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

REPLY TO
ATTENTION OF:

**CESAM-RD-M** **July 11, 2019**
**PUBLIC NOTICE NO. SAM-2019-00360-JRO (DMR-190242)**

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

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**REQUEST FOR AUTHORIZATION TO PLACE FILL IN OF WATERS OF THE U.S. TO CONSTRUCT 9.5 ACRES OF SUBTIDAL AND INTERTIDAL REEFS IN POINT AUX CHENES BAY, JACKSON 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 Rivers and Harbors 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: **Mississippi Department of Environmental Quality**
**Attention: Valerie Alley**
**Post Office Box 2261**
**Jackson, Mississippi 39225**

AGENT**: Covington Civil and Environmental, LLC**
**Attention: Ms. Alane Young**
**2510 14TH Street, Suite 1010**
**Gulfport, Mississippi 39501**

LOCATION: **In Point Aux Chenes Bay, Jackson County, Mississippi. Latitude: 30.35508° Longitude: -88.44769°**

PROJECT PURPOSE: **The applicant has stated the purpose of the project is to restore lost secondary productivity resulting from the Deepwater Horizon Oil Spill. The project is proposed as part of the programmatic portions of an early restoration agreement, entitled "Framework for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill" (Framework Agreement). The proposed project is identified as "The Grand Bay Intertidal and Subtidal Reef Component". The Deepwater Horizon "Framework Agreement" was developed as an initial step toward the restoration of natural resources injured by the Deepwater Horizon spill. For additional information see the Deepwater Horizon Oil Spill Phase I Early Restoration Plan and Environmental Assessment at http://www.gulfspillrestoration.noaa.gov/wp-content/uploads/Final-ERP-EA-041812.pdf.**

WORK DESCRIPTION: **The applicant proposes to place approximately 10,500 cubic yards of fill in waters of the U.S. to create approximately 6.5 acres of subtidal reef and 3.0 acres of intertidal reef in Jackson County, Mississippi. The fill material will consist of graded limestone, processed concrete aggregates, and/or oyster shell. The fill material will be placed in a manner to provide substrate 0.2-3.0 feet above the existing bed elevation in an undulating pattern, while maintaining a minimum depth of 2.0 feet below Mean Low Water. The applicant has requested to place additional fill material to maintain the proposed reef elevations over the 5 year monitoring period of the project.**

The applicant has applied for State Water Quality Certification (WQC) in accordance with Section 401(a)(1) of the Clean Water Act, and for Coastal Zone Consistency (CZ) in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQC and CZ consistency will be made by the Mississippi Department of Environmental Quality (DEQ), Office of Pollution Control and the Mississippi Department of Marine Resources (DMR).

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 (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 impacts, 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 the 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.

The Department of Interior (DOI) is the lead Federal agency for this project responsible for ensuring compliance with the National Historic Preservation Act.

DOI is the lead Federal agency for this project responsible for ensuring compliance with the Endangered Species Act.

The National Oceanic and Atmospheric Administration (NOAA) Restoration Center is the lead Federal agency for this project responsible for ensuring compliance with the Magnuson Stevens Fishery Conservation and Management Act.

