



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-M

February 16, 2011

**JOINT PUBLIC NOTICE SAM-2011-00154-KMN
U.S. ARMY CORPS OF ENGINEERS**

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

**Beneficial Use Site for Dredge Material
Escatawpa River, Jackson County, Mississippi**

TO WHOM IT MAY CONCERN:

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

**APPLICANT: Mississippi Department of Marine Resources
Attn: George Ramseur, Jr
1141 Bayview Avenue, Suite 501
Biloxi, Mississippi 39530**

LOCATION OF WORK: Adjacent to Highway 613 south of Interstate 10, Section 24, Township 7 South, Range 6 West, Latitude 30.4233 Longitude -88.5451, Escatawpa River, Moss Point, Jackson County, Mississippi.

WORK DESCRIPTION: The applicant, the Mississippi Department of marine Resources is proposing to use a 10 acre site as a Beneficial Use Site. Approximately 24,000 Cubic yards of material would be dredged at an adjacent site. This material would be placed in the 10 acre site for tidal marsh habitat restoration.

The proposed dredging was approved under permit number SAM-2010-00913-MJF. The dredging permit is subject to Mississippi Code 49-27-61 which requires beneficial use of the dredged material.

Historical aerial photographs provided by the applicant show the loss of over 300 acres of natural marshes over the last 50 years in this area where the Escatawpa River meets the Pascagoula River.

The material would be bucket dredged from the North/Escatawpa River side of permitted property and hauled to the South side where it would be placed in shallow (typically less than 4 feet deep) water. This placement area is relatively protected from regular wave action and currents. The material would be placed intermittently and over a short period of time; therefore, no containment or turbidity control is planned. The applicant stated that various

historical images show that high turbidity conditions occur in the Escatawpa and Pascagoula Rivers regularly. Furthermore this is not a setting that supports oyster beds or sea grasses. Once the material has consolidated it will be evaluated by the MDMR for natural regeneration and planted with appropriate marsh or wetland species as required.

PROJECT PURPOSE AND NEED: The overall project purpose is to restore approximately 10 acres of tidal marsh habitat.

ALTERNATIVES: The alternate use of the material would be to place it on uplands located on the project site and not use it for Beneficial Use which would provide the restoration of tidal marsh habitat in the vicinity of the project impact.

COASTAL ZONE MANAGEMENT: 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 MDMR.

ENDANGERED SPECIES: The U.S. Fish and Wildlife Service (USFWS) lists 18 endangered, threatened or candidate species as occurring or potentially occurring in Jackson County. The Gulf sturgeon (*Acipenser*) is listed as threatened. Based upon preliminary review of this application and the U.S. Department of the Interior's list of Endangered and Threatened Wildlife and Plants, a preliminary determination has been made that these activities designated for the project site may affect but not likely to adversely affect, listed or endangered species or their critical habitat. Notification to the USFWS will be furnished via this Public Notice.

The Mobile District has determined that the proposed action would not adversely impact Essential Fish Habitat or associated fisheries managed by the Gulf of Mexico Fishery Management Council or the National Marine Fisheries Service.

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. 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. At this time, given the history of the dredge material Beneficial Use Site no impacts to any known cultural or historic properties are expected. We are seeking comment from the State Historic Preservation Officer (MDAH), 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 Commander remains the final decision authority.

COMMENTS: 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 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.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2011-00154-KMN and should be directed to: District Engineer, U.S. Army Engineer District, Mobile, Attn: Kaaren Neumann (RD-C), Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to: Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225-2261 and Mississippi Department of Marine Resources, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530

Comments should be received no later than **15 days** from the date of this Public notice.

