



REPLY TO
ATTENTION OF:

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

CESAM-RD-C

January 5, 2011

JOINT PUBLIC NOTICE SAM-2010-01586-PAH
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Riverwalk, Inc.
Hancock County, Mississippi

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbor Act of 1899 (33 USC 403). Please communicate this information to interested parties.

APPLICANT: Riverwalk, Inc.
Mr. Kenny Allison
12085 Hwy 603
Bay St. Louis, Mississippi 39520

Agent: O'Brien & Gere
Mr. Mark Ray
5895 Shiloh Rd, Suite 113
Alpharetta, Georgia 30005

LOCATION OF WORK: Cazaubon Farm Road, Section 22, Township 8 South, Range 14 West, Latitude 30.331 Longitude -89.392, Jourdan River, Hancock County, Mississippi.

WORK DESCRIPTION: The applicant is proposing to construct a mixed-use residential/commercial development on a 183-acre site adjacent to the Jourdan River and Cazaubon Farm Road in Bay St. Louis, Hancock County, Mississippi. Wetland impacts associated with the development would include the permanent fill of approximately 2.05 acres of non-tidal wetlands and the construction of a 329-slip marina along the Jourdan River and an existing man-made canal on the property. A marina basin would be excavated from a 3.6 acre area of uplands along the Jourdan River and approximately 4,735 cubic yards of material would be dredged from the river to slope the marina into deeper water. The mooring basin would contain approximately 2,000 linear feet of 8 foot wide mainline piers; 3,434 linear feet of 3 foot wide finger piers; 884 linear feet of 5 foot wide finger piers; a two-lane boat ramp measuring 30 feet in width; and approximately 1,100 linear feet of bulkhead for shoreline stabilization along the newly excavated basin. In addition to the residential and public slips available in the proposed basin, the applicant plans to construct approximately 7,728 square feet of decking for fuel docking and pump-out docking facilities. Additional impacts along the Jourdan River consist of a 100 foot long by 20 foot wide extension to an existing pier and a new pier measuring 140 feet in length and 20 feet in width with an

associated access pier approximately 115 feet in length by 4 feet in width. Impacts associated with the man-made canal consist of 944 linear feet of 4 foot wide finger piers, 60 linear feet of 6 foot wide finger piers, fourteen (14) 20 foot by 20 foot boathouses, 1,250 linear feet of bulkhead repair/replacement and a two-lane boat ramp measuring 30 feet in width.

PROJECT PURPOSE AND NEED: The overall project purpose is to provide housing for the community of Bay St. Louis. The project would create a neighborhood that is compact and pedestrian oriented. Riverwalk would respond to a local socio-economic need to retain and regain housing stock in the Bay St. Louis area. A range of housing types and price levels would be provided to accommodate diverse ages and income levels.

ALTERNATIVES: An alternate site is located southeast of the intersection between Interstate 10 and Highway 603 and was initially considered. This site was not chosen due to the need for substantial environmental impacts. Approximately 86% of the site was wetlands, including salt marsh, freshwater marsh and bottomland hardwoods. Wetland impacts on this site would have exceeded 50 acres even if 40% of the development footprint were concentrated in the upland areas.

This project has been in pre-application consultation since 2007. Through consultation with this agency and the MSDEQ, design changes were made to the area around Wetland 1, and impacts were reduced in this area from 0.18 acres to 0.07 acres. In addition, impacts to Wetland Fa increased from 0.02 acres to 0.10 acres. Because much of the southern area of the site was declared to be 60% wetland, and because some portions of the project are located in this area, total wetland impacts from the revised master plan increased to 2.05 acres, with 0.17 acres of impact in the 100% wetland areas and 3.13 acres of impact in the 60% wetland areas. The current master plan is the product of substantial efforts to avoid and minimize impacts to wetlands, streams, and water quality while ensuring that the purpose and need of the project are met.

