



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

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2008-00524-JBM

April 2, 2021

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES (MDMR)

DISCHARGE OF FILL INTO WATERS OF THE U.S.
FOR CONSTRUCTION OF RESIDENTIAL SUBDIVISION,
VANCLEAVE, 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 (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Gaddy Properties and Development
Attention: Mr. Don Gaddy
18072 Commission Road
Long Beach, Mississippi 39560

WATERWAY AND LOCATION: Phase I of the proposed Jackson Lakes Subdivision is located north of, and adjacent to, Joe batt Road west of Vancleave on a 521.15-acre tract in western Jackson County, Mississippi. The property is in Section 31, Township 5 South, Range 8 West, and Section 6, Township 6 South, Range 8 West, adjacent to the east boundary of the Desoto National Forest in the Bayou Costapia watershed (HUC 301700090402). Unnamed tributaries of Bayou Costapia and wetlands associated with these tributaries are present on the subject property.

PROPOSED WORK: The applicant proposes to place approximately 9,500 cubic yards of fill material into 5.37 acres of wetlands for the construction of a residential subdivision. The project site is approximately 521.15 acres in size of which 165.47 acres have been identified as wetlands. Impacts include the filling of 5.14 acres of low-quality wet pine savannah wetlands and 0.23 acre of low-quality coastal forested wetlands in association with the construction of 17 lots and 7 road crossings. The applicant has proposed to avoid 160.10 acres of on-site wetland habitat, utilize Best Management Practices, and provide in-

kind compensatory mitigation through the purchase of bottomland hardwood and wet pine savannah mitigation credits from a U.S. Army Corps Engineers (USACE) approved wetland mitigation bank.

The applicant has applied for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. A determination relative to CZ consistency will be made by the Mississippi Department of Marine Resources.

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority).

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the 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, historic 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, consideration of property ownership and, in general, the needs and welfare of the people.

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

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

In accordance with Section 106 of the National Historic Preservation Act (NHPA), and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect historic properties. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the 521.15 acres comprising the project footprint of the proposed subdivision. The Mississippi Department of Archives and History (MDAH) Historic Resources Inventory Map and the National Park Service (NPS) National Geospatial Program's National Register of Historic Places (NRHP) Map have been consulted and no properties listed in or eligible for National Register are known to exist which would be affected by the proposed work. The Corps has made a preliminary determination that the proposed project would have no effect on historic properties. However, we are seeking comment from the State Historic Preservation Officer (SHPO), federally-recognized American Indian tribes, local historical societies, museums, universities, the NPS, and the general public regarding the existence or the potential for existence of significant cultural and historic properties which may be affected by the work. This action constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the project area.

A preliminary review of this application, the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants, the National Marine Fisheries Service (NMFS) list of Mississippi's Threatened and Endangered Species, the 2021 Mississippi Standard Local Operating Procedures for Endangered Species (MS SLOPES), and the results of the threatened/endangered species report for the subject property indicate the proposed activity will have no effect on critical habitat for any federally-listed species, dusky gopher frog, gopher tortoise, Louisiana quillwort, Mississippi sandhill crane, or wood stork. A review of this information also indicates that the proposed activity may affect, not likely to adversely affect the red-cockaded woodpecker. This notice serves as a request to the U.S. Fish and Wildlife Service (USFWS) to initiate informal consultation in accordance with the 2021 MS SLOPES for the black pine snake. This notice also serves as a request to the USFWS and NMFS for information on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2008-00524-JBM and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: South Mississippi Branch, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225, and the Mississippi Department of Marine Resources, 1141 Bayview Avenue, 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 for this application, Amiee P. Smith (Amiee.P.Smith@usace.army.mil), phone (228) 627-8641. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our website at: www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments

SAM-2008-00524-JBM

Jackson Lakes Subdivision, Phase I
Gaddy Properties and Development
Joe Batt Road, Vancleave, Jackson County, Mississippi

