



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-2024-00389-GSC

October 21, 2024

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS (USACE)

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

PROPOSED WETLAND FILL FOR CONSTRUCTION OF A SINGLE-FAMILY,
RESIDENTIAL SUBDIVISION, KILN, HANCOCK 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: Chandler Residential Company, LLC.
Attention: Mr. Bryce Ladner
92 Industrial Drive
Hattiesburg, Mississippi 39401

LOCATION: Wetlands associated with Enciente Bayou adjacent to Nicola Road; Kiln; Hancock County; Mississippi; Section 37, Township 8 S, Range 14 W: Latitude: 30. 367784°N; Longitude: -89. 41459°W.

PROPOSED WORK: The applicant proposes to fill 1.34 acres of wetlands and the permanent conversion of 0.81 acre of forested wetlands for the construction of a single-family, residential subdivision adjacent to Nicola Road, Kiln, Hancock County, Mississippi. The proposed project includes construction of a 14-lot waterfront, residential subdivision including foundations, access road, driveways, and utilities. The total project site is approximately 38.9 acres in size of which 29.3 acres have been identified as wetlands. The applicant proposes to provide in-kind compensatory mitigation through a mitigation bank located within the service area. The applicant has also proposed placing 21.5 acres of wetlands into a restrictive covenant filed with the county.

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 not 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 entire undertaking in waters of the United States, which includes the footprint of the proposed fill areas, and portions of the adjacent property that would be utilized for construction access and equipment and materials staging. 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: Red Knot (T), Wood Stork (T), Eastern Black Rail (T), Dusky Gopher Frog (E), Gopher Tortoise (T), Piping Plover (T), Loggerhead Sea Turtle (E), West Indian Manatee (T), and Gulf Sturgeon (T). 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-2024-00389-GSC** and should be directed to the District Engineer, Mobile District, Regulatory Division, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Mr. Greg Christodoulou, or submitted electronically at Gregory.s.christodoulou@usace.army.mil, 251-387-1066. 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.

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.

