



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
600 VESTAVIA PARKWAY, SUITE 203
THE SHELBY BUILDING
VESTAVIA HILLS, AL 35216

February 19, 2025

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2024-00893-AMR

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

STATE OF MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY

PROPOSED DISCHARGE OF FILL MATERIAL INTO WETLANDS AND STREAMS
ASSOCIATED WITH THE EXPANSION OF A SAND AND GRAVEL MINE IN LOWNDES
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: W.G. Yates & Sons Construction Company
Attention: Mr. Jonathan Ludwig
115 Main Street
Biloxi, Alabama 39530

Agent: Headwaters, Inc.
Attention: Mr. Clay Cromwell
P.O. Box 2836
Ridgeland, Mississippi 39158

LOCATION: The project is located in wetlands and un-named tributaries to Bonny Slough west of Harrison Road in Sections 5 and 6, Township 18 South, Range 17 West, Latitude: 33.532017 North, Longitude: 88.349390 West, in Lowndes County, Mississippi.

WORK DESCRIPTION: The project proposes to expand the existing sand and gravel mine, Lowndes County Mine #3. This expansion would result in the loss of 14.16 acres of palustrine scrub shrub wetlands and 1,538.71 linear feet (LF) of ephemeral stream. The project also includes after the fact impacts to 80.19 LF of perennial stream and 730.64 LF of intermittent stream.

PURPOSE: The purpose of the expansion is to gain access to areas containing sand and gravel. The project will allow Baldwin Sand and Gravel to provide for the increased construction needs of surrounding Lowndes County due to increased development.

AVOIDANCE AND MINIMIZATION: On-site alternatives were limited due to the location of the sand and gravel. Two off-site locations were considered but were eliminated from consideration

due to the lack of proximity to sand and gravel and high environmental impacts.

COMPENSATORY MITIGATION: The applicant proposes to purchase wetland and stream credits from an approved mitigation bank.

WATER QUALITY: The applicant is in the process of acquiring 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.

HISTORIC PROPERTIES/CULTURAL RESOURCES: In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. The U.S. Army Corps of Engineers (USACE) has not made a determination of effects to historic properties at this time. The USACE is seeking comment from the State Historic Preservation Officer, federally recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, 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.

THREATENED AND ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicated the following species may be present within the project area: Indiana Bat (*Myotis sodalists*) (E), Tri-colored Bat (*Perimyotis subflavus*) (PE), Alabama Moccasinshell (*Medionidus acutissimus*) (T), Heavy Pigtoe (*Pleurobema taitianum*)(E), Orangenacre Mucket (*Hamiota perovalis*) (T), Ovate Clubshell (*Pleurobema perovatum*) (E), Southern Acornshell (*Epioblasma othcaloogensis*) (E), White Fringeless Orchid (T), Alligator Snapping Turtle (*Macrochelys temminckii*) (PT), and Monarch Butterfly (*Danaus plexippus*) (PT). The USACE has not made a determination regarding effects of the project on the above-listed species at this time. Further coordination with the United States Fish and Wildlife Service (USFWS) will be performed as determined to be appropriate. A copy of this public notice is being sent to the USFWS for review and comment.

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 impacts, 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 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.