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

ENDANGERED SPECIES: The U.S. Fish and Wildlife Service (USFWS) lists thirteen County, endangered, threatened or candidate species as occurring or potentially occurring in Hancock Mississippi. These are the gopher tortoise (*Gopherus polyphemus*) listed as threatened (T), the Louisiana quillwort (*Isoetes louisianensis*) listed as endangered (E), the Gulf sturgeon (*Acipenser*) listed as threatened with critical habitat (TCH), the Green sea turtle (*Chelonia*) (T), the Kemp's ridley turtle (*Lepidochelys kempii*) (E), the Leatherback sea turtle (*Dermochelys comacea*) (E), the Loggerhead sea turtle (*Caretta caretta*) (T), the Louisiana black bear *Ursus a. luteolus*(T), the Piping Plover (*Charadrius melodus*) (TCH), the Inflated heelsplitter (*Potamilus inflatus*) (T), The West India manatee (*Trichechus manatus*) (E), the Brown Pelican (*Pelecanus occidentalis*) (E), and the Pearl darter (*Percina aurora*) a candidate species (C). Based upon preliminary review of this application, and the U.S. Department of the Interior's list of Endangered and Threatened

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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 USFWS will be furnished via this Public Notice. The Service commented on the initial proposed project by letter dated August 16, 2007 stating that the Service had determined that no federally listed/candidate species or critical habitat areas would be adversely impacted by the proposed work.

The Mobile District has determined that 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 (MDAH), 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 Resource Survey of Breath Bayou area was conducted by Mr. Robert E. Reams, dated May 2007 and submitted to the MDAH for review. The MDAH responded by letter dated May 29, 2007 stating that they concur that no cultural resources listed in or eligible for listing in the National Register of Historic Places will be affected and therefore, MDAH has no reservations with the proposed project.

Historic architectural or archaeological investigations may be necessary to ascertain the existence of such resources. 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 Commander 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 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

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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-2010-01586-PAH and should be directed to: District Engineer, U.S. Army Engineer District, Mobile, Attn: Ms. Maryellen Farmer (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.

