



US Army Corps
of Engineers®

PUBLIC NOTICE

Applicant: Jesse Lee

Published: March 13, 2025

Expires: April 14, 2025

**Mobile District
Permit Application No. SAM-2025-00146-SMP**

**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
DMR25-000092**

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Jesse Lee
PO Box 398
Picayune, Mississippi 39466

AGENT: Mitch Tinsley
Ecological Asset Management
530 Main Street, Suite B
Bay St. Louis, MS 39520

LOCATION: The project/review area is located on 11th Avenue (lots 9 and 10), approximately 1.0 mile southeast of the intersection of Highway 43 and Sugar Field Street in 39 Section, 8S Township, 14W Range; at Latitude 30.3261° N and Longitude 89.4058° W; in Bay St. Louis, Hancock County, Mississippi.

EXISTING CONDITIONS: The review area includes two undeveloped parcels, totaling approximately 0.29-acre of non-tidal wetlands, adjacent to tidal waters. The review area is located off a manmade canal and is made up of entirely low-quality forested wetlands. The surrounding area includes residential developments and undeveloped land.

PROJECT PURPOSE:

Basic: The Corps has determined that the basic purpose of the proposed project is to provide waterfront housing that is protected from erosion.

Overall: The overall purpose of the proposed project is to provide two residential homes with waterfront access, protected from erosion and located near the Highway 603 and I-10 intersection.

PROPOSED WORK: The applicant requests authorization to impact 0.26-acre of wetlands associated with the construction of two residential homes, two 28’x12’ boat ramps, and a 76 linear foot bulkhead landward of the MHW. Impacts include wetland fill, excavation for boat ramps, and bulkhead construction.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: To support effective stormwater management, the design incorporates a shared 8-foot avoided wetland swale area centered along the lot line. The applicant will use best management practices (BMPs) to stabilize dirt and prevent sediment migration to adjacent on-site and any off-site jurisdictional areas.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to provide in-kind compensatory mitigation through an approved mitigation bank.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made preliminary determinations for all ESA-listed species and/or critical habitats present in the action area, see below.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status	Preliminary Effect Determination
West Indian Manatee	Trichechus manatus	Threatened	No Effect

Eastern Black Rail	<i>Laterallus jamaicensis jamaicensis</i>	Threatened	NLAA
Wood Stork	<i>Mycteria americana</i>	Threatened	No Effect
Dusky Gopher Frog	<i>Rana sevosa</i>	Endangered	No Effect
Gopher Tortoise	<i>Gopherus polyphemus</i>	Threatened	No Effect
Louisiana Quillwort	<i>Isotes louisianensis</i>	Endangered	No Effect
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Proposed Threatened	No Effect
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	No Effect
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened	No Effect

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Mississippi Department of Environmental 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.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Mobile District will receive written comments on the proposed work, as outlined above, until April 14, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Sarah Piesco at sarah.m.piesco@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Sarah Piesco, PO Box 2288, Mobile, AL 36628. Please refer to the permit application number in your comments. 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.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



