

**JOINT APPLICATION AND NOTIFICATION  
U.S. ARMY CORPS OF ENGINEERS  
MISSISSIPPI DEPARTMENT OF MARINE RESOURCES  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY/OFFICE OF POLLUTION CONTROL**

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Applicant: Ocean Springs, City of -  
Carolyn A. Martin  
Mailing Address: P.O. Box 1800 1018  
Porter Avenue  
Ocean Springs MS, 39564  
Phone Number: (228) 230-1969  
Email Address:  
cmartin@oceansprings.ms.gov

Agent: Neel-Schaffer - Lisa Morrison  
Mailing Address:  
  
,  
Phone Number: (228) 760-0643  
Email Address: lisa.morrison@neel-  
schaffer.com

Date Submitted:  
  
01/23/2024  
  
DMR Permit Number:  
DMR24-000037

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**Historic DMR Permit Numbers:**

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**DMR File Number:**  
24-000034

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**Project Location:**

60132321.200  
0 E BEACH DR  
Ocean Springs, MS 39564  
Jackson County

Latitude: 30.3932  
Longitude: -88.8068

Do you still need to enter a Project Location?  
How will you identify the project location:

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**Project Information:**

Project Name or Title: East Beach Drive Sidewalk

Project Description: The City of Ocean Springs proposes to construct a 10 feet wide concrete sidewalk adjacent to the existing concrete sea wall and guard rail. The sidewalk will extend from Hanshaw road to near the Week Bayou Bridge and will be 6,600 feet long. The width of the sidewalk will be reduced to four feet at station 10 +3.37 (approximatley 103 feet east of the Weeks Bayou bridge) in order to avoid impacts to the nearby wetland vegetation. This is a renewal of a previous Certifcate of Waiver DMR20-000027. It has been extended further to the west from Holcomb Boulevard to near the Weeks Bayou bridge.

Project Purpose and Need: The purpose of the proposed pathway is to provide a safe route for pedestrians to travel while enjoying Davis Bayou (Ocean Spring's "East Beach"). The proposed project will move pedestrian traffic off the existing, narrow roadway with no shoulder and onto a sidewalk constructed solely for pedestrian use. This will improve traffic flow as well as increase the level of safety for those walking, running, biking, rollerblading etc. along the frequently traveled route.

Intended Use: Public/Government

Will the Proposed Project have a Public Benefit?: Yes  
Increased tax base:  
Increased employment:  
National security benefits:  
Improved habitat:  
Other:

Does Project area contain any marsh Vegetation?: No

What measures will be taken to reduce detrimental off-site effects to the Coastal Wetlands during and after the proposed activity?: Best Management Practices

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**Impact Information:**

**Number of Impact Types**                      **01**

**Impact Type:**                                      **Wetland Fill**

Permanent or Temporary?                      Permanent

Specific Purpose of Fill (Wetland Fill)      Fill will be in the form of a concrete sidewalk.

Acreage/Square Footage or Linear Feet (Wetland Fill)      1.5 acres (66,000 sf)

Specify Unit of Measurement (Wetland Fill)      02. Square Footage

Cubic Yards of Fill Material (Wetland Fill)      8600

Fill Material Type (Wetland Fill)              structural fill and imported beach sand

Habitat Type (Wetland Fill)                      14. Other (Provide type below)

Enter Other    Man-made sand beach

Mitigation Type(Wetland Fill)                      03. No Mitigation Proposed (Enter Justification Below)

Enter Justification Below                              There is no habitat being filled for this project.

Is this a component of a larger project?      No

Is any portion of this impact complete?      No

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**Additional information relating to the proposed activity**

Have any other federal, state, or local agencies issued permits or other types of approvals for the proposed project?: No

Have any other federal, state, or local agencies denied approval for the proposed project?: No

Additional information about the proposed project.

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**Project Schedule**

Do you know the Proposed Start Date? Yes  
08/05/2024

Do you know the Proposed Completion Date? Yes  
12/31/2024



Do you know the Estimated Cost of the Project? Yes  
\$1,000,000.00

**Adjacent Property Owners:**

**Application Certified by:** Lisa Morrison

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**Environmental Assessment**  
**City of Ocean Springs**  
**East Beach Pedestrian Pathway**

**1.0 Introduction**

The City of Ocean Springs proposes to construct a pedestrian pathway along the existing East Beach Drive. The pathway will be located waterward of the existing sea wall and will be constructed of concrete.

**2.0 Purpose**

The purpose of the proposed pathway is to provide a safe route for pedestrians to travel while enjoying Davis Bayou (Ocean Spring's "East Beach"). The proposed project will move pedestrian traffic off the existing, narrow roadway with no shoulder and onto a sidewalk constructed solely for pedestrian use. This will improve traffic flow as well as increase the level of safety for those walking, running, biking, rollerblading etc. along the frequently traveled route.

**3.0 Existing Conditions**

The proposed project is located in the City of Ocean Springs, Jackson County, MS, Sections 32 and 33, Township 7 South, Range 8 West. It is located along the existing East Beach Drive between the bridge that crosses over Weeks Bayou and Halstead Road in a residential area of the city. East Beach Drive is frequently traveled by motorists and pedestrians alike. East Beach Drive is a narrow two lane road with no shoulder. No street parking is available.

A seawall with concrete guardrail runs along the south side (waterward side) of East Beach Drive. Directly south of the seawall is a sand beach (East Beach) which provides private residents and the public with recreational access to Davis Bayou. The beach is routinely maintained and raked by Jackson County. Portions of the beach directly adjacent to the water way support vegetation.

**4.0 Proposed Project Description**

The project proposes to construct a pedestrian pathway along a portion of East Beach Drive. The pathway will commence near the west end near Weeks Bayou Bridge and extend to Halstead Road at the east end of East Beach Drive. It will be constructed south of and directly adjacent to the existing seawall. The proposed concrete pathway will be approximately 5,730 feet long. The pathway will be ten feet wide on the seaward side of the pathway. The pathway will be reduced to four feet wide at Station 10 +3.37 in order to avoid impacts to wetland vegetation. The total footprint of the pathway will be approximately 57,300 square feet. Its finished surface will have the same elevation as the finished surface of the road. The guardrail will remain in place to separate vehicular and pedestrian traffic and deter motorists from parking on the pathway. Plan and profile views are shown on the attached drawings.

## **5.0 Alternatives**

Several alternatives have been discussed for this proposed project. All pertain to variations of the project layout. All alternatives considered avoided impacts to wetlands and/or coastal waters.

The original plan was for the pathway to run along Holcomb Boulevard, East Beach Drive and Halstead Road. This alternative would require obtaining right of way from homeowners along Halstead and along Holcomb, which would require a lengthy process. Therefore, the City eliminated the Holcomb and Halstead portions of the pathway. In addition, a pathway along Halstead presented limiting design factors (trees, lift stations, utilities, etc.) which greatly influenced the placement of the pathway.

The East Beach Drive section was originally proposed to run along the north side of the street. Property acquisition difficulties, lack of protection for pedestrians and concerns about motorists parking along the pathway were raised. The decision was made to move the pathway south of the seawall, as proposed. This eliminated the need for difficult property acquisitions, provided protection to pedestrians through use of the existing guardrail and prevented motorists from parking on the pathway.

The only other alternative considered was the “No-Action” alternative. It would not address the current safety concerns for pedestrians who frequently travel these stretches of roadway and was therefore eliminated.

## **6.0 Surrounding Environment**

The project is located adjacent to a residential area and is located within a man-made beach that is renourished with imported sand every few years. Several stretches of East Beach support coastal wetland vegetation. These areas are confined directly adjacent to the waterfront (Davis Bayou). They do not extend landward onto the maintained beach. The proposed project will not impact coastal wetlands or waters. All construction occurring south of the seawall along East Beach Drive will be directly adjacent to and will abut the seawall. As such, construction will occur solely on sand or over the existing concrete seawall (the west approximately 100 feet will only be over the existing concrete seawall). Wetland vegetation abuts the west end of the project at the Weeks Bayou Bridge but will be avoided. No wetland vegetation, hydrology or soil types are present in the project footprint. All vegetation in the project vicinity (directly adjacent to Davis Bayou) will be avoided.

## **7.0 Project Impacts**

Impacts associated with this project are associated with construction of the concrete pathway on sand.

### **7.1 Wetlands**

A wetland survey was conducted at the project location on May 28, 2020 and on January 16, 2024 to assess the additional area to the west of Holcomb Boulevard. Marsh vegetation is present adjacent to the west end of the pathway and approximately 100 feet west of the footprint of the pathway and will not be impacted.

## 7.2 Water Quality

Stormwater best management practices (bmp's) will be used during construction to protect all waters downstream and down gradient of work areas. Erosion and sedimentation will be minimized by limiting the size of the work area and installing sediment control structures.

## 7.3 Cultural Resources

No cultural resources are known to exist within the project footprint. The project area is a manmade beach and has been previously impacted by construction of adjacent roadway and seawall, is regularly maintained by raking, and has been renourished with imported sand several times. Therefore, it is not foreseen that any impacts to such resources will occur.

## 7.4 Threatened and Endangered Species

An IpacS report was obtained on line from the US Fish and Wildlife website. Federally listed threatened or endangered species thought to occur within Jackson County are:

Group	Scientific Name	Common Name	Federal Status
Amphibians	<i>Rana sevosia</i>	Dusky gopher frog	endangered
Birds	<i>Charadrius melodus</i>	Piping plover	endangered
Birds	<i>Calidris canutus</i>	Red Knot	threatened
Birds	<i>Grus canadensis pulla</i>	Mississippi sandhill crane	endangered
Birds	<i>Picoides borealis</i>	Red-cockaded woodpecker	endangered
Ferns and Allies	<i>Isoetes louisianensis</i>	Louisiana quillwort	endangered
Fishes	<i>Acipenser oxyrinchus desotoi</i>	Gulf sturgeon	threatened
Fishes	<i>Percina aurora</i>	Pearl darter	candidate
Mammals	<i>Trichechus manatus</i>	West Indian manatee	endangered
Mammals	<i>Ursus americanus luteolus</i>	Louisiana black bear	threatened
Reptiles	<i>Chelonia mydas</i>	Green sea turtle	threatened
Reptiles	<i>Dermochelys coriacea</i>	Leatherback sea turtle	endangered
Reptiles	<i>Eretmochelys imbricata</i>	Hawksbill sea turtle	endangered
Reptiles	<i>Gopherus polyphemus</i>	Gopher tortoise	threatened
Reptiles	<i>Graptemys flavimaculata</i>	Yellow-blotched map turtle	threatened
Reptiles	<i>Lepidochelys kempii</i>	Kemp's ridley sea turtle	endangered
Reptiles	<i>Pituophis melanoleucus lodingi</i>	Black pine snake	candidate
Reptiles	<i>Pseudemys alabamensis</i>	Alabama red-belly turtle	endangered

The sand beach does not provide habitat for most of the species listed for Jackson County. Species that may be present such as the turtles and birds would be able to avoid the area during construction. No sea turtle nests have previously been documented on Ocean Springs beaches.

## 7.5 Critical Habitat

The project area is identified as a "Wintering Habitat" for the endangered Piping Plover and the proposed threatened Red Knot.

The primary constituent elements of the wintering piping plover and red knot habitat that are found in the MS-10 and MS-11 units, are sand and/or mud flats with no or very

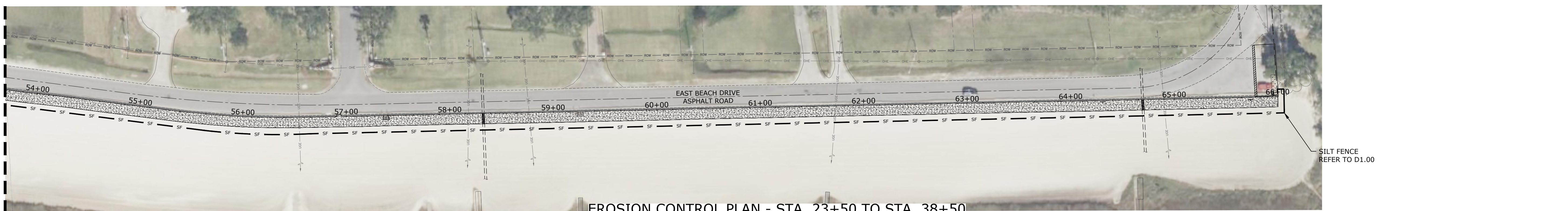
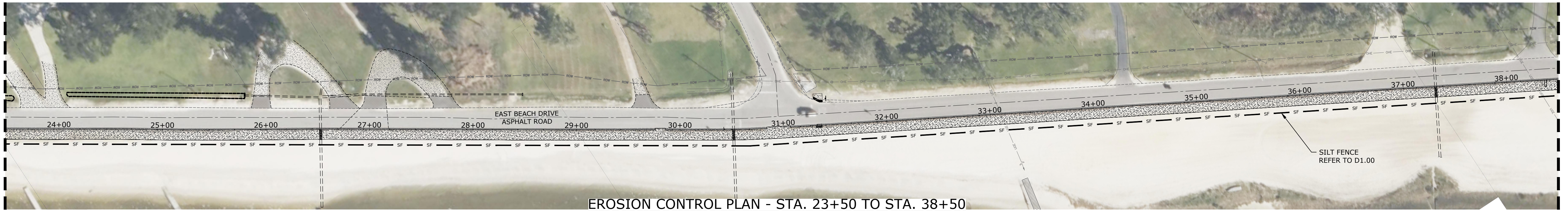
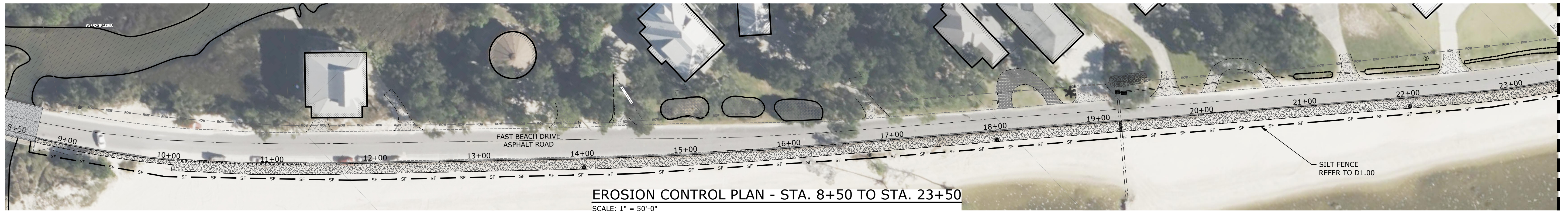
sparse emergent vegetation. The flats may be covered or partially covered by a mat of blue-green algae. Adjacent unvegetated or sparsely vegetated sand, mud, or algal flats above high tide are also essential, especially for roosting piping plovers. Essential components of the beach/dune ecosystem include surf-cast algae for feeding of prey, sparsely vegetated backbeach for roosting and refuge during storms, spits for feeding and roosting, and washover areas for feeding and roosting. The piping plover and the Red Knot use the critical habitat in Mississippi for “wintering,” while breeding occurs in their northern habitats. Piping plover and Red Knot migrate to their wintering grounds in late July and remain through February. The Piping Plover and Red Knot, on the Gulf Coast, like to forage in small groups within 15 feet of the water’s edge or exposed sand and mudflats at low tide. They use sand beaches adjacent to foraging areas for roosting where small sand dunes, debris, and vegetation provide shelter from wind and weather.

