



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 25, 2008

**JOINT PUBLIC NOTICE SAM-2008-995-JWS
U.S. ARMY CORPS OF ENGINEERS**

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

**Wetland Fill for Sandstone Apartments,
11391 East Dedeaux Road, Gulfport
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: Sandstone Villas, LP
c/o BMI Environmental Services, LLC (Agent)
521 34th Street
Gulfport, Mississippi 39507

WATERWAY: Tributary to Fritz Creek, Gulfport, Harrison County, Mississippi,
Latitude: 30.449° N, Longitude: -89.029° W

WORK: The applicant proposes to fill 1.6 acres of palustrine-forested wetlands and excavate 0.05 acres of palustrine-forested wetlands for the construction of a 4-building / 92-unit apartment complex and stormwater basin on a 6-acre site.

The applicant has stated the following concerning avoidance and minimization to Waters of the United States: "Sandstone Villas, LP made every effort to avoid and minimize impacts to wetlands. However, because of the limited size of the site and the need to construct a sufficient number of units to make the project feasible, Sandstone Villas, LP was not able to avoid impacts to wetlands. Efforts to minimize impacts were analyzed and the number of units were reduced from the original number of units (96 units) to 92 units which is the minimum number of units that could be built and

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maintain the commitment by Sandstone Villas, LP to provide affordable housing within the terms and conditions of the Federal grant for this project. Even though the number of units was minimized the minimization did not reduce impacts.” The Corps has not verified the adequacy of the applicants avoidance and minimization statement at this time.

The applicant has stated the following concerning mitigation for unavoidable impacts to Waters of the United States: “Sandstone Villas, LP will purchase credits at a 2:1 ratio for low quality wetlands. Using a 2:1 ratio for credit purchase, Sandstone Villas, LP will purchase 3.3 credits (2 X 1.65 acres of impacts) from the Wetlands Solutions Mitigation Bank.” The Corps has not verified the adequacy of this mitigation proposal at this time.

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

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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 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-2008-995-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

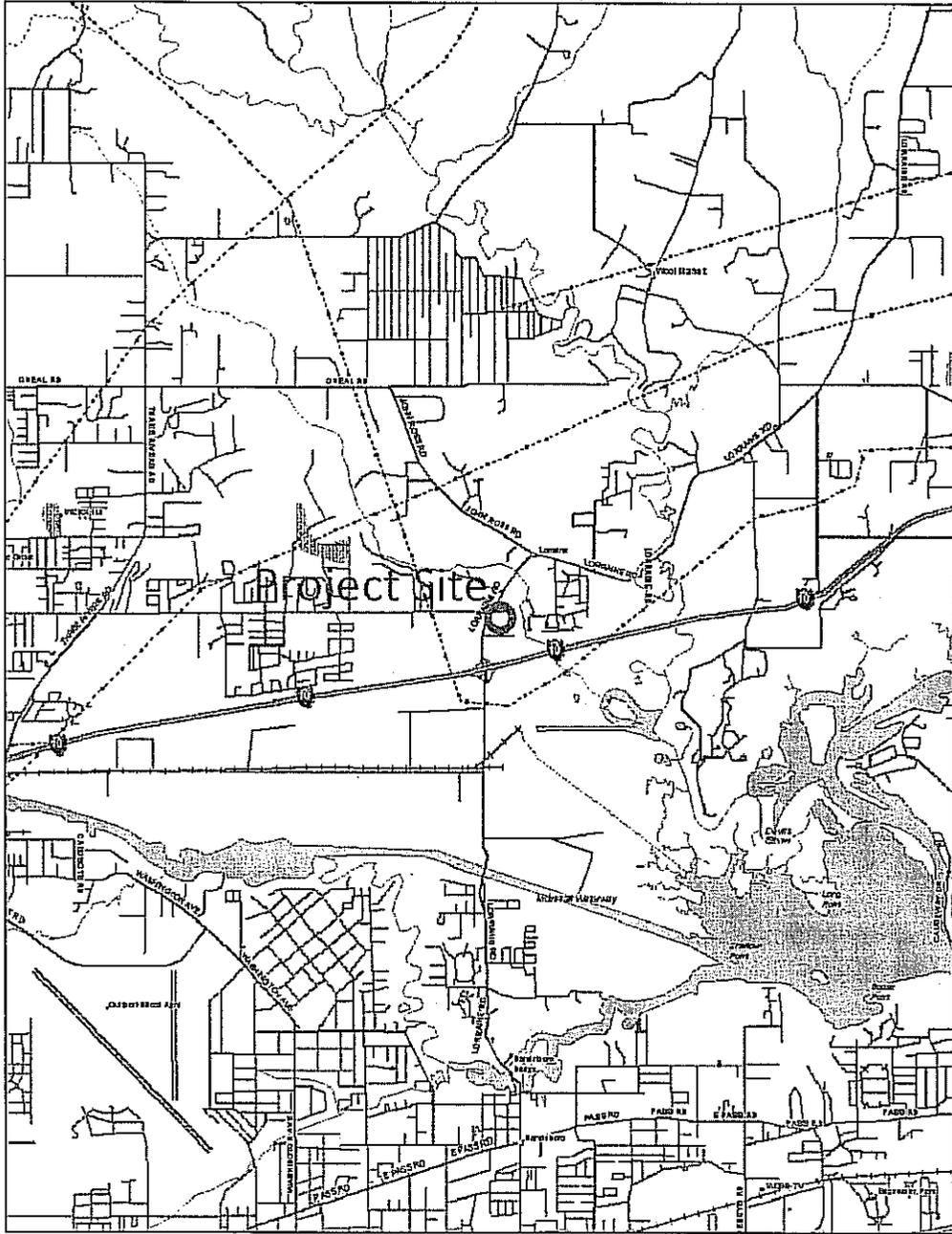
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survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

