



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

**CESAM-RD-M**  
**PUBLIC NOTICE NO. SAM-2022-00392-MJF**

**July 8, 2022**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**  
**DMR22-000228**

**WETLAND FILL ASSOCIATED WITH THE CONSTRUCTION OF A RESIDENTIAL**  
**SUBDIVISION, GRAVELINE BAYOU, 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 (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT: ERSG, LLC**  
**Attention: Mr. Roger Applewhite**  
**P.O. Box 1443**  
**Ocean Springs, Mississippi 39553**  
**rapple@cableone.net**

**WATERWAY AND LOCATION: Within Wetlands Associated with Graveline Bayou, Section 6, Township 8 South, Range 7 West, Latitude 30.380111° North, Longitude -88.717124° West, Jackson County, Mississippi.**

**PROPOSED WORK:** The applicant proposes to fill 14.45 acres of wetlands associated with the construction of a 52-lot residential subdivision adjacent to Belle Fountain Road, in Ocean Springs, Jackson County, Mississippi. The project is considered Phase 2 of the overall Applewhite Subdivision. Phase 1 was issued to the Randall Real Estate Corp. under file number SAM-2018-00944-JRO. The subject site consists of two parcels separated by the Phase 1 parcel. The north parcel is 16.68 acres in size and the south parcel is 13.83 acres in size. The total project site is approximately 30.51 acres in size of which 18.20 acres have been identified as jurisdictional wetlands, 1.38 acres as other waters and 10.93 and non-wetlands. Impacts include filling 14.45 acres of pine savanna wetlands. The proposed project included the installation of streets, utility lines, house pads and driveways. The applicant proposes to provide in-kind compensatory mitigation through an approved mitigation bank.

The applicant has applied for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. A determination relative to CZ consistency will be made by the Mississippi Department of Marine Resources. (DMR22-000228).

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 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 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 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.

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 footprint of the proposed subdivision. 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. A Phase I Cultural Resources Survey was conducted April 22, 2022, for the subject parcel. The USACE has made a preliminary determination that the proposed project would have “no effect” to historic properties. USACE provided the Survey and determination to Mississippi Department of Archives and History (MDAH) by email dated May 10, 2022. MDAH provided concurrence by letter dated June 2, 2022. (MDAH Project Log #05-049-22). However, we are also 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.

Preliminary review of this application and the U.S. Department of the Interior’s List of Endangered and Threatened Wildlife and Plants indicated the following species may be present onsite: The Eastern Black Rail (*jamaicensis jamaicensis*) (T), the Mississippi Sandhill Crane (*Grus canadensis pulla*) (E), the Dusky Gopher Frog (*Rana sevosa*) (E), the Wood Stork (*Mycteria americana*) (T), and the Gopher Tortoise (*Gopherus polyphemus*) (T). The USACE preliminary determination is that the proposed activity will have **no effect** on the listed endangered or threatened species, or their critical habitat. 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-2022-00392-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](mailto:maryellen.j.farmer@usace.army.mil)), at (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