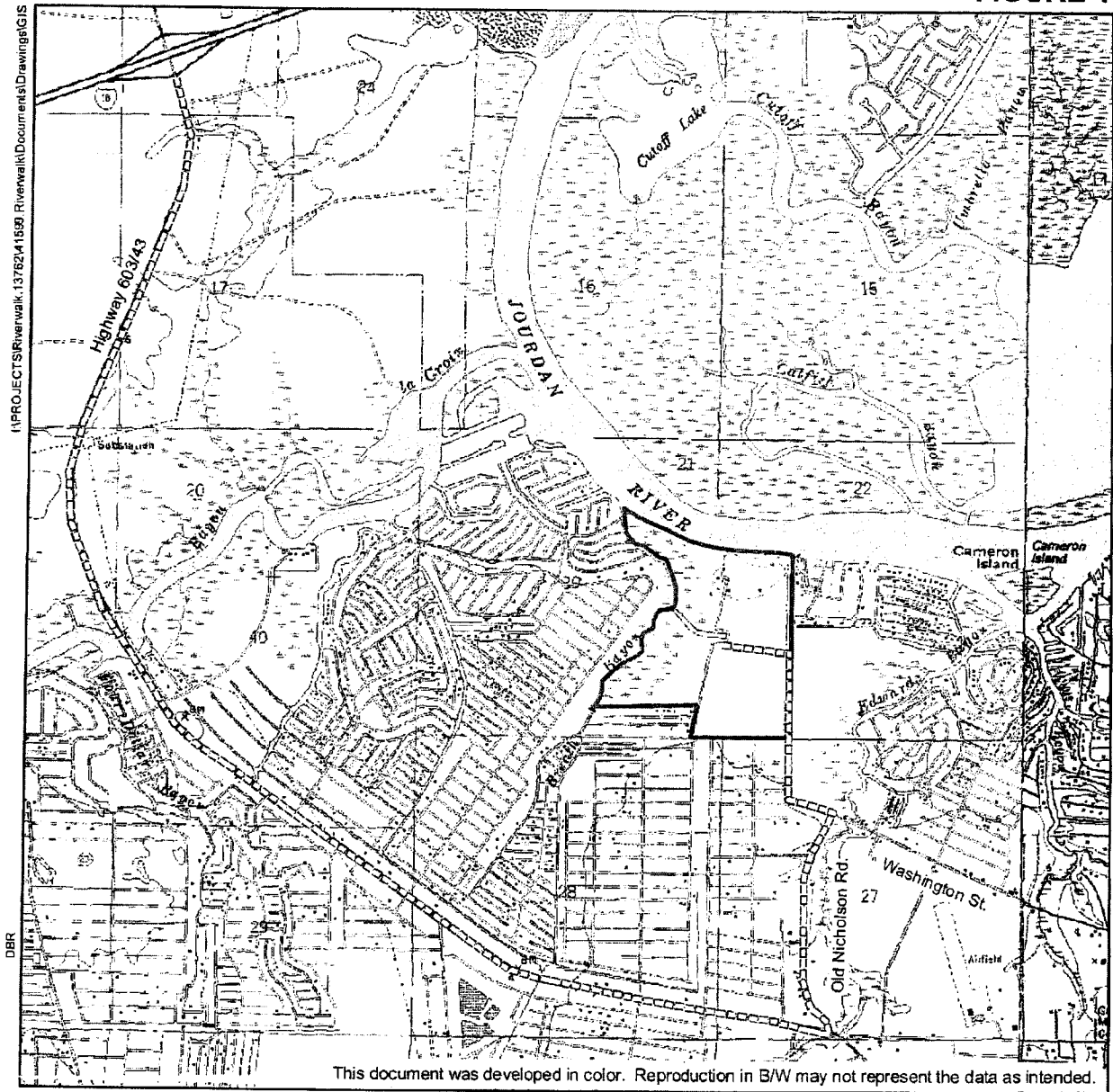
If you have any questions concerning this publication, you may contact the project manager via e-mail at maryellen.j.farmer@usace.army.mil or phone number **(228) 523-4116**. Please refer to the above Public Notice number.

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.

