



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-2019-00543-MJF

September 16, 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-190332

**PROPOSED IMPACTS TO WETLANDS ASSOCIATED WITH THE CONSTRUCTION OF A
SINGLE-FAMILY RESIDENTIAL DEVELOPMENT KNOWN AS REILLY ROAD
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@myelliotthome.com

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

LOCATION: Wetlands Associated with Old Fort Bayou, located south of Old CCC Camp Road, east of Riley Road, and north of an power line right-of-way, City of Ocean Springs, Jackson County, Mississippi. Sections 24, Township 7 South, Range 8 West, Latitude 30.49133° North Longitude -88.751301° West. This area is depicted on the Mississippi-Gautier North Quadrangle, United States Geological Survey Topographic Map, Hydrologic Unit Code 03170009.

WORK: The applicant proposes to place fill material in 32.6 acres in jurisdictional wetlands to construct a 89-lot, single-family residential subdivision. The fill would be for the home lots, roadways, and culverted road crossings. The subject property is a 40-acre parcel containing approximately 38.24 acres of jurisdictional wetlands. The proposed work would avoid 5.64 acres of jurisdictional wetlands. 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.

EXISTING CONDITIONS: The project site appears to have been logged around 2010-2011 and now consists of a scrub-shrub wetland with scattered trees. There also appears to be quite a bit of rutting apparently from heavy machinery most likely from the logging event. The project site is bordered by Old CCC Camp Road to the north, Reilly Road to the east, a maintained power line ROW to the south, and single-family residences and forested land to the west. The site is predominantly vegetated by slash pine, inkberry and herbaceous species including yellow trumpet pitcher plant, bog button, and foxtail clubmoss. Soils found on the site are classified as Bayou sandy loam.

PROJECT PURPOSE: As stated by the applicant, "To increase available new homes for buyers in the north Ocean Springs/Highway 90 and I-10 area." 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 seven (7) off-site alternate locations in the vicinity and four (4) on-site alternatives. Additional review of alternatives will be performed by the USACE and cooperating agencies.

MITIGATION: Compensatory mitigation is required for the loss of 32.6 acres of pine savannah wetland. The applicant is proposing mitigation through the purchase of mitigation credits from an approved mitigation bank. 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-190332)

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.

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-2019-00543-MJF**, and should be directed to the District Engineer, Mobile District, Biloxi Field Office, Attention: **Ms. Maryellen Farmer**, 1141 Bayview Avenue, Suite 104, Biloxi, Mississippi 39530, 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: Mr. Greg Christodoulou**, 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.

