



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

REPLY TO
ATTENTION OF

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2015-01047-DEM

October 5, 2015

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

**PROPOSED DISCHARGE OF FILL MATERIAL FOR THE DEVELOPMENT OF A
COMMERCIAL FUEL AND CONVENIENCE FACILITY IN MOBILE, 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 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

APPLICANT: **Barcliff, LLC**
Attention: Mr. Steve Gordon
Post Office Box 3064
Mobile, Alabama 36652

AGENT: **GeoTerra Engineering, LLC**
Attention: Mr. Philip Foster
Post Office Box 40515
Mobile, Alabama 36640

LOCATION/WATERS: **The project is located at the northwest corner of the intersection of Cochrane Causeway (Old Spanish Trail) and Dunlap Drive, Mobile, Mobile County, Alabama, Latitude 30.6941805° North and Longitude -88.03141944°, Section 00, Township 4 South, Range 1 East, on the USGS 7.5 Minute Topographical Quadrangle Map of Mobile, Alabama.**

WORK: **The project purpose is commercial development. The applicant is seeking authorization for the discharge of fill material into waters of the United States for purposes constructing a commercial fuel and convenience facility with integrated fast food. These activities would impact approximately 1.3 acres of low quality, bottomland, hardwood wetlands.**

AVOIDANCE & MINIMIZATION: **The applicant stated alternate sites were considered and that the proposed location was chosen based on existing roadways and infrastructure.**

Best management practices would be employed to minimize off-site sedimentation or water quality concerns. The USACE has not verified the adequacy of the applicant's avoidance and minimization at this time.

MITIGATION: The applicant proposes to compensate for the unavoidable loss of wetlands by purchasing the appropriate number of mitigation credits from an approved wetland mitigation bank within the service area. The USACE has not verified the adequacy of the applicant's compensatory mitigation plan at this time.

WATER QUALITY: The applicant has applied for State Water Quality Certification (WQC) 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 WQC will be made by the Alabama Department of Environmental Management (ADEM).

HISTORIC AND CULTURAL RESOURCES: 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 USACE has determined the permit area consists of the approximate 3.3-acre development. The project was previously coordinated with the Alabama Historical Commission (AHC) as part of a previous authorization (AL05-00104-G). By letter dated April 11, 2005, the AHC concurred (AHC 2005-0401) that the proposed project should have no effect on historic properties either listed on or eligible for the National Register of Historic Places (NRHP). The NRHP has been consulted and no properties listed on or eligible for the NRHP are known to exist which would be affected by the proposed work. The USACE has made a preliminary determination that there is no potential to affect cultural and historic resources within the permit area. However, 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 the general public regarding the existence or the potential for existence of significant cultural and historic properties, which may be affected by the work. This action 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 that a potential exists for the location of significant sites or properties within the project area.

ENDANGERED/THREATENED SPECIES: A habitat assessment of the proposed development site was conducted in August 11, 2015. Preliminary review of this application, habitat survey results, and the U.S. Department of the Interior List of Endangered and Threatened Species indicates that the proposed activity will not affect any listed endangered or threatened species or their critical habitat. Copies of this public notice are being sent to the U.S. Fish and Wildlife Service for review and comment.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE 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 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 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.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2015-01047-DEM** and should be directed to the USACE, Mobile District, Regulatory Division, Attention: Mr. Don Mroczko, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy furnished to the ADEM, Coastal Section, 3664 Dauphin Street, Suite B, Mobile Alabama 36608.

