



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

REPLY TO  
ATTENTION OF:

PUBLIC NOTICE NO. FP15-PP15-05  
CESAM-PD-EC

March 13, 2015

**JOINT PUBLIC NOTICE**

**U.S. ARMY CORPS OF ENGINEERS  
AND  
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
FOR  
PERDIDO PASS NAVIGATION PROJECT  
PROPOSED ADDITION OF SEDIMENT PLACEMENT AREAS FOR 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 add two dredged material sediment placement areas (PAs) to 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 April 26 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 involves adding two dredged material sediment PAs referred to as PA 5 and PA 9 (**Figure 4**). These areas are needed to restore eroded coastal shoreline areas. Use of the proposed PA 5 would aid in the restoration and maintenance of the southwest end of Robinson Island, providing a wider buffer to protect the shoreline and upland habitat against excessive erosion. Use of the proposed PA 9 would aid in the renourishment of the Florida Point southern shoreline due east of Perdido Pass and PA 6. This PA consists of shoreline habitat east of PA 6 to the Alabama-Florida state line. The action would also provide numerous other environmental benefits such as increased habitat for various shorebirds and many other sand dwelling organisms. It would also aid in the protection of the existing reconstructed sand dunes and beach mouse habitat along Florida Point. The cumulative impacts of the overall action are considered to be beneficial to the local ecosystem.

**PA 5:** PA 5 would be located on the southwest end of Robinson Island (Figure 4). The size of the area is approximately one-half acre. Sand from maintenance dredging of the navigation channel due north of Highway 182 Bridge would be placed as needed along the end of the island. The placement of this material would occur from the existing shoreline seaward to -3 to -4 foot elevation contours mean high water (MHW). Placement would be allowed to equilibrate to a natural slope. Although any or all of this new area may be used for placement, the intent is to provide for erosion protection of the island. An adaptive management approach will be implemented to continually adjust the dredged material placement activities so that the desired objectives are achieved.

**PA 9:** PA 9 would be located due east of Perdido Pass and PA 6 along the entire southern shoreline of Florida Point (Figure 4). The size of the area is approximately 100 acres. Sand from the navigation channel south of Highway 182 Bridge would be placed where needed along any eroded sections of the southern shoreline due east of PA 6. The placement of this material would occur from the existing shoreline to between the +7 and -15-foot elevation contours MHW extending eastward for approximately 10,000 feet to the Alabama-Florida state line. The placed material would be contoured to a natural slope with heavy equipment. A typical cross section for PA 9 is also presented in **Figure 3**.

See Environmental Assessment (EA) on the web at address <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental.aspx> for additional details.

**EXISTING SEDIMENT PLACEMENT AREAS:** Currently there are seven approved sediment PAs associated with the project and recognized under current Alabama Department of Environmental Management (ADEM) Water Quality Certification (WQC) and Coastal Zone Consistency (CZC) certification as defined by Public Notice FP14-PP14-05 and ADEM permit number 2015-041-COEP-CZM. Each of the existing PAs are 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.

**WATER QUALITY CERTIFICATION:** Pursuant to the requirements of the Clean Water Act, State Water Quality Certification is required for the proposed action. Modification to the existing water quality certification will be requested from the Alabama Department of Environmental Management (ADEM) for a period of 10-years. 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 for a period of 10-years. Upon completion of the required 30 day comment period for this public notice, a decision relative to coastal zone consistency permit modification 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 Dondrift Placement of Maintenance Dredged Material West of the Perdido Pass

Navigation Project, Baldwin County, Alabama was prepared in 2002. A Statement of Findings for this same project was completed in 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. These same documents were used in 2014 to recertify the project. A Draft EA addressing the new PAs being proposed in this Public Notice (No. FP15-PP15-05) is 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 and EA, 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. A Section 404 (b)(1) Evaluation Report prepared for this project 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 project is being coordinated with the U.S. Department of Interior, Fish and Wildlife Service. 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. Initial coordination of threatened and endangered species in the project area will be based on this public notice and official letter. Additional information pertaining to this subject is contained within the EA.

**ESSENTIAL FISH HABITAT ASSESSMENT (EFH):** 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 USACE had determined that this project 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 within these proposed PAs 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, 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:** USACE is not aware of any known historic properties within the proposed sediment placement areas and no cultural interest is known to occur in the PAs proposed for use. No sites occurring in the project area are listed on the National Register of Historic Places and no previous recorded cultural resources are within the project area. However, by copy of this public notice, USACE is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer (SHPO) and those federally recognized tribes with concerns in Alabama and the impacted area. A copy of the Public Notice is being provided to the local tribes and Alabama SHPO for their review.

