



REPLY TO  
ATTENTION OF:

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

March 31, 2013

South Mississippi Branch  
Regulatory Division

**JOINT PUBLIC NOTICE SAM-2013-00200-SMZ  
U.S. ARMY CORPS OF ENGINEERS**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES  
DMR-130221**

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 and Section 404 of the Clean Water Act. Please communicate this information to interested parties.

**APPLICANT: Jackson County Board of Supervisors  
PO Box 998  
Pascagoula, MS 39568-0998**

**WATERWAY: Lake Yazoo Canal, Section 6, Township 8 South, Range 6 West, Pascagoula,  
Jackson County, Mississippi (Latitude 30.345346 North, Longitude -88.562802 West).**

**WORK: The applicant proposes the maintenance dredging of the canal between Lake Yazoo and the waters of the Mississippi Sound. The Canal is approximately 2,200 feet in length with a depth of -5 to -8 feet below mean low water. This will require the removal and disposal of approximately 40,000 cubic yards (cy) of dredged material. The canal will be dredged to a minimum required width of 60 feet across with increased width at the boat launch, and the entrance and exit to the canal. The canal will be dredged by mechanical dredging from a barge or by hydraulic dredging for the entire length of the canal.**

**The applicant request that dredge material be disposed of in accordance with requirements for beneficial use at the upland disposal site located on Greenwood Island.**

**Dredging permits are currently subject to Mississippi Code §49-27-61 which requires beneficial use of the dredged material. The proposed project would be reviewed by the Mississippi Department of Marine Resources (MDMR) to determine if the dredged material is suitable for Beneficial Use. Site placement for the dredged material would require approval by the MDMR and the U.S. Army Corps of Engineers (Corps).**

**PROJECT PURPOSE: As stated by the applicant, "The purpose of the proposed project is to return the canal to navigable depths. Currently the depth and width vary due to the accumulation**

of sand and silt over time”

**The Corps initially determined the basic project purpose is for the maintenance dredging of the canal between Lake Yazoo and the waters of the Mississippi Sound. Therefore, the proposed work would be considered a water dependent activity. Additional review will be performed by the Corps and cooperating agencies.**

**WATER QUALITY:** The applicant has applied for certification (**DMR-130221**) 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.

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.

March 31, 2013

**HISTORIC PROPERTIES:** 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. Because the site is located in a submerged area the project should not affect sites on or eligible for the National Register of Historic Places. We are seeking comment from the State Historic Preservation Officer regarding the existence or the potential for existence of significant 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 development for the overall project footprint. **The Corps will consult with in-house expertise and the SHPO to make a final determination based upon this review 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 permit area.**

**ENDANGERED SPECIES:** The U.S. Fish and Wildlife Service (USFWS) lists endangered, threatened or candidate species as occurring or potentially occurring in Harrison County, Mississippi. These include the gopher tortoise (T)(*Gopherus polyphemus*), the Louisiana quillwort(E) (*Isoetes louisianensis*), the Gulf sturgeon (TCH) (*Acipenser oxyrinchus desotoi*), the Piping Plover (TCH)(*Charadrius melodus*), the West Indian manatee (E) (*Trichechus manatus*), the Louisiana black bear (T)(*Ursus americanus luteolus*), the Alabama red-belly turtle (E) (*Pseudemys alabamensis*), the Black pine snake (C) (*Pituophis melanoleucus lodingi*), the Yellow-blotched map turtle (T) (*Graptemys flavimaculata*), the Mississippi sandhill crane (E) (*Grus Canadensis pulla*), the Green sea turtle (T)(*Chelonia*), the Hawksbill sea turtle (E) (*Eretmochelys imbricate*), the leatherback sea turtle (E)(*Dermochelys coriacea*), the Kemp's ridley sea turtle (E) (*Lepidochelys kempii*) and the Loggerhead sea turtle (T) (*Caretta caretta*).

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants that the proposed activity may affect but is not likely to adversely affect listed endangered or threatened species. Specifically, the Gulf sturgeon (T) (*Acipenser oxyrinchus desotoi*) may be affected by this project.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps's 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-2013-00200-SMZ** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Attention: Mr. Rudolph C. Villarreal, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Coastal Branch, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Attention: Ms. Florance Watson, P.E., Post Office Box 2261, Jackson, Mississippi 39225 and the Mississippi Department of Marine Resources, Attention: Ms. Jennifer Wittmann, 1141 Bayview Avenue, Suite 101, Biloxi, Mississippi 39530, in time to be received within **30 days** of the date of this public notice.

**CESAM-RD-M**  
**SAM-2013-00200-SMZ**  
**Lake Yazoo**

**March 31, 2013**

If you have any questions concerning this publication, you may contact the project manager for this application, **Mr. Rudolph C. Villarreal** ([rudolph.c.villarreal@usace.army.mil](mailto:rudolph.c.villarreal@usace.army.mil)), phone **(251) 690-3246**. Please refer to the above Public Notice number.

