

Permit

Mississippi Dept of Marine Resources
NETLANDS PERMITTING

JUL 02 2019

RECEIVED

JOINT APPLICATION AND NOTIFICATION

U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY/OFFICE OF POLLUTION CONTROL

This form is to be used for proposed activities in waters of the United States in Mississippi and for the erection of structures on suitable sites for water dependent industry. Note that some items, as indicated, apply only to projects located in the coastal area of Hancock, Harrison and Jackson Counties.

1. Date _____
month day year

2. Applicant name, mailing address, phone number and email address:
Jared Harris, DMR
1141 Bayview Avenue, Biloxi, MS 39530
jared.harris@dmr.ms.gov
228-523-4053

Agent name, mailing address, phone number and email address:
Renee Robertson, Anchor QEA
9797 Timber Circle, Ste B, Daphne, AL 36527
rrobertson@anchorqea.com
251-375-5275

3. Official use only
COE _____
DMR _____
DEQ _____
A95 _____
DATE RECEIVED _____

4. Project location
Street Address NA City/Community Pascagoula
Name of Waterway Mississippi Sound Latitude 30.33 Longitude (if known) -88.51
Geographic location: Section 18 Township 8S Range 5W County Jackson

060061 BP

5. Project description
New work Maintenance work _____

Dredging
Channel length width existing depth proposed depth
Canal length width existing depth proposed depth
Boat Slip length width existing depth proposed depth
Marina length width existing depth proposed depth
Other-Mooring Basin length width existing depth proposed depth

Cubic yards of material to be removed _____ Type of material _____
Location of spoil disposal area _____
Dimensions of spoil area _____ Method of excavation _____
How will excavated material be contained? _____

Construction of structures
Bulkhead Total length Height above water
Pier length width height
Boat Ramp length width slope
Boat House length width height

Structures on designed sites for water dependent industry (Coastal area only). Explain in item 11 or include as attachment.
 Other (explain) Construction of rock berms to create marsh by beneficially using dredged material

Filling
Dimensions of fill area _____
Cubic yards of fill _____ Type of fill _____

Other regulated activities (i.e. Seismic exploration, burning or clearing of marsh) Explain.

6. Additional information relating to the proposed activity

Does project area contain any marsh vegetation? Yes _____ No

(If yes, explain) _____

Is any portion of the activity for which authorization is sought now complete? Yes _____ No

(If yes, explain) _____

Month and year activity took place _____

If project is for maintenance work on existing structures or existing channels, describe legal authorization for the existing work. Provide permit number, dates or other form(s) of authorization. _____

Has any agency denied approval for the activity described herein or for any activity that is directly related to the activity described herein?

Yes _____ No (If yes, explain) _____

7. Project schedule

Proposed start date To be determined Proposed completion date To be determined

Expected completion date (or development timetable) for any projects dependent on the activity described herein. _____

8. Estimated cost of the project To be determined

9. Describe the purpose of this project. Describe the relationship between this project and any secondary or future development the project is designed to support. The purpose of this project is to create marsh by beneficially using dredged material

Intended use: Private _____ Commercial _____ Public Other (Explain) _____

10. Describe the public benefits of the proposed activity and of the projects dependent on the proposed activity.

Also describe the extent of public use of the proposed project.

Dredged material placed within the BU cell will restore coastal marsh habitat.

11. Narrative Project Description:

The project is approximately 270 acres and will create capacity for 250 acres of marsh and provide BU capacity per the state BU law. An 11,000 linear feet rock containment dikes will be constructed to contain the dredged material and to protect the marsh. The dikes will be constructed to +3.0 MLLW elevation and contain gaps to allow for tidal exchange and fish passage. The project will expand the existing BU cell at Greenwood Island to the south into the Mississippi Sound.

12. Provide the names and addresses of the adjacent property owners. Also identify the property owners on the plan view of the drawing described in Attachment "A". (Attach additional sheets if necessary.)

1. Jackson County
PO Box 998
Pascagoula, MS 39567

2. Chevron USA INC
PO Box 285
Houston, TX 7701

13. List all approvals or certifications received or applied for from Federal, State and Local agencies for any structures, construction, discharges, deposits or other activities described in this application. Note that the signature in Item 14 certifies that application has been made to or that permits are not required from the following agencies. If permits are not required, place N/A in the space for Type Approval.