Enclosures

MOBILE DISTRICT
U.S. Army Corps of Engineers

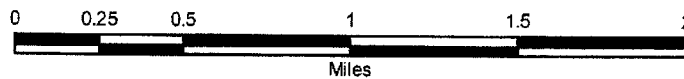
FIGURE 1



ADAPTED FROM: WAVELAND USGS QUADRANGLE

RIVERWALK, INC.
BAY SAINT LOUIS, MS

LOCATION AND TOPO MAP



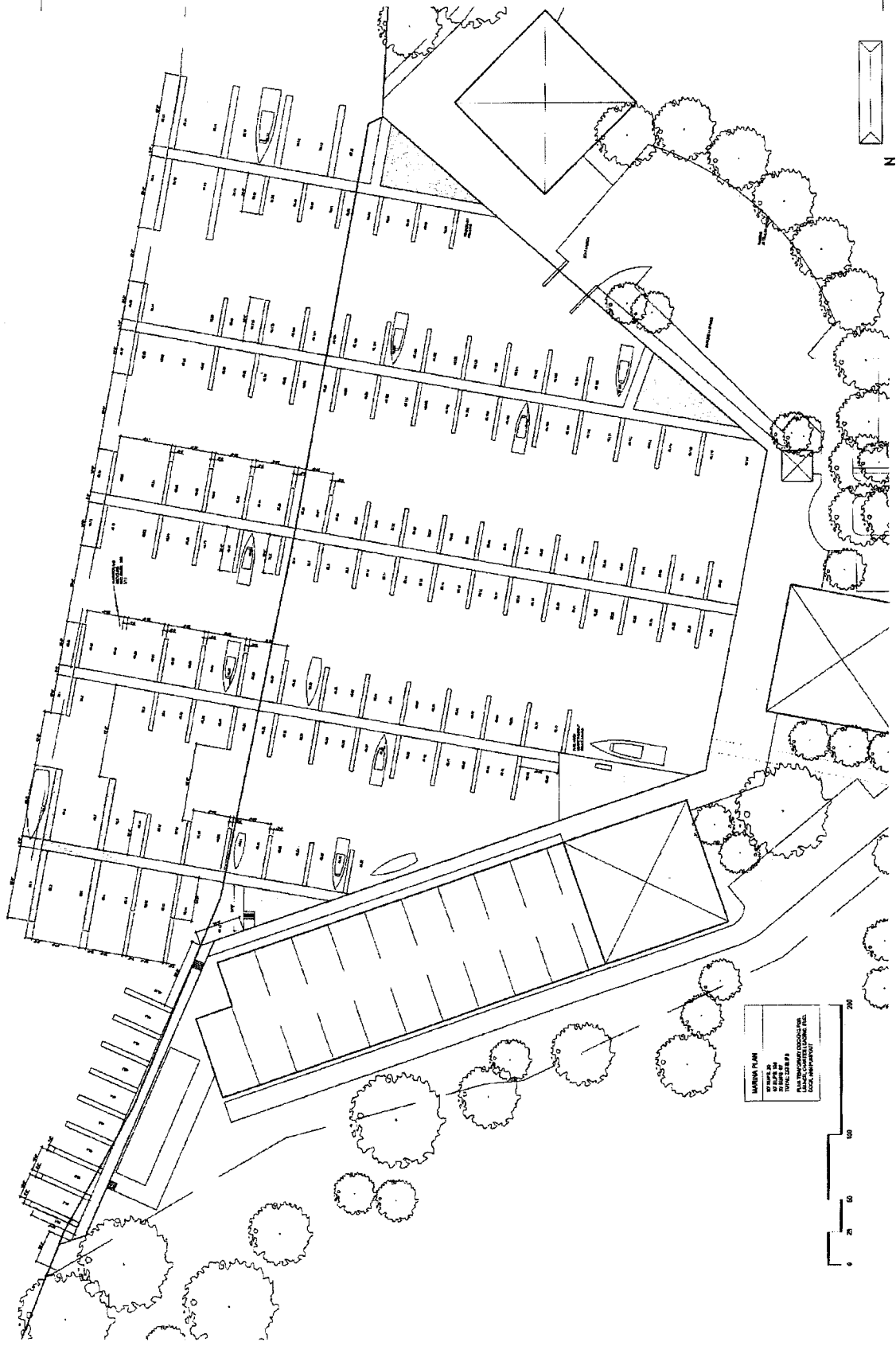
1 inch equals 0.5 miles



Directions: Proceed south 4.8 miles on Highway 603/43 from Interstate 10.
Turn left onto Old Nicholson Road and proceed .7 miles. Turn left at T-intersection onto Washington Street.
Proceed .6 miles on Washington Street, which becomes Jourdan River Drive.
Turn left on Cazoubon Road to enter site.

UNABRIDGED
ARCHITECTURE
400 BLAUZ AVENUE
SUNY ST. LOUIS MO. 63003
TEL: 661.1100

MARINA PLAN
RIVERWALK
SUNY ST. LOUIS, MO
10 OCTOBER 2010



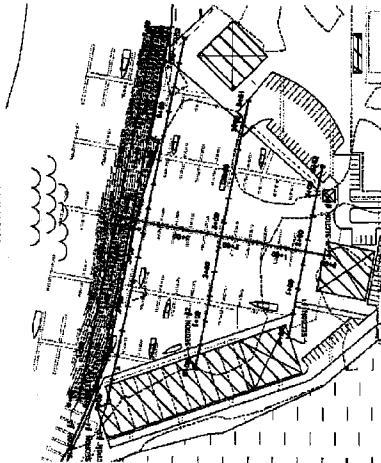
1" = 25'
SITE PLAN

FIGURE 4B

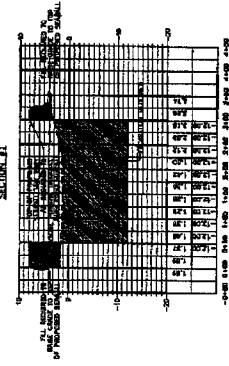
MARINA PLAN
BY DATE OF
10 OCTOBER 2010
UNABRIDGED ARCHITECTURE P.C.
UNABRIDGED ARCHITECTURE P.C.