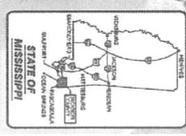
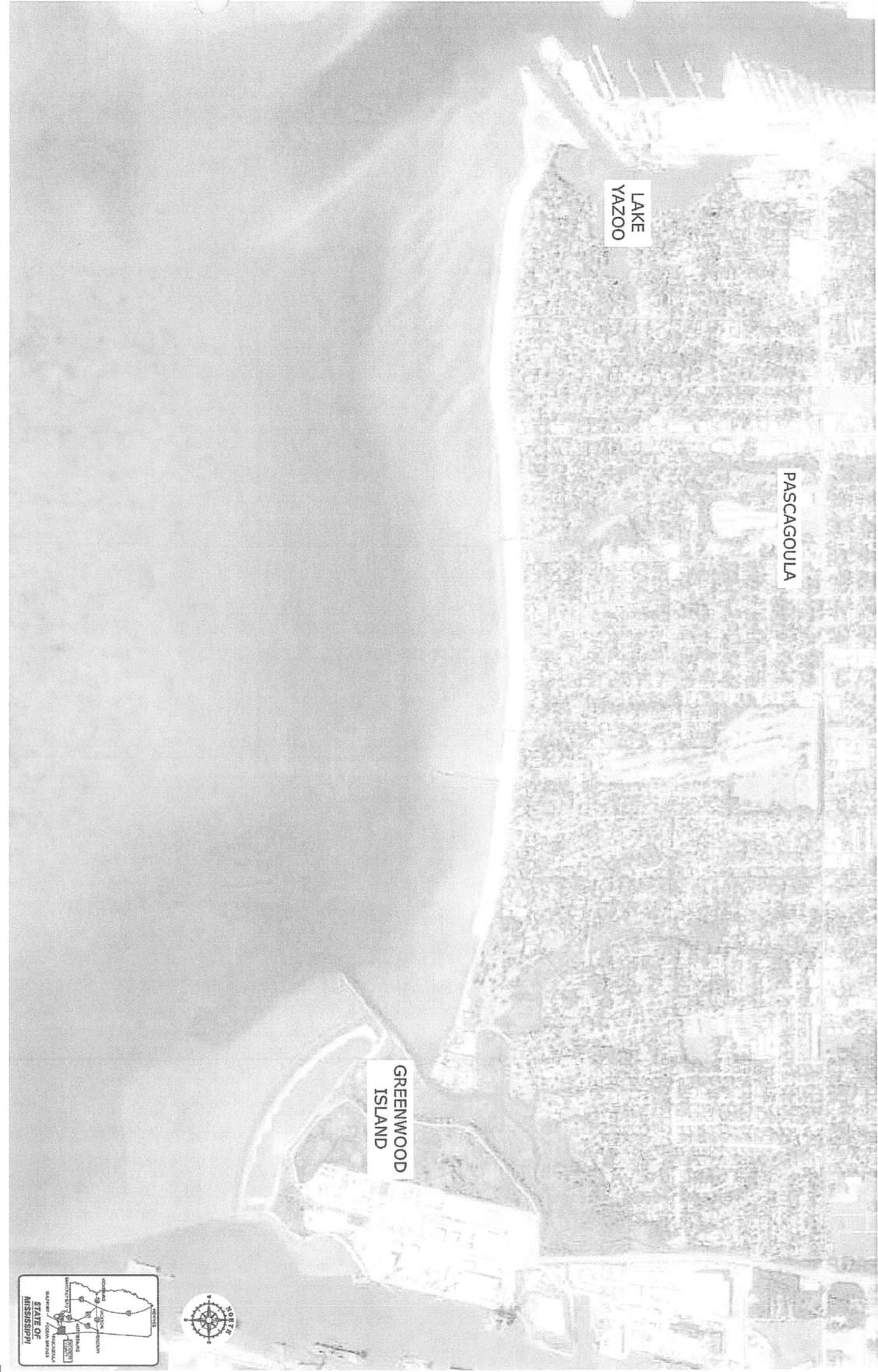
For additional information about our Regulatory Program, please visit our web site at **[www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx)** and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

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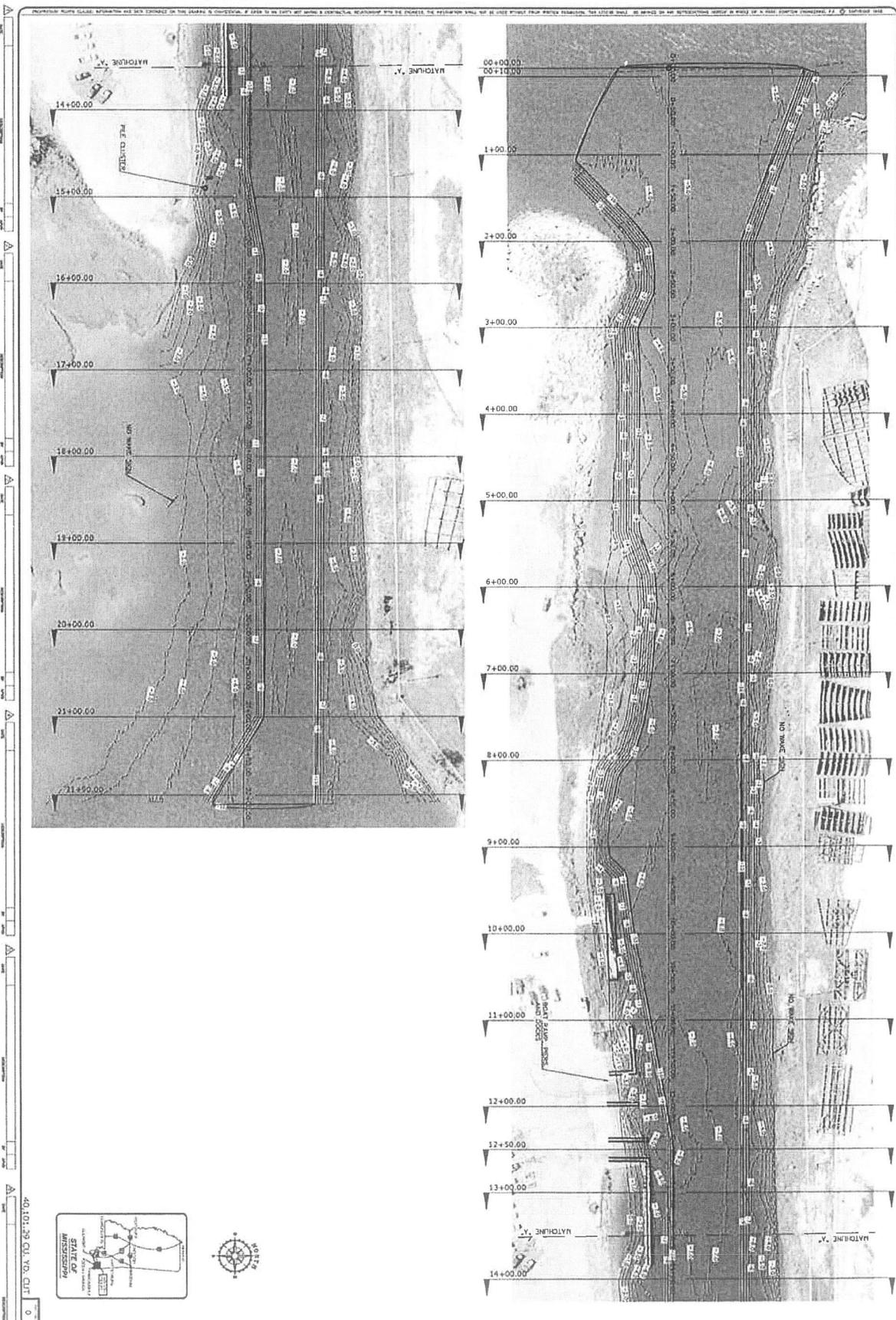