<u>Agency</u>	<u>Type Approval</u>	<u>Application Date</u>	<u>Approval Date</u>
Dept. of Environmental Quality			
Dept. of Marine Resources			
Army Corps of Engineers			
City/County _____			
Other _____			

14. Certification and signatures

Application is hereby made for authorization to conduct the activities described herein. I agree to provide any additional information/data that may be necessary to provide reasonable assurance or evidence to show that the proposed project will comply with the applicable state water quality standards or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making preliminary analyses of the site and monitoring permitted works. I certify that I am familiar with and responsible for the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I am the owner of the property where the proposed project is located or that I have a legal interest in the property and that I have full legal authority to seek this permit.

U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willingly falsifies, conceals, or covers up by any trick, scheme or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Mississippi Coastal Program (Coastal area only)

I certify that the proposed project for which authorization is sought complies with the approved Mississippi Coastal Program and will be conducted in a manner consistent with the program.



Signature of Applicant or Agent



Date

15. Fees

Payable to MS Dept. of Marine Resources	Please include appropriate fees for all projects
\$50.00 Single-family residential application fee	proposed in coastal areas of Hancock, Harrison and
\$500.00 Commercial application fee	Jackson Counties.
Public notice fee may be required	

16. If project is in Hancock, Harrison or Jackson Counties, send one completed copy of this application form and appropriate fees listed in Item 15 to:

Department of Marine Resources
Bureau of Wetlands Permitting
1141 Bayview Avenue
Biloxi, MS 39530
(228) 374-5000

If project IS NOT in Hancock, Harrison or Jackson Counties, send one completed copy of this application form to each agency listed below:

District Engineer	District Engineer	Director
Mobile District	Vicksburg District	Mississippi Dept. of Environmental Quality
Attn: CESAM-RD	Regulatory Branch	Office of Pollution Control
P.O. Box 2288	Attn: CEMVK-OD-F	P.O. Box 10385
Mobile, AL 36628-0001	4155 Clay Street	Jackson, MS 39289
	Vicksburg, MS 39183-3435	

7. In addition to the completed application form, the following attachments are required:***Attachment "A" Drawings***

Provide a vicinity map showing the location of the proposed site along with a written description of how to reach the site from major highways or landmarks. Provide accurate drawings of the project site with proposed activities shown in detail. All drawings must be to scale or with dimensions noted on drawings and must show a plan view and cross section or elevation. Use 8 1/2 x 11" white paper or drawing sheet attached.

Attachment "B" Authorized Agent

If applicant desires to have an agent or consultant act in his behalf for permit coordination, a signed authorization designating said agent must be provided with the application forms. The authorized agent named may sign the application forms and the consistency statement.

