



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

REPLY TO
ATTENTION OF:

South Mississippi Branch
Regulatory Division

October 31, 2014

**ADDENDUM TO JOINT PUBLIC NOTICE SAM-2013-00786
U.S. ARMY CORPS OF ENGINEERS**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
DMR-140089**

**PROPOSED IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF A COMMERCIAL
DEVELOPMENT, GULFPORT, HARRISON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received an addendum to the file regarding an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act. Please communicate this information to interested parties.

APPLICANT: **Sam Walton Development Complex**
Attention: Mr. Michael Allan
2001 SE 10th Street
Bentonville, Arkansas 72716-5510

AGENT: **Carlson Consulting Engineers, Inc.**
Attention: Mr. John Parrish
7068 Ledgestone Commons
Bartlett, Tennessee 38133

LOCATION: **In wetlands associated with Bernard Bayou, Section 31, Township 7 South, Range 10 West, Gulfport, Harrison County, Mississippi (Latitude 30° 23' 58.47" North, Longitude 89° 01' 09.50" West).**

WORK: **The applicant initially proposed to construct a Walmart Neighborhood Market which would be a small scale grocery store consisting of a 41,839-square-foot steel frame building, parking spaces, all necessary utilities and 2 stormwater detention ponds. During the application process, the applicant clarified that the proposed project is to construct a Walmart Neighborhood Market and to utilize a portion of the project site for future development. Currently there are no specific plans for the future development site, which would be located in non-wetlands and could be fully developed without U.S. Army Corps of Engineers' (Corps) authorization. The subject property is located at the southwest corner of Anniston Avenue and Pass Road in Gulfport. The subject property is approximately 7.89 acres in size and contains approximately 1.82**

acres of jurisdictional wetlands. The applicant is proposing to utilize approximately 23,000 cubic yards of clean fill material to fill the 7.89-acre site, which would include the filling of approximately 1.82 acres of jurisdictional wetland for the proposed development. The proposed work would consist of site clearing, site grading and filling, paving and construction of the proposed structures.

EXISTING CONDITIONS: The property is located within a highly developed area of Gulfport along Pass Road. The project site is bordered by Pass Road to the north, Anniston Avenue to the east and Pine Street to the south and west. The northeastern corner of the site at the intersection of Pass Road and Anniston Avenue contains a vacant commercial building. The remaining portion of the site is forested and contains approximately 1.82 acres of forested wetlands in the southern portion of the site. An approximate 620-linear-foot drainage channel is located in the wetlands and flows from east to west. Portions of the channel have been dug out to allow continued flow with spoil material being placed along the banks. Other portions of the channel to the interior of the site have been blocked with piles of dirt removing the defined bed and bank, which has developed into a system of swales to continue flow through the drainage channel system. The drainage channel is connected to city drainage through culverts under Anniston Avenue to the east and Pine Street to the west. The site is surrounded by commercial and residential developments.

PROJECT PURPOSE: As stated by the applicant, "The purpose of the project is to construct a Wal-Mart Neighborhood Market and to utilize a portion of the project site for future development. This development is intended to serve a growing Gulfport community and surrounding areas."

The Corps initially determined the basic project purpose is for the construction of commercial retail developments with amenities and would not be considered a water dependent activity. Additional review will be performed by the Corps and cooperating agencies.

ALTERNATIVES: The Corps' review of alternatives submitted by the applicant consists of eight potential sites all located along Pass Road. Each site was reviewed by the applicant using their site requirements. Upon review of all alternative sites by the applicant, using the criteria necessary to provide a complete project, the proposed site was chosen. Additional review of alternatives will be performed by the Corps and cooperating agencies.

MITIGATION: The applicant is proposing to mitigate for the loss of ± 1.82 acres of low quality forested wetlands through the purchase of 3.64 credits from the Wetland Solutions Mitigation Bank. Additional review of mitigation requirements will be performed by the Corps and cooperating agencies.

Final compensatory mitigation will be evaluated by the Corps and cooperating resource agencies throughout the review process for the proposed project.

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 received coastal zone consistency from the State of Mississippi Department of Marine Resources (DMR) in accordance with Section 57-15-6 of the Mississippi Code Annotated; by October 21, 2013 letter (DMR-140089).

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 benefits, 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 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 for consideration of 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, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to

effect cultural and historic properties within the permit area. The State Historic Preservation Officer (SHPO) has commented to notice from DMR by October 7, 2013 letter. **SHPO reviewed a submitted Phase I Archaeological Resources Survey and concur that no known cultural resources listed in or eligible for listing in the National Register of Historic Places are likely to be affected within the project area surveyed. (MDAH Project Log #09-121-13).** In accordance with Appendix C of 33 CFR Part 325, the Corps has determined that the permit area is the full area of development for the overall project footprint. **The Corps will consult with SHPO to make a final determination based upon this review 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.**

