

**APPENDIX E**  
**PUBLIC COMMENTS AND RESPONSES**

**FINAL REPORT**

**MOBILE HARBOR, MOBILE, ALABAMA**

**Integrated Final General Reevaluation Report  
With Supplemental Environmental Impact Statement**

**Mobile Harbor Final GRR/SEIS  
Public Comments and Responses**

#	Commenter	Date	Discipline	Comment Summary	Response
1	Alan Castelin	9/19/2018	•Engineering •Environmental	•Have aerial photos and surveys of Dauphin Island prior to start of dredging been examined?	• Aerial photos and surveys of Dauphin Island prior to and after the start of dredging were examined by Byrnes et al. (2008 and 2010) and Flocks et al. (2017). The findings of these analyses are summarized on Section 6.1.1.1 of the Main Report.
2	Casi Callaway - Mobile Baykeeper	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Use of a one-year simulation for the hydrodynamic, water quality, and sediment transport modeling is insufficient. A three year model with a prolonged drought would better predict impacts.</li> <li>•The EFDC must include three additional models to show how pathogens, harmful algal blooms, and oil spills will move through the system with the new channel dimensions.</li> <li>•To ensure compliance with NEPA requirements, the Corps must acknowledge the previous study conducted in 1980 (and several USACE reports since then) to determine historic impacts.</li> <li>•The Corps must model the induced growth to Mobile and identify the indirect impacts that will occur.</li> <li>•The VGWE may be underestimating the change in wave energy. The Corps must account for these inaccuracies and will need to conduct proper impact analysis from wave energy on aquatic resources and shoreline erosion.</li> <li>•Analysis on oyster impacts is incomplete and inadequate.</li> <li>•Wetland impacts may be underestimated from the use of a one-year simulation of 2010 that may limit the ability to predict the extent of saltwater intrusion.</li> <li>•The study does not adequately incorporate prolonged exposure to salinity on SAVs.</li> <li>•The Corps must determine if the fish species around Little Sand Island will be impacted by the shift in salinity values projected for January through May.</li> <li>•Benthic sampling was limited to fall and spring and primarily in the upper portions of the Bay. The corps must seek existing datasets or increase field verification to account for these data gaps. An increase of 1-3 ppt in the bottom habitats could mean significant impacts to other less dominant species.</li> <li>•Assess the potential increase of nannative or invasive species entering into Mobile Bay and surrounding coastal areas from increased salinity / temperature as a result of new channel dimensions.</li> <li>•Inconsistencies exist throughout the DSEIS regarding the Corps' assumption that fewer ships will use the channel.</li> <li>•Impacts to Little Sand Island / Pinto Island need to be explained in more detail, and the species currently using the island need to be investigated.</li> <li>•The Corps needs to consider previous impacts to air quality from the SEIS in 1980.</li> <li>•How will the Corps mitigate the impact of increased truck traffic through environmental justice communities?</li> </ul>	<ul style="list-style-type: none"> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>• The modeling conducted indicates negligible changes in the hydrodynamic characteristics resulting from the channel modifications, therefore, no changes in the transporting substances such as pathogens, algal blooms, or oil spills are expected.</li> <li>• The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.</li> <li>• The Corps assumes the same commerce growth will happen with or without channel improvements. Section 8 in the Economic Appendix shows the regional economic development impacts with the recommended channel improvements.</li> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. Details of the study is in Section 6.4 of Appendix A. The VGWE report (Attachment A-4) utilized a similar computation method for with and without project conditions. Any potential inaccuracies within the methodology would be canceled out. Analysis of VGWE propagation from the shoreline was not necessary for the data collection period given total energy of the without project condition was less than with project near the channel and the conservation of energy law applies meaning energy could not increase without some input source and energy reduction forces acting on the vessel wake are equal.</li> <li>• Additional oyster larvae distribution modeling has been conducted in coordination with the oyster focus group. Results of the modeling can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.</li> <li>• The USACE, Mobile District believes that the modeling used to evaluate the wetland impacts are accurate and represent the extreme salinity conditions experienced by the wetlands in the project area.</li> <li>• The USACE, Mobile District believes that the modeling used to evaluate the wetland impacts are accurate and represent the extreme salinity conditions experienced by the SAVs in the project area.</li> <li>• The study indicated that the fish species around Little Sand Island are within the tolerance ranges that would exist post construction.</li> <li>• The benthic sampling conducted represents the habitat types along the various salinity gradients in the study area. The study includes the results of other benthics studies conducted for other projects previously conducted to characterize the benthic communities throughout the Bay.</li> </ul>
	Comment 2 continued				<ul style="list-style-type: none"> <li>• Results of the modeling has shown that there will be negligible increases in temperature and salinities resulting from the project. Therefore, no increases in non-native or invasive species are expected.</li> <li>• Commerce growth is assumed to occur with or without channel modifications. The growth in cargo is assumed to increase the number of vessel calls overtime, however, in the with-project condition fewer vessels are needed to move the cargo.</li> <li>• Little Sand Island was formed and enlarged using dredged sediment from the harbor with the existing vegetation being indicative of highly disturbed areas. Based on the it's highly disturbed condition, there would be no significant losses to wetland communities and SAVs from the proposed action (Section 3.7.2.1)</li> <li>• The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.</li> <li>• The 25% increase in truck traffic is due to the container terminal buildout, not the implementation of the TSP. Therefore, no mitigation plans are required. Also see responses in the attachment to this matrix.</li> </ul>
	Continued from comment 2			<ul style="list-style-type: none"> <li>•More current surveys and verification with local scientists and state agency data on fisheries and benthic assemblages are needed to validate the use of the relic shell mined areas for beneficial use.</li> <li>•1.7 mcy of new work material from the Choctaw Pass Turning Basin should be used for beneficial use.</li> <li>•SIBUA should be expanded, and the Corps should monitor the return rates and apply an adaptive management strategy.</li> <li>•Suggest the Corps consider a DMP that includes all proposed projects in the Mobile Bay area.</li> <li>•Monitoring should take place for 10 years post-construction, and should include areas around dredging operations and beneficial use disposal areas.</li> <li>•Concerned that the study resulted in a no effect.</li> </ul>	<ul style="list-style-type: none"> <li>• Agency coordinations and meetings were held to identify available information associated with the Bay. The studies performed utilized existing data pertaining to fish and benthic communities.</li> <li>• Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report</li> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• Management of future maintenance dredged material is discussed in detail in Section 4.11 of Appendix A.</li> <li>• It is understood that the analysis of environmental impacts relies heavily on a modeling approach will be developing a monitoring plan during PED to ensure success of certain facets of the project. A summary of the plan is included in Section 3.27.1 of Appendix C and Section 5.26.1 of the Main Report.</li> <li>• <del>The USACE, Mobile District feels that the findings of no effects is accurately represented by the analyses conducted.</del></li> </ul>
3	Justine Herlihy	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Changes to salinity due to deepening</li> <li>•Erosion to Mobile Bay shorelines from increased ship wake</li> <li>•Loss of grass beds from increased ship wake</li> <li>•Impacts to sea life from dredging activities and salinity changes</li> <li>•Poor timing and method of dredging associated with deepening and widening can negatively impact seagrass growth and fish feeding</li> </ul>	<ul style="list-style-type: none"> <li>• The study adequately evaluated the effects of salinity within the project area. Results of the evaluations can be found in Section 2.4.3 of Appendix C and Section 5.5.3 of the Main Report.</li> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.</li> <li>• The study considered the effects on all aquatic resources within the project area. See Section 3.0 of Appendix C and Section 5.0 of the Main Report.</li> <li>• Comment noted, thank you.</li> </ul>
4	Gary Warner	9/18/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Material dredged from the Bar Channel should be placed in less than 15 feet on the shoal stretching from Sand Island Lighthouse to Sand/Pelican Island.</li> <li>•Dredge material from the SIBUA and nourish Dauphin Island's shoreline.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>

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5	Boris Kresevljak - Mobile Baykeeper	9/18/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area.</li> <li>• The modeling conducted indicates negligible changes in the hydrodynamic characteristics resulting from the channel modifications, therefore, no changes in the transporting substances such as pathogens, algal blooms, or oil spills are expected.</li> <li>• Growth to Mobile</li> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.</li> <li>• Additional oyster larvae distribution modeling has been conducted in coordination with the oyster focus group. Results of the modeling can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.</li> <li>• The study included comprehensive studies on the impacts of the associated wetland resources within the project area.</li> <li>• The detailed EJ analysis is included in Section 3.24 of Appendix C.</li> <li>• The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.</li> <li>• Management of future maintenance dredged material is discussed in detail in Section 4.11 of Appendix A. In accordance with ER 1105-2-100, Appendix E-15. Dredged Material Management Plans, the Mobile Harbor GRR has determined that there is sufficient capacity to accommodate new work and maintenance dredged material for the next 20 years. As a result, the current disposal practices are valid and require no update.</li> </ul>
6	Michael Freeman	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
7	Mona Merritt	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
8	Richard Nisbett	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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9	Dylan Wells	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
10	Mary Kathryn Leev	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
11	Joe Brown Jr.	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
12	Bill Ishee	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
13	Alvin Allen	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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15	Ferd Zundel	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
16	John Cutts	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
17	Walter Bower	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
18	Daniel Deese	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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19	James Hood	9/14/2018	<ul style="list-style-type: none"> <li>•Engineering</li> <li>•Environmental</li> </ul>	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
20	Glen Coffee	9/18/2018	<ul style="list-style-type: none"> <li>•Engineering</li> <li>•Environmental</li> <li>•Economics</li> <li>•Public Relations</li> </ul>	<ul style="list-style-type: none"> <li>•Draft GRR/SIES does not comply with §1508.25 of CEQ's NEPA regulations because the Corps is preparing multiple separate NEPA documents.</li> <li>•No plan formulation discussion/documentation showing that shoreline erosion was a planning constraint.</li> <li>•The cost for the Federal government to operate and maintain Mobile Harbor may not represent the most prudent expenditure of HMTF monies from a national standpoint.</li> <li>•Portion of the excess benefits should be directed for use in implementing beneficial use projects, environmental restoration projects, mitigation for the erosion of Sand/Pelican and Dauphin Islands.</li> <li>•Explain the role the corps plays in the ODMDS expansion, who proposed it, why is it needed, and when will it be completed.</li> <li>•Section 2.4.4.4 should explain the decision criteria that will be used to determine when fine grained sediments will be placed in the ODMDS instead of the thin-layer disposal sites.</li> <li>•How were the capacities for the various disposal sites determined.</li> <li>•Page 2-45 should include discussion about erosion affecting Dauphin Island's shoreline and Sand/Pelican Island since 1958.</li> <li>•Public concerns about historic erosion to west ebb tidal delta not addressed.</li> <li>•Public concerns about dredge material placement in less than 15 feet of water at the ebb tidal delta not addressed.</li> <li>•Identify water depths and specify where and how dredged sands would be placed in the proposed SIBUA expansion on page 4-14.</li> <li>•The title of table 4-6 need to be revised to clearly state the data presented therein is limited to the expansion area and not to the entire SIBUA site.</li> <li>•Scientific proof needed to substantiate the allegation that the proposed SIBUA expansion will effectively bypass dredged sand to the littoral drift system.</li> <li>•Section 4.2.2.3 should provide supporting information to substantiate where the material in the SIBUA has moved to.</li> <li>•Explain why thin-layer disposal in Mobile Bay will not increase turbidity values above ambient levels.</li> <li>•Deficient evaluation of every environmental resource within the Mobile Bay affected by thin-layer disposal.</li> </ul>	<ul style="list-style-type: none"> <li>• The document is in compliance with all NEPA Laws and Regulations.</li> <li>• Section 1.4.2 of the Main Report includes avoidance or minimizing shoreline erosion as a study constraint.</li> <li>• Noted</li> <li>• Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report</li> <li>• The expansion of the ODMDS falls under the jurisdiction of the EPA. See Sections 2.4.4 and 4.11 of the Main Report.</li> <li>• Section 2.4.4.4 is intended to discuss the capacities of the placement areas. The decision to place material in the ODMDS versus the thin-layer sites is based on the reach of where the shoaling is occurring and/or type of dredging equipment that is available.</li> <li>• Disposal site capacities are addressed in Section 4.11 of Appendix A.</li> <li>• See Section 6.1 of the Main Report and Section 4.3 of Appendix C.</li> <li>• Long-term regional sediment transport patterns (erosion and accretion) were evaluated in Byrnes et al. (2008 and 2010) "Evaluation of Channel Dredging on Shoreline Response at and Adjacent to Mobile Pass, Alabama." during two distinct time periods; one representing conditions prior to significant construction and maintenance dredging activities to determine natural changes (1847/48 to 1917/20) and another representing conditions after significant changes to the outer Bar Channel were made (1917/20 to 2002). Discussion of this is contained in section 2.5.2.7 Sediment transport of the main report. Also, historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 4.3)</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The scientific data and analysis is documented within the main report and Appendix A Section 4.11.2.3 Sand Island Beneficial Use. In addition, as documented in the main report and Appendix A section 4.11.2.3.1 the area will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. Hydrographic surveys of placement areas every 6 months, along with a comprehensive survey of the complex annually, will be conducted to gain a better understanding of future capacities and coastal processes that move sediment within the region.</li> <li>• The table includes both existing and expansion</li> </ul>
	Comment 20 continued....			<ul style="list-style-type: none"> <li>•Describe the distances and directions the simulated fluff layer can be carried by prolonged high freshwater discharge conditions and during peak flood and ebb tidal flows.</li> <li>•Water quality modeling analysis in the main report and Figure 3-17 on page 3-65 in Appendix C - Environmental should include information for multi-year drought conditions for the TSP, and provide information indicating the result of long-term exposure to SAVs, oysters, and other major environmental resources within the bay.</li> <li>•Section 5.9.1 should be expanded to discuss impacts to sea turtle nesting from shoreline erosion on Dauphin Island.</li> <li>•A speed limit should be imposed on ships transiting the Bay Channel.</li> <li>•Ship wake model does not adequately reflect real world wave energy conditions produced by ships that have been observed and experienced by the public.</li> <li>•Introductory paragraphs of Section 5.0 on page 5-1 should clearly identify the baseline year against which the impacts of the TSP will be compared.</li> <li>•4-19 should explain how beneficial use of dredged material could be used to restore oysters, construct living shorelines, raise bottom elevation to promote productivity, and construct berms for shoreline protection.</li> <li>•Discussion on page 4-6 should include the data and studies that support the claim that filling relic shell mining areas will restore sediment to the system and improve bay bottom conditions.</li> <li>•Section 4.3.6 risk and uncertainty analysis should discuss (1) the ability to satisfy future disposal site capacity requirements over the 50-year economic life, (2) the validity of the projected annualized maintenance cost, and (3) the various environmental impact assumptions.</li> <li>•Section 4.3.1 should be expanded to show how the annual TSP incremental cost to maintain the proposed deepening influences the project's total annual O&amp;M budget.</li> </ul>	<ul style="list-style-type: none"> <li>• The thin-layer sites are exclusively used for maintenance and not for placement of new work material. Effects of the thin-layer disposal sites were addressed in the permit modification for the addition of these sites and not included. Extensive modeling was performed to show the behavior of the material once placed.</li> <li>• See reponse above.</li> <li>• As documented in Section 6.3.1 of Appendix A the estuarine sediment transport model (GSMB-SEDZLJ) is an advanced sediment bed model that represents the dynamic processes of erosion, bed load transport, bed sorting, armoring, consolidation of fine-grain sediment dominated beds, settling of flocculated cohesive sediment, settling of individual non-cohesive sediment particles, and deposition in addition to simulating the formation and resuspension of a fluff layer on top of an existing sediment bed. While the model accounts for these dynamic processes specific quantification of the distances and directions the simulated fluff layer can be carried by prolonged high freshwater discharge conditions and during peak flood and ebb tidal flows was not done as part of this study.</li> <li>• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this actions.</li> <li>• The USACE does not have the authority to impose speed limits on vessel traffic.</li> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.</li> <li>• Sections 5.0 has been revised.</li> <li>• Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report</li> <li>• Placement of material in the relic mined area is addressed in more detail in Section 3.7.2.1 of Appendix C.</li> <li>• In accordance with ER 1105-2-100 E-15. Dredged Material Management Plans, the Mobile Harbor GRR/SEIS evaluated whether capacity exists within the sites to satisfy new work and maintenance dredged material placement needs for the next 20 years.</li> </ul>

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#	Commenter	Date	Discipline	Comment Summary	Response
	Comment 20 continued....			<ul style="list-style-type: none"> <li>•Text accompanying Figure 4-9 should be expanded to provide information about each of the beneficial use sites illustrated in the figure, and why the 1,200-acre dredged material disposal island in the Uper Bay south of the Causeway was excluded.</li> <li>• Final GRR/SEIS should identify adequate disposal to accommodate the incremental annual volume of maintenance material.</li> <li>• An additional table in section 4 is needed to show the projected future annual maintenance dredging requirements of the TSP.</li> <li>•Page 2-108 should point out that the NWR includes an 850-acre unit on Little Dauphin Island.</li> <li>•Page 2-114 does not state if the low-income community in extreme south Mobile county is included in the EJ analysis.</li> <li>•2.5.15 - CBRA zones do occur within the project area.</li> <li>•Section 2.5.12 should be expanded to include lawsuit against Alabama State Port Authority over the coal dust, and complaints from the Africatown community regarding various petroleum and chemical fumes.</li> <li>•On page 2-73, discussion of impacts of non-dredging activities on SAV communities needs to be revised.</li> <li>•Section 2.5.11, invasive species discussion needs revision to include Chinese tallow tree, Australian spotted jellyfish, and a discussion about the relevance of the freshwater bighead carp to the Mobile Harbor project.</li> <li>•Bay scallops do not occur in Mobile Bay.</li> <li>•Remove Maui remya from Table 2-31, or adequately explain relevance.</li> <li>•Discussion on page 2-100 dealing with oyster harvests is inadequate.</li> <li>•Oyster sensitivity to excessive turbidity and suspended solids should be discussed on page 2-86.</li> <li>•Introductory sentence of Section 2.5.6.8 on page 2-84 should be revised to read: "Mobile Bay Drainage Basin ranks first in the number of freshwater species in the Southeastern Atlantic and Gulf of Mexico drainages,..."</li> <li>•Table 2-28 should not include the Stone crab, or should not be labled as a pelagic, and red drum should not have two entries and be included as shrimp.</li> <li>•Figure 2-30 should include the wetlands occurring on the eastern end of Dauphin Island and Little Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• Figure 4-9 has been revised to expand information regarding the BU sites. The 1,200-acre BU site is not being considered as a BU opportunity for this project.</li> <li>• The GRR identifies adequate disposal for maintenance material.</li> <li>• Future annual maintenance requirements are addressed in Section 4.11.2 of Appendix A.</li> <li>• Noted</li> <li>• The detailed EJ analysis id included in Section 3.24 of Appendix C</li> <li>• Section 2.5.15 has been revised to clarify that the project modifications are located in CBRA areas.</li> <li>• Section 2.5.12 adequately discussed the items within the purvue of this study. Also see the attached responses to this matrix.</li> <li>• This Section adequately addresses the existing conditions associated with the SAV's in the project area.</li> <li>• These species are not relevant to this project.</li> <li>• Noted</li> <li>• This species has been removed from Table 2-31.</li> <li>• Information regarding the oyster harvests were provided by the ADCNR Department of Marine Resources and considered to be accurate.</li> <li>• The oyster analyses presented in detail in Section 3.8.9 of Appendix C includes all water quality conditions considered to be relevent for the oyster populations in the Bay.</li> <li>• The sentence has been revised.</li> <li>• Table 2-28 has been revised accordingly.</li> <li>• These wetlands are depicted in the Figure as the species in the southern reaches of the Bay are already be exposed to the full and maximum range of environmental conditions and not considered to have potential effects from the channel modifications.</li> </ul>
21	Joseph Mahoney - Sierra Club	9/16/2018	<ul style="list-style-type: none"> <li>•Engineering</li> <li>•Environmental</li> <li>•Economics</li> <li>•Public Relations</li> </ul>	<ul style="list-style-type: none"> <li>•Draft GRR/SEIS fails to comply with §1508.7 of CEQ's NEPA Regulations</li> <li>•Draft GRR/SEIS fails to comply with paragraph 4-1a(1) of Corps ER 1105-2-100</li> <li>•Should mitigate for the historic, present, and future ersoion of Dauphin Island due to Bar channel maintenance.</li> <li>•The GRR/SEIS should provide assurances, based upon sound scientific documentation that up to 100% of the dredged sands placeds in the proposed SIBUA expansion area will rejoin the littoral drift system to nourish Sand/Pelican and Dauphin Islands.</li> <li>•Public's requests for disposal alternative that would implement Section 302 of the WRDA of 1996 have been ignored.</li> <li>•The GRR/SEIS should state that the channel maintenance program is contributing to the erosion of Dauphin Island</li> <li>•Provide substantiating evidence to prove that the 260,000 cy/yr that does move out of the SIBUA rejoins the littoral drift system.</li> <li>•Impost speed limits of the larger deep draft loaded ships to reduce ship wake.</li> <li>•Expand discussion on pg 2-45 to describe history of the erosion on Sand/Pelican and Dauphin Islands since at least the 1970's and the connection to the Bar channel maintenance.</li> <li>•Discussion on pg 2-51 should include other relevant information that does not agree with the Mobile District's position.</li> <li>•A portion of the excess benefits should be used for beneficial use projects, environmental restoration projects, and mitigation.</li> <li>•The cost for the Federal government to opeate and maintain Mobile Harbor may not represent the most prudent expenditure of HMTF monies from a national standpoint.</li> <li>•Detailed scientific information from aproprate studies and literature must be added to support the contention thin-layer disposal is beneficial.</li> <li>•Section 2.5.12 should be expanded to include lawsuit against Alabama State Port Authority over the coal dust, and complaints from the Africatown community regarding various petroleum and chemical fumes.</li> <li>•Discussion on page 4-6 should include the data and studies that support the claim that filing relic shell mining areas will restore sediment to the system and improve bay bottom conditions.</li> <li>•The GRR/SEIS does not explain how the total dredged material disposal capacity needs for the Bay Channel, including the TSP increment, will be satisfied over the entire 50-year period of analysis.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 20.</li> </ul>

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#	Commenter	Date	Discipline	Comment Summary	Response
	Comment 21 continued....			<ul style="list-style-type: none"> <li>•Section 4.2.2.3 should provide supporting information to substantiate where the material in the SIBUA has moved to.</li> <li>•Identify water depths and specify where and how dredged sands would be placed in the proposed SIBUA expansion on page 4-14.</li> <li>•Before the GRR/SEIS is finalized, the coverage of potential implementable beneficial use options for inclusion in the TSP should be strengthened in Section 4.2.3.2.1.</li> <li>•Text accompanying Figure 4-9 should be expanded to provide information about each of the beneficial use sites illustrated in the figure, and why the 1,200-acre dredged material disposal island in the Uper Bay south of the Causeway was excluded.</li> <li>•Section 5.3.1.2.1 of the GRR/SEIS should address setting speed limits on ships traveling within Mobile.</li> <li>•Water quality modeling analysis in the main report and Figure 3-17 on page 3-65 in Appendix C - Environmental should include information for multi-year drought conditions for the TSP, and provide information indicating the result of long-term exposure to SAVs, oysters, and other major environmental resources within the bay.</li> <li>•Section 5.9.1 should be expanded to discuss the impacts of Dauphin island's historic shoreline erosion on sea turtle nesting.</li> <li>•Explain why thin-layer disposal in Mobile Bay will not increase turbidity values above ambient levels.</li> </ul>	
22	Joseph Mahoney Sierra Club	9/6/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Why are the effects of the SIBUA expansion being evaluated in an EA and not an EIS?</li> <li>•How many acres of the SIBUA will be affected each dredge cycle?</li> <li>•Will all placed sands in the SIBUA join the littoral drift system to nourish Dauphin Island and how long will that take?</li> <li>•How much of the placed sands will accumulate within the area?</li> <li>•Will the proposed expansion all a larger % of placed sand to return to the littoral drift?</li> <li>•What is the long-term disposal capacity of the expanded site?</li> <li>•How many acres is the existing SIBUA?</li> <li>•Will the existing SIBUA continue to be used?</li> <li>•How much longer can the existing SIBUA be used?</li> <li>•Provide engineering analysis showing consequences of using expanded SIBUA on the erosion of Dauping Island.</li> <li>•EA contains no proof the expansion will achieve a better return of placed sand to the littoral drift system.</li> <li>•Recommends the discharge site be in waters less than 15 feet deep, on the ebb tidal delta platform to the east of Sand/Pelican Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. An EA was considered the appropriate level of NEPA documentation as the expansion was a modification to the existing Mobile Harbor water quality certification.</li> <li>• Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
23	Dinah Maygarden	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
24	Steve Gordon - Keep Mobile Growing	9/17/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
25	Johnnie Johnson	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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#	Commenter	Date	Discipline	Comment Summary	Response
26	Shannon Beaty	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
27	Margaret Dopson	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
28	David Connolly	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Material from the Bar Channel should be placed in waters less than 15 feet, atop the shoal between Sand Island Lighthouse and Sand/Pelican Island.</li> <li>•Place sand from the SIBUA on the Dauphin Island shoreline.</li> <li>•A portion of the excess benefits should be used for mitigation.</li> <li>•Work with the Port and the Governor for implementation of the West End Beach and Barrier Island Restoration Project to allow for mitigation to be paid for with Deepwater Horizon Oil Spill related Monies.</li> </ul>	<ul style="list-style-type: none"> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The study has shown that no mitigation is warranted as a result of the project.</li> <li>• Restoration of the West End Beach and Barrier Island for mitigation from thh Deepwater Horizon Oil Spill is not within the authorization for this project.</li> </ul>
29	Valerie Longa	9/17/2018	•Environmental	<ul style="list-style-type: none"> <li>•Mitigate for any impacts to species affected.</li> <li>•Monitor for future impacts to species.</li> <li>•Notify the public of any future impacts to species.</li> <li>•Monitor air quality in communities in close proximity to the Port.</li> <li>•Beneficially place dredged material to benefit Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The study has shown that no mitigation is warranted as a result of the project.</li> <li>• Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report</li> <li>• It is understood that the analysis of environmental impacts relies heavily on a modeling approach will be developing a monitoring plan during PED to ensure success of certain facets of the project. A summary of the plan is included in Section 3.27.1 of Appendix C and Section 5.26.1 of the Main Report.</li> </ul>
30	Walter Ernest IV - Pelican Coast Conservancy	9/17/2018	•Environmental	<ul style="list-style-type: none"> <li>•The Draft GRR/SEIS do not identify mitigation for decline in water quality and impacts to benthics, macroinvertebrates, wetlands, SAVs, oysters, and fish.</li> <li>•The term minimal or no significant impact is a very broad statement which makes it hard to determine the potential effects of such a large scale project.</li> <li>•Encourage the beneficial use of dredge material for beach renourishment on Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The study has shown that no mitigation is warranted as a result of the project.</li> <li>• Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report</li> </ul>

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31	Ramsey Sprague - Mobile Environmental Justice Action Coalition	9/17/2018		<ul style="list-style-type: none"> <li>•Section/page/paragraph numbering schemes in the draft GRR/SEIS are inconsistent.</li> <li>•Page 4-46 of Environmental Appendix C, section 4.7.11, please provide the detailed air emission calculations that decided the incremental impacts would not be significant and within the ROI.</li> <li>•Page 2-9 of Environmental appendix C &amp; page D-18 of Environmental Appendix C/"D" Attachments C-3, elaborate on why future emission trends for Charleston Harbor are used as the reference.</li> <li>•On page D-23 of Environmental Appendix C/"D", elaborate on the many similarities seen between Charleston and Mobile Harbors, and also any key differences that may support or challenge the assumption of analogous data sets.</li> <li>•Why, or why not did the GRR/SEIS include non-SCSPA contributions to regional air quality in its calculations? Is this why the Charleston Harbor's Air Emissions Inventory 3x as large as Mobile Harbor's?</li> <li>•On page 18 of Environmental Appendix C/"D", did USACE anticipate that ASPA's actual contribution would be higher or lower? Was 250 tons chosen to simplify the air quality impact considerations in place of providing a comprehensive assessment of both ASPA and non-ASPA terminal contributions to regional air quality?</li> <li>•In selecting the Charleston Harbor as a guiding air quality baseline, did USACE consider that the SCSPA facilities rank as the 29th largest port in the US while the ASPA facilities rank at 10th in terms of cargo tonnage?</li> <li>•Elaborate how the differences in tonnage were factored into the Draft GRR/SEIS findings of net decreases in all NAAQS criteria air pollutants.</li> <li>•Please provide documentation of all outreach efforts to the Mobile County NAACP Unit #5044 and other southwest Alabama regional NAACP Units.</li> <li>•Page 2-152, correct the paragraph reading that the location the environmental justice focus group workshop was held at was the Robert Hope Community Center.</li> <li>•Why was MEJAC not invited to participate in the December 13, 2017 meeting with Local Environmental NGO's at the Mobile District office?</li> <li>•Provide documentation of outreach efforts to community leadership or community action groups from the Dauphin Island Parkway corridor south of I-10.</li> <li>•Explain what happened to the environmental justice outreach liaison?</li> <li>•USACE owes a more robust response to the concerns raised by individuals representing environmental justice communities of concern in the GRR/SEIS focus group meetings.</li> </ul>	<ul style="list-style-type: none"> <li>• Responses to this comment are included in the attachment to this matrix.</li> </ul>
	Comment 31 continued....			<ul style="list-style-type: none"> <li>•Please identify what the three air quality monitoring studies (identified at the Africatown EJ focus group) consisted of.</li> <li>•Elaborate on why TSP air quality impacts with respect to increased commodity traffic collateral emissions were excluded from mitigation.</li> <li>•Will Usace conduct follow up environmental justice focus group meetings to better facilitate community education about and literacy of the GRR/SEIS findings?</li> <li>•Page 2-112, section 2.16.2 History of the Mobile Bay Area of Environmental Appendix C, introductory sentence needs to be revised to reflect its intent without the use of double negatives.</li> <li>•Page 2-114 paragraph 5, MEJAC recommends dropping "Tarkar", if for no other reason than that the shipmates came from a wide region and represented many West African ethnicities, unless USACE can identify a primary source material that contradicts Dr. Diouf.</li> </ul>	
	Comment 31 continued....			<ul style="list-style-type: none"> <li>•Were containerized chemical tanker cleaning facilities located in the neighborhood on Telegraph Rd included in the traffic impacts?</li> <li>•Elaborate why there is no response from USACE with respect to mitigation of the impacts to environmental justice communities from increased truck and train traffic.</li> </ul>	
32	Mark Berte - Alabama Coastal Foundation	9/17/2018	<ul style="list-style-type: none"> <li>•Engineering</li> <li>•Environmental</li> </ul>	<ul style="list-style-type: none"> <li>•Modify the water quality modeling analysis based on the following article <a href="https://doi.org/10.1007/s12237-018-0379-6">https://doi.org/10.1007/s12237-018-0379-6</a></li> <li>•Expand the oyster larvae distribution model so it encompasses other important reef throughout the bay.</li> <li>•Use pressure gauges south of Gaillard Island to collect ship wake data for the middle and lower end of the channel.</li> <li>•Reduce ship speed</li> <li>•Model what level of vessel increase it would take to have a negative impact on assessed areas.</li> <li>•Employ independent monitors for the adaptive management implementation.</li> <li>•Place new work material so it will benefit Dauphin Island.</li> <li>•Conduct post-construction monitoring for 20 years.</li> </ul>	<ul style="list-style-type: none"> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>• Additional oyster larvae distribution modeling has been conducted in coordination with the oyster focus group. Results of the modeling can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.</li> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.</li> <li>• The USACE, Mobile District does not possess the authority to regulate vessel speeds associated with Mobile Harbor.</li> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• It is understood that the analysis of environmental impacts relies heavily on a modeling approach will be developing a monitoring plan during PED to ensure success of certain facets of the project. A summary of the plan is included in Section 3.27.1 of Appendix C and Section 5.26.1 of the Main Report. Will consider employing independent monitors.</li> </ul>
33	Stan Graves	9/17/2018	•Engineering	<ul style="list-style-type: none"> <li>•Place material closer to Dauphin Island for a more direct incorporation into the littoral transport system.</li> <li>•Material placed in the SIBUA may take decades to make its way to Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>

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34	Cade Kistler	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
35	Valerie Longa	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
36	Christian Wagley	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include a full accounting of how to lessen impacts to EJ communities.</li> <li>•Use more than one year as a base for modeling impacts.</li> <li>•Evaluate "worst case" sea level rise impacts.</li> <li>•Evaluate the long term indirect impacts to natural resources.</li> <li>•Recommend model for oyster impacts be run for all reefs.</li> <li>•Assess how oyster drill will be impacted from channel expansion.</li> <li>•Further investigate impacts to natural habitats, aquatic life, and wildlife (i.e. impacts to endangered turtles that use island beaches for nesting).</li> <li>•Ensure that dredged materials are fully utilized for beneficial use.</li> <li>•Address low replenish rates on Dauphin Island from the SIBUA.</li> <li>•Create a management plan to fully assess the multiple proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• The study included a comprehensive Environmental Justice evaluation. See Section 3.24 of Appendix C</li> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area.</li> <li>• As documented in Appendix A Section 2.10.4.2 a level 3 quantitative assessment using the intermediate relative sea level rise scenario was included in the assessments to evaluate the relative differences in hydrodynamics, water quality, and sediment transport within the study area, to include the channel and open water placement sites for future with and without channel improvement alternative conditions. The decision to use the intermediate relative sea level rise scenario (0.5 meter) over the 50-year project horizon for these quantitative assessments was twofold: (1) the running average in mean sea level falls between the intermediate and the high level projections in recent years at the Dauphin Island gage as assessed using the USACE SeaTracker and (2) concern that any potential relative differences in the with and without project conditions combined with sea level rise would likely not be discernable at the highest projected rate.</li> <li>•As documented in Appendix A Section 2.10.4.2 a level 3 quantitative assessment using the intermediate relative sea level rise scenario was included in the assessments to evaluate the relative differences in hydrodynamics, water quality, and sediment transport within the study area, to include the channel and open water placement sites for future with and without channel improvement alternative conditions. The decision to use the intermediate relative sea level rise scenario (0.5 meter) over the 50-year project horizon for these quantitative assessments was twofold: (1) the running average in mean sea level falls between the intermediate and the high level projections in recent years at the Dauphin Island gage as assessed using the USACE SeaTracker and (2) concern that any potential relative differences in the with and without project conditions combined with sea level rise would likely not be discernable at the highest projected rate.</li> <li>• The considered the effects on all aquatic Resources within the project area. See Section 3.0 of Appendix C and Section 5.0 of the Main Report.</li> <li>• Additional oster larvae distribution modeling has been conducted in coordination with the oyster focus group. Results of the modeling can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.</li> <li>• Impacts from oyster drills are associated with drastic changes in salinity. The study shows that will be minimal changes in salinity as a result of the project. Therefore, it was determined that a specific study for oyster drills is not warranted.</li> <li>• Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report</li> <li>• The study shows that the proposed project will have no impacts to Dauphin Island as indicated in Appendix A.</li> </ul>
37	Angus R. Cooper III - Cooper/T. Smith Corporation	9/17/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
38	Roberta Swann - Mobile Bay National Estuary Program	9/17/2018	•Environmental	<ul style="list-style-type: none"> <li>•Recommends long-term, comprehensive monitoring be included to ensure impacts are intercepted and quickly and to facilitate rapid mitigation/adaptation.</li> <li>•Recommends monitoring be conducted for not less than 10 years using protocols in the Mobile Bay Subwatershed Restoration Monitoring Framework.</li> </ul>	<ul style="list-style-type: none"> <li>• It is understood that the analysis of environmental impacts relies heavily on a modeling approach will be developing a monitoring plan during PED to ensure success of certain facets of the project. A summary of the plan is included in Section 3.27.1 of Appendix C and Section 5.26.1 of the Main Report.</li> </ul>
39	Mark Colson - Business Council of Alabama	9/17/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
40	Horace Horn Jr. - Power South	9/17/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>

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41	Jennifer Denson - Partners for Environmental Progress	9/17/2018	*Support	*Supports the project	* Comment noted, thank you.
42	Tim Parker III - Parker Towing	9/17/2018	*Support	*Supports the project	* Comment noted, thank you.
43	Walt Scheller III - Warrior Met Coal	9/17/2018	*Support	*Supports the project	* Comment noted, thank you.
44	Nancy Hughes	9/17/2018	*Engineering *Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	* Please see responses to comment number 5
45	Larry Merrihew - Warrior - Tombigbee Waterway Association	8/27/2018	*Support	*Supports the project	* Comment noted, thank you.
46	Paul Myrick	9/17/2018	*Engineering *Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	* Please see responses to comment number 5
47	Jean Downing	9/17/2018		<ul style="list-style-type: none"> <li>•Identify availability of maintenance disposal capacity for the TSP for the next 50 years.</li> <li>•Page 5-14, explain why turbidity levels in the bay will not be increased during open water disposal.</li> </ul>	<ul style="list-style-type: none"> <li>• Disposal site capacities are addressed in Section 4.11 of Appendix A.</li> <li>• The thin-layer sites are exclusively used for maintenance and not for placement of new work material. Effects of the thin-layer disposal sites were addressed in the permit modification for the addition of these sites and not included. Extensive modeling was performed to show the behavior of the material once placed.</li> </ul>
48	Elizabeth Wilkes	9/17/2018	*Engineering *Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	* Please see responses to comment number 5
49	Debbie Quinn	9/17/2018	*Engineering *Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	* Please see responses to comment number 5

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50	Monica Garsed - Spire	9/17/2018	*Support	*Supports the project	* Comment noted, thank you.
51	Jamie Franco-Zamudio	9/17/2018	*Engineering *Environmental	<ul style="list-style-type: none"> <li>*Include at least three years of weather data in water quality models.</li> <li>*Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>*Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>*Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>*Work with scientists to include a more comprehensive oyster assessment.</li> <li>*Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>*Recognize impacts to low income, minority communities</li> <li>*Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>*Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	Please see responses to comment number 5.
52	Brian Sewell - Drummond Coal Sales, Inc	9/17/2018	*Support	*Supports the project	* Comment noted, thank you.
53	Avery Bates - Organized Seafood Association of Alabama	9/17/2018	*Engineering *Environmental *Public Relations	<ul style="list-style-type: none"> <li>*Impose and enforce speed limits on the vessels traveling the shipping channel.</li> <li>*Ship wake sensors should be located: (1) south of Gaillard Island 100 feet off the beach; (2) north of Little Dauphin Island 150 feet off the beach; (3) north of Cedar Point 150 feet off the beach; (4) halfway up the Alabama Port Beach towards Fowl River about 100 feet off the shore; (5) north of east Fowl River 100 feet off the beach</li> <li>*Include larger vessels anticipated to call at the port</li> <li>*Justify assumption of fewer ships "WITH PROJECT".</li> <li>*Need to run oyster model using all oyster reefs in Mobile Bay.</li> <li>*How will oyster drills and other predators to oysters be affected by the deepening?</li> <li>*Be sure the material placed in the SIBUA is acutally replenishing Dauphin Island.</li> <li>*Place material in appropriate depth and proximity to Dauphin Island.</li> <li>*Water quality study of one year underestimates impacts to natural habitats.</li> <li>*Study how impacts to seagrasses will affect other species</li> <li>*Conduct benthic studies for time of year not already studied..</li> <li>*Upper Mobile Bay Beneficial Use Site was not discussed in the GRR/SEIS.</li> <li>*A DMP needs to be developed that includes all proposed projects in the Mobile Bay area.</li> <li>*Explain how turbidity will not increase during thin layer disposal.</li> <li>*Ensure that all damages are properly mitigated.</li> <li>*Ensure low-income communities / subsistence fisherman in the Bayou La Batre, Coden, Fowl River, and Heron Bay are adversely affected.</li> </ul>	<ul style="list-style-type: none"> <li>* The USACE does not have the authority to impose vessel speed limits associated with Mobile Harbor.</li> <li>* The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.</li> <li>* A detailed ship simulation analysis has been conducted and included in Section 6.5 of Appendix A.</li> <li>* Additional oster larvae distribution modeling has been conducted in coordination with the oyster focus group. Results of the modeling can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.</li> <li>* Impacts from oyster drills are associated with drastic changes in salinity. The study shows that will be minimal changes in salinity as a result of the project. Therefore, it was determined that a specific study for oyster drills is not warranted.</li> <li>* The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>* When placing sediment in the SIBUA, efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>* The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>* The USACE, Mobile District believes that the modeling used to evaluate the wetland impacts are accurate and represent the extreme salinity conditions experienced by the SAVs in the project area. The detailed results of the SAV analyses are included in Section 3.8.3 of Appendix C.</li> <li>* The benthic sampling conducted represents the habitat types along the various salinity gradients in the study area. The study includes the results of other benthics studies conducted for other projects previously conducted to characterize the benthic communities throughout the Bay.</li> <li>* The area known as the Upper Bay Beneficial Site is not an authorized placement area and has never been considered as an option for the placement of new work material.</li> <li>* Management of future maintenance dredged material is discussed in detail in Section 4.11 of Appendix A. : In accordance with ER 1105-2-100, Appendix E-15. Dredged Material Management Plans, the Mobile Harbor GRR has determined that there is sufficient capacity to accommodate new work and maintenance dredged material for the next 20 years. As a result, the current disposal practices are valid and require no update.</li> </ul>
	Comment 53 continued...				<ul style="list-style-type: none"> <li>* The thin-layer sites are exclusively used for maintenance and not for placement of new work material. Effects of the thin-layer disposal sites were addressed in the permit modification for the addition of these sites and not included. Extensive modeling was performed to show the behavior of the material once placed.</li> <li>* Subsistence comconsumption of fish and wildlife has been added to Section 2.22.4 and Section 3.25 of Appendix A and summarized in the Main Report.</li> </ul>
54	Brad Ojard	9/17/2018	*Support	*Supports the project	* Comment noted, thank you.

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55	Robert Pettie - Mobile Bay Oyster Alliance	9/13/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Ship wake analysis should address effects of the super Post Panamax size ships.</li> <li>•Study reduction of ship speed to determine impacts to the bay shoreline.</li> <li>•Clarify how the number of vessels arriving in a year can differ from the number departing.</li> <li>•Appendix C, paragraph 2.2.3.1, VGWE report does not convert VGWE to wave height.</li> <li>•Is there a ship speed that can cause damage to the channel?</li> <li>•How can the number of ships double by year 2035, but the total VGWE not increase if the project is constructed?</li> <li>•Effects of ship wake on oyster spat.</li> <li>•What is the relationship between ship size and wake size/energy/harm? How does speed affect this relationship? Draft?</li> <li>•What calculations were used as basis that recreational boat wakes are more damaging to Mobile Bay than wakes from ships? How was this conclusion tested and where?</li> <li>•What is the magnitude and duration of sidement plumes stirrd from ship waked? How does sediment plume affect SAV beneficial shore flora?</li> <li>•Which ships, that regularly transit Mobile Bay, generate the largest wakes from standard calculations?</li> <li>•Can vessel transit records be used to determine cumulative wake energy generated fro individual ships and the impacts over past year or 5 years?</li> <li>•What are speed limits or speed reduction programs for ships at other ports? Why are similar programs not being considered for Mobile Bay?</li> <li>•What is the maximum speed of ships that does not create harmful wakes? How much additional time would be required to transit length of bay at no wake speed?</li> <li>•How much does a speed reduction cost? What are the financial benefits such as fuel savings, engine wear, and ecological benefits?</li> <li>•How much have shorelines receded horizontally and vertically since 2000 or other periods? How much have ship wakes contributed to shoreline erosion?</li> <li>•How much spoil has been removed from bay and transported to gulf for maintenance and expansion projects?</li> <li>•Could dredged material (maintenance or from deepening/widening) be placed between channel and shore to produce a berm to diminish wave energy? What would be cost and impacts (beneficial and harmful)? Where should be ideal placement and configuration?</li> </ul>	<ul style="list-style-type: none"> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detial in Section 6.4 of Appendix A.</li> <li>• VGWE values for vessels within the report are expressed as the equivalent deep-water wave height to minimize error. The magnitude of these values will appear less than an observed wave height. However, if all factors were available the deep-water wave height could be propagated and converted to a shallow water wave (observed wave height) using the dispersion relationship.</li> <li>• In some datasets, only the vessel transit that has cargo will be recorded. Meaning that if a vessel is loaded inbound and not outbound, only the inbound transit will be recorded.</li> <li>• A highly resolved shoreline change analysis on the western shoreline of Mobile Bay was completed to evaluate cumulative impacts of VGWE. The results of this work are provided in Chapter 5 of the VGWE report (Attachment A-4) and found no correlation between VGWE and shoreline change since around 1997. Prior to this time a correlation (more vessels equaled more erosion) was observed; however, quantifying the contribution of VGWE to shoreline recession cannot be determined using the best available data.</li> <li>• A highly resolved shoreline change analysis on the western shoreline of Mobile Bay was completed to evaluate cumulative impacts of VGWE. The results of this work are provided in Chapter 5 of the VGWE report (Attachment A-4) and found no correlation between VGWE and shoreline change since around 1997. Prior to this time a correlation (more vessels equaled more erosion) was observed; however, quantifying the contribution of VGWE to shoreline recession cannot be determined using the best available data.</li> </ul>
	Comment 55 continued...			<ul style="list-style-type: none"> <li>•What are other measures to mitigate ship wake harm?</li> <li>•Can property owners be compensated for beach erosion caused by wakes or deficits from spoil transport to gulf?</li> <li>•Can lessons learned from Tampa Bay be used in Mobile Bay to increase shoreline grasses and oyster habitat?</li> <li>•Can the Corps include measures in the harbor deepening project to stop further damage to shorelines?</li> <li>•Ship waves cause increased turbidity at the shoreline. Does the Corps disagree with this statement?</li> </ul>	
56	Peter Bradley - Javelin Global Commodities	9/17/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
57	Thomas and Kerri Camp, David and Kris Troxtell, Travis and Sarah Troxtell	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Material from the Bar Channel should be placed in waters less than 15 feet, atop the shoal between Sand Island Lighthouse and Sand/Pelican Island.</li> <li>•Place sand from the SIBUA on the Dauphin Island shoreline.</li> <li>•A portion of the excess benefits should be used for mitigation.</li> <li>•Work with the Port and the Governor for implementation of the West End Beach and Barrier Island Restoration Project to allow for mitigation to be paid for with Deepwater Horizon Oil Spill related Monies.</li> </ul>	<ul style="list-style-type: none"> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The study has shown that no mitigation is warranted as a result of the project.</li> <li>• Restoration of the West End Beach and Barrier Island for mitigation from thh Deepwater Horizon Oil Spill is not within the authorization for this project.</li> </ul>
58	Sherry Bishop	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
59	David DeLaney	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Place material in appropriate areas to benefit Dauphin Island.</li> <li>•Expansion likely to be detrimental to sea life and grass beds.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>• The USACE, Mobile District believes that the modeling used to evaluate the aquatic resources impacts are accurate and represent the extreme salinity conditions experienced by the SAVs in the project area. The detailed results of the SAV analyses are included in Section 3.8.3 of Appendix C.</li> </ul>

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60	Devin Ford	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
61	Randall George - Montgomery Area Chamber of Commerce	9/17/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
62	George Nelson	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
63	Roger Tanner	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Model results do not match with the actual observed Dauphin Island shoreline losses.</li> <li>•Discuss impacts of shoreline erosion on sea turtle nesting.</li> <li>•Develop a Master Plan and associated EIS that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years.</li> </ul>	<ul style="list-style-type: none"> <li>• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this action.</li> <li>• Management of future maintenance dredged material is discussed in detail in Section 4.11 of Appendix A.</li> </ul>
64	Stan Graves	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Material from the Bar Channel should be placed in waters less than 15 feet, atop the shoal between Sand Island Lighthouse and Sand/Pelican Island.</li> <li>•Place sand from the SIBUA on the Dauphin Island shoreline.</li> <li>•A portion of the excess benefits should be used for mitigation.</li> <li>•Work with the Port and the Governor for implementation of the West End Beach and Barrier Island Restoration Project to allow for mitigation to be paid for with Deepwater Horizon Oil Spill related Monies.</li> </ul>	<ul style="list-style-type: none"> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The study has shown that no mitigation is warranted as a result of the project.</li> <li>• Restoration of the West End Beach and Barrier Island for mitigation from thh Deepwater Horizon Oil Spill is not within the authorization for this project.</li> </ul>
65	Larry Merrihew - Warrior - Tombigbee Waterway Association	9/17/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
66	David Meyer	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Sand placed in the SIBUA is not making it into the littoral flow.</li> <li>•Need a dredged materials disposal plan created with input from area stakeholders.</li> <li>•Disposal needs to be in shallow waters that will replenish Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
67	Smitty Thorne	9/17/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
68	David DeLaney	9/17/2018	•Engineering	<ul style="list-style-type: none"> <li>•Place dredged material in appropriate areas to benefit Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
69	Leslie Jackson	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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70	Timothy Mahn	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
71	Natalie Montoya	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
72	Sam Wilkes	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
73	Brian Carson	9/17/2018	•Environmental	<ul style="list-style-type: none"> <li>•More water quality studies to address the potential for algae blooms and effects to oysters in the bay.</li> <li>•Will more salt water reach further up into the delta and cause problems for the existing flora/fauna?</li> <li>•Would like to see a contingency plan to halt or alter the project if there are negative impacts before the project completion.</li> </ul>	<ul style="list-style-type: none"> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>• The modeling conducted indicates negligible changes in the hydrodynamic characteristics resulting from the channel modifications, therefore, no changes in the transporting substances such as pathogens, algal blooms, or oil spills are expected.</li> <li>• It is understood that the analysis of environmental impacts relies heavily on a modeling approach will be developing a monitoring plan during PED to ensure success of certain facets of the project. A summary of the plan is included in Section 3.27.1 of Appendix C and Section 5.26.1 of the Main Report.</li> </ul>
74	Casey Gay Williams - Eastern Shore Chamber of Commerce	9/14/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
75	John McFadyen	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Material from the Bar Channel should be placed in waters less than 15 feet, atop the shoal between Sand Island Lighthouse and Sand/Pelican Island.</li> <li>•Place sand from the SIBUA on the Dauphin Island shoreline.</li> <li>•A portion of the excess benefits should be used for mitigation.</li> <li>•Work with the Port and the Governor for implementation of the West End Beach and Barrier Island Restoration Project to allow for mitigation to be paid for with Deepwater Horizon Oil Spill related Monies.</li> </ul>	<ul style="list-style-type: none"> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel.</li> <li>• The study has shown that no mitigation is warranted as a result of the project.</li> <li>• Restoration of the West End Beach and Barrier Island for mitigation from thh Deepwater Horizon Oil Spill is not within the authorization for this project.</li> </ul>

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76	Amie Huebner	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
77	Wes Williams	9/17/2018	•Engineering	<ul style="list-style-type: none"> <li>•Place dredged material in shallower waters closer to gulf beaches to benefit Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
78	Brian Hilson - Birmingham Business Alliance	9/7/2018	•Support	<ul style="list-style-type: none"> <li>• Additional oster larvae distribution modeling has been conducted in coordination with the oyster focus group. Results of the modeling can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
79	Matt Rota	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
80	Jordan Atchison	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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81	Joe Hughey - Mobile Bay Oyster Alliance	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Ship wake analysis should address effects of the super Post Panamax size ships.</li> <li>•Study reduction of ship speed to determine impacts to the bay shoreline.</li> <li>•Clarify how the number of vessels arriving in a year can differ from the number departing.</li> <li>•Appendix C, paragraph 2.2.3.1, VGWE report does not convert VGWE to wave height.</li> <li>•Is there a ship speed that can cause damage to the channel?</li> <li>•How can the number of ships double by year 2035, but the total VGWE not increase if the project is constructed?</li> <li>•Effects of ship wake on oyster spat.</li> <li>•What is the relationship between ship size and wake size/energy/harm? How does speed affect this relationship? Draft?</li> <li>•What calculations were used as basis that recreational boat wakes are more damaging to Mobile Bay than wakes from ships? How was this conclusion tested and where?</li> <li>•What is the magnitude and duration of sidement plumes stirrd from ship waked? How does sediment plume affect SAV beneficial shore flora?</li> <li>•Which ships, that regularly transit Mobile Bay, generate the largest wakes from standard calculations?</li> <li>•Can vessel transit records be used to determine cumulative wake energy generated fro individual ships and the impacts over past year or 5 years?</li> <li>•What are speed limits or speed reduction programs for ships at other ports? Why are similar programs not being considered for Mobile Bay?</li> <li>•What is the maximum speed of ships that does not create harmful wakes? How much additional time would be required to transit length of bay at no wake speed?</li> <li>•How much does a speed reduction cost? What are the financial benefits such as fuel savings, engine wear, and ecological benefits?</li> <li>•How much have shorelines receded horizontally and vertically since 2000 or other periods? How much have ship wakes contributed to shoreline erosion?</li> <li>•How much spoil has been removed from bay and transported to gulf for maintenance and expansion projects?</li> <li>•Could dredged material (maintenance or from deepening/widening) be placed between channel and shore to produce a berm to diminish wave energy? What would be cost and impacts (beneficial and harmful)? Where should be ideal placement and configuration?</li> </ul>	<ul style="list-style-type: none"> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detial in Section 6.4 of Appendix A.</li> <li>• The VGWE report (Attachment A-4) utilized a similar computation method for with and without project conditions. Any potential inaccuracies within the methodology would be canceled out. Analysis of VGWE propagation from the shoreline was not necessary for the data collection period given total energy of the without project condition was less than with project near the channel and the conservation of energy law applies meaning energy could not increase without some input source and energy reduction forces acting on the vessel wake are equal.</li> <li>• The study authority does not provide for reimbursement to private property owners.</li> <li>• The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.</li> <li>• The thin-layer sites are exclusively used for maintenance and not for placement of new work material. Effects of the thin-layer disposal sites were addressed in the permit modification for the addition of these sites and not included. Extensive modeling was performed to show the behavior of the material once placed.</li> <li>• Quantities of dredged material for Mobile Harbor are presented in Section 4.10 of Appendix A.</li> <li>• A highly resolved shoreline change analysis on the western shoreline of Mobile Bay was completed to evaluate cumulative impacts of VGWE. The results of this work are provided in Chapter 5 of the VGWE report (Attachment A-4) and found no correlation between VGWE and shoreline change since around 1997. Prior to this time a correlation (more vessels equaled more erosion) was observed; however, quantifying the contribution of VGWE to shoreline recession cannot be determined using the best available data.</li> </ul>
	Comment 81 continued ...			<ul style="list-style-type: none"> <li>•What are other measures to mitigate ship wake harm?</li> <li>•Can property owners be compensated for beach erosion caused by wakes or deficits from spoil transport to gulf?</li> <li>•Can lessons learned from Tampa Bay be used in Mobile Bay to increase shoreline grasses and oyster habitat?</li> <li>•Can the Corps include measures in the harbor deepening project to stop further damage to shorelines?</li> <li>•Ship waves cause increased turbidity at the shoreline. Does the Corps disagree with this statement?</li> </ul>	
82	Lella Lowe	9/17/2018	•Economics •Environmental	<ul style="list-style-type: none"> <li>•Increased Port activity should be assessed for economics and effects to EJ communities.</li> <li>•Air quality monitoring should be established at the Port of Mobile.</li> <li>•Explain Dauphin Island erosion since 1980.</li> <li>•Require that all dredged sands placed in SIBUA expansion be deposited at water depths less than 15 feet.</li> <li>•Why did the Corps and EPA find it necessary to pursue expansion of the ODMDS.</li> <li>•Provide detailed information from idependent studies and literature to validate the Corps allegation that thin layer disposal is benficial for Mobile Bay.</li> <li>•Provide plan to satisfy the future dredged material disposal needs of the TSP after the initial 20 years of maintenance.</li> <li>•Recognize and account for the fact that increased ship wake can cause greater shoreline erosion and threats to grass beds and sea life.</li> </ul>	<ul style="list-style-type: none"> <li>• The detailed EJ analysis id included in Section 3.24 of Appendix C.</li> <li>• The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel.</li> <li>• The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel.</li> <li>• Expansion of the ODMDS was conducted to assure that there will be adequate capacity for future maintance of the navigation channel.</li> <li>• The thin-layer sites are exclusively used for maintenance and not for placement of new work material. Effects of the thin-layer disposal sites were addressed in the permit modification for the addition of these sites and not included. Extensive modeling was performed to show the behavior of the material once placed.</li> <li>• Management of future maintenance dredged material is discussed in detail in Section 4.11 of Appendix A.</li> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detial in Section 6.4 of Appendix A.</li> </ul>

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83	Linda Eckenrod	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Address erosion of Dauphin Island</li> <li>•Impose speed limits on the larger deep draft ships, particularly if fully loaded.</li> <li>•Clarify that the recent four years selected to develop the study baseline represents a low point in both oyster production and reef condition over the past 66 years.</li> <li>•Impacts of shoreline erosion on sea turtle nesting should be discussed.</li> <li>•Material from the Bar Channel should be placed in waters less than 15 feet, atop the shoal between Sand Island Lighthouse and Sand/Pelican Island.</li> <li>•Place sand from the SIBUA on the Dauphin Island shoreline.</li> <li>•A portion of the excess benefits should be used for mitigation.</li> <li>•Work with the Port and the Governor for implementation of the West End Beach and Barrier Island Restoration Project to allow for mitigation to be paid for with Deepwater Horizon Oil Spill related Monies.</li> </ul>	<ul style="list-style-type: none"> <li>• The effects on Dauphin Island is discussed in detail in Section 6 of Appendix A.</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel.</li> <li>• Additional oyster larvae distribution modeling has been conducted in coordination with the oyster focus group. Results of the modeling can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.</li> <li>• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this actions.</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The study has shown that no mitigation is warranted as a result of the project.</li> <li>• Restoration of the West End Beach and Barrier Island for mitigation from thh Deepwater Horizon Oil Spill is not within the authorization for this project.</li> </ul>
84	Kim Coates	9/17/2018	•Environmental	<ul style="list-style-type: none"> <li>•Thoroughly study and develop a comprehensive plan for the port expansion to mitigate for any unavoidable impacts to natural resources.</li> </ul>	<ul style="list-style-type: none"> <li>• The study considered the effects on all aquatic resources within the project area. See Section 3.0 of Appendic C and Section 5.0 of the Main Report.</li> </ul>
85	Amy B	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
86	Terry Cowans	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
87	Ilka Porch	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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#	Commenter	Date	Discipline	Comment Summary	Response
88	Scott Eustis	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Study increased surge heights from channel deepening.</li> <li>•Study with sediment transport modelling the changes in sediment transport from the increase in the tidal prism from channel deepening.</li> <li>•Include the latest estimates of sea level rise in the worst case scenario.</li> <li>•Study the interruption of sand transport from the ship channel as part of sediment transport modelling, and mitigate for sand removed from the transport system.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
89	Lauren Thornton	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
90	Linda Ward	9/16/2018	•Engineering	<ul style="list-style-type: none"> <li>•Dredged sand should be placed in waters less than 15 feet deep atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel.</li> </ul>
91	Debbie Volovecky	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
92	Emilee Foster	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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93	Kathryn Westmark	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
94	Leslie Revel	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
95	Elise Barrows	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
96	Roe Hyché	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Dredged sand should be used to replenish Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• Sandy material from the entrance channel will be place in the SIBUA which has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
97	Shoon Lio	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
98	Thomas McPherron	9/16/2018	•Engineering	<ul style="list-style-type: none"> <li>•Address shoreline erosion on Dauphin Island</li> </ul>	<ul style="list-style-type: none"> <li>• The efforts on Dauphin Island's shoreline in discussed in detail in Section 6.3 in Appendix A.</li> </ul>
99	Carolyn Boothe	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
100	Karkkainen Richard	9/16/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>

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101	Jordyn Ingram	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
102	John Howard	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
103	William James	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
104	Benjamin Lowery	9/16/2018	•Environmental	<ul style="list-style-type: none"> <li>•Does not support the project</li> </ul>	<ul style="list-style-type: none"> <li>• Noted</li> </ul>
105	Christine James	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
106	Breck Pappas	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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107	Chip James	9/16/2018		<ul style="list-style-type: none"> <li>•Guarantee the SIBUA Northwest Extension will be used for the life of the project</li> <li>•Guarantee the use of the SIBUA Northwest Extension every time the channel is dredged.</li> <li>•Monitor sediment movement in the SIBUA Northwest Extension</li> <li>•If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement and then monitor that area to ensure sand reaches Dauphin Island.</li> <li>•Ensure depth of the location is less than 15 feet.</li> </ul>	<ul style="list-style-type: none"> <li>• The monitoring protocol for the SIBUA is discussed in Section 4.2.2.3.1 in the Main Report.</li> <li>• Results of the SIBUA monitoring will be made available to the public via the Mobile Harbor GRR website.</li> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel.</li> </ul>
108	Rebecca Domangue	9/16/2018	<ul style="list-style-type: none"> <li>•Engineering</li> <li>•Environmental</li> </ul>	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
109	Suzanne McAtee	9/16/2018	<ul style="list-style-type: none"> <li>•Engineering</li> <li>•Environmental</li> </ul>	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
110	Russell Finley	9/16/2018	<ul style="list-style-type: none"> <li>•Engineering</li> <li>•Environmental</li> </ul>	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
111	Charles Carpenter	9/16/2018	<ul style="list-style-type: none"> <li>•Engineering</li> <li>•Environmental</li> </ul>	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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112	Chad Chappell	9/16/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
113	Kevin Marek	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Concerned that significant erosion of Dauphin Island will continue.</li> <li>•Would like to see placement of dredged material on Dauphin Island to counter erosion, and also to recover previous losses.</li> <li>•Concerned about the effects of turbidity on aquatic vegetation and marine life, and its effect on the seafood and tourist industry.</li> </ul>	<ul style="list-style-type: none"> <li>• The effects to Dauphin Island's shoreline is discussed in detail in Section 6.3 of Appendix A.</li> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The numerical modeling conducted has shown that there will only be minor and temporary increases in turbidity as a result of the project.</li> </ul>
114	Caroline Graves	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Corps failed to identify all cumulative effects to Dauphin Island.</li> <li>•The Corps failed to address all the environmental impacts to Dauphin Island resulting from the proposed action.</li> </ul>	<ul style="list-style-type: none"> <li>• This is extensively covered in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.</li> <li>• The modeling concludes that no environmental impacts to Dauphin Island are expected.</li> </ul>
115	Jane Lightning	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
116	Carol Lawson	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Place dredged sand to benefit Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
117	Carol Lawson	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
118	Kathy Dunning	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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#	Commenter	Date	Discipline	Comment Summary	Response
119	Sue Beard	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
120	Michael Stephens	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Material from the Bar Channel should be placed in waters less than 15 feet, atop the shoal between Sand Island Lighthouse and Sand/Pelican Island.</li> <li>•Place sand from the SIBUA on the Dauphin Island shoreline.</li> <li>•A portion of the excess benefits should be used for mitigation.</li> <li>•Work with the Port and the Governor for implementation of the West End Beach and Barrier Island Restoration Project to allow for mitigation to be paid for with Deepwater Horizon Oil Spill related Monies.</li> </ul>	<ul style="list-style-type: none"> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel.</li> <li>• The study has shown that no mitigation is warranted as a result of the project.</li> <li>• Restoration of the West End Beach and Barrier Island for mitigation from thh Deepwater Horizon Oil Spill is not within the authorization for this project.</li> </ul>
121	Gail Stilwell	9/15/2018	•Environmental	<ul style="list-style-type: none"> <li>•Opposed to the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
122	Benjamin Becker	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
123	Greg Becker	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
124	Carol Becker	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
125	Meg McGovern	9/15/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
126	Jim Harlow	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Place dredged sand in more shallow water, and further North and West of the present area, to replenish Dauphin island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>

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127	Charles Lea	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Place dredged material in waters less than 15 ft atop the shoal that stretches between Sand Island Lighthouse and Sand/Pelican Island.</li> <li>•Dredge material from the SIBUA and place on Dauphin Island's gulf beach.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
128	Rhonda Sesrcy	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
129	Charles Lea	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Place dredged material in shallow waters under Section 302 of the WRDA of 1996.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
130	Susan Jones	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Draft GRR/SEIS fails to comply with §1508.7 of CEQ's NEPA Regulations</li> <li>•Draft GRR/SEIS must address the erosion on Dauphin Island since 1980</li> <li>•Must identify availability of maintenance disposal capacity for the TSP for the next 50 years.</li> <li>•Evaluate imposing speed limits on the larger deep draft ships, particularly is fully loaded, to reduce the magnitude of bow waves from passing vessels.</li> <li>•Explain why it is necessary to expand the ODMS by 500% since the Corps plans to use the existing open water thin-layer disposal sites as much as possible.</li> <li>•A portion of the Excess Benefits should be directed to beneficially use dredged material to pursue various reclamation projects.</li> <li>•Provide adequate scientific information from independent studies and literature to support the Corps contention that thin layer disposal benefits Mobile Bay's environment.</li> <li>•To provide a true representation of the existing quality of oyster resources within the study area, the report should clarify that the recent four years (2013, 2014, 2015, and 2016) selected to develop the study baseline represents a significant low point in both oyster production and reef condition over the past 66 years.</li> <li>•The report should devote more discussion to the current deteriorated condition of Mobile Bay's oyster resources, including additional modeling work dealing spat movements, effects on salinity regimes, predation, etc.</li> <li>•The document does not address the potential refugia benefit that would be foregone if the relic shell mining holes located in the midportion of Mobile Bay are filled with dredged sediments.</li> <li>•Figure 4-9 must be revised to include the 1,200 acre dredged material disposal island planned for the Upper Bay south of the Causeway.</li> <li>•The water quality modeling analysis must be reconsidered to evaluate a multi-year drought condition to adequately determine if the TSP will alter salinity regimes within Mobile Bay.</li> <li>•Explain why disposing of maintenance dredged material in open water will not increase turbidity values above ambient levels.</li> <li>•The public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The document is in compliance with all NEPA Laws and Regulations.</li> <li>• Historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 6.1) and Appendix C (Section 4.3)</li> <li>• The GRR identifies adequate disposal for maintenance material and discussed in Sections 4.10 and 4.11 of Appendix A.</li> <li>• Expansion of the ODMS was conducted to assure that there will be adequate capacity for future maintenance of the navigation channel.</li> <li>• The USACE does not have the authority to impose vessel speed limits for Mobile Harbor.</li> <li>• The thin-layer sites are exclusively used for maintenance and not for placement of new work material. Effects of the thin-layer disposal sites were addressed in the permit modification for the addition of these sites and not included. Extensive modeling was performed to show the behavior of the material once placed.</li> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>• Additional oyster larvae distribution modeling has been conducted in coordination with the oyster focus group. Results of the modeling can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.</li> <li>• Discussion pertaining to fish refugia associated with the relic shell mined area was added to Section 3.7.2.1 of Appendix C.</li> <li>• Noted Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report</li> <li>• The expansion of the ODMS falls under the jurisdiction of the EPA. See Sections 2.4.4 and 4.11 of the Main Report.</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The 1,200-acre BU site is not being considered as a BU opportunity for this project.</li> <li>• The oyster analyses presented in detail in Section 3.8.9 of Appendix C includes all water quality conditions considered to be relevant for the oyster populations in the Bay.</li> <li>• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this actions.</li> </ul>
	Comment 130 continued ...			<ul style="list-style-type: none"> <li>•Provide conclusive information assuring upwards of 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion.</li> <li>•All dredged sands placed in the SIBUA expansion will be deposited at water depth shallower than 15 feet.</li> <li>•A detailed risk and uncertainty analysis of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness fo the new site to accomplish its intended purpose.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	

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131	Capt. Dan Kolenich	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5
132	Steve Lyda	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5
133	Paul Watson	9/15/2018	•Environmental	<ul style="list-style-type: none"> <li>•Concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel.</li> </ul>	• Noted
134	Paul Watson	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, the Corps needs to change the location of the placement to a better location and guarantee that the sand would reach the shoreline.</li> <li>•Provide documentation of the SIBUA Northwest Extension monitoring efforts to the public.</li> </ul>	• Please see responses to comment number 107
135	Jeff Deuschle	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5
136	Steve McClure	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5

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137	Sara Shields-Menard	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
138	Betsy Swinson	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
139	Darlene Perry	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Require the Corps to use the SIBUA for sand disposal and monitor the sand to ensure it reaches Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> </ul>
140	Sheryl Smith	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
141	William Richardson	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Mitigate for erosion on Dauphin Island.</li> </ul>	<ul style="list-style-type: none"> <li>• The study has shown that the proposed project will not result in erosion of Dauphin Island. Therefore, no mitigative efforts are required.</li> </ul>
142	Gretchen Boyd	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee use of the SIBUA Northwest Extension for the life of the project and monitor to make sure the sand is actually reaching the shoreline of Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, then the Corps will change the placement location to a better location and gaurantee that the sand would reach the shoreline.</li> <li>•Provide documentation to the public that the SIBUA Northwest Extension, and any other future locations are being monitored.</li> <li>•Depth of sand placement location has to be less than 15 feet.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
143	Lebecca Pardue	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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#	Commenter	Date	Discipline	Comment Summary	Response
144	Jeni Bogdan	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
145	Jeffrey Bogdan	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
146	Charles Cohen	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
147	Grace Tyson	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
148	Hanlon Walsh	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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149	Jerry Bates	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
150	Caroline Graves	9/15/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Berm placement is too far away and in water that is too deep for the sand to move to the Dauphin Island shoreline.</li> <li>•Corps failed to inform the public in the GRR/SEIS that all erosion and environmental impacts stated in the Corps 1978 study were left out of the original 1980 EIS/Mobile Harbor study.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.</li> </ul>
151	Frank Vogtner	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
152	Ryann Wilcoxon	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
153	Pat and Gary Gover	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
154	Rebecca Williams	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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155	Sue Cato Winter	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
156	Linda Neal	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, the Corps will change the placement area to a more effective location.</li> <li>•Continue monitoring all locations of the SIBUA Northwest Extension, and any other future locations, and make documentation available to the general public.</li> <li>•The depth of the SIBUA Extension location should be 15 feet or less</li> <li>•Include at least three years of data to show how severe weather impacts the study's results</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel</li> <li>•Thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to natural resources.</li> <li>•Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc.). Study impacts to aquatic life and shorelines from wave energy.</li> <li>•Work with scientists to ensure the oyster assessment is more comprehensive. Look at how young oysters move and how the presence of predators (oyster drills) may increase with changes to salinity.</li> <li>•More comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl.</li> <li>•Recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%.</li> <li>•As required by law, acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please responses to comment numbers 5 and 107</li> </ul>
157	Bob Neal	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, the Corps will change the placement area to a more effective location.</li> <li>•Continue monitoring all locations of the SIBUA Northwest Extension, and any other future locations, and make documentation available to the general public.</li> <li>•The depth of the SIBUA Extension location should be 15 feet or less</li> <li>•Include at least three years of data to show how severe weather impacts the study's results</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel</li> <li>•Thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to natural resources.</li> <li>•Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc.). Study impacts to aquatic life and shorelines from wave energy.</li> <li>•Work with scientists to ensure the oyster assessment is more comprehensive. Look at how young oysters move and how the presence of predators (oyster drills) may increase with changes to salinity.</li> <li>•More comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl.</li> <li>•Recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%.</li> <li>•As required by law, acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area</li> </ul>	<ul style="list-style-type: none"> <li>• Please responses to comment numbers 5 and 107</li> </ul>

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158	James Hall	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
159	Ricky Long	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
160	Janet Salmon	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
161	Freddie Blache	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
162	Kenny Weigel	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
163	Steve Butner	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, the Corps needs to change the location of the placement to a better location and guarantee that the sand would reach the shoreline.</li> <li>•Provide documentation of the SIBUA Northwest Extension monitoring efforts to the public.</li> <li>•The depth of the placement location has to be at 15 feet or less.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>

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164	Jep Hill	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
165	Kenneth Hyché	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
166	Tray Morgan	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
167	Beth Hopkins	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
168	Caleb Hoven	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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169	Myra Crawford	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
170	Iris Bradley	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
171	Thomas Duncan	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
172	Susan Strickler	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, the Corps needs to change the location of the placement to a better location and guarantee that the sand would reach the shoreline.</li> <li>•Provide documentation of the SIBUA Northwest Extension monitoring efforts to the public.</li> <li>•The depth of the placement location has to be at 15 feet or less.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
173	Lee Webb	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
174	Bligh Jones	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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#	Commenter	Date	Discipline	Comment Summary	Response
175	Richard Coleman	9/14/2018	•Support	•Supports the project	• Comment noted, thank you.
176	Tom Ress	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5
177	Gary Lindsay	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5
178	Margaret Helveston	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5
179	Sara Howard	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5
180	Renita Allen	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	• Please see responses to comment number 5

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181	Jacob Hartley	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
182	Vanessa Watson	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, the Corps needs to change the location of the placement to a better location and guarantee that the sand would reach the shoreline.</li> <li>•Provide documentation of the SIBUA Northwest Extension monitoring efforts to the public.</li> <li>•The depth of the placement location has to be at 15 feet or less.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
183	Jan Zirlott	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, the Corps needs to change the location of the placement to a better location and guarantee that the sand would reach the shoreline.</li> <li>•Provide documentation of the SIBUA Northwest Extension monitoring efforts to the public.</li> <li>•The depth of the placement location has to be at 15 feet or less.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
184	John Dismukes	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the Dauphin Island.</li> <li>•If after a year the monitoring does not show the sand reaching the island, the Corps needs to change the location of the placement to a better location and guarantee that the sand would reach the shoreline.</li> <li>•Provide documentation of the SIBUA Northwest Extension monitoring efforts to the public.</li> <li>•The depth of the placement location has to be at 15 feet or less.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
185	Cora Hart	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
186	Kyle Bedwell	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
187	Bryan Pape	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>

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188	Laura Jackson	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
189	Jeff Dute	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
190	Katie Ricciardone	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include at least three years of weather data in water quality models.</li> <li>•Include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel.</li> <li>•Review how the project will generate new growth associated with the port that could have indirect impacts to our natural resources.</li> <li>•Improve ship wake analysis to include more accurate information about ships and how ship wake will impact aquatic life and shorelines.</li> <li>•Work with scientists to include a more comprehensive oyster assessment.</li> <li>•Comprehensively investigate impacts to wetlands, seagrasses, fish, and aquatic resources.</li> <li>•Recognize impacts to low income, minority communities</li> <li>•Acknowledge past impacts on air quality and shoreline erosion since 1980.</li> <li>•Consider creating a DMP that includes all proposed projects in the Mobile Bay area.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 5</li> </ul>
191	Heather Fisher	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Must identify availability of maintenance disposal capacity for the TSP for the next 50 years.</li> <li>•Evaluate imposing speed limits on the larger deep draft ships, particularly is fully loaded, to reduce the magnitude of bow waves from passing vessels.</li> <li>•Explain why it is necessary to expand the ODMS by 500% since the Corps plans to use the existing open water thin-layer disposal sites as much as possible.</li> <li>•A portion of the Excess Benefits should be directed to beneficially use dredged material to pursue various reclamation projects.</li> <li>•Provide adequate scientific information from independent studies and literature to support the Corps contention that thin layer disposal benefits Mobile Bay's environment.</li> <li>•To provide a true representation of the existing quality of oyster resources within the study area, the report should clarify that the recent four years (2013, 2014, 2015, and 2016) selected to develop the study baseline represents a significant low point in both oyster production and reef condition over the past 66 years.</li> <li>•The report should devote more discussion to the current deteriorated condition of Mobile Bay's oyster resources, including additional modeling work dealing spat movements, effects on salinity regimes, predation, etc.</li> <li>•The document does not address the potential refugia benefit that would be foregone if the relic shell mining holes located in the midportion of Mobile Bay are filled with dredged sediments.</li> <li>•Figure 4-9 must be revised to include the 1,200 acre dredged material disposal island planned for the Upper Bay south of the Causeway.</li> <li>•The water quality modeling analysis must be reconsidered to evaluate a multi-year drought condition to adequately determine if the TSP will alter salinity regimes within Mobile Bay.</li> <li>•Explain why disposing of maintenance dredged material in open water will not increase turbidity values above ambient levels.</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 20.</li> </ul>

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192	Heather Fisher	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Draft GRR/SEIS fails to comply with §1508.7 of CEQ's NEPA Regulations</li> <li>•Draft GRR/SEIS must address the erosion on Dauphin Island since 1980</li> <li>•The public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island.</li> <li>•Provide conclusive information assuring upwards of 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion.</li> <li>•All dredged sands placed in the SIBUA expansion will be deposited at water depth shallower than 15 feet.</li> <li>•A detailed risk and uncertainty analysis of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness fo the new site to accomplish its intended purpose.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	<ul style="list-style-type: none"> <li>• The document is in compliance with all NEPA Laws and Regulations.</li> <li>• Historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 6.1) and Appendix C (Section 4.3)</li> <li>• The GRR identifies adequate disposal for maintenance material and discussed in Sections 4.10 and 4.11 of Appendix A.</li> <li>• Expansion of the ODMDS was conducted to assure that there will be adequate capacity for future maintance of the navigation channel.</li> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>• The expansion of the ODMDS falls under the jurisdiction of the EPA. See Sections 2.4.4 and 4.11 of the Main Report.</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel.</li> <li>• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this actions.</li> </ul>
193	Ketti Miller	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the SIBUA Northwest Extension will be used for the life of the project</li> <li>•Monitor sediment movement in the SIBUA Northwest Extension</li> <li>•If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will.</li> <li>•Depth of placement in the SIBUA extension has to be 15 feet or less</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
194	Myra Aycock	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the SIBUA Northwest Extension will be used for the life of the project</li> <li>•Monitor sediment movement in the SIBUA Northwest Extension</li> <li>•If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will.</li> <li>•Depth of placement in the SIBUA extension has to be 15 feet or less</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
195	Amanda Winstead	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Draft GRR/SEIS must address the erosion on Dauphin Island since 1980</li> <li>•Provide conclusive information assuring upwards of 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion.</li> <li>•All dredged sands placed in the SIBUA expansion will be deposited at water depth shallower than 15 feet.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	<ul style="list-style-type: none"> <li>• Historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 6.1) and Appendix C (Section 4.3)</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this actions.</li> </ul>
196	Rex Anderson	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the SIBUA Northwest Extension will be used for the life of the project</li> <li>•Monitor sediment movement in the SIBUA Northwest Extension</li> <li>•If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will.</li> <li>•Depth of placement in the SIBUA extension has to be 15 feet or less</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
197	Mike Dees	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the SIBUA Northwest Extension will be used for the life of the project</li> <li>•Monitor sediment movement in the SIBUA Northwest Extension</li> <li>•If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will.</li> <li>•Depth of placement in the SIBUA extension has to be 15 feet or less</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
198	Sam Greene	9/14/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
199	Connie Dever	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Provide proof the proposed SIBUA expansion will allow most of the placed snads to return to the littoral drift system to nourish Dauphin Island.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	<ul style="list-style-type: none"> <li>• The SIBUA has been expanded under a separate O&amp;M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.</li> <li>• The study has shown that the proposed project will not result in erosion of Dauphin Island. Therefore, no impacts to nesting sea turtles would be expected resulting from implementation of the project..</li> </ul>
200	Karen and Steve Howard	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the SIBUA Northwest Extension will be used for the life of the project</li> <li>•Monitor sediment movement in the SIBUA Northwest Extension</li> <li>•If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will.</li> <li>•Depth of placement in the SIBUA extension has to be 15 feet or less</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>
201	Connie Dever	9/14/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Guarantee the SIBUA Northwest Extension will be used for the life of the project</li> <li>•Monitor sediment movement in the SIBUA Northwest Extension</li> <li>•If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will.</li> <li>•Depth of placement in the SIBUA extension has to be 15 feet or less</li> </ul>	<ul style="list-style-type: none"> <li>• Please see responses to comment number 107</li> </ul>

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#	Commenter	Date	Discipline	Comment Summary	Response
202	Brandi Schmidt	9/14/2018	•Engineering •Environmental	•Guarantee the SIBUA Northwest Extension will be used for the life of the project •Monitor sediment movement in the SIBUA Northwest Extension •If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will. •Depth of placement in the SIBUA extension has to be 15 feet or less	• Please see responses to comment number 107
203	Alida Wyler	9/14/2018	•Engineering •Environmental	•Guarantee the SIBUA Northwest Extension will be used for the life of the project •Monitor sediment movement in the SIBUA Northwest Extension •If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will. •Depth of placement in the SIBUA extension has to be 15 feet or less	• Please see responses to comment number 107
204	Carol Merkel	9/14/2018	•Engineering •Environmental	•Guarantee the SIBUA Northwest Extension will be used for the life of the project •Monitor sediment movement in the SIBUA Northwest Extension •If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will. •Depth of placement in the SIBUA extension has to be 15 feet or less	• Please see responses to comment number 107
205	Myers Jordan	9/14/2018	•Engineering •Environmental	•Guarantee the SIBUA Northwest Extension will be used for the life of the project •Monitor sediment movement in the SIBUA Northwest Extension •If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will. •Depth of placement in the SIBUA extension has to be 15 feet or less	• Please see responses to comment number 107
206	Michael Stephens	9/14/2018	•Engineering •Environmental	•Guarantee the SIBUA Northwest Extension will be used for the life of the project •Monitor sediment movement in the SIBUA Northwest Extension •If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will. •Depth of placement in the SIBUA extension has to be 15 feet or less	• Please see responses to comment number 107
207	jdccpabc@aol.com	9/13/2018	•Engineering •Environmental	•Guarantee the SIBUA Northwest Extension will be used for the life of the project •Monitor sediment movement in the SIBUA Northwest Extension •If monitoring reveals sediment in the SIBUA extension is not reaching the island, Corps will change the placement location to somewhere the sediment will. •Depth of placement in the SIBUA extension has to be 15 feet or less	• Please see responses to comment number 107
208	Vickie Connolly	9/13/2018	•Engineering •Environmental	•Believes the erosion on Dauphin Island is caused by the dredging of Mobile Harbor.	• Comment noted, thank you.
209	Caroline Graves	9/13/2018	•Engineering •Environmental	•Would like the Corps to mitigate for the erosion on Dauphin Island	• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island. Therefore, no mitigation is warranted.
210	Shashi Nambisan - Alabama Transportation Institute at The University of Alabama	9/12/2018	•Support	•Supports the project	• Comment noted, thank you.
211	Bill Tunnell and Nick Wilmott - Advantage Coastal Alabama	9/12/2018	•Support	•Supports the project	• Comment noted, thank you.
212	George Clark - Manufacture Alabama	9/11/2018	•Support	•Supports the project	• Comment noted, thank you.
213	Ashley Jones Davis - North Baldwin Chamber of Commerce	9/10/2018	•Support	•Supports the project	• Comment noted, thank you.
214	Ouida Shears	9/11/2018	•Support	•Supports the project	• Comment noted, thank you.
215	Patricia and Mark Linder	9/11/2018	•Engineering •Environmental	•Believes the project will worsen existing conditions in Mobile Bay, Dauphin Island, and the MS barrier islands. •Would like the erosion of Dauphin Island and Sand/Pelican Island to be addressed. •Believe the erosion of Dauphin Island is responsible for the decline in sea turtle nesting.	
216	Cleon Jones - AfricaTown Community Development Corporation	9/11/2018	•Support	•Supports the project	• Comment noted, thank you.
217	Michael and Mary Lou Serchen	9/11/2018	•Engineering •Environmental	•Believes the project will damage the ecosystem.	• The study considered the effects on all aquatic resources within the project area. See Section 3.0 of Appendic C and Section 5.0 of the Main Report.
218	Lucy Cope	9/10/2018	•Engineering •Environmental	•Believes the maintenance of the Bar channel contributes to the erosion of Dauphin Island.	• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island.

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219	Baldwin County Economic Development Alliance	9/10/2018	•Support	•Supports the project	• Comment noted, thank you.
220	Blake Hale Hardwich - Energy Institute of Alabama	9/10/2018	•Support	•Supports the project	• Comment noted, thank you.
221	Blake Hale Hardwich - Coosa-Alabama River Improvement Associatio, Inc	9/10/2018	•Support	•Supports the project	• Comment noted, thank you.
222	Carol Merkel	9/10/2018	•Engineering •Environmental	•Would like to the Corps to mitigate for erosion on Dauphin Island and the surrounding area. •Does not believe the effects of further dredging and sand placement on marine life in Mobile Bay has been adequately studied. •Believes that Dauphin Island was left out during studies on the erosion impact of further dredging. •Believes the Corps had early knowledge of the failure of the intent of the SIBUA and did not attempt to correct it. •Would like information to be presented at a more appropriate level so the general public can understand.	• The numerical modeling conducted for this project and presented in Section 6.3 of Appendix A concludes that the project will cause erosion to Dauphin Island. • The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. • The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C. • The USACE, Mobile District believes the level of presentation was appropriate for this study
223	Julie Alsup - International Paper	9/10/2018	•Support	•Supports the project	• Comment noted, thank you.
224	John Stimpson - Southern Intermodal Xpress, Llc	9/10/2018	•Support	•Supports the project	• Comment noted, thank you.
225	Mitchell Mays - Tennessee-Tombigbee Waterway Development Council	8/21/2018	•Support	•Supports the project	• Comment noted, thank you.
226	Walter Verneuille - Bayou Concrete, Llc	9/10/2018	•Support	•Supports the project	• Comment noted, thank you.
227	Dan Reimer	9/9/2018	•Engineering •Environmental	•Concerned that there will be an increase in erosion due to ship wakes •Believes there will both an increase in ship traffic, as well as an increase in ship size. •Would like to see speed reductions on all ships •Would like to see dredged material placed in areas of the bay shoreline that have eroded.	• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A. • The USACE, Mobile District does not have authority over regulating vessel speeds for Mobile Harbor.
228	Garrett Mangum	9/8/2018	•Engineering •Environmental	•Believes it has been proven that the ship channel has negative effects on the beaches, sand movement, etc. •Consider an additional nominal tonnage fee for all channel traffic which would be used on an ongoing basis for a beach replenishment program. •Place sand so that it will naturally nourish the beaches.	• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A. • The USACE, Mobile District does not have the authority to regulate tonnage fees for Mobile Harbor. • The SIBUA has been expanded under a separate O&M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.
229	Jean Cockrell	9/8/2018	•Engineering •Environmental	•Believes that the project will cause more erosion to Dauphin Island, as well as damage the oyster industry.	• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island. The study also evaluated the potential effects on the oysters and oyster larvae within the project area. Results of the evaluation can be found Sections 2.6.9.1 and 3.8.9 of Appendix C and Section 5.8.8.4 of the Main Report.
230	Carl Warren - CSX Transportation, Inc	9/7/2018	•Support	•Supports the project	• Comment noted, thank you.
231	Bill Inge	9/7/2018	•Support	•Supports the project	• Comment noted, thank you.
232	Mitchell Mays - Tennessee-Tombigbee Waterway Development Council	8/21/2018	•Support	•Supports the project	• Comment noted, thank you.
233	Rex Anderson	9/7/2018	•Engineering •Environmental	•Believes the erosion on Dauphin Island is caused by the dredging of Mobile Harbor. •Would like to see a plan implemented that would help Dauphin Island	• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island. • The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.
234	Tom Adger - Tri State Maritime Services, Inc and Alabama Steel Terminals, LLC	9/7/2018	•Support	•Supports the project	• Comment noted, thank you.
235	Cline Jones - Tennessee River Valley Association	9/6/2018	•Support	•Supports the project	• Comment noted, thank you.

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236	George Hall	9/7/2018	•Engineering •Environmental	•Place dredged sand where it will nourish Dauphin Island beaches.	• The SIBUA has been expanded under a separate O&M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.
237	Deborah Hall	9/7/2018	•Engineering •Environmental	•Believes the erosion on Dauphin Island is caused by the dredging of Mobile Harbor. •The GRR/SEIS must address erosion that has occurred since 1980. •Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's gulf shoreline is the low success rate of sea turtle nesting on the island.	• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A. • The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.
238	Wendy Allen	9/5/2018	•Engineering •Environmental	•Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations. •The GRR/SEIS must address the 38 years of erosion that has occurred since 1980. •Does not accept the results of the Corps numerical modeling results that allege maintenance of the Bar channel does not contribute to the erosion of Dauphin Island. •Provide conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island. •Sands placed in the SIBUA expansion should be deposited at water depths much shallower than 15 feet. •A detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose. •Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's gulf shoreline is the low success rate of sea turtle nesting on the island.	• The document is in compliance with all NEPA Laws and Regulations. • Historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 6.1) and Appendix C (Section 4.3) • The GRR identifies adequate disposal for maintenance material and discussed in Sections 4.10 and 4.11 of Appendix A. • Expansion of the ODMDS was conducted to assure that there will be adequate capacity for future maintenance of the navigation channel. • The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted. • The expansion of the ODMDS falls under the jurisdiction of the EPA. See Sections 2.4.4 and 4.11 of the Main Report. • The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. • The approach to managing future sandy material dredged from the Bar Channel as part of routine maintenance operations is documented in Sections 4.2.2.3 and 4.2.2.3.1 of the Main Report. In summary, the USACE, Mobile District, will budget for additional funds to place material in the shallower areas within SIBUA and the SIBUA Northwest Extension. The entire site will be proactively monitored and managed by performing semiannual hydrographic surveys to ensure material is placed in the best locations possible given the availability of funds and capabilities of the dredging industry. If additional funds are not available, the Mobile District will place material within the existing SIBUA and Northwest Extension, as necessary, to ensure reliability of the navigation channel. • The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this actions.
239	Barbara and Roy Price	9/5/2018	•Engineering •Environmental	•Believe that the increase in dredging will further hurt Dauphin Island. •Removed sands could benefit Dauphin Island if placed nearer to the island.	• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion. • The SIBUA has been expanded under a separate O&M action and described in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. Efforts will be made to place the material as shallow as possible within the authorized site.
240	Alan Castelin	9/4/2018	•Engineering •Environmental	•Believes the erosion on Dauphin Island is caused by channel dredging. •Believes erosion north of the Dog River bridge is due to ship wakes.	• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion. • The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.
241	Douglas Morgante - Maersk	9/4/2018	•Support	•Supports the project	• Comment noted, thank you.
242	Herbert Malone, Jr. - Gulf Shores and Orange Beach Tourism	9/4/2018	•Support	•Supports the project	• Comment noted, thank you.
243	Wiley Blankenship - Coastal Alabama Partnership	8/31/2018	•Support	•Supports the project	• Comment noted, thank you.

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244	Jay Ross - Adams and Reese, LLP on behalf of Dauphin Island Water and Sewer Authority	9/4/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Concerned that without a comprehensive study of the aquifers that cross-sect the channel, there may be a failure to the raw water sources that serve the Dauphin Island community.</li> <li>•Anything that tilts the delicate balance of the aquifers from brackish to saline, rendering them unsuitable for treatment, would be disastrous to the Island.</li> <li>•Draft GRR/SEIS mentions that the aquifers were already impacted from the 1991 channel deepening, or that the aquifers and groundwater in the area are not used, disregarding the fact that Dauphin Island is "in the project area" as defined.</li> <li>•What specific hydrogeologic work has been completed for this project that defines the extent of clay and whether the deepening will breach this protective layer, and if breached where will this breach occur. If no work has been done, why not?</li> <li>•Was a well survey done to determine the number, types, and depths of water wells "in the study area"? If none, why not?</li> <li>•What was the extent of the 1991 deepening and its impact on aquifers? How was this determined? Is it monitored?</li> <li>•If the origin of the Draft GRR/SEIS is based on a request by the State of Alabama and or the Alabama Port Authority, does the Corp of Engineers, State, and Port Authority have a mutual agreement for assisting adversely impacted entities and or remediating compromised water supplies?</li> <li>•What assurances will the COE, State, and Port Authority provide that the proposed deepening will not adversely affect, or continue to adversely affect, the existing quality of the aquifers that are used up and down the bay?</li> <li>•Feels the Draft GRR/SEIS presented requires an area-specific hydrogeologic look into what impacts the 1991 deepening, as well as the proposed deepening, will have to the protective clay and to the aquifers underlying this clay.</li> <li>•Asserts that a methodology for protecting these aquifers must be established as well as COE, State, and Port Authority assurances that a mitigating response(s) will be fully implemented should the aquifers be adversely affected.</li> </ul>	<ul style="list-style-type: none"> <li>• Additional aquifer/groundwater studies and modeling has been conducted and presented in detail in Section 6.6 of Appendix A</li> </ul>
245	Maeci Walker - Alabama Railway Association	9/4/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
246	John Reed	9/4/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Believes the channel interrupts, disrupts, and removes sand from the natural littoral processes.</li> <li>•"Least costly" measures have failed to return a significant percentage of sand to the littoral drift system.</li> <li>•Wants a guarantee that the dredged sand is returned to the littoral system.</li> </ul>	<ul style="list-style-type: none"> <li>• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island.</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> </ul>
247	Nancy Kraemer	9/3/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations.</li> <li>•The GRR/SEIS must address the 38 years of erosion that has occurred since 1980.</li> <li>•Does not accept the results of the Corps numerical modeling results that allege maintenance of the Bar channel does not contribute to the erosion of Dauphin Island.</li> <li>•Provide conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Sands placed in the SIBUA expansion should be deposited at water depths much shallower than 15 feet.</li> <li>•A detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's gulf shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	<ul style="list-style-type: none"> <li>• The document is in compliance with all NEPA Laws and Regulations.</li> <li>• Historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 6.1) and Appendix C (Section 4.3)</li> <li>• The GRR identifies adequate disposal for maintenance material and discussed in Sections 4.10 and 4.11 of Appendix A.</li> <li>• Expansion of the ODMS was conducted to assure that there will be adequate capacity for future maintenance of the navigation channel.</li> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>• The expansion of the ODMS falls under the jurisdiction of the EPA. See Sections 2.4.4 and 4.11 of the Main Report.</li> <li>• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.</li> <li>• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this actions.</li> </ul>
248	Audubon Place Board of Directors	9/3/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations.</li> <li>•The GRR/SEIS must address the 38 years of erosion that has occurred since 1980.</li> <li>•Does not accept the results of the Corps numerical modeling results that allege maintenance of the Bar channel does not contribute to the erosion of Dauphin Island.</li> <li>•Provide conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Sands placed in the SIBUA expansion should be deposited at water depths much shallower than 15 feet.</li> <li>•A detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's gulf shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	<ul style="list-style-type: none"> <li>Please see responses to comment number 20.</li> </ul>

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249	Peter Kraemer	9/3/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations.</li> <li>•The GRR/SEIS must address the 38 years of erosion that has occurred since 1980.</li> <li>•Does not accept the results of the Corps numerical modeling results that allege maintenance of the Bar channel does not contribute to the erosion of Dauphin Island.</li> <li>•Provide conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Sands placed in the SIBUA expansion should be deposited at water depths much shallower than 15 feet.</li> <li>•A detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's gulf shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	Please see responses to comment number 20.
250	Ruth Anne Foote	9/3/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•The GRR/SEIS must address the 38 years of erosion that has occurred since 1980.</li> <li>•Does not accept the results of the Corps numerical modeling results that allege maintenance of the Bar channel does not contribute to the erosion of Dauphin Island.</li> <li>•Provide conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Sands placed in the SIBUA expansion should be deposited at water depths much shallower than 15 feet.</li> <li>•A detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's gulf shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	Please see responses to comment number 20.
251	Charles Cohen	9/3/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations.</li> <li>•The GRR/SEIS must address the 38 years of erosion that has occurred since 1980.</li> <li>•Does not accept the results of the Corps numerical modeling results that allege maintenance of the Bar channel does not contribute to the erosion of Dauphin Island.</li> <li>•Provide conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Sands placed in the SIBUA expansion should be deposited at water depths much shallower than 15 feet.</li> <li>•A detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.</li> <li>•Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's gulf shoreline is the low success rate of sea turtle nesting on the island.</li> </ul>	Please see responses to comment number 20.
252	Gary Garstecki	9/3/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•The GRR/SEIS must address the 38 years of erosion that has occurred since 1980.</li> <li>•Does not accept the results of the Corps numerical modeling results that allege maintenance of the Bar channel does not contribute to the erosion of Dauphin Island.</li> <li>•Provide conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island.</li> <li>•Sands placed in the SIBUA expansion should be deposited at water depths much shallower than 15 feet.</li> <li>•A detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.</li> </ul>	Please see responses to comment number 20.
253	Sue Alford - South Baldwin Chamber of Commerce	8/31/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	• Comment noted, thank you.
254	Anthony Kaiser - Gulf United Metro Business Organization	8/31/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	• Comment noted, thank you.
255	Judith Adams - Tri Rivers Waterway Development Association	8/31/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	• Comment noted, thank you.
256	Steve Spencer - Economic Development Partnership of Alabama	8/30/2018	•Support	<ul style="list-style-type: none"> <li>•Supports the project</li> </ul>	• Comment noted, thank you.
257	Charles Lea	8/26/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Believes widening and deepening the channel will negatively impact Dauphin Island.</li> <li>•Report does not address where the spoils will be placed.</li> </ul>	<ul style="list-style-type: none"> <li>• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island.</li> <li>• Study states is multiple sections of the Main Report, Appendix A, and Appendix C where the new work dredged material will be placed.</li> </ul>

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258	Jim Searcy - Economic Development Association of Alabama	8/24/2018	•Support	•Supports the project	• Comment noted, thank you.
259	Frank Fograty	8/24/2018	•Support	•Supports the project	• Comment noted, thank you.
260	William Sisson - Mobile Area Chamber of Commerce	8/23/2018	•Support	•Supports the project	• Comment noted, thank you.
261	Kurt Mittenzwei - CMA CGM America LLC	8/23/2018	•Support	•Supports the project	• Comment noted, thank you.
262	H.R. Collins - Bay Steel Corp	8/23/2018	•Support	•Supports the project	• Comment noted, thank you.
263	Thomas Tisa - CN	8/23/2018	•Support	•Supports the project	• Comment noted, thank you.
264	Cristina Rodriguez - Smurfit Kappa The Americas	8/21/2018	•Support	•Supports the project	• Comment noted, thank you.
265	George Crozier	8/21/2018	•Engineering •Environmental	•Should run the models using an average "high/flood" regime, and one using an average "low/drought" year. •Current conclusions may prove to be accurate, but they are flawed by the assumption of constancy. •Volume available in relic shell excavation sites is based on 30+ year old surveys. These volumes could have been reduced by normal settling of bed load. A more recent assessment would seem appropriate.	• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted. • Baseline surveys will be conducted during the PED phase to be included as part of the proposed monitoring summarized in Section 3.27.1 of Appendix C and Section 5.26.1 of the Main Report.
266	Atul Sabharwal - Vulcan Materials	8/20/2018	•Support	•Supports the project	• Comment noted, thank you.
267	Kevin Wild - CG Railway LLC (CGR)	8/17/2018	•Support	•Supports the project	• Comment noted, thank you.
268	Bruce Byrd - SAAB	8/15/2018	•Support	•Supports the project	• Comment noted, thank you.
269	Stan Graves	8/15/2018	•Engineering	•Depth of the SIBUA extension?	• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.
270	Jack Greer, Sr. - Autry Greer & Sons, Inc.	8/13/2018	•Engineering •Erosion	•Supports the project •Would like dredge material placed on Mobile Bay shorelines to replenish land lost to erosion •Has seen erosion due to ship wake	• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. • The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.
271	Edward Murray, Jr. - Richard Murray & Company, Inc	8/14/2018	•Support	•Supports the project	• Comment noted, thank you.
272	Brian Harold - APM Terminals	8/13/2018	•Support	•Supports the project	• Comment noted, thank you.
273	Edwin Bastian - BBC Chartering USA, LLC	8/13/2018	•Support	•Supports the project	• Comment noted, thank you.
274	Alexander May - Host Agency, LLC	8/9/2018	•Support	•Supports the project	• Comment noted, thank you.
275	Michael Lee - Page & Jones, Inc.	8/8/2018	•Support	•Supports the project	• Comment noted, thank you.
276	Caroline Graves	8/4/2018	•Comment period	•Request for comment period extension	The comment period was extended.
277	Robert Smith - SSA Gulf, Inc.	8/3/2018	•Support	•Supports the project	• Comment noted, thank you.
278	Robert Harrison - Nord-Sud Shipping, Inc.	8/2/2018	•Support	•Supports the project	• Comment noted, thank you.
279	Gary Garstecki	7/29/2018	•Engineering	•Opposed to the project •Believes the channel dredging will have an impact of Dauphin Island erosion	• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island.
280	Jim Gilbert	7/28/2018	•Environmental	•Against the project because of the coal dust pollution.	• Noted, thank you for your comment.
281	Caroline Graves	7/27/2018	•Engineering •Environmental	•Believes placement of dredged material has never helped Dauphin Island.	• Comment noted, thank you.
282	Wade Marbut - Wilhelmssen Ships Service	8/1/2018	•Support	•Supports the project	• Comment noted, thank you.
283	Letitia Moyers	6/3/2018	•Engineering •Environmental	•Draft SEIS must disclose all major points of the Corps' past and present maintenance dredging and the environmental and erosional impacts to Dauphin Island. •Draft SEIS should include all options and costs to place sand to mitigate the erosion to Dauphin Island •Byrnes 2008 study is contradicted by all other studies.	• Historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 6.1) and Appendix C (Section 4.3) • The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.

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284	Roy Price	6/2/2018	•Engineering •Environmental	•Draft SEIS must disclose all major points of the Corps' past and present maintenance dredging and the environmental and erosional impacts to Dauphin Island. •Draft SEIS should include all options and costs to place sand to mitigate the erosion to Dauphin Island •Byrnes 2008 study is contradicted by all other studies.	• See responses comment above.
285	Jared Davis	5/31/2018	•Engineering •Environmental	•Place dredged sands closer to Dauphin Island	• The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.
286	Myrt Jones	9/12/2018	•Engineering •Environmental	•Suggests using dredge material to benefit Dauphin Island •Would prefer the no project alternative •Air quality around coastal Alabama is bad	• Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report • Noted, thank you for your comments.
287	Glen Coffee	9/4/2018	•SIBUA expansion	•EA inadequately describes the environmental resources that occur within the proposed SIBUA expansion area, as well as the impacts of the proposed action on those resources. •Information from previous NEPA documents about the existing conditions and impact scenarios concerning the interior of the bay have no relevance or application to the impact evaluations at the proposed site. •The EA contains no substantive information to disclose if and how well the proposed SIBUA expansion accomplishes either project purpose. •If analyses were conducted for the proposed SIBUA expansion, the results should be summarized in the EA. •Will the percentage of sand that moves out of the proposed SIBUA expansion be the same, higher, or lower than the 50% now moving out of the existing SIBUA? •What degree of uncertainty exists with the confidence of any predictions made as whether the sand that would move out of the expanded disposal site returns to the littoral drift system or simply just moves in any number of directions from the disposal area? •Is any of the sand placed in the proposed SIBUA expansion expected to accumulate? If so, what volume will accumulate on an average annual basis? •What affect will the proposed SIBUA expansion have on the existing erosion rates for the Pelican-Sand Island complex and Dauphin Island? •What is the dredged material disposal capacity now available within the proposed SIBUA expansion and how will that capacity be reduced over 50 years use of the site?	• These comments are for the SIBUA expansion which is a separate O&M action.
288	Jeff Collier - Town of Dauphin Island, Mayor	9/6/2018	•SIBUA expansion	•Proper mitigation of future impacts requires placement of all dredged beach-quality sands in 20 feet of water or less at a location in the proposed expansion area such that the artificially bypassed sand migrates into the littoral system of the island shoals and beaches within several weeks/months. •EA falsely states that the SIBUA is functioning as the Corps said it would since use began in 1999. •EA does not provide existing depth information within the proposed expansion area or tell the reader at what depths sand will be placed. •Information from previous NEPA documents about the existing conditions and impact scenarios concerning the interior of the bay have no relevance or application to the impact evaluations at the proposed site. •What percentage of the 717,600 cy of sands that will be placed on an average annual basis in the proposed SIBUA expansion are projected to move out of that area annually? •Will all of the sands that move out of the SIBUA expansion actually rejoin the littoral drift system to restore and nourish the eroding shorelines of Sand/Pelican Island and Dauphin Island, or will the sands experience an uncontrolled sloughing in all directions, with the Corps not knowing where the sand actually goes? •What assurances can the Corps provide that the new 3,305-acre proposed expansion area will have the capacity to contain the projected total of 35,880,000 cy of sand to be dredged from the Bar Channel over the 50-year economic life of the deepening project? •Should the sand projected to be placed in the proposed SIBUA expansion continue to accumulate in the area, what effect will the removal of that sand from the littoral drift system have on the erosion of Dauphin Island? •Is the Corps committing to placing sand in shallow waters on the ebb-tidal platform portion of the proposed SIBUA expansion to nourish Sand/Pelican Island and Dauphin Island? •What did the Corps base its conclusion that an environmental impact statement is not required? •Why did the Corps elect to prepare a separate EA and not include this project proposal in the GRR/SEIS?	• These comments are for the SIBUA expansion which is a separate O&M action.
289	Gillard Strong, III	9/5/2018	•Engineering •Environmental	•Replace sand that has eroded away due to the shipping channel.	• The USACE, Mobile District is modifying the SIBUA placement area such that maintenance dredged sand will be placed closer to Dauphin Island. • The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.
290	Joseph Mahoney - Sierra Club	9/4/2018	•Environmental	•Concerned about the rate at which Sand/Pelican and Dauphin Islands are eroding. •Provided an informational film that portrays the cause of Dauphin island's erosion.	• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island. Numerical modeling showing the effects to sediment transport in the bay and around Dauphin Island is presented and discussed extensively in Section 6.3 of Appendix A. • The USACE, Mobile District is modifying the SIBUA placement area such that maintenance dredged sand will be placed closer to Dauphin Island. • The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A. • The effects to Dauphin Island has been efficiently addressed in the GRR/SEIS document. No additional film will be provided.
291	Linda Boudousquie	9/12/2018	•Environmental	•Opposed to the project.	• Noted, thank you for your comment.

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292	Robert Pettie and Joe Hughey - Mobile Bay Oyster Alliance	9/6/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Believes VGWE is the cause for the loss of aquatic grasses and oyster reefs, and subsequently the increase in erosion in Mobile Bay.</li> <li>•Other studies recommend two options for eliminating VGWE; breakwaters and vessel speed reduction programs.</li> <li>•Consider a scientific study, conducted by a third party, of the effects of VGWE on Mobile Bay.</li> <li>•Consider addressing the effects the larger ships will have on VGWE without any protective measures.</li> </ul>	<ul style="list-style-type: none"> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.</li> <li>• The VGWE report (Attachment A-4) utilized a similar computation method for with and without project conditions. Any potential inaccuracies within the methodology would be canceled out. Analysis of VGWE propagation from the shoreline was not necessary for the data collection period given total energy of the without project condition was less than with project near the channel and the conservation of energy law applies meaning energy could not increase without some input source and energy reduction forces acting on the vessel wake are equal.</li> <li>• VGWE values for vessels within the report are expressed as the equivalent deep-water wave height to minimize error. The magnitude of these values will appear less than an observed wave height. However, if all factors were available the deep-water wave height could be propagated and converted to a shallow water wave (observed wave height) using the dispersion relationship.</li> </ul>
293	Myrt Jones	9/2/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Request for comment period extension</li> <li>•Project will pose significant impacts to and through the Mobile Bay estuarine system.</li> <li>•Foreign vessels pose the threat of releasing invasive species into the bay.</li> <li>•The TSP only benefits the maritime industry.</li> <li>•Believes a EIS should have been prepared.</li> <li>•Does the ASPA still hold a valid Federal permit for the channel?</li> <li>•ASPA has been using Topping Off...Roll on Roll Off for years in the Gulf proving there is no need for this project.</li> <li>•The ASPA's proposal in allowing larger vessels in the bay will increase the potential for accidents.</li> <li>•Believes channel dredging and current material placement practices are the cause for Dauphin Island's erosion.</li> <li>•Decrease in sea turtle nesting due to erosion.</li> <li>•Believes open bay disposal causes increases in turbidity, suspended solids, smothered grass beds, killed fish and aquatic life and vegetation.</li> <li>•The Port does handle Toxic and Hazardous Wastes.</li> <li>•Consider droughts in the SEIS</li> <li>•Mobile Bay has been identified as a stressed estuary</li> <li>•Consider groundwater supplies.</li> <li>•Supports No Project Alternative</li> <li>•why aren't the natural values of bottomlands discussed when dealing with benthic communities.</li> <li>•Figure 2-33 is unreadable</li> <li>•Oyster holes provide hiding places and safety for a variety of fish and marine life.</li> <li>•ASPA needs to have air quality monitoring</li> <li>•The SEIS doesn't mention that Baldwin County is the fastest growing county in Alabama.</li> <li>•Impose speed restrictions in the bay to lessen ship wake</li> </ul>	<ul style="list-style-type: none"> <li>• The study considered the effects on all aquatic resources within the project area. See Section 3.0 of Appendix C and Section 5.0 of the Main Report.</li> <li>• The Harbor has always received foreign vessels. The proposed project will not result in a change to the introduction of invasive species.</li> <li>• An EIS was prepared for this study in the form of an integrated General Reevaluation Report and Supplemental Environmental Impact Statement.</li> <li>• The permit is held by the USACE, Mobile District. The USACE is required by law to maintain the Federal Navigation project.</li> <li>• One of the objectives for the deepening and widening is to improve safety for the vessels that use the Mobile Harbor.</li> <li>• The study has shown that implementation of the proposed project will not result in erosion to Dauphin Island. Numerical modeling showing the effects to sediment transport in the bay and around Dauphin Island is presented and discussed extensively in Section 6.3 of Appendix A.</li> <li>• The study indicates that there is no shoreline erosion resulting from the proposed channel expansion, therefore, there are no impacts expected to nesting sea turtles from this actions.</li> <li>• The effects of the open water disposal sites were addressed. Extensive modeling was performed to show the behavior of the material once placed and shows no additional impacts to the bay and its aquatic resources.</li> <li>• The USACE, Mobile District maintains that the year chosen for the modeling adequately represents extreme and typical conditions for the project area. No additional modeling will be conducted.</li> <li>• Additional aquifer/groundwater studies and modeling has been conducted and presented in detail in Section 6.6 of Appendix A</li> <li>• The Figure has been revised.</li> <li>• Discussion pertaining to fish refugia associated with the relic shell mined area was added to Section 3.7.2.1 of Appendix C.</li> <li>• Air quality monitoring falls under the jurisdiction of ADEM and EPA. The USACE will make a recommendation to these agencies that the monitoring be considered.</li> <li>• The USACE does not have the authority to regulate vessel speed in Mobile Harbor.</li> </ul>
294	Myrt Jones	9/11/2018	•Environmental	<ul style="list-style-type: none"> <li>•Request for comment period extension</li> <li>•Project poses major significant impacts to the bay.</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>
295	Patricia Boudousquie	9/12/2018	•Environmental	<ul style="list-style-type: none"> <li>•Project will cause catastrophic damage to the bay.</li> </ul>	<ul style="list-style-type: none"> <li>• Comment noted, thank you.</li> </ul>

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296	Keith Johnston, Amble Johnson, and Bill Sapp - Southern Environmental Law Center	9/17/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Include the impacts of the Port of Mobile's expansion in the cumulative and indirect impacts assessment.</li> <li>•GRR/SEIS ignores the role of the Gulf of Mexico inter-port competitiveness in its alternatives analysis.</li> <li>•In examining the impacts of the project separately from other port expansions, the Corps has ignored the determination of whether the various agency actions, when combined, have an effect on the environment that might be overlooked if examined separately.</li> <li>•The improper segmentation of closely related projects into distinct actions for purposes of preparing or avoiding environmental impact statements violates NEPA.</li> <li>•The GRR/SEIS has failed to realistically analyze the air quality impacts of increased shipping traffic as a result of the the Project, and therefore failed to adhere to NEPA's requirements to consider all reasonably foreseeable, cumulative and indirect impact of the proposed action.</li> <li>•Fails to assess the dredging project's impacts on affected areas' status under the Clean Air Act.</li> <li>•Before the Corps should deepen Mobile Harbor, it should determine if it makes more sense to conduct another harbor project elsewhere.</li> <li>•The Corps failed to conduct a sufficient alternatives analysis for specific components of the Project as required under 404(b)(1).</li> <li>•Explain why the widener must be three miles long.</li> <li>•Explain why the channel must be dredged to a depth of 52 feet in some places.</li> <li>•Appendix C, Attachment C-2 at 404(b)(1)-12. It appears from this statement, that the Corps 404(b)(1) Guidelines analysis was written for a maintenance project rather than the deepening Project. If that is the case, the analysis is invalid.</li> <li>•Unless the Corps can definitively state that the Project will not "cause or contribute" to a violation of a State water quality standard, the Project cannot go forward. The Corps lacks sufficient information to make that claim.</li> <li>•Water quality and sediment testing should have been completed before the GRR/SEIS was issued so that the public could provide meaningful comments on water quality.</li> <li>•GRR/SEIS at 2-65. The Corps says nothing about whether the project could jeopardize the nearest underlying aquifer.</li> <li>•404(b)(1) analysis fails to discuss the cumulative effects and the secondary effects the Project might have on the aquatic environment.</li> </ul>	<ul style="list-style-type: none"> <li>• The document is in compliance with all NEPA, State, and Federal Laws and Regulations.</li> <li>• Additional aquifer/groundwater studies and modeling has been conducted and presented in detail in Section 6.6 of Appendix A</li> <li>• Air quality monitoring falls under the jurisdiction of ADEM and EPA. The USACE will make a recommendation to these agencies that the monitoring be considered.</li> <li>• The USACE, Mobile District has completed coordination with NMFS and FWS regarding Section 7 of the ESA and for EFH as discussed in Section 6.0 of the Main Report.</li> </ul>
	Comment 296 continued ...			<ul style="list-style-type: none"> <li>•Water quality assessment should also include a discussion of whether the project would have any impact on existing Total Maximum Daily Load determinations. The is a TMDL in Mobile Bay for pathogens.</li> <li>•The project does not qualify for a Section 401 Water Quality Certification from Alabama.</li> <li>•The GRR/SEIS does not comply with the public interest review requirements of the Clean Water Act. There is no significant public interest review analysis in the GRR/SEIS.</li> <li>•The GRR/SEIS does not comply with the Endangered Species Act. Relies on a regional biological opinion that is 15 years old and does not appear to have any direct connection to the proposed project. It is implied that because the project area is not a critical area for sturgeon , the project cannot adversely affect the species. Does not adequately address impacts to Loggerhead sea turtle nesting habitat on Dauphin Island. Corps has made a less than convincing case that the project will have no adverse effect on the Bryde's whale.</li> <li>•Does not appear that the Corps has initiated any communication with NMFS or FWS concerning the project.</li> </ul>	
297	Michael Krumpelt	9/4/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•The Delft3D modelling results fails to account for the erosion of the eastern shoreline of Dauphin Island, and since it cannot replicate the history, it has no value in predicting the future.</li> <li>•The data in Table 3 on page 19 confirms that dredging of the channel interrupts the littoral drift of sand to Sand Island and Dauphin Island, and that deepening the channel will aggravate the problem.</li> <li>•Modeling results need to be reviewed by an independent entity.</li> </ul>	<ul style="list-style-type: none"> <li>• Numerical modeling showing the effects to sediment transport in the bay and around Dauphin Island is presented and discussed extensively in Section 6.3 of Appendix A.</li> </ul>
298	Stan Graves	9/11/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Impacts to Dauphin Island should be evaluated back to 1980.</li> <li>•Should study the change in conditions, past, present, and future.</li> </ul>	<ul style="list-style-type: none"> <li>• The previous study conducted in 1980 has been addressed in the Cumulative Impacts Section 6.1 of the Main Report and Section 4.0 of Appendix C.</li> <li>• It is understood that the analysis of environmental impacts relies heavily on a modeling approach will be developing a monitoring plan during PED to ensure success of certain facets of the project. A summary of the plan is included in Section 3.27.1 of Appendix C and Section 5.26.1 of the Main Report.</li> </ul>
299	Avery Bates	9/11/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Siltation from dredging has killed oysters in the bay.</li> <li>•Fecal matter from the Pelicans nesting on Gaillard Island is further polluting the bay and killing the oysters.</li> <li>•Increase in salt water coming in to the bay</li> <li>•Large ship wakes are harming the bay bottoms and the species that rely on them.</li> <li>•Negative impacts to local commercial fishermen.</li> <li>•Local seafood on the decline, now having to import.</li> <li>•Dredging the channel is causing an increase to erosion on Dauphin Island.</li> <li>•Due to increase in salinity there's an increase to oyster predators.</li> </ul>	<ul style="list-style-type: none"> <li>• Historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 6.1) and Appendix C (Section 4.3)</li> <li>• Comments noted, thank you.</li> </ul>
300	Joe Hughey	9/11/2018	•Engineering •Environmental	<ul style="list-style-type: none"> <li>•Ship wake analysis shows that there will be more ships, but the economic executive summary states that, without the project, there will be more ships. Either way there will be more ships, and more ship waves. Should be clarified in the SEIS.</li> <li>•Would like an analysis done on vessels speed reduction program for the entire bay.</li> <li>•Why is the passing lane at the far south end of the channel?</li> <li>•Seems that ship wakes are being diverted into the marsh north of Fowl River.</li> </ul>	<ul style="list-style-type: none"> <li>• The USACE, Mobile District has conducted additional Vessel Generated Ship Wake analysis. A summary of the study is summarized in Section 5.3.1.2.1 of the Main Report, Section 3.3.1.2.1 of Appendix C, and in greater detail in Section 6.4 of Appendix A.</li> <li>• The USACE, Mobile District has no authority to regulate vessel speed for this project.</li> <li>• Testing was completed using a 5 nautical mile passing lane and it was determined that bend easing in the lower bay increased safety and greatly influenced the ease in which passing could be completed as discussed in the Section 4.5.2 in Appendix A.</li> </ul>

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301	Herb Wagner		•Environmental	•The determination of "minimum impacts" is not sufficient.	•Noted
302	Carol Adams Davis - Sierra Club		•Engineering •Environmental	•Long-term costs of not doing BMP's and costs of what we're losing from those maintenance practices •Include public-private relations to use all types of dredge material. •Every aspect should address SLR •Concerns over where Hoppers disposed material •Accountability of consequences for other projects that may be permitted by the Corps	• Beneficial uses for the new work material are being considered and addressed in Section 4.2.3.2 of the Main Report. • SLR has been incorporated for all aspects of the proposed project. A detailed discussion of SLR is included in 2.10.4 in Appendix A. • Historic erosion is addressed in the Cumulative Impacts sections of the Main Report (Section 6.1) and Appendix C (Section 4.3)
303	John Valentine	8/28/2018	•Environmental	•Based on the maps, manatee gras and turite grass do not occur in the project area. Likely the turtle grass was actually Valisneria. Not sure about the manatee grass.	The language has been revised appropriately in both the Main Report and Appendix C
304	John Valentine	8/28/2018	•Environmental	•Note the generic designations for the shrimp have changed, Penaeus is no longer a catch all.	The generic designations for the shrimp have been corrected throughout the documentation.
305	Stan Graves	9/14/2018		•The TSP does not address past, present, and future impacts •Draft GRR/SIES does not comply with §1508.25 of CEQ's NEPA regulations because the Corps is preparing multiple separate NEPA documents. •Sand placement in the expanded SIBUA should be in waters less than 15 feet deep. •The GRR/SIES must address the 38 years of erosion that has occurred since 1980. •The public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. •The Regional Sediment Plan was not included in the Draft GRR/SEIS. •Removing Dauphin Island from the RSM was an inappropriate action on behalf of the Mobile District, Dauphin Island should be reinstated •Has not provided adequate and qualified facts that the proposed SIBUA expansion will be beneficial to Dauphin Island. •Should develop appropriate mitigation remedies that should be addressed in the Draft GRR to respon to this now acknowledged significant "changed condition" in the study area. •Expand on beneficial use of dredged material •Need to address impacts to sea turtle nesting on Dauphin Island. •Draft GRR/SEIS does not identify impacts to the Sand Island Lighthouse, or mitigation for any impacts.	• Please see responses to comment number 20.
306	William S. Stimpson – Mayor City of Mobile	9/10/2018	•Support	• Supports the project	• Comment noted, thank you.
307	Virginia M. Fay – NOAA NMFS -Habitat Conservation Division	9/7/2018	•Concurrence	• Does not object to the project as proposed and agrees with the USACE's determination the project will not adversely affect EFH.	• Comment noted, thank you.
308	Joyce Stanley – Department of the Interior	9/6/2018	•Correction	• Misidentification of the United States Geological Survey (USGS) as a cooperating agency. • Requests removal from the Final EIS listing of cooperating agencies.	• Reference to the USGS as a cooperating agency will be removed and report revised.
309	David R. Session – Alabama House of Representatives	9/25/2018	•Support •Engineering •Environmental	• Supports the project • Suggests developing a way to place dredged sands in an area that will continue littoral transport that would feed the beaches of Dauphin Island.	• The USACE, Mobile District is modifying the SIBUA placement area such that maintenance dredged sand will be placed closer to Dauphin Island. • The use and expansion of the SIBUA is addressed in Section 4.3.2.3 of the Main Report and Section 4.11.2.3 of Appendix A.
310	Brian E. Hastings – Alabama Emergency Management Agency	8/20/2018	•Support	• Supports the project	• Comment noted, thank you.
311	Kay Ivey – Governor State of Alabama	9/13/2018	•Support	• Supports the project	• Comment noted, thank you.
312	Richard Shelby, Doug Jones, Robert Aderholt, Mo Brooks, Bradley Byrne, Gary Palmer, Martha Roby, Mike Rogers, Terri Sewell – Congress of the United States	9/6/2018	•Support	• Supports the project	• Comment noted, thank you.
313	Greg Canfield – Department of Commerce State of Alabama	9/13/2018	•Support	• Supports the project	• Comment noted, thank you.

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Public Comments and Responses**

#	Commenter	Date	Discipline	Comment Summary	Response
314	Carol J. Monell – EPA Region IV	9/17/2018	<ul style="list-style-type: none"> <li>•Coordination</li> <li>•Engineering</li> <li>•Environmental</li> </ul>	<ul style="list-style-type: none"> <li>• Concerns regarding the project's impact on the marine environment.</li> <li>• Further evaluation is needed of the dredged sediment's physical, chemical, and biological testing reports as well compliance with the Ocean Dumping regulations at 33 CFR 325.</li> <li>• Recommends that the rationale for dredge material placement should be supported with appropriate data in the final GRR/SEIS and that monitoring should occur seasonally for at least 2 years at beneficial use sites.</li> <li>• Measures that estimate the cumulative amount of sedimentation based on turbidity observations from dredge overflow should be developed.</li> <li>• The final GRR/SEIS should also describe efforts to reduce the project's potential adverse impacts, including thresholds that indicate how much overflow would be acceptable before substantive impacts are expected to occur.</li> <li>• Recommends that the USACE conduct a quantitative evaluation of the model calibration results to provide confidence in the predictability of the calibrated model.</li> </ul>	<ul style="list-style-type: none"> <li>• Responses to this comment are included in the attachment to this matrix.</li> </ul>

## Attachment to Comment/Response Matrix

### Comment # 20

**Topic:** Petroleum and chemical odors in the Africatown and other EJ communities in the AOI.

- What are existing conditions of petroleum and chemical odors in Africatown and other residential neighborhoods in the AOI? ( I think MEJAC is asking how is this measured / monitored? )

*Response:*

*Odor is an annoyance issue pending on human perception and it does not have its own specific regulatory standards as those air pollutants under CAA. However, some odorous compounds in VOCs with potential to be vaporized from tank farms and/or fuel transporting process may cause odor impacts. For VOCs, since there are no NAAQS for which the compliance can be demonstrated through a monitoring program, EPA has established technology-based emission control standards called New Source Performance Standards (NSPS) those industrial sources emitting VOCs such as tank farms or fuel facilities. Under NSPS these sources must comply with the standards regardless of the ambient air quality of the area. For large petroleum storage tanks, NSPS Subpart K would apply and they are required to maintain records of petroleum liquid stored, length of storage, and maximum true vapor pressure of the liquid during the storage period for at least 2 years to ensure their compliance of emission control standards. All existing tank farms at the MH were designed to meet the NSPS if applicable.*

*Therefore in general the odor in terms of VOC impacts to the neighborhood around the port cannot be feasibly addressed through a NEPA process. Nonetheless storage and transportation of petroleum and chemicals through the port must follow standard practice to minimize leaks or spills per requirements on health, safety, and NSPS, as applicable, and therefore, the existing condition at the port should not differ from any other ports in the U.S.*

- What are possible impacts of with-plan scenario?

*Response:*

*The TSP would not induce more capacity at the port on an annual basis as compared to the No Action Alternative. Therefore given the same level of tank farm capacity and fuel transport activities using trucks and vessels under the TSP as compared to the No Action Alternative, the impacts on odors in terms of VOC emissions from transporting petroleum and chemical product would likely remain the same.*

### Comment #2

**Topic:** Mitigation of Transportation Impacts (due to projected 25% increase in truck traffic and 2.5% increase in petroleum and hazardous materials transported)

- How will Corps reduce these impacts?

*Response:*

*The 25% increase in truck traffic is due to the container terminal buildout, not the implementation of the TSP. Therefore, no mitigation plans are required.*

*Moreover, the increase in petroleum and hazardous materials transported is due to the natural growth under the No Action Alternative, not the implementation of the TSP. Therefore, no mitigation plans are required per NEPA.*

**MEJAC Comment #31**

**Topic:** Air Emissions Calculations

- Provide the projected air emissions calculations of projects and other projects described in Cumulative?

*Response:*

*Since the TSP would improve port congestion and result in positive emissions impacts around the port as described in the SEIS, the incremental contribution of adverse cumulative air quality impacts from the TSP would not be significant. Therefore it is not necessary or feasible to quantify the emissions from other projects in a project-level NEPA study. The Corps recommends that the commenter contact ADEM or EPA Region 4 if they are interested in broader, area wide, air emissions information.*

- Why did you use Charleston Harbor Navigation Improvement Project (CHNIP) as a reference when discussing potential air emission impacts of this project? (MEJAC #3) Similarity to Charleston is presented as a “given” with no explanation as to why that is the case.

*Response:*

*As stated in the SEIS, to meet anticipated future growth, the proposed action is for purposes of improving safety and efficiency of the existing congested navigation system. The CHNIP was developed to also improve harbor vessel mobility and transporting efficiency to address anticipated future harbor over-*

*capacity problem. Such problem could be solved by inducing more large vessels that can load more efficiently under the widened and deepened channel and improved terminal conditions.*

*Therefore, the air emission trend predicted under the CHNIP for no action and action alternative is considered comparable for the TSP at the Mobile Harbor. It should be noted, in addition to improved large vessel operational efficiency as under the CHNIP, the TSP is anticipated to significantly improve vessel traffic congestion in the harbor channel under existing or future no action conditions and thus further reduce air pollutions from vessel operations.*

- Please explain the similarity and differences that support / challenge the use of Charleston's data for this project.

*Response:*

*The CHNIP widening and deepening channel action would increase large vessel traffic around the port and also improve various terminals that become more capable of handling large vessels to be able to load more efficiently under the improved terminal conditions.*

*The Mobile Harbor widening and deepening channel action would increase large vessel traffic around the port similar to the CHNIP and moreover reduce existing or no action condition vessel traffic congestion to further reduce air pollutant emissions from the vessel traffic.*

*The SEIS assumes that the trend/ratio of emission forecasts between no action and action alternatives under the CHNIP would likely be the same, resulting in a net reduction of emissions around the port as a result of improving channel traffic mobility to server more large vessels.*

- CHNIP included non-South Carolina State Port Authority (SCSPA) terminal, private port terminal, contributions to regional air quality in its calculations. Did the Mobile Harbor Expansion GRR/SEIS do that as well? Why / why not?

*Response:*

*The SEIS considered those sources within the port boundary plus ocean-going vessels in the channel per the database established in the EPA C-port model. No other sources of emissions beyond these two boundaries were considered.*

*Since there is no established regional impact threshold that can be used, the evaluation of emissions for which the Port has control over on a project level should be sufficient for the NEPA purposes. Moreover, given the likely reduction of emissions under the TSP as compared to the No Action Alternative, it can be concluded that the TSP would unlikely to have adverse regional air quality impacts.*

- MEJAC sees a discrepancy in that the CHNIP Air Emissions Inventory is almost three times as large as the corresponding MHE GRR/SEIS Air Quality Analysis despite the SCSPA facilities handling half of the cargo tonnage as ASPA facilities? Would USACE please elaborate on why this apparent discrepancy should be justified as a “given”?

*Response:*

*Again, the emissions inventory predicted under Mobile Harbor GRR/SEIS is only related to those emissions within the MH port area plus ocean-going channel as described in Appendix C. According to the estimates of port-wide emissions as shown in below table for 2035 No Action for MH using a prorating method based on vessel call projection, the Mobile Harbor emission inventory was estimated to be much higher than the 2037 No Action for CH.*

<b>Port/Program</b>	<b>NO<sub>x</sub></b> <b>(tons)</b>	<b>CO</b> <b>(tons)</b>	<b>SO<sub>2</sub></b> <b>(tons)</b>	<b>PM<sub>2.5</sub></b> <b>(tons)</b>	<b>PM<sub>10</sub></b> <b>(tons)</b>
MH TSP (2035)	5939.2	1557.6	314.8	189.1	213.8
CHNIP (2037)	3340	940	106	147	161

Topic: the selection of 250 tons as the major stationary source definition under the PSD program as a comparable project-level significant impact threshold for this Draft GRR/SEIS

- Did USACE anticipate that ASPA's actual contribution would be higher or lower?

*Response:*

*Based on the improved harbor traffic conditions without increasing the throughput under the TSP as compared to the No Action Alternative, the project-level incremental emissions around the port would likely be negative and not exceed the 250 tons per year threshold elected for the SEIS for each criteria pollutant.*

- Was 250 tons chosen to simplify the air quality impact considerations in place of providing a comprehensive assessment of both ASPA and non-ASPA terminal contributions to regional air quality, like how the CHNIP did with SCSPA and non-SCSPA terminal contributions to regional air quality?

*Response:*

*The evaluation of emissions for which the Port has control over on a project level, i.e., the emissions within the port boundary and those from ocean-going vessels along the channel, is considered sufficient for the NEPA purposes. The 250 tons per year threshold elected for the SEIS is used only for a project-level assessment as compared to a regional impact evaluation. This threshold is based on the similar project-level de minimis threshold definition established under the CAA General Conformity Rule (GCR) applicable for a nonattainment area.*

*Since the anticipated port-wide emissions are likely to be reduced under the TSP, potential regional impacts would not be significant.*

**Topic:** the selection of the CHNIP as a guiding air quality baseline for TSP air quality impacts. Note that ASPA handles roughly twice that South Carolina's (SCSPA) total cargo tonnage. And SCSPA ranks 29<sup>th</sup>; ASPA ranks 10<sup>th</sup>.

- Did you consider that when choosing Charleston as a baseline?

*Response:*

*The SEIS did not choose Charleston inventory as the baseline condition for Mobile Harbor. The baseline Mobile Harbor emission inventory was derived from the levels established in the C-port model for the Mobile Harbor by EPA.*

- Please elaborate about how the differences in tonnage were factored into the Draft GRR/SEIS; and findings of net decreases in all NAAQS criteria air pollutants?

*Response:*

*The SEIS did not use tonnage as an input parameter in the analysis but used:*

- *Baseline emission rates from sources within the Mobile Harbor port area plus ocean-going vessel in the channel established in C-port model for the Mobile Harbor by EPA.*

- *Additional coal pile emission rates predicted based on the coal throughput and EPA AP-42 handbook.*
- *The Mobile Harbor vessel calls under baseline, 2035 no action and action alternatives used to prorate the 2035 emission inventory from the baseline condition.*
- *The ratio of emission reduction from no action to action alternative under the CHNIP as a result of deepening and widening channel to prorate the reduction of MH emissions from the no action condition to the TSP condition.*

**Topic:** At the Africatown EJ focus group, USACE asserted there would be “three air quality monitoring studies”.

- Would USACE please identify what these three air quality monitoring studies consisted of?

*Response:*

*At the Africatown EJ Focus Group meeting, USACE asserted that air quality would be addressed and air quality studies would be conducted. At the time of that meeting, the USACE contractor’s scope of work had not been fully defined. Upon review of the available data, it was determined that air quality study would be limited to developing a baseline Mobile Harbor emission inventory using levels established in the C-port model for the Mobile Harbor by EPA.*

- Why were TSP air quality impacts with respect to increased commodity traffic collateral emissions (i.e. hazardous petrochemical storage tank vapors, coal dust, diesel engine soot, etc.) excluded from mitigation? (Are these also assumed simply to have net reductions in accordance with USACE's assertion that GRR/SEIS is analogous to CHNIP?)

*Response:*

*The TSP would not induce more capacity at the port as compared to the No Action Alternative. Therefore by improving the channel congestion, the TSP would likely reduce air pollution emissions from the port operation particularly related to vessel operations. However, given the similar level of transport associated activities using trucks under the TSP as compared to the No Action Alternative, the emissions from transporting coal, fuel, and petroleum product would likely remain the same resulting in no significant air quality impacts. Therefore no further mitigation measures are required per NEPA.*

- Will USACE conduct follow up environmental justice focus group meetings to better facilitate community education about and literacy of the GRR/SEIS findings?

- Did USACE calculations of the growth in containerized chemical transport sector factor in potential traffic impacts upon the Africatown community with respect to containerized chemical tanker cleaning facilities located in the neighborhood on Telegraph Rd?

Response: *The study assumed a generic 1.5% growth rate in traffic from the base year of 2016, including traffic on Telegraph Road. Estimated trips generated for any specific facility were not individually evaluated.*

- Would USACE please elaborate on its reasoning's.

Response: *The data for this level of evaluation was not available.*

- You predict 25% truck traffic increase thru EJ communities yet have no mitigation plans. Why?

Response:

*The 25% increase in truck traffic is due to the container terminal buildout, not the implementation of the TSP. Therefore, no mitigation plans are required. However, as indicated in the SEIS, once the new I-10 Bridge is completed, the level of traffic associated being detoured over the Africatown Bridge should decrease.*

## Attachment to Comment/Response Matrix

### Comment # 314 - Carol J. Monell – EPA Region IV

1. EPA Recommendation: The EPA recommends that the USACE work directly with us to address our primary concerns prior to the issuance of the final GRR/SEIS. The final GRR/SEIS should include the USACE's responsiveness summary that addresses both Agency and public comments regarding the proposed project.

Response: The USACE, Mobile District acknowledges EPA, Region IV's recommendation and will host a webinar with their technical staff and our respective subject matter experts.

2. EPA Recommendation: The EPA recommends that the distances modeled for material transport should be clarified. The final GRR/SEIS should also include citations of research for particle mobilization of sediments which are similar to those expected to be dredged during the project. The amount of sedimentation that will result in the bay should be estimated at the appropriate distances from overflow. The EPA notes that daily observations may be inadequate to detect changes depending on the time of observation and the current operation. For effective feedback of management measures, continuous data should be collected at multiple stations. The USACE should develop measures to estimate the cumulative amount of sedimentation based on turbidity observations from overflow. The final GRR/SEIS should describe measures to reduce potential impacts, including thresholds that indicate how much overflow would be acceptable before substantive impacts are expected to occur.

Response: Maintenance dredging with subsequent thin-layer placement (6- to 12-inches) within open-water disposal sites is the standard operation to ensure sufficient channel dimensions. Water quality associated with that placement method adheres to the Alabama Department of Environmental Management (ADEM) requirements issued in their water quality certification. Water quality certification for past maintenance activities required the USACE, Mobile District not to exceed 50 NTUs above background levels. Turbidity is greater with thin-layer placement during placement in comparison to overflow as sediment is allowed to settle out within the scow prior to release. The length of time overflow would be allowed is strictly based upon the USACE, Mobile District and/or its contractor adherence to the State of Alabama's water quality certification. No sediment fate modeling was conducted as part of this general reevaluation study for overflow operations based upon compliance with current routine O&M dredging efforts and the proximity of the adjacent existing open-water dredged material placement areas. Furthermore, elutriate testing will also be undertaken to demonstrate potential effects of placement of dredged material into open-water (i.e. overflow) compliant with the Marine, Protection, Research and Sanctuaries and Clean Water Acts. Sediment evaluation will be conducted to the Tier III level during the Project Engineering and Design (PED)

phase which will address the physical, chemical and biological effects on the aquatic environment and organisms.

3. EPA Recommendation: Quantitative evaluation of model calibration results should be conducted to provide confidence in the predictability of the calibrated model. The EPA recommends that Figure 73-80 include quantified statistics (bias and variance of errors) of differences between observed and modeled water quality parameters. Figure 83-94 should also include quantified statistics (bias and variance of errors) of the differences between existing and 'with-project' condition simulation results. It is unclear from the GRR/SEIS whether the difference is within the bounds of uncertainty of the calibrated model. If so, then the calibrated model is not precise enough to detect any difference between scenarios. The GRR/SEIS conclusion of 'no difference' between the proposed project and existing water quality conditions should take into consideration the uncertainty or predictability of the calibrated model. For the hydrodynamic model, quantified statistics (bias and variance of errors) of difference between observed and modeled surface elevations for Figures 7, 12-16, and 20-28 should also be provided in the final GRR/SEIS.

Response: Willmott (1981) gave guidance for evaluating model performance. His specific criticism was on the use of a correlation coefficient for model evaluation. He devised the skills score using Index of Agreement (IA)

$$d = 1 - \frac{\sum_{i=1}^N (P_i - O_i)^2}{\sum_{i=1}^N [ |P_i - \bar{O}| + |O_i - \bar{O}| ]^2} \quad (1)$$

Here,  $d$  is IA.  $P$  represents prediction and  $O$  represents observation. Overbar denotes mean and  $i$  denotes individual samples. In essence,  $d$  depends on both the specific potential error (denominator) based on distribution of observed and predicted variate around the observed mean and the mean square error (numerator) representing the closeness of prediction to observation. He demonstrated that this descriptive statistic, IA, reflects the degree to which the observed variate is accurately estimated by the simulated variate. This IA, ranging from 0 to 1 with 1 representing perfect comparison, is used in this study to test the model performance.

For water levels at the 9 National Oceanic and Atmospheric Administration (NOAA) tide gage locations in the model domain displayed in Appendix A-1, Figures 12-16, Willmott's IAs was computed from hourly records from observation and hourly data from model simulations.

There were a total 27 surveys of salinity profiles that are represented in Appendix A-1, Figures 20-28. In each survey, sampling times varied along the survey line as well as along each vertical locations. Thus 6 hours of model data around each sampling time at each locations were used for model evaluation. At each survey

depth at each survey location, an envelope formed by model data was compared to survey data and selected for computation of Willmott's IA.

The parameters available for water quality data is based on discrete data with scattered values over several observations at each station as shown in Appendix A-1, Figures 73-80. As such, statistical parameters such as IA and/or root mean square error would not provide meaningful information. Reasonable statistics for a water quality model whose kinetics represents large temporal and spatial scale processes, compared to the hydrodynamic model would be as suggested an evaluation of the model bias. Comment noted regarding observed mean versus modeled mean and observed range (max - min) versus modeled range (using t-distribution).

Willmott, C.J., 1981. On the Validation of Models. *Physical Geography* 2: 184-194.

4. EPA Recommendation: The EPA recommends modifying language such as: "Mobile District is currently pursuing certification for extensions to the Sand Island Beneficial Use Area (SIBUA) and the ODMDS", in the final GRR/SEIS. This language makes it unclear that the ODMDS expansion is an EPA action that is unrelated to the GRR/SEIS. In addition, the agency consultation process for the proposed ODMDS expansion will be described in the draft environmental assessment for the proposed Mobile ODMDS expansion and does not require a GRR/SEIS discussion. The GRR/SEIS also discusses potential impacts to the environment and other effects related to the potential expansion of the Mobile ODMDS. This information will be described in the draft environmental assessment for the proposed Mobile ODMDS expansion. However, the effects of transporting and disposing of large volumes of dredged material into the ocean are of relevance, and should continue to be included in the final GRR/SEIS.

Response: Based upon comments and discussions with your Ocean Compliance staff, clarification language was added to the Mobile Harbor GRR/SEIS identifying EPA, Region IV's responsibility to pursue the designation of the modified Mobile ODMDS. Examples of this language can be found on the following pages:

- Page 5-22 – Section 5.7 – “The EPA Region IV is pursuing the proposed ODMDS expansion pursuant to Section 102 of the MPRSA.”
- Page 5-26 – Section 5.7 – “The implementation of the RP [Recommended Plan] would not result in additional impacts to the affected environment within the ODMDS. The ODMDS is a historically utilized site and overlaps the existing EPA Section 102 Mobile ODMDS. As this is primarily an administrative change to expand the aerial footprint of the EPA Section 102 Mobile ODMDS, no aspects of the local environment should experience adverse impacts from implementation of the RP, since the areas have been used extensively in the past. All further discussion of effected resources will be compared back to the Without-Project conditions of continuing with the currently sized EPA

Section 102 Mobile ODMDS.”

- Section 5.7.3 – “Joint Public Notice between the USACE, Mobile District and the EPA was published September 27, 2018 stating that the EPA proposes to modify the ODMDS pursuant to Section 102 of the MPRSA. The public notice stated that the modification is an administrative change and required to accommodate future and additional dredged material placement needs within the area. The modification expands the boundary from the current configuration of 4.75 square nautical miles (nmi<sup>2</sup>) to approximately 24 nmi<sup>2</sup>. An Environmental Assessment (EA), which includes a draft Site Management Monitoring Plan (SMMP), for this modification was prepared and made available for agency and public comment. A copy of the EA is available on-line at the USACE, Mobile District Office, Planning and Environmental Division web site located at <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental.aspx>. The proposed modification is currently awaiting the EPA rule making process and anticipated to be completed prior the release of the Final GRR. Once the modification is approved by the EPA, the ODMDS will provide the capacity necessary for the channel modification. The status of the ODMDS will be included in the GRR Main Report.”

5. EPA Recommendation: The EPA recommends that the final GRR/SEIS include comparative documentation, such as sediment cores or chemical screens to project depth, that demonstrate the proposed project material is substantially similar to previous projects that have received concurrence for disposal into the Mobile ODMDS. What is meant by "similar" should also be defined (quantitatively or qualitatively). Material proposed for ocean disposal must be tested and receive concurrence by both the EPA and the USACE before the material is cleared to be disposed of in an ODMDS. Similarity to previous projects is not a guarantee that the physical, chemical, and biological tests required will demonstrate that the material can be disposed of in an approved ODMDS. Furthermore, the final GRR/SEIS should clarify what is meant by "no contaminants will be detected", when it is clear from existing sediment testing that there will most likely be detectable levels of some contaminants (including metals, polycyclic aromatic hydrocarbons, pesticides, and dioxins) within the proposed project footprint.

Response: The USACE, Mobile District acknowledges dredged material must be found suitable for ocean disposal based upon the Ocean Dumping Criteria found in 40 CFR Parts 227 and 228, Evaluation of Dredged Material Proposed for Ocean Disposal (1991 Green Book) and the Southeast Regional Implementation Manual (SERIM). Based upon Specific, Measurable, Attainable, Relevant and Timely (SMART) planning principles, the USACE, Mobile District identified this need but accepted the risk as identified in the Risk Register to delay sediment evaluation and coordination to PED with the EPA, Region IV. As such, the USACE, Mobile District utilized historical sampling undertaken for the navigation project. Specifically, evaluations for O&M from 2008 and 2010 were utilized in addition to the 2014 new work sampling within the lower portion for the Limited Reevaluation Report (LRR)). The 2014 new

work sampling ranged in depth from -49 to -51 feet MLLW. Discussions are located in Section 2.5.3.4 of the Main Report and Section 2.3.4 of Appendix C. The USACE, Mobile District has since developed a Scope of Work (SOW) and coordinated it with EPA, Region IV.

6. EPA Recommendation: The EPA recommends clarifying language in the final GRR/SEIS Appendix A that indicates that the proposed expansion of the Mobile Section 102 ODMDS will encompass a portion of the historically used Section 103 ODMDS. The proposed action will not involve expanding or using the Section 103 site (outside of the proposed expansion area).

Response: Comment noted.

7. EPA Recommendation: Habitat restoration and enhancement should have explicit measurable objectives. The EPA recommends that the final GRR/SEIS provide data to support low DO conditions in the Relic Shell Mine areas if improved DO is an objective and the rationale for material placement. For DO, continuous data is preferred. However, if continuous data is unavailable, multiple observations are needed to present the pattern of DO as it changes temporally throughout the day and in different seasons. For testing requirements, the EPA previously stated that testing will be required for BU sediments. The EPA recommends that monitoring should occur seasonally for at least 2 years to demonstrate the effect of BU placement on any water quality and benthic macrofaunal changes. The final GRR/SEIS should all clarify that in all instances where material is proposed for BU, compliance with the CWA is required. As previously discussed with the USACE and the ASPA, the EPA will accept testing results developed under MPRSA and the accompanying guidance in the Ocean Testing Manual to analyze for compliance with the CWA.

Response: The relic shell mined area was identified for beneficial use of dredged material based upon cooperating agency discussions to restore sediment to the system. Deep holes dredged during mining of relic shell prior to 1982 is documented to have deepened bay bottom in the region as well as possibly contributed to degraded bay bottom characteristics and decreased ecological productivity in the area (May 1971, May 1976, Schroder et. al. 1998, Miller-Way et al. 1995, Reine et al. 2013; Reine et al. 2014, Byrnes et. al. 2013, and Nwokebuihe et al. 2016). Several cooperating agencies identified the area due to its degraded conditions and low dissolved oxygen levels during the summer months. ERDC conducted benthic sampling during fall 2016 and spring 2017 and found favorable water quality conditions (i.e. low dissolved oxygen levels were not identified during this sampling period). Baseline conditions of the benthic habitat were established by this effort. Prior to construction and associated with the sediment evaluation effort and monitoring plan for the Mobile Harbor navigation improvements, water quality and sediment samples will be collected on a seasonal basis from the relic shell mined areas along with hydrographic surveys to assess potential movement of the placed new work dredge material. Water quality sampling locations for the monitoring plan will be identified during the PED

phase at which time the USACE, Mobile District will seek the EPA's technical expertise among other state and Federal agencies' input to ensure that low dissolved oxygen levels are accurately captured within the potential sites. Although not an ecosystem restoration project, the USACE, Mobile District will sample the sites for a minimum of 2 years to assess water quality conditions, sediment composition, and benthic recovery. As with the pre-construction monitoring, the USACE, Mobile District will also coordinate this effort with the state and Federal agencies.

The USACE, Mobile District acknowledges dredged material placement must be compliant with the Clean Water Act and the Inland Testing Manual. As previously stated, USACE, Mobile District deferred testing to PED phase. A scope of work for the sediment evaluation effort has been developed and coordinated with EPA, Region IV pursuant to CWA and MRPSA. Grab samples from within the Relic Shell Mined Area will be taken to assess the physical and chemical characteristics of the material in compliance with the Inland Testing Manual. These results will be compared to the physical and chemical characteristics of the dredged material from the channel prior to placement in the Relic Shell Mined Area.

8. EPA Recommendation: The EPA recommends that the final GRR/SEIS clarify whether the proposed BU at the Relic Shell Mine site for benthic habitat restoration is intended as compensatory mitigation for the permanent loss of benthic habitat.

Response: Based upon impact findings to aquatic resources, no compensatory mitigation would occur. As such, the relic shell mined site is not intended for compensatory mitigation. However, under its Regional Sediment Management principles, the USACE, Mobile District seeks beneficial use of dredged material in every one of its navigation projects. Beneficial use is often supported by environmental agencies, including EPA, Region IV, due to its potential benefits. As such, the USACE, Mobile District believes this statement on page 6-4 of the Mobile Harbor GRR/SEIS is accurate, "Permanent loss of habitat would be offset by the benefits of open-water placement and restoration of the Relic Shell Mined Area." In addition, on page 5-98 of the report the following statement is included, "Based on the minimal level of impacts determined for the implementation of the RP and future project maintenance and operations, no compensatory mitigation is proposed for this action as no loss of wetlands, SAV, oysters, and recreational and/or commercial fisheries are anticipated nor are any significant adverse effects to ESA-listed species or marine mammals anticipated based on the analyses in this document. Additionally, detailed analyses have demonstrated the general absence of significant adverse impacts to human health, environmental health risks, and safety risk and that the proposed construction of the RP would not have disproportionately high and adverse impacts to any communities, including environmental justice communities or children."

9. EPA Recommendation: The EPA recommends that data from individual sampling stations for all parameters measured at the 90 stations should be

provided in the final GRR/SEIS. The detailed benthic report should include a separate detailed discussion of the results from the 90 stations around and including the proposed BU sites. The EPA requests that the final GRR/SEIS provide the name of the document cited as 'Reine, 2018' in the references and a link for our review. We also request overlay relic shell site polygons on Figure 2-29. Specifically, analyzing characteristics for both sediment and water quality parameters in and around Relic Shell Mine Site 'A' may provide insight on expected outcomes at other sites ('B-F') as 'A' overlaps with an area that has been receiving thin layer placement of maintenance material.

Response: The aggregated data that is presented in the report sufficiently assesses potential project impacts. It is our position that analyzing and reporting the data at the individual sampling stations will not provide any further insights with respect to the project. Comment noted on Figure 2-29.

10. EPA Recommendation: The EPA recommends that the beneficial use sub group reconvene before the start of the preliminary environmental design (PED) phase to identify specific monitoring parameters and monitoring plan for the proposed BU site so that appropriate analyses are developed during the PED phase that would allow for pre- and post-monitoring. This group could develop or provide feedback on USACE developed material suitability criteria. The EPA recommends that the final GRR/SEIS provide references for citations to any studies discussed in support of the BU placement. Any monitoring should occur seasonally for at least 2 years to demonstrate the effect of BU placement on benthic changes. Please use the term 'significant' to only refer to objective statistical significance. Subjective use of the term can result in misinterpretation. Also, please include a broader discussion of the results of the study regarding specific water quality parameters as well as other measured biological responses, such as benthic monitoring.

Response: Thin-layer placement techniques resulting in thicknesses between 6- and 12-inches are applicable primarily with maintenance material given the fine nature of that sediment quality. Placement of material within Brookley Hole utilized maintenance material but the placement technique was not via thin-layer. Construction material associated with this improvement project will consist of cohesive clayey masses of material that will have a much greater lift than that of thin-layer. In reference to the broader discussion of the results of the study regarding specific water quality, preconstruction water quality monitoring is to be performed during the sediment evaluation and monitoring efforts. Furthermore, the Mobile Harbor GRR/SEIS included an example comparison on Page 5-24 as followed, "An example used to exhibit the effects of placement in the Relic Shell Mined Area is a similar project in upper Mobile Bay that was conducted and monitored. The area, known as Brookley Hole, was a demonstration project in 2012 to illustrate the concept of using dredged material to fill holes created by past dredging and borrow actions. This site is located in the western upper portion of Mobile Bay in close proximity to the Mobile Bay channel as illustrated in Figure 3-7, Appendix C. Baseline surveys indicate that the deepest portion of Brookley Hole, at approximately 23 feet, exhibited hypoxic conditions resulting in degraded

environmental productivity. Dredged material from the upper Mobile Bay Channel was used to partially fill the basin to historic bathymetric conditions to improve environmental productivity of the bay bottom. Subsequent monitoring efforts included a combination of fisheries acoustic techniques to determine fish density and spatial and temporary distribution patterns, as well as conventional fisheries to determine species composition, fish length, water quality, and sediment grain size analysis. Benthic macro-invertebrates were sampled seasonally to evaluate recruitment and community structure. The post-restoration study conducted by Reine et al. (2014) indicated a “significant improvement in water quality conditions.” Upon PED phase commencement, the USACE, Mobile District will request the ASPA to call an Interagency Working Group meeting at which the monitoring approach and parameters will be presented for discussion and modification.

11. EPA Recommendation: The EPA recommends that the movement of material currently existing at the BU site should be defined as a modelling objective during the preliminary environmental design phase to predict the movement of sediments currently existing in the holes during placement activities. If the composition is different in each BU placement site. Consider grouping for better model resolution and predictive power. Provide a table of raw data of sediments present in the Relic Shell Mine sites and the organic content for all 90 benthic stations as well and discuss together with the 'SEDflume' core data. Please clarify model certainty with regards to accepted tests of statistical significance and communicate any results in objective statistical terms to avoid misinterpretation. The final GRR/SEIS should explain whether the result indicated in the model is insufficient to predict changes and/or if more calibration is needed. In addition, please explain whether the anticipated changes were modeled for the life of the project or only for a one-year cycle and how the approach captured any cumulative changes.

Response: The simulation of potential sediment transport currently existing in the relic shell mined area were modeled as a component of the base (i.e., existing) sediment transport modeling for 2010 as documented in Appendix A1, Bunch *et al.* (2018). The modeled post-placement scenario (i.e., after placement of 3 feet of new work dredged material in the designated relic shell mined beneficial use sites) was also modeled to determine the potential response, i.e., net deposition and/or net erosion, of this material. No tool or model currently exists that is capable of simulating the potential movement of the existing sediment in the holes during the actual dredge material placement process.

Varying the composition of the simulated 3 foot lifts of new work material (that would come from different reaches of the Federal Navigation Channel) within the six relic shell mined beneficial use sites are given in Table 6 in Appendix A1, Bunch *et al.* (2018). In addition to specifying the grain size distribution of the modeled five sediment size classes, the bulk density and erosion rates (as determined from the SEDFLUME analysis) of the six SEDFLUME cores that represented the placed material in the six relic shell mined beneficial use sites

were also specified. The analysis performed yielded a conservative estimate of the response (i.e. potential transport) of these placed materials by 1) assuming constant 3 foot lifts (when the actual overall placement thickness will be less) in all relic shell mined beneficial use placement areas, and 2) specifying surficial values for the erosion rates and critical shear stresses for the entire thickness of the new works material. Regarding the former, the thicker deposits result in shallower depths which will result in somewhat higher current- and wave-induced bed shear stresses. In turn, this will increase the rate of erosion of the placed material. Regarding the latter, the surficial critical shear stresses are less and the erosion rates are higher than those that would be expected of the lower layers of the new works material, thus resulting in more potential erosion of material than would be expected to occur and thus a conservative evaluation of potential movement of the proposed placed dredged material.

The surficial sediment composition data collected at the 90 benthic stations could not be used in the sediment transport modeling because other sediment properties, e.g., bulk density, erosion rates, critical shear stresses, have to be specified in addition to the sediment grain sizes to represent the sediment bed in the model. All of these properties were measured in the SEDFLUME study performed (Gailani *et al.* 2014).

The sediment transport model was calibrated against the measured sedimentation rates in different reaches of the navigation channel. This calibration is documented in Appendix A1, Bunch *et al.* (2018). Furthermore, the comparison of measured hydrodynamic data to that of the hydrodynamic model indicates that the model simulates the forcing which govern sediment transport with skill. Looking at model skill of the forcing governing transport and conducting qualitative comparisons of modeled with available observed changes to evaluate the model's capability to capture spatial trends in erosion/deposition patterns is standard sediment transport modeling practice where relative comparisons are being made.

As described in Appendix A1, Bunch *et al.* (2018), the modeling study found that the impacts of the Project on sedimentation in the six relic shell mined beneficial use areas were minimal, with less than  $\pm 9$  cm net change in the bed elevations in all six areas over the 2010 with-Project simulation from the 2010 simulation with existing conditions. The conclusion reached from the relative comparison was that the Project conditions will have minimal impact on the sediment placed in the six BU areas.

Appendix A1, Bunch *et al.* (2018), documents that the state-of-the-art sediment transport model used in this study had a very fine spatial resolution, i.e., grid, as well as used a constant 2-second time step. This enabled the highly spatially and temporally resolved model to yield simulated changes in morphology over the one-year simulation that cannot be improved upon using any other existing model or tool.

As detailed in Appendix A1, Bunch *et al.*(2018), a 12 month simulation was performed over the 2010 calendar year. This year was selected for several

reasons, including the average annual riverine flow hydrographs that captured both high and low flow conditions expected within the system. A life cycle analysis of the placed dredged new works material was not performed.

12. EPA Recommendation: The final GRR/SEIS should state that the impacts are short-term and that the USACE decided not to fully assess those impacts (if that is the case). Large emissions on a short-term basis can have an impact on the surrounding communities. The EPA also requests information that supports the claim that there will be a reduction in emissions from larger ships. We note that Charleston Harbor's operation is based on a significant switch to electric cranes and low emission diesel technology. It is recommended that in the final GRR/SEIS, the USACE more clearly outline the dray program and whether older trucks are prohibited from entering the premises like at Charleston Harbor.

Response: The air quality analysis for the Charleston Harbor EIS is based on a comparison of emissions for future years associated with the No Action Alternative (without deepening harbor) and the Action Alternative, as shown in the Charleston Harbor EIS Appendix N. The emission reduction trend under the Action Alternative has been demonstrated for all pollutants in the Charleston Harbor EIS; however, based on an evaluation of emission inventory worksheet, the highlighted improvement elements in the EPA's comment (ship to shore cranes are electric; the rubber tired gantry cranes are Tier 3 and moving to Tier 4/electric; or that the port has a dray replacement program that limits the age of the dray fleet) were not considered in the total port emissions summarized in the Charleston Harbor EIS. For example, in the impact analysis, it was assumed that the land equipment operational emissions (cranes, forklift, backhoe, container handler, etc.) would remain the same during future years, with or without the harbor deepening action. Therefore, the EIS-established emission trend does not reflect the detail measures as commented. This can be further illustrated in the discussion in the Appendix N of the Charleston Harbor EIS.

Furthermore, the ASPA has implemented a number of emission reduction programs including an idle reduction program and the installation of three low emission locomotives. Likewise, APM Terminals has converted to electric ship to shore cranes and is in the process of replacing the rubber tired gantry cranes for the entire facility with an electrified fleet.

Based on this information, the USACE continues to support their final conclusion that "the proposed action would result in a net emission reduction for each criteria pollutant."

# Comment 1

**From:** [Alan Castelin](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Dredging Comments  
**Date:** Wednesday, September 19, 2018 6:12:44 PM

---

Dear US Army Corp of Engineers,

I would just like to share one last thought I had with you. Has anyone looked at aerial photos and surveys of Dauphin Island before the channel dredging began and did a comparison?

Thank you for your time,

Alan Castelin  
Mobile, AL

Sent from my iPhone

## Comment 2

**From:** [Rees, Susan I CIV USARMY CESAM \(US\)](#)  
**To:** [McDonald, Justin S CIV USARMY CESAM \(US\)](#); [Parson, Larry E CIV CESAM CESAD \(US\)](#)  
**Subject:** FW: [Non-DoD Source] Mobile Baykeeper's Comments on Mobile Ship Channel DSEIS (UNCLASSIFIED)  
**Date:** Wednesday, September 19, 2018 1:52:30 PM  
**Attachments:** [2018 MobileBaykeeper Comment Letter DSEIS.pdf](#)

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CLASSIFICATION: UNCLASSIFIED

-----Original Message-----

From: Laura Jackson [<mailto:ljackson@mobilebaykeeper.org>]  
Sent: Monday, September 17, 2018 11:44 AM  
To: sebastion.p.joly@usace.army.mil  
Cc: rak@adem.state.al.us; Parson, Larry E CIV CESAM CESAD (US) <Larry.E.Parson@usace.army.mil>; Newell, David P CIV CESAM CESAD (US) <David.P.Newell@usace.army.mil>; bill\_pearson@fws.gov; Casi (kc) Callaway <callaway@mobilebaykeeper.org>; Rees, Susan I CIV USARMY CESAM (US) <Susan.I.Rees@usace.army.mil>; Cade Kistler <ckistler@mobilebaykeeper.org>; McDonald, Justin S CIV USARMY CESAM (US) <Justin.S.McDonald@usace.army.mil>; Paine, Joseph W CIV USARMY CESAM (US) <Joseph.W.Paine@usace.army.mil>; cynthia\_dohner@fws.gov; coastal@adem.alabama.gov; militscher.chris@epa.gov; Kajumba, Ntale <kajumba.ntale@epa.gov>; Scott Brown <JSB@adem.state.al.us>; Berkowitz, Jacob F CIV USARMY CEERD-EL (US) <Jacob.F.Berkowitz@usace.army.mil>; Sumpter M. McGowin, II (8228) <Sumpter.McGowin@phelps.com>; Tammy Herrington <therrington@conservationalabama.org>; Debi Foster <dfoster4507@gmail.com>  
Subject: [Non-DoD Source] Mobile Baykeeper's Comments on Mobile Ship Channel DSEIS

Hi Col. Joly,

Attached you will find Mobile Baykeeper's comment letter on the Draft Supplemental Environmental Impact Statement (DSEIS) to evaluate improvements to the Mobile Harbor Federal Navigation Channel, Mobile, AL.

Please let me know that you have received our submission and feel free to reach out with any questions.

Thank you,  
Laura

--

Laura Stone Jackson

Program & Grants Coordinator  
Mobile Baykeeper  
450-C Government Street  
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Phone 251-433-4229  
Cell 480-707-3787  
Fax 251-432-8197

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<Blocked[https://www.youtube.com/channel/UCAaAXTy3q\\_8FydkH61bhxRQ](https://www.youtube.com/channel/UCAaAXTy3q_8FydkH61bhxRQ)> Read Our Programs Blog Here!  
<Blocked<http://www.mobilebaykeeper.org/program-blog/>>

"Clean Water, Clean Air, Healthy Communities"

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CLASSIFICATION: UNCLASSIFIED



*Providing citizens a means to protect the beauty, health and heritage of the Mobile Bay Watershed and our coastal communities.*

September 17, 2018

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U.S. Army Corps of Engineers, Mobile District  
Attn: Colonel Sebastien P. Joly  
109 Saint Joseph Street  
Mobile, AL 36602

RE: Draft Supplemental Environmental Impact Statement (DSEIS) to evaluate improvements to the Mobile Harbor Federal Navigation Channel, Mobile, AL.

Dear District Commander,

We are Mobile Baykeeper, a twenty-one-year-old nonprofit organization with the mission of providing citizens a means to protect the beauty, health and heritage of the Mobile Bay Watershed and coastal communities. We are submitting comments on behalf of the Peninsula of Mobile, Conservation Alabama Foundation, our Board, staff and more than 4,500 members regarding a Draft Supplemental Environmental Impact Statement (DSEIS) and General Reevaluation Report (GRR) to evaluate improvements to the Mobile Ship Channel.

We applaud the U.S. Army Corps of Engineers (USACE) for its efforts since 2015 to communicate with and involve the community in the project evaluation. Throughout this time, community members have had the opportunity to attend public scoping meetings and provide feedback on different project components. The Corps has a responsibility to meaningfully consider all comments made during this period. The Corps must listen to these comments and has a responsibility to address these issues before the final draft 32 C.F.R. § 651.36(a). Mobile Baykeeper has provided several comment letters during the assessment of the potential impacts associated with deepening and widening the Mobile Bay navigation channel, some of these points have been addressed but many have been left unanswered and continue to be major issues making the study inappropriate for approval.

Our biggest cause of concern is that several of the studies conducted are not comprehensive and therefore inadequate as required by the National Environmental Policy Act process for determining impact from the proposed project 40 C.F.R. § 1500.1(a). A DSEIS must include "high-quality information and accurate scientific data" per 40 C.F.R. § 1500.1(b) to ensure that its own determination is based on the best scientific and current data available. This lack of information may be the reason the Corps is finding the project will

result in “no impact” on any of the natural resources assessed. This is extremely concerning as it is the **only** channel expansion project of similar size in the country that has not identified any impacts or mitigation through its environmental impact statement.

The current SEIS presented is flawed, incomplete, and contains several issues identified in our comment letter below. This is not an exhaustive list; these are the issues we were able to identify within the public comment period allotted and more issues exist within the study. We must see major improvement in the quality of the study before the release of the final SEIS. The Corps must fully evaluate the following comments formulated based on the concerns of our members, partners, and experts. We strongly request a written response for how each will be incorporated and how the Corps plans to account for these risks through proper studies and mitigation. If the Corps does not address these issues there will be legal ramifications. The study should meet the letter and spirit of the law as well as give decision makers the best possible information so they are able to make an informative decision. The proposed Mobile Ship Channel expansion is a major infrastructure project located in the heart of Mobile Bay and in an estuary that supports our State’s economy and community. We cannot let timelines or agendas dictate the quality of the study needed to ensure our natural resources are protected.

### **USE OF A ONE-YEAR SIMULATION FOR THE HYDRODYNAMIC AND WATER QUALITY MODELING**

As stated in our previous comment letter, we fundamentally disagree with the use of a one-year simulation (2010) as the basis of a number of the environmental impact analyses in the DSEIS. More specifically, the Corps has selected the time period “for GSMB hydrodynamic, sediment transport, and water quality modeling of Mobile Bay” as “January through December of 2010” (5.3.1. Waves pg. 5-0). Although the Corps indicates 2010 is a year containing high and low flow conditions, the variations that exist between years and over a longer period of time are far greater and must be considered. In previous meetings with state agencies and in environmental focus group meetings, the Corps has been made aware of the concerns for using 2010 in their models but has chosen not to incorporate this feedback. It has been suggested and often considered better to use at least a three-year simulation for this type of modeling to ensure varied conditions are captured.

We appreciate the Corps’ use of the Coastal Storm Modeling System (CSTORM) to look at hurricane conditions for capturing high water levels; the Corps must also look at extreme low water levels caused by prolonged droughts. By looking at the minimum low freshwater flow, the model will better predict the maximum extent of saltwater intrusion. There have been numerous severe droughts over the last 10 years in the Mobile Bay area and the failure to look at how these relatively common droughts (some lasting for several months) will interact with a deeper channel will result in an underestimation of the project’s impact on wetlands, etc.

## **WETLAND IMPACT ANALYSIS**

Wetlands are known to provide several important ecological functions such as water purification, shoreline stabilization, flood protection, groundwater recharge, nutrient recycling, particle retention, surface water and subsurface storage, and habitat for fish and wildlife. They add intrinsic value to the community. The final EIS for Charleston's Harbor expansion indicated unavoidable impacts to 324 acres of wetlands from increases in salinity; requiring mitigation plans to preserve 665.6 acres of wetlands.<sup>1</sup> Similarly, the Savannah Harbor Expansion Project (SHEP) determined there would be "minor adverse effects to the fish and wildlife habitat function in 223 acres of tidal freshwater wetlands" and a conversion of 740 acres of saltmarsh to brackish marsh as a result of the project.<sup>2</sup> Both of these impact statements found adverse effects to local wetlands mainly from saltwater intrusion. Deepening the channel can increase saltwater intrusion<sup>3</sup>, causing seawater to advance farther upstream. Changing the salinity regime threatens the freshwater and estuarine wetlands and ultimately the species that rely on them. We are concerned that by using a one-year simulation of 2010, the model used to predict how far and the extent of saltwater intrusion is not accurate, thus showing no significant impact with project. The SLR scenario did indicate 10 acres of wetlands would be inundated, and the Corps considered this to be "negligible." The Corps must understand where these 10 acres are and evaluate its importance to the system as a whole. The Corps must also address its lack of data with the mortality studies for wetlands, given that only 43% of the potential impact area could be studied and the real impact could be much larger.

## **SUBMERGED AQUATIC VEGETATION (SAV) IMPACT ANALYSIS**

Submerged aquatic vegetation (SAV) is an important source of food for several species including manatees and over-wintering waterfowl. It provides habitat for macroinvertebrates and fishes, and helps prevent erosion through sediment stabilization. Over the past few decades, there have dramatic declines in the SAV population in Mobile Bay<sup>4</sup>.

Changes to salinity from a deeper channel can modify the vegetative community (or SAVs) which can in turn, alter its use as protection for species and eliminate important food sources. Similar to our concerns detailed above for wetlands, this is also a concern for evaluating SAV population impacts. Results from the study indicated that four species, Eurasian Watermilfoil, Wild Celery, Southern Naiad, and Widgeon Grass were predicted to experience an increase in salinity. Many of these, although one even being invasive, are actually a food source to several local species including the endangered West Indian Manatee. Section 7(a)(2) of the Endangered Species Act (ESA) requires each

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<sup>1</sup> Final Report and Environmental Impact Statement for Charleston's Harbor Expansion

<sup>2</sup> Final Report and Environmental Impact Statement for Savannah Harbor Port Expansion

<http://www.sas.usace.army.mil/Portals/61/docs/SHEP/Reports/EIS/Section%201%20with%20TOC%20SHEP%20FINAL%20EIS.pdf>

<sup>3</sup> Zhu, J., Weisberg, R. H., Zheng, L., & Han, S. (2015). Influences of channel deepening and widening on the tidal and nontidal circulations of Tampa Bay. *Estuaries and Coasts*, 38(1), 132-150.

<sup>4</sup> Barry A. Vittor & Associates. (2005). Historical SAV Distribution in the Mobile Bay National Estuary Program Area and Ranking Analysis of Potential SAV Restoration Sites.

[http://www.mobilebaynep.com/images/uploads/library/NEP\\_historicSAV.pdf](http://www.mobilebaynep.com/images/uploads/library/NEP_historicSAV.pdf)

federal agency to “insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat of such species” 16 U.S.C.A. § 1536. The Corps must consult with the Fish and Wildlife Service to evaluate the impact on the reduction of the manatee’s food source.

The mortality of these species is also highly dependent on the duration of salinity increases experienced (some a month or more). The current analysis does not seem to simulate a scenario where this may happen, likely because a prolonged drought is not simulated. For instance, “an increase of 1.5 ppt above relative threshold values is unlikely to impact the 21 acres of Southern Naiad in question, unless these increased salinities have extended (i.e. multiple weeks) duration”. This is an important factor the Corps must simulate in order to address uncertainty and properly estimate the likelihood for mortality from the proposed project.

### **SEDIMENT TRANSPORT STUDY**

The Corps evaluated how the dredging and expanded dimensions will impact the sediment transport and ebb tidal shoaling. We appreciate the Corps conducting a 10-year simulation in addition to the one-year simulation. Storm surges and hurricane/tropical storm waves were not included in the modeling and this largely limits the peak wave characteristics needed to understand how these may impact processes with new project dimensions. The Corps must include storm surges associated with strong storms and waves seen during tropical weather. Another factor that must be included in the modeling efforts is the riverine effects from the river inflow as it plays a key role in the overall hydrodynamics and sediment load. Any study that does not include these crucial factors is incomplete, the opposite of “high quality” and does not fulfill the requirements of NEPA.

Results from this study indicate that “for the 10-year simulations, there were larger changes in bed levels with the proposed channel deepening; at the end of 10 years, the largest changes were offshore of the Fort Morgan Peninsula and ranged from  $-3.17$  to  $3.94$  m for the simulation without Sea Level Rise (SLR) and  $-1.92$  to  $1.47$  m for the simulation with  $0.5$  m of SLR. The with project implementation condition reduced the entrance channel shoaling volume by 5.54 percent for the simulation without SLR and 14.98 percent for the simulation with  $0.5$  m of SLR.” However, when describing these results the Corps indicates these changes are only minor impacts to the peninsula. The findings indicate that sediment is being transported away from the ebb tidal shoal, and that as a result of the channel modifications; morphological changes are anticipated in nearshore areas. The reduction of shoaling between 6 and 15% are not “minimal differences”.

### **IMPACTS TO WATER QUALITY**

Dredging can cause an increase in suspended sediment concentrations or cloudy water conditions, the potential release of contaminated material, an increase in erosion to nearby shorelines, and the disturbance of habitats particularly within the vicinity of the dredging activities. During this activity, fine sediments (including clays, silt, and fine-sands) generate turbid conditions. Turbidity plumes and

sedimentation are a result of overflow and washing practices. The sediment plumes can extend long distances depending upon the type of dredge, operation practices, wind/currents, and the type of sediments located in the excavation area. From Newell and Siederer 2003, referenced by the Corps in the DSEIS, these plumes “in most cases, coarse material up to sand-size particles settles within 650 to 1,970 ft of the point source of discharge”. Based on these distances, the Corps must study the area that will experience an increase in turbidity and suspended solids from the proposed dredging operations. This must be identified to ensure there are not sensitive habitats/species to consider the impact that may occur from the extent of the plume.

The Corps is not considering the impact of dredging on the water quality of the surrounding areas because “results of the water quality modeling indicate that the predicted levels of total suspended solids are representative of the observed data...subsequently, there would be no expected increase in the concentrations of the turbidity as a result of the implementation of the TSP” (5.5.4.2.1. Project Construction pg. 5-14). This is inconceivable. The Corps must specifically quantify the proposed project’s impact on aquatic resources as a result of an increase in turbid waters from dredging.

### **CONCERNS WITH FLUID DYNAMICS**

It is vital that the Environmental Fluid Dynamics Code (EFDC) include an additional model to show how pathogens move through the system and how that may change with the new channel dimensions. Scientists with similar modeling have described the ship channel as a funnel for the Mobile WWTP at McDuffie. The Corps is required to model how the project may alter the flow of effluent from this facility with the new dimensions of the channel post expansion.

Another important area to model when considering how the channel expansion may impact the dynamics of the system is what comes into the Bay from the gulf. Two main concerns are how harmful algal blooms (HABs) and oil coming from an offshore spill may be brought further up the Bay with the new channel configuration. HABs are harmful to human health, replace key food sources, clog fish gills, and lowers oxygen conditions after they die. It will be important to evaluate the risk of gulf HABs entering Mobile Bay after the expansion. Similarly, it will be vital to assess the flow of oil after a spill offshore and to what extent that oil will travel up the Bay given the new channel design. Both of these are essential factors are unfortunately increasing in their frequency are necessary to understand the risks associated. The Corps must model how both of these factors could change with the project implemented.

### **ACKNOWLEDGEMENT OF PAST IMPACTS IN THE CUMULATIVE IMPACT ANALYSIS**

Under the National Environmental Policy Act and the promulgated regulations, federal agencies (including the Corps) are required to consider the cumulative impacts when making a decision. A cumulative impact is the “impact on the environment that results from the incremental impact of the proposed project when added to other **past** [emphasis added], present, and reasonably foreseeable future actions regardless of the agency (federal or non-federal) or person that undertakes such other

actions; cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 C.F.R. § 1508.7). To ensure compliance with NEPA requirements, the Corps must evaluate the previous study conducted in 1980 (and several USACE reports since then) to determine historic impacts relevant to the expansion being considered. This is of particular importance when considering cumulative impacts from the ship channel on the surrounding shorelines. At present, the Corps is only considering from 2011-2015 as the baseline conditions which largely miss the cumulative impact of the past 38 years of erosion issues along the shorelines of Mobile Bay and Dauphin Island.

## **INCLUSION OF INDIRECT IMPACTS**

Under NEPA, the Corps must identify all indirect impacts resulting from the proposed ship channel enlargement<sup>5</sup> and perform compensatory mitigation for any unavoidable impacts. Indirect impacts are defined by NEPA as those impacts “caused by the action and are later in time and farther removed in distance, but are still reasonably foreseeable.” These impacts “...may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems” (40 CFR § 1508.8).

The Corps is required to understand and predict the induced growth and encroachment or alteration effects<sup>6</sup> that will occur from the proposed ship channel enlargement and the indirect impacts that will occur from this induced growth. The high likelihood of induced growth is outlined by information provided by the Corps regarding this proposed project. In slides from the Corps’ public meeting in September 2017, the Corps stated that there was a record 19% growth in containerized cargo in 2016 and a 25% increase in truck traffic with the build out of the container terminal.<sup>7</sup> Based on this evidence provided by the Corps, the enlargement of the Port of Mobile will induce substantial growth not only around the Port of Mobile but also throughout the greater Mobile area as associated business, distributors, and suppliers grow to meet the needs of the expanded Port of Mobile. While this growth is a good thing for the economy of the Mobile area, the Corps must factor the indirect effects of this induced growth into its DSEIS.

## **AIR QUALITY CONCERNS**

To ensure compliance with NEPA requirements, the Corps must evaluate the previous study conducted in 1980 (and several USACE reports since then) to determine historic impacts on air quality. By only considering 2011 as the baseline conditions, cumulative impacts of the past 38 years on air quality are left unaddressed.

Although the Corps conducted an air quality analysis model to assess the Clean Air Act criterion air

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<sup>5</sup> 40 C.F.R. § 1508.8

<sup>6</sup> 3 NCHRP Report 466, “Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects” (2002), p. 55.

<sup>7</sup> USACE Public Scoping Meeting Slides

contaminants, the model is based on an assumption of fewer ships calling at the port after implantation. Results predicted by the Corps indicate “the short-duration (e.g., worst-case) daily emissions at the port including vaporized volatile organic compounds released during the fueling process between larger ships and fuel farms could increase as a result of introducing large vessels, but the overall annual emissions associated with ship traffic would likely be less under the implementation of the TSP than the No Action Alternative” (5.14.3. Future Maintenance pg. 5-64). However, the Corps cannot accurately predict this. “Given the uncertainty of the mix and size of vessels using the port and the change in vessel travel time after channel deepening, a precise calculation of the annual emissions is not feasible.” It is unacceptable for the Corps to have several impact analyses that contain an assumption that has yet to be validated and has been stated by the Corps as “uncertain”.

The increase in truck traffic associated with the build out of the container terminal would result in an approximate 25% increase in truck traffic. Truck transportation related emissions would also increase as a result (by 25%), but the Corps has not studied the emission impacts to the travel corridors. The Corps must enumerate the air emissions anticipated from the increase in truck traffic and what areas will experience the highest increase in emissions. This is an indirect impact that must be acknowledged by the Corps and further studies are required to quantify this impact as a result of the project implementation. The Corps must offset these impacts with mitigation projects such as land acquisition, planting trees, creating parks, etc.

## SHIP WAKE IMPACT ANALYSIS

The Corps conducted a ship wake analysis by estimating the Vessel Generated Wave Energy (VGWE) to see if the VGWE increases as a result of the project. We have concerns with several specifics of this study and question if all potential impacts were considered and studied.

