

Relocation to the proposed site would provide the applicant's dealership a location which has easy-accessibility and high-visibility with more growth opportunities than it has at its current location.

ALTERNATIVES: The applicant considered nine potential sites for their proposed project. When reviewing these sites they considered property size, accessibility, visibility, environmental concerns, cultural concerns, site availability and cost to develop. The applicant determined the currently proposed project location and design represents the most practicable alternative for construction of the proposed project. The applicant states construction of the project on the selected site would produce the least environmental impacts of all the alternatives, excluding the no-project alternative and would best meet their need for siting the project. The no-project alternative would mean the applicant could not reach the goals intended by the proposed project.

COMPENSATORY MITIGATION: The applicant proposes to mitigate for the unavoidable wetland impacts to 11.94 acres of disturbed wetlands by purchasing wetland mitigation credits from a U.S. Army Corps of Engineers (Corps) approved mitigation bank.

STATE WATER QUALITY PERMIT: 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.

COASTAL ZONE MANAGEMENT: The applicant has applied for certification from the State 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.

ENDANGERED SPECIES: The U.S. Fish and Wildlife Service (FWS) lists 18 endangered, threatened or candidate species as occurring or potentially occurring in Jackson County. The Gulf sturgeon (*Acipenser*) is listed as threatened. Based upon preliminary review of this application and the U.S. Department of the Interior's list of Endangered and Threatened Wildlife and Plants, a preliminary determination has been made that these activities designated for the project site may affect but not adversely affect, listed or endangered species or their critical habitat. Notification to the FWS will be furnished via this Public Notice.

The Mobile District has determined the proposed action would not adversely impact Essential Fish Habitat or associated fisheries managed by the Gulf of Mexico Fishery Management Council or the National Marine Fisheries Service.

HISTORIC PROPERTIES: In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to effect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of this undertaking are also being considered. We are seeking comment from the State Historic Preservation Officer, Federally-recognized American Indian tribes, local historical societies, museums, universities, the

National Park Service and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area.

A Phase I Cultural Resources Assessment of the proposed site was completed and provided to the Mississippi Department of Archives and History (MDAH) for review. In a letter dated April 13, 2010 the MDAH concurred that no known cultural resources listed in or eligible for the National Register of Historic Places will be affected (MDAH Project Log #03-245-10). Efforts will be made through the consultation process to avoid, minimize or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking. The district engineer remains the final decision authority.

COMMENTS: This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the 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.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2010-00424-KMN** and should be directed to: District Engineer, U.S. Army Engineer District, Mobile, Attention: **Ms. Kaaren Neumann** (RD-C), Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to: Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225-2261 and Mississippi Department of Marine Resources, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530

