



US Army Corps
of Engineers®

PUBLIC NOTICE

Applicant: Mississippi Department of
Environmental Quality

Published: March 28, 2025
Expires: April 28, 2025

Mobile District
Permit Application No. SAM-2024-00657-APS

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

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL (MDEQ)
WQC2024064

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
DMR24-000341

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Chris Wells, MDEQ Executive Director
Mississippi Department of Environmental Quality
(MDEQ)
515 East Amite Street
Jackson, Mississippi 39201

AGENT: Dain Gillen, P.E.
Neel-Schaffer, Incorporated
206 Maryland Avenue
McComb, Mississippi 39648

LOCATION: The project/review area is located in Hancock County, Mississippi, between the communities of Lakeshore and Waveland, approximately 1,000 feet south of the shoreline in the waters of the Mississippi Sound. Approximate center coordinates are Latitude 30.256719° North and Longitude 89.398393° West; Hancock County, Mississippi.

EXISTING CONDITIONS: The 130-acre, subtidal project area is comprised entirely of open water and benthic habitats. No emergent or submerged aquatic vegetation (SAV) exists within the perimeter of the project area. Substrates within the site are sand and silt/mud. Water depths in the project area range from -4.2 to -6.2 feet mean lower-low water (MLLW). The surrounding area is comprised of subtidal habitats similar to that which is located within the perimeter of the project area.

PROJECT PURPOSE:

Basic: The Corps has determined that the basic purpose of the proposed project is to construct a structure in waters of the United States.

Overall: The Corps has determined that the overall purpose of the proposed project is to place fill material in 107.1 acres of open waters to construct a submerged artificial reef in the waters of the Mississippi Sound in Hancock County, Mississippi.

PROPOSED WORK: The applicant requests authorization to discharge up to 472,586 cubic yards of limestone and 1,120 cube-shaped reef blocks (approximately 1,012 cubic yards) in open waters of the United States, specifically the Mississippi Sound, in association with the construction of a submerged artificial reef south of Waveland and Lakeshore in Hancock County, Mississippi. Impacts include the filling of 107.1 acres of open water habitat.

AVOIDANCE AND MINIMIZATION: Complete avoidance of aquatic resources is not possible simply due to the nature of the project. Since the project is for the construction of a submerged artificial reef, some aquatic impacts will be necessary to achieve the overall net benefit to the aquatic environment that is expected to occur as a result of the construction of the structure(s). However, the applicant has still proposed to avoid coastal wetlands and submerged aquatic vegetation. The applicant also proposes to minimize impacts by maintaining compliance with state water quality standards and through the implementation of Best Management Practices (BMPs) during construction.

COMPENSATORY MITIGATION: Compensatory mitigation is not anticipated to be required because the overall effect of the structure on the aquatic ecosystem would be expected to be more beneficial than that which currently exists. For this reason as well as the fact that no impacts to coastal wetlands are anticipated, the applicant has not proposed compensatory mitigation.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), and the National Marine Fisheries Service (NMFS) Threatened and Endangered Species and Critical Habitat Lists for the Southeast Region to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will have no effect on the piping plover (*Charadrius melodus*) or the red knot (*Calidris canutus rufa*). The Corps has also preliminarily determined that the proposed project may affect but is not likely to adversely affect the remaining species shown in Table 1 as well as their respective critical habitat(s).

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Eastern Black Rail	<i>Laterallus jamaicensis jamaicensis</i>	Threatened
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Gulf Sturgeon	<i>Acipenser oxyrinchus desotoi</i>	Threatened
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Endangered
Piping Plover	<i>Charadrius melodus</i>	Threatened
Red Knot	<i>Calidris canutus rufa</i>	Threatened
West Indian Manatee	<i>Trichechus manatus</i>	Threatened

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: The proposed structure is over 5 miles north of nearest major ship channel and approximately 1 mile northeast of the Cadet Bayou channel. The applicant would be required to adhere to all applicable U.S. Coast Guard regulations including, but not limited to, those associated with Private Aids to Navigation. Water depths in the project area range from -4.2 to -5.2 MLLW. The vertical clearance above the structures would range from 3.2 and 3.7 feet mean lower-low water (MLLW).