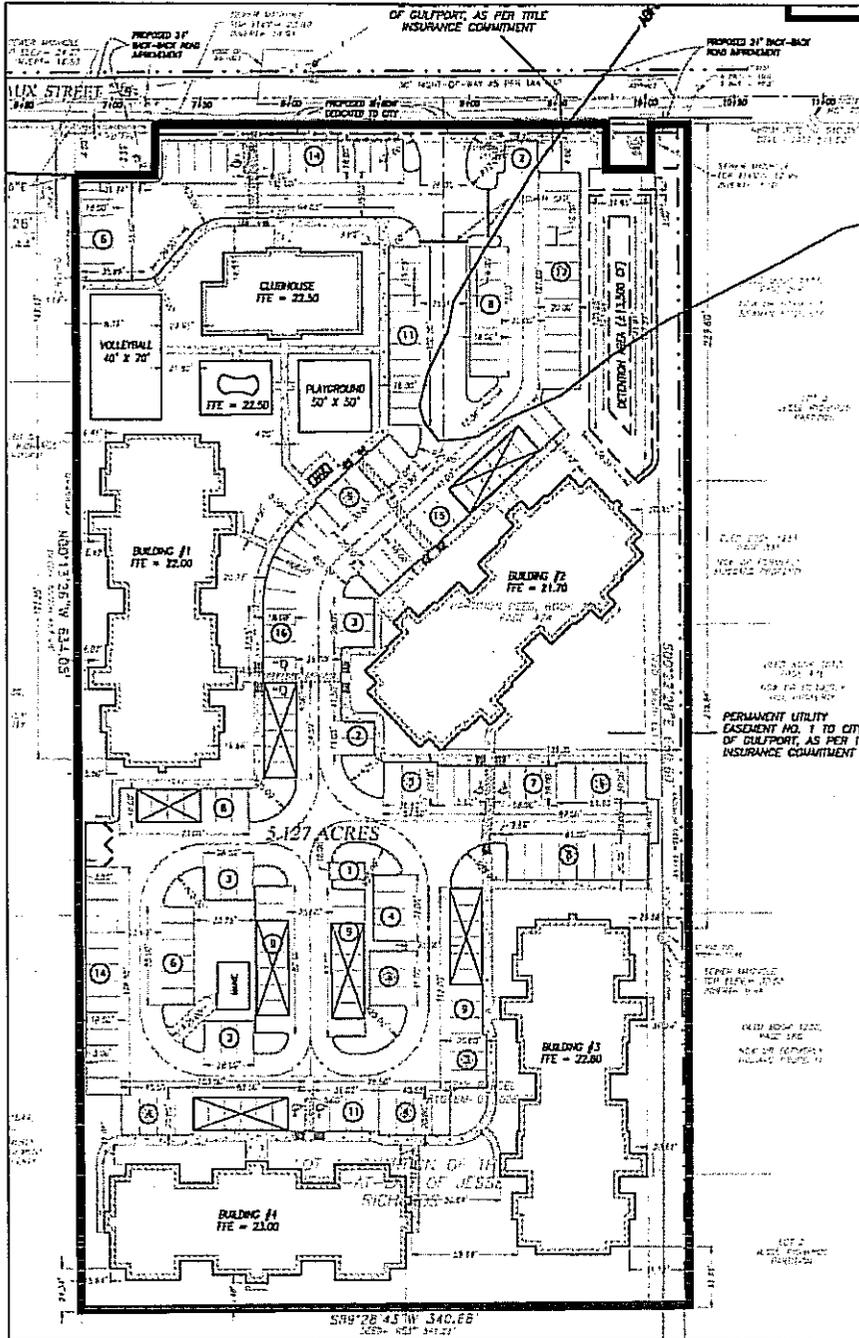
Enclosures



Vicinity Map
SANDSTONE APARTMENTS
GULFPORT, MISSISSIPPI



NORTH
1" = 100'



