



REPLY TO
ATTENTION OF:

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

CESAM-PD-EI
PUBLIC NOTICE NO. FP17-TR01-17

23 August 2017

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

EXCAVATION
SUNFLOWER ADVANCE MAINTENANCE DREDGE CUT

TOMBIGBEE RIVER, CLARKE AND WASHINGTON COUNTIES, ALABAMA

A FEDERALLY AUTHORIZED PROJECT

Interested persons are hereby notified that the U.S. Army Corps of Engineers (USACE), Mobile District proposes to perform excavation activities in association with proposed advance maintenance dredge cut in the Sunflower reach of the Tombigbee River, 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 dredging programs for federally authorized projects under the Clean Water Act (33 U.S.C. 1344) whenever dredged or fill materials may enter waters of the United States.

The recipient of this notice is specifically requested 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 also are requested.

WATERWAY AND LOCATION: Tombigbee River, Clarke and Washington Counties, Alabama.

DESCRIPTION OF ENTIRE AUTHORIZED PROJECT: The existing Black-Warrior Tombigbee Waterway was authorized for navigation by various River and Harbor Acts from 1884 through 1986.

DESCRIPTION OF THE PROPOSED ACTION: USACE, Mobile District is proposing an advance maintenance dredge cut extending approximately from Station 5+30 on River Mile 78.0 upstream to Station 44+00 on River Mile 78.9 in the Sunflower reach of the

Tombigbee River portion of the Black-Warrior Tombigbee Waterway. The cut varies from 324 to 329 feet in width with a length of 3,940 feet. The new work dredged material is between -15 Mean Sea Level (MSL) and -20 MSL, a total quantity of approximately 250,000 – 300,000 cubic yards. This material will be placed in the Newman Bend upland dredged material disposal area.

WATER QUALITY CERTIFICATION: Pursuant to Section 401 of the Clean Water Act, state water quality certification is required for the proposed activities. A decision on state water quality certification will be made by the Alabama Department of Environmental Management after completion of the comment period of this public notice.

USE BY OTHERS: The proposed project may have a temporary negative impact on local fishing and boating activities, but these activities will improve the navigation channel depth and width reliability and reduce dredging needs by up to 90 percent in the future.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS: The proposed advance maintenance dredge cut in the Sunflower reach of the Tombigbee River was addressed in Environmental Assessment (EA), being coordinated as part of this public notice. The EA indicates an Environmental Impact Statement (EIS) for the advance maintenance dredge cut is not needed. The EA is available for review upon request at the USACE, Mobile District's website: <http://www.sam.usace.army.mil/Missions/Planning-Environmental/Environmental-Assessments/>. Upon completion of the 15-day coordination period set forth in this notice, comments received will be incorporated into the EA and final determination of NEPA documentation requirements made. If the determination is to finalize the EA and prepare a Finding of No Significant Impact, these documents will be placed on file in the USACE, Mobile District Office for future reference.

SECTION 404(b)(1) EVALUATION REPORT: Water quality impacts associated with placing dredged/fill material into waters of the United States as a result of the proposed work has been addressed in a preliminary Section 404 (b)(1) Evaluation Report. This report was prepared in accordance with guidelines promulgated by the Environmental Protection Agency (EPA) under Section 404 (b)(1) of the Clean Water Act. The preliminary evaluation report is available for review at the Mobile District's website referenced above, and will be finalized upon completion of the coordination of this notice.

CULTURAL/HISTORIC RESOURCES CONSIDERATIONS: The area surrounding the project area is considered sensitive for cultural resources. Numerous terrestrial sites are located in the vicinity and several historic shipwrecks are known to have gone down in the Tombigbee River. However, the portion of the area of potential effect (APE) in the river, consisting of a proposed dredge cut, is located where the west bank has slumped or eroded into the river, or the APE is located in portions of the channel that have previously been dredged. The terrestrial portion of the APE consists of an area that has been heavily

disturbed by the construction of a disposal area and subsequent placement of dredged material. No cultural resources on, or eligible for, the National Register of Historic Places have been identified within the project APE.

