



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-M
PUBLIC NOTICE NO. SAM-2018-01282-MJF

September 13, 2019

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
DMR-050519

**PROPOSED IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF A SINGLE-FAMILY
RESIDENTIAL DEVELOPMENT KNOWN AS PAMETTO POINTE SUBDIVISION,
OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act. Please communicate this information to interested parties.

APPLICANT: **Elliott Land Development, LLC**
Mr. Kenneth Jones
402 Pass Road
Gulfport, Mississippi 39501
kenneth@myelliottthome.com

AGENT: **Covington Civil and Environmental, LLC**
Mr. Anthony Damiano
2510 14th Street, Suite 1010
Gulfport, Mississippi 39501
adamiano@ccellc.com

LOCATION: Wetlands Associated with an Unnamed Bayou draining into Graveline Bay, located south of Old Spanish Trail, north of Sylvester Street, east of Belle Fontaine Road and west of Phil Davis Road, City of Ocean Springs, Jackson County, Mississippi. Sections 31, Township 7 South, Range 7 West, Latitude 30.387446° North Longitude -88.715974° West. This area is depicted on the MS-Gautier North Quadrangle, United States Geological Survey Topographic Map, Hydrologic Unit Code 03170009.

WORK: The applicant proposes to place fill material in 24.96 acres in forested wetlands to construct a 246-lot, single-family residential subdivision. The fill would be for the home lots, roadways, and culverted road crossings. The subject property is a 93.98-acre parcel containing approximately 38.42 acres of jurisdictional wetlands. On-site wetlands to be impacted include 24.96 acres of forested pine savannah wetland and

13.46 acres of forested and emergent pine savannah wetlands would be avoided. Best management practices would be implemented during and following all construction activities. Silt fences and other appropriate materials would be installed to block erosion and sedimentation in wetlands outside the project area. Disturbed surfaces would be planted to grass mixtures, except areas to be sodded. Planting and/or sodding would be undertaken as soon as possible after preparation of the project area. The applicant is proposing the use of bioswales and rain gardens in place of traditional detention basins.

EXISTING CONDITIONS: The project site is currently composed of upland mixed forest and forested and emergent pine savannah wetlands. The uplands are composed of mixed pine hardwoods in the northern portion and pine flatwoods in the central and western portions. The wetlands are composed of overgrown forested pine savannah wetlands in the north and west-central and southwestern portion of the project site. The mixed pine hardwoods upland tree stratum includes water oak, southern magnolia and loblolly pine. The sapling/shrub stratum include water oak, loblolly pine, palmetto and large gallberry. The pine flatwood upland tree stratum includes slash pine and loblolly pine. The sapling/shrub stratum include yaupon, large gallberry and palmetto. The pine savannah wetlands tree stratum includes sweet bay, slash pine, Chinese tallow, inkberry and red maple. The shrub layer includes large gallberry and wax myrtle. Soils primarily consist of Harleston fine sandy loam in the uplands and Bayou sandy loam soils in the wetlands. The project site is bordered by Old Spanish Trail to the north, private residences to the east and south, and Ocean Springs High School and undeveloped acreage to the west.

PROJECT PURPOSE: As stated by the applicant, "To provide 246 lots for construction of single-family residences. The project would provide jobs for the area, create a tax base for the County, and provide a purchasing opportunity for home buyers wishing to live within proximity of Ocean Springs schools and shopping." The U.S. Army Corps of Engineers (USACE) initially determined the basic project purpose is a single-family subdivision, and would not be considered a water dependent activity. Additional review will be performed by the USACE and cooperating agencies.

ALTERNATIVES: The USACE initial review of alternatives submitted by the applicant consists of six (6) off-site alternate locations in the vicinity and three (3) on-site alternatives. The off-site alternatives were not considered feasible (by the applicant) due to high cost per lot, lack of sufficient space/lots, lack of access to a road in the vicinity, or lacked nearby water and sewer utilities. The first two on-site alternatives were eliminated (by the applicant) due to either higher percentage of wetland impact or reduction of lot count. The applicant designed the proposed project to make maximum use of all on-site uplands and to minimize wetland impact. Additional review of alternatives will be performed by the USACE and cooperating agencies.

MITIGATION: Compensatory mitigation is required for the loss of 24.96 acres of pine savannah wetland. The applicant is proposing mitigation through the purchase of mitigation credits from an approved mitigation bank in a six phased approach as development/construction progresses (See Table 1). The mitigation credits would be

obtained for the first two phases upon permit issuance with additional mitigation credits to be obtained as development/construction progresses.

Table 1: Palmetto Pointe Residential Development-Phased Mitigation Overview		
Palmetto Pointe Master Plan Phases	Wetland Acres Impacted	Mitigation Schedule
Phase 1	6.83	Mitigation paid upon Permit issuance
Phase 2	11.44	Mitigation paid upon Permit issuance
Phase 3	3.28	Mitigation paid when Phase commences
Phase 4	0.61	Mitigation paid when Phase commences
Phase 5	0.15	Mitigation paid when Phase commences
Phase 6	2.65	Mitigation paid when Phase commences
Total	24.96	

An attached figure depicts the areas involved with the phased mitigation approach. Additional review of mitigation requirements will be performed by the U.S. Army Corps of Engineers (USACE) and cooperating agencies. Final compensatory mitigation will be evaluated by the USACE and cooperating resource agencies throughout the review process for the proposed project.

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 applied for coastal zone consistency from the State of Mississippi Department of Marine Resources (MDMR) in accordance with Section 57-15-6 of the Mississippi Code Annotated. (DMR-050519)

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE 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 benefits, 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, protected species, 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.

U.S. Army Corps of Engineers (USACE) 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 USACE 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 for consideration of 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 effect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR Part 325, the USACE has determined that the permit area is the full area of development for the overall project footprint. The National Park Service, National Register of Historic Places (NRHP) database has been consulted. No known archaeological sites are located within or very close to the project area. The proposed project will have **no potential to cause effects** on cultural resources in the permit 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. The State Historic Preservation Officer replied to the MDMR notice by letter dated January 24, 2019, requesting a Phase I Cultural Resource Survey be conducted and submitted for review. (MDAH Project Log #01-046-19). A Survey was conducted in March 2019 and submitted to MDAH Report #19-0098). The MDAH again responded to MDMR by letter dated April 22, 2019, stating that after review of the Survey we concur that no cultural resources listed or eligible for listing in the National Register of Historic Places will be affected by the undertaking. (MDAH Project Log #04-074-19)

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife indicated the following terrestrial species may be present within the affected watershed: the Mississippi Sandhill Crane (*Grus canadensispulla*) (E), the Wood Stork (*Mycteria Americana*) (T), the Piping Plover (*Charadrius melodus*) (T), the Red Knot (*Calidris canutus rufa*) (T), the Gopher tortoise (*Gopherus polypemus*) (T), the Mississippi Gopher Frog (*Rana sevosa*) (E) and the Alabama Red-bellied Turtle (*Pseudemys alabamensis*) (E). No listed critical habitat is located on or near the project site. Preliminary

review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants for the 12-HUC watershed suggest that the proposed activity will have **no effect** on listed endangered or threatened species or critical habitat. This determination is being coordinated with the U.S. Fish and Wildlife Service via this public notice.

