



REPLY TO
ATTENTION OF:

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

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2015-00411-KMN

May 4, 2015

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL
AND
MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
DMR-150277

**REQUEST TO FILL WATERS OF THE UNITED STATES FOR COMPLETION OF
PHASE II and DEVELOPMENT OF PHASE III OF A RESIDENTIAL SUBDIVISION
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 (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the Corps can be based. Please communicate this information to interested parties.

APPLICANT: B&W Land Company, LLC
Attention: Randy Wrigley
Post Office Box 930
Ocean Springs, Mississippi 39566

AGENT: D.R. Sanders and Associates, Inc.
Attention: Mr. Dana Sanders, Jr.
4017 Lake Wilma Road
Moss Point, Mississippi 39562

LOCATION OF WORK: The proposed project is located west of Canal Road along and west of Hutter Road and north of Interstate 10 in Gulfport, Mississippi. The site is located on approximately 152.30 acres in Section 13, Township 7 South, Range 12 West, Gulfport, Harrison County, Mississippi, Latitude 30.4314° N, Longitude -89.1489° W. The area is depicted on the Mississippi Gulfport NW Quadrangle, United States

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Geological Survey Topographic Map.

WATERWAY: Un-named Tributary to Turkey Creek.

PROJECT PURPOSE: The purpose of the project is for the development of 272 single family residential lots in Magnolia Springs Subdivision.

PROPOSED WORK: Magnolia Springs Subdivision is being developed in three phases. The applicant is requesting a DA permit for the completion of Phase II and construction of Phase III of Magnolia Springs Subdivision. Phase I of the subdivision has already been constructed in adjacent non-wetlands. The majority of Phase II has been constructed in the non-wetlands areas of the site. Three lots (34, 35, & 36) of Phase II contain approximately 0.08 acres of wetlands. Phase III of Magnolia Springs Subdivision would be located on 152.30 acres which contain approximately 86.35 acres of wetlands and other waters of the United States and 65.95 acres of non-wetlands. The applicant proposes to impact 4.28 acres of medium quality pine savannah wetlands and 1.83 acres of bottomland hardwood wetlands for the development of 3 residential lots in Phase II, and 5 detention ponds and 4 road crossings in Phase III. Other water on the project site is an un-named tributary to Turkey Creek which traverses the property. The impact to other waters proposed on-site would consist of construction of one culverted road crossing.

AVOIDANCE & MINIMIZATION: As part of their avoidance measures, the applicant evaluated five off-site properties as possible locations for the proposed development. Avoidance of on-site wetland impacts occurred through limiting house lots to the non-wetland areas. During construction the applicant proposes minimization of wetland impacts through use of Best Management Practices to ensure that additional wetlands outside the project footprint not be affected. The Corps has not verified the adequacy of the applicant's avoidance and minimization at this time.

MITIGATION: The applicant proposes to mitigate for unavoidable impacts to jurisdictional wetlands through the purchase of mitigation credits from a wetlands mitigation bank approved by the Mobile District, Corps of Engineers. The Corps has not verified the adequacy of this mitigation proposal at this time

WATER QUALITY: 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 by the Mississippi Department of Environmental Quality.

HISTORIC PROPERTIES: In accordance with Section 106 of the National Historic

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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 addition to the State historic Preservation Officer, we are seeking comment from the federally-recognized American Indian tribes, local historical societies, museums, universities, the U.S. Department of the Interior, National Park Service, Division of Archeological Services, and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which are known to exist and would be affected by the proposed work.

ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will have no effect on any listed endangered or threatened species. This determination is being coordinated with the U.S. Fish and Wildlife Service (USFWS) via this Public Notice.

COMMENTS: This public notice is being distributed to all known interested persons and serves to solicit comments from the public, Federal, State, and local agencies and officials, Indian Tribes, and other interested parties, in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) can be based.

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.

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.

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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.

