

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

March 8, 2019

CESAM-RD-C PUBLIC NOTICE NO. SAM-2018-00832-MJF

# JOINT PUBLIC NOTICE SAM-2018-00832-MJF U.S. ARMY CORPS OF ENGINEERS

# MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF POLLUTION CONTROL

# MISSISSIPPI DEPARTMENT OF MARINE RESOURCES DMR-190014

# PROPOSED IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT KNOWN AS MITCHELL ROAD SUBDIVISION, ADJACENT TO CANAL NO. 2, LONG BEACH, 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: A1 Development, LLC Attention: Mr. Noah Saunders Post Office Box 7668 D'Iberville, Mississippi 39540
- AGENT: Mr. Dana R. Sanders, Jr. 7129 East Central Park Drive Moss Point, Mississippi 39562

LOCATION: In wetlands adjacent to Canal No. 2, north of Lantana Boulevard, east of Mitchell Road, and east of Old Savannah Drive, Latitude 30.354105 North, Longitude - 89.175234 West, Section 10, Township 8 South, Range 12 West, Long Beach, Harrison County, Mississippi.

WORK: The applicant proposes to place fill material in 5.08 acres of low quality (as determined by M-WRAP), wet pine savannah wetlands to construct a 113-lot, single-family residential subdivision. The subject property is a 108-acre parcel containing approximately 72.89 acres of jurisdictional wetlands. On-site wetlands consist of 24.57 acres of bottomland hardwood wetlands running parallel to Canal No. 2, and 48.32 acres of pine savannah wetlands. The applicant proposes to develop approximately 41 acres of the larger 108-acre tract. The project is made up of two parts, the first located in the northern end of the property east of Mitchell Road and the second along the south property line directly adjacent to an existing subdivision. Best management practices

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would be implemented during and following all construction activities. Silt fences and other appropriate materials would be installed to block erosion and sedimentation in wetlands outside the project area. Disturbed surfaces would be planted to grass mixtures, except areas to be sodded. Planting and/or sodding would be undertaken as soon as possible after preparation of the project area.

EXISTING CONDITIONS: The project site is currently forested with a mixed pine/ hardwood canopy with a dense sapling/shrub understory. The project site is bordered by private residences to the north, south and west with mostly undeveloped acreage to the east. Canal No. 2 flows northeast to southwest through the southern portion of the property. The northern acreage adjacent to Mitchell Road has an existing private residence along with an abandoned RV park with abandoned buildings. Dominant vegetation in the pine savannah wetland tree stratum include loblolly pine, magnolia, black gum and sweetbay. The sapling/shrub stratum is dominated by big leaf gallberry, farkleberry, and titi. Soils consist of Harleston (HIB and HIA) and Ocilla in the uplands, and Plummer and Ponzer soils in the wetlands. The majority of the site has Harleston soils at a 2-4 percent slope.

PROJECT PURPOSE: As stated by the applicant, "To provide 113 lots for construction of single family residences. The project will provide jobs for the area, create a tax base for the County, and provide a purchasing opportunity for home buyers wishing to live within close proximity of Gulfport schools, shopping and beaches." The U.S. Army Corps of Engineers (USACE) initially determined the basic project purpose is a singlefamily, 113-lot subdivision, and would not be considered a water dependent activity. Additional review will be performed by the USACE and cooperating agencies.

ALTERNATIVES: The USACE's initial review of alternatives submitted by the applicant consists of four alternate locations in the vicinity. The 108-acre parcel contains 72.89-acres of jurisdictional wetlands. The applicant designed the proposed project to make maximum use of all on-site uplands. Additional review of alternatives will be performed by the USACE and cooperating agencies.

MITIGATION: Compensatory mitigation is required for the loss of 5.08 acres of low quality (based on M-WRAP analysis) wet pine savanna. The applicant is proposing mitigation through the purchase of 10.16 (2:1) mitigation credits from an approved mitigation bank. Additional review of mitigation requirements will be performed by the USACE and cooperating agencies. Final compensatory mitigation will be evaluated by the USACE and cooperating resource agencies throughout the review process for the proposed project.

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.

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The applicant has applied for coastal zone consistency from the State of Mississippi Department of Marine Resources (MDMR) in accordance with Section 57-15-6 of the Mississippi Code Annotated. The MDMR issued consistency by letter dated December 6, 2018 (DMR-190014).

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 benefits, 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.

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 effect cultural and historic properties within the permit area. In accordance with Appendix C of

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33 CFR Part 325, the USACE has determined that the permit area is the full area of development for the overall project footprint. The National Park Service, National Register of Historic Places database has been consulted. No known archaeological sites are located within or very close to the project area. The proposed project will have <u>no potential to cause effects</u> on cultural resources in the permit area. 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. The State Historic Preservation Officer replied to the MDMR notice by letter dated June 1, 2015, stating it is their determination that no cultural resources are likely to be affected, (MDAH Project Log #05-062-15).

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 terrestrial species may be present within the affected watershed: The West Indian Manatee (E) (*Trichechus manatus*), the Piping Plover (T) (*Charadrius melodus*), the Red Knot (T) (*Calidris canutus rufa*), the Wood Stork (T) (*Mycteria Americana*), the gopher tortoise (T)(*Gopherus polypemus*), the Mississippi Gopher Frog (E) (*Rana sevosa*) and the Loggerhead Sea Turtle (E)(*Caretta Caretta*). No listed critical habitat is located on or near the project site. Preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants for the 12-HUC watershed suggest that the proposed activity will have <u>no</u> <u>effect</u> on listed endangered or threatened species or critical habitat. This determination is being coordinated with the U.S. Fish and Wildlife Service via this public notice.