It is not anticipated that the proposed pedestrian pathway construction project will have an adverse effect on the species. The project is located approximately 100 feet from the existing low tide line. Since the project is greater than 15 feet from the preferred feeding and roosting areas, these areas will not be impacted. In addition, the birds will be able to avoid the area during construction activities.

## **8.0 Mitigation**

There will be no reduction in use of the beach for local wildlife and no marsh vegetation will be impacted as a result of the proposed activity. Therefore, no mitigation is proposed.





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			SURVEYED BY:		
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			DRWN:	GHC	DATE: 01.17.2024
			CHKD:	WAD	DATE: 01.17.2024
			QA/QC:		DATE:

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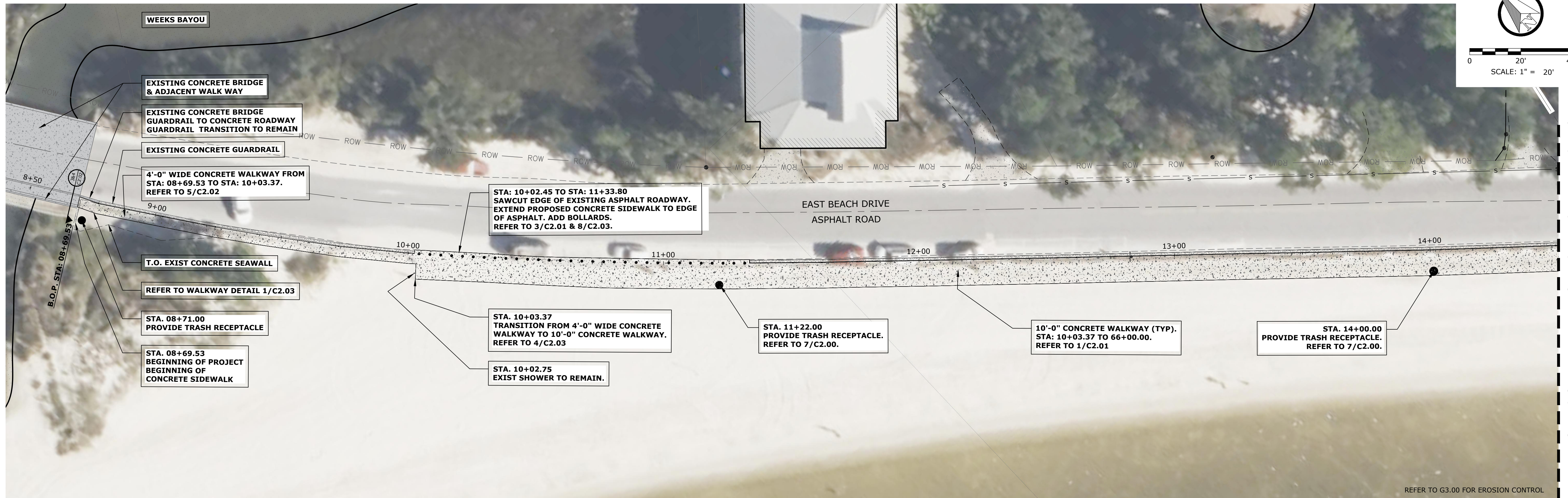
**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
  
CITY OF OCEAN SPRINGS  
OCEAN SPRINGS, MISSISSIPPI

PRELIMINARY  
NOT FOR  
CONSTRUCTION



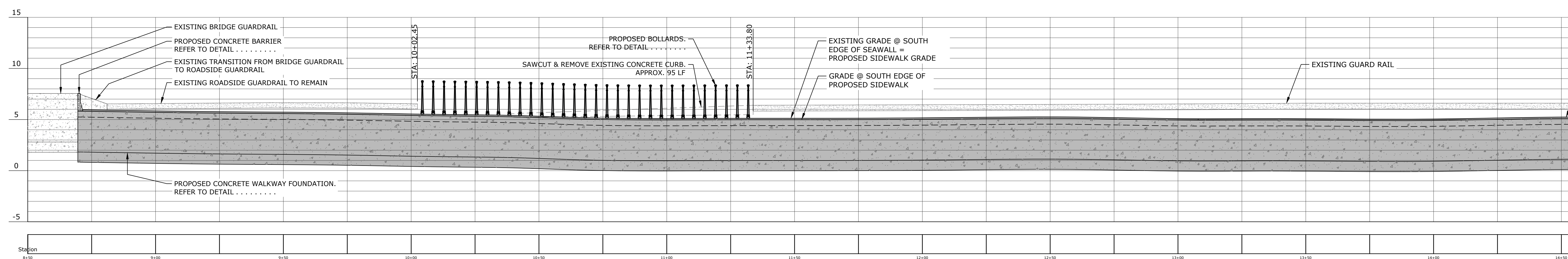
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WORKING NUMBER: <b>G3.00</b>	DRAWING NUMBER: <b>04</b>





FOR CONTINUATION SEE SHEET C1.01

**PLAN - STA. 8+50 TO STA. 14+50**  
SCALE: 1" = 20'-0"



**PROFILE**  
SCALE: H: 1" = 20'-0"  
V: 1" = 5'-0"

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**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
**CITY OF OCEAN SPRINGS**  
**OCEAN SPRINGS, MISSISSIPPI**

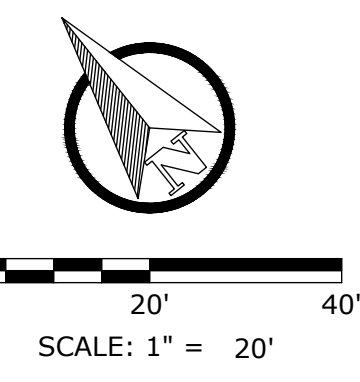
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**EAST BEACH DRIVE**  
**PLAN & PROFILE**  
**STA. 8+50 TO STA. 14+50**

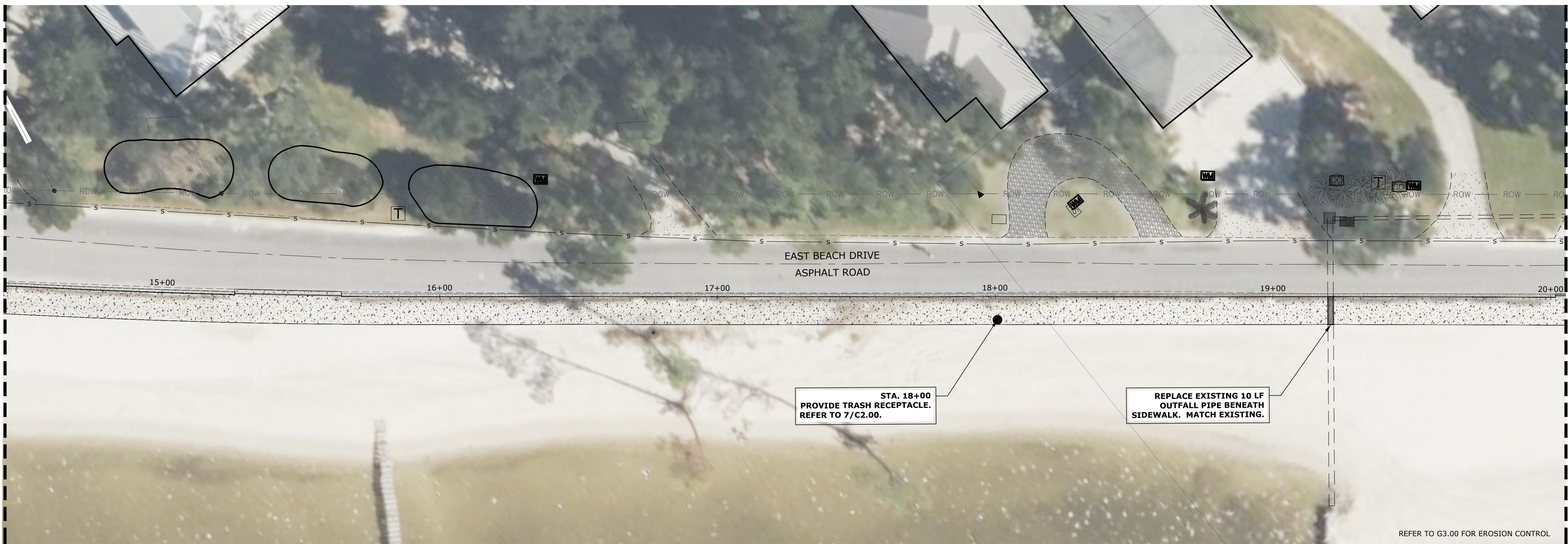
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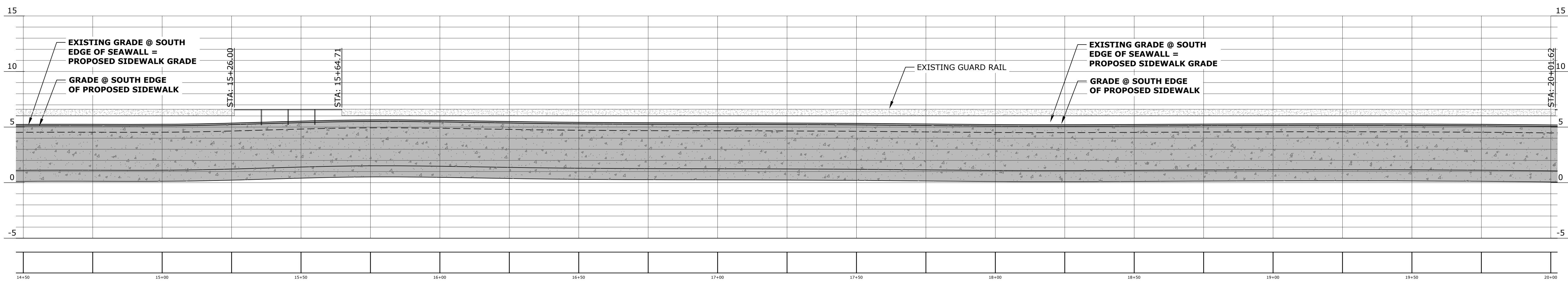


FOR CONTINUATION SEE SHEET C1.00

FOR CONTINUATION SEE SHEET C1.02



**PLAN - STA. 14+50 TO STA. 20+00**  
SCALE: 1" = 20'-0"



**PROFILE**  
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V: 1" = 5'-0"

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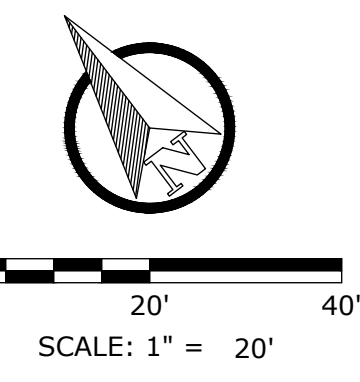
**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
**CITY OF OCEAN SPRINGS**  
**OCEAN SPRINGS, MISSISSIPPI**

