



January 14, 2022

COL Jeremy J. Chapman, District Engineer
Mobile District Regulatory Division
Attention: Mr. Dylan C. Hendrix
Post Office Box 2288
Mobile, Alabama 36628-0001

RE: Public Notice No. SAM-2021-00246-DCH, Request to Discharge Fill Material in Mobile Bay to Create 1,200 Acres of Wetland Habitat in Mobile, Mobile County, Alabama

Dear COL Chapman:

The Sierra Club Alabama Chapter has examined our Mobile Bay Group's December 20, 2021, letter commenting on Public Notice No. SAM-2021-00246-DCH. Before summarizing our comments, I would like to express our organization's appreciation for your decision to extend the length of the public review period on this significant project.

Sierra Club Alabama Chapter concurs with the Mobile Bay Group's many concerns with the Alabama State Port Authority's request to build the 1,200-acre island in Upper Mobile Bay using dredged material from the Mobile Harbor project. In doing so, we believe it is important to emphasize the Chapter's specific concerns with the proposed island project:

- Should the proposed island be constructed, it will represent the second massive, dredged material island constructed in Mobile Bay in the last 50 years. The new island would join Gaillard Island, in removing a total of around 2,500 acres (i.e., 4 square miles) of open water aquatic habitat from use by various life stages of numerous species of estuarine fish, shrimp, and crabs. That loss would occur at a time when both recreational and commercial demands and other factors are increasingly reducing the numbers of many highly sought-after aquatic species that depend upon the bay, while the State of Alabama increasingly restricts seasons and lowers catch limits to compensate for the declining populations. **What is particularly disturbing is**

the new dredged material island would be built in the highly productive shallow waters of Upper Mobile Bay that provide critical nursery habitat for many of estuarine species.

- The shallow estuarine waters and bay bottoms naturally occurring within the proposed project area are also important to various water column dwelling and benthic organisms and their differing life stages. An analysis of the ecological tradeoffs that would result from the conversion of the existing natural open water environment to an artificial wetland island should have been conducted and made available to the public.
- The PN identifies only the proposed site for the island. The National Environmental Policy Act requires that all federal actions (to include issuance of permits) must include an evaluation of an appropriate array of alternatives prior to arriving at an implementation decision. Further, since Mobile Bay is a public resource, the public must be informed of all alternative locations that were considered in leading to the selection of the proposed plan.
- Mobile Bay regularly experiences extreme wind and wave conditions associated with tropical storms and hurricanes, the strongest of which produce catastrophic damages to man-made structures. Since the proposed project is to be constructed over a period of 20 years, there is a strong statistical probability that one or more major hurricanes will strike the proposed project during that period, and a certitude that will occur in the follow-on years. Failure of the proposed island's dikes would disperse deposited dredged material over a sizable portion of Upper Mobile Bay. In view of the strong certainty that these adverse consequences would be experienced during hurricanes, a risk evaluation should have been conducted of the potential for dike failure and the resulting impacts that would occur to the extensive areas of submersed aquatic vegetation located north of the project area, along with potential changes to the predominant grain sizes of the area's natural bottom sediments.
- What are the total estimated costs to construct and maintain the entire 1,200-acre island over the proposed 20-year implementation timeframe and what would be the source(s) of the needed funds? Answers to the reliability of the long-term life cycle costs for this project are needed to assure that if the proposed transformation of an existing functioning public natural resource of high ecological value to another habitat is worth the inherent risks involved with the project. Due to the immense size of the proposed 1,200-acre island project and the strong natural forces that it must overcome in the dynamic environment of Upper Mobile Bay over time, the public must be assured of the existence of sufficient long-term financial support and the capability of the ASPA to devote the required monies for this project

The Sierra Club Alabama Chapter strongly endorses our Mobile Bay Group's well-stated position that **the proposed dredged material island project should be thoroughly evaluated in an Environmental Impact Statement (EIS) before the Corps reaches a decision on the permit request.** Based upon the information we have been provided, we understand the island project has been in the developmental stage, with the full involvement of the Corps, for over 10 years. It is very disturbing to our organization that the concerned public was never involved in any of those activities and that the participation of Sierra Club Mobile Bay Group was excluded from those efforts despite numerous requests to be included. Lastly, since the proposed island is to be an integral feature in the future maintenance of the deepened Mobile Harbor channel, the proposed dredged material island should have been analyzed as a disposal option in the 2019 Mobile Harbor Final GRR/SEIS instead of being purposefully excluded. The Corps now has the opportunity to correct that significant oversight by preparing a second EIS supplement to bring the Mobile Harbor project into compliance with the National Environmental Policy Act.

Mobile Bay is a significant environmental resource that is highly valued by our members across the entire State. For that reason and because all studies over the last 10 years involving the develop of the 1,200-acre dredged material disposal island has purposefully excluded all involvement by the public, the Sierra Club Alabama Chapter firmly maintains that an in-person public hearing should be held on the Public Notice in the Mobile Bay area. Such a hearing is mandatory to finally allow the citizens of Mobile and Baldwin Counties, as well as the State at large, the opportunity they deserve to learn more about the proposal and to convey any concerns they may have in an open forum. For over a decade, the proposed island project has been hidden from the public and it is time for the Corps to do the right thing and to correct its role in that past error.

The Sierra Club Alabama Chapter looks forward to receiving your response to our concerns, and thanks you for extending the review period for the Public Notice.

Respectfully,



Sierra Club Alabama Chapter Executive Committee

Joi Travis, Esquire, Chair

Office: (205) 453-9331 email: joitravis@gmail.com

Sierra Club Alabama Chapter - Post Office Box 550274 - Birmingham, Alabama 35255