The field portion of the investigation included “a suite of five pressure sensors located north of Gaillard Island” and site locations were chosen “based on availability of existing infrastructure to affix instrumentation” (Figure 1) (5.3.1.2.1. Ship Wake pg. 5-1). Although more easily available, these locations pose potential bias in the overall VGWE estimation. According to the 2016 calendar year, AIS database’s summary of vessel speed, the upper and middle bay sections of the channel include the lowest vessel speeds (Figure 2). This location bias of these sensors must be accounted for when computing the VGWE.



Figure 1. VGWE field verification locations for sensor data extrapolated from Draft SEIS

Another factor not clearly incorporated into the equation is the projected load of the ships, impacting the draft of the ships. Currently, the container vessels travelling in the channel are approximately half-loaded due to depth restrictions in the channel. The Corps also must account for the change in VGWE when the vessels are fully loaded. The signal received for these vessels will change based on their ability to reach full bell. The Corps must account for this when looking at the difference of VGWE generated with the project implementation.

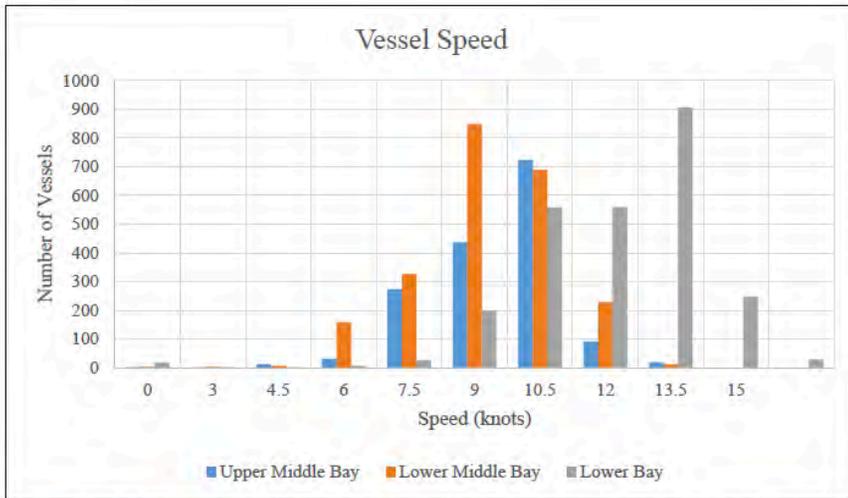


Figure 2. Variation of vessel speed for all classes and categories in Mobile Bay, Alabama with respect to three locations of interest extrapolated from Draft SEIS

The VGWE calculated also looks to be lacking incorporation of the projected fleet with project. Looking at the forecasted vessels calling to the Mobile Harbor, by 2035, the PPXGn3 will account for 27% of tonnage distribution, however this vessel class was not included in the computed VGWE (Table 1). The Corps must include this, especially when it is expected to make up a large portion of the expected fleet composition over the study period. This lack of information could impact the accuracy of the Corps conclusion.

Table 1. Computed VGWE of with and without project scenarios extrapolated from Draft SEIS

Vessel Class	2025 Arrival				2025 Departure			
	# of Vessels		VGWE		# of Vessels		VGWE	
	w/o Project	w/ Project	w/o Project	w/ Project	w/o Project	w/ Project	w/o Project	w/ Project
Bulk Carrier 1								
Bulk Carrier 2	4		0.048		3		0.106	
Bulk Carrier 3	229	223	3.303	1.914	169	163	4.949	2.800
Bulk Carrier 4	250	250	3.389	2.009	199	200	4.882	3.048
Bulk Carrier 5	38	36	2.051	1.168	39	38	2.562	1.607
Bulk Carrier 6	1	1	0.019	0.011	1	1	0.063	0.039
Bulk Carrier 7	6	6	0.111	0.066	6	6	0.407	0.270
Chemical Tanker	78	78	0.829	0.491	78	78	1.279	0.758
SubPX	10	10	0.220	0.130	10	10	0.199	0.118
Panamax	232	208	6.324	3.358	229	207	6.417	3.403
PPXGn1	117	118	5.214	3.503	119	118	5.363	3.718
PPXGn2	94	94	4.714	3.135	94	92	4.910	3.217
PPXGn3								
Cruise	91	91	1.806	1.071	91	91	1.748	1.036
General Cargo 1	199	199	2.011	1.192	200	200	2.141	1.269
General Cargo 2	146	146	1.623	0.962	147	147	2.096	1.242
Tanker Panamax	32	72	0.696	1.085	29	29	0.392	0.233
Aframax Tanker	72	32	3.294	0.742				
	1599	1564	35.650	20.838	1414	1380	37.514	22.759

In relation to ship wake, the Corps has not looked at energy tolerances for any of the important aquatic resources that are known to have sensitivity to wave energy. The Corps cannot know the project's impact to shorelines, wetlands, SAVs, oysters, etc. when these analyses were not conducted

in the study. Again, the Corps must consider the past impacts of the ship channel on these resources in the study per NEPA requirements.

The Corps needs to evaluate how a Vessel Speed Reduction (VSR) program would impact the project's impact on shorelines and air quality. There are several other locations that have successfully implemented VSR programs to reduce the negative impacts from ship wake and air emissions on their surrounding communities including the Port of Los Angeles, Port of Long Beach, Port of San Diego, Port Authority of New York and New Jersey. Several community members along the western shore of Mobile Bay have expressed great concern about the impacts of the project on their shorelines. The Corps must thoroughly consider this alternative and evaluate how different vessel speeds change the impact analysis. We have also submitted a letter to the Alabama State Port Authority and Mobile Bar Pilots requesting the implementation of a VSR program.

### **OYSTER IMPACT ANALYSIS**

The Eastern Oyster (*Crassostrea virginica*), which is important both commercially and ecologically for the area, is a specific concern for the proposed project and current analyses for the impact on this species is incomplete and inadequate. It is of the utmost importance to accurately portray the oyster larvae movement and local reef recruitment to predict the impact the project will have on the oyster population. One of the main concerns with the proposed alterations to the navigation channel is the potential for more oyster larvae to be flushed out of the bay, reducing oyster recruitment. The Corps lacks accurate information about the movement of oyster larvae in the Mobile Bay system. The Corps must meet with local scientist, Dr. Carmichael (and associated scientists) about the published larvae movement model that includes several years of data and validated model to ensure trends seen in the Corps' model matches or follows trends seen in a highly credible source (40 C.F.R. § 1500.1(b)).

We are concerned with the findings of oyster larvae particle tracking resulting in 100% survivorship even though we know that higher values have been documented in credible models that already exist for Mobile Bay. The Corps concludes, "the oyster model results do not project an increase in larvae flushing out of Mobile Bay under the with channel modification project scenarios (i.e., Scenarios 2 & 4)". One of the major concerns with the model is that the seeding reef was limited to only one run from Brookley Reef. To ensure accuracy, the model must be run from all reefs relative to their productivity and, in particular, from Cedar Point.

The Corps used information provided from Alabama Department of Conservation and Natural Resources (ADCNR) and Alabama Marine Resources Division (MRD) to assess 13 adult oyster reefs for salinity and dissolved oxygen project mortality impacts for juvenile and adult oysters. Reef locations that were used in modeling were limited to only 13 reefs. However, there are additional sites that were not included in the analyses. The Corps must review side-scan sonar data collected through the National Resource Damage Assessment (NRDA) by local scientists including Dr. Sean Powers to include documented natural oyster reefs in the oyster impact analysis. It is also important to include

oyster reefs from Mississippi since it has been documented larvae come in from these sources and that could change with channel modifications.

Projected salinity and dissolved oxygen models need to include more than just physiological impacts to include other factors determining survival. The impact of predators on survival of oysters must be identified in the SEIS. This is particularly important because increases in salinity will likely drive a higher presence of predators such as oyster drills, which could play a major role in overall oyster survival.

### **FISH IMPACT ANALYSIS**

The fisheries assessment analysis indicated, “values exceeding 3 ppt were projected for January – May” (5.8.7.2.1. Project Construction pg. 5-44) particularly at Little Sand Island. The Corps needs to identify what communities live in this area and then determine if they will be impacted from this major shift in salinity values. The Corps must consider evaluating local independent fisheries surveys conducted by Dr. Powers at the University of South Alabama to validate and fill in any data gaps from the data collected by the state and federal agencies. These independent fisheries surveys include trawl, seine, and gill net methods during summer and winter season that may be limited in the current study.

### **BENTHIC COMMUNITY IMPACT ANALYSIS**

Benthic communities are known to play a critical role in the health and functioning of estuarine systems. We are concerned with the current impact analysis and how this may not accurately describe the impact from the proposed project. Sampling was limited to fall and spring and the spring sampling happened in a high freshwater inflow when salinity was less extreme. We suggest taking additional samples or coordinating with local benthic ecologists like Dr. Kelly Dorgan at the Dauphin Island Sea Lab to ensure full impacts to benthic communities are considered on the complete spatial scale. Additionally, we are concerned with a potential data gap in the Corps sampling for benthics. Benthic collection seems to only be from the upper channel and not where the proposed widening activities will take place in the lower Bay.

Although the Corps states that bottom habitats are dominated by polychaetes (who are more resilient to salinity changes), an increase of 1-3 ppt could have significant impacts to other less dominant (but important) species. The Corps must identify and quantify these impacts in more detail to understand the impacts from the proposed project.

### **INVASIVE SPECIES**

Invasive species have the potential to threaten or displace native species, degrade habitats, and spread diseases. With anticipated increases in salinity with the project implementation, the potential for “tropicalization” or introduction of nonnative or invasive species into Mobile Bay and surrounding coastal areas may increase. The Corps must study the potential for the new channel dimensions and increased salinity/temperature regimes to result in more gulf species to enter new, more inland territories.

## **INCONSISTENCY WITH FEWER SHIPS WITH PROJECT IMPLEMENTATION**

In our review, we noticed some inconsistencies with the assumption of fewer ships “With Project” than “Without Project” that needs to be addressed.

Under 1.3.1. Problems, the Corps states that the “principal navigation problem is larger vessels are experiencing transportation delays and inefficiencies due to limited channel depth and width” indicating there is a need to expand to accommodate more ships. The Corps also stated that “existing channel dimensions also restrict many vessels to one-way traffic and in some areas limit transit operations to daylight only” suggesting the operation timeframe could be expanded in the future once the project is complete given a deeper and wider channel. The justification for much of the project is to “accommodate current and anticipated growth in containerized and bulk cargo vessel traffic”. If the project’s justification is to provide a better port for vessels to bring business to, then the assumption that fewer vessels will come post improvement seems counterintuitive.

Similar inconsistencies were seen in the Air Quality analyses. In section 5.14.3. Future Maintenance Section of Air Quality, the Corps states that “Due to the upcoming increase of the number of Post Panamax vessels in the world fleet and the opening of the Panama Canal expansion, the transition of larger vessels in the Gulf of Mexico is anticipated to occur with or without the proposed channel deepening” although does not account for if the improvements are not made, vessels may choose another port to call, reducing the amount of vessels without project.

Most notably, the Corps acknowledges the fact that if the channel is not expanded, vessels could choose another port – “If the channel is not widened and deepened, it is possible that the larger container ships would choose another available harbor for loading and unloading. This would result in less maritime traffic and less rail and vehicular traffic associated with the port” (5.15.1. Hazardous and Toxic Materials under No Action). This is a scenario that is not considered in the study. The Corps must evaluate this if they are basing the impact analyses on an assumption of more ships (and therefore more impacts) without the project than with the project. It is also likely that container ships may choose another port for loading and unloading if that port is more efficient/better cost savings than Mobile Harbor. Both of these possibilities should be considered.

Further, with plans to build the I-10 Bridge in the near future, the potential role in increasing economic growth and capacity in the area needs to be included and evaluated in the DSEIS. The I-10 Bridge may play a role in increasing demand and therefore increasing impacts.

Additionally, the build out of the container terminal, will also increase capacity and demand. With new projects like the \$60 million automobile roll-on, roll-off terminal and Walmart’s \$135 million distribution center is demand not anticipated to grow at a rate that is more than heavily loaded vessels? This must be incorporated into the economic study.

## **CONCERNS WITH IMPACTS TO LITTLE SAND ISLAND**

The Corps has identified potential impacts to resources from the Choctaw Pass Turning Basin expansion but does not consider these to be significant. From the slope stability analyses, it may “require excavation far enough back toward Pinto and Little Sand Island that it would, in effect, remove material that supports nearshore portions of the Pinto Island upland disposal area” (5.4.3.2.1. Post Construction pg. 5-8) and is stated to be finalized during the PED phase of the project. The Corps aquatic resources assessment also concludes potential impacts to “wetland communities that exist on and around Little Sand Island.” Berkowitz et al. (2018) indicates these wetlands “are typical of those found in disturbed areas.” This likely means these wetland resources are needed in order to balance the disturbed system, not as an excuse for them to be insignificant losses.

## **ENVIRONMENTAL JUSTICE CONCERNS**

The Corps must comply with the Executive Order 12898 requiring federal agencies to ensure minority and low-income populations will not experience disproportionately high and adverse impacts from federal projects. Based on the study results indicating a 25% increase in truck traffic, the Corps must also look at the increase of emissions anticipated to be experienced from truck transportation travelling through neighborhoods, including those of minority and low-income populations. The Corps also indicated an increase in trucks carrying hazardous waste across the Cochrane Africatown Bridge by 2.5% that generates an increase of risk for an environmental justice community. Despite both of these increases identified by the study, the Corps has not acknowledged these as impacts necessary to mitigate. The Corps is required to mitigate for any unavoidable impacts as a result of the project implementation, and the increase in truck traffic emissions and increased risk of hazardous waste spills anticipated to be disproportionately experienced by the surrounding environmental justice communities must be communicated and accounted for in the final SEIS.

## **CONSIDERATION OF PLACEMENT SITES**

### *Beneficial Use Areas*

We appreciate the Corps working to find Beneficial Use Areas and considering the community’s input on these options. We appreciate the Corps removing the Upper Beneficial Use Site, the construction of a 1,200-acre marsh island. In general, any option that is selected must be thoroughly studied to ensure the best possible option.

### *Relic Shell Mined Area*

We are concerned with the Corps’ use of 30-year-old surveys to determine the available relic shell mined sites (NOAA surveys between 1960 and 1961 and 1984 and 1987). Structured field verification is absolutely necessary to verify the use of these sites. Several hurricanes and powerful storms have happened since that time and may have changed and settled differently.

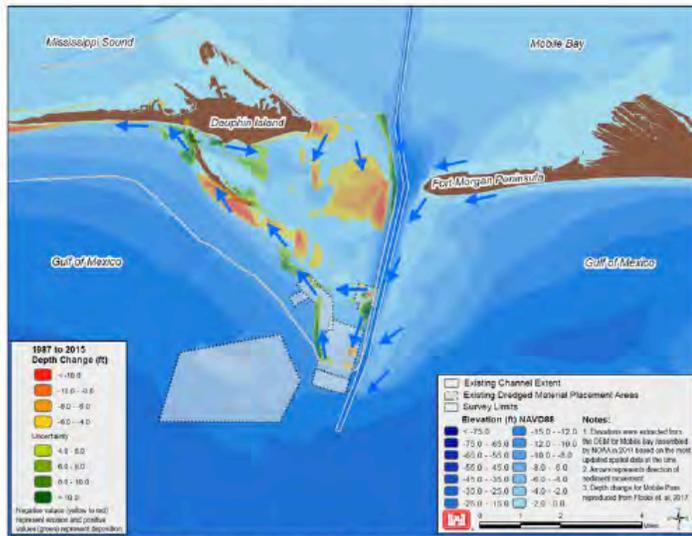
Specifically, scientists have tagged tarpon and red drum that are known to use these areas. Please coordinate with the University of South Alabama to acquire this information. The Corps does recognize, in Section 5.7.2.1., the various species utilizing the relic shell mined areas as habitat.

However, it states that the proposed fill will not destroy habitat. The Corps must acquire expert opinions (scientists, state agencies) to validate that the deeper holes are not utilized as habitat before disposing at these sites.

*Sand Island Beneficial Use Area (SIBUA)*

Given the low rate of replenishment to Dauphin Island, the Corps must expand the area to ensure better return rates and reduce negative impacts to Dauphin Island. If return rates are not accomplished, the Corps then must take an adaptive management approach to ensure it can be adjusted until successful. Furthermore, there should be additional studies to consider how the extension will replenish the W. shore of Dauphin Island and Little Sand Island.

The Corps has stated, “The rate of dredged material placement has been higher than the rate of transport out of SIBUA, leading to decreased depths” which indicates the replenishment to Dauphin Island is not happening at the rate of which was intended. From the Flocks et al 2017 study, we can see erosion along the W. shore of Dauphin Island and Little Sand Island.



Source: Depth change reproduced from Flocks, et. al, 2017.

**Figure 2-9. Mobile Pass Bed Level Change 1987 to 2015 (+/- Erosion/Deposition)**

Approximately 18.6 million cubic yards of new work material will be placed in the expanded Ocean Dredged Material Disposal Site (ODMDS). However, it should be emphasized that the approximately 1.7 million cubic yards of new work material from the Choctaw Pass Turning Basin expansion portion of the project “is anticipated to be predominantly clean sands with some pockets of silty sands” but is currently included in the ODMDS placement. The Corps must indicate in the SEIS that they intend to use this material for Beneficial Use (SIBUA extension or other) unless material is determined unsuitable (4.11.1. New Work Material Placement Options). The Corps must meet with the community to engage input on additional beneficial use placement areas.

### *Maintenance Dredge Material*

The historical sand deficit caused by dredging and removal of sediment needs to be accounted for and added to the cost of further erosion from additional deepening and widening activities (and overall reduction of sediment supply to the littoral zone). Much of the maintenance dredge materials consist of sands found in the outer bar portion of the channel. As maintenance increases with project, and erosion of our shorelines continues to occur, there is a critical need for a better use of this material to replenish shorelines and continue to allow Dauphin Island to serve as a barrier island protecting the inland areas and key habitats that support our fish, crab, shrimp, and oysters.

### **DREDGE MANAGEMENT PLAN**

With such a high occurrence of dredging planned and a large amount of dredge spoil needed for placement, we suggest the Corps consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area. This coordination and planning will improve the Corps ability to manage dredging activities, reduce negative impacts to aquatic species and mammals, and combine efforts for Beneficial Use options.

### **MONITORING**

With a result of “no impact” from the proposed major project, the amount of uncertainty in identifying the impacts of the project, and the level of interest and concern from the community, the Corps should consider implementing a monitoring plan. The plan should extend at least 10 years after construction to ensure all impacts are considered. It should also include areas around dredging operations and beneficial use disposal areas.

### **MITIGATION**

The Corps must consider our suggestions and others’ comments to ensure the project’s draft supplemental environmental impact statement is accurately estimating the unavoidable impacts to our important natural resources. We are very concerned with a project this large being proposed in a sensitive environment like an estuary and resulting in “no impact,” which may indicate these studies *underestimate* the true impact. Once all feasible studies have been performed for the final DSEIS and avoidance and minimization has been considered, any remaining unavoidable adverse impacts to the environment must be addressed through appropriate and practical compensatory mitigation. We suggest including the community and environmental groups in the process of mitigation to select an existing needed project. Any mitigation identified should also directly correlate with the natural resource determined to be adversely impacted from the project’s implementation. Several other port expansions have identified unavoidable impacts to wetlands, dissolved oxygen, and fish stocks. The Corps is required to carefully and comprehensively look at how this major project will impact our precious natural resources and mitigate accordingly.

### **COMMENTS SUMMARIZED**

- As stated in our previous comment letter, we are concerned with the use of a one-year simulation (2010) as the basis of a number of the hydrodynamic, water quality and part of the sediment

transport modeling. These models play a role in identifying the potential impact on aquatic resources and given its limitation to one year, could ultimately underestimate the impact from the proposed project. The application must be at least a three-year simulation with a prolonged drought to better predict conditions post expansion.

- The Environmental Fluid Dynamics Code (EFDC) must include three additional models to show how pathogens, harmful algal blooms, and oil spills will move through the system with the new channel dimensions.
- To ensure compliance with NEPA requirements, the Corps must acknowledge the previous study conducted in 1980 (and several USACE reports since then) to determine historic impacts relevant to the expansion being considered (40 C.F.R. § 1508.7). This is particularly important as impacts to the western shoreline of Mobile Bay and Dauphin Island are historically significant and cannot be ignored.
- The Corps is required to model, understand, and predict the induced growth and encroachment or alteration effects that will occur and identify the indirect impacts that will occur from this induced growth.
- The VGWE may be underestimating the change in wave energy from the proposed expansion. The Corps must account for these inaccuracies and will need to conduct proper impact analyses from wave energy on aquatic resources (oysters, SAVs, etc.) and shoreline erosion.
  - For instance, the study has: 1) bias of sensors based on location and experienced vessel speed, 2) inaccurate expected drawdown measured from existing ship sizes versus those more heavily loaded, and 3) the exclusion of larger vessels like the PPXGn3 anticipated to call at the port post construction.
- Current analyses determining the impact from the proposed project on oysters are incomplete and inadequate.
  - The study fails to use credible high quality data on oyster larvae modeling that has been validated.
  - A major concern with the model for oyster larvae survival is the selection to release from Brookley Reef. The model must be run from all reefs relative to their productivity and, in particular, from Cedar Point.
  - Additional natural reefs exist that the Corps has not considered. The salinity and dissolved oxygen project mortality analysis for juvenile and adult oysters were conducted on only 13 adult oyster reefs provided from ADCNR and MDR. These do not include several other natural reefs that have been identified from local scientists through side-scan sonar methods. The Corps must acquire this data to include these sites in the analyses for the final SEIS.
  - The modeling has also only looked at physiological impacts from salinity increases and not other important factors impacting oyster survival. The Corps must model the potential increase of oyster drills from salinity increase and how that may impact oyster survival rates.
- Wetland impacts may be underestimated from the use of a one-year simulation of 2010 that may limit the ability to predict the extent of saltwater intrusion and the ability to only look at 43% of

the potential impact area. The SLR scenario did indicate 10 acres of wetlands would be inundated, and the Corps considered this to be “negligible.” But the Corps must understand where these 10 acres are to evaluate its importance to the system as a whole.

- Impacts to SAVs have been identified by how they will impact local species that rely on them, including the West Indian Manatee. The study does not adequately incorporate prolonged exposure to salinity, despite its harm to the species in question. The Corps must look at the maximum length of exposure anticipated of higher salinities and how frequent this may occur to determine overall mortality from the proposed project.
- The fisheries assessment analysis indicated, “values exceeding 3 ppt were projected for January – May” particularly at Little Sand Island; and therefore, the Corps must determine if fish species in that area will be impacted from this major shift in salinity values.
- Benthic sampling was limited to fall and spring and primarily in the upper portions of the Bay. The Corps must seek existing datasets or increase field verification to account for these data gaps. An increase of 1-3 ppt in the bottom habitats could mean significant impacts to other less dominant (but important) species. The Corps must identify and quantify these impacts in more detail.
- The Corps must assess the potential increase of nonnative or invasive species entering into Mobile Bay and surrounding coastal areas from increased salinity/temperature as a result of new channel dimensions.
- Inconsistencies exist throughout the DSEIS regarding the Corps’ assumption that fewer ships will use the channel “With Project” than “Without Project” and include unreliable assumptions that must be addressed.
- Impacts that have been identified to Little Sand Island/Pinto Island need to be explained in more detail, and the species currently utilizing this resource needs to be investigated.
- Air quality study contained a recent baseline of 2011; the Corps is required to consider previous impacts from the SEIS in 1980. The Corps’ assumption that there will be fewer ships in the future (and therefore less air impacts) must be validated.
- We are concerned with the indirect impacts of 25% increased truck traffic and a 2.5% increase in petroleum and hazardous materials that will be transported through environmental justice communities. How will the Corps mitigate this impact?
- More current surveys and verification with local scientists and state agency data on fisheries and benthic assemblages are needed to validate the use of the relic shell mined areas for beneficial use of dredge spoil placement.
- We encourage the Corps to use the approximately 1.7 million cubic yards of new work material from the Choctaw Pass Turning Basin that is likely made of clean sands for Beneficial Use and not dispose of in the ODMDS. We encourage the SIBUA be expanded, and suggest the Corps monitor its ability to increase return rates and apply an adaptive management strategy to get the highest effectiveness possible with this site.
- We suggest the Corps consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area.

- The monitoring plan should extend at least 10 years after construction to ensure all impacts are considered. It should also include areas around dredging operations and beneficial use disposal areas.
- We are concerned with a project this large being proposed in a sensitive environment like an estuary and resulting in “no effects,” which may indicate these studies underestimate the true impacts.

Mobile Bay is valuable to several industries including: commercial and recreational fisheries, tourism, coastal development, and recreational activity. Each of these industries contributes significantly to our economic prosperity and growth making it vitally important to evaluate all potential impacts to our natural resources. To protect our economy, community, and quality of life, we must ensure that we mitigate for any impacts associated with a major development project. Mobile Baykeeper recognizes the economic value of the Port as it contributes \$19.4 billion to our regional economy and knows that improvements could make our Port more competitive in the industry.<sup>8</sup> The DSEIS currently contains major data gaps and issues that need to be addressed before the final study release. It is of the utmost importance to thoroughly study the proposed port expansion so that we can grow responsibly and ensure negative impacts to the very natural resources that support so many economic sectors and our quality of life are effectively minimized.

Mobile Baykeeper appreciates the opportunity to provide input on the Mobile Harbor General Reevaluation Report and the DSEIS. We understand this is a long and tenuous process and appreciate the Corps taking the time to address the public’s concerns and take comments into consideration to ensure all impacts are properly evaluated.

Thank you in advance for your consideration and response to each of these comments. We request a written response to each of the provided comments. Please feel free to contact us with any questions at (251)-433-4229.

Sincerely,



Casi (kc) Callaway  
Executive Director



Cade Kistler  
Program Director



Laura Stone Jackson  
Program and Grants Coordinator

Debi Foster  
Peninsula of Mobile

Tammy Herrington  
Conservation Alabama Foundation

CC: Fish and Wildlife Service, Alabama Department of Environmental Management, EPA Region 4

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<sup>8</sup> USACE public scoping document

## Comment 3

**From:** [Rees, Susan I CIV USARMY CESAM \(US\)](#)  
**To:** [Parson, Larry E CIV CESAM CESAD \(US\)](#); [McDonald, Justin S CIV USARMY CESAM \(US\)](#)  
**Subject:** FW: [Non-DoD Source] Mobile Ship Channel Expansion (UNCLASSIFIED)  
**Date:** Wednesday, September 19, 2018 1:50:26 PM

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CLASSIFICATION: UNCLASSIFIED

-----Original Message-----

From: Justine Herlihy [REDACTED]  
Sent: Friday, September 14, 2018 11:07 AM  
To: Rees, Susan I CIV USARMY CESAM (US) <Susan.I.Rees@usace.army.mil>  
Subject: [Non-DoD Source] Mobile Ship Channel Expansion

Susan Rees,

Dear District Commander,

I appreciate your efforts to date and am excited for the possibilities an expansion of our port could bring. In reviewing the draft plan, I can't help but notice the omission of probable environmental impacts. In the history of time, no expansion of this magnitude and many smaller projects have not produced environmental impacts of some kind. The statement of "no impact" is confusing to the public as it goes against ones natural inclination that to alter an otherwise environmentally stable space causes an impact, of some kind, at some point. Our quality of life on the Gulf Coast is dependent on our natural resources and threats to these resources should not be discounted. I am writing to ask the Corps to not skip this very important step and to evaluate the potential impacts. I know the target completion date of this project is a major factor and likely the cause of this grave omission, but once environmental impacts are carelessly overlooked in these moments our natural resources will suffer into perpetuity. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts, to ensure the public can fully trust agency's to do what is right, and does not need to underestimate the lasting impacts an expansion of this size will cause for a lifetime and for future generations:

1. Changes to Salinity (deepening can change saltwater levels) - Too much saltwater can have negative impacts on fisheries including spawning.
2. Bay Shoreline Erosion (from increased ship wake) - Stable shorelines are important because they protect us against storms, provide us with beautiful beaches, wildlife habitat, waterfront homes, and more.
3. Loss of Grass Beds (from ship wake and dredging activities) - We need seagrasses because they provide much of our sea life with a food source and shelter, along with other important services such as improving water quality.
4. Impacts to Sea Life (from dredging activities and saltwater changes) - From the smallest organisms like oysters to the largest ones like manatees, we want to make sure The Corps is studying all of the potential impacts this plan could have on these important creatures.
5. Timing and Method of Dredging (associated with deepening and widening the ship channel) - Poorly managed dredging can cause fish kills and create cloudy water conditions that have a negative impact on seagrass growth and fish feeding.

I value your time and hope that you will value my concerns as this project moves forward. In any decision we make, we have the opportunity to do what is right or what is cheap and easy - I ask you to do what is right for our home.

My Best,

Justine Herlihy



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CLASSIFICATION: UNCLASSIFIED

## Comment 4

**From:** [Gary D. Warner](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] dredging of Mobile ship channel issues  
**Date:** Tuesday, September 18, 2018 10:15:33 AM

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To mitigate for the historic and ongoing erosion of Dauphin Island and the smaller Sand/Pelican Island to the southeast, two separate but related actions are needed;

\* During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and to pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel. However, this mitigation action would only mitigate for the present and future erosion of Dauphin Island.

\* To mitigate the historic shoreline losses of Dauphin Island, a much larger project action is needed. That mitigation measure should move by dredging to the Dauphin Island shoreline the millions of cubic yards of sands the Mobile District has removed from the Bar Channel since 1999 that have accumulated within the so-called Sand Island Beneficial Use Area (SIBUA). Those beach quality sands originally came from the Fort Morgan Peninsula and would have been transported by littoral drift to Dauphin Island if the Mobile District had not intercepted the sands by maintenance dredging of the Bar Channel. The millions of cubic yards of accumulated sands now sit a short distance offshore in waters too deep for them to rejoin the littoral system by natural wave and current action. It is these sands that were removed from the littoral drift system that have contributed to the present "sand starvation" of Dauphin Island. The Town of Dauphin Island developed the design details of a project in 2011 that would use around 4 million cy of these sands at an estimated cost of \$59 million to restore the island's eroded shoreline which could be readily implemented and/or expanded with little further study.

Such a mitigation project could be paid for by either of two viable approaches:

1. According to the Draft GRR/SEIS, the recommended Mobile Harbor deepening project is predicted to generate average net benefits of \$34.5 million per year in excess of cost. Thus, mitigation could be paid for with the benefit stream predicted to be generated in just two years of operation of the deepened channel. All the Mobile District has to do is recommend this mitigation measure be included in the project recommendation to deepen Mobile Harbor.
2. Alternatively, the Mobile District could proactively work with the Alabama State Port Authority, the Governor of Alabama and other parties to select for implementation Project ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

## Comment 5

**From:** [Communications Team](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Tuesday, September 18, 2018 9:52:46 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Boris Kresevljak

Communications Team  
[communications@mobilebaykeeper.org](mailto:communications@mobilebaykeeper.org)

4212 Carmel Drive, North  
Mobile, Alabama 36608

<Blocked<https://u1584542.ct.sendgrid.net/mpss/o/-QA/ni0YAA/t.2kz/1YRJzaqORJat4cMxLn-HfQ/o.gif>>

**From:** [Leaprott, Lacey M](#)  
**To:** [Parson, Larry E CIV CESAM CESAD \(US\)](#); [Kovacevich, Caree C CIV USARMY CESAM \(US\)](#)  
**Cc:** [Hughes, Scott](#); [Brown, Scott](#); [Phelps, Cline Allen](#)  
**Subject:** [Non-DoD Source] FP18-MH01-09 / ACAMP-2018-345A / Public Notice Comments  
**Date:** Tuesday, September 18, 2018 8:49:48 AM  
**Attachments:** [sharp@adem.state.al.us\\_20180918\\_073049.pdf](#)

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Good morning,

Attached are comments received by the ADEM regarding FP18-MH01-09.

Respectfully,

Lacey M. Leaprott

Environmental Scientist, Sr.

Alabama Department of Environmental Management

Mobile Branch | Coastal Section

3664 Dauphin Street, Suite B

Mobile, Alabama 36608-1211

Ph: (251) 304-1176

Fax: (251) 304-1189

lacey.leaprott@adem.alabama.gov <<mailto:lacey.leaprott@adem.alabama.gov>>

## Leaptrott, Lacey M

---

**From:** Michael Freeman <info@email.actionnetwork.org>  
**Sent:** Friday, September 14, 2018 10:39 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

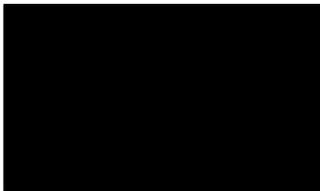
The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,



**Leapcott, Lacey M**

---

**From:** [REDACTED]  
**Sent:** Friday, September 14, 2018 10:42 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

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The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

**Leapcott, Lacey M**

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**From:** Richard Nisbett [REDACTED]  
**Sent:** Friday, September 14, 2018 10:50 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel.

This issue is of vital interest to all of us on the shores of Mobile Bay. No efforts were made to hold public events on the Eastern Shore nor in down-the-bay communities.

It is disingenuous to suggest that there are no far-reaching impacts. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

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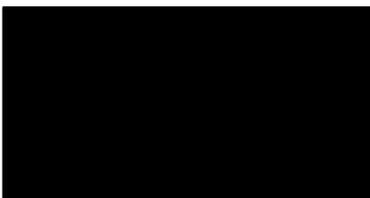
The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

This issue is of vital interest to all of us on the shores of Mobile Bay. No efforts were made to hold public events on the Eastern Shore nor in down-the-bay communities.

Sincerely,

Dr. Richard A. Nisbett



**Leapcott, Lacey M**

---

**From:** Dylan Wells [REDACTED]  
**Sent:** Friday, September 14, 2018 10:59 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

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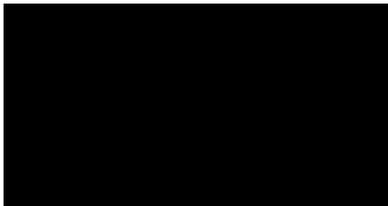
The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

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In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Dylan R. Wells, MD



**Leaptrott, Lacey M**

---

**From:** Mary Kathryn Leev [REDACTED]  
**Sent:** Friday, September 14, 2018 11:02 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I don't live in Mobile anymore but I spent my entire childhood and much of my adult life there. I would be living there if I could. It is forever my home and I feel strongly about protecting what makes it special.

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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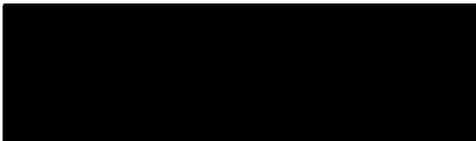
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Sincerely,

Mary Kathryn Leev



**Leaptrott, Lacey M**

---

**From:** Joe Brown jr [REDACTED]  
**Sent:** Friday, September 14, 2018 11:04 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Sincerely,

Joe Brown jr



## Leaptrott, Lacey M

---

**From:** Bill Ishee [REDACTED]  
**Sent:** Friday, September 14, 2018 11:04 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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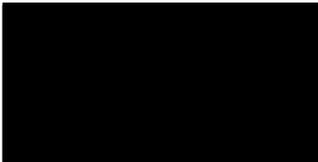
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Sincerely,

Bill Ishee



## Leaptrott, Lacey M

---

**From:** alvin allen [REDACTED]  
**Sent:** Friday, September 14, 2018 11:18 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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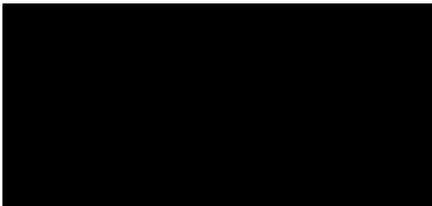
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In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life. I feel that you should look into how the changes will impact the breeding grounds of the shrimp and crabs.

Sincerely, Alvin L. Allen



## Leaptrott, Lacey M

---

**From:** Martha Crosby [REDACTED]  
**Sent:** Friday, September 14, 2018 12:10 PM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

Mobile Bay is very precious. When I was a child there were no Brown Pelicans in Mobile Bay. My father told me that when he was a child there were many pelicans. My children and grandchildren hear this story over and over, so they don't forget that it is our responsibility to protect our environment. For the past 10 years I contributed to Mobile Bay raising baby oysters on my pier as part of the Dauphin Island Sea Lab/Auburn program to replenish the oyster beds. I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

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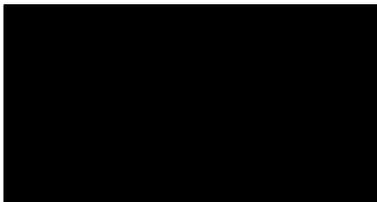
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Sincerely,  
Martha Crosby



## Leaptrott, Lacey M

---

**From:** Ferd Zundel [REDACTED]  
**Sent:** Friday, September 14, 2018 11:56 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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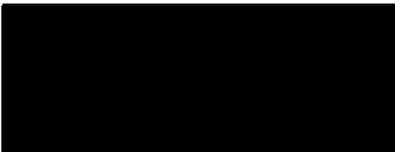
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Sincerely,

Ferd Zundel



**Leaptrott, Lacey M**

---

**From:** JOHN CUTTS [REDACTED]  
**Sent:** Friday, September 14, 2018 11:45 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

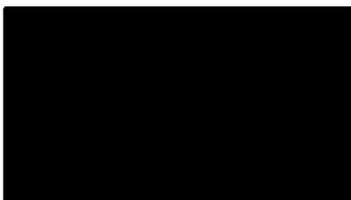
The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

John Cutts



**Leapcott, Lacey M**

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**From:** Walter BOWER [REDACTED]  
**Sent:** Friday, September 14, 2018 11:38 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

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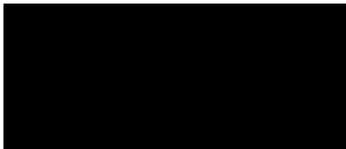
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Sincerely,

Walter BOWER



**Leaptrott, Lacey M**

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**From:** Daniel Deese [REDACTED]  
**Sent:** Friday, September 14, 2018 11:27 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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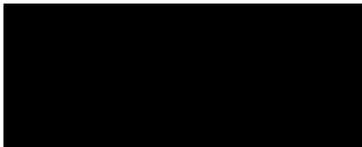
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In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Daniel Deese



Leaptrott, Lacey M

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**From:** James Hood [REDACTED]  
**Sent:** Friday, September 14, 2018 11:25 AM  
**To:** Kelly, Russell  
**Subject:** My comments on the Mobile Ship Channel expansion DSEIS

Russell Kelly,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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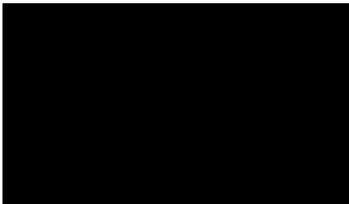
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In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
James Hood

I am a homeowner on the bay of the Eastern Shore and wishing we had our grass beds back like we did 20 years ago. I am farming oysters for fun and helping the bay water, but what is this project going to do to the salinity in the bay? Mobile Bay's economic impact from recreation is far greater and safer than from Industry.



## Comment 20

**From:** [Glen Coffee](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Glen Coffee comments on Mobile Harbor Draft GRR-SEIS  
**Date:** Tuesday, September 18, 2018 12:08:23 AM  
**Attachments:** [2018-9-16 - Glen Coffee comments on Mobile Harbor Draft GRR-SEIS.pdf](#)

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My comments on the Mobile Harbor Draft GRR-SEIS are attached.

Thanks

Glen Coffee



September 16, 2016



COL Sebastien P. Joly, Commander  
US Army Corps of Engineers  
PO Box 2288  
Mobile, Alabama 36628-0001

Dear COL Joly:

This is to provide the Mobile District with my attached comments on the Draft Mobile Harbor Integrated General Reevaluation Report with Supplemental Environmental Impact Statement (Draft GRR/SEIS). In developing my comments, I have tried to provide your staff with an explanation for my views. To help your staff appreciate the essence of each of my comments, I have used bold lettering, so they can concentrate their response on that portion of each comment where I did that.

Many of my comments center around the following three specific issues:

- During the almost 20 years dredged sands have been placed in the existing SIBUA, that disposal site has consistently not functioned as the Mobile District repeatedly said it would in returning sands to the littoral drift system to counter the erosion of Dauphin and Sand/Pelican Islands. Using your staff's own numbers, 58% of the placed sands accumulate annually in the SIBUA. That represents a significant disruption of the littoral drift system. Of the 42% of the sand volume the Mobile District says leaves the SIBUA annually, your staff is unable to say with certainty if that entire percentage rejoins the littoral drift system. The significant historical and ongoing erosion of the two identified islands indicates most of the 42% volume does not reach the islands. The Mobile District has so far provided no scientifically based evidence to support its contention the proposed SIBUA expansion will function any better in restoring sand to the littoral drift system than the current SIBUA configuration has done during the almost 20 years it has existed. The only sure way to adequately bypass dredged sands across the Bar Channel is to discharge the sands in the shallow waters atop the ebb-tidal delta shoal platform (known to fishermen as the Sand Island Bar) that stretches between Sand Island Lighthouse and the east end of Sand/Pelican Island. That method of disposal may add to the cost to maintain the Bar Channel. The concerned public says: So what? The Alabama State Port Authority has enjoyed the benefits of the ship channel for years, while others less well-connected politically have had to bear the brunt of the environmental damages that maintaining the Bar Channel has created – and this does not consider the various environmental resources that are being harmed because Alabama's politicians could care less about those losses. You, as the new Mobile District Commander, have the opportunity to right some of the wrongs that have been allowed to occur over the years.

- Based upon a 14-page Environmental Assessment (EA) and a 404(b)(1) Evaluation Report of essentially the same length, in 2014, the Mobile District determined that a return to open water disposal in Mobile Bay using the thin layer approach would benefit the bay's environment. The EA presented no factual data and referred to no studies or the scientific literature to support the alleged environmental benefits. Instead, only three extremely cryptic and illusionary sentences were contained in the EA, alleging the bay would benefit from having 4,000,000 cy/year of fine-grained sediments spread over thousands of acres of bay bottoms up to a foot in thickness, each and every year in perpetuity or until the thin layer sites could no longer accept more dredged material. The real driving force behind the 2014 change in the disposal method was not unsubstantiated environmental benefits, but the desire to reduce the O&M cost of the Mobile Harbor project by no longer having to carry the dredged material to the offshore ODMDS as required by the WRDA of 1986. What is important for you to know is the Mobile District made the change to thin layer disposal without having the courtesy to ask the public (comprised of diverse groups who depend upon and use the bay for a variety of purposes) what they thought about the thin layer disposal method. An obscure Public Notice distributed on the internet was the only news the public received after the decision was technically made by the Mobile District. Now the GGR/SEIS is recommending a further 500,000 cy/year of sediments that will have to be dredged each year to maintain the increased 5-foot depth of the Bay Channel. The Draft GGR/SEIS references the 2014 EA in repeating the contention the Mobile Bay environment will benefit from the annually repeated disturbance of thousands of bay bottoms being covered with dredged sediments, while again providing no evidence or even a general description as to what the alleged environmental benefits may be. The Draft GGR/SEIS even goes as far as to say that not even the turbidity will be increased in the areas of the bay on which the dredged material will be discharged. If the Mobile District is unable to provide hard evidence and indisputable facts of the alleged environmental benefits to Mobile Bay, the District must reconsider its decision to return to open water disposal in the bay. The public will demand more information on this important and significant environmental impact issue in the Final GRR/SEIS.
- Economic justification of the TSP was based upon an evaluation of benefits and costs over the requisite 50-year period of analysis. The cost side of the BCR of 3.0 is sensitive to the projected O&M costs to dredge and dispose of an estimated 4,500,000 cy/year from the Bay Channel. A thorough study of the Draft GGR/SEIS reveals that the TSP does not represent a complete plan. That is because the report only describes with specificity where the dredged material will be placed during the first 20 years of the TSP's 50-year economic life. Based upon an annual dredging volume of 4,500,000 cy for the Bay Channel, during the last 30 years of the 50-year period of analysis, a total of 135,000,000 cy would be dredged. Since the remaining capacity of the Bay Channel thin layer sites after the first 20 years of use would be 59,594,000, there would be insufficient disposal capacity in the thin layer sites to accommodate 75,406,000 cy (135,000,000 minus 59,594,000) of sediments dredged from the Bay Channel during the final 30 years of the 50-year economic life of the TSP. Even if the future decision is made to use the remaining capacity of 52,000,000 cy in the ODMDS to receive the excess Bay Channel sediments, there would still be a remaining disposal capacity deficit of 23,406,000 cy

(75,406,000 minus 52,000,000) that would have to be satisfied during the final years of the 50-year period of economic analysis. The 23,406,000 cy is equivalent to the total volume of sediments that would be dredged during 5 years of maintenance of the entire 28.7-mile long Bay Channel. Since future satisfaction of that significant disposal capacity deficit could materially influence the cost side of the TSP's BCR, the GRR/SEIS must address the disposal capacity issue in considerably more detail for the entirety of the 50-year period of analysis. Otherwise, the present conceptual life cycle design for the TSP is incomplete since the ability to adequately maintain the deepened channel in a cost-effective and an environmentally sustainable manner is questionable. The incomplete nature of the TSP also creates NEPA compliance issues because the SEIS component of the report is unable to identify and adequately evaluate all potential effects that could result from the TSP.

I appreciate the opportunity to provide you my comments.

Sincerely

A handwritten signature in blue ink, appearing to read "Glendon L. Coffee", with a long horizontal flourish extending to the right.

Glendon L. Coffee

CC:

Sen Doug Jones  
Sen Richard Shelby  
Rep Bradley Byrne

## Glen Coffee's Comments on Mobile Harbor Draft GRR/SEIS

### Procedural Failings of SEIS Component of report

*The Draft GRR/SEIS does not comply with §1508.25 of CEO's NEPA Regulations because it continues the Corps' practice of segmenting the evaluation of Mobile Harbor project impacts by preparing multiple separate NEPA documents.* Section 1508.25 which deals with scope of an EIS (i.e. range of actions, alternatives, and impacts), states that all “**connected actions**” (i.e., interdependent parts of a larger action, that both trigger other actions, and cannot proceed unless other actions are taken previously or simultaneously) should be addressed in the same EIS. This Section of the NEPA regulations also states that “**cumulative actions**” when viewed with other proposed actions having cumulatively significant actions should be discussed in the same EIS. Lastly, the Section defines “**similar actions**” as those having similarities with other proposed agency actions having common timing or geography should be addressed in the same EIS when it is the best way to adequately analyze combined impacts.

The Draft GRR/SEIS represents the continuing Mobile District practice of segmenting disclosure of Mobile Harbor project impacts by preparing numerous individual NEPA documents since 2012 that have incrementally addressed individual actions in preparation for deepening Mobile Harbor. The current GRR treats the incremental deepening of the channel as a separate project by ignoring its implication on the O&M of the entire project.

For example, the July 2018 Draft GRR/SEIS identifies the SIBUA expansion as an element of the existing Without-Project (No Action) Alternative as if the expanded area had already been approved. In reality, the Environmental Assessment addressing the proposed SIBUA expansion was not completed until August 2018, a month after the July 2018 Draft GRR/SEIS was prepared. These two separate NEPA documents for Mobile Harbor had essentially the same public review period. Since expansion of the SIBUA was necessitated in part by the predicted 10-15% increase in maintenance quantities that would result from deepening the Bar Channel, the proposed SIBUA expansion should have been treated as a feature of the TSP of the TSP and included in the Draft GRR/SEIS.

Another example of segmentation is the July 2014 EA that evaluated the effects of converting the Bay Channel maintenance program from offshore disposal to in-bay thin layer disposal. The original authority to deepen Mobile Harbor was provided by the WRDA of 1986 which also required all maintenance material be carried offshore for disposal in the ODMDS. Section 302 of the WRDA of 1996 modified the project to provide the Corps the discretionary authority to “...consider alternatives to disposal of such material in the Gulf of Mexico, including environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration” The July 2014 EA was prepared to evaluate the environmental effects of the conversion to in-bay thin layer disposal on the premise that retention of dredged sediments in the bay would provide alleged, **but unsubstantiated**, environmental benefits to Mobile Bay. The July 2014 EA was prepared a year in advance of the start of the GRR Study. The timing of that event appears to have been an intentional effort by the Mobile District to “segment out” the thin-layer disposal component from the GRR Study so that thin layer disposal of 4,000,000 cy annually dredged sediments from the Bay Channel could be considered as an established and accepted feature of the existing O&M program (i.e., Without Project or No Action Alternative). That would allow the analyses of the TSP With-Project Alternative to consider the additional 500,000 cy/year of dredged material as an additive increment to the already established thin layer disposal practice to maintain the Bay Channel. Thin layer disposal would also allow the economic evaluations to consider the lower cost of thin layer disposal in developing the BCR presented in the Draft GRR/SEIS. In summary, the GRR Study was able to

consider thin layer disposal for the Bay Channel as an established and accepted O&M practice which allowed the GRR/SEIS to concentrate its analyses on only the 500,000 cy/year of to maintain the TSP increment of 5-feet of additional depth for the deepened channel instead having to analyze environmental effects of the entire 4,500,000 cy to be dredged from the Bay Channel and disposed annually by the thin layer method. **Neither the 2014 EA nor the 2018 Draft GRR/SEIS describe how the Mobile Bay system will benefit by disposing of 4,500,000 cy of dredged sediments in a thin layer over thousands of acres of bay bottoms each year in perpetuity.**

Looking beyond the current Draft GRR/SEIS now under review, the Mobile District and the Alabama State Port Authority have received approval (including \$2,500,000) to pursue detailed design, prepare P&S, prepare a separate NEPA document, and to obtain a permit to construct a planned 1,200-acre “beneficial use” dredged material disposal island in Upper Mobile Bay to accommodate future Bay Channel maintenance requirements. That site is referred as the “Upper Mobile Bay Beneficial Use Wetland Creation Site”. However, the Draft GRR/SEIS has intentionally omitted all reference to that planned disposal Corps by excluding all reference to that alleged “beneficial use” site in Section 4.2.3.2 which begins on page 4-17 and in Figure 4-9 on page 4-18 of the Draft GRR/SEIS. Since planning for the 1,200-acre island has moved beyond the concept stage, why did the Mobile District purposefully omit it from the Draft GRR/SEIS? Based upon the Mobile District’s past actions of segmenting NEPA documents, it is an absolute certainty that as soon as the GRR/SEIS is finalized, the Mobile District will pursue the remaining activities leading to construction of the 1,200-acre dredged material disposal island, including preparation of a separate NEPA document.

Based on the above, it is clear that in regards the Mobile Harbor project, the Mobile District has regularly violated the spirit and intent of §1508.25 of CEQ’s NEPA Regulations for years by addressing segments of the project in individual NEPA documents. It is also clear the Mobile District intends to continue that practice until required to stop as a result of a legal challenge. To avoid such a challenge, the Corps needs to develop a Master Plan and associated EIS **identifying all work** required to expand and maintain Mobile Harbor, for at least the next 20 years, with strengthened evaluations of alternatives to satisfy future disposal capacity needs beyond the 20-year planning horizon. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA. The Master Plan should be updated at 5-year intervals to examine the future maintenance capacity needs for the forthcoming 20-year period.

**The Draft GRR/SEIS does not adequately comply with Corps ER 1105-2-100 paragraph 4-1a(1) and §1508.7 of CEQ’s NEPA Regulations concerning the coverage of the impacts of relevant past actions.** Corps agency planning regulation ER 1105-2-100 (dated April 22, 2000) provides guidance that is to be followed by Corps districts when conducting a GRR Study. Paragraph 4-1a(1) clearly describes what a GRR Study is supposed to do:

“(1) General Reevaluation. This is **reanalysis of a previously completed study** [emphasis added], using current planning criteria and policies, which **is required due to changed conditions and/or assumptions** [emphasis added]. The results may affirm the previous plan; reformulate and modify it, as appropriate; or find that no plan is currently justified. The results of the study are documented in a General Reevaluation Report (GRR).”

Section 1508.7 of CEQ's NEPA regulations also requires the cumulative impacts of past actions (including past actions both related to and relevant to the subject project being addressed in the NEPA document):

“Cumulative impact’ is the impact on the environment which results from the incremental impact of the action when added to other **past** [emphasis added], present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions.”

The June 24, 2005 CEQ memorandum to the heads of Federal agencies entitled “Guidance on the Consideration of Past Actions in Cumulative Effects Analysis” is especially applicable because of what it says about the need to consider relevant past actions related to proposed action under evaluation.

“CEQ interprets NEPA and CEQ's NEPA regulations on cumulative effects as requiring analysis and a concise description of the **identifiable present effects of past actions to the extent that they are relevant and useful in analyzing whether the reasonably foreseeable effects of the agency proposal for action and its alternatives may have a continuing, additive and significant relationship to those effects** [emphasis added].”

In fact, the following excerpt from the first paragraph on page 6-2 of the Draft GRR/SEIS dealing with the identification of cumulative impacts acknowledges the GRR Study should have evaluated the effects of past actions in the report:

“For the purpose of evaluating the effects of **past** [emphasis added], present, and reasonably foreseeable future actions, this evaluation focuses on (1) actions that would impact the geographic areas (noted below) that would be impacted by the proposed Federal action, (2) actions that affect the resources that are affected by the proposed action, and (3) the actions that would be induced by the proposed action. In accordance with the intent of the USACE planning modernization initiative, the analysis focuses on specific resources and impact areas of concern and excludes analysis related to areas and resources that would not be meaningfully impacted by the proposed action or induced actions. Also, in accordance with CEQ guidance, "agencies are not required to list or analyze the effects of individual past actions **unless such information is necessary to describe the cumulative effect of all past actions combined** [emphasis added]. Generally, agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions" (Guidance on the Consideration of Past Actions in Cumulative Effects Analysis, CEQ 2005). **Focusing the analysis only on resources where there is a likelihood of reasonably foreseeable cumulative impacts supports the intent of the NEPA process** [emphasis added], which is ‘to reduce paperwork and the accumulation of extraneous background data; and to emphasize real environmental issues and alternatives’ [40 CFR Part 1500.2(b)] (Parson et al. 2015).”

The original 1980 Survey Report/EIS that is being reanalyzed in the current Draft GRR/SEIS failed to address the erosion of Dauphin Island or to evaluate how the recommended deepening of the Mobile Harbor Bar Channel would influence the island's significant erosion in the reasonably foreseeable future. The 1980 report's inexplicable complete silence on the connection between Dauphin Island's erosion issue and channel maintenance was inexcusable in view of the fact a previous 1978 Mobile District report concluded maintenance of the Bar

Channel was contributing to the erosion of Dauphin Island and had been doing so for years. The 1978 report attributed the cause of the erosion to the deposition of dredged sands in offshore Gulf waters that resulted in the sands being removed from the littoral drift system, which prevents the sands from being bypassed across the channel to be available to nourish Dauphin Island.

The public today is much better informed about the Dauphin Island erosion issue and its cause than in 1980. For that reason, the concerned public anticipated the GRR Study would correct the 1980 report's total omission of the Dauphin Island erosion issue in the resulting GRR/SEIS. However, beginning with the January 12, 2016 Scoping Meeting that launched the GRR Study, and despite repeated requests by the public, the Mobile District staff has steadfastly maintained the GRR Study would not consider the past erosional changes that have affected Sand/Pelican and Dauphin Islands since 1980. Instead, the Mobile District staff stated the GRR/SEIS would only evaluate present and projected future changes to the Study Area environment. **The Mobile District staff has never provided the rationale for the GRR Study's narrow evaluation time-frame that conflicts with both Corps agency planning regulations and the CEQ's NEPA regulations requiring past changes that have occurred in the Study Area since the 1980 report. By ignoring the significant erosion that has occurred during the intervening 38 years between the 1980 Survey Report and the present Draft GRR/SEIS, the GRR Study is continuing to perpetuate the original error of omission of the erosion issue in the 1980 report.**

The Draft GRR/SEIS acknowledges that of the 624,000 cy of dredged sands placed in the SIBUA on an average annual basis, only 260,000 cy is estimated to move out of the SIBUA. The Corps also has no study results to say with certainty where the 260,000 cy goes after leaving the SIBUA or what portion of that volume rejoins the littoral drift system to be ultimately transported to Dauphin Island. The accumulation of around 364,000 cy (624,000 minus 260,000) of accumulation dredged sands placed in the SIBUA represents a significant interruption of 58% of the natural littoral drift system moving west from the Fort Morgan peninsula annually. That interruption has been occurring each year for the last 19 years of the 38-year period. Thus, a theoretical total of 6,916,000 cy of sand has been removed from the littoral drift system by accumulating within the SIBUA during the most recent 19 years since use of the SIBUA began in 1999. Even more significant, all sands dredged from the Bar Channel between 1980 and 1999, totaling 14,588,078 cy, were disposed offshore in the deeper waters of the ODMDS. That maintenance practice in that 19-year period essentially intercepted 100% of the natural littoral drift, carrying it offshore for disposal, where it was permanently lost from the Alabama's western nearshore littoral drift system. The combined disruption and probable loss of around 21,600,000 CY (6,916,000 plus 14,672,078) of sands from the littoral drift sands over the last 38 years represents a significant cumulative past impact directly and indirectly attributable to maintenance of the Bar Channel. It also represents a valuable resource loss that has never been mitigated because the Corps consistently refuses to accept responsibility for the historic littoral drift sand losses resulting from maintenance of the Bar Channel.

The Draft GRR/SEIS provides no information as to whether the proposed SIBUA expansion will be more effective in bypassing dredged sands to return to littoral drift system west of the channel. Thus, it is likely the past and present disruption of the littoral drift system will likely continue unchecked into the reasonably foreseeable future. Those impacts will to be manifested in the continuing erosion of Sand/Pelican and Dauphin Islands. That erosion will continue until the Mobile District finally relents and begins to discharge the dredged sands in the shallow areas

atop the western ebb-tidal delta shoal between the Sand Island Lighthouse and the east end of Sand/Pelican Island.

The continued erosion of Sand/Pelican and Dauphin Islands since 1980 certainly represents a significant “changed condition” – not only within the Study Area, but also within the immediate Project Area since the SIBUA is the only disposal site designated to receive maintenance dredged sands from the Bar Channel. The 1980 Survey Report was deficient by completely ignoring Dauphin Island’s erosion and the contributing role maintenance of the Bar Channel plays in the erosion problem, despite the clear fact the Mobile District was well aware of the erosion issue because the problem had been thoroughly analyzed in a previous 1978 report.

**In conclusion, the historic and ongoing erosion problem clearly represents a relevant issue associated with maintenance of the Bar Channel that is proposed for deepening. The identifiable past and present erosion of Sand/Pelican and Dauphin Islands has resulted from the effects of past maintenance actions that are relevant to and useful in analyzing whether the reasonably foreseeable effects of the proposed channel deepening may have a continuing, additive and significant relationship to the shoreline erosion effects. Based upon the above analysis, the Draft GRR/SEIS is deficient because it fails to adequately comply with §1508.7 of CEQ’s NEPA Regulations by not analyzing the effects and consequences of past impacts of channel maintenance on the erosion problem. The Draft GRR/SIS also fails to adequately comply with paragraph 4-1a(1) of Corps ER 1105-2-100 by not considering: (1) the effects of the significant erosion of Sand/Pelican and Dauphin Islands; (2) how the past erosion has changed conditions within the Study Area since 1980; and (3) if the proposed channel deepening could, after considering the effects of the past and present effects of current Bar Channel maintenance practices exacerbate the effects on shoreline erosion.**

### **Executive Summary**

The discussion of “Areas of Concern and Unresolved Issues” beginning on page ES-6 identifies several issues of concern to the public. The following comments are offered.

- ***Channel dredging disrupts the sediment transport to Dauphin Island.*** The public does not accept the results of the Corps’ numerical modeling studies that “...indicate minimal differences in morphologic change in the nearshore areas of Dauphin Island and Pelican Island as a result of the channel modifications”. The public rejects those studies because **the study results do not reflect or explain the observed actual shoreline losses that have occurred since the early 1970s when the Sand/Pelican Island stretched from the Sand Island Lighthouse northwestward to almost touch Dauphin Island.** Since the 1970s, there has been a steady erosive retreat of Sand/Pelican Island to the west. That change has been accompanied by a corresponding equally steady deepening of the remnant bar that now separates Sand/Pelican Island from the lighthouse. At the same time, Dauphin Island’s Gulf shoreline has eroded as much as 200 feet or more to the north and the general topography of the island’s western end has been greatly reduced. At varying times since the 1970s, the amount of annual littoral drift sands completely lost from the western ebb/tidal delta system because of maintenance dredging of the Bar Channel has ranged from as high as 100% to the present 58% based upon: (1) Corps channel maintenance records (see Attachment 1); (2) information presented by the Mobile District at the February 22, 2018 public meeting; (3) various portions of the Draft GRR/SEIS; (4) the findings and conclusions of the Corps’ 1978 report; and (5) the professional views and opinions of numerous credible engineers and scientists that do not

agree with the numerical model study results contained in the Draft GRR/SEIS. The fact that the Draft GRR/SEIS admits up to 58% of the dredged sands now placed in the SIBUA are accumulating instead of rejoining the littoral drift system should be sufficient proof to indicate the models do not reflect actual conditions. The reduction of 58% of the littoral drift sands should be considered to represent a significant impact. **Since the numerical models used are unable to duplicate the actual observed changes that have occurred since the early 1970s in the nearshore areas west of the Sand Island Lighthouse and the Corps has provided no explanations as to why the observed shoreline losses are continuing to occur, it is logical for the public to reject the model analyses because either the model does not have the ability to replicate the observed historic changes or at the very best, the wrong questions are being asked of the model, or the data being fed into the models are either wrong or inadequate.**

- ***Placement location of Bar Channel material.*** The public is withholding support for the proposed SIBUA expansion to the northwest until the Mobile District provides the information identified in the below comments. The Mobile District must also provide assurances that are supported by sound scientific documentation that up to 100% of the dredged sands placed in the proposed SIBUA expansion will be reincorporated into the littoral drift system to nourish Sand/Pelican and Dauphin Islands, instead of the sand continuing to accumulate in the site as has been the case with both previous configurations of the SIBUA in 1999 and 2009, respectfully. The public will no longer accept the Mobile District's verbal promises that the proposed SIBUA expansion will function as promised, which the Corps has done several times since 1999 and with subsequent events proving the Mobile District was consistently wrong. **If the Mobile District really wants 100% of the placed sands to return to the littoral drift system, the District should: (1) require all future discharges of dredged sands be made in the shallow waters atop the ebb-tidal delta shoal between the lighthouse and the east end of Sand/Pelican Island; and (2) discontinue all discharges in waters deeper than 15 feet MLW. In the absence of information being provided by the Mobile District that the two above conditions will be met, there is no reason for the public to expect that the sand accumulation conditions that have characterized the SIBUA since 1999 will not continue into the foreseeable future. Is the Mobile District prepared to accept a continuation of the sand accumulations going forward?**
- ***Shoreline erosion caused by ship wakes.*** As discussed in the below comments, the numerical model used does not adequately reflect real world "wave energy" conditions produced by ship wakes that have been observed and experienced by a large segment of the public. The below comments suggest consideration be given to imposing speed limits on ships, particularly those that are fully loaded.
- ***Identify sufficient disposal site capacity to meet the dredging requirements of the entire Mobile Harbor project for the complete 50-year period of analysis.*** The inability of the Draft GRR/SEIS to identify sufficient maintenance disposal capacity for the Bay Channel increment of the TSP over the entire 50-year period considered is a major concern. The concern is associated not only with the need to satisfy the incremental disposal needs created by the 5-foot additional channel depth increment, but also for the larger requirements of the entire channel that must be satisfied on an annual basis. The Draft GRR/SEIS does not adequately address the long-term disposal capacity issue, nor disclose the potential environmental impacts associated with the Bay Channel maintenance program over the entire 50-year economic life of the TSP and the cumulative disposal capacity needs that the TSP creates and environmental consequences of the full maintenance program for the Bay Channel component of the Mobile Harbor

project. The biggest take away from the report review is that the Corps and the Alabama State Port Authority have no clue as to where all of future maintenance material dredged from the Bay Channel will be placed after the next 20 years. **Given the massive quantity of sediments to be maintenance dredged from the entire project over the next 50 years, the Final GRR/SEIS should devote greater attention to resolving this outstanding need instead of concentrating on justifying the TSP incremental depth increase on economics alone, with no regard for how that increment will be maintained over the entire 50-year economic life of the TSP. The existing ecological and physical constraints within Mobile Bay suggest the Mobile District and Alabama State Port Authority (ASPA) may have already reached the limit in deepening the Mobile Harbor project since it may no longer be possible to adequately maintain the navigation channel in the future without incurring excessive costs to do so and possibly incurring environmental impacts that will finally become unacceptable to most Alabamians. By converting to thin layer disposal in Mobile Bay in 2014 to reduce O&M costs, the Mobile District and the ASPA have created a conundrum of problems, the solutions for which will likely be unacceptable from an environmental standpoint looking forward into the foreseeable future.**

- **The GRR/SEIS should provide a thorough explanation of the channel maintenance related erosion of the ebb/tidal delta and Sand/Pelican Island that has occurred since 1980 and which is attributable to the interruption of the natural flow of littoral drift sands by disposing of 100% of dredged sand offshore in the ODMDS between 1980 and 1999 and due to 58% of the dredged sands accumulating in the SIBUA between 1999 and 2018. That information is not included in the Draft GRR/SEIS.** By selecting 2018 as the Baseline condition for analysis and only considering Present and Future Conditions (see Section 1.2 of Draft GRR/SEIS), the Mobile District has intentionally omitted any consideration of the Mobile Harbor project’s past erosion-related impacts that have never been addressed in a NEPA document. **Instead, the Mobile District has established an analytical timeframe of only present and future conditions so as to intentionally ignore the past erosion of Dauphin Island that occurred between 1980 and 2018. Numerous sources (including the Mobile District’s 1978 report) attribute the historic and ongoing erosion to maintenance of the Bar Channel to be a contributing cause of the erosion. Despite numerous public inquiries during the GRR planning process, the Mobile District has not provided an explanation for the Corps choosing to ignore the 38 years of past shoreline erosion impacts that have significantly weakened Dauphin Island. The Mobile District approach fails to comply with the requirements of the CEQ NEPA regulations and the Corps own planning guidance for GRR Studies.**

### **Sand Island Beneficial Use Area (SIBUA)**

**Explain why Dauphin Island’s erosion related to maintenance of the Bar Channel was not identified or considered in the “Problems and Opportunities” evaluations performed for the GRR Study.** Corps’ Planning Regulations allow Sand/Pelican and Dauphin Islands’ erosion “problem” to have been identified in the GRR as an opportunity to correct the “problem” by beneficially using dredged material in accordance with paragraph 2-3a in ER 1105-2-100. Throughout the GRR planning process, the Mobile District consistently ignored the public’s request to take advantage of the “opportunity” to analyze a WRDA 1996 Section 302 disposal alternative to beneficial use dredged sands to restore Sand/Pelican Island and nourish Dauphin

Island. Based upon 19 years of SIBUA being ineffective, it is unlikely the proposed SIBUA expansion will perform any better in contributing a greater percentage of sands to the littoral drift system. This is particularly true if the Mobile District refuses to place the sands in waters less than 15 feet atop the ebb-tidal delta shoal. **Since 2011 when the Mobile Bay Interagency Working Group was created, the Corps has consistently applied the Section 302 authority to justify proposed “beneficial uses” of dredged material for the Bay Channel, but never to address identify a truly beneficial use of dredged sand from the Bar Channel. Why is that?**

**Provide information showing water depths in proposed SIBUA expansion.** Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion. In addition, all discussions throughout Draft GRR/SEIS dealing with the expansion area should clearly state if future disposal will be placed in water depths less than 15 feet. Available science indicates that because of the low energy wave environment of the northern Gulf Coast, to retain sands in the littoral drift system, sands should not be placed at depths greater than 15 feet, with the amount of sand returned to the littoral drift system increasing with decreasing water depths in which placement occurs. **Since the Corps’ historic assertions that the existing SIBUA configuration would effectively bypass dredged sand to return to the littoral system have consistently been proven to be incorrect over the years, what guarantees can the Corps provide that up to 100% of the sands placed in the SIBUA expansion will be reincorporated into the littoral drift system?**

**The Mobile District admits to disrupting littoral drift of sand west of the Outer Bar Channel.** The Draft GRR/SEIS acknowledges that 364,000 yd of the 624,000 cy of sand placed in the SIBUA on an average annual basis accumulates within the site instead of moving out to rejoin the littoral drift system as intended. That acknowledgement represents the first admission by the Mobile District since its 1978 report that maintenance of the Bar Channel is in fact interrupting the littoral drift process. **That is a significant admission, and the accumulation in the SIBUA of 58% of the dredged sands placed therein on annual basis represents a significant interruption of the littoral drift system which is supported by direct observation of the dramatic erosion and disappearance of Sand/Pelican Island over the last 20 years.**

The Mobile District fought a 10-year Class Action lawsuit over the Dauphin Island erosion issue, finally settling the lawsuit in 2009 by agreeing “...to deposit material dredged from the Bar Channel in the SIBUA and/or the Feeder Berm Disposal Area (the “alternate disposal areas”), subject to...” five different caveats, any one of which could negate the future use of the SIBUA. In view of the Corps’ admission that excessive quantities of dredged sands are accumulating in the SIBUA each year, of the five specified caveats, the following two are directly relevant to the present erosion situation and the ineffectiveness of the SIBUA in returning sands to the littoral drift system:

- (iii) currently unforeseen negative consequences from repeated use of these alternative disposal areas are discovered;
- (v) identification and authorization by the Corps of an area more beneficial to Dauphin Island.

At the time the lawsuit was settled, the Mobile District knew the dredged sands were not moving out of the SIBUA toward Dauphin Island as intended. Instead, the District was aware a significant amount of the sands was in fact accumulating within the SIBUA and creating problems for hopper dredges to operate efficiently. That the Mobile District had full knowledge of the situation is proven by the fact the Corps issued a Public Notice on December 5, 2008

entitled “Expansion of the SIBUA” to the south. Now, less than 10 years later, the Corps is proposing to expand the SIBUA a second time, this time to the northwest (see August 2018 Draft EA on “SIBUA Expansion”). Both times, the primary reason for expanding the SIBUA was because the excessive sand accumulations were interfering with the operations of the hopper dredges. The Mobile District has provided no information on the water depths within the proposed SIBUA expansion or at what depth sand placement will occur. **Until the Corps can provide more substantive information that the new SIBUA expansion will allow up to 100% of the placed sands to return to the littoral drift system, the Corps should be considered to be violating the spirit and intent of the terms of the 2009 Second Addendum to the Lawsuit Settlement Agreement as noted above. One or more of the 1,700 Class members may have the right to challenge the Corps in Court for failing to comply with the terms of the that agreement.**

The Corps admission that dredged sands are accumulating in the SIBUA has fallen short of also connecting the sand accumulation issue with the erosion of Dauphin Island. What is needed is for the Corps to take the next logical step of admitting the accumulating sand is interrupting the natural littoral drift system which means the channel maintenance program is contributing to the erosion of Dauphin Island by reducing the amount of sand transported via the littoral drift to the island. **It appears to the informed public the Corps is refusing to make that admission for fear of exposing the federal government and the Alabama State Port Authority to the costs required to compensate for the shoreline erosion damages the Mobile Harbor project is creating to Sand/Pelican and Dauphin Islands from both historic and ongoing standpoints. By refusing to make that admission, the Corps continues to ignore the findings and conclusions of its 1978 report that clearly demonstrated without question or equivocation that maintenance of the Bar Channel is contributing to the erosion of Dauphin Island.**

**The Corps should mitigate for the historic, present, and future contribution of the Bar Channel maintenance program to the erosion of Dauphin island. Corps dredging data show that since 1980, approximately 72% of the littoral drift sands crossing from the Fort Morgan peninsula have been diverted by channel maintenance and/or completely removed from the nearshore system.** Attachment 1 is a table showing the quantity of sands dredged from the Bar Channel between 1980 and 2016. It is important to note that between 1980 and 1999, 100% of the sands were dumped in the ODMDS which permanently removed them from the littoral drift system. The volumes dumped in each dredging event during that 19-year period often represented the total amount of sand that would have naturally moved from Fort Morgan to Dauphin Island over the course of a single year if the sand had not been intercepted by the dredging action. **Also, of importance, the Mobile District now admits around 58% of the sand placed in the SIBUA accumulates in the site and does not return to the littoral drift system. That means over the course of the 36 years covered by this table alone, of the total of 29,442,209 cy of beach quality sands dredged from the Bar Channel, approximately 21,200,000 cy, or roughly 72% of the littoral drift sands, have been diverted or completely removed from the nearshore system.** If one were to also consider pre-1980 dredging data, the overall percentage of sands lost from the littoral drift system would be dramatically increased. Instead, the Mobile District attempts to convince the public otherwise by pointing to the results of inadequate numerical model studies that do not reflect what has been observed for years in the real world and which was also pointed out in the Mobile District’s own 1978 report. The Mobile District should stop putting so much stock in their unreliable model studies and start doing the right thing by final mitigating for the impacts of maintaining the Bar Channel, impacts that will be intensified in the future under the TSP. The public refuses to continue to be duped by false engineering science that does not reflect real world observed conditions.

## Shoreline Erosion

**The Draft GRR/SEIS provides no documentation to substantiate the claim that shoreline erosion served as a planning constraint in the conduct of the GRR Study. Explain how shoreline erosion served as a planning constraint.**

Pages 1-7 and 1-8 identify shoreline erosion as a planning constraint. However, there is no documentation included in the plan formulation discussion that consideration of both the potential and actual observed shoreline erosion problems had any influence on the development of alternatives to counter shoreline erosion. The report also cryptically states that the shoreline was considered for 10 miles on either side of Mobile Pass. However, the Main Report never discusses the results of such an analysis that is required by statute and Corps engineering regulations. In addition, erosion of Mobile Bay's western shoreline is a serious continuing issue. Examination of time lapse Google Earth photos dating back to the mid-1980s for a length of the Western Shore shows that 300 feet of the shoreline has eroded in areas where small boat traffic is very uncommon. While there is no question storm generated waves have contributed to this erosion, many long-term landowners along the bay have repeatedly stated they have personally observed large waves created by passing ships. Instead of giving credence to the validity of landowner statements, the Corps has relied entirely upon in the results of the numerical Vessel Generated Wave Energy (VGWE) assessment modeling effort to analyze this concern. The results of that assessment indicate ship generated waves only range between 0.02 ft to 0.15 ft, with the highest values being closer to the Mobile Harbor Federal Navigation Channel, decreasing in height moving further from the channel. **Because of the public's concern over ship generated waves and the difficulty of the Corps' permitting process for an individual to receive a permit to protect his/her shoreline, at the very least, the Corps, Coast Guard, and Port Authority should evaluate imposing speed limits on the larger deep draft ships, particularly if fully loaded, to reduce the magnitude of bow waves from passing vessels.** Section 2.3.9.1 leaves the impression that vessel speed is determined entirely by the Mobile Harbor Bar Pilots with no oversight by the Coast Guard or other entity.

**The Mobile District continues to ignore its 1978 report that concluded maintenance of the Outer Bar Channel contributed to the erosion of Dauphin Island, while refusing to state that report has never been retracted.** Page 1-8 lists the 1978 Mobile District report entitled "Draft Feasibility Report for Beach Erosion Control and Hurricane Protection, Mobile County, Alabama (Including Dauphin Island)" as one of the reports on Mobile Harbor prepared in the last 40 years. **However, the very relevant conclusions of the 1978 report are never discussed in the Draft GRR/SEIS. The 1978 report clearly pointed out that maintenance of the Bar Channel contributes to the erosion of Dauphin Island. Through the years, the Mobile District has ignored the existence of the 1978 report and has not pursued effective measures to eliminate channel maintenance as a contributor to the erosion problem. The Mobile District has chosen to ignore its own 1978 report because its conclusions do not agree with the present Mobile District "no effect" position developed during the 2000-2009 lawsuit. The current Mobile District position is largely based upon two contractor reports prepared by the same author that are essentially the same (Byrnes et al., 2008 and 2010). The Mobile District's position on the erosion issue also conflicts with the worldwide literature that consistently shows interruption of the littoral drift of sand across coastal inlets by dredging causes the downdrift shorelines to typically erodes because of "sand starvation", unless the dredged sands are adequately bypassed to maintain the natural sand budget crossing the inlets.**

It was partially due to such universal impact conditions at Corps navigation projects that the Coastal Inlets Research Program (CIRP) was instituted to help Corps districts identify solutions for the erosion problems experienced by downdrift shorelines. If the Mobile District of today disagrees with its own 1978 report, the GRR/SEIS must explain why the earlier very relevant and directly applicable report is incorrect instead of continuing to ignore it. Just because modern numerical model studies can generate colorful graphics, does not mean the conclusions reached from them are any better than the historic hand calculations produced by some of the District's previous and very experienced engineers who were involved in designing many projects still in operation today. **The GRR/SEIS must also explain why Mobile Pass is so unique from other coastal inlets in the nation and around the world that its downdrift shorelines do not react in the same fashion from an erosion standpoint when the littoral drift of sand across Mobile Pass is either completely removed or partially disrupted by maintenance of the Bar Channel. The Mobile District is practicing the use of selective science instead of considering the results of the entire body of science.**

**The Corps has provided no explanation for the significant observed erosion of the western ebb/tidal delta that has occurred since the early 1970s and which has resulted in the steady retreat toward the west and disappearance of Sand and Pelican Islands while at the same time significantly increasing water depths over the eb-tidal delta shoal between the Sand Island Lighthouse and the Sand/Pelican Island.** The discussion of Dauphin Island on page 2-45 should be expanded to adequately describe the serious erosion problem that has been affecting the island's Gulf shoreline and Sand/Pelican Island since 1958 according to a 2007 US Geological Survey report. This would also be the proper location in the report to include references to other papers in the scientific literature that assert maintenance of the Bar Channel contributes to the erosion problem, including the Mobile District's own 1978 report, the accuracy of which has never been disputed by the Mobile District. Lastly, the discussion should summarize the outcome of the 10-year lawsuit settled in 2009, with the US government and State of Alabama paying the Dauphin Island Property Owners Association \$1.5 million and the Corps agreeing to place future maintenance dredged sands in the SIBUA. In return, the 1,700 members of the Class had to give up their right to ever sue the government again over the erosion issue. Despite the settlement, the erosion issue remains a serious point of contention between the concerned public and the Mobile District because the SIBUA has proven after almost 20 years of use to be ineffective in countering Dauphin Island's erosion. In fact, use of the SIBUA now appears to have also contributed to the island's erosion since 58% of the sands placed in the site have accumulated therein. **This is important and pertinent background information and should be thoroughly presented and objectively discussed in the report. For this information not to be included leaves the strong impression the Mobile District is attempting to hide these significant facts about the long-term erosion controversy from the ultimate Corps decision-makers.**

**The discussion on page 2-51 of Sediment Transport at the Coastal/Ebb Tidal Delta gives the impression the views and opinions expressed in the Draft GRR/SEIS represent settled science. Such is not the case and the report should both acknowledge and give equal attention to dissenting views.** The only information and literature references provided are those that are friendly to the Mobile District position that maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. To be completely honest, the Corps should give equal treatment to the numerous other sources that disagree with the Corps position. For example, regarding the Byrnes et al 2008 and 2010 reports, to be accurate and honest with the public, the GRR/SEIS should point out that Dr. Robert G. Dean, the imminently qualified and highly

regarded coastal engineer from the University of Florida who served on the independent team that reviewed the 2008 report, stated the following:

“I regard the findings inconclusive with regard to any impact of dredging and channel maintenance of Mobile Bay Entrance. Thus, I respectfully dissent from concurring ‘that the Corps’ construction, operation and Maintenance Dredging Practices of and at the Channel have not resulted in at least Minimum Measurable Erosion of Dauphin Island’s shoreline.’”

Attachment 3 contains comments on the Byrnes et al 2010 report that were submitted to the Mobile District more than once during the GRR planning process. Since the Mobile District did not provide respond to those comments, they are being resubmitted again as a component of my comments on the Draft GRR/SEIS.

### **Dredged Material Disposal Sites**

**The text accompanying Tables 2-20, 2-21, and 2-22 for the bay thin layer, SIBUA, and ODMDS disposal areas, respectively, should clearly explain how the “capacities” were determined for these three types of disposal areas that all involve open water areas, with each representing distinctly different environments in regard to depth and wave energy.** The text should identify the risk and uncertainty associated with the projected capacity volumes. Such information is essential, given the critical need to assure adequate disposal capacity remains available over the 50-year economic life of the TSP as well as the entire Mobile Harbor project.

**In Section 2.4.4.4, explain the decision criteria that will be used to determine when fine grained sediments dredged from the Bay Channel will be placed in the ODMDS instead of the thin layer disposal sites in the bay.**

**Why has the Mobile District and the EPA found it necessary to pursue such a massive expansion of the ODMDS?** Examination of Table 4-3 and Figure 4-7 reveals the proposed expansion of the ODMDS will be around 500% larger than the existing ODMDS that has been designated for years. The text indicates the EPA has the lead in designating and managing the enlarged ODMDS boundaries. Explain the role the Corps plays in that process and identify which agency recommended the large increase in the size that is being pursued. **Also, the text should explain why it is necessary to expand the ODMDS by 500% since the Corps plans to use the existing designated open water thin layer disposal sites for the Bay Channel as much as possible. Also, provide estimate as to when approval of the enlarged ODMDS could occur. Lastly, is the Draft GRR/SEIS intended to serve as the NEPA document for that expansion, or is a separate NEPA document being prepared, and if so, by whom?**

### **Project Economics**

**A portion of the annual excess benefits should be directed for use in implementing either (1) real beneficial use projects with dredged material from the Mobile Harbor project; (2) adequately documented environmental restoration projects; or (3) actual mitigation for the significant historic adverse impacts of maintaining the ship channel (i.e., countering the erosion of Sand/Pelican and Dauphin Islands).** The Draft GRR states the TSP has a BCR of 3.0, with annual Excess Benefits over cost of \$34.5 million. A portion of the Excess Benefits should be directed to beneficially use dredged material to correct the disruption of littoral drift

sands because of maintenance of the Bar Channel and to restore Sand/Pelican and Dauphin Islands. These features of Alabama's western coastline are key environmental resources that have been historically and significantly adversely impacted by maintenance of the Bar Channel. Other well-supported beneficial uses of dredged material and factual environmental restoration projects should also be pursued to improve Mobile Bay's oyster resources and to prepare other important environmental resources to withstand future near- and long-term SLR.

**The Draft GRR/SEIS Economic Analysis does not show the full true cost of the Mobile Harbor project to the Nation.** Since the proposed deepening of Mobile Harbor is based upon justification of National Economic Development (NED) benefits, the Corps and Congress should be interested in assuring that Mobile Harbor is an appropriate navigation project in which to invest the \$387,000,000 construction cost and the concomitant annual O&M expenditures over the 50-year economic life of the project. This should be an important consideration given the fact our nation is faced with a staggering deficit, with many competing requests for portions of an ever-diminishing annual discretionary budget. For such a consideration, any discussion of Mobile Harbor's economics should begin with the findings of two very relevant Congressional Research Survey reports authored by John Frittelli: "Harbor Maintenance Trust Fund Expenditures" (January 10, 2011), and "Harbor Maintenance Finance and Funding" (September 12, 2013). These two reports were prepared to help Congress arrive at decisions on which of the nation's port projects represent the best value in the competition for funds to deepen their associated channels to attract the larger ships transiting the new Panama Canal.

The 2011 report demonstrated that by requiring a total of \$237,965,413 over the 10-year period FY 1999-FY2008, Mobile Harbor was the second most expensive deep draft navigation project in the nation to maintain. The high costs are primarily due to its 41.1-mile length and the shallow nature of Mobile Bay through which 28.7 miles of the channel pass. The report also pointed out that for that same 10-year period, Mobile Harbor was not included among the nation's top 25 projects for "Value of Imported Cargo". The import fees received from such cargo serve as the source of monies for the Congressionally established Harbor Maintenance Trust Fund (HMTF). The HMTF is used to maintain the nation's deep draft navigation channels through annual distributions made by Congress from the HMTF.

The 2013 report compared the \$8,720,000 of import taxes collected at Mobile Harbor in FY2011 against the Corps' \$23,560,000 budget request to maintain the project for that year. The O&M expenditures for Mobile Harbor exceeded the import taxes collected in FY 2011 by \$14,840,000. Thus, 62% of the total federal cost to maintain the Mobile Harbor ship channel in FY 2011 was subsidized by the import taxes received at other more profitable ports in the nation.

Although more recent analyses have not been conducted of the Mobile Harbor project, it is believed the information presented in the 2011 and 2013 reports still generally represent conditions of today. **That means that in terms of HMTF expenditures, the cost for the federal government to operate and maintain Mobile Harbor may not represent the most prudent expenditure of HMTF monies from a national standpoint. This type of economic information should be considered by high level decision-makers, especially since the Mobile Bay, Dauphin Island, and adjacent coastal environments have had to bear the brunt of unmitigated environmental damages related to channel maintenance over years. The Mobile District and the Alabama State Port Authority have elected to ignore the significance of those adverse impacts over the years, and not share this type of cost information about Mobile Harbor with the media, the public, or others.**

## **Thin layer Disposal of Maintenance Dredged Material in Mobile Bay**

**Additional work is needed to adequately explain the level of effort that was directed at pursuing true beneficial uses of dredged material. The information presented in the Draft GRR/EIS related to beneficial use considerations is sketchy, with most planning efforts being delayed until Pre-Construction Engineering and Design (PED).** On page 1-7, the statement is made that opportunities were devoted to "...beneficially use dredged material for the protection, restoration, and creation of environmental resources". Such a statement represents only so much platitudes for the many statutes and Corps policies that deal with beneficial use of dredged material. The preceding sentence is included because no real evidence provided in the Draft GRR/SEIS plan formulation discussion to show that beneficial use of dredged material was ever given any serious consideration. The use of thin layer disposal for the Bay Channel is primarily being driven by economic considerations to reduce O&M costs since the Mobile District has never provided any scientific proof to demonstrate how the bay's environment benefits from thin layer disposal of 4,500,000 cy (including the TSP volume) that occurs on an annual basis.

Further, despite numerous repeated requests by the public to discontinue use of the SIBUA in favor of a location that would place the dredged sands in shallow waters much less than 15 feet deep, the Corps has responded only by expanding the existing SIBUA to the northwest. In fact, the SIBUA expansion is only being proposed because the sand accumulations within the existing SIBUA boundaries have become problematic for hopper dredges to effectively operate. Thus far, the Corps has provided no assurances that a substantially increased percentage of the sands to be placed in the proposed SIBUA expansion will be reincorporated into the littoral drift system to nourish the eroding shorelines of Sand/Pelican and Dauphin Islands.

**The Mobile District did not provide any scientific information in the prior 2014 EA to support its contention that retaining dredged material within Mobile Bay benefits the bay's environment. The Draft GRR/SEIS continued that information deficiency by simply referencing the prior 2014 EA on this issue. The Draft GRR/SEIS again only makes a very general statement that thin layer disposal will benefit Mobile Bay without describing in detail what those benefits would be or producing evidence from scientific studies to support that contention.** Section 302 of the WRDA amended the Mobile Harbor project authority with the following language:

"In disposing of dredged material from such [Mobile Harbor] project, the Secretary, after compliance with applicable laws and after opportunity for public review and comment, **may** [emphasis added] consider alternatives to disposal of such material in the Gulf of Mexico, including environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration."

**The operative word in the Section 302 discretionary authority is "may" – not "shall" or "will". Unfortunately, the Mobile District is pursuing an interpretation of Section 302 that indicates the Corps has essentially been given the permission to abandon disposal of dredged material in the ODMDS, in favor of various options within Mobile Bay without having to adequately and substantially justify the alleged beneficial uses and/or environmental restoration that would result from a return to dredged material disposal within the bay. In the absence of supporting environmental data to support the basis for**

**the return to in-bay disposal, it appears the change is actually been undertaken to reduce project maintenance costs.**

Examples of the absence of information to substantiate the alleged benefits of disposing fine-grain dredged sediment in the open waters of Mobile Bay can be found by hard searching in the July 2014 “Modification to Mobile Harbor Operations and Maintenance Addition of a Long-Term Open Bay Thin-Layer Disposal Option”. The purpose of the 2014 EA was “...to add open bay disposal as a permanent option associated with maintenance of the Mobile Bay navigation channel”. The only justification given in the EA, to return to thin layer disposal of dredged material in Mobile Bay are the following two unsubstantiated statements:

Page EA-3: “...It is now perceived that the removal of sediment from the Bay’s natural sediment system may not be an environmentally sound method of disposing of the dredged sediment and may have long term negative effects. Reestablishing the option for open bay disposal may contribute to the much-needed conservation efforts for the protection of marshes, sea grasses, oyster reefs, and other ecological resources. By reducing the amount of sediment placed in the ODMDS, more of the bay sediment will be retained in the natural sediment transport system.”

Page EA-4: “...Since that time concerns have been raised whether removing this dredged material from the Bay’s sediment transport system is environmentally sound.”

**The above two quotes represent the sum total of the environmental reasons for returning to open water disposal of 4,000,000 cy/per year of dredged material in Mobile Bay. These two quotes provide no references to studies or the scientific literature to identify or describe what the alleged environmental benefits to Mobile Bay would be and are. Further, the Mobile District has never made any attempt to explain to the concerned public in any public setting what the alleged benefits are to Mobile Bay from open water disposal. The present Draft GRR-SEIS continues the Mobile District’s pattern of not providing the requisite information to support its claims of environmental benefits that are only vaguely alluded to in NEPA documents without the public being assured of the scientific validity of such vague and illusionary claims. The Draft GRR/SEIS bases its recommendation to place the future TSP’s 500,000 cy/year of maintenance material, in the same thin layer sites over the next 50 years that are already receiving 4,000,000 cy/year from the maintenance of the entire Bay Channel. In reality, thin layer disposal, which is already affecting thousands of acres of Mobile Bay bottoms each year, is primarily being driven by the desire to reduce the cost of transporting the dredged material to the ODMDS which would increase by an additional 10 to 15% after the channel is deepened.**

**Detailed information from the studies and literature upon which the Mobile District based the decision that thin layer disposal is beneficial for Mobile Bay must be added to the GRR/DEIS. Otherwise, use of the thin layer sites to receive future TSP maintenance material, as well as material dredged from maintaining existing channel depths cannot be supported from an environmental benefits standpoint. And, merely quoting the Byrnes and Griffiee (2012) report entitled “Sediment Dynamics in Mobile Bay, Alabama: Development of an Operational Sediment Budget” is not sufficient because that report did not address potential environmental benefits of disposing dredged material in Mobile Bay.**

### **Environmental Setting**

**Figure 2-30 is incomplete since it does not show all wetlands occurring within the entire Study Area.** The Study Area depicted on the posters used at the March 16 and September 14, 2017

public meetings showed the Study Area included both Dauphin Island and Mississippi Sound. In particular, the wetlands occurring on the eastern end of Dauphin Island and Little Dauphin Island should be included on Figure 2-30.

**Table 2-28 needs some work.** It includes Stone Crab as a managed commercial species “likely to occur in Mobile Bay”. While it is true that an occasional Stone Crab is caught by commercial and recreational crabbers, the numbers of this species are so small due to the lack of suitable preferred habitat that it does not represent a significant component of the local fishery. Further, why is Stone Crab included under the column entitled “Coastal Migratory Pelagic FMP”? Lastly, why does red drum have two entries and why are they included in the column entitled “Shrimp FMP”?

**The introductory sentence of Section 2.5.6.8 on page 2-84 should be revised.** It should read: “Mobile Bay **Drainage Basin** ranks first in the number of freshwater species in the Southeastern Atlantic and Gulf of Mexico drainages,…”

**Oysters.** Because oysters have a sedentary life style, narrow salinity tolerance range, and sensitivity to turbidity, the species serves as a major “indicator” of the overall health of Mobile Bay. The discussion on salinity issues and dispersal of oyster larvae and spat on page 2-86 should be expanded to explain that oysters are also sensitive to excessive turbidity and suspended solid concentrations, the deposition of which can smother and kill individual animals and entire reefs.

The discussion on page 2-100 dealing with oyster harvests is inadequate. It should emphasize that oyster production in the State of Alabama has historically centered around the natural oyster reefs shown in Figure 2-35. Another major point that must be made is that historical NOAA data from 1950 through 2016 [see Attachment 2] show total annual oyster harvests in Alabama waters have experienced a significant continuing decline during the last decade. Today, many of Alabama’s natural reefs are either closed or very closely managed to prevent their further deterioration and to provide for the resource’s recovery. An important indicator of the poor condition of Alabama’s present-day oyster resources is the fact that almost all oysters shucked in Alabama’s processing houses now come from Mississippi, Louisiana, or Texas waters. The only oyster activity that seems to be doing reasonably well Alabama is the off-bottom culture of oysters grown in suspended cages that was begun a few years ago. To provide a true representation of the existing quality of oyster resources within the Study Area, the GRR should clarify that the recent four years (2013, 2014, 2015, and 2016) selected to develop the GRR’s Baseline represents a significant low point in both oyster production and reef condition for the past 66 years of record as indicated in Attachment 2.

The individual and collective effects of four separate events may have combined to adversely affect Alabama’s natural oyster reefs: (1) Hurricane Katrina Cut in Dauphin Island remained open until 2011; (2) the Deep Water Horizon Oil Spill occurred in 2010; (3) the Corps resumed open water disposal of dredged material in the bay in 2014; and (4) increased predation by oyster drills that favor higher salinity waters. While the exact cause of the oyster harvest decline in Alabama remains unanswered, there are concerns over the near collapse of the State’s oyster fishery because of potential for a “cascade” of adverse effects on other aquatic species that depend upon the habitat provided by living reefs. In addition, the loss of oysters and their ability to filter out suspended solids from bay waters may also have implications on other species requiring more clear waters.

**Remove Maui remya from Table 2-31.** According to US Fish and Wildlife Service data, *Remya mauiensis* is a rare species of flowering plant in the aster family known by the common name Maui remya. It is endemic to Hawaii, where it is known only from the island of Maui. If this Hawaiian species is to be retained in the GRR/SEIS, the basis for its retention should be adequately explained.

**Bay scallops do not occur in Mobile Bay.** Bay scallops do not occur in Mobile Bay, so that species should be eliminated from the Section 2.5.6.9.

**Invasive species discussion needs revision.** Section 2.5.11 identifies the cattle egret as an invasive species. While that fact is technically correct, this species has no relevance to the Mobile Harbor project or the estuarine ecosystem of Mobile Bay. An invasive species not mentioned, among many, which is having a real impact on wetland marsh communities contiguous with Mobile Bay is the Chinese tallow tree (*Triadica sebifera*), and as a result, is more worth mentioning. Also mentioned in the text of invasive species that now occur in Alabama is the Australian spotted jellyfish. Since this marine species occurs in the Gulf, the discussion should be expanded to identify its relevance and concern, if any to Mobile Bay and the Mobile Harbor project. Lastly, the relevance of the freshwater bighead carp to the Mobile Harbor project should also be explained. In short, for any species highlighted in the text should also include information explaining the relevance for doing so in connection with the Mobile Harbor project.

**Discussion of impacts of non-dredging activities on SAV communities need to be revised.** On page 2-73, it should be clarified that damage to SAV from boat propellers is essentially restricted to the extensive “grassbeds” occurring in the expansive shallow water areas in the lower Delta above and below the Causeway and are caused by recreational fishing boats. Also, the potential damage to SAV created by very localized, small scale, and short-term turbidity caused by commercial and recreational shrimp trawling is grossly OVERSTATED for two reasons: (1) shrimp trawling avoids areas of SAV because the vegetation fouls a net; and (2) all turbidity generated by shrimp trawling during the course of a year pales in comparison to that created by large scale continuous dredging and disposal of sediments using the thin layer sites which is the disposal method of choice by the Corps in the bay. The allegation that elevated turbidities created by shrimp trawling is harmful to SAV is ludicrous given the fact the Draft GRR/SEIS contends dredging and disposal operations that thoroughly disturb bottom sediments do not adversely affect turbidity levels. Because of the absurd nature of the blame ascribed to shrimp trawling as being harmful to SAV, all such sentences should be removed from the report.

**Air Quality and Hazardous and Toxic Materials discussion needs expanding.** Section 2.5.12 should be expanded to explain that downtown and midtown residents have filed a lawsuit against the Alabama State Port Authority over the deposition of fugitive coal dust originating from the McDuffie Coal Terminal. The suit deals with harm to both property and human health over concerns for the airborne coal particulate matter that is being carried a considerable distance by winds before settling in residential neighborhoods west of the terminal. Sampling has demonstrated the coal dust is being carried from the storage piles despite required measures at the terminal that are supposed to prevent the escape of coal dust. Given the fact that increased future shipments of coal, as both exports and imports, are projected to occur in the benefit calculations to justify the TSP, the existence of the present lawsuit is very relevant to the SEIS evaluations and the fact that coal dust is in fact being carried offsite from the Port by winds must be discussed in the GRR/SEIS.

Complaints and concerns over the existing occurrence of various petroleum and chemical fumes in the Africatown community and other residential neighborhoods bordering the Port of Mobile, tank farms, and railroads exiting the port facilities have been raised for some time by local residents. These concerns were recently expressed at various City of Mobile land use planning and zoning meetings that have dealt with the possible expansion of the existing tank farms. One topic of concern has been the unusually high incidence of cancer experienced by many longtime residents of Africatown that have suffered from long-term exposure to these various odors. The project economics analyses forecast petroleum and chemical commodity shipments will continue to increase over the next 50 years. Given the existing concerns expressed by local residents over existing escaping vapors from port related facilities, Sections 2.5.12 and 2.5.13 should be expanded to disclose this well-publicized local air quality issue.

**Section 2.5.15 is not correct, CBRA zones do in fact occur within the project area.**

Examination of the August 14, 2015 Draft Map 01-007A of the John H. Chafee Coastal Barrier Resources System clearly shows that designated CBRA zones occur within the Mobile Harbor project area. The March 16, 2016 *Federal Register* also contains a notice entitled “John H. Chafee Coastal Barrier Resources System, Availability of Final Revised Maps for Alabama, Florida, Georgia, Louisiana, Michigan, Minnesota, Mississippi, New York, Ohio, and Wisconsin”. That notice revised the final boundaries of CBRA zones: Q01A - Pelican Island Unit; Q02 - Dauphin Island Unit; and Q02P - Dauphin Island Unit. The same notice also addressed two CBRA zones on the Fort Morgan Peninsula. The continued existence of the Q01A - Pelican Island Unit is continuing to be harmed by the ongoing use of the SIBUA which has contributed to the historic erosion of the island by disrupting the westward flow of littoral drift sands from the Fort Morgan peninsula. In addition, long-term maintenance of the Mobile Harbor Bar Channel, dating back to the mid-1950s has also contributed to the long-term erosion of over 200 feet of historic width from the Gulf Shoreline of Q02 - Dauphin Island Unit according to the 1978 Corps report. If the Corps does not make positive changes to the Bar Channel maintenance program, it is likely each required future 5-year review of these two CBRA zones will continue to experience further shoreline erosion. This section needs to be revised to reflect this past, present, and reasonably foreseeable future conditions for these two relevant CBRA zones.

**Bon Secour NWR discussion needs revision.** The discussion about the Bon Secour NWR on page 2-108 should be expanded to point out the refuge includes an 850-acre unit on Little Dauphin Island.

**Revision needed for Environmental Justice discussion.** The Environmental Justice discussion on page on page 2-114 does not state whether the low-income community in extreme South Mobile County that depends upon commercial fishing for a living is considered in the EJ analyses. Many commercial fishermen and their families in these poor fishing communities live at the poverty level, with their catches and income having been diminished in recent years for a variety of years. Mobile Bay is one of Alabama’s coastal areas in which they work in an attempt to make their living. Representatives from these fishing communities are very concerned about the potential impacts that may result from the Corps’ plans to dispose larger volumes of dredged material within Mobile Bay in the future with implementation of the TSP.

**Sec. 4 - Tentatively Selected Plan**

**An additional table is needed in Section 4 to show the projected future annual maintenance dredging requirements of the TSP.** Such a table should be a companion to the existing Table 4-1 showing the new work dredging requirements for each of the major segments of the TSP. To locate projected maintenance dredging volumes for each of the TSP segments the reader must expend considerable effort searching this very large report before locating that information in Table 4-8 in the Engineering Appendix (Appendix A). The Main Text should include a table similar to Table 4-8 in Appendix A.

**The discussion on page 4-6 stating filling of the relic shell mining areas with new work dredged material will "...restore sediment to the system and improve bay bottom conditions..." should be expanded to provide the data and studies that support this action as a beneficial use.**

As presently written, the reader is required to simply trust the quoted statement is accurate since no substantiating information is provided to support the alleged benefit. Explain in detail what the nature of the alleged benefit is.

The primary reason given for filling these areas is that they experience periods of hypoxia. However, during periods of extreme winter cold, when portions of the bay have been known to freeze and cause winter fish kills, it is likely these same deep areas on the eastern side of the bay also provide thermal refugia that benefit fish attempting to flee the lethal colder shallow waters. However, the document does not address the loss of potential thermal refugia benefit that would be foregone if the areas are filled with dredged sediments.

On page 4-8, clarify if the prevailing depths within the relic shell mining areas to be filled are measured from the water surface or from the ambient bottom surrounding the areas.

On page 4-8, what potential beneficial use considerations were devoted to the 1.8 million cy of new work material to be dredged from the Choctaw Pass Turning Basin? It would represent an irresponsible waste of a potentially beneficial natural resource to transport those sands for disposal in the ODMDS where they would be permanently lost from Coastal Alabama.

Lastly, returning to the above quote, since the relic shell mining areas would be filled with existing sediments already occurring within Mobile Bay, how would this disposal action **restore** sediment to the system? "Restore" is not the correct verb since the new work sediments to be dredged already are present within the bay.

**Identify how dredged material disposal site capacity needs for both the channel deepening increment and the entire Mobile Harbor project will be satisfied after 20 years.** Tables 4-3 and 4-5 state the disposal capacity remaining after 20 years would be 52,000,000 cy for the ODMDS and 59,594,000 cy for the thin layer open water sites within Mobile Bay. The text accompanying these sites should clearly and thoroughly explain how the disposal capacities of these two very different types of open water sites was determined.

The cost side of the BCR reflects the projected future annual dredging costs to maintain the 5-foot additional depth increment of the channel provided by the TSP over the 50-year period of analysis. Disposal capacity planning for the entire Mobile Harbor project should also consider this same 50-year period of analysis to assure the projected outyear maintenance costs are both reasonable and supportable.

This is particularly true for the Bay Channel which has the largest maintenance dredging requirements. Assuming the average annual dredging volume for the Bay Channel (including the

TSP increment) consistently remains at 4,500,000 cy/year as stated in Table 4-5, that means during the final remaining 30 years of the 50-year economic life of the project, a total of 135,000,000 cy would be dredged from the Bay Channel. However, Table 4-5 states that the remaining capacity of the open water thin layer sites after the first 20 years of use would only be 59,594,000 cy. **The simple math indicates after year 20, the Bay Channel segment will begin to suffer from a disposal capacity deficit of 75,406,000 cy that will become more difficult to overcome and will likely increase the cost of the maintenance program in the outyears. The Draft GRR/SEIS is silent on that critical issue.**

The disposal capacity deficit would begin to be manifested at some time after year 20 and would likely increase in severity during the final 30 years of “project life” for Mobile Harbor. The outyear disposal capacity deficit for the Bay Channel is significant, being of sufficient magnitude and importance that the GRR/SEIS **MUST** devote considerable discussion to clearly explain to the decision-makers how the Corps and the Alabama State Port Authority plan to satisfy the project’s disposal needs throughout the future. **As the TSP is presently described, the GRR/SEIS ignores completely the disposal capacity needs after year 20. Given the projected disposal capacity deficit for the longest segment of Mobile Harbor (i.e. 28.7 miles or 70% of the project’s total length) and having the corresponding largest dredging requirement, it is likely the actual outyear channel maintenance costs could eventually have a major influence in lowering the projected BCR to something less than the presently projected 3.0.**

The present discussion does not identify the proposed future disposal site locations after the first 20 years of the project’s 50-year economic life. That approach appears to have been driven solely by Corps planning regulations (i.e., ER1105-2-100, Appendix E, pages E-68 to E-83, Dated 22 April 2000) for “existing” projects. That regulation states “...all Federally maintained navigation projects must demonstrate that there is sufficient dredged material disposal capacity for a **minimum** [emphasis added] of 20 years.” The operative word is “**minimum**” – there is nothing in this regulation dealing with the development of Dredged Material Management Plans (DMMP) requiring the planning horizon to accommodate a navigation project’s future disposal capacity needs be limited to 20 years. Thus, it is entirely permissible for the GRR/SEIS to describe where and how the dredged material disposal capacity would be satisfied over the entire 50-year period of analysis. Further, given the fact that the Draft GRR/SEIS is recommending a major addition to an existing project, it would appear a higher standard should be applied by assuring adequate disposal capacity was available over the entire 50-year period considered to justify the economic feasibility of the project. **In view of the GRR/SEIS’ failure to identify where the dredged material from the TSP increment will be placed over the entire 50-year period of the increment’s economic life causes one to question how valid the cost side is of the presently calculated BCR of 3.0 and the projected annual Excess Benefits over cost of \$34.5 million.**

**Instead, the Mobile District and the Alabama State Port Authority have elected not to do so in the GRR/DESI because it would require considerably more study, effort, and commitments by a variety of entities to specify how the total future disposal capacity needs for TSP and the entire Mobile Harbor project will be satisfied given the uncertainty of the future. Yet, the Corps and the Port Authority are asking the agencies and the concerned public to accept this massive navigation project, that would: (1) dredge 24,082,585 cy during construction; and (2) add 529,900 cy annually to the present 4,859,000 cy dredged each year to maintain the combined River, Channel, and Bar Channels.**

Over the next 50 years, the Mobile Harbor project will continue to exist in Alabama's largest coastal bay, which is also one of the nation's 28 bodies of coastal water included in the National Estuary Program because of its uniqueness, ecological productivity, and regional importance. Given the biological and recreational importance of Mobile Bay, this resource deserves much better attention to the details of where and how 5,388,900 cy (per Table 4-8 in Appendix A) future dredged material will be disposed of, both in the bay and at other surrounding locations, after year 20 – a need that is now ignored in the Draft GRR/SEIS.

**Section 4.2.2.3 should provide supporting information to substantiate the contention that "...sand has been transported out of the SIBUA at a rate of approximately 260,000 cubic yards per year. This material has primarily continued to move northwest to join in with the shallow platform associated with Sand and Pelican Islands". The supporting information should adequately demonstrate the sand moving out of the SIBUA does in fact "...join with the shallow platform associated with Sand and Pelican Islands".** Since the Corps has never monitored the eventual disposition of the sands leaving the SIBUA, upon what tangible information does the Corps base the above quoted statements? Simply relying upon the results of numerical model studies is not sufficient since those models have already been shown not replicate observed conditions in the real world. Direct onsite observation by the public demonstrates beyond any doubt that Sand and Pelican Islands are eroding and have been on a consistent basis even before the SIBUA first began to be used in 1999. **The only thing the Corps can say with absolute certainty based upon its recurring bathymetric surveys, is that a substantial amount of the sands placed in the SIBUA are accumulating on an average annual basis.**

Given the inaccuracy over the last 20 years of the Corps promises that the SIBUA would counter the erosion of Dauphin and Sand/Pelican Islands, the validity of all of sand budget projections contained in Table 4-6 is questionable. Due to the critical importance of the erosion issue and the role maintenance of the Bar Channel contributes to the erosion of Dauphin Island (as per the 1978 Mobile District report) the public has extreme difficulty believing anything the draft GRR/SEIS has to say on this issue. A detailed risk and uncertainty analysis of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the accuracy of Table 4-6 and the related text throughout the entire report.

Further, a major problem with the text on page 4-14 and with Figure 4-8 is that no information is provided to show the existing depths occurring within the proposed SIBUA expansion. Also, the text does not explain where and in what depths dredged material will be disposed in the future. Merely providing Table 4-6 to show the estimated volume capacity within the proposed SIBUA expansion below specific depth increments is not sufficient by itself. **The public wants to see an actual bathymetric map of the proposed site, illustrating the water depths in which the dredged sands will be placed. In addition, the title of the table needs to be revised to clearly state the data presented therein is limited to the expansion area and not to the entire SIBUA site.**

Should the planned sand placement depths in the expansion area exceed 20 feet, it is questionable if the sand accumulation problem that has characterized much of the SIBUA since 1999 will be rectified, but instead only be relocated to an additional area. Should the Corps disagree with this observation, a response should explain in detail why this statement is incorrect.

***Why did the Draft GRR/SEIS not devote greater effort to identifying implementable beneficial use options for inclusion in the TSP?*** Section 4.2.3.2.1 only contains one paragraph dealing with beneficial use as an option to provide the much-needed disposal capacity to maintain the Mobile Harbor project, to include the TSP increment. That single paragraph actually only states that a detailed analysis of beneficial uses will be "...conducted during the PED phase or within a separate study in coordination with the cooperating agencies and the interested public". That approach essentially represents kicking resolution of the disposal capacity deficit "can" down the road. When completed, the Final GRR/SEIS will have spent \$7,800,000 without identifying adequate disposal capacity to accommodate the incremental annual volume of maintenance material to will be dredged to provide the additional 5 feet of channel depth, or to consider where and how that incremental volume will be disposed in combination with other maintenance material for the entire project.

The statement that a separate study will be performed "...in coordination with the cooperating agencies and the interested public" is interesting. Since the Corps formed the Interagency Working Group in 2011 to consider beneficial uses of dredged material within Mobile Bay, the Corps has never devoted any effort to involving the interested public in those study activities. Further, during the course of work on the Draft GRR/SEIS, the public was left with the consistent impression that the Mobile District only held three public meetings so the "public involvement box" could be checked in the planning process. The public was never made to feel that their views were genuinely being sought or that their suggestions would in fact be considered. **What assurances will the Mobile District provide a future study would be conducted differently?**

***The text accompanying Figure 4-9 should be expanded to provide information about each of the beneficial use sites illustrated in the figure but not discussed.*** An explanation is needed as to why each of the sites not included in the TSP were excluded, especially given the fact that the Bay Channel is expected to experience a future disposal capacity deficit at some time after the next 20 years based upon information contained in Table 4-5.

Appropriate text and a table should be provided identifying the constraints that must be overcome to allow each of the sites shown in Figure 4-9 to be used. A case in point is to beneficially place the dredged beach quality sands directly onto Sand/Pelican Island platform at depths considerably less than 15 feet to counter shoreline erosion and loss of these islands. The existing Mobile Harbor authority quoted in Section 1.1 is already sufficient to allow that disposal alternative to be implemented. **Beginning with the Scoping Meeting, the public repeatedly requested the Corps to include an evaluation of that specific disposal option in the GRR Study. However, that request was always met with a polite refusal by the Mobile District staff, without providing an explanation as to why that disposal option would not be analyzed. Please explain why the Mobile District has consistently ignored the concerned public's request to conduct such an evaluation for the Draft GRR/SEIS, and why the Corps is opposed to providing the public with the cost information associated with that disposal option?**

**Additional text should be added to provide a rational explanation as to why Figure 4-9 does not include the planned 1,200-acre dredged material disposal island in the Upper Bay south of the Causeway.** The Corps and Alabama State Port Authority maintain the Mobile Bay Interagency Working Group supports construction of that island as a beneficial use of dredged material to contain future sediments dredged from the Mobile Harbor channel. The island

project was approved on December 9, 2015 by the federal Gulf Coast Ecosystem Restoration Council for Phase 1 planning at a cost of \$2.5 million and a duration of about two years. Initiation of the study has been delayed, allegedly over funds transfer and accounting issues. However, since 2-3/4 years have passed since the Council approved the project proposal, it is strange the funds transfer issue remains unresolved. **The Corps and the Alabama State Port Authority were pursuing this proposed project with great deliberation until segments of the public began asking questions about the proposal and whether the planned island would truly represent a beneficial use of dredged material. During the conduct of the GRR Study, the Mobile District and the Port Authority have gone completely silent on the Upper Bay island disposal option. By doing so, their motivation appears to be based on avoiding having to include having to evaluate the in the GRR/SEIS the island proposal as an option to accommodate a portion of the TSP’s disposal capacity needs. Based upon the past pattern of “segmenting” the Mobile Harbor project components since 2009; once the GRR/SEIS is finalized, the Corps and the Port Authority will likely resume internal actions to pursue construction of the island. By failing to include the proposed 1,200-acre island on Figure 4-9, it appears the Corps is attempting to surreptitiously prevent the public from being made more aware of the proposal to construct the island.**

**What is the influence of channel deepening on the total cost of maintaining the overall Mobile Harbor project?** Section 4.3.1 should be expanded to place into perspective how the annual TSP incremental cost to maintain the proposed deepening of Mobile Harbor influences the project’s total annual Operations and Maintenance (O&M) Budget. The total annual maintenance cost of the complete Mobile Harbor is obtained by adding the incremental annual cost of \$2,358,000 to provide the 5 feet of additional channel depth with the existing federal annual cost to maintain the rest of project’s features. The FY 2017 Congressional appropriations to maintain Mobile Harbor was \$22,389,000. Thus, if these two cost components remained constant into the future, which they will not, the total annual cost to maintain deepened Mobile Harbor project would be increased to \$24,747,000.

**In Section 4.3.6, the risk and uncertainty analysis discussion is superficial and completely inadequate.** It is inadequate because it does not address the following crucial issues: (1) the ability to satisfy future disposal site capacity requirements for the Bay Channel over the 50-year economic life of the project; (2) the validity of the projected annualized maintenance cost; and (3) the various environmental impact assumptions. The sketchiness of the discussion and absence of information on these three important variables makes it impossible to offer any further comments on this section. In short, the brevity of the discussion is not helpful in arriving at a project implementation decision.

**Clarification is needed to better explain potential beneficial uses of dredged material.** On 4-19, explain how dredged material from the Mobile Bay Channel, given its structural qualities, could be used to restore oysters and to construct living shorelines. Also, give an example of how dredged material can raise “...bottom elevation in strategic locations to promote productivity...” or for the “...strategic placement of berms for shoreline protection”.

## **Sec. 5.0 – Environmental Effects**

**The Draft SEIS is deficient because the evaluation of every environmental resource within Mobile Bay that would be affected by the deposition of dredged material from the Bay Channel is incomplete to varying degrees.** That is because, as pointed out in the above

comments on Section 4, consideration of the various tabular data contained therein in concert with the accompanying text shows that after year 20, the Bay Channel segment will begin to suffer from a significant disposal capacity deficit of 75,406,000 cy that will probably become more difficult to overcome and will likely increase maintenance costs during the later outyears. In short, the Mobile District has no idea of where or how it will place maintenance dredged sediments from the Bay Channel during the final 30 years of the economic life of the TSP increment combined with that of the entire project. Since the TSP description does not specify the location of all future disposal areas that will be used to maintain the Bay Channel over the entire 50-year period addressed in the GRR/SEIS, the SEIS component of the integrated report is necessarily deficient because it fails to disclose all foreseeable future impacts that could result from not only the proposed TSP incremental deepening of the channel, but also maintenance of the total navigation project. **Before the GRR/SEIS can be finalized, additional work is required to identify all future disposal sites and their capacities that will likely be used over the next 50 years following the 2018 Baseline Year. All available information indicated the potential adverse impacts to Mobile Bay from future dredged material disposal practices are too significant for the GRR/DEIS to ignore this important NEPA deficiency.**

**Identify the Baseline Year against which the impacts of the TSP will be compared.** The Baseline Year should be clearly identified in the introductory paragraphs of Section 5.0 on page 5-1.

**A speed limit should be imposed on ships transiting the Bay Channel.** Ship wake induced waves generated by moving deep draft vessels in the Bay Channel are a real concern for shoreline property owners, commercial fishermen, and recreational boaters. All can recount actual experiences, if one is willing to listen. The larger the ship, the more loaded it is, and the faster it is traveling combine to generate waves that can be problematic, considering tidal elevation, ambient wave condition, and the distances from the passing ships. The summary provided in Section 5.3.1.2.1 simply states the results of Vessel Generated Wave Energy (VGWE) assessment "...indicates a reduction in vessel generated wave energy for the future With-Project condition relative to the future Without-Project condition". While that may be what the modeling analysis indicated, in the real world of the public observations, ship wake generated waves can pose safety and property threats on occasion and are believed to contribute to the erosion of portions of Mobile Bay's shoreline. What is known is that moving ships routinely reach speeds ranging between 10 and 15 mph. To address the public concerns, the GRR/SEIS should at least address the possibility of imposing speed limits on ships transiting the Bay Channel, particularly loaded vessels. The assessment should also to determine if mandatory speed limits would have material adverse effect on the benefits attributed to the TSP.

**Water quality modeling analysis should have considered a multi-year drought condition to adequately analyze the effects of the TSP and if could alter salinity regimes within Mobile Bay to the point that specific environmental resources could be adversely affected.** As discussed in Section 5.3.3, follow-on environmental resource impact discussions in the Main Report, and in Appendix C that deal with oysters and SAV, water quality modeling of salinity only considered the historic freshwater flow conditions of year 2010. Merely considering annual periods of expected high and low freshwater conditions of a single year is not an adequate approach to determine if the TSP could alter Mobile Bay's salinity regime sufficiently to pose concerns for specific environmental resources.

The greatest prolonged changes in salinity in Mobile Bay occur during periods of sustained low flow that occur during multi-year drought events that affect significant portions of the Mobile

Bay Drainage Basin. Such droughts typically span two to three years, and can influence the extent of certain SAV communities, particularly those “grassbeds” occurring south of the Causeway, until recovery occurs in the years following the drought. In addition, low freshwater discharge conditions caused by droughts can contribute to the decline in oyster harvests as shown in Attachment 2.

If the TSP has the potential to have a measurable influence on SAV communities and/or oyster populations, those effects would be most strongly manifested during periods of “extreme drought”. It should be a relatively easy task to consider the existing hydrologic record to select a representative multiyear drought period to analyze in the model. Extreme drought conditions have occurred several times within the Mobile Bay Drainage Basin since the 1970s and were well publicized when they occurred. In short, the model must be rerun to generate the projected “worst case” salinity regimes that could reasonably be expected to occur in the foreseeable future under the TSP during a multiyear drought. That approach is necessary if the potential effects of the TSP on salinity levels, SAV, oyster drills, oysters, and other key environmental resources in Mobile Bay are to be adequately disclosed in the GRR/SEIS.

**The impacts of shoreline erosion on sea turtle nesting should be discussed.** Section 5.9.1 should be expanded to acknowledge that a contributing consequence of the progressive erosion and retreat of Dauphin Island’s Gulf Shoreline is the low success rate of sea turtle nesting on the island. Local volunteers with the “Share the Beach” program on Dauphin Island regularly locate and monitor sea turtle nests during the spring-summer nesting season, keeping records on the number of nest attempts, clutches laid, and the nests that successfully hatched baby turtles. The volunteers indicate that many failed nest attempts on Dauphin Island occur because of the absence of suitable foreshore elevated areas which results in many female turtles returning to the water without depositing eggs because a suitable nesting location cannot be identified. A large number of other nests are destroyed each year by high wave conditions before their eggs hatch. It is believed the percentage of successful nesting attempts and nests is lower on Dauphin Island compared to Baldwin County’s beaches to the east. The lower percentage is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This information is pertinent because Dauphin Island provides a substantial portion of Alabama’s total Gulf shoreline that is theoretically available for nesting by sea turtles. This information should be verified with be verified and included in the GRR/SEIS.

**Figure 3-17 on page 3-65 in Appendix C - Environmental already shows that maximum salinity concentrations under the TSP would be high enough to create significant concerns in lower Mobile Bay.** This same figure should be prepared for multiyear drought conditions for the With Project Alternative (i.e., TSP) and information provided indicating the exposure duration that be experienced by SAVs, oysters, and other major environmental resources within Mobile Bay.

Because of the potential for the TSP to contribute to changes in salinity concentrations during drought conditions, after the model is rerun, the revised Main Report text discussion should include a table(s) and figures comparing the extent of the drought associated salinity regimes with the TSP. The sites shown in the table and figures should represent key locations in the Study Area in which the modeled TSP condition are compared against without TSP conditions. The Draft GRR/SEIS is too large and complicated to require the non-scientist layman to dig through the scattered locations in the report in search of key impact information occurring in various appendices.

**Identify water depths and specify where and how dredged sands would be placed in the proposed SIBUA expansion.** See comments provided above on the TSP that also apply to the discussions in 5.3.3.1 that deal with the SIBUA proposed expansion area.

**Describe the distances and directions the simulated fluff layer can be carried by prolonged high freshwater discharge conditions and during peak flood and ebb tidal flows.** The discussion on page 5-4 should be expanded to provide the modeled distances over which the simulated fluff layer could be transported under varying hydrodynamic conditions.

The discussion on page 5-4 also summarizes the results of the application of the GSMB-SEDZLJ advanced sediment bed model for thin layer disposal in Mobile Bay. The model considered “...sediment transport throughout the project area...”, indicating “...there would be no expected erosion or changes to the position of the Mobile Bay shorelines resulting from the TSP”. **This finding appears to contradict previous statements that thin layer disposal is beneficial for Mobile Bay. If no changes were detected by the model, then clarify what the benefits are to Mobile Bay from thin layer disposal. The wording sounds like the Mobile District is talking out of both sides of its mouth on this issue.**

**Explain why disposing of maintenance dredged material in open water over thousands of acres of Mobile Bay bottoms will not increase turbidity values above ambient levels.** On page 5-14, the statement is made that “...there would be no expected increase in the concentrations of the turbidity as a result of the implementation of the TSP.” Given the magnitude of the annual maintenance dredging operations and the fine-grained nature of the sediments dredged, this impact statement does not make sense. Explain how this can be. It would be helpful to include a table of modeled values compared against field turbidity measurements.

**Above comments dealing with the future maintenance disposal capacity deficit issue also apply to the discussions on pages 5-18 and 5-19 addressing the SIBUA and ODMDS, respectively.** These discussions should also be revised to address the above comments.

**Supportable scientific proof is needed to substantiate the allegation that the proposed SIBUA expansion will effectively bypass dredged sand to the littoral drift system west of the Bar Channel.** Page 5-23 states that the proposed SIBUA expansion “...provides an effective means of continued bypassing of sand dredged from the Bar Channel to the downdrift littoral system.” The Mobile District has yet to provide definitive information that unquestionably supports this allegation and to demonstrate the dredged sands will not continue to accumulate within the expanded disposal area despite the Corps previous assertions the sands would rejoin the littoral drift system. In short, how does the Mobile District know that the proposed SIBUA expansion “...provides an effective means of continued bypassing of sand dredged from the Bar Channel to the downdrift littoral system.” It is not enough for the GRR/SEIS just to make that statement. The report must provide adequate information to demonstrate the statement is valid. The public will no longer accept such a statement from the Mobile District unless it can demonstrate its reliability.

### **Public Involvement**

Why are the preparer names redacted from the various public comment letters contained in Appendix E? Other Corps reports have not redacted the names of the public.

Examination of the Public Comments in Appendix E compared to the Corps planning considerations and the TSP indicates the public’s views and concerns were largely ignored and

not addressed in the planning process. Major examples include: (2) the failure to address the historic erosion losses of large portions of the west ebb tidal delta platform since 1980; and (2) refusal to consider a Section 302 disposal alternative to restore the eroded Sand/Pelican and Dauphin Islands by improved placement of dredged sands in water depths ranging between 0 and 15 feet atop the crest of the ebb-tidal delta shoal.

## Mobile Harbor Outer Bar Channel Dredging History (1980-2016)

(Source: USACE for the period 1980-2009 and estimated for the period 2010-2016 based on the average annual maintenance quantities reported for the preceding 30 years)

Dredging Date	Gross Quantity Dredged (yd <sup>3</sup> )	Disposal Area Used <sup>1/</sup>
Feb-Dec 1980	1,129,337	Ocean DA
Jan-Mar 1981	610,623	Ocean DA
Dec 1982-Jan 1983	312,408	Ocean DA
Jan-Nov 1984	559,607	Ocean DA
Aug-Oct 1985	1,386,536	Ocean DA
Jan-Feb 1987	656,089	Nearshore Feeder Berm
Feb 1989-May 1990	<sup>2/</sup> 6,755,352	Ocean DA
Aug-Sep 1992	466,607	Ocean DA
Nov-Dec 1995	621,172	Ocean DA
Aug-Dec 1997	710,996	Ocean DA
Sep-Oct 1998	1,279,780	Ocean DA
Aug-Sep 1999	71,380	Ocean DA
	54,600	SIBUA
May-Sep 1999	<sup>3/</sup> 3,061,598	SIBUA
Apr-Jul 2000	758,280	Ocean DA
Mar 2002-May 2002	92,820	SIBUA
Jun 2004	230,110	SIBUA
Oct 2004-Nov 2004	1,184,817	SIBUA
Oct 2004-Jan 2005	1,808,765	SIBUA and at Lighthouse
Aug 2005	67,555	SIBUA
Apr-Jun 2006	487,975	SIBUA
Aug 2007	1,083,860	SIBUA
Nov-Dec 2008	585,430	SIBUA
Sept-Nov 2009	942,817	SIBUA
2010-2016 (estimated)	3,523,698	SIBUA
<b>Total Dredged from Outer Bar Channel</b>	<b>29,442,209</b>	For 37 years 1980-2016
<b>Total Placed in Ocean DA</b>	<b>14,672,078</b>	For 37 years 1980-2016
<b>Total Placed at Nearshore Feeder Berm</b>	<b>656,089</b>	For 1987 only
<b>Total Placed in SIBUA or at Lighthouse</b>	<b>13,124,045</b>	For 37 years 1980-2016
<b>Average annual maintenance dredging quantity</b>	<b>503,385</b>	For 30 years 1980-2009

<sup>1/</sup> Ocean DA – EPA approved open water disposal site in the offshore Gulf of Mexico

SIBUA – Sand Island Beneficial Use Area

<sup>2/</sup> New work deepening from 42 to 47 feet

<sup>3/</sup> New work deepening from 47 to 49 feet.

<sup>4/</sup> Excludes new work deepening in 1989-1990 and 1999

**Method used to estimate maintainedredging quantities 2010-2016 and total dredged 1980-2016:**

**Step 1:** 24,918,514 - (6,755,352 + 3,061,598) = 15,101,564 (O&M dredging only for 1980 through 2009)

**Step 2:** 15,101,564 ÷ 30 = 503,385 yd<sup>3</sup>/year average OM for 30-year period between 1980 and 2009

**Step 3:** 503,385 × 7 = **3,523,695 yd<sup>3</sup>** estimated as being dredged for 7-year period between 2010 and 2016

**Step 4:** 24,918,514 + 3,523,695 = **29,442,209 yd<sup>3</sup>** estimated dredged from Outer Bar Channel (1980 to 2016)

**Oyster Landings for Alabama from 1950 to 2016**  
(includes both reef and off-bottom harvests for recent years)

<b>Year</b>	<b>Pounds of Shucked Meat</b>	<b>\$</b>	<b>Notes</b>
1950	2,070,300	534,116	
1951	2,191,400	761,205	
1952	1,842,000	572,844	
1953	1,449,700	484,413	
1954	739,300	172,510	
1955	1,580,600	338,301	
1956	769,900	174,487	
1957	1,291,200	288,683	
1958	457,600	111,607	
1959	894,800	278,521	
1960	1,169,300	317,045	
1961	508,500	162,412	
1962	442,700	164,527	
1963	995,400	352,577	
1964	1,005,300	324,125	
1965	492,400	206,685	
1966	1,304,500	606,538	
1967	2,087,400	1,007,831	
1968	1,211,800	608,198	
1969	480,700	250,598	
1970	279,400	157,500	
1971	249,500	151,620	
1972	1,069,400	700,636	
1973	590,100	496,302	
1974	732,800	640,657	
1975	638,100	576,149	
1976	1,236,100	1,155,475	
1977	1,549,200	1,548,399	
1978	760,011	846,833	
1979	460,344	479,137	
1980	54,755	72,265	Year after Hurricane Frederic
1981	1,329,925	2,002,392	
1982	1,496,949	2,150,500	
1983	335,666	417,153	
1984	477,248	681,186	
1985	1,441,847	1,811,331	
1986	945,560	1,563,853	
1987	88,307	293,904	Multi-year basin-wide drought?
1988	103,242	276,092	"
1989	11,476	30,828	"
1990	84,055	211,047	"
1991	280,959	497,232	"

1992	1,201,799	1,728,733	
1993	919,618	1,105,992	
1994	711,992	1,077,783	
1995	709,992	1,117,548	
1996	620,910	1,193,043	
1997	695,320	1,397,908	
1998	340,186	783,499	
1999	376,539	918,542	
2000	791,908	1,755,475	
2001	574,902	1,235,314	
2002	759,194	1,602,331	
2003	815,530	1,622,785	
2004	908,181	2,120,392	
2005	1,041,332	3,020,156	Hurricane Katrina
2006	939,662	3,639,233	
2007	768,823	2,697,805	
2008	71,436	243,401	
2009	22,976	76,588	
2010	67,915	390,195	
2011	295,980	1,321,572	Katrina Cut closed in January
2012	265,286	1,252,994	
2013	133,086	786,032	Four years referenced in Corps report
2014	58,066	441,338	"
2015	28,005	340,607	"
2016	38,517	600,765	"

Source: NOAA

**Comments on Byrnes et al 2008 and 2010 reports included with September 23,  
2016 letter to COL James DeLapp.  
The Mobile District did not respond to comments.**

The Mobile District's official position that maintenance of the Outer Bar Channel has had no measurable impact on Dauphin Island appears to be supported by only two contractor prepared reports prepared in 2008 and 2010 -- both by Byrnes et al. Those two reports propose a sediment budget calculated for the Mobile Pass Inlet and Dauphin Island based upon bathymetric mapping and dredging records for the period 1920 through 2002. The contents and findings of the two reports are essentially identical, with the major difference being a slight refinement in the data considered in the 2010 report that resulted in minor adjustments to the proposed sediment budget. **In accepting the conclusions contained in the two Byrnes et al reports, the Mobile District selectively ignored the counter views expressed by several other credible sources, including the 1978 report prepared by the Mobile District that agreed with the conclusions of more recent authors.** Hopefully, the results of the ongoing Alabama Barrier Island Restoration Assessment will finally put this longstanding issue to rest.

Review of the 2010 Byrnes et al report raises the following concerns with the proposed sediment budget:

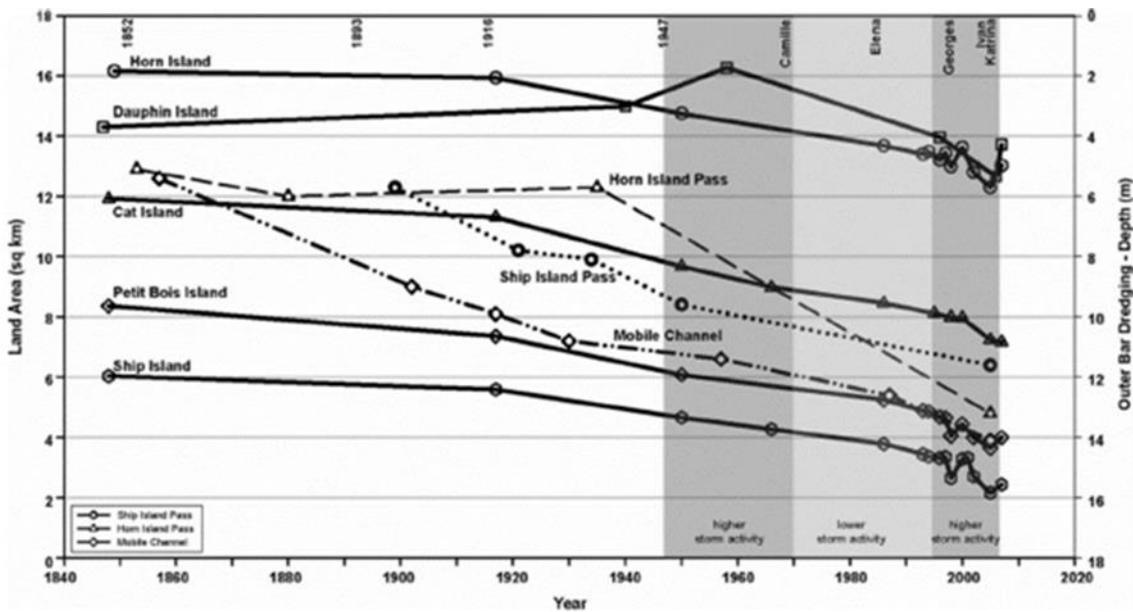
- “Sediment erosion and accretion volumes were quantified for the period 1917/20 to 1986/2002 by comparing (differencing) bathymetric survey data.” That means the estimated sediment volume differences for the areas studied were determined by comparing bathymetric maps produced in specific years over the 82-year period considered. Since the hydrographic survey technology employed to produce bottom depth maps has vastly improved over this period, the accuracy of the depth data obtained from maps produced in the early portion of the 82-year period considered compared to the depth data on maps prepared in recent years is unknown. It should be acknowledged that even a slight error in the quality of the mapping can significantly affect estimated sediment erosion and accretion volumes for specific areas studied.
- The 2010 Byrnes et al report asserts that Dauphin Island's continued expansion to the west at a relatively consistent rate over the 82-year period is evidence indicating the sand supply to the island has not been reduced by maintenance of the Outer Bar Channel. However, the proposed sand budget does not consider the loss of sand from a generalized reduction in the topographic relief of Dauphin Island's populated West End that has occurred since the 1970s. While periodic storm created breaches and washover surge channels have indeed healed through littoral drift processes, there has been an overall diminishment in the island's western surface elevations that have not been restored. Instead of being fed by a “robust sand supply” as suggested by Byrnes et al (2010), the observed westward expansion of Dauphin Island may in fact be due to a combination of the cannibalistic erosion of the Sand-Pelican Island shoals,

**ATTACHMENT 2**

erosion of Dauphin Island's Gulf beaches west of the fishing pier, and to the generalized decrease in the topographic relief of the island's populated West End where washover has become more commonplace during minor storm events.

- In developing the proposed sand budget, Byrnes et al (2008 and 2010) do not directly address the change in Dauphin Island's overall size (including a general narrowing of the island's West End) that began to occur in the latter half of the 82-year period considered. Morton (2007) showed that "...after 1958 [Dauphin] island entered into a net erosional phase that has persisted and most recently accelerated." Morton identified three factors as potentially contributing to Dauphin Island's loss of land: (1) frequent intense storms; (2) sea level rise; and (3) a reduction in sand supply. Land loss on Dauphin Island and its sister barrier islands to the west have consistently occurred since the 1970s even during periods of low storm activity. Tide gauge records do not demonstrate that sea level rise accelerated during this same period.

Morton attributed the rapid increases in the Dauphin Island land loss rates to reduced sand supplies resulting from dredging of the Mobile Outer Bar Channel and to the disposal of the dredged sand in deeper Gulf waters. Morton suggested a strong temporal correlation exists with the channel maintenance dredging activities. The correlation between channel dredging/disposal and Dauphin Island's loss of land indicates the island's sand budget deficit stems from a long-term reduction in sand supply caused by progressively deeper dredging of the Mobile Outer Bar Channel and the removal of the sand from the littoral drift system. Thus, the channel acts as a sediment sink, trapping sand that normally would have bypassed around the ebb-tidal delta and nourished Dauphin Island and the downdrift Mississippi barrier islands. This means the natural sand transport system is disrupted by dredging that removes the sand from the system and disposes of it in deeper water where it cannot be recaptured in its totality back into the system.



**Historical Land Loss for Alabama-Mississippi Barrier Islands (from Morton 2008)**

**Thus, maintenance of the Outer Bar Channel has an indirect influence on Dauphin Island’s historical shoreline changes through induced erosion.** Morton contends that such indirect impacts are sometimes more significant than direct impacts because they remain undetected for long periods of time. His view is supported by the casual recollections of locals who first noticed the beginning of erosion of the Sand-Pelican Island shoals in the early 1970s, that were followed in subsequent years by increasing observations of the sustained erosion now affecting Dauphin Island’s western Gulf shoreline in particular.

- In their proposed sand budget, Byrnes et al (2010) averaged maintenance annual dredging records between 1920 and 2002 to arrive at 287,000 cy/yr of sand being “...extracted from the channel and disposed of offshore.” That amount represents a slight increase in the 274,000 cy/year contained in their 2008 report. The problem with that approach is actual dredging volumes have not remained constant over the entire 82-year period as depicted in the below figure from Byrnes et al (2010).

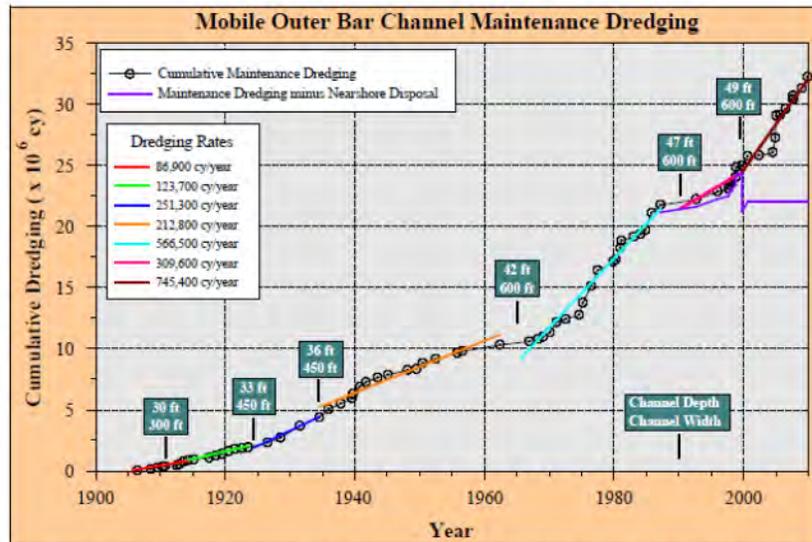


Figure 1-24. Maintenance dredging volumes extracted from the Mobile Outer Bar Channel between 1904 and 2009. Sand extraction rates were determined using linear regression analysis on segments of the curve reflecting changes in channel dimensions with time (data available in Appendix B).

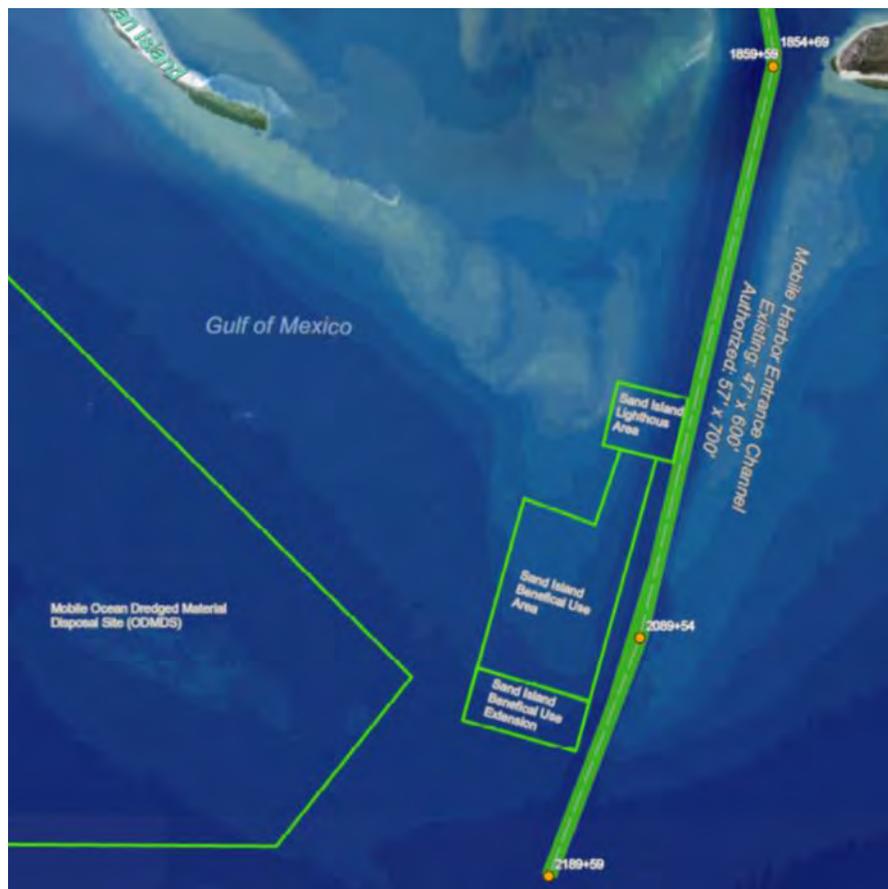
Dredging volumes have actually increased dramatically over the 82-year entire period as shown in the above figure taken from Byrnes et al (2010). Initial shallow dredging of the Mobile Outer Bar Channel had minimal effects on sediment transport when navigation depth requirements were less in the early years compared to the deeper draft requirements of the ships calling on the Port of Mobile today. Byrnes et al (2010) point out that “...between 1956 and 1965, major changes were made to channel width and depth (36’ deep by 450’ wide prior to 1956 and 42’ by 600’ wide after 1965), resulting in a 2.5 to 3-fold increase in maintenance dredging quantities.” The timeframe within which the “major changes were made to channel width and depth” corresponds closely with the finding reported by Morton (2007) that “...after 1958 [Dauphin] island entered into a net erosional phase that has persisted and most recently accelerated”. The dataset considered in the Mobile District’s 1978 report that concluded maintenance of the Outer Bar Channel is contributing to the erosion of Dauphin Island also included these years.

**The Mobile District’s 1980 report neither investigated the influence of maintaining the then existing Outer Bar Channel on the erosion of Dauphin Island, nor the potential effects of the recommended increased channel depth and width to further influence erosion of the island.** Consideration of the volumes actually dredged today will provide a more realistic view of how maintenance of the channel influences the sand budget for the Mobile Pass Inlet and Dauphin Island.

Actual maintenance dredged volumes for the Outer Bar Channel for the 30-year period between 1980 and 2009 are listed in the table on the following page [See **Attachment 1**]. The 30-year period considered includes a series of three increases in channel depth that occurred beginning with 42 feet (originally constructed in 1965), 47 feet (constructed between 1989-90), and the present 49 feet (deepened in 1999). Thus, for this more recent 30-year

period of increased channel depth, the average annual volume of sand dredged and carried offshore for disposal is approximately 503,000 cy. This is almost twice the 287,000 cy/yr used by Byrnes et al. to represent the volume of annual dredged sands considered in their 2010 sand budget model. From a sensitivity analysis standpoint, it would be interesting to see how replacing the current 287,000 cy/yr dredging volume with 503,000 cy/year would affect the sand budget model. It should also be pointed out that in addition to the average annual 503,000 cy/yr of maintenance dredging, an additional almost 10 million cy of sands were dredged to deepen the channel on two separate occasions (i.e., in 1989-90 and 1999) during the 30-year period, with the “new work” dredged sands also being carried to the offshore disposal site out of nearshore littoral drift system. The potential impact on the modern Mobile Pass sand budget from those deepening events is not specifically discussed in the Byrnes et al. 2010 report.

- The Byrnes et al 2010 sand budget indicates 50,000 cy/yr of sand “cross” the Outer Bar Channel from the east. Since the channel is dredged on a one or two-year cycle to provide the 49-foot depth, shoaling rarely reduces effective navigation depths. The maintained channel depth of 49 feet exceeds the depth of the natural 20-foot channel across the bar by almost 30 feet. Because of this great depth, Byrnes et al (2008) refers to the maintained navigation channel as a “gorge”. The sand budget distinguishes the 50,000 cy/yr alleged to cross the channel from the Fort Morgan Peninsula from the 161,000 cy/year hypothesized (see below bullet) to be transported landward to the ebb tidal delta from the Sand Island Beneficial Use Site (SIBUA) that includes depths below the -30-foot contour. The sand budget does explain the physical process responsible for transporting 50,000 cy/yr of sand from the east to the west across the channel “gorge”.
- The above table [**See Attachment 1**] shows the Mobile District began in 1999 to place maintenance dredged sands almost exclusively within the SIBUA, with the intended goal being to keep “...sand removed from the bar channel in the local littoral drift system.” The location of the SIBUA is depicted on the following illustration taken from a Mobile District January 12, 2016 Public Scoping Meeting display. The illustration also shows the relationship of the SIBUA to the Outer Bar Channel, the shallow waters of the Mobile Pass ebb tidal delta above the -30-foot bottom contour, and the offshore Ocean Dredged Material Disposal Site (ODMDS).



**SIBUA and Mobile Harbor ODMDS**

After just 10 years of consistent use, the Corps had to add 207 acres to the SIBUA by extending its southern boundary by 2000 feet. The Public Notice stated the disposal area needed to be expanded "...provide sufficient depths for access of the dredge equipment...due to site depths changing". The need for the expansion implies that depths were decreasing in the SIBUA because a significant volume of the placed dredged sands were accumulating within the site instead of being incorporated into the littoral drift system as planned. This fact is supported by the below Figure 4-11 which was taken from the Byrnes et al. 2010. Figure 4-11 graphically depicts the accumulated sands in dark blue that existed in the SIBUA in 2002. It is important to note that the sand

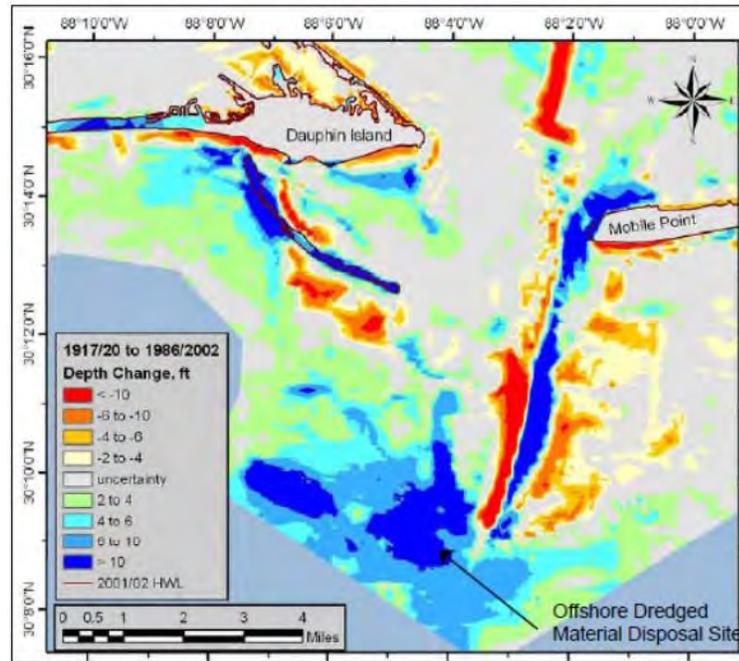


Figure 4-11. Bathymetric change on the Mobile ebb-tidal delta, 1917/20 to 1986/2002. Deposition zones seaward and west of the navigation channel were last surveyed in 1991. The deposition area farthest to the west is the Mobile Outer Mound. The irregular polygon just west of the outer mouth bar channel is believed to mark the historical location of dredged material disposal from the outer bar channel.

accumulations depicted in Figure 4-11 represent the observed conditions after the SIBUA had been used for just three years between 1999 and 2002. It would be interesting to compare the 2002 sand accumulations with those that exist today to determine if the deposited dredged sands are continuing to accumulate in the SIBUA.

The 2008 southward expansion of the SIBUA, will farther remove placed dredged sands from the ebb tidal delta, which should show an increased tendency for the sand to remain at that location in lieu of being reincorporated into the littoral drift system as intended. Between 1999 and 2009, a total of 9,600,347 cy of maintenance dredged sands had been placed in the SIBUA. The total volume placed within this site has continued to increase in the seven subsequent years between 2000 and 2016.

- Byrnes et al (2010) suggests in their proposed sand budget that over the 82-year period between 1920 and 2002, an average of 161,000 cy/yr is transported annually from the offshore area within which the SIBUA landward to the ebb tidal delta's eastern lobe. This volume estimate is questioned. As shown in the above table, dredged material had only been placed in the SIBUA during the last three years of the 82-year period considered. That means the 161,000 cy/yr estimate is based on only three years of data. The 161,000 cy/yr volume, if correct, represents around 48% of the 337,000 cy/yr estimated to be naturally transported from eastern lobe of the ebb tidal delta into the

Outer Bar Channel, 85% of which was subsequently dredged and carried offshore for disposal. Further, considering the average of 287,000 cy/yr the sand budget proposes is dredged annually, 161,000 cy/yr would mean that around 56% of the dredged sands deposited offshore are transported landward to the ebb tidal delta's eastern lobe to be reincorporated into the littoral drift system. These are very large percentages which conflict with the observed facts that Dauphin Island's Gulf shoreline is eroding, and has been since the early 1970s, because the island is suffering from an overall deficit of sand. As important as the issue of how much of the dredged sand placed in the SIBUA is actually returned to the littoral drift system, it is difficult to understand how the proposed 161,000 cy/yr volume can be based on essentially three years of dredged material disposal data and the bathymetric conditions in the SIBUA out of an 82-year period of record. Thus, this aspect of the proposed sand budget does nothing to explain why Dauphin Island is suffering from a general deficit of sand. As such, the 161,000 cy/yr estimate is questionable and requires further investigation and analysis.

- As stated in the above bullet, if the 161,000 cy/yr volume estimate is correct, that would mean 56% of the average maintenance volume of 287,000 cy/yr dredged from the Outer Bar Channel and carried offshore for disposal in the SIBUA each year is returned to ebb tidal delta and eventually transported by natural nearshore hydrodynamic forces to nourish Dauphin Island's eroding shoreline. Even if that assumption is correct, it is logical to expect that the cumulative year-in and year-out loss of the remaining 44% of the dredged sands that appear to be accumulating in the SIBUA and effectively lost from the littoral drift system to eventually begin to adversely affect the natural sand budget. This logic is being borne out by the steady ongoing erosion of the Sand-Pelican Island shoals and Dauphin Island's Gulf shoreline. Further, if the 161,000 cy/yr return estimate in the proposed sand budget is correct and the modern dredging average of 503,000 cy/yr is considered, that would mean the amount of sand projected to be returned to the ebb tidal delta should decrease from 56% to 32% of the total dredged and carried offshore for disposal each year.

The proposed sand budget should be updated to reflect "modern" conditions within the SIBUA as they exist today after the site has experienced at least 15 years of receiving the more realistic modern average annual dredging volume of 503,000 cy/yr. Further, the GRR Study should also include a comprehensive analysis of the potential effects of the considered increases in channel width and depth to determine if enlarging the channel could further affect the natural sand budget for Mobile Pass and Dauphin Island.

- The 2010 Byrnes et al. report concludes that "...based on all available information, there appears to be no measurable negative impacts to ebb-tidal shoals or Dauphin Island beaches associated with historical channel dredging across the Mobile Pass Outer Bar." **If that conclusion is to be accepted by all parties, which it currently is not, the central question that must be answered is: What is causing the severe erosion of the Sand-Pelican Island shoal and Dauphin Island that began to occur in the latter half of the 20th century and has been coincidental with increased dredging of the Outer Bar Channel?**

The above Mobile District Response misses the point made by the comment: **Since the 1980 report failed to investigate the Dauphin Island erosion issue as the Mobile District committed would occur in the previously identified 1975 letters, during the intervening 37 years to the present, the island has continued to erode with no corrective remedy being identified.** The Mobile District Response states “...the GRR will address **potential effects of proposed channel improvements to the existing navigation project** [emphasis added]”. That extremely narrow study objective implies the Mobile District plans to conduct the GRR Study in a manner that will not only violate the Corps’ ER 1105-2-100 and other planning policy and guidance, but also the provisions of the Council on Environmental Quality’s NEPA regulations. Under the current Mobile District approach, whatever erosion losses the island experienced between 1980 and the Study’s base year would not be investigated in the GRR Study, even if the Outer Bar Channel maintenance program contributed to those losses. The Study would only investigate the island’s incremental additional erosion losses projected to occur over the 50-year future period considered in the Study. What is needed, and expected by the concerned public, is for the GRR Study to include efforts directed at thoroughly investigating the effects of the Outer Bar Channel (both historic and authorized channel dimensions) on the erosion of Dauphin Island. And importantly, the GRR Study should not be allowed to ignore the erosion issue as the Mobile District did when it prepared the 1980 report.

As pointed out numerous times to the Mobile District staff, the 1980 Corps report is seriously flawed in that it completely ignored the Dauphin Island erosion issue, failed to comply with Section 5 of the Rivers and Harbors Act of 1935, ignored the findings of the 1978 Corps report, and did not honor the written commitment made by the Mobile District Engineer in 1975 to investigate the Dauphin Island erosion problem. If the GRR Study does not address the historic sand losses that have occurred due to maintenance of the Outer Bar Channel interrupting the littoral drift system, **what the Mobile District and the Alabama State Port Authority will in essence be conveying to the concerned stakeholders is: “Dauphin Island must continue to accept, bear, and endure the adverse consequences and economic hardships resulting from the island’s erosion, while the Port of Mobile and the Theodore Industrial Port continue to profit from the transportation benefits of the channel without having to pay the “full cost of doing business”.**

Considering information contained in various reports produced by both the Mobile District and the US Geological Survey, maintenance of the Outer Bar Channel has interrupted the littoral transport of sand across the Mobile Pass Inlet dating back to 1939. Based upon those reports, it is possible to select and to individually build a case to support any one of the following years as the baseline from which to address the historic sand losses: 1939, 1958, 1966, 1969, 1978, 1980 and 1986. However, 1980 appears to represent the most defensible year to consider for the GRR Study.

Since the 1980 report did not address the effects of channel deepening on the littoral drift system, that report has a significant outstanding technical, scientific, and logic deficiency that must be corrected in the GRR Study. The study must address the impacts of the historical sand deficit on Dauphin Island attributable to maintenance of the Outer Bar Channel dating back to at least 1980. During the 37 years since the 1980 report was completed, maintenance of the Outer Bar Channel has continued, further contributing to the erosion of Dauphin Island. For example, the significance of the amount of beach quality sands removed from the littoral drift system between 1980 and 2009 is depicted in the

above table. Over that period, a total of 24,918,514 cy of were removed by a combination of new work and maintenance dredging, with 14,672,078 cy being disposed of in deep Gulf waters and permanently lost from the littoral drift system. An additional 10,256,436 cy was placed in the SIBUA or in its general vicinity. Based on a modern average annual maintenance volume of 503,000 cy/yr as discussed, would mean an additional 3,523,698 cy of sand could also have been dredged between 2009 and 2016 and placed in the SIBUA.

These historic sand losses that have occurred since 1980 should be addressed in the GRR Study. To ignore them would be an irresponsible action on the part of the Mobile District. The GRR Study must also consider appropriate mitigation measures to restore the historic and future sand losses attributable to the Outer Bar Channel for both the "Without Project" and the "With Project" conditions. To do otherwise, would apply an entirely different standard to the evaluation of the Dauphin Island erosion issue than the Mobile District's used in its recently completed Mississippi Barrier Island Restoration Plan SEIS where it recommended selected islands be restored to the pre-Hurricane Camille conditions of 1969. **Compliance with NEPA requires that the impacts of past actions of an existing project being studied for further improvement must be considered if those historic impacts have not been addressed in a previous NEPA document and if those impacts are relevant to the improvements being considered.**

Given the longstanding nature and critical importance of the erosion issue, it is not acceptable for the Mobile District to base its entire position that "...dredging and placement practices associated with operation and maintenance of the Mobile Harbor Channel have not had a measurable impact on Dauphin Island" on just two contractor reports prepared by the same authors (i.e., Byrnes et al, 2008 and 2010). The earlier report was prepared in connection with a lawsuit against the Corps, with the latter report essentially "refining" analysis of the data considered in the first report. Neither of these reports have not been submitted for exterior professional peer review; satisfied all upward Corps reporting and review requirements; and been subjected to appropriate agency and public scrutiny. The Dauphin Island erosion issue can only be resolved by conducting thorough objective and transparent analyses in which the trust of the concerned and affected stakeholders is gained.

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**From:** [Glen Coffee](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [REDACTED]  
**Subject:** [Non-DoD Source] Sierra Club Comments on Mobile Harbor Draft GRR/SEIS  
**Date:** Monday, September 17, 2018 9:09:49 PM  
**Attachments:** [2018-9-15 - Sierra Club letter of comment on Mobile Harbo Draft GRR-SEIS.pdf](#)

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Sierra Club comments on Mobile Harbor Draft GRR/SEIS are attached.



Mobile Bay Sierra Club

P.O. Box 2682 Mobile AL 36652

September 16, 2016

COL Sebastien P. Joly, Commander  
US Army Corps of Engineers  
PO Box 2288  
Mobile, Alabama 36628-0001

RE: Comments on Mobile Harbor Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement (Draft GRR/SEIS)

Dear COL Joly:

The Sierra Club has reviewed the Draft Mobile Harbor Integrated General Reevaluation Report with Supplemental Environmental Impact Statement (Draft GRR/SEIS). The Draft GRR/SEIS analyzes the projected economic benefits and environmental impacts of deepening Mobile Harbor five additional feet. Our comments are summarized in the following paragraphs.

1. The purpose of the GRR/SEIS is to reanalyze the 1980 Survey Report/EIS that originally recommended Mobile Harbor be deepened and widened. The 1980 report failed to: (1) consider the erosion of Dauphin Island and (2) evaluate how deepening the Mobile Harbor Bar Channel would influence erosion of Dauphin Island. As a result, the 1980 Survey Report/EIS was deficient by completely ignoring Dauphin Island's erosion problem even though the Mobile District was aware of the erosion issue and its connection to maintenance of the Bar Channel because a previous 1978 report. Corps ER 1105-2-100 requires a General Reevaluation Report to conduct a "...reanalysis of a previously completed study, using current planning criteria and policies, which is required due to changed conditions and/or assumptions". Further, Section 1508.7 of the Council on Environmental Quality's (CEQ) NEPA regulations requires the cumulative impacts of past actions related to and relevant to the subject project being evaluated in a current NEPA document. However, the Mobile District staff has refused to consider the erosional changes to Dauphin Island since 1980 in the Draft GRR/SEIS, stating the GRR Study will only consider present and projected future changes to the Study Area environment attributed to the TSP. The historic

erosion of Dauphin Island since 1980 represents a significant “changed condition” within the Project Area. By ignoring the erosion that occurred between the 1980 Survey Report and the 2018 Baseline Year considered in the GRR Study, the resulting Draft GRR/SEIS has continued to perpetuate the 1980 report’s original error of omission. The historic and ongoing erosion problem clearly represents a relevant issue associated with maintenance of the Bar Channel proposed for deepening. The historic erosion resulted from the effects of past maintenance actions that are relevant to and useful in analyzing whether the reasonably foreseeable effects of proposed channel deepening may have a continuing, additive and significant relationship to the shoreline erosion effects. Based on the above, the Sierra Club believes the Draft GRR/SEIS is deficient because it fails to adequately comply with §1508.7 of CEQ’s NEPA Regulations by not analyzing the effects and consequences of past impacts of channel maintenance on the erosion problem that will not only be continued but made worse by deepening the channel. The Draft GRR/SIS also fails to adequately comply with paragraph 4-1a(1) of Corps ER 1105-2-100 by not considering the significant erosion of Dauphin Island that has occurred since 1980 and if deepening of the channel could exacerbate the effects of shoreline erosion.

2. The Mobile Harbor project should mitigate for the historic, present, and future contribution of the Bar Channel maintenance program on the erosion of Dauphin island. Corps dredging data show that over the 36-year period between 1980 and 2016, approximately 72% (i.e., approximately 21,200,000 cy) of the littoral drift sands crossing from the Fort Morgan Peninsula were diverted or entirely removed by channel maintenance from the nearshore system. Proof of the historic loss of littoral drift sands is contained in the Draft GRR/SEIS which acknowledges 58% of the sand placed in the SIBUA since 1999 alone has accumulated within the disposal site and not rejoined the littoral drift system as the Mobile District stated would occur. The Mobile District needs to take the next step by unequivocally acknowledging the role the Bar Channel maintenance program plays in reducing the supply of littoral drift sands which is starving Dauphin Island of much needed sand.
3. Page 5-23 of the Draft GRR/SEIS states the proposed Sand Island Beneficial Use Area (SIBUA) expansion “...provides an effective means of continued bypassing of sand dredged from the Bar Channel to the downdrift littoral system.” The Sierra Club is not prepared to support the proposed SIBUA expansion until the Mobile District provides the information identified in our September 6, 2018 letter sent in response to your August 8, 2018 Public Notice No. FP18-MH01-09. The GRR/SEIS should be revised to provide assurances, based upon sound scientific documentation, that up to 100% of the dredged sands placed in the proposed SIBUA expansion area will rejoin the littoral drift system to nourish Sand/Pelican and Dauphin Islands. It is not enough for the

GRR/SEIS to just make the above quoted statement. The GRR/SEIS must also provide adequate information to thoroughly demonstrate the statement is valid.

4. The Draft GRR/SEIS ignores the concerned public's request to take advantage of the "opportunity" to analyze a disposal alternative that would implement Section 302 of the WRDA 1996 to beneficially use dredged sands to restore Sand/Pelican Island and nourish Dauphin Island. Since 2011, the Mobile District has consistently applied the Section 302 authority to justify alleged "beneficial uses" of dredged material within Mobile Bay but has never addressed a truly beneficial use of dredged sand from the Bar Channel to counter erosion of Dauphin Island under the discretionary authority granted the Corps under Section 302. It is time the Mobile District took that step which is demanded by the concerned public. Why does the Mobile District continue to refuse to develop the incremental cost of such a beneficial use disposal alternative to maintain the Bar Channel which is certainly within the scope of the project authority presented in Section 1.1.1?
5. The Draft GRR/SEIS acknowledges 364,000 yd/yr (58%) of the 624,000 cy/yr of sand placed in the SIBUA on an average annual basis accumulates within the site instead of moving out to rejoin the littoral drift system as intended. The accumulation of that volume of sand represents a significant interruption of the natural littoral drift system. The GRR/SEIS should state without equivocation that the accumulating sand is interrupting the natural littoral drift system which would mean the channel maintenance program is contributing to the erosion of Dauphin Island by reducing the amount of sand transported to the island. Also, the GRR/SEIS should provide substantiating evidence to prove that the 260,000 cy/yr that does move out of the SIBUA actually rejoins the littoral drift system as alleged by the Mobile District. The Draft GRR/SEIS does not provide that proof.
6. The Draft GRR/SEIS relies upon the results of the Vessel Generated Wave Energy model to assess the effects of ship wakes. The results of that assessment indicate ship generated waves only range between 0.02 ft to 0.15 ft, with the highest values being closer to the Mobile Harbor Federal Navigation Channel and decrease in height further from the channel. Because of the concern over ship generated waves, the Mobile District and Alabama State Port Authority should evaluate imposing speed limits on the larger deep draft loaded ships to reduce the magnitude of waves from passing vessels.
7. The discussion on page 2-45 should be expanded to adequately describe the history of the serious erosion problem that has been clearly observed to be adversely affecting Sand/Pelican and Dauphin Islands since at least the early 1970s. The historic nature of the erosion problem and its connection to the Bar Channel maintenance program

according to the 1978 Mobile District is important. Pertinent background information describing the nature of the loss of these islands dating back until at least 1980 should be discussed in the GRR/SEIS.

8. The only information and literature references provided for the page 2-51 discussion of Sediment Transport at the Coastal/Ebb Tidal Delta are those that support the Mobile District's position that maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. For this discussion to be completely objective, the discussion should also include other relevant information from credible sources that do not agree with the Mobile District position. By excluding coverage of the alternative views of other coastal engineers and scientist that disagree with the Mobile District on the significant and relevant erosion issue causes one to question the objectivity of the Draft GRR/SEIS.
9. A portion of the projected \$34.5 million of annual excess benefits should be used to pay for beneficial use projects with dredged material from the Mobile Harbor project; environmental restoration projects; and mitigation for the significant historic adverse impacts of maintaining the ship channel on key resources. Example projects include restoration of Sand/Pelican and Dauphin Islands; restoration of Mobile Bay's depleted oyster reefs; and to prepare Study Area natural resources to withstand future Sea Level Rise.
10. The Draft GRR/SEIS Economic Analysis does not discuss a relevant element of the true cost to the Nation of investing \$387,000,000 to deepen and maintain the Mobile Harbor project at an increased depth of 5 additional feet over the next 50 years. The Congressional Research Survey developed information to aid Congress arrive at decisions on which of the nation's ports represent the best value in the competition for funds to pay for deepening their channels to attract the larger ships transiting the new Panama Canal. A 2011 report entitled "Harbor Maintenance Trust Fund (HMTF) Expenditures" authored by John Frittelli showed that over the 10-year period between FY 1999 and FY2008, Mobile Harbor was the second most expensive navigation project to maintain in the nation. Of equal importance, Mobile Harbor was not included among the nation's top 25 projects in the amount of import fees received which provide the source of monies for the HMTF. Frittelli's subsequent 2013 report entitled "Harbor Maintenance Finance and Funding" compared the \$8,720,000 of import taxes collected at Mobile Harbor in FY2011 against the Corps' \$23,560,000 budget request to maintain the project for that year. The comparison showed 62% of the federal cost to maintain Mobile Harbor in FY 2011 was subsidized by the import taxes received at other more profitable ports in the nation. That information should also be discussed in the GRR/SEIS.

11. To support its contention that disposing dredged material within Mobile Bay benefits the bay's environment, the Draft GRR/SEIS depends entirely upon three brief and vague unsubstantiated statements made in the July 2014 Environmental Assessment entitled "Modification to Mobile Harbor Operations and Maintenance Addition of a Long-Term Open Bay Thin-Layer Disposal Option". The Draft GRR/SEIS neither describes what the specific environmental benefits are received by the bay by spreading 4,000,000 cy of dredged material over its bottoms nor any evidence from scientific studies to support the "benefit" contention. By pursuing thin layer disposal in Mobile Bay as an "alternative to disposal of such material in the Gulf of Mexico" as required by the WRDA of 1986, the Mobile District has interpreted Section 302 of the WRDA of 1996 as giving the Corps *carte blanche* approval to abandon disposal in the ODMDS in favor of various disposal options within Mobile Bay without having to adequately justify the alleged beneficial uses the Mobile District contends results from a return to dredged material disposal in the bay. The Draft GRR/SEIS continues the Mobile District's pattern of not providing the necessary requisite scientific-based information to support beneficial use claims. The Draft GRR/SEIS bases its recommendation entirely upon the 2014 EA to place the TSP's 500,000 cy/year of future maintenance material in the same thin layer sites over the next 50 years that are already receiving 4,000,000 cy/year from maintenance of the existing Bay Channel. In reality, thin layer disposal is primarily being driven by the Mobile District's desire to eliminate the cost of transporting dredged material to the ODMDS. Detailed information from appropriate studies and the scientific literature must be added to the GRR/SEIS to support the contention thin layer disposal is beneficial for Mobile Bay. Otherwise, use of the thin layer sites to receive future maintenance material dredged from Bay Channel cannot be supported from an environmental benefit standpoint since there appears to be no such benefits. All federal and state agencies and environmental organizations should call for a cessation of thin layer disposal in Mobile Bay until the Mobile District can prove the existence of the alleged environmental benefits of thin layer disposal.
12. Section 2.5.12 should be expanded to point out residents in downtown and midtown Mobile have filed a lawsuit against the Alabama State Port Authority over fugitive coal dust originating from the McDuffie Coal Terminal. Airborne coal dust is settling in residential neighborhoods west of the terminal despite required measures that are supposed to prevent the escape of coal dust. Given the fact that increased future shipments of coal, as both exports and imports, are projected to occur in the benefit calculations to justify the TSP, the existence of the present lawsuit is relevant to the TSP and should be discussed in the GRR/SEIS.
13. Complaints and concerns over the existing occurrence of various petroleum and chemical odors in the Africatown community and other residential neighborhoods

bordering the Port of Mobile, tank farms, and railroads exiting the port facilities have been raised by nearby residents. These concerns were presented at relatively recent City of Mobile land use planning and zoning meetings concerning the possible expansion of the tank farms bordering Mobile Harbor. The Draft GRR/SEIS forecasts petroleum and chemical commodity shipments will continue to increase over the next 50 years. Given the existing concerns expressed by nearby residents over existing escaping vapors from port related facilities, Sections 2.5.12 and 2.5.13 should be expanded to thoroughly discuss this local air quality issue.

14. The discussion on page 4-6 stating filling of the relic shell mining areas with new work dredged material will "...restore sediment to the system and improve bay bottom conditions..." should be expanded to describe exactly what the alleged benefit is, including the data from scientific studies that support this action as being a legitimate beneficial action. The Draft GRR/SEIS does not explain how moving existing sediments within Mobile Bay from one location to another within the bay will "restore sediment to the bay system".
  
15. The GRR/SEIS does not explain how the total dredged material disposal capacity needs for the Bay Channel, including the TSP increment, will be satisfied over the entire 50-year period of analysis. Tables 4-3 and 4-5 show the disposal capacity remaining after 20 years would be 52,000,000 cy for the ODMDS and 59,594,000 cy for the thin layer open water sites within Mobile Bay. Based upon an annual dredging volume of 4,500,000 cy for the Bay Channel (see Table 4-5), during the last 30 years of the 50-year period of analysis, a total of 135,000,000 cy would be dredged from the Bay Channel. Since the remaining capacity of the thin layer sites would be 59,594,000 at the beginning of the final 30 years of the 50-year period of analysis, there would be insufficient disposal capacity in the thin layer sites to accommodate 75,406,000 cy (135,000,000 minus 59,594,000) of sediments to be dredged from the Bay Channel. Even if the remaining capacity of 52,000,000 cy in the ODMDS at the beginning of the final 30 years of the planning period was used to receive the excess Bay Channel sediments, there would still be a remaining disposal capacity shortfall of 23,406,000 cy (75,406,000 minus 52,000,000) that would have to be satisfied. That volume is equivalent to the total volume of sediments that would be dredged during 5 years of maintenance of the entire Bay Channel. Since future satisfaction of that significant disposal capacity shortage could materially influence the cost side of the BCR for the TSP, the GRR/SEIS must address the disposal capacity issue in considerably more detail for the entirety of the 50-year period of analysis. Otherwise, the present conceptual life cycle design for the TSP is incomplete since the ability to adequately maintain the deepened channel in a cost-effective and an environmentally sustainable manner is questionable.

16. The failure of the Draft GRR/SEIS to identify adequate disposal capacity to satisfy the maintenance needs of the TSP, along with the entire Bay Channel) for the entire 50-year study period results in many of the Section 5.0 discussions being deficient. That is because the various elements of the SEIS that address specific resource categories cannot be completed without more detailed information as to where all dredged material will be disposed over the total 50-year economic life of the deepened channel. This specifically applies to the discussions on pages 5-18 and 5-19 that address the SIBUA and ODMDs, respectively, as well as several other discussions in Section 5.0. Before the GRR/SEIS can be finalized, additional work is required to identify all future disposal sites, and their capacities, likely to be used over the 50-year period of analysis. The potential adverse impacts to Mobile Bay from future dredged material disposal are potentially too significant for the GRR/SEIS to ignore the important absence of adequate 50-year disposal capacity for the TSP. The inability of the Draft GRR/SEIS to identify adequate disposal capacity for the entire 50-year planning period makes the SEIS component of GRR/SEIS seriously deficient from a NEPA compliance standpoint because the present TSP does not represent a complete project.

17. Revision of Section 4.2.2.3 is required to provide information to substantiate the contention that:

“...sand has been transported out of the SIBUA at a rate of approximately 260,000 cubic yards per year. This material has primarily continued to move northwest to join in with the shallow platform associated with Sand and Pelican Islands”.

Reliance upon the results of numerical model studies alone does not serve as an adequate source of proof. Since the Mobile District has never monitored the movement of sand placed in the SIBUA, there is no reliable physical information to: (1) identify with certainty in which direction the sand leaving the SIBUA does go; and (2) support the Draft GRR/SEIS allegation that the sand moves “...northwest to join in with the shallow platform associated with Sand and Pelican Islands”.

18. The text on page 4-14, Figure 4-8, and Section 5.3.3.1 should be expanded to clearly define the location and depths at which future dredged sands will be placed in the proposed SIBUA expansion. Coastal engineering information indicates the sands must be discharged in waters much less than 15 feet if most of the sand is to have the best opportunity to rejoin the littoral drift system. If the Mobile District proposes to place sand at depths greater than 15 feet, the GRR/SEIS must explain how all the sand placed at such depths will be able to rejoin the littoral drift system and why the historic sand accumulations experienced since 1999 in the existing SIBUA will not be repeated in the proposed expansion area.

19. Before the GRR/SEIS is finalized, the coverage of potential implementable beneficial use options for inclusion in the TSP should be strengthened in Section 4.2.3.2.1. It is not appropriate to delay consideration of beneficial uses of dredged material until the Preconstruction Engineering and Design (PED) phase of project implementation when the public will not be afforded an opportunity to be involved in the development of such measures. That has been the case since 2011 when the Mobile District established the Mobile Bay Interagency Working Group (IWG) to explore beneficial uses of dredged material in Mobile Bay. The concerned public was intentionally excluded from the activities of the IWG which were essentially conducted in secrecy and with little regard for the views of the public.
20. The text accompanying Figure 4-9 should be expanded to provide information about each of the beneficial use sites illustrated in the figure. An explanation is needed as to why consideration of those sites was not included in developing the TSP, especially given the fact that the Bay Channel will experience a future disposal capacity shortfall during the final 30 years of the 50-year period of analysis. Additional text is needed to explain why Figure 4-9 does not include the planned 1,200-acre dredged material disposal island in the Upper Bay south of the Causeway. The Corps maintains the Mobile Bay IWG supports construction of that island as a beneficial use of dredged material to contain future sediments dredged from the Mobile Harbor channel. Because of the long-term shortfall of disposal capacity for the Bay Channel component of the TSP, the Mobile District must explain why the Draft GRR/SEIS fails to include a discussion of the 1,200-acre island which has moved beyond the conceptual planning stage.
21. Ship wake induced waves generated by moving deep draft vessels in the Bay Channel are a real concern from a shoreline erosion standpoint. The larger the ship, the more loaded it is, and the faster it is traveling combine to generate waves that can be problematic, considering tidal elevation, ambient wave condition, and the distances from the passing ships. Section 5.3.1.2.1 of the GRR/SEIS should address setting speed limits on ships traveling within Mobile.
22. The water quality modeling analyses discussed in Section 5.3.3 and Appendix C should have considered a multi-year drought condition to adequately analyze the potential effects of the TSP on salinity regimes within Mobile Bay to determine if specific environmental resources could be adversely affected during extended periods of extreme low flow. The greatest prolonged changes in salinity in Mobile Bay naturally occur during periods of sustained low flow that occur during multi-year “extreme drought” events affecting large portions of the Mobile Drainage Basin. Such droughts typically span two to three years and can influence the extent of certain Submerged Aquatic Vegetation (SAV) communities occurring south of the Causeway,

as well as oyster reefs in lower Mobile Bay. The water quality model must be rerun to generate the projected “worst case” Without-Project natural salinity regimes that could occur in the foreseeable future and compare those conditions with the changes in salinity levels and locations that would occur with the TSP during a multi-year drought.

23. Section 5.9.1 should be expanded to discuss the impacts of Dauphin island’s historic shoreline erosion on sea turtle nesting. The progressive erosion of Dauphin Island’s Gulf shoreline has contributed to a low success rate of sea turtle nesting attempts on the island. The low success rate is an indirect consequence of shoreline erosion and should be addressed in the GRR/SEIS since Dauphin Island provides a substantial portion of Alabama’s limited Gulf shoreline that is available for sea turtle nesting.

24. On page 5-14, the statement is made that “...there would be no expected increase in the concentrations of the turbidity as a result of the implementation of the TSP.” Since annual maintenance dredging of the Bay Channel will discharge a total of 4,500,000 cy of dredged fine-grained sediments (including the TSP increment) in open water, that impact statement does not appear to be logical. The text must explain why the disposal of such a large volume of dredged sediments in open water over thousands of acres of Mobile Bay bottoms during a single year will not increase turbidity values above ambient levels. The projected lack of impact defies logical common sense.

In closing, the Sierra Club appreciates the opportunity to review the Draft GRR/SEIS and we hope the Mobile District will give due consideration to the many issues we have raised that merit attention, additional study, and evaluation before the Final GRR/SEIS is prepared.

Sincerely

A handwritten signature in black ink that reads "Joseph Mahoney". The signature is written in a cursive style with a horizontal line underneath it.

Joseph Mahoney, Chair, Executive Committee  
Mobile Bay Group Sierra Club



Mobile Bay Sierra Club

P.O. Box 2682 Mobile AL 36652

September 6, 2016

COL Sebastien P. Joly, Commander  
US Army Corps of Engineers  
PO Box 2288  
Mobile, Alabama 36628-0001

RE: August 8, 2018 Public Notice No. FP18-MH01-09 - SIBUA Expansion

Dear COL Joly:

The Sierra Club has reviewed the Environmental Assessment (EA) identified in the subject public notice. The EA analyzes the effects of expanding the Sand Island Beneficial Use Area (SIBUA) by approximately 3,305 acres to provide for the continued disposal of maintenance dredged sands from the Mobile Harbor Bar Channel. Our comments are summarized in the following paragraphs. Based upon our review we request a public hearing be held on Dauphin Island to allow the public to seek important information on the proposed action not contained in the EA.

Our first observation of the proposed action is that it would impact a sizable area of Alabama's nearshore Gulf bottoms. The 3,305-acre site is equivalent to just over 5 square miles. The EA states the impacted bottoms would be "permanently changed. That statement causes the Sierra Club concern since the EA does not adequately describe what is meant by "permanently changed", raising the question as to why the potential impacts of the proposed action are not significant enough to warrant being evaluated within an Environmental Impact Statement instead of an EA.

