



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

**CESAM-PD-EC  
PUBLIC NOTICE NO. FP23-GH02-02**

**JOINT PUBLIC NOTICE**

**U. S. ARMY CORPS OF ENGINEERS,  
MOBILE DISTRICT  
AND  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY,  
OFFICE OF POLLUTION CONTROL  
FOR  
CONTINUED MAINTENANCE DREDGING AND PLACEMENT ACTIVITIES  
GULFPORT HARBOR FEDERAL NAVIGATION CHANNEL PROJECT  
HARRISON COUNTY, MISSISSIPPI**

**A FEDERALLY AUTHORIZED NAVIGATION PROJECT**

Interested persons are hereby notified that the U.S. Army Corps of Engineers (USACE), Mobile District proposes to continue maintenance dredging of the federally authorized Gulfport Harbor Navigation Project, Harrison County, Mississippi. Material would be placed in the U.S. Environmental Protection Agency (EPA) designated Ocean Dredged Material Disposal Site (ODMDS), approved Section 404 open-water sites west of the channel in Mississippi Sound via thin-layer disposal, or in a littoral zone disposal site southeast of Cat Island.

This Public Notice is issued in accordance with the rules and regulations published in the Federal Register on April 26, 1988. These laws are considered whenever dredged or fill materials may enter navigable waters. We request that the recipient of this notice review the proposed action as it may impact water quality, relative to the requirements of Section 404(b)(1) of the Clean Water Act. Comments on any other potential impacts are also requested.

**WATERWAY AND LOCATION:** Gulfport Harbor, Mississippi Sound, and the Gulf of Mexico.

**DESCRIPTION OF ENTIRE AUTHORIZED AND EXISTING PROJECT DIMENSIONS:**  
The project was adopted by the following: the Rivers and Harbors Act, approved July 3, 1930 (H.Doc.692, 69th Cong., 2nd sess.), the Rivers and Harbors Act, approved June 30, 1948 (H.Doc.112, 81st Cong., 1st sess.), the Rivers and Harbors Act, approved

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July 3, 1958 (S.Doc. 123 84th Cong. 2nd sess.), in the Supplemental Appropriations Act, 1985, P.L. 99-88, approved August 15, 1985, and Section 202 of the Water Resources Development Act of 1986 (P. L. 99-662 dated November 17, 1986). The Water Resource Development Act of 1986 authorized improvements to the project and was amended by the Water Resource Development Act of 1988. Project improvements were completed in 1993. Following Hurricane Katrina, appropriations were received under Public Law 84-99, Flood Control and Coastal Emergencies, to construct Mississippi projects to their authorized dimensions. The authorized and existing project dimensions provide for: (a) Gulf Entrance Channel 38 feet deep, 400 feet wide, and approximately 8 miles long across Ship Island Bar and; (b) a Sound Channel 36 feet deep, 300 feet wide, and approximately 12 miles long through the Mississippi Sound. It also includes: (a) a stepped anchorage basin at Gulfport Harbor 32-36 feet deep, 1,120 feet wide, and 2,640 feet long, (b) a commercial small-boat harbor, about 26 acres in area, and (c) a Harbor Entrance Channel, 100 feet wide at a depth of 8 feet. The plane of reference is mean lower low water (MLLW). USACE, Mobile District constructed a bend easing of the Gulf Entrance channel to a 1,400 feet width that was approved by South Atlantic Division.

