



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

CESAM-RD-M  
PUBLIC NOTICE NO. SAM-2021-00278-MJF

July 12, 2021

**JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS (USACE)**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES  
DMR21-000142**

**PROPOSED WETLAND FILL FOR CONSTRUCTION OF A COMMERCIAL  
DEVELOPMENT, CITY OF GULFPORT, HARRISON 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:** Harrison County Development Commission  
Attn: Mr. Bill Lavers  
12281 Intraplex Parkway  
Gulfport, Mississippi 39503  
[blavers@mscoast.org](mailto:blavers@mscoast.org)

**WATERWAY AND LOCATION:** Wetlands associated with Bernard Bayou and the Industrial Seaway, Section 13, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi (Latitude 30.434° North; Longitude -80.046° West). This area is depicted on the Mississippi-Gulfport North Quadrangle, United States Geological Survey Topographic Map, Hydrologic Unit Code 03170009

**PROPOSED WORK:** The applicant proposes to fill 2.60 acres of wetlands associated with the construction of a commercial development off Seaway Road within the Industrial Complex, City of Gulfport, Harrison County, Mississippi. The project will include the construction of four commercial buildings, driveways, parking areas with all appurtenances and stormwater detention. The total project site is approximately 19 acres in size of which 4.2 acres have been identified as wetlands. Impacts include filling 2.6 acres of low-quality wet pine savanna wetlands. The applicant proposes to provide in-kind compensatory mitigation through a mitigation bank.

The applicant has applied for coastal zone (CZ) consistency in accordance with the State

Coastal Zone Management Program. The Mississippi Department of Marine Resources (MDMR) issued consistency certification by letter dated May 13, 2021 (DMR21-000142).

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority).

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, 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 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, USACE has determined the permit area consists of the entire 19-acre parcel. The National Register of Historic Places has been consulted and numerous surveys were conducted nearby; however, no sites were located within a mile of the project location. A Phase I Cultural Resources Survey was conducted on the project site in April 2021 (Report #21-0126). No standing structures or archaeological remains were identified. The Survey was submitted to the Mississippi Department of Archives and History (MDAH) by the MDMR. MDAH responded by letter dated May 5, 2021 (MDAH Project Log #04-137-21) stating that after reviewing the information provided, they concur no historic resources would be effected, and no further archaeological work is needed and they have no reservations with the proposed project. USACE has made a preliminary determination that the proposed project would have no effect 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 will have **no effect** on endangered or threatened species, or their critical habitat. The review indicated the following terrestrial species may be present within the affected watershed: the Wood Stork (*Mycteria Americana*) (T), the Piping Plover (*Charadrius melodus*) (T), the Red Knot (*Calidris canutus rufa*) (T), the Louisiana Quillwort (*Isoetes louisianensis*) (E), the Gopher tortoise (*Gopherus polyphemus*) (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. 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-2021-00278-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.

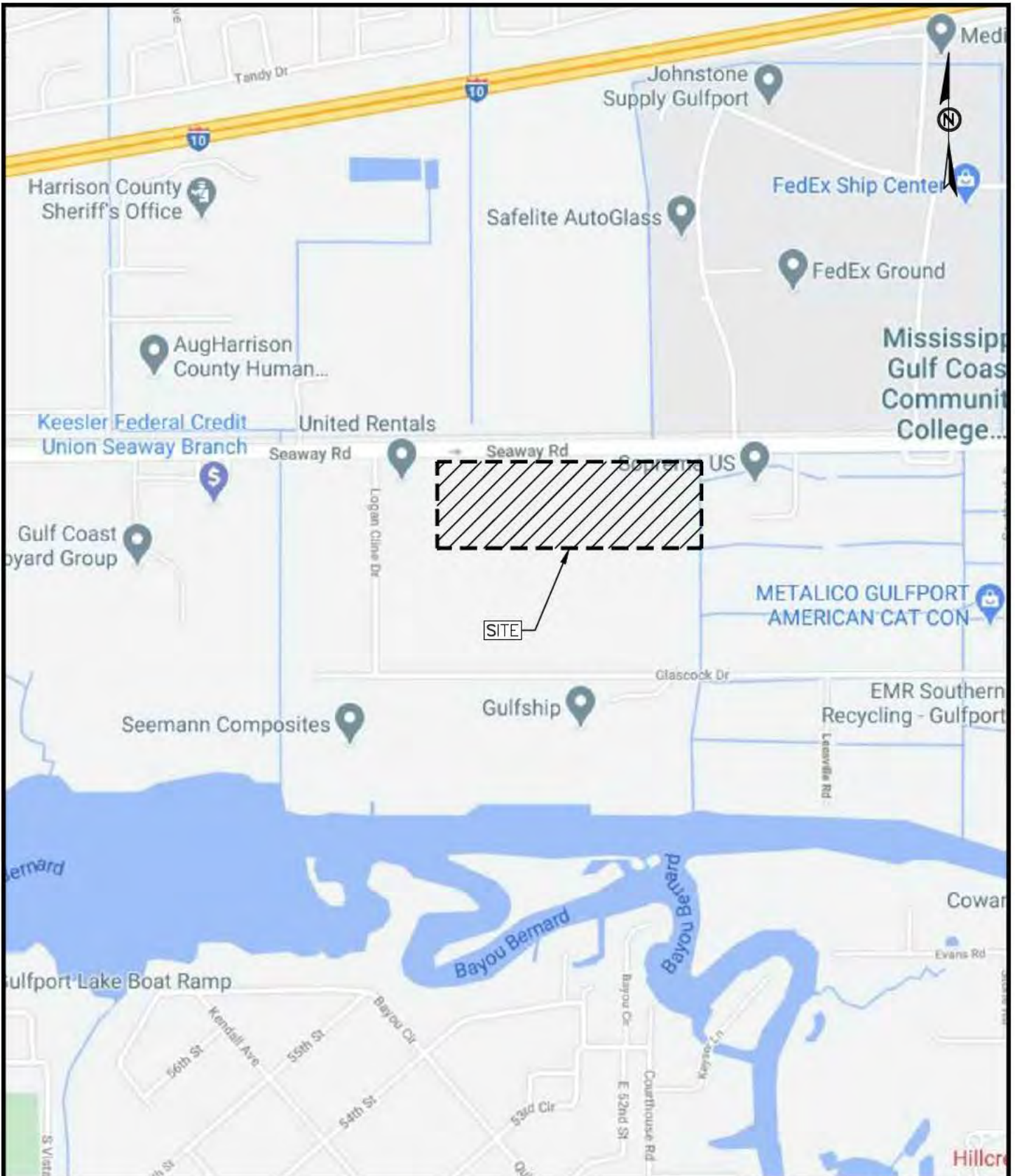
If you have any questions concerning this publication, you may contact the project manager