Legend

- Phase I Property Line
- SAM-2008-00524-JBM

SAM-2008-00524-JBM

Latimer

Vancleave

57

Google Earth

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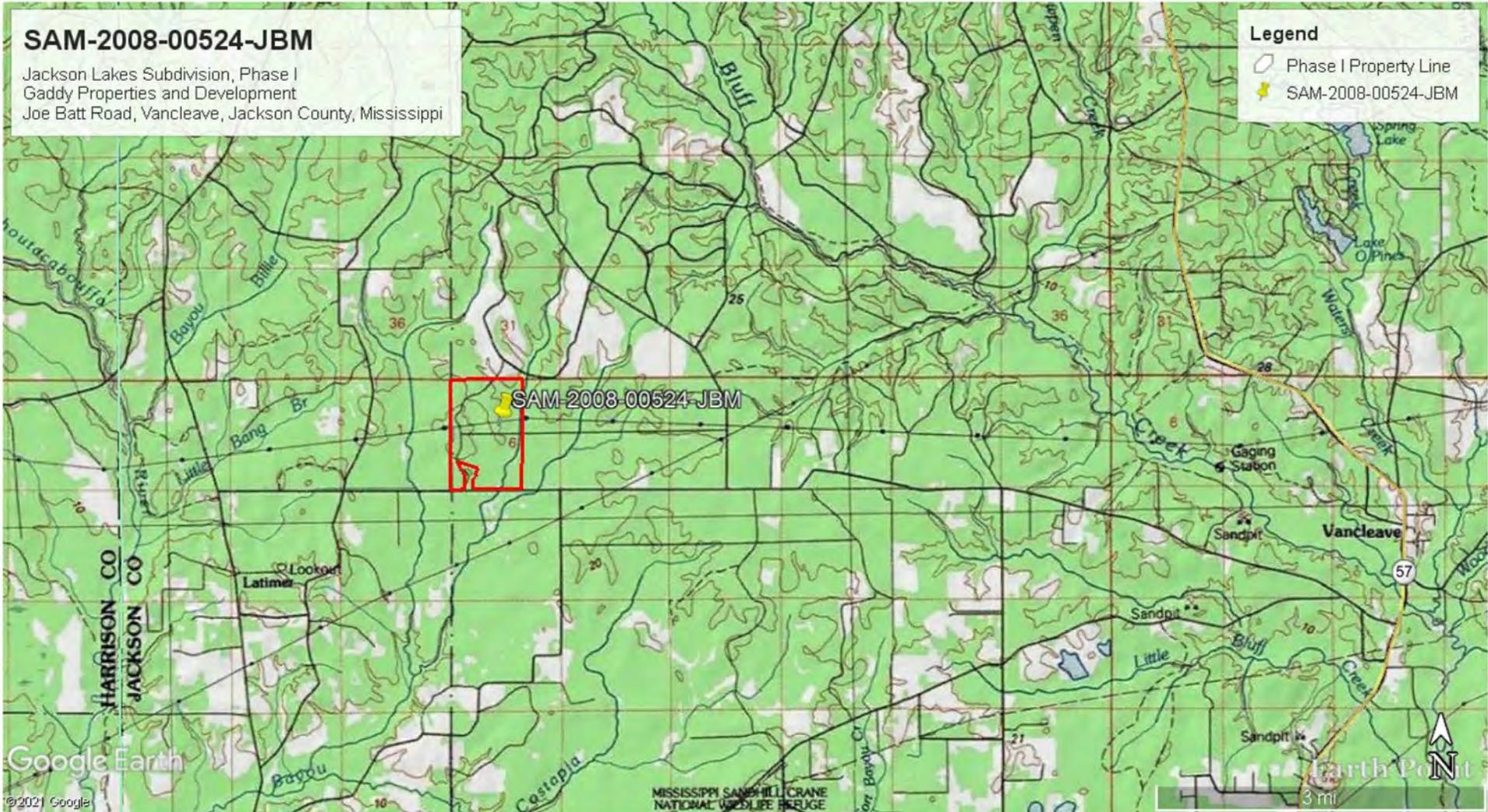
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SAM-2008-00524-JBM

Jackson Lakes Subdivision, Phase I
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Joe Batt Road, Vanclave, Jackson County, Mississippi

