



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

REPLY TO
ATTENTION OF

CESAM-RD-C-A
PUBLIC NOTICE NO.: SAM-2007-1717-GAC

OCT 10 2007

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

**Dredging for Construction of the Mobile Harbor Turning Basin in the Mobile Harbor
Federal Navigation Project, Mobile, Mobile County, Alabama**

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

APPLICANT: Alabama State Port Authority (ASPA)
Post Office Box 1588
Mobile, Alabama 36633

Waterway: Mobile River, Mobile County, Alabama

WORK: The applicant proposes to mechanically and hydraulically dredge approximately 2,700,000 cubic yards of material from the waterbottoms of the Mobile River at a location between Pinto Island and Little Sand Island in conjunction with the construction of the new Mobile Harbor Turning Basin. The eastern limit of the new turning basin is proposed to be approximately 1,350 feet from the centerline of the existing ship channel. The depth of the turning basin is proposed at -45.0 feet mean lower low water (MLLW) with 4 feet of advance maintenance and an additional 2 feet for allowable overdepth to account for imprecision of the dredge capability for a total depth elevation of -51.0 feet (MLLW). Side slopes at all locations would be approximately 1 vertical to 4 horizontal. The proposed project will excavate approximately 0.82 acre of upland area on Little Sand Island to achieve its specified design geometry.

Disposal sites for dredged material are proposed at three previously authorized disposal areas. Approximately 1,600,000 cubic yards of material will be placed on Garrows Bend on land to be reclaimed in conjunction with the Choctaw Point Terminal Project. This disposal site will involve the construction of approximately 5100 feet of dike with a finished elevation of approximately 14 ft NGVD. Impact associated with the use of this disposal site was addressed in the Final Environmental Impact Statement for the Choctaw Point Terminal Project, Mobile, Alabama, 2004. Remaining materials will be disposed at the Sand Island Beneficial Use Area (SIBUA) and at the Gaillard island disposal area.

Approximately 500 cubic yards of sediment consisting primarily of sand will be placed in the SIBUA site for support and preservation of the Sand Island Lighthouse. Finer grained material will be placed Gaillard island site. All dredging and associated disposal will be conducted in accordance with the attached plans and drawings.

A submerged aquatic vegetation (SAV) survey has been conducted and it was determined that the proposed work will impact approximately 0.1 acre of SAV. The SAV report was prepared by Volkert Environmental Group, Inc. on September 24, 2007.

In addition, an endangered species survey, specifically addressing the Alabama Red-bellied Turtle, was conducted by Volkert Environmental Group, Inc. No evidence of turtle habitat was found within the project boundaries for the turning basin and extending 50 feet on either side of the project boundary. The subject report was prepared by Volkert on September 21, 2007.

The applicant has applied for state certification in accordance with Section 401(a)(1) of the Clean Water Act, and has certified that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to 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 use 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.

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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.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. 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 U.S. Department of the Interior, National Park Service, Division of Archeological Services.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project will disturb an estimated 24 acres of substrate utilized by various stages of various marine organisms. Our initial determination is that the proposed action will not have a substantial impact on EFH or federally managed fishes. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2007-1717-GAC and should be directed to:

District Commander
U.S. Army Engineer District, Mobile
Post Office Box 2288, Mobile, Alabama 36628-000
Attention: Regulatory Division

with a copy to the:

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

All comments must be sent in time to be received not later than 30 days from the date of this notice.

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If you have any questions concerning this publication, you may contact Mr. Glen A. Cunningham at telephone number (251) 694-4077. Please refer to Public Notice number **SAM-2007-1717-GAC**.

