



DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT  
P.O. BOX 2288  
MOBILE, ALABAMA 36628-0001

REPLY TO  
ATTENTION OF:

CESAM-RD-C  
PUBLIC NOTICE NO. SAM-2009-00834-JBM

June 25, 2015

**JOINT PUBLIC NOTICE SAM-2009-00834-JBM  
U.S. ARMY CORPS OF ENGINEERS**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF POLLUTION CONTROL**

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES  
DMR-090616**

**PERMIT MODIFICATION #2 FOR ADDITIONAL DISPOSAL LOCATION,  
CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received a request to modify a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Please communicate this information to interested parties.

APPLICANT: **City of Gulfport**  
**Department of Leisure Services**  
**Attention: Mr. David D'Aquila**  
**Post Office Box 1780**  
**Gulfport, Mississippi 39501**

AGENT: **BMI Environmental Services, LLC**  
**Attention: Mr. Larry Lewis**  
**521 34<sup>th</sup> Street**  
**Gulfport, Mississippi 39507**

LOCATION: **Mississippi Sound, City of Gulfport, Harrison County, Mississippi (Section 1, Township 8 South, Range 11 W. (Lat. 30.3764° North; Long. -89.0408° West).**

WORK: The applicant proposes to modify an existing permit to include an additional disposal location. The City of Gulfport received a 10-year maintenance dredging permit (dated August 4, 2009) to authorize the removal of approximately 25,000 cubic yards of sand and silt accumulation from the existing channel and basin at the Courthouse Road boat ramp and access channel. The initial permit upland disposal location was the City of Gulfport's Materials Storage Area located on the west side of Hewes Avenue. A permit modification was issued on September 15, 2009 to include a secondary disposal location at the Harrison County Development Commission Upland Disposal Area C & C1. The current proposed permit modification would include use of the adjacent Harrison County Sand Beach for disposal of suitable sand to renourish eroded

**segments of the beach west of the Courthouse boat ramp. The material would be placed in a diked disposal area located above mean high water and the material would be spread along the beach in areas above mean high water. The applicant would implement appropriate Best Management Practices (BMPs) including turbidity, erosion and sediment controls as needed during dredging and dredged material disposal activities.**

**EXISTING CONDITIONS: The subject property is a County maintained beach located adjacent to a City maintained public access recreational area which includes a fishing pier, a boat launch, and an access channel. The project site is located on the northern shore of the Mississippi Sound in the City of Gulfport, Mississippi. There is an existing rock jetty structure, a recreational pier and parking areas located to the east of the proposed disposal site.**

**PROJECT PURPOSE: As stated by the applicant, the purpose of the proposed modification is to use suitable dredged material for beach renourishment of eroded segments of the beach west of the Courthouse Road boat launch. The U.S. Army Corps of Engineers (Corps) initially determined the basic project purpose is dredged material disposal and would not be considered a water dependent activity. Additional review will be performed by the Corps and cooperating agencies.**

**ALTERNATIVES: The Corps' initial review of alternatives submitted by the applicant consists of the use of the previously authorized disposal locations. Additional review of alternatives will be performed by the Corps and cooperating agencies.**

**MITIGATION: No mitigation being considered for the proposed work. Additional review of mitigation requirements will be performed by the Corps and cooperating agencies. Final compensatory mitigation will be evaluated by the Corps and cooperating resource agencies throughout the review process for the proposed project.**

The applicant has applied for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act and upon completion of the required advertising; a determination relative to certification will be made.

The applicant has applied for coastal zone consistency from the State of Mississippi Department of Marine Resources in accordance with Section 57-15-6 of the Mississippi Code Annotated. (DMR-090616).

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the Corps 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, cultural values, fish and wildlife values, protected species, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and in general, the needs and welfare of the people.

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 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 effect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR Part 325, the Corps has determined that the permit area is the full area of proposed dredging and material disposal. The National Park Service, National Register of Historic Places (NRHP) database has been consulted. The proposed work is of such limited nature and scope and is located in a previously disturbed area; the project will have **no potential to cause effects** to cultural resources. 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. The State Historic Preservation Officer replied to the MDMR notice by letter dated May 22, 2015, stating "no cultural resources are likely to be affected. Therefore, we have no objection with the proposed undertakings." (MDAH Project Log #05-047-15)

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicated the following species are known to occur in Harrison County: the gopher tortoise (T) (*Gopherus polyphemus*), the Louisiana quillwort (E) (*Isoetes louisianensis*), the Louisiana black bear (T) (*Ursus americanus luteolus*), the Alabama red-belly turtle (E) (*Pseudemys alabamensis*), the Red-cockaded woodpecker (E) (*Picoides borealis*), the Black pine snake (C) (*Pituophis melanoleucus lodingi*), the Dusky

