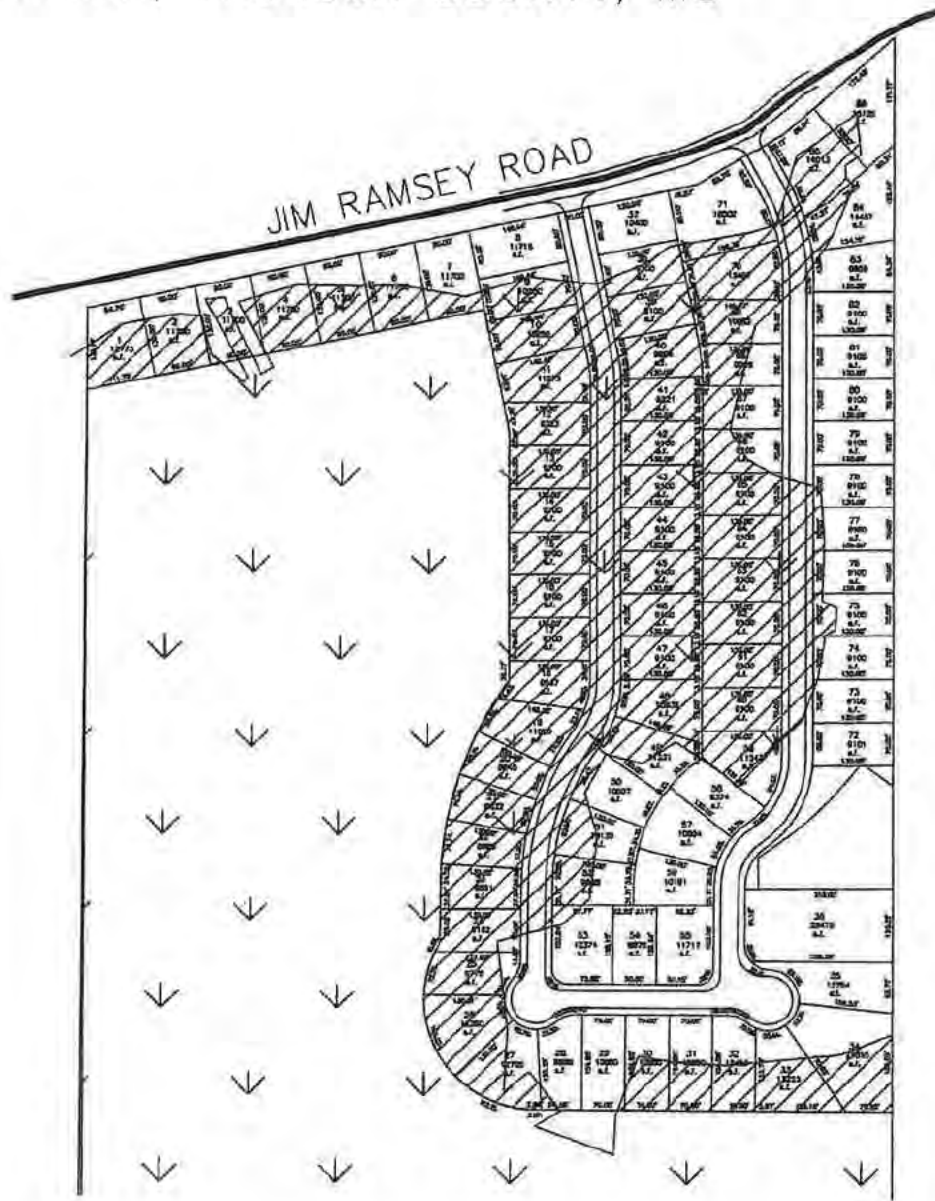
NONWETLAND - 11.63 ACRES

Bus: 228-623-9714 e-mail: drsawet@bellsouth.net  
 WETLAND - 104.30 ACRES

D. R. SANDERS AND ASSOCIATES, INC.

19032 OLD PORT GIBSON ROAD, UTICA, MS 39562

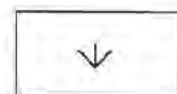
# FIGURE 2A. WILDFLOWER SUBDIVISION PROJECT LATIMER, JACKSON COUNTY, MS



WETLAND IMPACTS - 13.20 ACRES



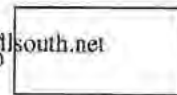