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

Enclosure

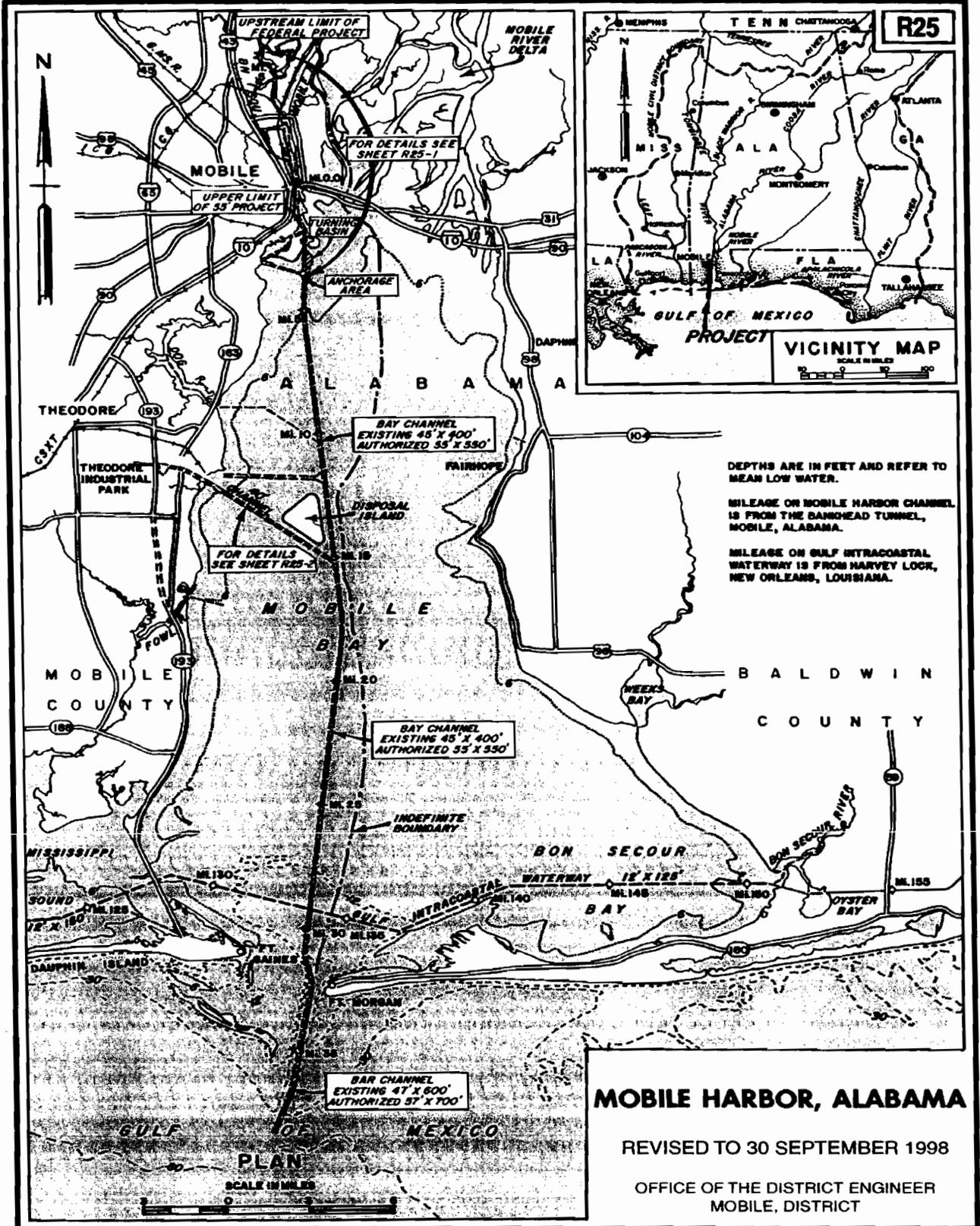


Figure 1. Overall project map illustrating general location and project dimensions.

