



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

CESAM-RD-S
PUBLIC NOTICE NO. SAM-2014-00397-GAC

September 11, 2014

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

**WETLAND FILL FOR CONSTRUCTION OF A RAIL SPUR ACCESSING AN INDUSTRIAL
PARK**

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 USC 1344). Please communicate this information to interested parties.

**APPLICANT: Baldwin County Commission
312 Courthouse Square, Suite 12
Bay Minette, Alabama 36507**

**AGENT: Volkert, Inc.
Attention: Ms. Paige Collins Felts
316 South McKenzie Street
Foley, Alabama 36535**

LOCATION: Baldwin County Megasite, near Bay Minette, Alabama

WATERWAY: Unnamed Tributary to McCurtain and Dyas Creek

WORK: The applicant proposes to permanently impact 2.98 acres of medium quality forested wetland area in conjunction with the installation of a commercial rail spur to service the Baldwin County Megasite, an industrial park.

A Phase I Cultural Resources Assessment was conducted for the property in March 2011 and submitted to the Alabama Historical Commission for their review. The Alabama Historical Commission concurred in May 2011 that no cultural resources would be affected by this proposed project.

A protected Species Survey was conducted for the property in March 2011. From review of that survey, the U.S. Fish and Wildlife Service determined that protected species would not be affected by the project. All work is proposed in accordance with the attached plans and drawings.

PROJECT PURPOSE: Provide commercial rail service access to activities operating within the proposed Mega site industrial park. The applicant has applied for State water quality (WQ) certification in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to WQ 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.

The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which are known to exist and would be affected by the proposed work. Additional notification will be furnished to the State Historic Preservation Officer via this Public Notice. This review constitutes the full extent of cultural resources investigations

September 11, 2014

unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service and Division of Archeological Services.

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 would result in a "no effect" to listed species, or their critical habitat. A protected Species Survey was conducted for the property in March 2011. From review of that survey, the U.S. Fish and Wildlife Service determined that protected species would not be affected by the project. This notice and application will be coordinated with the U.S. Fish and Wildlife Service to confirm the status of their determination.

Correspondence concerning this Public Notice should refer to SAM-2014-00397-GAC and should be mailed to the District Commander, U.S. Army Engineer District, Mobile, Attention: Regulatory Division (Glen Cunningham), 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.

