



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Jackson County Board of
Supervisors

Published: November 3, 2025
Expires: December 3, 2025

**Mobile District
Permit Application No. SAM-2024-00970-APS
Joint Public Notice: U.S. Army Corps of Engineers (USACE),
Mississippi Department of Environmental Quality Office of
Pollution Control (MDEQ), and Mississippi Department of
Marine Resources (MDMR) (DMR24-000554)**

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/or** 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: Brian Fulton
Jackson County Board of Supervisors
2915 Canty Street
Pascagoula, Mississippi 39568

AGENT: Brandon Pasquini
Michael Baker International
2113 Government Street
Suite D-3
Ocean Springs, Mississippi 39564

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with the Pascagoula River. The project/review area is located within the waters of McInnis Bayou which is part of the Pascagoula River in Sections 10, 15, 22 and 77, Township 7 South, Range 6 West; near Latitude 30.40746° North and Longitude 88.56115° West; in Moss Point, Jackson County, Mississippi.

EXISTING CONDITIONS:
McInnis Bayou, part of the Pascagoula River, is a tidal waterbody with silty and sandy-silty waterbottoms. The 10,580 linear feet of channel proposed to be dredged varies in width from 40 to 85 feet. Current depths range from +1.0 to -10.0 feet mean low water (MLLW).

PROJECT PURPOSE:

Basic: Maintenance dredging and dredged material disposal.

Overall: To perform maintenance dredging of four channels in McInnis Bayou to restore and maintain safe navigational depths for adjacent property owners and other recreational boaters.

PROPOSED WORK: The applicant requests authorization to mechanically dredge accumulated sand and silt from 10,580 linear feet of waterbottoms in McInnis Bayou to restore and maintain navigational depths over a 10-year period within four channels. The initial dredge volume would be 16,780 cubic yards. If future site conditions warrant additional maintenance dredging during the requested 10-year permit period, up to 12,585 additional cubic yards of material would be removed. Up to 3,146.25 of the 12,585 cubic yards of additional material would be removed approximately every two years. The overall dredge volume would be up to 29,365 cubic yards of material over a 10-year period. All future dredging activities would remain within the existing permitted boundaries, and best management practices (BMPs) and regulatory guidance followed during the initial dredging will continue to be implemented. The target channel depth is -5 feet mean lower low water (MLLW) for all channels dredged. The work would be accomplished using a crane and barge. Dredged material would be placed in a Mississippi Department of Marine Resources' Beneficial Use (BU) Site for disposal. Sediment testing would be required prior to disposal in the BU site. In accordance with Regulatory Guidance Letter 23-01, the Corps would require the applicant to adhere to the Dredging Quality Management (DQM) Program and to use the DQM system for compliance monitoring. Additional information on the DQM Program can be found at <https://dqm.usace.army.mil/>.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The proposed project has been designed to completely avoid any impact to wetlands or submerged aquatic vegetation (SAV). Site planning, including multiple site surveys, and construction methods have been carefully evaluated to ensure that no wetlands or SAV, would be affected. Key design modifications include reducing the dredge depth from -10 feet MLLW to -5 feet MLLW and maintaining a minimum buffer of 10 feet from the nearest vegetation. Channel widths have been tailored to site-specific conditions, ranging from 5 to 40 feet, to meet navigational and operational objectives without unnecessary disturbance. Standard Best Management Practices would also be implemented.

COMPENSATORY MITIGATION:

The applicant has provided the following explanation why compensatory mitigation should not be required: The proposed dredge activity has been carefully designed and reviewed to ensure that it would not result in any direct or indirect impacts to

jurisdictional wetlands or SAV. Site assessments confirmed that all construction and operational activities would occur outside the boundaries of regulated wetland areas and SAV habitats. Dredging operations would be confined to the existing channels.

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.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Standard Local Operating Procedures for Endangered Species (SLOPES), National Marine Fisheries Service (NMFS) Southeast Region Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 01: 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	Potential Effect
Alabama Red-Bellied Turtle	<i>Pseudemys alabamensis</i>	Endangered	No Effect
Dusky Gopher Frog	<i>Rana sevosa</i>	Endangered	No Effect
Eastern Black Rail	<i>Laterallus jamaicensis</i>	Threatened	No Effect
Gopher Tortoise	<i>Gopherus polyphemus</i>	Threatened	No Effect
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened	Not Likely to Adversely Affect
Gulf Sturgeon	<i>Acipenser oxyrhynchus desotoi</i>	Threatened	Not Likely to Adversely Affect

Kemp's Ridley Sea Turtle	<i>Lipidochelys kempii</i>	Endangered	Not Likely to Adversely Affect
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Endangered	Not Likely to Adversely Affect
Mississippi Sandhill Crane	<i>Grus canadensis pulla</i>	Endangered	No Effect
Piping Plover	<i>Charadrius melodus</i>	Threatened	No Effect
Red Knot	<i>Calidris canutus</i>	Threatened	No Effect
West Indian Manatee	<i>Trichechus manatus</i>	Threatened	Not Likely to Adversely Affect*
Wood Stork	<i>Mycteria americana</i>	Threatened	No Effect

*USFWS Standard Manatee Conditions for In-Water Activities will be required.