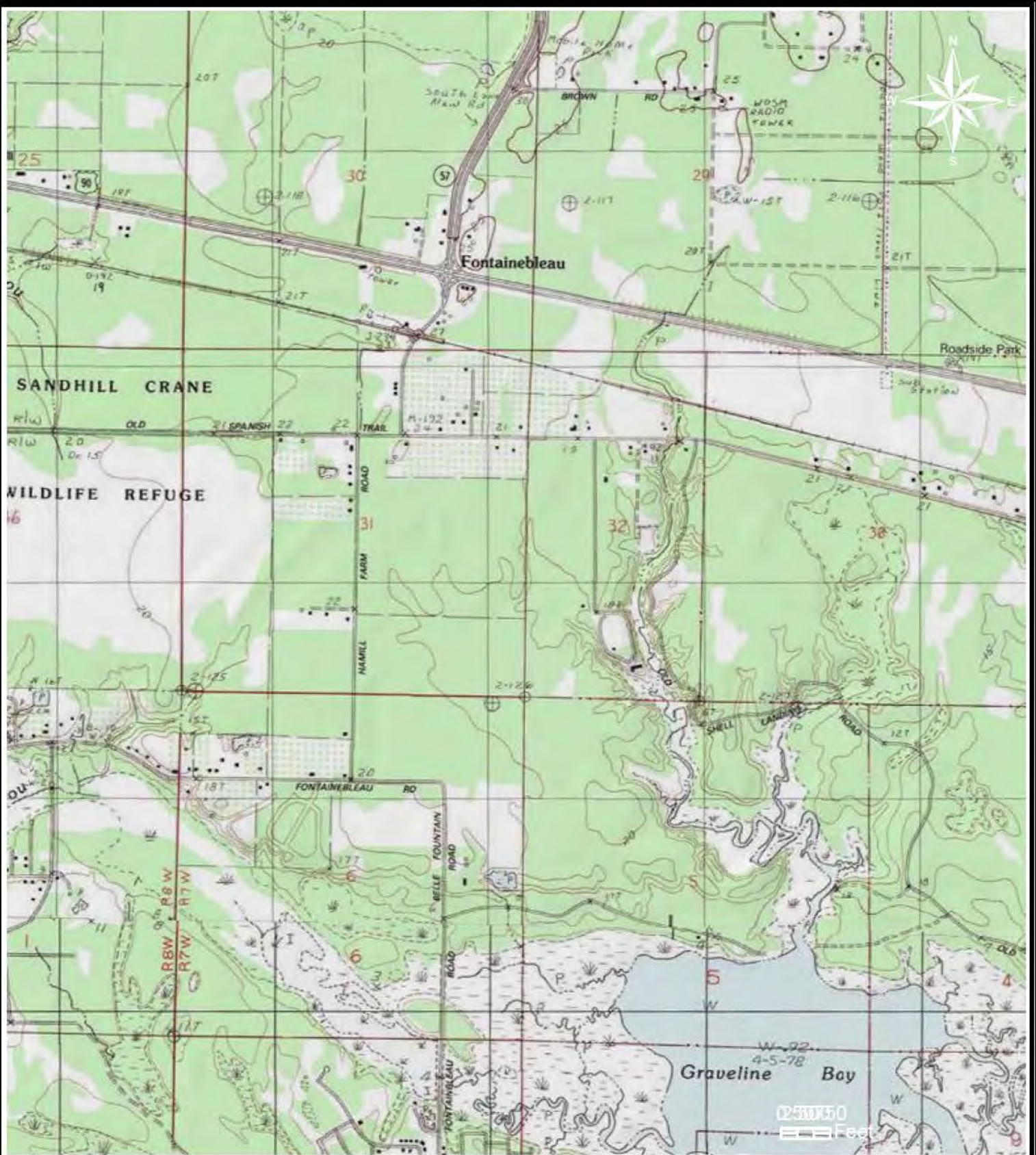
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2018-01282-MJF** and should be directed to the District Engineer, Corps, Mobile District, Attention: **Ms. Maryellen Farmer**, 1141 Bayview Avenue, Suite 104, Biloxi, Mississippi 39530, Attention: USACE Biloxi Field Office, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, **Attention: Ms. Florance Bass, P.E.**, Post Office Box 2261, Jackson, Mississippi 39225 and the Mississippi Department of Marine Resources, **Attention: Mrs. Jennifer Wilder**, 1141 Bayview Avenue, Suite 501, 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 at (228) 523-4116 or email at maryellen.j.farmer@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/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



This map produced by the CCE Team, on 26, December 2018.

All map data is from the CCE Team, Mississippi Geospatial Clearinghouse, and Esri.

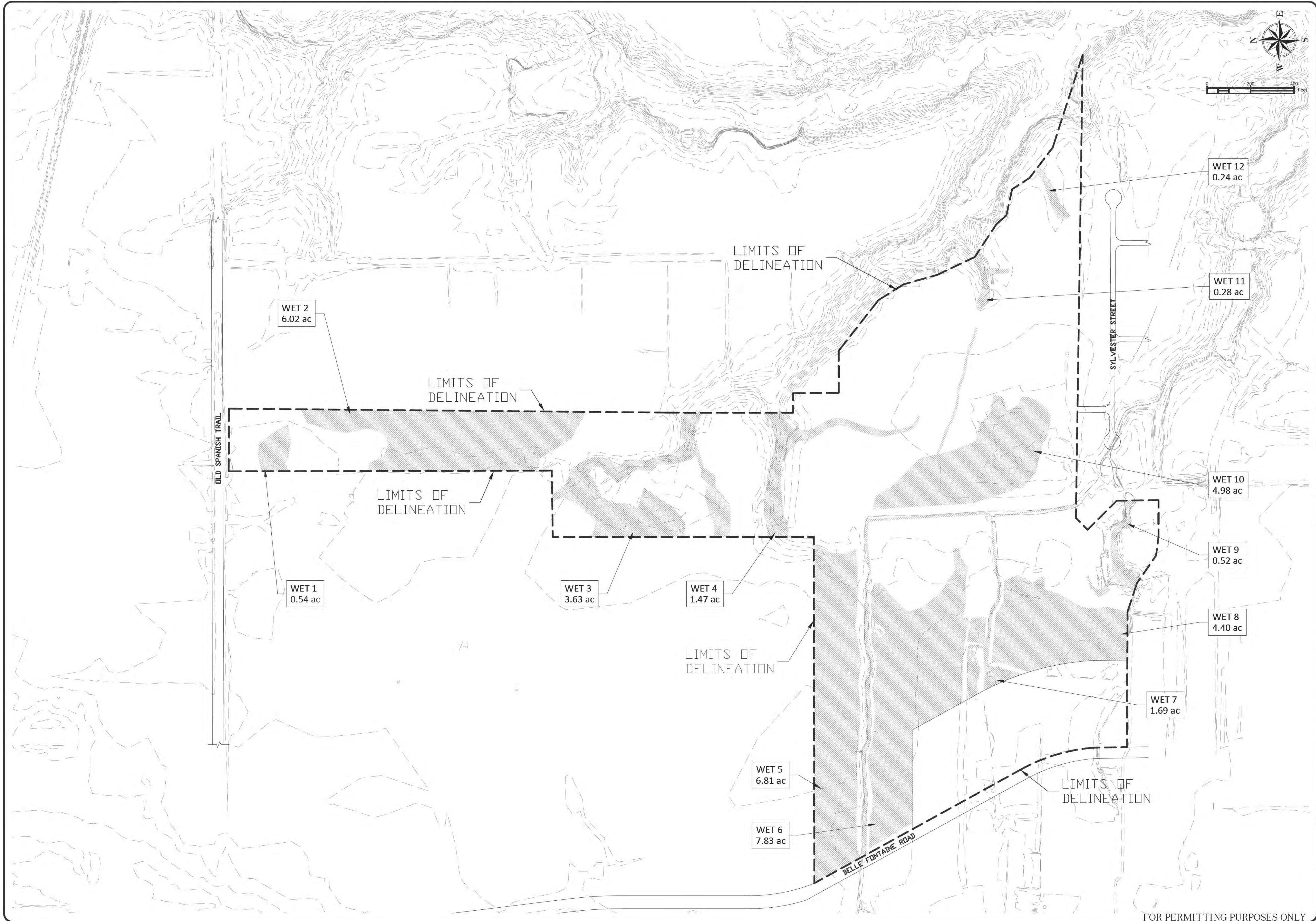
Coordinate System: NAD 1983 CORS96 UTM Zone 16N
Projection: Transverse Mercator

The CCE Team makes no warranties, expressed or implied, as to the accuracy, completeness, currentness, reliability, or suitability for any particular purpose, of the data contained on this map.