for this application, Maryellen Farmer(maryellen.j.farmer@usace.army.mil), phone (228) 523-4116. 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



**OVERALL WETLANDS VICINITY MAP**

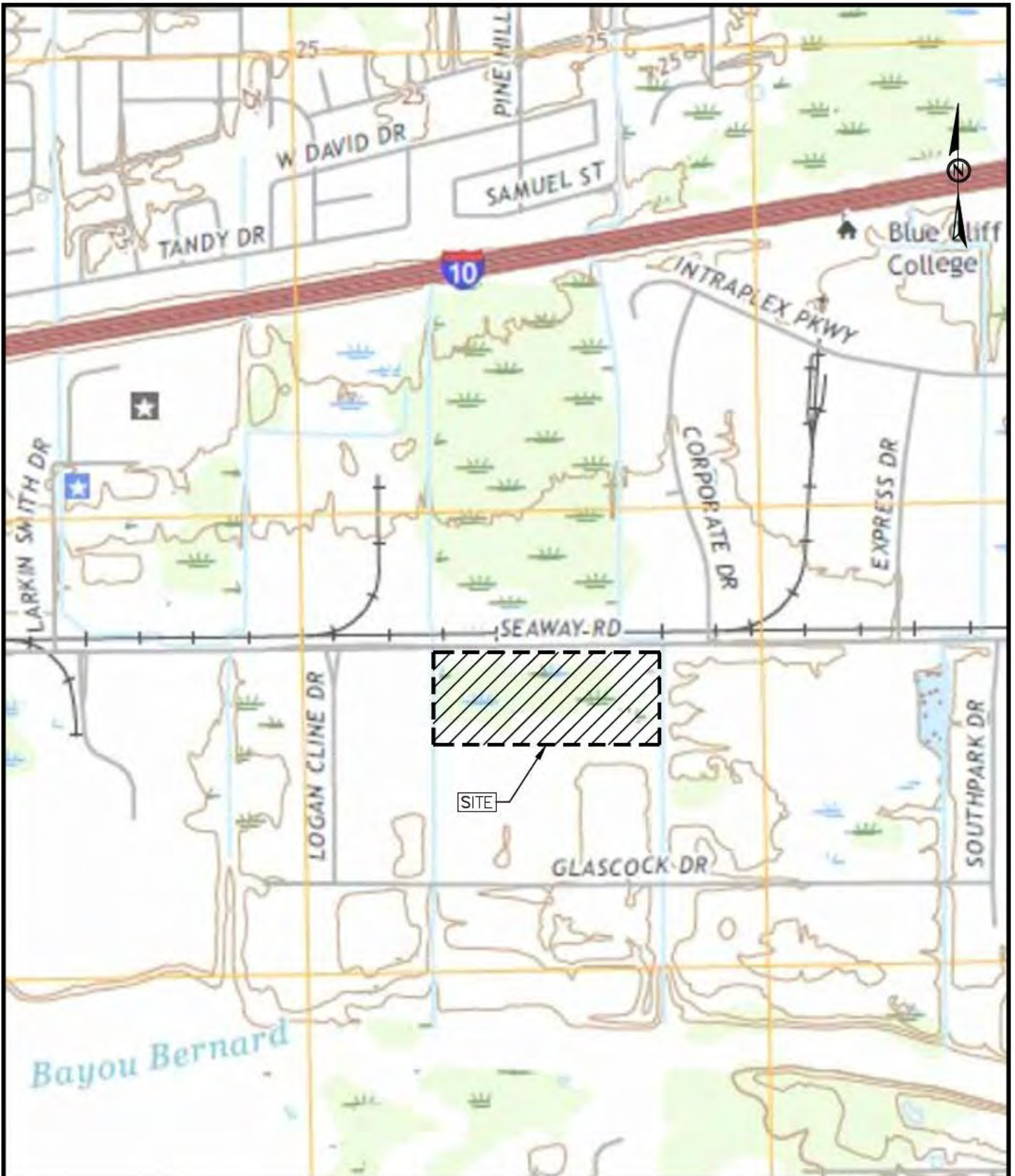
**HARRISON COUNTY  
DEVELOPMENT COMMISSION  
HARRISON COUNTY, MISSISSIPPI**



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SURVEYING**  
918 HOWARD AVE., SUITE F  
Biloxi, Mississippi 39530  
O: 228.388.1950 | F: 228.388.1971  
www.mpeng.us

SCALE:	N.T.S.
