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

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2014-00024-SPG

January 27, 2014

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

**REQUEST FOR AUTHORIZATION TO FILL 3.94 ACRES OF JURISDICTIONAL WETLANDS FOR AN ASPHALT PROCESSING PLANT IN MOBILE COUNTY, ALABAMA**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

**APPLICANT:** **Mobile Asphalt Company, LLC**
**Attention: Mr. R.J. Billingsley**
**Post Office Box 190279**
**Mobile, Alabama 36619**

**AGENT:** **Hosey Environmental, LLC**
**Attention: Mr. Arthur G. Hosey, Jr.**
**Post Office Box 464**
**Daphne, Alabama 36526**

**WATERWAY/LOCATION:** The proposed project is located in the Hollinger's Island community, near Hamilton Boulevard and Range Line Road, Mobile County, Alabama within jurisdictional wetlands of the upper headwaters of Alligator Bayou. The site is located at Latitude 30.54691° North; Longitude -88.11627° West; Section 1, Township 6 South, Range 1 West.

**PROJECT PURPOSE:** The "Basic Project Purpose" is the new construction of facilities to support an existing asphalt processing plant that is being displaced from its current location. For the purposes of the Clean Water Act Section 404(b)(1) Guidelines, this basic project purpose does not define the project as a "water-dependent" activity. The "Overall Project Purpose" is: to support the construction of a warehouse/office building and associated structures and storage areas to received and process abrasive products.

**WORK:** The applicant and current owner of the property proposes to fill approximately 3.94 acres of jurisdictional wetlands in order to support the construction of a warehouse/office building and associated structures, the raw materials storage, parking, loading and truck movement areas and use of erection of heavy equipment to receive and process materials, in preparation for transport.

The applicant proposes to mitigate for the unavoidable impacts to jurisdictional wetlands through purchase of the appropriate amount of in-kind mitigation credits from Alabama Port Mitigation Bank.

The applicant has applied for State Water Quality Certification (WQC) in accordance with Section 401 (a)(1) of the Clean Water Act, and for Coastal Zone (CZ) Consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQC and CZ consistency will be made by the Alabama Department of Environmental Management.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) 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 Corps 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 Corps 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.

In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of this undertaking are also being considered. We are seeking comment from the State Historic Preservation Officer, federally-recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and

concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. Historic architectural or archaeological investigations may be necessary to ascertain the existence of such resources. Efforts will be made through the consultation process to avoid, minimize, or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity may affect listed species, or their critical habitat. On December 11, 2013, the U.S. Fish and Wildlife Service determined that "No federally listed species/critical habitat are known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources.

