



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-2019-00651-MJF**

October 7, 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-150101**

**PROPOSED IMPACTS TO 0.39 ACRES OF WETLANDS ASSOCIATED**  
**WITH THE CONSTRUCTION OF A MULTI-FAMILY RESIDENTIAL**  
**DEVELOPMENT, D'IBERVILLE, 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. Please communicate this information to interested parties.

APPLICANT: **AptCon, LLC**  
**Mr. Robert Miller**  
**P.O. Box 12004**  
**Jackson, Mississippi 39236**  
**miller@lmhomes.net**

AGENT: **PAC Services, LLC**  
**Mr. Patrick Chubb**  
**11759 Sleeping Deer Lane**  
**Saucier, Mississippi 39574**  
**Pachubb91@gmail.com**

LOCATION: **Wetlands associated with Tchoutacabouffa River, Located at 11066 W. Gay Road S., Section 7, Township 7 South, Range 9 West, City of D'Iberville, Harrison County, Mississippi. (Latitude 30.44541 North, Longitude -88.916063 West).**

WORK: **The applicant proposes to place fill material in 0.39 acres of low quality (as determined by M-WRAP) wetlands to construct an 11-building, multi-family residential community. The subject property is a 13.6-acre parcel containing approximately 0.39-acres of jurisdictional wetlands. The apartment buildings would be 3-stories tall containing a mix of 1-, 2-, and 3-bedroom units for a total of 264 units. The complex would include a clubhouse, office, mail kiosk, as well as four detached garage buildings containing 18 garages. Included amenities consist of a pool with a grilling station and**

**seating, dog park, open green space and an indoor exercise facility. The landscaping would consist of primarily native species. A storm water detention basin would be located on the north end of the property. 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 is currently a maintained RV Park. A permit was issued on December 9, 2014 for the placement of fill in 0.471 acres of low quality wetlands for a 78-lot commercial RV development. The majority of the site consists of mowed grasses and a few trees with graveled RV lots as well as an office building. Soils onsite are mapped as Plummer loamy sand and Poarch fine sandy loam.**

**PROJECT PURPOSE: As stated by the applicant, "To provide housing opportunities to growing D'Iberville community." The U.S. Army Corps of Engineers (USACE) initially determined the basic project purpose is a multi-family apartment complex and would not be considered a water dependent activity. Additional review will be performed by the USACE and cooperating agencies.**

**ALTERNATIVES: The applicant is currently working on supplying an alternatives analysis. Additional review of alternatives will be performed by the USACE and cooperating agencies.**

**MITIGATION: Compensatory mitigation is required for the loss of 0.39 acres of low quality (based on M-WRAP analysis) pine savanna. The applicant is proposing mitigation through the purchase of 0.78 (2:1) mitigation credits from an approved mitigation bank. Additional review of mitigation requirements will be performed by the USACE and cooperating agencies. Final compensatory mitigation will be evaluated by the U.S. Army Corps of Engineers (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-150101).

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

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.

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 Corps 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 and Plants indicated the following species may be present within the affected watershed: the West Indian Manatee (E) (*Trichechus manatus*), the Mississippi Sandhill Crane (E) (*Grus canadensis pulla*), the Red-cockaded Woodpecker (E) (*Picoides borealis*), the Wood Stork (T) (*Mycteria Americana*), the Alabama Red-Bellied Turtle (E) (*Pseudemys alabamensis*), the Black Pine Snake (T) (*Pituophis melanoleucus lodingi*), the Gopher tortoise (T) (*Gopherus polyphemus*), the Mississippi Gopher Frog (E) (*Rana sevosa*) and the Louisiana Quillwort (E) (*Isoetes louisianensis*). 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-2019-00651-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 Marine Resources, **Attention: Mr. Chris Pickering**, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi, 39530, and the Mississippi Department of Environmental Quality, Office of Pollution Control, **Attention: Ms. Florance Bass, P.E.**, Post Office Box 2261, Jackson, Mississippi 39225.

