



REPLY TO  
ATTENTION OF:

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

CESAM-RD-C

September 15, 2009

**JOINT PUBLIC NOTICE SAM-2009-01121-MJF  
U.S. ARMY CORPS OF ENGINEERS**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**Washington Street Jetty and Pier Extension  
Hancock County Board of Supervisors  
Hancock 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 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:** Hancock County Board of Supervisors      **Agent:** Compton Engineering, Inc.  
P.O. Box 2795      156 Nixon St.  
Bay St. Louis, Mississippi 39521      Biloxi, Mississippi 39530

**LOCATION OF WORK:** Washington Avenue, Section 25, Township 8 South, Range 14 West, Latitude 30.3017 Longitude -89.3273, in the Mississippi Sound, Bay St. Louis, Hancock County, Mississippi.

**WORK DESCRIPTION:** The applicant proposes to construct extensions to an existing pier and jetty. The work would include extending the existing pier by an additional 150 linear feet which would include a second deck area, retrofit the existing pier and build the extension to meet ADA standards for handicap accessibility, and extend the existing jetty approximately 130 linear feet. The pier extension would mimic the existing structure with a 7' wide x 150' long walkway with another 20' x 50' deck located on the end. Handrails on the existing pier and extension would be placed to meet ADA standards. Lighting would be added. The proposed jetty extension would be constructed with rip rap to match the existing structure and would have 3:1 side slopes.

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The overall project purpose is to provide additional space for marine recreational activities, to protect boaters and provide handicap accessibility. Extending the pier would alleviate congestion and provide additional pier space to help the county reach its pre-Katrina levels of service to the community. Additionally, it would provide the first ADA compliant pier in the county providing an opportunity for the elderly and disabled to participate in marine recreation. The jetty extension would be done to break down wave action/decrease wave height at the existing boat launch. Residents have expressed difficulty launching boats due to waves reaching the launch area.

No other alternatives to the proposed project were considered other than the "No Action" alternative. The proposed project would make use of existing structures and improve upon their safety and value to the community. A need has been identified at the existing jetty to dissipate oncoming wave action so as to not inhibit boaters from using the existing boat launch. This eliminates the possibility of pursuing an alternate site for the proposed jetty extension. It also creates a feasible and practical site to provide additional pier space the community is lacking. A short pier already exists as well as ample parking for the expected increase in use. The pier would be constructed with pilings to minimize its footprint in waters of the US. The jetty extension is expected to cause temporary impacts, but would provide long-term additional habitat for benthic organisms, algae and small aquatic species. The "No Action" alternative would not address the lack of pier space the county has to offer its residents and visitors. Currently the county has approximately half the pier space it had prior to Hurricane Katrina. Avoiding pursuance of the pier extension would prevent the county from moving closer to restoring the recreational resources it offered the community in the past. This alternative would also prevent the construction of the first ADA compliant pier structure in the county. In addition, the "No Action" alternative would not provide the added protection from wave action that is needed.

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 received 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 was made by the Mississippi Department of Marine Resources by letter dated August 20, 2009.

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

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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 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.

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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 may affect listed endangered or threatened species. Specifically, the Leatherback sea turtle (*Dermochelys coriacea*), Hawksbill sea turtle (*Eremachelys imbricate*), Kemp's Ridley turtle (*Lepidochelys kempii*), Green sea turtle (*Chelonia mydas*), Loggerhead sea turtle (*Caretta caretta*), Gulf Sturgeon (*Acipenser oxyrinchus desotoi*), and the Smalltooth Sawfish (*Pristis pectinata*) 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 proposal would impact approximately 0.27 acres of marine substrate utilized by various life stages of red drum, Spanish mackerel, and shrimp. Our initial determination is that the proposed action may have an adverse impact on EFH or Federally managed fisheries.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2009-01121-MJF and should be directed to:

District Engineer  
U.S. Army Engineer District, Mobile (RD-C)  
Post Office Box 2288  
Mobile, Alabama 36628-0001  
Attn: Maryellen Farmer