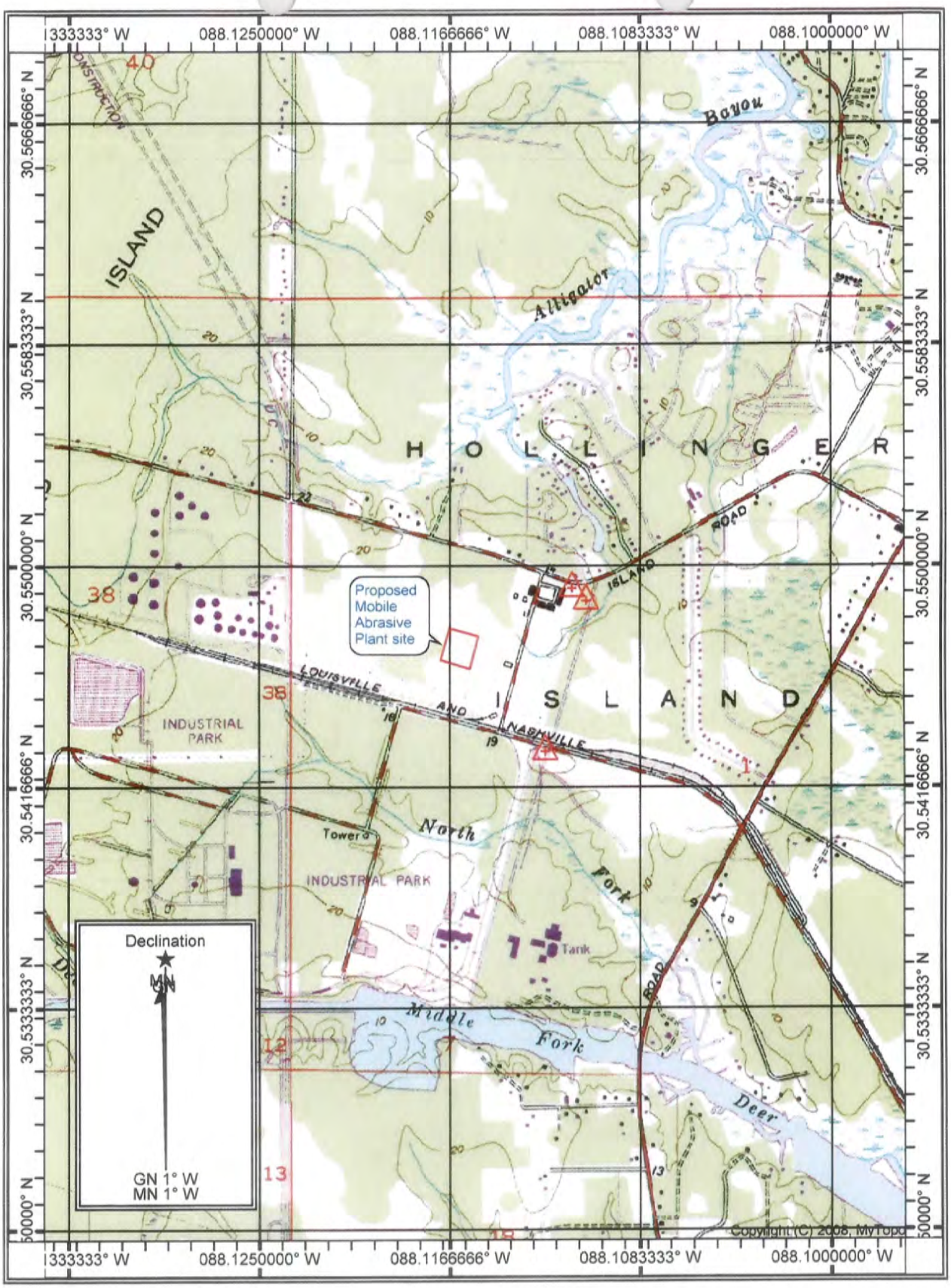
Correspondence concerning this Public Notice should refer to SAM-2014-00024-SPG and should be mailed to the District Commander, U.S. Army Engineer District Mobile, Attention: Regulatory Division (Sandy Gibson), Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy furnished to the Alabama Department 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. Sandy P. Gibson at (251) 694-3772 or by email at sandy.p.gibson@usace.army.mil. Please refer to the Public Notice Number SAM-2014-00024-SPG.

