

DEPARTMENT OF THE ARMY

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

CESAM RD-A
PUBLIC NOTICE NO. SAM-2022-00150-DCH

September 15, 2022

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

REQUEST FOR AUTHORIZATION TO DREDGE WATERBOTTOMS AND DISCHARGE DREDGED MATERIAL IN ASSOCIATION WITH BEACH RENOURISHMENT ACTIVITIES WITHIN THE TOWN OF DAUPHIN ISLAND, FRONTING THE GULF OF MEXICO, MOBILE COUNTY, ALABAMA.

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbor Act of 1899 (33 USC 403) and 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

APPLICANTS: Town of Dauphin Island

Attention: Mayor Jeff Collier

1011 Bienville Blvd.

Dauphin Island, AL 36528

AGENT: Ardea Environmental Consultants, LLC

Attention: Ms. Lois Edwards

130 S. Indian River Drive, Suite 202

Fort Pierce, Florida 34950

LOCATION/WATERS: Gulf of Mexico; Waterbottoms and shorelines fronting the east end of Dauphin Island; within Section 28, Township 8 South, Range 2 West; beginning at Latitude: 30.246102° North, Longitude: 88.077206° West; ending at Latitude: 30.242474° North, Longitude: 88.102097° West; Dauphin Island, Mobile County, Alabama

The proposed borrow area (AOI) is located offshore approximately 4.6 miles southeast of Dauphin Island and 1 mile south-southwest of Sand Island Lighthouse; at Latitude: 30.178584° North, Longitude: 88.063899° West.

The dredged material pipeline will extend from the AOI to the eastern and western extent of the fill footprint, within a potential corridor area. The attached diagram includes the maximum extent of the pipeline corridor. The contractor who is selected will determine the final path for the pipeline within that area.

PROPOSED WORK: Restoration and enhancement of the intertidal shoreline, beach, and dune habitat along 1.6 miles of Gulf-fronting coastline at the east-end of Dauphin Island. Approximately 0.96 mile of the project area will encompass the footprint of the previously authorized 2016 Dauphin Island East End Beach and Barrier Island Restoration Project (SAM-2011-00999-GAC). The proposed 2023 project design will extend west from the 2016 project shoreline an additional 3,000 linear feet for a total project shoreline of 8,000 linear feet.

An estimated 1.2 million cubic yards of sediment would be dredged from the previously approved 83.8-acre AOI by a hydraulic cutterhead-suction dredge and/or trailing-suction hopper dredge. Sediment is expected to be pumped through a series of submerged pipelines, to rest on the seafloor, which would extend from the AOI to the fill areas. The dredge pipeline will be marked for navigational safety, as required by the U.S. Coast Guard.

Approximately 594,000 cubic yards of the beach-compatible dredged material would be discharged below the plane of Mean High Water (MHW) within the 72.85-acre fill area. The intertidal shoreline would be constructed at a slope of 1:12 (vertical:horizontal) until it intercepts the existing submerged grade. The project design targets the historic elevations of the 1990 shoreline.

Remaining dredged material would be utilized to restore and enhance dune habitat above the plane of MHW, which would include hummocky dune features and a high dune feature. The hummocky dune feature is proposed to extend approximately 4,300 linear feet along the shoreline, from the eastern extent of the project area to Station DI-28, with a crest elevation of +9 feet North America Vertical Datum of 1988 (NAVD 88). The high dune feature, with a crest elevation of +13 feet NAVD 88, will be constructed from the western extent of the hummocky dune feature near DI-28+100 and extend west approximately 2,370 linear feet to DI-27. An additional 350-linear-foot hummocky dune feature would be constructed from the western extent of the high dune feature. Each dune feature would be planted with native dune vegetation such as sea oats, beach elder, butter panicum and gulf bluestem. As proposed, the project would restore approximately 14 acres of dune habitat and 72 acres of intertidal shoreline and beach habitat.

PROJECT PURPOSE: The purpose of the project is to re-establish the extent of the shoreline to the historic 1990 elevations while incorporating high-quality dune habitat. The project would provide increased protection of private property and upland infrastructure from ongoing erosion and during storm events. The completed project would help to maintain and enhance the recreational amenity value of the Gulf of Mexico fronting beaches by improving existing public recreational beaches and associated commerce.

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 a consistency determination regarding Coastal Zone regulations in accordance with the Alabama Coastal Area Management Program. Upon completion of the required advertising and public comment review, a determination relative to Water

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Quality Certification and Coastal Zone consistency will be made by the Alabama Department of Environmental Management (ADEM). This notice will serve as the notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act.

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. The USACE has determined that the permit area consists of the proposed dredge footprint, the potential area of the pipeline corridor and fill areas in waters of the United States, as well as portions of the adjacent uplands that are included in the dune restoration and enhancement footprint, and those areas which would be utilized for construction access and equipment and materials staging. During the 2014 review of the previous authorization (SAM-2011-00999-GAC), the State Historic Preservation Officer (SHPO) concurred (AHC 12-0085) that the previous project authorized in 2014 would have no adverse effect on historic properties either listed or eligible for listing on the National Register of Historic Places (NRHP).

As the currently proposed design template has been altered from the previously reviewed 2014 plans, the USACE has not yet determined the proposed project's effect on cultural resources or historic properties within the current Permit Area. Coordination with the SHPO and federally-recognized American Indian tribes will be performed separately from this notice, as determined to be appropriate.

ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate the proposed activity may affect listed species, and/or their critical habitat. This notice and application will be coordinated with the U.S. Fish and Wildlife Service (FWS) to assess if the proposed activity will adversely affect listed endangered or threatened species, or their critical habitat, with the potential to occur within the Action Area for this project.

The National Marine Fisheries Service (NMFS) requires the evaluation of impacts to Essential Fish Habitat (EFH) of estuarine species. This notice initiates the EFH consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The filling and dredging activities would encompass approximately 156.65 acres of water bottoms and approximately 8,000 linear feet of intertidal shoreline. The pipeline footprint occur within portions of the buffered zone indicated in the attached plans, spanning approximately 26,000-linear-feet of waterbottoms where it would rest on the seafloor. Our initial determination is that the proposed action May Adversely Affect EFH or federally managed fisheries due to the nature and location of the activities. Marine substrates would be hydraulically dredged within the project area, affecting any benthic organisms, filter feeders, and fin-fish in the immediate area. Neighboring benthic communities, filter feeders, and fin-fish within the water column would have the potential to be stressed by any migrant sediments and/or suspended particulates generated during the temporary period of construction. However, due to the substrate composition and temporary nature of the dredging activities, effects from sedimentation and suspended

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particulates are expected to be minor and temporary, and benthic communities within the direct footprint of the project are expected to repopulate rapidly. Our final determination relative to project impacts to EFH and the need for mitigation measures are subject to review by and coordination with the National Marine Fisheries Service.

