



REPLY TO
ATTENTION OF:

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

November 14, 2008

Regulatory Division
Coastal Branch
SAM-2008-01506-CRO

**JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS**

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES (MDMR)

**Wetland Fill for Construction of a Roadway to a proposed Wastewater
Treatment Plant, 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: Harrison County Utility Authority
Attention: Kamaran Pahlavan
P.O. Box 2409
Gulfport, MS 39505

WATERWAY: Tuxachanie Creek, Harrison County, Mississippi.
(Section 19,29,30,32, T6S, R9W; Lat. 30°29'08"N, Long. 88°55'25" W)

WORK: The applicant proposes to fill 2.875 acres of wetlands located the property. The purpose of the fill is to construct a roadway to a proposed wastewater treatment plant. This proposed road will tie into Highway 15. The applicant proposes to compensate for wetland impacts by purchasing the appropriate number of mitigation credits from a Corps-approved mitigation bank and providing a buffer zone onsite. A detailed alternatives analysis and detailed demonstration of onsite avoidance and minimization of wetland impacts has been provided by the applicant.

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.

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 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 (SHPO) 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 indicate that the proposed activity will not affect listed endangered or threatened species, or their critical habitat. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species. This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project will not impact EFH. Our initial determination is that the proposed action will not have a substantial impact on EFH or Federally managed fishes. 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.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2008-01506-CRO 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.

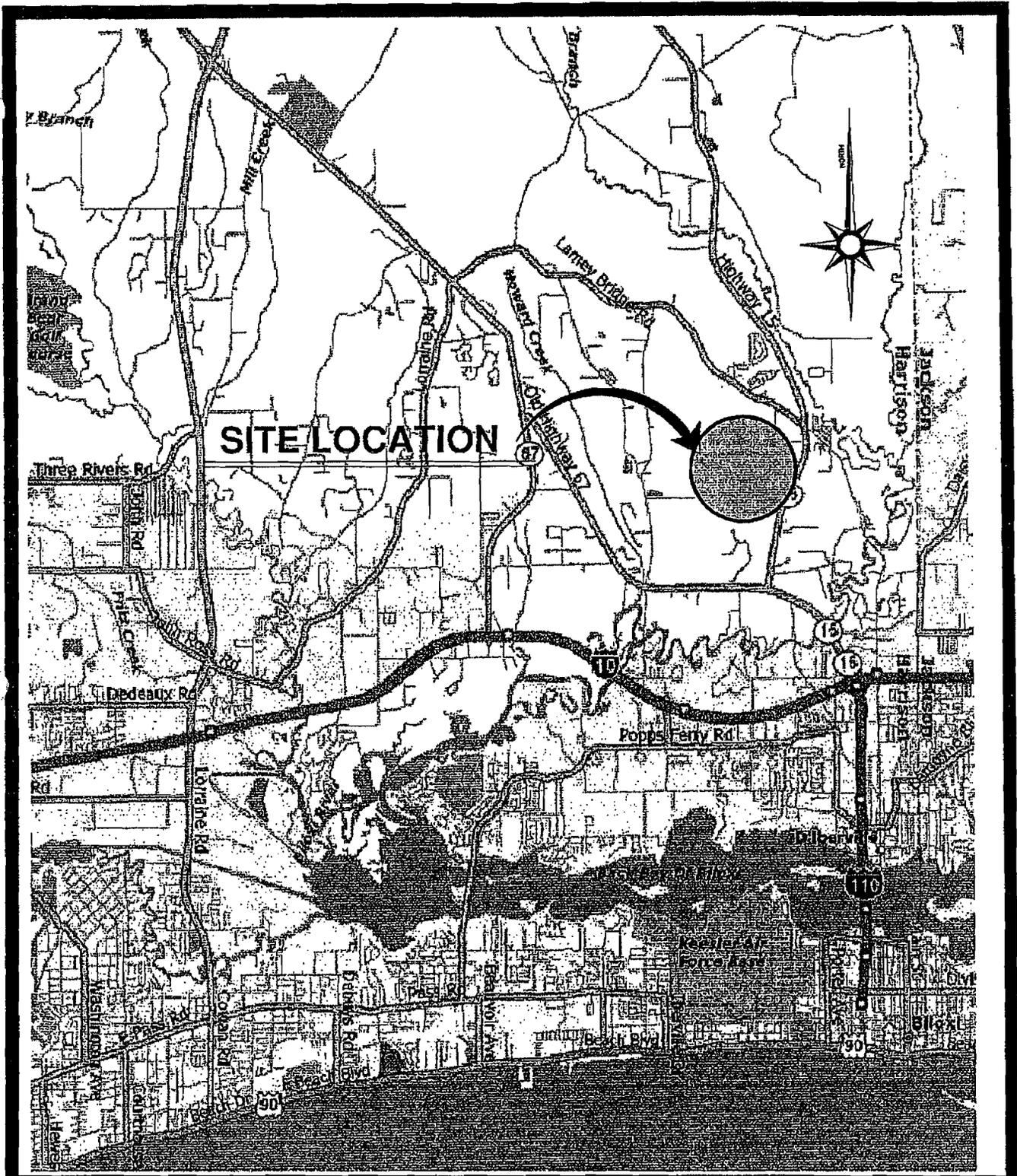
If you have any questions concerning this publication, you may contact this office, Carl R. Olsen (carl.r.olsen@usace.army.mil), telephone number (228) 523-4116. Please refer to the above Public Notice number.

