



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

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2015-00385-LET

April 13, 2016

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

**REQUEST FOR AUTHORIZATION TO DREDGE CARGO HANDLING BERTH WITH
MARINE TERMINAL AND DISCHARGE FILL IN 48.4 ACRES OF WETLAND TO
CONSTRUCT AUTO TERMINAL FACILITY AND NEW RAIL SPUR TO EXISTING
CSX RAIL LINE, THEODORE INDUSTRIAL CANAL, THEODORE, 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) and Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403). Please communicate this information to interested parties.

APPLICANT: **Alabama State Port Authority**
% James K. Lyons, Director/CEO
Post Office Box 1588
Mobile, Alabama 36633

AGENT: **Wetland Resources Environmental Consulting**
% Gena Todia
Post Office Box 2694
Daphne, Alabama 36526

WATERWAY/LOCATION: **Theodore Industrial Canal (Middle Fork Deer River), properties north and south of Baker Sorrell Road at the intersection with Rangeline Road, Section 18, Township 6 South, Range 1 West and Section 24, Township 6 South, Range 2 West, Theodore, Mobile County, Alabama; Latitude 30.5261 North and Longitude -88.1171 West.**

PROJECT PURPOSE: **The project purpose is to develop an automobile terminal facility that will provide the infrastructure necessary to store and service vehicles on-site and to load and unload vehicles onto and off of ships for import and export.**

PROPOSED WORK:

Marine berth: The applicant proposes to hydraulically or mechanically dredge (method still to be determined) approximately 125,000 cubic yards of soil and substrate material including sand and muck from an approximately 13-acre-area along the east bank of the Theodore Industrial Canal Turning Basin to construct a marine cargo handling area. The 13-acre-area would be dredged to a depth of -41.0 feet mean low water (MLW) to accommodate a vessel docking area and a 655-foot-long by 115-foot-wide automobile roll-on/roll-off (RoRo) berth. The dredged material would be disposed of in an existing upland dredged material disposal cell west of Rangeline Road near the intersection of Evonik Road (formerly Degussa Road) and Industrial Road. If the hydraulic dredging method is utilized, the dredged material would be pumped directly into the disposal cell. If mechanical dredging methods are utilized, this would consist of dredging with either a clamshell dredge or a backhoe and the dredged material would be placed into scows that would be transported west on Theodore Industrial Canal to the waterfront in the vicinity of the disposal cell. The material would be unloaded from the scows to the disposal cell either by hydraulic pumping means or it would be unloaded mechanically by clamshell or backhoe to trucks on unloading platforms for transport to an appropriately elevated area of the disposal cell for end-dumping into the cell. A total of 871.5 linear feet of sheetpile would be installed to stabilize and contain the shoreline along the RoRo berth. A 32-foot by 14-foot breasting dolphin would be installed at the north end of the RoRo berth and would have a catwalk extending from the northwest corner of the berth to the breasting dolphin.

The construction of the automobile handling terminal, an access road between the auto handling terminal and the RoRo berth, and a rail spur to an existing CSX rail line to the west would require the discharge of approximately 68,850 cubic yards of clean sandy fill material into 48.4 acres of jurisdictional wetlands and 40 linear feet of ephemeral stream channel. The wetlands to be impacted consist of mixed wet pine savannah and bayhead drain that predominantly provide habitat of a medium functional quality.

Automobile handling terminal: The automobile terminal facility would account for most of the 48.4 acres of wetland fill due to the need for a large cargo handling area for processing and storing vehicles. The facility would include an office building, fueling station, carwash, a dispatch facility, access drives within the facility, a guard house, and any required stormwater management features. All wetland impacts associated with construction of the auto terminal would affect pine savannah habitat.

Access road between RoRo berth and auto terminal: An approximately 920-foot-long by 35-foot-wide culverted access road would be constructed between the automobile terminal and the RoRo berth. This segment of access road would require the filling of approximately 0.05 acre of wetlands and the culverting of 40 linear feet of an approximately 1.5-foot-wide ephemeral tributary with an 18-inch culvert pipe. There would be an additional approximately 250 linear feet of 15 foot wide road in uplands extending north from the RoRo berth toward the Theodore Industrial Canal. Three 17-foot by 17-foot mooring dolphins would be installed on the west side of the 15-foot-wide access road between the road and the vessel mooring area in the industrial canal turning basin. Wetlands impacted in association with the stream crossing consist of forested bayhead habitat.

Rail spur between auto terminal and existing CSX rail line: The installation of a rail spur connecting the automobile terminal facility to an existing CSX rail line to the west would require mechanized land clearing, grading, and the discharge of fill material into wetlands within a 50-foot-wide, approximately 1.5-mile-long rail easement. The rail spur will run south from the auto terminal across Baker Sorrell Road and continue south along the east side of Rangeline Road to Evonik Road where it will cross Rangeline heading west and run along the north side of Evonik Road to an existing CSX rail line connection. The wetland impacts associated with construction of the rail spur consist of pine savannah habitat.

AVOIDANCE AND MINIMIZATION: Four off-site alternatives and two on-site alternatives were considered in effort to minimize and avoid impacts to aquatic resources.

Off-site Alternatives: Two of the alternate sites were eliminated due to inadequate size for operation of an automobile RoRo facility although they had suitable access to waterfront and existing roads and rail. One site was eliminated due to inadequate size and lack of access to rail. The fourth off-site alternative was eliminated due to conflicting lease obligations on portions of the land and poor site configuration for efficient operation of an automobile RoRo facility.

