



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

REPLY TO
ATTENTION OF:

CESAM-PD-EC
PUBLIC NOTICE NO. FP23-DI01-11

JOINT PUBLIC NOTICE

**U.S. ARMY CORPS OF ENGINEERS,
MOBILE DISTRICT
AND
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED BORROW AREA ADDITIONS FOR CLOSURE OF PASS DRURY
BREACH
THE DAUPHIN ISLAND BAY NAVIGATION PROJECT
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 conduct routine maintenance dredging and placement activities in the Pass Drury Channel located in Little Dauphin Island, Alabama, as authorized and directed by the United States Congress.

This public notice is issued in accordance with rules and regulations published in the Federal Register April 26, 1988. These laws are applied whenever dredged or fill materials may enter waters of the United States. The recipient of this notice is requested specifically to review the proposed action as it may impact on water quality, relative to the requirements of Section 404(b)(1) of the Clean Water Act and Coastal Zone Management Act. Review of any other potential impacts is also requested.

WATERWAY AND LOCATION: The Pass Drury Channel is in the Dauphin Island Bay, Mobile County, Alabama (Figure 1).

DESCRIPTION OF THE ENTIRE AUTHORIZED PROJECT: The Dauphin Island Bay Federal Navigation project was authorized by the 1945 Rivers and Harbor Act (H. Doc. 333, 76th Congress, 1st Session); the 1954 Rivers and Harbor Act (H. Doc. 394, 82nd Congress, 2nd Session) and Section 107 of the Rivers and Harbor Act of 1960 (H. Doc. 7634, 86th Congress, 2nd Session). The project provides for an anchorage basin 7 feet deep by 500 feet square at Dauphin Island Village Channel with an entrance channel of the same depth, 100-foot-wide and about 8,300 feet long, extending to the 7-foot hydrographic contour in the Mississippi Sound, and b) a channel 7 feet deep and 150-foot wide from Mobile Bay to an anchorage basin

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7 feet deep, about 7 acres in area, just north of Fort Gaines on Dauphin Island (Fort Gaines Channel); a channel 6 feet deep by 40 feet wide by 4,070 feet long from the anchorage basin to Dauphin Island Bay (Government Cut); and a jetty and revetment to protect the entrance channel.

DESCRIPTION OF THE PROPOSED ACTION: The proposed action consists of performing routine operation and maintenance (O&M) dredging of the following:

Pass Drury Federal Navigation Channel: This portion of the channel is located on the northern shore and is erosive in nature responding to wave driven currents from Mobile Bay. Approximately 18,000 cubic yards (cys) of very loose silty sand to firm sands at a depth of -6' mean lower low water (MLLW) plus an additional 2' for Advance Maintenance and 2' for Allowable Over Depth (AOD) will be dredged from the navigation channel using a combination of mechanical and/or cutterhead dredges and placed in the open water for closure of the Pass Drury breach (Figure 2).

Fort Gaines Federal Navigation Channel: This portion of the project provides an entrance channel from Mobile Bay. Approximately 22,000 cys of sandy material at a depth of -7' MLLW plus an additional 2' for Advance Maintenance and 2' for AOD will be dredged from the navigation channel using a combination of mechanical and/or cutterhead dredges and placed for closure of the Pass Drury breach (Figure 3).

Borrow Sites: Additional material will be dredged from the following borrow sites and used for placement:

Borrow Sites	Volumes	Depths
Pass Drury Borrow Existing Source 1	Up to 221,100 cys	-6 feet MLLW plus 2' Advance Maintenance & 2' AOD
Pass Drury Sediment Trap Borrow Source 2	12,400 cys	-6' MLLW plus 2' Advance Maintenance & 2' AOD
Pass Drury Sediment Trap Borrow Source 3	3,500 cys	-6' MLLW plus 2' Advance Maintenance & 2' AOD
Pass Drury and Fort Gaines Sediment Trap Borrow Source 4	17,300 cys	-6' and -7' MLLW plus 2' Advance Maintenance & 2' AOD
Fort Gaines Sediment Trap Borrow Source 5	6,600 cys	-7' MLLW plus 2' Advance Maintenance & 2' AOD

Borrow area one is an existing borrow source, and is located east of Dauphin Island and adjacent to the Pass Drury breach. The proposed borrow sources includes sites two, three, and four, which are located south of the Pass Drury breach and site five, which is located southeast of Mobile Bay. The proposed borrow sources two and four are located at the toe of the channel. The total amount of material available is approximately 301,000 cys with an approximate amount of 131,000 cys of dredged material needed to fill the breached area.

