



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-2019-00515-AMR

July 9, 2019

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PROPOSED WETLAND AND STREAM IMPACTS ASSOCIATED WITH THE
DEVELOPMENT OF A MULTI-FAMILY APARTMENT COMPLEX IN THE DAVIS BAYOU
WATERSHED, 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 (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Canvas of Ocean Springs, LLC
19 Woodstone Plaza
Hattiesburg, Mississippi 39402

AGENT: Wooten Engineering, LLC
Attention: Mr. Jason Wooten
1249 Pencarro Boulevard
Foley, Alabama 36535

LOCATION: In wetlands and a stream in the Davis Bayou Watershed, located north of Bienville Boulevard, Latitude 30.40485° North, Longitude 88.7308° West, Section 30, Township 7 South, Range 7 West, Jackson County, Mississippi.

WORK: The applicant proposes to impact jurisdictional wetlands and streams as a result of the development of a multi-family residential complex. The applicant would place fill material in 8.92 acres of wetlands and impact 40 feet of intermittent stream (ditch) during construction of the complex. The complex would be comprised of a two-story building with 8 units, and 12 three-story buildings with 12 units each, for a total of 152 residential units. Additionally, an office building and pool complex, and parking areas to accommodate 304 vehicles will be constructed.

EXISTING CONDITIONS: This site is located north of Bienville Boulevard 3,600 feet west of the intersection of MS State Highway 57, Ocean Springs, Jackson County, Mississippi. The project parcel size is approximately 12.9 acres of which 12.4 acres is comprised of forested wetlands, 40 feet of intermittent ditch (along U.S Highway 90) and 75 feet of ephemeral ditches, all of which are considered jurisdictional. The site is primarily vegetated by slash pine (*Pinus elliottii*), sweet bay (*Magnolia virginiana*), titi (*Cyrilla racemiflora*), greenbrier (*Smilax laurifolia*), and other wetland species. The site is bordered on the north, east and west by similar forested undisturbed areas, and bordered to the south by U.S. Highway 90 (Bienville Boulevard).

PROJECT PURPOSE: Per the agent, “the project purpose is intended to provide a competitively priced multi-family residential development near the east end of Ocean Springs in a thriving commercial and residential area of the city”.

MITIGATION: To compensate for the loss of 8.92 acres of wetlands and impacts to the stream, the applicant is proposing to purchase mitigation credits from a U.S. Army Corps of Engineers (USACE) approved wetlands mitigation bank. Additional review of mitigation requirements will be performed by the 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.

HISTORIC PROPERTIES/CULTURAL RESOURCES: 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 8.92 acre project construction footprint. The USACE has determined that the proposed project would have "No Effect" on cultural resources in the permit area. However, 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.

THREATENED AND ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicated the following species may be present within the watershed: the Dusky Gopher Frog (*Rana sevosa*) (E), the Gopher Tortoise (*Gopherus Polyphemus*) (T), the Wood Stork (*Mycteria americana*) (T), the West India manatee (*Trichechus manatus*) (E), the Piping Plover (*Charadrius melodus*) (T), the Red Knot (*Calidris canutus rufa*) (T), the Alabama Red-Bellied Turtle (*Pseudemys alabamensis*) (E), the Loggerhead Sea Turtle (*Caretta Caretta*) (E), and the Gulf Sturgeon (*Acipenser oxyrinchus desotoi*)(T). The review of the above species suggests

that the proposed activity will have no effect on the listed species. Preliminary review of this

application also found that the listed Mississippi Sandhill Crane (*Grus Canadensis pula*) (E), may be present in the watershed; however, it could not be determined if the project would have an effect on the Mississippi Sandhill Crane. This determination is being coordinated with the U.S. Fish and Wildlife Service via this public notice and will be submitted to the National Marine Fisheries Service for coordination via their website.

WATER QUALITY: 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.

COASTAL ZONE MANAGEMENT AREA CONSISTENCY: The applicant has applied for coastal zone consistency from the State of Mississippi Department of Marine Resources in accordance with Section 57-15-6 of the Mississippi Code Annotated (DMR-190346).

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 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, flood plain 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 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.