On-site alternatives: A second facility design and layout, which would have decreased wetland impacts to approximately 25 acres through construction of the RoRo berth on the Theodore Industrial Canal Turning Basin with construction of the automobile terminal south of Baker Sorrell Road, was considered for the proposed project site. However, this alternative would have required the implementation of design features such as longer travel distance between the RoRo berth and automobile terminal and construction of a dedicated grade-separated road (elevated crossing) across Baker Sorrell Road that made this alternative financially unviable due to increased construction costs and increased long-term operation costs.

MITIGATION: Mitigation for the proposed 48.4 acres of wetland impact will be provided through the purchase of credits from an approved wetland mitigation bank in good standing within the Mobile District's area of regulatory responsibility. Through implementation of the Mobile District's Stream Standard Operating Procedure (SOP) adverse impact assessment worksheet, it has been determined that 27.6 stream mitigation credits would be required to compensate for the proposed road crossing impacts to 40 linear feet of ephemeral stream channel. Stream mitigation would be provided through the purchase of credits from an approved stream mitigation bank in good standing within the Mobile District's area of regulatory responsibility. All stream and wetland credits purchased will be subject to the application of additional proximity factor and/or out-of-basin multipliers, as appropriate, based on the selected mitigation banks.

WATER QUALITY/COASTAL ZONE MANAGEMENT: The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act and for Coastal Zone Management (CZM) consistency certification in accordance with the Alabama Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to water quality certification and CZM consistency will be made by the Alabama Department of Environmental Management (ADEM).

HISTORIC PROPERTIES: 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. In accordance with Appendix C of 33 CFR 325, the U. S. Army Corps of Engineers (USACE) has determined that the permit area consists of the entire project site due to the preponderance of wetlands within the project site as defined. A Department of the Army permit (AL97-04207-U) was issued previously for development of the portion of the currently proposed project area located in the northeast quadrant of the intersection of Rangeline Road and Baker Sorrell Road. At that time a Phase I cultural resources survey (AHC 98-1156) was conducted and submitted to the Alabama Historical Commission for review and concurrence. Pursuant to the findings of that survey, the current automobile terminal development plan has been designed to provide a 25 meter avoidance buffer from a previously identified potentially eligible site. Additionally, 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. We are seeking comment from the State Historic Preservation Officer regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. This review constitutes the full extent of cultural resources investigations 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 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.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The project includes man-made and manipulated estuarine substrate and water column utilized by various life stages of various marine species. Our initial determination is that the proposed action would not have a substantial adverse effect on EFH or federally managed fisheries. Our final determination relative to project impacts and the need for mitigative measures is subject to review by and coordination with the National Marine Fisheries Service.

ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants by the USACE indicates the Federally listed species having the greatest potential to exist within the permit area are Florida manatee (*Trichechus manatus*), Wood stork (*Mycteria americana*), Eastern Indigo Snake (*Drymarchon corais coupen*), Gopher tortoise (*Gopherus polyphemus*), Alabama red belly turtle (*Pseudemys alabamensis*), and Gulf Sturgeon (*Acipenser oxyrinchus desotoi*). The USACE has made a preliminary determination that the proposed activity May Affect but is Not Likely to Adversely Affect the Florida manatee, Alabama red belly turtle, Gopher tortoise, and Gulf Sturgeon and will have No Effect on the Wood stork and Eastern indigo snake. There is no designated critical habitat within the permit area. Additionally, information provided regarding preliminary coordination between the applicant and the U.S Fish and Wildlife Service (USFWS) indicates that a gopher tortoise survey may be required in upland portions of the project as well as implementation of measures to prevent impacts to Alabama red-belly turtle and Gulf sturgeon. This determination is being coordinated with the USFWS via this Public Notice. Further coordination with the USFWS will be performed as determined to be appropriate.

COMMENTS: This public notice is being distributed to all known interested persons and serves to solicit comments from the public, Federal, State, and local agencies and officials, Indian Tribes, and other interested parties, in order to assist in developing facts on which a decision by the USACE can be based. The U.S. Army Corps of Engineers (USACE) 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 USACE 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

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.

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. Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will also include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

