



REPLY TO
ATTENTION OF:

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

CESAM RD-A

May 18, 2020

PUBLIC NOTICE NOs. SAM-2019-0677-DCH, SAM-2019-00699-DCH,
SAM-2019-00700-DCH, and SAM-2019-00701-DCH

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

**REQUEST TO ESTABLISH FOUR (4) ARTIFICIAL REEFS (10 ACRES EACH) IN MOBILE
BAY, ALABAMA**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Alabama Department of Conservation
and Natural Resources
Marine Resources Division
Attention: Mr. Scott Bannon
Post Office Box 189
Dauphin Island, Alabama 36528

LOCATION: Four (4) separate reef sites in Mobile Bay, offshore of Baldwin and Mobile Counties, Alabama. See attachments for location details.

PROJECT PURPOSE: The basic project purpose is to create artificial reefs. The overall project purpose is to increase productivity of reef associated finfish, shellfish, and other aquatic organisms to increase public recreational fishing opportunities in Mobile Bay, Alabama.

PROPOSED WORK: The applicant plans to construct four (4) artificial reefs, each encompassing ten (10) acres, within the waters of Mobile Bay (see Table 1 below for additional details). Four (4) piles with USCG approved signs will be installed at each corner of the four (4) reefs for a total of sixteen (16) piles to mark the extent of the reefs. Within each proposed reef site, the applicant proposes to deploy limestone aggregate, oyster shells, repurposed concrete, and/or commercially obtained reef modules. Bathymetry within each reef site would change after construction. The material and site selection procedures would ensure that at least 6 feet of vertical clearance at Mean Low Water (MLW) would be maintained above each reef.

<i>Table 1</i>				
Reef Name	DA Number	Area	Volume	Center Coordinates
Ghost Rig Reef	SAM-2019-00677-DCH	10 Acres	132,000 cubic yards	30.2642, -88.0658
Wellhead Reef	SAM-2019-00699-DCH	10 Acres	111,000 cubic yards	30.3031, -88.0630
Bon Secour Reef	SAM-2019-00700-DCH	10 Acres	103,000 cubic yards	30.3610, -87.9022
Dog River Reef	SAM-2019-00701-DCH	10 Acres	43,000 cubic yards	30.5530, -88.0609

All deployments would be conducted exclusively by and for the State of Alabama Department of Conservation and Natural Resources (ADCNR). All structures and materials would follow the National Artificial Reef Plan and the Gulf and Atlantic States Marine Fisheries Commission: Guidelines for Marine Artificial Reef Materials. All reef structures and materials would share similar characteristics: 1) Structure(s) must function as a reef by producing and supporting aquatic organisms; 2) Material components must be compatible with the surrounding marine environment; 3) Materials must be selected for their resistance to the chemical and physical stresses of the marine environment; and, 4) The structure(s) must be locationally stable even during hurricane conditions.

AVOIDANCE AND MINIMIZATION: The applicant has stated that the proposed reefs were sited to avoid oyster resources, submerged aquatic vegetation, shipping lanes, known natural hard bottom habitats, beach sand source deposits, and active dredge spoil areas. Additionally, two (2) proposed reef sites, Ghost Rig Reef and Wellhead Reef, were selected due to previous disturbance from oil and gas infrastructure. As noted above, the material and site selection procedures would ensure that at least 6 feet of vertical clearance at MLW would be maintained above each reef site. The U.S. Army Corps of Engineers (USACE), Mobile District, has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

WATER QUALITY/COASTAL ZONE MANAGEMENT (CZM): The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act and for Coastal Zone Management (CZM) consistency concurrence in accordance with the Alabama Coastal Area Management Program. Upon completion of the required advertising and public comment review, a determination relative to water quality certification and CZM consistency will be made by the Alabama Department of Environmental Management (ADEM).