The U.S. Fish and Wildlife Service (FWS) lists 16 endangered, threatened or candidate species as occurring or potentially occurring in Harrison County. These include the gopher tortoise (T)(*Gopherus polypemus*), the Louisiana quillwort(E) (*Isoetes louisianensis*), the Mississippi gopher frog (E) (*Rana capito sevosa*), the Gulf sturgeon (TCH) (*Acipenser oxyrinchus desotoi*), the Red-cockaded woodpecker (E) (*Picoides borealis*), the Piping Plover (TCH)(*Charadrius melodus*), the Red knot (*Calidris canutus rufa*), the West Indian manatee (E) (*Trichechus manatus*), the Louisiana black bear (T)(*Ursus americanus luteolus*), the Alabama red-belly turtle (E) (*Pseudemys alabamensis*), the Black pine snake (C) (*Pituophis melanoleucus lodingi*), the Green sea turtle (T)(*Chelonia*), the Hawksbill sea turtle (E) (*Eretmochelys imbricate*), the leatherback sea turtle (E)(*Dermochelys coriacea*), the Kemp's ridley sea turtle (E) (*Lepidochelys kempii*) and the Loggerhead sea turtle (T) (*Caretta caretta*).

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants for the 12-HUC watershed suggest that the proposed activity may affect but is not likely to adversely affect listed endangered or threatened species. Specifically, the Black pine snake, the Louisiana black bear, and the Gopher tortoise may be affected by this project. Required habitat for the remaining listed species is not found on the proposed project site. **By June 23, 2013 letter, the FWS stated that the proposed project would have "No Effect" on Federally listed species or their habitats.**

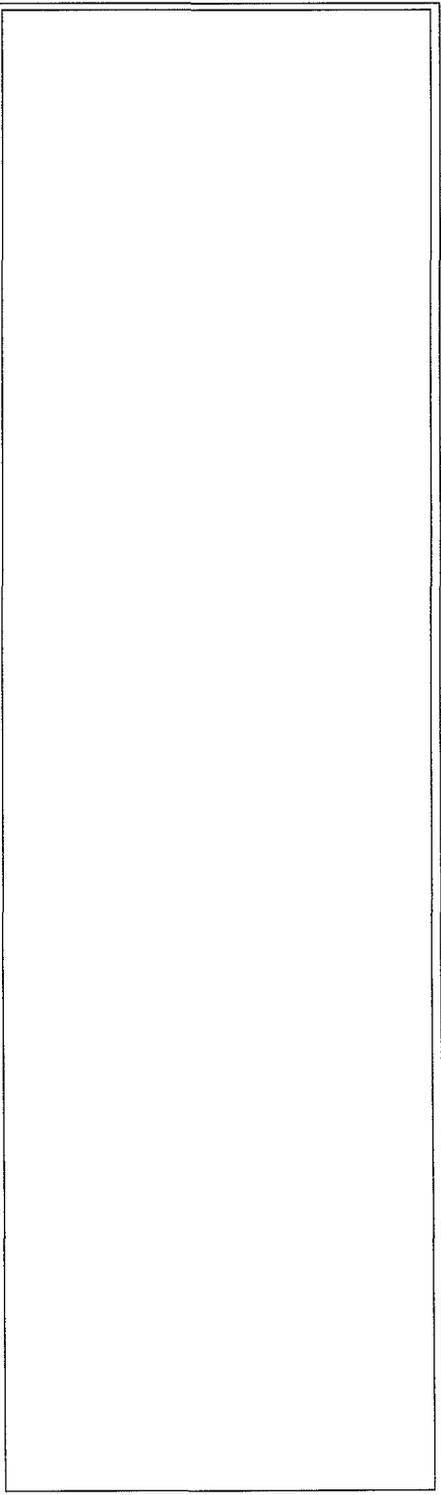
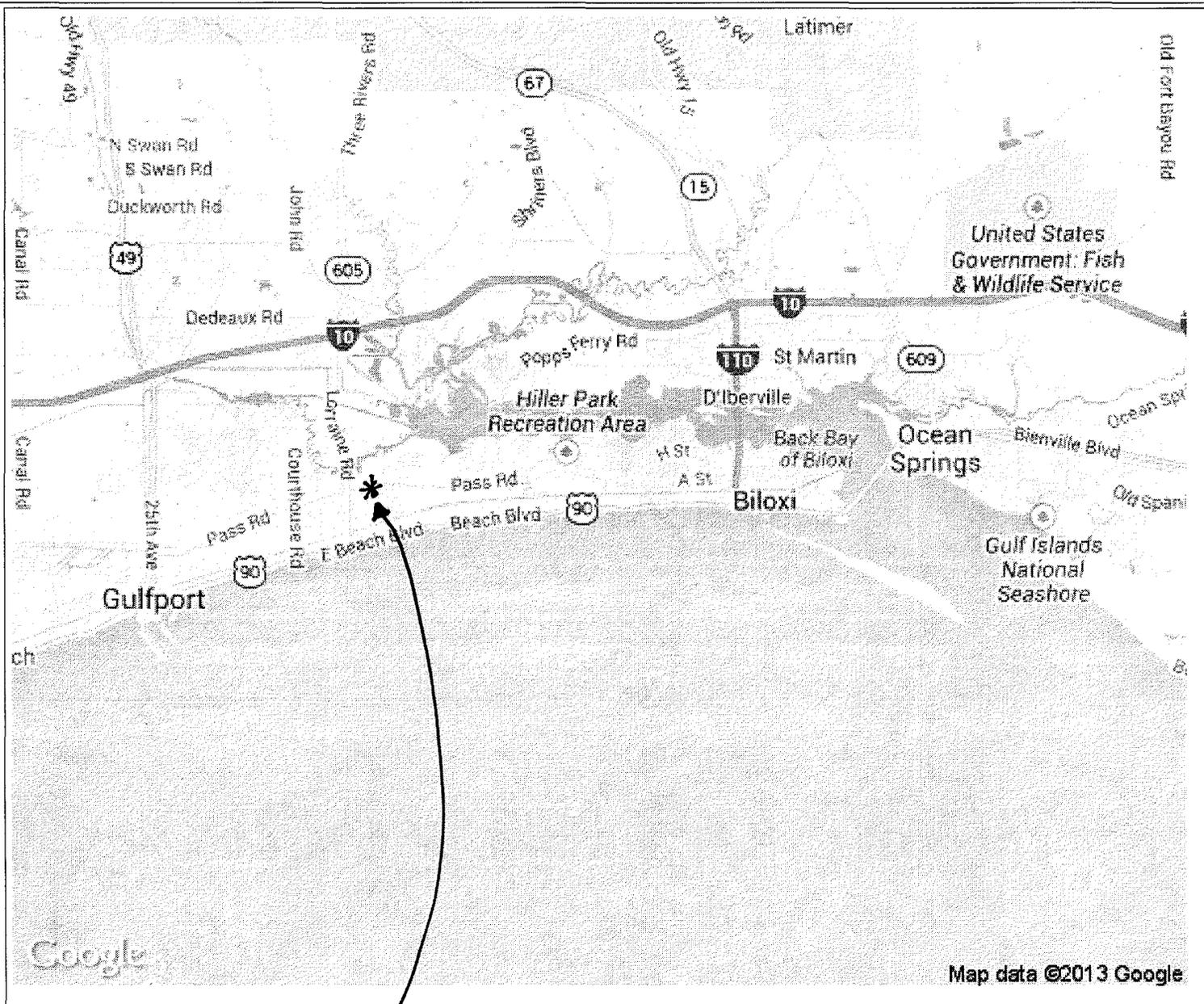
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2013-00786** and should be directed to the District Engineer, U.S. Army Engineer District, Biloxi Field Office, **Attention: Ms. Kaaren Neumann**, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, **Attention: Ms. Florance Watson, P.E.**, Post Office Box 2261, Jackson, Mississippi 39225 and the DMR, **Attention: Ms. Willa Brantley**, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530, in time to be received within **15 days** of the date of this public notice.

