



REPLY TO
ATTENTION OF

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

CESAM RD-A
PUBLIC NOTICE NO. SAM-2019-01005-DCH

August 16, 2022

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

REQUEST TO DREDGE AND DISCHARGE FILL MATERIAL IN MIDDLE FORK DEER
RIVER AND MOBILE BAY TO PROTECT AND RESTORE ADJACENT TIDAL MARSH IN
HOLLINGERS ISLAND, MOBILE COUNTY, 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 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: Mobile Bay National Estuary Program
Attention: Ms. Roberta Swann
118 N. Royal Street, Suite 601
Mobile, Alabama 36602

AGENT: Thompson Engineering, Inc.
Attention: Mr. Stephen O'Hearn
2970 Cottage Hill Road, Suite 190
Mobile, Alabama 36606

LOCATION: Mobile Bay; East of Dauphin Island Parkway; within Section 17, Township 6 South, Range 1 West; at Latitude 30.517195°, Longitude -88.096669°; Hollingers Island, Mobile County, Alabama.

PROJECT PURPOSE: The basic project purpose is to restore, enhance, and protect an existing tidal marsh and river system. The overall project purpose is to protect an eroding shoreline, restore eroded tidal marsh, enhance existing tidal marsh, and re-establish historic depth and flow within Middle Fork Deer River on the on the west shoreline of Mobile Bay.

PROPOSED WORK: The applicant proposes to stabilize 5,600 feet of eroding shoreline to protect an existing 275-acre tidal marsh, restore nineteen (19) acres of tidal marsh through beneficial use of dredged material, enhance approximately 51 acres of existing tidal marsh, and to improve water quality by restoring historic depth and flow within the waterbody. The project would utilize 50,000 cubic yards of sediment dredged by the applicant from Middle Fork Deer River and approximately 200,000 cubic yards of sediment dredged by the U.S. Army Corps of Engineers from the Mobile Ship Channel Turning Basin, to provide fill material for restoration/enhancement of the tidal marsh system. The project involves 1) Installation of 375 linear feet (0.5 acre) of pile-supported breakwater; 2) Construction of a temporary 2,950 linear feet (2acres) sand berm containment dike to contain dredged material; 3) Installation of 3,100

linear feet (2.9 acres) of segmented rock breakwater constructed of Class IV rip-rap on marine mattress, featuring 130-foot gaps, and constructed at a height of +2.5-feet NAV88; 4) Dredging 44,000 cubic yards of sediment in 6 acres of open waters to create a temporary 3,830 linear foot construction access channel; 5) Discharge 200,000 cubic yards of sediment dredged from the USACE Mobile Ship Channel Turning Basin into 19 acres of open waters to restore eroded tidal marsh; 6) Dredging 50,000 cubic yards of sediment along 3,350 linear feet (9.0 acres) within Middle Fork Deer River; and 7) Thin-layer placement of 50,000 cubic yards of sediment from Middle Fork Deer River into 51 acres of existing tidal marsh at an overall thickness of no greater than 6 inches. The thin-layer approach would increase the overall elevation of the existing marsh in order to enhance resilience to continued sea level rise and subsidence. See Table 1 below for a detailed list of proposed work and impacts:

Project Element	Linear Feet	Impacts Below MHW (1.0 NAVD88)			
		Fill		Dredge	
		Acres	Cubic Yards	Acres	Cubic Yards
Deer River Dredge / Thin Layer Disposal	3,350	51.00	50,000	9.00	50,000
Breach Breakwater-Pile Supported	375	0.50	N/A	N/A	N/A
Segmented Breakwater/Front Containment	3,100	2.90	20,000	N/A	N/A
Back Containment Berm	2,950	2.00	8,000	N/A	N/A
Marsh Fill	N/A	19.00	200,000	N/A	N/A
Access Channel (temporary impact)	3,830	6.00	44,000	8.00	44,000

