



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

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2023-00580-APS

April 4, 2024

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 (MDMR)

PROPOSED IMPACTS TO WATERS OF THE U.S. ASSOCIATED WITH
CONSTRUCTION OF A MARINA, INCLUDING PIERS, BULKHEADS, AND
DREDGING FOR THE MARINA AND ACCESS CHANNEL
OCEAN SPRINGS, JACKSON 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: City of Ocean Springs
Attention: Sarah Harris
1018 Porter Avenue
Ocean Springs, MS, 39564

LOCATION: The project is located of Biloxi Bay, at 400 Front Beach Drive, Ocean Springs, Jackson County, Mississippi. Section 30/25, Township 7 South, Range 8/9 West; Latitude 313.405300 N, Longitude -88.830952 W.

PROPOSED WORK: The City of Ocean Springs is proposing to develop a waterfront site into a Front Beach Event Space and Marina. The public outdoor event space will be located on the land portion of the site. Immediately offshore of the event space the applicant is proposing the construction of a small-craft marina. The work proposed includes:

- Construction of a Marina with Access piers and Mooring piles
- Construction of 2,095 LF (2.4 ac) rubble mound breakwater,
- Removal/replacement 165 LF of an existing bulkhead,
- And installation of a living shoreline with 370 Reef balls (0.02 ac).
- Dredging for the marina (11.71 ac) to a depth of -6 to -8 ft MLLW.
- Dredging for 2,379 LF of access channel (5.53 ac) to a -8 ft MLLW.

The purpose of the proposed project is to put a long-vacant and blighted site back into productive use for the coastal community of Ocean Springs to hold events and serve as waterfront green space. This proposed project will include the construction of a new

public marina encompassing 3,974 LF Access piers with 1100 concrete piles and 153 Mooring piles, to be located on Biloxi Bay.

The proposed marina area is to be surrounded by the proposed breakwater structure. This structure will protect the new marina from wave action. Need for the project is based on the following:

- The existing park facilities in downtown Ocean Springs are very limited and insufficient for the growing volume of pedestrians using this part of the City.
- The nearby Ocean Springs Inner Harbor facility is 100% full, with no existing capacity and the waitlist for vessels presently is longer than 18 months.
- The existing bulkhead on the site is failing, with corrosion of the steel sheet piles and failure of multiple tie backs. There is a need for replacement of this pier.
- The average depth in the proposed marina area is -4.5' MLLW, less than that required for navigation by typical small craft in this region.

The applicant proposed using both hydraulic and mechanical methods to dredge approximately 62,476 cubic yards of sediment from the 16.25-acre dredging area. The applicant coordinated with the MDMR Beneficial Use Program and was informed that there are currently no MDMR Beneficial Use sites available for dredged material disposal. The applicant will utilize The Harrison County Development Commission (HCDC) Upland Disposal Sites for the disposal of dredged material.

In addition, this site was historically (before Hurricane Katrina) used for mooring of vessels and has had a developed, armored shoreline for over 50 years. The historic and current land use is comparable with the proposed redevelopment plan.

COASTAL ZONE: 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.

WATER QUALITY: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority).

HISTORIC PROPERTIES: 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 entire undertaking in waters of the United States, which includes the proposed fill areas (rubble mound breakwater and living shoreline), the footprint of the marina, bulkhead, proposed dredge areas, and portions of the adjacent property that would be utilized for

construction access and equipment and materials staging. The National Register of Historic Places will be 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. The Mobile District is seeking comments regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on cultural/historic resources. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

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 the following federally-listed species are known or expected to occur within the project area: Eastern black rail (T), Mississippi sandhill crane (E), Piping plover (T), Red knot (T), Louisiana quillwort (E), Gulf sturgeon (T), West Indian manatee (T), Alabama red-bellied turtle (E), Alligator snapping turtle (T), Gopher tortoise (T), Green sea turtle (T), Hawksbill sea turtle (E), Kemp's ridley sea turtle (E), Leatherback sea turtle (E), Loggerhead sea turtle (T). There is designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on the above-listed species or their critical habitat. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and NMFS will be performed as determined to be appropriate.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project would impact approximately 20 acres of estuarine substrate and emergent wetlands. Our initial determination is that the proposed action would not have a substantial adverse effect 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.