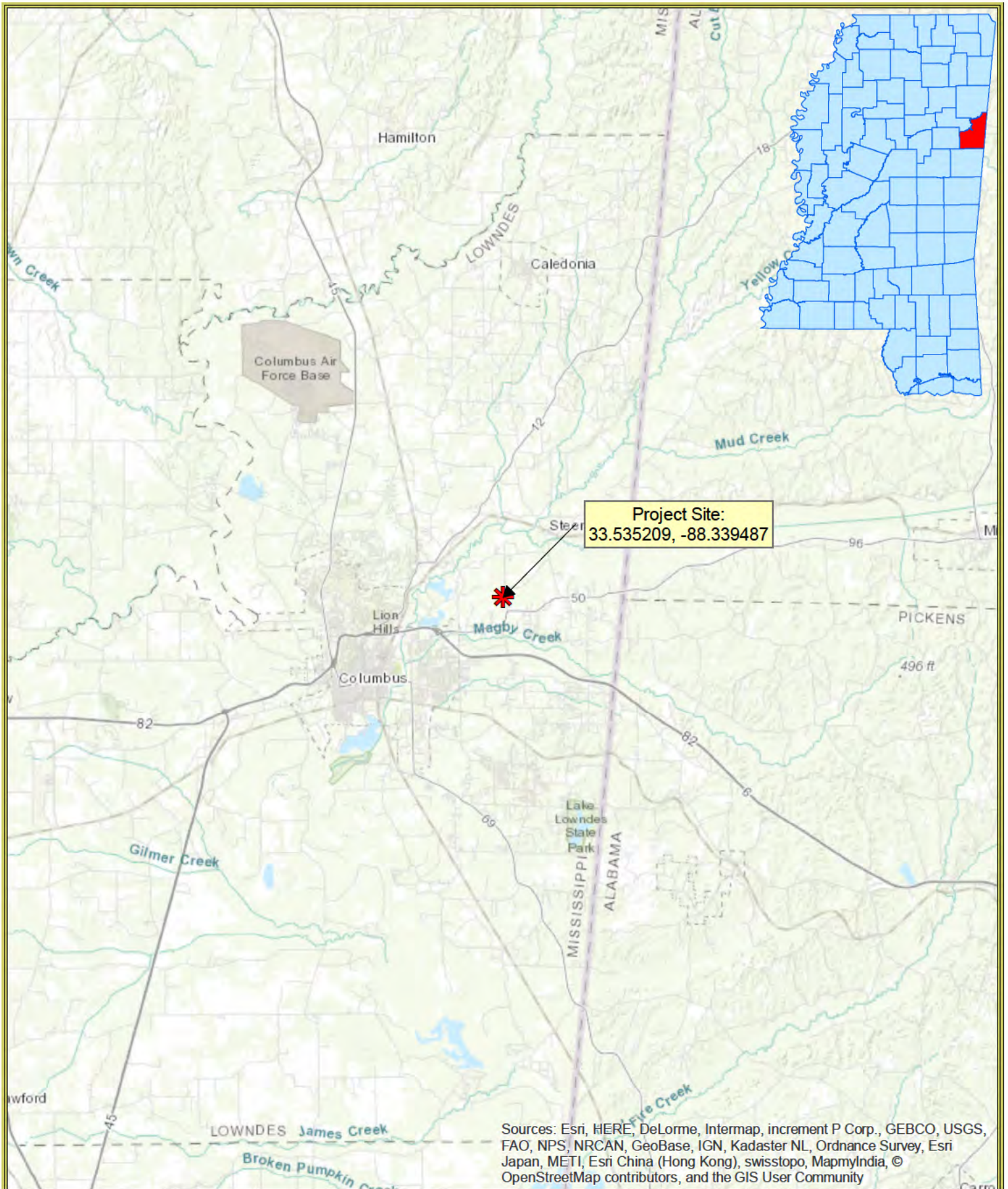
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2024-00893-AMR** and should be directed to USACE, Mobile District, Regulatory Division, Attention: Ms. Angela M. Rangel, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Environmental Permitting Division, Attention: Ms. Carrie Barefoot, Post Office Box 2261, Jackson, Mississippi 39225. Comments may also be submitted via e-mail to USACE at angela.m.rangel@usace.army.mil and to cbarefoot@mdeq.ms.gov.