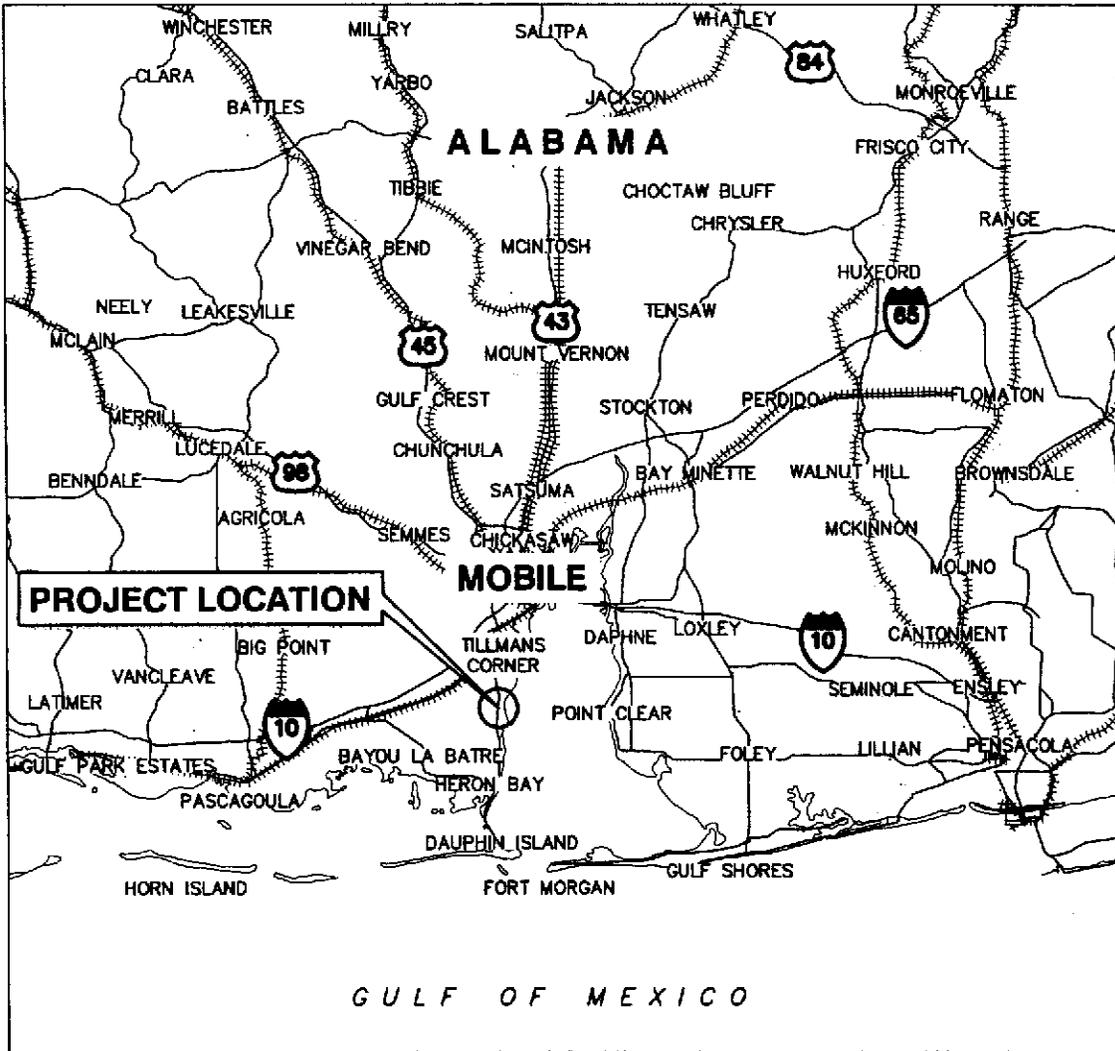
Correspondence concerning this notice should refer to Public Notice Number **SAM-2015-00385-LET** and should be directed to the U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Attention: Ms. Leslie E. Turney, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy furnished to the ADEM, Field Office Mobile – 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 at (251) 694-3873 or e-mail at leslie.e.turney@usace.army.mil. Please refer to the above Public Notice Number **SAM-2015-00385-LET**.

For additional information about our Regulatory program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

Encls

MOBILE DISTRICT
U.S. Army Corps of Engineers



PLAN - VICINITY MAP
SCALE: NOT TO SCALE

APPLICATION BY:
ALABAMA STATE PORT AUTHORITY
250 NORTH WATER STREET
MOBILE, AL 36602
PHONE: 251-441-7220

**THEODORE RO/RO TERMINAL
PHASE 1 RAIL, SITE AND
BERTH DEVELOPMENT**

PROJECT LOCATION:
THEODORE INDUSTRIAL CHANNEL
MOBILE, ALABAMA

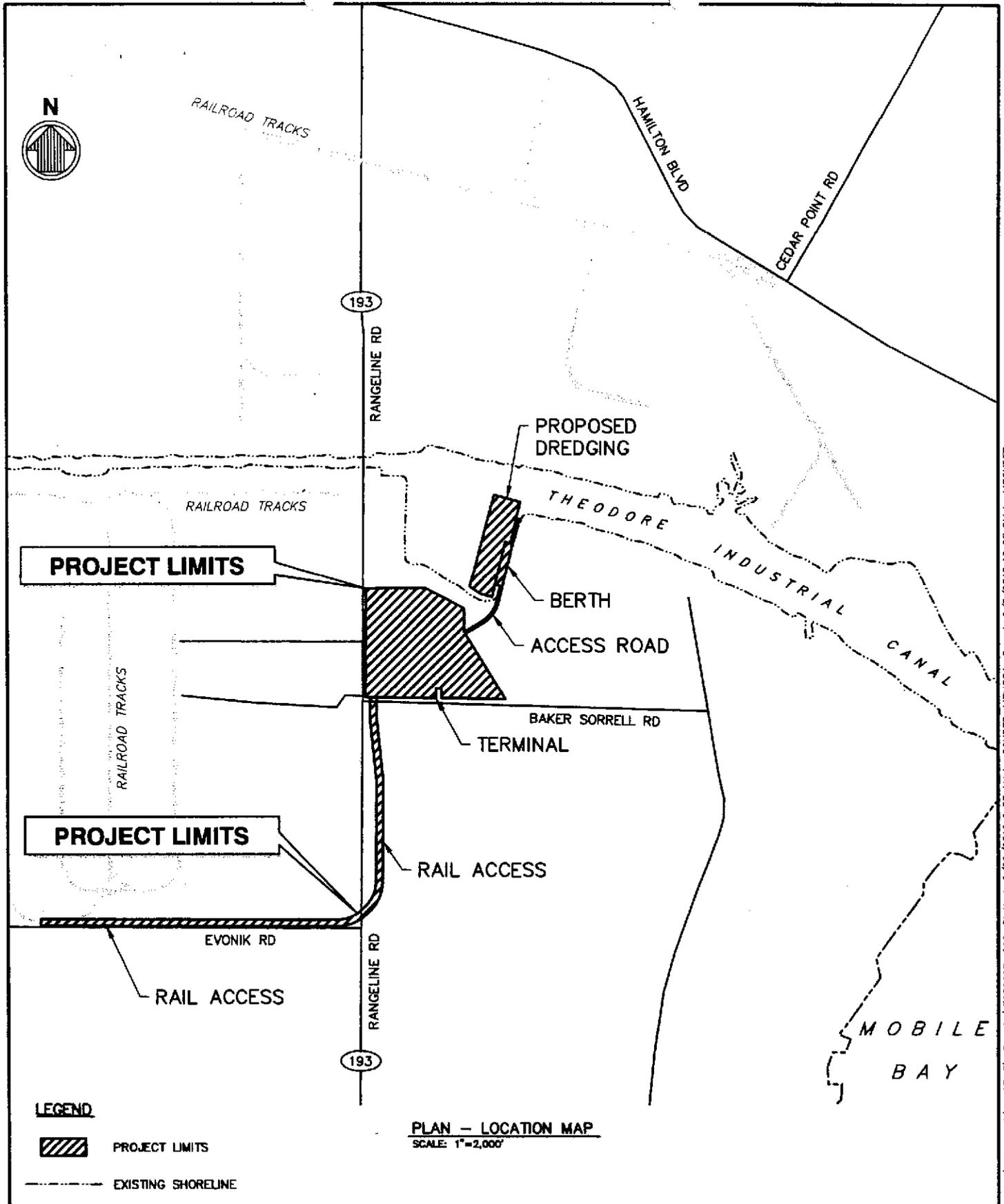
AGENT/ENGINEER:

 **moffatt & nichol**
2700 LIGHTHOUSE POINT EAST, SUITE 501
BALTIMORE, MD 21224
410-563-7300

DATE: FEBRUARY 29, 2016
SHEET 1 OF 8

DATUM: MEAN LOW WATER (MLW) = 0.0'

SAM-2015-00385-LET
DEPT. OF THE ARMY



APPLICATION BY:
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AGENT/ENGINEER:
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 BALTIMORE, MD 21224
 410-563-7300

DATE: FEBRUARY 29, 2016
 SHEET 2 OF 8

SAM-2015-00385 - LET
 DEPT. OF THE ARMY

File: P:\7630-00 Theodore RORO\500 CAD\ACTIVE\Permits\763000P-002_PlanSheet_2/29/2016 9:07 AM by SOUDER, MELISSA; Saved: 2/18/2016 12:08 PM by MSOUBER



RAILROAD TRACKS

HAMILTON BLVD

193

RANGELINE RD

RAILROAD TRACKS

THEODORE INDUSTRIAL CANAL

MITSUBISHI LANE

DREDGE AREA

RAILROAD TRACKS

BAKER SORRELL RD

DISPOSAL AREA SECTION 14

EVONIK RD

RANGELINE RD

193

LEGEND



PROJECT DREDGE LIMITS

--- EXISTING SHORELINE

PLAN - DREDGE DISPOSAL LOCATION

SCALE: 1"=2,000'

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AGENT/ENGINEER:



moffatt & nichol

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410-563-7300

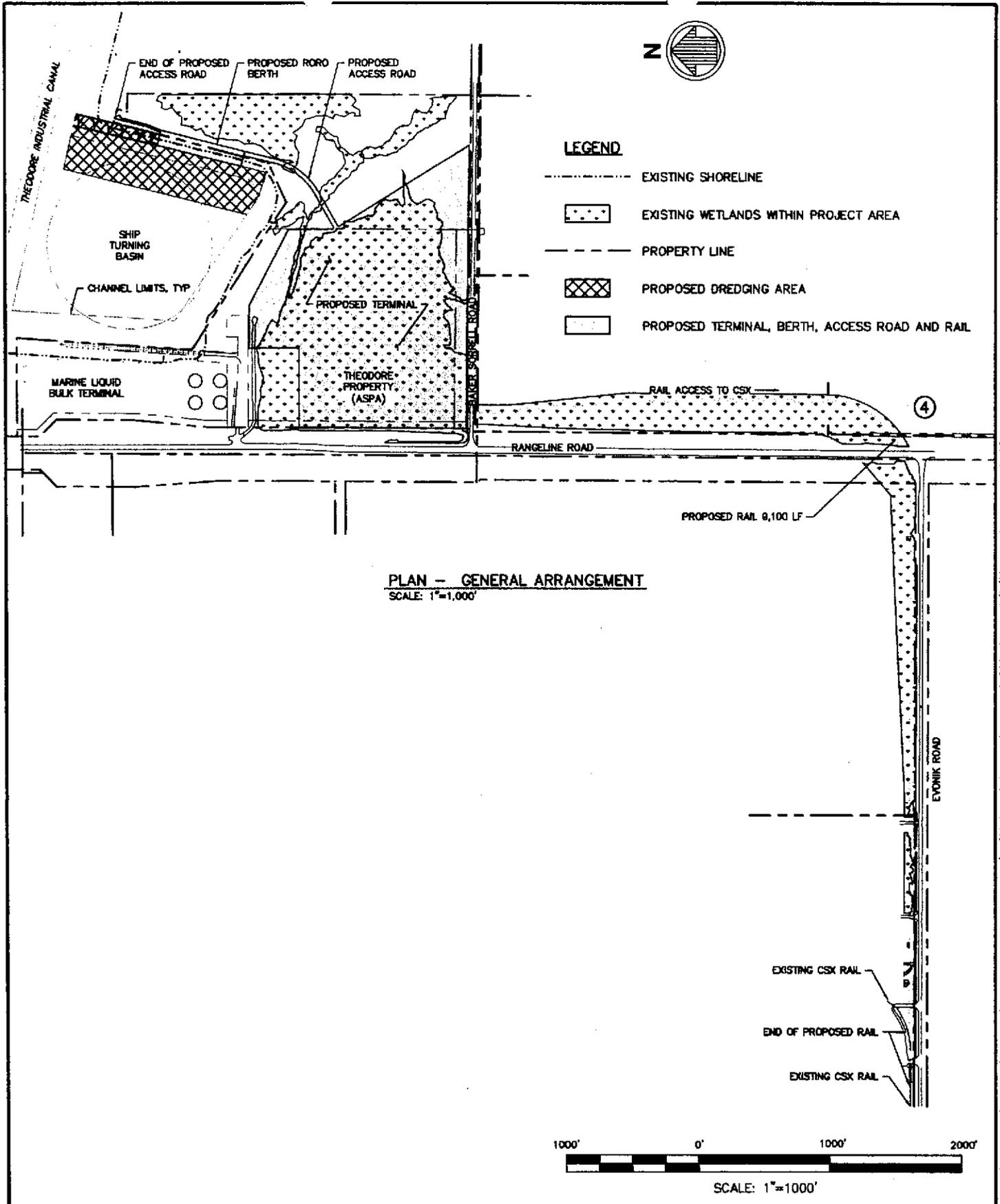
DATUM: MEAN LOW WATER (MLW) = 0.0'

