



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
109 SAINT JOSEPH STREET
MOBILE, ALABAMA 36602-3630

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2022-00552-APS

NOVEMBER 2, 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 (DMR)

**PROPOSED DISCHARGE OF FILL MATERIAL INTO WATERS OF THE
UNITED STATES FOR THE CONSTRUCTION OF A RESIDENTIAL SUBDIVISION,
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: Huger Enterprises, LLC
Attention: Mr. Jim Huger
100 Common Street, Suite 2950
New Orleans, Louisiana 70112

WATERWAY AND LOCATION: The project is located on a 160-acre parcel, south of Interstate-10 and west of Eglin Road in St. Martin, Jackson County, Mississippi. Coordinates are latitude 30.446778° North and longitude 88.786941° West. Waters of the U.S. located on the site flow to Bayou Talla which flows to Old Fort Bayou.

PROPOSED WORK: The proposed project is for the development of 83 acres on a 160-acre parcel for the construction of 223 private residential home lots along with infrastructure and appurtenances in St. Martin, Jackson County, Mississippi. The applicant proposes to fill/impact 27.3 of 37.67 acres of upland habitat and 55.70 of 119.9 acres of wetland habitat on the 160-acre parcel. Of the 55.70 acres of wetland habitat proposed to be filled/impacted, 0.79 acres are reported as medium quality bottomland hardwood wetland habitat and 54.91 acres are reported as low quality pine savanna wetland habitat. The USACE has not yet verified the quantity, quality, or type of habitat proposed to be impacted by the subject project. To avoid and minimize wetland impacts, the applicant has designed the project to avoid impacts to wetlands to the greatest extent possible without decreasing the number of lots within the subdivision.

The applicant has avoided impacts to 64.20 acres of wetlands and has avoided impacts to higher quality bottomland hardwood wetland habitat to the greatest extent possible. Best Management Practices, including the utilization of silt-fencing, the placement of sod and over-seeding of bare areas, would be implemented and maintained during and after construction to minimize sediment loading of surface runoff. After avoiding and minimizing wetland impacts to the greatest extent practicable, the applicant has proposed to provide compensatory mitigation through the purchase of 109.82 (2:1) pine savanna wetland mitigation credits and 2.37 (3:1) bottomland hardwood mitigation credits from an approved wetland 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.

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 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 Corps 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 83-acre impact area comprised of 27.3 acres of upland habitat and 55.7 acres of wetland habitat. 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 will make a determination of potential effects on historic properties pending the results of a Phase I cultural resources survey of the permit area and any comments received 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.

A preliminary review of this application, the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants, the National Marine Fisheries Service list of Mississippi's Threatened and Endangered Species, and the site specific threatened and endangered species survey report dated March 31, 2022, 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-2022-00552-APS 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.