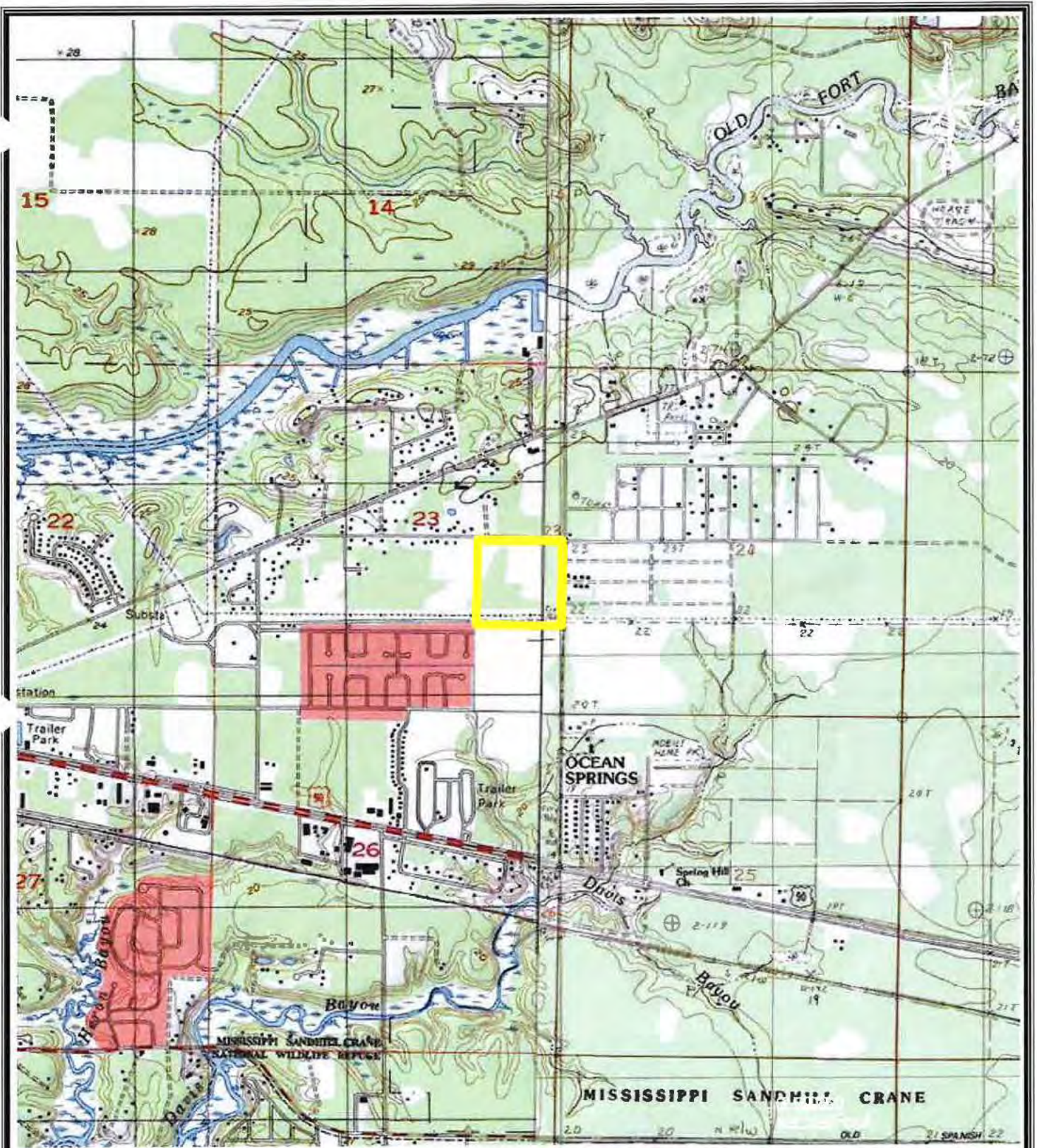
For additional information about our Regulatory Program, please visit our web site at: www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



Figure 1. Site vicinity



This map produced by the CCE Team, on 05, December 2018.

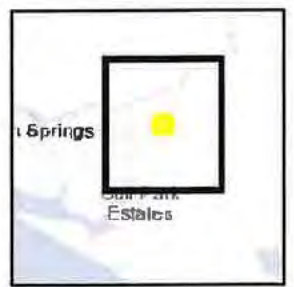
All map data is from the CCE Team, Mississippi Geospatial Clearinghouse, and Esri.

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.

