

April 19, 2023

Culpepper and Associates

Attn: Billy Culpepper

P.O. Box 1407

Long Beach, Mississippi 39560

RE: Additional information for DMR23-000069; 55-Lot Single-Family Residential Development

Dear Mr. Culpepper,

The Department of Marine Resources (MDMR) is in receipt of the application by Little Bluff, LLC, for the proposed construction of a 55-Lot Single-Family Residential Development Subdivision, on Landon Road in Gulfport, Harrison County, MS. After initial review of the above referenced application, we have determined that additional information and clarification of some statements in the application and its supplemental documents will be necessary to allow for adequate evaluation of the application:

1. A more detailed alternatives analysis is needed. Please provide a thorough explanation of criteria and parameters and quantify how the different alternatives compare in relation to these criteria and parameters.
- 2.1 Please provide the purpose and need for fill of the streams on the property, demonstrating that impacts have been avoided and minimized to the maximum extent practicable. Potential secondary and cumulative impacts to Coastal Wetlands should be evaluated for this proposed fill of natural streams, as well as the plan to mitigate for any unavoidable impacts.
1. Greater detail on wetland impacts should be provided. This should include identification of each type and quality of habitat proposed for fill.

According to Mississippi Code § 49-27-37 (enclosed), DMR must send an order of issuance or denial of a permit to the applicant within 90 days of receipt of a complete application. Once the requested information has been submitted, a determination of completeness will be made. Miss. Code Ann. § 49-27-15 (enclosed) requires that MDMR hold a hearing on an application if written objections are submitted by five (5) or more persons affected by the application. MDMR received more than five (5) written objections to the proposed project. Please contact me at your earliest convenience using the information in the final paragraph below to schedule this public hearing. Because the application is still incomplete, it can be reasonably anticipated that an additional public and agency comment period will be required once the proposed project

description has been finalized. You may request that the public hearing be postponed until after that comment period has ended by signing and returning the enclosed form. Otherwise, the hearing will need to be held as soon as possible.

If you have any questions concerning this correspondence, please contact me at the Bureau of Wetlands Permitting at 228-523-4117 or katie.nelson@dmr.ms.gov.

Sincerely,

Katie Nelson
ERNS II

enclosures

cc: Mr. Jeff Ballweber, Pickering Firm, Inc.
Mr. Mike Moxey, USACE
Ms. Kaaren Neumann, USACE
Ms. Florance Bass, OPC
Mr. Ray Carter, SOS



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Long Beach, MS 39560
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July 26, 2023

Ms. Maryellen J. Farmer, PM
South Mississippi Branch, Regulatory Division
USACE, SAM
P. O. Box 2288
Mobile, AL 36628

RE: Little Bluff, LLC, Landon Road, Sec. 18, T7S, R11W, Gulfport, Harrison County,
Mississippi; SAM-2023-00077-MJF; DMR23-000069

Dear Ms. Farmer,

Please find the enclosed response to your request for information dated March 24, 2023 lettered consistent with your RFI items.

- a. Per our email April 5, 2023 the best management practices will be submitted when completed prior to MDEQ 401 WQC certification. As previously discussed by email, typically BMP's are specified in the SWPPP that's approved by MDEQ for WQC. The SWPPP is still being developed and may change until approved by DEQ. Once completed and approved, this information will be provided.
- b. Please find the modified maps showing data plot locations attached herewith.
- c. Please find the attached WRAP as the wetland features at the site best represent a bayhead wetland system rather than a pine savannah system.
- d. There was no part D.
- e. Please find the wetland impacts quantification identified on the previously referenced maps included herewith.

General description of the waters identified as blue line on the quadrangle map is provided further here. The waters on the site are highly disturbed from previous anthropomorphic changes over past decades of use as livestock grazing, pasture land. The various confinement and non-confinement of the watercourse indicates that portions of the site upgradient near Landon Road have been

channelized with distinct bed and bank features and straight alignment. From there the channel begins meandering as typical in a natural watercourse. Then the channel disappears and the waterflow becomes sheetflow with no channel apparent as the riparian wetland becomes wider. Immediately prior to entering the existing farm pond, the watercourse becomes confined again with bed and bank features and apparent head cutting prior to entering the pond. Discharge from the pond is through a shallow manmade swale and after entering the wooded areas at the southern end of the site becomes sheetflow again with an occasionally apparent flow cut, typically where the water course turns slightly or at the base of large trees.

Impacts to the disturbed waters identified as a stream on the quadrangle map include temporary impact for utilities and approximately 60 linear feet of permanent roadway crossing impact of intermittently flowing water approximately 18' in width by 6" in depth. This impact is the minimum necessary to provide access to the southern portion of the applicant's property. The stream would be directed into an adequately sized pipe beneath the proposed roadway. At the outfall of the proposed roadway pipe, a new swale would be constructed to direct water flow into the farm pond as determined by the project engineer Rumsey Consulting Engineering to comply with City of Gulfport drainage requirements. The existing farm pond will be adapted for use as a stormwater attenuation feature by increasing the perimeter of the pond in order to increase volume. There will be temporary impacts to a portion of the watercourse that is sheetflow for purposes of sewer line installation as shown on the site plan. The sewer line corridor will be restored to previous grade and allowed to revegetate naturally.

Proposed mitigation includes avoidance and minimization of direct impacts and implementation of best management practices to avoid and minimize indirect impacts. Compensatory mitigation for unavoidable impacts to Waters of the U. S. would be provided by purchase of appropriate credits from and approved mitigation credit servicing the project area.

The RFI requests that the applicant specify what ILF bank would be utilized. In reviewing RIBITS, the only ILF banks servicing the area of the project is owned by LTMCP and only provides wetland mitigation credits. LTMCP does not provide stream credits. The applicant is proposing to provide mitigation credits from a currently unspecified approved mitigation bank servicing the area for unavoidable impacts to low quality wetland as necessary, specific to the banking instrument of the bank that would be chosen prior to any permit issuance. Further development of the proposed compensatory mitigation credits amount and type necessary will be required after consultation with regulatory agencies given the disturbed nature of the site's wetland and stream features.

f. The proposed federal permit activity does require Water Quality Certification from MDEQ. Our pre-file meeting request was submitted to MDEQ on December 9, 2023 and the meeting was held December 13, 2023. The pre-file post-meeting notes were submitted with the application for DOA permit and are also included herewith.

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g. The primary selection criterion is “Availability” due to the alternative sites A and B property owners’ circumstances. The other sites were not available after repeated attempts by Mr. Jimmy Lane, Little Bluff, LLC to negotiate acquisition of the sites. The other criteria were not consequential because the sites were not available, however they were considerations during attempts to initiate acquisition of the sites. Thus, the additional criteria that includes plans of others (circumstances of ownership), local land zoning, greater environmental impacts, project viability, property costs, and development costs were noted in the Environmental Assessment.

h. The plan submitted with the application was pdf format for purposes of detailed viewing, including zoom features for closer inspection. Our emails subsequent to your RFI letter revealed you may have received a scan of our exhibit, and this appears to have happened after our submittal of the application. The modified exhibit included herewith is also being submitted in pdf format, please let me know if this is not adequate or what additional formats may be desired.

If you have any questions regarding this request or require additional information, please feel free to call me at (228) 518-0905.

Sincerely,



Billy J. Culpepper

Enclosures