



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS - MOBILE DISTRICT  
POST OFFICE BOX 2288  
MOBILE, ALABAMA 36628-0001

**CESAM-RD-M**  
**PUBLIC NOTICE NO. SAM-2015-00712-PAH**

**March 29, 2016**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS AND**  
**STATE OF MISSISSIPPI**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**REQUEST FOR THE DISCHARGE OF FILL MATERIAL INTO WATERS OF THE U.S.**  
**ASSOCIATED WITH THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE**  
**TOSCANA SUBDIVISION, OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is to be distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

**APPLICANT:** Dr. Christopher Williams  
13341 River Rapid Drive  
Biloxi, Mississippi 39532

**AGENT:** Joe Gill Consulting, LLC  
Attention: Mr. Joe Gill  
Post Office Box 535  
Ocean Springs, Mississippi 39566

**LOCATION:** The proposed activity is located on Lots 4 and 5 of Toscana Subdivision in Ocean Springs, Jackson County, Mississippi. Specifically, the site is located at latitude 30.42190° North and longitude -88.76262° West in Section 23, Township 7 South, Range 8 West. The area is depicted on the Ocean Springs, Mississippi Quadrangle, U.S. Geological Survey Topographic Map. Potentially jurisdictional impacts associated with the proposed project are to palustrine forested wetlands. The proposed project is located in the Mississippi Coastal watershed (HUC 03170009).

**PROJECT PURPOSE:** The project purpose is to construct a new single-family residence for the applicant and his family.

**WORK:** The applicant is seeking authorization for the discharge of fill material into 0.152-acre of palustrine forested (PFO) wetland habitat. Toscana Subdivision was previously authorized under another permit. The purpose of the proposed work is the establishment of a foundation for a residential home. Approximately, 1,600 cubic yards of sand, clay and top soil are proposed to be placed within the 0.152-acre wetland area.

**AVOIDANCE & MINIMIZATION:** The proposed placement of the residential structure minimizes impacts to jurisdictional areas. The existing infrastructure to the subdivision and existing homes limit shifting the proposed structure out of the wetland area to avoid impacts. Best management practices are proposed to be implemented during and after construction. The applicant has attempted to avoid and minimize impacts to the greatest extent possible. USACE has not verified the adequacy of the applicant's avoidance and minimization statement at this time.

**COMPENSATORY MITIGATION:** The applicant proposes to provide compensatory mitigation for authorized wetland impacts through the purchase of wetland mitigation credits from a USACE approved mitigation bank. USACE has not verified the adequacy of the applicant's proposed off-site mitigation plan at this time.

**WATER QUALITY CERTIFICATION:** The applicant is preparing their application for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act. A determination relative to water quality certification will be made prior to the issuance of a Department of the Army Permit.

**PUBLIC INTEREST REVIEW/CUMMULATIVE EFFECTS:** 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. Factors considered are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. Evaluation of the probable impacts involving discharges of dredged or fill material into waters of the U.S. will include the application of the Section 404(b)(1) guidelines established by the Administrator of the U.S. Environmental Protection Agency.

**SOLICITATION OF COMMENTS:** USACE 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 USACE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and 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.

**PUBLIC HEARING REQUESTS:** 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.

**HISTORIC PROPERTIES:** 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 affect cultural and historic properties within the permit area. Having considered the footprint of the proposed activity and the jurisdictional area as determined by USACE and in accordance with Appendix C of 33 CFR 325, USACE has determined that the permit area includes those areas within the footprint of the proposed structure and those areas comprising waters of the United States that will be directly affected by the proposed work subject to review. Resources including, but not limited to, the National Register of Historic Places have been consulted and no properties listed on the National Register are known to exist which would be affected by the proposed work. USACE has made a preliminary determination that there is no potential to affect cultural or historic resources within the permit area. However, 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/or historic resources which may be affected by the work. This action constitutes the full extent of cultural resources investigation unless comment to this notice is received documenting that significant sites or properties exist which may be affected by the proposed activity, or that adequately documents that a potential exists for the location of significant sites or properties within the project area.

**ENDANGERED SPECIES:** A preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants, indicates the proposed activity will have no effect on federally listed or proposed to be

listed endangered or threatened species, or their critical habitat. This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for information on whether any federally listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Correspondence concerning this public notice should refer to Public Notice number **SAM-2015-00712-PAH** and should be directed to USACE, Mobile District, Regulatory Division, Attention: **Ms. Amiee Smith**, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, 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.

