

Stan Graves
2928 Fairway Drive
Mountain Brook, Alabama 35213

September 23, 2016

COL James A. DeLapp, District Commander
US Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, AL 36628-0001

Dear COL DeLapp:

On March 25 and August 9 of this year, representatives of various public interest groups in the Mobile Bay area met with your staff to emphasize concerns previously submitted to the Mobile District in connection with the Mobile Harbor General Reevaluation Report (GRR) Study Public Scoping Meeting. Since you have recently assumed command of the new District, I would like to point out that the resulting 4-part Public Scoping Report can be viewed at the following link to the District's website if you are interested in perusing the actual comments:

<http://www.sam.usace.army.mil/Missions/Program-and-Project-Management/Civil-Projects/Mobile-Harbor-GRR/Mobile-Harbor-GRR-Downloads/>.

Based upon the public scoping report, I requested a meeting to discuss our concerns with the scoping report, which was scheduled for August 9. At this meeting we focused on the major concerns excerpted from the numerous Scoping Comments submitted to the Mobile District. The major concerns centered around 10 specific issues and the need to modify the GRR Study's Public Information Management Strategy to provide enhanced opportunities for public involvement and input in the District's planning process.

Following the August 9 meeting, your staff emailed responses addressing each of our 10 comments. While we appreciate the total professionalism with which your staff interacted with us in our meetings, we were disappointed with the Mobile District's positions on most of the issues raised in the public comments. Our review indicates the following problems with the responses (1) lack of full compliance with specific Corps regulations and policy guidance; (2) inconsistent application of the Council of Environmental Quality's regulations; (3) no intent to correct significant flaw in the original 1980 Survey Report and Environmental Impact Statement (EIS); (4) selective implementation of Section 302 of the Water Resources Development Act of 1996; (5) no plan to consider potential "beneficial use" of dredged material from the Outer Bar Channel; (6) refusal to give due consideration to independent reports that conflict with the Mobile District narrative regarding the cause-effect relationship between maintenance of the Outer Bar Channel and the erosion of Dauphin Island; (7) the planning process lacks transparency; and (8) an inadequate public involvement program that does not live up to the spirit and intent of Appendix B in ER 1105-2-100.

The attached "rebuttal" provides a detailed explanation, with supporting references, as to why we believe the major public concerns summarized in our original 10 comments represent legitimate issues of concern; are well supported by both Corps and non-Corps documents; and merit sincere and serious in-depth investigation by the Mobile District. We do not wish to get into a "paper war" with the Corps in which respective positions are exchanged. Instead, as taxpayers and as the common owners of the coastal resources that will be affected by the authorized Mobile Harbor improvements, we are attempting to receive the same consideration for our views and concerns on this important navigation project as we full well know the Alabama State Port Authority receives for any concerns that it expresses to the Mobile District. To date, we do not believe the public's concerns have been seriously considered in the GRR Study. We are hopeful that the attached rebuttal will appeal to your objectivity by demonstrating the public's concerns are valid and should be investigated in a meaningful fashion.

On behalf of all the citizens we are representing, I want to express our appreciation for making time to consider our views. Should you have any questions you can reach me at 205-870-5917. We look forward to establishing and maintaining a positive working relationship of mutual respect with the Mobile District staff.

Sincerely,



Jeff Collier, Mayor Dauphin Island

Carol Adams-Davis, Alabama Chapter Sierra Club, Vice-Chair

Joseph Mahoney, Mobile Bay Group Sierra Club, Chair

Avery Bates, Organized Seafood Association of Alabama, Inc., Vice-President

Glen Coffee, South Bay Communities Alliance

Laura Martin, Dauphin Island Restoration Task Force

Carol Merkel, Island Watch

Ramsey Sprague, Mobile Environmental Justice Action Coalition, President