Palmetto Pointe Figure 1: Site Vicinity Map

 Preferred Alternative





COVINGTON
 CIVIL AND ENVIRONMENTAL
 2510 14TH STREET, SUITE 1010
 GULFPORT, MISSISSIPPI 39501
 Office: (228)396-0486



NO.	DATE	REVISION / ISSUE

PALMETTO POINTE
 OCEAN SPRINGS, MISSISSIPPI

ELLIOTT HOMES LLC
 1402 PASS ROAD
 GULFPORT, MISSISSIPPI 39501

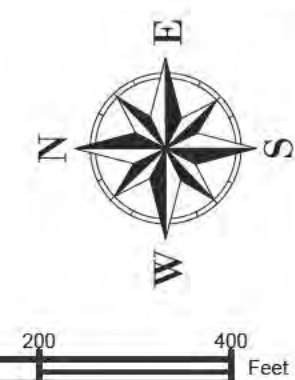
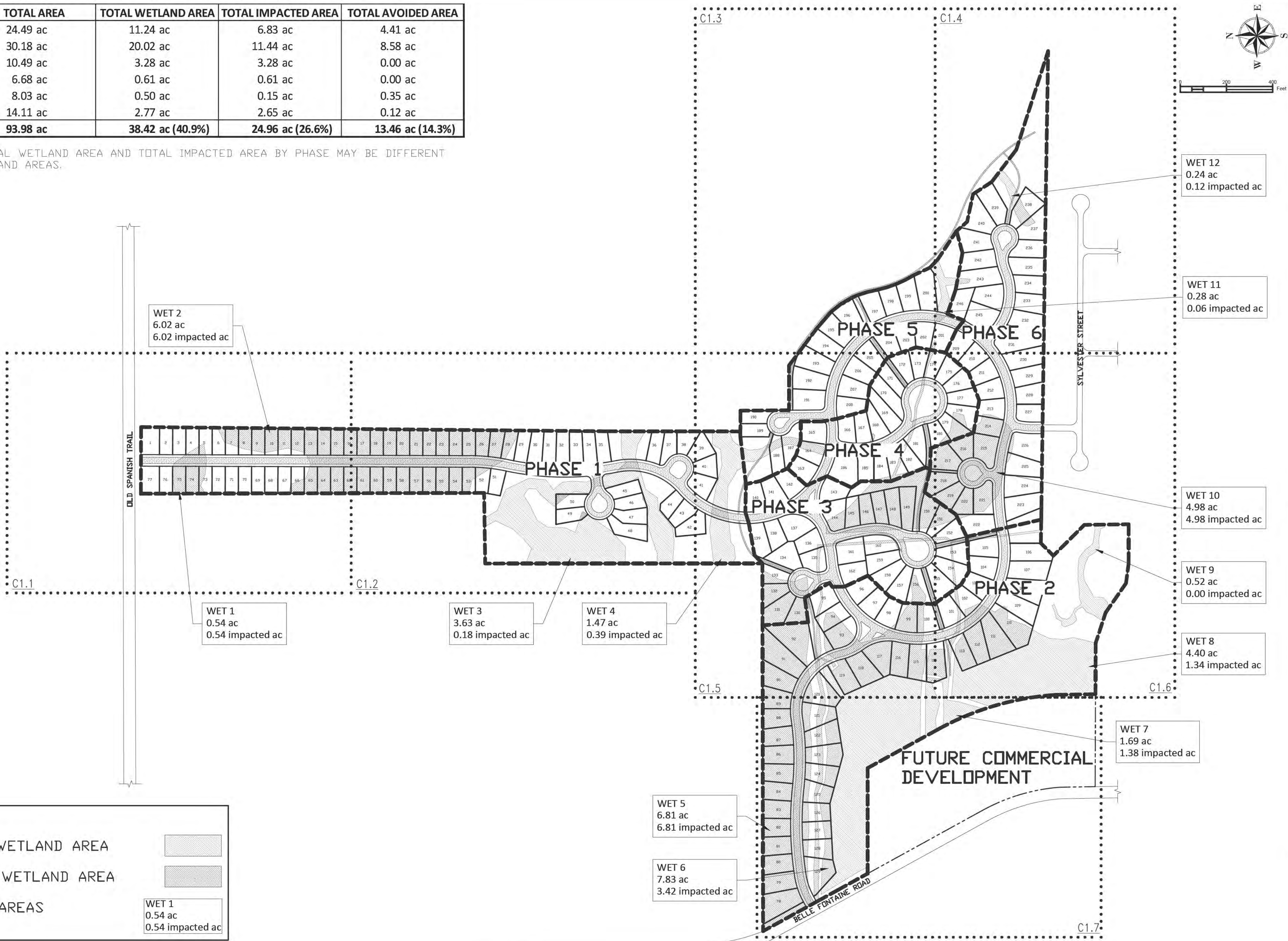
EXISTING CONDITIONS

DATE 08-22-19	SHEET NUMBER
SCALE 1"=200'	C0
DRAWN BY TMK	
CHECKED BY JFS	
PROJECT NO. 16214	

FOR PERMITTING PURPOSES ONLY

PHASES	TOTAL AREA	TOTAL WETLAND AREA	TOTAL IMPACTED AREA	TOTAL AVOIDED AREA
PHASE 1	24.49 ac	11.24 ac	6.83 ac	4.41 ac
PHASE 2	30.18 ac	20.02 ac	11.44 ac	8.58 ac
PHASE 3	10.49 ac	3.28 ac	3.28 ac	0.00 ac
PHASE 4	6.68 ac	0.61 ac	0.61 ac	0.00 ac
PHASE 5	8.03 ac	0.50 ac	0.15 ac	0.35 ac
PHASE 6	14.11 ac	2.77 ac	2.65 ac	0.12 ac
TOTAL	93.98 ac	38.42 ac (40.9%)	24.96 ac (26.6%)	13.46 ac (14.3%)

*NOTE: TOTAL WETLAND AREA AND TOTAL IMPACTED AREA BY PHASE MAY BE DIFFERENT FROM WETLAND AREAS.



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PALMETTO POINTE
OCEAN SPRINGS, MISSISSIPPI
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1402 PASS ROAD
GULFPORT, MISSISSIPPI 39501

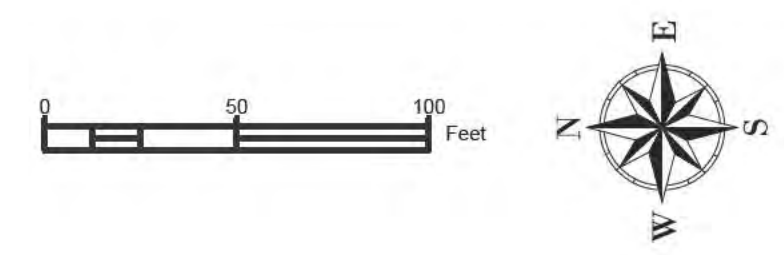
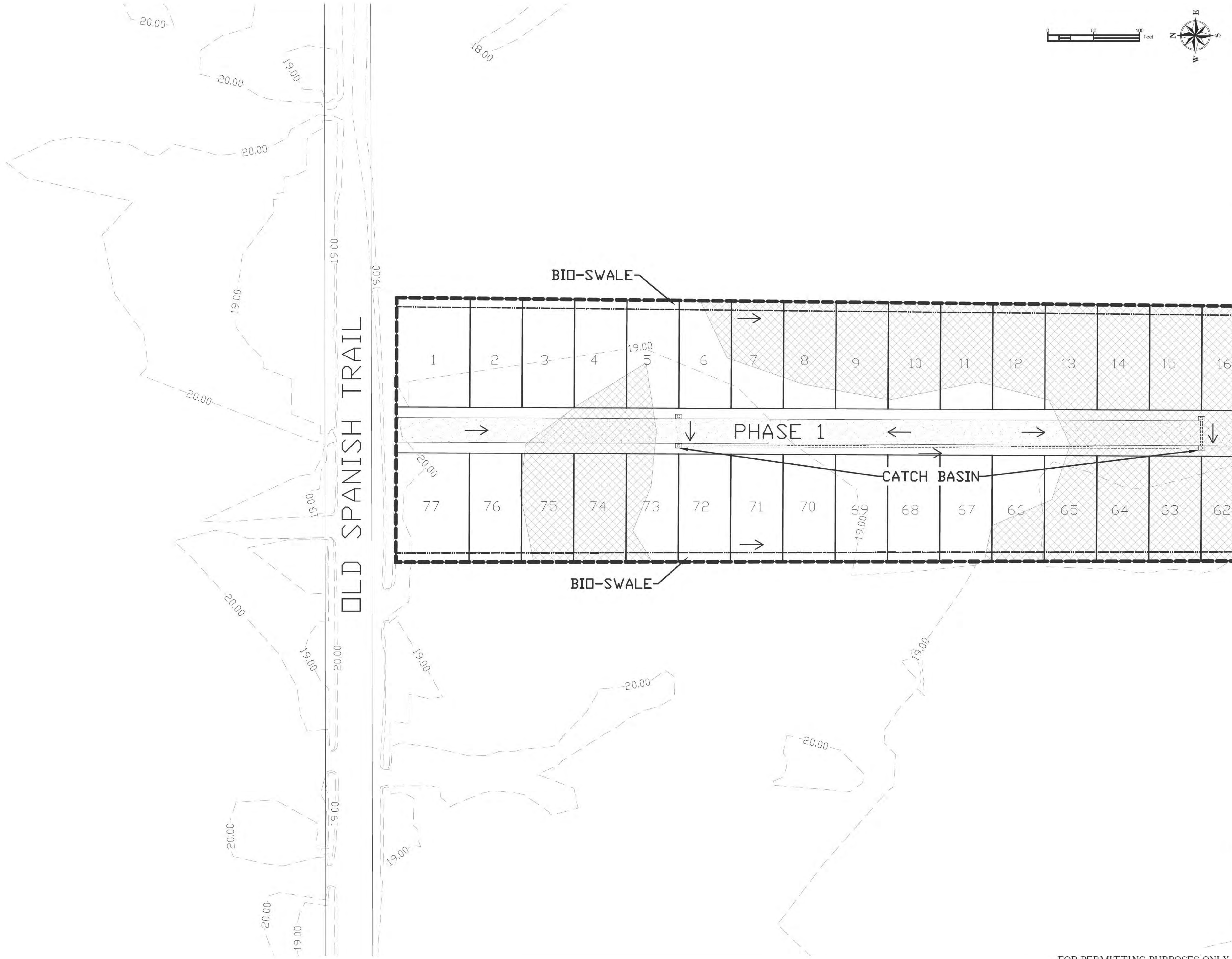
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AVOIDED WETLAND AREA				
IMPACTED WETLAND AREA				
WETLAND AREAS	<table border="1"> <tr> <td>WET 1</td> <td>0.54 ac</td> <td>0.54 impacted ac</td> </tr> </table>	WET 1	0.54 ac	0.54 impacted ac
WET 1	0.54 ac	0.54 impacted ac		