gopher frog (E) (*Rana sevosa*), the West Indian manatee (E) (*Trichechus manatus*), the Gulf sturgeon (T) (*Acipenser oxyrinchus desotoi*), the Green sea turtle (T) (*Chelonia mydas*), the Kemp's ridley sea turtle (E) (*Lepidochelys kempii*), the Leatherback sea turtle (E) (*Dermochelys comacea*), the Loggerhead sea turtle (T) (*Caretta caretta*), the Piping Plover (T) (*Charadrius melodus*), and the Red Knot (T) (*Calidris canutus rufa*). The proposed disposal location is within listed critical habitat for the Piping Plover, Unit MS-5. Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants for the 12-HUC watershed suggest that the proposed activity **may affect** listed endangered or threatened species and their critical habitat. Specifically, the Piping Plover and Piping plover critical habitat, the Red Knot, the Kemp's ridley, Loggerhead and Green sea turtles may be affected by this project. Required habitat for the remaining listed species is not found on the proposed disposal site. This determination is being coordinated with the U.S. Fish and Wildlife Service via this public notice.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2009-00834-JBM** and should be directed to the District Engineer, Corps, Mobile District, Attention: **Ms. Maryellen Farmer**, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530, Attention: USACE Biloxi Field Office, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, **Attention: Ms. Florance Bass, P.E.**, Post Office Box 2261, Jackson, Mississippi 39225 and the Mississippi Department of Marine Resources, **Attention: Mrs. Jennifer Wittmann**, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530.

**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 e-mail at [maryellen.j.farmer@usace.army.mil](mailto:maryellen.j.farmer@usace.army.mil). Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at: [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

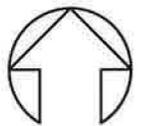
MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures



3/17/15  
 \3383\3383-14\3383-14-DMR

**bma** BROWN, MITCHELL  
 & ALEXANDER, INC.  
 CONSULTING ENGINEERS



1"=2000'

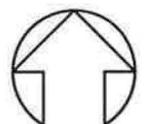
VICINITY MAP

PROPOSED 10 YEAR MAINTENANCE  
 DREDGING PROJECT  
 COURTHOUSE ROAD BOAT LAUNCH



3/17/15  
 \3383\3383-14\3383-14-DMR

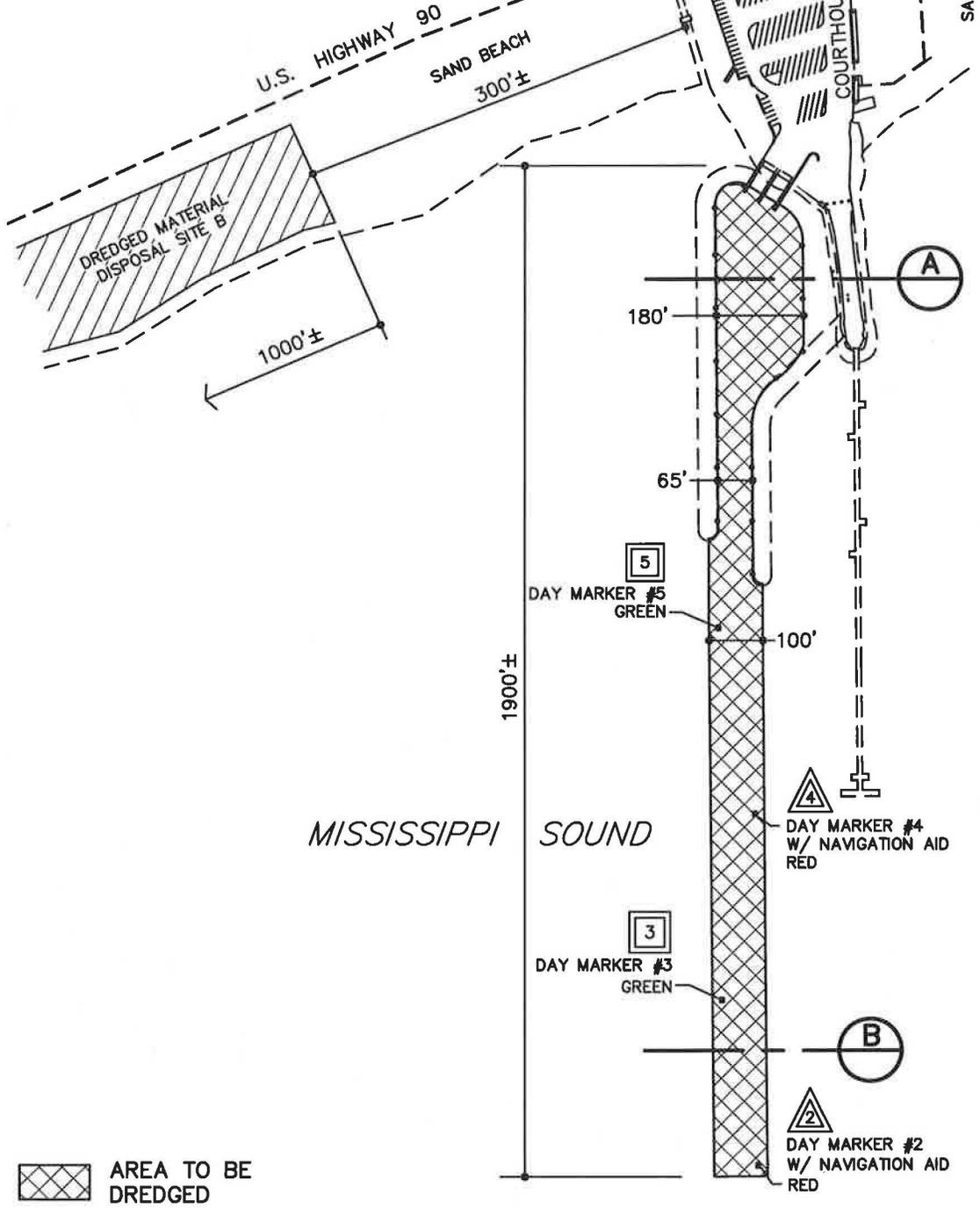
**bma** BROWN, MITCHELL  
 & ALEXANDER, INC.  
 CONSULTING ENGINEERS