MOBILE DISTRICT
U.S. Army Corps of Engineers

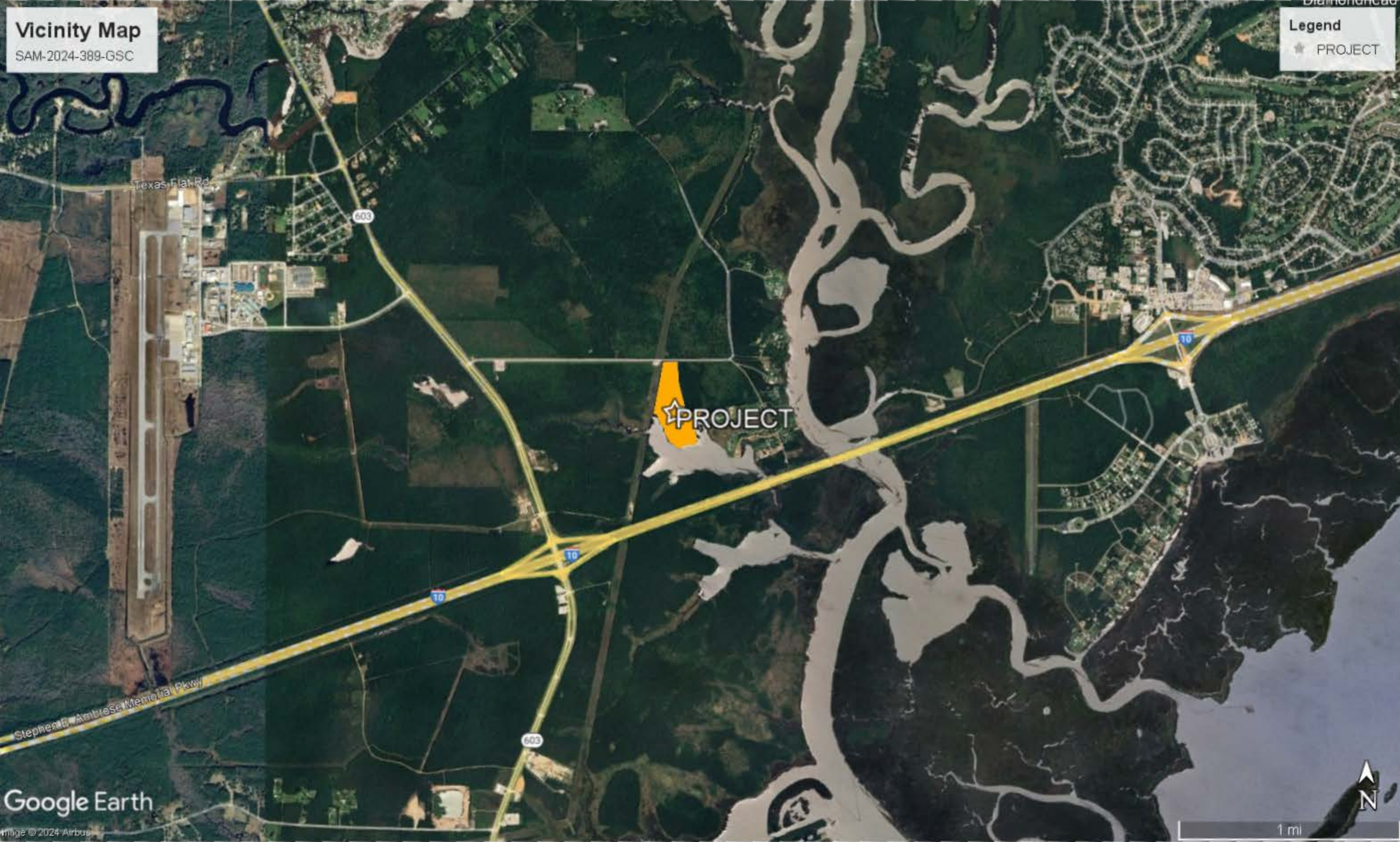
Attachments

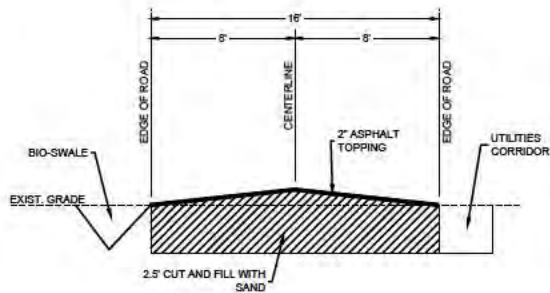
Vicinity Map

SAM-2024-389-GSC

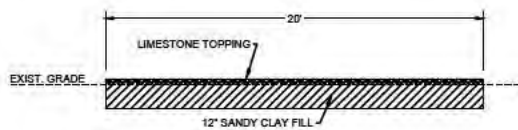
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★ PROJECT