If you have any questions concerning this publication, you may contact the project manager for this application, **Ms. Neumann** at kaaren.m.neumann@usace.army.mil or **(228) 523-4024**.

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



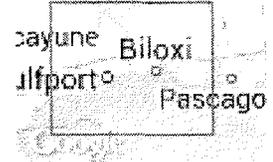
SAM-2013-00786

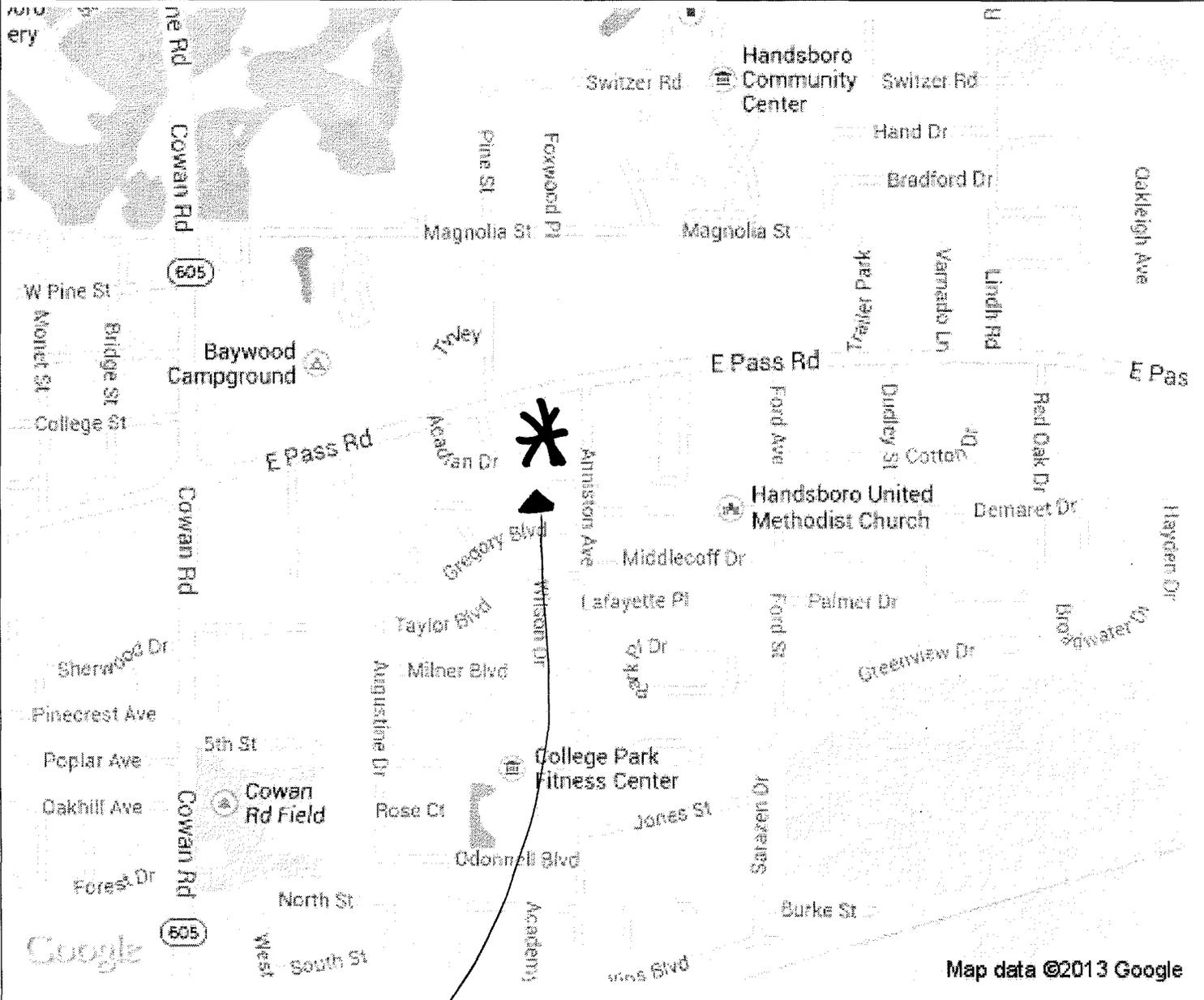
Wal-Mart Neighborhood Market



Date Printed: 11.20.2013

