



REPLY TO
ATTENTION OF

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

CESAM-PD-EI

April 28, 2020

**JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
EMERGENCY STREAMBANK REPAIR AT MOUNDVILLE ARCHAEOLOGICAL
PARK**

**BLACK WARRIOR RIVER
TUSCALOOSA COUNTY, ALABAMA**

A FEDERALLY AUTHORIZED PROJECT

Interested persons are hereby notified that the U.S. Army Corps of Engineers (USACE), Mobile District proposes to perform an emergency streambank repair of the left descending bank of the Black Warrior River at Moundville Archaeological Park between river miles 304 and 303.

This public notice is issued in accordance with rules and regulations published in the Federal Register on 26 April 1988. These regulations provide for the review of federally authorized projects under the Clean Water Act (33 U.S.C. 1344) whenever dredged or fill materials may enter waters of the United States.

The recipient of this notice is specifically requested to review the proposed action as it may impact water quality relative to the requirements of Section 404(b)(1) of the Clean Water Act. Comments on any other potential impacts also are requested.

WATERWAY AND LOCATION: Black Warrior River, Moundville Archaeological Park, Tuscaloosa County, Alabama.

DESCRIPTION OF THE PROPOSED ACTION: USACE, Mobile District will stabilize a section of streambank at Moundville Archaeological Park, along the left descending bank of the Black Warrior River, Tuscaloosa Counties, Alabama, under Section 14 of the Continuing Authorities Program (CAP) (Figure 1). The streambank erosion is progressive with bank losses near 25 feet (ft) over the past decade. Due to severe streambank erosion, Moundville Archaeological Park is in imminent threat of damage.

The proposed action consists of the placement of riprap in the river to first create a stone toe (Figure 2). USACE, Mobile District will place up to 17,000 cubic yards (cys) of Alabama Department of Transportation (ALDOT) Class II riprap along the shoreline. Of this 17,000 cys, up to 7,000 cys of stone will be placed below the mean water elevation

of 95 ft NAVD 88. This stone placement will create a stable river bank to preserve the integrity of the bank and to protect the cultural resources currently being lost to erosion. Riprap will then be placed along the existing bank to create a new riverbank with a 1V:2H slope. The upstream and downstream ends of the project will be tied back into the riverbank to prevent erosion around the ends of the project. A typical cross section is shown in Figure 3. The proposed action will be approximately 700 ft long by 100 ft wide with an upstream tieback that is 110 ft long by 30 ft wide and a downstream tieback that is 60 ft long by 30 wide.

Phase I will consist of the scraping of the bank to remove debris and vegetation that will be loaded onto a barge for disposal. A large sheet of geotextile will be staked to the top of the bank and rolled down into the water. Phase I of riprap placement will consist of creating a stone toe composed of Class II riprap placed from the water. The upstream tieback will be created by digging a trench 30 ft wide by 6 ft deep with a 10-foot bottom width and 1V:1.5H side slopes. The downstream tieback will be placed in a naturally occurring low point and will not require excavation. These tiebacks will be filled with Class II riprap. Phase II will consist of the placement of riprap in water and on the bank from the water, and on the rock placed in Phase I. This will create a 1V:1.5H slope for the Phase I stone toe and a 1V:2H slope on the Phase II revetment. Native canes and grasses will be planted at the site to improve aesthetics and soil stability.

This proposed action will provide a satisfactory solution to the bank failure of the Black Warrior River adjacent to Moundville Archaeological Park. The riprap toe placed in the river will protect subaqueous portions of the bank from scour due to river currents, while the 1V:2H riprap bank will protect against erosion from high flows and the effects of wetting and drying. Protecting subaqueous portions of the bank from scour may be key to reducing bank failure and slope failure at higher elevations. Because of the archaeological sensitivity of the park, the construction access would occur from the river, which is a viable option for this project because of the maintained navigation channel adjacent to the project area. Cross-sections of both Phase I and Phase II are presented in Figure 4 and Figure 5.

WATER QUALITY CERTIFICATION: Pursuant to Section 401 of the Clean Water Act, a state water quality certification is required for the proposed activities. Following this 30-day public notice, USACE, Mobile District will request water quality certification from the Alabama Department of Environmental Management. A decision on state water quality certification will be made by the Alabama Department of Environmental Management.

USE BY OTHERS: The proposed project may have a temporary negative impact on local fishing and boating activities due to the presence of construction equipment; however these impacts will be minor cumulatively and individually. Any direct or indirect impacts will revert to preconstruction conditions upon project completion.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS: In accordance with the requirements of the NEPA, potential impacts have been disclosed for the proposed Moundville emergency streambank stabilization project in the following Environmental Assessment Section 14 of the Continuing Authorities Program Emergency Streambank and Shoreline Protection Moundville Archaeological Park Project, Hale and Tuscaloosa Counties, Alabama. This documentation is available for review at USACE, Mobile District's website at <https://www.sam.usace.army.mil/Missions/Planning-Environmental/Environmental-Assessments>. The Environmental Assessment will be updated based upon comments received.