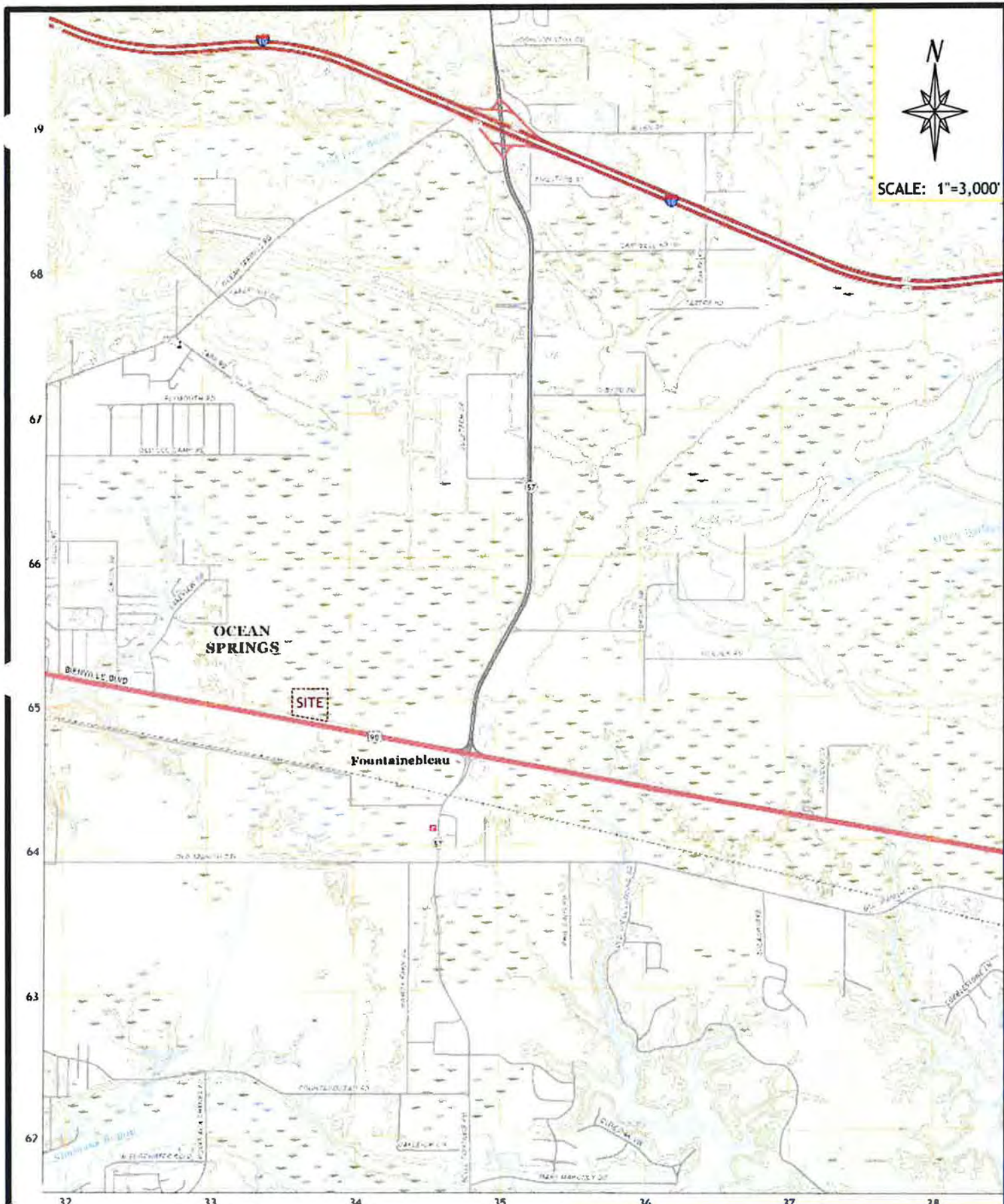
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2019-00515-AMR**, and should be directed to the USACE, Regulatory Division, Attention: Ms. Angela Rangel, Post Office Box 2288, Mobile, Alabama 36628-0001, the DEQ, Office of Pollution Control, Attention: Ms. Florance Bass, P.E., Post Office Box 2261, Jackson, Mississippi 39225, and the DMR, Attention: Ms. Jennifer Wilder, 1141 Bay View Avenue, 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, Ms. Rangel at **(251) 694-3873**, or by email at angela.m.rangel@usace.army.mil. Please refer to Public Notice number **SAM-2019-00515-AMR**.

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



SCALE: 1"=3,000'

19
68
67
66
65
64
63
62

32 33 34 35 36 37 38

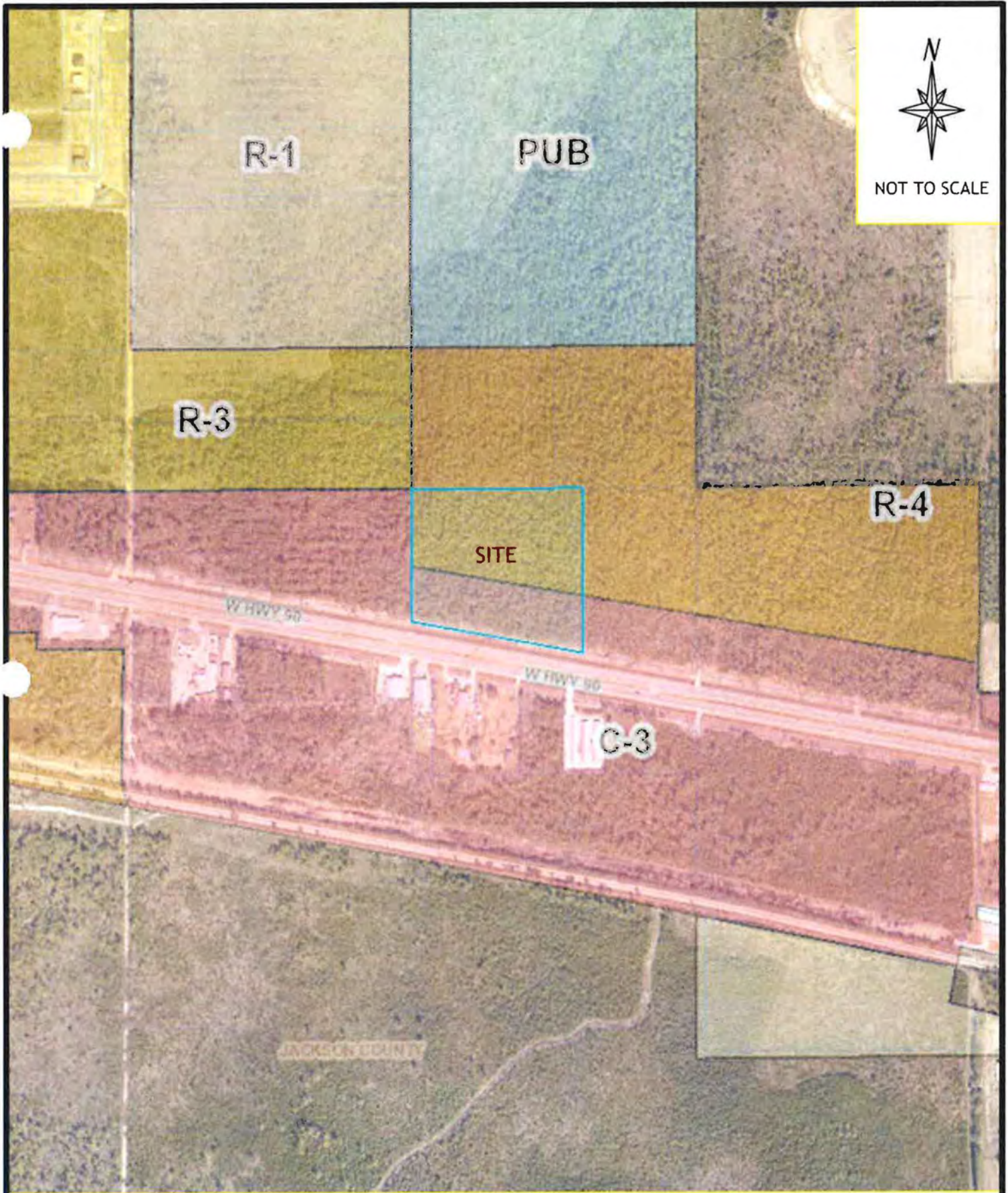
1:7500"

