



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-2022-00724-MJF

December 21, 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
DMR22-000477

PLACEMENT OF FILL IN WETLANDS ASSOCIATED WITH THE CONSTRUCTION OF A
MIXED USE DEVELOPMENT, HARRISON 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: WPS, LLC
Attention: Mr. Robert Stumm
P.O. Box 15317
Gulfport, Mississippi 39205
robstumm@me.com

WATERWAY AND LOCATION: In wetlands associated with the Mississippi Sound, Section 34, Township 8 South, Range 13 West, Harrison County, Mississippi. Latitude: 30.310856° N; Longitude: -89.273628°W.

PROPOSED WORK: The applicant proposes to fill 4.24 acres of jurisdictional wetlands for the construction of a mixed-use development to include hotel, condominium, apartment, restaurant and retail space in Pass Christian, Mississippi. The total project site is approximately 4.28 acres in size, of which 4.24 acres have been identified as 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 by letter dated August 29, 2022. (DMR22-000477)

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 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 entire subject parcel. 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 nearest known structure is located 3.53 miles to the west and is known as the Glen Oak-Kimbrough House. The 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.

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 Piping Plover (*Charadrius melodus*)(T), the Red Knot (*Calidris canutus rufa*)(T), the Wood Stork (*Mycteria americana*) (T), the Dusky Gopher Frog (*Rana sevosia*) (E), and the Gopher Tortoise (*Gopherus polyphemus*) (T). The USACE has made a preliminary determination that the proposed work will have **no effect** on the above listed species. This notice serves as request to the U.S. Fish and Wildlife 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-2022-00724-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, maryellen.j.farmer@usace.army.mil with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225, Cbarefoot@mdeq.ms.gov 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), 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 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.

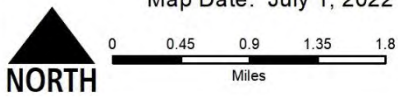
MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



FIGURE 1

Purpose: Permit Drawing
 Base Map: ESRI USA Topo Maps
 Source: USGS, NGS, i-cubed
 Map Date: July 1, 2022



**PROJECT LOCATION
MAP**



**ECOLOGICAL
ASSET
MANAGEMENT, LLC**

**Permit Drawing
for +/- 4.2 ac West
Pass Station Project**

Location: Pass Christian, MS
 Portions of Sections 26/27/34/35
 Township 8-South, Range 13-West;
 County: Harrison County, MS

Figure 1. Project Location

Railroad

CONDOS ABOVE - 1 FLOOR

F

G

H

J

K

L

M

N

O

RETAIL 20,000 SF

P

Q

R

S

Ramp Dr

Ramp Dr

CONDOS ABOVE - 3 FLOORS

West Pass Village Blvd

Hotel

E

D

RETAIL
4300 SF

C

RETAIL
4300 SF

B

RETAIL
4300 SF

APTS ABOVE
1 FLOOR

A

RETAIL
5800 SF

BAYVIEW BLVD.

