



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2017-00959-RCV

September 6, 2016

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

**PROPOSED IMPACTS FOR CONSTRUCTION OF A COMMERCIAL DEVELOPMENT
WITHIN WETLANDS ADJACENT TO A TRIBUTARY OF FLAT BRANCH,
GULFPORT, 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. Please communicate this information to interested parties.

APPLICANT: **Mr. Stan Sumrall**
18210 Autry Drive
Gulfport, Mississippi 39503

AGENT: **FTN Associates, Ltd.**
Attention: Mr. Eric Necaise
Post Office Box 6157
Diamondhead, Mississippi 39525

LOCATION OF WORK: The proposed project site is located at 13036 Highway 49, on an 8.5 acre tract. The project site will impact 2.1 acres of medium quality forested wetlands adjacent to a tributary of Flat Branch, Latitude 30.47258° North, Longitude 89.102360° West, Section 33, Township 6 South, Range 11 West, Gulfport, Harrison County, Mississippi.

PROJECT PURPOSE: The basic project purpose of the proposed project is for the construction of a commercial development. The layout proposal includes construction of a 41,600-square-foot retail space with associated parking, infrastructure, and green space. The U.S. Army Corps of Engineers (USACE) has initially determined this project to be non-water dependent.

EXISTING CONDITIONS: The 8.5-acre subject property was previously permitted under a Nationwide Permit for impacts to 0.33 acre, but the development was never completed and wetlands were not impacted (MSJ98-02634-T). The site is located with Highway 49 to the west, a commercial development to the north, a residential subdivision to the east, and single family residential property to the south.

ALTERNATIVES: Alternative sites were evaluated off-site. On-site alternatives would include a reduced footprint and avoidance of 1.6 acres of forested wetlands.

PROPOSED WORK: The proposed project will result in a total of 2.1 acres of wetland impacts caused by direct filling for the construction of the commercial development.

AVOIDANCE & MINIMIZATION: The applicant proposes an avoidance of 1.6 acres of wetland impacts by modification of the development plan. The USACE has not verified the accuracy or adequacy of the applicant's avoidance and minimization at this time.

MITIGATION: The applicant proposes purchase of appropriate credits from Wetland Solutions, LLC, for impacts to 2.1 acres of medium-quality wetlands. The USACE has not verified the adequacy of this mitigation proposal at this time.

The applicant has applied for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made by the Mississippi Department of Environmental Quality.

HISTORIC PROPERTIES: The National Register of Historic Places (NRHP) will be consulted for properties listed in or eligible for the National Register, which would be affected by the proposed work. Copies of this notice are being sent to the State Historic Preservation Officer (SHPO) and the U.S. Department of the Interior, National Park Service, and Division of Archeological Services for further consultation and comments.

ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate the proposed activity may require additional coordination with the U.S. Fish and Wildlife Service (FWS). The gopher tortoise is the only federally listed species that could potentially occur on this site due to the presence of marginal soils, and to the lack of any supporting habitat that might otherwise be potentially occupied by the Mississippi gopher frog, Black Pine snake, Wood Stork or other Federally listed species that may occur temporarily or otherwise in coastal Mississippi. Suitable habitat was not found onsite for any of the other above listed species and no evidence of the above listed species was found during onsite investigations. Additional coordination will be performed with the FWS on the proposed project.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the 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, cultural values, fish and wildlife values, protected species, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production 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 for consideration of this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2017-00959-RCV**, and should be directed to the District Engineer, USACE, Mobile District, Attention: **Mr. Rudolph C. Villarreal**, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Attention: **Ms. Florance Bass**, P.E., Post Office Box 2261, Jackson, Mississippi 39225, and the Mississippi Department of Marine Resources, Attention: **Ms. Holland Lamier**, 1141 Bayview Avenue, Suite 101, 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) 690-3246, or at rudolph.c.villarreal@usace.army.mil. Please refer to the above Public Notice number.