AVOIDANCE AND MINIMIZATION: The applicant conducted an analysis of alternative project designs using various shoreline stabilization techniques and has concluded that the proposed design incorporates the greatest diversity of shoreline types/habitat with similar environmental impacts as other alternatives while also maintaining more natural shoreline versus fully hardened shoreline alternatives. The applicant has proposed the use of turbidity controls around the marsh fill areas to minimize the transport of fine-grained sediments from the construction area. The applicant proposes to monitor turbidity levels daily during construction to ensure compliance with applicable State water quality standards (i.e., no more than 50 NTU above ambient background levels outside a 750-foot mixing zone). If turbidity exceeds State water quality parameters, work would be suspended until compliant turbidity levels are re-established. The applicant has proposed the use of signs and/or buoys during construction to warn navigational interests of potential hazards. Similarly, dredging equipment and pipelines would be marked and lighted in accordance with U.S. Coast Guard requirements. 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.

MITIGATION: The provision of compensatory mitigation has not been proposed. The applicant has stated the ecological benefits of restoring 19 acres of tidal marsh would offset the relatively minor loss of functions and services provided by any resources. The U.S. Army

Corps of Engineers (USACE), Mobile District has not verified the adequacy of the applicant's mitigation efforts at this time.

WATER QUALITY/COASTAL ZONE MANAGEMENT: The applicant will apply for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act, as well as Coastal Zone Management (CZM) consistency certification in accordance with the Alabama Coastal Zone 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) within an established reasonable period of time.

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, which includes the footprint of the proposed dredge and fill areas that would be disturbed by construction of the project. 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 Mobile District is seeking comments regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. The applicant has provided a Phase I Cultural Resources Assessment of the project site. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on cultural/historic resources. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

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 temporarily impact 11 acres of estuarine substrate and water column for construction of the temporary access channel (2 acres) and dredging of Middle Fork Deer River (9 acres), temporarily impact 51 acres of tidal marsh for the thin-layer placement of dredged material in the existing tidal marsh system, and would permanently impact 19 acres of estuarine substrate and water column in order to restore tidal marsh and install 2.9 acres of segmented rock breakwater to protect the restored tidal marsh area. The applicant has provided an EFH Assessment and Marsh Planting and Monitoring Plan to the USACE, Mobile District which will be coordinated with the National Marine Fisheries Service (NMFS) as part of this consultation. Our initial determination is that the proposed action would have a minimal adverse effect on EFH or federally managed fisheries due to the temporary nature of the proposed impacts and the overall ecological benefits to restoring 19 acres of tidal marsh, enhancing 51 acres of existing tidal marsh, restoring historic depth and flow within Middle Fork Deer River, and providing long-term protection against future erosion. Our final determination relative to project impacts and the need for mitigative measures is subject to review by and coordination with the National Marine Fisheries Service (NMFS).

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 the following federally-listed species are known or expected to occur within the project area: Alabama Red-

bellied Turtle (E), West Indian Manatee (T), Wood Stork (T), Eastern Indigo Snake (T), Green Sea Turtle (T), Kemp's Ridley Sea Turtle (E), Loggerhead Sea Turtle (T), and Gulf Sturgeon (T). There is no designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no determination with regard to potential effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and NMFS will be performed as determined to be appropriate.

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.