OVERALL SITE PLAN

DATE: 08-22-19 SHEET NUMBER: C1.0
SCALE: 1"=200'
DRAWN BY: TMK CHECKED BY: JFS
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PRELIMINARY DRAINAGE PLAN

DATE	08-22-19	SHEET NUMBER	
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DRAWN BY	TMK	CHECKED BY	JFS
PROJECT NO.	16214		

C1.1

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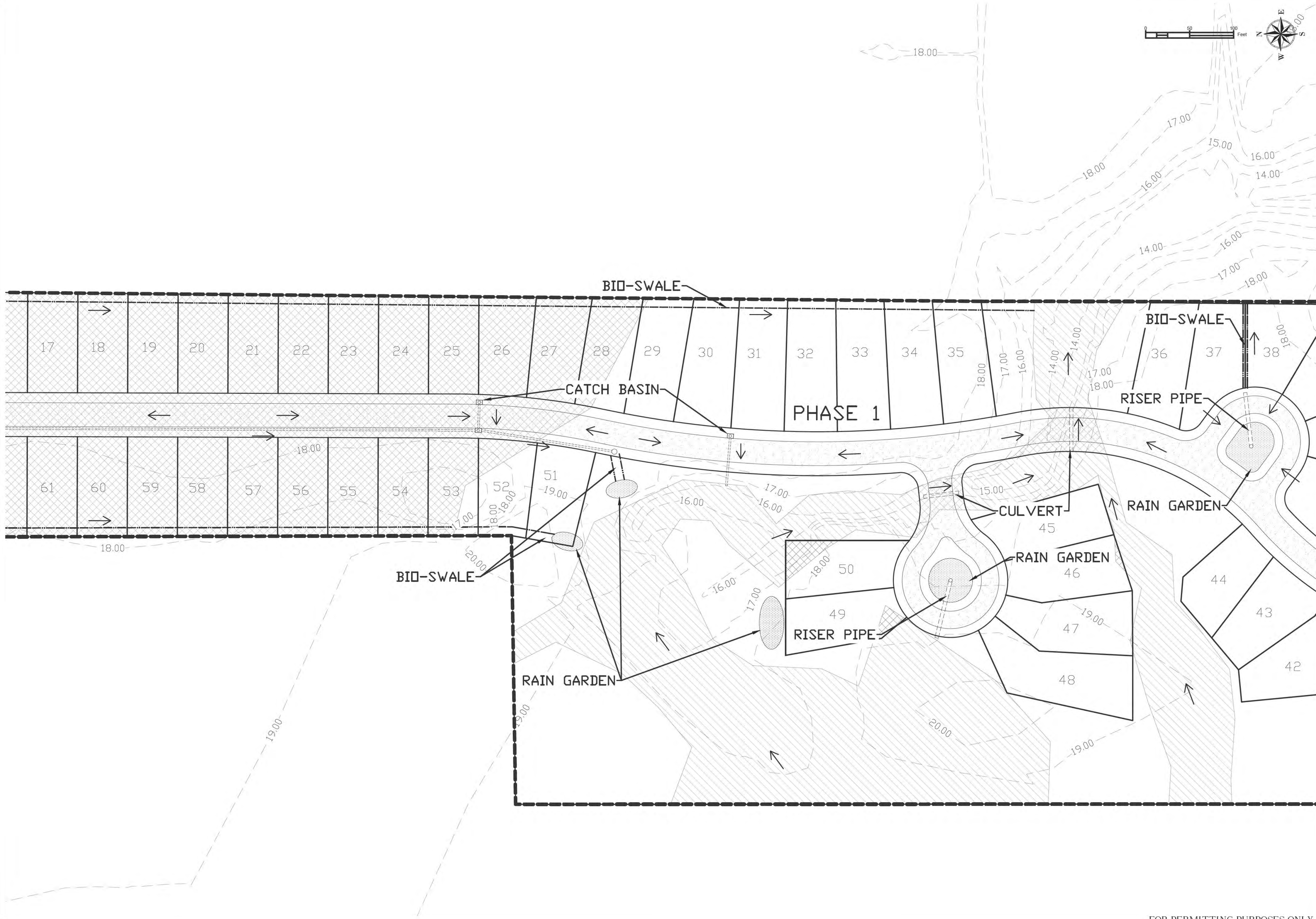
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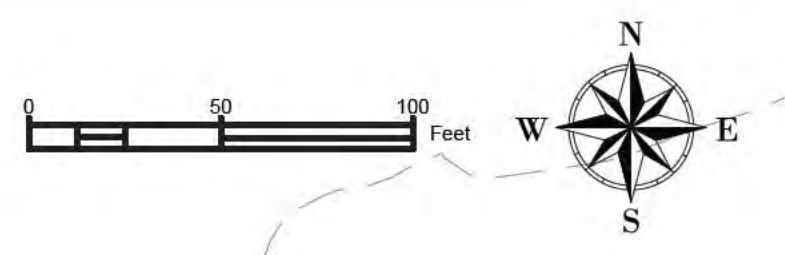
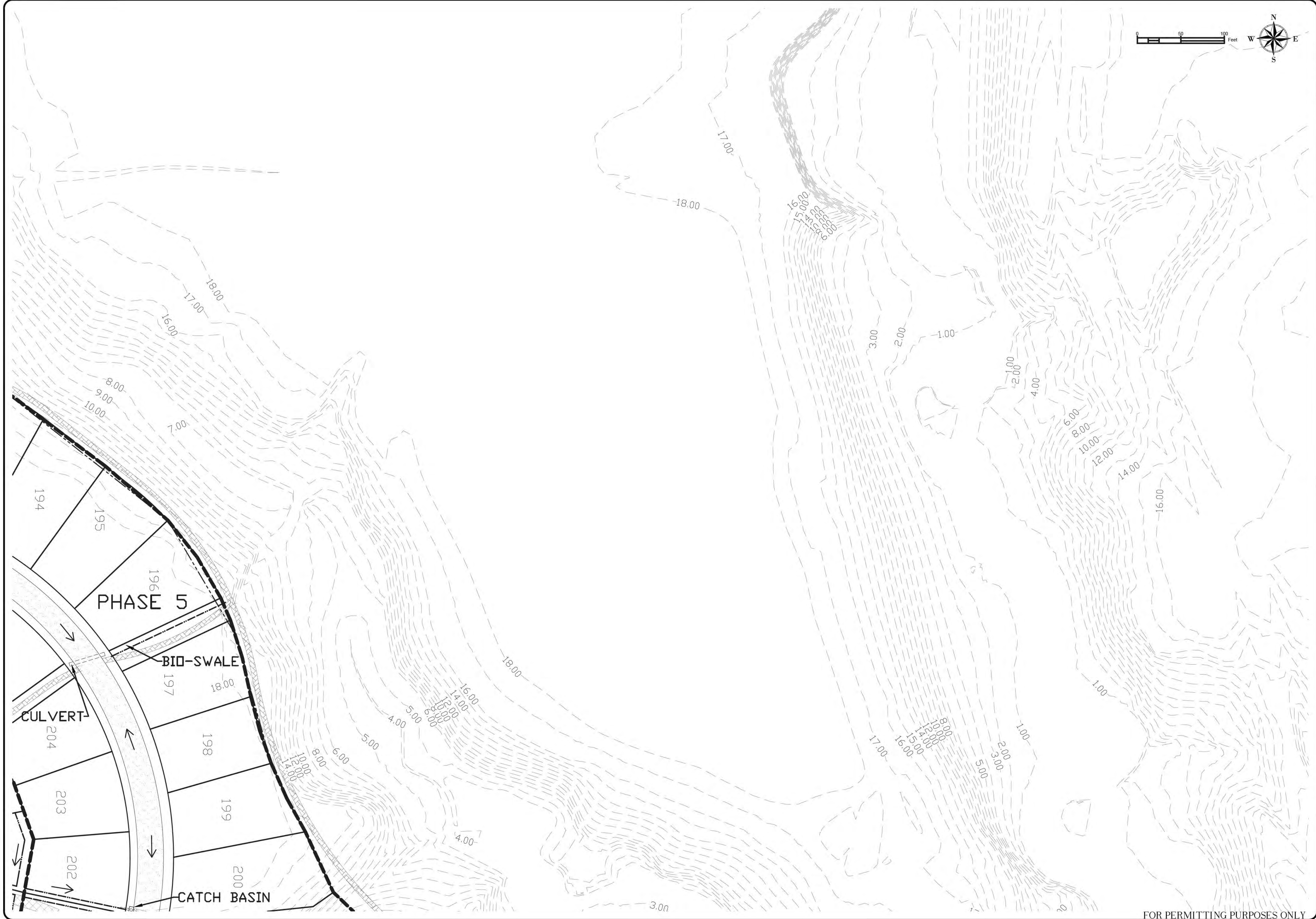
ELLIOTT HOMES LLC
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PRELIMINARY DRAINAGE PLAN

