



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

July 18, 2013

South Mississippi Branch
Regulatory Division

PUBLIC NOTICE NO. SAM-2007-00343-TMZ

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

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

CYPRESS CREEK, OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI

COOK ROAD RESIDENTIAL DEVELOPMENT

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT: Mr. Steven Kingsley
12012 Rio Lado Lane
Biloxi, Mississippi 39532-3444
(228) 219-2817**

**AGENT: Compton Engineering
Attention: Ms. Lisa Morrison
156 Nixon Street
Biloxi, Mississippi 39530**

LOCATION: Cypress Creek, northeast corner of Cook Road and Diane Drive, Section 2, Township 7 South, Range 9 West, Ocean Springs, Jackson County, Mississippi (Latitude 30.4601035 North; Longitude 88.8655134 West).

WORK: The applicant proposes to discharge fill material into 5.7 acres of low quality jurisdictional wetlands for the purpose constructing a new, single-family residential complex at a 10.38-acre parcel on the corner of Cook Road and Diane Drive. This project was formerly permitted November 20, 2007, and authorized impacts to 5.7 acres of low quality, pine savannah wetlands. However, the project was never built and the permit has since expired. The proposed residential complex will consist of 30 single-family home units with driveways and yards built along 3 cul-de-sacs; a stormwater detention pond is

proposed to be constructed in wetlands. Approximately 7.48 acres of pine savannah and bottomland hardwood wetlands occur on the subject property; some upland habitat occurs along the southern boundary. Logging activity has disturbed much of the pine savannah habitat, whereas the bottomland hardwoods are much less disturbed; this higher quality 1.65-acre wetland habitat adjacent to Cypress Creek will be avoided during site development and be placed into a restrictive covenant as a condition of the permit authorization. The applicant proposes to mitigate for the permanent loss of wetlands by purchasing the appropriate number of mitigation credits from a U.S. Army Corps of Engineers' (Corps) approved wetland mitigation bank, minus a credit offset for the preserved area.

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. The applicant has certified the proposed activity complies with and will be conducted in a manner that is consistent with the Mississippi Coastal Zone Management Program. A determination relative to consistency will be made by the Mississippi Department of Marine Resources.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the Corps 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, 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 Corps 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 Corps 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.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review 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 permit area. Copies of this notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

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 will not affect listed endangered or threatened species or their critical habitat.

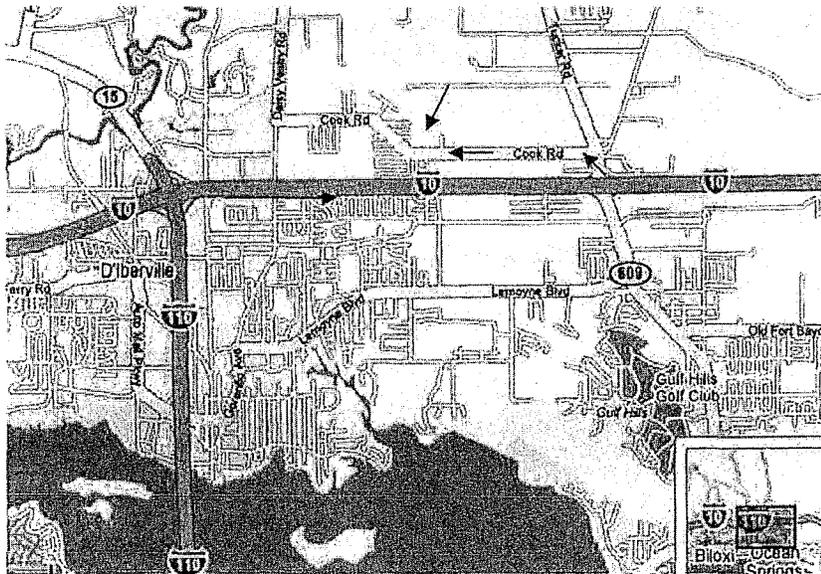
Correspondence concerning this Public Notice should refer to Number **SAM-2007-00343-TMZ** and should be directed to the District Engineer, U.S. Army Engineer District, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: RD-S-M Zebryk with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 10385, Jackson, Mississippi 39289 and the Mississippi Department of Marine Resources, 1141 Bayview Avenue, Suite 101, Biloxi, Mississippi 39530, in time to be received not later than 30 days from the date of this notice.

If you have any questions concerning this publication, you may contact me by phone **(251) 694-3779** or by email at **tad.m.zebryk@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.Missions/Regulatory.aspx.