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

This notice serves as request to the U.S. Fish and Wildlife Service and 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.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action may adversely affect EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). Implementation of the proposed project would directly impact approximately 17 acres of estuarine substrate and water column. The effects of the project are determined to be minimal and temporary. These habitat(s) are utilized by the following species and their various life stages:

NOAA Essential Fish Habitat (4 feature(s) returned)	
Species	Life Stage
Coastal Migratory	
Pelagics	
Red Drum	
Shrimp	
Reef Fish	
Source: https://services2.arcgis.com/C8EMgrsFcRFL6LrL/arcgis/rest/services/EFH/FeatureServer/0	

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.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (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 may be required from the Mississippi Department of Environmental 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).

COASTAL ZONE: The applicant received coastal zone (CZ) consistency from the Mississippi Department of Marine Resources in accordance with the State Coastal Zone Management Program under DMR24-000554 on April 9, 2025.

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 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 December 1, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Amiee 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 Smith, 100 Canal Street, Regulatory Division, Mobile, Alabama 36602-1901. 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. Please refer to the permit application number in your comments.

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.



Michael Baker

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Ocean Springs, Mississippi
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Designer:

CGG

Technician:

AGF

Checked by:

JKO

Project Number:

200535

Notes:

[illegible]

Project Name:

MCINNIS BAYOU TRIBUTARIES
DREDGING PROJECT

Drawing Name:

VICINITY MAPS

Project Number:

200535

Date: _____

SEPTMBER 2025

Scale:

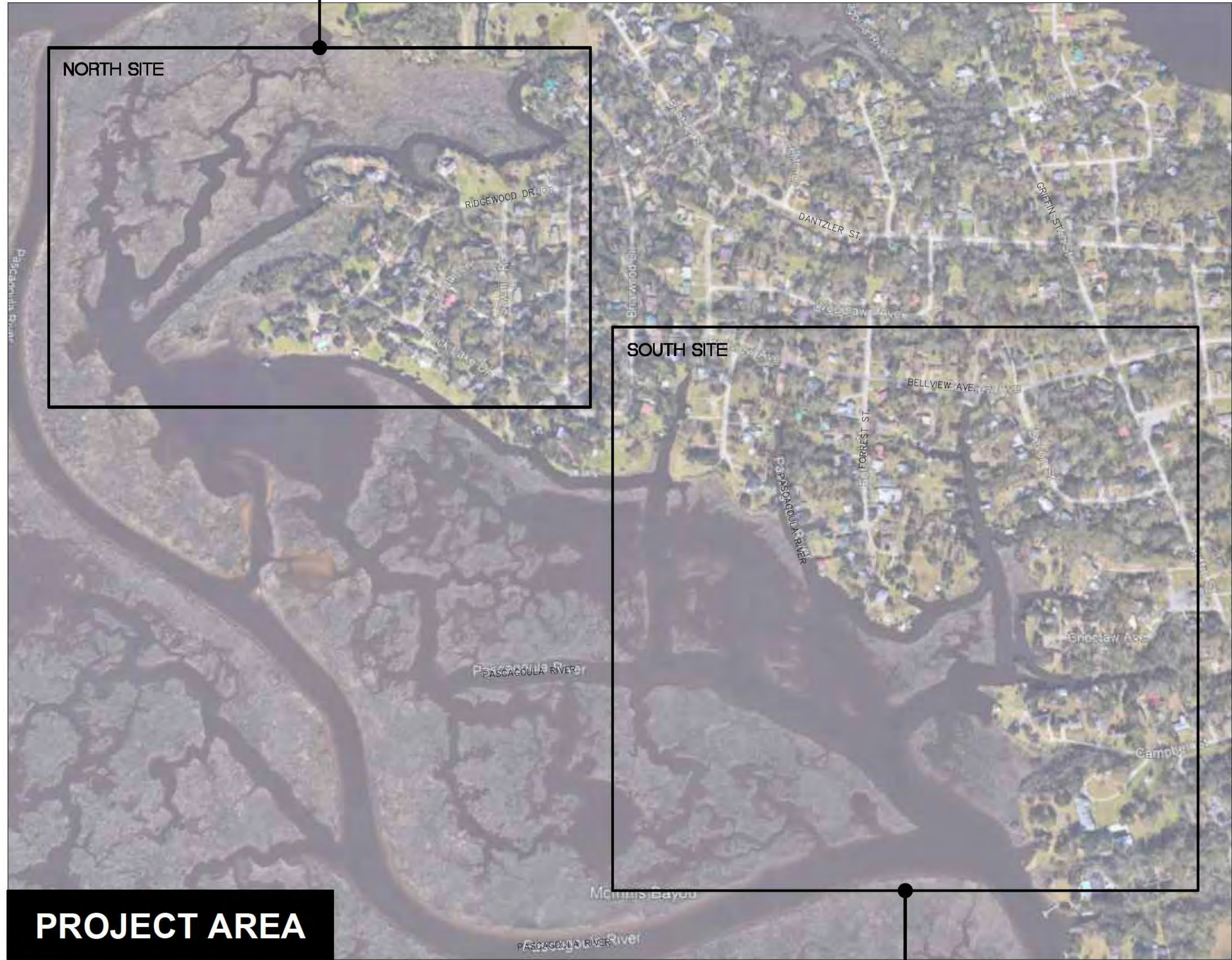
N.T.S.

