



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

REPLY TO
ATTENTION OF:

PUBLIC NOTICE NO. FP14-PP14-05
CESAM-PD-EC

14 August 2014

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
AND
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
FOR
PERDIDO PASS NAVIGATION PROJECT
PROPOSED MAINTENANCE AND DISPOSAL OF DREDGED MATERIAL
BALDWIN COUNTY, ALABAMA

A FEDERALLY AUTHORIZED PROJECT

Interested persons are hereby notified that the U.S. Army Corps of Engineers (USACE), Mobile District, proposes to conduct continued maintenance dredging and sediment placement activities associated with the federally authorized Perdido Pass Federal Navigation Project in Baldwin County, Alabama.

This public notice is issued in accordance with rules and regulations published in the Federal Register on 26 April 1988. These regulations provide for the review of the dredging programs for federally authorized projects. These laws are applicable whenever dredged or fill materials may enter waters of the United States or for the transportation of dredged material for the purpose of placement into ocean waters. The recipient of this notice is requested specifically to review the proposed action as it may impact water quality, relative to the requirements of Section 404(b)(1) of the Clean Water Act. Comments on any other potential impacts are also requested.

WATERWAY AND LOCATION: Perdido Pass, Baldwin County, Alabama

DESCRIPTION OF THE ENTIRE AUTHORIZED PROJECT: This project was federally authorized by the Rivers and Harbors Act of October 27, 1965. The existing Perdido Pass Federal navigation project consists of the following channels (**Figure 1**):

a). A channel 12 feet deep and 150 feet wide for approximately 1,300 feet from the Gulf of Mexico into the inlet including a deposition basin, thence 9 feet deep and 100 feet wide for approximately 2,200 feet to the Alabama Highway 182 bridge.

b). The channel thence branches into two channels, each having dimensions of 9 feet deep and 100 feet wide, one of which extends approximately 3,400 feet into the northern portion of Terry Cove (Terry Cove channel) and the other approximately 3,200 feet into the southern portion of Perdido Bay (Bayou St. John channel).

c). The project also includes a 450-foot long crossover channel connecting the Terry Cove channel and the Bayou St. John channel. Channel dimensions are 9 feet deep and 100 feet wide.

d). The project also includes two jetties into the Gulf of Mexico spaced 600 feet apart at the seaward end. Top elevation of the jetty is six feet mean low water (MLW). The east jetty was originally designed with a low weir section 1,000 feet long to permit passage of littoral drift into a dredged material deposition basin 800 feet by 1,200 feet, located between the east jetty and the navigation channel; however, this weir was reduced to a length of 600 feet in 1980.

DESCRIPTION OF THE PROPOSED ACTION: The proposed action is the periodic maintenance dredging and sediment placement activities for the Perdido Pass navigation project, located in Baldwin County, Alabama. Maintenance of the project consists of the removal and placement of approximately 50,000 cubic yards of material from the channels above the Alabama Highway 182 bridge and up to 250,000 cubic yards from below the bridge. The dredged material, composed predominantly of medium sand with small percentages of fine sands and silt. The dredge depth includes a maximum design depth of -12 feet Mean Lower Low Water. In addition, two (2) feet of advance maintenance and an over dredge depth of two (2) feet is authorized for each segment of the channel. Maintenance dredging of soft-dredged material with a hydraulic dredge may disturb the bottom sediments several feet deeper than the target depth due to the physical conditions and inaccuracies of the dredging process. An additional three feet of sediments below the 2-foot over dredge depth cut may be disturbed in the dredging process with minor amounts of material being removed. The sediments will be removed by hydraulic pipeline and placed in one or more of the seven previously approved placement areas (PA) as deemed appropriate for each specific action. Each of the existing disposal areas are described below and illustrated in Figures 2 and 3. Continued maintenance of the channel is anticipated to be required every three to five years based on previous records. See Environmental Assessment (EA) on the web at address <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental.aspx> for additional details.

