



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. FP19-PP16-13

September 16, 2019

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS AND ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT FOR PERDIDO PASS NAVIGATION PROJECT PROPOSED MAINTENANCE AND DISPOSAL OF DREDGED MATERIAL BALDWIN COUNTY, ALABAMA

A FEDERALLY AUTHORIZED PROJECT

Interested persons are hereby notified that the U.S. Army Corps of Engineers (USACE), Mobile District proposes to conduct maintenance dredging and placement activities associated with the Perdido Pass Navigation Project. Requests for water quality certification and coastal zone consistency are proposed for all previously certified portions of the Perdido Pass Navigation Project.

The public notice is issued in accordance with the rules and regulations published in the Federal Register on April 26, 1988. These laws are applied whenever dredged or fill material may enter waters of the United States, or for the transportation of dredged material during placement into ocean waters. The recipient of this notice is requested specifically 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. Review of any other potential impacts is also requested.

WATERWAY AND LOCATION: Perdido Pass, Baldwin County, Alabama

DESCRIPTION OF THE AUTHORIZED PROJECT: The Perdido Pass Navigation Project (**Figure 1**) was federally authorized by the Rivers and Harbors Act of October 27, 1965. The existing project consists of the following channels:

a) A channel 12 feet deep and 150 feet wide for approximately 1,300 feet from the Gulf of Mexico into the inlet including a deposition basin, thence nine feet deep and 100 feet wide for approximately 2,200 feet to the Alabama Highway 182 bridge.

b) The channel thence branches into two channels, each having dimensions of nine feet deep and 100 feet wide, one of which extends approximately 3,400 feet into the northern portion of Terry Cove (Terry Cove channel) and the other approximately 3,200 feet into the southern portion of Perdido Bay (Bayou St. John channel).

c) The project also includes a 450-foot long crossover channel connecting the Terry Cove channel and the Bayou St. John channel. Channel dimensions are nine feet deep and 100 feet wide.

d) The project also includes two jetties into the Gulf of Mexico spaced 600 feet apart at the seaward end. Top elevation of the jetty is six feet above mean low water (MLW). The east jetty was originally designed with a low weir section 1,000 feet long to permit passage of littoral drift into a dredged material deposition basin 800 feet by 1,200 feet, located between the east jetty and the navigation channel; however, this weir was reduced to a length of 600 feet in 1980.

DESCRIPTION OF THE PROPOSED ACTION: The proposed action is the periodic maintenance dredging and sediment placement activities for the Perdido Pass Navigation Project, located in Baldwin County, Alabama. Maintenance of the project consists of the removal and placement of approximately 50,000 cubic yards of material from the channels above the Alabama Highway 182 bridge, and up to 250,000 cubic yards from below the bridge. The dredged material is composed predominately of medium grain size sand with small percentages of fine sands and silt. The dredge depth includes a maximum design depth of -12 feet mean lower low water. In addition, two feet of advance maintenance and an over dredge depth of two feet are approved for each segment of the channel. Maintenance dredging of soft-dredged material with a hydraulic dredge may disturb the bottom sediments several feet deeper than the target depth due to the physical conditions and inaccuracies of the dredging process. An additional three feet of sediments below the two foot over dredge depth cut may be disturbed in the dredging process with minor amounts of material being removed. The sediments will be removed by hydraulic pipeline dredge and placed in one or more of the eight previously approved placement areas (PA) as deemed appropriate for each specific action. Each of the existing PAs are described below and illustrated in Figures 2 and 3. Continued maintenance of the channel is anticipated to be required every three to five years based on previous records.

PLACEMENT AREAS

PA 1 – An approximate 115-acre nearshore open water disposal area that extends from a point just west of the west jetty between the -7 and -20-foot elevation contours extending westward approximately 5,000 feet (**Figure 2**). Placement in this area would result in sand remaining in the littoral system west of the pass.

PA 2 – Located immediately east of the west jetty and extending the entire length of the jetty (**Figure 2**). Utilization of PA 2 is necessary to prevent further erosion and scouring long the jetty, which threatens the structural integrity of the jetty and the adjacent seawall.

PA 3 – An approximately 1.5-acre PA located at the south end of an old placement island (also known as Bird Island) immediately north of the Alabama Highway 182 bridge that provides beach nourishment and erosion protection (**Figure 3**).

PA 5 – Located on the southwest end of Robinson Island (**Figure 3**). The size of the area is approximately .5-acre. Sand from maintenance dredging of the navigation channel due north of Highway 182 Bridge would be placed as needed along the end of the island. The placement of this material would occur from the existing shoreline seaward to the -3 to -4-foot elevation contours Mean High Water (MHW).

