



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

March 24, 2009

**JOINT PUBLIC NOTICE SAM-2008-1972-JBM
U.S. ARMY CORPS OF ENGINEERS**

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

**Proposed Light Industrial Development
Helena Industrial Park,
Jackson 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: Mississippi Export Railroad Co. **AGENT:** Mr. Louis Fontenberry
4519 McInnis Ave. Butler Services of Mississippi, Inc.
Moss Point, Mississippi 39563 P.O. Box 1164
Pascagoula, Mississippi 39568

WATERWAY: Tributaries to Black Creek, Helena, Jackson County, Mississippi. Section 21, Township 6 South, Range 5 West (Lat. 30.5088° N; Long. 88.85061° W).

WORK: The applicant proposes to fill 29.7 acres of low quality, pine plantation wetlands at the Helena Industrial Park for the purpose of establishing a 134.4 acre rail serviced, light industrial development (Parcel 1). The project would be developed in two phases. Impacts to waters of the United States have been avoided and minimized by an evaluation of alternative sites and avoidance of 4.2 acres of medium and low quality forested wetlands (2.61 acres of medium quality cypress drain wetlands and 1.59 acres of low quality pine wetlands). Unavoidable impacts to 29.7 acres of low quality wetlands will be mitigated by the preservation of 208.38 acres of on-site wetlands (Parcel 2) and the purchase of 38.14 wetland mitigation bank credits from an approved wetland mitigation bank. See the enclosed drawings for details.

CESAM-RD-C

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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 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.

CESAM-RD-C

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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. A Phase I cultural resources survey was conducted with negative findings. **By letter dated December 24, 2008, the Mississippi Department of Archives and History has “no reservations with the proposed project” (#12-082-08).** 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.

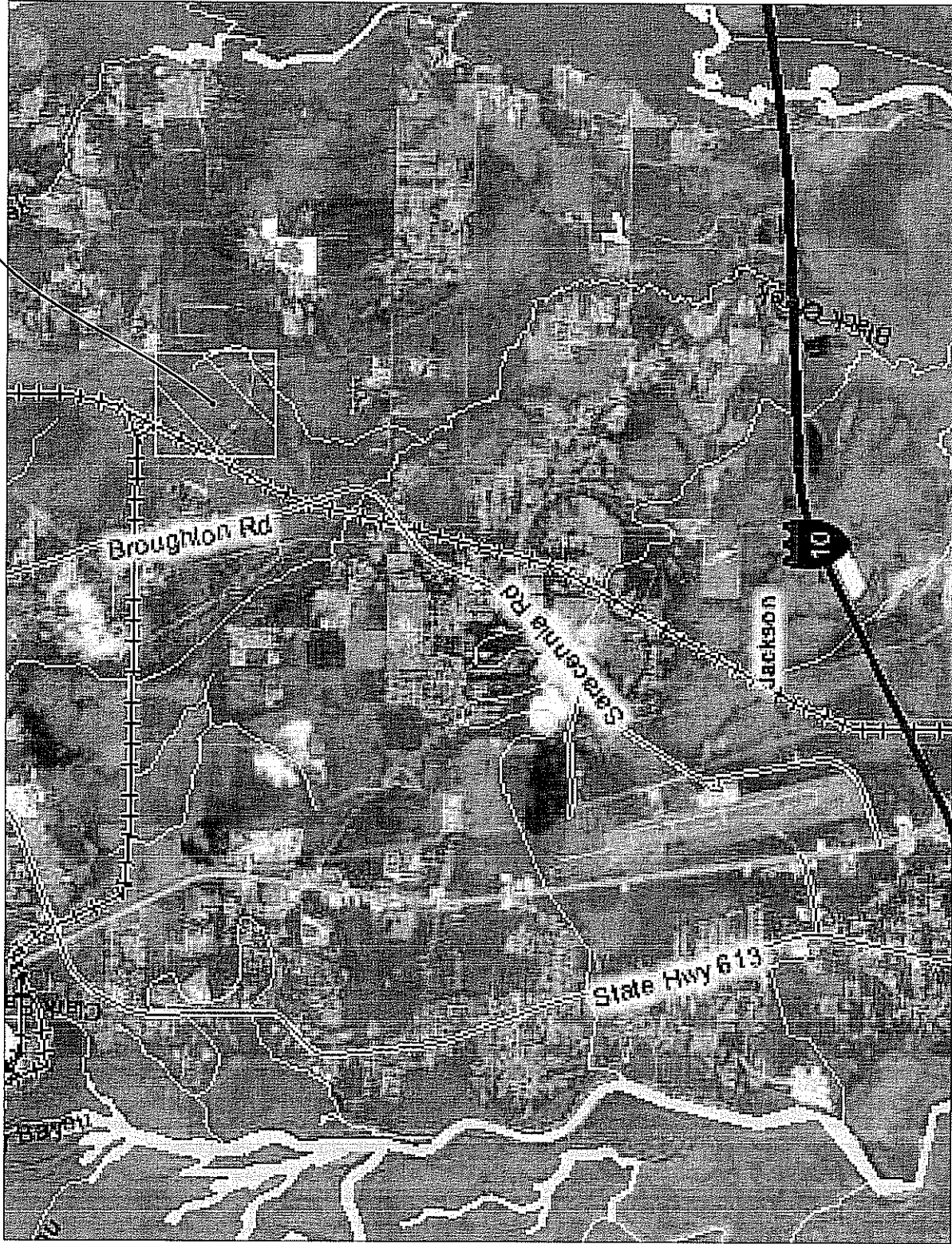
Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity may affect listed endangered or threatened species. By copy of this notice Section 7 consultation is requested with the U.S. Fish and Wildlife Service to determine the level of affect.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2008-1972-JBM 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, John B. McFadyen, telephone number (251) 690-3222, E-mail john.b.mcfadyen@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.