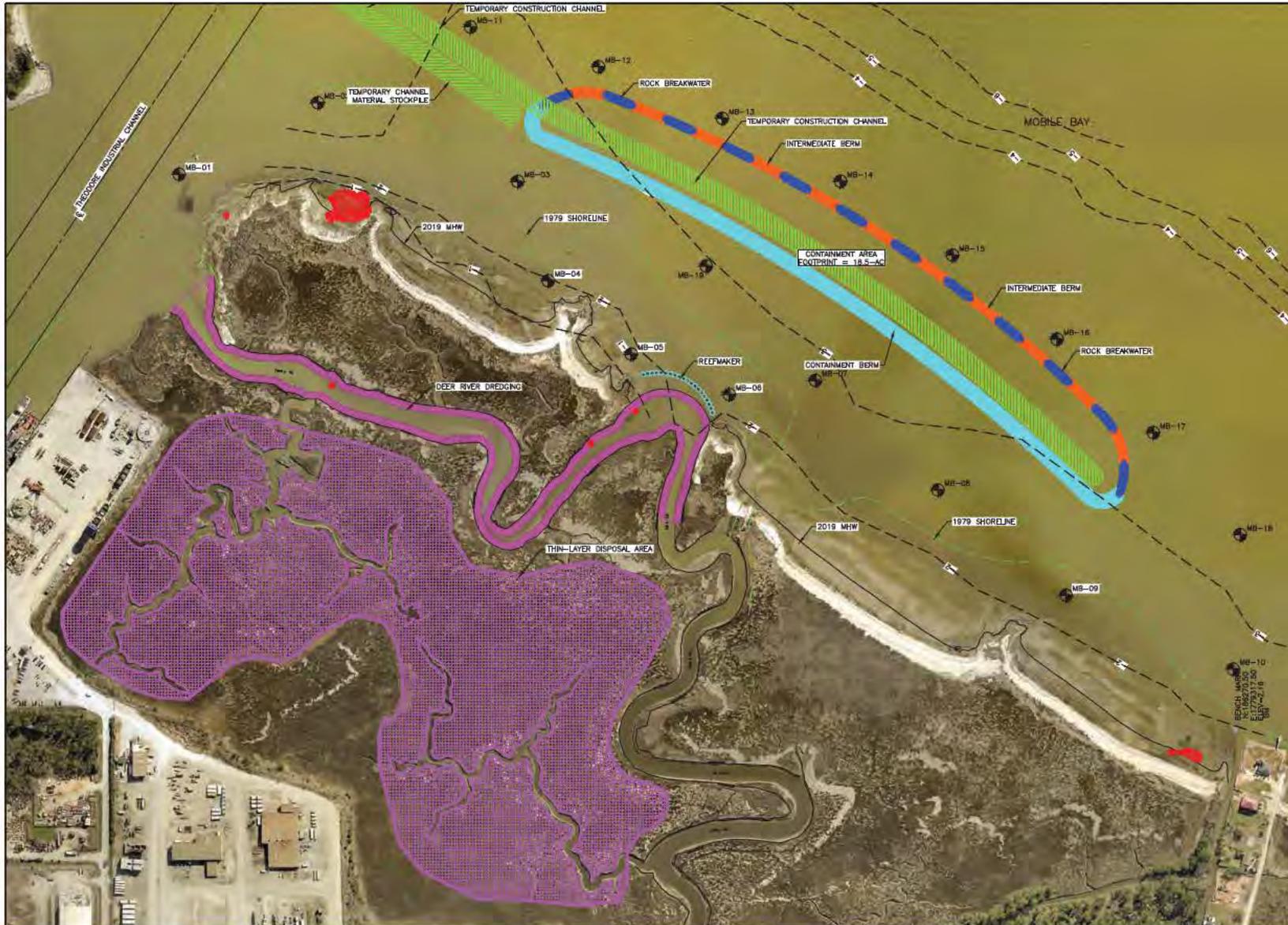
Correspondence concerning this notice should refer to Public Notice Number **SAM-2019-01005-DCH**, and should be directed to the District Engineer, Mobile District, Regulatory Division, Attention: **Ms. Jessica C. Comeaux**, Post Office Box 2288, Mobile, Alabama 36628-0001, or by e-mail at Jessica.C.Comeaux@usace.army.mil, or (251) 694-3772. 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.

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



- MOBILE BAY NATIONAL ESTUARY PROGRAM
MOBILE, ALABAMA
- DEER RIVER COASTAL MARSH
STABILIZATION AND RESTORATION PROJECT
- OVERALL SHORELINE
STABILIZATION PLAN
- 1979 SHORELINE
 - ROCK BREAKWATER (1,740-LF)
 - CONTAINMENT BERM (2,946-LF)
 - TEMP. CONSTRUCTION ACCESS CHANNEL (3,831-LF)
 - INTERMEDIATE BERM (1,364-LF)
 - PROPOSED RIVER DREDGING
 - DESTING S.A.V.
 - MEAN HIGH WATER (ELEV. 0.8' NAVD 1885)
 - REEFMAKER SHORELINE STABILIZATION (375-LF)
 - THIN-LAYER DISPOSAL AREA (50.9-AC)
 - AERIAL IMAGERY FROM FEBRUARY 2021, MOBILE COUNTY HYDROGRAPHIC SURVEY COMPLETED IN 2022