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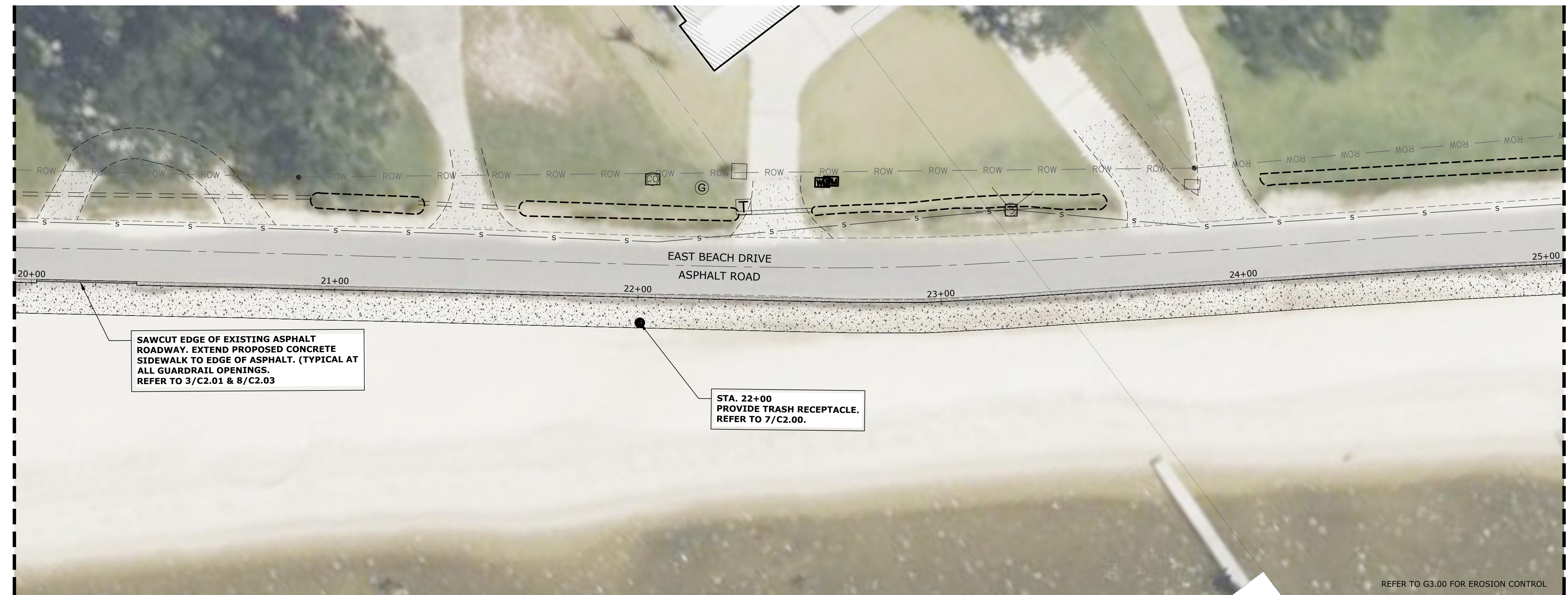


<b>EAST BEACH DRIVE</b>	
<b>PLAN &amp; PROFILE</b>	
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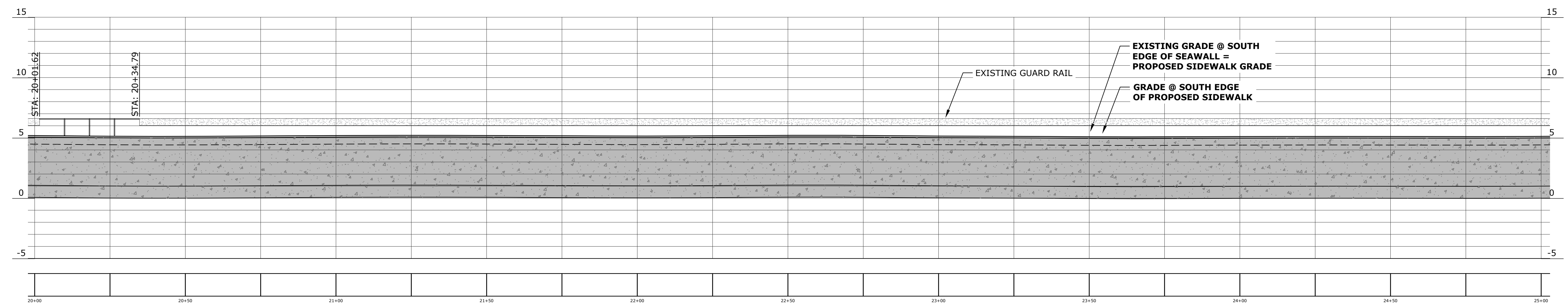


FOR CONTINUATION SEE SHEET C1.01



FOR CONTINUATION SEE SHEET C1.03

**PLAN - STA. 20+00 TO STA. 25+00**  
SCALE: 1" = 20'-0"



**PROFILE**  
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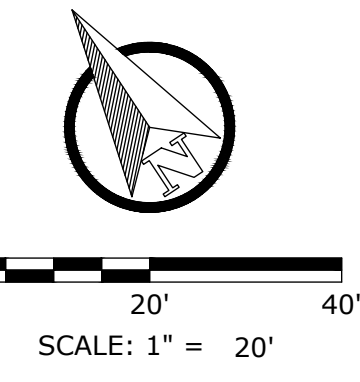
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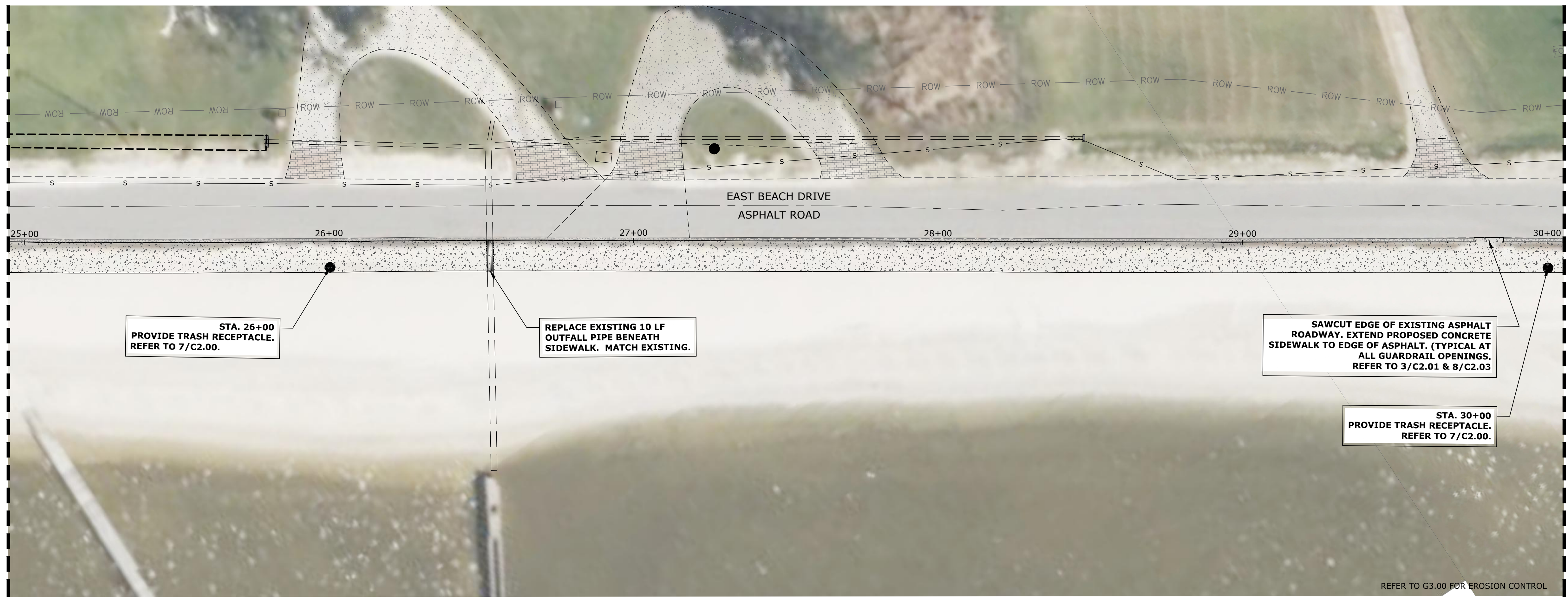
**EAST BEACH DRIVE**  
**PLAN & PROFILE**  
**STA. 20+00 TO STA. 25+00**

WORKING NUMBER:	DRAWING NUMBER:
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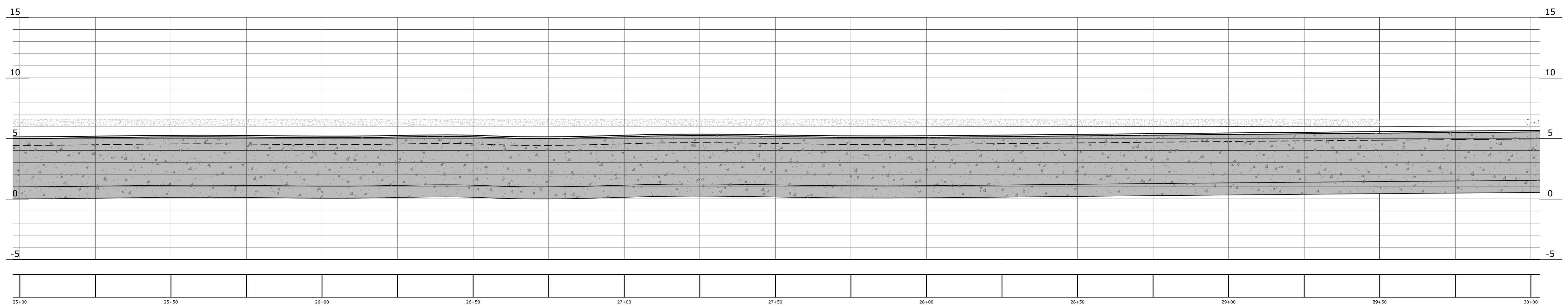


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**PLAN - STA. 25+00 TO STA. 30+00**  
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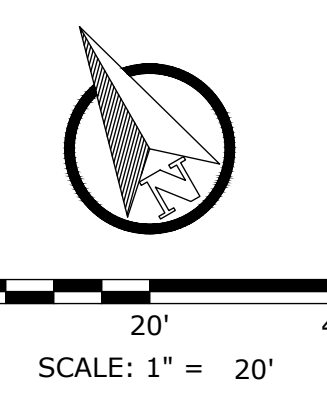
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**EAST BEACH DRIVE  
PLAN & PROFILE  
STA. 25+00 TO STA. 30+00**

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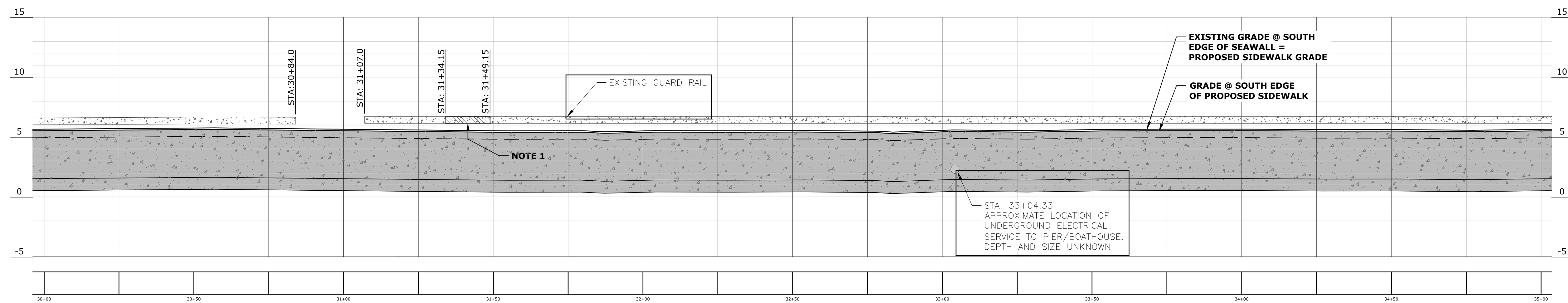


FOR CONTINUATION SEE SHEET C1.03

FOR CONTINUATION SEE SHEET C1.05



**PLAN - STA. 30+00 TO STA. 35+00**  
SCALE: 1" = 20'-0"



NOTE(S):  
1. SAW CUT AND REMOVE 5.0' OF EXISTING CONCRETE GUARDRAIL.

**PROFILE**  
SCALE: H: 1" = 20'-0"  
V: 1" = 5'-0"

**NOTICE TO DRAWING HOLDER**  
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REVISIONS			DRAWING INFORMATION		
NO.	DATE	BY	DESCRIPTION	N-S PROJECT NO.	FILENAME
A	01.17.24	GHC	ISSUED FOR REVIEW	18122.00	18122-SH04-16 CS,00-C1.10.DWG
			SCALE: AS NOTED	SURVEYED BY:	
			DSGN: GHC	DATE: 01.17.2024	
			DRWN: GHC	DATE: 01.17.2024	
			CHKD: WAD	DATE: 01.17.2024	
			QA/QC:	DATE:	

VERIFY SCALES  
BAR IS ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY.