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EXCERPT FROM USGS QAUD
GAUTIER NORTH, MS 2018

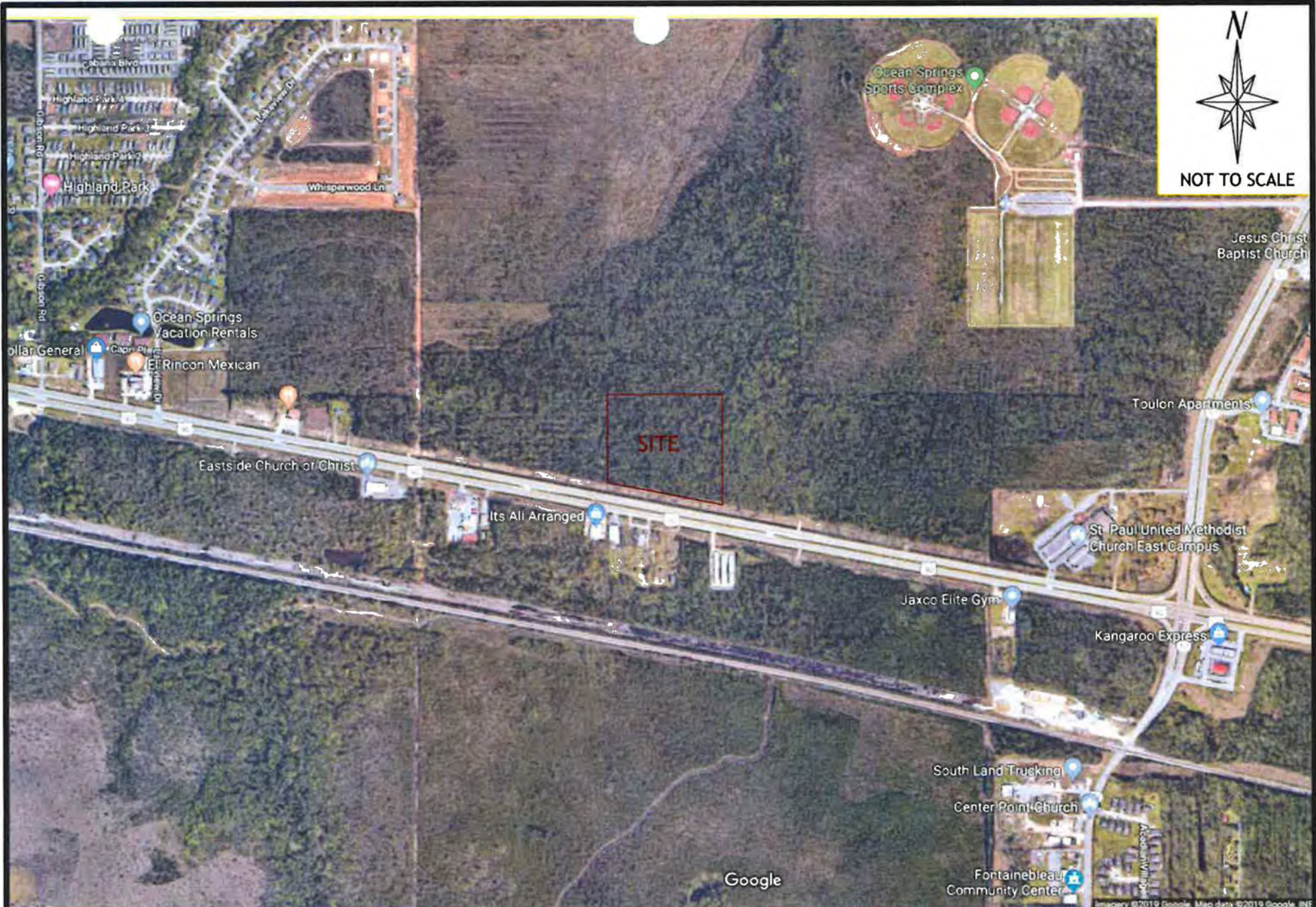
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SAM-2019-0515-AMR

