



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

OCT 16 2007

**JOINT PUBLIC NOTICE SAM-2007-1810-JBM  
U.S. ARMY CORPS OF ENGINEERS**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**Maintenance Dredging  
Broadwater Marina  
Biloxi, 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 Harbor 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:** Broadwater Development, LLP  
c/o BMI Environmental (Agent)  
521 34<sup>th</sup> Street  
Gulfport, Mississippi 39507

**LOCATION OF WORK:** Highway 90 fronting Mississippi Sound, Biloxi, Harrison County, Mississippi (Section 35, Township 7 South, Range 10 West; Lat. 30.388 N, Long. 88.964 W)

**WORK DESCRIPTION:** The applicant proposes to perform maintenance dredging operations to remove sediment and debris that was deposited in the existing marina basin and navigation channel during Hurricane Katrina. The basin is approximately 950 feet long by 550 feet wide and the basin will be dredged to -8 feet at mean low water (mlw). In addition to the basin the existing access channel which is approximately 80' wide by 3,000 feet long will be dredged to -8 feet at mlw. Approximately 100,000 cubic yards of dredged material will be removed from the basin and access channel and placed in a designated upland disposal area. Dredging will be performed by dragline and/or hydraulic dredge depending on the availability of equipment and the efficiency of the selected equipment. Material dredged by hydraulic dredge will be disposed in a temporary dewatering area in the southern portion of the site. Material will be allowed to dewater and then it

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will be transported by truck to the Harrison County Development Commission Upland Disposal Area C-1. Material dredged by dragline dredge will be placed in a barge and transported to the C-1 for disposal. The proposed project will not impact wetlands or submerged aquatic vegetation.

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.

Also, the applicant has applied for certification from the State that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. A determination relative to consistency will be made by 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 utilization 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

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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 effect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of this undertaking are also being considered. 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 concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. Historic architectural or archaeological investigations may be necessary to ascertain the existence of such resources. Efforts will be made through the consultation process to avoid, minimize, or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking. The district engineer remains the final decision authority.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will not affect listed endangered or threatened species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would temporarily impact approximately 20 acres of estuarine substrate utilized by various life stages of red drum, Spanish mackerel, and shrimp. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries.

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Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2007-1810-JBM and should be directed to:

District Engineer  
U.S. Army Engineer District, Mobile  
Attention: Regulatory Division, Coastal Branch  
Post Office Box 2288  
Mobile, Alabama 36628-0001

With a Copy to:

Mississippi Department of Environmental Quality  
Office of Pollution Control  
Post Office Box 10385  
Jackson, Mississippi 39289

And to:

Mississippi Department of Marine Resources  
1141 Bayview Avenue, Suite 101  
Biloxi, Mississippi 39530

Comments should be received no later than **21 days** from the date of this Public notice.