The EA does not: (1) predict how many acres of the site will be affected each time the Bar Channel is maintained; (2) explain if all dredged sands placed in the site will move out to join the littoral drift system to nourish Dauphin Island and how long such movement would take; (3) estimate how much of the dredged sands would accumulate within the expanded area; (4) specify if the proposed expansion will allow a larger percentage of placed sand to return to the littoral drift system than the present 50% the Corps estimates moves out of the existing SIBUA; (5) identify what the long-term disposal capacity of the proposed expansion is; (6)

identify the acres comprising the existing SIBUA and if the existing SIBUA will continue to be used going forward; (7) predict how many years into the future use of the SIBUA should remain viable to accept sands maintenance dredged from the Bar Channel; and (8) provide the results of engineering analyses to determine what the long term consequences of using the proposed SIBUA expansion will be on the erosion of Dauphin Island.

The EA contains no information to substantiate the allegation the proposed expansion of the SIBUA will better satisfy the intended purpose of the original designate site which is to return sands dredged from maintenance of the Bar Channel to the littoral drift system west of the channel. Without that information, the Sierra Club and the concerned public cannot be certain the proposed expansion will function any better than the existing SIBUA has to date by encouraging a larger percentage of the dredged sands placed within the proposed 3,305-acre expansion site to actually return to the littoral drift system. In addition, the EA lacks sufficient documentation to demonstrate the proposed expansion will not experience large sand accumulations as has been the case with the existing SIBUA, and that the disposal capacity of the proposed expansion is adequate to accept the total volume of sands estimated to be dredged from a deepened Bar Channel over the next 50 years.

The Sierra Club recommends the site selected for the actual discharge of the dredged sands be in the shallow waters of the ebb tidal delta platform occurring to the immediate east of Sand/Pelican Island. Restoration of that small island located just southeast of Dauphin Island is critical since the island not only feeds sand to Dauphin Island through littoral drift, but also serves to protect the eastern end of Dauphin Island from the waves of the open Gulf. In no case should sands be placed in waters deeper than 15 feet if the primary goal of using the SIBUA is to assure sands dredged from the Bar Channel are returned to the littoral drift system.

In closing, I want to reiterate the Sierra Club's request that a public hearing be held on Dauphin Island, so the Corps can provide the above identified information now missing from the EA. In addition, the Corps should revise the present EA to assure these critical impact issues are considered before the decision is reached to implement the proposed SIBUA expansion. Please note we are sending copies of this letter to our Congressional delegation with the request that they encourage the Corps to hold the requested public hearing. The Sierra Club appreciates the opportunity to review the EA for the proposed action.

Sincerely

A handwritten signature in cursive script that reads "Joseph Mahoney".

Joseph Mahoney, Chair, Executive Committee  
Mobile Bay Group Sierra Club

CC:

Senator Richard Shelby  
United States Senate  
304 Russell Senate Office Building  
Washington, DC 20510

Senator Doug Jones  
United States Senate  
326 Russell Senate Office Building  
Washington, DC 20002

Congressman Bradley Byrne  
House of Representatives  
2236 Rayburn Building  
Washington, DC 20515

## Comment 23

**From:** [Dinah Maygarden](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 7:39:17 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
D. Maygarden





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## Comment 24

**From:** [Frederick, Felicia](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [REDACTED]  
**Subject:** [Non-DoD Source] Mobile Channel Project  
**Date:** Monday, September 17, 2018 6:38:33 PM  
**Attachments:** [201809171013.pdf](#)

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Good afternoon, Ms. Jacobson

As a founding member and board member of Keep Mobile Growing <Blocked<http://www.keepmobilegrowing.org/>> (KMG) I want to take this opportunity to reiterate Mr. Gordon's expression of support within the attached, for the Mobile Channel Widening and Deeping Project.

Thank you.

Felicia A. Frederick

Manager, State Government Affairs (Southeast Region)

Chevron U.S.A., Inc.

Policy, Government & Public Affairs

201 St. Charles Avenue, Suite 3707

New Orleans, Louisiana 70170

(985) 773-6082 office

(504) 919-6082 mobile

FAFR@Chevron.com <<mailto:FAFR@Chevron.com>>



September 17, 2018

Ms. Jennifer L. Jacobson  
U S Army Corps of Engineers,  
Mobile District  
P. O. Box 2288  
Mobile, AL 36628 – 0001

Re: Port of Mobile

Dear Ms. Jacobson:

I am writing on behalf of Keep Mobile Growing to express its support for the deepening and widening of the channel serving the Port of Mobile. Keep Mobile Growing is a local association of port-related industries, trades, and family-owned businesses. We have over ninety (90) members who employ over 15,000 individuals in the Mobile area. More information about our group and members is available at [www.keepmobilegrowing.org](http://www.keepmobilegrowing.org).

Our group's members depend upon the Port. The deepening and widening will ensure that the Port can accommodate larger vessel and eliminate issues associated with delays and demurrage charges due to one way restrictions on channel traffic. The deepening and widening project will expand the capabilities of the port of Mobile and promote increased traffic and commerce. We fully support the project and believe that it is important for maintaining our nation's maritime infrastructure.

Very truly yours,

A handwritten signature in black ink, appearing to read 'S. Gordon', written over a horizontal line.

Steve Gordon  
President, Keep Mobile Growing

## Comment 25

**From:** [Johnnie Johnson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 6:33:42 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

I've had personal interaction with the Corp of engineers , 30 years ago. Regarding the water run off issues from Daphne into the Holly Beach Bay access .

Directly next to my house .

You did nothing then , all of the powers that be have retired .

I'm 100 % positive there is an

endless supply of new engineers that stand ready to get nothing done ---- according to what is good for the EARTH .

Johnnie Johnson

Sincerely,

Johnnie Johnson



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## Comment 26

**From:** [Shannon Beaty](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 5:33:50 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
S. Michelle Beaty





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## Comment 27

**From:** [Margaret Dopson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 5:15:29 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Margaret Dopson  




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## Comment 28

**From:** [david.connolly](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Congressman Bradley Byrne](#)  
**Subject:** [Non-DoD Source] Dredging of The Mobile Ship Channel and the Impacts on Dauphin Island  
**Date:** Monday, September 17, 2018 5:02:41 PM

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COL Sebastien P. Joly District Commander:

I have been monitoring the comments and information re the widening and deepening of the Mobile Ship channel over the past eighteen years. With each year, the Corps has published numerous studies that suggest no significant damage to Mobile Bay and the Dauphin Island shoreline. While the fishing and oyster harvesting industry has suffered extensively in Mobile Bay and the Dauphin Island shoreline has receded by hundreds of feet, the Corps studies refuse to divulge the truth of the changes/damages to our maritime environment.

While I agree that economic development of Alabama and Mobile area will benefit our overall community, the cost to the fishing and oyster industry is being ignored and Dauphin Island continues to erode. The Alabama State Port Authority definitely benefits from the increased cargo through put at the expense of other interested parties. There should be some compromise to this situation. The increase in Port Authority revenues should be allocated, possibly augmented by available Federal Funding, to fund corrective measures in the Mobile Bay maritime environment and to nourish Dauphin Island beaches. Why not?

You have the resources to encourage this to occur.

To mitigate for the historic and ongoing erosion of Dauphin Island and the smaller Sand/Pelican Island to the southeast, two separate but related actions are needed;

- During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and to pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel. However, this mitigation action would only mitigate for the present and future erosion of Dauphin Island.
- To mitigate the historic shoreline losses of Dauphin Island, a much larger project action is needed. That mitigation measure should move by dredging to the Dauphin Island shoreline the millions of cubic yards of sands the Mobile District has removed from the Bar Channel since 1999 that have accumulated within the so-called Sand Island Beneficial Use Area (SIBUA). Those beach quality sands originally came from the Fort Morgan Peninsula and would have been transported by littoral drift to Dauphin Island if the Mobile District had not intercepted the sands by maintenance dredging of the Bar Channel. The millions of cubic yards of accumulated sands now sit a short distance offshore in waters too deep for them to rejoin the littoral system by natural wave and current action. It is these sands that were removed from the littoral drift system that have contributed to the present "sand starvation" of Dauphin Island. The Town of Dauphin Island developed the design details of a project in 2011 that would use around 4 million cy of these sands at an estimated cost of \$59 million to restore the island's eroded shoreline which could be readily implemented and/or expanded with little further study. Such a mitigation project could be paid for by either of two viable approaches:

1. According to the Draft GRR/SEIS, the recommended Mobile Harbor deepening project is predicted to generate average net benefits of \$34.5 million per year in excess of cost. Thus, mitigation could be paid for with the benefit stream predicted to be generated in just two years of operation of the deepened channel. All the Mobile District has to do is recommend this mitigation measure be included in the project recommendation to deepen Mobile Harbor.

2. Alternatively, the Mobile District could proactively work with the Alabama State Port Authority, the Governor of

Alabama and other parties to select for implementation Project ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

I look forward to some new announcements that reflect the total community interests in this subject. Too many efforts, by those in power, to prevent positive solutions and progress have handicapped our island community.

Thank you for your consideration of this discussion.

Sincerely,

David J. Connolly, Captain, USCG Retired



## Comment 29

**From:** [Valerie Longa](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Public Comment-Army Corps Harbor Deepening Project  
**Date:** Monday, September 17, 2018 5:02:32 PM

---

Dear Col. Jolly,

I am officially providing my feedback on the Mobile Harbor Deepening Project. I support the organizations of the Alabama Coastal Foundation, Mobile Baykeeper, and the Mobile Environmental Justice Action Coalition (MEJAC). I recommend their comment letters be considered carefully and hope to be informed of the responses related to those concerns and input.

It is critical to be able to mitigate any potential impacts that could result from this project if it is to proceed. With the loss of seagrass and oyster beds in the bay and the scientific evidence to support this fact, it is of utmost importance to be aware of any impacts upon these species and beyond. If there are any negative impacts identified after this project has been completed, I recommend the public will have the opportunity to learn about the issues and have it addressed by using best technology and practices available at the time. As for the local human population, especially communities in near proximity to the port, such as Africatown, which an increase in port traffic, especially petroleum related trade, can impact people's health. This also includes an increase in truck and train traffic in the area, due to growth at the port of Mobile from the results of the harbor expansion. It is of utmost importance that air quality monitors are placed at the port to begin collecting data currently and moving forward.

Additionally, I support beneficial use of dredged material by placing the dredge material from this project so that it benefits Dauphin Island. I recommend working with the Mayor, Town Council, Park and Beach Board, and residents of Dauphin Island to ensure that the placement is making a positive impact.

I appreciate the opportunity to provide my input and would like to be informed of the responses to those that commented and next steps of the project.

Thank You,  
Valerie Longa



## Comment 30

**From:** [Walter Ernest](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Mobile Harbor GRR](#); [wernest@pelicancoastconservancy.org](mailto:wernest@pelicancoastconservancy.org)  
**Subject:** [Non-DoD Source] Pelican Coast Conservancy public comments  
**Date:** Monday, September 17, 2018 4:58:00 PM  
**Attachments:** [17SEP18USCEMDMSCPC.pdf](#)  
[Walter C Ernest IV.vcf](#)

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To whom it may concern;

I am attaching a letter of public comment from the Pelican Coast Conservancy.

Yours truly,

Walter C. Ernest IV



September 17, 2018

Colonel Sebastien Joly  
U.S. Army Corp of Engineers  
Attn: PD-EC  
109 St. Joseph Street  
Mobile, Al 36602

#### Office

403 Conti Street  
Mobile, Alabama 36602

#### Staff

Robert D. Keller, Ph.D.  
Chief Executive Officer  
Walter C. Ernest IV  
Director of Operations  
Patrick D. Homan  
Conservation Technician

Re: Mobile Harbor Draft Integrated Reevaluation Report (GRR) with Supplemental Environmental Impact Statement (SEIS) Public Comment Period.

Dear Colonel Joly,

I am writing this letter on behalf of the Pelican Coast Conservancy. (PCC). The Pelican Coast Conservancy is a conservation organization whose mission is to provide 21<sup>st</sup> century solutions and sound scientific applications for conservation of critical natural resources in the face of a changing climate focusing on environmental restoration, preservation, and conservation efforts throughout the Gulf Coast region with specific utilization of geographic information system applications in land conservation, ecosystem services, carbon sequestration and conservation biology.

The PCC recognizes the economic importance of a deepened Mobile Harbor and completion of the channel widening and turning basin modification. We would like to suggest several environmental concerns that this project should address. The draft GRR and SEIS do not identify any forms of mitigation to compensate for a decline in water quality, impact to benthic or macroinvertebrates, wetlands, sav, oysters, and fish. The protection and management of our natural resources play an important role in the recreational and commercial fisheries industry in the state of Alabama. A project of this size should incorporate any type of impacts that could result from the proposed Mobile Harbor dredging activities in the bay. The term minimal or no significant impact is a very broad statement. This statement makes it very hard to determine the potential adverse effects of a large scale project like the proposed Mobile Harbor deepening, channel widening, and turning basin modification.

On another note, The PCC would encourage the beneficial use of suitable dredge spoils utilized as a form of beach renourishment for the barrier island of Dauphin Island Alabama.

I would like to thank the Mobile District for conducting informational sessions for the environmental community. These educational meetings were very informative. Please, do not hesitate to contact me if I can be of any assistance.

Working for natural resource conservation,

Walter C. Ernest IV

*Saving the world.....one small piece at a time!*

# Comment 31

**From:** [MEJAC](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Public Comment for Draft GRR/SEIS  
**Date:** Monday, September 17, 2018 4:55:26 PM  
**Attachments:** [MEJAC public comment for Draft GRRSEIS signed.pdf](#)

---

USACE:

Please find MEJAC's public comment for the Draft GRR/SEIS study attached as a PDF. It is also inline attached below my signature.

Please acknowledge upon receipt.

Thank you! Chat soon!

--

Ramsey Sprague  
President, Mobile Environmental Justice Action Coalition  
251.308.5872  
infomejac@gmail.com <<mailto:infomejac@gmail.com>>

###

September 17, 2018

U.S. Army Corps of Engineers

ATTN: PD-F

P.O. Box 2288

Mobile, AL 36628

USACE:

Per request, our comments and concerns contained herein are designed to be as direct as possible. Responses referencing sections (i.e. 2.4.1) of our comments and questions would be appreciated.

1. The numbering schemes in the Draft GRR/SEIS seem worryingly inconsistent for many sections. For instance, in the draft GRR/SEIS, Section 6.1 is attributed to both “Cumulative Impacts” and “Public Engagement”. In the Environmental Appendices, some sections seemingly misattribute their Appendix assignment, affecting page number identification, and as such, MEJAC will try to describe specific passages of concern to the best of our ability.

2. AIR QUALITY:

1. On page 4-46 of Environmental Appendix C section 4.7.11 Air Quality, we understand that “incremental effects” are to be considered in the Cumulative Impact assessment, but the actual calculations of what these are appear to be missing. Would USACE please provide the detailed air emission calculations that decided that “the incremental contribution from implementation of the TSP combined with the past, present, and reasonable foreseeable future projects, would not result in significant impacts within the ROI”?

2. On page 2-9 of Environmental Appendix C & page D-18 of Environmental Appendix C/D Attachments C-3, would USACE please elaborate on why “the future emission trends predicted by the Charleston Harbor Navigation Improvement Project. . . [are] used as the reference in discussing potential emission impacts as a result of proposed action in the port”?

3. On page D-23 of Environmental Appendix C/D”, USACE asserts the decision to base the “Projected Changes in 2035 Emissions under Channel Deepening Alternative” on Charleston Harbor Navigation Improvement Project (CHNIP) findings for the Charleston area air quality impacts. Unfortunately, the two separate ports are not compared in any meaningful way in the Draft GRR/SEIS for the public to understand USACE's logic. It is simply asserted that there exists a “given” similarity. Would USACE please elaborate on the many similarities it sees and also any key differences that may support or challenge the assumption of analogous data sets?

4. According to Page 15, Air Emissions Inventory, Appendix D, Charleston Harbor Post 45, Charleston South Carolina, Final Feasibility Report and Environmental Impact Study, retrieved from [Blockedhttp://www.sac.usace.army.mil/Portals/43/docs/civilworks/post45/mainreport/Appendix%20N%20-%20Air%20Emission%20Inventory.pdf](http://www.sac.usace.army.mil/Portals/43/docs/civilworks/post45/mainreport/Appendix%20N%20-%20Air%20Emission%20Inventory.pdf), the CHNIP included non-South Carolina State Port Authority (SCSPA) terminal, private port terminal, contributions to regional air quality in its calculations.

1. Did the Mobile Harbor Expansion GRR/SEIS do that as well? Please elaborate on USACE's reasoning as to why or why not.

2. Is the lack of this kind of comprehensive and (in MEJAC's opinion) reasonable analysis an explanation for why the CHNIP Air Emissions Inventory is almost three times as large as the corresponding MHE GRR/SEIS Air Quality Analysis despite the SCSPA facilities handling half of the cargo tonnage as ASPA facilities?

3. Would USACE please elaborate on why this apparent discrepancy should be justified as a “given”?

4. In MEJAC's original scoping letter from In its calculations of future air quality impacts,

5. On page 18 of Environmental Appendix C/D”, USACE asserts, “the major stationary source definition of 250 tons. . . [was] selected as a comparable project-level significant impact threshold for this SEIS”.

1. Did USACE anticipate that ASPA's actual contribution would be higher or lower?

2. Was 250 tons chosen to simplify the air quality impact considerations in place of providing a comprehensive assessment of both ASPA and non-ASPA terminal contributions to regional air quality, like how the CHNIP did with SCSPA and non-SCSPA terminal contributions to regional air quality?

6. According to the USACE Waterborne Commerce Statistics Center as compiled by the American Association of Port Authorities and retrieved from [aapa.files.cms-plus.com/Statistics/2016%20U.S.%20PORT%20RANKINGS%20BY%20CARGO%20TONNAGE.xlsx](http://aapa.files.cms-plus.com/Statistics/2016%20U.S.%20PORT%20RANKINGS%20BY%20CARGO%20TONNAGE.xlsx), ASPA handles roughly twice SCSPA's total cargo tonnage.

1. In selecting the CHNIP as a guiding air quality baseline for TSP air quality impacts did USACE consider that the SCSPA facilities rank as the 29th largest port in the US while the ASPA facilities rank at 10th in terms of cargo tonnage in 2016 according to the USACE?

2. Would USACE please elaborate about how the differences in tonnage were factored into the Draft GRR/SEIS findings of net decreases in all NAAQS criteria air pollutants?

### 3. ENVIRONMENTAL JUSTICE:

1. On page 2-152 of Environmental Appendix C, USACE asserts, "Special notices of public meetings were mailed (and emailed) to various neighborhood associations, City Planners, Municipalities, Churches, Community Centers, Chapters of the National Association for the Advancement of Colored People, etc. to obtain feedback from groups and individuals with environmental justice-related concerns", but Mobile County NAACP Unit #5044 President David Smith is certain that his Unit received no such invitation for participation or outreach purposes. Examination of the Unit's contact email address shows no such record of contact. MEJAC does notice that this precise paragraph appears to be lifted almost verbatim in its entirety minus its quantitative assertion from the CHNIP, which reads on page 2-131, "Over 150 special notices of public meetings were mailed to various neighborhood associations, City Planners, Municipalities, Churches, Community Centers, Chapters of the National Association for the Advancement of Colored People, etc. to obtain feedback from groups and individuals with EJ-related concerns." Would the USACE please provide their documentation of all outreach efforts to the Mobile County NAACP Unit #5044 and other southwest Alabama regional NAACP Units?

2. Also on Page 2-152 of Environmental Appendix C, MEJAC suggests that the paragraph reading "In an effort to assure opportunities for environmental justice populations to provide input to the NEPA process, workshop meetings were held at the James Seals Community Center located in the Africatown Neighborhood and other communities. Workshops provide a forum to explain the project and its implications, answer questions, listen to concerns, and gain an understanding of neighborhood issues." should be corrected to reflect that the community center at which an environmental justice focus group workshop was held was actually the Robert Hope Community Center. The James Seals Community Center is in the Down the Bay community.

3. And again on page 2-152 of Environmental Appendix C, USACE acknowledges solicitation of data regarding the rates of subsistence fisherfolk in the ROI. MEJAC wishes to praise these efforts and looks forward to both greater illumination on the subject and, should USACE feel it necessary, an acknowledgement of a data gap with respect to these vulnerable populations in our region.

### 4. FOCUS GROUP MEETINGS:

1. On page 6-18, Section 6.1.5 of GRR/SEIS Environmental Compliance, a December 13, 2017 meeting with "Local Environmental NGO's" is identified to have taken place at the USACE Mobile District office. Would USACE please elaborate on why MEJAC, a 5 year old environmental grassroots 501c3 nonprofit which had by that point already identified itself as a very engaged environmental stakeholder group, was not invited to participate in this meeting?

2. In reflecting upon USACE's acknowledged environmental justice communities of concern from Figure 2-42 on page 2-151 of Environmental Appendix C, MEJAC is concerned that USACE did not attempt consultation with communities along the Dauphin Island Parkway corridor south of I-10. Understanding USACE's assertions on public participation outreach from page 2-152 of Environmental Appendix C, could USACE please provide documentation of outreach efforts to community leadership or community action groups from that part of our community?

3. It is MEJAC's understanding of an environmental justice outreach liaison having been identified at one point by the Project Delivery Team to help consult upon and develop its environmental justice outreach strategy. MEJAC is concerned that by scuttling this position may have negatively affected the environmental justice consultation process. Would USACE please explain what happened with this position and why this personnel was ultimately removed from their assignments and never replaced with another member of the Mobile region's environmental justice community leadership or seemingly anybody at all?

4. MEJAC believes that USACE owes a more robust response to the concerns raised by individual representing environmental justice communities of concern in the GRR/SEIS focus group meetings.

1. In the Africatown EJ focus group, USACE asserted there would be “three air quality monitoring studies”. Would USACE please identify what these three air quality monitoring studies consisted of?

2. Would USACE please make some effort to elaborate on why TSP air quality impacts with respect to increased commodity traffic collateral emissions (i.e. hazardous petrochemical storage tank vapors, coal dust, diesel engine soot, etc.) were excluded from mitigation?

1. Are these also assumed simply to have net reductions in accordance with USACE's assertion that GRR/SEIS is analogous to CHNIP?

3. Will USACE conduct follow up environmental justice focus group meetings to better facilitate community education about and literacy of the GRR/SEIS findings?

#### 5. CULTURAL AND HISTORIC RESOURCES

1. On page 2-112, Section 2.16.2 History of the Mobile Bay Area of Environmental Appendix C addresses the history of the “Clotilde” slaveship schooner that brought the founders of the present-day Africatown community to North America from Africa. MEJAC appreciates this section having been included. The opening statement, however, is somewhat confused with the double-negative statement [emphasis added], “Although the location of this ship wreck is still unknown, the historical record does not indicate that this ship wreck is not located adjacent to or within the APE of the proposed Mobile Harbor modification area. However, due to the significance of the history of the slave ship Clotilde is an important chapter in the history of Mobile Bay and the Mobile Delta. As such, it is included in this context.” The context of the paragraph would suggest the opening sentence be revised to reflect its intent without the use of double negatives.

2. On Page 2-114 paragraph 5, USACE states, “By Lewis’ account, Tarkar West Africans asked to be repatriated, but were denied.” However, the reliance upon “Tarkar” as a scholarly tribal identifier has been challenged by historian Sylviane A. Diouf who painstakingly clarifies in her watershed tome “Dreams of Africa in Alabama” that there is not an African ethnicity known as “Tarkar” (pp 37, 39, 227, 231, 246 of Dreams., Diouf). MEJAC recommends dropping the dubious ethnic identifier if for no other reason than that the shipmates came from a wide region and represented many West African ethnicities – unless USACE can identify a primary source material that contradicts Dr. Diouf.

#### 6. GENERAL

1. Did USACE calculations of the growth in containerized chemical transport sector factor in potential traffic impacts upon the Africatown community with respect to containerized chemical tanker cleaning facilities located in the neighborhood on Telegraph Rd? Would USACE please elaborate on its reasonings?

2. Generally, MEJAC believes it to be an abrogation of the Corp's environmental justice obligations to project increases of truck and train traffic as much as 25% through transportation corridors in clearly identifiable environmental justice communities of concern and for USACE not to identify any mitigation for the increases in diesel combustion pollution. Would USACE please elaborate on why there is no response from USACE with respect to mitigation of these impacts?

Thank you for your consideration. MEJAC and our community partners looks forward to USACE's response.

Sincerely,

Ramsey Sprague

President, Mobile Environmental Justice Action Coalition



## Mobile Environmental Justice Action Coalition

(251) 308-5872

InfoMEJAC@gmail.com

MEJAC.wordpress.com

P.O. Box 717

Mobile, Alabama

36601-0717

September 17, 2018

U.S. Army Corps of Engineers

ATTN: PD-F

P.O. Box 2288

Mobile, AL 36628

USACE:

Per request, our comments and concerns contained herein are designed to be as direct as possible. Responses referencing sections (i.e. 2.4.1) of our comments and questions would be appreciated.

1. The numbering schemes in the Draft GRR/SEIS seem worryingly inconsistent for many sections. For instance, in the draft GRR/SEIS, Section 6.1 is attributed to both "Cumulative Impacts" and "Public Engagement". In the Environmental Appendices, some sections seemingly misattribute their Appendix assignment, affecting page number identification, and as such, MEJAC will try to describe specific passages of concern to the best of our ability.
2. AIR QUALITY:
  1. On page 4-46 of Environmental Appendix C section 4.7.11 Air Quality, we understand that "incremental effects" are to be considered in the Cumulative Impact assessment, but the actual calculations of what these are appear to be missing. Would USACE please provide the detailed air emission calculations that decided that "the incremental contribution from implementation of the TSP combined with the past, present, and reasonable foreseeable future projects, would not result in significant impacts within the ROI"?
  2. On page 2-9 of Environmental Appendix C & page D-18 of Environmental Appendix C/"D" Attachments C-3, would USACE please elaborate on why "the future emission trends predicted by the Charleston Harbor Navigation Improvement Project. . . [are] used as the reference in discussing potential emission impacts as a result of proposed action in the port"?
  3. On page D-23 of Environmental Appendix C/"D", USACE asserts the decision to base the "Projected Changes in 2035 Emissions under Channel Deepening Alternative" on Charleston Harbor Navigation Improvement Project (CHNIP) findings for the Charleston area air quality impacts. Unfortunately, the two separate ports are not compared in any meaningful way in the Draft GRR/SEIS for the public to understand USACE's logic. It is simply asserted that there exists a "given" similarity. Would USACE please elaborate on the many similarities it sees and also any key differences that may support or challenge the assumption of analogous data sets?
  4. According to Page 15, Air Emissions Inventory, Appendix D, Charleston Harbor Post 45, Charleston South Carolina, Final Feasibility Report and Environmental Impact Study, retrieved from <http://www.sac.usace.army.mil/Portals/43/docs/civilworks/post45/mainreport/Appen>

dix%20N %20-%20Air%20Emission%20Inventory.pdf, the CHNIP included non-South Carolina State Port Authority (SCSPA) terminal, private port terminal, contributions to regional air quality in its calculations.

1. Did the Mobile Harbor Expansion GRR/SEIS do that as well? Please elaborate on USACE's reasoning as to why or why not.
  2. Is the lack of this kind of comprehensive and (in MEJAC's opinion) reasonable analysis an explanation for why the CHNIP Air Emissions Inventory is almost three times as large as the corresponding MHE GRR/SEIS Air Quality Analysis despite the SCSPA facilities handling half of the cargo tonnage as ASPA facilities?
  3. Would USACE please elaborate on why this apparent discrepancy should be justified as a "given"?
  4. In MEJAC's original scoping letter from In its calculations of future air quality impacts,
  5. On page 18 of Environmental Appendix C/"D", USACE asserts, "the major stationary source definition of 250 tons. . . [was] selected as a comparable project-level significant impact threshold for this SEIS".
    1. Did USACE anticipate that ASPA's actual contribution would be higher or lower?
    2. Was 250 tons chosen to simplify the air quality impact considerations in place of providing a comprehensive assessment of both ASPA and non-ASPA terminal contributions to regional air quality, like how the CHNIP did with SCSPA and non-SCSPA terminal contributions to regional air quality?
  6. According to the USACE Waterborne Commerce Statistics Center as compiled by the American Association of Port Authorities and retrieved from <aapa.files.cms-plus.com/Statistics/2016%20U.S.%20PORT%20RANKINGS%20BY%20CARGO%20TONNAGE.xlsx>, ASPA handles roughly twice SCSPA's total cargo tonnage.
    1. In selecting the CHNIP as a guiding air quality baseline for TSP air quality impacts did USACE consider that the SCSPA facilities rank as the 29th largest port in the US while the ASPA facilities rank at 10th in terms of cargo tonnage in 2016 according to the USACE?
    2. Would USACE please elaborate about how the differences in tonnage were factored into the Draft GRR/SEIS findings of net decreases in all NAAQS criteria air pollutants?
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the James Seals Community Center located in the Africatown Neighborhood and other communities. Workshops provide a forum to explain the project and its implications, answer questions, listen to concerns, and gain an understanding of neighborhood issues.” should be corrected to reflect that the community center at which an environmental justice focus group workshop was held was actually the Robert Hope Community Center. The James Seals Community Center is in the Down the Bay community.

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  1. On page 6-18, Section 6.1.5 of GRR/SEIS Environmental Compliance, a December 13, 2017 meeting with “Local Environmental NGO's” is identified to have taken place at the USACE Mobile District office. Would USACE please elaborate on why MEJAC, a 5 year old environmental grassroots 501c3 nonprofit which had by that point already identified itself as a very engaged environmental stakeholder group, was not invited to participate in this meeting?
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    1. In the Africatown EJ focus group, USACE asserted there would be “three air quality monitoring studies”. Would USACE please identify what these three air quality monitoring studies consisted of?
    2. Would USACE please make some effort to elaborate on why TSP air quality impacts with respect to increased commodity traffic collateral emissions (i.e. hazardous petrochemical storage tank vapors, coal dust, diesel engine soot, etc.) were excluded from mitigation?
      1. Are these also assumed simply to have net reductions in accordance with USACE's assertion that GRR/SEIS is analogous to CHNIP?
    3. Will USACE conduct follow up environmental justice focus group meetings to better facilitate community education about and literacy of the GRR/SEIS findings?
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  1. On page 2-112, Section 2.16.2 History of the Mobile Bay Area of Environmental Appendix C addresses the history of the “Clotilde” slaveship schooner that brought the founders of the present-day Africatown community to North America from Africa. MEJAC appreciates this section having been included. The opening statement,

however, is somewhat confused with the double-negative statement [emphasis added], "Although the location of this ship wreck is still unknown, the historical record does *not* indicate that this ship wreck is *not* located adjacent to or within the APE of the proposed Mobile Harbor modification area. However, due to the significance of the history of the slave ship Clotilde is an important chapter in the history of Mobile Bay and the Mobile Delta. As such, it is included in this context." The context of the paragraph would suggest the opening sentence be revised to reflect its intent without the use of double negatives.

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1. Did USACE calculations of the growth in containerized chemical transport sector factor in potential traffic impacts upon the Africatown community with respect to containerized chemical tanker cleaning facilities located in the neighborhood on Telegraph Rd? Would USACE please elaborate on its reasonings?
  2. Generally, MEJAC believes it to be an abrogation of the Corp's environmental justice obligations to project increases of truck and train traffic as much as 25% through transportation corridors in clearly identifiable environmental justice communities of concern and for USACE not to identify any mitigation for the increases in diesel combustion pollution. Would USACE please elaborate on why there is no response from USACE with respect to mitigation of these impacts?

Thank you for your consideration. MEJAC and our community partners looks forward to USACE's response.

Sincerely,



Ramsey Sprague  
President, Mobile Environmental Justice Action Coalition

## Comment 32

**From:** [Mark Berte](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Parson, Larry E CIV CESAM CESAD \(US\)](#); [Newell, David P CIV CESAM CESAD \(US\)](#); [McDonald, Justin S CIV USARMY CESAM \(US\)](#)  
**Subject:** [Non-DoD Source] ACF Comment Letter for the Draft GRR-SEIS  
**Date:** Monday, September 17, 2018 4:52:03 PM  
**Attachments:** [2018 ACF Draft GRR-SEIS Comment Letter.pdf](#)

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Please see the attached.

Thank you again for the opportunity for the Alabama Coastal Foundation to provide feedback.

If you have any questions or need additional information, please do not hesitate to let me know.

Best,  
Mark

-----  
Mark Berte, Executive Director  
Alabama Coastal Foundation  
250 Conti Street, 2nd Floor  
PO Box 1073  
Mobile, AL 36633  
(251) 990-6002 Office  
(251) 402-3936 Cell  
mberte@joinACF.org  
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September 17, 2018



Colonel Sebastien P. Joly  
U.S. Army Corps of Engineers Mobile District  
Attention: PD-EC  
109 Saint Joseph Street  
Mobile, AL 36602  
MobileHarborGRR@usace.army.mil

Dear Colonel Joly,

## BOARD OF DIRECTORS

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## ACF OFFICE

250 Conti Street, 2<sup>nd</sup> Floor  
P.O. Box 1073  
Mobile, AL 36633  
(251) 990-6002  
[www.joinACF.org](http://www.joinACF.org)  
[info@joinACF.org](mailto:info@joinACF.org)

On behalf of the Alabama Coastal Foundation Board of Directors, members, and staff, I thank you for the opportunity to comment on the Mobile Harbor Draft General Reevaluation Report with Supplemental Environmental Impact Statement (Draft GRR/SEIS). You and your staff have invested much time and effort into that document and the Alabama Coastal Foundation (ACF) is providing this feedback for your consideration as you move closer to your decision milestone part of this process. This is a major economic opportunity for the state and, being a statewide organization, ACF would like to ensure that those economic gains are congruent with our precious environment.

ACF's mission is to improve and protect Alabama's coastal environment through cooperation, education, and participation. We have been in service to that mission for 25 years and use a science-based approach to address practical solutions in a non-adversarial manner. In an attempt to organize ACF's comments about finalizing the GRR/SEIS to be constructive and helpful, I am framing them in three phases: Prior to, During, and Post implementation. Because we operate using an "inclusive environmental stewardship" philosophy, we not only provide these comments, but also offer our time and assistance to bring any interested stakeholder to the table regarding this work.

## Prior to Implementation:

1. Prior to finalizing the GRR/SEIS, I request that your staff study and make any necessary modifications to the water quality modeling analysis based on the following recently published article in *Estuaries and Coasts*:  
<https://doi.org/10.1007/s12237-018-0379-6> As you will see, there were potential impacts to currents, exchange flows, and salinity due to a recent ship channel deepening which should be taken into consideration for our local project.
2. In addition, we appreciate your expanding the oyster larvae distribution model (from just Brookley) so it encompasses other important reefs throughout the bay because the upper part of the bay is not the only impacted area for the proposed channel deepening and widening. As discussed during several meetings, using an average "high/flood" regime and an average "low/drought" year will allow the public to have better informed projections on the potential impacts to all biota.

**Prior to Implementation (CONTINUED):**

3. Likewise, we strongly encourage using pressure gauges south of Gaillard Island to collect accurate data for the middle and lower end of the channel. As you know, ships travel faster in the lower half of the channel so collecting and modeling how those higher speeds affect the assessment areas (SAVs, oysters, fish, etc.) is important to do. When conducting that new ship wake modeling, I request that your staff slightly alter the upper bay analysis as well to study fully loaded vessels in the future because that is part of the justification for the reduction of vessels. Slowing down vessels that cause wakes not only will protect our shorelines, but will also help reduce greenhouse gas emissions. There are effective vessel speed reduction programs that may help to address the current situation as well as any future issues from an expansion. ACF would be honored to meet with anyone to discuss that further to develop a local solution to our current ship wake problem as well as develop a plan to address any future issues due to an expansion.
4. Finally, if the projected decrease in the future number of vessels actually increases after the ship channel has been expanded, please model what threshold numbers it would take to have a negative impact on the various areas that have been assessed (wetlands, submerged aquatic vegetation, benthic invertebrates, oysters, and fish) so the public will have that information available in the future.

**During Implementation:**

5. If the project moves forward, the Alabama Coastal Foundation knows that the Corps will employ adaptive management to address any issues as it relates to implementation. To help provide sound and accurate information to base your adaptive management decisions, we recommend that the Corps have independent monitoring of the implementation to help the public understand how the plan is being brought into reality.
6. In addition, we appreciate the Corps for placing any suitable material from the new work to benefit Dauphin Island. We recommend working with the Mayor, Town Council, Park and Beach Board, and residents of Dauphin Island to ensure that the placement is making a positive impact.

**Post Implementation:**

7. Once the channel expansion work has been completed, the Alabama Coastal Foundation recommends funding an independent consultant to work the Corps to monitor the project for twenty (20) years with a stipulation that annual reports be provided to the public. If there are any negative impacts identified during that window, the public will have the opportunity to learn about it and address it using the best technology and practices available at the time.

I thank you once again for your consideration of our comments. If you have any questions or need any additional information, please do not hesitate to let me know.

Sincerely,



Mark Berte

Executive Director

Alabama Coastal Foundation

[mberte@joinACF.org](mailto:mberte@joinACF.org)

## Comment 33

**From:** [sgraves1@bellsouth.net](mailto:sgraves1@bellsouth.net)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Additional Comments to Draft GRR/SEIS  
**Date:** Monday, September 17, 2018 4:50:52 PM

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As one of the property owners, Bob Neal, present in his comments:

“Dr. Byrnes stated that it would be more beneficial to Dauphin Island shoreline restoration efforts to place dredged sediment from the bar channel, currently deposited at the disposal site, closer to the island for more direct incorporation into the littoral transport system. Although dredged sediment placed in the Sand Island Beneficial Use Area is expected to be transported toward and onto Dauphin Island, Dr. Byrnes indicated that it may take decades for sufficient quantities of recently dredged sand to make its way to the island from the current disposal

This Pelican Island drone video flyover <Blocked<https://vimeo.com/216057037>> (Blocked<https://vimeo.com/216057037> <Blocked<https://vimeo.com/216057037>> ) provides information to help pinpoint to a location to deposit dredged sand due to the Maintenance Dredging of the Mobile Ship Channel. This location would be consistent with Dr. Byrnes’ updated conclusion that resulted from Mr. Neal’s conversation with Dr. Mark Byrnes.

Sincerely,

Stan Graves



## Comment 34

**From:** [Cade Kistler](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 4:45:39 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Cade Kistler  
ckistler@mobilebaykeeper.org  
19655 County Rd 9

Silverhill, Alabama 36576

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## Comment 35

**From:** [Valerie Longa](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 4:44:56 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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Valerie Longa  


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# Comment 36

**From:** [Christian Wagley](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] comments on Mobile Harbor Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement  
**Date:** Monday, September 17, 2018 4:19:21 PM  
**Attachments:** [Mobile Harbor comment letter to ACOE.pdf](#)

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Please accept the attached comment letter. Thank you!

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<Blockedhttp://twitter.com/healthygulf> <Blockedhttp://instagram.com/healthygulf>

CHRISTIAN WAGLEY Coastal Organizer, Florida-Alabama

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UNITED FOR A HEALTHY GULF



UNITED FOR A HEALTHY GULF

P.O. Box 13412, Pensacola, FL 32591  
Phone: 850.687.9968

September 17, 2018

COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Sent via email: MobileHarborGRR@usace.army.mil

RE: Mobile Harbor Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement

Dear Col. Joly:

On behalf of our members and supporters in Alabama and throughout the Gulf coast, we wish to comment on the Mobile Harbor Draft Integrated General Reevaluation Report/ Supplemental Environmental Impact Statement (Draft GRR/SEIS). We recognize and appreciate the comprehensive nature of the Draft GRR/SEIS, which is warranted by the massive scale of this project and its potential impacts. However, we have a number of concerns about deficiencies in the Draft GRR/SEIS, and propose opportunities for improvements that will help to better protect fish, aquatic life, water quality, and adjacent communities.

**1. *The Corps should include a full accounting of how to lessen impacts to environmental justice communities.***

The Draft GRR/SEIS shows an increase in truck traffic by 25% and a 2.5% increase in petroleum and hazardous materials transported through communities with a high number of low income and minority residents. The Corps must assess the proportionality of transportation impacts under the executive orders for environmental justice. The Corps needs to show how they propose to reduce these impacts, and mitigate for any future potential impacts

**2. *The Corps should use more than one year of study as the base for modeling impact.***

The Corps used only one-year (2010) as the base for a number of studies including water quality. Results from the water quality study were then used to find out how these changes will impact our aquatic life (wetlands, oysters, seagrasses). This is wholly inadequate and could result in underestimating the impacts of the project. The use of at least three-years of data is a more accurate measure, especially in light of the potential impacts to endangered turtles and other sea life.

**3. *The Corps must evaluate "worst case" sea level rise impacts.***

Half a meter of sea level rise is insufficient, and well below the 2-meter-by-2100 cases contemplated by the Corps for other projects. Neglecting to analyze the foreseeable impacts of sea level rise invalidates the assessment of impacts to aquatic life, as well as the assessment of sediment transport and impacts to endangered species.

**4. *The Corps should evaluate the indirect impacts of the project.***

The increased depth of the channel is likely to bring increased use and growth in the Port of Mobile. This could lead to new development and expanded facilities that could have indirect impacts on natural resources.

This DEIS should include the impacts of indirect and secondary impacts due to induced development, increased traffic, higher chance of chemical spills, etc.

**5. *The Corps should look more closely at impacts on oysters.***

The restoration of historic oyster populations in Mobile Bay is a major focus of Bay recovery efforts. But the Corps' study on how the project will impact oysters is incomplete.

The model showing how young oysters will move around after the channel changes (making sure they don't get flushed out of the bay) only looked at one oyster reef. We strongly suggest the model be run from all reefs.

The Corps also needs to assess how oyster drills will be impacted from the channel. Oyster drills favor the higher salinities forecast from channel expansion, and so are likely to expand their range. This could impact the survival of existing and future restored oyster reefs.

**6. *The Corps should further investigate impacts to natural habitats, aquatic life, and wildlife.***

With water quality studies limited to one year, impacts to natural habitats such as wetlands and seagrasses are likely underestimated. Identified impacts to seagrasses have not been further assessed as to impact on seagrass-dependent species such as the West Indian Manatee and waterfowl. Forecast increases in salinity from the projects could impact fish and other marine life and should be assessed more completely. With a lack of sea level-rise assessment and sediment transport assessment, impacts to endangered turtles that use island beaches are not fully assessed.

**7. *The Corps should ensure that dredged materials are fully utilized for beneficial use, and that dredging impacts are considered comprehensively.***

Dauphin Island has continued to erode despite the use of the Sand Island Beneficial Use Area (SIBUA). The Corps should address the low replenish rates in which relatively little of the deposited material here is accreting on Dauphin Island beaches. These beaches are habitat for endangered sea turtles.

Furthermore, rather than considering each channel maintenance project/segment of the Mobile Harbor separately, we recommend that a management plan be created to fully assess and consider together the multiple proposed projects in the Mobile Bay area. Such coordination and assessment across multiple projects will more fully capture potential impacts and allow for their minimization and avoidance.



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UNITED FOR A HEALTHY GULF

P.O. Box 13412, Pensacola, FL 32591

Phone: 850.687.9968

We look forward to an updated Draft GRR/SEIS that more fully considers and protects the people and natural resources living in and along the Mobile Harbor. Thank you for considering our comments.

Sincerely,

Christian Wagley  
Coastal organizer, Florida -  
Alabama 850-687-9968

## Comment 37

**From:** [Fowler, James](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Cooper III, Angus](#); [Crabtree, Lindsey](#); [Moore, Valerie](#)  
**Subject:** [Non-DoD Source] Endorsement - Mobile Shipping Channel; Angus R. Cooper III, Cooper/T. Smith Corp.  
**Date:** Monday, September 17, 2018 4:16:12 PM  
**Attachments:** [MobileShippingChannel\\_USACEEndorementLetter\\_AngusRCooperIII\\_2018Sept7.pdf](#)

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Good afternoon Ms. Jacobson,

Please accept the attached letter of endorsement from Mr. Angus R. Cooper III, President, Cooper/T. Smith Corporation. If we can answer any questions or provide any clarify, please do not hesitate to contact us.

Sincerely,

-JCF

---

James C. Fowler

Assistant Vice President

Cooper/T. Smith Corporation

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# Cooper/T. Smith Corporation

September 17, 2018

Colonel Sebastien P. Joly  
United States Army Corps of Engineers, Mobile District  
109 Saint Joseph Street  
Mobile, Alabama 36602

Dear Colonel Joly:

I write you in support of the Tentatively Selected Plan (TSP) identified in the Draft Mobile Harbor, Mobile, Alabama Integrated General Reevaluation Report with Supplemental Environmental Impact Statement.

Commerce for 38 states stands at a crossroads, creating uncertainty for thousands of companies across the country. The Port of Mobile is one of just two deep draft ports with direct connectivity to our nation's 12,000-mile inland waterway network. The modernizing of the Port of Mobile is not about one port community, one state, or one region of our country. Instead, it's about securing the 604 million tons of waterborne cargo that is moved on our nation's inland waterways and securing the future of trade for our country.

Since 1905, Cooper/T. Smith Corporation, a fourth generation family owned enterprise, has employed thousands of families and moved hundreds of thousands of tons of bulk and breakbulk cargo through the Port of Mobile. Furthermore, we serve as the premier transportation service provider for cargo moved along the Tennessee-Tombigbee Waterway and for deep draft vessels being docked, undocked, and escorted in the Ports of Mobile and Theodore. Our shipyard and fabrication companies are building U.S. flagged vessels to compete in today's world economy.

In preparation for the expansion of the Panama Canal and the modernizing of the Port of Mobile, our company has invested millions in the construction of our industry's most powerful and technologically advanced ship assist tugboats, and in state-of-the-art training of our mariners. Thanks to that investment, our port stands ready today to handle our economy's largest ships.

Therefore, for the future economy of the 38 states connected to the Port of Mobile and the millions of families affected by its commerce, I strongly encourage the U.S. Army Corps of Engineers to issue a Record of Decision and immediately proceed with the deepening and widening of the Mobile Harbor Channel.

Sincerely,

Angus R. Cooper III  
President, Cooper/T. Smith Corporation

## Comment 38

**From:** [Tom Herder](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Roberta Swann](#); [Christian Miller](#)  
**Subject:** [Non-DoD Source] Mobile Bay National Estuary Program Comments regarding the Mobile Harbor, Mobile, AL Draft GRR/SEIS  
**Date:** Monday, September 17, 2018 4:09:40 PM  
**Attachments:** [MBNELetterOfCommentOnUSACE\\_DraftGRR\\_SEIS.pdf](#)

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Jenny,

I submit these comments on behalf of Mobile Bay National Estuary Program Director Roberta Swann. We appreciate you accepting and considering them.

Thank you.

Tom

Tom Herder

Watershed Protection Coordinator

Mobile Bay National Estuary Program

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# MOBILE BAY NATIONAL ESTUARY PROGRAM

September 17, 2018

Ms. Jennifer L. Jacobsen  
U. S. Army Corps of Engineers, Mobile District  
P. O. Box 2288  
Mobile, AL 36628-0001

**Re: MBNEP Comments on Mobile Harbor, Mobile Alabama Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement, Mobile County, AL (Draft GRR/SEIS)**

The Mobile Bay National Estuary Program (MBNEP) exists to facilitate a consensus-building and collaborative decision-making process to protect and restore the water quality and ecological integrity of the estuarine waters of Alabama. Accordingly, we offer comments on the Tentatively-Selected Plan to deepen the existing Bar, Bay, and River channels by five feet; incorporate minor bend easings in the Bar Channel approach to the Bay Channel; widen the Bay channel from 400 to 500 feet for three nautical miles to facilitate passing; and expand the Choctaw Pass Turning Basin by 250 feet to the south.

In developing the Draft GRR/SEIS, the U. S. Army Corps of Engineers-Mobile District (Corps) used extensive modeling to determine no significant changes to water quality, fisheries habitat, wave climate, sediment transport or erosion, sediment quality, noise, air quality, or cultural resource status related to the Tentatively-Selected Plan. We recognize virtually all Corps conclusions were reached through modeling, and in some cases limited baseline data were used to drive models. With respect for the science used to generate conclusions reached by the Corps, the MBNEP is fully aware that model outputs do not always reliably predict natural processes. To ensure this project does not create unintended consequences once implemented, the MBNEP recommends long-term, comprehensive monitoring be included as a project component to ensure potential impacts are intercepted as quickly as possible to facilitate rapid mitigation/adaptation.

In 2015, MBNEP's Science Advisory Committee, comprising scientists, consultant experts, and government agency personnel concerned with developing mechanisms for measuring ecosystem health, developed the *Mobile Bay Subwatershed Restoration Monitoring Framework* (attached). It includes the best available practices necessary to identify changes, determine indicator response, and ascertain long-term status of biological condition in the subwatersheds and greater Watershed of Mobile Bay. This framework, derived from available publications and references and prescribing sampling to determine sedimentation and flow, water quality, and habitat condition, recommends all monitoring efforts begin at least one year prior to implementation to establish baselines. With Corps expecting rigorous monitoring of individual projects of much smaller scope, we recommend the length of monitoring post-implementation of this landscape-scale ecosystem modification project be conducted for a period not less than 10 years using Framework-prescribed protocols where possible and continued monitoring of attributes addressed in the Draft GRR/SEIS but not in the Framework.

While the MBNEP appreciates the proposed project is necessary to maintain the long-term viability of the Port of Mobile, ensuring a robust and resilient economy for the coast and the State of Alabama, a comprehensive monitoring program as a component to the Tentatively-Selected Plan is a necessary and prudent safeguard to protect beaches and shorelines, fishery resources, resilience, and water quality valued by residents of coastal Alabama.

Sincerely,

A handwritten signature in black ink, appearing to read "Roberta Swann", with a long horizontal flourish extending to the right.

Roberta Swann  
Director

MOBILE BAY NATIONAL ESTUARY PROGRAM

# Mobile Bay Subwatershed Restoration Monitoring Framework

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Science Advisory Committee: Monitoring Working Group, 2015

## **Mobile Bay Subwatershed Restoration Monitoring Framework**

**Vision:** Comprehensive restoration monitoring that enables quantitative assessment of restoration success and assessment of overall ecosystem function

**Goals:** To answer three questions:

1. What, if any, changes are there in the water quality, sedimentation, flow, biology, and habitat quantity and quality as a result of restoration efforts and management plan implementation?
2. How are potential ecosystem health indicators related to stressors and ecosystem functions/services?
3. What is the long-term status of the biological condition in the Mobile Bay watershed?



### **COMMENTS ON THE PROCESS AND RECOMMENDATIONS**

This framework outlines recommended monitoring procedures in relation to watershed restoration and watershed management plan implementation to understand ensuing impacts on the entire subwatershed. Development and implementation of a standardized monitoring protocol across the larger Mobile Bay watershed in all subwatersheds is critical for understanding the current health and function of the Mobile Bay Estuary and any shifts due to restoration. Recognizing the existing gap and need for such a plan in Mobile and Baldwin Counties the Mobile Bay National Estuary Program (MBNEP) tasked their Science Advisory Committee with the development of a comprehensive monitoring framework. This plan contributes to the MBNEP's Five Year Comprehensive Conservation Management Plan and can be integrated with larger monitoring networks being developed by the Gulf of Mexico Alliance, the Gulf of Mexico Coastal Ocean Observing System, and other partners.

This plan was developed by a working group of the Mobile Bay National Estuary Program Science Advisory Committee (SAC) and then approved by the rest of the SAC. These are thought to be the best available practices necessary to answer the questions laid forth in our goals. Recommendations of best practices reflect the group's professional opinion.

### **Desired Outcomes:**

The recommended protocols will result in standardized data collection for restoration efforts throughout Mobile and Baldwin Counties, allowing comparisons both temporally and spatially, improved decision making, and data preservation for future use. We recommend the monitoring program outlined within this framework be incorporated into all watershed management plans and restoration



proposals and contracts. Ensuring utilization of this framework uniformly across all restorations and watersheds in Mobile and Baldwin counties will allow an interconnected network of data that can improve understanding of the processes of Mobile Bay as a whole. This will also serve as a model for future efforts across the Gulf Coast in developing larger, regional networks, including those envisioned by the Gulf of Mexico Alliance, the National Oceanic and Atmospheric Administration, and the Gulf of Mexico Coastal Ocean Observing System. To achieve these goals we recommend:

- 1) The adoption of this framework in every restoration request for proposals (RFP) and restoration contracts for Mobile and Baldwin County
- 2) Long-term monitoring based on this framework in every watershed management plan for all watersheds in Mobile and Baldwin County
- 3) Data synthesis to develop tools and products for assessment of restoration success, adaptive resource management, and baseline establishment
- 4) Active engagement with county and municipality planners, resource managers, agencies working within the watershed, and other stakeholders to encourage implementation of monitoring and broad application of tools developed from data synthesis.

**Efficiency:**

These recommendations are not all inexpensive or new. Prior to design and implementation in specific watersheds we highly encourage an inventory of required and ongoing monitoring within the watershed to assess what resources are available and what can be leveraged. For example municipalities, businesses, and state and local agencies frequently must monitor to some degree to meet Clean Water Act MS4 requirements. Interagency cooperation will avoid redundancy and provide maximum success for the minimum investment for all partners.

**Data Utilization and Storage:**

In addition to the monitoring scheme laid forth here, we highly recommend implementation of a feedback mechanism in both developing and existing watershed management plans (WMP). Collection of data is not enough; synthesis and analysis is required to determine if restoration and management practices are successful. While this implementation will be different for each watershed, a set of essential minimum requirements need to be met. It is critical that a committee be composed of representatives from:

- The drafter of the WMP – to navigate any changes necessary to the plan
- The municipalities and counties within the watershed – to ensure buy in to the adaptive management process and to supplement their efforts
- Agencies that will derive use from these data – to encourage focus on the watershed and implementation of necessary regulation or status change (i.e. EPA or FDA)
- Those performing the restoration – to evaluate progress of the restoration and give context to observed outcomes



- The Mobile Bay National Estuary Program – to coordinate effort and outcomes between surrounding watersheds and leverage existing partnerships
- Expert researchers – to perform analyses and interpret results

It is imperative that this committee be afforded the power needed to influence or direct the actions in the WMP based on monitoring results. Suggestions include: annual review and restructuring of the WMP based on monitoring data, review of the effectiveness of the restoration, a mechanism to address, edit, or introduce local policy based on baseline and restoration results, and implement adaptive management measures.

We also recommend that these data be housed within a regional partner to facilitate consistency, development of metadata, and promote public access to the data. Establishing a regional data repository will encourage integration within larger monitoring programs, expanding the context of the restoration effort and subsequent monitoring. This will also promote more research and data analysis, thereby improving our understanding of system function and management capabilities. As part of these recommendations metadata should be in ISO 19115-2 standard format. Utilizing a nationally recognized metadata standard will encourage data utilization across Mobile Bay and within larger regional data analyses and inventories.

Incorporating historical datasets to obtain a longer time series for analysis of system status and trends is encouraged; however, such datasets should be utilized in context and not applied beyond the scope of the original sampling.

### **Final Remarks**

This document was developed as a framework to guide individual subwatersheds in the Mobile Bay watershed in standardizing their restoration monitoring. This standardization encourages integration of data and assessment of health of the entire Mobile Bay Estuary. Commitment to these protocols ensures relevance of data and increases the capacity of our region to better manage our resources. This sampling regime will develop an understanding of what drives the successes and failures of restoration efforts. Applying this understanding to adaptive watershed management is critical to utilizing our scarce financial and ecological resources efficiently.



### **SAMPLING PROTOCOLS**

We recommend that all of these monitoring efforts begin at least one year prior to implementation of restoration efforts to establish baselines. Monitoring should continue after restoration to track both short-term and long-term impacts. The minimum length of monitoring post restoration should be 3-5



years. We strongly recommend, if at all possible, transition of this monitoring into a sustained, long-term program for each subwatershed to continue tracking response to restoration and overall shifts in subwatershed health and function.

**Sedimentation and Flow**

Reducing sedimentation and flow are often at the core of restoration aims. If the primary goal of the restoration is to reduce sedimentation and flow, we recommend development of performance metrics specific to each restoration project for assessing success. We recommend the following monitoring metrics:

	<b>Timing and Frequency</b>	<b>Location</b>	<b>Methodology</b>
<b>Erosion Rates</b>	<ul style="list-style-type: none"> <li>• Begin in Nov/Dec</li> <li>• After every rainfall event <math>\geq 1</math> inch</li> <li>• Post catastrophic events related to flow but not precipitation (e.g., dam failure)</li> </ul>	<ul style="list-style-type: none"> <li>• Upstream of restoration</li> <li>• Downstream of restoration</li> <li>• At restoration</li> </ul>	<i>Staley et al., 2006</i>
<b>Continuous Monitoring - Sondes</b>	Every 15 minutes	<ul style="list-style-type: none"> <li>• Mouth of all 2<sup>nd</sup> order streams or strategically important locations</li> <li>• Receiving sub-basin</li> <li>• Prior to and after in-stream retention water bodies (e.g. small lakes or large retention ponds)</li> </ul>	<ul style="list-style-type: none"> <li>• Flow</li> <li>• Turbidity: <i>EPA, 2012</i></li> </ul>
<b>Continuous Monitoring – Automatic Water Grabs</b>	<ul style="list-style-type: none"> <li>• Any rainfall event <math>\geq 0.1</math> inch preceded by 72 dry hours</li> <li>• Continue every 15 min there has been no precipitation for 72 hours</li> </ul> <i>Citation: EPA, 1992</i>	<ul style="list-style-type: none"> <li>• Mouth of all 2<sup>nd</sup> order streams or strategically important locations</li> <li>• Receiving sub-basin</li> <li>• Prior to and after in-stream retention water bodies (e.g. small lakes or larger retention ponds)</li> </ul>	<ul style="list-style-type: none"> <li>• Total Suspended Solids</li> <li>• Suspended Sediment Annual Loading: <i>Cook &amp; Moss, 2008</i></li> </ul>
<b>Soil/sediment characterization</b>	<ul style="list-style-type: none"> <li>• Annually, beginning prior to restoration.</li> </ul>	<ul style="list-style-type: none"> <li>• Upstream of restoration</li> <li>• At restoration site</li> <li>• Downstream</li> </ul>	<ul style="list-style-type: none"> <li>• Grain size</li> <li>• Fraction distribution</li> <li>• TOC</li> </ul>



		depositional site	
<b>Manual Monitoring – Develop Sediment Transport Model</b>	<ul style="list-style-type: none"> <li>• After any rainfall event <math>\geq 1</math> inch for 12 months</li> </ul>	<ul style="list-style-type: none"> <li>• Upstream of restoration</li> <li>• Downstream of restoration</li> <li>• Mouth of all 2<sup>nd</sup> order streams or strategically important locations</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Cohn et al., 1992</i></li> </ul>
<b>Manual Monitoring – Maintain Sediment Transport Model</b>	<ul style="list-style-type: none"> <li>• Two rainfall events annually:                             <ul style="list-style-type: none"> <li>○ Moderate flow event</li> <li>○ High flow event</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Upstream of restoration</li> <li>• Downstream of restoration</li> <li>• Mouth of all 2<sup>nd</sup> order streams or strategically important locations</li> </ul>	<ul style="list-style-type: none"> <li>• Bed Sediment Transport Rates</li> <li>• Bed Sediment Annual Loading: <i>Cook &amp; Moss, 2008</i></li> </ul>

The Geological Survey of Alabama (GSA) has extensive experience and historical data regarding sediment and flow in many of the subwatersheds around Mobile Bay. It is highly recommended to coordinate effort and standard methods with this agency to improve efficiency and standardization.

**Water Quality**

Improved water quality is desired outcome from all restoration efforts. Given that water quality is a direct link to biological condition and ecosystem health, impacts must be quantified. It is critical to the evaluation of a restoration project to measure baselines and changes of water quality over time. For accurate assessment of water quality baselines and quantified changes in response to restoration we recommend monitoring:

	<b>Timing and Frequency</b>	<b>Location</b>	<b>Method</b>
<b>Continuous Monitoring – Sondes</b>	Every 15 minutes (to sample first flush)	<ul style="list-style-type: none"> <li>• Reference site</li> <li>• Upstream from restoration</li> <li>• Downstream from restoration                             <ul style="list-style-type: none"> <li>○ Combine with sediment and flow continuous monitoring</li> </ul> </li> <li>• Receiving Sub-basin</li> <li>• In-stream retention water bodies</li> </ul>	<ul style="list-style-type: none"> <li>• Temperature</li> <li>• Dissolved Oxygen</li> <li>• pH</li> <li>• Conductivity</li> <li>• Photosynthetically Active Radiation                             <ul style="list-style-type: none"> <li>○ Only in receiving sub-basin</li> </ul> </li> <li>• NO3</li> <li>• CDOM</li> <li>• Turbidity</li> </ul>
<b>Continuous Monitoring – Automatic Water</b>	<ul style="list-style-type: none"> <li>• Any rainfall event <math>\geq 1</math> inch</li> <li>• Continue every</li> </ul>	<ul style="list-style-type: none"> <li>• Reference Site</li> <li>• Upstream from restoration</li> <li>• Downstream from</li> </ul>	<ul style="list-style-type: none"> <li>• Nutrients                             <ul style="list-style-type: none"> <li>○ NO3</li> <li>○ NH4</li> </ul> </li> </ul>



<p><b>Grabs</b></p>	<p>15 min until it has been dry for 3 days: <i>EPA, 1992</i></p>	<p>restoration</p> <ul style="list-style-type: none"> <li>○ Combine with sediment and flow continuous monitoring</li> <li>● Receiving sub-basin</li> <li>● In-stream retention water bodies</li> </ul>	<ul style="list-style-type: none"> <li>○ DON</li> <li>○ PN</li> <li>○ PO4</li> <li>○ DOP</li> <li>○ POP</li> <li>○ <i>Lehrter et al., 2013</i></li> <li>● Total Suspended Solids</li> <li>● Dissolved Organic Carbon</li> <li>● Particulate Organic Carbon</li> </ul> <p><i>Welschmeyer, 1994</i></p>
<p><b>Manual Sampling – Monthly Water Grabs</b></p>	<p>Sample based on turnover in the receiving sub-basin</p>	<p>Receiving sub-basin</p> <ul style="list-style-type: none"> <li>● Determine sampling locations within the sub-basin based on size and dynamics of the system</li> </ul>	<ul style="list-style-type: none"> <li>● Nutrients                             <ul style="list-style-type: none"> <li>○ NO3</li> <li>○ NH4</li> <li>○ DON</li> <li>○ PN</li> <li>○ PO4</li> <li>○ DOP</li> <li>○ POP</li> </ul> </li> <li>● Chlorophyll-a</li> <li>● Dissolved Organic Carbon</li> <li>● Particulate Organic Carbon</li> </ul> <p><i>Welschmeyer, 1994</i></p>
<p><b>Other</b></p>	<ul style="list-style-type: none"> <li>● Consider additional 303d issues based on initial screening sampling with subsequent periodic reevaluations for both continuous and manual sampling</li> <li>● Any additional issues specific to a subwatershed should be addressed with a detailed monitoring protocol                             <ul style="list-style-type: none"> <li>▪ Protocols used should be submitted to the MBNEP SAC for integration into this framework to ensure consistency and standardization across the Mobile Bay Watershed</li> </ul> </li> </ul>		

**Habitats**

Habitats are the foundation of an ecosystem; shifts in habitat health and function directly impact the ecological and economic benefits of the watershed. To accurately assess the health of individual habitats we recommend the following monitoring for each habitat:

Submerged Aquatic Vegetation

	Timing and Frequency	Location	Method
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<b>Bed Boundaries</b>	Annually at peak biomass	Receiving sub-basins	Aerial Photography; Tier 1, <i>Neckles et al., 2012</i>
<b>Species Composition and Density</b>	Annually at peak biomass	Receiving sub-basins – determine sampling locations depending on the size and dynamics of the system and the SAV beds	Percent Cover & Cores; Tier 2,3, <i>Neckles et al., 2012</i>

Wetlands

	<b>Timing and Frequency</b>	<b>Location</b>	<b>Methods</b>
<b>Acreeage*</b>	Annually at peak biomass	<ul style="list-style-type: none"> <li>• Reference Site</li> <li>• Restoration Site</li> <li>• Downstream of restoration site</li> </ul>	Aerial imagery and existing spatial data with field verification. <i>USACE, 2010</i>
<b>Floristic Quality Index (FQI)</b>	Annually at peak biomass	<ul style="list-style-type: none"> <li>• Reference Site</li> <li>• Restoration Site</li> <li>• Downstream of restoration (if applicable)</li> </ul>	<i>Lopez &amp; Fennessy, 2002</i>
<b>Wetlands Rapid Assessment Protocol (WRAP)</b>	Annually at peak biomass	<ul style="list-style-type: none"> <li>• Same locations as the FQI</li> </ul>	<i>Miller and Gunsalus, 1999</i>
<b>Hydrogeomorphic (HGM) Model</b>	Annually at peak biomass	<ul style="list-style-type: none"> <li>• Receiving sub-basins</li> </ul>	<i>Shafer et al., 2007</i>

\* Mobile and Baldwin Counties will have detailed mapping of critical habitat including wetlands conducted in 2015. It is the recommendation of this team that such mapping occur annually as part of a comprehensive watershed management plan for each sub-watershed. If complete watershed mapping is not scheduled in the year prior to and at least 3 years after restoration then follow this recommendation.

Streams and Riparian Buffers

	<b>Timing and Frequency</b>	<b>Location</b>	<b>Method</b>
<b>Rapid Stream Assessment for Riparian Buffers</b>	Annually at peak biomass	Entire watershed	<ul style="list-style-type: none"> <li>• <i>Barbour et al., 1999</i></li> <li>• Look to leverage effort with ADEM: ADEM conducts these around the state</li> </ul>
<b>Stream Quality Score</b>	Annually, during early spring, prior to adult insect emergence	<ul style="list-style-type: none"> <li>• 100 m reach segments</li> <li>• Upstream from</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Barbour et al., 1999</i></li> <li>• Be aware of agriculture, golf</li> </ul>



		restoration or a reference site <ul style="list-style-type: none"> <li>• At restoration</li> <li>• Downstream from restoration</li> </ul>	<i>courses, and other potential sources of insecticide that could artificially skew results</i>
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Oyster Reefs

	<b>Timing and Frequency</b>	<b>Location</b>	<b>Method</b>
<b>Reef Areal Dimension</b>	Annually and after events that impact oyster survival (i.e. hurricanes)	Receiving sub-basins	<i>Bagget et al, 2014</i>
<b>Reef Height *</b>	Annually and after events that impact oyster survival (i.e. hurricanes)	Reference sites within receiving sub-basins	<i>Bagget et al, 2014</i>
<b>Oyster Density</b>	Annually after peak growing season	Receiving sub-basins	<i>Bagget et al, 2014</i>
<b>Oyster Size-Frequency Distribution</b>	Annually after peak growing season	Receiving sub-basins	<i>Bagget et al, 2014</i>
<b>Other</b>	Coordination with Alabama Department of Conservation and Natural Resources Marine Resources Division (ADCNR MRD) is highly recommended as ADCNR MRD have a long-term oyster data set and expertise in oyster sampling methodologies. Any additional concerns such as HABs or fecal coliforms should be considered and coordination with the Alabama Department of Public Health (ADPH) is highly recommended to reduce redundancy and incorporate experts in sampling and analysis of results. ( <i>National Shellfish Sanitation Program</i> )		

\*Monitoring oyster reef height provides understanding of how upstream or adjacent land-based activities that change rates of sedimentation, dissolved oxygen, or other water column attributes may, in turn, impact the overall function and productivity of reefs (which can change based on vertical distribution). Low height oyster reefs are naturally occurring in and around Mobile Bay, and a low reef height alone is not to be considered a sign of a poorly functioning reef.

Other Foundational Habitats

There are other habitats that may be critical within individual subwatersheds. For each of these habitats we recommend following a protocol based on published and standardized methods that details frequency and location. Protocols used should be submitted to the MBNEP SAC for integration into this framework to ensure consistency and standardization across the Mobile Bay Watershed



## Biological Communities

Biological communities are a critical component of both ecological function and services including fisheries. Many of the native species are captured in the stream and marsh indices; however, specific species and their associated habitats should be considered. Targeted species differ for individual subwatershed. To ensure that no critical species are overlooked the following should be considered in detail for each subwatershed monitoring program:

- Sensitive habitats
  - Determine if there are any habitats (e.g. marine mammal feeding, resting, breeding habitats, nesting bird habitat etc.)
  - Develop a protocol based on published or standardized methods that details frequency and location
    - Developed protocol should be submitted to the MBNEP SAC for integration into this framework to ensure consistency and standardization across the Mobile Bay Watershed
- Invasive Species
  - Develop a protocol based on published and standardized methods that details frequency and location
- Endangered and Threatened Species
  - Determine if there are any endangered or threatened species
  - Develop a protocol based on published methods or standardized methods that details frequency and location



## REFERENCES

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## Comment 39

**From:** [Trevor Parrish](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Business Council of Alabama Comments on Port of Mobile  
**Date:** Monday, September 17, 2018 3:50:42 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[BCA Comments to Army Corps of Engineers on Mobile Port Expansion.pdf](#)

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Please see the attached comments from the Business Council of Alabama. Please let us know if you have any questions or need any additional information.

Best regards,

Trevor

Trevor W. Parrish

Director of Legislative Policy and Deputy Counsel  
Office: 334.240.8773

Email: [trevorp@bcatoday.org](mailto:trevorp@bcatoday.org) <<mailto:trevorp@bcatoday.org>>  
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BUSINESS COUNCIL  
OF ALABAMA

September 17, 2018

SUBMITTED ELECTRONICALLY

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628

**RE: Draft Mobile Harbor, Mobile, Alabama Integrated General  
Reevaluation Report with Supplemental Impact Statement**

Dear Ms. Jacobson:

This letter is submitted by the Business Council of Alabama (BCA) and its members to support the widening and deepening of the federal navigation channel of the Port of Mobile, which continues to have a tremendously positive impact on our state. The Tentatively Selected Plan (TSP) from the aforementioned report will encourage trade and economic growth while also responsibly managing environmental concerns.

The Business Council of Alabama is a non-partisan, statewide business association representing the interests and concerns of nearly 1 million working Alabamians through its member companies and its partnership with the Chamber of Commerce Association of Alabama. The BCA is Alabama's exclusive affiliate to the U.S. Chamber of Commerce and the National Association of Manufacturers (NAM).

**The BCA strongly supports the expansion of the Port of Mobile for the positive impacts such action will have on efficiency and commerce, as well as the economic development boost it will provide to Alabama's vital manufacturing sector.** According to the

NAM, Alabama manufacturers employed 262,000 Alabamians in 2016 and increased manufactured goods exports by 52 percent from 2010 to 2016. Additionally, 80.9 percent of companies that exported goods from Alabama in 2014 were small businesses, according to the International Trade Administration. Increasing the trade capacity of Alabama's globally-relevant Port of Mobile will have substantial, lasting positive impacts on Alabama's workers, consumers, business community, and overall economy.

We appreciate your consideration of these comments.

Sincerely,

A handwritten signature in blue ink that reads "Mark M. Colson". The signature is fluid and cursive, with the first name "Mark" and last name "Colson" clearly legible.

Mark M. Colson  
Senior Vice President of Governmental Affairs  
and Chief of Staff

## Comment 40

**From:** [Tracy Johnson](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Support for Draft Mobile Harbor  
**Date:** Monday, September 17, 2018 3:34:00 PM  
**Attachments:** [image001.png](#)  
[SKM\\_C224e180917023350.pdf](#)

---

Please find attached PowerSouth Energy's letter of support for the Draft Mobile Harbor.

Thank you for your consideration!

Tracy Johnson

770 Washington Avenue, Ste. 170

Montgomery, AL 36104

(o) 334-269-2793 | (c) 334-399-2517

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Horace Horn  
VICE PRESIDENT  
EXTERNAL AFFAIRS

---

September 17, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, Alabama 36628-0001

RE: Draft Mobile Harbor, Mobile, Alabama Integrated General Reevaluation Report  
with Supplemental Impact Statement

Dear Ms. Jacobson:

PowerSouth Energy Cooperative is a leading wholesale power supplier to its 20 power distribution members, who provide energy to more than 400,000 residential, commercial and industrial end-use members in Alabama and northwest Florida. PowerSouth's goal is to provide an affordable and reliable power supply for its members and the communities they serve, taking advantage of the most economic means possible when generating and purchasing energy. The Port of Mobile, operated by the Alabama State Port Authority, is critical to reaching our goal.

As the 10th largest seaport in the United States with the fastest growing container terminal in the country, the Port Authority has invested more than \$700 million to keep pace with growing demand. The most critical need facing the Port Authority, however, is a deeper and wider ship channel to enable larger, wide-bodied, bulk carriers to utilize the Port of Mobile.

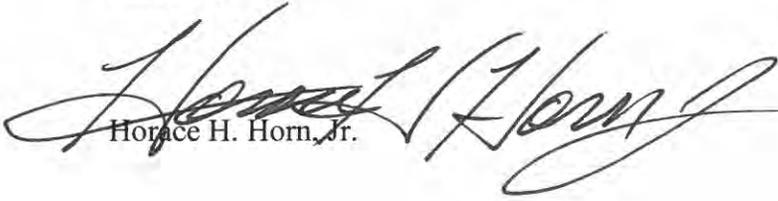
The proposed Tentatively Selected Plan (TSP) would deepen and widen existing channels, leading to greater efficiency and safety by allowing two-way traffic and safer turning of large vessels. PowerSouth Energy offers its full support of this proposed expansion and modernization of the Port of Mobile.

PowerSouth Energy is deeply involved in economic development activities for the regions we serve. The Port of Mobile, along with Alabama's waterways, is a key element in the selection of our state for new and expanding industries. Indeed, Alabama's manufacturing exports continue to grow each year making the TSP recommendations an economically sound investment.

I hope you will take our comments into consideration as you reach decisions affecting the Port of Mobile. I welcome the opportunity to provide any needed additional information.

With best wishes and kindest personal regards, I am

Sincerely,



Horace H. Horn, Jr.

# Comment 41

**From:** [Jennifer Denson](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] CORRECT COPY RE: PEP Public Comments on GRR/SESI  
**Date:** Monday, September 17, 2018 3:30:24 PM  
**Attachments:** [PEP GRR-SEIS Comment Letter 9-17-18.pdf](#)

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I apologize the wrong copy of the letter was sent original. Attached is the entire comment letter. Thank you

Jennifer Denson

Executive Director

Partners for Environmental Progress (PEP)

754 Downtowner Loop W.

Mobile, AL 36609

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F (251) 342-5575

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From: Jennifer Denson  
Sent: Monday, September 17, 2018 3:13 PM  
To: 'MobileHarborGRR@usace.army.mil'  
Subject: PEP Public Comments on GRR/SESI

Ms. Jacobson,

Attached are PEP's comments in support of the Tentatively Selected Plan (TSP) as outlined in the Draft Mobile Harbor, Mobile Alabama Integrated General Re-evaluation Report with Supplemental Environmental Impact Statement (GRR/SEIS).

Please do not hesitate to contact me if you have any questions.

Thank you,

Jennifer Denson

Jennifer Denson

Executive Director

Partners for Environmental Progress (PEP)

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September 17, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, Alabama 36628-0001

RE: Comments on the Mobile Harbor Draft GRR/SEIS

Dear Ms. Jacobson:

On behalf of the Board of Directors and 220 member companies of Partners for Environmental Progress (PEP), I am writing to express our support for the Tentatively Selected Plan (TSP) as outlined in the Draft Mobile Harbor, Mobile Alabama Integrated General Re-evaluation Report with Supplemental Environmental Impact Statement (GRR/SEIS).

PEP is a coalition of business leaders who share the vision of applying best environmental practices to business and community issues. Our members include a wide variety of manufacturing, shipbuilding, aviation, engineering and construction firms along with related industrial suppliers and service providers. Since our founding in 2000, we have promoted strong economic growth balanced with the conservation and restoration of the natural resources that make the Alabama Gulf Coast a unique and desirable place to live and do business.

The Alabama State Port Authority is one of Alabama's critical economic engines and PEP's member companies rely on its continued modernization and efficient operations. Upon review of the GRR/SEIS, we find that the TSP and the proposed channel improvements will provide the Port the navigational improvements necessary to maintain and improve its global competitiveness. The Port will be able to provide more efficient and modern services needed by its clients and our local industries. We see only a negligible or minimal environmental impact.

The GRR/SEIS is a comprehensive engineering, economic and environmental study that addresses the costs, benefits and impacts of improving the Harbor and ship channel. Originally planned as a three year study, we applaud the Port Authority's request and receipt of a waiver to allow a more extensive and comprehensive analysis of the Plan and the environmental impacts. The requested higher level of analysis required an additional year of study and a significant cost increase to insure that all the appropriate data was collected and properly studied.

The scope of the Draft Environmental Impact Assessment is vast. The draft study analyzed potential impacts to fish, oysters, benthic, submerged aquatic vegetation (SAV's), and wetlands. The draft study characterizes the environmental conditions associated with the existing channel conditions of the area which will serve as the baseline for comparison of all future potential conditions associated with a modified channel. The study assessed impacts on upland biological communities; wetlands;

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hard bottom habitat and structural habitat; submerged aquatic vegetation; plankton/algae; benthic invertebrates; mollusks, oyster, crustacean and fish habitats; threatened and endangered species; marine mammals; and fisheries resources. The study also addresses invasive species, air quality, hazardous and toxic materials impacts, and cultural resources. *Findings vary depending upon the specific environmental impact measured, but generally, the study determined the project would have minimal or no impacts.*

Salinity and wave energy impacts were studied, including; potential impacts from saltwater intrusion and other water quality parameter changes both upriver and in the bay. Salinity distribution in the study area is a result of the interaction of freshwater discharge, tides, currents, winds, circulation, evaporation, bathymetry and fresh-water discharge from the Mobile-Tensaw River system. The analysis and modeling determined that the project, if implemented, will result in *fewer vessels coming into the port* (compared to the future Without-Project condition) due to the ability to load vessels deeper. *Consequently, vessel generated wave energy impacting the study area will be reduced due to the decrease in vessels transiting the channel.*

Potential affects to human health and safety, including impacts associated with project construction and port related traffic and transportation, air quality and noise were studied. *Adverse environmental impacts were determined to be minimal and temporary in nature.*

Furthermore, this project can help nourish and replenish the protective barrier island, Dauphin Island. We strongly support the implementation of the Corps' proposal to extend the Sand Island Beneficial Use Area to the northwest in order to ensure placement capacity for future maintenance material from the Bar Channel. Maintenance dredge material from this location is typically sandy material, which is more suitable for nourishing Dauphin Island than the clay and silt material from the channel modification work. The proposed northwest extension should also facilitate movement of placement material along the shoal.

The use of larger Post Panamex vessels in US Gulf ports will occur as will demand for more commodities and goods with or without this project. The TSP will provide a number of efficiencies: Accommodate larger vessels and add cargo capacity thereby maximizing vessel capacity; carry more cargo with lower vessel operating costs, eliminate delays for all vessels transiting the port; and create economies of scale for shippers thereby reducing shipping costs. The study found the total number of vessels, required to meet the anticipated demand at Mobile Harbor during the period of analysis, will decrease compared to the current channel configuration. These benefits plus the finding that environmental impacts will be negligible or minimal make this a well-balanced decision in support of both economic growth and environmental stewardship.

Thank you for your consideration of my comments.

Sincerely,



Jennifer Denson  
Executive Director

## Comment 42

**From:** [Beverly Smith](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** ["Tim Parker III"](#)  
**Subject:** [Non-DoD Source] Letter  
**Date:** Monday, September 17, 2018 3:19:55 PM  
**Attachments:** [DOC\\_20180917135919.pdf](#)

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Parker Towing Company, Inc.  
PO Box 20908 | Tuscaloosa, Alabama 35402-0908  
205-349-1677 | FAX 205-758-0061  
[www.parkertowing.com](http://www.parkertowing.com)

September 17, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
PO Box 2288  
Mobile, AL 36628-0001

Dear Ms. Jacobson,

On behalf of Parker Towing Company, I am writing in support of the Alabama State Port Authority and its request for funding to deepen and widen the channel for the Port of Mobile. Expansion of the channel is vital in maintaining the port's growth. The existing dimensions of this channel place constraints on deeper drafting coal carriers, which result in reduced efficiency and increased costs. A deeper and wider channel will clear the way for the port to accommodate larger container, bulk and neo bulk carriers already calling the port today. A deeper channel also allows ships to carry more weight, making the port more efficient for importers and exporters.

Parker Towing Company operates on our Nation's Inland Waterway System and is one of the largest barge lines in the Southeastern United States. The Inland Waterway System, including the Port of Mobile, provides both domestic and international trade opportunities through low-cost, environmentally sound movement of vital goods and resources that drive our economy. It also provides jobs to tens of thousands of hardworking Americans. The vital resources that drive our economy move safely and efficiently through our ports. The food on our tables, fuel in our cars, heat in our homes, and materials for our manufacturing facilities, are made more affordable, available, and competitive by the Port of Mobile.

The Port of Mobile is the tenth largest full-service seaport in the U.S. and the fastest growing container terminal in North America with direct access to two interstate systems, five Class 1 railroads, and 15,000 miles of inland waterway connections. The Port has a \$22.4 billion annual economic impact, is responsible for 134,608 direct and indirect jobs in Alabama with a direct and indirect tax impact of \$486.9 million.

Thank you for your attention to this matter. It is my hope that the U.S. Army Corp of Engineers recognizes the value of funding this vital project.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Parker III", written over a white background.

Tim Parker III  
President, Parker Towing Company

## Comment 43

**From:** [Scheller, Walt](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening and Widening Project  
**Date:** Monday, September 17, 2018 3:04:49 PM  
**Attachments:** [image002.png](#)

---

Attention: Ms. Jennifer L. Jacobsen / U.S. Army Corps of Engineers, Mobile District

Dear Ms. Jacobsen:

Last year, Warrior Met Coal moved nearly 6 million tons of coal through the Port of Mobile's McDuffie Coal Terminal. The company expects to export more than 7 million tons of metallurgical coal through the coal terminal this year, and closer to 8 million tons starting next year and for the foreseeable future.

Current channel width and depth levels not only contribute to delays for all shipping, including coal, but place limits on the size of vessels the company is allowed to load.

The deepening of the channel will permit Warrior Met Coal to load significantly larger vessels, resulting in a reduction of the number of vessels. Fewer vessels could lower demurrage costs and provide more favorable customer freight rates. This in turn will make the McDuffie Terminal increasingly able to compete against the larger overseas terminals in Asia-Pacific.

Increasing the size of the Choctaw Pass Turning Basin will enhance the ability of larger vessels to turn.

Warrior Met Coal supports the proposed deepening and widening of the Mobile ship channel, believing that it will contribute significantly to the safety and efficiency of port operations.

Thank you,

Walt Scheller

WALTER J. SCHELLER, III

CHIEF EXECUTIVE OFFICER

WARRIOR MET COAL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Comment 44

**From:** [NANCY HUGHES](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 2:48:58 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

NANCY HUGHES  


[REDACTED]

[REDACTED]

## Comment 45

**From:** [Judith Adams](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] FW: Support  
**Date:** Monday, September 17, 2018 2:45:04 PM  
**Attachments:** [2018 RESOLUTION TO SUPPORT PORT OF MOBILE CHANNEL & HARBOR IMPROVEMENTS.docx](#)  
[Mobile ship channel support ltr.docx](#)

---

Larry advised this may have gone snail mail to Col. Joly direct. I am adding it in the event it has not made it to the office yet. Judy

Judith Adams

Alabama State Port Authority

+1 251-441-7003

jadams@asdd.com <<mailto:jadams@asdd.com>>

From: Larry Merrihew <larrywarriortom@aol.com>  
Sent: Monday, September 17, 2018 11:50 AM  
To: Judith Adams <JAdams@asdd.com>  
Subject: Support

This is the BWT info. Thanks for your help

Larry Merrihew, President  
Warrior Tombigbee Waterway Association  
250 N. Water St.  
Mobile, Al 36652  
251-431-9055

2018

A RESOLUTION TO SUPPORT THE PORT OF MOBILE'S  
PROPOSED CHANNEL & HARBOR IMPROVEMENTS

By the

Warrior-Tombigbee Waterway Association

WHEREAS, the Warrior-Tombigbee Waterway Association is a member organization composed of business, industry, and municipalities located throughout the Southeastern United States; and

WHEREAS, the Warrior-Tombigbee Waterway, combined with the Tennessee Tombigbee Waterway and the Tennessee River, provides the Port of Mobile with access to 12,000 miles of inland waterways and 26 States; and

WHEREAS, the Alabama State Port Authority of Mobile seeks to improve the Port of Mobile's channel and harbor to serve the larger vessels that now traverse the improved Panama Canal and thereby making the Port of Mobile more attractive as a port of call for larger ships; and

WHEREAS, the proposed channel and harbor improvements of the Port of Mobile would generate net economic benefits in excess of \$34 million dollars annually and have a positive impact on capital investment and creation of new jobs; and

WHEREAS, improving the channel and harbor of the Port of Mobile would benefit the 26 states served by the aforementioned waterways and provide additional opportunities for increased commerce; and

WHEREAS, the Port of Mobile is an invaluable asset to the States served by the inland rivers of the United States; Now, therefore

BE IT RESOLVED, that the Warrior-Tombigbee Waterway Association strongly supports improvements to the channel and harbor of the Port of Mobile; and

BE IT FURTHER RESOLVED, that the Warrior-Tombigbee Waterway Association encourages the U.S. Army Corps of Engineers to favorably complete the study of improving the channel and harbor for the Port of Mobile and then execute said study; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Warrior-Tombigbee Waterway Association; and

BE IT FURTHER RESOLVED, that copies of this resolution be presented to officials with the U.S. Army Corps of Engineers, the Alabama State Port Authority, and to appropriate members of the United States Congress and other appropriate officials.

IN WITNESS THEREOF, the Warrior-Tombigbee Waterway Association Board of Directors has instructed us to affix our signatures to this resolution on the \_\_\_\_ day of August, 2018.

\_\_\_\_\_  
Charles A. Haun  
Chairman

\_\_\_\_\_  
Lawrence L Merrihew  
President



# WARRIOR-TOMBIGBEE WATERWAY ASSOCIATION

August 27, 2018

Chairman

**Charles A. Haun**

Parker Towing Company  
Tuscaloosa, Alabama

Vice-Chairman

**David Carroll**

Hunt Refining Company  
Tuscaloosa, Alabama

Secretary-Treasurer

**Tom Leatherbury**

SSA Marine  
Mobile, Alabama

President

**Larry L. Merrihew**

Mobile, Alabama

U.S. Army Corps of Engineers  
Mobile District  
Attention – PD-EC  
109 St Joseph Street  
Mobile, Al 36602

To Whom It May Concern:

Our organization is a non-profit corporation formed in 1951 to represent those interested in navigation of the Warrior Tombigbee river system. It continues to work for the system's further development and proper maintenance and has become the principal vehicle for those who wish to work together toward these ends. Our membership is comprised of a broad cross section of business, industry and government throughout the Southeast. It has significant new challenges in the years ahead in maintaining the viability of the waterway as industry needs increase, as energy demands grow and as constraints on waterway development continue.

We fully support the Mobile Ship Channel Project, recognizing the critical role of our nation's water resources infrastructure to a robust economy, job creation, public safety and environmental well-being. As a result we would submit the attached resolution in support of the Mobile ship channel project.

Respectfully Submitted,

Larry Merrihew, President

WTWA · 250 North Water Street, Mobile, Alabama, 36602  
P.O. Box 2863, Mobile, Alabama 36652 · Phone: 251-431-9055 · Email: [warriortom@aol.com](mailto:warriortom@aol.com) · Website: [warriortombigbee.com](http://warriortombigbee.com)

**From:** [Paul Myrick](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 2:37:58 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area.

While I support the maritime industry in the Port of Mobile, those of us who live, work and play on and near Mobile Bay are reminded every day of the immeasurable contributions of a "clean and healthy" Mobile Bay to our economy, our recreation and our quality of life! A rush to judgment without taking into account all of the potential threats the project poses to the health and beauty of Mobile Bay would be penny wise and pound foolish. Those of us who grew up in Mobile and Baldwin Counties, as well as the thousands of folks who have moved here the past several years and the thousands more who visit every year, deserve the opportunity for our kids and grandkids to experience and enjoy Mobile Bay. To do less would be a travesty!

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments.

By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Paul D. Myrick

A black rectangular redaction box covering the signature area.A long, solid black horizontal redaction bar.

## Comment 47

**From:** [Jean Downing](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Opposed to the proposed deepening and widening of Mobile Bay Ship Channel  
**Date:** Monday, September 17, 2018 2:37:01 PM  
**Attachments:** [jod\\_proposed\\_dredge\\_Corps\\_ltr.docx](#)

---

Please find attached my letter and comments opposing the proposed plan to widen and deepen the Mobile Bay Ship Channel.

If you would like to speak to me or even visit my home on Mobile Bay -- you are all welcome!

As always,  
Jean Downing

September 17, 2018

COL Sebastien P. Joly, District Commander  
U. S. Army Corps of Engineers, Mobile District  
P. O. Box 2288  
Mobile, Al 36628

Dear COL Joly,

I am writing to ask for a delay and review of the proposed plan to widen and deepen the Mobile Ship Channel. As a resident of Hollingers Island for 30 years, blessed with a home on Mobile Bay, I have witnessed the ship waves grow by some one to two feet and seen approximately 20 feet of erosion in front of my home. The destruction of the grass beds is of particular concern since this is the breeding ground for fish, shrimp, crab and oyster.

If you insist on this – at the very

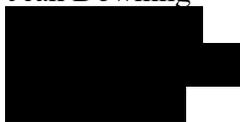
The failure of the Draft GRR/SEIS to adequately identify the availability of maintenance disposal capacity for the Tentatively Selected Plan (TSP) for the next 50 years is a major concern. How can you pass something that will harm the environment without an effective long range plan? This is irresponsible and wrong. Without addressing this issue, the Supplemental Environmental Impact Statement component of the report is wrong and does not fully comply with the National Environmental Policy Act for the full 50-year period of analysis identified in the report.

On page 5-14, the statement is made that “...there would be no expected increase in the concentrations of the turbidity as a result of the implementation of the TSP.” Given the magnitude of the annual maintenance dredging operations and the fine-grained nature of the sediments dredged, this impact statement does not make sense. The report should be expanded to better explain why turbidity levels in Mobile Bay will not be increased during sustained periods of open water disposal of dredged material.

This is wrong and with every point I have made and I know that others have made – it is reckless and irresponsible. I am embarrassed for our decision-makers.

If you have questions, want pictures, would like an interview from a lifelong resident of the area, please know I am willing and able to help.

As always,  
Jean Downing



## Comment 48

**From:** [Elizabeth Wilkes](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 2:12:33 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Elizabeth Wilkes  


[REDACTED]

[REDACTED]

## Comment 49

**From:** [Debbie Quinn](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 2:07:17 PM

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David Newell,

Dear District Commander,

I am writing to express considerable concern over the Corps' study indicating no impact on the environment from a major expansion project for the Mobile ship channel. The Corps has to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. When we first moved back to Mobile in the mid 80's the average rainfall was in the high 50 inches a year...it is now in the high 60 inches a year. With each passing year, more weather events, more tropical events that sit and swirl (as we have recently witnessed with Harvey/Maria/Florence to name a few). The Corps must include at least three years of RECENT data to show how severe weather impacts the study's results;

The Corps must also include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel, especially Red Tide with what is happening in Florida;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive, it's a major industry that needs to be protected. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

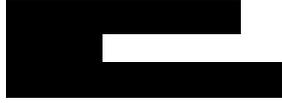
The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

Also, the tremendous short amount of time that the study was done was a self imposed time frame...not one given to the Corp...that needs to change so that the Environmental Impact Study can done in a complete and systemic way.

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Debbie W. Quinn

Debbie Quinn



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## Comment 50

**From:** [Garsed, Monica](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Spire comments and Support  
**Date:** Monday, September 17, 2018 1:55:27 PM  
**Attachments:** [image001.png](#)  
[ASPA letter of support 9 17 18.pdf](#)

---

Please find the attached letter from Spire.

Thank you,

Monica Garsed

Monica Garsed

Economic Development Project Manager, Alabama/Mississippi

2828 Dauphin Street

Mobile, AL 36606

251-450-4757 Office

251-454-5487 mobile

Alagasco, Mobile Gas and Willmut Gas are now Spire.

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Spire Inc.  
2828 Dauphin Street  
Mobile, AL 36606 Commerce

September 17, 2018

Ms. Jennifer Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P. O. Box 2288  
Mobile, AL 36628-0001

Ms. Jacobson,

Spire is a natural gas utility serving 1.7 million natural gas customers in Alabama, Mississippi and **Missouri, as well as being Alabama's largest natural gas distribution company.** In Spire's view, the Alabama State Port Authority's effort to improve the infrastructure of the Mobile Channel by widening and deepening will allow Alabama and the Southeast United States to continue to expand economically. This infrastructure improvement will provide opportunities for the region's residents and businesses, as well as enhance economic development opportunities available to Alabama and surrounding states for decades to come.

As the Alabama State Port Authority is responsible for generating 134,608 direct and indirect jobs and a total economic value of \$22.4 billion, Spire supports the Alabama State Port Authority's effort to widen and deepen the Mobile Channel as reflected in the Tentative Selected Plan (TSP), detailed in the Mobile Harbor, Alabama Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement (GRR/SEIS), which evaluated widening and deepening the Mobile channel, including the potential economic and environmental impacts.

Spire is committed to the continued economic growth of Alabama, Mississippi and Missouri and works with economic development partners across our service territory to advance every community. We believe the widening and deepening of the Mobile Channel significantly contributes in a positive way to the success of our region.

Sincerely,

A handwritten signature in black ink, appearing to read "Monica Garsed", written over a light blue horizontal line.

Monica Garsed  
Economic Development Project Manager, Alabama/Mississippi  
[Monica.Garsed@SpireEnergy.com](mailto:Monica.Garsed@SpireEnergy.com)  
O: 251.450.4757 / C: 251.454.5487

## Comment 51

**From:** [Jamie Franco-Zamudio](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 1:52:43 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Jamie Franco-Zamudio  




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## Comment 52

**From:** [Sewell, Brian](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Support letter for Mobile Harbor, Mobile Alabama Draft Integrated General Reevaluation Report  
**Date:** Monday, September 17, 2018 1:35:44 PM  
**Attachments:** [Support letter for Mobile Harbor Plan.pdf](#)

---

Ms. Jacobson,

Please find attached a letter in support of the Mobile Harbor Draft GRR.

Best regards,

Brian Sewell

Drummond Coal Sales, Inc.

Vice President

Office: 205-945-6329

Mobile: 205-492-4432

[bsewell@drummondco.com](mailto:bsewell@drummondco.com)

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1000 Urban Center Drive  
Suite 205  
Vestavia Hills, Alabama 35242

Telephone: (205) 945-6400  
Fax: (205) 945-6440

## **DRUMMOND COAL SALES, INC.**

September 17, 2018

Ms. Jennifer L Jacobson  
U.S. Army Corps of Engineers, Mobile District

Dear Ms. Jacobson,

On behalf of Drummond Company Inc. and Drummond Coal Sales Inc. (Drummond), I write to offer comments in support of the Tentatively Selected Plan (TSP) identified in the Draft Mobile Harbor, Mobile, Alabama Integrated General Reevaluation Report with Supplemental Environment Impact Statement. Drummond and its customers have used the Port of Mobile since the 1970's, and as a longtime customer of the Alabama State Port Authority we are in favor of the TSP and the benefits that the users of the Port of Mobile will enjoy as a result of the enhancements.

Drummond and other coal producers are currently limited to the 45 feet draft in terms of the options we can offer to our customers on the amount of coal or other commodities to be shipped. The TSP would provide a deeper and wider channel that could benefit Drummond and other coal producers in being able to provide our customers with the option of bringing in larger vessels, which helps to decrease their costs. This allows Drummond and others in the state to be more competitive in the global seaborne metallurgical and steam coal markets.

Another benefit of the deeper and wider channel is that it would reduce congestion when traversing the channel. The existing channel depths and widths limit vessel cargo capability and restrict many vessels to one-way traffic. There have been numerous times that a vessel loading Drummond coal has been delayed either entering the channel to come to berth or leaving McDuffie Terminal to start its voyage to its destination due to another vessel being in the channel. These delays last many hours and result in increased costs for Drummond and/or our customers.

It is my hope that the U.S. Army Corp of Engineers recognizes the value of funding this vital project.

Sincerely,



Brian Sewell  
Vice President Drummond Coal Sales, Inc.

## Comment 53

**From:** [Organized Seafood Association of Alabama](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Organized Seafood Association Comments on Draft Re-evaluation Report and Supplement to the Environmental Impact Statement Mobile Bay Deepening and Widening Project  
**Date:** Monday, September 17, 2018 1:30:10 PM  
**Attachments:** [Rosa.vcf](#)  
[Comments Deepening and Widening Mobile Bay Project Sept 2018.pdf](#)

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Organized Seafood Association of Alabama (OSAA) comments on the Draft Re-evaluation and Supplement to the Environmental Impact Statement for the Mobile Bay Deepening and Widening Project are attached.

Avery Bates  
Vice President

Organized Seafood Association  
PO Box 338  
Bayou La Batre, AL 36509  
(251) 824-1672  
Follow us on Facebook - Eat Alabama Wild Seafood  
Blockedwww.eatalabamawildseafood.com  
organized@centurytel.net <<mailto:organized@centurytel.net>>

# ORGANIZED SEAFOOD ASSOCIATION OF ALABAMA

September 13, 2018

U.S. Army Corps of Engineers, Mobile District  
Attn: Colonel Sebastian P. Joly  
PO Box 2288  
Mobile, AL 36628-001

RE: Mobile Bay Draft General Re-evaluation Report and Supplement to the Environment Impact Statement

Dear Colonel Joly:

As a retired commercial fisherman, Vice President of Organized Seafood Association of Alabama (OSAA), and on behalf of our Alabama commercial fishermen I am writing these comments in regard to the Mobile Bay Draft General Reevaluation Report and Supplement to the Environment Impact Statement and Impacts to Mobile Bay, Dauphin Island and surrounding areas. OSAA's mission is to Promote Greater Efficiency in Meeting the Marketing, Infrastructure, Policy and Regulatory Needs of the Alabama Commercial Seafood Industries and all Support Business or Industries. One of our objectives is to identify issues that affect the industry and to take a leadership role in finding solutions in an effective, efficient and equitable manner. While changes in the Port of Mobile seem necessary to support growth, we must ensure the means to this growth does not destroy an area that is critical to many, including the Commercial Seafood Industry. It is our belief, *The study is inadequate and underestimates the impacts to our natural resources.*

PO Box 338  
Bayou La Batre, Alabama, 36509  
O: 251 824-1672  
[www.eatalabamawildseafood.com](http://www.eatalabamawildseafood.com)  
[info@eatalabamawildseafood.com](mailto:info@eatalabamawildseafood.com)

Our concerns began when we discovered the Commercial Seafood Industry was intentionally left out of the Mobile Harbor Interagency Working Group (IWG) Meetings that begin in February 9, 2012. It appears the IWG initiated pursuing conceptual opportunities for beneficial use (BU) opportunities for dredge material associated with maintaining the navigation channel in Mobile Bay which also included open-bay disposal. Three BU opportunities were under consideration which included placement of dredged material in the Brookley holes, design and construction of a long-term BU site in upper Mobile Bay, and re-establishing within the bay thin-layer disposal along the Mobile Bay channel. In December 2014 there was discussion concerning filling man-made oyster shell mining holes in Mobile Bay. Discussions were held, concepts were presented and initial plans were made without the input of members of the Commercial Seafood Industry, recreational user groups, and home/property owners of Mobile Bay and Dauphin Island which is discriminatory injustice to those who make their living from the waters of Mobile Bay as well as those who consume Alabama seafood, who live along the bay and enjoy the beauty of our area.

Organized Seafood Association of Alabama made several requests to be a member of the IWG, request that were ignored. To date OSAA is still not a member of the IWG.

Observations and general concerns:

- 1) As a commercial fisherman you will sometimes work in shallow waters, when the seas are calm, you'll be sighting/tonging for oysters, fish, etc., working to provide not only for your family but to provide excellent quality seafood for the consumer. You look up and see a 4 to 6-foot wave coming at you and the beach, you hurry to try to secure your boat and yourself so that you don't get thrown overboard or thrown into the cargo hole on your boat causing bodily harm and injury, or crash into another boat. When the very large waves are over and after the waters calms down or clears, which sometimes takes a while or not at all, you



notice all the small fish and shrimp that have been washed up on the shore. You wonder about all the other sea life you can't see. You see the abuse the shoreline has taken and wonder how stable or long it will remain intact. The wave action from a large ship or vessel traveling too fast has thrown high wakes causing erosion and siltation.

2) The methodology used to determine the general wave climate is flawed. The field data collection using a suite of five pressure sensors located north of Gaillard Island will not give an accurate account because North of Gaillard Island and the large disposal areas along the west side of the ship channel would impede any true accurate reading from reaching these sensors. The sensors should have been spread out in five different areas along the bay, we suggest these locations:

- a. South of Gaillard Island about 100 feet off the beach in the middle of the island;
- b. Little Dauphin Island, about 200 yards from the north end of the island 150 feet off the beach;
- c. Cedar Point, north 200 yards north of the point on Patty Shoals and 150 feet off the beach;
- d. Halfway up the Alabama Port Beach towards Fowl River, placed about 100 ft away from the shore;
- e. North of East Fowl River about one mile placed 100 feet off the beach. These areas are highly impacted by ships/vessel that currently use the Port of Mobile. It makes more sense to place the sensors in areas where known problems from wave actions occurs than in sheltered areas where you will not get true results.

Erosion of the western shore of Mobile Bay is a continuing problem. Instead of giving validity to the folks who live on the bay, the property owners, regarding the current issues with wave action from the vessels that currently cruise the channel, the USACOE formed an



assumption of no serious wave action on bad methodology-poor placement of sensors. A Vessel Speed Reduction program needs to be implemented to reduce the ship wake energy impacting shorelines. Imposing and enforcing speed limits on the vessels traveling the shipping channel is necessary to reduce the magnitude of waves breaking on the shore from passing vessels.

Problems with the current study:

- a. Bias field data collected only from North of Gaillard Island where vessel speeds are lower
- b. Information from only a limited number of ship sizes and weights
- c. Study did not include larger vessels anticipated to call at the port
- d. An unvalidated assumption of fewer ships "WITH PROJECT" than "WITHOUT PROJECT"

The above a-d, resulting with the study underestimating ship wake impacts. The USACOE must study the impact from ship wave action on our aquatic life (oysters, fish, SAV's, etc.) and the shorelines.

- 3) On September 12, 1979, a natural disaster hit Cedar Point oyster reefs and other shallow bays reefs. Hurricane Fredrick almost wiped out oysters in Alabama. Because of that, oystermen looked in other areas to harvest – West Fowl River, West Heron Bay, Long Bayou, and deeper waters of Mobile Bay west of the ship channel and on the East Side of the channel by Middle Bay light. In the early '80's there were about 60-80 fishermen working the deep bay reefs. These reefs were originally in the middle of the bay prior to the first dredging of Mobile Bay placing spoil and shells/oysters on the west side of the channel which naturally reproduced. Our oystermen located the reefs and continue to work. The



channel was maintained with pipeline dredges and later the USACOE permitted open water placement of spoils on these oyster bottoms/reefs killing many, many acres of living oysters. Result - impact of pipeline dredging and open water placement of spoils: kills oysters!

- 4) Permits were given by the USACOE to build Gaillard Island. Gaillard Island was built on top of one of the most productive living reefs in Mobile Bay. Fishermen were told by the Corps chief environmentalist at the time, Hugh Mc Clellan, to build the island, the rocks had to sit on a strong foundation therefore; the oyster and clam reefs that naturally grew there were used as the foundation. This destroyed habitats for various marine life; spawning areas were destroyed. Gaillard Island destroyed prime oyster bottoms, diverted natural fresh water flow from the rivers, impeded oyster larvae from moving south toward other approved areas for oyster harvest, and destroyed natural water filters and oxygen producers (Oysters) for the bay. Mobile Bay is a shallow bay "historically". Placing this spoil and other dredge soil areas will impede the dilution of high fecal volume that runs off Gaillard Island into the bay. Currently, there are over 11 thousand nesting pairs of pelicans residing on the island; also, several large sewer discharge lines are located in the North end of the Bay, posing additional health risk to seafood. Adding to the shallowness, the continued silting from the large ships wave action will for years spread high amounts of turbidity both up and down the bay causing low dissolved oxygen and stratification of the water columns, salt on the bottom and fresh water on the top and a fluctuating silt levels in the middle of the water columns stopping or impeding sunlight to reach the grass beds killing them.
- 5) A permit was issued by the USACOE that allowed companies to mine historic oyster and clam reefs in Mobile Bay to build highways and road infrastructures. This caused large plums of silt that covered other oyster bottoms and reefs, killing them; silt moved 2-3 miles south and farther along the bay. The mining operations also caused large, deep holes in the



bay bottoms. Over the years these holes have mostly filled by natural filling and open water disposal and placement of spoil.

- 6) The Oil and Gas Industry obtained permits from the USACOE to dig large pipeline corridors in the bay. The pipeline located off Alabama Port beach that extends out into Mobile Bay had mounds of spoil piled several feet above the water that could be seen in several locations on the bar and off the edge of the bar. These mounds could be seen from the top of Dauphin Island Bridge, approximately 3-4 miles. Several Commercial fishermen complained of their crab traps being silted to the point they couldn't pull them. Members of the industry reported the problem to the Alabama Department of Conservation and Natural Resources who documented and reported the silting. The silt coming from this spoil area covered ninety (90) percent of the Kings Bayou reef and other nearby reefs was also covered. This was documented by the Alabama Marine Resources Marine Biologist, Mark Van Hoose.
- 7) About 2 years ago, dead oysters were reported by Commercial fishermen after the USACOE permitted to pump dredge spoil material in the deep holes off Brookley field in the Upper Mobile Bay. The silt and spoil materials were carried long distances and settled covering oysters and clams. Commercial fishermen witnessed dead oysters attached to their nets while fishing south and around the spoil areas where they were once alive. Several local fishermen met with the USACOE, at the USACOE's request to report findings, at a meeting held at the Light House Restaurant in Bayou La Batre. The fishermen told the USACOE fish (mullet, speckled trout, and red fish) used these holes as winter protection. Filling the holes destroyed fish sanctuaries. After listening to the fishermen tell of the problems with filling the holes a member of the USACOE called a recreational and commercial fishermen instigator. This unprofessional and very inappropriate remark should never have been made



in such an important meeting. The fishermen were just stating facts of what they knew happened.

- 8) During a period of open water placement of dredge spoils commercial fishermen have complained about not being able to navigate the waters south of the Tensaw River where they had always fished, citing running aground on the dredge spoil materials in areas they had not ever encountered navigational problems.
- 9) The Denton Reef was placed on the north end edge of the White House Reef by the Department of Conservation. There was approximately 10,000 cubic yards of shell place on the bay bottoms surrounded by old culverts and broken concrete. To date not one sack of oysters has been harvested from that reef. When oystermen have tried to catch oysters there nothing was found; no shell, no oysters, only mud and silt. The Denton Reef is completely covered with silt wasting approximately 10,000 cubic yards of shell.
- 10) The oysters/clam reefs that are left alive in the upper Mobile Bay have produced "essential fish habitat" for many years. The bio mass that a living reef can produce is essential for a healthy estuary or bay. One acre of living reefs can produce tons of bio mass each year, plus filter millions of gallons of water and add oxygen to the water.

The study on how the project will impact oysters is incomplete:

- a. The study fails to use and compare their model to an existing high-quality model developed by local scientist with input from the Commercial Fishermen.
- b. The model only looked at ONE oyster reef, to get a true outcome the USACOE needs to run a model using ALL oyster reefs in Mobile Bay.
- c. Consideration to ALL the natural oyster reefs that exist in and around the bay HAVE to be considered, the USACOE must us this data to ensure all sites are being analyzed.



- d. The study does not include how oyster drills and other predators, will move with greater salinity moving into areas that were considered fresh waters. If the channel is deepened and widen the salinity will be far greater, killing grass beds and oyster reefs from oyster drills and other predators that thrive in saltier water.

11) USCOE has permitted for over 100 years maintenance dredging of good beach quality sand from the mouth of Mobile Bay. Placing much of the sand in deep open water disposal sites never reaching Dauphin Island, our only true barrier island. Dauphin Island has lost an estimated 7 million cubic yards of sand since 1999 and over 23 million since 1980 to the littoral system. The natural littoral flow of sand, from EAST to WEST, falls into the channel, which is dredged and disposed in open waters off shore or put in the Sand Island Beneficial Use area and subsequently moves offshore. To date, little to no sand has reached Dauphin Island Beaches. The loss of millions of cubic yards of beach quality sand due to unwise channel disposal practices has and continues to adversely affect Dauphin Island. Dauphin Island protects our bays and estuarine water quality which is needed for oysters and other marine life to exist. It also protects communities, the City of Bayou la Bare and inshore estuaries.

The USACOE must :

- a. be sure the material being dumped in the SIBUA is actually making it to Dauphin Island to replenish shorelines.
- b. Dredge material must be placed in appropriate depth and proximity to Dauphin Island

12) The Alabama Pollution Control Act 22-22-1 (3) Defines pollution as the discharge or a pollutant or combination of pollutants. A pollutant includes but is not limited to dredge



spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, industrial, municipal and agricultural waste discharged into the water. Statutory Law concerning "dredge Spoil" covering Essential Fish Habitat, with the methods of open water disposal of dredge spoils has covered thousands of acres of oyster bottoms and reefs. The thick layer of spoil causes smothering of live oysters and creates such turbidity that other benthic species of marine life and sea grasses are smothered which was essential fish habitat in Mobile Bay.

The data contained in the DESIS is incomplete:

- a. Water Quality studies were limited to one year, impacts to natural habitats are underestimated
- b. Some impacts to seagrass were noted, however there is no study on how the impacts will affect the species that rely on them.
- c. The samplings on species that live on the bay bottom-crabs, shrimp, and organism that are important food sources for fish was limited to fall and spring and were only conducted in the upper portions of the bay. Creating gaps in the data. The USACOE must use complete datasets to address the gaps

13) Deepening and widening the channel has/will cause an extra salty wedge to occur in the Bay and the delta. This has been observed over a number of years with the Channel's present depth of 45 plus feet. Commercial and recreational fishermen who fish at the mouth of the river, and Middle Bay southward have seen this happen. This was unheard of years ago; the waters were much too fresh to allow deep water marine life to travel this far north. The deeper the channel the farther the salt water intrusion travels, causing an unnatural change in the bay. The increased salinity in the bay allows predators, like the oyster drill, to live, breed and survive, which can be devastating to the Alabama oyster population. The



increased salinity will also destroy fresh water grass beds, crucial estuarine habitats. Ninety plus percent of our seafood either live, spawn, or live to their maturity in these areas. The statement *"no substantial impacts in aquatic resources within the study area are anticipated due to channel modifications, this is likely because the area of greatest potential changes to environmental conditions are already adapted to natural shifts in salinity"* ... is again flawed science. Any past dredging of the bay and building of islands in Mobile Bay will and have changed the salinity of Mobile Bay. The unnatural salt wedge in the bay was introduced by the USACOE's allowance of deep-water dredging. The misplacement of spoil material for years has caused the shallowing of our bay and continues to cause high turbidity and improper flushing covering essential fish habitat.

- 14) The proposed "Upper Mobile Bay Beneficial Use Site", a 1,200 acre BU area east of the navigation channel in the Upper Bay south of the Causeway has not been discussed in detail from the initial plan. Documents show the island project was approved for funding on December 9, 2015 by the Alabama Restore Council. The proposed Study was to take 2 years to complete. To date, the public has not had any explanation of the planning process and/or progress. It would appear, again, the USACOE and Port Authority are trying to prevent public knowledge. This area is a productive/working area for Commercial Crabbers, Commercial Fishermen, Commercial Bay Shrimpers, and recreational users. The public needs to be updated on the proposed 1,200 acre spoil site. We want clear and concise project plans on this BU site to be disclosed.
  - a. The USACOE needs to update surveys and verifications with Commercial Fishermen, Recreational Fishermen, Community Members and Property Owners to understand what is currently living in these areas to make sure dredge material does not end up in the wrong place.



b. A Dredge Management Plan needs to be developed that includes ALL proposed projects in the Mobile Bay area.

15) We have major concerns regarding the preliminary findings of “minimal or no effects” as stated in the document and the USACE lack of responsibility towards mitigation. A project of this magnitude being proposed in a sensitive and fragile environment like our estuary will have unavoidable effects on wetlands, submerged aquatic vegetation, oysters, fish, shrimp, crabs, shorelines and benthic communities along with the people who make their living from the bay and communities along Mobile Bay. The report does not explain why disposing of dredge materials in open water over thousands of acres of Mobile Bay bottoms during dredging operations will not increase turbidity levels and make the Bay shallower. The reports states “...there would be no expected increase in the concentrations of the turbidity as a result of the implementations of the Tentative Suggested Plan ( TSP).” Everything that has made its way to the bottom of the ship channel, organic matter along with mud, clay, all types of slit, waste water treatment plants effluents will be contained in the spoil materials has and will destroy natural resources.

The USACOE prediction of “no effects” is seen as an attempt to continue destroying the natural resources in Mobile Bay and avoid mitigation/restitution for the impacts that will come from an enlarged ship channel.

The USACOE disregard for mitigation isn't new to our organization. During the construction of the Mobile Port Authority's Container loading/unloading dock OSAA submitted a written request for mitigation of several acres of oyster reefs in the upper Mobile Bay because of the close proximity of the oyster/clam reefs just south and to the west side of the ship channel. Commercial Fishermen who worked the bay waters knew and understood the river



current; on a falling tide the turbidity caused would naturally move south and to the west resulting in damage and killing some of the natural resources. OSAA's request was denied and no true oyster mitigation occurred.

The plan must ensure that all damages are properly mitigated, just as other port expansions have done (Houston, Charleston, Jacksonville). The USACOE and the project sponsor, under multiple statutes, laws and regulations could have significant liability consequences if either attempt to ignore or hide these impacts from the public.

To protect all the sectors Mobile Bay supports, Commercial Seafood, Recreational fisheries, tourism, coastal development and recreation users, to protect our quality of life, to protect our communities, the USACOE must have a comprehensive plan that will minimize negative impacts and provide proper viable mitigation compensation, not "feel good" mitigation to the sectors this project will damage.

16) Concerns on impacts to Environment Justice and fishing communities - Bayou La Batre, Coden, Fowl River, Heron Bay, are a few of the fishing communities or low-income communities this project will affect. Many families within these communities average income is below the national average according to the last census report. Some families are subsistence fishermen who fish to provide meals for their families and neighbors. Subsistence fishermen are not commercial or recreational fishermen, they fish to feed their family. It is imperative the USACOE comply with Executive Order 12898 requiring federal agencies to ensure minority and low-income populations will not experience high and adverse impacts from federal projects. People and resources should never be considered expendable or receive collateral damage by Government entity, agencies, departments, firms, or corporations.



Our elected officials play an important role as stated in the National Environmental Policy Act (NEPA) of 1969 and title 40 of the Code of Federal Regulations parts 1500-1508 require federal agencies to consider the potential environmental consequences of the proposed actions and alternatives. Executive Order (EO) 11514 Protection and Enhancement of Environmental Quality amended by EO 11991 further provides policy directing the federal Government to take leadership in protecting and enhancing the environment. We hold these officials to the standards set forth in the NEPA and EO 11514 .

The Commercial Fishermen of Alabama, over many years, have witnessed the USACOE permit and allow the destruction of the Public's Natural Resources in Mobile Bay, and other areas, by violations of both federal and State laws.

**Code of Alabama, 1975; Volume 7, Title 9, Conservation and Natural Resources**

§9-12-20 Ownership and Control of Seafood: All seafoods existing or living in the waters of Alabama not held in private ownership legally acquired and all beds and bottoms of rivers, streams, bayous, lagoons, lakes, bays, sounds and inlets bordering on or connecting with the Gulf of Mexico or Mississippi Sound within the territorial jurisdiction of the State of Alabama, including all oysters and other shellfish and parts thereof grown thereon, either naturally or cultivated, shall be, continue and remain the property of the State of Alabama to be held in trust for the people thereof until title thereto shall be legally divested in the manner and form authorized in this article, and the same shall be under the exclusive control of the Department of Conservation and Natural Resources until the right of private ownership shall vest therein as provided in this article. (Acts 1926-27, Ex. Sess., No. 169, p. 192: Code 1940, T. 8, § 112.)



Under the **Public Trust Doctrine**, the State is required and authorized to manage State held resources as a trustee – the State acts as a fiduciary by managing its trust resources for the benefits of the public and future generations.

U.S. Supreme Court Landmark (1892) Illinois Central Railroad V. Illinois “wherein the Court enunciated that: The State can no more abdicate its trust over property in which the whole people as interested...than it can abdicate its police powers in the administration of government and the preservation of the peace.” And thus, is sheltered from “taking” claims because a state cannot unconstitutionally “take” what it already holds in trust for the people.

Stop taking the states resources by letting big companies destroy them! We should never allow the USACOE, other Federal Agencies, State Agencies or Cities to destroy our natural resources. (Code of Alabama, Statutory Law Title 22: Health, Mental Health and Environmental control, Chapter 22 Water Pollution Control, section 22-22-1 (7) otherwise known as the Alabama Water Pollution Control Act)

The National Environmental Policy Act (NEPA) of 1969 and title 40 of the Code of Federal Regulations parts 1500-1508 require federal agencies to consider the potential environmental consequences of the proposed actions and alternatives. Executive order (EO) 11514 Protection and Enhancement of Environmental Quality amended by EO 11991 further provides policy directing the federal Government to take leadership in protecting and enhancing the environment.

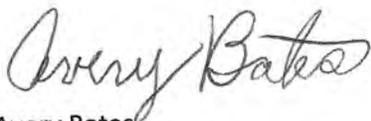
The Magnuson-Stevenson Fishery Conservation Management Act states “those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity” PL 94-265. The Gulf of Mexico Fisheries Management Plan 2010 identifies Essential Fish Habitat in the proposed project area to be intertidal wetlands, submerged aquatic vegetation, no vegetative bottoms, shell reefs and estuarine water columns.



The public bundle of rights (the jus publican) is those held in trust for the benefit of the public. Traditionally, these rights were depicted as the rights of navigation, commerce and fishing. As made evident, given the dynamic nature of the Public Trust Doctrine, over time the scope of protected uses has been expanded by the courts to included recreation, environmental protection, and other water related uses, even sunbathing. The Jus Publicum rights cannot be sold or conveyed away by the State.

The Alabama Commercial Fishing Industry wants to ensure and is expecting the Magnuson-Stevenson Conservation Fishery Management Act, US Environment Laws, State Code of Alabama Laws, Alabama Pollution Control Act, National Environmental Policy Act, US Constitution, Alabama Constitution, The Public Trust Doctrine, the Clean Water Act, Executive Order 12898, and the Coastal Zone Management Plan to be upheld by all agencies and elected officials who have taken oaths to enforce and protect our natural resources and water quality. The commerce from our seafoods, which travel through our state, nation and around the world, is now in jeopardy of being negatively impacted by this proposed project that continues to use flawed science and untruths signed off by these "protecting" agencies.

We expect the USACOE to evaluate each comment based on our concerns and provide a written response for how each will be addressed and incorporated into the Draft Supplemental Environmental Statement.



Avery Bates,  
Vice President, Organized Seafood Association of Alabama

CC:

Alabama Representative David Sessions	Mayor Terry Downey, Bayou La Batre
Alabama State Senator William Hightower	Mayor Jeff Collier, Dauphin Island
US Representative Bradley Byrnes	Jerry Carl, Mobile County Commission
US Senator Richard Shelby	US Senator Doug Jones
Chris Blankenship, Commissioner Alabama Department of Conservation and Natural Resources	

15-OSAA



## Comment 54

**From:** [BRAD OJARD](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening and Widening Project  
**Date:** Monday, September 17, 2018 1:24:50 PM

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Attn: Ms. Jennifer L. Jacobsen

Dear Ms. Jacobsen:

I write today in full support of the proposed deepening and widening of the Mobile ship channel.

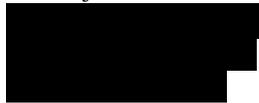
I have worked in the maritime industry for over 30 years, the last 20+ years in and associated with the Mobile Harbor. It is shocking to see the number of ships forced to wait to enter or leave the harbor because of the one way traffic imposed on larger ships and the resulting growing vessel queue. The cost of these delays definitely affects the competitiveness of this port and is having an adverse economic impact on the region.

From personal experience, I realize that deeper draft vessels for just the coal terminal will mean thousands of additional jobs for the region as shipper's will realize drastically favorable impacts on logistical expenses. Additional, non-traditional regional shippers will have access to export markets due to increasing productivity and lower supply chain costs.

Mobile is currently the 10th largest port in the US and with the connections to five Class 1 railroads future expansion is a certainty. The gains in business in my 20+ year of tenure, since moving to the area, have been unprecedented. The port means so much to the regional economy with a \$22.4 billion dollar economic value and creates 135,000 direct and indirect jobs. All of these gains may be forfeit if this project does not come to fruition.

The ROI on this project certainly justifies it. It is my hope that the USACOE will see the remarkable value of this investment not just to the Port of Mobile but also to the region. Please grace the Port of Mobile and the Southeast region with a favorable decision.

Regards,  
Brad Ojard



## Comment 55

**From:** [Robert Pettie](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] COMMENTS MOBILE HARBOR GRR  
**Date:** Monday, September 17, 2018 1:21:58 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[MBOA-Corps Responce.pdf](#)

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Please see attached in response to your requests for public comments concerning seis on the mobile harbor GRR.

Robert Pettie

Director Construction Division

Ph: (251) 660-0132

Cell: (251) 623-1868

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From: Beverly Pettie  
Sent: Monday, September 17, 2018 1:09 PM  
To: Robert Pettie <[robert@personsservices.com](mailto:robert@personsservices.com)>  
Subject: MOBA-Corps Responce

Beverly Pettie

Contract Administrator

Ph: (251) 660-0132

Email: beverly@personsservices.com <<mailto:beverly@personsservices.com>>

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**Mobile Bay Oyster Alliance**  
**P.O. Box 570**  
**Theodore, Alabama 36590**

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September 13, 2018

U. S. Army Corps of Engineers Mobile District  
Attention: PD-EC  
109 Saint Joseph St  
Mobile, Alabama 36602

Subject: Supplemental Environmental Impact Statement (SEIS) on the Mobile Harbor GRR,  
Channel Widening and Deepening

Dear U. S. Army Corps of Engineers Mobile District,

In response to your announcement for public comments concerning the subject draft SEIS, the Mobile Bay Oyster Alliance is providing comments and questions (attachment) for your review.

The Mobile Bay Oyster Alliance (MBOA) represents a rapidly growing coalition of organizations, business and individuals, all dedicated to the return of oyster habitat, oysters, and submerged aquatic vegetation to Mobile Bay. Our goal is creating a healthy shoreline for the return of this once thriving aquatic nursery system to Mobile Bay.

Our comments are largely in response to the vessel generated wave energy (VGWE) report dated June 2018 (Appendix A, Attachment A-4 of GRR). Ship wave waves are not confined within the work area of the project. Wakes from ships will impact the shoreline for most of the length of the Bay. The GRR should address effects the Super Post Panamax size ships transiting the ship channel on a regular and cumulative basis for the life of the project.

Our concern is that the cumulative impact on Mobile Bay from ship waves over the last century has resulted in decrease water quality and loss of habitat-primarily vegetation along the shoreline. We believe that the increase in size and draft of larger ships resulting from this project will have significant negative impacts to Mobile Bay. We are asking that the USACE study in detail the environmental impact of all ship waves to the shore and include a permanent solution in the design of a deeper and wider ship channel.



**Mobile Bay Oyster Alliance**  
**P.O. Box 570**  
**Theodore, Alabama 36590**

Ship waves can be minimized by reduction in ship speed. Your report states in part that “a small change in speed will equate to a large change in VGWE” (emphasis added). The report also shows that VGWE will more than double due to the larger ships. There are several options for limiting speed while transiting the channel. Other ports have implemented speed reduction policies with success. We request that reduction to ship speed be studied to determine its impact to the shore line on Mobile Bay.

Your findings and recommendations to the above-Mentioned concerns are requested as well as to our comments attached.

Sincerely,

Mobile Bay Oyster Alliance

COMMENTS AND QUESTIONS: 17 September 2018

REFERENCE: ATTACHMENT A-4 [Vessel Generated Wave Energy (VGWE) Report by Richard Allen]

1. The VGWE Report reaches conclusions that are not supported by the calculations and statements in the report. Reading the report leads to a different conclusion than the one that is stated. Look at the data as follows:
  - a. Table 3 – shows the bigger the vessel the larger the VGWE.
  - b. Table 4 – shows the larger the vessel draft the larger the VGWE.
  - c. Table 5 – shows inbound vessels produce larger VGWE than outbound vessels. Factors to consider are vessel draft and channel currents.
  - d. Table 6 – shows the greater the vessel speed the larger the VGWE.
  - e. Tables 9 and 10 – show an increase in the number of vessels calling on the port from 2944 (year 2025) to 3232 (year 2035). The projection shows larger vessels calling the port at the rate of 10/day by year 2035.
  - f. Formula (13) - shows each increase in speed raises the VGWE by a factor of 2.4. A one knot increase in speed increases the wave energy 240 percent. Therefore, three knots increases wave energy 1380 percent.
  - g. Figure 30 – you assume average speed of 10 knots which is not supported by the graphs. May be a way to make the calculations uniform but should not be used as a conclusion that the VGWE will not increase.
  - h. Figure 31 – shows vessel speed increases the further South the ship is in the channel. In the Lower Bay channel the speed exceeds 13 knots even for the larger vessels.

The above data in your report does not support the statement in the Executive Summary of the GRR (see Comment #13 below) that reducing the number of vessels will cause less VGWE, and there will be no significant change in the total VGWE. On the contrary there will be more and larger vessels in the port by 2035 than there are now. In 2014 (reference Table in Appendix C) shows 1017 vessels called the port in year 2014. Compare that to the projected 1711 vessels by year 2035 (a seventy percent increase).

My conclusion is that the number and size of vessels (both) will increase and the total amount of VGWE will increase with or without the project. In addition, it's not total VGWE but speed and width of the vessels (which will be getting larger) that cause the impact to the shoreline. The study should show projected increases in VGWE due to projected growth, and should not make mis-leading statements based on comparisons of with/without project.

2. Wave energy is generated by acceleration of the water produced by the bow of the ship. If the ship is travelling against a current the wave will be larger than the wave produced by a ship going the same speed in knots travelling with the current. What is the channel current? The assumption of 10 knots for calculating VGWE is very low and should be reconsidered.
3. Report uses an average speed of 10.57 knots and an average draft of 8.96 meters to calculate VGWE. AIS Data sheets show larger vessels transiting mid-channel over 13 knots which I have verified using the MarineTraffic app. The calculations are based on a formula that calculates energy in a deepwater environment. Actual wave energy due to ship being in a trench will be increased, I assume, due to bottom and channel sides effect. This effect needs to be studied and the wave impacts to the shoreline stated in your final report.
4. Waves increase in height as they enter shallow water and break usually near the shore. This causes bottom disturbance and sedimentation to enter the water column. One ship causes several waves on each passing. Ship waves are larger and have more energy than the normal wind generated waves. The effect is an almost continuous disturbing of the shoreline making it unsuitable for plants. This effect has been occurring since ships have been transiting the Bay, but most of the impact of the ship waves appear to have occurred due to deepening of the channel over the last 80 years. For the USACE to assume this project will show minimum impact to the environment (based on the position that there will

be no more total VGWE) needs to be explained. The wave impact has been occurring for decades.

5. Tables 11 thru 14: Clarify how the number of vessels arriving in a year can differ from the number departing.
6. Tables 9 and 10 and Tables 11 thru 14: Why are the numbers of classes of vessels different between Tables 9 and 10 versus Tables 11 thru 14?
7. The Field Data was gathered over a short period of time during the drier months with river discharge at lower amounts. I assume channel current will be higher during wetter months.
8. Reference Appendix B: Why are the numbers of vessels (by class) different for Vessels Arriving versus Vessels Departing? Total number by class should be the same, just a difference in draft. The error occurs in Table B-3 thru Table B-8.
9. Reference Appendix C, Paragraph 2.2.3.1: There is an incorrect statement on the wave height as "0.02 ft to 0.15 ft". VGWE is not expressed in feet. The VGWE Report does not convert VGWE to wave height.
10. General Comment: The USACE is responsible for construction of the ship channel but does not appear to have any authority for establishing speed limits for ships transiting the channel. Is there a design speed that would cause damage to the channel due to propeller and water movement over the channel sides?
11. General Comment: It appears this project will straighten two bends in the main channel which can result in a possible increase in ship speed resulting in larger waves (VGWE).
12. General Comment: Mitigation measures should be implemented to reduce the ship wave impacts, especially to the shore. This could include vessel speed reduction. Large parts of the shore line are already bulkheaded to protect from erosion. Bulkheads hardly existed along the Bay shore until the 1970's, about the time the vegetation disappeared.

13. General Comment: The following statements are included in the Executive Summary Of the GRR/SEIS:

"Results of the wave climate assessments indicate that implementation of the project would result in negligible changes to the general wave climate. Additionally, the results of the analysis conducted for vessel generated waves show that there would actually be a reduction in ship generated wave energy when compared between the future With- and Without-Project conditions. This is because fewer vessels will be expected to call on the port in the future with implementation of the TSP, which results in less vessel generated wave energy affecting the study area."

The conclusion stated above assumes the same amount of shipping would be maintained With or Without the project. More likely, if the project were not built, the shipping industry could determine that another Port could be more cost effective and move the ships out of the Mobile Port, thus decreasing the number of ships in the future. The stated conclusion on wave climate is not based on any type economic analysis, should not be considered a factual result of a Vessel Generated Wave Energy Report, and should be removed from the Executive Summary.

Another possible conclusion is that a deeper, wider channel will result in more Port visits – as is currently predicted – and will result in more and larger VGWE in Mobile Bay. Data shows the number of ships will increase from average of 5/day in year 2014 to 10/day in year 2035.

USACE needs to do further studies before reaching conclusions that cannot be verified and supported. The conclusion above is in direct conflict with the projected increase in Port calls that, in other parts of the GRR/SEIS, are used to justify the project Benefit Cost Ratio (BCR). How can the number of ships double by year 2035 but the total VGWE not increase - if the project is constructed? Explain the logic used in the conclusion made in the Executive Summary.

14. General Comment: The GRR/SEIS should study coordinated operation of the Port with the Ship Channel operation. Has the USACE consulted with the Port Authority and Bar Pilots and studied the most efficient ways to operate the Mobile Harbor coordinating movement of ships thru the channel to eliminate loss of time? The USACE should study ways to minimize the wait time when ship berths are vacant while waiting for ships to transit the 27

miles of channel to arrive at the berth, and include results in the Channel Design. To put a passing lane at the Southern end of the channel does not appear to be the proper place to have ships pass to minimize berth waiting times. If a ship could transit the channel before the berth is vacated, stop in a location near the North end of the channel until the leaving vessel passes, then enter the Harbor, appears to be a more efficient way to operate. And the vessel speed up the channel would not be on the critical path for the most efficient operation of the Port's berths. A benefit would be the ability to limit vessel speed (to reduce waves) without increasing the cost to this project.

15. General Comment: One of the major effects of ship waves is the repetitive disturbance of water on a regular basis resulting in the inability of the oyster spat to attach to an object during a critical time of the oyster development. By year 2035 ten ships per day visiting the Port equals twenty sets of waves (ten arriving and ten departing) which means almost no period of calm in the shore environment (a constant storm). The SEIS should address the effect of ship's waves on oyster spat (and oyster reefs) in the expected environment - ships transiting the Bay on almost an hourly basis.

16. What is the relationship between ship size and wake size/energy/harm? How does speed (7, 10, 13 knots) affect this relationship? Draft?

17. What calculations were used as basis that recreational boat wakes are more damaging to Mobile Bay than wakes from ships? How was this this conclusion tested and where?

18. What is the magnitude (area) and duration of sediment plumes stirred from ship wakes? How does sediment plume affect SAV beneficial shore flora?

19. Which ships, that regularly transit Mobile Bay, generate the largest wakes from standard calculations?

20. Can vessel transit records be used to determine cumulative wake energy generated for individual ships and the impacts over past year or 5 years? Other periods?

21. What are speed limits or speed reduction programs for ships at other ports? Why are similar programs not being considered for Mobile Bay?
22. What is maximum speed of ships that does not create harmful wakes? How much additional time would be required to transit length of bay at no wake speed?
22. How much does a speed reduction cost? What are the financial benefits such as fuel savings, engine wear? What are ecological benefits?
23. How much have shorelines receded horizontally and vertically since 2000 or other periods (annual rate of loss)? How much have ship wakes contributed shoreline erosion?
24. How much spoil has been removed from bay and transported to gulf for maintenance and expansion projects? (This robs sand from our shore indirectly)
25. Could spoil (either maintenance or from deepening/widening) be placed between channel and shore to produce a berm to diminish wave energy? What would be cost and impacts (beneficial and harmful)? Where would be ideal placement and configuration?
26. What are other measures to mitigate ship wake harm?
27. Can property owners be compensated for beach erosion caused by wakes or deficits from spoil transport to gulf.
28. What percent of Mobile Bay shore is armored by vertical walls/rock?
29. What is the effect of ship speed in the channel related to damages to sides of the channel due caused by the ship propulsion system (prop wash)? Are maintenance dredging costs increased? The Corps is aware that the channel slopes are changing and causing an overall deepening of the Bay, possibly affecting the shorelines. With miles of shoreline armored or bulkheaded to prevent erosion to property along the shoreline, is the result a deeper Bay and increase in the erosion rate at marsh and unprotected shoreline?
30. Is increased VGWE good for the Bay environment?

31. The ship channel was deepened to 35 ft. in the 1940's. Grasses along much of the shoreline had disappeared by the 1960's. The Bay was also mined for oyster shells for the Interstate Highway during the 1960's and 1970's. Can the effects of these events be evaluated to determine damages that may have been caused to the vegetation on the shoreline?

32. Gilliard Island was created from the construction of the Deer River Channel. When a ship passes the East side of Gilliard Island headed South the wave energy gathers and rolls off toward the Western Shoreline. What is the increase in VGWE due to the Gilliard Island effect? Can this effect be eliminated either by slowing the ships or construction of a barrier in the Bay as a part of this project, possibly using dredged material?

33. Restoration of natural shoreline grasses has been successful in Tampa Bay. The restoration effort includes projects with MacDill Air Force Base to restore oyster reefs. Can lessons learned from Tampa Bay be used in Mobile Bay to increase shoreline grasses and oyster habitat? Can these lessons be incorporated into the Harbor Deepening Project without causing significant cost increase but resulting in environmental improvements? As a minimum can the Corps include measures in the Harbor Deepening Project to stop further damage to shorelines?

34. Ship waves cause increased turbidity at the shoreline. Does the Corps disagree with this statement?

## COMMENTS AND QUESTIONS:

Andy Depaola

What is the relationship between ship size and wake size/energy/harm?  
How does speed (7, 10, 13 knots) affect this relationship? Draft?

What calculations were used as basis that recreational boat wakes are more damaging to Mobile Bay than wakes from ships? How was this conclusion tested and where?

What is the magnitude (area) and duration of sediment plumes stirred from ship wakes? How does sediment plume affect SAV beneficial shore flora?

Which ships, that regularly transit Mobile Bay, generate the largest wakes from standard calculations?

Can vessel transit records be used to determine cumulative wake energy generated for individual ships and the impacts over past year or 5 years?  
Other periods?

What are speed limits or speed reduction programs for ships at other ports?  
Why are similar programs not being considered for Mobile Bay?

What is maximum speed of ships that does not create harmful wakes? How much additional time would be required to transit length of bay at no wake speed?

How much does a speed reduction cost?

What are the financial benefits such as fuel savings, engine wear?

What are ecological benefits?

How much have shorelines receded horizontally and vertically since 2000 or other periods (annual rate of loss)? How much have ship wakes contributed shoreline erosion?

How much spoil has been removed from bay and transported to gulf for maintenance and expansion projects? (This robs sand from our shore indirectly)

Could spoil (either maintenance or from deepening/widening) be placed between channel and shore to produce a berm to diminish wave energy?

What would be cost and impacts (beneficial and harmful)?

Where would be ideal placement and configuration?

What are other measures to mitigate ship wake harm?

Can property owners be compensated for beach erosion caused by wakes or deficits from spoil transport to gulf.

What percent of Mobile Bay shore is armored by vertical walls/rock?

Design. To put a passing lane at the Southern end of the channel does not appear to be the proper place to have ships pass to minimize berth waiting times. If a ship could transit the channel before the berth is vacated, stop in a location near the North end of the channel until the leaving vessel passes, then enter the Harbor, appears to be a more efficient way to operate. And the vessel speed up the channel would not be on the critical path for the most efficient operation of the Port's berths. A benefit would be the ability to limit vessel speed (to reduce waves) with no cost to this project.

14. General Comment: One of the major effects of ship waves is the repetitive disturbance of water on a regular basis resulting in the inability of the oyster spat to attach to an object during a critical time of the oyster development. By year 2035 ten ships per day visiting the Port equals twenty sets of waves (ten arriving and ten departing) which means almost no period of calm in the shore environment (a constant storm). The SEIS should address the effect of ship's waves on oyster spat (and oyster reefs) in the expected environment - ships transiting the Bay on almost an hourly basis.

#### COMMENTS AND QUESTIONS:

Andy Depaola

15. What is the relationship between ship size and wake size/energy/harm? How does speed (7, 10, 13 knots) affect this relationship? Draft?
16. What calculations were used as basis that recreational boat wakes are more damaging to Mobile Bay than wakes from ships? How was this this conclusion tested and where?
17. What is the magnitude (area) and duration of sediment plumes stirred from ship wakes? How does sediment plume affect SAV beneficial shore flora?
18. Which ships, that regularly transit Mobile Bay, generate the largest wakes from standard calculations?
19. Can vessel transit records be used to determine cumulative wake energy generated for individual ships and the impacts over past year or 5 years? Other periods?

20. What are speed limits or speed reduction programs for ships at other ports? Why are similar programs not being considered for Mobile Bay?
21. What is maximum speed of ships that does not create harmful wakes? How much additional time would be required to transit length of bay at no wake speed?
22. How much does a speed reduction cost?  
What are the financial benefits such as fuel savings, engine wear?  
What are ecological benefits?
23. How much have shorelines receded horizontally and vertically since 2000 or other periods (annual rate of loss)?  
How much have ship wakes contributed shoreline erosion?
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Where would be ideal placement and configuration?
26. What are other measures to mitigate ship wake harm?
27. Can property owners be compensated for beach erosion caused by wakes or deficits from spoil transport to gulf.
28. What percent of Mobile Bay shore is armored by vertical walls/rock?

1. What effects would a vessel speed reduction program (VSRP) on ships entering and exiting Mobile Bay, have on maintenance dredging on the ship channel. Would less vessel generated wave energy (VGWE) cause less damage to the ship channel side walls, requiring less future maintenance? Especially considering your estimates for the number of ships calling on Mobile by the year 2025 and 2035.
2. VGWE from ship has had negative impacts on Mobile Bay for years. With or without the completion of this project, those impacts will continue, and will continue to increase based upon increased ship traffic. The corps must study existing impacts, as well as future impacts, especially in south Mobile Bay.
3. The "less impact" if project is done statement is at best not factual. The "less more" explanation of this mathematical calculation is not based upon factual data. If you increase the volume of ships either way, then you create "more" impact, not "less".
4. We also request the Corps examine the disappearance of Submerged Aquatic Vegetation (SAV) from shorelines of Mobile, Bay, which are affected by VGWE. Also examine why areas of Mobile Bay not affected by VGWE, have SAV. We content this loss of SAV is directly related to the Corps previous dredging projects, which have allowed larger draft vessels to utilize the ship channel, thus creating more impactful VGWE which impacts the shorelines. This will continue, with or without this project, and we feel the loss of SAV from the shorelines of Mobile Bay, is owned by the Corps.
5. The Corps statement that high turbidity levels in Mobile Bay is "mainly caused by recreational boaters" is based on an opinion, with no scientific study, nor any type of boat count, commercial vs recreational, with which to back it up. Recreational boating has no impact on the turbidity levels of Mobile Bay. A water turbidity study should be conducted at several locations in Mobile Bay, examining the impact of recreational boat traffic vs. VGWE from large vessels. This study should also focus on affected turbidity levels near the shorelines, versus open bay waters, when these areas are impacted by VGWE

The Mobile Bay Oyster Alliance appreciates the opportunity to submit our comments to the DRAFT Integrated General Reevaluation Report (GRR). We support the *effort* to expand and deepen the Mobile Ship Channel, but have concerns that the evaluation of the potential impact of Vessel Generated Ship Wakes (VGSW) is incomplete.

The detrimental impact of VGSWs has been documented through numerous studies, and a casual search of videos online produces many examples of physical damage caused by these destructive forces. The force generated by VGSW is different than the force generated by wind-driven waves, and the GRR reflects an effort to study the effect. However, the study only evaluated VGSW in the northern half of Mobile Bay, and in an area in which vessels routinely slow as they approach the Mobile River channel. The GRR recognized that vessels routinely travel at higher speeds in the southern and middle reaches of Mobile Bay, but sensors were only placed in the northern reach, where vessels are slower. Force is the result of mass times speed, so logic dictates that only measuring VGSW in the northern reach where ships are slower will result in an incomplete analysis.

The federal government recognizes a difference between southern and northern Mobile Bay. Indeed, the National Oceanic and Atmospheric Administration (NOAA) generates different weather forecasts for southern and northern Mobile Bay. There are important differences in a number of hydrographic characteristics, such as depth and width, between southern and northern Mobile Bay. Combined with the documented higher vessel speed, the forces generated by the higher speed, coupled with the different hydrographic characteristics, are likely to have a different impact than those studied in northern Mobile Bay.

In consideration of the above, we are concerned that the potential result of larger and more forceful VGSWs has not been adequately considered, particularly as it relates to southern Mobile Bay. Based on our own first-hand observations of large VGSW, we believe it likely that there will be an increase in turbidity, as well as the potential for physical harm to grasses, oyster spat attempting to become cemented to various substrates, and potentially other environmental impacts. Further, and perhaps more importantly, the sporadic nature of these waves may also present a danger to small boats, primarily kayaks, close to shore as the waves rise rapidly in height shortly before impact with the coast.

Again, we are in favor of the project, but believe that appropriate mitigation steps have not been considered in light of the fact that sensors intended to measure the effects of VGSW were clustered only in northern Mobile Bay. We are asking that additional sensors be placed in the southern half of Mobile Bay so that the study can reflect a more representative sampling and better understanding of the potential harm.

If, as we believe, the additional study results in a different understanding, we believe the harm from large VGSW can be mitigated without additional expense. We believe that as additional data is collected, careful attention should be given to the environmental conditions present at the time of the ship transit. We believe that wind speed and direction, coupled with tidal conditions, also can play a role in either minimizing or aggravating the size and force of the waves. We believe this based upon our own observations that the same ships traveling at the same speed, may or may not produce a large, visible VGSW. It is our hope that at the end of the study, a set of reasonable parameters can be established that would allow ships to travel at higher speeds than during the periods in which environmental conditions may not allow the higher speed VGSW to dissipate before it reaches shallower water. We believe an understanding of these effects would help avoid imposing a needlessly restrictive governmental regulation "one size fits all - all ships must slow" that would affect our vital shipping industry.

The failure of the Draft GRR/SEIS to sufficiently identify the availability of maintenance disposal capacity for the Tentatively Selected Plan (TSP) for the next 50 years is a major concern. Since the report does not adequately analyze the disposal capacity deficit issue, the future environmental impacts resulting from maintaining the channel also cannot be adequately identified and evaluated. Therefore, the Supplemental Environmental Impact Statement component of the report does not fully comply with the National Environmental Policy Act for the full 50-year period of analysis identified in the report.

Erosion of Mobile Bay's western shoreline is a serious continuing issue. Long-term bayfront property owners have repeatedly stated they have observed large waves created by passing ships. Instead of giving credence to the validity of landowner statements, the Corps has relied entirely upon in the results of computerized modeling to conclude ship wakes do not represent a serious issue. Because of the public's concern over ship generated waves the Corps, Coast Guard, and Port Authority should evaluate imposing speed limits on the larger deep draft ships, particularly if fully loaded, to reduce the magnitude of bow waves from passing vessels.

The report states the Tentatively Selected Plan (TSP) has a Benefit-to-Cost Ratio of 3.0 and will annually produce over \$34.5 million of Excess Benefits over Costs. A portion of the Excess Benefits should be directed to beneficially use dredged material to pursue various restoration projects. Example projects could include improving Mobile Bay's oyster resources and pursuing measures to prepare other important environmental resources (such as marsh areas) to better withstand the future effects of Sea Level Rise.

Thin layer disposal of material dredged from the Bay Channel affects thousands of acres of Mobile Bay bottoms each year. The report's Tentatively Selected Plan (TSP) to deepen the channel recommends the additional maintenance dredged material also be disposed in the bay over the next 50 years. But the report provides no adequate scientific information to support the Corps contention that thin layer disposal benefits Mobile Bay's environment. Instead, it appears open water disposal within the bay is really being driven by the intent to reduce project costs by no longer having to transport the material offshore for disposal in the Gulf. The entire return to thin layer disposal in the bay is based upon two unsubstantiated, extremely sketchy statements contained in the July 2014 Environmental Assessment entitled "Modification to Mobile Harbor Operations and Maintenance Addition of a Long-Term Open Bay Thin-Layer Disposal Option". Detailed information from independent studies and literature to validate the Corps allegation that thin layer disposal is beneficial for Mobile Bay must be added to the report.

Oysters are a major "indicator species" of the overall health of Mobile Bay. Historical NOAA catch data for Alabama from 1950 through 2016 show the total annual oyster harvests from Alabama waters have experienced a significant continuing decline during the last 10 years. To provide a true representation of the existing quality of oyster resources within the Study Area, the report should clarify that the recent four years (2013, 2014, 2015, and 2016) selected to develop the Study Baseline represents a significant low point in both oyster production and reef condition over the past 66 years. It is worth noting that the decline in oyster production, which is centered around Mobile Bay, coincides with the Corps return to open water disposal of dredged material in the bay in 2014. The report should devote more discussion to the current deteriorated condition of Mobile Bay's oyster resources, including additional modeling work dealing spat movements, effects on salinity regimes, predation, etc.

The primary reason given for filling the relic shell mining holes located in the midportion of Mobile Bay is that these areas experience periods of low oxygen. However, during periods of extreme winter cold, when portions of the bay have been known to freeze and cause winter fish kills, these deep areas also provide temperature refugia that benefit fish fleeing the lethal colder shallow waters. However, the document does not address the potential refugia benefit that would be foregone if the areas are filled with dredged sediments.

The report should explain how dredged material disposal capacity needs for the Tentatively Selected Plan (TSP) will be satisfied over the entire 50-year economic life of the project. Table 4-5 shows the remaining annual disposal capacity for the open water thin layer disposal sites in Mobile Bay (Figure 4-6) to be 59,594,000 cy after 20 years of use. Assuming the average annual dredging volume for the Bay Channel TSP consistently remains at 4,500,000 cy/year during the final 30 years of the project's 50-year economic life, a total of 135,000,000 cy will have to be dredged. Subtracting the remaining disposal site capacity of 59,594,000 cy from the projected total dredging requirement of 135,000,000 for the final 30-year period shows the Bay Channel segment will suffer from a disposal capacity deficit of 75,406,000 cy that will become increasingly more difficult to overcome and will likely increase the future cost of the maintenance program. The report provides no information as to how the Corps and the Alabama State Port Authority plan to satisfy the future dredged material disposal needs of the TSP after the initial 20 years of maintenance. The potential adverse impacts to Mobile Bay from future dredged material disposal practices are too significant for the report to ignore the significant importance of the dredged material disposal capacity deficit problem the TSP will experience over the total 50-year period of analysis.

Figure 4-9 must be revised to include the 1,200-acre dredged material disposal island planned for the Upper Bay south of the Causeway. The island project was approved for funding on December 9, 2015 by the federal Gulf Coast Ecosystem Restoration Council at a cost of \$2.5 million. Initiation of the study has now been delayed 2-3/4 years, without any explanation being provided. The Corps and the Alabama State Port Authority were actively pursuing the proposed island project until the public began asking questions about the proposal and whether it would truly represent a beneficial use of dredged material. By failing to include the 1,200-acre island on Figure 4-9 and discussing it in the report, it appears the Corps is attempting to prevent the public from being made more aware of the proposal to construct the island. The public is

concerned the Corps is simply delaying starting the dredged material island study until after the current report to deepen the ship channel is finalized.

The water quality modeling analysis must be reconsidered to evaluate a multi-year drought condition to adequately determine if the Tentatively Selected Plan (TSP) will alter salinity regimes within Mobile Bay to the point that oysters, submerged aquatic vegetation, and other specific environmental resources could be adversely affected. The greatest prolonged changes in salinity in Mobile Bay occur during periods of sustained low flow that are experienced during multi-year drought events affecting significant portions of the Mobile Drainage Basin. The water quality model must be rerun to generate the projected "worst case" salinity regimes that could reasonably be expected to occur in the foreseeable future under the TSP during a multi-year drought. That approach is necessary if the potential effects of the TSP on salinity levels, SAV, oyster drills, oysters, and other key environmental resources in Mobile Bay are to be adequately disclosed in the report.

The report does not explain why disposing of maintenance dredged material in open water over thousands of acres of Mobile Bay bottoms over extended periods of time during dredging operations will not increase turbidity values (i.e., a measure of how muddy the water is) above ambient levels. On page 5-14, the statement is made that "...there would be no expected increase in the concentrations of the turbidity as a result of the implementation of the TSP." Given the magnitude of the annual maintenance dredging operations and the fine-grained nature of the sediments dredged, this impact statement does not make sense. The report should be expanded to better explain why turbidity levels in Mobile Bay will not be increased during sustained periods of open water disposal of dredged material.



**Mobile Bay Oyster Alliance**  
**P.O. Box 570**  
**Theodore, Alabama 36590**

Observation from the Marine Traffic.com app for the past three months indicate average speed in the ship channel is approximately 12 knots (13.8 mph). The length of the ship channel is approximately 30 miles, therefore currently the time needed for a vessel to enter or exit is 2.17 hours.

Currently vessels must wait offshore until the channel is clear of other vessels, due to the inability to meet or pass other vessels due to channel width constraints. Therefor, currently the total time necessary for port entry is approximately five hours.

With the proposed projects widening of the channel, ships will be able to meet or pass at the same time, negating the need to wait offshore, or at the port, until the channel is clear of other vessels.

If the speed of vessels in the channel was reduced to 5 Knots (5.75 MPH) the time necessary to transit the length of the channel would be approximately five hours.

Vessel air emissions would be greatly reduced, VGWE would be greatly reduced, and no additional cost to the shipping industry would be incurred.

## Comment 56

**From:** [Peter Bradley](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Samuel Grossman](#); [Tyler Shotkoski](#)  
**Subject:** [Non-DoD Source] Mobile Bay  
**Date:** Monday, September 17, 2018 1:12:05 PM

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Dear All

I am the Chief executive officer of Javelin Global Commodities (“Javelin”) and we presently use Alabama State Docks, McDuffie Terminal for export of thermal coal.

We are partially owned by Murray Energy Corporation and have a long-term export marketing deal with them from the 17 Longwall operations, producing more than 65 million tons of thermal coal across the United States. Javelin exports thermal coal through 8 different terminals in the USA and Mexico, and the largest single exporter of thermal coal out of the USA.

Javelin is highly supportive of this dredging project for the following reasons.

The growth in demand for exports in the USA is focused on Asian counterparties from Indian Sub-continent and South East Asia, and for USA to compete with closer located sources to the Asian consumers, from South Africa, Indonesia and Australia we need to ship on the largest and most efficient capsized vessels, and to ship the maximum amount of cargo on these ships. At present with only 45 feet of draft it is very difficult for shipments out of Mobile to compete into these markets and most of our shipments go to local users in South America, Caribbean and Europe. This will negate a highly efficient port with multiple railroad connections to compete in the world market and as such growth its export volumes. Any increase in exports out of Mobile will directly increase employment both in the Coal mining industry, at the railroads and at the port creating economic benefit across many levels and States within the USA.

In addition, due to the width of the channel, it concreates more congestion and therefore more cost in shipping as vessels have to wait to enter and leave the Mobile Bay area.

Lastly I would like to add that if this project was approved I believe we could increase our volumes shipped through Mobile by more than 100%.

If you have any questions or concerns feel free to contact me directly.

Best regards

Peter Bradley

CEO

Javelin Global Commodities (UK) Ltd

Manning House

22 Carlisle Place

London SW1P 1JA

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**From:** [Kerri Camp](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Kris Troxtell](#); [travis.troxtell@gmail.com](mailto:travis.troxtell@gmail.com); [Danny Camp](#); [david.troxtell@gmail.com](mailto:david.troxtell@gmail.com)  
**Subject:** [Non-DoD Source] Dauphin Island Erosion  
**Date:** Monday, September 17, 2018 12:56:05 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

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To Whom It May Concern:

I am writing this email on behalf of our family who own three homes on Dauphin Island: 2311 Bienville, 2227 Bienville, and 105 St. Andrews Court. It is extremely important that you hear our concerns about the dredging around Dauphin Island and the harm it is causing to the island. Our three homes are income producing vacation rentals. We have invested significant monies into building these three homes and would suffer significant harm if the dredging issue is not resolved with the appropriate remedies.

The dredging is causing changes in the saltwater levels which can negatively impact fisheries including spawning. It is also contributing to shoreline erosion due to the increased ship wake. The shoreline is important to maintain because it protects us from storms, provides beautiful beaches, and impacts wildlife. The grass beds are also being lost due to the increased ship wake and dredging activities. These grass beds provide a food source for many of our sea life along with shelter for them and improved water quality. The dredging is also impacting other sea life such as the manatees. The poorly managed dredging can kill fish and create cloudy water conditions affecting seagrass growth and fish feeding.

To mitigate for the historic and ongoing erosion of Dauphin Island and the smaller Sand/Pelican Island to the southeast, two separate but related actions are needed;

\* During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and to pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel. However, this mitigation action would only mitigate for the present and future erosion of Dauphin Island.

\* To mitigate the historic shoreline losses of Dauphin Island, a much larger project action is needed. That mitigation measure should move by dredging to the Dauphin Island shoreline the millions of cubic yards of sands the Mobile District has removed from the Bar Channel since 1999 that have accumulated within the so-called Sand Island Beneficial Use Area (SIBUA). Those beach quality sands originally came from the Fort Morgan Peninsula and would have been transported by littoral drift to Dauphin Island if the Mobile District had not intercepted the sands by maintenance dredging of the Bar Channel. The millions of cubic yards of accumulated sands now sit a short distance offshore in waters too deep for them to rejoin the littoral system by natural wave and current action. It is these sands that were removed from the littoral drift system that have contributed to the present "sand starvation" of Dauphin Island. The Town of Dauphin Island developed the design details of a project in 2011 that would use around 4 million cy of these sands at an estimated cost of \$59 million to restore the island's eroded shoreline which could be readily implemented and/or expanded with little further study.

Such a mitigation project could be paid for by either of two viable approaches:

1. According to the Draft GRR/SEIS, the recommended Mobile Harbor deepening project is predicted to generate average net benefits of \$34.5 million per year in excess of cost. Thus, mitigation could be paid for with the benefit stream predicted be generated in just two years of operation of the deepened channel. All the Mobile District has to do is recommend this mitigation measure be included in the project recommendation to deepen Mobile Harbor.
2. Alternatively, the Mobile District could proactively work with the Alabama State Port Authority, the Governor of Alabama and other parties to select for implementation Project ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

Regards,

Thomas & Kerri Camp 2311 Bienville Blvd

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Your Success. Our Passion.

## Comment 58

**From:** [Sherry Bishop](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEI  
**Date:** Monday, September 17, 2018 12:25:59 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Sherry Bishop



<Blocked<https://u1584542.ct.sendgrid.net/mpss/o/-gA/ni0YAA/t.2ky/1CHIDtKFQneATviaGTbLMg/o.gif>>

## Comment 59

**From:** [David DeLaney](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 12:19:08 PM

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David Newell,

Gentlemen,

Mobile Baykeeper, Mayor Jeff Collier and other intelligent people have communicated the erosion detriment affecting Dauphin Island and other coastal sites unless the dredging material is placed in appropriate areas. Additionally further expansion and continuation of the Mobile Ship Channel dredging is likely to be detrimental to the nature of the Bay water and affecting environmental conditions of sea life and grass beds. Please consider their recommendations to prevent shoreline erosion by appropriate placement of dredge materials and research on the expected results affecting the the remainder of the Mobile Bay water conditions.

Thank you,

David C. DeLaney



<Blocked<https://u1584542.ct.sendgrid.net/mpss/o/1wA/ni0YAA/t.2ky/9SXabWRxQb65iSEiDTUg5A/o.gif>>

## Comment 60

**From:** [Devin Ford](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 12:16:31 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Devin Ford  




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# Comment 61

**From:** [Shelby Stringfellow](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Ellen McNair](#); [Judith Adams](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Study  
**Date:** Monday, September 17, 2018 12:13:59 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Montgomery Chamber of Commerce Comments - Mobile Port Widening.pdf](#)

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The Montgomery Area Chamber of Commerce (Chamber) submits the attached comments pursuant to a request published in the Federal Register on July 16, 2018 (83 Fed. Reg. 35637) in support of the Tentatively Selected Plan (TSP) identified in the Draft Mobile Harbor, Mobile, Ala. Integrated General Reevaluation Report (GRR) with Supplemental Environmental Impact Statement (SEIS).

Shelby L. Stringfellow

Director  
Corporate Development  
Montgomery Area Chamber of Commerce  
Blockedwww.montgomerychamber.com <Blockedhttp://www.montgomerychamber.com/>  
41 Commerce Street  
Montgomery Alabama 36101  
Office: 334-240-9420

Cell: 334-312-0759

sstringfellow@montgomerychamber.com <<mailto:sstringfellow@montgomerychamber.com>>

MONTGOMERY  
AREA CHAMBER OF COMMERCE

September 17, 2018

The Montgomery Area Chamber of Commerce (Chamber) submits the following comments pursuant to a request published in the Federal Register on July 16, 2018 (83 Fed. Reg. 35637) in support of the Tentatively Selected Plan (TSP) identified in the Draft Mobile Harbor, Mobile, Ala. Integrated General Reevaluation Report (GRR) with Supplemental Environmental Impact Statement (SEIS).

The Chamber is a fully-integrated economic development organization, dedicated to both job creation and job preservation. Its major initiatives are:

- Recruitment of industry and the expansion of existing businesses.
- Development and nurturing of entrepreneurial, minority, and small businesses.
- Tourism and convention development.
- Military and federal affairs.
- Cyber and Innovation.

The Chamber also champions a broad array of community development issues as they relate to its mission, including governmental affairs, public education, workforce development and talent recruitment, leadership development, and quality of place.

The Chamber has been instrumental in the recruitment of Hyundai Motor Manufacturing of Alabama, and a number of its Tier-1 and Tier-2 suppliers to Alabama. Hyundai's investment in Alabama represents the first U.S.-based assembly plant for its parent company, Hyundai Motors. Hyundai has suppliers and vendors located in 38 counties in Alabama, all of which are a part of an ever-growing automotive industry that employs 40,000 Alabamians.

Alabama is the No. 3 exporter of automobiles in the U.S. with shipments to over 80 countries. Automobiles are Alabama's top export with \$7.75 billion in revenue in 2017 and trends in the 2017 data indicate a growing demand for Alabama-Made automobiles.

The Port of Mobile is the 10<sup>th</sup> largest seaport in the United States and has been identified as the fastest growing container terminal in North America. More than \$700M has been invested in expansions which include steel container terminals, coal terminal expansion, rail ferry terminal, warehouse space, two "super Post-Panamax" cranes and an automobile roll-on/roll-off terminal.

We are very much concerned that the trend to larger, deeper-draft vessels will leave the Port of Mobile at a competitive disadvantage due to transportation delays and inefficiencies stemming from the limited channel depth and width. We are also concerned that these inefficiencies will negate the gains realized by the construction of the AutoMobile International Terminal, intended to transform the Port of Mobile into a world class roll-on/roll-off automobile processing facility.

The Port of Mobile has enhanced the competitiveness of several companies in Alabama – including the Hyundai operation in Montgomery, the Mercedes-Benz operation in Tuscaloosa, and the Toyota operation in Huntsville. The success of these plants has attracted major suppliers to the state. The level of employment and output of each supplier is directly related to the overall output of finished automobiles by its customer.



We are cognizant of the importance of conducting a thorough due diligence when weighing the impacts, both positive and negative, of the tentatively selected plan to modernize the Port of Mobile. At the same time, we want to ensure that the positive impact that the Port of Mobile has on Alabama, and the nation as a whole, is accurately quantified in this process.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. George". The signature is fluid and cursive, with the first letter of the first name being a large, stylized "R".

Randall L. George  
President

## Comment 62

**From:** [George Nelson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 11:54:54 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

George Nelson





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## Comment 63

**From:** [rogtanner@aol.com](mailto:rogtanner@aol.com)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Comments on Dauphin Island Erosion  
**Date:** Monday, September 17, 2018 11:49:28 AM

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Dear Col. Sebastien P. Joly:

Because of the strong likelihood of further damage to Dauphin Island and other barrier islands to the west from expanded dredging in Mobile Bay, please consider the following suggestions to the impact statement to better reflect reality:

Results from the Corps numerical modeling study alleging maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s.

The impacts of shoreline erosion on sea turtle nesting should be discussed.

The Corps needs to develop a Master Plan and associated Environmental Impact Statement that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years.

Sincerely yours/

Roger L. Tanner



## Comment 64

**From:** [sgraves1@bellsouth.net](mailto:sgraves1@bellsouth.net)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [David Sessions](#); [jcollier@townofdauphinisland.org](mailto:jcollier@townofdauphinisland.org); [Dennis Knizley](#); [chris.blankenship@dcnr.alabama.gov](mailto:chris.blankenship@dcnr.alabama.gov)  
**Subject:** [Non-DoD Source] Update of Comments to Draft GRR/SEIS  
**Date:** Monday, September 17, 2018 11:44:34 AM  
**Attachments:** [2018-09-17 GRR -SEIS update re Suggestion for Mitigation signed.pdf](#)  
[1997-05-30 SAD Memorandum of Approval \(302\).pdf](#)  
[2018-09-17 \(1980-2009\) Mobile Harbor Outer Bar Dredging History.pdf](#)

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This e-mail provides additional public comments to the draft GRR/SEIS Widening and Deepening of the Mobile Navigation Channel that was mailed Friday, September 14th by USPS Priority Mail. Expected delivery is today, Monday, September 17th and based upon tracking, the Priority Package was delivered to the PO Box early this morning. The attached comments provide a mitigation plan that the Corps of Engineers, Mobile District, should implement.

Sincerely,

Stan Graves



*Stan Graves*

September 17, 2018

U.S. Army Corps of Engineers  
Mobile District  
ATTN: PD-F  
P.O. Box 2288  
Mobile, AL 36628

Re: Mobile Harbor Draft General Reevaluation  
Report/Supplemental Environmental Impact Statement (Draft  
GRR/SEIS)

To: U.S. Army Corps of Engineers, Mobile District:

This is an amendment to my public comments to the draft GRR/SEIS Widening and Deepening of the Mobile Navigation Channel that was mailed Friday, September 14<sup>th</sup> by USPS Priority Mail. Expected receipt is Monday, September 17<sup>th</sup>. An essential and principal objective of the GRR/SEIS is to identify potential consequences and develop and construct the appropriate mitigation plans to minimize adverse impacts of the Corps of Engineers maintenance dredging of the Outer Bar Channel. To accomplish this objective, I have offered below a mitigation plan that the Corps of Engineers, Mobile District, should implement.

As the Draft GRR/SEIS states, it is the supplement to the original 1980 EIS. As required by Corps Policy and NEPA guidelines, the Draft GRR/SEIS must address past, present and future impacts of the widening and deepening of the Mobile Ship Channel, and should address the historical maintenance dredging from 1980 that removed over 20 million cubic yards (and maybe more) from the littoral system that would have nourished the Dauphin Island shoreline. As I have stated in my initial public comments that the Mobile District will receive Monday, the proposed Tentatively Selected Plan (TSP) **does not** address past, present and future impacts; it does leave Dauphin Island in a vulnerable and weakened state.

To mitigate for the historic and ongoing erosion of Dauphin Island and the smaller Sand/Pelican Island to the southeast, two separate but related actions are needed;

- During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996, and has received authority from Headquarters, South Atlantic Division in a May 30, 1997 memorandum, which is attached. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and to pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel. However, this mitigation action would only mitigate for the present and future erosion of Dauphin Island.
- To mitigate the historic shoreline losses of Dauphin Island, a much larger project action is needed. That mitigation measure should move by dredging to the Dauphin Island shoreline the millions of cubic yards of sands the Mobile District has removed from the Bar Channel since 1999 that have accumulated within

the so-called Sand Island Beneficial Use Area (SIBUA). There should be plenty of sand that has accumulated not only in the present SIBUA, but also in the south west extension that was constructed in 2009. See attached Corps of Engineering Dredging Summary. There is at least 20 million cy of sand available, if not more.

Those beach quality sands originally came from the Fort Morgan Peninsula and would have been transported by littoral drift to Dauphin Island if the Mobile District had not intercepted the sands by maintenance dredging of the Bar Channel. The millions of cubic yards of accumulated sands now sit a short distance offshore in waters too deep for them to rejoin the littoral system by natural wave and current action. It is these sands that were removed from the littoral drift system that have contributed to the present "sand starvation" of Dauphin Island. The Town of Dauphin Island developed the design details of a project in 2011 that would use around 4 million cy of these sands at an estimated cost of \$59 million to restore the island's eroded shoreline which could be readily implemented and/or expanded with little further study.

Such a mitigation project could be paid for by either of two viable approaches:

1. According to the Draft GRR/SEIS, the recommended Mobile Harbor deepening project is predicted to generate average net benefits of \$34.5 million per year in excess of cost. Thus, mitigation could be paid for with the benefit stream predicted be generated in just two years of operation of the deepened channel. All the Mobile District has to do is recommend this mitigation measure be included in the project recommendation to deepen Mobile Harbor.
2. Alternatively, the Mobile District could proactively work with the Alabama State Port Authority, the Governor of Alabama and other parties to select for implementation Project ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

This is an opportunity for the Corps of Engineers, and specifically the Mobile District to correct a wrong that they have perpetuated for the last 38 years, and continually, by using a faulty 2008 Byrne's study (now a 2010 study) stating that the maintenance dredging is not a reason for the erosion of Dauphin Island's shoreline. In particular, the Corps Mobile District has continued to leave out and not acknowledge for the public a very pertinent fact that was presented in the Final Order for the Settlement of the Corps of Engineers Lawsuit. In the Final Order it is stated:

"On January 10, 2008, as required by the Settlement Agreement, the Final Report was submitted by Dr. Byrnes. The Final Report determined "that the Corps' construction, operation and Maintenance Dredging Practices of and at the Channel have not resulted in at least Minimum Measurable Erosion of Dauphin Island's shoreline." **See Settlement Agreement ¶ 3(f). Plaintiffs' expert, Dr. Dean, dissented and indicated that the Final Report was fundamentally flawed, not reliable and at best inconclusive.** (Emphasis added). Dr. Dean also made this same conclusion in his final review of March 7, 2008: "...Thus, I respectfully dissent from concurring "that the Corps' construction, operation and Maintenance Dredging Practices of and at the Channel have not resulted in at least Minimum Measurable Erosion of Dauphin Island's shoreline."

**Dr. Dean also stated: "I conclude that certain critical portions of the Final Report (Dr. Byrnes report) are arbitrary in their methods of analysis and acceptance/interpretation of the available data resulting in uncertainty remaining in the final results.** These issues were documented in my written review of September 30, 2007 of the Draft Final Report and, in accordance with Paragraph 3 (f), of the LSA, the "detailed reasons" are provided again in the following sections with due consideration of the Final Report and responses provided by ACRE to my earlier review of the Draft Report..."

Neither does the GRR/SEIS include important information from other esteemed coastal engineers such as **Robert Morton** who has conducted important studies about the Alabama-Mississippi Barrier Islands. Dr. Morton in **his 2007 Study: Historical Changes in the Mississippi – Alabama Barrier Islands and the Roles of Extreme Storms, Sea Level Rise and Human Activities** stated “The principal causes of barrier island land loss are frequent intense storms, a relative rise in sea level, and a deficit in the sediment budget. The only factor that has a historical trend that coincides with the progressive land loss is the progressive reduction in sand supply associated with the nearly simultaneous deepening of channels dredged across the outer bars of the three tidal inlets maintained for deep-draft shipping....

The Corps of Engineers can correct these errors by the implementation the above suggested mitigation approaches that deals with where to get the sand and how to pay for the cost of the mitigation plan. As I also mentioned, the Town of Dauphin Island has already conducted a study in 2011 by Dr. Scott Douglass, and has submitted a project recommendation, ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

I look forward your responsible and considerate review of the publics suggestions to solve the erosion of Dauphin Islands shoreline,

Sincerely,



Attachments

CC: Jeff Collier, Mayor Town of Dauphin Island  
David Sessions, State Representatives  
Christopher M. Blankenship, Commission, ADCNR  
Dennis Knizley, President, Dauphin Island Property Owner's Association



DEPARTMENT OF THE ARMY  
U.S. Army Corps of Engineers  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

CECW-P/O

30 MAY 1987

MEMORANDUM FOR Commander, South Atlantic Division

SUBJECT: Implementation of Section 302 of the Water Resources Development Act of 1996 (WRDA 96) - Mobile Harbor, Alabama

1. Section 302 of WRDA 96 amends Section 201(a) of WRDA 86 on dredged material disposal from Mobile Harbor, Alabama project. The new legislation authorizes that the Secretary, after compliance with applicable laws and after opportunity for public review and comment, may consider alternatives to disposal of dredged material from Mobile Harbor in the Gulf of Mexico, including environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration. The intent of section 302 is to allow alternatives to deep water disposal in the Gulf of Mexico that would be environmentally and economically beneficial.
2. Maintenance dredging should be accomplished in the most cost effective, efficient, and environmentally sound manner. However, the Mobile District should evaluate alternative disposal options for placement of dredged material from Mobile Harbor. Any examination of other alternatives to Gulf disposal should involve a multi-agency coordination team including Federal, State, and local resource agencies. Mobile District should make efforts to use District Engineer authority to make adjustment to the Federal standard to accommodate section 302 directly as well as, authorities under section 204 of WRDA 92, and section 307 of WRDA 96.

FOR THE COMMANDER:

CHARLES M. HESS  
Chief, Operations, Construction  
and Readiness Division  
Directorate of Civil Works

G. EDWARD DICKEY  
Chief, Planning Division  
Directorate of Civil Works

CESAD-ET-P\C (CECW-P\O\30 May 97) (1105-2-10b) 1st End  
Mr. Barnett\bjg\404-331-4580\Mr. Deveaux\404-331-6742  
SUBJECT: Implementation of Section 302 of the Water Resources  
Development Act of 1956 (WRDA 96) - Mobile Harbor, Alabama

Commander, South Atlantic Division, U.S. Army Corps of Engineers,  
Room 322, 77 Forsyth Street, S.W., Atlanta, Georgia 30303-3490

FOR COMMANDER, MOBILE DISTRICT

1. Section 302 of WRDA 96 affords an excellent opportunity to revisit the authorized plan for maintenance of Mobile Harbor in the interest of environmental protection and restoration and economic efficiency. Coupled with the high cost of maintaining the project as currently authorized and changing attitudes among environmental interests regarding the value of dredged material as a resource, Section 302 may allow you to develop a "master plan" for maintenance of lower Mobile Harbor that incorporates many positive environmental features and saves O&M funds.

2. As O&M funds for the Mobile Harbor project will permit, you should investigate opportunities to modify the authorized maintenance plan in accordance with Section 302. Any investigations you undertake in this regard should address appropriate adjustments to the "Federal standard" (or Base Plan) for channel maintenance along with any opportunities for use of Section 1135 and 204 authorities to implement pertinent features of the modified maintenance plan.

3. It is paramount that any efforts to modify the authorized maintenance plan for Mobile Harbor be developed in close partnership with the project sponsor, Federal and state resource agencies, environmental groups, and all other stakeholders. In the interest of efficiency and to avoid duplication of effort, we strongly recommend that you use any existing interagency forums, like the Mobile Bay National Estuary Program, as a means to engage stakeholders in the development and evaluation of alternative dredged material management strategies.

FOR THE COMMANDER:

CARL R. POSTLEWATE  
Director of Engineering and  
Technical Services

Author: Dennis W Barnett SAD at X400  
Date: 7/3/97 2:23 PM  
Priority: Normal  
Receipt Requested  
TO: Roger A Burke at sampd\_po  
Subject: Mobile Harbor, Section 302

----- Message Contents -----

Roger,

I have attached our endorsement to the HQ memorandum on the subject issue as an advance copy. We had given you a copy of the HQ memo when you were recently up here. I think you will find that our endorsement encourages you to look for opportunities to change the O&M plan without putting too many constraints or conditions on you.

Please share with others, especially Operations, as appropriate.

Dennis Barnett

## Mobile Harbor Outer Bar Channel Dredging History (1980-2009)

(Source: U.S. Army Corps of Engineers)

Dredge Date	Gross Quantity Dredged (yd <sup>3</sup> )	Disposal Area Used <sup>1/</sup>
Feb-Dec 1980	1,129,337	Ocean DA
Jan-Mar 1981	610,623	Ocean DA
Dec 1982-Jan 1983	312,408	Ocean DA
Jan-Nov 1984	559,607	Ocean DA
Aug-Oct 1985	1,386,536	Ocean DA
Jan-Feb 1987	656,089	Ocean DA
Feb 1989-May 1990	<sup>2/</sup> 6,755,352	Ocean DA
Aug-Sep 1992	466,607	Ocean DA
Nov-Dec 1995	621,172	Ocean DA
Aug-Dec 1997	710,996	Ocean DA
Sep-Oct 1998	1,279,780	Ocean DA
Aug-Sep 1999	71,380	Ocean DA
	54,600	SIBUA
May-Sep 1999	<sup>3/</sup> 3,061,598	SIBUA
Apr-Jul 2000	758,280	Ocean DA
Mar 2002-May 2002	92,820	SIBUA
Jun 2004	230,110	SIBUA
Oct 2004-Nov 2004	1,184,817	SIBUA
Oct 2004-Jan 2005	1,808,765	SIBUA and at Lighthouse
Aug 2005	67,555	SIBUA
Apr-Jun 2006	487,975	SIBUA
Aug 2007	1,083,860	SIBUA
Nov-Dec 2008	585,430	SIBUA
Sept-Nov 2009	942,817	SIBUA
<b>Total Dredged from Outer Bar</b>	<b>24,918,514</b>	
<b>Total Placed in Ocean DA</b>	<b>15,328,167</b>	
<b>Total Placed in SIBUA or at Lighthouse</b>	<b>9,600,347</b>	

<sup>1/</sup> Ocean DA – EPA approved open water disposal site in the offshore Gulf of Mexico

SIBUA – Sand Island Beneficial Use Area

<sup>2/</sup> New Work Deepening from 42 to 47 feet

<sup>3/</sup> New Work Deepening from 47 to 49 feet.

## Comment 65

**From:** [Judith Adams](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Larry Merrihew](#); [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] GRR comments  
**Date:** Monday, September 17, 2018 11:37:58 AM  
**Attachments:** [CAWA ltr Al St Port Auth.pdf](#)  
[2018 CAWA RESOLUTION TO SUPPORT PORT OF MOBILE CHANNEL HARBOR IMPROVEMENTS.pdf](#)

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Please find attached the Coalition of Alabama Waterways LOS and resolution supporting the Harbor project. Kind regards, Judy

Judith Adams

Vice President, Marketing

Alabama State Port Authority

P.O. Box 1588

Mobile, AL 26622

+1 251-441-7003

jadams@asdd.com <<mailto:jadams@asdd.com>>

Blockedwww.asdd.com <Blockedhttp://www.asdd.com/>



*Coalition of Alabama Waterway Associations, Inc.*

*PO Box 388  
231 Montgomery Street  
Montgomery, AL 36101-0388*

*(334) 165-5744  
cawa@cawia.org*

September 17, 2018

COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

To Whom It May Concern:

Our organization is a non-profit organization formed to represent the five navigable waterways of Alabama, so that we could better serve those interested in navigation of our State's river systems. It continues to work for the system's further development and proper maintenance and has become the principal vehicle for those who wish to work together toward these ends. Our membership is comprised of representatives of the five navigable river associations who work to improve the commercial movement of commerce throughout Alabama, and to continue efforts to make the river systems a viable tool for job promotion in our State, and to promote the use of the Port of Mobile. There are significant new challenges in the years ahead in maintaining the viability of the waterways as industry needs increase, as energy demands grow and as constraints on waterway development continue.

We fully support the Mobile Ship Channel Project, recognizing the critical role of our nation's water resources infrastructure to a robust economy, job creation, public safety and environmental well-being. As a result we would submit the attached resolution in support of the Mobile ship channel project.

