



REPLY TO  
ATTENTION OF

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

CESAM-PD-EC  
PUBLIC NOTICE NO. FP18-DR06-06

January 18, 2019

## JOINT PUBLIC NOTICE

### U.S. ARMY CORPS OF ENGINEERS AND ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT FOR DOG RIVER NAVIGATION PROJECT PROPOSED MAINTENANCE AND DISPOSAL OF DREDGED MATERIAL MOBILE COUNTY, ALABAMA

#### A FEDERALLY AUTHORIZED NAVIGATION PROJECT

Interested persons are hereby notified that the U.S. Army Corps of Engineers (USACE), Mobile District proposes to continue maintenance dredging of the federally authorized Dog River navigation project, Mobile County, Alabama.

This public notice is issued in accordance with the 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 material may enter navigable waters. The recipient of this notice is requested specifically to review the proposed action as it may have impact on 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:** Mobile Bay, Dog River, Mobile County, Alabama

**DESCRIPTION OF THE AUTHORIZED PROJECT:** The Dog River navigation project was federally authorized by the 1960 Rivers and Harbors Act, (House Document 481, 89<sup>th</sup> Congress, 2<sup>nd</sup> Session), as amended and prior Acts. The project provides for a channel 7 feet deep and 100 feet wide extending from the Alabama Highway 163 Bridge (Dauphin Island Parkway Bridge) eastward for approximately 10,000 feet and then turning southeastward for approximately 12,000 feet where it intersects with the Mobile Ship channel (**Figure 1**).

**DESCRIPTION OF THE PROPOSED ACTION:** The proposed action consists of the continued maintenance dredging and placement of maintenance material from the Dog River navigation channel. The project is divided into two portions, a river portion and a bay portion. Each maintenance dredging cycle requires removal of approximately

30,000 cubic yards of material from the river portion and approximately 20,000 cubic yards of material from the bay portion by hydraulic pipeline dredge. Dredged material from the river portion is placed in an upland site. Dredged material from the bay portion is placed in an open water site. An overlap zone is required for the channel area located 1,000 feet on either side of the point of intersection of the river and bay portions to allow for inaccuracies associated with dredging methodology and processes. The material removed from this 2,000-foot long portion of the channel would be placed either in the upland placement area or the open-water placement site, based upon where shoaling occurs. The proposed dredging action is performed with a tolerance of up to 2 feet of advanced maintenance and 2 feet of over-depth dredging. Maintenance dredging of soft-dredged material with a hydraulic cutterhead dredge tends to disturb the bottom sediments several feet deeper than the target depth due to the inaccuracies of the dredging process. An additional 3 feet of sediment below the 2-foot paid allowable dredging cut may be disturbed in the dredging process with minor amounts of the material being removed.

Maintenance dredging of any portion of the Dog River channel would be performed on an as needed basis with an overall average dredging cycle occurring approximately every 5 years. However, the actual time between dredging cycles and uses of either placement area may vary due to the variable rates of shoaling and availability of funding. Dredging and placement of materials could occur at any time of the year.

**UPLAND PLACEMENT SITE:** The diked upland placement site provided by the City of Mobile for the Dog River navigation project, is approximately 10 acres in size and is located about 4,000 feet northeast of the Dog River Bridge. This upland placement site is located west of the sewage treatment plant, south of Alba Road, and east of Dauphin Island Parkway (Highway 163 in south Mobile County, Alabama) (**Figure 2**). The site is diked and drains to the southwest flowing back into the Dog River.

**OPEN-WATER PLACEMENT SITE:** The open-water placement site proposed for use is the previously certified site located in Mobile Bay just south of the Dog River navigation channel (**Figure 3**). Placement of dredged material at this site is conducted via thin-layer dispersal methods in order to limit impacts to the existing sediment transport regime and the existing aquatic ecosystem (benthic recovery). Placement thickness typically averages 12 inches.

The limits of the placement site encompass an area of approximately 50 acres; however, natural phenomenon such as water currents and wind and wave action will typically shift the material outside of the southern boundary limits. In the event that the 50-acre site reaches capacity, or is insufficient to handle large amounts of material from storm related events, the overlapping larger Mobile Harbor DA-8 open water site (reference Figure 3) may be used if needed. Material compatibility for placement within the DA-8 site is evidenced by dredged material descriptions provided in the most recent

Environmental Assessments conducted in 2010 and 2012 for the Dog River channel and the Mobile Harbor channel, respectively.