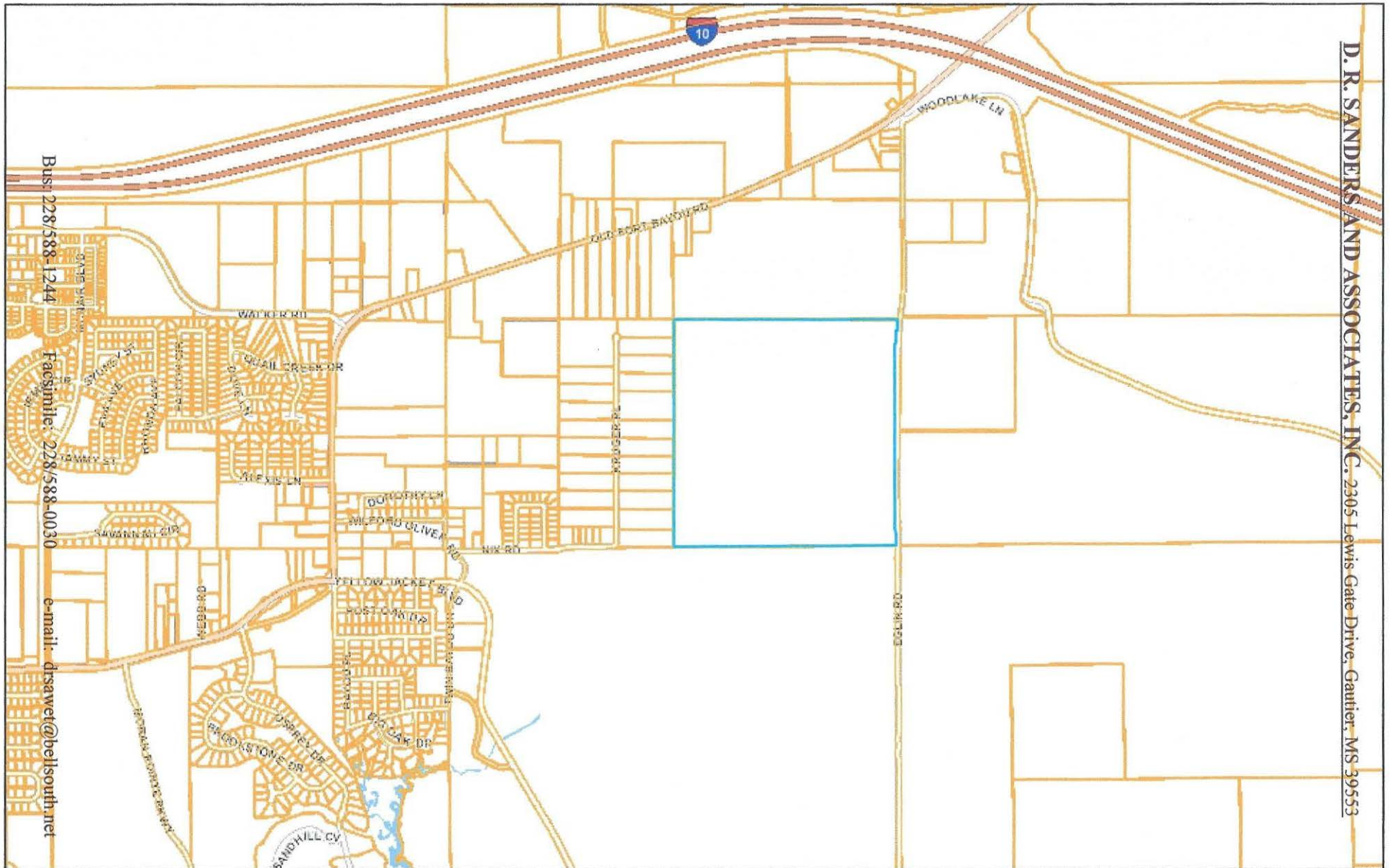
If you have any questions concerning this publication, you may contact the project manager for this application, **AMIEE P. SMITH (Amiee.P.Smith@usace.army.mil)**, phone **(228) 627-8641**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our website at: www.sam.usace.army.mil 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