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) 455-6785 or email at angela.m.rangel@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.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

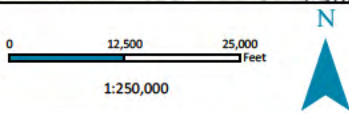


Project Site:
33.535209, -88.339487

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



**Baldwin Sand and Gravel
Lowndes County Pit #3**
Sec 32, T 17S, R 17W & Sect5, T 18S, R17W
Lowndes County, Mississippi
[General Location Map](#)

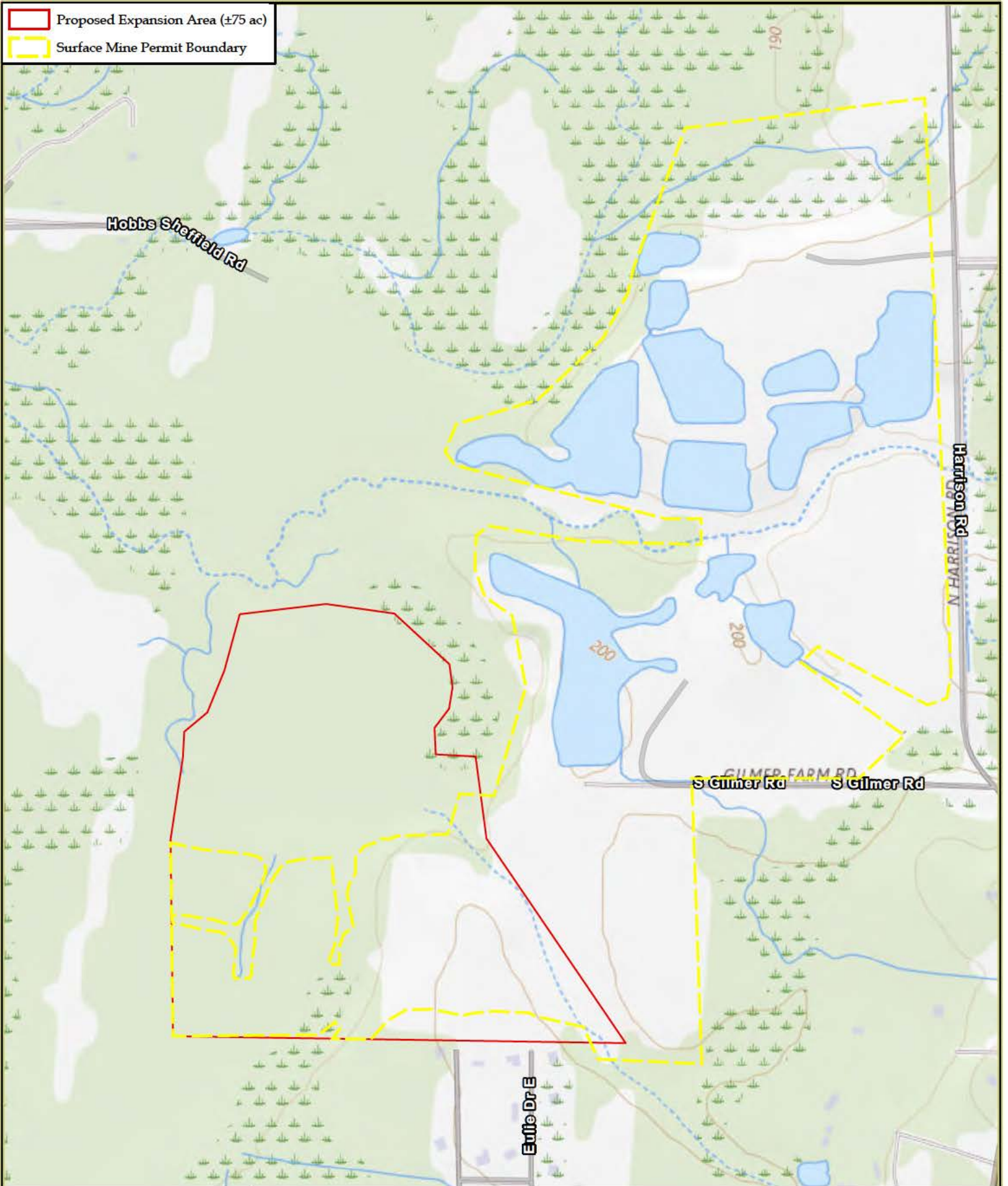


NAD 1983 StatePlane Mississippi East FIPS 2301 Feet

USGS Steens (MS) Quad Basemap

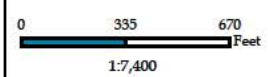
Date Created: 2/7/2025 Created by: PGH

