



**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-2023-00362-MJF**

**August 3, 2023**

**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  
DMR23-000257**

**PROPOSED WETLAND FILL FOR CONSTRUCTION OF A MULTI-FAMILY  
HOUSING DEVELOPMENT, CITY OF BILOXI, 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:** Mr. Frank Zhang  
304 Highway 90, Suite B  
Waveland, Mississippi 39576

**WATERWAY AND LOCATION:** Unnamed Tributary to Back Bay Biloxi; the Northwest Corner of the Intersection of Cedar Lake Road and Tribe Drive, City of Biloxi, Harrison County, Mississippi. Latitude 30.436482°N; Longitude -88.935358°W

**PROPOSED WORK:** The applicant proposes to fill 0.9 acres of wetlands associated with the construction of a multi-family housing development at the northwest intersection of Cedar Lake Road and Tribe Drive in Biloxi, Harrison County, Mississippi. The total project site is approximately 9.21 acres in size of which 1.28 acres have been identified as wetlands. Impacts include filling 0.9 acres of bottomland hardwood wetlands. The applicant proposes to provide in-kind compensatory mitigation through a mitigation bank.

**COASTAL ZONE:** 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.

**WATER QUALITY:** 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 submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority).

**HISTORIC PROPERTIES:** 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 will be consulted for properties listed, or eligible for listing, in the National Register, which are known to exist and would be affected by the proposed work. The Mobile District is seeking comments regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on cultural/historic resources. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

**ENDANGERED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicate the following federally-listed species are known or expected to occur within the project area: the Eastern Black Rail (T), the Wood Stork (T), the Gopher Tortoise (T) and the Alabama Red-bellied Turtle (E). There is no designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and NMFS will be performed as determined to be appropriate.

**COMMENTS:** 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.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2023-00362-MJF** and should be directed to the District Engineer, Mobile District, Regulatory Division, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Maryellen J. Farmer, or submitted electronically at [maryellen.j.farmer@usace.army.mil](mailto:maryellen.j.farmer@usace.army.mil), or (251)509-6240. Copies of all comments should be furnished 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.**

For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Attachments





North Biloxi



Richard Dr

Richard Dr

Brodie Rd

Brodie Rd

Brasher Rd

Brasher Rd

Goodman Rd

Cedar Lake Rd

Wells Dr

Jamie Ln

Richard Dr

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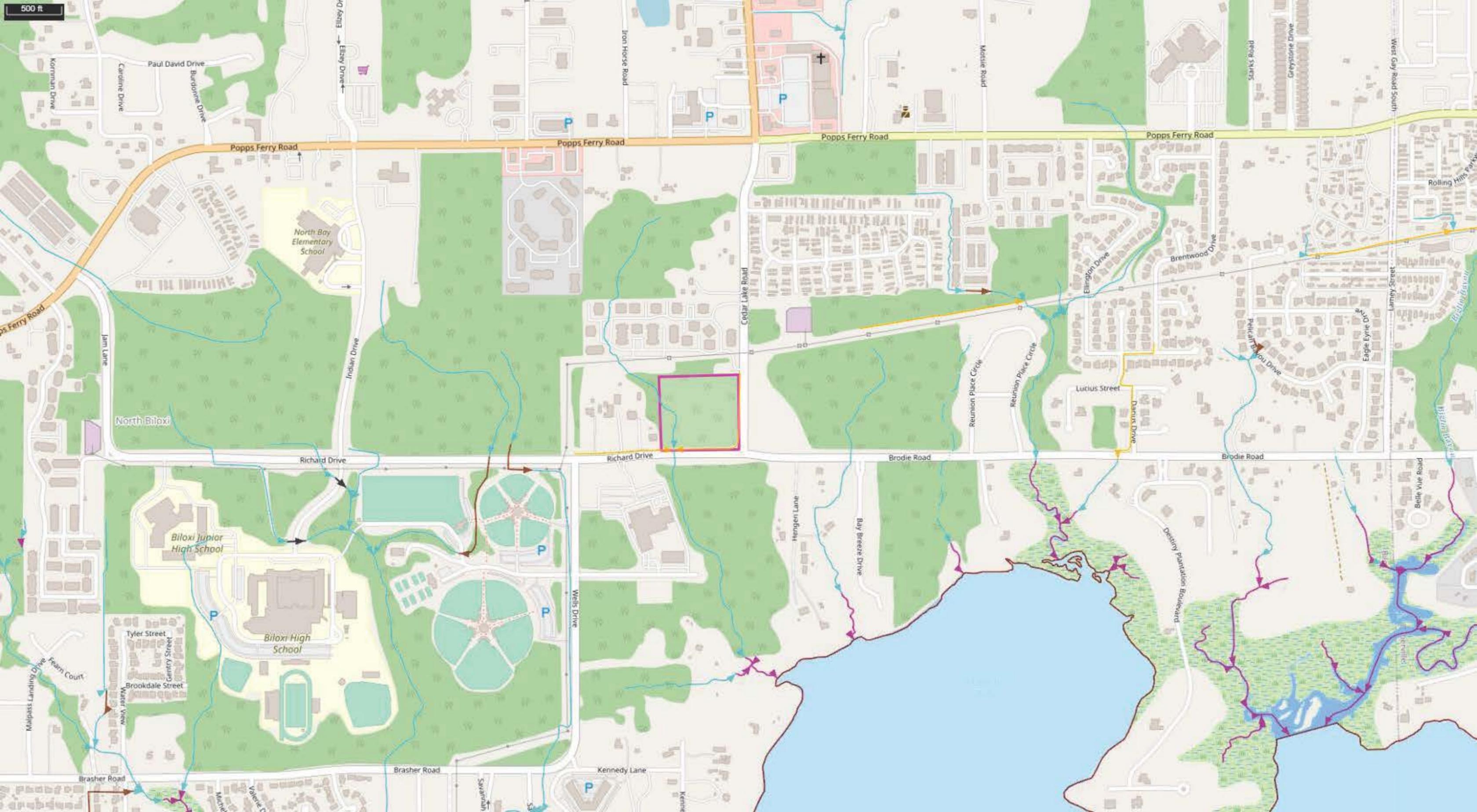
Brodie Rd

Brodie Rd

Brasher Rd

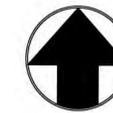
Brasher Rd

Goodman Rd



# Proposed Action, stream avoidance

 Impacted Wetlands  
0.90 Acres



1" = 50'

2-Bedroom = 144  
3-Bedroom = 24  
Total Units = 168

120 Units under 1,000 s.f. = 240 spaces  
48 Units over 1,000 s.f. = 120 spaces  
Total Parking Spaces Req'd. = 360 spaces

Total Parking Spaces Provided = 360



REVISED  
DRAWN  
CHECKED  
DATE  
February 2020

SHEET TITLE  
Site Layout

PROJECT NAME  
Cedar Lake Apartments  
City of Biloxi, Mississippi

13061 Shriners Blvd, Suite C  
Biloxi, Mississippi 39532  
Office (228) 392-1638 Fax (601) 392-1679

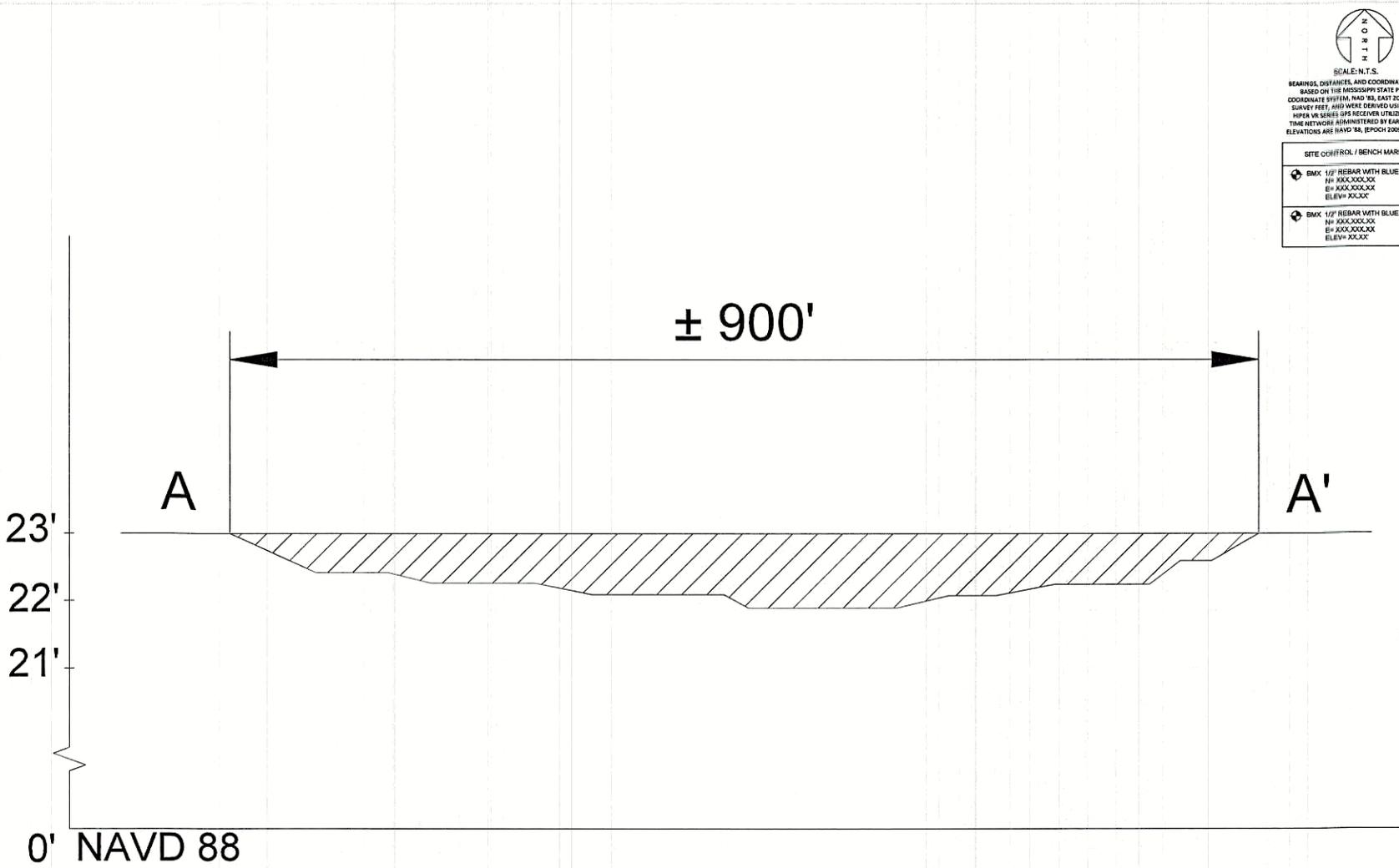
Dennis Stieffel and Associates, Inc.  
Consulting Engineers



SHEET  
3

PROJECT NO.  
825

04/10/2023  