Respectfully Submitted,



Larry Merrihew, Chairman

2018

A RESOLUTION TO SUPPORT THE PORT OF MOBILE'S  
PROPOSED CHANNEL & HARBOR IMPROVEMENTS

By the

Coalition of Alabama Waterways Association

WHEREAS, the Coalition of Alabama Waterways Association is a member organization composed of representatives of Alabama's five navigable river systems; and

WHEREAS, the Coalition of Alabama Waterways Association, combine efforts to provide the Port of Mobile with access to 12,000 miles of inland waterways and 26 States; and

WHEREAS, the Alabama State Port Authority of Mobile seeks to improve the Port of Mobile's channel and harbor to serve the larger vessels that now traverse the improved Panama Canal and thereby making the Port of Mobile more attractive as a port of call for larger ships; and

WHEREAS, the proposed channel and harbor improvements of the Port of Mobile would generate net economic benefits in excess of 34 million dollars annually and have a positive impact on capital investment and creation of new jobs; and

WHEREAS, improving the channel and harbor of the Port of Mobile would benefit the 26 states served by the aforementioned waterways and provide additional opportunities for increased commerce; and

WHEREAS, the Port of Mobile is an invaluable asset to the States served by the inland rivers of the United States; Now, therefore

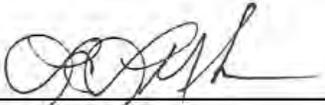
BE IT RESOLVED, that the Coalition of Alabama Waterways Association strongly supports improvements to the channel and harbor of the Port of Mobile; and

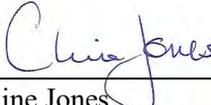
BE IT FURTHER RESOLVED, that the Coalition of Alabama Waterways Association encourages the U.S. Army Corps of Engineers to favorably complete the study of improving the channel and harbor for the Port of Mobile and then execute said study; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Coalition of Alabama Waterways Association; and

BE IT FURTHER RESOLVED, that copies of this resolution be presented to officials with the U.S. Army Corps of Engineers, the Alabama State Port Authority, and to appropriate members of the United States Congress and other appropriate officials.

IN WITNESS THEREOF, the Coalition of Alabama Waterways Association Board of Directors has instructed us to affix our signatures to this resolution on the 20th day of August, 2018.

  
\_\_\_\_\_  
Lawrence L Merrihew  
Chairman

  
\_\_\_\_\_  
Cline Jones  
President

## Comment 66

**From:** [David Meyer](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dredging of the Bar Channel  
**Date:** Monday, September 17, 2018 11:34:47 AM

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Colonel Sebastien P. Joly,

District Commander

U.S. Army Corps of Engineers, Mobile District

P.O. Box 2288

Mobile, AL 36628-0001

RE: Public Notice: FP15-MH01-10

Dear Colonel Joly:

This letter is submitted to express my great concerns with the proposed Shipping Channel Widening proposed for the Mobile Harbor Ship Channel as authorized by the Water Resources Development Act of 1986.

Along with other residents, I have observed the erosion occurring on Dauphin Island with great alarm. For the past ten years, I have watched as the Corps dump dredged sands in the Sand Island Beneficial Use Area (SIBUA) south of the Sand Island lighthouse, with the assertion that these sands would be moved by currents to Dauphin Island to counter erosion. However, it is clear to even a casual observer that this sand is NOT making its way into the littoral flow. The dumping areas are full, the sand is not moving. We really need a Dredged Materials Disposal Plan created with the input of area stakeholders, namely, local residents, the Town Government, and the Dauphin Island Property Owners' Association. At the very least, the disposal site needs to be in shallow waters that will replenish the flow of sand to the Island.

The results of the present disposal policy are clear and stark. The public can no longer accept Dauphin Island being penalized and excluded because of the 2000-2009 lawsuit. The time has come to implement a viable plan to mitigate the sand starvation of Dauphin Island; to do anything less under the circumstances would be highly questionable and totally unacceptable to the people of south Mobile County.

Sincerely,

David Meyer  
Property Owner, Local Businessman and Taxpayer

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## Comment 67

**From:** [Smitty Thorne](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening and Widening Project  
**Date:** Monday, September 17, 2018 11:30:29 AM

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Attn: Ms. Jennifer L. Jacobsen

Dear Ms. Jacobsen:

I write today in full support of the proposed deepening and widening of the Mobile ship channel.

I have worked in the maritime industry for over 50 years and it saddens me to see the number of ships forced to wait to enter or leave the harbor because of the one way traffic imposed on larger ships. The cost of these delays definitely affects the competitiveness of the Port of Mobile.

Mobile cannot continue to be competitive as ships get larger and deeper unless this project moves forward. The cost of not doing the project will be the loss of jobs and economic value to the region.

Mobile is currently the 10th largest port in the US. The gains in business since 2000 have been fantastic. The port means so much to the regional economy with a \$22.4 billion dollar economic value and creates 135,000 direct and indirect jobs. All of these gains will be endangered if the project does not go forward.

The ROI on this project certainly justifies it. It is my hope that the USACOE will see the tremendous value of the project and render a favorable decision.

Best regards,  
Smitty Thorne

[REDACTED]

[REDACTED]

## Comment 68

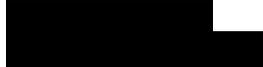
**From:** [dcocoon@aol.com](mailto:dcocoon@aol.com)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Ship Channel expansion  
**Date:** Monday, September 17, 2018 11:29:48 AM

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Col. Joly,  
Mayor Jeff Collier and other intelligent people have communicated the erosion detriment affecting Dauphin Island and other coastal sites unless the dredging material is placed in appropriate areas. Please consider their recommendations to prevent shoreline erosion by appropriate placement of dredge materials.

Thank you,

David C DeLaney



## Comment 69

**From:** [Leslie H Jackson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 11:29:30 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Leslie H Jackson





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## Comment 70

**From:** [Timothy Mahn](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 11:26:00 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Timothy W. Mahn





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# Comment 71

**From:** [Natalie Montoya](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 11:19:13 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Natalie Montoya



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## Comment 72

**From:** [Sam Wilkes](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 11:17:10 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Sam Wilkes



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## Comment 73

**From:** [Brian Carson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] Mobile Ship Channel Project DSEIS  
**Date:** Monday, September 17, 2018 10:56:57 AM

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David Newell,

Dear Col. Joly,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. Being in the engineering business for over 30 years I'm inclined to believe there is more work to be done in regards to studies.

My concerns include:

More water quality studies, potential of algae blooms, what impact on the already fragile oysters in the bay. In addition will this project bring more salt water further up into the delta and cause problems for the existing flora/fauna?

I also would like to see some sort of contingency plan to halt or alter the project if there are negative impacts before project completion.

Sincerely,  
Brian S. Carson

Brian Carson



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## Comment 74

**From:** [Casey Gay Williams](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] FW: Message from KM\_C308  
**Date:** Monday, September 17, 2018 10:34:55 AM  
**Attachments:** [SKM\\_C30818091710400.pdf](#)

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Please see attachment for letter of support.

From: copier@eschamber.com <copier@eschamber.com>  
Sent: Monday, September 17, 2018 10:41 AM  
To: Casey Gay Williams <cgwilliams@eschamber.com>  
Subject: Message from KM\_C308

# EASTERN SHORE

CHAMBER OF COMMERCE

327 Fairhope Avenue, Fairhope, AL 36532 · 251.928.6387 · [www.eschamber.com](http://www.eschamber.com) · [office@eschamber.com](mailto:office@eschamber.com)

September 14, 2018

Ms. Jennifer L. Jacobson  
U.S Army Corp of Engineers, Mobile District  
P.O. Box 2288  
Mobile, Alabama 36628

Dear Ms. Jacobson:

The Eastern Shore Chamber of Commerce supports the communities and businesses on the Eastern Shore of Mobile Bay. We support the economic development of Spanish Fort, Daphne and Fairhope, Alabama. As a chamber, we strive to be collaborative partners with all economic development stakeholders in our region.

As President of the Eastern Shore Chamber of Commerce, and on behalf of our Board of Directors and over 1,000 members, I would like to express our support for the U.S. Corp of Engineers' project to increase the depth and width of the Mobile Harbor Channel.

The Port of Mobile has always been critical to the economic welfare of the Coastal Alabama Region, the State of Alabama and beyond. Keeping the port competitive and relevant allows continued growth in the import/export arena. As the fastest growing container port in North America, the widening and deepening of the harbor channel will increase our competitiveness on a global level, create jobs and opportunities for economic development throughout Alabama.

I appreciate the opportunity to provide input and encourage the Corps of Engineers to approve the widening and deepening of the Mobile Harbor Channel so that the Port of Mobile can be a driving force to elevate the economy of our state and our nation.

Sincerely



Casey Gay Williams  
President



**From:** [John McFadyen](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Ship Channel Widening Project currently under review  
**Date:** Monday, September 17, 2018 9:49:47 AM

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To mitigate for the historic and ongoing erosion of Dauphin Island and the smaller Sand/Pelican Island to the southeast, two separate but related actions are needed;

\* During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and to pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel. However, this mitigation action would only mitigate for the present and future erosion of Dauphin Island.

\* To mitigate the historic shoreline losses of Dauphin Island, a much larger project action is needed. That mitigation measure should move by dredging to the Dauphin Island shoreline the millions of cubic yards of sands the Mobile District has removed from the Bar Channel since 1999 that have accumulated within the so-called Sand Island Beneficial Use Area (SIBUA). Those beach quality sands originally came from the Fort Morgan Peninsula and would have been transported by littoral drift to Dauphin Island if the Mobile District had not intercepted the sands by maintenance dredging of the Bar Channel. The millions of cubic yards of accumulated sands now sit a short distance offshore in waters too deep for them to rejoin the littoral system by natural wave and current action. It is these sands that were removed from the littoral drift system that have contributed to the present "sand starvation" of Dauphin Island. The Town of Dauphin Island developed the design details of a project in 2011 that would use around 4 million cy of these sands at an estimated cost of \$59 million to restore the island's eroded shoreline which could be readily implemented and/or expanded with little further study.

Such a mitigation project could be paid for by either of two viable approaches:

1. According to the Draft GRR/SEIS, the recommended Mobile Harbor deepening project is predicted to generate average net benefits of \$34.5 million per year in excess of cost. Thus, mitigation could be paid for with the benefit stream predicted be generated in just two years of operation of the deepened channel. All the Mobile District has to do is recommend this mitigation measure be included in the project recommendation to deepen Mobile Harbor.
2. Alternatively, the Mobile District could proactively work with the Alabama State Port Authority, the Governor of Alabama and other parties to select for implementation Project ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

John B. McFadyen, Sr.

[REDACTED]

[REDACTED]

[REDACTED]


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## Comment 76

**From:** [Amie Huebner](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 9:45:17 AM

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David Newell,

Dear District Commander,

If the events in Houston, North Carolina, South Carolina, and many other locations in the wake of hurricanes and typhoons will tell you, we need to respect Mother Nature and how we develop. The communities surrounding Mobile Bay deserve better than this!

It's not only the impacts of dredging that are a concern, but the impact of the industries these politicians and corporations want to promote. They are not only harmful to the environment, but also public health.

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and

mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Amie Huebner



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## Comment 77

**From:** [Wes Williams](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Bay Ship Channel  
**Date:** Monday, September 17, 2018 9:28:41 AM

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Colonel Joly,

As a resident of Dauphin Island, AL (DI) and an attendee of the Feb 22, 2018 public meeting I feel compelled to send you an email addressing the project mentioned in my subject line. I have watched the erosion of DI beaches and shore line. It appears that simply depositing the dredged sands in shallower waters closer to the gulf beaches would allow the sand to replenish the beach and shoreline. If your group would follow this practice and actually do so it would gain the confidence in the public to not fight the widening of the ship channel. I am aware that you have just taken over the post in June 2018 and may not be as familiar with the impacts since 1980 of the dredging practices of the Corp. As a business owner I am all for progress and improvements to enhance our port. The public needs reassurance of that you will be the leader to see the correct practice of depositing sands from the ship channel to the correct locations so to not continue the erosion of our beaches and shoreline.

Truly,

Wes Williams  
President  
Wiltew-LEW  
2650 Schillinger Rd. N  
Semmes, AL 36575  
251-661-9770  
251-661-8707 fax  
w.williams@wiltew.com <<mailto:w.williams@wiltew.com>>

ASME Fabrication - Repair, Metal and Pipe Fabrication & Welding, Structural Steel & Plant Maintenance  
Blocked<http://www.wiltew.com/> <Blocked<http://www.wiltew.com/>>

Wiltew holds ASME U, S, R, and NB code stamps for the manufacture and repair of Tanks, Boilers, Heat exchangers, and Pressure vessels; furthermore, we are experienced in field installation and repair work. We look forward to partnering with you in the future.

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September 7, 2018

U.S. Army Corps of Engineers  
ATTN: PD-F  
P.O. Box 2288  
Mobile, AL 36628

To Whom It May Concern:

As President and CEO of the Birmingham Business Alliance (BBA), I am writing to express my support of the work of the Alabama State Port Authority in its efforts to widen and deepen the Port of Mobile's shipping channel.

The BBA is the economic development organization for the seven-county Birmingham region. We work to promote the region's economic development and business prosperity through increasing job growth and capital investment. The BBA advocates for policies and issues that will positively impact the business climate of our region, and one of our top priorities critical to economic development success is increasing Alabama's public investment in infrastructure.

An infrastructure asset important to the Birmingham region is Port Birmingham. Located in Jefferson County, the inland port connects the waterways in Central Alabama to the Port of Mobile. Expansion of the Port of Mobile will positively impact Port Birmingham's ability to increase business development and industrial operations to ultimately promote economic growth in our region and state.

On behalf of the BBA, I thank you for your time and careful consideration of this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Hilson", written in a cursive style.

Brian Hilson  
President and CEO  
Birmingham Business Alliance

## Comment 79

**From:** [Matt Rota](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 8:39:08 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Matt Rota



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## Comment 80

**From:** [Jordan Atchison](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 8:01:46 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Jordan Atchison  




<Blocked<https://u1584542.ct.sendgrid.net/mpss/o/CAE/ni0YAA/t.2ky/Q12qV-MATVWEWWZCLANEDg/o.gif>>

# Comment 81

**From:** [Joe Hughey](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Robert Pettie](#)  
**Subject:** [Non-DoD Source] Comments on Mobile Harbor Project GRR/SEIS  
**Date:** Monday, September 17, 2018 7:49:29 AM  
**Attachments:** [ATTACHMENT 09-17-2018.docx](#)

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Attached are comments on the Mobile Harbor Deepening Project.

Joe M. Hughey

Member, Mobile Bay Oyster Alliance

251-459-3440

COMMENTS AND QUESTIONS: 17 September 2018

REFERENCE: ATTACHMENT A-4 [Vessel Generated Wave Energy (VGWE) Report by Richard Allen]

1. The VGWE Report reaches conclusions that are not supported by the calculations and statements in the report. Reading the report leads to a different conclusion than the one that is stated. Look at the data as follows:
  - a. Table 3 – shows the bigger the vessel the larger the VGWE.
  - b. Table 4 – shows the larger the vessel draft the larger the VGWE.
  - c. Table 5 – shows inbound vessels produce larger VGWE than outbound vessels. Factors to consider are vessel draft and channel currents.
  - d. Table 6 – shows the greater the vessel speed the larger the VGWE.
  - e. Tables 9 and 10 – show an increase in the number of vessels calling on the port from 2944 (year 2025) to 3232 (year 2035). The projection shows larger vessels calling the port at the rate of 10/day by year 2035.
  - f. Formula (13) - shows each increase in speed raises the VGWE by a factor of 2.4. A one knot increase in speed increases the wave energy 240 percent. Therefore, three knots increases wave energy 1380 percent.
  - g. Figure 30 – you assume average speed of 10 knots which is not supported by the graphs. May be a way to make the calculations uniform but should not be used as a conclusion that the VGWE will not increase.
  - h. Figure 31 – shows vessel speed increases the further South the ship is in the channel. In the Lower Bay channel the speed exceeds 13 knots even for the larger vessels.

The above data in your report does not support the statement in the Executive Summary of the GRR (see Comment #13 below) that reducing the number of vessels will cause less VGWE, and there will be no significant change in the total VGWE. On the contrary there will be more and larger vessels in the port by 2035 than there are now. In 2014 (reference Table in Appendix C) shows 1017 vessels called the port in year 2014. Compare that to the projected 1711 vessels by year 2035 (a seventy percent increase).

My conclusion is that the number and size of vessels (both) will increase and the total amount of VGWE will increase with or without the project. In addition, it's not total VGWE but speed and width of the vessels (which will be getting larger) that cause the impact to the shoreline. The study should show projected increases in VGWE due to projected growth, and should not make mis-leading statements based on comparisons of with/without project.

2. Wave energy is generated by acceleration of the water produced by the bow of the ship. If the ship is travelling against a current the wave will be larger than the wave produced by a ship going the same speed in knots travelling with the current. What is the channel current? The assumption of 10 knots for calculating VGWE is very low and should be reconsidered.
3. Report uses an average speed of 10.57 knots and an average draft of 8.96 meters to calculate VGWE. AIS Data sheets show larger vessels transiting mid-channel over 13 knots which I have verified using the MarineTraffic app. The calculations are based on a formula that calculates energy in a deepwater environment. Actual wave energy due to ship being in a trench will be increased, I assume, due to bottom and channel sides effect. This effect needs to be studied and the wave impacts to the shoreline stated in your final report.
4. Waves increase in height as they enter shallow water and break usually near the shore. This causes bottom disturbance and sedimentation to enter the water column. One ship causes several waves on each passing. Ship waves are larger and have more energy than the normal wind generated waves. The effect is an almost continuous disturbing of the shoreline making it unsuitable for plants. This effect has been occurring since ships have been transiting the Bay, but most of the impact of the ship waves appear to have occurred due to deepening of the channel over the last 80 years. For the USACE to assume this project will show minimum impact to the environment (based on the position that there will

be no more total VGWE) needs to be explained. The wave impact has been occurring for decades.

5. Tables 11 thru 14: Clarify how the number of vessels arriving in a year can differ from the number departing.
6. Tables 9 and 10 and Tables 11 thru 14: Why are the numbers of classes of vessels different between Tables 9 and 10 versus Tables 11 thru 14?
7. The Field Data was gathered over a short period of time during the drier months with river discharge at lower amounts. I assume channel current will be higher during wetter months.
8. Reference Appendix B: Why are the numbers of vessels (by class) different for Vessels Arriving versus Vessels Departing? Total number by class should be the same, just a difference in draft. The error occurs in Table B-3 thru Table B-8.
9. Reference Appendix C, Paragraph 2.2.3.1: There is an incorrect statement on the wave height as "0.02 ft to 0.15 ft". VGWE is not expressed in feet. The VGWE Report does not convert VGWE to wave height.
10. General Comment: The USACE is responsible for construction of the ship channel but does not appear to have any authority for establishing speed limits for ships transiting the channel. Is there a design speed that would cause damage to the channel due to propeller and water movement over the channel sides?
11. General Comment: It appears this project will straighten two bends in the main channel which can result in a possible increase in ship speed resulting in larger waves (VGWE).
12. General Comment: Mitigation measures should be implemented to reduce the ship wave impacts, especially to the shore. This could include vessel speed reduction. Large parts of the shore line are already bulkheaded to protect from erosion. Bulkheads hardly existed along the Bay shore until the 1970's, about the time the vegetation disappeared.

13. General Comment: The following statements are included in the Executive Summary Of the GRR/SEIS:

"Results of the wave climate assessments indicate that implementation of the project would result in negligible changes to the general wave climate. Additionally, the results of the analysis conducted for vessel generated waves show that there would actually be a reduction in ship generated wave energy when compared between the future With- and Without-Project conditions. This is because fewer vessels will be expected to call on the port in the future with implementation of the TSP, which results in less vessel generated wave energy affecting the study area."

The conclusion stated above assumes the same amount of shipping would be maintained With or Without the project. More likely, if the project were not built, the shipping industry could determine that another Port could be more cost effective and move the ships out of the Mobile Port, thus decreasing the number of ships in the future. The stated conclusion on wave climate is not based on any type economic analysis, should not be considered a factual result of a Vessel Generated Wave Energy Report, and should be removed from the Executive Summary.

Another possible conclusion is that a deeper, wider channel will result in more Port visits – as is currently predicted – and will result in more and larger VGWE in Mobile Bay. Data shows the number of ships will increase from average of 5/day in year 2014 to 10/day in year 2035.

USACE needs to do further studies before reaching conclusions that cannot be verified and supported. The conclusion above is in direct conflict with the projected increase in Port calls that, in other parts of the GRR/SEIS, are used to justify the project Benefit Cost Ratio (BCR). How can the number of ships double by year 2035 but the total VGWE not increase - if the project is constructed? Explain the logic used in the conclusion made in the Executive Summary.

14. General Comment: The GRR/SEIS should study coordinated operation of the Port with the Ship Channel operation. Has the USACE consulted with the Port Authority and Bar Pilots and studied the most efficient ways to operate the Mobile Harbor coordinating movement of ships thru the channel to eliminate loss of time? The USACE should study ways to minimize the wait time when ship berths are vacant while waiting for ships to transit the 27

miles of channel to arrive at the berth, and include results in the Channel Design. To put a passing lane at the Southern end of the channel does not appear to be the proper place to have ships pass to minimize berth waiting times. If a ship could transit the channel before the berth is vacated, stop in a location near the North end of the channel until the leaving vessel passes, then enter the Harbor, appears to be a more efficient way to operate. And the vessel speed up the channel would not be on the critical path for the most efficient operation of the Port's berths. A benefit would be the ability to limit vessel speed (to reduce waves) without increasing the cost to this project.

15. General Comment: One of the major effects of ship waves is the repetitive disturbance of water on a regular basis resulting in the inability of the oyster spat to attach to an object during a critical time of the oyster development. By year 2035 ten ships per day visiting the Port equals twenty sets of waves (ten arriving and ten departing) which means almost no period of calm in the shore environment (a constant storm). The SEIS should address the effect of ship's waves on oyster spat (and oyster reefs) in the expected environment - ships transiting the Bay on almost an hourly basis.

16. What is the relationship between ship size and wake size/energy/harm? How does speed (7, 10, 13 knots) affect this relationship? Draft?

17. What calculations were used as basis that recreational boat wakes are more damaging to Mobile Bay than wakes from ships? How was this this conclusion tested and where?

18. What is the magnitude (area) and duration of sediment plumes stirred from ship wakes? How does sediment plume affect SAV beneficial shore flora?

19. Which ships, that regularly transit Mobile Bay, generate the largest wakes from standard calculations?

20. Can vessel transit records be used to determine cumulative wake energy generated for individual ships and the impacts over past year or 5 years? Other periods?

21. What are speed limits or speed reduction programs for ships at other ports? Why are similar programs not being considered for Mobile Bay?
22. What is maximum speed of ships that does not create harmful wakes? How much additional time would be required to transit length of bay at no wake speed?
22. How much does a speed reduction cost? What are the financial benefits such as fuel savings, engine wear? What are ecological benefits?
23. How much have shorelines receded horizontally and vertically since 2000 or other periods (annual rate of loss)? How much have ship wakes contributed shoreline erosion?
24. How much spoil has been removed from bay and transported to gulf for maintenance and expansion projects? (This robs sand from our shore indirectly)
25. Could spoil (either maintenance or from deepening/widening) be placed between channel and shore to produce a berm to diminish wave energy? What would be cost and impacts (beneficial and harmful)? Where would be ideal placement and configuration?
26. What are other measures to mitigate ship wake harm?
27. Can property owners be compensated for beach erosion caused by wakes or deficits from spoil transport to gulf.
28. What percent of Mobile Bay shore is armored by vertical walls/rock?
29. What is the effect of ship speed in the channel related to damages to sides of the channel due caused by the ship propulsion system (prop wash)? Are maintenance dredging costs increased? The Corps is aware that the channel slopes are changing and causing an overall deepening of the Bay, possibly affecting the shorelines. With miles of shoreline armored or bulkheaded to prevent erosion to property along the shoreline, is the result a deeper Bay and increase in the erosion rate at marsh and unprotected shoreline?
30. Is increased VGWE good for the Bay environment?

31. The ship channel was deepened to 35 ft. in the 1940's. Grasses along much of the shoreline had disappeared by the 1960's. The Bay was also mined for oyster shells for the Interstate Highway during the 1960's and 1970's. Can the effects of these events be evaluated to determine damages that may have been caused to the vegetation on the shoreline?

32. Gilliard Island was created from the construction of the Deer River Channel. When a ship passes the East side of Gilliard Island headed South the wave energy gathers and rolls off toward the Western Shoreline. What is the increase in VGWE due to the Gilliard Island effect? Can this effect be eliminated either by slowing the ships or construction of a barrier in the Bay as a part of this project, possibly using dredged material?

33. Restoration of natural shoreline grasses has been successful in Tampa Bay. The restoration effort includes projects with MacDill Air Force Base to restore oyster reefs. Can lessons learned from Tampa Bay be used in Mobile Bay to increase shoreline grasses and oyster habitat? Can these lessons be incorporated into the Harbor Deepening Project without causing significant cost increase but resulting in environmental improvements? As a minimum can the Corps include measures in the Harbor Deepening Project to stop further damage to shorelines?

34. Ship waves cause increased turbidity at the shoreline. Does the Corps disagree with this statement?

**From:** [Lella Lowe](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#)  
**Subject:** [Non-DoD Source] Comments on Proposed Mobile Harbor Deepening Project  
**Date:** Monday, September 17, 2018 7:24:18 AM

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COL Joly,

I attended the Mobile Harbor GRR public meeting on September 11, and I have a few comments to make about the proposed project.

My main concern is about the economics of the project, and whether you are actually including the entire scope of the project in your considerations for environmental effects that will result. My understanding of the National Environmental Policy Act (NEPA) is that all direct effects of the proposal, as well as any reasonable foreseeable indirect impacts from connected actions, must be considered when conducting an environmental impact statement. This would include any expected cumulative impacts on air quality from increased truck traffic which will happen as a direct result of the project, and which will affect nearby EJ communities.

But here is the confusing part...the economist from the Corps said that you did not consider increased activity through the Port when developing your study. You assumed that demand was going to cause increased activity whether you widen and deepen the ship channel or not, so that increased throughput was not considered part of the project scope. I believe that this is a flawed way to look at the economics of what will happen. Yes, demand may result in some increase in activity, but just imagine how much more activity can be supported when ships can come in more fully loaded and can pass side by side in the ship channel. This doesn't just allow for increased efficiencies for shippers, but also makes the Port more desirable, which will in turn drive up business. The Port becomes more competitive.

Being more competitive is not a bad thing, but I believe that ALL of the externalities of the resulting increase in traffic must be considered to satisfy NEPA requirements, the primary one being the increase in truck traffic to handle the increase in tonnage through the Port. This increase in truck traffic will directly affect EJ communities near the Cochrane Africatown bridge. How much? Well, under the current set up, we will never know because the nearest monitor is in Chickasaw! This project should require that air quality monitoring be established at the Port of Mobile, specifically concentrating on things such as diesel soot from transportation and emissions from petrochemical tank storage, preferably as soon as possible, so that baseline measurement of air quality can be determined before the proposed expansion gets under way. Once that is established, then future effects on air quality can be determined and hopefully mitigated...because you will actually be able to measure what is happening as a result of this project.

You made clear in your environmental charts that you have decided not to include the effects on EJ communities as a result of the 25% increase in truck traffic associated with the new container terminal being built because, you say, plans for the container terminal were already under way before this project was considered. I feel that that is a naïve position to take, serving only to allow you to exclude that increase in pollution from diesel engines from your environmental impact analysis. I believe that this widening and deepening project is pretty much a "done deal," and the business people who decided to build/increase the container terminal knew that as well, so it made economic sense to go ahead with expanding the terminal ahead of the ship channel enlargement, especially since that would allow them to separate that project from the channel project. I can't prove it, of course, but it only makes sense.

There are many other issues that should be addressed, including (without going into detail, because I know that others are providing that):

\*

Explain the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices, dating from at least 1980, that has and continues to adversely affect Dauphin Island.

\*

Require that all dredged sands placed in the SIBUA expansion be deposited at water depths much shallower

than 15 feet MHW (mean high water) to ensure that the erosion problem is not perpetuated.

\*

Explain why the Corps and EPA found it necessary to pursue a massive (500%) expansion of the Ocean Dredged Material Disposal Site (ODMDS) in the Gulf of Mexico when the Corps plans to use the existing open water thin layer disposal sites as much as possible to receive future maintenance material.

\*

Obtain detailed information from independent studies and literature to validate the Corps allegation that thin layer disposal is beneficial for Mobile Bay, and add it to the report.

\*

Provide information as to how the Corps and the Alabama State Port Authority plan to satisfy the future dredged material disposal needs of the TSP after the initial 20 years of maintenance. The potential adverse impacts to Mobile Bay from future dredged material disposal practices are too significant for the report to ignore the importance of the dredged material disposal capacity deficit problem the TSP will experience over the total 50-year period of analysis.

\*

Recognize and account for the fact that increased ship wake can cause greater shoreline erosion and threats to grass beds and sea life.

Thank you,  
Lella Lowe



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## Comment 83

**From:** [Eckenrod, Linda](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [coffeegl@aol.com](mailto:coffeegl@aol.com); [sgraves1@bellsouth.net](mailto:sgraves1@bellsouth.net)  
**Subject:** [Non-DoD Source] Comments Regarding Deepening of Mobile Bay Shipping Channel  
**Date:** Monday, September 17, 2018 6:54:39 AM  
**Attachments:** [Army Corp Of Engineers Letter for Dauphin Island 9 17 18.docx](#)

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Please consider my comments in the attached letter (as well as snapshotted below) regarding the planned deepening of the Mobile Bay shipping channel.

COL Sebastien P. Joly, District Commander

U.S. Army Corps of Engineers, Mobile District

P.O. Box 2288

Mobile, AL 36628-0001

Dear Sir:

As a longtime property owner of Dauphin Island I am writing regarding my concerns of the planned deepening of the Mobile Shipping Channel.

The original 1980 report/EIS that originally recommended the ship channel be deepened was deficient because it completely ignored Dauphin Island's erosion problem. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. The tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island that has occurred since the 1980 report represents a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980.

The public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally be carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since

1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.

In addition to the harmful effects on Dauphin Island, erosion of Mobile Bay's western shoreline is a serious continuing issue. Long-term bayfront property owners have repeatedly stated they have observed large waves created by passing ships. Instead of giving credence to the validity of landowner statements, the Corps has relied entirely upon in the results of computerized modeling to conclude ship wakes do not represent a serious issue. Because of the public's concern over ship generated waves the Corps, Coast Guard, and Port Authority should evaluate imposing speed limits on the larger deep draft ships, particularly if fully loaded, to reduce the magnitude of bow waves from passing vessels.

Wildlife that depend upon a healthy bay and island habitat are also being adversely impacted. Oysters are a major "indicator species" of the overall health of Mobile Bay. Historical NOAA catch data for Alabama from 1950 through 2016 show the total annual oyster harvests from Alabama waters have experienced a significant continuing decline during the last 10 years. To provide a true representation of the existing quality of oyster resources within the Study Area, the report should clarify that the recent four years (2013, 2014, 2015, and 2016) selected to develop the Study Baseline represents a significant low point in both oyster production and reef condition over the past 66 years. It is worth noting that the decline in oyster production, which is centered around Mobile Bay, coincides with the Corps return to open water disposal of dredged material in the bay in 2014. The report should devote more discussion to the current deteriorated condition of Mobile Bay's oyster resources, including additional modeling work dealing spat movements, effects on salinity regimes, predation, etc.

The impacts of shoreline erosion on sea turtle nesting should be discussed. Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island. The low percentage of successful nests on Dauphin Island compared to Baldwin County's beaches is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This issue warrants coverage in the report because of the Endangered Species Act connection and because Dauphin Island provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It is possible that a "taking" type situation may exist as an indirect impact of the Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle nest success rates compared to other northern Gulf beaches.

To mitigate for the historic and ongoing erosion of Dauphin Island and the smaller Sand/Pelican Island to the southeast, two separate but related actions are needed;

1. During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel. However, this mitigation action would only mitigate for the present and future erosion of Dauphin Island.
2. To mitigate the historic shoreline losses of Dauphin Island, a much larger project action is needed. That

mitigation measure should move by dredging to the Dauphin Island shoreline the millions of cubic yards of sands the Mobile District has removed from the Bar Channel since 1999 that have accumulated within the so-called Sand Island Beneficial Use Area (SIBUA). Those beach quality sands originally came from the Fort Morgan Peninsula and would have been transported by littoral drift to Dauphin Island if the Mobile District had not intercepted the sands by maintenance dredging of the Bar Channel. The millions of cubic yards of accumulated sands now sit a short distance offshore in waters too deep for them to rejoin the littoral system by natural wave and current action. It is these sands that were removed from the littoral drift system that have contributed to the present "sand starvation" of Dauphin Island. The Town of Dauphin Island developed the design details of a project in 2011 that would use around 4 million cy of these sands at an estimated cost of \$59 million to restore the island's eroded shoreline which could be readily implemented and/or expanded with little further study.

Such a mitigation project could be paid for by either of two viable approaches:

1. According to the Draft GRR/SEIS, the recommended Mobile Harbor deepening project is predicted to generate average net benefits of \$34.5 million per year in excess of cost. Thus, mitigation could be paid for with the benefit stream predicted be generated in just two years of operation of the deepened channel. All the Mobile District has to do is recommend this mitigation measure be included in the project recommendation to deepen Mobile Harbor.
2. Alternatively, the Mobile District could proactively work with the Alabama State Port Authority, the Governor of Alabama and other parties to select for implementation Project ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

Sincerely,

Linda Eckenrod

[REDACTED]

[REDACTED]

[REDACTED]

September 17, 2018

COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Dear Sir:

As a longtime property owner of Dauphin Island I am writing regarding my concerns of the planned deepening of the Mobile Shipping Channel.

The original 1980 report/EIS that originally recommended the ship channel be deepened was deficient because it completely ignored Dauphin Island's erosion problem. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. The tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island that has occurred since the 1980 report represents a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980.

The public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally be carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.

In addition to the harmful effects on Dauphin Island, erosion of Mobile Bay's western shoreline is a serious continuing issue. Long-term bayfront property owners have repeatedly stated they have observed large waves created by passing ships. Instead of giving credence to the validity of landowner statements, the Corps has relied entirely upon in the results of computerized modeling to conclude ship wakes do not represent a serious issue. Because of the public's concern over ship generated waves the Corps, Coast Guard, and Port Authority should evaluate imposing speed limits on the larger deep draft ships, particularly if fully loaded, to reduce the magnitude of bow waves from passing vessels.

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discussion to the current deteriorated condition of Mobile Bay's oyster resources, including additional modeling work dealing spat movements, effects on salinity regimes, predation, etc.

The impacts of shoreline erosion on sea turtle nesting should be discussed. Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island. The low percentage of successful nests on Dauphin Island compared to Baldwin County's beaches is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This issue warrants coverage in the report because of the Endangered Species Act connection and because Dauphin Island provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It is possible that a "taking" type situation may exist as an indirect impact of the Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle nest success rates compared to other northern Gulf beaches.

To mitigate for the historic and ongoing erosion of Dauphin Island and the smaller Sand/Pelican Island to the southeast, two separate but related actions are needed;

1. During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel. However, this mitigation action would only mitigate for the present and future erosion of Dauphin Island.
2. To mitigate the historic shoreline losses of Dauphin Island, a much larger project action is needed. That mitigation measure should move by dredging to the Dauphin Island shoreline the millions of cubic yards of sands the Mobile District has removed from the Bar Channel since 1999 that have accumulated within the so-called Sand Island Beneficial Use Area (SIBUA). Those beach quality sands originally came from the Fort Morgan Peninsula and would have been transported by littoral drift to Dauphin Island if the Mobile District had not intercepted the sands by maintenance dredging of the Bar Channel. The millions of cubic yards of accumulated sands now sit a short distance offshore in waters too deep for them to rejoin the littoral system by natural wave and current action. It is these sands that were removed from the littoral drift system that have contributed to the present "sand starvation" of Dauphin Island. The Town of Dauphin Island developed the design details of a project in 2011 that would use around 4 million cy of these sands at an estimated cost of \$59 million to restore the island's eroded shoreline which could be readily implemented and/or expanded with little further study.

Such a mitigation project could be paid for by either of two viable approaches:

1. According to the Draft GRR/SEIS, the recommended Mobile Harbor deepening project is predicted to generate average net benefits of \$34.5 million per year in excess of cost. Thus, mitigation could be paid for with the benefit stream predicted be generated in just two years of operation of the deepened channel. All the Mobile District has to do is recommend this mitigation measure be included in the project recommendation to deepen Mobile Harbor.
2. Alternatively, the Mobile District could proactively work with the Alabama State Port Authority, the Governor of Alabama and other parties to select for implementation Project ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be

paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

Sincerely,

Linda Eckenrod



## Comment 84

**From:** [Kim Coates](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] Comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 6:08:41 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impacts.

Being from Louisiana, we know the costly importance of wetlands. They play such a huge role in the environment that once lost, humans, wildlife and climate change are affected. Wetlands filter toxins and absorb storm water keeping the waterways clean.

By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Kim Coates



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## Comment 85

**From:** [Amy B](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Monday, September 17, 2018 12:09:34 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Amy B  


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## Comment 86

**From:** [Terry Cowans](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 11:55:53 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Terry Cowans  


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## Comment 87

**From:** [Ilka Porch](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 11:21:45 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Ilka Porch



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## Comment 88

**From:** [scott.eustis](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] GRN Comments Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 11:06:15 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

I reserve the right to rely on other comments.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must study increased surge heights from channel deepening;

The Corps must study, with sediment transport modelling, the changes in sediment transport from the increase in the tidal prism from channel deepening;

The Corps must include the latest estimates of sea level rise in its efforts, and include a "worst case" sea level rise scenario among the modelling scenarios'

The Corps must study the interruption of sand transport from the ship channel as part of sediment transport modelling, and mitigate the sand removed from the transport, which will shrink Dauphin Island; we encourage the Corps to work with the State of Alabama and the Port Authority to find RESTORE funds that will facilitate a restoration of these islands, critical to storm surge dampening and habitat.

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the

last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

scott eustis



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## Comment 89

**From:** [Lauren Thornton](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 9:04:29 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Lauren Thornton  


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## Comment 90

**From:** [Linda Ward](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dauphin Island  
**Date:** Sunday, September 16, 2018 8:44:14 PM

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Good evening!

I would like to add my voice to the others you have heard - about the erosion problem on Dauphin Island.

Our little barrier island is like a mini paradise to many of us - it represents a time gone by - the pace is slow, the people are friendly, and no stop lights and only one fast food place! We love going there. There is something so primitive and satisfying about walking the beach and looking out to the horizon. I actually count the days from one visit to another!

So - it is important to us that you adopt practices that will minimize the erosion of the Dauphin Island beach. I cannot express it better than this:

During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and to pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel.

Please hear all of us that love Dauphin Island!

Sincerely,

Linda Ward



## Comment 91

**From:** [Debbie Volovecky](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 7:21:21 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Our Mobile Bay has not recovered from the BP Spill. Fish life is not what it was BEFORE the BP Spill. The Mobile Bay does NOT need any changes

Sincerely,  
Debbie Volovecky



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**From:** [Emilee Foster](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 7:21:08 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Emilee Foster





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## Comment 93

**From:** [Kathryn Westmark](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 6:37:28 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Kathryn Westmark  


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## Comment 94

**From:** [Leslie Revel](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 5:50:54 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Leslie Revel  


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**From:** [Elise Barrows](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 3:52:13 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Elise Barrows  




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## Comment 96

**From:** [Roe Hyche](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Comments regarding the deepening of the Mobile Harbor ship channel  
**Date:** Sunday, September 16, 2018 3:05:04 PM

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To Whom It May Concern:

The plan to deepen the Mobile Harbor ship channel 5 more feet needs to be changed. The long-term impacts of this proposed massive dredging project on Mobile Bay and the western gulf coastline of Alabama will be very detrimental. Dauphin Island will suffer from increasing loss of its sand that should be naturally occurring, not losing it by man-made methods. Mobile Bay and the neighboring barrier islands in Mississippi will also be adversely impacted. A different plan to solve the problem should be made. The sands of the dredging should be used to help replace what Dauphin Island has been losing and will continue to lose.

Please rethink your decisions and come up with a better solution.

Thank you,  
Rosemarie Hyche

## Comment 97

**From:** [Shoon Lio](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 1:56:48 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study conclusion that there would be no impacts resulting from deepening the Mobile Ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine its environmental impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Shoon Lio  


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## Comment 98

**From:** [Thomas Mcpherron](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [smmcpheerron@gmail.com](mailto:smmcpheerron@gmail.com)  
**Subject:** [Non-DoD Source] Mobile Ship Channel  
**Date:** Sunday, September 16, 2018 11:53:34 AM

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Please address the concerns raised by numerous individuals and organizations as you proceed with enhancing the Channel. In particular, I endorse the views of Mayor Collier. This is an opportunity, and it may well be the last one, to address shoreline erosion, particularly on Dauphin Island. Please take advantage of the opportunity. The need to do so is compelling.

Thomas McPherron

## Comment 99

**From:** [carolyn boothe](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 10:45:01 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

carolyn boothe  




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# Comment 100

**From:** [Karkkainen Richard](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 10:32:37 AM

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David Newell,

Start digging without delay.

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very correct.

Sincerely,

Karkkainen Richard



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# Comment 101

**From:** [Jordyn Ingram](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 9:55:05 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Jordyn Ingram  




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# Comment 102

**From:** [John Howard](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 9:32:29 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
John Howard





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# Comment 103

**From:** [William James](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 9:13:15 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:deepening the Channel will impact the oyster beds, fish and sea life in the bay. There seems that this would only have adverse effects on the ecology of Mobile Bay. It would have a negative effect on oystermen and fishermen in our area. More study is required before this important decision is made.

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

William James



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# Comment 104

**From:** [Benjamin Lowery](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 9:12:16 AM

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David Newell,

Dear District Commander,

I have fished the rivers, inlets, and the bay all my life. I have listen to story after story from guys that remember when the water ways around mobile use to be clear and much more beautiful than they currently are. Deepening and widening the channels will only dig up the old muds, sands, and oils from the decades past of the IP, Paper mills, and factories that one dumped waste into the water ways. Once dug up and moved then it contaminates the area its moved too. Just like when the Panama Canal was first attempted it fail because of the diseases dug up that they had no medicines to fight it. This to me is the same thing you dig up something that has been covered and “sealed” for a few decades you are bound to unearth something that will cause a huge effect to the very fragile eco system in the bay. So when it comes to make it more convent for corporate company’s to use larger ships, dig up my bay and effect the eco system of an area that to me is still recovering from a massive oil spill where just now the fish population is starting to show less effect from that oil spill. Plus these corporate company’s that want to dig up the bay....Has any of them offered to help add reefs or fish havens in the bay. Has any of them offered up to help with groups such as Alabama Marine Resources Division, any of the artificial reef programs or to just help improve the resources and the livelihood of the people that make a living not from the ships and what they hold but the water ways these company wish to change to their benefit. I say no take your ships somewhere else and leave the bay alone if that’s not the first part of any plan to change the bay or its channels as they are.

Benjamin Lowery



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## Comment 105

**From:** [Christine James](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] Concerned citizens comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 8:35:00 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. I respectfully ask that the Corps address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true long-term and irreversible impacts.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Christine James



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# Comment 106

**From:** [Breck Pappas](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 8:31:17 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Breck Pappas





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## Comment 107

**From:** [Chip James](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Sand Island Beneficial Use  
**Date:** Sunday, September 16, 2018 8:26:43 AM

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Hello, I am writing to request that the Corps commit to implementing a solution that will ensure that sand displaced from Mobile Channel dredging ultimately reaches the southern, far eastern, and far western shorelines of Dauphin Island. More specifically, I request that the Corps:

1. Guarantee use of the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the shoreline of Dauphin Island.
2. Guarantee use of the SIBUA Northwest Extension every time the channel is dredged.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. Continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. Ensure the depth of the location to be at 15 feet or less, which is consistent with Corps documentation and requirements for the rest of the Country.

Thank you for your time and consideration,

Chip James



## Comment 108

**From:** [REBECCA DOMANGUE](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 8:13:22 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

I would also highly recommend a speed limit on the ship channel to better reduce the large wake impacts on the bay turbidity and the shoreline.

Sincerely,  
Rebecca Domangue



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## Comment 109

**From:** [Suzanne McAtee](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 8:00:14 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Suzanne McAtee





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# Comment 110

**From:** [Russell Finley](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 7:47:05 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Russell Finley  


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# Comment 111

**From:** [Charles Carpenter](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 7:40:25 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Charles Carpenter  




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## Comment 112

**From:** [Chad Chappell](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Sunday, September 16, 2018 6:26:45 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

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The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Chad Chappell





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# Comment 113

**From:** [Kevin Marek](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Bay Ship Channel Expansion  
**Date:** Saturday, September 15, 2018 10:51:19 PM

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I am concerned about the proposal for expanding the ship channel in Mobile Bay. The Corps finding of "no significant impact" resulting over the many miles of the project, the tons of sediment involved and the history of past dredging, suggests either an incomplete, or totally inaccurate assessment. I am concerned not only about the continued, significant erosion of Dauphin Island, but also the effects of turbidity on aquatic vegetation and marine life and it's effect on the seafood and tourist industry.

If the channel is to be widened and deepened for the benefit of some, it should not be at the expense of others. I believe a more thorough analysis of dredging practices is needed to protect the quality of water in the bay as well as its shorelines. Appropriate placement of beach sand should also be a requirement if this project moves forward, so that not only is the erosion stopped, but previous loses are recovered.

Kevin Marek



# Comment 114

**From:** [c.graves](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Diana M. Holland BG](#); [Semonite, Todd T LTG USARMY HQDA OCE \(US\)](#)  
**Cc:** [Bush, Eric L CIV USARMY CESAD \(US\)](#); [CEIG](#); [holliman.daniel@epa.gov](mailto:holliman.daniel@epa.gov)  
**Subject:** [Non-DoD Source] Susan Rees' testimony to a Federal Judge and his reliance on the procedures the Corps would follow & Inadequate draft statement  
**Date:** Saturday, September 15, 2018 10:35:20 PM

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Dear LG. Semonite, BG Holland, Col. Joly,

For the last 45 years, the US Corps of Engineers has not been able solve Dauphin Island's erosion problem, all the while, the Chinese are building new islands in the China Seas for military bases.

Now the Corps is deepening and widening the Mobile Harbor to bring in Billions of dollars of Chinese goods into America that will put millions of Americans out of work.

I thought the US Army and the US Army Corps of Engineers were to protect America's property. BUT the Corps seems to be more interested in protecting the foreign shipping companies and elites, than protecting the people of Dauphin Island.

Inadequate draft statement

The Mobile Harbor is one of the deepest ports in the Country and is the entrance to the second largest inland waterway in the Country.

HOWEVER the Mobile District Corps still cannot solve the erosion problem caused by the Corps dredging of the Channel on the adjacent shoreline of Dauphin Island. AND the Corps doesn't seem capable to follow the Federal Laws and Corps' manuals that govern the prevention or mitigation of damage to shores and beaches is attributable to Federal navigation projects or other Federal activities

When the Corps does a SEIS/GRR, they have to publicly present all studies and reports used as their justification to deepen and widen the channel. They cannot hide the studies from the public.

The Corps has a duty to speak and not remain silent during this process.

The Corps intentional deletion of any impacts to Dauphin Island in the 1980 EIS/Mobile Harbor study proves the defects in the agency's analysis of Dauphin Island is so perverse that it invalidates all other Corps' documentation about the Island's erosion.

The Mobile District concealment of the impacts is so obvious; it questions the Corps reliability to oversee any investigations concerning Dauphin Island. This involves immense concealment within the Mobile District for the passed 37 years.

The Mobile District cannot just take a contradicted old Lawsuit study as justification to not doing any other studies on Dauphin Island. The Corps needs to make sure that the enlargement of the shipping channel will not have irreparable damage to the surrounding areas, especially to Dauphin Island's adjacent shoreline.

The Mobile District not only has to follow the 1935 Federal Law, but they have to follow all other Laws and Corps' manuals since that time, to make sure they do not cause harm to the Island's adjacent shoreline from the new project.

The Mobile District needs to provide all studies or reports about the projects and its potential harm to Dauphin Island for the SEIS/GRR. Unless, the Corps did not do any studies.

Susan Rees' testimony

Where are the studies and the details since the 1980s, for the cost of dredging and the placement of dredge material and the changes in the environment for the GRR that Susan Rees stated to the Federal Judge that the Corps would have to do?

Susan Rees testified in 2009, that for a general re-evaluation report, if the Channel was deepened, the Corps would have to go back to the late 1980s, and take into consideration the different economics, the cost of dredging and the placement of dredge material and the changes in the environment. She stated that the Corps “would have to take into consideration all of those aspects in preparing that general re-evaluation report” and “And as far as the environmental compliance goes, because of the age of the original EIS we would have to do a supplement to that EIS”.

Susan Rees testified that the supplement to the environmental impact statement would “definitely” examine the impacts on Dauphin Island of any expansion

Susan Rees testified that the Mobile District has a Coastal Environment Section of Planning Division, which the duties of that section are to ensure the environmental compliance of all of the federally authorized projects that are undertaken by the district. Where are all of the environmental documents about Dauphin Island that were done by the Coastal Environment Section of Planning Division?

“If you take Mobile Harbor was originally authorized based on of the economics at whether the specifically, it the coal trade and the use of the McDuffie Coal Terminal. Today, the through-port and the port is vastly different from what it was in the late '80s,so there's different economics obviously, the cost of dredging and the placement of dredge material has changed significantly and the environment has changed. And so we would have to take into consideration all of those aspects in preparing that general re-evaluation report.”

“And as far as the environmental compliance goes, because of the age of the original EIS we would have to do a supplement to that EIS.”

After Susan Rees testimony in 2009 revealing the Corps would have to go back to the 1980s to study the placement of dredge material and the environment in the GRR, how can the Mobile District refuses to disclose all environmental impacts caused by their dredging to Dauphin Island from 1980 to 2016 in the SEIS/GRR. By the Corps limiting the investigation of Dauphin Island, the Mobile District is denying any responsibility of Susan Rees' testimony to a Federal Judge and his reliance on the procedures the Corps would follow, if the Corps decided to increase the depth of the Channel.

"The court does recognize that plaintiffs have raised valid concerns regarding the settlement. It is true that the Channel at issue could be dredged to a greater size. The objectors, however, put too much weight in this concern. Dr. Rees and James Lyons both emphasized the extreme unlikelihood of such a project ever being undertaken." The Mobile District cannot have it both ways, either Susan Rees was not telling the truth to a Federal Judge or the Mobile District is now denying Dauphin Island the studies that the Corps expert, Rees, said the Mobile District would follow.

Meaning the Corps would study the past placement of dredge material and past environment aspects the Mobile Harbor on Dauphin Island.

This stops the Mobile District's employees, from officially making false assertions that the Corps can limit the scope of the investigation for Dauphin Island.

It is undisputed that the Corps' 1978 Dauphin Island study stated that the Corps dredging of the Bar Channel was causing the erosion on Dauphin Island. The Corps has tried to conceal the Corps' erosion of the island from 1978 until now.

It is undisputed that the Corps intentionally left out all environmental and erosion impacts to Dauphin Island in the 1980 Environmental Impacts Statement (EIS) for the Mobile Harbor and the Mobile District has concealed that fact and the consequences of that act, for the past 38 years.

How can you supplement a flawed 1980 EIS document that left out the environment and erosion impact?

How can the Corps produce a Supplemental Environmental Impact Statement SEIS for the Mobile Harbor project, when the original 1980 Environment Impacts Statement (EIS) did not follow the Federal Law?

The Mobile District needs to disclose all known errors and inaccuracies in the Byrnes 2008 Final Report and the updated 2010 version about Dauphin Island, before proceeding with the final SEIS/GRR.

In the scoping meeting in 2016, the Corps put Potential Impacts to Dauphin Island under Other Consideration. Now the Corps states there are no past, present or future impacts to Dauphin Island.

The Corps failed to reveal the laws that governed the protection of Dauphin Island and the environmental impacts from the Corps dredging of the Mobile Outer Bar Channel.

The Corps used biased one-sided documentation, in support of Port deepening and widening of the Bar Channel, instead of identifying all environmental issues and alternatives.

The Corps failed to show that sand in SIBUA was getting to Dauphin Island, instead they covered-up those facts in the SEIS/GRR and stated that the SIBUA was full.

For the last 22 years, the Corps failed to disclose to the people of Dauphin Island, the WRDA 1996, section 302 specifically states that the Corps could use alternatives disposal of the dredged material for environmental restoration for the Mobile Harbor.

The 2018 draft SEIS/GRR statement is so inadequate as to preclude meaningful analysis and the Corps should prepare and circulate a revised draft of the appropriate portion.

§ 1502.9 Draft, final, and supplemental statements which states:

“The draft statement must fulfill and satisfy to the fullest extent possible the requirements established for final statements in section 102(2)(C) of the Act. If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion. The agency shall make every effort to disclose and discuss at appropriate points in the draft statement all major points of view on the environmental impacts of the alternatives including the proposed action.”

The Mobile District has failed to disclose and discuss all major points of view on the environmental impacts on Dauphin Island and any alternatives including the proposed action.

- \* The Corps has failed to identify all past and future adverse environmental impacts to Dauphin Island that are of sufficient magnitude that the proposed action must not precede as proposed.
- \* The Corps has failed to disclose the potential violation of or inconsistency with a national environmental standard that is substantive and/or will occur on a long-term basis to Dauphin Island.
- \* The Corps has failed the severity, duration, or geographical scope of the past deletions of impacts to Dauphin Island associated with the proposed action warrant special attention.
- \* The Corps has failed the environmental impacts resulting from the proposed action are of National importance because of the threat to national environmental resources or to environmental policies.
- \* The Corps has failed to disclose that the original 1980 EIS does not contain any information of past impacts to Dauphin Island to fully assess future environmental impacts, which should be avoided in order to fully protect the Island and the environment.
- \* The Corps has failed to disclose any additional information, data, analyses, or discussions, which should be fully disclosed about impacts to the Island and they should be documented and included in the final SEIS.
- \* The Corps refusal to identify all past significant environmental impacts to Dauphin Island in the 1980 EIS, therefore all past, present and future environmental impacts to Dauphin Island should be analyzed in detail to reduce the significant future environmental impacts to the island.
- \* The Corps needs to identify all information, data, analyses, or discussions about the impacts to Dauphin Island since the 1970's and they should have full public review of those impacts before being included in the SEIS for the Mobile Harbor expansion.
- \* The Corps needs to identify all past and future impacts to Dauphin Island including ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative.
- \* The Corps must now show evidence that all past Corps statements about SIBUA underwater berm beneficial effects of adding sand directly to the beaches including the western side of Dauphin Island, because of the statements the Corps made to the Federal Judge, DOJ and the public that were included in the settlement of the 2009 trial.

The Corps must disclose all past mitigation efforts for the erosion of the adjacent beaches of Dauphin Island caused by their dredging of the Outer Bar Channel including:

- \* Any action or parts of an action taken by the Corps to avoid the impact to Dauphin Island.
- \* Any action or parts of an action taken by the Corps to minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- \* Any action or parts of an action taken by the Corps to rectify the impact by repairing, rehabilitating, or restoring the affected environment to Dauphin Island.
- \* Any action or parts of an action taken by the Corps to reducing or eliminating the impact to Dauphin Island over time by preservation and maintenance operations during the life of the action.
- \* Any action or parts of an action taken by the Corps for Dauphin Island for the impact by replacing or providing substitute resources or environments.
- \* The degree to which the impacts to Dauphin Island have on the human environment.
- \* The degree to which the Corps past actions establish a precedent for no actions to protect Dauphin Island from any significant effects caused by the Corps dredging of the Mobile Bar Channel.
- \* The degree to which the Corps past actions of dredging of the Bar Channel, adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.
- \* Whether the Corps' past and future actions has violated or will violate Federal, State, or local law or requirements imposed for the protection of the environment and protection of erosion to the adjacent beach from a federal project.

By its past actions, the Mobile District shows it has a well-established pattern of suppression and distortion of facts and laws about the environmental impacts to Dauphin Island by high-ranking Corps employees. Their actions have devastating consequences on Dauphin Island.

- \* The Corps needs to disclose all documentation of efforts to manipulate the scientific findings to prevent any study that might run counter to the Corps agenda.
- \* The Corps needs to disclose all evidence that the Corps often imposes restrictions on what scientists and the employees can say or write about the dredging impacts on Dauphin Island.
- \* The Corps needs to disclose all suppression of evidence, and misrepresentation of the impacts to Dauphin Island.
- \* The Corps needs to disclose all incidences and widespread practice of abuse, ranging from deleting material in reports to undermining the quality and integrity of studies about the environmental impacts to Dauphin Island.
- \* The Corps needs to disclose all Corps' employees for the last 37 years that have participate in the cover-up of the deletion of environment impacts to Dauphin Island in the original 1980 EIS and thereafter.
- \* The Corps needs to disclose all employees that have not complied with the Federal Environmental Laws to protect Dauphin Island.
- \* The Corps needs to disclose all employees that have been involved with producing false studies and making false statements about Dauphin Island.

I hope the Mobile District will mitigate the shoreline erosion to Dauphin Island by putting the dredge sand parallel to the entire shoreline and during yearly dredging, placing the sand in an area, the Corps can guarantee the sand will re-nourish the shoreline of Dauphin Island.

Sincerely,  
Caroline Graves

## Comment 115

**From:** [Jane Lightning](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 10:23:14 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Jane Lightning



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# Comment 116

**From:** [Carol Lawson](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dauphin Island Erosion  
**Date:** Saturday, September 15, 2018 9:05:25 PM

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I have owned a house on Dauphin Island since 1969 and have watched continued erosion that I agree with other property owners is caused by placement of sand incorrectly after dredging the ship channel. I would wish that is as important to you as it is to me to protect our beautiful barrier island. Please consider our request.

Sincerely,

Carol Lawson

Sent from my iPhone

## Comment 117

**From:** [Carol Lawson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 5:59:55 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Carol Lawson  




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# Comment 118

**From:** [Kathy Dunning](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 4:28:16 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

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The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Kathy Dunning  


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## Comment 119

**From:** [Sue Beard](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 2:21:54 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Sue Beard

Sue Beard  




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**From:** [Michael Stephens](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] What do we want the Corps to do to mitigate for the erosion of Dauphin Island?  
**Date:** Saturday, September 15, 2018 1:36:34 PM

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COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

To mitigate for the historic and ongoing erosion of Dauphin Island and the smaller Sand/Pelican Island to the southeast, two separate but related actions are needed;

\* During maintenance dredging of the Bar Channel, all dredged sand should be placed in the shallow waters (i.e., between 0 to <15 feet) atop the shoal stretching between Sand Island Lighthouse and the east end of Sand/Pelican Island. Essentially 100% of the sand placed in the shallow waters along the top of the submerged shoal should be rapidly incorporated into the natural littoral drift system and moved to restore Sand/Pelican Island and nourish Dauphin Island's eroding Gulf shoreline. The Mobile District of the Corps already has the necessary Congressional authority to undertake that mitigation action as provided by Section 302 of the Water Resources Development Act of 1996. Section 302 was specifically enacted to modify the Mobile Harbor project to allow dredged material to be beneficially used and to pursue environmental restoration. All the Mobile District has to do is demonstrate the will to apply that existing Congressional authority to modify current maintenance practices for the Bar Channel. However, this mitigation action would only mitigate for the present and future erosion of Dauphin Island.

\* To mitigate the historic shoreline losses of Dauphin Island, a much larger project action is needed. That mitigation measure should move by dredging to the Dauphin Island shoreline the millions of cubic yards of sands the Mobile District has removed from the Bar Channel since 1999 that have accumulated within the so-called Sand Island Beneficial Use Area (SIBUA). Those beach quality sands originally came from the Fort Morgan Peninsula and would have been transported by littoral drift to Dauphin Island if the Mobile District had not intercepted the sands by maintenance dredging of the Bar Channel. The millions of cubic yards of accumulated sands now sit a short distance offshore in waters too deep for them to rejoin the littoral system by natural wave and current action. It is these sands that were removed from the littoral drift system that have contributed to the present "sand starvation" of Dauphin Island. The Town of Dauphin Island developed the design details of a project in 2011 that would use around 4 million cy of these sands at an estimated cost of \$59 million to restore the island's eroded shoreline which could be readily implemented and/or expanded with little further study.

Such a mitigation project could be paid for by either of two viable approaches:

1. According to the Draft GRR/SEIS, the recommended Mobile Harbor deepening project is predicted to generate average net benefits of \$34.5 million per year in excess of cost. Thus, mitigation could be paid for with the benefit stream predicted to be generated in just two years of operation of the deepened channel. All the Mobile District has to do is recommend this mitigation measure be included in the project recommendation to deepen Mobile Harbor.
2. Alternatively, the Mobile District could proactively work with the Alabama State Port Authority, the Governor of Alabama and other parties to select for implementation Project ID No. 92 ("West End Beach and Barrier Island Restoration Project") from the list of Alabama Coastal Restoration Suggested Projects being considered by the Alabama Gulf Coast Recovery Council. That approach would allow the mitigation project to be paid for with Deepwater Horizon Oil Spill related monies instead of being charged to the Mobile Harbor Deepening Project.

Mike Stephens  
Property Owner

## Comment 121

**From:** [Gail Stilwell](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] project to widen the mobile river to acomodate more commercial  
**Date:** Saturday, September 15, 2018 11:47:04 AM

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activity in the port of mobile, al: as a native new orleanian, i have been transplanted to mobile for the last 11 yrs, want i am vehemently opposed to this proposed project. the MRGO (mississippi river gulf outlet) project sucessfully widened the path from the gulf to the port of new orleans, destroying the wetlands and even eliminating some barrier islands, creating a great "hurricane alley" thereafter. i do not trust the corp of engineer's methodology nor it's environmental priorities- i have been very disappointed in the corps. eisenhower warned us after world war two, to be distrustful of the " military industrial complex" , such as the corp of engineers, who would want to perpetuate their jobs with needless or worse projects. we do not need this! without downtown mobile the city is nothing and this will surely increase flooding downtown when there's bad weather and greater damage to all of mobile when it's laid more open to violent weather in the gulf. this proposed project would surely do more than good, if it's allowed to proceed. sincerely, gail stilwell, a resident of downtown mobile  
This message was sent from my mobile device, typos and all...

## Comment 122

**From:** [Benjamin Becker](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 11:40:59 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Benjamin Becker  




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## Comment 123

**From:** [greg becker](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 11:38:14 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

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The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

greg becker





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# Comment 124

**From:** [Carol Becker](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 11:36:57 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Carol Becker  




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# Comment 125

**From:** [Meg McGovern](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dredging Mobile Bay  
**Date:** Saturday, September 15, 2018 11:21:47 AM

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I am in favor of the dredging. What will happen with the spoils?

Meg McGovern

REALTOR

Roberts Brothers, Inc.

559 North Section Street

Fairhope, AL 36532

251-422-1556

ALERT! Roberts Brothers, Inc., will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Roberts Brothers, do not respond to the email and immediately contact your agent via phone.

## Comment 126

**From:** [Jim Harlow](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Bay Dredging Project  
**Date:** Saturday, September 15, 2018 10:45:20 AM

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Commander Col. Jolly,

I know you are receiving a lot of feedback from various interest groups regarding the proposed impact of the Mobile Bay dredging on the barrier islands.

We are property owners on Dauphin Island, having invested quite a bit to build our house on this beautiful but vulnerable island. I know you may say.....hey you knew the risks so "Buyer Beware". That's true, we knew the risks and can come to terms if a natural disaster wipes us out. That's something we can live with, but the risk imposed by man-made disaster is something that we can and should control.

The barrier islands are a natural and economic resource for Alabama and the Gulf Coast. Once lost they are irretrievable. YOU and the CORP have the ability to lessen significantly the impact on these areas buy looking at the results of the past dredging and dumping projects.

I'm not the sharpest knife in the drawer but as my grandmother used to say....hell it ain't "Rocket Surgery" to know that your sand dumping is too far out in the Gulf and too deep.

Your Corp representatives have stated in public meetings that the current project has only moved 1/2 of the sand back into the Littoral Drift than was projected and expected.

PLEASE, PLEASE, PLEASE listen to the folks and look at the various analysis that say if you move the sand dumping into more shallow water and further North and West of the present area, that the drift will begin to replenish the island.....as it has for 100s of years. Man has caused this current dilemma, not nature.

PLEASE HELP US PRESERVE THIS BEAUTIFUL ISLAND. COME DOWN AND I WILL BE GLAD TO TAKE YOU ON A TOUR.

THINK ABOUT HOW YOUR DECISION WOULD AFFECT YOUR FAMILY IF YOUR MOTHER AND FATHER HAD A HOUSE HERE?

Sincerely,

Jim and Nancy Harlow



## Comment 127

**From:** [Charles Lea](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Glen Coffee](#); [Sgraves1@bellsouth.net](mailto:Sgraves1@bellsouth.net); [Jeff Collier](#)  
**Subject:** [Non-DoD Source] Ship Channel Modifications  
**Date:** Saturday, September 15, 2018 9:31:27 AM

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Dear District Commander,

As a resident of Dauphin Island for only the past ten years, in that short period of time, I have seen the beaches on the East and West Ends of the Island further erode. It is my belief that the ship channel dredging and increased ship traffic changes the natural flow of sand that would replenish our beaches. I am concerned that further widening and deepening will only lead to a greater loss of our shorelines.

I am not opposed to the widening and deepening if the environmental impact on our beaches can be negated. I believe that the Port's goals and the goals of homeowners on Dauphin Island can both be accomplished by doing the two simple steps below:

(1) The Corps should place future dredged material in the shallow waters (i.e., from 0 to <15 feet atop the shoal that stretches between Sand Island Lighthouse and Sand/Pelican Island. Sand placed at that location will be fairly quickly moved to nourish Dauphin Island.

(2) The sands that have accumulated within the Sand Island Beneficial Use Area (because they have been diverted from the littoral drift system since 1999 by the Corps) should be dredged from that location and placed on the island's Gulf beach to restore that severely eroded shoreline. The Town has already designed the details of such a project that the Corps could readily implement with very little further study. That mitigation could be accomplished under Section 302 of the Water Resources Development Act of 1996 that specifically applies to the Mobile Harbor project to beneficially use dredged material and to pursue environmental restoration with the dredged material.

Thank you for your consideration of those of us who live here and are greatly impacted by any changes the Corps makes in the Ship Channel. Feel free to contact me regarding these comments.

Sincerely,

Charles Lea



## Comment 128

**From:** [Rhonda Searcy](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 9:29:34 AM

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David Newell,

Dear District Commander,

Very important! I pray that you truly listen to our concerns not just the noise please.

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Rhonda Searcy





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# Comment 129

**From:** [Charles Lea](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 9:16:10 AM

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David Newell,

Dear District Commander,

As a resident of Dauphin Island for only the past ten years, I have seen the beaches on the East and West Ends of the Island continue to erode. It is my belief that the ship channel dredging changes the natural flow of sand that would replenish our beaches. I am concerned that further widening and deepening will only lead to a greater loss of our shorelines.

I am not opposed to the widening and deepening if the environmental impact on our beaches can be negated. I believe by doing the following that the Ports goals and the goals of homeowners on Dauphin Island can both be accomplished by doing the two simple steps below:

(1) The Corps should place all future dredged material in the shallow waters (i.e., from 0 to s Gulf beach to restore that severely eroded shoreline. The Town has already designed the details of such a project that the Corps could readily implement with very little further study. That mitigation could be accomplished under Section 302 of the Water Resources Development Act of 1996 that specifically applies to the Mobile Harbor project to beneficially use dredged material and to pursue environmental restoration wit the dredged material.

Thank you for your consideration of those of us who live here and are greatly impacted by the changes the Corps makes in the Ship Channel.

Sincerely,

Charles Lea

Charles Lea  


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# Comment 130

**From:** [Susan Jones](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Widening Project Comments  
**Date:** Saturday, September 15, 2018 9:16:04 AM

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Dear Sir or Madam,

As a full time resident of Dauphin Island, please see our comments and concerns below around the Mobile Harbor Widening Project.

The Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations because of Corps' practice of "segmenting" Mobile Harbor Project by preparing multiple separate NEPA documents. The Corps needs to develop a Master Plan and associated Environmental Impact Statement that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA.

The original 1980 report/EIS that originally recommended the ship channel be deepened was deficient because it completely ignored Dauphin Island's erosion problem. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. The tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island that has occurred since the 1980 report represents a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980.

The failure of the Draft GRR/SEIS to sufficiently identify the availability of maintenance disposal capacity for the Tentatively Selected Plan (TSP) for the next 50 years is a major concern. Since the report does not adequately analyze the disposal capacity deficit issue, the future environmental impacts resulting from maintaining the channel also cannot be adequately identified and evaluated. Therefore, the Supplemental Environmental Impact Statement component of the report does not fully comply with the National Environmental Policy Act for the full 50-year period of analysis identified in the report.

Erosion of Mobile Bay's western shoreline is a serious continuing issue. Long-term bayfront property owners have repeatedly stated they have observed large waves created by passing ships. Instead of giving credence to the validity of landowner statements, the Corps has relied entirely upon the results of computerized modeling to conclude ship wakes do not represent a serious issue. Because of the public's concern over ship generated waves the Corps, Coast Guard, and Port Authority should evaluate imposing speed limits on the larger deep draft ships, particularly if fully loaded, to reduce the magnitude of bow waves from passing vessels.

Why has the Corps and EPA found it necessary to pursue a massive expansion of the Ocean Dredged material Disposal Site (ODMDS) in the Gulf of Mexico? Figure 4-7 shows the proposed expansion would increase the size of the ODMDS by 500%, from the current 4,017 acres to the proposed 20,341 acres. The report should explain why it is necessary to expand the ODMDS by 500% since the Corps plans to use the existing open water thin layer disposal sites as much as possible to receive future maintenance material.

The report states the Tentatively Selected Plan (TSP) has a Benefit-to-Cost Ratio of 3.0 and will annually produce over \$34.5 million of Excess Benefits over Costs. A portion of the Excess Benefits should be directed to beneficially use dredged material to pursue various restoration projects. Example projects could include improving Mobile Bay's oyster resources and pursuing measures to prepare other important environmental resources (such as marsh areas) to better withstand the future effects of Sea Level Rise.

Thin layer disposal of material dredged from the Bay Channel affects thousands of acres of Mobile Bay bottoms each year. The report's Tentatively Selected Plan (TSP) to deepen the channel recommends the additional maintenance dredged material also be disposed in the bay over the next 50 years. But the report provides no adequate scientific information to support the Corps contention that thin layer disposal benefits Mobile Bay's environment. Instead, it appears open water disposal within the bay is really being driven by the intent to reduce project costs by no longer having to transport the material offshore for disposal in the Gulf. The entire return to thin layer disposal in the bay is based upon two unsubstantiated, extremely sketchy statements contained in the July 2014 Environmental Assessment entitled "Modification to Mobile Harbor Operations and Maintenance Addition of a Long-Term Open Bay Thin-Layer Disposal Option". Detailed information from independent studies and literature to validate the Corps allegation that thin layer disposal is beneficial for Mobile Bay must be added to the report.

Oysters are a major "indicator species" of the overall health of Mobile Bay. Historical NOAA catch data for Alabama from 1950 through 2016 show the total annual oyster harvests from Alabama waters have experienced a significant continuing decline during the last 10 years. To provide a true representation of the existing quality of oyster resources within the Study Area, the report should clarify that the recent four years (2013, 2014, 2015, and 2016) selected to develop the Study Baseline represents a significant low point in both oyster production and reef condition over the past 66 years. It is worth noting that the decline in oyster production, which is centered around Mobile Bay, coincides with the Corps return to open water disposal of dredged material in the bay in 2014. The report should devote more discussion to the current deteriorated condition of Mobile Bay's oyster resources, including additional modeling work dealing spat movements, effects on salinity regimes, predation, etc.

The primary reason given for filling the relic shell mining holes located in the midportion of Mobile Bay is that these areas experience periods of low oxygen. However, during periods of extreme winter cold, when portions of the bay have been known to freeze and cause winter fish kills, these deep areas also provide temperature refugia that benefit fish fleeing the lethal colder shallow waters. However, the document does not address the potential refugia benefit that would be foregone if the areas are filled with dredged sediments.

The report should explain how dredged material disposal capacity needs for the Tentatively Selected Plan (TSP) will be satisfied over the entire 50-year economic life of the project. Table 4-5 shows the remaining annual disposal capacity for the open water thin layer disposal sites in Mobile Bay (Figure 4-6) to be 59,594,000 cy after 20 years of use. Assuming the average annual dredging volume for the Bay Channel TSP consistently remains at 4,500,000 cy/year during the final 30 years of the project's 50-year economic life, a total of 135,000,000 cy will have to be dredged. Subtracting the remaining disposal site capacity of 59,594,000 cy from the projected total dredging requirement of 135,000,000 cy for the final 30-year period shows the Bay Channel segment will suffer from a disposal capacity deficit of 75,406,000 cy that will become increasingly more difficult to overcome and will likely increase

the future cost of the maintenance program. The report provides no information as to how the Corps and the Alabama State Port Authority plan to satisfy the future dredged material disposal needs of the TSP after the initial 20 years of maintenance. The potential adverse impacts to Mobile Bay from future dredged material disposal practices are too significant for the report to ignore the significant importance of the dredged material disposal capacity deficit problem the TSP will experience over the total 50-year period of analysis.

Figure 4-9 must be revised to include the 1,200-acre dredged material disposal island planned for the Upper Bay south of the Causeway. The island project was approved for funding on December 9, 2015 by the federal Gulf Coast Ecosystem Restoration Council at a cost of \$2.5 million. Initiation of the study has now been delayed 2-3/4 years, without any explanation being provided. The Corps and the Alabama State Port Authority were actively pursuing the proposed island project until the public began asking questions about the proposal and whether it would truly represent a beneficial use of dredged material. By failing to include the 1,200-acre island on Figure 4-9 and discussing it in the report, it appears the Corps is attempting to prevent the public from being made more aware of the proposal to construct the island. The public is concerned the Corps is simply delaying starting the dredged material island study until after the current report to deepen the ship channel is finalized.

The water quality modeling analysis must be reconsidered to evaluate a multi-year drought condition to adequately determine if the Tentatively Selected Plan (TSP) will alter salinity regimes within Mobile Bay to the point that oysters, submerged aquatic vegetation, and other specific environmental resources could be adversely affected. The greatest prolonged changes in salinity in Mobile Bay occur during periods of sustained low flow that are experienced during multi-year drought events affecting significant portions of the Mobile Drainage Basin. The water quality model must be rerun to generate the projected "worst case" salinity regimes that could reasonably be expected to occur in the foreseeable future under the TSP during a multi-year drought. That approach is necessary if the potential effects of the TSP on salinity levels, SAV, oyster drills, oysters, and other key environmental resources in Mobile Bay are to be adequately disclosed in the report.

The report does not explain why disposing of maintenance dredged material in open water over thousands of acres of Mobile Bay bottoms over extended periods of time during dredging operations will not increase turbidity values (i.e., a measure of how muddy the water is) above ambient levels. On page 5-14, the statement is made that "... there would be no expected increase in the concentrations of the turbidity as a result of the implementation of the TSP." Given the magnitude of the annual maintenance dredging operations and the fine-grained nature of the sediments dredged, this impact statement does not make sense. The report should be expanded to better explain why turbidity levels in Mobile Bay will not be increased during sustained periods of open water disposal of dredged materia

The public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally be carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.

The 2009 Settlement Agreement that ended the Dauphin Island POA erosion lawsuit required the Corps to begin

disposing of dredged sands in the Sand Island Beneficial Use Area (SIBUA). However, the Corps knew even as early as 2009 that sands were accumulating in the SIBUA instead of moving toward Dauphin Island as promised. Until the Corps can provide substantive proof the proposed SIBUA expansion will allow most of the placed sands to return to the littoral drift system to nourish Dauphin Island, the Corps could be violating the spirit and intent of the terms of the Settlement Agreement. Thus, one or more of the 1,700 Class members may be within their rights to challenge the Corps in court for failing to comply with the terms of the 2009 Lawsuit Settlement Agreement since the Corps failed to disclose to the Class that it knew in advance about the sand accumulation problem in the SIBUA.

The public is withholding support for the proposed Sand Island Beneficial Use Area (SIBUA) expansion to the northwest until the Corps provides conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island. After 20 years of use, the Corps' promises about the beneficial functioning of the existing SIBUA have all been proven to be wrong while Dauphin Island continued to erode. The public will no longer accept the Corps' verbal promises alone that the new site will function as suggested without being provided substantiated proof to support the promise. Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion. Also, the report should state that all dredged sands placed in the SIBUA expansion will be deposited at water depths much shallower than 15 feet MHW (mean high water). If the Corps is unwilling to make that disposal commitment, it is unlikely the outcome of use of the proposed expansion will be any different than the original SIBUA in countering the erosion problem. Because of that concern, a detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.

The impacts of shoreline erosion on sea turtle nesting should be discussed. Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island. The low percentage of successful nests on Dauphin Island compared to Baldwin County's beaches is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This issue warrants coverage in the report because of the Endangered Species Act connection and because Dauphin Island provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It is possible that a "taking" type situation may exist as an indirect impact of the Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle nest success rates compared to other northern Gulf beaches.

Thank you for your attention to this matter.

Susan D. & William T. Jones

[REDACTED]

[REDACTED]

## Comment 131

**From:** [Capt Dan Kolenich](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 8:51:26 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

My strongest concern is the presence of heavy metals in the dredged spoil. With the history of industry in the Mobile River Watershed primarily the industry in McIntosh, AL and into Mobile's pulp and paper industry. This material is loaded with toxic chemicals that, if disturbed will destroy all sea life in Mobile Bay or at least render it toxic.

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Capt Dan Kolenich



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## Comment 132

**From:** [Steve Lyda](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 8:47:36 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Steve Lyda  


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## Comment 133

**From:** [Paul Watson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] Mobile Ship Channel expansion  
**Date:** Saturday, September 15, 2018 8:38:05 AM

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David Newell,

Dear Sir:

Thank you for your help and support in getting new measures solidly in place that we all hope will be of help to Dauphin Island. The property owners of the island recently received specific suggestions (copied in part below) from an organisation named "Mobile Baykeeper" and I agree with their suggestions. I hope that you will support these and other ideas for the long term health and sustainability of the island. The points I hope we can all support are:

- concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel.

- ... the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project.

Their suggestions were much more specific than this but I am sure you are aware of that.

Thank you for your service and for your thoughtful consideration of these suggestions.

Best regards,

Paul Watson



Paul Watson



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## Comment 134

**From:** [Paul Watson](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Sand Island Beneficial Use underwater berm  
**Date:** Saturday, September 15, 2018 8:28:27 AM

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Thank you for your help and support in getting new measures solidly in place that we all hope will be of help to Dauphin Island. The property owners of the island recently received specific suggestions (copied below) from a politically active Dauphin Island resident and I agree with her suggestions. I hope that you will support these and other ideas for the long term health and sustainability of the island. The points I specifically support are:

...I explained to him that the Corps need signs a document:

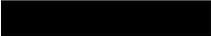
1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.

The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country

Thank you for your service and for your thoughtful consideration of these suggestions.

Best regards,

Paul Watson





## Comment 135

**From:** [Jeff Deuschle](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 8:26:46 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely, Jeff Deuschle, BSMT (ASCP), MBA, SBB

Jeff Deuschle  


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## Comment 136

**From:** [Steve McClure](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 8:10:29 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

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The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

J Steven McClure, P.E.





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## Comment 137

**From:** [Sara Shields-Menard](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] Comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 8:05:29 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Sara Shields-Menard, PhD





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## Comment 138

**From:** [Betsy Swinson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 7:32:48 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

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Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Betsy Swinson





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## Comment 139

**From:** [D Perry](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#)  
**Subject:** [Non-DoD Source] Save Dauphin Island Sand  
**Date:** Saturday, September 15, 2018 7:10:56 AM

---

SAVE OUR SAND

PLEASE

require Corps to use SIBUA for sand disposal

force monitoring sand reach Dauphin Island

Guarantee sand will always reach the island

Your assistance is desperately needed the entire island and its inhabitants are at risk.

Darlene Perry



## Comment 140

**From:** [Sheryl Smith](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 6:52:46 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

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The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Sheryl Smith  


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# Comment 141

**From:** [Billy Richardson](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Ship Channel Project  
**Date:** Saturday, September 15, 2018 6:39:35 AM

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Dear Sirs,

As a current property owner of Dauphin Island Alabama I find it appalling that the Corps is still under the impression that the modeling studies done do not take into account the loss from erosion due to the dredging of the Mobile Ship Channel. I am not a scientist but do see the effects that are happening on almost a daily basis. Why the Corps chooses to ignore the actual facts that a "walk on the beach" would clearly show the practice of what has been done is not working. It is past time for studies and open house meetings and time to mitigate what has been for years been neglected. I do hope that it is not too late for our beloved island.

Sincerely,

William Richardson



## Comment 142

**From:** [Gretchen Boyd](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Important for Dauphin Island  
**Date:** Saturday, September 15, 2018 6:37:24 AM

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At the Corps' meeting on Sept. 11, David Newell showed me the Extension to the Sand Island Beneficial Use underwater berm.

I explained to him that the Corps need signs a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, the western side of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

Gretchen Boyd

## Comment 143

**From:** [LEBECCA PARDUE](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 6:32:48 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

LEBECCA PARDUE  


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## Comment 144

**From:** [Jeni Bogdan](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 6:01:50 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Jeni Bogdan





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## Comment 145

**From:** [Jeffrey Bogdan](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 5:59:08 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Jeffrey Bogdan





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## Comment 146

**From:** [Charles Cohen](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 5:32:28 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Charles Cohen  


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## Comment 147

**From:** [Grace Tyson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 3:56:27 AM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

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Sincerely,

Grace Tyson  


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# Comment 148

**From:** [Hanlon Walsh](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 3:15:34 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Sincerely,  
Hanlon Walsh





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## Comment 149

**From:** [Jerry Bates](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Saturday, September 15, 2018 1:28:27 AM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

I grew up on bay front rd. I have been exposed to the bay and ship traffic since 1984. I have never seen a traffic jam of ships trying to navigate the channel. I think the widening is stupid and a waste of money. I encourage everyone in favor to drive out to The diog river bridge or anywhere that has a good view and actually count the number of ships coming in. If the captains or bar pilots cant navigate that volume then they are morons. We have no traffic. Someone needs to go sit by the dock of the bay and count some ships. I have,

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Jerry Bates



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## Comment 150

**From:** [c.graves](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Diana M. Holland BG](#); [Semonite, Todd T LTG USARMY HQDA OCE \(US\)](#)  
**Cc:** [Bush, Eric L CIV USARMY CESAD \(US\)](#); [CEIG](#); [holliman.daniel@epa.gov](mailto:holliman.daniel@epa.gov)  
**Subject:** [Non-DoD Source] Corps' Environmental Failure of Nine Berms  
**Date:** Saturday, September 15, 2018 12:49:09 AM  
**Attachments:** [Corps' Environmental Failure of Nine Berms .pdf](#)

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Dear LG. Semonite, BG Holland, Col. Joly,

This is an email and attachment about the Corps' Environmental Failures of Nine Berms to protect the erosion to Dauphin Island.

It is undisputed that the Mobile Harbor Outer Bar channel stops the natural littoral processes, and the Corps' dredging removes sand that would sustain the adjacent shoreline of Dauphin Island. Now it is undisputed that the Corps produced nine separate locations for berms, as a ploy, to put the sand in a closer location under the term, Beneficial Use, as fancy name for getting rid of dredged material inexpensively.

But as the Corps does across the Country, of putting the berm parallel to the shoreline, the Mobile District Corps puts the berms in areas either to far away and in water that is too deep for the sand to move to the shoreline.

The Mobile District even convinces the DOJ attorneys, the Judge and the Plaintiff's attorney to rely on two of the berms as evidence that the sand was getting to Dauphin Island, during the Corps lawsuit.

During the 2018 SEIS/GRR process, the Corps fails to inform the public, all erosion and environmental impacts stated in the Corps 1978 study, were left out in the original 1980 EIS/Mobile Harbor study, including suppressing the impacts from Congress when requesting funds for the Mobile Harbor project. The Mobile District has failed to inform the public during this process that the original 1980 EIS/Mobile Harbor study was flawed, because of their failure to include the impacts.

But the Mobile District tries to prevent the flawed 1980 study from becoming known, by making a decision not to study the past sand/land losses to Dauphin Island. It seems very convenient that the Corps can make-up their own rules, as a way to conceal their past failures of destroying the shoreline and properties on Dauphin Island.

My attachment is 23 pages documenting the location of the Nine Berms.

Sincerely,  
Caroline Graves

## Corps' Environmental Failure of Nine Berms

Once again in 2018, contrary to undisputed evidence, the Corps is still trying to conceal their dredging is the cause of the erosion on Dauphin Island.

In the 2018 draft SIES/GRR study for the Mobile Harbor,

“Impacts of channel dredging on Dauphin Island remains a controversial issue. The modeling results presented in this study ***indicate minimal differences*** in morphologic change in the nearshore areas of Dauphin Island and Pelican Island ***as a result of the channel modifications.***”

This is inconsistent with coastal engineers worldwide, and all of the Corps' manuals and Federal Laws starting in the 1935.

Did this study or any other study in the 2018 draft SIES/GRR investigate the past sand/ land losses on Dauphin Island from the Corps dredging? The past, present and future erosion and environmental impacts to Dauphin Island are not identified in the 2018 SEIS/GRR Mobile Harbor Study.

The Corps refuses to acknowledge the past, present and future Cumulative effects, including the past sand/land loss to Dauphin Island.

The only solution the Corps offered in the GRR study was to put the dredged sand in a Northwest Extension to SIBUA and there is no mention that this location would help Dauphin Island's erosion.

“As such, the USACE, Mobile District is pursuing modifications to extend the site beyond the existing SIBUA boundaries to provide sufficient movement of material and capacity for maintenance material. Expansion of the SIBUA will extend its boundaries to include areas within the Sand Island-Pelican Island complex. The proposed SIBUA northwest extension ***is being conducted under O&M and not as part of this study.***”

**BUT** the SIBUA's extension berm “***is not part of the study, but under O&M***”, which is the operation and maintenance of the Channel. The Corps is putting berm under O&M, so that the Corp can change the location at anytime, as they have done many times in the past.

The Corps is using “selective information” from the Alabama Barrier Island Assessment and the Alabama Coastal Comprehensive Plan to put into the GRR/SEIS, even before the two studies are complete. ***The Corps is the manager of the Alabama studies*** and they are not completing those Dauphin Island studies until after the GRR/SEIS ***is final***. If the GRR/SEIS is final before the other Corps studies are finished, it would mean that any facts in the other studies would not be a part of the GRR/SEIS and no public comments. There is nothing the public can do.

That would be against the Federal Laws.

### § 1502.9 Draft, final, and supplemental statements which states:

“The draft statement must fulfill and satisfy to the fullest extent possible the requirements established for final statements in section 102(2)(C) of the Act. **If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion.** The agency shall make every effort **to disclose and discuss** at appropriate points in the draft statement **all major points of view on the environmental impacts of the alternatives including the proposed action.**”

***SELECTIVE USE OF DATA FROM A SINGLE STUDY AND SUPPRESSION OF ALL OTHER EVIDENCE.***

The Mobile District's dishonesty and deceit is shown by ***selective use of data and evidence*** and the **rejection of material adverse to the Corps' stated point of view.**

The Corps is basing the entire 2019 GRR/SEIS studies on the ***single*** paid-for-by-the-Corps-lawsuit study, Byrnes 2008 and the update 2010 version, which stated that the Corps is not the cause of the erosion on Dauphin Island. All of the Corps' new studies for the GRR/SEIS by USGS and others are required to be based on facts presented in the Byrnes 2008-2010 and no opposing studies that contradict the Byrnes' studies were used.

This proves the Corps is willing to suppress evidence and manipulate information in the 2018-2019 GRR/SEIS by ignore significant data in other reputable studies by experts that expose the Corps' dredging ***is*** the cause of the erosion on Dauphin Island.

The Corps actions demonstrate their willingness to harm anybody or anything that gets in its way, including all of the people of Dauphin Island.

Just a few of the renowned scientist and coastal engineers whose studies are being suppressed by the Mobile District Corps of Engineers, to conceal that the Corps' erosion on Dauphin Island.

The total suppression of evidence and exclusion of all of Robert Dean's lawsuit documents that refutes the Byrnes 2008-2010 study. The Byrnes 2008 lawsuit study was contradicted by the eminent coastal engineer, Dr. Robert Dean, who "indicated that the [Byrnes' 2008] Final Report was fundamentally flawed, not reliable and at best inconclusive." And Dean concluded, ***"that certain critical portions of the [Byrnes 2008] Final Report are arbitrary in their methods of analysis and acceptance/interpretation of the available data resulting in uncertainty remaining in the final results"***. The Mobile District fails to disclose the contradiction in Dean's study and that the Dean's study is still apart of the LAWSUIT.

The exclusion of facts presented in the *1978 Feasibility Report for Beach Erosion Control and Hurricane Protection Mobile County, Alabama Including Dauphin Island.* In the report, the Corps admitted they were the cause of the erosion to Dauphin Island. In a meeting in January 2017, for the SEIS/GRR, EPA advised the Corps that previous **reports prepared by the Corps such as the 1978 report referenced in public comment letters should be acknowledged.**

The concealment and exclusion of facts presented by renowned coastal engineer, Scott Douglass' 30 years of erosion studies on Dauphin Island and his conclusion that the Corps' dredging is responsible for the erosion on Dauphin Island. The Corps has been quoting and agreeing with the facts presented in Dr. Douglass studies for the past three decades and now not one word about his conclusion, the Corps' dredging is the caused of the erosion to Dauphin Island. I feel, 30 years of studies just on Dauphin Island's erosion, is more comprehensive than a single Corps study that had to averaged the dredged amounts over 100 years just to have justifiable results that the Corps was not causing the erosion to Dauphin Island.

The Corps exclusion of all studies by USGS's distinguished scientist Robert Morton that contradicts Byrnes studies. The Corps suppressed all facts presented in all of the Morton's studies that revealed the dredging of the Mobile Harbor Outer Bar channel is causing erosion and land-loss on Dauphin Island

The lack of Morton's studies in the GRR/SEIS, show the Corps' deceitful actions. The Corps used the same Morton's studies in their 2009 MsCIP documents showing the Corps' dredging caused erosion to the Miss/AL barrier islands, **to get over a half Billion dollars** for the Corps' MsCIP project.

## **CORPS NINE BERMS**

### **How can we trust the Corps' future BERM to help Dauphin Island?**

Since 1978, The Mobile District Corps' has recommended **nine** different berms location for to offset their erosion on Dauphin Island. During that time, the Corps lied to the Mayor, Senators, Congressmen, State of Alabama, ADEM, and the public in letters and with false statements in Federal Documents.

The Corps is recommending another Berm location, the Northwest Extension of the SIBUA berm in the Corps' 2018 Public Notice No. FP18-MH01-09:

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

**In 1993**, the Corps presented ***the identical Berm*** to Senator Shelby and Congressman Bevill as a way to protect Dauphin Island.

The Corps never planned to use the 1993 location, because of the stipulations to the Dredger, ***"give the option to put the sand in the closer location"*** and ***"not requiring the dredger to do it"***

How do the people of Dauphin Island know the Corps will not do the same thing with the 2018 berm, just giving the option to dump the sand at that location BUT not requiring the contractor to do it?

### **The deception of the Corps' Nine Berms**

The Corps recommended **nine** different areas for the berms to help erosion to Dauphin Island shoreline from 1978 to 1999. During the time, the Corps stated that the underwater Berms would replenished the sand to the shoreline. Either the Berms did not help the Island or they were too far away, in too deep water or the Corps never used the Berms, including the Corps even trying to confuse the locations of the berms in public notices. Promising one thing, but delivering another, thus avoiding the objective of public notices and public comments.

In one of the Corps documents, Scott Douglass stated, "Results of monitoring programs of the fate of nearshore placed sands throughout the US ... indicate that **30 feet is too deep to expect significant onshore migration**"

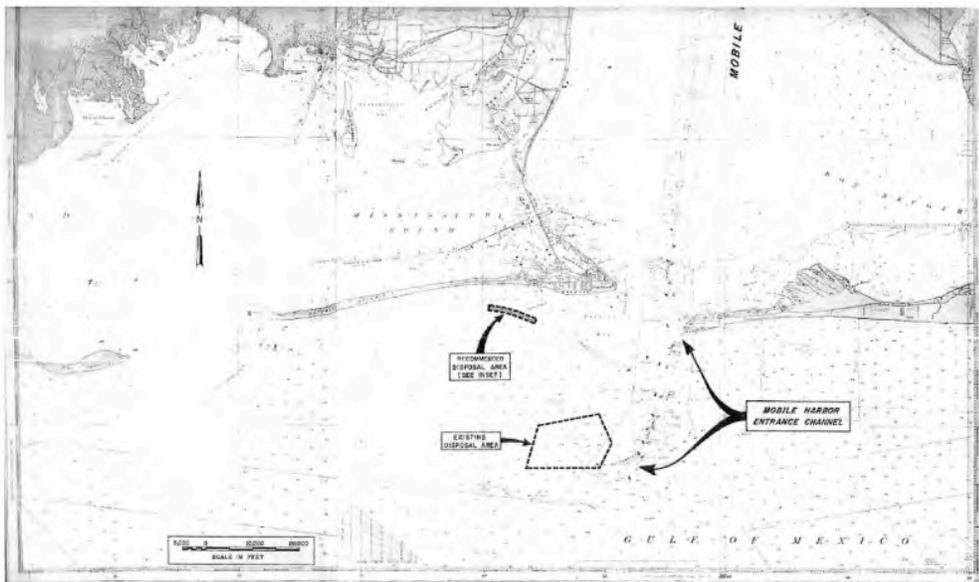
### According to the Corps' 1975 At the Workshop Meeting Beach Erosion:

Col. Drake Wilson stated :

- “We think, that perhaps the best solution for the beach erosion problems along the Island shores is quite apparent to us. We come off the shore about every year-and-a-half to two years and dredge with our hopper dredge, on what we call the bar, which is mostly a sand material. It is a little out from the entrance to the harbor.
- “We take this material out to sea about 10 to 15 miles and dump it. We have in inventory some equipment that can take this material out and pump it onto the beach approximately there near Fort Gaines, and our studies thus far indicate that the littoral drift, that is the drift of the current, would generally carry that material on down along the island. **This solution appeals to us because it costs nothing.**
- *That is, we have to dredge the harbor anyway - - we pay for that under the maintenance of the harbor expenditures and **we can pump it out and put it onto the beach for just about the same price that we could take it out into the Gulf and dump it** ... We think this is a pretty good solution for Dauphin Island.*

### First Berm in 1978

The Corps 1978 study about the erosion on Dauphin Island. In 1978, the Corps produced a study about Dauphin Island stating that the Corps dredging of the Mobile Outer Bar Channel had caused **over 119 feet of erosion** on the western 11 miles of shoreline of Dauphin Island, since that time the erosion has been more extensive. The Corps predicted if nothing was done to protect the island, ***the future dredging of the channel would erode away over 10 feet per year of beachfront property a year.*** The Corps recommended bypassing the dredged sand in a berm in front of the western beaches on the Island as shown below. **The 1978 nearshore berm was never done.**



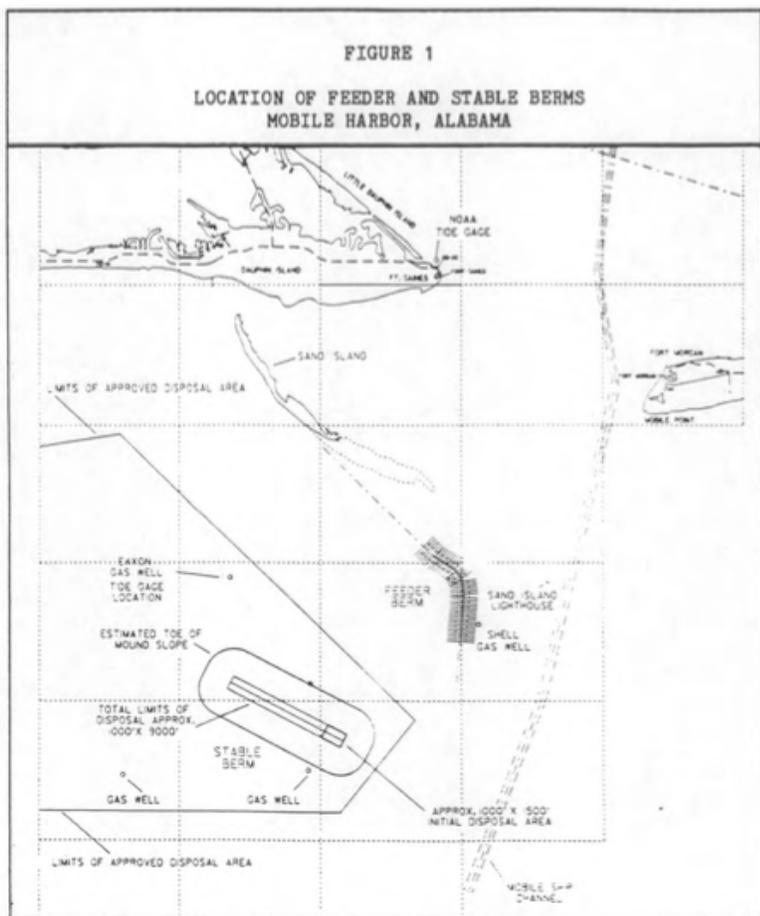
First Berm 1978 nearshore berm was never done

## Second Berm Feeder Berm

1986 September 1 MSC Fact Sheet Demonstration of Underwater Berm.pdf  
by SAMPD-N

*As this sand is deposited in a navigation channel, the customary practice is to remove the sand by hopper dredge and transport it to an approved deep water outside the littoral zone.*

Disposal within the littoral zone (**feeder placement**) of sandy dredged material removed from the entrance portion of a deep-draft channel would utilize natural processes ***to nourish the beach***.



## Second Berm 1987 Feeder Berm

### 1987 April 1 MFR Dauphin Island Property Owners Assn Meeting.pdf

On April 4, 1987, Mr. Mathew Laws (Chief, PD-FC) and Mr. Jim Baxter (Chief, OP-ON) spoke to the Dauphin Island Property Owners Association..... brief those in attendance ***on erosion prevention at the east end and western portion of the Island.***

Mr. Laws ...briefly described the "Mobile County, Alabama (Including Dauphin Island) Feasibility Study for Beach Erosion Control and Hurricane Protection" completed in September 1978.

Laws remarks were concluded with the statement **that solutions to the problem on the western 11 miles of the Island were tied to maintenance of the Mobile Ship Channel bar crossing.**

Mr. Laws introduced Mr. Baxter who then discussed the "**Feeder Berm**" the Corps has constructed just off Sand Island in about 18 feet of water. Mr. Laws and Mr. Baxter held up a map of the Island and berm area, and described the purpose of the "Feeder Berm".

Mr. Baxter also stressed that the current berm ***would not completely solve the erosion problems of the Island,*** but if monitoring of the sand movement continued to yield favorable results **that the Corps would continue to provide feeder sand berms.**

### 1987 October 16 MFR ***Impact of Proposed Mobile Bay Ship Channel Deepening on the Littoral Drift System.pdf*** (Mr. Escoffier is retired Corps expert.)

Mr. Escoffier was then given a general overview of the submerged berm concept... It was pointed out that the basic premise behind the ***feeder berm*** concept ***was to resupply the area with the materials, which were being blocked by the channel.***

### 1990 MSC National Berm Demonstration Project.pdf

#### **Nearshore Mound Construction Using Dredged Material**

T. Neil McLellan

With the advent of ***shallow draft split-hulled hopper dredges*** in the mid to late 1970's, the feasibility of using conventional dredging and placement practices ***for berm construction began to become a reality.*** The relatively shallow draft, 6.7 m or less, and rapid placement technique of the split hull, less than five minutes.. ***allows the dredge to place material accurately and safely in the active littoral system.***

**13 shallow draft split-hulled hopper dredges.** operating in the United States on a routine basis.

**1990 National Berm Demonstration Program** Langan and Rees state, "Since the haul distance to the 'feeder' location was about the same as to the historical disposal site, **construction of the berm was at no extra cost**"

### **1990 Massive Expansion to the Mobile Harbor Out Bar Channel with only the feeder berm mitigating the impacts to the Island.**

1990 Phase I, of the 1986 WRDA was completed and the Mobile Outer Bar Channel was deepened **from 42 feet deep to 47 feet deep by 600 feet wide.**

The Corps places **6,755,352 million cubic yards** dredge from the channel and the **sand placed in Feeder Berm per ERDC report** according to the Corps Mobile Bar History Summary.

## 1990 December RPT Results of Monitoring the Disposal Berm at Sand Island.pdf

Considering all factors, the material was placed along the 19-ft contour about 1.5 to 2 miles west of the entrance channel. It was calculated that **this placement location** could result in a **10- to 15-percent cost savings** in hopper dredge travel time **compared with placement at the conventional site**

The dredging and placement were conducted with two split-hull shallow-draft hopper dredges, the Atchafalaya and Mermentau.

## Severe Erosion Started Happening on Dauphin Island, after the 1990 Expansion

### Third Berm 1993

After the severe erosion started after the 1990 expansion, the Senator and Congressman became involved. The Corps sent pictures to the Senator Shelby and Congressman Bevill of the placement of a new underwater berm to off-set the erosion to the Island.

**BUT** The Corps' **internal documents** for the berm expose otherwise. **The Corps would only give the option** to the dredging contractor to put the sand in closer location, **HOWEVER the Corps was not requiring the dredger to do it.**

Did the Corps mislead the Senator and the Congressman into believing that the Corps was going to put sand in the large underwater berm along Sand Island to protect Dauphin Island? According to Corps' documents, the Corps never used the 1993 Berm.

Letter to Congressman Bevill from the District Colonel

### 1992 May 20 LTR to Rep Bevill.pdf

There is no question that the shoreline on **the island is undergoing severe erosion at two locations.** One is at the east end of the island near Fort Gaines and the other is about three miles west at the public use area with the fishing pier. There is no clear indication of the cause, however.

**Dr. Scott Douglass**, at the University of South Alabama, has recently completed a report for the Alabama Department of Economic and Community Affairs, **Coastal Processes Of Dauphin Island, Alabama**, covering studies he made.

His report attributes the cause of long-term erosion on the island, at least in part, **to past disposal practice for maintenance dredged material** from the Mobile Harbor ship channel.

Sand Island has again migrated northward, affecting the shoreline of the main island. This migration is probably **the direct cause for the erosion at the public park with the fishing pier.**

### 1992 May 21 LTR to Senator Shelby.pdf

from Dennis W. Heuer Major, Corps of Engineers Acting District Engineer

In the case of the Mobile Harbor Entrance Channel, **we intend to add littoral zone disposal south of Sand Island as an option in all future maintenance contracts.**

Actual use of that area will depend on the contractor and the size of the dredge, which executes the contract.

**The Corps *internal document* about the Berm.**

**1993 January 4 MEM Bar Channel.pdf**

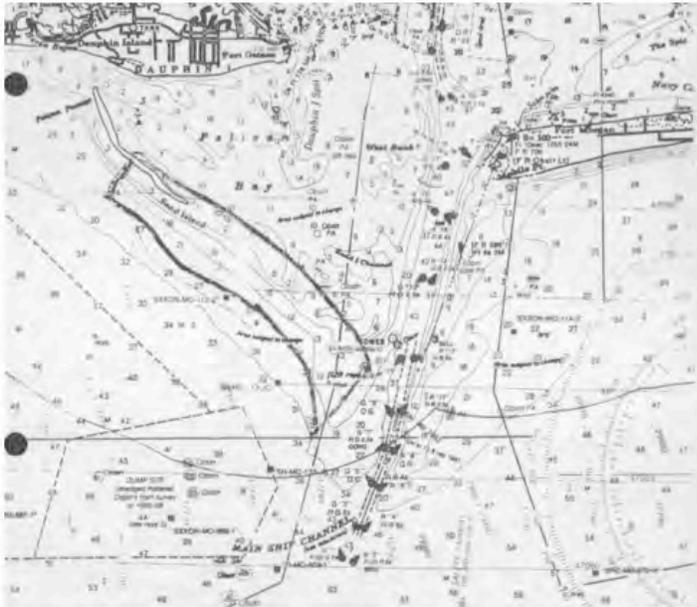
Memorandum Thru OP-0 For FO-MO

Subject: D/A, Mobile Harbor

1. Reference your memo to this office dated 8 Dec 92 regarding subject above. A copy is attached
2. We have coordinated the following answers to your questions with PD-EC (Susan Rees) and PD-F (Walt Burdin).
  - a) **The District has committed to making the "near shore" or littoral zone disposal area available as an option. *We would not require the contractor to use the site, simply make it available to him.***

**Third Berm picture**

2. "a presentation was made recently (*included Mr. Bevil*) indicating that when the Corps dredges the Mobile Bar (maintenance) in the future both the "off shore" and "near shore" berms would be offered in our contract as disposal areas. ***This does not mean we would direct the Contractor to use one over the other but, rather give him that choice.***"  
***"Please confirm this."***



**Third Berm 1993 berm**

**The picture for the 1993 underwater berm looks identical to the 2018 GRR/SEIS Northwest Extension of SIBUA Berm**

**After the severe erosion continues on Dauphin Island, the Corps immediately starts their denial process and worrying about ADEM's Water Quality Certification.**

Feeder Berm was monitored for 5 years

**1994 May 17 MSC Presentation Shoreward Movement.pdf**

By 1991 the SIB had broken into **three segments**.

The northernmost segment **migrated northeastward**.

The middle segment gradually **lost volume and disappeared**.

The southern segment continued **to lose sand from the gulfward tip** throughout the full 56-month monitoring period.

**1995 December 1 MFR Mobile Harbor Water Quality Certification.pdf**

We have sent **ADEM** the manuscript of the public hearing, and **they are** formulating a letter **basically requesting a more environmentally beneficial disposal option**. We feel this request is due to their continued fear of a lawsuit.

We have received a memo from Joan Pope that basically states **that "As good stewards of the environment, we should place the bar channel material into the littoral zone."** (Joan Pope is an expert with the Corps)

Results of the monitoring showed [feeder berm] that over time the 'structure' **melled into the Sand Island shoal** so that it was no longer identifiable.

**Lies by the Corps about the equipment and the cost involved with the feeder berm.**

**Dec. 1, 1995 Fact sheet**

Shallow draft split-hull dredges can perform the required activities, **however there are only 2 in operation in the U.S.**

**Increase in costs** over that currently expended for this part of the channel **would be approximately \$294,000.00**.

Many of the participants urged the Corps to place the material on the Sand Island shoals even **though they understood that this would not 'fix' the erosion problems**.

**would not provide** immediate (or possibly even long term) **relief to the erosive areas** on the eastern end of the island.

Based on the results of the feeder berm demonstration, **the non-Federal entity would be responsible** for approximately **\$147,000 per dredging cycle** for the placement of material on the Sand Island shoal

**To refute the Corps lies in the above document.**

The Corps stated in 1987, **there were 13 Shallow** draft split-hull dredges in the U.S. **not 2** as stated above.

The Corps also stated in 1987, "Since the haul distance to the 'feeder' location was about the same as to the historical disposal site, **construction of the berm was at no extra cost.**" **Not \$294,000**

In 1990, "it was calculated that this placement location **could result in a 10 to 15 percent cost savings** in hopper dredge travel time compared with placement at the conventional site.

In 1976, 1983, 1984, 1985, 1999, 2002, 2004 and 2006 the Mobile Corps used these shallow split-hull dredges for the outer bar channel according to the Corps' dredging records. Why would the Mobile Corps lie about the costs of these shallow hull dredges and use them to put sand in deeper areas?

## The start of the Feeder Berm changing to Sand Island Beneficial Use Area, SIBUA

### 1996 October 3 MSC Authorities.pdf

#### Lists the Federal Laws that relate to the Corps dredging a Federal project.

The first law presented was,

Section 111, River & Harbor Act of 1968, as amended - Authorizes study, design and construction of work for ***prevention and mitigation of damages to both non-Federal, public and privately owned shores to extent that damages are directly attributed to a Federal navigation project.***

***Degree of mitigation is the reduction of erosion to level which would have existed without influence of the navigation works at the time such navigation works were accepted as a Federal responsibility*** (not to restore to historic shoreline dimensions).

Local Cooperation - ***Non-Federal responsibility to maintain the project. Cost sharing for implementation will be shared at - the same proportion as implementation cost for the navigation project.***

Sec. 207 . Beneficial Uses Of Dredged Materials . Directs that in carrying out navigation projects, the secretary may select a disposal method ***that is not the least cost option*** if the incremental costs are reasonable in relation to the environmental benefits including creation of wetlands and shoreline erosion control.

The Corps also presented the laws under the **WRDA 1996**, **BUT** left out the one specifically for Mobile Harbor Section 302 that the Corps could change its disposal of dredged sand for environment and restoration.

The Corps reveals the reason why they switch from the Feeder Berm to the Sand Island Beneficial Use Area (SIBUA) **was to save the Port Authority money, not protecting the people of Dauphin Island.**

***Potential opportunities for sand placement on Dauphin Island Bar Bar Maintenance to Feeder Berm Location***

***Presently \$73 k share by locals*** (estimated/yr).

Evaluate expanding the feeder berm location with ***potential of decreasing haul distance and greater depths*** for equipment suitability.

Potential for significantly ***reducing the local cost share*** and could ***eliminate it.***

## Fourth Berm 1997

### **1997 Public Notice, states a false location in a Federal Document**

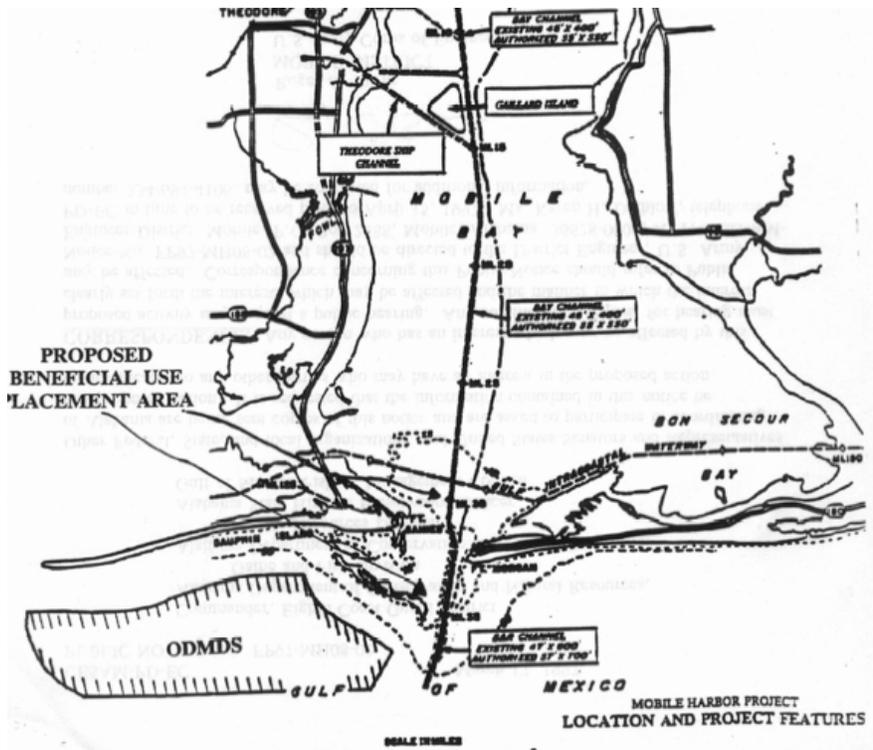
The Corps changes the name and location of the berm in the 1997 Public Notice and stating they are putting the dredge sand between Dauphin Island and Little Sand Island.

With the statements that “Erosion has occurred in the vicinity of Dauphin Island” and this location “would aid in beach nourishment”

### **1997 March 17 MSC Modification of Joint Public Notice.pdf**

Public Notice No.FT97-MH08-2 **Sand Island Beneficial Use Area**

*Sand Island Beneficial Use Area.* The proposed beneficial use area would be located on the west side adjacent to the southern portion of the Mobile Harbor Ship Channel ***between Dauphin Island and Little Sand Island*** (Figure 1). ***Erosion has occurred in the vicinity of Dauphin Island*** and suitable material placed in the proposed Sand Island Beneficial Use Area ***would aid in beach nourishment*** through the littoral transport process.



**Fourth Berm in 1997**

Even Scott Douglass, who is one of the most renowned Coastal Engineers in the Country and specializes in the erosion on Dauphin Island for the last 30 years, **questions the location** of the Corps' dredged sand placements under the Public Notice.

**1997 June 23 MEM Response to Comments on Beneficial Use Area.pdf**

May 14, 1997 Scott L. Douglass letter to Brad Gane, ADEM about the Corps public notice

I cannot comment on the specific location unless it is identified more clearly. The specific location of the proposed **Sand Island Beneficial Use Area is not clearly marked on either document** and the two documents show very different locations. The verbal description and map shown in the public notice indicate that the area will be "between Dauphin Island and Little Sand Island." Little Sand Island is not identified in the public notice and ***I don't know where it is. You have told me that the location description in the public notice is not correct.*** The 1996 survey "Mobile Bar Special Survey" you provided does not identify any area as the "Sand Island Beneficial Use Area." There are many miles of ocean floor "west of the 30 ft. contour" and there are several such contours in the vicinity.

**First of all, the implied depths are too deep.**

Coastal engineering research **indicates that depths of 30 feet are too deep** to expect sand to migrate landward at a reasonable rate. The rate of migration of sand features placed in the nearshore appears to be extremely dependent on depth.

### **Fifth Berm 1997-used one time**

The Corps is concerned about getting the Water Quality Certification from ADEM and is telling ADEM that unless the Corps put the sand in that site, it will ***lessening the benefits to Dauphin Island***.

#### **Under 1998 November 4 LTR to ADEM.pdf**

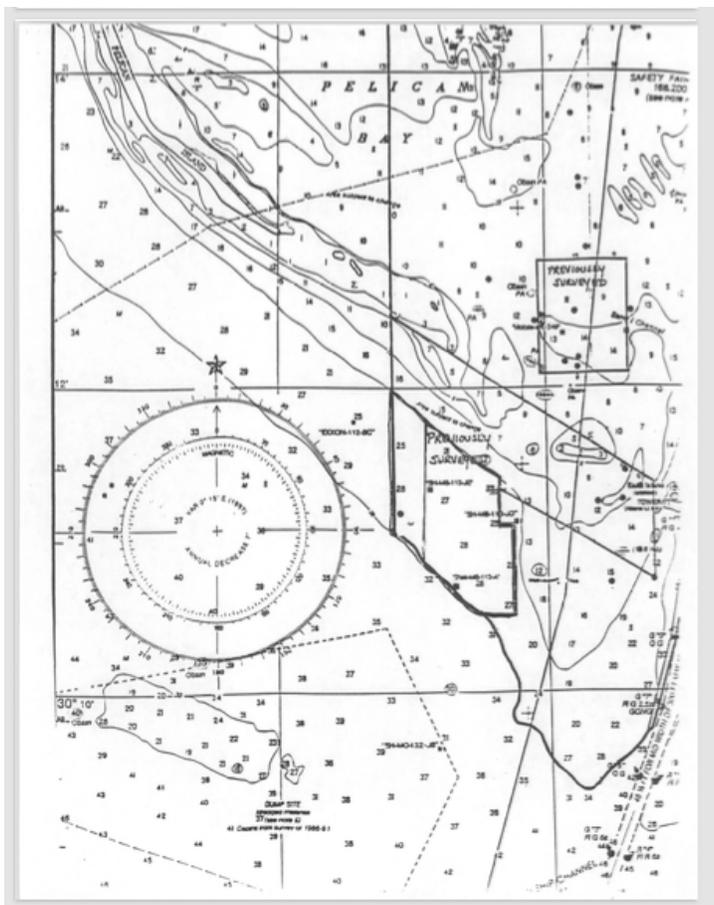
August 5, 1997 Mr. Gane letter from the Corps  
Dear Mr. Gane:

“concerning Joint Public Notice No. FP97-MH08-02, Maintenance Dredging and Placement Activities, Mobile Harbor Navigation Project, Sand Island Beneficial Use Area and the possibility of receiving **Water Quality Certification** and Coastal Consistency for the use of a small portion of the beneficial use site (attached Figure).”

“would like to be able to place this material on the Sand Island shoals in lieu of placement in the ocean dredged material disposal site.”

***“is very close to the previously used Sand Island Feeder Berm site.”***

“Material will necessarily have to be placed in deeper waters and ***thereby lessening the benefit to Dauphin Island***”



***Fifth site used in 1997***

### **Sixth Berm 1998 showing the more accurate site for SIBUA**

Now the Corps starts putting the sand further away from Dauphin Island and in 30 feet of water. Is this the site that would save the Non-Federal Sponsor \$73,000 dollars.

Now, the Corps is using it as a mixed material site.

How is this site environmental beneficial for shoreline erosion to Dauphin Island?

#### **1998 January 6 MSC Fact Sheet Dauphin Island Erosion Issues.pdf**

In consultation with the Alabama Department of Environmental Management, the District has recently proposed the designation of a large area of the subtidal delta as the Sand Island Beneficial Use Area.

This area would be utilized ***for the placement of materials dredged*** from the entrance channel ***when requirements shallow enough to transit the area safely,***

Regarding the physical quality of the material to be placed in the site, there may be opportunities ***to place 'mixed' materials***, i.e. ***dredged materials with >50% sand*** but containing quantities of silts and clays in the beneficial use area.

It is the opinion of the District and ADEM that placement ***of such material in the beneficial use area*** may be appropriate. We are currently coordinating with the Waterways Experiment Station the conduct of research on the ***placement of 'mixed' materials*** under the Dredging Operations and Environmental Research (DOER) program at Mobile.

## Sixth berm

This location is much further away from Dauphin Island, than any of the other sites and ***it is in too deep of water to help restore the dredged sand to Dauphin Island's shoreline.***

### 1998 February MSC Presentations from First Annual Coast Issues Symposium Beach Erosion.pdf

Dredging of the Mobile Bay Channels by Susan Ivester Rees, Corps of Engineers, Mobile District

The characteristics of this area are similar to those of the 'feeder berm' site and ***therefore material placed within this area should augment the littoral drift system of Sand - Pelican Islands as well as western Dauphin Island.***

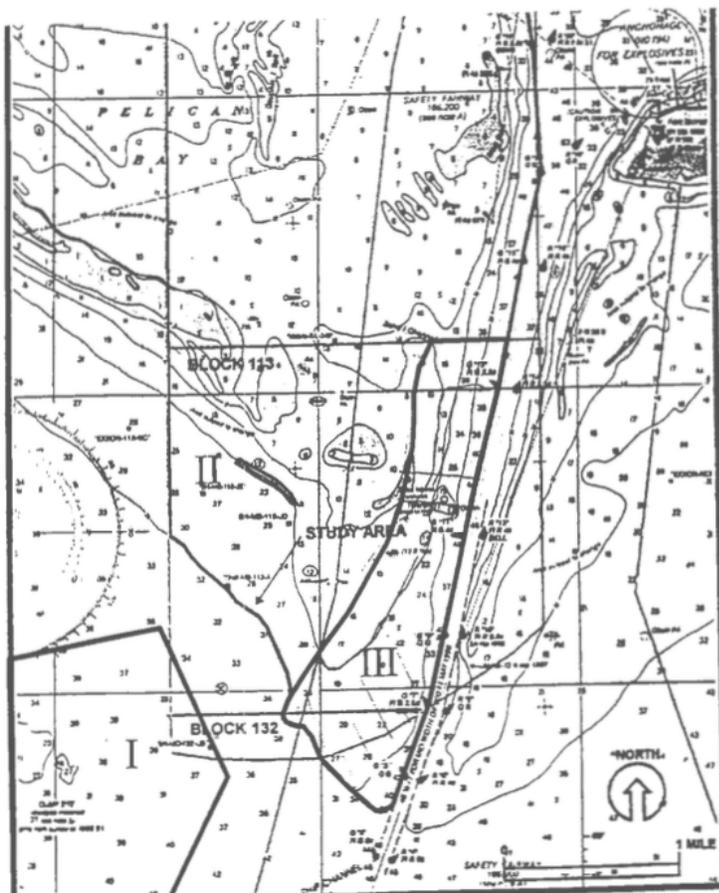


Figure 2. Section of NOAA Nautical Chart 11378 showing Sand Island Beneficial Use Area and oil and gas lease block designations.

*Sand Island Beneficial Use Area Literature Search*

3

15

***Sixth Berm 1998 site SIBUA marked III.***

**1998 July 5 MEM Monitoring Nearshore Placement.pdf**

Memorandum For Commander, District, Mobile, ATTN: CESAM-PM (Mr. Jamie B. Hildreth)

SUBJECT: ***Monitoring Nearshore Placement of Dredged Material*** at the Entrance to Mobile Bay

2. Under the Dredging Operation and Environmental Research (DOER) Program, WES will conduct field monitoring of dredged ***material placed nearshore with the intent that the sands within the material would migrate shoreward*** while the fine-grained portion would diffuse away from the site. Similar data sets on nearshore dredged-material mounds have been collected previously by WES and the Mobile District. The unique character of the proposed data set is that it will have a high percentage (up to 70%) of fine-grained sediments. The data will be used to verify existing models and models that are currently under development in the DOER program.

3. The WES researchers have discussed dredged material characteristics and preliminary dredging schedules with Mobile District personnel (Ms. Susan Rees and Messrs. Pat Langan, Paul Bradley, and Carl Dyess) and have decided that the Mobile District offers the best opportunity *to conduct a long-term study of a nearshore, mixed-sediment, dredged-material mound. The monitoring effort may begin as early as July 1998 and continue through FY00.*

**1999 Major expansion of the Mobile Harbor 1999 deepening the channel from 47' to 49' and widening part of the Channel to 700'**

**1999 October 4 MSC Fact Sheet Dauphin Island Erosion Issues.pdf**

c. *Sand Island Beneficial Use Area*. In 1997, This area would be utilized for the placement of materials dredged from the entrance channel when suitable equipment, i.e. hopper dredge with draft requirements shallow enough to transit the area safely, were being utilized for the maintenance of the Mobile Ship Channel.

During the public notice advertisement period, concerns were raised ... *also about less than pure sand being placed in the site.*

'mixed' materials, i.e. **dredged materials with >50% sand but containing quantities of silts and clays in the beneficial use area.**

g. *Northern Gulf Regional Sediment Management Initiative:*

"also included the use of the SIBUA for material to be dredged from the entrance channel."

Approximately ***3 million cubic yards*** of predominately sandy material was placed in the site by shallow draft hopper dredge between May and September 1999.

**Based on the initiative, we developed an extensive monitoring program aimed at describing the evolution of this material.**

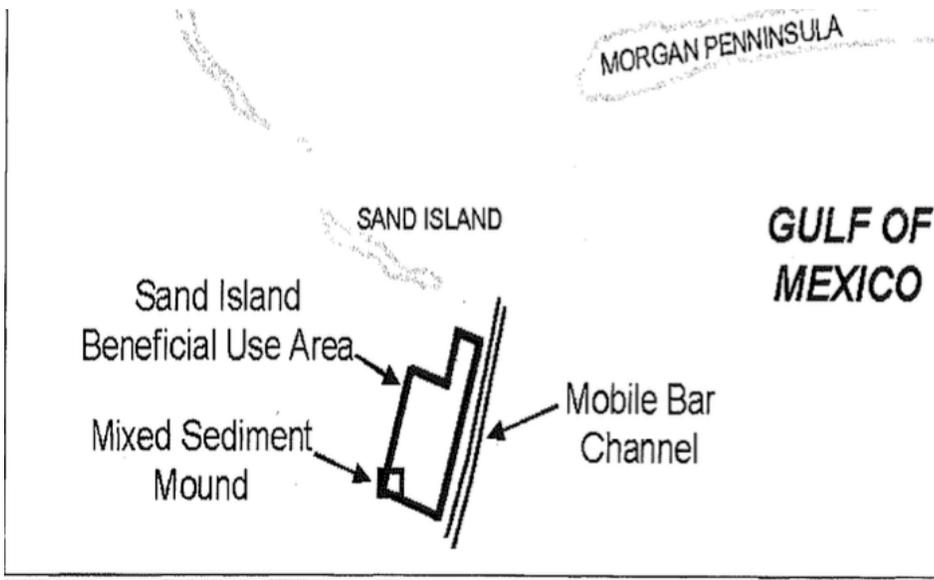


Figure 2. Location of the Mobile Bar Channel and Sand Island Beneficial Use Area (SIBUA)

### Seventh Berm 1998

#### Seventh Berm *SIBUA as it exists today.*

The following document states that the sand in Sand Island Beneficial Use Area (SIBUA) has **not moved** very far. Monitoring according to above 1998 document was between 1998 to 2000.

#### 2001 Chpt-4b.pdf

**Dredge disposal material from the Mobile bar channel was composed of fine sand material** and was placed on the upper part of the **SIBUA** above the -7.6-m (-25-ft) contour.

**There is little evidence that this material moved very far from the placement site based on the bathymetric changes and grain-size analysis.**

This document states the EBB tidal flow does not transport the sand in SIBUA.

#### Chpt-4d-Ref.pdf

On ebb, the flow is to the southwest out of the bay entrance. As the tide changes from ebb to flood and from flood to ebb, the flow rotates from the south to the north and back again in a westerly direction. From the data, the strongest flow is close to the surface and the bottom flows are low in the vicinity of the mound over most all of the tidal cycle. **Little sediment transport at the mound is expected from tidal flows under normal conditions.**

## Eighth Berm

2004 the Corps adds a *eighth* disposal site **around the Sand Island Lighthouse**, as a modification of the SIBUA and dumps 1,808,765 cys of dredged sand from the Outer Bar channel.

2004 October 26, 2004 - January 13, 2005 Contractor's dredge Padre Island operated in the Mobile Outer Bar Channel maintaining the authorized project dimensions of 49 feet deep by 600 feet wide. Sand Island Lighthouse disposal area. 1,808,765 cys

PUBLIC NOTICE NO. FP08-MH14-05  
CESAM-PD-EC

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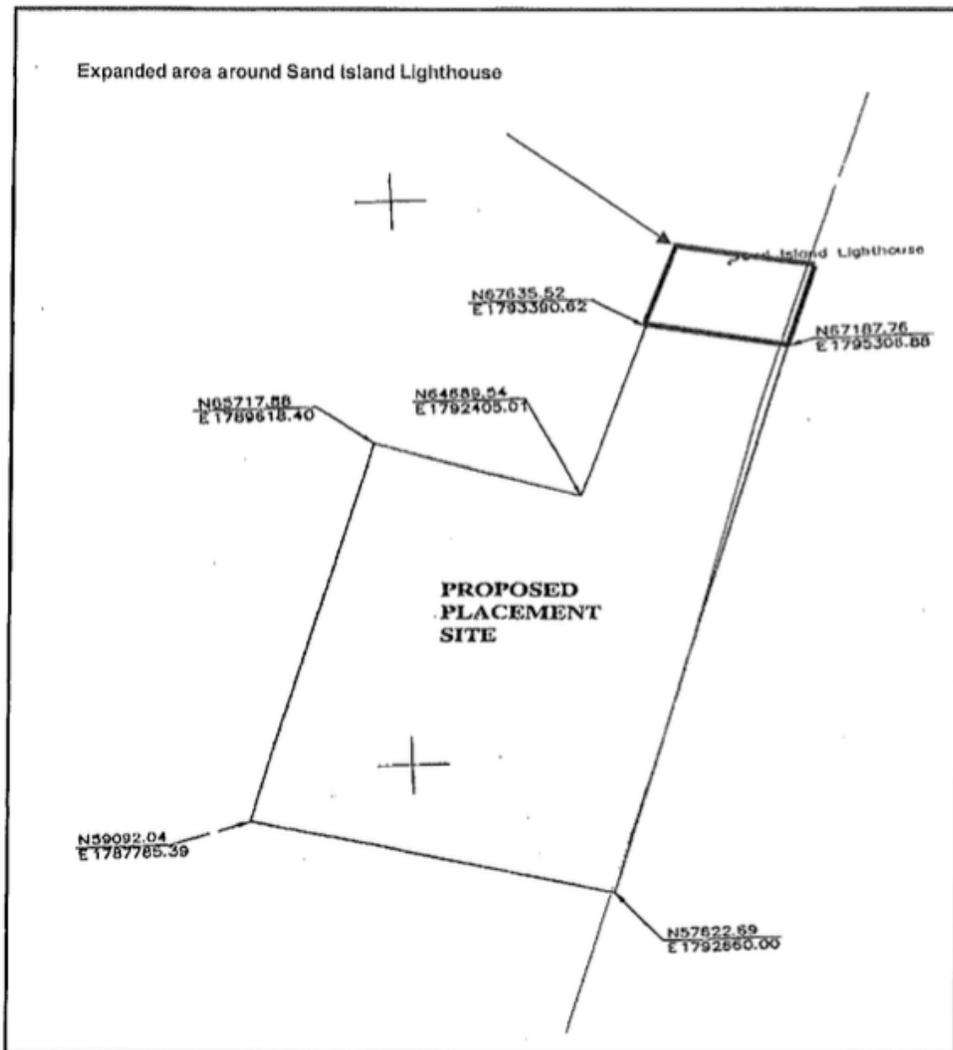


Figure 3. Previous expansion of SIBUA to include the area around Sand Island Lighthouse

**Eighth Berm 2004**

## Ninth Berm Corps moves SIBUA 2000 ft. further away to the south

2008 The Corps is moving the dump site ½ of a mile further away further away from Dauphin Island.

Now the Corps doesn't even mention this site helping Dauphin Island's shoreline, in the notice.

### FP08-MH14-05.pdf

The beneficial use area is located west of the navigation channel and **is intended to keep valuable sand removed from the bar channel in the local littoral system.**

In order to continue beneficial use practices and to accommodate the dredges used for placing the material within the SIBUA, the Corps is requesting further expansion of the SIBUA due to the site depths changing. **The proposed expansion consists of extending the 4,500-foot wide southern boundary approximately 2,000 feet to the south** as illustrated in Figure 4.

This expanded area will provide sufficient depths for access of the dredge equipment while **continuing to place material from the bar**

Placement activities are typically accomplished using hopper dredges; however, hopper barges or **hydraulic pipeline dredges** may be used as necessary. **The quality of the sediment being placed in the SIBUA ranges from sand to silty sandy material.**

PUBLIC NOTICE NO. FP08-MH14-05  
CESAM-PD-EC

5 December 2008

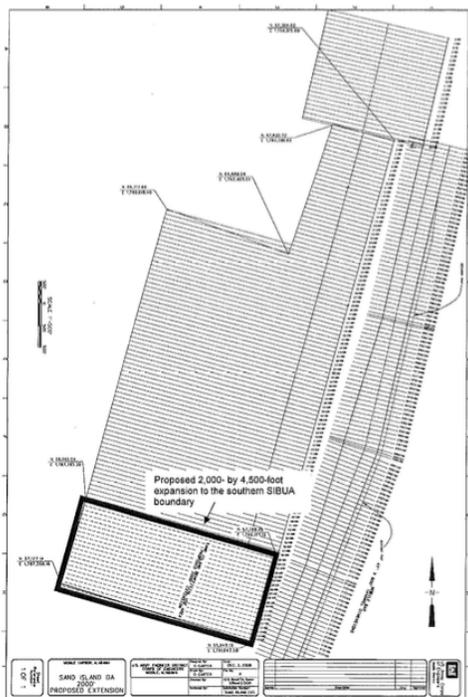


Figure 4. Proposed expansion area for the SIBUA

## **Ninth Berm**

SIBUA ½ mile further away from Dauphin Island.

## Berms and False information given for Lawsuit settlement

As part of the 2009 lawsuit settlement agreement, the property owners were told in 2005 that the Corps was **“to deposit material dredged from the Channel into the shallowest alternate site currently available”**. The property owners were led to believe the Corps was putting the sand into "Sand Island Beneficial Use Area" SIBUA or the FEEDER berm, and it would be transported to the beaches of Dauphin Island.

Per the Joint Notice of the Proposed Settlement... Dated July 15, 2005 guarantee the following: In this original documentation under III Settlement Agreement Terms, page 5 & 6 (starts bottom of page 5), it states “Concomitant with the initiation of these studies, and in addition to the above, the Corps agrees to certain dredging and disposal practices. Specifically, the Corps agrees to conduct its ongoing Channel maintenance operations **to deposit material dredged from the Channel into the shallowest alternate site** currently available.... Such practices will continue even if the case were dismissed.”

This was one of the primary reasons for the property owners to give up their future rights to sue the Corps, because they were assured the shallower sites of SIBUA and FEEDER BERM sand would stop the erosion on the island.

According to the plaintiff attorney’s brief to the Judge:

“On January 21, 2009, Mr. Davis briefed Jim Hartman regarding the settlement possibility. Mr. Hartman. He stated that he would be "open" to such a settlement, subject to assurances on how the money would be spent and **on the United States' renewed commitment to dispose of dredged material in the nearer-shore disposal sites.**”

**BUT** that does not make sense.

The Corps stopped putting the dredge sand into the ***Feeder Berm in 1987***.

That means during the lawsuit from 2000 to 2009, the Corps only put sand into the Sand Island Beneficial Use Area (SIBUA).

Furthermore, the Corps knew from their documentation **in 2001 that sand in SIBUA did not move from that site and SIBUA was not providing sand to Dauphin Island shoreline.**

[2001 Chpt-4b.pdf document under seventh berm]

According to Susan Rees’ 2009 testimony, the two sites the Corps used were the Sand Island Beneficial Use Area (SIBUA) and the FEEDER berm, and that both sites transported the dredge sand to the beaches of Dauphin Island.

How could the lawsuit be based on dumping the dredged sand in these two sites between 2005-2009?

In 2009, Susan Rees testified:

1. The Corps ***put a restriction on the Feeder berm site*** after only using the site one time, in 1987. Susan Rees testified, “It basically showed that the sand was incorporated into the littoral drift system and ultimately would get to Dauphin Island”.

**How did the Feeder Berm become a part of the lawsuit, if the Feeder Berm site wasn't used between 2005-2009**

2. Susan Rees testified, that SIBUA was “in the same general area of the feeder berm site and was intended to accomplish the same purpose” and SIBUA was “Transporting sand to Dauphin Island”.

BUT in a Corps' 2001 report, the Corps knew ***there was no evidence the sand in SIBUA moved from the site.*** That means the Corps knew the sand dumped into SIBUA would not help the erosion on Dauphin Island.

**How did SIBUA become part of the lawsuit settlement, if the Corps knew as early as 2001 that the sand does not move from that site?**

***So, what was the shallowest alternate site that the Corps uses between 2005 to 2009 to prevent erosion on Dauphin Island?***

In 2008 the Corps move the dumpsite **½ of a mile further away** from Dauphin Island, so that site was not in shallow water and didn't supply sand to Dauphin Island.

In 2009, Dept. of Justice Attorney even emphasis the Corps' re-affirming its commitment to mitigate and prevention of further erosion on Dauphin Island, in his brief to the Judge and that SIBUA would prevent further erosion to Dauphin Island:

Approval Op. at 6. (“***[T]he entire island will benefit from the mitigation and prevention of further erosion.***”). To that aim, in addition to providing money to advance a beach nourishment project, the Second Addendum re-affirms the Corps' commitment to deposit dredged material in the beneficial use areas designated originally under the LSA. Moreover, these legally binding commitments are consonant entirely with the ***Corps' “national policy for both beneficial use and regional sediment management that stresses that [the Corps] identify areas that . . . can keep the sediment in[] the system as much as possible.”*** Tr. at 148:11- 14 (Rees).

***Did the Mobile District Corps' lie to the Court, the DOJ attorneys, and the people of Dauphin Island about the Corps putting the dredge sand into SIBUA would mitigate and prevent further erosion on Dauphin Island, even though a Corps' 2001 report states the opposite?***

Since 2009 the Corps put over 14 million cubic yards of sand in SIBUA and the Corps has refused to answer any questions about how much sand was reaching Dauphin Island.

The people of Dauphin Island are not stupid; they know the sand is not getting to the Island, if the Island is still eroding after the Corps puts 14 million cubic yds of sand into SIBUA.

In 2014 "Pat Robbins, a spokesman for the Army Corps of Engineers district office in Mobile, said the agency does in fact place dredged sand in a "beneficial use area" south and east of Dauphin Island, where it can migrate through currents to sand-starved beaches. But the Army Corps has no formal **monitoring program to ensure that the sand is reaching its intended targets**".

In a December 2017 meeting, the Corps staff acknowledged the Sand Island Beneficial Use Area (SIBUA) **disposal site is not monitored** and that the ***Corps does not know where any sand leaving the site actually goes.***

In February 2018 meeting, the Corps admitted for the first time in a public setting that its maintenance practices since 1999 for the Outer Bar Channel, only 50% of the sand has moved from that site. **The Corps did not say the sand went to Dauphin Island. The Corps did not say where the sand went.** Considering the total volume of beach quality sands dredged from that channel since 1999 that means around 14 million cubic yards of sand has been prevented from reaching and nourishing Dauphin Island over the last 19 years.

That is a tremendous ***past cumulative impacts*** and loss of beach quality sands over that period, which resulted in the sand-starved nature of Dauphin Island.

The Corp's admission also supports the findings and conclusions of the 2007 US Geological Survey report that stated maintenance of the Mobile Harbor channel since 1958 was contributing to the erosion and land loss of Dauphin Island.

In 2018, as part of the GRR study, analysis found that SIBUA material moves out at a slower rate than needed to ensure adequate placement capacity for maintenance material from the Bar Channel. An analysis was conducted to determine the location and size to ensure future capacity in the site.

1. The Corps does not have any documentation to back up their statements in the 2018 draft GRR/SEIS
2. The Corps does not show any facts or studies to back up their claim that any sand from SIBUA gets to the Island, especially since Pat Robbins stated in 2014 that the Corps does not monitor SIBUA and the Corps admitted in the December 2017 they don't know where the sand goes.

Now the Corps is recommending putting the dredged sand into the ***SIBUA Northwest Extension*** to help Dauphin Island and there is not one statement in the document that the dumped sand would restore the beaches to the Island.

We now know the Mobile District Corps' statements about Dauphin Island in any document, cannot be trusted.

For the SIBUA Northwest Extension, the Corps need sign a document:

1. **Guaranteeing** that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the entire shoreline of Dauphin Island, especially, both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dredged sand dumping, to a better location and guarantee that the sand in the new location would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less, according to Corps' documentation for the rest of the Country.

The Corps must sign a document that they would use this location and provide documentation that this site will restore the sand to the Beaches of Dauphin Island.

If the Corps is unwilling to make this commitment, then we will know the Corps is willing to severely damage Dauphin Island to conceal all of the Corps' past BAD ACTS.

The Corps has led the public through a tangled web of Berms, and statements to conceal the Mobile District Corps' Environmental Failures and dishonest actions.

**The Corps has lied about everything connected with its dredging and the erosion to Dauphin Island.**

**In the 2018-2019 SEIS/GRR, the Mobile District Corps *has a duty to speak and not to remain silent*; the Corps has to provide evidence and prove that they are not doing harm to the Island. In addition, the study needs to provide evidence that the Corps will do no future environmental and erosional harm to Dauphin Island.**

Sincerely,  
Caroline Graves





# Comment 151

**From:** [Frank Vogtner](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 11:22:11 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Frank Vogtner





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## Comment 152

**From:** [Ryann Wilcoxon](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 10:05:09 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Ryann Wilcoxon

Ryann Wilcoxon



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**From:** [Pat and Gary Gover](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 9:35:41 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Pat and Gary Gover  




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## Comment 154

**From:** [Rebecca Williams](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] Mobile ship channel  
**Date:** Friday, September 14, 2018 9:18:51 PM

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David Newell,

Dear District Commander,

First and foremost, let's do it! But let's do it in the right way... for everyone.

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can encourage responsible growth and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Rebecca Williams



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# Comment 155

**From:** [Sue Cato Winter](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] The Mobile Ship Channel Dredging  
**Date:** Friday, September 14, 2018 9:05:04 PM

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David Newell,

Dear District Commander,

I'm adding my voice to the thousands of Mobilians who are concerned that your recent study has indicated no impact on the environment from a major expansion project for the ship channel. The study isn't thorough enough, is inadequate in many areas and is not respectful of the timing aspect of such results - one year is not enough. I am simply outlining the areas below by topic - you already know the worrisome issues sounding them:

Needs more input:

1. only includes one year of weather data as the base of its water quality models - need 3.
2. include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;
3. review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;
4. Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc. and the impact on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;
4. ensure the oyster assessment is more comprehensive. regarding salinity.
5. Better investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments and effects on manatees and other species.
6. By law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);
7. Create a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

“No impact” on Mobile Bay’s sensitive environment is an almost unbelievable reported result of this study. No impact.? . . really now. I firmly believe that once ALL the data is submitted, with good will from the shipping world and the rest of Mobile and Baldwin County, a deeper channel can be achieved with proper care for the quality of life we enjoy in south Alabama

Cordially,  
Sue Cato Winter



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**From:** [Linda Neal](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Channel Dredging  
**Date:** Friday, September 14, 2018 8:52:37 PM

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COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

MobileHarborGRR@usace.army.mil <<mailto:MobileHarborGRR@usace.army.mil>>

I am writing this letter to the Corps of Engineers, Mobile District, to voice my concern regarding the Mobile Harbor Widening and Deepening project. I have two primary areas of concern for which I offer the following comments:

1. The Proposed Sand Island Beneficial Use Area Northwest Extension, and
2. The potential overall environmental impact

1. Regarding the proposed Sand Island Beneficial Use Area Northwest Expansion:

Earlier this year in preparation for the Corp's February 22 Public Hearing meeting at the Mobile Convention Center, my husband had several detailed discussions (i.e., calls) the days preceding with Dr. Mark Byrnes, author of several Corps-sponsored studies including the one dated September 2010 which concluded "there appears to be no measurable negative impacts to ebb-tidal shoals or Dauphin Island beaches associated with historical channel dredging across the Mobile Pass Outer Bar". The Corps has subsequently referenced Dr. Byrnes' study on many occasions to justify its Mobile Harbor dredging activities. However, during their discussions, Dr. Byrnes and my husband debated his September 2010 conclusion, and after several discussions (i.e., calls), they agreed to the following statement to summarize their overall discussions and Dr. Byrnes' updated conclusion:

"Dr. Byrnes stated that it would be more beneficial to Dauphin Island shoreline restoration efforts to place dredged sediment from the bar channel, currently deposited at the disposal site, closer to the island for more direct incorporation into the littoral transport system. Although dredged sediment placed in the Sand Island Beneficial Use Area is expected to be transported toward and onto Dauphin Island, Dr. Byrnes indicated that it may take decades for sufficient quantities of recently dredged sand to make its way to the island from the current disposal area."

In other words, while the Corps has for years been promoting, based on Dr. Byrnes' and others' studies, the notion that the SIBUA was truly beneficial to the replenishing of sand and prevention of erosion to Dauphin Island's shoreline, Dr. Byrnes himself acknowledged that in practice this was unproven and might not be the case – thus their carefully worded, jointly approved, concluding statement summarizing their discussions.

And at the February 22 Public Hearing, which proved Dr. Byrnes' amended conclusion, the Corps revealed that sands disposed at the SIBUA have been found to be accumulating at a rate greater than they are dispersing into the drift system which means that the current disposal location is essentially robbing Dauphin Island of the necessary sand to prevent and/or restore shoreline erosion. In fact, as Dr. Byrnes implied above, the current disposal area is so far South of the Island, and in such deep water, that a limited amount of the disposed sand is making its way to Dauphin Island! In other words, the current SIBUA has NOT been beneficial to Dauphin Island in preventing and/or restoring shoreline erosion, at least not to the degree that the Corps has alleged for many years!

Because of the above discussions/conclusions AND our personal observations of shoreline erosion over the past 50 years, if the Mobile Harbor dredging activity must continue, I am in favor of the proposed Sand Island Beneficial

Use Area Extension project with the following caveats:

1. The Corps must guarantee that it will use the SIBUA Northwest Extension for the life of the Mobile Harbor dredging project and will monitor the SIBUA Northwest Extension to make sure that the dredged sand is reaching the southern shoreline of Dauphin Island, especially the developed areas of the island where people's properties are at risk.
2. The Corps needs to commit that it will use the SIBUA Northwest Extension every time it dredges the channel unless there are circumstances which prevent such; however, in that case, the circumstance must be clearly documented and available to the public.
3. If, after a year, the monitoring doesn't show that the dredged sand is reaching the island and the properties, the Corps will change the location of the dumping of the dredged sand, to a more effective location and commit that the dredged sand will reach all properties on the southern shoreline of the island.
4. The Corps must continue monitoring all locations of the SIBUA Northwest Extensions, and any other future locations, and make available relevant performance documentation to the general public.
5. The depth of the SIBUA Extension location should be 15 feet or less according to Corps documentation for the other parts of the Country.

Each of the above items should be documented and committed to the public by the Corps before proceeding with the dredging project.

1. Regarding the potential overall environmental impact:

The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted; see my above comments re proposed SIBUA Extension);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project.

Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life AND the vitally important barrier island which protects not only the bay but also the port, city and county – i.e., Dauphin Island.

Linda Neal

**From:** [Bob Neal](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] RE: Mobile Harbor Dredging Project  
**Date:** Friday, September 14, 2018 8:46:09 PM

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COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

MobileHarborGRR@usace.army.mil <<mailto:MobileHarborGRR@usace.army.mil>>

I am writing this letter to the Corps of Engineers, Mobile District, to voice my concern regarding the Mobile Harbor Widening and Deepening project. I have two primary areas of concern for which I offer the following comments:

1. The Proposed Sand Island Beneficial Use Area Northwest Extension, and
2. The potential overall environmental impact

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"Dr. Byrnes stated that it would be more beneficial to Dauphin Island shoreline restoration efforts to place dredged sediment from the bar channel, currently deposited at the disposal site, closer to the island for more direct incorporation into the littoral transport system. Although dredged sediment placed in the Sand Island Beneficial Use Area is expected to be transported toward and onto Dauphin Island, Dr. Byrnes indicated that it may take decades for sufficient quantities of recently dredged sand to make its way to the island from the current disposal area."

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Because of the above discussions/conclusions AND my personal observations of shoreline erosion over the past 50 years, if the Mobile Harbor dredging activity must continue, I am in favor of the proposed Sand Island Beneficial Use Area Extension project with the following caveats:

1. The Corps must guarantee that it will use the SIBUA Northwest Extension for the life of the Mobile Harbor dredging project and will monitor the SIBUA Northwest Extension to make sure that the dredged sand is reaching the southern shoreline of Dauphin Island, especially the developed areas of the island where people's properties are at risk.
  
2. The Corps needs to commit that it will use the SIBUA Northwest Extension every time it dredges the channel unless there are circumstances which prevent such; however, in that case, the circumstance must be clearly documented and available to the public.
  
3. If, after a year, the monitoring doesn't show that the dredged sand is reaching the island and the properties, the Corps will change the location of the dumping of the dredged sand, to a more effective location and commit that the dredged sand will reach all properties on the southern shoreline of the island.
  
4. The Corps must continue monitoring all locations of the SIBUA Northwest Extensions, and any other future locations, and make available relevant performance documentation to the general public.
  
5. The depth of the SIBUA Extension location should be 15 feet or less according to Corps documentation for the other parts of the Country.

Each of the above items should be documented and committed to the public by the Corps before proceeding with the dredging project.

2. Regarding the potential overall environmental impact:

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The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted; see my above comments re proposed SIBUA Extension);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project.

Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life AND the vitally important barrier island which protects not only the bay but also the port, city and county – i.e., Dauphin Island.

Robert Neal

**From:** [James Hall](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 8:29:51 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely, James Hall

[REDACTED]

[REDACTED]



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## Comment 159

**From:** [Ricky Long](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 8:25:15 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Ricky Long

PS: Our state has a beautiful natural resource many areas of the world would be grateful for in our extensive system of waterways. These waters are home to People, other animals, and plants that should be treasured and protected. The recreational opportunities available alone are worth protecting. We have a special environment here at the

bottom of our beautiful state. Please take time and great care before plowing through our bay for potential gain in commerce at the expense of potential long term damage to this very special part of the world.  
Thank you.



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## Comment 160

**From:** [Janet Salmon](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 7:36:23 PM

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David Newell,

Dear District Commander,

I would very much like to see more studies done. The shoreline of the property on the bay changes with every change made to the bay. What impact will a deeper, wider channel have on the seafood industry?

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

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The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Janet Salmon



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# Comment 161

**From:** [Freddie Blache](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 7:28:47 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Freddie Blache

P. S. I do not want to see Dauphin Island disappear in my lifetime. It has already changed so much in the past 25 years. By increasing the shipping channel in depth and width, it would insure the distinction of mobile counties

barrier island.



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## Comment 162

**From:** [kenny weigel](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 6:27:31 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

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Sincerely,

kenny weigel



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# Comment 163

**From:** [Steve Butner](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Dauphin Island  
**Date:** Friday, September 14, 2018 6:19:39 PM

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The Corps need signs a document:

1 Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.

2 The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.

3 If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.

4 The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.

5 The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

[REDACTED]

# Comment 164

**From:** [Jep Hill](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] Ship Channel Expansion  
**Date:** Friday, September 14, 2018 6:14:12 PM

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David Newell,

Hello,

I'm writing to express my concern regarding the Corps' study results indicating "no impact" on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

To close, I cannot overstate that I am very much in favor of this project coming to fruition, but I'd like to ensure we get it right the first time so as to mitigate the environmental impact as much as possible.

Kind Regards,

Jep Hill



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# Comment 165

**From:** [Kenneth Hyche](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 5:59:10 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Sincerely,

Kenneth Hyche  


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## Comment 166

**From:** [Tray Morgan](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 5:39:07 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Sincerely,

Tray Morgan  




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# Comment 167

**From:** [Beth Hopkins](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 5:36:14 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

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Sincerely,  
B. Hopkins





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# Comment 168

**From:** [Caleb Hoven](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 5:28:10 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Sincerely,

Caleb Hoven





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# Comment 169

**From:** [Myra Crawford](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 5:23:48 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Myra Crawford



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**From:** [Iris Bradley](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 5:22:17 PM

---

David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Iris Bradley





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## Comment 171

**From:** [Thomas Duncan](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 5:13:15 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Thomas Duncan  




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## Comment 172

**From:** [S Strickler](#)  
**To:** [Holliman.Daniel@epa.gov](mailto:Holliman.Daniel@epa.gov); [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Dauphin Island  
**Date:** Friday, September 14, 2018 4:11:36 PM  
**Importance:** High

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The Corps needs to sign a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

Thank you.

Sincerely,

Susan Strickler  


## Comment 173

**From:** [Lee Webb](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 4:09:18 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

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The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Lee Webb  


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## Comment 174

**From:** [Bligh Jones](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 4:07:11 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

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The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Bligh Jones





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# Comment 175

**From:** [Richard Coleman](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 4:02:39 PM

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David Newell,

Dear District Commander,

I know that a form letter had been set up for us to send to the Commander so I might be scolded for deleting the form letter with the concerns about widening the channel in the river and bay but here goes. As for me after reading the research and my working on the river at World Marine and working with the USCOE, I find that your study is good. The impact on the environment if any would be minor. When you dredge you always do it properly and have all the environmental cautions in place. As for the salinity of the water, the Mobile Bay and the rivers feeding the bay are used to the salinity levels going up and down as to the amount of rain fall we receive and the wildlife in the area is well adapted to these changes.

In my opinion the deepening and widening of the channel would not adversely affect the environment but would enhance Mobile seaport and the economy of our great city.

Regards

Richard Coleman



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# Comment 176

**From:** [Tom Ress](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 3:48:34 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

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Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

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The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Tom Ress  




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**From:** [Gary Lindsay](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 3:37:29 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Sincerely,

Gary Lindsay  


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## Comment 178

**From:** [Margaret Helveston](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 3:21:09 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Sincerely,

Margaret Helveston





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## Comment 179

**From:** [Sara Howard](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 3:14:11 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

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Sincerely,  
Sara Howard





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## Comment 180

**From:** [Renita Allen](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 3:12:00 PM

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David Newell,

Dear District Commander,

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Sincerely,

Renita Allen





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# Comment 181

**From:** [Jacob Hartley](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 2:58:51 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

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Sincerely,

Jacob Hartley





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## Comment 182

**From:** [Vanessa Watson](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Dauphin Island SIBUA Northwest Extension  
**Date:** Friday, September 14, 2018 1:29:05 PM  
**Importance:** High

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From:

Vanessa Watson

[REDACTED]

[REDACTED]

[REDACTED]

Dear Mobile Army Corps of Engineers, and EPA,

As a property owner on Dauphin Island for over 22 years we are asking for the Corp of Engineers to submit a signed Letter of Guarantee that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, the western side of the island where people have properties that are now underwater.

The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.

If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.

The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.

The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

We appreciate your urgent attention to this matter.

Best Regards,

Vanessa Watson

[REDACTED]

[REDACTED]

[REDACTED]

## Comment 183

**From:** [Jan](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Our Island is NOT being replenished!  
**Date:** Friday, September 14, 2018 1:05:50 PM

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Nature works wonderfully on its own until Man interferes. This had happened over and over again to Dauphin Island ! The sand currents that naturally flow west along the Northern Gulf Coast are caught up in the the Mobile Ship Channel then sucked up by the COE and moved too far off shore to naturally distribute on down the Southern beaches if Dauphin Island.

This happens over and over again! Other beaches all over the US are replenished but the COE seems to ignore Dauphin Island's constant plea for help .... citing expense, time, labor, as deterrents each time!

It's time that the COE stops ignoring one of the nicest little unspoiled spits of land left... its time help should be given to protect Dauphin Island's Southern Beaches!

We need a COE Document Guaranteeing:

.....that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.

.....that they will use the SIBUA Northwest Extension EVERY TIME they dredge the channel.

..... If after a year, the monitoring does not show the sand reaching the island and the properties, the COE will change the location of the dumping of the dredged sand, to a BETTER LOCATION and guarantee that the sand would reach ALL properties on the southern shoreline of the island.

.....continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and PROVIDE the documentation to the public.

..... the depth of the location has to be at 15 ft OR LESS ACCORDING TO THE COE s DOCUMENTATION FIR THE REST IF THE COUNTRY!

It is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

Jan Zirlott

## Comment 184

**From:** [John](#)  
**To:** [Holliman Daniel](#); [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Cc:** [Bradley.Byrne@HR.HOUSE.GOV](mailto:Bradley.Byrne@HR.HOUSE.GOV)  
**Subject:** [Non-DoD Source] Mobile channel dredging  
**Date:** Friday, September 14, 2018 12:34:48 PM

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Dear Sirs and Madam,

The survival of the most important barrier island on Alabama's coast may be dependent on the actions you take in dredging the Mobile ship channel. The vague promises, suggestions, and advisories made in the past are not good enough. The Corps needs to sign a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, the western side of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

Please have the professional integrity to do the right thing.

I thank you for preserving our way of life.

Sincerely,

John F. Dismukes

[REDACTED]

[REDACTED]

[REDACTED]

## Comment 185

**From:** [CORA HART](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 12:23:38 PM

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David Newell,

Dear District Commander,

Thank you for everything you are doing and have done for our environment. However, I am concerned regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed, this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc.). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Cora R Hart





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## Comment 186

**From:** [Kyle Bedwell](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 12:23:18 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Kyle Bedwell



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## Comment 187

**From:** [Bryan Pape](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 12:17:27 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Bryan Pape  




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## Comment 188

**From:** [Laura Jackson](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 12:17:26 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the incompleteness and issues within the study to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Laura Jackson





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## Comment 189

**From:** [Jeff Dute](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 12:12:52 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,

Jeff Dute  


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**From:** [Katie Ricciardone](#)  
**To:** [Newell, David P CIV CESAM CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] My comments on the Mobile Ship Channel expansion DSEIS  
**Date:** Friday, September 14, 2018 12:10:58 PM

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David Newell,

Dear District Commander,

I am writing to express my concern regarding the Corps' study results indicating no impact on the environment from a major expansion project for the ship channel. The Corps needs to address the following items to ensure the study is comprehensive enough to determine impacts and doesn't underestimate the true impact.

My concerns include:

The study only includes one year of weather data as the base of its water quality models. Given how frequently and drastically these impact Mobile Bay watershed this is inadequate. The Corps must include at least three years of data to show how severe weather impacts the study's results;

The Corps must include studies about how pathogens, harmful algal blooms, and invasive species will enter Mobile Bay through a deeper channel;

The Corps must thoroughly review how the proposed project will generate new growth opportunities associated with the port that could have indirect impacts to our natural resources;

Ship wake analyses must be improved to include more accurate information (realistic ship sizes, weights, etc). The Corps needs to study the impacts on our aquatic life (oysters, seagrasses, etc.) and our shorelines from wave energy;

The Corps must work with scientists to ensure the oyster assessment is more comprehensive. The Corps needs to look at how young oysters move and show how the presence of predators (oyster drills) may increase with changes in salinity;

The Corps needs to more comprehensively investigate impacts into the wetlands, seagrasses, fish, and aquatic resource assessments. For instance, the Corps has not studied how losses to seagrasses from higher salinity will affect the species that rely on them like the West Indian Manatee and waterfowl;

The Corps needs to recognize impacts to low income, minority communities as results show an increase of truck traffic by 25%;

The Corps must, as required by law, acknowledge past impacts on air quality and shoreline erosion since 1980 (the last environmental impact study conducted);

The Corps must consider creating a Dredge Management Plan that includes all proposed projects in the Mobile Bay area;

In conclusion, the Corps' finding of "no impact" on Mobile Bay's sensitive environment is very concerning given the magnitude of the proposed project. Thank you for your consideration and response to each of these comments. By thoroughly studying and developing a comprehensive plan for the port expansion, we can grow responsibly and mitigate any unavoidable impacts to the natural resources that support our economy and quality of life.

Sincerely,  
Katie and Anthony Ricciardone

Katie Ricciardone  




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# Comment 191

**From:** [Heather Fisher](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dauphin Island  
**Date:** Friday, September 14, 2018 12:09:15 PM  
**Attachments:** [Comments on Other Topics.docx](#)

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Please find attached other areas that need to be addressed!!

## Comments on Other Topics

The failure of the Draft GRR/SEIS to sufficiently identify the availability of maintenance disposal capacity for the Tentatively Selected Plan (TSP) for the next 50 years is a major concern. Since the report does not adequately analyze the disposal capacity deficit issue, the future environmental impacts resulting from maintaining the channel also cannot be adequately identified and evaluated. Therefore, the Supplemental Environmental Impact Statement component of the report does not fully comply with the National Environmental Policy Act for the full 50-year period of analysis identified in the report.

Thin layer disposal of material dredged from the Bay Channel affects thousands of acres of Mobile Bay bottoms each year. The report's Tentatively Selected Plan (TSP) to deepen the channel recommends the additional maintenance dredged material also be disposed in the bay over the next 50 years. But the report provides no adequate scientific information to support the Corps contention that thin layer disposal benefits Mobile Bay's environment. Instead, it appears open water disposal within the bay is really being driven by the intent to reduce project costs by no longer having to transport the material offshore for disposal in the Gulf. The entire return to thin layer disposal in the bay is based upon two unsubstantiated, extremely sketchy statements contained in the July 2014 Environmental Assessment entitled "Modification to Mobile Harbor Operations and Maintenance Addition of a Long-Term Open Bay Thin-Layer Disposal Option". Detailed information from independent studies and literature to validate the Corps allegation that thin layer disposal is beneficial for Mobile Bay must be added to the report.

The report states the Tentatively Selected Plan (TSP) has a Benefit-to-Cost Ratio of 3.0 and will annually produce over \$34.5 million of Excess Benefits over Costs. A portion of the Excess Benefits should be directed to beneficially use dredged material to pursue various restoration projects. Example projects could include improving Mobile Bay's oyster resources and pursuing measures to prepare other important environmental resources (such as marsh areas) to better withstand the future effects of Sea Level Rise.

Erosion of Mobile Bay's western shoreline is a serious continuing issue. Long-term bayfront property owners have repeatedly stated they have observed large waves created by passing ships. Instead of giving credence to the validity of landowner statements, the Corps has relied entirely upon in the results of computerized modeling to conclude ship wakes do not represent a serious issue. Because of the public's concern over ship generated waves the Corps, Coast Guard, and Port Authority should evaluate imposing speed limits on the larger deep draft ships, particularly if fully loaded, to reduce the magnitude of bow waves from passing vessels.

Why has the Corps and EPA found it necessary to pursue a massive expansion of the Ocean Dredged material Disposal Site (ODMDS) in the Gulf of Mexico? Figure 4-7 shows the proposed expansion would increase the size of the ODMDS by 500%, from the current 4,017 acres to the proposed 20,341 acres. The report should explain why it is necessary to expand the ODMDS by 500% since the Corps plans to use the existing open water thin layer disposal sites as much as possible to receive future maintenance material.

The report should explain how dredged material disposal capacity needs for the Tentatively Selected Plan (TSP) will be satisfied over the entire 50-year economic life of the project. Table 4-5 shows the remaining annual disposal capacity for the open water thin layer disposal sites in Mobile Bay (Figure 4-6) to be 59,594,000 cy after 20 years of use. Assuming the average annual dredging volume for the Bay Channel TSP consistently remains at 4,500,000 cy/year during the final 30 years of the project's 50-year economic life, a total of 135,000,000 cy will have to be dredged. Subtracting the remaining disposal site capacity of 59,594,000 cy from the projected total dredging requirement of 135,000,000 for the final 30-year period shows the Bay Channel segment will suffer from a disposal capacity deficit of 75,406,000 cy that will become increasingly more difficult to overcome and will likely increase the future cost of the maintenance program. The report provides no information as to how the Corps and the Alabama State Port Authority plan to satisfy the future dredged material disposal needs of the TSP after the initial 20 years of maintenance. The potential adverse impacts to Mobile Bay from future dredged material disposal practices are too significant for the report to ignore the significant importance of the dredged material disposal capacity deficit problem the TSP will experience over the total 50-year period of analysis.

Oysters are a major "indicator species" of the overall health of Mobile Bay. Historical NOAA catch data for Alabama from 1950 through 2016 show the total annual oyster harvests from Alabama waters have experienced a significant continuing decline during the last 10 years. To provide a true representation of the existing quality of oyster resources within the Study Area, the report should clarify that the recent four years (2013, 2014, 2015, and 2016) selected to develop the Study Baseline represents a significant low point in both oyster production and reef condition over the past 66 years. It is worth noting that the decline in oyster production, which is centered around Mobile Bay, coincides with the Corps return to open water disposal of dredged material in the bay in 2014. The report should devote more discussion to the current deteriorated condition of Mobile Bay's oyster resources, including additional modeling work dealing spat movements, effects on salinity regimes, predation, etc.

The primary reason given for filling the relic shell mining holes located in the midportion of Mobile Bay is that these areas experience periods of low oxygen. However, during periods of extreme winter cold, when portions of the bay have been known to freeze and cause winter fish kills, these deep areas also provide temperature refugia that benefit fish fleeing the lethal colder shallow waters. However, the document does not address the potential refugia benefit that would be foregone if the areas are filled with dredged sediments.

Figure 4-9 must be revised to include the 1,200-acre dredged material disposal island planned for the Upper Bay south of the Causeway. The island project was approved for funding on December 9, 2015 by the federal Gulf Coast Ecosystem Restoration Council at a cost of \$2.5 million. Initiation of the study has now been delayed 2-3/4 years, without any explanation being provided. The Corps and the Alabama State Port Authority were actively pursuing the proposed island project until the public began asking questions about the proposal and whether it would truly represent a beneficial use of dredged material. By failing to include the 1,200-acre island on Figure 4-9 and discussing it in the report, it appears the Corps is attempting to prevent the public from being made more aware of the proposal to construct the island. The public is

concerned the Corps is simply delaying starting the dredged material island study until after the current report to deepen the ship channel is finalized.

The report does not explain why disposing of maintenance dredged material in open water over thousands of acres of Mobile Bay bottoms over extended periods of time during dredging operations will not increase turbidity values (i.e., a measure of how muddy the water is) above ambient levels. On page 5-14, the statement is made that "...there would be no expected increase in the concentrations of the turbidity as a result of the implementation of the TSP." Given the magnitude of the annual maintenance dredging operations and the fine-grained nature of the sediments dredged, this impact statement does not make sense. The report should be expanded to better explain why turbidity levels in Mobile Bay will not be increased during sustained periods of open water disposal of dredged material.

The water quality modeling analysis must be reconsidered to evaluate a multi-year drought condition to adequately determine if the Tentatively Selected Plan (TSP) will alter salinity regimes within Mobile Bay to the point that oysters, submerged aquatic vegetation, and other specific environmental resources could be adversely affected. The greatest prolonged changes in salinity in Mobile Bay occur during periods of sustained low flow that are experienced during multi-year drought events affecting significant portions of the Mobile Drainage Basin. The water quality model must be rerun to generate the projected "worst case" salinity regimes that could reasonably be expected to occur in the foreseeable future under the TSP during a multi-year drought. That approach is necessary if the potential effects of the TSP on salinity levels, SAV, oyster drills, oysters, and other key environmental resources in Mobile Bay are to be adequately disclosed in the report.

## Comment 192

**From:** [Heather Fisher](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dauphin Island  
**Date:** Friday, September 14, 2018 12:03:14 PM  
**Attachments:** [Comments on Dauphin Island Erosion \(1\).docx](#)

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Please find attachment to save our island!!!

## **Comments on Dauphin Island Erosion**

The Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations because of Corps' practice of "segmenting" Mobile Harbor Project by preparing multiple separate NEPA documents. The Corps needs to develop a Master Plan and associated Environmental Impact Statement that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA.

The 2009 Settlement Agreement that ended the Dauphin Island POA erosion lawsuit required the Corps to begin disposing of dredged sands in the Sand Island Beneficial Use Area (SIBUA). However, the Corps knew even as early as 2009 that sands were accumulating in the SIBUA instead of moving toward Dauphin Island as promised. Until the Corps can provide substantive proof the proposed SIBUA expansion will allow most of the placed sands to return to the littoral drift system to nourish Dauphin Island, the Corps could be violating the spirit and intent of the terms of the Settlement Agreement. Thus, one or more of the 1,700 Class members may be within their rights to challenge the Corps in court for failing to comply with the terms of the 2009 Lawsuit Settlement Agreement since the Corps failed to disclose to the Class that it knew in advance about the sand accumulation problem in the SIBUA.

The public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally be carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.

The original 1980 report/EIS that originally recommended the ship channel be deepened was deficient because it completely ignored Dauphin Island's erosion problem. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. The tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island that has occurred since the 1980 report represents a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980.

The public is withholding support for the proposed Sand Island Beneficial Use Area (SIBUA) expansion to the northwest until the Corps provides conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island. After 20 years of use, the Corps' promises about the beneficial functioning of the existing SIBUA have all been proven to be wrong while Dauphin Island continued to erode. The public will no longer accept the Corps' verbal promises alone that the new site will function as suggested without being provided substantiated proof to support the promise. Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion. Also, the report should state that all dredged sands placed in the SIBUA expansion will be deposited at water depths much shallower than 15 feet MHW (mean high water). If the Corps is unwilling to make that disposal commitment, it is unlikely the outcome of use of the proposed expansion will be any different than the original SIBUA in countering the erosion problem. Because of that concern, a detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.

The impacts of shoreline erosion on sea turtle nesting should be discussed. Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island. The low percentage of successful nests on Dauphin Island compared to Baldwin County's beaches is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This issue warrants coverage in the report because of the Endangered Species Act connection and because Dauphin Island provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It is possible that a "taking" type situation may exist as an indirect impact of the Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle nest success rates compared to other northern Gulf beaches.

## Comment 193

**From:** [Ketti Miller](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Fwd: Important! Send this before the 16th.  
**Date:** Friday, September 14, 2018 11:35:52 AM

---

Begin forwarded message:

From: caroline graves [REDACTED]  
Date: September 14, 2018 at 1:32:30 AM CDT  
To: caroline graves [REDACTED]  
Subject: Important! Send this before the 16th.

Dear Property Owner,

We need your help!!!! Important! Send this before the 16th.

At the Corps' meeting on Sept. 11, David Newell showed me the Extension to the Sand Island Beneficial Use underwater berm.

I explained to him that the Corps need signs a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.

4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.

5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

I need everyone on the island to copy, paste the highlighted part into an email, and send it to the following:

MobileHarborGRR@usace.army.mil

sebastien.p.joly@usace.army.mil

Holliman.Daniel@epa.gov <<mailto:Holliman.Daniel@epa.gov>>

eric.l.bush@usace.army.mil <<mailto:eric.l.bush@usace.army.mil>>

diana.m.holland@usace.army.mil

We only have until a few more days to register our comments to the Corps, before the whole Mobile Harbor study is over.

With warmest regards,

Caroline Graves

# Comment 194

**From:** [Myra Aycock](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Fw: Important! Send this before the 16th.  
**Date:** Friday, September 14, 2018 10:19:03 AM

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Sent from Yahoo Mail for iPhone <Blocked<https://overview.mail.yahoo.com/?src=iOS>>

Begin forwarded message:

On Friday, September 14, 2018, 1:35 AM, caroline graves <[cmgraves2010@gmail.com](mailto:cmgraves2010@gmail.com)> wrote:

Dear Property Owner,

We need your help!!!! Important! Send this before the 16th.

At the Corps' meeting on Sept. 11, David Newell showed me the Extension to the Sand Island Beneficial Use underwater berm.

I explained to him that the Corps need signs a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.

5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

I need everyone on the island to copy, paste the highlighted part into an email, and send it to the following:

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sebastien.p.joly@usace.army.mil

Holliman.Daniel@epa.gov <<mailto:Holliman.Daniel@epa.gov>>

eric.l.bush@usace.army.mil <<mailto:eric.l.bush@usace.army.mil>>

diana.m.holland@usace.army.mil

We only have until a few more days to register our comments to the Corps, before the whole Mobile Harbor study is over.

With warmest regards,

Caroline Graves

**From:** [Amanda Winstead](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Teddy Winstead](#)  
**Subject:** [Non-DoD Source] Comments on Corps Mobile Harbor  
**Date:** Friday, September 14, 2018 10:14:55 AM

---

Dear Col. Jolly,

As a property owner since 1999 on the East End of Dauphin Island, I have witnessed the weekly erosion of our shoreline. HUNDREDS of feet of shoreline are gone. I have major issues with the recently released study to further deepen the Mobile Bay ship channel.

The Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations because of Corps' practice of "segmenting" Mobile Harbor Project by preparing multiple separate NEPA documents. The Corps needs to develop a Master Plan and associated Environmental Impact Statement that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA.

The original 1980 report/EIS that originally recommended the ship channel be deepened was deficient because it completely ignored Dauphin Island's erosion problem. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. The tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island that has occurred since the 1980 report represents a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980.

The public is withholding support for the proposed Sand Island Beneficial Use Area (SIBUA) expansion to the northwest until the Corps provides conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island. After 20 years of use, the Corps' promises about the beneficial functioning of the existing SIBUA have all been proven to be wrong while Dauphin Island continued to erode. The public will no longer accept the Corps' verbal promises alone that the new site will function as suggested without being provided substantiated proof to support the promise. Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion. Also, the report should state that all dredged sands placed in the SIBUA expansion will be deposited at water depths much shallower than 15 feet MHW (mean high water). If the Corps is unwilling to make that disposal commitment, it is unlikely the outcome of use of the proposed expansion will be any different than the original SIBUA in countering the erosion problem. Because of that concern, a detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.

The impacts of shoreline erosion on sea turtle nesting should be discussed. Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island. The low percentage of successful nests on Dauphin Island compared to Baldwin County's beaches is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This issue warrants coverage in the report because of the Endangered Species Act connection and because

Dauphin Island provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It is possible that a "taking" type situation may exist as an indirect impact of the Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle nest success rates compared to other northern Gulf beaches.

We encountered several sea turtles this summer, both in the water and on our beaches. They are majestic creatures who must be protected.

Dauphin Island is an incredibly special place that has been mistreated for far too long. The citizens and property owners of Dauphin Islands demand and deserve better.

Sincerely,

Amanda Winstead

[REDACTED]

[REDACTED]

# Comment 196

**From:** [Rex Anderson](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](mailto:Holliman.Daniel@epa.gov); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Commitment needed for Dauphin Island's sustainability.  
**Date:** Friday, September 14, 2018 10:12:45 AM

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Good folks:

According to consensus of the property owners on Dauphin Island, please help ensure the sustainability of the Island's geological infrastructure by providing a signed document outlining Corps policy with regard to the dredging practices of Mobile Ship Channel. I have provided details below.

Please provide a signed document:

1. Guaranteeing that Corps will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. Please grant property owners Corps assurance that you will use the SIBUA Northwest Extension every time you dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

I appreciate your attention to this important matter on behalf of every citizen of the gulf coast.

Kind regards,  
Rex Anderson



# Comment 197

**From:** [Mike Dees](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#); [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Mobile Ship Channel Dredging  
**Date:** Friday, September 14, 2018 9:54:13 AM

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I would ask the Corp of Engineers to do the following for the benefit of the people of Dauphin Island and the citizens of Mobile County.

1. Guarantee that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

Thanks

Mike Dees

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



# Comment 198

**From:** [Sam Greene](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dredging of Mobile Bay  
**Date:** Friday, September 14, 2018 9:33:18 AM

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The Mobile Bay dredging project is a necessary undertaking in order to maintain ship traffic commerce in the bay. I am all for the project. I would ask that you minimise the environmental impact on the bay and barrier islands as much as possible.

Sam Greene



# Comment 199

**From:** [Connie](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dredging of the Mobile Bay Channel  
**Date:** Friday, September 14, 2018 9:11:13 AM  
**Attachments:** [Dredging of the Mobile Bay..doc](#)

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Connie Dever

[REDACTED]

[REDACTED]

[REDACTED]

Full-time resident and property owner since 2009

COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
PO Box 2288  
Mobile, AL 36628-0001

09/14/18

Dear Col. Sebastien Joly

As a property owner on Dauphin Island I'm having a hard time accepting the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally be carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.

The 2009 Settlement Agreement that ended the Dauphin Island POA erosion lawsuit required the Corps to begin disposing of dredged sands in the Sand Island Beneficial Use Area (SIBUA). However, the Corps knew even as early as 2009 that sands were accumulating in the SIBUA instead of moving toward Dauphin Island as promised. Until the Corps can provide substantive proof the proposed SIBUA expansion will allow most of the placed sands to return to the littoral drift system to nourish Dauphin Island, the Corps could be violating the spirit and intent of the terms of the Settlement Agreement. Thus, one or more of the 1,700 Class members may be within their rights to challenge the Corps in court for failing to comply with the terms of the 2009 Lawsuit Settlement Agreement since the Corps failed to disclose to the Class that it knew in advance about the sand accumulation problem in the SIBUA.

As a Share the Beach volunteer I am concerned about the impact of the shoreline erosion on sea turtle nesting and would like to keep this discussion in the forefront. Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island. The low percentage of successful nests on Dauphin Island compared to Baldwin County's beaches is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This issue warrants coverage in the report because of the Endangered Species Act connection and because Dauphin Island provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It is possible that a "taking" type situation may exist as an indirect impact of the Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle nest success rates compared to other northern Gulf beaches.

Best regards  
Connie Dever



## Comment 200

**From:** [Karen SB](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Dauphin Island dredging concerns  
**Date:** Friday, September 14, 2018 8:50:12 AM

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Good day

We own several properties on Dauphin Island and are very concerned about sand erosion and dredging. We respectfully request that the Corps take into consideration issues of concern to homeowners on the island and sign a document that incorporates these provisions:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand is actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredge the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

We thank you for your considering our needs as homeowners who wish to preserve this beautiful island!

Karen and Steve Howard



# Comment 201

**From:** [Connie](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dredging of the Mobile Bay Channel  
**Date:** Friday, September 14, 2018 8:19:31 AM

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Mobile Harbor - To whom it may concern

I am writing this email on behalf of the dredging and sand placement of the Mobile Bay Channel.

I'm a concerned resident of Dauphin Island.

At the Corps' meeting on Sept. 11, David Newell showed me the Extension to the Sand Island Beneficial Use underwater berm.

I explained to him that the Corps need signs a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, the western side of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
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4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

With warmest regards,

Connie Dever

# Comment 202

**From:** [Brandi Schmidt](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Fwd: Important! Send this before the 16th.  
**Date:** Friday, September 14, 2018 7:56:53 AM

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----- Forwarded message -----

From: caroline graves [REDACTED]  
Date: Thu, Sep 13, 2018 at 5:44 PM  
Subject: Important! Send this before the 16th.  
To: caroline graves [REDACTED]

Dear Property Owner,

We need your help!!!! Important! Send this before the 16th.

At the Corps' meeting on Sept. 11, David Newell showed me the Extension to the Sand Island Beneficial Use underwater berm.

I explained to him that the Corps need signs a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, the western side of the island where people's properties are underwater.
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4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.

5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

I need everyone on the island to copy, paste this into an email, and send it to the following:

MobileHarborGRR@usace.army.mil

sebastien.p.joly@usace.army.mil

Holliman.Daniel@epa.gov <<mailto:Holliman.Daniel@epa.gov>>

eric.l.bush@usace.army.mil <<mailto:eric.l.bush@usace.army.mil>>

diana.m.holland@usace.army.mil

We only have until a few more days to register our comments to the Corps, before the whole Mobile Harbor study is over.

With warmest regards,

Caroline Graves

--

Brandi Schmidt, Debut Author March 2013



# Comment 203

**From:** [Alida Wyler](#)  
**To:** [Diana M. Holland BG](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Holliman.Daniel@epa.gov](#); [sebastien.p.joly@usace.army.mil](#); [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dauphin Island  
**Date:** Friday, September 14, 2018 7:34:04 AM

---

Please support us in this. Our island will disappear due to erosion as is evidenced especially on the West End.

Sincerely,  
Alida Wyler

Begin forwarded message:

From: caroline graves [REDACTED]  
Date: September 13, 2018 at 5:43:03 PM CDT  
To: caroline graves [REDACTED]  
Subject: Important! Send this before the 16th.

Dear Property Owner,

We need your help!!!! Important! Send this before the 16th.

At the Corps' meeting on Sept. 11, David Newell showed me the Extension to the Sand Island Beneficial Use underwater berm.

I explained to him that the Corps need signs a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, the western side of the island where people's properties are underwater.
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3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.

4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.