Cooperating Agency: The footprint of the proposed activities requiring USACE review would overlap with three shoreline renourishment projects being evaluated by the Federal Emergency Management Agency (FEMA). As such, the FEMA is participating as a "Cooperating Agency" in the environmental evaluation process and development of the Environmental Assessment (EA) for this project. Pursuant to 40 CFR 1501.7, the Corps will serve as the "Lead Agency" for preparation of the EA and will work with all cooperating agencies to jointly create a comprehensive NEPA analysis. To ensure compliance with pertinent legislative authorities, policies, and concerns related to FEMA's review, the following language is being included:

Under the National Environmental Policy Act (NEPA), federal actions must be reviewed and evaluated for feasible alternatives and for social, economic, historic, environmental, legal, and safety considerations. Executive Order (EO) 11988 and EO 11990 requires FEMA to consider alternatives and provide a public notice of any proposed actions in or affecting floodplains or wetlands. EO 12898 requires FEMA to provide the opportunity for public participation in the planning process and to consider potential impacts to minority and low-income populations. This notice may also fulfill requirements under Section 106 of the National Historic Preservation Act (NHPA).

Executive Orders 13985 and 14008 further address the need to achieve environmental justice and equity across the federal government. The issuance of the new executive orders more than 20 years after Executive Order 12898 was signed indicates the administration's directive to federal agencies to renew their energy, effort, resources and attention to environmental justice. FEMA is working with applicants/sub-applicants to identify communities with Environmental Justice concerns and provide an avenue for local groups and non-profits with an Environmental Justice mission to self-identify so that FEMA Programs can start to work with them on specific projects from the beginning of the application process.

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. 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, cultural values, 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 production and in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers (USACE) is soliciting comments from the public, from federal, state and local agencies and officials, and from 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 above. 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.

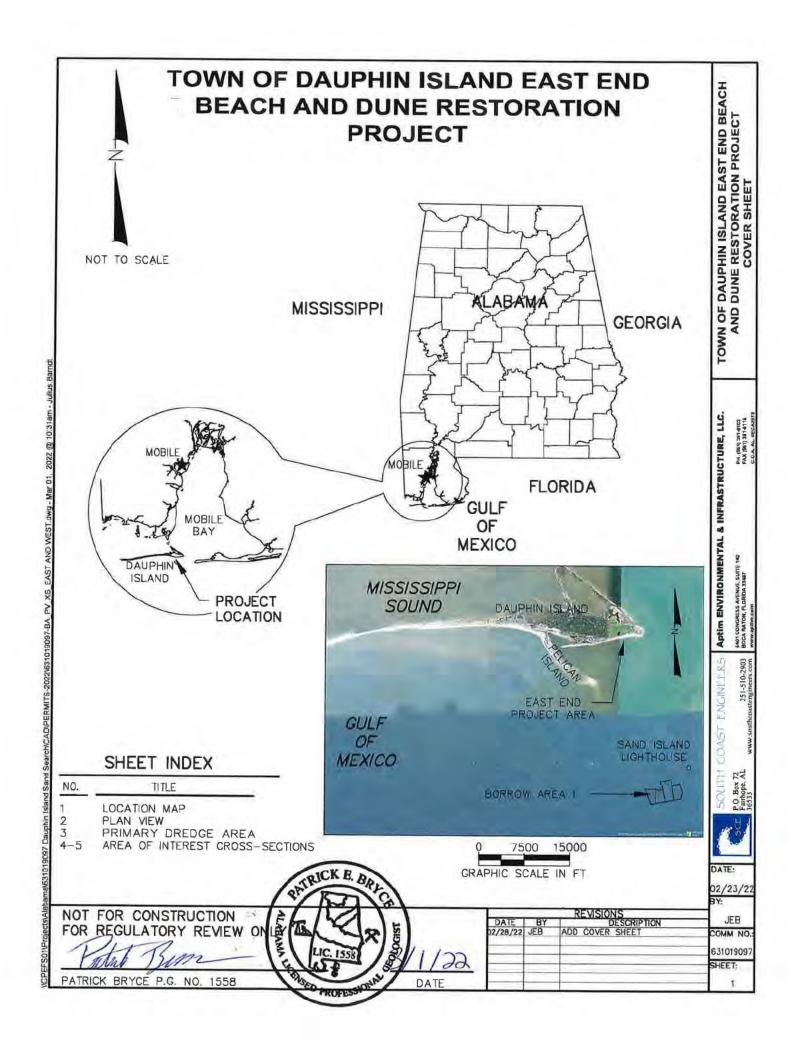
Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

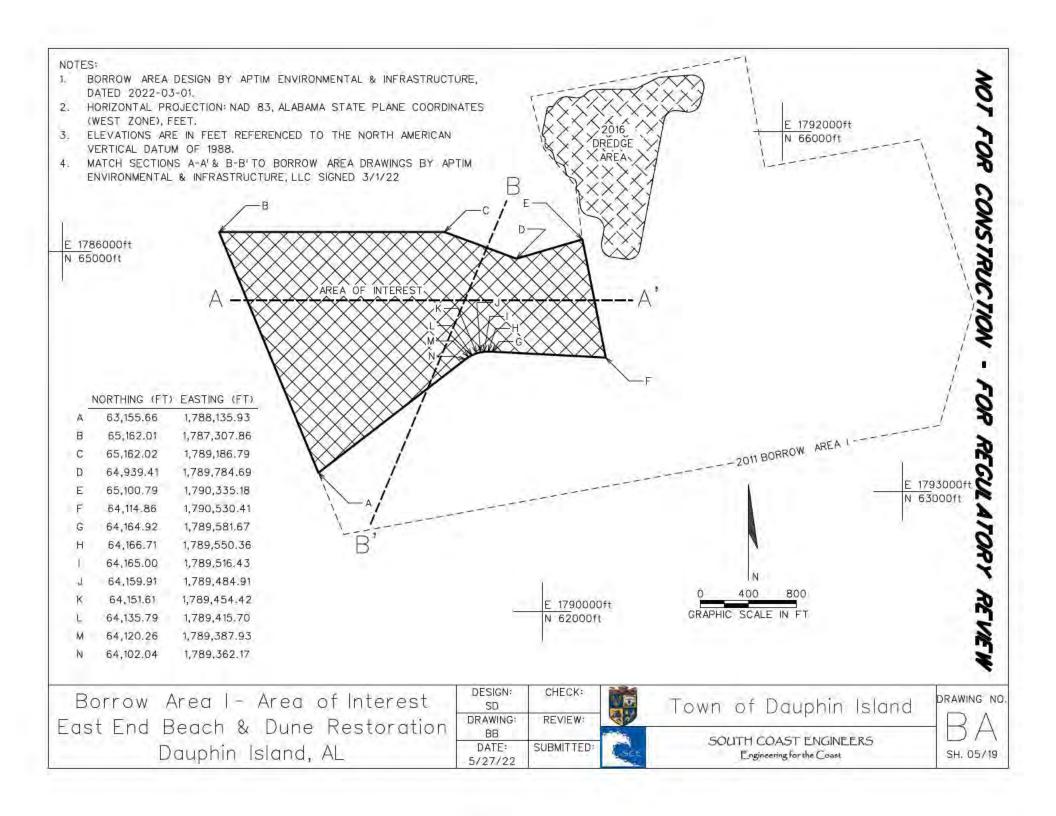
Correspondence concerning this public notice should refer to Public Notice Number SAM-2022-00150-DCH and should be directed via email to the project manager, Ms. Elizabeth A. Hamilton, at elizabeth.a.hamilton@usace.army.mil, or to the U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Attention: Ms. Elizabeth A. Hamilton, Post Office Box 2288, Mobile, Alabama 36628-0001. Copies of all comments should be furnished to the Alabama Department of Environmental Management 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.