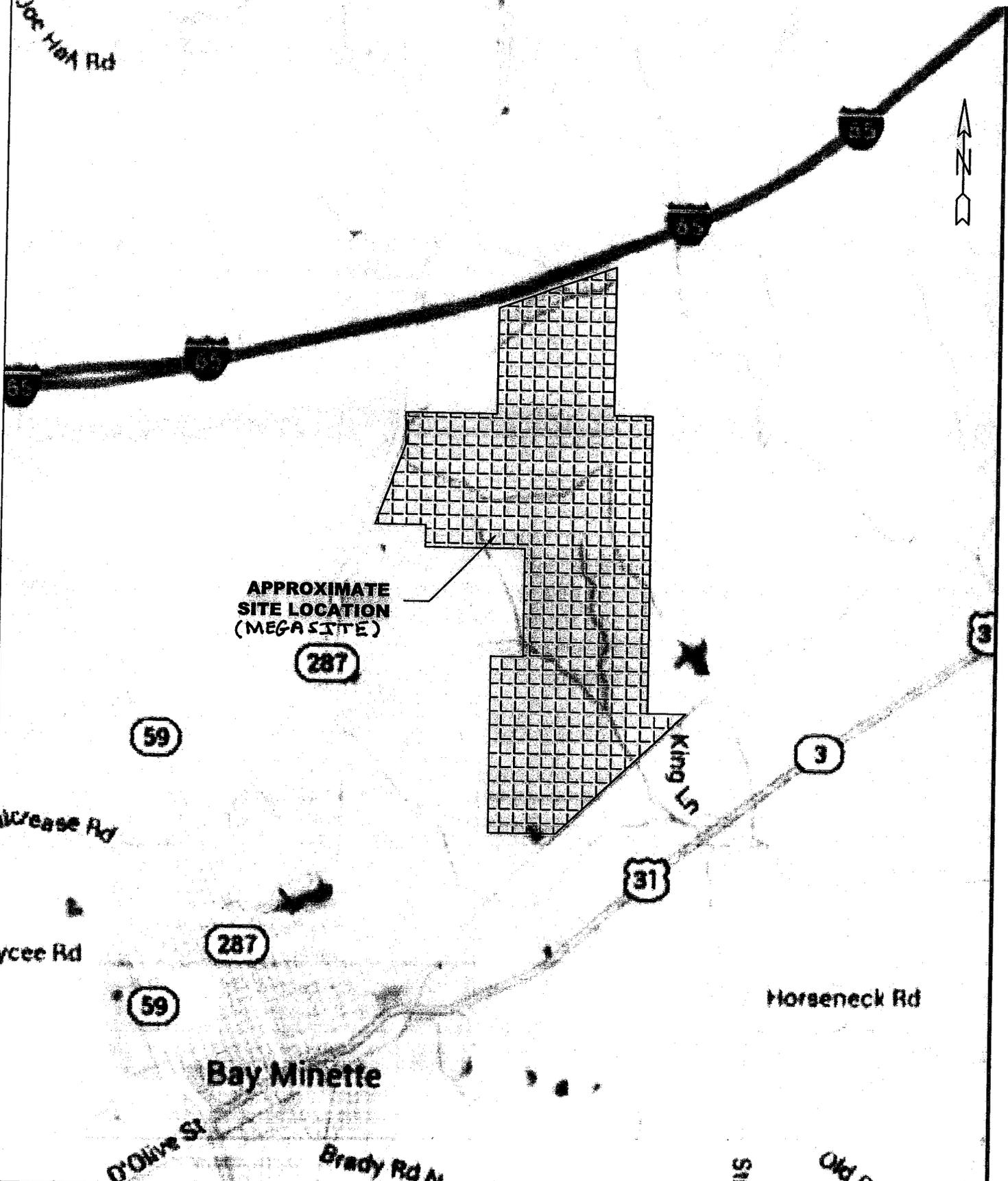
All Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager via e-mail at glen.a.cunningham@usace.army.mil or telephone number **(251) 690-2658**. Please refer to the Public Notice number SAM-2014-00397-GAC.

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

Joe HAA Rd



APPROXIMATE
SITE LOCATION
(MEGASITE)

287

59

Increase Rd

Lycee Rd

287

59

Bay Minette

D'Olive St

Brady Rd N

King Ln

31

Horseneck Rd

Old Pk

VOLKERT

NOT FOR CONSTRUCTION

BALDWIN COUNTY MEGASITE
VICINITY MAP

SCALE: 1"=5000'