**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
CITY OF OCEAN SPRINGS  
OCEAN SPRINGS, MISSISSIPPI

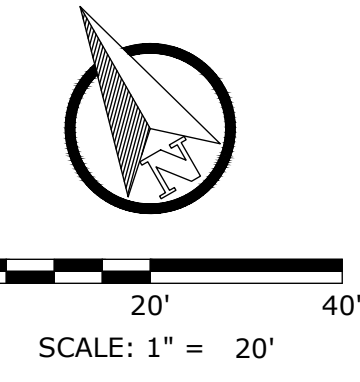
PRELIMINARY  
NOT FOR  
CONSTRUCTION



**EAST BEACH DRIVE  
PLAN & PROFILE  
STA. 30+00 TO STA. 35+00**

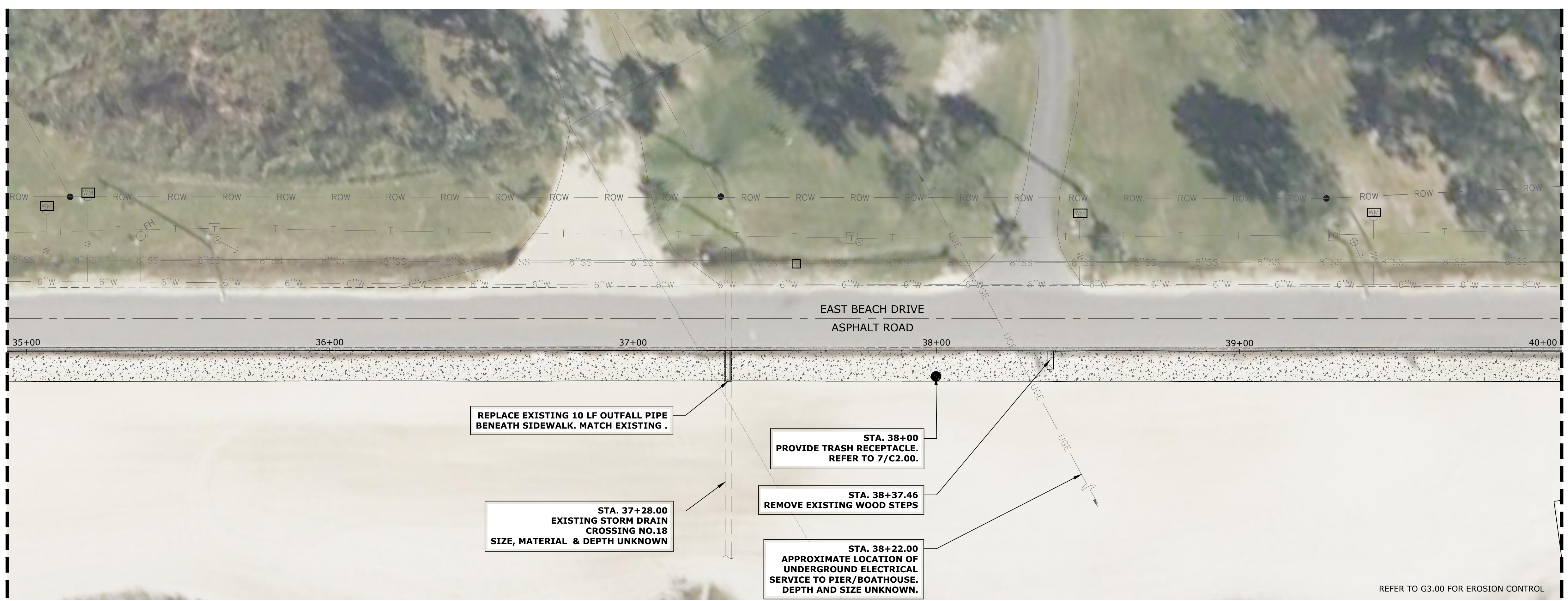
WORKING NUMBER: <b>C1.04</b>	DRAWING NUMBER: <b>09</b>
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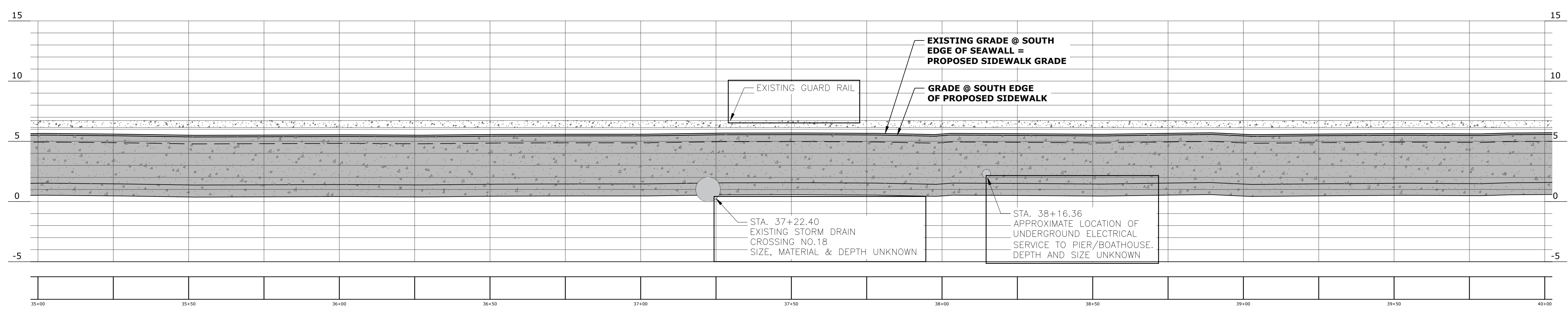


FOR CONTINUATION SEE SHEET C1.04

FOR CONTINUATION SEE SHEET C1.06



**PLAN - STA. 35+00 TO STA. 40+00**  
SCALE: 1" = 20'-0"



**PROFILE**  
SCALE: H: 1" = 20'-0"  
V: 1" = 5'-0"

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NO.	DATE	BY	DESCRIPTION	N-S PROJECT NO.	FILENAME	SCALE	SURVEYED BY
A	01.17.24	GHC	ISSUED FOR REVIEW	18122	18122-SH04-16 G3.00-C1.10.DWG	AS NOTED	

VERIFY SCALES  
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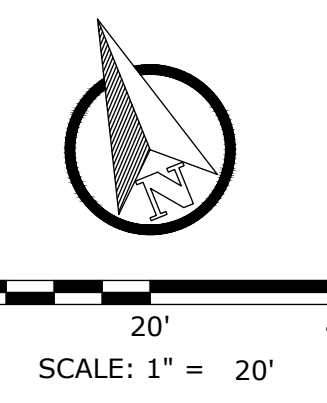
**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
**CITY OF OCEAN SPRINGS**  
**OCEAN SPRINGS, MISSISSIPPI**

PRELIMINARY  
NOT FOR  
CONSTRUCTION



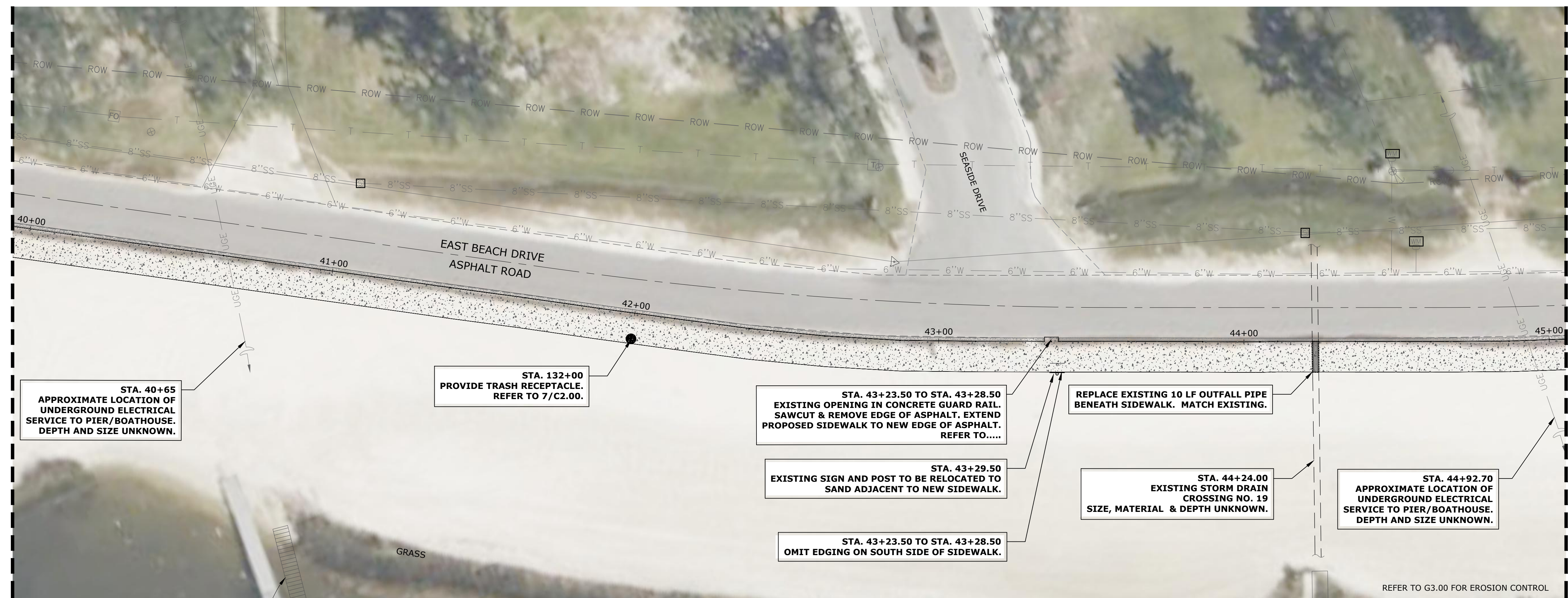
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WORKING NUMBER: <b>C1.05</b>	DRAWING NUMBER: <b>10</b>



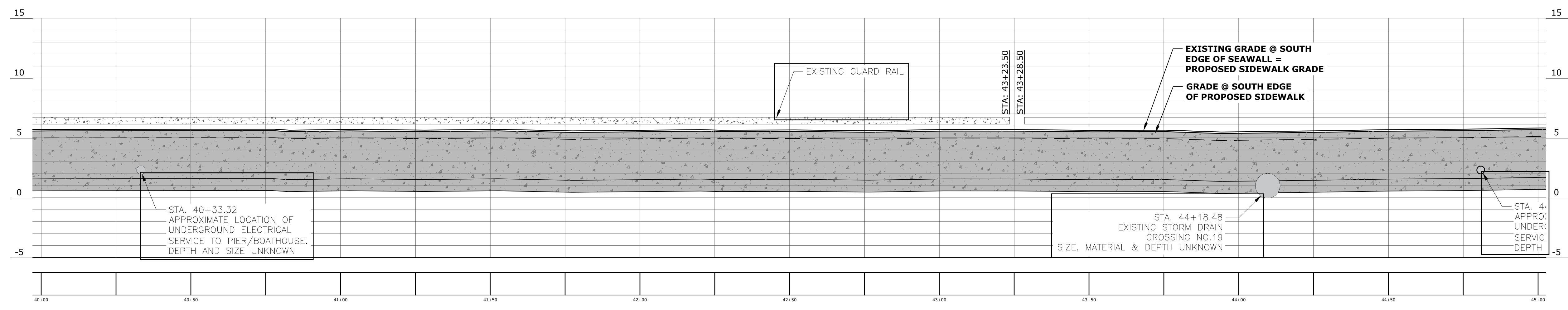


FOR CONTINUATION SEE SHEET C1.05

FOR CONTINUATION SEE SHEET C1.07



**PLAN - STA. 40+00 TO STA. 45+00**  
SCALE: 1" = 20'-0"



**PROFILE**  
SCALE: H: 1" = 20'-0"  
V: 1" = 5'-0"

**NOTICE TO DRAWING HOLDER**  
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A	01.17.24	GHC	ISSUED FOR REVIEW	18122	18122-SH04-16 G3.00-C1.10.DWG	AS NOTED	

VERIFY SCALES  
BAR IS ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY.

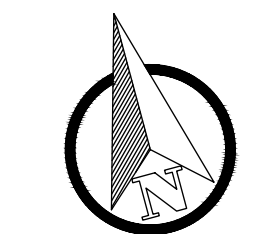
**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
**CITY OF OCEAN SPRINGS**  
**OCEAN SPRINGS, MISSISSIPPI**

PRELIMINARY  
NOT FOR  
CONSTRUCTION

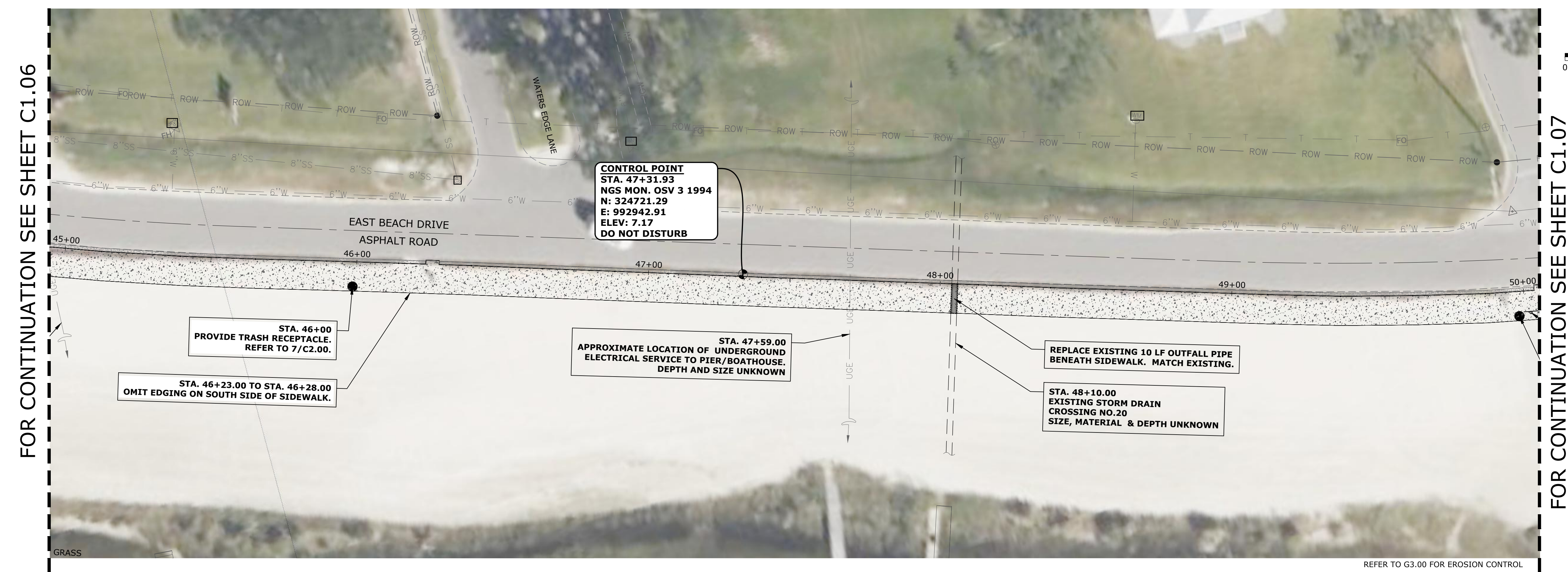


<b>EAST BEACH DRIVE PLAN &amp; PROFILE STA. 40+00 TO STA. 45+00</b>	
WORKING NUMBER: <b>C1.06</b>	DRAWING NUMBER: <b>11</b>