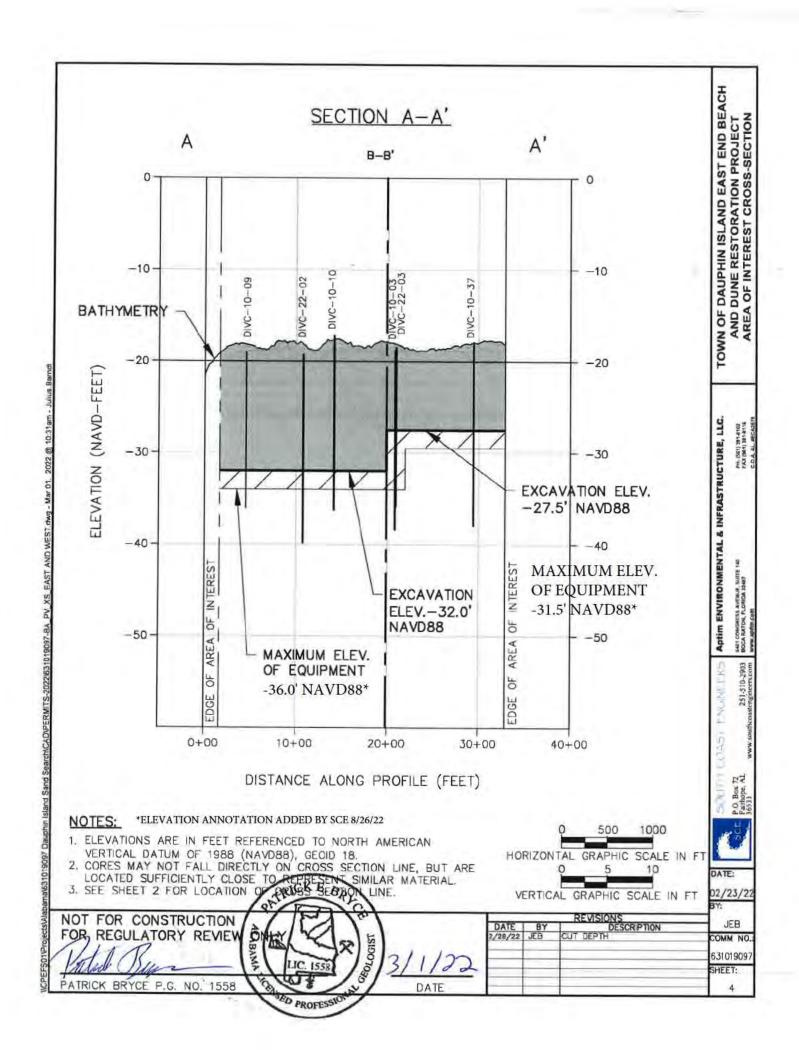
All Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager, Ms. Elizabeth Hamilton by email at elizabeth.a.hamilton@usace.army.mil, or at (251) 694-3781. Please refer to the Public Notice Number SAM-2022-00150-DCH, in any communication concerning this project.

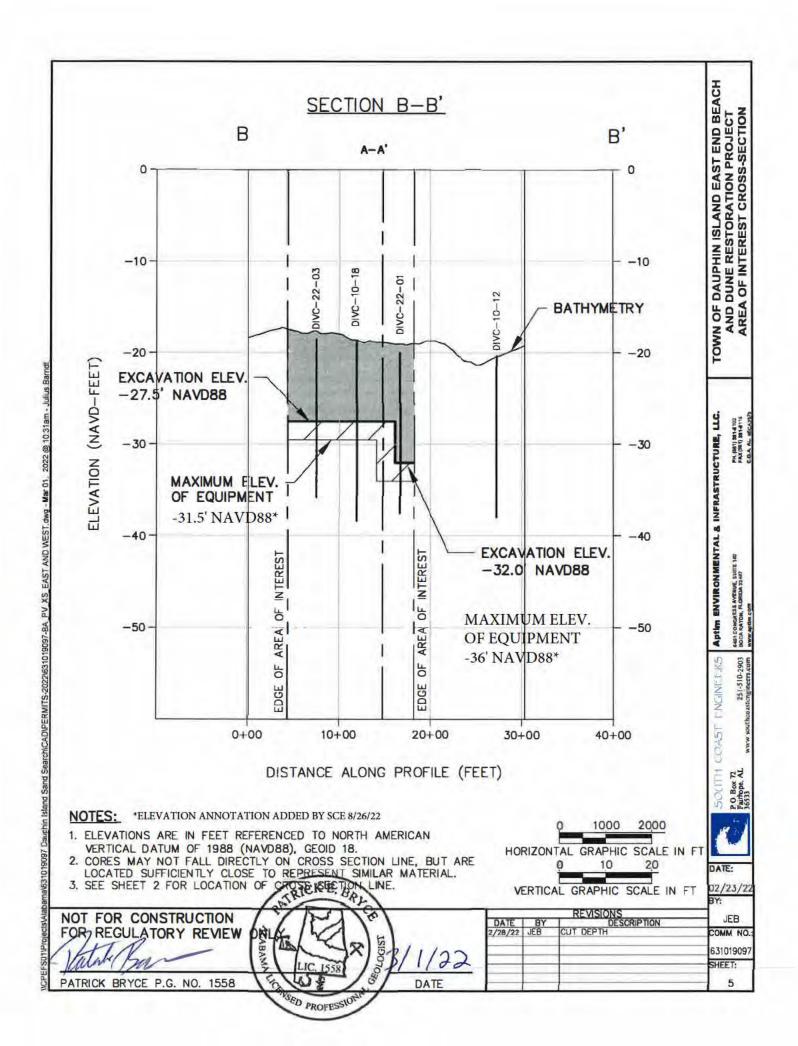
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

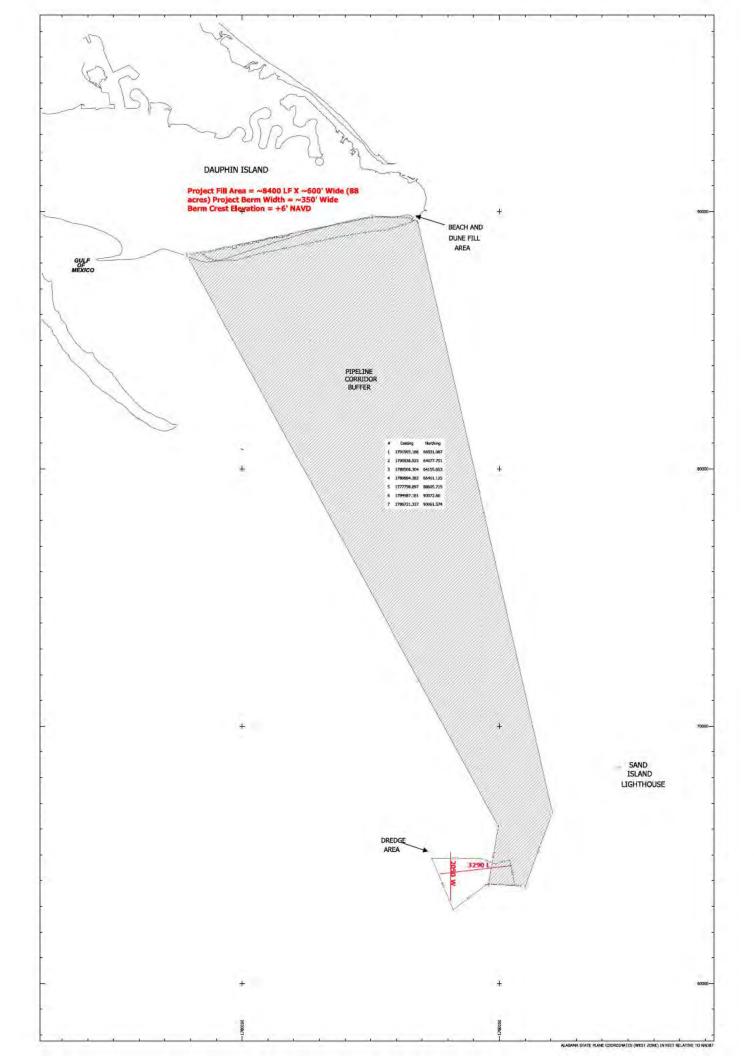
MOBILE DISTRICT
U.S. Army Corps of Engineers