Sheet Number:

2 of 67

Drawing Number:

IC-1



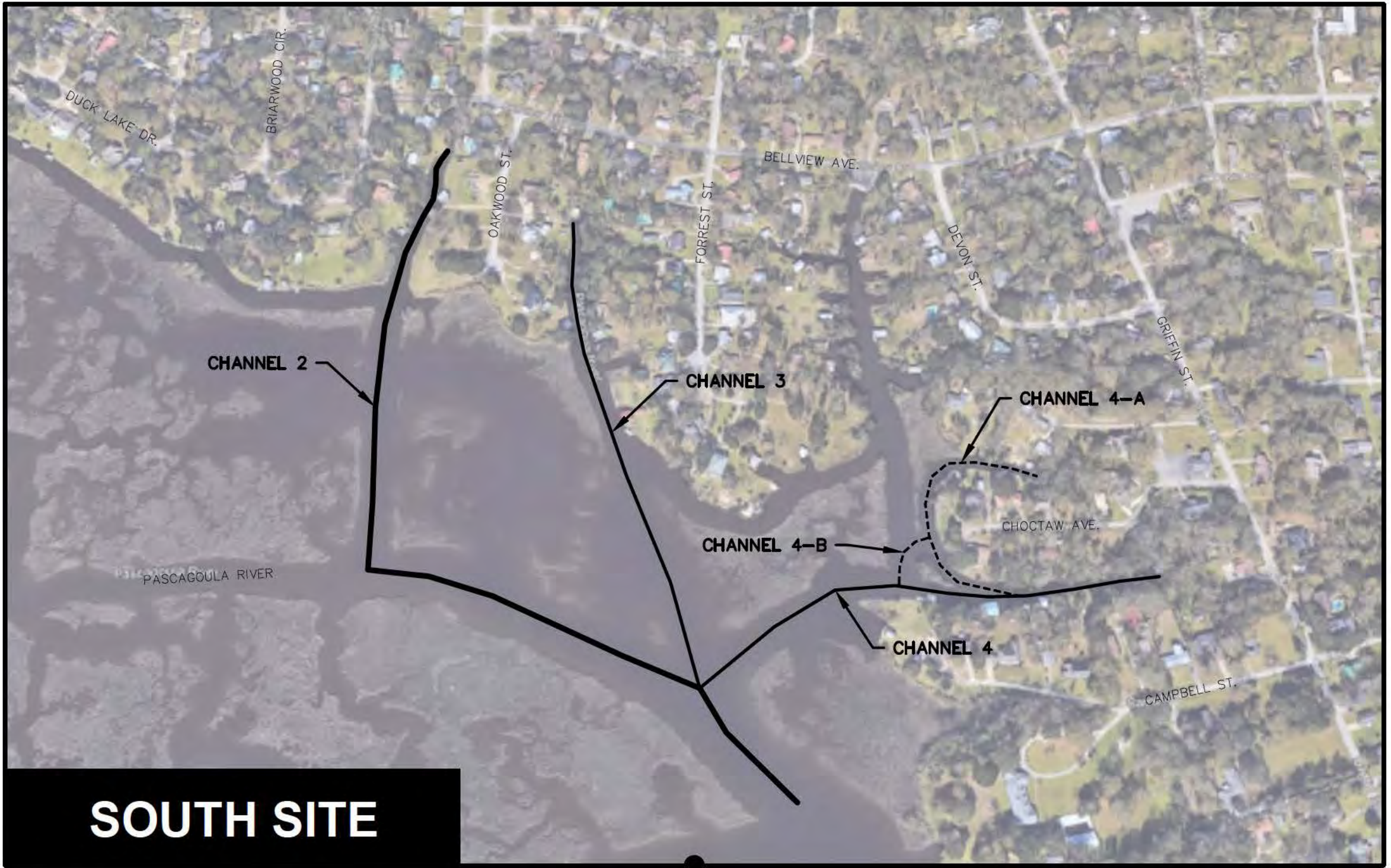
NORTH SITE

SOUTH SITE

PROJECT AREA



NORTH SITE



SOUTH SITE

P:\Jackson County\200535 - McInnis Bayou Tributaries Dredging\2_Design\CAD\PLANS\PP_NT1_SHTS-NEW.dwg Plotted on: Sep 09, 2025 - 2:05pm by Andrew Fountain



Michael Baker

INTERNATIONAL

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Project Number:

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Notes:

REVISIONS

No.	Description	Date	By

Project Name:

**MCINNIS BAYOU TRIBUTARIES
DREDGING PROJECT**

Drawing Name:

**SITE LAYOUT
CHANNEL 1**

Project Number:

200535

Date:

SEPTEMBER 2025

Scale:

1" = 80'

Sheet Number:

6 of 67

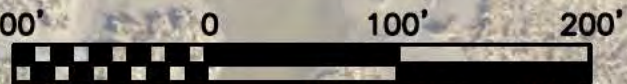
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C1-LY1

