



REPLY TO
ATTENTION OF

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

CESAM RD-A
PUBLIC NOTICE NO. SAM-2019-00224-JCC

September 3, 2019

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

PROPOSED BULKHEAD REPAIR AND DOLPHIN INSTALLATION AT A COMMERCIAL
FACILITY ON MOBILE RIVER, MOBILE, MOBILE COUNTY, ALABAMA

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbors Act of 1899 and Section 404 of the Clean Water Act. 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) Mobile District, can be based. Please communicate this information to interested parties.

APPLICANT: Modern American Recycling & Repair Service
Attention: Mr. Michael R. Cook
Post Office Box 2007
Mobile, Alabama 36652-2007

AGENT: Mr. Ray Harris
Post Office Box 2007
Mobile, Alabama 36652-2007

LOCATION: The project is located on the Mobile River, at 601 South Royal Street; in Section 38, Township 4 South, Range 1 West; at Latitude 30.672631° North, Longitude -88.036727° West; in Mobile, Mobile County, Alabama.

PROJECT PURPOSE: The basic project purpose is to repair and improve an existing commercial port facility.

PROPOSED WORK: The applicant requests authorization to repair, maintain, and upgrade the vessel berthing areas on the MARRS property. The project will consist of the construction of eleven 48-inch-diameter breasting dolphins, and the repair/replacement of 1,980 linear feet of bulkheads. Three new dolphins will be installed at Yards 2, 3, and 4, and two dolphins will be installed at Yard 5. Waters depths at these locations vary from -12 to -29 feet below Mean Lower Low Water (MLLW). Bulkhead repair/replacement will occur at Yards 2 - 6 and Yard 8, and consist of new bulkhead structures installed no more than 12 inches in front of existing bulkhead structures. A total of 10,216 cubic yards of clean, commercially obtained fill material will be placed behind the replacement bulkheads as backfill. The details of each bulkhead length and the required depth of fill can be found in the attached drawings.

All proposed structures will be located at least 75 feet from the toe of the adjacent federal navigation channel. Please reference the attached drawings for additional information.

AVOIDANCE AND MINIMIZATION: The applicant has indicated they have minimized the space between the old and new bulkheads to the minimum amount necessary for construction. The U.S. Army Corps of Engineers (USACE), Mobile District, has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

WATER QUALITY: 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 Part 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 Part 325, the USACE has determined the permit area for this project, which includes the footprint of the project and the immediately surrounding waters of the United States and associated waterbottoms. At the time of this notice, the USACE has made no determination regarding any impact this project might have on cultural resources listed or eligible for listing on the National Register of Historic Places. We are currently reviewing the project for potential impacts and seeking comment from the State Historic Preservation Officer (SHPO) regarding the existence of significant cultural and historic properties that might be affected by the proposed project. Copies of this notice are being sent to the State Historic Preservation Officer.

ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicate the proposed activity will have no effect on the following listed endangered or threatened species with the potential to exist within the watershed of the permit area: West Indian manatee (T), wood stork (T), Alabama red belly turtle (E), eastern indigo snake (T), and Gulf sturgeon (T). Additionally, there is no designated critical habitat within the permit area. This determination is being coordinated with the U.S. Fish and Wildlife Service (USFWS) via this Public Notice.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action "may affect but is not likely to adversely affect" EFH for 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.

COMMENTS: 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. The Mobile District 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 below. 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. 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, historic properties, 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 and fiber 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-2019-00224-JCC**, and should be directed to the project manager, Ms. Jessica C. Comeaux by e-mail at jessica.c.comeaux@usace.army.mil, or (251) 690-3262, or by mail at the U.S. Army Corps of Engineers, Mobile District, Regulatory Division (RD-A), Attention: Ms. Jessica C. Comeaux, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy furnished to the Alabama Department of Environmental Management, 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. Please refer to the above Public Notice Number SAM-2019-00224-JCC, in any communication concerning this project.

