



REPLY TO
ATTENTION OF:

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

February 23, 2022

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2020-01053-AMR

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

**PROPOSED DISCHARGE OF FILL INTO 1.42 ACRES OF WETLANDS ASSOCIATED WITH
RESIDENTIAL DEVELOPMENT, BILOXI, 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: David Buchanan
2190 Pops Ferry Road
Biloxi, Mississippi, 39532

AGENT: Wetland Consulting Services, Inc.
Attention: Mr. Robert Anderson
21 Autumn Run
Hattiesburg, Mississippi, 39402

LOCATION: The project is located north of Lemoyne Boulevard in the St. Martin Community, Biloxi, Mississippi, Latitude: 30.4445 North, Longitude: -88.8512 West.

WORK DESCRIPTION: The applicant is proposing to fill 1.42 acres of wetlands to develop a 7.8 - acre parcel into a 32-single family home subdivision. The construction would provide suitable foundation for the construction of the homes and appurtenances.

PURPOSE: The purpose of this project is to provide homes in a residentially zoned area of the St. Martin Community, Biloxi, Mississippi. There are no secondary or future projects that this project is designed to support.

MITIGATION: Impacts to 1.42 acres of wetlands will be compensated for through the purchase of mitigation credits.

WATER QUALITY: The applicant is in the process of acquiring certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising, a determination relative to certification will be made.

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 U.S. Army Corps of Engineers (USACE) has determined that the permit area is the entire 7.8-acre project site. Based on a cultural resources survey of the site, the USACE has determined that the proposed project would have "No Effect" to 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 project area: Dusky Gopher Frog (*Rana sevosa*) (E), Gopher Tortoise (*Gopherus polyphemus*) (T), Gulf Sturgeon (*Acipenser oxyrinchus desotoi*) (T), Wood Stork (*Mycteria americana*) (T), Piping Plover (*Charadrius melodus*) (T), and Red Knot (*Calidris rufa*) (T). The review of the above species suggests that the proposed activity will have no effect on the listed species. 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.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The project area includes no resources that would be utilized by various life stages of various marine species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

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 (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 impacts, 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 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 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-2020-01053-AMR** and should be directed to USACE, Mobile District, Regulatory Division, Attention: Ms. Angela M. Rangel, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Environmental Permitting Division, Attention: Ms. Florance Bass, Post Office Box 2261, Jackson, Mississippi 39225; and to Willa Brantley of Wetlands Permitting, Mississippi Department of Marine Resources, 1141 Bayview Avenue, Biloxi, Mississippi 39530.

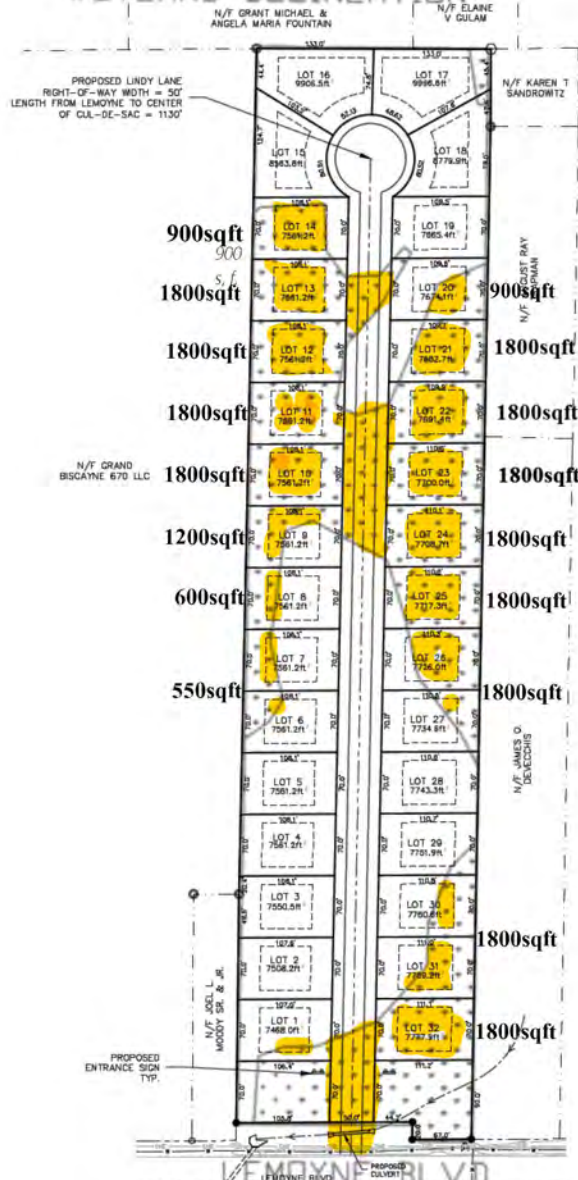
All comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager, at (251) 694-3873 or email at angela.m.rangel@usace.army.mil. Please refer to the above Public Notice number.