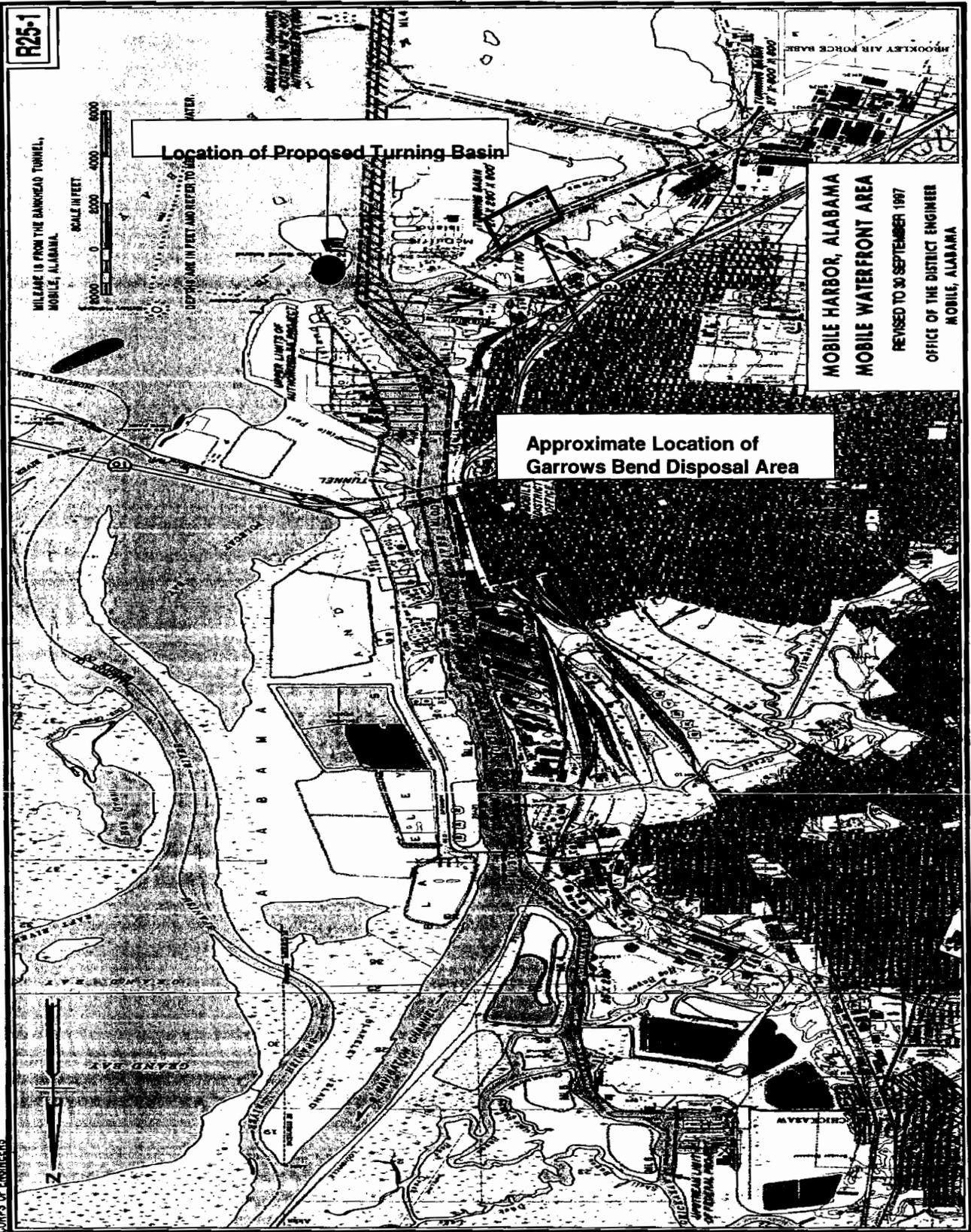


Figure 2. Map of existing Mobile Harbor Federal Navigation Project dimensions