**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](mailto: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](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

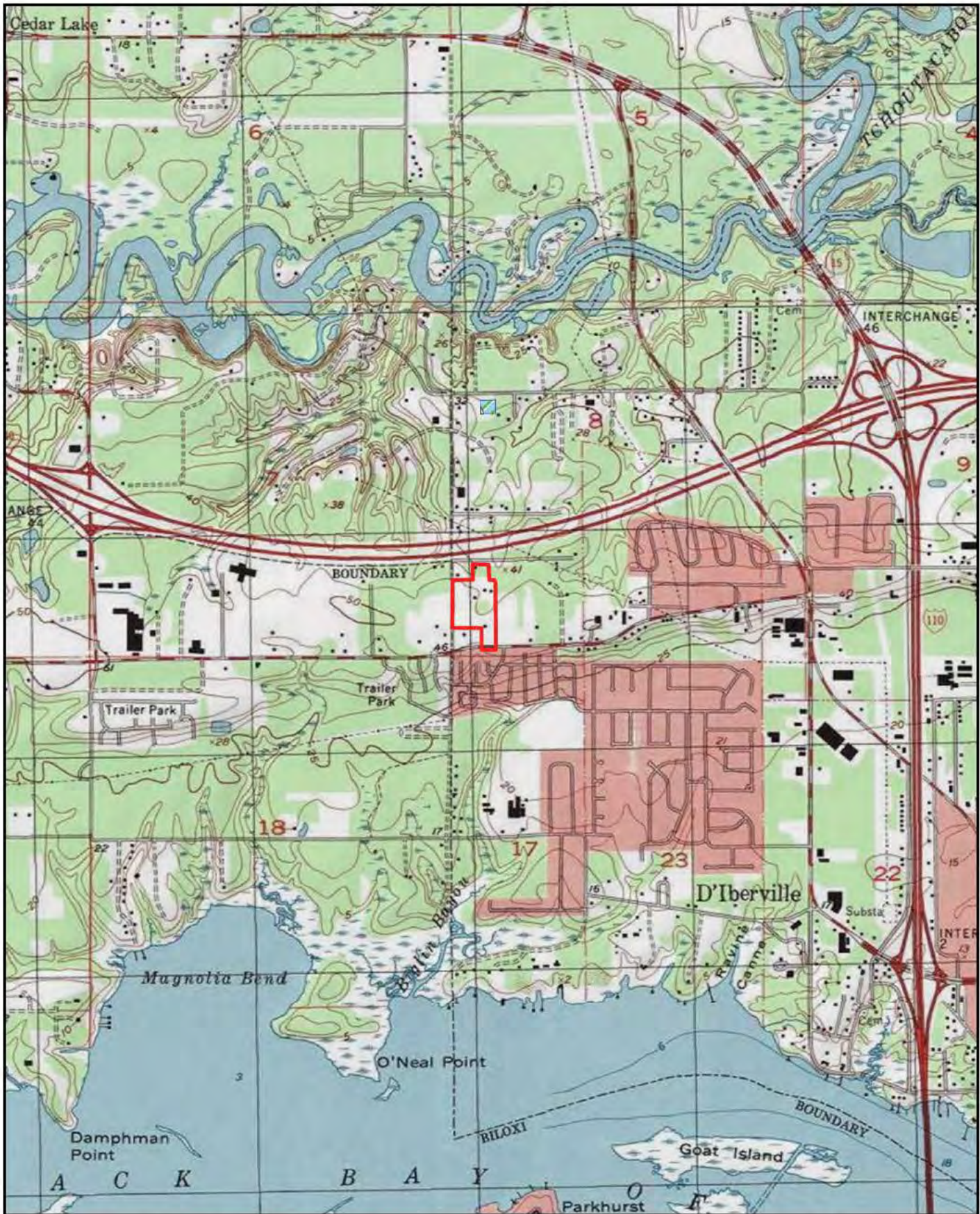


Parcels: 13080-02-009.000, 010.000, 013.001, 013.000

Section 8-T7S-9W

D'Iberville, Harrison County, Mississippi

USGS Quad: BILOXI 1:24k

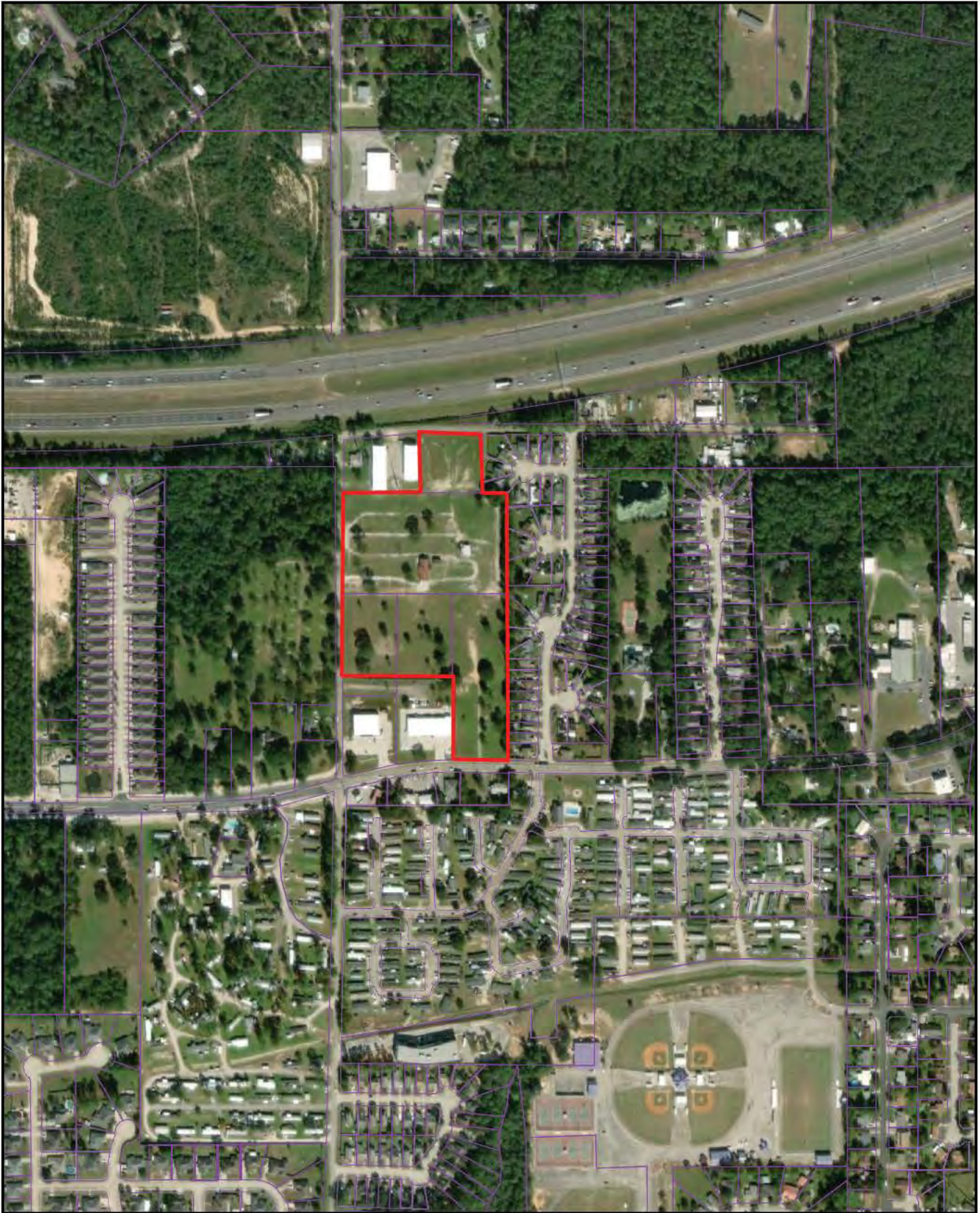


Prepared by: PAC Services LLC

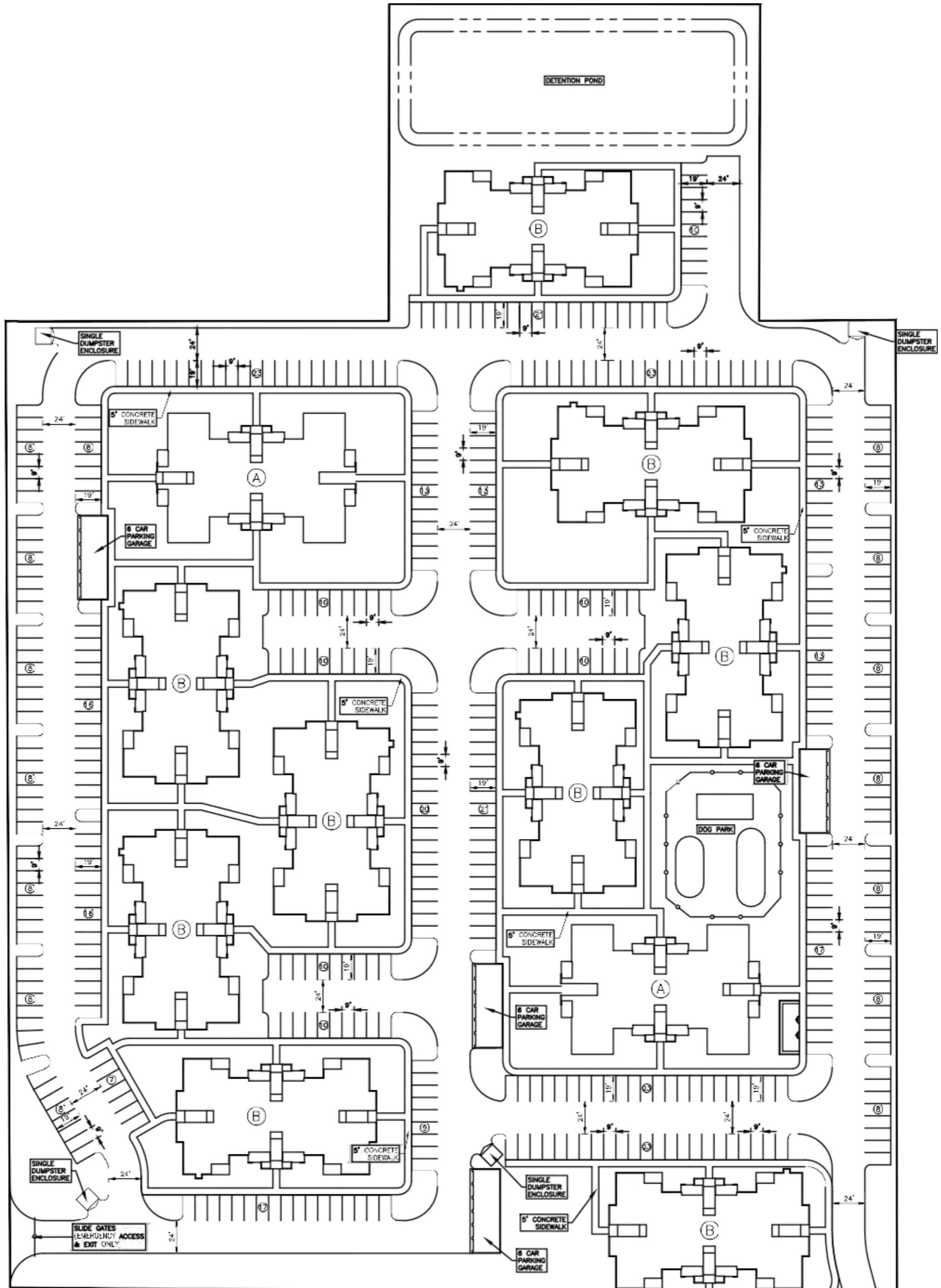
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Parcels: 1308O-02-009.000, 010.000, 013.001, 013.000  
Section 8-T7S-9W  
D'Iberville, Harrison County, Mississippi







# THE LANDING AT D'IBERVILLE

QUANTITIES	
NUMBER OF ONE BEDROOM APARTMENTS	132
NUMBER OF TWO BEDROOM APARTMENTS	108
NUMBER OF THREE BEDROOM APARTMENTS	24
TOTAL NUMBER OF UNITS	264
TOTAL SPACES REQUIRED	342
TOTAL SPACES PROVIDED	530



**PRELIMINARY**

**NOT FOR CONSTRUCTION**

(THESE PLANS ARE BIDDING PURPOSES ONLY!  
 THESE PLANS ARE COMPLETE AND READY FOR  
 PERMITTING ONCE A SIGNED SURVEY IS PROVIDED.  
 UNLESS THE FINAL BOUNDARY IS REVISED, THESE  
 WILL BE THE PLANS SUBMITTED FOR PERMITTING)