COMMENTS: 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 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 Corps of Engineers 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 of Engineers 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.

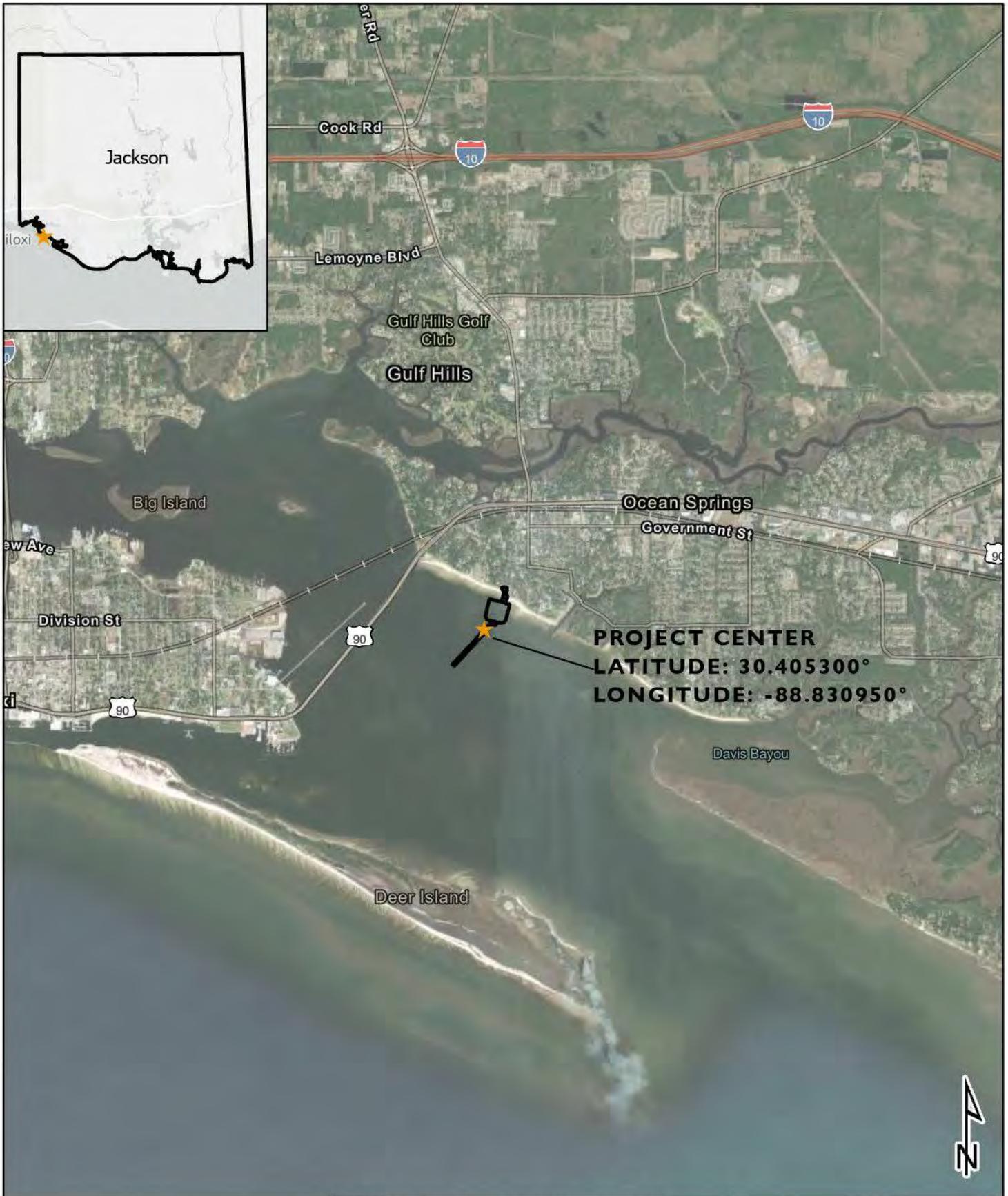
Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2023-00580-APS** and should be directed to the District Engineer, Mobile District, Regulatory Division, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Munther N. Sahawneh, or submitted electronically at munther.n.sahawneh@usace.army.mil, PM Phone: 251-313-4374. 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.