MISSISSIPPI SANDHILL CRANE

NATIONAL WILDLIFE REFUGE

BAYOU

Ocean Springs

Belle Fontaine Point

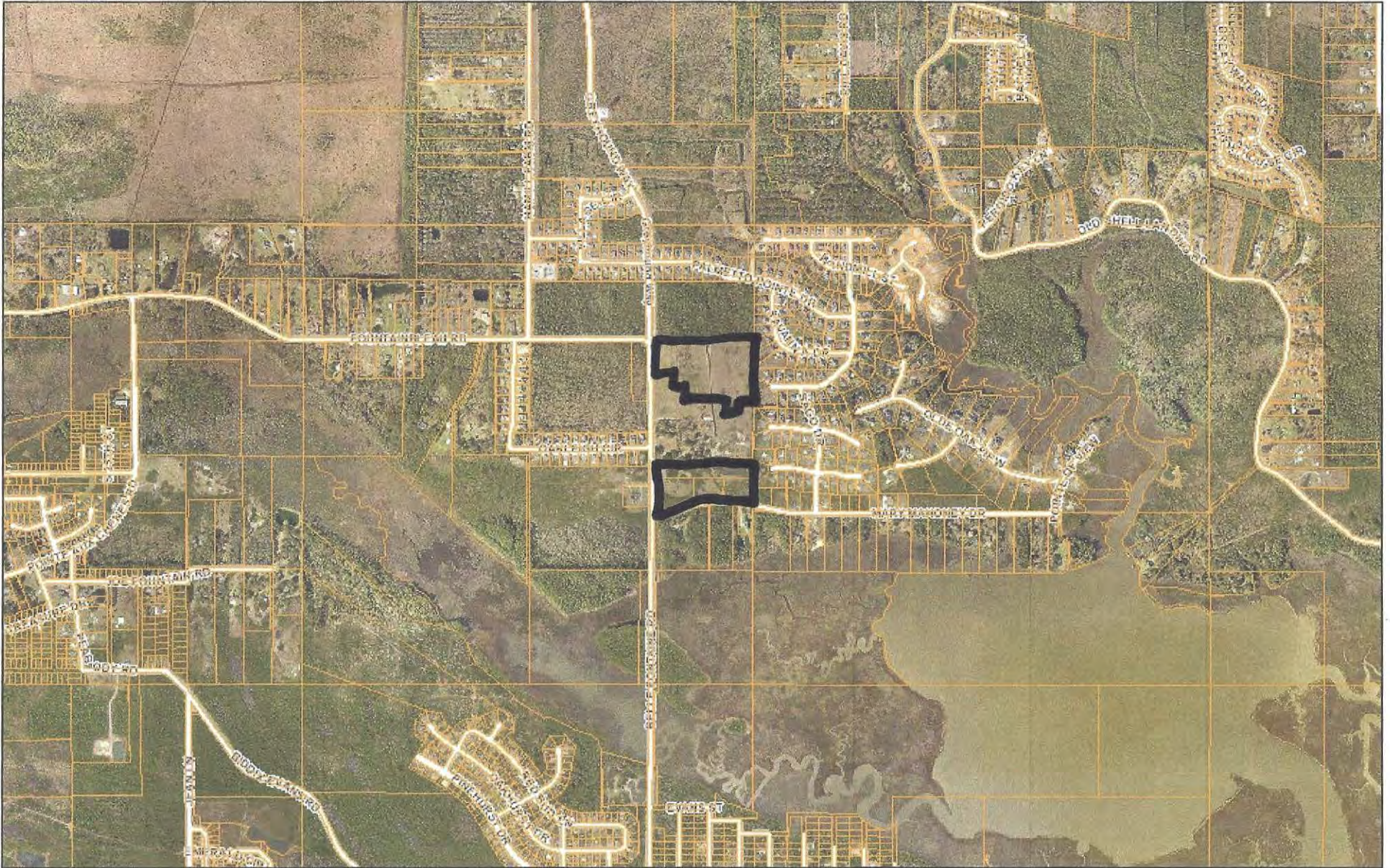
Bayou de l'Est

Bayou

Belle Fontaine Point