PROJECT NO:	0181.15.001
DATE:	01/28/2021
DRAWN BY:	JMS
CHECKED BY:	GWK
SHEET NO.:	<b>IM-01</b>
SHEET	<u>1</u> OF <u>6</u>





U.S.G.S. QUAD MAP

HARRISON COUNTY  
DEVELOPMENT COMMISSION  
HARRISON COUNTY, MISSISSIPPI



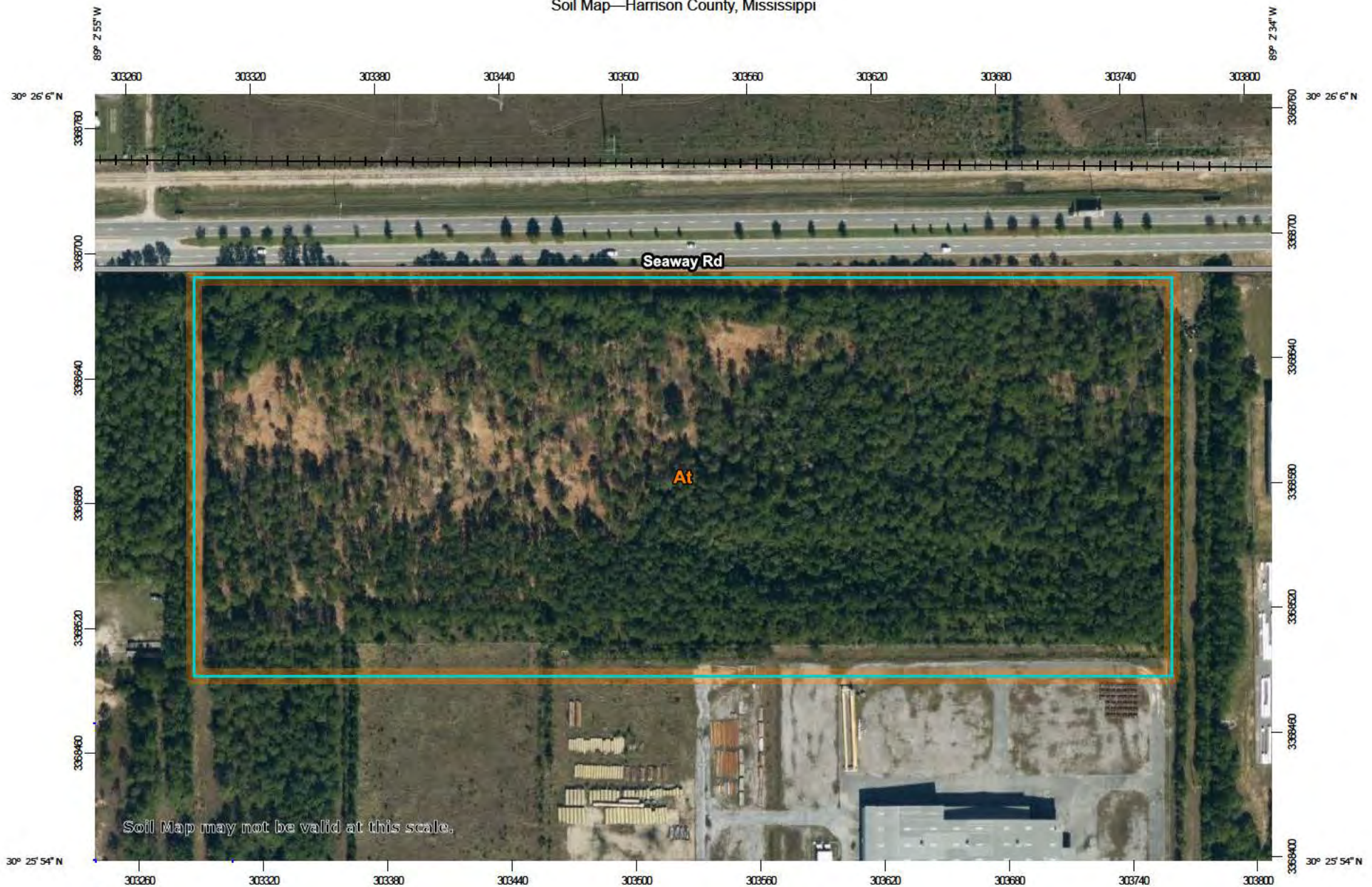
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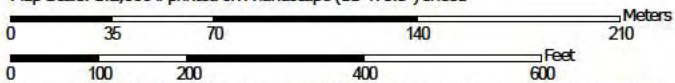
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DRAWN BY:	JMS
CHECKED BY:	GWK
SHEET NO.:	<b>IM-02</b>
SHEET	<u>2</u> OF <u>6</u>