HISTORIC PROPERTIES: In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR Part 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR Part 325, the Mobile District has determined the permit area consists of the entire undertaking in waters of the United States. The National Register of Historic Places will be consulted for properties listed, or eligible for listing, in the National Register, which are known to exist and would be affected by the proposed work. The applicant has proposed to conduct a Phase I maritime cultural resources assessment of each proposed reef site. Upon receipt of the completed assessment, the USACE will make a determination of effects to cultural and historic resources. The Mobile District is seeking comment from the State Historic Preservation Officer regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project would impact a total of 40 acres (10 acres per site) of marine substrate utilized by various life stages of multiple marine species. Our initial determination is that the proposed action would have minimal adverse effects on EFH or federally managed fisheries due to the temporary, localized disturbances associated with deployment of reef materials. The long-term effects on federally managed fisheries are expected to be beneficial

as a result of enhanced reef fish habitat within the project area. Our final determination is subject to review by and coordination with the National Marine Fisheries Service (NMFS) and/or the U.S. Department of Interior, and the U.S. Fish and Wildlife Service (USFWS).

ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity may affect, but is not likely to adversely affect the Kemp's ridley sea turtle (*Lepidochelys kempii*), loggerhead sea turtle (*Caretta caretta*), green sea turtle (*Chelonia mydas*), leatherback sea turtle (*Dermochelys coriacea*), hawksbill sea turtle (*Eretmochelys imbricate*), Gulf sturgeon (*Acipenser oxyrinchus desotoi*), and West Indian manatee (*Trichechus manatus*); and would have no effect on the fin whale (*Balaenoptera physalus*), sei whale (*Balaenoptera borealis*), sperm whale (*Physeter microcephalus*), Bryde's whale (*Balaenoptera edeni*), giant manta ray (*Mobula birostris*), oceanic whitetip shark (*Carcharhinus longimanus*), wood stork (*Mycteria americana*), and Alabama red-bellied turtle (*Pseudemys alabamensis*). There is no designated critical habitat within the action area, and no direct or indirect effects to designated critical habitat are anticipated as a result of the project activities. Consultation was initiated with NMFS on May 13, 2020 in accordance with Section 7 of the Endangered Species Act. Programmatic consultation with USFWS for potential effects to the West Indian manatee has been completed in accordance with the 2019 Standard Local Operating Procedures for Endangered Species.

COMMENTS: This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE can be based. The Mobile District is soliciting comments from the public, federal, state and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed below. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation,

shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and in general, the needs and welfare of the people. Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will also include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

Correspondence concerning this notice should refer to Public Notice Numbers **SAM-2019-0677-DCH, SAM-2019-00699-DCH, SAM-2019-00700-DCH, and SAM-2019-00701-DCH**, as appropriate, and should be directed to the USACE project manager, Mr. Dylan C. Hendrix, by e-mail at dylan.c.hendrix@usace.army.mil, or (251) 694-3772, or by mail at USACE, Mobile District, Regulatory Division, Attention: Mr. Dylan C. Hendrix, Post Office Box 2288, Mobile, Alabama 36628-0001. Copies of all comments should be furnished to the ADEM at coastal@adem.alabama.gov, or sent to: Alabama Department of Environmental Management, Mobile Branch / Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608.

All comments should be received no later than 30 days from the date of this Public Notice. Please refer to the above Public Notice Numbers SAM-2019-0677-DCH, SAM-2019-00699-DCH, SAM-2019-00700-DCH, and SAM-2019-00701-DCH, in any communication concerning this project.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



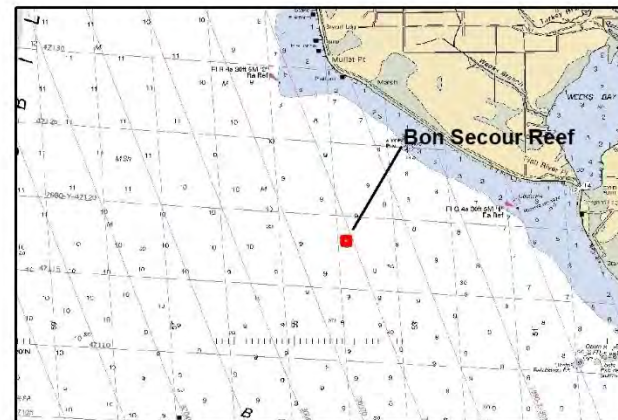
Figure 2. Bon Secour Reef and Pile Coordinates.

