



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-MH01-09**

**August 8, 2018**

**JOINT PUBLIC NOTICE**

**U.S. ARMY CORPS OF ENGINEERS  
MOBILE DISTRICT**

**AND**

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**SAND ISLAND BENEFICIAL USE AREA EXPANSION  
MOBILE HARBOR 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, is proposing to further expand the existing Sand Island Beneficial Use Area (SIBUA) by approximately 3,305 acres (to the west towards Dauphin Island) for the continued placement of Mobile Harbor Federal Navigation Channel operations and maintenance (O&M) material. This action would provide for the continued return of sediment into the littoral system as well as increasing placement capacity in the SIBUA, consistent with established regional sediment management implementation principles and goals. The placement activities may be accomplished by using hopper dredges, hopper dredges with pump out capabilities, mechanical dredges (clamshell, etc.) or hydraulic pipeline dredges. The characteristics of the sediment being dredged and placed range from fine to medium-grained quartz sand from the Mobile Harbor Federal Navigation channel(s).

This public notice is issued in accordance with 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 impact water quality, relative to the requirements of Section 404(b)(1) of the Clean Water Act. We also request comments on any other potential impacts.

**WATERWAY AND LOCATION:** Mobile Harbor Federal Navigation Channel, Sand Island Beneficial Use Area, and the Gulf of Mexico, Mobile County, Alabama.

**PROJECT AUTHORIZATION:** The navigation channel dredging in Mobile Bay and Mobile River began in 1826 with enactment of the River and Harbor Act of 1826. Over subsequent years, the Federal project at Mobile River and Mobile Bay was expanded to include adjoining channels within the bay. Section 104 of the River and Harbor Act of 1954 (House Document 74, 83<sup>rd</sup> Congress, First Session, as amended, and previous acts) authorized a 40-foot channel. Improvements to the existing Federal project were authorized in the Water Resources Development Act of 1986 (PL 99 – 662, Ninety-ninth Congress, Second Session), which was approved November 17, 1986, and amended by Section 302 of the Water Resources Development Act of 1996.

The federally-authorized Mobile Harbor, Alabama navigation project consists of the following:

- a. A 57-foot deep by 700 feet wide channel from the Gulf of Mexico for approximately eight miles to Mobile Bay;
- b. A 55-foot deep by 550 feet wide channel from the mouth of the Mobile Bay for a distance of approximately 29 miles to near the mouth of Mobile River, including a passing lane two miles long and 625 feet wide at mid-bay;
- c. A 55-foot deep by 750 feet by 4,000 feet wide anchorage area just south of McDuffie Island;
- d. A 55-foot deep by 1,500 feet by 1,500 feet wide turning basin opposite McDuffie Island;
- e. A 40-foot deep channel with the width varying from 700 feet, near the Mobile River mouth, to 500 feet, near the Cochrane Bridge (U.S. Highway 98), a distance of approximately four miles;
- f. A 40-foot deep by 800 feet to 1,000 feet by 2,500 feet wide turning basin opposite the Alabama State docks between river miles 1.0 to 1.5;
- g. A 40-foot by 1,000 feet by 1,600 feet wide turning basin just south of the Cochrane Bridge.

Approval for advanced maintenance for the Federal Mobile Harbor navigation project was received from South Atlantic Division in the mid-1990s as per the Navigation Regulations ER1130-2-520, November 29, 1996. As such, the navigation channels have associated advanced maintenance to accomplish dredging in an efficient, cost-effective, and environmentally responsible manner. In addition to the federally-authorized channel dimensions providing for navigation, two sediment basins in the lower Mobile River and three sediment basins in the bay channel have been previously authorized and approved.



These sediment basins are to provide improved channel maintenance efficiency. Each of the basins are several thousand feet long and have depths ranging from four feet to 10 feet lower than the existing navigation channel bottom. The basins decrease frequency of dredging to provide a more cost effective and reliable channel. In addition to sediment basins, an advanced widening feature is authorized for the bar channel.