Ground Level Parking

Ramp Up

Ramp Dr

Ramp Dr



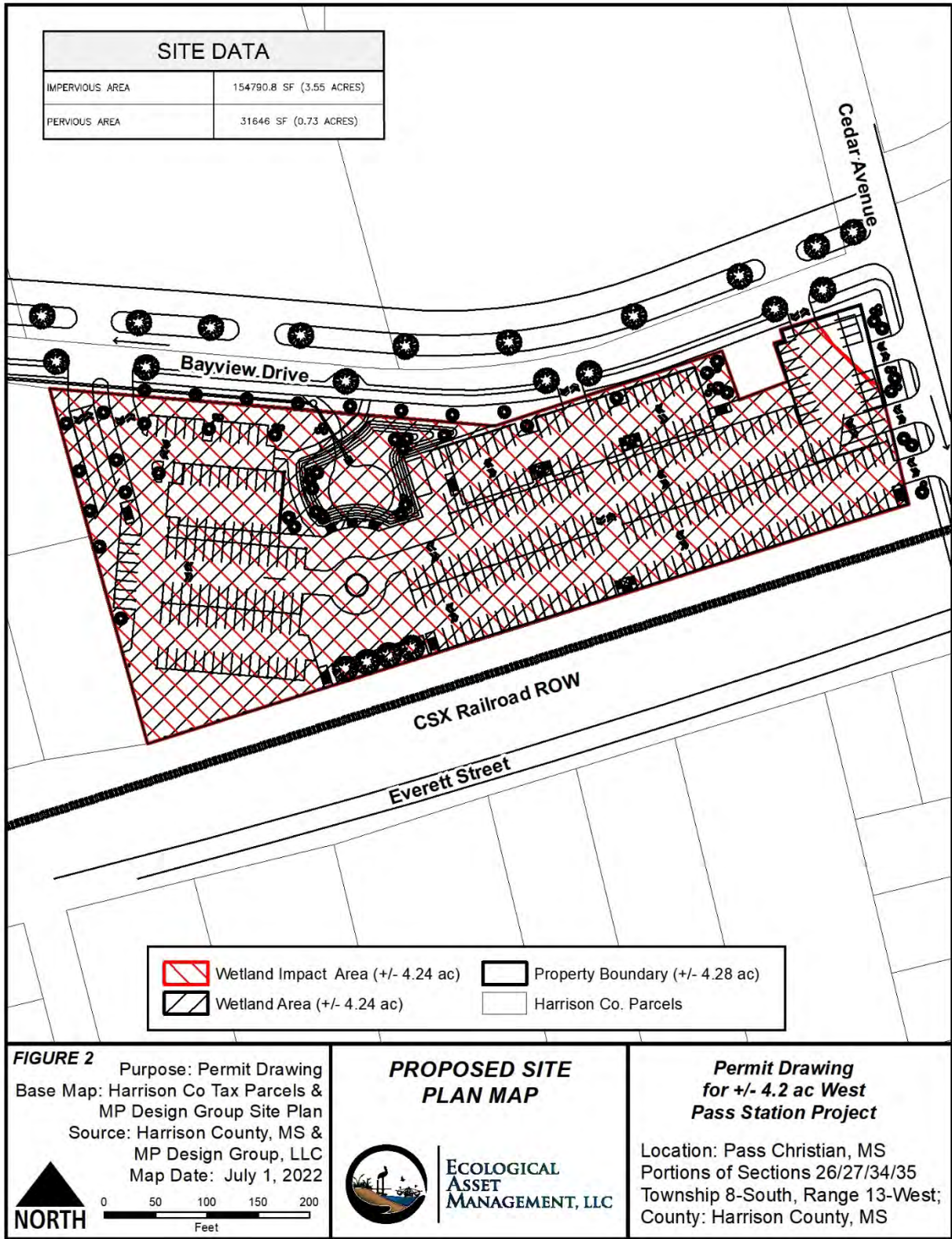
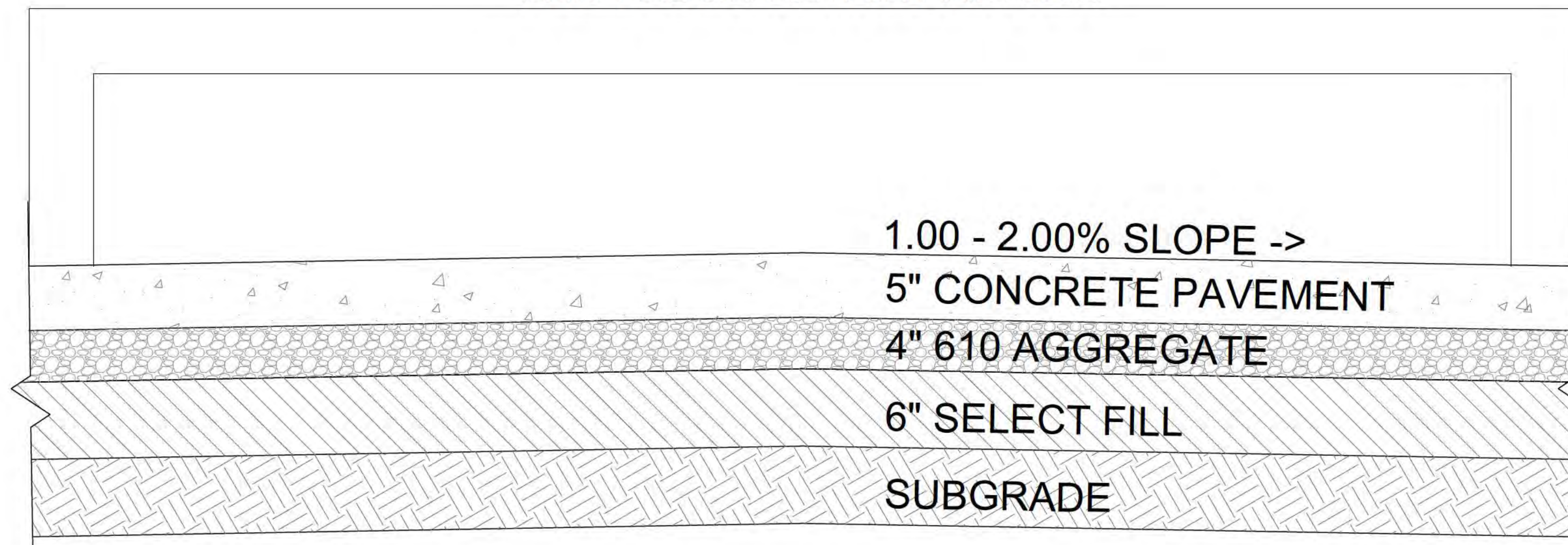