All comments should be received no later than 30 days from the date of this Public Notice. 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

Attachments



0 1 2 Miles

Coordinate System: NAD 1983 State Plane
Mississippi East FIPS 2301 Feet

FRONT BEACH EVENT SPACE AND MARINA
Ocean Springs, Jackson County, Mississippi

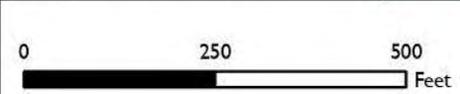
SITE VICINITY

CYPRESS
Environment & Infrastructure

Date: 6/30/2023 **FIGURE I**



Parcels
 Project Footprint



Coordinate System: NAD 1983 State Plane
Mississippi East FIPS 2301 Feet

FRONT BEACH EVENT SPACE AND MARINA
 Ocean Springs, Jackson County, Mississippi
ADJACENT PROPERTY OWNERS

CYPRESS
 Environment & Infrastructure
 Date: 6/29/2023 **FIGURE 2**



Project Components	
	Access Pier (3,974 LF, 0.83 ac)
	Breakwater (2,095 LF, 2.40 ac)
	Marina Dredge -6ft MLLW (1.96 ac)
	Marina Dredge -8ft MLLW (9.75 ac)
	Access Channel Dredge -8ft MLLW (2,379 LF, 5.53 ac)
	Bulkhead (165 LF)
	Biloxi Bay Navigation Channel

0 450 900
 Feet

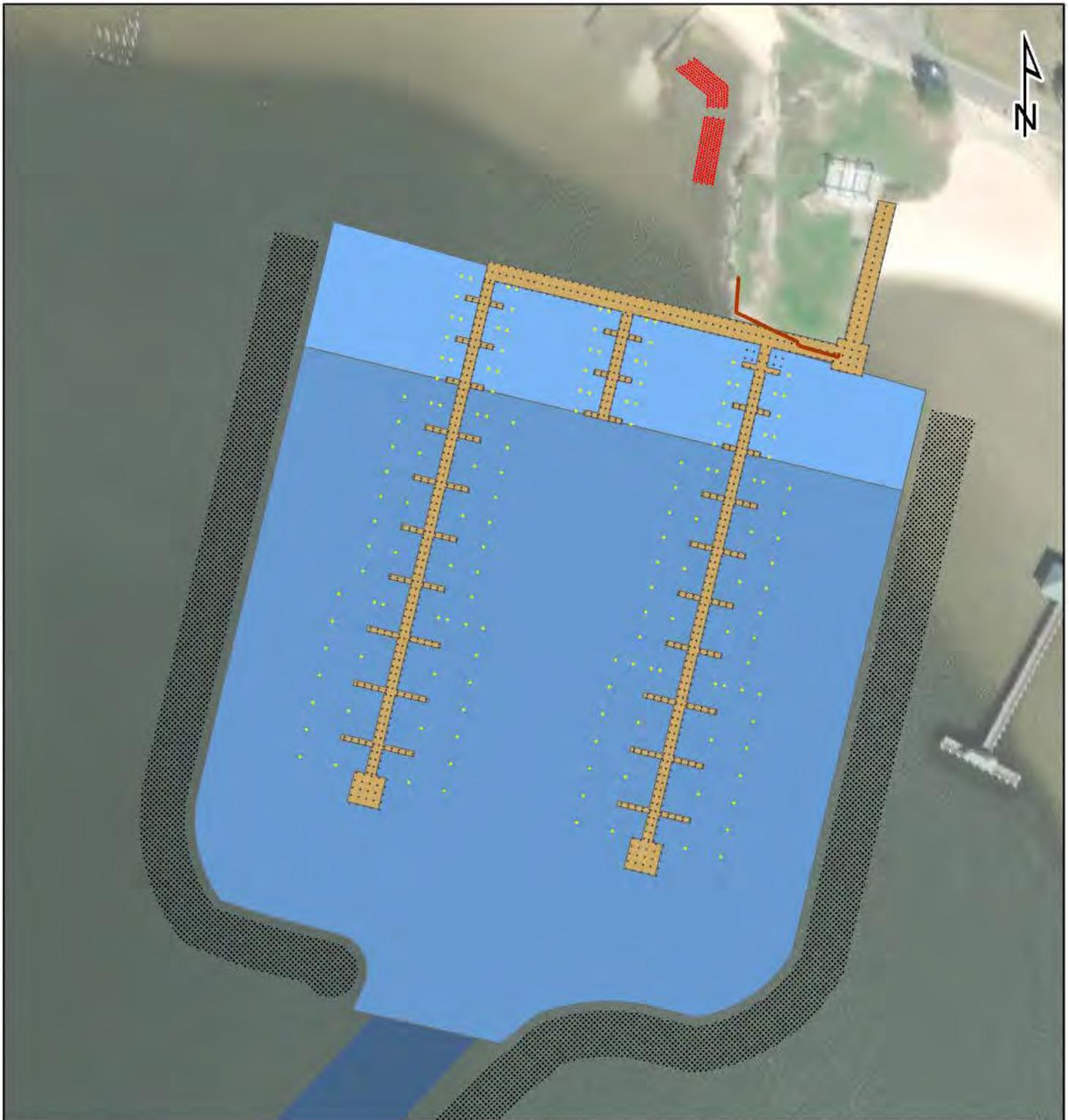
Coordinate System: NAD 1983 State Plane
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FRONT BEACH EVENT SPACE AND MARINA
 Ocean Springs, Jackson County, Mississippi