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

Attachments

Modern American Recycling & Repair Services of Alabama, LLC

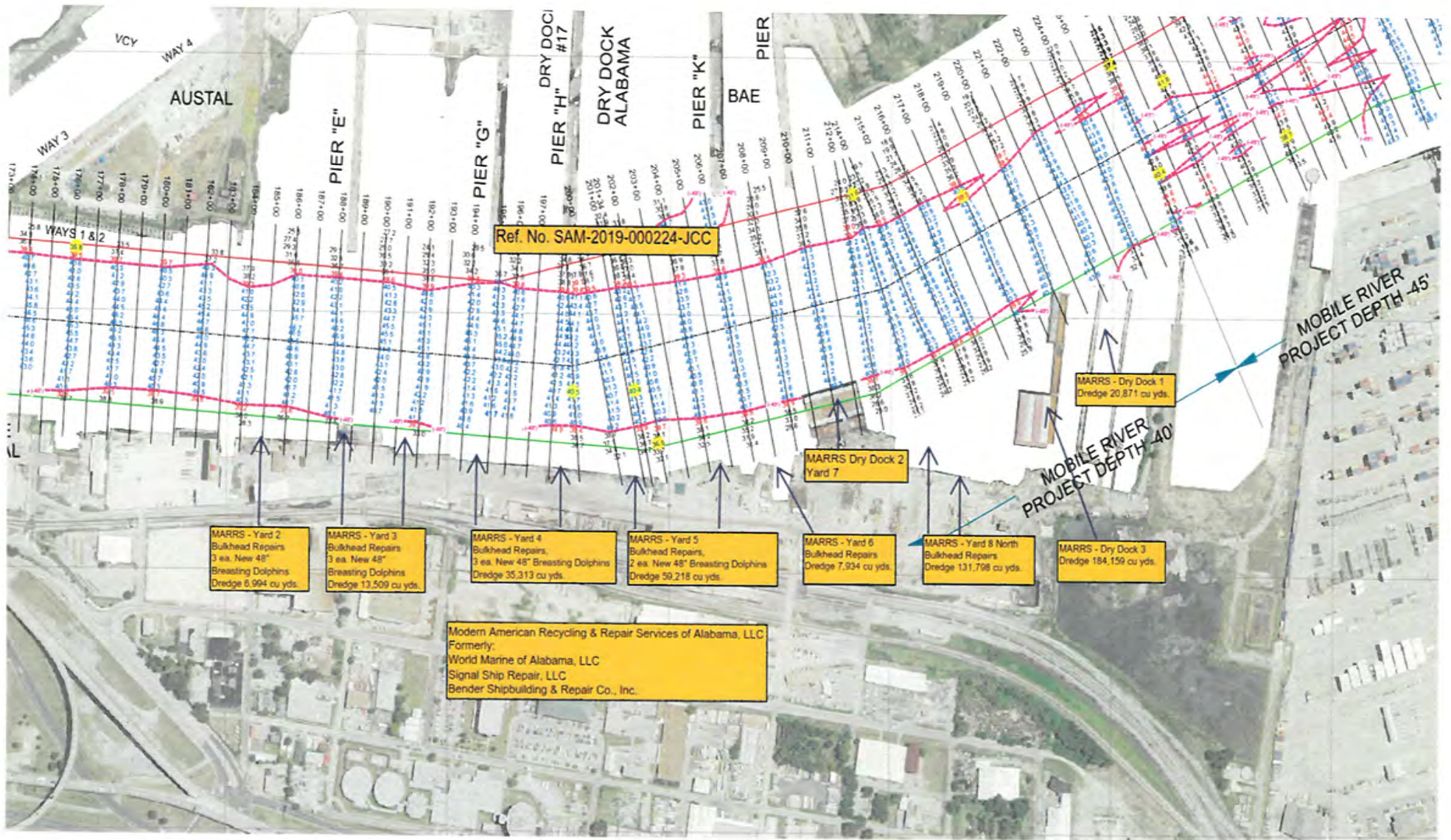
USACOE/ADEM Joint Application 2019 – Repairs

MARRS – Mobile, AL



Modern American Recycling & Repair Services of Alabama, LLC

USACOE/ADEM Joint Application 2019
 Ref. No. SAM-2019-000224-JCC

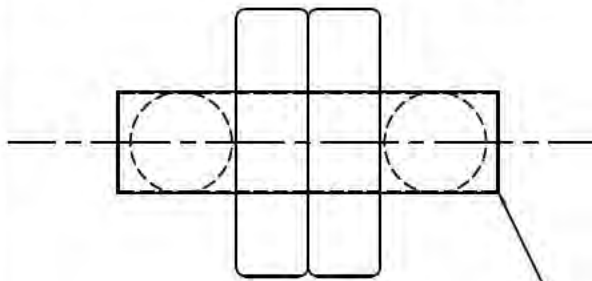


REF. NO. SAM-2019-000224-JCC

MOBILE RIVER CHANNEL PARTICULARS

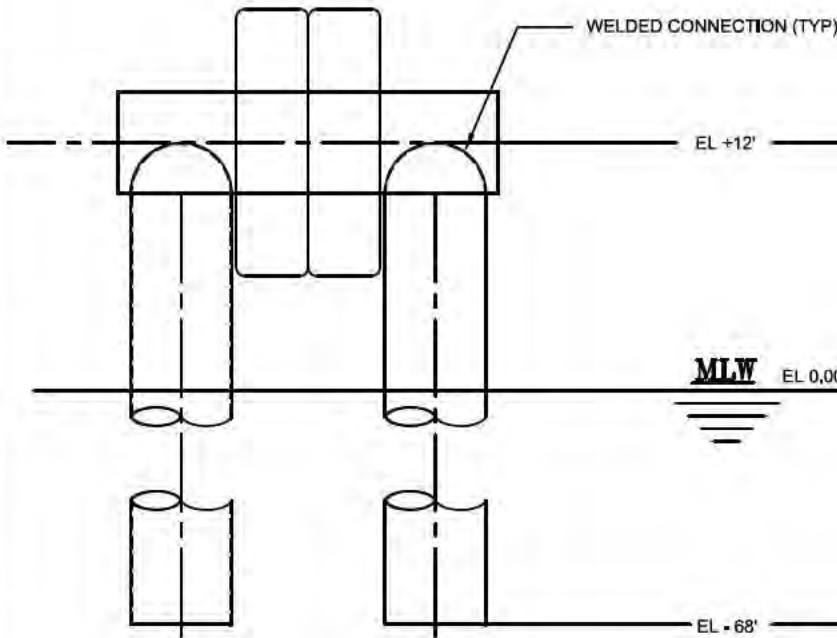
WEST TOE DIST.	QTY	EXISTING WATER
75' FROM	3	-12' MLLW