-  Proposed Expansion Area (±75 ac)
-  Surface Mine Permit Boundary



**Baldwin Sand and Gravel
Proposed Mining Expansion**
Sec. 5 & 6 - Township 18 S - Range 17W
Lowndes County, Mississippi

Site Location Map



NAD 1983 2011 StatePlane Mississippi East FIPS 2301 Ft US

USGS Steens (MS) Quad Basemap

Date Created: 2/7/2025

Created by: JDL

Proposed Expansion Area (±75 ac)
 Surface Mine Permit Boundary

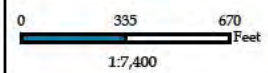


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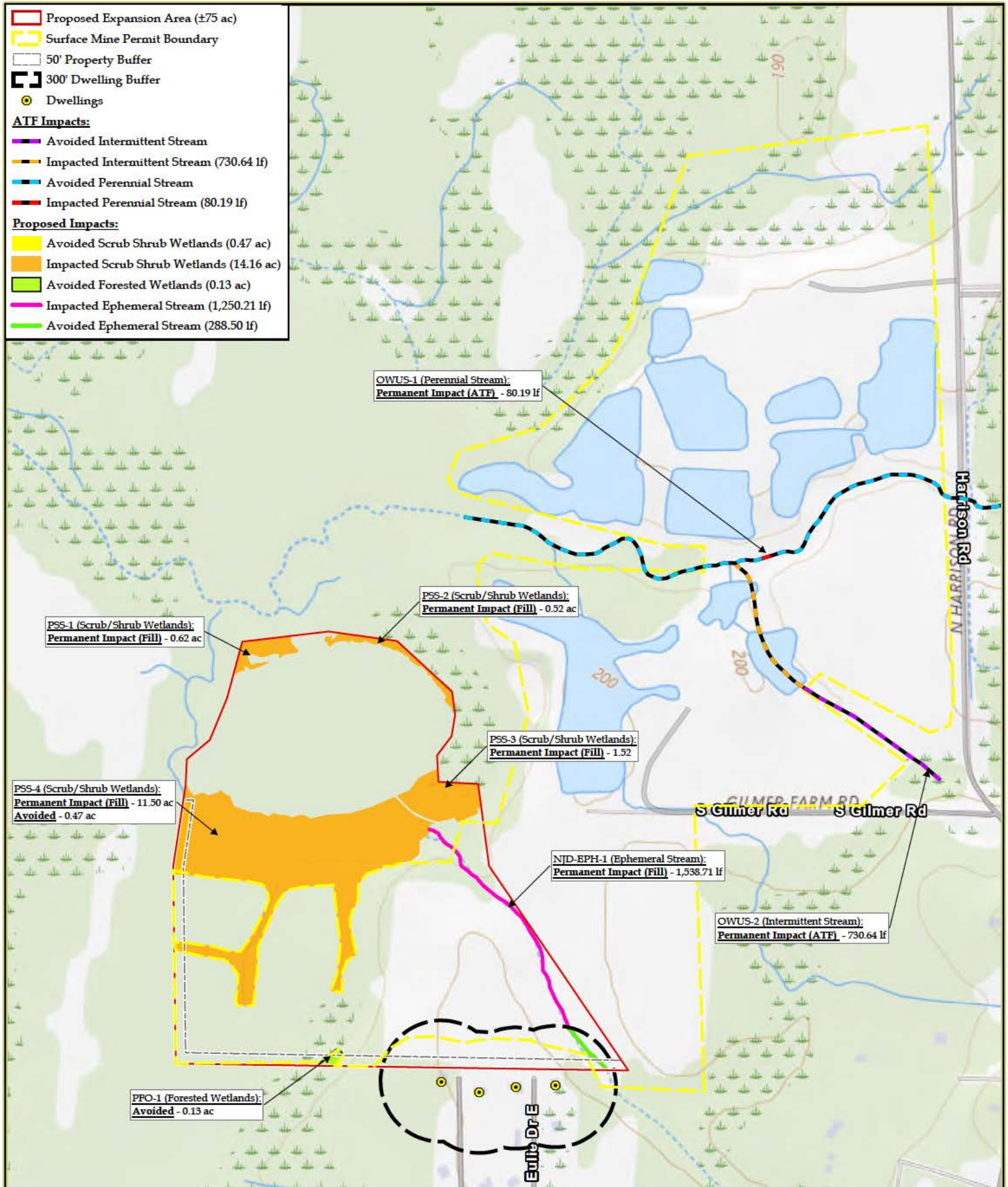
Baldwin Sand and Gravel
Proposed Mining Expansion
 Sec. 5 & 6 - Township 18 S - Range 17W
 Lowndes County, Mississippi