5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

I need everyone on the island to copy, paste this into an email, and send it to the following:

MobileHarborGRR@usace.army.mil

sebastien.p.joly@usace.army.mil

Holliman.Daniel@epa.gov <<mailto:Holliman.Daniel@epa.gov>>

eric.l.bush@usace.army.mil <<mailto:eric.l.bush@usace.army.mil>>

diana.m.holland@usace.army.mil

We only have until a few more days to register our comments to the Corps, before the whole Mobile Harbor study is over.

With warmest regards,

Caroline Graves

## Comment 204

**From:** [carol merkel](#)  
**To:** [Mobile Harbor GRR](#); [Mobile Harbor GRR](#); [Holliman.Daniel@epa.gov](mailto:Holliman.Daniel@epa.gov); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] Guarantee the extension in writing  
**Date:** Friday, September 14, 2018 7:18:42 AM

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At the Corps' meeting on Sept. 11, David Newell showed Caroline Graves the Extension to the Sand Island Beneficial Use underwater berm.

I explained to him that the Corps need signs a document yet he would not commit. We need this guarantee in writing,

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, the western side of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an OPTION.

respectfully submitted,

Carol Merkel

## Comment 205

**From:** [Myers Jordan](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] SIBUA NW Extension  
**Date:** Friday, September 14, 2018 7:12:07 AM

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Good morning,

At the Corps' meeting on Sept. 11, David Newell showed Carol Graves the Extension to the Sand Island Beneficial Use underwater berm. She explained to him that the Corps needs to sign a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

I agree with Ms. Graves, it is very important to have a signed document by the Corps that they would use this location, because the Corps provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option. This needs to HAPPEN, not be merely "an option"!

Kindest regards,  
Myers Jordan

[REDACTED]

--

[REDACTED]



## Comment 206

**From:** [Michael Stephens](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Diana M. Holland BG](#)  
**Subject:** [Non-DoD Source] As a Dauphin Island property owner.  
**Date:** Friday, September 14, 2018 4:55:19 AM

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The Corps need to sign a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, on both sides of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

Sincerely,

Mike Stephens

## Comment 207

**From:** [jdccpapc@aol.com](mailto:jdccpapc@aol.com)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Holliman.Daniel@epa.gov](mailto:Holliman.Daniel@epa.gov); [Bush, Eric L CIV USARMY CESAD \(US\)](#)  
**Subject:** [Non-DoD Source] Fwd: Important! Send this before the 16th.  
**Date:** Thursday, September 13, 2018 8:17:52 PM

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-----Original Message-----

From: caroline graves [REDACTED]  
To: caroline graves [REDACTED]  
Sent: Thu, Sep 13, 2018 5:52 pm  
Subject: Important! Send this before the 16th.

Dear Property Owner,

We need your help!!!! Important! Send this before the 16th.

At the Corps' meeting on Sept. 11, David Newell showed me the Extension to the Sand Island Beneficial Use underwater berm.

I explained to him that the Corps need signs a document:

1. Guaranteeing that they will use the SIBUA Northwest Extension for the life of the project and monitor the SIBUA Northwest Extension to make sure the sand was actually reaching the shoreline of Dauphin Island, especially, the western side of the island where people's properties are underwater.
2. The Corps needs to guarantee that they will use the SIBUA Northwest Extension every time they dredged the channel.
3. If after a year, the monitoring does not show the sand reaching the island and the properties, then the Corps will change the location of the dumping of the dredged sand, to a better location and guarantee that the sand would reach all properties on the southern shoreline on the island.
4. The Corps needs to continue monitoring all locations of the SIBUA Northwest Extensions and any other future locations and provide the documentation to the public.
5. The depth of the location has to be at 15 feet or less according to Corps documentation for the rest of the Country.

It is very important to have a signed document by the Corps that they would use this location, because the Corps

provided this same location to Senator Shelby and Congressmen Beville in 1993, BUT only as an option.

I need everyone on the island to copy, paste this into an email, and send it to the following:

MobileHarborGRR@usace.army.mil <<mailto:MobileHarborGRR@usace.army.mil>>  
sebastien.p.joly@usace.army.mil <<mailto:sebastien.p.joly@usace.army.mil>> 1  
Holliman.Daniel@epa.gov <<mailto:Holliman.Daniel@epa.gov>>  
eric.l.bush@usace.army.mil <<mailto:eric.l.bush@usace.army.mil>>  
diana.m.holland@usace.army.mil

We only have until a few more days to register our comments to the Corps, before the whole Mobile Harbor study is over.

With warmest regards,  
Caroline Graves

## Comment 208

**From:** [Vickie Connolly](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Saving Dauphin Island.  
**Date:** Thursday, September 13, 2018 7:34:52 PM

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The Public interest, for many long years, has been very badly served by the Mobile Districts unprecedented stonewalling, and complete lack of proper action with regard to the dredging effects on Dauphin Island.

Dauphin Island. a significant financial asset on Alabama's coastline continues to erode due to the Corps actions, or lack of.

The dredging of the Mobile Ship channel, is an important economic asset to Alabama's economy, but this should never be allowed to be the death of Dauphin Island.

The dredging by the Corps of Engineers, to keep the Mobile Ship Channel open, has been eroding the sand on Dauphin Island for many years, bottom line.

I have been involved in so many meetings,, where promises have been made and promptly broken, letters written, phone calls made, ad nauseam!!!

Enough, just fix the problem, change the dredging, simple!!!!!!!!!!

**From:** [c.graves](#)  
**To:** [Mobile Harbor GRR](#); [Joly, Sebastien P COL USARMY CESAM \(US\)](#); [Diana M. Holland BG](#); [Semonite, Todd T LTG USARMY HQDA OCE \(US\)](#)  
**Cc:** [Bush, Eric L CIV USARMY CESAD \(US\)](#); [CEIG](#); [holliman.daniel@epa.gov](#)  
**Subject:** [Non-DoD Source] Corps' engineering failure for sand-starved Dauphin Island  
**Date:** Thursday, September 13, 2018 7:29:43 PM  
**Attachments:** [LETTER 24 years of facts to LG, Semonite, BG Holland, Col. Joly 9-13-18.doc](#)

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Dear LG. Semonite, BG Holland, Col. Joly,

In 2017, I received a letter about my FIOA, from Stephen L. Sowell, Mobile District Counsel stating,

“Based on our interviews, we concluded that most records related to Dauphin Island erosion, dredging, and the Sand Island Beneficial Use Area (SIBUA) had long since been packed away for storage or destroyed in accordance with Army records handling guidelines. While the general disposition of most records is approximately six (6) years [after such time records are typically destroyed]”

Wow!!! Is this the Corps excuse not to include Dauphin Island in the new 2018 draft SIES/GRR Mobile Harbor study, that the Corps either destroyed or packed away all of the records about the dredging causing the erosion on the Island.

That is a great excuse, we don't know nothing about the erosion on Dauphin Island, we destroy that information, SORRY.

What is so stupid about his statement is that the Mobile Harbor is one of the deepest and widest authorized channels in the Country, and connects to the 2nd largest waterway through the United States. Dauphin Island, a barrier island, is adjacent to the Mobile Harbor Entrance Channel, which the Corps has been dredging the Entrance Channel since 1904. Besides, the Corps' Mobile District is located in Mobile, Alabama, where the Harbor is located.

42 years of Engineering Failures of the Corps by not following the Federal laws and Corps' manuals to mitigate the erosional damage to the Dauphin Island shoreline, that is attributable to Mobile Harbor Federal navigation dredging project.

#### Mobile District Engineering Failures

1. Mobile District Engineering Failure of not following the recommendation in the 1978 study to put a nearshore berm in front of Dauphin Island.
2. Mobile District Engineering Failure of not adding the 1978 study's erosional impacts to the 1980 EIS/Mobile Harbor and suppressing the information from Congress.
3. Mobile District Engineering Failure of the Corps' National Demonstration of the Underwater Berms 1987 to 1993, which was restricted according to Susan Rees testimony.
4. Mobile District Engineering Failure of their Northern Gulf of Mexico Regional Sediment Management Demonstration Program 1999 to present, which SIBUA didn't work.
5. One of the Mobile District's biggest Engineering Failure is the dumping of 14 million cubic yards of sand into SIBUA and professing not to know where the sand has gone. They are still concealing and preventing the evidence from becoming known, even though the SEIS/GRR should include a study about SIBUA.

Not one of these programs has mitigated the sand/land loss for Dauphin Island. The programs were a fancy name to get rid of dredged material inexpensively, while lying to the public about benefiting the Island.

I have attached 24 years of Corps' statements showing undisputed evidence the Mobile District is the cause of erosion on Dauphin Island.

Sincerely,  
Caroline Graves

September 13, 2018  
From Caroline Graves

Dear LG. Semonite, BG Holland, Col. Joly,

I have put into chronological order 24 years of quotes from Corps' documents that were sent to me under the FOIA request. Numerous documents show the Corps admitting that they dredge all of the sand in the littoral system out of the channel and dump it deep off shore and this "factor is probably the most important cause of man-induced erosion" according to the Corps' Shoreline Protection Manual.

I became enraged, reading the Corps' statements, after remembering all of the Corps false statements to the people of Dauphin Island, during these years. Everything we have been told was to mislead and to deceive us into believing that the Corps was not responsible for the erosion on the Island, but the evidence show otherwise.

In this email, the Corps' documents are in Black, and my comments and the laws are in blue.

Over the 42 years, Corps has not disclose all of the facts relating to their duty under the law to protect people of Dauphin Island from property loss because of their dredging. Before the 1978 study, there were many laws that the Mobile District did not follow governing the Corps dredging of Mobile Harbor Federal project and the erosion to the adjacent shoreline. Many of these laws and Corps manuals address the interrupting of the littoral [sand] transport and the erosional impacts it has on the adjacent shoreline, exactly what the Corps is doing to Dauphin Island.

**1935** law concern with erosion problems ...associated with the Corps of Engineers' harbor activities- to mitigate damages attributable to federal navigation projects

**1962** §426e—for prevention or mitigation of damage to shores and beaches is attributable to Federal navigation projects

**(1968)**—Section 111 for the mitigation of shore damages attributable to federal navigation works.

**1969** The National Environmental Policy Act of 1969 (NEPA). NEPA required consideration of environmental impacts during the planning stage of a project.

**1971** USACE Manual 1110-2-38 Policy: Maintenance ..including avoidance of destruction or degradation ...accomplish sedimentation and erosion control.

**1976** The Water Resources Development Act (WRDA) of 1976, Public Law (PL) 94-587, to place on the beaches of such State beach-quality sand which has been dredged in constructing and maintaining navigation inlets and channels adjacent to such beaches,

**1984** SHORE PROTECTION MANUAL VOLUME I

Man- Induced Causes .

b. **Interruption of Material in Transport. This factor is probably the most important cause of man-induced erosion. Improvement of inlets by both channel dredging and channel control and by harbor structures impounds littoral material This can be mitigated by sand-bypassing systems.**

c. Reduction of Sediment Supply to the Littoral Zone .

5. Effect of Inlets on Barrier Beaches . Inlets may have significant effects on adjacent shores by interrupting the longshore transport and trapping onshore-offshore moving sand.

#### **1976 February 5 MEM Dauphin Island Beach Nourishment.pdf**

- The need for **nourishment of the beach on the southeast end of Dauphin Island is evident**
- In view of the above analysis of **processes affecting erosion**, at least a circumstantial case could be put forth in support of **justifying Federal mitigation for the indirect erosion** effects of the ship channel.

**1962** §426e—for prevention or mitigation of damage to shores and beaches is attributable to Federal navigation projects  
**(1968)**—Section 111 for the mitigation of shore damages attributable to federal navigation works.

## **1978 Feasibility Report for Beach Erosion Control and Hurricane Protection Mobile County, Alabama, Including Dauphin Island**

### Scope Of The Study

This study was primarily concerned with **an investigation of the cause of beach erosion** within Mobile County including Dauphin Island, and a determination of the economic, social and environmental feasibility of controlling this erosion.

- **“the total recession of the shoreline attributable to maintenance dredging of the bar channel** since 1939 would be about **119 feet**’
- “Although the entire gulf shore of the island experiences a degree of erosion, the problem is most severe along its **westernmost 11 miles. There the erosion rate is about 10.3 feet per year**”
- “The **principal causes of shore erosion** along the western-most 11 miles of Dauphin Island are attributable to rise in sea level and **maintenance dredging of the Mobile Bay entrance channel**’
- **“Since it is not economically feasible to totally eliminate erosion on Dauphin Island,** investigations were made to determine the possibility of partially alleviating the problem. Maintenance dredging of the Mobile Bay entrance channel has already been discussed as a probable cause for part of the island’s erosion problem. **About 264,000 cubic yards of material per year are dredged** from the entrance channel into Mobile Bay and placed in deep water off the gulf shore of Dauphin Island. This material is essentially lost to the littoral drift system and represents a significant percentage of the total yardage lost to erosion. **If this amount of material could be placed directly onshore, or placed so it could re-enter the littoral drift system where waves and currents would distribute it and thereby contribute to stabilization of the littoral drift system, erosion could be reduced.**”
- **The “No Action” alternative is not considered to be a viable course of action since it would not solve the existing erosion problem.**
- “Implementation of the selected plan, as defined herein, *would only involve a modification* of the present operation and maintenance practice employed for the Mobile Harbor Navigation Project. **The modification is considered within the prerogative of the Chief of Engineers for operation and maintenance of the navigation project and affects no areas of local responsibility for the project.** Accordingly, **total responsibility for implementation of the selected plan and associated costs are a Federal responsibility.**”
- “Further, the selected plan **could be implemented under the operation and maintenance authority of the Chief of Engineers for the existing Federal Navigation Project for Mobile Harbor.**

### **1985 June 5 MEM Beneficial Use of Dredged Material.pdf**

- The entrance channel reaches of our deep-draft ship channel projects are routinely maintained by hopper dredging. Current practice for disposal of the dredged material from this work calls for it to be dumped in 50-60 foot depths offshore. **This practice effectively removes large quantities of sand from the littoral system and places it in depths from which it cannot return.**
- Since the smaller, split-hulled, hopper dredges began operating ‘in this area several years ago, we have held several informal discussions with Jim Baxter, OP-ON, concerning **the use of these dredges to place material from entrance channel O&M at locations closer inshore where the material could return to the littoral system and alleviate erosion downdrift of the inlet.**

[Effect of Inlets on Barrier Beaches . Inlets may have significant effects on adjacent shores by interrupting the longshore transport and trapping onshore-offshore moving sand.](#)

1986 Water Resources Development Act Section 1135 (PL-104-303), Project Modification for Improvements to the Environment. Under this authority, [if the construction or operation of a USACE project has contributed to the degradation of the quality of the environment, measures for restoration through modification of the structure](#)

**1986 September 1 MSC Fact Sheet Demonstration of Underwater Berm.pdf**

- In the Ft. Morgan peninsula vicinity, for example, this ***movement of sand is generally east to west.***
- As this ***sand is deposited in a navigation channel*** the customary practice is to remove the sand by hopper dredge and ***transport it to an approved deep water outside the littoral zone.***
- Disposal within the littoral zone (***feeder placement***) of sandy dredged material removed from the entrance portion of a deep-draft channel ***would utilize natural processes to nourish the beach.***
- Feeder placement restores beach quality sand ***to the littoral zone and would reduce beach erosion to some extent.***

**1986 October 7 MSC Keynote Address for MG Hatch.pdf**

- Nevertheless, because of the large, volume involved in the deepening project, ***we will devote considerable effort towards minimizing the physical impacts*** through the identification of the most appropriate ***disposal alternatives and procedures.***

**1986 October MSC Presentation Notes Langan Beneficial Uses Workshop.pdf**

- Feeder placement ***would replace sandy material in the littoral process*** and over a period of time ***reduce to some extent the erosion to down drift beaches***  
Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

**1987 April 1 MFR Dauphin Island Property Owners Assn Meeting.pdf**

- On April 4, 1987, Mr. Mathew Laws (Chief, PD-FC) and Mr. Jim Baxter (Chief, OP-ON) spoke to the Dauphin Island Property Owners Association at the Civic Center on Dauphin Island.
- Mr. Laws ... briefly described the "Mobile County, Alabama (Including Dauphin Island) Feasibility Study for Beach Erosion Control and Hurricane Protection" completed in September 1978.
- Laws remarks were concluded with the statement that solutions ***to the problem on the western 11 miles of the Island were tied to maintenance of the Mobile Ship Channel bar crossing.***

1987 Corps Environmental Engineering for Deep-Draft Navigation Projects Manual

6-1. Policy...**[Damage from Federal navigation work along the shorelines of the United States must be prevented or mitigated](#)**

6-3. Justification for Mitigation.

a. ...*Endangered and threatened species*

b. **[Impacts resulting from dredged material disposal..on.. shorelines.](#)**

**1987 October 16 MFR Impact of Proposed Mobile Bay Ship Channel Deepening on the Littoral Drift System.pdf**

- SUBJECT: **[Impact of the proposed Mobile Bay ship channel deepening on the littoral drift system in the Mobile Bay pass.](#)**
- to discuss Mr. Francis Escoffier's concerns **[regarding the impact of the deeper channel on the littoral drift system at the Mobile Bay pass.](#)**
- Mr. Escoffier supplied a paper which he had written on the littoral drift system at an inlet.  
[\[Retired Corps expert on inlet and littoral systems\]](#)
- The District had already constructed a "feeder berm" south of Sand Island near the lighthouse and was closely monitoring its movement. **[It was pointed out that the basic premise behind the feeder berm concept was to resupply the area with the materials, which were being blocked by the channel.](#)**  
Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

### 1989 May MSC Handwritten Note to Commander.pdf

- Berm Planning, Design, And Construction Feeder Berm : The feeder berm was planned to take advantage of the opportunity for nearshore placement of sandy material dredged from maintenance of the Mobile Harbor entrance channel.
- ***This would provide a chance for the material to remain in the nearshore coastal regime and by natural processes supplement sand available for reducing shore erosion.***
- Historically, ***material dredged*** from the entrance channel ***has been placed in an open water site outside the active zone of transport.***  
***Effect of Inlets on Barrier Beaches . Inlets may have significant effects on adjacent shores by interrupting the longshore transport and trapping onshore-offshore moving sand.***

### 1990 Water Resources Development Act §2316. Environmental protection mission

(a) General rule The Secretary shall include ***environmental protection as one of the primary missions*** of the Corps of Engineers ***in planning, designing, constructing, operating, and maintaining water resources projects.***

### 1990 Massive Expansion and Deepening of Outer Bar Channel.

**Phase I construction completed in 1990 consisted of deepening the entrance channel from 42 feet to 47 feet for a distance of 6.1 miles from the Gulf of Mexico to Mobile Bay.**

***Corps Environmental Engineering for Deep-Draft Navigation Projects Manual 6-1. Policy...Damage from Federal navigation work along the shorelines of the United States must be prevented or mitigated b. Impacts resulting from dredged material disposal..on.. shorelines,***

### 1990 December RPT Results of Monitoring the Disposal Berm at Sand Island.pdf

- In a continuing effort to conduct the national dredging program in an economically and environmentally sound manner, the US Army Corps of Engineers (USACE) is constructing experimental submerged berms on the open seafloor offshore of Sand Island, Alabama
- The purpose is ***to evaluate methods of using dredged material to reduce*** wave damage and the ***rate of coastal sand losses*** to deep offshore waters.
- ***Coastal erosion occurs where sand is removed faster than it is replaced. Such imbalance often causes problems*** which ***can be reduced by placement of new material in the shore compartment.***
- The value of such action will depend on the nature of the local problem plus the location, quantity, and ***rate of sand replacement.*** Man's concerns are usually at the shoreline. Traditional placement directly on the beach has an immediate benefit.
- ***Any addition of sand*** to the active prism ***tends to correct coastal sand deficiencies and eventually reduces regional erosion problems.***

Corps admits their dredging causes the erosion

Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

### 1991 May 15 MFR Dauphin Island Erosion Problem A.pdf

- ***"Corps activities obviously play some role in modifying the littoral drift system".***  
Corps admits their dredging causes the erosion  
Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

**1991 MEM Potential Opportunities for Beach Improvement.pdf**

- Undoubtedly, ***our practice of dredging this area*** and placing the material in the designated gulf disposal area ***removes sand from the littoral system.***

Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

1990 ***Beach and Nearshore Placement of Material Dredged from Federally Authorized Navigation Projects***  
U.S. Army Engineer.. ***most environmentally sound manner possible (ER 1130-2-307***

Corps admits their dredging causes the erosion on Dauphin Island and that is the reason they did the feeder berm.

**1992 March 24 MSC Press Release Dauphin Island Study Not Conclusive.pdf**

- Pat Robbins: “***The Environmental Assessment*** that was done ***for the maintenance dredging*** project in the channel ***indicated the dredging could have an influence on erosion at Dauphin Island.***”
- ***“That is why the dredged material was placed in a feeder berm off shore rather than use deep ocean disposal.”***

Corps admits their dredging causes the erosion in the 1978 study

Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

**1992 May 8 MSC Fact Sheet Erosion Problems.pdf**

- Problem. Two separate reaches of shoreline on Dauphin Island, Alabama, have recently experienced severe erosion.
- Shoreline change maps for the period 1942 to 1974 show gulf ***shoreline erosion rates of about 6 feet per year***
- In 1978 the Mobile District submitted a report , *Mobile County, Alabama Feasibility Report For Beach Erosion Control And Hurricane Protection*. ***That study concluded that problems did exist***
- The sole ***recommendation*** in that report ***was for littoral zone placement near Dauphin Island of suitable material dredged during maintenance of the ship channel. A nearshore berm in front of the Island***
- This recommendation was based on a study of historical maps and charts that suggested ***that the practice of dumping material*** removed by hopper dredge ***in depths beyond littoral processes could be contributing to erosion on the island.***
- SAD indicated that revisions to the navigation project should be addressed in on going studies of that project. South Atlantic Division directed the Mobile District to put the results from 1978 Dauphin Island’s study erosion impacts in the 1980 EIS/Mobile Harbor study. The Mobile District left out all impacts to Dauphin Island in the 1980 EIS/Mobile Harbor
- Other Reports. ***Dr. Scott Douglass*** is a professor of Civil Engineer at the University of South Alabama with a background in coastal engineering. He has been acting as a consultant to the Alabama Department of Economic and Community Affairs, Coastal Programs Office. His first report was *Summary Of Existing Coastal Engineering Data For Dauphin Island, Alabama*, dated January 1991. He has recently completed *Coastal Processes Of Dauphin Island, Alabama*, dated February 25, 1992. That report has several conclusions. ***Those directly implicating Corps projects and activities include:***
  1. ***That maintenance dredging the ship channel “has completely blocked the natural, long-term source of sand for the beaches of Dauphin Island,”***

Corps admits that after the deepening of the channel there is severe erosion on the Island. Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

#### 1992 May 20 LTR to Rep Bevill.pdf

Letter to Congressman Bevill from the District Colonel

- **There is no question that the shoreline on the island is undergoing severe erosion** at two locations. One is at the east end of the island near Fort Gaines and the other is about three miles west at the public use area with the fishing pier.
- **Dr. Scott Douglass**, at the University of South Alabama, has recently completed a report for the Alabama Department of Economic and Community Affairs, *Coastal Processes Of Dauphin Island, Alabama*, covering studies he made. His report attributes **the cause of long-term erosion** on the island, at least in part, **to past disposal practice for maintenance dredged material from the Mobile Harbor ship channel**

Letter to Senator Shelby from Mike Henderson, *Dauphin Island Park and Beach Board*

- As shown, Dr. Douglas feels **two of our worse erosion problems directly relate to the Corps' method of deepening and dredging two channels** - the Main Ship Channel and Fort Gaines Channel.
- One striking aspect of this study is the documentation of **sand removed by the Corps that would have otherwise been deposited onto Dauphin Island**.
- Earlier publications had **estimated 15 million cubic yards of sand had been permanently removed** from Alabama's coastal system by this method.
- **Dr. Douglas proves this figure is closer to 50 million cubic yards**
- As you can see from **ADECA's 12-month study, it draws the same basic conclusions, as the Corps' own study published in 1978. One important difference** is whereas the Corps study states 264,000 cubic yards of sand was being removed per year back in 1978, **Dr. Douglas shows this amount has now increased to an average of 1 million cubic yards a year is being removed.**

Corps admits that **Dr. Douglass statements are correct** and the dredging causes the erosion

#### 1992 October 1 MEM Fact Sheet on Erosion Problems.pdf

- Shoreline change maps for the period 1942 to 1974 show gulf shoreline erosion rates of about 6 feet per year.
- Phase I of the channel improvement authorized by the 1986 WRDA was completed in 1990 and the entrance channel is presently maintained at 47 feet deep by 600 feet wide.
- Corps' records show that **since 1974 about 15 million cubic yards of material has been removed** from the entrance channel. Almost 7 million cubic yards of that amount was removed in 1990 for the channel improvement.
- **Dr. Douglass has pointed out the annualized amount removed exceeds the estimated annual littoral transport volume for this area.**
- **While this may be correct**, the littoral transport path estimated by Dr. Douglass indicates that any effects from this practice **would be felt mostly on the west end of the island** and not at the present problem areas. Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

#### 1993 January 4 MEM Bar Channel.pdf

- c) To our knowledge, **the District does not have a current survey of the littoral zone.**

According to Dr. Nicholas C. Kraus, "**Sediment budgets are regularly produced by the Corps** to represent local and regional sediment **transport magnitudes and pathways for an inlet and its adjacent beaches.**"

The Corps has to know in detail the amount of sand that goes into the channel and is dredged out for the channel for the shipping industry.

### 1993 March 29 MEM Fact Sheet on Erosion Problems.pdf

- Phase I of the channel improvement authorized by the 1986 WRDA was completed in 1990 and the entrance channel is presently maintained at 47 feet deep by 600 feet wide.
- **Corps' records show that since 1974 about 15 million cubic yards of material have been removed from the entrance channel.** Almost 7 million cubic yards of that amount were removed in 1990 for the channel improvement.
- **Dr. Douglass has pointed out the annualized amount removed exceeds the estimated annual littoral transport volume for this area. While this may be correct,** the littoral transport path estimated by Dr. Douglass indicates that any effects from this practice would be felt mostly on the west end of the island and not at either of the present problem areas. **Corps admits they are dredging far more material out of the channel sand than what is needed for nourishment of the shoreline and causes the erosion to the island.**

1993 [Review of Geologic Data Sources for Coastal Sediment Budgets](#) by Edward Meisburger USACE  
[Where tidal inlets interrupt the free flow of alongshore drift, they reduce or virtually eliminate the supply of sediment to down-current beaches, causing sand starvation and often serious erosion problems](#)

### 1993 May 5 MEM Dauphin Island Shoreline.pdf

- Prior Studies. There have been no prior studies or reports on this particular problem by the Corps of Engineers. The problem area was included, however, in the [Feasibility Report For Mobile County, Alabama \(Including Dauphin Island\), Beach Erosion Control And Hurricane Protection dated September 1978](#). **The sole recommendation in that report was for littoral zone placement near Dauphin Island of suitable material dredged during maintenance of the Mobile Harbor ship channel.**  
 The Corps' recommendation in the 1978 study was to put the sand in a nearshore berm in front of the Island.
- **Dr. Scott Douglass is a professor of Civil Engineering at the University of South Alabama with a background in coastal engineering.** He has investigated... the erosion on Dauphin Island as consultant to the Alabama Department of Economic and Community Affairs, Coastal Programs Office and prepared two reports. The first report was [Summary Of Existing Coastal Engineering Data For Dauphin Island, Alabama](#), dated January 1991. The second was [Coastal Processes Of Dauphin Island, Alabama](#), dated February 25, 1992.

**That report had several conclusions indicating that Corps activities in the area may have contributed to the overall erosion problem,** but none that attributed the problem at the main beach park to those activities. Corps admits that their dredging has caused erosion on all of the shoreline, except the Park and Beach Board property.

Since the massive deepening of the channel in 1990, [the erosion has been 30 feet a year.](#)

- For the past several years this area has experienced [shoreline erosion at an average rate of about 30 feet per year](#) (ft/yr) in the vicinity of the pier. Given the overall process, we can reasonably assume that the entire offshore profile is moving shoreward. Calculations using this assumption result in a bottom recession, or deepening, of 3 ft/yr.
- After the Corps deepening the channel in 1989-1990 the western [shoreline eroded 50 ft a year.](#)
- **During the 1990-91 period the critical reach eroded at rates ranging from 10 ft/yr east of the pier up to 50 ft/yr about 1500 feet to the west.**
- Based on discussions with the sea turtle contacts and personal observations of the project area by the undersigned and my staff, suggests that [suitable habitat for sea turtle nesting](#) currently does not exist in the project area. **Extensive shoreline and dune erosion in the project area would prohibit the likelihood of such activities.**  
 The shoreline erosion stopped the turtles from nesting on the island.
- In order for the Department to proceed with its review of the proposal, information must be provided which will satisfy the provisions of ADEM Administrative Code Rule 335-8-1-.08 which are as follows:

(1) Any use intended to mitigate a shoreline erosion problem in the coastal area shall use non-structural erosion control methods to the maximum extent practicable, **including but not limited to preservation and restoration of dunes, beaches, ...and shoreline restoration and nourishment.** Corps admits that ADEM as an Alabama agency, requires the Corps mitigates the shoreline erosion.

The Corps put 600,000 cys in the feeder berm the merger with Pelican Island.

- This action is being undertaken **to lessen the accelerated erosion** that is occurring due to migration of Pelican Passage. During the past several years, the subject **area has eroded at a rate of about 30 feet per year compared to the historical rate of about 1 foot per year.** Heinz J. Mueller, Chief Environmental Policy Section Federal Activities Branch

Corps Engineering and Design EM 1110-2-1810, USACE, 31 January 1995 COASTAL GEOLOGY

(4) Interruption of sediment transport at engineered inlets.

**(a) At most sites, the designers of a project must ensure that the structures do not block the littoral drift; otherwise, severe downdrift erosion can occur.**

#### **1995 August 7 MSC Briefing for COL Vogel.pdf**

- Mobile District's position - -historical erosion of east end of Dauphin Island and migration of sand island northward thus narrowing pelican passage
- **Sand dredged** from bottom of "u" (approx. 300k cy annually) **placed in ocean site outside of littoral system**
- Erosion in area fronting pelican passage has accelerated since 1979 due to northward migration of sand island and pelican passage feeder berm constructed in 1987 in littoral system merged into offshore slope of sand/pelican island
- **Our recommendations--Deny public hearing request.**

#### **1995 October 30 MEM Comments on Public Workshop.pdf**

- Technical Issues. Dr. Douglas' public statements regarding the impact of the **entrance channel maintenance on "severing" the littoral transport from east to west, thus aggravating the erosion on Dauphin Island have technical merit.** Corps admits Dr. Douglass is right.
- **In fact, there has been a long history of discussion on this issue within Mobile at CERC, and the coastal profession in general.**

The Corps is agreeing with Dr. Douglas conclusions and state the Corps and coastal profession have been discussing for a long time that the erosion impacts to Dauphin Island from the Corps dredging of the entrance channel.

#### **1995 December 1 MFR Mobile Harbor Water Quality Certification.pdf**

Memorandum For Record

- We have received a memo from Joan Pope that basically states **that "As good stewards of the environment, we should place the bar channel material into the littoral zone."**  
[Joan Pope was Research Supervisor Coastal and Hydraulics Laboratory, September 1984 – 2004 (20 years Division Chief involved specifically in coastal engineering projects and problem)].
- We have sent ADEM the manuscript of the public hearing, and **they are formulating a letter** basically **requesting a more environmentally beneficial disposal option.** We feel this request is due to their continued fear of a lawsuit.
- The John Reed letter accuses some guilt as a result of the 1978 Erosion Study. Our position is that we are in compliance with NEPA, they acknowledge the historical erosion problem and that our channel contributes an insignificant amount to the problem. The 1978 report is not a NEPA document and was not approved by SAD. **The Corps knew the 1978 study stated erosion impacts to the island, the Corps suppressed all environmental and erosion impacts from that study in the 1980 EIS/Mobile Harbor Study**
- Key Notes: **The report sent to SAD [Corps' South Atlantic Division] recommended that we modify our maintenance plan for disposal of the bar channel.** The report only addresses the erosion on the western 2/3's of the island. SAD told the Mobile District to modify their maintenance plan under the 1980 Mobile Harbor study to put the sand in a nearshore berm, which the **Mobile District ignored SAD recommendation.**

1996 **Water Resources Development Act of 1996** (P.L. 104-303),  
**Sec. 207** which provides for the *placement of dredged sediment via methods that are not the least-cost option when the Corps determines incremental costs are reasonable in relation to environmental benefits.*

**Sec. 302. Mobile Harbor, Alabama.** "In disposing of dredged material from such project, the Secretary... may consider alternatives to disposal of such material in the Gulf of Mexico, including environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration."

**Attached fact sheet 12/1/96 to be used to brief Callahan**

- Fact Sheet Dauphin Island Erosion Issues Hand written on document **to be used to brief Callahan**
- ISSUE: **Dauphin Island**, particularly the eastern end from Fort Gaines to the vicinity of the public fishing pier, has been **undergoing erosion for a number of years.**
- Although the issue has been raised a number of times in the past, the relationship between the Mobile Harbor project and the erosion came to the surface **in 1991 when the facilities around the fishing pier became unsafe due to erosion** and **the swimming area at Fort Gaines had to be closed due to a number of drownings.**
- The issue was raised most recently in response to a Public Notice dated 13 June 1995 announcing our request to **renew State Water Quality Certification** for the Mobile Harbor Federal Navigation Project as required by Section 401 of the Clean Water Act. **The Corps is ignoring the dangers and the drownings** related to the erosion, after the massive expansion in 1990. The Corps does not care about the dangers to the public, all they are interest in is getting ADEM to approve the Water Certification.
- The State water quality **certification and coastal zone consistency** for the Mobile Harbor project expired 3 July 1995. ADEM issued a 90-day extension of certification on 6 July and a second extension on 23 October 1995. **Failure to resolve the issue to the satisfaction of ADEM could severely limit our ability to provide adequate navigation depths at Mobile.** They do not care about the dangers or the lost of property on Dauphin Island, all they are interest in is getting ADEM to approve the Water Certification.
- **Mans' activities obviously play some role in modifying the sand transport system.** Corps admits their dredging is causing the erosion. Mans' activities refer to the **Corps dredging of the Channel**
- **It has been estimated that one-half mile or more of the east end of the island would currently be open water had the armoring not taken place.**
- In addition, the maintenance of the bar channel portion of the Mobile Harbor project **removes sand** which would naturally be distributed along the western portion of the ebb tidal shoal and **places it in water depths which are greater than that required for littoral sand transport.** Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion.
- Our records indicate that since 1970 approximately **8.3 million cubic yards of maintenance material has been removed from the bar channel** and 6.7 million cubic yards of new work was removed from channel between 1988-90. This adds up to **15 million cys removed** from the Channel during and after the 1978 study on the erosion to Dauphin Island.
- **The maintenance material would be that material, which would have been in the littoral, drift system and trapped in the channel.** Corps admits that their dredging takes away the sand that would have gotten to Dauphin Island
- **the net annual littoral transport to the west is about 196,000 cubic yards/year...the Corps is removing the entire net annual littoral transport quantity.**  
**USACE Where tidal inlets interrupt the free flow of alongshore drift, they reduce or virtually eliminate the supply of sediment to down-current beaches, causing sand starvation and often serious erosion problems**
- In 1978, the Mobile District completed a feasibility report entitled "Mobile County, Alabama Beach Erosion Control and Hurricane Protection". The results of this report indicated that with one exception the one exception was the modification of the current (at that time) practice for the maintenance of the Mobile Harbor bar channel.

SAD told the Mobile District to modify their maintenance plan for the 1980 EIS/Mobile Harbor study to put the sand in a nearshore berm. ***The Mobile District ignored SAD recommendation and suppressed the erosion and environmental impacts in the 1980 EIS/Mobile Harbor study***

- The conclusion of the report that the authority for this modification rested with the Chief of Engineers and that since no areas of local responsibility for the project would be affected that total responsibility for implementation and associated costs were a Federal responsibility. 1978 study states, "total responsibility for implementation of the selected plan and associated costs are a Federal responsibility."
- [feeder Berm] This would allow the **resumption of the natural transport of sand in the littoral system** but would not provide immediate (or possibly even long term) relief to the erosive areas on the eastern end of the island. **So why did the Corps change the feeder berm to a deeper and more distance location?**

Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

- **The obvious question which can be raised is how removal of all the sand within the net littoral drift can be considered environmentally acceptable**

USACE Where tidal inlets interrupt the free flow of alongshore drift, they reduce or virtually eliminate the supply of sediment to down-current beaches, causing sand starvation and often serious erosion problems

1990 **Water Resources Development Act** §2316. Environmental protection mission

(a) General rule The Secretary shall include environmental protection as one of the primary missions of the Corps of Engineers in **planning, designing, constructing, operating, and maintaining water resources projects.**

Corps admits by their dredging, they are removing all of the sand in the littoral system from getting to Dauphin Island. The Corps knows that removing all of the sand out of a deep-draft Federal project has disastrous effects on the adjacent shoreline and against all coastal engineering principles.

The Corps has known the coastal procedures for erosion since 1935 in Santa Barbara, CA, when the Corps had to start pumping sand on the Beach because of the erosion to adjacent shoreline, they caused.

- **Man's understanding of the processes at work in this area is minimal**, however it is felt that what we do is subsumed within the impacts caused by the natural processes. As an example, 600,000 cubic yards of material was removed from the bar channel during September-October 1985 as a direct result of the multiple passages of Hurricane Elena. ...**it appears the wisest approach would be to place the material in an area which would allow the resumption of the natural process.**  
1987 *Corps Environmental Engineering for Deep-Draft Navigation Projects Manual*  
6-1. Policy...**Damage from Federal navigation work along the shorelines of the United States must be prevented or mitigated**
- **Although the cost of implementing such an option is not excessive considering the Mobile Harbor project alone**, if this type approach was taken at a number of coastal civil works projects the total cost to the government could be excessive. **Why is the placement of the dredged sand in an area that would let the sand reach the sand starve shoreline of the Island, an excessive expense? Especially since the Corps is bypassing sand in every other deep-draft inlet on the Gulf coast?**
- A separate but equally important factor to consider is that placement of maintenance material on the Sand Island shoals is not going to solve the erosion problem on the east end of Dauphin Island, but **will merely over the long term allow the resource to migrate in the littoral transport system as if the channel were not in place. That is what the Island needs is for the Corps to bypass the sand as if the Corps was not dredging the channel.**
- Impact To Mobile Harbor Navigation Project: As indicated in the issues paragraph the maintenance of the Mobile Harbor project is being certified by ADEM via 90-day extensions of the expired water quality certification.
- **Although we do not believe that ADEM will deny certification, they are in a touchy position in that the coastal zone program calls for the beneficial use of dredged material wherever possible** and they believe the potential of a legal challenge to the certification is increased if nothing is changed.

- **Ultimately ADEM would like for the Corps to be able to place the bar channel dredged material on the Sand Island shoals if at all possible** but also understand the regulations that we work under. We believe they would be willing to support any effort to return material to the natural sediment transport process.
- Discussions with the **ADEM** point of contact on 30 November indicated that they **plan to transmit a letter** to the District **requesting that we place the material dredged from the bar channel in a more environmentally beneficial location**

The above 3 statements reveals that the Corps knows the Alabama Department of Environmental Management, ADEM, is very concerned about the erosion on Dauphin Island and they are asking the Corps to put the sand in a more environmental beneficial area according to the coastal zone program. BUT the Corps is only interested in getting the Water Certification, they do not care about the environmental or erosional impacts to Dauphin Island from their massive expansion to the channel in 1990.

### Talking About Feeder Berm

#### **1997 January 7 MEM Dredged Material Disposal Water Quality Certification.pdf**

SUBJECT: Mobile Harbor - Dredged Material Disposal for Water Quality Recertification

- This memorandum documents our findings for the subject evaluation. You verbally requested our determinations of the **location, suitability, and quantity of dredged material from the subject project channel for disposal within the littoral zone.**
- The Sand Island Bar and Mound... The bar **was constructed as a test** to return entrance channel **maintenance material to the littoral zone.**
- The bar material did not respond as a single unit, and had broken into three segments. The northernmost segment migrated **northeastward**, the middle segment gradually lost volume and disappeared, and **part of the southern segment remained where placed initially.**

The Corps did not tell ADEM that they were planning on putting the dredged sand into an area that is farther away and in deeper water where the sand would not reach Dauphin Island.

### **The start of the Corps lies about the Sand Island Beneficial Use Area.**

The Corps deliberately **puts a false location in a Federal Public Notice** for the dredged sand, between Dauphin Island and Little Sand Island.

#### **1997 March 17 MSC Modification of Joint Public Notice.pdf**

- The proposed beneficial use area would be located on the west side adjacent to the southern portion of the Mobile Harbor Ship Channel **between Dauphin Island and Little Sand Island** (Figure 1).
- **Erosion has occurred in the vicinity of Dauphin Island** and suitable material placed in the proposed Sand Island Beneficial Use Area **would aid in beach nourishment through the littoral transport process.**
- 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, economics, esthetics, 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 Corps wanted ADEM to think the Corps was putting the dredged sand in a more environmental beneficial location for the erosion on Dauphin Island. **The Corps states they will consider all cumulative impacts** including cumulative impacts of the dredging of the Mobile Harbor Outer Bar Channel on Dauphin Island's shoreline erosion and considerations of property ownership?

**1997 May 30 MEM Sect 302 WRDA Mobile Harbor.pdf**

- [from] Department Of The Army --Memorandum For Commander, South Atlantic Division  
SUBJECT: Implementation of Section 302 of the Water Resources Development Act of 1996 (WRDA 96) - Mobile Harbor, Alabama
1. **Section 302 of WRDA 96** affords an excellent opportunity to revisit the authorized plan for **maintenance of Mobile Harbor in the interest of environmental protection and restoration** and economic efficiency. Coupled with the high cost of maintaining the project as currently authorized and changing attitudes among environmental interests regarding the value of dredged material as a resource, Section 302 may allow you to develop a "master plan" for maintenance of lower Mobile Harbor that incorporates many **positive environmental features** and saves O&M funds.

This law gives the Mobile District **the Authority** to change the maintenance dredging of the Outer Bar Channel for the environmental protection and restoration of Dauphin Island.

Sec. 302. **Mobile Harbor, Alabama.** "**In disposing of dredged material from such project**, the Secretary... may consider alternatives to disposal of such material in the Gulf of Mexico, including **environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration.**"

**1997 June 23 MEM Response to Comments on Beneficial Use Area.pdf**

ADEM sent Corps Scott Douglass statements about the erosion to the Corps.

**The removal of sand from the outer bar of Mobile Pass** (part a. of the Mobile Harbor, Alabama navigation project as described in the public notice) **has possibly exceeded 50 million cubic yards of sand in the last century.** Most of this sand has been removed from the littoral system of the State of Alabama and been disposed of in deeper water. This is a significant amount of sand by most relative measures. **The annual removal rate is many times greater than the rate at which sand is moved along the beaches of Alabama to Mobile Pass.**

It is the same order of magnitude of volume that has been removed from all the federally maintained ship channels in Florida. In Florida, there is a fairly **well-established link between the removal of sand at the ship channels and downdrift beach erosion.**

First of all, **the implied depths are too deep.** Coastal engineering research indicates that **depths of 30 feet are too deep to expect sand to migrate landward at a reasonable rate.** The rate of migration of sand features placed in the nearshore appears to be extremely dependent on depth. Off the Alabama coast the expected value of migration rate **in a depth of 30 feet is less than 10 feet per year** if the sand is exposed to the full Gulf of Mexico wave climate. The corresponding rate for **a depth of 15 ft. is 30 ft./yr.** This implies that placing the sand in shallower water will ensure that it moves up into the critical upper portions of the ebb-tidal delta. These upper elevations of the ebb-tidal delta appear to be critical because sand there moves northwestward toward the west end of Dauphin Island while effecting the wave climate on the east end of the Dauphin Island. The natural, pre-ship-channel depths across the Mobile Pass outer bar were about 20 feet. Results of monitoring programs of the fate of nearshore placed sands throughout the US (including much larger wave climates in the Atlantic and Pacific Oceans) **indicate that 30 feet is too deep to expect significant onshore migration**

Corps response to ADEM about Scott Douglass statements:

- We agree that the rate of disposal material **migration would be increased by placement of the material in shallower depths**. Our intentions for designation of this beneficial use area generally included cost-efficient disposal within the littoral zone.
- The operational cost to place the material **in average depths of 15 feet as suggested in the comments will likely be increased over that expected for disposal of the material in deeper water.** The Corps admits the shallower depths increase the rate of sand to the beaches and the Corps has been recommending the 15 foot depth for other near shore berms across the Country BUT not for Dauphin Island?

Even after Scott Douglass letter about the placement of the Dredged sand, the Corps know that by putting the sand farther away and into deeper water, the sand will not reach Dauphin Island, **BUT Mobile District doesn't care about the destruction and the lost of property on the Island.**

Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

**1998 January 6 MSC Fact Sheet Dauphin Island Erosion Issues.pdf**

- **Mans' activities -obviously play some role in modifying the sand transport-system.** In the early 1900's the eastern end of Dauphin Island was armored to prevent the erosion/destruction of Fort Gaines. It has been estimated that **one-half mile or more of the east end of the island would currently be open water** had the armoring not taken place.
- In addition, **the maintenance** of the bar channel portion of the Mobile Harbor project **removes sand which would naturally be distributed** along the western portion of the ebb tidal shoal and **places it in water depths which are greater than that required for littoral sand transport.** **In 1998 the Corps admits that their dredging removes the sand that would have nourished the shoreline of Dauphin Island.**
- The maintenance requirement for the bar channel is restricted to a one and one-half mile reach at the lighthouse and southward. Approximately 420,000 cubic yards of sandy material is removed from this area every other year by hopper dredge and transported to the ocean disposal site approximately 3 miles south of Dauphin Island **in water depths in excess of 30 feet.**

Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

- **the net annual littoral transport to the west is about 196,000 cubic yards/year. ...the Corps is removing the entire net annual littoral transport quantity** Corps admits they are removing the total amount of sand that would have nourished the shoreline of Dauphin Island.
- [1978 study] **to determine that the erosion of the 11 westernmost miles of Dauphin Island** (beginning at the location of the public fishing pier) were the result of increasing sea level and **the removal of sand from the littoral drift system through maintenance dredging.** Corps admits in the Corps 1978 study, **their dredging caused the erosion on Dauphin Island** from the fishing pier to the west.
- will merely over the long term allow the resource **to migrate in the littoral transport system as if the channel were not in place.** 6-1. Policy... **Damage from Federal navigation work along the shorelines of the United States must be prevented or mitigated**

**1999 massive expansion to the Outer Bar Channel deepening from 47 to 49 feet and widening to 700 feet wide.**

**1999 January 26 MEM Advanced Maintenance Dredging.pdf**

The proposed advanced maintenance would be utilized to **widen the east side of the bar channel by 100 feet over a distance of 12,000 feet** in the location shown on the enclosed drawings. the Mobile District determined that the only economical means to move the large volume of material .. was by utilizing a pipeline dredge.. **Pipeline dredging cost \$1.19 per yard.. Hopper dredging cost \$2 per yard.** **Corps is finally stating the pipeline dredge cost less than a hopper dredge.**

**1999 March 5 MSC Presentations from 2<sup>nd</sup> Annual Coast Issues Symposium Solutions.pdf**

The above **1999 January 26** document states **Pipeline dredging cost \$1.19 per yard vs. Hopper dredging cost \$2 per yard**

During the question and answer period, Corps' Pat Langham and Alma Wagner on try to confuse the people at the meeting about the costs from \$6 to \$9 dollars a cy. to pump the sand to the beach not one word about pumping the sand in a nearshore berm in front of the island. What the Corps failed to disclose was the costs of the pipeline dredging and the Federal Laws and Corps manuals that govern the Corps' dredging of a Federal project on the erosion on the adjacent shoreline.

Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion

#### 1999 October 4 MSC Fact Sheet Dauphin Island Erosion Issues

- Studies of the shoreline change between the period 1942 and 1974 indicate gulf shore erosion rates of 6.3 feet per year.
- **Changes to the shoreline of the eastern end**... with **over 500 feet of shoreline recession**  
Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion
- The cause of physical **changes of the western end of the island is not clearly understood**. Douglass et al. (1998) postulate that the maintenance of the Mobile Harbor Entrance Channel may be a cause of this erosion. **Mobile District's Engineering Failure** stating they do not know what causes the erosion to the western side of the Island.

1935 law **concern with erosion problems... to mitigate damages attributable to federal navigation projects**

1984 **Shore Protection Manual Volume I. 5. Effect of Inlets on Barrier Beaches . Inlets may have significant effects on adjacent shores...by interrupting the longshore transport and trapping onshore-offshore moving sand.**

1987 Corps Environmental Engineering for Deep-Draft Navigation Projects Manual

6-1. Policy...**Damage from Federal navigation work along the shorelines of the United States must be prevented or mitigated**

6-3. Justification for Mitigation.

a. ...**Endangered and threatened species**

b. **Impacts resulting from dredged material disposal..on.. shorelines.**

- Our records indicate that since 1970 approximately 8.3 million cubic yards of maintenance material has been removed from the bar channel and 6.7 million cubic yards of new work was removed from channel between 1988-90. **The maintenance material would be that material which would have been in the littoral drift system and trapped in the channel.** Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion
- d. Beach Erosion Control and Hurricane Protection Study: In 1978, the Mobile District completed a feasibility report entitled "**Mobile County, Alabama Beach Erosion Control and Hurricane Protection**" **Including Dauphin Island**
- The one exception was the modification of the current (at that time) practice for the maintenance of the Mobile Harbor bar channel. SAD told the Mobile District to modify their maintenance plan under the 1980 Mobile Harbor study to put the sand in a nearshore berm, which the Mobile District ignored SAD recommendation.
- that the erosion of the 11 westernmost miles of Dauphin Island (beginning at the location of the public fishing pier) were the result of increasing sea level and **the removal of sand from the littoral drift system through maintenance dredging.** Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion
- The conclusion of the report that the authority for this modification rested with the Chief of Engineers and that since no areas of local responsibility for the project would be affected that total responsibility for implementation and associated costs were a Federal responsibility. **1978 study states, "total responsibility for implementation of the selected plan and associated costs are a Federal responsibility."**
- Division also indicated that any change in the maintenance practices for Mobile Harbor should be studied as part of that project not the Mobile County study. The South Atlantic Division ordered the Mobile District to put the 1978 Dauphin Island study's erosion impacts in the 1980 EIS/Mobile Harbor study, but the **Mobile District suppressed all of the environmental and erosion impacts to the Island.**
- Further funding for the Mobile County study was not forthcoming and the study was subsequently deauthorized by Congress in 1987. Deauthorize **to conceal the study and the erosion impacts, just before the massive expansion of the channel started in 1989.**

- e. National Underwater Berm Demonstration Program: In 1986 the Mobile District initiated investigations of the feasibility and effectiveness of constructing underwater berms with dredged material for providing shore protection. In March 1987, a "feeder" berm was constructed with 656,000 cubic yards of material from the bar channel. This berm was placed in an area on the southern flank of the Sand Island shoal in 14 to 18 feet of water. 3) **determine whether placement of material in these depths of water would be beneficial in supplying sand to the littoral system.** Results of the monitoring showed that overtime the 'structure' melded into the Sand Island shoal so that it was no longer identifiable.  
But the Corps is not telling the entire story, according to ERDC report, the Corps put **6,755,352cys of sand into the feeder berm** from dredging for the massive expansion, 1989-1990.
- Shallow draft split-hull dredges can perform the required activities, however **there are only 2** in operation in the U.S. and they are owned by the same company. Increase in costs over that currently expended for this part of the channel would be approximately **\$294,000 per dredging cycle**

**Again this is a Corps lie** according to 1990 MSC National Berm Demonstration Project.pdf

1990 **Nearshore Mound Construction Using Dredged Material** states **13 shallow draft split-hulled hopper dredges**..operating in the United States on a routine basis.

1990 **National Berm Demonstration Program** Langan and Rees stated, "Since the haul distance to the 'feeder' location was about the same as to the historical disposal site, **construction of the berm was at no extra cost**"

- Recent Activities  
Federal Standard: Based on Corps regulations for operation and maintenance of Civil Works projects (33CFR335), the baseline for maintenance of the channel is the Federal Standard which is roughly the least costly, **environmentally acceptable**, engineering feasible alternative. The Federal Standard for Mobile Harbor has been the transport of all dredged material to the ocean disposal site as authorized by the Water Resources Development Act (WRDA) of 1986 (P.L. 99-662). **Corps fails to disclose the 1996 WRDA section 302. may consider alternatives to disposal** of such material in the Gulf of Mexico, including **environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration.**
- c. Sand Island Beneficial Use Area. In 1997, the District in coordination with the Alabama Department of Environmental Management (ADEM) proposed the designation of a large area of the subtidal delta as the Sand Island Beneficial Use Area (SIBUA).  
**This is a lie.** The Corps' Public Notice No.FT97-MH08-2 Sand Island Beneficial Use Area shows **false location in the Federal Documents.** The public notice stated that the Corps would **put sand between Dauphin Island and Little Sand Island** that was never done
- g. Northern Gulf Regional Sediment Management Initiative: In response to the damages to the navigation channel caused by Hurricane Georges in September 1998, a recovery plan was developed in concert with ADEM the use of the SIBUA for material to be dredged from the entrance channel. Approximately 3 million cubic yards of predominately sandy material was placed in the site by shallow draft hopper dredge between May and September 1999. Based on the initiative, **we developed an extensive monitoring program** aimed at describing the evolution of this material, currently we are utilizing existing operations and **maintenance funds for this monitoring.**

This statement is a **Corps lie, because**

2014 "Pat Robbins, stated "Corps has **no** formal **monitoring program to ensure that the sand is reaching its intended targets**"

In a December 2017 meeting, the Corps staff acknowledged the Sand Island Beneficial Use Area (SIBUA) disposal site **is not monitored** and that the Corps **does not know** where any **sand leaving the site actually goes.** There are no Corps documents changing the location of SIBUA, before 2008, according to the Corps statements, under the FIOA request to me.

**D-13 Coastal Engineering Research Board  
Proceeding**

**1998 Coastal Inlets Research Program**

Dr. Nicholas C. Kraus, Research Physical Scientist and Julie D. Rosati Research Engineer  
US. Army Engineer Waterways Experiment Station Coastal and Hydraulics Laboratory Vicksburg, MS

**"Inlet Channels and Adjacent Shorelines."**

a PC-based system to formulate sediment budgets for inlets and adjacent shores is being developed.

**Sediment budgets are regularly produced** by the Corps to represent local and regional **sediment transport** magnitudes and pathways **for an inlet and its adjacent beaches.**

**The Sediment Budget Analysis System (SBAS) under development within the CIRP will provide a uniform, defensible procedure for designing sand management alternatives, and for identifying, quantifying, and mitigating inlet impacts.**

This PC-based system will provide methods and a uniform structure to estimate

- (1) ***alongshore distance of an inlet's impact,***
- (2) ***sediment volume captured by an inlet system,***
- (3) ***magnitudes and directions of sediment fluxes,*** and
- (4) ***uncertainties associated with each of (1) to (3).***

**The Corps requires estimates of these quantities to mitigate for inlet impacts** (Section 111 studies), to design sand-bypassing systems, to formulate sand-management strategies, and to optimize channel maintenance and sediment handling.

Input data **include the rate of volume change on the adjacent beaches,** shoals, and inlet channel; mechanical bypassing history; engineering activities that would alter the budget; other sources and sinks; **net and gross longshore sediment transport rates** at the boundaries of the system; and uncertainties associated with each of these data sets or estimated quantities.

Parameters which the user can vary include the effectiveness of inlet jetties in trapping sand and **the degree to which the inlet naturally bypasses sand to the adjacent beaches.**

Typical results for an inlet application might include **the range of net and gross longshore sediment transport rates for the inlet and its adjacent beaches,** with associated values of uncertainty.

The user might compare these results to those from a modified **regional sediment budget** which incorporates a particular engineering activity **at the inlet or along the adjacent shores,** e.g., overdepth dredging, and mechanical bypassing.

## 2000 December 7 RPT National Regional Sediment Management Demonstration

### National Regional Sediment Management Demonstration

- Mobile Pass (**Sand Island Beneficial Use Area**) –  
In the past O&M requirements and logistics dictated placement of dredged material from the Mobile Pass navigation bar channel **outside the limits of littoral processes**. Disposal of the material in such locations **removes it from the local littoral system**. Interruption of sand in littoral system. This factor is probably the most important cause of man-induced erosion
  - Keeping the dredged material in the littoral zone **requires placement in a location** where natural processes are able **to move the material to the adjacent downdrift shorelines**.  
Where tidal inlets interrupt the free flow of alongshore drift, they reduce or virtually eliminate the supply of sediment to down-current beaches, causing sand starvation and often serious erosion problems.
  - Alternative **placement of dredged material from the bar channel requires investigation and monitoring** to determine optimum **placement for the return to the littoral system**.  
Now we know that Sand Island Beneficial Use Area SIBUA is not working, why did the Corps change it to an area for the sand to get to Dauphin Island.
- §2316. Environmental protection mission (a) General rule The Secretary shall include **environmental protection as one of the primary missions** of the Corps of Engineers **in planning, designing, constructing, operating, and maintaining water resources projects**.
- STATUS: The Northern Gulf of Mexico RSM program is entering into its second year. Numerous other accomplishments have been achieved including
    - a **historical data search**;
    - hydrographic and topographic data, beach profile data**, and aerial photography;
    - a **regional sediment budget to determine regional sediment migration and pathways**;

**The Corps Engineering failure is their failure of SIBUA and Regional Sediment Management Demonstration. Neither has worked to provide sand to Dauphin Island.**

### DAUPHIN ISLAND PROJECT STUDY MATRIX

This document states that the Corps was doing their own studies for the DIPOA1 lawsuit.

And the footnote states **1. Tasks that SAM feels are related to lawsuit**.  
[SAM is the Mobile District Corps of Engineers.]

Also, the Corps is doing studies on Dauphin Island under MH GRR2, Section 1032, Section 1112  
Footnote 2. **Elements included in Project Study Plans**

**This means the Corps started the studies about Dauphin Island in 2000 right after the Dauphin Island Property Owners Association (DIPOA) filed the lawsuit.**

**The Corps must have started the MH GRR studies Massive Expansion at the same time.**

**Another Corps lie about a study for nourishing Dauphin Island beaches.**

**2012 Alabama Beach Nourishment Borrow Area Study February 2012.pdf**

Mobile District was asked by the Alabama Department of Conservation and Natural Resources to identify offshore sand resources in state waters **for nourishing Dauphin Island beaches.**

**This is a false statement in a Federal Document. This study is for the State of Alabama to sell sand within the Dauphin Island's corporate limits to the Corps for use on the Mississippi barrier Islands, for \$7 dollars a cubic yard.**

Approximately 250,000 to **300,000 cubic yards** of material are dredged from the channel annually and disposed of in the SIBUA.

**This is a false statement in a Federal Document. The amount dredged was 973,254 cubic yards, that was averaged by the Corps between 1990 to 2015. That was 3 times the amount this study is stating.**

**Corps is paying \$100 million dollars to store 30 million cubic yards of River sand in Alabama.**

**Dauphin Island is eroding away and the Mobile District tested the sand on Dauphin Island for the Mississippi Barrier Islands.**

**2013 Dauphin Island Pilot Study November 2013.pdf**

The eastern tip of Dauphin Island near Fort Gaines is stabilized by a revetment and a series of groins built prior to 1909. However, sand had eroded from behind the structures by 1992 and today are located approximately **340 to 490 feet seaward of the current shoreline.**

This value increases to nearly 30 million cy when considering sites along the Tennessee-Tombigbee River system. Over the years, diminishing storage capacity, primarily in upland placement sites, has resulted in the need for acquisition of additional within-banks and upland areas. The sand stored adjacent to the BWT in existing dredged material placement sites could provide a much needed source for the coast should it meet suitability criteria. **Use of this sand would in turn help restore storage capacity for dredged material removed from these navigation channels.**

Is the Mobile District Corps taking all of the above facts into consideration while doing the massive expansion for 2018-2019 SEIS/GRR

Sincerely,  
Caroline Graves



## Comment 210

**From:** [Henry, Emily](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Port of Mobile ATI Support Letter  
**Date:** Thursday, September 13, 2018 11:31:07 AM  
**Attachments:** [Port of Mobile ATI Support Letter 2018-09-12.pdf](#)

---

Please see attached letter. A hard copy will also be sent in the mail. Let me know if there are any questions!

Thank you,

Emily

---

Emily Henry

Administrative Secretary, Alabama Transportation Institute

3023 Cyber Hall | 248 Kirkbride Lane

The University of Alabama

Tuscaloosa, AL 35487-0288

Tel: 205-348-4341

E-mail: [eehenry@ua.edu](mailto:eehenry@ua.edu)

September 12, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Dear Ms. Jacobson,

*Re: Draft Mobile Harbor, Mobile, Alabama Integrated General Reevaluation Report  
with Supplemental Impact Statement*

On behalf of Alabama Transportation Institute (ATI) at The University of Alabama, I write to offer comments in support of the Tentatively Selected Plan (TSP) identified in the Draft Mobile Harbor, Mobile, Alabama Integrated General Reevaluation Report with Supplemental Environmental Impact Statement. ATI serves as a planning, research and policy resource to advance a 21<sup>st</sup> century transportation system. ATI brings together nationally recognized research and development industry professionals seeking innovative solutions to the challenges of building and maintaining a transportation system that provides safety and mobility for Alabama's citizens, while providing efficient freight movement, stimulating economic growth and conserving energy resources.

The Port of Mobile, operated by the Alabama State Port Authority, is the 10<sup>th</sup> largest seaport in the United States and has been identified as the fastest growing container terminal in North America. The Port Authority has invested more than \$700 million in key expansion projects to keep up with growing demand. While these investments have made it possible to better serve many Port customers and businesses across Alabama and, indeed the Southeastern United States, another critical project must be completed to maintain and enhance the Port's competitiveness and value in an increasingly global marketplace.

The critical need now is to deepen, widen, and improve the ship channel from its current average depth of 45 feet and width of 400 feet. This would enable major economic development opportunities and spur additional investment by allowing larger, wide bodied, bulk carriers in and out of the Port. Furthermore, modernizing the capabilities of the Port will serve to reduce transportation delays and inefficiencies currently experienced due to the limited channel depth and width. These translate to significant cost and time savings to the public as well as businesses.

These enhancements to the Port of Mobile are critical to the immediate and long-term economic success and vitality of our State. It is our belief that the TSP is a responsible plan from both an economic and environmental standpoint and we urge your support.

Sincerely,



Shashi Nambisan, Ph.D., P.E.  
Executive Director, Alabama Transportation Institute

# Comment 211

**From:** [Greg Alexander](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Port Widening Letter of Support  
**Date:** Wednesday, September 12, 2018 2:03:55 PM  
**Attachments:** [Port Widening Letter of Support.pdf](#)

---

Good afternoon,

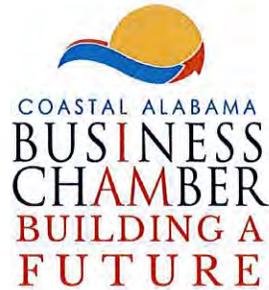
Please see the attached letter of support. Please feel free to reach out to me with any questions.

Respectfully,  
Greg

Greg Alexander  
President & CEO

<Blockedhttps://chambermaster.blob.core.windows.net/userfiles/UserFiles/chambers/487/CMS/convert/www.mygulfoastchamber.com/files/203.jpg>

3150 Gulf Shores Parkway  
Gulf Shores, AL 36542  
Phone: (251) 968-7221  
www.mygulfoastchamber.com <Blockedhttp://www.mygulfoastchamber.com>



U.S. Army Corps of Engineers  
ATTN: PD-F  
P.O. Box 2288  
Mobile, AL 36628

RE: Support of the Mobile Shipping Harbor Channel Expansion Project

Dear Sir or Madam,

Advantage Coastal Alabama, a division of the Coastal Alabama Business Chamber, is writing to inform you that our organization is in full support of the U.S. Army Corps of Engineers' Tentatively Selected Plan to increase the depth and width of the Mobile Shipping Harbor Channel, as outlined in the General Re-evaluation Report and Supplemental Environmental Impact Statement (GRR/SEIS). One of our organization's core missions is to support and expand business and serve as a catalyst to enhance transportation and infrastructure needs. We believe that this project is vital for the continued growth and economic success of the Port of Mobile, and thereby that of Coastal Alabama.

In our business community along the beaches of Coastal Alabama, we depend on the tourism industry and visitors to our area. While the health of our tourism industry is essential to maintaining the quality of life we all enjoy, we also recognize that supporting diverse industries across our region is vital to ensuring a sustainable economy in Coastal Alabama. The Alabama State Port Authority is one of the largest economic engines for the state, with a \$22.4 billion impact. The channel expansion is vital in continuing the growth of the port and increasing the diversity of industries to the State of Alabama. According to an economic impact study from the University of Alabama's Center for Business and Economic Research, the port is responsible for 134,608 direct and indirect jobs in the state with a direct and indirect tax impact of \$486.9 million.

Deepening the channel by 5 feet to a depth of 50 will clear the way for the Port to accommodate larger ships that are already coming through the expanded Panama Canal. Widening the channel for 3 nautical miles will allow two-way traffic making the Port more efficient for importers and exporters. Expanding the Choctow Pass turning basin will

accommodate safe turning of larger vessels and bend easing in the Bar Channel. Channel improvement modifications will help to support the \$350 million in planned and complete capital improvement projects, focused on meeting Post-Panamax vessel requirements as well as the new \$60 million automobile roll-on, roll-off terminal to support automotive logistics in Alabama, which is another major industry. In addition, the channel improvement modifications will result in reduced transportation costs by allowing a more efficient future fleet mix and less congestion when traversing the port.

Preserving and enhancing the natural resources in our environment is also vital to the quality of life and success of our business community, so we were encouraged to see that the feasibility study on this project examined the environmental impacts of expanding the channel. We were also encourage to see that the U.S. Army Corps of Engineers GRR/SEIS shows that, overall, no substantial environmental impacts in aquatic resources are anticipated due to channel modifications. Therefore, Advantage Coastal Alabama, a division of the Coastal Alabama Business Chamber, is providing our letter of support for the U.S. Army Corps of Engineers Tentatively Selected Plan for the Mobile Harbor Channel Expansion project. **We strongly believe that our local businesses and communities, together with those across our region, state, and country, will benefit from the implementation of this proposed project.**

---

Bill Tunnell  
ACA Chairman

---

Nick Wilmott  
Coastal Alabama Business Chamber Chairman

Advantage Coastal Alabama  
251-968-7220

Coastal Alabama Business Chamber  
251-968-7200

P.O. Box 3869, Gulf Shores Al, 36547  
[www.mygulfcoastchamber.com](http://www.mygulfcoastchamber.com)

# Comment 212

**From:** [Brooks McClendon](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Public Comment Submission  
**Date:** Wednesday, September 12, 2018 1:51:15 PM  
**Attachments:** [2018-9-11 Mobile Harbor Public Comment ACE.pdf](#)

---

Good afternoon,

Attached for your review and consideration are comments regarding the Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement for the Mobile Harbor expansion project. Please let me know if I can provide any additional information.

Thank you!

Brooks McClendon  
Manufacture Alabama  
Alabama Iron & Steel Council  
401 Adams Avenue, Suite 710  
Montgomery, AL 36104  
(334) 386-3000 Office  
(205) 903-9156 Cell



September 11, 2018

31 Adams Avenue, Suite 710  
Montgomery, AL 36104  
PH: 334.386.3000  
FX: 334.386.3001  
www.manufacturealabama.org

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
Post Office Box 2288  
Mobile, AL 36628-0001

RE: EIS No. 20180168, Draft, USACE, AL, Mobile Harbor, Mobile, Alabama Draft  
Integrated General Reevaluation Report with Supplemental, Comment

Ms. Jacobson:

Please accept the following comments regarding the Mobile Harbor Tentatively Selected Plan (TSP) as described in the July 2018 Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement (Draft GRR/SEIS).

On behalf of industry and manufacturing in Alabama, and in consideration of businesses and consumers both in the Southeastern United States and across the globe who rely on commerce supported by the Port of Mobile, I offer full support of the expansion and modernization of the Mobile Harbor to accommodate the demands of an ever-growing global commerce system. As cargo shipping vessels continue to evolve and grow, so too must our ports and shipping terminals continue to evolve and grow.

As you likely know, the described TSP would deepen existing channels, ease bending of existing channels, widen an existing bay channel and expand an existing turning basin. These enhancements would greatly increase safety and efficiency by allowing two-way traffic and safer turning of large vessels. Specifically, these enhancements would alleviate the current primary challenge as described by the Draft GRR/SEIS: limited channel depth and width, coupled with the increasing number and size of vessels entering and departing Mobile Harbor, limit vessel cargo capability, restrict vessels to one-way traffic and limit the time of operations.

The Port of Mobile and Alabama's robust waterways transportation system are a key economic driver of the state and region. They are the lifeblood of many Alabama industrial operations. More than 13 percent of Alabama's workforce is engaged in manufacturing, and more than 25 percent of those jobs are engaged in manufacturing exports. Alabama recently boasted nearly \$20 billion in manufactured goods exports during a single calendar year. Finally, as stated in the Report: the TSP is economically justified with a benefit-to-cost ratio (BCR) of 3.0.

It is my hope that you will take these comments and these facts into consideration. Please do not hesitate to contact me should you have any questions or if I can provide any additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'George N. Clark', written over a horizontal line.

George N. Clark  
President, Manufacture Alabama

# Comment 213

**From:** [Ashley Jones Davis](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Channel Widening // Letter of Support  
**Date:** Wednesday, September 12, 2018 11:21:26 AM  
**Attachments:** [Ship Channel Widening Letter of Support\\_NBCoC - SIGNED.pdf](#)

---

Good Morning,

Please find attached comments regarding the Mobile Channel Expansion submitted by the North Baldwin Chamber of Commerce.

Thank you,

Ashley Jones Davis

Executive Director  
North Baldwin Chamber of Commerce  
North Baldwin Chamber Foundation  
301 McMeans Ave / PO Box 310

Bay Minette, AL 36507  
Phone 251.937.5665 ext 2  
Cell 251.752.7933  
Fax 251.937.5670

[ashley@northbaldwinchamber.com](mailto:ashley@northbaldwinchamber.com) <<mailto:ashley@northbaldwinchamber.com>>

Blocked[www.northbaldwinchamber.com](http://www.northbaldwinchamber.com) <Blocked<http://www.northbaldwinchamber.com>>

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<Blocked[https://docs.google.com/uc?](https://docs.google.com/uc?export=download&id=0Bxxml_SVccFkaWV2dTluc111Z0U&revid=0Bxxml_SVccFkMctQSkdWd1RkUE80NzZ1aHNOeHoxMHhUeIIwPQ)

[export=download&id=0Bxxml\\_SVccFkaWV2dTluc111Z0U&revid=0Bxxml\\_SVccFkMctQSkdWd1RkUE80NzZ1aHNOeHoxMHhUeIIwPQ](https://docs.google.com/uc?export=download&id=0Bxxml_SVccFkaWV2dTluc111Z0U&revid=0Bxxml_SVccFkMctQSkdWd1RkUE80NzZ1aHNOeHoxMHhUeIIwPQ)>

<Blocked[https://docs.google.com/uc?export=download&id=1bHy62cAXe5os9FyAFBS9mu2c-](https://docs.google.com/uc?export=download&id=1bHy62cAXe5os9FyAFBS9mu2c-WArkSM_&revid=0Bxxml_SVccFkczA4WFnkNnZIMTJrSi80V0d2WHFXS3lwaDNnPQ)

[WArkSM\\_&revid=0Bxxml\\_SVccFkczA4WFnkNnZIMTJrSi80V0d2WHFXS3lwaDNnPQ](https://docs.google.com/uc?export=download&id=1bHy62cAXe5os9FyAFBS9mu2c-WArkSM_&revid=0Bxxml_SVccFkczA4WFnkNnZIMTJrSi80V0d2WHFXS3lwaDNnPQ)>

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[export=download&id=1ak9\\_SLjfHvijm3XN1VoarQZmuFZj2jEO&revid=0Bxxml\\_SVccFkNXZROG5DMHV1Q1ZGcEdQRW9Sd1NZQUlmdXRBPQ](https://docs.google.com/uc?export=download&id=1ak9_SLjfHvijm3XN1VoarQZmuFZj2jEO&revid=0Bxxml_SVccFkNXZROG5DMHV1Q1ZGcEdQRW9Sd1NZQUlmdXRBPQ)>

<Blocked<https://drive.google.com/a/northbaldwinchamber.com/uc?id=125GwFYngXNFTa4JIHCOAsp9L2Vy086ge&export=download>>



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*Chairman, Ben Hansert • Vice Chairman, Jason Padgett • Secretary, Elizabeth Day • Treasurer, Charlotte England*

---

September 10, 2018

To: U.S. Army Corps of Engineers

**RE: Mobile Harbor GRR/SEIS – Comment Submission**

On behalf of the Board of Directors for the North Baldwin Chamber of Commerce, representing nearly 300 members and more than 4,000 employees, I would like to submit the following comments in support of the Mobile Channel Expansion project:

The Alabama State Port Authority is vital to the economic success of Alabama and expansion of the Channel is vital in maintaining the Port's growth. With the expansion of the Panama Canal, ships traveling through are larger, the current Channel's dimensions place constraints on these larger container ships and restricts many of them to one-way traffic, thus reducing efficiency and increasing the cost of doing business. The container business has been a point of strong growth for the Port of Mobile in recent years, but the current channel conditions threaten to slow the growth, giving the advantage to other ports with deeper channels.

A deeper and wider channel will allow the port to accommodate larger ships; A deeper channel also allows ships to carry more weight, making the port more efficient for importers and exporters. These Channel improvement modifications will result in reduced transportation cost by allowing a more efficient future fleet mix and less congestion when traversing the port. With a deepened channel, carriers will be able to load vessels more efficiently and thereby reduce transiting costs.

Locally, for Coastal Alabama to continue its initiative in industry growth and to support already existing industries such as Airbus, Amazon, Walmart and more; the Port must be able to accommodate the needs of those industries—existing and future. In North Baldwin County, the Port plays a major role in Economic Development recruitment as the 3,000-acre South Alabama MegaSite is merely a train or truck ride away from the Port. Port accessibility and capability will play an essential role in recruiting the right industry to the shovel ready site.

The Alabama State Port Authority is one of the largest economic engines for the state, with a \$22.4 billion economic impact; it saw a record 20% container growth in 2017; it currently has \$350 million in planned and completed capital improvement projects; and early next year the Port will start construction on a new \$60 million automobile roll-on, roll-off terminal. The Port is growing and adapting as industries grow and change. Now that ships traversing the Panama Canal into the Gulf are growing and changing, it is time for the Mobile Channel to grow and adapt as well.

Thank you,

A handwritten signature in black ink that reads "Ashley Jones Davis".

Ashley Jones Davis  
Executive Director  
North Baldwin Chamber of Commerce  
301 McMeans Ave, Bay Minette, AL 6507  
Ph. 251-937-5665 ext 2  
ashley@northbaldwinchamber.com

# Comment 214

**From:** [Ouida Shears](#)  
**To:** [Mobile Harbor GRB](#); [Ouida Shears](#)  
**Subject:** [Non-DoD Source] WIDENING OF THE MOBILE HARBOR  
**Date:** Tuesday, September 11, 2018 3:52:35 PM  
**Attachments:** [widening of lha harbor 091118.docx](#)

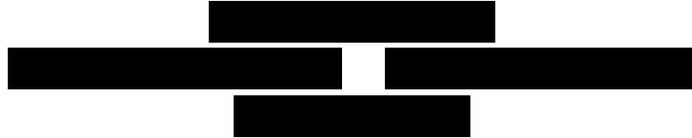
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I, Ouida T Shears, am in full support of the widening of the harbor. Please see attached

--

\*\*\*\*\*

Ouida T Shears  

September 11, 2018

Mobile Harbor GRR  
USA, CE

Dear Sir or Madam:

*I am in full support of the widening of the harbor. I foresee the progress and commerce that this project will lend to the growth of our city and beyond.*

Sincerely,

Ouida T. Shears  
Secretary/Treasurer  
Africatown Business and Community Panel  
(ABCP)

# Comment 215

**From:** [Patricia Linder](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor deepening project report  
**Date:** Tuesday, September 11, 2018 3:37:23 PM

---

We are unable to stand the re-scheduled meeting about the Mobile Harbor project scheduled for this evening in Mobile. We are writing once again to express our belief that a deepened Mobile Harbor ship channel has the real potential to worsen existing environmental impacts and to create new impacts within Mobile Bay, to Dauphin Island, and even to neighboring barrier islands in Mississippi.

Since 1980, when that year's Corps' report recommending the channel be deepened was deficient because the Dauphin Island erosion problem was not addressed, there has been SIGNIFICANT erosion of the Sand/Pelican Island complex and of Dauphin Island. Why has the Corps of Engineers ignored 38 years of shoreline erosion impacts?? It is a fact that Dauphin Island has been weakened and endangered. It is very distressing that the Corps seems to be using cost as the only consideration in determining how and where to lift and dispose of the dredged sand. It has become apparent (even to non-engineers like us) that the SIBUA only maintains the Bar Channel and contributes GREATLY to the erosion of Dauphin Island.

The Corps knew in 2009 that dredged sands accumulate in the SIBUA instead of moving to Dauphin Island as promised!! How can the Corps continue to violate the spirit and intent of the Settlement Agreement of 2009, knowing the sands in the SIBUA DO NOT return to the littoral drift system to nourish Dauphin Island? How can the Corps let the cost and convenience of the old, failed way of removal and distribution override the lives and livelihood of the people in our area, and the habitat for ocean, marsh, and island plants and animals?? It is SHAMEFUL!!

My husband and I are volunteers with Share the Beach, an organization and program to find, secure, and monitor sea turtle nests. We are seeing fewer and fewer nests here on Dauphin Island, and we believe that fact is due to beach erosion. There appears to be no other reason why Dauphin Island should have so many fewer sea turtle nests than Orange Beach, Gulf Shores, and Ft. Morgan.

We are asking WHY our endangered barrier island is NOT the #1 PRIORITY in your considerations? You can still widen and deepen the Mobile channel while still placing dredged sands where they will replenish Dauphin Island, not cause further erosion. So, please, do the right thing.....and make the decision and effort to place dredged sands in shallow water in the littoral drift system.

Respectfully and hopefully,

A large black rectangular redaction box covering the signature of the sender.

Sent from my iPad

# Comment 216

**From:** [angela jones](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] The Mobile Harbor Deepening and Widening  
**Date:** Tuesday, September 11, 2018 2:35:44 PM

---

The AfricaTown Community Development Corporation (ACDC)

We are in full support of the deepening and the widening of the Mobile Harbor. We understand and know what this will do to boost the economy of Mobile and make our Mobile Harbor one of the best or the best Harbor in the world.

May the Lord bless this project.

Yours truly,

Cleon J. Jones, ACDC President

Angela M. Jones, Secretary

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<Blocked[https://www.avast.com/sig-email?utm\\_medium=email&utm\\_source=link&utm\\_campaign=sig-email&utm\\_content=webmail&utm\\_term=link](https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=link)>

## Comment 217

**From:** [Mary Lou](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Please reconsider  
**Date:** Tuesday, September 11, 2018 5:45:33 AM

---

To Whom it May Concern:

Please reconsider this dredging project.

Are you doing the right thing for the right reason? Will the goal you are trying to accomplish outweigh the potential negative effects, short term as well as into to the future?

After reading the data, it's difficult to imagine the benefit outweighing the potential damage to the fragile ecosystem, including the barrier islands.

Thank you.

Michael and Mary Lou Serchen

# Comment 218

**From:** [lucy cope](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Comments on Dauphin Island erosion  
**Date:** Monday, September 10, 2018 5:26:13 PM

---

Dear Sir:

I attended your last open meeting at the Convention Center and was shocked and horrified at the calm statements from your scientific personnel regarding your plans to widen and deepen the ship channel in Mobile Bay. All models ASSURE them that there will be no negative impact on the sea life, salinity, erosion, you name it. Everything will just be fine and dandy.

This letter is not going to be technical. You will have received technical letters but I firmly and loudly protest the results of the Corps numerical modeling study results that allege maintenance of the Bar channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact that the model results do not match the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22 public meeting that the use of the Sand Island Beneficial Use Area was preventing at least half of the sands that would naturally have been carried to Dauphin Island from reaching the island. In addition the Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters.

**THESE FACTS INDICATE THE LOSS OF MILLIONS OF CUBIC YARDS OF BEACH QUALIFY SANDS DUE TO THE UNWISE CHANNEL DISPOSAL PRACTICES THAT HAVE AND CONTINUE TO ADVERSELY AFFECT DAUPHIN ISLAND.**

Many people have tried to work with you and complaints have fallen on deaf ears. You are ruining a beautiful and necessary barrier island that protects the mainland.

Lucy Cope



## Comment 219

**From:** [Tanner Jones](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Baldwin County EDA - Letter of Support and Comments  
**Date:** Monday, September 10, 2018 4:46:19 PM  
**Attachments:** [image001.png](#)  
[Baldwin County EDA - Letter of Support and Comments.pdf](#)

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See attached for a letter of support/comments from the Baldwin County Economic Development Alliance. If there are any technical issues with the letter, please let me know.

Thank you.

Tanner Jones, Research Analyst

Baldwin County Economic Development Alliance

Blockedwww.baldwineda.com <Blockedhttp://www.baldwineda.com/>

Office: (251) 970-4003

Cell: (251) 504-3990



**BALDWIN  
COUNTY**

ECONOMIC  
DEVELOPMENT  
ALLIANCE

P.O. BOX 1340 ROBERTSDALE, AL 36567  
[www.baldwineda.com](http://www.baldwineda.com)

Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628

Jennifer,

The Baldwin County Economic Development Alliance is a public-private partnership that represents Baldwin County to companies looking at locating in the region or expanding their existing Baldwin County operation. Our organizational focus revolves around growing and improving Baldwin County's economy and ensuring exceptional quality of life for everyone who lives and works in our county.

One of Baldwin County's greatest assets is our accessibility to the Port of Mobile, which provides local operations with the ability to serve international markets and ship raw materials used in their manufacturing process. Many companies that have chosen to locate in the Mobile-Baldwin region, have chosen to do so because of the potential for easy access to the Port of Mobile.

The Alabama State Port Authority has been consistent in making improvements to the Port of Mobile, in order to meet the needs of our region's businesses and prepare for new businesses in the future. Each time that these improvements have been made, Baldwin County has seen an increase in the number of companies that look at our region as a potential destination for their new or expanding operations.

Having a first-hand view of the port's impact on our local and regional economy, the Baldwin County Economic Development Alliance fully supports the deepening and widening of the Port of Mobile. We believe that these improvements at the port will not only increase the effectiveness of the port in serving its customers but also provide new opportunities for the Baldwin County economy.

If there is any additional information that we can provide to support these improvements at the Port of Mobile, feel free to contact us at any time.

Thank you,

Lee Lawson  
President and CEO

22251 Palmer Street | P.O. Box 1340 | Robertsdale, AL 36567  
Phone: 251-970-4083 | Fax: 251-970-4084 | email: [llawson@baldwineda.com](mailto:llawson@baldwineda.com)

## Comment 220

**From:** [Blake Hardwich](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Energy Institute of Alabama Comments RE: Mobile deepening and widening environmental impact study  
**Date:** Monday, September 10, 2018 3:43:08 PM  
**Attachments:** [image001.png](#)  
[EIA Comments RE Mobile EIS.pdf](#)

---

To whom it may concern:

Please find attached comments regarding the Mobile deepening and widening environmental impact study. Should you have any questions, please do not hesitate to contact me.

Thank you for your attention to this matter.

Sincerely,

Blake Hardwich

Blake Hale Hardwich

Executive Director

Energy Institute of Alabama

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Follow us on Twitter:

<Blockedhttps://twitter.com/EnergyofAL>



September 10, 2018

Colonel Sebastien P. Joly  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, Alabama 36628-0001  
Address

Re: Draft General Evaluation Report and Supplemental Environmental Impact Statement (GRR/SEIS)

Dear Colonel Joly:

On behalf of the Energy Institute of Alabama (EIA), I write to express our strong support for the U.S. Army Corps of Engineers' Draft GRR/SEIS and the proposed widening and deepening of the Mobile channel. We believe this project is essential to the robust, long-term economic success of our state and agree with the report's findings that it can be accomplished in an economically and environmentally feasible and responsible manner.

The Alabama Port Authority is the 10<sup>th</sup> largest full-service seaport in the United States, is responsible for 134,608 direct and indirect jobs in the state, and is one of the state's largest economic engines with an estimated \$22.4 billion economic impact. This project will create jobs, spur investment, and greatly enhance the ability of goods and commerce to flow through our port infrastructure, further improving the overall quality of life for those living throughout our region.

Over the years, Alabama's port has experienced substantial growth and dramatic increases in traffic and the existing dimensions of this channel place constraints on deeper drafting containerships and coal carriers, which result in reduced efficiency and increased costs. Expanding the Mobile channel is vital to maintaining port growth and accommodating post-Panamax vessels to meet the needs of our ever-changing global marketplace and the bulk carriers on which our energy industry heavily relies.

We believe the report was carefully and objectively performed and properly finds that this project can be accomplished. Deepening the channel by 5 feet to a depth of 50 feet and widening the channel for 3 nautical miles to allow for two-way traffic, is an excellent economic development opportunity for our state.

We are happy to support this report and project and look forward to working together to make it a reality.

Sincerely,

A handwritten signature in black ink that reads "E. Blake Hale Hardwich". The signature is written in a cursive, slightly slanted style.

Blake Hale Hardwich  
Executive Director  
Energy Institute of Alabama

# Comment 221

**From:** [Blake Hale Hardwich](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] CARIA Comments RE: Mobile deepening and widening environmental impact study  
**Date:** Monday, September 10, 2018 3:29:02 PM  
**Attachments:** [CARIA Comments re channel widening.pdf](#)

---

To whom it may concern:

Please find attached comments regarding the Mobile deepening and widening environmental impact study. Should you have any questions, please do not hesitate to contact me.

Thank you for your attention to this matter.

Sincerely,

Blake Hardwich

Blake Hale Hardwich

Executive Director

Coosa-Alabama River Improvement Association

Blockedwww.caria.org

770 Washington Ave., Suite 150

Montgomery, Alabama 36104

PO Box 388

Montgomery, Alabama 36101-0388

Blake Hale Hardwich  
Special Counsel

<Blockedhttp://www.adamsandree.com>  
1901 6th Avenue North, Suite 3000 | Birmingham, AL 35203  
main 205.250.5000 | direct 205.250.5060 | mobile 334.235.1718  
efax 205.488.8060 | fax 205.250.5034

770 Washington Avenue, Suite 150 | Montgomery, AL 36104

main 334.593.5560 | direct 334.593.3383

20 F Street, Suite 500 | Washington, DC 20002

main 202.737.3234 | fax 202.737.0264

blake.hardwich@arlaw.com <<mailto:blake.hardwich@arlaw.com>>

website <Blocked<http://www.adamsandree.com>> bio <Blocked<https://www.adamsandree.com/people/blake-hardwich>> vCard <Blocked<https://www.adamsandree.com/api/vcard/5a845f43901881002908cd35>> map

<Blocked<https://maps.google.com/maps/ms?msid=209405153191775749781.0004ca1332d970af45320&msa=0>>

<Blocked<http://www.linkedin.com/company/adams-and-reese-llp>> <Blocked<http://twitter.com/adamsandree>>

<Blocked<http://www.facebook.com/adamsandree>>

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**C**oosa-Alabama River  
Improvement  
Association, Inc.

*Over 125 years of service to State and Nation*

770 Washington Avenue, Suite 150  
Montgomery, AL 36104  
PO Box 388  
Montgomery, AL 36101-0388  
(334) 265-5744  
Email: [info@caria.org](mailto:info@caria.org)  
Website: [www.caria.org](http://www.caria.org)

September 10, 2018

Colonel Sebastien P. Joly  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, Alabama 36628-0001  
Address

**OFFICERS**

**Allen Henry**  
Chairman  
Spanish Fort, Alabama

**Greg Norris**  
Vice-Chairman - Alabama  
Monroeville, Alabama

**Charles Stover**  
Secretary-Treasurer  
Montgomery, Alabama

**ADMINISTRATION**

**Blake Hale Hardwich**  
Executive Director

Re: Draft General Evaluation Report and Supplemental Environmental Impact Statement (GRR/SEIS)

Dear Colonel Joly:

On behalf of the Coosa-Alabama River Improvement Association (CARIA), I am writing to express our strong support for the U.S. Army Corps of Engineers' Draft GRR/SEIS and the proposed widening and deepening of the Mobile channel. As an economic development organization that seeks to promote the multipurpose use of our waterways while at the same time preserving and protecting the ecological health of our river basins, CARIA firmly agrees with the report's findings that this project can be accomplished in an economically and environmentally feasible and responsible manner while at the same time supporting our state's and the federal government's overarching policy goal of enhancing economic competitiveness.

As evidenced by this letter, we are committed to the robust, long-term economic success of our state and recognize that this critical project not only significantly improves the movement of goods and commerce through our port, but also leverages the more than \$1 billion that has been invested in inshore waterways infrastructure which has greatly enhanced the condition and reliability of the same.

The proposed widening and deepening of the Mobile channel will create jobs, spur investment, and improve the overall quality of life for those living and working in and around our inland waterways, the critical commercial water corridors of our state. Without this project, trade, commerce, residents, and entire communities throughout the state will be at an economic disadvantage.

Additionally, a deeper and wider channel will allow the port to accommodate much larger ships helping to alleviate transportation delays and inefficiencies due to such limiting factors, which tend to have a cascading effect impacting our inland waterways and shoreside infrastructure. By reducing transportation costs and congestion and facilitating a more efficient future fleet mix, this project will create jobs and increase economic competitiveness, two of the primary goals of our organization.

Therefore, we are happy to support this project and the Corps' Draft GRR/SEIS, and look forward to working together to make this effort a reality.

Sincerely,

A handwritten signature in black ink that reads "E. Blake Hale Hardwich". The signature is written in a cursive style with a large initial "E".

Blake Hale Hardwich  
Executive Director  
Coosa-Alabama River Improvement Association

## Comment 222

**From:** [carol merkel](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] att: COL Sebastian P. Joly  
**Date:** Monday, September 10, 2018 3:27:07 PM

---

COL Sebastian P. Joly

District Commander,

U.S. Army Corps of Engineers

Mobile District

Dear Sir,

As a resident of Dauphin Island for the past quarter of a century I have deep concerns about the proposed deepening and widening project for the Port of the City of Mobile.

In every other area of the country this type of project has been accompanied by a substantial mitigation project. Why should the Corps consider such a project to be any less important to Dauphin Island and the surrounding area? The report indicates a significant cost-to-benefit ratio, yet it appears that none of the monies will go toward such a mitigation project. There is a great deal at stake to our environment and way of life that the Corps fails to take into consideration or gloss over because it does not seem to mesh with its own plans.

I have personally watched the oyster population (and the industry itself) become almost decimated and as you are aware, oysters are a major indicator of our marine environment's health. I have personally raised thousands of spats in an effort to reseed the waters. I do not believe the effects of further dredging and sand placement on marine life in Mobile Bay has been adequately studied.

Early studies have left Dauphin Island out completely when it came to studying the Erosion Impact of further dredging. For years islanders have fought the Corps and tried to prove how the dredging practices were detrimental to our beaches. Yet the erosion continued and we were ignored.

A broken promise: As a result of a lawsuit settled in 2009, the Corps promised to place dredged sand in such a position that Dauphin Island would be nourished. The placement did not prove to have the intended results and despite the Corps' early knowledge of this fact, nothing was done to attempt a correction of the promised action.

It appears that the Corps has a pattern and practice of either ignoring, denying or totally dismissing the claims of those of us who have watched the results of dredging practices which have proved detrimental to the island. I have watched District Commanders come and go and with them any hope of the promises they made during their brief tenure.

There are others much more knowledgeable about the scientific facts regarding the studies and reports periodically spewed forth to try to appease residents as to the transparency of the Corps in language designed to inform only those with lofty degrees in those subject areas. Despite my extensive higher education in other fields, I find many of the Corps' reports difficult to comprehend. In my personal effort to have the general public understand the information I am disseminating in seminars, I break the information down to an appropriate level of my audiences' understanding. It would be appreciated if the Corps would do the same.

Please, do not ignore our island once again. Be the Commander who actually listens.

Thank you for your time,

Carol Merkel

Dauphin Island resident



## Comment 223

**From:** [Julie C Alsup](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Marlon Jones](#)  
**Subject:** [Non-DoD Source] Comments re: Mobile Harbor project  
**Date:** Monday, September 10, 2018 3:14:05 PM  
**Attachments:** [International Paper Mobile Harbor Support Letter 9 10 18.pdf](#)

---

Please see the attached International Paper comments regarding the Mobile Harbor project. Specifically: Mobile Harbor, Mobile, Alabama Draft Integrated General Reevaluation Report with Supplemental EIS Number 20180168.

Thanks,

Julie

Julie Alsup | Government Relations Manager | International Paper

1101 Pennsylvania Avenue, NW, Suite 200 | Washington, DC 20004 | 202-628-7252 | [ipgovernmentrelations.com](http://ipgovernmentrelations.com)

**JULIE ALSUP**  
GOVERNMENT RELATIONS MANAGER  
GLOBAL GOVERNMENT RELATIONS

1101 PENNSYLVANIA AVENUE NW  
SUITE 200  
WASHINGTON DC 20004

T 202 628-7252  
F 202 628-1368  
JULIE.ALSUP@IPAPER.COM

September 10, 2018

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

RE: Mobile Harbor, Mobile, Alabama Draft Integrated General Reevaluation Report with Supplemental EIS Number 20180168

Dear Ms. Jacobsen,

On behalf of International Paper's 2,140 employees in Alabama and our leadership as a freight shipper across the U.S., we write in support of the proposed project to deepen and widen the Mobile Ship Channel. International Paper is the second largest U.S. exporter by volume and ensuring the safe and efficient movement of freight to our U.S. and global customers is a priority. Investing in improvements to the Mobile Harbor is a critical way for exporters like International Paper to compete in the international marketplace.

Please see the enclosed document highlighting International Paper's presence and community impact in the state of Alabama.

Thank you for your time and attention to this important project. Please contact me or Marlon Jones ([marlon.jones@ipaper.com](mailto:marlon.jones@ipaper.com)) with any questions.

Regards,





## LOCATIONS

-  Industrial Packaging Plant: **4**
-  Industrial Packaging Mill: **2**
-  Printing Papers Mill: **1**
-  Global Sourcing: **2**

## PEOPLE

Employees are our greatest assets and advocates.



Employees:  
**2,140**



Sites in AL:  
**9**



Payroll, Taxes,  
& Benefits:  
**\$262 million**

## ECONOMIC IMPACT

Working together with our suppliers ensures quality products and services for our customers.



Total Supplier Spend: **\$629 million**



Minority & Women-Owned  
Business Suppliers:  
**\$28.8 million**



Small & Medium-Sized  
Business Suppliers:  
**\$211 million**

## LOCAL INVESTMENT

We support and strengthen the communities where our employees live and work.



Capital Investment  
since 2014:  
**\$398 million**



NFWF  
Forestland Stewards  
Partnership:  
**\$837,000**

## PRODUCTS & CUSTOMERS

Making products people depend on every day.

- Boxes
- Building materials
- Sheets
- Internal box plants
- Protein & processed foods
- Consumer & industrial goods
- Paper merchants & office product retailers

## INVESTING IN AMERICA

We continue to invest in our business to meet market demand and adapt to the changing needs of customers and the marketplace. In Alabama, we invested \$397 million since 2015 to further improve our containerboard mill system, enhance product quality and reduce manufacturing and delivery costs. In fact, Alabama ranks second compared to other states with regard to capital investments made during this period.



## INDUSTRIAL PACKAGING

**BAY MINETTE BOX PLANT** | 100 Dickman Rd, Bay Minette AL 36507

**DECATUR BOX PLANT** | 151 Ipsco Street, Decatur AL 35601

**DOTHAN SHEET PLANT** | 368 Technology Drive, Dothan AL 36303

**HUNTSVILLE SHEET FEEDER PLANT** | 3461 Wall Triana Hwy SW, Huntsville AL 35824

**PINE HILL MILL** | 7616 Hwy 10 W, Pine Hill AL 36769

**PRATTVILLE MILL** | 100 Jensen Rd, Prattville AL 36067

## PRINTING PAPERS

**RIVERDALE MILL** | 601 County Road 78, Selma AL 36701-8311

## GLOBAL SOURCING

**NORTH ALABAMA AREA GLOBAL SUPPLY** | 200 Jensen Road, Prattville AL 36067

**SELMA AREA GLOBAL SUPPLY** | 3203 International Drive, Selma AL 36703

## Comment 224

**From:** [pattiorourke@gulftradingllc.com](mailto:pattiorourke@gulftradingllc.com)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [John Stimpson](#)  
**Subject:** [Non-DoD Source] Deepening of Channel Ltr  
**Date:** Monday, September 10, 2018 2:59:50 PM  
**Attachments:** [Deepening of Channel Ltr.pdf](#)

---

Ms. Jacobsen,

Please find attached a letter in support of deepening the channel.

Thanks,

Patti

Patti O'Rourke

Gulf Trading, LLC

P.O. Box 305

Mobile, AL 36601

d. 251.281.1980

f. 251.281.1988

[pattiorourke@gulftradingllc.com](mailto:pattiorourke@gulftradingllc.com) <Blocked<http://www.gulftradingllc.com/>>

Blocked[www.gulftradingllc.com](http://www.gulftradingllc.com/) <Blocked<http://www.gulftradingllc.com/>>



# SOUTHERN INTERMODAL XPRESS, LLC

*IMPORT / EXPORT CONTAINER SPECIALIST – SERVING THE SOUTHEAST*

Post Office Box 929 • Mobile, Alabama 36601

September 10, 2018

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers, Mobile District  
PO Box 2288  
Mobile, AL 36628-0001  
Email: [MobileHarborGRR@usace.army.mil](mailto:MobileHarborGRR@usace.army.mil)

To whom it May Concern:

I would like to write and express my support for the deepening of the ship channel.

I own and operate Southern Intermodal Xpress employing 200 in the mobile community.

Our operations rely on the container terminal as our revenue is 100% dependent on container traffic at APM Terminals. We are a local dray carrier running 160 trucks in the local market.

The deepening of the channel will allow us to continue growing and increase employment. This project is crucial for the continued success of the container terminal. It will allow us to compete with East Coast and other Gulf Coast ports.

Thank you again,



John Stimpson

# Comment 225

**From:** [Mitch Mays](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] TENN TOM WATERWAY DEVELOPMENT COUNCIL SUPPORT OF PORT OF MOBILE  
**Date:** Monday, September 10, 2018 11:31:34 AM  
**Attachments:** [TTWDC Support of Port of Mobile 2018.pdf](#)  
[20018 001 Resolution to Support Port of Mobile Channel Harbor Improvements.pdf](#)

---

Dear Ms. Jacobson,

Please find attached a letter of support and a resolution of support for the proposed Port of Mobile improvements to their channel and harbor. Please let me know should you have any questions.

Mitch

Mitch Mays, Administrator

Tennessee-Tombigbee Waterway Development Authority

Post Office Drawer 671

318A Seventh Street North

Columbus, MS 39703

office (662) 328-3286 mobile (256) 577-8999

mays@tenntom.org

Blockedwww.tenntom.org



# Tennessee-Tombigbee Waterway Development Council

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August 21, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Dear Ms. Jacobson,

The Tennessee-Tombigbee Waterway Development Council (the Council) strongly supports the proposed improvements to the harbor and channel of the Port of Mobile. The proposed improvements will enhance the economic benefits to the Port of Mobile and the Tennessee-Tombigbee Waterway in addition to increasing commerce. This project has the potential to generate new capital investment and job creation in the states of Alabama, Kentucky, Mississippi, and Tennessee, where the majority of members of the Tennessee-Tombigbee Waterway Development Council reside.

The Tennessee-Tombigbee Waterway Development Council was established in 1984 by resolution of the Tennessee-Tombigbee Waterway Development Authority, a four-state compact composed of the states of Alabama, Mississippi, Tennessee, and Kentucky and authorized by the U.S. Congress. The Council advises the governors of the states of Alabama, Kentucky, Mississippi, and Tennessee and serves as a liaison between the Tenn-Tom Waterway commercial users and federal and state agencies. The Council is a private non-profit organization with more than 200 dues paying members in 12 states and is composed of representatives of the private sector, states, counties, and local governments as well as other waterway related interests. In particular, the Council represents commercial users in the operation and maintenance of the Tenn-Tom Waterway and its potential impacts on their interests. The economic interests of our members are far ranging, including economic development, recreation, tourism, and trade.

Sincerely,

  
Mitchell B. Mays  
President

## Comment 226

**From:** [Walter Verneuille](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Project  
**Date:** Monday, September 10, 2018 9:19:30 AM

---

Ms. Jennifer L. Jacobsen,

On behalf of our management team here at Bayou Concrete, LLC we herewith endorse the proposed project for the deepening and widening of the Mobile ship channel.

Bayou Concrete has been providing ready mix concrete on the Alabama and Mississippi Gulf Coast since 1980.

We have recently seen some tremendous industrial and commercial growth from some global companies, providing excellent employment and economic impacts from their locating in our region.

We feel confident from the feedback we hear, that these global companies are and will continue to spur more industry and commercial expansion given all the transportation resources our area has to offer.

On behalf of Bayou Concrete we endorse the project and solicit your consideration in approving this channel improvement expansion.

Best Regards,

Walter D. Verneuille

Email: [wverneuille@bayouconcretellc.com](mailto:wverneuille@bayouconcretellc.com)

Bayou Concrete LLC

## Comment 227

**From:** [Dan Reimer](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [ljackson@mobilebaykeeper.org](mailto:ljackson@mobilebaykeeper.org)  
**Subject:** [Non-DoD Source] Serious concerns related to proposed deepening and widening of Mobile ship channel.  
**Date:** Sunday, September 9, 2018 3:03:32 PM

---

To the USACOE, Mobile

Submitted during the open comment period on the proposal to deepen and widen the Mobile ship channel.

Dear Sir/Ms:

As a lifelong resident of Mobile and as a member of a family with waterfront property at Point Clear, Alabama for over 100 years, I have familiarity with Mobile Bay and sand migration and shore erosion.

I am extremely concerned that the proposed project would result in larger ships with larger wakes and heavier pounding of our shorelines resulting in even more erosion.

Our property's shoreline has eroded at least 50 feet in the past 35 years. (Data verifiable with coastal engineer reports, surveys, etc.)

The sand you intend to remove both on the initial work and the required periodic maintenance arrived into the ship channel area by migrating around the bay. If you continually remove sand from the channel without returning some to the eroding shorelines, those very shorelines will hasten to erode, damaging property values, making homes more susceptible to storm damage, etc.

You state that "more" ships will not come, but just "larger" ships. I challenge you to support that theory, and I suspect BOTH "more AND larger" ships will eventually come further eroding our shorelines and nearby wetlands.

Possible solutions? A MANDATORY speed reduction of ALL ships in the channel to prevent large wake shoreline erosion.

Also, relocate dredged sand to areas showing shoreline erosion. For example, the eastern shore at Zundel's wharf and northward. Also offer some to the municipalities of Falrhope and Daphne for public beach replenishment as needed.

I will attend the public forum this Tuesday, and look forward to receiving feedback from you on these issues.

Thank you.

Daniel E. Reimer, MD

Sent from my iPad

## Comment 228

**From:** [Garrett Mangum](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Bay deepening and expansion  
**Date:** Saturday, September 8, 2018 7:01:05 PM

---

Col Sebastian Joly,

I am a landowner on Dauphin Island concerned about the ongoing problems with erosion and the obvious effects of the channel dredge. I understand that this channel will be widened and that citizens while given a voice at the meetings really hold no power in changing the minds or policies of the Army Corp of Engineers. I get that. However as interested owner I have hope that the Corp will do what is right by the Island and it's neighbors.

Multiple studies have been conducted over the years and solutions have varied but ultimately it has been proven that the ship channel has negative effects on the beaches, sand movement, etc. Millions have been spent on these studies and yet at this late date no resolution that is satisfactory to all parties has been found. May I suggest that the Corp admits that the islands health and the first line of hurricane defense for Mobile Alabama remains a priority as well as commerce into the Port. These two concerns do not necessarily have to be in conflict. Has any thought been given to an additional nominal tonnage fee for all channel traffic which will be used on an ongoing basis for a beach replenishment program? Such a program would go a long way towards a feeling that the Corp cares about it's pronounced effects to the island and cares about the impact to the citizens. While this service may not fall under the Corps ability to administer surely some agency can do this simple transaction.

The hope of course is and always has been that the Corp would do what is right by all concerned be it proper sand relocations which will naturally nourish the beaches, or provide assistance in a program of continued beach enrichment. Please don't just dredge and leave us hanging. That has always lead to legal action, which has always been absolutely futile for all concerned. I ask you to please consider doing what is right by all parties. A King Solomon approach is needed.

Thank you,

Garrett Mangum



## Comment 229

**From:** [Jean Cockrell](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [krumpelt12@comcast.net](mailto:krumpelt12@comcast.net); [Facebook Cockrell](#); [fanmurray@bellsouth.net](mailto:fanmurray@bellsouth.net)  
**Subject:** [Non-DoD Source] TSP Proposal  
**Date:** Saturday, September 8, 2018 11:40:23 AM

---

As an owner of two properties on the east end on Dauphin Island, I am desperately appealing to your logic, to reconsider the TSP Plan. It has been proven that such actions can and will cause further erosion on Dauphin Island, especially the east end. The oyster industry will also suffer possible irreparable damage. No one really knows the effects that the disposal of dredged material will have on the other sea life but the prospect is not good.

I'm sure that you have gotten far more detailed and fact proving requests, but I am not an engineer or anyone who understands the reasons for the effect of this proposal. I am simply a property owner who in watching our island disappear! The effect of this erosion on the city of Mobile can also not be underestimated as we serve as a barrier island that serves to greatly protect the city.

I am not going to continue, or make this a lengthy appeal, in the hopes that it will actually be read! I know that there must be some rationale for the project, but I strongly believe the effects will only serve to cause many more problems for us and you than you are anticipating.

Thank you for your time and consideration,

Jean and Charles Cockrell

Sent from my iPhone

# Comment 230

**From:** [Warren, Carl](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening Comments - CSX  
**Date:** Friday, September 7, 2018 3:24:13 PM  
**Attachments:** [V9225scan084609.pdf](#)

---

Dear Ms. Jacobsen:

CSX Transportation is pleased to have the opportunity to comment on the General Reevaluation Report (GRR) and the Supplemental Environmental Impact Statement concerning Mobile Harbor. Our comments are attached to this email in a .pdf file containing our letter.

Please do not hesitate to contact me if you have any questions.

Thanks!

Carl Warren

Carl Warren

CSX Transportation

Director Port Development

500 Water Street, J-915

Jacksonville, Florida 32202

Carl\_Warren@csx.com <[mailto:Carl\\_Warren@csx.com](mailto:Carl_Warren@csx.com)>

(904) 359-1148

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CSX Transportation, Inc.  
500 Water Street, J 915  
12<sup>th</sup> Floor  
Jacksonville, Florida 32202  
Telephone 904-359-1148  
Carl\_Warren@csx.com

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**CARL WARREN**  
**Director Port Development**

September 7, 2018

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers, Mobile District  
PO Box 2288  
Mobile, AL 36628-0001

**Re: Mobile Harbor General Reevaluation Report (GRR) Supplemental Environmental Impact Statement**

Dear Ms. Jacobsen:

CSX Transportation, Inc. ("CSXT") appreciates the opportunity to comment on the GRR and Supplemental Environmental Impact Statement concerning Mobile Harbor. CSXT provides an important link to the global supply chain with its 21,000 route mile rail network. CSXT serves Mobile, and its rail transportation product meets the needs of manufacturers, industrial producers, the automotive industry, construction companies, farmers and feed mills, wholesalers, retailers, and energy producers.

Because CSXT has a diverse customer base and international connectivity, the company is acutely aware of the vital importance of dredging to support efficient handling of the larger vessels now common in bulk and container shipping.

CSXT notes the following specific benefits to the project:

1. Based on the existing traffic and the delays caused by one way traffic when wide beam or passenger carrying ships are moving, the widening of a 3 mile segment from the current 400' width to 500' will allow ships to pass each other and reduce the delays of arrival and sailing significantly. Enhancements to safety and efficiency associated with a wider channel will also improve the ability of the port and its service providers to meet the growing needs of port customers.

2. The deepening of the channel from the sea buoy in the Gulf to the Mobile Container Terminal will allow additional tonnage to move via the McDuffie Coal Terminal and the Mobile Container Terminal. The added tonnage per vessel will result in economies of scale, enhancing port competitiveness. Larger container ships mean more available slots for Mobile containers as well as added empty containers for increased export shipments, creating opportunities for local businesses.
3. Increasing the size of the Choctaw Pass Turning Basin will allow the larger vessels to turn.

Thank you for the opportunity to comment in this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Warren", followed by a long horizontal line extending to the right.

Carl Warren  
Director Port Development  
CSX Transportation

## Comment 231

**From:** [wbinge](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor GRR Supplemental Environmental Impact Study  
**Date:** Friday, September 7, 2018 2:41:04 PM

---

Good day Ms. Jacobsen,

The State of Alabama has experienced tremendous growth in the last several years. This is especially true in the automotive and aerospace industry. A key component to our growth has been the port.

I feel that a need for the widening of a 3 mile segment of the current channel of 400 feet to 500 feet and deepening of the channel from the sea buoy to The Mobile Container Terminal from the current 45 feet to 50 feet, will benefit all parties involved in the maritime industry and the state as a whole.

Please keep in mind that the post panamax vessels are larger and deeper now which means that they will require wider and deeper channels. If we do not keep up with the growing trend of the larger and deeper draft vessels, we will fall behind the commercial requirements of the maritime industry and the industries it serves.

In view of the above, I ask for your support for the widening of the channel for the "3 mile passing lane", the deepening of the channel to 50 feet as well increasing the size of the Choctaw Pass Turning Basin in order to allow the Port to continue to grow and stay competitive with the other ports in the US Gulf and East Coast.

Best Regards,  
Bill Inge

## Comment 232

**From:** [Mitch Mays](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY  
**Date:** Friday, September 7, 2018 2:24:29 PM  
**Attachments:** [TTWDA Port of Mobile Support.pdf](#)  
[Port of Mobile Channel Harbor Improvements.pdf](#)

---

Dear Ms. Jacobson,

Please find attached documents stating the Tennessee-Tombigbee Waterway Development Authority's support of the proposed improvements to the Port of Mobile Harbor and channel. Should you have any questions, please feel free to contact me. My contact information is below.

Thank you.

Mitch

Mitch Mays, Administrator

Tennessee-Tombigbee Waterway Development Authority

Post Office Drawer 671

318A Seventh Street North

Columbus, MS 39703

office (662) 328-3286 mobile (256) 577-8999

mays@tenntom.org

Blockedwww.tenntom.org



August 21, 2018

Administrator

Mr. Mitchell Mays

Chairman

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Mrs. Paula Sedgwick

Business Manager

Agnes Zaiontz

Colonel Sebastien P. Joly  
Commander, Mobile District  
U.S. Army Corps of Engineers  
109 Saint Joseph St  
Mobile, AL 36602-3630

Dear Colonel Joly,

The Tennessee-Tombigbee Waterway Development Authority strongly supports the proposed improvements to the harbor and channel of the Port of Mobile. The proposed improvements will enhance the economic benefits to the Port of Mobile and the Tennessee-Tombigbee Waterway in addition to increasing commerce. This project has the potential to generate new capital investment and job creation in the member states of the Tennessee-Tombigbee Waterway Development Authority.

The Authority is a four-state compact composed of the states of Alabama, Mississippi, Tennessee, and Kentucky and was authorized by the U.S. Congress in 1958 as an interstate compact. The Tennessee-Tombigbee Waterway Development Authority promotes the development of the Tenn-Tom Waterway and its economic and trade potential and serves as the central repository for data and research relating to all aspects of the Tenn-Tom Waterway. The Tennessee-Tombigbee Waterway Development Authority is the regional sponsor of the Tenn-Tom Waterway and addresses both growth opportunities as well as potential impediments to the waterway's public benefits. Funded solely by appropriations from the member states, membership is limited to the four governors and five gubernatorial appointees from each state.

Sincerely,

A handwritten signature in blue ink that reads "Mitchell B. Mays".

Mitchell B. Mays  
Administrator

2018-001

A RESOLUTION TO SUPPORT THE PORT OF MOBILE'S  
PROPOSED CHANNEL & HARBOR IMPROVMENTS

By the

Tennessee-Tombigbee Waterway Development Authority

WHEREAS, the Tennessee-Tombigbee Waterway Development Authority is a four-state compact comprised of the States of Alabama, Kentucky, Mississippi, and Tennessee and ratified by the United States Congress; and

WHEREAS, the Tennessee-Tombigbee Waterway Development Authority is the sponsor of the Tennessee-Tombigbee Waterway, which provides a connecting navigable link between the Tennessee River and the Warrior-Tombigbee River system; and

WHEREAS, the Tennessee-Tombigbee Waterway provides the Port of Mobile access to over 4,500 miles of inland navigable waterways that serves twenty-three (23) states of the United States of America; and

WHEREAS, the Alabama State Port Authority of Mobile seeks to improve the Port of Mobile's channel and harbor to serve the larger vessels that now traverse the improved Panama Canal and thereby making the Port of Mobile more attractive as a port of call for these larger ships; and

WHEREAS, the proposed channel and harbor improvements of the Port of Mobile would generate net economic benefits in excess of \$34 million dollars annually and have a positive impact on capital investment and creation of new jobs; and

WHEREAS, improving the channel and harbor of the Port of Mobile would benefit the compact states of the Tennessee-Tombigbee Waterway Development Authority and have the potential to enhance the economic benefits of the Tennessee-Tombigbee Waterway and increase its commerce; and

WHEREAS, the Port of Mobile is an invaluable asset to the compact states of the Tennessee-Tombigbee Waterway Development Authority; Now, therefore

BE IT RESOLVED, that the Tennessee-Tombigbee Waterway Development Authority strongly supports improvements to the channel and harbor of the Port of Mobile; and

BE IT FURTHER RESOLVED, that the Tennessee-Tombigbee Waterway Development Authority encourages the United States Army Corps of Engineers to favorably complete the study of improving the channel and harbor for the Port of Mobile and then execute said study; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Tennessee-Tombigbee Waterway Development Authority; and

BE IT FURTHER RESOLVED, that copies of this resolution be presented to officials with the United States Army Corps of Engineers, the Alabama State Port Authority, and to appropriate members of the United States Congress and other appropriate officials.

IN WITNESS THEREOF, the Tennessee-Tombigbee Waterway Development Authority has instructed us to affix our signatures to this resolution on the 21<sup>st</sup> day of August, 2018.



R. Dale Pierce  
Vice Chairman



Mitchell B. Mays  
Administrator



**From:** [Rex Anderson](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dauphin Island, Mobile Ship Channel, and dredging by The Corps  
**Date:** Friday, September 7, 2018 12:04:32 PM

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Dear Colonel Joly,

My name is Rex Anderson.

I first came to Dauphin Island during a family summer vacation in the late 1960's, and was so enamored of the island that I returned after high school graduation for the next seven summers. I worked my way through college thanks to the Dauphin Island Park and Beach Board. When I eventually decided that another summer spent on the island would not further my education but would merely be repeating lessons I'd already learned, I bought a parcel of land ensuring that I would someday return to this undiscovered paradise. That was 1977.

I returned to live on Dauphin Island 20 years later, and have lived on the island or in Mobile to the present day.

I spent a summer on the extreme east end of Dauphin Island living in the vacant storefront that remained there until a hurricane wiped it off the island in the 1980's. I spent a summer renovating the museum in Fort Gaines. I spent many summers running the concession stand on the still extant wooden pier—when it still had water beneath it. I was there when the state elected to drop “rip rap” around the pier to keep the storms from orphaning the pier from the island itself, as each new storm changed the shoreline and the pier was in danger of becoming marooned in the gulf with no functioning walkway to dry land.

I was there when the island was cut in half by Katrina. I was one of the islanders who had lobbied locally to prevent development on the extreme west end of the island for just that reason.

And I was there when the rip rap did its own part to reform Dauphin Island: to land lock the pier, to maroon Sand Island Lighthouse, to append Sand Island itself to Dauphin Island as easily as a child might kick a block down the sidewalk. I understand the power of man and how it stands against the power of nature. I have built my sand castles and have seen them wash away.

The island's history is part of my own history. I have grown from a young man into an almost-old man in the shadow of Dauphin Island, and I have learned that to fall in love with this island is to guarantee heartbreak. I have watched nature take its pieces of Dauphin Island away every fall. I have watched gulf beaches grow fatter both to the east (Gulf Shores) and the west (Biloxi) of Dauphin Island with each passing summer. It doesn't take a genius to realize something is amiss.

Any child building a sand castle will come to understand first-hand what happens when sand and waves interact. Natural movement of sand is, well, just that: natural. As natural as waves. What we all, those of us who call Dauphin Island home, came to realize as soon as we made any kind of investment in Dauphin Island is that we must also cope with an unnatural force, one the rest of the barrier islands, the whole gulf coast, doesn't have to cope with: we must cope with the dredging practices of the Corps of Engineers, who are in charge of keeping the ship channel to the mighty economic engine that is Mobile Bay, clear. The Corps has the job of overseeing the maintenance of the man-made canal that makes a shipping port possible. Really big ships come into the bay to dump off goods. Those really big ships need really deep water. Machines can create that really deep water in much the same way children scoop out a moat around their sand castle.

No one, I hope, pretends that this scooping out is a natural occurrence. Man intervenes in the pattern of nature in all kinds of ways, and dredging is merely one of them. In this particular case, the dredging of this particular canal does not take place in a closed loop. The sand that replenishes Dauphin Island, that helped form it in the beginning, is the same sand that falls into the canal. And it's the same sand that should be allowed to replenish Dauphin Island, but for some reason beyond mortal understanding, is now dumped outside the natural nourishing patterns of gulf coast currents. As the channel remains deep, Dauphin Island grows skinnier and skinnier.

You've been deluged with studies showing how your dredging practices are harming the island's renourishment. There's striations of politics, science, economics, and malignant design running through the saga like crude oil on a beach to the point that it's hard to separate truth and fiction. The economics run deep. The politics run deep. The motivations of the science used to determine Corps policy run deep. Yet at the end of the day Colonel Joly, the truth of the evidence is as plain to see as are the oil striations coursing through the white sand. Dauphin Island is suffering from the dredging practices of maintaining the ship channel. It always has. And now legislation is in front of you to right this wrong.

No one wants to see Mobile suffer economically. To pit the existence of the island against the success of Mobile Bay's shipping operations is not a battle we should ever engage in. What we want is to see Dauphin Island get the chance God and nature have intended without the interference of the giant metal hand of the Corps scooping into the sand castle and disrupting it on a constant basis.

I implore you to be fair and open with your consideration of the larger playing field you operate in. The ecological health of Dauphin Island isn't about politics or economics. The world will be here long after your plans and your name and our great great grandchildren are forever washed away. Leave the untoward, narrow and selfish interests out of your considerations and do your duty as a good steward of this earth: To the best of your ability Colonel Joly, help to design and implement a plan that will leave the place the way we found it, and let the larger playing field of natural history determine Dauphin Island's fate. The Corps of Engineers' Mobile Bay dredging plan has harmed Dauphin Island sand replenishment as long as I have been alive. Be the instrument for change, and create a solution that will take the natural gift of Dauphin Island into consideration. Your own great great great grandchildren will be the better humans for it, and in the big picture, your own take will also be that much larger. A solo walk on the beach will confirm everything I have said here.

Colonel, you have a hard job in front of you, and I don't minimize your obligations or the courage it takes to do the right thing. Not for a moment.

I wish you the benefit of real wisdom in making your decisions, and would be honored to help in any way I can. All you have to do is ask.

Kind regards,

Rex Anderson



**From:** [Tom Adger](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Charles Boswell](#); [Charles Boswell](#); [Logan Boswell](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Project  
**Date:** Friday, September 7, 2018 10:32:19 AM

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Dear Ms. Jacobsen:

On behalf of our company, I am writing in reference to the US Army Corps of Engineers link involving the General Reevaluation Report (GRR) and the Supplemental Environmental Impact Statement, as printed documents published in the Federal Register, dated Friday, July 27th, and our response in support of recommendations to this study involving widening/dredging of the Mobile Ship Channel and Choctaw Pass Turning Basin as part of the Mobile Harbor Project.

Specifically, we represent, as owners, Tri State Maritime Services, Inc. and Alabama Steel Terminals, LLC, both privately owned port service entities. Tri State Maritime Services, Inc. (TSMS) a stevedore/terminal handling operator established in 1994, serves the ports of Mobile, Alabama, Panama City, Florida and Pascagoula, Mississippi. TSMS performs handling of various general cargo commodities, bulk grain, as well as, handling of sea going containers to include warehouse services for stuffing and unstuffing of these container units.

Alabama Steel Terminals, LLC (TSMS as partner), is a steel coil terminal facility, located in Mobile, Alabama serving ocean carriers, and wide array of steel customers providing throughput handling of the import/export steel coil trade. Alabama Steel Terminals, LLC inception of service operation began January , 2015.

As an vested company in the port industry, particularly as per determining main factors involving the GRR and Mobile Harbor, we fully support efforts concerning this study and the improvements of this harbor project for the following reasons.

\* Based on existing traffic and the delays caused by one way transit of wide beam vessels due to channel restrictions and limitations impacts our company by delaying vessels to the pier, causing such operating cost to increase and impacting shippers with overtime costs, and inefficiencies of scheduling due to pier congestion and handling of cargoes. It is our understanding that a 3 mile segment of channel is proposed from the current 400' width to 500' will allow certain vessels to pass each other, thus reducing the delay of vessel arrivals and sailings. All the while, creating safe passage of all vessel types, including barge traffic, and assuring operating efficiencies for all port users and their growing needs for handling various types of cargo and anticipated tonnage.

\* Deepening of the Mobile Ship Channel from Gulf sea bouy to McDuffie Coal Terminal, Mobile Container Terminal and Pinto Terminal will enhance additional tonnage of cargo through the port impacting economy of scale as well as, providing shippers cheaper freight rates. Such impact of competitive rates (as example) will allow larger container vessels to serve Mobile Container Terminal, thus providing additional container units and thereby, increasing volumes of units handled for the import/export markets. This increase of container units will enhance revenues for industry business and transportation services for various services required in this market and specific needs. Additional impact of creating job employment, equipment and additional investment of these businesses will benefit for serving this expanded market.

\* Increasing the size of Choctaw Pass Turning Basin will impact the Alabama State Port Authority in a positive manner by allowing larger ocean going vessels the ability to turn, thus creating the efficiency of placing vessels to the required berth. Such efficiency will improve time and reduce costs for handling laden vessels for departure, and minimize channel congestion of traffic within other areas of port.

The above comments represent a few points of discussion and consideration as per the impact of this study on our behalf, and a brief explanation of these interests as to the positive impacts, that per our opinion, could be attained by example of our business as related through the port transportation industry.

Thank you for accepting our comments in support of this project.

Sincerely

Thomas C. Adger

Tri State Maritime Services, Inc

Alabama Steel Terminals, LLC.

## Comment 235

**From:** [Tennessee River Valley Association](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Draft GRR/SEIS  
**Date:** Friday, September 7, 2018 8:31:31 AM  
**Attachments:** [mobharltr.pdf](#)

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Ms. Jacobsen,

The Tennessee River Valley Association is pleased to submit these attached comments related to the Mobile Harbor Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement (Draft GRR/SEIS). Thank you for the opportunity to offer our views on this important matter,

Cline Jones  
Executive Director  
Tennessee River Valley Association  
Tennessee-Cumberland Waterways Council  
256-394-3433  
trvassoc@hiwaay.net  
Blockedwww.trva-tcwc.org  
Blockedhttp://www.facebook.com/pages/Tennessee-River-Valley-Association/219651447941

# *TRVA* *Tennessee River Valley Association*

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September 6, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

In re: Mobile Harbor, Mobile, Alabama Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement

Dear Ms. Jacobsen,

The Tennessee River Valley Association and its Tennessee-Cumberland Waterways Council supports the proposed improvements to the Mobile Harbor and its related navigation channel.

Based in Decatur, Alabama, the Tennessee River Valley Association was formed in 1967. The Membership of the Tennessee River Valley Association (TRVA) consists of towing companies, barge lines, port and terminal operators, municipalities, and concerned citizens from across the Valley region. TRVA encourages common sense water policies and promotes commercial navigation as a catalyst to economic growth.

The Port of Mobile, Alabama is a tremendous asset to our nation, to the southeastern United States, and to the Tennessee and Cumberland River Valleys region. The economy of the Twin Valley region relies on commercial navigation for efficient, environmentally friendly, and highway congestion mitigating bulk freight transportation. With a direct connection to the Port of Mobile via the Tennessee Tombigbee Waterway and the Black Warrior Tombigbee River, the region currently benefits economically from goods passing through Alabama's successful and growing ocean port and harbor infrastructure. The proposed improvements to the Mobile Harbor will ensure continued benefits and expanding opportunities for decades into the future.

Recognizing the need to balance the tremendous economic benefits and potential environmental impacts, TRVA has carefully reviewed the Draft Integrated General Reevaluation Report with Supplemental Impact Statement (GRR). It is our conclusion that the proposed improvements should be completed. It is clear that the economic benefits substantially outweigh the minimal impacts to the environment. In the report, the Army Corps noted: "Results of the detailed analyses suggest that, overall, no substantial impacts in aquatic resources within the study area are anticipated due to channel modifications."

Additionally, the Army Corps' modeling results presented in the study indicate minimal differences in morphologic change in the nearshore areas of Dauphin Island and Pelican Island as a result of the channel modifications; ship wake analysis associated with this study indicates a reduction in vessel generated wave energy when compared between the future with and without project conditions and; the study has found that the proposed project would not have disproportionately high and adverse impacts to any communities, including Environmental Justice communities or children.

With new global trade opportunities resulting from the recent Panama Canal expansion, our nation's competitiveness will rely on modern, efficient ocean port infrastructure. The Tennessee and Cumberland Valleys access to global markets via a modern and improved Mobile Harbor will result in increased benefits and opportunities to the entire region, and to our nation. For these reasons, in addition to the minimal impact to the environment, the TRVA strongly supports the proposed expansion of the Mobile Harbor and navigation channel as outlined in the GRR.

Sincerely,

A handwritten signature in blue ink that reads "Cline Jones". The signature is written in a cursive style with a large initial "C".

Cline Jones  
Executive Director

# Comment 236

**From:** [George Hall](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Erosion  
**Date:** Friday, September 7, 2018 7:24:19 AM

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Dear Colonel Joly,

I am George hall and I have a home on dauphin island and I am concerned about removing sand from the ship channel and not placing it in the appropriate place where it will replenish DI beach. Please help us to restore our beaches. The cheapest way is not always the best and I prefer cooperation over law suits. Thanks for listening. Gwh

Sent from my iPhone

**From:** [Deborah Hall](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dauphin Island Erosion  
**Date:** Friday, September 7, 2018 6:21:31 AM

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Hello Colonel Joly,

I have been a resident on Dauphin Island for 18 years. I have been visiting the Island ever since I was nine when my family moved here in 1959. Since that time I have observed the progress of our fine city of Mobile and have been a supporter of its progress. However I have also been aware of the erosion problem CAUSED by the dredging of the Mobile ship channel. I have watched with my eyes the coastal area literally wash away from Dauphin Island and all along the Gulf coast. I understand that bigger ships and deeper channels for all those ships into our port means money to those who are in the business of importing/exporting. However, at the cost of the very land that makes our port a desirable and healthy place to live, is JUST PLAIN WRONG.

I was involved with the lawsuit that we won: agreeing that the dredged sand would be placed in an area that would enhance Dauphin Island. That has NOT happened. The Core has breached that agreement. Consider these comments below which give accurate information concerning this problem and know that "We the people", will not give up or relent on having justice being served.

"The original 1980 report/EIS that originally recommended the ship channel be deepened was deficient because it completely ignored Dauphin Island's erosion problem. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. The tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island that has occurred since the 1980 report represents a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980."

"The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally been carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island."

"The public will no longer accept the Corps' verbal promises alone that the new site will function as suggested without being provided substantiated proof to support the promise."

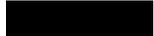
"The impacts of shoreline erosion on sea turtle nesting should be discussed. Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island. The low percentage of successful nests on Dauphin Island compared to Baldwin County's beaches is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This issue warrants coverage in the report because of the Endangered Species Act connection and because

Dauphin Island provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It is possible that a "taking" type situation may exist as an indirect impact of the Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle nest success rates compared to other northern Gulf beaches. "

Colonel Joly, we will continue to stay informed and work together to have this breach of agreement corrected. Please take our voices seriously and "get this corrected!" You can either do what is right or be a hand in allowing wrong to continue. Wouldn't you rather be on the side of right and integrity?

Thank you for your consideration

Deborah Hall



**From:** [Allen, Wendy](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Comments on Dauphin Island Erosion  
**Date:** Wednesday, September 5, 2018 3:35:51 PM

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COL Sebastian P. Joly, District Commander,

Please consider the following comments related to the Mobile Harbor Draft Integrated General Reevaluation Report/Supplemental Environmental Impact Statement (Draft GRR/SEIS). It is my sincere hope that the Army Corps of Engineers is taking the concerns regarding environmental impacts seriously.

1. The Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations because of Corps' practice of "segmenting" Mobile Harbor Project by preparing multiple separate NEPA documents. The Corps needs to develop a Master Plan and associated Environmental Impact Statement that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA.
2. The original 1980 report/EIS that originally recommended the ship channel be deepened was deficient because it completely ignored Dauphin Island's erosion problem. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. The tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island that has occurred since the 1980 report represents a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980.
3. The public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally be carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.
4. The public is withholding support for the proposed Sand Island Beneficial Use Area (SIBUA) expansion to the northwest until the Corps provides conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island. After 20 years of use, the Corps' promises about the beneficial functioning of the existing SIBUA have all been proven to be wrong while Dauphin Island continued to erode. The public will no longer

accept the Corps' verbal promises alone that the new site will function as suggested without being provided substantiated proof to support the promise. Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion. Also, the report should state that all dredged sands placed in the SIBUA expansion will be deposited at water depths much shallower than 15 feet MHW (mean high water). If the Corps is unwilling to make that disposal commitment, it is unlikely the outcome of use of the proposed expansion will be any different than the original SIBUA in countering the erosion problem. Because of that concern, a detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.

5. The impacts of shoreline erosion on sea turtle nesting should be discussed. Section 5.9.1 should be expanded to acknowledge that a consequence of the progressive erosion of Dauphin Island's Gulf Shoreline is the low success rate of sea turtle nesting on the island. The low percentage of successful nests on Dauphin Island compared to Baldwin County's beaches is believed to be associated with the deteriorated shoreline conditions attributable to erosion. This issue warrants coverage in the report because of the Endangered Species Act connection and because Dauphin Island provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It is possible that a "taking" type situation may exist as an indirect impact of the Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle nest success rates compared to other northern Gulf beaches.

I can be reached at the number below if you would like to discuss further. Thank you for your consideration.

Alere is now Abbott.

Wendy Allen

Vice President of

Operations

Standing Stone, LLC

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED].

## Comment 239

**From:** [Roy and Barbara Price](#)  
**To:** [Mobile Harbor GRR](#); [b.rprice@att.net](mailto:b.rprice@att.net)  
**Subject:** [Non-DoD Source] Mobile Bay Ship Channel  
**Date:** Wednesday, September 5, 2018 11:24:30 AM

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To COL. Sebastien P. Joly, District Commander

Dear Colonel Joly,

We are once again writing about your plans to deepen and widen the ship channel which is located just east of Dauphin Island. We are concerned that the removal of more sand usually migrating westerly will be interrupted even more in its normal flow. This east to west process is proven, and as a result the Corps has to remove sand in order to keep the ship channel open. These removals have had a catastrophic on our beaches.

We know that the plan to deepen and widen the channel will be approved. This removal of sands could benefit Dauphin Island if placed nearer to the island. Past deposits in other areas have proven ineffective as our beaches continue to erode.

Decisions you make will either make or break life on Dauphin Island. The long history of the island has been written without a deep and wide channel. Please don't do something that will adversely effect our island and destroy our way of life we enjoy. The future of Dauphin Island is in your hands. Do the right thing by making deposits of sand near Dauphin Island to guarantee continued flow of sand to our beaches.

Respectively yours,

A large black rectangular redaction box covering the signature of the sender.

## Comment 240

**From:** [ALAN CASTELIN](#)  
**To:** [mobilegrr@usace.army.mil](mailto:mobilegrr@usace.army.mil); [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Comments on Draft SEIS  
**Date:** Tuesday, September 4, 2018 8:02:50 PM  
**Attachments:** [image.png](#)

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Dear US Army Corp of Engineers,

Below is the letter that I emailed you earlier in the year concerning channel dredging and erosion on Dauphin Island. I did not know if I needed to send it again for it to be included in the comment period. I mention in the letter below about a street just west of the Dauphin Island Bird Sanctuary that is in extreme danger of being lost. A tropical storm or hurricane will hit Dauphin Island tonight, and there is a good chance that at least one of these houses below will be lost due to erosion. I am 55 years old, and have watched Dauphin Island slowly become smaller due to erosion from the channel dredging and storms. This island has been hit by severe storms for thousands of years, but it would repair itself with the help of the sand flowing from the east. But now, without a sufficient resupply of sand, it will continue to die a slow death. Just look at some of the historic pictures of Sand Island Lighthouse with its houses and livestock. Heck, just look at the picture below, and compare it to early satellite images and aerial photos.

Unfortunately, it is not just Dauphin Island. I grew up just north of Dog River Bridge near Alba Beach. There is an old sewer treatment plant at Alba Beach. When I was a child we used to walk through the woods between the sewer plant and Mobile Bay. We used to carry the mullet sack for our dad and be scared by the ship waves that would roll in while we were wading in the bay. When I grew up I came to realize that those ships waves were carrying the shore line away. The sewer plant that was in the woods is now being washed away, and the trees are but a memory.

Please do what you can to help.

Sincerely,

Alan Castelin

----- Original Message -----

**From:** ALAN CASTELIN [REDACTED]  
**To:** [MobileHarborGRR@usace.army.mil](mailto:MobileHarborGRR@usace.army.mil)  
**Cc:** [jcollier@townofdauphinisland.org](mailto:jcollier@townofdauphinisland.org), [board@dipoa.org](mailto:board@dipoa.org), [congressman.byrne@mail.house.gov](mailto:congressman.byrne@mail.house.gov),  
[mayorstimpson@cityofmobile.org](mailto:mayorstimpson@cityofmobile.org), [district3web@mobile-county.net](mailto:district3web@mobile-county.net), [bill.hightower@alsenate.gov](mailto:bill.hightower@alsenate.gov)  
**Date:** April 7, 2018 at 2:11 PM  
**Subject:** Erosion of Dauphin Island

Dear US Army Corp of Engineers,

I am writing you about the erosion of the shore lines on Dauphin Island and Mobile Bay. When my friends and I sailed catamarans back in the 80s, we launched our boats on the beach in between the jetties on the south side of Fort Gaines. Until they were removed, those jetties stood out in the gulf as islands, reminding us how much the east end had eroded. Just down the beach west of the bird sanctuary there lies a subdivision that has an entire street waiting to be consumed by the gulf, with one house halfway in the water. Many of the roads on the gulf side of Bienville Boulevard that were once full of beach houses have been reduced to a single house due to the thinning of the island's west end. When I was growing up, there was Peavy Island on the south side of the old Dauphin Island draw bridge that was covered in campers. Now that island is merely a sand bar covered by shallow water.

These are only a few examples of the changes that have taken place in my lifetime. I have seen enough storms to realize that some of the changes are due to them. But storms are one time events, and the changes they cause are fairly obvious. What is not as obvious is the slow destruction caused by erosion. I can not imagine how anyone can say that every effort should not be made to protect our islands and coastline from this problem. The science is quite clear that sand travels westward along the coast, falls in the Mobile Ship Channel between Fort Gaines and Fort Morgan, is dredged up, and dumped too far out in the gulf for it to naturally make its way to the shoreline. Because of this man made problem, man should be required to do everything he can to fix it. I realize that it will cost more to put the sand closer to Dauphin Island to ensure that it makes it to the beaches. If the Corp of Engineers have their hands tied by law to dispose of the sand the cheapest way possible, then shame on our political leaders for allowing this to continue. Believe me, I am all for less government spending, but in my opinion this would be one of the last expenses I would ever consider cutting. Any American who has any awareness of the level of taxpayer money consumed by waste and fraud would agree that the added expense could be offset in a thousand different ways.

Now that the government wants to dredge an even wider channel in between the forts, this should be a wake up call to anyone who is not concerned, or unaware of this problem. This is not a bridge to nowhere, this is not a pork barrel project, this is doing the right thing to restore part of what has been lost. Depositing dredged sand closer to Dauphin Island would help to partly right a wrong that has been taking place since the ship channel was created. Don't get me wrong, I am all about balancing the need for jobs and the environment. I work for a local industry that relies on the ship channel. But just like the money grab for the BP oil spill funds, many times the most pressing environmental needs and political needs become separated like oil and water.

Sincerely,

Alan Castelin



# Comment 241

**From:** [Morgante, Douglas P](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening and Widening Project  
**Date:** Tuesday, September 4, 2018 3:57:46 PM  
**Attachments:** [Mobile Harbor Deepening and Widening Project.pdf](#)

---

Dear Ms. Jacobsen,

Attached, please find a letter of support from Maersk Line.

Should anything require clarification, please feel free to contact me.

Sincerely,

Doug

Douglas P. Morgante

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

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180 Park Ave  
Florham Park, NJ 07932

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Fax: +1 973 514 5660

maersk.com

September 4, 2018

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Subject: Mobile, Alabama Harbor Deepening and Widening Project

Dear Ms. Jacobsen,

On behalf of Maersk Line, I am writing in support of the Mobile Harbor Deepening and Widening Project. Maersk Line is the world's largest container shipping company. The Maersk Liner business also includes Safmarine, Seago Line, SeaLand, MCC and Hamburg Süd. The company operates all over the world and has a fleet of more than 700 vessels which sail every major trade lane on the globe. We are glad to include Mobile as a port of call.

Alabama has become an attractive location to large cargo owners. Economic growth coupled with the expansion of the Panama Canal should result in increased containerized cargo volumes for the Port of Mobile. New volumes will mean larger vessels with greater economies of scale, if the facility can meet the demand. Should channel deepening reach 50+ feet, it will allow ocean carriers to justify larger vessels. Recommended improvements to the Choctaw Pass Turning Basin would also help meet the requirements of modern day cargo shipping.

Should you have any questions, please feel free to contact me at 973-514-5697 or via email at [Douglas.P.Morgante@maersk.com](mailto:Douglas.P.Morgante@maersk.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas P. Morgante", with a horizontal line extending to the right.

Douglas P. Morgante  
Senior Director – Government Relations

## Comment 242

**From:** [Herb Malone](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Letter of Support Mobile Harbor GRR  
**Date:** Tuesday, September 4, 2018 1:39:24 PM  
**Attachments:** [SKM\\_C454e18090412000.pdf](#)

---

Please accept my letter of support for the Mobile Harbor GRR.

Herb Malone

<Blockedhttps://www.gulfshores.com/> Herb Malone  
President/CEO  
Office: 251-974-4627  
GulfShores.com <Blockedhttp://www.gulfshores.com/> | OrangeBeach.com  
<Blockedhttp://www.orangebeach.com>  
<Blockedhttps://www.facebook.com/VisitALBeaches> <Blockedhttps://twitter.com/VisitALBeaches>  
<Blockedhttps://www.instagram.com/visitalbeaches>  
<Blockedhttp://signature.gulfshores.com/uc/5a6f56e9825be91c5ec704d3?  
recipient=TW9iaWxlSGFyYm9yR1JSQHVzYWNLmFybXkubWls>



GULF SHORES &  
ORANGE BEACH TOURISM

September 4, 2018

U. S. Army Corps of Engineers  
Sent via MobileHarborGRR@usace.army.mil

RE: General Reevaluation Report and Supplemental Environmental Impact Statement  
(GRR/SEIS)

Dear Sir or Madam,

As head of the destination marketing organization for Alabama's Gulf Coast, we would like to express our support of the U. S. Army Corps of Engineers tentatively selected plan for the following improvements:

- Deepening the channel by 5 feet to a depth of 50 feet.
- Widening the channel for 3 nautical miles to allow two-way traffic.
- Expanding the Choctaw Pass turning basin to accommodate safe turning of larger vessels.
- Bend easing in the Bar Channel.

This proposed channel expansion is vital to the continued growth and viability of the port and increasing the positive impact to the state of Alabama, especially to the those of us who depend on tourism and visitors to south Alabama beaches.

We respectfully request you move forward with the plan as outlined in the General Reevaluation Report and Supplemental Environmental Impact Statement (GRR/SEIS). Thank you for your consideration.

Yours truly,

Herbert J. Malone, Jr.  
President/CEO

HJMj/cv

# Comment 243

**From:** [Andrew Levert](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Wiley C. Blankenship](#)  
**Subject:** [Non-DoD Source] Coastal Alabama Partnership Comments on Draft GRR/SEIS  
**Date:** Tuesday, September 4, 2018 12:56:22 PM  
**Attachments:** [Coastal Alabama Partnership Draft GRR-SEIS Comments.pdf](#)  
[CAP Letter in Support for Draft GRR-SEIS USACE.pdf](#)

---

Please see the attached letter from Wiley Blankenship the President of Coastal Alabama Partnership presenting comments to the Draft GRR/SEIS. Please let me know if you have any questions.

--

Andrew M. Levert  
Vice President of Policy and Project Initiatives  
Coastal Alabama Partnership  
1 S. Royal Street, 2nd Floor <Blocked<https://maps.google.com/?q=1+S.+Royal+Street,+2nd+Floor+Mobile,+Alabama+36602+Office+251&entry=gmail&source=g>>  
Mobile, Alabama 36602 <Blocked<https://maps.google.com/?q=1+S.+Royal+Street,+2nd+Floor+Mobile,+Alabama+36602+Office+251&entry=gmail&source=g>>  
Office 251 <Blocked<https://maps.google.com/?q=1+S.+Royal+Street,+2nd+Floor+Mobile,+Alabama+36602+Office+251&entry=gmail&source=g>> .436.8822  
Cell 251.753.1760  
Blocked[www.coastalalabama.org](http://www.coastalalabama.org) <Blocked<http://www.coastalalabama.org/>>  
  
<Blocked<http://coastalalabama.org/wp-content/uploads/2017/01/cap-web-logo.png>>



Vision, direction and action for the future of Baldwin and Mobile Counties.

August 31, 2018

U.S. Army Corps of Engineers, Mobile District  
Colonel Sebastien P. Joly  
P.O. Box 2288  
Mobile, Alabama 36628  
[MobileHarborGRR@usace.army.mil](mailto:MobileHarborGRR@usace.army.mil)

RE: Draft General Reevaluation Report & Supplemental Environmental Impact Statement (GRR/SEIS) to evaluate improvements to the Mobile Harbor Federal Navigation Channel, Mobile, AL.

Dear Colonel Joly,

On Behalf of Coastal Alabama Partnership, I am writing to present comments on the Mobile Harbor Draft General Reevaluation Report & Supplemental Environmental Impact Statement (GRR/SEIS), which evaluated widening and deepening the Mobile channel. The study conducted by the U.S. Army Corps of Engineers (USACE) fully examined the costs, benefits and environmental and economic consequences of enlarging the channel and evaluated a range of alternative plans that would improve the safety and efficiency of the existing navigation system.

Coastal Alabama Partnership (CAP) is a 501(c)(3) private sector-led, not-for-profit organization focused on providing a platform for regional leaders to convene, collaborate, build consensus and advocate for Coastal Alabama's top priorities. CAP's Board of Directors consists of representatives serving on behalf of thirteen regional entities, which include: Alabama Gulf Coast Area Chamber of Commerce, Alabama State Port Authority, Baldwin County Economic Development Alliance, Eastern Shore Chamber of Commerce, Mobile Airport Authority, Mobile Area Chamber of Commerce, Mobile Bay Convention and Visitors Bureau, North Baldwin Chamber of Commerce, Orange Beach – Gulf Shores Tourism, and South Baldwin Chamber of Commerce and represents a constituency base of over 150,000 people.

Coastal Alabama Partnership on behalf of its member entities fully supports what was presented in the U.S. Army Corps of Engineers Draft GRR/SEIS which examined the potential impacts of deepening and widening the federal navigation channel and provided the Tentatively Selected Plan (TSP) for navigation improvements. The Port of Mobile, managed by the Alabama State Port Authority is arguably our regions greatest economic driver, and the modernization of the federal channel is a paramount issue in CAP's regional legislative agenda. Specifically, CAP's support for infrastructure and economic development projects that will facilitate economic competitiveness, create jobs, and promote an environment in which businesses can prosper in Coastal Alabama.

The extensive information presented in the Draft GRR/SEIS and navigation improvements within the plan would continue the economic growth and improve transportation infrastructure in Coastal Alabama. CAP supports the completing the Final GRR/SEIS for the following considerations:

- The Alabama State Port Authority is one of the largest economic engines for the state, with a \$22.4 billion economic impact. Expansion of the channel is vital in maintaining the port's growth. The Panama Canal historically provided a limit on the size of container ships and other

vessels. But as the canal has been widened, the ships have gotten larger. The channels existing dimensions place constraints on deeper drafting containerships and other vessels, and restricts many vessels to one-way traffic, resulting in reduced efficiency and increased costs.

- According to an economic impact study from the University of Alabama’s Center for Business and Economic Research, the port is responsible for 134,608 direct and indirect jobs in the state with a direct and indirect tax impact of \$486.9 million. A deeper and wider channel will clear the way for the port to accommodate larger ships that are already starting to come through the expanded Panama Canal. The deeper channel will allow ships to carry more weight, making the port more efficient for importers and exporters—creating more jobs and the tax impact to the State of Alabama.
- The Alabama State Port Authority is the 10th largest full-service seaport in the United States, with over 28.7 million tons of goods and 318,889 shipping containers handled port-wide. The cargo transportation industry continues its shift to increased use of standardized containers used for multimodal (marine, rail, and truck) freight transportation systems. Additionally, the marine vessel fleet is trending to larger, deeper-draft vessels, particularly for containerships and dry bulk carriers. The container business has been a point of strong growth for the Port of Mobile in recent years, including a record 20% container growth in 2017. The Federal navigation channel’s existing dimensions place constraints on deeper drafting vessels and without improvements could negate the growth of the port’s container sector.
- Navigation concerns include three main types of problems: larger size vessels experience transit delays due to the current width of the channel; existing channel depths limit vessel cargo capacity; and, existing traffic congestion has increased safety concerns. The USACE Tentatively Selected Plan would include the following navigation improvements: Deepening the channel by 5 feet to a depth of 50 feet, Widening the channel for three nautical miles to allow two-way traffic, Expanding the Choctaw Pass turning basin to accommodate safe turning of larger vessels, and Bend easing in the Bar Channel.
- The GRR/SEIS study states the TSP presents a growth in containerized and other vessel traffic and is economically justified with a benefit-to-cost ratio of 3.0.

CAP is focused on gathering leadership of Mobile and Baldwin counties to advocate for coastal Alabama’s top priorities, and we will continue to be engaged with the U.S. Army Corps of Engineers throughout the public comment period and as it drafts the final GRR/SEIS report.

Sincerely,



Wiley Blankenship  
President/CEO  
Coastal Alabama Partnership

## Comment 244

**From:** [Suzanne Clark](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Ship Channel Deepening - Adverse Impacts to Dauphin Island's Drinking Water Sources  
**Date:** Tuesday, September 4, 2018 10:55:39 AM  
**Attachments:** [20180904104504857.pdf](#)

---

Ms. Jacobson,

Attached please find a letter from Attorney Jay Ross regarding the above referenced matter.

Thank you,  
Suzanne Clark

Suzanne Clark  
Legal Secretary

<Blockedhttp://www.adamsandreese.com>  
11 North Water Street, Suite 23200 | Mobile, AL 36602  
main 251.433.3234 | direct 251.650.0871 |  
efax 251.650.2061 | fax 251.438.7733  
suzanne.clark@arlaw.com <<mailto:suzanne.clark@arlaw.com>>  
website <Blockedhttp://www.adamsandreese.com> map <Blockedhttps://www.google.com/maps/d/viewer?mid=zITVc85TpFTY.k6L5t5WxJR14&hl=en&usp=sharing> <Blockedhttp://www.linkedin.com/company/adams-and-reese-llp> <Blockedhttp://twitter.com/adamsandreese> <Blockedhttp://www.facebook.com/adamsandreese>

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-----Original Message-----

From: MOB-MPC5503SP-SWhall  
Sent: Tuesday, September 04, 2018 9:45 AM  
To: Suzanne Clark  
Subject: Message from "RNP0026738C0D65"

This E-mail was sent from "RNP0026738C0D65" (MP C5503).

Scan Date: 09.04.2018 10:45:04 (-0400)  
Queries to: MOB-MPC5503SP-SWhall



**Attorneys at Law**  
Alabama  
Florida  
Georgia  
Louisiana  
Mississippi  
South Carolina  
Tennessee  
Texas  
Washington, DC

September 4, 2018

**VIA E-MAIL ONLY**

MobileHarborGRR@usace.army.mil

Ms. Jennifer L. Jacobson  
Chief, Environmental Resources  
U.S. Army Corp of Engineers, Mobile District  
Post Office Box 2288  
Mobile, AL 36628-2724

**Jay M. Ross**  
Direct: 251.650.0873  
E-Fax: 251.650.2058  
jay.ross@arlaw.com

RE: SHIP CHANNEL DEEPENING – ADVERSE IMPACTS  
TO DAUPHIN ISLAND’S DRINKING WATER SOURCES

Dear Ms. Jacobson,

I have the pleasure of representing the Dauphin Island Water and Sewer Authority (DIWSA) and on behalf of the Board of Directors, the following is related to the Draft GRR/SEIS associated with the Mobile Ship Chanel-Deepening Project.

The DIWSA is the provider of drinking water and fire protection to the community of Dauphin Island, and the basis of this submittal is for protection of the island’s water resources. DIWSA notes that with deepening of the Mobile Ship Channel without a comprehensive study of the aquifers that cross-sect the channel, there is the potential for disastrous failures to the raw water sources that serve the community. Listed below are the comments and questions that DIWSA submits for the Corp:

Comment 1

There is a significant clay layer beneath Dauphin Island that extends across the Mobile Ship Channel and into Baldwin County. This clay prevents direct contact between the Gulf waters (saline) and Bay waters (brackish) with underlying brackish water aquifers that DIWSA is currently able to treat for the purpose of providing drinking-water to Dauphin Island. Anything that tilts the delicate balance of these aquifers from brackish to saline, rendering them unsuitable for treatment, would be disastrous to DIWSA and its customers. These aquifers are the only viable drinking water sources that exist for Dauphin Island.

Ms. Jennifer L. Jacobson  
Chief, Environmental Resources  
September 4, 2018  
Page 2

### Comment 2

A search of the Draft GRR/SEIS for the word “acquirer” reveals 45 notations of which most appear to be cut-and-paste references to old geology/hydrogeology reports, presenting no specific hydrogeology beneath the channel itself. A few references mentioned that the aquifers were already impacted from the 1991 channel deepening or that the aquifers and groundwater in the area are not used, disregarding the fact that Dauphin Island is “in the project area” as defined in the study.

### **Questions:**

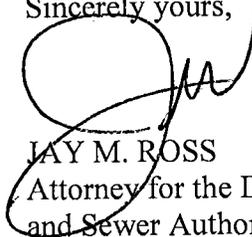
1. What specific hydrogeologic work has been completed for this project that defines the extent of clay and whether the deepening will breach this protective layer, and if breached where will this breach occur? If no specific hydrogeologic work has been done to define the extent of this clay, why not?
2. Was a well survey done to determine the number, types, and depths of water wells (domestic, industrial, and, as in our case, public supply) “in the study area”? If no survey has been completed, why not?
3. What was the extent of the 1991 deepening and its impact on aquifers? How was this impact determined? Is this impact monitored?
4. If the origin of the Draft GRR/SEIS is based on a request by the State of Alabama and or the Alabama Port Authority, does the Corp of Engineers (COE), State, and Port Authority have a mutual agreement for assisting adversely impacted entities and or remediating compromised water supplies?
5. What assurances will the COE, State, and Port Authority provide that the proposed deepening will not adversely affect, or continue to adversely affect, the existing quality of the aquifers that are used (domestic, industrial, and public supply wells) up and down the bay?

The Board feels the Draft GRR/SEIS presented for comment requires an area-specific hydrogeologic look into what impacts the 1991 deepening, as well as the proposed deepening, will have to the protective clay and to the aquifers underlying this clay. Further, the Board asserts that a methodology for protecting these aquifers must be established as well as COE, State, and Port Authority assurances that a mitigating response(s) will be fully implemented should the aquifers be adversely affected.

Ms. Jennifer L. Jacobson  
Chief, Environmental Resources  
September 4, 2018  
Page 3

Thank you for your attention to this matter. The Board of Directors of the Dauphin Island Water and Sewer Authority looks forward to your response.

Sincerely yours,

A handwritten signature in black ink, appearing to read "JAY M. ROSS", is written over a circular stamp or seal.

JAY M. ROSS  
Attorney for the Dauphin Island Water  
and Sewer Authority

cc: The Honorable Kay Ivey, Governor of Alabama  
Hon. Bradley R. Byrne, U.S. Representative  
Hon. Richard Shelby, U.S. Senator  
Hon. Doug Jones, U.S. Senator  
Hon. Steve Marshall, Alabama Attorney General  
Jimmy Lyons, CEO, Alabama State Port Authority  
Jerry Carl, Mobile County Commissioner  
Jeff Collier, Mayor of Dauphin Island

## Comment 245

**From:** [Maeci Walker](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Letter of Support for Mobile Channel Widening - AL Railway Association  
**Date:** Tuesday, September 4, 2018 10:53:21 AM  
**Attachments:** [Mobile Shipping Channel Support - AL Railway Association.docx](#)

---

Please see the attached letter of support from the AL Railway Association for the widening of the Mobile Shipping Channel.

Thank you for your consideration.

Maeci Walker  
Director of Public Affairs | Christie Strategy Group  
334.264.0598 (o) | 205.915.7046 (c)  
[mwalker@christiestrategygroup.com](mailto:mwalker@christiestrategygroup.com)

Check out our website: [Blockedhttp://christiestrategygroup.com/](http://christiestrategygroup.com/)



U.S. Army Corps of Engineers  
General Reevaluation Report and Supplemental Environmental  
Impact Statement (GRR/SEIS)

Dear Sir or Madam:

The Alabama Railway Association is a trade organization that represents all railroads in Alabama, from Short lines to Class I Railroads, along with many Associate Members that supply services and/or materials to support our operations.

**We strongly support the U.S. Army Corps of Engineers Tentatively Selected plan.**

**Maeci Walker**

*Executive Director* •

**Executive Board Members**

**Cliff Melton**

Terminal Railway  
*President* •

**Joe Arbona**

Genesee & Wyoming  
*Vice President*

**Elizabeth Lawlor**

Norfolk Southern  
*Secretary/Treasurer* •

**Jane Covington**

CSX Transportation  
*At Large Member* •

**Jeremy Cole**

Southern Electric Railroad  
*At Large Member*

**Steve Faulkner**

Birmingham Rail & Locomotive  
*Associate Voting Member*

**Eddie Horton**

Stella-Jones  
*Associate Voting Member*

The Alabama State Port Authority is one of the largest economic engines for the state. According to an economic impact study from The University of Alabama's Center for Business and Economic Research, the port is responsible for 134,608 direct and indirect jobs in the state with a direct and indirect tax impact of \$486.9 million.

Expansion of the channel is vital to maintaining the port's growth. A deeper and wider channel will clear the way for the port to accommodate larger ships that are already starting to come through the expanded Panama Canal. A deeper channel also allows ships to carry more weight, making the port more efficient for importers and exporters.

With a deepened channel, carriers will be able to load vessels more efficiently, thereby reducing transiting costs.

Finally, the increase in the number and size of vessels entering and departing Mobile Harbor has led to transportation delays and inefficiencies due to limited channel depth and width. The existing channel depths and widths limit vessel cargo capability, restrict many vessels to one-way traffic, and, in some areas, limit transit operations to daylight hours only.

We strongly encourage you to move forward expeditiously with the Tentatively Selected Plan as outlined in the General Reevaluation Report and Supplemental Environmental Impact Statement (GRR/SEIS) and begin the expansion and deepening of the Mobile Ship Channel as soon as possible.

Our entire state will benefit from the implementation of this proposed project.

Sincerely,

A handwritten signature in blue ink that reads "Maeci Walker".

Maeci Walker  
Executive Director, Alabama Railway Association

## Comment 246

**From:** [john reed](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Channel/Dauphin Island  
**Date:** Tuesday, September 4, 2018 9:53:40 AM  
**Attachments:** [Sept. 4 2018 letter to Corps.pdf](#)

---

Dear Colonel Joly,

Please find my letter objecting to the proposed study and plan in the way it affects Dauphin Island.

John Reed

Sent from my iPad



September 4, 2018

Via email  
[MobileHarborGRR@usace.army.mil](mailto:MobileHarborGRR@usace.army.mil)

Colonel Sebastian P Joly  
District Commander, U.S. Army Corps of Engineers  
Mobile District  
109 St. Joseph St  
Mobile, AL 36602

Re: Mobile Harbor project/Dauphin Island

Dear Col. Joly

I am a property owner of almost 30 years on Dauphin Island, on both the west and east ends.

For 23 years, from my first letter to the Corps on November 8, 1995 (the subject of Corps deliberations on Dec 1, 1995) to my most recent one on February 7, 2017, I have been objecting to the Corps' failure to address and fully mitigate the effect of its dredging on the littoral flow of sand.

I must do so once again.

The Corps record on this issue is one of consistently failing to take full responsibility for the natural consequences of its actions, and consistently adopting "least costly" solutions that invariably turn out to be the very opposite of "environmentally acceptable."

The Corps' recent, though painfully reluctant, admission that the SIBUA has fallen far short of capturing and returning sand to the littoral system is the clearest evidence of this long history of engineering failure and environmental degradation.

This really is very simple. Do no harm and do it right.

It is undisputed that the channel interrupts, disrupts, and removes sand from the natural littoral processes that sustain the barrier islands to the west, Sand and Pelican and Dauphin and Petit Bois and onward.

It is now conceded that the Corps' past record of "least costly" measures has failed to return a significant percentage of that sand to the littoral drift system. In other words those "least costly" measures have not in fact been "environmentally acceptable."

This experience counsels that the latest half-measures proposed in the current report will similarly fail.

What is required, and what the report lacks, is a **total commitment** to recovering all the sand and placing all that sand back from where it came, the littoral system. Which is to say, directly upon, or so directly appurtenant to, the shores of Sand Island as to be indisputably within the system.

That commitment is lacking. But that commitment is the only one that assures that no harm is done. It is the only one that is “environmentally acceptable.”

The long-running dispute as to the cause of erosion on Dauphin Island is beside the point. The very fact that the question remains disputed by the country’s most esteemed experts demonstrates that there is at least a likelihood that the Corps’ practices contribute to beach erosion and recession.

In these proceedings, unlike the POA lawsuit, the burden of proof falls on the Corps to demonstrate that it is doing no harm. Its reliance on disputed opinions, by its chosen experts, that fly in the face of common sense and real experience (and the Corps’ contrary conclusion in 1978) are inadequate to meeting that burden.

Do it right and do no harm.

And that requires rejection and redrafting of the present report and the adoption of specific, concrete, and enforceable measures (not just hopes, wishes and prayers), that guarantee that the sand that would otherwise have crossed from the east to the west is in fact recovered and returned into and onto the littoral system.

Only such an outcome is “environmentally acceptable” and therefore only such an outcome can qualify as “acceptable.”

Respectfully,

John W. Reed

## Comment 247

**From:** [Nancy Kraemer](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Stan Graves](#); [Glen Coffee](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Study  
**Date:** Monday, September 3, 2018 7:37:06 PM

---

COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288 <x-apple-data-detectors://2>  
Mobile, AL 36628-0001 <x-apple-data-detectors://2>

Dear Colonel Joly,

I am a property owner on Dauphin Island. While the Island is a wonderful place to live, the erosion of the beaches is something that needs to be addressed which I feel should be a top priority for the Corp of Engineers. Below are some notes about the most recent study I wish to share.

The Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations because of Corps' practice of "segmenting" Mobile Harbor Project by preparing multiple separate NEPA documents. The Corps needs to develop a Master Plan and associated Environmental Impact Statement that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA.

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clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally been carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.

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The public is withholding support for the proposed Sand Island Beneficial Use Area (SIBUA) expansion to the northwest until the Corps provides conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island. After 20 years of use, the Corps' promises about the beneficial functioning of the existing SIBUA have all been proven to be wrong while Dauphin Island continued to erode. The public will no longer accept the Corps' verbal promises alone that the new site will function as suggested without being provided substantiated proof to support the promise. Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion. Also, the report should state that all dredged sands placed in the SIBUA expansion will be deposited at water depths much shallower than 15 feet MHW (mean high water). If the Corps is unwilling to make that disposal commitment, it is unlikely the outcome of use of the proposed expansion will be any different than the original SIBUA in countering the erosion problem. Because of that concern, a detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.

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Thank you for your attention on these issues.

Best Regards,

Nancy Kraemer

## Comment 248

**From:** [Audubon Place](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Stan Graves](#); [Glen Coffee](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Study  
**Date:** Monday, September 3, 2018 7:31:16 PM

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COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288 <x-apple-data-detectors://2>  
Mobile, AL 36628-0001 <x-apple-data-detectors://2>

Dear Colonel Joly,

We represent 50 property owners on Dauphin Island in the subdivision of Audubon Place. While the Island is a wonderful place to live, the erosion of the beaches is something that needs to be addressed which we feel should be a top priority for the Corp of Engineers. Below are some notes about the most recent study we wish to share.

The Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations because of Corps' practice of "segmenting" Mobile Harbor Project by preparing multiple separate NEPA documents. The Corps needs to develop a Master Plan and associated Environmental Impact Statement that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA.

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maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally be carried to Dauphin Island from reaching the island. In addition, Corps dredging records also indicate that as much as 72% of the sands dredged from the Bar Channel since 1980 have been lost from the nearshore littoral drift system because the Corps practice of disposing of the valuable beach sands in deeper Gulf waters. These facts indicate the loss of millions of cubic yards of beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.

The 2009 Settlement Agreement that ended the Dauphin Island POA erosion lawsuit required the Corps to begin disposing of dredged sands in the Sand Island Beneficial Use Area (SIBUA). However, the Corps knew even as early as 2009 that sands were accumulating in the SIBUA instead of moving toward Dauphin Island as promised. Until the Corps can provide substantive proof the proposed SIBUA expansion will allow most of the placed sands to return to the littoral drift system to nourish Dauphin Island, the Corps could be violating the spirit and intent of the terms of the Settlement Agreement. Thus, one or more of the 1,700 Class members may be within their rights to challenge the Corps in court for failing to comply with the terms of the 2009 Lawsuit Settlement Agreement since the Corps failed to disclose to the Class that it knew in advance about the sand accumulation problem in the SIBUA.

The public is withholding support for the proposed Sand Island Beneficial Use Area (SIBUA) expansion to the northwest until the Corps provides conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island. After 20 years of use, the Corps' promises about the beneficial functioning of the existing SIBUA have all been proven to be wrong while Dauphin Island continued to erode. The public will no longer accept the Corps' verbal promises alone that the new site will function as suggested without being provided substantiated proof to support the promise. Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion. Also, the report should state that all dredged sands placed in the SIBUA expansion will be deposited at water depths much shallower than 15 feetMHW (mean high water). If the Corps is unwilling to make that disposal commitment, it is unlikely the outcome of use of the proposed expansion will be any different than the original SIBUA in countering the erosion problem. Because of that concern, a detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.

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Thank you for your attention on these issues.

Best Regards,

Audubon Place Board of Directors

**From:** [Peter Kraemer](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Stan Graves](#); [Glen Coffee](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Study  
**Date:** Monday, September 3, 2018 7:28:59 PM

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COL Sebastien P. Joly, District Commander

U.S. Army Corps of Engineers, Mobile District

P.O. Box 2288 <x-apple-data-detectors://2>

Mobile, AL 36628-0001 <x-apple-data-detectors://2>

Dear Colonel Joly,

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Thank you for your attention on these issues.

Best Regards,

Peter Kraemer

**From:** [Ruth Anne Foote](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] The Corps's Draft GRR/SEIS and Dauphin Island Erosion  
**Date:** Monday, September 3, 2018 4:14:23 PM

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Dauphin Island is very dear to me because we vacationed there from the time our children, now 61 to 41 were young, and owned a homes there from 1989 till 2013. Like the migratory birds and sea turtles, I return there gladly. Though those creatures, and to the economy and ecology of the upper Gulfshoreline. If you will refer to your own mission, I think you can see that it deserves similar recognition and protection from the Corps. I object to the proposed Sand Island Beneficial Use Area (SIBUA) expansion to the northwest until the Corps provides conclusive information assuring upwards to 100% of the littoral drift sands intercepted by channel dredging and placed in the SIBUA expansion area will return to the littoral drift system to nourish Dauphin Island. After 20 years of use, the Corps' promises about the beneficial functioning of the existing SIBUA have all been proven to be wrong while Dauphin Island continued to erode. The public will no longer accept the Corps' verbal promises alone that the new site will function as suggested without being provided substantiated proof to support the promise. Figure 8 on page ES-17 should be modified to clearly show water depths within the proposed SIBUA expansion. Also, the report should state that all dredged sands placed in the SIBUA expansion will be deposited at water depths much shallower than 15 feet MHW (mean high water). If the Corps is unwilling to make that disposal commitment, it is unlikely the outcome of use of the proposed expansion will be any different than the original SIBUA in countering the erosion problem. Because of that concern, a detailed risk and uncertainty analyses of the Corps projections about the effectiveness of the proposed SIBUA expansion should be conducted by an independent third party to assess the effectiveness of the new site to accomplish its intended purpose.

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Ruth Anne Foote,



**From:** [Charles Cohen](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Draft Integrated General Reevaluation Report/Supplemental Environmental Impact Statement (Draft GRR/SEIS)  
**Date:** Monday, September 3, 2018 11:56:11 AM

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Col. Joly,  
Here are my comment on the Draft GRR/SEIS.

The Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations because of Corps' practice of "segmenting" Mobile Harbor Project by preparing multiple separate NEPA documents. The Corps needs to develop a Master Plan and associated Environmental Impact Statement that would identify all work required to expand and maintain Mobile Harbor for at least the next 20 years. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA.

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Charles Cohen

[REDACTED]  
[REDACTED].com/sig-email?utm\_medium=email&utm\_source=link&utm\_campaign=sig-email&utm\_content=webmail&utm\_term=icon> Virus-free. Blockedwww.avast.com  
<Blockedhttps://www.avast.com/sig-email?utm\_medium=email&utm\_source=link&utm\_campaign=sig-email&utm\_content=webmail&utm\_term=link>

## Comment 252

**From:** [Gary Garstecki](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Channel widening Mobile Bay  
**Date:** Monday, September 3, 2018 10:56:14 AM

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Dear Sirs:

I am opposed to the proposed widening until issues affecting Dauphin Island have been more thoroughly considered.

The original 1980 report/EIS that originally recommended the ship channel be deepened was deficient because it completely ignored Dauphin Island's erosion problem. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. The tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island that has occurred since the 1980 report represents a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980.

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Regards,  
Gary

# Comment 253

**From:** [Donna Watts](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Letter of Support  
**Date:** Friday, August 31, 2018 4:24:27 PM  
**Attachments:** [Letter to the Corps of Engineers.docx](#)

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Please see our attached letter of support.

<Blockedhttps://assets-production-webvanta-com.s3-us-west-2.amazonaws.com/000000/45/01/original/sbcc-logo-web.png>

Donna H. Watts, IOM, AACE

President/CEO

o. 251.943.5540

c. 251.609.1173

112 West Laurel Avenue

Foley, AL 36535

mylocalchamber.net <Blockedhttp://mylocalchamber.net>



August 31, 2018

U.S. Army Corps of Engineers  
General Reevaluation Report and Supplemental Environmental Impact Statement

To whom it may concern:

The South Baldwin Chamber of Commerce Board of Directors strongly supports the U.S. Army Corps of Engineers Tentatively Selected plan that includes the following improvements:

- Deepening the channel by 5 feet to a depth of 50 feet.
- Widening the channel for 3 nautical miles to allow two-way traffic.
- Expanding the Choctaw Pass turning basin to accommodate safe turning of larger vessels and Bend easing in the Bar Channel.

The Alabama State Port Authority is one of the largest economic engines in our state, with a \$22.4 billion impact that is felt across Alabama and throughout our nation. This proposed channel expansion is vital to the continued growth and viability of the port and increasing the positive economic impact to the state of Alabama.

In late July, the U.S. Army Corps of Engineers released its four-year \$7.8 million feasibility study on expanding the Mobile Ship Channel. The recommended plan provides for significant improvements and expansion of the Mobile Ship Channel.

We strongly encourage you to move forward with the Tentatively Selected Plan as outlined in the General Reevaluation Report and Supplemental Environmental Impact Statement and begin the expansion and deepening of the Mobile Ship Channel as soon as is reasonably possible.

Respectfully yours,

Sue Alford  
Chairman of the Board

## Comment 254

**From:** [Maeci Walker](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Anthony Kaiser](#); [Donna Watts](#); [Martin Christie](#)  
**Subject:** [Non-DoD Source] Mobile Channel Widening - GUMBO Support letter  
**Date:** Friday, August 31, 2018 3:16:14 PM  
**Attachments:** [Ship Channel Support Letter.docx](#)

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See the attached letter of support from Gulf United Metro Business Organization (GUMBO) regarding the widening of the Mobile Shipping Channel.

Thank you.

Maeci Walker  
Director of Public Affairs | Christie Strategy Group  
334.264.0598 (o) | 205.915.7046 (c)  
[mwalker@christiestrategygroup.com](mailto:mwalker@christiestrategygroup.com)

Check out our website: [Blockedhttp://christiestrategygroup.com/](http://christiestrategygroup.com/)



U. S. Army Corps of Engineers  
General Reevaluation Report and Supplemental Environmental Impact Statement (GRR/SEIS)

Dear Sir or Madam:

Gulf United Metro Business Organization (GUMBO) is a coalition of business leaders, governmental officials, chambers of commerce and other local interests on Alabama's beautiful gulf coast.

We **strongly support the U. S. Army Corps of Engineers Tentatively Selected plan** that includes the following improvements:

- Deepening the channel by 5 feet to a depth of 50 feet.
- Widening the channel for 3 nautical miles to allow two-way traffic.
- Expanding the Choctaw Pass turning basin to accommodate safe turning of larger vessels and Bend easing in the Bar Channel.

The Alabama State Port Authority is one of the largest economic engines in our state, with a \$22.4 billion impact that is felt across Alabama and throughout our nation. This proposed channel expansion is vital to the continued growth and viability of the port and increasing the positive economic impact to the state of Alabama.

A deeper and wider channel will clear the way for the Port to accommodate larger ships that are already coming through the expanded Panama Canal. A deeper channel also allows ships to carry more weight, making the port more efficient for importers and exporters.

The cargo transportation industry continues to shift to increased use of standardized containers used for multimodal (marine, rail and truck) freight transportation systems. Additionally, the future of marine vessels fleets is trending to larger, deeper draft vessels, particularly for containerships and dry bulk carriers.

In late July, the U. S. Army Corps of Engineers released its four-year \$7.8 million feasibility study on expanding the Mobile Ship Channel. The recommended plan provides for significant improvements and expansion of the Mobile Ship Channel.

**Importantly, the study also concludes through a series of detailed analyses that no substantial environmental impacts in aquatic resources are anticipated due to channel modifications.**

**This fact is critically important to those of us who depend on tourism and visitors to our south Alabama beaches. We strongly believe that our Alabama gulf coast tourism related economy and the expansion of our port and ship channel can co-exist and are not mutually exclusive.**

We strongly encourage you to move forward expeditiously with the Tentatively Selected Plan as outlined in the General Reevaluation Report and Supplemental Environmental Impact Statement (GRR/SEIS) and begin the expansion and deepening of the Mobile Ship Channel as soon as possible.

**Our local communities, region, state and from the implementation of this proposed**



**country will all benefit plan.**

Sincerely,

Anthony Kaiser  
Chairman

GUMBO | P.O. Box 658 Foley, AL 36536 | [www.gumbogroup.org](http://www.gumbogroup.org)

## Comment 255

**From:** [Judith Adams](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] FW: Tri Rivers Support  
**Date:** Friday, August 31, 2018 2:03:14 PM  
**Attachments:** [Port of Mobile Support Letter.pdf](#)

---

Jenny: Tri-Rivers sent this to me and mailed the original snail mail. I am forwarding to ensure it is received prior to the 10 September deadline. Best, Judy

Judith Adams

Alabama State Port Authority

+1 251-441-7003

jadams@asdd.com <<mailto:jadams@asdd.com>>

From: Charles Stover <[cmstover@outlook.com](mailto:cmstover@outlook.com)>  
Sent: Friday, August 31, 2018 1:31 PM  
To: [MobileHarborGRR@usace.army.mil](mailto:MobileHarborGRR@usace.army.mil)  
Cc: [billyturner@troy.edu](mailto:billyturner@troy.edu); Judith Adams <[JAdams@asdd.com](mailto:JAdams@asdd.com)>  
Subject: Tri Rivers Support

Attached is a letter of support from our organization, the original of which has been mailed to your office.

Charles Stover

President

205-540-3128



August 30, 2018

Via email to [MobileGRR@usace.army.mil](mailto:MobileGRR@usace.army.mil)

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

**Re: Support for the Port of Mobile Proposed Channel and Harbor Improvements**

Dear Ms. Jacobson:

Tri-Rivers is a non-profit organization founded in 1960 to improve and promote the economic wellbeing of the Apalachicola-Chattahoochee-Flint (ACF) River Basin through education, promotion, and public advocacy. Tri River's members include local government agencies, large and small businesses, lake associations, and individuals who support efforts to maintain and improve the federal waterway project that enhance the quality of life for the citizens of the ACF River Basin. Among the goals of the association are to maintain, create, and develop economic use of the Apalachicola, Chattahoochee and Flint Rivers; to generate and sustain adequate funding for the operation of the federal navigation project; and to raise awareness of the benefits of the river system through contact with the general public, business community, and government officials. Members of Tri Rivers include cities and counties located from Columbus, Georgia to Apalachicola, Florida; businesses and industry such as Columbus Water Works, Westrock, Georgia Pacific and Farley Nuclear Plant, economic development agencies such as the Dothan Chamber of Commerce and the Bainbridge Chamber of Commerce; and businesses located throughout the basin.

The ACF navigation system connects to Mobile harbor through the intracoastal waterway and links eight Georgia counties, four Alabama counties and six Florida counties. Many of these counties are economically depressed and are in need of economic development.

The Alabama State Port Authority of Mobile seeks to improve the Port of Mobile's channel and harbor to serve the larger vessels that now traverse the improved Panama Canal and thereby

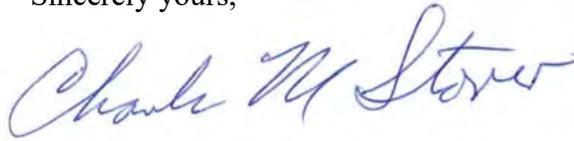
Ms. Jennifer L. Jacobson  
August 30, 2018  
Page 2

making the Port of Mobile more attractive as a port of call for larger ships. This harbor improvement expands the opportunity for economic development in the ACF area.

Tri Rivers strongly supports improvements to the channel and harbor of the Port of Mobile. We encourage the U.S. Army Corps of Engineers to favorably complete the study of improving the channel and harbor for the Port of Mobile and then execute said study.

Thank you for your consideration of these comments. Please feel free to contact me if I may provide additional information or assistance.

Sincerely yours,



Charles M. Stover  
President

cc (via email): Honorable Martha Roby, 2<sup>nd</sup> district Alabama

Honorable Mike Rogers, 3<sup>rd</sup> district Alabama

Honorable Neal Dunn, 2<sup>nd</sup> district Florida

Honorable Al Lawson, 5<sup>th</sup> district Florida

Honorable Sanford Bishop, 2<sup>nd</sup> district Georgia

Honorable Drew Ferguson, 3<sup>rd</sup> district Georgia

Brian Atkins, Director Office of Water Resources Alabama

## Comment 256

**From:** [Steve Spencer](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Port  
**Date:** Thursday, August 30, 2018 3:58:13 PM  
**Attachments:** [DOC016.PDF](#)

---

Please see attachment. Let me know if you have any questions.

Steve Spencer | President

Economic Development Partnership of Alabama

1320 1st Avenue South, Birmingham, AL 35233

phone 205.943.4704 | [sspencer@edpa.org](mailto:sspencer@edpa.org) <<mailto:sspencer@edpa.org>>

August 30, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Dear Ms. Jacobson:

The Economic Development Partnership of Alabama is a private, non-profit organization that was established in 1991 to enhance the state's competitiveness in economic development. Supported by leading businesses in Alabama, EDPA works with state and local allies to attract new investment, retain existing industry and work to address issues that have an impact on the state's economic growth.

I am writing to offer comment on the **Mobile Harbor, Mobile, Alabama U.S. Army Corps of Engineers Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement**. We strongly support the widening and deepening of Mobile Harbor and consider it vitally important to the state's current and future economic development.

EDPA views the Mobile Shipping Channel as Alabama's most important transportation infrastructure asset for international trade. We have always promoted the Port of Mobile as one of Alabama's most significant economic development advantages -- one that is certainly essential to the sustainability and future growth of industry in Alabama.