**PROPOSED ACTION:** USACE, Mobile District proposes to maintenance dredge the federally authorized Gulfport Harbor navigation project. The navigation project has been constructed to its authorized and approved dimensions as stated above. The dredged material will be placed in the EPA-designated ODMDS, Section 404 open-water sites west of the channel in Mississippi Sound via thin-layer disposal, and/or a littoral zone disposal site southeast of Cat Island. The actual dredge depths of these channels include an additional -2 feet of advanced maintenance and -2 feet of overdepth dredging. Maintenance dredging of soft-dredged material with a hopper, mechanical, and/or a hydraulic cutterhead dredge tends to disturb the bottom sediments several feet deeper than the target depth due to the inaccuracies of the dredging process. Therefore, an additional -3 feet of sediment below the -2-foot paid allowable dredging cut may be disturbed in the dredging process with minor amounts of the material being removed. Maintenance dredging is required every 12-18 months for the entrance and Mississippi Sound channel segments and for the anchorage basin. The following quantities of dredged material are as follows:

a. Approximately 5 million cubic yards of maintenance material dredged from the anchorage area and Mississippi Sound channel will be placed via thin-layer (i.e., no more than 12 inches in thickness) in open-water sites west of the channel in Mississippi Sound.

b. Approximately 975,000 cubic yards of maintenance material dredged from the Ship Island Pass channel will be placed in the littoral zone site southeast of Cat Island and/or the EPA-designated ODMDS at Gulfport.

c. Approximately 520,000 cubic yards of maintenance material dredged from the entrance channel will be placed in the littoral zone southeast of Cat Island and/or the EPA-designated ODMDS at Gulfport.

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d. Approximately 240,000 cubic yards of maintenance material dredged annually from the bend easing at the Gulf Entrance Channel will be placed in the littoral zone southeast of Cat Island and/or the EPA-designated ODMDS at Gulfport.

**WATER QUALITY CERTIFICATION:** Pursuant to the Clean Water Act, state water quality certification is required for the proposed action described above. Water quality certification for a ten-year period will be requested from the Mississippi Department of Environmental Quality, Office of Pollution Control (MDEQ). Upon completion of the required comment period, a decision relative to water quality certification will be made by MDEQ. A Section 404(b)(1) evaluation report was prepared and included in the appendix of the Environmental Assessment (EA). All State water quality standards will be met.

**COASTAL ZONE CONSISTENCY:** Pursuant to the Coastal Zone Management Act, the proposed action is consistent with the Mississippi Coastal Program to the maximum extent practicable. Concurrence with this determination will be requested for a ten-year period from the Mississippi Department of Marine Resources (MDMR). Upon completion of the required comment period, a decision relative to coastal zone consistency will be made by MDMR.

**USE BY OTHERS:** The proposed action is not expected to create significant impacts on land or water use plans in the vicinity. Use of the waters within the dredging and placement areas including fishing, shrimping, and recreational boating will be temporarily impacted during the actual maintenance activities.

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS:** In accordance with the requirements of the NEPA, an Environmental Impact Statement (EIS) for the Gulfport Harbor Navigation Project was filed with the EPA in June 1989. A supplement to the EIS was filed with EPA in 2009 in conjunction with construction of Gulfport Harbor to its authorized dimensions. The Supplemental EIS and subsequent Record of Decision, signed May 15, 2009, were coordinated with all applicable Federal, state and local agencies and the interested public. An EA and Finding of No Significant Impact (FONSI) were completed for the widening of the bend easing in March 2020. These documents are on file in USACE, Mobile District and available for review upon request.

**SECTION 404(b)(1) EVALUATION:** Water quality impacts associated with the proposed action has been identified in a Section 404(b)(1) Evaluation Report prepared in accordance with P. L. 92-500, Section 404 (b)(1) Guidelines promulgated by the EPA under the Clean Water Act. The Section 404(b)(1) Evaluation was completed in February 2009 for the Gulfport Harbor Navigation Project and March 2020 for the widening of the bend easing. These documents are on file in USACE, Mobile District and available for review upon request. The impacts discussed in the report include temporary turbidity increases, covering of benthic communities, temporary and insignificant reduction in phytoplankton productivity, and some possible minor releases of chemical constituents.