 THE PROFESSIONAL ENGINEERING SERVICES PROVIDED BY ZHANG, MITCHELL & ALEXANDER, INC. (ZMA) ARE RELATIVE TO THESE FINAL DEMANDS AS SHOWN. ANY MODIFICATIONS TO THE DEMANDS & ASSOCIATED SPECIFICATIONS AS INCREASED BY BMA WITHOUT THE WRITTEN CONSENT OF BMA, SHALL RELIEVE BMA OF ANY & ALL LIABILITY AS A RESULT OF ANY SUCH MODIFICATIONS.



BEARINGS, DISTANCES, AND COORDINATE VALUES ARE  
 BASED ON THE MISSISSIPPI STATE PLANE GRID  
 COORDINATE SYSTEM, NAD 83, EAST ZONE (2011), U.S.  
 SURVEY FEET, AND WERE DERIVED USING A TOPCON  
 HORNED HORN GPS RECEIVER UTILIZING THE REAL  
 TIME NETWORK ADMINISTERED BY EARL DUGLEY, INC.  
 ELEVATIONS ARE NAVD 88, EPOCH 2005.55, GEOID 18.

SITE CONTROL / BENCH MARK TABLE	
	BMX 1/2" REBAR WITH BLUE CAP E# XXX.XXXX ELEV# XXXX
	BMX 1/2" REBAR WITH BLUE CAP E# XXX.XXXX ELEV# XXXX

401 Chen Road  
 Suite 200  
 Collinsville, MO 64234  
 331 Rue Arizona  
 Bismarck, ND 58103  
 2025 North 14th  
 Bismarck, ND 58103  
 www.bmaengineers.com