DATE	MJ
BY	MJ
CHKD	BC
DATE	4/14/14

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**PROPOSED
RAIL ALIGNMENT**

LOUIS COOPER RD

CALVIN RICHARDSON RD

DRINKARD RD

EMMONS RD

LOT 2

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

SHEET 5

SHEET 4

SHEET 3

SHEET 2

LEGEND

WETLANDS



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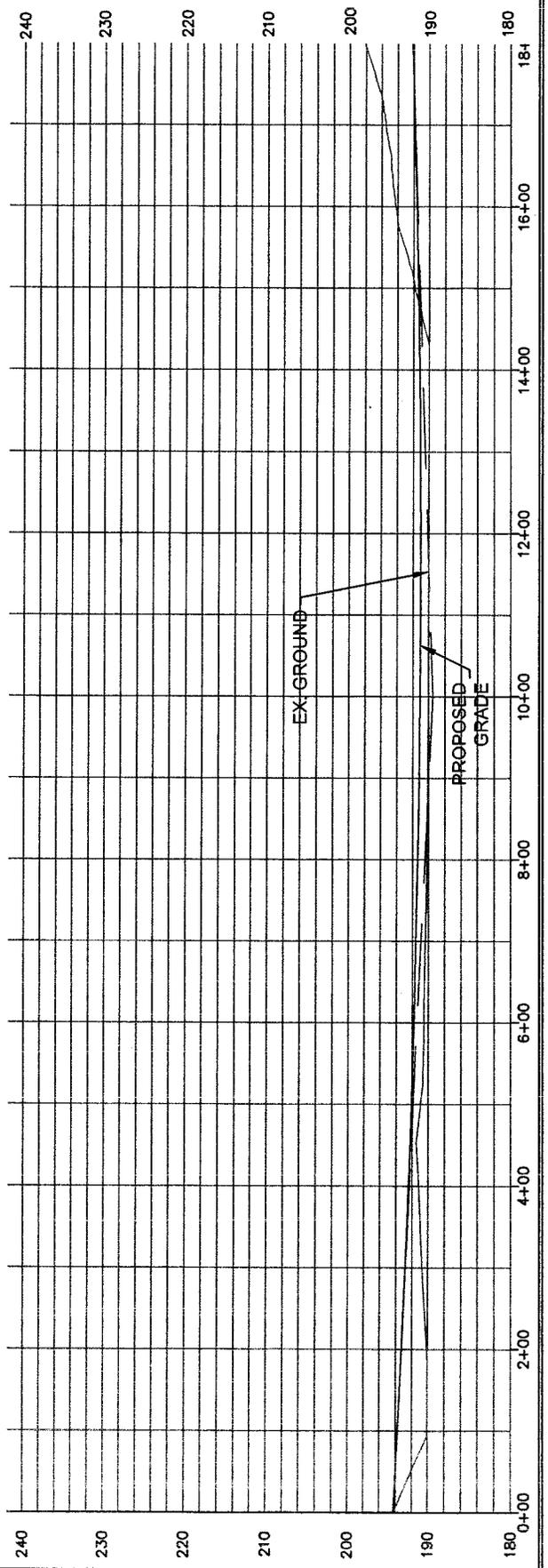
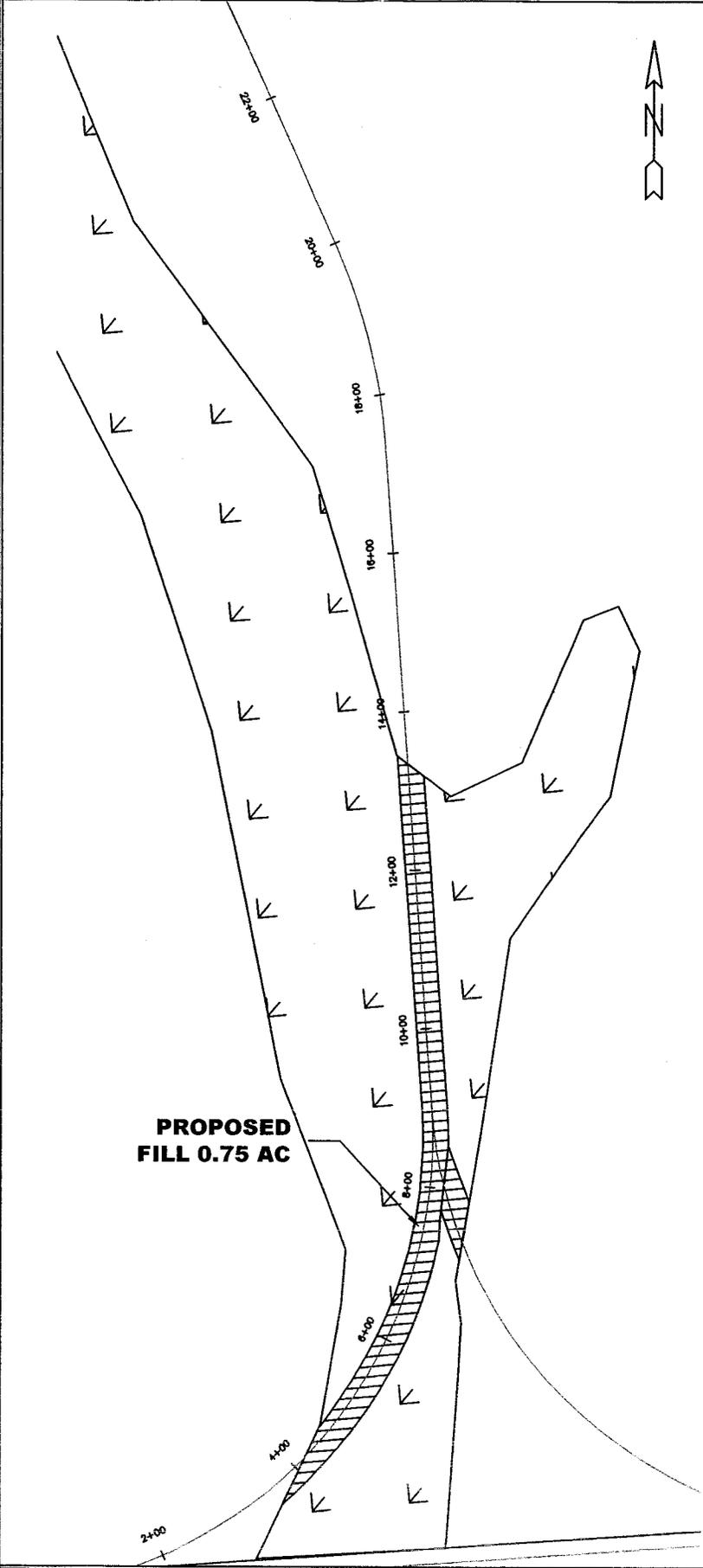
**BALDWIN COUNTY MEGASITE
OVERALL PLAN**
SCALE: 1"=2000'