Legend

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Google Earth

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MISSISSIPPI SANDHILL CRANE
NATIONAL WILDLIFE REFUGE

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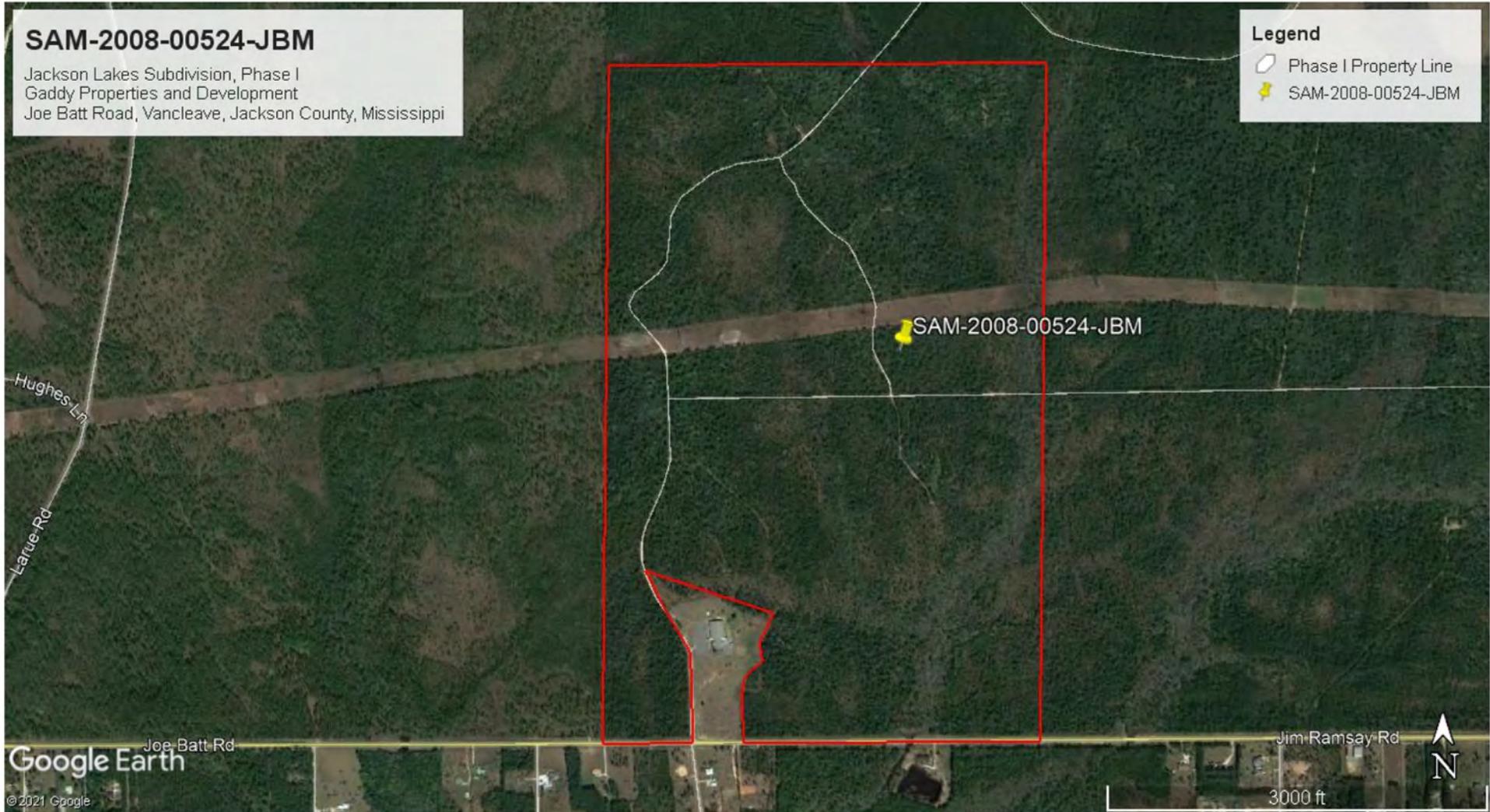