EXCERPT FROM CITY OF
OCEAN SPRINGS ZONING MAP

WOOTEN
ENGINEERING
CIVIL PLANNING + DESIGN



SAM-2019-0515-AMR

AERIAL VICINITY MAP

C-03 OF 11



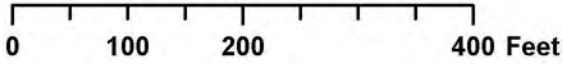


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend

-  Intermittent Ditch 75 ft
-  Ephemeral_Ditches 40 ft
-  Wetlands 12.4 Acres
-  Project Site Boundary

SAM-2019-0515-AMR





SCALE: 1"=150'

MARY & HOWARD HARVEY
182 WEST CLINTON STREET
JACKSON, MS 39245

MAHONEY FAMILY, LLC
110 RUE MAGNOLIA
BLOUN, MO 31532

RAYME J. WATERS ADZEMA
1700 PINE STREET
PALO ALTO, CA 94301

BUI NGUYEN
1781 WEDGEWOOD DRIVE
HARVEY, LA 70058

THE K. P. GEORGE REVOCABLE TRUST
4676 MANDELRY DRIVE
WELLINGTON, FL 33449

WETLANDS NOTE

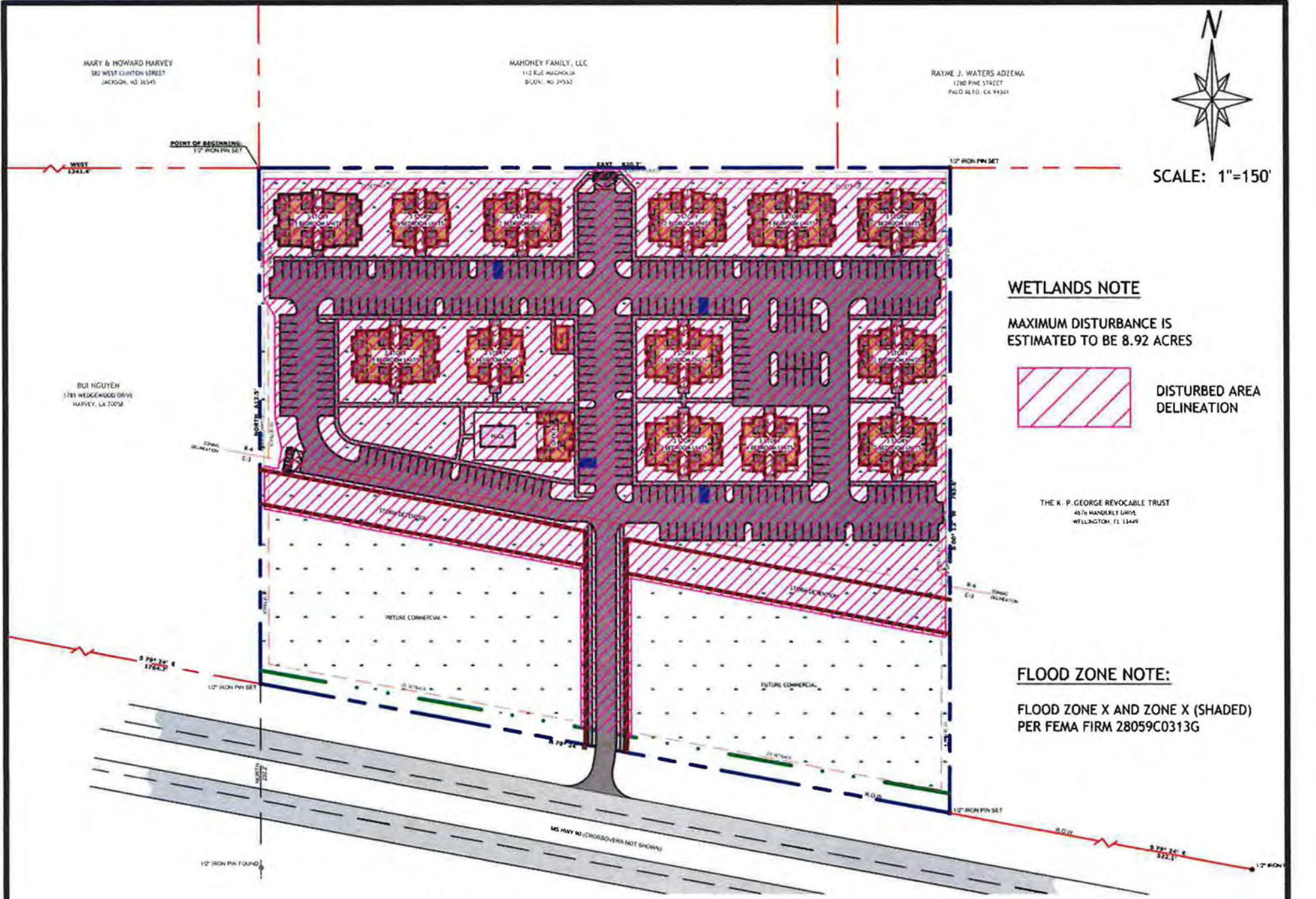
MAXIMUM DISTURBANCE IS
ESTIMATED TO BE 8.92 ACRES



DISTURBED AREA
DELINEATION

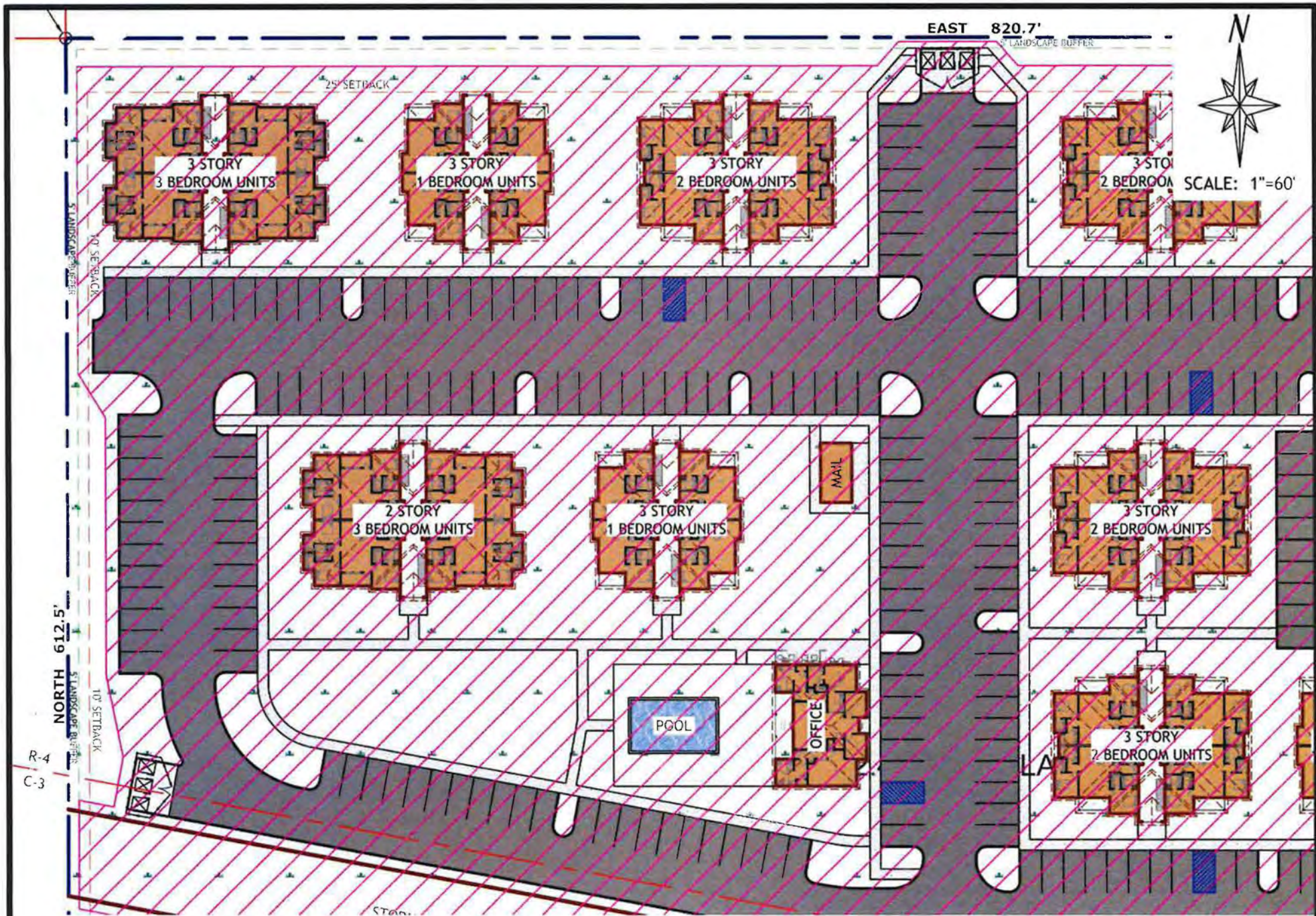
FLOOD ZONE NOTE:

FLOOD ZONE X AND ZONE X (SHADED)
PER FEMA FIRM 28059C0313G

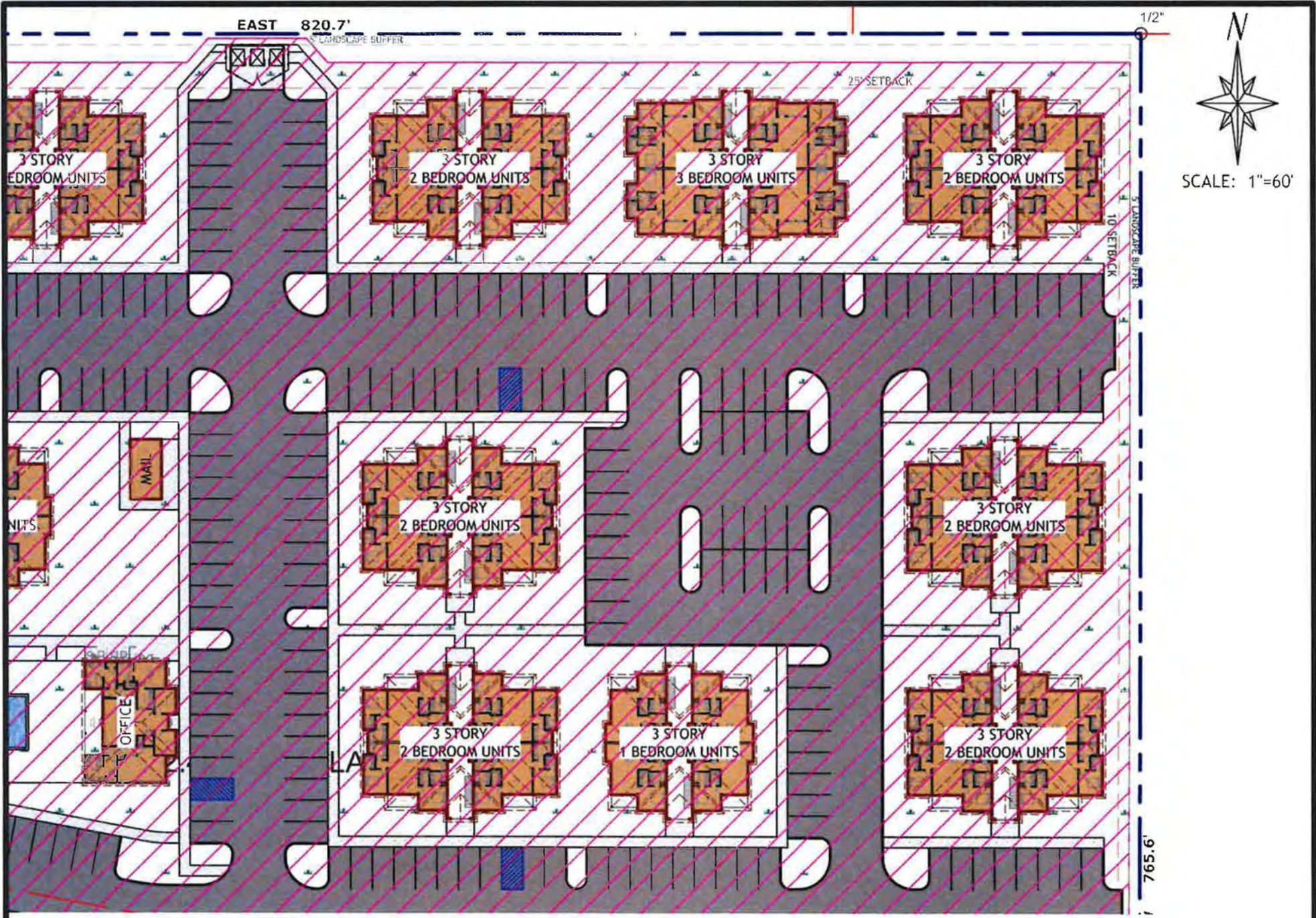


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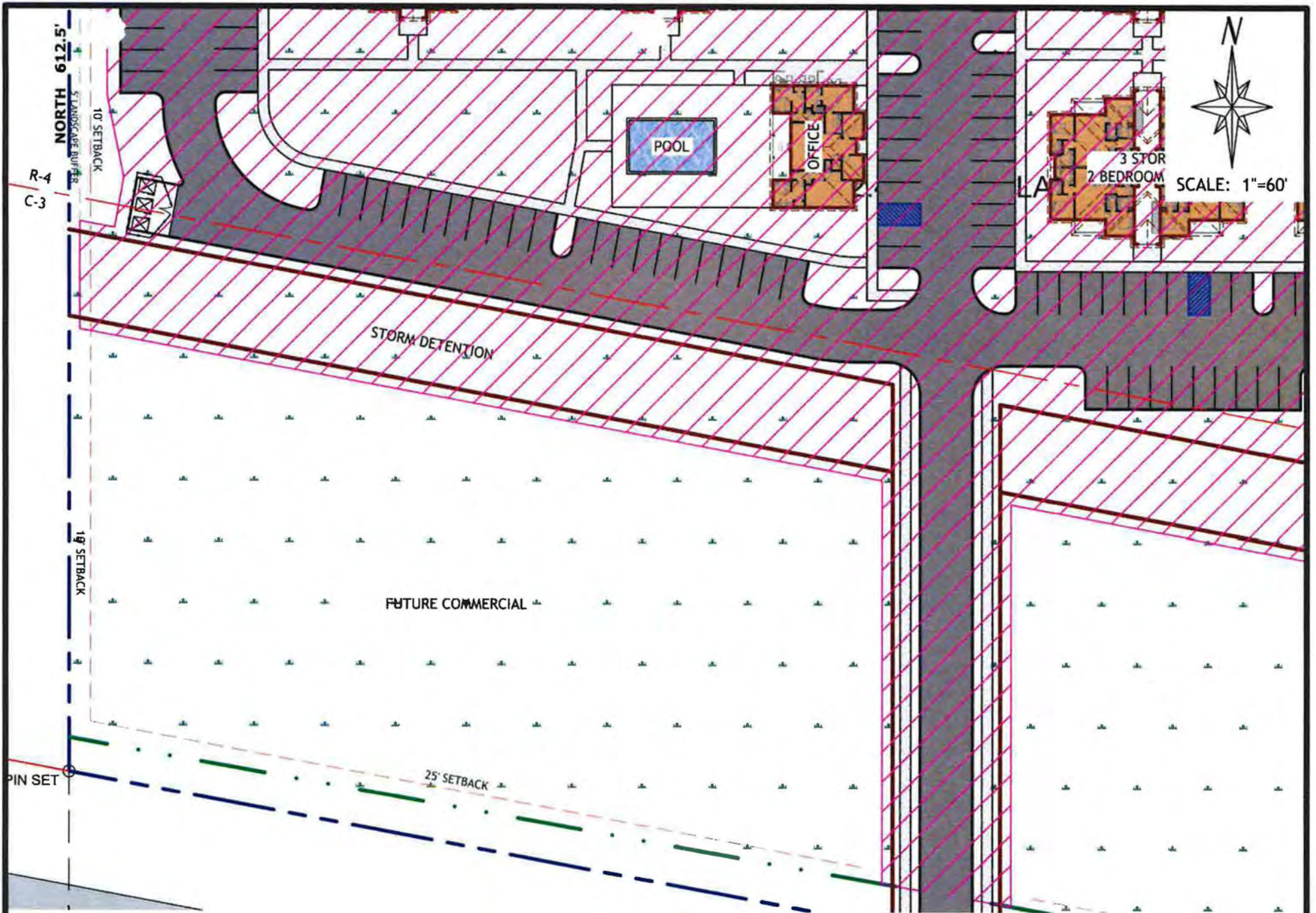
SITE PLAN



