



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

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2022-00465-PAH (DMR22-000306)

September 14, 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

PROPOSED WETLAND FILL FOR THE CONSTRUCTION OF AN APARTMENT
COMPLEX IN OCEAN SPRINGS, 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) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). Please communicate this information to interested parties.

APPLICANT: Oak Capital, LLC
Post Office Box 197
Ocean Springs, Mississippi 39566

WATERWAY AND LOCATION: At 14912 Cook Road, in waters of Cypress Creek, Section 2, Township 7 South, Range 9 West, Ocean Springs, Jackson County, Mississippi (latitude 30.4589° North, longitude 88.8588° West). The project site includes waters in Cypress Creek, in the Coastal Mississippi drainage (HUC 03170009).

PROPOSED WORK: The applicant proposes to 4.37 acres of wetlands and impact 133.7 linear feet of intermediate stream associated with Cypress Creek. All impacts would be associated with the construction of an apartment complex and associated features. The applicant proposes the purchase of mitigation credits to offset any wetland impacts.

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 (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 USACE has determined the permit area consists of the entire project site. 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 U.S. Army Corps of Engineers (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. 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-2021-01122-PAH** 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.

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) 690-3222, or email at philip.a.hegji@usace.army.mil. Please refer to the above Public Notice number.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

OAK CAPITAL, LLC
 CONTACT: MR. CHRIS EATON
 P.O. BOX 773
 OCEAN SPRINGS, MISSISSIPPI 39566
 eatonpropertiesllc@gmail.com

PREPARED FOR:

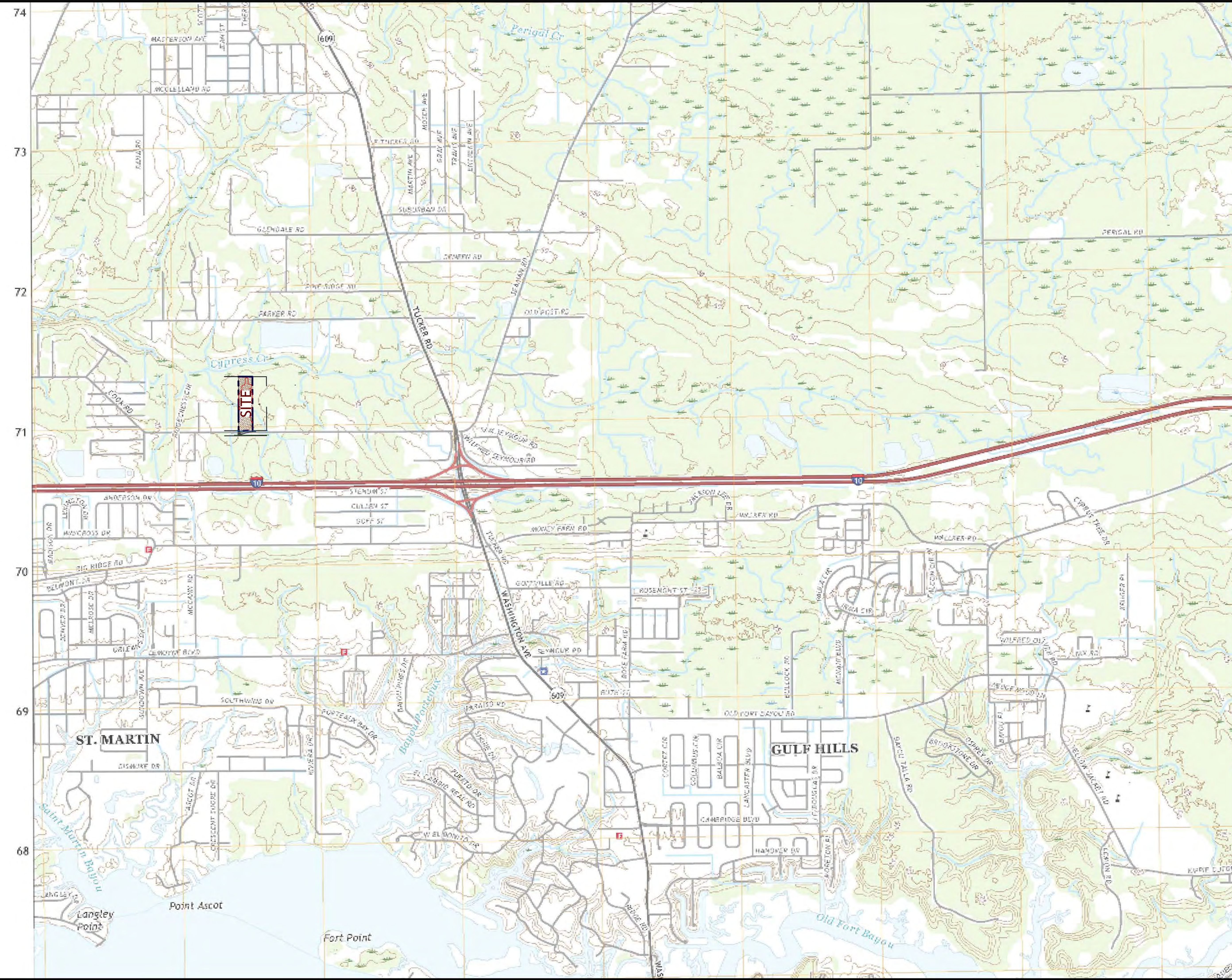
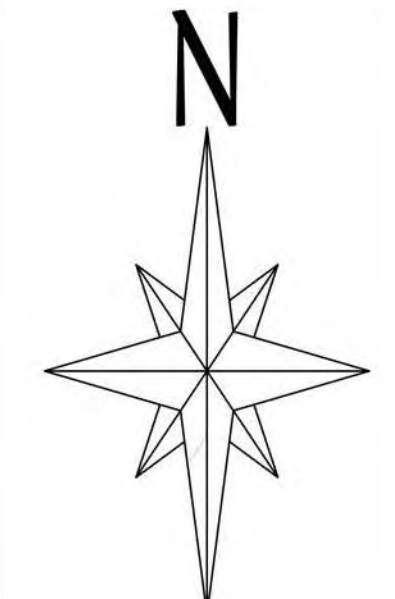
EXISTING GRAVEL SURFACE
 EXISTING CONCRETE PAVING
 EXISTING ASPHALT PAVING
 EXISTING SURFACE WATER
 EXISTING DRAINAGE
 SEE TOPOGRAPHIC LEGEND FOR OTHER EXISTING CONDITIONS SYMBOLS