SAM-2008-01506-CRO

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

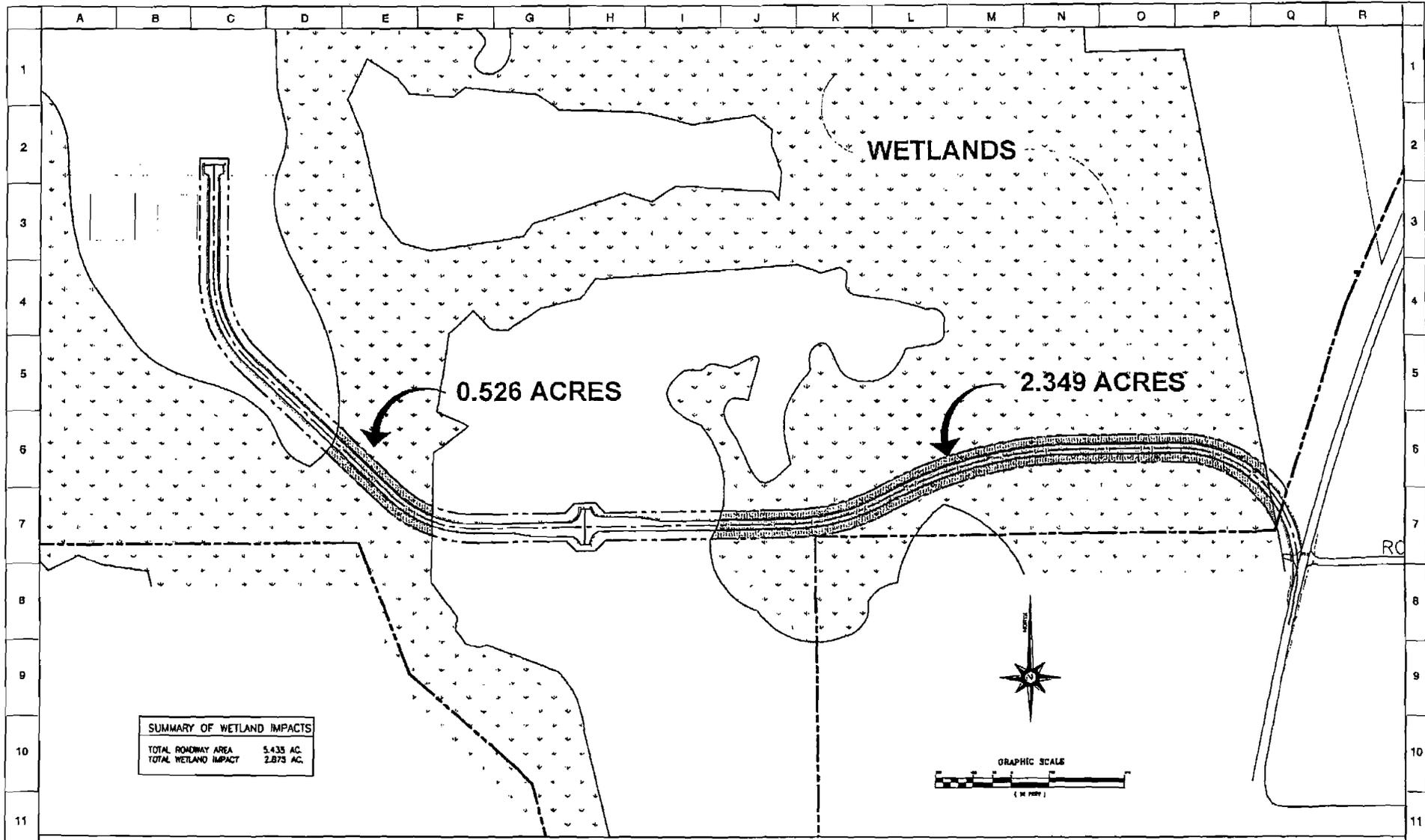


SITE LOCATION

VICINITY MAP

NOT TO SCALE

SAM-2008-01506-020



SUMMARY OF WETLAND IMPACTS	
TOTAL ROADWAY AREA	5.435 AC.
TOTAL WETLAND IMPACT	2.875 AC.