CESAM-RD-C
SAM-2011-00154-KMN

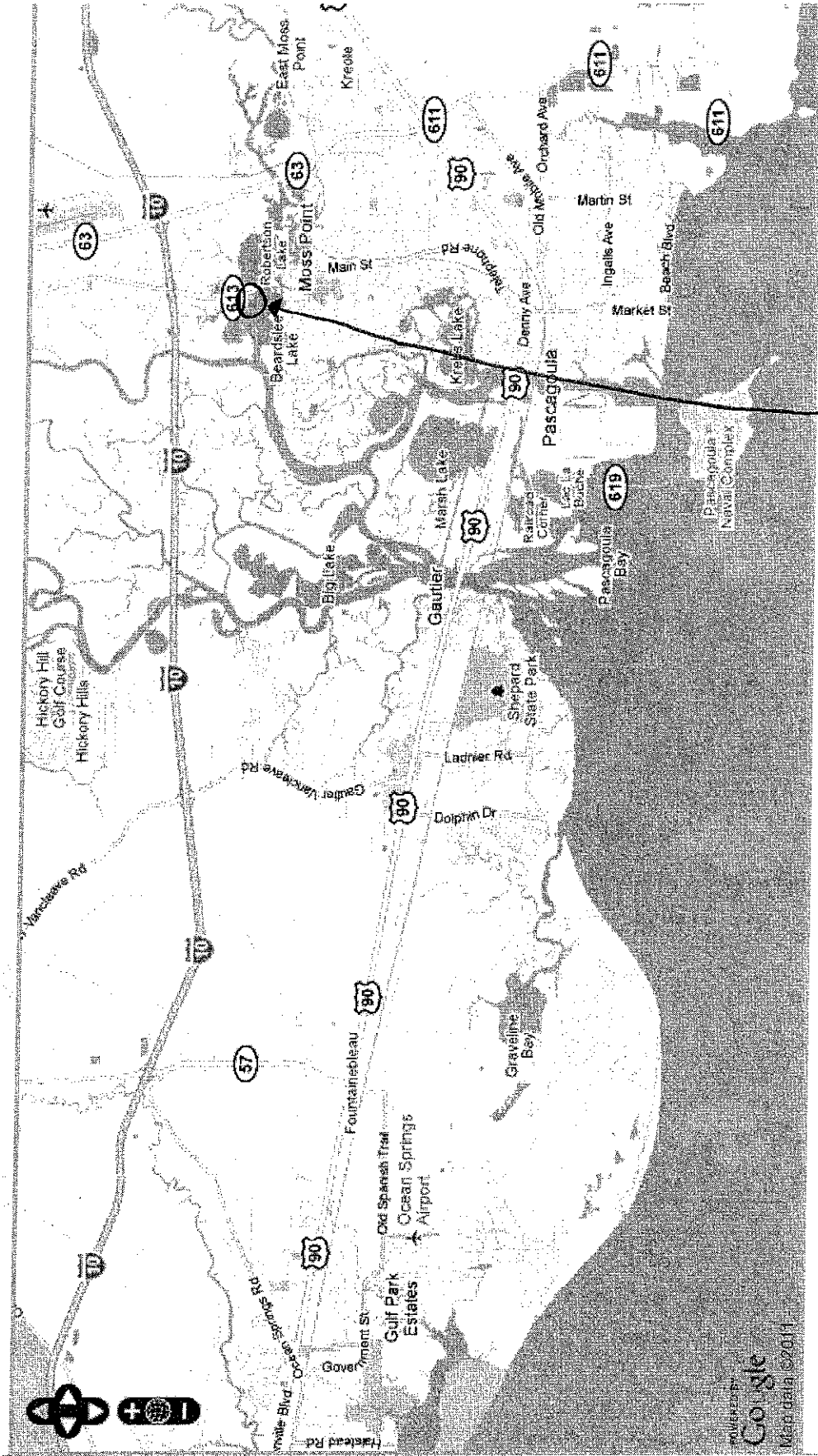
February 16, 2011

If you have any questions concerning this publication, you may contact the project manager via e-mail at kaaren.m.neumann@usace.army.mil or phone number **(228) 523-4024**. 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 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.