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification for this project was waived by the Mississippi Department of Environmental Quality (certifying authority) on December 17, 2024.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: 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 benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

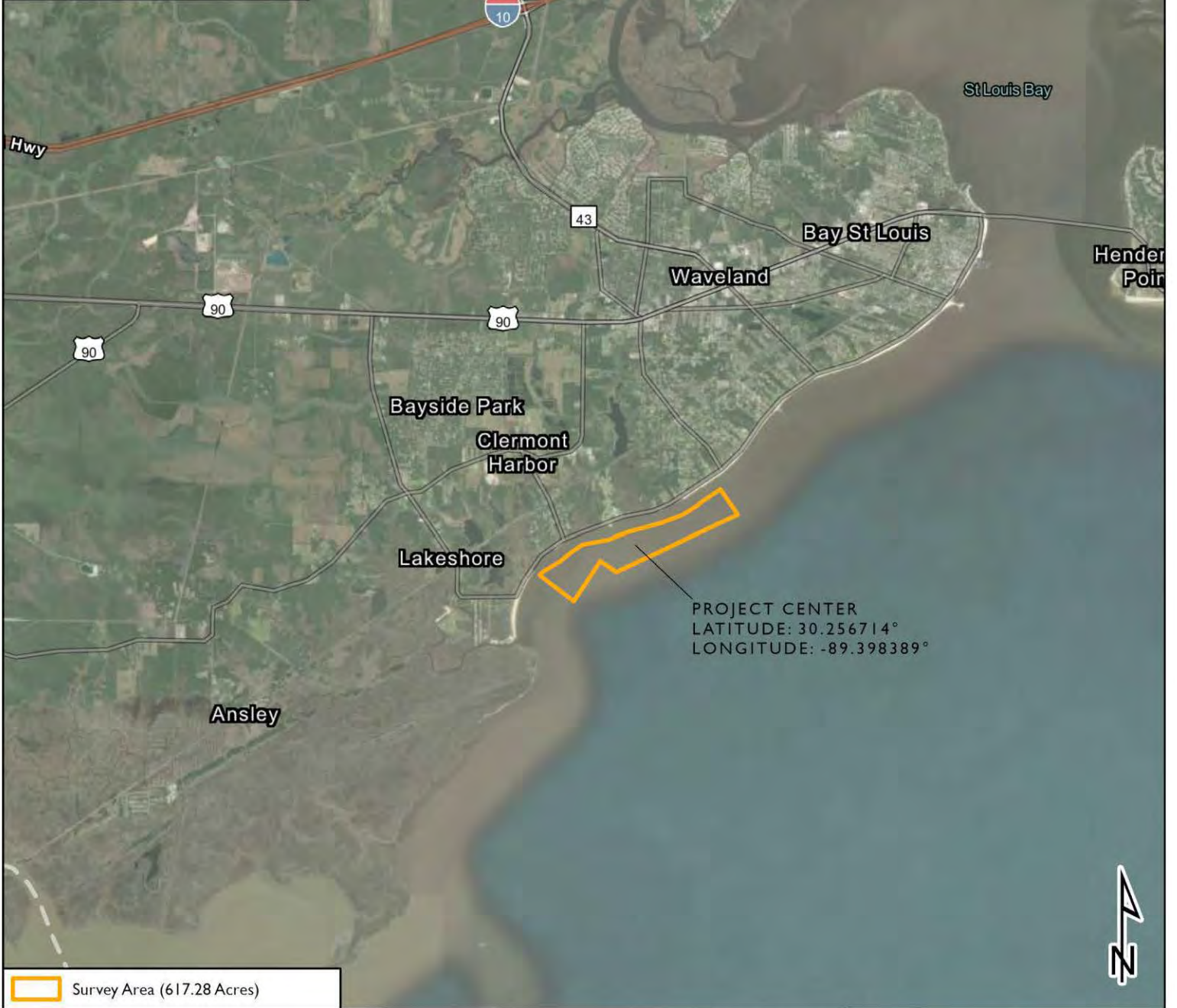
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Mobile District will receive written comments on the proposed work, as outlined above, until April 26, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Amiee P. Smith at amiee.p.smith@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Amiee P. Smith, P.O. Box 2288, Mobile, AL 36628. Please refer to the permit application number in your comments. Copies of all comments should also 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.


Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

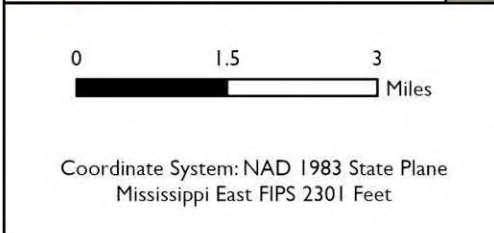
MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



PROJECT CENTER
LATITUDE: 30.256714°
LONGITUDE: -89.398389°

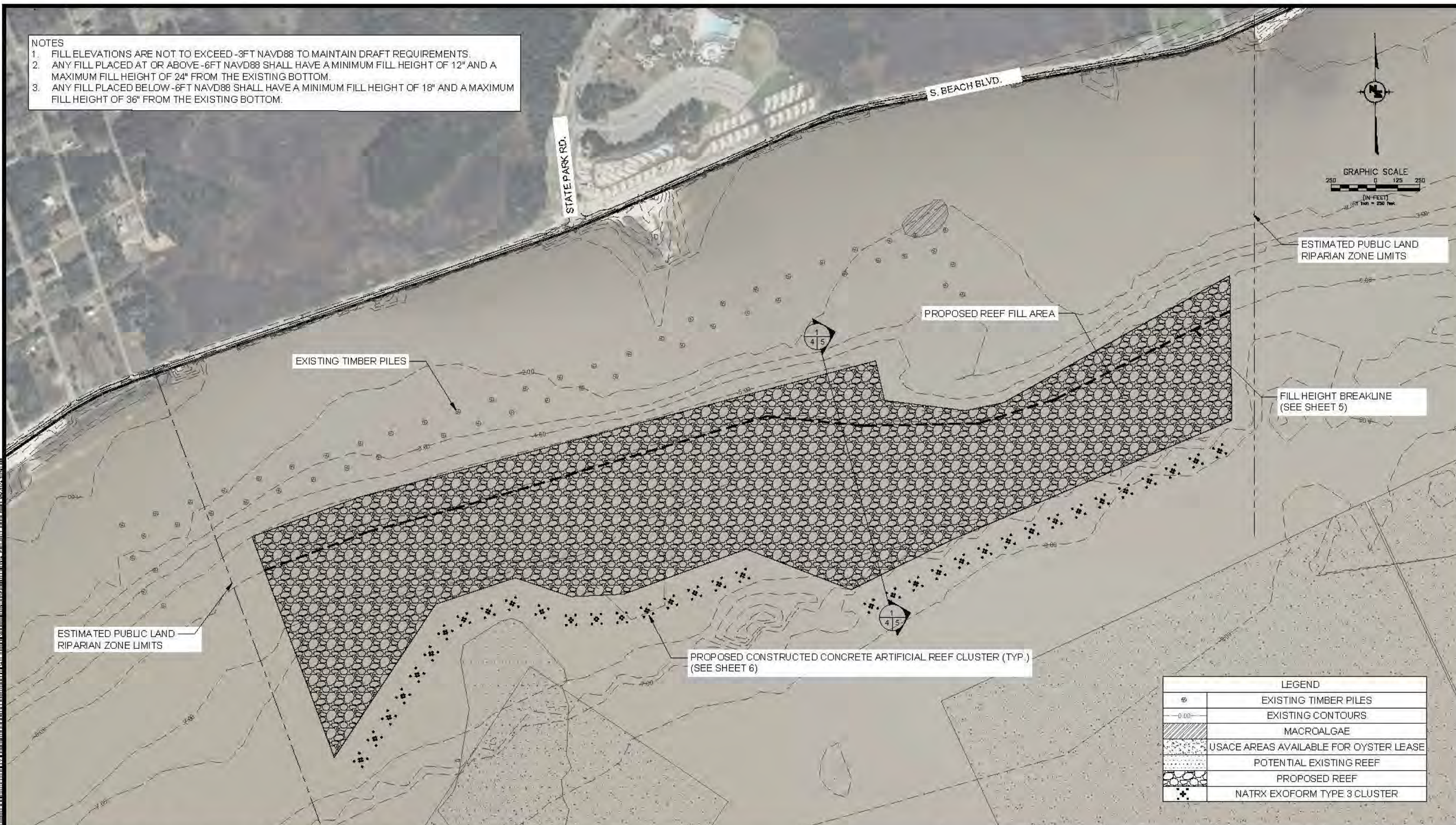
 Survey Area (617.28 Acres)



