

#### **DEPARTMENT OF THE ARMY**

U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT 600 VESTAVIA PARKWAY, SUITE 203 THE SHELBY BUILDING VESTAVIA HILLS, ALABAMA 35216

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PUBLIC NOTICE NO. SAM-2015-00115-ADP

February 29, 2024

## JOINT PUBLIC NOTICE U.S. ARMY CORPS OF ENGINEERS

# STATE OF ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

## PROPOSED DISCHARGE OF FILL MATERIAL INTO WATERS OF THE U.S. ASSOCIATED WITH WIDENING STATE ROUTE 14, ELMORE COUNTY, ALABAMA

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

APPLICANT: Alabama Department of Transportation

Attention: Mr. Justin Palmer 1409 Coliseum Boulevard Montgomery, Alabama 36110

palmeri@dot.state.al.us

**LOCATION:** The proposed project is located along State Route (SR) 14, 0.5 miles west of County Road 3 (Ingram Road) to County Road 153 (Coosada Parkway), in Millbrook, Elmore County, Alabama. Specifically, the project is within Section 21, Township 18 North, Range 17 East and begins at latitude 32.520659 and longitude -86.367322 and ends at latitude 32.533882 and longitude -86.322139, as shown in the attached maps.

**PROJECT PURPOSE:** The basic project purpose is transportation.

**WORK:** The applicant is requesting authorization to discharge fill material into 0.04 acre of wetlands and 200 linear feet (0.03 acre) of stream in association with widening of a 2.9-mile section of SR-14. The impacts to jurisdictional streams include one culvert extension and corresponding rip rap. Widening will result in two additional travel lanes and paved shoulders.

**AVOIDANCE & MINIMIZATION:** The preferred alternative was designed to minimize aquatic resource impacts to the maximum extent possible. Additional minimization efforts include implementation of best management practices during and after construction to prevent negative impacts to adjacent aquatic features. The U.S. Army Corps of Engineers (USACE) has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

**COMPENSATORY MITIGATION:** The applicant proposes to purchase wetland credits from an approved mitigation bank.

The applicant will apply for certification from the State of Alabama 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 water quality certification 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 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 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 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.

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. The USACE has not made a determination of effects to historic properties at this time. 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. Further coordination with the State Historic Preservation Officer and/or federally recognized American Indian tribes will be performed as determined to be appropriate.

**ENDANGERED/THREATENED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Species indicates the following species have the potential to occur in the project watershed: proposed Tricolored Bat, Southern Clubshell, Alabama Canebrake Pitcher Plant, and Georgia Rockcress. An effects determination will be made during the evaluation process, at which time the USACE will initiate consultation with the United States Fish and Wildlife Service (USFWS), as appropriate. Copies of this public notice are being sent to the USFWS and other federal and state agencies for review and receipt of any relevant comments regarding potential effects of the proposed project on the listed species.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2015-00115-ADP and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Attention: Lacey Leaptrott, 600 Vestavia Parkway, Suite 203, Vestavia Hills, Alabama 35216, with a copy to the Alabama Department of Environmental Management, Field Operations Division, Office of Field Services, Attention: Mr. Ryan Cooper, Post Office Box 301463, Montgomery, Alabama 36130-1463. Comments may also be submitted via e-mail to USACE at Lacey.M.Leaptrott@usace.army.mil and to ADEM at fieldmail@adem.alabama.gov.

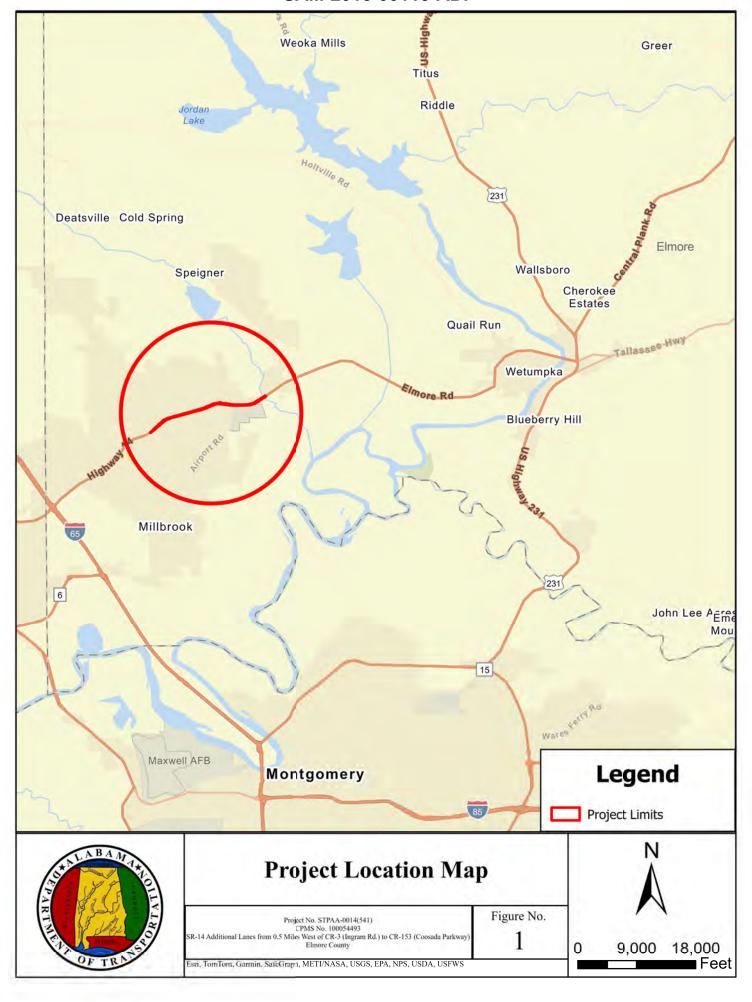
Comments should be received no later than **30 days** from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager via e-mail at **Lacey.M.leaptrott@usace.army.mil** or telephone number **(251) 490-5106**. Please refer to the above Public Notice number.

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

MOBILE DISTRICT U.S. Army Corps of Engineers

Attachments

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