



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

REPLY TO
ATTENTION OF:

CESAM-RD-C
PUBLIC NOTICE NO. SAM-2012-1395-DEM

December 13, 2012

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

**REQUEST FOR AUTHORIZATION TO CONSTRUCT THREE (3) ARTIFICIAL
FISHING REEFS IN ALABAMA WATERS OF THE MISSISSIPPI SOUND NORTH OF
DAUPHIN ISLAND, MOBILE COUNTY, ALABAMA.**

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbor Act of 1899 (33 USC 403) and 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Alabama Marine Resources Division
Mr. Christopher M. Blankenship, Director
Post Office Box 189
Dauphin Island, Alabama 36528

LOCATION: Mississippi Sound, North of Dauphin Island, Mobile County Alabama
Reef 1 (Center at 30.236066; -88.2934833)
Reef 2 (Center at 30.240333; -88.2729833)
Reef 3 (Center at 30.24250; -88.24180)

WATERWAY: Waters of the Mississippi Sound, North of Dauphin Island, Mobile County Alabama

WORK: Install 22 piles in Alabama waters of the Mississippi Sound to demarcate 3 artificial fishing reefs. The purpose of the project is to provide public hook and line fishing opportunities. Six piles with appropriate markers will outline the perimeter of Reef 1 (Center at 30.236066; -88.2934833). Reef 1 will be approximately 3.27 acres in size. Water depth prior to construction of Reef 1 ranges from 6 feet to 14 feet and post construction depth will range from 6 feet to approximately 13 feet.

Ten piles with appropriate markers will outline the perimeter of Reef 2 (Center at 30.240333; -88.2729833). Reef 2 will be approximately 18.63 acres in size. Water depth prior to construction of Reef 2 ranges from 8 feet to 10 feet and post construction depth will range from approximately 7 feet to 9 feet.

Six piles with appropriate markers will outline the perimeter of Reef 3 (Center at 30.24250; -88.24180). Reef 3 will be approximately 3.95 acres in size. Water depth prior to construction of Reef 3 ranges from 6 feet to 10 feet and post construction depth will range from approximately 6 feet to 9 feet.

Total project size will be approximately 25.85 acres. Each reef site will consist of evenly distributed limestone gabion rock while maintaining at least 6 feet of non-obstructed water depth.

The applicant has applied for state water quality (WQ) certification in accordance with Section 401(a)(1) of the Clean Water Act, and for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQ certification and CZ consistency will be made by the Alabama Department of Environmental Management.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, 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 production and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this 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 used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing. Evaluation of the probable impacts involving deposits of

dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. This project will disturb approximately 25.85 acres of water bottoms within Essential Fish Habitat for managed species in the Gulf of Mexico. Impacts to this nursery habitat may affect various aquatic species. Our final determination relative to project impacts to EFH and the need for mitigation measures are subject to review by and coordination with the National Marine Fisheries Service and the Gulf of Mexico Fishery Management Council.

The National Register of Historical Places will be consulted for properties listed in or eligible for the National Register which are known to exist and would be affected by the proposed work. Additional notification will be furnished to the State Historic Preservation Officer via this Public Notice. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, and Division of Archeological Services.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity may affect listed species, or their critical habitat. This notice and application will be coordinated with the U.S. Fish and Wildlife Service (FWS) to assess if the proposed activity will affect listed endangered or threatened species, or their critical habitat. Further coordination with the FWS will be performed as a result of this notice. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species. After review of public comments, the Alabama Department of Environmental Management will determine if the proposal complies with and will be operated or maintained in a manner consistent with the Clean Water Act and the Coastal Zone Management Program.

Correspondence concerning this Public Notice should refer to **SAM-2012-1395-DEM** and should be mailed to:

District Commander, U.S. Army Engineer District, Mobile
Attention: Regulatory Division (RD-C)
Post Office Box 2288,
Mobile, Alabama 36628-0001

with a copy furnished to:

Alabama Department of Environmental Management
4171 Commanders Drive
Mobile Alabama 36615.

December 13, 2012

All Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager, Mr. Don Mroczko at telephone number (251) 690-3185 or donald.e.mroczko@usace.army.mil. Please refer to the Public Notice Number **SAM-2012-1395-DEM**.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/RD/reg, and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



Mississippi Sound

Gas Pipelines

Reef 3

Reef 2

Reef 1

Gulf of Mexico

Google earth

Eye alt: 27115 ft

Image © 2012 TerraMetrics

30° 14' 44.4" N 88° 15' 35.9" W elev: -2 ft

6274 ft

1992