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WATER QUALITY CERTIFICATION: Pursuant to the Clean Water Act, state water quality certification is required for the proposed activities. Water quality certification is being requested from the Alabama Department of Environmental Management (ADEM). ADEM will decide relative to water quality for the proposed action upon completion of the required comment period for this public notice.

COASTAL ZONE CONSISTENCY: Pursuant to the Coastal Zone Management Act, concurrence with the USACE, Mobile District's determination of coastal zone consistency to the maximum extent practicable is being requested from ADEM. Our review of the Alabama Coastal Program indicated that the project is consistent to the maximum extent practicable. ADEM will make a decision relative to coastal zone consistency for the proposed action upon completion of the required comment period of this public notice.

USE BY OTHERS: The proposed action is not expected to create significant impacts on land use plans. Use of waters within the channel including fishing, oystering, and recreational boating and those activities will be temporarily impacted during the actual O&M activities.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS:

In accordance with the requirements of NEPA, impacts associated with the proposed action were disclosed in an Environmental Assessment (EA) and is available upon request. The EA is available via the USACE, Mobile District website at <https://www.sam.usace.army.mil/Missions/Planning-Environmental/Environmental-Assessments/>. The EA will be updated should comments be provided that necessitate inclusion. Upon finalization of EA, a Finding of No Significant Impacts (FONSI) will be prepared and signed by the District Commander.

SECTION 404(b)(1) EVALUATION REPORT: Environmental concerns involving the proposed placement activities have been evaluated under the Clean Water Act. A Section 404(b)(1) Evaluation Report has been prepared to address impacts associated with the proposed action. Items discussed in the referenced report include temporary increases in turbidity and covering of benthic communities. The Section 404(b)(1) evaluation is available via the USACE, Mobile District website at the above link. Appropriate revisions will be incorporated into Section 404(b)(1) Evaluation Report if information is received during coordination of this public notice that would dictate the need to revise the report.

ENDANGERED/THREATENED SPECIES: Pursuant to Section 7 of the Endangered Species Act, the proposed action is being coordinated with the U.S. Department of the Interior, U.S. Fish and Wildlife Service regarding potential impacts to threatened or endangered species and their critical habitat under their purview. USFWS federally listed species that may be found within the vicinity of the project area only include West Indian manatee (*Trichechus manatus latirostris*), Gulf sturgeon (*Acipenser oxyrinchus desotoi*), Loggerhead (*Caretta caretta*) and Kemp's ridley (*Lepidochelys kempii*) sea turtles.

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Standard protection measures as developed by USFWS, will be implemented for manatees that could be in the project area during dredging operations. These species will likely avoid the immediate project vicinity during dredging or placement due to noise from vessels and machinery.

The Kemp's ridley and loggerheads sea turtles and gulf sturgeons can be found near the project area; however, they will likely avoid the immediate project vicinity during dredging or placement due to noise from vessels and machinery. Through consultation of the Gulf Regional Biological Opinion (GRBO 2003) as amended 2005 and 2007, with the National Marine Fisheries Service, effects from cutterhead dredges to these species have been found to be minimal and discounted. The proposed project falls outside of designated critical habitat for Gulf sturgeon.

The placement of disposal material on Pass Drury closes the breach; therefore, restoring that area of habitat for the piping plover. However, due to the species mobility and temporary nature of the activity, it is unlikely that the project would not adversely affect piping plovers. The species would naturally avoid the project area and there are other nearby wintering habitat locations available for use during placement activities. Plovers will likely be found at the placement site after closure of the breach. Impacts to foraging, roosting, and sheltering would be minor, temporary and localized to the area of the breach. Once the breach is repaired, the area could be utilized again by piping plovers.