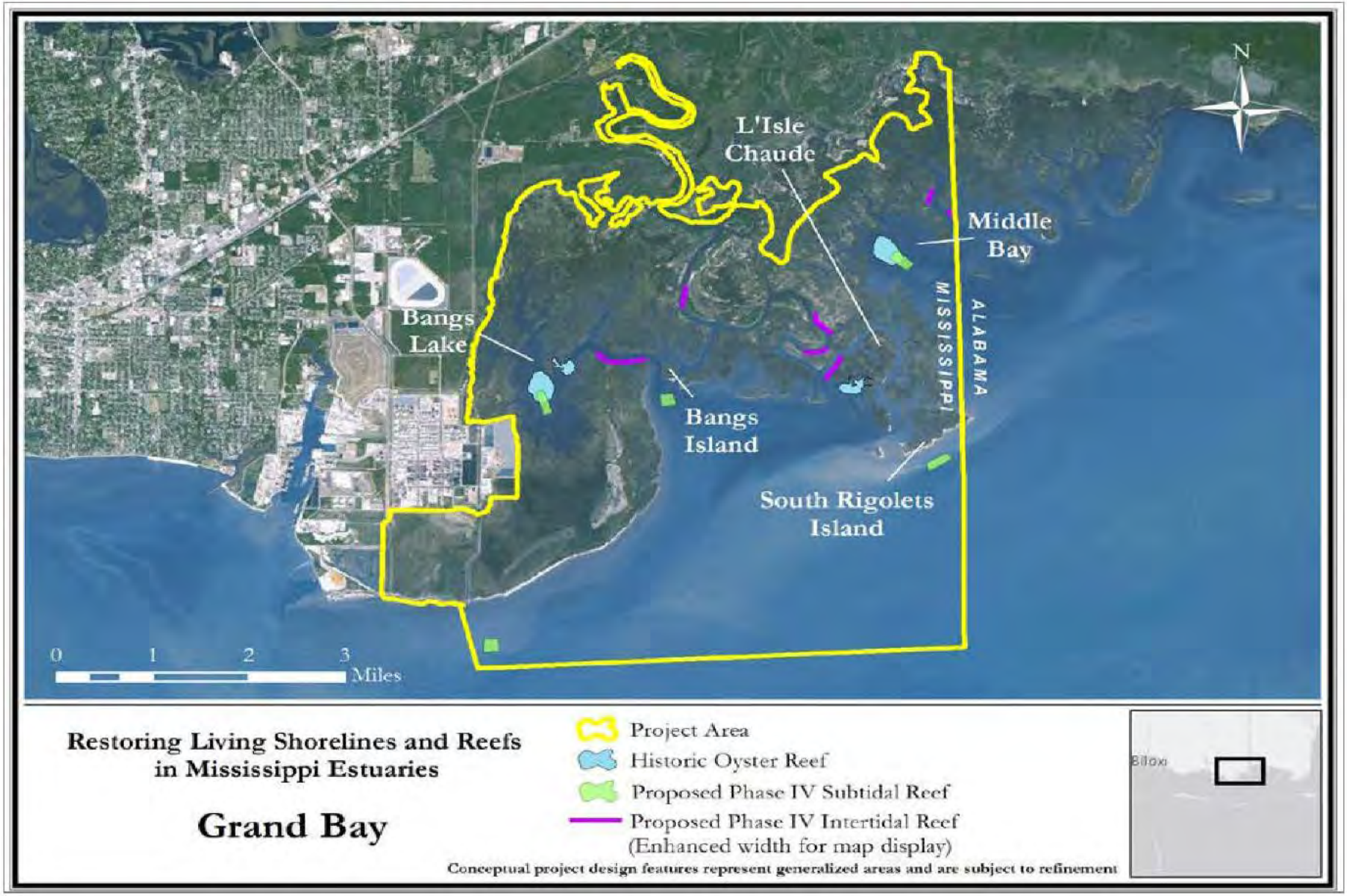
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2019-00360-JRO,** and should be directed to USACE, Mobile District, Regulatory Division, Attention: Mr. Jeremy R. Overstreet, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the DEQ, Office of Pollution Control, Environmental Permitting Division, Attention: Florance Watson, Post Office Box 2261, Jackson, Mississippi 39225, 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) 690-3188 or email at jeremy.r.overstreet@usace.army.mil. 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/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