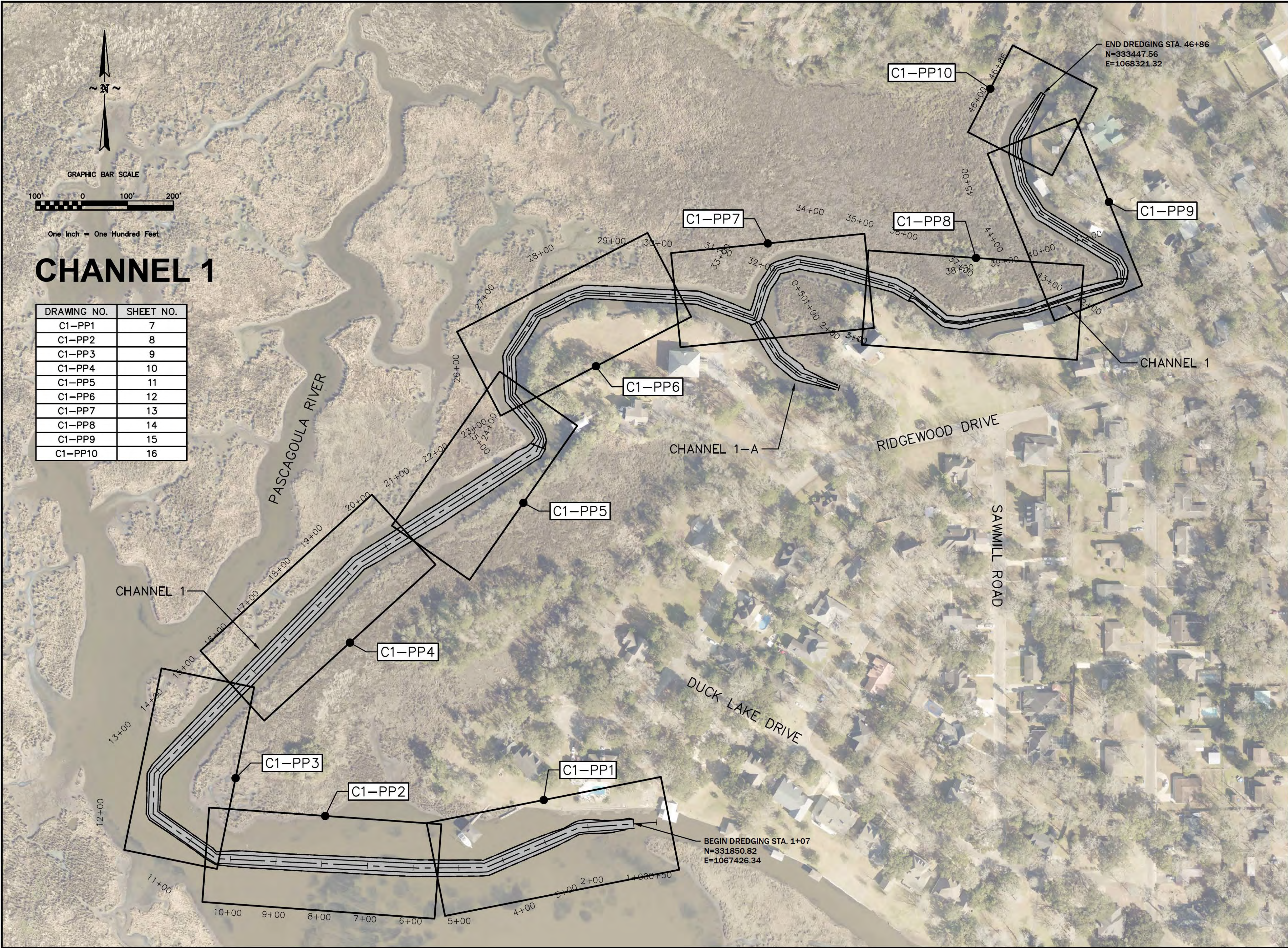
CHANNEL 1

DRAWING NO.	SHEET NO.
C1-PP1	7
C1-PP2	8
C1-PP3	9
C1-PP4	10
C1-PP5	11
C1-PP6	12
C1-PP7	13
C1-PP8	14
C1-PP9	15
C1-PP10	16

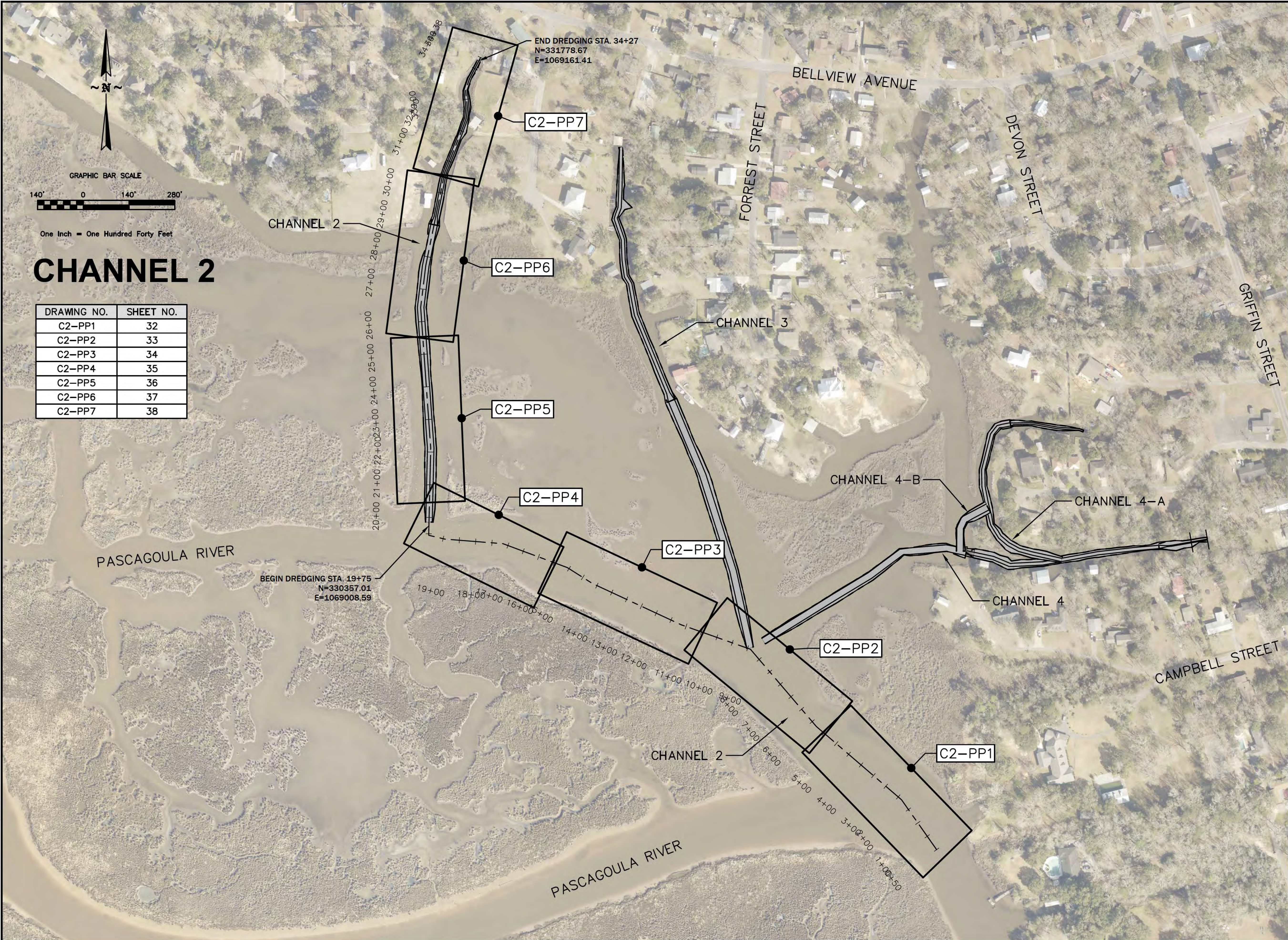
GRAPHIC BAR SCALE



One Inch = One Hundred Feet



P:\Jackson County\200535 - McInnis Bayou Tributaries Dredging\2_Design\CAD\PLANS\PP_ST1_SHTS.dwg Plotted on: Sep 09, 2025 - 2:18pm by Andrew Fountain



CHANNEL 2

DRAWING NO.	SHEET NO.