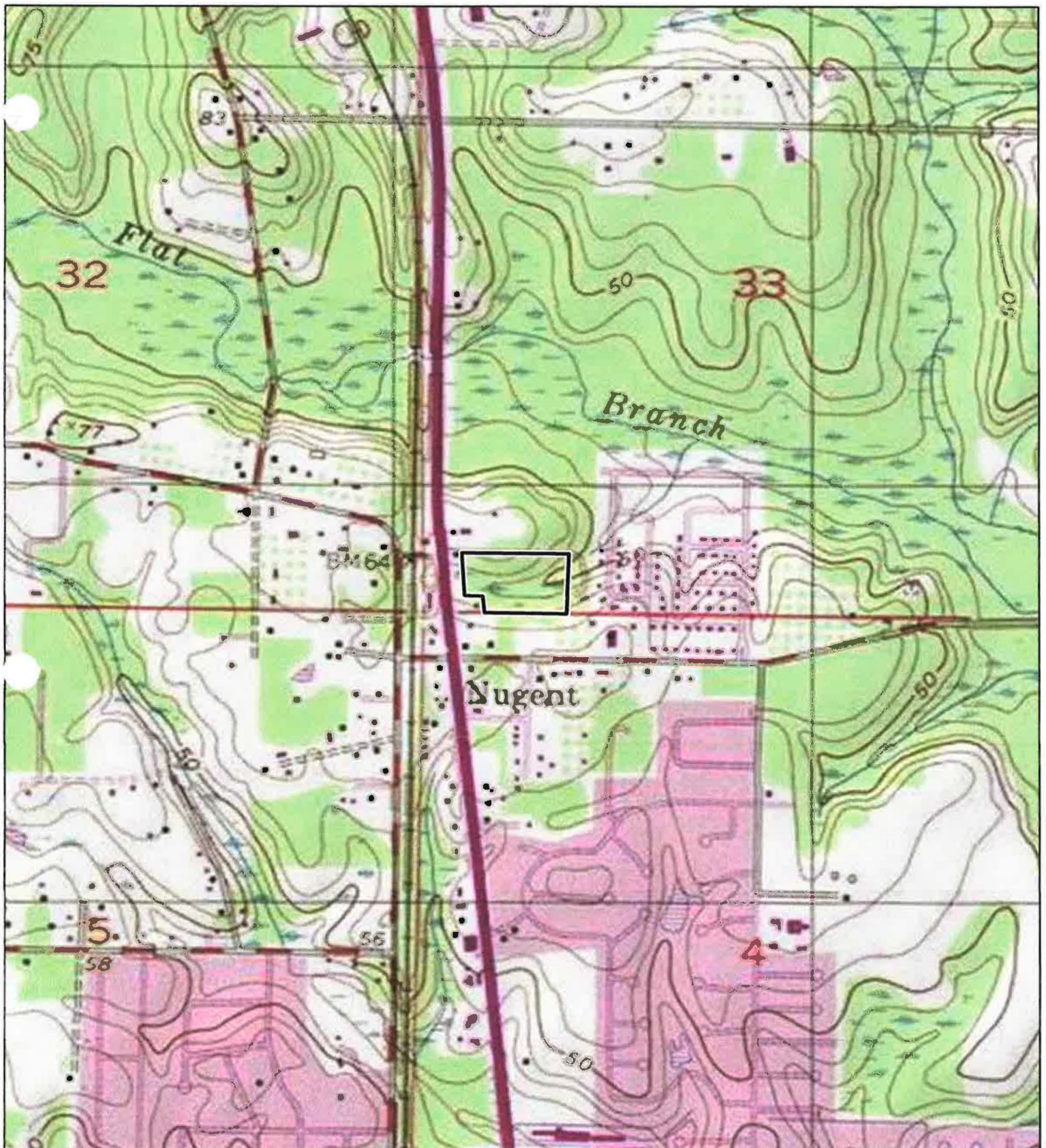
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