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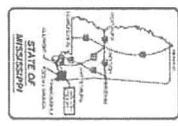
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**DREDGE MOUTH OF LACKE YAZOO**  
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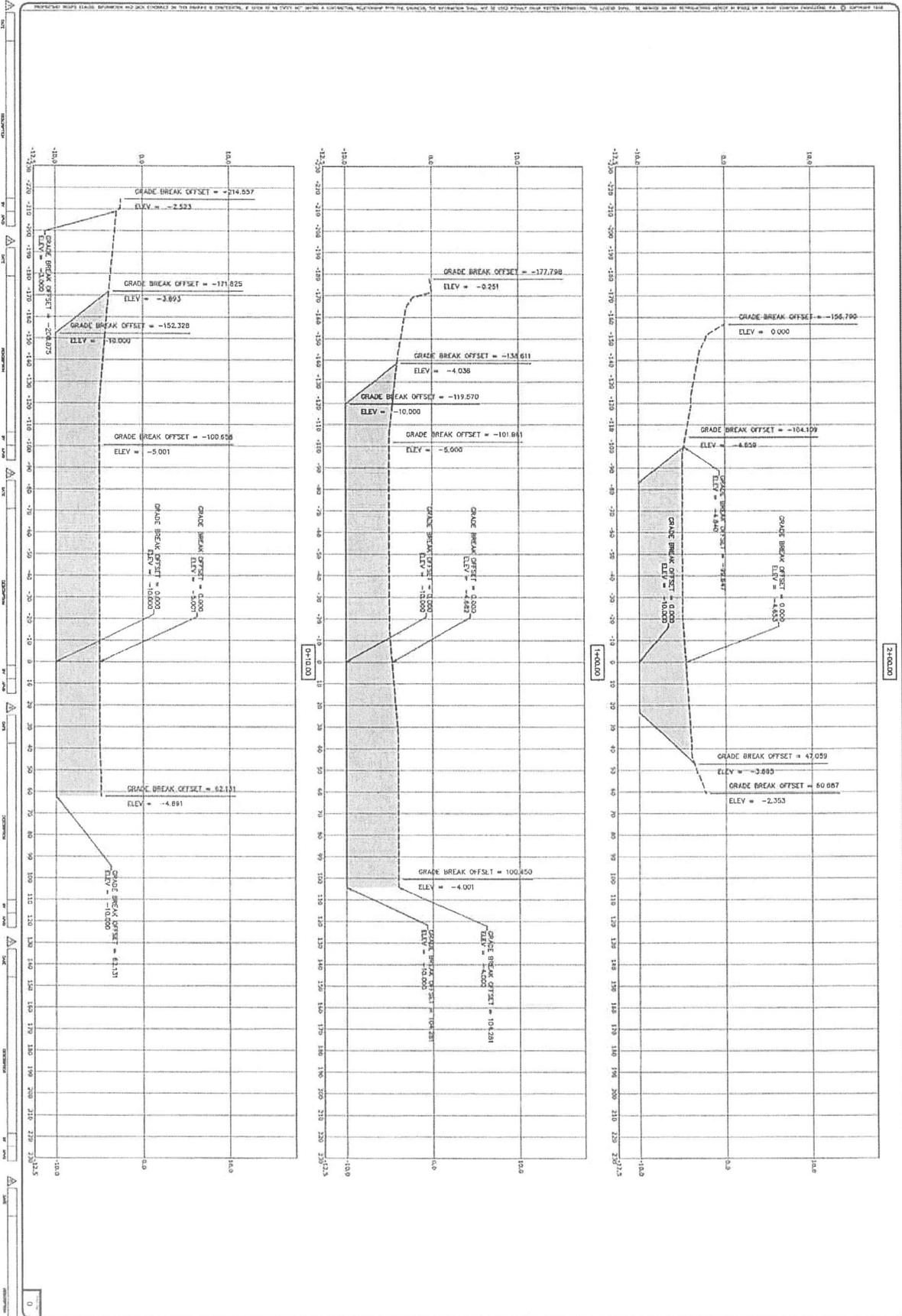


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**DREDGE MOUTH OF LAKE YAZOO**  
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 EXISTING AND PROPOSED CONTOUR PLAN