Map Scale: 1:216672





Map data ©2013 Google



SAM-2013-00786

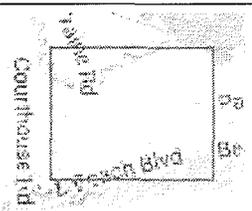


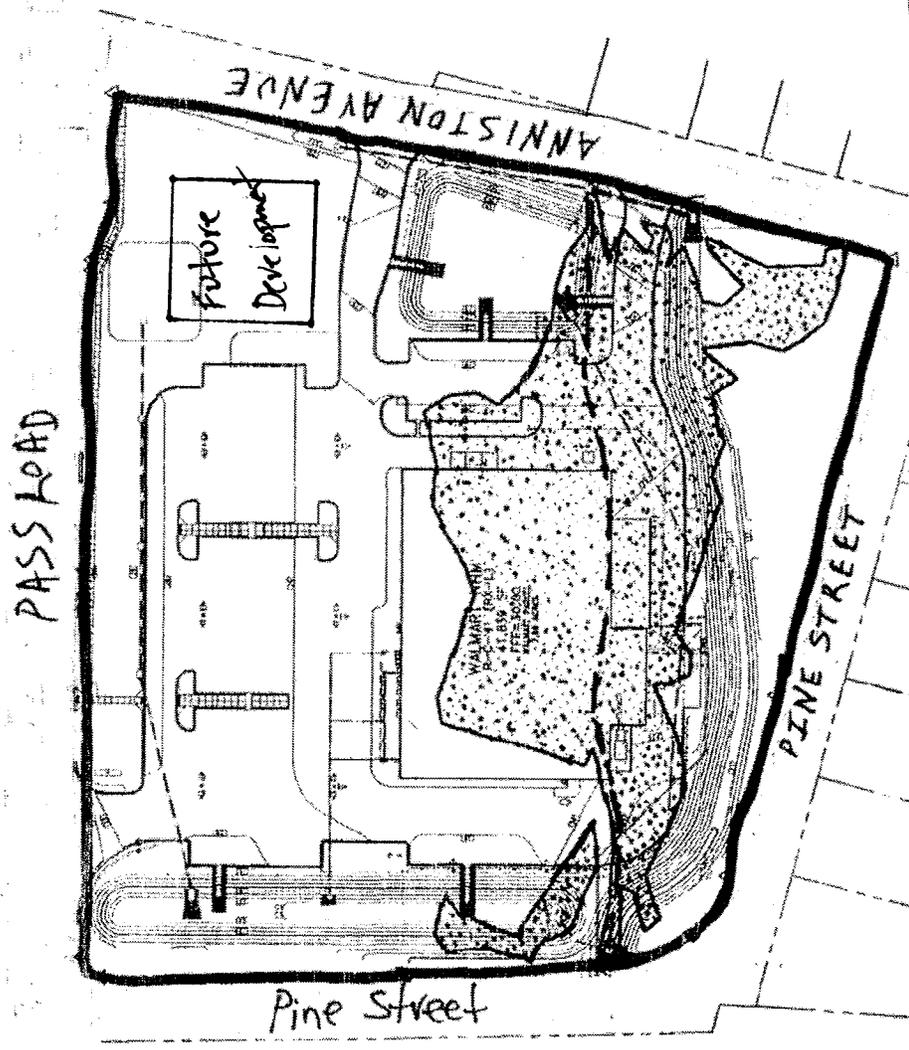
Wal-Mart Neighborhood Market

