



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-2022-00182-KMN

March 03, 2022

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

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

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
DMR22-000080

PROPOSED CONSTRUCTION OF ARTIFICIAL OYSTER REEF, ST. LOUIS BAY,
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. Erik Broussard
1141 Bayview Avenue
Biloxi, Mississippi 39530

WATERWAY AND LOCATION: St. Louis Bay, Harrison County, Mississippi. Project Central Location: Latitude 30.3463960° North; Longitude -89.2894232° West. Below is the Latitude and Longitude of all the boundary points of the proposed reef:

Point No.	Longitude (degrees)	Latitude (degrees)
1	-89.29276597	30.34860526
2	-89.28846436	30.34869592
3	-89.28820624	30.34813508
4	-89.28782879	30.34754552
5	-89.28750436	30.34703853
6	-89.28708343	30.34650492
7	-89.28656038	30.34479047
8	-89.28629093	30.34389917
9	-89.29265113	30.34376810
10	-89.29194174	30.34473788

11	-89.29071855	30.34640950
12	-89.29161640	30.34737255

PROPOSED WORK: The applicant proposes to create an approximately 57.3-acre artificial oyster reef between two existing reef sites south of the mouth of the Wolf River in St. Louis Bay. The two existing reefs are located to the west and to the east of the proposed site. The existing reef sites were permitted under number SAM-2015-00644-MJF; SER-2016-17654 as reef areas 38 and 39. Water depths in the area vary from -6 to -8 feet MLLW. Preliminary geotechnical probing in the area indicates that the sediments at the water bottom are firm marine clays, sand, and shell hash. No submerged aquatic vegetation is known to exist within the project area. Oyster cultch materials (limestone, crushed concrete, oyster shell or a combination thereof) would be used to create a vertical reef with relief ranging from 1.5 to 2.5 feet with a minimum of 2 feet of clearance for boats to navigate the reef area. The purpose of the artificial oyster reef would be to increase oyster population seed source to support fisheries. The proposed site is located in an area prohibited to commercial oyster harvesting.

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. (DMR22-000080).

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 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 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 57.3-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 USACE has made a preliminary determination that the proposed project would have **no effect** on 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.

A preliminary review of this application, the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants and the National Marine Fisheries Service list of Mississippi's Threatened and Endangered Species indicate the proposed **activity may affect, but is not likely to adversely affect** endangered or threatened species, in and around the project area. 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 included in Fishery Management Plans for Coastal Migratory Pelagics, Red Drum, Reef Fish, Shrimp, or Highly Migratory 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 a beneficial impact on 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.

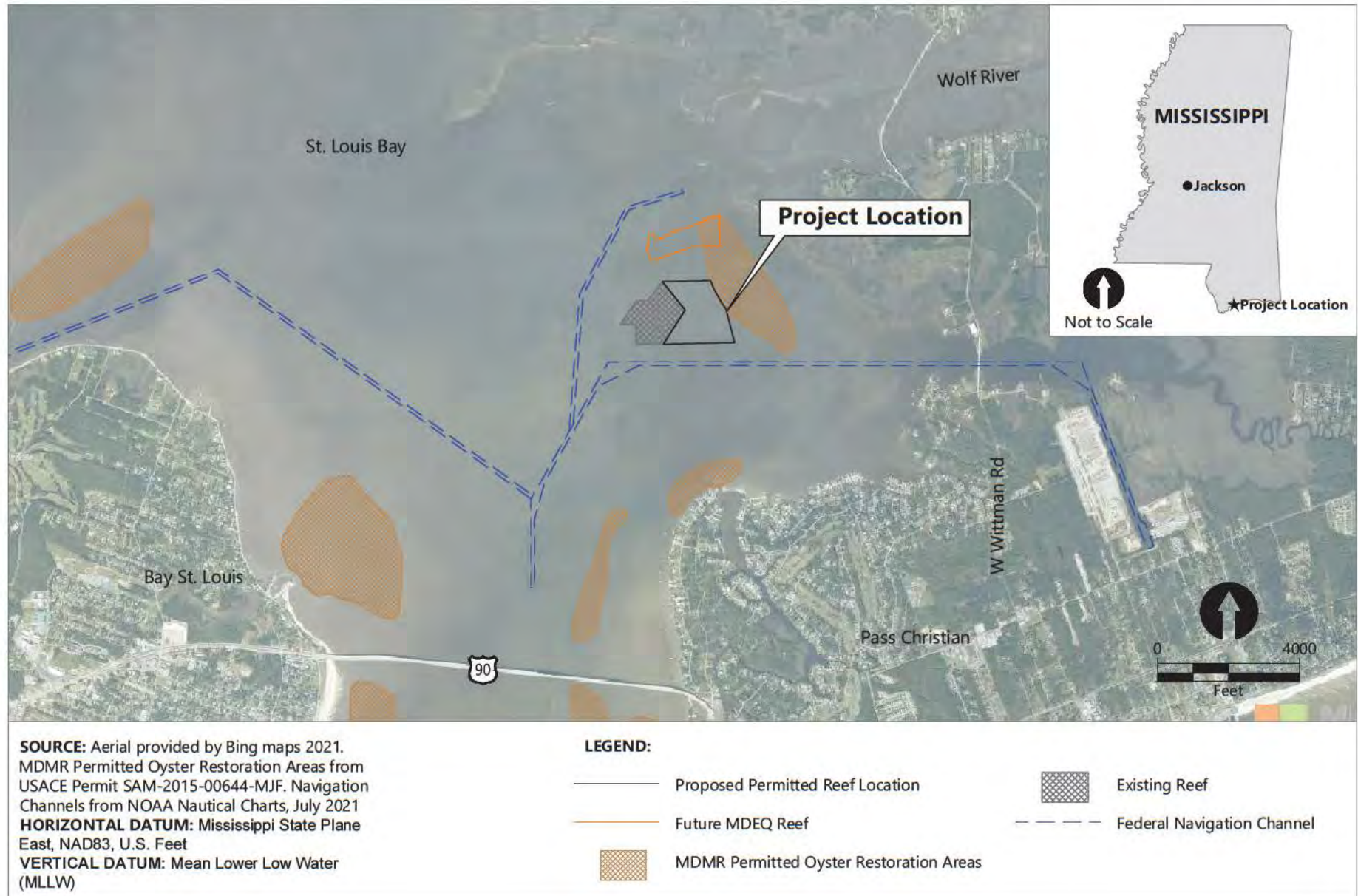
Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2022-00182-KMN and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: South Mississippi Branch (cesam-rd@usace.army.mil), with 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: Mr. Matthew Murphy (mattew.murphy@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