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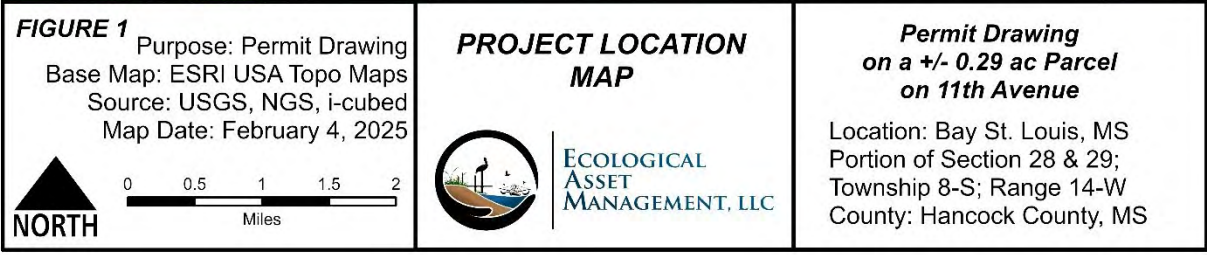
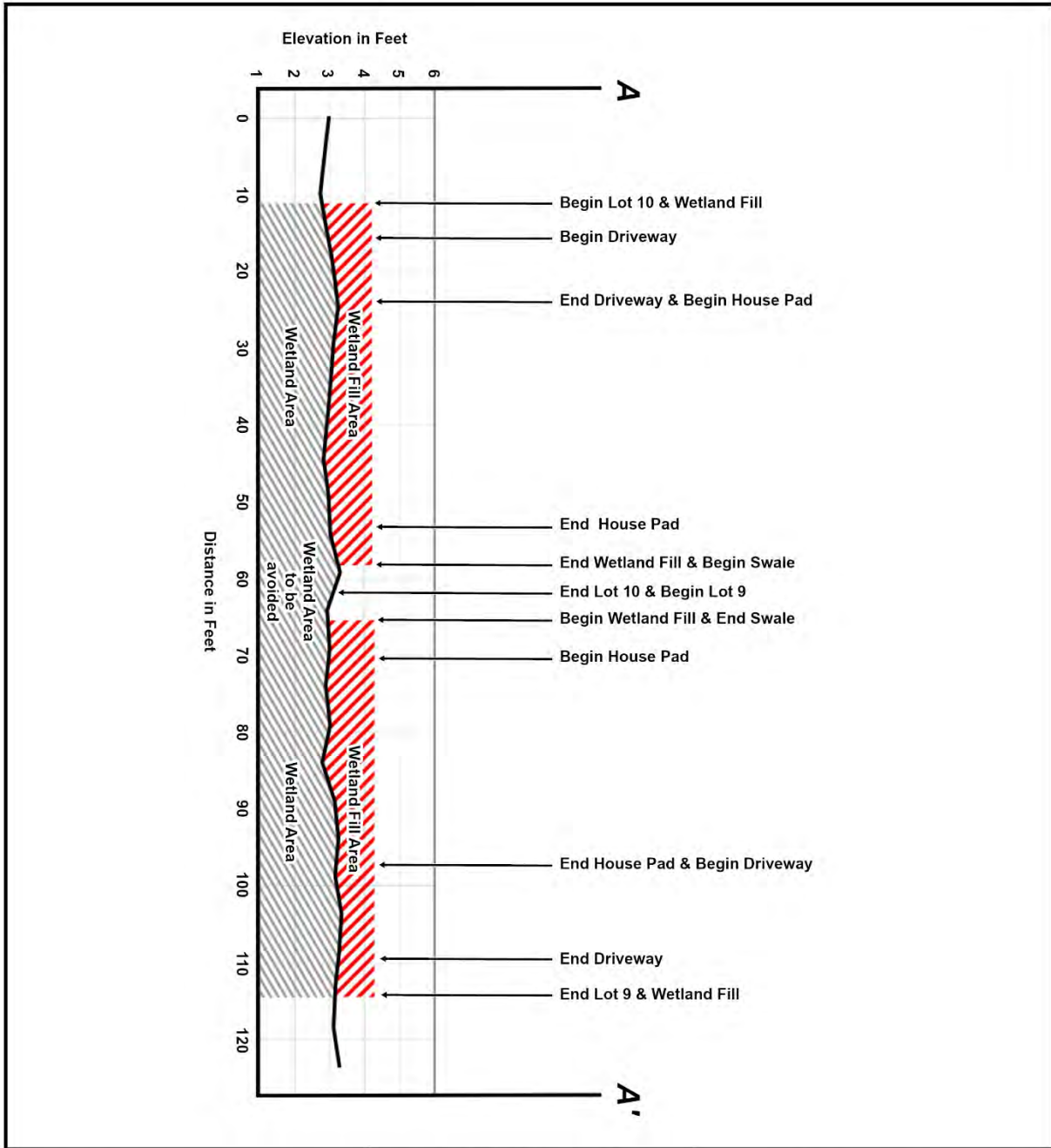
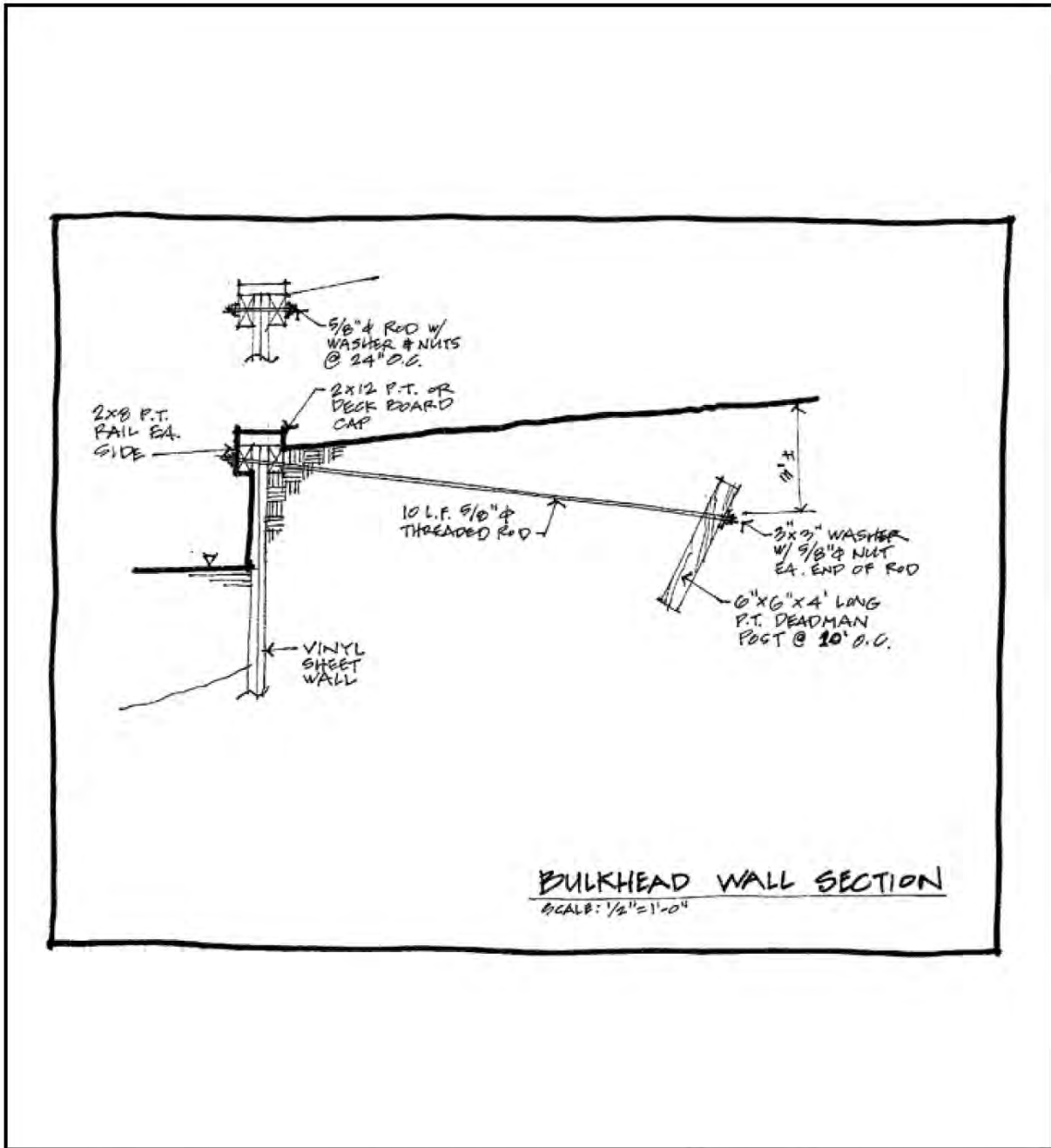