Enclosures

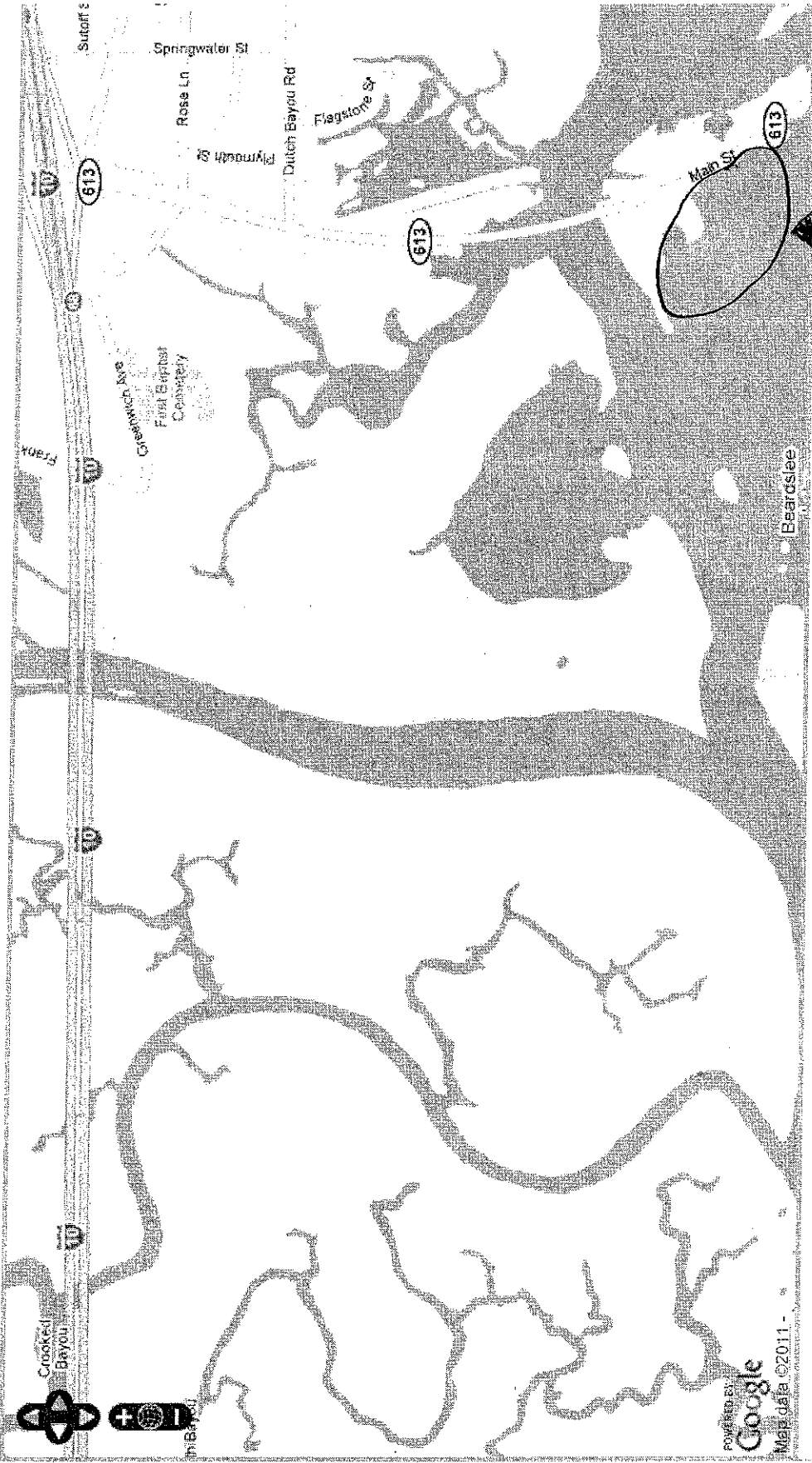
MOBILE DISTRICT
U.S. Army Corps of Engineers