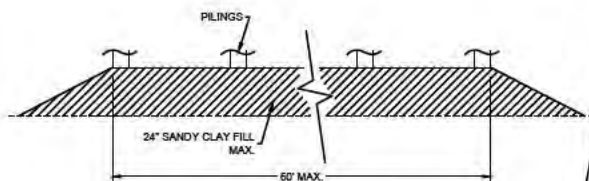




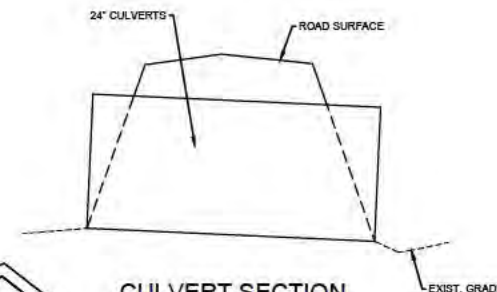
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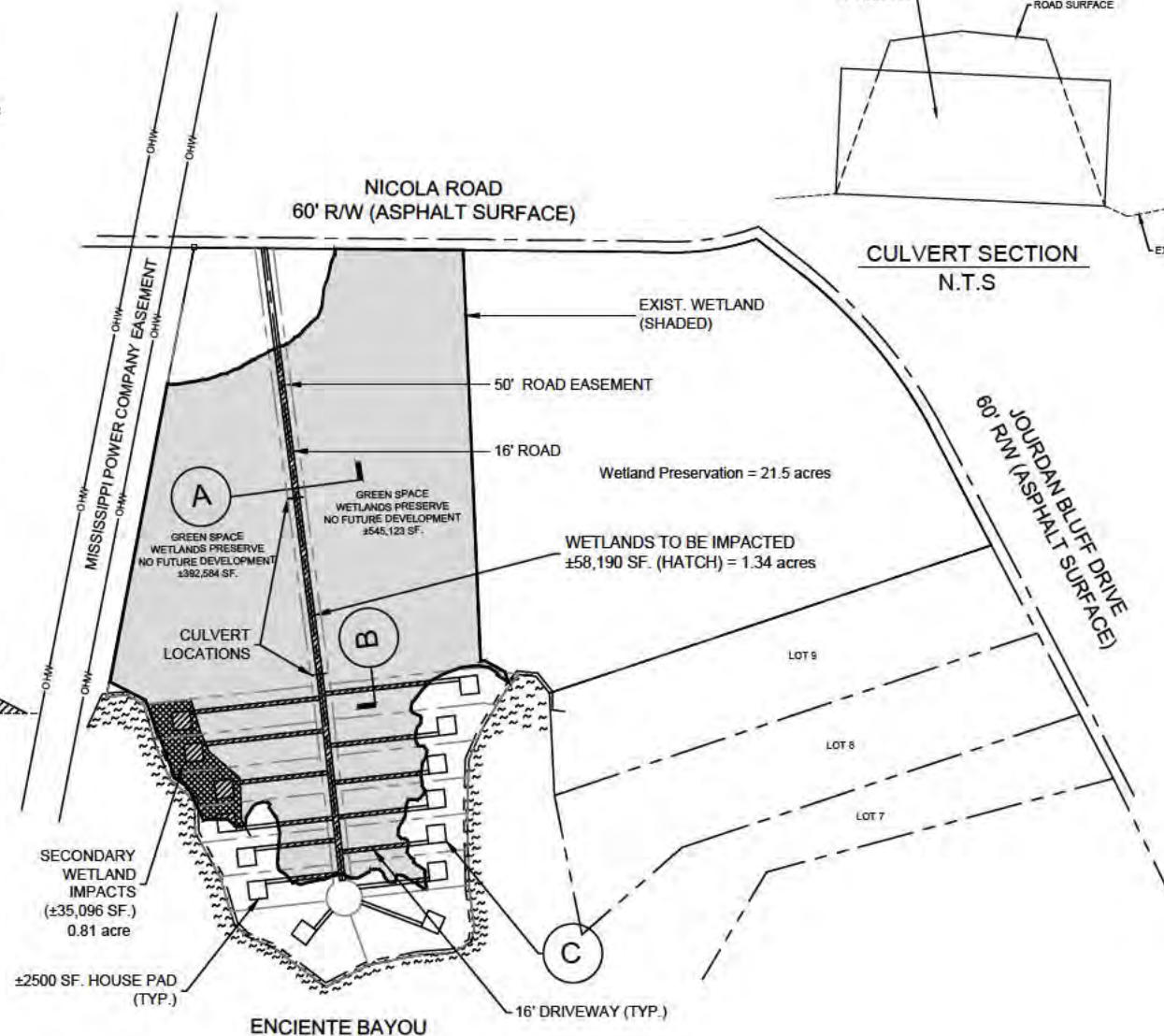
B DRIVEWAY SECTION
N.T.S.



C HOUSE PAD SECTION
N.T.S.



CULVERT SECTION
N.T.S.



PREFERRED ALTERNATIVE

ENCIENTE POINT SUBDIVISION
HANCOCK COUNTY, MISSISSIPPI

PRELIMINARY
FOR REVIEW

9/10/2024



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



1" = 500'