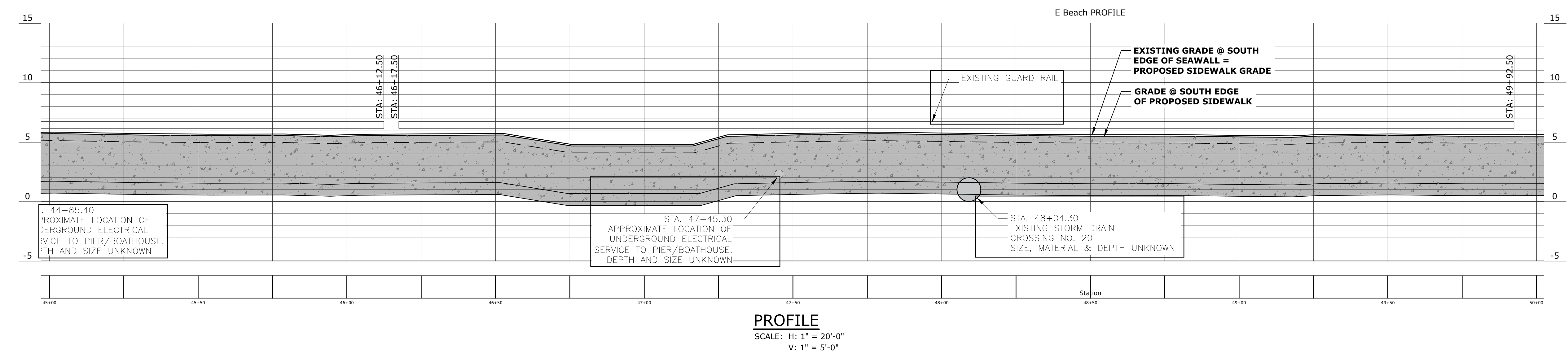
0 20' 40'  
SCALE: 1" = 20'



FOR CONTINUATION SEE SHEET C1.06

FOR CONTINUATION SEE SHEET C1.07

**PLAN - STA. 45+00 TO STA. 50+00**  
SCALE: 1" = 20'-0"



**PROFILE**  
SCALE: H: 1" = 20'-0"  
V: 1" = 5'-0"

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A	01.17.24	GHC	ISSUED FOR REVIEW	18122-SH04-16 G3.00-C1.10.DWG	01.17.2024	01.17.2024	01.17.2024
				SCALE: AS NOTED			
				SURVEYED BY:			
				DSGN: GHC	DATE: 01.17.2024		
				DRWN: GHC	DATE: 01.17.2024		
				CHKD: WAD	DATE: 01.17.2024		
				QA/QC:	DATE:		

VERIFY SCALES.  
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**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
CITY OF OCEAN SPRINGS  
OCEAN SPRINGS, MISSISSIPPI

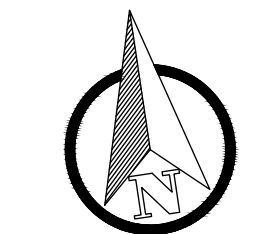
PRELIMINARY  
NOT FOR  
CONSTRUCTION



**EAST BEACH DRIVE  
PLAN & PROFILE  
STA. 45+00 TO STA. 50+00**

WORKING NUMBER: <b>C1.07</b>	DRAWING NUMBER: <b>12</b>
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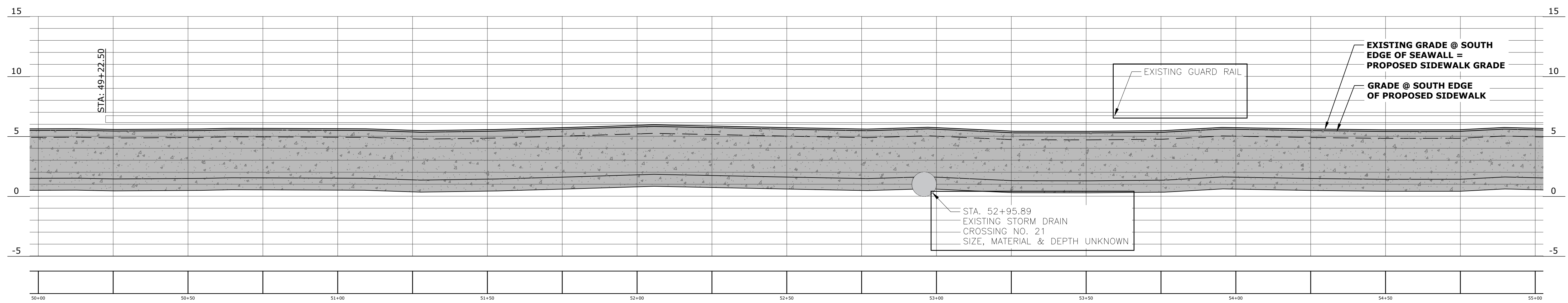
0 20' 40'  
SCALE: 1" = 20'

FOR CONTINUATION SEE SHEET C1.07



FOR CONTINUATION SEE SHEET C1.09

**PLAN - STA. 140+00 TO STA. 145+00**  
SCALE: 1" = 20'-0"



NOTE(S):  
1. REPLACE ALL GUARDRAIL CROSS-OVER(S) WITH GUARDRAIL CUT, PER DETAIL 1, SHEET C3.0

**PROFILE**  
SCALE: H: 1" = 20'-0"  
V: 1" = 5'-0"

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A	01.17.24	GHC	ISSUED FOR REVIEW	18122.00	18122-SH04-16 G3.00-C1.10.DWG	AS NOTED	

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**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
CITY OF OCEAN SPRINGS  
OCEAN SPRINGS, MISSISSIPPI

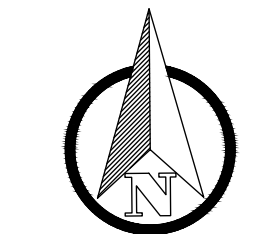
PRELIMINARY  
NOT FOR  
CONSTRUCTION



**EAST BEACH DRIVE  
PLAN & PROFILE  
STA. 50+00 TO STA. 55+00**

WORKING NUMBER: <b>C1.08</b>	DRAWING NUMBER: <b>13</b>
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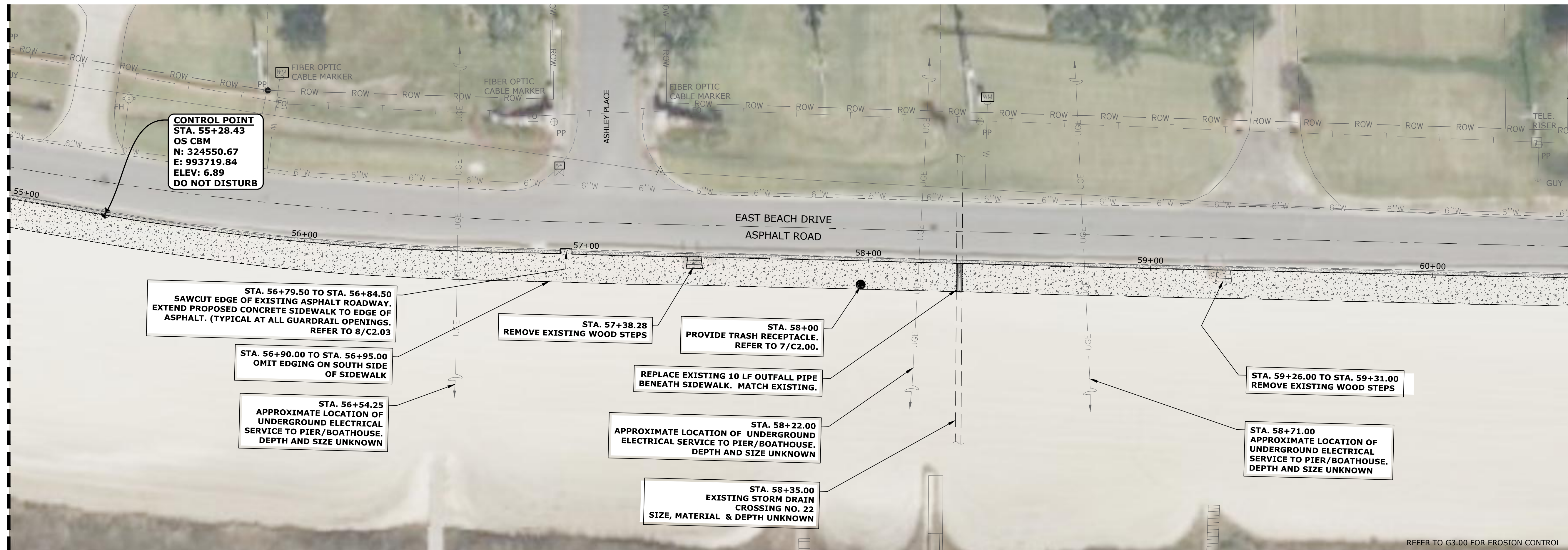




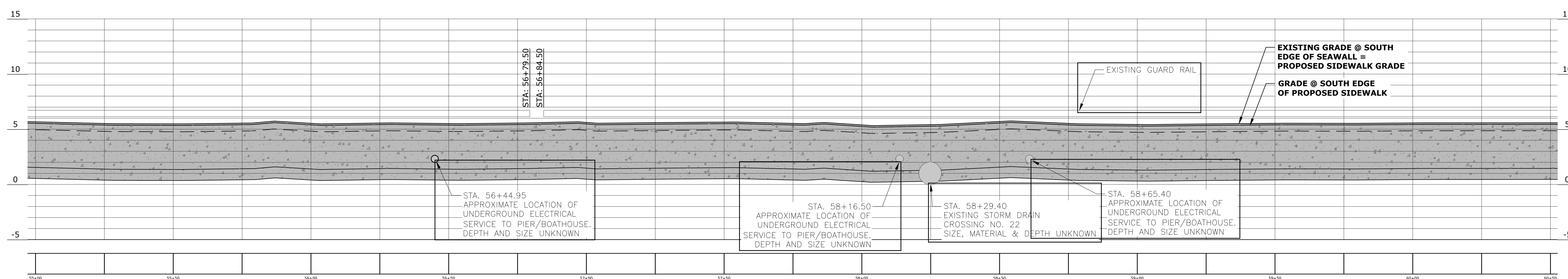
0 20' 40'  
SCALE: 1" = 20'

FOR CONTINUATION SEE SHEET C1.08

FOR CONTINUATION SEE SHEET C1.10



**PLAN - STA. 145+00 TO STA. 150+00**  
SCALE: 1" = 20'-0"



**PROFILE**  
SCALE: H: 1" = 20'-0"  
V: 1" = 5'-0"

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REVISIONS			
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A	01.17.24	GHC	ISSUED FOR REVIEW

DRAWING INFORMATION			
N-S PROJECT NO.:	18122.00		
FILENAME:	18122-SH04-16 G3.00-C1.10.DWG		
SCALE:	AS NOTED		
SURVEYED BY:			
DSGN:	GHC	DATE:	01.17.2024
DRWN:	GHC	DATE:	01.17.2024
CHKD:	WAD	DATE:	01.17.2024
QA/QC:		DATE:	

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**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**  
CITY OF OCEAN SPRINGS  
OCEAN SPRINGS, MISSISSIPPI