PREPARED: MJ
DRAWN: MJ
CHECKED: BC
DATE: 4/14/14

REVISIONS	
1.	
2.	

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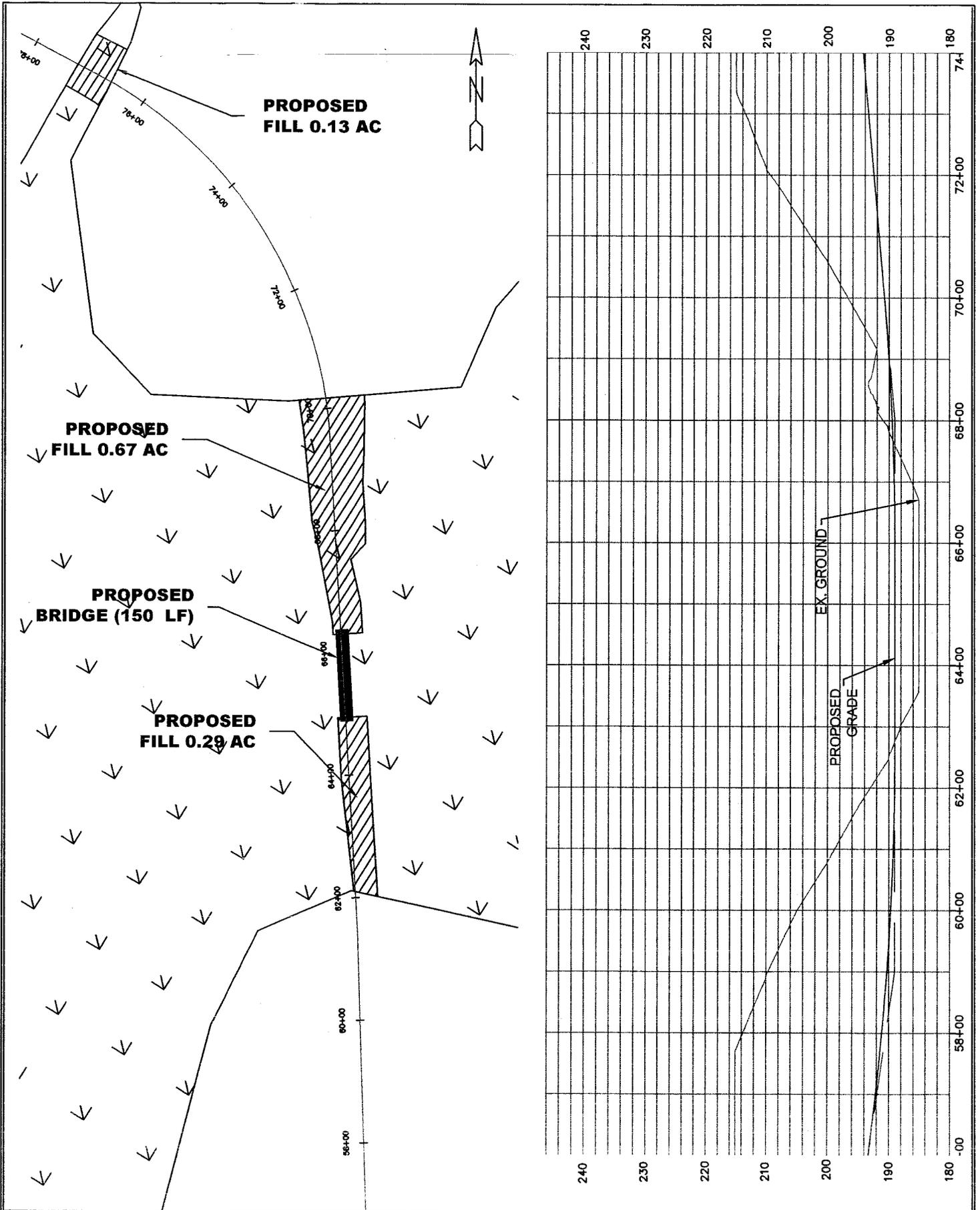
VOLKERT
NOT FOR CONSTRUCTION