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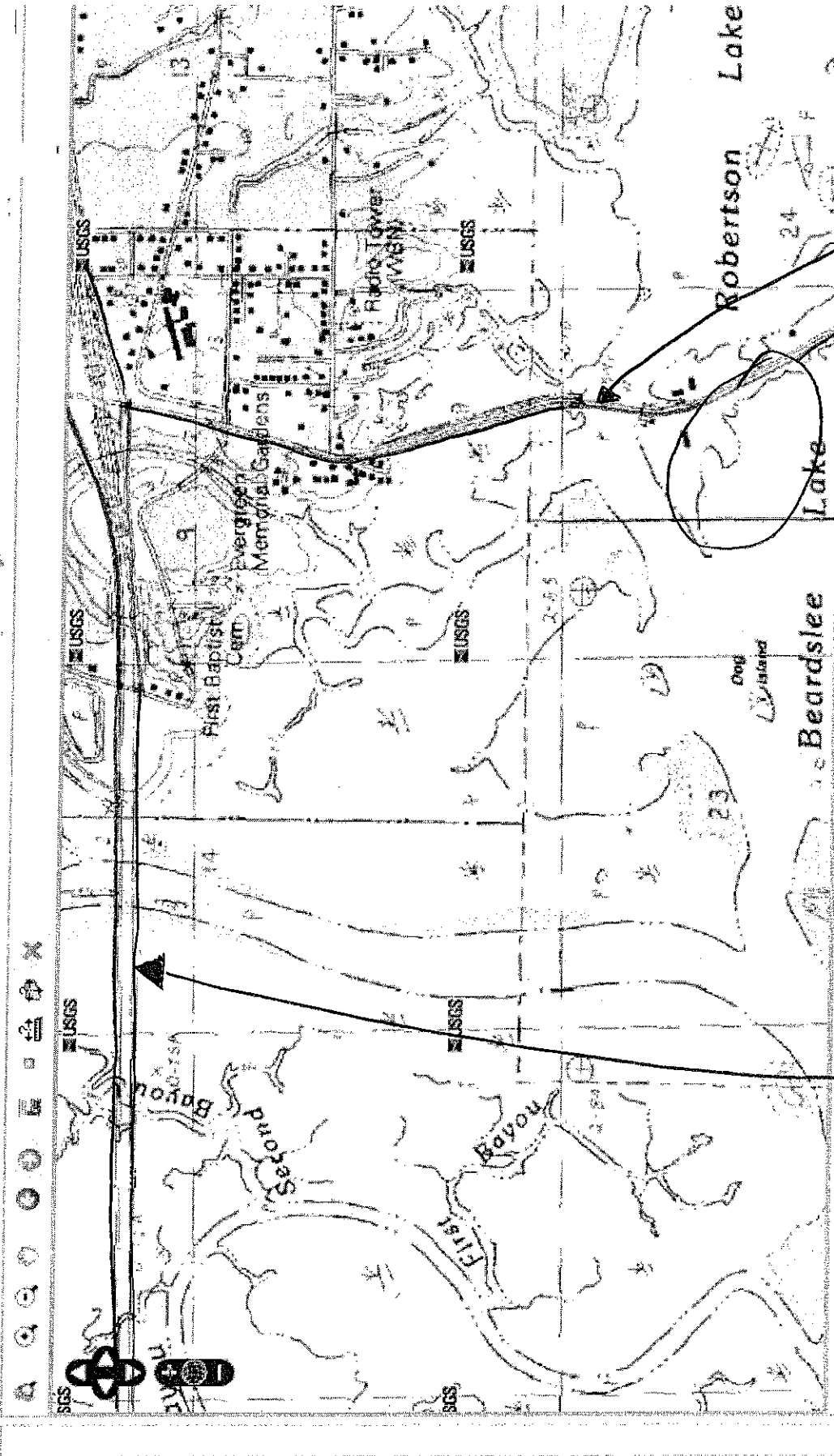
Site