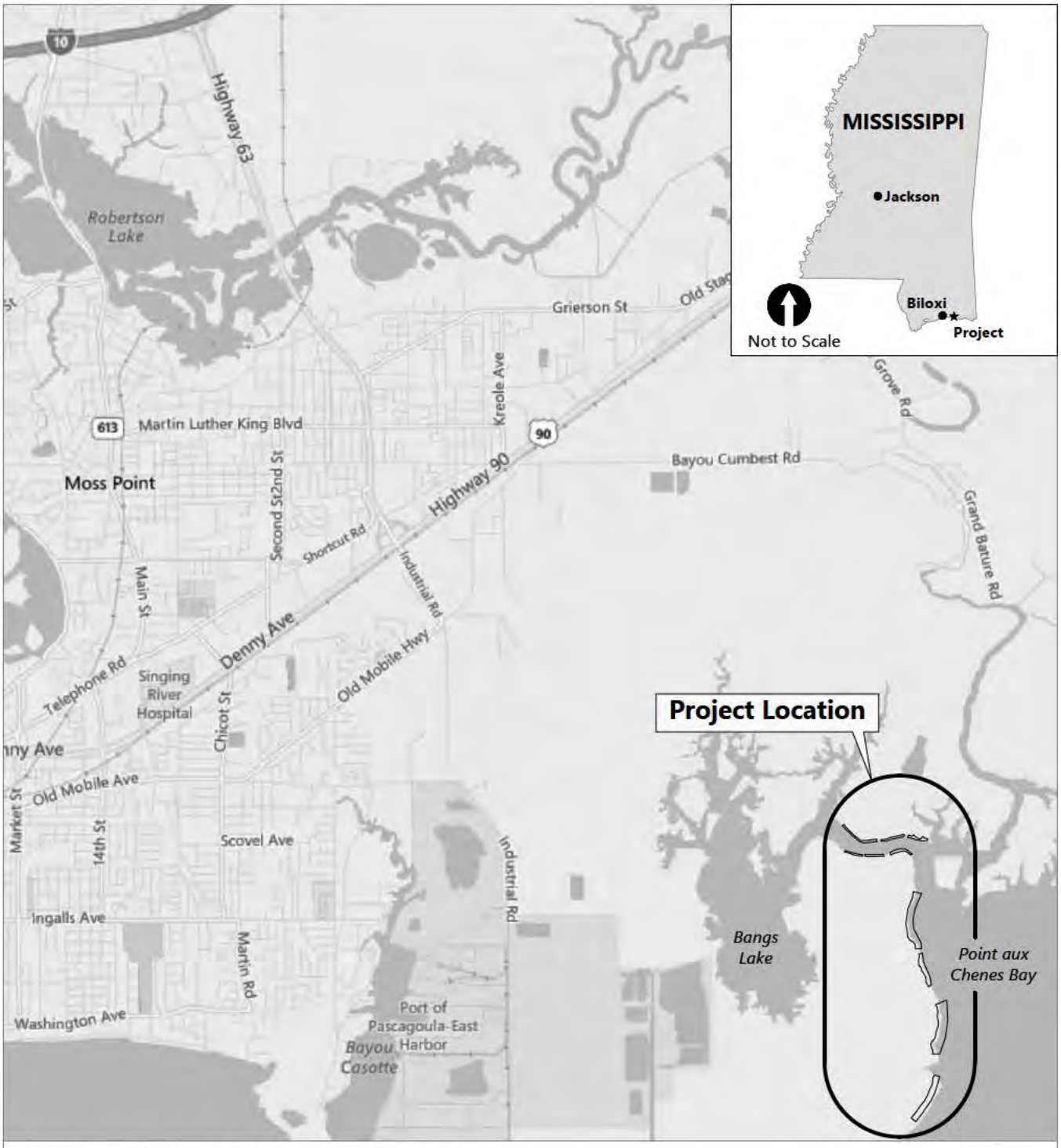
Enclosures




Filepath: mobile1\mobile\Projects\161232-01.01 Ms Living Shorelines\04 Task Order 2\2.5 Design\Sub Tidal Reefs\Graveline Bay\BODR for Permit App

ANCHOR QEA

**Figure 1**
**Grand Bay Intertidal and Subtidal Reefs Project Area**
Basis of Design Report: Restoring Living Shorelines and Reefs in Mississippi Estuaries Project
Department of Environmental Quality




**SOURCE:** 2010 NAVTEC © and 2017 Microsoft Corporation.
**HORIZONTAL DATUM:** Mississippi State Plane East, NAD83, U.S. Feet.
**VERTICAL DATUM:** Mean Lower Low Water (MLLW).