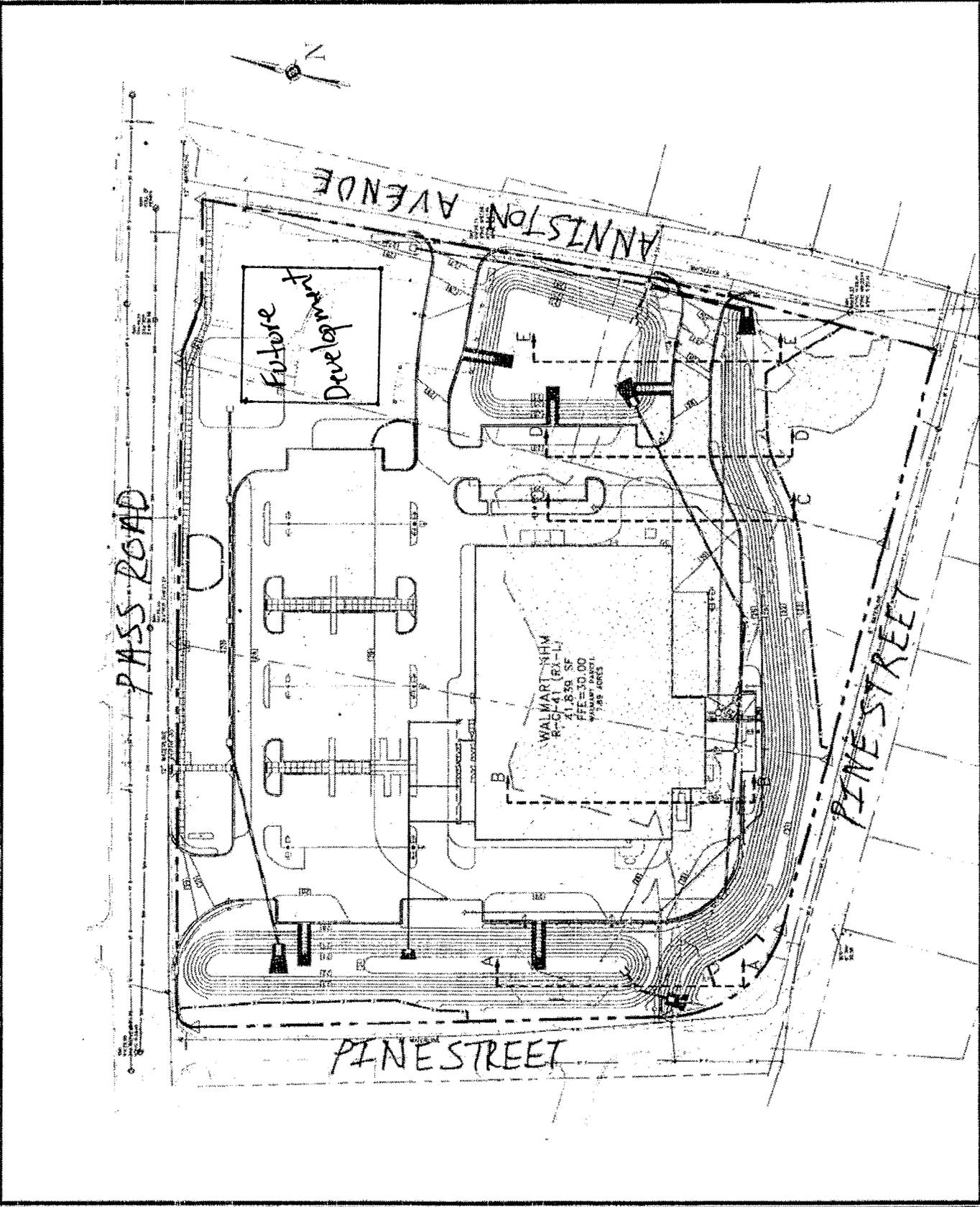


Date Printed: 11.20.2013

Map Scale: 1:13352

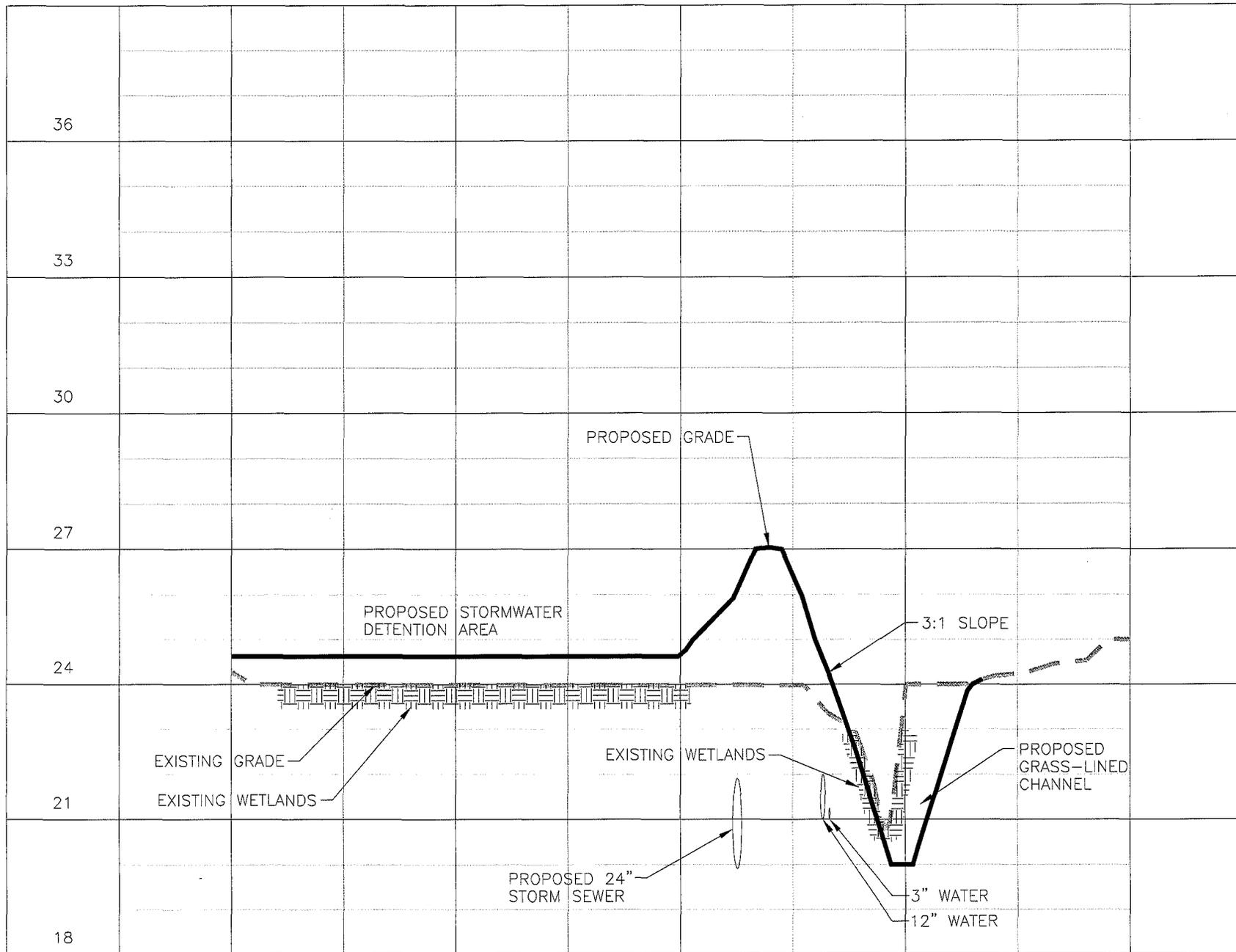




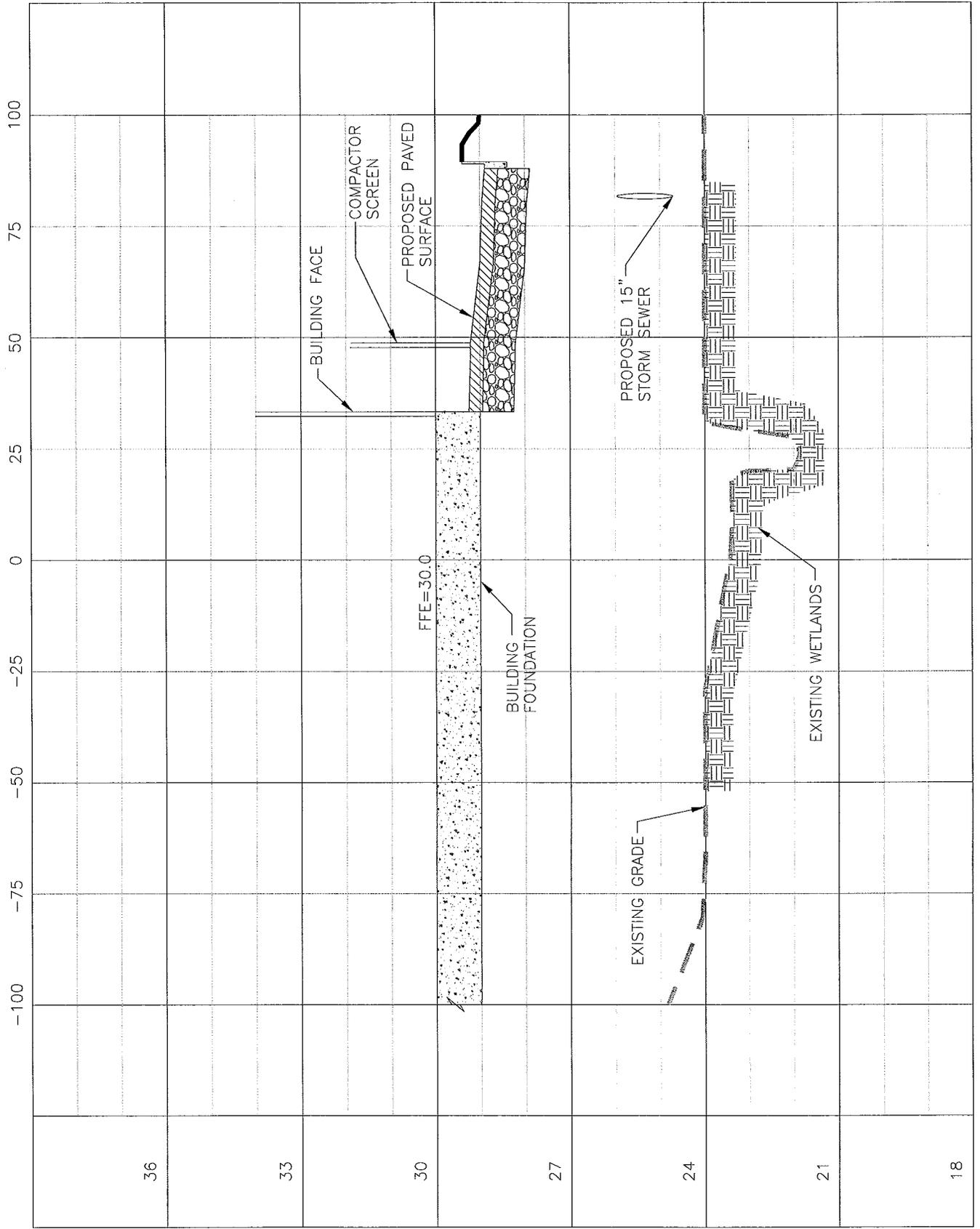


SECTION VIEW A-A

-100 -75 -50 -25 0 25 50 75 100