PROPOSED BUILDING
 PROPOSED CONCRETE PAVING
 PROPOSED ASPHALT PAVING
 PROPOSED GRAVEL SURFACE
 PROPOSED GRASSED AREAS
 PROPOSED SURFACE WATER
 PROPOSED WOOD DECKING

PROPOSED PARKING COUNT
 PROPOSED ADA PARKING
 PROPOSED TRAFFIC CONTROL SIGN
 PROPOSED EXTERIOR LIGHTING
 PROPOSED DUMPSTER
 PROPOSED WHEEL STOP
 PROPOSED RETAINING WALL

SHEET LEGEND:

SCALE: 1" = 1000'



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DRAWING DATA:

PROJECT NUMBER:	WE21-016-031
DRAWING FILE:	WE21-016_SITE PLAN 3.DWG
DATE:	April 25, 2022
DRAWN BY:	JWW
REVISIONS:	
	01/09/2024

EXCERPT FROM OCEAN SPRINGS 2020 QUAD
COOK RD APARTMENT COMPLEX
 14912 COOK ROAD
 BILOXI, MISSISSIPPI

SHEET NUMBER:
C-01

OAK CAPITAL, LLC
 CONTACT: MR. CHRIS EATON
 P.O. BOX 773
 OCEAN SPRINGS, MISSISSIPPI 39566
 eatonpropertiesllc@gmail.com

PREPARED FOR:

EXISTING GRAVEL SURFACE
 EXISTING CONCRETE PAVING
 EXISTING ASPHALT PAVING
 EXISTING SURFACE WATER
 SEE TOPOGRAPHIC LEGEND FOR OTHER EXISTING CONDITIONS SYMBOLS

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PROPOSED PARKING COUNT
 PROPOSED ADA PARKING
 PROPOSED TRAFFIC CONTROL SIGN
 PROPOSED EXTERIOR LIGHTING
 PROPOSED DUMPSTER
 PROPOSED WHEEL STOP
 PROPOSED RETAINING WALL

SHEET LEGEND:

SCALE: 1" = 50'
 0 50 100



C-02

SHEET NUMBER:

SITE PLAN W/ WETLANDS IMPACT
COOK RD APARTMENT COMPLEX

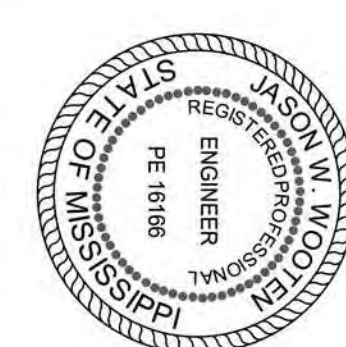
14912 COOK ROAD
 BILOXI, MISSISSIPPI

PROJECT NUMBER: WE21-016-031
 DRAWING FILE: WE21-016_SITE PLAN 3.DWG
 DATE: April 25, 2022
 DRAWN BY: JWW

REVISIONS:

Δ	00/00/2021	...
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DRAWING DATA:



WOOTEN ENGINEERING
 CIVIL PLANNING + DESIGN

1249 Pencarro Blvd
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 www.wooteneng.com

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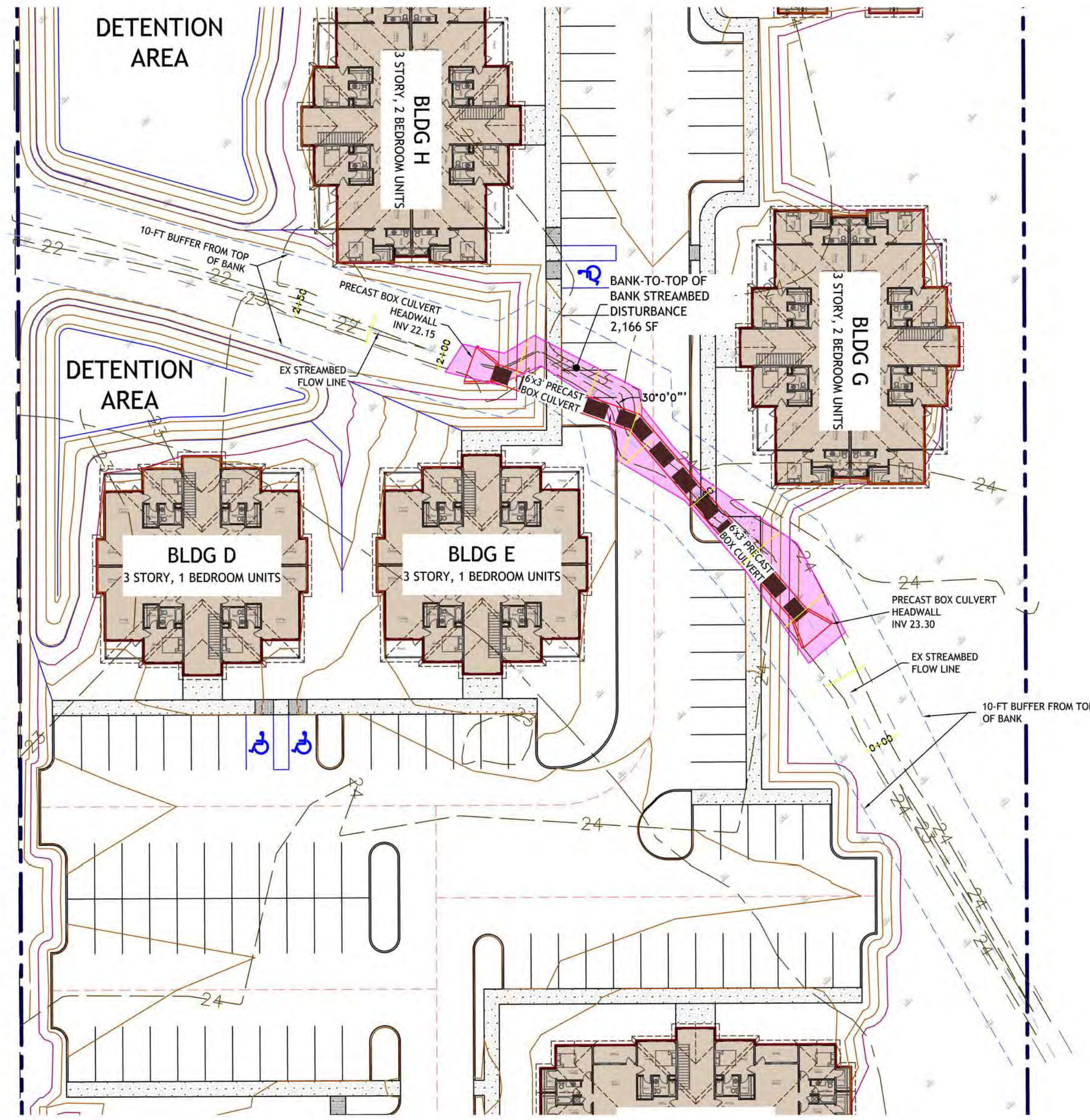
EXISTING SPOT ELEVATION
 EXISTING CONTOUR
 EXISTING DITCH LINE
 EXISTING CURB INLET / STRUCTURE
 EXISTING DRAIN PIPE
 EXISTING DRAIN WATER