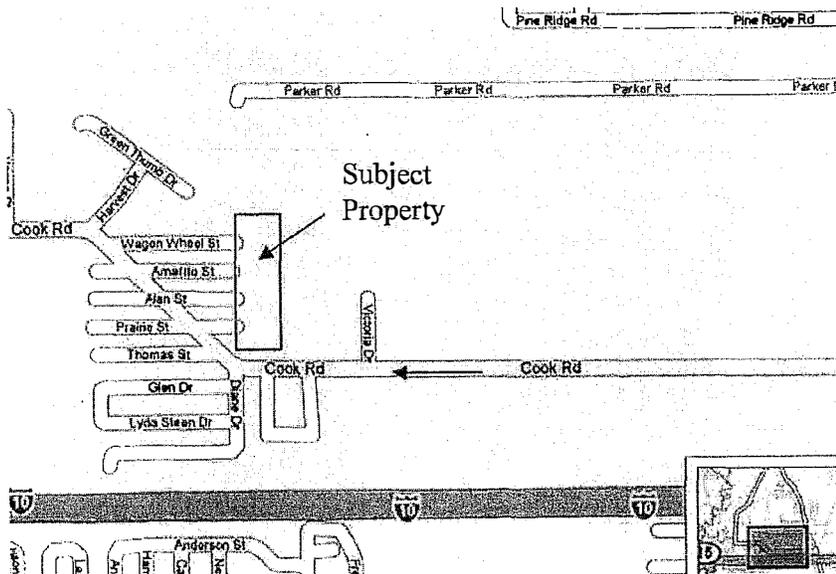
MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

Maps and Driving Directions



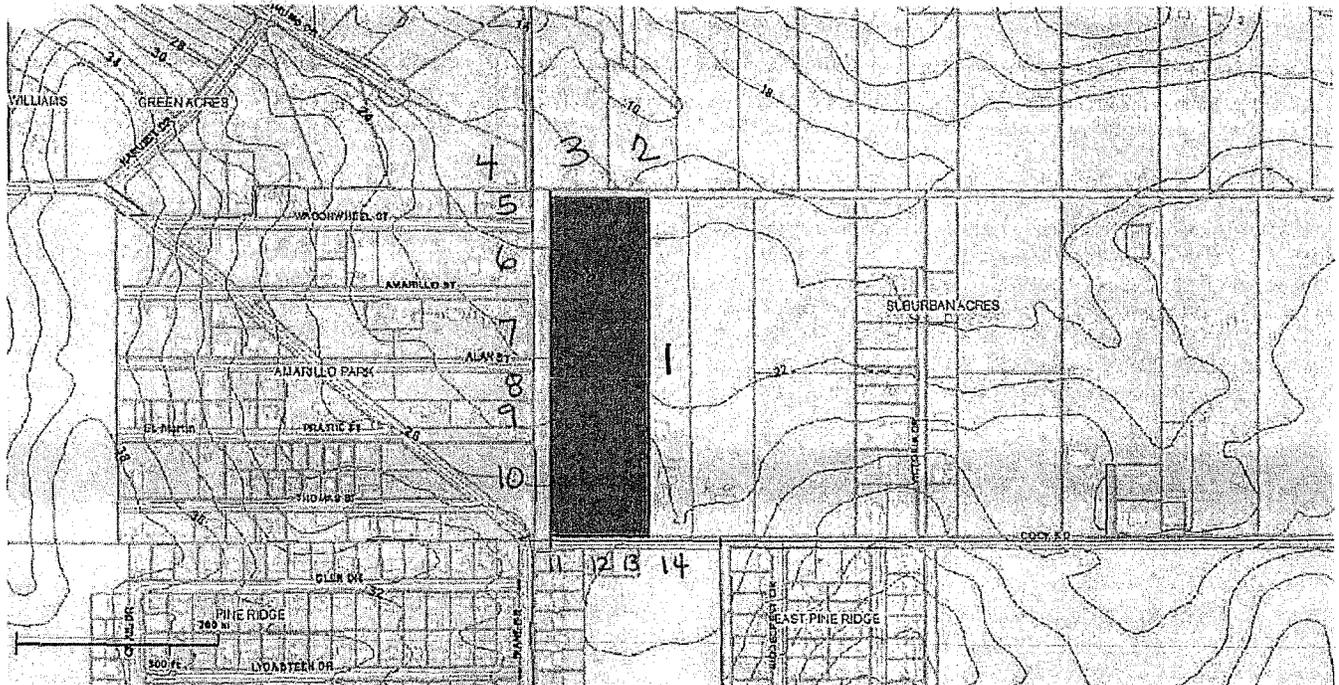
From Biloxi: Head North on I-110 toward I-10. Merge onto I-10 East toward Pascagoula/Mobile. Travel East on I-10 until the MS Highway 609 Tucker Road exit (#50). Take Exit 50 and turn left (north) onto Hwy 609. Turn left onto Cook Road at the third set of stoplights. Continue on Cook Road until it makes a sharp bend toward the right. This will be at an intersection with Diane Drive. The property is located on the right hand side of Cook Road. A dirt service road across from Diane Drive borders the western property boundary.



