



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
SUBJECT: SAM-2006-1649-ALF

OCT 30 2006

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

**PROPOSED WETLAND FILL FOR A MIXED USE PLANNED UNIT DEVELOPMENT,
FOX RIDGE, NORTH OF INTERSTATE 10 NEAR OCEAN SPRINGS, JACKSON
COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbor Act of 1899 (33 USC 403), and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Sun States Development, LLC
723 Howard Avenue
Biloxi, Mississippi 39530

WATERWAY: Wetlands tributary to Cypress Creek north of Interstate 10 and south of Cook Road in Section 11, Township 7 South, Range 9 West, Jackson County, Mississippi.

WORK: The applicant proposes to fill 15.68 acres of wetlands for construction of a mixed used planned unit development, Fox Ridge, north of Interstate 10 and south of Cook Road in Jackson County, Mississippi. The project site is 66.24 acres in size of which 23.96 acres are considered wetlands. The proposed project would expand an existing commercially zoned area, create one commercial/office site, two multi-family sites with approximately 500 units, and a retirement community site. Work would be conducted in accordance with the submitted plans.

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 certified that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. A determination

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relative to consistency will be made by the Mississippi Department of Marine Resources.

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 (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 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.

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 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.

The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register that are known to exist on the site and would be affected by the proposed work.

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This review will constitute 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 permit area. Copies of this notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2006-1649-ALF** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Coastal Branch, 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. Comments should be received no later than **21 days** from the date of this Public Notice.

If you have any questions concerning this publication, you may contact the Project Manager via e-mail at allison.l.felsher@sam.usace.army.mil or telephone number **(251) 694-2658**. Please refer to the above Public Notice number.

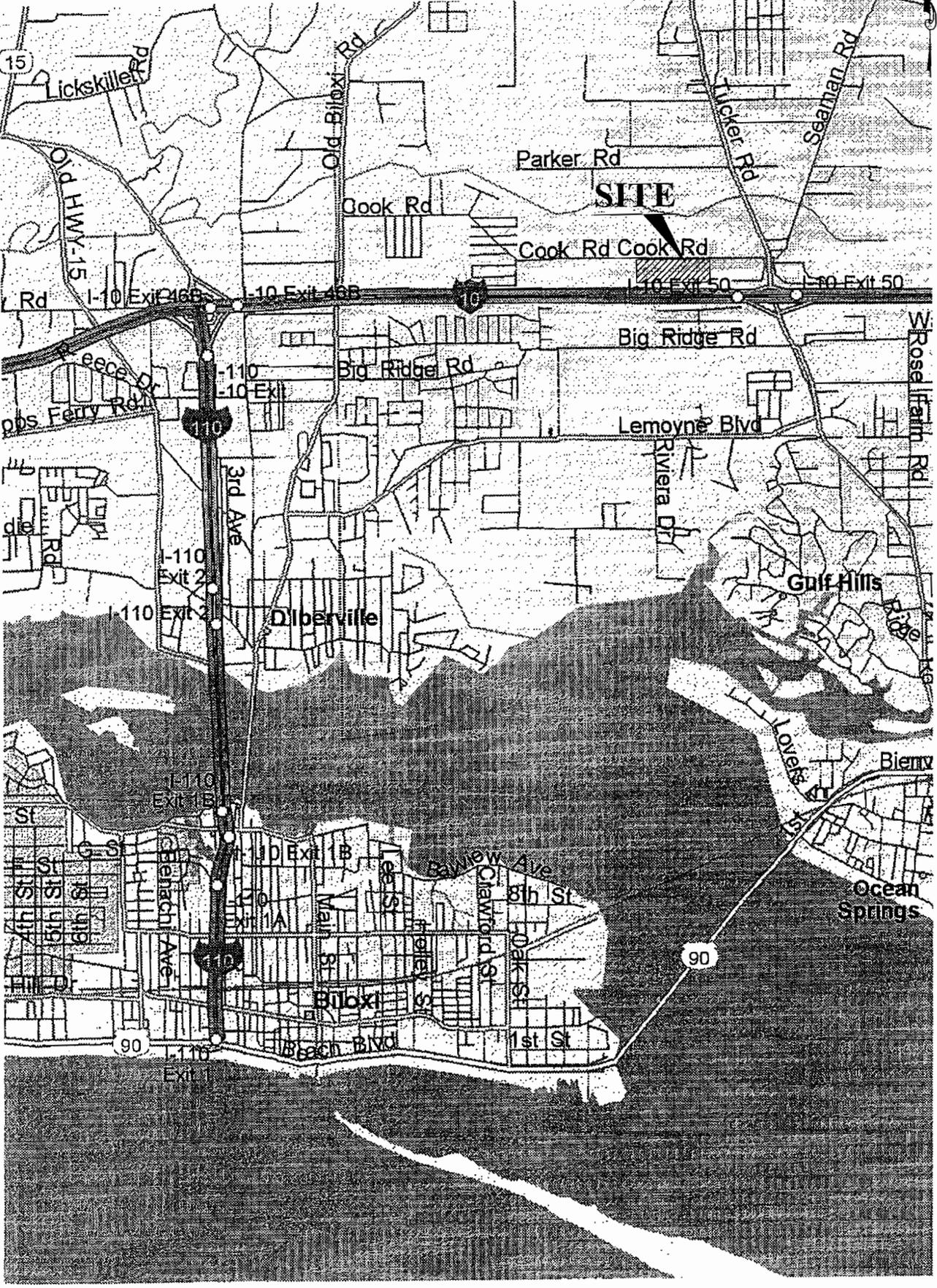
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/rd/reg and take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