Attachments

FIGURE 1. SITE LOCATION MAP FOR HUGER SUBDIVISION PROJECT



D. R. SANDERS AND ASSOCIATES, INC. 2305 Lewis Gate Drive, Gautier, MS 39553

Bus: 228/588-1244
Facsimile: 228/588-0030
e-mail: d.r.sawet@bellsouth.net

May 10, 2022

- Parcels
- Primary Roads
- Major
- Center Lines

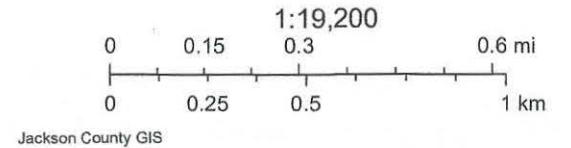
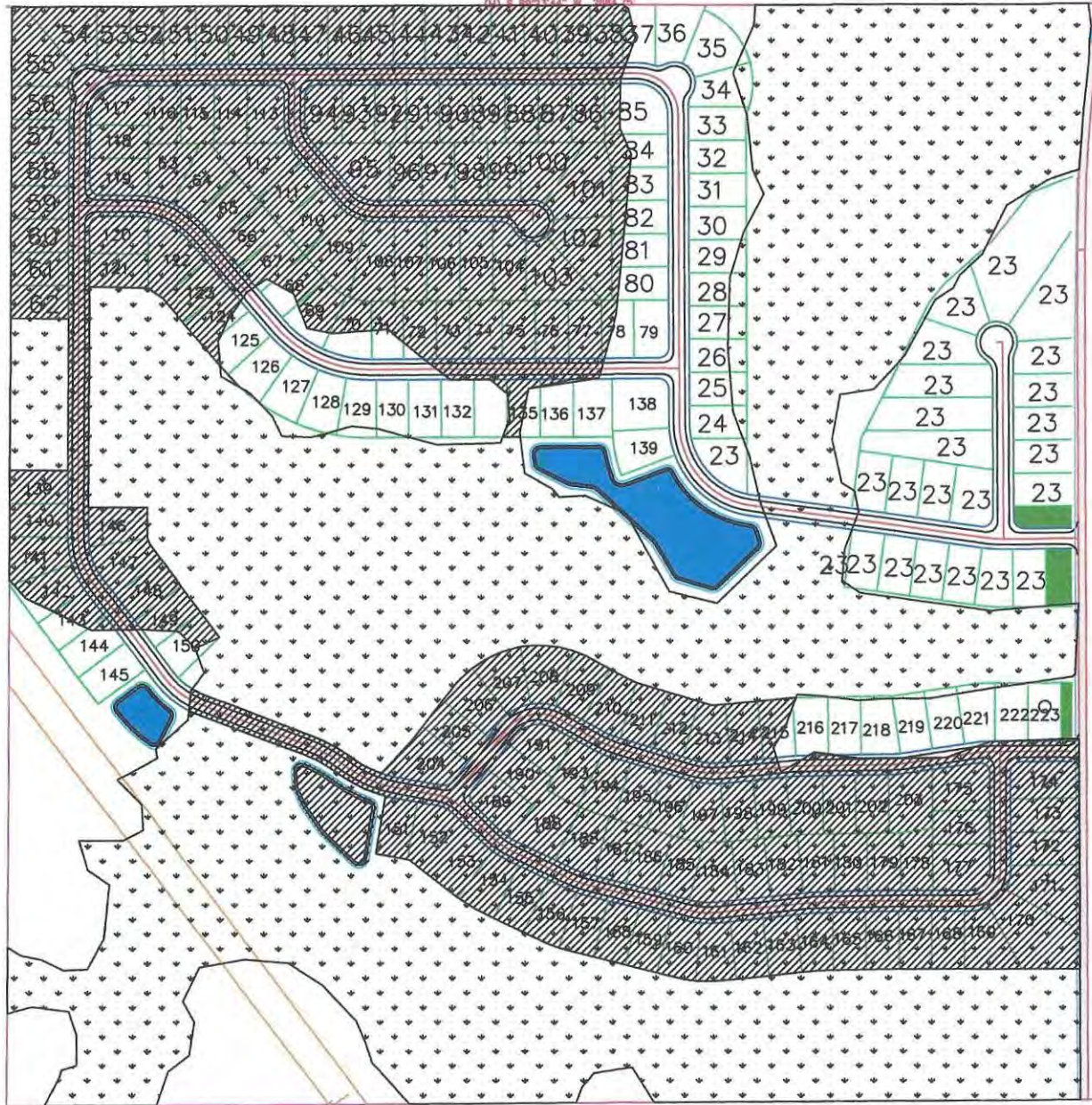
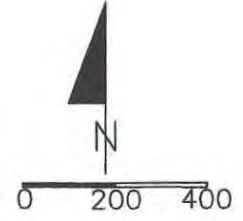


FIGURE 2.
HUGER EGLIN ROAD SUBDIVISION PROJECT LAYOUT




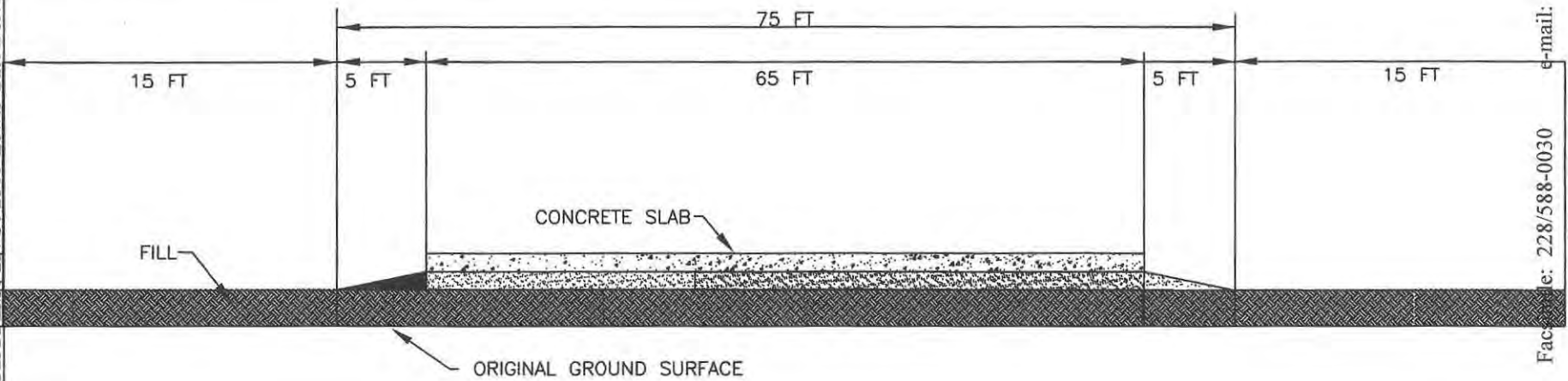
WETLAND IMPACT – 55.70 ACRES 

FIGURE 3. CROSS-SECTION OF TYPICAL LOT IN WETLANDS, HUGER EGLIN ROAD SUBDIVISION PROJECT, JACKSON COUNTY, MS



CROSS-SECTION OF TYPICAL LOT IN WETLANDS
(VERTICAL SCALE IN FEET ABOVE GROUND SURFACE)