DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

CESAM-RD-M **March 30, 2020**
PUBLIC NOTICE NO. SAM-2018-01167-MJF

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
DMR-200204

PROPOSED IMPACTS TO 3.5 ACRES OF WETLANDS ASSOCIATED WITH THE CONSTRUCTION OF A GROCERY STORE KNOWN AS ALDI, CITY OF OCEAN SPRINGS, JACKSON 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: **Mr. Dave Hassen**
ALDI, Inc.
29000 U.S. Highway 98, Bldg. C, Suite 201
Daphne, Alabama 36526
Dave.hassen@aldi.us

AGENT: **Mr. Jeremy Rowden**
Rowden Consulting, LLC
P.O. Box 978
Bullard, Texas 75757
jeremy@rowdenconsulting.com

LOCATION: **Wetlands Associated with Heron Bayou, located north of Highway 90, East of Deena Road, south of Baywood Subdivision and west of Grace Baptist Church, City of Ocean Springs, Jackson County, Mississippi. Section 26, Township 7 South, Range 8 West, Latitude 30.410693º North Longitude -88.764918º West. This area is depicted on the MS-Ocean Springs Quadrangle, United States Geological Survey Topographic Map, Hydrologic Unit Code 03170009.**

WORK: **The applicant proposes to fill 3.5 acres of wetlands associated with the construction of a 20,000 square foot commercial grocery store to include utilities, parking, driveways and stormwater detention pond, north of Highway 90, Jackson**

County, Mississippi. The total project site is approximately 3.5 acres in size and the entire parcel has been identified as medium-quality wetlands (M-WRAP score of 51.5%). Impacts include filling the entire 3.5 acre parcel. The applicant proposes to provide in-kind compensatory mitigation through the purchase of mitigation credits from an approved mitigation bank.

The applicant has applied for state water quality (WQ) certification in accordance with Section 401(a)(1) of the Clean Water Act and for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQ certification and CZ consistency will be made by the Mississippi Department of Environmental Quality and the Mississippi Department of Marine Resources.

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 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, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, mineral needs, consideration of property ownership, 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 affect historic properties. In accordance with Appendix C of 33 CFR Part 325, the USACE has determined that the permit area consists of the full area of development for the overall project footprint. The National Park Service, National Register of Historic Places (NRHP) database has been consulted. No properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. The closest known site is over 2.4 miles southeast of the project site. The U.S. Army Corps of Engineers (USACE) has made a preliminary determination that the proposed project will have ***no potential to cause effect*** on historic properties in the permit area. 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. The Mississippi Department of Archives and History (MDAH) responded to MDMR notice by letter dated March 3, 2020 requesting a cultural resources survey be performed due to site topography of the project area and the presence of recorded sites in close proximity. (MDAH Project Log #02-029-20).

A preliminary review of this application, the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants, and the National Marine Fisheries Service list of Mississippi's Threatened and Endangered Species indicate the proposed activity will have ***no effect*** on listed endangered or threatened species or critical habitat. This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries 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-2018-01167-MJF** and should be directed to the District Engineer, Mobile District, Biloxi Field Office, Attention: **Ms. Maryellen Farmer,** 1141 Bayview Avenue, Suite 120, Biloxi, Mississippi 39530, with a to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225 FBass@mdeq.ms.gov and the Mississippi Department of Marine Resources, Attention: Mr. Greg Christodoulou, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530, Greg.Christodoulou@dmr.ms.gov.

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 at maryellen.j.farmer@usace.army.mil. 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/Missions/Regulatory.aspx.

