



REPLY TO
ATTENTION OF:

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

Regulatory Division
Coastal Branch

July 24, 2008

**JOINT PUBLIC NOTICE SAM-2008-1021-JWS
U.S. ARMY CORPS OF ENGINEERS**

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

**Wetland Fill for Pinehaven Development,
Hwy 15 & Hwy 67, North 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.

APPLICANT/AGENT: Pinehaven Group
c/o Moran-Machado, PLLC (Agent)
249 Beauvoir Road
Biloxi, Mississippi 39531

WATERWAY: Tributary to Tuxachanie Creek, North D'Iberville, Harrison County, Mississippi.
Lat. 30.4916° N, Long. -88.9233° W

WORK: The applicant proposes to fill 155.06 acres of wetlands for the construction of 11 commercial tracts, 2,351 townhome units, and 4,887 apartment units. Impacts to wetlands will be mitigated by the purchase of credits from an approved mitigation bank and onsite wetland restoration and enhancement.

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.

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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 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 applicant performed a Phase I assessment of the site, for cultural and historical resources. This

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survey was conducted only on 144 acres of the 1,200 acre site. Two 20th century sites were located during the assessment, but neither is eligible for the National Register of Historic Places. This review 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 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.

The applicant performed a threatened and endangered species survey on 144 acres of the 1,200 acre site. This survey used the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicators. The survey found no threatened and endangered species on the site and a very low likelihood for the occurrence of federally listed threatened or endangered species on the 144 acre site. Copies of this notice are being sent to the U.S. Fish and Wildlife Service.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2008-1021-JWS 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, in time to be received within 21 days of the date of this public notice.

If you have any questions concerning this publication, you may contact this office, Jason W. Steele, telephone number (251) 690-3188, E-mail Jason.W.Steele@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/RD/reg, and please 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.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



VICINITY MAP

Pinehaven
Harrison County, Mississippi

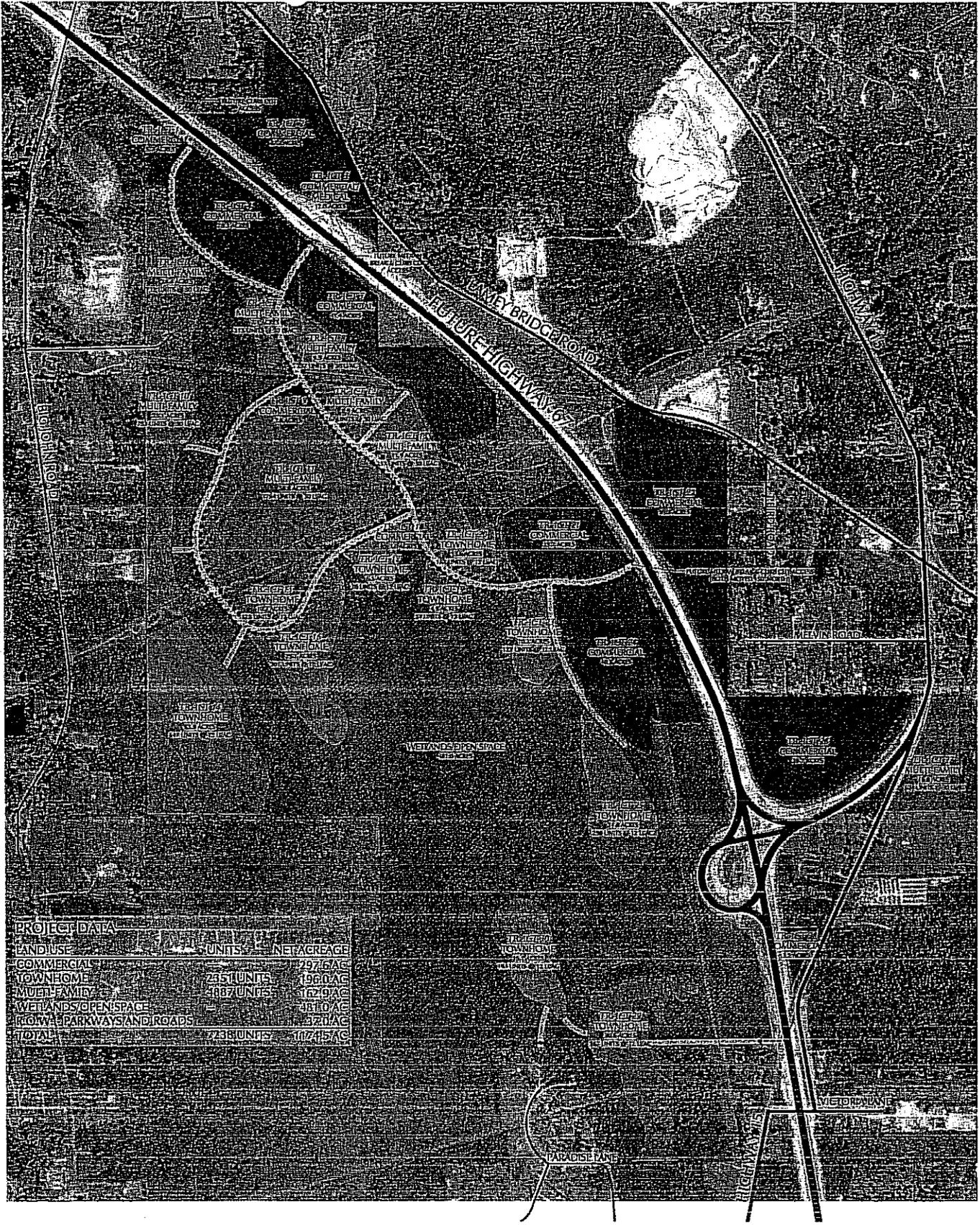
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Date: 10/06/07
Drawn by: DPC