Accordingly, the USACE, Mobile District has determined the proposed activity is not likely to adversely affect any listed endangered and/or threatened species or destroy or adversely modify piping plover designated critical habitat.

ESSENTIAL FISH HABITATS (EFH): Essential Fish Habitat (EFH) is defined in the Magnuson-Stevens Fishery Conservation and Management Act as... "those waters and substrates necessary to fish for spawning, breeding, feeding or growth to maturity." The designation and conservation of EFH seek to minimize adverse effects on habitat caused by fishing and non-fishing activities. The NMFS has identified EFH habitats for the Gulf of Mexico in its Fishery Management Plan Amendments. The Gulf of Mexico Fishery Management Plan (2017) identifies EFH to be estuarine emergent wetlands, seagrass beds, vegetated and non-vegetated bottoms, shell reefs, and the estuarine water column. These habitats also include algal flats, mud, sand, shell, and rock substrates. Within the project area, EFH include non-vegetated bottoms and the estuarine water column.

Non-vegetated bottoms and the estuarine water column within the project area provides habitat for various species of fish, both invertebrates and vertebrates. Within the project area, the EFH designated for managed species of Gulf of Mexico include red drum, sharks (5 species), coastal migratory pelagic (3 species), reef fish (43 species), and shrimp (4 species). No habitat areas of particular concern were identified for this area.

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The USACE, Mobile District implements environmental protection measures to reduce and avoid potential impacts to EFH as well as other significant area resources. No adverse impacts to wetlands, oyster reefs, or SAV from the implementation of the project would be anticipated. 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. No significant long-term impacts to this resource are expected as result of this action. Increased water column turbidity during dredging would be temporary and localized. No change is anticipated to occur to the habitat types. Overall, Impacts to EFH would be temporary and localized as a result of the dredging and placement activities.

The proposed action will not adversely significantly affect coastal habitat identified as EFH in the project area. No adverse impacts to wetlands, SAVs or shell reefs, which are outside of the project footprint, are anticipated. Turbidity generated in the water column would be temporary, localized, and of a short duration.

CULTURAL RESOURCES CONSIDERATION: In compliance with the National Historic Preservation Act, coordination with the Alabama State Historic Preservation Officer has been initiated. The USACE has determined that no historic properties are present within the breach fill or borrow areas and, therefore, no historic properties will be affected by dredging of the proposed borrow sites and placement of the material in the Pass Drury breach.

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 machinery related air pollution during O&M dredging activities such as increased particulate levels from the burning fossil fuels. However, these impacts would be minor and temporary in nature. The proposed action complies with the Clean Air Act. 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 evaluation of the probable impact including cumulative impacts of the proposed action on overall public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from this proposal must be balanced against its reasonably foreseeable determinants. All factors, which may be relevant to the proposal, will be considered. Among these are sediments, water quality, air quality, wetlands, submerged

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aquatic vegetation, oysters, EFH, terrestrial wildlife, shorebirds, threatened and endangered species, cultural resources, aesthetics, land use, recreation, noise, and the 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:

U.S. Environmental Protection Agency, Region 4
U.S. Fish and Wildlife Service, Daphne, Alabama
Bon Secour National Wildlife Refuge, Fish and Wildlife Services; Regional Director,
National Park Service,
U.S. Department of Commerce, National Marine Fisheries Service, Protected
Resource Division Offices, Panama City, Florida
Alabama Department of Environmental Management, Mobile, Alabama
Alabama Department of Archives and History, State Historical Preservation Officer,
Montgomery, Alabama
Alabama Department of Conservation and Natural Resources, Game and Fish
Division
Alabama Department of Conservation and Natural Resources, Marine Resources
Division
Gulf of Mexico Fishery Management Council
Federally Recognized Tribes

Other Federal, State, and local organizations, and interested parties are being sent copies of this notice and are invited to participate in coordinating this proposed action. You are requested to communicate the information contained in this notice to any person who may have 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 way the interest may be affected. Correspondence concerning the public notice should refer to Public Notice Number FP23-DI01-11 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 more information, contact Ms. Valerie V. Powe, via email at valerie.v.powe@usace.army.mil or via phone at (251) 694-2021.