Publish Date: 2019/01/03 3:33 PM | User: dholmer
Filepath: K:\Projects\1232-Mississippi Department of Environmental Quality\Geotechnical, Engineering, Design & Permitting\1232-RP-001 (Grand Bay-VMap).dwg Figure 2

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**Figure 2**
**Grand Bay Intertidal and Subtidal Reefs Vicinity Map**

Basis of Design Report
Restoring Living Shorelines and Reefs in Mississippi Estuaries Project
Mississippi Department of Environmental Quality


**SOURCE:** ©2018 Microsoft Corporation ©2018 DigitalGlobe ©CNES (2018) Distribution Airbus DS
**HORIZONTAL DATUM:** Mississippi State Plane East, NAD83, U.S. Feet
**VERTICAL DATUM:** Mean Lower Low Water (MLLW)

**LEGEND:**

Proposed Subtidal Reef Polygons (total 35 acres) in which 6.5 acres (maximum) will be located and constructed in water depths between the 2.0 and 5.0 foot MLLW contours.

0 1200
Feet

Publish Date: 2019/01/03 3:33 PM | User: dholmer
Filepath: K:\Projects\1232-Mississippi Department of Environmental Quality\Geotechnical, Engineering, Design & Permitting\1232-RP-002 (Grand Bay-Plan).dwg Figure 3

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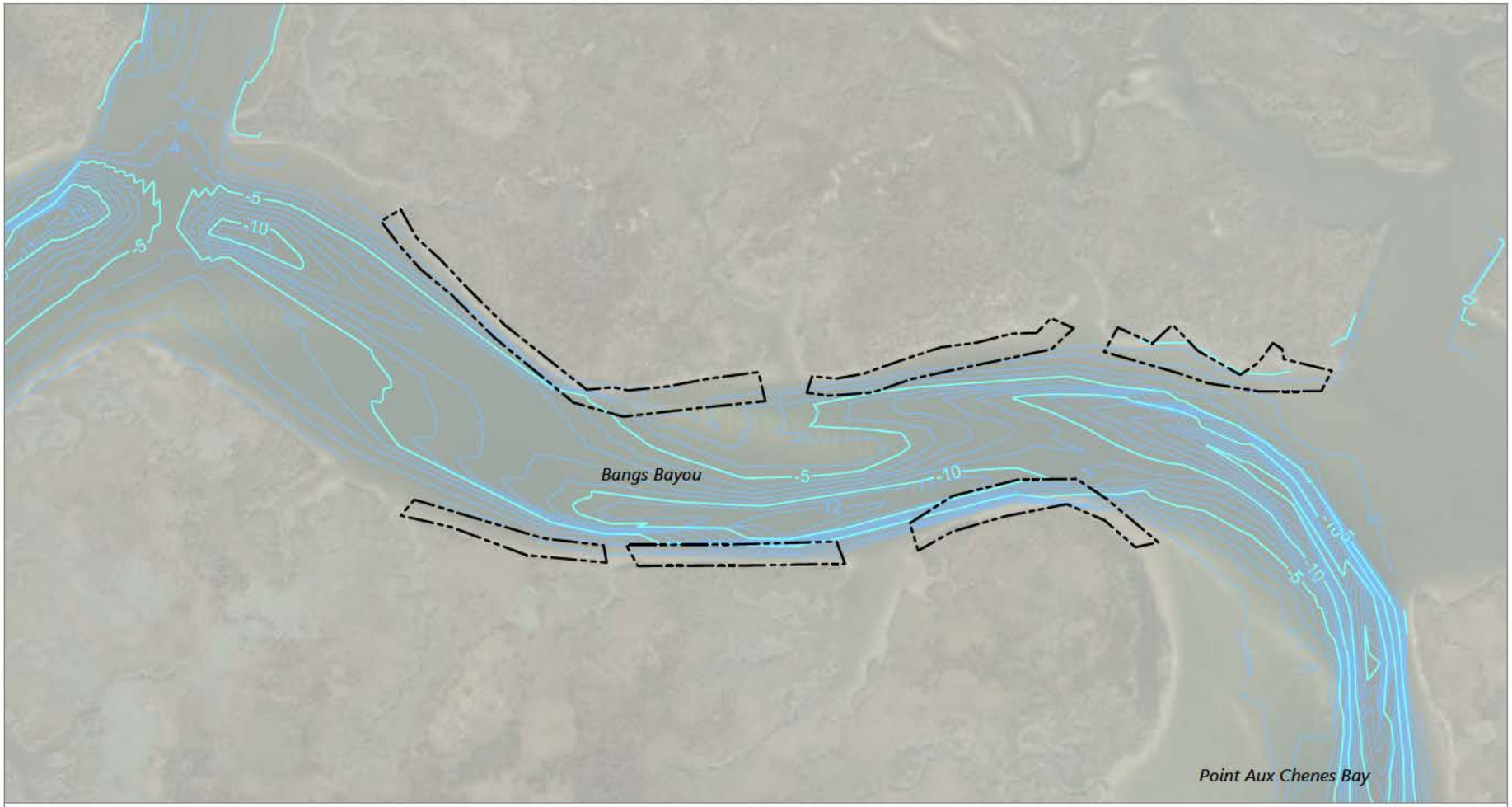
**Figure 3**
**Point Aux Chenes Bay Subtidal Reefs**