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DRAWN BY TMK	
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PRELIMINARY DRAINAGE PLAN

DATE 08-22-19	SHEET NUMBER
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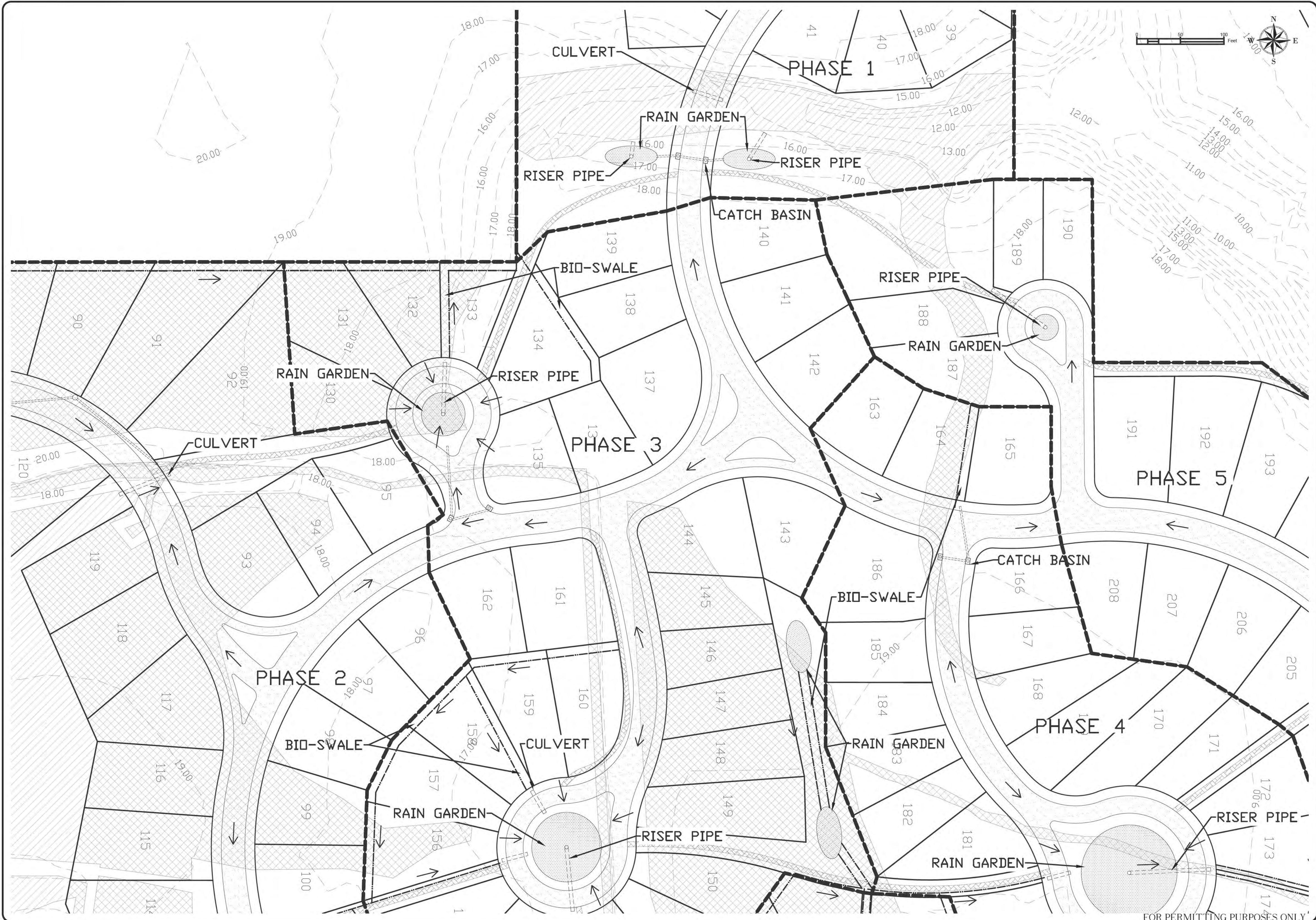
PALMETTO POINTE
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 1402 PASS ROAD
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PRELIMINARY DRAINAGE PLAN