Figure 1. Vicinity Map



Mr. Stan Sumrall - +/- 8.5 acre Parcel, Highway 49

1,000
Feet

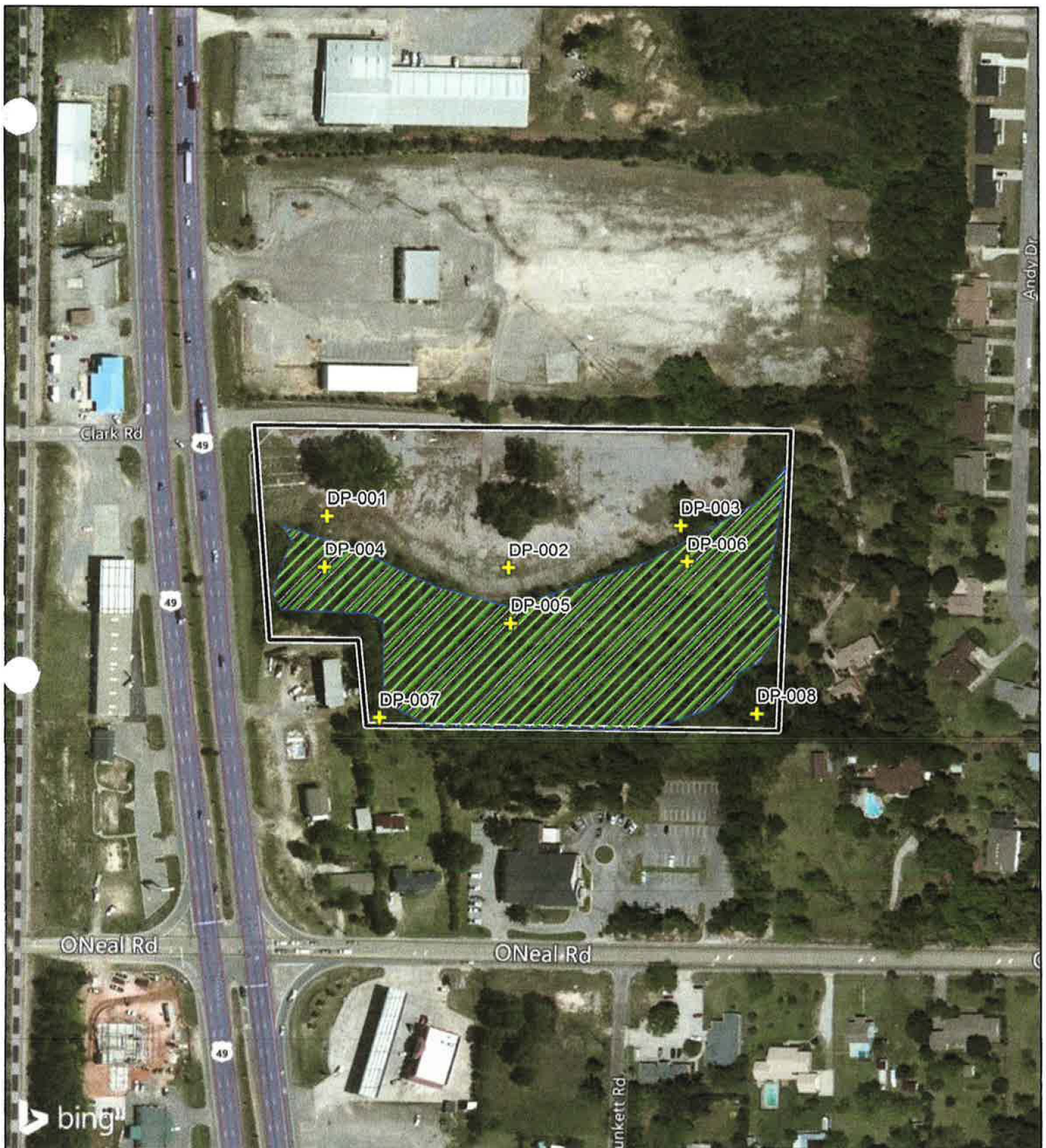
Approximate Project Area



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Background: USGS 1:24,000 DRG

Figure 2. Map showing overview of project area based on USGS topographic quadrangle Gulfport North, MS (7.5-minute series).