SAM-2011-00154-KMM



site

SAM-2011-00154-KMV



RI AR Off SV Off OV Off TF Off CS

Highway 613

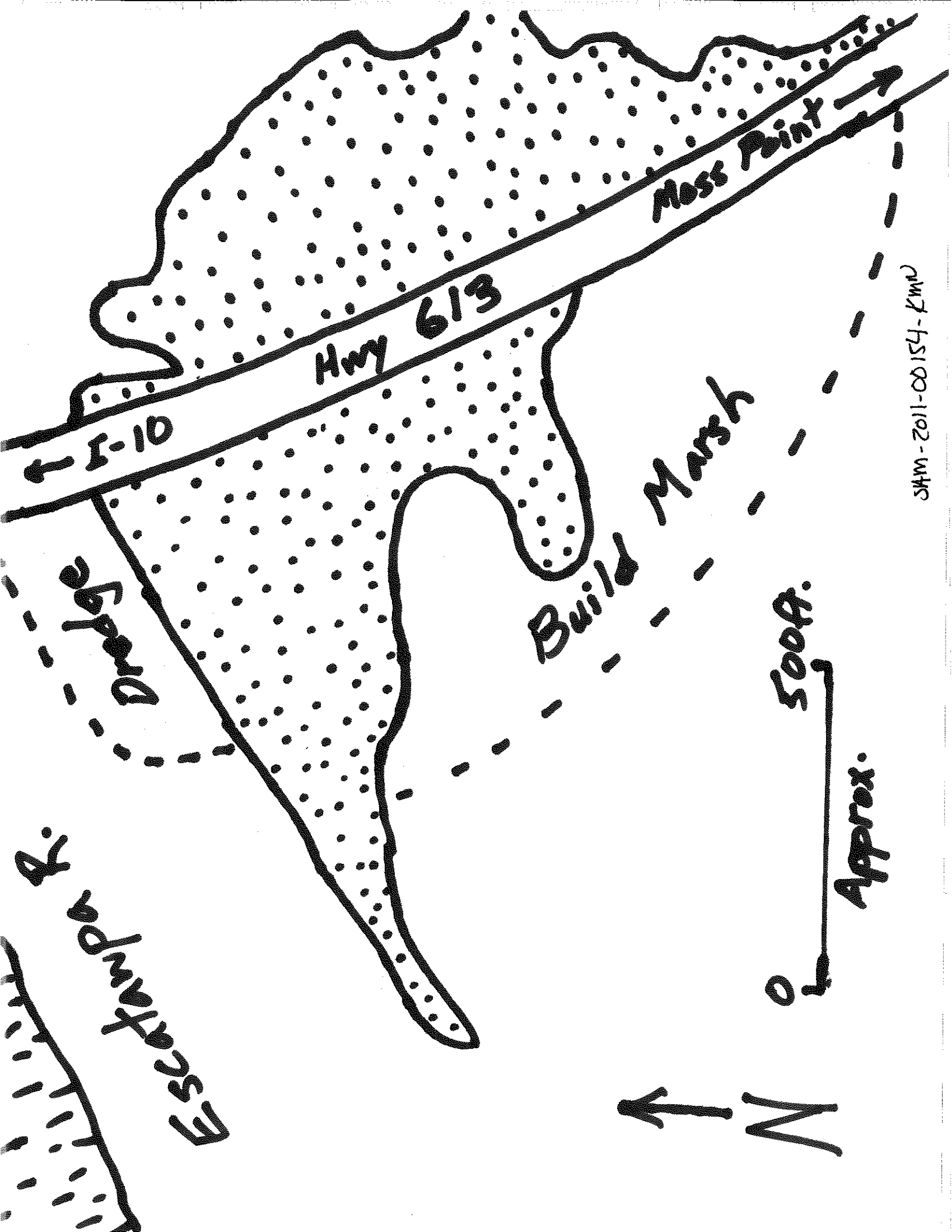
site

Intake ID

SAM-2011-00154-KMN



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Escarpment R.

Dredge

Hwy 613

I-10

Moss Point →

Build Marsh



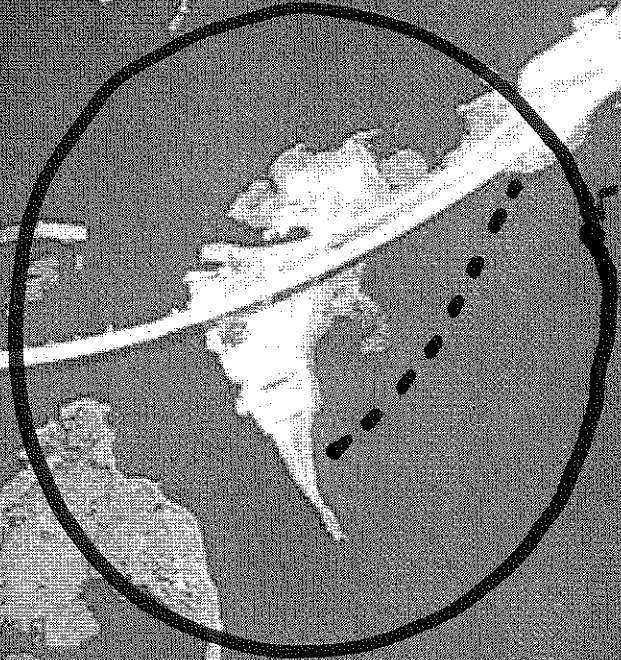
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500ft.

Approx.

SHW-15100-1102-WHS
KMW

2010



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