

## **PUBLIC NOTICE**

Applicant: Mr. Travis Williams Published: March 7, 2025 Mississippi Department of Marine Resources Expires: March 24, 2025

## Mobile District Permit Application No. SAM-2017-01110-KMN

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS (USACE)

# MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF POLLUTION CONTROL (MDEQ) WQC2018056

## MISSISSIPPI DEPARTMENT OF MARINE RESOURCES DMR190148-1

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 404 of the Clean Water Act (33 USC 1344), and/or Section 4(e) of the Outer Continental Shelf Lands Act of 1953 (67 Stat. 463; 43 USC 1333 (e)). The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Mississippi Department of Marine Resources

Artificial Reef Bureau

Attention: Mr. Travis Williams

1141 Bayview Avenue Biloxi, Mississippi 39530

**LOCATION:** Mississippi Sound and outer continental shelf, off the coast of Mississippi for Hancock, Harrison, and Jackson Counties, and within the Regulatory boundaries of the U.S. Army Corps of Engineers, Mobile District (see attached maps/tables for specific locations):

**HISTORY:** On November 18, 2018, USACE issued a Public Notice proposing authorization of a Mississippi General Permit Program for maintenance of 67 existing inshore artificial reefs. During the review process, the applicant requested to reduce the number of artificial reefs under consideration from 67 artificial reefs to 63 artificial reefs. Coordination with external agencies and the public was completed for the project as

proposed under consideration of a General Permit Program at the time. Based on current regulations 33 CFR 322.2(f) and 33 CFR 322.2(e), the U.S. Army Corps of Engineers, Mobile District (USACE) determined that the proposed activities should be considered under a Standard Permit review instead of the previously considered General Permit Program. This serves as notification of the proposed change in permit type. Conversion of the permit type from the previously proposed Mississippi General Permit (MSGP) to a Standard Permit would not change the project description or proposed project impacts. All previously considered conditions would be incorporated into the Standard Permit decision.

**EXISTING CONDITIONS:** Each of the 63 existing inshore artificial reefs are located with an approximately 10-acre site for a total of 630 acres and submerged in approximately 4-8 feet MLLW of Mississippi waters throughout the three coastal counties.

#### PROJECT PURPOSE:

**Basic:** The Corps has determined that the basic purpose of the proposed project is to perform maintenance of 63 existing inshore artificial reefs.

**Overall:** The Corps has determined that the overall purpose of the proposed project is to enhance and fortify 63 existing inshore artificial reefs.

**PROPOSED WORK:** The applicant has proposed placement of reef materials to enhance and fortify 63 existing inshore artificial reefs. Each existing inshore artificial reef is located within an approximately 10-acre site for a total of 630 acres and submerged in approximately 4-8 feet MLLW of Mississippi waters throughout the three coastal counties. Relief of artificial reef materials deployed on the sea floor shall be less than 6 vertical inches. Artificial Reef material would consist of crushed concrete, oyster shells, or limestone. Artificial Reef material would be placed only within the existing footprint of each artificial reef. Deployment vessels (loaded) shall draw no more than one (1) foot less than the depth of the water column in which the cultch material would be deployed. The applicant stated that these artificial reefs have been depleted due to a multitude of adverse effects, stemming from natural causes such as subsidence. The replenishment of these artificial reefs is expected to create and enhance valuable near shore artificial reef habitat that would support and sustain healthy populations of various species of larvae and sessile epifauna and infauna (invertebrates and vertebrates).

**AVOIDANCE AND MINIMIZATION:** The applicant has not provided information regarding avoidance and/or minimization to the aquatic environment as the purpose of the project is to enhance and fortify existing inshore artificial reefs.

**COMPENSATORY MITIGATION:** The applicant has not provided a compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment as the purpose of the project is to enhance and fortify existing inshore artificial reefs.

CULTURAL RESOURCES: 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 historic properties. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of each of the 63, 10-acre existing inshore artificial reef sites. The National Register of Historic Places was consulted for properties listed, or eligible for listing, in the National Register, which are known to exist and would be affected by the proposed work. USACE, Mobile District completed consultation with the Mississippi Department of Archives and History under MDAH Project Log #11-030-18 on November 14, 2018, for the project as proposed under the MSGP.