Dredged material may be removed from the channels by dragline/clamshell, hydraulic pipeline and/or hopper dredge, and all material would be placed in previously-approved upland disposal areas (DAs), open water disposal areas, the SIBUA or the Mobile Harbor Ocean Dredge Material Disposal Site (ODMDS). See the following table for placement designations by channel section.

Mobile Harbor Channel Segment	Approved Placement Areas
River Channel	Upland DAs, Mobile Harbor ODMDS
Bay Channel	Mobile Harbor ODMDS, Open-water DAs
Bar/Entrance Channel	SIBUA, Mobile Harbor ODMDS

**DESCRIPTION OF PROPOSED ACTION:** The USACE, Mobile District is responsible for the O&M of the federally-authorized Mobile Harbor Federal navigation project. Three federally-authorized navigation channels cross the bay, the Mobile Ship Channel from north to south, the Gulf Intracoastal Waterway from east to west, and the Theodore Industrial Park from northwest to southeast. The southern-most portion of authorized navigation channel, known as the Mobile Bar Channel, extends approximately seven miles from the Gulf of Mexico into Mobile Bay, and is typically maintained by a hopper dredge, with the sandy material placed in the authorized SIBUA as shown in **Figure 1**.

The SIBUA, located west of the channel on the ebb tidal shoal, was evaluated to determine whether capacity exists to accommodate projected increases in maintenance dredged material. An additional level of analysis to evaluate transport rates leaving SIBUA as well as capacity available within depth constraints of dredging equipment was performed in an effort to balance safe and efficient dredged material placement practices, while ensuring sandy material dredged from the Bar Channel is maintained within the littoral system. An estimate using USACE 2018 surveys shows the site capacity in the existing SIBUA boundaries is inadequate using current placement practices.

Under the Proposed Action, the USACE, Mobile District is proposing to further expand the existing SIBUA by approximately 3,305 acres (to the west towards Dauphin Island) for the continued placement of Mobile Harbor Federal Navigation Channel O&M material as shown in **Figure 2**. This action would provide for the continued return of sediment into the littoral system as well as increasing placement capacity in the SIBUA, consistent with established regional sediment management implementation principles and goals. The placement activities may be accomplished by using hopper dredges, hopper dredges with pump out capabilities, mechanical dredges (clamshell, etc.) or hydraulic pipeline dredges.



The characteristics of the sediment being dredged and placed range from fine to medium-grained quartz sand from the Mobile Harbor Federal Navigation channel(s).

**WATER QUALITY CERTIFICATION:** Pursuant to the requirements of the Clean Water Act, a state water quality certification will be requested from Alabama Department of Environmental Management (ADEM) to cover the activities associated with the proposed removal of material from the SIBUA for placement and construction of the island. A decision relative to water quality certification will be made by ADEM upon completion of the required comment period for this public notice and other coordination with the appropriate agencies.

**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. Upon completion of the required comment period and completed coordination with the appropriate agencies, 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 of the project. Use of the waters in the vicinity of the project area includes commercial shipping, fishing and recreational boating.

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS:**

In accordance with the requirements of the NEPA impacts associated with the Proposed Action, an Environmental Assessment (EA) has been prepared and is available upon request. Based on the conclusion presented in the EA, it is determined that the implementation of the proposed action would not result in long-term adverse impacts and that no significant cumulative impacts would occur. The EA is available at <http://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 the EA, a Finding of No Significant Impacts (FONSI) will be prepared.

**SECTION 404 (B)(1) EVALUATION REPORT:** A Section 404(b)1 evaluation has been prepared to evaluate impacts associated with the proposed action in accordance with guidelines promulgated by the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act. Impacts associated with this action include a temporary increase in turbidity and suspended solids concentrations in and adjacent to the dredging and placement areas, short-term loss of benthic organisms and localized short-term degradation of esthetics near the placement area. A 404(b)(1) Evaluation Report has been prepared and is available at <http://www.sam.usace.army.mil/Missions/Planning-Environmental/Environmental-Assessments/>. Recent sediment quality investigations performed in the channel demonstrate the material to be substantially free of contaminants of concern and suitable for placement in the SIBUA.