APPROXIMATE
SITE
LOCATION



SITE MAP
PROPOSED DEVELOPMENT

SHEET THREE OF FIVE
Butler Services of MS, Inc

50' BUFFER
SURROUNDING PARCEL
PARCEL NO. 1

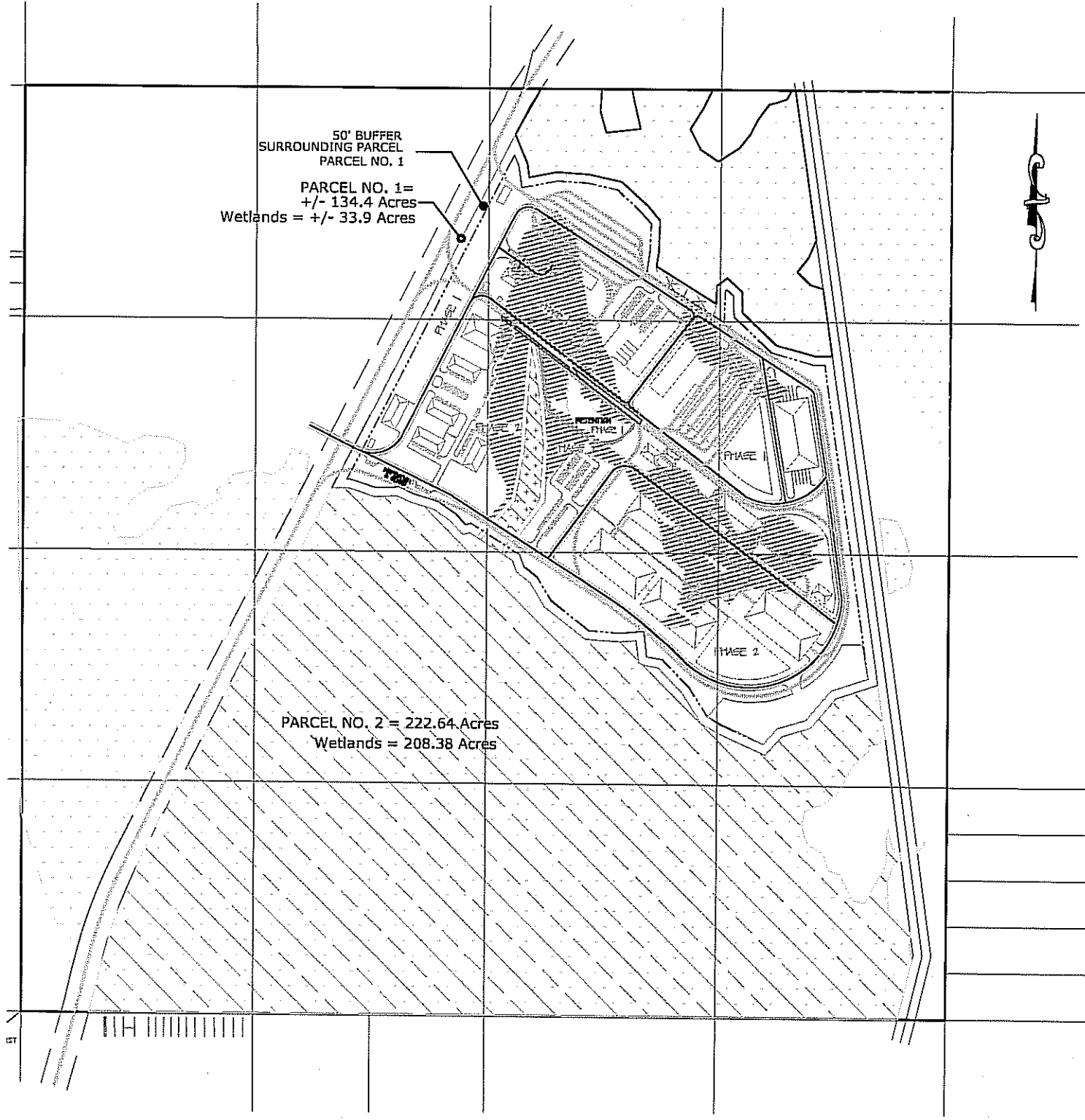
PARCEL NO. 1 =
+/- 134.4 Acres
Wetlands = +/- 33.9 Acres