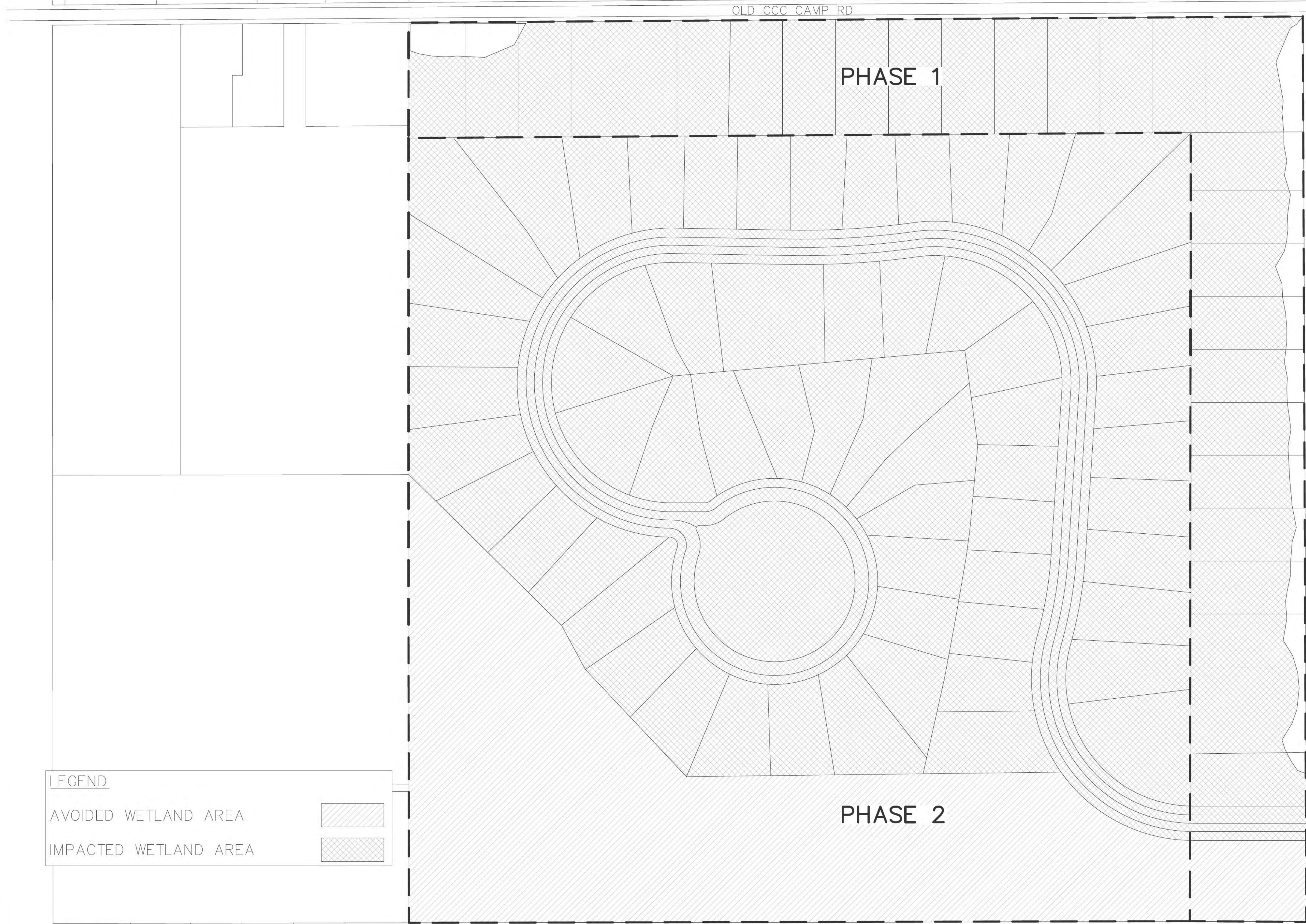
Reilly Road
Figure 1: Site Vicinity

 Project Boundary



| PHASE # | TOTAL AREA | TOTAL WETLAND AREA | TOTAL IMPACTED AREA |
|---------|------------|--------------------|---------------------|
| PHASE 1 | 9.40 ac | 8.62 ac | 8.16 ac |
| PHASE 2 | 29.94 ac | 29.93 ac | 22.53 ac |
| TOTAL | 39.34 ac | 38.55 ac (98%) | 30.69 ac (78%) |