GFF Planning

INC. Fairview Drive
Suite 301
Greenville, Texas 75221

214.251.1517/14
314.222.0227/14
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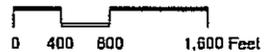


PROJECT DATA		
LAND USE	UNITS	NET ACREAGE
COMMERCIAL		297.6 AC
TOWNHOME	2451 UNITS	196.0 AC
MULTIFAMILY	7887 UNITS	162.9 AC
WETLANDS OPEN SPACE		411.0 AC
ROW, PARKWAYS AND ROADS		37.8 AC
TOTAL	7288 UNITS	1074.5 AC



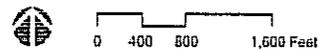
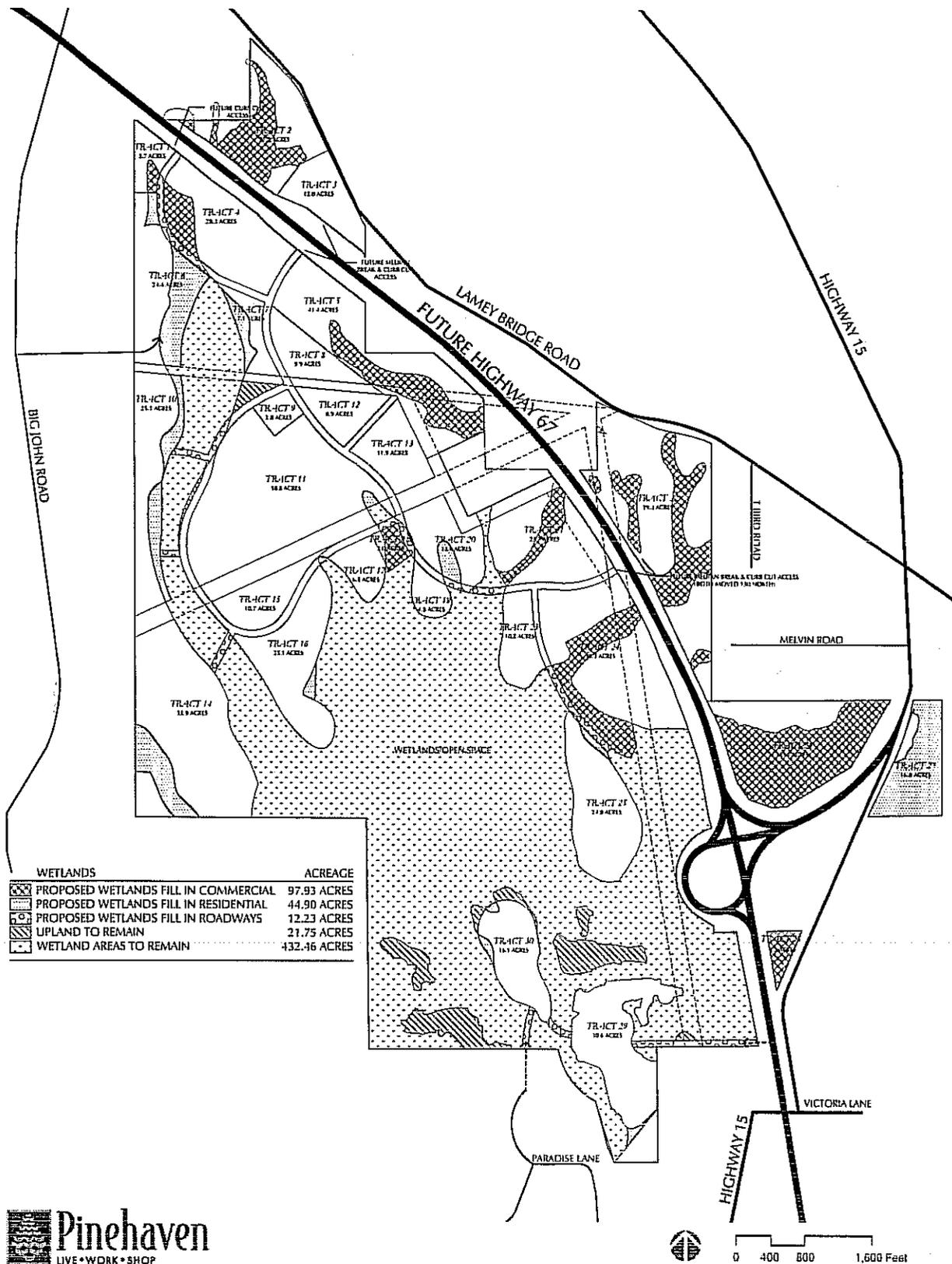
CONCEPTUAL LAND USE PLAN