PLACEMENT AREAS

PA 1 - An approximate 115-acre nearshore open water disposal area that extends from a point just west of the west jetty between the -7 and -20-foot contours extending westward approximately 5,000 feet. Placement in this area would result in sand remaining in the littoral system west of the pass.

PA 2 - Located immediately east of the west jetty and extending the entire length of the jetty. Utilization of PA 2 is necessary to prevent further erosion and scouring along the jetty, which threatens the structural integrity of the jetty and the adjacent seawall.

PA 3 - Approximately 1.5-acre PA located at the south end of an old disposal island (also known as Bird Island) immediately north of the Alabama Highway 182 bridge that provides beach nourishment and erosion protection.

PA 4 - Approximately 2-acre PA located on the north shore of Perdido Key east of the pass and runs approximately 1,400 feet along Florida Point below mean high water (MHW).

PA 6 - Located on the western end of Florida Point and used to stabilize the sand dike portion of the east jetty, seaward of the dunes and vegetation. Periodic placement at this site is necessary to prevent erosion and flanking of the shoreward terminus of the east jetty and is critical towards preserving its structural integrity.

PA 7 - Located adjacent to and west of the west jetty. The PA is approximately 10 acres in size. Placement of material in this area reduces the effects of shoreline erosion in the area, prevents undermining of the jetty due to scour, and preserves the structural integrity of the jetty.

PA 8 – Located west of the Pass beginning at the western limit of PA 7 and extending three miles west of the west jetty as shown in Figure 3. Beach quality sand from the maintenance dredging of the navigation channel will be placed along this reach between the +7 and -15-foot elevation contours MHW. A typical cross section for PA 8 is also presented in Figure 3.

WATER QUALITY CERTIFICATION: Pursuant to the requirements of the Clean Water Act, State Water Quality Certification is required for the proposed action. Water quality certification for a period of five years will be requested from Alabama Department of Environmental Management (ADEM). A decision relative to water quality certification will be made by ADEM upon completion of the required comment period for this public notice.

COASTAL ZONE CONSISTENCY: Pursuant to the Coastal Zone Management Act, the proposed action is consistent with the Alabama Coastal Management Program to the maximum extent practicable. Concurrence with this determination will be requested

from ADEM. Upon completion of the required 30 day comment period, a decision relative to coastal zone consistency will be made by ADEM.

USE BY OTHERS: The proposed action is not expected to create significant impacts on land and water use plans. Use of the waters in the vicinity of the project area includes commercial fishing and recreational boating.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS:

An Environmental Impact Statement (EIS) was prepared in 1976 for the operation and maintenance dredging activities for the portion of the waterway within the USACE, Mobile District's jurisdiction. In 1983, an EA for the continued maintenance of the project was prepared. An EA for the Regional Sediment Management Demonstration Downdrift Placement of Maintenance Dredged Material West of the Perdido Pass Navigation Project, Baldwin County, Alabama was prepared in 2002. The impacts associated with the use of PA 8 were addressed in the Statement of Findings titled: Creation of the New Disposal Area (DA 8) Perdido Pass Navigation Project Baldwin County, Alabama and dated March 2005. During the dredging recertification process in 2009, a Finding of No Significant Impact (FONSI), EA and Section 404(b)(1) Evaluation Report were also completed for this project. As a result of this continued operation and maintenance project being proposed in the Public Notice (No. FP14-PP14-05), the January 2010 FONSI and EA adequately addresses potential impacts associated with the continued operation and maintenance of the Perdido Pass navigation project. These documents are on file and available for review at the USACE, Mobile District web address: <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental.aspx>. Based on comments to this public notice, the District Commander will determine the need to incorporate those comments and update the NEPA documents.

