



REPLY TO
ATTENTION OF:

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

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2022-00145-KMN

September 01, 2022

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

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
DMR22-000547

PROPOSED CONSTRUCTION OF PELICAN KEY BENEFICIAL USE SITE FOR
DISPOSAL OF DREDGED MATERIAL, PASS CHRISTIAN, HARRISON COUNTY,
MISSISSIPPI

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army (DA) 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 Marine Resources
Attention: Mr. Jared Harris
1141 Bayview Avenue
Biloxi, Mississippi 39530

WATERWAY AND LOCATION: Mississippi Sound, Pass Christian, Harrison County, Mississippi.

Boundary Points on Containment Berm: (See Figure 3)

Point	Latitude	Longitude
CP3	N30°13'52.26"	W89°11'40.96"
CP4	N30°13'51.77"	W89°11'52.33"
CP10	N30°13'33.31"	W89°12'56.94"
CP11	N30°13'28.01"	W89°13'06.56"
CP12	N30°13'22.03"	W89°13'15.64"
CP13	N30°13'15.34"	W89°13'24.03"
CP14	N30°13'07.51"	W89°13'30.94"
CP15	N30°12'57.87"	W89°13'32.43"
CP16	N30°12'51.19"	W89°13'28.32"
CP17	N30°12'46.76"	W89°13'15.66"

CP18	N30°12'48.21"	W89°13'04.47"
CP19	N30°12'52.41"	W89°12'54.17"
CP20	N30°12'57.52"	W89°12'44.42"
CP21	N30°13'02.73"	W89°12'34.72"
CP22	N30°13'07.56"	W89°12'24.78"
CP23	N30°13'11.68"	W89°12'14.42"
CP24	N30°13'15.15"	W89°12'03.75"
CP25	N30°13'18.13"	W89°11'52.88"
CP26	N30°13'21.06"	W89°11'41.99"
CP27	N30°13'25.09"	W89°11'31.61"
CP28	N30°13'32.37"	W89°11'24.14"

PROPOSED WORK: The applicant is requesting a 10-year Department of the Army Permit to construct a beneficial use site for the placement of dredged material in the open waters of the Mississippi Sound. The proposed site would be located on a remnant island named Pelican Key. The site would be located approximately 5.5 miles west of the western tip of Cat Island and approximately 7 miles south of Pass Christian, Mississippi. The site would be approximately 900 acres (80 acres of containment berm and 820 acres to be used for the placement of dredged material for construction of marsh habitat). The northwestern portion of the proposed containment berm would be located approximately 1,870 feet southeast of the centerline of the Gulf Intracoastal Waterway. The proposed containment berm would be approximately 28,000 linear feet and constructed of approximately 917,000 cubic yards of sediment dredged from the surrounding area immediately adjacent to the site and approximately 528,000 cubic yards of rip rap/armor stone material would be placed over the sediment berm once it has settled. The containment berm crest elevation would be approximately +5.0 mean low low water (MLLW), crest width: 5 feet; exterior (waterside) slope: 5 foot horizontal to 1 foot vertical (5H:1V); interior slope 3H:1V. Gaps in the containment berm would be included in the final design based on recommendations of the reviewing agencies. The planned gaps on the containment berm would allow for tidal flushing of the site and movement of water in and out of the site. The interior containment area should be able to hold approximately 13.4 million cubic yards of dredged material. Depths currently at the proposed site range from -5 to -12 MLLW.

The applicant has applied for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. A determination relative to CZ consistency will be made by the Mississippi Department of Marine Resources. (DMR22-000547).

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.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the 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 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.

