



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

REPLY TO  
ATTENTION OF:

CESAM-RD-C  
PUBLIC NOTICE NO. SAM-2008-1289-MBM

2 September 2008

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

**PROPOSED CONSTRUCTION OF A COMMERCIAL LIMESTONE GRINDING FACILITY  
ON THE EAST SHORE OF MOBILE RIVER, MOBILE, MOBILE COUNTY, ALABAMA**

TO ALL CONCERNED: The U.S. Army Corps of Engineers (Corps), Mobile District, has received an application for a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and 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 Corps can be based. Please communicate this information to interested parties.

**APPLICANT: Reagent Technology Services  
C/o Barry A. Vittor & Associates, Inc.  
Attention: Dr. Barry A. Vittor  
8060 Cottage Hill Road  
Mobile, Alabama 36695**

**LOCATION: East bank of Mobile River, at mile 2, Blakely Island, 30.7238N 88.0383W, Mobile, Mobile County, Alabama.**

**WORK: The applicant proposes to construct a commercial limestone grinding facility on a previously impacted 9-acre commercial site on Blakely Island. The limestone reagent is used in the large scrubbers required by power plants to remove air contaminants such as sulfur dioxide, mercury, and acidic gasses from coal fired power plant emissions. The scrubbers are required for the plants to operate and generate electricity. The site is located on the east bank of the Mobile River, between two existing industrial sites to the north and south, and highway 90 to the east, to allow raw limestone material to be brought in by barge. The facility will include a fleeting area for 4 barges, barge unloading dock, conveyor system, bulk stockpile areas, limestone processing plant, truck loading and unloading facilities, offices, parking areas, and stormwater detention basin. The applicant proposes to fill the entire 7.3 acres of low quality shrub scrub and emergent wetlands on the project site and elevate the facility 9 to 15 feet to avoid a category 3 storm surge. The applicant proposes to create a straight sheet pile bulkhead, approximately 500 feet in length, 25 feet landward of the outer pier and bulkhead line to allow safe mooring of four 35-foot by 195-foot barges. Approximately 12,000 cubic yards of silty sand will be excavated from the waterward side of the bulkhead to create water depths of -10 feet mean high water to facilitate barge mooring operations adjacent to the bulkhead and inside the pier and bulkhead line. All excavated material will be used onsite, as well as to fill the limited open waters captured behind the bulkhead due to the non-linear shaped shoreline. Based upon the provided drawings, the project would excavate and convert approximately 3,800 square feet of upland shoreline to open waters, and fill approximately 3,200**

square feet of open waters behind the bulkhead to create uplands associated with the commercial facility.

The applicant's alternative site analysis included evaluating a 15-acre commercial site on the Chickasaw Creek that also contained low quality wetlands, contained a barge loading facility, however the soils had poor load bearing capabilities and the cost of correcting the soils was cost prohibitive. The selected site provides water access, highway access, good load bearing soils, and was a previously impacted by commercial development.

The applicant evaluated alternative site plans to avoid and minimize impacts to wetlands. This analysis included a development plan that would impact 4.7 acres of low quality wetlands by minimizing the size of the raw material storage area, removing any truck delivery and turn-around areas, and minimize the barge unloading facility in the northwest corner of the property. These options did not support optimal operational capacity for the facility and any avoided wetlands would have very minimal functional value. The preferred project would impact the entire 7.3 acres of low quality wetlands in a commercially developed area and would provide a more optimally sized raw material storage area, would locate the barge unloading facility in a more optimal location in the center of the waterfront, and would provide for a staging and turning area for truck delivery capabilities.

The applicant proposes to mitigate for wetland impacts by purchasing credits from an approved wetland mitigation bank. The applicant claims the wetlands are of low quality that have been degraded by previous commercial development on the site.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposal on the public interest. That decision will reflect the national concern for both protection and use 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 and their cumulative effects relevant to the proposal will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, property ownership, and in general the needs and welfare of the people.