SECTION 404(b)(1) EVALUATION REPORT: Water quality impacts associated with the proposed action have been addressed in the Section 404 (b)(1) Evaluation Report. This report was prepared in accordance with guidelines promulgated by the U.S. Environmental Protection Agency (EPA) under Section 404 (b)(1) of the Clean Water Act. The Section 404(b)(1) Evaluation Report is available for review at the Mobile District's website at <https://www.sam.usace.army.mil/Missions/Planning-Environmental/Environmental-Assessments>, and will be finalized upon completion of the coordination of this notice.

CULTURAL/HISTORIC RESOURCES CONSIDERATIONS: The proposed action seeks to stabilize the left descending bank of the Black Warrior River at Moundville Archaeological Park. Historic burial mounds containing human remains and funerary items are adjacent to the streambank and have been actively eroding away. The park also contains a museum and research laboratory. The site was declared a National Historic Landmark in 1964 and was added to the National Register of Historic Places in 1966.

USACE, Mobile District determined that these historic properties would be adversely affected by all alternatives including the no action and proposed action as per 36 CFR 800.4(d)(1). Construction for this stream bank stabilization project has been designed to minimize impacts to historic properties by limiting the amount excavation and conducting work from barges in the river. All adverse effects will also be mitigated by an archaeological data recovery conducted by the University of Alabama, Office of Archaeological Research at the Moundville Archaeological Park.

Consultations regarding this determination are being conducted with the Alabama State Historic Preservation Officer (SHPO), Federally Recognized Tribes, National Park Service (NPS), and the Advisory Council on Historic Preservation (ACHP). Any comments received from the SHPO, Tribes, the NPS, and the ACHP will be addressed in this EA or as appropriate the National Park Service and the Advisory Council on Historic Preservation.

ENDANGERED/THREATENED SPECIES: In compliance with Section 7 of the Endangered Species Act of 1973 (ESA), the proposed action is being coordinated with the U.S. Fish and Wildlife Service (USFWS) through official correspondence. USACE, Mobile District determined that federally protected bat species may be affected but are not likely to adversely affect by the proposed action. USFWS concurred with USACE, Mobile District provided the agency followed procedures outlined in the Range-wide Indiana Bat Protection and Enhancement Plan Guidelines. USACE, Mobile District is currently in formal consultation with USFWS regarding the endangered mussel species, the inflated heelsplitter, at the project site.

CLEAN AIR ACT: Air quality in the vicinity of the proposed action would not be significantly affected. The equipment and machinery would generate some air pollution during construction activities, such as increased particulate levels from the burning of fossil fuels. However, these impacts would be minor and temporary in nature. The project area is in attainment with the National Ambient Air Quality Standards parameters. The proposed action would not affect the attainment status of the project area or the region. A State Implementation Plan conformity determination (42 United States Code 7506(c)) is not required since the project area is in attainment for all critical pollutants.

EVALUATION: The decision whether to proceed with the proposed action will be based on 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 benefits which may be reasonably 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, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

Inasmuch as the proposed work would involve the discharge of materials into waters of the U.S., designation of the proposed disposal site associated with this Federal project is being made through application of guidelines promulgated by the Administrator of the EPA in conjunction with the Secretary of the Army.

COORDINATION: USACE, Mobile District is soliciting comments from the general public; Federal, State, and local agencies, and officials; American Indian Tribes, and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be used by USACE, Mobile District to determine

whether or not to proceed with the proposed action. 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 also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity and in preparing an EA and/or an EIS pursuant to the NEPA compliance.

Among the agencies receiving copies of the Public Notice are:

- Region 4, U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service, Daphne, Alabama
- Regional Director, National Park Service
- Commander, Eighth Coast Guard District
- Alabama Department of Conservation and Natural Resources
- Alabama Department of Environmental Management
- Alabama State Historic Preservation Officer
- U.S. Geological Survey
- U.S. Department of Agriculture, Natural Resources Conservation Services

We request that you communicate the information contained in this notice to any other parties who may have an interest in the proposed action.

PUBLIC HEARING: Any person who may be affected by the discharge of this fill material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this public notice. The request must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity.

CORRESPONDENCE: Correspondence concerning this 30-day public notice should refer to Public Notice No. FP20-BT01-16 and should be directed to the Commander, U.S. Army Corps of Engineers, Mobile District, Post Office Box 2288, Mobile, Alabama 36628, Attention: CESAM PD-EI, Mr. Terry Rickey. Mr. Rickey may be contacted via phone at (251) 694-3857 or via email at terry.w.rickey@usace.army.mil for additional information.

TODD N. NETTLES
U.S. Army Corps of Engineers
Mobile District

Enclosures



Figure 1: Location of Project within Moundville, Alabama and within the state of Alabama



