



REPLY TO  
ATTENTION OF:

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

December 18, 2014

Mississippi Branch  
Regulatory Division

**JOINT PUBLIC NOTICE SAM-2014-01184-MJF  
U.S. ARMY CORPS OF ENGINEERS**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES  
DMR-140088**

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

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. Please communicate this information to interested parties.

**APPLICANT: John Fayard Moving & Warehousing, LLC  
P.O. Box 2189  
Gulfport, Mississippi 39505**

**AGENT: BMI Environmental Services, LLC  
Attention: Ms. Kristyn Gunter  
521 34<sup>th</sup> Street  
Gulfport, Mississippi 39507**

**LOCATION: In wetlands associated with Bernard Bayou, located within the Bernard Bayou Industrial District (BBID), Section 14, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi (Latitude 30.43614 North, Longitude -89.06645 West).**

**WORK: The applicant proposes to construct an industrial development consisting of a 172,800-square-foot warehouse/office building, all necessary utilities, associated parking and docking spaces and two detention basins. The proposed work is to provide additional commercial freight distribution facilities and expand the Fayard Moving & Warehousing, LLC operations currently located in the BBID. The property is approximately 10.0 acres in size and contains approximately 9.8 acres of jurisdictional wetlands, of which 9.5 acres would be impacted. The remaining 0.3 acres of would remain undisturbed and would maintain a hydrologic connection with the watershed. Therefore, mitigation would be required for the 9.5 acres of onsite wetlands.**

**EXISTING CONDITIONS:** The property is located within a highly developed industrial area of Gulfport known as the Bernard Bayou Industrial District. The surrounding area is heavily inhabited with commercial and industrial shops and warehouses with very limited undeveloped parcels. The topography within BBID is relatively flat. Site drainage for the subject site is generally towards the south toward Seaway Road and then easterly and westerly toward modified channels and ultimately into Bernard Bayou Industrial Seaway. Dominant vegetation consists of slash pine (*Pinus elliottii*), bald cypress (*Taxodium distichum*), and sweetbay magnolia (*Magnolia virginiana*) in the overstory; wax myrtle (*Myrica cerifera*), yaupon holly (*Ilex vomitoria*) and gallberry (*Ilex glabra*) in the shrub layer; and various species of ferns in the understory.

**PROJECT PURPOSE:** As stated by the applicant, “The proposed project is to provide for additional commercial freight distribution facilities and expand the Fayard Moving & Warehousing, LLC operations with the BBID. The Fayard operations within the BBID have grown over time to be one of the largest freight distribution centers along the Mississippi Gulf Coast. Major expansion to the west occurred in the late 1990’s and they have expanded operations to the east beginning in 2008. While these expansions have provided additional facilities and space, there is a need for additional space to accommodate their growing freight distribution operations.” The U.S. Army Corps of Engineers (Corps) initially determined the basic project purpose is for the construction of an industrial warehouse/office 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’ initial review of alternatives submitted by the applicant consists of alternate locations within the BBID. The applicant considered opportunities both within the BBID and in other areas along the Mississippi Gulf Coast. Given the investment in the current site, the strategic location within BBID, and the value of having the freight operations connected rather than separated, the applicant dismissed alternative sites outside the BBID. Additional review of alternatives will be performed by the Corps and cooperating agencies.

**MITIGATION:** The applicant is proising mitigation for the loss of ±9.5 acres of low quality Pine Savannah wetlands through the purchase of mitigation credits from an approved wetlands 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 applied for coastal zone consistency from the State of Mississippi Department of Marine Resources in accordance with Section 57-15-6 of the Mississippi Code Annotated. (DMR-150104).