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 the new 900-acre project site. 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 applicant completed a Phase I Cultural Resources Survey which would be supplied to the Mississippi Department of Archives and History for review and comment. The USACE has made a preliminary determination that the proposed project should have **no adverse effect** to historic properties. 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** listed species or their critical habitat. This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries 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.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would impact estuarine substrate utilized by various life stages of species. Our initial determination is that the proposed action would not adversely impact EFH or associated fisheries managed by the Gulf of Mexico Fishery Management Council or the National Marine Fisheries Service. Our initial determination is that the proposed action would have no effect to EFH or Federally managed fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

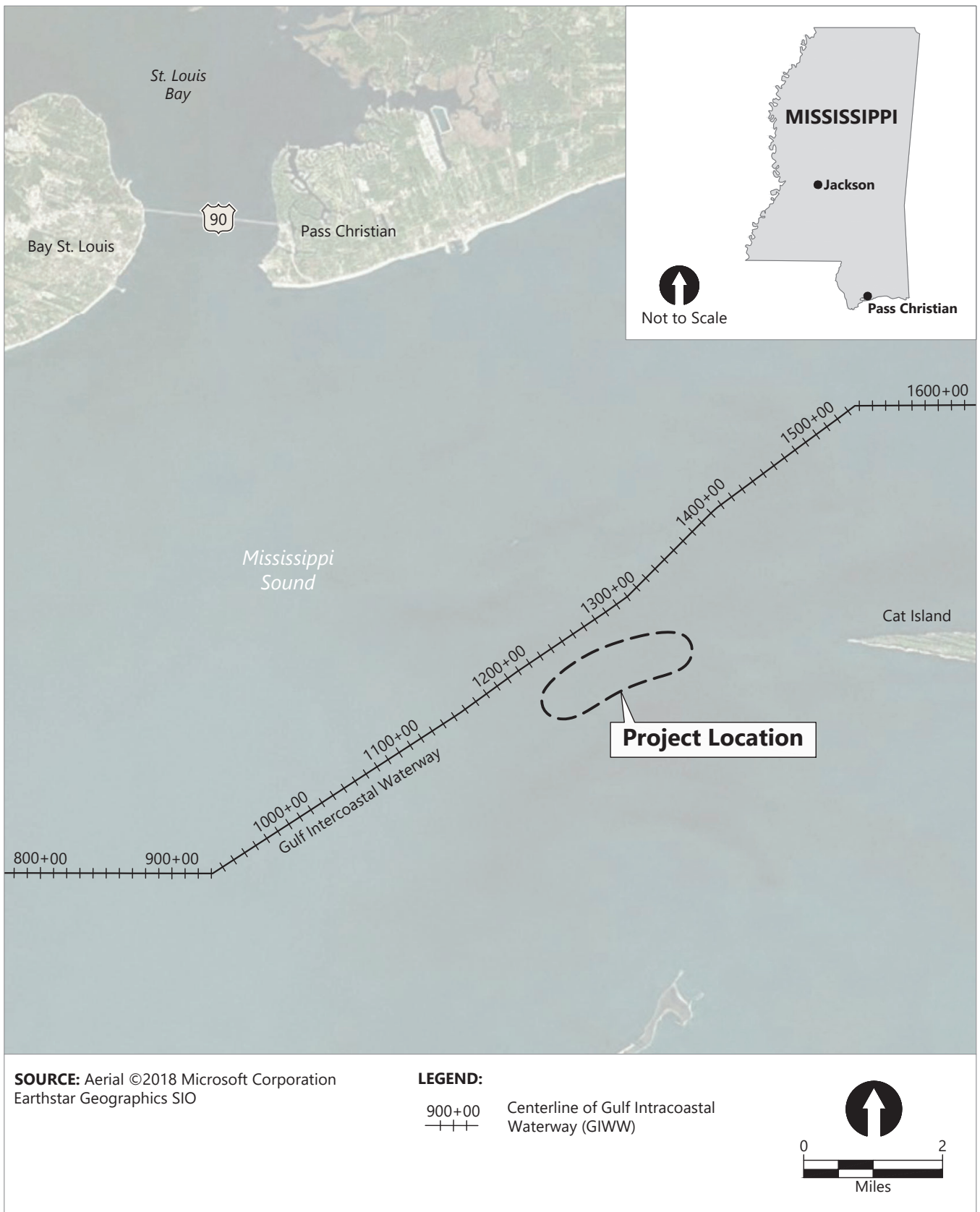
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2022-00145-KMN** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: South Mississippi Branch (cesam-rd@usace.army.mil), with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Attention Ms. Florance Bass (FBass@mdeq.ms.gov), Post Office Box 2261, Jackson, Mississippi 39225, and the Mississippi Department of Marine Resources, Attention: Ms. Jennifer Wilder (Jennifer.Wilder@dmr.ms.gov), 1141 Bayview Avenue, Biloxi, Mississippi 39530, in time to be received within **30 days** of the date of this public notice.