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**MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT (MPRSA):** In accordance with Section 103 of the MPRSA, the proposed transportation of this dredged material for disposal in ocean waters was evaluated to determine that the proposed disposal will not unreasonably degrade or endanger human health, welfare, or amenities or the marine environment, ecological systems, or economic potentialities. Ocean disposal of dredged material must be evaluated using the criteria developed by the Administrator of the EPA in consultation with the Secretary of the Army. USACE, Mobile District determined in its Section 103 Evaluation that the proposed dredged material from the federally authorized Gulfport Harbor is suitable for ocean disposal. Concurrence from the EPA, Region 4 was received in 2022.

**ENDANGERED AND THREATENED SPECIES:** Pursuant to Section 7 of the Endangered Species Act, the proposed action at Gulfport Harbor has been coordinated with the U.S. Department of Commerce, National Marine Fisheries Service, Protected Resources Division (NMFS-PRD) and the U.S. Department of the Interior, U.S. Fish and Wildlife Service (USFWS) during past recertification efforts. The Gulfport Harbor project is located within the Gulf sturgeon critical habitat limits. May 2007 consultation with NMFS-PRD regarding potential impacts to Gulf sturgeon critical habitat, in conjunction with continued operations and maintenance (O&M) activities, determined the project is not likely to adversely affect critical habitat. Activities associated with the removal of O&M materials from Gulfport Harbor Channel(s) by hopper dredges have already been analyzed in the November 2003 Gulf Regional Biological Opinion (GRBO), as amended and modified on June 24, 2005, and January 9, 2007. USACE, Mobile District will implement terms and conditions for sea turtles and Gulf sturgeon identified in NMFS-PRD's GRBO. In July 2019, formal consultation was initiated with NMFS-PRD for dredging of the bend easing and future O&M at the Gulf Entrance Channel. In March 2020, the NMFS-PRD issued a Biological Opinion (BO) that included the more recently listed giant manta ray and leatherback sea turtle. It stated that impacts from dredging and placement activities of the Gulf Entrance channel are not likely to adversely affect the leatherback and hawksbill sea turtles, or giant manta ray; and the proposed action is not likely to jeopardize the continued existence of the Gulf Sturgeon, Kemp's ridley sea turtle, green sea turtle North and South Atlantic Distinct Population Segment (DPS), and loggerhead sea turtle Northwest Atlantic (NWA) DPS. NMFS-PRD also determined that there is no effect to Gulf sturgeon habitat, as the bend easing portion of the project is not located within Gulf sturgeon critical habitat. Since the last coordination, there have been no changes to the project nor additional federally listed species. USACE, Mobile District will coordinate with NMFS-PRD concerning the future O&M efforts of the bend easing portion of these operations.

Consultation with the USFWS was completed in September 2007, and the USFWS concurred with the determination that the proposed action is not likely to adversely affect the West Indian manatee, brown pelican, and piping plover. USACE will continue adhere to the proposed West Indian manatee protection recommendations.

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**ESSENTIAL FISH HABITAT (EFH):** The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) defines EFH as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. The Gulf of Mexico Fishery Management Council in accordance with the MSFCMA (PL 94-265) has developed management plans for the following fisheries: shrimp, red drum, reef fish, stone crab, spiny lobster, coral and coral reef and coastal migratory pelagic. Of these plans, only those pertaining to shrimp, and red drum are applicable to the proposed action. Habitat Areas of Particular Concern have not been identified for the project area. Studies on impacts of open-water disposal on benthic communities and fisheries resources have been undertaken nationwide for many years. Studies on fisheries resources indicate that most species can avoid the area of dredging and disposal, and the recovery time for benthic organisms is short-term. As a result of the project, temporary and localized increases in the turbidity may occur during dredged material placement, with turbidity levels returning to ambient conditions within a few hours after completion of placement activities.