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DESIGN NO.	DESCRIPTION	DATE	BY
DESIGN NO. E	30% SUBMITTAL	07/31/2020	MKS
DESIGN NO. D	REVISED OFFSHORE CONFIGURATION	06/29/22	MKS
DESIGN NO. C	REVISED LOCATION OFFSHORE	02/21/22	MKS
DESIGN NO. B	ADDED THIN-LAYER DISPOSAL AREA	07/9/2021	MKS
DESIGN NO. A	30% SUBMITTAL	07/31/2020	MKS

MOBILE BAY NATIONAL ESTUARY PROGRAM
MOBILE, ALABAMA

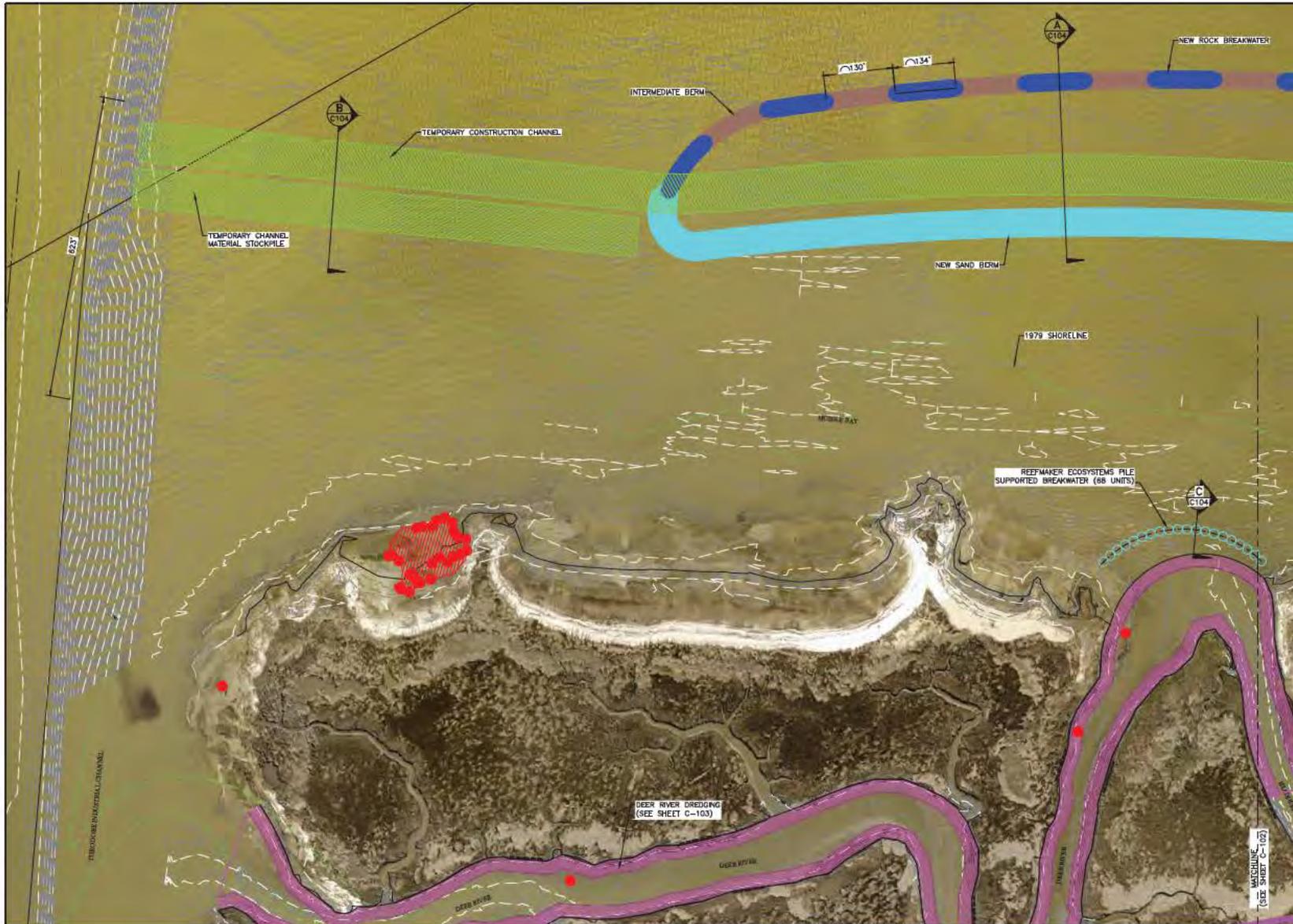
2010 GRAPHIC SCALE, 1" = 100'		2010 GRAPHIC SCALE, 1" = 100'		2010 GRAPHIC SCALE, 1" = 100'	
DATE:	PROJECT SCALE:	DRAWN BY:	CHECKED BY:	APPROVED BY:	DATE:
NOTED	1:1	TPT	MKS	MW	JULY 31, 2020