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

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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 [Maryellen.J.Farmer@usace.army.mil](mailto:Maryellen.J.Farmer@usace.army.mil) or telephone number **(228) 523-4116**. 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



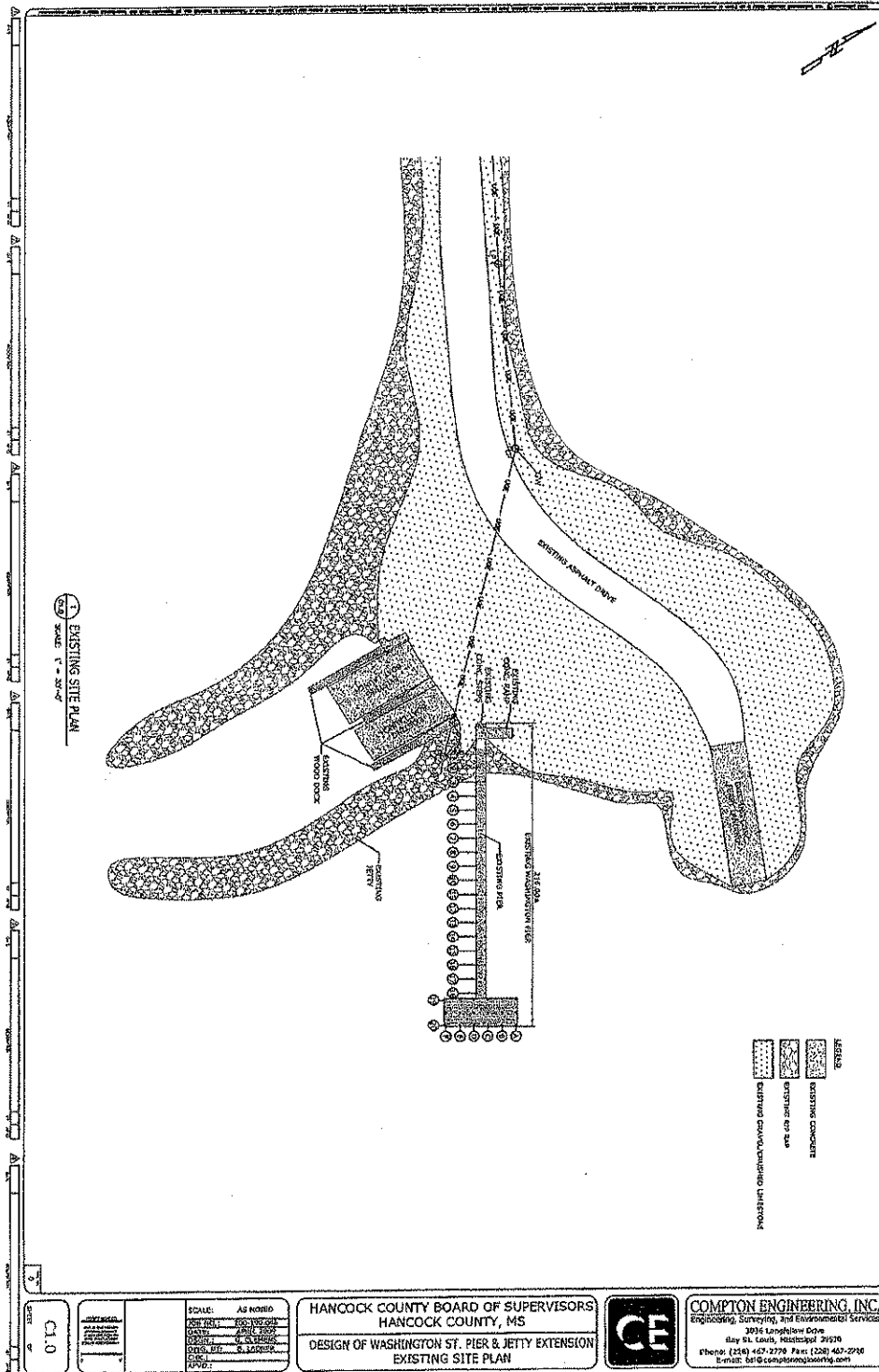


FIGURE 2 HANCOCK CTY

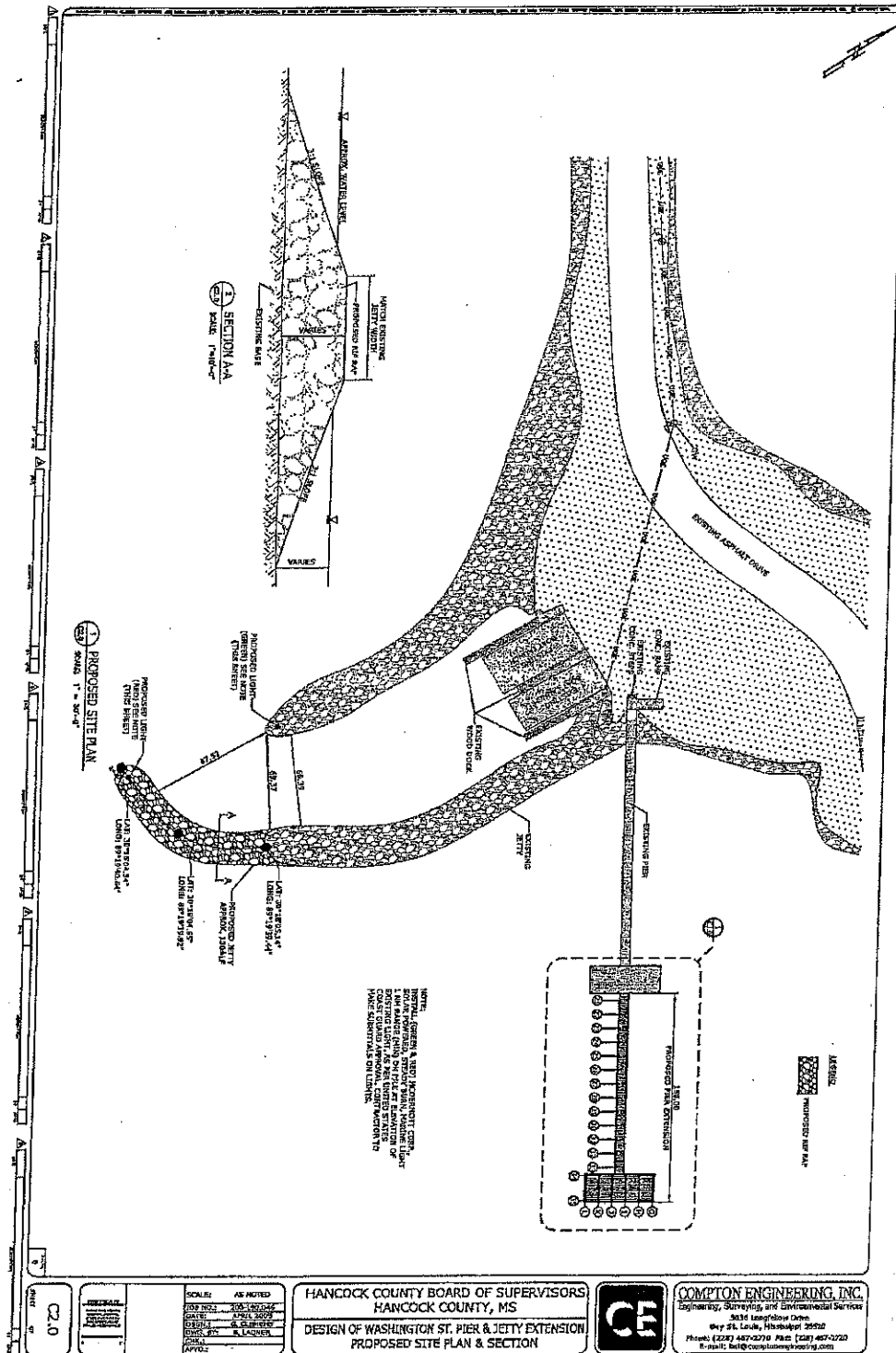


FIGURE 3 HANCOCK CTY  
FILE SAM-2009-01121-MJF