SAM-2019-0515-AMR



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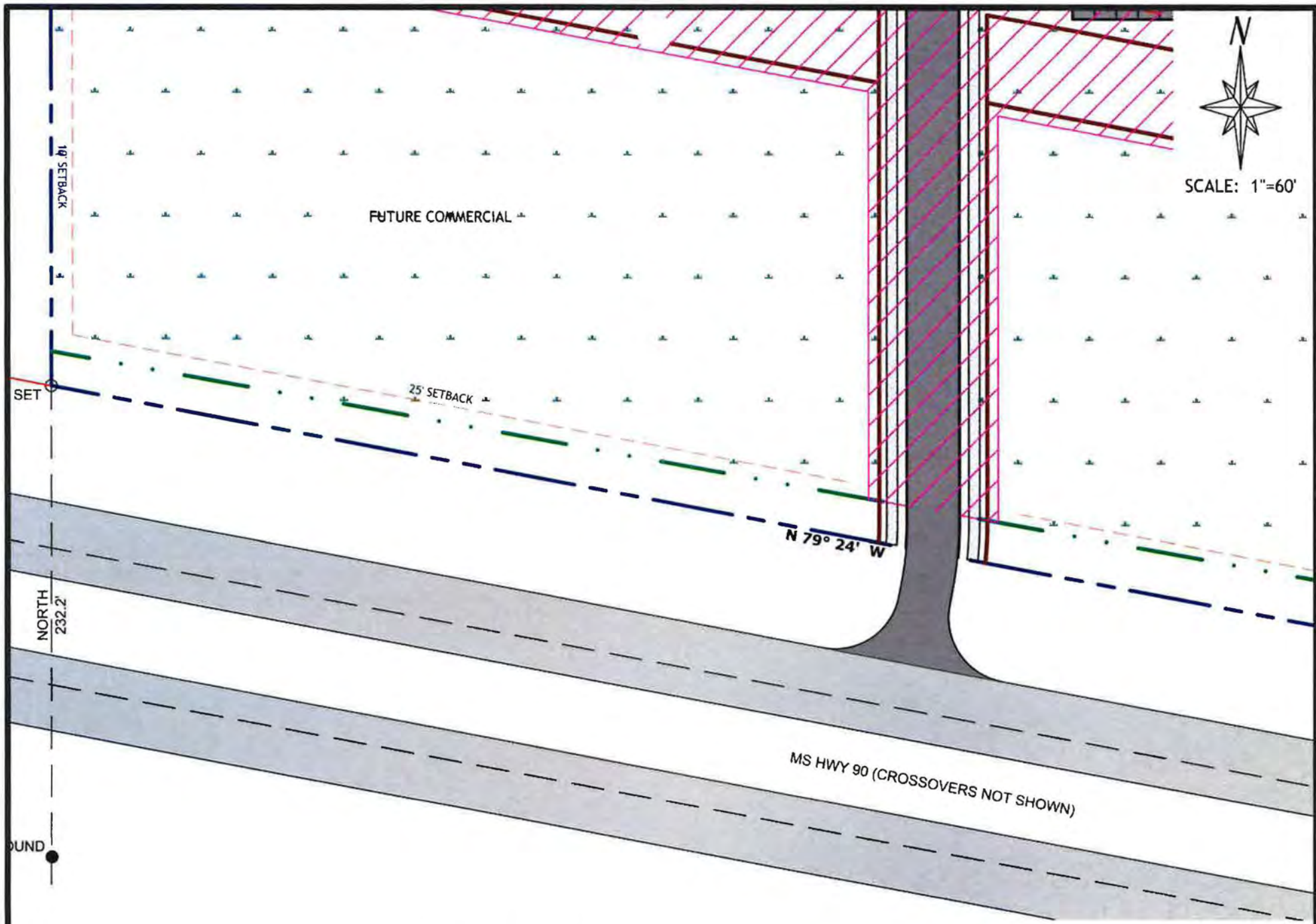
SAM-2019-0515-AMR