SECTION 404(b)(1) EVALUATION REPORT: Water quality impacts associated with the proposed action have been identified in an evaluation report prepared in accordance with Public Law 92-500, Section 404 (b)(1) Guidelines promulgated by the U. S. Environmental Protection Agency under the Clean Water Act. The Section 404 (b)(1) Evaluation Report prepared in 2010 is on file in the USACE, Mobile District office and is available for review at webpage: <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental.aspx>. Based on comments to this public notice, the District Commander will determine the need to incorporate those comments and update the NEPA documents. Should comments be received that warrant consideration, the Section 404(b)(1) report will be updated.

ENDANGERED/THREATENED SPECIES: Pursuant to Section 7 of the Endangered Species Act, the proposed Federal action at the Perdido Pass Federal navigation project is being coordinated with the U.S. Department of Interior, Fish and Wildlife Service, and the U.S. Department of Commerce, National Marine Fisheries Service (NMFS), Protected Resources Division (PRD). Based on review of the threatened and endangered species that could occur within the project area, the USACE Mobile District has determined that the proposed action may affect but is not likely to adversely affect any listed species or adversely modify associated critical habitat.

ESSENTIAL FISH HABITAT ASSESSMENT: Essential Fish Habitat (EFH) is defined in the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) as “those waters and substrate necessary to fish spawning, breeding, feeding, or growth to maturity.” The Gulf of Mexico Fishery Management Council, in accordance with the MSFCMA (PL 94-265), has developed management plans for the following fisheries: shrimp, red drum, reef fish, stone crab, spiny lobster, coral and coral reef and coastal migratory pelagic. The maintenance dredging and placement of the dredged material will not significantly affect these species. The NMFS has identified EFH habitats for the Gulf of Mexico in its Fishery Management Plan Amendments. These habitats include estuarine areas, such as estuarine emergent wetlands, seagrass beds, algal flats, mud, sand, shell, and rock substrates, and the estuarine water column. The maintenance dredging and placement of the dredged material will not significantly affect coastal habitat identified as EFH in the Perdido Pass area. Based on the extent of this habitat in the general vicinity of the project and the small size of the project, the overall impact to fisheries resources is considered negligible. Initial coordination of EFH in the project area will be based on this public notice and official letter. Additional information pertaining to EFH is contained within the EA.

CULTURAL RESOURCES CONSIDERATION: A cultural resources reconnaissance of the area failed to show any evidence of prehistoric occupation. No cultural interest is known to occur in the open-water disposal areas proposed for use. No sites occurring in the project area that are listed on the National Register of Historic Places and no previous recorded cultural resources are within the project area. The Alabama State Historic Preservation Officer (ALSHPO) previously concurred with the maintenance dredging and disposal areas for the Perdido Pass project in a letter dated October 8, 2009. A copy of the Public Notice is being provided to the ALSHPO for their review.

CLEAN AIR ACT: Air quality in the vicinity of the proposed action would not be significantly affected with the proposed action. The equipment and machinery would generate some air pollution during construction activities, such as increased particulate levels from the burning of fossil fuels. However, these impacts would be minor and temporary in nature. The proposed action is in compliance with the Clean Air Act, as amended. The project area is in attainment with the National Ambient Air Quality Standards parameters. The proposed action would not affect the attainment status of the project area or region. A State Implementation Plan conformity determination (42 United States Code 7506(c)) is not required since the project area is in attainment for all criteria pollutants.

EVALUATION: The decision whether to proceed with the proposed action would be based on an evaluation of the overall public interest. That decision would reflect the national concerns for both protection and utilization of important resources. The benefits that may be expected to accrue from this proposal must be balanced against its reasonably foreseeable detriments. The decision whether to proceed, and the conditions under which the activity would occur, would be determined by the outcome of this general balancing process. All factors that may be relevant to the proposal would

be considered. Among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain 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 public. The proposed action would proceed unless it is found to be contrary to the overall public interest. Inasmuch as the proposed work would involve the discharge of materials into navigable waters, specification of the proposed disposal sites associated with this Federal project is being made through the application of guidelines promulgated by the Administrator of the Environmental Protection Agency in conjunction with the Secretary of the Army. If these guidelines alone prohibit the specification of any proposed disposal site, any potential impairment of the maintenance of navigation, including any economic impacts on navigation and anchorage that would result from the failure to use this site would also be considered.

