



REPLY TO
ATTENTION OF:

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

South Mississippi Branch
Regulatory Division

September 17, 2013

JOINT PUBLIC NOTICE SAM-2012-00117-AFM

U.S. ARMY CORPS OF ENGINEERS

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

**PROPOSED FILLING AND BULKHEAD AT GULFPORT LAKE, BERNARD BAYOU,
GULFPORT, HARRISON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT: Maritime Development Center, LLC
13085 Seaway Road
Gulfport, Mississippi 39503**

**AGENT: Culpepper and Associates
Post Office Box 1407
Long Beach, Mississippi 39560**

LOCATION: At 10385 Seaway Road, Gulfport Lake, Bernard Bayou at 13085 Seaway Road, Gulfport, Harrison County, Mississippi (Latitude 30.427491° North, Longitude 89.057140° West).

WORK: The applicant proposes to fill 1.6 acres of open waters of Gulfport Lake within Bernard Bayou. A bulkhead 953 feet in length would be constructed along the shoreline. Approximately 31,000 cubic yards of material would be used to complete the project. Material used for fill will be obtained from dredged material previously deposited on-site and commercially available material. The purpose of the project is to construct a marine launch system suitable for ocean going vessels. The proposed project is located adjacent to and in support of existing shipbuilding operations at Trinity Yachts, LLC and TY Offshore, LLC. Compensatory mitigation is not proposed.

The applicant has applied for State Water Quality Certification (WQC) in accordance with Section 401(a)(1) of the Clean Water Act, and for Coastal Zone (CZ) consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQC and CZ consistency will be made by the Mississippi Office of Pollution Control and the Mississippi Department of Marine Resources.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (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 use of important resources. The benefit, 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, 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 to consider 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 affect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the proposed area of fill

and immediately adjacent uplands. The project site is extensively disturbed and has been previously coordinated and evaluated with regard to historic and cultural resources. The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This action constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the project area. 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 public regarding the existence or the potential for existence of significant cultural and historic properties which may be affected by the work.

A preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicated that the proposed activity will have no effect on endangered or threatened species or their critical habitat. This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for information on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would fill approximately 1.6 acres of estuarine substrate and water column utilized by various life stages of various marine species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

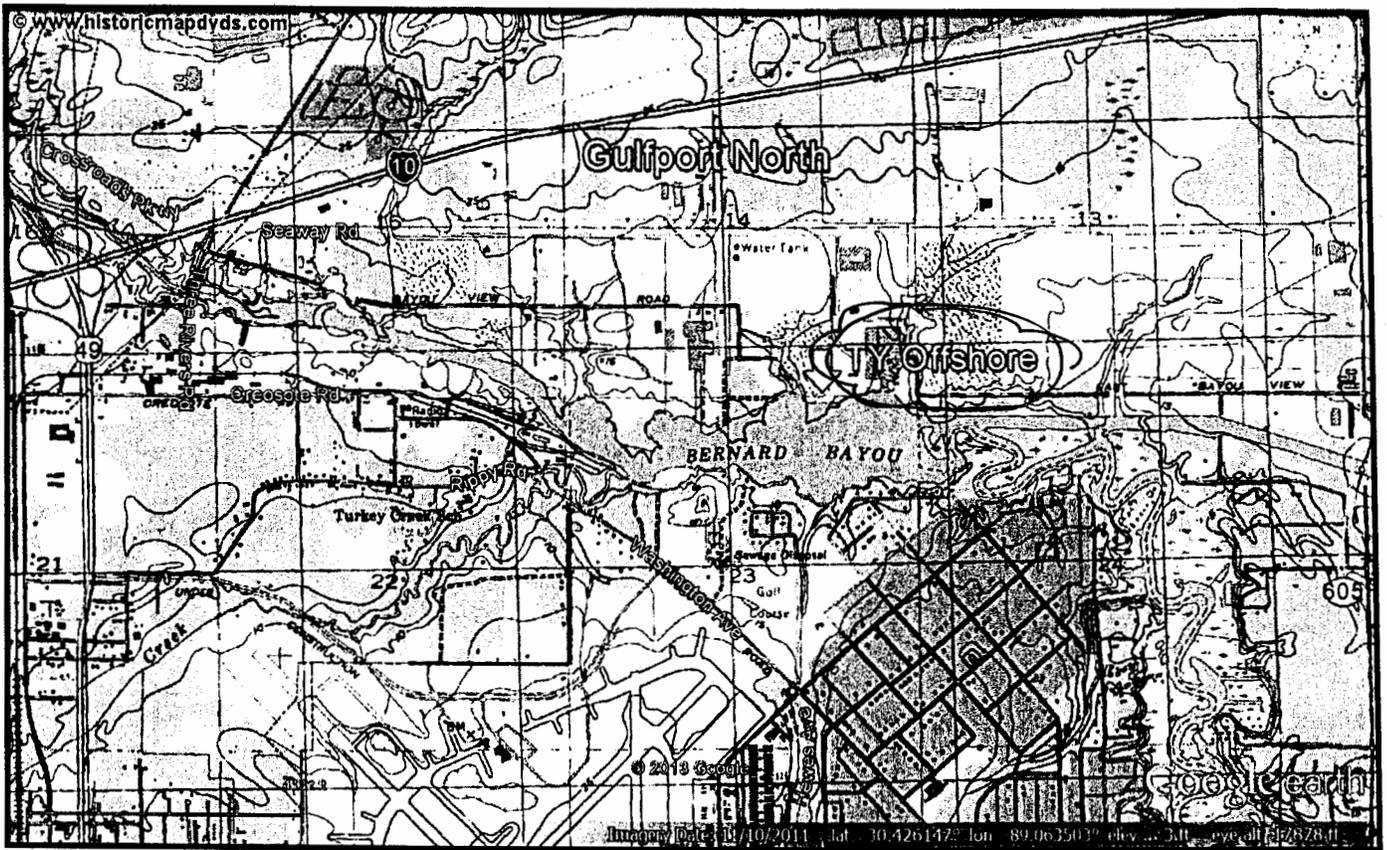
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2012-00117-AFM** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: South Mississippi Branch, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 10385, Jackson, Mississippi 39289, and the Mississippi Department of Marine Resources, 1141 Bayview Avenue, Suite 101, Biloxi, Mississippi 39530, in time to be received within **30 days** of the date of this public notice.