Based on the extent of EFH in the general vicinity of the project and short-term recovery of impacted benthic organisms, the overall impact to fisheries resources is considered negligible. Therefore, USACE, Mobile District has determined this project will not affect EFH. Initial coordination of EFH with NFMS, Habitat Conservation Division (NMFS-HCD) for the project has been completed with similar determinations; scope, location, and impacts of the project remain the same. Additional coordination with NMFS-HCD was completed for the widening of the Bend easing via public notice in January 2020; NMFS-HCD did not object.

**CULTURAL AND HISTORIC RESOURCES CONSIDERATIONS:** Previous submerged cultural resources surveys were conducted for the port and channel expansion in the 1980's, with no historic properties located within the project's area of potential effect (APE) (Mistovich 1987; Irion 1989). Additionally, past recertification efforts have been coordinated with the Mississippi State Historic Preservation Officer (SHPO) and other interested parties. In compliance with Section 106 of the National Historic Preservation Act, USACE, Mobile District will consult with the Mississippi State Historic Preservation Officer and Federally recognized Tribal Nations.

**AIR QUALITY:** The Clean Air Act of 1970, as amended in 1990, mandated that the EPA establish ambient standards for certain pollutants, regarding all identifiable effects a pollutant may have on the public health and welfare. The EPA subsequently developed the National Ambient Air Quality Standards (NAAQS) identifying levels of air quality for six criteria pollutants, which it assessed to be necessary to protect public health and welfare. The project area is in attainment with the NAAQS of the Clean Air Act, and the proposed action would not affect the attainment status of the project area or the region.

**EVALUATION:** The decision whether to proceed with the proposed action will be based on an evaluation of the overall public interest. That decision would reflect the national concerns for both protection and utilization of important resources. The benefits that

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may be reasonably expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to proceed and the conditions under which the activity would occur would be determined by the outcome of this general balancing process. 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, navigation, recreation, water supply and conservation, water quality, safety and in general the needs and welfare of the people. The proposed action would proceed unless it is found to be contrary to the overall public interest. Inasmuch as the proposed work would involve the discharge of materials into navigable waters, specification of the proposed disposal sites associated with this Federal project is being made through the application of guidelines promulgated by the Administrator of the EPA in conjunction with the Secretary of the Army. If these guidelines alone prohibit the specification of any proposed disposal site, any potential impairment of the maintenance of navigation including any economic impacts on navigation and anchorage, which would result from the failure to use this site, would also be considered.

**COORDINATION:** Agencies receiving copies of this public notice include but is not limited to:

U.S. Environmental Protection Agency, Region 4  
U.S. Department of the Interior, National Park Service  
National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Habitat Conservation Division  
National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Protected Species Division  
Mississippi State Historic Preservation Officer  
Mississippi Department of Environmental Quality, Bureau of Pollution Control  
Mississippi Department of Natural Resources  
Gulf of Mexico Fishery Management Council  
Commander, Eighth Coast Guard District  
U.S. Department of Agriculture, Natural Resources Conservation Service  
Federally Recognized Tribal Nation with Interests in the Project Area

Other Federal, state and local organizations, United States Senators and Representatives of Mississippi are being sent copies of this notice and are requested to participate in coordinating review of this proposed action. USACE, Mobile District requests that parties communicate information included in this public notice to others that may have an interest in the proposed action.

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**CORRESPONDENCE:** Any party that has an interest that may be affected by this proposed activity may request a public hearing. Any comments or request for hearing must clearly set forth the interests that may be affected and the manner in which the interest may be affected. Correspondence concerning this public notice should be received within 30 days of this publication. Correspondence should reference Public Notice No. FP23-GH02-02 and should be addressed to the District Commander, U.S. Army Corps of Engineers, Mobile District, Attention: CESAM-PD-EC Post Office Box 2288, Mobile, Alabama 36628-0001. For additional information please contact Ms. Lacey Leaptrott via email at lacey.m.leaptrott@usace.army.mil or at (251) 694-3777.