PROJECT LOCATION:
THEODORE INDUSTRIAL CHANNEL
MOBILE, ALABAMA

DATE: FEBRUARY 28, 2016
SHEET 3 OF 8

SAM-2015-00385-LET
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ALABAMA STATE PORT AUTHORITY
250 NORTH WATER STREET
MOBILE, AL 36602
PHONE: 251-441-7220

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MOBILE, ALABAMA

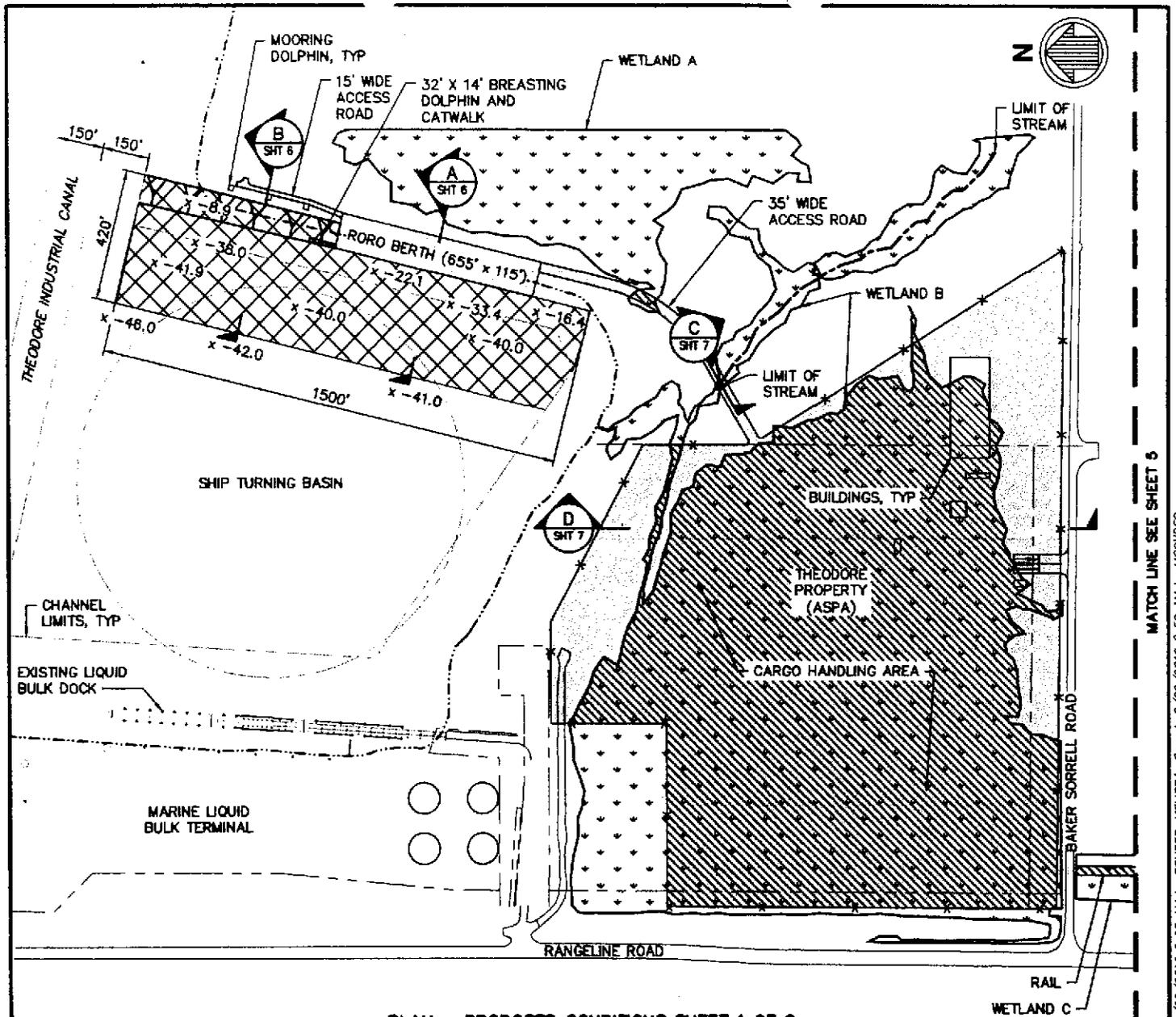
AGENT/ENGINEER:

moftatt & nichol
2700 LIGHTHOUSE POINT EAST, SUITE 501
BALTIMORE, MD 21224
410-583-7300