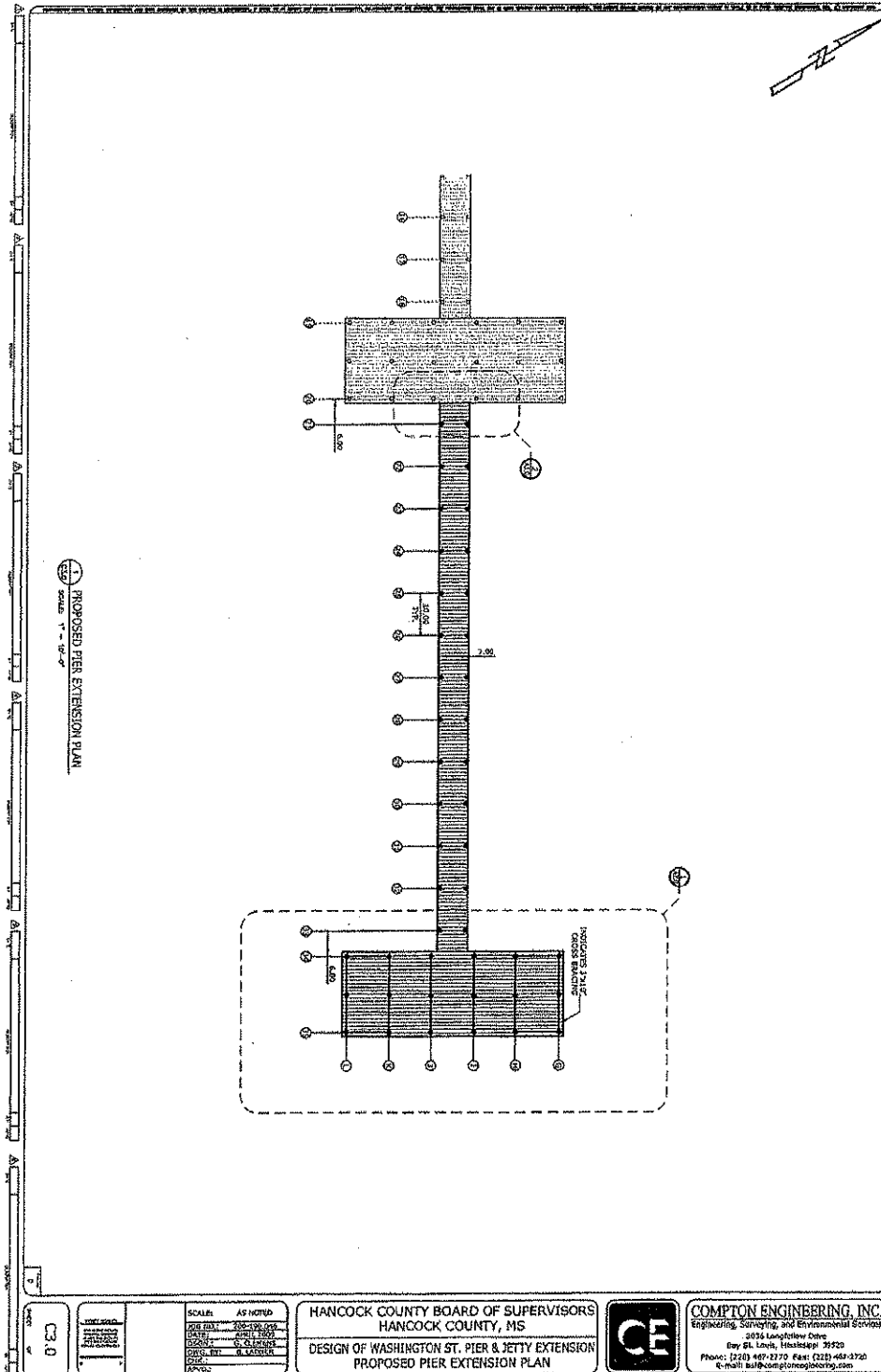


FIGURE 4 HANCOCK CTY  
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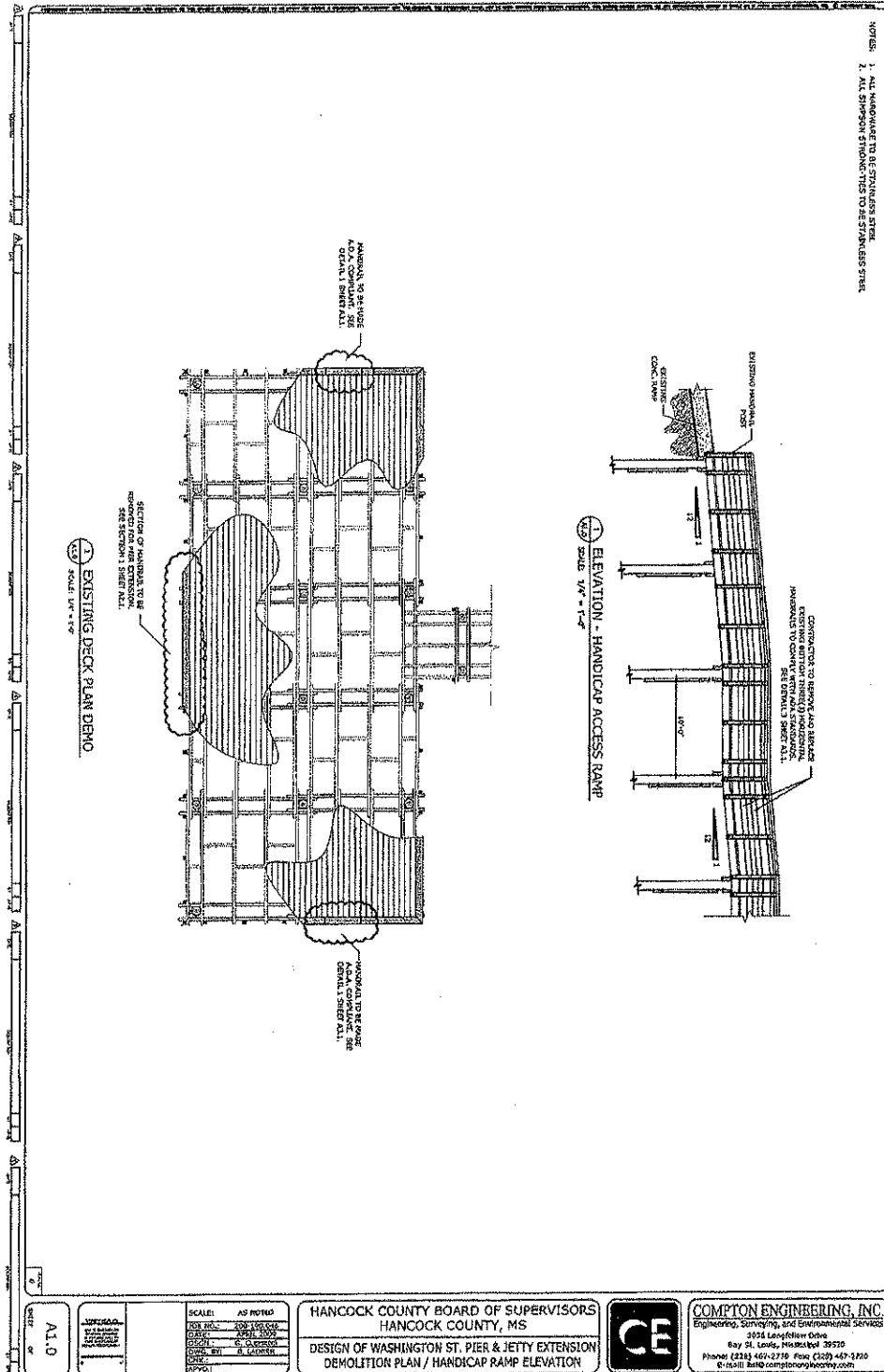