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Steve Kingsley

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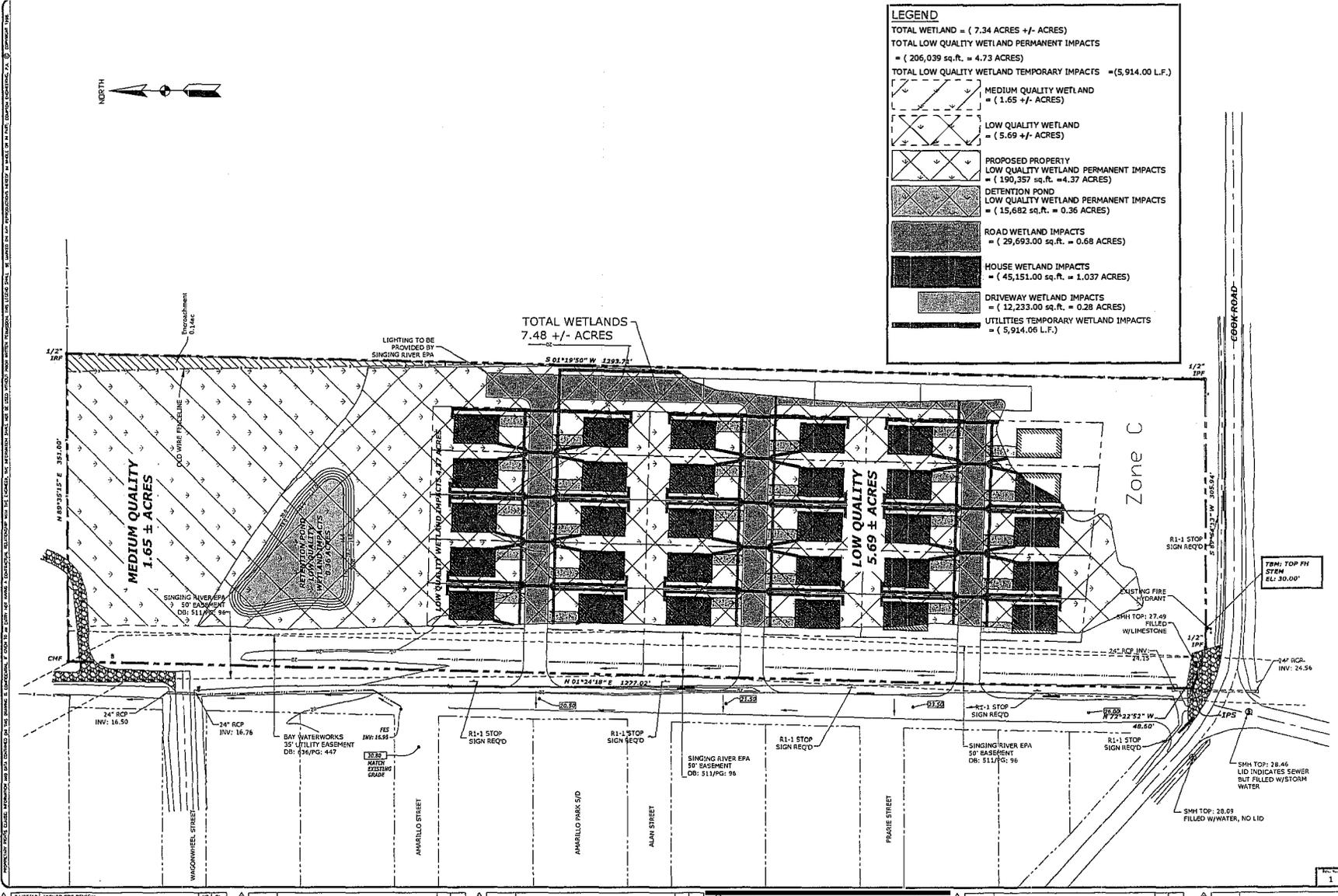
LEGEND

TOTAL WETLAND = (7.34 ACRES +/- ACRES)
 TOTAL LOW QUALITY WETLAND PERMANENT IMPACTS = (206,039 sq.ft. = 4.73 ACRES)
 TOTAL LOW QUALITY WETLAND TEMPORARY IMPACTS = (5,914.00 L.F.)

MEDIUM QUALITY WETLAND = (1.65 +/- ACRES)
 LOW QUALITY WETLAND = (5.69 +/- ACRES)

PROPOSED PROPERTY LOW QUALITY WETLAND PERMANENT IMPACTS = (190,357 sq.ft. = 4.37 ACRES)
 DETENTION POND LOW QUALITY WETLAND PERMANENT IMPACTS = (15,682 sq.ft. = 0.36 ACRES)

ROAD WETLAND IMPACTS = (29,693.00 sq.ft. = 0.68 ACRES)
 HOUSE WETLAND IMPACTS = (45,151.00 sq.ft. = 1.037 ACRES)
 DRIVEWAY WETLAND IMPACTS = (12,233.00 sq.ft. = 0.28 ACRES)
 UTILITIES TEMPORARY WETLAND IMPACTS = (5,914.00 L.F.)



COMPTON ENGINEERING, INC.
 Engineering, Surveying, and Environmental Services
 1000 Highway 90
 Pascagoula, Mississippi 39567
 Phone: (228) 762-3970 Fax: (228) 769-9079
 E-mail: compton@comptongineering.com



Kingsley Properties, Inc.
Cook Road Development
 Cook Road, Jackson County
 PRELIMINARY WETLANDS DELINEATION

SCALE:	1" = 50'
DATE:	21.13.2013
DATE:	April 2013
DESIGN:	LUN
DATE:	JUL
DATE:	JUL
DATE:	JUL

C-4
 SHEET OF

SAM-2007-00343-TMZ