JEREMY M. LADART
Chief, Planning and Environmental
Division



Figure 1: Dauphin Island Bay Federal Navigation Project Vicinity Map

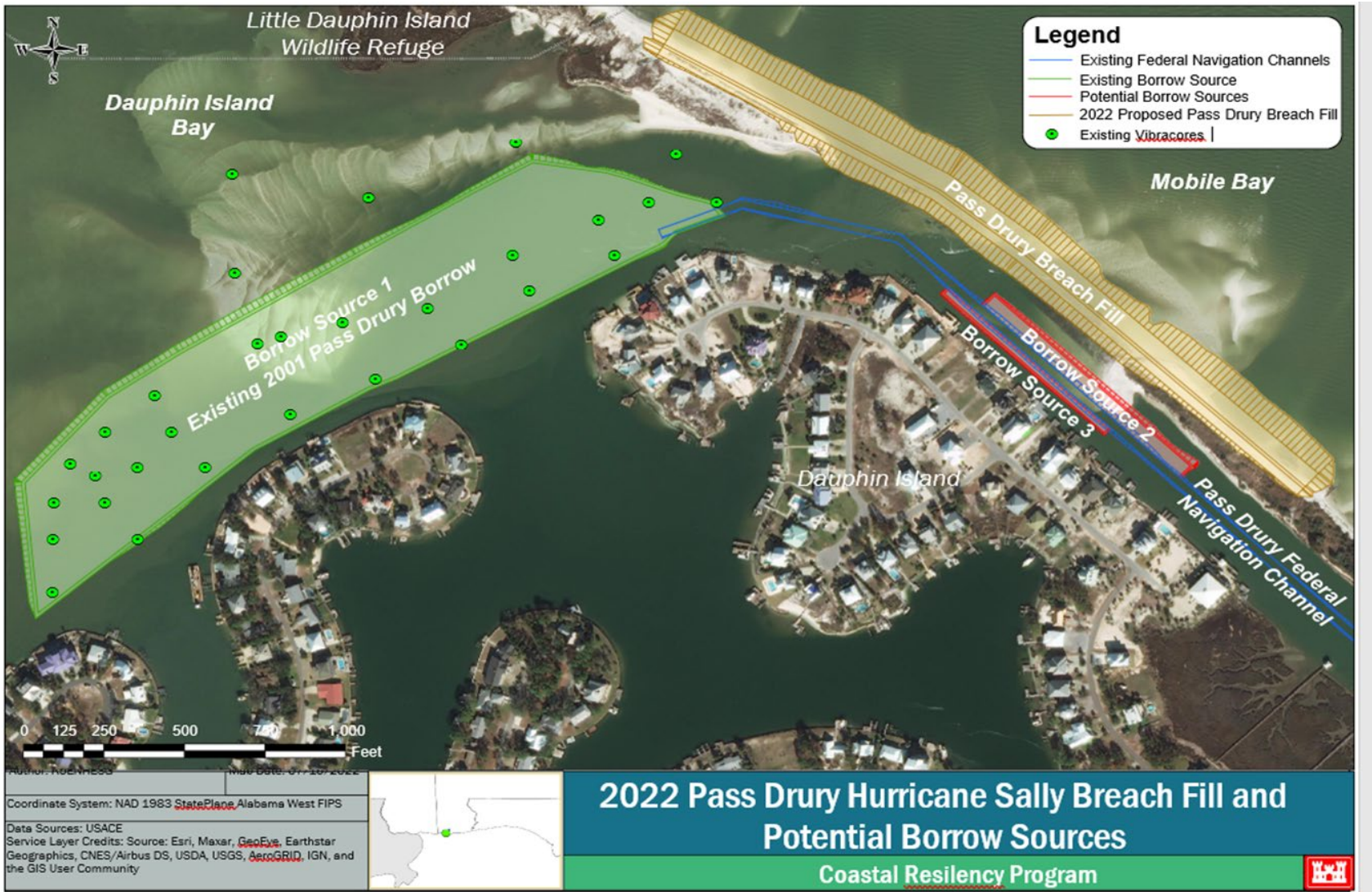