We awaited the completion of the Panama Canal expansion with great anticipation, believing that it would create significant opportunities to increase international trade and contribute to Alabama's economic growth. And, based on reports of the initial traffic increase, we believe that the Panama Canal expansion presents an opportunity for the Port of Mobile -- already one of the nation's largest in terms of annual tonnage handled -- to become an even more prominent port in the U.S. shipping network.

However, we understand that at its current depth and width, Mobile Harbor is limited in its ability to fully accommodate larger Post Panamax ships, resulting in congestion, transit delays and limitations on cargo capacity.

EDPA appreciates the opportunity to provide input and sincerely hopes the project to widen and deepen the Shipping Channel will be approved, enabling the Port of Mobile to become an even greater contributor to the economy of our state and nation.

Sincerely,



Steve Spencer  
President

bcc: EDPA Board of Directors

## Comment 257

**From:** [Century Tel](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Jeff Collier; coffeegl@aol.com](#)  
**Subject:** [Non-DoD Source] Ship Channel Widening  
**Date:** Sunday, August 26, 2018 12:17:50 PM

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As a Dauphin Island resident, I am greatly concerned about the lack of consideration the Corps has given to the impact on Dauphin Island of the deepening and widening of the ship channel. The Corps, by its' own admission, has concluded that the dredging of the ship channel currently has negatively impacted the sand which would normally replenish Dauphin Island were it not for the dredging of the ship channel. Widening and deepening the channel will only exacerbate this problem.

Your report also does NOT address where the spoils will be placed but instead puts it into a category of "unresolved issues". How can you make a decision about such a major issue without addressing where and how the spoils will be placed. Leaving this major issue in an unresolved state simply could lead to further damage of our natural resources and to major damage to Dauphin Island.

Please don't conclude the study until further consideration of these issues and resolution of them has been made.

Thank you and please feel free to contact me about this issue.

Charles Lea



Sent from my iPad

## Comment 258

**From:** [Jim](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Letter of Support for Mobile Bay (Draft Integrated General Reevaluation Report and the Environmental Impact Study)  
**Date:** Friday, August 24, 2018 4:04:18 PM  
**Attachments:** [Mobile Harborv GRR Letter.pdf](#)

---

Please find attached the Economic Development Association of Alabama's letter in support of improvements to Mobile Bay. Please don't hesitate to contact me if you have any questions.

Thank You,

Jim Searcy

Executive Director

Economic Development Association of Alabama

2 North Jackson Street

Suite 302

Montgomery, AL 36104

Office: (334) 676-2085 / Mobile: (334) 303-7994

[jim@edaa.org](mailto:jim@edaa.org)



2 North Jackson Street, Suite 302

Montgomery, AL 36104

Office – 334.676.2085

Fax – 334.676.2087

E-mail – [info@edaa.org](mailto:info@edaa.org)

Web Site – [www.edaa.org](http://www.edaa.org)

## Economic Development Association of Alabama

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August 24, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Ms. Jacobson,

On behalf of the Board of Directors and the 475 members of the Economic Development Association (EDAA), I am writing in support of the proposed improvements to the Mobile Bay. The Port of Mobile and the Alabama State Docks are essential to Alabama's continued economic growth and the members of EDAA recognize that the improvements outlined in the Draft Integrated General Reevaluation Report and the Environmental Impact Study will enhance the viability of one of Alabama's greatest assets. Further it will allow Alabama economic developers to incorporate economic recruitment and retention strategies that will help grow and diversify the State's economy.

Alabama has been successful in growing a robust and diverse economy focusing on the automotive, aerospace, and advanced manufacturing. At the same time we continue to support the expansion of our existing industrial base and natural resources. Improvements to the Port would allow that to continue. Ultimately, the proposed changes to Mobile Bay mean more jobs for Alabama citizens and a vibrant, sustainable economy.

Finally, as Alabama continues to develop foreign markets and become a larger presence in a global economy, we must have facilities that offer the necessities of world commerce. Please let me know if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Searcy", written in a cursive style.

Jim Searcy

## Comment 259

**From:** [Frank Fogarty](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Port of Mobile Harbor Deepening and Widening  
**Date:** Friday, August 24, 2018 1:56:12 PM

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I wish to convey my full support for the deepening and widening of the Mobile Harbor Channel.

Ships serving the port are getting bigger to realize the economies of scale. These are not just container ships. They include bulk and breakbulk ships as well.

Deepening and widening of the channel will allow the larger ships to have two-way traffic safely pass one another, adding efficiency to the port, and to the overall safety to ship movements in the harbor.

Thank you for your consideration in this matter.

Sincerely,

Frank Fogarty  


## Comment 260

**From:** [Shelly Mattingly](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Kellie Hope](#); [Brian Willman](#); [Daniel Dennis](#); [Judith Adams](#)  
**Subject:** [Non-DoD Source] Letter of Support from the Mobile Area Chamber of Commerce  
**Date:** Friday, August 24, 2018 8:14:14 AM  
**Attachments:** [letter\\_of\\_support.pdf](#)

---

Shelly Mattingly, IOM

Executive Assistant to the

President and CEO

Mobile Area Chamber of Commerce

P.O. Box 2187

Mobile, AL 36652-2187

251-431-8655 Fax – 251-432-1143

[smattingly@mobilechamber.com](mailto:smattingly@mobilechamber.com)

Blocked[www.mobilechamber.com](http://www.mobilechamber.com)

Twitter: @MobileChamber

Facebook: Blocked[www.facebook.com/MobileChamber](http://www.facebook.com/MobileChamber) <Blocked<http://www.facebook.com/MobileChamber>>

August 23, 2018

U.S. Army Corps of Engineers  
ATTN: PD-F  
P.O. Box 2288  
Mobile, AL 36628

Dear Sirs:

As President and CEO of the Mobile Area Chamber of Commerce, and on behalf of our nearly 2,000 business members and their 110,000 employees, I wish to express our support for the U.S. Army Corps of Engineers' project to increase the depth and width of the Mobile Harbor Channel.

The Mobile Area Chamber of Commerce serves as the lead economic development agency for the City of Mobile and Mobile County. One of our key strategic advantages lies in the capabilities of our deep water Port of Mobile. Most recently, the Port played a critical part in Walmart's decision to invest \$135 million in a 2.5 million-square-foot distribution facility in Irvington. Based on the Chamber's current project activity, there is growing interest in the distribution sector in Mobile, and we can certainly expect additional investment.

As import/export activity continues to grow and drive our economy, it's critical our ship channel and turning basin be widened and deepened to accommodate more and larger ships to keep our port competitive in the future.

Therefore, the Chamber supports and encourages the Corps to issue a Record of Decision and move forward with deepening and widening of the Mobile Harbor Channel.

Sincerely,



William B. Sisson  
President and CEO

sm

cc: Brian Willman  
Daniel Dennis  
Kellie Hope

## Comment 261

**From:** [MITTENZWEI Kurt - ERU](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening and Widening Project  
**Date:** Thursday, August 23, 2018 2:27:57 PM  
**Attachments:** [Mobile Dredging Project.docx](#)

---

Ms. Jennifer L. Jacobsen

U.S. Army Corps of Engineers, Mobile District

Please note attached letter outlining CMA CGM America's support of the Mobile Harbor Deepening & Widening Project.

Best Regards

Kurt Mittenzwei

Vice President, Marine & Terminal Operations

Direct Line: +1 (201) 806-9540

Cell: +1 (908) 361-5498

CMA CGM (America) LLC

Blockedwww.cma-cgm.com <Blockedhttp://www.cma-cgm.com/>



**CMA CGM (America) LLC**  
as Agent of CMA CGM SA

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers, Mobile District  
Mobile, AL 36628-0001

Dear Ms. Jennifer L Jacobsen

I am writing this letter to express my sincere support on behalf of CMA CGM America LLC endorsing the proposed project for the deepening and widening of the Mobile Harbor. With continued container growth in the Gulf, CMA CGM will be deploying larger vessels to meet customer demand. It's essential that the Port of Mobile has the infrastructure in place to ensure our vessels can continue to call the Port with efficiency and safety at the forefront.

1. Based on the existing traffic and the delays caused by one-way traffic when wide beam or passenger carrying ships are moving, the widening of a 3-mile segment from the current 400' width to 500' will allow ships to pass each other and reduce the delays of arrival and sailing tremendously. The safety and efficiency of the wider channel will be assured and the Port Users growing needs can be met.
2. The deepening of the channel from the sea buoy in the Gulf to the Mobile Container Terminal will allow the added tons that can be moved via the McDuffie Coal Terminal and the Mobile Container Terminal. The added tonnage per vessel will result in economy of scale and cheaper freight rates. Larger container ships provide more available slots for Mobile containers as well as added empty containers for increased export shipments.
3. Increasing the size of the Choctaw Pass Turning Basin will allow the larger vessels to turn.

The Port of Mobile remains a key strategic partner to CMA CGM America. The deepening and widening of the Mobile Harbor will ensure we are able to service our customers and allow all port Users the ability for continued growth & success in the region.

Your consideration and support in this matter would be greatly appreciated

Sincerely,  
*Kurt Mittenzwei*

Kurt Mittenzwei  
VP, Marine & Terminal Operations  
CMA CGM (America) LLC

## Comment 262

**From:** [Bob Collins](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Project  
**Date:** Thursday, August 23, 2018 8:48:41 AM

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Ms. Jacobsen,

As a customer of the Alabama State Docks for over forty years, I can't stress enough how important it is for us to deepen and widen the Mobile Ship Channel. Jimmy Lyons and his administrators have done a fantastic job of peering into the future in order to keep the ASDD on the cutting edge of worldwide shipping and commerce. The growth and sustainability of McDuffie Coal Terminal, general cargo operations, as well as APM Terminals, depend heavily on the ability to compete on a global level. The completion of this project will help keep the Port of Mobile viable for many years to come.

Thank you for your time,

H R Collins, President

Bay Steel Corp

bayinc@bellsouth.net <<mailto:bayinc@bellsouth.net>>

251-433-0514 ph

251-433-1918 fax

## Comment 296

**From:** [Tom Tisa](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Chuck Camp](#)  
**Subject:** [Non-DoD Source] CN letter of support - Mobile EIS  
**Date:** Thursday, August 23, 2018 8:10:55 AM  
**Attachments:** [MOBILE LETTER OF SUPPORT.pdf](#)

---

Ms. Jennifer Jacobsen, please find attached CN's letter of support for the Mobile Harbor GRR Supplemental Environmental Impact Study. Tom



**Thomas J. Tisa**  
Director – Corporate Development  
17641 South Ashland Avenue  
Homewood, Illinois 60430

August 23, 2018

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers, Mobile District  
PO Box 2288  
Mobile, AL 36628-0001

RE: Mobile Harbor, Mobile, Alabama Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement, Mobile County, Alabama

CN is an active participant in freight transportation to/from the Port of Mobile. We support this project as a way to maintain Mobile's competitiveness and promote the growth of intermodal shipments.

1. Based on the existing traffic and the delays caused by one way traffic when wide beam or passenger carrying ships are moving the widening of a 3-mile segment from the current 400' width to 500' will allow ships to pass each other and reduce the delays of arrival and sailing tremendously. The safety and efficiency of the wider channel will be assured and the Port Users growing needs can be met.
2. The deepening of the channel from the sea buoy in the Gulf to the Mobile Container Terminal will allow the added tons that can be moved via the McDuffie Coal Terminal and the Mobile Container Terminal. The added tonnage per vessel will result in economy of scale and competitive freight rates. Larger container ships means more available slots for Mobile containers as well as added empty containers for increased export shipments.
3. Increasing the size of the Choctaw Pass Turning Basin will allow the larger vessels to turn.

Sincerely,

A handwritten signature in black ink that reads "Tom Tisa". The signature is written in a cursive style with a large, sweeping 'T' and 'I'.

Tom Tisa

# Comment 264

**From:** [Rodriguez, Cristina](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] MOBILE HARBOR DEEPENING AND WIDENING PROJECT  
**Date:** Tuesday, August 21, 2018 10:47:51 AM

---

Ms. Jennifer L. Jacobsen

U.S. Army Corps of Engineers, Mobile District

Mobile, Alabama

Dear Ms. Jacobsen,

We have been costumers of the Mobile Port for the past 20 years and have always benefited from its outstanding services. Our shipments from the Port of Mobile greatly support our operations in Latin America therefore we would like to endorse the widening and deepening of the Mobile Ship Channel provided all environmental and social issues are well founded and considered. Thank you.

Cristina N. Rodriguez

Buyer

...

Smurfit Kappa The Americas

1301 International Parkway, Suite 550, Sunrise, Florida 33323, USA

...

Tel: +1 (954) 514-2584

Fax: +1 (954) 514-2599

[cristina.rodriguez@smurfitkappa.com](mailto:cristina.rodriguez@smurfitkappa.com) <<mailto:cristina.rodriguez@smurfitkappa.com>>

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# Comment 265

**From:** [George Crozier](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Personal comments  
**Date:** Tuesday, August 21, 2018 9:28:42 AM  
**Attachments:** [Channel comments.docx](#)

---

Thanks for the opportunity

George Crozier

[REDACTED]

[REDACTED]

[REDACTED]

Channel comments

The **Mobile Harbor, Mobile, Alabama Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement** does digitally integrate an “updated” EIS with the several USACOE reports dating back to 1980. Many of those efforts use descriptive data from even earlier studies of the Bay. More recent work has been included but it remains somewhat limited in terms of confidence in the baselines. Obviously, it would be impossible to re-do all this work.

However, the TSP established a hydrologic baseline largely with data from the **past**, largely from a single year’s weather data and a variety of episodic events. Unfortunately, the concept of “shifting baselines” has been beautifully articulated by both Daniel Pauly and Jeremy Jackson. This is a serious issue since the average conditions of 2025, and beyond, will be influenced by climate change, population growth, etc., and things that we haven’t even thought of! Given the potential problems, they could have made two runs, one an average "high/flood" regime and another using an average "low/drought" year. That is not a huge statistical obstacle. Those results (e.g. salinity changes) would allow us to make better-informed projections of impacts on biota and everything that depends on it. The current conclusions may prove to be accurate, but they are flawed by the assumption of constancy.

I suppose that the expansion of the Panama Canal virtually forces them to follow suit with the channel deepening. It's interesting to speculate on the future of coal, both coming and going through the channel, as a factor. The economic arguments are strong, but they were for the Tenn-Tom project too - how did that work out for them?

The volume available in relic shell excavation sites is based on 30+ year old surveys. These volumes could have been reduced by normal settling of bed load. A more recent assessment would seem appropriate – easily and quickly done.

My cynical side clearly acknowledges that it's going to "get done" and the system will almost certainly adjust. It's simply unclear how to predict the winners and losers in the resource base.

# Comment 266

**From:** [Atul Sabharwal](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Christy Alvord](#); [Edmund Redd](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening and Widening Project  
**Date:** Monday, August 20, 2018 3:21:01 PM

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To

Ms. Jennifer L. Jacobsen

U.S. Army Corps of Engineers, Mobile District

PO Box 2288

Mobile, AL 36628-0001

Dear Ms. Jacobsen ,

We, Vulcan Materials, operate a bulk terminal a Blakely Island where we import anywhere from 500,000 - 1,000,000 tons of construction aggregates to serve the construction needs of the greater Mobile market. We import the aggregate using specialized panamax sized self discharging belted self unloaders which are significantly more expensive than the conventional bulk carriers mainly due to their efficiency of discharge and short port stay.

We have been operating this terminal from the early 90's and now with the increased traffic of wide beam vessels calling the port of Mobile our ships often have to wait on these wide beam ships to clear the channel significantly impacting our cost structure. As you can appreciate, aggregates being a commodity, these costs are not a pass through to the end user and have to be absorbed by us.

We are of the opinion that deepening and widening of the channel to allow wide beam ships to pass each other will reduce the waiting time for all ships due to such movements thus improving the efficiency of the port and position the Port of Mobile favorably for the future as the place to do business.

Please reach out to me if you need additional information.

I remain yours sincerely.

Atul Sabharwal



**From:** [Wild, Kevin](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Project  
**Date:** Friday, August 17, 2018 9:38:11 AM

---

Ms. Jennifer L. Jacobson :

Good day Ms. Jacobson, I hope this note finds you doing well. My name is Kevin Wild, President of CG Railway LLC (CGR), and I would like to express my support for the deepening and widening of the Mobile Ship channel.

CGR operates two wide beam rail ferry vessels between the Port of Mobile and the Port of Coatzacoalcos , Mexico. This is the only rail ferry service using vessels and having the capacity for 115 railcars in operation in the United States. The service has been in operation since 2001 and has completed over 1,200 voyages . Fast and consistent transit is a key component for our liner service to compete against the more traditional land bridges. As the number of port calls by wide beam vessels have increased our delays have increased and thereby our operations are not as consistent. As I know you can appreciate, vessel delays not only impact our ability to compete but it has great financial impact on CGR and has a negative economic impact on the region. The fewer voyages CGR is able to complete reduces the services and products we purchase from local vendors/service providers and the less reliable the service is makes it difficult for manufacturers in the region to take full advantage of the growing NAFTA market.

We are committed to the Port of Mobile . Our operation requires special built rail terminal , the new double deck terminal (\$30million) was completed in 2007, and connectivity to multiple US railroads ( Mobile provides 5 connecting railroads) . We are committed to this service. We have proven that this mode of transportation works and that it work best via the Port of Mobile. Our commitment to the service is clearly illustrated in that we are in discussions with shipyards for the construction of two new rail ferry vessels . These two vessels would be coming on line in the first half of 2021 and they will be wide beam vessels as well. The growing trend to larger and deeper vessels will continue and therefore it is critical that steps are taken to make sure that the Port of Mobile is able to effectively handle the volume so that the Port and the serving carriers can remain competitive.

Best regards

Kevin Wild

President

CG Railway , LLC

504-249-6228 or 251-599-4125

## Comment 268

**From:** [Byrd, Bruce](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] SSAB Letter of Support for Harbor Widening Project  
**Date:** Thursday, August 16, 2018 8:50:29 AM  
**Attachments:** [image001.png](#)  
[SKM\\_C36818081608460.pdf](#)

---

Please find attached comments and letter of support for the Mobile harbor widening project. Any questions or comments please feel free to contact me directly.

Thanks

Bruce

Bruce Byrd  
Director of Transportation  
SSAB Americas  
D 251-264-3294 M 251-581-4101  
bruce.byrd@ssab.com <<mailto:bruce.byrd@ssab.com>>

Please note new direct line #: 251-264-3294

SSAB is a Nordic and US-based steel company. SSAB offers value added products and services developed in close cooperation with its customers to create a stronger, lighter and more sustainable world. SSAB has employees in over 50 countries. SSAB has production facilities in Sweden, Finland and the US. SSAB is listed on the NASDAQ OMX Nordic Exchange in Stockholm and has a secondary listing on the NASDAQ OMX in Helsinki.  
Blockedwww.ssab.com <Blockedhttp://www.ssab.com/> .

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August 15, 2018

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers  
Mobile District  
P.O. Box 2288  
Mobile, Alabama 36628-0001  
[mobileharborGRR@usace.army.mil](mailto:mobileharborGRR@usace.army.mil)

Re: Mobile Harbor Project

Dear Ms. Jacobsen

On behalf of SSAB Americas, I am pleased to extend our support for the deepening and widening of the Mobile harbor and channel. This project will go a long way to increase capacity and efficiency within the harbor, and improve safety for the region.

SSAB is a global leader in value added, high strength steel. SSAB offers products developed in close cooperation with its customers to attain a stronger, lighter and more sustainable world. We are proud to manufacture steel in Axis, Alabama where we convert scrap metal to finished steel plate for increasingly demanding applications, including military ships, heavy machinery, rail cars, and pipelines.

Located just 16 miles from the Port of Mobile, Axis was an ideal greenfield site for a steel investment in 2001. We depend on a safe, reliable and efficient waterborne transportation system to receive the raw materials used in our manufacturing process, and to carry finished steel products to our customers. The Port is now one of the fastest growing harbors in the nation- in any given year, between 52-67 million tons of cargo move annually through the harbor. Deepening and widening the navigation channel is necessary to meet the increased capacity of the Port.

The Mobile ship channel is critically important to SSAB's operations in Southwest Alabama. Our mill is dependent on both barges and cargo ships in moving our finished products and raw materials. In 2017, SSAB shipped 118K tons of finished plate and coil and brought in 557K tons of ferrous scrap on 497 barges. We also exported 49K tons of finished product over 68 different vessels that had called on the Port of Mobile. We expect 2018 to surpass these levels in all areas. It is crucial that the port of Mobile be a dependable link for Alabama manufacturers to our customers throughout the country and around the globe.

**SSAB Enterprises, LLC**

801 Warrenville Road, Suite 800  
Lisle, IL 60532

T +1 630 810 4800  
F +1 630 810 4600

Toll-free +1 877 594 7726  
[www.ssab.com](http://www.ssab.com)

We appreciate the opportunity to comment on the proposed project and thank you for your work to support America's infrastructure. If you have any questions, please contact me at [bruce.byrd@ssab.com](mailto:bruce.byrd@ssab.com) or Katie Larson at [katie.larson@ssab.com](mailto:katie.larson@ssab.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Byrd', written in a cursive style.

Bruce Byrd  
Director of Transportation  
SSAB Americas

## Comment 269

**From:** [sgraves1@bellsouth.net](mailto:sgraves1@bellsouth.net)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Flakes, Curtis M CIV \(US\)](#); [Newell, David P CIV CESAM CESAD \(US\)](#); [jcollier@townofdauphinisland.org](mailto:jcollier@townofdauphinisland.org); [Dennis Knizley](#); ["Bob Neal"](#); ["carol merkel"](#); [cmgraves2012@yahoo.com](mailto:cmgraves2012@yahoo.com); [cresapdl@aol.com](mailto:cresapdl@aol.com); ["david connolly"](#); ["David Meyer"](#); ["Gary Bratt"](#); ["Glen Coffee"](#); [info@newtechdi.com](mailto:info@newtechdi.com); ["Jim Roberts"](#); [Joe Belmont](#); ["Laura"](#); ["Lisa Young"](#); [Mark Williams](#); ["Nancy Meyer"](#); ["vickie connolly"](#); ["Virginia Bratt"](#)  
**Subject:** [Non-DoD Source] Berm extension,, Mobile District Public Notice  
**Date:** Wednesday, August 15, 2018 8:06:18 PM  
**Attachments:** [08082018\\_SIBUA\\_PUBLIC\\_NOTICE\\_SIGNED\\_LETTER\\_.pdf](#)

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I just received this public notice about the SIBUA extension, but it did not come through the Mobile Harbor Group. Curious when will the Mobile Harbor Group release the public notice to the general public through its normal distribution list for the Mobile Harbor GRR/SEIS? In addition, since the announcement does not elaborate on the depth of the extension, would please advise me of the depth of the Gulf of Mexico where the SIBUA will be extended at this location?

Thanks,

Stan Graves

## Comment 270

**From:** [Shirley Parmer](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [ljackson@mobilebaykeeper.org](mailto:ljackson@mobilebaykeeper.org)  
**Subject:** [Non-DoD Source] Letter From Jack V. Greer, Sr.  
**Date:** Wednesday, August 15, 2018 11:40:58 AM  
**Attachments:** [SKM\\_80818081511200.pdf](#)

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**From:** xerox  
**Sent:** Wednesday, August 15, 2018 10:20 AM  
**To:** Shirley Parmer  
**Subject:** Message from KM\_808



## AUTRY GREER & SONS, INC.

2850 West Main Street  
Prichard, Alabama 36612  
Office: 251-457-8655 Fax: 251-456-3744

Barton Greer, Jr., Chairman  
Jack V. Greer, President  
Robert A. Greer, VP & Secretary  
Jack V. Greer, Jr., VP & Treasurer  
O. M. Otts, III, VP & CFO

August 13, 2018

U.S. Army Corps of Engineers  
District, Mobile  
109 Saint Joseph Street  
Mobile, AL 36602-3620

SAM.USACE.ARMY.MIL/MISSIONS/PROGRAM –  
AND – PROJECT – MANAGEMENT/CIVIL PROJECTS/  
MOBILE – HARBOR-GRR

[MobileHarborGRR@usace.army.mil](mailto:MobileHarborGRR@usace.army.mil)

Dear Folks,

My name is Jack V. Greer. I was one of the originators and first President of The Fowl River Protective Association predecessor to Mobile Bay Watch (Casi Calloway, Executive Director). We hired her 20 years ago.

I just retired as President of Autry Greer & Sons, Inc., a family owned 102 year old, 5<sup>th</sup> generation grocery supermarket company with 30 supermarkets operating in Alabama, Mississippi and Florida.

I have lived all my life since 1927 on the western shore of Mobile Bay at Belle Fontaine about half way between Dog River and Fowl River and opposite Gilliard Spoil Island.

We have seen all the good and bad developments on and for the bay. I walked through the new Bankhead Tunnel on crutches at age 13; I hunted ducks in front of the house and on the original Ammunition Dump Islands and saw the grass beds eliminated and the duck flyways gone. I saw the brown pelicans almost all gone and come back in mass because of Gilliard Island. I saw the Bay be great to play in and gradually fall prey to upstream pollution and out fall. I saw the proposed out fall pipe be eliminated and the management of Degussa develop affluent systems to make it unnecessary. I saw the oil into the Bay from the B.P. oil spill in the nearby Gulf.

I've see the western shore of Mobile Bay take a tremendous hit from hurricanes and ship channel dredging and action. I've seen stone benches and stone barbeque pits, land and trees fall into the Bay. I've seen the road in front of our houses fall into the Bay.

According to the appraiser for the Mobile County Tax Assessor's office, looking at his aerial photo, we have lost 50 feet of land in front of the house and according to Judy Haner of The Nature Conservancy, the same thing has generally occurred from above Dog River to the north and below Fowl River to the south.



Greer's Got It! We Guarantee It!

Here for Good.

According to the scientists at the Sea Lab on Dauphin Island, dredging of the channel causes the shoreline to slough off in the Bay and the gradual loss of front property as I stated.

Therefore, perhaps part of the spoil from this new dredging can be sensibly used to replace everyone's Bay front property if done right with a proper plan and funding.

In addition, I've seen the wave action from the very large ships eat into the shoreline.

In summary, I am for the dredging because when Mobile grows it helps my grocery business grow. However, if it isn't done in a way to protect the property on the west side of the Bay and done properly, I am totally against it.

Cordially,

A handwritten signature in black ink that reads "Jack V. Greer". The signature is written in a cursive, flowing style.

Jack V. Greer, Sr.  
9525 Sunny Cove Road  
Theodore, AL 36582

/sp

CC: ljackson@mobilebaykeeper.org

## Comment 271

**From:** [Zemmie Murray](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source]  
**Date:** Tuesday, August 14, 2018 11:09:40 AM  
**Attachments:** [20180814104120564.pdf](#)

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We are attaching our letter to Ms. Jennifer L. Jacobson in support of the widening and deepening of the Mobile ship channel.

Thank you,

Zemmie Murray

**RICHARD MURRAY & COMPANY, INC.  
109 N. CONCEPTION STREET  
P.O. DRAWER 30  
MOBILE, AL 36601**

**TELEPHONE: (251)432-5549**

**FAX: (251)432-2810**

---

**August 14, 2018**

**To: Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District**

**We are customs brokers and international freight forwarders and have been in the business in Mobile since 1923. We feel the widening and deepening the Mobile ship channel is vital to allow our customers to remain competitive. We handle many import containers on various steamship lines that call the Mobile Container Terminal from ports all over the world and particularly the Far East. We also handle a good volume of import steel and coal which would also greatly benefit from widening and deepening the channel.**

**I feel this is more important than ever because of our new trade policies of increasing tariffs on many import products. Importers and exporters will be looking for every advantage to keep their cost as low as possible. The widening and deepening of the channel will result in lower ocean freight rates for them.**

**In addition to the above many new large companies have located to our area because of the new steamship services that are now calling the Mobile Container Terminal and we must stay competitive with the other Gulf and South Atlantic ports, so they will continue to call at Mobile. This will allow us to keep attracting more of these large companies producing more jobs and a better economy for our area. We strongly support the widening and deepening of the Mobile ship channel as soon as possible.**

**Very truly yours,**

  
**Edward F. Murray, Jr.**  
**President**

**From:** [Harold, Brian](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Attn: Jennifer L. Jacobsen - re: Mobile Harbor Deepening and Widening Project  
**Date:** Monday, August 13, 2018 2:42:38 PM  
**Attachments:** [image001.png](#)

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Dear Ms. Jacobsen,

I am writing you this letter in support of the Mobile Harbor Deepening and Widening Project. APM Terminals operates one of the world's largest and most comprehensive port and integrated inland services networks. Our network includes 76 port facilities and 117 inland services operations across 58 countries. APM Terminals is part of the AP Moller - Maersk Group, a global leader in container shipping and ports which also includes Maersk Line, the world's largest container shipping company. Maersk Line operates a fleet of 611 vessels and ships 12 million containers per year to 343 ports around the world. APM Terminals Mobile, LLC is our major container terminal located on Choctaw Point in the Port of Mobile, AL. The facility opened in 2008 and its construction and subsequent upgrades and expansions have been done via significant capital investments by APM Terminals and the Alabama State Port Authority.

Several steamship carriers connect Mobile to various trade routes around the world. The steamship carriers calling Mobile, among others, include the world's 4 largest (Maersk Line, Mediterranean Shipping Co., CMA CGM, and China Ocean Shipping Co.) The volume of containerized cargo has grown significantly since opening the container terminal in 2008, and over the past two years we have seen growth levels of around 20%. The demand for containerized cargo moving via the Port of Mobile will continue to grow in coming years due to the Panama Canal expansion and Alabama's recruitment in the manufacturing and retail/distribution sectors. That growth is highlighted by the recent opening of a 2.6 million sq. ft. import distribution center by Walmart, the largest importer of containerized goods into the United States. This growth is triggering the upsizing of container vessels that call in Mobile. Other regional economic development investments in the works include: Airbus' announced production of the Bombardier Ceries at its manufacturing facility; Toyota Mazda announced auto assemble facility at Huntsville, AL; and ongoing expansions at Mercedes, Honda and Hyundai in Alabama totaling \$1.4 billion. Just this year we have seen one Trans-Pacific service upgrade from 4,200 TEU capacity vessels to 6,500 TEU vessels and another upgrade from 5,500 TEU to as large as 8,700+ TEU capacity vessels. While these upgrades will help meet the growing demand, the depth of the ship channel inhibits these larger vessel's capabilities to fully utilize their overall capacity. Major exports in this area include very heavy commodities such as forestry products, steel and frozen poultry so increases in volumes and associated increase in tonnage require a deeper ship channel. When fully utilized, these larger vessels provide economies of scale to the carriers which can provide lower freight rates to shippers. Additionally, increased import shipments into Mobile will ensure sufficient empty containers are available for export shippers in the market.

While currently APM Terminals Mobile is servicing vessels up to 8,700 TEU, our infrastructure such as our recently-added ship-to-shore cranes, as well as our stacking yard and truck gate, enable the terminal to service much larger vessels. In fact, steamship carriers calling the Port of Mobile are already inquiring

about our willingness to service up to 13,000+ TEU capacity vessels. Without added channel deepening allowing vessels to reach a depth of around 50 feet, it would be very difficult for a steamship carrier to justify such a vessel call. I would also like to highlight the fact that Miami is a subsequent port of call for two weekly services after they

depart Mobile. Both of these services utilize 8,000+ TEU vessels. The Port of Miami, having recently deepened their port to 50ft, cannot be fully utilized by steamship services following a Mobile call as they need to load these ships lighter so they can navigate the more shallow Mobile ship channel. This makes the Port of Mobile less attractive to steamship carriers and will continue to challenge the feasibility of the Mobile call as vessels continue to upsize.

This increased demand, which projects increased vessel calls, as well as the increased vessel sizes, require expanding the Choctaw Pass Turning Basin and constructing a passing lane on the lower channel to alleviate vessel delays and improve safety.

As such, I would like to express APM Terminals' support of the Mobile Harbor Deepening and Widening Project's recommendations for the turning basin improvements as well as the widening of a three-mile segment of the ship channel from 400 to 500 feet. Given APM Terminals' experience in the Port of Mobile and our constant direct interaction with steamship carriers, beneficial cargo owners and other port users, we strongly feel that these improvements are vitally necessary to the Port of Mobile's ability to continue to service the demands of U.S. shippers in this growing market.

Sincerely,

Brian Harold

Managing Director

APM Terminals Mobile, LLC.

901 Ezra Trice Blvd.

Mobile, AL 36603

Office - 2514106090

Cell - 9089661841

Blockedwww.apmterminals.com

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Please consider the environment before printing this email.

## Comment 273

**From:** [Ed Bastian](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Port of Mobile Dredging project  
**Date:** Monday, August 13, 2018 7:59:48 AM

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As a global ocean carrier that frequently utilizes the Port of Mobile for our vessel operations. We fully support the efforts of those working toward the widening and deepening of the Mobile ship channel.

Sincerely,

Edwin Bastian

BBC Chartering USA, LLC

Houston, Texas

Sent from Mail <Blocked<https://go.microsoft.com/fwlink/?LinkId=550986>> for Windows 10

**From:** [Host Agency - Mobile](#)  
**To:** [Mobile Harbor GRR](#); [Host Agency - Mobile](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening and Widening Project  
**Date:** Thursday, August 9, 2018 10:16:56 AM  
**Importance:** High

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To: U.S. Army Corps of Engineers, Mobile District

Attn: Ms. Jennifer L. Jacobsen

Fm: T. Parker Host a.k.a. Host Agency, LLC

Good day Ms. Jacobsen,

We are a local company who are involved with the daily movements of vessels calling on The Port of Mobile, Alabama. We are what you would call a vessel Agent. We act as the representative of a vessel by way of the Owners, Charterers, Shippers, Receivers or sometimes we act as agent for them all at one time. We are responsible for all of the vessels requirements and pay all the bills for the vessels port call. To sum it up we control the vessels as would the Owners of the vessels who are in Foreign Countries and who do not have offices or authority to operate in the United States.

As you may or may not know the vessels are very costly and every second is accounted for and paid for by someone involved in the movement of the vessels. So with that said, In doing our job we coordinate closely with The Port Authority, Mobile Bar Pilots and the two (2) tug companies here in Mobile to get our vessels in and out of The Port in the most timely manner possible. When vessels are delayed by wide beam vessels (one way traffic) then the cost of the delay is passed onto the various parties involved. When this happens it makes the various parties involved question the commercial lose due to the delay, which in turn makes them question the viability of doing business in The Port of Mobile.

Based on the above, we greatly feel that a need for the widening of a 3 mile segment of the current channel of 400 feet to 500 feet and deepening of the channel from the sea buoy to The Mobile Container Terminal from the current 45 feet to 50 feet, will benefit all parties involved in the maritime industry and not just The Port of Mobile. Just this year The Port of Mobile was able to assist the over flow from Mississippi River when the shoaling of the South West Pass caused the bar to become unpassable to vessels of drafts over 42 feet. We handled several vessels by bringing them into McDuffie Coal Terminal and lightering these vessels from a deep draft of 45 feet to the 42 feet or less in order to save money and time for these vessels to go back to New Orleans to complete their commercial contracts. If our channel would have been at 50 feet then we could have assisted move commercial vessels as we turned away many vessels with drafts of 47 feet due to the fact that our channel was only 45 feet.

Please keep in mind that the post panamax vessels are larger and deeper now which means that they will require wider and deeper channels. If we do not keep up with the growing trend of the larger and deeper draft vessels then we will fall behind the commercial requirements of the maritime industry and as such The Port and it's various industries that are calling on The Port will look elsewhere for product and supplies.

The Port and its various tenants, vendors and customers have been working diligently to increase the tonnage volumes and logistics of moving commodities from The Port to stay as competitive in the maritime market as possible. If we, The Mobile Maritime Community and the local U.S. Army Corps of Engineers "Mobile District" do not do our due diligence to stay ahead of the growing need for deepening and widening our channel to provide a solution to the ever changing needs of the larger vessels then we will be left behind by The Port's which take the initiative to create growth.

In view of the above, we kindly ask for your support for the widening of the channel for the "3 mile passing lane", the deepening of the channel to 50 feet as well increasing the size of the Choctaw Pass Turning Basin in order to allow The Port to continue to grow and stay competitive with the other ports in the US Gulf and East Coast. In doing so you will give value to the Owners, Charterers, Shippers and Receivers of the commodities being moved in and out of The Port of Mobile as this will allow them to increase the tonnages being moved on a daily basis which in turn means more revenue, jobs and growth for The Port of Mobile and The State of Alabama as a whole.

I hope that the above is found to be in good order and if you have any questions of concerns, please feel free to reach out to me at any time.

Thank you again for your consideration in hearing my opinion on this subject matter.

Best Regards,

Alexander S. May (Alec)

Mobile@HostAgency.com <<mailto:Mobile@HostAgency.com>>

Host Agency, LLC

200 South Royal Street <x-apple-data-detectors://2/0>

Mobile, AL 36602 <x-apple-data-detectors://2/0>

Office: 251.433.1536 <tel:251.433.1536>

Mobile: 251.287.5722 <tel:251.287.5722>

Blockedwww.hostagency.com <Blockedhttp://www.hostagency.com/>

## Comment 275

**From:** [Mike Lee](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Deepening & Widening Project  
**Date:** Wednesday, August 8, 2018 5:04:19 PM  
**Attachments:** [image001.png](#)

---

To: Ms. Jennifer L. Jacobsen

U.S. Army Corps of Engineers, Mobile District

Re: Mobile Harbor Deepening & Widening Project

Our company has been closely following the progress of the study and plan to deepen and widen the Mobile ship channel for several years now. We have seen this type of project over the many years our company has served the vessels, importers, and exporters in the very large region served by the Port of Mobile. We believe that past projects to deepen the channel, have been done with care, after much study, and with all environmental factors respected and impacts minimized. We are confident this same care and detailed analysis has been applied to this project as well, and have closely followed the Port Authority and the Corps' efforts to insure all things have been considered and the best path selected.

In our 126 years in the trade, we have seen the steady growth and economic development this area has enjoyed, largely built around our maritime industry. Almost every new project, and the many jobs they have created for the workers in a multistate area, have relied on the port for their import supplies and raw materials, and as a path for exports to a worldwide market. No single economic engine drives the success of our region more than the Port of Mobile. To insure this vitally important aspect of trade and jobs remains viable, and continues to fuel our successes, our port must keep pace with the increase in volumes needed by our industries, and be able to accommodate the ever growing vessel size required to economically serve these growing markets. The number of wide beam and cruise vessels calling Mobile make the widening critical to avoid costly delays to vessel traffic. The deepening is just as critical to the larger overall vessels, and the increased tonnages, and resulting reduction in freight costs, that they realize with the additional draft.

For the reasons stated above, we and the many shippers we represent, strongly support this deepening and widening project. We encourage the State of Alabama and the Corps to act as expeditiously as proper and possible, to move this project forward.

Thank you for your consideration,

Respectfully,

Page & Jones, Inc.

Michael B. Lee

President/CEO

125 Years of Service

Michael B. Lee

President / CEO | Page & Jones, Inc.

T (251) 287-8701 | E mlee@pagejones.com <<mailto:mlee@pagejones.com>> | W Blockedwww.pagejones.com  
<Blockedhttp://www.pagejones.com/>

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# Comment 276

**From:** [c.graves](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Extension for 3094-page GRR/SEIS  
**Date:** Saturday, August 4, 2018 8:52:36 PM

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Public Comment period needs to be extended.

----- Forwarded Message -----

From: c graves <cmgraves2012@yahoo.com>  
To: Joly Sebastien P COL USARMY CESAM (US) <sebastien.p.joly@usace.army.mil>;  
"diana.m.holland@usace.army.mil" <diana.m.holland@usace.army.mil>; "todd.t.semonite@usace.army.mil"  
<todd.t.semonite@usace.army.mil>  
Sent: Tuesday, July 31, 2018 10:53 PM  
Subject: Extension for 3094-page GRR/SEIS

Dear Col. Joly,

I am requesting that the public comment period for the draft Mobile Harbor GRR/SEIS be extended to 90 days, at the least.

The report for the massive expansion to the Mobile Harbor is 3094 pages long, which means the document is over 12 inches high.

That means that you are requiring the common man to read and understand over 68 pages a day before he can comment.

Since this project will affect the properties and livelihood of hundred of thousands of people in the Mobile Bay area and on Dauphin Island, you need to extend the public comments to at least 90 days and appoint someone with the Mobile Corps that can be emailed to answer the technical questions from the public.

The public needs their technical questions answered, so they have a clear understanding of all parts of the project before they comment.

Please make sure that the Corps meeting about this project is going to be long enough to cover questions concerning a 3094-page document that is over 12-inches high.

What I do not understand is why the Corps was able to produce the Mobile Harbor GRR/EIS, but not finish the Alabama Barrier Island Restoration Assessment and the Alabama Coastal Comprehensive Plan. Especially, since the two reports were studying all of the same things and both of the reports and their documentation were used in the Mobile Harbor GRR/EIS. Is the Mobile District Corps hiding something from the public?

Have all tiers and attorneys of the US Army Corps of Engineers verified that everything in the Draft Mobile Harbor GRR/SEIS is correct and truthful? Will all of the Corps' tiers and attorneys sign a document stating that everything in the Draft Mobile Harbor GRR/SEIS report is true and accurate. If not, why not?

With best regards,

Caroline Graves

## Comment 277

**From:** [Matt Sparks](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Bobby Smith](#); [Tom Leatherbury](#); [Alice C. McKeever](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Project Endorsement Letter  
**Date:** Friday, August 3, 2018 11:00:48 AM  
**Attachments:** [donotreply@ssamarine.com\\_20180803\\_120340.pdf](#)

---

Ms. Jacobsen.

Good morning.

Attached you will find SSA Marine's endorsement letter for proposed project for the deepening and widening of the Mobile ship channel.

Best Regards,

Matt Sparks

SSA Gulf, Inc.

Marketing/Sales

Cell: 251-259-8701

Off: 251-441-0100

Email: [matt.sparks@ssamarine.com](mailto:matt.sparks@ssamarine.com)



**SSA Gulf**  
A Carrix Enterprise

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers, Mobile District  
PO Box 2288  
Mobile, AL 36628-0001

Ms. Jacobsen, SSA Marine, founded by Fred R. Smith in 1949 is a family owned stevedoring company based out of Seattle, WA. We began our first cargo handling operations in Washington State and today, we have become a global enterprise spanning more than 250 locations across five continents. Currently, SSA Marine handles 28 million container TEU's, 115 million tons of conventional cargo and 7 million cruise passengers each year.

SSA Marine's U.S. Gulf Regional office is located in Mobile, AL with operations spanning six states throughout the Southeast. Along with our joint venture partner, Cooper/T. Smith, we provide stevedoring and terminal operations under the name CSA Equipment Co. here at the Port of Mobile. SSA Marine and CSA Equipment Co. employs 50 full time salaried personnel and up to an additional 200 International Longshoreman Association (ILA) labor workers with \$20 million of rolling stock equipment handling in excess of 1.3 million tons of cargo annually here at the Port of Mobile.

SSA Marine and CSA Equipment Co. fully endorses proposed project for the deepening and widening of the Mobile ship channel. Increased vessel sizes, added freight volume and high efficiencies for ocean going vessels to ingress/egress Mobile's modern port facilities is critical to long-term success of the local and state economy.

Best Regards,

Robert M. Smith  
SSA Gulf, INC.  
Regional Vice President  
251-441-0325  
[Bobby.smith@ssamarine.com](mailto:Bobby.smith@ssamarine.com)

## Comment 278

**From:** [NSS Mobile](#)  
**To:** [Mobile Harbor GRR](#); [NSS Mobile](#); [Bill Inge](#); [Smitty Thorne](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Project Endorsement  
**Date:** Thursday, August 2, 2018 4:55:27 PM  
**Attachments:** [USCOE GRR Letter.pdf](#)

---

Attention Ms. Jennifer L. Jacobsen

Please find attached our letter supporting the project for the deepening and widening of the Mobile Ship Channel.

Please contact the undersigned should you have any questions in regards to the above or attached.

Sincerely,

Nord-Sud Shipping acts in the capacity of "as agents only". Any information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.



**Phone:** (251) 431-7274

**Fax:** (404) 348-4380

**Office:** 605 St. Francis Street, Mobile, Alabama 36602 (USA)

**Email:** nordsudmobile@nordsudshipping.com

**Web:** www.nordsudshipping.com



August 2, 2018

Ms. Jennifer L. Jacobsen  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Re: Port of Mobile GRR (General Reevaluation Report)

Ms. Jacobsen,

It is our understanding that the GRR has been ongoing for about 3 years now and an exhaustive study of all the data including vessel sizes, tonnage moved, frequency of movements as well as environmental impact, has been conducted. Please accept this letter as our endorsement of the proposed project for the widening and deepening of the Mobile Ship Channel basis the following findings:

1. Based on the existing traffic and the delays caused by one-way traffic when wide beam or passenger carrying ships are moving the widening of a 3 mile segment from the current 400' width to 500' will allow ships to pass each other and reduce the delays of arrival and sailing tremendously. The safety and efficiency of the wider channel will be assured and the Port Users growing needs can be met.
2. The deepening of the channel from the sea buoy in the Gulf to the Mobile Container Terminal will allow the added tons that can be moved via the McDuffie Coal Terminal and the Mobile Container Terminal. The added tonnage per vessel will result in economy of scale and cheaper freight rates. Larger container ships mean more available slots for Mobile containers as well as added empty containers for increased export shipments.
3. Increasing the size of the Choctaw Pass Turning Basin will allow the larger vessels to turn.

Respectfully Yours,

Robert L. Harrison

*Nord-Sud Shipping, Inc.*

(As Agents Only)

Cc :

## Comment 279

**From:** [Gary Garstecki](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Impact from channel widening in Mobile Bay  
**Date:** Sunday, July 29, 2018 7:39:17 AM

---

To whom it may concern:

I am alarmed at the lack of attention the Corps has given to the impact that channel dredging and this widening has and will have on Dauphin Island beach erosion. Many of our area citizens will be negatively affected if this goes forward without realistically trying to find a solution that is satisfactory for all concerned.

Until this is fully addressed(remove impact on beach erosion on Dauphin Island) I am opposed to this project.

Regards,  
Gary Garstecki



## Comment 280

**From:** [jim gilbert](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Port dedging  
**Date:** Saturday, July 28, 2018 4:05:08 PM

---

I am against it because of the coal dust polluting our skies, our bay, our homes, and our lungs. Jimmy Lyons doesn't even want a commuter train through here because it might hold up one of the 6 to 8 trains a day coming and going. We want restaurants and condos on Mobile River, not coal dust and oil tanks. Thank You -

Jim Gilbert

[REDACTED]

[REDACTED]

[REDACTED]

## Comment 281

**From:** [caroline graves](#)  
**To:** [caroline graves](#)  
**Subject:** [Non-DoD Source] Corps presents facts in misleading way about Dauphin Island  
**Date:** Wednesday, June 27, 2018 9:53:21 PM  
**Attachments:** [1993 sand berm January 4 MEM Bar Channel.pdf picture.png](#)  
[Slides GRR 22 Feb 2018 Public Meeting - Final - \(SLIDES\) copy.png](#)

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I sent the following email to the Mobile District's Colonel DeLapp showing further evidence how the Corps has been lying to the public about their different sand dumpsite to help Dauphin Island.

I wanted to show him a picture of the Corps' designated 2018 "near shore" dumpsite to help Dauphin Island, was the same dumpsite, the Corps proposed in 1993, to trick and mislead Congressman Beville into believing that the pictured 1993 "near shore" dumpsite would be used to protect Dauphin Island.

After reading my letter to Col. DeLapp, I think you will be disgusted to find out that not one of the sand dumpsite the Corps has used in the past 31 years, has helped Dauphin Island's erosion. It is just a huge pack of lies, and it shows the Corps' abuse of power and control over Dauphin Island.

Even during the settlement of the 2009 Corps' Lawsuit, the Corps led the people in to believing that dumping sand into the feeder berm and SIBUA would help the erosion on Dauphin Island

Per the Joint Notice of the Proposed Settlement... Dated July 15, 2005 guarantees the following: In this original documentation under III Settlement Agreement Terms, it states "Concomitant with the initiation of these studies, and in addition to the above, the Corps agrees to certain dredging and disposal practices. Specifically, the Corps agrees to conduct its ongoing Channel maintenance operations to deposit material dredged from the Channel into the shallowest alternate site currently available.... Such practices will continue even if the case were dismissed."

DOJ 1-34 NRS-#586101-v1-DIPOA\_U\_S\_\_\_Fairness\_Memorandum\_as\_filed Approval Op. at 6. ("[T]he entire island will benefit from the mitigation and prevention of further erosion.")...., the Second Addendum re-affirms the Corps' commitment to deposit dredged material in the beneficial use areas designated originally under the LSA. Moreover, these legally binding commitments are consonant entirely with the Corps' "national policy for both beneficial use and regional sediment management that stresses that [the Corps] identify areas that . . . can keep the sediment in[] the system as much as possible." Tr. at 148:11- 14 (Rees).

The Corps has a pattern of confusion, omissions and repeating the same things over and over in a different way, in hopes that the people of Dauphin Island do not know what is happening, until it is too late.

The facts about Mobile District Corps treatment of Dauphin Island has never been disclosed in detail, before now. I have provided you with the information to please help save the Island.

We can not tolerate the Corps' employees knowingly harming the Dauphin Island and the Mobile District's lies about Dauphin Island, anymore

With warmest regards,

Caroline Graves

Dear Col. DeLapp,

I am putting you on notice of the Federal Laws governing the 2018 Draft Supplemental EIS/GRR for the Mobile Harbor.

§ 1502.9 Draft, final, and supplemental statements which states:

“The draft statement must fulfill and satisfy to the fullest extent possible the requirements established for final statements in section 102(2)(C) of the Act. If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion. The agency shall make every effort to disclose and discuss appropriate points in the draft statement all major points of view on the environmental impacts of the alternatives including the proposed action.”

I wanted to make sure that the Draft Supplement Environmental Impact Statements for the Mobile Harbor and channels discloses all major points of the Corps' past and present maintenance dredging and the environmental and erosional impacts to Dauphin Island.

Since there has been no transparency of the Corps mitigating the erosion on Dauphin Island, and the Corps not fully answering the public questions at the Corps' meetings before the 2018 Supplemental Environmental Impact Statement/Mobile Harbor GRR and the Corps not disclosing any details about the Island's erosion in the Draft Alabama Barrier Island Restoration Assessment Report for Dauphin Island. Nor has the Corps answers significant questions about the Mobile Harbor project or the past consequences of the Corps action. The Corps must fully disclose all things pertaining to the maintenance dredging of the Outer Bar Channel and Dauphin Island's environmental and erosional impacts, in the 2018 Draft Supplement Environmental Impact Statement.

Col. DeLapp, once again, I am informing you that the Mobile District employees are not telling you the truth.

A 1993 document shows the same picture of a “near shore” dumpsite as the Corps' picture of the dumpsite shown at the February 2018 meeting.

The 1993 picture was shown to Congressman Beville and other, as the “near shore” dumpsite for dredged sand to protect Dauphin Island, but in a Corps' internal document relating to the picture, the Corps employees stated:

“As I understand it, a presentation was made recently (included Mr. Bevil) indicating that when the Corps dredges the Mobile Bar (maintenance) in the future both the “off shore” and “near shore” berms would be offered in our

contract as disposal areas. This does not mean we would direct the Contractor to use one over the other, but rather give him that choice."

1993 picture of "near shore" site shown to Congressman Bevill

The Corps knew that Congressman Bevill was extremely concerned about the erosion to Dauphin Island from the District Colonel's letter in 1992. In Oct. 1992, the Corps briefed Congressman Bevill on the severe erosion on Dauphin Island.

Why did the Corps show the picture of the "near shore" site to Mr. Bevill, if the Corps was not going to use "near shore" site to protect Dauphin Island?

The Corps made Congressman Bevill falsely rely on the Corps' pictures of the "near shore" site, including putting his trust that the Corps would use the "near shore" dumpsite to protect Dauphin Island.

The Corps showing the picture of the "near shore" dumpsite and then countering the picture with a Corps' internal memo stating "This does not mean we would direct the Contractor to use one over the other" to deliberately deceive Congressman Bevill is beyond incredible.

Col. DeLapp, how does the Corps explain that at the 2018 Corps' public meeting on new massive expansion to the Mobile Harbor Channels, the Corps showed the same "near shore" dumpsite in one of their poster, The poster also showed the outline of SIBUA and the feeder berm.

Corps' 2018 poster of "near shore" site for Dauphin Island

I hope the Corps is not going to try trick the public again, and use the same deceptive practices as they used in 1993, to get out of mitigating to the erosion on Dauphin Island; that the site can be used as dumpsite, but the Corps would not require their dredging contractors to use it.

If the "near shore" site did not work over 25 years ago, why does the Corps think it will work now?

Col. DeLapp, the Corps employees are not telling you the truth that either the feeder berm or the Sand Island Beneficial Use Area (SIBUA) has helped the Corps' mitigation of the erosional impacts to Dauphin Island.

According to Corps documents, the feeder berm did not help Dauphin Island and the Corps dumpsite SIBUA, is in too deep of water and was only changed from the feeder berm site to SIBUA to save the Alabama State Port Authority \$73 thousand dollars, NOT TO HELP DAUPHIN ISLAND.

According to a Corps' 1997 document, the Feeder Berm (Sand Island Bar) does not work, because it broke into three segments.

The northernmost segment migrated northeastward, the middle segment gradually lost volume and disappeared, and part of the southern segment remained where placed initially.

That means that none of the sand in the Feeder berm has made it to Dauphin Island.

According to a Corps' 1996 document, the Corps wanted to change the dumpsite to SIBUA to decrease hauling distance and use "greater depths for equipment suitability" and "Potential for significantly reducing the local cost share and could eliminate it" the cost to the Port Authority of \$73 thousand dollars.

The Corps did not tell the people of Dauphin Island that they were changing the site to SIBUA so that the Port Authority did not have to pay any money to protect Dauphin Island, according to the Corps documents, they told the people that the SIBUA would help nourish the beaches of Dauphin Island.

In the Corps' March 1997 Joint Public Notice Sand Island Beneficial Use Area were untrue statements:

"Erosion has occurred in the vicinity of Dauphin Island and suitable material placed in the proposed Sand Island Beneficial Use Area would aid in beach nourishment through the littoral transport process."

The Corps statement about SIBUA in 1997:

"We agree that the rate of disposal material migration would be increased by placement of the material in shallower depths. Our intentions for designation of this beneficial use area generally included cost-efficient disposal within the littoral zone. The operational cost to place the material in average depths of 15 feet as suggested in the comments will likely be increased over that expected for disposal of the material in deeper water"

In 1998, the Corps lies in their statement,

"Additional efforts to provide for beneficial uses of the material dredged from the main ship channel started in 1995 with the proposed designation of the Sand Island Beneficial Use Area. The characteristics of this area are similar to those of the 'feeder berm' site and therefore material placed within this area should augment the littoral drift system of Sand - Pelican Islands as well as western Dauphin Island."

In a 2001 Corps' document about SIBUA:

"Dredge disposal material from the Mobile bar channel was composed of fine sand material and was placed on the upper part of the SIBUA above the -7.6-m (-25-ft) contour. There is little evidence that this material moved very far from the placement site based on the bathymetric changes and grain-size analysis"

The Corps finally admitted they do not know where the sand in SIBUA goes, in a December 12, 2017 meeting, and they admitted that only one-half of the sand has moved out of SIBUA in over 20 years, in the Corps' public meeting in February 2018, but again the Corps didn't say where the 7.5 million cubic yards of sand went.

I sure hope the Corps employees are not relying on the feeder berm or the SIBUA dumpsite in the 2018 SEIS/GRR for the Mobile Harbor, to restore sand to Dauphin Island, because according to Corps' documentation neither one helps the erosion to the shoreline.

I am putting you on notice of the Federal Law for the 2018 DRAFT SEIS/GRR for the Mobile Harbor and to make sure the Corps puts in their reports, all of their options and costs to place sand to mitigate the erosion to the adjacent shoreline of Dauphin Island, caused by the Corps maintenance dredging of the Federally Authorized Mobile Harbor Project.

In the 2018 Mobile Harbor Draft SEIS/GRR, the Mobile District Corps needs to disclose that the Corps is not following the Federal Laws, which state that the non-Federal interests is responsible for paying their part of the costs to mitigate the erosion on Dauphin Island.

33 U.S. Code § 2211 – Harbors

(b) Operation and maintenance

(c) Erosion or shoaling attributable to Federal navigation works: Costs of constructing projects or measures for the prevention or mitigation of erosion or shoaling damages attributable to Federal navigation works shall be shared in the same proportion as the cost sharing provisions applicable to the project causing such erosion or shoaling. The non-Federal interests for the project causing the erosion or shoaling shall agree to operate and maintain such measures.

Col. DeLapp, I hope the Corps will not rely on its only one single study, the Byrnes 2008, paid-for-by-the-Corps Lawsuit study, as the basis to not mitigate the erosion and not give sand to Dauphin Island.

The Corps' single study, Byrnes 2008, is contradicted by all other studies including:

- \* All of the past US Geological Survey studies that state the Corps dredging of the Mobile Pass is the cause of the erosion to the Dauphin Island's shoreline, Morton's 2004, 2007, 2008, and 2013.
- \* All of Scott Douglass' studies on Dauphin Island
- \* All of Robert Dean's statements and studies on Dauphin Island.

In addition, the Corps knew that during the lawsuit, the eminent Coastal Engineer, Dr. Robert Dean, University of Florida (Plaintiffs) "indicated that the [Byrnes 2008] Final Report was fundamentally flawed, not reliable and at best inconclusive." The Corps knew that in Dr. Dean's "Concluding Report", he questioned multiple facts about the Corps' sediment data in the "2008 Final Report" for the lawsuit.

Also, the Corps refuses to admit, Dr. Robert Dean, DID NOT AGREE WITH BYRNES 2008 STUDY during the lawsuit and the fact that Dr. Dean's report is still part of the lawsuit.

Furthermore, according to an internal Corps' 2011 Memo, the Corps' sediment budget analysis was incorrect and it was used in the 2008 Byrnes lawsuit study.

For your information, District Engineer, COL Drake Wilson who was one of the most revered and respected District Engineers to have led the Mobile District over the last +40 years stated in 1975:

"We take this material out to sea about 10 to 15 miles and dump it. We have in inventory some equipment that can take this material out and pump it onto the beach approximately there near Fort Gaines, and our studies thus far indicate that the littoral drift, that is the drift of the current, would generally carry that material on down along the island. This solution appeals to us because it costs nothing. That is, we have to dredge the harbor anyway - - we pay for that under the maintenance of the harbor expenditures and we can pump it out and put it onto the beach for just about the same price that we could take it out into the Gulf and dump it... We have already set in motion those steps necessary to get the proper type of equipment that would do this. It will probably be a year and a half or two years before we would have all that ready."

Col. DeLapp, the facts shows the Corps' blatant dishonesty. The Corps' deception surrounding Dauphin Island is too deep, and I hope you have the courage and strength of character to take a stand against the Mobile District's Corps' past and present exploitation of Dauphin Island.

Sincerely,  
Caroline Graves

**From:** [Marbut, Wade](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor Project - Support!  
**Date:** Wednesday, August 1, 2018 4:57:45 PM

---

To: Ms. Jennifer L. Jacobsen  
  
U.S Army Corps of Engineers, Mobile District  
  
PO Box 2288  
  
Mobile, AL 36628-001  
  
Via email

Good afternoon Ms. Jacobsen

This email is confirm support of the proposal to widening of a 3 mile segment of the Mobile River Channel.

Our customers and associated parties would greatly benefit from the expansion in order to allow vessels to pass each other and reduce delays in arrivals and departures. It is almost immeasurable the amount of money that is currently lost due to delays, taking into consideration that it is often a domino effect down the supply chain line as well as impacting other ports (a delay in Mobile affects New Orleans affects...). Increasing throughput at the Port of Mobile will have a positive effect on local economy by allowing more vessel movements, larger cargo movements, etc. which would lead to greater investment into the local workforce to meet the additional tonnages in and out that is afforded by increasing the efficiency of the port.

Additionally, and perhaps most importantly, we feel that the added safety margin even for vessels that currently are able to pass during transit would be of even greater benefit to the marine industry, as well as the wildlife, and population surrounding the Mobile River Channel. It cannot be stated enough that any increase in safety is paramount to all involved, and should be supported fully.

The net effect of positively affecting trade while simultaneously increasing safety margin by reducing chance for a marine casualty is a win/win for all involved.

"As Agents Only"

Best regards,

Wade F Marbut  
Wilhelmsen Ships Service  
Mobile, AL USA

Tel: +1-251-471-2661 | Mobile: +1-251-599-0025

wade.marbut@wilhelmsen.com <<mailto:wade.marbut@wilhelmsen.com>>

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**From:** [Letitia Moyers](#)  
**To:** [Semonite, Todd T LTG USARMY HQDA OCE \(US\)](#); [Diana M. Holland BG](#); [c.david.turner@usace.army.mil](#); [Baker, Karen J SES USARMY CEHO \(US\)](#); [Sanchez, Jose E SES USARMY CEHO \(US\)](#); [Dalton, James C SES USARMY USACE \(US\)](#); [Pittman, David W SES USARMY CEERD \(US\)](#); [Flakes, Curtis M CIV \(US\)](#); [Yoder, Andrew P LTC USARMY CESAM \(US\)](#); [Sowell, Stephen L CIV USARMY CESAM \(US\)](#); [Rooney, Katherine T CIV USARMY CESAM \(US\)](#); [Newell, David P CIV CESAM CESAD \(US\)](#); [McDonald, Justin S CIV USARMY CESAM \(US\)](#); [lisa.hunter@usace.army.mil](#); [Taylor, Peter F Jr CIV USARMY CESAM \(US\)](#); [Paine, Joseph W CIV USARMY CESAM \(US\)](#); [Boatman, Todd H CIV USARMY CESAM \(US\)](#); [Creswell, Michael W CIV \(US\)](#); [Jacobson, Jennifer L CIV USARMY CESAM \(US\)](#); [Kleinschrodt, Ashley N CIV USARMY CESAM \(US\)](#); [Dyess, Carl E CIV USARMY CESAM \(US\)](#); [CEIG](#); [Bush, Eric L CIV USARMY CESAD \(US\)](#); [Mobile Harbor GRR](#); [alexrschrive@gmail.com](#); [d.r.sessions@att.net](#); [bill.hightower@alsenate.gov](#)  
**Subject:** [Non-DoD Source] Fwd: Dauphin Island  
**Date:** Sunday, June 3, 2018 8:05:20 AM  
**Attachments:** [1993 sand berm January 4 MEM Bar Channel.pdf picture.png](#)  
[Slides GRR 22 Feb 2018 Public Meeting - Final - \(SLIDES\) copy.png](#)

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The Corps made Congressman Bevill falsely rely on the Corps’ pictures of the “near shore” site, including putting his trust that the Corps would use the “near shore” dumpsite to protect Dauphin Island.

The Corps showing the picture of the “near shore” dumpsite and then countering the picture with a Corps’ internal memo stating “This does not mean we would direct the Contractor to use one over the other” to deliberately deceive Congressman Bevill is beyond incredible.

Col. DeLapp, how does the Corps explain that at the 2018 Corps’ public meeting on new massive expansion to the Mobile Harbor Channels, the Corps showed the same “near shore” dumpsite in one of their poster, The poster also showed the outline of SIBUA and the feeder berm.

Corps’ 2018 poster of “near shore” site for Dauphin Island

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The northernmost segment migrated northeastward,  
the middle segment gradually lost volume and disappeared,  
and part of the southern segment remained where placed initially.

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"Erosion has occurred in the vicinity of Dauphin Island and suitable material placed in the proposed Sand Island Beneficial Use Area would aid in beach nourishment through the littoral transport process."

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"We agree that the rate of disposal material migration would be increased by placement of the material in shallower depths. Our intentions for designation of this beneficial use area generally included cost-efficient disposal within the littoral zone. The operational cost to place the material in average depths of 15 feet as suggested in the comments will likely be increased over that expected for disposal of the material in deeper water"

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"Additional efforts to provide for beneficial uses of the material dredged from the main ship channel started in 1995 with the proposed designation of the Sand Island Beneficial Use Area. The characteristics of this area are similar to those of the 'feeder berm' site and therefore material placed within this area should augment the littoral drift system of Sand - Pelican Islands as well as western Dauphin Island."

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The Corps finally admitted they do not know where the sand in SIBUA goes, in a December 12, 2017 meeting, and they admitted that only one-half of the sand has moved out of SIBUA in over 20 years, in the Corps' public meeting in February 2018, but again the Corps didn't say where the 7.5 million cubic yards of sand went.

I sure hope the Corps employees are not relying on the feeder berm or the SIBUA dumpsite in the 2018 SEIS/GRR for the Mobile Harbor, to restore sand to Dauphin Island, because according to Corps' documentation neither one helps the erosion to the shoreline.

I am putting you on notice of the Federal Law for the 2018 DRAFT SEIS/GRR for the Mobile Harbor and to make sure the Corps puts in their reports, all of their options and costs to place sand to mitigate the erosion to the adjacent shoreline of Dauphin Island, caused by the Corps maintenance dredging of the Federally Authorized Mobile Harbor Project.

In the 2018 Mobile Harbor Draft SEIS/GRR, the Mobile District Corps needs to disclose that the Corps is not following the Federal Laws, which state that the non-Federal interests is responsible for paying their part of the costs to mitigate the erosion on Dauphin Island.

33 U.S. Code § 2211 – Harbors

(b) Operation and maintenance

(c) Erosion or shoaling attributable to Federal navigation works: Costs of constructing projects or measures for the prevention or mitigation of erosion or shoaling damages attributable to Federal navigation works shall be shared in the same proportion as the cost sharing provisions applicable to the project causing such erosion or shoaling. The non-Federal interests for the project causing the erosion or shoaling shall agree to operate and maintain such measures.

Col. DeLapp, I hope the Corps will not rely on its only one single study, the Byrnes 2008, paid-for-by-the-Corps Lawsuit study, as the basis to not mitigate the erosion and not give sand to Dauphin Island.

The Corps' single study, Byrnes 2008, is contradicted by all other studies including:

- \* All of the past US Geological Survey studies that state the Corps dredging of the Mobile Pass is the cause of the erosion to the Dauphin Island's shoreline, Morton's 2004, 2007, 2008, and 2013.
- \* All of Scott Douglass' studies on Dauphin Island
- \* All of Robert Dean's statements and studies on Dauphin Island.

In addition, the Corps knew that during the lawsuit, the eminent Coastal Engineer, Dr. Robert Dean, University of Florida (Plaintiffs) "indicated that the [Byrnes 2008] Final Report was fundamentally flawed, not reliable and at best inconclusive." The Corps knew that in Dr. Dean's "Concluding Report", he questioned multiple facts about the Corps' sediment data in the "2008 Final Report" for the lawsuit.

Also, the Corps refuses to admit, Dr. Robert Dean, DID NOT AGREE WITH BYRNES 2008 STUDY during the lawsuit and the fact that

Dr. Dean's report is still part of the lawsuit.

Furthermore, according to an internal Corps' 2011 Memo, the Corps' sediment budget analysis was incorrect and it was used in the 2008 Byrnes lawsuit study.

For your information, District Engineer, COL Drake Wilson who was one of the most revered and respected District Engineers to have led the Mobile District over the last +40 years stated in 1975:

"We take this material out to sea about 10 to 15 miles and dump it. We have in inventory some equipment that can take this material out and pump it onto the beach approximately there near Fort Gaines, and our studies thus far indicate that the littoral drift, that is the drift of the current, would generally carry that material on down along the island. This solution appeals to us because it costs nothing. That is, we have to dredge the harbor anyway - - we pay for that under the maintenance of the harbor expenditures and we can pump it out and put it onto the beach for just about the same price that we could take it out into the Gulf and dump it... We have already set in motion those steps necessary to get the proper type of equipment that would do this. It will probably be a year and a half or two years before we would have all that ready."

Col. DeLapp, the facts show the Corps' blatant dishonesty. The Corps' deception surrounding Dauphin Island is too deep, and I hope you have the courage and strength of character to take a stand against the Mobile District's Corps' past and present exploitation of Dauphin Island.

Sincerely,  
Letitia Moyers

Sent from my iPhone

## Comment 284

**From:** [Roy Price](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source]  
**Date:** Saturday, June 2, 2018 3:23:14 PM

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To whom it may concern:

We support Mrs. Caroline Graves recent letter to Col.

De Lapp concerning the placement of sand dredged from Mobile Ship Chanel. We have seen damage done to Dauphin Island for the past 40 years. For the preservation of the island we hope you will take the proper action.

Sincerely,

Roy and Barbara Price

Sent from my iPhone

## Comment 285

**From:** [Frog Home](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Dauphin Island  
**Date:** Thursday, May 31, 2018 5:33:23 PM

---

Dear Corps,

Me and my family come to Dauphin Island every year for vacation. I am worried about the future of Dauphin Island because of the erosion. Please place the dredged sands closer to Dauphin Island. Thank you for your time to read my email.

Sincerely,  
Jared Davis

September 12, 2018

Colonel Sebastian Jolly  
District Engineer  
Corps of Engineers  
P.O. Box 2288  
Mobile, Alabama 36628-0001

**Additional Comments on COE/ASPA Mobile Harbor GRR & SEIS**

Dear Colonel Jolly,

I read somewhere the COE was interested in doing more recycling of dredged material...maybe in the Draft SEIS, as that was the reason for discussing the 35 million cubic yards recycled from Mobile Harbor in the 70's and for 35 years in the reclamation of Alcoa's toxic mud lakes into wildlife refuge acreage. They were beautiful birding sites ... then Jimmy Lyons, Director of the Port bulldozed the 700 acres a few years back without notice of any kind... violating Governor Wallace's Agreement in 1976.

Today I came across the COE article that "published request for proposals for beneficial use of dredged material" dated February, 2018- **enclosed**. I placed a call and plan to suggest they consider reclaiming all of the barrier islands in the Gulf of Mexico using dredged material starting with Dauphin Island, Ship and Pelican. See also enclosed **article** 'Racing to save the barrier islands, "Press Register August 3, 2018'

There was another attempt made by the F&WS and the Audubon Society in trying to promote the recycling of dredge material. It was during the construction of the Theodore Ship Channel and the development of the 5 sq. mile Gaillard Island in Mobile Bay. We believed the material should be stored onshore, recycled and sold as a commodity for building roads and dikes, but the ASD's was GREEDY and wanted another Port site, believing they have a right to continue to destroy public lands with **no mitigation!!** Recycling is definitely the way to go, not dump it anywhere the Corps decides as they have made too many bad 'costly' decisions in the past and never seem to learn. They stopped dumping in the Gulf because it was too costly and there were heavy impacts on water quality, marine life, mounding the bottom killing benthic communities, but they believe it to be a large ocean-unbelievable !Now they plan to repeat their costly errors again?

The Corps has the responsibility of protecting the environment and human health, but they aren't doing a very good job, as they focus too much on providing the ASPA a deeper and wider channel in order for huge Chinese ships to be unloaded quickly---the only reason for spending taxpayer dollars.

In the meantime Dauphin Island, Sand and Pelican are disappearing. How much are we losing in continuing to allow this to happen? They need to spend our money properly showing beneficial uses for the public! Start pumping the material longer distances and place these precious loads on the disappearing sinking islands. How can a federal agency make so many mistakes and pass it onto the unsuspecting taxpayer. Quit sucking up the sand off the shallow Gulf beaches in beach restoration projects, as this is probably causing unknown problems and use dredge material with caution as there is the potential for the sediment to contain toxic and hazardous chemicals.

In a Corps report it states that capturing the tons of white sand from the littoral drift caused DI to lose there much needed sand and helped cause the erosion of the beach. It

costs 7 million dollars to restore the mile of public beach and the Mayor said they identified the sand needed in the recovery... stored in the SIBUA!

The COE's SIBUA is a multi million dollar **dismal failure**, as it wasn't properly planned in allowing the littoral drift to pick up the loads and no one knows where the sand is going. It certainly isn't flowing onto DI's beaches ...but it cost 7 million dollars and that **expense** must be **considered** in the **ASPA widening and deepening**. This would make it less likely to be so beneficial. The Corps continues to disrespect Mother Nature's beautiful closed natural systems. To prove a point they want to enlarge the SIBUA...this is idiotic...when do we stop them or they stop themselves?

Since the COE is too **chintzy** to spend the extra money in using the proper dredging equipment in piping and placing the material closer to or even on DI... the public wouldn't mind spending the money, if it was proved to be beneficial... as it is **our resource!**

The COE doesn't consider the environmental costs it is causing in allowing our major and vital barrier island Dauphin Island to completely erode and disappear, just to accommodate one industry...the maritime industry!. When it disappears Mobile's coastal protection and benefits will disappear as well!

Another problem ...In the 70's and 80's we became involved when open water disposal was impacting and destroying Mobile Bay's water quality... people were scared to swim and fish in the muddy waters. Marine life and submerged grass beds were being smothered and you know what happened...**people stopped it!**

The COE **isn't basing** their **spraying and layering** the stuff over the water surfaces of the Bay **on scientific basis**, just **conjecture**... and are violating the Clean Water act and the Endangered Species Act in doing this horrible process in our Bay. Residents wonder why there are dead fish in the water where they are swimming and why are the bottoms so mucky? Has anyone identified just how many '**dead zones**' there are in Mobile Bay? The Corps numerous disposal spots all along and adjacent to the channel on both sides are identified areas for placement of open water material. This is outmoded or should be, as the material has the potential for rolling right back into the channel, especially with no speed controls on the huge propellers going back and forth in the channel—again costly and destroys benthic communities.

Its way past time in requiring **Compensatory Mitigation in Section 404 of the Clean Water Act** to be activated in the Mobile COE permitting process, as time is a wasting. Dauphin Island's precious white sand is being diverted frequently and DI, Sand and Pelican Islands are being seriously victimized in the Corps lack of responsibility and bad planning. The unidentified potentially serious water quality impacts have impacted heavily on seafood productivity and livelihoods, people refuse to recreate in the waters and the dredged material is being mishandled in every way posing serious threats to the health of Mobile Bay...a major national estuarine treasure.

Hopefully for the public good and in Mobile Bay's numerous environmental interests, the Corps will choose the **No Project Alternative** and continue business as usual for the Port. **Topping Off** in the Gulf has proven to be economically feasible for the Port and environmentally safer for the Bay. This will hopefully encourage the ASPA to spend money to improve the unloading of the vessels in the Gulf, save taxpayers monies and keep Mobile Bay healthier. The Corps should consider recycling and be more innovative

in the handling of the dredge material, get into the 21<sup>st</sup> Century. Don't allow these huge foreign ship in our sensitive bay as this increases the potential for releasing exotics which will be deadly.

The air pollution loads in coastal Alabama are considered very dangerous especially for the young children and elderly people and allowing these huge vessels will threaten them many times more, as these vessels will release increasingly more toxic loads if allowed in the Harbor. This hasn't been properly considered in the Corps/ASPA documents, as I know this for a fact!

Respectfully,



Myrt Jones

# Racing to save the barrier islands

Tristan Baurick NOLA.com 8/13/18

Press Register

Why 5 Key Islands + Chain of Islands

15.5 mcrds - costing 3,000 Ac. of beach + marsh

Plus seawall 1.5 billion over next 50 years  
A protective role of barrier islands

Ten miles from Louisiana's receding shore, on an island that was on the verge of sinking away, new land is growing at a rate of 200 feet per day.

A slurry of sand blasts from a 30-inch-wide pipe with the force of a fire hose. In foaming sheets, it spreads across the beach of Whiskey Island, making it thicker and wider by the minute. Backhoes and bulldozers finish the job, sculpting the sand into something resembling the island's younger self, before storms, oil spills and erosion took a heavy toll.

"Where we're standing was nothing but water — 12 feet deep — when we started this," said project manager John Huit, suppressing a pained grin, standing in rubber boots next to the gushing pipe.

The \$118 million restoration of Whiskey Island is one of the world's biggest land building projects. More than 15.8 million cubic yards of dredged sand — enough to fill the Superdome three times — have been spread across the island, creating nearly 2,000 acres of new

## FIRST LINE OF DEFENSE

Whiskey Island's restoration, which is set to wrap up in early fall, amounts to only a fraction of the money and sand that Louisiana is pouring into the rescue of its chain of barrier islands. And for good reason: Growing smaller and fewer in number by the year, the more than two dozen barrier islands are Louisiana's first line of defense against hurricanes and storm surges.

Gov. John Bel Edwards said. The slim, sandy islands act as speed bumps, absorbing wind and wave power that would otherwise travel unimpeded through fragile wetlands and into south Louisiana's heartland.

Behind barrier islands, watery worlds meet and blend into something more complex. The sea, calmed by protected bays, mixes with river water rich in sediment and nutrients, giving rise to a third kind of ecosystem — one that teems with fish, shrimp and oysters. Suspended river sediment is slowed long enough to sink, eventually stacking into new land or building into new land or building

## Taken away.

"Some of these islands have a tiny footprint of land," said Erik Johnson, Audubon Louisiana's director of bird conservation. "They might seem to have very little value, but from a bird perspective they're irreplaceable."

Some bird species nest nowhere else, one being Louisiana's icon, the brown pelican. Seven barrier islands host 60 percent of the state's population of nesting pelicans.

Over the past 20 years, nearly \$817 million has been spent restoring the islands, bulking up 75 miles of beach and back-island marsh, according to a recent assessment by the state Coastal Protection and Restoration Authority. The state plans to invest another \$1.5 billion over the next 50 years.

## 'PERFECT HURRICANE'

On a warm August night in 1856, a raging hurricane made a direct hit on Isle Derniere, a 24-mile-long barrier island that guarded Terrebonne Parish's soft, marshy middle. French for "last island," Isle Derniere hosted a sprawling resort

popular with New Orleans' wealthiest families. Gale winds and towering waves broke the island in two and tore away the hotel, casinos, summer homes and all the island's trees.

"The wind blew a perfect hurricane; every building upon the island giving way, one after another, until nothing remained," an eyewitness told The Daily Picayune on Aug. 14, 1856. "The sea waved over the whole island. Those who were fortunate to find some object to cling to were seen floating in all directions."

More than 200 people drowned or were crushed by wreckage. The island, cut through, began to splinter further, eventually giving shape to Whiskey and three other islands — East Point and Racoon.

Had Derniere not been in the hurricane's path, the destruction would have been far worse on the mainland, savaging a mosaic of fishing communities. But the protective role of barrier islands wasn't understood for another century, when, tragically, they were in danger of slipping away.

sity oceanographer Joe Suhayda sounded the alarm in the early 1990s. With the help of computer scientist Vithas Aravamudan, Suhayda produced models that showed what might happen in storms if the islands were gone.

A Category 3 hurricane thrown at the Louisiana coastline of 1930 would have left Houma high and dry, according to their model. The same hurricane let loose in 2020, when much of the barrier chain would have eroded away, put the city under three feet of water.

## CHALLENGES ALL AROUND

Change is a constant for barrier islands. They begin life not as islands but as the outer edges of river deltas, dynamic landscapes that naturally shift and retreat and build anew. Louisiana's barrier islands took shape some 6,000 years ago as the Mississippi River altered course and abandoned sections of its much wider delta. The delta's sandy edges turned into islands.

The Gulf of Mexico has never been gentle with barrier islands. Waves and wind are constantly scraping at

their sides, and storms occasionally break them into bits. But what the Gulf took away, the big river always restored. That changed after humans began to alter the Mississippi, hardening its banks and channeling its flow, sending its sediment pouring straight off the continental shelf at the river's mouth.

Meanwhile, rising global temperatures have contributed to the slow upward creep of sea levels. Subsidence, the gradual sinking of soft delta land, is also at play. Grand Isle, Whiskey and other large barrier islands are dropping by a half inch each year.

Then there's the oil industry, which has cut some barrier islands into pieces in the search for oil. Oil companies have tried fixes to shore up islands that support their infrastructure, but their preferred solution — rock embankments — has only sped up erosion, according to Darin Tee, a coastal resource scientist who manages state-backed barrier island projects.

Wave energy bounces off the rock and scours out sand under the water line. "Even

Harvest 1.5 billion  
next 50 years  
inter role of barrier  
islands

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Wave energy bounces off the rock and scours out sand under the water line. "Eventually the rocks collapse, and they sit there, preventing recovery because, no new sand can get back to the island," Lee said.

Oil spills also take a toll. The BP Deepwater Horizon disaster in 2010 saturated several barrier islands. Cat Island on the edge of Barataria Bay soaked up BP oil like a sponge, killing the roots of grasses and mangrove trees.

Before the spill, Cat Island spanned six acres. Two years later, less than one lifeless acre remained. Now the island is a 10-foot-wide strip of sand.

Now!

MOBILE



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# U.S. Army Corps of Engineers publishes request for proposals for beneficial use of dredged materials

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Posted 2/9/2018

Release no. 18-014

**Contact**

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**Washington (February 9, 2018)** - The U.S. Army Corps of Engineers today published in the Federal Register its request for proposals for beneficial use of dredged material pilot projects pursuant to Section 1122 of the Water Resources Development Act (WRDA) of 2016, Beneficial Use of Dredged Material.

Proposals must be submitted to USACE on or before March 12, 2018. More information on the program and solicitation can be found in the Federal Register notice, 83 Fed. Reg. 5763 (Feb. 9, 2018). It is available on line at <https://www.federalregister.gov/documents/2018/02/09/2018-02613/request-for-proposals-for-beneficial-use-of-dredged-material-pursuant-to-section-1122-of-the-water>.

Section 1122 requires USACE to establish a pilot program to carry out 10 projects for the beneficial use of dredged material. The pilot program can include projects for the purposes of:

1. reducing storm damage to property and infrastructure;
2. promoting public safety;
3. protecting, restoring and creating aquatic ecosystem habitats;
4. stabilizing stream systems and enhancing shorelines;
5. promoting recreation;
6. supporting risk management adaptation strategies; and
7. reducing the costs of dredging and dredged material placement or disposal, such as projects that use dredged material for:
  1. construction or fill material;
  2. civic improvement objectives; and,
  3. other innovative uses and placement alternatives that produce public economic or environmental benefits.

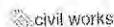
Projects identified under Section 1122 must maximize the beneficial placement of dredged material from federal and non-federal navigation channels and ensure that the use of dredged material is consistent with all applicable environmental laws. USACE is required to carry out the pilot program in consultation with relevant state agencies and to establish regional teams to assist in the evaluation of the proposals.

USACE implementation guidance (including selection criteria) for carrying out the provisions of Section 1122 and information on submitting a proposal can be found at [http://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/wrda2016/wrda2016\\_impguide/](http://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/wrda2016/wrda2016_impguide/).

The ASA(CW) is required to submit a report to the Congress within two years that includes:

1. a description of the projects selected under the pilot program;
2. documentation supporting each of the projects selected;
3. the findings of regional beneficial use teams regarding project selection; and
4. any recommendations of the ASA(CW) or regional beneficial use teams with respect to the pilot program.

The program terminates after completion of the 10 beneficial use pilot projects.



September 4, 2016



COL Sebastien P. Joly, Commander  
US Army Corps of Engineers  
PO Box 2288  
Mobile, Alabama 36628-0001

Dear COL Joly:

This is to provide you with the results of my review of the August 8, 2018 Environmental Assessment (EA) entitled "Sand Island Beneficial Use Area Expansion". In reviewing the EA, I applied the expertise I have gained through 45 years experience as a biologist and project manager with the Corps of Engineers and in the private sector preparing numerous National Environmental Policy Act (NEPA) documents. My review raised what I professionally believe to be two major deficiencies with the EA.

First, the EA does an inadequate job of both describing the environmental resources that actually occur within the proposed SIBUA expansion area, as well as the impacts of the proposed action on those resources. The ongoing work of the Corps on the GRR Study appears to have caused the Corps to hurriedly prepare the EA to cover the proposed SIBUA expansion so the Corps could state the expanded area is already approved and is an existing feature of the Mobile Harbor Without Project alternative, as the proposed expansion is now treated in the Draft GRR/SEIS currently out for a separate public review. The hurried nature of EA's preparation is evidenced by the inappropriate inclusion of a considerable amount of information excerpted from previously completed NEPA documents that have no place in the current EA. The inappropriate information consists of extensive environmental setting descriptions of resources and impact scenarios concerning the interior of Mobile Bay which have no relevance or application to the impact evaluations that should have been conducted on the proposed action to expand the SIBUA by 3,305 acres in nearshore Gulf waters. The environmental conditions (i.e., bottom substrate, depth, water quality, etc.) are much different for the 3,305-acre impact area from much of the narrative now included in the setting and impact discussions in the EA. The EA should be revised to delete that information and replaced with more relevant and applicable information for the actual area impacted by the SIBUA expansion.

Second, the EA fails to adequately address some of the most important environmental impact topics associated with the proposed SIBUA expansion. According to EA, the proposed action has two purposes: (1) "provide the return of sediment [i.e., 624,000 cy of sands dredged from the Bar Channel on an average annual basis] into the local littoral system..."; and (2) increase the disposal capacity of the SIBUA to receive maintenance dredged sands in the future. The EA contains no substantitive information to disclose to either the Corps decision-maker or concerned public if and how well the proposed SIBUA expansion accomplishes either project purpose. The EA alleges the Corps conducted analyses to evaluate transport rates leaving the SIBUA to ensure sands dredged from the Bar Channel are retained within the littoral drift system and that

adequate disposal capacity is provided. If such analyses were conducted for the proposed SIBUA expansion, the results should be summarized in the EA since the effectiveness of the proposed action to accomplish its two primary purposes is required to adequately answer the following directly applicable project impact-related questions:

- Will the percentage of sand that moves out of the proposed SIBUA expansion be the same, higher, or lower than the 50% now moving out of the existing SIBUA?
- Because of the large size of the proposed SIBUA expansion area, what degree of uncertainty exists with the confidence of any predictions made as whether the sand that would move out of the expanded disposal site returns to the littoral drift system or simply just moves in any number of directions from the disposal area?
- Is any of the sand placed in the proposed SIBUA expansion expected to accumulate? If so, what volume will accumulate on an average annual basis?
- What affect will the proposed SIBUA expansion have on the existing erosion rates for the Pelican-Sand Island complex and Dauphin Island.
- What is the dredged material disposal capacity now available within the proposed SIBUA expansion and how will that capacity be reduced over 50 years use of the site

Given the fact that the present EA does not provide answers to the above important and relevant impact-related questions and to the intense interest the concerned public has consistently demonstrated over the historic ineffectiveness of the SIBUA to counter Dauphin Island's erosion, the Corps should hold a public hearing on the island to give all residents, property owners, and the general public the opportunity to ask questions and to learn more about the proposed SIBUA. Therefore, I repeat my above request that a public hearing be held as soon as possible on the proposed SIBUA expansion.

Thanks in advance for considering my views.

Sincerely



Glendon L. Coffee

CC:

Sen Doug Jones  
Sen Richard Shelby  
Rep Bradley Byrne

PD-E/JJ  
PD-EC



*Summit Capital of Alabama*

## Town of Dauphin Island

1011 Bienville Boulevard Dauphin Island, Alabama, 36528

Phone: (251) 861-5525 Fax (251)-861-2154

<http://TownOfDauphinIsland.Org>

September 6, 2018

COL Sebastien P. Joly, Commander  
US Army Corps of Engineers  
PO Box 2288  
Mobile, Alabama 36628-0001

RE: Sand Island Beneficial Use Area Expansion

Dear COL Joly:

I am writing you as the Mayor of Dauphin Island and on behalf of our Town Council. I have considered the information provided in your August 8, 2018 Public Notice No. FP18-MH01-09 and reviewed your August 8, 2018 Environmental Assessment (EA) entitled "Sand Island Beneficial Use Area Expansion". Those two documents address the Mobile District's proposal to expand the existing Sand Island Beneficial Use Area (SIBUA) by approximately 3,305 acres to provide for the continued placement of beach quality sands dredged during maintenance of the Mobile Harbor Bar Channel. The expanded area would follow the Mobile Pass western ebb-tidal shoal that serves as the pathway for the transport of sand towards Dauphin Island. The alleged purpose of the expansion is to "...provide the return of sediment into the local littoral system and increasing placement capacity in the SIBUA consistent with established regional sediment management principles and goals."

I note that "shoreline erosion" is one of your evaluation factors as listed in the public notice. Poor sand management practices in the past has led to long-term shoreline erosion of this island that has been scientifically documented (Morton 2007) and the proper mitigation of future impacts requires placement of all dredged beach-quality sands in 20 feet of water or less at a location in the proposed expansion area such that the artificially-bypassed sand migrates into the

littoral system of the island shoals and beaches within several weeks/months. The required depths, less than 20 feet, have been scientifically developed in published literature (Douglass, Resio and Hands 1995 [note: this is a USACE report]; Douglass 1995; and Douglass 1996). This will re-establish the long-term littoral sand supply to Dauphin Island, that the ship channel maintenance has to temporarily interrupt, in a manner that truly is “consistent with established regional sediment transport principles and goals.”

Based upon my review of the EA, I find it to be deficient for the following reasons:

A false narrative is provided that the SIBUA is functioning as the Corps said it would since use of this disposal site first began in 1999. As the Corps well knows, the truth is the SIBUA has never functioned effectively in bypassing all littoral drift sands dredged from the Bar Channel. The Corps admitted at the February 22, 2018 public meeting on the Mobile Harbor deepening study that half of the sands placed in the SIBUA on an average annual basis are accumulating in the site instead of moving to rejoin the littoral drift system. The numbers are quantified in the July 2018 Draft Mobile Harbor GRR/SEIS which states only 260,000 cubic yards (cy) of the 525,000 to 624,000 cy placed in the SIBUA on an average annual basis move out of the site. The remaining volume has accumulated over the years causing reduced depths to a point that hopper dredges are unable to operate efficiently within the site. The proposed expansion represents the second time the SIBUA will be enlarged for the same reasons – the first time occurring in 2009. Since 1999, the Corps has placed over 13,000,000 cy in the SIBUA. Since half of the sands remain within the site, that means almost 7,000,000 cy have accumulated in the SIBUA during the 20 years it has been used instead of nourishing Sand/Pelican Island and Dauphin Island. Further, the Corps has no proof as to where the sands leaving the SIBUA actually go. The Corps only assumes the sand moves to Dauphin Island. The ongoing erosion of the ebb tidal platform and Dauphin Island indicate that assumption may be seriously in error.

The Corps EA does not provide existing depth information within the proposed expansion area or tell the reader definitely at what depths sand will be placed. Examination of available bathymetric maps indicate depths could range from -5 ft MLW down to -30 ft MLW within the expansion area. As the Corps knows, a larger percentage of sands placed in waters less than -15 ft MLW have a greater chance of returning to the littoral drift system, with the percentage increasing with decreasing depth of placement. Additional information is required to explain at what depth the Corps plans to place sands in the proposed SIBUA expansion area and the type of dredge equipment the Corps will use for that work. If the Corps merely continues past disposal practices in waters deeper than -20 to -25 ft MLW in the new area, the Town fears Dauphin Island will continue to be robbed of half the littoral drift sands that naturally would have been transported to the island from the Fort Morgan peninsula absent dredging of the Bar Channel.

The purpose of the EA is to evaluate the effects of disposing sands dredged from the Bar Channel in the proposed expansion area. Much of the impact discussion presented is not appropriate for inclusion within the EA since it deals largely with the effects of dredged material disposal in Mobile Bay which has no relevance to the environmental conditions found within the proposed expansion area. With the exception of a very vaguely worded sentence or two, the EA provides absolutely no impact evaluation information to substantiate the Corps’ contention that proposed expansion will provide for “...the return of sediment into the local littoral system and increasing placement capacity in the SIBUA consistent with established regional sediment

management principles and goals.” The EA Introduction states “...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.” Unfortunately, the EA does not present the results of that analysis. So the Town and our residents have no way of knowing what the results imply for Dauphin Island’s future. Questions that are not answered by the EA are:

- (1) What percentage of the 717,600 cy (624,000 existing + 93,600 deepening increment) of sands that will be placed on an average annual basis in the proposed SIBUA expansion are projected to move out of that area annually?
- (2) Will all of the sands that move out of the SIBUA expansion actually rejoin the littoral drift system to restore and nourish the eroding shorelines of Sand/Pelican Island and Dauphin Island, or will the sands experience an uncontrolled sloughing in all directions, with the Corps not knowing where the sand actually goes?
- (3) Since the disposal capacities of the original SIBUA established in 1999 and the first expansion in 2009 were each exceeded after only 10 years of use, respectively; what assurances can the Corps provide that the new 3,305-acre proposed expansion area will have the capacity to contain the projected total of 35,880,000 cy of sand to be dredged from the Bar Channel over the 50-year economic life of the 5-foot deepening project?
- (4) Should half of the total of 35,880,000 cy of sand projected to be placed in the proposed SIBUA expansion over the next 50 years continue to accumulate in the area as is now occurring within the existing boundaries of the SIBUA, what effect will the removal of 17,940,000 cy from the littoral drift system have on the erosion of Dauphin Island?
- (5) Is the Corps finally prepared to commit to placing sand in shallow waters on the ebb-tidal platform portion of the proposed SIBUA expansion to nourish Sand/Pelican Island and Dauphin Island?
- (6) The statement is made on page 21 of the EA;

“Approximately 3,305 acres of shallow estuarine bottoms would be permanently changed as a result of the proposed action. However, this change would not result in bathymetric effects outside of the area of physical disturbance and based on the relative small size as compared to the remaining area in Mobile Bay, the permanent alternation would be minor. Impacts would be less than significant.”

Given the magnitude and permanence of what sounds like a significant impact, upon what did the Corps base its conclusion that an environmental impact statement is not required?

(7) Based on the absence of answers to the above crucial questions, upon what information does the Corps conclude in the EA that “...implementation of the proposed action would not have a significant adverse impact on the quality of the environment and an environmental impact statement is not required”?

(8) Given the critical role the proposed SIBUA expansion will play in the future maintenance of a deepened Bar Channel, why did the Corps elect to prepare a separate

EA and not include this project proposal in the GRR/Supplemental EIS now under preparation?

(9) Finally, has the Corps considered how the demonstrated ineffectiveness of the SIBUA to bypass 100% of the littoral drift sands intercepted by the Bar Channel affects the spirit and intent of item 5d in the August 14, 2009 Second Addendum to Litigation Settlement Agreement that ended the *Dauphin Island Property Owners Association and James W. Hartman, et. al. vs United States of America* Class Action lawsuit, in which the Town was a member of the Class?

Based on the significance of the above unanswered questions related to the proposed SIBUA expansion and whether or not the proposed action will actually counter Dauphin Island's serious erosion problem; on behalf of our entire community, I respectfully request a public hearing be held on Dauphin Island to allow our citizens the opportunity to ask questions and to provide input on this important proposal. I made a similar request on December 18, 2008 in connection with the first expansion of the SIBUA. However, the response I received from the Mobile District stated my request did "...not set forth the interest and manner that would provide additional information towards making a final decision for this action" and a public hearing was not held. I strongly believe the issues I have raised above point out that the present EA is deficient in regards to the most important issues that it should have addressed and that I have identified sufficient cause and justification to hold a public hearing on the proposed action so that our residents and property owners can voice their concerns and ask questions of the Corps staff.

In closing, the Town of Dauphin Island recognizes the enhanced economic impacts an expanded ship channel brings to our stretch of the Gulf Coast. At the same time, we also recognize such an expansion brings with it an opportunity to establish a more responsible and beneficial dredge material disposal practice that would support down drift regions of Coastal Alabama for future generations. Quite simply, sand accumulations within the channel must be removed on a regular basis while Dauphin Island, a mere stone's throw away, is sand starved and essentially vanishing before our very eyes. Surely, we can find a way to connect these dots and capitalize on this win-win opportunity!

I look forward to receiving your favorable reply.

Sincerely,



Jeff Collier  
Mayor

cc: Senator Shelby  
Governor Ivey  
Congressman Byrne  
Senator Jones

PD-E  
PD-EC/Reynolds PR  
PD-EC/Parson

September 5, 2018

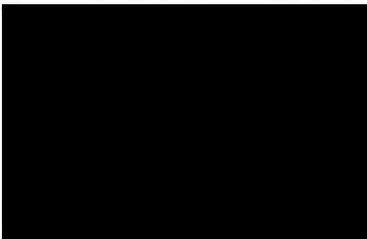
Sirs,

I would like to state my objections against deeping and widening the Mobile Bay ship channel. I have property on Bon secure Bay in Baldwin county and have watched for years my land erode away due to the suction of currents going into the dredge channel. If you are not going to replace the sand to the privet property owners then you should stop dredging. When you come up with a plan to stop doing damage to others property, then I will support deeping the channel.

Yours Truly,



Gillard C. Strong III





P.O. Box 2682 Mobile AL 36652

September 4, 2016

COL Sebastien P. Joly, Commander  
US Army Corps of Engineers  
PO Box 2288  
Mobile, Alabama 36628-0001

RE: Sierra Club film on the erosion of Dauphin Island

Dear COL Joly:

The Sierra Club Mobile Bay Group is proud to give the Mobile District the enclosed DVD of a draft of our new film entitled "A Disrupted System: Alabama's Disappearing Barrier Island". Although the film has not been completed, we believe it is appropriate to share the current version with you now as your staff prepares to consider public comments on your "Draft Mobile Harbor Integrated General Reevaluation Report with Supplemental Environmental Impact Statement".

The film deals with the ongoing erosion of Dauphin Island that has significantly reduced the width of the island's beaches and diminished the surface topography of its western end. A 2007 US Geological Survey report indicates the erosion began in the late 1950s and has accelerated in recent years. Connected to Dauphin Island's sand losses, has been the steady disappearance of the smaller Sand/Pelican Island situated immediately to the southeast. Sand/Pelican Island is an above-water surface expression of the enormous underwater western ebb tidal delta located south of the mouth of Mobile Bay. In the early 1970s, the east end of Sand/Pelican Island virtually surrounded the Sand Island Lighthouse and stretched to the northwest 6 miles to almost touch Dauphin Island. In the intervening 38 years, the eastern end of the island has steadily eroded so that 5 miles of open water now separate that island from the lighthouse. When the last one mile of Sand/Pelican Island disappears, in possibly a very few years from today, Dauphin Island's rate of erosion will increase. Since you are new to our area, I have enclosed several photos showing these features.

The Sierra Club is concerned about the erosion of Dauphin Island for a variety of reasons. One of the most important being that at over 14 miles in length, it is Alabama's only barrier island. Although much of the island's East End has been developed, it still provides many

ecological benefits for a variety of wildlife communities. In addition, Dauphin Island serves as an interim stop for littoral drift sand moving from Florida to eventually be carried by wave action and currents to nourish Mississippi's similar barrier islands. Serving as a sheltering boundary from the open Gulf, Dauphin Island helps maintain salinity within Mississippi Sound to its north at levels required by the Sound's vital nursery areas and Alabama's largest oyster reefs. Lastly, a strong barrier island is necessary to shield Alabama's largest expanse of coastal salt marsh and the several mainland fishing communities from the unforgiving wrath of tropical storms and hurricanes. So, this thin sliver of a strip of sand, while hosting a quaint little community, also provides many ecological and economic benefits to Alabama's western Gulf Coastline. Most of those benefits are often not appreciated or even understood by those who appreciate the island for its complete difference from the hustle and bustle of Gulf Shores and Orange Beach. Now that man has placed his development stamp on Alabama's short coastal region, time is running out for Dauphin Island, a geological feature that has existed for over 6,000 years. If the ongoing erosion is allowed to continue unchecked, the ability of this protective barrier to withstand the challenges of increasing Sea Level Rise will be significantly diminished.

We appreciate you reading this letter and for taking the time to watch our film. I think you will see the film honestly attempts to portray the cause of Dauphin Island's erosion without negatively placing blame on any entity or voicing opposition to the Mobile Harbor project. In making the film, the Sierra Club's goal has been for it to serve as a call for action by all responsible agencies and decision-makers before it becomes too late for the island and the eventual cost to correct the erosion problem greatly increases. We plan to begin sharing the film with those we hope will join in the effort to save Dauphin Island.

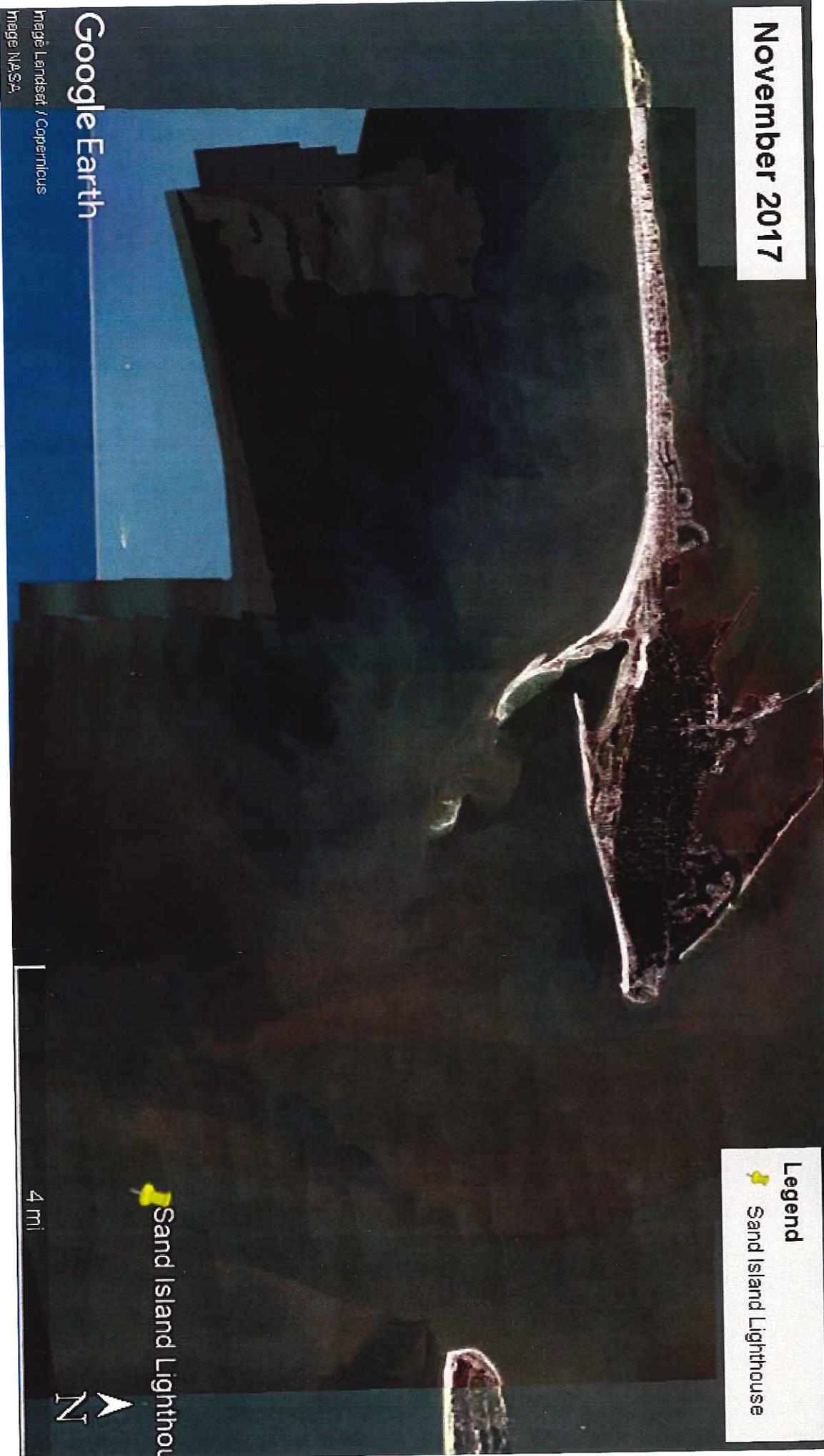
The members of our local Mobile Bay Group would welcome the opportunity to arrange a tour of Dauphin Island for you and to arrange a seminar type meeting to provide you with more in depth information on the topics touched upon in this letter and in the film. If you think that would be helpful, please give me a call at 421-3484. We look forward to working with you during your tour as the Mobile District Commander.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Mahoney".

Joseph Mahoney, Chair  
Mobile Bay Group Sierra Club

November 2017



**Legend**  
📍 Sand Island Lighthouse

📍 Sand Island Lighthouse

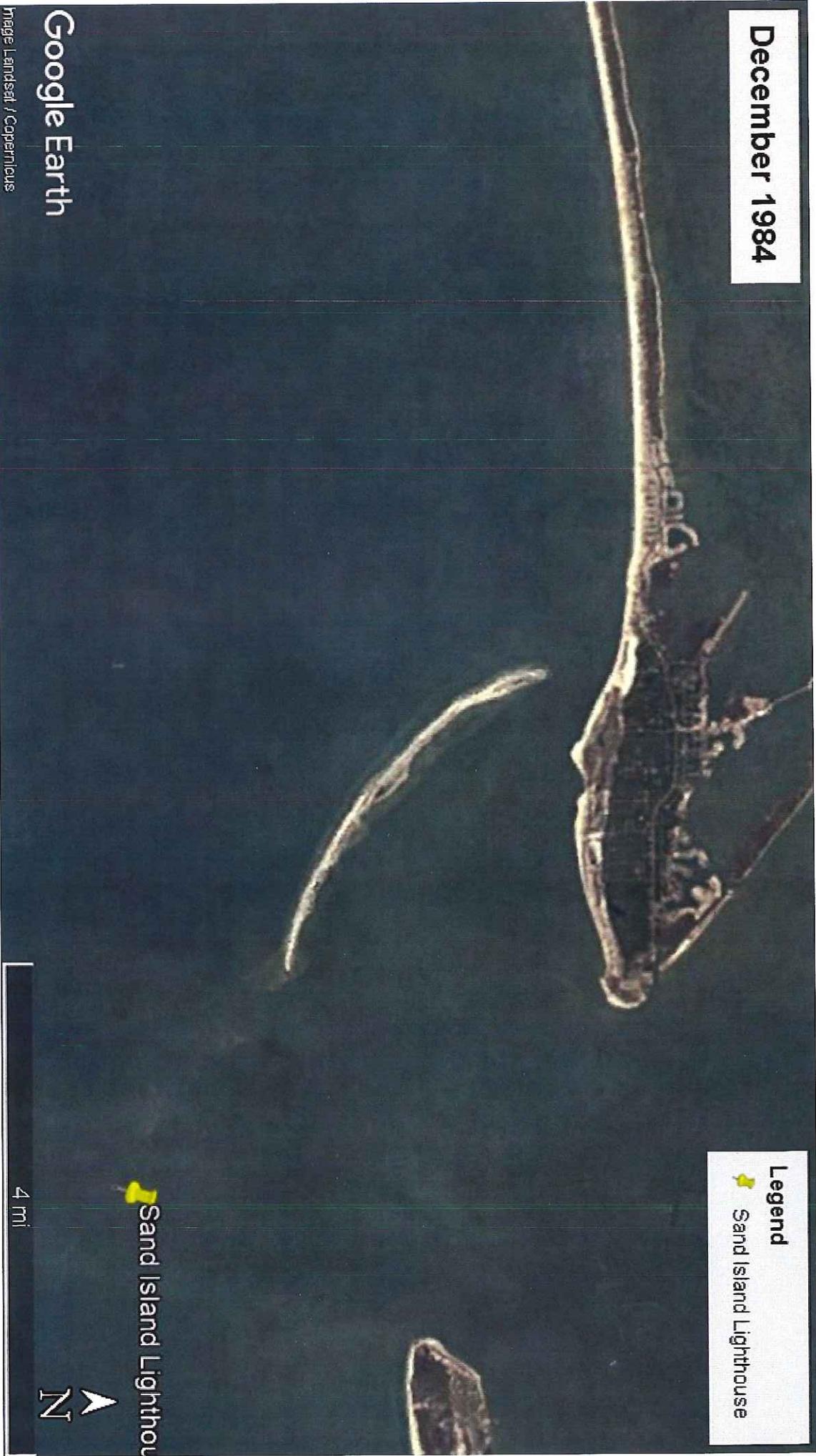
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Google Earth

Image Landsat / Copernicus  
Image NASA

December 1984



**Legend**

 Sand Island Lighthouse

Google Earth

Image Landsat / Copernicus

 Sand Island Lighthouse

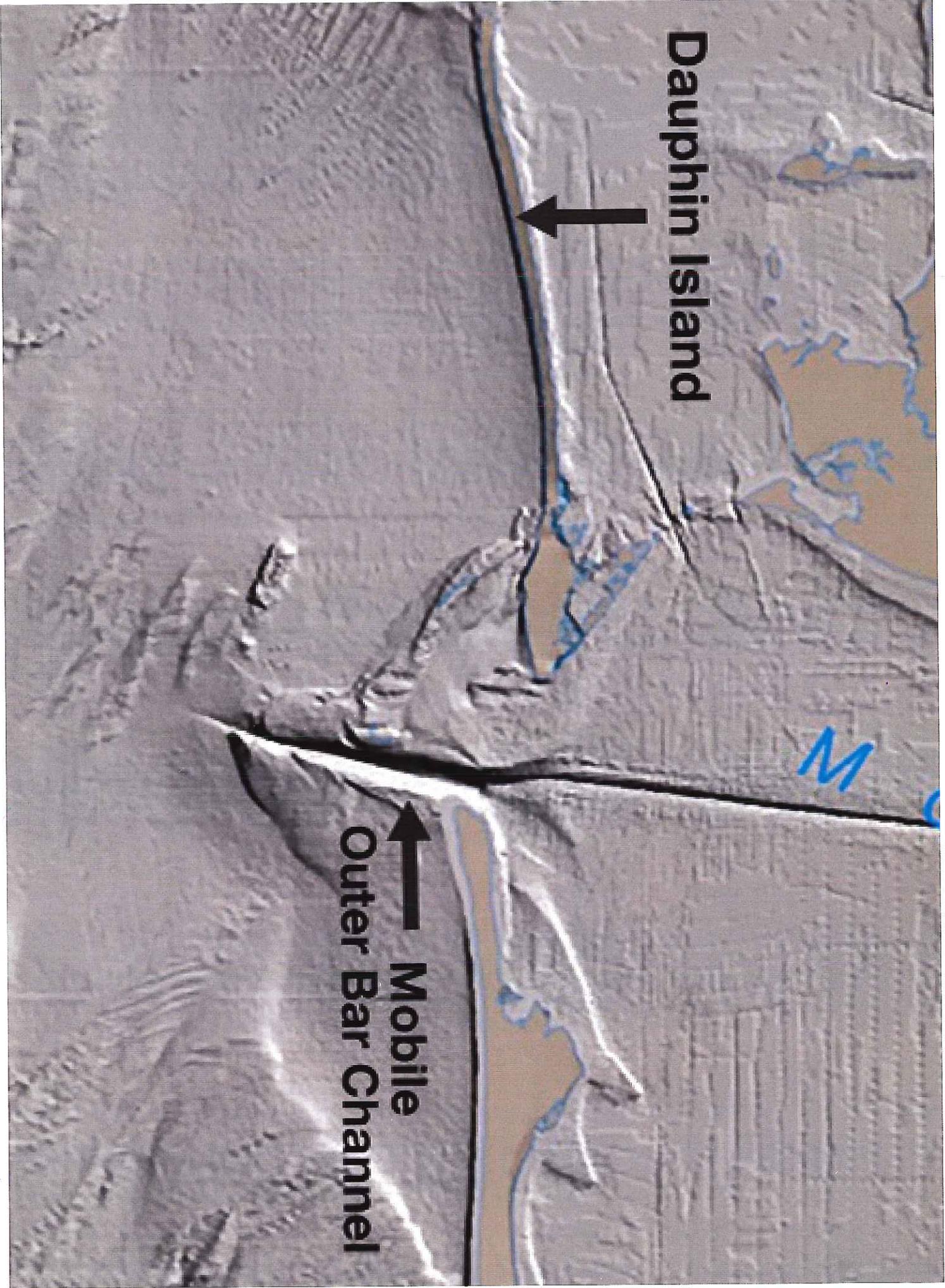
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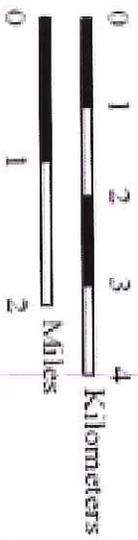


**Dauphin Island**



**Mobile**  
**Outer Bar Channel**





Mobile Harbor Bar Channel  
 1982/92 Bathymetry  
 1:150,000

Bathymetry interpolation distance limited to 500 ft.  
 Spatial Reference: StatePlane Alabama West,  
 Feet (FIPS 0102) NAD 1983.

FIGURE 2.28.a. Mobile Harbor Bar Channel, Alabama

DEAR COL. JOLY

We have seen Mobile Bay disintegrate from a beautiful clean clear recreational area to an eye sore & hazardous biohazard area. Correcting the problems is needed & ~~not~~ <sup>don't</sup> go further into destroying ~~it~~ the Mobile Bay.

Sage Lyons proposal to deepen & widen the port of Mobile to accomodate huge container ships is not acceptable in any form.

Lyons policies has misplaced much of the dredge material in the past & has destroyed Dauphin Island.

Lyons proposal to be voted on September 17, <sup>th</sup> is detrimental and will destroy the bay bottom. Please find a way to clean Alabama's beaches

Thank You,  
Linda Boudousquie



<sup>x GREW UP</sup>  
I LIVED IN MOBILE 20 YEARS & VISIT MY FAMILY & FRIENDS IN MOBILE & CARE ABOUT MY HOMETOWN & STATE



**Mobile Bay Oyster Alliance**  
**P.O. Box 570**  
**Theodore, Alabama 36590**

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September 6, 2018

Col. Sebastian Joly  
U. S. Army Corps of Engineers Mobile District  
109 Saint Joseph St  
Mobile, Alabama 36602

Subject: Meeting of September 7, 2018

Dear Col. Joly,

Thank you for allowing our organizations presence at the above meeting.

The Mobile Bay Oyster Alliance (MBOA) represents a rapidly growing coalition of organizations, business and individuals, all dedicated to the return of oyster habitat, oysters, and submerged aquatic vegetation to Mobile Bay. Our goal is creating a healthy shoreline for the return of this once thriving aquatic nurse system to Mobile Bay.

Some of our members have lived on the shores of Mobile Bay for 5-30 years. During that time frame we have witnessed an almost total loss of aquatic grasses and oyster reefs that once protected those shorelines. Now we watch as those shorelines erode at a fast pace, if they are not bulk headed or ripped.

Our concern is that the cumulative effect of vessel generated wave energy (VGWE), from large ships, is the primary cause for these losses to a once thriving ecosystem. This began in the 1960's, commensurate with the take-off of the Alabama State Docks, and worsened in the 1970's and 1980's, again commensurate with larger ships entering and exiting the Mobile Bay.

The current dredging proposal under review, will allow even larger ships to use our port, as well as increase the number of ships which visit yearly, as previous dredging projects have done in the past.

Numerous scientific studies have been conducted on VGWE around the world. All the studies end with the same conclusion: VGWE kills aquatic grasses, destroys oyster reefs and erodes shorelines.

Unless we stop VGWE, Mobile Bay will never be able to turn the corner and begin the process of reestablishing grass and oysters along its shoreline.



**Mobile Bay Oyster Alliance**  
**P.O. Box 570**  
**Theodore, Alabama 36590**

All the studies also recommend two options for eliminating VGWE,

1. Build breakwaters (very expensive)
2. Slow the Ships down (very inexpensive)

Vessel Speed Reduction Programs (VSRP) have already been implemented at numerous ports within the US, as around the world. We do not advocate slowing all ships down at all times, as there are smaller ships that do not produce damaging VGWE.

Our organization in no way wants to cause economic hardship to the Alabama State Docks, nor its employees. But, we must find a way to resolve the issue so we can both co-exist. The port can have its larger ships, and the citizens of Mobile and Baldwin counties can have their bay back.

Please consider a thorough scientific study, conducted by a third party, of the effects of VGWE on Mobile Bay be included within your EIS. Also, please consider addressing the effects these larger ships will have on VGWE without any protective measures.

Again, thank you for taking the time from your busy schedule to meet with us. We certainly hope we can go forward with the knowledge that we will be able to work together to find an amicable solution to this issue.

Sincerely

Robert Pettie

[Robert@personsservices.com](mailto:Robert@personsservices.com)

Joe Hughey

[joehughey@bellsouth.net](mailto:joehughey@bellsouth.net)

September 2, 2018

Colonel Sebastian Jolly  
District Engineer  
Corps of Engineers  
P.O. Box 2288  
Mobile, AL 36628 -0001

RE: Mobile Harbor, Corps of Engineers (COE) General Integrated Reevaluation Report (GRR) and Alabama State Port Authority (ASPA) Supplemental Environmental Impact Statement (SEIS) July 2018

### **NEPA Public Hearing**

I am requesting a **30 day extension for the Comment Period** in order to allow the public additional time and opportunity for providing feedback, as this is one heck of an ASPA/COE proposal (4,000 pages... unbelievable.) In the 70's, 80's and 90's the National Environmental Policy Act (NEPA)'s **Public Hearings** allowed people time to speak, ask questions, leave comments, all while being recorded on the Public Record. I request this kind of **Public Hearing** be held in **Mobile**. Show the public respect and have a properly held Public Hearing!

### **Poses Significant Impacts; threatens Mobile Bay's integrity**

The ASPA's proposal is as bad as the Alabama State Dock's was in 1980 as this massive, destructive dredging project proposed for Mobile Bay will pose **significant impacts to and throughout** the Estuarine System. The operations will be **around the clock, 24 hours** a day with **years of continuous dredging...releasing huge turbidity and sediment loads (clouding)** which will diminish dissolved oxygen levels, shut out the sun's benefits and smother marine life and vegetation. During 70's 80's the Bay had large fish kills covering huge portions of the Bay due to excessive turbidity and sediment loads. The identified toxic and hazardous chemicals and materials in the sediments will be released and pose additional **risks** to water quality, marine life, and the potential for contaminating seafood then posing health threats to humans consuming them. Destruction of valuable baybottoms will result in the loss of their numerous benefits. They provide strength, stability and structure to estuaries, for burrowing habitat for microbes and worms while the surfaces provide for vegetative areas, crustaceans that live on their surface work with microbes making detritus (vegetable soup) for other marine life. Everything works together in the natural web of life...detritus feeds fish, then the birds and other wildlife—finally includes man—the chain of life.

Loss of benefits in destruction and removal will cause the loss of food sources both on top and underground provide benthic and micro organisms then there are also worms whereas the surface provides crustaceans for macro species and detritus—marine vegetable soup, they provide stability, support and strength

The routine handling, transporting, spraying and placement of multi millions of cubic yards of dredged material by the ASPA/COE is already questionable. I would bet there are more **unidentified impacts occurring then are being reported..**

The huge foreign vessels if allowed in our harbor pose the serious threat of releasing **deadly exotic species** into the Bay's waters which may be the last straw for this body of water.

### **The Selective Project only benefit the maritime industry**

The projects "first phase costs" are projected to be \$387,762,000 million dollars creating a huge economic impact for the Nation's taxpayer, as they assume the responsibility for \$244,860,000 while the ASPA assumes the piddling \$142,981,000 share.

The COE's consideration and evaluation for the TSP will be for one user: *the maritime industry* and poses significant environmental impacts and threats for us and **no economic benefits accrued to the public**. The other alternatives considered are as bad and unacceptable, as the goal is allowing wider and deeper foreign vessels in our shallow bay causing 'significant impacts' that are not acceptable and are remiss.

### **Red Flag**

Right off the bat ASPA violates the NEPA process in releasing a SEIS instead of the EIS. This raised a 'red flag' for me as they violated the process in deciding their project to be a spin off of their 1980 dredging project proposal, (38 years ago?) which was similar but not as bad and it was stopped.

The 1980 proposal was a widening and deepening project for the Mobile Bay Ship Channel, filling of 1,700 acres in **Arlington Point** for a container Port, proposed filling portions of the northeastern bay with islands and construct and develop a huge coal Transshipment island north of Fort Morgan.

Now in September 2018 I discover the Corps' knew about their 1978 Report that addressed the erosion occurring on Dauphin Island and concluded that the maintenance of the Bar Channel and capture of sediment loads from the littoral drift contributed to the erosion of Dauphin Island and they chose not to address the issue in the 1980 EIS, making it 'deficient.'

Citizens joined forces with the Alabama Fish & Wildlife Service (F&WS), there was a concerted effort in opposing the destruction of the 1,700 acres of the fabulous natural shallow embayment system containing highly productive and major submerged grass beds. Luckily the project was finally stopped.

## **Congressional Federal Permit**

Very few people know that ASPA holds in hand a 32 year old Federal Permit they wrangled through Congress in 1986 (Sage Lyons was the attorney) and they plan to use it no matter what the outcome of this process. Is this Permit still **valid**?

It fully authorizes channel dimensions for a:

- 57' deep x 700' wide Bar Channel
- 55' deep x 550' wide Bay Channel except for upper 3,6 miles authorized to 650' wide
- 55' deep x 1,500 sq. ft. turning basin near Little Sand Island
- 55' deep x 600' wide below station 226+16 in the River Channel
- 40' deep x 600' wide above station 226+16 in the River Channel

These pompous asses think they have the right to do anything they want. They were caught violating the law in those days. People got involved, then Congress. Money dried up and they were stopped.

## **Topping Off...Roll On...Roll Off**

ASPA has been using **Topping Off ...Roll On Roll Off** for years in the Gulf proving there is no **NEED for this project**. The **Topping Off Alternative in the Gulf of Mexico** has proven to be **economically feasible** for the Port and provides a **safer environmental alternative** for Mobile Bay.

ASPA other reason for channel changes was to allow the coal on McDuffie Island to be exported globally. This commodity has a very shaky history with major 'ups and downs in the global energy' market place plus the coal industry currently use 'lighters' to top off the coal barges and send them on their way. This lessens their **NEED** for the project. Jimmy Lyons's **antiquated 50 year plan** needs to be abridged, as it was not feasible in the 70's and life's pace is much faster nowadays. **Today's planners realistically** try to handle a situation in 5,10 or 20 years as social, economic and environmental situations constantly change and these are not the ole' rocking chair' days.

## **Mobile Bay Benefits**

The reasons that stopped the project in the 80's are as valid as ever. Mobile Bay is a **vital National Estuarine System** that provides sediment for our beautiful white sandy **beaches**, storm buffering **dune systems** which supply habitat and havens for numerous Endangered species such as the Alabama Beach Mouse, turtles, birds, mammals and reptiles.

It creates the opportunity of providing thousands of jobs in recreational activities, in **commercial fishing industry** for individuals and families catching, handling and the sale of a diversity of seafood.

The Bay provides habitat, food and water supplies for 370 species (not 300 as stated in SEIS) of song, shore, water **birds** including the hundreds of thousands of birdlife during migratory periods. Coastal Alabama lies within the Mississippi Flyway.

It offers a variety of marine **vegetation** vital for the health of the Bay, dissolved oxygen, food and support for the estuary and contain a **diversity of micro/macro species**, such as worms, crustaceans and detritus, food sources for the variety of sport and commercial fisheries,

The invaluable **surface water areas** act as travel corridors, assimilate and disperse water and pollution loads, provides for commercial and recreational boating traffic.

The northern **Delta** is enjoyed for Alabama's hunters, fishermen, fisher-ladies and boating activities in freshwater systems. The local homeowner families plan opportunities for enjoying the bay's resources and having family **picnics** plus relaxing and enjoying esthetics. Well, you get the picture.

### **Mobile Harbor Bar Pilots**

Thank goodness for the **Mobile Harbor Bar Pilots** guidelines for safe operation in the channel which are pertinent for this analysis as:

1. **traffic is limited to one way** when vessel beam exceeds 115' transiting the channel  
Maximum combined draft of two meeting vessels **shall not exceed 85'**
2. Any two meeting vessels with a **combined length overall of 1,650'** or greater will **not be allowed** to meet in the channel **if combined drafts are greater than 75.**
3. Maximum combined **length** of any **two vessels** that will be allowed to **meet in the channel is 1,775 feet, regardless of draft.**

The **Mobile Bar Pilots** use **good safety practices** and good "**ole common sense**. The public should thank them as the Bay has been extremely lucky! The ASPA's proposal in allowing the larger vessels in our very shallow bay, just to speed up the process of unloading them, will increase the **potential** for causing catastrophic accidents. The COE needs to **protect the bay**, its **resources**, the thousands of **families** residing in their homes surrounding the bay, as their lives could be threatened in allowing these vessels in the Bay. We have been extremely lucky!

### **NEPA's Purpose and NEED**

The heart of NEPA's analysis and the key aspect of an EIS are for an agency to define what they are trying to achieve by proposing an action they deem necessary. It serves as the basis for identifying reasonable alternatives which meet the purpose and need.

The reader compares and contrasts the **environmental effects** of the various alternatives with effects and impacts meaning the same thing. Included are **ecological, aesthetic, historic/cultural, economic, social, or health impacts on Human Beings**, whether adverse or beneficial, as they are part of the environment. That's why Congress used the phrase "**human environment**" in NEPA. Agencies then can describe and analyze a "**no action alternative**" meaning the agency did not act upon the proposal for agency action "no action" also means continuation of the current management plan." (from NEPA Document)

### **ASPA PURPOSE AND NEED**

The ASPA insists their PURPOSE and NEED for the widening and deepening as being from **navigational problems** that exist for the increasing number and larger size vessels, as it does not allow passage for their large container vessels and cause:

- Congestion. Very much like **our** congested **roads and highways**
- Transportation delays and inefficiencies
- limited to one way traffic
- pose safety concerns
- not allow night access---thank heavens!

But ASPA's GREED and the only identified NEED for these huge Asian container vessels to enter our extremely shallow Port is to be **unloaded quicker**. Projects in the past have been stopped because of questionable NEED, especially when they were this expensive and destructive.

### **Climate change, Salinity, Eutrophication, Isostasy, Subsidence, SLR.**

The Mobile Bay's ecosystem is presently being **imperiled** by natural events such as **climate change, salinity, erosion, isostasy, eutrophication, subsidence and sea level rise (SLR)**. These terrors are upon us NOW and the political powers, **Mobile Bay National Estuary Program (MBNEP)** and sources of money need to be preparing for these major events and give them **priority** over projects such as this one as our **barrier islands** (Dauphin and Fort Morgan) and the **estuarine system will become the first victims**.

### **Dauphin Island (DI)-Erosion. Subsidence. Rising Sea Level, Eutrophication**

Dauphin Island is very important for MANKIND, as it is one of Alabama's main protective barrier islands. Jeff Collier, The Mayor of Dauphin Island points out that "barrier islands shield their respective coastlines from direct impacts during storms and also provide another layer of protection for seafood operations and other waterfront industries."

The "Organized Seafood Association acknowledges that *DI plays a major role in helping to create conditions favorable for the propagation of commercial and recreational seafood*. Hydrologists and geologists try to warn us, but Man is arrogant and doesn't listen, especially if he is intent on having his way in doing a project. Mother Nature works beautifully by herself and sediment loads enter the littoral drift, flow eastward and naturally deposit onto the beaches. If the loads are removed then erosion will occur. Simple!

A COE 2010 study concluded "major changes in the island's configuration were always **associated** with **hurricanes** or tropical storms "directly **contradicting** a 2007 report from the **USGS** that" presented historical data showing the erosion on DI continued even in the **absence** of significant **storms**." Who is right?

*"In addition to the operational constraints hauling material from the Bay channel to the ODMDS permanently removes sediment from the natural system and is extremely costly and destructive! It is now perceived that the removal of sediment from the Bay's natural sediment system **may not be an environmentally sound method of disposing** of the dredged sediment and may have **long term negative** effects. By **reducing** the amount of sediment placed in the ODMDS, more of the bay sediment will subsequently be retained in the natural sediment transport system." (Draft-EA-Addition of Open Bay Thin-Layer Disposal Option-May 2014)*

*Another significant ecological impact believed to be associated from Dauphin Island's deteriorated conditions attributed to shoreline erosion, is the low success rate of sea turtles nesting on the island, with low percentage of successful nests compared to Baldwin County's beaches. This issue warrants coverage because of the Endangered Species Act connection and also because DI provides a substantial portion of Alabama's total Gulf shoreline used for nesting by sea turtles. It's a possible "takings" type situation that may exist as an indirect impact of the ASPA/COE's Bar Channel maintenance program and the Mobile Harbor project's role in contributing to the erosion of Dauphin Island and the lowered turtle net success rate compared to other northern Gulf beaches,"*

Someone with the Corp or an outside group who truly loves the Bay and its resources needs to reevaluate the way dredge material is being removed from the littoral drift, how it is being handled or mishandled and where it is finally placed.

Just how much have the thousands of drilling rigs' withdrawal of untold amounts of water, oil, gas, salt, sulfur in the near shore and offshore waters of the Gulf of Mexico contributed to the sinking of Dauphin Island? Has drilling operations in Mobile Bay and off our coasts in the Gulf caused **subsidence and isostasy** to occur in coastal Alabama from years of withdrawals? **Dredging operations** in the past and placing heavy loads of sediments in unstable bases have disturbed geological processes in **Mobile's coastal area** causing major isostasy problems.

What about problems with the rising sea levels...RSL? Pollution loads also play major roles in this issue and cause major impacts and threats natural areas, causes health problems, but is anyone considering the fact that a major reason for islands to be sinking are because of the oil/gas drilling operations in the Gulf and southern portion of Mobile Bay withdrawing huge amounts of water, oil, gas, salt sulfur from underground reservoirs and be a major causative factor in the sinking of Dauphin Island and other islands in the Gulf? Louisiana's coastal wetlands are sinking and the oil/gas industry is being blaming!

### **Eutrophication**

Eutrophication is briefly discussed in the COE Documents as being a problem.

In Mobile Bay it could be a huge problem with all of the nutrients and trash coming from not only numerous watersheds, but fairly large and frequent releases of untreated domestic wastewaters (sewage) from Mobile and Baldwin Counties, runoff from agricultural lands, roadways and parking lots, shopping centers, and golf courses. Then there are the tons of turbidity and suspended solids released during dredging operations and open water disposal of the material along **both sides** of the channel. The open water spraying and layering of sediment loads over the water surface, plus filling of the relic shell areas ... all of which cause hypoxia events, loss of sunlight benefits, etc.. The document discusses the Gulf of Mexico as having problem on a continual basis. There should be more extensive monitoring and reporting required for the Mobile Bay area.

Something is definitely going on in coastal Alabama ... See attached Lagniappe photo and Article, December 3, 2015...strongly suggesting reasons for **shelving this project**. Dauphin Island desperately needs help and fast.

### **Bickering State & Federal Agencies**

There has always been a great deal of bickering between state and federal agencies and posed problem as involved private citizens were trying to improve situations. There is an imperative need for everyone to work together as time may be getting short?. We did in the past and **achieved major success stories**.

### **Open Bay Disposal**

The COE is supporting another badly planned option, ***open bay disposal*** and someone promotes the idea that it will contribute to the much needed conservation efforts for the protection of marshes, sea grasses, oyster reefs, and other ecological resources. HOGWASH! In the past open water disposal didn't help any of these things. What happened was the huge **turbidity** and **suspended solids** clouded the waters, smothered grass beds, killed fish and aquatic life and vegetation which led to major fish kills.

## **DI Sanctuary**

There is also the URGENT NEED to protect the invaluable Dauphin Island Bird Sanctuary. If the coastal landforms go then so do the sanctuaries. These coastal landforms not only allow for the first 'take off' and last 'landing fields' for hundreds of thousands of birdlife during their migrations to South America and Mexico and North to areas in America and Canada.

## **Mobile Bay's Depth**

Mobile Bay's present depth should be kept at 45' as deeper pose too many significant problems for the system and are extremely costly. The sediment rich rivers of the Delta to the north and the long shore currents from the Gulf in the south, deposit a steady load of mud and sand into the Bay. The constant sediment dump creates enough of a need to routinely dredge the Harbor and Ship Channel to the rational shallow depth of 45'. This depth is more **cost effective**, would **lessen loads** of material to be handled and disposed and the shallow depth would **lessen erosion** problems and **save** the taxpayer **money**. This is the time for using common sense!

## **National Significant Estuary**

In 1995 EPA recognized Mobile Bay as being a **nationally significant estuary** of the United States and designated it as one of 28 National Estuary Programs in the Nation. The COE needs to better understand our precious ecosystem and its **National significance** before allowing additional **attempts to destroy** it. Read COE's 1980 EIS regarding the State Docks last major attempt in trying to destroy our Bay. Significant research was done in the past by local scientists who loved and respected the Bay and Delta.

## **Carte Blanche! No Mitigation!**

The ASD/ASPA have been given 'carte blanche' **all of these years** in Mobile Harbor completely ignoring their responsibility and have made **NO** attempt to mitigate their impacts in their maintenance dredging operations for their special interest and the destruction of public lands. The F&WS determined 3-5,000 acres of public lands were destroyed in construction of numerous dike and filled projects which involved the destruction of surface water areas, bay bottoms, grass beds and wetlands for their dredging needs. Additional acreage of priceless wetlands within the harbor were threatened to be filled, but were stopped...by an alligator (read my book for that story) The 'fast lands' in Mobile Harbor are now identified as Blakeley Island, Pinto and McDuffie Islands which contain oil and chemical storage tanks, ship yards and the huge piles of coal that release deadly particles 24 hours a day. Surprisingly there still remain other wetlands, but these have been polluted by oil spills during past years, also with no mitigation

## Alcoa Aluminum 'Mud lakes'-'Wildlife Refuge'

To give you an example of what can work, as long as the choice is protected from the greedy ones, is the Alcoa Aluminum mud lakes. Alcoa Aluminum needed additional lands in the 70's as their 6 mud lakes containing years of 'red bauxite mud,' (toxic/hazardous wastes) in their 6-700 acre areas on top of a 40' dike area on Blakeley Island were determined to be full. (See ATTACHED ADDENDUM)

In December 1976, **The Agreement** was signed by Governor Wallace, Alcoa Aluminum, Secretary of State-Agnes Baggett, John Hodnett -Commissioner of Conservation & Natural Resources, Mobile County Wildlife- Charles Butler, and Myrt Jones-MBAS, and promised the 'first' public mitigated lands in the Harbor area ...ever! The Agreement allowed the ASD/ASPA /COE to dump and recycle 35 million cubic yards of dredge material from Mobile Harbor for 35 years on the six prepared mud lakes. Then these 600-700 acres wildlife refuge areas would be turned over to the Al. Department of Conservation. They had been identified by local, National and foreign birders as being 'one of the best birding sites in coastal Alabama.'

(Enclosed are **photos** of the beautiful and lush **wildlife refuge** areas) on top of Alcoa's mud lakes-which was once and probably still are a toxic landfill that were 'recycled' into a highly productive and useful 'bird sanctuary.' A variety of birds used them as a resting, nesting, feeding area for raising their young. The lake area is in the southern reaches of the Mobile-Tensaw Delta.

Until...Sage Lyons, once a state Senator in 1986 who became the State Docks attorney, read the **Agreement** and made it **null and void**. Yet the Port Authority/COE continued to dump millions of cubic yards of dredged material from Mobile Harbor onto the mud lakes until their 35 years were up—**How could they do that??** Jimmy Lyons quietly had the lush and beautiful 6-700 wildlife refuge lands completely bulldozed. No one has taken any action against this complete destruction. Beautiful public lands, and the citizens and wildlife have lost ...AGAIN!

## A Done Deal

Right from the beginning, the COE/ASPA GRR, along with the SEIS, seems to promote the ASPA's project as a **done deal**. Nothing new there as past EIS's from the COE invariably ended up in court. However the Corp's involvement in this project is being brought into question when the Executive Summary states that *GRR results are being used to determine **if the Federal Government should be participating in design and construction of potential navigation improvements at Mobile Harbor***. This is significant. Should the Corps be involved in a project which has already cost the taxpayer millions of dollars for advancement of projects by the *special interest* group: the maritime industry? The answer to this is NO!

### **Require ASPA to Fund Project**

The COE should not be involved! This is a waste of the Corp's valuable time as the federal agency may become involved in just another ASPA shenanigan. Deny this project and require the ASPA to handle it themselves. Let them try and fund the 'bloated' project through proper channel and not behind closed doors as they usually do. They can fund it as this state agency claims that "in 2014 the total economic value of the marine cargo and vessel activity at Mobile Harbor including the revenue added at each stage of moving an export to the port or an import from the marine terminal was estimated at nearly 24.8 billion and 149,432 jobs: there's plenty there to work with.

### **Welcomed other District Engineers**

As President of the Mobile Bay Audubon Society (MBAS) for thirty years I made it a point to meet the new District Engineer of the COE every three years and welcome him. Colonel Drake Wilson was my first and the meeting was quite enjoyable for the both of us. He asked '**how could the Corp's image be improved?**' I suggested he form a Citizen Advisory Committee (CAC) from those of us receiving Public Notices and allow us to be involved in the Corp's coastal projects. Believe it or not, he **loved** the idea. Many Corps people were not happy that we were involved, but we didn't care as we worked on numerous coastal issues.

One day Committee members were handed the very small booklet regarding the Corps billion dollar proposal **Reanalysis of the Tenn-Tom Waterway**. It was their new proposal that involved cutting through and straightening numerous bends in the Tombigbee River from Demopolis to Mobile making a superhighway for coal barges. I called a Board meeting and was told the Society would file a lawsuit. During the next Committee meeting I made the COE aware of our decision and the F&WS and Environmental Defense Fund planned lawsuits as well. The project was quietly dropped from the Corps plans. Very few people know about this, but it happened ...and public involvement stopped it.

### **Lost SAV's -- Radcliff Dredging**

Many of us were involved during the early days when the Department of Conservation and Alabama Water Improvement Commission now ADEM allowed Radcliff Dredging Operations to dredge and remove 4-6 feet of bottomlands (overburden) for the removal of prehistoric oyster shells to make chicken feed and cement. Their huge '**open water dredging and dumping**' operations' caused severe turbidity and suspended sediments loads to be released.

These loads spread throughout the bays waters (similar to the COE's open water spraying and layering of sediment loads they find so easy to deny cause impacts? ) completely **destroying submerged grass beds (SAV's) severely muddying** the waters and **smothering aquatic marine life** in the shallow perimeters of Mobile Bay. The Save Our Bay became involved eventually stopping the State and Radcliff. Wouldn't this suffice as reasoning to discontinue the present open water spraying of dredge material? It violates the CWA, ESA and makes the Bay's water muddy and threatening. Would the Relic Shell Mined Areas be from their operations?

### **Unidentified Project Cost**

All of this 'gobbly gook' about the ebb tidal shoals in the EIS... does this have anything to do with the littoral drift that Mobilians can relate to regarding the erosion problem on Dauphin Island? Which the **COE finally admits to contributing to?**

The COE/ASPAs capture and removal of millions of cubic yards of sand from the littoral drift eliminates it from being naturally placed on the beaches of Dauphin Island and helped erode the public beach. The Gehrig started Gulf dumping in the 90's and the COE finally admits in the SEIS there have been impacts. They consider the Gulf to be a **large ocean** that can handle their problems and minimize the impacts as not being too serious as the turbidity loads and suspended solids, heavy metals and mounds that have occurred may smother and kill aquatic organism, but new critters rebound in the area within 6 months or it may take several years of recovery." **Bad assumption and unacceptable** by a federal agency!

What's not being discussed in the SEIS is that the ocean dumping was stopped quickly by the ASPA/COE and the material was moved closer to shore at the new dump site, SIBUA, **because it was cheaper**. A few years later ASPA decided again the ocean is the place to go, but they may be changing their minds AGAIN as look at what they proposed in August 2018?

### **Extra! Extra ! Enlarge SIBUA???**

The ASPA is not waiting for acceptance of their proposed Plan, as the Port people aren't really sure of what they want to do. Without **proper notification** they now want to enlarge the SIBUA... probably remembered why they stopped dumping in the ocean in the first place as it **costs too much**. The COE needs to **DENY** this Port request and wait and see what is **decided on this one**.

## **ASPA Does Handles Hazardous Wastes**

The COE's claim is just **not true** as the Port does handle Toxic and Hazardous Wastes. Jimmy Lyons recently requested another Permit for Handling Hazardous Wastes within the Port through a Public Notice handled by the Alabama Department of Environmental Management (ADEM). They obviously have been handling these types of wastes for some time. **Enclosed** is a copy of the **PN** along with a copy of my **comments**.

### **The following are Comments and Corrections with regards to the SEIS:**

Mobile Cruise Terminal isn't as active as one would hope.

2-48 Projected dredge material sites-

Alcoa's Mud Lake 6 –was el 42 now max. el. 46-capacity 3,388,000

Alcoa's Mud Lake 7\_ was el 42 now max. el 46-capacity 8,562,000—no wonder Lyons destroyed the acreage involving mud lakes 1-6 as he is so greedy the removal of the public's wildlife refuge areas now provides additional areas for him receiving more fill and money in the handling of more dredge material. Would someone please hold him accountable??? **He's a hopscotcher**

### **Dauphin Island Erosion**

RE:2-49 In 2000 the people of Dauphin Island filed a lawsuit against the COE. It regarded the mile of beach that eroded over the years from the COE's removal of million of cubic yards of dredged material from the littoral drift. They lost the case, but recently a **Corps** person **admitted they lied** and **probably helped cause the erosion**.

Mayor Collier received **seven million dollars** from CIAP (Coastal Impact Assistance Plan) in 2016 to recover and restore the eroded area. An interesting point during their search for 'the white sands' needed for the fill as it was found in the COE's SIBUA. The seven million dollars should be considered a **major expense in this Harbor project**.

RE: 2-55 Mobile is one of the wettest cities in the Nation...yet there is very little mention of **droughts**...seems like the coastal area does experience these problems and wonders why **multi-year-drought conditions** weren't considered in the TSP as **salinity regimes** might be altered within Mobile bay to the point that oysters, submerged aquatic vegetation and other specified environmental resources could be adversely affected...there is the need to determine if such a problem could exist in permitting salinity changes which could encourage **oyster drills** and other potential problems. ...also the bay does experience times when there is very **little water in southern** portions, especially after cold fronts

2-56 We also have the National Weather Station out on Airport Blvd by the Municipal Airport. Not many people use the Brookley Airport—maybe the Chamber is promoting Brookley before it hatches

2- 61 widening and deepening plus tropical storms and hurricanes and abundant winds, tides, surges **allow** more **saline** waters and **sediment** loads to enter the bay

2-71 Mobile Bay has been identified as a **stressed estuary**, but haven't seen this mentioned.

2-73 Spelling—Maher should be Meaher (Mobile family) –it is in other places—pg 2-118

2-75—**Groundwater supplies**—are extremely important and vital in Mobile Bay area as many families depend on wells for water supplies. There are numerous industries in coastal Alabama that depend on wells for water supplies. Has there been such a study ... surveyed and no-one wants to lose water wells around Mobile Bay area from a badly planned project. So far the ASPA/COE have been lucky and so have the residents!

### **Dr. Eugene Odum**

2-77 **Wetlands** –are one of the “most productive ecological components within the project area.” I would like to mention **Dr. Eugene Odum**, Founder of Ecology in Georgia who helped those of us in the environmental field (eco-warriors) save wetlands especially in the coastal area of Alabama from the COE/ASD's and others. He placed the economical and beneficial value of **\$83,000.00 per acre on wetlands**, as they provided Man **ecological benefits** in helping to clean up pollution loads to **tertiary treatment, plus numerous other benefits**. How much would an acre of wetlands be worth in today's economic market, as their acreage has been lessened considerably and should be even more valuable?

### **Dr. Bill Wolverton**

Dr. Billy Wolverton, a scientist working with Mississippi Space Center was trying to find a closed system for the space shuttle and discovered the unique natural process that involved wetland vegetation and the **microbes** on the roots.

The closed system cleansed **the air and water of pollution loads**, provided **food and habitat** for marine life. He was teaching students at the Environmental Studies Center in Mobile and I asked him to be our banquet speaker. Peter Mannsfeld, Plant Manager of Degussa attended the banquet and knew of Wolverton's work with water hyacinths, but hadn't heard of this latest work. They joined forces as Mannsfeld was having problems getting permits from ADEM for one of their hazardous wastewaters releases and this natural process might do the job. The biological process treated it to the degree it could be released into Mobile Bay and the chemical company was the first to use Wolverton's process and continue to show off the process as a promotional tool at their facility.

## **Topping Off**

ES 4. Costs of TSP, \$387.8 million. The savings would be tremendous if the COE required the ASPA to pay more on the project costs! Or deny the project and continue to use **topping off ...Roll On... Roll Off in the Gulf as it does the job.**

**Support the NO PROJECT ALTERNATIVE**

### **Dr. Will Schroeder-Stratification**

ES-5 Citizens battled Degussa's proposed wastewater and the additional County's domestic waste loads to be released in their **new proposed outfall in the middle of the bay**. The audience was overjoyed at the Public Hearing when I used the **coffin to make the point** of the seriousness of the situation. Dr. Will Schroeder, local hydrologist made the statement in the lawsuit that there were several **stratification layers** that would **not allow** proper **dispersal** and **assimilation** of the waters and helped to stop the Chamber of Commerce's very bad idea

### **Projections, Models, Assumptions Guesswork**

Mobile Bay is one of the few National natural ecosystems and I always have trouble believing in **projections, models, assumptions, guesswork** when it involves a fantastic system such as this one. A natural world cannot be put into a computer. Mother Nature doesn't play Man's games as it has its own fabulous biological systems that work so well together. Man can't seem to realize or recognize the beauty of these systems, which is a shame as they mess them up, badly. I truly feel sorry for the future generations

2.5.6.3 SAV's provide some of the same benefits as wetlands

2.5.6.7—why aren't the natural **values of bottomlands** discussed when dealing with benthic communities (closed community) —does the COE want people to believe they aren't as vital as they truly are so they can be destroyed for this project? If so you are violating the law and the **rights of the people and the estuary.**

2.33 Figure 2-33 Unreadable

2-5.6.9 —the COE needs to listen to Ralph Atkins and Avery Bates **as they are the experts** when it comes to Mobile Bay's **oysters and seafood**. Avery told me few years back how important it was to leave some of the **deep holes** alone in Arlington Point and other locations as they provide hiding places and safety for a variety of fish and marine life, even though at times there may be low levels of DO.

ASPA or COE could care less in placing huge amounts of dredged material and filled them up (these people seem to have limited knowledge at times) and the placement or spraying or whatever they did in Arlington Point has smothered and depleted the once abundant grass beds. Atkins and Bates have been in the business of growing and selling oysters and seafood all of their lives and in the old days the oysters were abundant and delicious, but the ASD/ASPA have questionable—maybe no knowledge or respect for protecting this once extremely productive Bay and marine life. There seems to be little control by anyone over the Port as the Bay's resources are suffering and could be in total decline as it has been a **stressed system** for many years.

When I was a youngster my family would take us and the floundering light and gig to look for flounder, soft shell or blue crabs in the abundant grass beds in Arlington Point. Our catch ended up feeding our neighbors as well as us. I am told they don't exist now - what a shame for the kids, marine life and the future.

5.10—The **West Indian Manatee** was identified but wasn't mention until later that this mammal is seen often in the waters of Dog River. Patrols should be made as there is potential for accidents with numerous recreational motorized boats that now travel this river and some at high speeds

In 8-22-18-- newspaper —the red tide in Florida has **killed 100 manatees**

2-5-12—**Air Quality**—and 2.5.22—**Enclosed 2017 letter** to Alabama Department of Environmental Management (**ADEM**) regarding the Air Pollution Loads in Mobile County and Lack of monitoring in areas of ASPA, Theodore Industrial Park and coastal transportation corridor which seriously threaten coastal resources and systems, human health, and shortens young people's lives, especially in the **Environmental Justice Neighborhood**. I just heard the emissions from these foreign ships are massive...another reason for leaving them in the Gulf.see additional article re: Coal Dust

Pg. 2-118 **Bon Secour NWR(BSNWR)**— 370 species ...not 300 noted in the document. The public might like to know that the reason Alabama has a BSNWR is the fact five members of the Audubon Society's became involved in 1979... right before developers planned to destroy all three of the first tracts...and helped save them...otherwise there would not be a BSNWR in coastal Alabama.

2.4.3-Maintenance Dredging— In December 9, 2015 the federal Gulf Coast Ecosystem Restoration Council approved funding an island project for the Corps and ASPA at a cost of \$2.5 million they had been actively pursuing. It was for the placement of a 1,200 acre dredged material disposal island planned in the Upper Bay south of the Causeway. The project has been delayed for 2-4 years without any explanation... after the **public** began **asking questions** about whether it represents a **beneficial use** of dredged material. This project was excluded from the ASPA/COE Report and are delaying starting the dredged material island until after the current report to deepen the ship channel is 'wishfully' and hopefully okayed. I wish them the **worst of luck!**

2.5.19 Socioeconomics—The SEIS doesn't mention that Baldwin County is the fastest growing county in Alabama.

2.5.20—**Air Transportation**—I question the information—Mobile Downtown Airport isn't the one passengers use, it should be the Mobile Municipal Airport or maybe they are calling it the Regional Airport on Airport Blvd. Sounds as if the Chamber of Commerce is maybe using questionable releases.

Regarding **Public transportation**—the city and county of Mobile should be ashamed of them selves, as mass transit doesn't exist. At one time bus service provided good service and covered the areas, but politics stopped them now there is **massive car congestion and major air pollution loads released and accidents occurring.**

Pg.127---The paragraph states "**Hazardous wastes are not handled by the ASPA**" **This is not true—see attached PN requested from ASPA to ADEM**

4.2.3.2-Beneficial Use of DM—use with caution as MB's sediment are found to have **toxic and hazardous materials-don't use in marine habitat** unless safe.

Pg 4-19 Beneficial use options---don't use unless safe sediments

5-24-Public & Occupational Health & Safety—good spot as any...the issue of concern is the COE's reliance and dependence on computerized modeling in concluding "ship waves do not represent a serious issue"—throw it out the window then listen, get out of the office and look at the problem and listen to the residents.. Oh by the way ship waves have caused serious problems along the bay shores for years—look at the 'rip rap' covering our shores, as people's properties are eroding and having to be bulk headed. The situation may pose life threatening situations, especially for young children. This would be a simple task for anyone to handle ...there just has to be some respect for one's problem and an interest in doing something about the problem. Large ship waves do occur and more frequently because there are more vessels and no speed limits imposed especially on large vessels. It's so simple—require limits—slow down the traffic in effect **lowering the potential for a catastrophic accident**—The Bay and Us have been extremely lucky

5-24 **ODMDS**—The COE/ASD's dumped in the 90's ... 60 miles out in Gulf, but it became too expensive so they moved closer to their new SIBUA. The COE finally admits there are impacts, such as heavy turbidity disrupting, destroying and killing some species with sediment loads, and mounding of bottom, up to 8-12" eliminating burrowers for 6 months or several years—quite a few impacts as the **ocean isn't that large or should it be placed in jeopardy by short sighted GREEDY people**

5.8.8.4-**Oysters**—finally recognize limited info— isn't Nature GRAND? Poorly understood due to the difficulty in **tracking oyster larvae** over time, reef recruitment dynamics is critical towards understanding how potential projects actions **will impact** oyster populations within a project footprint. Too late for Mobile Bay's oysters. When ASPA start with their sob story tell them to get rid of the Director and find some one who knows how to do things properly, appreciates an estuary and works with people, not behind closed doors and **doesn't steal and destroy public lands that are owed nature and the people?**

### **Question for the District Engineer**

Colonel, this question is for you and other Corps personnel: when you consider this project think of your children, grandchildren, friends and others throughout this country.

**Question:** why widen and deepen the channels then remove the bay bottoms in Mobile Bay? Why place polluted dredge material in invaluable wetlands, spray over waters resettling on bottomlands, dump in open Bay and Gulf waters and anywhere else ASPA suggests? Exactly what kind of **legacy** will you be willing to pass on to the future? How will you answer their questions when they ask "Daddy, why can't I swim in the Bay, or why is 'red tide' wiping out the manatees, why is vibrio (flesh eating bacteria) killing people, air deposition loads making fish unsafe to eat, why are other marine animals dying? Daddy? Are you crying"?

### **CONCLUSION**

COE refuse this horrible ASPA project as Mobile Bay will become a memory if it continues to be a victim of the ASPA. Please adopt the **No Project Alternative**.

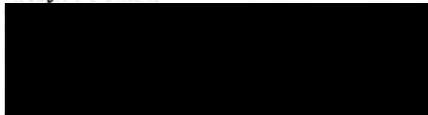
### **Myrt's Book**

I'm not new to the ASPA as I've been involved as a private citizen in environmental issues in Coastal Alabama and worked within Harbor and Channel projects for over 40 years. My book is my **Testament** if you're interested in background. (Chronicle of An Eco-Warrior: Relating South Alabama Environmental Issues) It's on Amazon.

Respectfully yours,



Myrt Jones



ATTACHMENTS... pertinent to Myrt Jones's comments

**Page 7**—1. Lagniappe Photo “Island Barriers”, by Jason Johnson... of Dauphin Island following a Hurricane

2. “ article by Jason Johnson- “Dauphin Island poised to capitalize on restoration opportunities” December 3, 2015

3. Article by Tristan Baurick on what others are doing..... “Racing to save the barrier islands” August 3, 2018, Press Register

**Page 9**--- 1. Aerial of Alcoa's Deadly Lakes ...

2. **Alcoa Aluminum** /State Department of Conservation **Agreement**

3. Reclaimed into beautiful wildlife forested/shrub valuable mitigated refuge lands and contain freshwater lakes

4. Provided food, homes for variety of birds, wildlife-“one of the best birding sites in coastal Alabama-now completely destroyed by ASPA”

**Pg. 12**-----ASPAs requesting Hazardous Wastes Permits from ADEM-July 7, 1018

**Pg. 15**---1. Myrt Jones comments on Alabama Ambient Air Monitoring...May 31, 2017

2. Article residents expressing concerns in historic districts of Mobile about ‘black silt’ released from McDuffie’s ‘sprawling’ coal terminal ...April 25, 1998

# ISLAND BARRIERS

The debate over the causes of Dauphin Island's dramatic erosion continues, while officials pursue separate restoration and stabilization measures.

BY JASON JOHNSON



ope vs. AMIC redux

6

From the studio to the set

24

GoDaddy Bowl invites competitive

*Katana*



# Racing to save the barrier islands

Tristan Baurick NOLA.com

8/13/16

Press Registrar

Why 5 Key Islands  
+ Chain of Islands

15.5 mcrds - costing 2,000  
Ac. of beach + marsh

Plus seawall 1.5 billion  
over next 50 years  
A protective ole of barrier  
islands

Ten miles from Louisiana's receding shore, on an island that was on the verge of sinking away, new land is growing at a rate of 200 feet per day.

A flurry of sand blasts from a 30-inch-wide pipe with the force of a fire hose. In foaming sheets, it spreads across the beach of Whiskey Island, making it thicker and wider by the minute. Backhoes and bulldozers finish the job, sculpting the sand into something resembling the island's younger self. Before storms, oil spills and erosion took a heavy toll.

"Where we're standing was nothing but water — 12 feet deep — when we started this," said project manager John Huit, suppressing a prideful grin, standing in rubber boots next to the gushing pipe.

The \$118 million restoration of Whiskey Island is one of the world's biggest land building projects. More than 15.8 million cubic yards of dredged sand — enough to fill the Superdome three times — have been spread across the island, creating nearly 2,000 acres of new

## FIRST LINE OF DEFENSE

Whiskey Island's restoration, which is set to wrap up in early fall, amounts to only a fraction of the money and sand that Louisiana is pouring into the rescue of its chain of barrier islands. And for good reason: Growing smaller and fewer in number by the year, the more than two dozen barrier islands are Louisiana's first line of defense against hurricanes and storm surges. Gov. John Bel Edwards said.

The sun, sandy islands act as speed bumps, absorbing wind and wave power that would otherwise travel unimpeded through fragile wetlands and into south Louisiana's heartland.

Behind barrier islands, watery worlds meet and blend into something more complex. The sea, calmed by protected bays, mixes with river water rich in sediment and nutrients, giving rise to a third kind of ecosystem — one that teems with fish, shrimp and oysters. Suspended river sediment is slowed long enough to sink, eventually stacking into new land or building into new land or building

## taken away.

"Some of these islands have a tiny footprint of land," said Erik Johnson, Audubon Louisiana's director of bird conservation. "They might seem to have very little value, but from a bird perspective they're irreplaceable."

Some bird species nest nowhere else, one being Louisiana's icon, the brown pelican. Seven barrier islands host 60 percent of the state's population of nesting pelicans.

Over the past 20 years, nearly \$817 million has been spent restoring the islands, bulking up 75 miles of beach and back-island marsh, according to a recent assessment by the state Coastal Protection and Restoration Authority. The state plans to invest another \$1.5 billion over the next 50 years.

## 'PERFECT HURRICANE'

On a warm August night in 1856, a raging hurricane made a direct hit on Isle Derniere, a 24-mile-long barrier island that guarded Terrebonne Parish's soft, marshy middle. French for "last island," Isle Derniere hosted a sprawling resort

popular with New Orleans' wealthiest families. Gale winds and towering waves broke the island in two and tore away the hotel, casinos, summer homes and all the island's trees.

"The wind blew a perfect hurricane; every building upon the island giving way, one after another, until nothing remained," an eyewitness told The Daily Picayune on Aug. 14, 1856. "The sea waved over the whole island. Those who were fortunate to find some object to cling to were seen floating in all directions."

More than 200 people drowned or were crushed by wreckage. The island, cut through, began to splinter further, eventually giving shape to Whiskey and three other islands — East Point and Racoon.

Had Derniere not been in the hurricane's path, the destruction would have been far worse on the mainland, savaging a mosaic of fishing communities. But the protective role of barrier islands wasn't understood for another century, when, tragically, they were in danger of slipping away. Louisiana State Univer-

sity oceanographer Joe Suhayda sounded the alarm in the early 1990s. With the help of computer scientist Vibhas Aravamudan, Suhayda produced models that showed what might happen in storms if the islands were gone.

A Category 3 hurricane thrown at the Louisiana coastline of 1930 would have left Houma high and dry, according to their model. The same hurricane let loose in 2020, when much of the barrier chain would have eroded away, put the city under three feet of water.

## CHALLENGES ALL AROUND

Change is a constant for barrier islands. They begin life not as islands but as the outer edges of river deltas, dynamic landscapes that naturally shift and retreat and build anew. Louisiana's barrier islands took shape some 6,000 years ago as the Mississippi River altered course and abandoned sections of its much wider delta. The delta's sandy edges turned into islands.

The Gulf of Mexico has never been gentle with barrier islands. Waves and wind are constantly scraping at

their sides, and storms occasionally break them into bits. But what the Gulf took away, the big river always restored. That changed after humans began to alter the Mississippi, hardening its banks and channeling its flow, sending its sediment pouring straight off the continental shelf at the river's mouth.

Meanwhile, rising global temperatures have contributed to the slow upward creep of sea levels. Subsidence, the gradual sinking of soft delta land, is also at play. Grand Isle, Whiskey and other large barrier islands are dropping by a half inch each year.

Then there's the oil industry, which has cut some barrier islands into pieces in the search for untapped reserves. Oil companies have tried fixes to shore up islands that support their infrastructure, but their preferred solution — rock embankments — has only sped up erosion, according to Darin Tee, a coastal resource scientist who manages state-backed barrier island projects. Wave energy bounces off the rock and scours out sand under the water line. "Even

Harvest 1.5 billion  
next 50 years  
entire role of barrier  
islands

their sides, and storms occasionally break them into bits. But what the Gulf took away, the big river always restored. That changed after humans began to alter the Mississippi, hardening its banks and channeling its flow, sending its sediment pouring straight off the continental shelf at the river's mouth.

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Wave energy bounces off the rock and scours out sand under the water line. "Eventually the rocks collapse, and they sit there, preventing recovery because no new sand can get back to the island," Lee said.

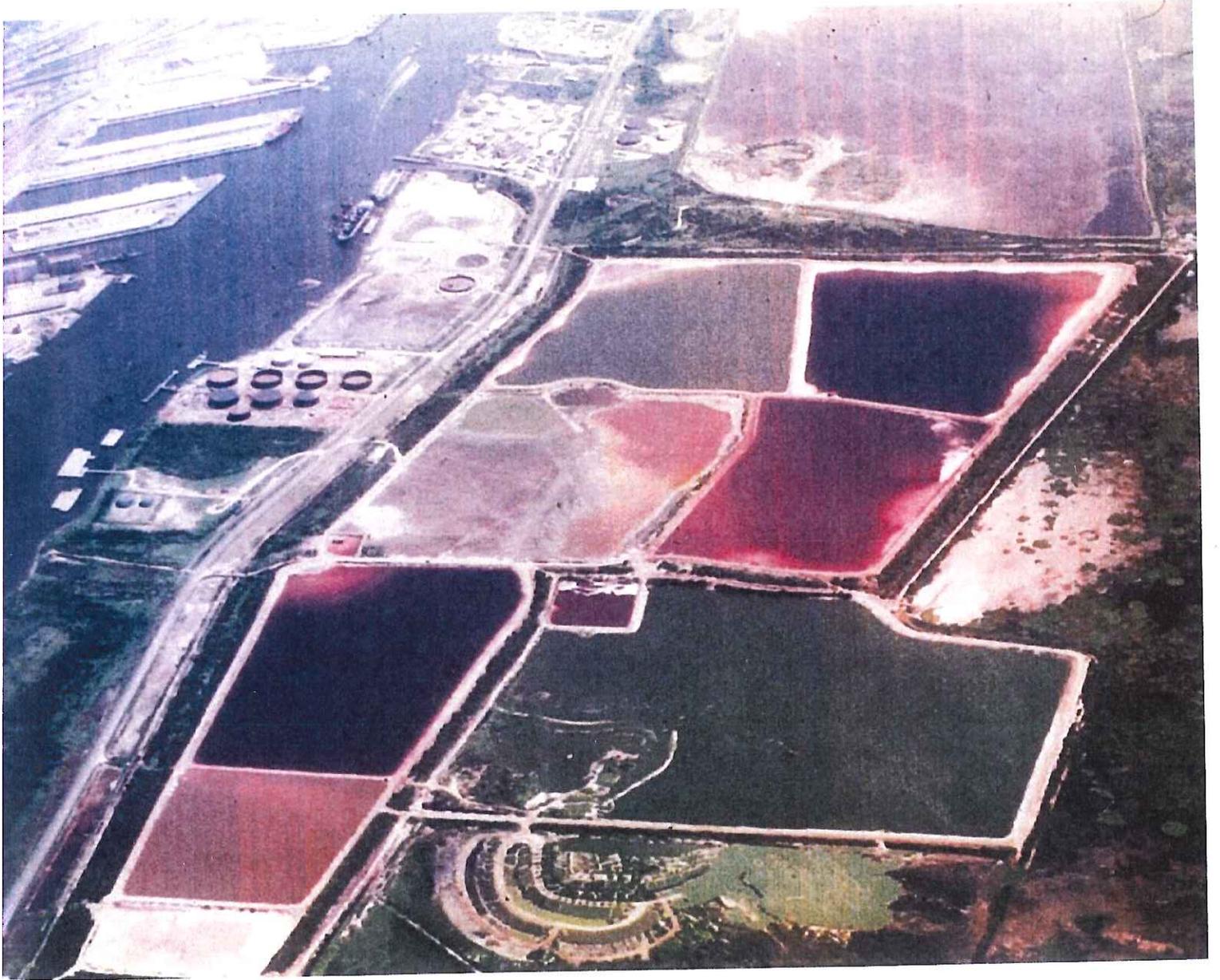
Oil spills also take a toll. The BP Deepwater Horizon disaster in 2010 saturated several barrier islands. Cat Island on the edge of Barataria Bay soaked up BP oil like a sponge, killing the roots of grasses and mangrove trees.

Before the spill, Cat Island spanned six acres. Two years later, less than one lifeless acre remained. Now the island is a 10-foot-wide strip of sand.

Now!

MOBILE

*Alcoa's 6 mud lakes*



STATE OF ALABAMA

MOBILE COUNTY

It is a common goal of Aluminum Company of America, of the State of Alabama, of said State's Department of Conservation and Natural Resources, of public officials in the City and County of Mobile, Alabama, of sportsmen, conservationists, and public-spirited citizens that portions of Blakely Island and Polecat Bay be made into parks and wildlife sanctuaries and restored as a place of beauty to those who live and work in the area as well as to tourists and other visitors, and

WHEREAS, Aluminum Company of America (hereinafter referred to as "Alcoa") owns substantial acreage on Blakely Island in Mobile County, Alabama on which it has placed a number of settling basins and large quantities of bauxite residue, and

WHEREAS, Alcoa has recently acquired for expansion purposes a long-term lease on additional property, sometimes referred to as the E 1/2 of Lot 22 of Blakely Island, north of and adjacent to the property on which its present settling basins and bauxite residue are located, and

WHEREAS, there is a controversy between the State of Alabama and Alcoa as to the ownership of certain of the lands on which its said settling basins and bauxite residue are located, inasmuch as through the years Blakely Island, has expanded into what was formerly Polecat Bay, and

WHEREAS, it is the desire of the Department of Conservation and Natural Resources of the State of Alabama, of the State of

Alabama, of Alcoa and of various wildlife and environmental organizations and their members that to the extent possible the area in question, both land and water, become a wildlife haven and a place of beauty, and in furtherance of the desire of all parties hereto to avoid litigation over the ownership of any of said lands,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that for and in consideration of the premises and of the mutual covenants and agreements herein contained the undersigned Aluminum Company of America, State of Alabama, Mobile Bay Audubon Society, and Mobile County Wildlife and Conservation Association have agreed and do hereby agree as follows:

ONE

In order to avoid and make unnecessary long-drawn-out, expensive and uncertain litigation over the ownership of certain of the lands on Blakely Island in Mobile County, Alabama, as each of Alcoa's settling basins reaches, in Alcoa's discretion, the maximum height to which it can be used, or following Alcoa's determination not to place a settling basin on any of said lands, said determination to be made prior to the expiration of thirty-five (35) years from the date hereof, Alcoa will enter into the reclamation thereof by planting grasses and trees and putting in lakes or ponds on top thereof in the manner described in the attachment hereto referred to in paragraph Seven hereof, so that said area may become parks and sanctuaries for birds and other wildlife. Should Alcoa determine not to place a settling basin on any of said

lands, said lands shall thereafter be treated, under the terms hereof, as though a settling basin on it had reached the maximum height to which it could be used. It is contemplated that the first of these areas can be reclaimed within two or three years from the date of this instrument, another in perhaps five years, and others periodically thereafter.

#### TWO

A. When Alcoa has completed its use of each settling basin and has reclaimed it for wildlife use, under the terms hereof, it will convey by quitclaim deed the property on which said settling basin is located to the State of Alabama. Said conveyances shall include not only Alcoa's interest in said lands, the title to which is in dispute, but also its ownership of that portion of the property as to which its title is unquestioned. Said conveyances shall also contain, as covenants running with the land, provisions restricting the use of said property to wildlife refuges and sanctuaries, conservation purposes or public parks.

B. It is agreed that after Alcoa makes conveyances under the terms hereof the said Department of Conservation and Natural Resources, Mobile Bay Audubon Society and Mobile County Wildlife and Conservation Association shall jointly make policy decisions affecting the management of said wildlife area, with said Conservation Department having the responsibility for implementing said decisions.

#### THREE

Alcoa will reserve from the conveyances of the aforesaid lands as to which its title is unquestioned, all oil, gas and

mineral rights therein, thereon or thereunder, but not including the bauxite residue therein or thereon, together with full rights of ingress and egress for the purpose of investigating, exploring, and prospecting for oil, gas and other minerals produced from said lands, and Alcoa and the State of Alabama will enter into a separate agreement whereby each will thereafter own one-half of the oil, gas and minerals and the aforesaid rights relating thereto in, on and under the portions of said lands added through the years. Any oil drilling or exploratory rights reserved hereunder shall be performed with the exercise of due diligence to preserve the wildlife nature and habitat of the area, and Alcoa agrees that it will avoid having any drilling operations on any of the reclaimed property, and that if any drilling operations for oil, gas or minerals (other than bauxite residue) are attempted, slant drilling will be done, so that the drilling equipment and wells will be on adjoining or nearby property rather than on the reclaimed property covered by this instrument. As an inducement to Alcoa to use slant drilling where any reclaimed property is involved, the State of Alabama agrees that it will give to Alcoa 50% of any income it receives in the forty year period next following the execution of this agreement from leasing, sale of royalties, or production of oil, gas or minerals from the property covered by this agreement.

Alcoa agrees it will give to the Department of Conservation and Natural Resources of the State of Alabama 10% of any income it receives in the forty year period next following the execution of this agreement from the oil, gas and minerals reserved by it in the conveyances to the State of Alabama herein above mentioned, whether from leasing, sale of royalties, or production of oil, gas or minerals.

#### FOUR

As to the E 1/2 of Lot 22 of Blakely Island on which Alcoa has only a long-term lease from the heirs of Augustine Meaher, it will reclaim said property promptly upon completion of its use of each settling basin placed thereon, to the end the State of Alabama and the public will get the benefit of it as a wildlife refuge, sanctuary or park at least for the balance of the term of Alcoa's lease. Alcoa agrees to complete its use of said property for settling basins a sufficient time before its lease and renewals thereof expire to enable it to reclaim said property for the purposes herein stated.

#### FIVE

In event EPA and/or other regulatory agencies fail or refuse to issue to Alcoa the necessary permits to use the lands covered by this agreement for the purposes herein contemplated, this agreement at the option of Alcoa, shall be null and void.

#### SIX

Alcoa and the Department of Conservation and Natural Resources of the State of Alabama will work over the ensuing forty years with designated representatives of Mobile Bay Audubon Society, of the Mobile County Wildlife and Conservation Association, the Environmental Protection Agency, and others interested in wildlife and conservation to determine those practices most advantageous to the area, and Alcoa will continue to work cooperatively with the Department of Conservation and Natural Resources, and with other conservation and environmental agencies to enhance wildlife and other natural resource values in and around Polecat Bay.

#### SEVEN

There is attached hereto, and by reference made a part hereof, a survey showing the boundaries and acreage covered by

this agreement, together with a description of the manner in which it is proposed to reclaim the present and future lakes on the property covered by this agreement. Alcoa agrees that before it will make any substantial change in the method proposed for the reclamation of said property, it will first receive in writing the consent of the State of Alabama or its Department of Conservation and Natural Resources to such change or changes. Such consent shall not be unreasonably withheld.

#### EIGHT

Alcoa agrees that after the first of said settling basins has been reclaimed, so long as Alcoa is using any of the lakes on said property as settling basins, it will expend or make available to the Department of Conservation and Natural Resources the sum of \$500.00 annually for continued plantings on said property, plus an additional amount of up to \$500.00 annually for use in matching local, state or federal funds to be used for the same purpose. Alcoa further agrees that so long as it is using any of the settling basins on any portion of said property, it will maintain the seepage ditches around said property, and the pumps necessary for the said ditches to serve their intended purpose.

#### ITEM NINE

It is further agreed by and between the parties hereto that this agreement is conditioned upon the following:

(a) Alcoa will not construct any new mud lake or settling basin or fresh water lake on any part of the added lands, the title to which is in dispute, other than so much thereof as has been added to lots 20, 19, the N 1/2 of lot 18 of Blakely Island,

as shown on attached drawings, until Alcoa has successfully completed at least one of the reclaimed settling basins under the terms of this agreement to the satisfaction of the Department of Conservation and Natural Resources of the State of Alabama.

(b) Determination as to whether or not said reclamation is satisfactory shall be made by said Department at the end of the first growing season following notice by Alcoa to the Department of Conservation and Natural Resources of the State of Alabama that it has successfully completed its reclamation of at least one of said settling basins. Notification of said determination as made by said Department shall be given in writing to Alcoa by said Department no later than twelve (12) months following the date of Alcoa's written notice to said Department that it has successfully completed its reclamation of one of said settling basins, and a failure on the part of the Department of Conservation and Natural Resources of the State of Alabama to make such determination and give notice thereof to Alcoa within said twelve (12) month period shall be conclusively construed as an acknowledgment by said Department that said reclamation has been successfully completed to the satisfaction of said Department.

(c) Acknowledgment that Alcoa has successfully completed its work in reclaiming at least one of said settling basins to the satisfaction of said Department shall not be withheld unreasonably, and the successful completion of the reclamation of one of said settling basins shall remove any further restriction against Alcoa's use of any of the lands covered by this agreement, under the terms hereof.

(d) At any time within thirty (30) days after said Department of Conservation and Natural Resources has given notice to Alcoa of its determination as to whether or not Alcoa's

reclamation of at least one of said settling basins is satisfactory, Alcoa shall have the option of declaring this agreement null and void, in which event Alcoa shall be relieved of all further obligations and liabilities hereunder.

IN WITNESS WHEREOF, we have hereunto set our hands and seals to quadruplicate counterparts, each of which may be treated as an original, on this the 21st day of December, 1976.

ALUMINUM COMPANY OF AMERICA

By AB Kaewwasser

Its Vice President

APPROVED:

George C. Wallace  
Governor

STATE OF ALABAMA

By John W. Fodgett

ATTESTED:

Mrs. Joan Baggett  
Secretary of State

Its Commissioner of Conservation  
and Natural Resources

MOBILE COUNTY WILDLIFE AND  
CONSERVATION ASSOCIATION

By [Signature]

Its President

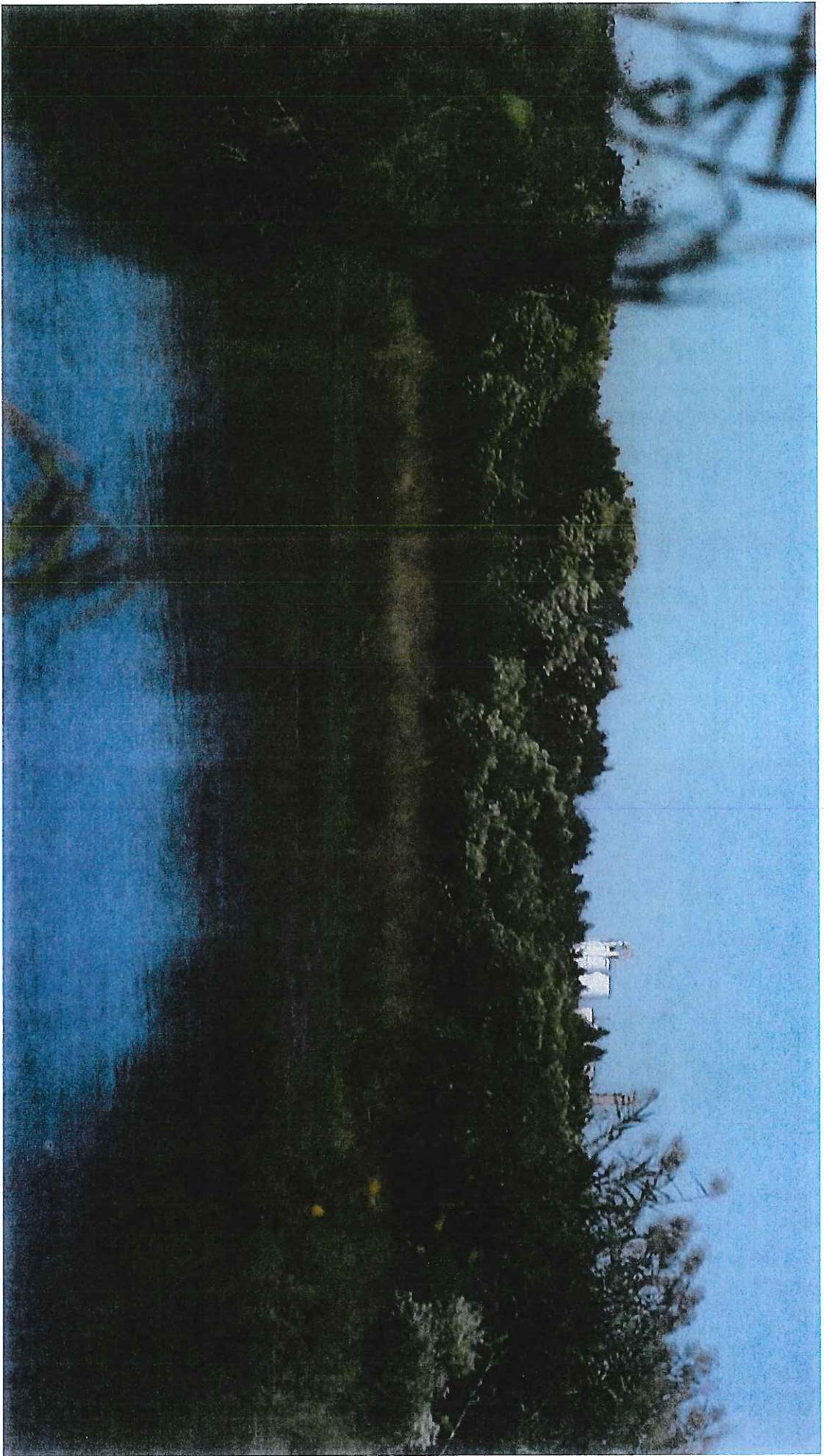
MOBILE BAY AUDUBON SOCIETY

By Mystle Jane

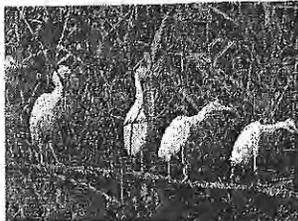
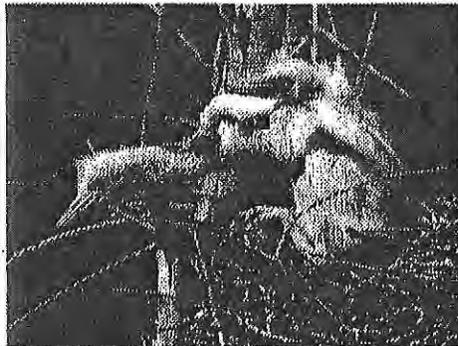
Its President

*Alcoa's mud lakes recovered → wildlife refuges*





all in Blakeley mud flats



3 attachments (10 MB) Download all Save all to OneDrive - Personal

little blue herons adolescents  
little blue herons adolescents leaving the nest  
Adult little blue heron



a cluster of Indigo buntings

July 7, 2018

Lance LeFleur, Director  
ADEM  
P. O. Box 301463  
Montgomery, Al. 36130-1463

Let's wake up:  
Governor Ivey  
Mobile City Council  
Mobile County Commission  
Attorney General  
Get copies of the permits... ADEM

Comments Re: Public Notice 421—Proposed Modification of **Hazardous Waste Permit** under (AHWMMA) ... request for comments within 45 days as of June 20<sup>th</sup>, 2018.

