

CESAM-RD-C

Public Notice Number SAM-2008-1272-JWS

Ensuring that the project is economically viable” The Corps has not verified the adequacy of the applicants avoidance and minimization statement at this time.

MITIGATION: If permitted, the applicant will be required to purchase the appropriate number of wetland credit from a Corps-approved mitigation bank.

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 (MDEQ).

COASTAL ZONE MANAGEMENT: 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 (MDMR).

HISTORIC PROPERTIES: The agent conducted a Phase I cultural resource assessment and indicated that no resources were found on the property. In addition, the National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. 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.

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 affect on any listed endangered or threatened species. This determination is being coordinated with the U.S. Fish and Wildlife Service (FWS) via this Public Notice.

This notice initiates the Essential Fish Habitat (EFH) and Threatened and Endangered Species/ Critical Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal will not impact marine substrate utilized by various life stages of red drum, Spanish mackerel, and shrimp. Our initial determination is that the proposed action will have no adverse impact on EFH or Federally managed fisheries in the Mississippi Sound. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service (NMFS).

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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.

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 Public Notice should refer to Public Notice Number SAM-2008-1272-JWS and should be directed to:

District Engineer
U.S. Army Engineer District, Mobile
Attention: Regulatory Division, Coastal Branch
Post Office Box 2288
Mobile, Alabama 36628-0001

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With a Copy to:
Mississippi Department of Environmental Quality
Office of Pollution Control
Post Office Box 10385
Jackson, Mississippi 39289

And to:
Mississippi Department of Marine Resources
1141 Bayview Avenue, Suite 101
Biloxi, Mississippi 39530

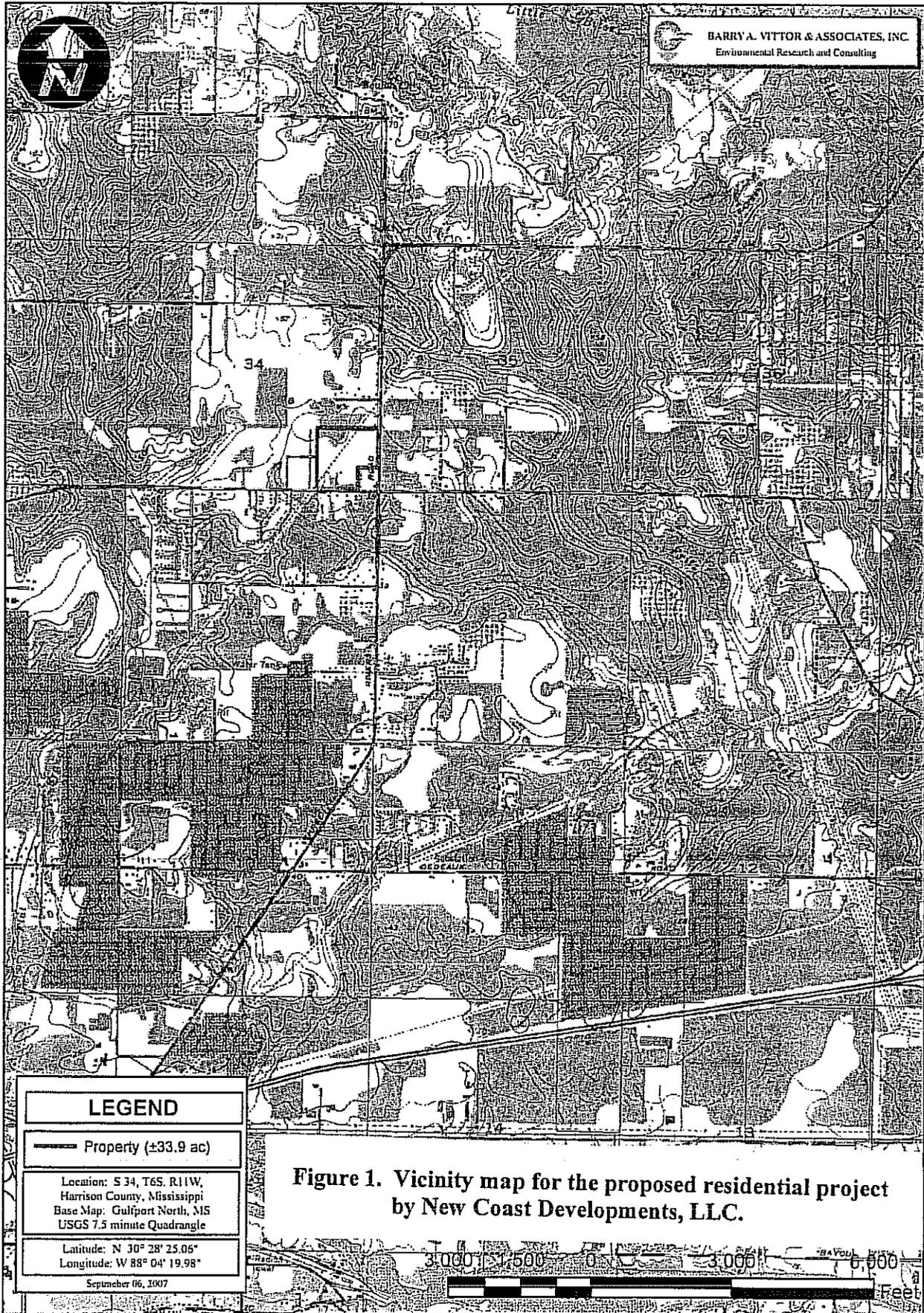
Comments should be received no later than **21 days** from the date of this Public Notice.