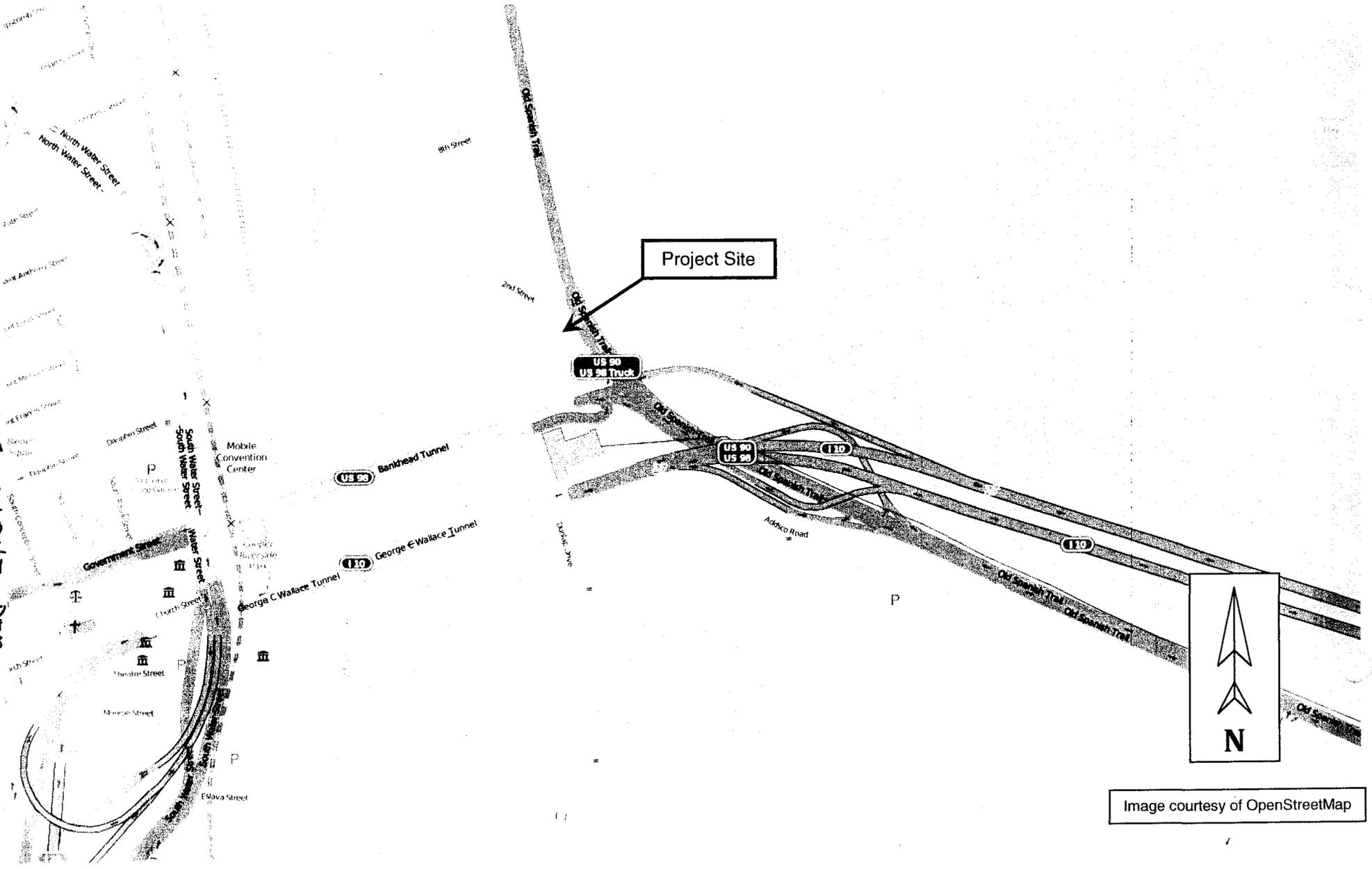
All Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager, Mr. Mroczko at **(251) 690-3185** or by email at donald.e.mroczko@usace.army.mil. Please refer to the Public Notice Number **SAM-2015-01047-DEM**.