SITE PLAN - WEST

WOOTEN
ENGINEERING
 CIVIL PLANNING + DESIGN



SCALE: 1"=60'

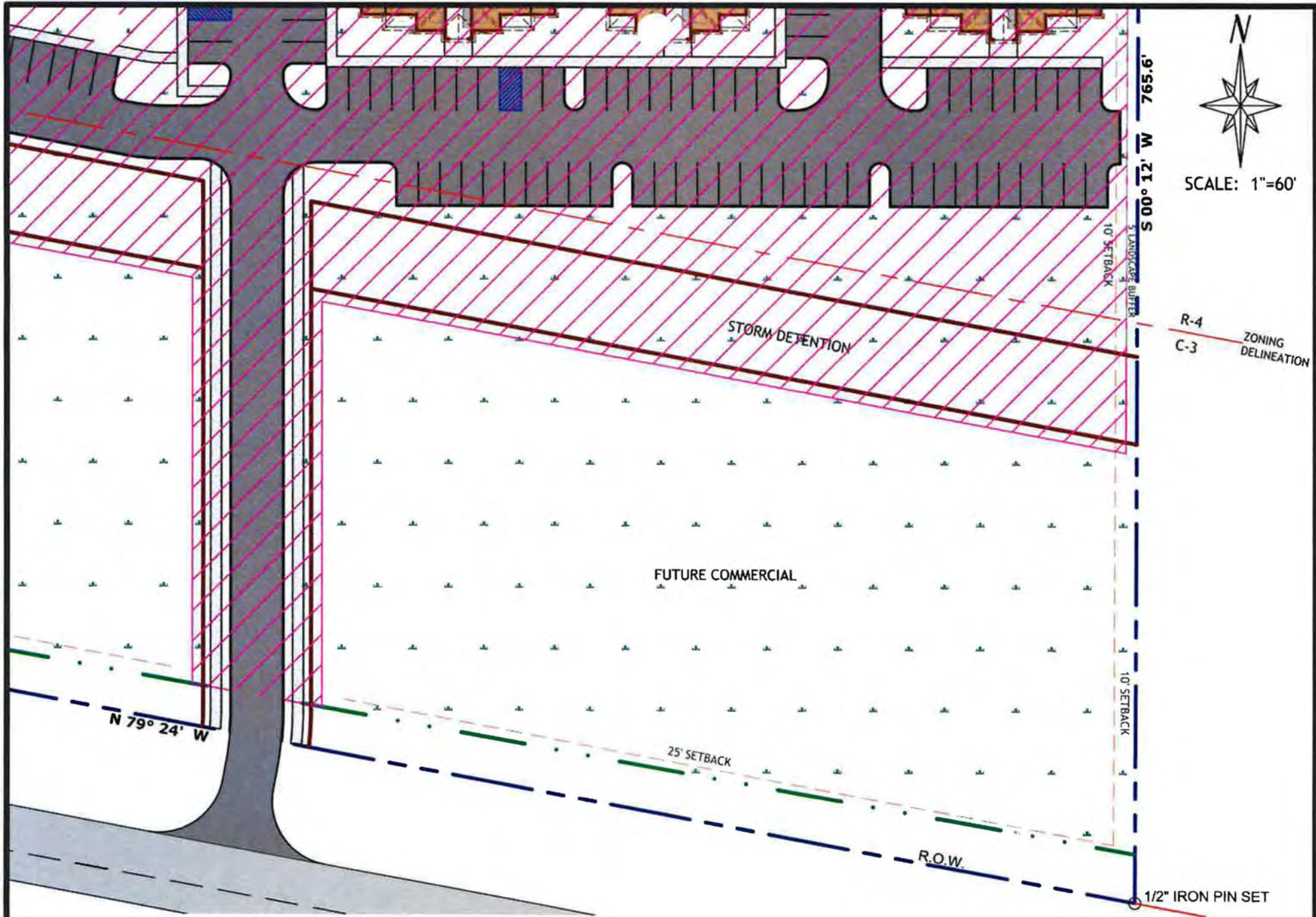


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SITE PLAN - SOUTHWEST

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N
SCALE: 1"=60'

R-4
C-3
ZONING DELINEATION

FUTURE COMMERCIAL

STORM DETENTION

765.6'
S 00° 12' W
10' SETBACK
LANDSCAPE BUFFER
10' SETBACK

N 79° 24' W

25' SETBACK

R.O.W.

1/2" IRON PIN SET

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SITE PLAN - SOUTHEAST

C-09 OF 11

WOOTEN
ENGINEERING
CIVIL PLANNING + DESIGN



NOT TO SCALE

3
MAHONEY FAMILY, LLC
110 RUE MAGNOLIA
BILOXI, MS 39530

2
RAYME J. WATERS ADZEMA
1280 PINE STREET
PALO ALTO, CA 94301

4
MARY & HOWARD HARVEY
382 WEST CLINTON STREET
JACKSON, MS 36545

5
BUI NGUYEN
1781 WEDGEWOOD DRIVE
HARVEY, LA 70058

SITE

1
THE K. P. GEORGE
REVOCABLE TRUST
4676 MANDERLY DRIVE
WELLINGTON, FL 33449

6
PUBLIC RIGHT-OF-WAY

W HWY 90

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