CROSS SECTIONS FOR
RIVERWALK DEVELOPMENT
PROPOSED MARINA
 - HARRIS CO., TEX.

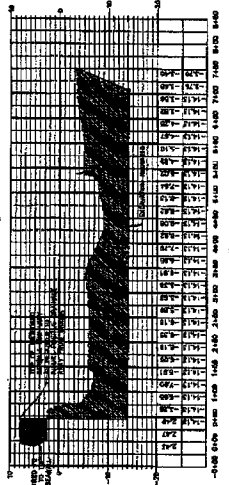
PLAN VIEW OF MARINA



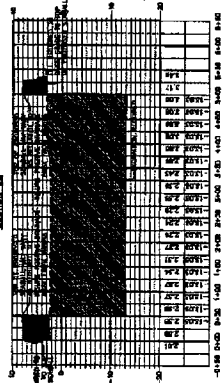
SECTION A1



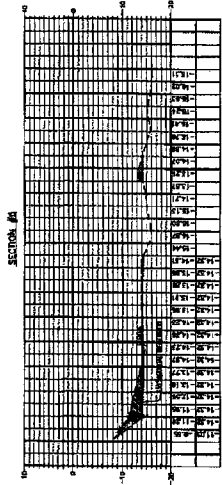
SECTION A2



SECTION B1



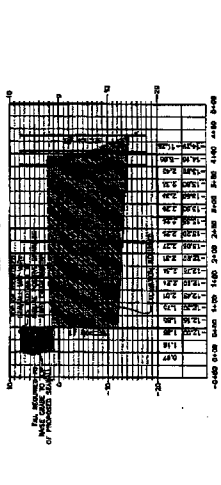
SECTION B2



SECTION C1



SECTION C2



EXCAVATION QUANTITIES

Estimated Amounts To Be Dropped From River Bottom

4,725 Cu. Yds. (74)