COORDINATION: Among the agencies receiving copies of this public notice are:

Region 4, U.S. Environmental Protection Agency
Field Representative, Fish and Wildlife Service, Daphne, Alabama
Regional Director, National Park Service
Regional Director, National Marine Fisheries Service
Commander, Eighth Coast Guard District
Alabama State Historic Preservation Officer
Alabama Department of Environmental Management
Alabama Department of Conservation and Natural Resources
Gulf of Mexico Fishery Management Council
Federal Emergency Management Agency
U.S. Department of Commerce, National Oceanic and Atmospheric Administration,
National Marine Fisheries Service, Protected Species and Habitat Conservation
Divisions St. Petersburg Florida and Galveston, Texas.

Other Federal, State, and local organizations, affiliated Indian Tribe interests, and U.S. Senators and Representatives of the State of Alabama are being sent copies of the notice and are invited to participate in coordinating this proposed work. The USACE, Mobile District requests the information contained in this notice be communicated to any other parties who may have an interest in the proposed action.

CORRESPONDENCE: Any person who has an interest that may be affected by the proposed activity may request a public hearing. Any comments or requests for a public hearing must be submitted in writing to the District Commander within 30 days of the date of this public notice. A request for a hearing must clearly set forth the interest that may be affected and the manner in which the interest may be affected. You are requested to communicate the information contained in this notice to any other parties who may have an interest in the proposed activities. Correspondence concerning the public notice should refer to Public Notice No. FP14-PP14-05 and should be directed to the Commander, U.S. Army Engineer District, Mobile, P.O. Box 2288, Mobile, Alabama

August 14, 2014

36628-0001, ATTN: CESAM-PD-EC. For additional information please contact Mr. Michael Malsom at (251) 690-2023 or michael.f.malsom@usace.army.mil.