SECTION VIEW B-B



36

33

30

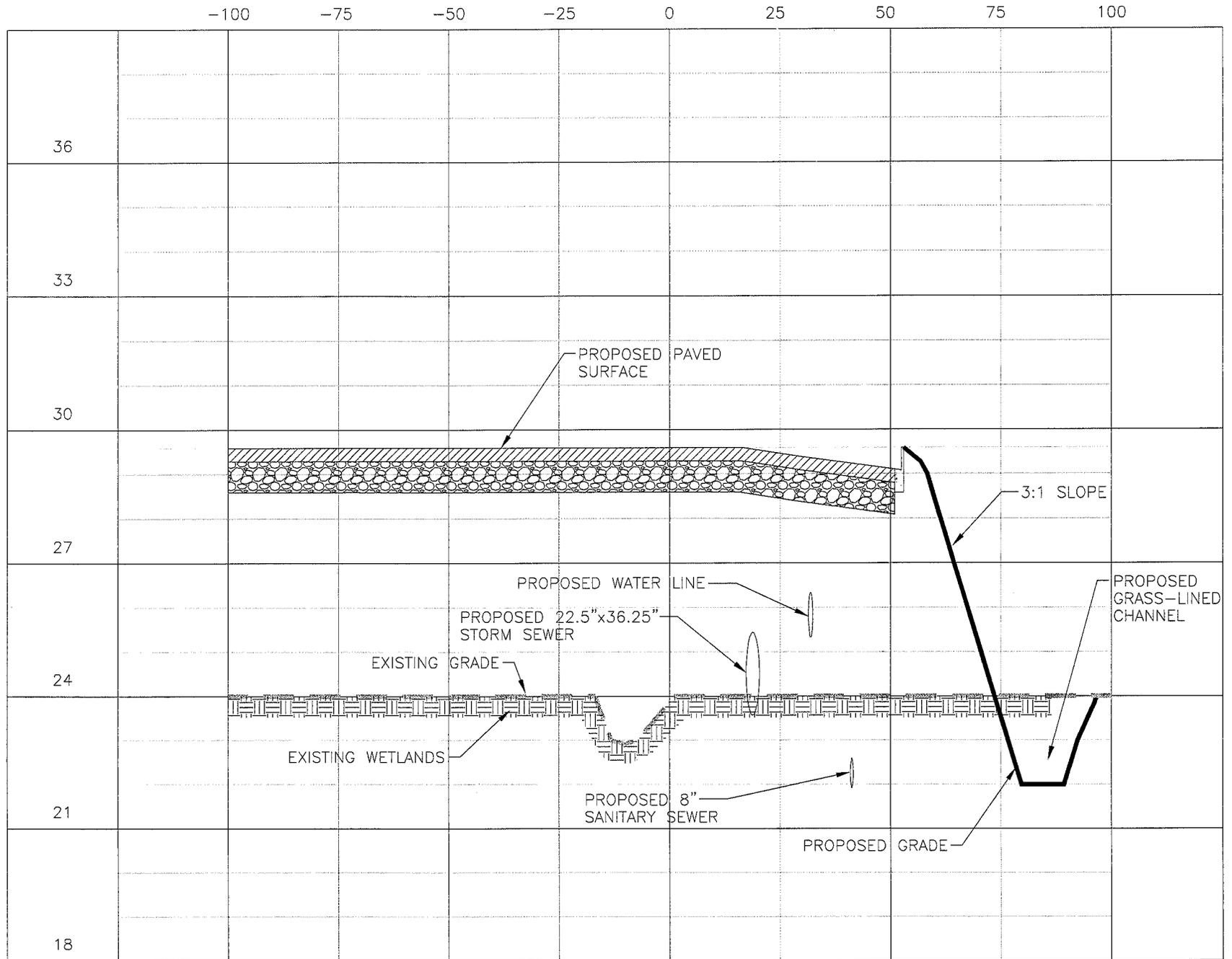
27

24

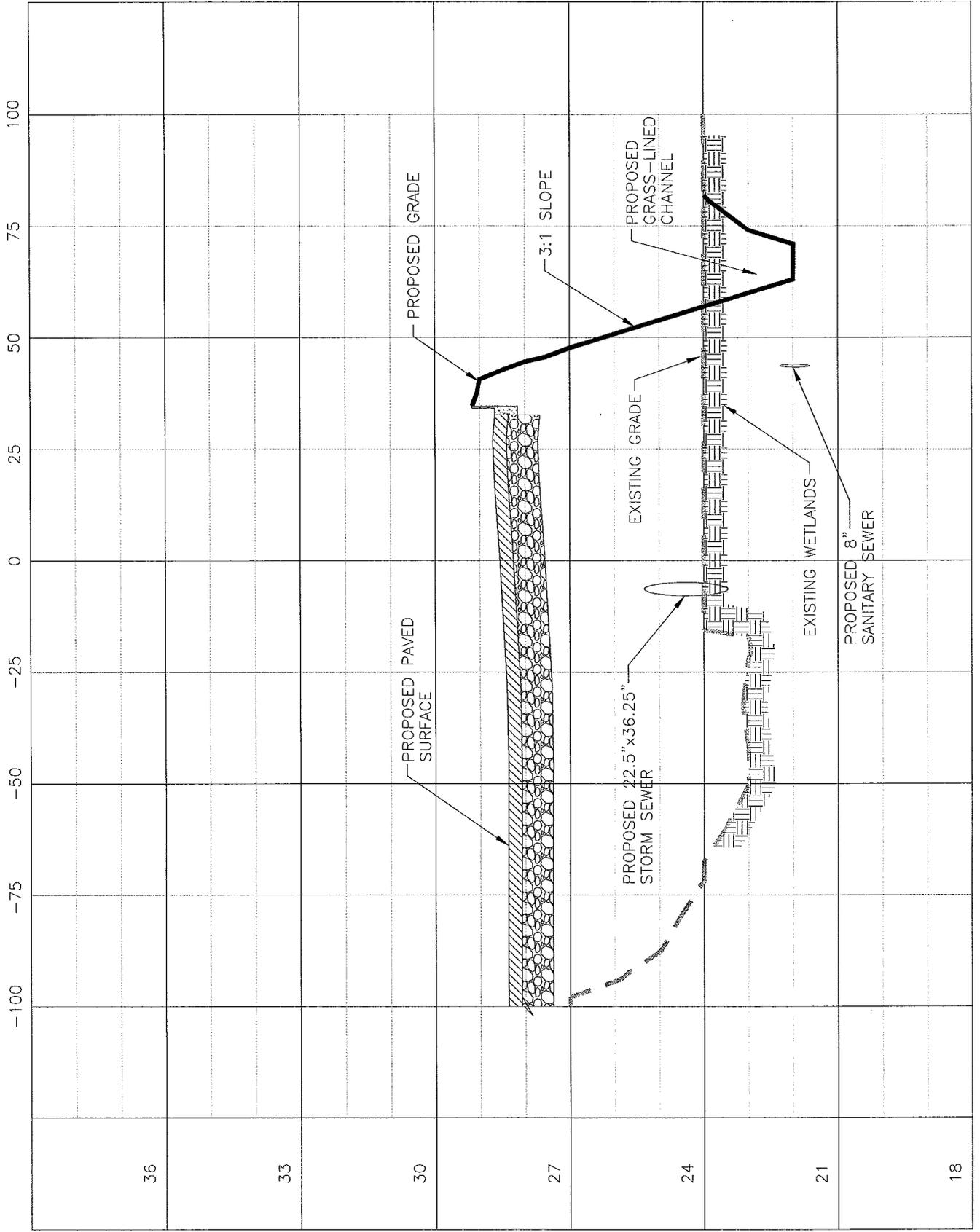
21

18

SECTION VIEW C-C



SECTION VIEW D-D



SECTION VIEW E-E