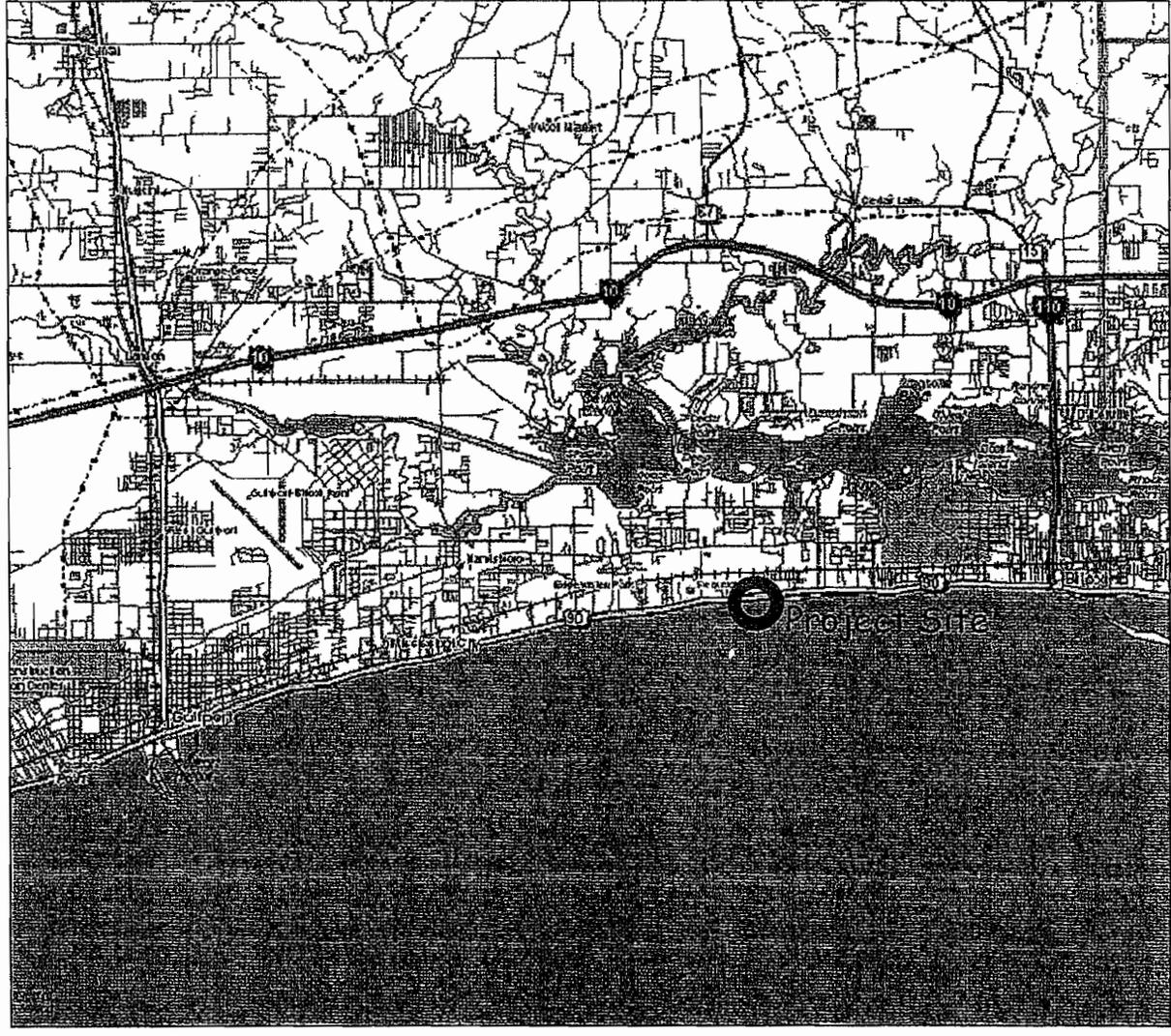
If you have any questions concerning this publication, you may contact the project manager via e-mail at [john.b.mcfadyen@sam.usace.army.mil](mailto:john.b.mcfadyen@sam.usace.army.mil) or telephone number **(251) 690-3222**. Please refer to the above Public Notice number.