CURTIS M. FLAKES
U.S. Army Corps of Engineers
Mobile District

Enclosures

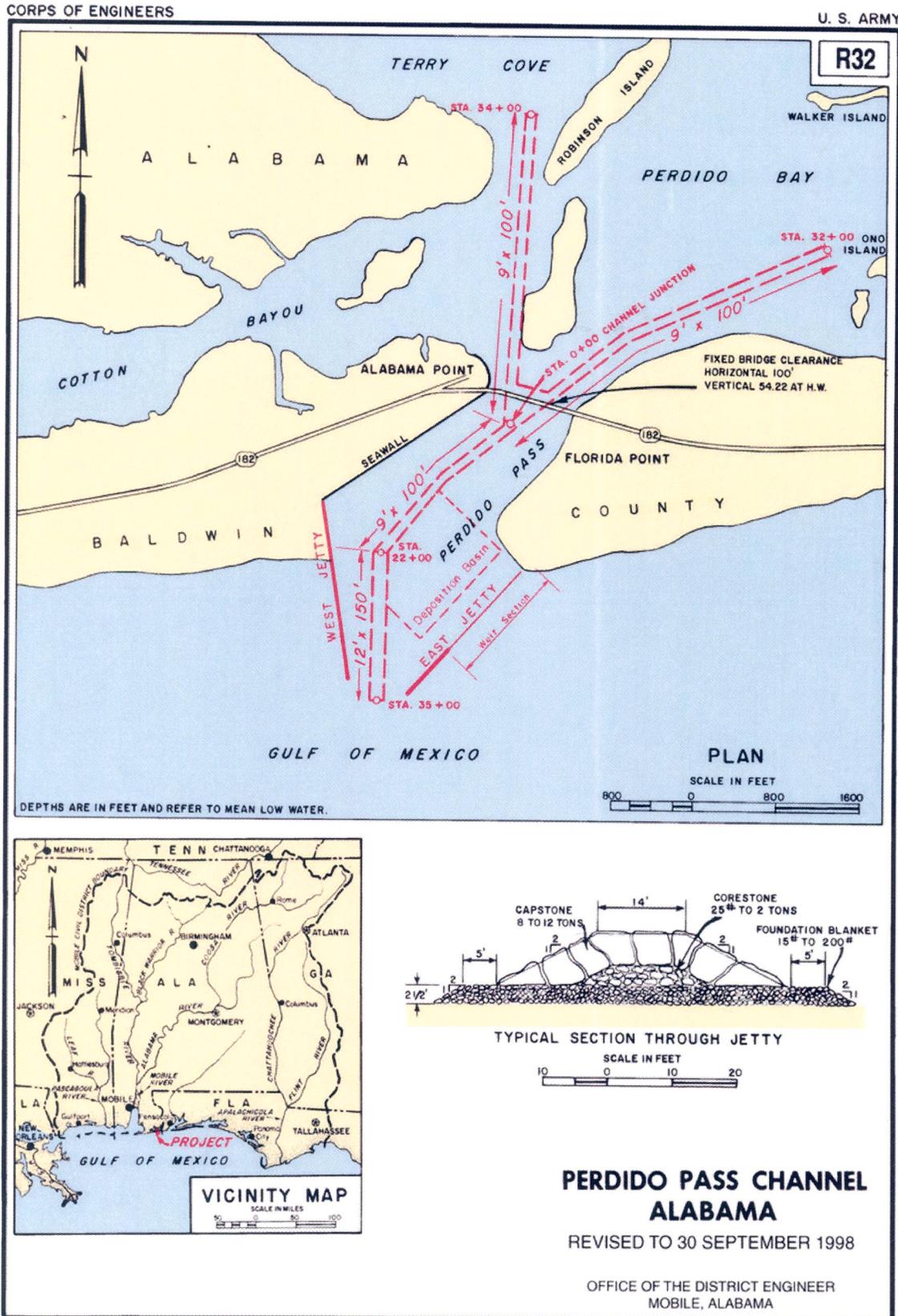


Figure 1. Perdido Pass Federal Navigation Project Map