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



REILLY RD

OLD CCC CAMP RD

PHASE 1

PHASE 2

| LEGEND | |
|-----------------------|--|
| AVOIDED WETLAND AREA | |
| IMPACTED WETLAND AREA | |

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|--|--|

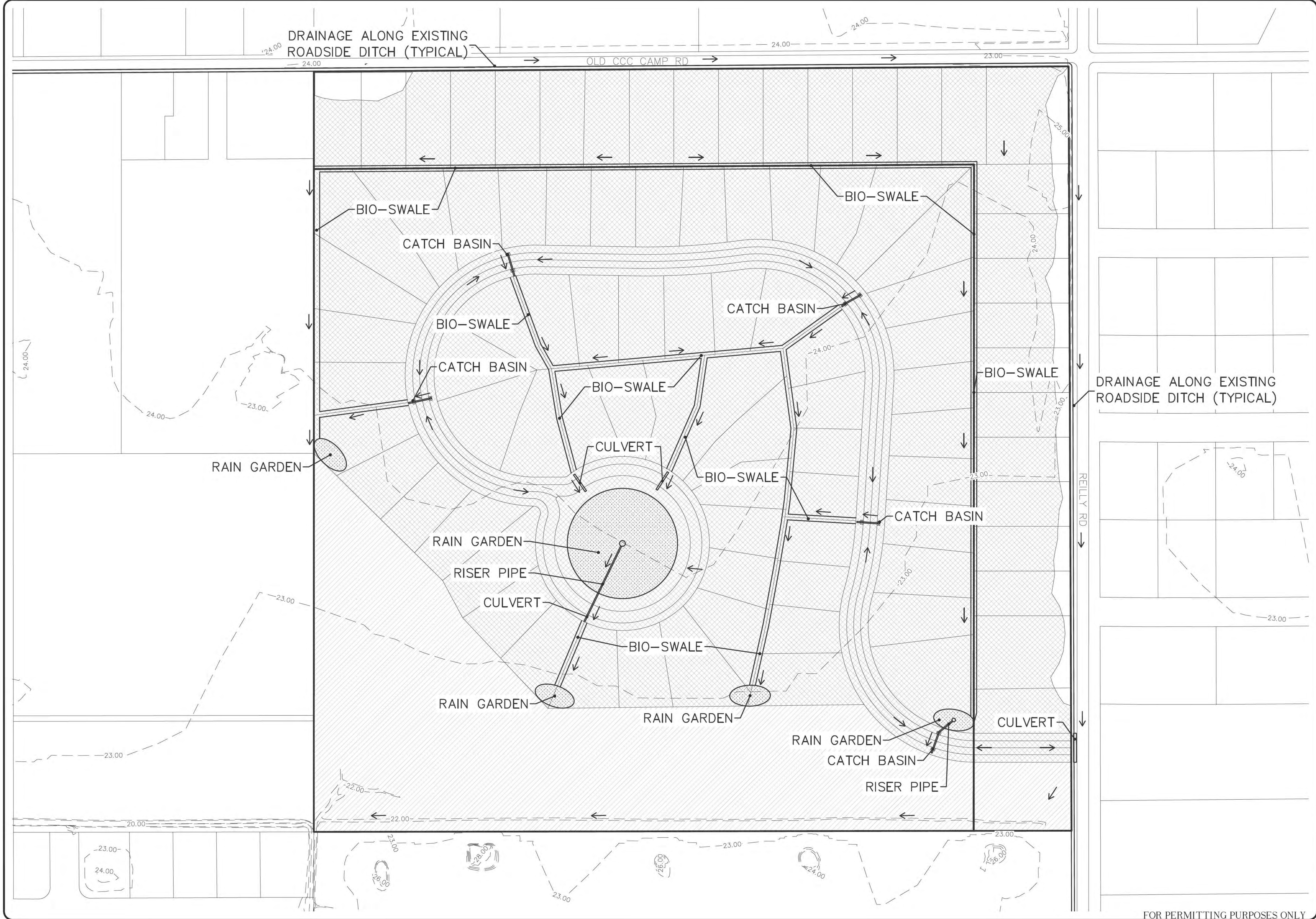
| NO. | DATE | REVISION/ISSUE |
|-----|------|----------------|
| | | |
| | | |
| | | |
| | | |

REILLY ROAD
 OCEAN SPRINGS, MISSISSIPPI

ELLIOTT HOMES LLC
 1402 PASS ROAD
 GULFPORT, MISSISSIPPI 39501

| OVERALL SITE PLAN | |
|----------------------|--------------|
| DATE 08-22-19 | SHEET NUMBER |
| SCALE 1"=75' | C1.0 |
| DRAWN BY TMK | |
| CHECKED BY JFS | |
| PROJECT NO. 16215 | |

FOR PERMITTING PURPOSES ONLY



DRAINAGE ALONG EXISTING
 ROADSIDE DITCH (TYPICAL)

| | | |
|-----|------|----------------|
| NO. | DATE | REVISION/ISSUE |
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| NO. | DATE | REVISION/ISSUE |
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REILLY ROAD
 OCEAN SPRINGS, MISSISSIPPI