If you have any questions concerning this publication, you may contact the project manager for this application, **Kaaren M. Neumann (Kaaren.M.Neumann@usace.army.mil)**, phone **(228) 386-8293**. 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 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.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



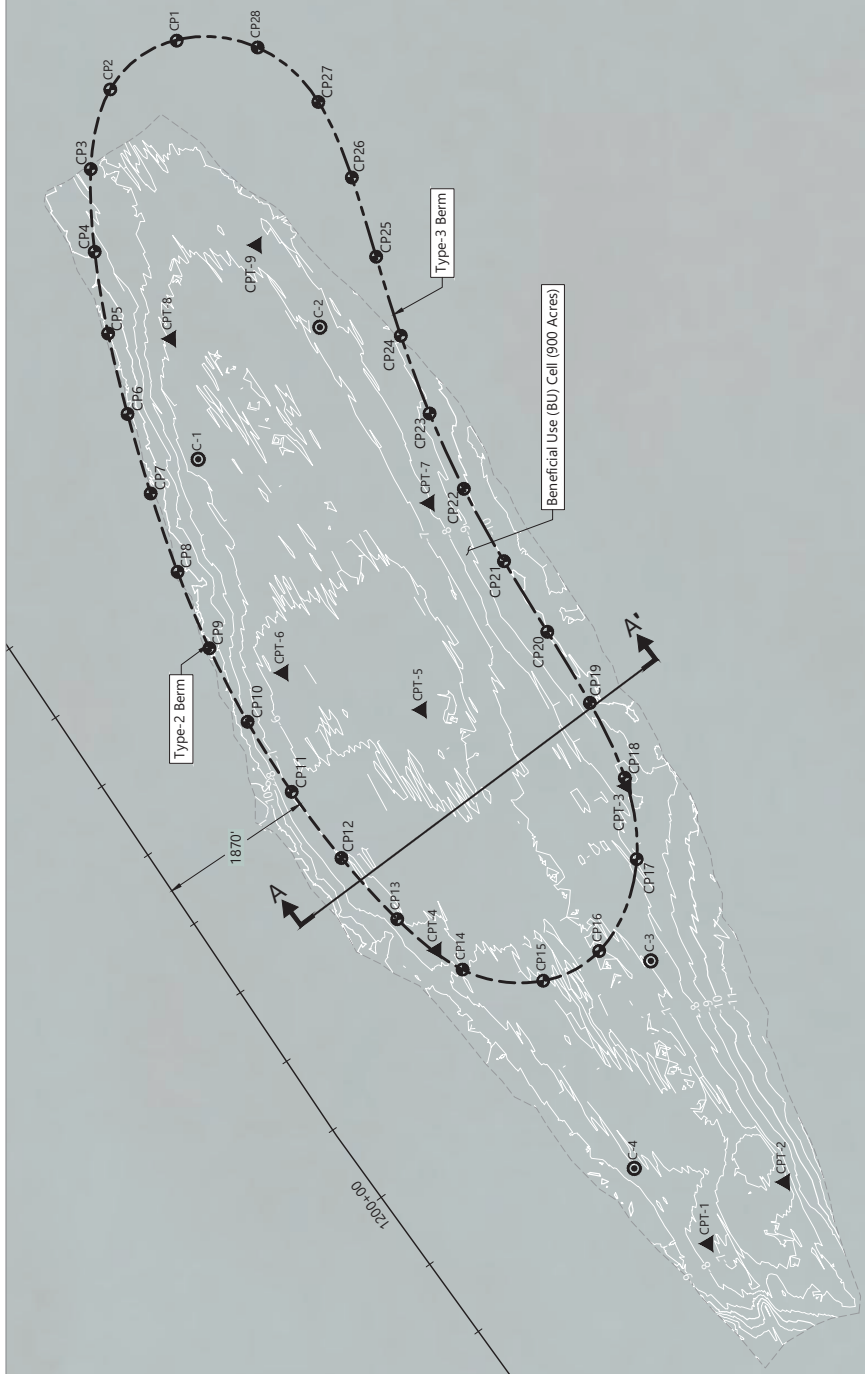
Publish Date: 2022/08/22 1:41 PM | User: dholmer
 Filepath: K:\Projects\0762-Mississippi Department of Marine Resources\Pelican Key BU Design\0762-BU-001 (Pelican Key).dwg Figure 1