C2-PP1	32
C2-PP2	33
C2-PP3	34
C2-PP4	35
C2-PP5	36
C2-PP6	37
C2-PP7	38



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No.	Description	Date	By

Project Name:

**MCINNIS BAYOU TRIBUTARIES
DREDGING PROJECT**

Drawing Name:

**SITE LAYOUT
CHANNEL 2**

Project Number:

200535

Date:

SEPTEMBER 2025

Scale:

1" = 140'

Sheet Number:

31 of 67

Drawing Number:

C2-LY1

GENERAL NOTES:

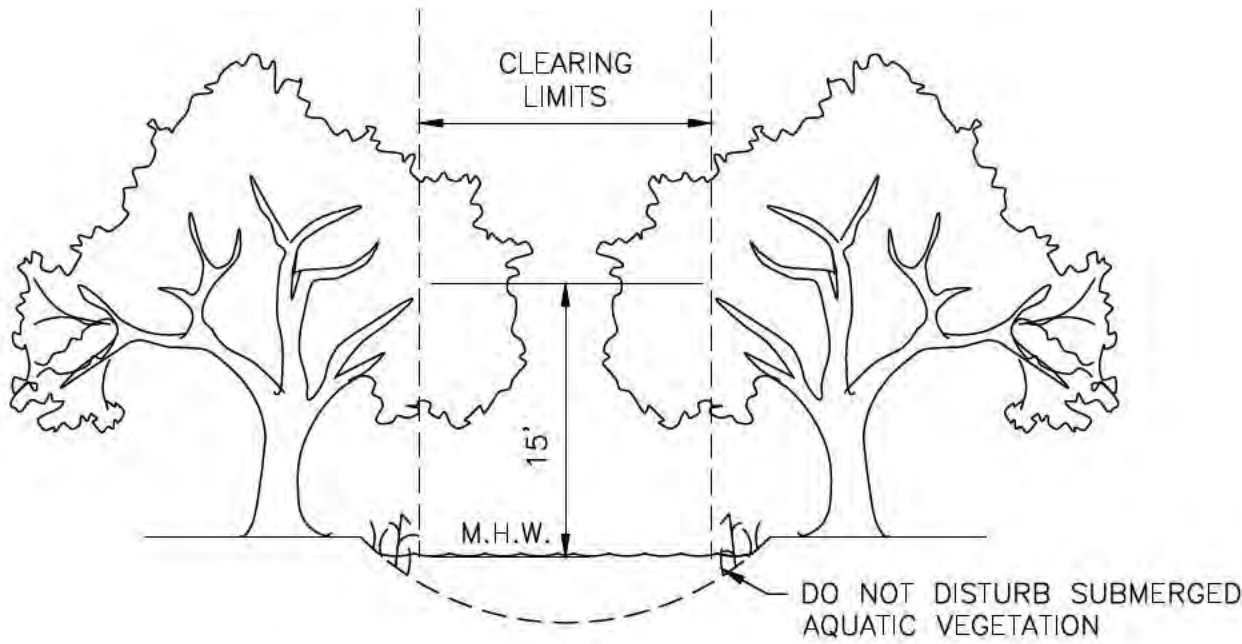
DMR NOTES:

1. MAINTENANCE DREDGING OF EXISTING MAINTAINED WATERWAY SHALL OCCUR IN AN AREA 10,580 FEET IN LENGTH AND WIDTH VARYING FROM 5 FEET TO 40 FEET. THE WATERWAY SHALL BE DREDGED TO A FINAL DEPTH OF 5 FEET BELOW MEAN LOWER LOW WATER AS INDICATED IN THE PLANS. APPROXIMATELY 16,780 CUBIC YARDS OF MATERIAL SHALL BE REMOVED;
2. NO SINKS OR SUMPS SHALL BE CREATED IN THE DREDGING PROCESS. A MINIMUM 3:1 (HORIZONTAL : VERTICAL) SIDE SLOPE SHALL BE MAINTAINED IN DREDGE AREA;
3. TURBIDITY SHALL BE MINIMIZED AT THE DREDGE SITE BY METHODS SUCH AS USING STAKED FILTER CLOTH, STAGED CONSTRUCTION, AND/OR THE USE OF TURBIDITY SCREENS AROUND THE IMMEDIATE PROJECT AREA;
4. NO DREDGING OF WETLANDS OR SUBMERGED AQUATIC VEGETATION (SAV) IS AUTHORIZED;
5. DREDGE MATERIAL SHALL BE UTILIZED FOR A DMR-APPROVED BENEFICIAL USE, IN ACCORDANCE WITH MS CODE § 49-27-61. THE BENEFICIAL USE SITE FOR THIS WORK IS LOCATED AT TBD.
6. PRIOR TO THE COMMENCEMENT OF DREDGING A BENEFICIAL USE SITE OR AN UPLAND DISPOSAL SITE MUST BE APPROVED BY THE DMR STAFF;
7. NO CONSTRUCTION DEBRIS OR UNAUTHORIZED FILL MATERIAL SHALL BE ALLOWED TO ENTER COASTAL WETLANDS OR WATERS;
8. BEST MANAGEMENT PRACTICES SHALL BE USED AT ALL TIMES DURING CONSTRUCTION; AND,
9. VEGETATED WETLANDS SHALL NOT BE IMPACTED.
10. IF MANATEE OR OTHER PROTECTED SPECIES ARE SIGHTED WITHIN THE WORK AREA, CONDITIONS IN APPENDIX D OF USACE PERMIT SHALL BE STRICTLY FOLLOWED. (REFER TO PROJECT MANUAL)
11. ALL CONDITIONS OF THE MDMR NOTICE OF COMPLIANCE AND CERTIFICATE OF WAIVER (DMR24-000554) ARE INCORPORATED AS CONDITIONS OF THIS CONTRACT (COPY OF MDMR CERTIFICATE OF WAIVER ENCLOSED). A COPY OF THE WAIVER SHALL BE POSTED IN A CONSPICUOUS LOCATION AT THE WORK SITE

DMR BENEFICIAL USE SITE NOTES:

1. A MEMORANDUM OF AGREEMENT (MOA) WILL BE ESTABLISHED BETWEEN THE CONTRACTOR AND MDMR PRIOR TO COMMENCING WORK AT THE BENEFICIAL USE (BU) SITE. AT A MINIMUM, THIS MOA WILL FORMALIZE THE TOTAL PLACEMENT FEE FOR MATERIALS BEING BROUGHT TO THE SITE AND/OR WILL ESTABLISH POTENTIAL IN-KIND SERVICES THAT MAY BE PERFORMED AT THE SITE BY THE CONTRACTOR. IN-KIND SERVICES AGREED TO VIA A QUOTE AND APPROVAL PROCESS BY MDMR AND SATISFACTORILY COMPLETED BY THE CONTRACTOR WILL BE DEDUCTED FROM THE TOTAL PLACEMENT FEE DUE AT THE COMPLETION OF THE PROJECT.

NOTE: THE CURRENT PLACEMENT FEE FOR THIS PHASE OF WORK AT TBD IS \$-.- PER CUBIC YARD BASED ON THE DREDGE VOLUME LISTED. SIGNIFICANT REDUCTIONS IN DREDGE VOLUME THAT ARE DOCUMENTED TO THE SATISFACTION OF MDMR WILL BE SUBTRACTED FROM THE FINAL FEE.
2. CONTRACTOR WILL BE REQUIRED TO PERFORM A HYDROGRAPHIC SURVEY OF THE STAGING AND OFFLOADING AREA PRIOR TO AND AFTER OFFLOADING OPERATIONS ARE COMPLETE TO ENSURE EXISTING CHANNEL DEPTHS ARE NOT NEGATIVELY AFFECTED.
3. PLEASE REFER TO THE APPENDIX SECTION OF THE PROJECT MANUAL FOR BU SITE UPDATE AND ADDITIONAL INFORMATION.



TYPICAL SECTION - CLEARING
N.T.S.

CLEARING PAY ITEM INCLUDES, BUT NOT LIMITED TO, TRIMMING LIMBS, VEGETATION, SHRUBS, ETC... IN ORDER TO COMPLETE THE WORK AND PROVIDE A MINIMUM OF 15 FEET VERTICAL CLEARANCE AS MEASURED FROM THE MEAN HIGH WATER ELEVATION AT THE CHANNEL LIMITS.