PA 6 – Located on the western end of Florida Point and used to stabilize the sand dike portion of the east jetty, seaward of the dunes and vegetation (**Figure 3**). Periodic placement at this site is necessary to prevent erosion and flanking of the shoreward terminus of the east jetty and is critical towards preserving its structural integrity.

PA 7 – Located adjacent to and west of the west jetty (**Figure 2**). The PA is approximately 10 acres in size. Placement of material in this area reduces the effects of shoreline erosion in the area, prevents undermining of the jetty due to scour, and preserves the structural integrity of the jetty.

PA 8 – Located west of the Pass beginning at the western limit of PA 7 and extending three miles west of the west jetty as shown in **Figure 2**. Beach quality sand from the maintenance dredging of the navigation channel will be placed along this reach between the +7 and -15-foot elevation contours MHW.

PA 9 – Located due east of Perdido Pass and PA 6 along the entire southern shoreline of Florida Point as shown in **Figure 3**. The size of the area is approximately 100 acres. Sand from the navigation channel south of the Highway 182 Bridge would be placed where needed along any eroded sections of the southern shoreline due east of PA 6. The placement of this material would occur from the existing shoreline to between the +7 and -15-foot elevation contours MHW extending eastward from approximately 10,000 feet to the Alabama-Florida state line. The placed material would be contoured to a natural slope with heavy equipment.

WATER QUALITY CERTIFICATION: Pursuant to the requirements of the Clean Water Act, State Water Quality Certification is required for the proposed action. Water Quality certification for a period of 10 years will be requested from the Alabama Department of Environmental Management (ADEM). 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 Management Program to the maximum extent practicable. Concurrence with this determination will be requested from ADEM. Upon completion of the required 30 day 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. Use of the waters in the vicinity of the project area includes commercial fishing and recreational boating.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS: The NEPA of 1969 and Title 40 of the Code of Federal Regulations, Parts 1500-1508 (40 CFR 1500-1508) require Federal agencies to consider the potential environmental consequences of the proposed action and alternatives. Executive Order (EO) 11514, Protection and Enhancement of Environmental Quality (amended by EO 11991), provides policy directing the Federal government to take leadership in protecting and enhancing the environment. In 2010, an Environmental Assessment (EA) was prepared for the continued dredging of the Perdido Pass Navigation Project. The most recent EA, written by USACE, Mobile District was prepared in 2017 to address the potential impacts associated with the addition of PAs 5 and 9. These documents are available upon request at the Mobile District office.

SECTION 404 (B)(1) EVALUATION REPORT: Water quality impacts associated with the proposed action have been identified in evaluation reports 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 Section 404 (b)(1) Evaluation Reports are available for review upon request at the Mobile District office. The report concludes that only minor and short-term turbidity impacts would result from the implementation of the proposed action.

ENDANGERED/THREATENED SPECIES: Pursuant to Section 7 of the Endangered Species Act, the proposed Federal action at the Perdido Pass Navigation Project has been coordinated with the U.S. Fish and Wildlife Service (USFWS).

Previous coordination with the USFWS resulted in a Biological Opinion (BO) being issued to address the possible effects to Sea turtles and Perdido Key beach mice. USFWS set forth Reasonable and Prudent Measures, as well as Terms and Conditions that when followed, should not result in the proposed action threatening the continued existence of the species. Also, USFWS determined the proposed project may affect, but is not likely to adversely affect Piping plover and Least terns. The Mobile District also agreed to implement "Standard Manatee Construction Conditions" throughout the duration of the project. The project conditions have not changed since the last consultation.

CULTURAL RESOURCES CONSIDERATION: In compliance with the National Historic Preservation Act, coordination with the Alabama State Historic Preservation Officer (SHPO) for the maintenance dredging of the Perdido Pass Navigation Project was completed on August 28, 2019. The SHPO concurred with the Mobile District's determination that no impacts to cultural resources would occur with the continued maintenance dredging and placement for the Perdido Pass Navigation Project.

ESSENTIAL FISH HABITAT (EFH): EFH is defined in the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) as "those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity." EFH for several species of shark, various species of reef fish, red drum, coastal migratory pelagics, and shrimp may occur within the vicinity of the project. The Gulf of Mexico Fishery Management Plans identifies EFH within the Gulf of Mexico to be estuarine emergent wetlands, seagrass beds, algal flats, mud, sand, shell, and rock substrates, and the estuarine water column. The habitat within the vicinity of the project consists of estuarine waters; shell, sand, substrates; estuarine emergent wetlands; and seagrass beds.

