



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

REPLY TO
ATTENTION OF:

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2016-00805-DEM

December 19, 2016

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PROPOSED BULKHEAD AND BOAT SHLETER REPLACEMENT IN MOSS
POINT, JACKSON COUNTY, MISSISSIPPI

TO WHOM IT MAY CONCERN:

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

APPLICANT: Ms. Ruth Horn
4942 Magnolia Street
Moss Point, Mississippi 39563

AGENT: Coastal Painting and General Contracting, Inc.
Attention: Mr. Ricky Register
Post Office Box 461
Gautier, Mississippi 39553

WATERWAY/LOCATION: The project is located within waters of Beardslee Lake at 5419 Beardslee Street, Moss Point, Jackson County, Mississippi (Latitude 30.420400° North, Longitude -88.550297° West; Section 23, Township 7S, Range 6W).

WORK: The applicant proposes to replace existing 217 linear feet bulkhead with approximately 65 cubic yards (approximately 314 square feet) of back fill placed below the Mean High Tide (MHT) Line within eroded sections of shoreline behind existing wall. In addition, the applicant proposes to replace an existing 40-foot-wide by 52-foot-long covered (roof line approximately 20-feet above MHT) open sided boat shelter. Mitigation has not been proposed for this project.

The applicant has applied for state water quality (WQ) certification 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 WQ certification 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 USACE 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, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The USACE 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 USACE 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 USACE has determined the permit area consists of footprints of the existing bulkhead and boat shelter proposed for replacement. 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. The USACE has made a preliminary determination that there will be no effect to cultural and historic resources within the permit area. However, 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 general public regarding the existence or the potential for existence of significant cultural and historic properties which may be affected by the 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.

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, but is not likely to adversely affect" the Gulf Sturgeon (*Acipenser oxyrinchus desotoi*), Alabama Red-Bellied Turtle (*Pseudemys alabamensis*), Yellow Blotched Turtle (*Graptemys flavimaculata*). Site reconnaissance indicated that suitable habitat does not currently exist on-site for any of the species listed for Jackson County and no evidence of those species was found during on-site investigations. The proposed activity should have "no effect" on the remainder of endangered or threatened species listed for Jackson County or designated critical habitat. This notice serves as request to the U.S. Fish and Wildlife 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.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2016-00805-DEM** 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.

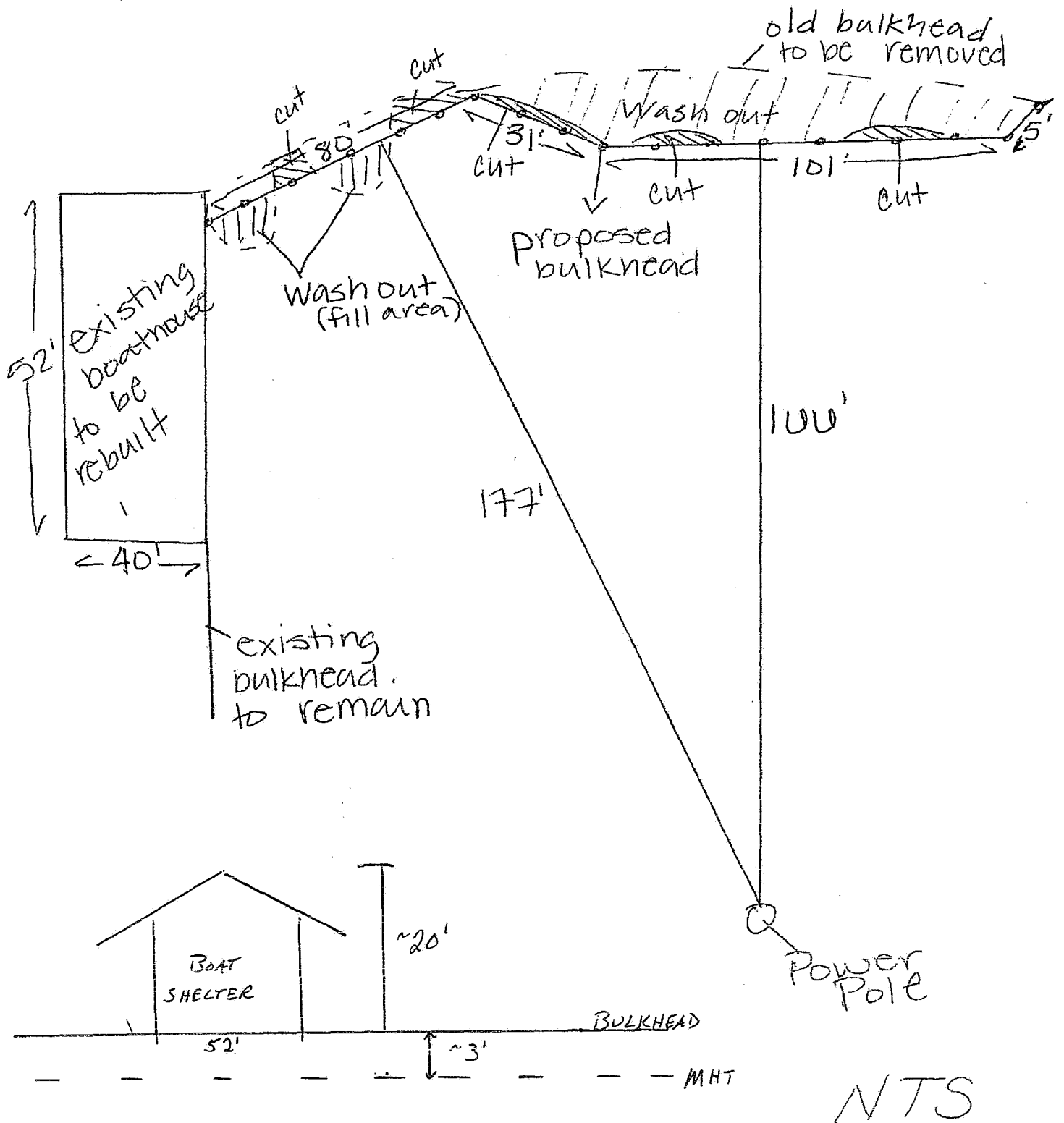
All Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager at 251-690-3185 or email at donald.e.mroczko@usace.army.mil. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our website at:
www.sam.usace.army.mil/Missions/Regulatory.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

Ruth Jean Horn
5419 Beardslee Street
Moss Point
Jackson County
DMR - 9205379



Google Maps