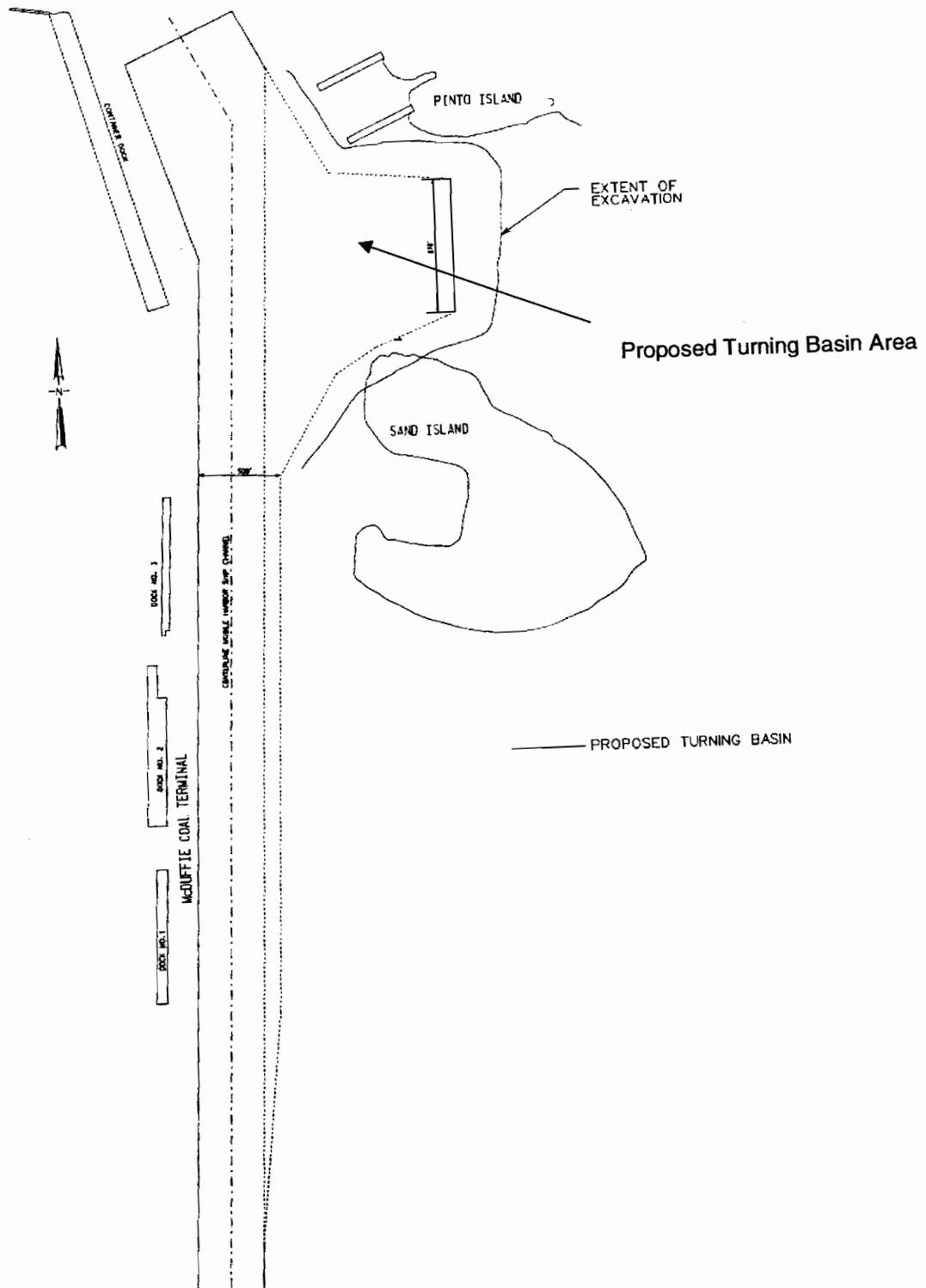


Figure 3. Location and configuration of the proposed turning basin