If you have any questions concerning this publication, you may contact 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 (4-pages)



Positions of wetland flags were fixed using GPS accurate to +/- 3 meters. Wetland boundaries have not been verified by the U.S. Army Corps of Engineers. Property boundaries are approximate.

HARVEY A. VITFOR & ASSOCIATES, INC.
Professional Engineers and Surveyors



LEGEND	
	Property (433.9 ac)
	Wetlands (46.6 ac)
Location: S 34, T6S, R11W, Harrison County, Mississippi Base Map: Calhoun North, MS USGS 7.5 minute Quadrangle	
Latitude: N 30° 28' 25.06" Longitude: W 89° 04' 19.98" September 06, 2007	

Figure 4. Wetland delineation map.



X
HARVEY A. VITFOR & ASSOCIATES, INC.

Positions of wetland flags were fixed using GPS accurate to +/- 3 meters. Wetland boundaries have not been verified by the U.S. Army Corps of Engineers. Property boundaries are approximate.

ZONE R-2

TRAILWOOD ESTATES

ZONE R-2

ZONE R-2

ZONE R-2

ZONE R-2

ZONE R-2

ZONE R-2

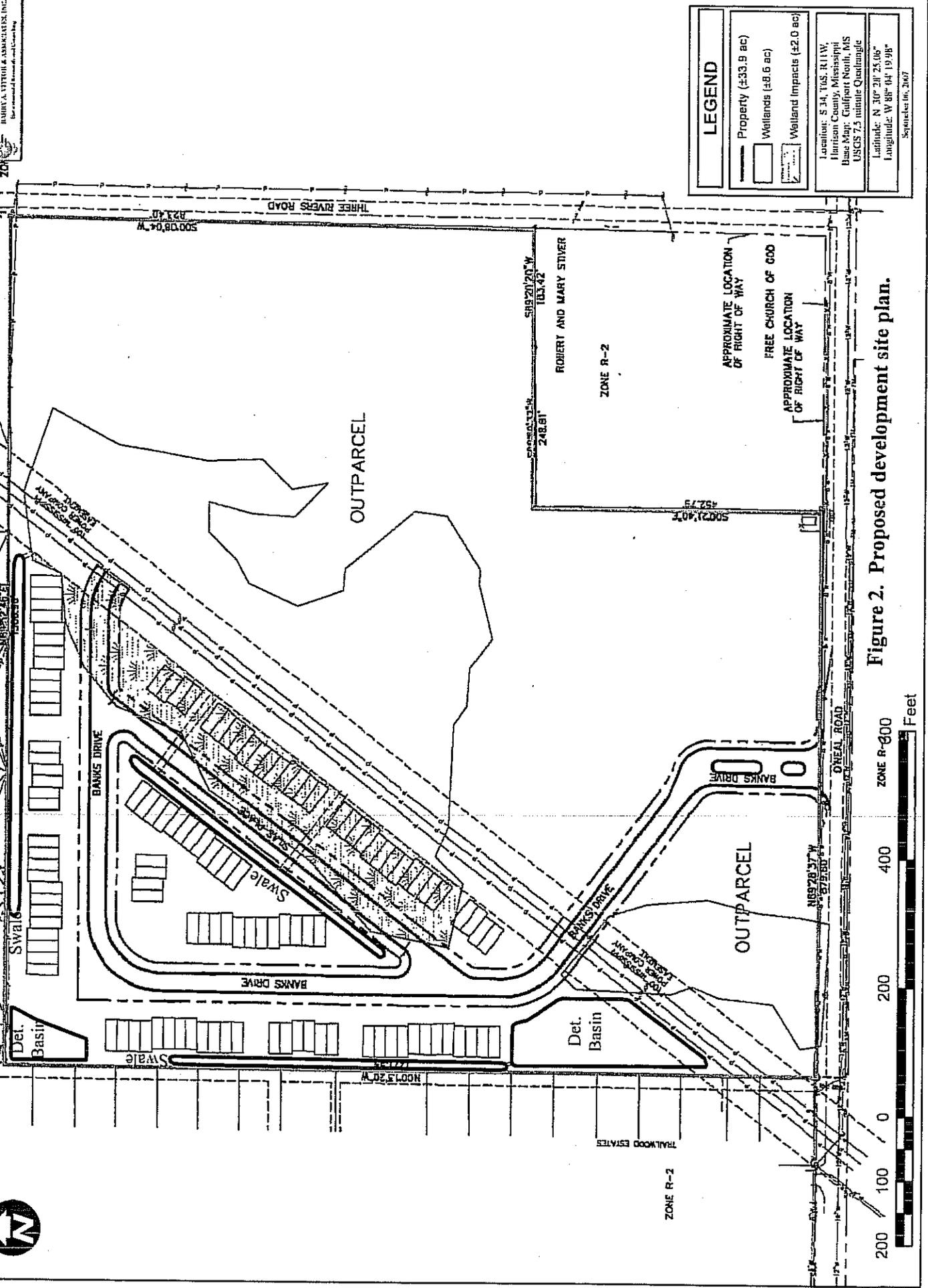


Figure 2. Proposed development site plan.

200 100 0 200 400 200 Feet

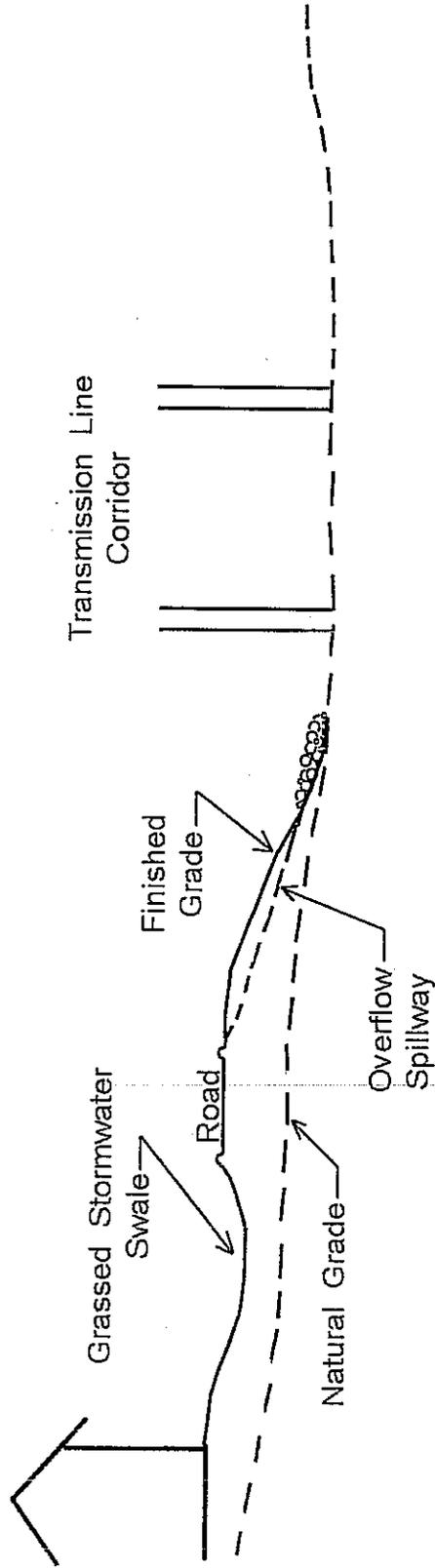


Figure 3. Typical cross section of an upland stormwater retention swale.