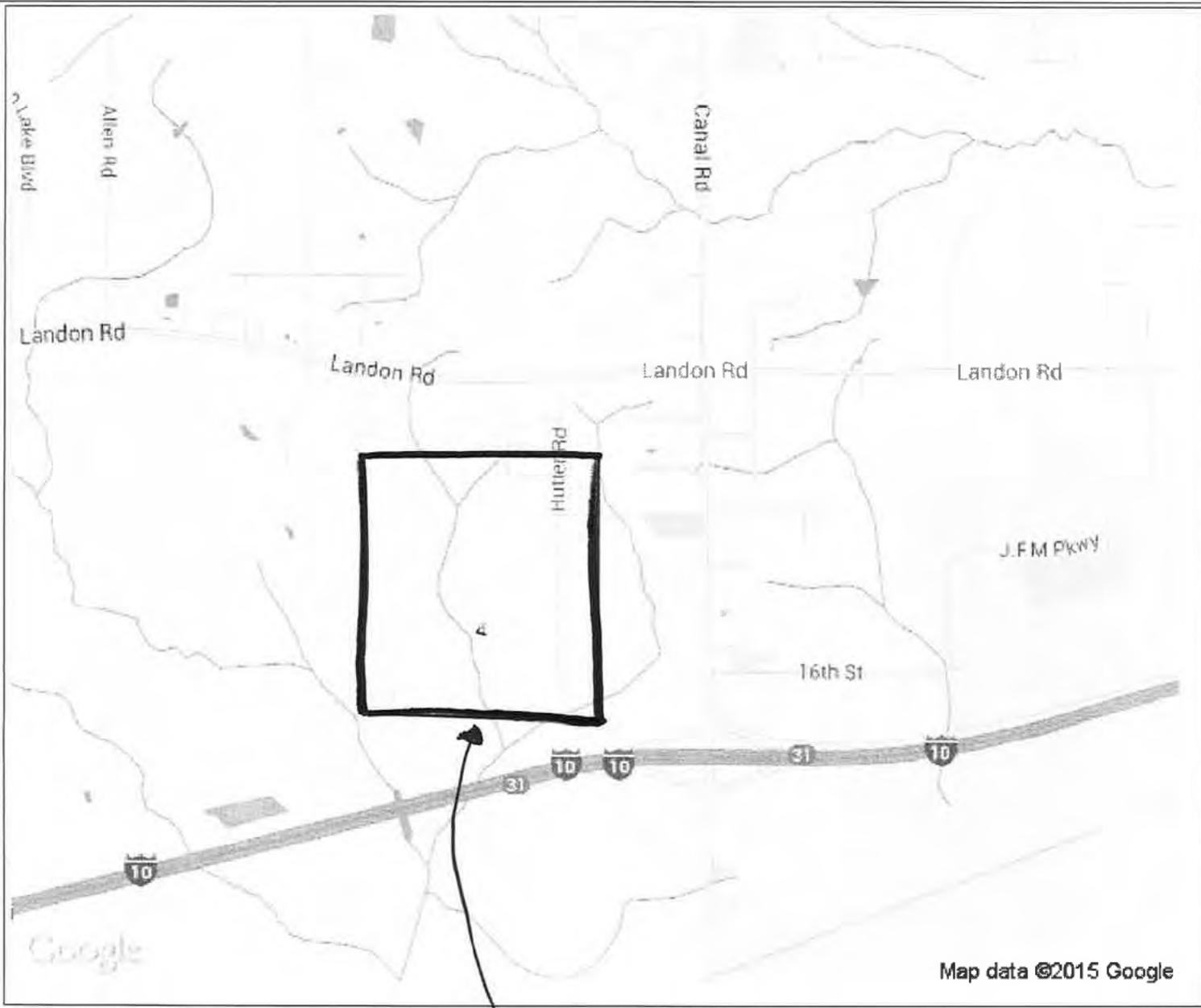
Correspondence concerning this notice should refer to Public Notice Number SAM-2015-00411-KMN and should be directed to: U.S. Army Corps of Engineers, Regulatory Division, Mississippi Field Office, Attention: Kaaren M. Neumann, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530, with a copy furnished to the Mississippi Department of Environmental Quality, Office of Pollution Control, Environmental Permitting Division, Attention: Florance Watson, Post Office Box 2261, Jackson, Mississippi 39225, and the Mississippi Department of Marine Resources, Attention: Jennifer Wittmann, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530.