Figure 2. Proposed Site Plan Map

2ND FLOOR RETAIL/PARKING



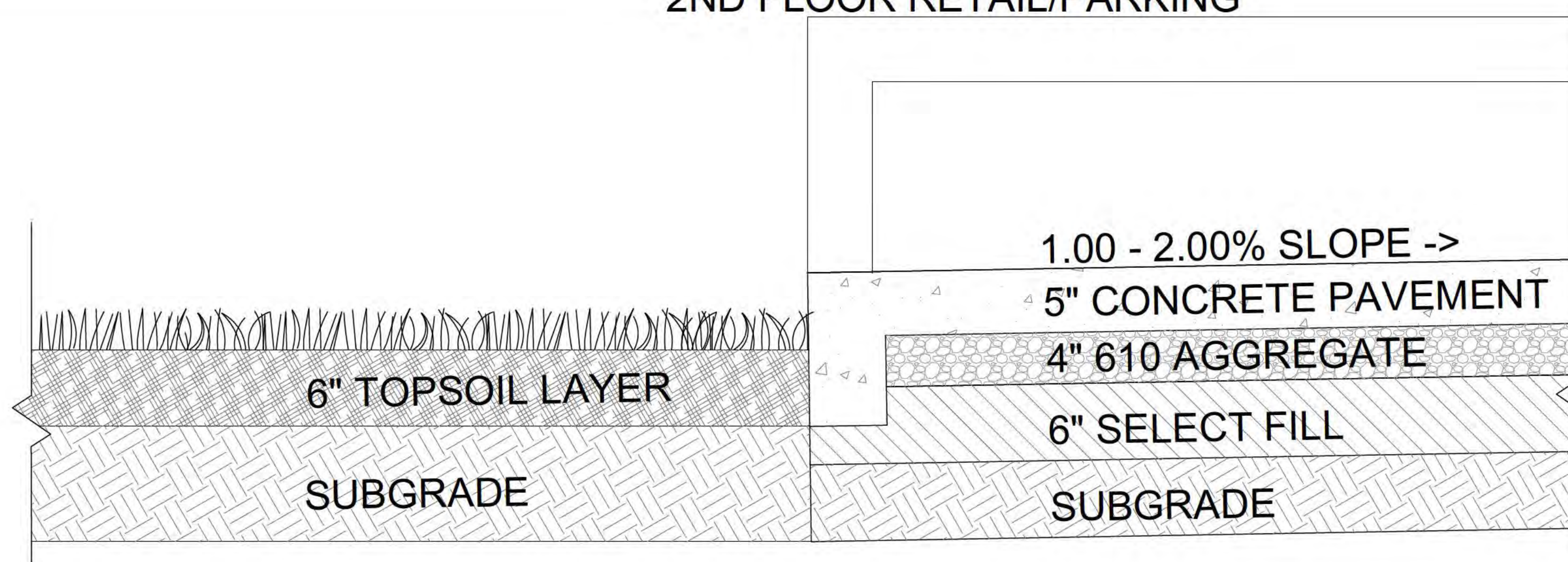
PROPOSED EL: 9'-10'