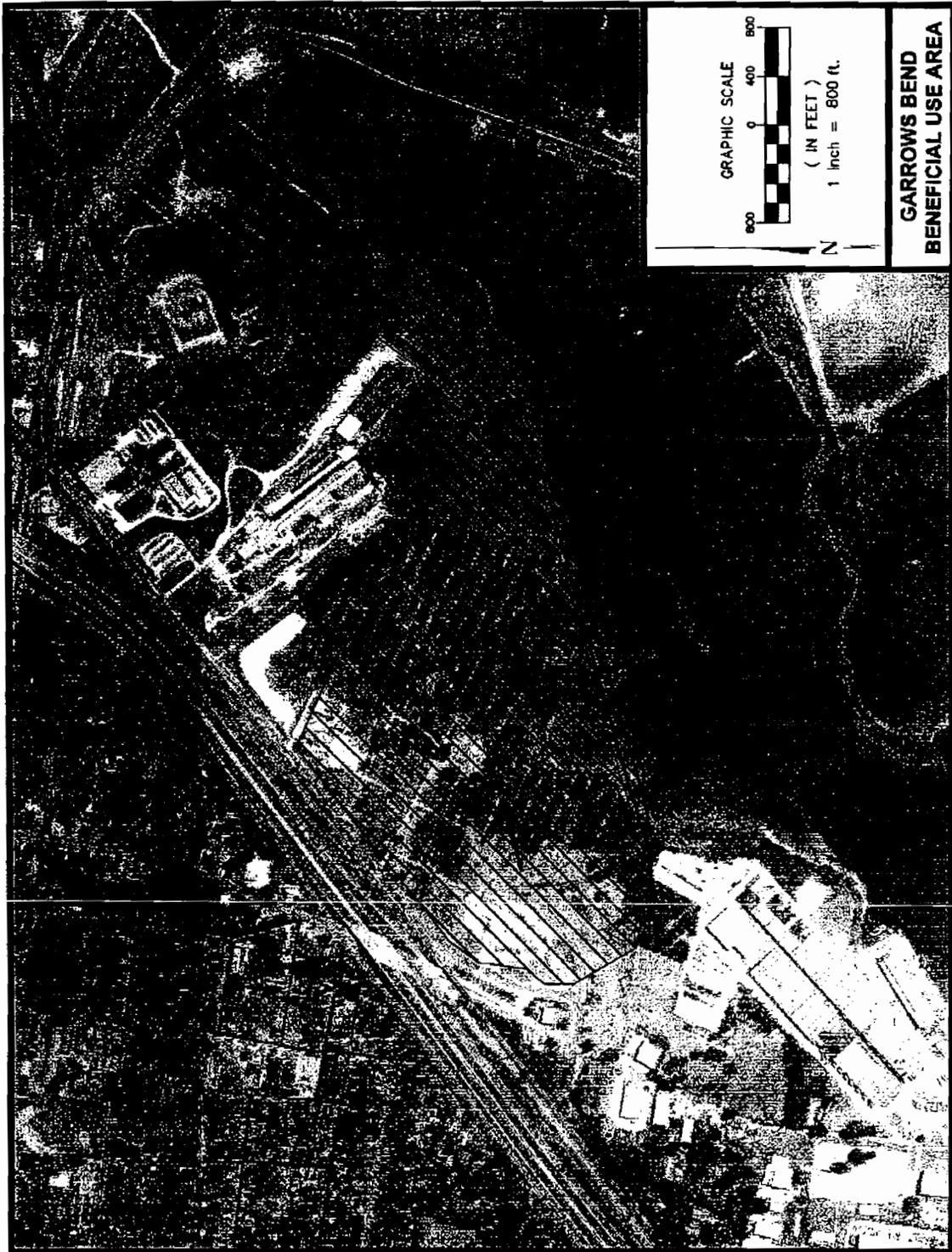


Figure 4. Garrows Bend disposal area