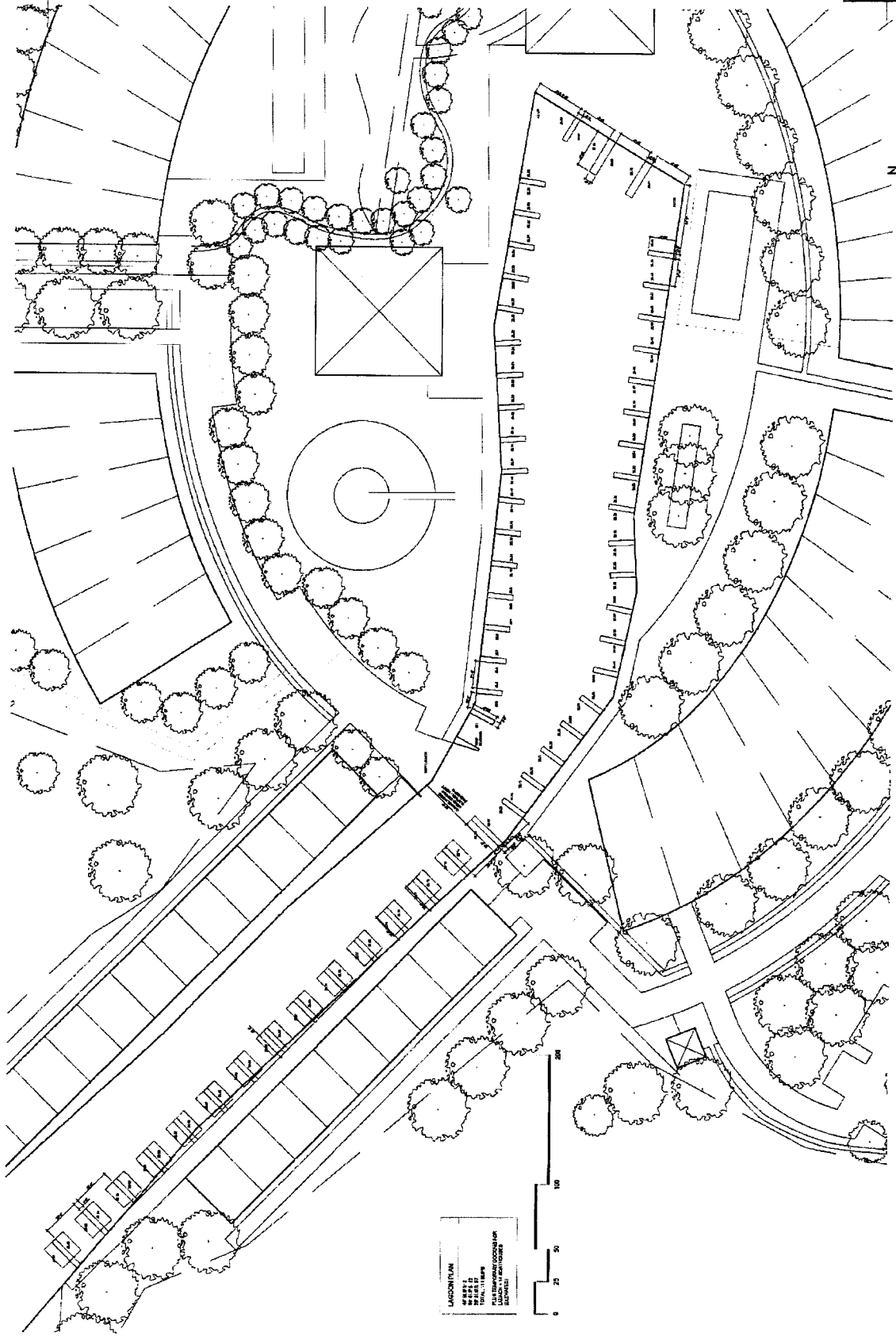
Estimated Amounts To Be Excavated On Landward Side Of Existing Structure

102,854 Cu. Yds. (74)

DATE: 1/2/2010
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Name]
 SHEET: [Number]

UNABRIDGED
ARCHITECTURE
300 W. 12TH AVENUE
DENVER, CO 80202
303.733.1199

LAGOON PLAN
RIVERWALK
300 W. 12TH AVENUE, DENVER, CO
10 OCTOBER 2010



LAGOON PLAN
DATE: 10/10/10
BY: [UNRECOGNIZABLE]
CHECKED BY: [UNRECOGNIZABLE]
DESIGNED BY: [UNRECOGNIZABLE]