Soil Map—Harrison County, Mississippi



Map Scale: 1:2,600 if printed on A landscape (11" x 8.5") sheet.

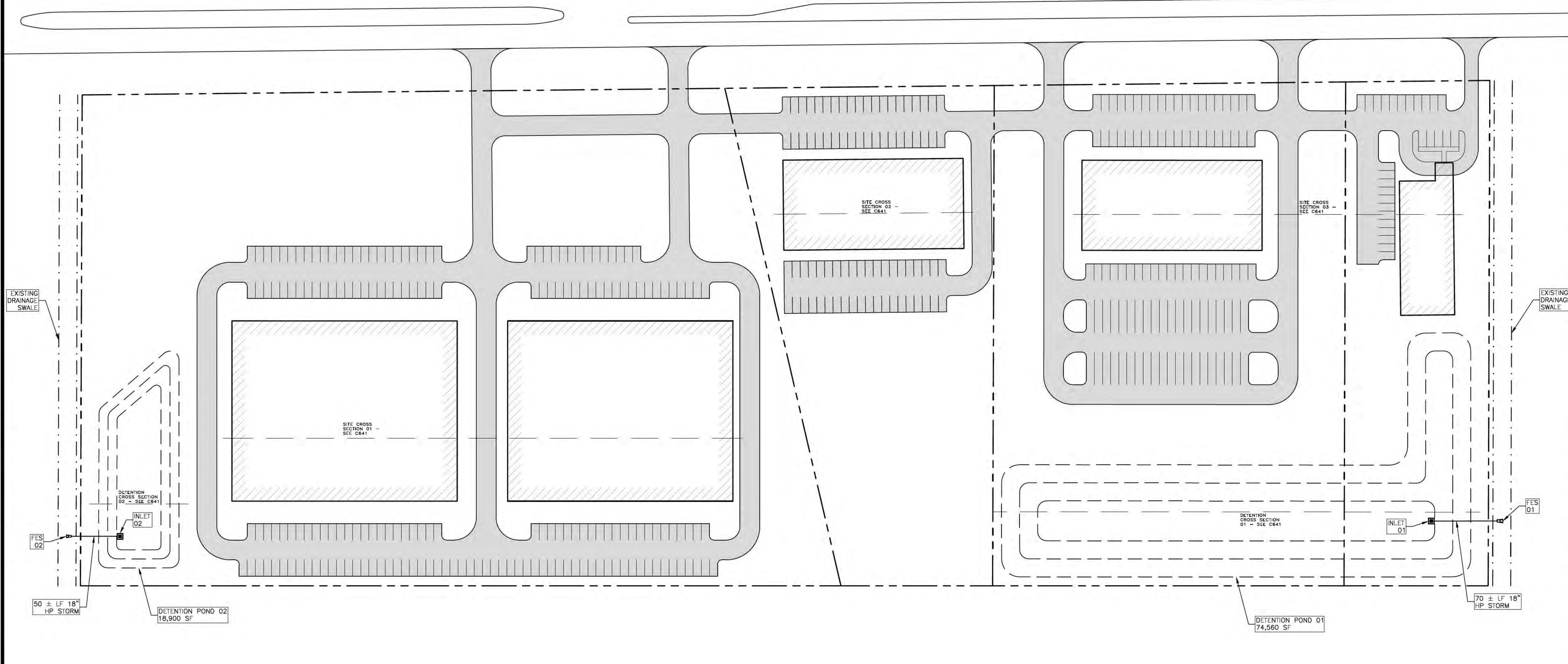


Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84





PRINTED: 6/10/2021 4:03 PM BY: Jack Schmidt LAST SAVED: 6/10/2021 4:01 PM BY: Jschmidt  
 m:\0181\_harrison county development commission\0181.15.001\_hcdc - misc. exhibits\02--civil\03--production\07--wetlands permit\seaway rd drainage.dwg



**NOT FOR CONSTRUCTION**  
 THESE PLANS ARE PERMITTING AND BIDDING PURPOSES ONLY! ONCE ALL PERMITS HAVE BEEN OBTAINED, AN "ISSUED FOR CONSTRUCTION" SET OF PLANS WILL BE ISSUED.