**WATER QUALITY CERTIFICATION:** Pursuant to the Clean Water Act, state water quality certification is required for the proposed operations and maintenance action described above. Water quality certification for a 10-year period is being requested from the Alabama Department of Environmental Management (ADEM), Coastal Programs through this public notice and official correspondence. 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 Program to the maximum extent practicable. Concurrence with this determination is being requested from ADEM through this public notice and official correspondence. Upon completion of the required comment period, a decision relative to coastal zone consistency will be made by ADEM.

**USE BY OTHERS:** The proposed action is not expected to create significant impacts on land and water use plans in the vicinity. Use of the waters in the vicinity of the project area includes fishing and recreational boating.

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS:** In accordance with the requirements of the NEPA, the Final Environmental Impact Statement (EIS) for the Dog and Fowl River navigation project, Mobile County, Alabama, was completed on September 15, 1971. The EIS was coordinated with all applicable Federal, state, and local agencies and the interested public. An Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) to address the maintenance dredging of the Dog River navigation channel were prepared on May 7, 1985. A subsequent EA and FONSI were prepared to address potential impacts associated with modifications to the dredged material management plan for the Dog and Fowl River navigation project on August 1994. An EA and FONSI were prepared for the Dog River Pilot Project on August 2001. During the 2004 and 2009 dredging recertification processes, a FONSI, EA and Section 404(b)(1) Evaluation Report were completed. As a result of this continued operations and maintenance project being proposed in the Public Notice (No. FP18-DR06-06), the January 2010 FONSI and EA will serve as valid documentation that adequately addresses potential impacts associated with the continued maintenance of the Dog River navigation project. These documents are on file and available for review at USACE, Mobile District. The EA and FONSI will be updated should comments be provided that warrant consideration.

**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. The January 2010 Section 404 (b)(1) Evaluation Report is on file and available for review at USACE, Mobile District office. Should comments be received that warrant consideration, the Section 404(b)(1) report will be updated.

**ENDANGERED/THREATENED SPECIES:** In compliance with Section 7 of the Endangered Species Act, the proposed Federal action at Dog River is being coordinated with the U.S. Fish and Wildlife Service through this public notice and official correspondence. Based on review of endangered and threatened species that could occur within the Dog River project area, the USACE, Mobile District determined that the proposed action may affect but is not likely to adversely affect any listed species or their critical habitat. Concurrence is expected for this operations and maintenance project. USACE, Mobile District would also use standard manatee protection conditions during all dredging operations.

**CULTURAL AND HISTORIC RESOURCES CONSIDERATION:** The National Register for Historic Places has been reviewed during past re-certification efforts and no properties listed on, being nominated to or determined eligible for the National Register are located in the project vicinity. There are no reported historic shipwrecks in the vicinity of the Dog River navigation project. No impacts to cultural resources are anticipated. Based on the history of the project and relatively recent maintenance dredging, agency concurrence with our no effect determination is anticipated. Copies of this notice are being sent to the Alabama State Historic Preservation Officer (SHPO) and the U.S. Department of Interior, National Park Service, Atlanta, Georgia.

**ESSENTIAL FISH HABITAT (EFH) ASSESSMENT:** Coordination for EFH in the Dog River navigation project area is being initiated through this public notice. 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 designation and conservation of EFH seeks to minimize adverse effects on habitat caused by fishing and non-fishing activities. USACE, Mobile District takes extensive steps to reduce and avoid potential impacts to EFH as well as other significant area resources. Most of the motile benthic and pelagic fauna, such as crab, shrimp, and fish, should be able to avoid the disturbed area and should return shortly after the activity is completed. No long-term direct impacts to managed species of finfish or shellfish populations are anticipated. However, it is reasonable to anticipate some non-motile and motile invertebrate species will be physically affected through dredging and placement operations. These species are expected to recover rapidly soon after the operations are complete with no significant long-term impacts to this resource. Increased water column turbidity during dredging would be temporary and localized. The EFH impacts associated with the dredging and placement activities would be temporal in nature. The overall impact to fisheries resources is considered negligible.

**CLEAN AIR ACT:** Air quality in the vicinity of the proposed action would not be significantly affected. The equipment and machinery would generate some air pollution during dredging activities, such as increased particulate levels from the burning of fossil fuels. However, these impacts would be minor and temporary in nature. The project area is in attainment with the National Ambient Air Quality Standards parameters. The proposed action would not affect the attainment status of the project area or the 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 critical pollutants.