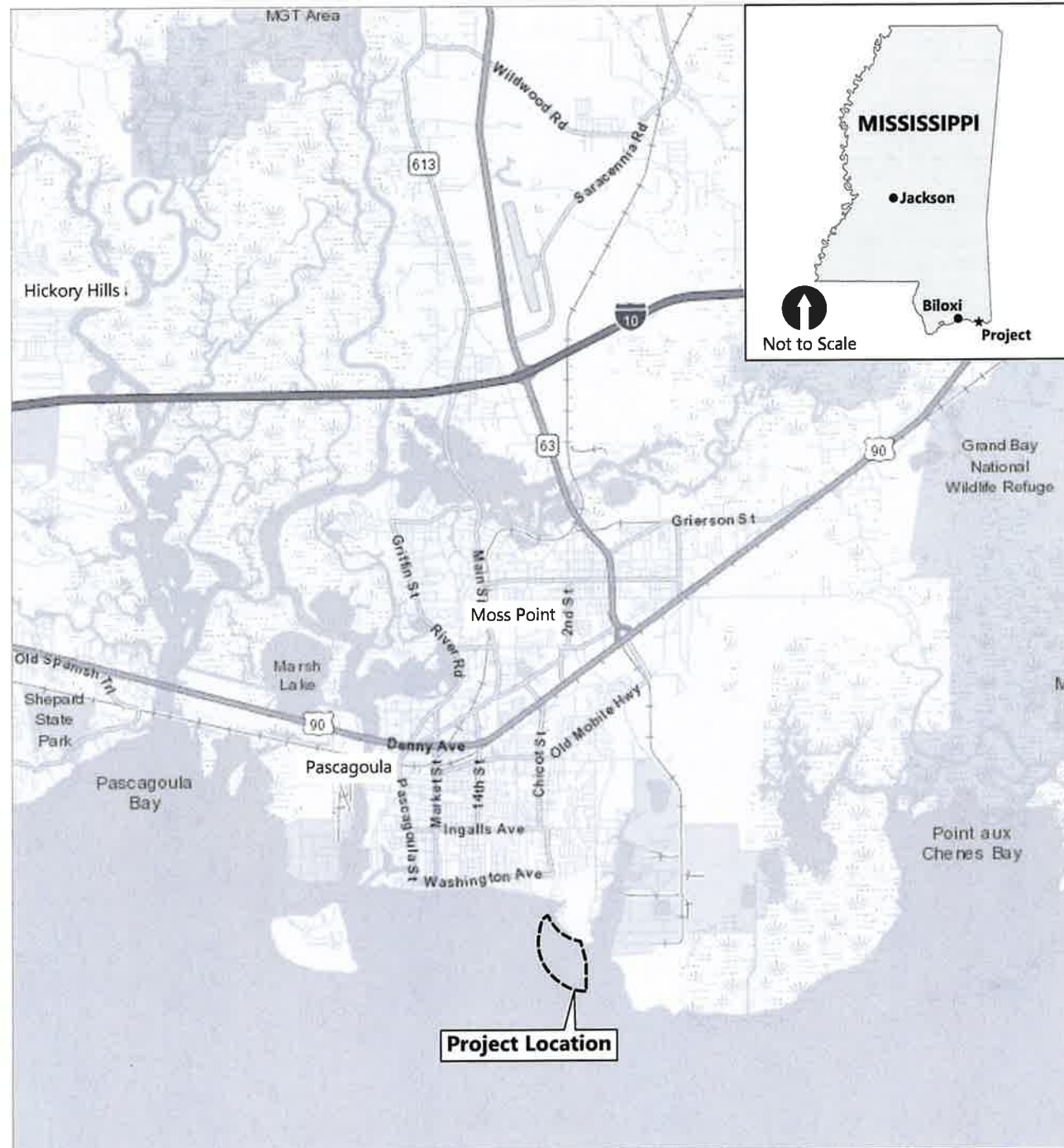
Attachment "C" Environmental Assessment (Coastal Area Only)

Provide an appropriate report or statement assessing environmental impacts of the proposed activity and the final project dependent on it. The project's effects on the wetlands and the effects on the life dependent on them should be addressed. Also provide a complete description of any measures to be taken to reduce detrimental offsite effects to the coastal wetlands during and after the proposed activity. Alternative analysis, minimization and mitigation information may be required to complete project evaluation.

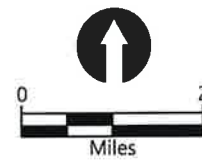
Attachment "D" Variance or Revisions to Mississippi Coastal Program (Coastal area only)

If the applicant is requesting a variance to the guidelines in Section 2, Part III or a revision to the Coastal Wetlands Use Plan in Section 2, Part IV of the Rules, Regulations, Guidelines and Procedures of the Mississippi Coastal Program, a request and justification must be provided.

Attachment "A" Drawings



SOURCE: Esri et al.
HORIZONTAL DATUM: Mississippi State Plane East, NAD83, U.S. Feet.
VERTICAL DATUM: Mean Lower Low Water (MLLW).