Moran Machado, PLLC
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 249 Beauvoir Road Office (228) 388-1950
 Biloxi, Mississippi 39531 Fax (228) 388-1971
 www.m-mengineers.com



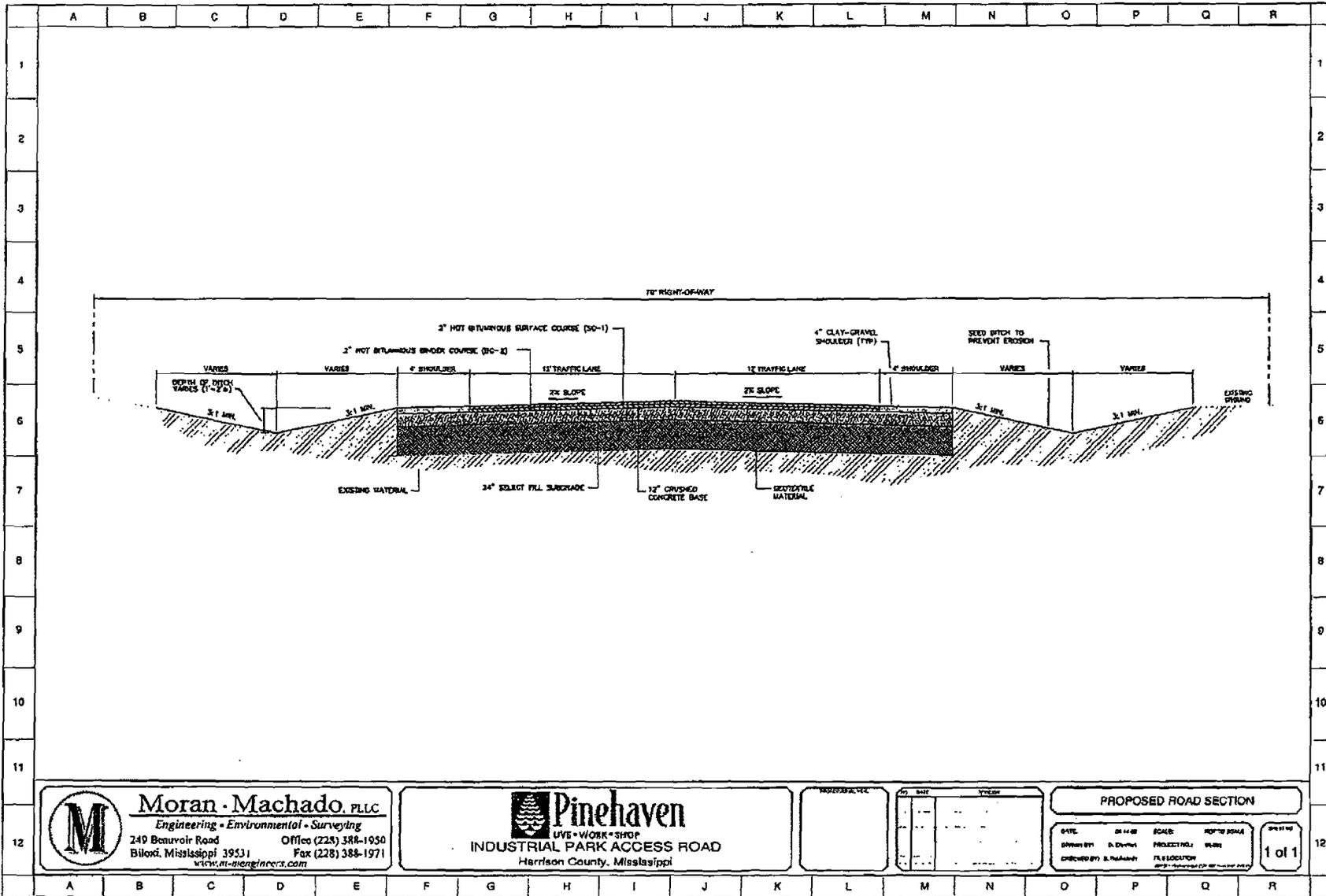
COMMERCE PARK ACCESS ROAD
 Harrison County, Mississippi

PROFESSIONAL SEAL

NO.	DATE	REVISION

WETLAND IMPACT				SHEET NO.
DATE:	DESIGNED BY:	BOARDS:	NOT TO SCALE	
DRAWN BY: D. Shelton	PROJECT NO: 08-021	FILE LOCATION:		
CHECKED BY: S. Schwanke				
				2 of 2

SAM-2008-01506-CAD



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 Biloxi, Mississippi 39531 Fax (228) 388-1971
 www.m-m-engineers.com

Pinehaven
 LIVE · WORK · SHOP
 INDUSTRIAL PARK ACCESS ROAD
 Harrison County, Mississippi

PROFESSIONAL SEAL	DATE	TITLE

PROPOSED ROAD SECTION

DATE	BY	SCALE	NOT TO SCALE
DRAWN BY	PROJECT NO.	PLAN	
DESIGNED BY	FILE LOCATION		

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