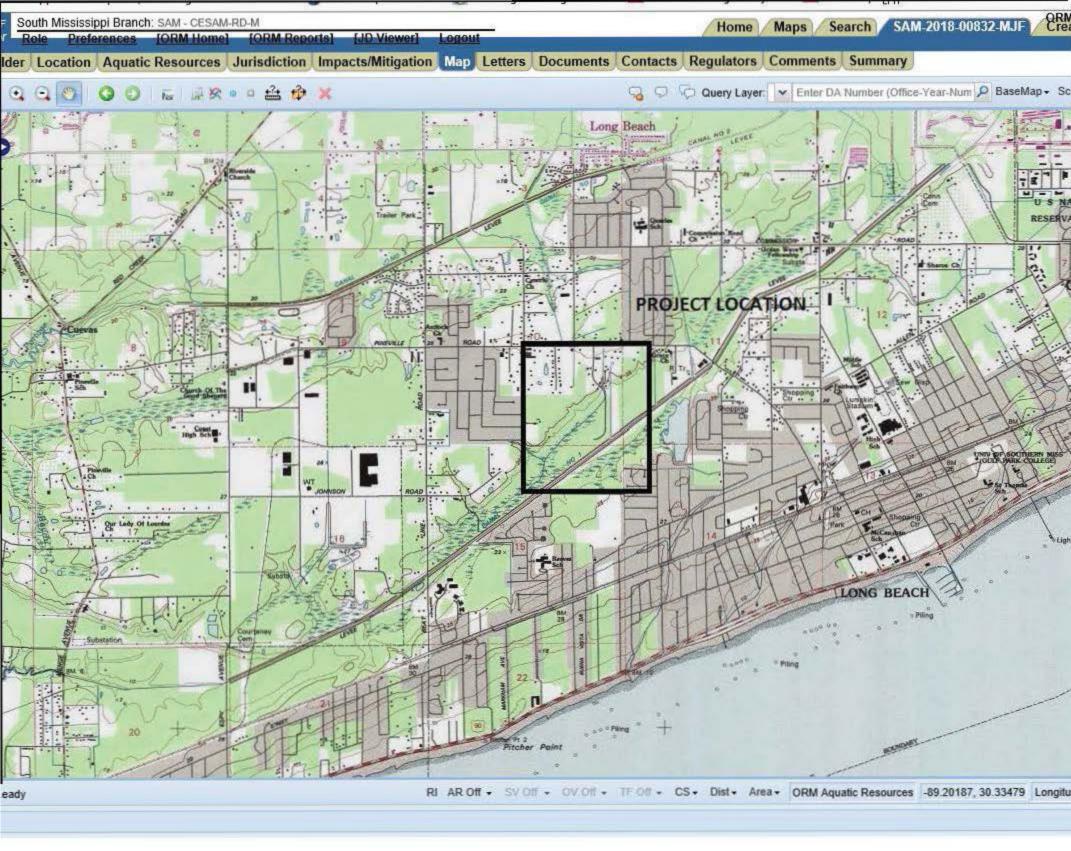
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2018-00832-MJF**, and should be directed to the District Engineer, USACE, Mobile District, Biloxi Field Office, Attention: **Ms. Maryellen Farmer**, 1141 Bayview Avenue, Suite 104, Biloxi, Mississippi 39530, with 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.

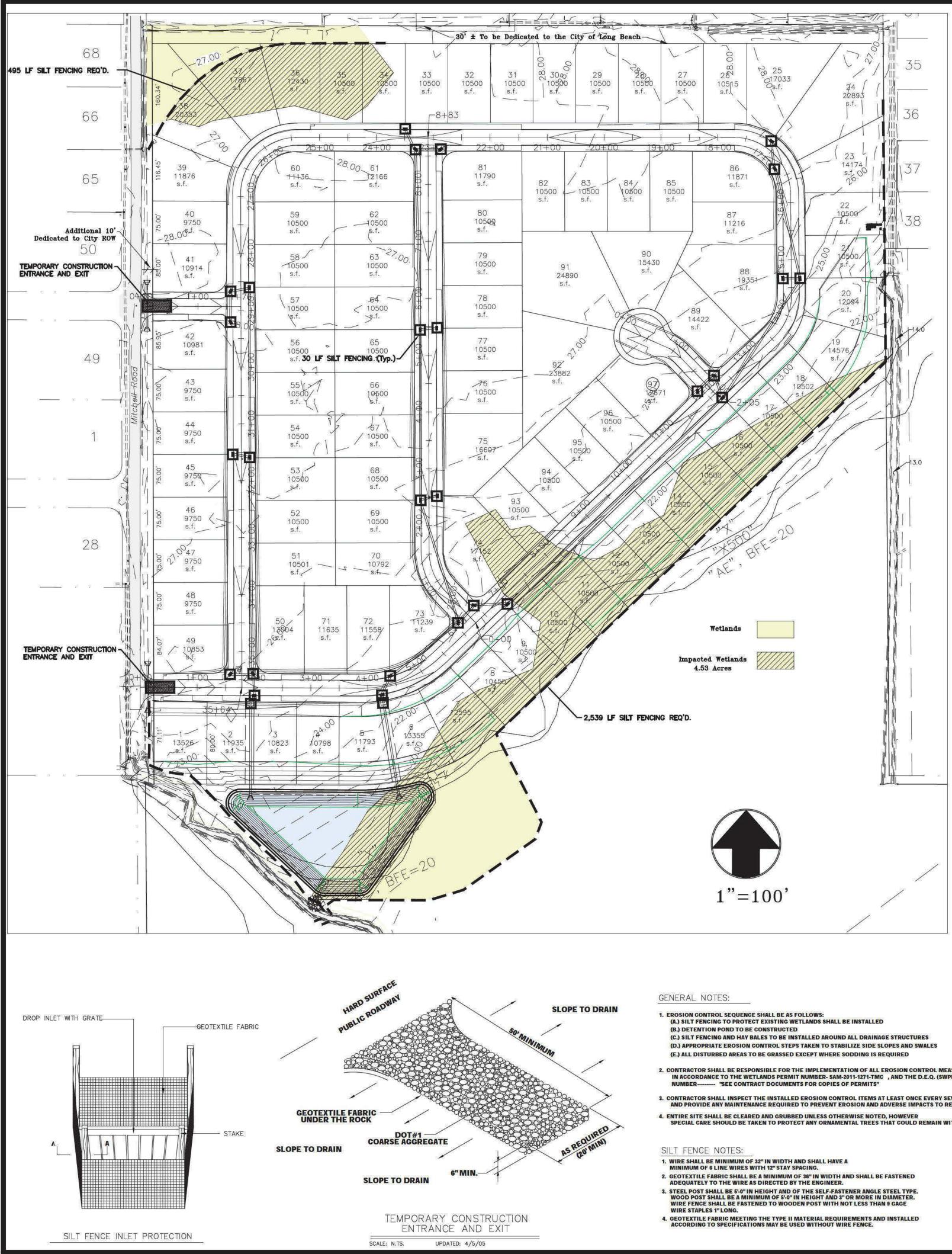
All Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager at (228) 523-4116, or email maryellen.j.farmer@usace.army.mil. Please refer to the above Public Notice number.

