



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

REPLY TO  
ATTENTION OF:

**CESAM-RD-M**  
**Public Notice No. SAM-2014-01395-DMY**

January 13, 2015

**JOINT PUBLIC NOTICE SAM-2014-01395-DMY**  
**U.S. ARMY CORPS OF ENGINEERS**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**PROPOSED FILL ASSOCIATED WITH A PARKING EXPANSION TO SUPPORT**  
**THE GRAND BISCAYNE COMPLEX,**  
**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: 14510 Lemoyne Boulevard, LLC**  
**275 Grove Street, Suite 2-400**  
**Newton, Massachusetts 02466-2273**

**AGENT: Culpepper and Associates**  
**Post Office Box 1407**  
**Long Beach, Mississippi 39560**

**WATERWAY: Unknown Tributary to Bayou Porteaux, St. Martin, Jackson County, Mississippi (Mississippi (Latitude 30.4465° North, Longitude -88.8532° West)).**

**WORK: The applicant proposes the expansion of a previously authorized complex to provide sufficient parking spaces associated with the Grand Biscayne Apartment Complex. The applicant states that currently there is an unacceptable deficit of parking for the current residents. The applicant proposes that an additional 0.28 acre of fill is required for the previously filled 0.49 acre of Palustrine wetland habitat. The lack of adequate parking is a safety hazard according to the applicant for the residents of the complex. Alternatives are limited to a no-action for the additional parking in which according to the applicant produces an unsafe condition for the residents and guests. Alternate sites would include but not limited to development of additional properties which the applicant determined aforementioned. Alternate site designs according to the applicant would only include additional parking to the north; however, additional buildings would prohibit this. The surrounding environment includes a site bordered**

**on the south by a moderately high volume roadway, Lemoyne Boulevard, the east and north by vacant property and the west by a landscape business. Wetlands on-site are characterized as non-tidal Palustrine forested and shrub/scrub habitat. Compensation for the proposed unavoidable impacts include the purchase of the sufficient number of in-kind credits from a local approved Mitigation Bank. Further coordination of the proposed project and impacts will be coordinated with cooperating Federal and State agencies.**

The applicant has applied for State Water Quality Certification (WQC) in accordance with Section 401(a)(1) of the Clean Water Act, and for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQC and CZ consistency will be made by the Mississippi Office of Pollution Control and 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, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership 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.

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 affect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the immediate vicinity. Previously, the permit area was assessed for the construction of the complex. The National Register of Historic Places has been previously consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. The Corps has made a preliminary determination that there is no potential to affect cultural and historic resources within the permit area based on the previous disturbance from dredging and construction. This action 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 project area. 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 the general public regarding the existence or the potential for existence of significant cultural and historic properties, which may be affected by the work.

A preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates the following listed species may occur in the project area: Gopher tortoise, Indigo snake, Louisiana quillwort and Red-Cockaded woodpecker. This notice serves as request to the U.S. Fish and Wildlife Service for information on whether any listed or proposed to be listed endangered or threatened species may be present in the area, which would be affected by the proposed activity. Agent has conducted a survey of the area and additional details will be coordinated with Federal and State cooperating agencies.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2014-01395-DMY** and should be directed to the District Engineer, U.S. Army Corps of Engineers, Attention: South Mississippi Branch, Post Office Box 2288, Mobile, Alabama 36628-0001, 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.

All 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 for this application, **Mr. Damon M. Young** at **(251) 694-3781** or by e-mail at **damon.m.young@usace.army.mil**. Please refer to the above Public Notice number.