REVISIONS			
REV	DESCRIPTION	DATE	APPROVED

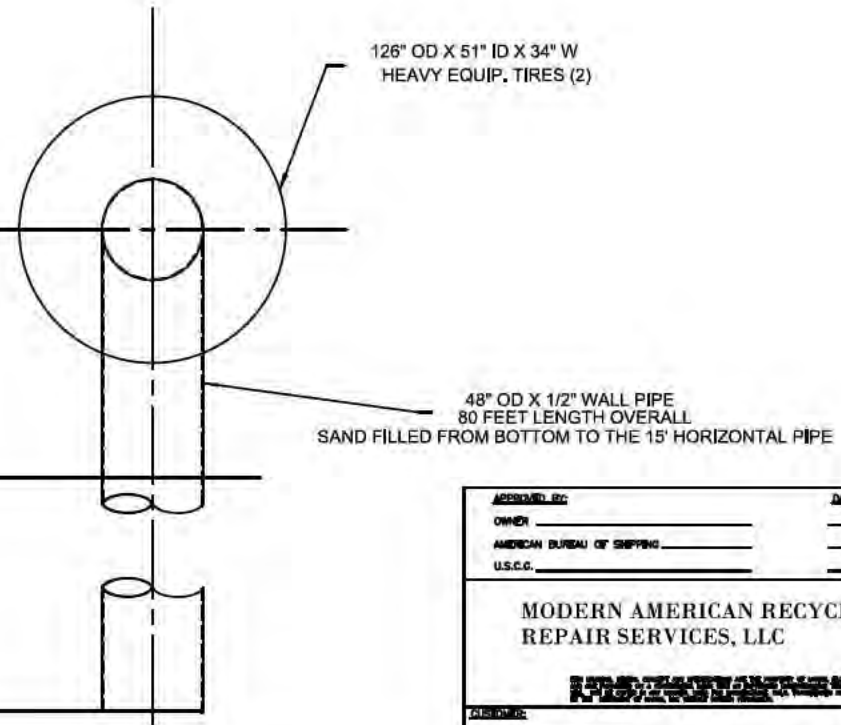


PLAN

48" OD X 1/2" WALL X 15' LG PIPE
W/1/2" X 50" OD PL BOTH ENDS



ELEVATION
LOOKING TO SHORE



ELEVATION

BERTHING DOLPHIN YARD 2

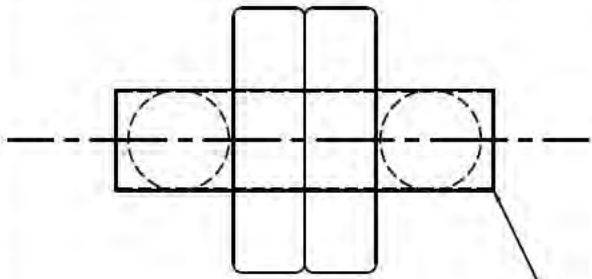
APPROVED BY:		DATE:	
OWNER _____		_____	
AMERICAN BUREAU OF SHIPPING _____		_____	
U.S.C.G. _____		_____	
MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC 			
TITLE: MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC BERTHING DOLPHINS AT YARD 2			
DRAWN BY: CMR SCALE: N/A	DESIGNED BY: RH	PROJECT NO. FACILITIES	DATE: 07/01/19 SHEET NO. 1 TOTAL SHEETS 1
DRAWING NO. 087-602		SHEET NO. 1	

REF. NO. SAM-2019-000224-JCC

MOBILE RIVER CHANNEL PARTICULARS

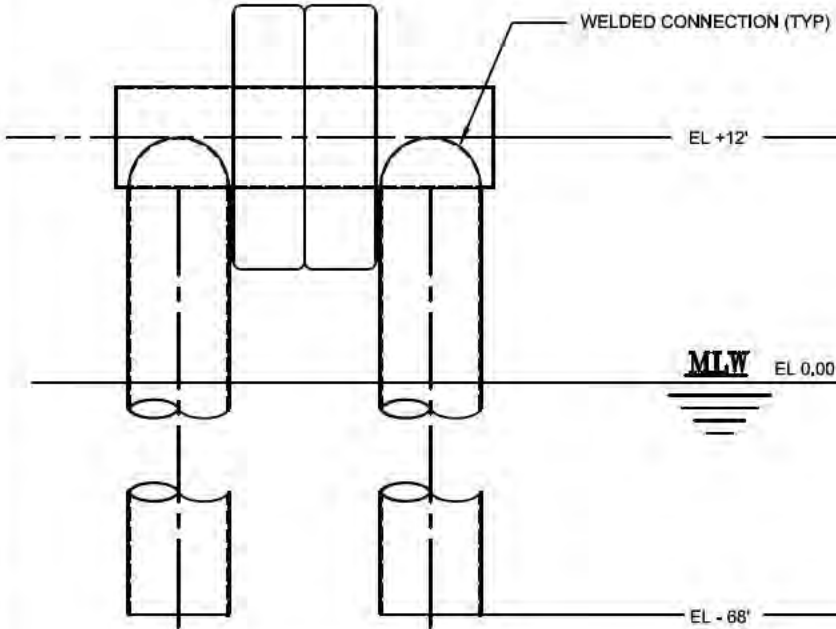
WEST TOE DIST.	QTY	EXISTING WATER
80' FROM	3	-28' MLLW