Pinehaven
Harrison County, Mississippi



GFF Planning

2828 Foreman Blvd. Suite 300
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214-303-1112/Fax
www.gff.com



WETLAND MITIGATION DIAGRAM

Pinehaven
Harrison County, Mississippi

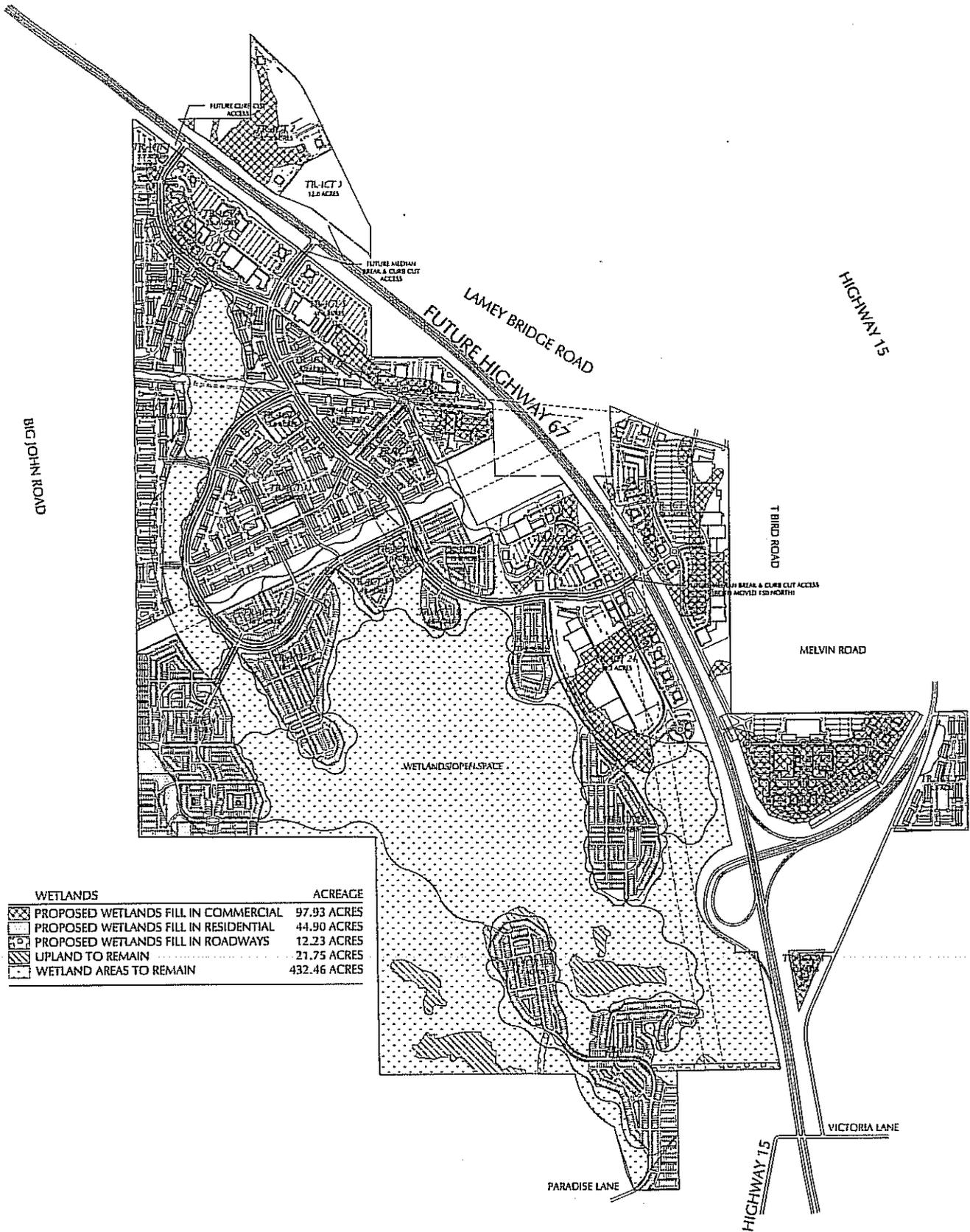
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Date: 06/25/08
Drawn by: BEA/DPC/AS/M/KLP