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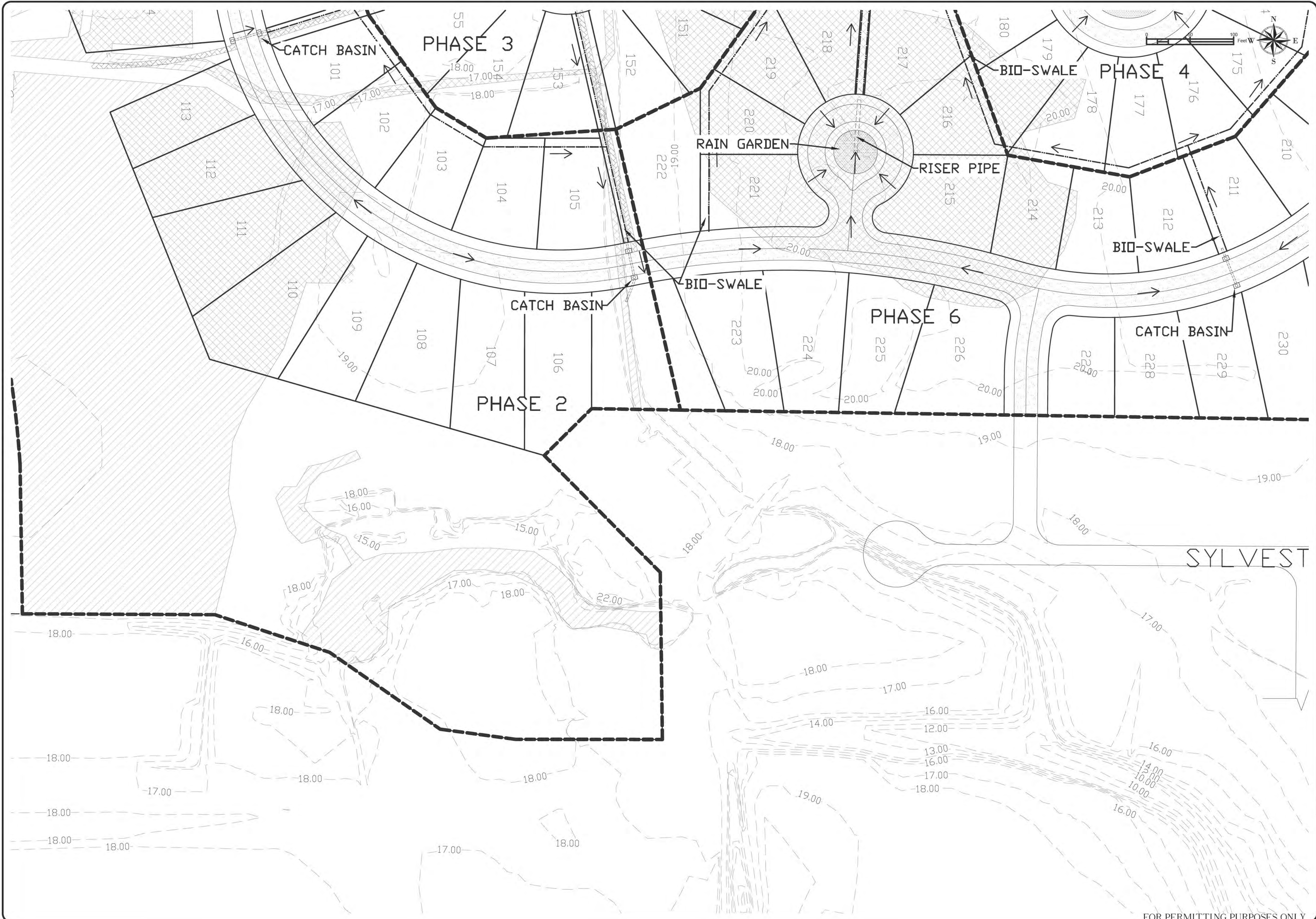
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 1402 PASS ROAD
 GULFPORT, MISSISSIPPI 39501

PRELIMINARY DRAINAGE PLAN

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 CHECKED BY: JFS
 PROJECT NO.: 16214

SHEET NUMBER: **C1.5**

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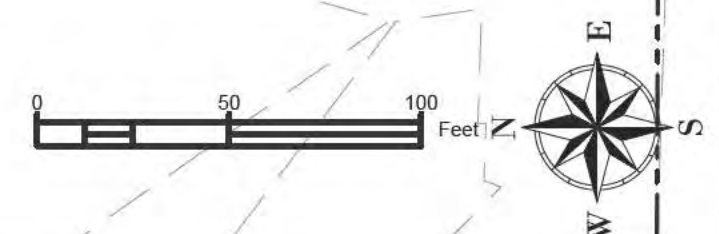
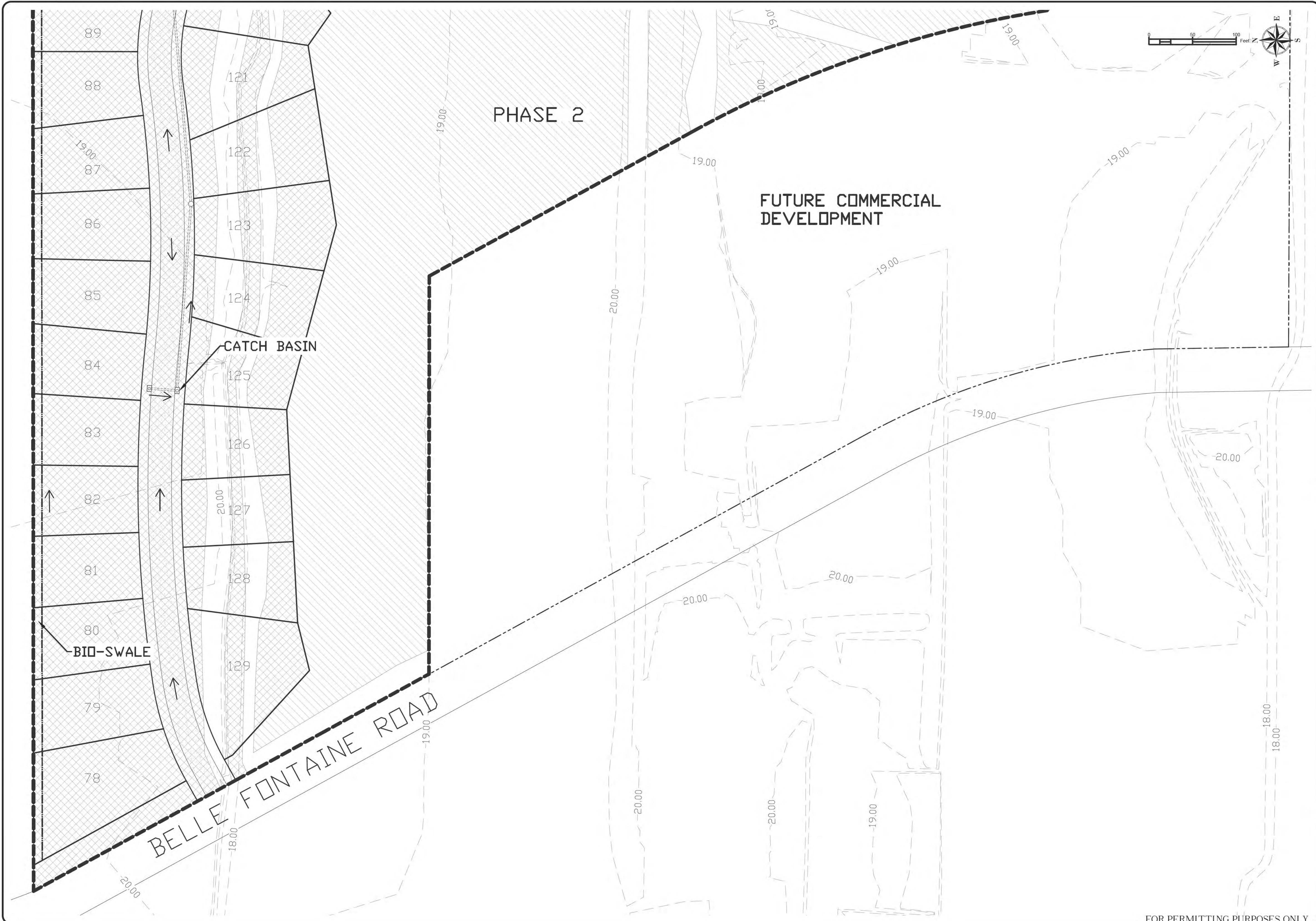
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PRELIMINARY DRAINAGE PLAN

DATE: 08-22-19 SHEET NUMBER: **C1.6**
 SCALE: 1"=50'
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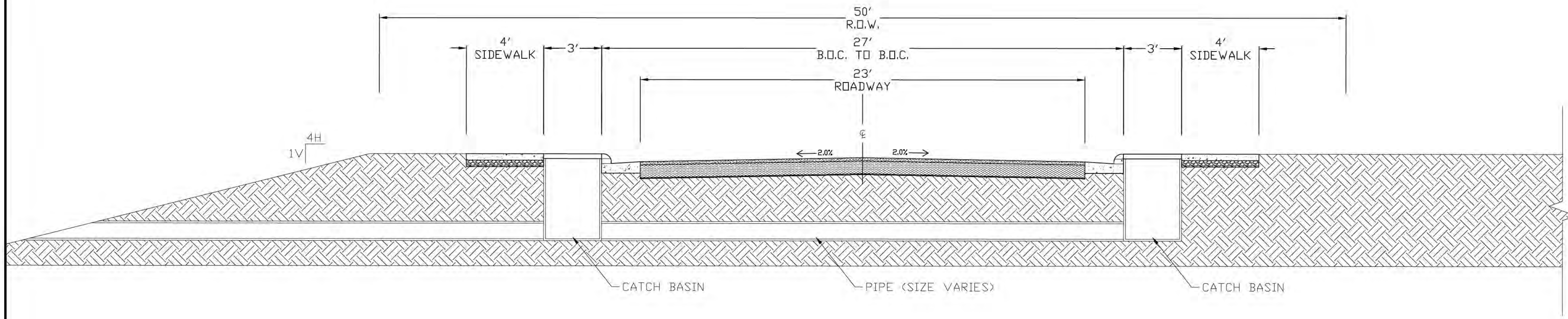
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 1402 PASS ROAD
 GULFPORT, MISSISSIPPI 39501