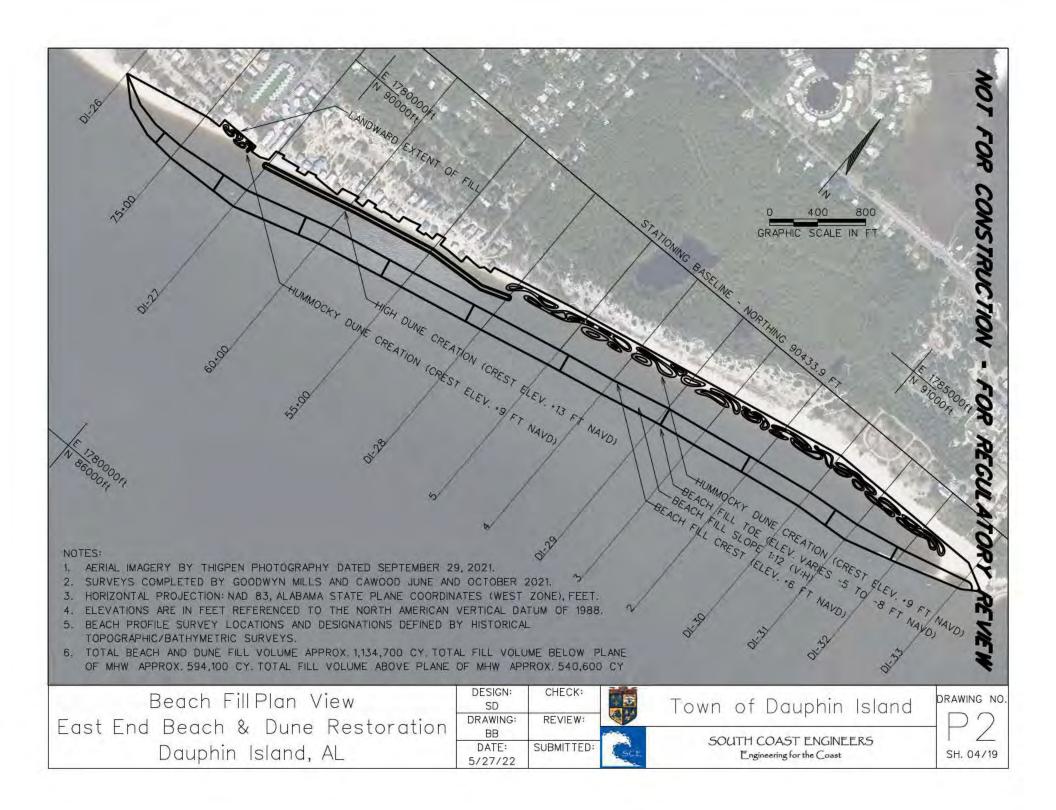


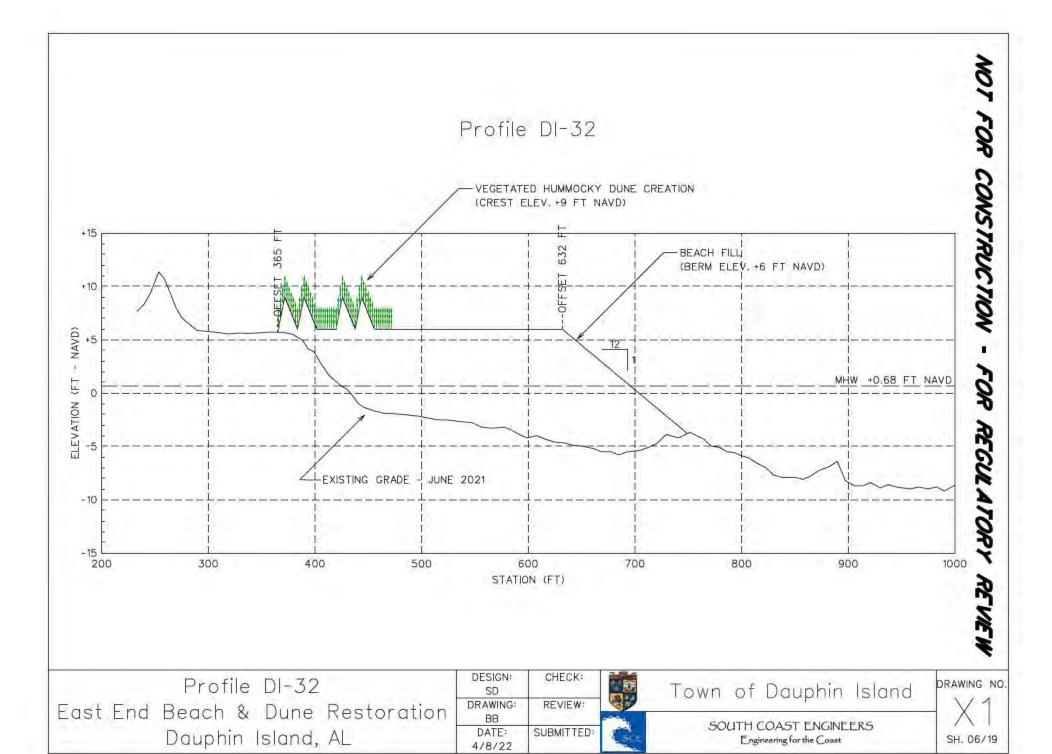


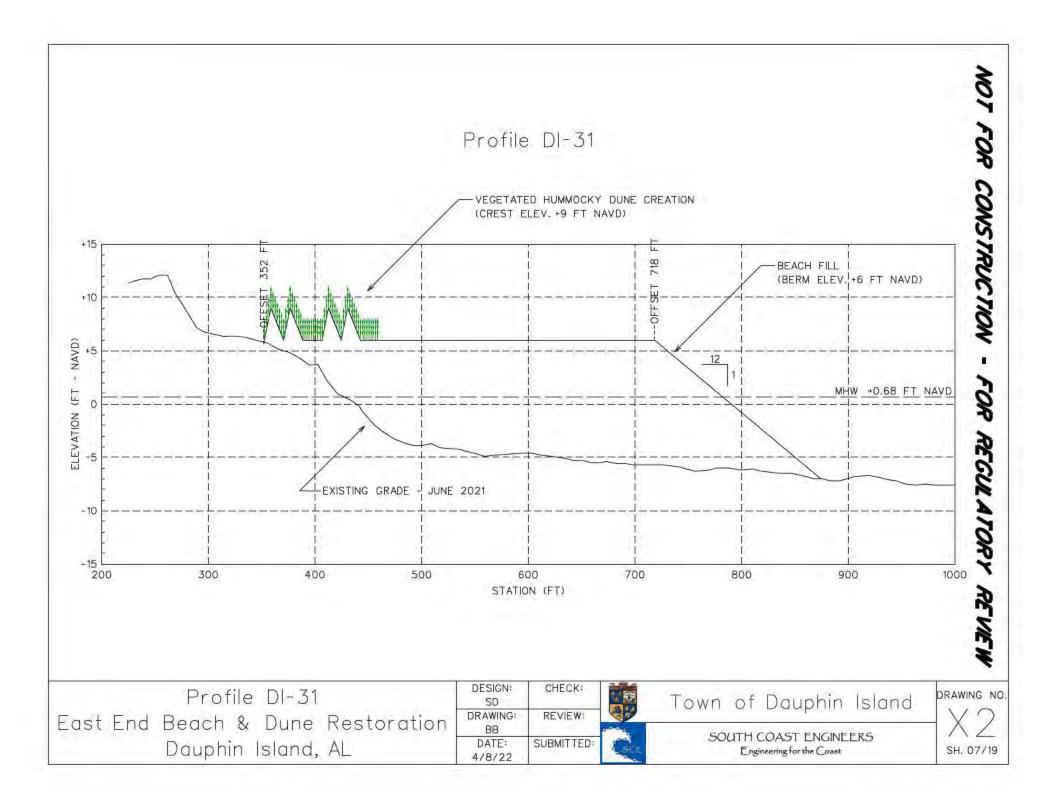


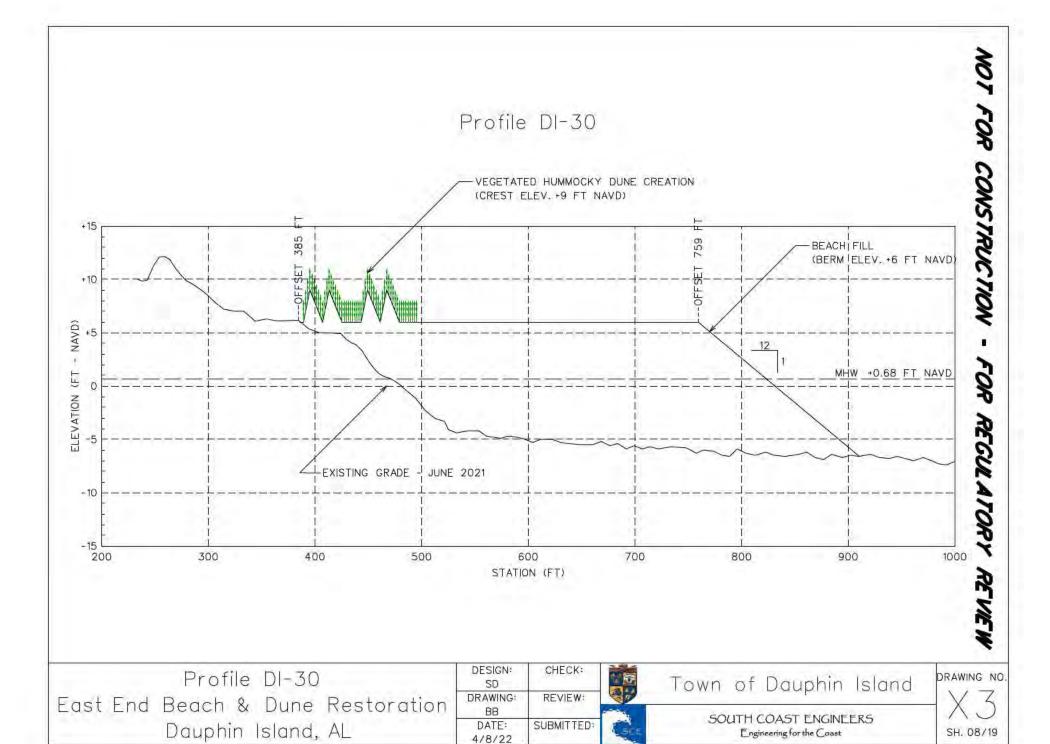




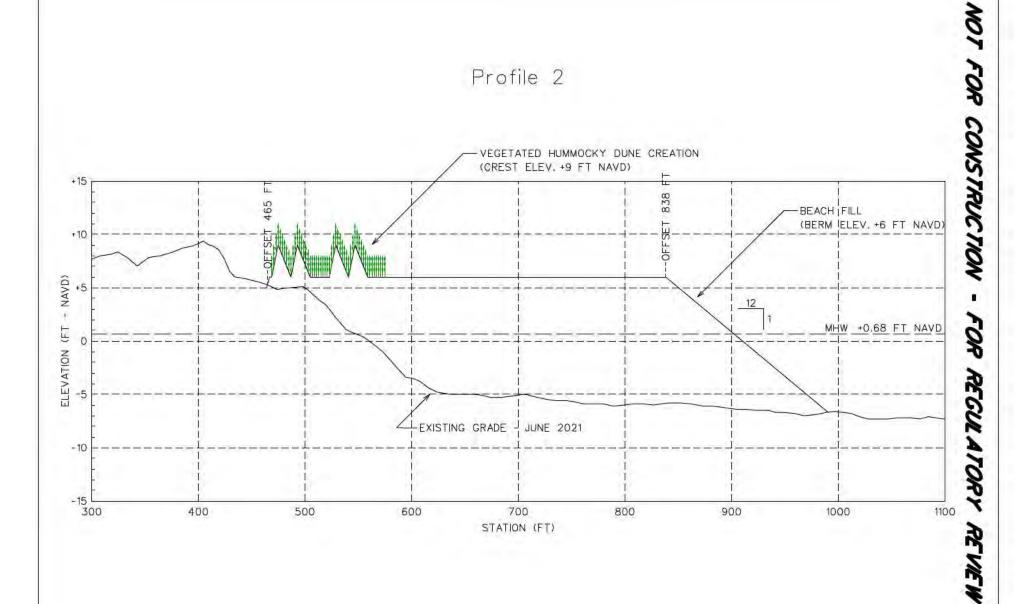