**ENDANGERED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicate that federally-listed species may occur within the project areas. USACE, Mobile District completed consultation with the U.S. Fish and Wildlife Service (USFWS) on February 03, 2022, and the National Marine Fisheries Service – Protected Resources Division (NMFS-PRD) under SER-2020-00369 on July 31, 2020, under the MSGP review.

ESSENTIAL FISH HABITAT: USACE, Mobile District initiated the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act under the MSGP review. USACE, Mobile District has completed consultation with the National Marine Fisheries Service – Habitat Conservation Division (NMFS-HCD) under the MSGP review on November 08, 2018.

**NAVIGATION:** The proposed artificial reef boundaries would be located 75-feet or more from any federal navigation channels.

**SECTION 408:** The applicant completed consultation under Section 14 of the Rivers and Harbors Act (33 USC 408) on October 28, 2024, under the MSGP review. All recommendations from the Section 408 review would be incorporated into the Standard Permit decision.

WATER QUALITY CERTIFICATION: The applicant received Water Quality Certification from the Mississippi Department of Environmental Quality in accordance with the Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), under WQC2018056 on January 28, 2019. The Water Quality Certification was issued for 67 existing inshore artificial reefs which was later reduced to 63 existing inshore artificial reefs by the applicant. The proposed project description and proposed project impacts would not change under review as a Standard Permit. All previously considered 401 conditions would be incorporated into the Standard Permit decision.

**COASTAL ZONE:** The applicant received coastal zone (CZ) consistency from the Mississippi Department of Marine Resources in accordance with the State Coastal Zone Management Program under DMR190148-1 on January 16, 2021, for the project as proposed under the MSGP. The proposed project description and proposed project

impacts would not change under review as a Standard Permit. All previously considered CZ conditions would be incorporated into the Standard Permit decision.

**EVALUATION:** 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

**COMMENTS:** 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 determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

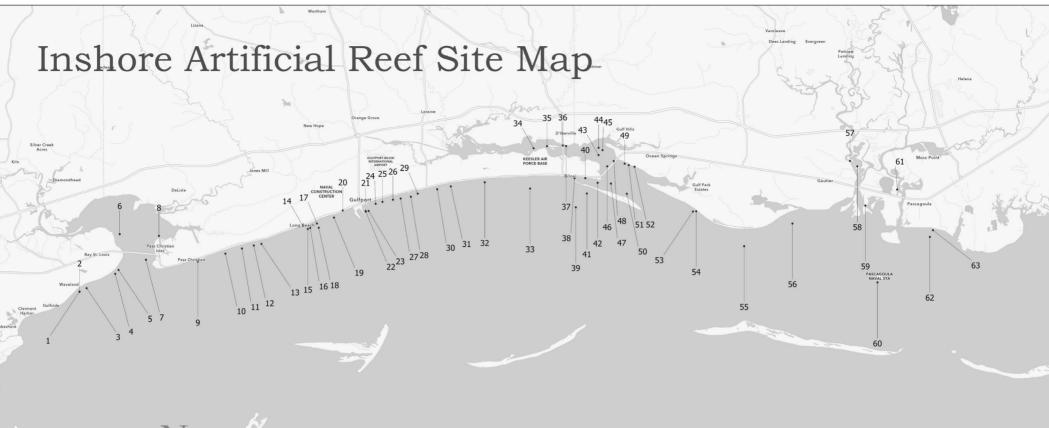
The Mobile District will receive written comments on the proposed work, as outlined above, until March 24, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <a href="https://rrs.usace.army.mil/rrs">https://rrs.usace.army.mil/rrs</a> or to Ms. Kaaren Neumann at <a href="Kaaren.M.Neumann@usace.army.mil">Kaaren.M.Neumann@usace.army.mil</a>. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Ms. Kaaren Neumann, PO Box 2288, Mobile, AL 36628. Please refer to the permit application number in your comments. Copies of all comments should be furnished to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225, and the Mississippi Department of Marine Resources, 1141 Bayview Avenue, Biloxi, Mississippi 39530.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings

shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

MOBILE DISTRICT U.S. Army Corps of Engineers

Attachments





- Waveland Pier
- 2 Waveland Rubble 2
- Monroe St
- American Legion Launch
- Ameerican Legion Pier
- Cedar Point
- BSL Train Bridge
- 8 Mellini Point
- 9 Pass Harbor
- 10 Lang Ave.
- 11 Japonica Dr.
- 12 Emerald St.
- 13 Walmart
- 14 Jeff Davis Ave. Pier
- 15 Long Beach Harbor Jetty
- 16 Long Beach Harbor Pier

- 17 USM
- 18 Long Beach East
- 19 Fournier Ave.
- 20 Libby Milner-Roland Pier
- 21 Urie Pier North
- 22 Urie Pier South
- 23 Moses Pier
- 24 Thornton Ave.
- 25 Kelly Ave.
- 26 Hewes Ave.
- 27 VA Hospital
- 28 Courthouse Rd. Pier
- 29 Tegarden
- 30 Naval Hospital
- 31 Legacy Towers
- 32 Broadwater Harbor

- 33 Whitehouse
- 34 Keesler Harbor
- 35 Goat Island
- 36 d'Iberville Marina
- 37 d'Iberville Bridge
- 38 Biloxi Harbor
- 39 Keesler Rubble
- 40 Kuhn St.
- 41 South Deer Island Barge
- 42 Joe Thornton Hull
- 43 Spoil Island South
- 44 Fort Bayou
- 45 Spoil Island North
- 46 Old 90 Bridge West
- 47 East Biloxi Channel
- 48 Old 90 Bridge East

- 49 OS Community Pier
- 50 Deer Island North
- 51 OS Pier
- 52 OS Harbor Pier
- 53 Gulf Park Estates
- 54 Gulf Park Estates Pier
- 55 Bellefontaine
- 56 Graveline
- 57 Pascagoula River Site 3
- 58 Pascagoula River Site 4
- 59 Pascagoula West River Mouth
- 60 Round Island Jetty
- 61 Pascagoula River Site 1
- 62 Pascagoula Front Beach
- 63 Pascagoula Municipal Pier

Site	NE	NW	SE	SW
1. Waveland Pier	30 16.907	30 16.907	30 16.798	30 16.798
	89 21.821	89 21.947	89 21.821	89 21.947
2. Waveland Rubble	30 16.907	30 16.907	30 16.798	30 16.798
	89 21.821	89 21.947	89 21.821	89 21.947
3. Monroe St.	30 17.154	30 17.153	30 17.045	30 17.044
	89 21.402	89 21.528	89 21.402	89 21.528
American     Legion Launch	30 17.924	30 17.924	30 17.816	30 17.815
	89 19.736	89 19.862	89 19.736	89 19.862
5. American Legion Pier	30 18.149	30 18.149	30 18.040	30 18.040
	89 19.535	89 19.661	89 19.535	89 19.661
6. Cedar Point	30 20.272	30 20.273	30 20.164	30 20.165
	89 19.479	89 19.605	89 19.480	89 19.606