To evaluate the impacts of this proposal the Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties. 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. Comments will be considered to determine whether to issue, modify, condition or deny a permit. To make this decision, an Environmental Assessment is prepared in accord with the National Environmental Policy Act; impacts are assessed 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. Anyone may request a public hearing to consider this proposal. Requests should provide in writing, within the specified comment period, detailed reasons for a hearing.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. This project footprint will excavate and convert

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approximately 3,800 square feet (0.09 acre) of upland to open waters, and fill approximately 3,200 square feet (0.07 acre) of open waters to create uplands during construction of Essential Fish Habitat for managed species in the Gulf of Mexico. Loss of this nursery habitat may adversely affect species of the snapper-grouper, shrimp, and/or coastal migratory pelagic management complexes, but the District Commander has made a preliminary determination that this site-specific adverse effect will not be substantial. Our final determination relative to project impacts to EFH and the need for mitigation measures are subject to review by and coordination with the National Marine Fisheries Service and the Gulf of Mexico Fishery Management Council.

This notice is being sent to appropriate State and Federal agencies, including the State Historic Preservation Officer (SHPO) and the U.S. Department of the Interior, National Park Service, Division of Archeological Services. No properties listed in or eligible for the National Register of Historic Places is known to exist which would be affected by the proposal. Comments are requested regarding the potential or existence of cultural resources which may be affected. The U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposal will not affect listed species, or their critical habitat. Other impacts from dredge and fill activities will be evaluated by applying Environmental Protection Agency guidelines. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species. After review of public comments, the Alabama Department of Environmental Management will determine if the proposal complies with and will be operated or maintained in a manner consistent with the Clean Water Act and the Coastal Zone Management Program.

Comments concerning this Public Notice should be received **within 15 days** of the date of this public notice and should refer to number **SAM-2008-1289-MBM** and direct your correspondence to the District Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division; and a copy to the Alabama Department of Environmental Management, Coastal Facility Section, 4171 Commanders Drive, Mobile, Alabama 36615.

If you have any questions concerning this publication, please contact Mr. Michael Moxey, Project Manager, via e-mail at [michael.b.moxey@sam.usace.army.mil](mailto:michael.b.moxey@sam.usace.army.mil) or telephone number (251) 690-2658.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