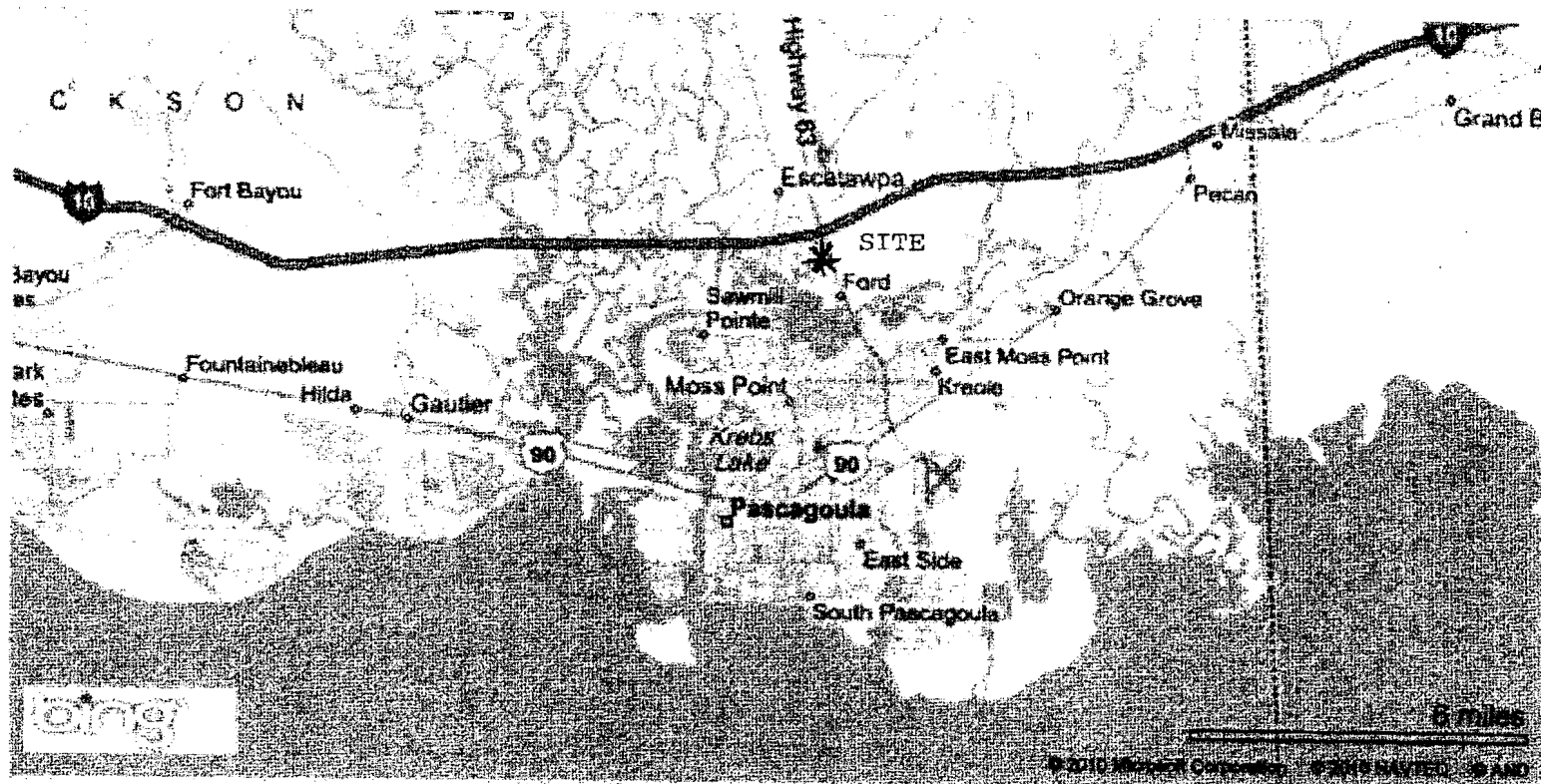
Comments should be received no later than **30 days** from the date of this Public notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at **kaaren.m.neumann@usace.army.mil** or phone number **(228) 523-4024**. 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.

Encls

MOBILE DISTRICT
U.S. Army Corps of Engineer



Moss Point, MS



SITE LOCATION.