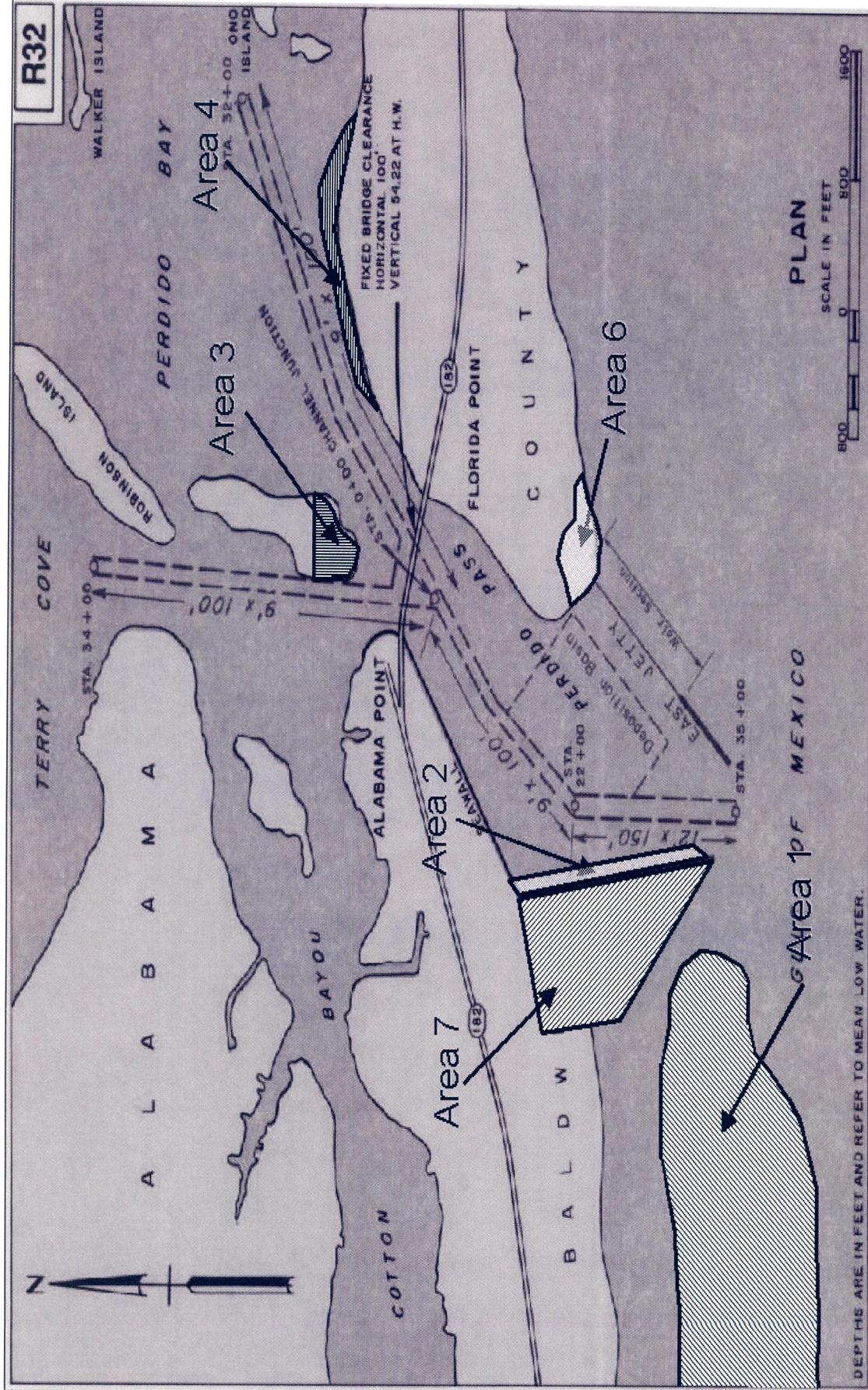


Figure 2. Existing approved dredged material placement sites for the Perdido Pass project