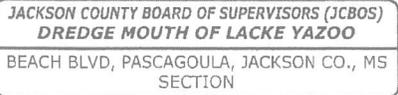


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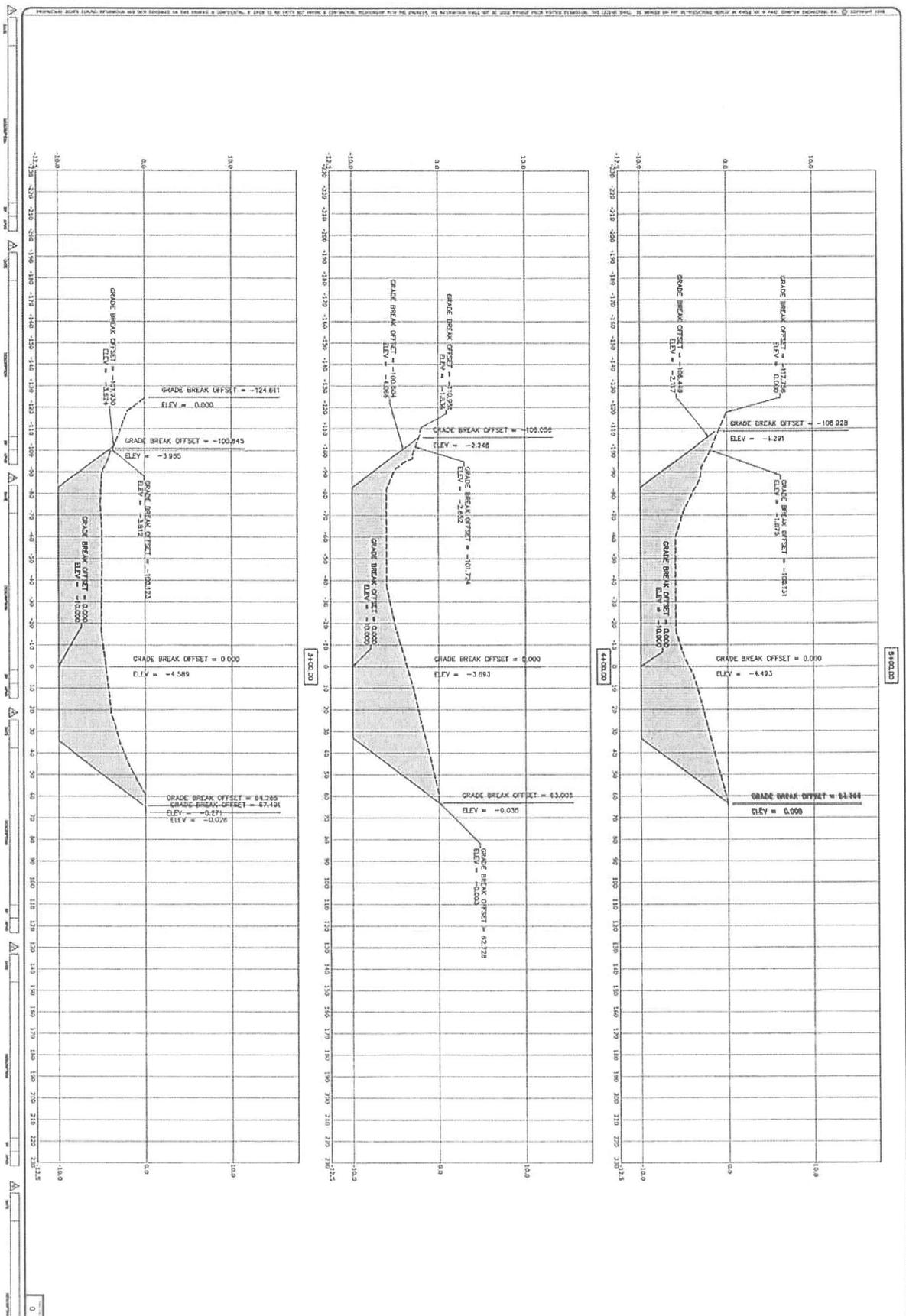