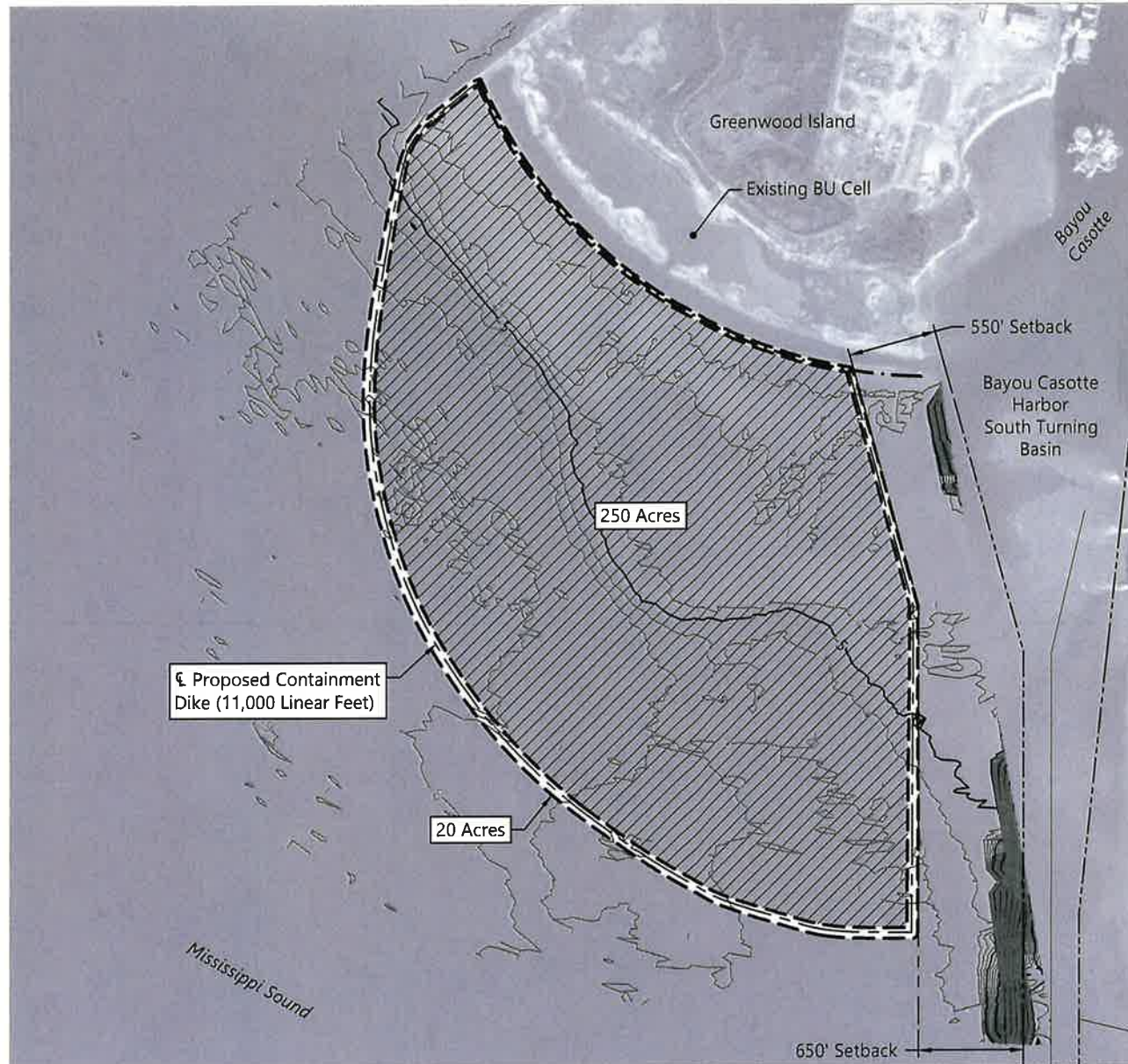
Publish Date: 2019/06/17 4:11 PM | User: dholmer
 Filepath: k:\Projects\1232-mississippi department of environmental quality\greenwood beneficial use expansion\1232-PERMIT-008 (Vicinity Map).dwg Figure 1



Figure 1
Vicinity Map

Greenwood Island Beneficial Use Expansion
 Permit
 Mississippi Department of Environmental Quality

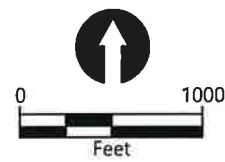
Diagram



SOURCE: Hydrographic survey provided by DIMCO, Inc. dated August 15 and 16, 2018; aerial image ©2018 Microsoft Corporation ©2018 DigitalGlobe ©CNES (2018) Distribution Airbus DS
HORIZONTAL DATUM: Mississippi State Plane East, North American Datum (NAD83), U.S. Survey Feet
VERTICAL DATUM: Mean Lower Low Water (MLLW)