**ENDANGERED/THREATENED SPECIES:** Coordination for the proposed action is being conducted with the U.S. Department of the Interior, Fish and Wildlife Service (USFWS), and the U.S. Department of Commerce, National Marine Fisheries Service (NMFS). Several species of marine mammals, turtles, fish and birds listed as endangered or threatened occur in the Gulf of Mexico off the coast and in upland areas of Alabama. In addition, critical habitat for piping plover has been designated in most northerly portion of the SIBUA. However, this area is submerged. The USACE, Mobile District has determined that the proposed action may affect, but is not likely to adversely affect those protected species.

**ESSENTIAL FISH HABITAT (EFH):** 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 seeks to minimize adverse effects on habitat caused by fishing and non-fishing activities. The NMFS, Habitat Conservation Division (HCD) has identified EFH habitats for the Gulf of Mexico in its Fishery Management Plan Amendments. These habitats include estuarine areas, such as estuarine emergent wetlands, seagrass beds, algal flats, mud, sand, shell, and rock substrates, and the estuarine water column. The habitat in the project area, which is located just outside the mouth of Mobile Bay, consists of Gulf of Mexico waters and sandy substrate consistent with sediment along the northern Gulf of Mexico. The NMFS, HCD has management plans for brown shrimp (*Penaeus aztecus*), white shrimp (*P. setiferus*), red drum (*Sciaenops ocellatus*), and Spanish mackerel (*Scomberomorus maculatus*) within the project area. The proposed activities would not adversely impact intertidal wetlands nor vegetated waterbottoms. Impacts would be temporal in nature associated with the dredging and placement activities. The proposed activities would not significantly affect coastal habitat identified as EFH in the project area. Based on the extent of this habitat in the general vicinity of the project (small in size compared to the much larger Mobile Bay as a whole) and the short-term nature (approximately 2-3 months for each placement event) of the impact, the overall impact to fisheries resources is considered negligible.

**CULTURAL RESOURCES CONSIDERATION:** Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended and implementing regulations 36 Code of Federal Regulation (CFR) Part 800 requires the USACE, Mobile District to consider the effects of its undertakings upon historic properties (which includes but is not limited to) historical, architectural, archaeological, and cultural resources and to consult with other agencies and Tribal Nations to avoid or minimize or mitigate adverse effects upon those resources. A preliminary cultural resources evaluation revealed a high potential for submerged prehistoric and historic archaeological resources in the project area. As such, a formal maritime Phase I cultural resources survey has been conducted. The survey identified anomalies, and project activities associated with dredging and placement of material will avoid those anomalies. Coordination will be conducted with the Alabama



State Historic Preservation Officer and the appropriate Tribal Nations regarding the results of the survey and the effects of the project on historic properties.

**EVALUATION:** The decision whether to proceed with the proposed action would 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 proposed action would be considered. Among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain 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 Environmental Protection Agency in conjunction with the Secretary of the Army. If these guidelines alone prohibit the specification of any proposed placement 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, Protected Species  
Branch, St. Petersburg, Florida  
Commander, Eighth Coast Guard District  
Alabama State Historic Preservation Officer  
Alabama Department of Environmental Management  
Alabama Department of Conservation and Natural Resources  
Gulf of Mexico Fishery Management Council  
U.S. Department of Agriculture, Natural Resources Conservation Service

**August 8, 2018**

Other Federal, State, and local organizations, affiliated Indian Tribe interests, and U.S. Senators and Representatives of the State of Alabama are being sent copies of the notice and are being asked to participate in coordinating this proposed work.

**CORRESPONDENCE:** Any person who has an interest that may be affected by the 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 of this public notice. A request for a hearing must clearly set forth the interest that may be affected and the manner in which the interest may be affected. You are requested to communicate the information contained in this notice to any other parties who may have an interest in the proposed activities. Correspondence concerning the public notice should refer to Public Notice No. **FP18-MH01-09** and should be directed to the Commander, U.S. Army Engineer District Mobile, P.O. Box 2288, Mobile, Alabama 36628-0001, ATTN: CESAM-PD-EC. For additional information please contact Ms. Caree Kovacevich at (251) 690-3026.