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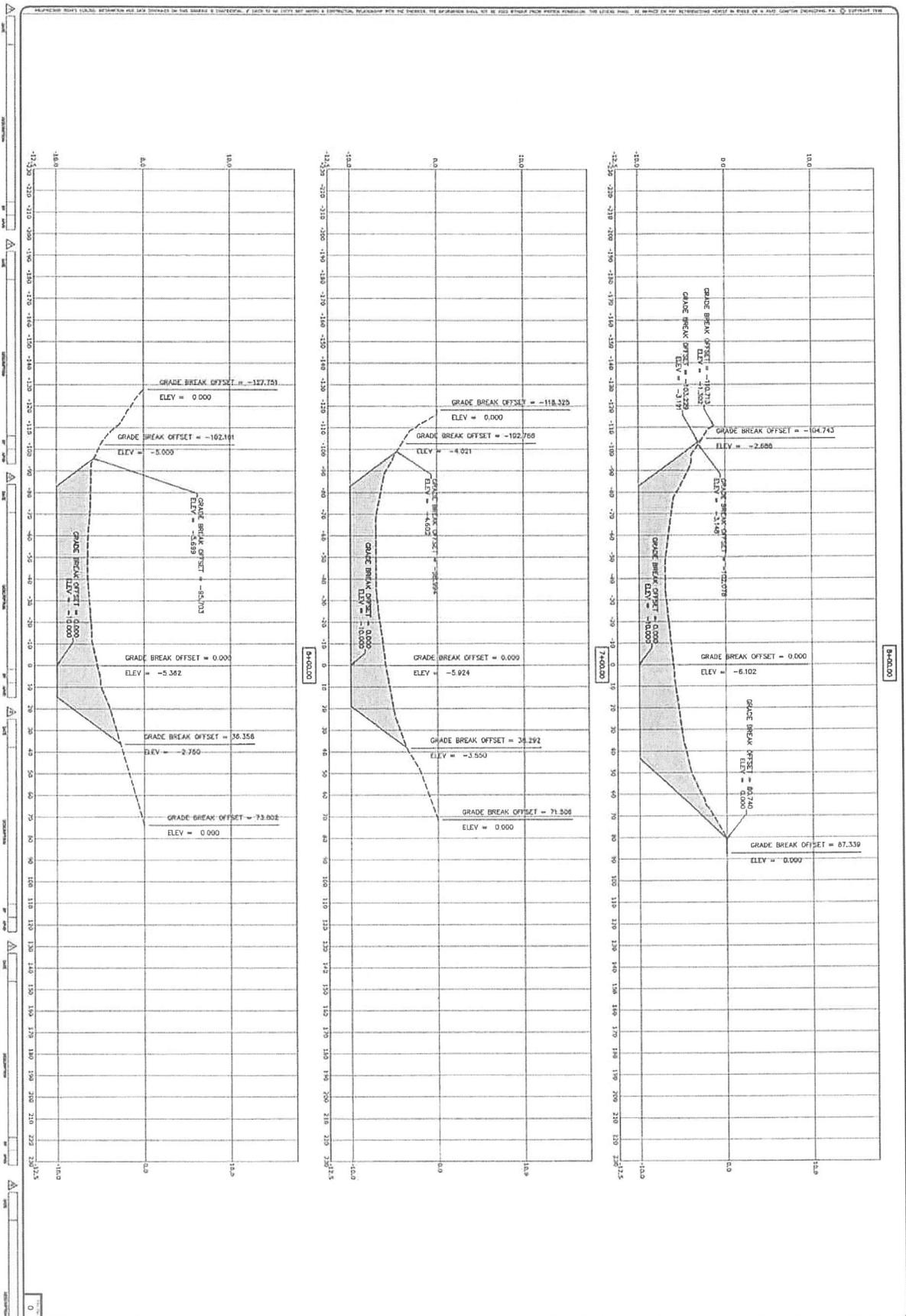
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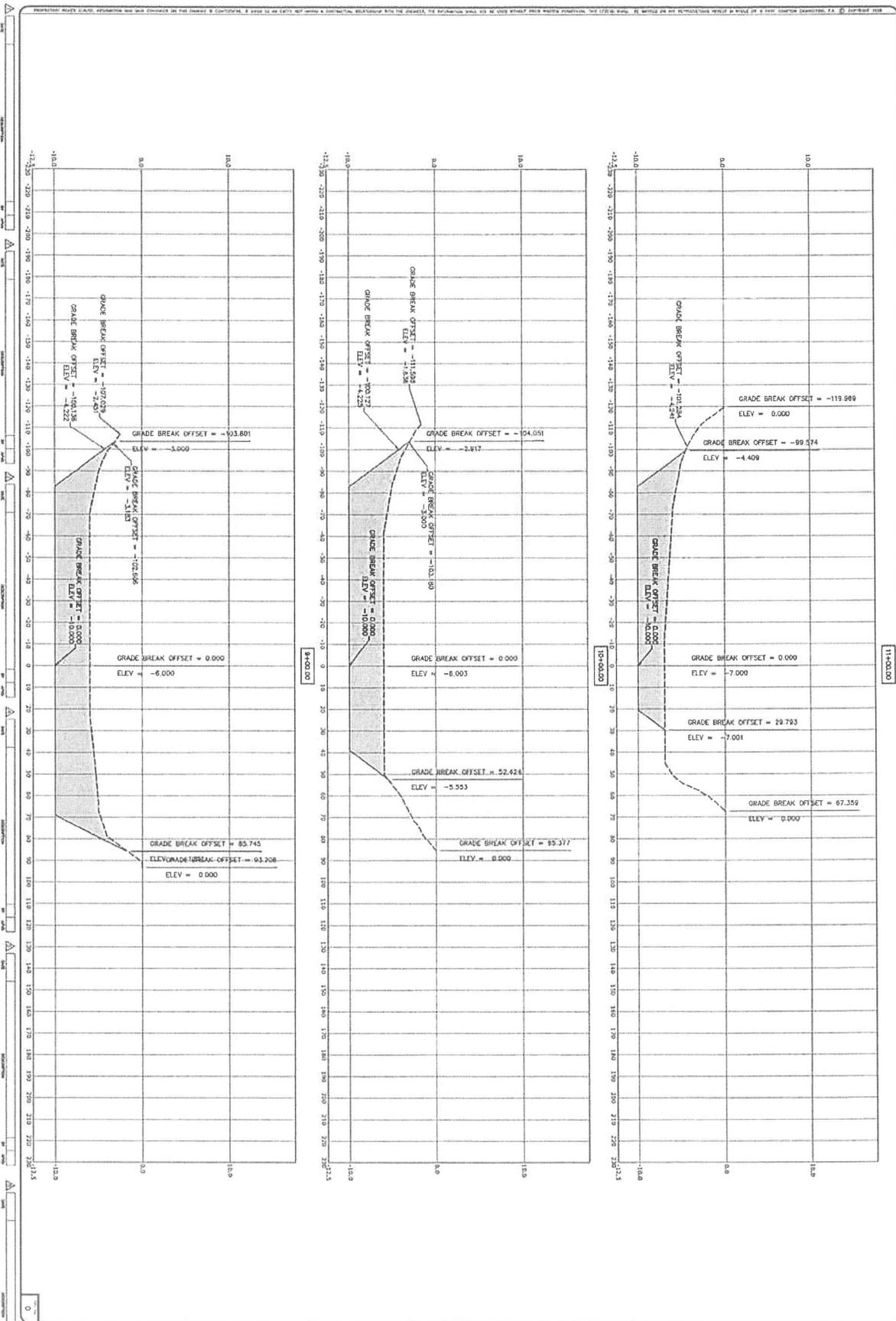