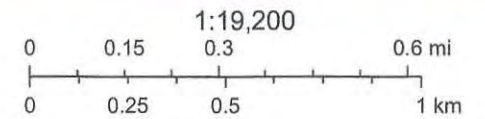
5000 ft

# APPLEWHITE PHASE 2 SITE LOCATION MAP



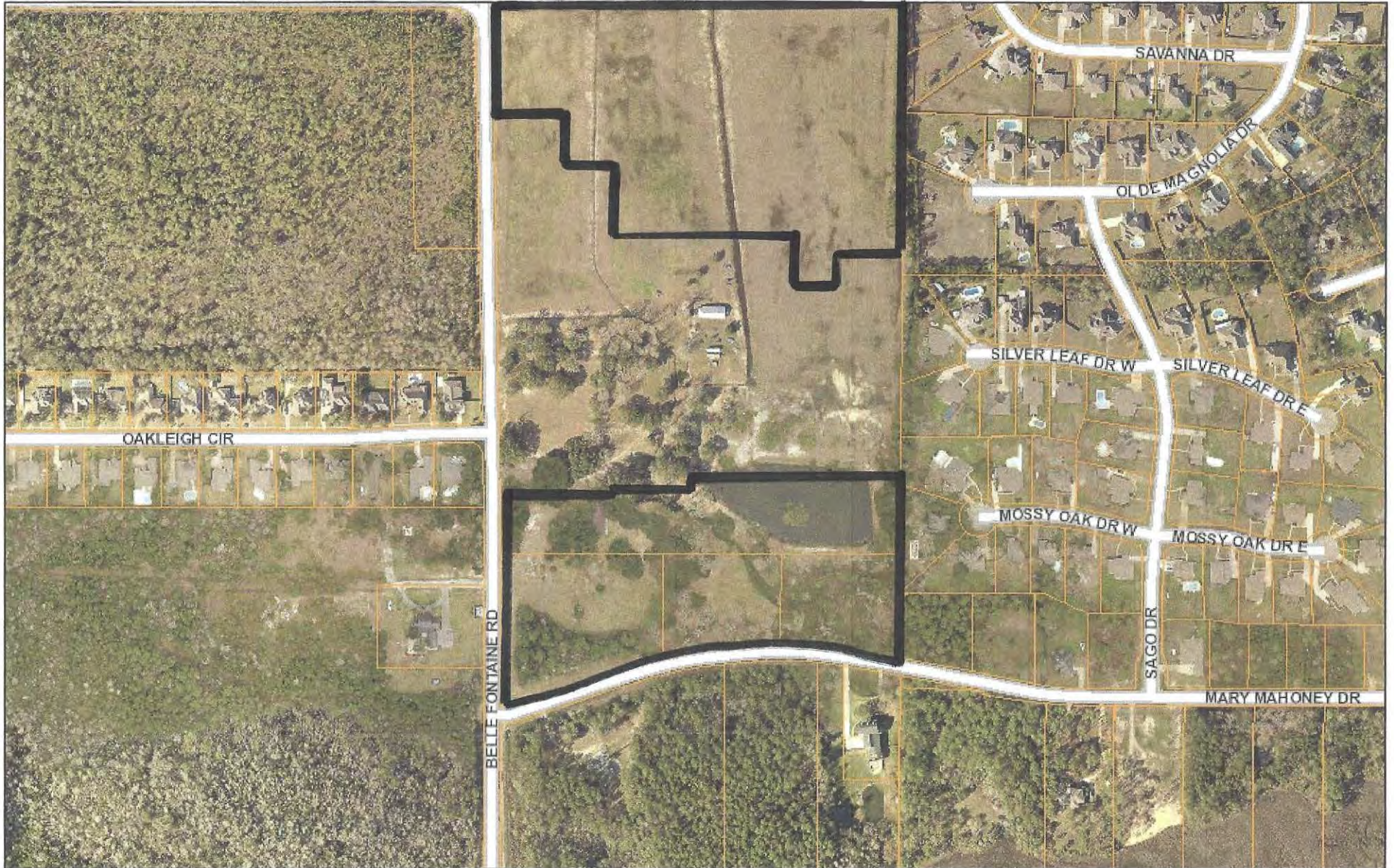
March 14, 2022

-  Parcels
-  Primary Roads
-  Major
-  Center Lines