Mr. Stan Sumrall - +/- 8.5 acre Parcel, Highway 49

200
Feet

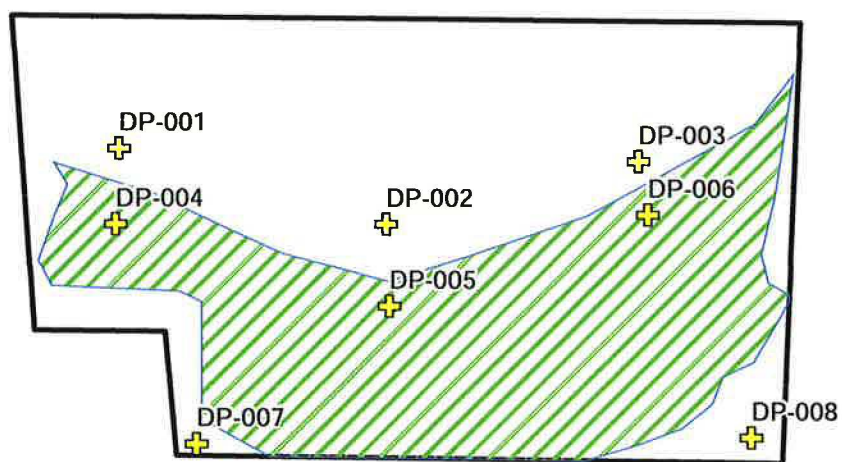
- + Sample Site Locations
- Approximate Project Area
- Site Wetland



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Background: Microsoft Imagery

Figure 3. Map showing project area details on 2010 Microsoft BING Imagery.