LEGEND:

- Toe of Existing Existing Bayou Casotte Channel
- Setback from Existing Channel Toe
- ===== Footprint Proposed Expansion Containment Dike (20 Acres)
- ////// Footprint Proposed Containment Area (250 Acres, 270 Acres Total)
- · - · - Existing BU Cell Containment Dike

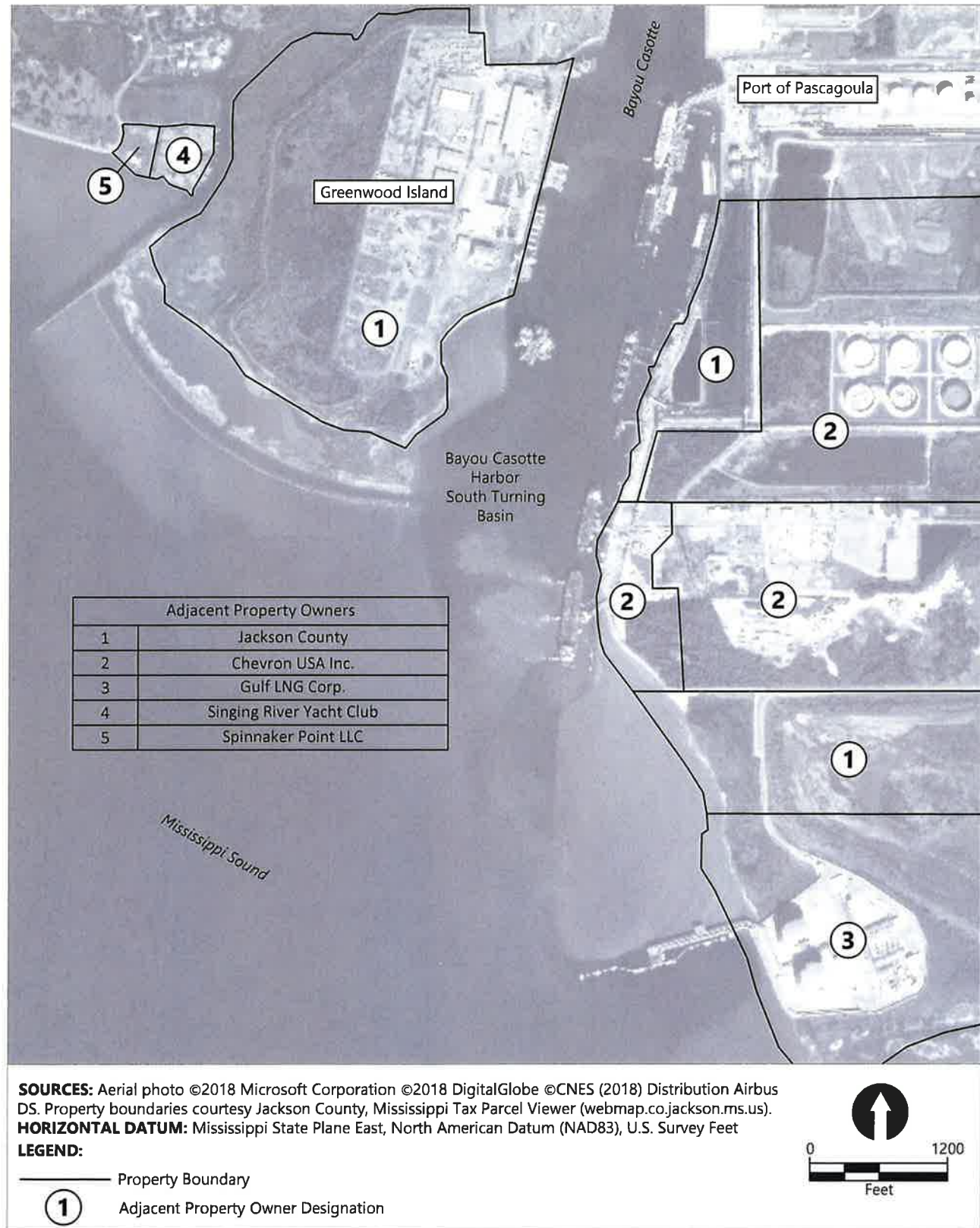


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Filepath: k:\Projects\1232-mississippi department of environmental quality\greenwood beneficial use expansion\1232-PERMIT-009 (Greenwood Island).dwg Figure 2