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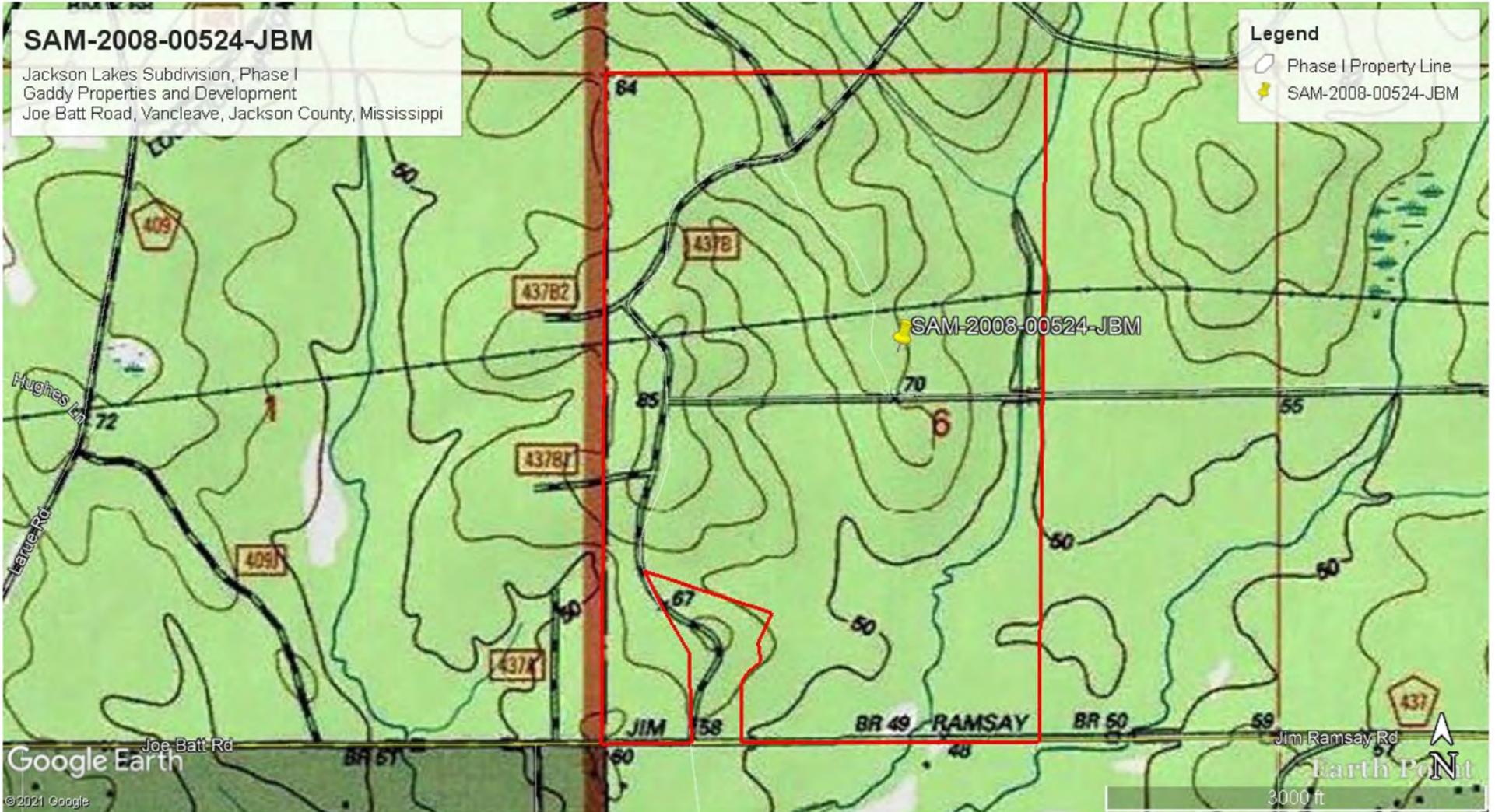
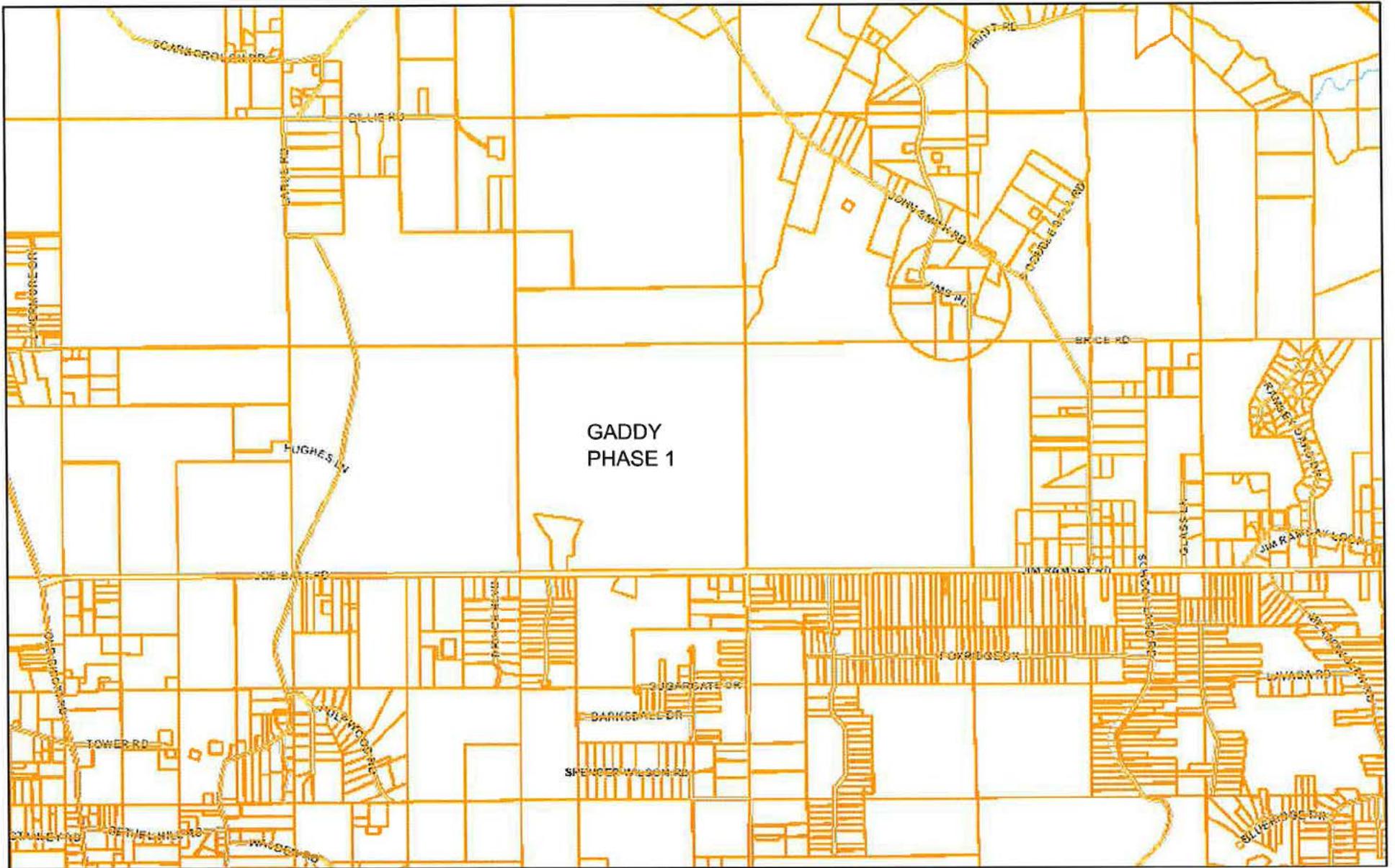