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0 400 800 1,600 Feet

CONCEPTUAL MASTER PLAN

Pinehaven
Harrison County, Mississippi

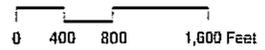
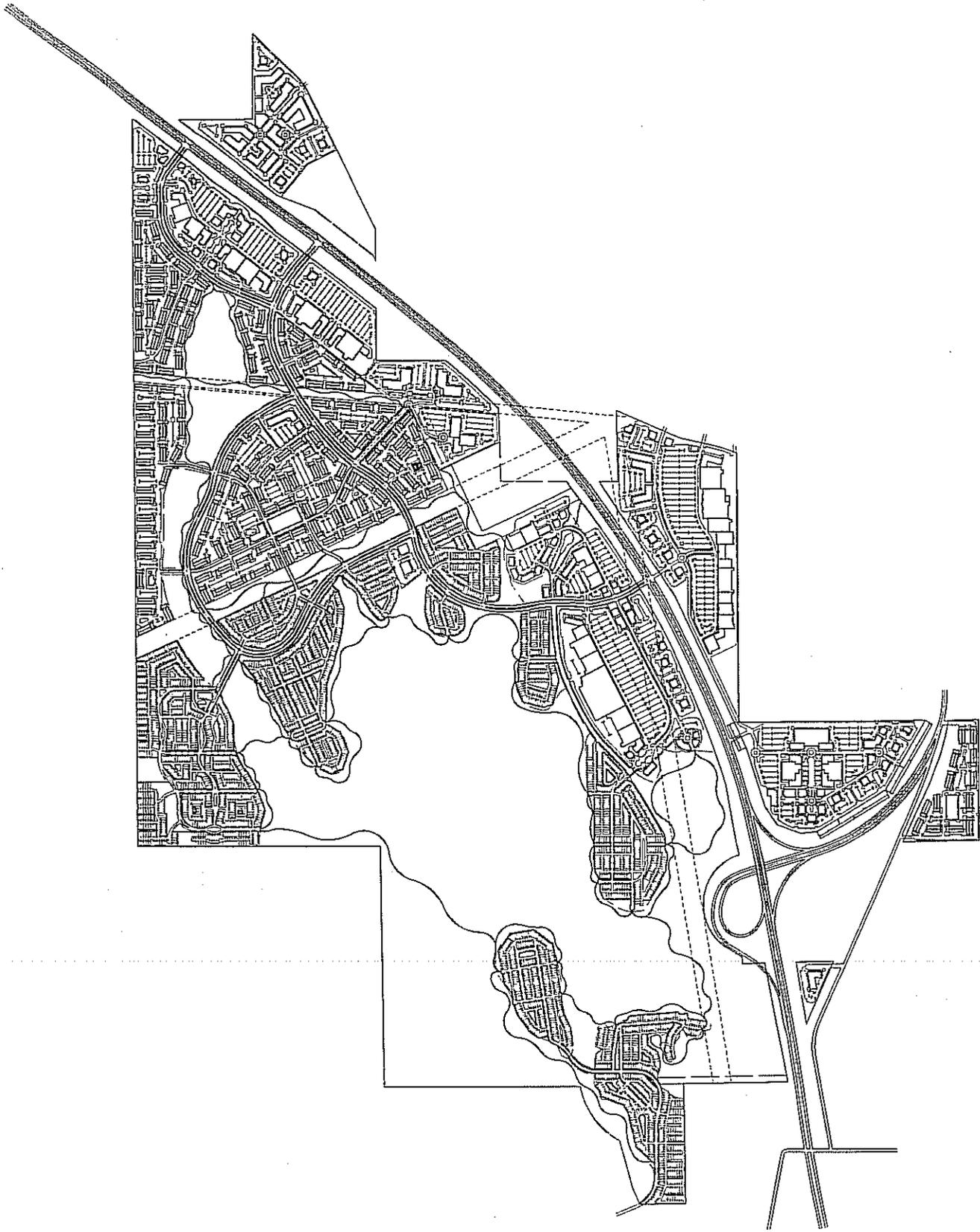
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File Name: Site-LandUsePlan-16.dwg
Date: 06/27/03
Drawn by: BEM/DPC/ASW/KLP



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CONCEPTUAL MASTER PLAN

Pinehaven
Harrison County, Mississippi

Job #: 07182
File Name: Site-LandUsePlan-16.dwg
Date: 06/27/08
Drawn by: BEM/DPC/ASM/KLP



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