Profile 2 East End Beach & Dune Restoration Dauphin Island, AL

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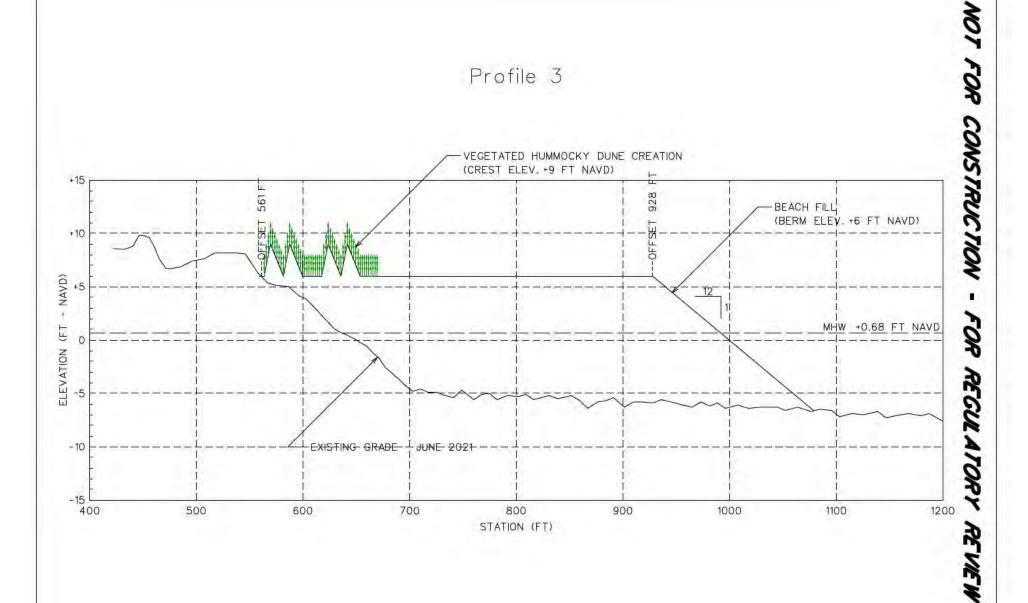
Town of Dauphin Island