PROPOSED CONTOUR
 PROPOSED DRAINAGE DIRECTION
 PROPOSED GRATE INLET
 PROPOSED CURB INLET / STRUCTURE
 PROPOSED PIPE END TREATMENT
 PROPOSED STORM DRAIN LINE
 PROPOSED SURFACE WATER

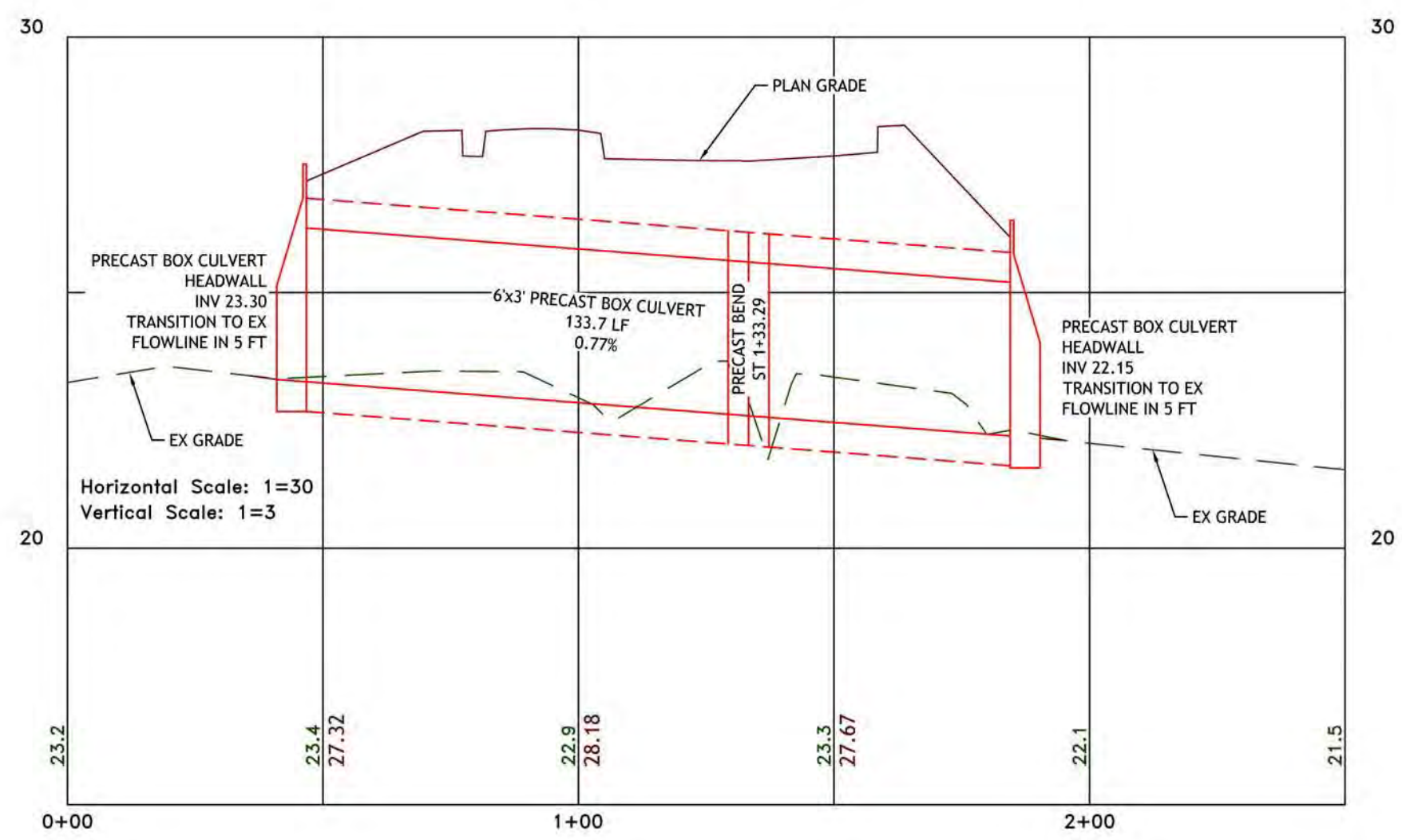
FFE - FINISH FLOOR ELEVATION
 A - ASPHALT GRADE
 EC - EDGE OF CONCRETE GRADE
 TC - TOP OF CURB GRADE
 FG - FINISH GRADE
 FL - FLOW LINE ELEVATION
 RCP - REINFORCED CONCRETE PIPE
 RCA - CORRUGATED CONCRETE ARCH
 CPP - CORRUGATED METAL PIPE

SCALE: 1" = 30'