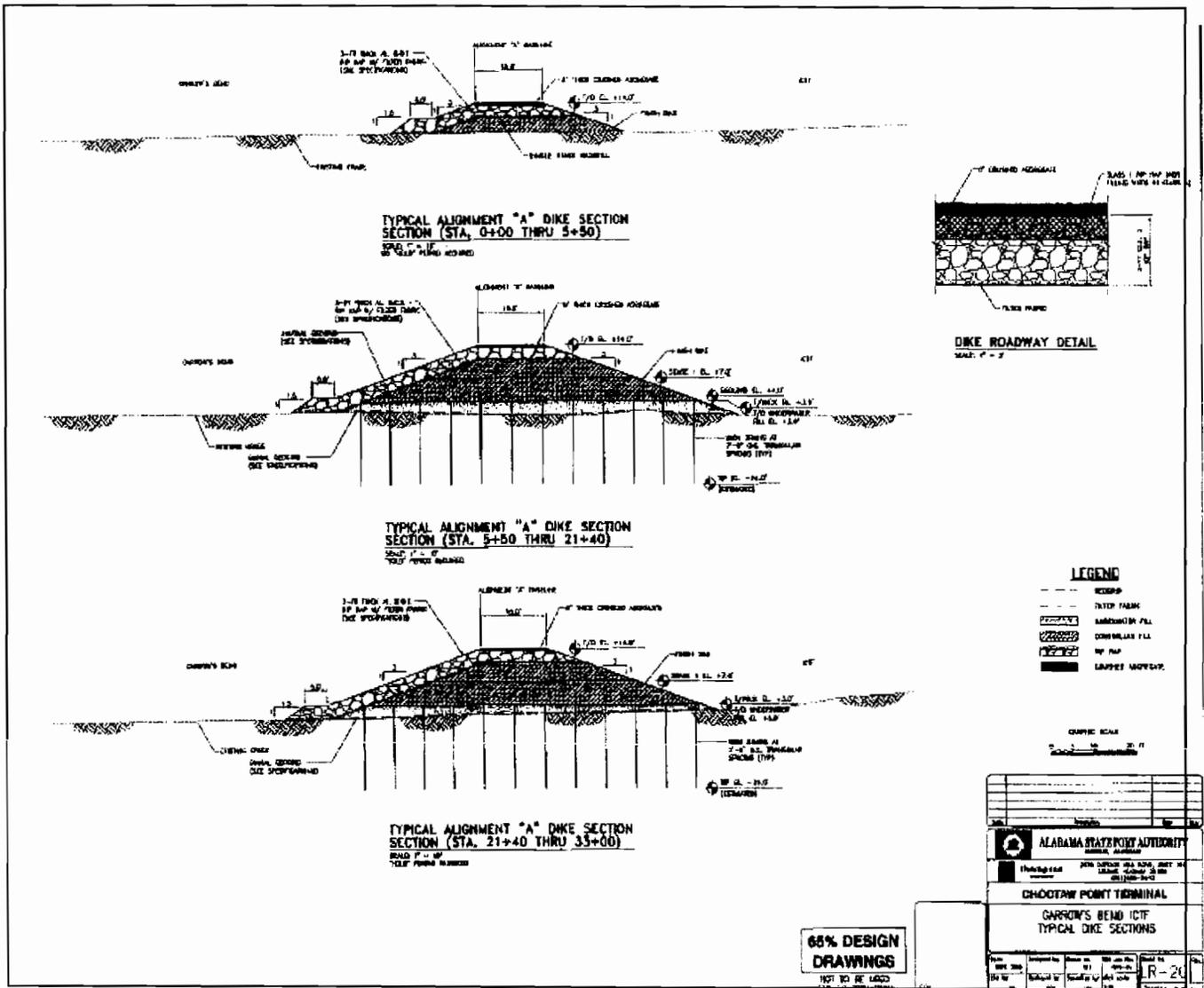


Figure 5. Cross sections of dikes to be constructed at the Garrows Bend Disposal area