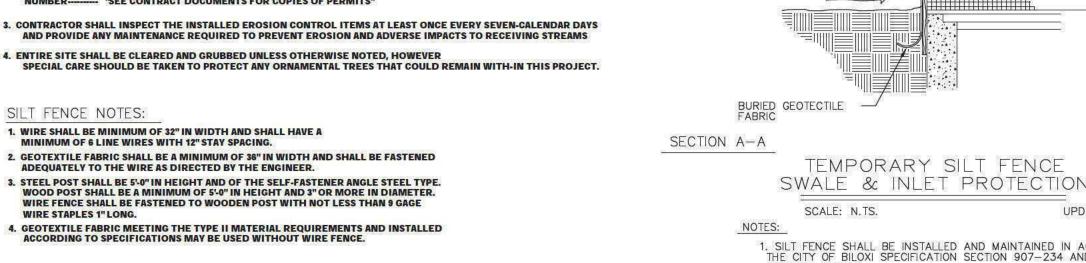
For additional information about our Regulatory Program, please visit our web site at: www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT U.S. Army Corps of Engineers

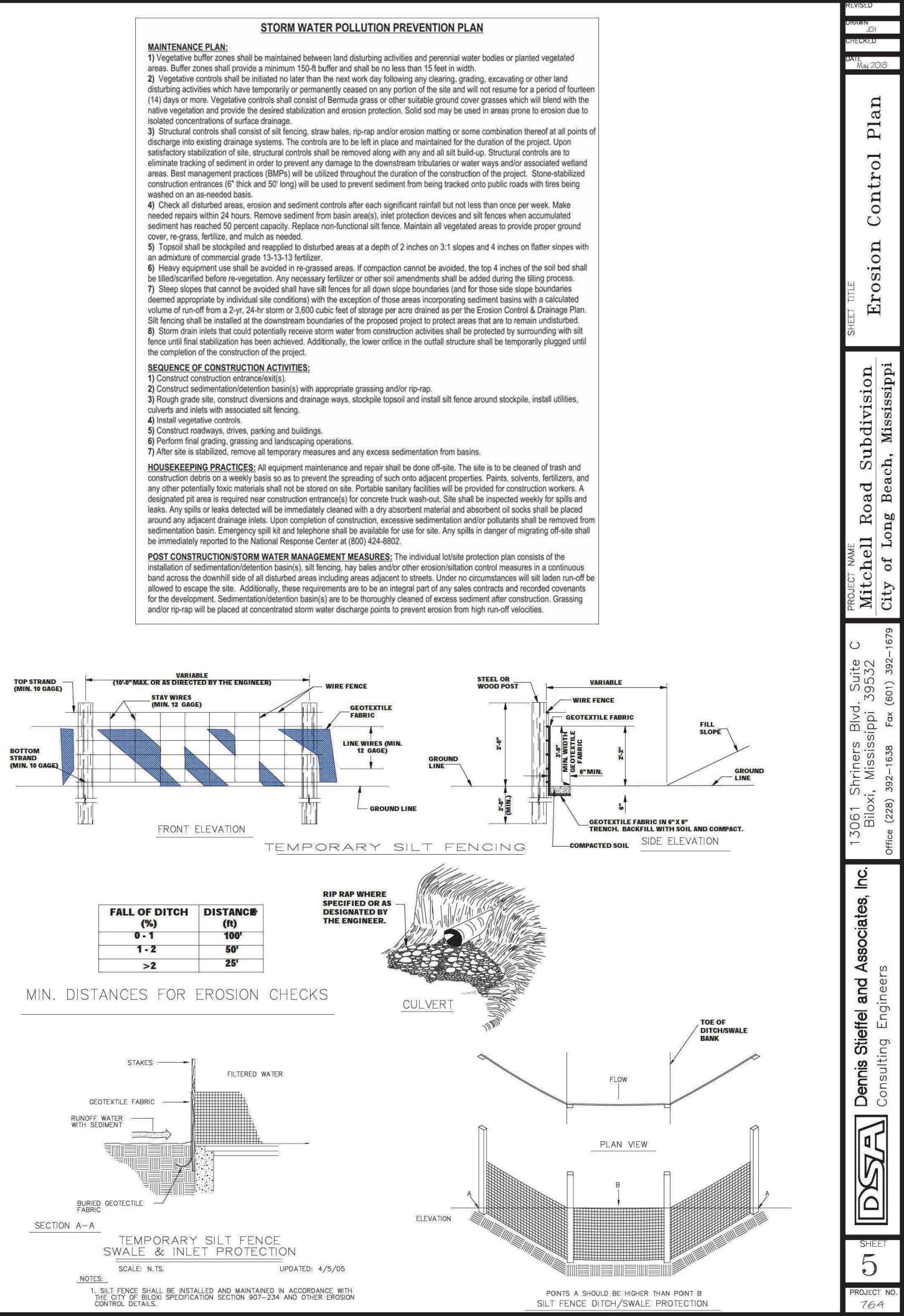
Enclosures

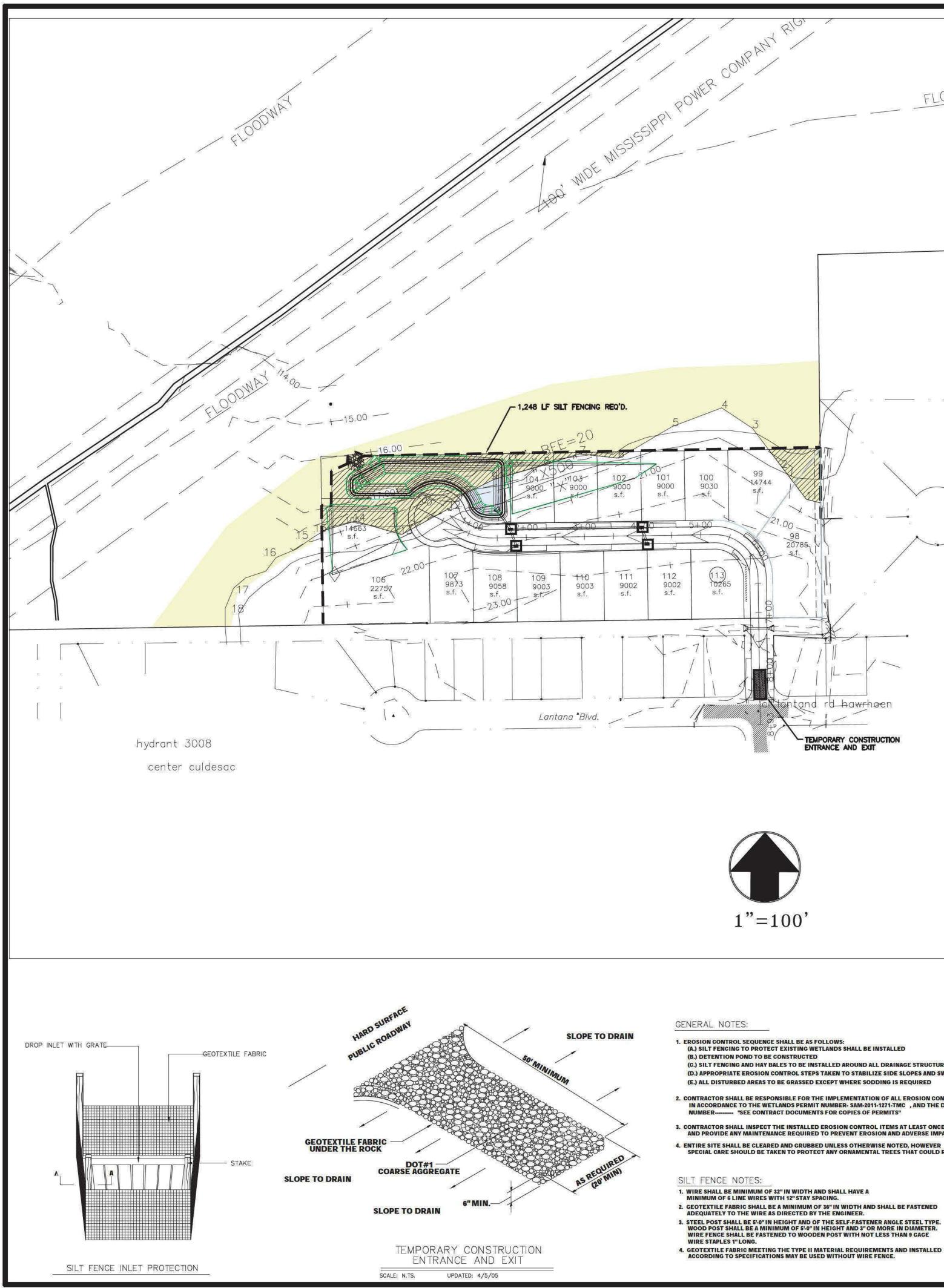


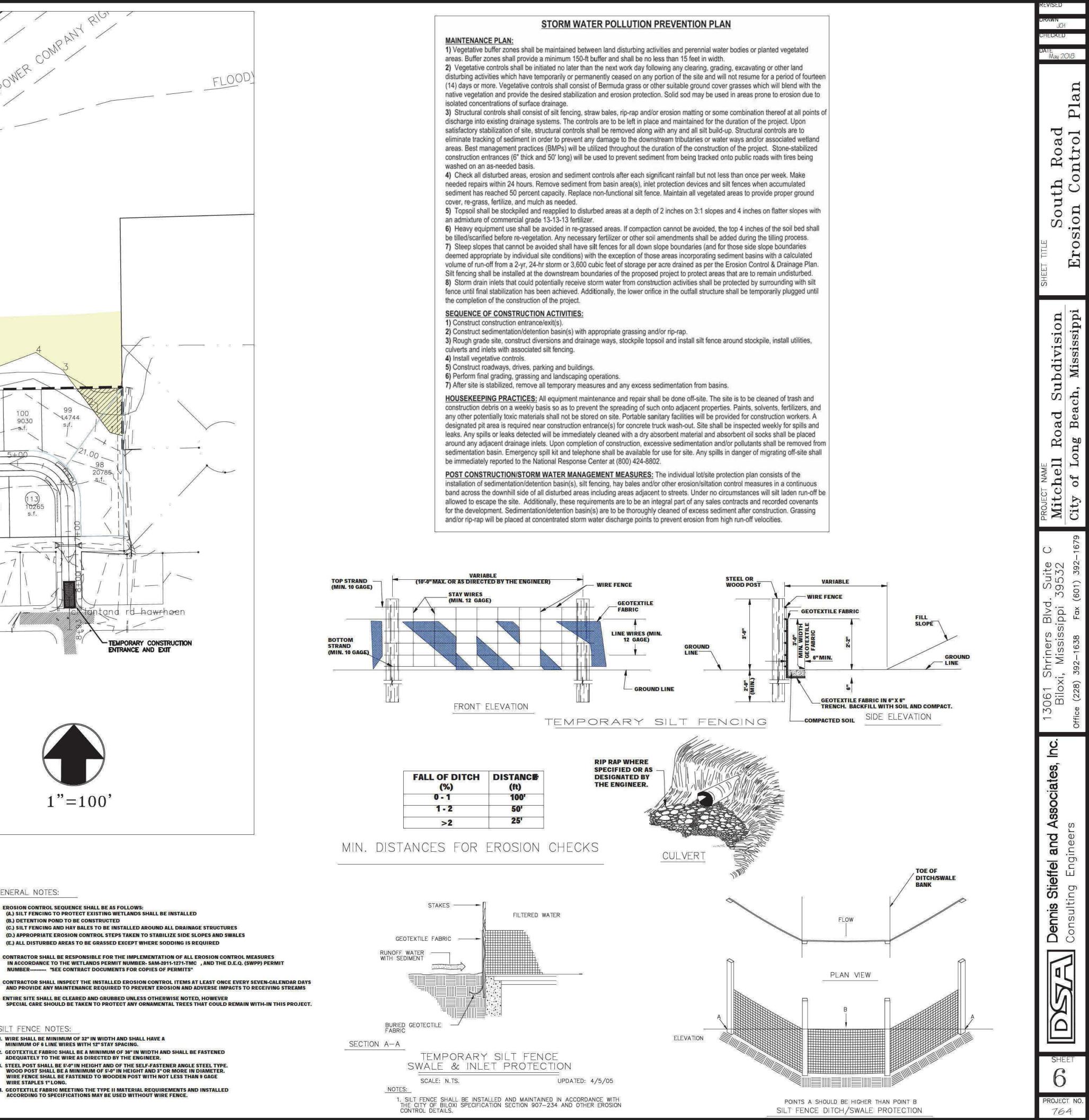




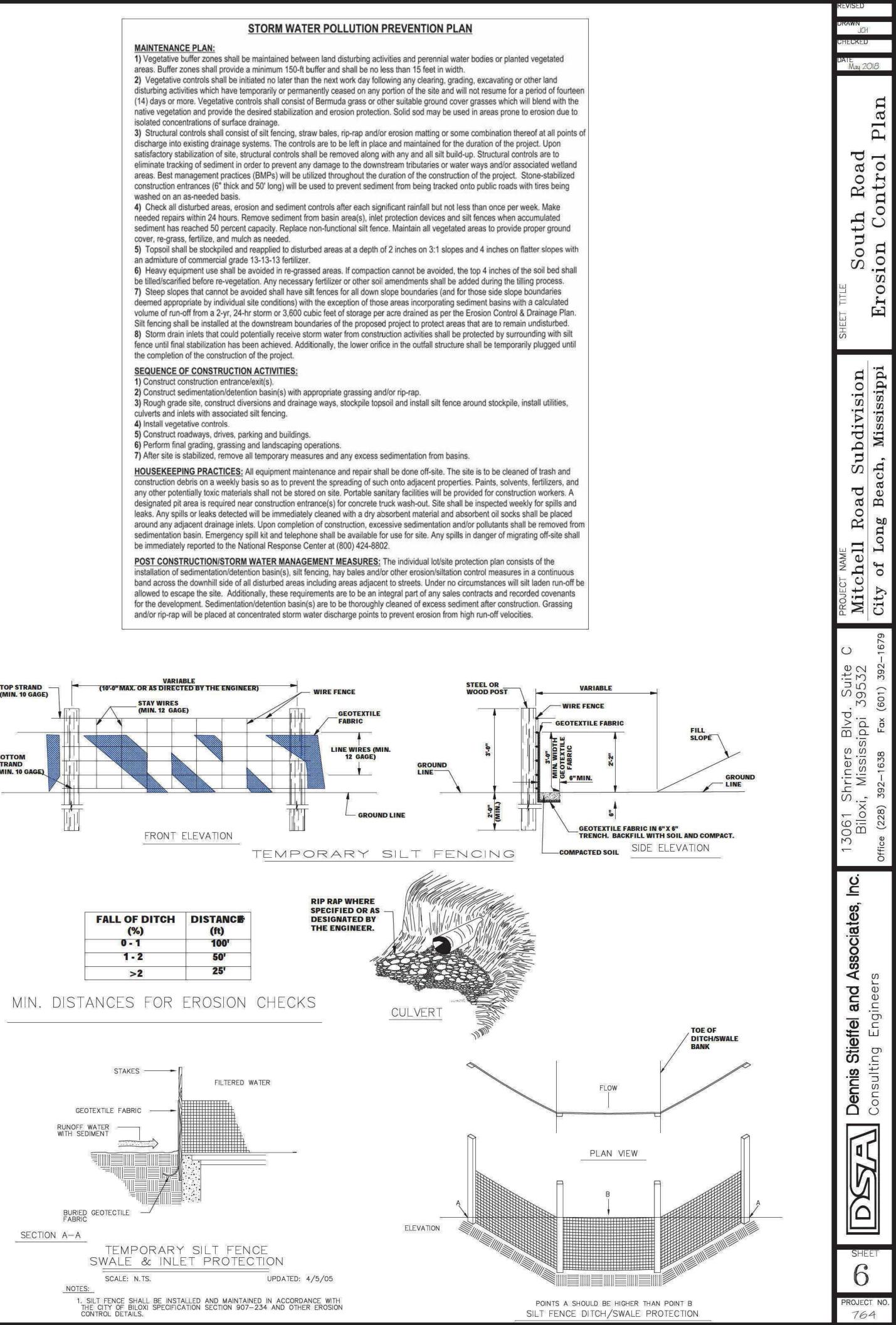
- 2. CONTRACTOR SHALL BE RESPONSIBLE FOR THE IMPLEMENTATION OF ALL EROSION CONTROL MEASURES IN ACCORDANCE TO THE WETLANDS PERMIT NUMBER- SAM-2011-1271-TMC , AND THE D.E.Q. (SWPP) PERMIT