Figure 2
Proposed Containment Dike Alignment
Greenwood Island Beneficial Use Expansion
Permit
Mississippi Department of Environmental Quality

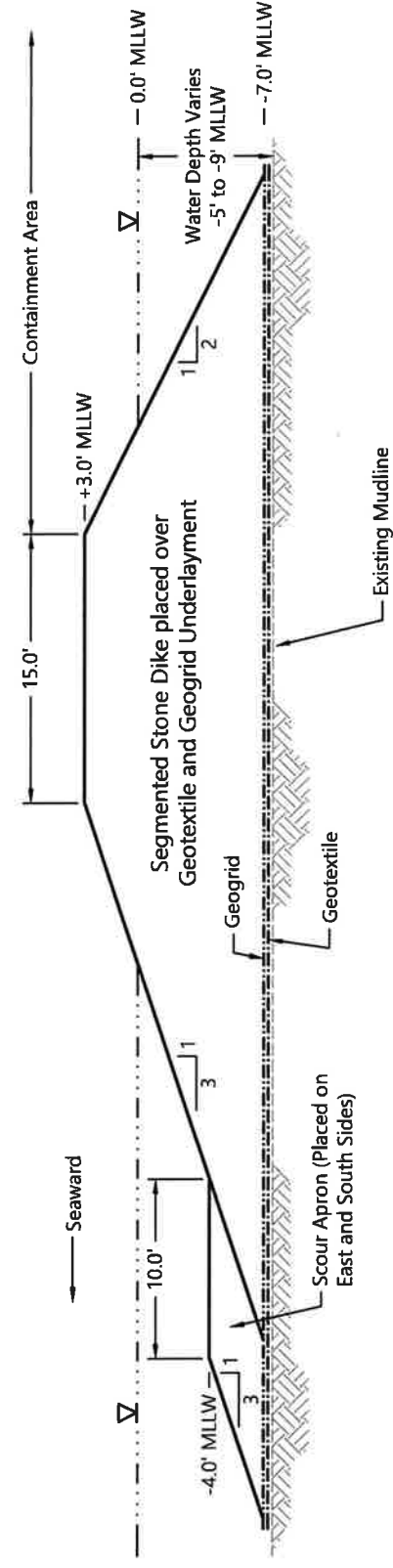
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Publish Date: 2019/06/17 4:11 PM | User: dholmer
Filepath: k:\Projects\1232-mississippi department of environmental quality\greenwood beneficial use expansion\1232-PERMIT-010 (Greenwood Island).dwg Figure 3



Figure 3
Adjacent Property Owners
Greenwood Island Beneficial Use Expansion
Permit
Mississippi Department of Environmental Quality



Publish Date: 2015/06/17 4:11 PM | User: dholmer
Filepath: k:\Projects\1232-mississippi department of environmental quality\greenwood beneficial use expansion\1232-PERMIT-009 (Greenwood Island).dwg Figure 4



Figure 4
Proposed Containment Dike Cross Section

Greenwood Island Beneficial Use Expansion
Permit
Mississippi Department of Environmental Quality



MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Agent Authorization

I authorize the person(s) and/or company listed below to act as my agent regarding the proposed project as described in the Joint Application and Notification at the location listed below:

____ Renee Robertson _____
(name of agent)

____ Greenwood Island, Pascagoula, MS ____
(location of project)

____ 614 Magnolia Ave _____
(address)

____ Ocean Springs, MS 39564 _____
(city, state, zip code)

____ 251-375-5275 _____
(agent phone number)

____ Jared Harris _____
(print applicant name)

____ Jared Harris _____
(applicant signature)

____ 6/25/2019 _____
(date)

Do you want the permit mailed to the agent? ____ Yes ____ No

**Joint Permit Application for
Greenwood Island Beneficial Use Expansion
Jackson County, Mississippi
Attachment C
Environmental Assessment - June 26, 2019**

This document provides a project description and background, purpose, description of alternatives, description of the affected environment, and a discussion of expected project impacts.