Figure 1
Vicinity Map

Pelican Key Beneficial Use Project Permit
 Mississippi Department of Marine Resources

Control Point Table	
Point	Longitude
CP1	N30°13'42.05" W89°11'23.24"
CP2	N30°13'49.96" W89°11'29.98"
CP3	N30°13'52.26" W89°11'40.96"
CP4	N30°13'51.77" W89°11'52.33"
CP5	N30°13'50.12" W89°12'03.57"
CP6	N30°13'47.77" W89°12'14.64"
CP7	N30°13'44.97" W89°12'25.57"
CP8	N30°13'41.73" W89°12'36.34"
CP9	N30°13'37.89" W89°12'46.84"
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LEGEND:

- Existing Contours (1' Interval)
- Proposed Beneficial Use (BU) Area
- Control Point Location and Designation (See Table)
- Centerline of Gulf Intracoastal Waterway (GIWW)
- 20' Core Boring Location
- Cone Penetration Test (CPT) Location
- Conceptual Cross Section Location (See Figure 4)
- CP28
- 900+00

SOURCES:

1. Aerial image © 2018 Microsoft Corporation © 2018 DigitalGlobe © CNES (2018) Distribution Airbus DS.
2. Bathymetric survey provided by DIMCO dated October 13, 2016.
3. Geotech sampling by Earth Sciences, Inc. Borings collected on December 15, 2020. CPTs on December 18-19, 2020.