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Profile 3 East End Beach & Dune Restoration Dauphin Island, AL

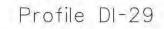
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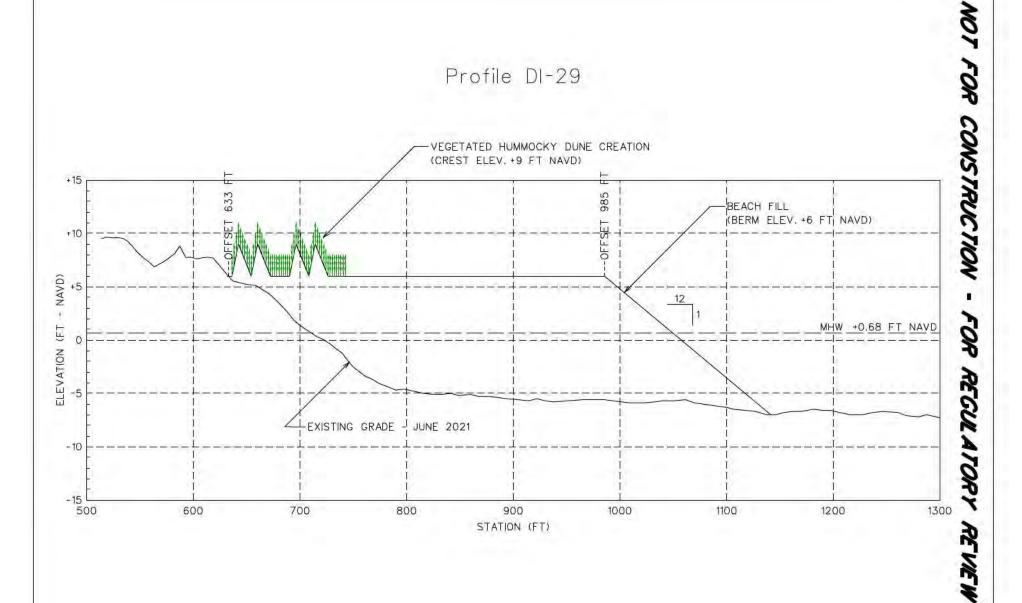


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Profile DI-29 East End Beach & Dune Restoration Dauphin Island, AL

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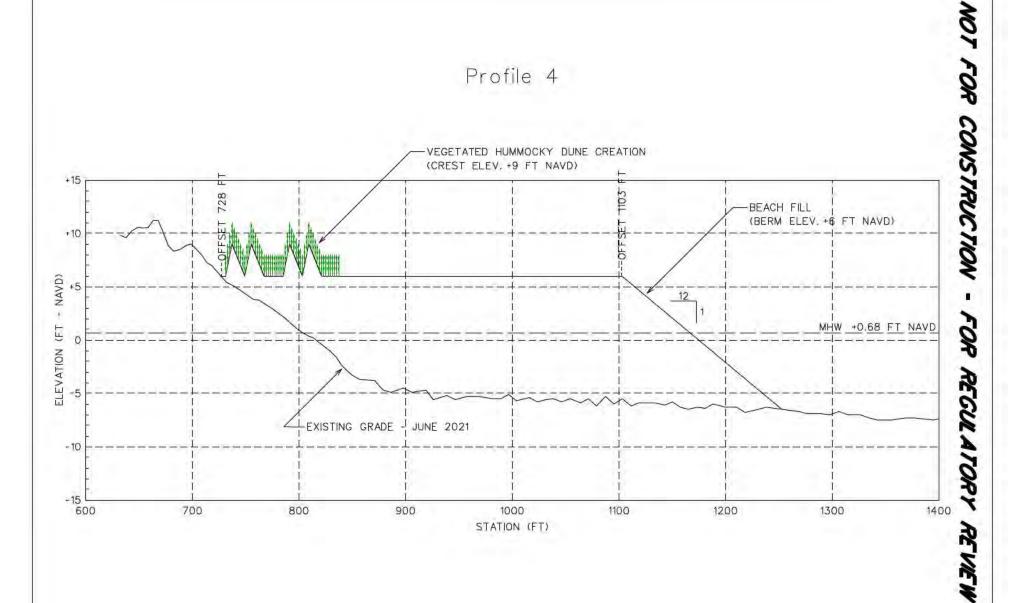
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Profile 4 East End Beach & Dune Restoration Dauphin Island, AL

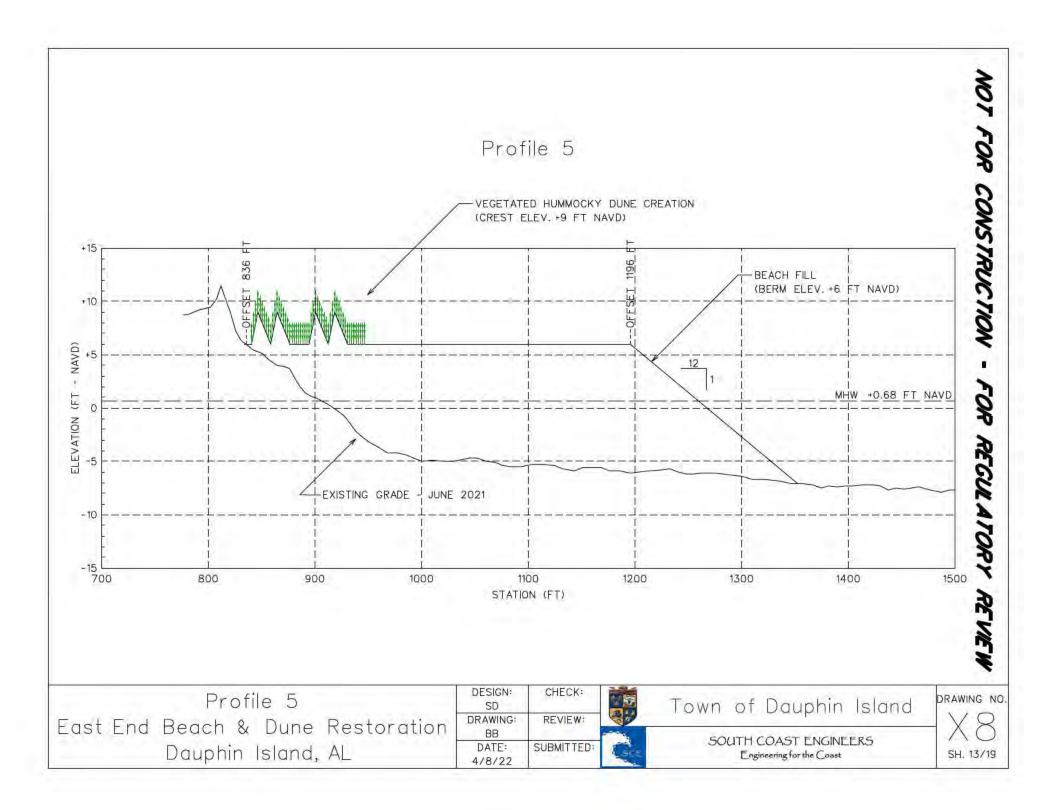
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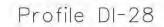