DEER RIVER COASTAL MARSH
STABILIZATION AND RESTORATION PROJECT

thompson		thompson		thompson	
DATE:	PROJECT SCALE:	DRAWN BY:	CHECKED BY:	APPROVED BY:	DATE:
NOTED	1:1	TPT	MKS	MW	JULY 31, 2020

OVERALL SHORELINE
STABILIZATION PLAN

DATE:	PROJECT SCALE:	DRAWN BY:	CHECKED BY:	APPROVED BY:	DATE:
NOTED	1:1	TPT	MKS	MW	JULY 31, 2020



- 1979 SHORELINE
 --- ROCK BREAKWATER (1,740-LF)
 --- CONTAINMENT BERM (2,946-LF)
 --- TEMP. CONSTRUCTION ACCESS CHANNEL (3,831-LF)
 --- INTERMEDIATE BERM (1,364-LF)
 --- PROPOSED RIVER DREDGING
 --- EXISTING S.A.V.
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 --- REEFMAKER SHORELINE STABILIZATION (375-LF)
 --- THIN-LAYER DISPOSAL AREA (50.9-AC)
 --- AERIAL IMAGERY FROM FEBRUARY 2021, MOBILE COUNTY
 --- HYDROGRAPHIC SURVEY COMPLETED IN 2022

THE SHOWN PROPOSED DESIGN PROVIDED BY THOMPSON ENGINEERING FOR SPECIAL USE ON THIS PROJECT AND IS NOT TO BE CONSIDERED AS A BASIS FOR ANY OTHER DESIGN OR CONSTRUCTION OF THE THOMPSON ENGINEERING RESPONSIBLE AUTHORITY TO APPLY THE REG. SANCTIONED UNDER SUBJECT TO LOCAL, STATE AND FEDERAL LAW.

DESIGN NO.	DESCRIPTION	DATE	BY
DESIGN NO. C	30% SUBMITTAL	7/25/22	MKS
DESIGN NO. B	UPDATED T.I.C. HYDROGRAPHIC SURVEY	7/9/2021	MKS
DESIGN NO. A	30% SUBMITTAL	7/31/2020	MKS