REVISIONS			
REV	DESCRIPTION	DATE	APPROVED

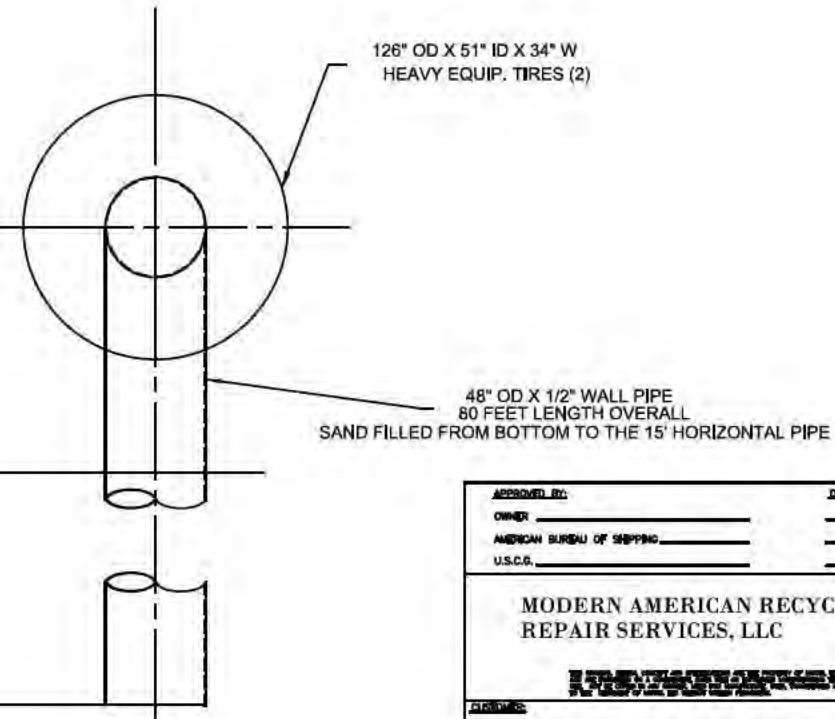


PLAN

48" OD X 1/2" WALL X 15' LG PIPE
W/1/2" X 50" OD PL BOTH ENDS



ELEVATION
LOOKING TO SHORE



ELEVATION

MLW EL 0.00

BERTHING DOLPHIN YARD 4

APPROVED BY: _____		DATE: _____	
OWNER: AMERICAN BUREAU OF SHIPPING _____		_____	
U.S.C.G. _____		_____	
MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC			
<small>WE ARE AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER. MINORITY AND FEMALE OWNERS AND MANAGERS ARE ENCOURAGED TO APPLY.</small>			
PROJECT: MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC BERTHING DOLPHINS AT YARD 4			
DESIGN BY: GMB	CHECKED BY: RH	PROJECT NO. FACILITIES	DATE: 07/01/19
SCALE: N/A			CAD FILE NO. 15040400000000000000
DRAWING NO. 087-604		SHEET NO. 1	TOTAL SHEETS: -

REF. NO. SAM-2019-000224-JCC

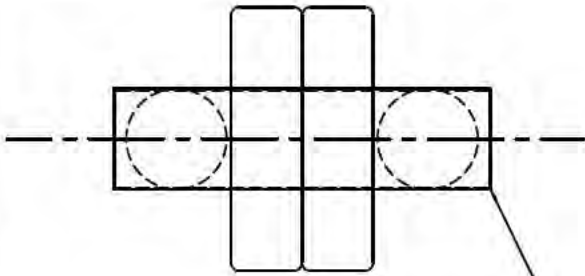
MOBILE RIVER CHANNEL PARTICULARS

WEST TOE DIST.	QTY	EXISTING WATER
78' FROM	2	-29' MLLW

REVISIONS

REV	DESCRIPTION	DATE	APPROVED

PLAN



48" OD X 1/2" WALL X 15' LG PIPE
W/1/2" X 50" OD PL BOTH ENDS

WELDED CONNECTION (TYP)

EL +12'

MLW EL 0.00

EL -68'

126" OD X 51" ID X 34" W
HEAVY EQUIP. TIRES (2)

48" OD X 1/2" WALL PIPE
80 FEET LENGTH OVERALL
SAND FILLED FROM BOTTOM TO THE 15' HORIZONTAL PIPE

ELEVATION
LOOKING TO SHORE

ELEVATION

BERTHING DOLPHIN YARD 5

APPROVED BY:	DATE:
OWNER:	
AMERICAN BUREAU OF SHIPPING:	
U.S.C.G.:	

MODERN AMERICAN RECYCLING &
REPAIR SERVICES, LLC

CUSTOMER:	
MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC	
BERTHING	
DOLPHINS AT YARD 5	

DRAWN BY:	CHECKED BY:	PROJECT NO.	DATE:
CMR	RH		07/01/19
SCALE:	N/A	FACILITIES	CAD FILE NO.
DRAWING NO.	087-605		19190100000000-05
			SHEET NO.
			1
			TOTAL
			-

