



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
P.O. BOX 2288  
MOBILE, AL 36628-0001

**CESAM-RD-M**  
**PUBLIC NOTICE NO. SAM-2019-00171-PAH**

**June 21, 2024**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS (USACE)**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**OFFICE OF POLLUTION CONTROL (MDEQ)**

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**  
**DMR24-000291**

**PROPOSED MODIFICATION FOR ADDITIONAL IMPACTS TO PLACE FILL IN**  
**WETLANDS ASSOCIATED WITH THE CONSTRUCTION OF A RESIDENTIAL**  
**SUBDIVISION, PASS CHRISTIAN, HARRISON, 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 (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT:** Bellwill Properties, LLC  
Attention: Richard Williams  
1035 Felicity Street  
New Orleans, LA 70130

**LOCATION:** Wetlands associated with the Mississippi Sound, Latitude 30.3071° North, Longitude -89.2816° West, Section 34, Township 8 South, Range 7 West, West Beach Boulevard, Pass Christian, Harrison County, Mississippi.

**PROPOSED WORK:** The applicant is requesting a permit modification to place fill material in an additional 1.65 acres of wetlands for the construction of an additional five (5) house lots associated with a previously authorized residential subdivision. A provisional permit (SAM-2019-00171-PAH) was issued on March 26, 2020, to the previous applicant, Shoeless Joe, LLC, for the placement of fill in 4.99 acres of wetlands and required the purchase of 9.98 mitigation credits. Ownership was transferred to the current applicant on March 23, 2021, and the final permit was issued on October 17, 2022. Mitigation for the previous impacts have been completed and proposed mitigation for the additional wetland fill would be provided through the purchase of in-kind mitigation credits from an approved mitigation bank.

**COASTAL ZONE:** The applicant has applied for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. A determination relative to CZ consistency will be made by the Mississippi Department of Marine Resources.

**WATER QUALITY:** The Clean Water Act (CWA) Section 401 Certification Rule

(Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority).

**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 affect historic properties. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the entire parcel. The National Register of Historic Places will be consulted for properties listed, or eligible for listing, in the National Register, which are known to exist and would be affected by the proposed work. The Mobile District is seeking comments regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on cultural/historic resources. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

**ENDANGERED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicate the following federally-listed species are known or expected to occur within the project area: Eastern Black Rail (T), Piping Plover (T), Red Knot (T), Wood Stork (T), Dusky Gopher Frog (E), Gopher Tortoise (T), West Indian Manatee (T), Loggerhead Sea Turtle (T), and Gulf Sturgeon (T). There is no designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and NMFS will be performed as determined to be appropriate.

**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 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 of Engineers 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 of Engineers 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.