N
SITE PLAN
1"=50'
10 OCTOBER 2010





FIGURE 4C

I:\PROJECTS\Riverwalk_13762141599_Riverwalk\Documents\Drawings\GIS

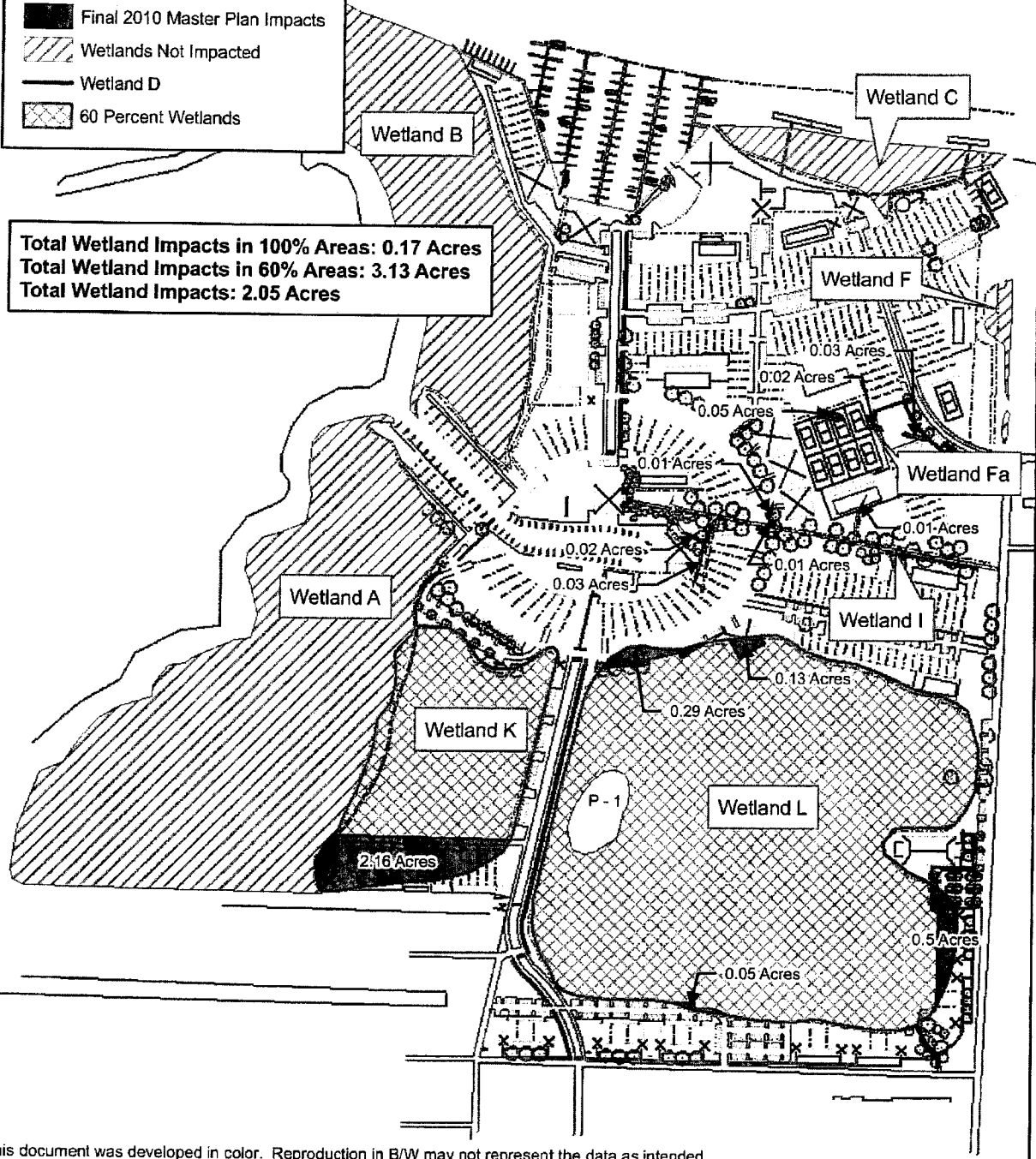
DBR

FIGURE 7

Legend

-  Final 2010 Master Plan Impacts
-  Wetlands Not Impacted
-  Wetland D
-  60 Percent Wetlands

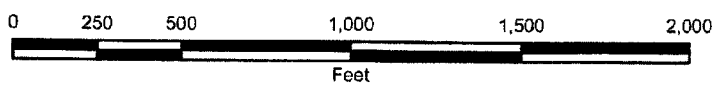
Total Wetland Impacts in 100% Areas: 0.17 Acres
Total Wetland Impacts in 60% Areas: 3.13 Acres
Total Wetland Impacts: 2.05 Acres



This document was developed in color. Reproduction in B/W may not represent the data as intended.

**ENVIRONMENTAL ASSESSMENT
 RIVERWALK, INC.
 BAY SAINT LOUIS, MS**

Current Plans Showing Impact



10/15/10
41599