REF. NO. SAM-2019-000224-JCC

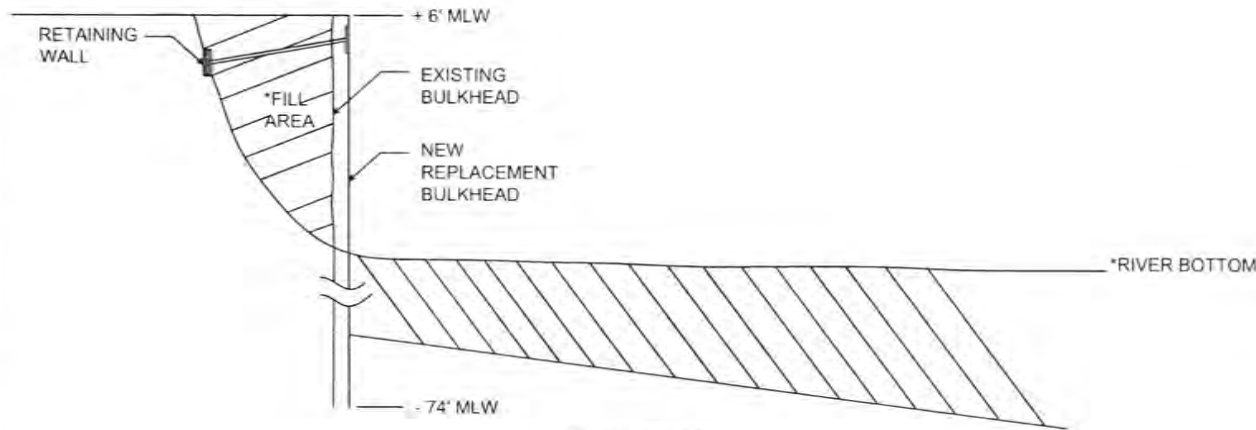
REVISIONS			
REV	DESCRIPTION	DATE	APPROVED

* SUMMARY OF ALL YARDS

MARRS YARD	FILL AREA	BULKHEAD LEN.	RIVER BOTTOM
MARRS YARD 2	1132 CU. YDS	200 FEET	-12' MLLW
MARRS YARD 3	2986 CU. YDS	260 FEET	-15' MLLW
MARRS YARD 4	2802 CU. YDS	300 FEET	-28' MLLW
MARRS YARD 5	1833 CU. YDS	270 FEET	-29' MLLW
MARRS YARD 6	955 CU. YDS	400 FEET	-14' MLLW
MARRS YARD 8	508 CU. YDS	450 FEET	-12' MLLW
YARD TOTALS	10216 CU. YDS	1980 FEET	

YARD TYPICAL BULKHEAD REPAIR

SEE SPECIFIC YARD DRAWING FOR ADDITIONAL DETAILS

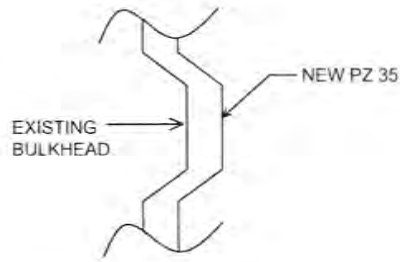


ELEVATION

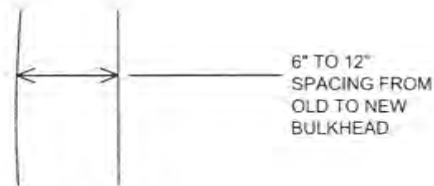
APPROVED BY:		DATE:	
OWNER			
AMERICAN BUREAU OF SHIPPING			
U.S.C.G.			
MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC			
<small>THE GENERAL PUBLIC, THROUGH THE DEPARTMENT OF THE ARMY, HAS THE RIGHT TO KNOW THE CONTENTS OF ALL CONTRACTS, AGREEMENTS, AND OTHER DOCUMENTS, AND TO BE HEARD BY AN OFFICIAL, BEFORE ANY DECISION IS MADE, REGARDING THE USE OF FEDERAL FUNDS, AND TO BE HEARD BY AN OFFICIAL, BEFORE ANY DECISION IS MADE, REGARDING THE USE OF FEDERAL FUNDS.</small>			
CUSTOMER:			
TITLE: MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC BULKHEAD REPAIR SUMMARY ALL YARDS			
DESIGN BY:	DESIGN BY:	PROJECT NO.	DATE:
CM3	FR1		07/09/19
SCALE:	N/A	FACILITIES	CAD FILE NO.
DRAWING NO.		SHEET NO.	REV.
087-700		1	