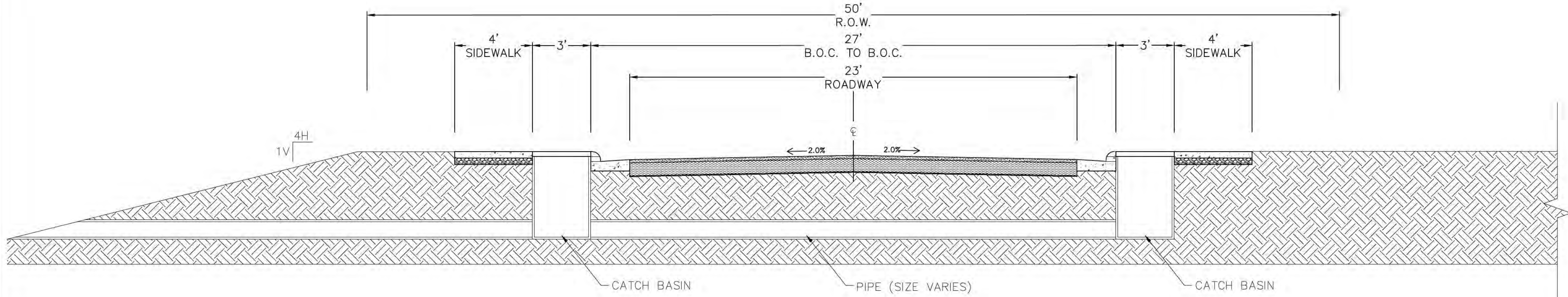
ELLIOTT HOMES LLC
 1402 PASS ROAD
 GULFPORT, MISSISSIPPI 39501

DRAINAGE PLAN

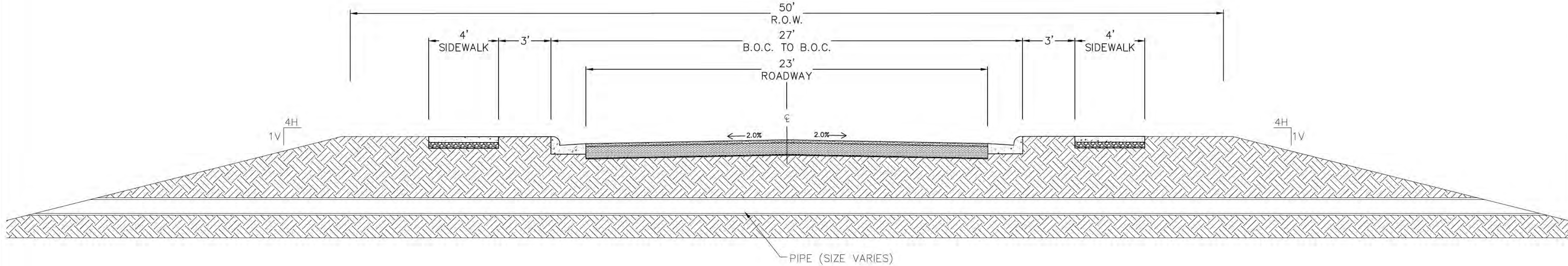
| | | | |
|----------|----------|--------------|-------|
| DATE | 08-22-19 | SHEET NUMBER | |
| SCALE | 1"=75' | PROJECT NO. | 16215 |
| DRAWN BY | TMK | CHECKED BY | JFS |

C2.0

FOR PERMITTING PURPOSES ONLY



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



ROAD CROSSING – CULVERT (TYP)
 N.T.S.

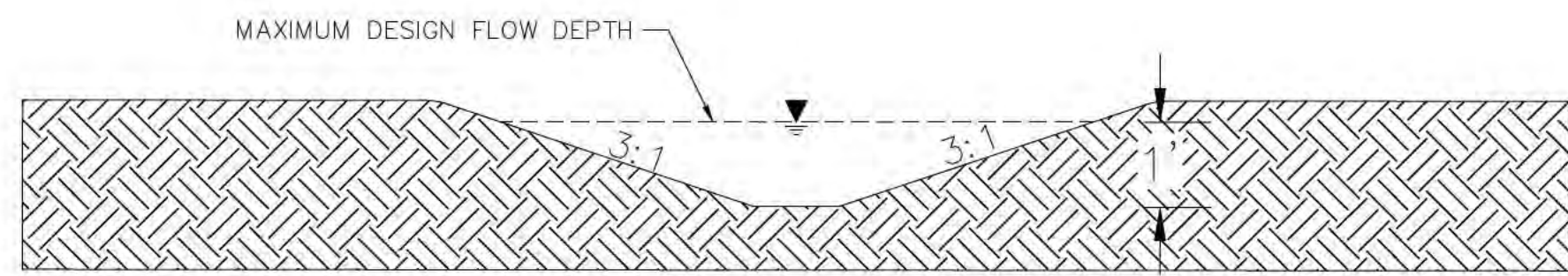
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REILLY ROAD
 OCEAN SPRINGS, MISSISSIPPI