Figure 2: Existing and Potential Borrow Sources 1, 2, and 3

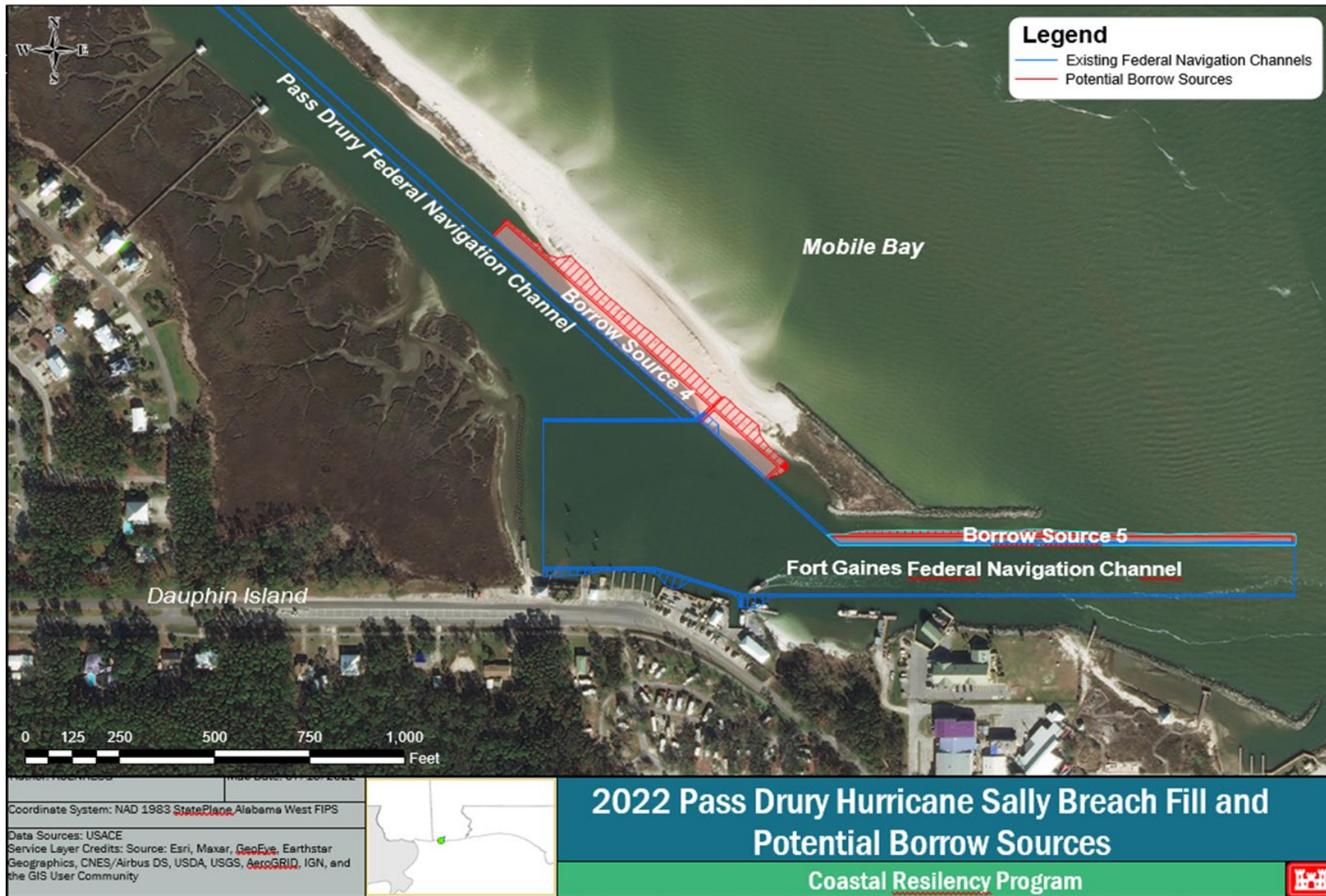


Figure 3: Potential Borrow Sources 4 and 5