Basis of Design Report
Restoring Living Shorelines and Reefs in Mississippi Estuaries Project
Mississippi Department of Environmental Quality




**AERIAL SOURCE:** ©2018 Microsoft Corporation ©2018 DigitalGlobe ©CNES (2018) Distribution Airbus DS
**SURVEY SOURCE:** DIMCO drawing titled "Hydrographic Survey and Push Sampling Grids" dated July 12, 2016.
**HORIZONTAL DATUM:** Mississippi State Plane East, NAD83, U.S. Feet
**VERTICAL DATUM:** Mean Lower Low Water (MLLW)

**LEGEND:**

Proposed Intertidal Reef Polygons (total 8.5 acres) in which 3 acres (maximum) will be located and constructed in water depths between the -0.5 and +1.5 foot MLLW contours.

-5 Existing Bathymetric Contours (1' Interval)

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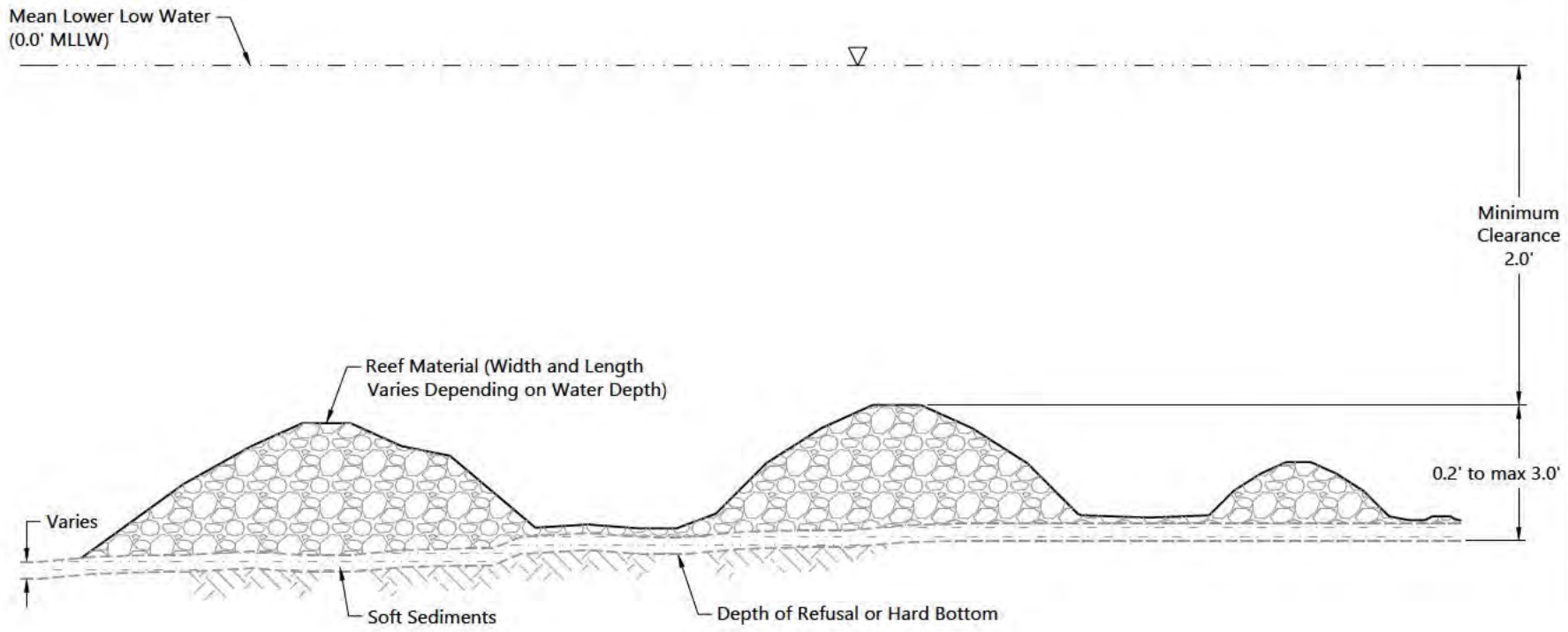
**Figure 4**
**Bangs Bayou Intertidal Reefs**