[Site Location Map](#)



NAD 1983 2011 StatePlane Mississippi East FIPS 2301 Ft US

09/2024 UAV Aerial Imagery



Baldwin Sand and Gravel
Proposed Mining Expansion
 Sec. 5 & 6 - Township 18 S - Range 17W
 Lowndes County, Mississippi
Wetland Impact Map

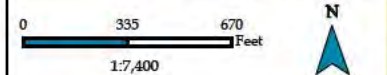
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 NAD 1983 2011 StatePlane Mississippi East FIPS 2301 Ft US
 USGS Steens (MS) Quad Basemap

- Proposed Expansion Area (±75 ac)
 - Surface Mine Permit Boundary
 - 50' Property Buffer
 - 300' Dwelling Buffer
 - Dwellings
- ATF Impacts:**
- Avoided Intermittent Stream
 - Impacted Intermittent Stream (730.64 lf)
 - Avoided Perennial Stream
 - Impacted Perennial Stream (80.19 lf)
- Proposed Impacts:**
- Avoided Scrub Shrub Wetlands (0.47 ac)
 - Impacted Scrub Shrub Wetlands (14.16 ac)
 - Avoided Forested Wetlands (0.13 ac)
 - Impacted Ephemeral Stream (1,250.21 lf)
 - Avoided Ephemeral Stream (288.50 lf)