This project will have No Effect to cultural resources. This determination is being coordinated with the Alabama State Historic Preservation Officer and interested federally recognized tribes.

ENDANGERED/THREATENED SPECIES: Federally listed species with potential to occur in the proposed action areas include the Inflated heelsplitter (*Potamilus inflatus*), Southern clubshell (*Pleurobema decisum*), Alabama sturgeon (*Scaphirhynchus suttkusi*), and Gulf sturgeon (*Acipenser oxyrinchus desotoi*).

This public notice is being coordinated with the U.S. Fish and Wildlife Service and prior consultation determined that the proposed action may affect, but is not likely to adversely affect the federally protected Southern clubshell, Alabama sturgeon, and Gulf sturgeon; however, the proposed action may affect, and is likely to adversely affect the federally protected Inflated heelsplitter.

EVALUATION: The decision whether to proceed with the proposed action will be based on evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be reasonably expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

Inasmuch as the proposed work would involve the discharge of materials into waters of the United States, designation of the proposed disposal site associated with this Federal project is being made through application of guidelines promulgated by the Administrator of the EPA in conjunction with the Secretary of the Army. If these guidelines alone prohibit the designation of the proposed disposal site, any potential impairment of the maintenance of navigation, including any economic impact on navigation and anchorage, which would result from the failure to use the disposal site, will also be considered.

COORDINATION: The USACE, Mobile District is soliciting comments from the general public; Federal, State, and local agencies, and officials; American Indian Tribes, and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be used by the USACE, Mobile District to determine whether

23 August 2017

or not to proceed with the proposed action. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity and in preparing an EA and/or an EIS pursuant to the NEPA compliance.


Among the agencies receiving copies of the Public Notice are:

Region IV, U. S. Environmental Protection Agency
Field Supervisor, Fish and Wildlife Service
Regional Director, National Marine Fisheries Service
Regional Director, National Park Service
Commander, Eighth Coast Guard District
Federal Emergency Management Agency
State Conservationist, Alabama, Natural Resources Conservation Service,
U. S. Department of Agriculture
Alabama Department of Environmental Management
Alabama Department of Conservation and Natural Resources
Alabama State Historic Preservation Officer
Alabama Department of Economic and Community Affairs

We request that you communicate the information contained in this notice to any other parties who may have an interest in the proposed action.

PUBLIC HEARING: Any person who may be affected by the discharge of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this public notice. The request must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity.

CORRESPONDENCE: Correspondence concerning this 15-day public notice should refer to **Public Notice No. FP17-TR01-17** and should be directed to the Commander, U.S. Army Corps of Engineers, Mobile District, Post Office Box 2288, Mobile, Alabama 36628, Attention: CESAM-PD-EI, Ms. Velma Diaz. Copies of comments should also be forwarded to Alabama Department of Environmental Management, Field Operations Division, P.O. Box 301463, 1400 Coliseum Boulevard, Montgomery, Alabama 36130-1463. Ms. Velma Diaz may be contacted at telephone number **(251)690-2025** or e-mail address **velma.f.diaz@usace.army.mil** for additional information.