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 Ms. Kaaren Neumann at (228) 523-4024, or by e-mail at kaaren.m.neumann@usace.army.mil . Please refer to the Public Notice number SAM-2015-00411-KMN.

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



Map data ©2015 Google



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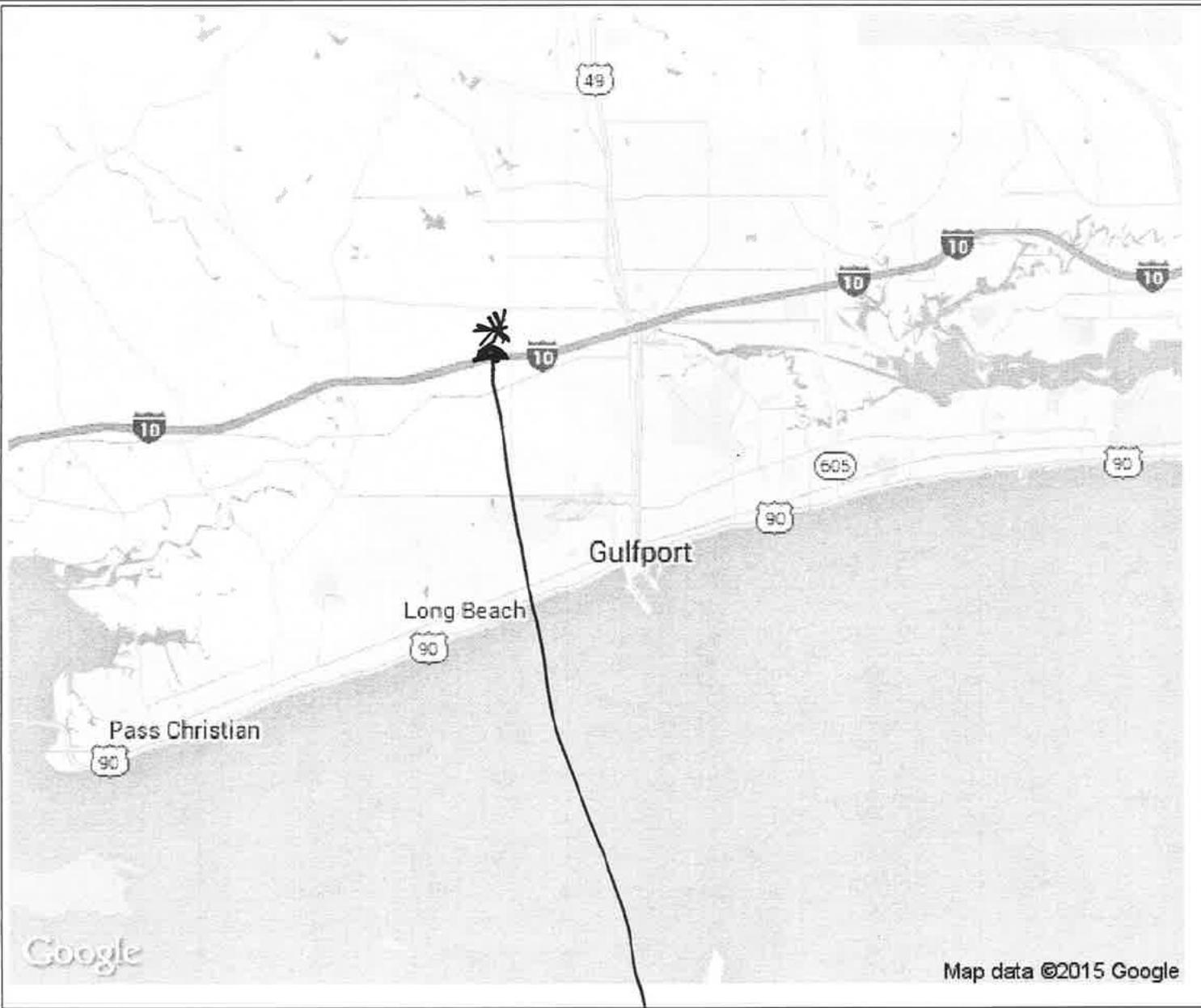