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

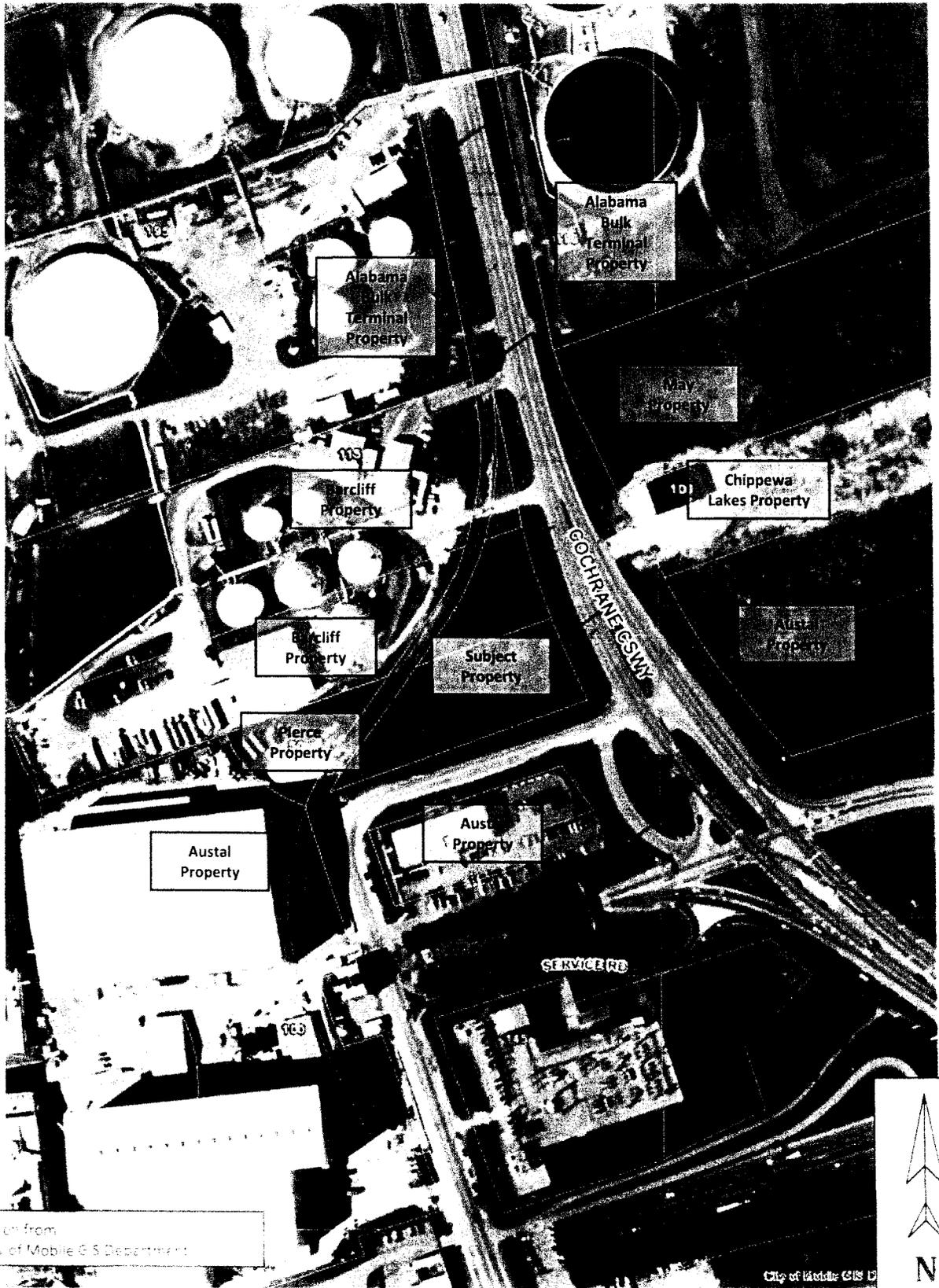
Enclosures

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GeoTerra
Engineering, LLC

Figure 1: Street Location Map
Barcliff, LLC Property
Cochrane Causeway & Dunlap Drive
Mobile, Mobile County, Alabama