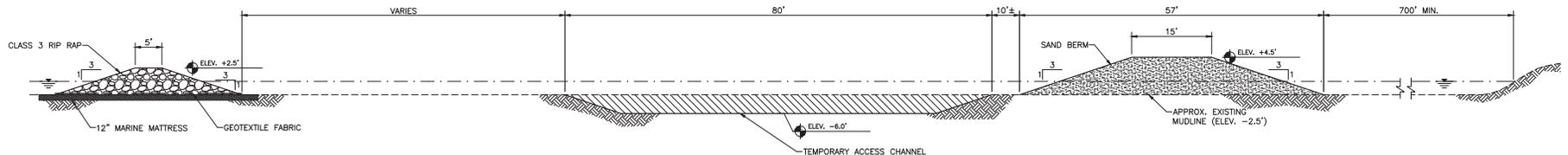
MOBILE BAY NATIONAL ESTUARY PROGRAM
 MOBILE, ALABAMA

**DEER RIVER COASTAL MARSH
 STABILIZATION AND RESTORATION PROJECT**

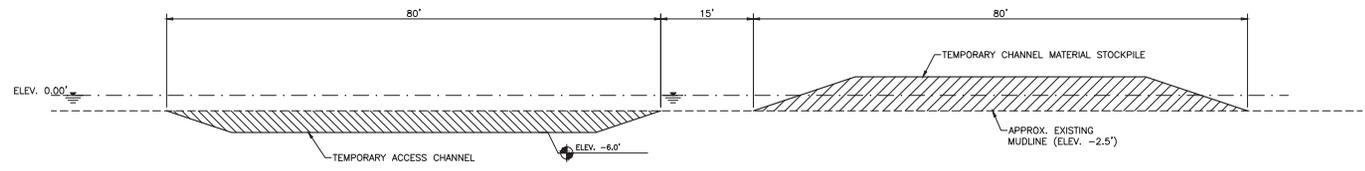
thompson
 ENGINEERING

**ENLARGED SHORLINE
 STABILIZATION PLAN**

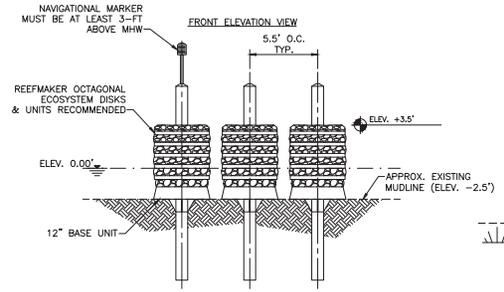
DATE: 2019 CADD: JUL 22, PPK 180	SCALE: 1:1	DRAWN BY: TPT	CHECKED BY: MKS	DATE: JULY 31, 2020	JOB NO.: 19-1101-0184	DRAWING NO.: C-101	REVISION NO.: C
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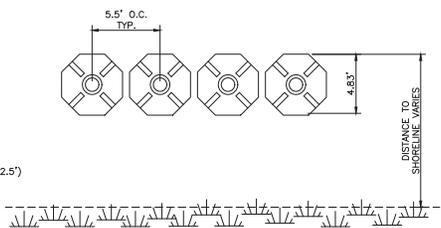
A TYPICAL ROCK BREAKWATER INSTALLATION SECTION
 C104 SCALE: 1" = 10'



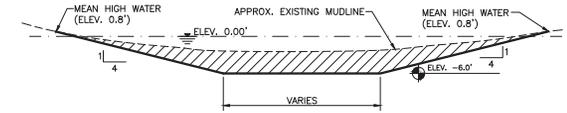
B TYP. TEMPORARY CHANNEL SECTION
 C104 SCALE: 1" = 10'



C TYPICAL REEFMAKER ECOSYSTEM SHORELINE PROTECTION
 C104



TYPICAL REEFMAKER ECOSYSTEM SHORELINE PROTECTION



D TYPICAL RIVER DREDGING SECTION
 C104 SCALE: 1" = 10'

NOTE:
 1. ALL ELEVATIONS SHOWN ARE INTENDED TO BE POST SETTLEMENT ELEVATIONS.

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REVISION NO.	DESCRIPTION	DATE	BY:
REVISION NO. 1	DESCRIPTION	DATE	BY:
REVISION NO. 2	DESCRIPTION	DATE	BY:
REVISION NO. 3	DESCRIPTION	DATE	BY:
REVISION NO. B	DESCRIPTION	DATE	BY:
REVISION NO. A	DESCRIPTION	DATE	BY:

MOBILE BAY NATIONAL ESTUARY PROGRAM
 MOBILE, ALABAMA

DEER RIVER COASTAL MARSH
 STABILIZATION AND RESTORATION PROJECT

2970 COTTAGE HILL RD., STE. 190
 MOBILE, ALABAMA 36688
 SCALE: NOTED PLOT SCALE: 1:1 DRAWN BY: TPT CHECKED BY: MKS APPROVED BY: MJW
 TEL: (251) 686-2443 FAX: (251) 686-6422