1"=2000'

## BEACH RENOURISHMENT AREA - SITE B

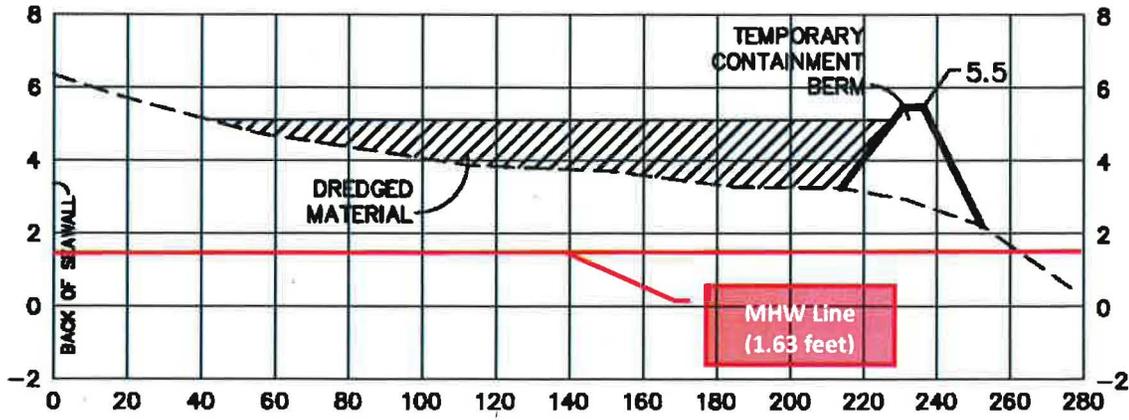
PROPOSED 10 YEAR MAINTENANCE  
 DREDGING PROJECT  
 COURTHOUSE ROAD BOAT LAUNCH



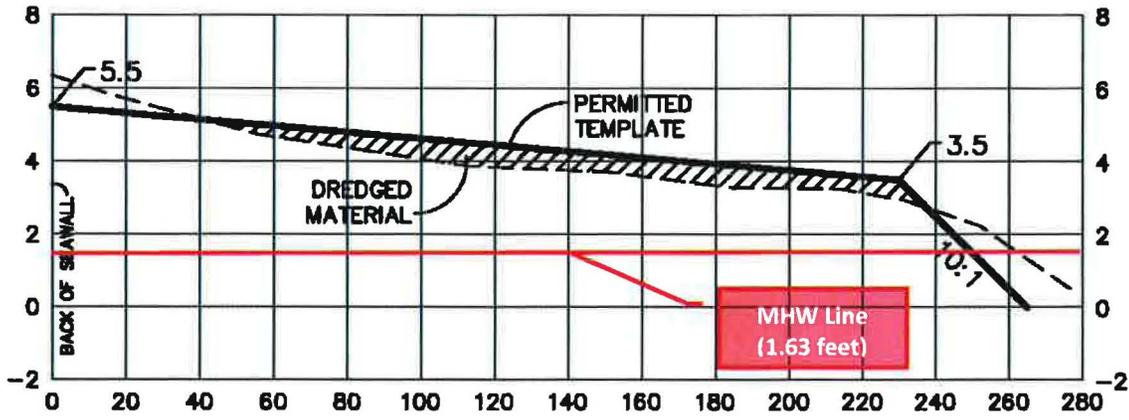
3/17/15  
\\3383\3383-14\3383-14-DMR

**bma** BROWN, MITCHELL  
& ALEXANDER, INC.  
CONSULTING ENGINEERS

DREDGING SITE PLAN  
PROPOSED 10 YEAR MAINTENANCE  
DREDGING PROJECT  
COURTHOUSE ROAD BOAT LAUNCH



TEMPORARY DISPOSAL SECTION



FINAL DISPOSAL SECTION

3/17/15  
 \3383\3383-14\3383-14-DMR

**bma** BROWN, MITCHELL  
 & ALEXANDER, INC.  
 CONSULTING ENGINEERS

REVISED CROSS SECTION-SITE B  
 DISPOSAL SITE B SECTIONS  
 PROPOSED 10 YEAR MAINTENANCE  
 DREDGING PROJECT  
 COURTHOUSE ROAD BOAT LAUNCH