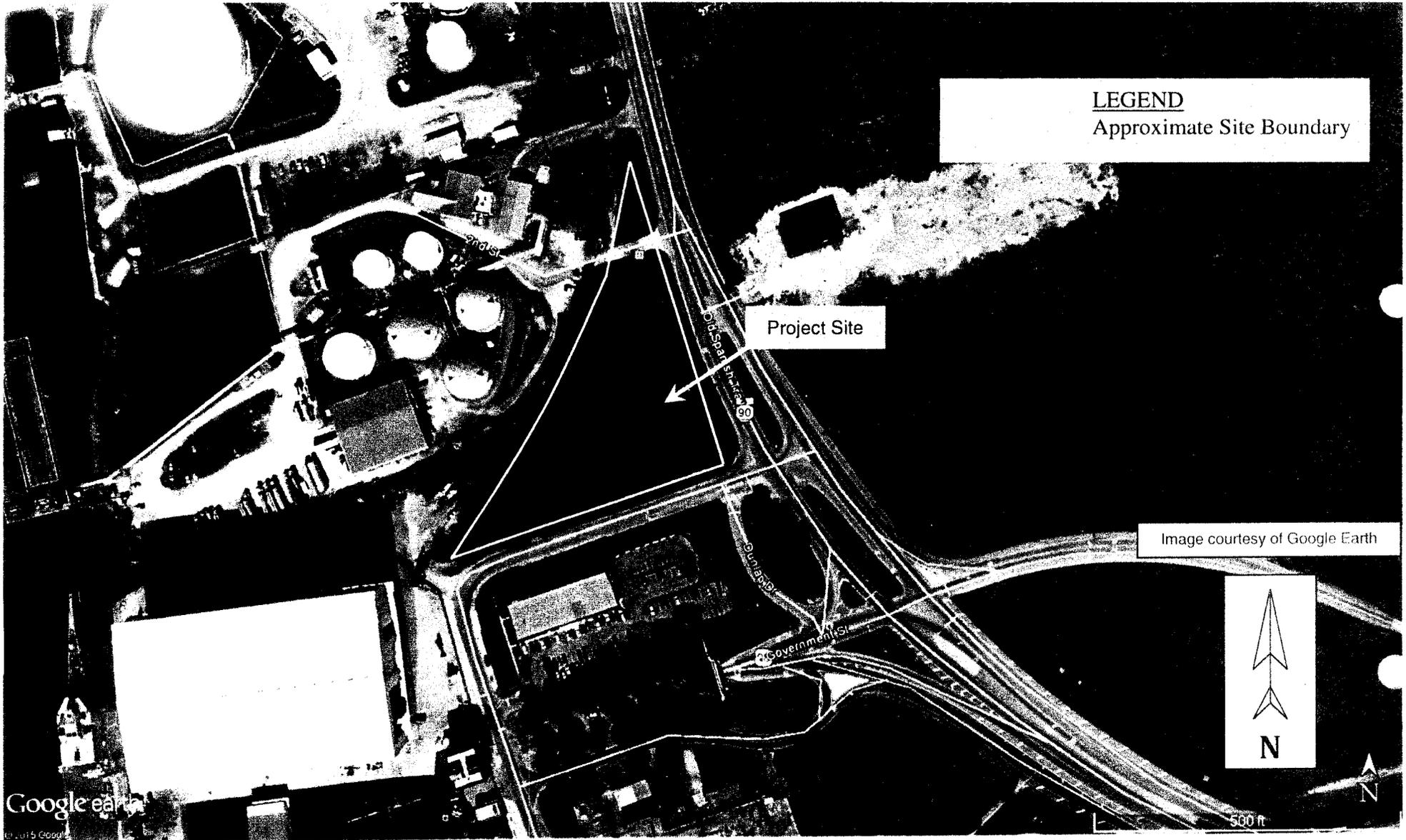


Top left from City of Mobile GIS Department

City of Mobile GIS D

Figure 4: Aerial Photograph with Adjacent Property Ownership

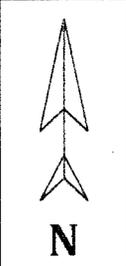
Part of the Project...