Site	NE	NW	SE	SW
7. BSL Train Bridge	30 18.747	30 18.746	30 18.636	30 18.63
	89 17.985	89 18.111	89 17.985	89 18.1
8. Mellini Point	30 20.214	30 20.214	30 20.082	30 20.08
	89 17.085	89 17.302	89 17.085	89 17.30
9. Pass Harbor	30 18.617	30 18.618	30 18.541	30 18.54
	89 14.946	89 15.035	89 14.946	89 15.03
10. Lang Ave.	30 19.082	30 19.082	30 18.973	30 18.97
	89 13.270	89 13.396	89 13.270	89 13.39
11. Japonica Dr.	30 19.378	30 19.377	30 19.269	30 19.26
	89 12.361	89 12.487	89 12.361	89 12.48
12. Emerald St.	30 19.543	30 19.543	30 19.472	30 19.47
	89 11.608	89 11.806	89 11.608	89 11.80
13. Walmart	30 19.647	30 19.647	30 19.539	30 19.53
	89 11.203	89 11.330	89 11.203	89 11.32
14. Jeff Davis Ave. Pier	30 20.564	30 20.564	30 20.487	30 20.48
	89 08.706	89 08.796	89 08.706	89 08.79
15. Long Beach Harbor Jetty	30 20.534	30 20.534	30 20.456	30 20.45
	89 08.543	89 08.633	89 08.543	89 08.63
16. Long Beach Harbor Pier	30 20.631	30 20.631	30 20.553	30 20.55
	89 08.342	89 08.432	89 08.342	89 08.43
17. USM	30 20.890	30 20.890	30 20.781	30 20.78
	89 07.962	89 08.088	89 07.962	89 08.08

18. Long Beach East	30 20.620	30 20.620	30 20.511	30 20.51
	89 07.839	89 07.966	89 07.839	89 07.96
19. Fournier Ave.	30 21.180	30 21.180	30 21.072	30 21.072
	89 06.972	89 07.098	89 06.972	89 07.098
20. Libby Milner-	30 21.320	30 21.320	30 21.211	30 21.21
Roland Pier	89 06.411	89 06.537	89 06.411	89 06.53
21. Urie Pier North	30 21.603	30 21.584	30 21.512	30 21.492
	89 05.136	89 05.195	89 05.069	89 05.12
22. Urie Pier South	30 21.603	30 21.584	30 21.512	30 21.49
2017-12-07-07-07-07	89 05.136	89 05.195	89 05.069	89 05.12
23. Moses Pier	30 21.583	30 21.583	30 21.474	30 21.47
	89 04.938	89 05.064	89 04.938	89 05.06
24. Thornton Ave.	30 21.995	30 21.995	30 21.886	30 21.88
	89 04.505	89 04.632	89 04.505	89 04.63
25. Kelly Ave.	30 22.097	30 22.097	30 21.989	30 21.98
	89 04.122	89 04.248	89 04.122	89 04.24
26. Hewes Ave.	30 22.224	30 22.223	30 22.152	30 22.15
	89 03.504	89 03.702	89 03.504	89 03.70
27. VA Hospital	30 22.307	30 22.261	30 22.238	30 22.19
SEL METALLIA LAND	89 03.101	89 03.291	89 03.077	89 03.26
28. Courthouse Rd. Pier	30 22.432	30 22.432	30 22.324	30 22.32
	89 02.479	89 02.605	89 02.479	89 02.60
29. Tegarden	30 22.569	30 22.570	30 22.461	30 22.46
	89 02.076	89 02.202	89 02.077	89 02.20
30. Naval Hospital	30 22.838	30 22.837	30 22.766	30 22.76
assa A sali a sala a sali a sali	89 00.881	89 01.079	89 00.881	89 01.07
31. Legacy Towers	30 23.001	30 23.001	30 22.929	30 22.93
The state of the s	89 00.109	89 00.307	89 00.110	89 00.30
32. Broadwater Harbor	30 23.251	30 23.251	30 23.180	30 23.18
The state of the s	88 58.039	88 58.237	88 58.039	88 58.23
33. Whitehouse	30 22.921	30 22.921	30 22.812	30 22.81
	88 55.509	88 55.635	88 55.509	88 55.63
34. Keesler Harbor	30 25.231	30 25.231	30 25.154	30 25.15
	88 55.291	88 55.380	88 55.291	88 55.38
35. Goat Island	30 25.400	30 25.400	30 25.291	30 25.29
	88 54.569	88 54.696	88 54.570	88 54.69
36. d'Iberville Marina	30 25.438	30 25.438	30 25.391	30 25.39
San English I	88 53.603	88 53.728	88 53.603	88 53.72
37. d'Iberville Bridge	30 25.390	30 25.389	30 25.343	30 25.34
	88 53.404	88 53.531	88 53.405	88 53.53
38. Biloxi Harbor	30 23.526	30 23.526	30 23.456	30 23.45