SPECIAL CONDITIONS:

- a. THE CONTRACTOR SHALL ASSURE COMPLIANCE WITH APPLICABLE STATE WATER QUALITY STANDARDS AND BEST MANAGEMENT PRACTICES TO PREVENT THE DISCHARGE OF SEDIMENTS AND OTHER POLLUTANTS INTO WATERS OF THE UNITED STATES.
- b. ALL CONDITIONS OF THE COASTAL ZONE CONSISTENCY DETERMINATION ISSUED BY DMR (DMR24-000554) ARE INCORPORATED AS CONDITIONS OF THIS CONTRACT (COPY OF PERMIT ENCLOSED).
- c. A MINIMUM DISTANCE OF 10 FEET SHALL BE MAINTAINED BETWEEN THE DREDGE AREA AND ANY WETLANDS. NO DREDGING OF WETLANDS, SUBMERGED AQUATIC VEGETATION (SAV) OR SHELLFISH BEDS IS AUTHORIZED.

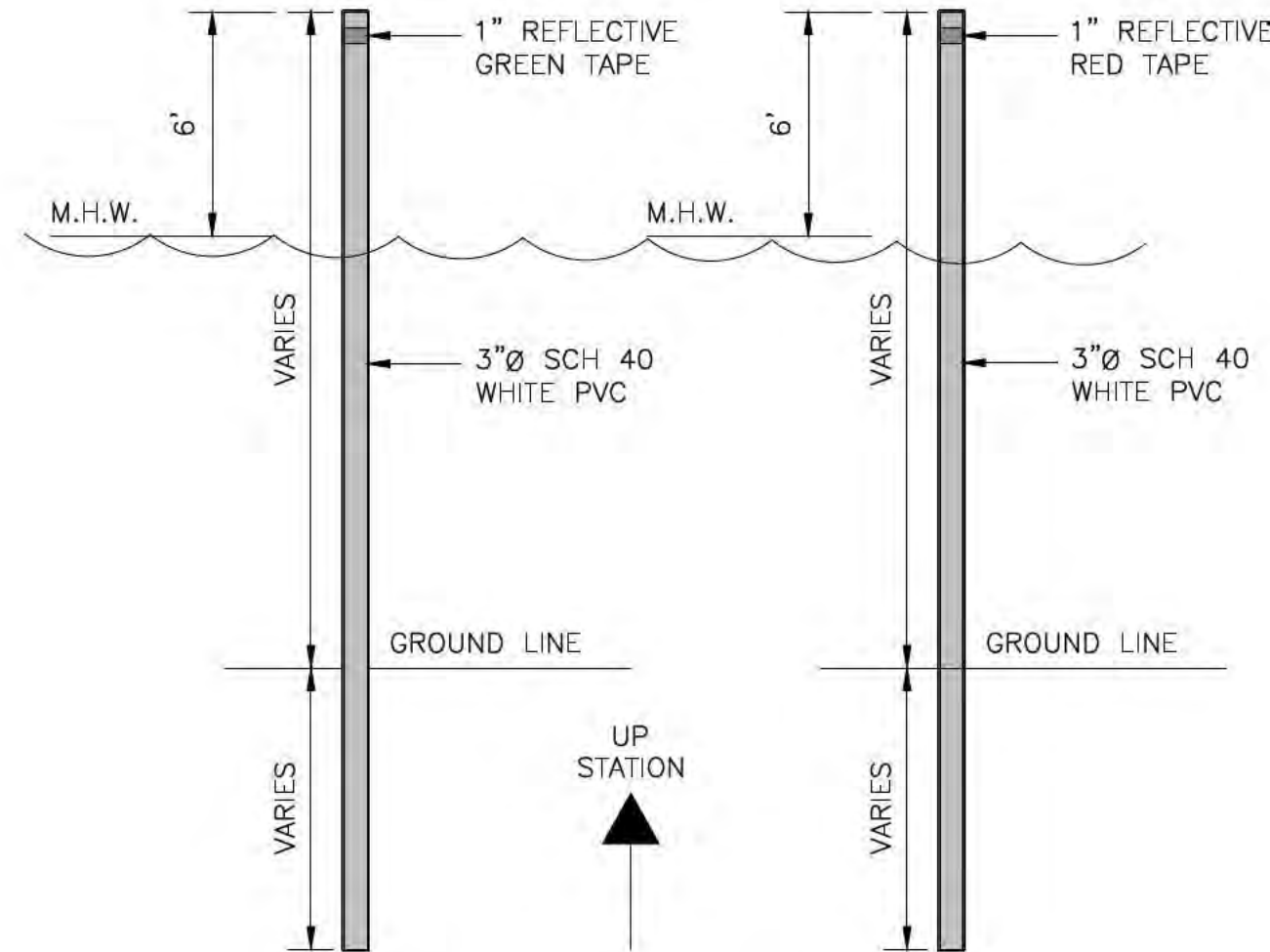
DEPARTMENT OF THE ARMY, MOBILE DISTRICT, CORPS OF ENGINEERS NOTES:

GENERAL CONDITIONS:

1. IF THE CONTRACTOR DISCOVERS ANY PREVIOUSLY UNKNOWN HISTORIC OR ARCHEOLOGICAL REMAINS WHILE ACCOMPLISHING THE ACTIVITY AUTHORIZED BY THIS PERMIT, THE CONTRACTOR MUST IMMEDIATELY NOTIFY THE PROJECT ENGINEER.
2. CONTRACTOR MUST ALLOW REPRESENTATIVES FROM THE CORPS OF ENGINEERS TO INSPECT THE AUTHORIZED ACTIVITY AT ANY TIME DEEMED NECESSARY TO ENSURE THAT IT IS BEING OR HAS BEEN ACCOMPLISHED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF YOUR PERMIT.
3. CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE LOCATION OF THEIR LAY DOWN AND STAGING AREA. CONTRACTOR WILL BE RESPONSIBLE FOR ANY FEES ASSOCIATED WITH THIS WORK.
4. ALL CONDITIONS OF THE USACE - MOBILE DISTRICT PERMIT (SAM-2024-00970-APS) ARE INCORPORATED AS CONDITIONS OF THIS CONTRACT (COPY OF USACE PERMIT ENCLOSED). A COPY OF THE PERMIT SHALL BE POSTED IN A CONSPICUOUS LOCATION AT THE WORK SITE.

TIDAL DATUM

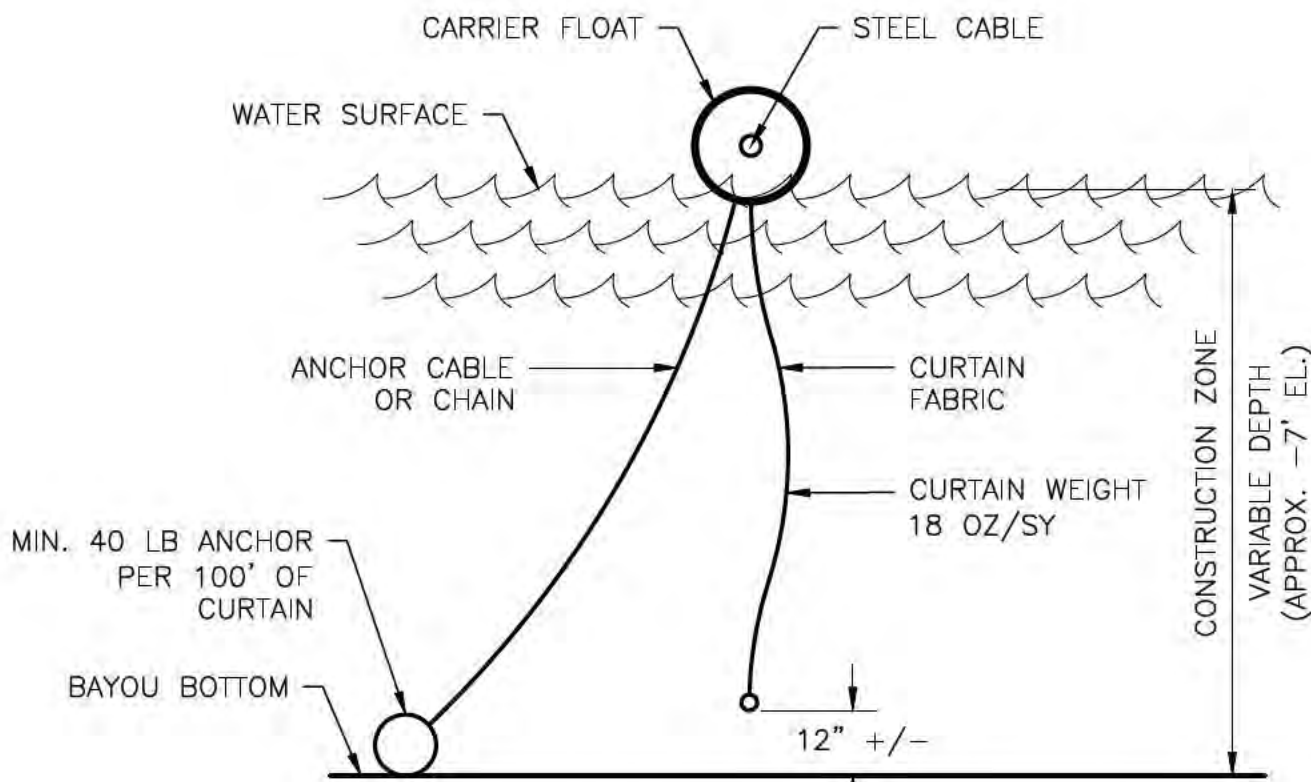
Mean High Water	0.87'
Mean Lower Low Water	-0.60'
* This is based on NAVD 88 Geoid 18	



PROPOSED CHANNEL MARKER
N.T.S.

NOTES:

1. MARKERS SHALL BE SET AT EACH END OF THE PROJECT CHANNEL, ALONG AND AT EACH SIDE OF THE TOP OF SLOPE, EVERY 800 FEET.
2. PVC CHANNEL MARKERS SHALL BE DRIVEN A SUFFICIENT DEPTH INTO THE CHANNEL BOTTOM IN ORDER TO PROVIDE A STABLE FOUNDATION FOR THE MARKER.



TEMPORARY TURBIDITY BARRIER
N.T.S.



Michael Baker

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Project Name:

MCINNIS BAYOU TRIBUTARIES
DREDGING PROJECT

Drawing Name:

GENERAL NOTES
TYPICAL DETAILS

Project Number:

200535

Date:

SEPTEMBER 2025

Sheet Number:

3 of 67

Scale:

N.T.S.

Drawing Number:

GN