Encls

MOBILE DISTRICT
U.S. Army Corps of Engineers

CADD FILE NAME:
40617-VIC-PERMIT.dwg

DESIGNED BY: FMK
DRAWN BY: TM
CHECKED BY: FMK
JOB NO. 40617
SCALE: (24x36) NA
SCALE: (8.5x11) 1"=4000'
DATE: MAY 2006



FOX RIDGE
A PLANNED COMMUNITY
JACKSON COUNTY, MS
VICINITY MAP

DATE	REVISIONS	REMARKS	APP'D

STAMP:

Planning • Civil Engineering • Landscape Architecture

KYLE ASSOCIATES, LLC
 608 Village Lane N. • Marietta, GA 30067 • 888.737.9877

SHEET NO.
OF

ATTACHMENT A



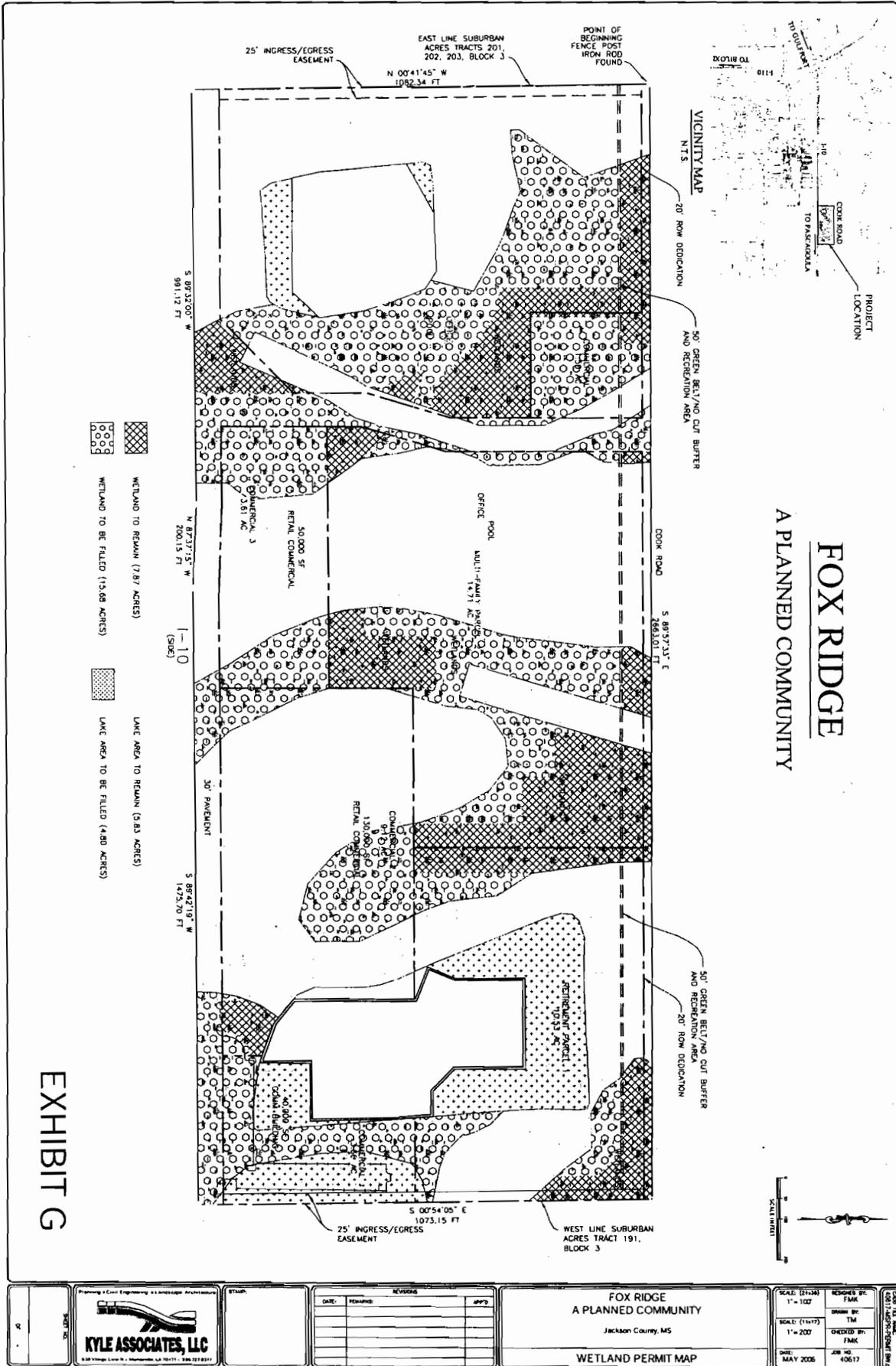