FIGURE 1. SITE LOCATION FOR JACKSON LAKES PHASE 1, JACKSON COUNTY, MS



September 22, 2020

- Parcels
- Primary Roads
- City Limits
- Major
- Center Lines

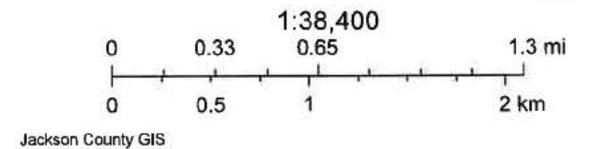


FIGURE 2. JACKSON LAKES SUBDIVISION PHASE 1 PROJECT PLAN

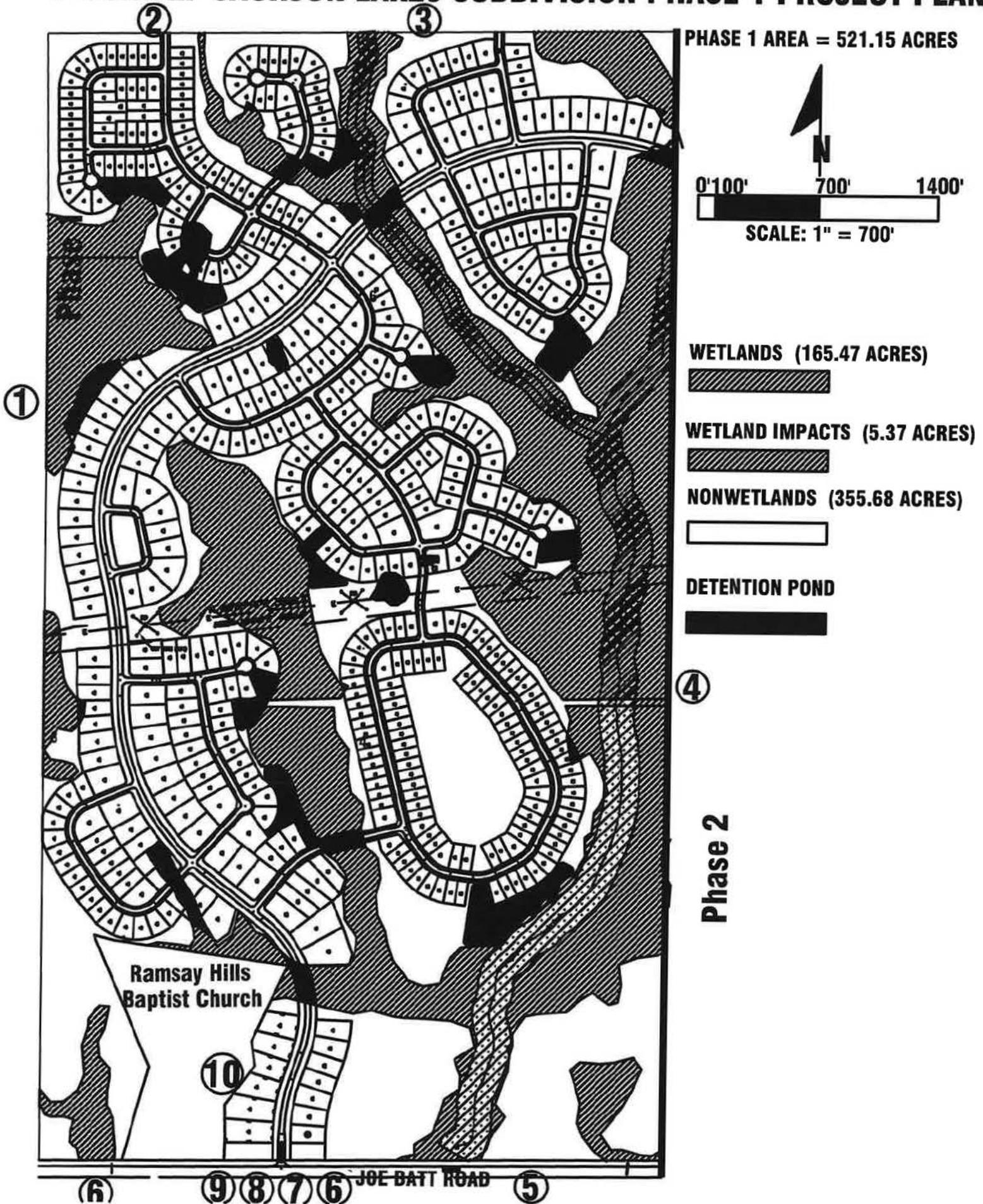


FIGURE 3. OVERALL JACKSON LAKES PROJECT, SHOWING PROPOSED PHASES I THROUGH IV

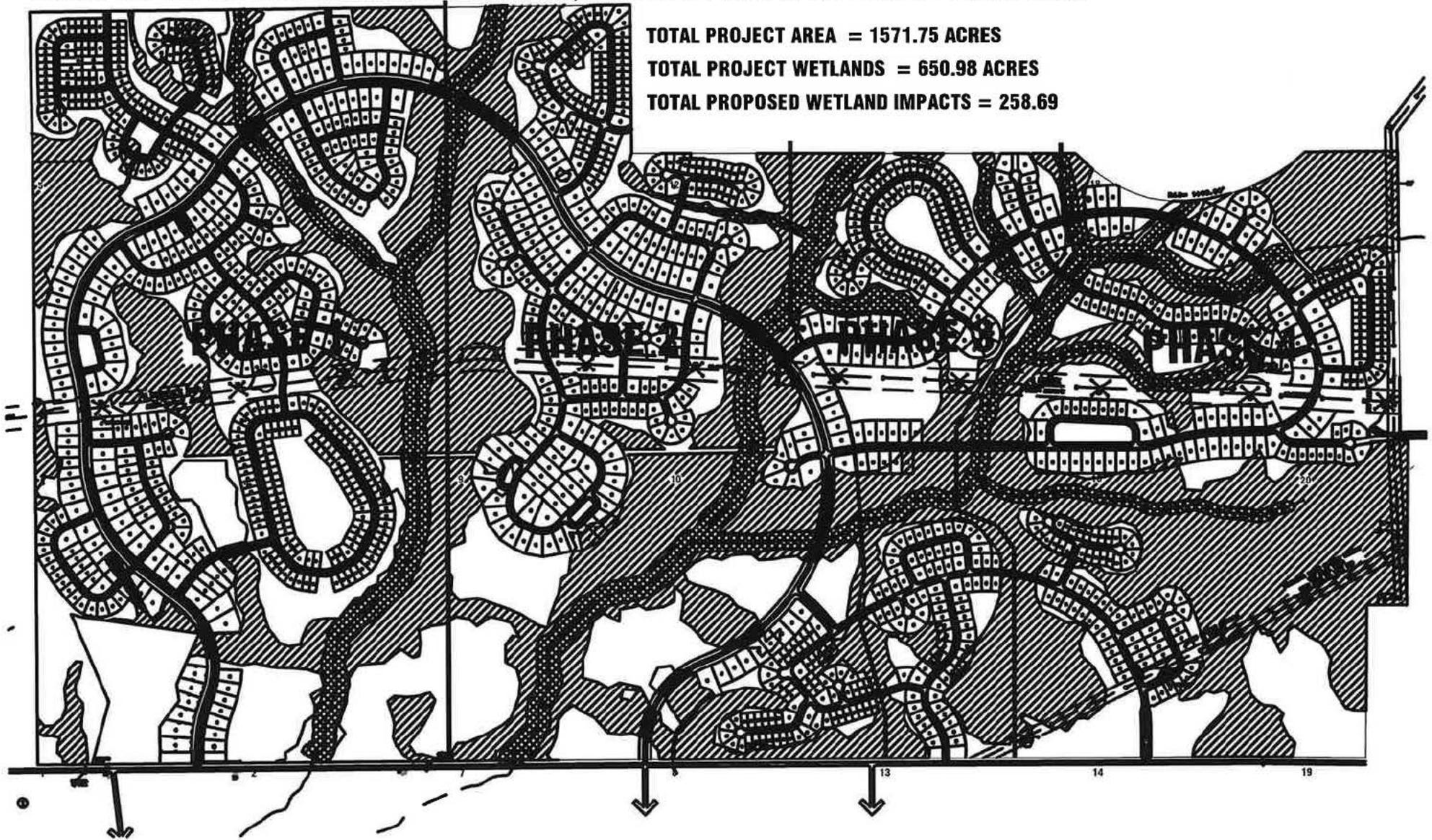


FIGURE 5. TYPICAL LONGITUDINAL SECTION OF ROAD THROUGH WETLANDS (NTS)