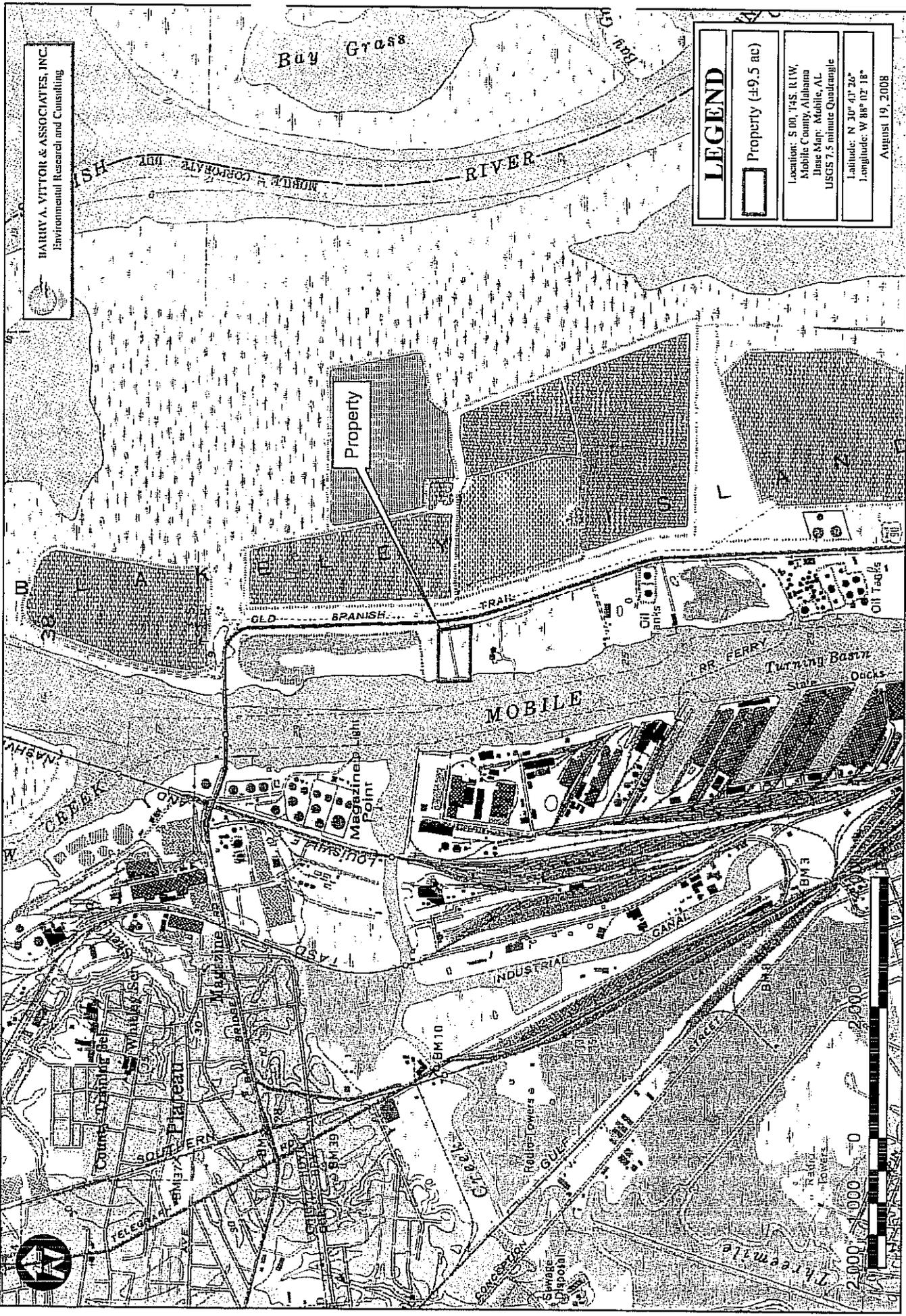
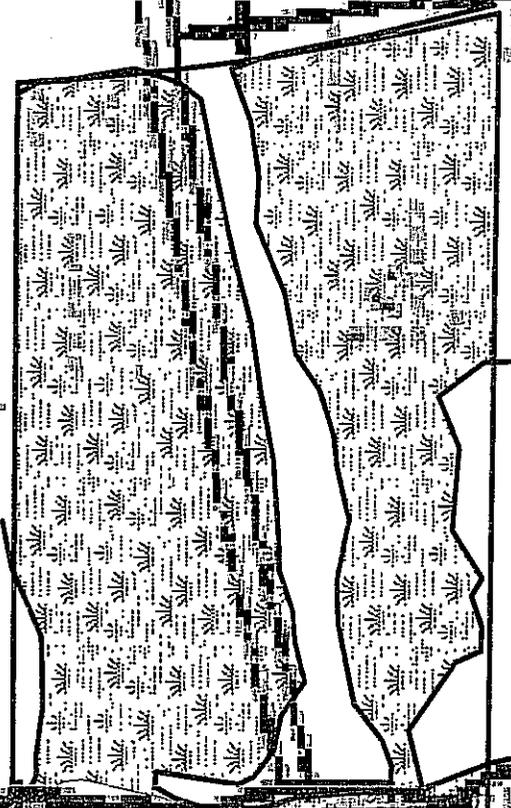


Figure 1. Vicinity Map for the RT'S Development.

Mobile, ALABAMA  
30.7288 N  
88.0883 W  
81.40 11.0



**BARRY A. VITTOR & ASSOCIATES, INC.**  
Environmental Research and Consulting



<b>LEGEND</b>	
	Property (±9.5 ac)
	Wetlands (±7.3 ac)
Location: S 00, TWS, R1W, Mobile County, Alabama Base Map: Mobile, AL USGS 7.5 minute Quadrangle	
Latitude: N 30° 43' 26" Longitude: W 88° 02' 18"	
August 19, 2008	

*X Barry A. Vittor*  
BARRY A. VITTOR & ASSOCIATES, INC.



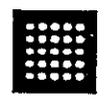
Positions of wetland flags were fixed using GPS accurate to +/- 3 meters. Wetland boundaries have not been verified by the U.S. Army Corps of Engineers. Property boundaries are approximate.

CURVE DATA:  
 RADIUS: 3023.57'  
 ARC: 507.00'  
 CHORD: S 08-44-40  
 506.41'