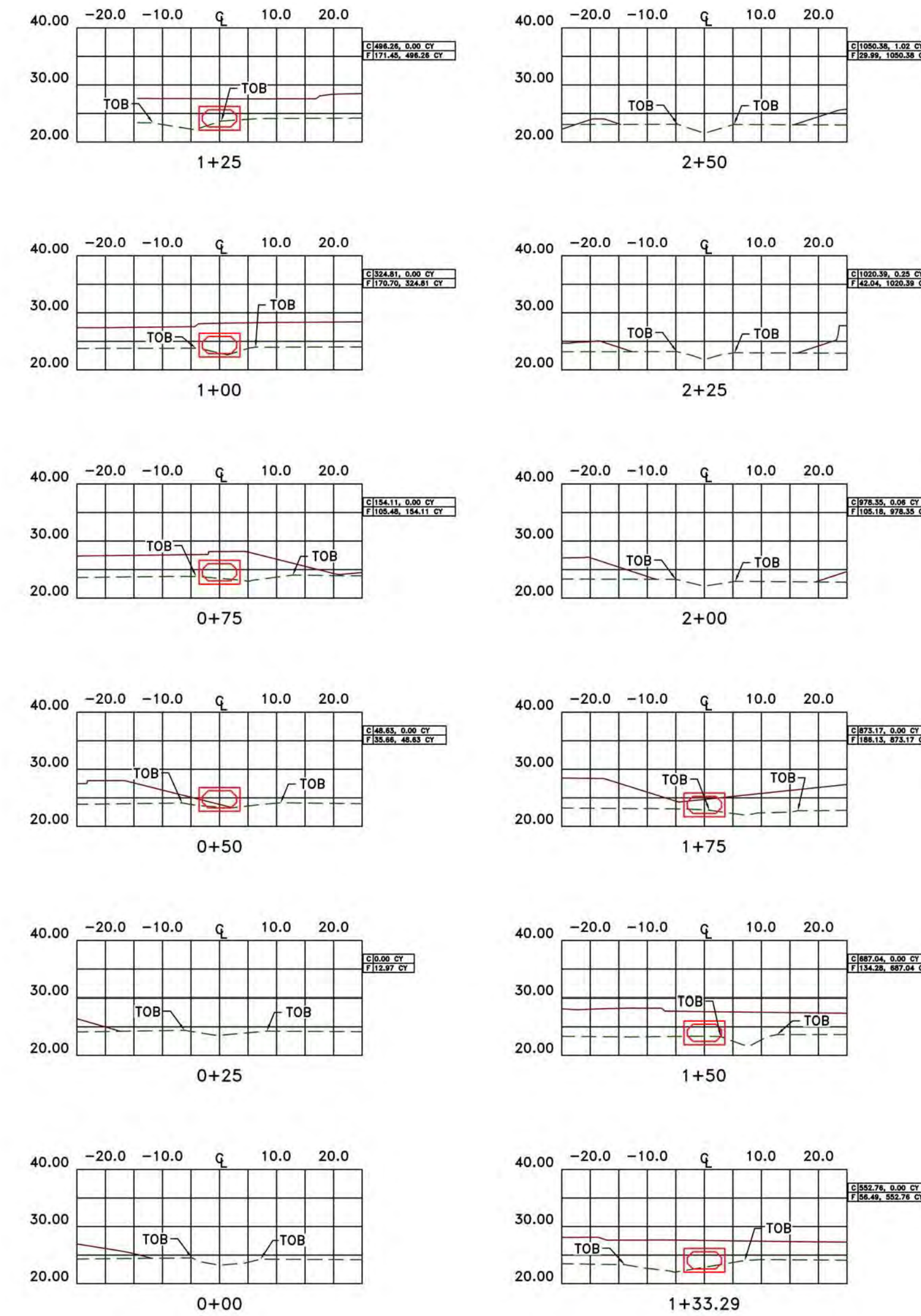
SHEET LEGEND:



PLAN VIEW
 SCALE: 1"=30'



PROFILE VIEW
 H SCALE: 1"=30'
 V SCALE: 1"=3'



CROSS SECTIONS
 SCALE: 1"=20'



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DRAWING DATA:

PROJECT NUMBER:	WE21-016-031
DRAWING FILE:	WE21-016 GRADE DRAIN.dwg
DATE:	September 1, 2022
DRAWN BY:	JWW
REVISIONS:	
	01/09/2021

STREAM CROSSING DETAILS
THE BREAKERS APARTMENTS
 14912 COOK ROAD
 BILOXI, MISSISSIPPI

SHEET NUMBER:

C-01 OF X