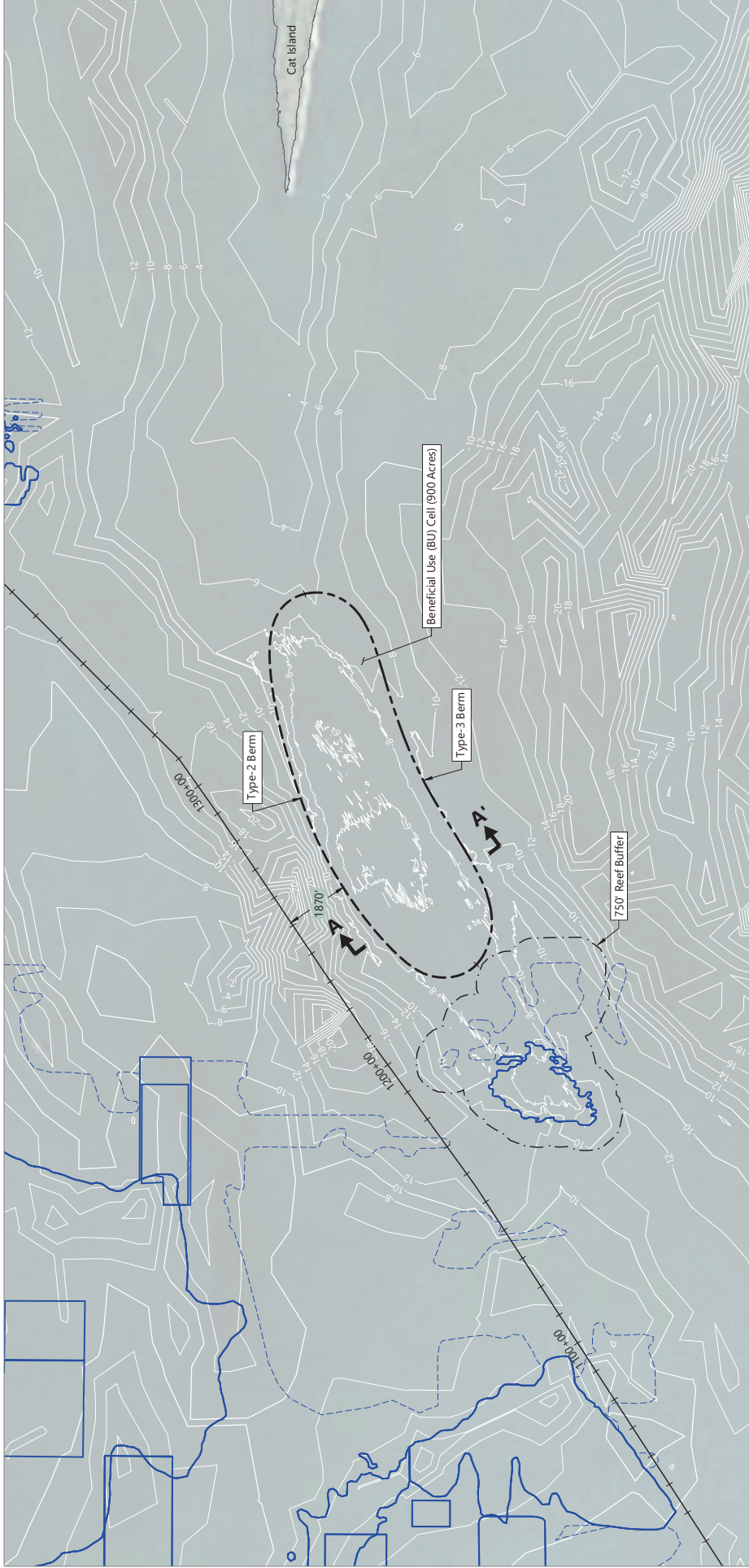
HORIZONTAL DATUM: Mississippi State Plane East, North American Datum (NAD83), U.S. Survey Feet
VERTICAL DATUM: Mean Lower Low Water (MLLW)

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Figure 2
 Conceptual Plan View and Actual Exploration Locations

Pelican Key Beneficial Use Project Permit
 Mississippi Department of Marine Resources



LEGEND:

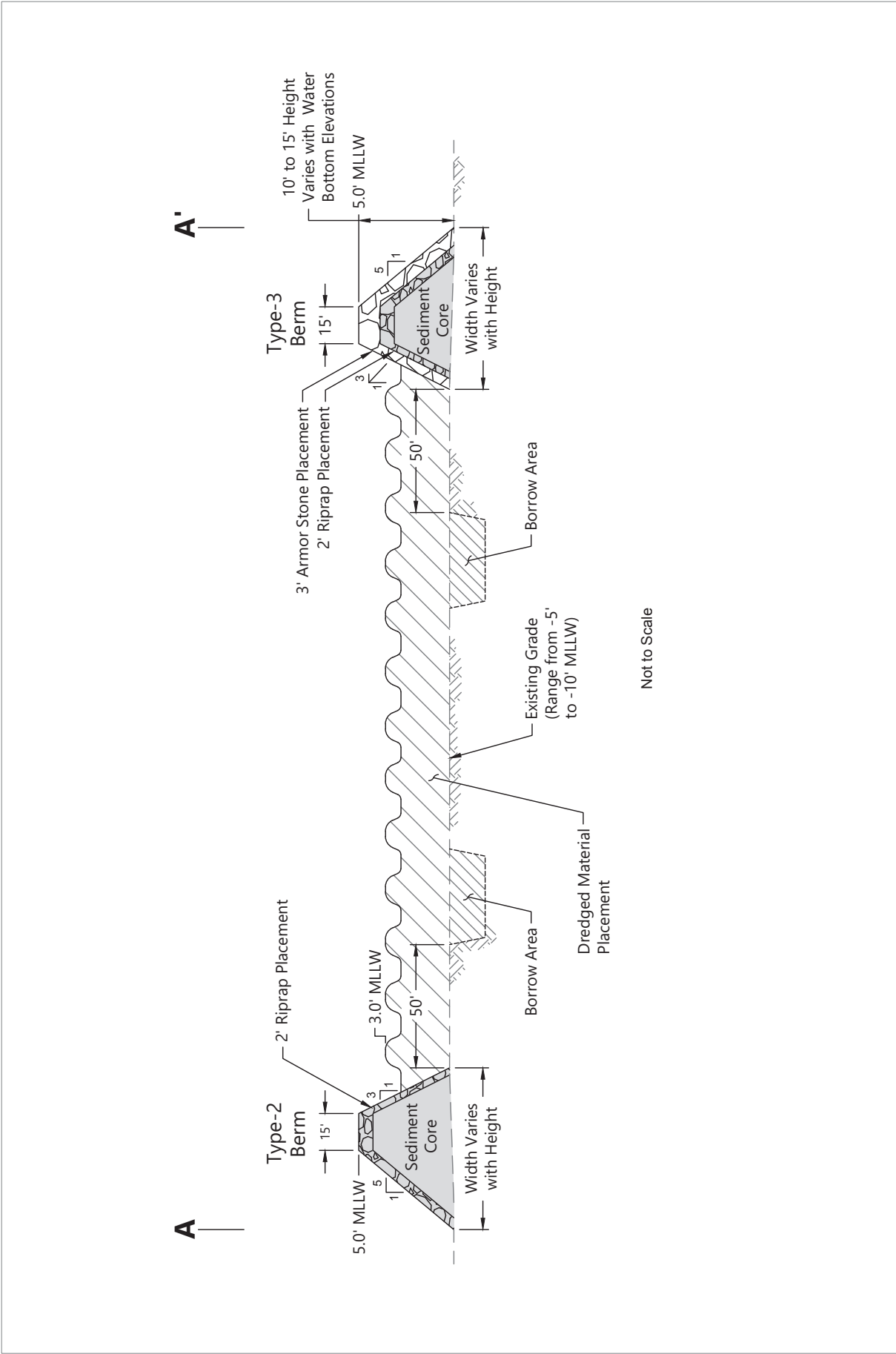
- Existing Contours (1' Interval)
- Proposed Beneficial Use (BU) Cell
- Centerline of Gulf Intracoastal Waterway (GIWW)
- Current Oyster Reef Boundary
- Historic Oyster Reef Boundary

- SOURCES:**
1. Aerial image ©2018 Microsoft Corporation ©2018 DigitalGlobe © CNES (2018) Distribution Airbus DS.
 2. Bathymetric survey provided by DIMCO dated October 13, 2016.
 3. Geotech sampling by Earth Sciences, Inc. Borings collected on January 15, 2020; CPTs on January 18-19, 2020.
- HORIZONTAL DATUM:** Mississippi State Plane East, North American Datum (NAD83), U.S. Survey Feet
VERTICAL DATUM: Mean Lower Low Water (MLLW)