Magnolia Springs Subdivision PHASE III
B&W Land Company, LLC



Site





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Magnolia Springs Subdivision PHASE III
B&W Land Company, LLC



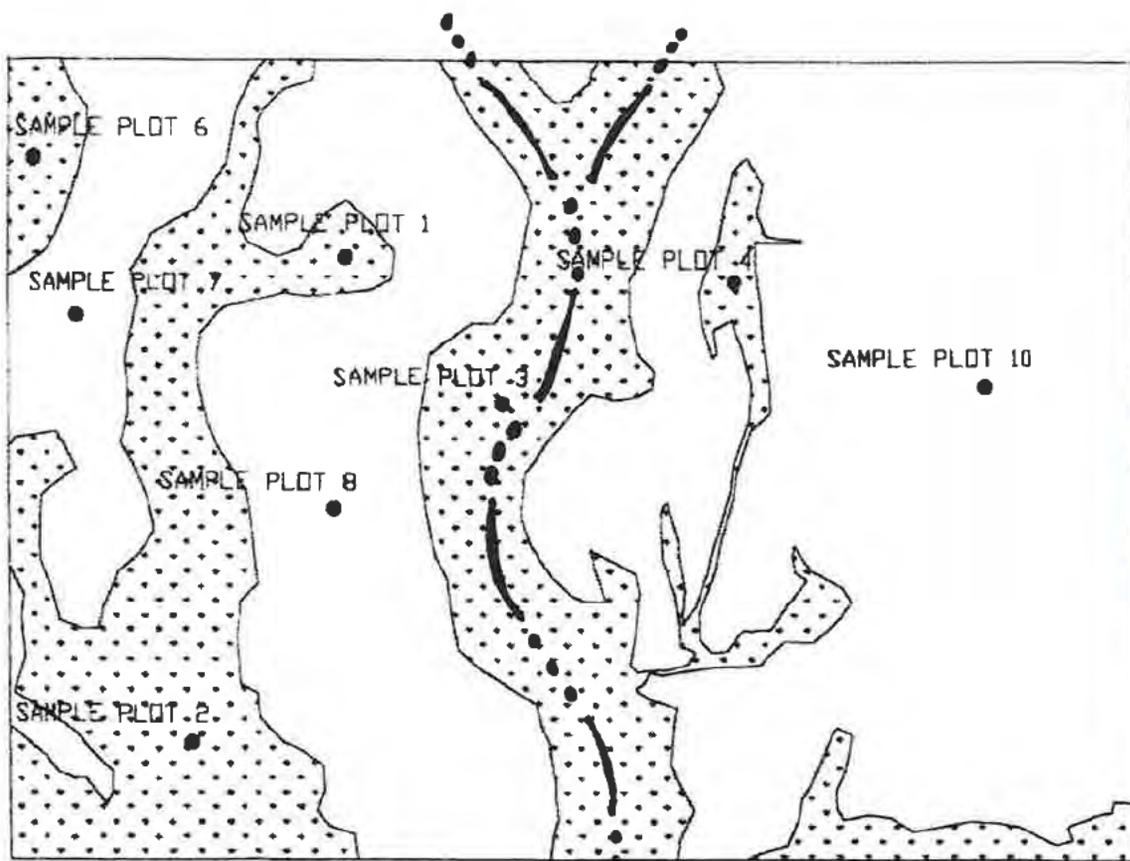
Date Printed: 05.01.2015

Map Scale: 1:216672

Site



FIGURE 2. WETLAND DELINEATION FOR SITE ON CANAL ROAD, HARRISON COUNTY, MS



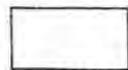
1 INCH = 600 FEET

CANAL ROAD

WETLANDS -