**EVALUATION:** The decision whether to proceed with the proposed action will 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, floodplain 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 into navigable waters, specification of the proposed placement sites associated with this Federal project is being made through the application of guidelines promulgated by the Administrator of the U.S. Environmental Protection Agency in conjunction with the Secretary of the Army. If these guidelines alone prohibit the specification of any proposed disposal site, any potential impairment of the 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  
U.S. Department of the Interior, Fish and Wildlife Service,  
Daphne, Alabama  
Regional Director, National Park Service  
U.S. Department of Commerce, National Marine Fisheries  
Service, Baton Rouge, Louisiana  
U.S. Department of Commerce, National Marine Fisheries  
Service, St. Petersburg, Florida  
Commander, Eighth Coast Guard District  
Alabama Department of Conservation and Natural Resources

January 18, 2019

Alabama State Historic Preservation Officer  
Alabama Department of Environmental Management  
Gulf of Mexico Fishery Management Council  
U.S. Department of Agriculture, Natural Resources  
Conservation Service

Other Federal, state and local organizations, U.S. Senators and Representatives of the State of Alabama are provided copies of this notice and are invited to participate in coordinating the proposed action. USACE, Mobile District request 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 this 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 on this public notice. A request for a hearing must clearly set forth the interest, which may be affected, and the manner in which the interest may be affected. Correspondence concerning this public notice should refer to Public Notice No. FP18-DR06-06 and should be directed to the Commander, U.S. Army Corps of Engineers, Mobile District, Post Office Box 2288, Mobile, Alabama 36628-0001, ATTN: CESAM-PD-EI. For additional information please contact Ms. Tonya Dunn, Planning and Environmental Division, Inland Environment Team at (251) 690-2040, or at email address [Tonya.N.Dunn@usace.army.mil](mailto:Tonya.N.Dunn@usace.army.mil).