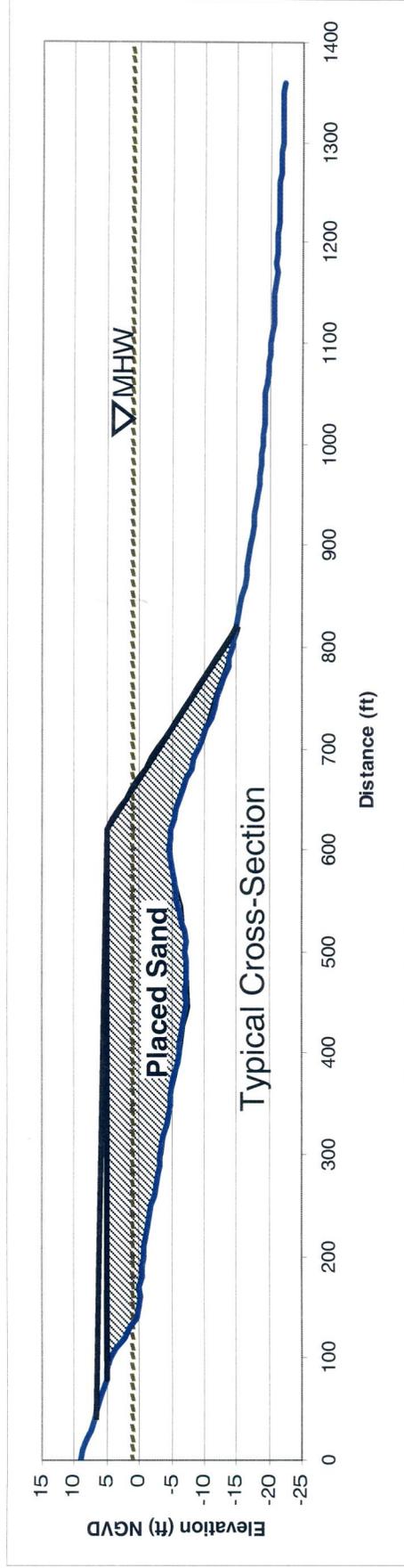
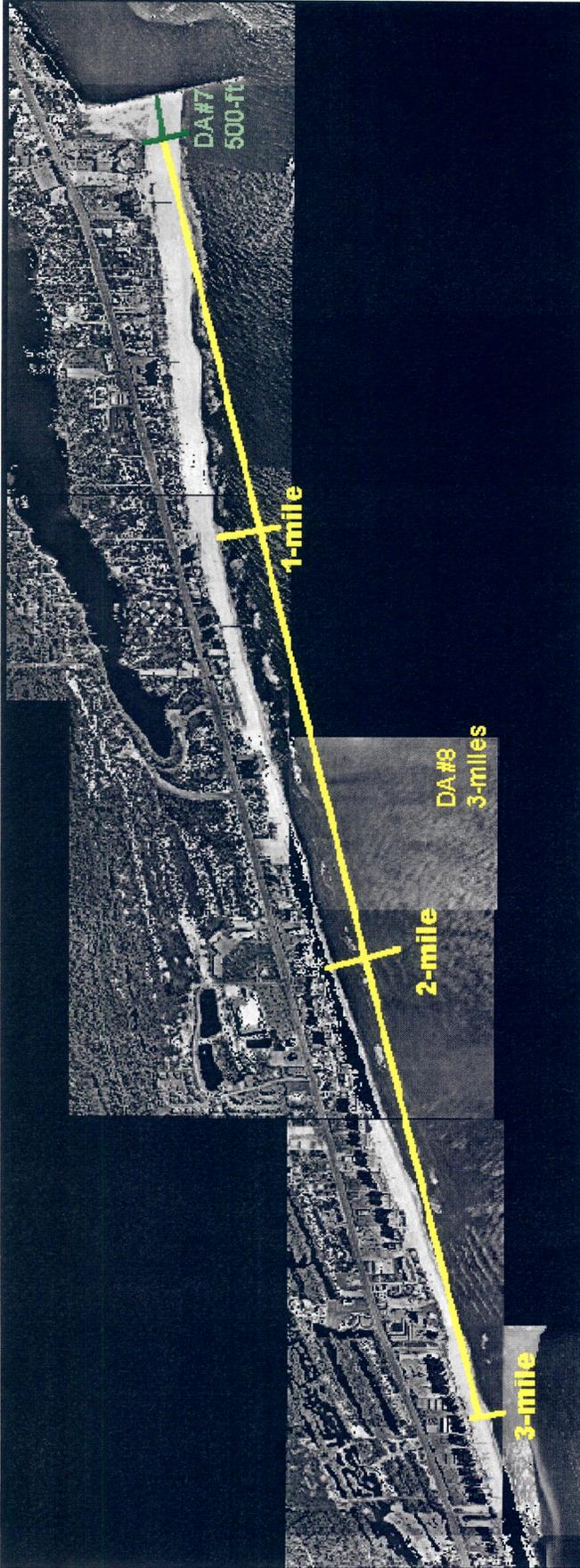