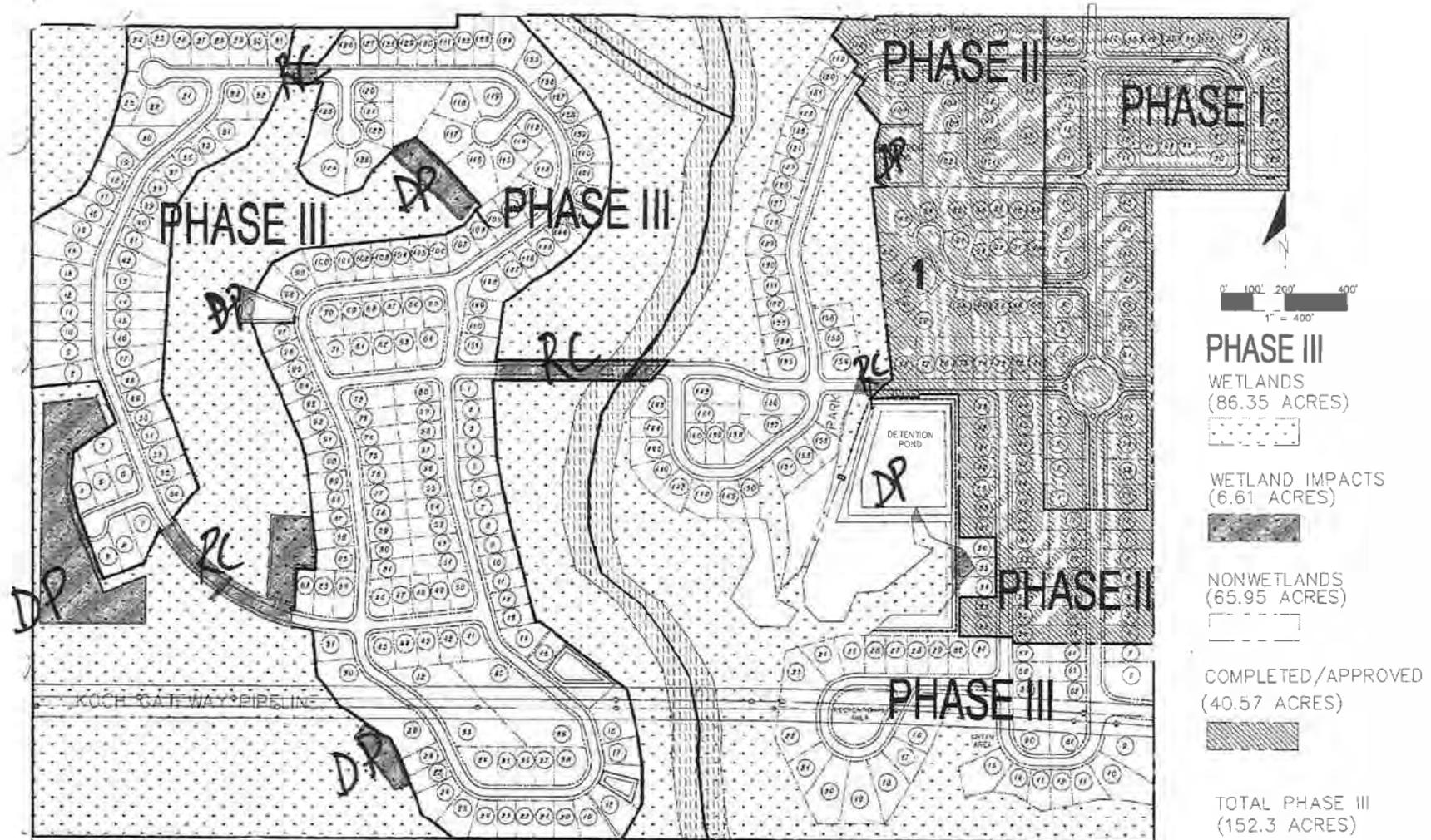
NONWETLANDS -



OTHER WATERS -

DELINEATION BY D. R. SANDERS AND ASSOCIATES, INC. 4/1/04

FIGURE 2. OVERALL PROJECT FOR MAGNOLIA SPRINGS SUBDIVISION



COASTAL HARDWOOD WETLANDS 9.64 ACRES 
 CREEK CHANNELS 

RC - Road Crossing
 DP - Detention Pond

PHASE III
 WETLANDS (86.35 ACRES) 
 WETLAND IMPACTS (6.61 ACRES) 
 NONWETLANDS (65.95 ACRES) 
 COMPLETED/APPROVED (40.57 ACRES) 
 TOTAL PHASE III (152.3 ACRES)

