



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

**CESAM-PD-EI**  
**PUBLIC NOTICE NO. FP22-BT01-17**

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

**RECERTIFICATION OF THE OPERATIONS AND MAINTENANCE PLAN**  
**FOR OPERATION AND MAINTENANCE OF**  
**THE FEDERAL NAVIGATION CHANNEL**  
**AND**  
**THE MAINTENANCE DREDGING AND DISPOSAL PLAN**  
**FOR PREVIOUSLY APPROVED**  
**WITHIN-BANKS DISPOSAL AREAS AND SMALL BOAT ACCESS CHANNELS**

**BLACK WARRIOR TOMBIGBEE WATERWAY, ALABAMA**

**A FEDERALLY AUTHORIZED PROJECT**

Interested persons are hereby notified that the U.S. Army Corps of Engineers (USACE), Mobile District proposes a plan to continue long-term maintenance dredging and disposal of dredged material for the Black Warrior and Tombigbee (BWT) Rivers, Alabama. The proposed action involves the continued use of all previously approved within-banks, disposal sites, upland disposal sites, and small boat access channels on the BWT Rivers, 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:** The proposed action is to be performed on the BWT Rivers, Alabama.

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**DESCRIPTION OF ENTIRE AUTHORIZED PROJECT:** The existing BWT River System was authorized for navigation by various River and Harbor Acts from 1884 through 1960. Replacement of obsolete structures (old locks and dams) was authorized by the 1907 and 1909 River and Harbor Acts. The project was completed for beneficial use, to existing channel dimensions in 1938. The existing project provides a navigation channel 9 feet deep and 200 feet wide from the mouth of the Tombigbee River, 45 miles above Mobile, to the vicinity of Birmingham via the BWT Rivers to mile 430.4 (waterway miles above Mobile) on the Sipsey Fork, mile 429.6 on the Mulberry Fork, and mile 407.8 on the Locust Fork. The project also provides for maintenance by snagging of the Mobile River above the mouth of Chickasaw Creek for a total waterway project distance of about 463 miles. Six locks and dams accomplish the waterway's total lift of 256 feet.

**DESCRIPTION OF THE PROPOSED ACTION:** Annual maintenance dredging is conducted along the BWT waterway (Figure 1) to maintain the authorized project dimensions. Dredging activity is seasonally limited and generally performed during periods of low water, which range from April to December. Maintenance dredging usually is accomplished by hydraulic pipeline dredge; however, dragline or clamshell equipment may be required in isolated instances.

Continued operation and maintenance (O&M) activities are necessary for safe and unobstructed navigation on the waterway. To accomplish these objectives, future dredging and disposal requirements were determined. These determinations are based on O&M requirements and visual observations. Table 1 identifies areas that required dredging in the past. Approximately 83 percent of the dredging occurs on Warrior Lake and below Coffeeville Lock and Dam. Current dredging practices call for dredging to be performed at a depth of 9 feet plus 4 feet of advanced maintenance, 2 feet of allowable overdepth and 3 feet of disturbance. This practice allows a buffer zone in which four feet of material may accumulate during river stage fluctuations while maintaining the integrity of the authorized channel. Additionally, this practice helps preclude more than one dredging operation per site per season.

Within-banks are the preferred method for disposal of dredged material in all but the heavy shoaling reaches. However, as 'within-banks' sites reach capacity, plans have been developed to convert to diked upland disposal areas. Table 2 provides a listing of previously approved upland disposal areas, and Table 3 provides a listing of existing within-banks disposal sites.

In addition to maintenance of the primary river channel, routine dredging is necessary to assure access to small boat channels, public ramps, creeks, sloughs, and public docking facilities for pleasure boats. These areas are maintained by priority based on available funding. Access channels are dredged to a depth of four to four- and one-half feet and approximately 30 feet wide. A clamshell dredge, bucket dragline or small hydraulic pipeline dredge is used to maintain these channels. Table 4 provides a listing of presently approved small boat access areas.

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**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 (ADEM) 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 benefit long-term because the project will aid in maintaining navigation for commercial and recreational boaters.

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS:** In accordance with the requirements of NEPA, O&M of the BWT was addresses in the project's Final Environmental Impact Statement (FEIS) as filed with the President's Council on Environmental Quality on 16 April 1976. Subsequent Environmental Assessments (EAs) were prepared to address additional maintenance activities. The Final Supplement to the FEIS (FSFEIS) was filed with the U.S. Environmental Protection Agency (EPA) on 13 April 1987, and a Record of Decision was signed by the Division Engineer on 29 September 1987.

**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 continual use of previously approved disposal areas are addressed in a Section 404 (b)(1) Evaluation Report. This report was prepared in accordance with guidelines promulgated by the EPA under Section 404 (b)(1) of the Clean Water Act and is incorporated into the FSFEIS. The report is on file in the Mobile District Office.

**CULTURAL/HISTORIC RESOURCES CONSIDERATIONS:** In compliance with the National Historic Preservation Act, NEPA, and other authorities, the potential effects of the referenced actions on historic properties were considered. Determinations of effects were previously consulted on the State Historic Preservation Officer(s), appropriate tribal officials, and the National Park Service. There are no new undertakings associated with the WQC with the potential cause effects to historic properties as defined by 36 CFR 800.3(a)(1).

Copies of this notice are being sent to the Alabama State Historic Preservation Officer, appropriate tribal officials and the Department of the Interior, National Parks Service Atlanta, Georgia.

**ENDANGERED/THREATENED SPECIES:** Federally listed species with potential to occur in the proposed action areas include the Gulf sturgeon, Alabama sturgeon, southern acornshell, southern combshell, Coosa moccasinshell, southern pigtoe, orange-nacre mucket, inflated heelsplitter and Alabama moccasinshell.

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USACE is coordinating with the U.S. Fish and Wildlife Service (FWS) regarding the species potentially affected by the continued dredging disposal efforts existing of previously approved dredging locations, within-bank disposal areas, upland disposal areas and small boat access channels along the BWT River.

**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 Environmental Protection Agency 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 Corps of Engineers 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 Corps of Engineers to determine whether 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 Environmental Assessment and/or an Environmental Impact Statement 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

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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

You are requested 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 Commander 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 public notice should refer to Public Notice No. FP22-BT01-17 and should be directed to the Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628, Attention: CESAM PD-EI, Ms. Velma Diaz within 30 days from the date on this public notice. Copies of comments should also be forwarded to Alabama Department of Environmental Management, Field Operations Division, Post Office Box 301463, 1400 Coliseum Boulevard, Montgomery, Alabama 36130-1463. Ms. Velma Diaz may be contacted via email address at [velma.f.diaz@usace.army.mil](mailto:velma.f.diaz@usace.army.mil) or at telephone number (251) 690-2025 for additional information.

JEREMY M. LADART  
U.S. Army Corps of Engineers,  
Mobile District