Project Description and Background

The Mississippi Department of Marine Resources (MDMR) requested that the U.S. Army Corps of Engineers (USACE), Mobile District, pursue construction of the existing Beneficial Use (BU) site at Greenwood Island in 2004 and the BU site was constructed in 2009 (USACE 2007). The existing BU site is reaching capacity, and an expansion of the existing site has been proposed in order to accommodate dredged material from future projects in the vicinity of Greenwood Island. The proposed expansion encompasses 270 acres of open water of the Mississippi Sound to the south of Greenwood Island directly adjacent to the existing BU site (Attachment A, Figures 1 and 2).

The proposed project includes construction of a 11,000 linear foot rock containment dike (Attachment A, Figure 4) with crest elevation of +3.0 feet mean lower low water (MLLW) to contain the dredged material. Gaps will be included in the containment dike to allow for tidal exchange, fish passage, and access behind the proposed containment dike. The width and location of the gaps will be determined during final design. Gaps will not be included in the containment dike section that borders the Bayou Casotte Harbor South Turning Basin. The containment dike will also serve as a breakwater to protect the marsh and habitats created during BU placement of the dredged material. Prior to being placed in the site, dredged material will be required to be tested and approved by MDMR and the Mississippi Department of Environmental Quality (MDEQ) for BU.

Project Purpose and Need

The purpose of the BU site expansion is to create approximately 250 acres of highly productive marsh habitat. Restored marshes protect shorelines from wave energy while also performing environmental functions, such as improving water quality, promoting settlement of suspended particulates, and providing habitat to various species of birds, fish, crustaceans, and other invertebrates. The BU expansion is needed because the existing site has reached

E
A

capacity and can no longer accept dredged material. The BU law in Mississippi (MS Code § 49-27-61) requires that all suitable dredged material from projects greater than 2,500 cubic yards be used beneficially. To comply with the law, the Beneficial Use of Dredged Material Program needs to have adequate capacity to accept dredged material from current and future dredging projects.

Comparison of Alternatives

Other alternatives that were considered were a 650-acre Greenwood Island expansion and a BU site south of the Gulf LNG property. The 650-acre Greenwood Island expansion was eliminated due to various public concerns during the 2011 permitting process. The BU site south of the Gulf LNG property was eliminated because part of the area is reserved for Gulf LNG mitigation, concerns from Grand Bay National Estuarine Research Reserve, and concerns that the net littoral process would place material in the Bayou Casotte Harbor South Turning Basin.

The proposed Greenwood Island expansion was chosen as the best option because it alleviates the public concerns brought up during the 650-acre site permitting and is the most feasible location due to its proximity to potential dredging locations.

Description of the Affected Environment

The proposed project site consists of submerged areas in the Mississippi Sound south of the existing BU site at Greenwood Island. Water depths in the area vary from -2 to -9 feet MLLW. Preliminary geotechnical probing in the area indicates that the sediments at the water bottom are primarily soft silts underlain by a marine clay layer. There are no Section 404 wetlands located in the proposed BU site footprint.

Section 408 Environment

The project is located adjacent to a federally maintained channel, the Bayou Casotte Harbor South Turning Basin.

Habitat and Endangered Species Environment

During a submerged aquatic vegetation (SAV) and oyster survey completed in September 2018 (Anchor QEA 2019), it was noted that no SAV or oyster reefs were located within the footprint of the proposed project.

Several species of threatened and endangered species of marine mammals, turtles, fish, and birds occur in the Gulf of Mexico off the coast of Mississippi that may potentially occur within the project area. The most likely listed species to be found in the area include the

Kemp's ridley, hawksbill, leatherback, green, and loggerhead sea turtles, Gulf sturgeon, and West Indian manatee.

Cultural Resource Environment

Attachment E describes the cultural resources located within 1 mile of the project. Those include shipwrecks and 13 obstructions.

Project Impacts

The proposed project would fill shallow water bottoms and create marsh habitat. Expansion of the existing site would continue to enhance restoration of coastal habitat and provide shoreline protection. Once the site is completely full, it would provide an additional 250 acres of critical wetland and marsh habitat for many coastal species.