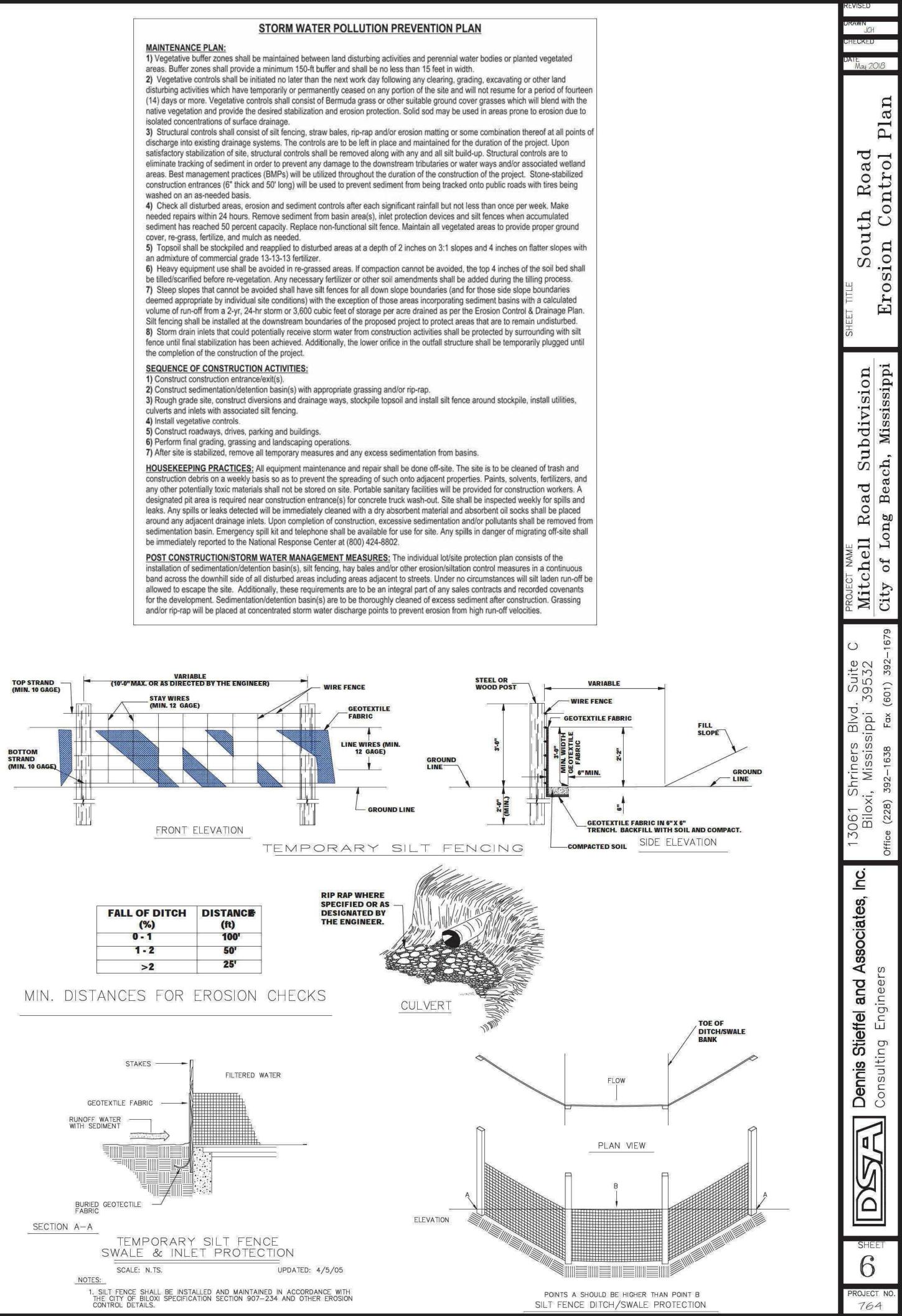


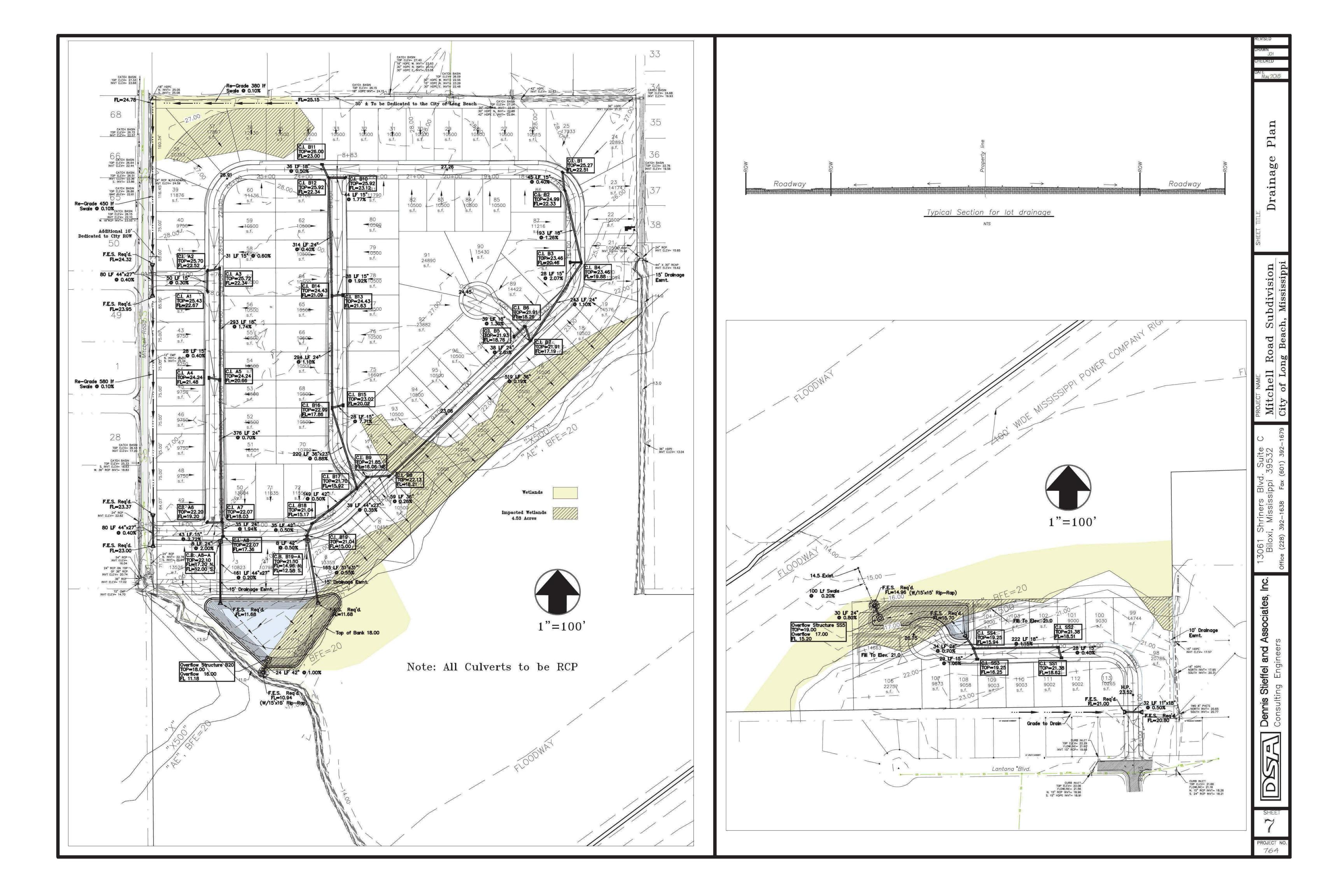


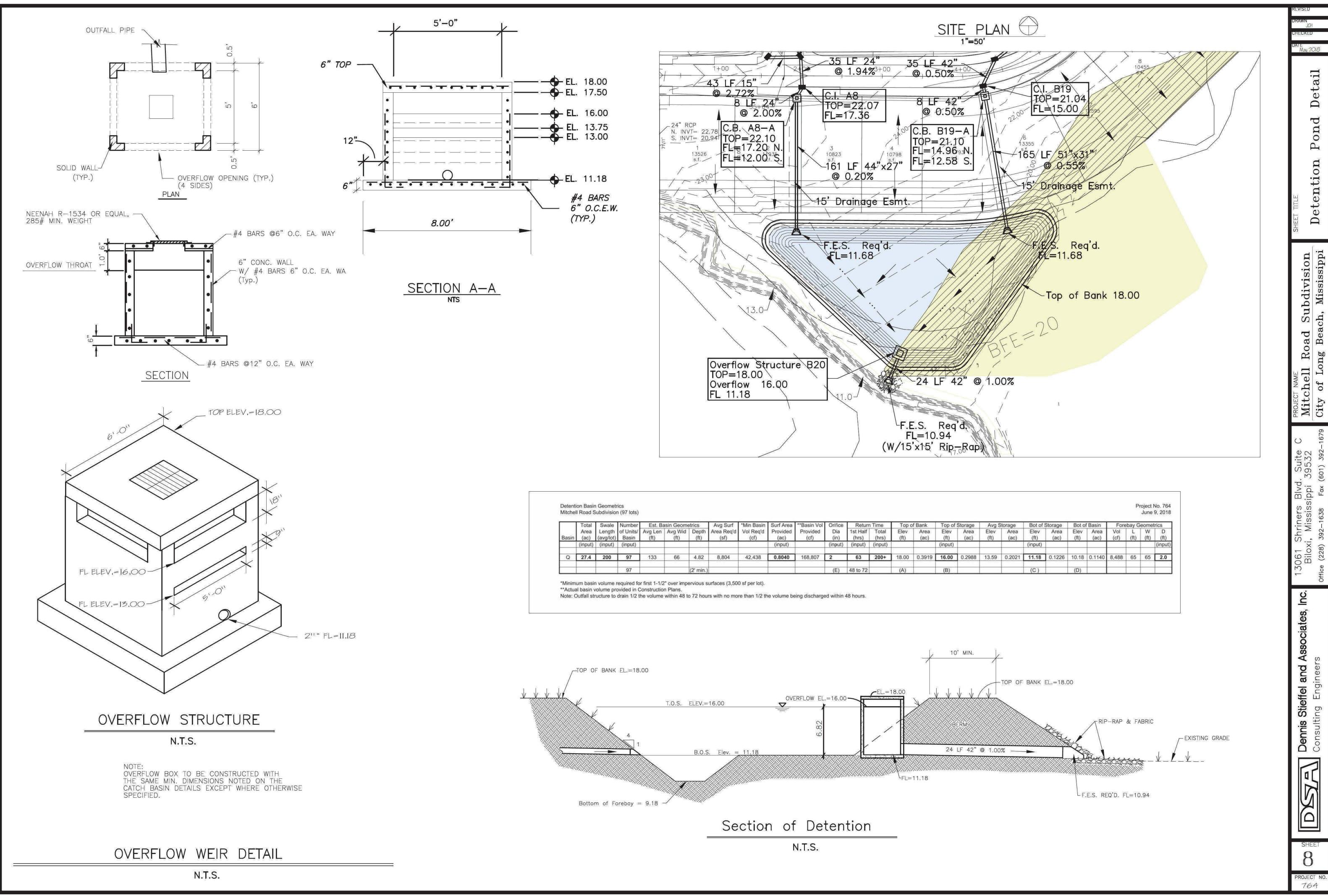


- 3. CONTRACTOR SHALL INSPECT THE INSTALLED EROSION CONTROL ITEMS AT LEAST ONCE EVERY SEVEN-CALENDAR DAYS AND PROVIDE ANY MAINTENANCE REQUIRED TO PREVENT EROSION AND ADVERSE IMPACTS TO RECEIVING STREAMS
- 2. CONTRACTOR SHALL BE RESPONSIBLE FOR THE IMPLEMENTATION OF ALL EROSION CONTROL MEASURES