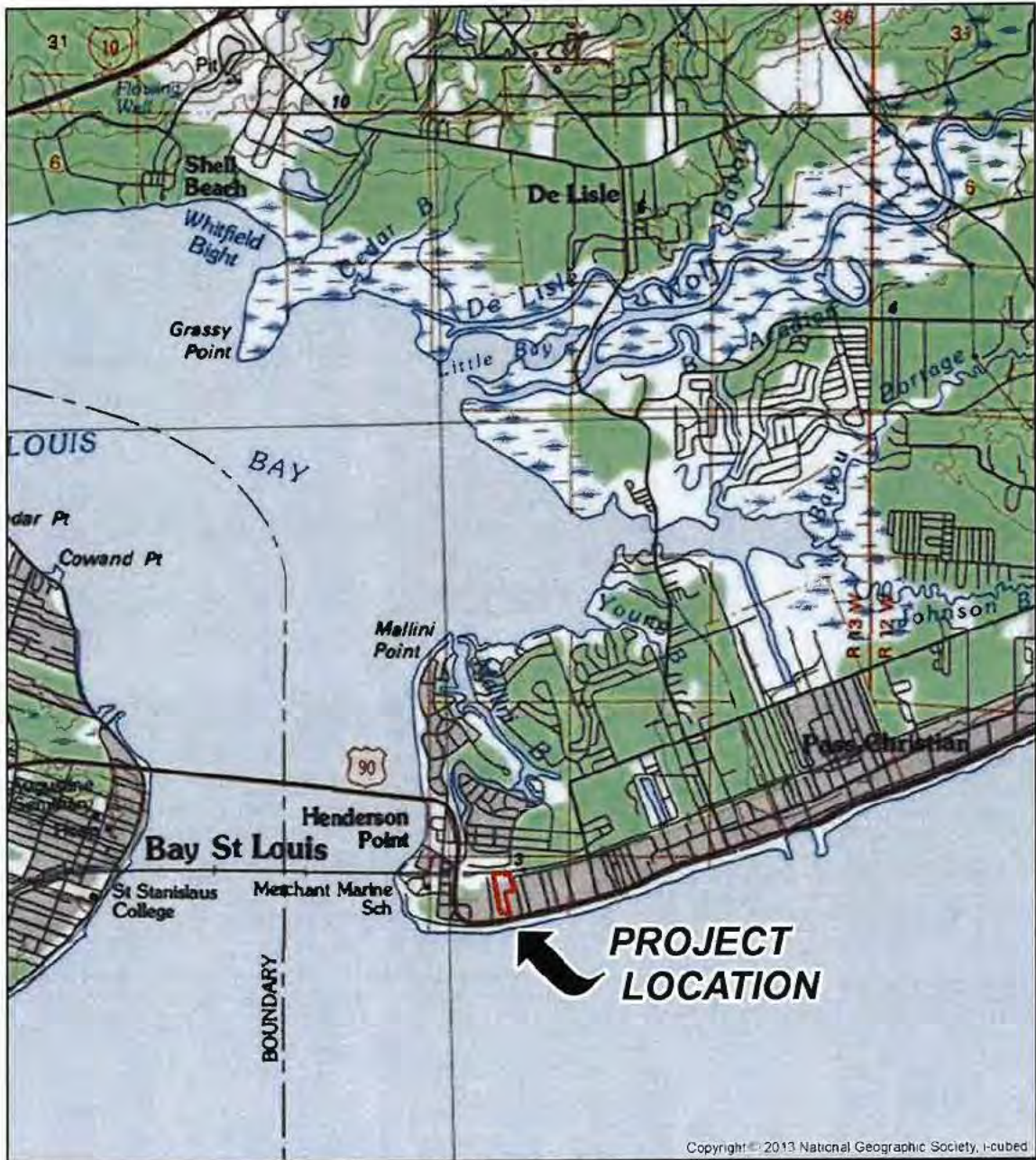
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2019-00171-PAH** and should be directed to the District Engineer, Mobile District, Regulatory Division, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Greg Christodoulou, or submitted electronically at [Gregory.s.christodoulou@usace.army.mil](mailto:Gregory.s.christodoulou@usace.army.mil), 251-387-1066. Copies of all comments should be furnished to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225, and the Mississippi Department of Marine Resources, 1141 Bayview Avenue, Biloxi, Mississippi 39530.

**All comments should be received no later than 30 days from the date of this Public Notice.**

For additional information about our Regulatory Program, please visit our web site 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