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. 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 National Park Service, National Register of Historic Places (NRHP) database has been consulted. The Thomas & Melinda Benton House is located approximately 0.8 miles to the southwest and across the Bernard Bayou Industrial Seaway. The Benton House was listed on the NRHP in 2002. The Benton House is locally significant to the Gulfport area because it is one of the oldest and most intact early buildings within the Turkey Creek Community, a historic African American settlement that predated the founding of the City of Gulfport, and because it was the home of two of the founders and earliest settlers of the community. The proposed project will have *no potential to cause direct effects* on historic properties in the permit area. The proposed project will have *no potential to cause indirect effects* to the Benton House view shed as the properties are separated by the Industrial Seaway, several

roadways and wooded areas. 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. We are 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. The State Historic Preservation Officer replied to the MDMR notice by letter dated November 3, 2014, stating that no cultural resources are likely to be affected, provided the fill material needed for the project is obtained from a borrow area that has been cleared for cultural resources. (MDAH Project Log #10-113-14)

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicated the following terrestrial species may be present onsite: the gopher tortoise (T)(*Gopherus polyphemus*), the Louisiana quillwort(E) (*Isoetes louisianensis*), the Louisiana black bear (T)(*Ursus americanus luteolus*), the Alabama red-belly turtle (E) (*Pseudemys alabamensis*), and the Black pine snake (C) (*Pituophis melanoleucus lodingi*). No listed critical habitat is located on or near the project site. The Corps has made a preliminary determination that the proposed activity will have *no effect* on listed endangered or threatened species or critical habitat based on the fact this property is a designated industrial complex and has been highly developed in recent years. This determination is being coordinated with the U.S. Fish and Wildlife Service via this public notice.

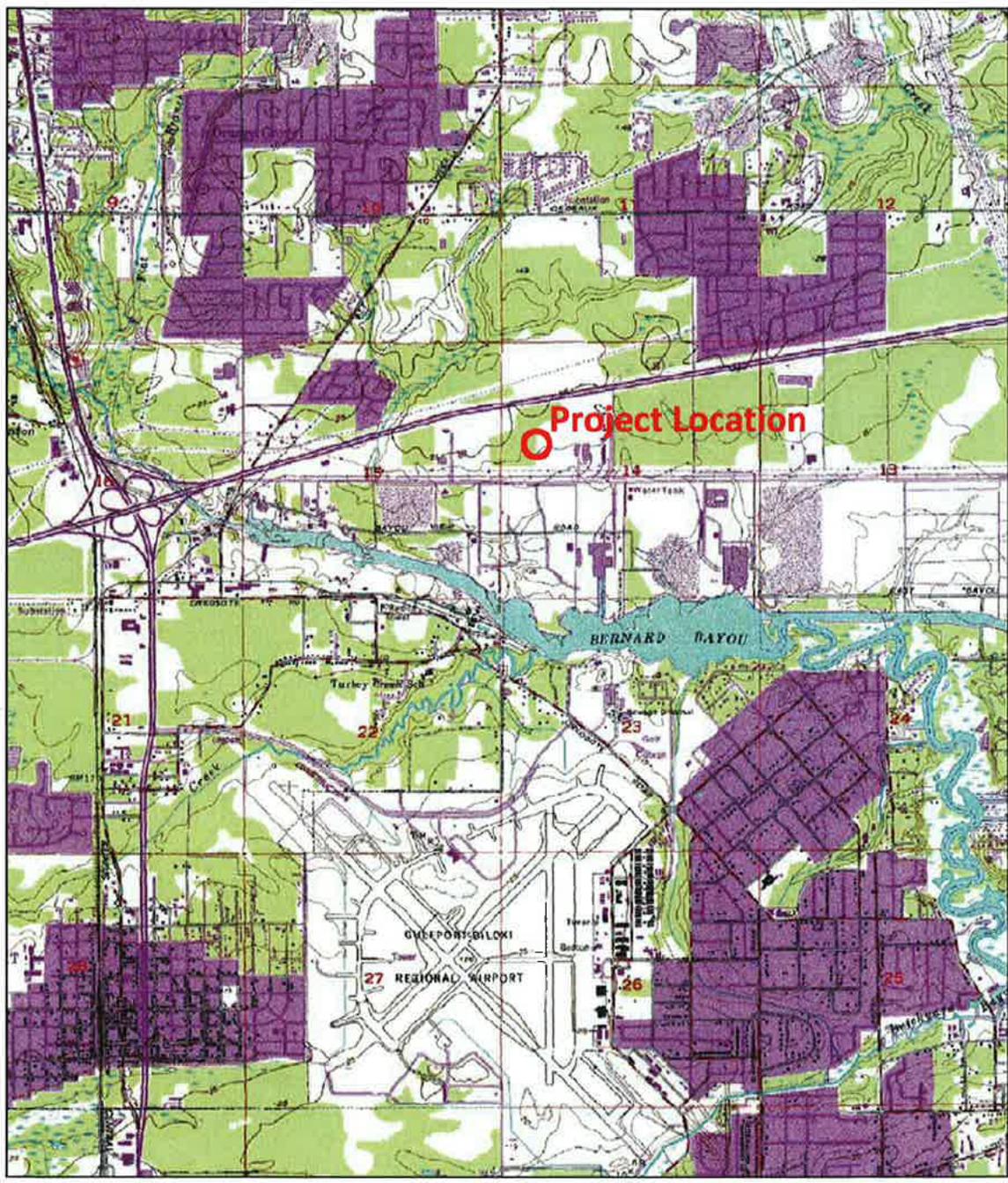
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2014-01184-MJF** and should be directed to the District Engineer, Corps, Mobile District, **Attention: Ms. Maryellen Farmer**, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530, Attention: USACE Biloxi Field Office, 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 Mississippi Department of Marine Resources, **Attention: Mr. Greg Christodoulou**, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530, in time to be received within **30 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. Maryellen Farmer (maryellen.j.farmer@usace.army.mil), phone (228) 523-4116. 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](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