**BROWN, MITCHELL & ALEXANDER, INC.**  
**CONSULTING ENGINEERS**

**bma**

QR CODE

**ZHANG MULTIFAMILY DEVELOPMENT**  
**PRELIMINARY**

DATE BY

FRANK ZHANG  
 BILOXI, MISSISSIPPI

FILL PLAN

ENG 100  
 DATE 04/10/2023  
 SCALE 1"=50'  
 PLAN # 3850  
 FILE \XXXX\XXXXXXX

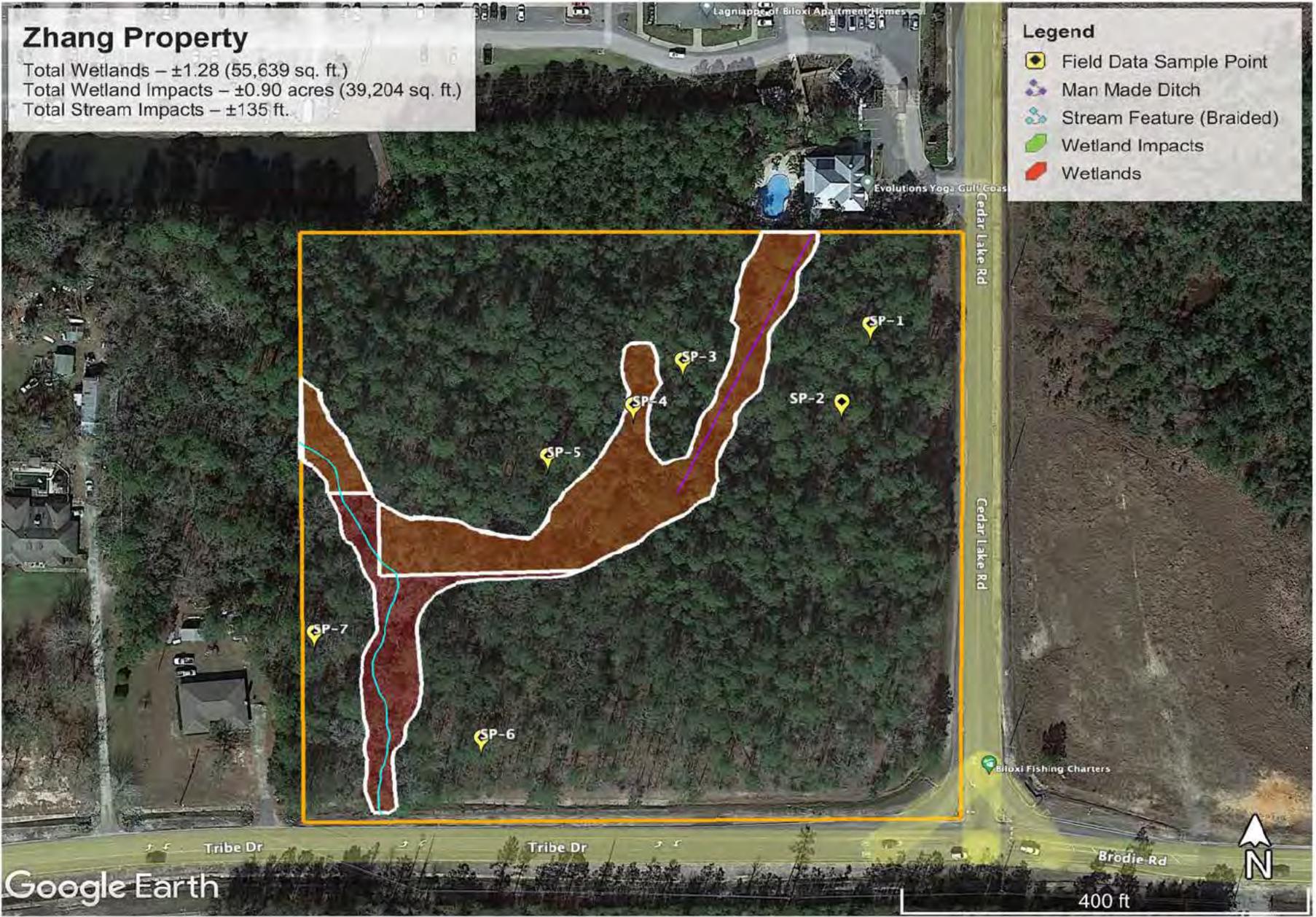
**C-121**

# Zhang Property

Total Wetlands – ±1.28 (55,639 sq. ft.)  
 Total Wetland Impacts – ±0.90 acres (39,204 sq. ft.)  
 Total Stream Impacts – ±135 ft.

### Legend

-  Field Data Sample Point
-  Man Made Ditch
-  Stream Feature (Braided)
-  Wetland Impacts
-  Wetlands



Google Earth

Wetland Mapping & Impacts

**bma** BROWN, MITCHELL & ALEXANDER, INC.  
 CONSULTING ENGINEERS  
 www.bmaengineers.com

401 Cowan Road, Suite A, Gulfport, MS 39507 (228)864-7612  
 131 Rue Magnolia Biloxi, MS 39530 (228)436-7612  
 3221 Market Street Pascagoula, MS 39567 (228)864-7612