Attachments



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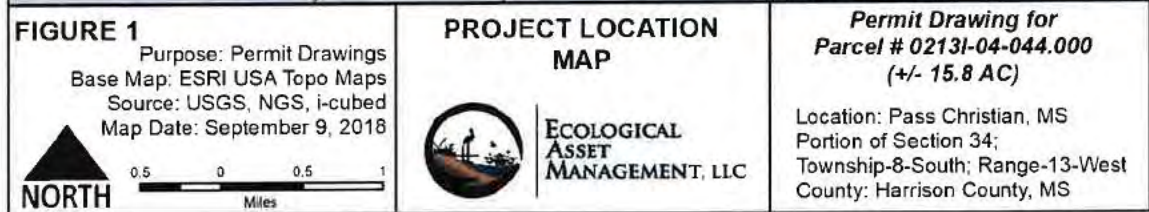
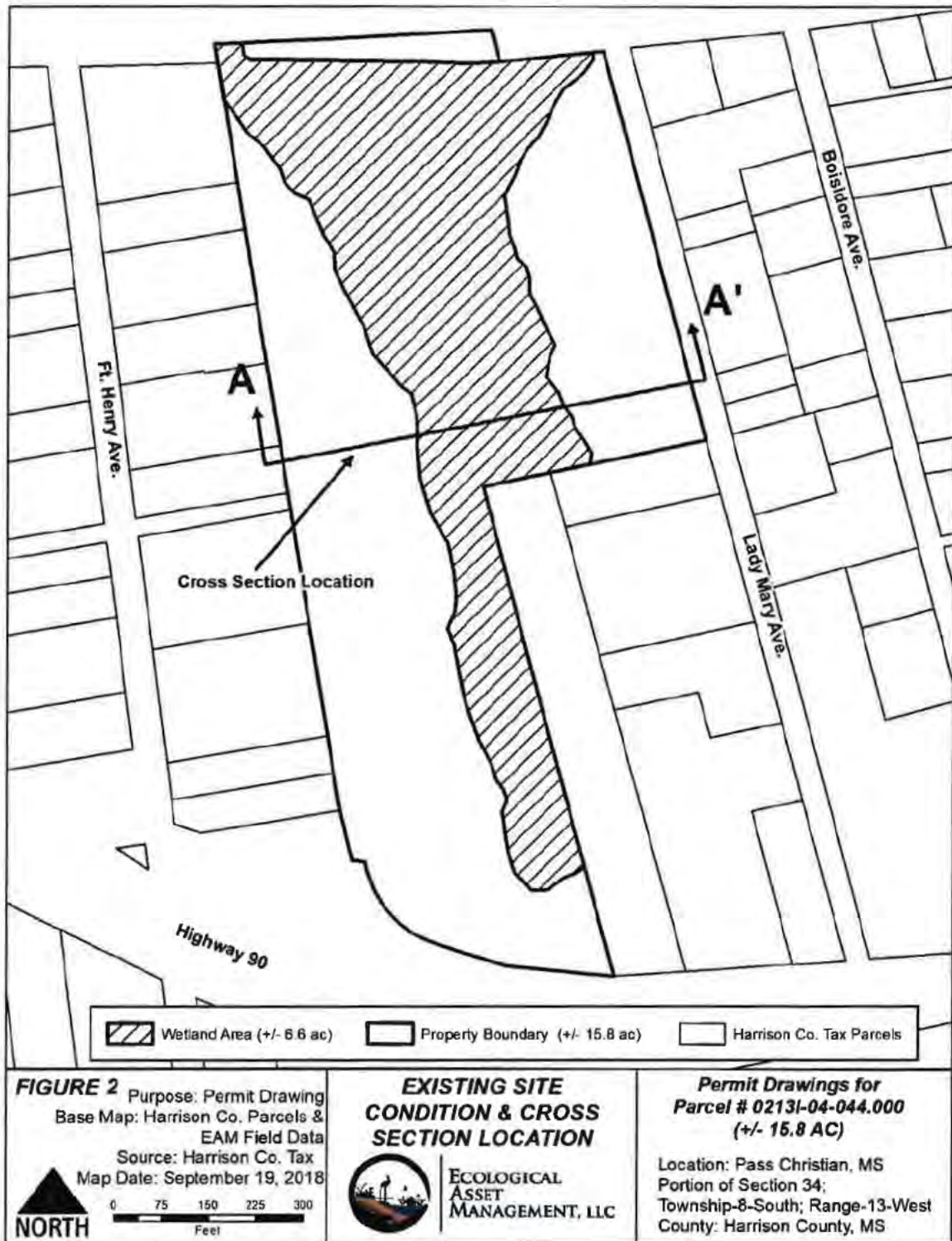


Figure 1. Project Location



**FIGURE 2** Purpose: Permit Drawing  
 Base Map: Harrison Co. Parcels & EAM Field Data  
 Source: Harrison Co. Tax  
 Map Date: September 19, 2018

**EXISTING SITE  
 CONDITION & CROSS  
 SECTION LOCATION**



**ECOLOGICAL  
 ASSET  
 MANAGEMENT, LLC**

**Permit Drawings for  
 Parcel # 02131-04-044.000  
 (+/- 15.8 AC)**

Location: Pass Christian, MS  
 Portion of Section 34;  
 Township-8-South; Range-13-West  
 County: Harrison County, MS