Mr. Stan Sumrall - +/- 8.5 acre Parcel, Highway 49

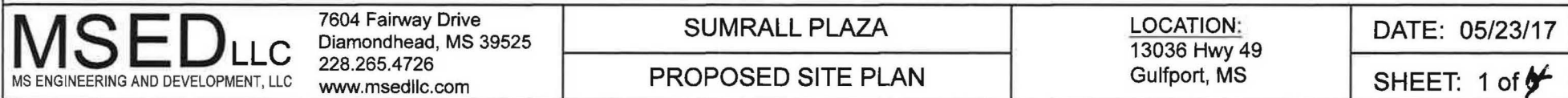
200
Feet

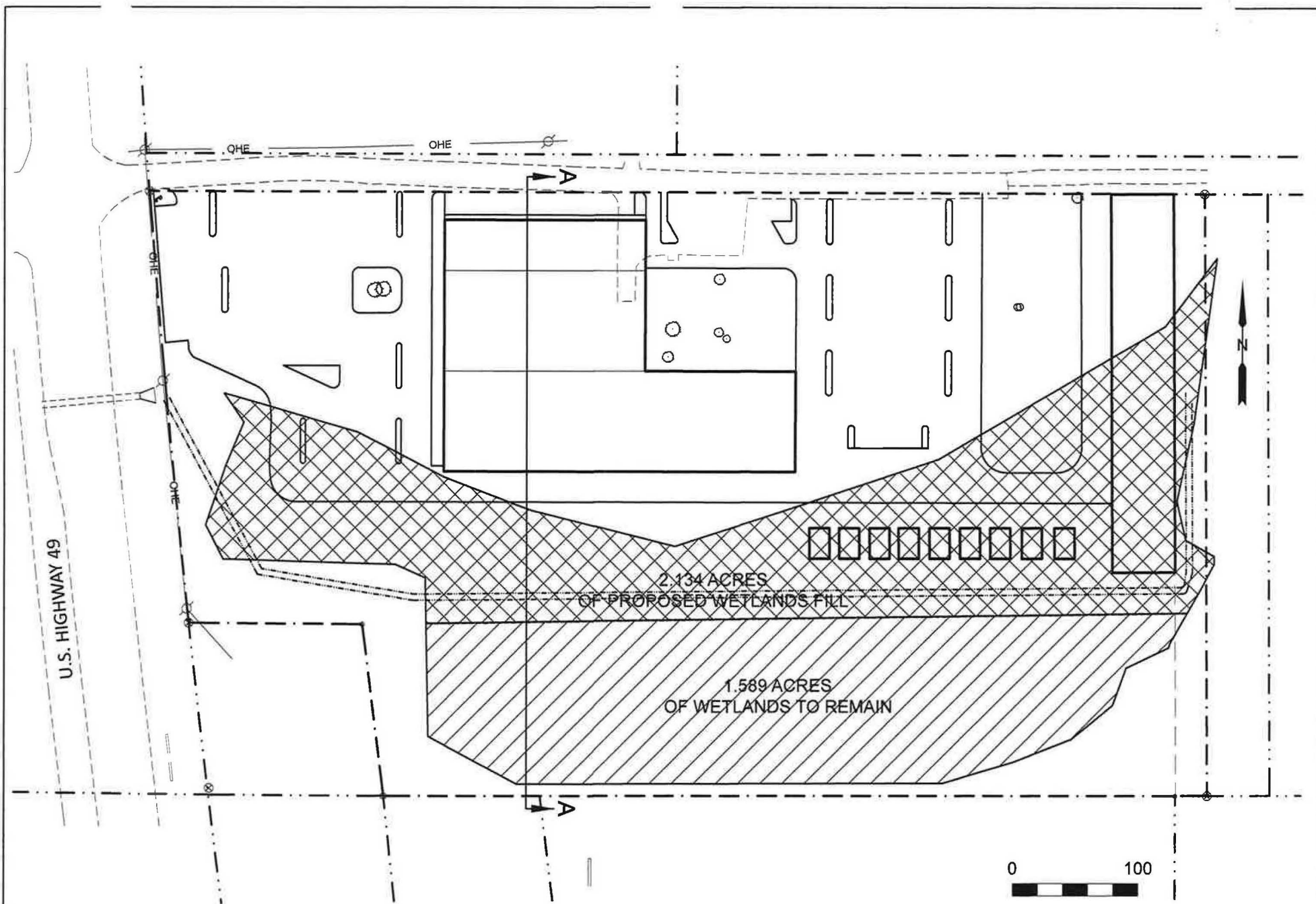
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-  Sample Site Locations
-  Approximate Project Area
-  Site Wetland



Figure 4. Map showing project area details.