LEGEND
Approximate Site Boundary

Project Site

Image courtesy of Google Earth



500 ft

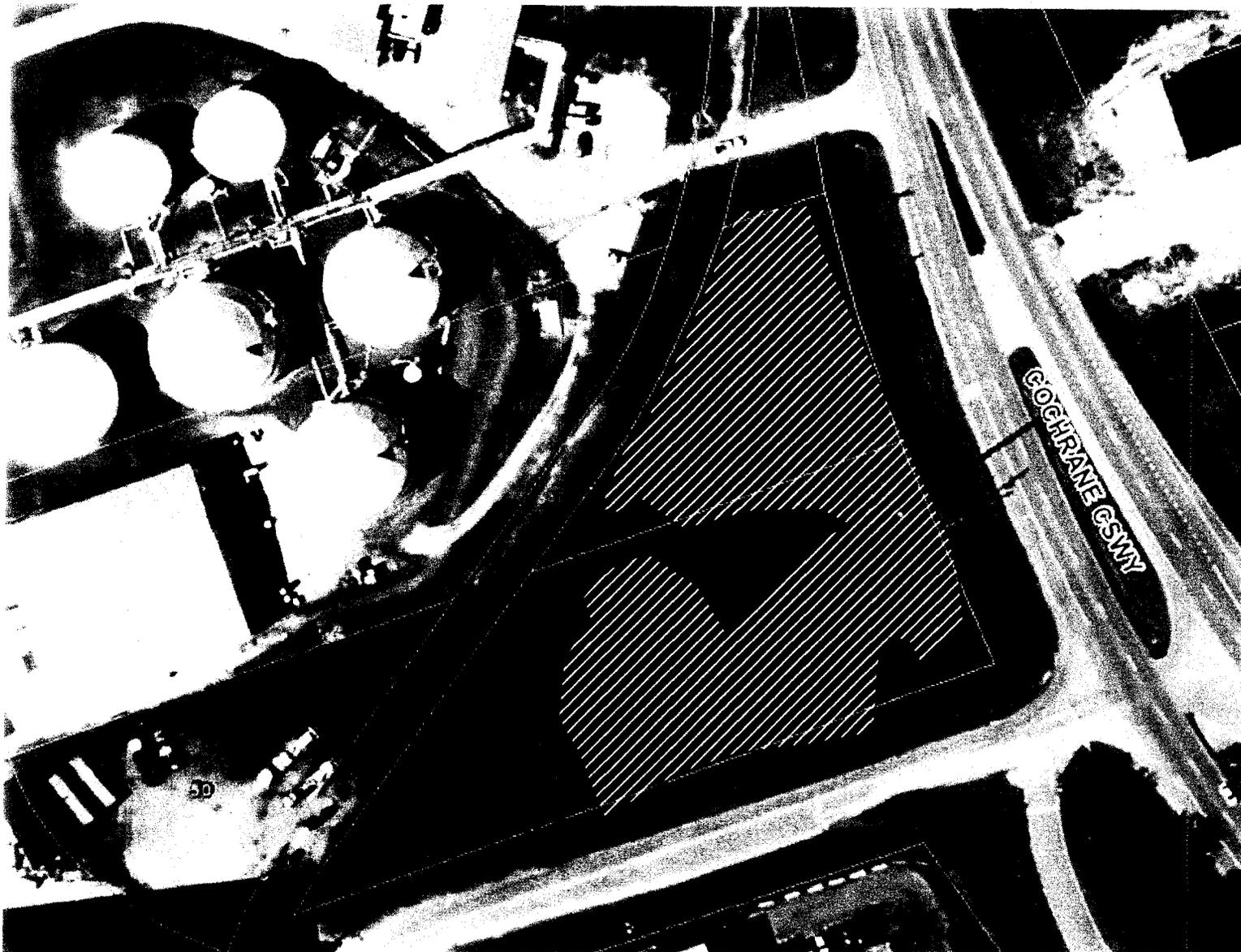
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Google earth

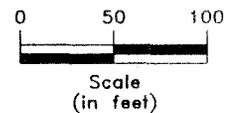
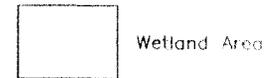
Geo Terra
Engineering, LLC

Figure 3: Aerial Photograph Site Map
Barcliff, LLC Property
Cochrane Causeway & Dunlap Drive
Mobile, Mobile County, Alabama

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Total Site Area = 3.3
Acres
Total Wetland Area = 1.3
Acres



Wetland delineation data gathered by
Culpepper & Associates.
Aerial imagery courtesy of City of
Mobile.

GeoTerra
Engineering, LLC

Figure 6 - Wetland Delineation Map

Drawn by: PRF

Barcliff, LLC Property
Cochrane Cswy. & Dunlap Dr.
Mobile, Mobile County,
Alabama