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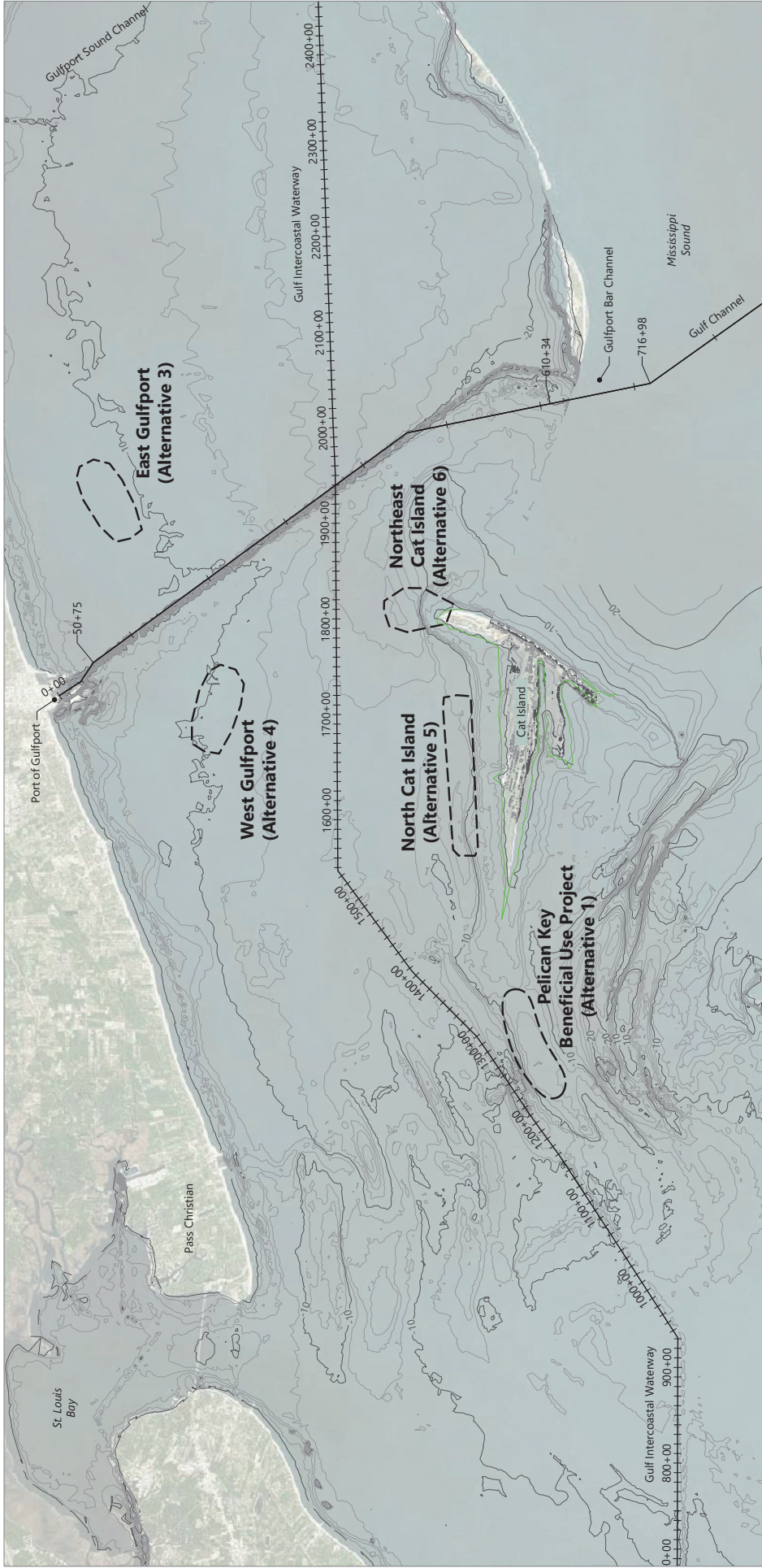
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Conceptual Plan View and Actual Exploration Locations
 Pelican Key Beneficial Use Project Permit
 Mississippi Department of Marine Resources



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Figure 4
Conceptual Beneficial Use Area Cross Section A-A'
 Pelican Key Beneficial Use Project Permit
 Mississippi Department of Marine Resources



SOURCE: Aerial image ©2018 Microsoft Corporation ©2018 DigitalGlobe ©CNES (2018) DigitalGlobe ©CNES (2018) Distribution Airbus DS. Bathymetry shown is a composite of surveys obtained from NOS and NOAA. The survey dates range from 1960 to 2007.
HORIZONTAL DATUM: Mississippi State Plane East, North American Datum (NAD83), U.S. Survey Feet
VERTICAL DATUM: Mean Lower Low Water (MLLW)

LEGEND:
 Existing Contours (2' Interval)
 Alternative Beneficial Use (BU) Sites Investigated
 Centerline of Gulf Intracoastal Waterway (GIWW)



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 Filepath: K:\Projects\0762-Mississippi Department of Marine Resources\Pelican Key BU\Design\0762-BU-004 (Pelican Key).dwg Figure 5



Figure 5
Pelican Key Proposed Beneficial Use Alternatives Analysis
 Pelican Key Beneficial Use Project Permit
 Mississippi Department of Marine Resources