West Hancock County Nearshore Habitat
Restoration Project
Hancock County, Mississippi
SITE VICINITY MAP

CYPRESS
Environment & Infrastructure
FIGURE I

- NOTES**
1. FILL ELEVATIONS ARE NOT TO EXCEED -3FT NAVD88 TO MAINTAIN DRAFT REQUIREMENTS.
 2. ANY FILL PLACED AT OR ABOVE -6FT NAVD88 SHALL HAVE A MINIMUM FILL HEIGHT OF 12" AND A MAXIMUM FILL HEIGHT OF 24" FROM THE EXISTING BOTTOM.
 3. ANY FILL PLACED BELOW -6FT NAVD88 SHALL HAVE A MINIMUM FILL HEIGHT OF 18" AND A MAXIMUM FILL HEIGHT OF 36" FROM THE EXISTING BOTTOM.



ESTIMATED PUBLIC LAND RIPARIAN ZONE LIMITS

PROPOSED REEF FILL AREA

EXISTING TIMBER PILES

FILL HEIGHT BREAKLINE (SEE SHEET 5)

ESTIMATED PUBLIC LAND RIPARIAN ZONE LIMITS

PROPOSED CONSTRUCTED CONCRETE ARTIFICIAL REEF CLUSTER (TYP.) (SEE SHEET 6)

LEGEND	
	EXISTING TIMBER PILES
	EXISTING CONTOURS
	MACROALGAE
	USACE AREAS AVAILABLE FOR OYSTER LEASE
	POTENTIAL EXISTING REEF
	PROPOSED REEF
	NATRX EXOFORM TYPE 3 CLUSTER

PRELIMINARY—FOR REVIEW ONLY

These documents are for Design Review and not intended for Construction, Bidding, or Permit Purposes. They were prepared by, or under supervision of:

DAIN GILLEN PE# 33849 Date 2/2/24

REVISIONS				DRAWING INFORMATION	
NO.	DATE	BY	DESCRIPTION	N-S PROJECT NO.:	17683
				FILENAME:	D4_Project Area.dwg
				SCALE:	
				SURVEYED BY:	
				DSGN:	JG DATE: 12/2023
				DRWN:	SS DATE: 01/2024
				CHKD:	JSZ DATE: 01/2024
				QA/QC:	LS DATE: 01/2024

WEST HANCOCK COUNTY NEARSHORE HABITAT RESTORATION

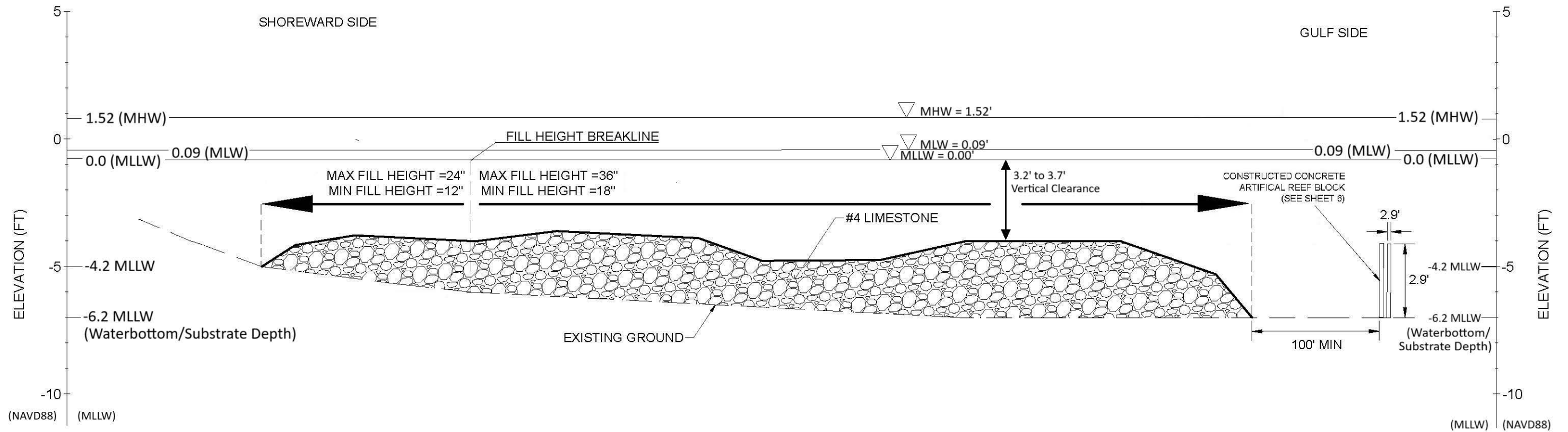
HANCOCK COUNTY, MISSISSIPPI

PRELIMINARY
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PROPOSED REEF PLAN VIEW