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



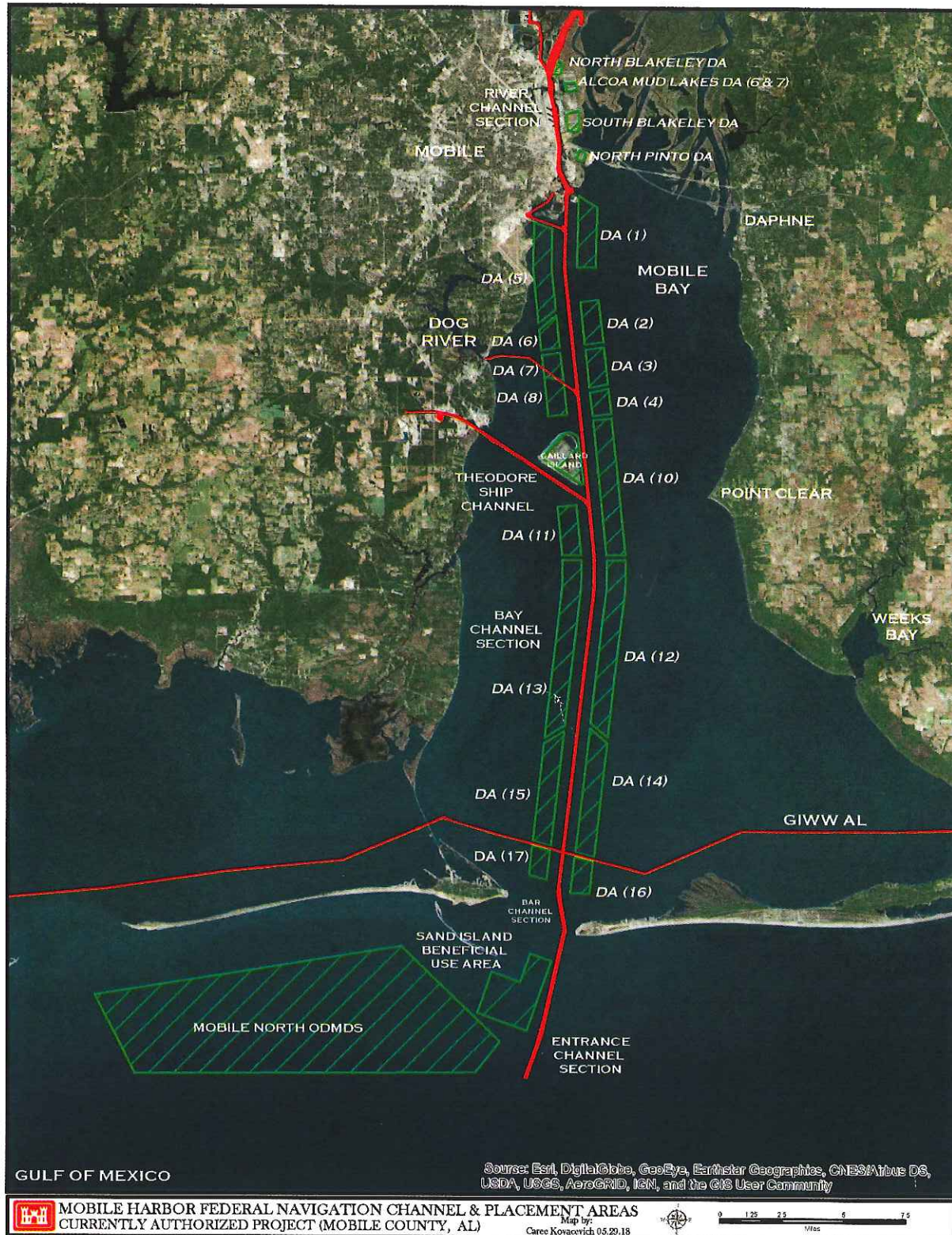


Figure 1: Mobile Harbor Federal