**CLEAN AIR ACT:** Air quality in the vicinity of the proposed PAs would not be significantly affected with the proposed action. The equipment and machinery would generate some air pollution during sediment placement 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 proposed area is currently 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 on to the shoreline and into navigable waters, specification of the proposed PAs 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 PA, any potential impairment of the

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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. FP15-PP15-05 and should be directed to the Commander, U.S. Army Corps of Engineers, Mobile District, P.O. Box 2288, Mobile, Alabama 36628-0001, ATTN: CESAM-PD-EC. For additional information please contact 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

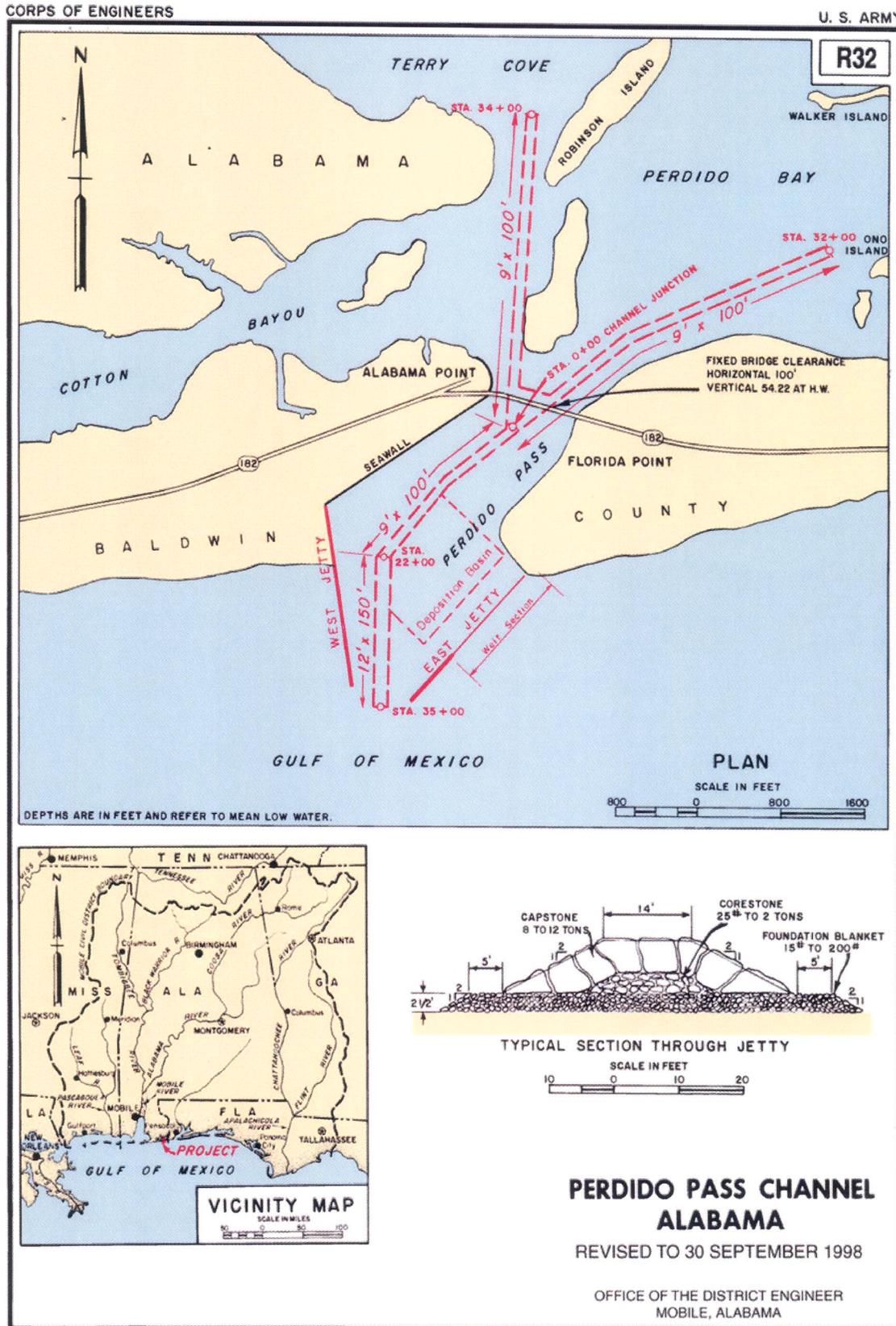


Figure 1. Perdido Pass Federal Navigation Project Map

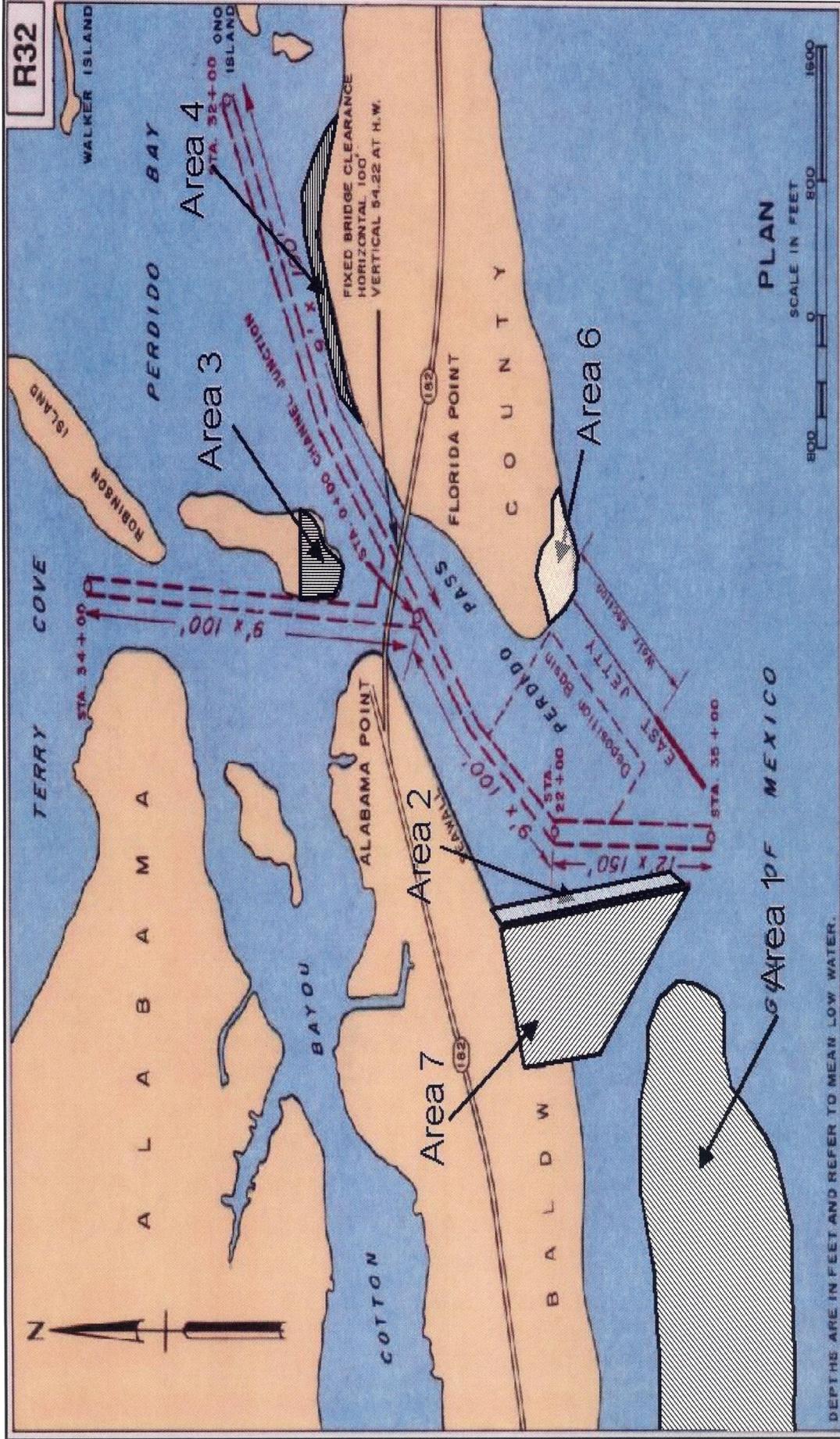


Figure 2. Existing approved sediment placement areas for the Perdido Pass project