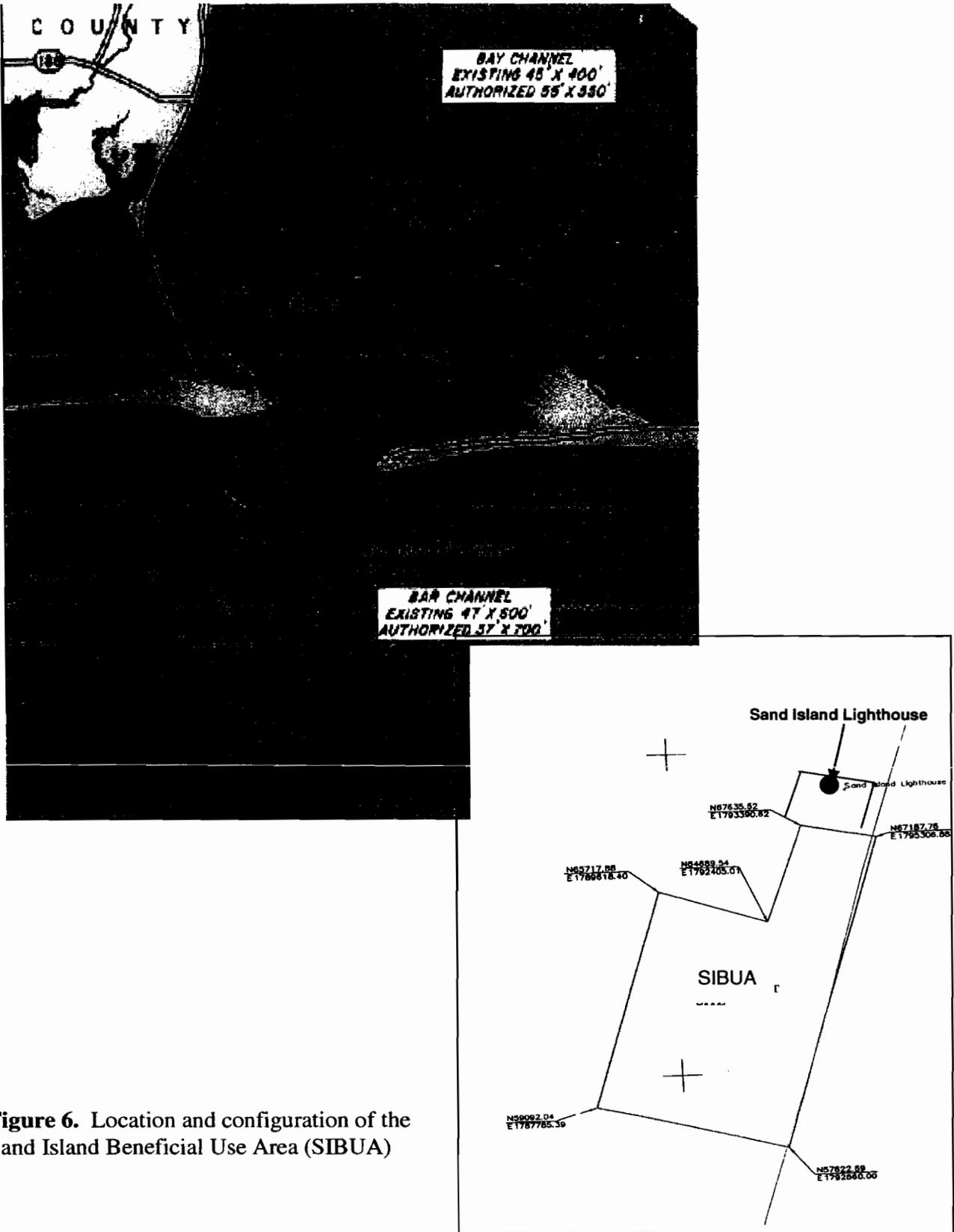


Figure 6. Location and configuration of the Sand Island Beneficial Use Area (SIBUA)