FIGURE 5 HANCOCK CTY





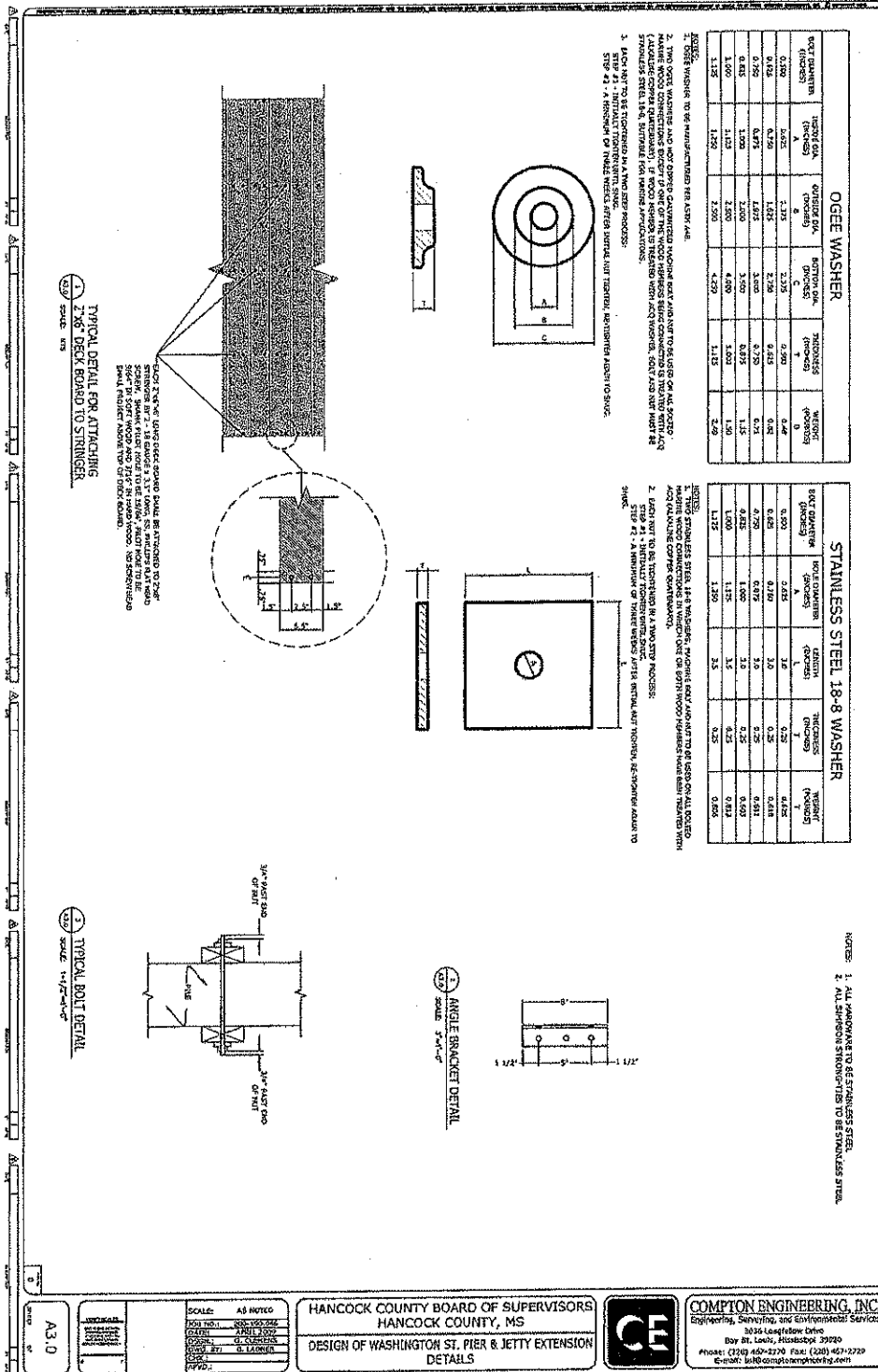


FIGURE 8 HANCOCK CTY  
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