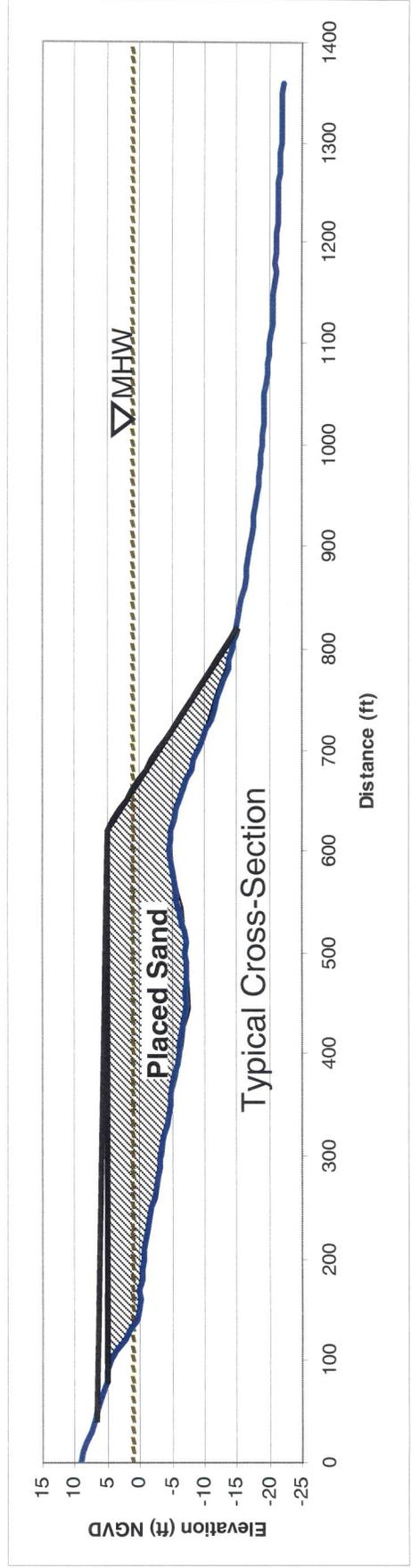
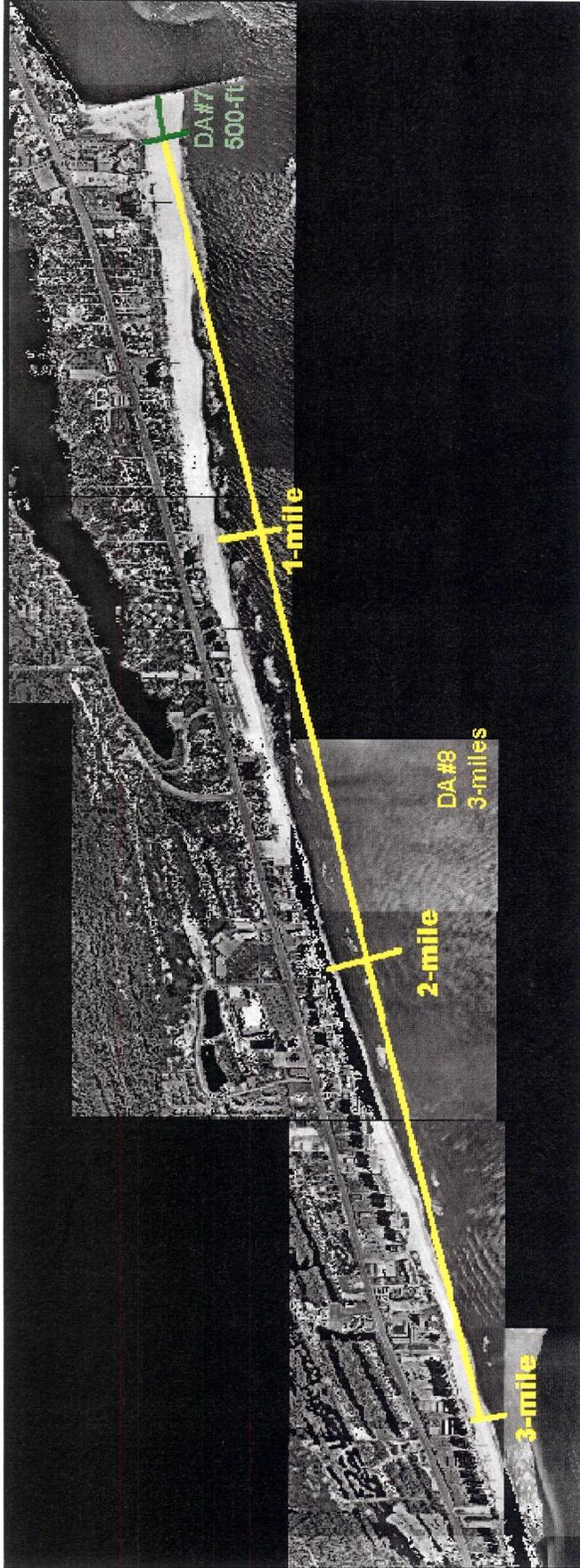


Figure 3. Shoreline reach and typical cross-section for sediment Placement Areas 8 and 9



Figure 4. Aerial View of Perdido Pass Proposed Sediment Placement Areas 5 and 9, Baldwin County, Alabama