WETLANDS (AVOIDED) - 91.10 ACRES



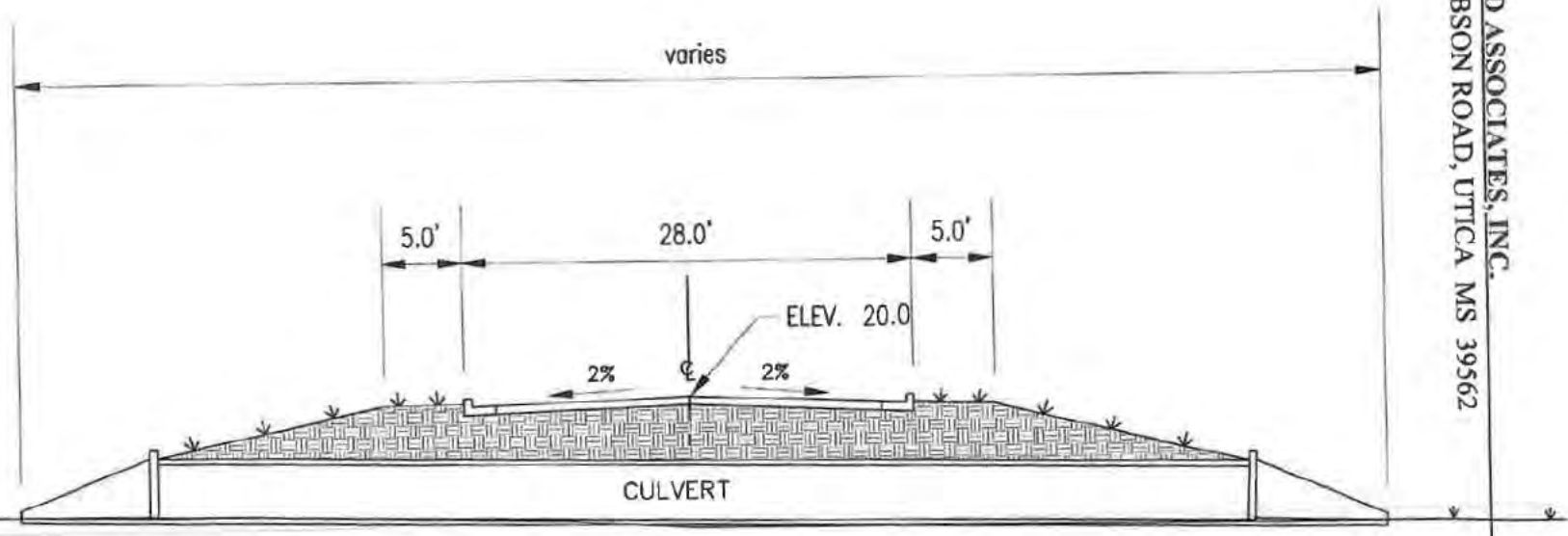
WETLANDS EXTEND SOUTH TO PROPERTY LINE

Bus: 228/588-1244    Facsimile: 228/588-0030    e-mail: dsanders@cellsouth.net

NONWETLANDS - 11.65 ACRES



Bus: 228/588-1244    Facsimile: 228/588-0030    e-mail: drsawet@bellsouth.net



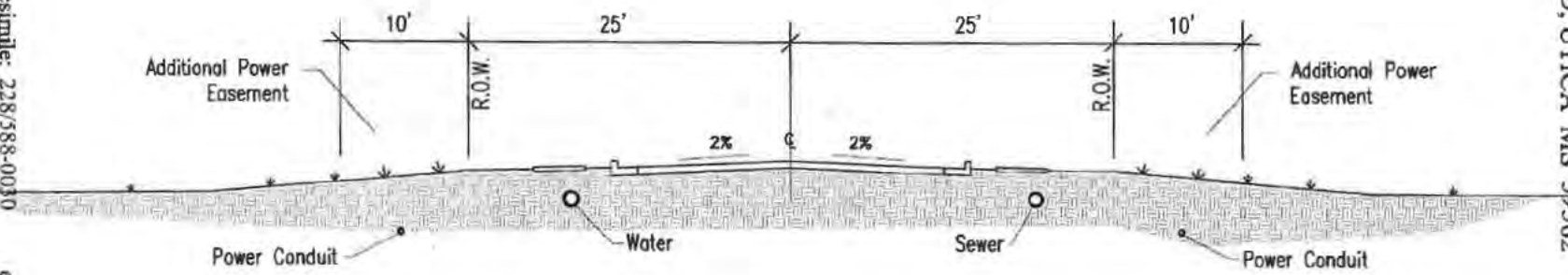
*Road Crossing at Wetland*

SAM-2019-00759-RCV