1 TYPICAL SECTION IN PARKING AREA

NOT TO SCALE

2ND FLOOR RETAIL/PARKING

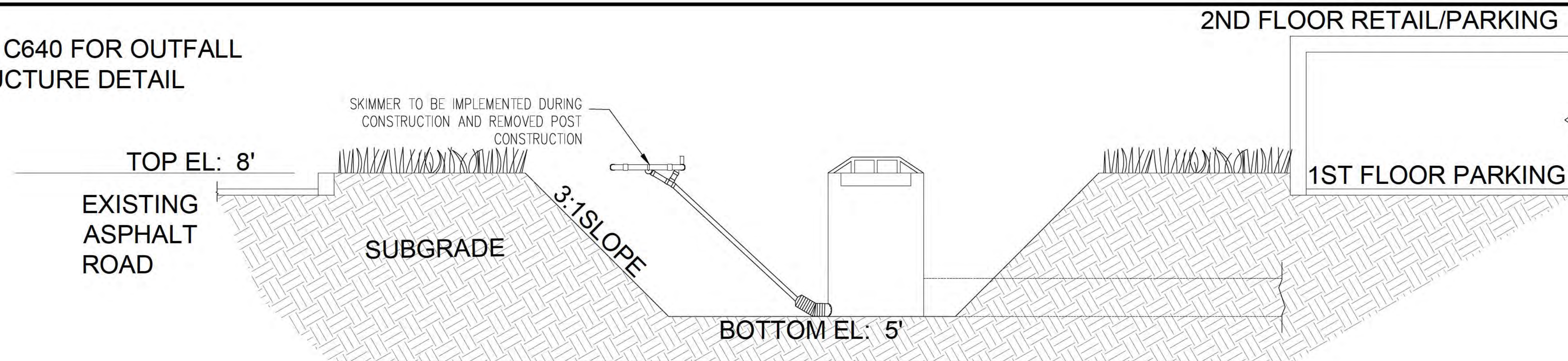
PROPOSED EL: 8'-9'



2 TYPICAL SECTION AT GREEN SPACE AND PARKING TRANSITION

NOT TO SCALE

*SEE C640 FOR OUTFALL STRUCTURE DETAIL



3 TYPICAL SECTION AT DETENTION AREA

NOT TO SCALE

M P
MACHADO | PATANO
ENGINEERING
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M | P DESIGN GROUP
ARCHITECTURE
Bradford A. Jones, Architect

SHEETS WITHOUT A PROFESSIONAL SEAL AND SIGNATURE BY EITHER AN ENGINEER OR ARCHITECT LICENSED TO PRACTICE IN THE PROJECT'S RESIDING STATE ARE CONSIDERED "NOT FOR CONSTRUCTION" AND SHALL NOT BE USED IN ANY MANNER FOR CONSTRUCTION OR PERMITTING OF THE PROJECT IN WHOLE OR IN KIND.

WEST PASS STATION
PASS CHRISTIAN, MS
HARRISON COUNTY

SCALE: AS INDICATED
PROJECT NO: 0001.22.004
DRAWN BY: JMS
CHECKED BY: DJM

SUBMITTAL DATE:
11.09.2022

SUBMITTED FOR:
PERMIT SET

TYPICAL SECTIONS

REV #	DATE	REVISION NAME

SHEET NUMBER

C641

VERIFY SCALES
BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY