



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-2020-00440-MJF

December 1, 2020

JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES  
DMR-200279

**PROPOSED WETLAND FILL FOR CONSTRUCTION OF A RESIDENTIAL SUBDIVISION,  
CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT:** Mr. Joel Coleman  
D.R. Horton, LLC  
25366 Profit Drive  
Daphne, AL 36526  
[JColeman1@drhorton.com](mailto:JColeman1@drhorton.com)

**AGENT:** Mr. Dana Sanders  
19032 Old Port Gibson Road  
Utica, MS 39175  
[drsawet@bellsouth.net](mailto:drsawet@bellsouth.net)

**WATERWAY AND LOCATION:** Wetlands associated with Graveline Bayou, Section 5 Township 8 South, Range 7 West, City of Ocean Springs, Jackson County, Mississippi. , Latitude 30.382° North Longitude -88.7196° West. This area is depicted on the MS-Gautier North Quadrangle, United States Geological Survey Topographic Map, Hydrologic Unit Code 03170009.

**PROPOSED WORK:** The applicant proposes to fill 33.44 acres of wetlands associated with the construction of a residential subdivision adjacent to Belle Fontaine Road in Ocean Springs, Jackson County, Mississippi. The total project site is approximately 38.87 acres in size of which 35.36 acres have been identified as wetlands. Impacts include filling 33.44 acres of low-quality (based on MWRAP) wet pine savanna wetlands. The proposed project would avoid approximately 1.92 acres of jurisdictional wetlands. The applicant proposes to provide in-kind compensatory mitigation through an approved mitigation bank. Best management

practices would be utilized during and following all construction activities.

The applicant has applied for state water quality (WQ) certification in accordance with Section 401(a)(1) of the Clean Water Act, and for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQ certification and CZ consistency will be made by the Mississippi Department of Environmental Quality and the Mississippi Department of Marine Resources.

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 USACE 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.

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 full area of development for the overall project footprint. The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. The Corps has made a preliminary determination that the proposed project would have **no potential to cause effects** on historic properties. 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. This action constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the project area.

A preliminary review of this application, the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants and the National Marine Fisheries Service list of Mississippi's Threatened and Endangered Species indicate the proposed activity indicated the following species may be present within the affected watershed: the West Indian Manatee (*Trichechus manatus*)(T), the Mississippi Sandhill Crane (*Grus canadensis pulla*) (E), the Wood Stork (*Mycteria Americana*) (T), the Piping Plover (*Charadrius melodus*) (T), the Red Knot (*Calidris canutus rufa*) (T), the Gopher tortoise (*Gopherus polyphemus*) (T), the Mississippi Gopher Frog (*Rana sevosia*) (E), the Gulf sturgeon (*Acipenser oxyrinchus desotoi*)(T), the Loggerhead Sea Turtle (*Caretta caretta*)(T), 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 with the exception of the Mississippi Sandhill Crane. The proposed work **may affect, but is not likely to adversely affect** the Mississippi Sandhill Crane. This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for information on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2020-00440-MJF and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: South Mississippi Branch, with a copy 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, in time to be received within **30 days** of the date of this public notice.

If you have any questions concerning this publication, you may contact the project manager for this application, **MARYELLEN J. FARMER (Maryellen.j.farmer@usace.army.mil), phone (228) 627-1078**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our website at: [www.sam.usace.army.mil](http://www.sam.usace.army.mil) and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

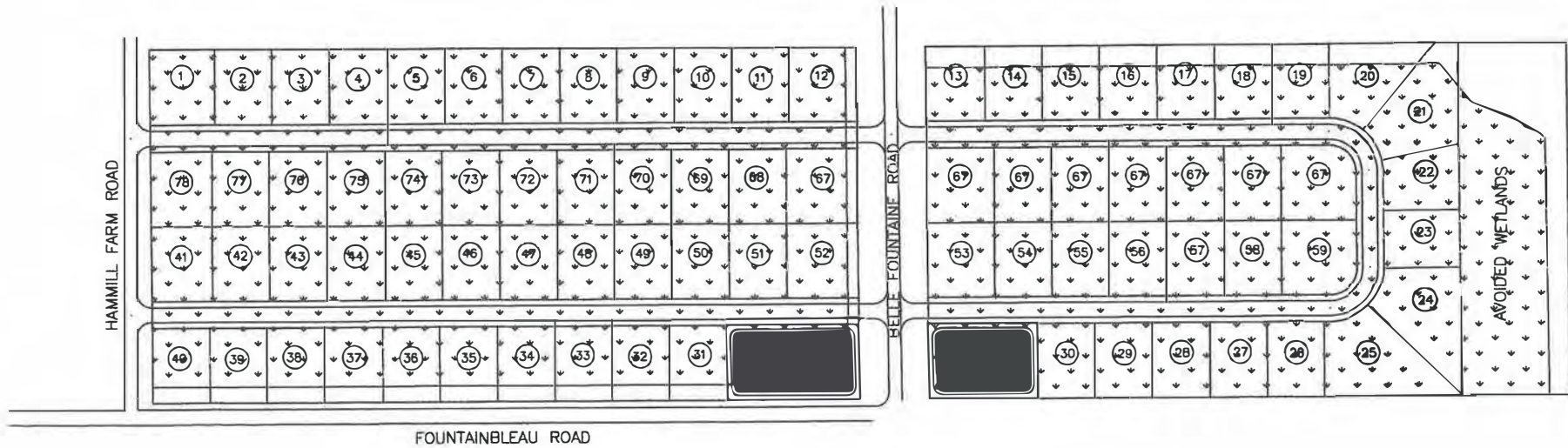
MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures





FIGURE 2. PALM POINT SUBDIVISION PROJECT LAYOUT  
 OCEAN SPRINGS, JACKSON COUNTY, MS



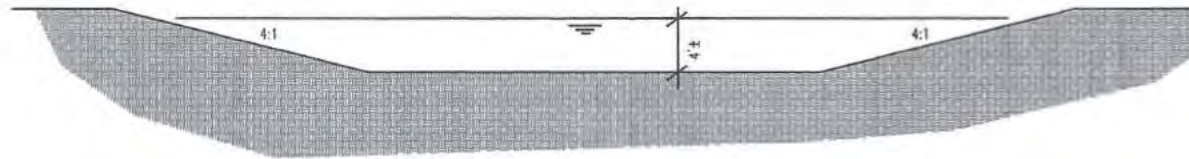
NONWETLAND — 3.51 ACRES

IMPACTED WETLANDS — 33.44 ACRES

AVOIDED WETLANDS — 1.92 ACRES

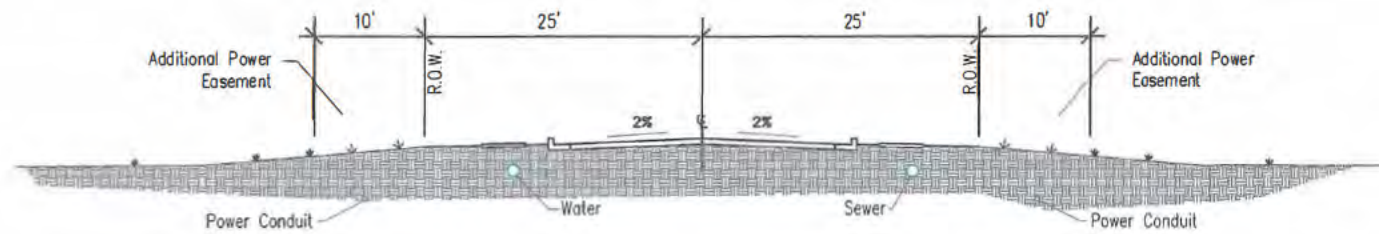


FIGURE 3. PALM POINT SUBDIVISION



CROSS SECTION OF ROAD CROSSING AT DETENTION POND

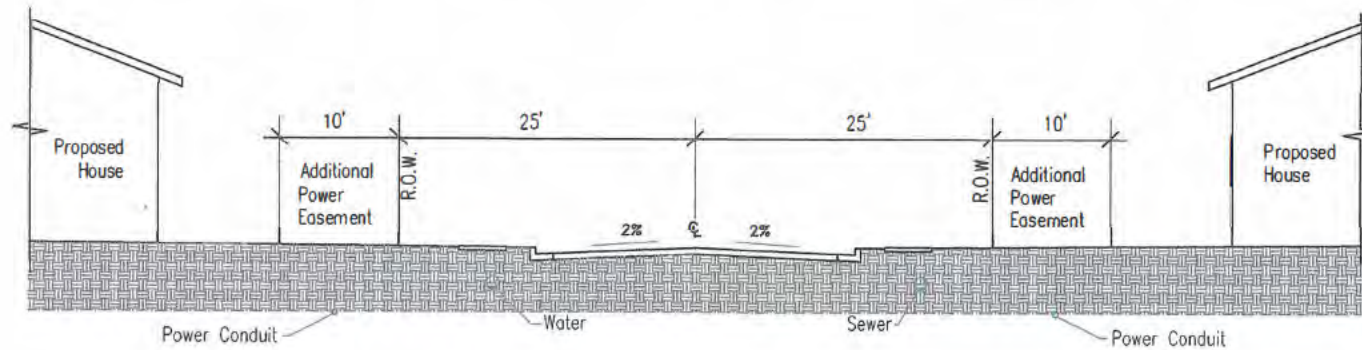
FIGURE 4. PALM POINT SUBDIVISION



CROSS SECTION OF TYPICAL ROAD AT WETLAND



FIGURE 5. PALM POINT SUBDIVISION



CROSS SECTION OF STREET AND TYPICAL LOTS