N30° 21.714', W87° 54.196'



N30° 21.714', W87° 54.071'

N30° 21.605', W87° 54.195'

N30° 21.606', W87° 54.070'



Bon Secour Reef

-  Proposed Reef (10 ac)
-  Proposed Pilings

NOAA Nautical Chart
#11376 Mobile Bay

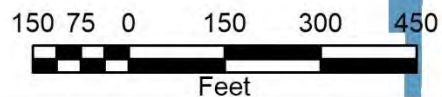
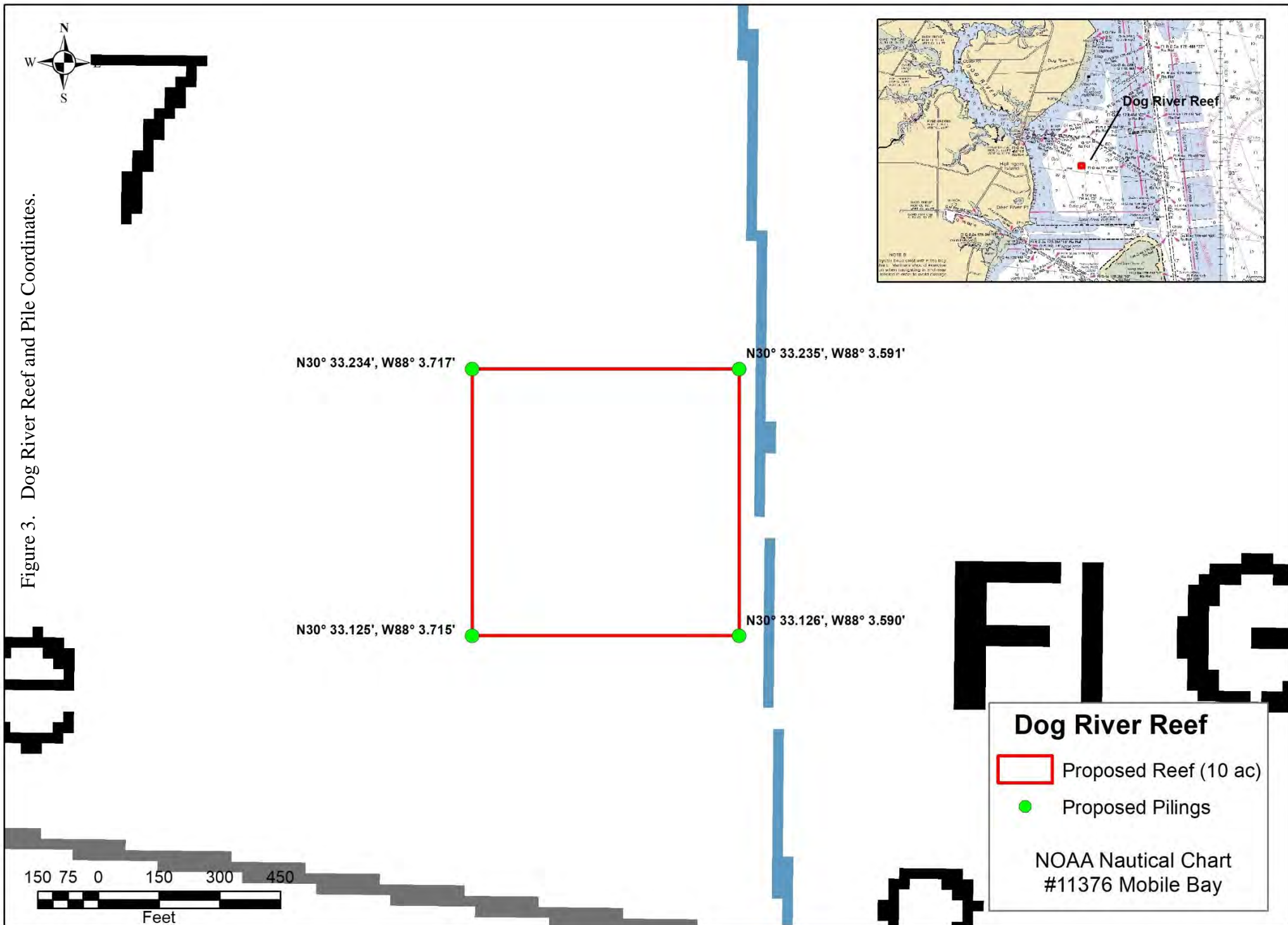


Figure 3. Dog River Reef and Pile Coordinates.