MOBILE REGIONAL GRINDING FACILITY  
 BLAKELY ISLAND SITE  
 CONCEPTUAL SITE PLAN

DATE: AUGUST 2008

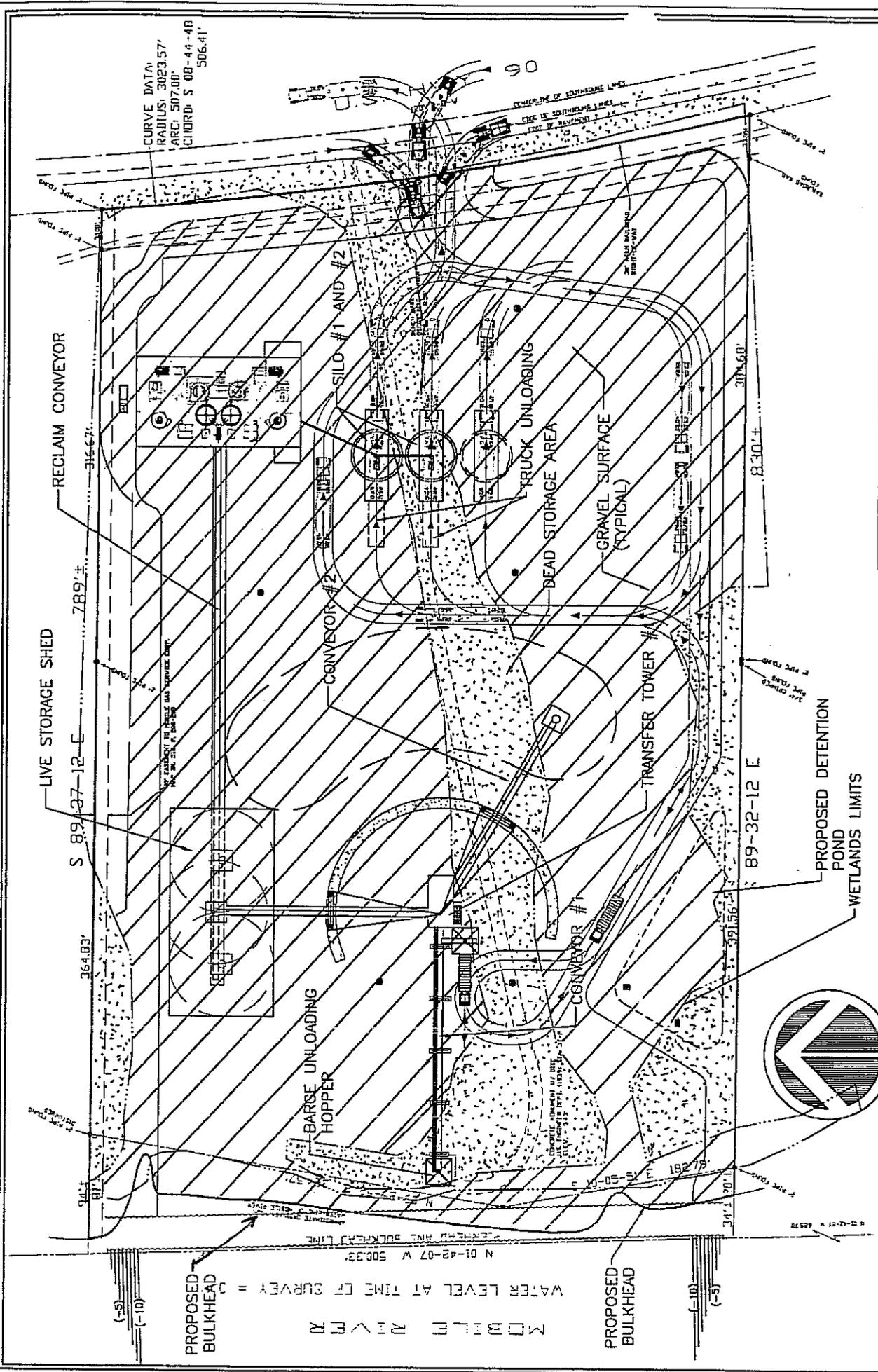
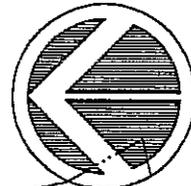
PROJECT NO: 08-2111-0021



**thompson**  
 ENGINEERING

WETLAND FILL

UPLAND



WATER LEVEL AT TIME OF SURVEY = 2.0  
 M O U L D M N I < M X  
 PROPOSED BULKHEAD

(-5)  
 (-10)

(-5)  
 (-10)

N 01-42-07 W 500.33'

89-32-12 E  
 PROPOSED DETENTION POND  
 WETLANDS LIMITS

S 89-37-12 E  
 LIVE STORAGE SHED

RECLAIM CONVEYOR

CONVEYOR #2  
 SILO #1 AND #2

TRUCK UNLOADING  
 BEAD STORAGE AREA

GRVEL SURFACE (TYPICAL)