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

Encls

MOBILE DISTRICT  
U.S. Army Corps of Engineer

**NORTH**  
SCALE: Not to Scale



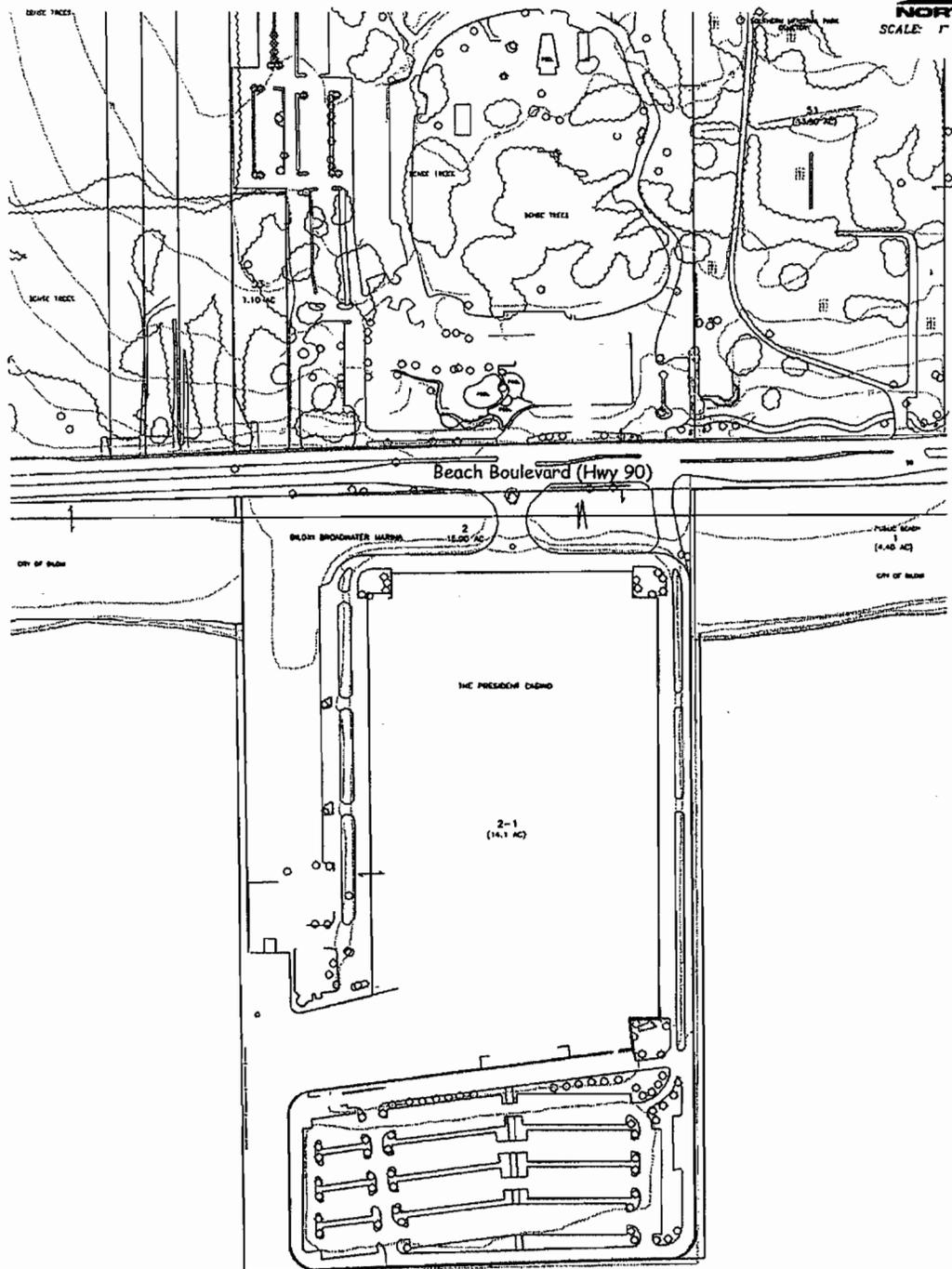
Vicinity Map  
Proposed Broadwater Marina Dredging Project  
Biloxi, Mississippi