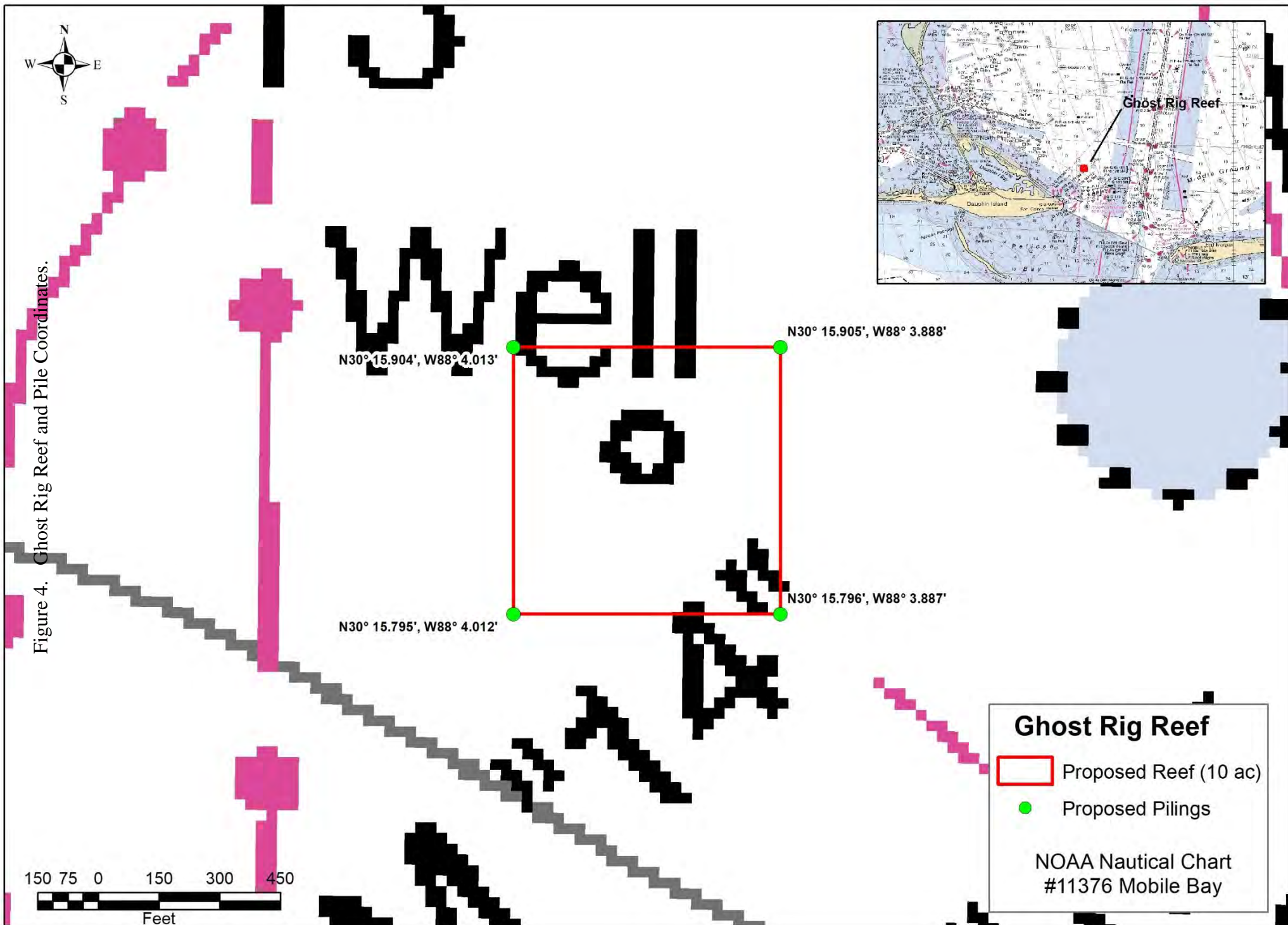




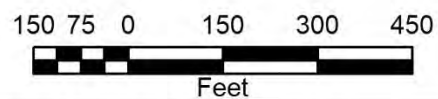
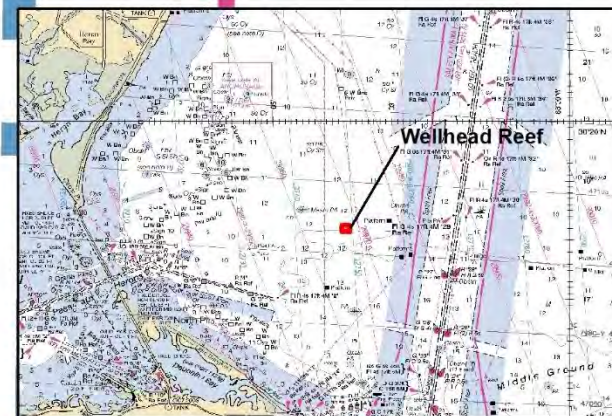
Figure 5. Wellhead Reef and Pile Coordinates.

N30° 18.242', W88° 3.843'



N30° 18.243', W88° 3.717'

N30° 18.133', W88° 3.841'

N30° 18.134', W88° 3.716'