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

Enclosures

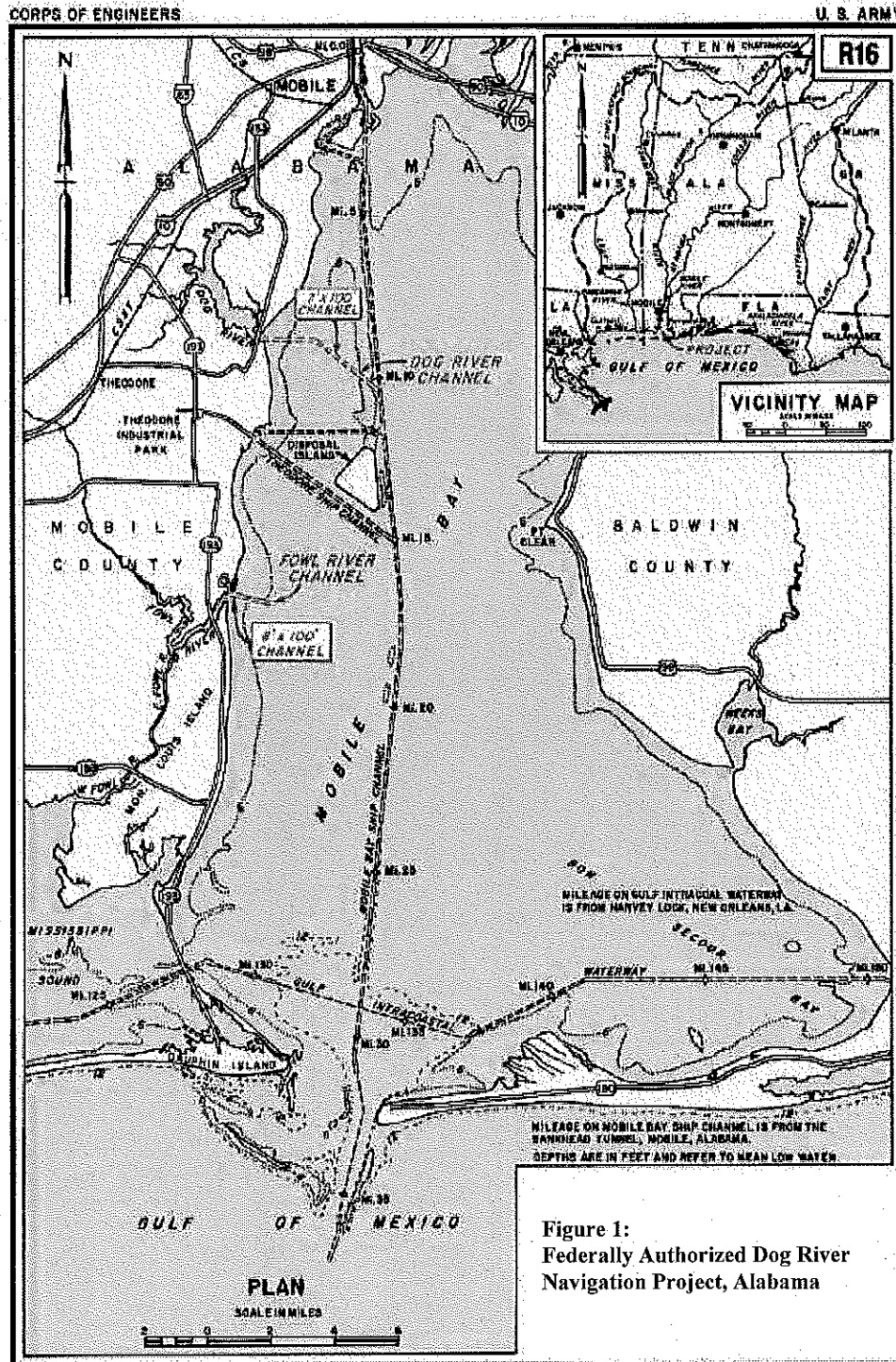


Figure 1: Vicinity Map of the Dog River Navigation Project

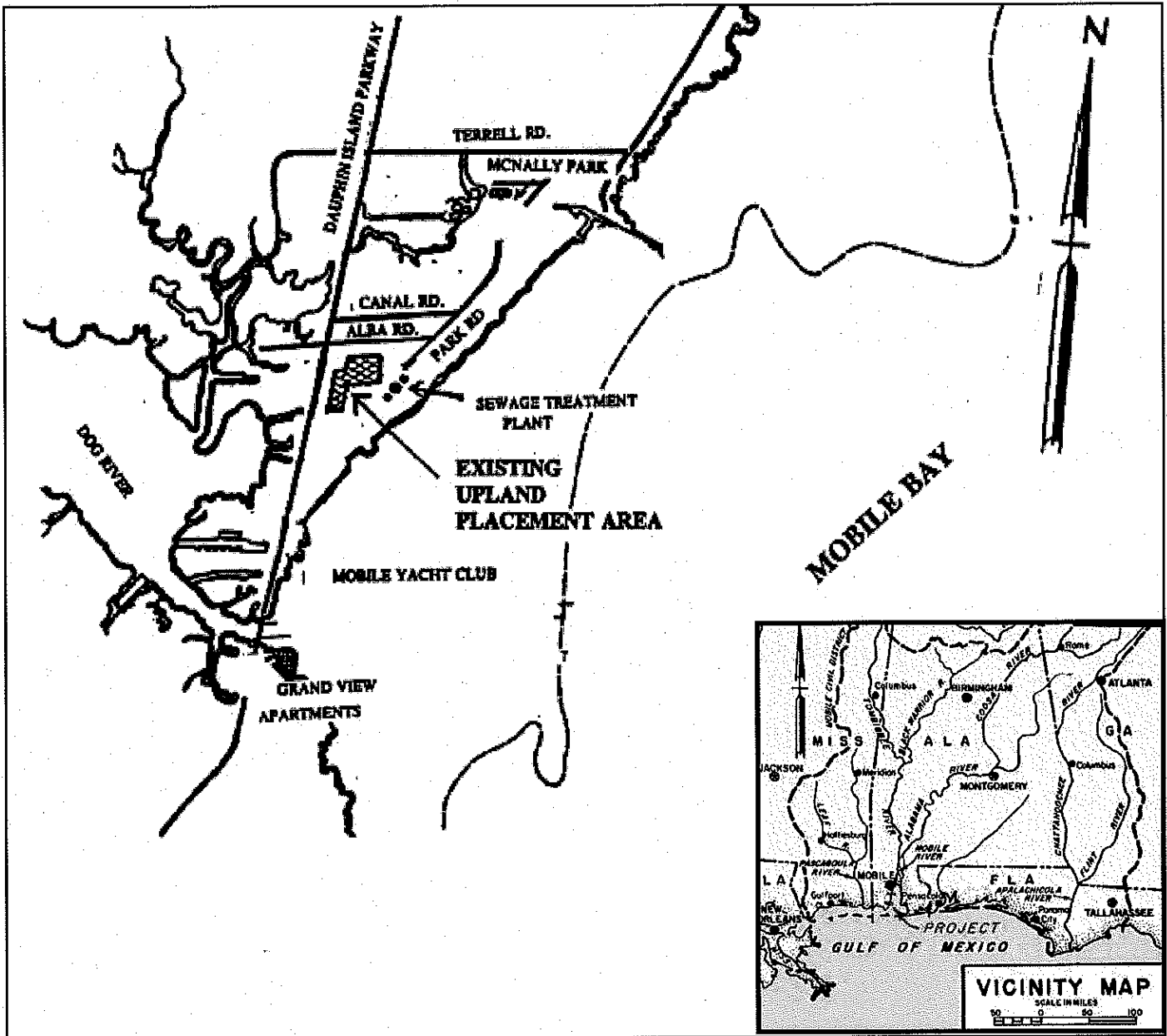