REF. NO. SAM-2019-000224-JCC

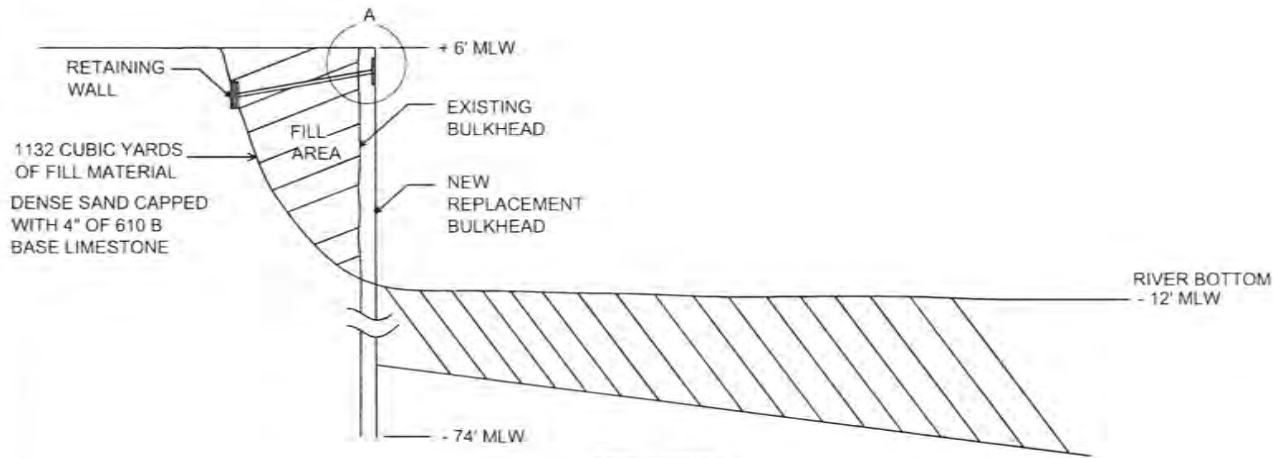
REVISIONS			
REV	DESCRIPTION	DATE	APPROVED



PARTIAL PLAN VIEW



DETAIL A
SCALE 2:1



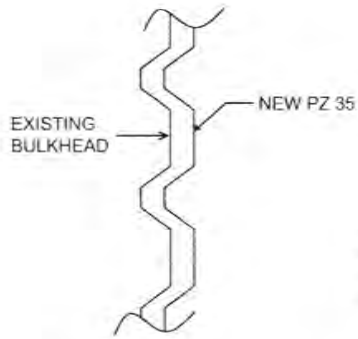
ELEVATION

BULKHEAD REPAIR YARD 2

APPROVED BY:	DATE:
OWNER:	
AMERICAN BUREAU OF SHIPPING	
U.S.C.G.	
MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC	
<small>WE WARRANT THAT THE DESIGN AND CONSTRUCTION OF THE PROJECT OF WHICH THIS DRAWING IS A PART, SHALL BE ACCORDING TO THE PROFESSIONAL STANDARDS AND PRACTICES OF THE U.S.C.G. ENGINEERS AND ARCHITECTS, AND THAT THE DRAWING SHALL BE ACCORDING TO THE U.S.C.G. STANDARDS AND PRACTICES.</small>	
CUSTOMER:	
TITLE: MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC BULKHEAD REPAIR AT YARD 2	
DESIGN BY: GMB	DATE: 07/06/19
CHKD. BY: RH	CAD. FILE NO. 19-000224-JCC-00-01
SCALE: N/A	PROJECT NO. FACILITIES
DRAWING NO. 087-702	SHEET NO. 1
	REV. -

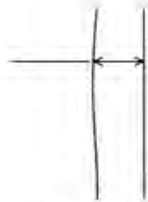
REF. NO. SAM-2019-000224-JCC

REVISIONS			
REV	DESCRIPTION	DATE	APPROVED

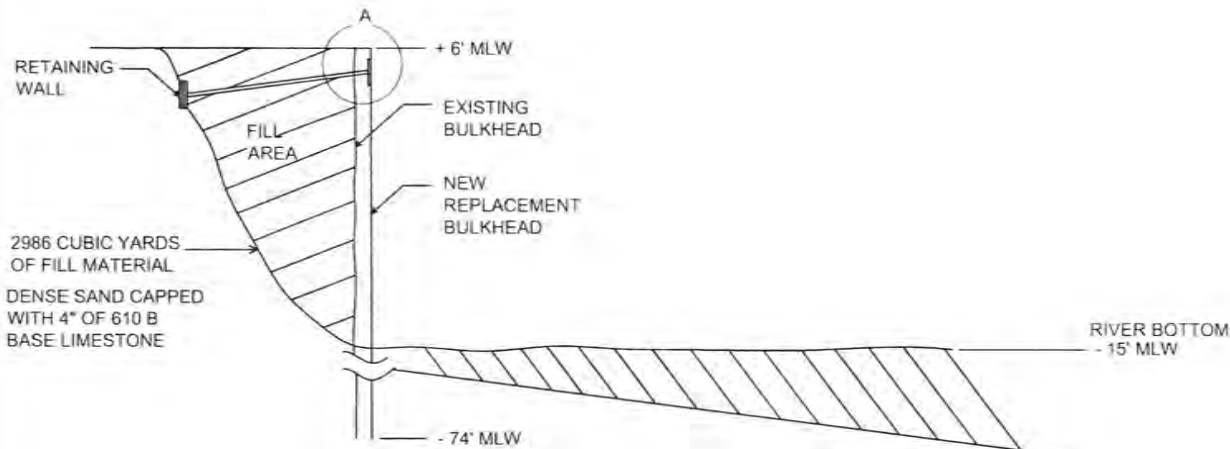


PARTIAL PLAN VIEW

6" TO 12"
SPACING FROM
OLD TO NEW
BULKHEAD



DETAIL A
SCALE 2:1



ELEVATION

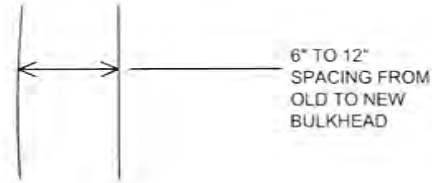
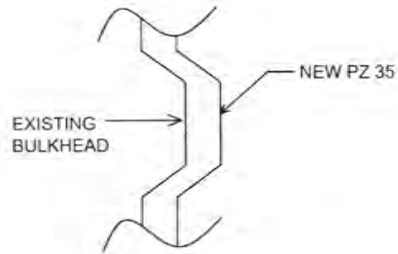
BULKHEAD REPAIR YARD 3