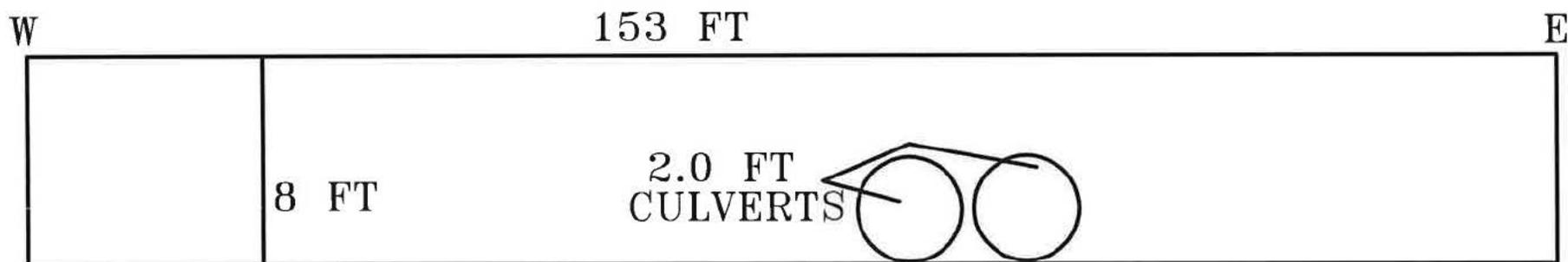


FIGURE 6. TYPICAL LOT LAY-OUT

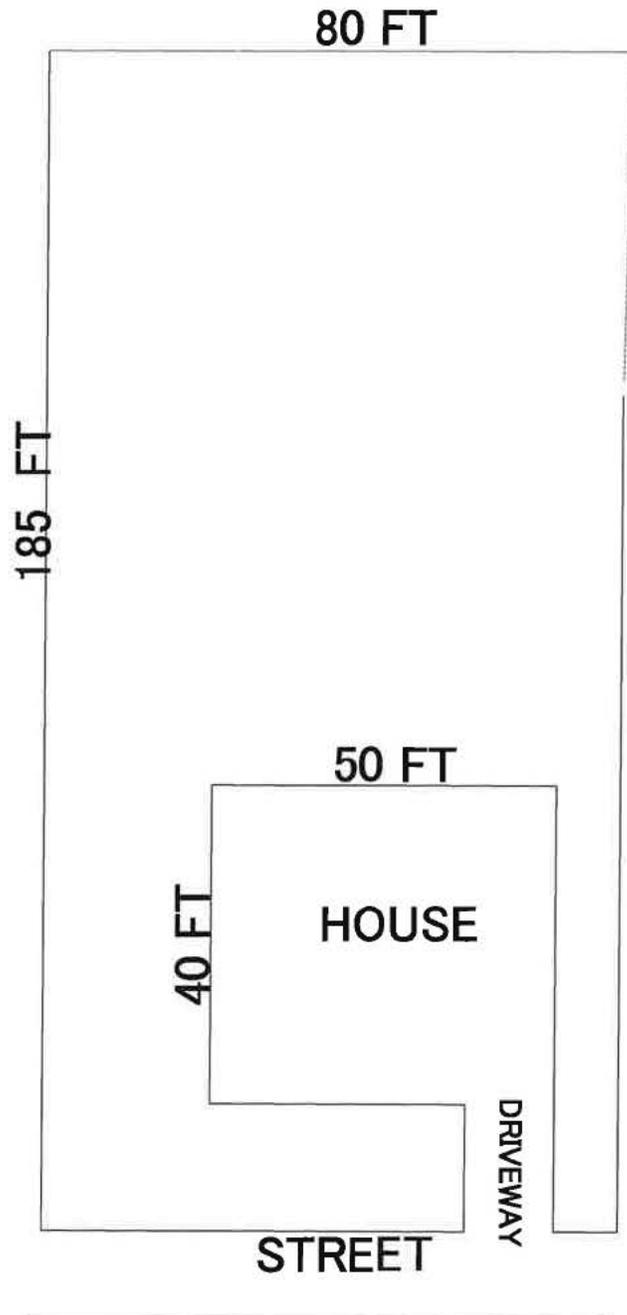
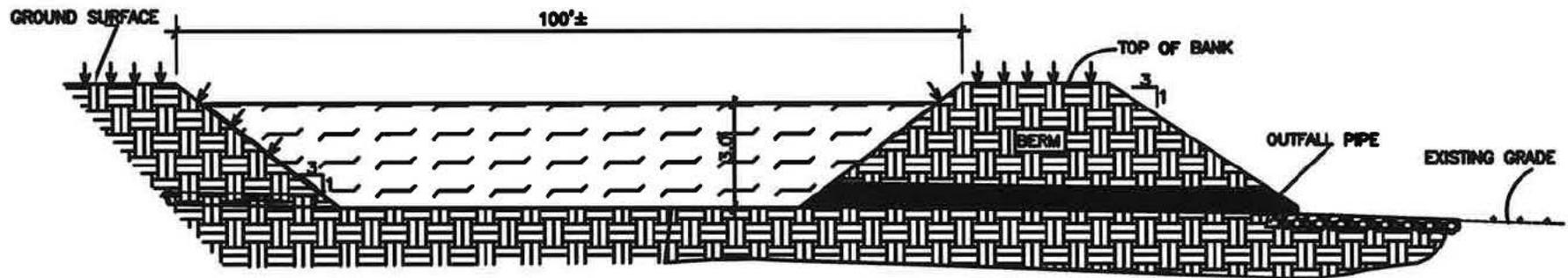


FIGURE 7. TYPICAL CROSS-SECTION OF PROPOSED DETENTION BASIN



 WATER STORAGE AREA