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

DAVID BUCHANAN OCEAN SPRINGS WETLAND DELINEATION



VICINITY MAP

NOTES:

1. PROPERTY IS LOCATED ON LEMOINE BOULEVARD APPROXIMATELY 2 MILES EAST OF BRITANNY AVENUE AND 3/4 MILES WEST OF WASHINGTON AVENUE. (TAX PARCEL #03611340.000)
2. AREA OF SUBJECT PROPERTY : 7.53 ACRES±
3. PROPERTY SHOWN IS ZONED R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT)
4. SETBACK REQUIREMENTS:
FRONT YARD = 25'
SIDE YARD = 10'
SIDE YARD = 12' (CORNER LOT ON SIDE STREET)
REAR YARD = 25'
5. THE LOCATION OF UTILITIES ARE APPROXIMATE ONLY. EXCAVATION NEAR UTILITIES SHOWN SHOULD BE DONE WITH CAUTION. THE MISSISSIPPI ONE-CALL NETWORK (1-800-227-6477) SHOULD BE NOTIFIED PRIOR TO COMMENCING WITH EXCAVATION ACTIVITIES. ADDITIONAL UNDERGROUND UTILITIES MAY EXIST. LACKING EXCAVATION THE EXACT LOCATION OF UNDERGROUND UTILITIES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.

UTILITY COMPANIES IN THAT AREA:

MS CODE:	NAME:
MS0184	SOUTHERN LIGHT LLC
MS3020	SIXING RIVER EPA GAUTIER OFFICE
MS3000	AT&T DISTRIBUTION
MS3060	CABLE ONE BILOXI
MS7755	CENTERPOINT ENERGY GULFPORT 2
MS9708	WEST JACKSON COUNTY UTILITY DISTRICT

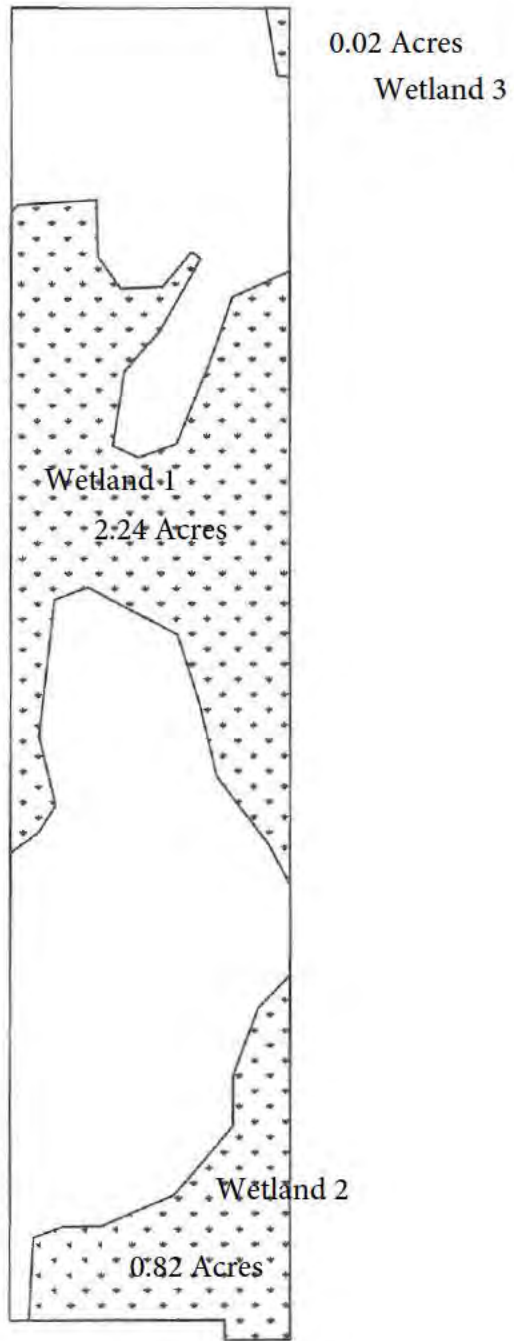
WETLAND - 3.08 ACRES
NONWETLAND - 4.71 ACRES

DANA SANDERS 6/12/21

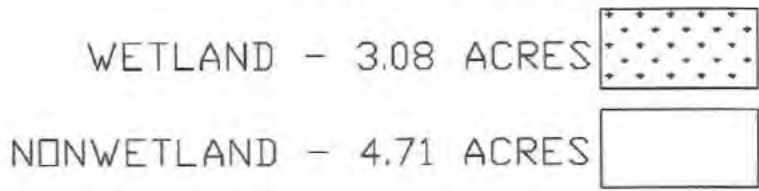
PROJECT # 1651-18	DATE 07/26/18	W ENGINEERING, P.A.	
SCALE 1" = 100'	DR. BY CHUCK		
CLASS "C"	REVISION 10/02/19	301 Central Avenue East Wiggins, MS 39577	Office 601-928-5981 www.weng-ms.com

SKETCH PLAT FOR:
OAK BAYOU ESTATES
SITUATED IN SECTION 11, T7S, R9W,
JACKSON COUNTY, MISSISSIPPI

DAVID BUCHANAN OCEAN SPRINGS
WETLAND DELINEATION



LEMOYNE BLVD



DANA SANDERS 6/12/21

Final Plan – 1.42 Acre Impact



Legend

- Property Boundary
- Lot Impact
- Road Impact
- wetlands

DAVID BUCHANAN
Topographical Map

Arcmap DB
08/25/2021

Wetland Consulting Services, Inc.