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

Enclosures

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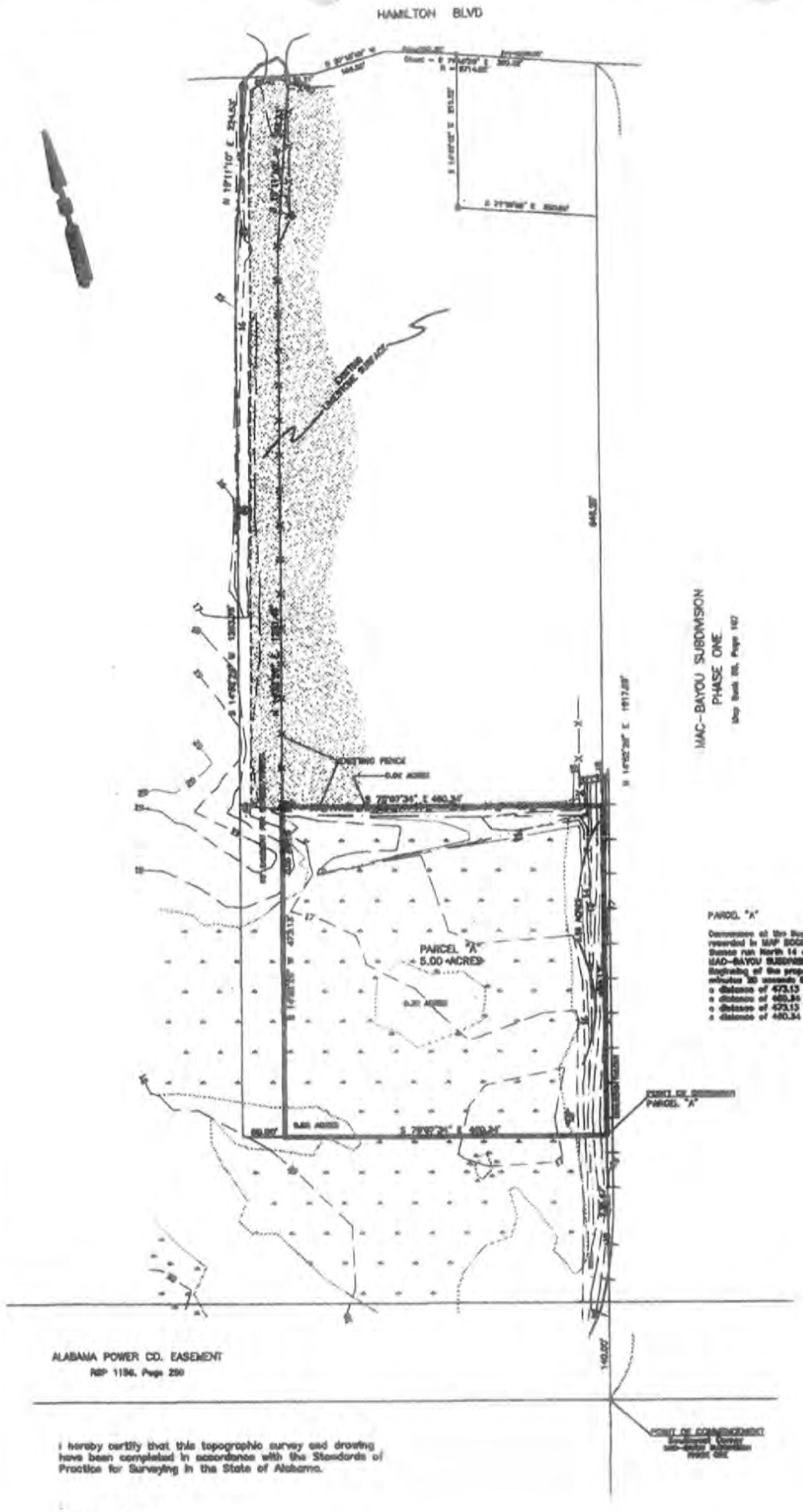
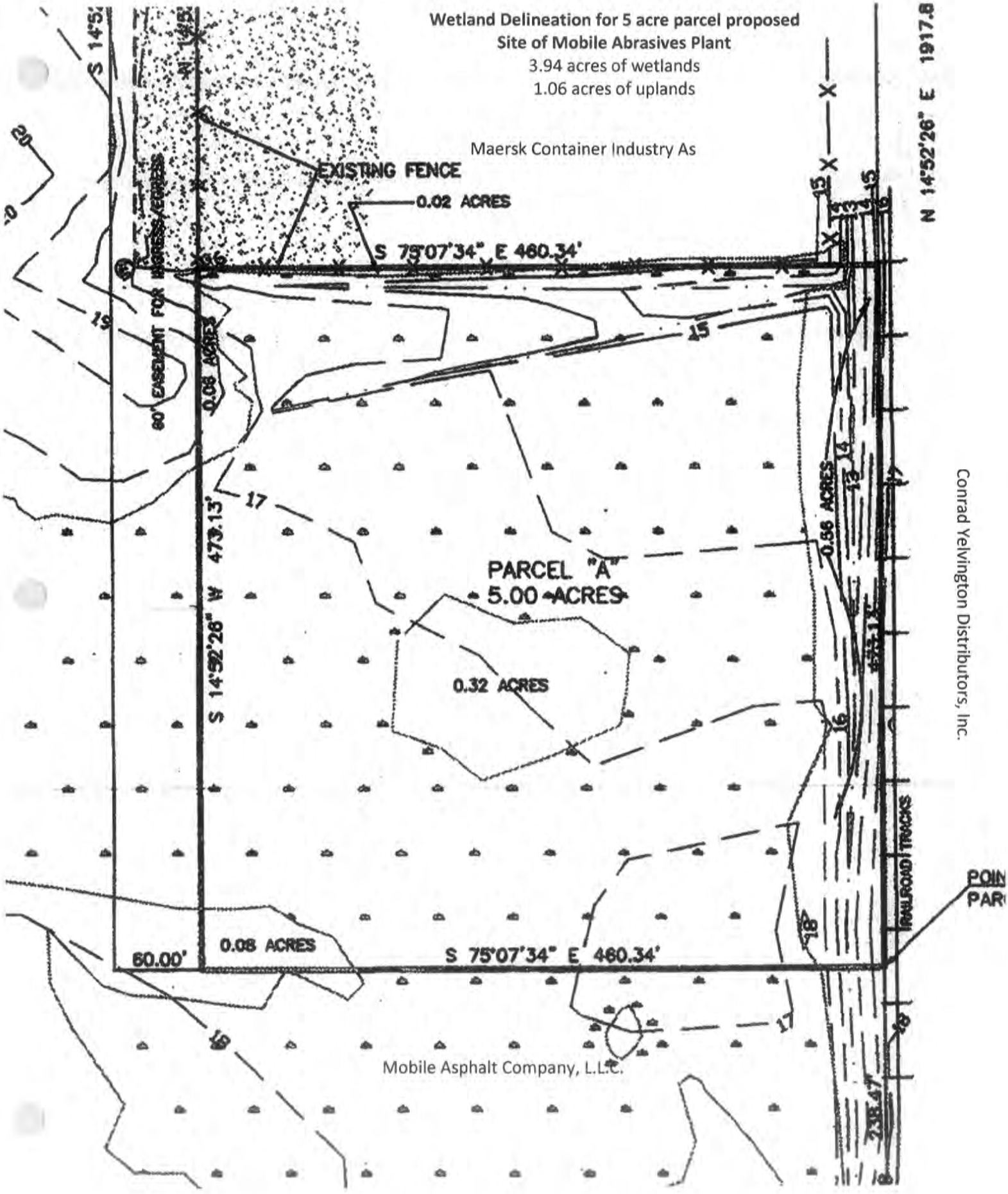


