



# State of Mississippi

TATE REEVES  
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHRIS WELLS, EXECUTIVE DIRECTOR

March 11, 2025

Mr. Tim Henning  
Grantman MS, LLC  
P.O. Box 67  
Mandeville, LA 70470  
[henningtr@aol.com](mailto:henningtr@aol.com)

Dear Mr. Henning:

Re: Grantman MS, LLC  
Sandhill Subdivision  
Jackson County  
COE No. SAM202300253MJF  
WQC No. WQC2023035

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Mississippi Department of Environmental Quality (MDEQ) issues this Certification, after public notice and opportunity for public hearing, to Grantman MS, LLC, an applicant for a Federal License or permit to conduct the following activity:

Grantman MS, LLC, Sandhill Subdivision: The initial proposal by the applicant was to fill 28.11 acres of wetlands associated with the construction of 184-lot single family residential subdivision to include access roads, utilities and detention ponds. The subject parcel is 72.8 acres consisting of 34.43 acres of uplands, 0.35 acres of other waters, and 38.02 acres of jurisdictional wetlands. The 'other waters' include two ponds and an intermittent stream located in the northeast corner of the subject property.

During regulatory review the site layout was revised resulting in a reduction in impacts to jurisdictional waters. The revised project will result in the filling of 25.64 acres of pine savanna wetlands, 1.15 acres of bottomland hardwood wetlands, and 0.20 acres of other waters, including 84 linear feet (LF) of stream.

AI 84228 WQC2023035

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The applicant proposes to provide in-kind compensatory mitigation through the purchase of credits from the Wetland Solutions Devils Swamp Phase 1 Mitigation Bank. The project is located south of Fort Bayou Road and west of Eglin Road in the St. Martin community of Jackson County, Mississippi [SAM202300253MJF, WQC2023035].

MDEQ certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

1. The development shall connect to an MDEQ approved wastewater collection and treatment system. (Statement G) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
2. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent avoided wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
3. For construction projects five (5) acres or greater of total ground disturbances including clearing, grading, excavating, or other construction activities shall follow the conditions and limitations of the Large Construction General Permit. No construction activities shall begin until the necessary approvals and/or permits have been obtained. Construction activities include a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
4. The final post-construction stormwater management plan submitted by Dennis Stieffel & Associates, P.A., Inc. on February 28, 2025, shall be implemented concurrent with project construction and maintained as proposed. (Statement F) (11 Miss. Admin. Code Pt. 6, R.1.3.4.A (9))
5. Mitigation for the impacts of 25.64 acres of pine savanna wetlands, 1.15 acres of bottomland hardwood wetlands, and 0.20 acres of other waters, including 84 LF of stream shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with banking prospectus and be based upon that required for impacting 25.64 acres of pine savanna wetlands, 1.15 acres of bottomland hardwood wetlands, and 0.20 acres of other waters, including 84 LF of stream. Written verification of credit purchase must be provided to MDEQ prior to the commencement of any work

in the wetland or stream areas. (Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))

6. Prior to or concurrent with project construction, the avoided wetlands shall be placed in a restrictive covenant. The covenant shall be properly recorded in the Miscellaneous Document Book, with the Registrar of Deeds, or with another appropriate official charged with the responsibility of maintaining records of title to and interest in real property within six months of the effective date of the authorization. A certified copy of the easement must be furnished to MDEQ within 30 days of the recording. The covenant shall contain:
  - A. There shall be no clearing, burning, cutting or destroying of trees or vegetation, except as expressly authorized in the Reserved Rights; there shall be no planting or introduction of non-native or exotic species of trees or vegetation except as specifically provided for in the mitigation plan.
  - B. No agricultural, industrial, or commercial activity shall be undertaken or allowed.
  - C. There shall be no construction or placement of buildings, or other structures in the mitigation area other than structures for wildlife enhancement, viewing, or scientific study.
  - D. There shall be no use of off-road vehicles, four-wheel drive vehicles, all-terrain vehicles or similar vehicles except on existing or approved roads and trails and except as necessary to implement the mitigation plan.

(Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))

6. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (Statement A) (11 Miss. Admin. Code Pt. 6, R.2.2.A.(3))
7. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3))

As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for MDEQ to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

- (A) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams.
- (B) There is a feasible alternative to the activity which reduces adverse consequences on water quality and classified or existing uses of waters of the State.

- (C) The proposed activity adversely impacts waters containing State or federally recognized threatened or endangered species.
- (D) The proposed activity adversely impacts a special or unique aquatic habitat, such as National or State Wild and Scenic Rivers and/or State Outstanding Resource Waters.
- (E) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (F) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (G) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (H) The proposed activity results in significant environmental impacts which may adversely impact water quality.

MDEQ also certifies that there are no limitations under Section 302 nor standards under Sections 306 and 307 of the Federal Water Pollution Control Act which are applicable to the applicant's above-described activity.

This certification is valid for the project as proposed. Any deviations without proper modifications and/or approvals may result in a violation of the 401 Water Quality Certification. If you have any questions, please contact Carrie Barefoot.

Sincerely,



Becky Simonson  
Chief, Environmental Permits Division

BS:chb:pk

cc: Maryellen Farmer, U.S. Army Corps of Engineers, Mobile District  
Willa Brantley, Mississippi Department of Marine Resources  
Jamie Becker, Environmental Protection Agency  
Mitch Tinsley, Ecological Asset Management, LLC  
Dennis Stieffel, Dennis Stieffel & Associates, P.A., Inc.  
Dana Sanders, Sanders Environmental, LLC