



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  
PUBLIC NOTICE NO. SAM-2006-1878-ALF

SEP 13 2006

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

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**PROPOSED CONDOMINIUMS IN WETLANDS ADJACENT TO FORT BAYOU IN  
OCEAN SPRINGS, JACKSON 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), and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT: Fort Bayou Properties, LLC  
606 Calle Embocadura  
San Clemente, CA 92673**

**WATERWAY: Wetlands adjacent to Fort Bayou at the end of Cumberland Drive in Ocean Springs, Section 21, Township 7 South, Range 6 West, Jackson County, Mississippi**

**WORK: The applicant proposes to fill 0.2 acre of wetlands for the purpose of constructing a condominium complex and associated amenities on a 2.69-acre parcel of land. The project would provide 72 condominium units, parking, clubhouse, and swimming pool. The applicant proposes to compensate for the wetland impacts by purchasing credits from an approved wetland mitigation bank.**

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 and their cumulative effects relevant to the proposal will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use,

**CESAM-RD-C**

**SUBJECT: PUBLIC NOTICE NO. SAM-2006-1878-ALF**

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.

To evaluate the impacts of this proposal the Corps is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties. 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 opposition. Comments will be considered to determine whether to issue, modify, condition or deny a permit. To make this decision, an Environmental Assessment is prepared in accord with the National Environmental Policy Act; impacts are assessed on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest. Anyone may request a public hearing to consider this proposal. Requests should provide in writing, within the specified comment period, detailed reasons for a hearing.

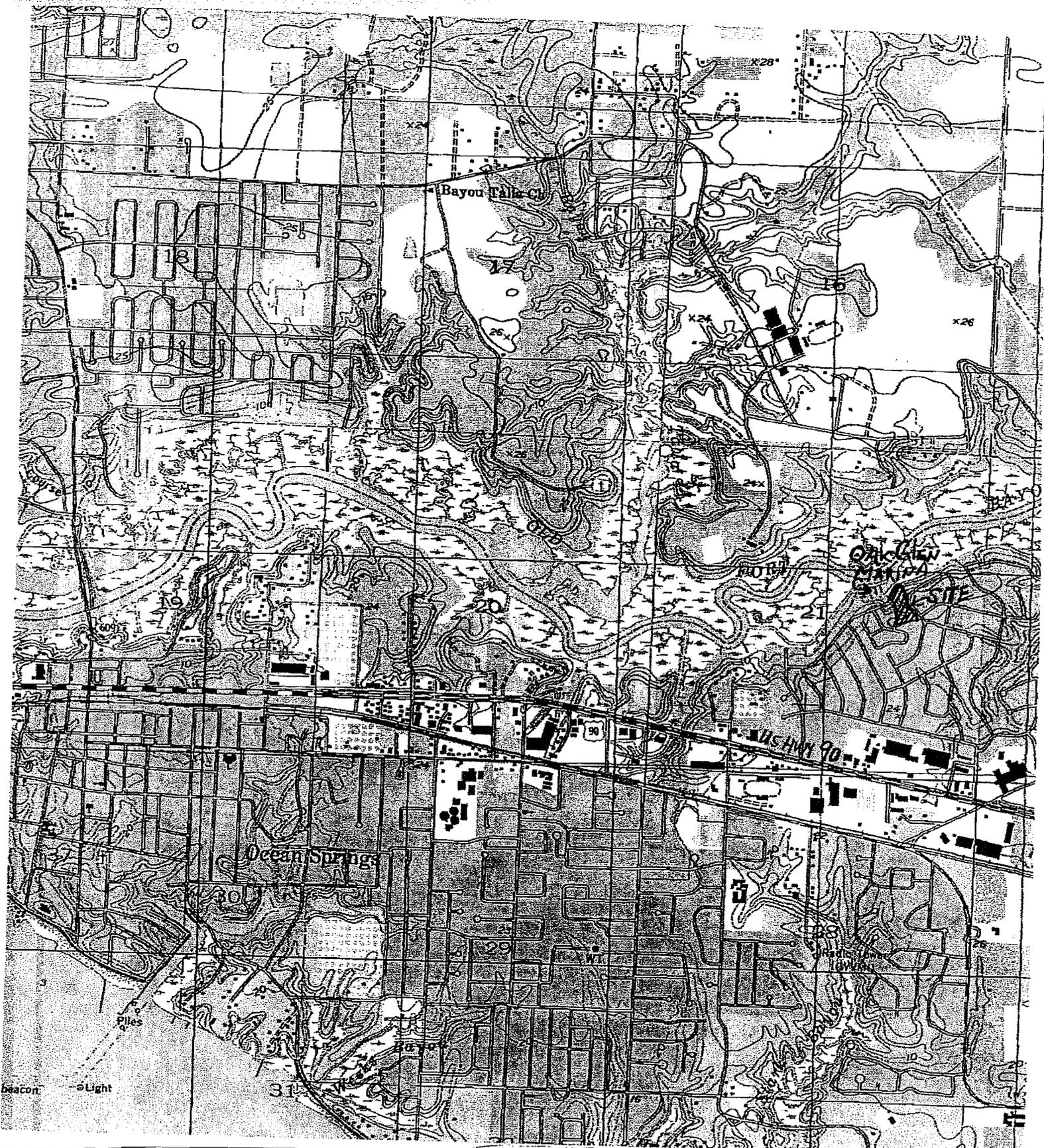
This notice is being sent to appropriate State and Federal agencies, including the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services. No properties listed in or eligible for the National Register of Historic Places is known to exist which would be affected by the proposal. Comments are requested regarding the potential or existence of cultural resources which may be affected. The U.S. Department of the Interior List of Endangered and Threatened Wildlife Plants indicated that the proposal will not affect listed species, or their critical habitat. Other impacts from dredge and fill activities, including pile supports having the effect and function of fill, will be evaluated by applying Environmental Agency Protection guidelines. After review of public comments, the Mississippi Department of Environmental Quality will determine if the proposal complies with and will be operated or maintained in a manner consistent with the Clean Water Act. The Mississippi Department of Marine Resources will make a determination of consistency with the State Coastal Zone Management Program.