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 Bradford A. Jones, Architect

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**SEAWAY ROAD DEVELOPMENT**  
**HARRISON COUNTY**  
**DEVELOPMENT COMMISSION**  
**SEAWAY ROAD**  
**GULFPORT, MISSISSIPPI 39503**

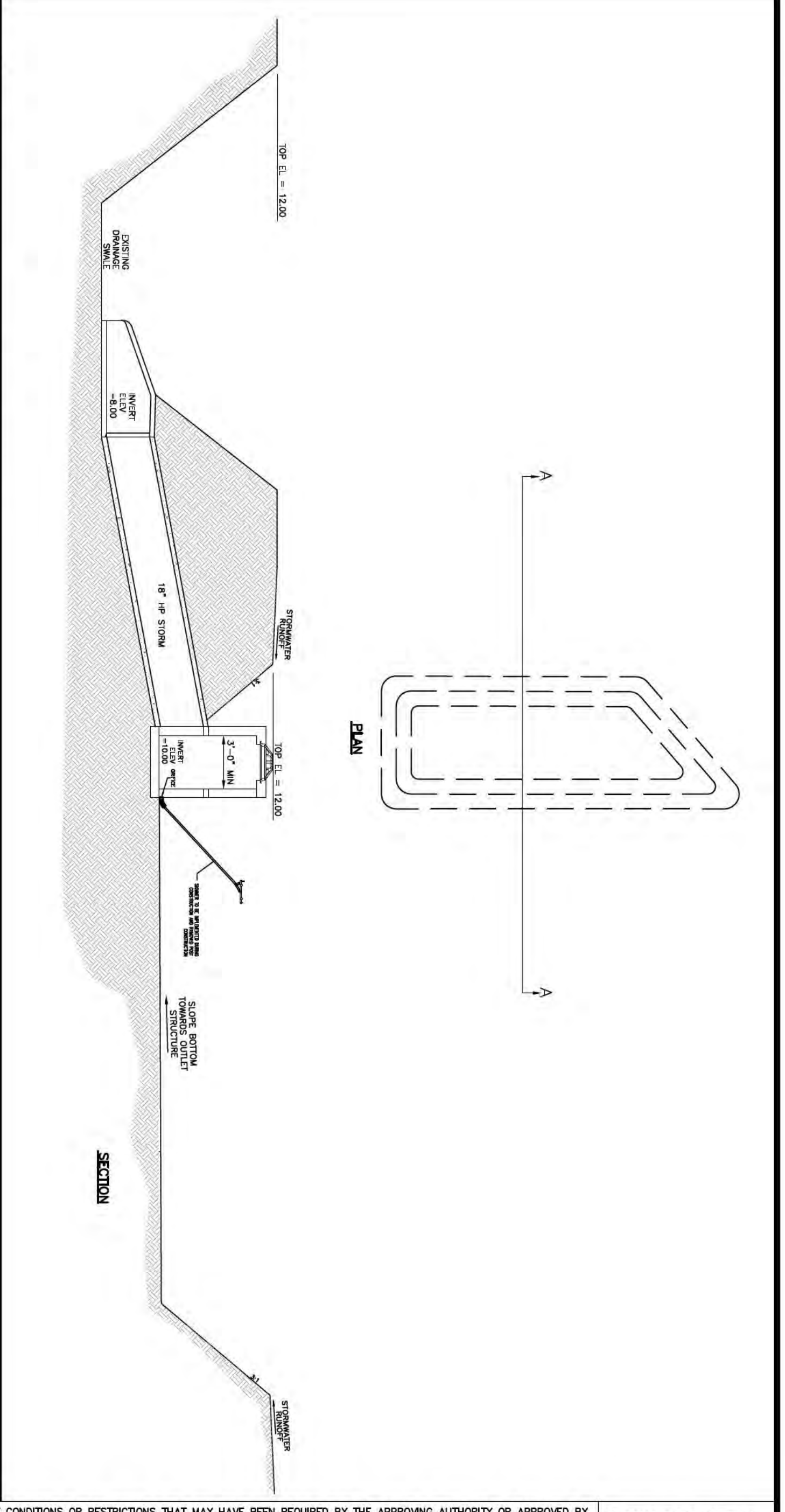