**JEREMY M. LADART**  
Chief, Planning and Environmental  
Division

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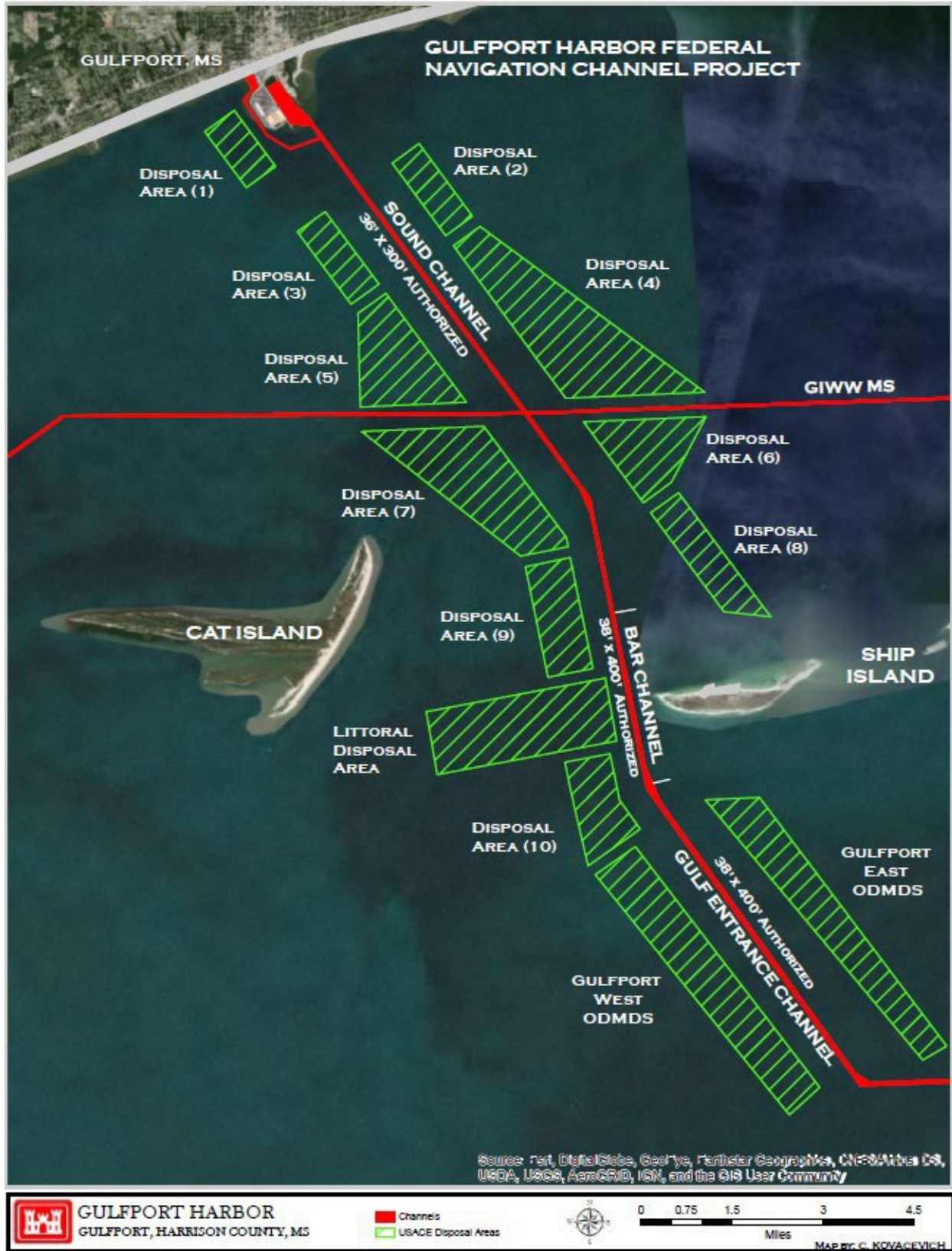


Figure 1: Gulfport Harbor Federal Navigation Channel Project