Section 408 Impacts

Per discussions with the USACE during Section 408 coordination, the containment dike was offset 550 feet from the proposed toe of the future channel widening (Anchor QEA 2019) to avoid impacts to the federal navigation channel.

Coastal Impacts

A hydrodynamic modeling evaluation (Attachment F, Basis of Design Report) was performed to evaluate potential changes in tidal velocities and nearshore circulation in the areas surrounding the containment dike and BU site (Anchor QEA 2019). The detailed analysis is described in Attachment F, and the results show that the proposed containment dike is not expected to have any significant impact on tidal current velocities or nearshore circulation patterns in the areas surrounding the site. The proposed project is not expected to impact the temperature and salinity regimes. MDEQ water quality requirements will be followed during construction.

Habitat and Endangered Species Impacts

There may be temporary impacts to benthic organisms, crabs, shrimp, fish, and other aquatic species in the immediate vicinity of Greenwood Island resulting from the project. Benthic organisms are expected to re-populate the area after construction is complete and other species are able to avoid the construction area. The overall impacts are expected to be minimal and creation of the marsh will provide additional habitat.

Manatees, sea turtles and Gulf sturgeon could be impacted during construction of the project. Potential impacts include noise and injury from construction equipment. Manatees, sea turtles, and Gulf sturgeon will likely avoid the project area during construction due to the

construction activity and noise. Construction conditions for sea turtles and smalltooth sawfish as outlined by the National Marine Fisheries Service, as well as standard manatee conditions for in-water activities as detailed by the U.S. Fish and Wildlife Service will also be followed during construction of the project.

The soft sediments are also likely not suitable foraging habitat for Gulf sturgeon. Due to the location of the project, Gulf sturgeon will likely be able to locate prey and foraging habitat outside of the project area in the surrounding waters of the Gulf of Mexico and Mississippi Sound.

Cultural Resource Impacts

As described in Attachment E, SEARCH identified a cluster of magnetic anomalies in the footprint of the project that could indicate a potential buried submerged cultural resource. Construction will not impact this area and the dredged material will provide additional preservation of the source of these anomalies. Therefore, the project is not likely to impact cultural resources. If any cultural resources are found during construction of the project, construction will immediately cease and the USACE will be notified.

Additional Property Owners

Gulf LNG Corp
PO Box 4372
Houston, Texas 77210

Singing River Yacht Club
PO Box 2207
Pascagoula, MS 39567

Spinnaker Point LLC
1205 Jackson Avenue
Pascagoula, MS 39567

References

Anchor QEA (Anchor QEA, LLC), 2019. *Preliminary Final Basis of Design Report*. Prepared for Mississippi Department of Environmental Quality. May 2019.

USACE (U.S. Army Corps of Engineers), 2007. *Statement of Findings, Proposed construction of a rip rap containment structure site south of Greenwood Island, Jackson County, Mississippi*. U.S. Army Corps of Engineers, Mobile District. July 2007.

Attachment D
Variance Request and Adjustment Request to Coastal Wetlands Use Plan for
Greenwood Island Beneficial Use Site Expansion
June 26, 2018

For the proposed Greenwood Island Beneficial Use (BU) site, a variance is being requested from Chapter 8, Section 2, Part III.O.1 of the Mississippi Coastal Program which states “Permanent filling of coastal wetlands because of potential adverse and cumulative environmental impacts is discouraged.” A variance is also being requested from Mississippi Administration Code Title 22, Part 23, Chapter 8, Section 114.01 which states, “Permanent filling of coastal wetlands below the mean high tide line because of potential adverse and cumulative environmental impacts is not authorized”.

In accordance with Chapter VIII, Section 2, Part I.E.2.c.i of the Mississippi Coastal Program and Mississippi Administration Code Title 22, Part 23, Chapter 8, Section 118.01 for justification of a variance, “the impacts on coastal wetlands will be no worse than if the guidelines were followed” because the filling of shallow water bottoms is being conducted to support ecological restoration which will provide a net positive environmental impact. This project will create approximately 250 acres of productive tidal marsh and associated upland habitats.

Variance