Wellhead Reef

-  Proposed Reef (10 ac)
-  Proposed Pilings

NOAA Nautical Chart
#11376 Mobile Bay

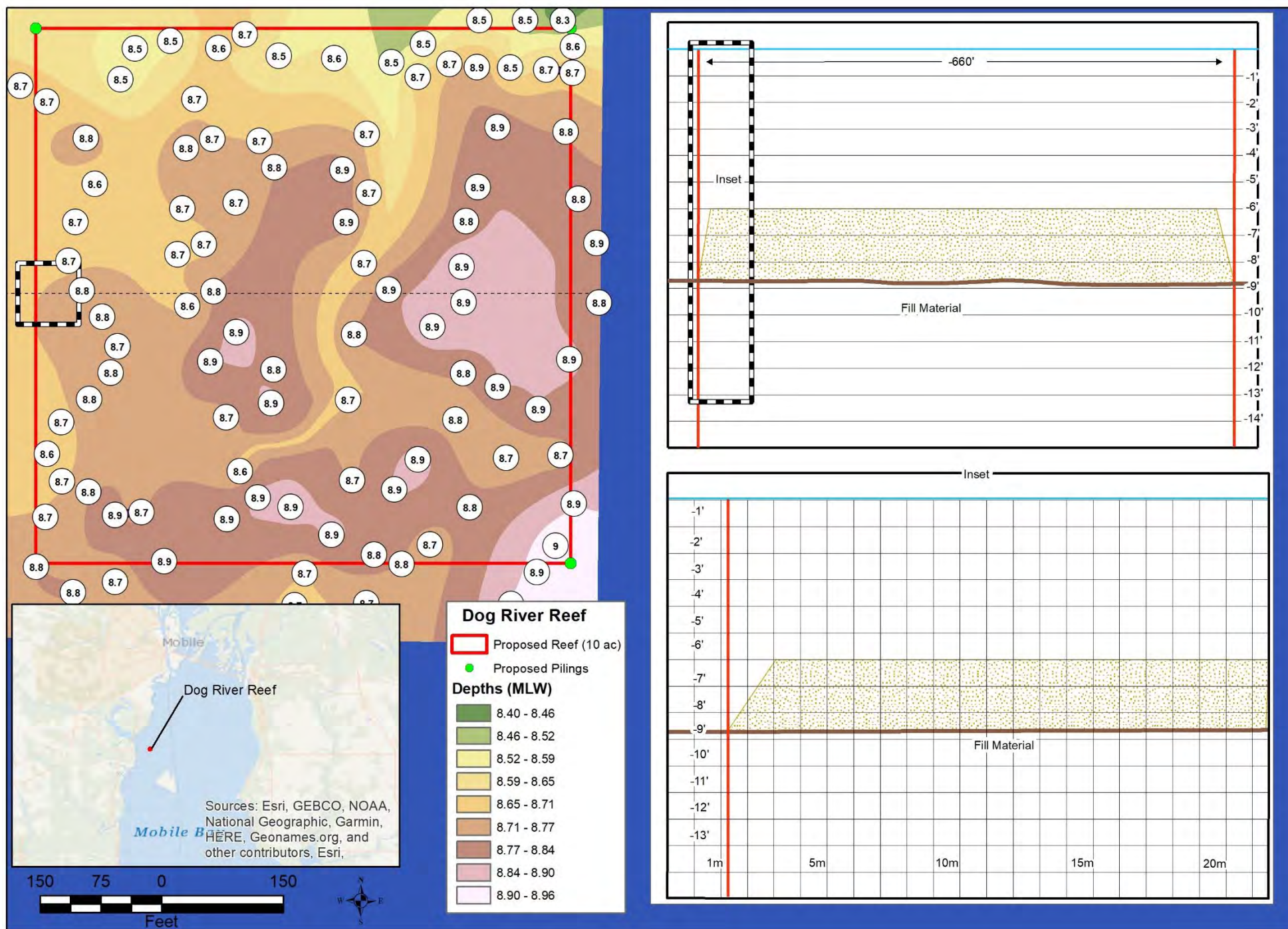