FIGURE 1
Estabrook Properties, LLC
SAM-2010-00424-KMN

SITE LOCATION MAP FOR ESTABROOK PROPOSED SITE, HWY 63 SOUTH, MOSS POINT, MS

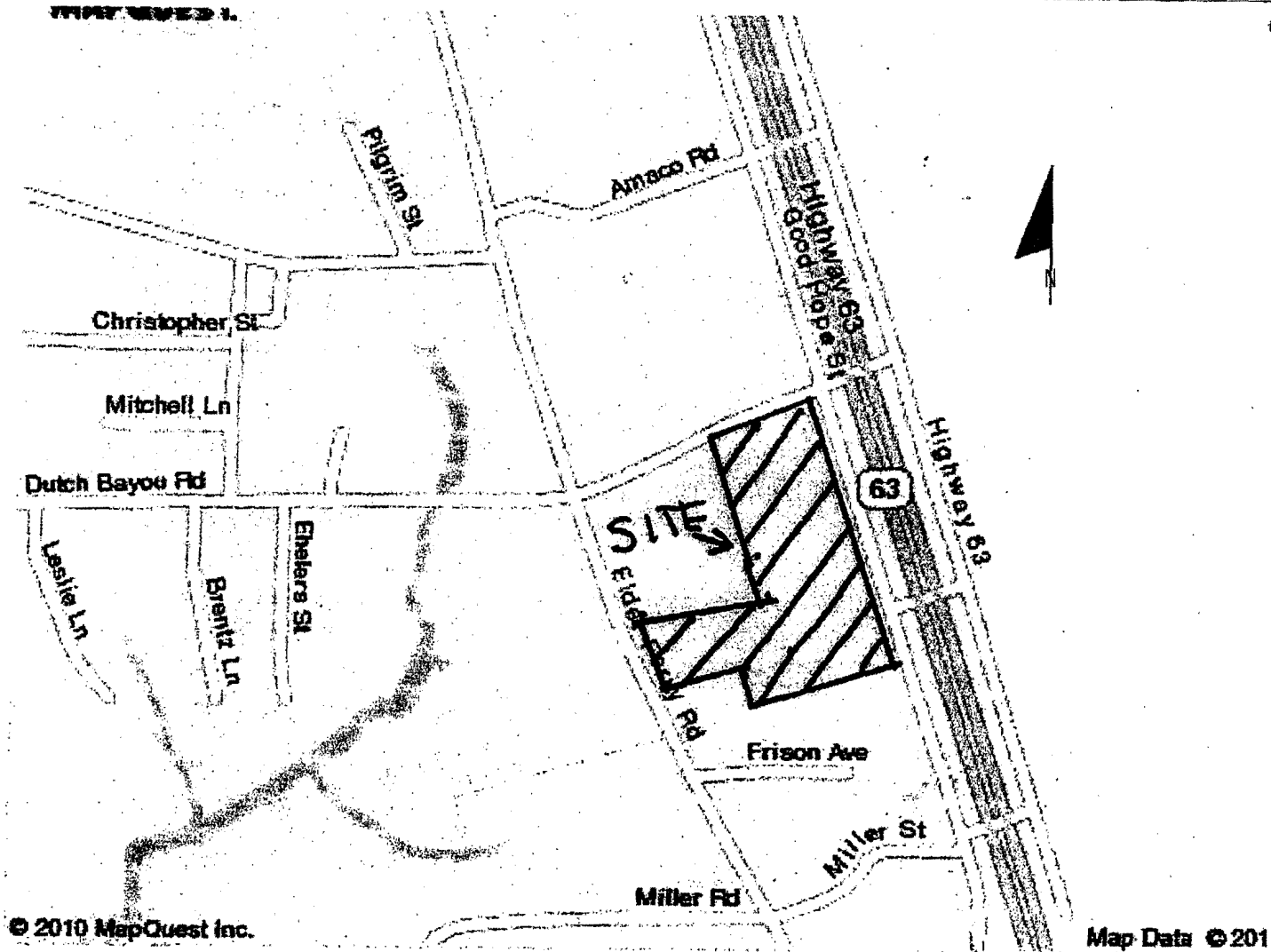


FIGURE 2
Estabrook Properties, LLC
SAM-2010-00424-KMN

WETLANDS DELINEATION MAP FOR ESTABROOK PROPERTIES PROPERTY, MOSS POINT (JACKSON COUNTY), MISSISSIPPI