BALDWIN COUNTY MEGASITE
PROPOSED FILL
SCALE: 1"=200'

DESIGNED:	MJ
DRAWN:	MJ
CHECKED:	BG
DATE:	4/14/14

REVISIONS:	
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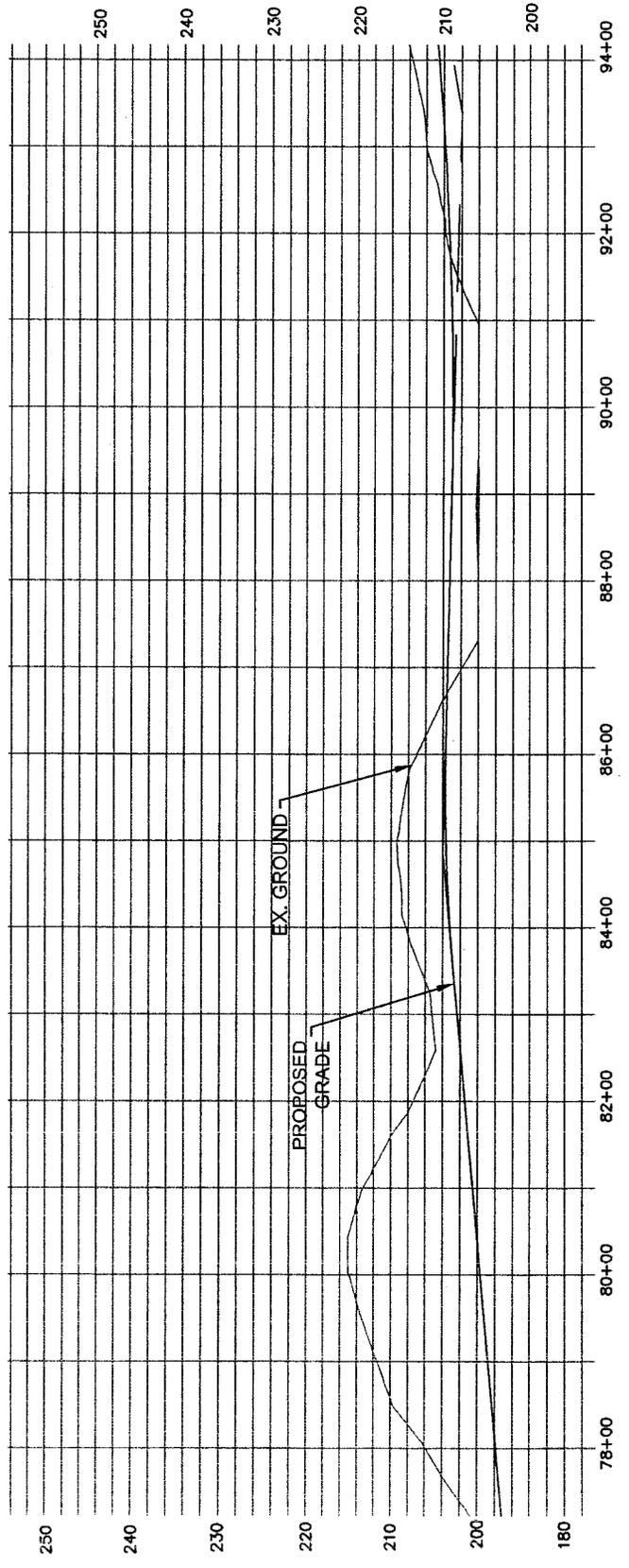
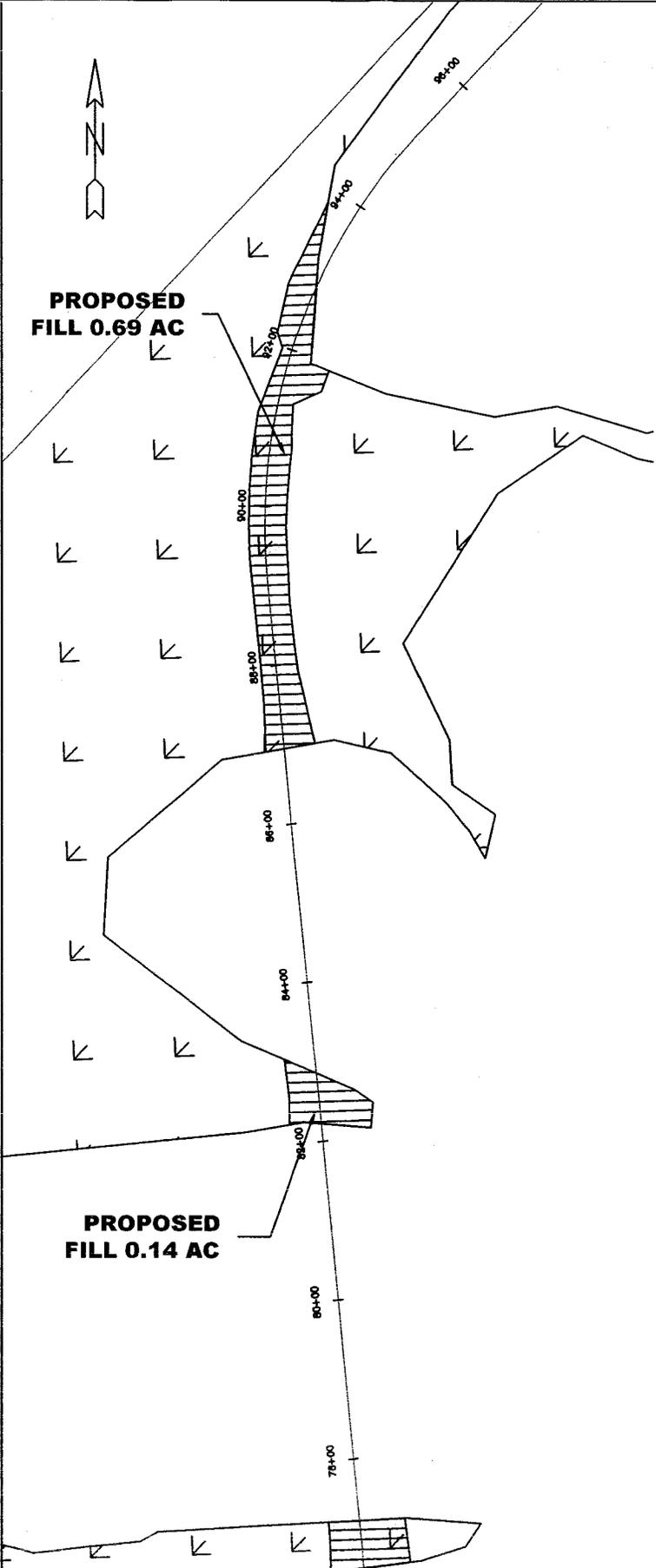