Basis of Design Report
Restoring Living Shorelines and Reefs in Mississippi Estuaries Project
Mississippi Department of Environmental Quality




**Typical Subtidal Reef Detail**
Not to Scale

Publish Date: 2019/01/03 3:33 PM | User: dholmer
Filepath: K:\Projects\1232-Mississippi Department of Environmental Quality\Geotechnical, Engineering, Design & Permitting\1232-RP-003 (Typical Sections).dwg Figure 5

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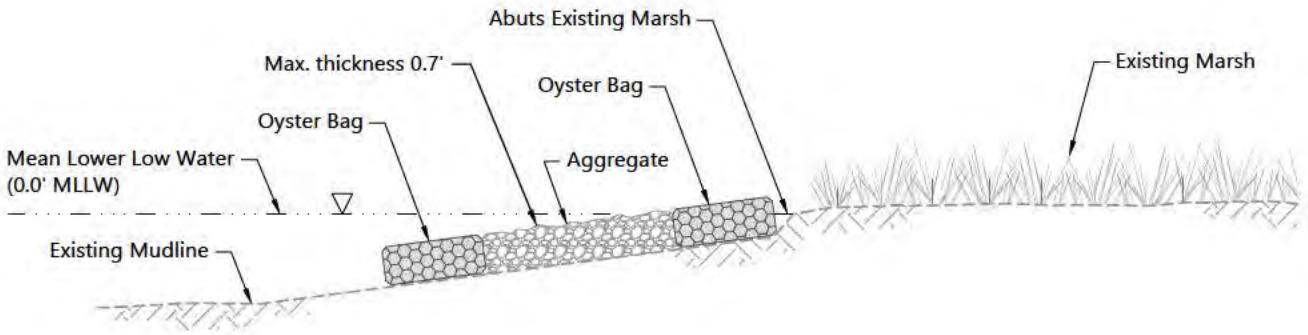
**Figure 5**
**Point Aux Chenes Bay Subtidal Reef Typical Ridged Section**

Basis of Design Report
Restoring Living Shorelines and Reefs in Mississippi Estuaries Project
Mississippi Department of Environmental Quality




**Typical Intertidal Reef Detail**

Not to Scale

Publish Date: 2019/01/03 3:33 PM | User: dholmer
Filepath: K:\Projects\1232-Mississippi Department of Environmental Quality\Geotechnical, Engineering, Design & Permitting\1232-RP-003 (Typical Sections).dwg Figure 6

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**Figure 6**
**Bangs Bayou Intertidal Reef Typical Section**

Basis of Design Report
Restoring Living Shorelines and Reefs in Mississippi Estuaries Project
Mississippi Department of Environmental Quality