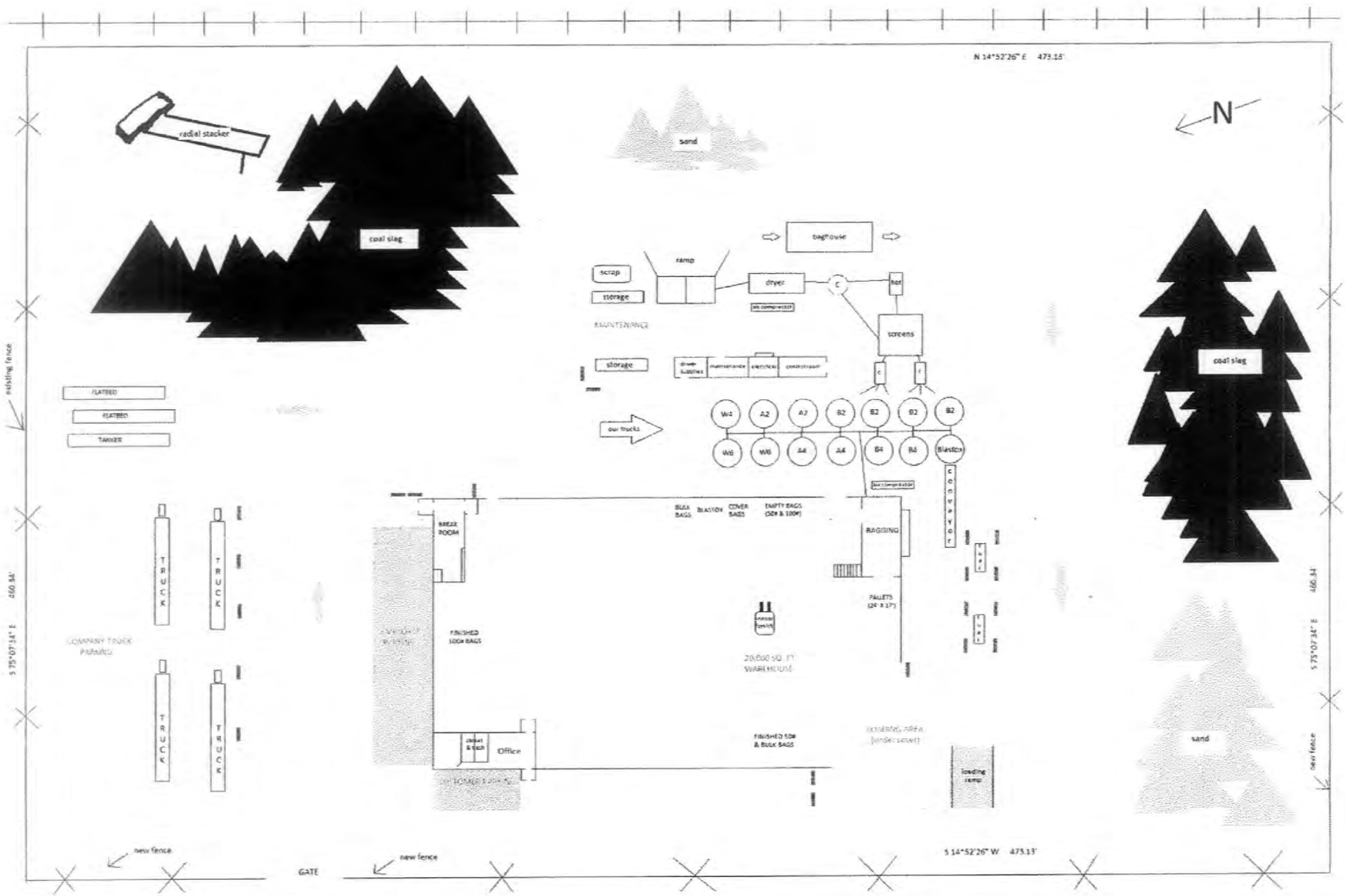

I hereby certify that this topographic survey and drawing have been completed in accordance with the Standards of Practice for Surveying in the State of Alabama.

Douglas A. Bryant
Alabama License No. 21186

# TOPOGRAPHIC SURVEY

## PROPERTY ON HAMILTON BLVD.


Wetland Delineation for 5 acre parcel proposed
Site of Mobile Abrasives Plant
3.94 acres of wetlands
1.06 acres of uplands
Maersk Container Industry As
EXISTING FENCE
0.02 ACRES
S 75°07'34" E 460.34'
N 14°52'26" E 1917.8
60' EASEMENT FOR INGRESS/EGRESS
0.08 ACRES
S 14°52'26" W 473.13'
PARCEL "A"
5.00 ACRES
0.32 ACRES
0.56 ACRES
RAILROAD TRACKS
60.00'
0.08 ACRES
S 75°07'34" E 460.34'
Mobile Asphalt Company, L.L.C.
Conrad Yelvington Distributors, Inc.


N 14°52'26" E 473.13'
N
radial stacker
coal slag
sand
baghouse
ramp
scrap
storage
dryer
hot
screens
storage
our trucks
W4
A2
A2
B2
B2
B2
B2
W6
W6
A4
A4
B4
B4
Blastox
conveyor
BULK BAGS
BLASTOX
COVER BAGS
EMPTY BAGS (50# & 100#)
RAGGING
PALLETS (24" x 17")
BREAK ROOM
FINISHED 100# BAGS
FINISHED 50# & BULK BAGS
Office
loading ramp
coal slag
sand
FLATBED
FLATBED
TANKER
TRUCK
TRUCK
TRUCK
TRUCK
existing fence
new fence
new fence
new fence
GATE
S 14°52'26" W 473.13'
S 75°07'34" E 460.34'
S 75°07'34" E 460.34'