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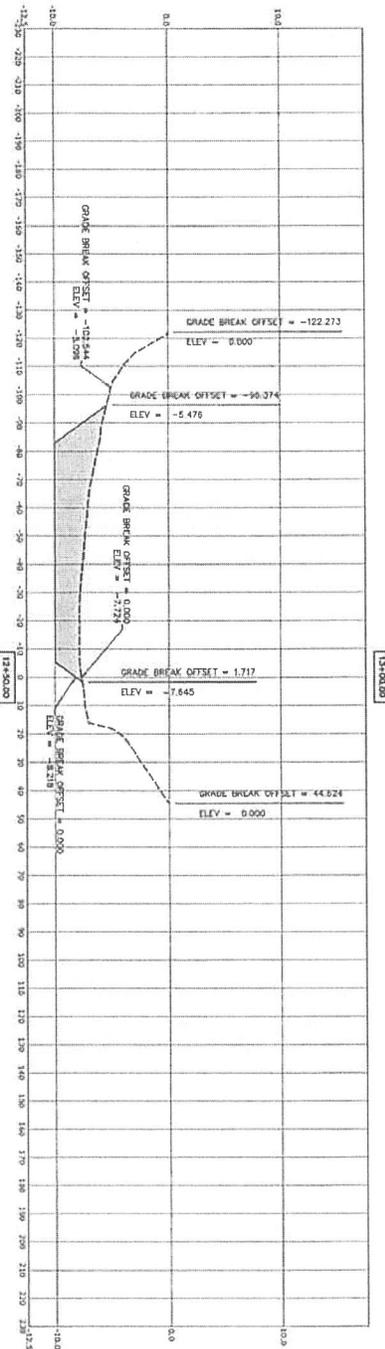
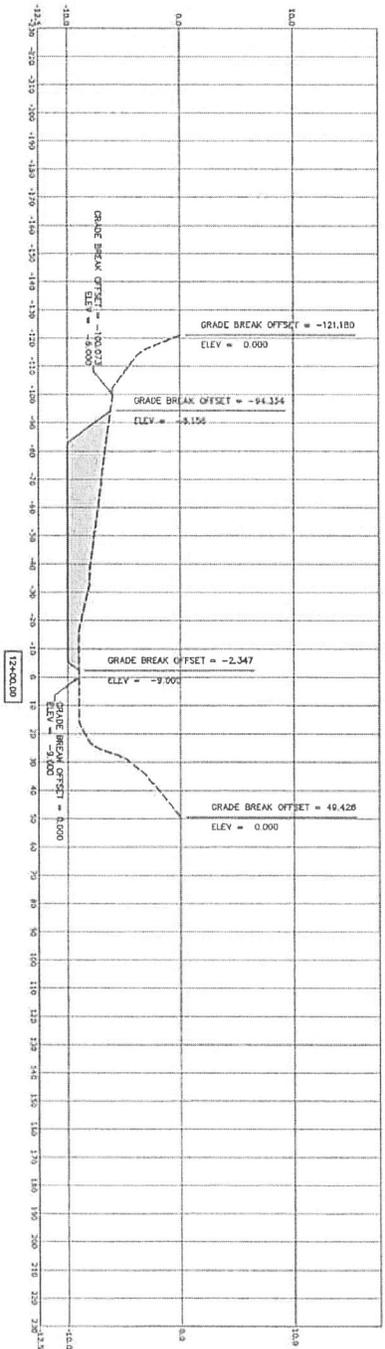
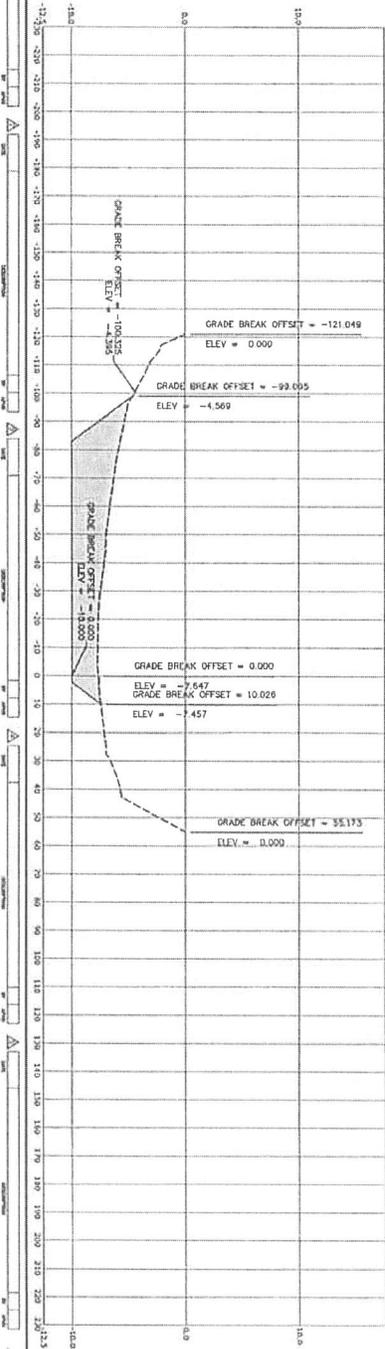