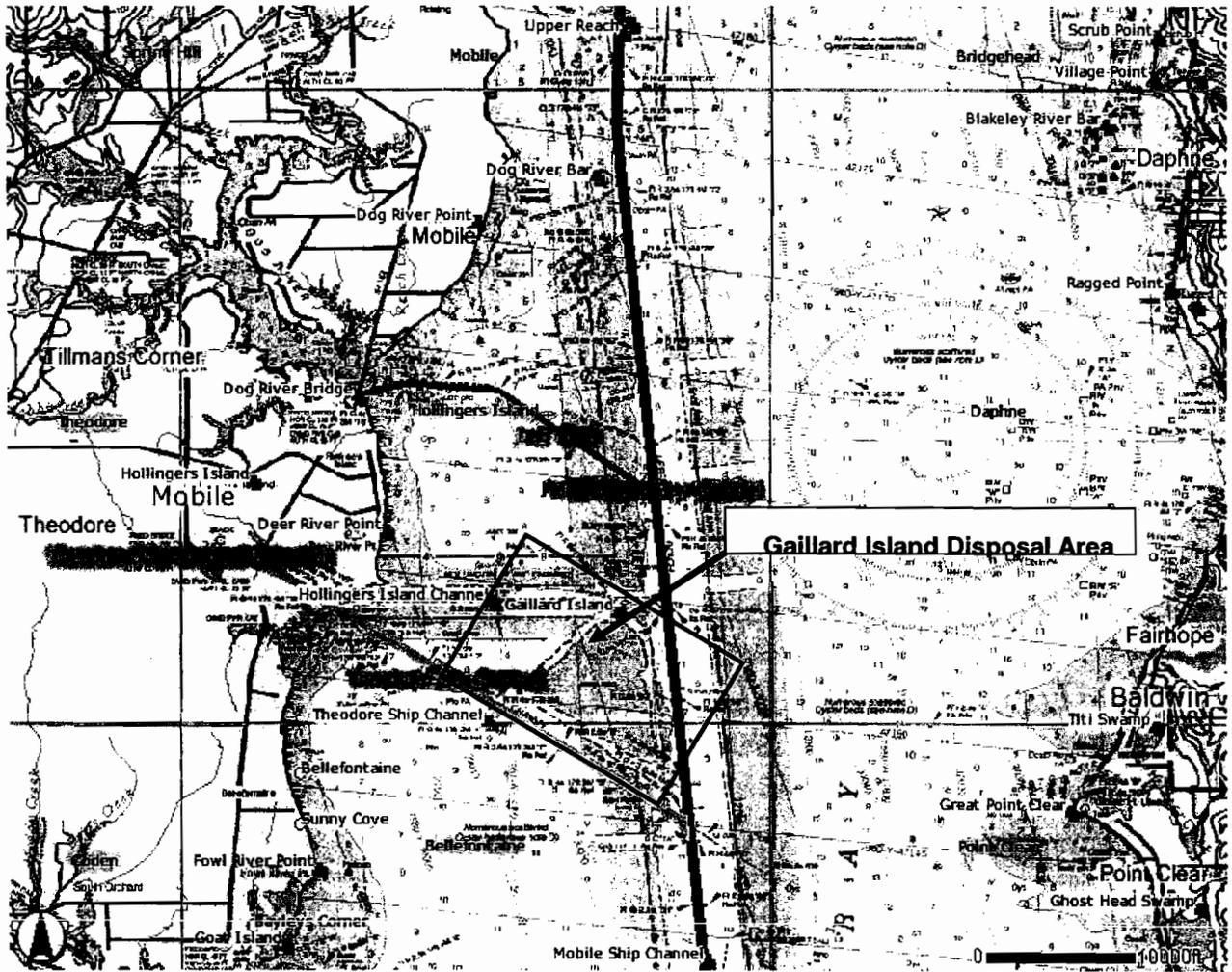


Figure 7. Location of the Gaillard Island disposal area