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

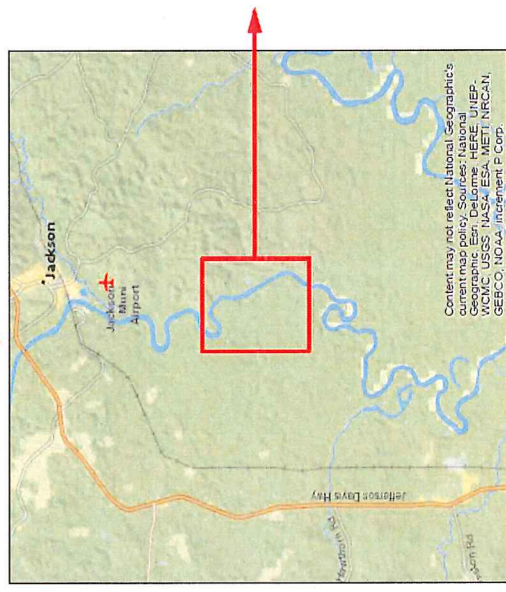
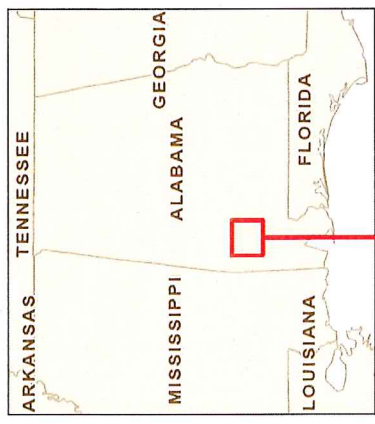
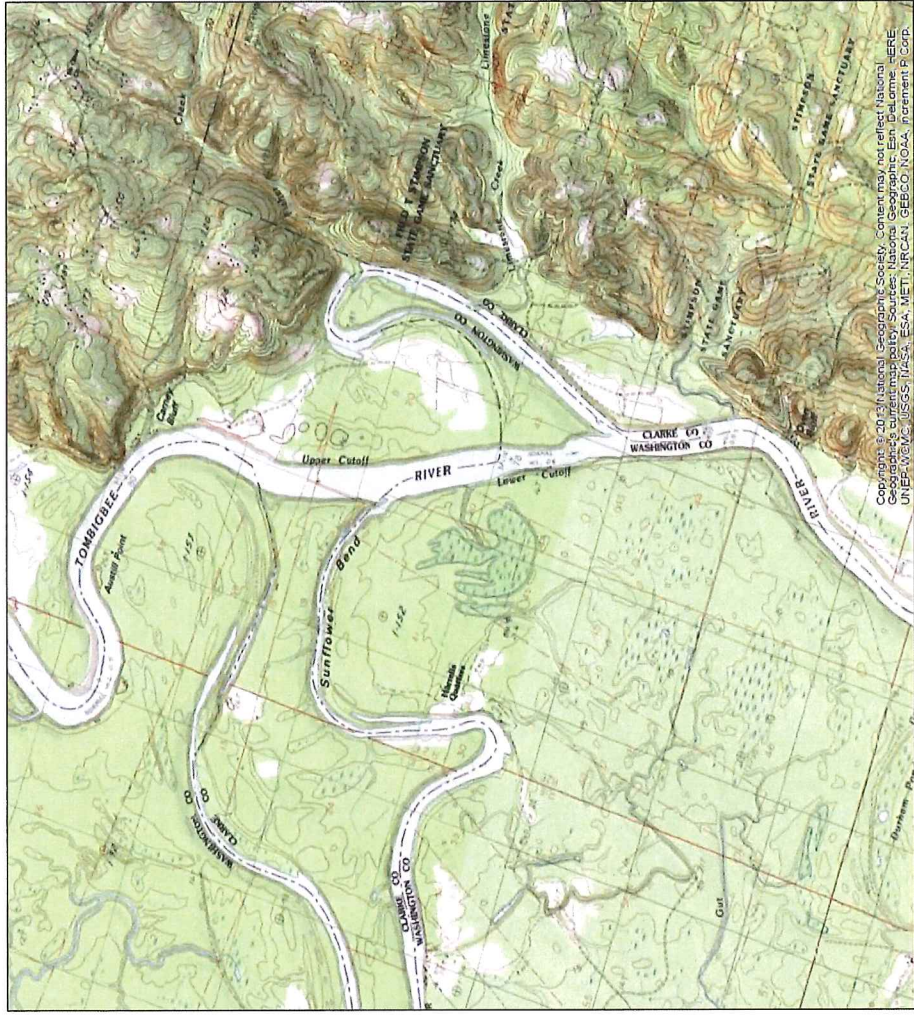