Date: 08/20/15

SOUTHWIND CONST CORP
ATTN: GERALD BASSETT
14648 HIGHWAY 41 N
EVANSVILLE IN 47725

BRYAN LONG
1000 WYNGATE PKWY STE 100
WOODSTOCK GA 30189

KAY FRIEDLANDER
150 ORANGE AVE
FAIRHOPE AL 36532

HENRY R HULL JR
134 MANGROVE ST
PASS CHRISTIAN MS 39571

MS SHPO
DEPT OF ARCHIVES & HISTORY
P O BOX 571
JACKSON MS 39205-0571

MS NATURAL HERITAGE PROG
ATTN: SHERRY SURRETTE
2148 RIVERSIDE DR
JACKSON MS 39202-1353

MIDWAY LUMBER SALES INC
ATTN: JERRY DIXON
P O BOX 7667
SPANISH FORT AL 36577

JOSEPH L MAHER
P O BOX 2672
MOBILE AL 36652

BALCH & BINGHAM
ATTN: JAMES L NOLES JR
P O BOX 306
BIRMINGHAM AL 35201

MR & MRS SAGER
415 3RD AVE
PASS CHRISTIAN MS 39571

DIR CULTURAL RESOURCES
ATTN: TERRY D COLE
P O DRAWER 1210
DURANT OK 74702

BILOXI PORT COMM
ATTN: LARRY T MANUEL
P O DRAWER 1908
BILOXI MS 39533

WOLF BAY WATERSHED WATCH
P O BOX 63
ELBERTA AL 36530

EARL B CLAIBORNE
3024 WOODLAND RIDGE BLVD
BATON ROUGE LA 70816

MARTIN O'NEAL INV
502 HIGHWAY 13
WIGGINS MS 39577

DAVID NELSON
P O BOX 60
BON SECOUR AL 36511

GEORGE R IRVINE REAL ESTATE
P O BOX 2717
DAPHNE AL 36526-2717

HARRISON BROS DRY DOCK
& REPAIR YARD
P O BOX 1843
MOBILE AL 36601

DOROTHY C BRADLEY
423 BAYOU SARA AVE
SARALAND AL 36571

SLADE HOOKS WATERWAYS TOWING
P O BOX 1821
MOBILE AL 36633

CIRINO CONSULT SERVICE
ATTN: JOHN CIRINO
244 WOELAND CIR
OCEAN SPRINGS MS 39564

JOHN M FORD
P O BOX 1655
PASCAGOULA MS 39567

MCCONNELL MARINE SERV INC
ATTN: CHARLES MCCONNELL
80 ST MICHAEL ST STE 312
MOBILE AL 36602

GEORGE H MCKEAN
P O BOX 2866
MOBILE AL 36652

PAUL C THOMPSON
2650 CLAUDIA LN
THEODORE AL 36582

COMMUNITY DEV DIR
P O BOX 299
GULF SHORES AL 36547

H E BOLTON JR
5450 RABBIT CREEK DR
THEODORE AL 36590

DON MCWILLIAMS
5025 W RIDGELAWN DR
MOBILE AL 36608

E A MINK SR
11795 OLD SHIPYARD RD
CODEN AL 36523

RICHARD T DOZIER
901 LENORA ST
MONTGOMERY AL 36104

W M CAGLE JR
P O BOX 16765
MOBILE AL 36616

FRANK POWE JR
7274 LAKE ROAD S
MOBILE AL 36605

JANICE GREER
9525 HONEY COVE RD
THEODORE AL 36582

FRANCES G WEST
12420 PINE BEACH RD
GULF SHORES AL 36542-8152

ALABAMA BULK TERMINAL CO
ATTN: TERRI GILLILAND
HUNT REFINING CO
P O BOX 038995
TUSCALOOSA AL 35403

JAMES L & PATRICIA MAY
117 CONFEDERATE DR
SPANISH FORT AL 36527

CHIPPEWA LAKES LLC
107 ST FRANCIS ST STE 1970
MOBILE AL 36602

AUSTAL USA LLC
ATTN: CHRIS COOK
P O BOX 1049
MOBILE AL 36633

MELVIN PIERCE FAMILY LP
ATTN: DEBORAH PIERCE BISHOP
P O BOX 987
SEMMES AL 36575

U S POST MASTER
205 ST JOSEPH ST
MOBILE AL 36601

MOBILE REGISTER
P O BOX 2488
MOBILE AL 36652-2488

MOBILE CO COURTHOUSE
205 GOVERNMENT ST
MOBILE AL 36644

MOBILE CITY HALL
P O BOX 1827
MOBILE AL 36633

GEOTERRA ENG LLC
ATTN: PHILIP FOSTER
P O BOX 40515
MOBILE AL 36640

BARCLIFF LLC
ATTN: STEVE GORDON
P O BOX 3064
MOBILE AL 36652