The proposed activities will not significantly affect coastal habitat identified as EFH in the Perdido Pass area. Based on the extent of this habitat in the general vicinity of the project and the short-term nature of the impact, 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 by the proposed action. The equipment and machinery would generate some air pollution during construction activities, such as increased particulate levels from the burning of fossil fuels. However, these impacts would be minor and temporary in nature. The proposed action is in compliance with the Clean Air Act, as amended. 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 evaluating 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, economic, 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. The proposed action will proceed unless it is found to be contrary to the overall public interest.

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
National Park Service

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National Marine Fisheries, Habitat Conservation Division
National Marine Fisheries, Protected Resources Division
Commander, Eighth Coast Guard District
Alabama Department of Conservation and Natural Resources, Game and Fish Division
Alabama Department of Conservation and Natural Resources, Marine Resources
Division
Alabama State Historic Preservation Officer
Gulf of Mexico Fishery Management Council
Alabama Department of Environmental Management

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. It is requested that 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 Engineer 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. FP19-PP16-13 and should be directed to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: CESAM-PD-EC, Post Office Box 2288, Mobile, Alabama 36628-0001. For additional information please contact Ms. Angelia Lewis at (251) 694-4105, or by email at angelia.v.lewis@usace.army.mil.



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

Enclosures

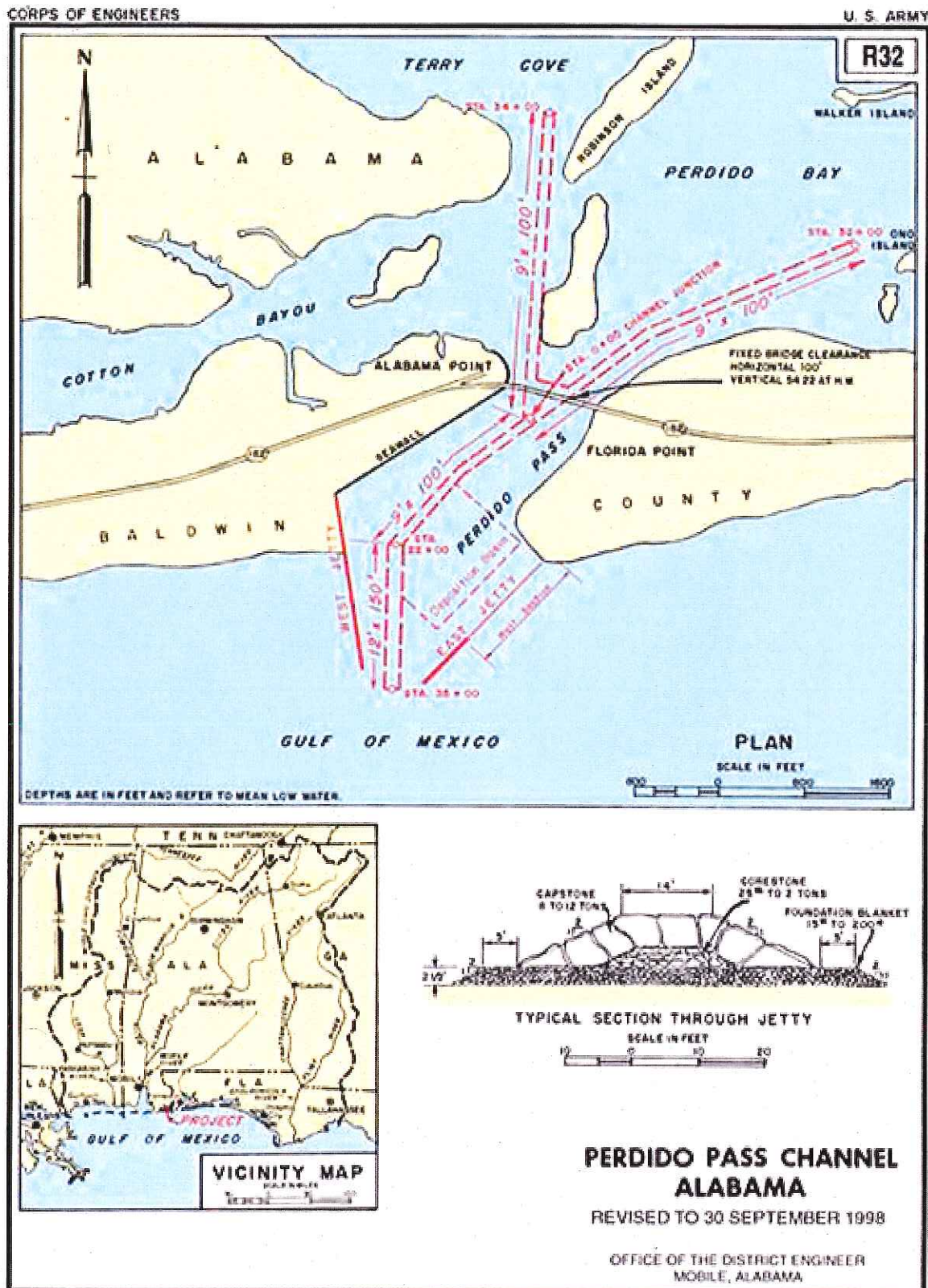


Figure 1: Perdido Pass Navigation Project



Figure 2: Placement Areas 1, 2, 7, and 8

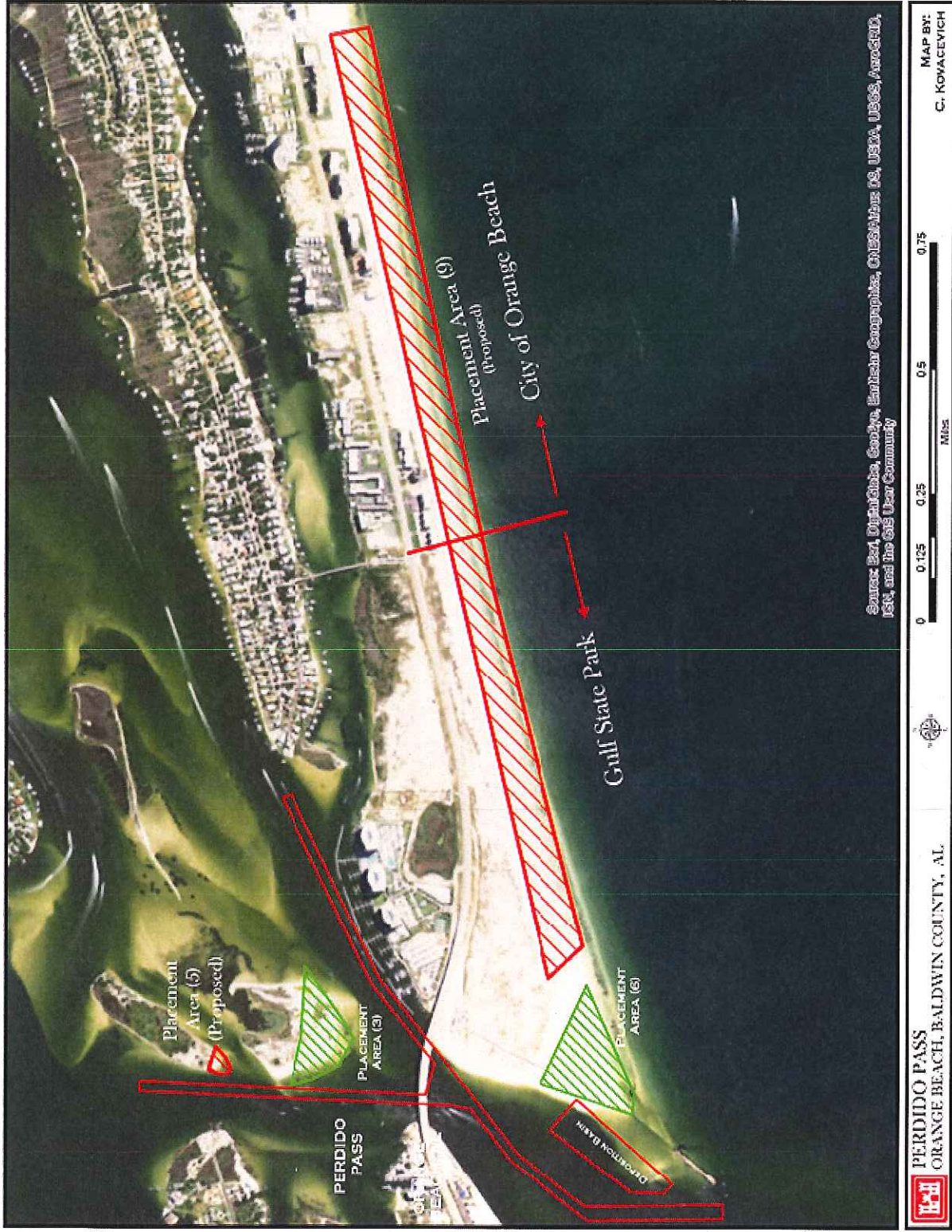


Figure 3: Placement Areas 3, 5, 6, and 9