For additional information, e-mail the Project Manager at [allison.l.felsher@sam.usace.army.mil](mailto:allison.l.felsher@sam.usace.army.mil) or phone at (251) 690-2658. Comments should be received within 30 days of the public notice date. Please refer to number **SAM-2006-1878-ALF** and direct your correspondence to the District Commander, U.S. Army Corps of Engineers, Mobile District, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division; and a copies 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, Biloxi, Mississippi 39530.

Encls

MOBILE DISTRICT  
U.S. Army Corps of Engineers





**FIGURE 1. SITE LOCATION OF OAK GLEN MARINA  
CONDOMINIUMS IN OCEAN SPRINGS, MS.  
(SECTION 21, T7S, R6W, LAT N30D25'16.343",  
LONG. W88D47'13.965")**

Ocean Springs\*; MS\*; Scale: 1" = 0.390Mi 628Mt 2,060Ft, 1 Mi = 2.563" , 1 cm = 247Mt

FIGURE 2. OAK GLEN MARINA CONDOMINIUMS PLAN VIEW

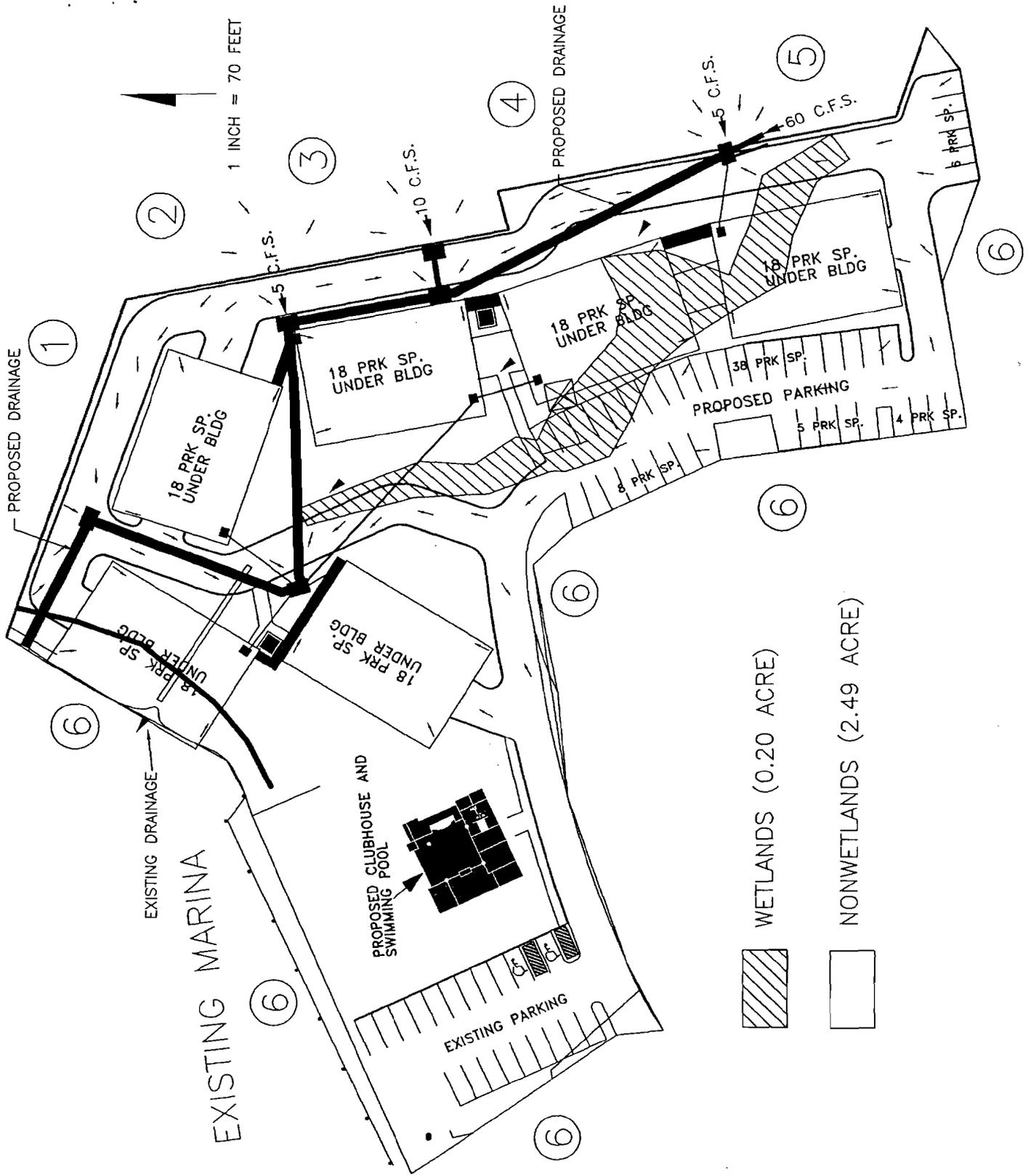


FIGURE 3. TYPICAL CROSS-SECTION THROUGH WETLANDS (N.T.S.).