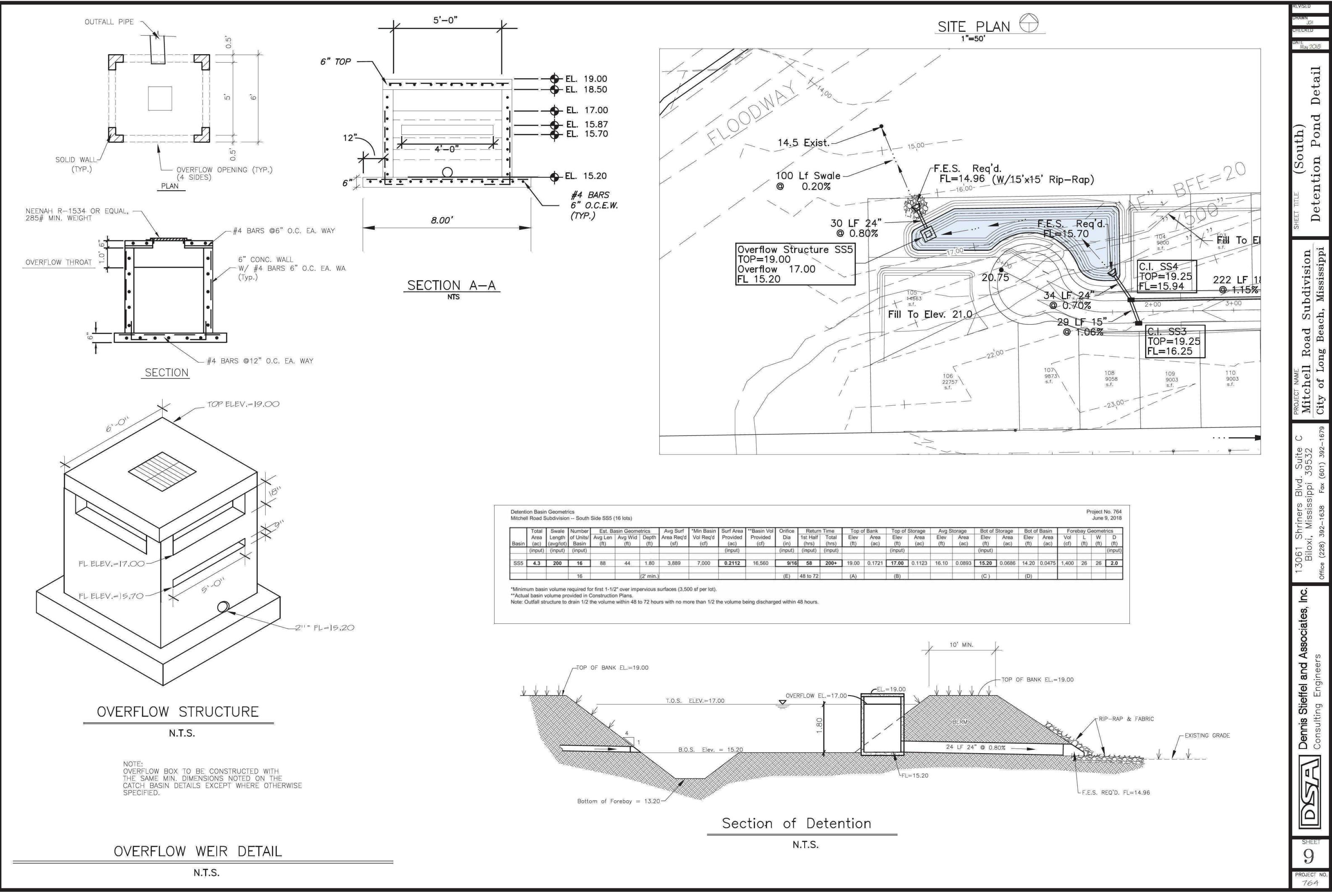




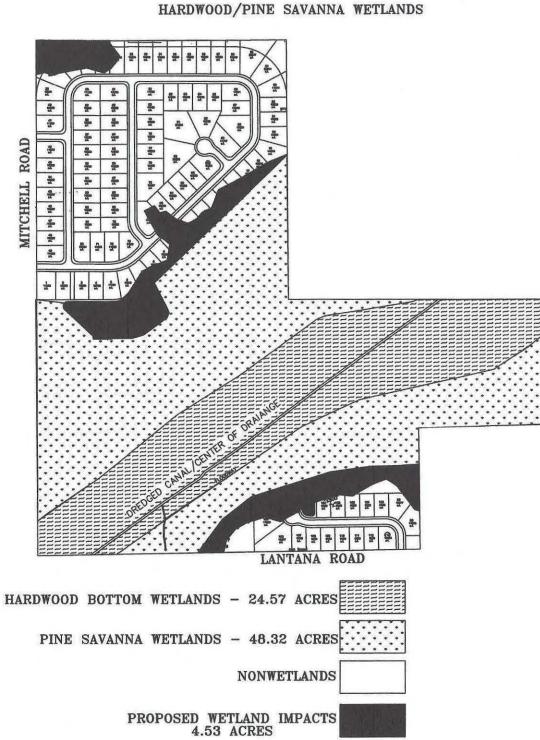




Basin	Total Area (ac)	Swale Length (avg/lot)	Number of Units/ Basin	Est. Basin Geometrics			Avg Surf	*Min Basin	Surf Area	**Basin Vol	Orifice	Return Time		Top of Bank		Тор	
				Avg Len (ft)	Avg Wid (ft)	Depth (ft)	Area Req'd (sf)	Vol Req'd (cf)	Provided (ac)	Provided (cf)	Dia (in)	1st Half (hrs)	Total (hrs)	Elev (ft)	Area (ac)	Elev (ft)	
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Basin	Total Area (ac)	1	VALUE VILLE	Est. Basin Geometrics			Avg Surf	*Min Basin	Surf Area	**Basin Vol	Orifice	Return Time		Top of Bank		Top of Storage		Avg S	
				Avg Len (ft)	Avg Wid (ft)	Depth (ft)	Area Req'd (sf)	Vol Req'd (cf)	Provided (ac)	Provided (cf)	Dia (in)	1st Half (hrs)	Total (hrs)	Elev (ft)	Area (ac)	Elev (ft)	Area (ac)	Elev (ft)	
	(input)	(input)	(input)						(input)		(input)	(input)	(input)			(input)			
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			16			(2' min.)					(E)	48 to 72		(A)		(B)			



# FIGURE 2. MITCHELL ROAD PROPOSED LAYOUT WITH HARDWOOD/PINE SAVANNA WETLANDS

FIGURE 2. PROJECT LAYOUT MAP FOR MITCHELL ROAD 108 ACRE TRACT, GULFPORT, HARRISON COUNTY, MS