**Baldwin Sand and Gravel
Proposed Mining Expansion**
Sec. 5 & 6 - Township 18 S - Range 17W
Lowndes County, Mississippi

Wetland Impact Map



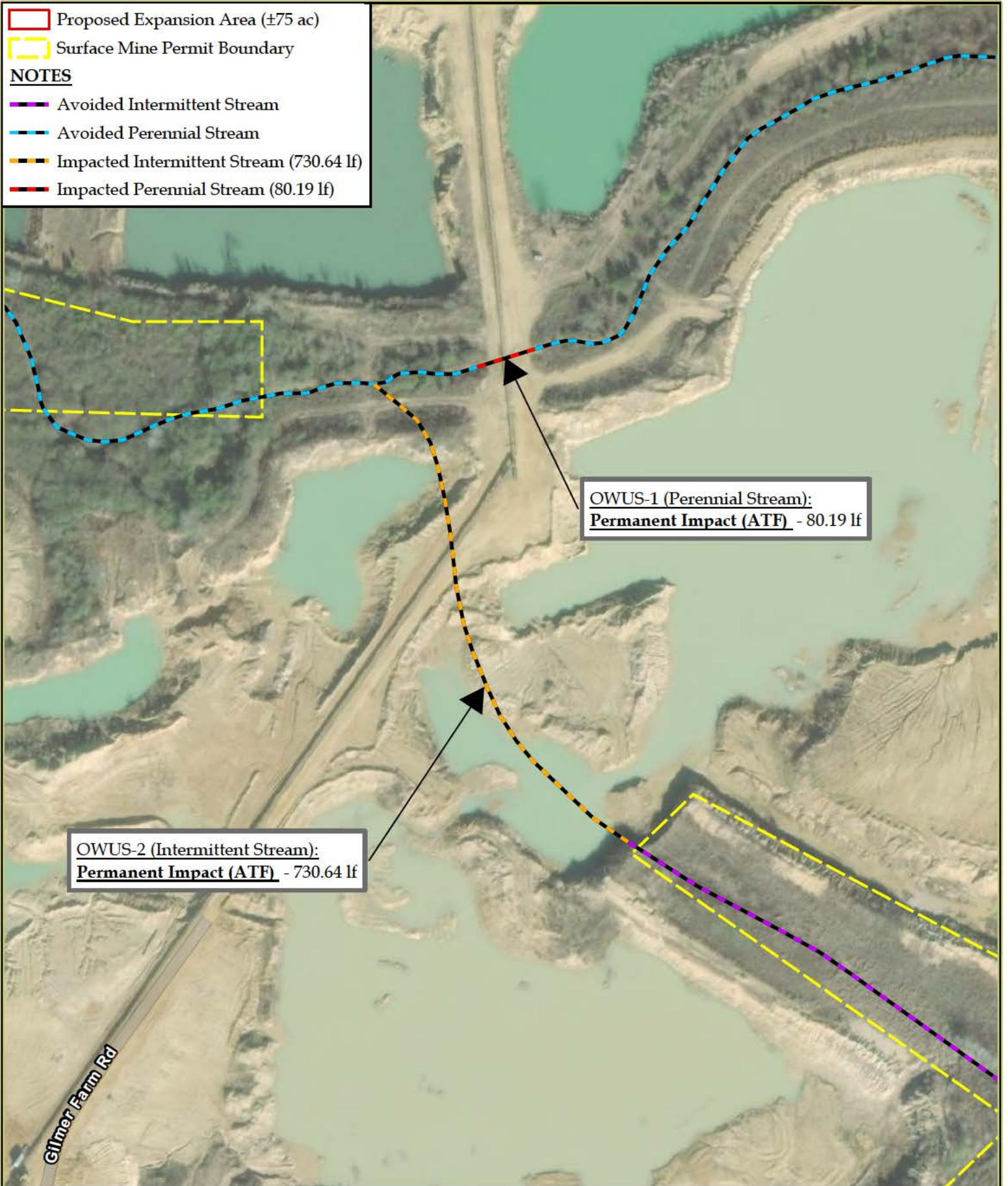
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09/2024 UAV Aerial Imagery

Date Created: 2/7/2025

Created by: MTM

- Proposed Expansion Area (±75 ac)
 - Surface Mine Permit Boundary
- NOTES**
- Avoided Intermittent Stream
 - Avoided Perennial Stream
 - Impacted Intermittent Stream (730.64 lf)
 - Impacted Perennial Stream (80.19 lf)



OWUS-1 (Perennial Stream):
Permanent Impact (ATF) - 80.19 lf

OWUS-2 (Intermittent Stream):
Permanent Impact (ATF) - 730.64 lf

Gilmer Farm Rd



**Baldwin Sand and Gravel
 Proposed Mining Expansion**
 Sec. 5 & 6 - Township 18 S - Range 17W
 Lowndes County, Mississippi
Wetland Impact Map

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NAD 1983 2011 StatePlane Mississippi East FIPS 2301 Ft US

ESRI World Imagery Basemap