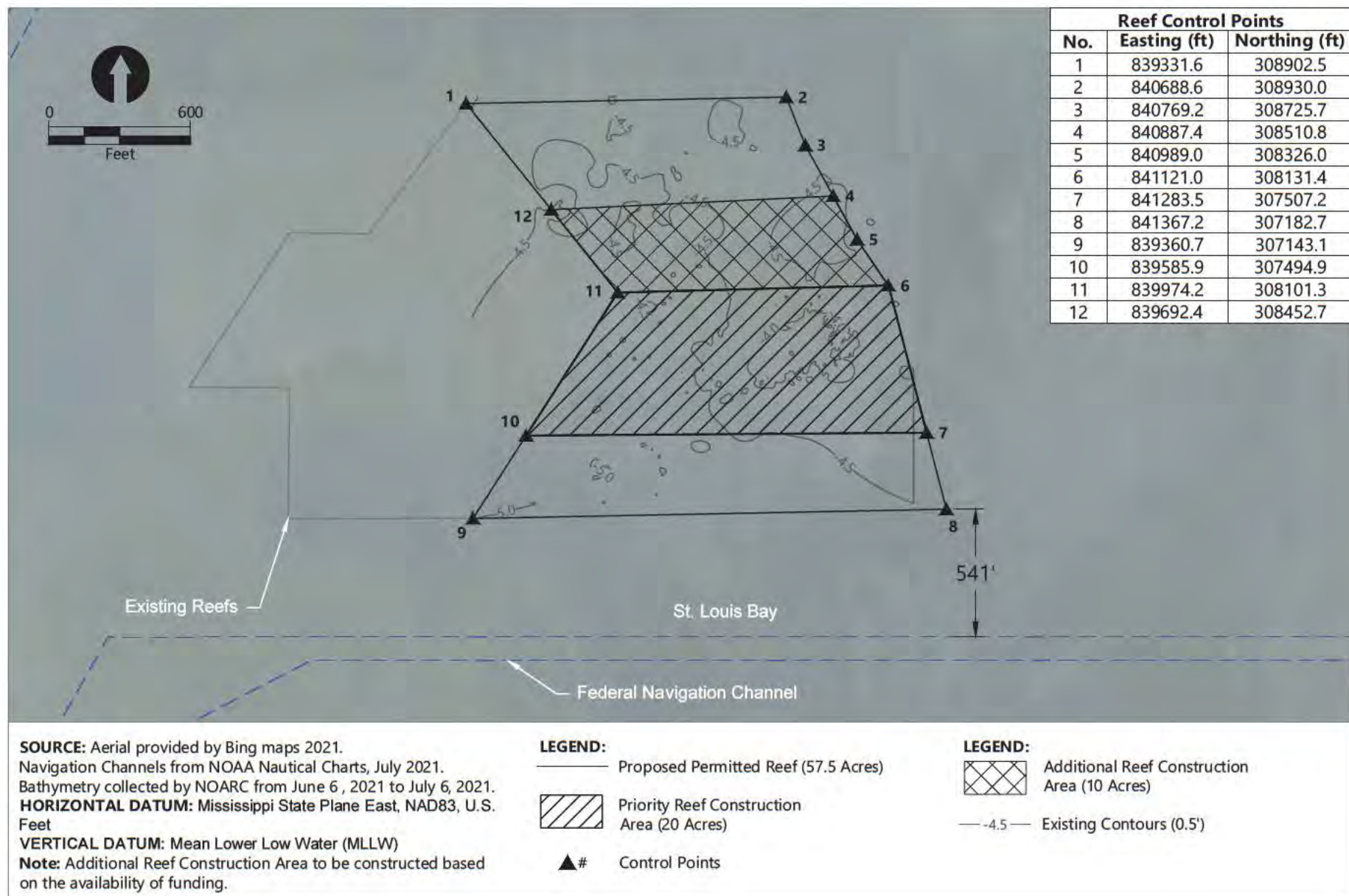


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 Filepath: K:\Projects\1856-The Nature Conservancy\Enhancement of the St Louis Bay TNC Oyster Reef\1856-RP-001VICINITY.dwg Figure 1



Figure 1
Site Vicinity Map

30% Design Submittal
 St. Louis Bay Oyster Reef Project
 The Nature Conservancy

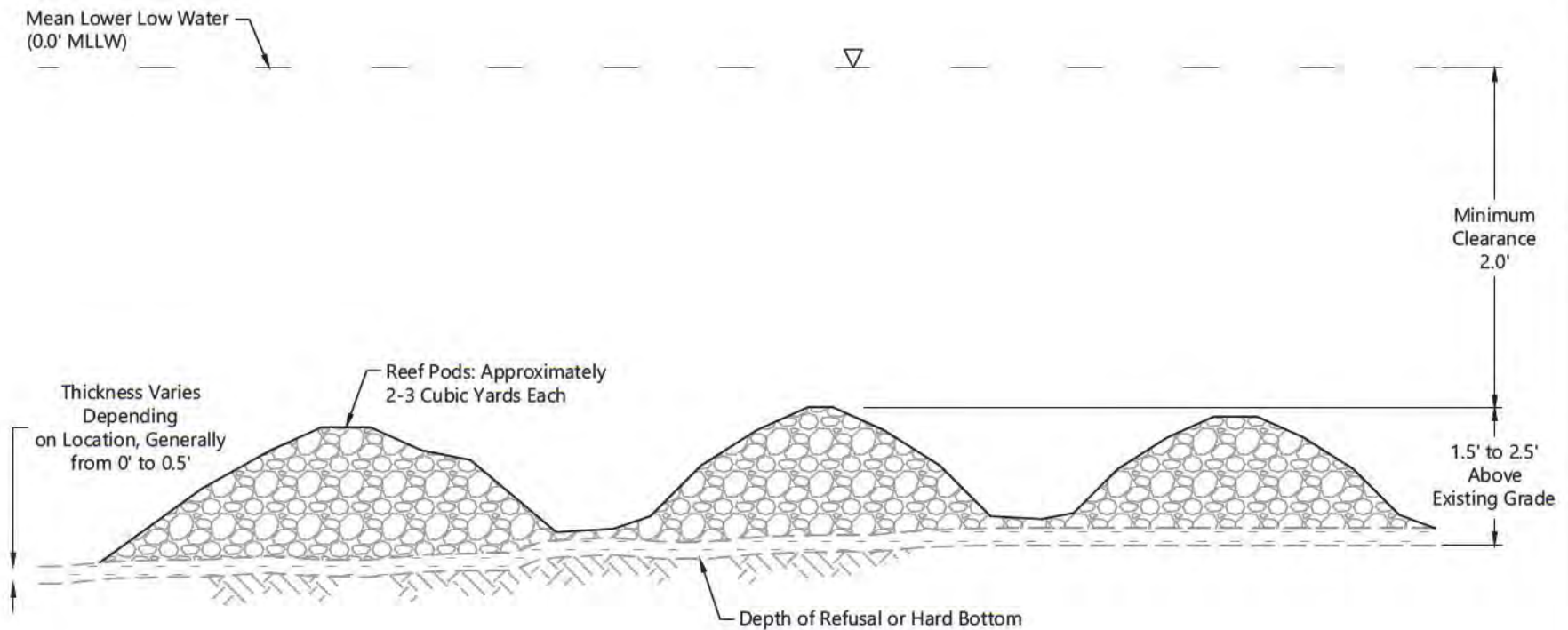


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 Filepath: K:\Projects\1856-The Nature Conservancy\Enhancement of the St Louis Bay TNC Oyster Reef\1856-RP-002 DESIGN.dwg Figure 2



Figure 2
Site Plan View

30% Design Submittal
 St. Louis Bay Oyster Reef Project
 The Nature Conservancy



Typical Reef Pod Detail
Not to Scale

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Figure 3
Typical Reef Pods Cross Section

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