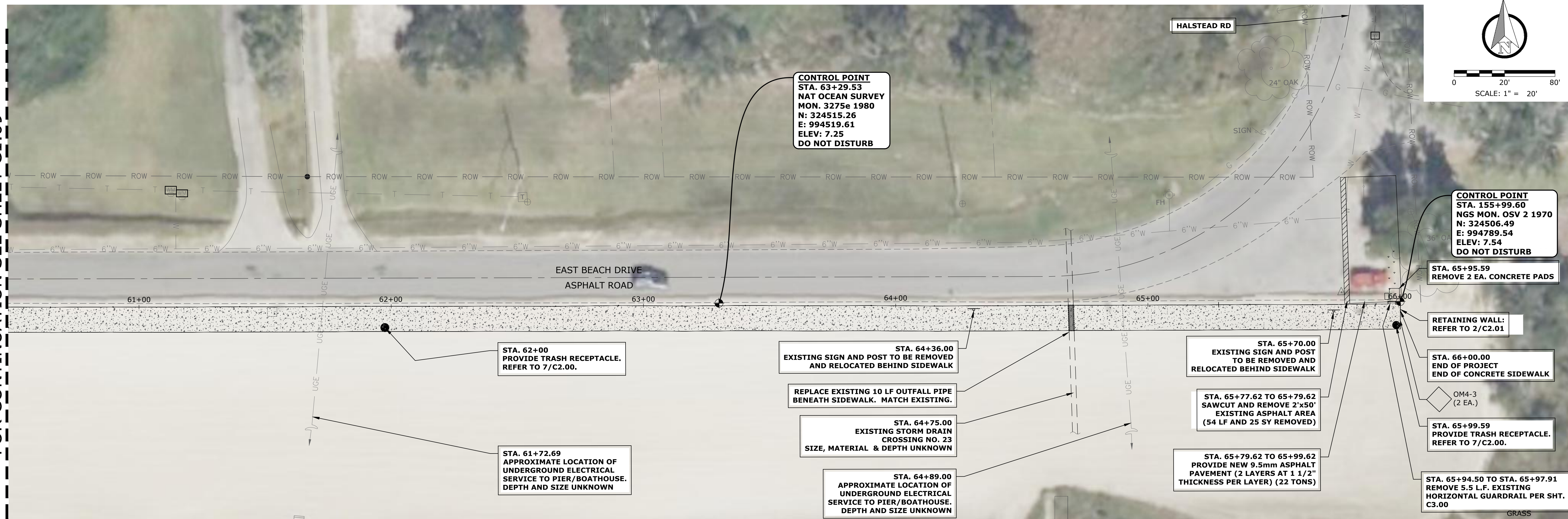
PRELIMINARY  
NOT FOR  
CONSTRUCTION



<b>EAST BEACH DRIVE PLAN &amp; PROFILE STA. 55+00 TO STA. 60+50</b>	
WORKING NUMBER: <b>C1.09</b>	DRAWING NUMBER: <b>14</b>

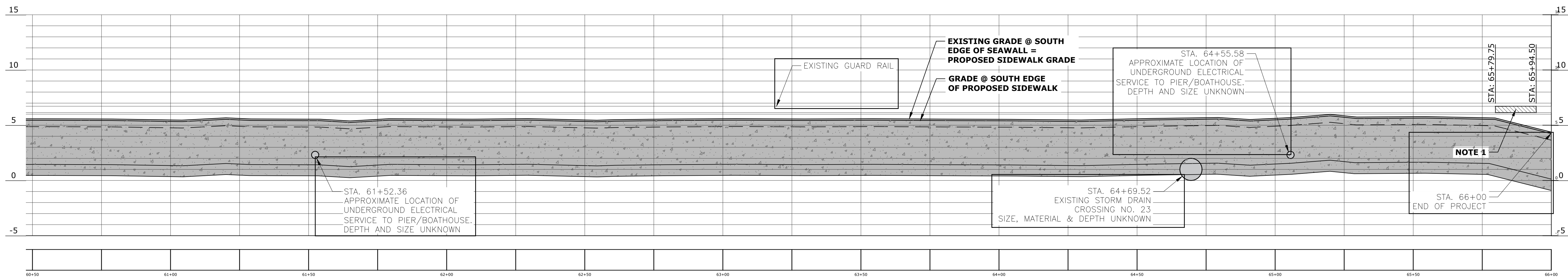


FOR CONTINUATION SEE SHEET C1.09



**PLAN - STA. 150+00 TO STA. 155+00**

SCALE: 1" = 20'-0"



NOTE(S):  
1. SAW CUT AND REMOVE 5.50' OF EXISTING CONCRETE GUARDRAIL (STA. 44+66.91 TO STA. 44+70.32)

**PROFILE**

SCALE: H: 1" = 20'-0"  
V: 1" = 5'-0"

**NOTICE TO DRAWING HOLDER**

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A	01.17.24	GHC	ISSUED FOR REVIEW

DRAWING INFORMATION		
N-S PROJECT NO.:	18122.00	
FILENAME:	18122-SH04-16 C3.00-C1.10.DWG	
SCALE:	AS NOTED	
SURVEYED BY:		
DSGN:	GHC	DATE: 01.17.2024
DRWN:	GHC	DATE: 01.17.2024
CHKD:	WAD	DATE: 01.17.2024
QA/QC:		DATE:

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**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**

CITY OF OCEAN SPRINGS  
OCEAN SPRINGS, MISSISSIPPI

PRELIMINARY  
NOT FOR  
CONSTRUCTION



**EAST BEACH DRIVE  
PLAN & PROFILE  
STA. 60+50 TO STA. 66+00**

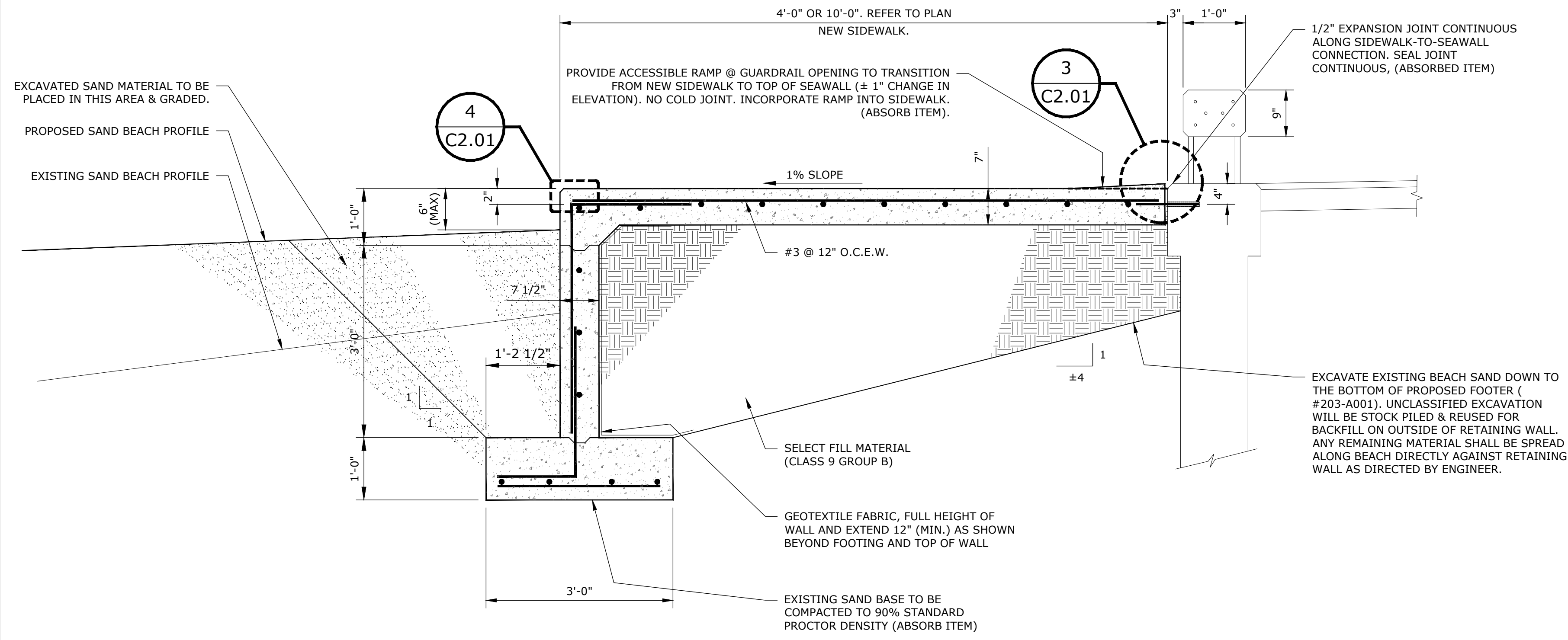
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**C1.10**

DRAWING NUMBER:  
**15**

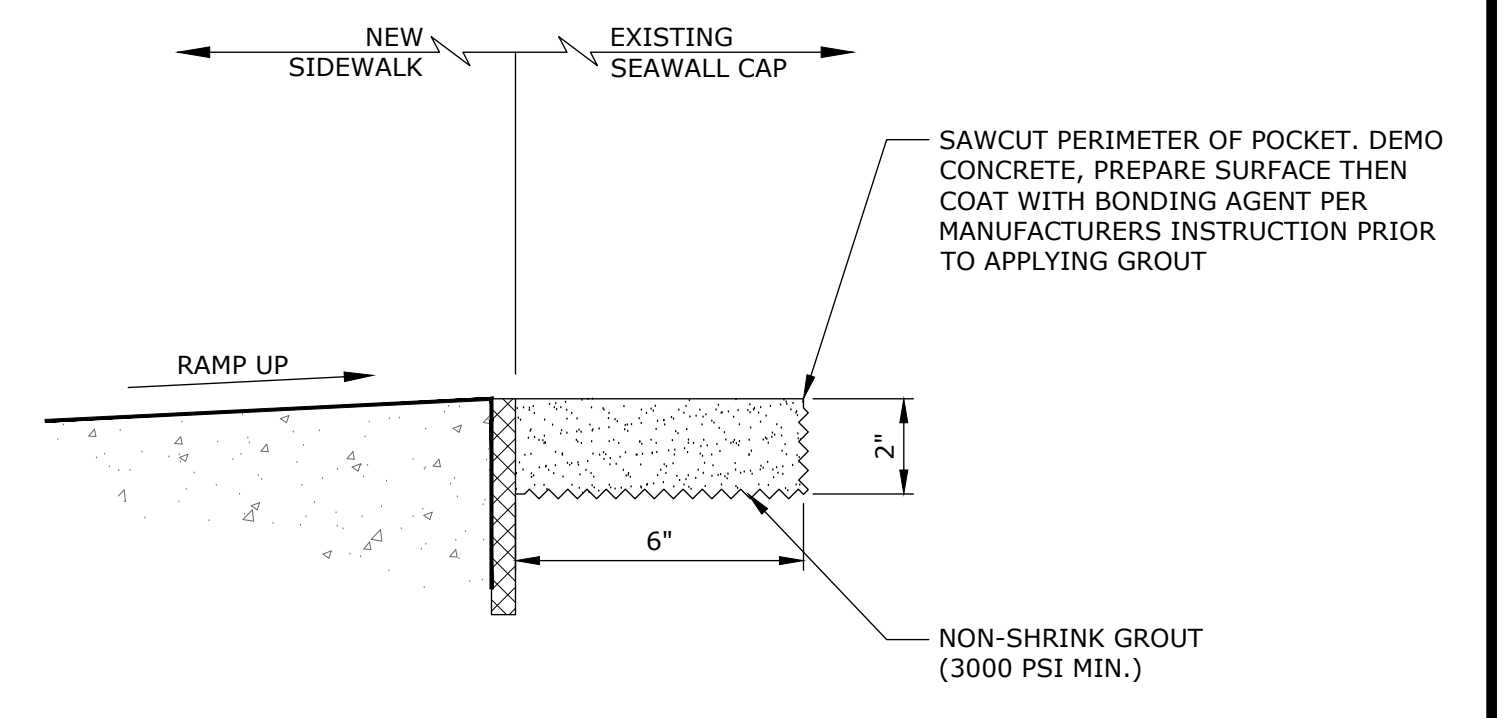


**GENERAL NOTES**

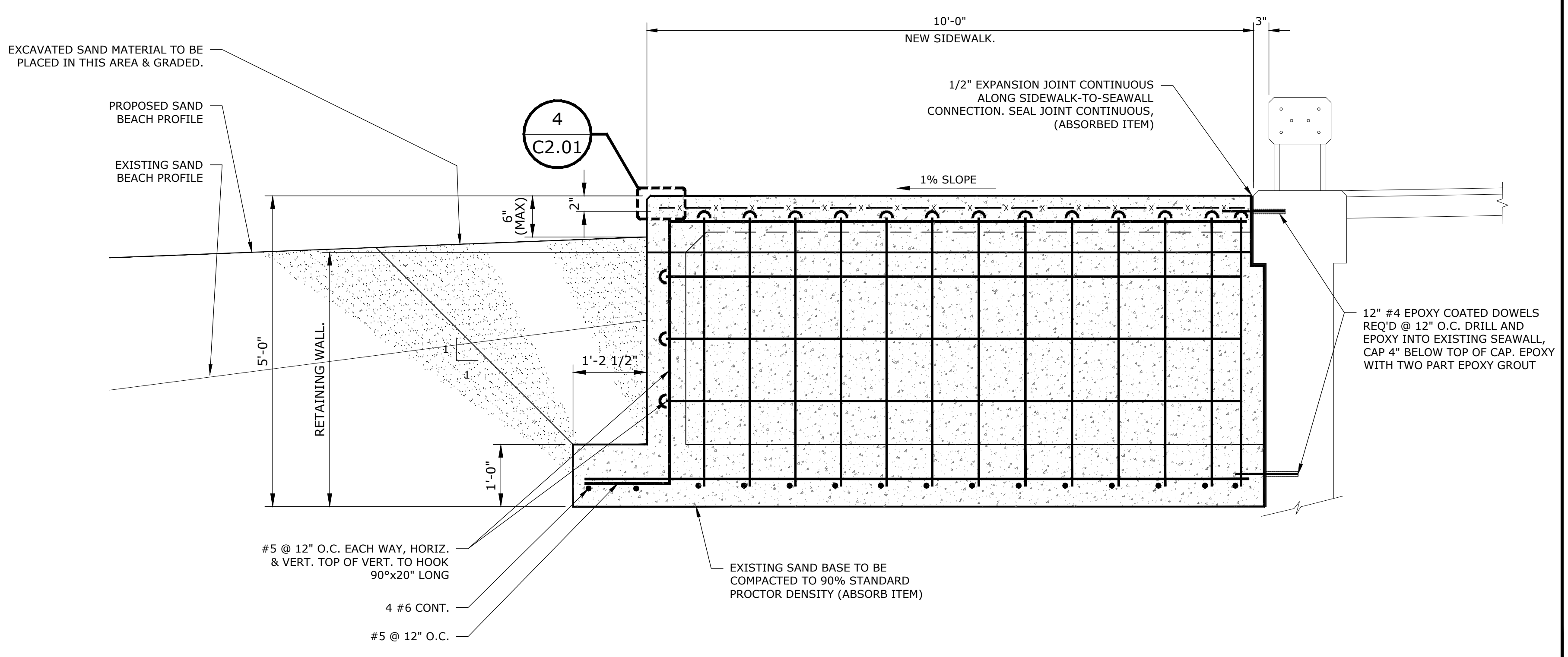
1. ALL CONCRETE FOR RETAINING WALL AND FOOTER SHALL BE CLASS 'B' CONCRETE.
2. EXISTING BEACH SAND TO BE EXCAVATED AND STOCKPILED ON BEACH SIDE OF STRUCTURE FOR REUSE. TAKE CARE TO NOT DAMAGE EXISTING SEAWALL.
3. BACKFILL WITH SELECT FILL PER SPECIFICATIONS AND G3.0 IN 8" MAX LIFTS TO 98% STANDARD PROCTOR DENSITY.
4. BACKFILL WITH BEACH SAND. FILL EXCAVATED AREA FIRST. REMAINING SAND MATERIAL SHALL BE UNIFORMLY GRADED ALONG SIDEWALK STRUCTURE. COST TO BE ABSORBED.
5. REFER TO C2.01 FOR DETAILS FOR SIDEWALK CONSTRUCTION, INCLUDING REINFORCEMENT DETAILS.



