

PUBLIC NOTICE

US Army Corps of Engineers®

Applicant: Ms. Jaclyn Turner Harrison County Board of Supervisors Published: June 27, 2025 Expires: July 28, 2025

Mobile District Permit Application No. SAM-2025-00099-MJF Joint Public Notice: U.S. Army Corps of Engineers (USACE), Mississippi Department of Environmental Quality Office of Pollution Control (MDEQ), and Mississippi Department of Marine Resources (MDMR) (DMR25-000048)

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) **and/or** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Ms. Jaclyn Turner Harrison County Board of Supervisors P.O. Drawer CC Gulfport, Mississippi 39502

AGENT: Ms. Sarah McLellan Covington Civil & Environmental 2300 14th Street Gulfport, Mississippi 39502

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Wolf River. The project/review area is located along two segments of Bells Ferry Roadway east of Menge Avenue in 31 & 36 Sections, 7 S Township, 12 & 13 W Range; at Latitude 30.387363 and Longitude -89.232131; in City of Pass Christian, Harrison County, Mississippi.

EXISTING CONDITIONS: The project location is an existing paved roadway, known as Bells Ferry Road, the right-of-way and associated easements encompassing the roadway, existing culverted drainage crossings under and parallel to the roadway, roadway shoulders which are cleared and maintained, utility and portions of undisturbed areas beyond the currently maintained roadway shoulders. The road was initially developed prior to the 1950s. The proposed project is located along two segments of the Bells Ferry Road as shown on the attached project plans, the western portion (Area I), and the eastern portion (Area II) (complete project plans available upon request). The land surrounding the road is primarily undeveloped with very light residential mainly due to the roadway's proximity to the Wolf River and its associated drainageways and floodplain.

PROJECT PURPOSE:

Basic: The basic project purpose is **r**oadway and drainage improvements.

Overall: The overall project purpose is to elevate the existing roadway and widen the roadway shoulders, to accommodate increased traffic capacity, and to replace existing culverts and add additional culverts for drainage improvements to relieve roadway flooding.

PROPOSED WORK: The applicant requests authorization to fill approximately 1.85 acres of wetlands through the elevation of the existing roadway, the associated widening of the shoulders, the replacement of existing culverts, utility relocation, and the placement of additional culverts. Existing asphalt would be removed, and fill material would be placed to bring the roadway to the proposed elevation and width. Areas with side slopes steeper than 2:1 would have riprap placed to prevent erosion and failure of the roadway. Culvert replacement and placement of new culverts, as well as utility relocation would also be accomplished. The roadway would be paved with limestone and asphalt. Guardrail and signage placement would then follow. Currently, the roadway has eight existing culvert crossings with a total of 15 pipes. The applicant proposes to increase the total culverted crossings to 26 with a total of 32 pipes. Complete project plans are available upon request.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: Best Management Practices (BMPs) would be utilized during and after construction. BMPs would include, but are not limited to, temporary erosion control mats or blankets, silt fencing, straw wattles, and temporary dewatering structures at culverted crossings. All disturbed areas would be permanently seeded once final grades are established. All equipment maintenance and repair would be performed offsite or in designated on-site areas provided adequate controls are in place. Temporary wash areas would be constructed to reduce sediment transport in designated on-site areas.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: Wetland impacts would be compensated through the purchase of credits through an approved mitigation bank.

CULTURAL RESOURCES:

other interested parties. The Mississippi Department of Archives & History (MDAH)

previous disturbance (from the original roadway construction) a Phase I Survey would not be required.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Standard Local Operating Procedures for Endangered Species (SLOPES), to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Dusky Gopher Frog	Rana sevosa	Endangered
Black Pinesnake	Pituophis melanoleucus Iodingi	Threatened
Louisiana Quillwort	Isoetes louisianensis	Endangered
Eastern Black Rail	Laterallus jamaicensis	Threatened
Wood Stork	Mycteria americana	Threatened
Gopher Tortoise	Gopherus polyphemus	Threatened

 Table 01: ESA-listed species and/or critical habitat potentially present in the action area.

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

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 of 1899 (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 (MDEQ). 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).

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 July 28, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs or to Ms. Maryellen Farmer at maryellen.j.farmer@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Attention: Ms. Maryellen Farmer, P.O. Box 2288, Mobile, Alabama 36602. Copies of all comments should be furnished to the Mississippi Department of Environmental Quality, Office of Pollution Control, Attention: Ms. Carrie Barefoot, Post Office Box 2261, Jackson, Mississippi 39225, or via email at CBarefoot@mdeq.ms.gov and the Mississippi Department of Marine Resources, Attention: Ms. Willa Brantley, 1141 Bayview Avenue, Biloxi, Mississippi 39530 or via email at willa.brantley@dmr.ms.gov. Please refer to the permit application number in your comments.

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.



Figure 1: Vicinity Map