TRANSFER TOWER #1  
 CONVEYOR #1

BARSE UNLOADING HOPPER

PROPOSED BULKHEAD

PROPOSED DETENTION POND

WETLANDS LIMITS

789'±

364.83'

364.83'

364.83'

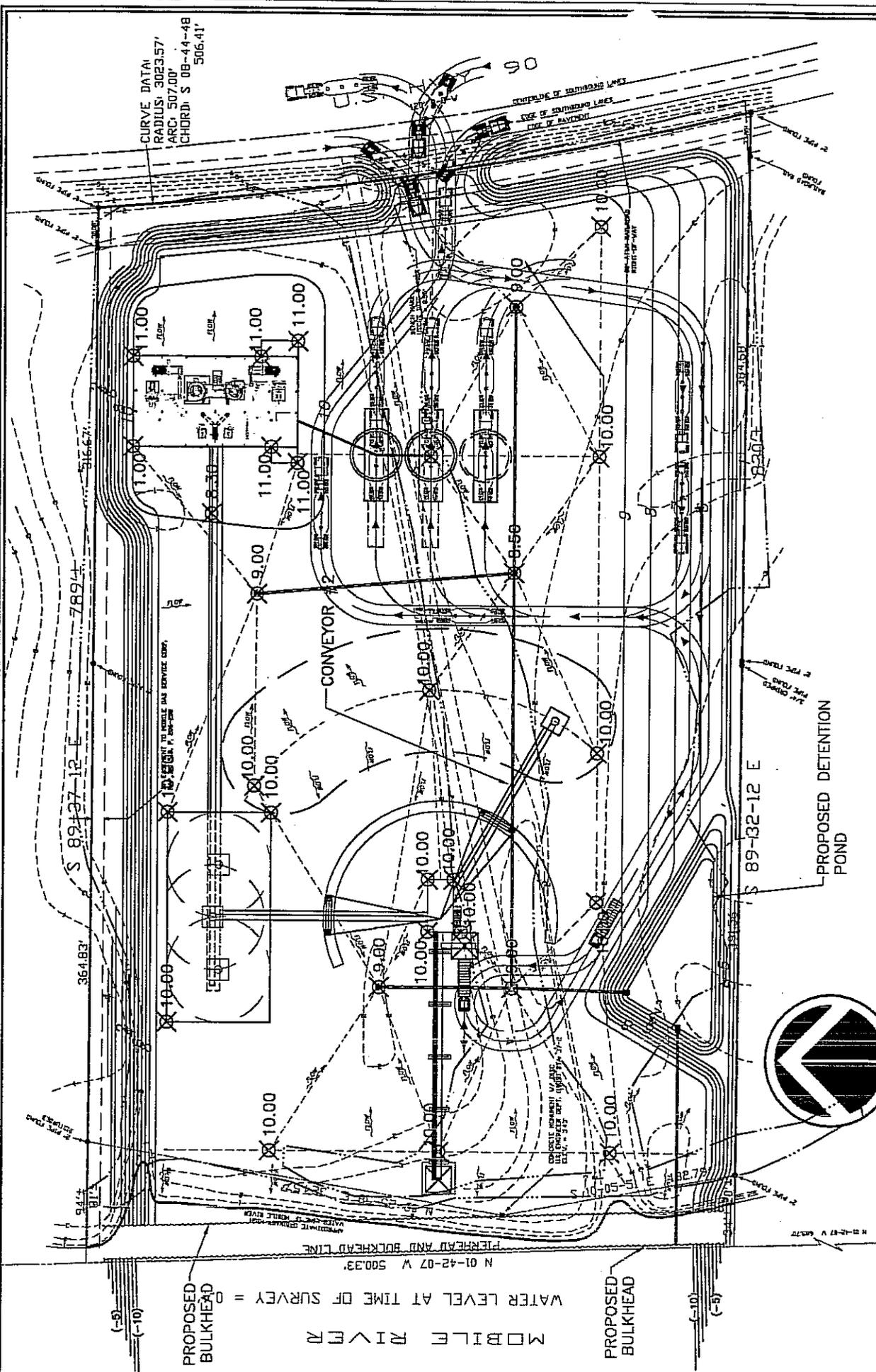
364.83'

364.83'

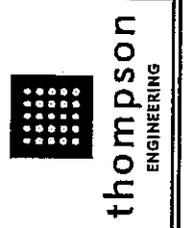
364.83'

364.83'