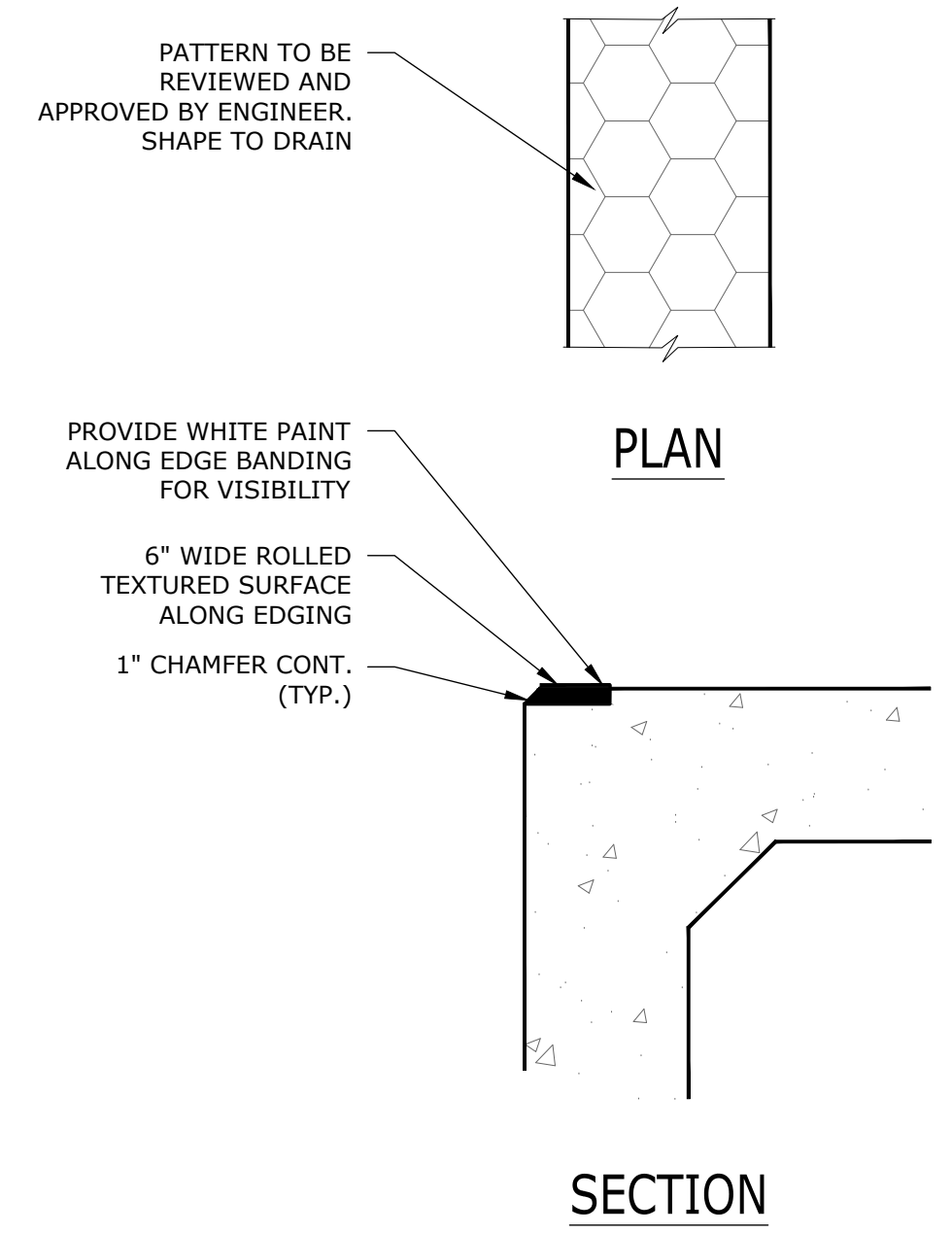
**1** SIDEWALK TO SEAWALL  
C2.01 SCALE: 3/4" = 1'-0"



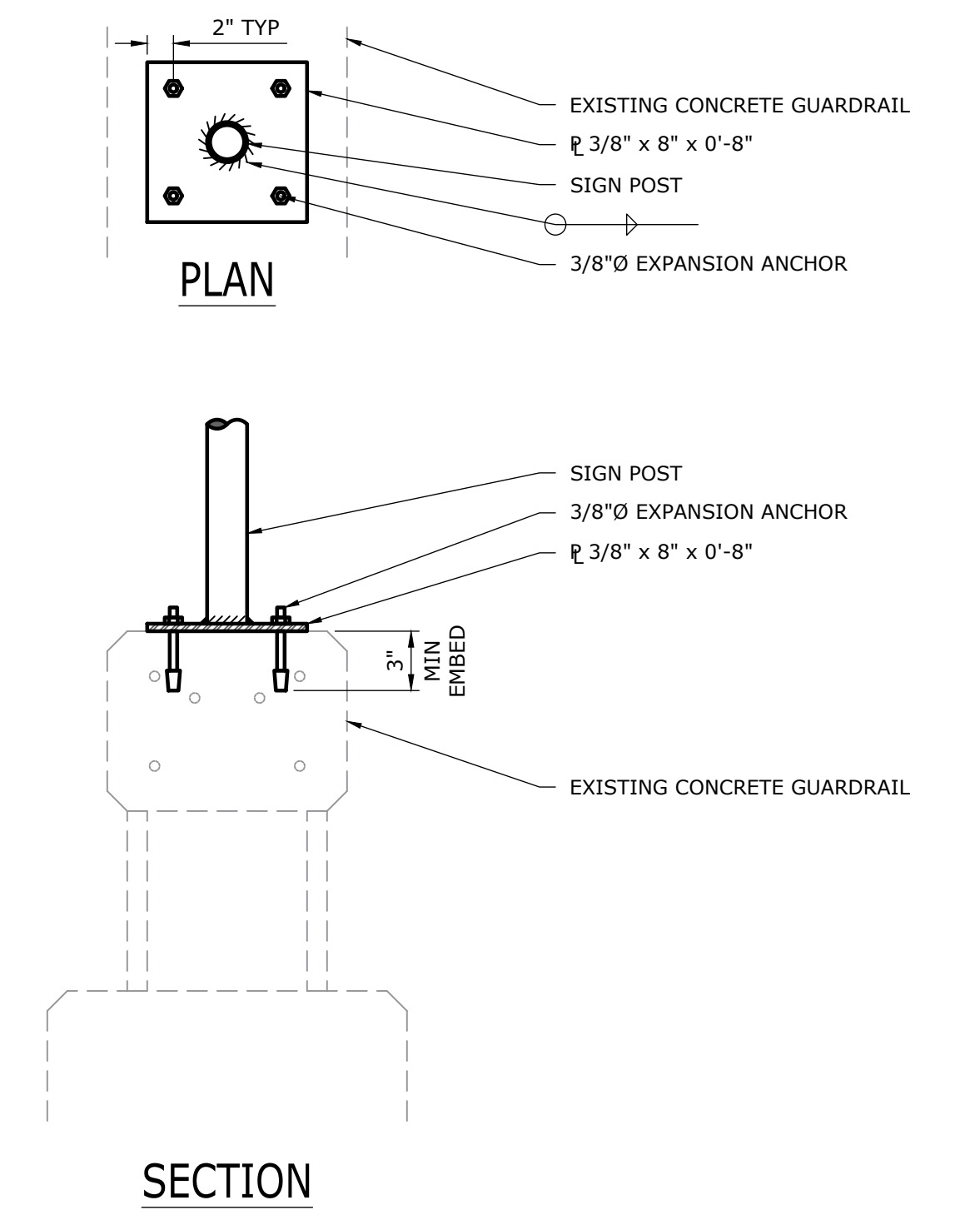
**3** ENLARGED DETAIL @ SIDEWALK TO SEAWALL  
C2.01 NTS



**2** RETAINING WALL RETURN TO SEAWALL  
C2.01 SCALE: 3/4" = 1'-0"



**4** DETAIL @ EDGE BANDING  
C2.01 NTS



**5** SIGNAGE  
C2.01 NTS

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**CONSTRUCTION OF EAST BEACH DRIVE SIDEWALK FROM WEEKS BAYOU TO HALSTEAD ROAD**

CITY OF OCEAN SPRINGS  
OCEAN SPRINGS, MISSISSIPPI

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CONSTRUCTION



SECTIONS & DETAILS	
WORKING NUMBER:	DRAWING NUMBER:
C2.01	17

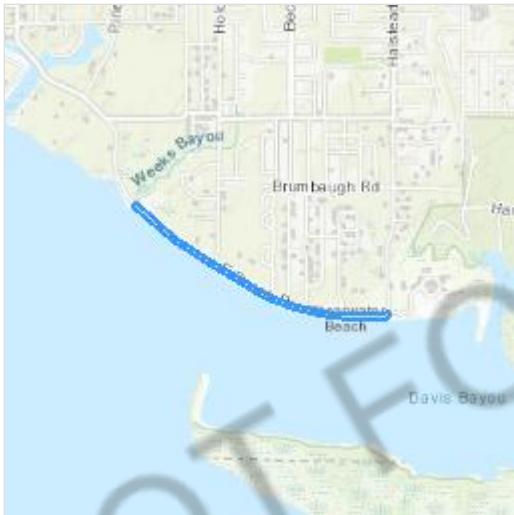
# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Jackson County, Mississippi



## Local office

Mississippi Ecological Services Field Office

☎ (601) 965-4900

📅 (601) 965-4340

6578 Dogwood View Parkway, Suite A  
Jackson, MS 39213-7856

NOT FOR CONSULTATION

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Mammals

NAME	STATUS
<p><b>West Indian Manatee</b> <i>Trichechus manatus</i></p> <p>Wherever found</p> <p>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.</p> <p><a href="https://ecos.fws.gov/ecp/species/4469">https://ecos.fws.gov/ecp/species/4469</a></p>	<p>Threatened</p> <p>Marine mammal</p>

## Birds

NAME	STATUS
<p><b>Eastern Black Rail</b> <i>Laterallus jamaicensis ssp. jamaicensis</i></p> <p>Wherever found</p> <p>No critical habitat has been designated for this species.</p> <p><a href="https://ecos.fws.gov/ecp/species/10477">https://ecos.fws.gov/ecp/species/10477</a></p>	<p>Threatened</p>
<p><b>Mississippi Sandhill Crane</b> <i>Antigone canadensis pulla</i></p> <p>Wherever found</p> <p>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.</p> <p><a href="https://ecos.fws.gov/ecp/species/1222">https://ecos.fws.gov/ecp/species/1222</a></p>	<p>Endangered</p>

Piping Plover *Charadrius melodus* Threatened  
There is **final** critical habitat for this species. Your location overlaps the critical habitat.  
<https://ecos.fws.gov/ecp/species/6039>

Rufa Red Knot *Calidris canutus rufa* Threatened  
Wherever found  
There is **proposed** critical habitat for this species.  
<https://ecos.fws.gov/ecp/species/1864>

## Reptiles

NAME	STATUS
Alabama Red-bellied Turtle <i>Pseudemys alabamensis</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/1494">https://ecos.fws.gov/ecp/species/1494</a>	Endangered
Alligator Snapping Turtle <i>Macrochelys temminckii</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/4658">https://ecos.fws.gov/ecp/species/4658</a>	Proposed Threatened
Gopher Tortoise <i>Gopherus polyphemus</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/6994">https://ecos.fws.gov/ecp/species/6994</a>	Threatened
Green Sea Turtle <i>Chelonia mydas</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/6199">https://ecos.fws.gov/ecp/species/6199</a>	Threatened

Hawksbill Sea Turtle *Eretmochelys imbricata*

Endangered

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/3656>

Kemp's Ridley Sea Turtle *Lepidochelys kempii*

Endangered

Wherever found

There is **proposed** critical habitat for this species.

<https://ecos.fws.gov/ecp/species/5523>

Leatherback Sea Turtle *Dermochelys coriacea*

Endangered

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/1493>

Loggerhead Sea Turtle *Caretta caretta*

Threatened

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/1110>

## Fishes

NAME

STATUS

Gulf Sturgeon *Acipenser oxyrinchus (=oxyrhynchus) desotoi*

Threatened

Wherever found

There is **final** critical habitat for this species. Your location overlaps the critical habitat.