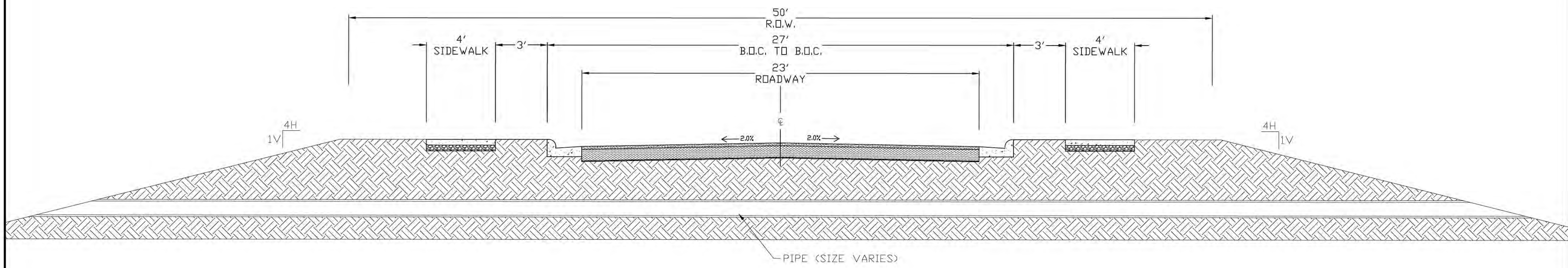
PRELIMINARY DRAINAGE PLAN

DATE 08-22-19	SHEET NUMBER
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DRAWN BY TMK	
CHECKED BY JFS	
PROJECT NO. 16214	

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ROAD CROSSING - DRAINAGE SYSTEM (TYP)
 N.T.S.



ROAD CROSSING - CULVERT (TYP)
 N.T.S.

NO.	DATE	REVISION/ISSUE

PALMETTO POINTE
 OCEAN SPRINGS, MISSISSIPPI

ELLIOTT HOMES LLC
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**DRAINAGE
 DETAILS**

DATE 08-22-19	SHEET NUMBER
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DRAWN BY TMK	
CHECKED BY JFS	
PROJECT NO. 16214	



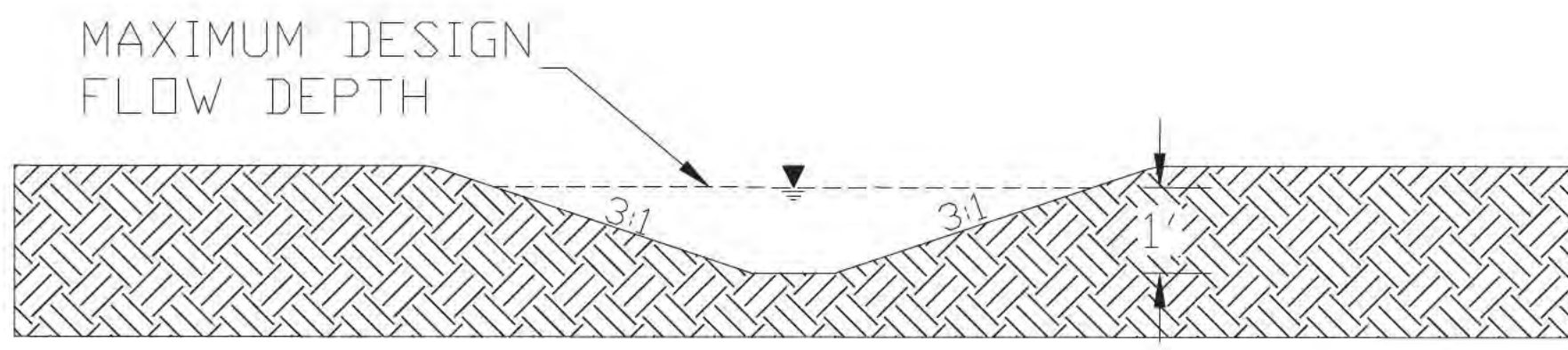
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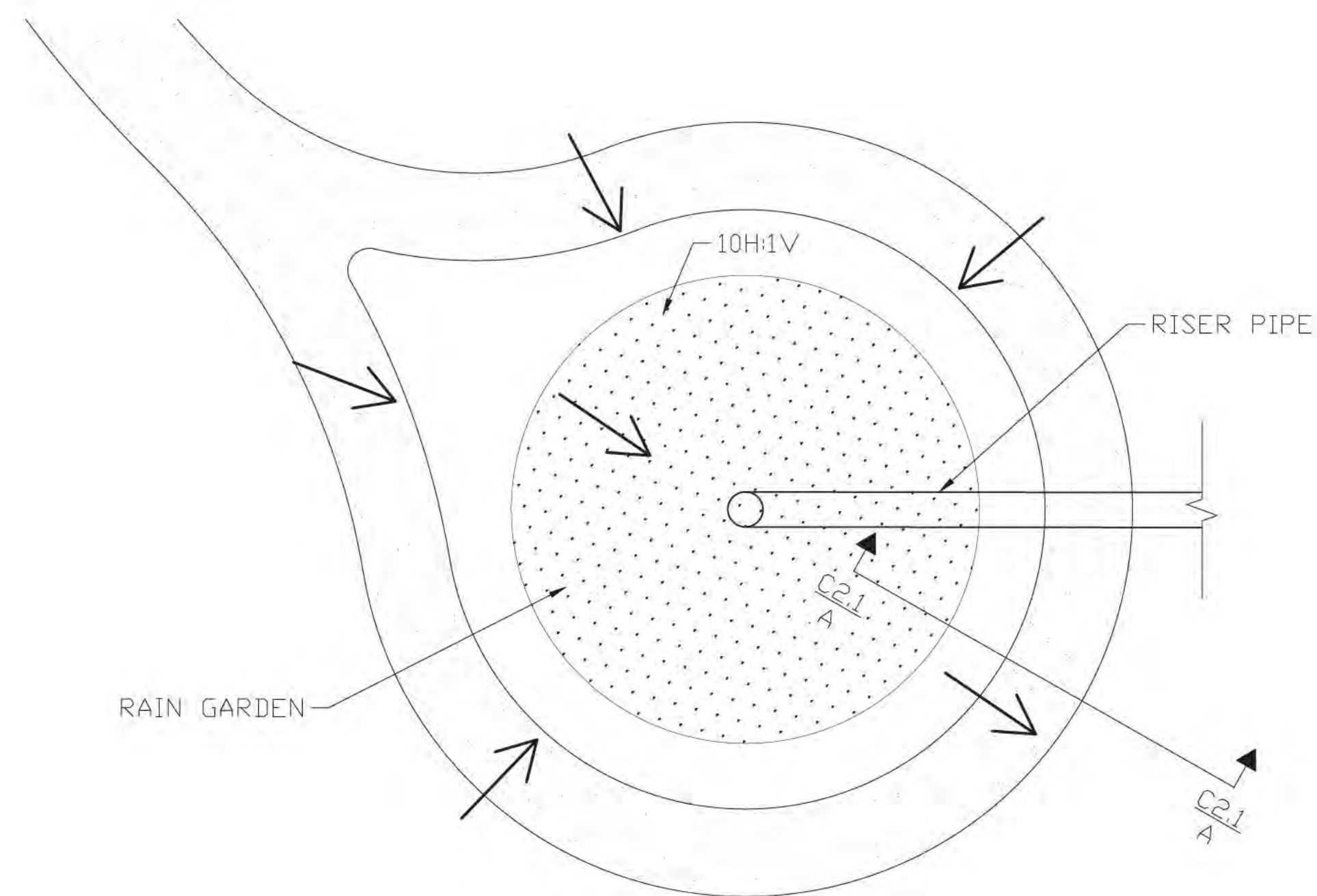
DRAINAGE DETAILS

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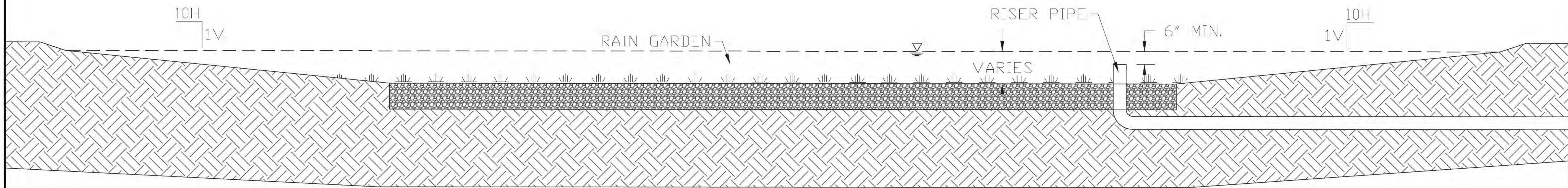


BIO-SWALE DETAIL
 N.T.S.