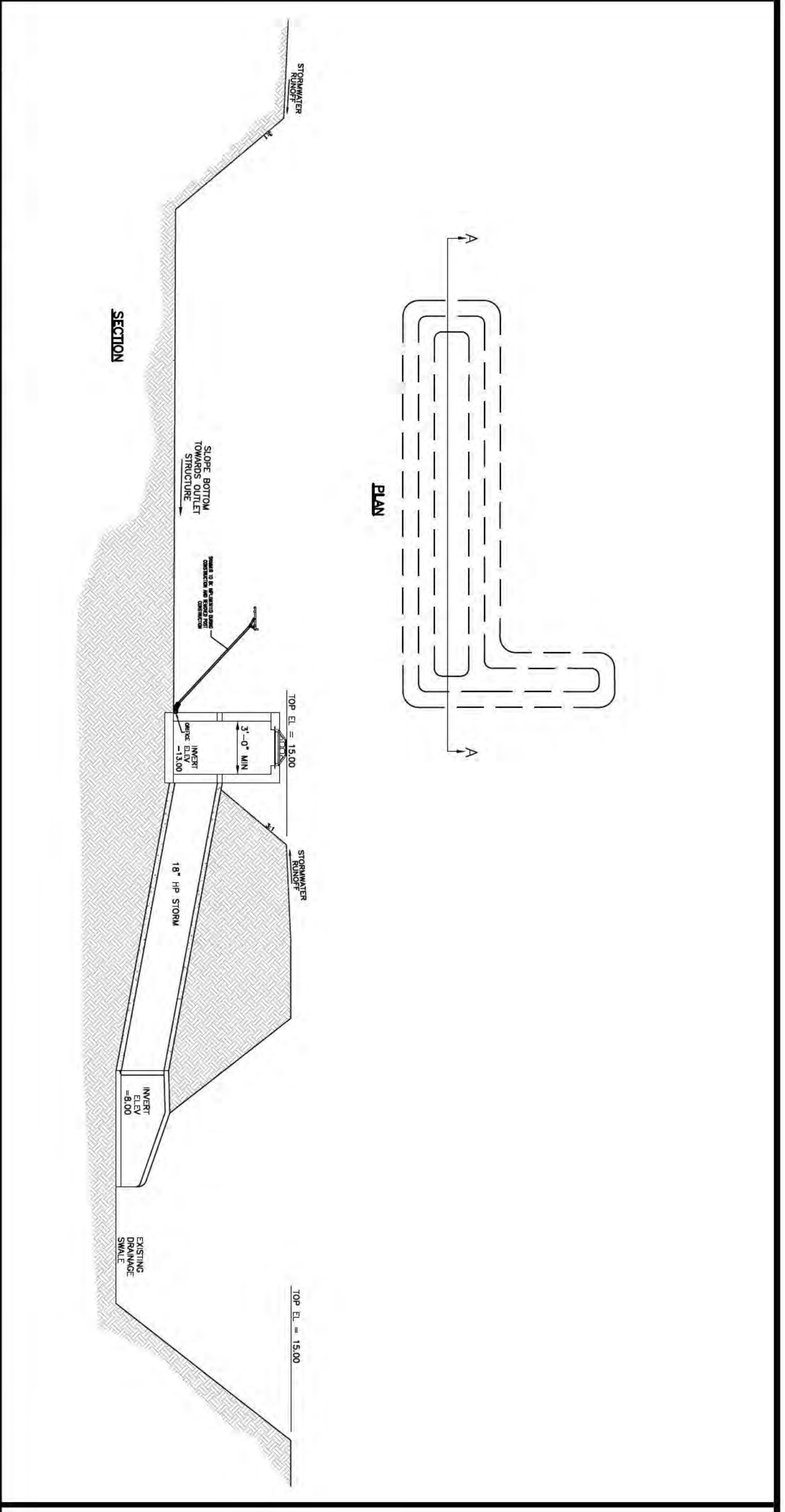
SCALE: AS INDICATED	
PROJECT NO: 0181.15.001	
DRAWN BY: JMS	
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REV #	DATE	REVISION NAME	SUBMITTED FOR:	SUBMITTAL DATE:
			USACE SUBMITTAL	06.10.2021