<https://ecos.fws.gov/ecp/species/651>

## Insects



NAME	STATUS
<b>Monarch Butterfly</b> <i>Danaus plexippus</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Ferns and Allies

NAME	STATUS
<b>Louisiana Quillwort</b> <i>Isoetes louisianensis</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/7756">https://ecos.fws.gov/ecp/species/7756</a>	Endangered

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

This location overlaps the critical habitat for the following species:

NAME	TYPE
<b>Gulf Sturgeon</b> <i>Acipenser oxyrinchus (=oxyrhyinchus) desotoi</i> <a href="https://ecos.fws.gov/ecp/species/651#crithab">https://ecos.fws.gov/ecp/species/651#crithab</a>	Final
<b>Piping Plover</b> <i>Charadrius melodus</i> <a href="https://ecos.fws.gov/ecp/species/6039#crithab">https://ecos.fws.gov/ecp/species/6039#crithab</a>	Final

## Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

**There are bald and/or golden eagles in your project area.**

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON

**Bald Eagle** *Haliaeetus leucocephalus*

Breeds Sep 1 to Jul 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

## Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

## Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

## Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

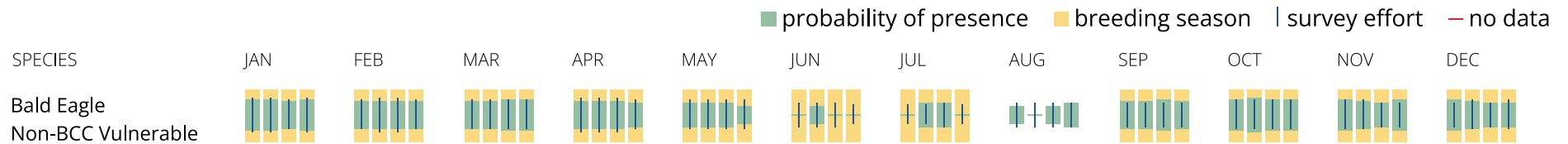
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

## No Data (—)

A week is marked as having no data if there were no survey events for that week.

## Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



## What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

## What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

## What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

# Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p><b>American Kestrel</b> <i>Falco sparverius paulus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p><a href="https://ecos.fws.gov/ecp/species/9587">https://ecos.fws.gov/ecp/species/9587</a></p>	Breeds Apr 1 to Aug 31
<p><b>American Oystercatcher</b> <i>Haematopus palliatus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/8935">https://ecos.fws.gov/ecp/species/8935</a></p>	Breeds Apr 15 to Aug 31
<p><b>Bald Eagle</b> <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p>	Breeds Sep 1 to Jul 31
<p><b>Black Scoter</b> <i>Melanitta nigra</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p>	Breeds elsewhere
<p><b>Black Skimmer</b> <i>Rynchops niger</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/5234">https://ecos.fws.gov/ecp/species/5234</a></p>	Breeds May 20 to Sep 15
<p><b>Brown Pelican</b> <i>Pelecanus occidentalis</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p>	Breeds Jan 15 to Sep 30



Brown-headed Nuthatch *Sitta pusilla*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Mar 1 to Jul 15

Chimney Swift *Chaetura pelagica*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Mar 15 to Aug 25

Coastal (wayne s) Black-throated Green Warbler *Setophaga virens waynei*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds May 1 to Aug 15

Common Loon *gavia immer*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/4464>

Breeds Apr 15 to Oct 31

Great Shearwater *Puffinus gravis*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Gull-billed Tern *Gelochelidon nilotica*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9501>

Breeds May 1 to Jul 31

Kentucky Warbler *Oporornis formosus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 20 to Aug 20

King Rail *Rallus elegans*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/8936>

Breeds May 1 to Sep 5

Lesser Yellowlegs *Tringa flavipes*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9679>

Breeds elsewhere

Marbled Godwit *Limosa fedoa*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9481>

Breeds elsewhere

Painted Bunting *Passerina ciris*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Apr 25 to Aug 15

Pectoral Sandpiper *Calidris melanotos*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

Prairie Warbler *Dendroica discolor*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

Prothonotary Warbler *Protonotaria citrea*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 1 to Jul 31



Red-breasted Merganser *Mergus serrator*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Red-headed Woodpecker *Melanerpes erythrocephalus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

Ring-billed Gull *Larus delawarensis*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Royal Tern *Thalasseus maximus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds Apr 15 to Aug 31

Ruddy Turnstone *Arenaria interpres morinella*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

Rusty Blackbird *Euphagus carolinus*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

Short-billed Dowitcher *Limnodromus griseus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9480>

Breeds elsewhere

Sooty Tern *Onychoprion fuscatus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds Mar 10 to Jul 31

Surf Scoter *Melanitta perspicillata*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Swallow-tailed Kite *Elanoides forficatus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/8938>

Breeds Mar 10 to Jun 30

White-winged Scoter *Melanitta fusca*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Willet *Tringa semipalmata*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 20 to Aug 5

Wilson's Plover *Charadrius wilsonia*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 1 to Aug 20

Wood Thrush *Hyllocichla mustelina*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Aug 31

# Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

## Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

## Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

## Survey Effort (l)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

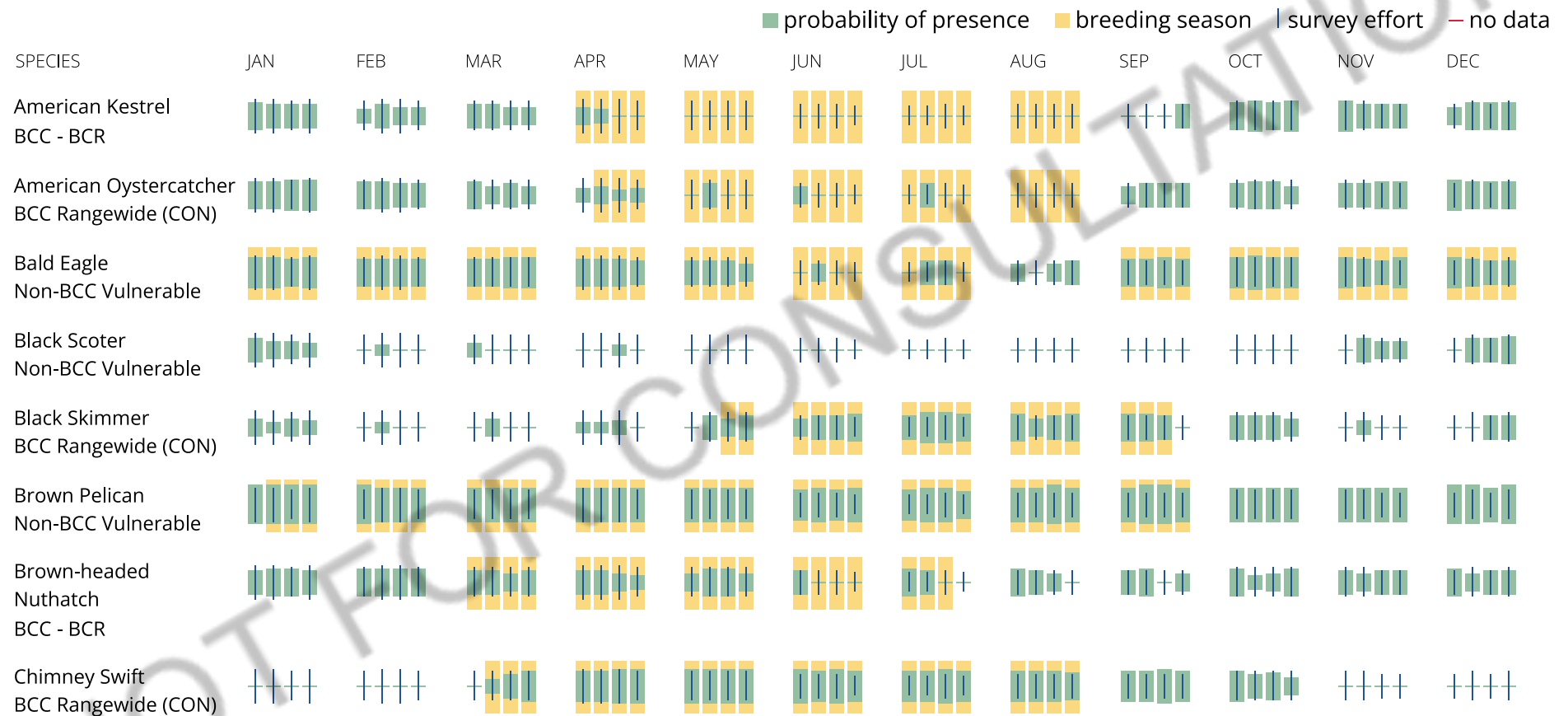
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

### No Data (-)

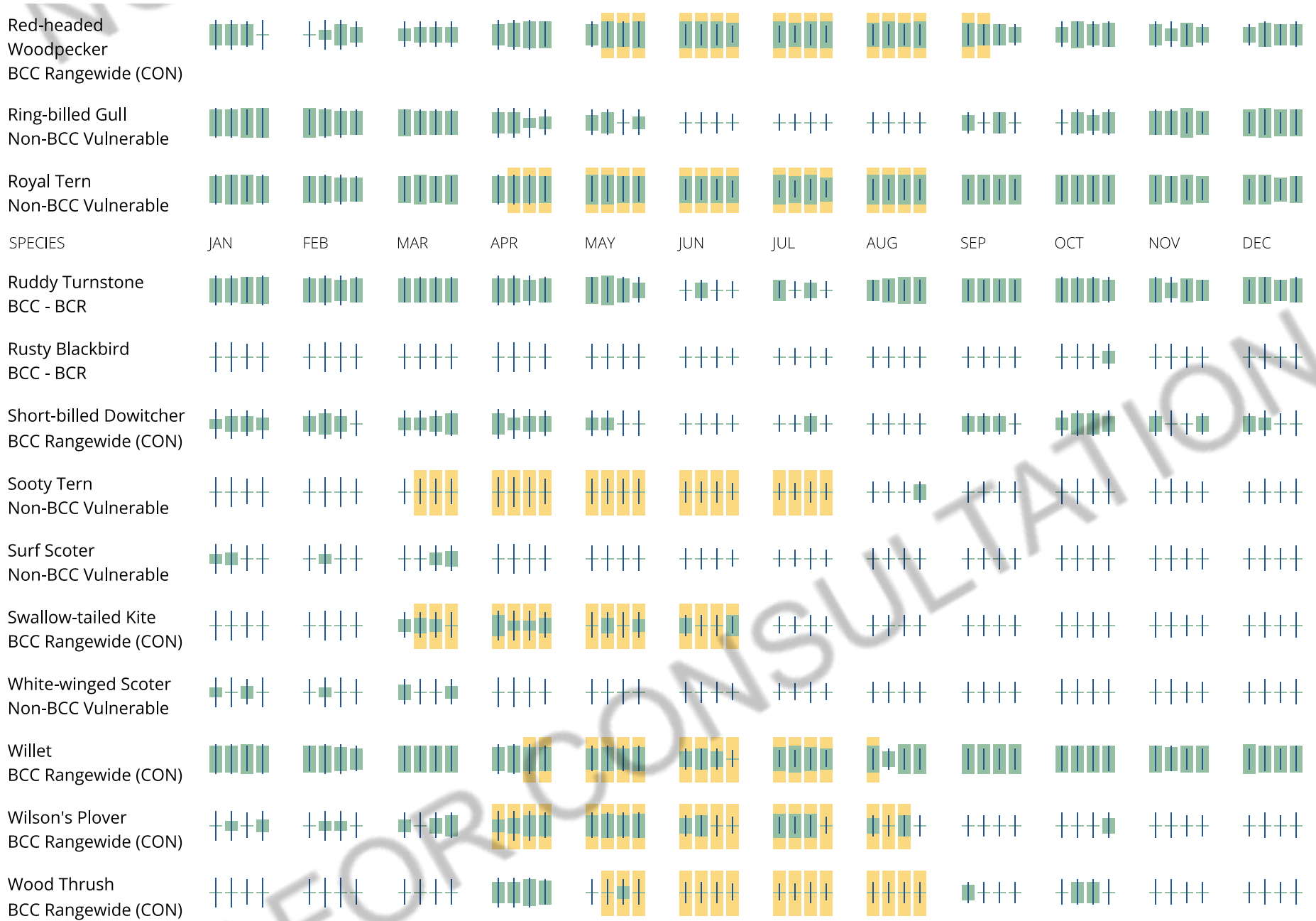
A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.







Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### **What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.



## What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

## Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

## What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

## Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is

the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

NOT FOR CONSULTATION

# Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act<sup>1</sup> and the Convention on International Trade in Endangered Species of Wild Fauna and Flora<sup>2</sup>.

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries<sup>3</sup> [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

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West Indian Manatee *Trichechus manatus*  
<https://ecos.fws.gov/ecp/species/4469>

# Facilities

## National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

## Fish hatcheries

There are no fish hatcheries at this location.

## Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

## Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

### **Data exclusions**

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

### **Data precautions**

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.





# 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:

Neel-Schaffer, Inc.

(name of agent)

East Beach Drive

(location of project)

795 Howard Avenue

(address)

Ocean Springs, MS

Biloxi, MS 39530

(city, state, zip code)

228-374-1211

(agent phone number)

Kenny Holloway, Mayor

(print applicant name)

A handwritten signature in blue ink, appearing to read "Kenny Holloway", is written over a horizontal line.

(applicant signature)

January 17, 2024

(date)

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