Site Plan by Carney Engineers

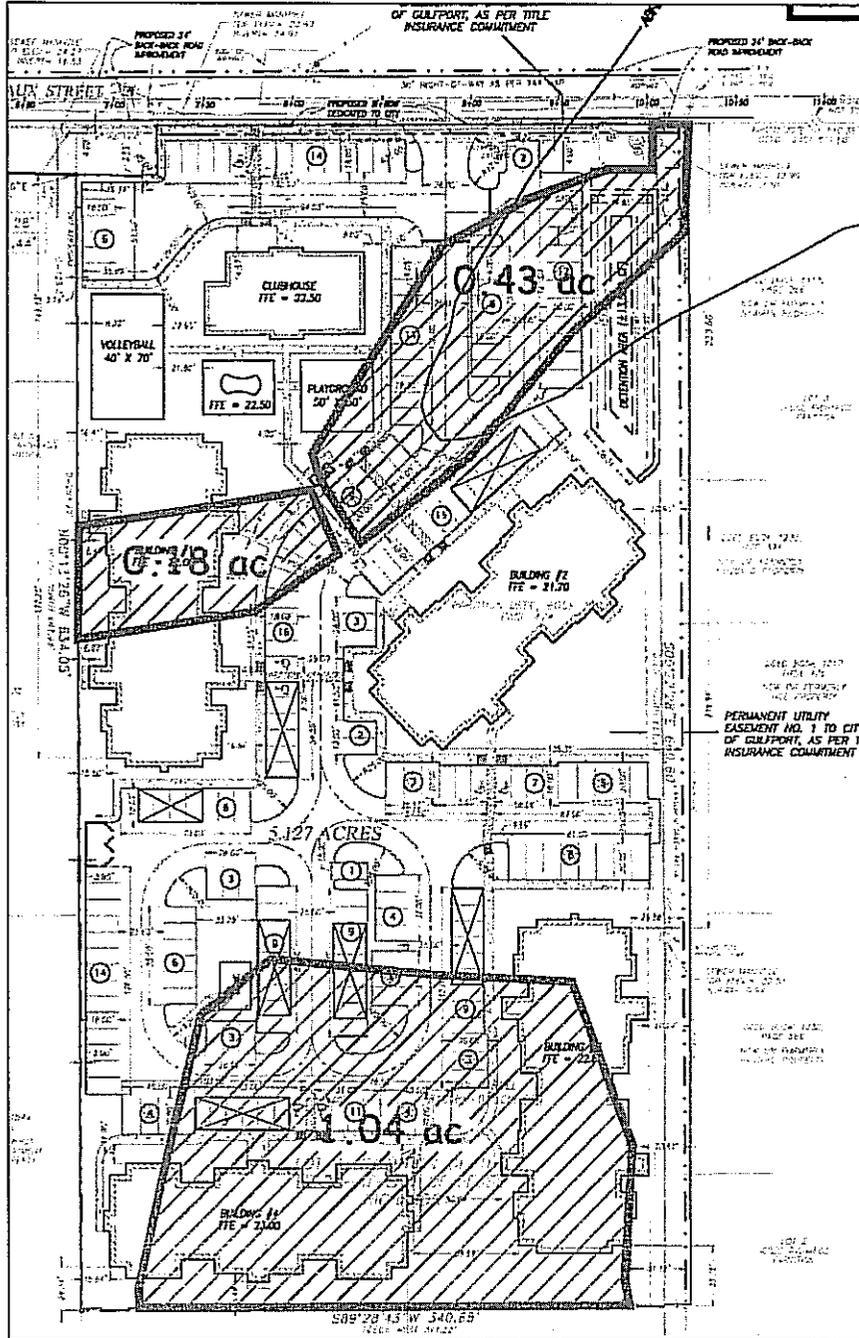
PROPOSED DEVELOPMENT

SANDSTONE APARTMENTS

GULFPORT, MISSISSIPPI



NORTH
1" = 100'



Site Plan by Carney Engineers

PROPOSED WETLAND IMPACTS ±1.65 Acres

SANDSTONE APARTMENTS

GULFPORT, MISSISSIPPI