Figure 2. Existing Site Condition & Cross Section Location

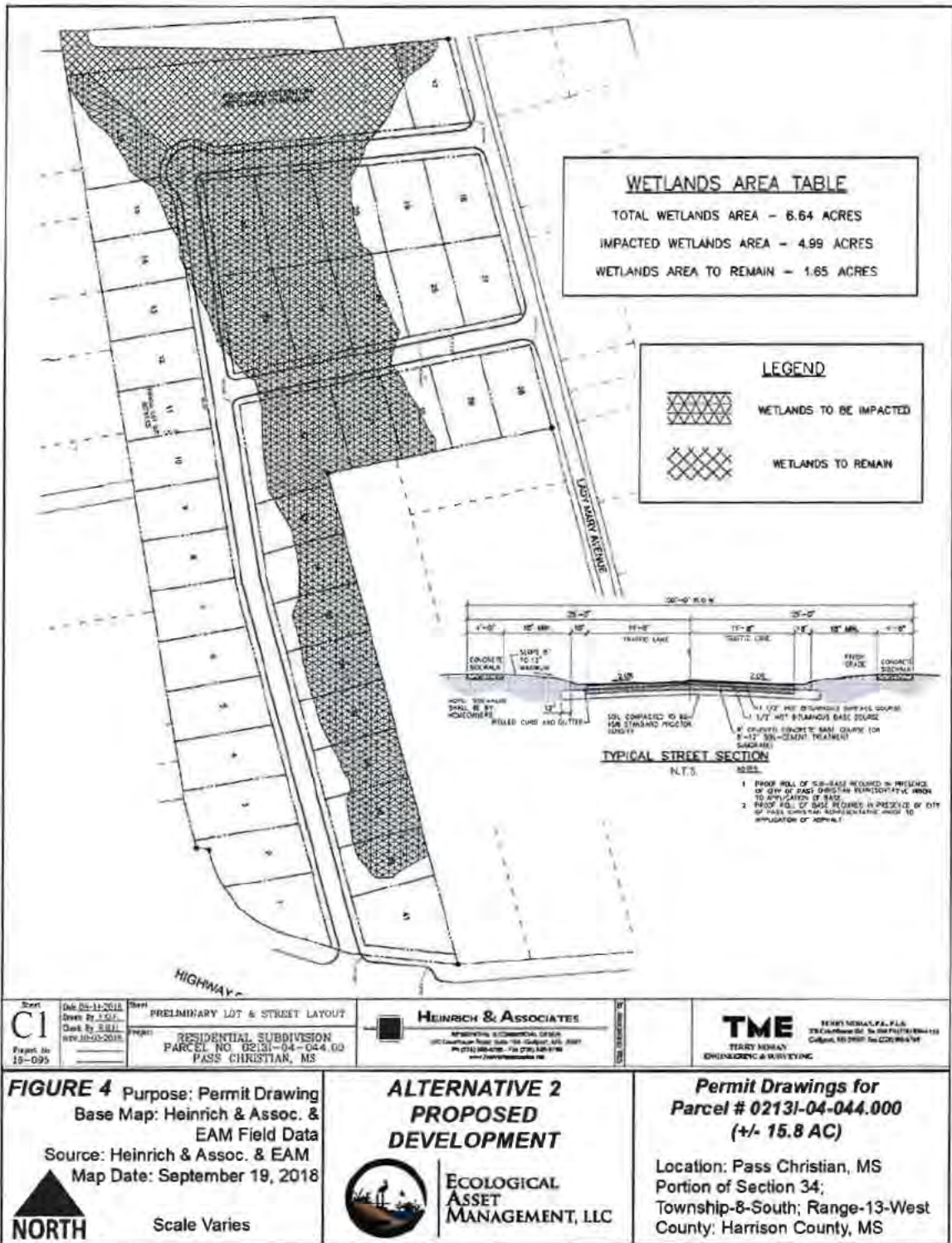
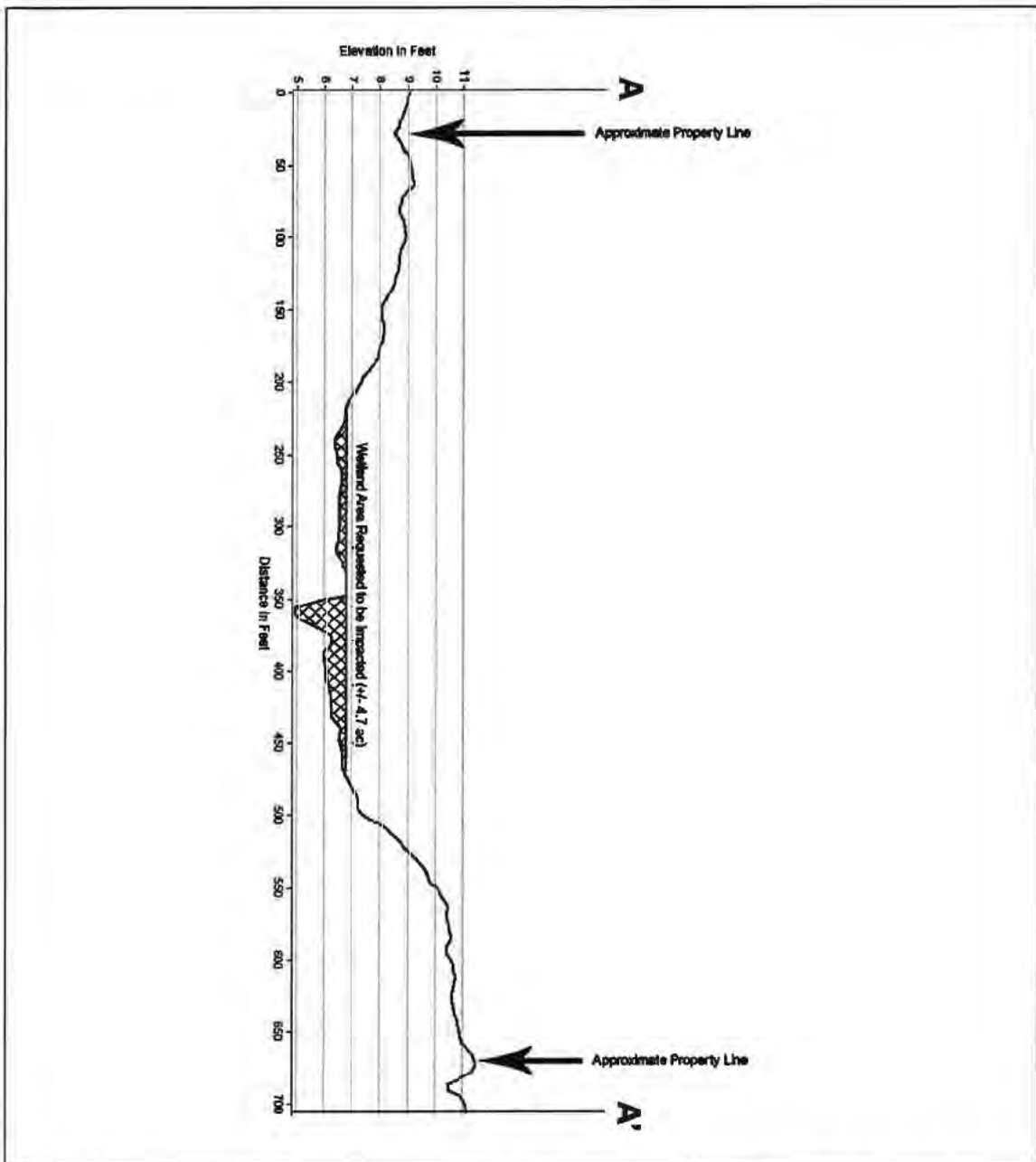