Figure 3 a



Bus: 228/588-1244  
Facsimile: 228/588-0030  
e-mail: drsawet@bellsouth.net



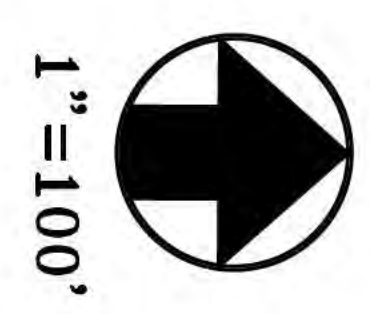
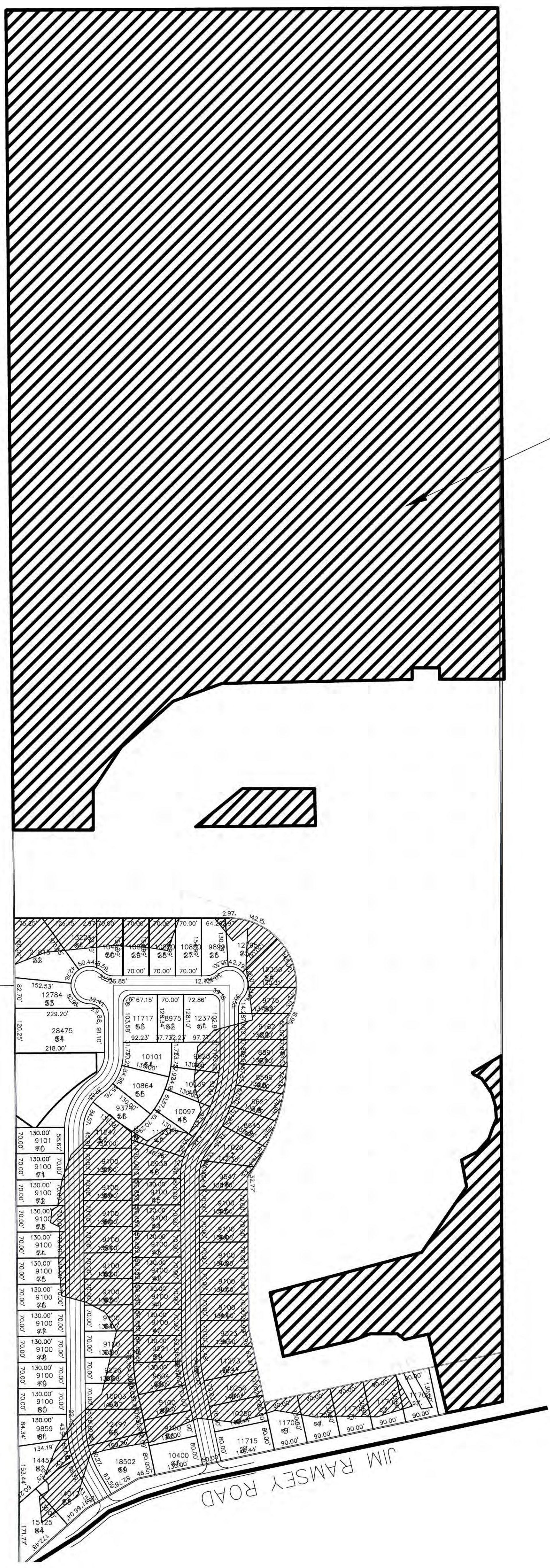
Road Crossing at Wetland

Figure 3B

SAM-2019-00759-RCV



Approximate Restrictive  
Covenant Area (Typ.)



Min. Lot Size = 70'x130'  
Total Lots - 86  
Impacted Wetlands = 13.2 Acres

SAAM 2019-00759-KCV

Figure 4