If you have any questions concerning this publication, you may contact the project manager for this application, **Ms. Allison F. Monroe** (allison.f.monroe@usace.army.mil), **(251) 690-3228**. 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.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

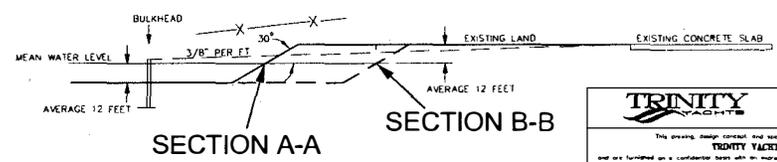
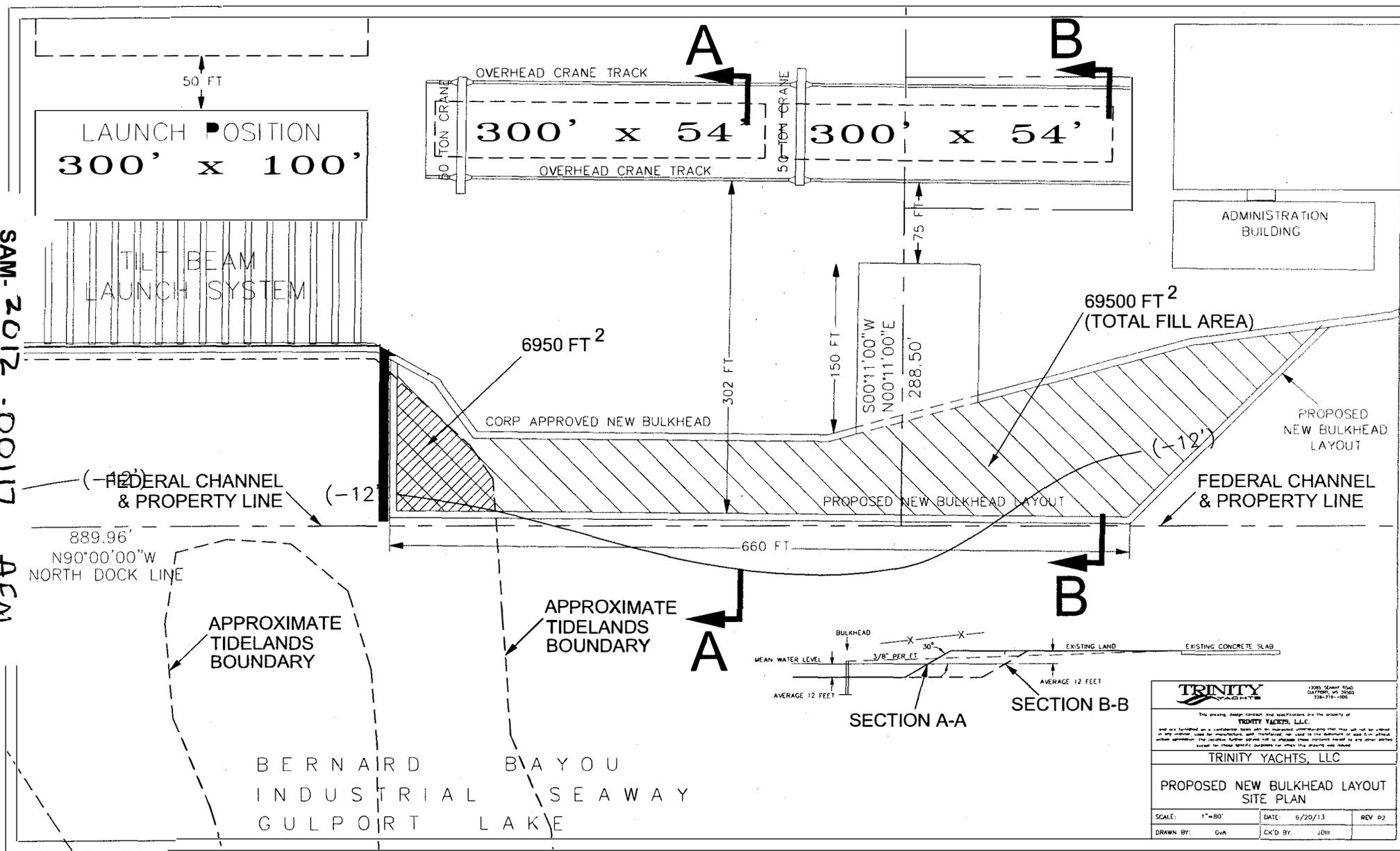


USGS Quadrangle, Gulfport North, 7.5' Series

SAM-2012-00117-ARM
DEPT. OF THE ARMY PERMIT



SAM-2012-0017
AFM
DEPT. OF THE ARMY DEMINT



TRINITY YACHTS		
1505 Lemay Road Gulfport, MS 39503 228-278-0000		
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TRINITY YACHTS, LLC		
PROPOSED NEW BULKHEAD LAYOUT SITE PLAN		
SCALE: 1"=80'	DATE: 6/20/13	REV: P2
DRAWN BY: GVK	CHK'D BY: J0111	