WORKING NUMBER: SHEET NUMBER: 4



1 TYPICAL SECTION - REEF ELEVATION
 SCALE: HORIZONTAL GRAPHIC SCALE 40' 20' 0' 40' 80' VERTICAL GRAPHIC SCALE 2' 1' 0' 2' 4'

NOTES

1. FILL ELEVATIONS ARE NOT TO EXCEED -3FT NAVD88 TO MAINTAIN DRAFT REQUIREMENTS.
2. ANY FILL PLACED AT OR ABOVE -6FT NAVD88 SHALL HAVE A MINIMUM FILL HEIGHT OF 12" AND A MAXIMUM FILL HEIGHT OF 24" FROM THE EXISTING BOTTOM.
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REVISIONS				DRAWING INFORMATION	
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				DSGN: DG	DATE: 12/2023
				DRWN: SS	DATE: 01/2024
				CHKD: JSZ	DATE: 01/2024
				QA/QC: LS	DATE: 01/2024

WEST HANCOCK COUNTY NEARSHORE HABITAT RESTORATION

HANCOCK COUNTY, MISSISSIPPI

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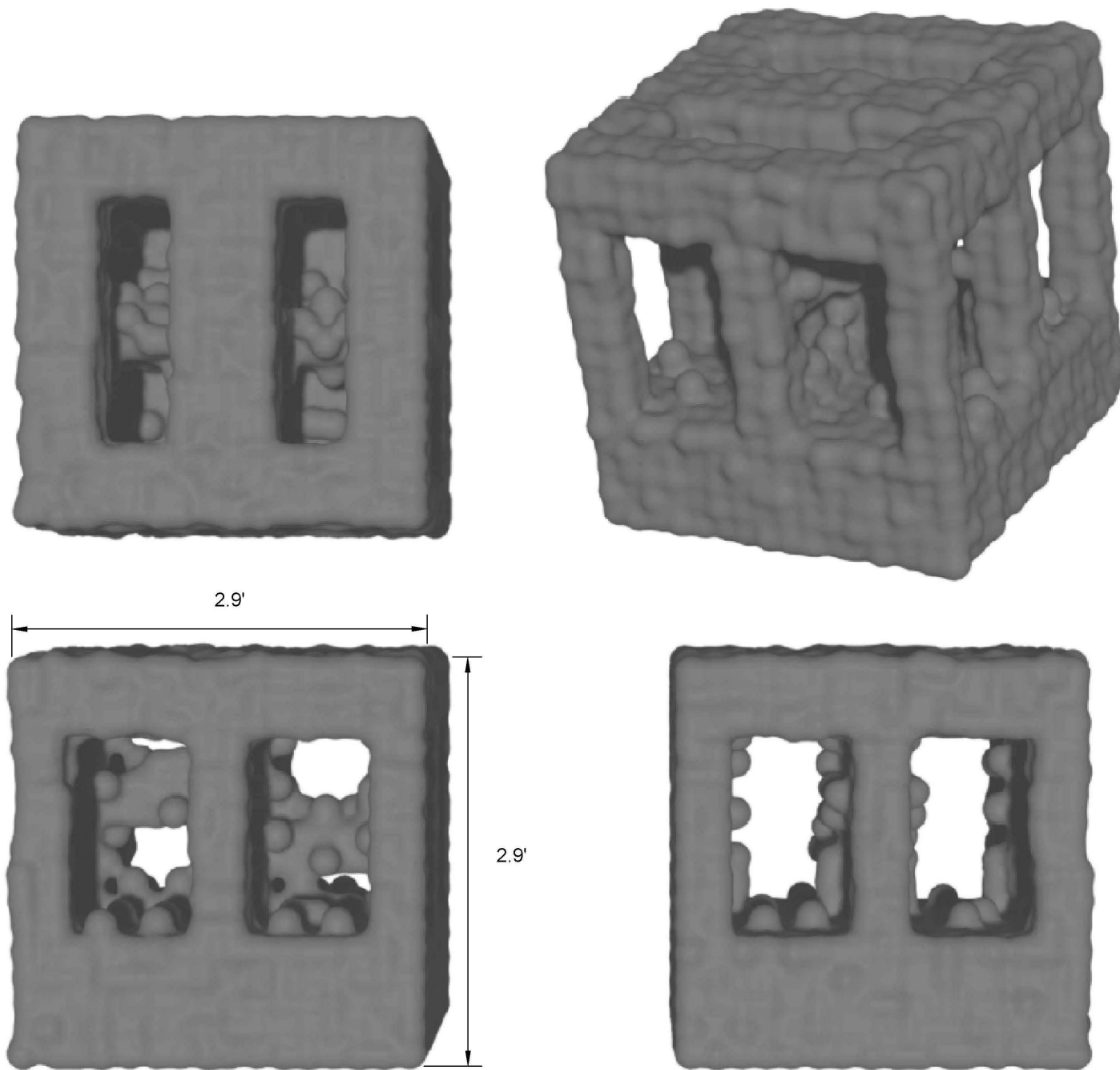