APPROVED BY: _____	DATE: _____
OWNER: _____	_____
AMERICAN BUREAU OF SHIPPING _____	_____
U.S.C.G. _____	_____
MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC	
<small>THE GENERAL DUTY CONTRACT AND PERFORMANCE AGREEMENT OF MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC IS INCORPORATED BY REFERENCE INTO THIS CONTRACT. THE TERMS AND CONDITIONS OF THE AGREEMENT SHALL APPLY TO THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE U.S. DEPARTMENT OF ARMY, USACE, AND OTHER AFFECTING AGENCIES.</small>	
CUSTOMER: _____	
TITLE: MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC BULKHEAD REPAIR AT YARD 3	
DESIGNED BY: GMB	DESIGN NO: RH1
PROJECT NO: _____	DATE: 07/08/19
SCALE: N/A	SCALE: _____
DRAWING NO: 087-703	SECRET NO: 1
PROJECT NO: FACILITIES	REV: -

REF. NO. SAM-2019-000224-JCC

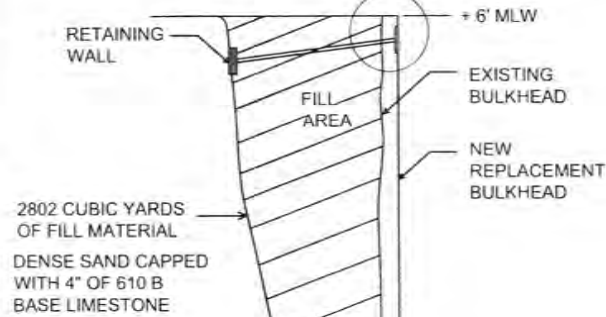
REVISIONS

REV	DESCRIPTION	DATE	APPROVED
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DETAIL A
SCALE 2:1

PARTIAL PLAN VIEW



ELEVATION

BULKHEAD REPAIR YARD 4

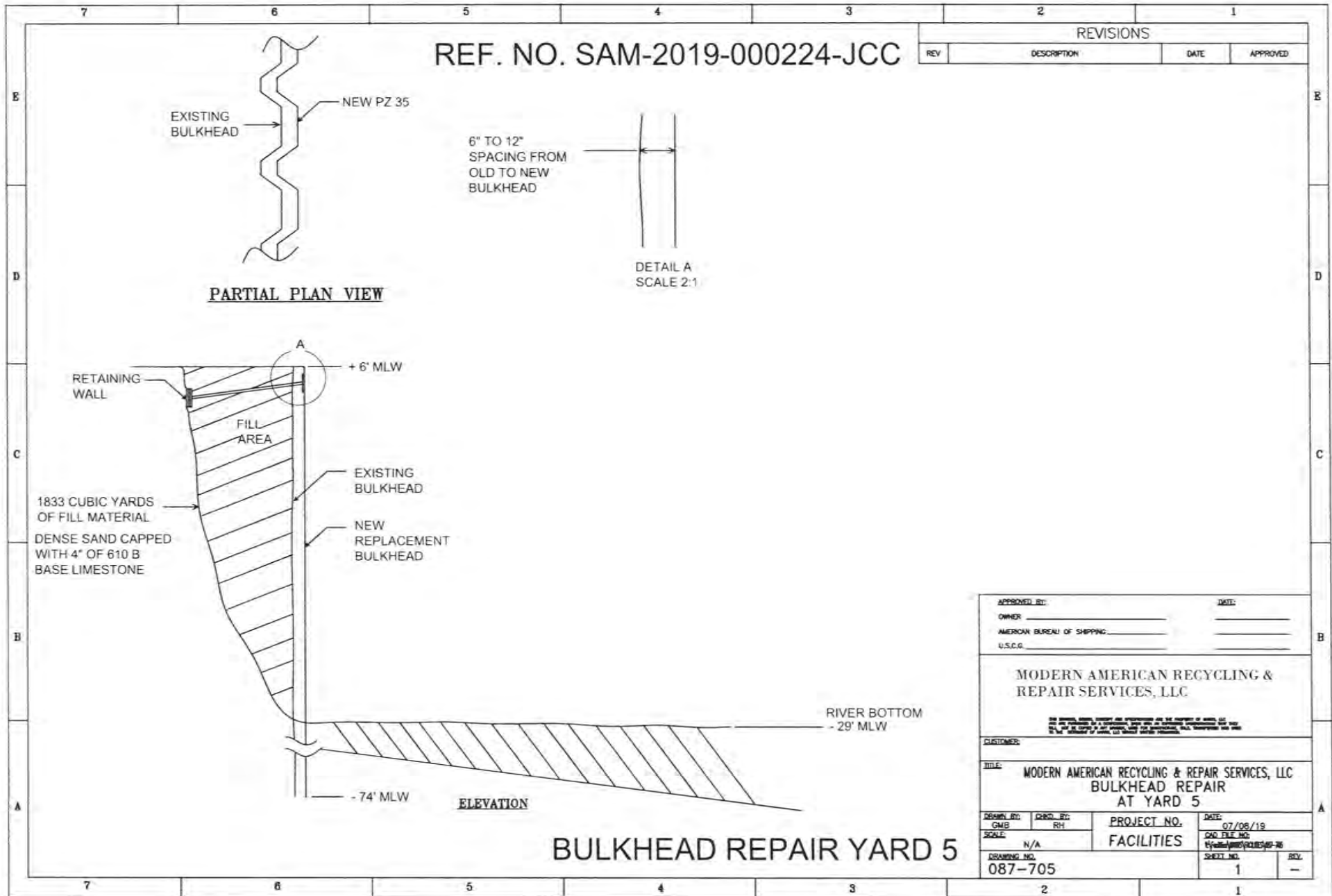
APPROVED BY: _____	DATE: _____
OWNER: _____	_____
AMERICAN BUREAU OF SHIPPING _____	_____
U.S.C.G. _____	_____

MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC

CUSTOMER:

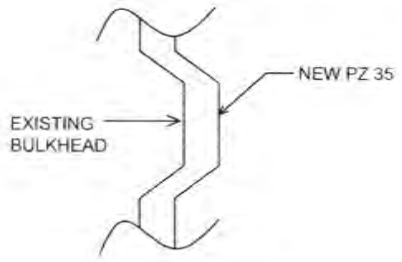
TITLE: MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC
BULKHEAD REPAIR
AT YARD 4

DESIGNER: GMB	DRAWN BY: RBT	PROJECT NO.:	DATE: 07/08/19
SCALE: N/A		FACILITIES	CAD FILE NO.:
DRAWING NO. 087-704			SHEET NO. 1
			REV. -

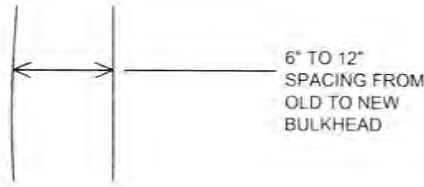


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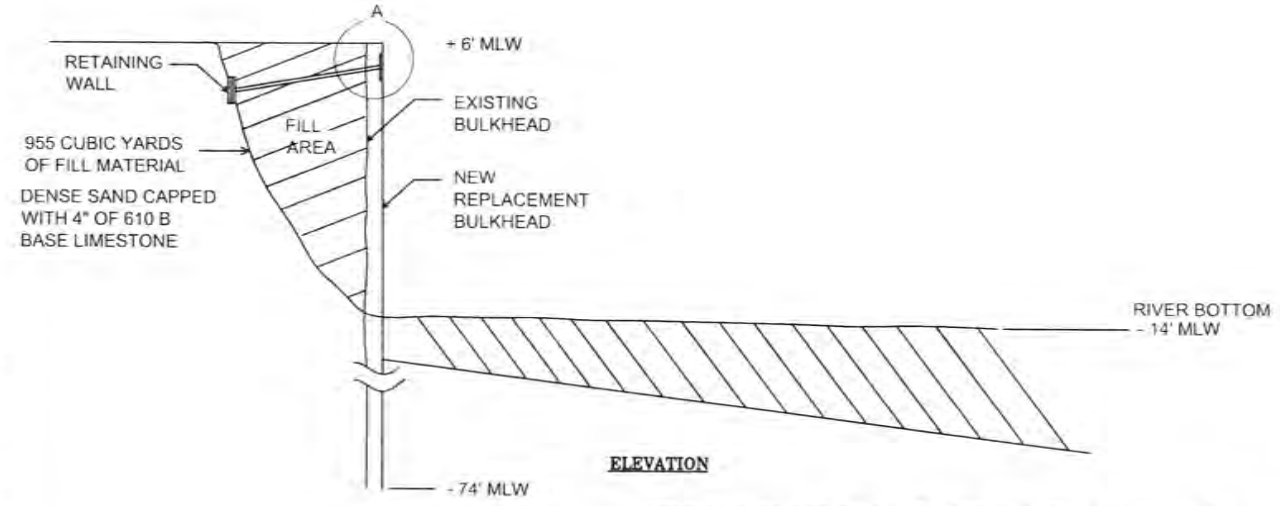
REVISIONS			
REV	DESCRIPTION	DATE	APPROVED



PARTIAL PLAN VIEW



DETAIL A
SCALE 2:1



BULKHEAD REPAIR YARD 6

APPROVED BY: _____		DATE: _____	
OWNER: _____		_____	
AMERICAN BUREAU OF SHIPPING _____		_____	
U.S.C.G. _____		_____	
MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC			
<small>THE SERVICE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES, AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES, AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES, AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.</small>			
CUSTOMER: _____			
TITLE: MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC BULKHEAD REPAIR AT YARD 6			
DESIGNER: CMB	DRAWN BY: RM	PROJECT NO. _____	DATE: 07/08/19
SCALE: N/A		FACILITIES	CAD FILE NO. _____
DRAWING NO. 087-706		SHEET NO. 1	REV. -