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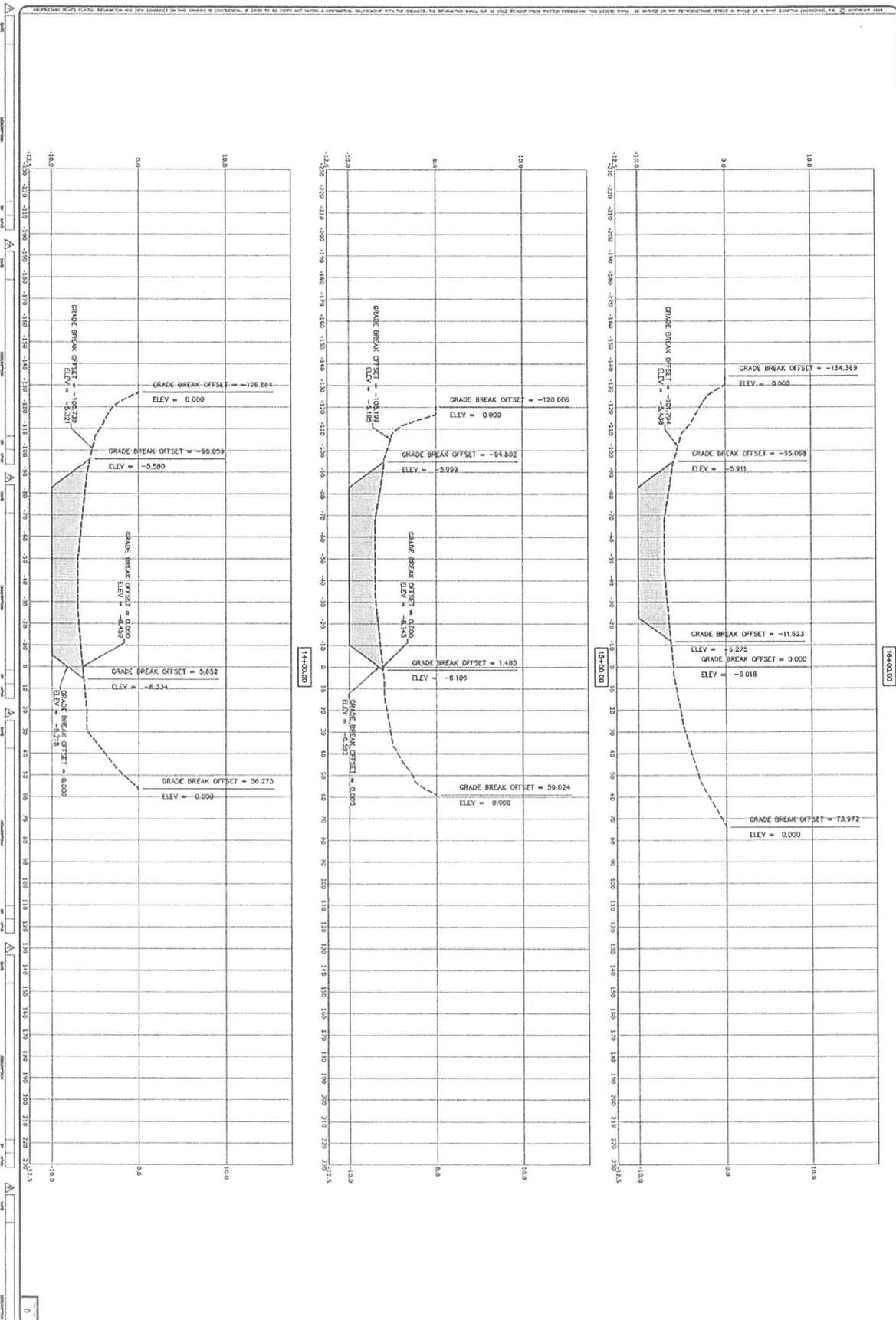
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