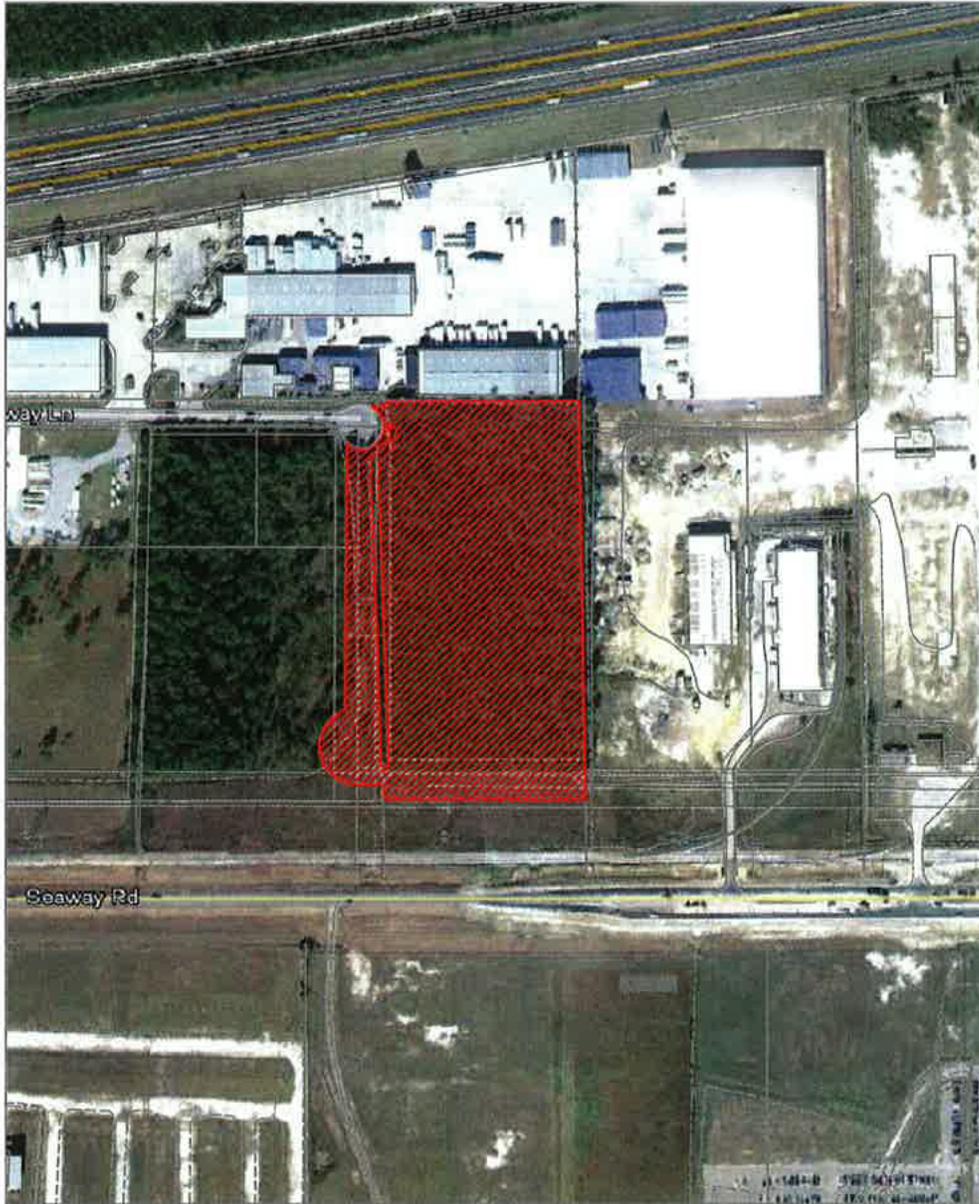
Enclosures



Vicinity Map  
Fayard Moving and Warehousing  
Gulfport, Mississippi