Al. **State** Port Authority (ASPA) of Mobile, Alabama submitted an application for modification of its **Hazardous Waste Permit** for the solid waste management units which were apparently the **only alternative** considered or required in managing the hazardous waste at its facility (EPA I.D. Number ALD 058 221 326) located at 68 Virginia St., Mobile, Al. 36603.) ADEM determined this modification application to be complete and has **prepared a draft permit** in accordance with State regulations, a fait accompli.

Last month I realized that my name had been removed from ADEM's mailing list. Gee, I hope it was by accident Lance, because the other explanation would confirm my worst suspicions about you. If Alabama had a decent Attorney General or any official in this state who actually possessed a code of ethics, rest assured that I would report you. But, whatever, S.O.Sh..., am I right?

Alabama is a beautiful state, one to be proud of, but after reading this permit request by Jimmy Lyons of ASPA for the Mobile Container Terminal and then seeing your rubber stamp of approval, I despair for its future.

The hazardous waste permit should be held in abeyance until the public has been properly notified. We pay the bills and those who live in the neighborhood should be allowed an opportunity for comment. A Public Hearing needs to be held in the Mobile area: not the usual COE dog and pony show, **an actual public hearing**. Why would they need additional monitoring wells? Is it because they are increasing the potential for groundwater contamination from **irresponsible land use**? Lance, why aren't you insisting on **minimization** with this request as required in the AHWMMA? Maybe even recycling? If groundwater **contamination** is detected by the additional monitoring wells what the hell do you plan to do about it? There are already several Superfund sites in the Harbor so one more won't matter?

With regards to the first application: Why does the ASPA, Director Jimmy Lyons or applicant request "**revised groundwater protection standards for specific constituents**? Sounds like trouble already in this double talk?? Will the **specific constituents be modified to include revised groundwater protection standards??**

Have there been groundwater problems identified in the existing monitoring wells? If so, what are they? How are you addressing contamination... by adding the potential for more? No mitigation on the table? Great job, guys. Hope your kids and grandkids appreciate the world you're handing them.

Residents in coastal Alabama are becoming better informed about how their children's health is being threatened by contaminated groundwater and they are concerned about Mobile Bay's health being very **questionable** now-a-days. What hazardous /toxic impacts will threaten the Bay from these permits?

What does "**cargo containers are transshipped between different vessels or vehicles**" mean? Does it mean, watch out, people. We're moving some nasty stuff and plan to make a mess?

In the application it states "**two newly acquired parcels of land adjacent to the contiguous property...and requesting, a revision to the Operation...to remove dense aqueous phase liquid instead of the dedicated submersible pumps.**"? Explain. Were the "two newly acquired parcels of land adjacent to ASPA specifically in order for adding **additional monitoring wells**?" Are levels of hazardous material spreading out from the old site??

On July 6<sup>th</sup> ASPA PN 421 requested the **second permit modification... .. to alter the design of the existing soil cover on a portion of solid waste management unit (SWMU) 6 east. ...replace with concrete and structures used to construct two truck exit lanes...equipped with radiation portal monitors which requires installation of support stands, protection/safety bollards, and electrical conduits and on and on...installation of several bollards may require excavation near or into the 'contaminated material' associated with SWMU 6 East**

So...how bad is the contamination? How large an area is presently involved? How many acres? What sort of hazardous/toxic materials? Will it extend onto the other recently acquired lots? How is the contaminated soil handled?? What do the monitors display?? "**In addition the proposed permit modification includes provisions that require SWMU and areas of concern??? at the facility to be addressed.**" Does this involve additional permit modifications? Sounds to me like the public is spending an awful lot of money without knowing why.

In the second notice "**The Director shall hold a public hearing upon receipt of a significant number of technical requests.**" Technical requests? Gotta be kidding! How about all of my comments and concerns above-enough technicality ? Reread NEPA-only has to be concerns! . The public needs to know just what shenanigans folks like you are up to... especially if it threatens the health of every one who lives here.

For Jimmy Lyons and Lance: You need to educate yourselves, Google the impacts from badly planned projects which have impacted groundwater and threatened public health. Better yet read "Chronicle of An Eco-Warrior Relating South Alabama Environmental Issues- its all about the messes that have been occurring for years all over Alabama's coastal area ... SHAME ON YOU!.

It's way past time for the Governor, Council, Commission, Attorney General and Director of the ASPA to become personally involved in protecting our unique coastal environment and public health as it's never too late to do what's right, and leave a legacy future generations can be proud of. Earn your salary or hit the road.

Sincerely,

Myrt Jones



*July 11, 2018 mailed  
Also: Glen Coffey  
Steven Marshall - Atty Gen'l  
Ray Ivey - Governor  
Mayor Stimpson + City Council  
County Comm.  
Eichold - Public Health  
& Lance*

## ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

## NOTICE OF PROPOSED MODIFICATION OF THE HAZARDOUS WASTE PERMIT UNDER THE ALABAMA HAZARDOUS WASTES MANAGEMENT AND MINIMIZATION ACT (AHWMMA) AND REQUEST FOR COMMENTS

## PUBLIC NOTICE - 421

## MOBILE COUNTY

Alabama State Port Authority (ASPA) of Mobile, Alabama submitted to ADEM an application for modification of its Hazardous Waste Permit for the solid waste management units which were used to manage hazardous waste at its facility (EPA I.D. Number ALD 058 221 326) located at 68 Virginia Street, Mobile, Alabama 36603. The Department has determined the facility's modification application to be complete and has prepared a draft permit in accordance with State regulations.

ASPA currently leases out the land for use as a container terminal, where cargo containers are transshipped between different vessels or vehicles. ASPA is the owner, and the Mobile Container Terminal operates the facility. The proposed modification to the Hazardous Waste Permit includes the following: the addition of two newly acquired parcels of land to ASPA's contiguous property, the addition of detected Appendix IX constituents to Table III.3, revised groundwater protection standards for specific constituents, revisions to the personnel list, and the extension of monitoring wells and a piezometer due to expansion of the container terminal. Also, the Corrective Measures Implementation Plan will be modified to include revised groundwater protection standards for specific constituents, a revised figure that includes the newly acquired parcels of land, and a revision to the Operation, Maintenance and Monitoring (OMM) Manual. The OMM revision is regarding the use of a portable diaphragm pump to remove dense aqueous phase liquid instead of dedicated submersible pumps. In addition, the proposed permit modification includes provisions that require any other solid waste management units and areas of concern at the facility to be addressed.

Copies of the fact sheet, permit modification application and draft AHWMMA permit are available for public inspection electronically via <http://adem.alabama.gov/newsEvents/publicNotices.cnt> and at the following location Monday – Friday (except legal holidays) during the hours of 8:00 a.m. to 5:00 p.m. A nominal fee for copying and/or mailing may be charged. Arrangements for copying should be made in advance.

Russell A. Kelly, Chief  
Permits and Services Division  
ADEM  
1400 Coliseum Blvd.  
[Mailing address: PO Box 301463; Zip 36130-1463]  
Montgomery, Alabama 36110-2400  
(334) 271-7714

*transshipped between  
different vessels or  
from different vehicle  
countries*

Persons wishing to comment may do so, in writing, to the Department's named contact above within 45 days following the publication date of this notice. In order to affect final decisions, comments must offer technically substantial information that is applicable to the proposed permit.

A written request for a public hearing may also be filed within that 45-day period and must state the nature of the issues proposed to be raised in the hearing. The Director shall hold a public hearing upon receipt of a significant number of technical requests.

After consideration of all written comments, review of any public hearing record, and consideration of the requirements of the AHWMMA, the Federal Resource, Conservation and Recovery Act (RCRA) and applicable regulations, the Department will make a final determination. The Department will develop a response to comments, which will become part of the public record and will be available to persons upon request. Notice will be sent to any person requesting notice of the final action.

The Department maintains a list of interested individuals who are mailed legal notices regarding proposed permits. If you wish to receive such notices, contact the Permits & Services Division via telephone (334-271-7714), e-mail (permitsmail@adem.alabama.gov), or postal service (P.O. Box 301463, Montgomery, AL 36130-1463).

This notice is hereby given this 20th day of June, 2018, by authorization of the Alabama Department of Environmental Management.

Lance R. LeFleur  
Director

**Nondiscrimination Statement:** The Department does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the administration of its programs.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NOTICE OF PROPOSED MODIFICATION OF THE HAZARDOUS WASTE PERMIT UNDER THE ALABAMA HAZARDOUS WASTES MANAGEMENT AND MINIMIZATION ACT (AHWMMA) AND REQUEST FOR COMMENTS

PUBLIC NOTICE - 421

*Permit modification*

Mobile County

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ASPA currently leases out the land for use as a container terminal, where cargo containers are transshipped between different vessels or vehicles. ASPA is the owner, and the Mobile Container Terminal operates the facility. The permit modification was requested to alter the design of the existing soil cover on a portion of solid waste management unit (SWMU) 6 East. Portions of the soil cover, which is the current soil remedy at the SWMU, will be replaced with concrete and structures used to construct two truck exit lanes at the container terminal. The new lanes will be equipped with radiation portal monitors (RPM). The RPMs requires the installation of support stands, protection/safety bollards, and electrical conduits. Some of the areas disturbed by the construction will be backfilled with soil underneath a concrete cover. The truck exit lane construction will affect the existing roller compacted concrete, concrete stabilized base, and various depths of the approved soil cover. Also, the installation of several bollards may require excavation near or into the contaminated material associated with SWMU 6 East. In addition, the proposed permit modification includes provisions that require any other solid waste management units and areas of concern at the facility to be addressed.

Copies of the fact sheet, permit modification application and draft AHWMMA permit are available for public inspection electronically via <http://adem.alabama.gov/newsEvents/publicNotices.cnt> and at the following location Monday - Friday (except legal holidays) during the hours of 8:00 a.m. to 5:00 p.m. A nominal fee for copying and/or mailing may be charged. Arrangements for copying should be made in advance.

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After consideration of all written comments, review of any public hearing record, and consideration of the requirements of the AHWMMA, the Federal Resource, Conservation and Recovery Act (RCRA) and applicable regulations, the Department will make a final determination. The Department will develop a response to comments, which will become part of the public record and will be available to persons upon request. Notice will be sent to any person requesting notice of the final action.

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This notice is hereby given this 6th day of July, 2018, by authorization of the Alabama Department of Environmental Management.

Lance R. LeFleur  
Director

Nondiscrimination Statement: The Department does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the administration of its programs.

May 31, 2017

Lance LeFleur, Dir.

ADEM

P.O. Box 301463

Montgomery, Al.36130 1463

Heather McTear Toney, Reg. Adm.

USEPA

61 Forsythe Street SW

Atlanta, GA 30303

Re: Public Notice for State of Alabama Ambient Air Monitoring 2017 Consolidated Network Review- My comments on the Report

Causing death, even unintentionally, by ones action or inaction is the very definition of manslaughter. For years state agencies and some local political leaders in Mobile and Baldwin Counties have ignored their responsibilities regarding the extremely toxic air pollution loads released 24 hours a day and night, 7 days a week, and 365 days a year in our coastal area. In my opinion this is criminal and threatens to imperil the health and well- being of our most precious resource-the children!

Hi Folks,

ADEM's PN was released 5-26-2017 not 5-23-17. The 30 day comment period for public input has to be corrected and legally posted in order to comply and provide citizens the proper time to respond. We deserve that much consideration.

The Overview of Alabama's Monitoring Network recognizes the monitoring efforts of Birmingham, Huntsville, Montgomery, Phenix City. These agencies should be proud of their impressive job in protecting public health. ADEM oversees Coastal Alabama or Mobile/Baldwin Counties air quality surveillance systems and we are not being protected. Mobile and Baldwin Counties make up Coastal Alabama and is being represented by Mobile, Daphne, Fairhope, and Foley in ADEM's Report. Why aren't Gulf Shores and Orange Beach's population involved? This heavily populated area makes up the southern most isolated part of the state with hundreds of miles separating us from the northern municipalities and we are being treated as **orphans** in the state program. Presently there are **only 3 monitors** in both counties and no **NOX** systems in the area- this is required Baldwin County is considered Mobile's 'bedroom community' as quite a few residents travel the road system daily to work. Baldwin County is one of the fastest growing in the State and Mobile's pollution loads are probably causing some of their health problems. It would make sense to combine both populations and identify the area as having **623,399**. The transportation corridors in the southern terminus may meet the annual daily average count of **250,000 vehicles**, as there is the continuous 'bedroom community' traffic to and from Mobile; the 18 wheelers and variety of trucks from all parts of the Nation transporting goods, oil/chemicals; plus people from all over the country traveling to Disneyworld, New Orleans, football games and back again.

'Local politics' and their narrow minded plans believe a multi-billion dollar bridge over Mobile River and another 'elevated' structure crossing Mobile Bay will solve the traffic problems, the constant traffic jams, clogged highways and accidents that now exist. They are kidding themselves or have other reasons for this ludicrous plan. They aren't visionaries and are not considering need for alterative mass transit systems that could alleviate some of the problems, but continue to ignore the fact they will be adding additional air pollution loads from additional clogged roads, highways and waterways that will continue to threaten public health. These bridges are not a 'quick fix' as they will take years to build..

The 2017 Annual Report needs to be **rewritten and updated** to include the concerns and suggestions from the 20 plus people who wrote letters in 2016 specifically urging air monitors to be placed in appropriate areas around the State Docks and they are being ignored by ADEM. Mobile citizens believe themselves to be in serious jeopardy from the unknown toxic air pollution loads continuously released **now** from the numerous sources in the Port. I have been involved these many years and know the kinds of 'dirty' industries existing within the Theodore Industrial Park and their potential for threats to human health and suggest monitoring systems be placed in the area.

Presently there are **no specific air data** being collected in the immediate area of the **Port of Mobile and Theodore Industrial Park (TIP)** (the cement facility particulate loads have posed health threats for years) and no way of determining if these industrial areas comply with the NAAQS. In the industrial areas there are storage tanks, coal piles, 2-3 refineries, cement and mixed chemical plants. Air monitoring systems are therefore needed to determine to what degree the six criteria pollutants e.g. **Particulate Matter (PM's)**-Carbon Monoxide, Lead, Nitrogen Dioxide, Ozone and Sulfur Dioxide are affecting public health. A **suggestion for EPA**- Mobile should be checked for the non-criteria pollutants, such as PM 2.5's 'speciated compounds,' as they are monitored for special purposes and these industrialized areas release tons of 'everything' including PM's of all sizes loaded with toxic "**hitchhikers.**".

This Report was hurriedly done, and covers the three agencies activities and needs, but ignores coastal Alabama's. Table 2 Alabama CBSA's 2017- lists Mobile and Baldwin as being Metropolitan Statistical Areas (MSA's). In 2016 Baldwin was identified as being Micropolitan but the 2017 document continues to use the 2016 Figure 1 Legend with the **old** colors) –this chart needs updating for Baldwin County.

In the 2017 Report -ADEM' closed down, relocated monitors near many school locations, added' new 'ones to the network, closed down a monitor in Childersburg as- 'its not required' 'due to its low design' 'isn't an MSA?' yet they placed one in this location? Mobile is unable to have the proper ones sited in order to determine to what degree lives are being threatened, yet 'they plan to cut limbs or a tree on one of our sites.'" The Port of Mobile's Blakeley Island and what was once wetlands on the west side of Mobile River now contain **seven petrochemicals complexes**. The storage tanks hold various chemicals (sulfuric acid is one) and millions of gallons of tar sand oil/crude oil. McDuffie Island and CMT Terminals handle tons of coal and frequently release un-monitored, un reported accidental spills and releases of coal dust containing PM's 2.5 as well as 10's.

I personally reported to ADEM during Mardi Gras 2017, an **air violation** coming from the conveyor system area on **CMT's property**. The company lied and told ADEM they weren't moving anything on the conveyor. Something was happening as there was a heavy distinct haze floating over the river towards Africatown and Cochrane Bridge.

Channel 10 TV News Investigates: In the air –May 2, 2016 -- excerpts from news stories-The petroleum storage industry and Mobile Chamber of Commerce through Keep Mobile Growing (KMG) promote their **economic impact** as being an estimated \$687 million for Mobile. That shouldn't make anyone jorous, as it is not known what the **true socio-economic-environmental costs** truly are occurring in the environment affecting the public health, and well-being?

EPA needs to consider including **air deposition loads** as an issue, as these unknown impacts are causing considerable impacts in Mobile River and Mobile Bay's ecosystem, water quality and marine resources. If we had economic figures for environmental effects on the natural world, the other side would stop boasting their economic impacts! These are two examples of how air pollution loads have impacted commercial and recreational fisheries.

In the early days, I served on District Attorney Jimmy Evans's committee involving the, "Fisherman's Right to Know" and the public and fishermen were made aware of the **dioxin** that was released in air and water pollution loads, from the two pulp- paper mills and were being found in the tissues of local fish. The other air deposition problem involves **mercury** contamination found in Mobile and Baldwin Counties' river systems (Fish, Fowl Rivers, Big Creek Lake and other water bodies) in the tissue of speckled trout and other fish. Fishermen are warned not to catch or eat these fish at times, because they can pose a health threat. Al. Power Company is the responsible party.

EPA's Enforcement and Compliance online records identify incidents from each of the seven petrochemical storage facilities currently operating on the Mobile River.

In 2014 **Alabama Bulk** previous Hunt Refinery emitted 3,245 pounds of toxic chemicals, including benzene, ethylbenzene and n-hexane--cancer and nervous system threats. In 2007 the facility paid \$15,500 for spilling 300 bbls. (12,600 gallons) crude oil and had another incident in 2013

**Plains All American** in Africatown (historic native American residential area) has the most chemical emissions of all the seven facilities and in 2011 the company emitted 230,000 pounds of toxic chemicals into the air including VOC's and benzene having a violation in 2015. The company provided a list of their **hazardous 'witches brew'** chemicals released into the air--benzene, cumene, ethylbenzene, formaldehyde, hexane, o-Xylene, toluene and xylene. These have entered our 'breathing' air round the clock for years.

**Martin Energy Services** emitted 6 pounds of toxic chemicals into the air in 2014 including ethylbenzene and polycyclic aromatic compounds and was reported to have two other violations in 2014.

Coast Guard Response reported **World Point Terminal** released 300 gallons ultra low sulfur diesel fuel a few months ago-2016.

**ARC Terminals** had a spill of methanol due to equipment failure and all of these spills entered Mobile River and eventually **Mobile Bay**

**GCAC** owned ARC previously paid \$101,500 fine in 2012 for violations, another in 2013 and four in 2014

ECHO database states there are more than **2,000 children** under the age of five living **within 3 miles** of the facilities and more than **8,000** under the age of 17.

ADEM still considers the companies to be "in compliance" and when Fox 10 asked Chief Ronald Gore-'Why.' He responded "I'm **not a doctor, toxicologist, or epidemiologist** and **depend on the EPA** to determine whether further controls are needed on petrochemical facility, or any other air pollution source to protect human health."

**Hopefully this will encourage EPA to become actively involved in Coastal Alabama's needs**

City politics pushed for more 'tank cities' in the city of Mobile and a young activist said- **"When you get zero traction with public officials, about public health concerns, it shows a dehumanizing nature of their public service."** The Mobile County Health Officer Dr. Bert Eichold warned city council members "that prolonged exposure to those chemical vapors could put people at risk for getting cancer."

People have been **coping and dying** for years from the mountain of coal and coal dust emitted from McDuffie Island and now there are additional piles of coal stored at Cooper, Marine and Timberlands (CMT ). Both are run by the Alabama State Port Authority and are using the people's tax dollars to **pollute downtown and coastal Alabama**. Their numerous piles of coal release tons of PM's 2.5, 10-- 24 hours a day, 365 days a week. When coal dust enters the atmosphere 'hitchhikers' such as heavy metals, (mercury, cadmium, arsenic, nickel), mixed chemicals and VOC's attach their deadly loads to the small surfaces, then re-enters our air loads carrying the microscopic particles where they are easily inhaled by an individual, especially young people, lodged in the deep recesses of the lung where they gain access to the bloodstream, which then transports them to organs such as heart, brain and of course the lungs causing numerous diseases. Asthma and other respiratory problems, diabetes, ADHD, autism, cancer and the young children's immune systems are weakened to such a degree they become highly sensitive to peanuts and have to depend on Epipens, in case of an emergency.

On May 17-19, 2016 Channel 10 worked with the citizens in the neighborhoods of DeTonti Square, Convention Center, LoDa Entertainment District near Cathedral Square, Dearborn St., Church St and a home near Council Traditional Elementary School regarding the coal issue.

Residents collected samples of coal dust from their homes. If the dust was stuck the person would scrape it into a small container then use a white fabric and wipe or moisten with water to get a sample of the dust off their outside walls. The samples were taped shut and shipped to the out of state McCrone Associates Senior Research. Microscopist- Scott Stoeffler studied the samples under a microscope to identify the different components and all of the samples had coal dust of different amounts.

The Convention Center consisted of five percent-LoDa District was made up of 10%-DeTonti Square and So. Dearborn Street held up to 20% -the sample close to Council **Elementary School** contained approximately **30%**. Dr Stoeffler found them to be interesting samples and said "Normally I don't see quite this much coal dust in an outdoor sample."

Alan Lockwood works with the Physicians for Social Responsibility, a national organization that addresses health concerns in communities. His book about prolonged exposure to coal dust entitled 'The Silent Epidemic: Coal and the Hidden Threat to Health'" links coal exposure to all four of the leading causes of death in the United States: heart attack, cancer, respiratory diseases and stroke. He continues - "Children are most at risk, because their lungs are still developing. They take in more air per unit per weight than adults do and are sensitive to toxins and exposure to toxins during development. People with preexisting respiratory illnesses are also more at risk to coal dust exposure as **coal dust chemical and physical composition** make it especially threatening to human health. Coal contains metals like mercury, cadmium, nickel that are all toxic; contains VOC's that are potentially carcinogenic and the coal fine dust particles' injure health' regardless of what their composition is."

**World Health Organization (WHO)** reports –“PM’s are considered to be the most serious health threats for our coastal communities. PM’s, heavy metals and persistent organic pollutants are also found in the blood stream of **unborn babies** which significantly affect their **cognitive and neurological development**. As a result these children have behavioral deficits and learning impairments such as **Attention Spectrum Disorder-(ASD)—Attention Deficit Hyperactivity Disorder (ADHD; Autism; and lower IQ and adverse behavior**.

Children are more susceptible as they are **lower to the ground** where gasoline and diesel exhaust fumes expelled from cars and trucks linger. They also have higher respiratory, and metabolic rates than adults since their little lungs are still developing. Exposure makes them more susceptible to **deformities, pre-term births, low birth weight** and can actually **reduce their life expectancy**.

The population most vulnerable to **the inhalation of PM’s** are pregnant women, children and people with pulmonary diseases or asthma and the elderly. **Lowering pollution loads has proven to improve young people’s health problems and lives, so there are identified benefits** in controlling emissions.”

The WHO reports that key medical societies such as the American Medical; Heart; Lung; OB/GYN; Reproductive; Pediatrics and Cancer Society are concerned with the extremely heavy loads of PM’s affecting the young as they :

- Increase cancer rates

- Cause immune system anomalies in children leading to severe peanut allergies-

These children can’t enjoy a peanut butter/jelly sandwich because of GREED

- Cause congenital heart disease/lung problems

- Cause diabetes

- Cause an increase in asthma, worsening of pre-existing asthma in children AND chronic obstructive pulmonary disease in adults

- Cause higher rates of heart attacks and strokes in adults

Mobile ‘city politics and attorney,’ and Port Director, considers “further protective measures-too cost prohibitive,’ ‘ignore the findings’ and’ don’t consider coal dust hazardous in any way.’ Ron Gore of ADEM considers the two facilities to “be in compliance.”

Mobile set a precedent for not dealing with these kinds of political attitudes and deadly pollution loads that caused people to die a horrible death -cancer. The citizens were told the mills provided thousands of jobs and money into the local economy. For over 30 years people tried to ignore the thick heavy white plumes of smoke released from the two pulp and paper mills that smelled like ‘rotten eggs’(hydrogen sulfide) and laced with dioxin. In the 90’s the two facilities were told they had to ‘clean up their act-they laughed, bull dozed the facility and left.

Someone discovered there was an exceedingly high incidence of hematologic cancers occurring i.e. leukemia and lymphomas and people were dying. At about the same time, Fairhope residents were concerned about the very high incidence and types of cancer occurring in their city and did a house to house survey discovering numerous ‘cancer hot spots’, and also discovered the high incidence of Lou Gehrigs Disease (ALS). Many agencies came to their aid and it was determined the Eastern Shore had 48 times the national average for ALS?

Another local area of concern is the transportation of fossil fuels in mile long trains traveling hundreds of miles through residential and commercial areas. Loads of coal dust and particulates are released from these 'illegal' uncovered cars and the 'black' asphalt – explosive Canadian tar sands tankers threaten the welfare of anyone unlucky enough to live along their route or in the neighborhood near storage tanks, because of the potential for an explosion. In Mobile these cars and tankers wait for days on six tracks behind the GM&O Building to be unloaded while 'diesel' engines run continuously releasing additional loads of pollution threatening the nearby residents.

As an example-“in the Pacific Northwest in 2014 it was found that increased coal transportation by rail on the mile long trains threatened neighborhoods with-in **25 meters** from **2 rail lines** nearby. This was associated with **significant increased exposure** to diesel PM's and airborne coal dust because the diesel engines were having to run constantly to heat the tar sands while waiting to be unloaded at the coal terminal, built in the coastal harbor.”

EPA's "**Integrated Review Plan for NAAQS for Particulate Matter**" is an ongoing and major study asking all kinds of questions to try and determine if the standards for these particularly dangerous particles should be lessened in order to truly protect human life. As an informed nurse-the answer is **YES and soon**. Numerous questions dealing with the causal relationship that exists for PM exposure thresholds and impacts from **oxides of nitrogen and sulfur on visibility, climate and environmental impacts** and effects of **deposition on metals, carbonaceous compounds and materials seem to be already answered. The Mobile neighborhoods** could provide answers regarding deposition on houses, cars and metal structures.

Mobile and Fairhope areas may need a SLAM, as the Report identifies 'the 'PM 2.5 Class 111FEM or ARM may not produce data of sufficient quality.' We need the best systems.

Not to long ago, Mobile and Birmingham were determined to be non-attainment areas for ozone and particulates. Presently they are in compliance. These two counties have air problems that easily tilt and on May 8, 9, and 10<sup>th</sup> 2017, Mobile had an Orange Ozone Alert that caused some of us to be victims, even while staying in the house, with red, burning, tearing eyes, sneezing and coughing spells and the summer is just starting. The alert extended to Orange Beach and Gulf Shores as well-quite an alert!

Sincerely,

Myrt Jones



# Coal dust darkens their mood

APR 25 1998

Residents of historic district downtown say black grime floating over the river from State Docks is getting worse and worse

By DANIEL CUSICK  
Staff Reporter

The black silt lining the bottom of Emery Wilson's Eslava Street swimming pool is the kind of stuff you'd expect to see in a dirty bathtub. Black lines streak across the pool's vinyl floor, giving it a kind of waffle-iron motif.

But Wilson, 68, can't stand the black gunk in his pool, or for that matter on his patio furniture, his window sills, his porch railings, his front awning or his late-model Chevrolet that sits out front in the open air.

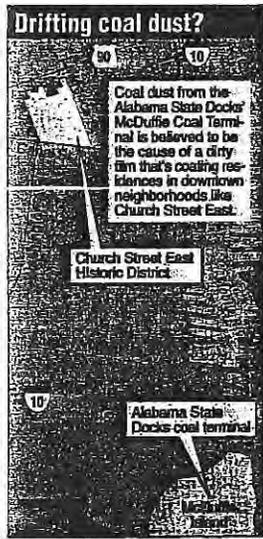
But every time he sets about cleaning them off — and he said he's been wiping them with a wet rag almost daily for the past six weeks — the black grime comes right back, usually overnight.

The source of the grime is no mystery to Wilson. McDuffie Island, home to the Alabama State Docks' sprawling coal terminal, is less than two miles from his home in the gentrified Church Street East historic neighborhood. On a dry, breezy day, the wind sweeps across the coal piles, picking up dust and carrying it inland, Docks spokeswoman Sarah Teague said.

Coal dust has been a growing problem for the Docks since 1975, when the McDuffie Island terminal loaded its first ship. Man-made mountains of the soft black rock, brought in by Alabama mining giants Jim Walters Resources and Drummond Coal, sit uncovered across acres of

blackened fill dirt, waiting to be exported. The terminal can hold up to 2 million tons, said Teague, but it rarely fills to capacity.

An intricate maze of conveyors used to load coal onto ships may add to the dust, although Teague played down their role. "The conveyers would not have enough coal on them to



"I think it probably comes from the piles."

But Wilson, who once sold equipment to the Docks to install the conveyors, said: "I know what a conveyor does to material. When you've got those things running, it's almost like throwing it up into the air."

Since 1996, the Alabama Department of Environmental Management has tested for airborne coal dust at McDuffie every six days, finding the highest levels in the spring and the fall when wind currents pick up off Mobile Bay, said Ron Gore, chief of ADEM's air division.

Twice since last April, the monitor recorded dust counts above allowable limits for 24-hour periods — once on April 4, 1997, and again less than a month ago, on March 30. But the law allows for occasional such counts, and ADEM contends there's only so much the agency can do to control the problem.

"There's not really a standard" for regulating coal terminals, said Gore. At ADEM's urging, the Docks is compacting the coal so it's less susceptible to the wind, and spraying it with a glue-like substance, he said. "It's a common way to keep coal from blowing off the piles and roadways around there. We've also

heard that they're talking about a sprinkler system to keep the coal wet all the time," Gore said.

According to Teague, the Docks is making a good-faith effort to deal with the dust, which she acknowledged is a nuisance to downwind neighborhoods. The Docks has spent \$60 million in the past two years to upgrade the coal terminal to make it cleaner and more efficient, she said, and containment of coal dust and other "particulate" emissions were named a top priority in a recent meeting between Docks Director Jack Ravan and his managers.

"We do the best we can, and we will find even better ways to keep that coal settled," Teague said.

For a long time, however, people in Mobile didn't complain about the coal dust much. It was considered a part of life close to the waterfront, especially on poorer corners, where environmental issues often took a back seat to pressing economic concerns. But as downtown revitalization draws affluent families back to the central city, complaints about industrial side-effects like coal dust may get aired more often and with greater alarm, experts said.

"Generally speaking, the more-affluent people, the people who have more time to think about these things, they will be the ones who complain and want changes made," said Tina Sanchez, an environmental planner with the South Alabama Regional Planning Commission, a Mobile-based agency that advises cities on policy issues. "For the people who are struggling to pay rent and buy groceries and raise their families, complaining about coal dust is going to be at the bottom of their list."

The shifting priorities in the East Church Street neighborhood, where scruffy lots and abandoned houses once littered some blocks, is a prime example of how gentrification can lead to a re-evaluation of environmental health.

After a determined redevelopment effort that began in the early 1990s, Wilson and his wife, Sibbie, moved into their new brick home at 511 Eslava in April 1994. They and their neighbors take a lot of pride in the neighborhood's comeback and they want to make sure it stays on the right track. This is why the coal dust seems so insidious to them.

"I have three concerns," Wilson said Monday, sitting in his spacious living room. "First, I'm concerned for my health and the health of my neighbors. Second, I'm concerned about the maintenance, the everyday cleaning up that's necessary. And, of course,

I'm concerned about property values."

Wilson said he has a respiratory problem dating back several years. Although the dust hasn't brought on any new symptoms, he said he's concerned about the long-term effects.

Dr. Brian Hughes, a toxicologist with the Alabama Department of Public Health, saw little reason for alarm, however. "For people living near this stuff, I think the exposure would be intermittent and the levels of exposure would be quite low," said Hughes, who works in Montgomery and heard about the dust problem from a reporter. "It's more of an aesthetic hazard than anything else."

For coal dust to be dangerous, Hughes said, it has to be inhaled daily in large doses and over many years. That's why miners are susceptible to Black Lung Disease and other respiratory diseases. But, he said, people living near coal piles don't share the same risk. "Most people don't

have long enough exposures to the stuff, and when they're indoors, they have filters on their home's heating and cooling systems," he said. "Plus, there are plenty of other pollutants out there that could pose a greater risk."

As for the dust itself, ADEM's Gore said the agency will let the air monitor machine dictate the response. "As long as that monitor reads below the air-quality threshold, any other problems people have is just a nuisance."

Sanchez of the regional planning commission said the coal dust proves again that "buyer beware" is a warning to remember in real estate. "In my opinion, when you're going to buy a home you need to look at where the home is in relation to natural and man-made hazards. Is it downwind from a paper mill or a coal pile, and is it in a flood zone? These are things that a potential buyer might ask."

That advice doesn't take the sting away for the Wilsons, whose home is valued at about \$200,000. They're waiting for ADEM to analyze dust samples taken from their home and neighborhood last Wednesday. The lab tests should take three or more weeks, ADEM regulators told Wilson.

September 11, 2018

Colonel Sebastian Jolly  
District Engineer  
Corps of Engineers  
P.O. Box 2288  
Mobile, Al. 36628-0001

RE: Mobile Harbor, Corps of Engineers' (COE) General Integrated Reevaluation Report (GRR) and Alabama State Port Authority (ASPA) Supplemental Environmental Impact Statement (SEIS) July 2018

Dear Colonel Jolly,

**NEPA Public Hearing**

I continue to request a **30 day extension for the Comment Period in order** to help the COE realize they have a responsibility to make sure the public has the opportunity of being properly involved in the process, time for presenting their concerns, and there is the urgent legal need to make sure the public has been properly notified?

The ASPA's horrendous, destructive and costly project not only poses **major 'significant impacts'** to our shallow Mobile Bay, but further threatens coastal human health (read my 2017 letter to ADEM re: air pollution problems), as they are already deadly within the Port. These monster ships will add tremendous additional loads to an already dangerous situation, if allowed in the Harbor. During our meeting I also questioned the short time you say the COE has in my request of an extension for comments, but I just read that Trump's budget is very low for Ports and maybe this is why the COE/ASPA denies additional comment period? Both of you are attempting to get ahead of the Congressional budget being considered and passed?

People are just now becoming aware of the ASPA's EIS existence. Yesterday I appeared before a group of 50 and was overpowered with questions for over an hour... you will be receiving many more letters. They were extremely concerned about the catastrophic impacts from this costly and badly planned project of deepening, widening, destruction of the very important bay bottoms, as well as the questionable handling or mishandling of the monstrous loads of dredged material in **their** Mobile Bay system. Hopefully this poses the question of just how well the project has been in notifying the public?

During the 70's, 80's and 90's the citizens were allowed **proper NEPA public hearings** where a person was given the respect and opportunity of reading or speaking their concerns, asking questions and leaving written comments and everything being properly recorded in the public record. I request such a public hearing ...not the COE/ASPA's dog and pony shows the public has had to endure these past several years, as they violate the citizen's legal rights of being involved in the process.

Thanks for meeting with us..

Respectfully,

  
Myrt Jones

*Add Yours / comments  
for Public Record*

Col. Sebastien Joly  
District Engineer, Corps of Engineering  
P.O. Box 2288  
Mobile, AL 36628-0001

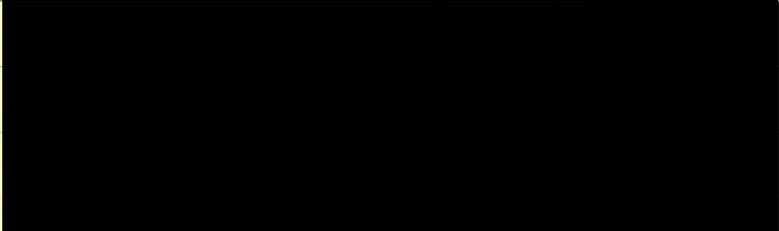
Dear Col. Joly,  
Welcome to you and your family to Mobile.

In my opinion, Sage Lyons has proposed the widening and deepening of Mobile Bay to justify his agency's purchase of huge cranes. (cart before the horse)

In worldwide ports container ships anchor at sea and barges off load + bring to port. Lyons proposal will cause catastrophic damage to our once beautiful bay. His agency's activities has incrementally brought about damage through the years.

I beg you to stop the vote on September 17<sup>th</sup> and fully understand the consequences before your approval or disapproval.

Sincerely,  
Patricia Boudouguie



# SOUTHERN ENVIRONMENTAL LAW CENTER

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BIRMINGHAM, AL 35233-2838

Facsimile 205-745-3064

September 17, 2018

**VIA E-MAIL (MobileGRR@usace.army.mil) AND U.S. MAIL**

COL Sebastien P. Joly, District Commander  
U.S. Army Corps of Engineers, Mobile District  
Attention: PD – F  
P.O. Box 2288  
Mobile, AL 36602  
MobileGRR@usace.army.mil

COPY

**Re: Comments re: Notice of Availability of the Draft Mobile Harbor, Alabama General Reevaluation Report (GRR) with an Integrated Supplemental Environmental Impact Statement (SEIS)**

Dear Colonel Joly,

On July 20, 2018, the Mobile District of the U.S. Army Corps of Engineers (the “Corps”) issued a Notice of Availability for a Draft General Reevaluation Report with an Integrated Supplemental Environmental Impact Statement (“GRR/SEIS”) concerning the dredging and widening of Mobile Harbor and the Mobile River for navigational purposes (“Project”). The Corps released this draft GRR/SEIS pursuant to the authority provided by the Water Resources Development Act of 1986, and its subsequent amendments.

The Southern Environmental Law Center submits this comment letter to express our substantial concerns about this proposed Project and the supporting GRR/SEIS. This Project is massive and will have significant direct, cumulative and indirect impacts on Mobile Bay (“Bay”), its waters, the surrounding ecosystems and the surrounding Mobile metropolitan area. This Project proposes to deepen and widen the federal navigation channel that bisects the entirety of the western portion of the Bay by up to, cumulatively, over five feet in the river, bay and bar channels. This dredging will consume approximately 40 miles of the whole of the navigation channel and Mobile River and include widening of channels, expansion of the Choctaw Turning Basin and incorporation of “bend easings” throughout. This Project increases the amount of disposal material from the navigation channels by millions of cubic yards and requires significant expansion of dredge sites throughout the Bay. This Project will also require long term maintenance for an undefined amount of time, potentially indefinitely, and could alter the entire ecosystem of the Bay.

As described in more detail below, the GRR/SEIS raises serious problems regarding compliance with the National Environmental Policy Act (“NEPA”), 42 U.S.C. §§ 4321 *et seq.* (2012); the federal Clean Water Act (“CWA”), 33 U.S.C. §§ 1251 *et seq.* (2012); and the Endangered Species Act (“ESA”), 16 U.S.C. §§ 1531 *et seq.* (2012), among other applicable laws. In addition, SELC has concerns that, due to the nature of this Project and the complexity and sensitivity of the ecosystems involved, the studies supporting many of the baseline assumptions in the GRR/SEIS have not been thoroughly reviewed by the public or outside parties. More complete studies are needed before this Project moves forward, as the long term health of Mobile Bay is at stake.

## **I. The GRR/SEIS Violates NEPA**

### **A. Inadequate Cumulative and Indirect Impacts Analysis**

Under NEPA, and its implementing regulations, the Corps is required to thoroughly assess the cumulative effects of a proposed project. 40 C.F.R. § 1508.25. The regulations define cumulative impacts as “impacts on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” 40 C.F.R. § 1508.7. The cumulative impact analysis, according to a federal appellate court, “must be more than perfunctory; it must provide a useful analysis of the cumulative impacts of past, present, and future projects. . . . [A] cumulative impact analysis must be timely. It is not appropriate to defer consideration of cumulative impacts to a future date when meaningful consideration can be given now.” Kern v. U.S. BLM, 284 F.3d 1062, 1075 (9th Cir. 2002) (citation and internal quotation marks omitted). Furthermore, the cumulative impacts analysis must examine the “net” impact that all projects in an area may have on the environment. LaFlamme v. FERC, 852 F.2d 389, 402 (9th Cir. 1988) (citation omitted). Similarly, indirect impacts as defined in NEPA could be considered a subset of the cumulative impacts analysis, but distinguished by a cause and effect relationship to the proposed action. These impacts “may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.” 40 C.F.R. § 1508.8.

This Project is a key component of a much larger expansion envisioned by the Alabama State Port Authority (“ASPA”) and others for the Port of Mobile. In fact, the ASPA is already in phase 3 of a 5-phase expansion project that aims to grow the Port of Mobile’s annual capacity to 1.5 million TEUs.<sup>1</sup> ASPA CEO Jimmy Lyons has predicted a shift in port traffic from the West

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<sup>1</sup> Port of Mobile announces \$49.5 million expansion, The Pulse (Dec. 20, 2017), <http://pulsegulfcoast.com/2017/12/port-of-mobile-announces-49-5-million-expansion> (last visited Sept. 17, 2018).

Coast to the Gulf Coast, especially in “the container sector.”<sup>2</sup> Lyons has also stated that the Project will further that vision: “This [Phase 3] expansion and our planned harbor deepening and widening program will provide both shippers and carriers with a cost effective, customer service oriented option.”<sup>3</sup> Furthermore, these multi-phase expansions are already having impacts that reverberate around Mobile Bay and its environment. For example, Walmart has an added new 2.6 million square foot capacity import distribution center near Mobile, and a recently-completed Intermodal Container Transfer Facility, which serves five railroad companies, has just been completed as part of the expansion. A “roll-on/roll-off” terminal for shipping automobiles overseas is also in construction and will ultimately have a capacity of 160,000 vehicles per year.<sup>4</sup> Upon the completion of the 5-phase expansion envisioned by ASPA, increases in container traffic will be accommodated by new large service cranes and more land area for more storage.<sup>5</sup> In addition to steady and continued increases in container and automobile traffic, the Port of Mobile has already become one of the largest coal export and steel port operations in the United States.<sup>6</sup>

Cumulative and indirect impacts would not be limited to the Port of Mobile, but supporting waterways and environments would also see an increase in traffic due to this Project. As Mike Tagert, former Tennessee-Tombigbee Waterway Administrator, observed when the Panama Canal expansion was announced, “increased activity at the Port of Mobile will popularize inland waterways.”<sup>7</sup> Indeed, the industry web site *Port Technology* observed that the Port of Mobile has “access to a vast network of inland connections across the South of the U.S., including two interstate systems, five railroads, and nearly 15,000 miles of inland waterway connections.”<sup>8</sup>

Given the known and multi-phase improvements planned for the Port of Mobile, and the number of related projects that directly hinge on this dredging, it is imperative that the Corps

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<sup>2</sup> Gulf Ports Anticipate Panama Canal Expansion’s Benefits Area Development (2011), <http://www.areadevelopment.com/logisticsInfrastructure/directory2011/gulf-mexico-ports-panama-canal30023.shtml> (last visited Sept. 17, 2018).

<sup>3</sup> Port of Mobile to get \$49.5M expansion, Birmingham Business Journal (Dec. 20, 2017), <https://www.bizjournals.com/birmingham/news/2017/12/20/port-of-mobile-to-get-49-5m-expansion.html> (last visited Sept. 17, 2018).

<sup>4</sup> Frank McCormack, Port of Mobile Continues Legacy with Rapid Expansion, Waterways Journal Weekly (June 29, 2018), <https://www.waterwaysjournal.net/2018/06/29/port-of-mobile-continues-300-year-legacy-with-rapid-expansion/> (last visited Sept. 17, 2018).

<sup>5</sup> Port of Mobile announces \$49.5 million expansion, The Pulse (Dec. 20, 2017), <http://pulsegulfoast.com/2017/12/port-of-mobile-announces-49-5-million-expansion> (last visited Sept. 17, 2018).

<sup>6</sup> Frank McCormack, Port of Mobile Continues Legacy with Rapid Expansion, Waterways Journal Weekly (June 29, 2018), <https://www.waterwaysjournal.net/2018/06/29/port-of-mobile-continues-300-year-legacy-with-rapid-expansion/> (last visited Sept. 17, 2018).

<sup>7</sup> Gulf Ports Anticipate Panama Canal Expansion’s Benefits, Area Development (2011), <http://www.areadevelopment.com/logisticsInfrastructure/directory2011/gulf-mexico-ports-panama-canal30023.shtml> (last visited Sept. 17, 2018).

<sup>8</sup> APM Plans Multi-Million Dollar Expansion for Alabama Port, Port Technology (Dec. 22, 2017), [https://www.porttechnology.org/news/ampt\\_plans\\_multi\\_million\\_dollar\\_expansion\\_for\\_alabama\\_port](https://www.porttechnology.org/news/ampt_plans_multi_million_dollar_expansion_for_alabama_port) (last visited Sept. 17, 2018).

consider and evaluate the cumulative and indirect environmental impacts that attaches to this Project when viewed through the lens of the Port of Mobile expansions. The impacts are not only “reasonably foreseeable”; they are happening in real time. The multi-phase expansions planned by ASPA are in the works, and the channel dredging Project is just one part of a much larger whole, yet, the Corps fails to adequately consider the cumulative and indirect impacts of this Project along with the planned port expansions in the GRR/SEIS. An analysis of these cumulative and indirect impacts of these phases should have been included in GRR/SEIS, and the draft GRR/SEIS is inadequate and violates NEPA.

### **B. Insufficient Alternatives Analysis**

The alternatives analysis is “the heart of the environmental impact statement.” 40 C.F. R. § 1502.14. It requires federal agencies to “study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources.” 42 U.S.C. § 4332(E). In conducting this analysis, the agencies must “rigorously explore and objectively evaluate all reasonable alternatives.” 40 CFR § 1502.14(a). The rule as articulated by one federal appellate court is representative: “[T]he evaluation of ‘alternatives’ mandated by NEPA is to be an evaluation of the alternative means to accomplish the *general* goal of an action; *it is not an evaluation of the alternative means by which a particular applicant can reach his goals.*” Van Abbema v. Fornell, 807 F.2d 633, 638 (7th Cir. 1986) (second emphasis added); see also Simmons v. U.S. Army Corps of Eng’rs, 120 F.3d 664, 666 (7th Cir. 1997) (“One obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing ‘reasonable alternatives’ out of consideration (and even out of existence).”).

Ports are in a constant state of competition to attract shipping traffic. It is therefore not surprising that many ports are expanding, or are considering expansion and dredging projects, to attract large, post-Panamax ships. Port expansion projects, including deeper dredging, are already underway in the Gulf of Mexico in Tampa, New Orleans, Beaumont, Houston, and other ports.<sup>9</sup> More are being contemplated in Corpus Christi and other ports.<sup>10</sup> In the south Atlantic region, at least four port projects are planned or proposed—including Savannah, Jacksonville, Charleston, and Norfolk.

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<sup>9</sup> See, e.g., Masterplan: Vision 2030, Port Tampa Bay, <https://www.porttb.com/masterplan> (last visited Sept. 14, 2018); Mark Schleifstein, Dredging Mississippi River to 50 feet clears Corps approval hurdle, The Times-Picayune (Aug. 20, 2018), [https://www.nola.com/environment/index.ssf/2018/08/dredging\\_mississippi\\_river\\_to.html](https://www.nola.com/environment/index.ssf/2018/08/dredging_mississippi_river_to.html) (last visited Sept. 14, 2018); Sade Chick, 2016-2017 Strongest Financial Year in Port History, Port of Beaumont (Feb. 6, 2018), <https://www.portofbeaumont.com/2016-2017-strongest-financial-year-in-port-history/> (last visited Sept. 14, 2018); Navigation Information and Soundings, Port of Houston, <http://porthouston.com/channel-development/navigation-information-and-soundings/> (last visited Sept. 14, 2018).

<sup>10</sup> See, e.g., Channel Deepening Study Open House, Port of Corpus Christi (Sept. 11, 2018), <http://portofcc.com/channel-deepening-study-open-house/> (last visited Sept. 14, 2018).

Notwithstanding the known expansion plans of multiple ports in the Gulf of Mexico and south Atlantic regions, the GRR/SEIS completely ignores the role of inter-port competitiveness in its alternatives analysis. For example, in forecasting future shipping traffic for the Port of Mobile, the GRR/SEIS considers forecasts from the DOE, USDA, and HIS GI Trade Forecast. GRR/SEIS at 2-14—2-16. But all three of those forecasts estimate the changes in country-wide demand and country-to-country demand flows. See id. None consider the potential Gulf of Mexico effects of changes to other ports, or any other factors that may influence the traffic demand for a specific port such as surrounding infrastructure or local supply or demand. Ignoring these facts frustrates a true alternatives analysis and violates NEPA, which must include an evaluation of whether another port or ports in the Southeast could accommodate the larger class of container ships with a higher cost benefit ratio and fewer impacts on the environment. In other words, a general objective of this Project could have been to accommodate the larger class of Post-Panamax vessels moving into Gulf of Mexico ports as opposed to simply evaluating alternative depths of deepening Mobile Harbor. A forecasting scheme and/or alternatives analysis that does not consider the arms race among ports competing for traffic, when it is known to be taking place, cannot be said to be “reasonable.”

Furthermore, each deepening project includes the expenditure of substantial federal funds, each project requires numerous federal permits, and each project presents significant environmental impacts on federally controlled coastal resources. Each project, when combined with others, could cause cumulative and synergistic impacts on the nation’s environment, including its major rivers and estuarine and marine systems. Without an analysis of the proposed projects, the U.S. could end up with port expansions that provide marginal benefits while resulting in significant destructive impacts on the environment, both in the Project’s affected areas for the Mobile Harbor and across the U.S. Under NEPA’s implementing regulations, the Corps must analyze proposed actions in the same EIS when it is the “best way to assess adequately the combined impacts of similar actions.” 40 C.F.R. § 1508.25(a)(3). In examining the impacts of the Project separately from other port expansions, the Corps has ignored a crucial aspect in the EIS—the determination of “whether the various agency actions, when combined, have an effect on the environment that might be overlooked if examined separately . . . .” Sierra Club v. Watkins, 808 F. Supp. 852, 863 (D.D.C. 1991) (citation omitted).

### **C. Improper Segmentation**

The improper segmentation of closely related projects into distinct actions for purposes of preparing or avoiding environmental impact statements violates NEPA. See, e.g., Piedmont Heights Civil Club, Inc. v. Moreland, 637 F.2d 430, 439 (5th Cir. 1981);<sup>11</sup> see also, e.g., Fla.

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<sup>11</sup> Fifth Circuit opinions decided on or before September 30, 1981 constitute binding precedent for the Eleventh Circuit, unless otherwise invalidated by a statute or subsequent case. *Bonner v. City of Prichard*, 661 F.2d 1206, 1207 (11th Cir. 1981).

Wildlife Fed'n v. U.S. Army Corp. of Eng'rs, 401 F. Supp. 2d 1298, 1313 (S.D. Fla. 2005) (applying the “anti-segmentation rule” to a wetlands filling project). To determine whether an EIS should be stricken for failure to satisfy NEPA’s prohibition of improper segmentation, courts in the Eleventh Circuit consider “such factors as whether the proposed segment (1) has logical termini, (2) has substantial independent utility, (3) does not foreclose the opportunity to consider alternatives, and (4) does not irretrievably commit federal funds for closely related projects,” as well as “the independent utility of the project and the interdependence of several projects.” Piedmont, 637 F.2d at 439 (citations omitted).

Here, the GRR/SEIS improperly treats several projects as distinct that are interdependent with the dredging. For example, the Upper Mobile Bay Beneficial Use Wetland Creation Site is not mentioned in the GRR/SEIS, but it is a USACE project for “a 1,200 acre wetland creation site in the Upper Mobile Bay south of the US Highway 90/98 causeway,” which is very much an affected area of the Project. The Corps cannot assume, and treat separately, this disposal site for this analysis.<sup>12</sup> Similarly, as to expansion of the Sand Island Beneficial Use Area (SIBUA), where dredged sand is planned to be deposited, the GRR/SEIS acknowledges “the USACE, Mobile District is currently pursuing modifications to extend the SIBUA beyond its existing boundaries.” GRR/SEIS at 2-39. This modification has not yet been approved. The GRR/SEIS includes a table depicting the amounts of sand that will be able to be dumped at the SIBUA, including proposed additions of dredge materials. The GRR/SEIS then predicts a SIBUA expansion as part of its No Action Alternative. Id. at 5-3, 5-25, Table 2-21. Further, the GRR/SEIS acknowledges that the proposed northwest expansion of the SIBUA must first be the subject of a cultural resources study, which also has not been reported yet and is certainly not reported in the GRR/SEIS draft. Id. at 5-72. The prior assumption of a SIBUA expansion approval without reference to a completed environmental review makes this GRR/SEIS analysis deficient and improper segmentation of the NEPA analysis.

Finally, in July 2014 the Corps presented an Environmental Assessment (EA) finding no significant impact from a new, thin-layer disposal option of sand for Mobile Harbor, allowing it to create “a long term open bay thin-layer disposal option” for dredged sand. EA at 1. That EA, disseminated after the Panama Canal’s expansion project was underway and shortly before this dredging expansion project, may have been improperly segmented from the Project to avoid the more comprehensive EIS review. The GRR/SEIS neither addresses those projects fully (and the Upper Mobile Bay Beneficial Use Wetland Creation Site and the thin-layer disposal option, not at all) nor explains the independent utility, non-interdependence or absolute interdependence of these projects.

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<sup>12</sup> Mobile Bay Watershed, Gulf Coast Ecosystem Restoration Council, at 1, [https://restorethegulf.gov/sites/default/files/Upper%20Mobile%20Bay%20Beneficial%20Use%20Wetland%20Cr'ation%20Site\\_0.pdf](https://restorethegulf.gov/sites/default/files/Upper%20Mobile%20Bay%20Beneficial%20Use%20Wetland%20Creation%20Site_0.pdf) (last visited Sept. 14, 2018).

#### **D. Insufficient Air Quality Analysis**

In a 2009 study reviewing air emissions at port facilities, EPA concluded that port developments have the potential to inflict “significant environmental and human health impacts, such as cancer and asthma,” on the surrounding human and natural communities. EPA Needs to Improve Its Efforts to Reduce Air Emissions at U.S. Ports, Report No. 09-P-0125 (Mar. 23, 2009). Emissions of greatest concern identified in the report include nitrogen oxides (NOx), particulate matter (PM), sulfur oxide (SOx), carbon monoxide (CO), hydrocarbons (HC), and air toxics, such as diesel exhaust. Id. The report goes on to explain that “[d]iesel and other emissions from port activities” harm onshore communities through “increased cancer rates, asthma, other respiratory and cardiovascular diseases, and premature death.” Id. EPA has recognized that impacts of diesel emissions from ports extend beyond local communities to “contribute significantly to regional air pollution.” Id. Similarly, a 2008 study by the National Oceanic and Atmospheric Administration found that commercial shipping results in “a significant impact on air quality and health on both local and regional scales.” Id. at 3.

The Port of Mobile is a significant industrial port, and as a result, air emissions from commercial activities in the port have created problems. For example, coal terminals at McDuffie Coal Terminal and Cooper Marine and Timberlands in the Project area have been a source of fugitive coal dust emissions for years, and these emissions have affected the citizens of Mobile.<sup>13</sup> In addition, fuel storage tank farms in the Project area, and their hazardous wastes and emissions, have forced the city council to seek more restrictive local zoning ordinances.<sup>14</sup>

However, the GRR/SEIS ignores these current problems with air pollution from this Project. This is based, in part, on implausible assumptions in its economic analysis that the Project will not increase shipping traffic at the Port of Mobile.<sup>15</sup> In fact, the GRR/SEIS predicts

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<sup>13</sup> Katie Weis, Coal Uncovered Parts 1-2, Fox News 10 (May 16 and 18, 2018) [https://www.fox10tv.com/news/fox-news-investigates-coal-uncovered-part/article\\_6e8b1444-b2a6-50b0-ad2c-096a505dc67b.html](https://www.fox10tv.com/news/fox-news-investigates-coal-uncovered-part/article_6e8b1444-b2a6-50b0-ad2c-096a505dc67b.html) (last visited Sept. 17, 2018).

<sup>14</sup> John Sharp, After More than Two Years of Debate Mobile Passes an Oil Storage Tank Ordinance, AL.com (March 30, 2016) [https://www.al.com/news/mobile/index.ssf/2016/03/after\\_more\\_than\\_two\\_years\\_of\\_d.html#incart\\_river\\_home](https://www.al.com/news/mobile/index.ssf/2016/03/after_more_than_two_years_of_d.html#incart_river_home) (last visited Sept. 17, 2018).

<sup>15</sup> Compare, e.g., GRR/SEIS at 5-64 (“Previous navigation analyses indicate that channel improvements alone will not have an impact on the forecasted demand of commodities handled at a particular port.”), with, e.g., Port of Mobile to get \$49.5M expansion, Birmingham Business Journal (Dec. 20, 2017), <https://www.bizjournals.com/birmingham/news/2017/12/20/port-of-mobile-to-get-49-5m-expansion.html> (last visited Sept. 12, 2018) (quoting Alabama State Port Authority CEO Jimmy Lyons stating that an “expansion and our planned harbor deepening and widening program will provide both shippers and carriers with a cost effective, customer service oriented option”); Frank McCormack, Port of Mobile Continues Legacy with Rapid Expansion, Waterways Journal Weekly (June 29, 2018), <https://www.waterwaysjournal.net/2018/06/29/port-of-mobile->

a *decrease* in the overall annual emissions associated with ship traffic due to the forecasted demand. GRR/SEIS at 5-64. The GRR/SEIS concludes that “the uncertainty of the mix and size of vessels using the port and the change in vessel travel time after channel deepening” make any precise calculation of annual emissions “not feasible.” *Id.* The GRR/SEIS then shifts and cites emissions forecasts prepared for a deepening project in Charleston Harbor to conclude that as a result of the Project emissions will fall “from approximately 1 to 3% pending on individual criteria pollutant.” *Id.* The GRR/SEIS fails to explain its application of the Charleston Harbor emissions forecasts, other than to note “the similarity of the proposed harbor navigation improvement scheme.” *Id.* Similarly, while concluding that the dredging project would result in a 25% increase in truck traffic, the GRR/SEIS skeletally concludes that the truck emissions “are not major emissions contributors” and, when the 1 to 3% decrease in shipping emissions is considered, “such an increase in truck traffic would unlikely result in significant air quality impacts.” *Id.* at 5-65. The GRR/SEIS similarly categorically dismisses a possible increase in emissions from the McDuffie Coal Terminal as being offset by the project’s overall emissions decrease, despite indicators showing that coal traffic will likely increase.<sup>16</sup> These assumptions are all made without giving any mention to current air pollution problems at the port. NEPA requires the Corps to conduct a realistic analysis of the proposed dredging’s impacts on the Port of Mobile’s growth and to incorporate the results into its GRR/SEIS. *See* Corps Planning Guidance Notebook at 2-8 to 2-9 (describing accurate “without-project conditions” and “with-project conditions” as “critical to the success of the planning process”). Having so blatantly failed to realistically analyze the air quality impacts of increased shipping traffic as a result of the Project, the GRR/SEIS has ipso facto failed to adhere to NEPA’s requirements to consider all reasonably foreseeable, cumulative and indirect impact of the proposed action. 40 C.F.R. §§ 1508.7, 1508.8.

The GRR/SEIS also fails to assess the dredging project’s impacts on affected areas’ status under the Clean Air Act (“CAA”). The GRR/SEIS states only that the affected areas are presently in attainment for the all National Ambient Air Quality Standards (“NAAQS”). *See, e.g.,* GRR/SEIS Environmental Appendix C at 3-92. However, the GRR/SEIS fails to analyze and disclose whether the Project would push the impacted areas into non-attainment or maintenance status and what the dredging project’s incremental impacts on compliance, or lack thereof, with applicable NAAQS will be.

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continues-300-year-legacy-with-rapid-expansion/ (last visited Sept. 17, 2018). <https://www.waterwaysjournal.net/2018/06/29/port-of-mobile-continues-300-year-legacy-with-rapid-expansion/> (last visited Sept. 12, 2018) (quoting Lyons as stating that easing harbor congestion is one benefit of the Project).

<sup>16</sup> *See, e.g.,* Mike Marshall, [No more coal dust for downtown Mobile](https://www.al.com/opinion/index.ssf/2014/01/no_more_coal_dust_for_downtown.html), AL.com (Jan. 14, 2014), [https://www.al.com/opinion/index.ssf/2014/01/no\\_more\\_coal\\_dust\\_for\\_downtown.html](https://www.al.com/opinion/index.ssf/2014/01/no_more_coal_dust_for_downtown.html) (last visited Sept. 17, 2018) (discussing the increased demand for coal shipping in light of “an all-Alabama \$1.2 billion mining project undertaken by Hoover-based Walter Energy” and the Alabama State Legislature’s 2012 approval of a series of tax breaks for coal companies).

## **II. The Proposed Project would Violate the Clean Water Act (“CWA”).**

Although the Corps, as a matter of policy, does not issue itself permits for its own activities,<sup>17</sup> it “authorizes” its own discharges, applying all applicable substantive requirements, including the Section 404 Guidelines found at 40 C.F.R. §§ 230.2, 230.10; 33 C.F.R. §§ 336.1(a), 337.6; See also Regulatory Guidance Letter (RGL) 88-09 (July 21, 1998, expired Dec. 31, 1990); RGL 05-06 (Dec. 7, 2005). As explained below, this Project violates the CWA in several respects.

### **A. The Project Fails to Satisfy the CWA and the 404(b)(1) Guidelines.**

1. The Corps failed to set forth a proper statement of purpose and need and has not adequately considered alternatives.

Section 404(b)(1) of the CWA, 33 U.S.C. § 1344(b)(1), directs the EPA to issue Guidelines that define the circumstances under which dredged or fill material may be discharged into wetlands or other waters. 40 C.F.R. § 230.10. To implement the Guidelines (and NEPA, as discussed above), the Corps must first present a correct statement of a project’s “basic purpose.” See 40 C.F.R. § 230.10(a)(3). After the Corps defines the basic purpose of the Project, it must then determine whether that basic purpose is “water dependent.” See id. An activity is “water dependent” if it requires access or proximity within a wetland to fulfill its basic purpose. Id.

Although one can be teased from the GRR/SEIS here, such as deepen a harbor to get goods in and out of the country more efficiently, there is another purpose that the Corps has failed to clearly identify, the “overall project purpose.” 40 C.F.R. § 230.10(a)(2). As the Guidelines provide, unless one knows what the overall project purpose is, it is impossible to conduct a meaningful practicable alternatives analysis. Id. In addition, the Guidelines provide that the Corps shall not grant a Section 404 permit “if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.” 40 C.F.R. § 230.10(a). An alternative “is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.” 40 C.F.R. § 230.10(a)(2).

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<sup>17</sup> If the local sponsor opts to construct the project, it would have to obtain a permit from the Corps. RGL 88-09. (July 21, 1998, expired Dec. 31, 1990).

In the executive summary of the GRR/SEIS, the Corps states what appears to be the overall project purpose of the proposed Project. It provides as follows:

The principal navigation problem is larger vessels are experiencing transportation delays and inefficiencies due to limited channel depth and width. This problem is a result of increasing number and size of vessels entering and departing Mobile Harbor. The existing channel depths and widths limit vessel cargo capability, restrict many vessels to one-way traffic and in some areas limit transit operations to daylight hours only.

GRR/SEIS at ES-1. In short, this statement provides that 1) shipping companies are tending to use bigger vessels, 2) these bigger vessels are having difficulty getting in and out of existing ports, and 3) Mobile Harbor is one such port. Nowhere in this project purpose does the Corps suggest that Mobile Harbor is the harbor that should be deepened. Before the Corps should deepen Mobile Harbor, it should determine if it makes more sense to conduct another harbor project elsewhere. In all likelihood, the federal government will spend a significant amount of taxpayer money on this project. Before it does so, the Corps should make sure that it is a better investment for the country to deepen Mobile Harbor than another alternative.

It may make more sense to provide additional monies to other major ports in the Gulf of Mexico, such as the Port of Corpus Cristi and the Port of New Orleans. So far, the Corps has not evaluated other ports. This is contrary to a provision in the GRR/SEIS, which states the following:

A measure that *could be implemented by others* can be considered [an alternative] as long as it meets the objectives on its own or it can be a component of an alternative that meets the objectives in a way that is complete, effective, efficient, and acceptable.

GRR/SEIS at 3-2 (emphasis added). What this statement means in the Mobile Harbor context is that if the purpose of the Project is simply to improve the efficiency of trade, the Corps should consider whether the improvement of another port makes more sense than the proposed project. As part of its practicable alternatives analysis, the Corps must explain why it is more economical to deepen Mobile Harbor than to improve other ports in the Gulf.

2. The Corps failed to conduct a sufficient alternatives analysis for specific components of the Project as required under 404 (b)(1).

Even if the overall project purpose were confined to improving Mobile Harbor, the Corps still must discuss whether there are practicable alternatives to specific components of the Project. For example, the Corps includes a “3 Mile Widener for Passing” through the bay channel.

GRR/SEIS at ES-10. Widening this portion of the bay channel will require moving a significant amount of dredged material. So far the Corps has not discussed why the widener must be three miles long. Similarly, the Corps has not explained why the channel must be dredged to a depth of 52 feet in some places. See GRR/SEIS at Abstract. Other deepening projects such as the one in Savannah Harbor, are only going to a depth of 47 feet.<sup>18</sup> The Georgia Ports Authority, which operates the Savannah Harbor, appears to believe that a depth of 47 feet will be sufficient to attract the larger Panamax III ships. Why does Mobile Harbor have to be deepened so much? Considering that the bay channel is over 30 miles long, deepening the channel more than necessary would be a costly. The Corps should clearly explain its reasoning for doing so.

In the 404(b)(1) Guidelines analysis, the Corps confuses the issue of alternatives still further by stating in its finding of compliance, that the scope of the 404(b)(1) Guidelines is much narrower than the project itself. The Corps states as follows:

The proposed action discussed in this EA and Section 404(b)1 [sic] only encompasses the *recertification of an ongoing maintenance project*. Therefore, only ‘Action’ and ‘No Action’ alternatives have been evaluated in this assessment. It is believed that greater negative economic and environmental impacts will result from not re-issuing certification of continual maintenance dredging and disposal activities. Other Alternatives for dredging and disposal were evaluated in the 1980 EIS for Mobile Harbor Channel Improvements.

Appendix C, Attachment C-2 at 404(b)(1)-12 (emphasis added). It appears from this statement, that the Corps 404(b)(1) Guidelines analysis was written for a maintenance project rather than the deepening Project. If that is the case, the 404(b)(1) Guidelines analysis is invalid.

3. Section 404(b)(1) Bars Approval of Projects that Cause or Contribute to Violations of Water Quality Standards.

The Section 404(b)(1) Guidelines prohibit authorization of a discharge of dredged or fill material that “[c]auses or contributes . . . to violations of any applicable State water quality standard.” 40 C.F.R. § 230.10(b)(1). This is an independent inquiry than states do under Section 401 of the CWA. See 33 C.F.R. § 336.1(c)(2). In the 404(b)(1) Guidelines analysis, the Corps admits that it may if may not be able to meet those standards. The Corps states that “[p]reliminary findings show that action would be in compliance *to the maximum extent practicable*, with all water quality standards.” Appendix C, Attachment C-2 at 404(b)(1)-11 (emphasis added). Unless the Corps can definitively state that the Project will not “cause or

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<sup>18</sup> Savannah Harbor Expansion Project, Ga. Ports, <http://gaports.com/media/publications/gateway-to-the-world/savannah-harbor-expansion-project> (last visited Sept. 17, 2018).

contribute” to a violation of a State water quality standard,” the Project cannot go forward. 40 C.F.R. § 230.10(b)(1). Here, the Corps appears to lack sufficient information to make that claim.

Furthermore, the Corps has not completed its water quality testing. For example, the Corps states the following in the GRR/SEIS:

At this time, specific impacts associated with the new work sediment testing and evaluation during the PED phase of the study *are not known*. All current *presumptions* are that the new work material associated with project sampling would be similar to that already tested and should be suitable for placement within the identified placement areas.

GRR/SEIS at 5-9 (emphasis added). Since the Corps has not completed its water quality tests, the public has no way to determine whether or not state water quality standards have been met. Currently, the Corps is relying on presumptions that certain uncompleted tests will yield acceptable results. This is not sufficient. These tests should have been completed before the GRR/SEIS was issued so that the public could provide meaningful comments on water quality.

Another example of an incomplete and utterly confounding discussion surrounds the aquifers underlying the Mobile area. The discussion is contained in groundwater section of the GRR/SEIS, which is incomprehensible. See GRR/SEIS at 2-65. It is impossible to determine which aquifers are beneath Mobile Bay and which are not. And the Corps says nothing about whether the project could jeopardize the nearest underlying aquifer. The channel will be deepened by more than 5 feet in many places. If the dredges were to penetrate into a surficial aquifer that was hydrologically connected to a deeper aquifer, the result could be catastrophic. This issue has arisen in at least one other harbor deepening project (Savannah Harbor) and until the public is provided with sufficient information in the form of a scientific study, it will not have the opportunity to provide meaningful comments on this issue.<sup>19</sup> Mobile cannot afford to have the Project jeopardize the integrity of its aquifers. A comprehensive study was performed to ensure that such a problem did not arise for the Savannah Harbor deepening.<sup>20</sup>

In preparing its 404(b)(1) analysis, the Corps also fails to discuss the cumulative effects and the secondary effects the Project might have on the aquatic environment. In a conclusory fashion, the Corps simply states that the Project would not have any significant cumulative or secondary effects on the aquatic ecosystem. Appendix C, Attachment C-6 at 404(b)(1)-12. As the NEPA discussion provides, the Project would involve numerous cumulative and indirect

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<sup>19</sup> Savannah Harbor Expansion Project, Frequently Asked Questions (FAQs), U.S. Army Corps of Engineers (Apr. 4, 2016), <http://www.sas.usace.army.mil/Portals/61/docs/SHEP/SHEP%20FAQs%20-%204Apr2016.pdf> (last visited Sept. 17, 2018).

<sup>20</sup> Id.

impacts. The Corps must discuss cumulative effects and secondary effects in the context of the 404(b)(1) Guidelines.

The water quality assessment should also include a discussion of whether the project would have any impact on existing Total Maximum Daily Load determinations (TMDLs). There is a TMDL in Mobile Bay for pathogens.<sup>21</sup> The Corps should address whether the Project will impact this TMDL.

### **B. The Project Does Not Qualify for a Section 401 Water Quality Certification from Alabama**

Similar to the water quality assessment provided in the 404(b)(1) Guidelines analysis, the state of Alabama must make an assessment to ensure that the Project does not make it more difficult for the state to attain or maintain its water quality standards. If Alabama determines that it has a “reasonable assurance” that the Project will not violate its water quality standards, it will issue a water quality certification for the Project. 33 C.F.R. §§ 336.1(a)(1), (b)(8); see also 33 C.F.R. §§ 337.10, 338.2(c). That certification, or even a preliminary version of that certification, has not been provided to the public. Again, without this information, the public cannot provide meaningful comments on the Section 401 water quality certification at this time.

### **C. The GRR/SEIS does not comply with the public interest review requirements of the Clean Water Act**

Under the Corps’ Section 404 regulations, the Corps must engage in a “public interest review.” 33 C.F.R. § 320.4(a). Under this review, the “[d]ecision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest.” See id. (listing relevant factors to be considered). There is no significant public interest review analysis in the GRR/SEIS. It must be completed and provided to the public.

## **III. The GRR/ SEIS does not comply with the Endangered Species Act**

The 404(b)(1) Guidelines also require the Corps to comply with the Endangered Species Act (ESA). Section 7 of the ESA requires that each federal agency “shall, in consultation with and with the assistance of [the expert service agencies] insure that any action authorized, funded or carried out by such agency . . . is not likely to jeopardize the continued existence of any” listed species “or result in the destruction or adverse modification” of the species’ critical habitat. 16

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<sup>21</sup> See Final Total Maximum Daily Load (TMDL) for Mobile Bay, Pathogens, Alabama Department of Environmental Management Water Quality Branch (Aug. 2015) <http://adem.alabama.gov/programs/water/wquality/tmdls/FinalMobileBayPathogensTMDL.pdf> (last visited Sept. 17, 2018) (“[B]each monitoring continues to show exceedances of Alabama’s pathogen criteria.”).

U.S.C. § 1536(a)(1)-(2). Under the regulations implementing this consultation process, each federal agency is required to determine whether its activities “may affect” a listed species. 50 C.F.R. § 402.14(a). If it is determined that the agency action may affect listed species, formal consultation is required unless the U.S. Fish and Wildlife Service (“FWS”) or the National Marine Fisheries Service (“NMFS”) determines, based on the best available scientific evidence, that the action is “not likely to adversely affect” the species. 50 C.F.R. § 402.14(a)-(b).

If formal consultation is sought, such consultation will culminate in the issuance of a biological opinion. The “[b]iological opinion is the document that states the opinion of the Service as to whether or not the Federal action is likely to jeopardize the continued existence of the listed species or result in the destruction or adverse modification of critical habitat.” 50 C.F.R. § 402.02. NMFS’ and FWS’ joint regulations define [j]eopardize the continued existence of” as “to engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.” Id.

Courts have explained that “even where baseline conditions already jeopardize a species, an agency may not take action that deepens the jeopardy by causing additional harm.” Nat’l Wildlife Fed’n v. Nat’l Marine Fisheries Serv., 524 F.3d 917, 930 (9th Cir. 2008). Additionally, under the applicable regulations, an action is “jeopardizing” if it keeps recovery “far out of reach,” even if the species is able to still cling to survival. Id. at 931. Jeopardy therefore can be found not only where an action plunges a species towards extinction, but where it suppresses the species below the path needed for recovery.

If the biological opinion concludes that the proposed action is not likely to jeopardize a protected species, the Project can be completed. If, however, the biological opinion concludes that “jeopardy or adverse modification exists, NMFS [or FWS] must suggest reasonable and prudent alternatives . . . that it believes would not violate section 7(a)(2) and that can be implemented by the action agency.” Aluminum Co. v. Administrator, 175 F.3d 1156, 1159 (9th Cir. 1999) (citing 16 U.S.C. § 1536(b)(3)(A)). If no reasonable and prudent alternatives exist, the action agency can seek an exemption, cancel the project, or continue with the project and risk violating the ESA. “The action agency is technically free to disregard the Biological Opinion and proceed with its proposed action, but it does so at its own peril,” as it could face liability under the ESA and invite a challenge under the Administrative Procedures Act. Bennett v. Spear, 520 U.S. 154, 170 (1997); see generally Nat’l Wildlife Fed’n v. Coleman, 529 F.2d 359, 371-72 (5th Cir. 1976).

In this case, the Corps lists a plethora of species that are threatened or endangered and located within or near the Project area. As provided in the 404(b)(1) analysis, the Corps quickly

whittled the number of species down to sea turtles, the Florida manatee, and the Gulf Sturgeon. The Corps began by assessing the sea turtles and Gulf Sturgeon. The Corps had this to say in reference to those species:

Potential impacts on the five species of listed sea turtles and Gulf sturgeon from hopper dredging activities were assessed in the 2003 Gulf Regional Biological Opinion (GRBO). In the opinion, NMFS concluded that sea turtles and Gulf sturgeon can be adversely affected by hopper dredges.

Appendix C at 404(b)(1)-10. This statement cuts against the project in several ways. Briefly, first, the Corps relies on a regional biological opinion that was conducted 15 years ago; second, the opinion does not appear to have any direct connection to the proposed project; third, the study found that hopper dredges *can* adversely affect sea turtles and Gulf Sturgeon; and fourth, the opinion covers the effects of hopper dredging on the sea turtle and the Gulf Sturgeon, when the project is going to employ cutterhead-suction dredges and mechanical excavators, in addition to hopper dredges. See GRR/SEIS at 4-14. Thus, any conclusion the Corps makes about the effects the Project will have on these species is unsupported.

The Corps's conclusion about the Gulf Sturgeon is also suspect for another reason. The Corps admits that the Gulf Sturgeon uses the project area during its migration season, which makes sense since Mobile Bay is the sturgeon's only path to the Tensaw Delta.<sup>22</sup> Appendix C at 404(b)(1)-10-11. It then states that Mobile Bay is not a designated critical habitat for the sturgeon. Appendix C at 404(b)(1)-10-11. These statements, taken together, imply that because the project area is not a critical area for the sturgeon, the project cannot adversely affect the species. That is not so. A threatened or endangered species does not have to be located in a critical habitat area for that species to enjoy the protections of the ESA. See, e.g., Fisher v. Salazar, 656 F. Supp. 2d 1357, 1359 (S.D. Fla. 2009) ("Critical habitat may include geographical areas that are both inside of and outside of the geographical areas occupied by the species.").

The Corps has also not adequately addressed the impact the project could have on nesting turtles, such as the Loggerhead Sea Turtle. As the public has already raised in scoping comments, Dauphin Island's Gulf shoreline has a comparatively low percentage of successful sea turtle nests. The Corps should conduct additional research on whether the project will lead to further problems for the Loggerhead and other sea turtles, especially in light of the historical littoral drift questions raised by this Project.

Similarly, the Corps has made a less than convincing case that the project will have no adverse effect on the Bryde's whale. In its discussion of the whale, the Corps begins by pointing

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<sup>22</sup> Maurice F. Mettee, Fishes of Alabama, Encyclopedia of Alabama (last updated Nov. 30, 2016) <http://www.encyclopediaofalabama.org/article/h-1586> (last visited Sept. 17, 2018).

out that “[v]essel collisions are a significant source of mortality for a variety of coastal large whale species.” GRR/SEIS at 2-93. It then goes on to state that “[t]he northern Gulf of Mexico is an area of considerably high amount of ship traffic, which may increase the risk of vessel-whale collisions.” *Id.* Next, it adds that “[s]everal important commercial shipping lanes travel through the primary Gulf of Mexico Bryde's whale habitat in the northeastern Gulf of Mexico, particularly vessel traffic from ports in Mobile, Pensacola, Panama City, and Tampa.” *Id.* All of these statements support a conclusion that Bryde's whale may be adversely affected by the project, and the Corps provides no evidence that it will not. To comply with the ESA, the Corps must provide more information on this species and the impact that the Project will have on its continued existence.

As the Corps points out, the Bryde's whale has not yet been listed as an endangered species. GRR/SEIS at 5-54. But that is immaterial for the purposes of this project. Under the ESA, the Corps would have to conference with NMFS if a project may adversely affect the continued existence of a species *proposed* to be listed, such as the Bryde's Whale. 16 U.S.C. § 1536(a)(4). If the proposed species is subsequently listed prior to completion of the action, the Corps must review the action to determine whether formal consultation is required. 50 C.F.R. § 402.10(c).

Furthermore, the Corps' "NEPA procedures must insure that environmental information is available to public officials and citizens *before* decisions are made and *before* actions are taken." 40 C.F.R. § 1500.1(b) (emphasis added); see also Ohio Valley Env't'l Coalition v. U.S. Army Corps of Eng'rs, 674 F. Supp. 2d 783, 808-09 (S.D. W.Va. 2009) (concluding the Corps failed to comply with the NEPA by failing to provide the public with substantive information before the comment period); Sierra Nevada Forest Protection Campaign v. Weingardt, 376 F. Supp. 2d 984, 990 (E.D. Cal. 2005) (Ruling that NEPA regulations "require that an agency give environmental information to the public and then provide an opportunity for informed comments to the agency" (citing 40 C.F.R. §§ 1501.4, 1506.6)). According to the CEQ Guidelines, such procedures are necessary because "public scrutiny [is] essential to implementing NEPA." 40 C.F.R. § 1500.1(b). It does not appear that the Corps has initiated any communication with NMFS, or with the FWS, concerning the project and its potential impacts on endangered species. Because of this delay, the public will be denied an opportunity to provide meaningful comments on the ESA elements of the project.

### **Conclusion**

We appreciate the opportunity to submit these comments on the proposal to dredge the Mobile Harbor and Mobile River. For the reasons described herein, we believe the Project raises serious concerns under the National Environmental Policy Act, the Clean Water Act, the Endangered Species Act, and other state and federal laws and regulations. Our review of the GRR/SEIS reveals that the Corps has not considered the full scope and impact of this Project in

relation to the massive port expansions going on in the Bay, and that the Corps has simply failed to consider a sufficient range of alternatives for accommodating the anticipated larger class of containerships when reviewing this Project. The Corps also overlooks existing pollution problems in the Bay, such as air pollution, and the cumulative and indirect impacts this Project may exacerbate. The Corps' lack of compliance with 404 (b)(1) Guidelines and the Endangered Species Act further inhibits a full and adequate analysis of this Project before moving forward. The questions surrounding this Project are too great and too open-ended, and the health of the Bay too important, not to have a fully compliant environmental impact statement. For these and other reasons stated above, we respectfully request that the Corps remedy the significant flaws in the GRR/SEIS before proceeding with this Proposal.

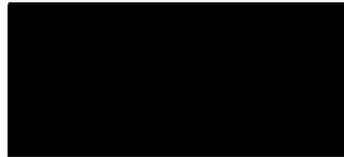
Sincerely,

A handwritten signature in blue ink that reads "Keith Johnston". The signature is written in a cursive style with a long, sweeping tail on the letter "n".

---

Keith Johnston  
Amble Johnson  
Bill Sapp

Michael Krumpelt Ph. D.



CJ  
RP-A  
PD-E  
PD-EC

9/04/2018

US Army Corps of Engineers, Mobile District

109 Saint Joseph Street,

Mobile, Al. 36602

Subject: Comments on draft report entitled "Mobile Harbor, Integrated General Reevaluation Report with Supplemental Environmental Impact Statement."

Dear Corps of Engineers:

I have reviewed portions of the above report with an eye on finding evidences for the conclusions that widening and deepening of the shipping channel would have no discernable impact on sediment transport throughout the project area, and result in minimal differences in the morphological change in the near shore areas of Dauphin Island as stated on pages ES-5, ES-6, and ES-7.

For the record let me state that I am a scientist by training with a large number of peer reviewed publications. Though not an expert on oceanography, I understand scientific modelling and have used modeling in my work.

Sediment transport is an issue of great concern for the property owners of Dauphin Island since the island has experienced significant beach erosion.

The sea bed level data in Fig. 3 B of Appendix A page 14 of the section entitled "Effects of the Proposed Navigation Channel Improvements on Sediment Transport in Mobile Harbor, Alabama" clearly show that (a) sediment is drifting from the eastern bank of the shipping channel into the channel as one would expect from the littoral drift along the Gulf Coast; (b) Sand/Pelican Island did largely disappear; and (c) the eastern shoreline of Dauphin Island has been eroding in the time frame of 2009-2015. This loss of beach is corroborated by my own observations. The Sandcastle Condominium on Dauphin Island's east end (in which I own a unit), lost 150-200 feet of beach on the east end in the 2006-2017 time frame. For any sediment transport model to be credible, these bathymetric data will have to be reproduced by the model simulations.

The Delft3D modelling results shown in Fig 4 on page 5, correctly confirm that sediment is drifting into the shipping channel from the eastern bank, and sediment is lost at some locations, and also gained at others along the western 5-meter contour line. However, the model totally misses to account for the erosion of the eastern shoreline of Dauphin Island that I pointed out above. Any reputable scientist will

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state that predictions from models that cannot explain the history (i.e., replicate actual observed historic conditions) have no value in predicting the future. I therefore conclude, the model is flawed, needs to be improved, and cannot be relied upon to support the conclusions on the effects of deepening the Bar Channel as stated on pages ES-5 and ES-7 of the Main Report.

It also appears that the authors of the report put a self-serving spin onto the interpretation of some of the other data. If the Mobile Harbor ship channel is deepened, the Corps stands to gain hundreds of millions of dollars of funding and has a self-interest in showing that the project has no negative environmental impacts. Table 3 on page 19 and Fig. 7 on page 21 show that with existing channel depths 45,860 cubic meters of sand drift into the shipping channel and must be dredged. According to modeled with-project conditions, the total volume of this sand is predicted to be less (i.e., 43,670 cubic meters), even with a deeper channel. This is interpreted as confirmation that deepening of the Bar Channel will have a negligible impact on sediment transport. However, in sections 6-9 and 13 of the channel more sand accumulates when the shipping lane is further excavated than if it were not. These two sections of the channel are just east of Sand Island and Dauphin Island. Re-nourishing of the islands by littoral drift of sand would normally occur in these two sections, but since the sand is removed the islands erode. I would interpret the data in Table 3 to confirm that dredging of the channel interrupts the littoral drift of sand to Sand Island and Dauphin Island and that deepening the channel will aggravate the problem. It would seem that the modeling results need to be reviewed by an independent entity.

In closing, let me reiterate that I understand the economic benefits of deepening the shipping lane. Yet, it appears that Dauphin Island will continue to suffer unduly negative consequences, unless needed mitigation measures are included in the project to effectively beneficially use the beach quality sands routinely dredged from the Bar Channel to counter the erosion of Dauphin Island. As a taxpayer who will pay for the deepening of the channel, I am deeply disturbed by the dishonesty of the Corps for not interpreting the data objectively.

Sincerely,



Michael Krumpelt

cc.

Jeff Collier, Mayor

Dennis Knizley, DIPOA

Scott Douglas, South Coast Engineers

U.S. ARMY CORPS OF ENGINEERS  
PUBLIC MEETING  
MOBILE HARBOR GENERAL REEVALUATION REPORT

HELD AT THE MOBILE CONVENTION CENTER  
1 WATER STREET  
MOBILE, ALABAMA

SEPTEMBER 11, 2018 - 5:00-8:00 P.M.

1 I N D E X

2

3 Comments:

4 BY MR. STAN GRAVES - page 3

5 BY MR. AVERY BATES - page 4

6 BY MR. JOE HUGHEY - page 33

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1 MR. STAN GRAVES, MOBILE, ALABAMA:

2 We had asked them to change the format of  
3 this because this kind of format is not conducive to  
4 good conversation with the public. This helps to  
5 control the conversation.

6 In February they had a town hall meeting.  
7 That was very good. That will allow the Corps to  
8 make their presentations and for the public to make  
9 comment.

10 And, in my opinion, we tried to get them  
11 to change the format once this was announced, and  
12 they would not. So it's very frustrating. A lot of  
13 people wrote letters to Colonel Joly to specifically  
14 ask if they would change the format to a town hall.  
15 I have no problems with that.

16 Until the town hall meeting, we were not  
17 advised that the SIBUA -- only 50 percent of it is  
18 left. So that sand never got into the littoral  
19 drift system to nourish the shorelines of Dauphin  
20 Island.

21 In fact, to go back to 1998, they had  
22 somewhere in the neighborhood of probably 9 million  
23 to 14 million cubic yards of sand in the littoral

1 drift system, and that's all related to the corp's  
2 dredging process.

3 One of the biggest concerns that I have is  
4 that Corps has made a decision to only -- and this  
5 was told to us at the meeting on February 22nd --  
6 that the Corps will only evaluate their impact as  
7 the island exists today. So they're not addressing  
8 the past history that goes back to the 1980 EIS  
9 where they did not follow -- did not follow the law,  
10 the 1935 law, which would require them to evaluate  
11 the effects of the dredging on the 10 miles on both  
12 sides of the channel.

13 And that being the case, even though they  
14 say they did, they didn't. There are references in  
15 that report about Dauphin Island, but there's no  
16 study reference -- no study information. So they  
17 should go back. Because an equal process says that  
18 they are to study the change conditions -- past,  
19 present, and future, and they're not doing that.

20 \* \* \* \* \*

21 MR. AVERY BATES, MOBILE, ALABAMA:

22 well, being a commercial fisherman for  
23 most of my life, shrimping and oystering and

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1 crabbing in Mobile Bay -- fishing -- I mean, we have  
2 seen the bay go down. When I was nine years old on  
3 a boat when my Papa was dredging ship channels, we  
4 never saw things like we're seeing today and what we  
5 have seen go away.

6 We are catching snapper at the coal docks,  
7 helping people -- both recreational and commercial  
8 fishermen -- where, when I was a boy, that was  
9 unheard of. The habitat has changed so much by that  
10 saltwater wedge that is coming up the bay. Now,  
11 we're talking good science. It's not false science.

12 Things that we're hearing at this thing,  
13 you see so much false science about no impact.  
14 Tomorrow will be the anniversary of Frederic, the  
15 hurricane. Today was the anniversary of 9/11.

16 Now after Frederic, we oystered and was  
17 and there was nothing left on Cedar Point Reef  
18 because of the wave action and the terrible silting  
19 up. But there was oysters all the way down on the  
20 west side of the bay. When the channel was  
21 originally dug, all of that shell and reef they went  
22 through, piled it on the west side. The reef was in  
23 the bay already, or we wouldn't have got shell when

1 we dug the channel.

2 In other words, nature put them there.  
3 And as they moved them over, they just got more  
4 oysters on West Bay. This is the only place in  
5 about 70 -- anywhere from 60 to 80 commercial  
6 oystermen was able to work. Me, so many others --  
7 my brother-in-law, his two brothers. Everybody had  
8 that spot to work. We worked out of east Fowl  
9 River. Can't work there. Right after that year,  
10 the year after, they started opening the water  
11 disbursement of channel mud, sand, silt. Killed  
12 miles of oysters and covered them up. Parts of even  
13 White House was covered up.

14 All right. We knew the damage that was  
15 done by the silt. The silt moved -- the silt being  
16 with the tide and stuff. And it was the same thing  
17 when Radcliff was allowed -- the silt moved down  
18 the bay, and the tide and the winds carried it for  
19 miles. We started seeing reefs covered up. The  
20 ships coming down the bay carrying massive weights,  
21 almost like small tsunamis. Even the inshore reefs,  
22 we started seeing them coming up -- covered up.

23 When the Corps permitted the pipeline to

1     come on Alabama Port Beach, we noticed it. We  
2     called the conservation. The siltation covered up  
3     anywhere from 75 to 85 percent of King's Bayou and  
4     other small reefs around there. They didn't  
5     properly put the spoil to where the spoil needed to  
6     go.

7             The Corps that permitted them -- I called  
8     up and said, "we have a problem with this corridor  
9     coming on" -- I said, "You're covering up the reefs.  
10    Y'all are letting them cover up the reefs."

11            The fellow on the phone told me -- said,  
12    "You need to get a real job."

13            "Well, I just took it over from my grandpa  
14    and dad and his grandpa. Been there for a lot of  
15    years." In fact, the reefs they dug up and in other  
16    areas they covered up, they were probably here when  
17    the Indians got here. It was the law of nature.

18            The oysters up the bay, when they built  
19    Brookley Field, they dug big holes. They pumped  
20    them out to help make the airport. well, just  
21    recently, just a few years ago, they allowed them to  
22    fill the holes up.

23            well, in that process, I had a number of

1 fishermen called me and said -- let's see. It was  
2 Terry Morales, Lane Morales, Troy Cornelius, Floyd  
3 Nelson, Ernie Shisk, S-H-I-S-K. And all of them was  
4 hollering, "we're finding dead oysters in our nets  
5 where they was alive."

6 So the spoil they put in the holes, they  
7 call it epoxy in the hole. But that hole is the  
8 area the fish got in the freezing cold weather. If  
9 they didn't get in the hole, they died; they froze  
10 to death. So they're saying that the fish was being  
11 smothered by lack of oxygen.

12 And guess what a fish and a crab has on  
13 his back end? He's got something they call fins and  
14 tail. When they see low D.O. -- dissolved oxygen or  
15 hypoxia -- they swim out of it. The oyster can't  
16 move. The clam can't move. How do you say --  
17 that's elementary.

18 The elementary thing is when you don't  
19 recognize what spoil does and high humidity does to  
20 a living reef. It smothers it to death. And any  
21 fish or any spat cannot set on shell because of  
22 silt. Good biology or good science will not put in  
23 the document that they put out there saying there

1 will be no damage. There's been no damage. There's  
2 damage been going on for years.

3           Guess where Gaillard Island was placed?  
4 Hugh McClellan -- I don't know if you know him, but  
5 he was the head environmentalist. He said, "I  
6 needed that foundation of the shell and clamshell --  
7 living reef -- for my rocks." "The rocks" being  
8 Gaillard Island.

9           Nowadays guess who is making home the  
10 ground rocks, in the rocks, and on the spoil? David  
11 Wiggins said he's worked with the FDA. He said,  
12 "Avery, we got a problem."

13           I said, "What?"

14           "11,000 nests -- 22,000 pelicans is on the  
15 island." This six years, seven years ago.

16           Now, if 22,000 pelicans are allowed, they  
17 don't use restrooms. You know that? Pelicans --  
18 they just go and do what they naturally do.

19 Elevated levels of fecal. Too much fecal, it's not  
20 good for the water, not good for the oysters can  
21 live in it. But when it gets too high, you start  
22 seeing D.O. and contamination, "stay out of this  
23 water" and "you can't swim over here."

1           And that being, you killed the reef, you  
2 eliminated -- I mean, you created a massive problem:  
3 merge are multiplying by the thousands every year;  
4 therefore, the poop is multiplying by the thousand  
5 pounds or millions of pounds over the last four or  
6 five years.

7           what do we do when we shallow the bay up?  
8 We put stuff in the bay -- when you have MAWSS --  
9 Mobile Area Water Sewer System -- that effluent that  
10 is coming out of that pipeline mixed with the silty  
11 turbidity -- and saltwater is heavier than  
12 freshwater. If you shallow it up, you don't have  
13 the proper dilution. For every gallon of effluent  
14 it takes 1,000 gallons of water mixed with that --  
15 what they call "dilution is the solution."

16           what happens, when you fill the bay up,  
17 massive amounts -- thousands upon thousands, even  
18 millions of cubic yards of silt. It makes things  
19 like it created on the west side -- dumps. When you  
20 say you're going to fill the old holes up, I'm going  
21 to tell you, you're creating more what you call  
22 stratification of water, water layering, because  
23 you're having less dilution. And most of the water

1 now is being pushed out of the channel by the dump  
2 that is already there. And it's going to be greater  
3 now by the elevated sides on the west side and the  
4 east side. Because they got plans -- both the west  
5 side -- to put dumps and elevate these dumps.

6 You will never have an oyster reef.  
7 Never. Why? You're killing the bottom. You're  
8 killing the resources. A living reef and the  
9 biomass it puts out, all of the shrimp and crabs and  
10 all of the things -- that oxygen -- the water  
11 filtration, it ceases to happen. The flat silty,  
12 muddy bottom does not create oxygen.

13 These living creatures and bivalves -- the  
14 clams, the oysters -- is habitat for critical,  
15 critical seafood. You say it's not too critical for  
16 me; I don't eat oysters. Not too critical for me; I  
17 don't eat crab. But I tell you, I paid for my son  
18 with crabs. And my occupation, I think -- not only  
19 mine -- the seafood I catch, you get to eat when you  
20 go to the restaurant: The fish, the shrimp -- the  
21 tons of stuff that God blessed us with -- the  
22 estuaries, the estuarine waters, the fresh coming  
23 out and into the bay, that habitat is conducive to

1 having great reefs.

2 How come we seen them go away? How come?

3 You say, we've done that already. Well,  
4 fishing on Cedar Point or oystering on Cedar Point,  
5 and the gullies, Big Gully, coming on in -- first  
6 you got Peter Gully, Big Gully, Dutch Gully, and  
7 then you got Pass In Sweet. On the other side, you  
8 have got -- the on the other side of Big Gully,  
9 you've got Grant's Pass. This is -- historically  
10 Fort Powell used to be in that area.

11 But on the other side, you have Redfish  
12 Gully. Then you had Muscle Gully. This is where  
13 what they used to call Peavey Island is on. And  
14 then from there down, you had the sand reef.

15 All of the different ships and stuff  
16 coming down that channel, throwing mountain seas --  
17 I mean mountain seas -- you would holler at your  
18 fellow oystermen, "You get down in the boat," and  
19 they would turn around and see 4- to 6-foot waves  
20 coming at you. Ships going down the channel 17, 16  
21 knots, throwing at sea.

22 Have you ever seen -- you go in a bayou,  
23 and they will have signs "No Wake Area"? They

1 didn't put that on oyster reefs or the ship channel.

2 So what happened?

3 All of them tons and tons of water --

4 remember, each gallon of water weighs 8 pounds.

5 When you have 6- to 8-foot waves coming at you, what

6 about all of that seafood that is along the coast?

7 All of the little juvenile crabs and all of the

8 shrimp?

9 If you're sighting oysters along that

10 beach there at Patty's Shoals and down that beach

11 and towards the cutoff, you don't sight there no

12 more. Because here comes a wave at you that will

13 throw you up in rocks if you're not careful now. It

14 used to be they would throw you up in the grass.

15 But what happens? All of the little

16 creatures that are along that coast, he gets throwed

17 up on dry land or up in the rocks. Some of them

18 don't live through that. why? Can't get back over;

19 until the next ship comes by, and he's dead by then.

20 But you say it's funny. It ain't funny if

21 you're trying to make a living. And if you want to

22 buy a flounder from a fellow that is down that beach

23 trying to catch you a flounder, you don't get to go

1 to the store. That flounder that once was a dollar  
2 a pound is now so few that they're \$5 a pound and  
3 you had to buy him out of China somewhere or  
4 Louisiana.

5 Now, what I once received from my heritage  
6 from my papa was a reef that I could feed my family  
7 on. It was like manna. I know you know what "manna"  
8 is. I could go out and get my limit, come back  
9 home, get a good day's work. And I was kind of  
10 proud of that.

11 My son, he didn't really particularly care  
12 to oyster. But I taught him how to work; so did my  
13 grandfather and my father. Can't do that now.  
14 Reefs are closed. What reefs are left -- very few  
15 reefs are left. Siltation has got worse. Sometimes  
16 you never see any clear water. Why? Why is that?

17 You say, well, turbidity causes nobody  
18 soft-shelling along the beach, nobody floundering at  
19 night along the beach. You can't see the bottom.  
20 Why? Here comes another ship or crew boat that is  
21 115 foot long. There you go. Losing hours and what  
22 you call critical fishing time.

23 But the sad part about it is when you come

1 and see the Corps and they told you over the phone  
2 "I need to get a job."

3 well, I hope and pray, if he eats seafood,  
4 he don't have to eat them Korean oysters or from  
5 China or some other place that don't have an EPA or  
6 Clean Water Act.

7 Guess what statutory law 2222-1 -- well,  
8 number two says, "This defines what pollutes our  
9 water." Guess what's the number one thing on the  
10 statutory law that I just quoted you: Dredge spoil.  
11 why? Dredge spoil can kill a reef for generations.  
12 Forever.

13 They put 10,000 cubic yards on what they  
14 call the Denton Reef not too many years ago. Do you  
15 remember Jeremiah Denton? There's a reef off of  
16 Fowl River named after him. It's 10,000 yards.  
17 Circled with riffraff. Guess how many oysters were  
18 caught on there? None.

19 I sent my brother out there with a dredge  
20 when they opened dredging. He was always against  
21 it. And he said "Try that right in the middle of  
22 what they got" -- and they found no shells. Only  
23 silt and mud.

1                   who benefited?

2                   when you get silt and mud, the fish didn't  
3 benefit. The oysters didn't benefit. The water  
4 wasn't helped to be cleared. The oysters filter  
5 feed roughly 50 gallons of water a day. All of that  
6 is dead. Ships are going to get bigger and get  
7 faster.

8                   Just two weeks ago, I talked to Darrell  
9 Wescovich. He shrimps in the channel. His Buddy,  
10 CAPTAIN SID -- that's the name of the boat -- Sydney  
11 Schwartz -- is dredging in the channel. Here come a  
12 container ship.

13                  He called him up and said, "Captain, would  
14 you slow her down a little bit?"

15                  He said -- this what the container ship  
16 captain said: "I'm not going but 13 knots."

17                  13 knots with a giant ship with a big  
18 bubble on the bow raising the water up? Tearing the  
19 beaches up? Washing the grass beds up? Flipping  
20 over any oysters that might be growing? Smothering  
21 it to death?

22                  Now, you tell me somebody can tell you  
23 there's no -- and they did. They told us in the

1 last meeting. The Corps said, by their scientists,  
2 there will be no impact. Either my eyes are lying,  
3 or somebody has been bought off. Thirty pieces of  
4 silver is not worth generations of good habitat, if  
5 you know what I mean.

6 My grandchildren will never see what my  
7 grandfather showed me. why? we're killing  
8 ourselves by allowing special interests -- I don't  
9 care who it is -- if it's Radcliff, Mobil Oil, or  
10 Standard, or whoever -- does not have the right to  
11 destroy where we navigated all of our lives and  
12 can't navigate now.

13 And to start our commerce that we brought  
14 to Bayou La Batre -- Coden -- Alabama Port, Heron  
15 Bay -- that was commerce where we had at one time 54  
16 oyster shops. And most of them handled Alabama  
17 oysters.

18 Guess what? we had roughly -- at the most  
19 this year in Heron Bay, it only stayed open one  
20 week. There was only 29 sacks caught from the  
21 vessels that went out -- 29.

22 Now, the last day, there was four boats  
23 went out. From hundreds -- I mean, 3-, 400 back in

1 the '60s -- to 4 and finding nothing? well, I  
2 sure hope something changes.

3 I don't want to stop the ships from  
4 running the channel. I don't want to stop anybody  
5 from a job. But I don't think their rights -- the  
6 property that is in this bay -- which is the  
7 bottoms.

8 Law 9-12-20 says all of the river bottoms  
9 and all of the bay bottoms are the property of the  
10 state to be held in trust for the people of the  
11 state.

12 Do you know what a judge said with Sanders  
13 vs. the State of Alabama?

14 Sanders was told, "You are a business and  
15 a trade, commercial fishermen." And, therefore, in  
16 a precedent case, the U.S. Supreme Court, Traux --  
17 T-R-A-U-X -- versus Corrigan -- a business is  
18 considered property. And law 9-12-20, all of the  
19 seafoods are considered property.

20 Now, if the bottom is property and the  
21 seafood within the water is property, and that  
22 property belongs to the people of the state --  
23 because it also states that on page 290 of the

1 Alabama -- Title 9 of the Alabama Code, 1976.

2 Now, if the judge said that your business  
3 or trade -- and guess what? In law 9-12-125, the  
4 only persons that can sell seafood in this state is  
5 licensed commercial fishermen.

6 You say, "Whoa. Wait a minute. All of  
7 the seafood shops has to buy them from the fellow  
8 that gets out there and catches them." If there's  
9 none to catch, there's not to put on the market.

10 Even the recreational fishermen -- There's  
11 no redfish because there's no reefs; there's no  
12 speckled trout because grass beds have been  
13 destroyed -- then the law of nature has been impeded  
14 from doing what it's always done. So is that  
15 lateral movement of the sand coming from east to  
16 west.

17 We saw -- because I shrimp in Pelican  
18 Bay -- years ago, even when Pelican Bay was  
19 opened -- and they actually had a fishing pier on  
20 Dauphin Island. The fishing pier is still there,  
21 but it's filled with dirt under it called sand. And  
22 it goes out west. It's been starved for a good  
23 sand.

1           Twenty million cubic yards are put in the  
2 offshore disposal area, never to meet back, to feed  
3 Dauphin Island.

4           Back when I was shrimping, that cut was  
5 open. And the sand and everything else -- when that  
6 tide was falling to the west, it fed Dauphin Island  
7 with healthy, good, beach-quality sand.

8           When you stopped that littoral movement  
9 and haul it offshore and take it out of the natural  
10 habitat that nature made -- the law of nature -- the  
11 tide rises and falls east to west. When you impede  
12 that, you destroy our only barrier island that is  
13 crucial for seafood and the city of Bayou La Batre  
14 and the estuaries of Grand Bay.

15           And not only that, we used to fish down  
16 there off of Grand Batture and shrimp. Nothing from  
17 Petit Bois across is still there. It's miles of  
18 open water. Now we fill the gulf in Grand Bay. We  
19 fill the gulf right there at the mouth of Bayou La  
20 Batre. What do you mean? Giant swells that you  
21 fill from the gulf -- never filled that 30 years  
22 ago, 40 years ago.

23           What's happening? You starve something

1 like sand movement; you see the barrier islands go  
2 away; you see elevated levels of selenium coming  
3 straight in from the gulf. You impede the feeding  
4 of the bay, Bayou La Batre bayou, Little River, and  
5 all of the other little -- Henderson Bayou -- all of  
6 the other little bayous that comes in these bays --  
7 Fowl River, West Fowl River, Coden Bayou, all of the  
8 little bayous that feed the freshwater into our bays  
9 that make the estuarine system suitable.

10 Now, Dauphin Island is important to me. I  
11 don't want to go lay on the beach. Don't get me  
12 wrong. But I want that beach to stop at 40 plus  
13 part per thousand, 35 parts per thousand of gulf  
14 water that's impeding the oyster reefs by Falk's  
15 oyster drills.

16 The habitat is suitable now for predators  
17 that used to stay out because of the freshwater.  
18 But now the dilution effect of the gulf has made the  
19 gulf in the bay. I don't think that if we keep  
20 letting Alabama lose its barrier island, and not  
21 extend it back like it used to be, it's going to get  
22 any better.

23 The Corps of Engineers can help. So far,

1 projects like this, when they say no mitigation  
2 necessary, no habitat restoration -- let me tell  
3 you. We call it mitigation, don't we? Guess what  
4 the Old Testament called it? If you destroyed  
5 somebody's property, they said "restitution."

6 If you give somebody a permit to destroy  
7 it, it's almost buying a gun and handing it to him  
8 and saying, "Look. I didn't do it. I just give him  
9 the permit." There's a small line between killing  
10 somebody and murdering somebody.

11 "What do you mean?"

12 If you murder somebody, you planned it.  
13 Guess what is going on today. A plan to murder  
14 Mobile Bay.

15 How do I know? I seen it happen time and  
16 time again. Whether it's Kings Bayou Reef or  
17 whether it's the White House Reef or where it's the  
18 reefs up the bay -- I have seen them destroyed by  
19 silt, covered up.

20 And for them to get in here and put it in  
21 writing where "There's no wave action. Only  
22 0.7 feet" -- Lord, help them. Because it ain't good  
23 to lie to somebody. At least I don't think it is.

1 And my business is just supporting -- Bayou La  
2 Batre's commerce is just supporting Mobile. why?

3 When you go to Destin or any other place  
4 in Baldwin County, and they say, "where are y'all  
5 getting your seafood?" They say, "From Bayou La  
6 Batre." why? why Bayou La Batre? It's the seafood  
7 capital of Alabama.

8 And old stinking fishermen like me have to  
9 go out there and catch it for y'all. I love to do  
10 it. I'd love for everybody to do it. Recreational  
11 and commercial. It don't belong to one group. It  
12 belongs to everybody in the state and in the  
13 country. why?

14 well, it ain't the king's deer or fish.  
15 It's the people's. We only are the ones that get  
16 out from and catch it so you can set around and good  
17 table like and enjoy it. And if you let somebody  
18 destroy it, we're the losers. You are the loser.

19 And these congressmen say, "Whoopie, look  
20 what we're going to get done." well, let me tell  
21 you. Congress can make some laws, and they have.  
22 But every one of them stand up there and say, "I  
23 swear to uphold the Constitution of the United

1 States," or "Wait a minute. I don't swear. I  
2 affirm." Okay.

3 Alabama Constitution 279, "I swear to  
4 uphold the Constitution of the United States and the  
5 Constitution of Alabama. The rights of men, Alabama  
6 Constitution -- I like it better for one reason.  
7 Just a few things in there is great. Why?

8 Article 1, Section 1 says, "The rights of  
9 men" -- it says, "We are endowed by our Creator to  
10 have certain inalienable rights; that among these  
11 rights, are life, liberty, and the enjoyment of  
12 life."

13 what about the federal Constitution? It  
14 says basically the same thing in a way. But if the  
15 5th Amendment of the U.S. Constitution says you're  
16 entitled to life, liberty, and property.

17 Now property being seafood, it doesn't  
18 have to be just land, even though Jeff is losing  
19 land all the time on Dauphin Island. But he ain't  
20 the only one losing it. That Alabama Constitution  
21 said, "Any laws that are made in 282 of that Alabama  
22 -- it must shows effect to the U.S. and the Alabama  
23 Constitution."

1           So these people are saying they have got  
2 the right to come in there and put false science --  
3 my goodness -- Magnuson-Stevens Fishery Management  
4 Act -- do you know what it says in part 2?

5           Part two -- and that's Title 301, Title 3  
6 and 301, now, and it states on the 10 national --  
7 number two, it says "you must use the best science."  
8 The science I see here is flawed. It's so -- I'm  
9 going to tell you. I would be ashamed to say I was  
10 a scientist and say there's no damage to deepening  
11 and widening the channel. I would be ashamed to  
12 come in here and tell somebody -- look them straight  
13 in the eye and say, "There will be nothing wrong  
14 with the wake of 0.7 feet," when we seen as high as  
15 8-, 7-, 6-, 4-foot waves, according to what size  
16 ship you want to see and roll you up on the beach  
17 and then say there's no wake over 7 foot.

18           They way they monitored it, I don't blame  
19 it. You have Gaillard Island that said "we put  
20 5/10th of -- north of Gaillard Island. Completely  
21 covered from any ship wake, most of it by Gaillard  
22 Island and the dumps that goes northward on the west  
23 side. Somebody's science is flawed. Observation

1 tells me it's wrong.

2           There's two major things that you always  
3 want to look for. The law of nature and the law of  
4 revelation, if you're a scientist.

5           First of all, the water runs downhill from  
6 the river. It runs out. The law of revelation --  
7 George Crozier one time said -- this is a biologist.  
8 He said, "Avery, we can't find no oysters up the  
9 bay."

10           I said, "Dr. Cro, are you trying on the  
11 bottom?"

12           He said, "Yes." He said, "Our graduate  
13 students can't find no oysters." He said, "we want  
14 to sample them to check and see if there are any  
15 heavy metals."

16           So I said, "Come get on the boat with me."  
17 I said, "I ain't going to show you all the reefs.  
18 I'm just going to show you five of them."

19           And he said, "Everywhere you go, there's  
20 oysters."

21           And I said, "Everything I own, I had to  
22 pay for this bay. I had to know where fish was,  
23 where the oysters was, and where the crab was."

1 Population gets real thick around a living reef --  
2 population of fish, crabs, and especially oysters.

3 George Crozier got to see oysters where  
4 they was. I didn't put them there. The Corps sure  
5 didn't. The law of nature put them there. And he  
6 put them there for everybody.

7 And "The profit of the earth" -- Solomon  
8 said this in Ecclesiastes 5:9 -- "it belongs to all.  
9 Even the king has to eat from his peers." Think  
10 about that.

11 You own them as much as everybody. So  
12 your brother that gets up there and says "And we put  
13 in a proposal on that first-time container ship --  
14 this little association right here, Organized  
15 Seafood Association, put in a proposal when that  
16 first container dock was built for mitigation of  
17 covering up oysters in open Mobile Bay.

18 Guess what? Alabama State Docks said no.  
19 No way. So now we're going to get a big change.  
20 Because what I say and what all of my fellow  
21 fishermen say -- some of them's got so apathetic  
22 about coming to these meetings because they see the  
23 scientists come up with their own idea of who is

1 going to impact what. And if they come to the point  
2 like they have come to, "We are worth more than  
3 y'all."

4 In America, in the 14th Amendment of the  
5 U.S. Constitution, they said every citizen that is  
6 born here naturally is entitled to life, liberty,  
7 and property. But in the last part of that, it  
8 says, "You're entitled to equal protection of the  
9 law."

10 Think about this. Equal protection of the  
11 law should be for me, should be for the Alabama  
12 State Docks. When Mr. Jimmy Lyons has said no to  
13 that proposal the first time, because we handed it  
14 to him, being the head -- you want to hand something  
15 to the people that are supposed to have power, don't  
16 go to the servant. Go to the king that's handing  
17 the bills.

18 And he thought, "No damage." But yet you  
19 hear the fishermen saying different. And they knew  
20 it, because we've had meetings with them at the  
21 Lighthouse Restaurant. All the fishermen got there  
22 across the bay, crabbers, telling them the damage  
23 that they have seen.

1           I ain't got money to buy a scientist off.  
2   I have seen it happen. The State Docks does. The  
3   Corps of Engineers does. If you can put out data --  
4   and we fight what observation and true facts are  
5   just by men saying, "No damage is going to be done,"  
6   and yet there's damage done.

7           I strongly suspect they're going to --  
8   without any change of plans, you will see Mobile Bay  
9   worth almost nothing living up the bay. You will  
10   see people over there in Fairhope saying, "How come  
11   I can't go swimming?" There's had a problem with  
12   the fecal in the water and a problem with D.O.,  
13   dissolved oxygen. We've seen it happen time and  
14   time again. So there's reasons for it.

15           If you fill the bay up on both sides, you  
16   make a channel, you lose all of your freshwater  
17   coming out on top. And then you let a salt wedge  
18   come through the bottom into the delta, changing  
19   fish habitat, letting predators like oysters drills  
20   eat up the costs, the clams. Everything that we  
21   used to never see up the bay, we now see just on  
22   already changed habitat.

23           But you go down as deep as they want to

1 go, you might be catching swordfish and marlin out  
2 there. I'm just joking. But they are already  
3 catching red snapper. Some of my friends, both  
4 recreation and commercial, have seen it.

5 Forty-five years ago, thirty years ago, it  
6 was not happening. Them fish have habitat --  
7 especially salt water. The other fish that we have  
8 come in here need freshwater. They like to have an  
9 estuarine area -- not a gulf.

10 So, buddy, if it's any seafood left out  
11 there in the future, wild caught is the best. why?  
12 It's iron and omega 3. Some of our shrimp, like our  
13 brown shrimp and our -- especially our hoppers --  
14 what we call pink shrimp in Florida -- it's still  
15 good for you. Fish, it's good for you. It helps  
16 clean your veins out.

17 I had a fellow say, "well, I don't eat  
18 menhaden." I said, "Are you on a" -- I was  
19 talking to NOAA at the national marine fish venue  
20 we had. And I looked at the fellow. He was kind of  
21 like me, kind of stout.

22 And I said, "Do you take omega-3?"

23 "Yeah. My doctor has got me on omega-3."

1           And I said, "Guess where that omega-3  
2 comes from?" I said, "That's fish oil." I said I  
3 usually get it fresh out of the bay. But I said,  
4 "You would be surprised how many pogies -- menhaden.  
5 They use that oil for perfume, for omega-3 oil, when  
6 they process it, that you might take it so that your  
7 veins are cleaned for good cholesterol. So don't  
8 say you're not eating pogies, because you might eat  
9 some of his" --

10           Well, we could go on a little further  
11 along. But that Magnuson-Stevens Act, that part 5  
12 of the Magnuson Steven Act says "The value of the  
13 fish does not determine who gets it;" or anything  
14 like snapper, only the recreational fishermen can  
15 catch it.

16           What happens is, when we let somebody have  
17 a monopoly -- I don't care if it's AT&T or State  
18 Docks on navigation -- we should never let somebody  
19 totally have the right to navigate our bays or to  
20 destroy our bays and to impact our little towns and  
21 our little cities because this city is bigger.

22           A lot of little towns produce some good  
23 people and good jobs. We're important too. We may

1 not drive a Mercedes or one of them expensive cars,  
2 but a Ford truck will haul oysters and a Chevrolet  
3 truck will too. And I have hauled a lot of oysters  
4 to shop. Maybe you've gotten to eat some. Maybe  
5 Jimmy got to eat some. But it was fun for me to get  
6 up and go out there and work and catch them. And it  
7 was fun to eat them too.

8 So whatever comes of this could be the  
9 death of the bay. And these so-called scientists  
10 with their science they call good science -- I don't  
11 think so. You earn a good reputation by doing good  
12 science. Bad science ain't good. And you can see  
13 the results of it. So is Dauphin Island seen the  
14 results it and Bayou La Batre and Coden and Heron  
15 Bay and Fowl River.

16 But I want to tell you, Gulf Shores -- not  
17 only Gulf Shores but Orange Beach eat a lot of good  
18 seafood out of those towns. And it's from some  
19 hard-working people on what nature put out there for  
20 them. Just don't lose all of it. Let's don't let  
21 them lose all of it.

22 Let's be good stewards. A good steward is  
23 somebody that likes to be a good farmer. And I

1 think a lot of this was good farmers. But you can't  
2 farm if you haven't got a field. That's a fact.

3 All right. I done said enough.

4 \* \* \* \* \*

5 MR. JOE HUGHEY, MOBILE, ALABAMA:

6 Okay. I was here tonight to talk about  
7 the vessel wave energy study that the Corps did and  
8 the results. And their study shows that there will  
9 be more ships as support grows to 2035. But the  
10 economic executive summary states that, without the  
11 project, there will be more ships. And, in fact, it  
12 doesn't matter that with or without the project  
13 there are more ships, which means more ships waves,  
14 which means more impact to the shoreline. And I  
15 want that to be explained differently in the  
16 environmental impact statement to clarify that,  
17 either way, with or without the project, there are  
18 more ships and more ship waves due to just growth.

19 The other question we had has to do --  
20 let's see -- this is my associate's question: We  
21 want an analysis done on the vessels speed reduction  
22 program, how speed affects the waves, the  
23 relationship. If there could be some analysis done

Comment 300

1 all over the bay -- not just north of Gaillard  
2 Island -- on the fact of the ship waves to the  
3 shoreline, rather than just strictly the north end  
4 of the port where the channel is, where the ships  
5 are going the slowest, but what about further down?  
6 what the is effect of the waves as the ships speed  
7 up? what is the relationship there?

8           And I also was concerned about the -- why  
9 the Corps is making their passing lane at the far  
10 end, or the south end, of the channel. Was there  
11 ever any study done to show where the most efficient  
12 port operation -- the placement of the passing lane  
13 or parking lane to maximize the use of the berths of  
14 the port.

15           Because, as it appears now with one-way  
16 traffic on the larger ships, the ship will leave a  
17 berth and have to travel all the way to the south  
18 end of the channel before it could meet the ship  
19 that is going to replace it in the same berth. And  
20 that is probably a two-hour delay or four-hour  
21 delay. It takes two hours to go down, and then it  
22 has to wait two more hours for the next ship to come  
23 up to that berth. Was there ever any consideration





Comment 301

Name: Herb Wagner Phone: [REDACTED]

Organization: \_\_\_\_\_

Address: 732 Jemison St. 36606

Comment: As a cynic, I see another nail  
being driven into the coffin what  
was once named The Bay of the Holy  
Spirit. We need the Bay for its resources,  
and not as a money machine for a  
few individuals. The cumulative effect  
of "minimum impacts" is the death of us all.

Comment 302

Name: CAROL-ADAMS-DAVIS Phone: \_\_\_\_\_

Organization: Sierra Club

Address: \_\_\_\_\_

Comment: ① Longterm costs of NOT  
doing Best Practices & what  
we're losing from <sup>those</sup> maintenance  
practices. (Move forward)  
\* ② Include public-private relations  
to use all types of dredge material.  
Every aspect should address SLR.

Concerns over ~~how~~ Hoppers  
where  
disposed material

---

~~Corps permits dredging practices~~  
Accountability of consequences  
for other projects that may  
be permitted by the Corps

## Comment 303

**From:** [Rees, Susan I CIV USARMY CESAM \(US\)](#)  
**To:** [Parson, Larry E CIV CESAM CESAD \(US\)](#)  
**Cc:** [Reynolds, Lekesha W CIV \(US\)](#); [Jacobson, Jennifer L CIV USARMY CESAM \(US\)](#)  
**Subject:** FW: [Non-DoD Source] EIS (UNCLASSIFIED)  
**Date:** Tuesday, August 28, 2018 12:15:46 PM

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CLASSIFICATION: UNCLASSIFIED

FYI

-----Original Message-----

From: John Valentine [<mailto:jvalentine@disl.edu>]  
Sent: Tuesday, August 28, 2018 9:32 AM  
To: Rees, Susan I CIV USARMY CESAM (US) <[Susan.I.Rees@usace.army.mil](mailto:Susan.I.Rees@usace.army.mil)>  
Subject: [Non-DoD Source] EIS

Susan,

There are some errors in this paragraph:

Within the project area, SAV is found primarily along the northern shorelines of the bay and throughout the immediate shorelines. These areas are characterized by shoal grass (*Halodule wrightii*), manatee grass (*Cymodocea manatorum*), turtle grass (*Thalassia testudinum*), and widgeon grass (*Ruppia maritima*) (USACE, 2009a).

Based on the maps, manatee grass and turtle grass do not occur in the project area. likely the turtlegrass was actually *Valisneria*. Not sure about the manatee grass.

CLASSIFICATION: UNCLASSIFIED

## Comment 304

**From:** [Rees, Susan I CIV USARMY CESAM \(US\)](#)  
**To:** [Parson, Larry E CIV CESAM CESAD \(US\)](#)  
**Subject:** FW: [Non-DoD Source] (UNCLASSIFIED)  
**Date:** Tuesday, August 28, 2018 12:23:50 PM

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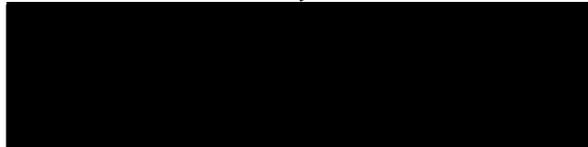
CLASSIFICATION: UNCLASSIFIED

-----Original Message-----

From: John Valentine [<mailto:jvalentine@disl.edu>]  
Sent: Tuesday, August 28, 2018 9:46 AM  
To: Rees, Susan I CIV USARMY CESAM (US) <[Susan.I.Rees@usace.army.mil](mailto:Susan.I.Rees@usace.army.mil)>  
Subject: [Non-DoD Source]

Also note the generic designations for the shrimp have changed, Penaeus is no longer a catch all  
CLASSIFICATION: UNCLASSIFIED

*Stan Graves*



September 14, 2018

U.S. Army Corps of Engineers  
Mobile District  
ATTN: PD-F  
P.O. Box 2288  
Mobile, AL 36628

Re: Mobile Harbor Draft General Reevaluation  
Report/Supplemental Environmental Impact Statement (Draft  
GRR/SEIS)

To: U.S. Army Corps of Engineers, Mobile District:

This letter provides my public comments to the draft GRR/SEIS Widening and Deepening of the Mobile Navigation Channel. The announcement states that the SEIS will define the current environmental conditions and compare them with the environmental effects of any proposed action and its alternatives. The SEIS is then to identify potential consequences and the appropriate mitigation needed to minimize adverse impacts. "Since the Draft GRR/SEIS is the supplement to the original 1980 EIS, the Draft SEIS must address past, present and future impacts of the widening and deepening of the Mobile Ship Channel, which is related to the historical dredging and removal of sand from the littoral system and would be according to Corps policy and NEPA guidelines. The proposed Tentatively Selected Plan (TSP) **does not** address past, present and future impacts; it does leave Dauphin Island in a vulnerable and weakened state.

Dauphin Island dodged survived without excessive damage Hurricane Nate in 2017 and recently with Hurricane Gordon. Dauphin Island may not be so lucky the next time and may not be able to survive a Hurricane like Florence that is now striking North Carolina.

The Draft GRR/SEIS does not fully comply with §1508.25 of CEQ's NEPA Regulations because of the Corps' practice of "segmenting" Mobile Harbor Projects by preparing multiple separate NEPA documents. The Mobile District has decided to not include the SIBUA as part of the EIS, thus not looking at the totality of the project. These are not separate components and they should all be included of the GRR/SEIS. A Master Plan should be developed by the Corps of Engineers and the associated Environmental Impact Statement should identify all work required to expand and maintain Mobile Harbor, including the SIBUA for at least the next 20 years. Such a plan should include all existing, recommended, and proposed future disposal sites so the complete impact of the Mobile Harbor project is disclosed to the public as required by NEPA.

I attended the Corps Public Hearing on September 11<sup>th</sup> and after conversations with several Corps representatives, I am not convinced that the proposed SIBUA expansion will work. David Newell said that the depths of the extended SIBUA will be in waters 15 – 27 ft. deep. Other studies have said the depths should be less than 15 ft. to get sand to move into the littoral system. What this means to me is that sand will still accumulate and not move by wave action into the littoral sand system, therefore we will continue to have the same erosion problems. Also, my wife, Caroline, asked David if the Corps would sign a document that says they will deposit the sand where they say that they will and if it does not work to look for other areas closer to the Island and in more shallow waters. There was no agreement to do this. If the Corps does not agree then how can we, the public, know that the Mobile District will do as they say. The Mobile District has not kept promises in the past. A credible agreement from the Mobile District is required so that the past does not happen again.

Just to re-state the past: The first SIBUA started in 1999 and sand accumulated so much that in 2009 the SIBUA was extended southward. Now it is 2018 and the southward extension has accumulated (note at the Feb 22<sup>nd</sup> town hall meeting, the Mobile District admitted that only 50% of the sand moves out of the SIBUA and into the littoral sand system) and the Corps is now proposing a Northwest extension of the SIBUA. We may not be any better off. We still have the problem of the historical sand loss since 1980 that needs to be replaced, and the Mobile District refuses to address this issue stating the Mobile District will only address the incremental impact to Dauphin Island as it exists today, even though the present draft GRR/SEIS is a supplement to the 1980 EIS when the Mobile District did not address the erosion on Dauphin Island. This is a failure of the Mobile District to follow Corps policy, NEPA guidelines and the 1935 Federal Law. As indicated in a May 30, 1997 Corps memorandum (enclosed) the Mobile District has the authority to consider alternatives.

In addition to the above, I believe the Corps is not following 40 CFR 1502.9 - Draft, final, and supplemental statements and that The Draft Statement is inadequate as has been presented above. The policy states when it (a) .... is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion. The agency shall make every effort to disclose and discuss at appropriate points in the draft statement all major points of view on the environmental impacts of the alternatives including the proposed action.

Key to the above is the need to address the deficiency for the 1980 EIS and for the Mobile District to address the past historical loss of sand due to maintenance dredging, as well as truly locating the depositing of the dredged sands in an appropriate deposit location that is closer to Dauphin Island and more shallow waters of less than 15 feet of depth.

During several face-to-face meetings with the Mobile District, including with Colonel DeLapp, we have continually brought to the attention of the Mobile District that the original 1980 report/EIS completely ignored Dauphin Island's erosion problem and continues to do so. The GRR/SEIS is supposed to update the original 1980 report/EIS by analyzing changed conditions. Since the 1980 report (to 2009) there has been a tremendous amount of erosion of the Sand/Pelican Island complex and Dauphin Island, and approximately 25 million cubic yards of sand have been deposited into the Ocean DA and SIBUA and 20 million cy of that total has been removed the sand from the littoral system. This would represent a significant "changed condition" in not only the Study Area, but also the immediate Project Area since the Sand Island Beneficial Use Area (SIBUA) is the Corps' only designated disposal area to maintain the Bar Channel and is intended to bypass littoral drift sands to the west side of the channel to nourish Dauphin Island. Despite numerous public inquiries during the planning process, the Corps has never explained its refusal to address the enormous amount of erosion that has occurred to these islands. Instead, the Corps has chosen to ignore the 38 years of past shoreline erosion impacts that have produced today's significantly weakened Dauphin Island. The GRR/SEIS MUST address the 38 years of erosion that has occurred since 1980. I believe this proves without a doubt that the Corps' entire Study Process for the Mobile Harbor General Reevaluation Report (GRR) means the Corps, Mobile District, has already settled on how they planned to conduct the Study and what issues/concerns would be addressed and the resolutions to be reached. This would be regardless of the public's comments and correspondence the Mobile District has received over the past two years.

The 2009 Settlement Agreement that ended the Dauphin Island POA erosion lawsuit required the Corps to begin disposing of dredged sands in the Sand Island Beneficial Use Area (SIBUA). However, the Corps knew even as early as 2009 that sands were accumulating in the SIBUA instead of moving toward Dauphin Island as promised. Until the Corps can provide substantive proof the proposed SIBUA expansion will allow most of the placed sands to return to the littoral drift system to nourish Dauphin Island, the Corps would be violating the spirit and intent of the terms of the Settlement Agreement. Thus, one or more of the 1,700 Class members may be within their rights to challenge the Corps in court for failing to comply with the terms of the 2009 Lawsuit Settlement Agreement since the Corps failed to disclose to the Class that it knew in advance about the sand accumulation problem in the SIBUA.

As was recently stated at the Town Hall meeting, it is evident that the public does not accept the results of the Corps numerical modeling study results that allege maintenance of the Bar Channel does not contribute to the erosion of Dauphin Island. The rejection is based on the clear fact the model results do not match with the actual observed shoreline losses that have occurred since the early 1970s. The Corps admitted at the February 22, 2018 public meeting that the use of the Sand Island Beneficial Use Area (SIBUA) was preventing at least half of the sands that would naturally have been carried to Dauphin Island from reaching the island. In addition, Corps dredging records indicate that as much as 81% of the sands dredged from the Bar Channel since 1980-2009 have been lost from the nearshore littoral drift system because of the Corps practice of disposing of the valuable beach sands in deeper Gulf waters and SIBUA. These facts indicate the loss of millions of cubic yards of valuable beach quality sands due to unwise channel disposal practices has and continues to adversely affected Dauphin Island.

It is apparent, that the Public Scoping effort, the Public Open House meeting and the Town Hall meeting for the GRR/SEIS have been conducted without the Mobile District truly considering the public's concerns in defining how the Study would be conducted. Therefore, the Corps has committed a significant procedural error since it appears the Corps has already determined what would be (and would not be) investigated in the Study. In short, the Corps has ignored the public's concerns altogether and, in doing so contributed to potentially biasing the potential future outcome of the Study. This is exactly as we suspected the Mobile District would do.

In a July 16 e-mail to Caroline Graves Colonel Joly stated "...certainly understand the importance of learning from history and **fully expect** the team to provide [in the General Reevaluation Report (GRR) and accompanying Supplemental Environmental Impact Statement (SEIS)] **a cumulative impact analysis of past efforts and studies**". While Colonel Joly's stated expectation is consistent with the provisions of the Corps' procedural regulations governing the preparation of GRR reports and the Council on Environmental Quality's Guidelines for complying with the National Environmental Policy Act (NEPA), his stated expectation is totally inconsistent with what the Mobile District staff has told the public. The Mobile District on numerous occasions have stated the GRR and SEIS would only study the incremental impact of the dredging of the Outer Bar channel as Dauphin Island exists today and that is in a weakened state caused by years and years maintenance dredging and a loss of over 20 million cubic yards of sand from the littoral sand system that feeds Dauphin Island and the barrier islands in Mississippi. See enclosed Mobile Harbor Outer Bar Channel Dredging History (1980-2016).

Chapter 4, ¶4-1.b.(1) of ER 1105-2-100 (dated 2 Apr 2000) that deals with the preparation of GRRs requires a previously completed study to be reanalyzed "**due to changed conditions**" in the Study Area and the previous plan to be modified if appropriate. This Corps planning requirement is consistent with Colonel Joly's stated expectations expressed in his July 16 e-mail to Mrs. Graves. However, it is in direct conflict with what his staff has consistently told the public the GRR would not address. In the intervening 38 years since the original feasibility report recommending the Mobile Harbor channel be deepened and widened was submitted to Congress in 1980, Dauphin Island has experienced significant erosion. Yet, the Mobile staff has repeatedly told the public that the GRR will ignore the island's historic erosion issue and will instead **only** analyze the effects of the channel enlargement on conditions as they exist today. The Mobile District's position is not only at odds with Colonel Joly's stated expectations, that position also does not comply with the Corps' planning regulations as identified above. Thus far, the Mobile District has failed to provide a trustworthy explanation as to why the GRR will not include an analysis of the historic erosion problem that certainly represents a major change in the conditions of the Study Area that has occurred since the 1980 report was prepared. One statement the Mobile District continues to make is that they don't have the authority to consider other alternatives. This is a false position. The Mobile District received approval from its higher authority in Atlanta in a May 30, 1997 Memorandum for Commander, South Atlantic Division (enclosed with this response).

It is important to understand the connection between Dauphin Island's erosion problem and the maintenance of the Mobile Harbor Outer Bar Channel. Maintenance dredging of the Outer Bar Channel captures essentially all the littoral drift sand moving west from the Fort Morgan peninsula according to internal Corps memoranda obtained through the Freedom of Information Act process. During the 38 years that have passed since the 1980 report was

completed, the western lobe of the Mobile Pass Ebb Tidal Delta Shoal has experienced significant erosion as evidenced by the steady disappearance of the Sand Island-Pelican Island Complex beginning in the early 1970s. The ongoing loss of the ebb tidal delta shoal is contributing to the erosion of Dauphin Island's Gulf shoreline, as well as to the steady loss of overall topographic relief of the island's West End.

To counter the erosion, which is attributed to the Corps' Outer Bar Channel maintenance practices in the above-mentioned reports, the Corps in 1999 began using the so-called Sand Island Beneficial Use Area (SIBUA) which the Corps continuously alleged would return the average annual quantity of 500,000 cubic yards of dredged beach quality sands to the natural littoral drift system. That has not occurred as evidenced by the continued erosion of the ebb tidal delta shoal and Dauphin Island's shoreline. That fact was substantiated by Justin McDonald, a Corps of Engineers, Mobile District expert, at the February 22, 2018 public town hall meeting when he acknowledged that half of the dredged sands placed in the SIBUA are accumulating in the SIBUA and not returning to the littoral drift system to nourish Dauphin Island's eroding Gulf shoreline. Based on Corps dredging records, since 1998 to 2009, a total of 9.6 million cubic yards have been placed in the SIBUA. That means since 1998, the Corps' channel maintenance program has robbed Dauphin Island of over 4.8 million cubic yards of sand that would have been delivered to the island by natural processes if not for the Corps' dredging operations.

Also, of importance, between 1980 and 1998 before use of the SIBUA began, the Corps dumped an additional 15 million cubic yards of beach quality sands in the deep waters of the offshore Mobile Ocean Dredged Material Disposal Site where those valuable and irreplaceable beach quality sands have been permanently lost from the nearshore littoral drift system. In summary, since 1980 the Corps channel maintenance practices have significantly contributed to starving Dauphin Island of over 20 million cubic yards of sand. Yet the Mobile District staff refuses to consider this significant historic impact in the GRR, a valuable resource never to be recovered, a loss that will increase in the future if the channel is enlarged.

#### **THE TENTATIVELY SELECTED PLAN (TSP):**

The draft SEIS states that the Mobile Harbor maintenance dredging has "no expected erosion or changes to the shorelines resulting from implementation of the TSP. The evaluations supposedly considered the probable effects on shoreline changes within 10 miles east and west of the channel and specifically the effect to Dauphin Island's shoreline." In addition, the document states: "This feasibility study includes: (1) survey of existing and future conditions; (2) evaluation of related problems and opportunities; (3) development of potential alternatives; (4) evaluation of alternatives; (5) comparison of costs, benefits, adverse impacts, environmental acceptability, and feasibility of those alternatives; and, (6) identification of a Tentatively Selected Plan (TSP). What this SEIS does not include or consider is the 1980 EIS that did not address the erosion of Dauphin Island (the study had only 20+ references to Dauphin Island and none about erosion) and therefore did not follow the 1935 Federal law about the effects dredging of the Mobile ship channel on the shoreline on 10 miles of both sides of the Channel. That means Federal Law, NEPA guidelines and Corps policy were not followed. The TSP must address the changes that have taken place since 1980 and deal with the historical sand loss that has occurred since that time. Per the Corps Mobile Bay Dredging History, the amount sand dredged from the channel that needs to be addressed is 20+ million cy that were deposited in the ODMDS and the SIBUA.

The statement "survey of existing and future conditions is unfortunately consistent with the statements made by Justin McDonald in meetings with the Mobile District that the Mobile Harbor Widening and Deepening project will only consider the incremental impact of the maintenance dredging on the Island as it exists today, and also with what David Newell, stated at the February 22nd Town Hall meeting in answer to the question David stated:

"...are we going to consider the sand that was taken away since 1980? So in 1999, we began to use the State of Alabama Use Area. So in 1986, authorization was required to be – for material to be taken offshore and deposited in ODMDS. Due to the 1999 use of SIBUA, **that was sand that was lost and** – in fact, if this study going to consider that sand loss and the effect of that lost on Dauphin Island? And the answer is it will not. The study, what it does—what it will do is look at the existing conditions of the

harbor, the width and depth currently, and we will assess from that existing conditions moving forward from today.”

The statements by Justin McDonald and David Newell and the Mobile District in general verifies the true intention of the Corps of Engineers that they disregard the NEPA Guidelines and Corps policy, and the District is also disregarding Dr. Susan Rees statements at the September 2009 Fairness hearing when she stated “ Today, the through-port and the port is vastly different from what it was in the late '80s, so there's **different economics** obviously, the cost of dredging and the placement of dredge material has changed significantly and the environment has changed. **And so we would have to take into consideration all of those aspects in preparing that general re-evaluation report.** And as far as the environmental compliance goes, because of the age of the original EIS we would have to do a supplement to that EIS.”

**Fairness Hearing:** Dr. Rees also stated at the Fairness Hearing after being asked the following question by the government attorney:

**Q. You mentioned that an environmental impact statement would be issued if there was any expansion over the current -- currently maintained dredging depths and width.** Would that environmental impact statement examine the impact on Dauphin Island of any expansion?

A. It would definitely examine the impacts to the coastal processes of the entire region, not just Dauphin Island.

Q. But including Dauphin Island?

A. Definitely.

**Note:** The Court Recorder’s transcription for Dr. Susan Rees, Corps of Engineers, concerning the above statements is enclosed.

**At the Mobile District’s February 22<sup>nd</sup> Town Hall meeting** I asked Colonel DeLapp the following questions:

**AN AUDIENCE MEMBER (See Mobile District’s Transcription of the meeting):** “I’m Stan Graves. And I’m kind of representing the west end property owners of Dauphin Island.... So, if we evaluate based upon existing conditions, property that is under water today will remain under water. Property that is sitting on people’s shoreline, right up to their pylons will exist today and tomorrow, as David states.

“I want to carry us back to the fairness hearing and the statement that Dr. Susan Rees said when she testified at that hearing, under oath, and on behalf of the Corps as their expert witness. This was September 15, 2009. To settle the Dauphin Island Property Owners Association lawsuit -- that was the purpose of that hearing. During her sworn testimony, Dr. Rees stated that "A supplement to the original environmental impact statement would have to be conducted if there was any expansion to the ship channel." She said, "A general re-evaluation report would have to consider whether conditions in the study area had changed since the 1980s survey report was completed," and that's going back, which has been mentioned earlier. She also stated that "The GRR would definitely examine the impacts of expanding the channel to the coastal processes of Dauphin Island." My question is -- and there's a second part to it -- since Dauphin Island shoreline has continued to erode over the years after the 1980 survey report was completed, was Dr. Rees's testimony at the 2009 fairness hearing factually correct that a GRR/EIS is required to address changed conditions, or did she incorrectly state that? And in fact, her statement was not true, that the -- that the Corps is required to address the changed conditions. If Dr. Rees's testimony was correct, why is the GRR/EIS study ignoring the increased erosion of Dauphin Island shorelines that have occurred since that period of time?

Secondly, NEPA guidelines are involved and are in play, and it requires that the Corps document the impact of the maintenance dredging to ensure that environmental issues are considered and to also provide Congress as receiving recommendations with a sound basis for evaluating the environmental aspects of the Mobile Harbor. In fact, the 11th Circuit summarized the duty to supplement an EIS as follows: "If, after the original EIS is prepared, the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or, if there are significant new circumstances or information relevant to an

environmental concern bearing on that proposed action as its impact, will the Mobile Harbor follow the NEPA guidelines and address the changed conditions and prepare supplemental EIS back to 1980? So those are the two questions. And I will be happy to leave this for you so that you can answer it.”

**COL. DeLAPP's reply** to my questions about Susan Rees statements at the Fairness Hearing: “That would be appreciated. I mean, that's a lot. I was trying to take a couple of notes. But if you don't mind, I will probably follow up with you and answer specifically on that. I need to go back and look and see, you know, what her testimony was and what – and the like.”

I have not received a response from Colonel DeLapp NEVER to my questions that I asked of him at the Town Hall meeting on February 22<sup>nd</sup>. I am therefore requesting the Mobile Harbor Widening and Deepening project team to provide and answer to my questions and to my questions to Colonel DeLapp about the statements that Dr. Susan Rees made at the 2009 Fairness Hearing. I am specifically asking that that the project team acknowledge whether or not Susan Rees statements are true or not.

**Note:** A copy of the Transcript of the February 22<sup>nd</sup> Town Hall meeting and a copy of the transcript for Susan Rees testimony at the Fairness Hearing is enclosed.

**Colonel Sebastien Joly US Army Corps of Engineers, Commanding Officer, Mobile District:** Colonel Joly in a July 18, 2018 e-mail commented to Mrs. Caroline Graves that he “fully expects the team to provide a cumulative impact analysis of past efforts and studies. (emphasis added)” Based upon the draft report, the Mobile District is not fulfilling Colonel Joly's expectation/order. The Mobile District needs to provide a response why it is not following a duly authorized order/ or is it a command from the Commanding General. See e-mail below:

**Note: Copy of Colonel Joly's e-mail to Mrs. Graves is enclosed**

**REGIONAL SEDIMENT MANAGEMENT Program:** The Regional Sediment Plan was not included in the Draft GRR/SEIS. Dauphin Island was an important component of the Regional Sediment Management Plan but was removed from the program for unknown reasons. It is expected that Dauphin Island was placed in a “black box” and removed from the plan as a result of the Corps of Engineers Lawsuit. From the RSMP website of November 17, 2003 it stated: “Currently the Mobile District and the Department of Justice (DOJ) have drawn a “black box” from the West end of Dauphin Island, north to the Mississippi Sound, east back to the ship channel, from which no information can or will be released. Sorry for the inconvenience.”

As a result, such planning as indicated in the below meeting notes of a December 7, 2000 meeting Dauphin Island has been null and void since Dauphin Island is no longer a participant of this program. Dauphin Island should be allowed to participate again and if the RSM is not active, it should be re-instituted.

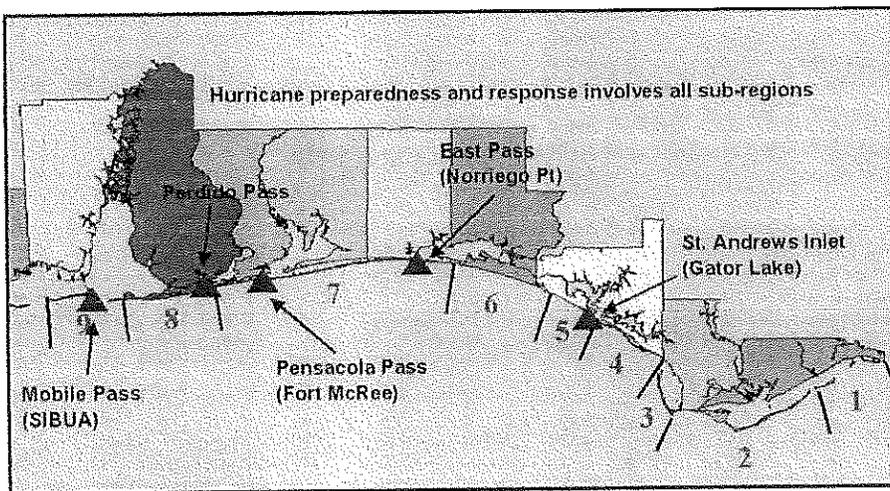
At this meeting of the National Regional Sediment Management Demonstration Program, the **POCs in attendance were:** Susan Rees CESAM-PD-EC, Larry Parson CESAM-PD-EC and Linda Lillycrop CESAM-EN-HH

**PROGRAM GOALS:** The goal of the Northern Mexico Regional Sediment Management Demonstration Program is to change the paradigm of project specific management focusing on a regional approach in which the US Army Corps of Engineers (USACE) in cooperation with other levels of government would stop managing projects and begin "managing the sand." The objectives of the demonstration program are:

**DESCRIPTION OF REGION:** The RSM the demonstration area established to represent the Northern Gulf of Mexico region (Figure 1) encompasses approximately 245-miles of coastal shoreline along the northern Gulf of Mexico bounded to the east by the Mobile District boundary at St. Marks River in the Florida panhandle and to the west by the western end of Dauphin Island in Alabama....

A main focus toward implementing the RSM goals and objectives is to identify and prioritize those projects and associated issues that can be addressed in a timely manner. In doing so, many of the primary issues and concerns can be quickly solved allowing for a rapid realization of regional management benefits

A main focus toward implementing the RSM goals and objectives is to identify and prioritize those projects and associated issues that can be addressed in a timely manner. In doing so, many of the primary issues and concerns can be quickly solved allowing for a rapid realization of regional management benefits. The experience gained from these initiatives can then be extended to other projects throughout the region and so on. Listed below with their locations illustrated in Figure 1 are six primary initiatives that have been identified by the TWG:



Mobile Pass (Sand Island Beneficial Use Area) - In the past O&M requirements and logistics dictated placement of dredged material from the Mobile Pass navigation bar channel outside the limits of littoral processes. Disposal of the material in such locations removes it from the local littoral system. Keeping the dredged material in the littoral zone requires placement in a location where natural processes are able to move the material to the adjacent downdrift shorelines. However, the Bay entrance channel, ebb tidal shoal (bar), adjacent shorelines, and all other components are all part of a large complex system that has potential impacts to the evolution of Sand Island and the eastern end of Dauphin Island. Of particular interest is to determine how sediment moves around the ebb shoal and affects the adjacent barrier islands and navigation channel shoaling. Understanding of this process is incomplete. Alternative placement of dredged material from the bar channel requires investigation and monitoring to determine optimum placement for the return to the littoral system.

**STATUS:** The Northern Gulf of Mexico RSM program is entering into its second year. Three Technical Working Group meetings were held to provide program, direction. Two CERB briefings were also given to inform the board of program status and obtain additional direction. Numerous other accomplishments have been achieved including a historical data search; a regional baseline consisting of hydrographic and topographic data, beach profile data, and aerial photography; development of regional Geographic Information System (GIS) by the Mobile District Spatia Data Branch to manage all of the data and information; initiation of a regional sediment budget to determine regional sediment migration and pathways; sub-regional workshops to inform and solicit involvement of local interests; and submittal of a proposal to investigate the benefits of using 1KONOS digital satellite imagery as a regional data collection tool. Also underway is the identification of economic and environmental benefits as a result of regional sediment management.

**Note: Removing Dauphin Island from the RSM was an inappropriate action on behalf of the Mobile District, Dauphin Island should be reinstated and if the RSM is not active, it should be reinstated.**

Several points show that there are effects to Dauphin Island's shoreline that is caused by the maintenance dredging of the Mobile Navigation Channel:

**SIBUA: FAILURE FOR DREDGED SANDS TO EFFECTIVELY MOVE INTO THE LITTORAL SAND SYSTEM:**

- The Corps of Engineers has NOT provided adequate and qualified facts that the proposed Sand Island Beneficial Use Area (SIBUA) expansion to the northwest will be beneficial to Dauphin Island, but in fact **THE PUBLIC BELIEVES IT will** produce the same results that Justin McDonald, a Corps of Engineers expert, stated at the February 22, 2018 Town Hall meeting admitted for the first time that 50% of the sands dredged from the Outer Bar Channel and placed in the so-called Sand Island Beneficial Use Area (SIBUA) remains within the SIBUA site instead of being moved by currents to Dauphin Island as the Corps, Mobile District, has claimed occurred for the last two decades. Thus, half of all sands dredged and deposited in the SIBUA since 1999 have been effectively removed from the natural littoral drift system. That means, since 1999 to 2009, around 4.8 million cubic yards of naturally provided sands have been prevented from reaching and nourishing Dauphin Island's shoreline. That represents a significant cumulative loss of beach quality sands, which is contributing to the sand-starved nature of Dauphin Island and its observed erosion – **an impact that is made worse each time the Outer Bar Channel is dredged.**

This does not include the dredged sands that were historically dumped into the open Gulf prior to 1999 when the Corps began use of the SIBUA. Since the Corps 1980 EIS was released, there has been over 20 million cubic removed from the littoral system (See enclosed summary). Despite the Corps' acknowledgement that the Mobile Harbor widening, and deepening of the Mobile Navigation channel has created a sand deficit, the Corps has continued to state that there is no impact to Dauphin Island shorelines, and has not stated what it will do to mitigate the erosion problem. The Mobile District must take appropriate action to mitigate the erosion of Dauphin Island's shorelines as required of the NEPA process and the Corps policy guidelines. As a requirement since this GRR/SEIS, which is a supplement of the original 1980 the Mobile District the Corps is mandated and obligated to study the past, present and future impact of the shoreline.

- Based on the Corps' admission that the so-called SIBUA is failing to meet its intended purpose which is contributing to the erosion of Dauphin Island, the Corps must include in the Mobile Harbor GRR an appropriate mitigation plan to compensate for at least 4.8 million cubic yards of beach quality sands that, since 1999 to 2009, have been removed from the littoral drift system, representing a direct project impact that has significantly contributed to the erosion of both Sand and Dauphin Islands. Further, the Corps' admission also gives credence to the 1978 Corps report that first concluded maintenance of the Outer Bar Channel contributed to Dauphin Island's erosion. The Corps has consistently refused to address in the GRR Study the effects of the cumulative removal of around 20 million cubic yards of sand from the littoral drift system that has occurred since 1980 to 2009 due to maintenance of the Outer Bar Channel. In view of its February 22 admission, and the depositing of dredged sand to the Open Gulf and the accumulation of sand in the SIBUA, the Corps has no credible reason to continue advocating its present position and should begin immediately to develop appropriate mitigation remedies that should be addressed in the Draft GRR to respond to this now acknowledged significant "changed condition" in the Study Area.
- Since 1999, when the Corps started to place the dredged sand in the SIBUA, the Corps has produced no scientific studies or monitoring systems to support its long-held contention that the sand placed in the SIBUA reenters the littoral drift system to nourish DI. The Corps has continued to make statements and promises about the beneficial functioning of the existing SIBUA, but actual events indicate this is not

occurring since DI is continuing to erode at unprecedented rates and the deposited sand has accumulated to the point that it was necessary to extend the boundary of the SIBUA first in 2008 south and southwest to provide sufficient depth for the hopper dredges to continue to operate and now the Mobile District wants to deposit the dredged sand in an extension of the present SIBUA north and west. Again, this is because the deposited sand has accumulated in the SIBUA and is not re-entering the littoral system.

**1980 ENVIRONMENTAL IMPACT STATEMENT:** The GRR/SEIS Study must correct the flawed 1980 report. The Corps' 1980 EIS neither investigated the influence of maintaining the Outer Bar Channel (at the dimensions that existed at that time) on the erosion of Dauphin Island, nor the potential of the recommended channel enlargement to further influence erosion of the island.

Under separate authority, a Corps report was completed in 1978 addressing the Dauphin Island beach erosion problem. The 1978 report concluded maintenance of the Mobile Harbor Outer Bar channel contributed significantly to the island's erosion problem. That report stated that "...since deepening the bar channel in 1966, maintenance dredging of the channel has resulted in the removal of about 264,000 cubic yards of per year (cy/y)..." of sands that are permanently lost from the littoral drift system instead of being transported to Dauphin Island. The report estimated that the annual loss of this volume of sands due to maintenance of the Outer Bar Channel could have been responsible for the recession of about 119 feet of the island's shoreline since 1939. Further, "...considering maintenance dredging since 1966, the average loss of shoreline width per year attributable to maintenance dredging of the outer bar would be about 4.6 feet per year." Based on these erosion loss rates, the report "...surmised that the removal of 264,000 cy of material per year from the outer bar *has a significant effect on the shoreline of the western part of Dauphin Island* [emphasis added]".

Although the 1980 report recommended the Outer Bar Channel be enlarged, it failed to acknowledge the existence of the 1978 report; it failed to consider the 1978 report's conclusions that maintenance of the channel was contributing to the loss of sand from the littoral drift system and the erosion of Dauphin Island; and it failed to investigate the potential effects that an enlarged channel could have on the island's erosion problem. Since these two reports were separated by only two years, it is disconcerting that the 1980 report did not investigate the 1978 identified connection between maintenance of the then dimensions of the Outer Bar Channel and Dauphin Island's erosion problem, and how deepening and widening the channel could further influence erosion of the island. Since that flaw in the 1980 report has never been corrected, that deficiency must be corrected in the present Mobile Harbor Widening and Deepening Project Study (GRR/SEIS). Failure to address this issue will have disastrous consequences for Dauphin Island and the protection that Dauphin Island, as Alabama's only barrier island, provides for important habitat in the Mississippi Sound and the protection it provides for Mobile County and acts as the lead island in the Alabama Mississippi barrier island chain.

The 1978 report contained letters dated July 9 and 21, 1975 in which the Mobile District Commander made the following commitment for the 1980 report:

***"The prospect for satisfactorily alleviating erosion problems on Dauphin Island by depositing the sandy material dredged from the Mobile Bay entrance channel upon the Gulf shoreline of the island appears promising and will be pursued* [emphasis added]. The viability of depositing future "new work" material dredged from the ship channel within Mobile Bay upon the western shoreline cannot be determined without estuarian [sic] and other environmental impact studies but is considered meritorious of further consideration. *Under the above concepts the eroding shorelines would be nourished by the dredged material primarily as disposal areas in support of the maintenance and modification of the Mobile Harbor navigation project* [emphasis added]. This plan would preserve any accreted land as the property of adjoining land owners and limit local costs resulting from the accreted land, to the amount required for necessary stabilization and a portion of the cost allocated to land enhancement. *Therefore, the options for nourishment of the eroding shorelines with material dredged from the ship channel would be more***

*appropriately considered under our ongoing study of navigation modifications for Mobile Harbor*  
[emphasis added] rather than under the study for beach erosion control and hurricane protection

As demonstrated in the following excerpt from the Mobile County Commission's October 1, 1975 response, the Corps' commitment planted the expectation that Dauphin Island's erosion problem would be addressed in the 1980 report:

"We also feel your consideration of the deposition of the dredged material from the ship channel along the eroding shorelines is definitely a necessary part of the survey study for modifications of the existing Federal project for Mobile Harbor"

Despite the Corps commitment and the resulting public expectation, the 1980 report did not investigate the Dauphin Island erosion issue. A total of 1,136 pages comprise the pdf copy of the 1980 report package. A word search of the entire document for "Dauphin Island" revealed those two words occur in tandem at only 55 locations throughout the total report. Examination of the 55 occurrences reveal 46 of the locations have nothing to do with the erosion issue. That means in the entire 1,136-page 1980 report, the Dauphin Island erosion problem is "mentioned" only 9 times. After considering the entire context of the brief discussions at each of those 9 locations, it is incontrovertible that the 9 locations merely "recognized" the existence of the Dauphin Island erosion problem and that an adequate in-depth "investigation" of the erosion problem was not conducted. The failure of the 1980 report to not address the highly pertinent conclusions on the erosion issue contained in the 1978 report represents a total lack of reasonable diligence and undermines the overall integrity of the 1980 report and a failure to follow appropriate NEPA guidelines.

The 1980 report is also flawed in that it did not comply with specific agency mandated study requirements. Paragraph 3-2b(1) of ER1105-2-100 requires:

"...pursuant to Section 5 of the River and Harbor Act of 1935, each investigation on navigation improvements potentially affecting adjacent shoreline will include analysis of the probable effects on shoreline configurations. A distance of not less than ten miles along the shore on either side of the improvement should be analyzed."

That distance requirement is also stressed in paragraph 5-3d in the Corps' EM 1110-2-1613 entitled "Hydraulic Design of Deep Draft Navigation Projects":

"...The planner/designer is required to study and develop predictions of erosion and accretion for a distance of 10 miles on either side of an entrance channel improvement project."

These two Corps regulations clearly require the effects of enlarging the Mobile Harbor project on shorelines *shall* be investigated for 10 miles on either side of the Mobile Pass Inlet. The 10-mile design requirement has its roots in Section 5 of the Rivers and Harbors Act of 1935, as well as the universally observed fact that engineering works (including dredged navigation channels) in ocean inlets typically interrupt natural littoral drift processes, causing erosion and/or accretion of the adjacent shorelines. The 10-mile requirement was in effect at the time the 1980 report was prepared. However, the 1980 report failed entirely to investigate the potential effects of the recommended channel enlargement on the adjacent shorelines on either side of Mobile Pass, including Dauphin Island, of the channel, as pointed out in many of the recent Public Scoping comments<sup>5/</sup>. The Study must correct that outstanding deficiency by including an investigation of the effects of maintaining the Outer Bar Channel on the erosion of Dauphin Island for both the "without project" (i.e. "No Action") and "with project" alternatives.

The Corps states in the Draft GRR evaluations that they have considered the probable effects on shoreline changes within 10 miles east and west of the channel and its effect on Dauphin Island. This would be an untrue evaluation because of the stated position of the Mobile district: In meetings with the Mobile District that I and others attended Justin McDonald made statements that the Mobile Harbor Widening and Deepening project will only consider the

incremental impact of the maintenance dredging on the Island as it exists today; and David Newell, at the February 22nd Town Hall meeting, in answer to the question "...are we going to consider the sand that was taken away since 1980? .... He stated: "The study, what it does—what it will do is look at the existing conditions of the harbor, the width and depth currently, and we will assess from that existing conditions moving forward from today."

**The Council on Environmental Quality's (CEQ) Regulations** (see 40 CFR § 1502.9(c)(1))<sup>11/</sup> require federal agencies to prepare a SEIS if:

- "(i) The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or
- (ii) There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts."

Since the erosion of Dauphin Island attributed to maintenance of the Mobile Harbor Outer Bar Channel was not investigated in the 1980 EIS and has continued unabated throughout the intervening 38 years, the erosion problem represents a significant "*new circumstance*" that must be addressed in the Study SEIS. Further, the erosion issue is both relevant to and has a direct bearing on any proposal to enlarge the Mobile Harbor channel.

The current Study presents the Corps with the opportunity to correct the flawed 1980 report. The flaw can be corrected by recommending that Section 302 of the WRDA of 1996 (PL 104-303) be applied to develop a beneficial use alternative **for both new work and maintenance dredged sand** from the Outer Bar Channel to rectify the Dauphin island erosion problem. Section 302 specifically amended the original 1986 authorization" to widen and deepen Mobile Harbor and serves as the partial authority under which the Study is being conducted. The complete wording of Section 302 is repeated as follows:

"In disposing of dredged material from such project [i.e., widening and deepening Mobile Harbor], the Secretary, after compliance with applicable laws and after opportunity for public review and comment, may consider alternatives to disposal of such material in the Gulf of Mexico, including environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration."

This language gives the Corps the discretion to consider environmentally acceptable alternatives to disposal in the Gulf, "...including beneficial uses of dredged material and environmental restoration". An obvious beneficial use of the beach quality sands dredged from the Outer Bar Channel would be to place them on Dauphin Island. Such an action is also consistent with Chapter 220-4-.09(11) of the State of Alabama Administrative Code" which requires "...to the maximum extent feasible, all beach compatible dredge materials taken from the tidal coastal system shall be placed on beaches or within the nearshore sand system".

As pointed out in paragraph 3-2b(6) in the Corps' ER 1105-2-100, an additional authority is available to address Dauphin Island's erosion problem. That authority is based upon Section 145 of the WRDA of 1976, as amended. The entire referenced paragraph is provided below:

"Placement of Dredged Materials on Beaches. Construction and maintenance dredging of Federal navigation projects shall be accomplished in the least costly manner possible. When placement of dredged material (beach quality sand) on a beach is the least costly acceptable means for disposal, then such placement is considered integral to the project and cost shared accordingly. When placement of dredged material on a beach costs more than the least costly alternative, the Corps may participate in the additional placement costs under the authority of Section 145 of the WRDA of 1976, as amended. The additional cost of placement may be shared on a 65 percent Federal and 35 percent non-Federal basis if: (1) requested by the State, (2) the Secretary of the Army considers it in the public interest, (3) the added cost of disposal is

justified by hurricane and storm damage reduction benefits and (4) the shoreline on which the material is placed is open to public use."

To date, the Corps has refused to answer public inquiries as to whether the Study will evaluate an alternative to beneficially use dredged material in accordance with either Section 302 or Section 145 to ameliorate Dauphin Island's erosion problem. The Corps' silence to the public inquiries fosters the concern that the Corps does not plan to consider such a beneficial use alternative. The Corps owes the concerned public a rational explanation as to if the Study will consider the potential application of these two existing authorities.

CEQ regulations require the significant impacts related to the proposed action be analyzed in the Study SEIS. In that regard, 40 CFR § 1508.25 defines "scope" to consist of the range of actions, alternatives, and impacts, with 40 CFR § 1508.8 requiring both direct and indirect effects be considered, and 40 CFR § 1508.7 requiring "cumulative impacts" be assessed that result "...from the incremental impact of the action when added to other *past, present, and reasonably foreseeable future actions* [emphasis added] regardless of the..." source of the impacts.

To correct the flawed 1980 report, the Study must assess the impacts of Dauphin Island's historical sand deficit attributable to maintenance of the Outer Bar Channel dating back to at least 1980. During the subsequent 37 years, maintenance of the Outer Bar Channel has further contributed to the erosion of Dauphin Island. For example, the amount of beach quality sands removed from the littoral drift system between 1980 and 2009 is depicted in Table 1 which was prepared from Corps dredging data. Over that period, a total of 24,918,514 cubic yards were removed by a combination of new work and maintenance dredging, of which 14,672,078 cubic yards were disposed in deep Gulf waters and permanently lost from the littoral drift system and the remaining 9,600,347 cubic yards placed in the Sand Island Beneficial Use Area (SIBUA) to the south of Dauphin Island. In the absence of Corps dredging data for the period after 2009, an average annual maintenance volume of 503,000 cubic yards per year was assumed to have been placed in the SIBUA each year since 2009. Based on that assumption, an additional 3,523,698 cubic yards of dredged sand could have been placed in the SIBUA since 2009 to the present. The Corps has provided no data to support its contention that dredged sands placed in the SIBUA are transported to Dauphin Island. In fact, the Corps no monitoring system to support its position that the SIBUA is beneficial to Dauphin Island. This is confirmed in **an article in Climate Wire, July 18, 2014, when Pat Robbins**, a spokesman for the Army Corps of Engineers district office in Mobile, said the agency does in fact place dredged sand in a "beneficial use area" south and east of Dauphin Island, where it can migrate through currents to sand-starved beaches. But the Army Corps has no formal monitoring program to ensure that the sand is reaching its intended targets. Asked whether Dauphin Island was being aided by the Army Corps' dredge operation, Robbins said, "Parts of it are, parts of it aren't. That's just typical of barrier islands."

**Note:** A copy of Pat Robbins statement in Climate Wire is enclosed.

The Study's baseline conditions must consider the historical erosion of Dauphin Island and the cumulative losses of millions of cubic yards of beach quality sands that have occurred since the 1980 report. If no action is taken to restore the natural volume of littoral drift sand crossing the Mobile Pass Inlet upon which Dauphin Island depends, the island will continue to erode, whether the channel is enlarged or not. It would be a grievous error should the Corps attempt to establish baseline conditions as those that define Dauphin Island in 2016 when the Study was "formally initiated". That approach would perpetuate the 1980 report flaw by continuing to ignore the role maintenance of the Outer Bar Channel contributes to the erosion of Dauphin Island. Such an approach would violate provisions of the CEQ regulations requiring the cumulative impacts of past actions be assessed with those of the proposed action and will result in the preparation of a deficient SEIS.

CEQ regulations also require that mitigation measures be identified to avoid, minimize, rectify, reduce, or compensate for significant environmental impacts attributed to a federal action (see 40 CFR § 1508.20). The CEQ also issued guidance to federal agencies in 2011 addressing the inclusion of mitigation in project design:

"Mitigation measures included in the project design are integral components of the proposed action, are implemented with the proposed action, and therefore should be clearly described as part of the proposed action that the agency will perform or require to be performed. Consequently, the agency can address mitigation early in the decision-making process and potentially conduct a less extensive level of NEPA review".

Paragraph C-3e in the Corps' ER 1105-2-10e describes the overarching goal as to how the significant adverse impacts of Corps projects are to be mitigated. The opening discussion states:

"District commanders shall ensure that project-caused adverse impacts to ecological resources have been avoided or minimized to the extent practicable, and that remaining, unavoidable impacts have been compensated to the extent justified [emphasis added]. The recommended plan and the NED plan, if not one in the same, shall contain sufficient mitigation to ensure that either plan selected will not have more than negligible adverse impacts on ecological resources (Section 906(d), WRDA'86). Any such mitigation measures will be fully justified."

Since the **1980 EIS did not address** the erosion of Dauphin Island and its relationship to the maintenance of the Outer Bar Channel as reported in the Corps' separate 1978 report, the original EIS would have been judged to have been deficient because of its silence on the erosion issue if it had been the subject of a NEPA based lawsuit. The 1980 report also failed to comply with Section 5 of the 1935 River and Harbor Act which requires:

"Every report submitted to Congress in pursuance of any provision of law for preliminary examination and survey looking to the improvement of the entrance at the mouth of any river or **at any inlet**, in addition to other information which the Congress has directed shall be given, **shall contain information concerning the configuration of the shore line and the probable effect thereon that may be expected to result from the improvement having particular reference to erosion and/or accretion for a distance of not less than ten miles on either side of the said entrance.**"

This provision of the 1935 law remains in effect today and is major requirement of the Corps' engineering and design requirements for all projects occurring within inlets like the Mobile Pass through which the Mobile Harbor project passes.

The Mobile District is conducting a separate study of the SIBUA. In 2008, the Mayor of the Town of Dauphin Island requested that the Corps of Engineers, Mobile District, to change the deposit location of sand to the north of the SIBUS, but instead, the Mobile District expanded the SIBUA south and southwest to accommodate depositing of the dredged sands from the Mobile Ship Channel. This study should not be a separate study of the disposal area but instead include that important disposal study in the ongoing GRR.

- The 1980 Environmental Impact Statement was supposed to address Dauphin Island Erosion, but never did. It did not follow NEPA guidelines nor did it follow the 1935 Law
- At the February 22, 2018 Town Hall meeting, the Corps expert, Justin McDonald, stated that the Mobile District will only address the incremental impact of the widening and deepening of the Mobile Navigation Channel as it exists today. That position is counter to the requirement that this is the supplemental environmental impact statement for the 1980 EIS that did NOT address the impact of dredging of the Mobile Navigation Channel to Dauphin Island's shoreline. The 1935 Federal Law
- To reduce the costs of maintaining the ship channel, the Corps plans to resume the practice of disposing sediments dredged from the Bay Channel into the open waters of Mobile Bay. However, the Corps did not elaborate on what the potential impacts of such disposal could be on biological communities such as oyster reefs.

**SECOND ADDENDUM TO THE SETTLEMENT AGREEMENT:** The Property Owners Association is a participant of the Second Addendum to the Litigation Settlement Agreement that terminated the 10-year class action lawsuit between the POA and the US Government & Alabama over the Dauphin Island erosion issue. I am a participant of that lawsuit having Opted-in to the lawsuit. I am also a past member of the Dauphin Island Property Owner's Board of Directors who participated in multiple meetings with the Mobile District. The decision to Opt-in was based facts provided by the Corps of Engineers, Mobile District, that I believe upon was untrue information, which is evident today by the admission of the Corps at their February 22, 2018 Town Hall meeting and the 2007 RSM minutes provided with these comments:

- a. The Second Addendum to the Settlement Agreement was entered on August 14, 2009, and subsequently upheld by the Court in its final order by the Judge on November 24, 2009. The Second Addendum requires the Corps of Engineers "...to deposit material dredged from the Outer Bar Channel in the SIBUA and/or the Feeder Berm Disposal Area (the "alternate disposal areas"), *subject to...*" five different caveats, anyone of which could negate the future use of the SIBUA. Of the five specified caveats, the two listed below are directly relevant to the present situation in view of the Corps' admission at the February 22<sup>nd</sup> public meeting. I believe the Corps of Engineers is in violation of these sections of the Agreement because the Second Addendum states: "... *provided however* that for the purposes of (and in furtherance of) this Second Addendum...the Parties to the Litigation agree that this Second Addendum will bind and be a compromise and resolution in all respects of the claims of all members of the class"
  - (iii) currently unforeseen negative consequences from repeated use of these alternative disposal areas are discovered;
  - (v) identification and authorization by the Corps of an area more beneficial to Dauphin Island.

The Corps of Engineers must comply with caveats (iii) and (v) and identify a new disposal site within which beach quality sands dredged from the Mobile Harbor Outer Bar Channel **shall** be placed at a deposit area that is "more beneficial" to Dauphin Island. That mandatory change in the present disposal practices must be implemented to assure dredged sands are effectively bypassed across the Outer Bar Channel to be reincorporated into the natural littoral drift system. The Corps can identify an appropriate new disposal site for the beach quality sands under the existing authority provided by Section 302 of the Water Resources Development Act of 1996, including adjustment of the Mobile Harbor Federal Standard as already directed by Corps higher authority in its May 30, 1997 letter to the Mobile District. See enclosed South Atlantic Division letter of authorization.

**Note: Copy of Second Addendum to the Settlement Agreement is enclosed.**

**STUDIES USED FOR THE MOBILE HARBOR DRAFT GRR/SEIS:** The Corps of Engineers has based its entire draft GRR/SEIS study on a single study: The Mark Byrnes 2010 Study, which is actually his 2008 Dauphin Island Property Owners vs Corps of Engineers Lawsuit study that was updated to become the 2010 Study. In fact, the 2010 has now been updated to be the 2012 Byrnes study. The Corps has declared the 2010 Byrnes Study as the baseline study for the draft GRR/SEIS. As the Mobile BayKeeper stated in their comments: The Corps is using one study, Mark Byrne's 2010 study, as the "base for a number of studies.... This limitation of data could cause the impact from the proposed project to be underestimated. The draft report also continues to state: "Results and conclusions for sediment transport considerations predicted **no discernable impacts to sediment transport throughout the project area and no expected erosion or changes to the position of the Mobile Bay shorelines** resulting from implementation of the TSP. The evaluations considered probable effects on shoreline changes within 10 miles east and west of the channel and predicted minimum difference in bed level changes on the ebb tidal shoal that feeds Dauphin Island." This continues to be on the absurd.

The Corps Mobile District has continued to leave out and not acknowledge for the public a very pertinent fact that was presented in the Final Order for the Settlement of the Corps of Engineers Lawsuit. In the Final Order it is

stated: "On January 10, 2008, as required by the Settlement Agreement, the Final Report was submitted by Dr. Byrnes. The Final Report determined "that the Corps' construction, operation and Maintenance Dredging Practices of and at the Channel have not resulted in at least Minimum Measurable Erosion of Dauphin Island's shoreline." **See Settlement Agreement ¶ 3(f). Plaintiffs' expert, Dr. Dean, dissented and indicated that the Final Report was fundamentally flawed, not reliable and at best inconclusive.** (Emphasis added). Dr. Dean also made this same conclusion in his final review of March 7, 2008: "...Thus, I respectfully dissent from concurring "that the Corps' construction, operation and Maintenance Dredging Practices of and at the Channel have not resulted in at least Minimum Measurable Erosion of Dauphin Island's shoreline."

**Dr. Dean also stated: "I conclude that certain critical portions of the Final Report (Dr. Byrnes report) are arbitrary in their methods of analysis and acceptance/interpretation of the available data resulting in uncertainty remaining in the final results.** These issues were documented in my written review of September 30, 2007 of the Draft Final Report and, in accordance with Paragraph 3 (f), of the LSA, the "detailed reasons" are provided again in the following sections with due consideration of the Final Report and responses provided by ACRE to my earlier review of the Draft Report...."

**Further comments made by Dr. Dean include:**

"In discussing shoreline change analysis (Page 44): "Substantial effort was spent ensuring that any systematic errors were eliminated prior to change analysis. Therefore, measurement errors associated with present and past shoreline surveys are considered random."

In discussing bathymetric errors, a similar statement appears on Page 192: "Substantial effort was spent ensuring that any systematic errors were eliminated from all data sets prior to change analysis. As such, measurement errors associated with present and past surveys are considered random. Because random errors are equally distributed, they can be neglected relative to change calculations."

**Dr. Dean stated: "In my experience, these are unacceptable assumptions/considerations. Because such large plan areas (ebb tidal shoals) are considered here, any bias becomes of critical significance in volumetric determinations." (emphasis added)**

Furthermore, Dr. Dean stated in his final review: "In regard to "The difficulties of determining accurate vertical control even for recent surveys is exemplified by the necessity of eliminating the 2002 survey from consideration in the Final Report (Page 179):

"However, the USACE 2002 bathymetric data were determined inadequate for computing a sediment budget because procedures associated with reference datum adjustments could not be verified accurately"

My review of the Draft Report suggested methodology that would at best, resolve or reduce uncertainties substantially, and at worst, illustrate that a problem still remained, in datum adjustments to historical and modern data. Results from the suggested methodology would have been quite informative"

**NOTE:** The Mobile District continues not even reflect in a footnote that there was a dissent to the Byrnes study, yet the Corps continues to offer this one study as the basis for its conclusions that there dredging of the Mobile Ship Channel does not cause erosion to Dauphin Islands shoreline.

In addition, the Mobile District has continued to not include or agree that other esteemed coastal engineers such as **Robert Morton** had conducted important studies about the Alabama-Mississippi Barrier Islands. Dr. Morton in **his 2007 Study: Historical Changes in the Mississippi – Alabama Barrier Islands and the Roles of Extreme Storms, Sea Level Rise and Human Activities** stated "The principal causes of barrier island land loss are frequent intense storms, a relative rise in sea level, and a deficit in the sediment budget. The only factor that has a historical trend that coincides with the progressive land loss is the progressive reduction in sand supply associated with the nearly simultaneous deepening of channels dredged across the outer bars of the three tidal inlets maintained for deep-draft shipping....

The reduction in sand supply related to disruption of the longshore sediment transport system is the only factor contributing to land loss that can be managed directly. This can be accomplished by placing dredged material so that the adjacent barrier island shores receive it for barrier island nourishment and rebuilding.”

**Historical Changes in the Mississippi-Alabama Barrier Islands and the Roles of Extreme Storms and Sea Level and Human Activities by Robert Morton, U.S. Geological Survey**

By Robert A. Morton  
U.S. Geological Survey  
U.S. Geological Survey  
Coastal and Marine Geology Program  
**Open File Report 2007-1161**  
**U.S. Department of the Interior**  
**U.S. Geological Survey**

The Mobile District used this as part of their factors for approval of the Mississippi Coastal Improvement Plan, but the Mobile District does not include this view in the Alabama GRR/SEIS because it disputes their position about dredging not causing erosion of Dauphin Island’s shoreline.

**ENDANGERED SPECIES ACT/HISTORICAL PRESERVATION ACT:**

**Endangered Species Act:** The Corps maintenance dredging of the Outer Bar that has resulted in the erosion of Dauphin Island’s shoreline and as a result, it has affected the habitat of the sea Turtle. The Corps of Engineers is in violation of the Endangered Species Act of 1973 that provides conservation of species that are endangered and in one specific case that involves the sea turtle. Another in fact is that Alabama signed a Cooperative Agreement on November 8, 2010 with the NOAA Fisheries under section 6 of the Endangered Species Act and would be complicit in this problem.

Over the past 38 years, the Corps of Engineers has been responsible for over 20 million cubic yards of sand that has not entering the littoral sand system and therefore has not reached the Dauphin Island shoreline. As a result, there has been excessive erosion which has affected the nesting areas of the sea turtle and therefore is no protection for the sea turtles. The Corps of Engineers GRR/EIS mitigation plan must address this important environmental issue as well as the erosion of Dauphin Island’s shoreline. As the enclosed article indicates, the female sea turtle returns to the proximity of where they were born to lay their eggs. Since the Corps project plan, for widening and deepening the Mobile ship channel, will only evaluate the effects of the disposal alternatives considered for Dauphin Island shoreline as it exists today, an eroded shoreline; we can only expect the same results for the sea turtles; no place to truly and safely return to their nesting area. This critical issue MUST also be addressed in the Corps Mitigation Plan for Dauphin Island and therefore I am asking that the Corps of Engineers produce a mitigation plan that addresses this environmental issue

**Historic Preservation:** The **Sand Island Lighthouse** is historically registered and is listed on the Lighthouse Digest Doomsday List, as one of the most endangered lighthouses in the country. This 1873 tower is considered the last great masonry lighthouse to be built on the Gulf Coast. The lighthouse is now owned by the town of Dauphin Island. The Corps of Engineers has guidelines for Compliance with Section 106 of the Historical Preservation Act that determines the requirements the Corps of Engineers need to follow. Section 106 of the National Preservation Act, as amended by (NHPA), requires Federal agencies to take into account the effects of their undertakings (such as the Mobile Harbor Widening and Deepening Project) on Historic Properties. Since the Sand Island Lighthouse is a historical landmark, the draft GRR/SEIS must address the impacts of the Corps maintenance dredging and new work dredging on the lighthouse. The Draft GRR/SEIS is void of any reference to any impacts to the lighthouse or how the GRR/SEIS will mitigate for any impacts. The Draft GRR/SEIS must address the impacts of their maintenance dredging and new work on the Sand Island Lighthouse.