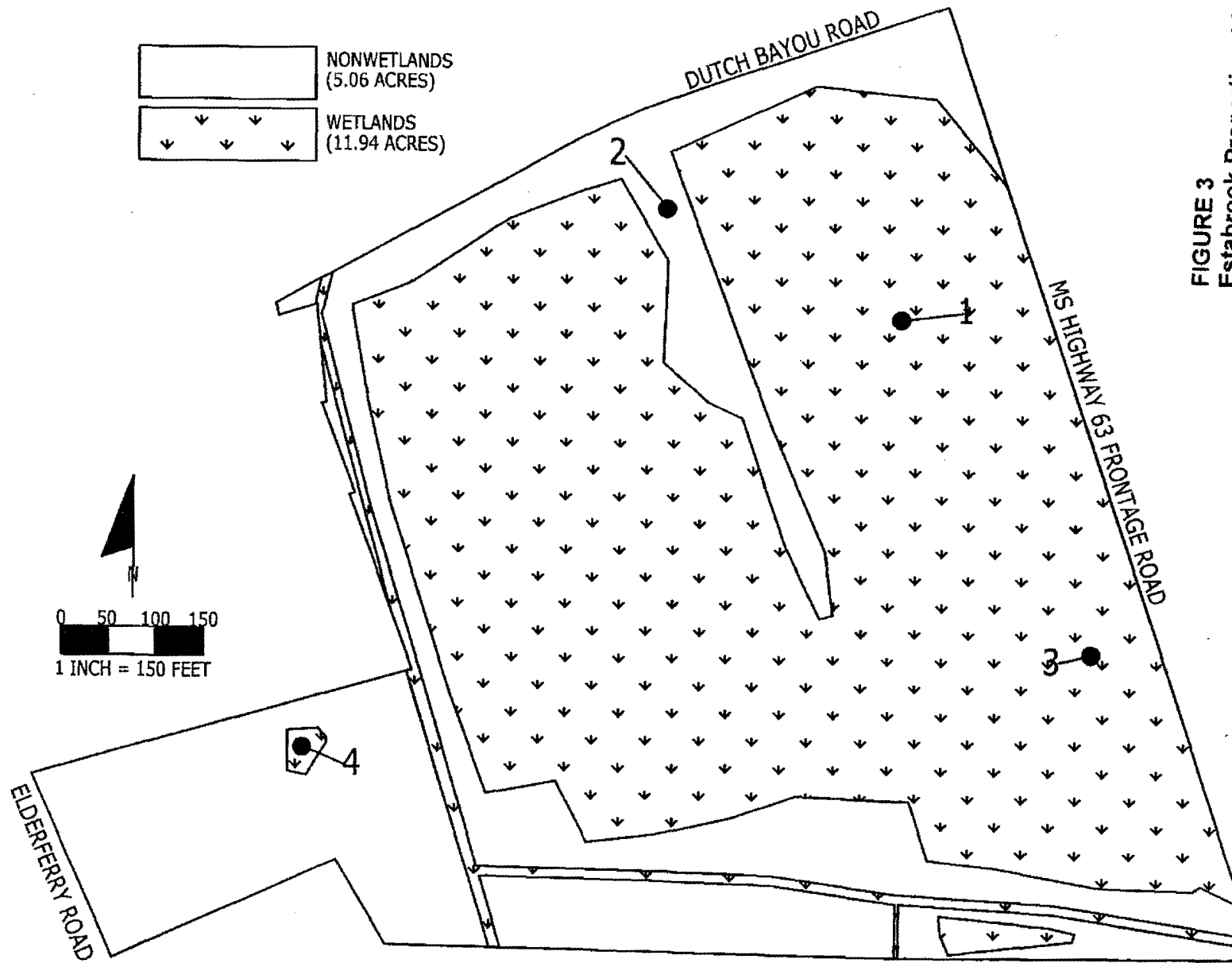


FIGURE 3
Estabrook Properties, LLC

TYPICAL SECTION OF PROPOSED ESTABROOK PROPERTIES LLC PROJECT

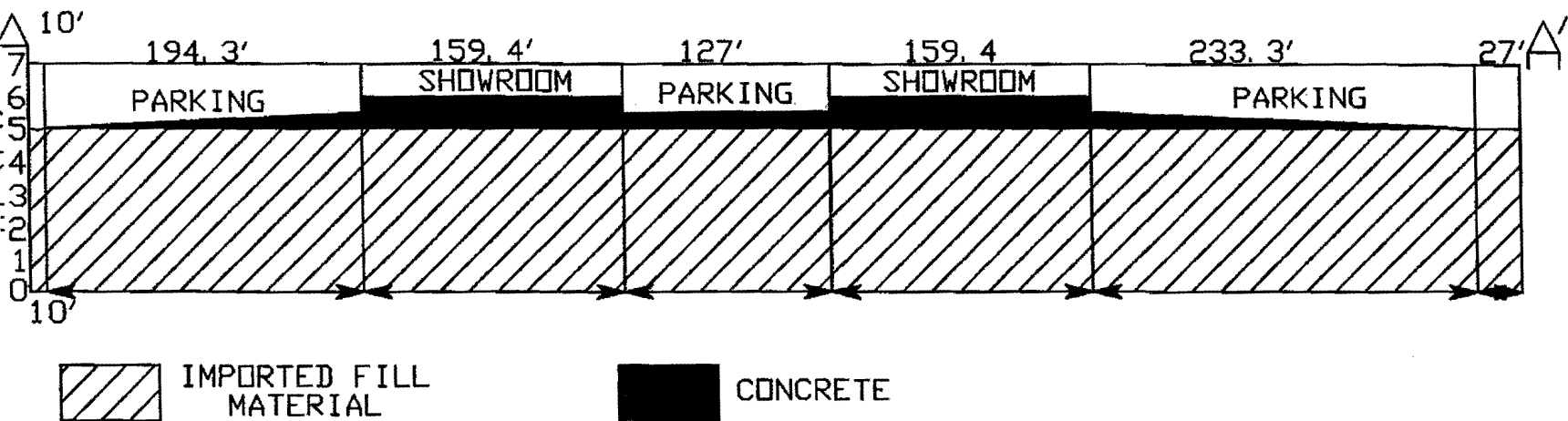


FIGURE 5
Estabrook Properties, LLC
SAM-2010-00424-KMN

ESTABROOK PROPERTIES PROJECT,
NEW STREET CROSS SECTION

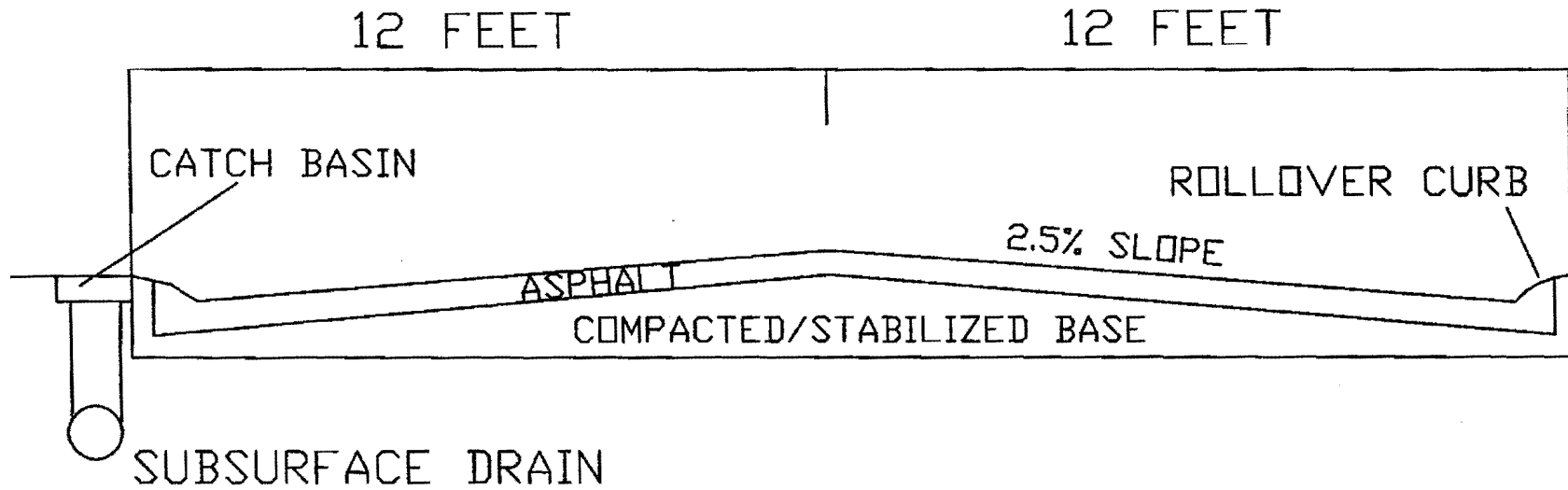
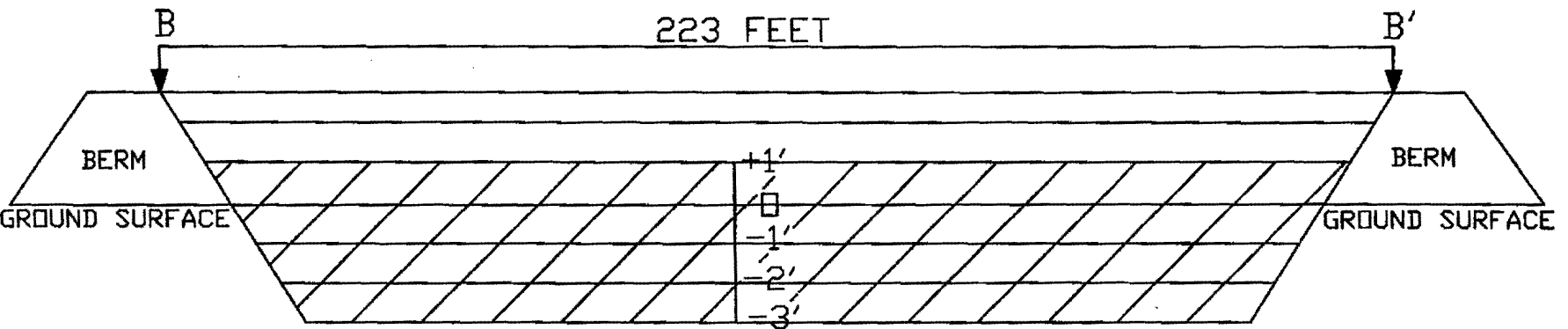


FIGURE 6
Estabrook Properties, LLC
SAM-2010-00424-KMN

ESTABROOK PROPERTIES PROJECT,
CROSS SECTION OF DETENTION BASIN



 WATER STORAGE CAPACITY*
(ESTIMATED 5 ACRE FEET)

* DETAILED DESIGN NOT COMPLETED. WILL BE MODIFIED ACCORDING TO NEED.

FIGURE 7
Estabrook Properties, LLC
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