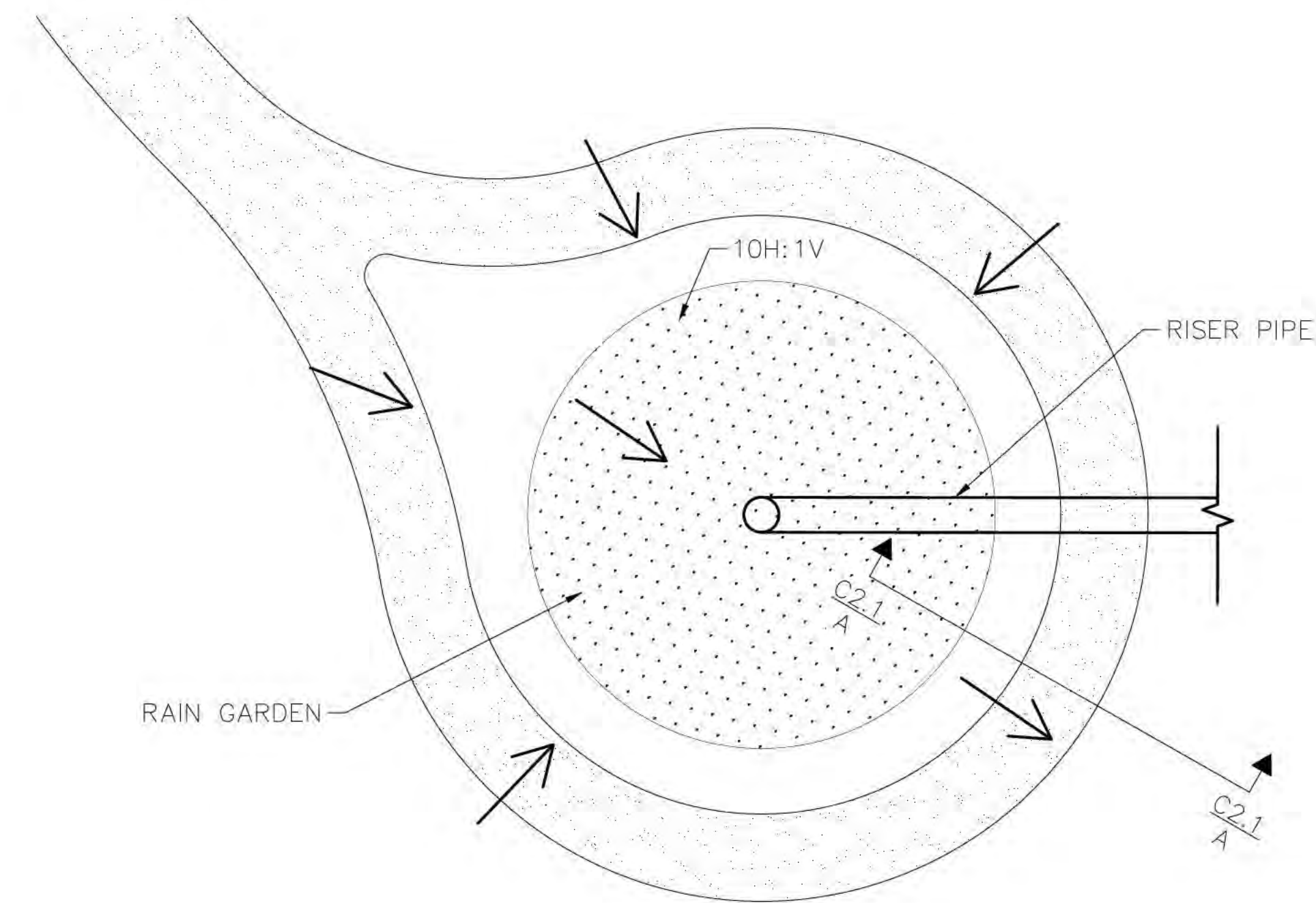
ELLIOTT HOMES LLC
 1402 PASS ROAD
 GULFPORT, MISSISSIPPI 39501

| DRAINAGE DETAILS | |
|----------------------|--------------|
| DATE 08-22-19 | SHEET NUMBER |
| SCALE N.T.S. | C3.0 |
| DRAWN BY TMK | |
| CHECKED BY JFS | |
| PROJECT NO. 16215 | |