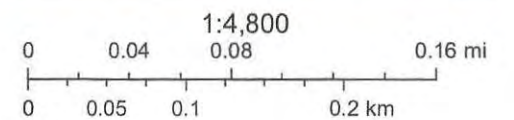
Jackson County GIS | 1

# APPLEWHITE PHASE 2 GOOGLE IMAGE



March 14, 2022

- Parcels
- PrimaryRoads
- Major
- CenterLines



Jackson County GIS , 1

FIGURE 2. APPLEWHITE SUBDIVISION PHASE 2  
 JACKSON COUNTY, OCEAN SPRINGS, MS

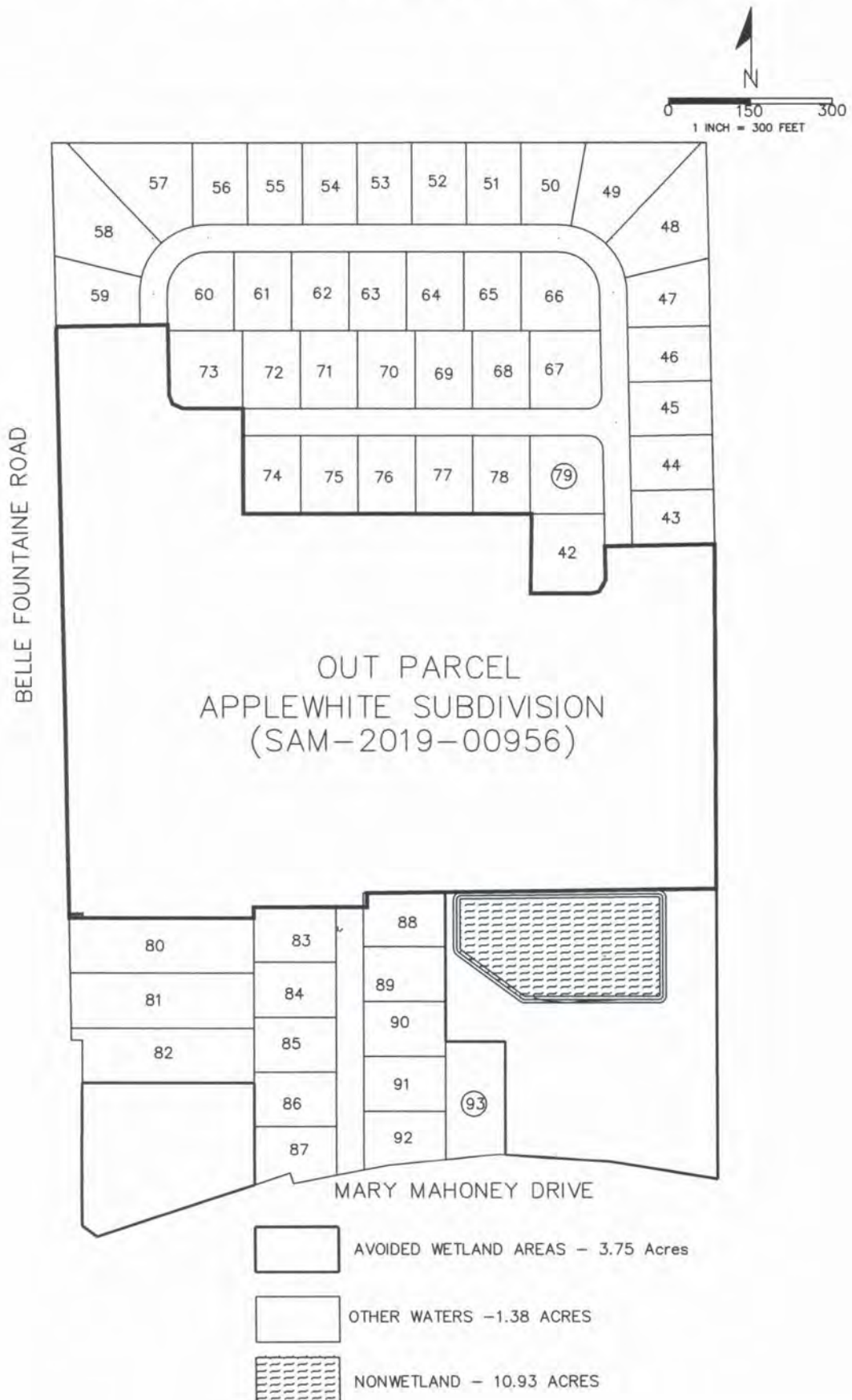
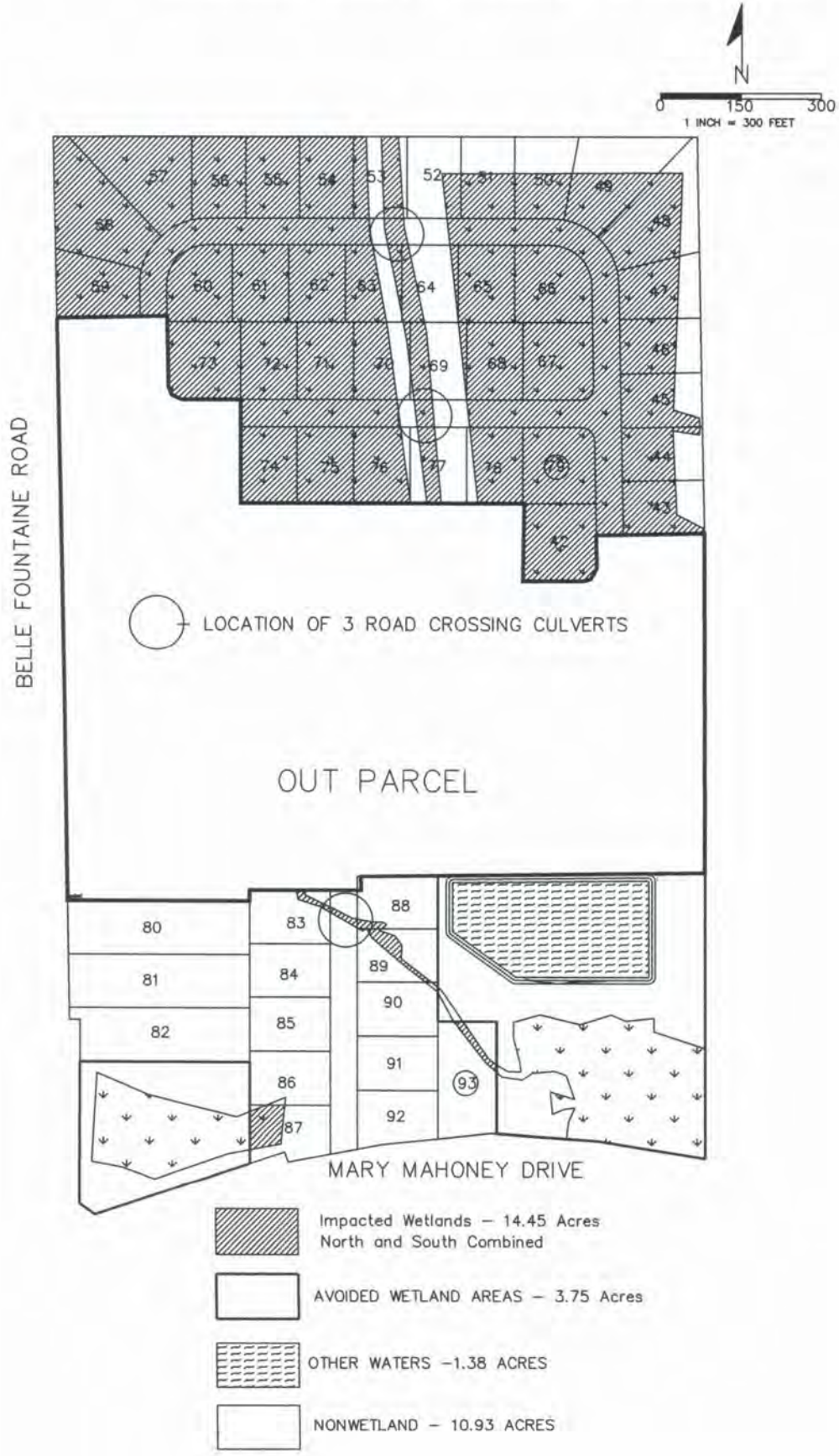
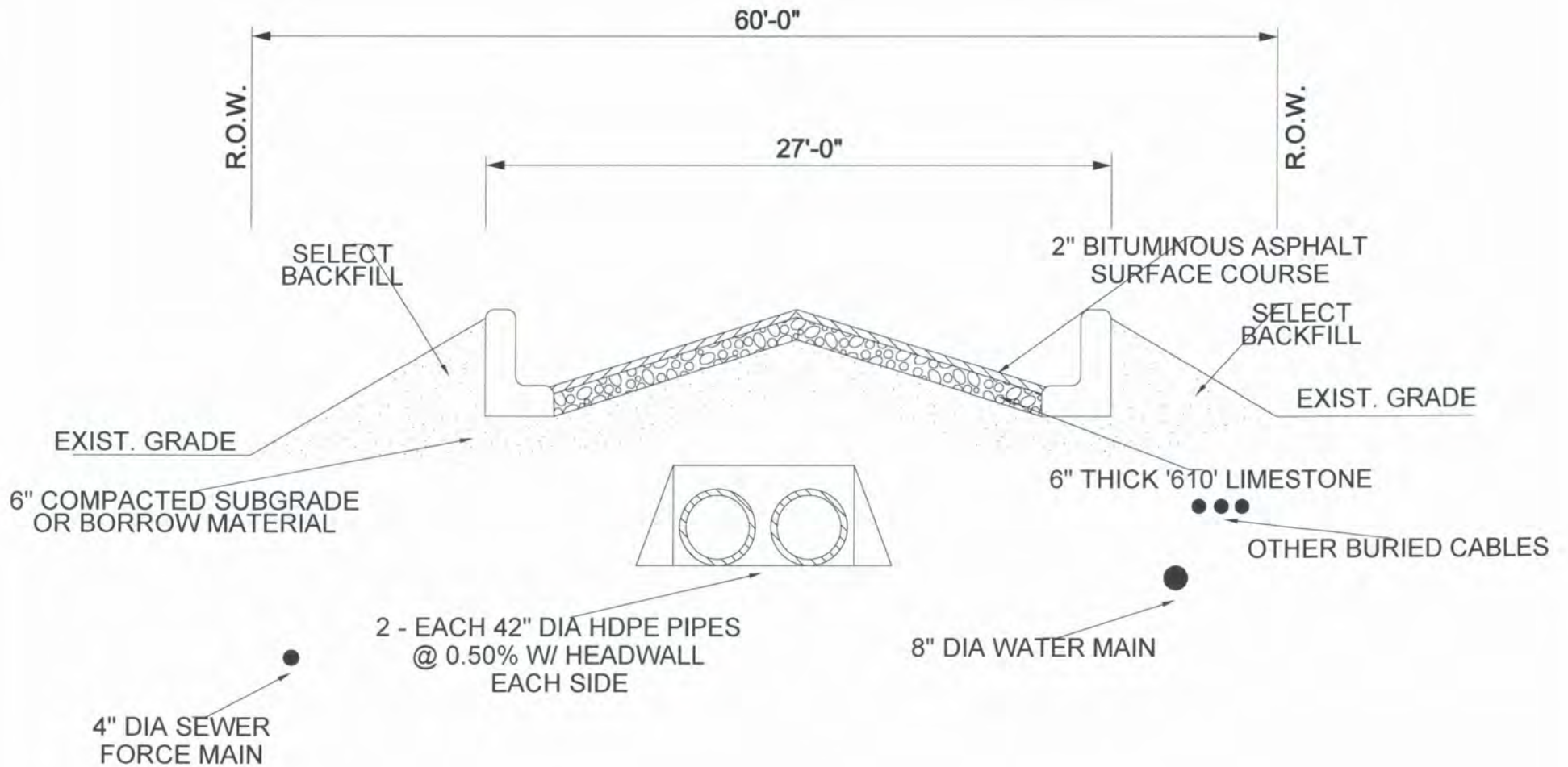




FIGURE 2. APPLEWHITE SUBDIVISION PHASE 2  
 JACKSON COUNTY, OCEAN SPRINGS, MS



# SECTION VIEW OF STREET CROSSING THROUGH A WETLAND



ROAD CROSS-SECTION DETAIL  
NOT TO SCALE

FIGURE 3. CROSS SECTION MAPS FOR APPLEWHITE PHASE 2