Figure 1: Vicinity Map

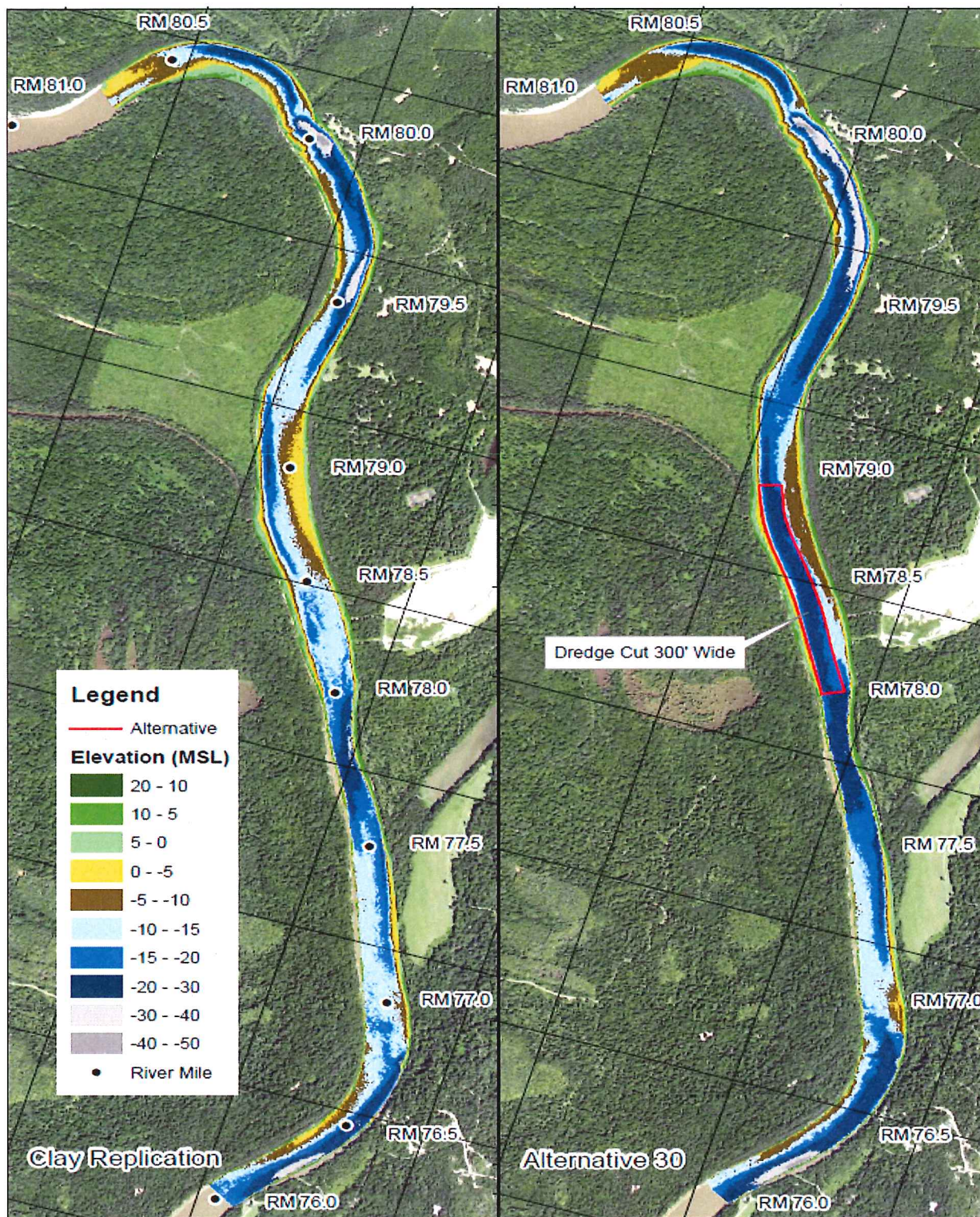


Figure 2: Sunflower Advance Maintenance Dredge Cut