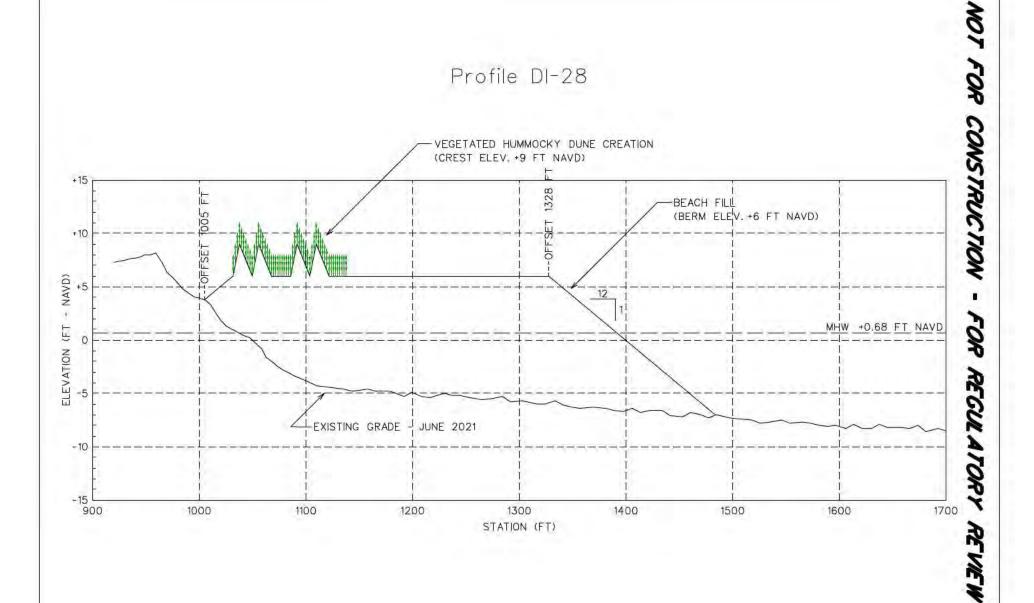
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Profile DI-28 East End Beach & Dune Restoration Dauphin Island, AL

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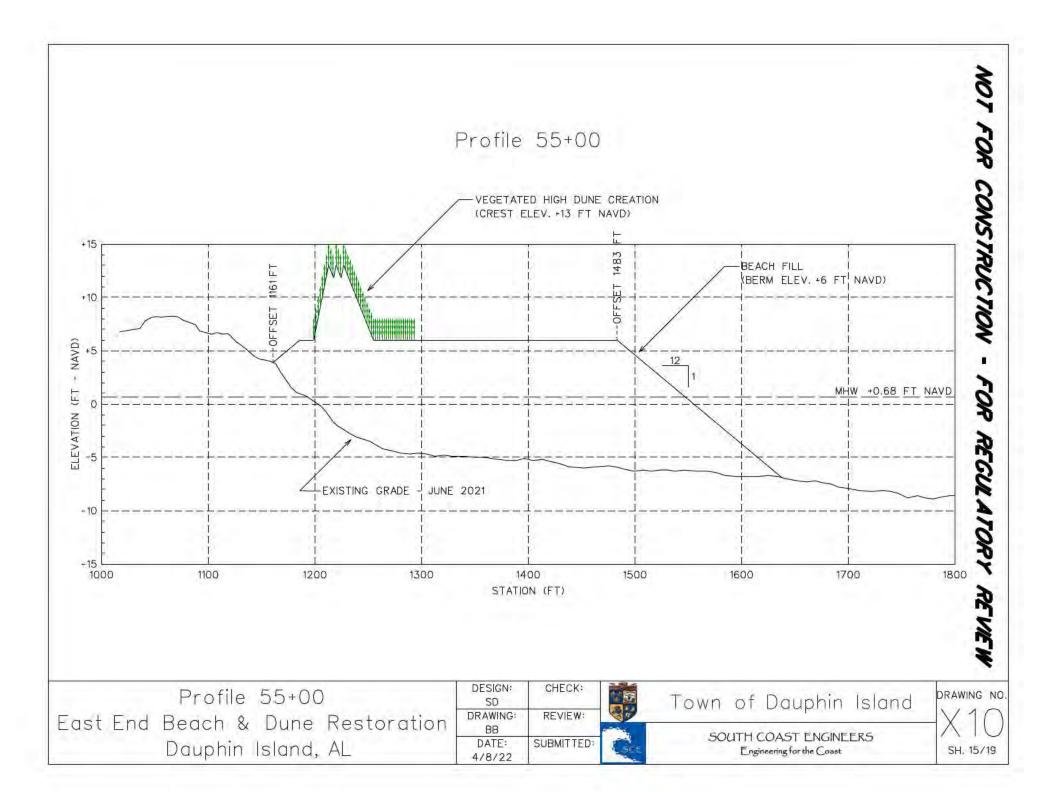