TYPICAL SECTION

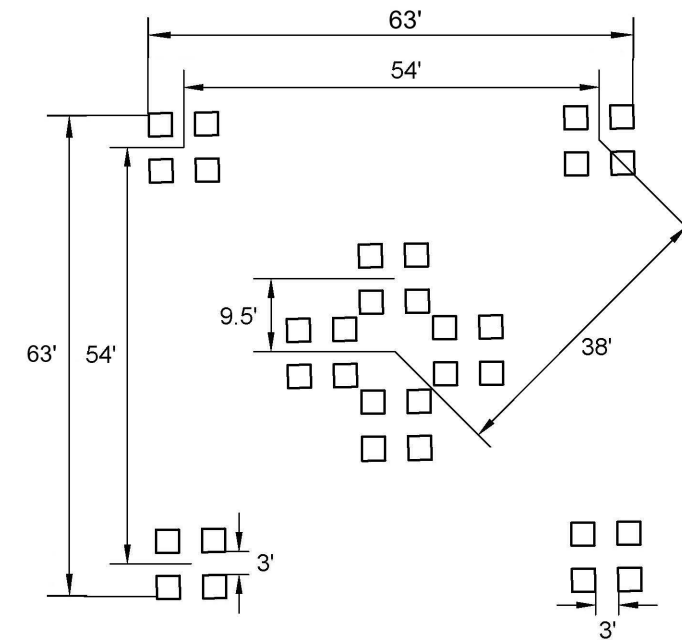
WORKING NUMBER:

SHEET NUMBER:

5



2 CONSTRUCTED CONCRETE ARTIFICIAL REEF BLOCK ISOMETRIC DETAIL
NTS



3 TYPICAL CLUSTER LAYOUT
NTS

CONSTRUCTED CONCRETE ARTIFICIAL REEF DETAILS

1. MATERIAL TYPE: PORTLAND CEMENT/SAND COMPOSITE
2. MINIMUM WEIGHT: 1800 LBS PER UNIT
3. MINIMUM SURFACE AREA: 64 SQUARE FEET PER UNIT
4. DIMENSIONS: 2.9' LENGTH, WIDTH, AND HEIGHT
5. TYPICAL CLUSTER LAYOUT:
 - 5.1. 32 CONSTRUCTED CONCRETE ARTIFICIAL REEF BLOCKS PLACED IN GROUPS OF 4.
 - 5.2. THE CENTER OF EACH CLUSTER WILL BE APPROXIMATELY 145' FROM THE CENTER OF THE NEXT CLUSTER.
 - 5.3. EACH CLUSTER WILL BE PLACED AT MINIMUM 100' FROM THE FILL SITE.

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DAIN GILLEN PE# 33849 Date 2/2/24

REVISIONS			DRAWING INFORMATION	
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				DSGN: DG DATE: 12/2023
				DRWN: SS DATE: 01/2024
				CHKD: JSZ DATE: 01/2024
				QA/QC: LS DATE: 01/2024

WEST HANCOCK COUNTY NEARSHORE
HABITAT RESTORATION

HANCOCK COUNTY, MISSISSIPPI

PRELIMINARY

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CONSTRUCTED CONCRETE
ARTIFICIAL REEF DETAILS

WORKING NUMBER:

SHEET NUMBER:

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