DATE: FEBRUARY 29, 2016
SHEET 4 OF 8

SAM-2015-00385-LET
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File: P:\2630-00 Theodore RoRo\500 CADD\ACTIVE\Permits\763200P-004A; Plotted: 2/29/2016 9:08 AM by SOUDER, MELISSA; Saved: 2/18/2016 3:43 PM by PVOLKER



PLAN - PROPOSED CONDITIONS SHEET 1 OF 2
SCALE: 1"=500'

LEGEND

- x -40.0 EXISTING SOUNDINGS IN FEET (MLW)
- EXISTING SHORELINE
- EXISTING STREAM
- [Wavy Line Box] EXISTING WETLANDS WITHIN PROJECT AREA
- [Diagonal Line Box] IMPACTED WETLANDS WITHIN PROJECT LIMITS (48.4 AC TOTAL)
- [Cross-hatch Box] PROPOSED DREDGING TO -41.0 FEET (13.0 AC)
- [Solid Line Box] PROPOSED TERMINAL, BERTH, ACCESS ROAD AND RAIL



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ALABAMA STATE PORT AUTHORITY
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**THEODORE RO/RO TERMINAL
PHASE 1 RAIL, SITE AND
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PROJECT LOCATION:
THEODORE INDUSTRIAL CHANNEL
MOBILE, ALABAMA

AGENT/ENGINEER:

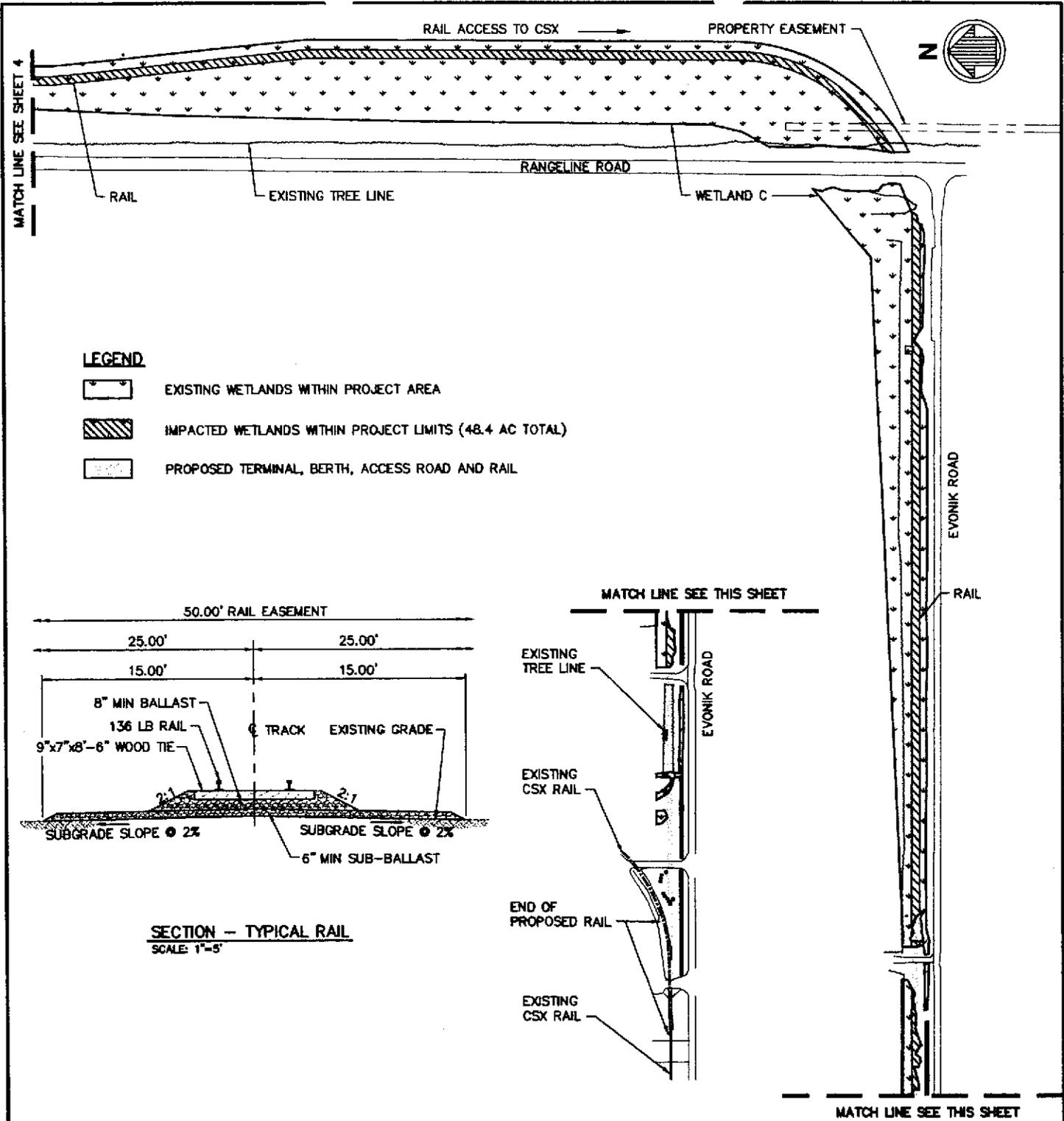
moftatt & nichol
2700 LIGHTHOUSE POINT EAST, SUITE 501
BALTIMORE, MD 21224
410-563-7300