PARCEL NO. 2 = 222.64 Acres
Wetlands = 208.38 Acres

SCALE: 1" = 750'

SHEET FOUR OF FIVE
Butler Services of MS, Inc.



50' BUFFER
SURROUNDING PARCEL
PARCEL NO. 1

PARCEL NO. 1 =
+/- 134.4 Acres
Wetlands = +/- 33.9 Acres

ADMINISTRATION, ENGINEERING
AND TECHNICAL SUPPORT
OFFICES, TRAINING FACILITIES
AND PARKING

25' BUFFER
FOR MED. GRADE
PROTECTED WETLAND AREA

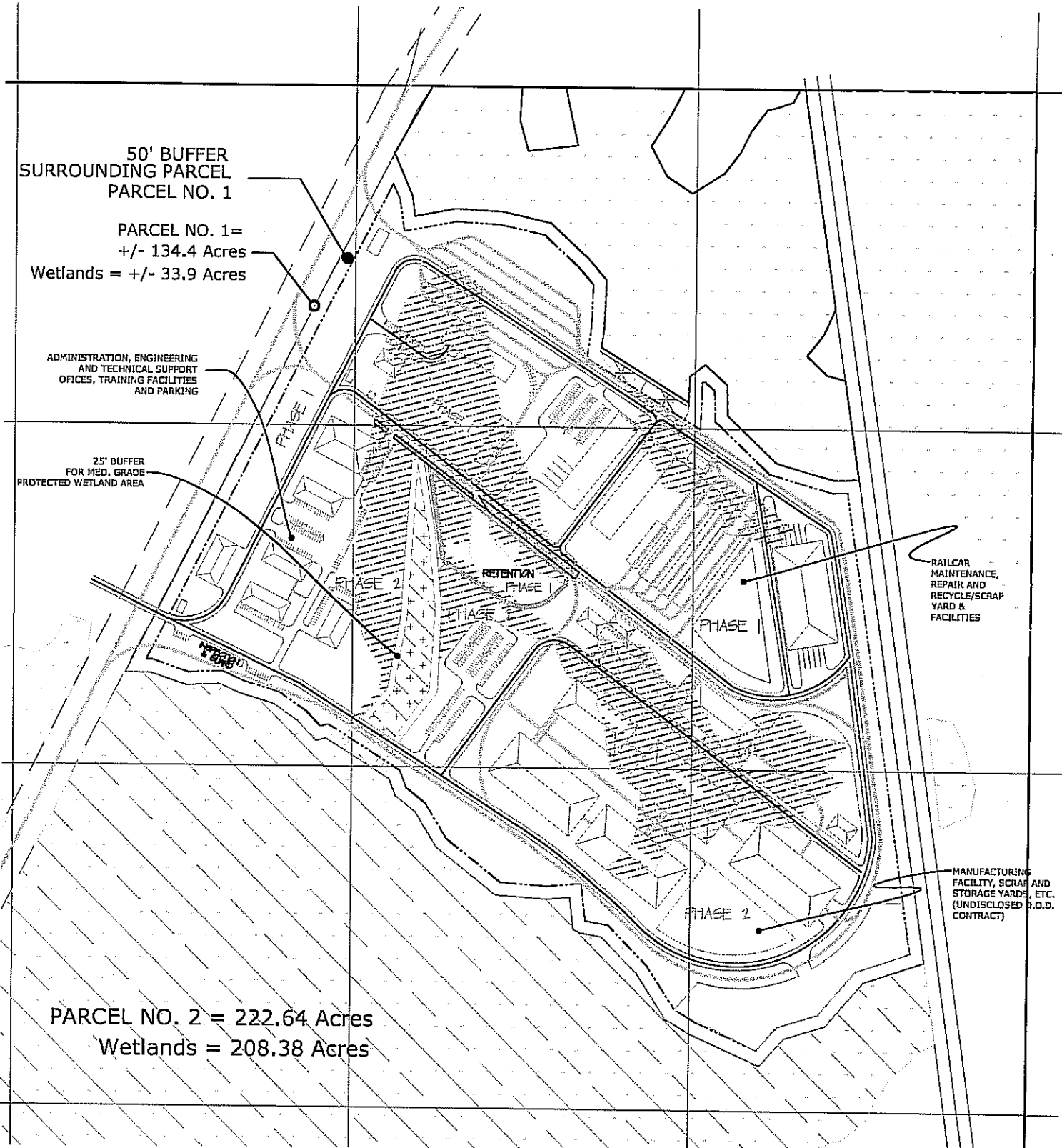
RAILCAR
MAINTENANCE,
REPAIR AND
RECYCLE/SCRAP
YARD &
FACILITIES

MANUFACTURING
FACILITY, SCRAP AND
STORAGE YARDS, ETC.
(UNDISCLOSED B.O.D.
CONTRACT)

PARCEL NO. 2 = 222.64 Acres
Wetlands = 208.38 Acres


SCALE: 1" = 500'


SHEET FIVE OF FIVE
Butler Services of MS, Inc.

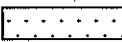


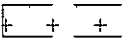
PROPOSED DEVELOPMENT
MS EXPORT RAILROAD SITE


LEGEND


 PARCEL NO. 1 BOUNDARY


 PARCEL NO. 1 BUFFER BOUNDARY (50' WIDE)

 WETLANDS AS DELINEATED BY (D.R. SANDERS)