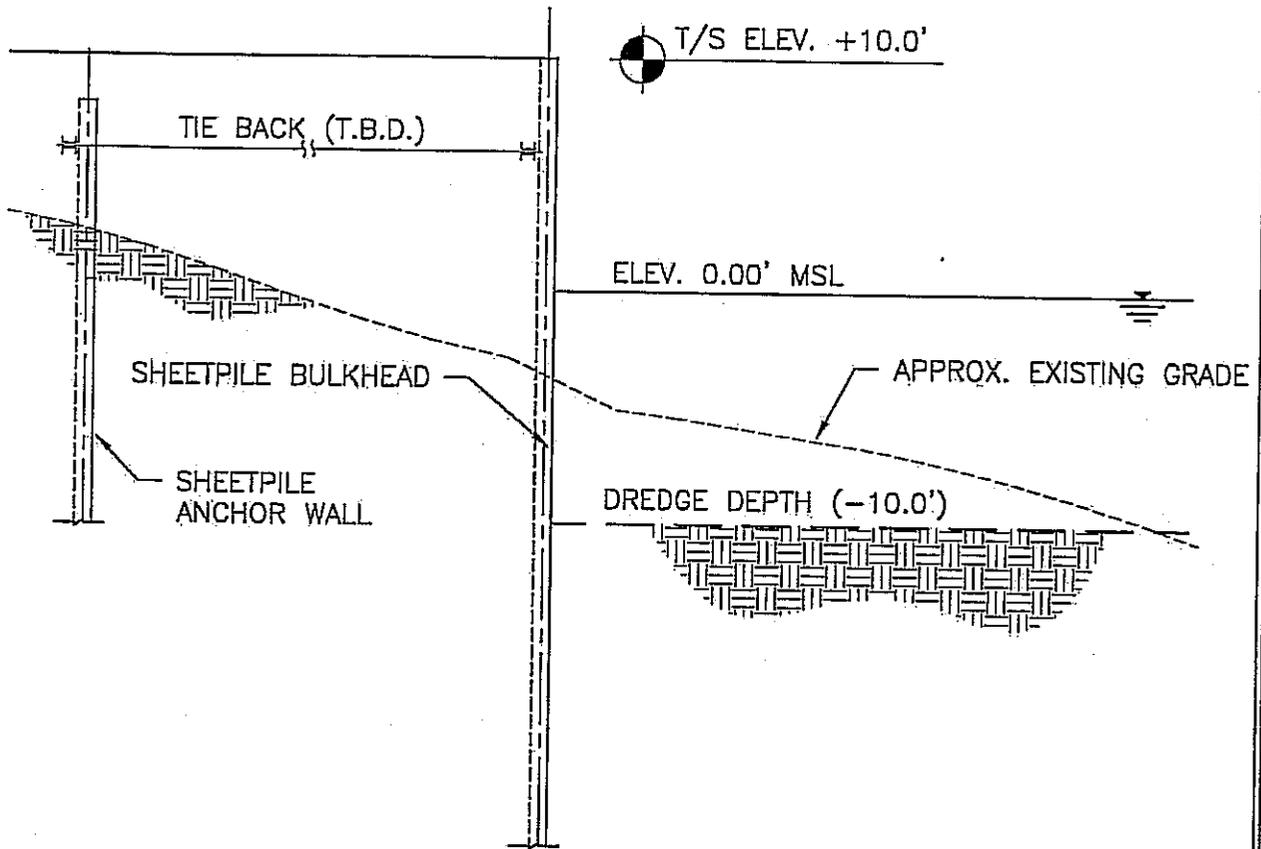
CURVE DATA  
 RADIUS, 3023.57'  
 ARC, 507.00'  
 CHORD, S 08-44-48  
 506.41'



MOBILE REGIONAL GRINDING FACILITY  
 BLAKELY ISLAND SITE  
 CONCEPTUAL  
 GRADING & DRAINAGE PLAN



PROJECT NO. 08-2111-0021  
 DATE: AUGUST 2008



**TYPICAL BULKHEAD SECTION**

SCALE: 1/8" = 1'-0"

REGENT TECHNOLOGY SERVICES  
 MOBILE REGIONAL GRINDING FACILITY  
 BLAKELEY ISLAND SITE



**thompson**  
 ENGINEERING

CONCEPTUAL SITE PLAN  
 TYPICAL CROSS-SECTION

PROJECT NO: 08-2111-0021

DATE: AUGUST 2008