	88 52.787	88 52.984	88 52.787	88 52.984
39. Keesler Rubble	30 21.831	30 21.831	30 21.723	30 21.723
	88 52.859	88 52.985	88 52.859	88 52.985
40. Kuhn St.	30 23.506	30 23.506	30 23.397	30 23.397
	88 52.279	88 52.405	88 52.279	88 52.405
41. South Deer Island Barge	30 22.6055	30 22.6057	30 22.4975	30 22.4969
	88 52.1844	88 52.3110	88 52.1848	88 52.3106
42. Joe Thornton Hull	30 23.227	30 23.227	30 23.118	30 23.119
	88 51.554	88 51.681	88 51.554	88 51.681
43. Spoil Island South	30 24.859	30 24.859	30 24.750	30 24.750
	88 51.514	88 51.641	88 51.514	88 51.641
46. Old 90 Bridge West	30 24.204	30 24.204	30 24.095	30 24.095
	88 51.029	88 51.156	88 51.029	88 51.156
47. East Biloxi Channel	30 23.189	30 23.189	30 23.08	30 23.08
	88 50.786	88 50.913	88 50.786	88 50.913
50. Deer Island North	30 22.616	30 22.616	30 22.507	30 22.507
	88 50.151	88 50.024	88 50.151	88 50.024

Site	NE	NW	SE	SW
44. Fort Bayou	30 25.317	30 25.316	30 25.207	30 25.207
	88 51.452	88 51.578	88 51.451	88 51.578
45. Spoil Island North	30 25.126	30 25.125	30 25.017	30 25.017
	88 51.286	88 51.412	88 51.286	88 51.412
48. Old 90 Bridge East	30 24.506	30 24.506	30 24.397	30 24.397
	88 50.624	88 50.750	88 50.624	88 50.750
49. OS Community Pier	30 24.356	30 24.356	30 24.247	30 24.247
	88 49.991	88 50.117	88 49.991	88 50.117
51. OS Pier	30 24.212	30 24.241	30 24.144	30 24.173
	88 49.774	88 49.856	88 49.814	88 49.896
52. OS Harbor Pier	30 24.082	30 24.113	30 24.022	30 24.053
	88 49.511	88 49.592	88 49.566	88 49.647
53. Gulf Park Estates	30 21.569	30 21.569	30 21.460	30 21.460
	88 46.009	88 46.135	88 46.009	88 46.135
54. Gulf Park Estates Pier	30 21.559	30 21.559	30 21.449	30 21.449
	88 45.811	88 45.937	88 45.811	88 45.937
55.Bellefontaine	30 19.550	30 19.550	30 19.441	30 19.441
	88 42.987	88 43.113	88 42.987	88 43.113
56. Graveline	30 21.005	30 21.005	30 20.895	30 20.895

	88 40.194	88 40.320	88 40.194	88 40.320
57. Pascagoula River Site 3	30 24.480*			
	88 36.896*			
58. Pascagoula River Site 4	30 24.166*			
	88 36.459*			14
59. Pascagoula West River Mouth	30 21.830	30 21.914	30 21.770	30 21.855
	88 35.861	88 36.033	88 35.908	88 36.080
60. Round Island Jetty	30 17.431	30 17.431	30 17.323	30 17.323
	88 35.225	88 35.350	88 35.225	88 35.350
61. Pascagoula River Site 1	30 22.885	30 22.894	30 22.766	30 22.8069
	88 34.042	88 34.164	88 34.042	88 34.0474
62. Pascagoula Front Beach	30 20.079	30 20.079	30 19.970	30 19.970
	88 32.150	88 32.276	88 32.150	88 32.276
63. Pascagoula Municipal Pier	30 20.429	30 20.429	30 20.320	30 20.320
	88 31.973	88 32.099	88 31.973	88 32.099

<sup>\*</sup> Coordinates are the centerpoint of the reef with an area not to exceed 10 acres