MSED LLC
MS ENGINEERING AND DEVELOPMENT, LLC

7604 Fairway Drive
Diamondhead, MS 39525
228.265.4726
www.msedllc.com

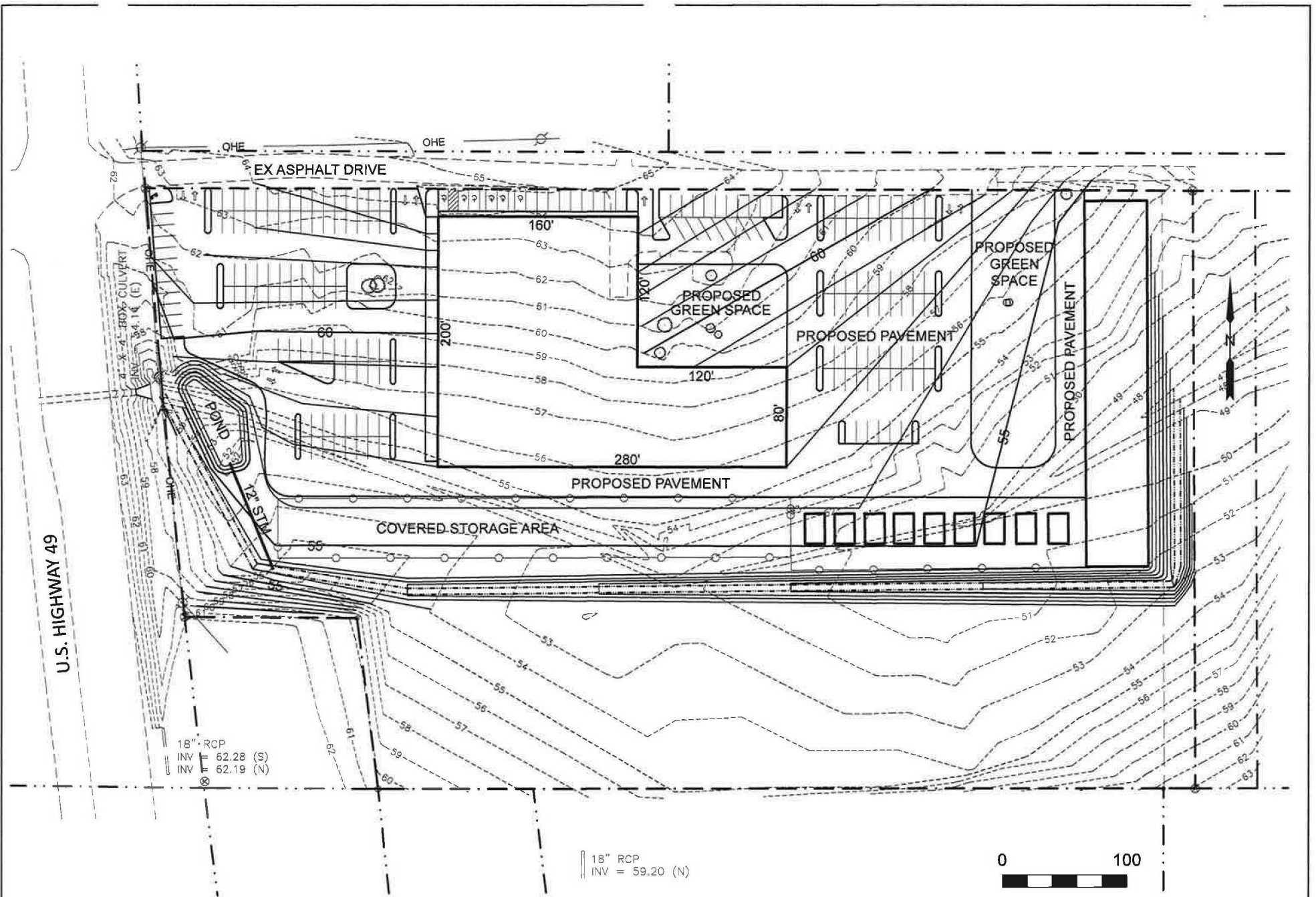
SUMRALL PLAZA
WETLANDS AREAS

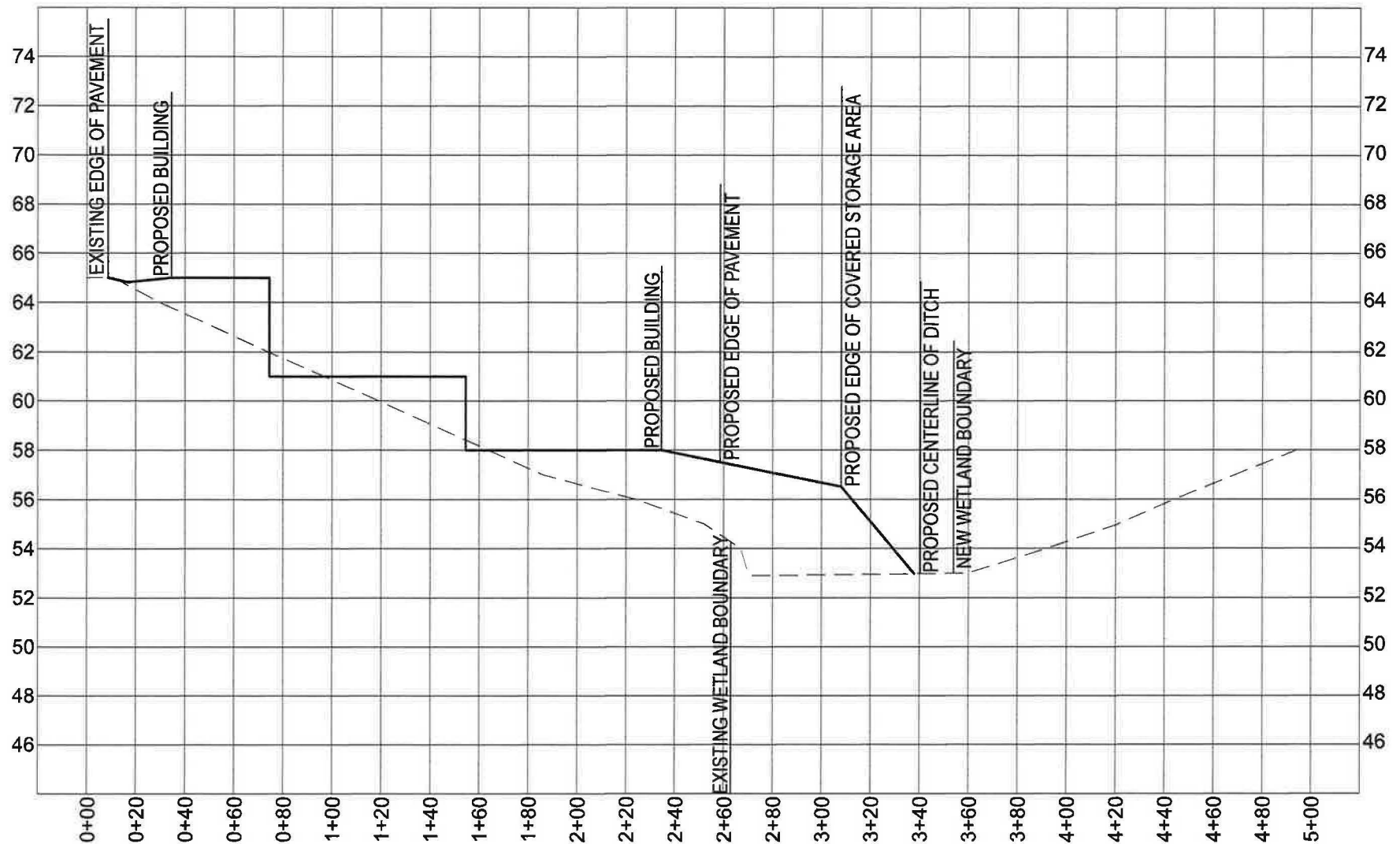
LOCATION:
13036 Hwy 49
Gulfport, MS

DATE: 06/09/17

SHEET: 2 of 4

SAM-2017-00959-RCV





SECTION A-A

SCALE: HORIZ. - 1" = 60'
VERT. - 1" = 6'

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SUMRALL PLAZA

CROSS SECTION

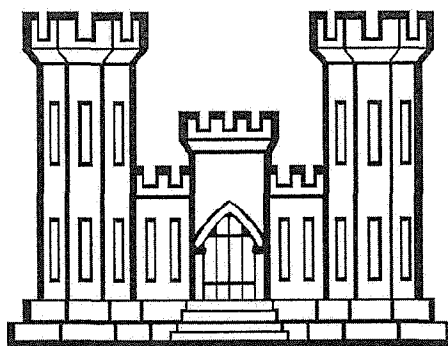
LOCATION:
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SHEET: 4 of 4

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE
P. O. BOX 2228
MOBILE, ALABAMA 36628-0001
OFFICIAL BUSINESS
CESAM-RD-C

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**U.S. ARMY CORPS
OF ENGINEERS
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