Figure 6. Dog River Reef depths and cross-section profile.

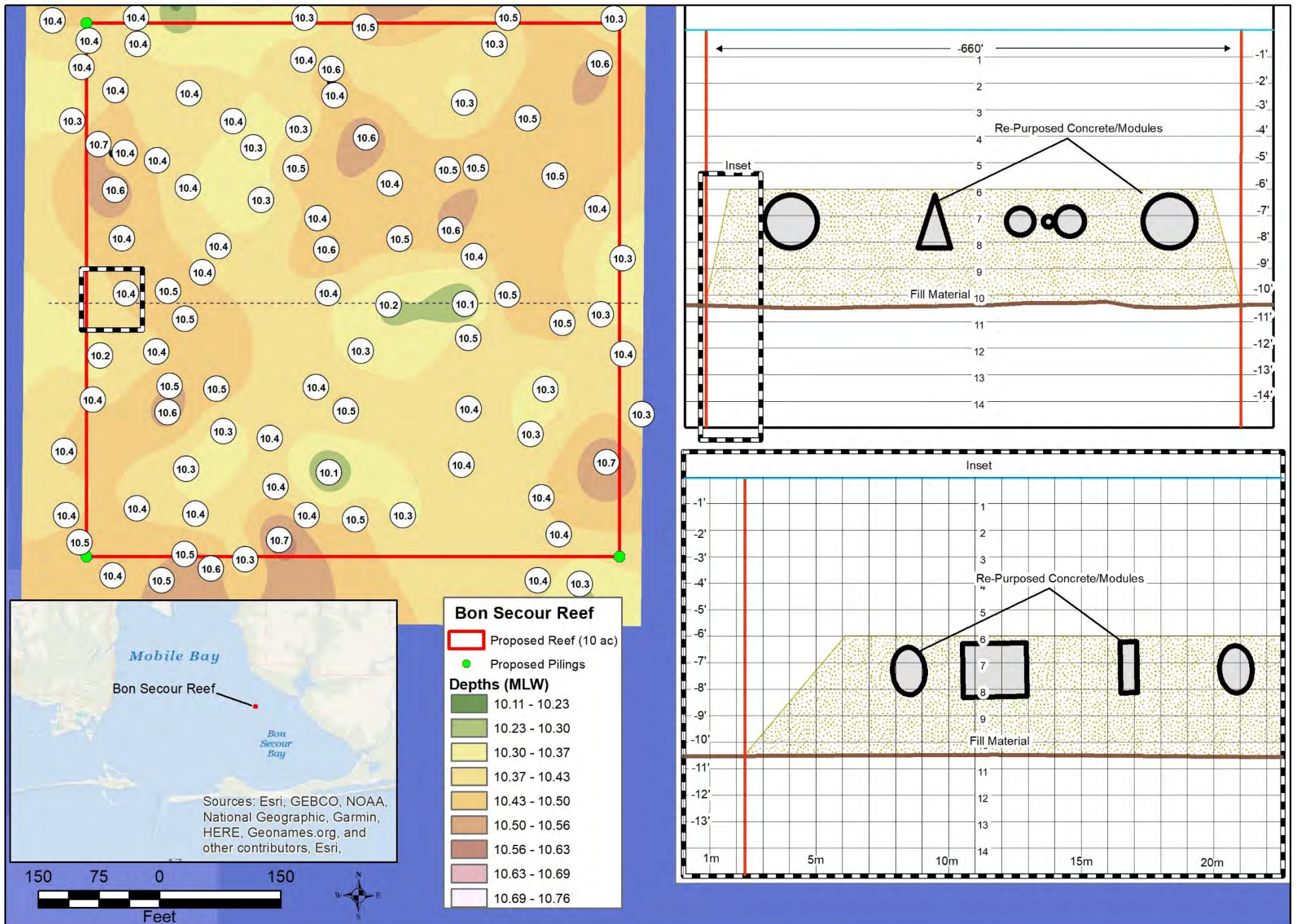


Figure 7. Bon Secour Reef depths and cross-section profile.