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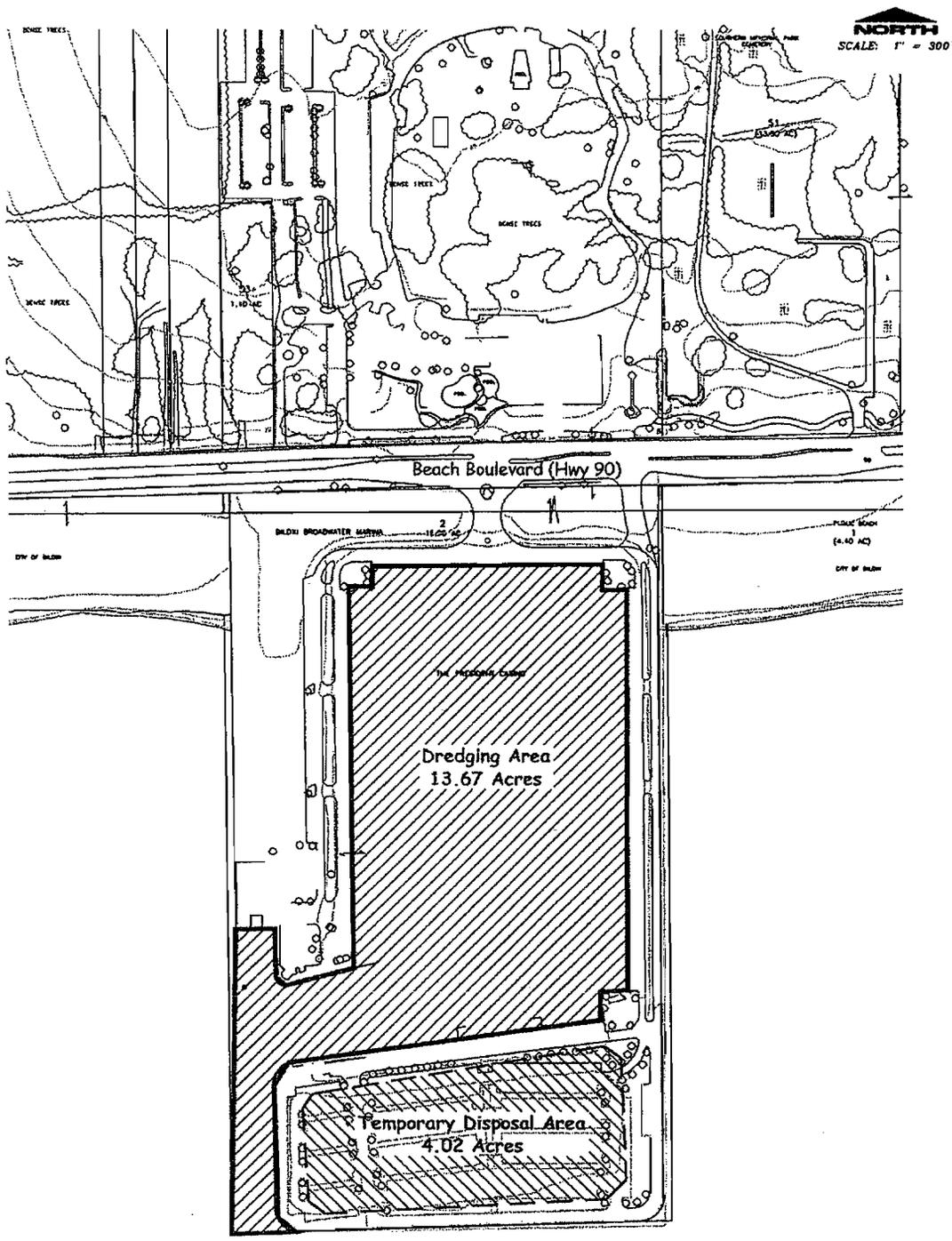