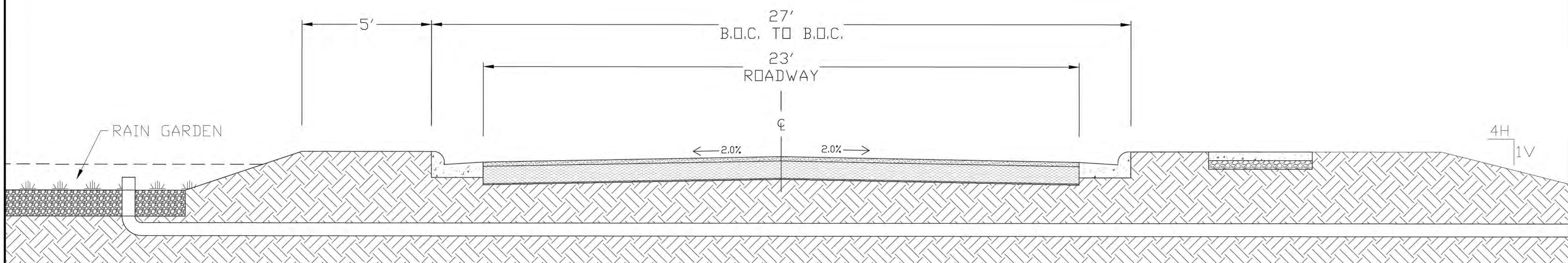
- BIO-SWALE DITCH TO BE DESIGNED PER MDEQ "RECOMMENDED DESIGN CRITERIA FOR STORM WATER MANAGEMENT PLANS"
- DESIGN VOLUME 6-MONTH, 24-HOUR DESIGN STORM
- PEAK FLOW 5 - 10 cfs
- WATER VELOCITY 1.0 - 1.5 fps
- SWALE SLOPE NOT TO EXCEED 2%
- SWALE DITCH TO BE PLANTED WITH NATIVE VEGETATION



CUL-DE-SAC DETAIL - PLAN VIEW (TYP)
 N.T.S.

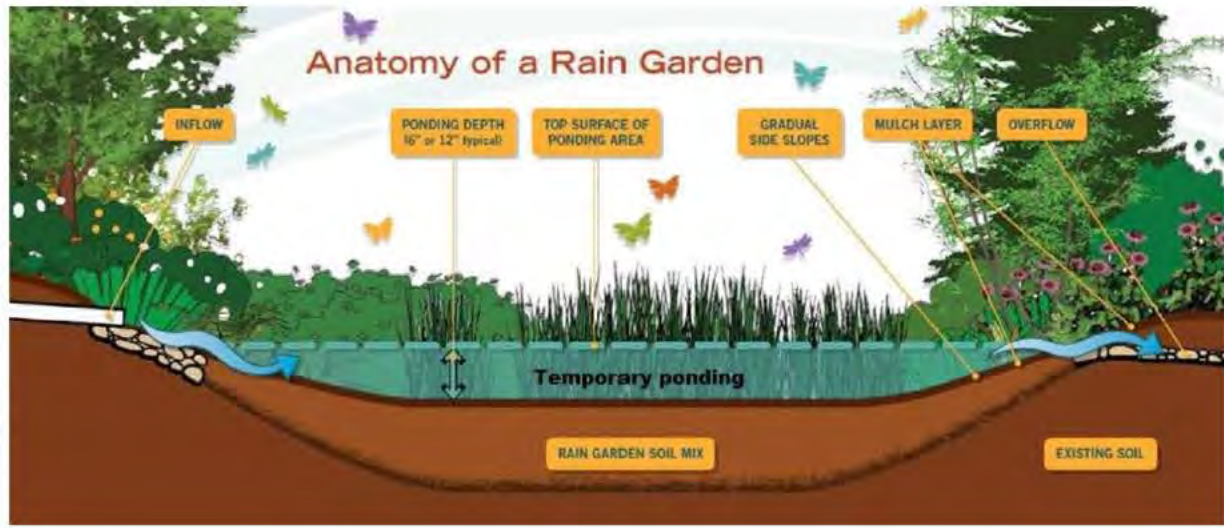


RAIN GARDEN DETAIL - PROFILE VIEW (TYP)
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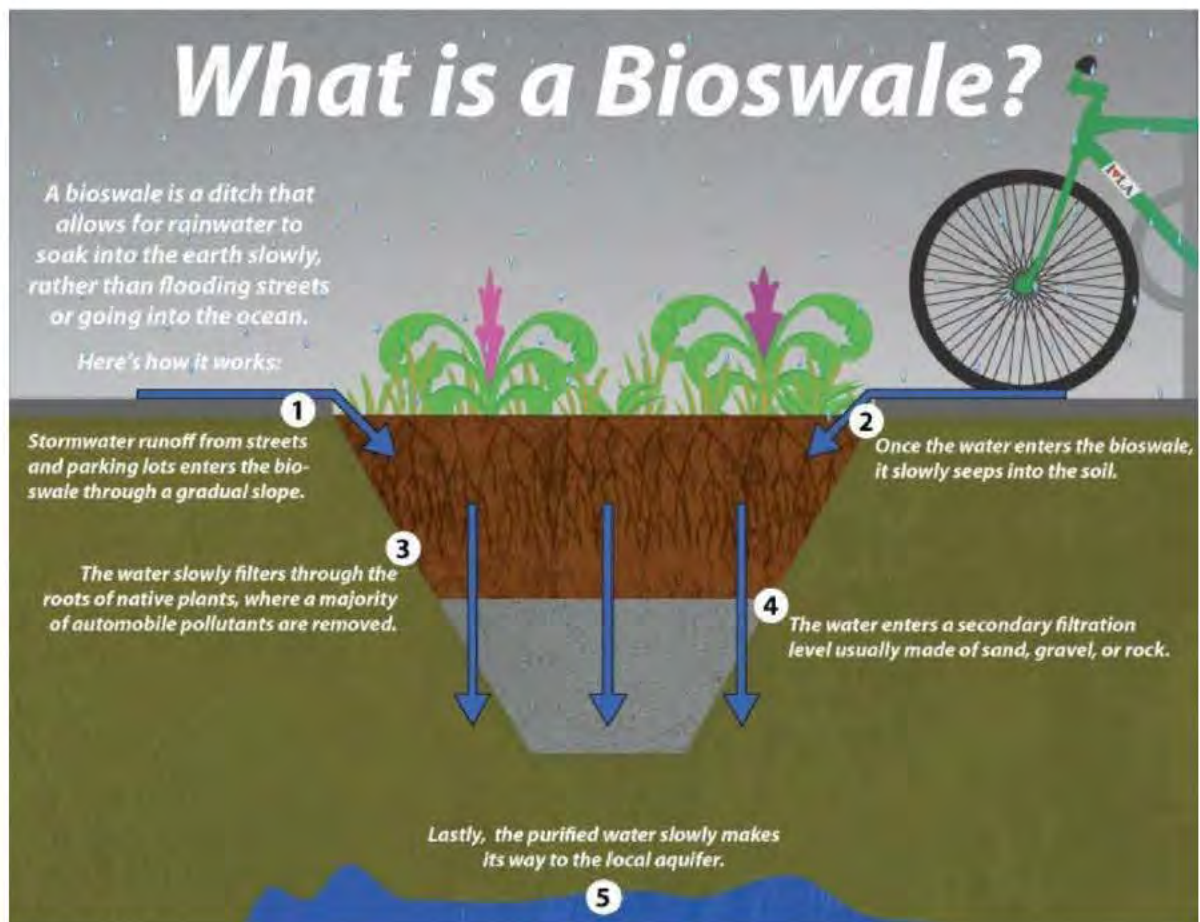


CUL-DE-SAC DETAIL - PROFILE VIEW (TYP)
 N.T.S.

Rain Garden Examples



Bioswale Examples



Col-de-sac Rain Garden Examples