FIGURE 3. TYPICAL LOT PLAN VIEW

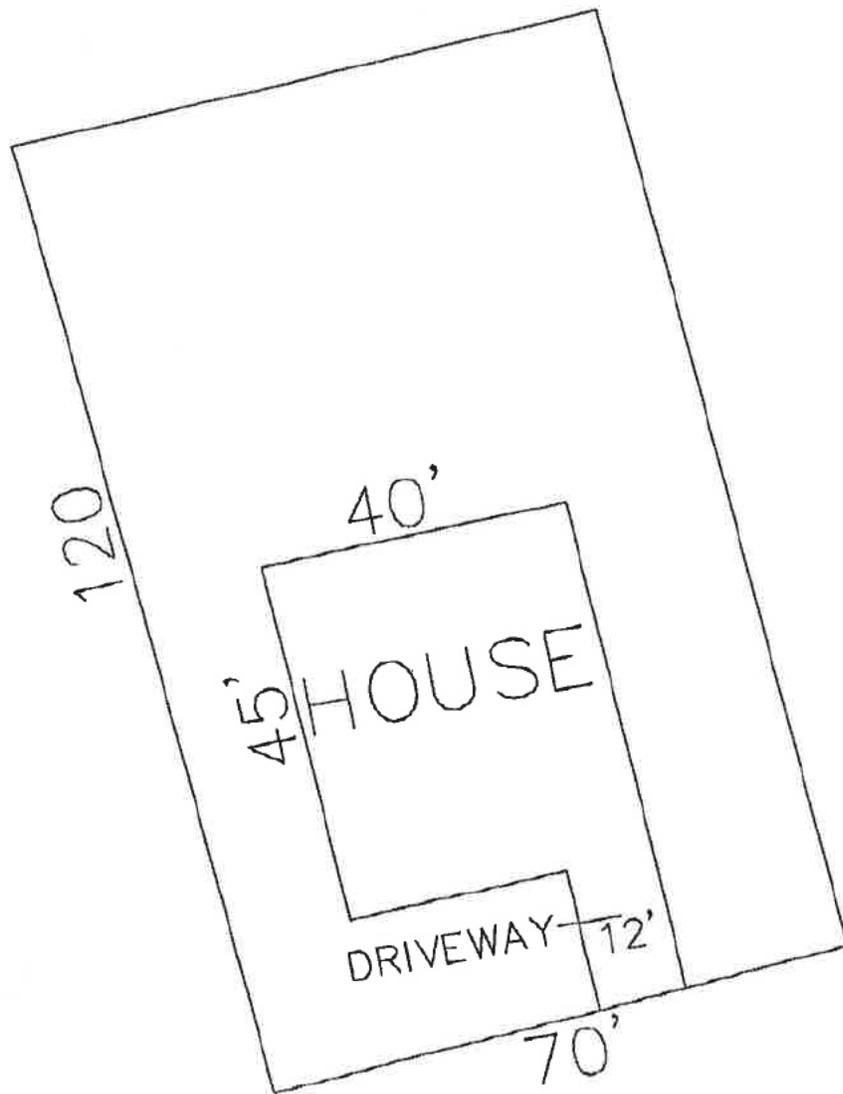


FIGURE 4. TYPICAL CROSS-SECTION OF