**BMI Environmental Services, LLC**  
*Environmental Consultants*

September 2007

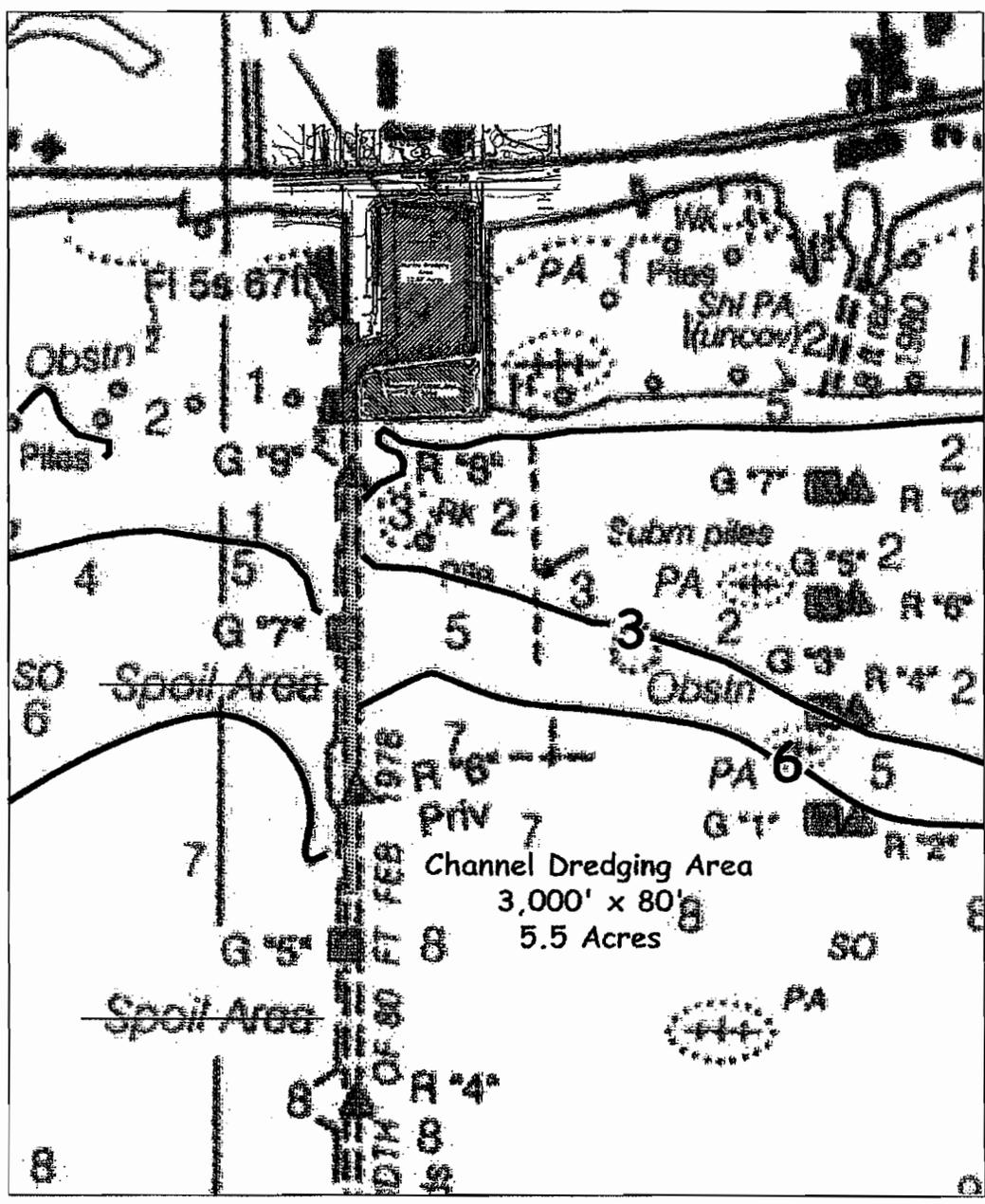


Existing Conditions  
 Proposed Broadwater Marina Dredging Project  
 Biloxi, Mississippi



Dredging & Temporary Disposal Area  
 Proposed Broadwater Marina Dredging Project  
 Biloxi, Mississippi





Existing Channel Maintenance Dredging  
Proposed Broadwater Marina Dredging Project  
Biloxi, Mississippi