Figure 3. Shoreline reach and typical cross-section for PA 8

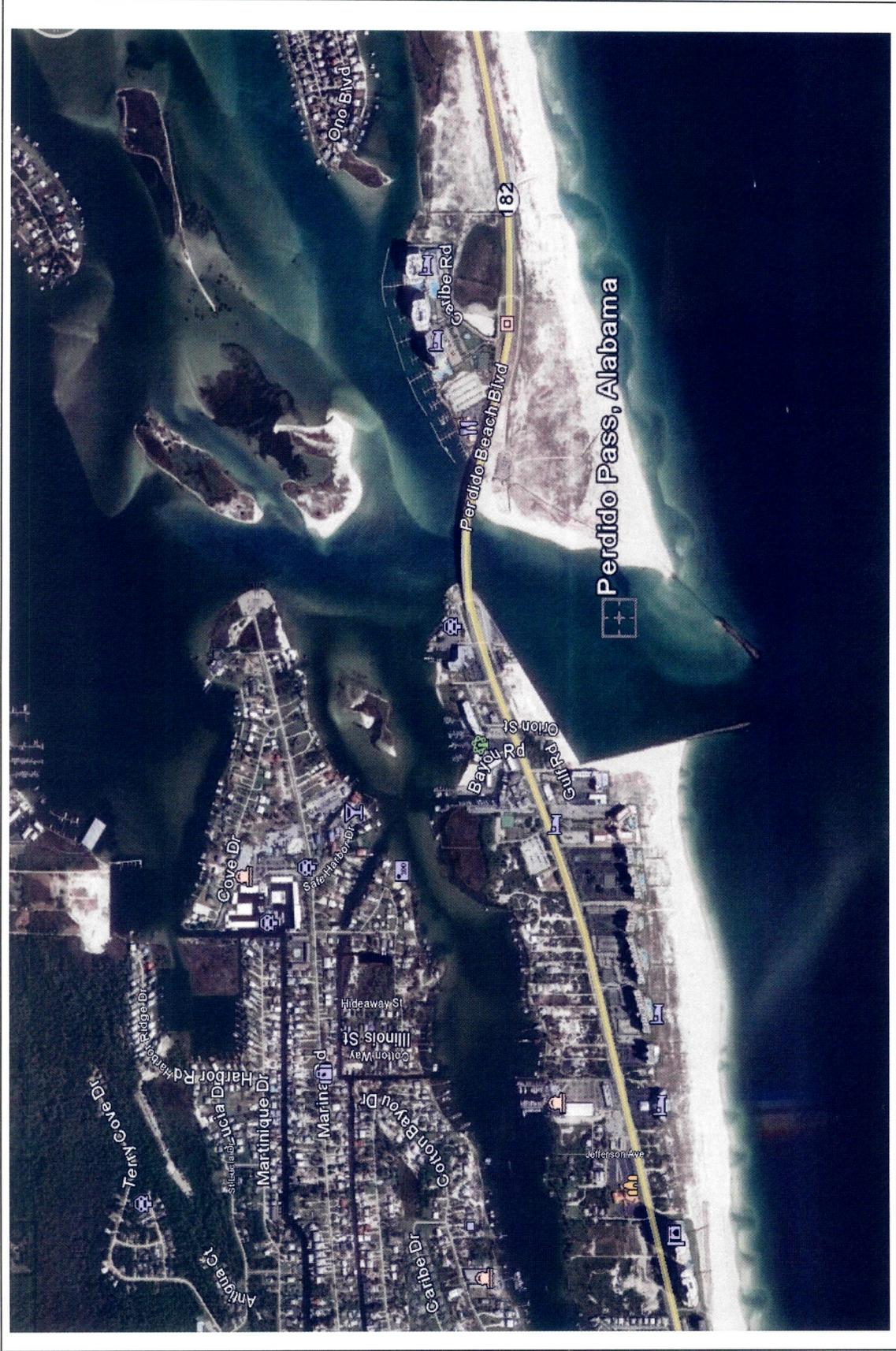


Figure 4. Aerial View of Perdido Pass, Alabama