 MED. GRADE WETLANDS PER "WRAP" REPORT (D.R. SANDERS)

 PROPOSED ONSITE STORMWATER RETENTION

 RAILWAY TRACKS AND CROSSINGS

 ROADWAYS

SCALE: 1" = 750'

PARCEL NO. 1 & NO. 2
TOTALS

357.0 ACRES TOTAL

TOTAL WETLANDS 242.3 ACRES

UNDISTURBED 212.6 ACRES

IMPACTS 29.7 ACRES

TOTAL 242.3 ACRES

PARCEL NO. 1
134.4 ACRES TOTAL

TOTAL WETLANDS 33.9 ACRES

 UNDISTURBED 4.2 ACRES

 IMPACTS 29.7 ACRES

33.9 ACRES

PARCEL NO. 2 (RESTRICTIVE COVENANT)
222.6 ACRES TOTAL

TOTAL WETLANDS 208.4 ACRES

 UNDISTURBED 208.4 ACRES

 IMPACTS 0.0 ACRES

208.4 ACRES

SURVEY BY: **MOODY AND ASSOCIATES, INC.**
REGISTERED PROFESSIONAL SURVEYORS
ALABAMA, LOUISIANA, MISSISSIPPI

281 RATLIFF STREET
LUCEDALE, MS. 39452
601-947-4499
03/06/00

SECTION 21, T6S, R5W,
JACKSON CO., MS

AGENT: **BUTLER SERVICES OF MS, INC.**

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ENVIRONMENTAL CONSULTING
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