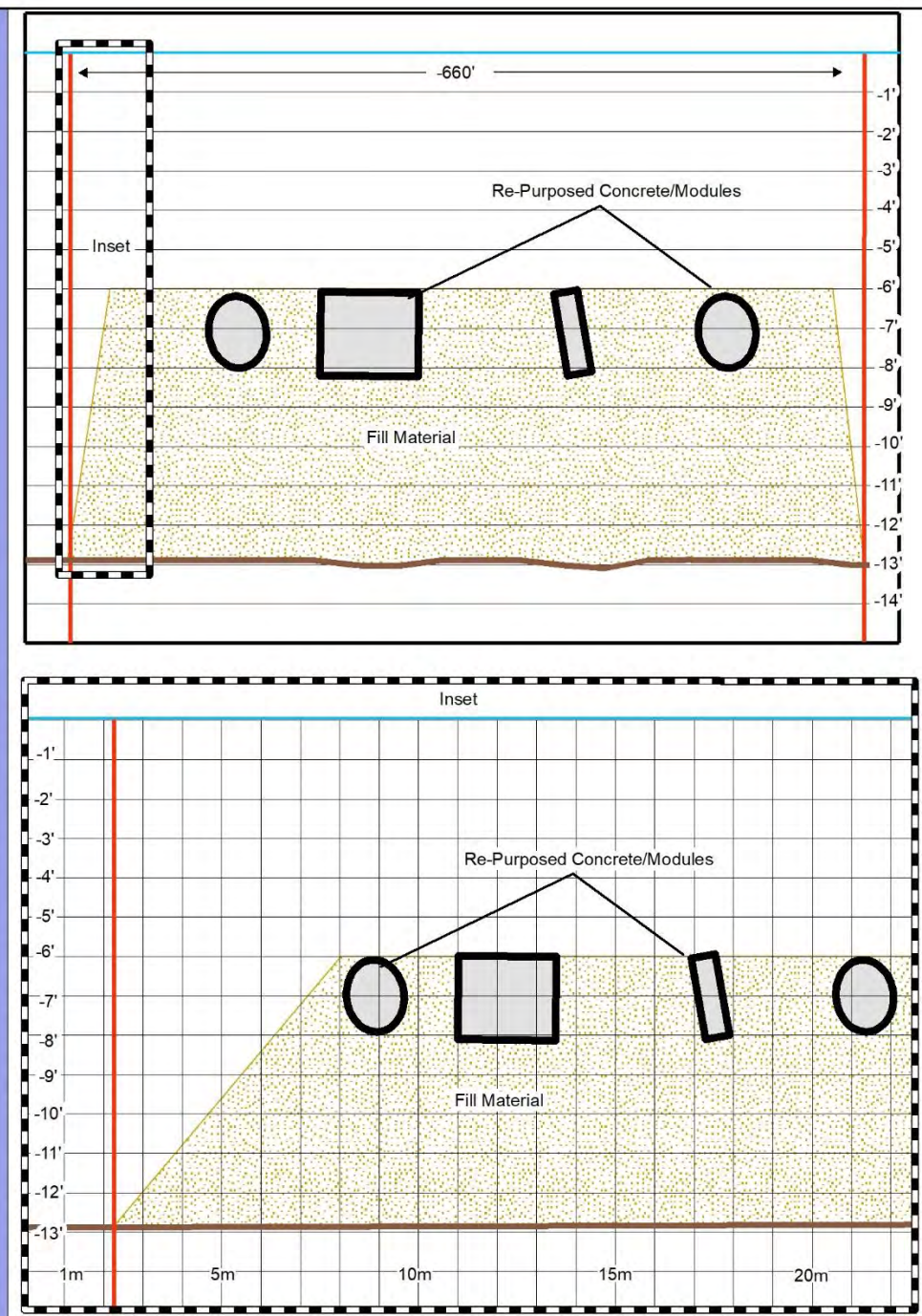
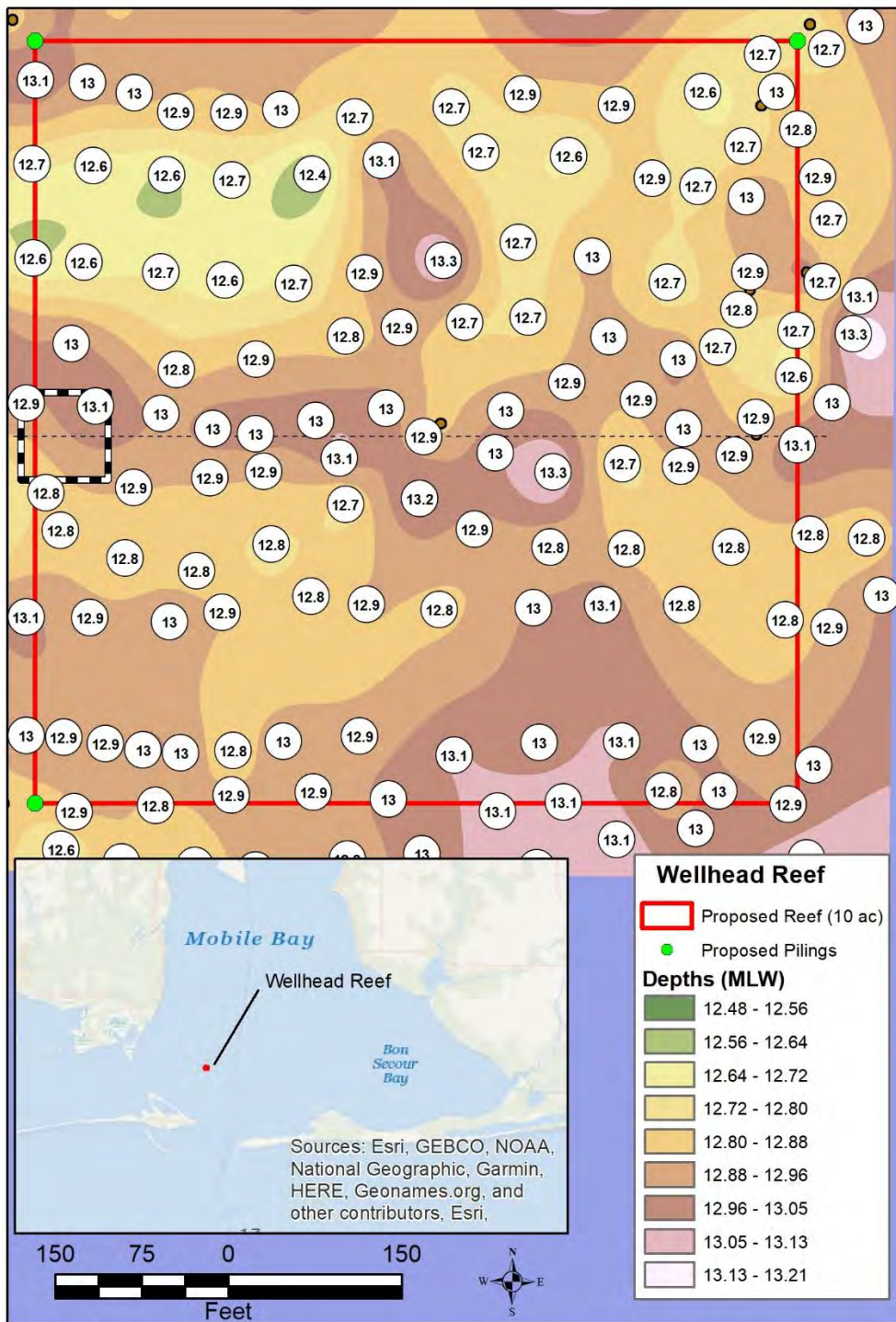


Figure 8. Wellhead Reef depths and cross-section profile.