IMPACTS MAP

CYPRESS
 Environment & Infrastructure

Date: 6/29/2023 **FIGURE 3**

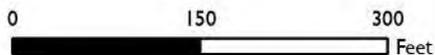


Project Components

-  Access Pier (3,974 LF, 0.83 ac)
-  Breakwater (2,095 LF, 2.40 ac)
-  Marina Dredge -6ft MLLW (1.96 ac)

-  Marina Dredge -8ft MLLW (9.75 ac)
-  Access Channel Dredge -8ft MLLW (2,379 LF, 5.53 ac)
-  Reefball (370 balls, 0.02 ac)
-  Mooring Pile (153 piles, 0.01 ac)

-  Concrete Pile (1,100 piles, 0.03 ac)
-  Bulkhead (165 LF)



Coordinate System: NAD 1983 State Plane
Mississippi East FIPS 2301 Feet

FRONT BEACH EVENT SPACE AND MARINA

**Ocean Springs, Jackson County, Mississippi
IMPACTS MAP MARINA
DETAIL**



Date: 6/29/2023

FIGURE 4

Table 1. Proposed Project Impacts to Waters of the U.S.

Component	Activity	Proposed Depth	Quantity	Acreage / Length
Marina	Dredging	-6' to -8' MLLW	62,476 cy	16.25 ac
Access Channel	Dredging	-8 MLLW	25,111 cy	5.53 ac / 2,379 LF
Marina	Precast concrete pile installation	-	1,100 Piles	0.02 ac
Marina	Timber mooring pile installation	-	153 Piles	0.01 ac
Marina	Access pier decking installation	-	-	0.83 ac / 3,974 LF
Component	Activity	Proposed Depth	Quantity	Acreage / Length
Breakwater	Placement of rubble	-3' to -5' MLLW (existing)	9,800 cy	2.40 ac / 2,095 LF
Bulkhead	Repair existing bulkhead	-	-	165 LF
Living Shoreline	Living shoreline installation	-1' to 0' MLLW (existing)	370 Reef balls	0.02 ac