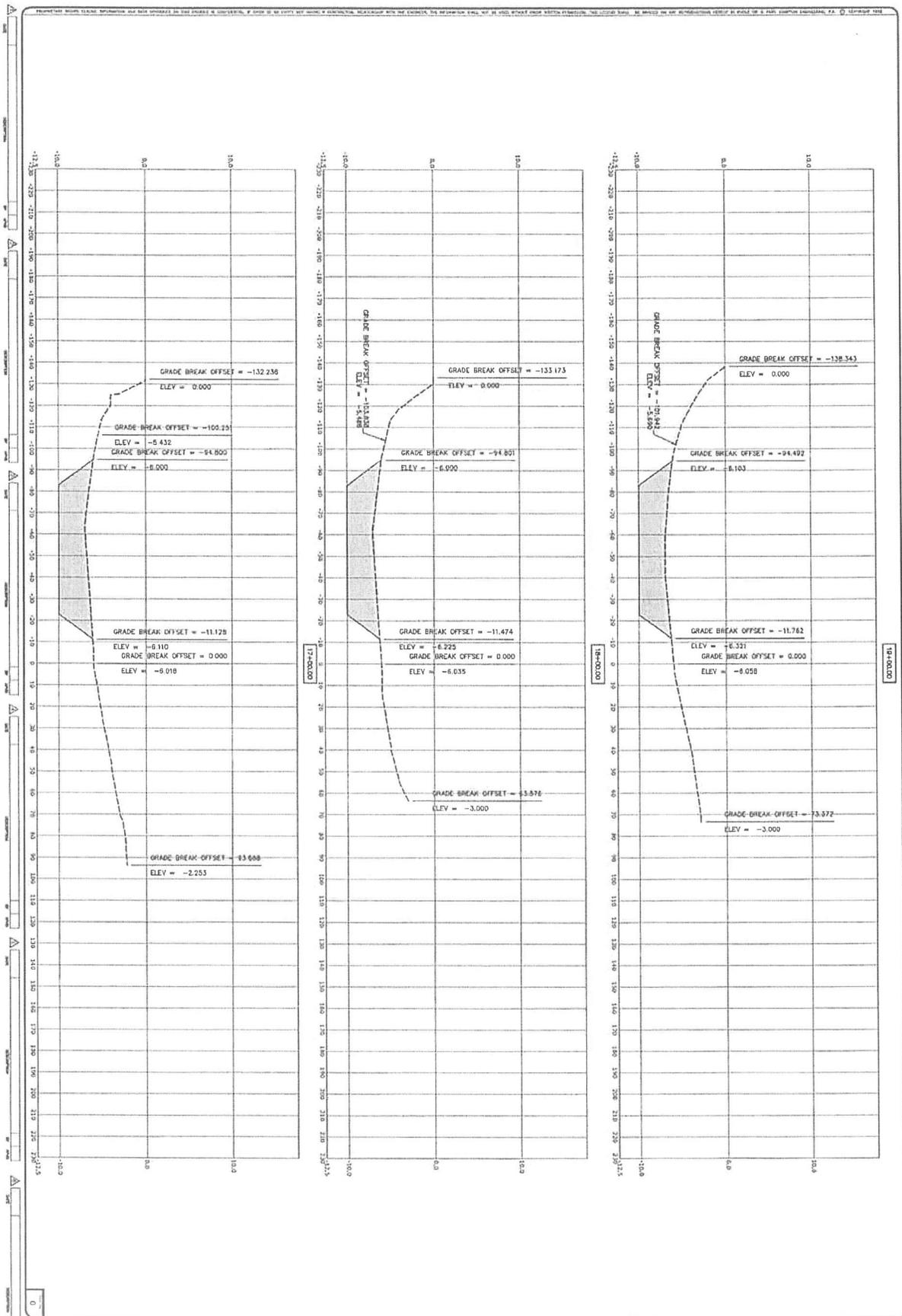
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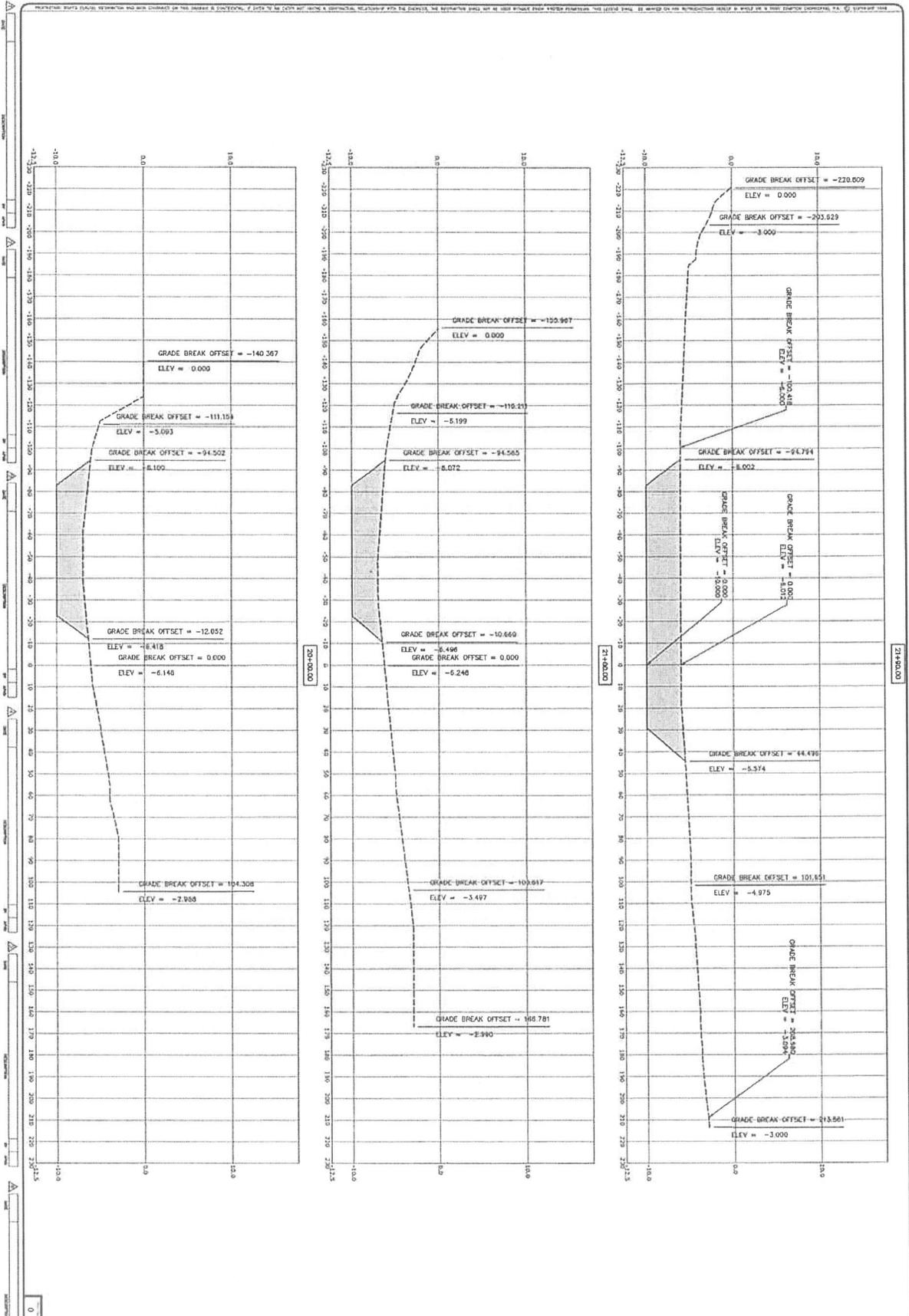
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