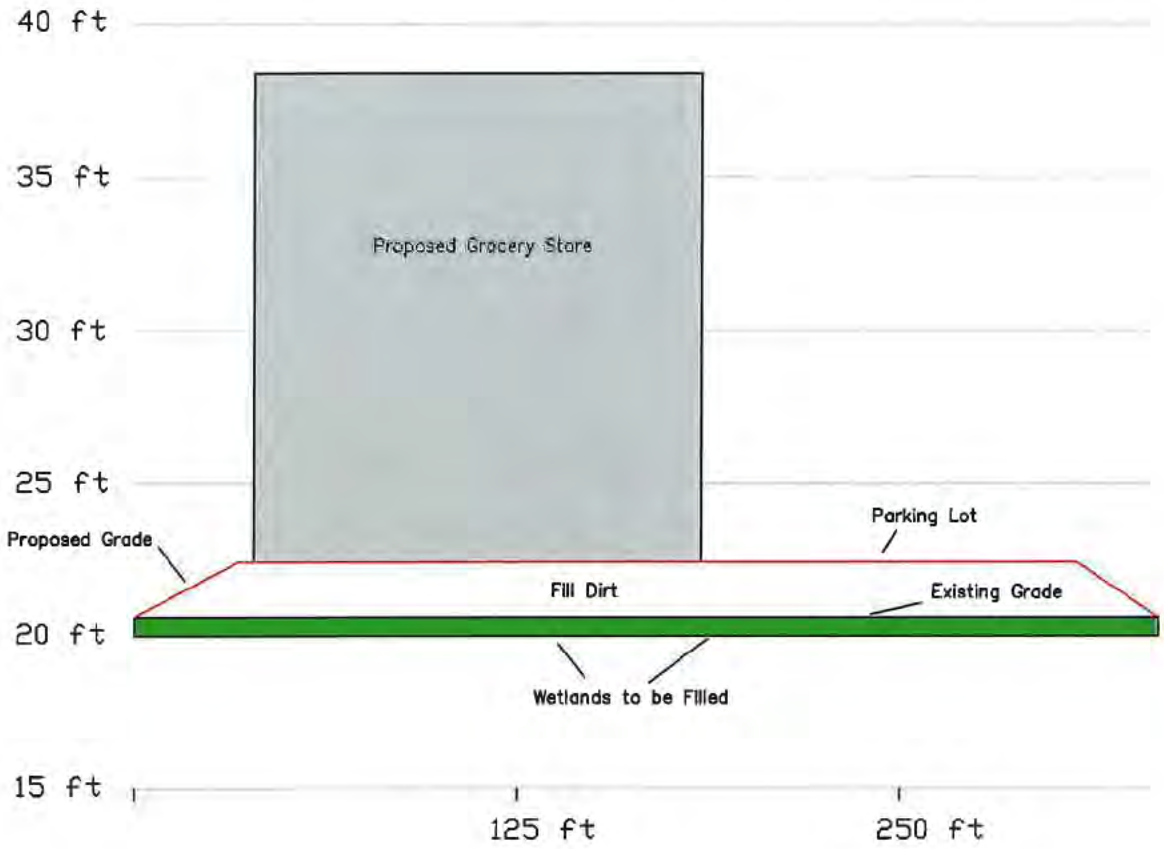
MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures


LEGEND
Study Boundary
Old Fort Bayou
Ocean Springs Road
Meade Street
Caymus Cove
Chalome Place
Reel Street
Shoshonee Drive
Chickpee Trace
Alcove Lane
Debbie Drive
Lori Drive
Sioux Drive
Culeoka Drive
Pontiac Street
Iroquois Drive
Monticello Boulevard
Monticello Woods
Yosemite Drive
Parktown Drive
Glacier Avenue
Deena Road
Springbrook Lane
Sandy Drive
Groveland Road
West Drive
Bienville Boulevard Service Road
Bienville Boulevard
US 90
Oakleigh Avenue
Crestlawn Memorial Park
Mississippi Vietnam Veterans Memorial Park
NO&M Subdivision
Davis Bayou Circle
Booth Circle
Dijon Avenue
Bergerac Lane
Cabildo Place
Hanshaw Road
Chaumont Circle
Linnet Drive
Zettel Road
Magnolia Bayou Boulevard
Project Number SAM-2018-1167
Exhibit 1 - Location Map
January 2020
500 ft
1500 ft
2500 ft
Rowden Consulting, LLC
Environmental Services


LEGEND
Study Boundary
Section Line
FULL ACCESS
DEANA RD.
± 175
± 79
± 63
± 258
± 80
± 190
DETENTION POND
Entire property is comprised of wetlands.
A
A'
ALDI TRACT
± 3.51 AC.
ALDI
± 384
± 435
± 384
RIGHT-IN / RIGHT-OUT ACCESS
BIENVILLE BLVD. (HWY 90)
Project Number SAM-2018-1167
Exhibit 2 - Site Plan
January 2020
0 ft
50 ft
150 ft
250 ft
Rowden Consulting, LLC
Environmental Services

Note: Elevations and site design are conceptual. Final grades and design to be refined and engineered by others.



SCALE: 1"= 60' (10X Vert.)	Section A – A'	Rowden Consulting, LLC Environmental Services P.O. Box 978 - Bullard, TX - 75757	PROJECT NO. 18.076
FIGURE NO. 3	Project Number SAM-2018-1167 Exhibit 3 – Cross Section January 2020		DATE January 2020
			PROJECT MGR. jwr
			PROJECT TECH jwr