DATE: FEBRUARY 29, 2016
SHEET 5 OF 8

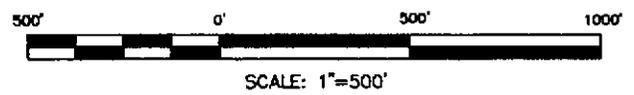
MATCH LINE SEE SHEET 5

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SAM-2015-00385-LET
DEPT. OF THE ARMY



PLAN - PROPOSED CONDITIONS SHEET 2 OF 2
SCALE: 1"=500'



APPLICATION BY:
ALABAMA STATE PORT AUTHORITY
250 NORTH WATER STREET
MOBILE, AL 36602
PHONE: 251-441-7220

DATUM: MEAN LOW WATER (MLW) = 0.0'

**THEODORE RO/RO TERMINAL
PHASE 1 RAIL, SITE AND
BERTH DEVELOPMENT**

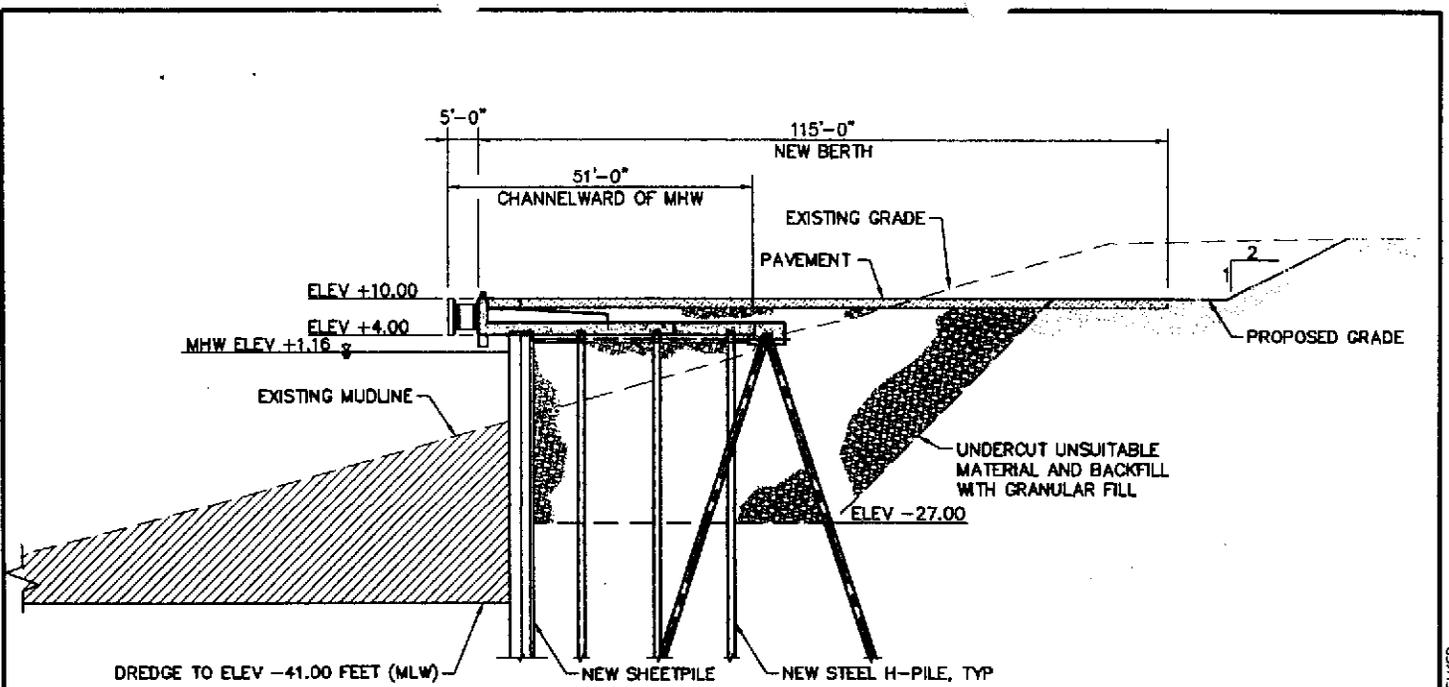
PROJECT LOCATION:
THEODORE INDUSTRIAL CHANNEL
MOBILE, ALABAMA

AGENT/ENGINEER:
 **moffatt & nichol**
2700 LIGHTHOUSE POINT EAST, SUITE 501
BALTIMORE, MD 21224
410-563-7300

