

## VanMouwerik, Mark

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**From:** Monroe, Allison F CIV USARMY CESAM (USA) <Allison.F.Monroe@usace.army.mil>  
**Sent:** Friday, January 29, 2021 2:40 PM  
**To:** Landers, Lisa (FHWA)  
**Cc:** Smith, Amiee Parker CIV USARMY CESAM (USA); Rose, Kevin (FHWA)  
**Subject:** RE: NP-GUIS 15(3) Park Road Improvements, Gulf Islands NS, JPA Submittal  
DMR-120203/SAM-2014-1030-DMY

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Ms. Landers,

Thank you for speaking with me. I apologize for the missed communication.

You are correct, the below project is considered authorized.

Nationwide Permit General Condition 32 specifies that the permittee shall not begin the activity until...45 calendar days have passed from the District Engineer's receipt of the complete PCN and the prospective permittee has not received written notice from our office. Since more than 45 days have passed and we have not previously responded, your project is considered "authorized by default."

It is incumbent upon the permittee to adhere to the conditions of the specific Nationwide Permit as well as the Regional and General Conditions.

If you have any questions, feel free to contact me.

Thank you!

Allison Monroe  
Team Leader, South Mississippi Branch  
U.S. Army Corps of Engineers  
Mobile District, Regulatory Division  
P.O. Box 2288  
Mobile, Alabama 36628  
Office: 251-690-3228  
Email: allison.f.monroe@usace.army.mil

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-----Original Message-----

From: Landers, Lisa (FHWA) <Lisa.Landers@dot.gov>

Sent: Thursday, January 28, 2021 11:04 AM

To: CESAM-RD <CESAM-RD@sam.usace.army.mil>

Cc: Monroe, Allison F CIV USARMY CESAM (USA) <Allison.F.Monroe@usace.army.mil>; Smith, Amiee Parker CIV USARMY CESAM (USA) <amiee.p.smith@usace.army.mil>; Rose, Kevin (FHWA) <Kevin.Rose@dot.gov>

Subject: [Non-DoD Source] FW: NP-GUIS 15(3) Park Road Improvements, Gulf Islands NS, JPA Submittal DMR-120203/SAM-2014-1030-DMY

Dear U.S. Army Corps of Engineers Mobile District Regulatory Division,

The National Park Service and the Eastern Federal Lands Highway Division of the Federal Highway Administration (FHWA) submitted a Joint Permit Application and Notification Form to make improvements to Park Road by constructing 5-foot wide paved shoulders on both sides of the road. This project, the first phase, will improve Park Road from U.S. Highway 90 to Robert McGhee Road. The wider paved shoulders will provide more space for bicyclists and pedestrians to use the road. The improvements will also include extension of existing culverts where needed, replacement of guardrail and bridge rail, and other miscellaneous improvements.

The project will permanently fill 0.11 acres of PFO wetland and 0.01 acres of waters of the United States. Authorization under Nationwide Permit (NWP) 14 and the accompanying 401 Water Quality Certification (COE No. MVK-2017-114, WQC No. WQC2017014) was requested on 10/16/2020.

#### Communication History

- \* A Joint Application and Notification Form was submitted to Mississippi Department of Marine Resources (DMR) on 10/16/2020 for review by DMR and the U.S. Army Corps of Engineers (USACE) for the Clean Water Act Sections 401 and 404 permitting.
- \* FHWA received an email from Lebya J. Harris dated 10/26/2020 stated that USACE Mobile District acknowledging receipt of the permit application and stating that "Following an initial review of your request a project manager will contact you if any additional information is required."
- \* FHWA emailed Lebya J. Harris on 12/2/20 requesting an update regarding the status of the review. No email response was received. FHWA spoke with Lebya J. Harris and found that the project was assigned to Amiee Smith, and was provided with a phone number to contact.
- \* FHWA called Amiee Smith on 12/14/20 and left a message requesting an update regarding the project. No response was provided.
- \* FHWA called Amiee Smith on 1/5/2021 and left a message requesting an update regarding the project. No response was provided.
- \* FHWA emailed Greg Christodoulou on 1/11/2021 requesting an update regarding the status of the project.
- \* Greg Christodoulou responded via email on 1/11/2021 stating that no permit would be required from Mississippi Department of Marine Resources as the project meets Nationwide Permit guidelines, and will not impact tidal or tidally-influenced wetlands, so it should only require a USACE Permit.
- \* FHWA emailed Amiee Smith on 1/12/2021 requesting an update regarding the status of the project. No response was provided.
- \* FHWA called Amiee Smith on 1/19/2021 and left a message requesting an update regarding the project. No response was provided.

- \* FHWA emailed Amiee Smith on 1/21/2021 requesting an update regarding the status of the project. No response was provided.
- \* FHWA called the USACE Mobile District General Information Phone Number on 1/27/21. The call was returned by Maryellen Farmer, who confirmed that Amiee Smith was assigned as the project manager, that the project was entered into the system, but that no further additional information regarding the status of the project review was available.

FHWA has received no communication from USACE since October 26, 2020. Over 45 days have passed and FHWA has not received notification regarding the completeness of the PCN or confirming nor denying that this activity qualifies under a NWP. As provided by 33 CFR 330.1(e)(1) and Nationwide Permit General Condition 31. Pre-Construction Notification, FHWA is presuming that this project qualifies for coverage (under NWP 14) and preparing to proceed with the construction of this project.

Sincerely,

Lisa T. Landers

Environmental Protection Specialist

Eastern Federal Lands Highway Division

Federal Highway Administration

22001 Loudoun County Parkway

Building E-2, Suite 200

Ashburn, VA 20147

571-434-1592

571-643-3079 (cell)

From: Landers, Lisa (FHWA)

Sent: Thursday, January 21, 2021 3:27 PM

To: amiee.p.smith@usace.army.mil <mailto:amiee.p.smith@usace.army.mil>

Subject: RE: NP-GUIS 15(3) Park Road Improvements, Gulf Islands NS, JPA Submittal DMR-120203/SAM-2014-1030-DMY

Good Afternoon,

I just wanted to check to see if it was possible to obtain the status of the review for the subject project.

Thank you,

-Lisa

Lisa T. Landers

Environmental Protection Specialist

Eastern Federal Lands Highway Division

Federal Highway Administration

22001 Loudoun County Parkway

Building E-2, Suite 200

Ashburn, VA 20147

571-434-1592

From: Landers, Lisa (FHWA)

Sent: Tuesday, January 12, 2021 7:34 AM

To: amiee.p.smith@usace.army.mil <mailto:amiee.p.smith@usace.army.mil>

Subject: NP-GUIS 15(3) Park Road Improvements, Gulf Islands NS, JPA Submittal DMR-120203/SAM-2014-1030-DMY

Good Morning,

A Joint Application and Notification form, along with the supporting documentation, for the subject project was submitted for review in mid-October. Would it be possible to get an update regarding the status of this project?

Also, if you need any additional information, or have any questions about the project, please let me know.

Thank you,

-Lisa

Lisa T. Landers

Environmental Protection Specialist

Eastern Federal Lands Highway Division

Federal Highway Administration

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571-434-1592