



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

REPLY TO
ATTENTION OF:

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2016-00180-PAH

February 25, 2016

JOINT PUBLIC NOTICE SAM-2016-00180-PAH
U. S. ARMY CORPS OF ENGINEERS
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

PROPOSED WETLAND FILL FOR CONSTRUCTION OF A SUBDIVISION, D'IBERVILLE,
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). Please communicate this information to interested parties.

APPLICANTS: **W. C. Fore, LLC**
14270 Creosote Road
Gulfport, Mississippi 39503

AGENT: **Culpepper and Associates**
Attention: Mr. Billy Culpepper
P. O. Box 1407
Long Beach, Mississippi 39560

LOCATION: The proposed site is located at the intersection of Garden Lane and Highway 15, D'Iberville, Harrison County, Mississippi (Latitude 30.5207° North, Longitude 88.9290° West). The project site includes wetlands associated with Tuxachanie Creek.

WORK: The applicant proposes to impact 6 acres of wetlands associated with Tuxachanie Creek for the construction of a residential subdivision near D'Iberville, Mississippi.

ALTERNATIVES: **Two Alternative sites were evaluated. The applicant states the proposed preferred site is the only property available that meets the required criteria for the project location. Selection criteria for the location of the preferred alternative were based upon: cost to acquire the property, location of property north of I-10, available utilities, zoning, and environmental impacts.**

AVOIDANCE & MINIMIZATION: **The initial design of the project would have impacted 10 acres of wetlands. The applicant eliminated all lots that were 100% fill and has confined the majority of impacts to road construction.**

PROJECT PURPOSE: As stated by the applicant, the project is for the construction of a residential subdivision.

MITIGATION: The applicant proposes to provide in-kind compensatory mitigation through the purchase of mitigation credits.

The applicant has applied for State Water Quality Certification (WQC) in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to WQC will be made by the Mississippi Office of Pollution Control.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) 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 concerning whether to issue a permit will be based on an evaluation of the probable impacts, 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, 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.

The 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 the 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 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.

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. In accordance with Appendix C of 33 CFR 325, the USACE has determined that the permit area consists of the entire project site. The applicant has not identified any resources on site, and the applicant has stated that they are conducting a search of the area for possible resources which may be affected by the proposed work. The USACE has made a preliminary determination that the project is not likely to affect cultural and 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 historic properties, which may be affected by the work. 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.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates the following species may be present onsite: Louisiana Black Bear, Red-Cockaded Woodpecker, Black Pine Snake, Gopher Tortoise, and Louisiana Quillwort. The site contains marginal soils for the Tortoise and is located within the DeSoto National Forrest. In accordance with the Standard Local Operating Procedures for Endangered Species (SLOPES) 2012, the project "may affect" these species and the project will be coordinated with the U.S. Fish and Wildlife Service.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2016-00180-PAH**, and should be directed to the District Engineer, U.S. Army Corps of Engineers (USACE), Mobile District, Regulatory Division, Attention: Mr. Philip A. Hegji, Post Office Box 2288, Mobile, Alabama 36628-0001 and the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225-2261.

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, at (251) 690-3222 or philip.a.hegji@usace.army.mil. Please refer to the above Public Notice number SAM-2016-00180-PAH.

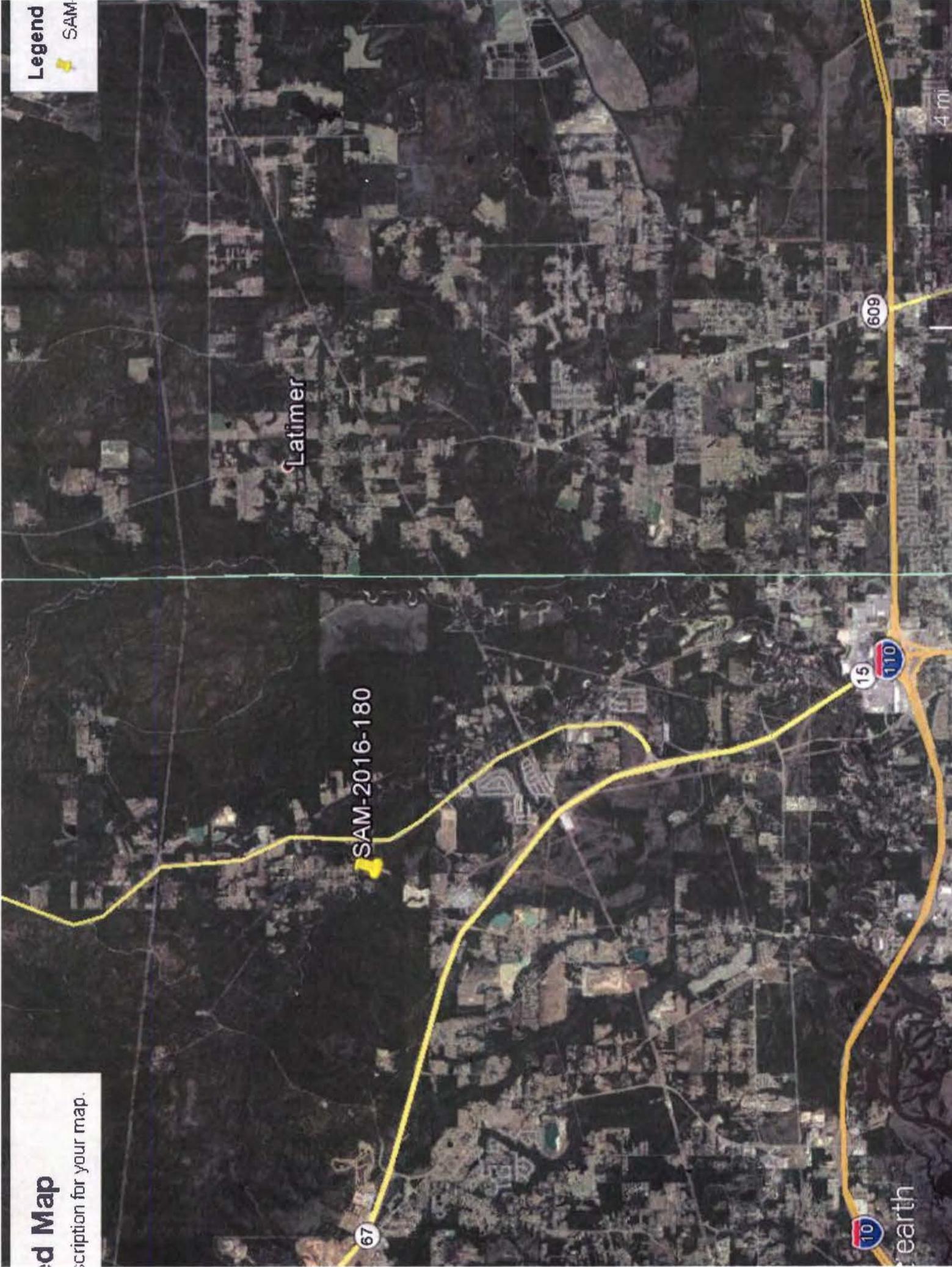
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

Map

Description for your map.



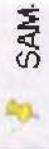
Legend

SAM

Map

Description for your map.

Legend



Garden Ln

SAM-2016-180

15

Ollie Ln

Lamey Bridge Rd

67

Trohn D

Old Hwy 15

Dobson F

Haversham Pl
Camelot Dr
Coventry Estates Blvd

Landing Ct

3000 ft

earth