Figure 1. Project Location



<p>FIGURE 3 Purpose: Permit Drawing Base Map: USGS (2014) LiDAR Digital Elevation Model Source: MARIS & EAM Field Data Map Date: February 4, 2025</p> <p>NORTH SCALE: As Shown</p>	<p>CROSS SECTION DRAWING</p>  <p>ECOLOGICAL ASSET MANAGEMENT, LLC</p>	<p>Permit Drawing on a +/- 0.29 ac Parcel on 11th Avenue</p> <p>Location: Bay St. Louis, MS Portion of Section 28 & 29; Township 8-S; Range 14-W County: Hancock County, MS</p>
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Figure 3. Typical Cross Section Drawing



<p>FIGURE 4</p> <p>Purpose: Permit Drawing Base Map: Bulkhead Wall Section Source: Client Provided Design Map Date: February 4, 2025</p> <p>NORTH</p> <p>SCALE: As Shown</p>	<p>TYPICAL BULKHEAD WALL SECTION</p> <p> ECOLOGICAL ASSET MANAGEMENT, LLC</p>	<p>Permit Drawing on a +/- 0.29 ac Parcel on 11th Avenue</p> <p>Location: Bay St. Louis, MS Portion of Section 28 & 29; Township 8-S; Range 14-W County: Hancock County, MS</p>
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Figure 4: Typical Bulkhead Wall Section