VOLKERT
NOT FOR CONSTRUCTION

**BALDWIN COUNTY MEGASITE
PROPOSED FILL**
SCALE: 1"=200'

DESIGNED:	MJ
DRAWN:	MJ
CHECKED:	BG
DATE:	4/14/14

REVISIONS:	
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 PROPOSED FILL**
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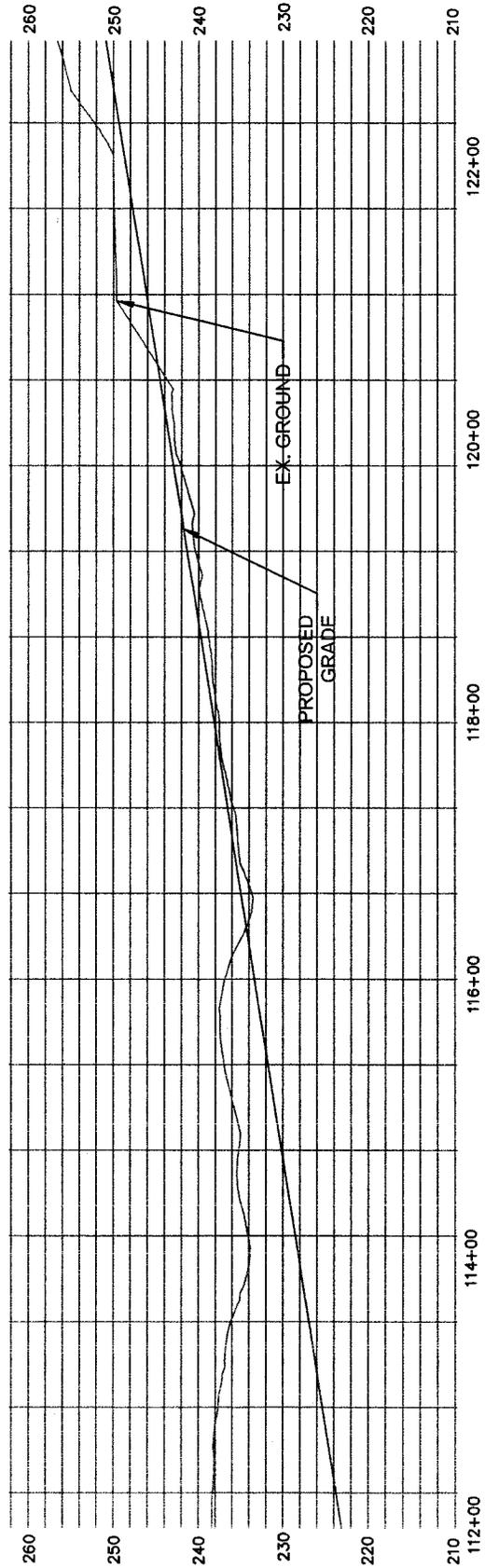
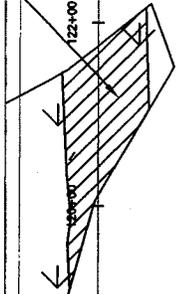
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**PROPOSED
FILL 0.31 AC**

112+00 114+00 116+00 118+00 120+00 122+00 124+00 126+00 128+00 130+00



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**BALDWIN COUNTY MEGASITE
PROPOSED FILL**
SCALE: 1"=200'

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REVISIONS	
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