Figure 4. Alternative 2 - Proposed Development





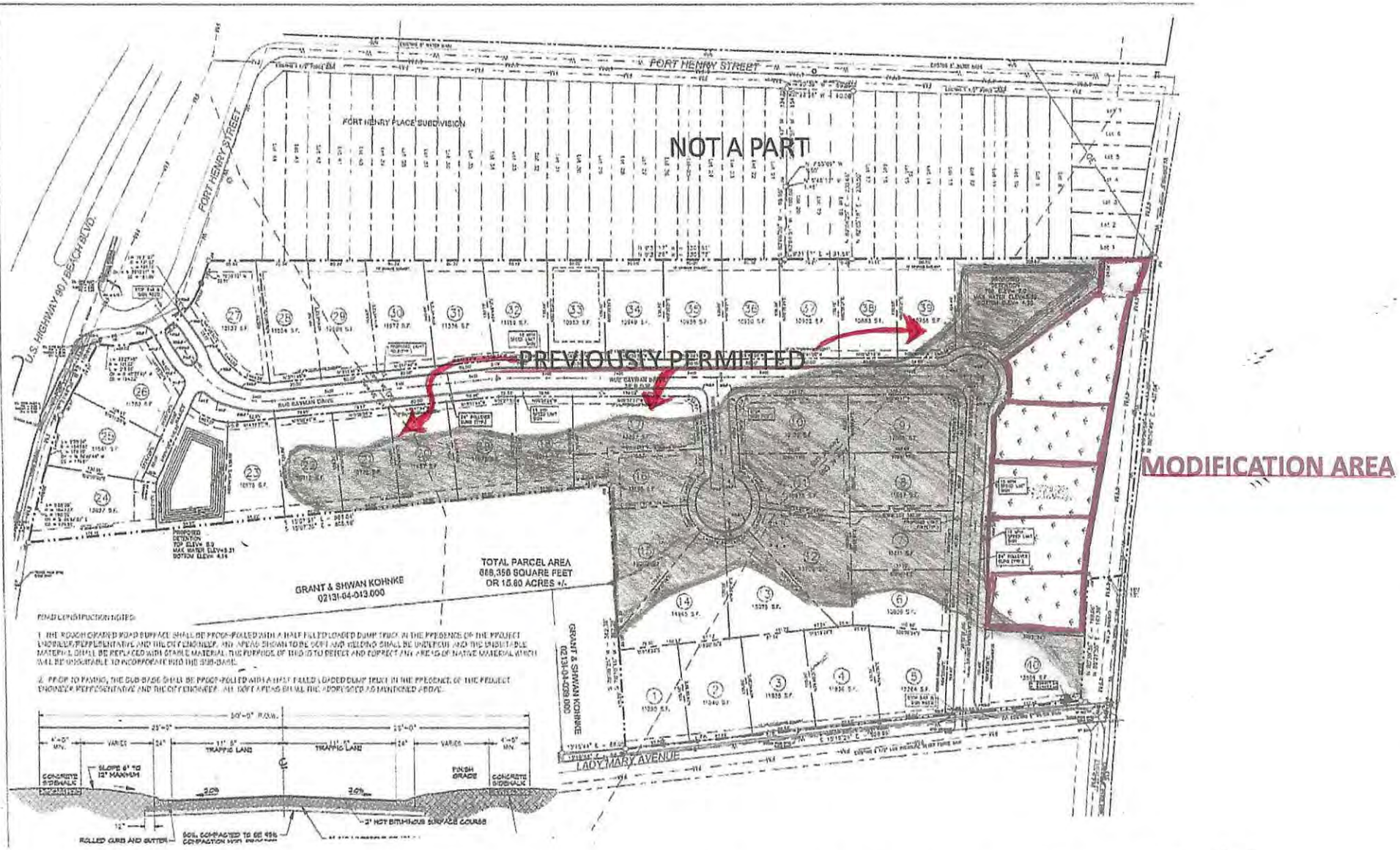
<p><b>FIGURE 5</b>          Purpose: Permit Drawing          Base Map: 2015 LiDAR Elevation Data          Source: EAM &amp; MARIS          Map Date: September 19, 2018</p> <p> <b>NORTH</b></p> <p>Scale Varies</p>	<p><b>CROSS SECTION</b></p> <p> <b>ECOLOGICAL ASSET MANAGEMENT, LLC</b></p>	<p><b>Permit Drawings for Parcel # 02131-04-044.000 (+/- 15.8 AC)</b></p> <p>Location: Pass Christian, MS          Portion of Section 34;          Township-8-South; Range-13-West          County: Harrison County, MS</p>
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Figure 5. Cross Section Drawing

# SAM-2019-00171-PAH MODIFICATION



**PROPOSED IMPACTED WETLANDS 1.65 ACRES  
FILL:**

Site to be mechanically cleared and graded without additional fill.

5 homes to be built on piers with the following site preparations:

10'x20'x6" concrete drive

18.5 CY concrete for all 5 homes:

1,500 sq ft aggregate first level base 1' thick.

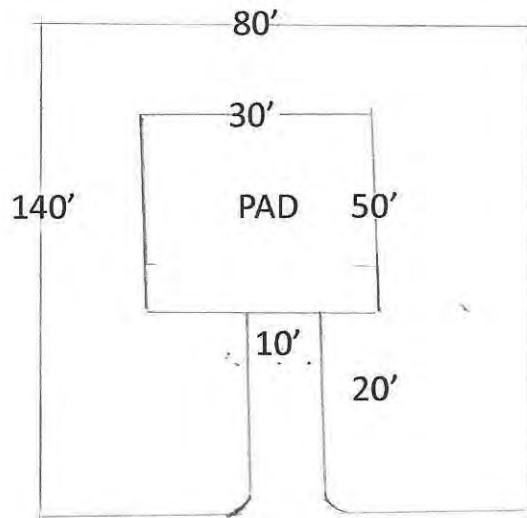
278 CY of aggregate for all 5 homes



# TYPICAL HOUSE SITE PLAN AND CROSS SECTION

RE: PERMIT MODIFICATION REQUEST  
SAM-2019-00171-PAH  
DMR24-000291  
SHOELESS JOE LLC, LLC  
BELLWILL PROPERTIES, LLC

## SITE PLAN



## CROSS SECTION