**All Comments should be received no later than 30 days from the date of the Public Notice.** Enclosed to assist with your review are: a vicinity map (Figure 1) and a proposed impact map (Figure 2). If you have any questions concerning this publication, you may contact the project manager at (251) 694-3779 or e-mail at [Amiee.P.Smith@usace.army.mil](mailto:Amiee.P.Smith@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.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

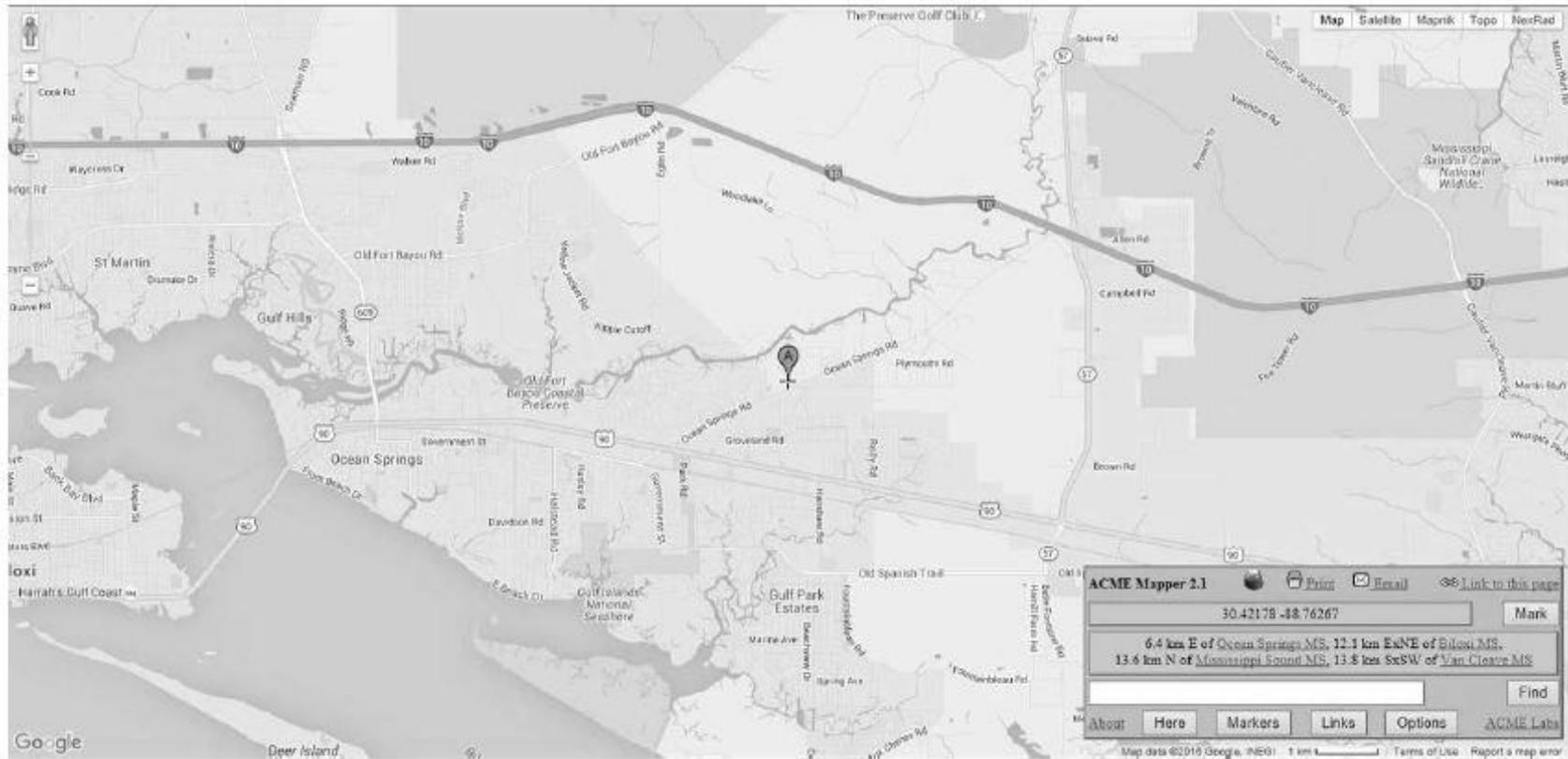


Figure 1: Vicinity Map

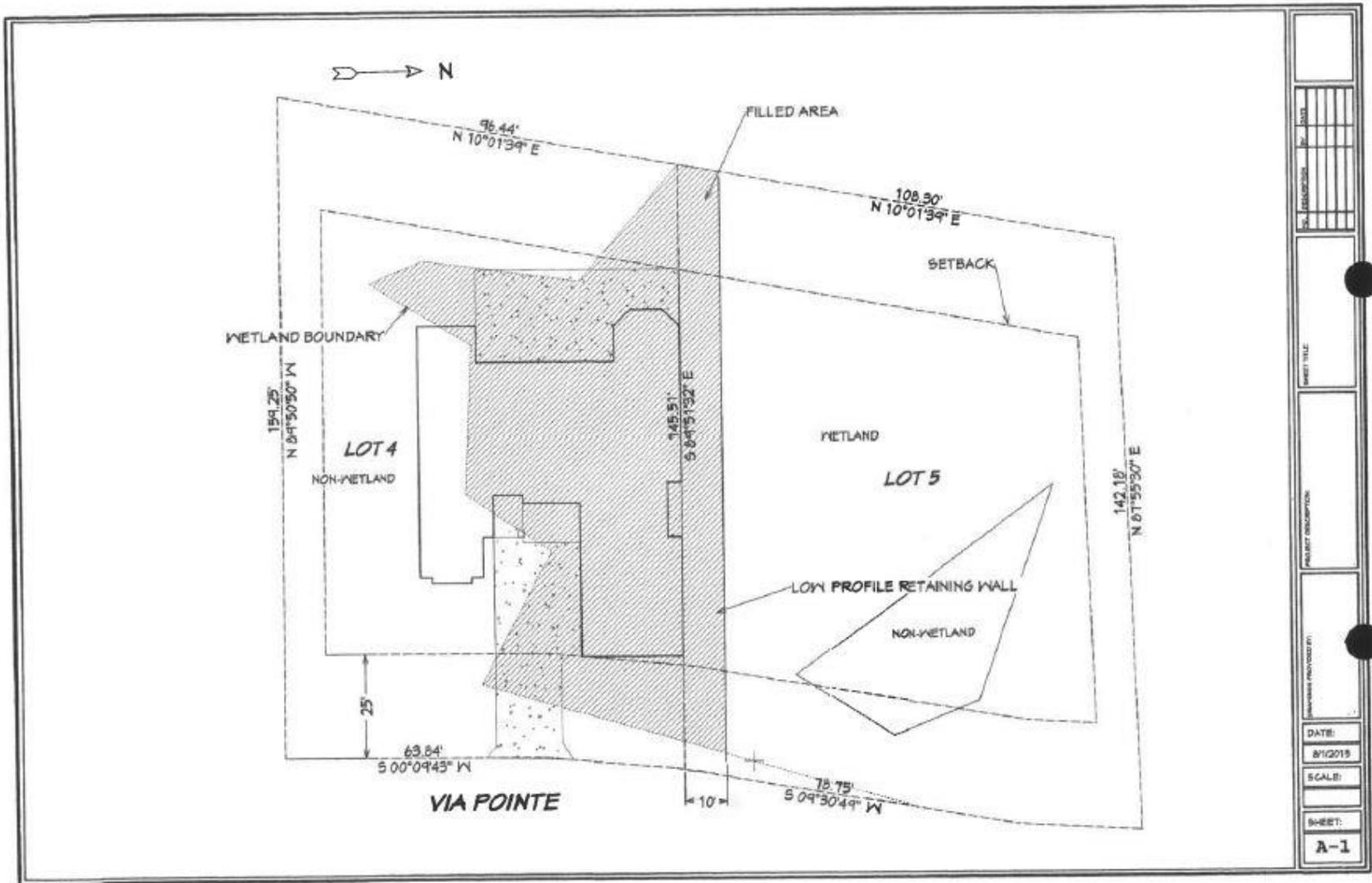


Figure 2: Proposed Project Plans