

FINDING OF FACT

MAINTENANCE DREDGING AND DISPOSAL, FORT GAINES CHANNEL PORTION OF DAUPHIN ISLAND BAY, ALABAMA

As District Engineer, Mobile District Corps of Engineers, it is my duty in the role of responsible Federal officer to review and evaluate, in light of the overall public interest and the stated views of other interested agencies and the concerned public, the environmental effects of this activity.

My evaluation and findings are as follows:

1. Description of the Project. Dauphin Island, Alabama, is located on the west side of the confluence of Mobile Bay and the Gulf of Mexico. Fort Gaines Channel connects Dauphin Island Bay to Mobile Bay on the eastern portion of Dauphin Island. See the figures contained in the attached Section 404(b)(1) Evaluation of the Effects of the Discharge of Dredged Material from the Village Channel and the Fort Gaines Channel, Dauphin Island, Alabama (Inclosure 1). Fort Gaines Channel includes a 7 acre basin 7 feet deep, an access channel from Mobile Bay to the basin 7 feet deep and 150 feet wide, and a channel 4 feet deep and 40 feet wide from the basin to Dauphin Island Bay.

2. Description of the Proposed Action for Which These Findings Are Made. Maintenance dredging of the authorized Fort Gaines Channel would occur on a continuing basis as needed for five years. From 13,000 to 71,000 gross cubic yards would be removed from the channel every two years. Dredged material would be placed by hydraulic dredge in upland diked disposal sites located on Little Dauphin Island (See the inclosed Section 404(b)(1) Evaluation for details).

3. Results of Coordination.

a. A 30-day Public Notice which included the proposed action, FP79-DI01-9, was sent out on 20 April 1979. No public hearings were requested, and none were held. Letters of comment were received from the following agencies:

(1) U.S Environmental Protection Agency (EPA): By letter dated 25 April 1979, stated they had no objections to upland disposal of material from Fort Gaines Channel.

Response: No response is required.

(2) National Oceanic and Atmospheric Administration (NOAA): By letter dated 25 May 1979, stated that they concurred with upland disposal such as that used for Fort Gaines Channel.

Response: No response was required.

(3) Fish and Wildlife Service, NSTL Station, Mississippi: By letter dated 10 May 1979, stated that they concurred with upland disposal such as that used for Fort Gaines Channel.

Response: No response was required.

(4) Alabama Department of Conservation and Natural Resources: By letter dated 9 May 1979, stated that they had no comments on the project.

Response: No response was required.

(5) Engineering Analysis, Inc.: By letter dated 20 April 1979, requested a copy of the Dauphin Island Bay Final Environmental Impact Statement (FEIS).

Response: A copy of the FEIS was forwarded to them.

(6) Federal Aviation Administration: By letter dated 25 April 1979, stated that no significant adverse effects to the existing or future air transportation system would result from the proposed action.

Response: No response was required.

(7) Mr. Thomas O. Gaillard: By letter dated 24 April 1979, was concerned with the exclusive use of a boat terminal at Dauphin Island by a private industry and his recollection of a provision in the authorization of the project which provided for a public boat terminal.

Response: By letter dated 27 April 1979, we explained that neither the public utility nor authorization of the project had been violated.

b. Following the coordination period for the above Public Notice, an Environmental Assessment was prepared for the upland disposal sites not specifically covered in the Final Environmental Impact Statement for the project. Comments received during coordination of the Public Notice were considered and incorporated into the Assessment (Inclosure 2).

c. The Final Environmental Impact Statement for the maintenance dredging of Dauphin Island Bay, Alabama, was filed with the President's Council on Environmental Quality on 9 December 1974.

d. A Statement of Findings, dated 28 March 1974, by Colonel Drake Wilson, District Engineer, Mobile District, U.S. Army Corps of Engineers, concluded that continued maintenance of the Dauphin Island Bay project was in the best public interest and should continue.

e. Previous Public Notices issued for Dauphin Island Bay were 74-907 and 74-907A. The comments received were provided appropriate responses.

f. On 27 June 1979, the Alabama Water Improvement Commission granted State Water Quality Certification for five years for the Fort Gaines Channel portion only of the Dauphin Island Bay, Alabama, authorized dredging project. A copy of the certification letter is appended (Inclosure 3).

4. Environmental Effects and Impacts.

a. The environmental effects and impacts of the described action were addressed in the referenced documents which were coordinated with environmental agencies and the public.

b. Work described in the proposed action requires evaluation in accordance with the Section 404(b)(1) guidelines of the U.S. Environmental Protection Agency dated 5 September 1975. A Section 404(b)(1) Evaluation is appended as Inclosure 1.

c. The cumulative effects of this action upon the environment were considered in an appended Environmental Assessment (Inclosure 2).

5. Determinations. Based upon the above Assessment, the 404(b)(1) Evaluation, and analysis of all comments received, I have made the following determinations:

a. Feasible alternatives to the proposed discharge have been considered and none that are practicable will have less adverse impact on the aquatic and semi-aquatic ecosystem.

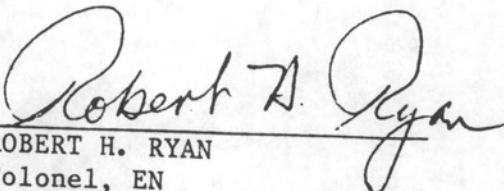
b. There are no unacceptable environmental impacts on the aquatic and semi-aquatic ecosystem as a result of the discharge.

c. The discharge of the dredged (or fill) material will be accomplished under conditions which will minimize, to the extent practicable, adverse environmental effects on the aquatic and semi-aquatic ecosystem.

6. Findings and Conclusions. I, therefore, find that the discharge sites for maintenance of the authorized navigation channel for the Fort Gaines portion of Dauphin Island Bay, Alabama, have been specified

through the application of the Section 404(b) Guidelines. After weighing all factors involved and considering the cumulative effect of the proposed action upon the environment, I have concluded that this project should proceed.

Date: 31 July 1979


ROBERT H. RYAN
Colonel, EN
District Engineer