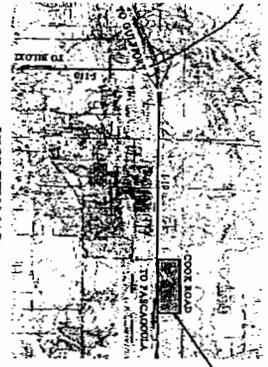
EXHIBIT G

Kyle Associates, LLC
 6300 Virginia Lane, Suite 100, Montgomery, AL 36117 - 205-272-8200

REVISIONS		APP
DATE	REVISIONS	APP

FOX RIDGE
A PLANNED COMMUNITY
 Jackson County, MS
WETLAND PERMIT MAP

SCALE (PLAN)	1" = 100'	DESIGNED BY	F.M.K.
SCALE (ELEV)	1" = 200'	CHECKED BY	F.M.K.
DATE	MAY 2006	JOB NO.	40617



FOX RIDGE

A PLANNED COMMUNITY

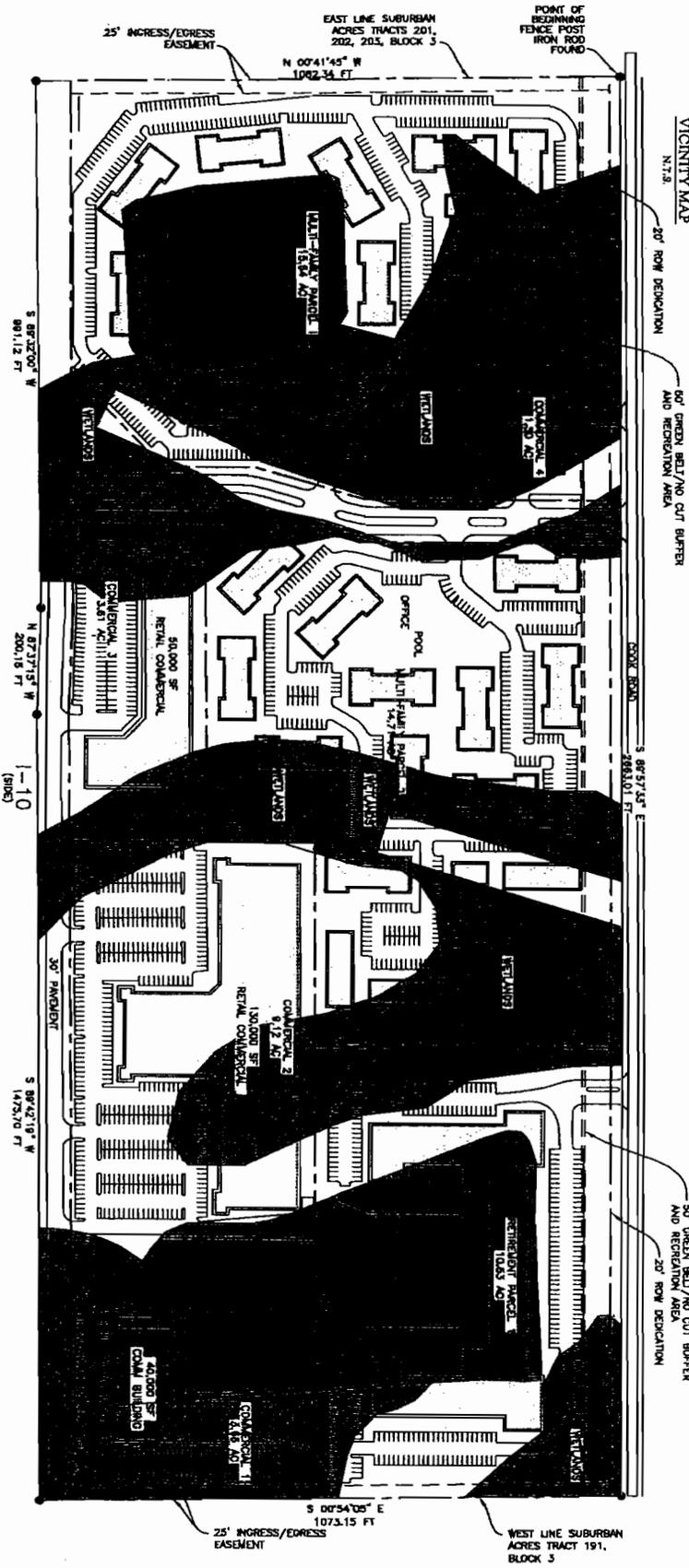


EXHIBIT F

	DATE: _____	SCALE: 26430 1"=100' 1"=200'	DESIGNED BY: TMK
	JOB NO.: 40517	DATE: MAY 2006	CHECKED BY: TMK