SHEET NUMBER	<b>EX 01</b>
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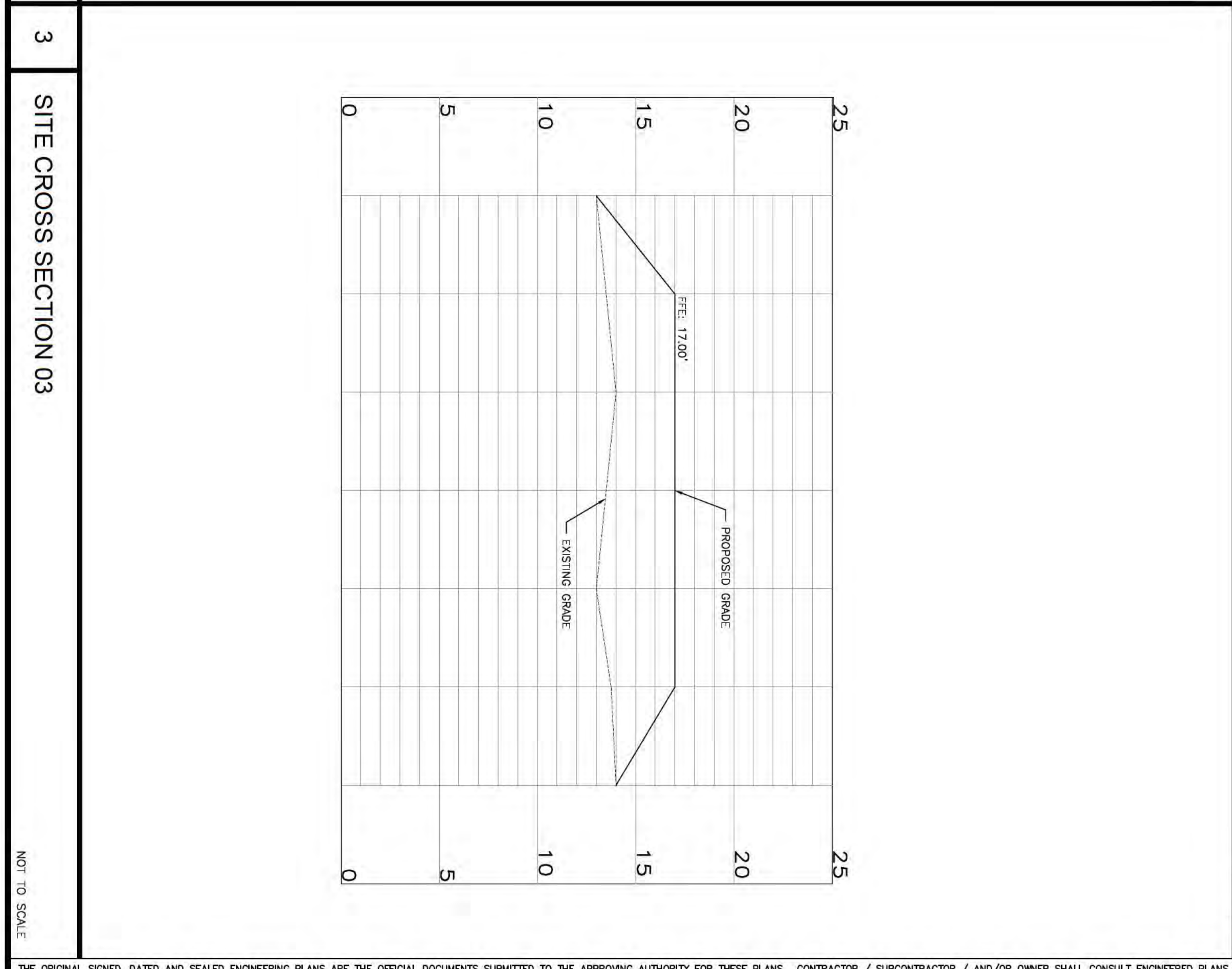
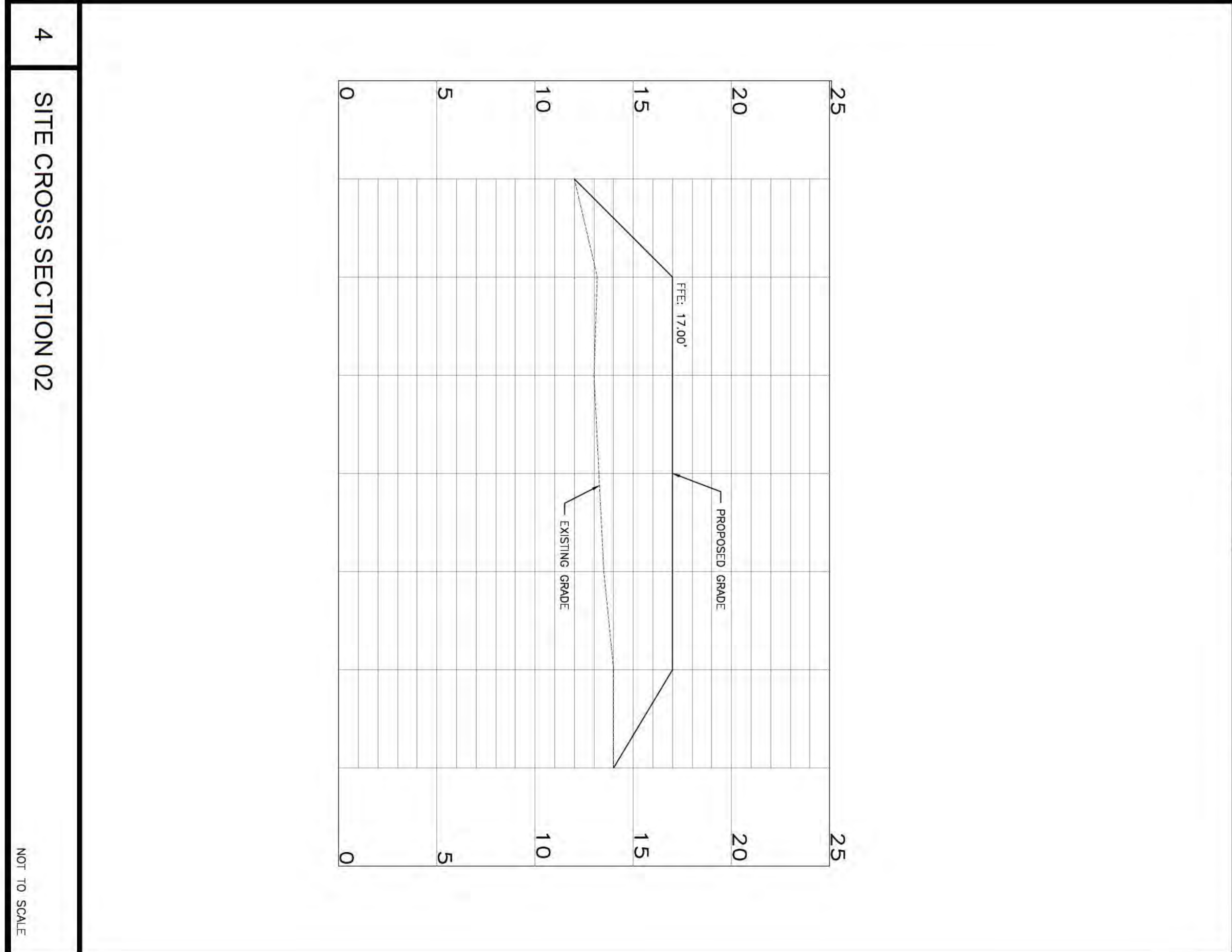
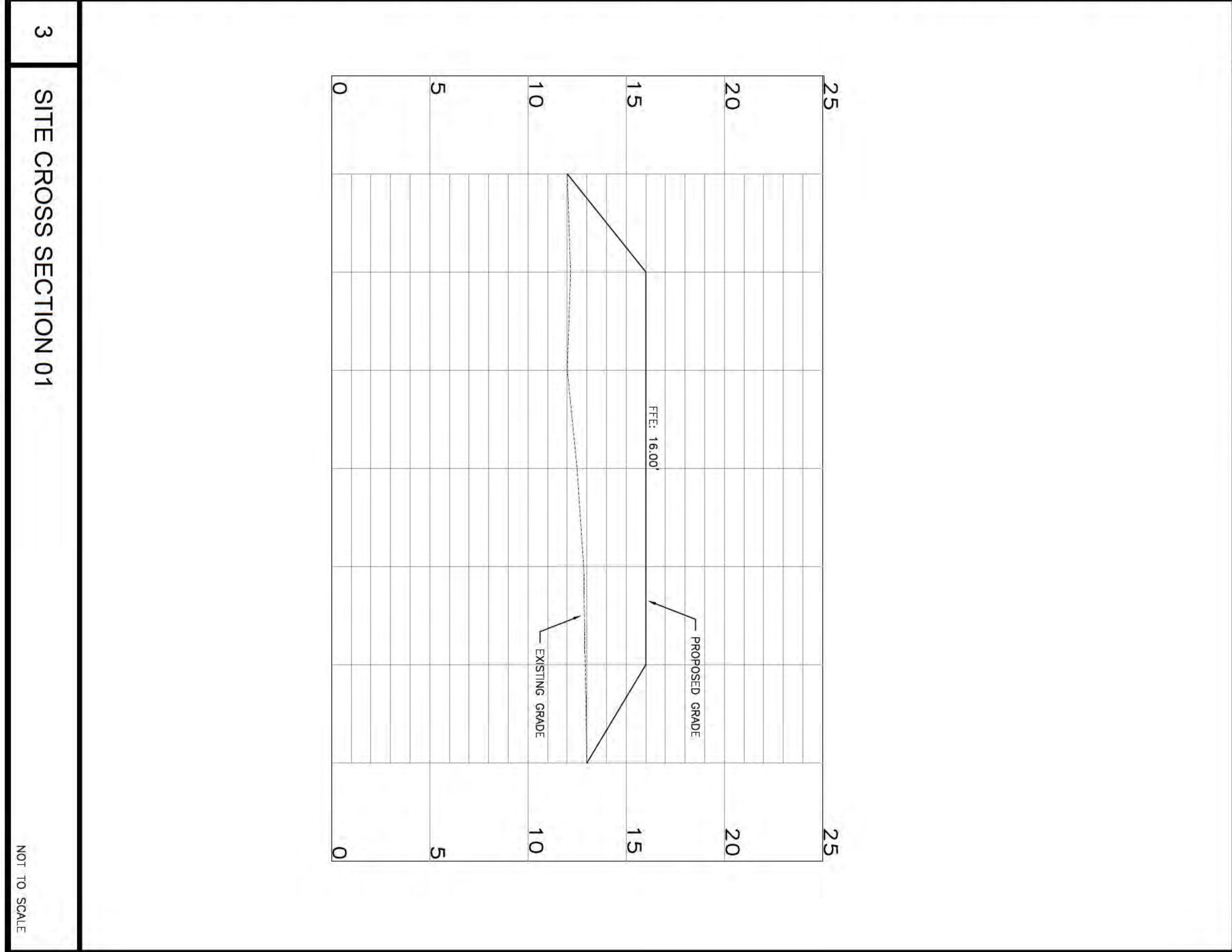




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REV #	REV DATE	REVISION NAME

**SITE GRADING AND DRAINAGE DETAILS**

SCALE AS INDICATED  
 PROJECT NO: 0181.15.001  
 DRAWN BY: JMS  
 CHECKED BY: NMM

SEAWAY ROAD DEVELOPMENT  
 HARRISON COUNTY  
 DEVELOPMENT COMMISSION  
 SEAWAY ROAD  
 GULFPORT, MISSISSIPPI 39503

SUBMITTED FOR: USACE SUBMITTAL  
 SUBMITTAL DATE: 06.10.2021

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