Figure 2: Upland Placement Area for the Dog River Navigation Project



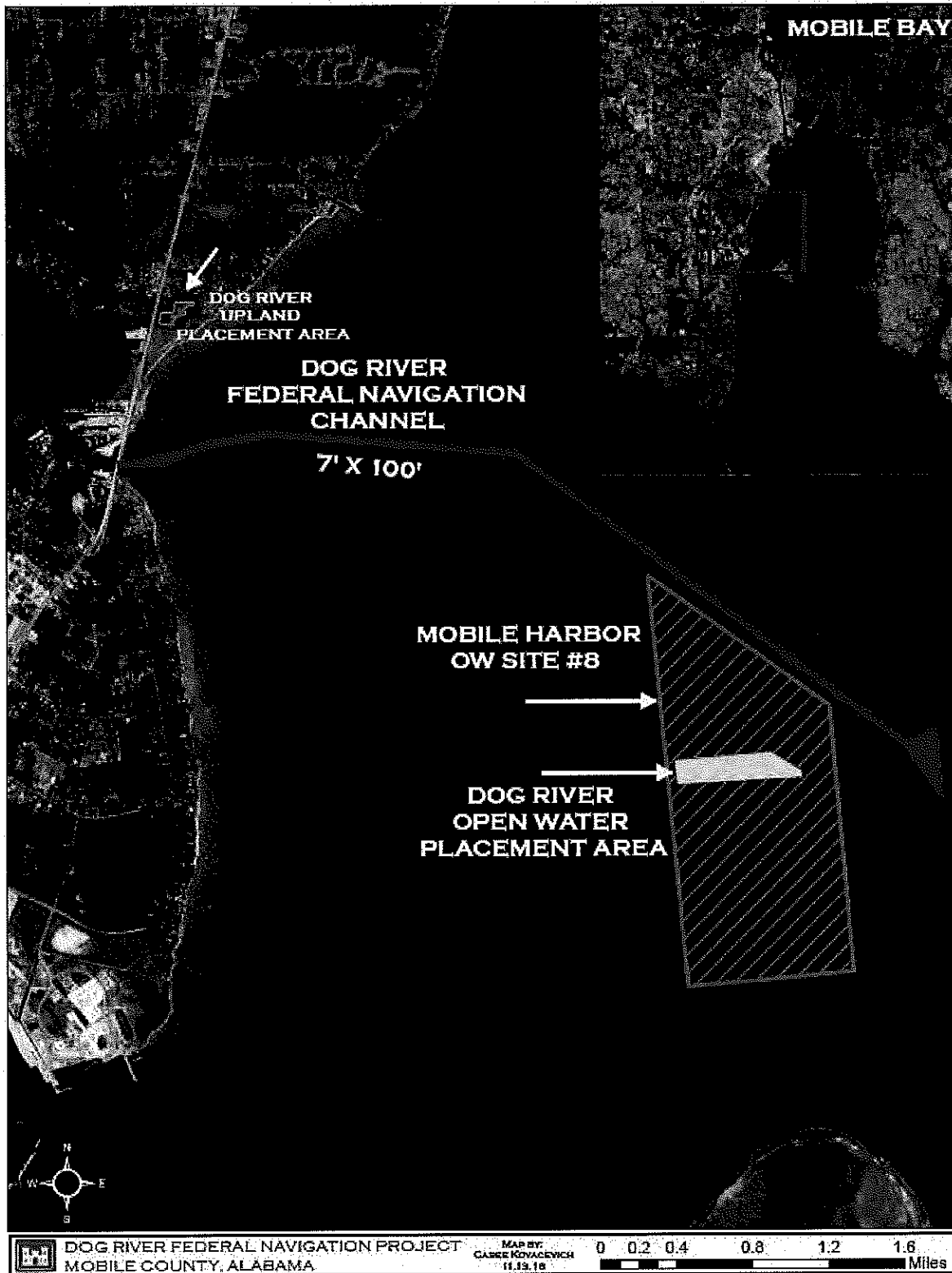


Figure 3: Open-Water Placement Area for the Dog River Navigation Project