TYPICAL SECTIONS

DATE: JULY 31, 2020 JOB NO.: 19-1101-0184 DRAWING NO.: C-104 REVISION NO.: B



- 1979 SHORELINE (1,740-LF)
- ROCK BREAKWATER (1,740-LF)
- CONTAINMENT BERM (2,946-LF)
- TEMP. CONSTRUCTION ACCESS CHANNEL (3,831-LF)
- INTERMEDIATE BERM (1,364-LF)
- PROPOSED RIVER DREDGING
- EXISTING S.A.V.
- MEAN HIGH WATER (ELEV. 0.8' NAVD 1988)
- REEFMAKER SHORELINE STABILIZATION (375-LF)
- THIN-LAYER DISPOSAL AREA (50.9-AC)
- AERIAL IMAGERY FROM FEBRUARY 2021, MOBILE COUNTY HYDROGRAPHIC SURVEY COMPLETED IN 2022

NOTE: TIDAL CREEKS TO BE ADDED IN FUTURE SUBMITTALS.

THE SHORELINE AND PROPOSED BERM ARE PROVIDED BY THOMPSON ENGINEERING FOR SPECIAL USE ON THIS PROJECT AND IS NOT TO BE CONSIDERED FOR ANY OTHER PURPOSE WITHOUT THE EXPRESS WRITTEN CONSENT OF THE THOMPSON ENGINEERING REPRESENTATIVE AUTHORIZED TO PROVIDE THE USE. UNAUTHORIZED USE IS SUBJECT TO LOCAL, STATE AND FEDERAL LAW.

DESIGN NO.	DESCRIPTION	DATE	BY
DESIGN NO. 0	CONCEPT		
DESIGN NO. 0	CONCEPT		
DESIGN NO. 0	CONCEPT		
DESIGN NO. B	30% SUBMITTAL	7/25/22	MKS
DESIGN NO. A	30% SUBMITTAL	7/31/2020	MKS

MOBILE BAY NATIONAL ESTUARY PROGRAM
MOBILE, ALABAMA

DEER RIVER COASTAL MARSH
STABILIZATION AND RESTORATION PROJECT

2010 CDITION, ALL RIGHTS RESERVED
MOBILE, ALABAMA 36688

SCALE: NOTED
PLOT SCALE: 1:1
DRAWN BY: TPT
CHECKED BY: MKS
APPROVED BY: M/W

ENLARGED SHORELINE
STABILIZATION PLAN

DATE: JULY 31, 2020
JOB NO.: 19-1101-0184
DRAWING NO.: C-202
REVISION NO.: B



- 1979 SHORELINE
 - ROCK BREAKWATER (1,740-LF)
 - CONTAINMENT BERM (2,945-LF)
 - TEMP. CONSTRUCTION ACCESS CHANNEL (3,831-LF)
 - INTERMEDIATE BERM (1,364-LF)
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- AERIAL IMAGERY FROM FEBRUARY 2021, MOBILE COUNTY HYDROGRAPHIC SURVEY COMPLETED IN 2022

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BORING NO.	DESCRIPTION	DATE	BY
BORING NO. 0	DESCRIPTION	DATE	BY
BORING NO. 1	DESCRIPTION	DATE	BY
BORING NO. 2	DESCRIPTION	DATE	BY
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BORING NO. 13	DESCRIPTION	DATE	BY
BORING NO. 14	DESCRIPTION	DATE	BY

MOBILE BAY NATIONAL ESTUARY PROGRAM
MOBILE, ALABAMA

DEER RIVER COASTAL MARSH
STABILIZATION AND RESTORATION PROJECT



PLAN OF
MARINE BORINGS

2010 CONFORM. ILL. 60, PPK. 180 MOBILE, ALABAMA 36688	NO. (211) 888-2842 MO. (904) 888-8888	DATE: JULY 31, 2020	JOB NO.: 19-1101-0184	DRAWING NO.: C-900	REVISION NO.: B
SCALE: HORIZONTAL 1:1	DRAWN BY: TPT	CHECKED BY: MKS	APPROVED BY: M/W		
NOTED					