USGS 8 km NE of Gulfport, Mississippi, United States 01 Jul 1979

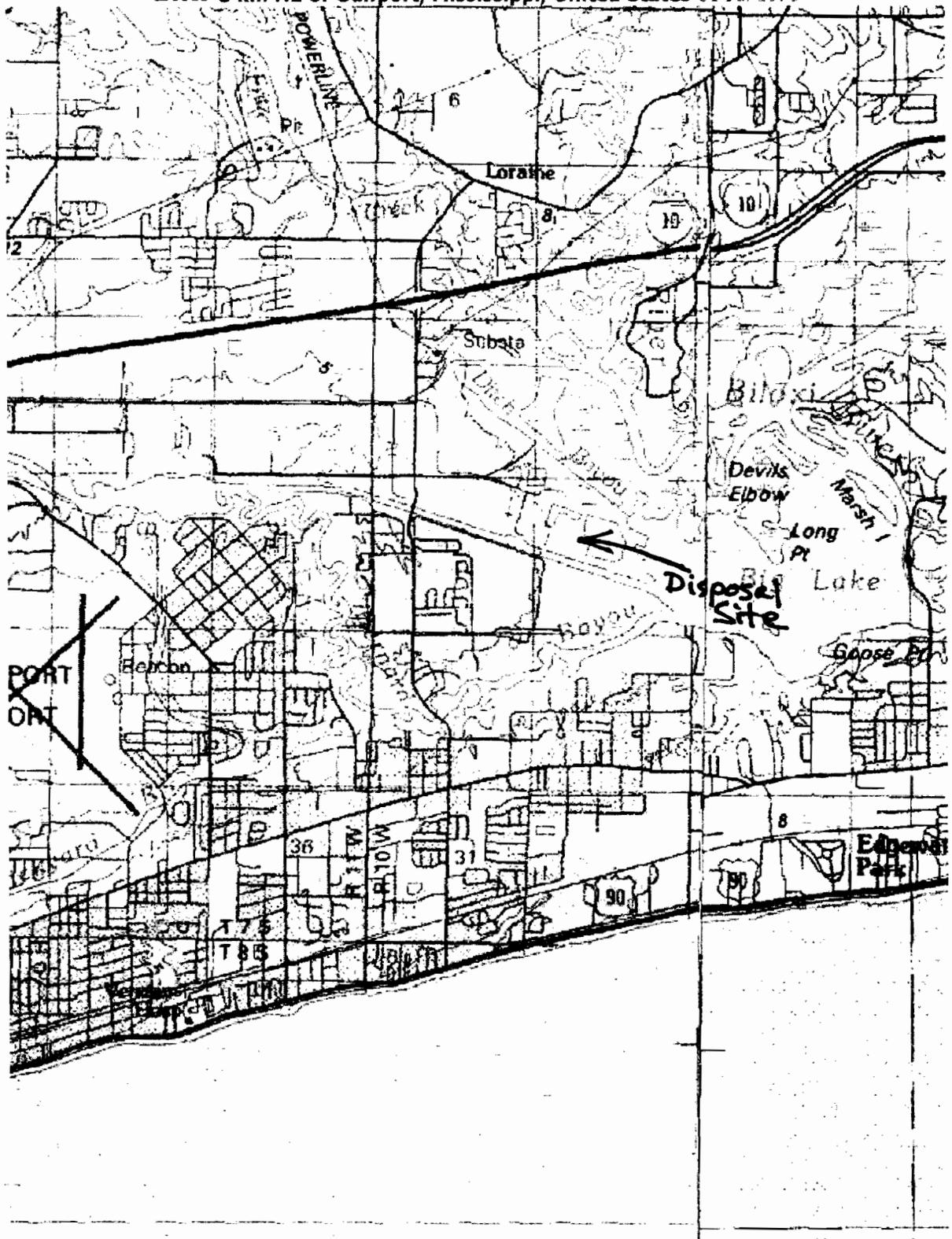


Image courtesy of the U.S. Geological Survey

SAM-2007-1810-JBM  
Disposal Site