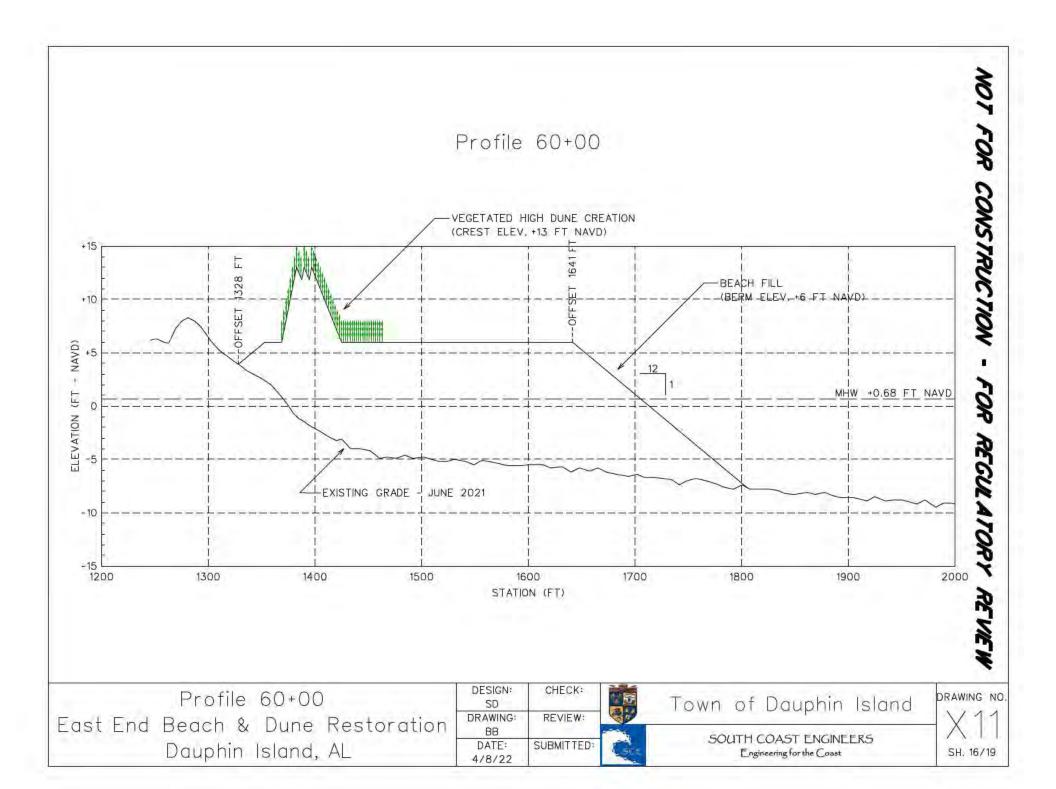
Town of Dauphin Island

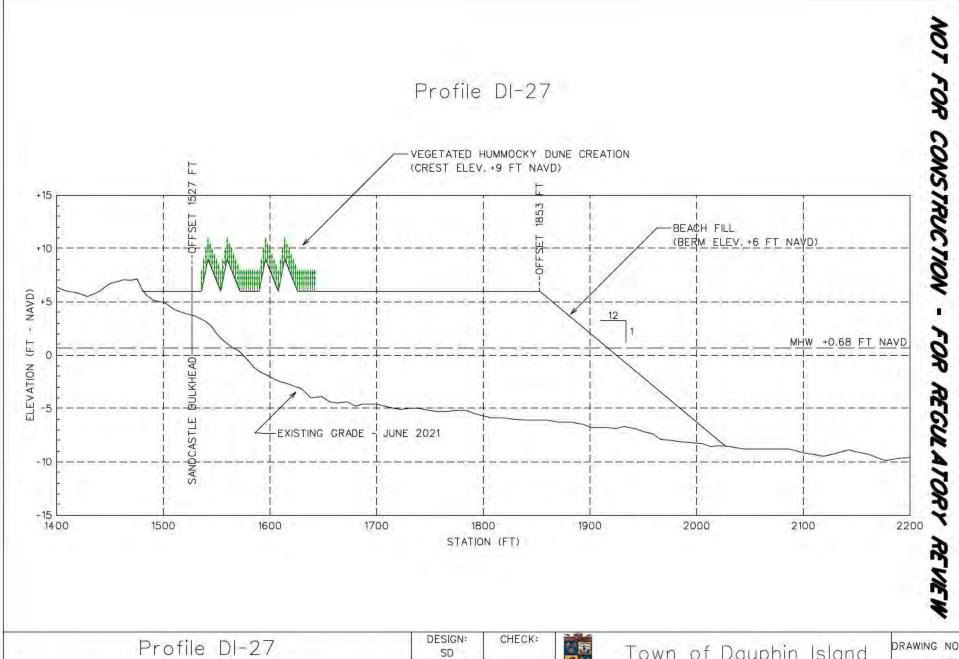
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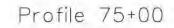
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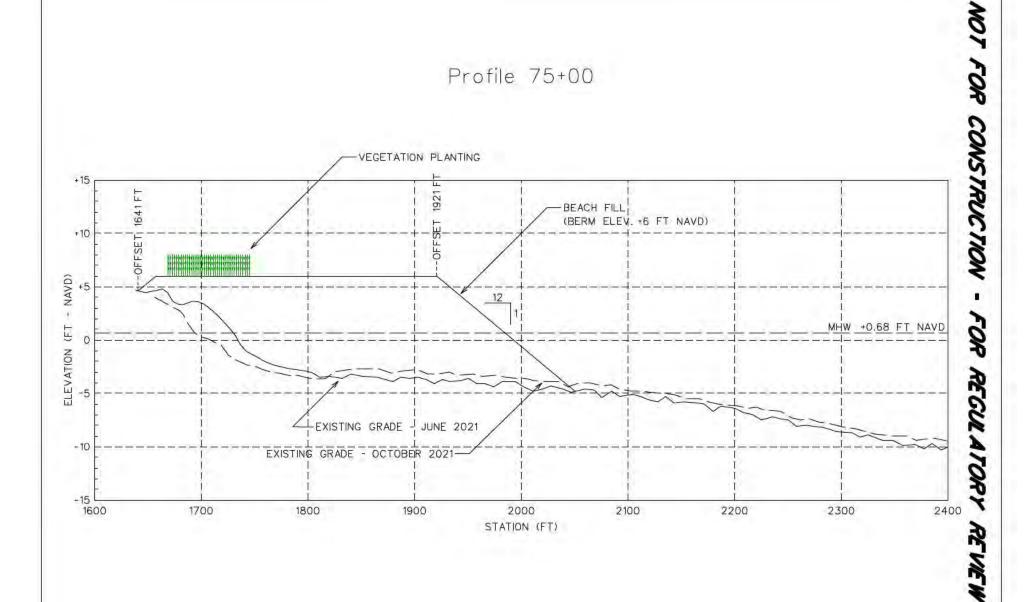


Town of Dauphin Island

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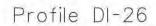
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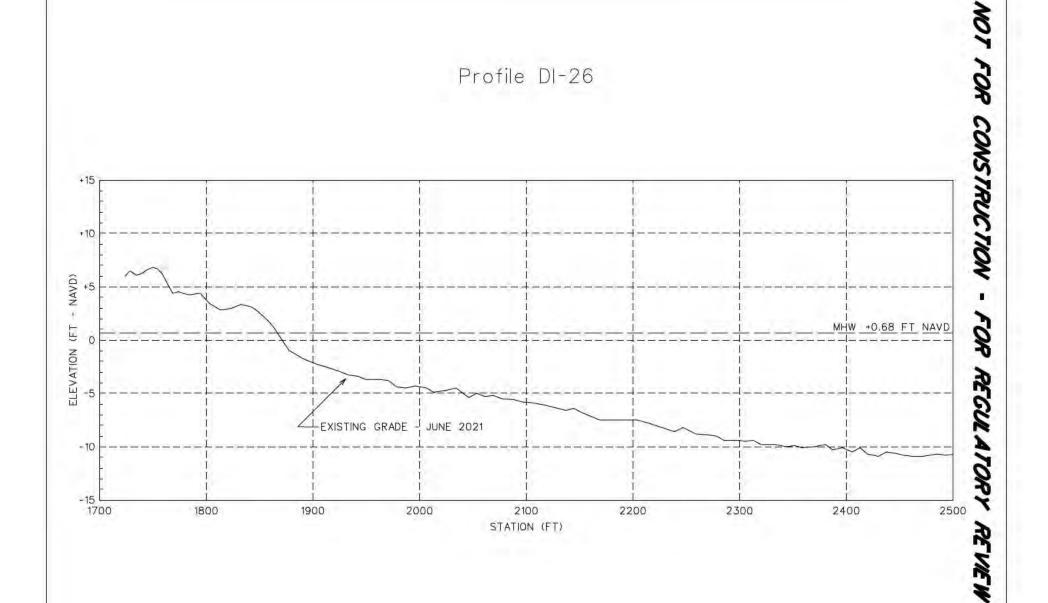
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Profile DI-26

East End Beach & Dune Restoration

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