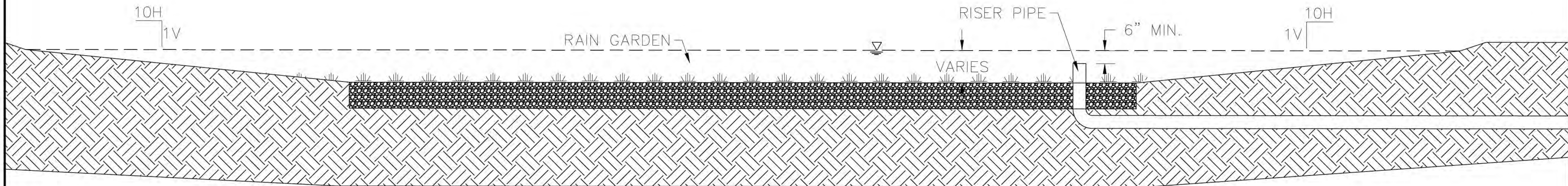


BIO-SWALE DETAIL
 N.T.S.

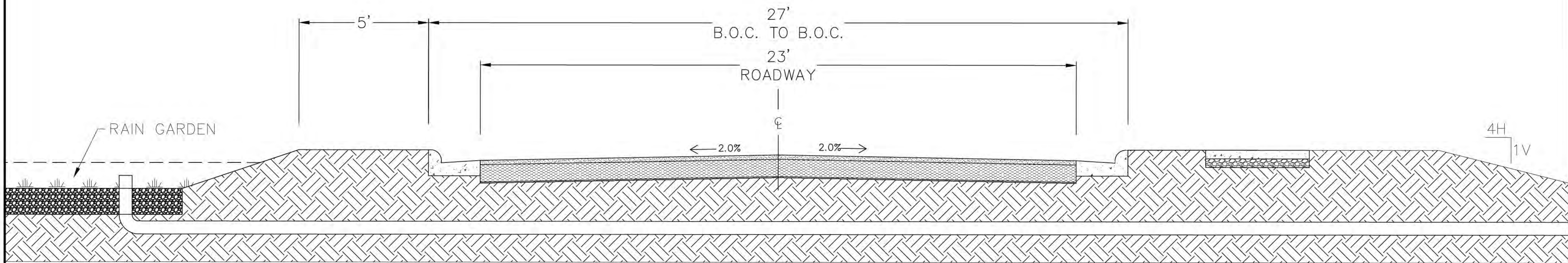
- BIO-SWALE DITCH TO BE DESIGNED PER MDEQ "RECOMMENDED DESIGN CRITERIA FOR STORM WATER MANAGEMENT PLANS"
- DESIGN VOLUME 6-MONTH, 24-HOUR DESIGN STORM
- PEAK FLOW 5 - 10 cfs
- WATER VELOCITY 1.0 - 1.5 fps
- SWALE SLOPE NOT TO EXCEED 2%
- SWALE DITCH TO BE PLANTED WITH NATIVE VEGETATION



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



RAIN GARDEN DETAIL - PROFILE VIEW (TYP)
 N.T.S.



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

| | | |
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| NO. | DATE | REVISION/ISSUE |
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| NO. | DATE | REVISION/ISSUE |
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REILLY ROAD
 OCEAN SPRINGS, MISSISSIPPI

ELLIOTT HOMES LLC
 1402 PASS ROAD
 GULFPORT, MISSISSIPPI 39501

| | |
|-------------------------|--------------|
| DRAINAGE DETAILS | |
| DATE 08-22-19 | SHEET NUMBER |
| SCALE N.T.S. | C3.1 |
| DRAWN BY TMK | |
| CHECKED BY JFS | |
| PROJECT NO. 16215 | |