For additional information about our Regulatory Program, please visit our website at [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

**MOBILE DISTRICT**  
**U.S. Army Corps of Engineers**

Enclosures

**SAM-2014-1395-DMY**

**Legend**

-  30.4465, -88.8532
-  Frasier's Nursery Inc
-  Grand Biscayne Apartments
-  Northside Assembly of God Church

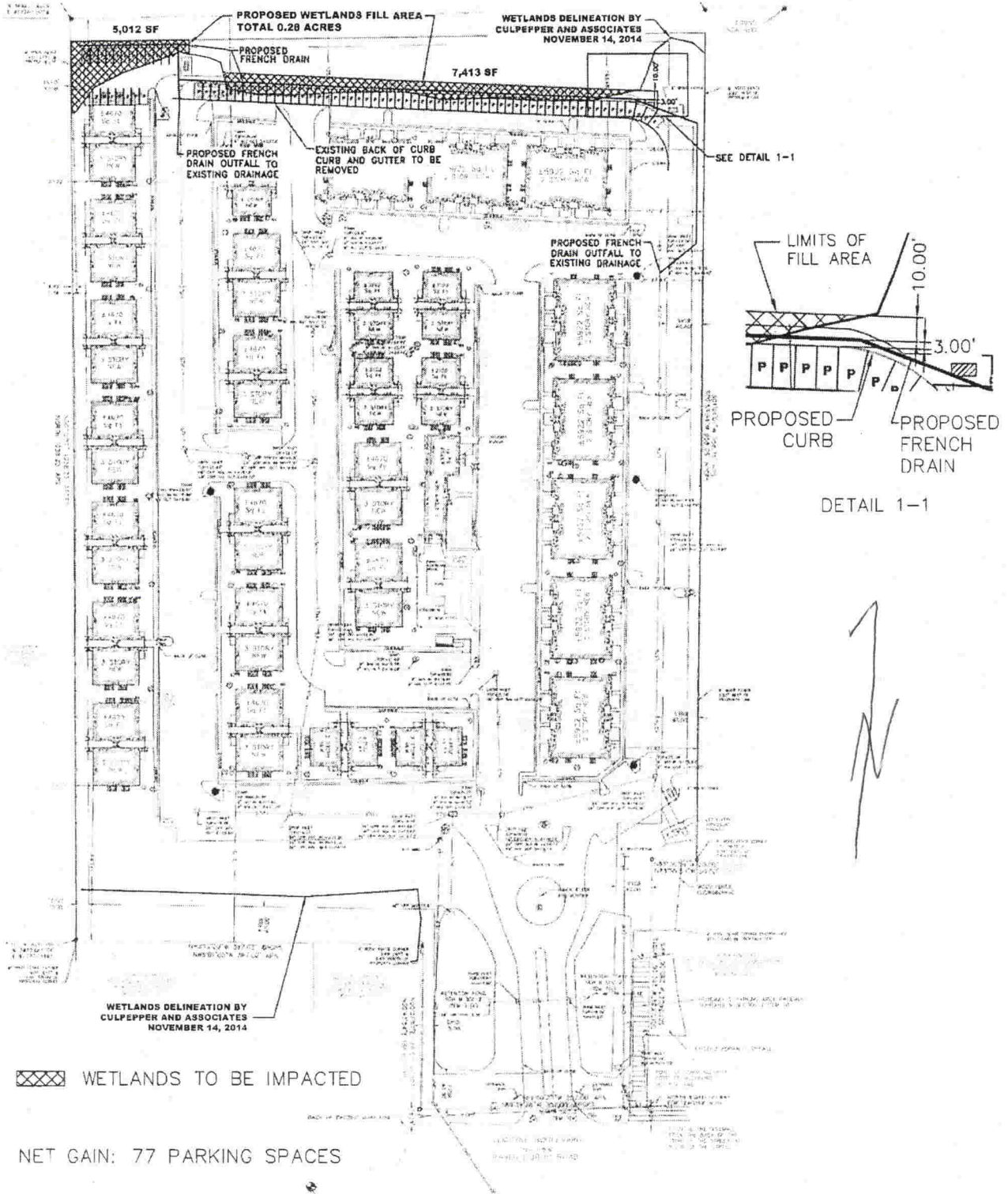
30.4465, -88.8532



Google earth

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ATTACHMENT "A"



Application by: 14510 LEMOYNE BOULEVARD, LLC

Sheet 1 of 1

Date DECEMBER 12, 2014

PROPOSED WETLAND IMPACT  
JACKSON COUNTY, MS

14510 LEMOYNE BOULEVARD, LLC  
275 GROVE ST., SUITE 2-400  
NEWTON, MA 02466-2273