FILL IN REAR OF LOT (N.T.S.)

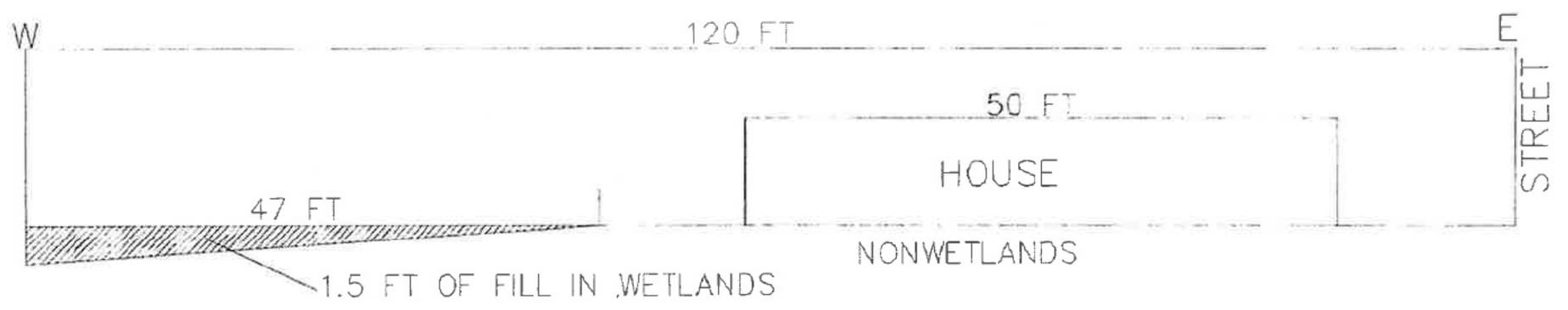
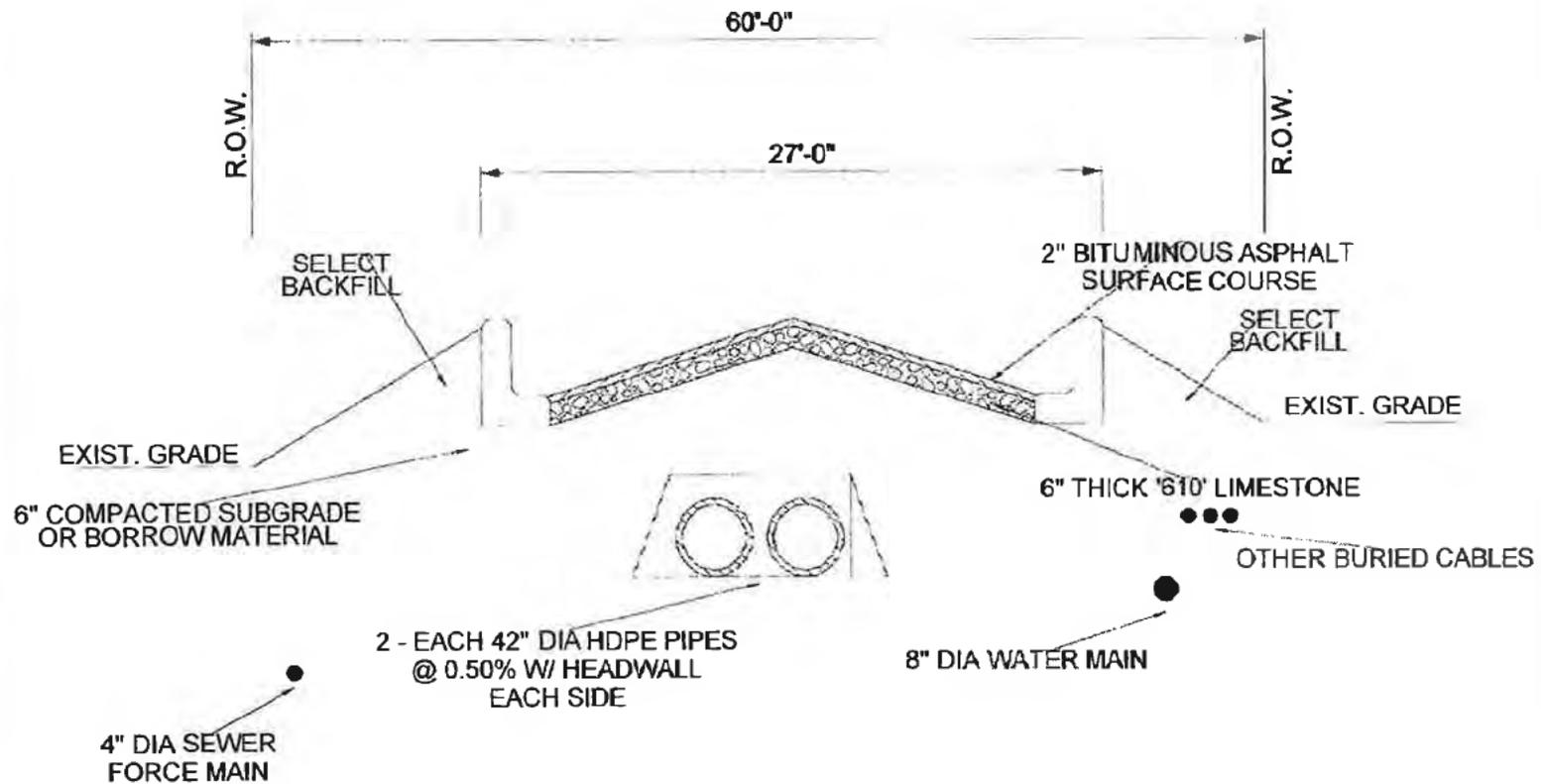