Navigation Channel currently-authorized project



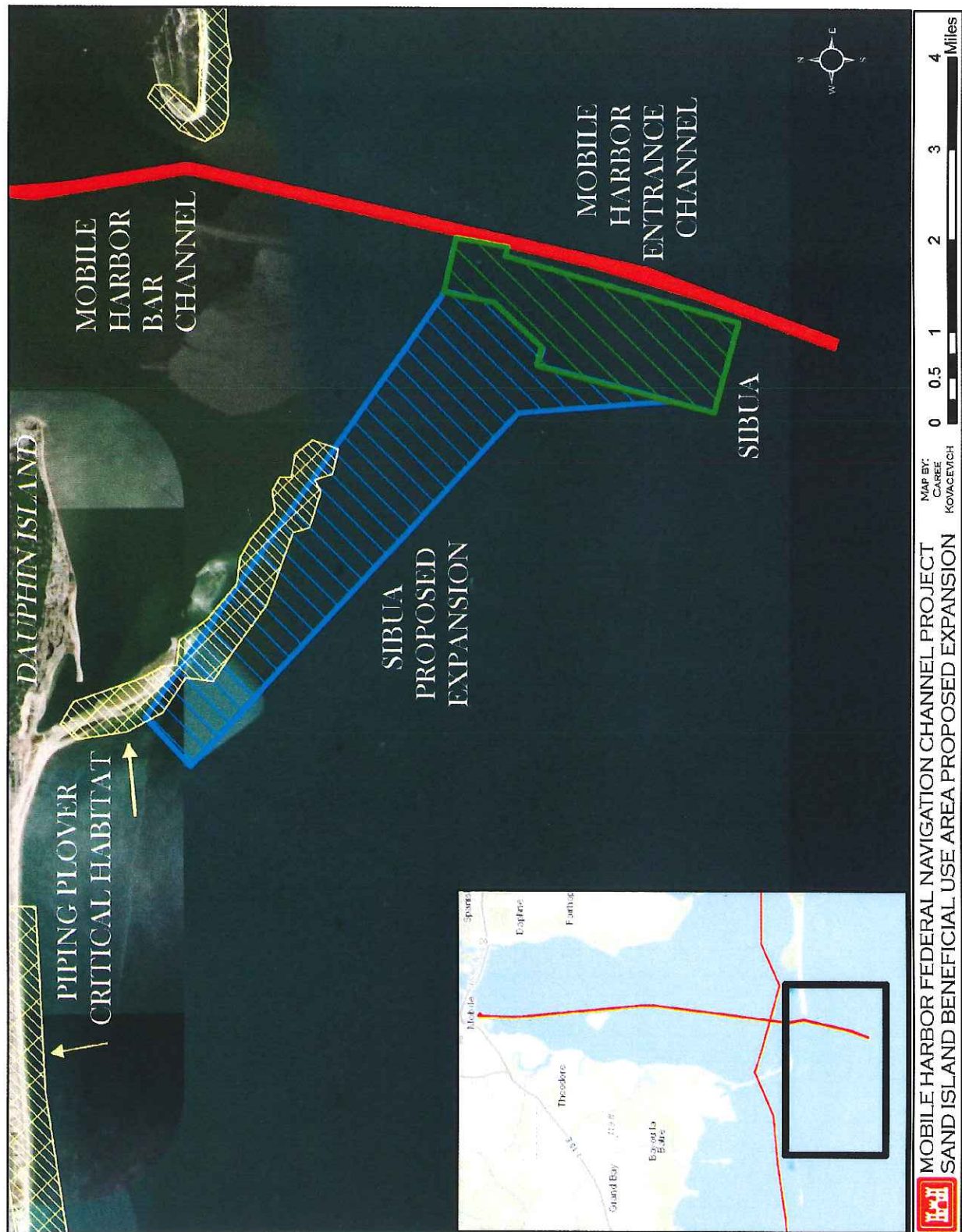


Figure 2: SIBUA Proposed Expansion Area