**IMPORTANT FACTORS AND RECOMMENATIONS THAT THE CORPS OF ENGINEERS, MOBILE DISTRICT MUST ADOPT:**

1. The natural Littoral System moves the sand near the shore from east to west, while the waves take this sand ashore. The problem is that this “river of sand”, as it heads west, falls into the Mobile Ship Channel. It essentially drops into a 45-foot-deep hole and cannot move further west to Dauphin Island. This is the cause of the sand deprivation on the south side of Dauphin Island.
2. This loss of sand is supposed to be replenished by the dredging that the Corp does on a regular basis. The Corp dredges the sand out of the Mobile Ship Channel in order to maintain its depth and should be depositing this dredged sand at a point reasonably near to Dauphin Island in relatively shallow water so that the currents pick it up and move it to the southern shore of Dauphin Island.
3. The Corp has since 1999 been dumping this dredged sand in the SIBUA, where the depth is 27 feet deep or deeper. The Corp announced at a February 22<sup>nd</sup> town hall meeting that half of the sand deposited in the SIBUA area (approximately 4.9 million cubic yards of sand) has not reached Dauphin Island. The reason is that the water at the SIBUA area is too deep for the currents to pick it up and carry it to shore. Since 1980 a total of 20+ million cy of dredge sand does not enter the littoral system. The lost sand must be replaced.
4. The Corp announced in the draft GRR/SEIS that they were going to move the dump site to a new location, but, the new site is adjacent to the old site and is in water 15 – 27 feet. Moreover, experts are also of the view that the water depth should be less than 15 feet in order to ensure that the bulk of the sand deposited would be picked up by the currents and moved to Dauphin Island. Obviously, the new site chosen by the Corp will not correct the problem, which will only grow worse if the ship channel is widened and deepened.
5. The Corps of Engineers, Mobile District, MUST recognize the 1978 study.
6. The Mobile District must recognize in the draft GRR/SEIS that it is a supplement of the 1980 EIS and must address the changed conditions to include past, present and future. It must also recognize the 1980 EIS was deficit in addressing the erosion of Dauphin Island shoreline, did not follow NEPA guidelines, Corps of Engineers policy guidelines and the 1935 Federal Law. The Corps must address the lost of 20+ million cy of sand that have been deposited either in the Ocean DA or SIBUA that has not entered the littoral system. This loss of a valuable resource that would have nourished the shoreline of Dauphin Island must be addressed and deposited on the shoreline of Dauphin Island.
7. The Mobile District must accept the fact that the May 30, 1997 Corps of Engineers, South Atlantic Division, memorandum has given the Mobile District the authority to develop and an alternative and may consider alternatives to disposal of dredged material from the Mobile Harbor including environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration.
8. The Mobile District has to address the fact that they violated, as a participant of the Corps Lawsuit, two key sections of the 2<sup>nd</sup> Addendum to the Settlement Agreement in Item 5d of the agreement:  
Item 5d of the Second Addendum requires the Corps “...to deposit material dredged from the Outer Bar Channel in the SIBUA and/or the Feeder Berm Disposal Area (the “alternate disposal areas”), subject to...” five specified caveats, anyone of which could negate the future use of the SIBUA. Of the five caveats, the following two are especially relevant to the described contention:
  - (iii) currently unforeseen negative consequences from repeated use of these alternative disposal areas are discovered;
  - (v) identification and authorization by the Corps of an area more beneficial to Dauphin Island.

At the time, the LSA was executed in 2009, the Mobile District had in fact been disposing of dredged sands from the Bar Channel in the SIBUA since 1999, with deposition occurring in 1999, 2002, 2004, 2005, 2006, 2007, and 2008. For those years, a total of 8,602,930 cy was placed in the SIBUA. Instead of the sands moving out of the SIBUA to rejoin the littoral drift system to be carried to nourish Dauphin Island as the Mobile District stated would occur, a significant quantity of the sands was actually accumulating within the SIBUA. The sand accumulations had in fact reached the point announcing the SIBUA was being expanded 2,000 feet to the south of its original southern boundary to provide additional disposal capacity. Even during the site expansion process the Mobile District was unaware of how much, if any, of the placed sands actually moved out of the SIBUA to rejoin the littoral drift system.

Of great importance, during negotiation of the 2009 LSA, we believe the Mobile District and the Department of Justice attorneys intentionally withheld from the plaintiffs and the Class members the crucial fact that the SIBUA was not functioning as intended, while the Mobile District had full knowledge the SIBUA would not be beneficial in effectively countering Dauphin Island's erosion problem. Thus, the plaintiffs and Class accepted the LSA on the condition the dredged sands would be placed in the SIBUA, which the Court subsequently found to be a fair settlement. All this occurred by the Mobile District keeping all plaintiff parties and the Court ignorant of the true facts surrounding the ineffectiveness of the SIBUA. Now the Corps is expanding the SIBUA northwest again because the SIBUA is accumulating.

9. The Corps must follow all CEQ's and NEPA guidelines, Corps policies and all federal laws.
10. The Mobile District must acknowledge that Dr. Robert Dean dissented to Dr. Mark Byrnes 2008 study that states that there is no measurable erosion of Dauphin Island Shoreline.
11. Since the Mobile District has recognized Robert Morton's 2007 study in its MsCIP study for Mississippi that it also applies to Alabama's Mobile Bay: "The principal causes of barrier island land loss are frequent intense storms, a relative rise in sea level, and a deficit in the sediment budget. The only factor that has a historical trend that coincides with the progressive land loss is the progressive reduction in sand supply associated with the nearly simultaneous deepening of channels dredged across the outer bars of the three tidal inlets maintained for deep-draft shipping...."

The reduction in sand supply related to disruption of the longshore sediment transport system is the only factor contributing to land loss that can be managed directly. This can be accomplished by placing dredged material so that the adjacent barrier island shores receive it for barrier island nourishment and rebuilding."

12. A four-part plan needs to be put into place that will address the past, present and future sand needs of Dauphin Island so that it can benefit the entire region, including Mobile Bay, Mississippi Sound area, Mobile County and the Chain of Barrier Islands:
  1. Recognize the past historical sand loss and put a plan in place to place sand directly place sand on the shoreline to remedy the immediate erosion that has been caused by years of dredging the ship channel and over 20 million cy of sand being lost to the littoral system;
  2. Establish and effective sand bypass plan to deposit sand in a most beneficial location that is closer to the shoreline and in more shallow water and implement a monitoring system to ensure that sands leaving the SIBUA enters the littoral system and migrates to Dauphin Island. If the monitoring does not show this is happening the Corps of Engineers must agree to look for locations that are more beneficial and ensures the dredged sands does reach Dauphin Island.

3. Establish a maintenance dredging plan that will address the future costs associated with the dredging of the ship channel
  4. Pass appropriate legislation that requires any entity dredging the Navigation Channels to place the dredged sand on the adjacent shores.
13. The Corps must respond to my question that was posed to Col DeLapp about the statements that Susan Rees made as a Corps expert at the 2009 Fairness Hearing, which he was to provide an answer. COL. DeLAPP's reply to my questions about Susan Rees statements at the Fairness Hearing: "That would be appreciated. I mean, that's a lot. I was trying to take a couple of notes. But if you don't mind, I will probably follow up with you and answer specifically on that. I need to go back and look and see, you know, what her testimony was and what – and the like."

I have not received a response from Colonel DeLapp NEVER to my questions that I asked of him at the Town Hall meeting on February 22nd. I am therefore requesting the Mobile Harbor Widening and Deepening project team to provide and answer to my questions and to my questions to Colonel DeLapp about the statements that Dr. Susan Rees made at the 2009 Fairness Hearing. I am specifically asking that that the project team acknowledge whether or not Susan Rees statements are true or not.

During her sworn testimony, Dr. Rees stated that "A supplement to the original environmental impact statement would have to be conducted if there was any expansion to the ship channel." She said, "A general re-evaluation report would have to consider whether conditions in the study area had changed since the 1980s survey report was completed," and that's going back, which has been mentioned earlier. She also stated that "The GRR would definitely examine the impacts of expanding the channel to the coastal processes of Dauphin Island." **My question is** -- and there's a second part to it -- since Dauphin Island shoreline has continued to erode over the years after the 1980 survey report was completed, was Dr. Rees's testimony at the 2009 fairness hearing factually correct that a GRR/EIS is required to address changed conditions, or did she incorrectly state that? And in fact, her statement was not true, that the -- that the Corps is required to address the changed conditions. If Dr. Rees's testimony was correct, why is the GRR/EIS study ignoring the increased erosion of Dauphin Island shorelines that have occurred since that period of time?

I have not received a response from Col DeLapp or from the Mobile Team. I am asking for the answer to my questions provided above.

15. The Corps of Engineers needs to ensure that The Endangered Species Act is followed and ensure that the sea turtles and sand Pipers are protected, and the Historic Preservation of the Lighthouse is maintained.
16. If the Corps of Engineers does not agree to locate the new proposed SIBUA in a location closer to Dauphin Island and in more shallow waters, the Corps must sign an agreement that it will use the SIBUA Northwest Extension for the life of the Mobile Harbor dredging project and will monitor the SIBUA Northwest Extension to make sure that the dredged sand enters the littoral system and reaches the southern shoreline of Dauphin Island. A report must be maintained, and a copy provided to the Town of Dauphin Island and the Dauphin Island Property Owners Association.
17. If after a year or earlier, in the event that report of the new SIBUA shows that the sand does not move out but shows accumulation, ie, does not work, the Corps must agree to find another location closer to Dauphin Island in waters less than 15 feet deep.

Sincerely,



Enclosures

**List of Enclosures:**

1. July 16, 2018 E-mail from Col Joly to Caroline Graves
2. May 30, 1997 Memorandum for Commander from SAD
3. Feb 22, 2018 Transcription: Corps of Engineers Stan Graves (excerpt)
4. Sept 2009 Testimony of Susan Rees, Corps of Engineers (excerpt)
5. July 14, 2009 Second Addendum of the Settlement Agreement
6. Nov. 24, 2009 Final Order Lawsuit: Corps of Engineers v DIPOA & Jim Hartman
7. Dec 7, 2000 Regional Settlement Management Demonstration Minutes
8. 2007 Dr. Robert Morton report: Historical Changes in the Mississippi-Alabama Barrier Islands (Excerpt)
9. March 25, 2018 Birmingham News: Article about Sea Turtles, and tracks of sea turtles
10. July 18, 2014 ClimateWire Article with Pat Robbins statements
11. 1950's Picture of Dauphin Island
12. 1908-2009 Mobile Harbor Outer Bar Channel Dredging History

From: "Joly, Sebastien P COL USARMY CESAM (US)" <Sebastien.P.Joly@usace.army.mil>  
To: c graves <cmgraves2012@yahoo.com>  
Sent: Monday, July 16, 2018 2:18 PM  
Subject: RE: Mobile District's lies about Dauphin Island  
Dear Mrs. Graves,

Thank you for your email on Friday, July 13. I certainly appreciate your historical perspective of the various activities that have occurred in the past.

As the new Commander in Mobile, my focus will be on assuring that the current General Reevaluation Report (GRR) and accompanying Supplemental Environmental Impact Statement (SEIS) contain an analysis of, and reaches conclusions based on, the most up-to-date scientific information available.

I certainly understand the importance of learning from history and fully expect the team to provide a cumulative impact analysis of past efforts and studies.

Again, thank you for your interest and I hope you are able to attend the open house in September where this information and analysis will be available for discussions with the public.

Colonel Sebastien Joly  
U.S. Army Corps of Engineers, Mobile District



DEPARTMENT OF THE ARMY  
U.S. Army Corps of Engineers  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

CECW-P/O

30 MAY 1997

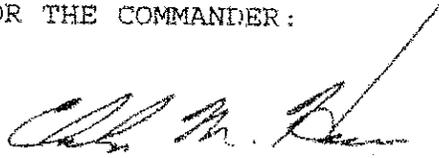
MEMORANDUM FOR Commander, South Atlantic Division

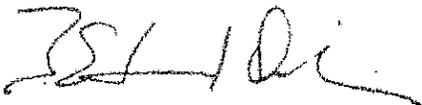
SUBJECT: Implementation of Section 302 of the Water Resources Development Act of 1996 (WRDA 96) - Mobile Harbor, Alabama

1. Section 302 of WRDA 96 amends Section 201(a) of WRDA 86 on dredged material disposal from Mobile Harbor, Alabama project. The new legislation authorizes that the Secretary, after compliance with applicable laws and after opportunity for public review and comment, may consider alternatives to disposal of dredged material from Mobile Harbor in the Gulf of Mexico, including environmentally acceptable alternatives for beneficial uses of dredged material and environmental restoration. The intent of section 302 is to allow alternatives to deep water disposal in the Gulf of Mexico that would be environmentally and economically beneficial.

2. Maintenance dredging should be accomplished in the most cost effective, efficient, and environmentally sound manner. However, the Mobile District should evaluate alternative disposal options for placement of dredged material from Mobile Harbor. Any examination of other alternatives to Gulf disposal should involve a multi-agency coordination team including Federal, State, and local resource agencies. Mobile District should make efforts to use District Engineer authority to make adjustment to the Federal standard to accommodate section 302 directly as well as, authorities under section 204 of WRDA 92, and section 207 of WRDA 96.

FOR THE COMMANDER:

  
CHARLES M. HESS  
Chief, Operations, Construction  
and Readiness Division  
Directorate of Civil Works

  
G. EDWARD DICKEY  
Chief, Planning Division  
Directorate of Civil Works

CESAD-ET-P\C (CECW-P\O\30 May 97) (1105-2-10b) 1st End  
Mr. Barnett\bjg\404-331-4580\Mr. Deveaux\404-331-6742  
SUBJECT: Implementation of Section 302 of the Water Resources  
Development Act of 1956 (WRDA 96) - Mobile Harbor, Alabama

Commander, South Atlantic Division, U.S. Army Corps of Engineers,  
Room 322, 77 Forsyth Street, S.W., Atlanta, Georgia 30303-3490

FOR COMMANDER, MOBILE DISTRICT

1. Section 302 of WRDA 96 affords an excellent opportunity to revisit the authorized plan for maintenance of Mobile Harbor in the interest of environmental protection and restoration and economic efficiency. Coupled with the high cost of maintaining the project as currently authorized and changing attitudes among environmental interests regarding the value of dredged material as a resource, Section 302 may allow you to develop a "master plan" for maintenance of lower Mobile Harbor that incorporates many positive environmental features and saves O&M funds.
2. As O&M funds for the Mobile Harbor project will permit, you should investigate opportunities to modify the authorized maintenance plan in accordance with Section 302. Any investigations you undertake in this regard should address appropriate adjustments to the "Federal standard" (or Base Plan) for channel maintenance along with any opportunities for use of Section 1135 and 204 authorities to implement pertinent features of the modified maintenance plan.
3. It is paramount that any efforts to modify the authorized maintenance plan for Mobile Harbor be developed in close partnership with the project sponsor, Federal and state resource agencies, environmental groups, and all other stakeholders. In the interest of efficiency and to avoid duplication of effort, we strongly recommend that you use any existing interagency forums, like the Mobile Bay National Estuary Program, as a means to engage stakeholders in the development and evaluation of alternative dredged material management strategies.

FOR THE COMMANDER:

CARL R. POSTLEWATE  
Director of Engineering and  
Technical Services

Author: Dennis W Barnett SAD at X400  
Date: 7/3/97 2:23 PM  
Priority: Normal  
Receipt Requested  
TO: Roger A Burke at sampd\_po  
Subject: Mobile Harbor, Section 302

----- Message Contents -----

Roger,

I have attached our endorsement to the HQ memorandum on the subject issue as an advance copy. We had given you a copy of the HQ memo when you were recently up here. I think you will find that our endorsement encourages you to look for opportunities to change the OEM plan without putting too many constraints or conditions on you.

Please share with others, especially Operations, as appropriate.

Dennis Barnett

U.S. ARMY CORPS OF ENGINEERS  
MOBILE DISTRICT

\* \* \* \* \*

MOBILE HARBOR IMPROVEMENT  
OPEN HOUSE

\* \* \* \* \*

Transcript of comments by the general public during the Mobile Harbor Improvement Open House, held at the Mobile Convention Center, 1 South Water Street, Mobile, Alabama, on February 22, 2018, commencing at approximately 6:00 p.m.

1 or any of that kind of --

2 MR. MCDONALD: That was the intent of  
3 identifying those areas where there are deeper  
4 areas. If you go out and survey, you won't see  
5 it. But if you go out there and probed them,  
6 the probe just keeps going.

7 MODERATOR: Move on to another question.

8 AN AUDIENCE MEMBER: I'm Stan Graves. And  
9 I'm kind of representing the west end property  
10 owners of Dauphin Island.

11 Over the past -- and I'm going to read  
12 this so I can get through it in three minutes  
13 to make sure that we should have time.

14 I have participated in meetings with y'all  
15 over the past two years. And I appreciate  
16 that, and I hope that we can have a couple  
17 more. Because I think there's an opportunity  
18 for us to discuss some issues that are going on  
19 and we're talking about tonight.

20 But I have heard the same statement in all  
21 of those meetings and public hearings -- and  
22 David said it again tonight. And that is that  
23 the Mobile role only studied the effects of

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

*MOBILE HARBOR IMPROVEMENT OPEN HOUSE 2/22/2018*

1 deepening and widening of the Mobile channel on  
2 Dauphin Island as it exists today and will not  
3 evaluate the changed conditions that have  
4 occurred in the history.

5 I've owned property there, and I watched  
6 that west end recede over 100-some feet and  
7 lose four-and-a-half feet of elevation in 14  
8 years, a little bit less than eight feet a  
9 year. And the average, from what I have heard  
10 and some history, is actually 10 years ago; so  
11 it's still receding.

12 So if we evaluate based upon existing  
13 conditions, property that is under water today  
14 will remain under water. Property that is  
15 sitting on people's shoreline, right up to  
16 their pylons will exist today and tomorrow, as  
17 David states.

18 I want to carry us back to the fairness  
19 hearing and the statement that Dr. Susan Rees  
20 said when she testified at that hearing, under  
21 oath, and on behalf of the Corps as their  
22 expert witness. This was September 15, 2009.

23 To settle the Dauphin Island Property

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*MOBILE HARBOR IMPROVEMENT OPEN HOUSE 2/22/2018*

1 Owners Association lawsuit -- that was the  
2 purpose of that hearing. During her sworn  
3 testimony, Dr. Rees stated that "A supplement  
4 to the original environmental impact statement  
5 would have to be conducted if there was any  
6 expansion to the ship channel."

7 She said, "A general re-evaluation report  
8 would have to consider whether conditions in  
9 the study area had changed since the 1980s  
10 survey report was completed," and that's going  
11 back, which has been mentioned earlier. She  
12 also stated that "The GRR would definitely  
13 examine the impacts of expanding the channel to  
14 the coastal processes of Dauphin Island."

15 My question is -- and there's a second  
16 part to it -- since Dauphin Island shoreline  
17 has continued to erode over the years after the  
18 1980 survey report was completed, was  
19 Dr. Rees's testimony at the 2009 fairness  
20 hearing factually correct that a GRR/EIS is  
21 required to address changed conditions, or did  
22 she incorrectly state that?

23 And in fact, her statement was not true,

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*MOBILE HARBOR IMPROVEMENT OPEN HOUSE 2/22/2018*

1 that the -- that the Corps is required to  
2 address the changed conditions. If Dr. Rees's  
3 testimony was correct, why is the GRR/EIS study  
4 ignoring the increased erosion of Dauphin  
5 Island shorelines that have occurred since that  
6 period of time?

7         Secondly, NEPA guidelines are involved and  
8 are in play, and it requires that the Corps  
9 document the impact of the maintenance dredging  
10 to ensure that environmental issues are  
11 considered and to also provide Congress as  
12 receiving recommendations with a sound basis  
13 for evaluating the environmental aspects of the  
14 Mobile Harbor.

15         In fact, the 11th Circuit summarized the  
16 duty to supplement an EIS as follows: "If,  
17 after the original EIS is prepared, the agency  
18 makes substantial changes in the proposed  
19 action that are relevant to environmental  
20 concerns, or, if there are significant new  
21 circumstances or information relevant to an  
22 environmental concern bearing on that proposed  
23 action as its impact, will the Mobile Harbor

1 follow the NEPA guidelines and address the  
2 changed conditions and prepare supplemental EIS  
3 back to 1980?

4 So those are the two questions. And I  
5 will be happy to leave this for you so that you  
6 can answer it.

7 COL. DeLAPP: That would be appreciated.  
8 I mean, that's a lot. I was trying to take a  
9 couple of notes.

10 But if you don't mind, I will probably  
11 follow up with you and answer specifically on  
12 that. I need to go back and look and see, you  
13 know, what her testimony was and what -- and  
14 the like.

15 And I can't give you a definitive answer  
16 on both of those right now. Generally  
17 speaking, I think what David said is we're  
18 going kind of under the current conditions.  
19 Obviously, we can't undo time. I can't go back  
20 in time. So it's generally from the conditions  
21 today --

22 AN AUDIENCE MEMBER: The conditions --

23 COL. DeLAPP: The conditions today and

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

*MOBILE HARBOR IMPROVEMENT OPEN HOUSE 2/22/2018*

1           IN THE UNITED STATES COURT OF FEDERAL CLAIMS

2  
3                           C O P Y  
4

5           DAUPHIN ISLAND PROPERTY

6           OWNERS' ASSOCIATION, INC.,

7           a non-profit corporation;

8           and JAMES W. HARTMAN, ET. AL.,

NO. 00-115L

9                           PLAINTIFFS,

10          vs.

11          THE UNITED STATES OF AMERICA,

12                           DEFENDANT.  
13

14                           EXCERPT TESTIMONY

15                   OBJECTION STATED BY DR. SUSAN IVESTER REES

16                           FAIRNESS HEARING  
17

18           Whereupon, the Fairness Hearing was held

19           before the Honorable Bohdan A. Futey, Senior

20           Federal Judge, at the United States District Court

21           House, 113 St. Joseph Street, Second Floor, Mobile,

22           Alabama, 36602, on Tuesday, the 15th day of

23           September, 2009, at 1:00 p.m.

(APPEARANCES)

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1 (EXAMINATION OF DR. SUSAN IVESTER REES)

2 BY MR. BURGESS:

3 Q. Dr. Rees, could you state your name and  
4 address for the record.

5 A. Susan Ivester Rees, I-V-E-S-T-E-R,  
6 R-E-E-S, and I'm a resident of Mobile County.

7 Q. Thank you, Dr. Rees.

8 I called you a doctor. Can you explain to  
9 the Court how you came to have that title?

10 A. Yes, sir. I received my Ph.D. in Marine  
11 Sciences from the University of South Carolina in  
12 1975.

13 Q. And are you currently employed by the  
14 Corps of Engineers?

15 A. Yes, I am.

16 Q. And could you briefly state your  
17 employment history?

18 A. I have been employed with the Mobile  
19 District Corps of Engineers since 1981. Since that  
20 time I've held a number of positions with the  
21 Corps. Primarily in what is called the Coastal  
22 Environment Section of Planning Division.

23 The duties of that section are to ensure

1 the environmental compliance of all of the  
2 federally authorized projects and military  
3 activities that are undertaken by the district.

4 Q. What are your current responsibilities  
5 with the Corps?

6 A. Currently I'm the program manager for the  
7 Mississippi Coastal Improvements Program.

8 Q. Before you were employed by the Corps,  
9 just briefly state your experience, work  
10 experience.

11 A. Yes. From 1975 till 1981 I was on the  
12 faculty of the University of Alabama stationed at  
13 the Dauphin Island Sea Lab.

14 Q. Are you familiar with the Corps' dredging  
15 operations on what we call the outer bar channel?

16 A. Yes, I am. The Mobile Harbor Project was  
17 one of the projects that I was responsible for.

18 Q. Okay. What -- I'm going to ask some  
19 questions of you now, Dr. Rees, that are going to  
20 basically take us through the background of how the  
21 project as it's currently maintained became  
22 authorized and how it's currently maintained and  
23 then comparing that with the authorized dimensions.

1 would have to dredge an additional 100 feet beyond  
2 that?

3 A. We would have to go up to the vertical  
4 chain to determine if that could be approved within  
5 the Corps of Engineers or whether it would require  
6 additional Congressional approval.

7 Q. Now, in terms of an explanation here, why  
8 didn't you dredge out to the full extent of your  
9 Congressional authorization?

10 A. The Water Resources Development Act of  
11 1986 also implemented a cost-sharing provision for  
12 Corp of Engineers' projects; and in the case of  
13 navigation, 45 feet was a magic depth at which a  
14 new cost-share provision would be implemented for  
15 any project having a navigation depth greater than  
16 45 feet. The local sponsor has to pick up 50  
17 percent of the construction costs and then pick up  
18 50 percent of all future maintenance after that  
19 construction.

20 Q. Who is the local sponsor?

21 A. The State Port Authority of Alabama.

22 Q. And if you'll go back to Exhibit 1.

23 Now, just so we don't get terribly confused on the

1 to how much money is involved?

2 A. I think ten years ago the estimate of  
3 construction was somewhere in the range of  
4 \$200 million, but based on recent experience that  
5 estimate is no longer valid.

6 Q. Thank you, Dr. Rees.

7 I'm going to ask you now to basically --  
8 there's been some suggestion here that the Corps  
9 already has the funds to do this and it can just go  
10 out and basically start digging. And I need you to  
11 take the Court and also the class members here  
12 through the process that you believe needs to  
13 happen or that you know needs to happen based on  
14 your knowledge of the regulations and your  
15 experience and your current position before this  
16 additional dredging could occur.

17 A. Engineering regulation 1105-2-100, Chapter  
18 4, dictates that for post-authorization projects --  
19 and in this case if we were to try to deepen Mobile  
20 Harbor, that would be considered post-authorization  
21 -- that we have to do a re-evaluation report  
22 utilizing current planning criteria and current  
23 policy and regulations.

1           There are two types of reports that you  
2 can do. And basically the period of time that has  
3 elapsed since the original report was done and a  
4 consideration of whether conditions have changed  
5 since that original report was done, those two  
6 factors drive the level of reporting that is  
7 required.

8           For the case of Mobile Harbor, we would  
9 have to do what is called a general re-evaluation  
10 report. That basically brings all of the economics  
11 up to current condition. It looks at whether the  
12 project is still justified or not.

13           If you take Mobile Harbor specifically, it  
14 was originally authorized based on the coal trade  
15 and the use of the McDuffie Coal Terminal. Today,  
16 the through-port and the port is vastly different  
17 from what it was in the late '80s, so there's  
18 different economics obviously, the cost of dredging  
19 and the placement of dredge material has changed  
20 significantly and the environment has changed. And  
21 so we would have to take into consideration all of  
22 those aspects in preparing that general  
23 re-evaluation report.

1           And as far as the environmental compliance  
2 goes, because of the age of the original EIS we  
3 would have to do a supplement to that EIS.

4           Q. And I had asked you before, did I not,  
5 obviously you have years of experience with the  
6 National Environmental Policy Act compliance; is  
7 that correct?

8           A. Yes, I do.

9           Q. Now, would that also take into account  
10 engineering feasibility?

11          A. Yes.

12          Q. And economic benefit?

13          A. That's correct.

14          Q. And the cost benefit ratio?

15          A. Yes.

16          Q. I understand has that changed?

17          A. The cost benefit ratio for a budgetable  
18 project changed last year.

19          Q. Now, how about would you have to have a  
20 new project agreement with the State?

21          A. If the findings of the general  
22 re-evaluation report were in the affirmative, prior  
23 to any construction activities, we would have to

1 have a new partnership agreement with the State and  
2 the State Port Authority that would detail their  
3 costs for the initial construction and for the  
4 future maintenance as well as their other  
5 responsibilities.

6 Q. And is it correct to say -- I'll probably  
7 let the State speak to this, but the State would  
8 have to figure out how -- whether they could  
9 shoulder this additional expense; is that correct?

10 A. Well, they would have to figure out that  
11 and then they would also have to work with the  
12 Congressional delegation to get the Corps the money  
13 as well.

14 Q. You mentioned that an environmental impact  
15 statement would be issued if there was any  
16 expansion over the current -- currently maintained  
17 dredging depths and width. Would that  
18 environmental impact statement examine the impact  
19 on Dauphin Island of any expansion?

20 A. It would definitely examine the impacts to  
21 the coastal processes of the entire region, not  
22 just Dauphin Island.

23 Q. But including Dauphin Island?

1 A. Definitely.

2 Q. You heard testimony this morning that you  
3 have the funds available to construct the --  
4 already available to construct this expansion; is  
5 that correct?

6 A. No, that's not.

7 Q. And could you explain that. Explain  
8 possibly that, that mistaken impression and how  
9 they might have gotten that.

10 A. When I went back to that report on the  
11 Panama Canal, it does show that some funds are  
12 available for Mobile Harbor.

13 In 2008 the only funds that we had  
14 available were for a general re-evaluation of the  
15 proposed turning basin at the northern end of the  
16 project up in the Mobile River.

17 Q. And that's -- just pointing to Exhibit 1,  
18 where is that on that?

19 A. It's -- if you'll look at the black dot at  
20 Mobile and you consider due north being 12 o'clock,  
21 that would be up at about 2 o'clock.

22 Q. So that has nothing to do with the outer  
23 bar at all?

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

DAUPHIN ISLAND PROPERTY	)	
OWNERS ASSOCIATION, INC.,	)	
a non-profit corporation, and JAMES W.	)	
HARTMAN, et al.,	)	
	)	
Plaintiffs,	)	No. 00-115 L
	)	
v.	)	
	)	Judge Bohdan A. Putney
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

SECOND ADDENDUM TO LITIGATION SETTLEMENT AGREEMENT

This Second Addendum to the Litigation Settlement Agreement ("Second Addendum") is entered into as of this 14th day of August, 2009 by and among the United States of America, including its agency the United States Army Corps of Engineers (collectively the "United States"), Dauphin Island Property Owners Association and Jim Hartman, individually and as representatives of a class of similarly situated Plaintiffs (collectively "Plaintiffs") as certified by the Court (the United States and the Plaintiffs hereinafter collectively the "Parties to the Litigation"), and the State of Alabama (the "State"), and settles and resolves finally the claims made in the above captioned litigation.

RECITALS

1. On July 15, 2005, the United States, the Plaintiffs and the State (hereinafter collectively the "LSA parties") entered into a settlement agreement (the "Litigation Settlement Agreement" or "LSA"), a copy of which is annexed hereto as Exhibit A. On November 15, 2005, the LSA parties executed the First Addendum to Settlement Agreement ("First Addendum"), a copy of which is annexed hereto as Exhibit B.
2. On January 11, 2006, the Court certified an opt-in class of all present owners of a property interest (including condominium owners) and those who owned a property interest as of July 15, 2005 on Dauphin Island, Alabama. On February 14, 2006, the Court approved preliminarily the settlement pending a Fairness Hearing to be held in Mobile, Alabama on July 11, 2006, and made further provision for the directing of notice to the proposed class and the reporting of responses. Notice was given, the class members were identified, and on July 11,



2006, the fairness hearing was duly held. The list of persons that opted into the class the Court certified is contained in the parties' Joint Exhibits 2 and 4, submitted at the fairness hearing.

3. On September 5, 2006, the Court issued its Amended Opinion and Order approving the settlement, determining the LSA to be fair, adequate and reasonable among the United States and the Plaintiffs, including the plaintiff class.
4. Section 3 of the LSA provided for an Impacts Study to determine whether any measurable erosion of Dauphin Island, Alabama, could be attributed to the dredging activities of the United States Army Corps of Engineers (hereinafter the "Corps"). Depending on its findings and further processes specified in the LSA, the Impacts Study could result in either dismissal of this lawsuit or a beach nourishment project conducted by the Corps for Dauphin Island, if feasible. Performance of the LSA parties' several obligations under section 3 has proceeded to date as follows:
  - a. Dr. Mark Byrnes, the neutral Principal Investigator (the "PI") designated by the LSA parties pursuant to section 3 of the LSA, issued his Final Report on January 10, 2008. The Final Report concluded that there was no measurable erosion of Dauphin Island attributable to the Corps' dredging activities.
  - b. On March 10, 2008, Plaintiffs' expert on the Independent Technical Review Team (the "ITRT") designated pursuant to section 3 of the LSA, Dr. Robert Dean, issued a written dissent (the "Dissent") from the findings of the Final Report.
  - c. On May 5, 2008, the United States and the State advised that they declined to make the election described in section 3(f)(i) of the LSA.
  - d. On May 8, 2008, pursuant to section 3(f)(ii) of the LSA, Plaintiffs requested that an ADR Judge be assigned to hold a confidential neutral evidentiary evaluation on the question of whether the PI's determination in the Final Report is fundamentally flawed, plainly wrong, or arbitrary.
  - e. On July 29, 2008, the Court assigned Senior Judge Eric G. Bruggink to hold the aforesaid confidential neutral evidentiary evaluation. The parties briefed the issues to Judge Bruggink, agreed on applicable procedures, and the matter is ready for hearing.
  - f. Pursuant to section 3(f)(ii)(cc) of the LSA, Plaintiffs would be required in the ADR proceeding to show by a preponderance of the evidence that the

PT's determination in the Final Report is fundamentally flawed, plainly wrong, or arbitrary. In the event that Plaintiffs failed to satisfy their burden, the litigation would be dismissed in its entirety and Plaintiffs would take nothing by way of just compensation or other relief, and no beach nourishment project would be undertaken by the Corps. If Plaintiffs succeeded in meeting their burden of proof, the obligation of the Corps to undertake a beach nourishment project would be subject to a determination by the Corps of feasibility, and the possibility that the litigation would be reopened in the event no project is constructed.

5. Pursuant to section 11 of the LSA, the LSA parties have met in good faith and, following extensive negotiations; have agreed to enter into this Second Addendum to Settlement Agreement in order to mitigate the mutual risks of proceeding in ADR, subject to the Court's approval after notice to the class members and hearing.

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS DULY ACKNOWLEDGED, IT IS AGREED:

1. The United States and the State shall pay to the Plaintiffs the sum of one million five hundred thousand dollars (\$1,500,000.00) (the "Settlement Funds") of which the United States' share shall be \$1,440,000.00, and the State's share shall be \$60,000.00, in full and final settlement of all claims in this litigation, including all claims for attorneys' fees and costs under the LSA, its addenda, or any applicable law.
2. Plaintiffs, on behalf of themselves and their assignees and transferees, hereby release and discharge the United States and the State of Alabama from all liability (including all claims seeking compensation for taking of Plaintiffs' property under the Fifth Amendment to the Constitution), and covenant not to sue the United States, or the State of Alabama, for past, present, or future erosion on Dauphin Island, Alabama, resulting from the Corps' construction, operation, and maintenance of the Mobile Outer Bar Navigation Channel ("MOBC"), *provided however* that any release as to erosion occurring after the execution of this Second Addendum shall be valid only to the extent and so long as such construction, operation, and maintenance is
  - a. within the dimensional limits of the MOBC project's current Congressional authorization, see Water Resources Development Act of 1986, Pub. L. No. 99-662, § 201, 100 Stat. 4082, 4089-90, as set forth in section 2.a of the statutorily referenced Report of the Chief of Engineers dated November 18, 1981, a copy of which has been furnished to counsel; and

- b. in compliance with the provisions of section 5.d of this Second Addendum.

This release includes all claims for attorneys' fees and costs incurred in connection with performance of the terms of the LSA and its addenda, including without limitation all costs and fees associated with the negotiation and implementation of this Second Addendum including notice to the class and the fairness hearing.

3. Plaintiffs' counsel represent that they are unaware of any intent by any current or prospective owner of a real property interest in Dauphin Island, whether a member of the class the Court certified previously or not, to institute any judicial or administrative proceedings against the United States or its agencies arising from alleged erosion on Dauphin Island.
4. Subject to and upon approval by the Court of this Second Addendum after notice to the class and hearing, Plaintiffs will execute the stipulation of dismissal with prejudice attached as Exhibit C hereto.
5. The LSA is hereby amended and the LSA parties agree as follows:
- a. The terms of Section 1 of the LSA have been fully performed and the opt-in class has been certified by the Court, as contemplated by said Section 1. Except as to the continuing existence of the opt-in class together with all applicable legal attributes of class certification, the provisions of section 1 shall have no further effect upon the execution of this Second Addendum, *provided however* that for the purposes of (and in furtherance of) this Second Addendum, and subject to the Court's approval following the process set forth in Rule 23(e) of the Rules of this Court, the Parties to the Litigation agree that this Second Addendum will bind and be a compromise and resolution in all respects of the claims of all members of the class.
- b. The terms of Section 2 of the LSA will have no further effect upon the execution of this Second Addendum. The Parties to the Litigation agree to promptly petition the Court to lift the stay entered in this case on January 8, 2009 (Docket # 200) to permit the procedures contemplated by section 6 hereof to move forward.
- c. With respect to section 3 of the LSA, the LSA parties acknowledge that each of them has timely and completely fulfilled the terms of subsections 3(a) through 3(f)(ii) of the LSA, with the exception of subsections (aa) through (ff) of section 3(f)(ii), reflecting that the ADR proceeding

described in said subsections has not yet occurred. Notwithstanding the foregoing, section 3 is amended as follows:

- i. The Plaintiffs hereby withdraw irrevocably their request pursuant to LSA § 3(f)(ii) for an ADR Judge to determine whether the negative determination of the Impacts Study is fundamentally flawed, plainly wrong, or arbitrary.
  - ii. With reference to the documents prepared pursuant to section 3 of the LSA (the "Impacts Study Record Documents"), and identified as "documentary evidence" in the letter of Wells D. Burgess to the Honorable Eric G. Bruggink dated November 5, 2008 attached as Exhibit D hereto, the PI, within thirty days of Court approval of this Second Addendum, will supplement the Impacts Study Record Documents with a written response to the Dissent (the "Response"), which Response will be served on all the LSA parties and filed with the Court together with the Impacts Study Record Documents. Except as may be required by the Court for purposes of the fairness hearing, no further comment of any type will be filed with the Court by any of the LSA parties or any member of the ITRT pursuant to the LSA, the First or Second Addenda, or in this litigation. The Impacts Study Record Documents as supplemented by the Response will constitute the complete record of the Impacts Study process identified in Section 3 of the LSA, *provided however*, that nothing herein will prevent the PI from publishing the Impacts Study within the scientific community for peer review or prevent any ITRT team member from participating in that review or otherwise commenting on the Impacts Study outside the Court of Federal Claims record.
  - iii. Except as expressly amended, and without derogation from the acknowledgment of prior performance, section 3 of the LSA is rescinded and of no further effect.
- d. The terms of section 4 of the LSA are amended to read as follows: "The Corps shall conduct its maintenance dredging practices to deposit material dredged from the MOBC in the Sand Island Beneficial Use Area and/or the Feeder Berm Disposal Area ("the alternate disposal areas"), *subject to* (i) channel shoaling that materially adversely affects or could reasonably be expected to materially adversely affect shipping traffic before the routine, scheduled dredging cycle occurs; (ii) the absence of competitive bid proposals from operators owning equipment capable of disposing material in the alternate disposal areas (i.e., where disposal in these

alternate disposal areas would thus violate the "least costly" restriction imposed by applicable laws); (iii) currently unforeseen negative consequences from repeated use of these alternate disposal areas are discovered; (iv) a change in the law, certifications, authorizations, or regulations that prohibits the deposit of such material in these two disposal areas; or (v) identification and authorization by the Corps of an area more beneficial to Dauphin Island. Plaintiffs agree that neither they nor their counsel, agents or representatives, will in any manner or method suggest or imply that the Corps' deposit of MOBC material pursuant to this section is an admission of liability or evidence of any detrimental impact arising from any action by the United States or its agencies. Similarly, the parties understand that the Corps will -- if none of the five "subject to" caveats listed above prevent it from doing so -- deposit MOBC material in the Sand Island Beneficial Use Area and/or the Feeder Berm Disposal Area.

- e. Sections 5, 6 and 7 of the LSA are hereby rescinded, provided however that the rescission of section 6 shall not be construed as an admission of failure to timely perform any sections of the LSA heretofore performed by the LSA parties, nor shall it be construed to excuse timely performance of any of the provisions of this Second Addendum.
- f. Section 8 of the LSA is rescinded, and shall be substituted with the following: "For and in consideration of the entry of the State of Alabama into this Second Addendum, the United States hereby covenants not to bring any action against the State, and any and all of its agencies, including the Alabama State Port Authority (formerly known as the Alabama State Docks), under the cooperation agreements referred to under section 4, page 2 of the LSA, for any erosion to Dauphin Island allegedly caused by the construction or maintenance dredging of the Channel by the United States or any of its agencies or any other liability, claims (including claims for attorneys fees or costs), demands or indemnity resulting from or related in any way to erosion to Dauphin Island allegedly caused by the construction or maintenance dredging of the Channel by the United States or any of its agencies."
- g. The LSA parties acknowledge that the terms of section 9(a) of the LSA have been fully and completely performed. The remaining terms of section 9 of the LSA are hereby rescinded.
- h. Section 10 of the LSA is rescinded and shall be substituted with the following: "The LSA Parties reserve and do not waive any rights, at law or

in equity, which they may have to enforce the terms of the Litigation Settlement Agreement as amended.”

- i. Section 11 of the LSA is rescinded and shall be substituted with the following: “This Litigation Settlement Agreement, the First Addendum and this Second Addendum constitute the entire and sole understanding of the parties hereto with respect to this matter, notwithstanding any prior oral or written statements, instructions, agreements (including, without limitation, the prior version of this Second Addendum executed by the LSA Parties as of August 3, 2009), representations, or other communications. The Litigation Settlement Agreement as supplemented and amended by the First Addendum and Second Addendum may not be amended, modified or abrogated, except upon written agreement executed by all parties. Where provisions of the LSA are amended by this Second Addendum, said amendments replace in their entirety the original provision, except as expressly amended or substituted by the provisions of this Second Addendum.
  - j. Section 12 of the LSA is hereby amended by substituting the words “Litigation Settlement Agreement as amended by the First and Second Addenda” for the words “Litigation Settlement Agreement” wherever those words appear in this section.
  - k. Section 13 of the LSA is rescinded and shall be substituted with the following: “It is expressly understood and agreed that this Litigation Settlement Agreement as supplemented and amended by the First Addendum and Second Addendum represents a compromise of disputed claims and shall not be construed or deemed to be evidence, admission or concession of any fault or liability or damage on the part of any party hereto.”
  - l. Section 14 of the LSA has been performed and is of no further effect.
  - m. The First Addendum continues in full force and effect.
6. Plaintiffs shall apply the Settlement Funds, after payment of legal fees, toward a feasibility study for a beach nourishment project, engineering for such a project, and/or actual implementation of such a project for the southern shoreline of Dauphin Island, *provided however*, that neither the United States nor the State shall bear any responsibility for, or have the right to insist on, the performance by Plaintiffs of this paragraph 6, and failure of the Plaintiffs to so perform will not affect in any way the obligations undertaken by Plaintiffs, the United States, or the State pursuant to the remaining provisions of this Second Addendum.

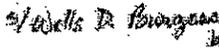
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7. The Parties to the Litigation agree to request the Court to direct to the members of the plaintiff class a form of notice advising them of the LSA parties' intention to enter into this Second Addendum and of their opportunity to be heard at a fairness hearing pursuant to Rule 23(e) of the Rules of the United States Court of Federal Claims.
8. This Second Addendum shall be effective as of the date signed, either in unity or in separate part, by authorized representatives of the United States, the Plaintiffs, and the State of Alabama, when approved by the Court of Federal Claims.

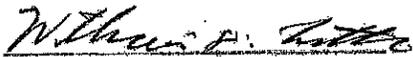
Executed as of this 14th day of August, 2009:

  
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# In the United States Court of Federal Claims

No. 00-115L

(Filed November 24, 2009)

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**DAUPHIN ISLAND PROPERTY OWNERS ASSOCIATION, INC.**  
**a non-profit corporation; and**  
**JAMES W. HARTMAN,**

**Plaintiffs,**

**v.**

**THE UNITED STATES,**

**Defendant.**

\*\*\*\*\*

**Fifth Amendment Taking; Class Actions; RCFC 23; Settlement, voluntary dismissal, or compromise; Hearing and finding regarding the fairness, reasonableness, and adequacy of a proposed settlement.**

*Daniel G. Blackburn*, Blackburn & Conner, P.C., Bay Minette, Alabama, attorney of record for plaintiffs, Dauphin Island Property Owners Association, Inc. and James W. Hartman, and *Lewis S. Wiener*, Sutherland, Asbill & Brennan, Washington, D.C., *Richard E. Davis*, Daphne, Alabama, and *Joseph D. Steadman*, Dodson & Steadman, P.C., Mobile, Alabama, of counsel.

*Wells D. Burgess*, U.S. Department of Justice, Environmental & Natural Resources Division, attorney of record for defendant, and *Mark S. Barron*, U.S. Department of Justice, Environmental & Natural Resources Division, trial attorney, and *Gary A. Moore*, U.S. Attorney's Office, Southern District of Alabama, and *Joseph P. Givhan*, Assistant District Counsel, U.S. Army Corps of Engineers, and *William D. Little*, Assistant Attorney General, Office of the Attorney General for the State of Alabama, of counsel.

## OPINION AND ORDER

**Futey, Judge.**

This case comes before the court for final approval of the Second Addendum to the Litigation Settlement Agreement between the representatives of the plaintiff class, Dauphin Island Property Owners Association, Inc. ("the Association"), and James W. Hartman, and defendant, the United States. The State of Alabama is not a named defendant in this litigation; however, as the local sponsor of the Army Corps of Engineers' ("the Corps") dredging activities the State agreed to be a party to any

agreement and share in certain cost. In return the United States has released the State from certain indemnity claims. On September 15, 2009, a fairness hearing was conducted in Mobile, Alabama. For the reasons stated below, the settlement on behalf of the class is approved.

### Factual Background

#### *A. The History of the Case*

Plaintiffs are owners of property on Dauphin Island, located in Mobile County, Alabama, on or adjacent to the Gulf of Mexico. The Association is comprised of persons, firms, or entities that own property situated on Dauphin Island. Additionally, the Association owns certain lands on the island, including stretches of beachfront property. The Corps, a federal agency, provides construction, operation and maintenance for the Mobile Ship Bar Channel (“the Channel”), which provides a navigable waterway to the Port of Mobile. This maintenance includes dredging which is accomplished by removing, through various means, sediment from the Channel and disposing of the same in the nearshore, littoral or offshore locations in the Gulf of Mexico.

On March 6, 2000, plaintiffs filed the instant case alleging that the Corps’ dredging practices caused significant shoreline erosion of their property. Plaintiffs further claimed that this amounted to an uncompensated taking of their property contrary to the Fifth Amendment. After over five years of negotiations, a proposed settlement was signed by the parties on July 15, 2005, (“the Settlement Agreement”). A notice regarding the Settlement Agreement, which included a joint motion for certification of the class, was filed on July 19, 2005. The case was certified as an opt-in class action on January 11, 2006, and approximately 1,500 property owners, including 99% of the affected landowners on the southern shore of Dauphin Island, opted-in to the class. On July 11, 2006, a fairness hearing was conducted in Mobile, Alabama to determine the appropriateness of the Settlement Agreement and to hear any objections from the class. On September 5, 2006, an Amended Opinion and Order was issued that approved the Settlement Agreement between the plaintiffs and defendant.

#### *1. The Settlement Agreement of July 15, 2005*

The Settlement Agreement did not provide a monetary remedy to class members, rather it required a study of the causes of the erosion and, if the Corps’ construction or maintenance practices were determined to have caused erosion, to then implement measures aimed to replenish the beachfront and prevent further wearing away of the shoreline. Upon certain conditions, the Corps agreed to modify its dredging disposal practices. Instead of disposing of the dredged material from the

Channel into the historically designated locations in the Gulf of Mexico south of Dauphin Island, the Corps agreed to dispose of the material in two areas nearer the shores of Dauphin Island. Naturally occurring conditions and currents of the Gulf Coast may, according to at least one theory, move or transport the material to the shores of Dauphin Island. In addition, the placement of this dredged material in areas nearer the shore may help diffuse the energy of waves, both ordinary and those produced by hurricanes, that would normally hit Dauphin Island. These new dredging practices were already in place when the Settlement Agreement was approved by the court.

The second component of the Settlement Agreement was the decision by all parties to use a team of four highly qualified engineers to perform an impact study. The study's goal was to discover if there is a measurable impact on Dauphin Island's shoreline which can be attributed to the Corps' dredging practices. The study was to proceed in stages, with a Draft Impacts Study completed and presented not later than 10 months from the later of either the effective date of the Settlement Agreement or the date of the Feasibility Cost Sharing Agreement. All members of the team had 30 days to review and comment on the Draft Impacts Study, and then 30 days after the review a Final Report was submitted.

If the Final Report finding was positive, meaning that "the quantity of erosion attributable to the Corps' construction, operation and Maintenance Dredging Practices of and at the Channel is above the Minimum Measurable Erosion of Dauphin Island's shoreline," then the parties would proceed to the next phase of the process—the Feasibility Study Phase. *See* Settlement Agreement ¶ 3(e). If, however, the study showed that the Corps' dredging practices had no effect on Dauphin Island's shoreline (a finding of negative impact), plaintiffs agreed to dismiss the litigation with prejudice, subject to a provision that allowed the parties to participate in alternative dispute resolution ("ADR"). According to the Settlement Agreement, the ADR process required a heightened burden of proof. If the plaintiffs did not succeed in ADR, the case would be dismissed with prejudice. Notwithstanding a study result of negative impact, the Corps could, in its own discretion, declare the results inconclusive and the process would move into the Feasibility Study Phase.

In the Settlement Agreement, defendant also reserved a statute of limitations defense. In the event that the statute of limitations defense failed and if the original finding of the impact study was positive, then the impact study's Final Report would be binding upon the defendant and litigation would proceed to the damages phase.

2. *Events After the Approval of the Settlement Agreement of July 15, 2005*

After the fairness hearing on July 11, 2006, the court ordered the parties to

file joint status reports regarding implementation of the Settlement Agreement every ninety days. The parties filed numerous joint status reports during 2007 and 2008. On January 10, 2008, the Final Report was submitted by the Principal Investigator (“PI”), Dr. Mark Byrnes of Applied Coastal Research and Engineering, to the members of the Independent Technical Review Team (“ITRT”)<sup>1</sup> in accordance with the Settlement Agreement and the court’s Order of November 5, 2007. The Final Report was negative; there was “a determination that the Corps’ construction, operation and Maintenance Dredging Practices of and at the Channel have not resulted in at least Minimum Measurable Erosion of Dauphin Island’s shoreline.” See Settlement Agreement ¶ 3(f). According to the court’s order of February 5, 2008, plaintiffs’ ITRT team member Dr. Dean, had until March 10, 2008, to provide a written dissent to the Final Report.

Dr. Dean dissented and indicated that the Final Report was fundamentally flawed, not reliable and at best inconclusive. Dr. Dean’s dissent in writing triggered certain provisions in the Settlement Agreement and on May 5, 2008, defendant informed the court that it would not elect to declare the findings of the Final Report inconclusive as allowed pursuant to paragraph 3(f)(i) of the Settlement Agreement. On May 8, 2008, plaintiffs filed a motion and informed the court that they wished to exercise their right to request an ADR Judge “to hold a confidential neutral evidentiary evaluation on the question of whether the PI determination in the Final Report is fundamentally flawed, plainly wrong, or arbitrary.” See Settlement Agreement ¶ 3(f)(ii). If the ADR Judge found that the PI’s determination was fundamentally flawed, plainly wrong or arbitrary the Corps would be obligated to undertake a beach nourishment project subject to a feasibility determination or litigation could commence. In the event the ADR Judge determined that the PI’s Final Report was not fundamentally flawed, plainly wrong, or arbitrary then the case would be dismissed. In the same motion plaintiffs requested a stay of the case and a delay in assignment to an ADR Judge until the PI presented his findings in a public forum on Dauphin Island as required in Exhibit A of the Settlement Agreement.

On July 28, 2008, the parties filed a status report that notified the court that Dr. Byrnes publically presented his Final Report on July 16, 2008. The status report also requested that the case proceed to ADR. On July 29, 2008, this case was assigned to Judge Eric G. Bruggink for ADR. Shortly thereafter, Judge Bruggink held a status conference and then issued a scheduling order on September 12, 2008, which included briefing deadlines and scheduled two ADR sessions in Alabama.

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<sup>1</sup> Pursuant to paragraph 3(a), (b) of the Settlement Agreement, the ITRT consisted of: Dr. Robert Dean, University of Florida (for plaintiffs); Dr. Nicholas Kraus, U.S. Army Corps of Engineers, Engineering Research Development Center (for the United States); and Mr. Robert Mink, Geological Survey of Alabama (for the State).

Prior to the start of ADR proceedings the parties decided to attempt to settle the matter through direct negotiations. The parties met on January 27, 2009, and outlined the basic parameters for an agreement. On June 8, 2009, the parties appeared in Washington, D.C., and advised the court that the Second Addendum to the Litigation Settlement Agreement (“Second Addendum”) was almost complete.

On June 22, 2009, the fairness hearing was scheduled for September 15, 2009. On July 30, 2009, the parties filed an expedited motion for approval of the Notice to the Class Members in Advance of the Hearing on September 15, 2009 (“the Notice”). On August 4, 2009, the Notice was approved, with some minor changes to the settlement agreement recommended by the court. Thereafter, on August 14, 2009, the Second Addendum was executed.

### 3. *The Second Addendum to the Litigation Settlement Agreement*

The Second Addendum was executed to “mitigate the mutual risks of proceeding in ADR.” Second Addendum, Recitals ¶ 5. According to the Second Addendum, *inter alia*, defendant and the State have agreed to pay plaintiffs \$1.5 million dollars in full and final settlement of all claims, including all claims for attorneys’ fees and costs. *Id.* ¶ 1. Plaintiffs agreed to release and discharge the United States and the State of Alabama from all liability and covenant not to sue for past, present or future erosion resulting from the construction, operation and maintenance of the Channel. *Id.* ¶ 2. This release of all liability is valid only if the Corps construction, operation and maintenance is within the dimensional limits of the Channel’s current congressional authorization and the Corps conducts its maintenance dredging practices to deposit material dredged from the Channel in the Sand Island Beneficial Use Area and/or the Feeder Berm Disposal Area subject to the limitation in section 5(d) of the Second Addendum. *Id.* ¶ 2(a),(b).

#### B. *The Fairness Hearing of September 15, 2009*

The court traveled to Mobile, Alabama, and on September 15, 2009, held a fairness hearing at the United States District Court for the Southern District of Alabama. At the hearing, the court heard the following: opening statements from both plaintiffs’ and defendant’s counsel; support from class representatives, Mr. James Hartman and Mr. Bill Harper, President of the Association; support from Jeff Collier, the Mayor of Dauphin Island; objections from thirteen individual members of the class; and defendant’s presentations by Dr. Susan Ivester Rees of the Corps and Mr. James K. Lyons, Director and Chief Executive Officer of the Alabama State Port Authority.

*1. Support for the Second Addendum*

At the fairness hearing, the court heard support for the settlement from the named class representatives and other class members, as well as a presentation from defendant's technical experts. These witnesses all testified that the Second Addendum was an appropriate compromise.

For the class, James Hartman, a class representative, testified that he favored the Second Addendum. Tr. 46:4-51:18. The Mayor of Dauphin Island, Jeff Collier, stated that he was in favor of using any funds from a settlement in conjunction with a National Oceanic and Atmospheric Administration grant to help replenish Dauphin Island's beaches. Tr. 53:24-54:5. Bill Harper, President of the Association, described how plaintiffs' case appeared to be "falling apart" in the summer of 2008. Tr. 56:1-25. Mr. Harper encouraged counsel to settle this case. Tr. 57:9-12. Mr. Harper also believes that money from this settlement could be combined with other funds to finance a study of the needs of Dauphin Island's coastline. Tr. 57:13-23.

The court also heard technical testimony from two experts. These experts responded to one of the primary concerns of objectors, that future expansion of the Channel would result in shoreline erosion of plaintiffs' property. Currently, the Channel is 47 feet by 600 feet; however, according to the Water Resources Improvement Act the Channel is authorized to 57 feet by 700 feet. Tr. 130:23-25; 131:1-12. Dr. Susan Ivester Rees, of the Corps, testified that according to the Water Resources Development Act the cost of any construction and maintenance in the Channel would be equally shared between the Corps and the Alabama State Port Authority. Tr. 133:1-21; 134:11-19. James Lyons, Director and Chief Executive Officer of the Alabama State Port Authority, then testified that expansion of the Channel to its authorized limits would be incredibly costly. Tr. 157:24 -160:2. Mr. Lyons stated, "I don't think there would be enough business to justify [expansion]. I don't think I would even ask the Corps or try to even spend any money on trying to study it." Tr. 164:18-21. Both Dr. Rees and Mr. Lyons testified that dredging the Channel to the authorized limits is unlikely because it is both unnecessary and extremely costly.

*2. Objections to the Second Addendum*

Thirteen objectors also testified, and over one hundred objectors submitted written comments prior to the hearing. Additionally, written objections were received during the fairness hearing and objections were filed with the court on October 14 and November 16, 2009. The objections contain three primary areas of concern with the Second Addendum.

First, objectors are concerned with the adequacy of the settlement arguing that

the settlement provides too low a recovery to compensate plaintiffs for the damage caused by erosion. Written comments described the settlement as “very little net money for [a] huge problem,”<sup>2</sup> “insufficient . . . compared to what the Class is being required to give up,”<sup>3</sup> and “unconscionable.”<sup>4</sup> Testimony at the fairness hearing labeled the settlement “measly”<sup>5</sup> and “not fair,”<sup>6</sup> as well as “grossly unfair” when the scope of possible future erosion is unknown.<sup>7</sup>

Second, objectors indicated that they have not received adequate information. Objectors contend that they did not know that entering the class would bind them to a class judgment or settlement, or that they would be waiving the right to sue for future erosion. For instance, Mr. William Stevens testified at the hearing, “Anything in the past, I understand as a Member of the Class, I could not sue individually over past erosion, but it is the future part that I have objection to.” Tr. 80:10-13. Some objectors are concerned that plaintiffs’ counsel and the named representatives did not inform individual class members of the status of the settlement negotiations. For example, Ms. Laura Martin testified at the hearing, “I have attempted several times to contact [the Association] and they’ve completely ignored my requests . . . I feel like I’ve been ignored and there might be other people like me out there that are trying to get in contact with them and they’re just ignoring me.” Tr. 112:8-17.

Third, many objectors are concerned that the settlement allows the Corps to expand the Channel up to the “authorized” area. Currently, the Corps dredges an area of approximately 47 feet by 600 feet, while the Corps is authorized by the Water Resources Development Act of 1986 to dredge a larger area of 57 feet by 700 feet. Mr. Coffee, a former Corps employee, testified that he and other class members were told the settlement only covered the smaller area. Tr. 86:25-87:2. Mr. Coffee believes this was because some of the plaintiffs’ lawyers were unaware that the “authorized” language in the settlement would allow for an expansion of the dredging area.

Related to these latter two objections, many assert that the terms of the

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<sup>2</sup> Pls.’ Br., Ex. J (Ronald Benoit).

<sup>3</sup> Pls.’ Br., Ex J (Glendon and Deborah Coffee).

<sup>4</sup> Pls.’ Br., Ex J (James and Dee Frazell).

<sup>5</sup> Tr. 68:1-14 (Stan Graves).

<sup>6</sup> Tr. 118:10-16 (Tiffin Greer Cowden).

<sup>7</sup> Tr. 95:11-23 (Glenn Coffee).

settlement are too “unknown” at this time for an informed decision to be made. For instance, Mr. Graves testified at the hearing, “[W]e are being told to give up, fully release and fully discharge the United States Government for a project that has not been developed, not constructed, with unknown consequences and unknown future damages.” Tr. 61:10-19. The written comments show a similar concern; numerous class members complain that they are “giving up . . . fifth amendment rights for an unknown.”<sup>8</sup>

### 3. *Post-hearing briefs*

On September 30, 2009, post-hearing briefs were filed by both parties. They were quite similar. The court must “independently and objectively analyze the evidence and circumstances before it in order to determine whether the settlement is in the best interest of those whose claims will be extinguished.” *In re Cendant Corp. Litig.*, 264 F.3d 201, 231 (3d Cir. 2001) (quoting *In re Gen. Motors Corp. Pick-Up Truck Fuel Tank Prod. Liab. Litig.*, 55 F.3d 768, 785 (3d Cir. 1995); see also *Moore v. United States*, 63 Fed. Cl. 781, 783 (2005) (stating that the trial court acts as a fiduciary serving as a guardian of the rights of absent class members). Supplemental briefs were therefore ordered. Plaintiffs’ supplemental brief was due on October 30, 2009; however, plaintiffs failed to timely file. On November 2, 2009, this court held an unscheduled status conference to address plaintiffs’ failure to file. On November 6, 2009, with leave from the court, plaintiffs filed their supplemental brief. Defendant filed its response on November 13, 2009, and plaintiffs filed their reply on November 16, 2009.

## Discussion

### A. *Standards for Decision*

Rule 23 of the Rules of the United States Court of Federal Claims (“RCFC”) governs class actions before this court. This rule is modeled on Fed. R. Civ. P. 23, and while there are differences, cases from other federal courts that apply Fed. R. Civ. P. 23 are relevant to this court’s interpretation of RCFC 23. *Haggart v. United States*, No. 09-103, 2009 WL 3152383, at \*3 (Fed. Cl. Sept. 28, 2009) (citing *Barnes v. United States*, 68 Fed. Cl. 492, 494 n.1 (2005)). One of the differences between RCFC 23 and Fed. R. Civ. P. 23, is that “unlike the FRCP, the court’s rule contemplates only opt-in class certifications, not opt-out classes. The latter were viewed as inappropriate here because of the need for specificity in money judgments against the United States, and the fact that the court’s injunctive powers – the typical focus of an opt-out class – are more limited than those of a district court.” Rules Committee Notes (2002). This class action was certified by the court on January 11,

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<sup>8</sup> See, e.g., Pls.’ Br., Ex. J (Lisa Andrews).

2006, and all of the current class members affirmatively joined the class by April 17, 2006.<sup>9</sup>

Pursuant to RCFC 23(e), “The claims, issues, or defenses of a certified class may be settled, voluntarily dismissed, or compromised only with the court’s approval.” RCFC 23(e). The court may only approve a proposed settlement if it is “fair, reasonable and adequate.” *Berkley v. U.S.*, 59 Fed. Cl. 675, 681 (2004) (quoting *In re Prudential Ins. Co. of Am. Sales Practices Litig.*, 148 F.3d 283, 316 (3d Cir. 1998)). In evaluating the settlement agreement this court must assess both the strengths and weakness of each parties’ position; however, it should not “decide the merits of the case or resolve unsettled legal questions.” *Nat’l Treasury Employees Union v. United States*, 54 Fed. Cl. 791, 797 (2002) (citing *Carson v. Am. Brands, Inc.*, 450 U.S. 79, 88 n. 14 (1981)). Settlement is always favored, “particularly in class actions and other complex cases where substantial [] resources can be conserved by avoiding formal litigation.” *In re Gen. Motors Corp. Pick-Up Truck Fuel Tank Prod. Liab. Litig.*, 55 F.3d at 784 (citations omitted); *see also Berkley*, 59 Fed. Cl. at 681 (“Class actions, by their complex nature, carry with them a particularly strong public and judicial policy in favor of settlement.”).

*B. Factors to Consider in Analyzing the Fairness of the Second Addendum*

The case law and rules of this court do not provide definitive factors for evaluating the fairness of a proposed settlement. Many courts have, however, considered the following factors in determining the fairness of a class settlement:

(1) The relative strengths of plaintiffs’ case in comparison to the proposed settlement, which necessarily takes into account:

(a) The complexity, expense and likely duration of the litigation; (b) the risks of establishing liability; (c) the risks of establishing damages; (d) the risks of maintaining the class action through trial; (e) the reasonableness of the settlement fund in light of the best possible recovery; (f) the reasonableness of the settlement fund to a possible recovery in light of all the attendant risks of litigation; (g) the stage of the proceedings and the amount of discovery completed; (h) the risks of maintaining the class action through trial;

(2) The recommendation of the counsel for the class regarding the

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<sup>9</sup> On July 12, 2006, the parties filed a Joint Motion to Add Class Members. According to the motion, after the deadline of April 17, 2006, several individuals indicated that they sought to join the class and provided opt-in forms to plaintiffs’ counsel. On July 19, 2006, the court granted the motion and added twenty people to the class effective, *nunc pro tunc*, April 17, 2006.

proposed settlement, taking into account the adequacy of class counsels' representation of the class;

(3) The reaction of the class members to the proposed settlement, taking into account the adequacy of notice to the class members of the settlement terms;

(4) The fairness of the settlement to the entire class;

(5) The fairness of the provision for attorney fees;

(6) The ability of the defendants to withstand a greater judgment, taking into account whether the defendant is a governmental actor or a private entity.

*Berkley*, 59 Fed. Cl. at 681-82 (citing *In re Prudential Ins. Co. of Am. Sales Practices Litig.*, 148 F.3d at 317, 329; *Staton v. Boeing*, 327 F.3d at 959, 961; *D'Amato v. Deutsche Bank*, 236 F.3d 78, 86 (2d Cir.2001)). In reviewing a settlement agreement the court can determine the appropriate weight to give each of the six factors above. *Berkley*, 59 Fed. Cl. at 682 (citing *Torrise v. Tucson Elec. Power Co.*, 8 F.3d 1370, 1375-76 (9th Cir. 1993)). Most importantly, this court must compare the terms of the settlement agreement with the potential rewards of litigation and consider the negotiation process through which agreement was reached. *Christensen v. United States*, 65 Fed. Cl. 625, 628-29 (2005); *see also Nat'l Treasury Employees Union*, 54 Fed. Cl. at 797 ("Such approval should be given based on the court's assessment of the reasonableness of the proposed compromise, taking into account the context in which the settlement was reached.").

1. *The relative strengths of plaintiffs' case in comparison to the proposed settlement*

To determine the relative strength of the plaintiffs' case compared to the proposed settlement the court must review how the case would have proceeded if the parties had not reached the agreement in the Second Addendum. The Settlement Agreement of July 15, 2005, laid out a framework for this case. On January 10, 2008, as required by the Settlement Agreement, the Final Report was submitted by Dr. Byrnes. The Final Report determined "that the Corps' construction, operation and Maintenance Dredging Practices of and at the Channel have not resulted in at least Minimum Measurable Erosion of Dauphin Island's shoreline." *See* Settlement Agreement ¶ 3(f). Plaintiffs' expert, Dr. Dean, dissented and indicated that the Final Report was fundamentally flawed, not reliable and at best inconclusive. On May 8, 2008, plaintiffs informed the court that they wished to exercise their right to request an ADR Judge "to hold a confidential neutral evidentiary evaluation on the question

of whether the PI determination in the Final Report is fundamentally flawed, plainly wrong, or arbitrary.” See Settlement Agreement ¶ 3(f)(ii).

According to the Settlement Agreement of July 15, 2005, which was approved by this court, the ADR process required a heightened burden of proof. If the ADR Judge found that the Final Report was fundamentally flawed, plainly wrong or arbitrary then the Corps would be obligated to undertake a beach nourishment project subject to a feasibility determination or litigation could commence. In the event the ADR Judge determined that the PI’s Final Report was not fundamentally flawed, plainly wrong or arbitrary then the case would be dismissed. Participating in ADR, therefore, held risks for plaintiffs including the possibility of dismissal with prejudice.

In the event the plaintiffs did succeed in ADR, the risks of maintaining the case through trial would be considerable. As with any litigation considerable time, resources and effort would be expended and the outcome of any litigation is unknown. Additionally, according to the Settlement Agreement of July 15, 2005, defendant planned to assert the affirmative defense of statute of limitations.

In this case the burden was on plaintiffs to prove in ADR that the Final Report was fundamentally flawed, plainly wrong or arbitrary before trial could commence. If plaintiffs were able to meet that burden, they would then be faced with all the defenses available to defendant. In balancing the strength of the plaintiffs’ case against the proposed settlement the court finds that the analysis weighs in favor of settlement.

2. *The recommendation of counsel for the class regarding the proposed settlement, taking into account the adequacy of class counsels’ representation of the class*

The competency and acceptance of the settlement by counsel for the class weighs heavily in favor of approval. *Nat’l Treasury Employees Union*, 54 Fed. Cl. at 797 (“In particular, the professional judgment of plaintiff’s counsel is entitled to considerable weight in the court’s determination of the overall adequacy of the settlement.” (citing *Luevano v. Campbell*, 93 F.R.D. 68, 88 (D.D.C.1981))). Counsel for the class conducted extensive negotiations with the government and have worked diligently to inform the class members of the terms of the settlement. This case has been pending before the court since 2000, and the parties have already successfully negotiated the Settlement Agreement of July 15, 2005.

On November 6, 2009, plaintiffs’ counsel filed their supplemental brief which detailed the negotiations between the parties to arrive at the agreement found in the Second Addendum. Plaintiffs’ supplemental brief also contained twenty exhibits,

including emails between the parties and drafts of the Second Addendum. Communications between plaintiffs' counsel and the class representatives regarding the Second Addendum were also detailed in the supplemental brief. Mr. Harper, the president of the Association, through Mr. Cliff Brady, General Counsel for the Association, requested that plaintiffs' counsel attempt to settle this matter and even suggested a settlement amount of \$1.5 million. Pls.' Suppl. Br. at 2-3. Additionally, there have been a number of site visits to Dauphin Island and presentations to the class members and it is, therefore, clear to the court that the lawyers are well informed of the state of affairs on Dauphin Island. Accordingly, acceptance of the settlement by counsel for the class certainly weighs in favor of a finding of fairness.

3. *The reaction of the class members to the proposed settlement, taking into account the adequacy of notice to the class members of the settlement terms*

A court may approve a proposed settlement even if a large number of class members object to it. *Berkley*, 59 Fed. Cl. at 687 (citations omitted). If only a small number of members object, however, a court may consider that fact as "strongly favor[ing] settlement." *Stoetzner v. U.S. Steel Corp.*, 897 F.2d 115, 119 (3d Cir. 1990) (finding twenty-nine objections out of two hundred and eighty-one class members "strongly favors settlement"). In assessing the objections of class members, it is useful to remember that "[a] fair settlement need not satisfy every concern of the plaintiff class." *Nat'l Treasury Employees Union*, 54 Fed. Cl. at 798 (quoting *Alliance to End Repression v. City of Chicago*, 91 F.R.D. 182, 195 (N.D. Ill. 1981)).

In response to the Notice, two hundred and thirty-eight individuals submitted responses.<sup>10</sup> One hundred and twenty-three of these were negative, while one hundred and two were positive. Additionally, thirteen responses expressed no opinion or returned an incomplete form.<sup>11</sup> At the hearing, thirteen class members testified in opposition to the settlement. Nearly all class members desire to settle the suit;<sup>12</sup> however, objections have been made to a few specific terms of the settlement.

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<sup>10</sup> The number of actual responses received is somewhat higher; however, some plaintiffs submitted multiple responses, which have not been counted towards the total number of responses received.

<sup>11</sup> On November 13, 2009, plaintiffs' counsel filed a third supplemental brief that included additional responses that were received – five objections and one that expressed no opinion were forwarded to the court.

<sup>12</sup> "I will tell you right now that I am for settling and finding a way to settle it. I am opposed to the terms." Tr. 61:5-7 (Stan Graves); "I am very much in favor of the settlement. . . . [W]e can make this settlement agreement more palatable to

Approximately sixteen percent of the class responded to the Notice. Counsel for plaintiffs and defendant argue that the silence of the large majority of the class should be construed as consent. The objectors, on the other hand, assert that the silence highlights the lack of “adequate information” given to class members about the contents of the Second Addendum. Tr. 82:7-22. In his September 24, 2009 letter, Mr. Graves writes that “the number of Class members that would have actually opposed the 2<sup>nd</sup> Addendum would have been much higher than those approving of it had all Class members been fairly and adequately informed.”

Objectors, also, for the first time raise the issue that they had no notice that joining the class would bind them to the class judgment. The original notice of certification and settlement, however, clearly stated that by joining the class their legal rights would be affected. On December 10, 2005, plaintiffs’ counsel made a presentation regarding the litigation during which they specifically explained that opting-in would bind the entire class to any judgment or settlement and would limit the right to sue individually. Pls.’ Suppl. Br. at 15; Ex. 18. Plaintiffs’ third supplemental brief included a copy of an insert from the Associations’ newsletter of January 2006, which specifically stated:

The settlement will not go forward unless virtually all property owners, particularly those owning property along the Gulf, agree to “opt-in”, thereby binding themselves to the ultimate outcome in the case. This “opting-in” is required by the government so that an individual property owner cannot at some future time bring his/her own separate lawsuit against the Corps.

Pls.’ Suppl. Br., Ex. 19. Furthermore, being bound to a class settlement is not particular to this settlement but instead is a common feature of class actions. *See, e.g., Devlin v. Scardelletti*, 536 U.S. 1, 9 (2002) (noting that “[t]he District Court’s approval of the settlement . . . binds petitioner as a member of the class”). The language used in this case was adequate to apprise a putative class member of the binding effect of a class judgment, and any objections to it should have been made years ago, as this was certified as an opt-in class action on January 11, 2006. Approximately 1,500 property owners, including 99% of the affected landowners on the Southern shore of Dauphin Island, took affirmative steps to become members of the class.

Joining a class action carries with it the risk that one may not be entirely happy with the outcome of the litigation. Now, after having affirmatively opted-in

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more Property Owners.” Tr. 82:1-10 (Glenn Coffee); “The majority of us are actually for the settlement, but we are opposed or disagree with some of the wording . . . .” Tr. 98:15-17 (Eileen Connolly).

to the class, the objectors cannot abandon the class because they are not completely satisfied with the negotiated compromise. Several plaintiffs asked the court to let them “opt-out” or “rescind” their decision to opt-in; however, the Court of Federal Claims has no such procedures.

The court is also not persuaded by the characterization of the settlement as “measly” by some plaintiffs. As discussed above, plaintiffs would face a difficult path if they chose to litigate this suit instead of settle it. The scientific study showed that erosion was not due to the Corps’ activity, and plaintiffs would face a heightened burden of proof if they were to challenge this finding in an ADR proceeding. In light of the uncertainties of further litigation and the fact that plaintiffs could easily recover nothing, \$1.5 million is not a paltry figure. *See, e.g., Christensen*, 65 Fed. Cl. at 631 (“[T]he risks faced by each side in the litigation weigh heavily in favor of approval of the settlement.”).

The court does recognize that plaintiffs have raised valid concerns regarding the settlement. It is true that the Channel at issue could be dredged to a greater size. The objectors, however, put too much weight in this concern. Dr. Rees and James Lyons both emphasized the extreme unlikelihood of such a project ever being undertaken. Additionally, even if the Channel was dredged to the congressionally authorized limits, there may be little impact to the shoreline. Plaintiffs’ counsel, as well as Mr. Brady, the General Counsel to the Association, each contacted individual coastal engineers both of whom expressed the opinion that expansion of the Channel to congressionally authorized limits would not likely result in more erosion on Dauphin Island. Pls.’ Suppl. Br. at 9. The government could have agreed to remove these terms from the settlement, however, it is emphatically not this court’s job to rewrite the settlement or second guess its terms. *Berkley*, 59 Fed. Cl. at 681 (citing *Evans v. Jeff D.*, 475 U.S. 717, 726-27 (1986); *Hanlon v. Chrysler Corp.*, 150 F.3d 1011, 1026 (9th Cir. 1998)). The objectors correctly point out that the settlement contains a broad waiver of rights to sue for future erosion. In return for this waiver, however, *inter alia*, plaintiffs will receive a substantial amount of money that will allow them to finance a study that will hopefully result in a successful beach replenishment project.

In sum, while there are valid objections to the Second Addendum the court finds that the objections do not provide the court with a factual or legal reason to disapprove the settlement.

#### 4. *The fairness of the settlement to the entire class*

A court must also ensure that the terms of a settlement treat the class as a whole fairly. “[A] settlement that gives uniform relief to all class members is fair if no identifiable segment can show that factual differences entitle it to a

disproportionately larger recovery.” *Berkley*, 59 Fed. Cl. at 711 (citation omitted). In this case, the settlement does not single out any particular group of plaintiffs, nor does any group merit special treatment. Thus, the settlement treats the class as a whole fairly.

5. *The fairness of the provision for attorney fees*

As with other elements of a settlement, attorneys’ fees must be reasonable. *Berkley*, 59 Fed. Cl. at 711 (stating that fees must be “fair, adequate, and reasonable”) (quoting *Staton v. Boeing Co.*, 327 F.3d 938, 959 (9th Cir. 2003)). The Court of Appeals for the Federal Circuit has not specified any particular factors to consider or any specific method for assessing the reasonableness of attorneys’ fees. *Moore*, 63 Fed. Cl. at 786.

In this case, counsel for the class will be paid out of the total settlement amount. This type of payment is not unusual for a class action. *Berkley*, 59 Fed. Cl. at 711-12; *Nat’l Treasury Employees Union*, 54 Fed. Cl. at 807. Plaintiffs’ counsel estimates that their current fees will be less than \$200,000.<sup>13</sup> This represents approximately 13% of the \$1.5 million settlement. Some class members have objected to the amount of attorneys’ fees. The amount of attorneys’ fees, however, is not unreasonable. In other cases before the Court of Federal Claims, plaintiffs’ counsel in class actions have recovered similar amounts in fees. See *Christensen*, 65 Fed. Cl. at 629 (recovering 7% of the total settlement); *Moore*, 63 Fed. Cl. at 789 (recovering 34%, although class counsel had asked for 40%); *Berkley*, 59 Fed. Cl. at 712 (recovering 7% of the total settlement); *Nat’l Treasury Employees Union*, 54 Fed. Cl. at 807 (recognizing that class counsel’s request for a 10% common fund award is well below the typical 20-30% fee awards in class actions).

6. *The ability of the defendants to withstand a greater judgment, taking into account whether the defendant is a governmental actor or a private entity*

Defendant’s ability to withstand a greater judgment has little relevance here. Although the government could theoretically “always withstand greater judgment because of Congress’s ability to tax” it would ultimately fall to the taxpayers to provide the necessary funds. *Berkley*, 59 Fed. Cl. at 712-13. In addition, if the instant case went to trial and the class prevailed, the court could only award monetary damages. *Bowen v. Massachusetts*, 487 U.S. 879, 914 (1988). This settlement provides for a monetary award to be used for a beach nourishment project.

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<sup>13</sup> Pls.’ Br. at 19. Pursuant to the Settlement Agreement, plaintiffs’ counsel has previously been paid a portion of their attorney fees; however, this initial payment was directly from the United States and not from any settlement amount.

Considering the size of the class, each individual's share of a judgment would be small and inadequate to undertake a study and formulate a plan that would allow a reclamation of his or her property and prevention of future erosion.

After careful review of the settlement, counsels' comments, and the class members' comments, it is clear to the court that the settlement is fair, reasonable, and adequate by all measures. The proposed settlement does not satisfy every plaintiff, but this is not unusual. As the Court of Appeals for the Ninth Circuit explained, "[T]he very essence of a settlement is compromise, 'a yielding of absolutes and an abandoning of highest hopes.'" *Officers for Justice v. Civil Serv. Com'n of City and County of San Francisco*, 688 F.2d 615, 624 (9th Cir. 1982) (citing *Cotton v. Hinton*, 559 F.2d 1326, 1330 (5th Cir. 1977); *Moore v. City of San Jose*, 615 F.2d 1265, 1271 (9th Cir. 1980); *Pettway v. Am. Cast Iron Pipe Co.*, 576 F.2d 1157, 1169 (5th Cir. 1978), cert. denied, 439 U.S. 1115, 99 S. Ct. 1020, 59 L. Ed.2d 74 (1979); *Mandujano v. Basic Vegetable Prods., Inc.*, 541 F.2d 832, 835 (9th Cir. 1976)). While the "highest hopes" of objectors in this case encompass more stringent terms and a larger recovery, defendant's hopes just as surely contain less stringent terms and a smaller recovery. "[A] settlement agreement achieved through good-faith, non-collusive negotiation does not have to be perfect, just reasonable, adequate, and fair." *Joel A. v. Giuliani*, 218 F.3d 132, 144 (2d Cir. 2000).

#### Conclusion

For the reasons discussed above, the court finds the Second Addendum between the plaintiff class, and the United States and the State of Alabama to be fair, reasonable, and adequate. The Second Addendum to the Litigation Settlement Agreement, as proposed by the parties, is hereby APPROVED.

Plaintiffs shall file a stipulation of dismissal by December 15, 2009, as required by the Second Addendum.

IT IS SO ORDERED.

s/Bohdan A. Futey  
**BOHDAN A. FUTEY**  
Judge

X GM @ m 12/7/00

**NATIONAL REGIONAL SEDIMENT MANAGEMENT DEMONSTRATION**  
**DISTRICT: SAM**

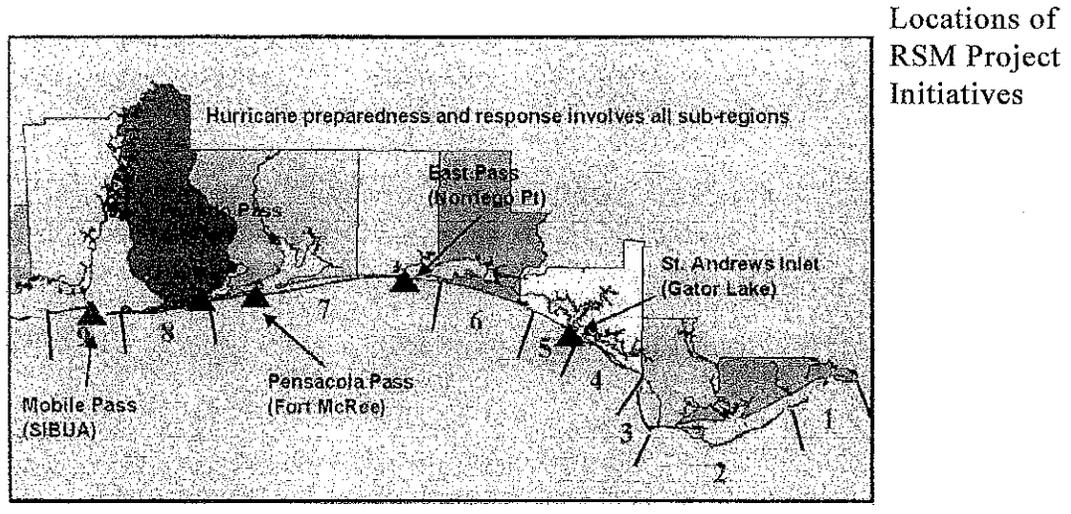
**PROGRAM: NORTHERN GULF OF MEXICO REGIONAL SEDIMENT MANAGEMENT DEMONSTRATION PROGRAM**

**POCs:** Susan Rees CESAM-PD-EC 334-694-4141  
Larry Parson CESAM-PD-EC 334-690-3139  
Linda Lillycrop CESAM-EN-HH 334-690-2593

**PROGRAM GOALS:** The goal of the Northern Mexico Regional Sediment Management Demonstration Program is to change the paradigm of project specific management focusing on a regional approach in which the US Army Corps of Engineers (USACE) in cooperation with other levels of government would stop managing projects and begin "managing the sand." The objectives of the demonstration program are:

- Implement Regional Sediment Management Practices
- Improve Economic Performance by Linking Projects;
- Development of New Engineering Techniques to Optimize/Conserve Sediment;
- Determine Bureaucratic Obstacles to Regional Sediment Management; and
- Manage in Concert with the Environment.

Figure 1. Location of the RSM demonstration area, sub-regions, and initiatives



**DESCRIPTION OF REGION:** The RSM the demonstration area established to represent the Northern Gulf of Mexico region (Figure 1) encompasses approximately 245-miles of coastal shoreline along the northern Gulf of Mexico bounded to the east by

the Mobile District boundary at St. Marks River in the Florida panhandle and to the west  
by the western end

of Dauphin Island in Alabama. The RSM program will include future expansion into the state of Mississippi of which the exact area has not yet been fully defined. Included within the region are nine Federal projects, eight State parks, the Gulf Islands National Seashore, three military installations, and various other state and local projects. The demonstration region was divided into nine sub-regions based on coastal processes and geomorphic characteristics. The sub-regions identified in the Florida panhandle are coincident with the Florida Department of Environmental Protection's sub-regions defined in their Strategic Beach Management Plan for the Panhandle Gulf Coast Region. Individual projects were subsequently identified within each sub-region for the purpose of defining project initiatives.

### **DEMONSTRATION INITIATIVES:**

There are many projects at various levels throughout the RSM demonstration area, each having its associated problems and management issues. It must be realized that not all of the projects and issues can be dealt with simultaneously and that the RSM process is an ongoing management program that will take years to implement on a regional level. A main focus toward implementing the RSM goals and objectives is to identify and prioritize those projects and associated issues that can be addressed in a timely manner. In doing so, many of the primary issues and concerns can be quickly solved allowing for a rapid realization of regional management benefits. The experience gained from these initiatives can then be extended to other projects throughout the region and so on. Listed below with their locations illustrated in Figure 1 are six primary initiatives that have been identified by the TWG:

Mobile Pass (Sand Island Beneficial Use Area) - In the past O&M requirements and logistics dictated placement of dredged material from the Mobile Pass navigation bar channel outside the limits of littoral processes. Disposal of the material in such locations removes it from the local littoral system. Keeping the dredged material in the littoral zone requires placement in a location where natural processes are able to move the material to the adjacent downdrift shorelines. However, the Bay entrance channel, ebb tidal shoal (bar), adjacent shorelines, and all other components are all part of a large complex system that has potential impacts to the evolution of Sand Island and the eastern end of Dauphin Island. Of particular interest is to determine how sediment moves around the ebb shoal and affects the adjacent barrier islands and navigation channel shoaling. Understanding of this process is incomplete. Alternative placement of dredged material from the bar channel requires investigation and monitoring to determine optimum placement for the return to the littoral system.

Perdido Pass - Since 1971 over 5.2 million cubic yards of sediment has been dredged from the navigation channels at Perdido Pass. Traditionally, most of this material has been placed at six disposal sites in and around the Pass. The problem lies in that much of the sandy material is slow to return to the littoral system. Some of the dredged material stockpiled west of the west jetty is being mined by locals for hurricane restoration, which

is also removed from the littoral zone. Placement of the dredged material further downdrift raises other potential problems such as private property issues and attaining easements and right-of-ways required for equipment access. Not allowing the material to be bypassed downdrift could have potential impacts to beaches further to the west or downdrift.

Pensacola Harbor (Fort McRae) - As part of maintaining navigable waterways in the vicinity of Pensacola Pass, the USACE conducts periodic dredging of the GIWW. Some of the dredged material is stockpiled on Fort McRae which is a 40 acre diked upland site created on an island in the mouth of Big Lagoon near the eastern end of Perdido Key. The disposed material appears to be of beach quality sand, however, disposal at this location does not allow the material to disburse into the local littoral system. Such material can be of benefit to the adjacent beaches of Santa Rosa Island and Perdido Key for shoreline stabilization as well as preservation of critical habitat. Use of the stockpiled sand for beach replenishment would require investigations as to the ownership of the sand and what funding sources are available to transport the material where it is needed.

East Pass (Norriego Point) - The Inlet Management Plan (IMP) for East Pass adopted by the FLDEP and the City of Destin recommends downdrift bypassing of approximately 80,000 cy of sand per year. This would require placing dredged material from the navigation channels in nearshore zone or directly on the downdrift beaches, which is the property of the USAF. Under the current maintenance practices much of the material dredged from the navigation channels is being placed on Norriego Point for stabilization, which does not allow for satisfying the recommended bypassing requirements. If the material was available for placement downdrift of the pass, the Corps does have formal authorization from Eglin AFB to place the material their property. If an alternative for shoreline stabilization at Norriego Point was implemented and the proper permissions obtained from Eglin AFB, the inlet bypassing requirements recommended by the IMP could be met. However, it is anticipated that transporting the sand downdrift would require the use of additional pipelines, which would increase the cost of the maintenance dredging operations. The use of other alternatives for protecting Norriego Point may also affect the easement currently held by the Corps.

St. Andrews Inlet (Gator Lake) - Periodic maintenance dredging of the St. Andrews Inlet navigation project is conducted by USACE. Traditionally, most of the beach suitable dredged material ( 84,000 cy/yr) is bypassed to the western downdrift beaches. However, some of the material ( 39,000 cy/yr) is placed along the western interior shoreline of the inlet fronting Gator Lake. The material is placed at this location to prevent the inlet from breaching into the environmentally sensitive freshwater habitat. Material placed along the Gator Lake shoreline does not return to the littoral system. Alternative techniques for protecting Gator Lake would allow more beach quality material to be available for bypassing to the downdrift beaches.

Hurricane Preparedness/Response - Increasing development and population of coastal

regions along the northern Gulf of Mexico necessitates a need for storm preparedness as well as rapid damage assessment and response. Increased storm activity will, sooner or later, have devastating effects to the highly developed and populated coastal areas throughout the RSM Demonstration region. Rapid post-storm damage assessment of severely impacted areas is necessary to expedite recovery operations such as emergency repairs to beaches, navigation channels, and coastal structures.

**UNIQUE ASPECTS OF THE STUDY:** Implementation of the RSM program will result in the modification of procedures on how the Mobile District manages coastal projects. The program will develop and implement management tools that have never before been accomplished on a regional scale. Such tools will include a working regional sediment budget, calibrated regional prediction modeling system, regional data management and GIS, implementation of regional management practices, and a regional sediment management plan. The RSM program will also identify and assess benefits of managing coastal projects at the regional scale. The benefits analysis will not only consider the typical economic benefits used to evaluate the Federal objectives, but will also consider aesthetic and environmental benefits as well. The program will bring together numerous Federal, state, and local agencies, universities, and private entities toward focusing on implementing the RSM concept.

**PARTNERS:** To steer the program towards the goals and objectives, a RSM Technical Working Group (TWG) was established with participants from Alabama and Florida, key Federal agencies, and local academia. The purpose of the TWG is to assist in the development and direction of the RSM Program and to identify and oversee implementation of program initiatives. Members of the TWG included:

- Florida Dept. of Environmental Protection (FDEP)
- USACE, Engineering Research Center (ERDC)  
USACE, Jacksonville District (SAJ)
- NOAA/National Data Buoy Center (NDBC)
- Geological Survey of Alabama (GSA)
- Florida Geological Survey (FGS)
- US Geological Survey (USGS)
- US Air Force - Eglin AFB
- US Navy
- Gulf Islands National Seashore
- University of Florida  
University of South Alabama
- Federal Emergency Management Agency (FEMA)
- Alabama Emergency Management Agency (AEMA)
- Minerals Management Service (MMS)
- Alabama Dept. of Conservation and Natural Resources (ADCNR)
- Alabama Dept. of Environmental Management (ADEM)
- Alabama Coastal Erosion Task Force (ACETF) - South  
Alabama Regional Planning Commission (SARPC)

**FEDERAL CONGRESSIONAL DISTRICT REPRESENTATIVES AND  
SENATORS:**

**Alabama**

Sen. Richard Shelby  
Sen. Jeff Sessions  
Rep. Sonny Callahan

**Florida**

Sen. Bob Graham  
Sen. Connie Mack

**Mississippi**

Sen. Thad Cockran  
Sen. Trent Lott  
Rep. Gene Taylor

**STATUS:** The Northern Gulf of Mexico RSM program is entering into its second year. Three Technical Working Group meetings were held to provide program direction. Two CERB briefings were also given to inform the board of program status and obtain additional direction. Numerous other accomplishments have been achieved including a historical data search; a regional baseline consisting of hydrographic and topographic data, beach profile data, and aerial photography; development of regional Geographic Information System (GIS) by the Mobile District Spatial Data Branch to manage all of the data and information; initiation of a regional sediment migration and transport study; sub-regional workshops to inform and solicit involvement of local interests; and submittal of a proposal to investigate the benefits of using IKONOS digital satellite imagery as a regional data collection tool. Also underway is the identification of economic and environmental benefits as a result of regional sediment management.

**PRODUCTS:**

TITLE	SCH	RESCHD	COMP
CERB Briefings	9910		9910
	0006		0006
Historical Data and Information	0109		ONGOING
Regional Baseline	0009		0009
Regional Data Management and GIS	0009		ONGOING
Sub-regional Workshops	0008		0008
Regional Sediment Management Plan	0009	0101	
Working Regional Sediment Budget	0109		

Calibrated Regional Prediction System

0209

Implementation of Regional Management Practices 0209

**FUNDING (K\$):**

	FY00	FY01	FY02	FY03	FY04	TOTAL
TOTAL	1000	800	1500	0	0	2600

MANAGEMENT DEMO AREA  
AN-ID SUB-REGIONS

11

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Mobile	scambi	Santa Rosa	Okaloosa	Walton	11	
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DAUPHIN ISLAND PROJECT  
STUDY MATRIX

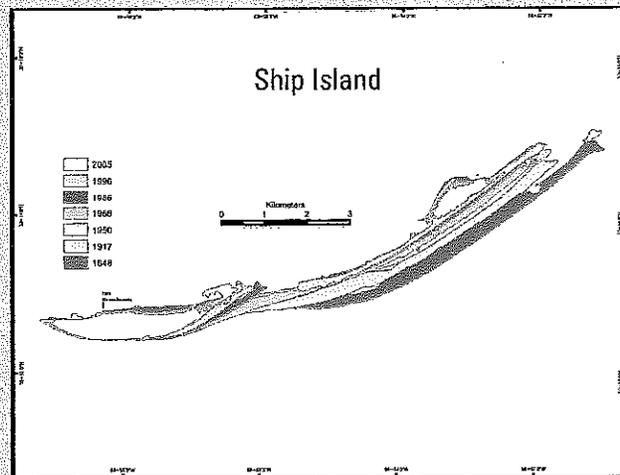
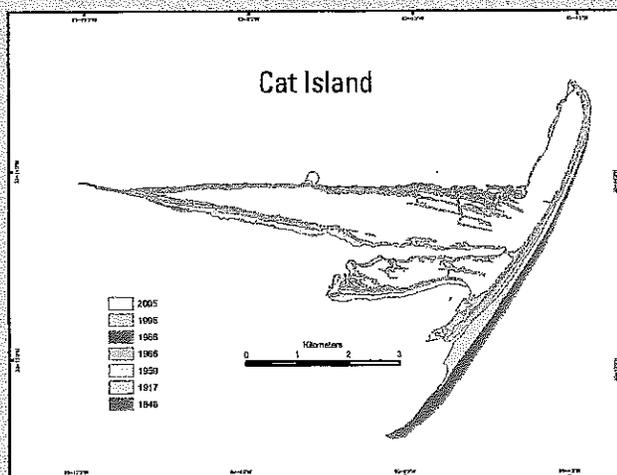
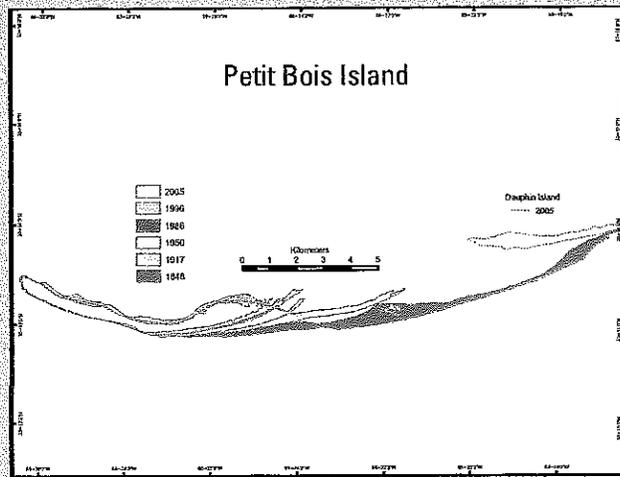
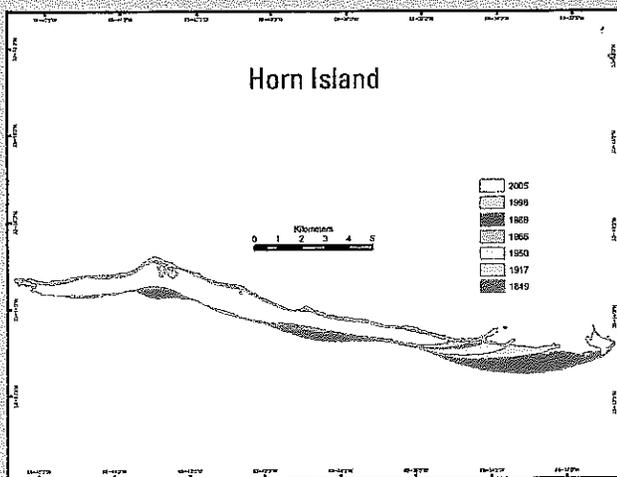
	Regional Sediment Management	DIPOA <sup>1</sup>	OTHER	MH GRR <sup>2</sup>	Section 103 <sup>2</sup>	Section 111 <sup>2</sup>
<b>zii4J<sup>11</sup></b> <b>Surveys and Maps</b>						
Hydrographic survey of channel (acoustic impedance survey data)		x		x		x
Historic			x			
Future			ongoing			
Beach Profiles - Mobile Co.	Collected (00) need OC, additional needed funding not yet identified	x		x	x	x
Beach Profiles - Baldwin Co.	Collected (00) need QC, additional needed funding not yet identified	x		x	x	x
Ebb Shoal Survey	additional needed funding not yet identified	x	complete (00)	x		x
Topographic Shoreline Survey Daupin Island	Collected (00), not processed, additional needed funding not yet identified	x		x	x	x
Topographic Shoreline Survey Fort Morgan	Collected (00), not processed, additional needed funding not yet identified	x		x		x
<b>Monitoring SISUA</b>						
Multibeam surveys	Collected (99/00), Planned (01)	x	x	x		x
ADCP transects	Collected (00), Planned (01)	x	x	x		x
Sediment sampling	Collected (99/100), Planned (011)	x	x	x		x
<b>Hydrology and Hydraulic Studies</b>						
<b>Historical Conditions</b>						
Historical Information	Ongoing	x			x	x
Historical survey data	Ongoing	x			x	x
Historical shoreline trends	Ongoing	x			x	x
Calculate volumetric changes	Ongoing	x			x	x
Historical sediment budget	Ongoing	x			x	x
Historical sediment pathways/patterns	Ongoing	x			x	x
Evaluate historical changes to ebb shoal/entrance channel		x				x
Evaluate historical feature/berm migration		x				x
Evaluate historical migration of barrier island chain		x				x
Historical Accident Reports	NA	NA		x		
Historical aerial photography	Obtained, not rectified	x			x	x

Maintenance Dredging Records	x	x	inhouse, needs compiling	x		x
Historical Conditions - Tides, Currents, Waves, Winds, storm parameters.	Ongoing	x			x	x
<b>Existing Conditions</b>						
Existing Physical Conditions - Tides, Currents, Waves, Winds, surge	Ongoing	x		x	x	x
Existing shoreline	Ongoing	x		x	x	x
Existing sediment budget	Ongoing	x		x		x
Navigation Channel Characteristics	NA	NA?		x		x
Existing Maintenance Dredging Requirements	x	x	Complete	x		x
Design Vessel	NA	NA		x		
Pipeline and Cable Permits	NA	NA		x	x	x
Quantities of materials to be dredged	NA					
Existing conditions aerial photography	Collected by state of AL, not rectified, not inhouse	x		x	x	x
Existing subsurface data and surveys	NA	NA		x	x	x
Develop basemap	Ongoing	x		x	x	x
ADCP currents through mobile pass	x	x		x	x	x
Collect directional wave information	Have offshore gage, nearshore required, funding not identified	x		x	x	x
Sediment sampling ebb delta, nearshore, beaches	x	x		x	x	x
<b>W/Project Improved</b>						
Navigation channels, bends, maneuvering and berthing areas at several alternative depths and/or widths	NA	NA		x		
Maintenance Dredging Requirements	NA	NA		x		
Quantities of beach fill required	NA	NA			x	x
Engineering design analysis	NA	NA		x		x
Structural Design and Analysis	NA	NA		x	x	x
Sediment budget based on alternatives	NA	NA				
Design Drawings (plans and cross section)	NA	NA		x		
<b>Geotechnical Analyses</b>						
Map of typical sections characteristics (Plan Sheets)	NA	NA		x		
Soil Laboratory Tests	NA	NA		x		
Slope Stability Analysis with Changing Depths in Channel	NA	NA		x		
Fill material requirements for disposal area dikes	AMA	NA		x		
Contour Maps of extent of contaminated areas (depth, lateral)	NA	NA		x		
<b>Hydrodynamic Modeling (MH)</b>						
Water Surface Data				x		
Velocity Data				x		
Salinity Patterns Data	NA	NA		x		
Shoaling Problems of Area	NA	NA		x		
Sedimentation Processes		x			x	
<b>Hydrodynamic Modeling (Coastal)</b>						
Sediment Processes	x	x		x	x	x

SBEACH		x			x	x
STWAVE	Sub-region level only	x		Project	Project	Project
GENESIS	Sub-region level only	x		Project	Project	Project
ADCIRC	Sub-region level only	x		Project	Project	Project
Ship Simulation Study	NA	NA		x		
Environmental Hydrodynamic Model	NA	NA		x	x	x
Water Quality, Sediment, Salinity	NA	NA		x	x	x
Resource Inventory Report	NA	NA		x	x	x
Mitigation Analysis Report	NA	NA		x	x	x
Section 404(b)(1)	NA	NA		x	x	x
Sediment Suitability	NA	NA		x	x	x
401 State Water Quality Certification	NA	NA		x	x	x
Section 103	NA	NA		x	x	x
Coastal Zone Management Consistency Determination Report	NA	NA		x	x	x
Tasks that SAM feels are relevant						
toilifittits included in Project Study						
Plans						

# HISTORICAL CHANGES IN THE MISSISSIPPI-ALABAMA BARRIER ISLANDS AND THE ROLES OF EXTREME STORMS, SEA LEVEL, AND HUMAN ACTIVITIES

Robert A. Morton



Open-File Report 2007-1161

# **HISTORICAL CHANGES IN THE MISSISSIPPI-ALABAMA BARRIER ISLANDS AND THE ROLES OF EXTREME STORMS, SEA LEVEL, AND HUMAN ACTIVITIES**

By Robert A. Morton

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U.S. Geological Survey

Coastal and Marine Geology Program

Open File Report 2007-1161

**U.S. Department of the Interior  
U.S. Geological Survey**

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## SUMMARY

An historical analysis of images and documents shows that the Mississippi-Alabama (MS-AL) barrier islands are undergoing rapid land loss and translocation. The barrier island chain formed and grew at a time when there was a surplus of sand in the alongshore sediment transport system, a condition that no longer prevails. The islands, except Cat, display alternating wide and narrow segments. Wide segments generally were products of low rates of inlet migration and spit elongation that resulted in well-defined ridges and swales formed by wave refraction along the inlet margins. In contrast, rapid rates of inlet migration and spit elongation under conditions of surplus sand produced low, narrow, straight barrier segments.

Since the mid 1800s, average rates of land loss for all the MS islands accelerated systematically while maintaining consistency from island to island. In contrast, Dauphin Island, off the Alabama coast, gained land during the early 20<sup>th</sup> century and then began to lose land at rates comparable to those of the MS barriers. There is an inverse relationship between island size and percentage of land reduction for each barrier such that Horn Island lost 24% and Ship Island lost 64% of its area since the mid 1800s. Ship Island is particularly vulnerable to storm-driven land losses because topographic and bathymetric boundary conditions focus wave energy onto the island. The three predominant morphodynamic processes associated with land loss are: (1) unequal lateral transfer of sand related to greater updrift erosion compared to downdrift deposition, (2) barrier narrowing resulting from simultaneous erosion of the Gulf and Sound-side shores, and (3) barrier segmentation related to storm breaching. The western three fourths of Dauphin Island are migrating landward as a result of storms that erode the Gulf shore, overwhelm the island, and deposit sand in Mississippi Sound. Petit Bois, Horn, and Ship Islands have migrated westward as a result of predominant westward sediment transport by alongshore currents, and Cat Island is being reshaped as it adjusts to post-formation changes in wave and current patterns associated with deposition of the St. Bernard lobe of the Mississippi delta.

The principal causes of barrier island land loss are frequent intense storms, a relative rise in sea level, and a deficit in the sediment budget. The only factor that has a historical trend that coincides with the progressive increase in rates of land loss is the progressive reduction in sand supply associated with nearly simultaneous deepening of channels dredged across the outer bars of the three tidal inlets maintained for deep-draft shipping. Neither rates of relative sea level rise nor storm parameters have long-term historical trends that match the increased rates of land loss since the mid 1800s. The historical rates of relative sea level rise in the northern Gulf of Mexico have been relatively constant

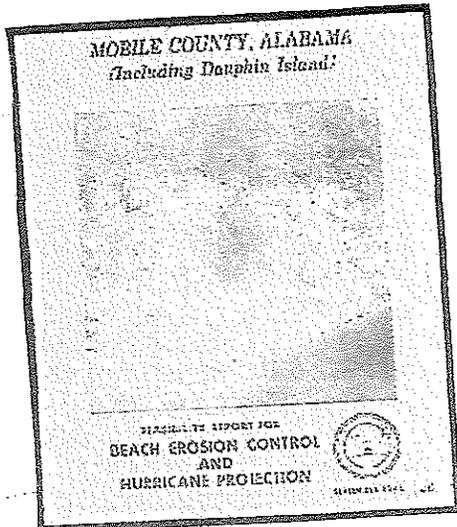
and storm frequencies and intensities occur in multidecadal cycles. However, the most recent land loss accelerations are likely related to the increased storm activity since 1995.

Considering the predicted trends for storms and sea level related to global warming, it is clear that the barrier islands will continue to lose land area at a rapid rate without a reversal in trend of at least one of the causal factors. The reduction in sand supply related to disruption of the alongshore sediment transport system is the only factor contributing to land loss that can be managed directly. This can be accomplished by placing dredged material so that the adjacent barrier island shores receive it for island nourishment and rebuilding.

## INTRODUCTION

Barrier island chains in the northern Gulf of Mexico extending from Mobile Bay, Alabama to Atchafalaya Bay, Louisiana are disintegrating rapidly as a result of combined physical processes involving sediment availability, sediment transport, and sea level. The cumulative areas and rates of land loss from these ephemeral features are, to some extent, expected because present physical conditions are different from those that existed when the islands first formed. For example, during the past few thousand years sediment supply has diminished, rates of relative sea level rise have increased, and hurricanes and winter storms have been frequent events that generate extremely energetic waves capable of permanently removing sediment from the islands. These processes continuously act in concert, increasing rates of beach erosion and reducing the area of coastal land.

At greatest risk of further degradation are the barrier islands associated with the Mississippi delta that include the Chandeleur-Breton Island, Timbalier Island, and Isle Dernier chains in Louisiana. These chains of individual transgressive barrier island segments have progressively diminished in size while they migrated landward (McBride and others, 1992). In contrast are the Mississippi-Alabama (MS-AL) barrier islands (Fig. 1) that are not migrating landward as they decrease in size. Instead, the centroids of most of the islands are migrating westward in the direction of predominant littoral drift through processes of updrift erosion and downdrift deposition (Richmond, 1962; Otvos, 1970). Although the sand spits and shoals of the MS-AL barriers are being transferred westward, the vegetated interior cores of the islands remain fixed in space. Rucker and Snowden (1989) measured the orientations of relict forested beach ridges on the MS barriers and concluded that the ridges and swales were formed by recurved spit deposition at the western ends of the islands.



Mobile County, AL  
(Including Dauphin Island) Feasibility  
Report for  
Beach Erosion Control And  
Hurricane Protection  
US Corps of Engineers, Sept. 1978

Excerpt Page 130

✓ 183. The principal causes of shore erosion along the westernmost 11 miles of Dauphin Island are attributable to rise in sea level and maintenance dredging of the Mobile Bay entrance channel. Based on sea level stages recorded at Biloxi, Mississippi, the rates of rise of sea level between 1896 and 1972 and between 1940 and 1972 were .009 feet per year and .012 feet per year respectively. These data are shown on Plate II. Per Brunn, in the reference, Sea-Level Rise as a Cause of Shore Erosion, proposed the following formula for computing the rate of shoreline recession from the rate of sea level rise:

SAMPD-N

9 July 1975

Honorable Jack Edwards  
House of Representatives  
Washington, DC 20515

Dear Mr. Edwards:

For your information I am inclosing a copy of the transcript of the Workshop Meeting on Beach Erosion Control and Hurricane Protection for Mobile County held at Bayley's Ranch on 31 March 1975. I appreciate your attendance at the meeting and interest you have demonstrated in this study.

As you recall, little interest was exhibited at the meeting for structural plans that could be implemented under existing Federal authorities for beach erosion control. These authorities require the establishment of public property and public access to the shoreline as a condition for any significant Federal financial participation in a beach erosion control project. As indicated at the meeting, the establishment of public shoreline property would be strongly opposed by existing waterfront property owners. Furthermore, preliminary studies indicate that protection of the sparsely developed shoreline would not result in the necessary economic benefits to justify the construction of costly structures for beach erosion control and hurricane protection.

While structural measures specifically for beach erosion control are indicated to be economically unjustified and to have unacceptable social and community impacts, the need for protection of the shoreline was emphasized. Substantial interest was indicated in the concept of deposition of unconfined dredged material from the ship channel along the west bay shoreline and Dauphin Island for the abatement of erosion.

The prospect for satisfactorily alleviating erosion problems on Dauphin Island by depositing the sandy material dredged from the Mobile Bay entrance channel upon the Gulf shoreline of the island appears promising and will be pursued. The viability of depositing future "new work" material dredged from the ship channel within Mobile Bay upon the western shoreline cannot be determined without estuarian and other environmental impact studies but is considered meritorious of further consideration. Under the above concepts the eroding shorelines would be nourished by the

Appendix B

SAMPD-N  
Honorable Jack Edwards

9 July 1975

dredged material primarily as disposal areas in support of the maintenance and modification of the Mobile Harbor navigation project. This plan would preserve any accreted land as the property of adjoining land owners and limit local costs resulting from the accreted land, to the amount required for necessary stabilization and a portion of the cost allocated to land enhancement. Therefore, the options for nourishment of the eroding shorelines with material dredged from the ship channel would be more appropriately considered under our ongoing study of navigation modifications for Mobile Harbor rather than under the study for beach erosion control and hurricane protection.

In view of the indications of the workshop meeting, further consideration for deposition of the dredged material from the ship channel along the eroding shorelines under the ongoing survey study for modification of the existing Federal project for Mobile Harbor is indicated to be warranted in lieu of the authorized beach erosion control and hurricane protection study. Since our study has not indicated any other likely structural alternatives for beach erosion control and hurricane protection, and in accordance with Corps' policy to apply our limited study funds where they can be most productive, I am proposing to conclude our beach erosion and hurricane protection study for Mobile County. A concise report which will address the foregoing considerations along with the finding that no additional Federal structural improvements are warranted at this time in the interest of beach erosion control and hurricane protection can be completed with programmed fiscal 1976 study funds. Any remaining surplus funds could be transferred to other studies. In lieu of this option, deferral of future studies into an inactive study category is indicated.

I plan to notify the Mobile City and County Commissions of our proposal to terminate the study in the near future, but, in the interim, would appreciate any views or comments you may have regarding the study and proposed course of action.

Sincerely yours,

1 Incl  
As stated

DRAKE WILSON  
Colonel, CE  
District Engineer

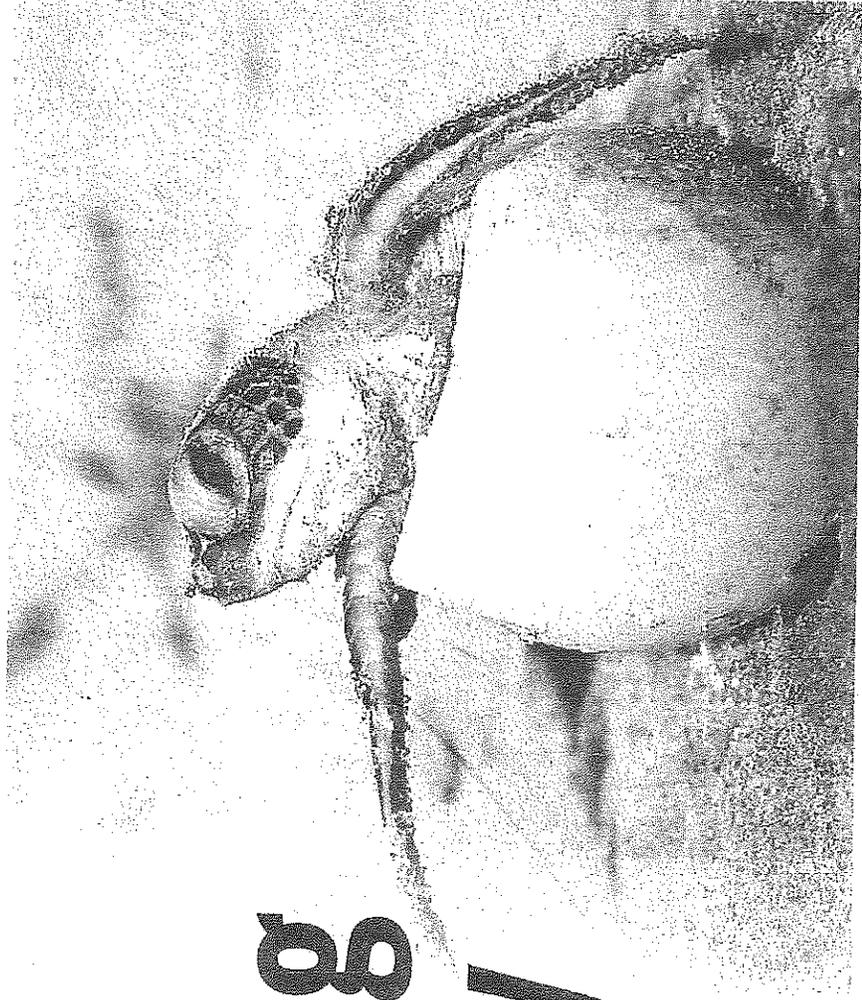
Appendix B  
2

2

# THIS IS ALABAMA

## Showing the way

SHARE THE BEACH IS TRYING  
TO PROTECT NEWBORN  
LOGGERHEAD SEA TURTLES  
ALONG ALABAMA'S GULF COAST



At birth, loggerhead sea turtles are about 2.5 inches long. When fully grown, they can weigh 400 pounds. Babies will swim out to sea, halfway around the world during a two-year journey deep into the Atlantic Ocean. Females will return about 25 years later to within 2 miles of their birthplace to lay eggs. But once leaving the nest and finding the surf, baby males will never set foot on land again. *Share the Beach*

Late night on Alabama's coastal shores is a scene of quiet beaches in nocturnal stillness. Or so it seems. What lies beneath the sand is a different story.

On any given summer evening a tiny reptilian nose may be below the surface. The newly hatched lookout loggerhead sea turtle has a mission: signal fellow babies in the 20-inch deep hole when the coast is clear. From underneath the earth, it feels the beach has cooled, signifying nighttime to the turtles and, in turn, mobilizing them.

The lead turtle is the first to emerge. Soon after, 112 more turtles follow, all bubbling out from the sand like grits in a boiling pot.

It is an amazing sight witnessed by few, and Mike Reynolds is a member of this exclusive club. As head of Share the Beach, he leads 450-plus volunteers dedicated to saving Alabama's coastal sea turtles from extinction.

In January 2018, Share the Beach united under the umbrella of the Alabama Coastal Foundation (ACF), an organization that addresses coastal conservation issues. "We are happy to work with Mike and his great volunteers," said Mark Berte, executive director of ACF. "Share the Beach fits our mission statement nicely: to improve and protect Alabama's coastal environment through cooperation, education and participation." ACF will write grants and raise money for the group, but as Berte noted, "Share the Beach will run exactly the same this year as last year, still under Mike's federal permit to handle wild turtles."

"I am fortunate to have dedicated volunteers," added Reynolds, known locally as "the turtle czar."

"They patrol 50 miles of beaches from the Florida state line to the tip of Dauphin Island daily from May to October (nesting season). They look for tracks leading to nests that need protect-

ing during a critical time — hatching." Protecting the nests is an important mission for a few reasons.

After digging out from underground, always at night, baby turtles look for and follow light — any light. Natural light saves their life. Artificial light can end it.

To turtles, illumination is interpreted as moonlight reflected on waves. It means home and safety. But on Alabama's coastline, light beacons can be vending machines, condo floodlights or even a beach party.

"Babies go to those sources looking for the ocean they will never find," the turtle czar said. "They die from exhaustion or starvation, are run over by cars or killed by ants."

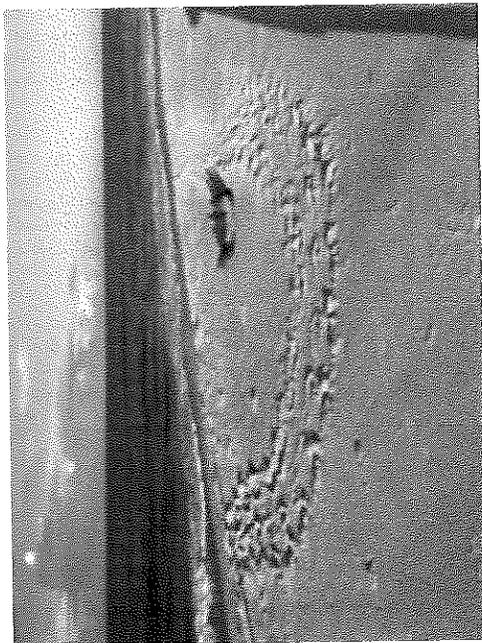
When you combine natural predators with man-made hazards, Reynolds estimates about one out of 1,000 hatchlings will see adulthood. Share the Beach is concerned about this stat.

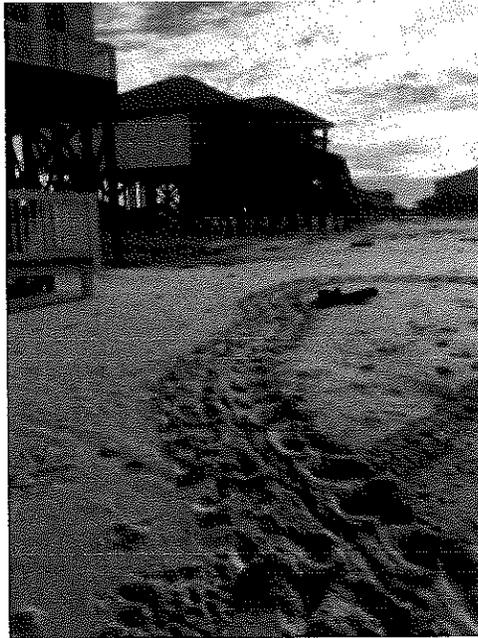
Group volunteers monitor nests, watching closely when newborns hatch and make their way to the surf. Baby reptiles are not touched by human hands unless absolutely necessary.

"Unfortunately, a critical part of a turtle's life cycle involves nesting on sandy beaches — the same places people nest," Reynolds added. Man and turtle can coexist, but there are reasons for concern.

"Our area is down to 47 nesting females," Reynolds notes. "Once gone, they are gone forever."

Since 2003, more than 50,000 sea turtles have hatched along Alabama's shoreline. Many got by with help from Share the Beach and Reynolds, who watched their nests, protected baby turtles and showed them the light.





## STATES:

### Ala.'s Dauphin Island meets 'Years of Living Dangerously'

Daniel Cusick, E&E reporter

ClimateWire: Friday, July 18, 2014

*Second of a three-part series. [Click here](#) for the first part.*

DAUPHIN ISLAND, Ala. -- It's the kind of stormy summer day on Alabama's Gulf Coast when Fae Chamblin, 72, can sit under the thatched-roof shelter of Dauphin Island's West End Public Beach and count by hand the number of visitors entering the park with front-door views of the Gulf of Mexico.

As a volunteer attendant and informal ambassador for Dauphin Island, Chamblin embodies the kind of down-home warmth and salty personality that come with years of coastal living. Yet behind her platinum hair, freckled tan and welcoming smile, she is also counting the days until her beloved barrier island gives way to the sea.

"A government geologist came down here one time and said we were either going to sink or wash away," Chamblin said. "I told him, 'It's already happening.'"

## SPECIAL SERIES



An occasional series showing that although Congress remains divided over dealing with climate change, some states and cities are moving to adapt to more frequent storms, floods, drought, and rising temperatures and sea levels. Others aren't.

Indeed, coastal experts and longtime residents know that Dauphin Island is in a race against time, its fate to be determined by sea-level rise, future hurricanes and the dredging practices of the Army Corps of Engineers, which maintains the 45-foot-deep Mobile Bay ship channel on the island's eastern flank, effectively excavating underwater sand that would naturally migrate to the island's beaches.

Nowadays, Chamblin spends two days a week at West End Public Beach, collecting visitor entry fees, operating the snack bar and doing what she admittedly likes to do best -- talk about her imperiled island.

"Have you seen that show 'Years of Living Dangerously'?" Chamblin asked, referring to the recent Showtime documentary series that relies on celebrity narrators to explain how climate change is affecting people, environments and resources around the world.

"That's what we've got right here," she said, pointing to the slim, seaweed-strewn beach, where the waves at high tide break within 30 yards of the parking lot.

Advertisement

Coastal erosion, storm surge and sea-level rise are all conspiring to wash the island away, or at least dismember it to such a degree that it no longer functions as a hurricane buffer, wildlife sanctuary, historic site or prime vacation spot. The breakup of Dauphin Island would also be one of the only known cases of a U.S. municipality giving up substantial parts of its landmass to the sea and put the state in the untenable position of seeing nearly half of its seashore lost or reconfigured, with huge implications for tourism, fisheries, transportation, commerce and hurricane resilience.

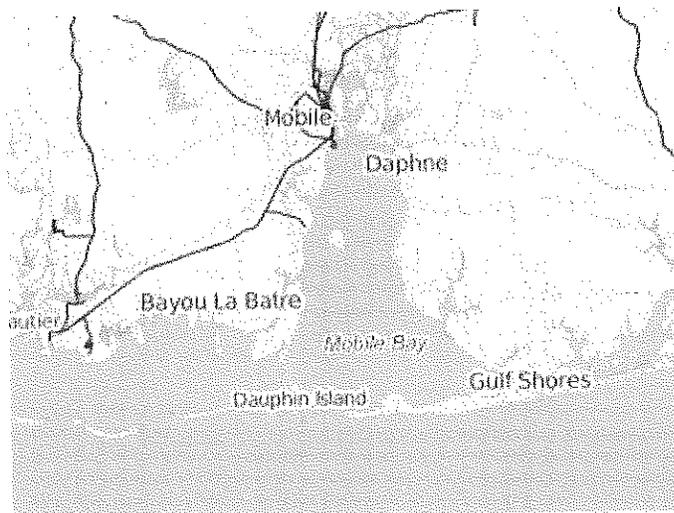
## Silence from Montgomery

Yet the state of Alabama is doing almost nothing to protect Dauphin Island and its roughly 1,300 residents from what experts believe is an avoidable outcome. In fact, the antidote to the problem of eroding beaches, called "beach nourishment," has been used successfully in other places around the country, including just a few miles east of Dauphin Island at Gulf Shores, where sand was pumped a decade ago to bring the high-rise beach resort city back to its former glory.

But in the case of Dauphin Island, which has only a fraction of the tax base and none of the high-rise condos of Gulf Shores, critics say the state won't take its head out of the sand.

Located 40 miles down the bay from Alabama's port city, Mobile, Dauphin was a populated and historic fixture in the region long before it became part of the United States around the War of 1812.

It was from these very shores in 1864 that Confederate troops tried but failed to turn back the U.S. seizure of Mobile Bay. The event added to the legend of the Union Navy's rear admiral, David Farragut, who rallied his fleet with: "Damn the torpedoes, full speed ahead!"



Dauphin Island, Ala. A historic island may soon be history.

In modern times, Dauphin Island has suffered from increasing blows from nature's torpedoes, including a direct hit from Hurricane Frederic in 1979 and indirect blows from a half-dozen more hurricanes. The last one, 2005's Hurricane Katrina, leveled seaside houses, flattened sand dunes, peeled pavement off the island's roads and destroyed the vegetation that once helped hold the very island together.

Then, in 2010, Dauphin was among the string of Gulf islands to be coated with oil washing ashore from BP PLC's ill-fated Deepwater Horizon platform, an event that cost the island tens of millions of dollars in lost tourism. It also cost Chamblin her business: Flamingo Fae's Beachside Grill and Tiki Bar.

In what some consider a hasty move to buffer the island from oil, local leaders approved an emergency excavation of several million tons of sand from 22 large pits on the island's backside to construct a berm across the Gulf side. The berm has long since washed away, but the pits have now become water features, effectively thinning the island at another critical point.

From his office on Mobile Bay's eastern shore, Scott Douglass isn't at all surprised by what he sees occurring on Dauphin Island, a place he has studied for 25 years since joining the civil engineering faculty at the University of South Alabama in Mobile and later as a private consultant advising similarly affected coastal communities around the region, including Gulf Shores.

But he is mystified by the nonresponse to Dauphin Island's plight from state officials in Montgomery.

## **Older houses already swept away**

Despite repeated warnings, including in face-to-face meetings with Gov. Robert Bentley (R) and senior Cabinet officials, about the inevitability of the island "falling apart" over the next decade, Douglass has been unable to garner support for a plan that he believes could save the island or at least buy it another 100 years of existence.

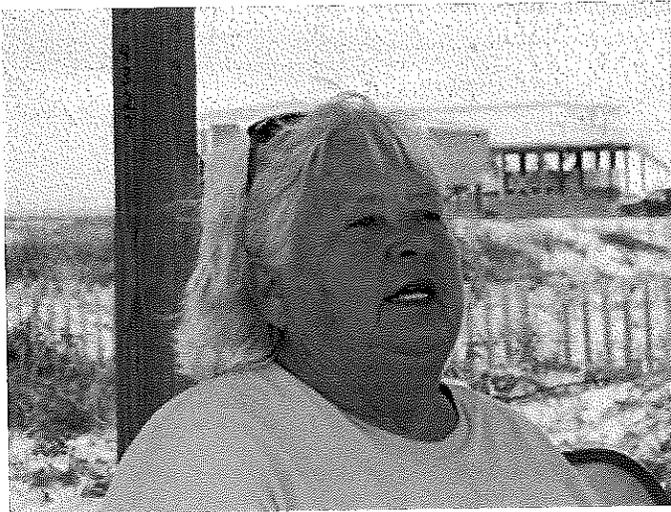
"Barrier islands have a way to adapt to sea-level rise, and they've been doing it for about 6,000 years," Douglass said. "But these islands aren't just shifting sandbars anymore. They're fixed landscapes where subtle changes can make a big difference."

According to blueprints drafted by Douglass for the town of Dauphin Island, contractors could pump fresh sand from offshore deposits in the Gulf of Mexico onto Dauphin Island's eroded beaches, essentially reconstructing and raising the beach's profile in a way that is more permanent than the berm intended to block oil from overwhelming the island.

Such a nourishment project would cost \$30 million to \$70 million, according to Douglass, with much of the attention going to a 4-mile stretch of beach where private homes are built atop wooden pilings to allow storm surges to pass underneath.

In fact, many of the original seaside homes are gone, literally lost to the sea. Others have been physically moved and set atop newer, stronger pilings on what used to be higher ground. But even with the setbacks, many of the relocated homes are going seaward again, along with new properties that have been built or rebuilt after each hurricane.

"We spent \$1 billion putting sand on New Jersey's beaches last year [after Superstorm Sandy], and people who complained were told by the governor [Chris Christie] to get behind the program or get out of the way," Douglass said. "Here in Alabama, we can't get the governor to agree to put any money behind saving a barrier island that you can drive to and where people live. I just don't get it."



Fae Chamblin, a volunteer attendant at Dauphin Island's West End Public Beach, has watched her island disappear, bit by bit, for 28 years. Photo by Daniel Cusick.

Calls and emails to the governor's office to ask about Dauphin Island's erosion and the state's position on climate change went unanswered.

Pat Robbins, a spokesman for the Army Corps of Engineers district office in Mobile, said the agency does in fact place dredged sand in a "beneficial use area" south and east of Dauphin Island, where it can migrate through currents to sand-starved beaches. But the Army Corps has no formal monitoring program to ensure that the sand is reaching its intended targets.

Asked whether Dauphin Island was being aided by the Army Corps' dredge operation, Robbins said, "Parts of it are, parts of it aren't. That's just typical of barrier islands."

In an interview, John Christy, the Alabama state climatologist, said of Dauphin Island: "I don't understand why people build on sandbars. They are dynamic things. They are not fixed. They will move. They will decay. They will grow. And trying to nail one down by building houses on it, we're fighting Mother Nature."

## **'Everything out here could be gone'**

As for sea-level rise, Christy, who is also a distinguished professor of atmospheric science at the University of Alabama, Huntsville, said it's not the 1 inch per decade of rising ocean that Dauphin islanders need to worry about. "It's the 15 feet [of storm surge] that comes in with the next hurricane. And if you're not resilient to that, it doesn't matter what climate change is going to do," he said.

But people who live and own property on the island are doing all they can to make a case for their continued existence -- a concept known in climate change policy circles as "adaptation." And they believe they have a solution that other states, like New Jersey and Mississippi, are already implementing to protect their coasts.

Rather than remove sand from the system, like the Army Corps does to maintain the Mobile Ship Channel, Dauphin Islanders say they should receive all suitable material removed from the channel and more still from offshore sand deposits that could be pumped to the island via underwater conduits, just as is being done on a series of similarly battered barrier islands in neighboring Mississippi.

"We see that as one of the best things we can do to protect ourselves," said Jeff Collier, 53, the town's part-time mayor of 16 years. "If we don't do it, then everything out here could be gone."

A 2013 [analysis](#) on Dauphin Island from the Mississippi-Alabama Sea Grant Legal Program reached similar conclusions, noting that the island has "already experienced impacts from changes to the climate, and these changes and impacts are expected to continue into the future."

Yet when asked about the relationship between Dauphin Island's fragile condition and climate change, the mayor chose his words carefully. "If you ask me if climate change is responsible the problems we have out here, I would say, 'I don't know,'" Collier said. "But I do believe we need to plan for the future as if it is happening. If we don't, we could lose everything."

But there are others in Alabama who view Dauphin Island's fate on different terms and who believe any relationship between the island's slow destruction and climate change is an abstract scientific theory looking for a landscape to fit its fuzzy assumptions.

Such arguments, made by residents like Mobile native J. Pepper Bryars, a former press secretary and speechwriter for Alabama's last governor, Bob Riley, in a recent op-ed in the *Mobile Press-Register* is that barrier islands like Dauphin Island are ephemeral landscapes, where "every few years it shifts, shakes and remakes itself like Mother Nature's personal Etch-a-Sketch."

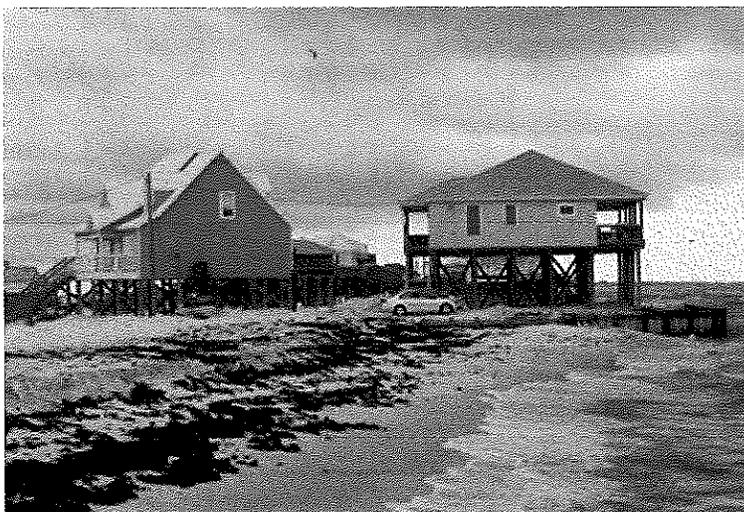
## **It's Mother Nature, not climate change**

As for the role that human-induced climate change has in aiding that process, Bryars and like-minded Alabamians remain deeply skeptical.

They point to data compiled by Christy, the state climatologist, that show Alabama's climate has experienced only modest warming over the last half-century and that extreme weather events happen with no greater frequency or intensity than they ever did.

"Why are the changes and threats any different from past decades? Global warming advocates usually rely on two arguments: There's been a lot of bad weather lately, and the computer models show it's only getting worse," Bryars wrote.

"But is that accurate, at least on a global scale? No," he added.



Some Dauphin Island homeowners build bulkheads to slow beach erosion, but experts think they may even accelerate erosion of adjacent properties. Photo by Daniel Cusick.

In a subsequent email exchange, Bryars acknowledged that "parts of Dauphin Island may be in greater danger of erosion than they were a few decades ago, but how about a few centuries ago? We must understand that the shoreline now wasn't what Mother Nature made 500 years ago, and it won't be what she makes 500 years from now, either."

On the question of beach nourishment, Bryars added, "We may win, but it may come at a great cost. Residents and taxpayers will have to weigh the gains, risks and costs as the battle continues."

But other experts, including Douglass, say the battle for Dauphin Island, and much of the rest of the Alabama coast, hasn't really begun.

Since discussion of the need for large-scale remedies on Dauphin Island began a decade ago, after Hurricane Ivan, critics say Alabama has repeatedly missed opportunities to address the problem either through direct spending or by leveraging federal or private money that poured into the coastal zone after Hurricane Katrina and the BP oil spill.

And in fact, they say, Alabama's coastal zone has become much more vulnerable both to extreme events like hurricanes as well as from often indiscernible changes in conditions, such as those created by strong tides, boat wakes, and even moderate wind and waves that churn Mississippi Sound and cause water to cross the low highway linking Dauphin Island to the mainland.

Douglass noted that the absence of a hurricane along the Alabama coast for nearly a decade makes the extreme erosion experienced by Dauphin Island even more alarming.

From his perspective, Dauphin Island and much of the rest of coastal Alabama has avoided catastrophic losses only by a combination of luck, pluck and the piecemeal efforts of private individuals and local agencies that have answered worsening conditions with impermanent fixes like riprap, bulkheads and truckloads of backfill to build up their eroding properties.

"With every storm, we're losing more sand on Dauphin Island," Douglass said. "If we get a big storm in here, we're going to lose a lot more than one island. That whole stretch of coast will just fall apart."

*Monday: A message no one wants to hear.*

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*Monday: A message no one wants to hear.*

## Mobile Harbor Outer Bar Channel Dredging History (1980-2009)

(Source: U.S. Army Corps of Engineers)

Dredge Date	Gross Quantity Dredged (yd <sup>3</sup> )	Disposal Area Used <sup>1/</sup>
Feb-Dec 1980	1,129,337	Ocean DA
Jan-Mar 1981	610,623	Ocean DA
Dec 1982-Jan 1983	312,408	Ocean DA
Jan-Nov 1984	559,607	Ocean DA
Aug-Oct 1985	1,386,536	Ocean DA
Jan-Feb 1987	656,089	Ocean DA
Feb 1989-May 1990	<sup>2/</sup> 6,755,352	Ocean DA
Aug-Sep 1992	466,607	Ocean DA
Nov-Dec 1995	621,172	Ocean DA
Aug-Dec 1997	710,996	Ocean DA
Sep-Oct 1998	1,279,780	Ocean DA
Aug-Sep 1999	71,380	Ocean DA
	54,600	SIBUA
May-Sep 1999	<sup>3/</sup> 3,061,598	SIBUA
Apr-Jul 2000	758,280	Ocean DA
Mar 2002-May 2002	92,820	SIBUA
Jun 2004	230,110	SIBUA
Oct 2004-Nov 2004	1,184,817	SIBUA
Oct 2004-Jan 2005	1,808,765	SIBUA and at Lighthouse
Aug 2005	67,555	SIBUA
Apr-Jun 2006	487,975	SIBUA
Aug 2007	1,083,860	SIBUA
Nov-Dec 2008	585,430	SIBUA
Sept-Nov 2009	942,817	SIBUA
<b>Total Dredged from Outer Bar</b>	<b>24,918,514</b>	
<b>Total Placed in Ocean DA</b>	<b>15,328,167</b>	
<b>Total Placed in SIBUA or at Lighthouse</b>	<b>9,600,347</b>	

<sup>1/</sup> Ocean DA – EPA approved open water disposal site in the offshore Gulf of Mexico

SIBUA – Sand Island Beneficial Use Area

<sup>2/</sup> New Work Deepening from 42 to 47 feet

<sup>3/</sup> New Work Deepening from 47 to 49 feet.



THAPIN L. L. M. C. 1950

## COMMENT 306

**From:** [Williamson, Karen](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor  
**Date:** Monday, September 10, 2018 6:47:16 PM  
**Attachments:** [image001.png](#)  
[Letter to U.S. Army Corps of Engineers.pdf](#)

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Please confirm receipt of this attachment.

Sincerely,

Karen Williamson

Executive Assistant to the Mayor

City of Mobile, Alabama

251-208-7800

“Making Mobile the Safest, Most Business and Family Friendly City in America by the Year 2020”

# OFFICE OF THE MAYOR

September 10, 2018



U.S. Army Corps of Engineers, Mobile District  
Colonel Sebastien P. Joly  
P.O. Box 2288  
Mobile, Alabama 36628  
[MobileHarborGRR@usace.army.mil](mailto:MobileHarborGRR@usace.army.mil)

RE: Draft General Reevaluation Report & Supplemental Environmental Impact Statement (GRR/SEIS) to evaluate improvements to the Mobile Harbor Federal Navigation Channel, Mobile, AL.

Colonel Joly:

On behalf of the City of Mobile, I am writing to express my strong support for the ongoing efforts to widen and deepen the Mobile Harbor Federal Navigation Channel and to provide comments on the Mobile Harbor Draft General Reevaluation Report & Supplemental Environmental Impact Statement (GRR/SEIS).

The study conducted by the U.S. Army Corps of Engineers (USACE) fully examined the costs, benefits and environmental and economic impact of widening and deepening the Mobile Harbor Channel to the authorized dimensions under Section 201 of the 1986 Water Resources Development Act. The study also evaluated a range of alternative plans that would improve the safety and efficiency of the current navigation system.

I fully concur with the findings of the U.S. Army Corps of Engineers Draft GRR/SEIS report. The GRR/SEIS examined the potential impacts of deepening and widening the federal navigation channel and provided the Tentatively Selected Plan (TSP) for navigation improvements.

Simply put: Advancing the Port of Mobile is critical to driving economic success for the State of Alabama and the Gulf Coast region. The Port, managed by the Alabama State Port Authority, is one of the fastest growing harbors in the nation. Modernization of the federal channel is vital to the continued growth and prosperity of both the City of Mobile and the State of Alabama.

The City of Mobile is strategically located on Mobile Bay with the Gulf of Mexico to the south and the confluence of the Alabama and Tombigbee rivers to the north.

This location has established Mobile as a global trading hub ever since the city's founding by French explorers in 1702. For more than 300 years, Mobile has continued to thrive as a result of shipbuilding and international trade at the Port. The widening and deepening of our harbor channel will serve as a catalyst for economic development, increase our global competitiveness, create jobs and promote an environment in which all citizens can prosper.

The significance of this generational project to Mobile's future cannot be overstated:

- The Port of Mobile is one of the largest economic engines for the state, with a \$22.4 billion annual economic impact. Expansion of the channel is vital in maintaining the port's growth and long-term sustainability. The Panama Canal historically provided a limit on the size of container ships and other vessels. But as the canal has been widened, the ships have gotten larger. The existing channel constrains deeper-drafting containerships and restricts many vessels to one-way traffic. This reduces efficiency and increases costs for shippers and regional industries relying on just-in-time logistics.
- An economic impact study from the University of Alabama's Center for Business and Economic Research found that the the port is responsible for 134,608 direct and indirect jobs in the state with a direct and indirect tax impact of \$486.9 million. A deeper and wider channel will clear the way for the port to accommodate larger ships that are already starting to come through the expanded Panama Canal. The deeper channel will allow ships to carry more weight, making the port more efficient for importers and exporters - spurring dockside development, creating more jobs and a greater tax impact for the State of Alabama.
- Since 2002, more than \$1 billion in public/private funding has been invested into improving the Port of Mobile's infrastructure, with more than half of that total coming within the past decade.
- Mobile currently serves as a home port for Carnival Cruise Lines with tremendous potential for growth as the region's tourism market continues to expand. The channel widening will eliminate delays associated with the movement of the Carnival Fantasy and other cruise ships. At present, commercial ships must wait and allow the Fantasy to complete its passage to and from the Mobile Alabama Cruise Terminal which is located in the Port of Mobile. The demurrage costs alone from these delays are significant and have a negative impact on the Port's competitiveness. Not only would the channel widening prevent these delays, but also prevent frequent delays of the Fantasy's departure while waiting for ships to transit the channel.
- The Port of Mobile is one of the 10 largest full-service seaports in the United States, with over 28.7 million tons of goods and 318,889 shipping containers handled port-wide. The cargo transportation industry continues its shift to increased use of standardized containers for multimodal (marine, rail, and truck) freight transportation systems. Additionally, the industry is trending toward larger, deeper-draft vessels, particularly for containerships and dry bulk carriers. The container business has been a point of strong growth for the Port of Mobile in recent years, including a record 20 percent container growth in 2017. The federal navigation channel's existing dimensions place constraints on deeper drafting vessels and without improvements could negate the growth of the port's container sector.
- The current channel presents three primary navigational challenges: 1. Larger size vessels experience transit delays due to the current width of the channel; 2. Existing channel depths limit vessel cargo capacity; and 3. Existing traffic congestion has increased safety concerns.
- The USACE Tentatively Selected Plan would include the following navigation improvements: Deepen the channel by 5 feet to a depth of 50 feet, widen the channel for three nautical miles to allow two-way traffic, expand the Choctaw Pass turning basin to accommodate safe turning of larger vessels, and ease the existing bend in the Bar Channel.

- The GRR/SEIS study states the TSP presents a growth in containerized and other vessel traffic and is economically justified with a benefit-to-cost ratio of 3.0.

The City of Mobile and my Administration are ready to assist in any way we can to ensure this project is successful. This project is a top priority of my Administration and we commit to working closely with the members of our U.S. House and Senate delegation both to maintain their support and to secure necessary funding.

We appreciate the strong partnership that has been forged between the City of Mobile and U.S. Army Corps of Engineers Mobile District. Together, we are working to be good stewards of Mobile's incredible natural resources and to improve the quality of life for our region.

Our bay and coastal waterways are a unique and invaluable ecosystem, supporting a diversity of marine life and amazing natural beauty. Under the leadership of the USACE, we firmly believe that this project will preserve those resources while also serving as a catalyst for economic growth.

In summary, the City of Mobile strongly recommends this transformational project be completed because of the significantly positive impact it will have on our citizens, businesses and the Port of Mobile's ever-expanding role in the global supply chain.

The City of Mobile is committed to continue to working closely with the U.S. Army Corps of Engineers throughout the public comment period and as it drafts the final GRR/SEIS report.

Sincerely,



William S. Stimpson  
Mayor

## COMMENT 307

**From:** [Jan Koellen - NOAA Federal](#)  
**To:** [Mobile Harbor GRR](#)  
**Cc:** [Paul Necaise](#); [Swafford, Rusty](#); [David Dale](#); [Virginia Fay](#); [Noah Silverman - NOAA Federal](#)  
**Subject:** [Non-DoD Source] Distribution copy of NMFS letter drsp Sep 4, 2018, Mobile Harbor Integrated GRR-SEIS, COE, BLD Jul 24, 2018  
**Date:** Friday, September 7, 2018 2:22:18 PM  
**Attachments:** [NMFS letter drsp Sep 7, 2018, SEIS Mobile Harbor Navigation Project, BLD Jul 24, 2018.pdf](#)

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See attached.

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Jan Koellen  
Office Automation  
Baton Rouge Office  
NOAA NMFS HCD  
225-389-0508x202  
jan.koellen@noaa.gov <<mailto:jan.koellen@noaa.gov>>



**UNITED STATES DEPARTMENT OF COMMERCE**

National Oceanic and Atmospheric Administration

**NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

September 7, 2018 F/SER46/BH:jk  
225/389-0508

Ms. Jennifer L. Jacobson  
Planning and Environment Division  
Mobile District Environmental Branch  
U.S. Army Corps of Engineers  
Post Office Box 2288  
Mobile, Alabama 86628-0001

Dear Ms. Jacobson:

NOAA's National Marine Fisheries Service (NMFS) has reviewed the Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement (SEIS), dated July 24, 2018, on the "**Mobile Harbor Navigation Project.**" The U.S. Army Corps of Engineers (USACE) proposes to conduct maintenance dredging and placement activities. The maintenance dredging includes a navigation channel from the Gulf of Mexico to turning basins near the Cochrane Bridge, Alabama State Docks, and McDuffie Island. The following is provided in accordance with provisions of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) and 600.920 of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; P.L. 104-297).

The NMFS provided comments to the public notice for the project by letter dated January 25, 2017, recommending the beneficial use of dredge material. The USACE responded by letter dated February 21, 2017, acknowledging the comments. The maintenance dredging will generate approximately 5.5 million cubic yards of sediment annually. As proposed in the Public Notice, the sediment would be disposed at the Mobile Offshore Dredged Material Disposal Site (ODMDS), open bay thin-layer disposal areas, the Sand Island Beneficial Use Area (SIBUA), Blakely Island, and Gilliard Island.

Section 2.5.4 of the SEIS confirms little change to water quality parameters such as turbidity, salinity, and dissolved oxygen will result from the project. Due to NMFS' early involvement as a cooperating agency and close coordination with USACE, the project has been designed in such a way as to not have a substantial adverse effect on EFH or federally managed fishery species in Mobile Bay and surrounding waters. The NMFS Habitat Conservation Division does not object to the project as proposed and agrees with USACE's determination the project will not adversely affect EFH.

We appreciate your consideration of our comments. If you wish to discuss this project further or have questions concerning our recommendations, please contact Brandon Howard at (225) 389-0508, extension 203.

Sincerely,

Virginia M. Fay  
Assistant Regional Administrator  
Habitat Conservation Division



c:  
FWS, Paul\_Necaise@fws.gov  
F/SER46, Swafford  
F/SER4, Dale, Fay, Silverman  
Files

## COMMENT 308

**From:** [Stanley, Joyce](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Comments on the DSEIS for the Mobile Harbor Project - Mobile, Alabama - ER 18-0344  
**Date:** Thursday, September 6, 2018 9:00:06 AM  
**Attachments:** [Mobile Harbor Project- Mobile, Alabama - ER 18-0344.docx](#)

---

Please see attached for comments on the Mobile Harbor Project.

Joyce A. Stanley, MPA  
Regional Environmental Officer  
US Department of the Interior  
Office of Environmental Policy and Compliance  
(404) 331-4524 - Office  
(404) 331-1736 - Fax  
(404) 852-5414 - Mobile  
joyce\_stanley@ios.doi.gov <[mailto:joyce\\_stanley@ios.doi.gov](mailto:joyce_stanley@ios.doi.gov)>  
Blocked<http://www.doi.gov/oepc/atlanta.html>



# United States Department of the Interior



## OFFICE OF THE SECRETARY

### Office of Environmental Policy and Compliance

Richard B. Russell Federal Building  
75 Ted Turner Drive, S.W., Suite 1144  
Atlanta, Georgia 30303

ER 18/0344  
9043.1

September 6, 2018

Jennifer L. Jacobson  
U.S. Army Corps of Engineers  
Mobile District  
109 Saint Joseph Street  
Mobile, AL 36602

Re: Comments on the Draft Supplemental Environmental Impact Statement (DSEIS) for the Mobile Harbor Project – Mobile, Alabama

Dear Ms. Jacobson:

The U.S. Department of the Interior (Department) has reviewed the US Army Corps of Engineers Draft Supplemental Environmental Impact Statement (SEIS) dated July 24, 2018 for the proposed Mobile Harbor Project. We offer the following comments to inform readers of the misidentification of the United States Geology Survey (USGS) as a cooperating agency under the National Environmental Policy Act (NEPA) process for this study.

This SEIS states on page 6-19 that the USGS was a cooperating agency as defined under 40 CFR 1501.6 for this study. Jennifer Jacobson, Corps of Engineer Project Manager, confirmed by telephone correspondence on August 30, 2018 that the USGS was contacted by letter to Jess Weaver (retired) to be a cooperating agency. She acknowledged that no formal response from the USGS was received although USGS staff did participate in project meetings.

The USGS requests that its name be removed from the Final Environmental Impact Statement listing of cooperating agencies for the Mobile Harbor Project. We are happy to see the utilization of USGS science and publications referenced within the SEIS. We are available to support the Mobile District Corps of Engineers with this and other projects as needed.

Thank you for the opportunity to review and comment on this DSEIS. If you have any questions concerning our comments, please contact J. Michael Norris, USGS Coordinator for Environmental Assessment Reviews on (603) 226-7847 or via email [mnorris@usgs.gov](mailto:mnorris@usgs.gov). I can be reached on (404) 331-4524 or via email at [joyce\\_stanley@ios.doi.gov](mailto:joyce_stanley@ios.doi.gov).

Mobile Harbor Project – ER 18-0344

Sincerely,

A handwritten signature in black ink, appearing to read "J Stanley", with a long horizontal flourish extending to the right.

Joyce Stanley, MPA  
Regional Environmental Officer

cc: Christine Willis – FWS  
Michael Norris - USGS  
Anita Barnett – NPS  
OEPC – WASH



**ALABAMA  
HOUSE OF REPRESENTATIVES**

11 S. UNION STREET, MONTGOMERY ALABAMA 36130

**REP. DAVID R. SESSIONS**  
DISTRICT 105  
13000 HUGH FORT ROAD  
GRAND BAY, ALABAMA 36541

STATE HOUSE: 334-242-0947  
CELL: 251-490-0117  
EMAIL: d.r.sessions@att.net

September 25, 2018

Colonel Sebastien P. Joly  
Commander/District Engineer  
U.S. Army Corps of Engineers  
Mobile District  
Post Office Box 2288  
Mobile, AL 36628-0001

Re: Channel Project

Dear Colonel Joly,

I have represented Alabama House District 105 for several years, during this time articles like the one written by Lawrence Specker on September 12, 2018, titled "Alabama's congressional team backs channel project". I would like for you to know that I support the project and the potential economic impact the expansion of the channel will likely bring to Mobile, as well as the state of Alabama. However, this project also offers an even greater opportunity to bolster environmental sustainability along the southwest coast of Alabama, the reduction of further storm damage and support of a vibrant seafood industry is critical.

The Mobile Harbor Ship Channel requires maintenance dredging to ensure proper depths are maintained to accommodate cargo ships and other large vessels entering the Port of Mobile. Much of the dredged materials, especially the beach quality sands found in the outer bar portion of the channel are valuable resources. a stable and resilient barrier island would serve to reduce storm damage to mainland communities of southwest Alabama while protecting habitats for juvenile crab, fish, oysters, and shrimp.

I would like to suggest we can have an enlarged channel, a successful port, and a coastal region that is healthy, resilient and also supports the local economy. Developing and implementing ways to incorporate a more responsible and truly beneficial dredge disposal practice into the larger ship channel project so that all usable materials (both during the deepening and widening phase of the project and further maintenance work) are placed in an area that will get picked up in the littoral flow and naturally feed points west. To put it quite simply, the channel regularly fills with sand it doesn't need and Dauphin Island, mere stone's throw away, is sand starved.

This is truly a once in a lifetime opportunity to modernize and improve the Port of Mobile and, at the same time, take meaningful actions to support, defend and invest in the significant coastal environment. I respectfully request that you seize upon this opportunity for future generations. If you have any questions, please feel free to contact me at d.r.sessions@att.net or 251-490-0117. I look forward to speaking with.

Respectfully,

A handwritten signature in cursive script that reads "David R. Sessions".

David R. Sessions

## COMMENT 310

**From:** [Zakiya A. Darby](#)  
**To:** [Mobile Harbor GRR](#)  
**Subject:** [Non-DoD Source] Mobile Harbor comments  
**Date:** Monday, August 20, 2018 5:37:46 PM  
**Attachments:** [Mobile Harbor response.docx](#)

---

Good afternoon,

Please find the attached response from the Alabama Emergency Management Agency concerning the Mobile Harbor. Please feel free to contact us if you have any additional questions.

Thank you,

Zakiya A. Darby

State Hazard Mitigation Officer

Office 205-280-2459

Cell 205-288-9528

LINC ID 77\*478

Alabama Emergency Management Agency



KAY IVEY  
GOVERNOR

STATE OF ALABAMA  
**EMERGENCY MANAGEMENT AGENCY**

5898 COUNTY ROAD 41 • P.O. DRAWER 2160 • CLANTON, ALABAMA 35046-2160  
(205) 280-2200 FAX # (205) 280-2495



BRIAN E. HASTINGS  
DIRECTOR

August 20, 2018

Jennifer Jacobson  
Chief, Environment and Resources Branch  
Department of the Army  
Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

RE: Mobile Harbor

Dear Ms. Jacobson:

After review of the proposed project, Alabama Emergency Management concurs with the proposed actions and have no additional comments.

Very respectfully,

Brian E. Hastings, Col (ret) USAF  
Director  
Alabama Emergency Management Agency

KAY IVEY  
GOVERNOR



STATE CAPITOL  
MONTGOMERY, ALABAMA 36130

## STATE OF ALABAMA

September 13, 2018

Colonel Sebastien P. Joly  
U.S. Army Corps of Engineers, Mobile District  
109 Saint Joseph Street  
Mobile, Alabama 36602

Dear Colonel Joly:

Since 1792, Mobile, Alabama has played a prominent role in global trade. For more than 300 years, Mobile has thrived in this industry. I want to ensure Mobile and the State of Alabama continue to thrive in international trade and write you in support of deepening and widening the federal navigation channel as outlined in the Tentatively Selected Plan (TSP) identified in the Draft Mobile Harbor Mobile, Alabama Integrated General Reevaluation Report with Supplemental Environmental Impact Statement.

The Port of Mobile has direct access to two interstate systems, five Class 1 railroads, and 15,000 miles of inland waterway connections. The Port has a \$22.4 billion annual economic impact, and it is responsible for 134,608 direct and indirect jobs in Alabama with a direct and indirect tax impact of \$486.9 million.

The Port of Mobile is the tenth largest full-service seaport in the U.S. and is the fastest growing container terminal in North America with 28.7 million tons of goods and 318,889 shipping containers handled port-wide. In 2017, the Port of Mobile experienced twenty percent container growth. As the industry shifts towards standardized containers for multimodal transportation, vessels are becoming larger with deeper drafts. The trends of standardized containers and larger, deeper-draft vessels are accelerated by the expansion of the Panama Canal. These industry changes are causing transit delays, limited vessel cargo capacity, and safety concerns for the Port of Mobile. The USACE Tentatively Selected Plan would remedy these concerns.

I am committed to working with the U.S. Army Corps of Engineers, Alabama's Congressional Delegation, and Mayor Stimpson to ensure this project comes to fruition.

Sincerely,

A handwritten signature in black ink that reads "Kay Ivey".

Kay Ivey  
Governor

**Congress of the United States**  
**Washington, DC 20515**

September 6, 2018

U.S. Army Corps of Engineers, Mobile District  
Attn: Colonel Sebastien Joly  
109 Saint Joseph Street  
Mobile, AL 36602

Dear Colonel Joly,

We write to offer our comments in support of the Tentatively Selected Plan (TSP) identified in the Draft Mobile Harbor, Mobile, Alabama Integrated General Reevaluation Report with Supplemental Environmental Impact Statement.

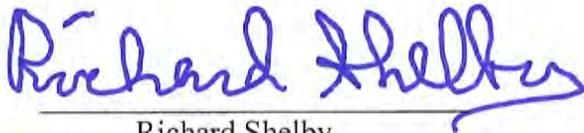
The Port of Mobile (Port), operated by the Alabama State Port Authority (Authority), is currently the 10th largest seaport in the United States and has been identified as the fastest growth container terminal in North America. In any given year, between 52-67 million tons of cargo moves through the Port. The Authority's container, general cargo and bulk facilities have immediate access to two interstate systems, five Class 1 railroads, and 15,000 miles of inland waterway connections. To keep up with demand, the Authority has invested more than \$700 million towards a capital expansion program to establish additional facilities, including new steel and container terminals, an expansion of the coal terminal, a rail ferry terminal, new warehouses, two "super Post-Panamax" cranes, and an automobile roll-on/roll-off terminal. While these additions have improved the safety and efficiency of the Port for many of our constituent companies, there is still a vital project that must be completed to ensure the competitiveness of the Port in an increasingly global marketplace.

Currently, the Port maintains an average depth of 45 feet and width of 400 feet. Due to the expansion of the Panama Canal, the marine fleet is continually trending to larger, deeper-draft vessels. Without critical port and waterway improvements, these larger ships will continue to experience transportation delays and inefficiencies due to the limited channel depth and width. As such, we applaud your efforts thus far to study the engineering, economic, and environmental impacts associated with the deepening and widening of the existing navigation system.

Modernizing the capabilities of one of the nation's largest seaports will spur exponential economic investment by allowing larger ships and more goods to be shipped and sold, facilitating and expanding commerce. We believe that the TSP accomplishes these goals in a manner that is economically and environmentally responsible, and encourage the Corps to move forward to attain the Agency Decision Milestone and to expeditiously deepen and widen the federal channel.

Thank you for your attention to this matter and please let us know if we can provide any additional information.

Sincerely,



Richard Shelby  
U.S. Senator



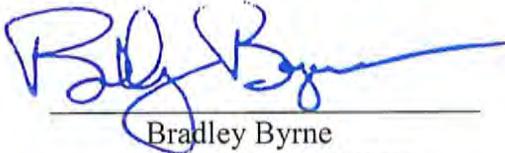
Doug Jones  
U.S. Senator



Robert Aderholt  
Member of Congress



Mo Brooks  
Member of Congress



Bradley Byrne  
Member of Congress



Gary Palmer  
Member of Congress



Martha Roby  
Member of Congress



Mike Rogers  
Member of Congress



Terri Sewell  
Member of Congress

OFFICE OF THE GOVERNOR

KAY IVEY  
GOVERNOR



STATE OF ALABAMA

DEPARTMENT OF COMMERCE

GREG CANFIELD  
SECRETARY OF COMMERCE

September 13, 2018

Ms. Jennifer L. Jacobson  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, AL 36628-0001

Dear Ms. Jacobson:

I am writing in support of the Alabama State Port Authority and its request for funding to deepen and widen the channel for the Port of Mobile. As Secretary of Commerce, I have charge of driving investment and job creation in the State of Alabama as well as improvement of our State's export activity.

For the past several years, Alabama's trade activity and job creation tied to trade has been on an upward trajectory. The Port of Mobile has played a vital role in growing jobs and reducing unemployment across our State. The fact is that the Port of Mobile's public terminals, owned by the Alabama State Port Authority, are responsible for generating:

- 134,608 direct and indirect jobs
- \$486.9 million in direct/induced/indirect tax impact
- Total Economic Value \$22.4 Billion

The channel deepening and widening will infuse shipping efficiencies and provide economies of scale to Alabama cargo shippers and will do much to support the growing automotive, aerospace, agricultural, metals and forest products sectors in Alabama and will support our efforts to grow and expand our economy for generations to come.

It is my hope that the U.S. Army Corp of Engineers recognizes the value of funding this vital project. I humbly request a favorable decision to provide the funding requested.

Best regards,

Greg Canfield



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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SEP 17 2018

Ms. Jennifer L. Jacobson  
Chief, Environmental and Resources Branch  
U.S. Army Corps of Engineers, Mobile District  
P.O. Box 2288  
Mobile, Alabama 36628-0001

Re: Mobile Harbor, Mobile, Alabama; Draft Integrated General Reevaluation Report with Supplemental Environmental Impact Statement (draft GRR/SEIS); CEQ No.: 20180168

Dear Ms. Jacobson:

Pursuant to Section 102(2)(C) of the National Environmental Policy Act and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency reviewed the draft GRR/SEIS for Mobile Harbor. In the draft GRR/SEIS, the U.S. Army Corps of Engineers' (USACE) evaluates the environmental consequences of the Alabama State Port Authority's (ASPA) proposal to widen and deepen the Mobile Harbor Federal Navigation Channel. The intent of the proposed project is to improve the safety and efficiency of the existing federal navigation system.

The draft GRR/SEIS examines two alternatives - a no action alternative and a Tentatively Selected Plan (TSP). The TSP involves: 1) deepening the existing bay and bar channels and a portion of the river channel by 5 feet (bay channel from 45-feet (ft.) to 50-ft., bar channel from 47-ft. to 52-ft., and river channel portion from 45-ft. to 50-ft., respectively). The deepening includes an additional two feet of advance maintenance and two feet of allowable over depth dredging; 2) widening the bay channel by 100 ft. for three miles beginning at the upper end of the bend area at the 50-ft. depth; including bend easing with the deepening at the upper end of the bar channel; and 3) expanding Choctaw Pass turning basin to ensure safe operation for vessels at the 50-ft. depth.

The EPA recognizes the importance of infrastructure development while assuring environmental and public health protection. This letter provides technical recommendations that will strengthen the final GRR/SEIS. Our recommendations include information that will improve the evaluation of impacts and mitigation related to water quality and modeling, sediment and dredge placement, air quality and community impacts. Below is a summary of some of the EPA's primary recommendations; more detail is provided in the enclosed technical comments (See enclosure).

*Sediments and Disposal:* The EPA has concerns regarding the project's impact on the marine environment. The proposed action requires the removal of approximately 26 million cubic yards of dredged material and its disposal. According to the GRR/SEIS, future maintenance dredging will require the dredging and disposal of approximately two million cubic yards annually. To determine the suitability of the dredged material for ocean disposal, further evaluation is needed under the Marine Protection, Research, and Sanctuaries Act (MPRSA) Section 103 process. This evaluation will include

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sediment's physical, chemical, and biological testing reports, as well as the District Engineer's determination of compliance with the Ocean Dumping regulations at 33 CFR 325.

Several disposal sites are considered for new work dredge material, including the Ocean Dredged Material Disposal Site Expansion and beneficial use at the Relic Shell Mine site and the Sand Island Beneficial Use Area (SIBUA) Extension. The EPA supports beneficial use (BU) of dredged material for multiple purposes, including habitat restoration and enhancement. The draft GRR/SEIS indicates that the Relic Shell Mine site has low dissolved oxygen (DO), but, there is no data presented that supports the claim that the Relic Shell Mine site has low DO and that the placement of dredged material will improve the DO. The EPA recommends that the rationale for dredge material placement should be supported with appropriate data in the final GRR/SEIS and that monitoring should occur seasonally for at least 2 years at beneficial use sites.

*Water Quality and Modeling:* The EPA has concerns for potential water quality and modeling with regards to the TSP. To address these concerns, measures that estimate the cumulative amount of sedimentation based on turbidity observations from dredge overflow should be developed. The final GRR/SEIS should also describe efforts to reduce the project's potential adverse impacts, including thresholds that indicate how much overflow would be acceptable before substantive impacts are expected to occur. In terms of water quality modeling, the EPA is concerned that model performance is only evaluated using visual comparisons of model results with observed data. The EPA recommends that the USACE conduct a quantitative evaluation of the model calibration results to provide confidence in the predictability of the calibrated model. This is important because it ensures that water quality parameters such as DO and salinity are accurately projected and conclusions related to the potential impacts on submerged aquatic vegetation, wetlands, and other aquatic resources can be supported.

Based on our review, the EPA rates the draft GRR/SEIS as 'EC-2' (i.e., "Environmental Concerns" and the information as "Insufficient" under EPA's rating procedures; Please see: <https://www.epa.gov/nepa/environmental-impact-statement-rating-system-criteria>). The EPA's environmental concerns regarding sediments and disposal, water quality and modeling and the need for additional information should be addressed in the final GRR/SEIS. The EPA further recommends that the USACE work with the EPA and other stakeholders to develop appropriate criteria and monitoring and management plans for relevant water resource parameters and address stakeholder concerns.

We appreciate the opportunity to provide comments on the GRR/SEIS. We look forward to discussing our comments with you. If you have any questions regarding these comments, please contact Ntale Kajumba, of my staff, at (404) 562-9620 or [kajumba.ntale@epa.gov](mailto:kajumba.ntale@epa.gov).

Sincerely,



Carol J. Monell  
Deputy Director  
Resource Conservation and Restoration Division

Enclosure (1) Detailed Comments

**Mobile Harbor, Mobile, Alabama; Draft Integrated General Reevaluation Report with  
Supplemental Environmental Impact Statement; Detailed Comments.  
CEQ No.: 20180168**

**Coordination**

- We appreciate the early coordination efforts made by the USACE with various federal agencies and the public to solicit and incorporate suggestions during the NEPA scoping process. However, the NEPA documents relevant to the EPA's preliminary environmental review for topics where the EPA has technical expertise or jurisdiction were not provided to us per our cooperating agency request due to the USACE's schedule for the draft GRR/SEIS issuance. As a result, the detailed technical comments are longer than usual for the SEIS because the cooperating agency review was not afforded to the EPA.

Recommendation: The EPA recommends that the USACE work directly with us to address our primary concerns prior to the issuance of the final GRR/SEIS. The final GRR/SEIS should include the USACE's responsiveness summary that addresses both Agency and public comments regarding the proposed project.

**Water Quality**

- According to the draft GRR/SEIS, dredge overflow will be allowed for the proposed project, but work will stop if an increase of 50 Nephelometric Turbidity Units (NTU) above background turbidity levels is observed. The 50 NTU is a State of Alabama water quality standard for turbidity that must be met and observations will be made daily. Dredged material from the channel is primarily fine material. However, the research cited within the GRR/SEIS regarding the distances material travels relate to coarse material, such as sand. In addition, the water quality model predicted no impacts from increased total suspended solids and turbidity and is dismissed as having a potential ecological impact.

Recommendation: The EPA recommends that the distances modeled for material transport should be clarified. The final GRR/SEIS should also include citations of research for particle mobilization of sediments which are similar to those expected to be dredged during the project. The amount of sedimentation that will result in the bay should be estimated at the appropriate distances from overflow. The EPA notes that daily observations may be inadequate to detect changes depending on the time of observation and the current operation. For effective feedback of management measures, continuous data should be collected at multiple stations. The USACE should develop measures to estimate the cumulative amount of sedimentation based on turbidity observations from overflow. The final GRR/SEIS should describe measures to reduce potential impacts, including thresholds that indicate how much overflow would be acceptable before substantive impacts are expected to occur.

**Water Quality Modeling**

- The GRR/SEIS states that model performance was evaluated using visual comparisons of model results with observed data. The evaluation of the hydrodynamic model performance also appears to be completely qualitative (Reference: ERDC Modeling Report; Attachment A-1). If the model calibration is incorrect, conclusions such as the apparent lack of impact to submerged aquatic vegetation, wetlands, and other aquatic resources cannot be accurately drawn.

Recommendation: Quantitative evaluation of model calibration results should be conducted to provide confidence in the predictability of the calibrated model. The EPA recommends that Figure

73-80 include quantified statistics (bias and variance of errors) of differences between observed and modeled water quality parameters. Figure 83-94 should also include quantified statistics (bias and variance of errors) of the differences between existing and 'with-project' condition simulation results. It is unclear from the GRR/SEIS whether the difference is within the bounds of uncertainty of the calibrated model. If so, then the calibrated model is not precise enough to detect any difference between scenarios. The GRR/SEIS conclusion of 'no difference' between the proposed project and existing water quality conditions should take into consideration the uncertainty or predictability of the calibrated model. For the hydrodynamic model, quantified statistics (bias and variance of errors) of difference between observed and modeled surface elevations for Figures 7, 12-16, and 20-28 should also be provided in the final GRR/SEIS.

### **Dredged Material and Placement**

- *Marine Protection Research and Sanctuaries Act (MPRSA)*: It is unclear throughout the document that the proposed expansion to the Mobile Ocean Dredged Material Disposal Site (ODMDS) is an independent action that is being pursued separately by the EPA. The EPA has been coordinating with the USACE for approximately ten years regarding the expansion of the existing ODMDS to provide sufficient long-term capacity for the placement of dredged material under MPRSA Section 103. While the USACE is the primary user of the site, any user may dispose of material at the ODMDS, provided that the proposed sediment is appropriately tested and the user receives concurrence from both the USACE and the EPA. Furthermore, the GRR/SEIS discusses consultations and studies related to the Mobile ODMDS expansion process. However, these consultations for the ODMDS should also be considered independent of the proposed GRR/SEIS action.

Recommendation: The EPA recommends modifying language such as: "*Mobile District is currently pursuing certification for extensions to the Sand Island Beneficial Use Area (SIBUA) and the ODMDS*", in the final GRR/SEIS. This language makes it unclear that the ODMDS expansion is an EPA action that is unrelated to the GRR/SEIS. In addition, the agency consultation process for the proposed ODMDS expansion will be described in the draft environmental assessment for the proposed Mobile ODMDS expansion and does not require a GRR/SEIS discussion. The GRR/SEIS also discusses potential impacts to the environment and other effects related to the potential expansion of the Mobile ODMDS. This information will be described in the draft environmental assessment for the proposed Mobile ODMDS expansion. However, the effects of transporting and disposing of large volumes of dredged material into the ocean are of relevance, and should continue to be included in the final GRR/SEIS.

- *New Work Material Characterization*: The GRR/SEIS assumes that the new work material associated with the proposed action would be similar to that already tested, and "*should be suitable for placement in the ODMDS*", without providing comparative information that would help to substantiate this conclusion. The document further states that based on the results of recent sediment testing, it is anticipated that "*no contaminants will be detected.*" This statement is misleading and misrepresents the scope of existing data within the proposed project footprint. For example, sediment from Mobile Bay and the Mobile River channel were found to have detectable levels (above reporting limits) of several different analytes, including metals, polycyclic aromatic hydrocarbons, pesticides, and dioxins during sediment testing in 2010 (from: Final Evaluation of Dredged Material, Federally Authorized Navigation Projects, Mobile Harbor, Mobile, Alabama, USACE, 2011).

Recommendation: The EPA recommends that the final GRR/SEIS include comparative documentation, such as sediment cores or chemical screens to project depth, that demonstrate the proposed project material is substantially similar to previous projects that have received concurrence for disposal into the Mobile ODMDS. What is meant by “*similar*” should also be defined (quantitatively or qualitatively). Material proposed for ocean disposal must be tested and receive concurrence by both the EPA and the USACE before the material is cleared to be disposed of in an ODMDS. Similarity to previous projects is not a guarantee that the physical, chemical, and biological tests required will demonstrate that the material can be disposed of in an approved ODMDS. Furthermore, the final GRR/SEIS should clarify what is meant by “*no contaminants will be detected*”, when it is clear from existing sediment testing that there will most likely be detectable levels of some contaminants (including metals, polycyclic aromatic hydrocarbons, pesticides, and dioxins) within the proposed project footprint.

- *Clarification of ODMDS Description:* Appendix A of the GRR/FEIS states that the ODMDS is part of the “*existing*” MRPSA Section 103 ODMDS. Section 103 ODMDSs are considered interim sites, and are intended to be used for five years, with continued use contingent on the EPA approval. The Section 103 site was selected by the USACE in the 1980’s. However, the only EPA-approved ocean disposal site in proximity to the proposed GRR/SEIS project is the Mobile Section 102 ODMDS.

Recommendation: The EPA recommends clarifying language in the final GRR/SEIS Appendix A that indicates that the proposed expansion of the Mobile Section 102 ODMDS will encompass a portion of the historically used Section 103 ODMDS. The proposed action will not involve expanding or using the Section 103 site (outside of the proposed expansion area).

#### **Clean Water Act (CWA)/Section 404**

- *Beneficial Use Objectives and Sediment Testing:* The EPA supports beneficial use of dredged material for multiple purposes which include habitat restoration or enhancement. The GRR/SEIS states that the Relic Shell Mine proposed beneficial use (BU) site has low dissolved oxygen (DO) and portions of the site are highly hypoxic and that placement of dredged materials would improve DO. However, there is no data presented that supports the statement that the Relic Shell Mine site has low DO. According to the document, however, water quality was favorable (i.e., DO concentrations were well above hypoxic levels) during a single observation. The GRR/SEIS also states that benthic macrofaunal recovery is expected to occur with 12-18 months at the BU sites. For testing requirements, the EPA previously stated that testing will be required for BU sediments and that the result will need to comply with the CWA and follow procedural guidance under the Inland Testing Manual. The GRR/SEIS inconsistently states whether compliance is needed under MPRSA versus CWA.

Recommendation: Habitat restoration and enhancement should have explicit measurable objectives. The EPA recommends that the final GRR/SEIS provide data to support low DO conditions in the Relic Shell Mine areas if improved DO is an objective and the rationale for material placement. For DO, continuous data is preferred. However, if continuous data is unavailable, multiple observations are needed to present the pattern of DO as it changes temporally throughout the day and in different seasons. For testing requirements, the EPA previously stated that testing will be required for BU sediments. The EPA recommends that monitoring should occur seasonally for at least 2 years to demonstrate the effect of BU placement on any water quality and benthic macrofaunal changes. The final GRR/SEIS should all clarify that in all instances where material is proposed for BU, compliance with the CWA is required. As previously discussed with the USACE and the ASPA, the

EPA will accept testing results developed under MPRSA and the accompanying guidance in the Ocean Testing Manual to analyze for compliance with the CWA.

- *Compensatory Mitigation:* The GRR/SEIS states no compensatory mitigation is proposed, but then also states that the BU of sediment in the Relic Shell Mines would offset any loss of benthic habitat from channel expansion.

Recommendation: The EPA recommends that the final GRR/SEIS clarify whether the proposed BU at the Relic Shell Mine site for benthic habitat restoration is intended as compensatory mitigation for the permanent loss of benthic habitat.

- *Benthic Sampling at BU Sites:* Specific information on the benthic sampling results and associated discussion from the Relic Shell Mine site for macrofauna or sediment is not provided. The sampling stations presented in Figure 2-29 of Appendix C demonstrate the great lengths taken to adequately characterize benthic macrofauna and sediments in the BU site area including baseline, control, impact and proposed placement sites totaling 90 stations.

Recommendation: The EPA recommends that data from individual sampling stations for all parameters measured at the 90 stations should be provided in the final GRR/SEIS. The detailed benthic report should include a separate detailed discussion of the results from the 90 stations around and including the proposed BU sites. The EPA requests that the final GRR/SEIS provide the name of the document cited as 'Reine, 2018' in the references and a link for our review. We also request overlay relic shell site polygons on Figure 2-29. Specifically, analyzing characteristics for both sediment and water quality parameters in and around Relic Shell Mine Site 'A' may provide insight on expected outcomes at other sites ('B-F') as 'A' overlaps with an area that has been receiving thin layer placement of maintenance material.

- *Placement Methods at BU Sites:* Previous projects (i.e., Brookey Hole) that used dredge material to raise surface elevations and decrease anoxic conditions have used direct placement versus thin layer placement. Additional discussion is needed regarding the appropriateness of the thin layer method which should take into account the fine material currently present in the Relic Shell Mines. The draft GRR/SEIS cites three thin layer placement projects in Mississippi in 2006 without reference. The EPA considers the proposed BU placement approach to be experimental, thus, requiring adequate planning and monitoring to ensure the desired outcome is produced. A prior criteria for suitability of BU material should be developed before sampling and testing the sediments. The EPA is concerned about developing acceptable thresholds for particle size and texture ('fat/stiff' clays) as well as total organic content to ensure that habitat enhancement goals are met.

Recommendation: The EPA recommends that the beneficial use sub group reconvene before the start of the preliminary environmental design (PED) phase to identify specific monitoring parameters and monitoring plan for the proposed BU site so that appropriate analyses are developed during the PED phase that would allow for pre- and post-monitoring. This group could develop or provide feedback on USACE developed material suitability criteria. The EPA recommends that the final GRR/SEIS provide references for citations to any studies discussed in support of the BU placement. Any monitoring should occur seasonally for at least 2 years to demonstrate the effect of BU placement on benthic changes. Please use the term 'significant' to only refer to objective statistical significance. Subjective use of the term can result in misinterpretation. Also, please include a broader discussion

of the results of the study regarding specific water quality parameters as well as other measured biological responses, such as benthic monitoring.

- *BU Modelling:* In the GRR/SEIS, stated modelling objectives for the BU site sediment transport only addressed the material to be placed at the site and did not consider any movement of material currently existing at the BU site. Some data on sediment was previously collected from the sites and was used in the modeling ('SEDflume' cores 8-13), but was not specifically discussed or analyzed. A conclusion is presented that +/- 8 centimeters of erosion or sedimentation expected is not significant because it is within the bounds of model uncertainty.

Recommendation: The EPA recommends that the movement of material currently existing at the BU site should be defined as a modelling objective during the preliminary environmental design phase to predict the movement of sediments currently existing in the holes during placement activities. If the composition is different in each BU placement site, consider grouping for better model resolution and predictive power. Provide a table of raw data of sediments present in the Relic Shell Mine sites and the organic content for all 90 benthic stations as well and discuss together with the 'SEDflume' core data. Please clarify model certainty with regards to accepted tests of statistical significance and communicate any results in objective statistical terms to avoid misinterpretation. The final GRR/SEIS should explain whether the result indicated in the model is insufficient to predict changes and/or if more calibration is needed. In addition, please explain whether the anticipated changes were modeled for the life of the project or only for a one-year cycle and how the approach captured any cumulative changes.

#### **Air Quality**

- The draft GRR/SEIS makes the statement that the air quality impacts will not be as significant since construction is temporary. The draft GRR/SEIS discounts the localized impacts of short term increases in emissions. It does not appear that a substantive analysis of the potential air quality impacts for the preferred option. It also appears that the draft GRR/SEIS uses the Charleston Harbor Environmental Impact Statement to justify a reduction in emissions from larger ships, but it is unclear that the ASPA is implementing similar strategies as those implemented at Charleston Harbor. It is also unclear based on the Appendix C that all the ship to shore cranes are electric; the rubber tired gantry cranes are Tier 3 and moving to Tier 4/electric; or that the port has a dray replacement program that limits the age of the dray fleet. These elements in the Charleston Harbor inventory have a significant beneficial impact on the emissions from the port. In addition, the draft GRR/SEIS states that the increase in emissions would not result in air emissions problems, but the USACE did not conduct modeling to support that statement. Without dispersion modeling, localized air quality impacts cannot be determined.

Recommendation: The final GRR/SEIS should state that the impacts are short-term and that the USACE decided not to fully assess those impacts (if that is the case). Large emissions on a short-term basis can have an impact on the surrounding communities. The EPA also requests information that supports the claim that there will be a reduction in emissions from larger ships. We note that Charleston Harbor's operation is based on a significant switch to electric cranes and low emission diesel technology. It is recommended that in the final GRR/SEIS, the USACE more clearly outline the dray program and whether older trucks are prohibited from entering the premises like at Charleston Harbor.