DATE: FEBRUARY 29, 2016
SHEET 6 OF 8

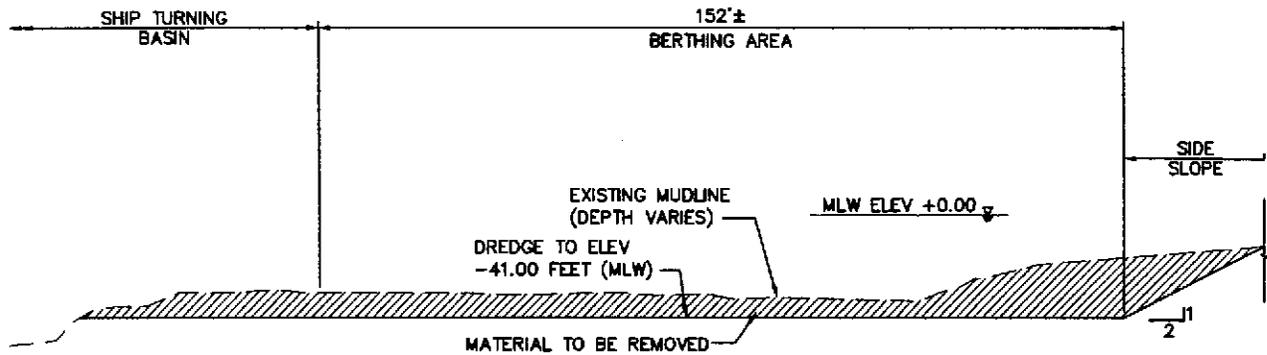
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SAM-2015-00385-LET
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TYPICAL SECTION A - PROPOSED BERTH

SCALE: 1"=1/32"



TYPICAL SECTION B - PROPOSED DREDGING

SCALE: NOT TO SCALE

NOTES:

1. MECHANICALLY OR HYDRAULICALLY DREDGE APPROXIMATELY 125,000 CY IN THE AREAS SHOWN (13.0 AC) TO DEPTH OF -41.0 FEET AT MEAN LOW WATER AND DEPOSIT MATERIAL AT THEODORE DMCF.
2. PERFORM UP TO 50 OFFSHORE SOIL BORINGS WITHIN THE DREDGING AREA AS NEEDED FOR GEOTECHNICAL INVESTIGATION AND TO CHARACTERIZE THE MATERIAL.
3. CONSTRUCTION ACCESS TO BORING SITES WILL BE BY WATER. DRILLING SHALL BE ACCOMPLISHED USING HOLLOW STEM AUGERS. DRILLING DEPTH SHALL VARY BASED ON LOCATION AND PURPOSE OF INVESTIGATION. TESTING MAY INCLUDE PHYSICAL AND CHEMICAL SOIL CHARACTERIZATION, STANDARD PENETRATION TESTS TO EVALUATE SOIL STRENGTH, UNDISTURBED 3-INCH DIAMETER SHELBY TUBES SAMPLES FOR SOIL CLASSIFICATION, AND IN-SITU VANE SHEAR TESTS. SOIL SAMPLES COLLECTED FOR LABORATORY ANALYSIS SHALL BE DISPOSED OF PROPERLY PER STANDARD LABORATORY PROCEDURES.

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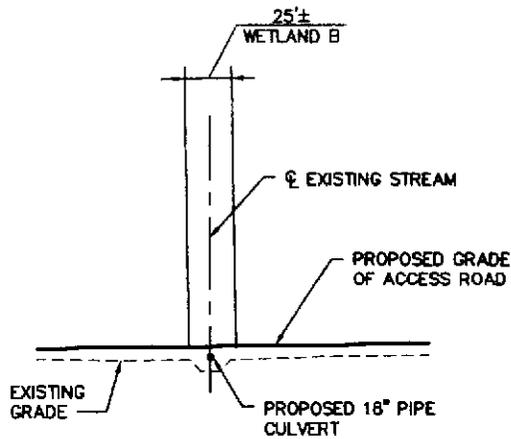
AGENT/ENGINEER:
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**DATE: FEBRUARY 29, 2016
SHEET 7 OF 8**

DATUM: MEAN LOW WATER (MLW) = 0.0'

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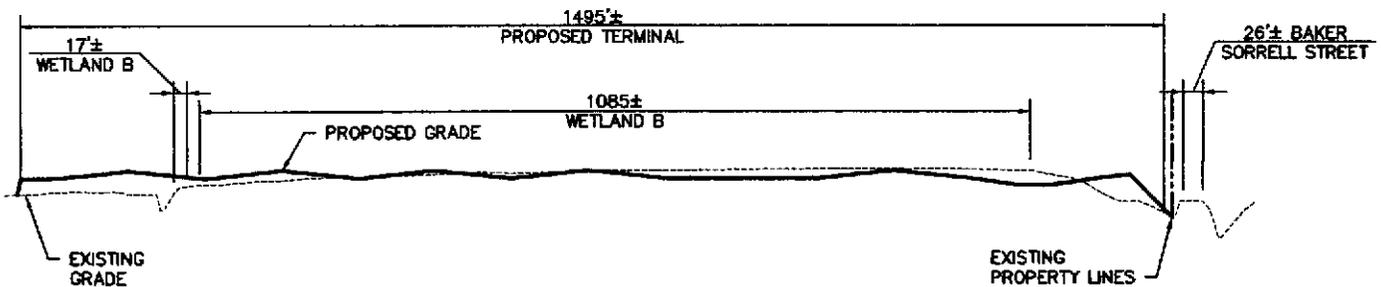
NOTE: FORTY FOOT OF IMPACT TO STREAM

SECTION C - PROPOSED ACCESS ROAD STREAM CROSSING

SCALE: 1"=100'



SCALE: 1"=100'



SECTION D - PROPOSED TERMINAL AREA

HORIZONTAL SCALE: 1"=250'
VERTICAL SCALE: 1"=25'



VERTICAL SCALE: 1"=25'



HORIZONTAL SCALE: 1"=250'

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