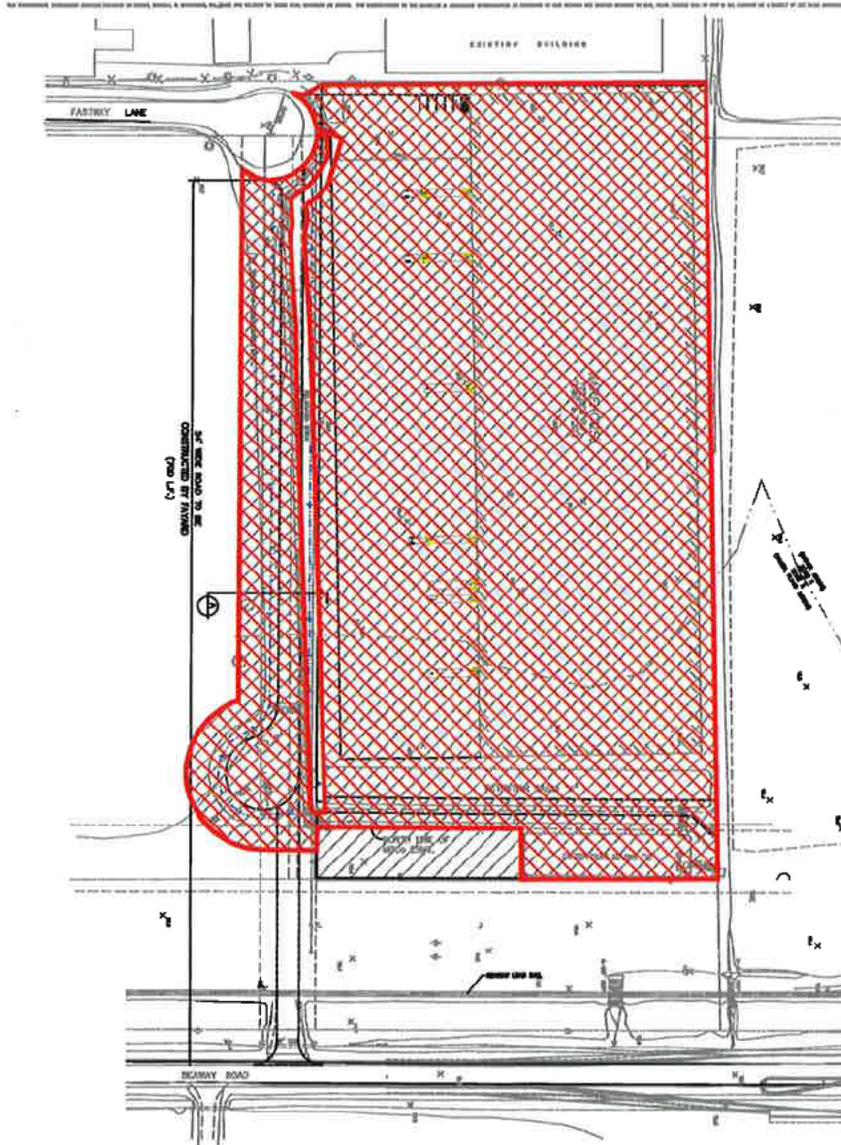


Project Area 10.0 Acre Site - 2011 Aerial Photograph  
Fayard Moving and Warehousing  
Gulfport, Mississippi