FIGURE 5. SECTION VIEW OF STREET CROSSING THROUGH A WETLAND



**ROAD CROSS-SECTION DETAIL
NOT TO SCALE**


 Rumsey Consulting Engineering, Inc.
 Planning, Surveying, Design
 910 Harvard Avenue
 Blue, Mississippi 39530
 (228) 432-8344

FIGURE 6. TYPICAL LONGITUDINAL SECTION OF ROAD THROUGH WETLANDS (NTS)

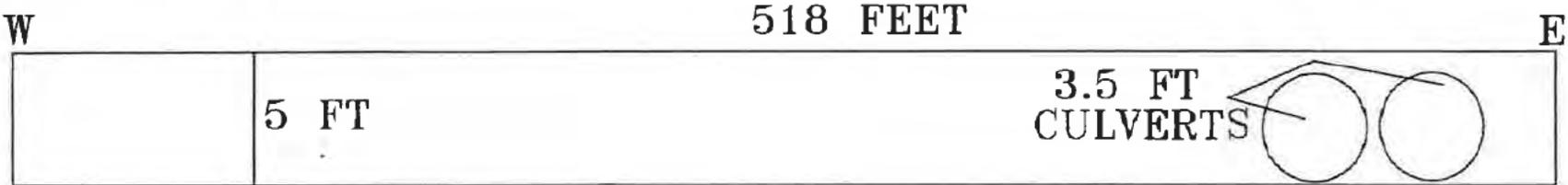


FIGURE 7. TYPICAL CROSS-SECTION OF PROPOSED DETENTION BASIN