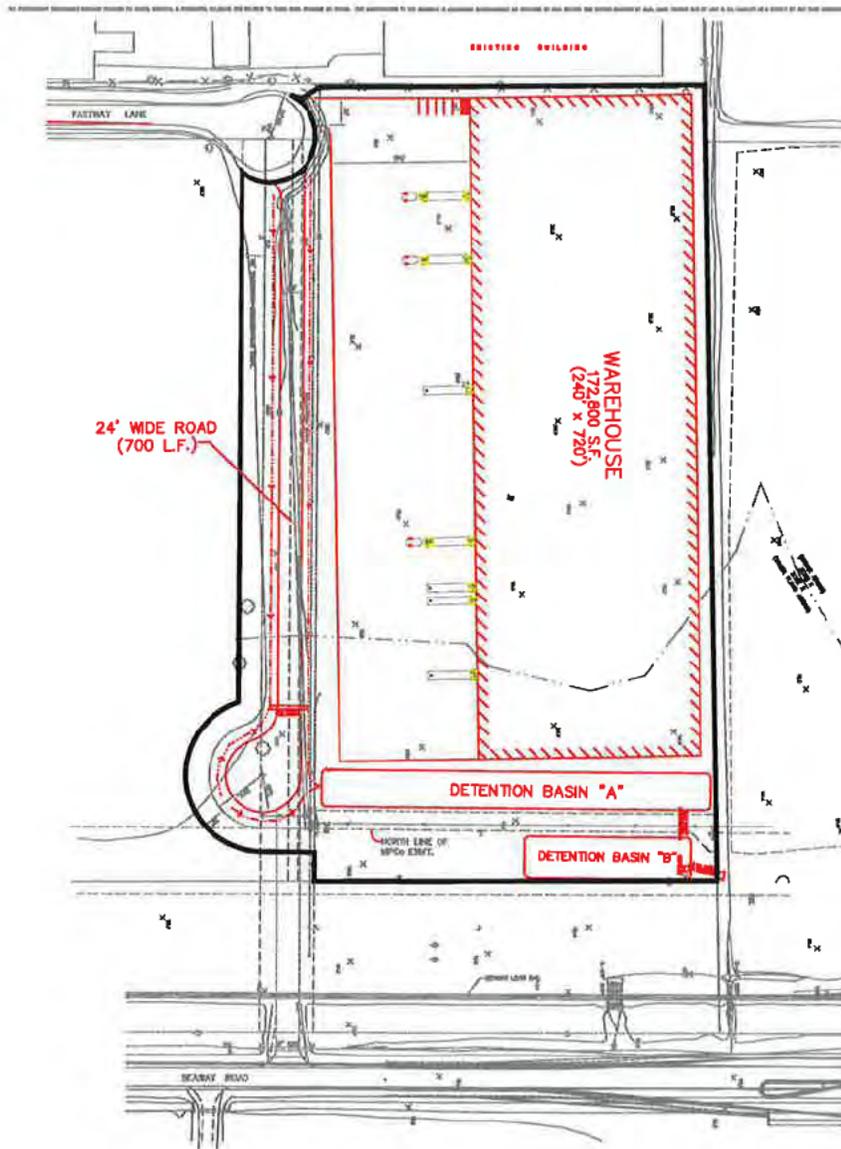
WETLANDS - 9.8 ACRES

**Wetlands Delineation - 2011 Aerial Photograph**  
**Fayard Moving and Warehousing**  
**Gulfport, Mississippi**

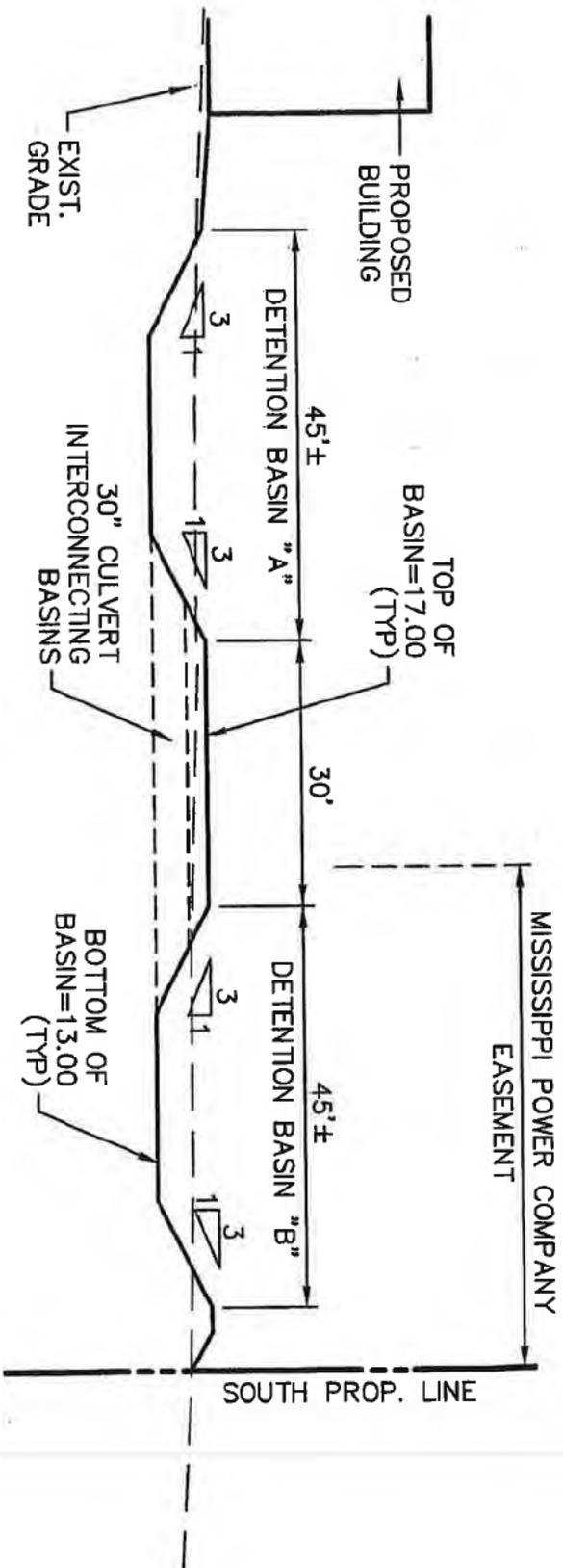


-  WETLANDS - 9.8 ACRES
-  WETLANDS IMPACTS - 9.5 ACRES

**Proposed Wetland Impacts ±9.5 Acres  
Fayard Moving and Warehousing  
Gulfport, Mississippi**



Proposed Development Plan  
Fayard Moving and Warehousing  
Gulfport, Mississippi



**DETENTION BASIN SECTION**

SCALE: 1"=20'

11/20/14  
1341313413SW/PPP2