



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-2019-00336-DCH**

**February 7, 2020**

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

**REQUEST TO DISCHARGE FILL MATERIAL INTO 6.05 ACRES OF WETLANDS TO**  
**EXPAND AND APPROVE AN EXISTING RECREATIONAL FACILITY AT ODD FELLOWS**  
**PARK IN GRAND BAY, MOBILE 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: **Mobile County Commission**  
**Attention: Ms. Connie Hudson**  
**205 Government Street**  
**Mobile, Alabama 36644-1600**

AGENT: **Barry A. Vittor & Associates, Inc.**  
**Attention: Dr. Barry A. Vittor**  
**8060 Cottage Hill Road**  
**Mobile, Alabama 36695**

LOCATION: **Taylor F. Harper Boulevard, Latitude 30.476919, Longitude -88.360100; Sections 34 and 35, Township 6 South, Range 4 West; Grand Bay, Mobile County, Alabama.**

PROJECT PURPOSE: **The basic project purpose is to expand and improve an existing recreational facility. The overall project purpose is to construct additional youth sports fields and attendant features such as roadways, parking, picnic areas, playgrounds, pedestrian walkways, concession, and restroom facilities at Odd Fellows Festival Park in Grand Bay, Mobile County, Alabama.**

PROPOSED WORK: **The applicant proposes to discharge approximately 30,000 cubic yards of commercially obtained sandy-clay fill material into a total of 6.05 acres of hardwood forested wetlands on the east side of the Odd Fellows Festival Park grounds. Specifically, the proposed work would involve construction of additional youth sports fields, playground, picnic, and concession areas, restroom facilities, and pedestrian walkways. The proposed work would include the expansion of parking areas and relocation of the existing access road to the east property perimeter to create safer, more efficient access to new and existing park facilities, and to meet additional capacity needs.**

**AVOIDANCE AND MINIMIZATION:** The applicant has avoided filling impacts to 2.15 acres of hardwood forested wetlands by consolidating development within the eastern portion of the park. The applicant has further avoided impacts to wetlands by proposing to utilize culverts in order to maintain hydrologic connectivity between remaining undisturbed wetlands. 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.

**MITIGATION:** The applicant has proposed to mitigate for unavoidable impacts to aquatic resources through permittee-responsible mitigation at the Mobile County Laurendine Tract. Mitigation for wetland impacts resulting from the proposed project would be accomplished through the enhancement of 9.6 acres of degraded forested wetlands and preservation of 21.0 acres of high-quality forested wetlands. The USACE has not received a detailed mitigation plan and has not verified the adequacy of the applicant's proposed mitigation 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. 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 (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 Mobile District has determined the permit area consists of the entire undertaking in waters of the United States, which includes the footprint of the proposed fill areas and portions of the adjacent uplands that would be utilized for construction access and equipment and materials staging. The National Register of Historic Places will be consulted for properties listed, or eligible for listing, in the National Register, which are known to exist and would be affected by the proposed work. The Mobile District is 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.

**ENDANGERED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity would have No Effect on the following listed endangered or threatened species with the potential to exist within the action area of the project: Wood Stork (*Mycteria americana*), Black Pine Snake (*Pituophis melanoleucus lodingi*), Eastern Indigo Snake (*Drymarchon corais couperi*), and Gopher Tortoise (*Gopherus polyphemus*). There is no designated critical habitat within the action area of the project. Species survey information provided by the applicant indicated no evidence of the presence these species within or near the roadway corridor. This determination is being coordinated with the U.S. Fish and Wildlife Service (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 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-2019-00336-DCH**, and should be directed to the District Engineer, Mobile District, Regulatory Division, Attention: **Mr. Dylan C. Hendrix**, Post Office Box 2288, Mobile, Alabama 36628-0001, or by e-mail at [dylan.c.hendrix@usace.army.mil](mailto:dylan.c.hendrix@usace.army.mil), or (251) 694-3772. Copies of all comments should be furnished to the ADEM at [coastal@adem.alabama.gov](mailto:coastal@adem.alabama.gov), or sent to: Alabama Department of Environmental Management, Mobile Branch, 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-2019-00336-DCH, 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](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Attachments

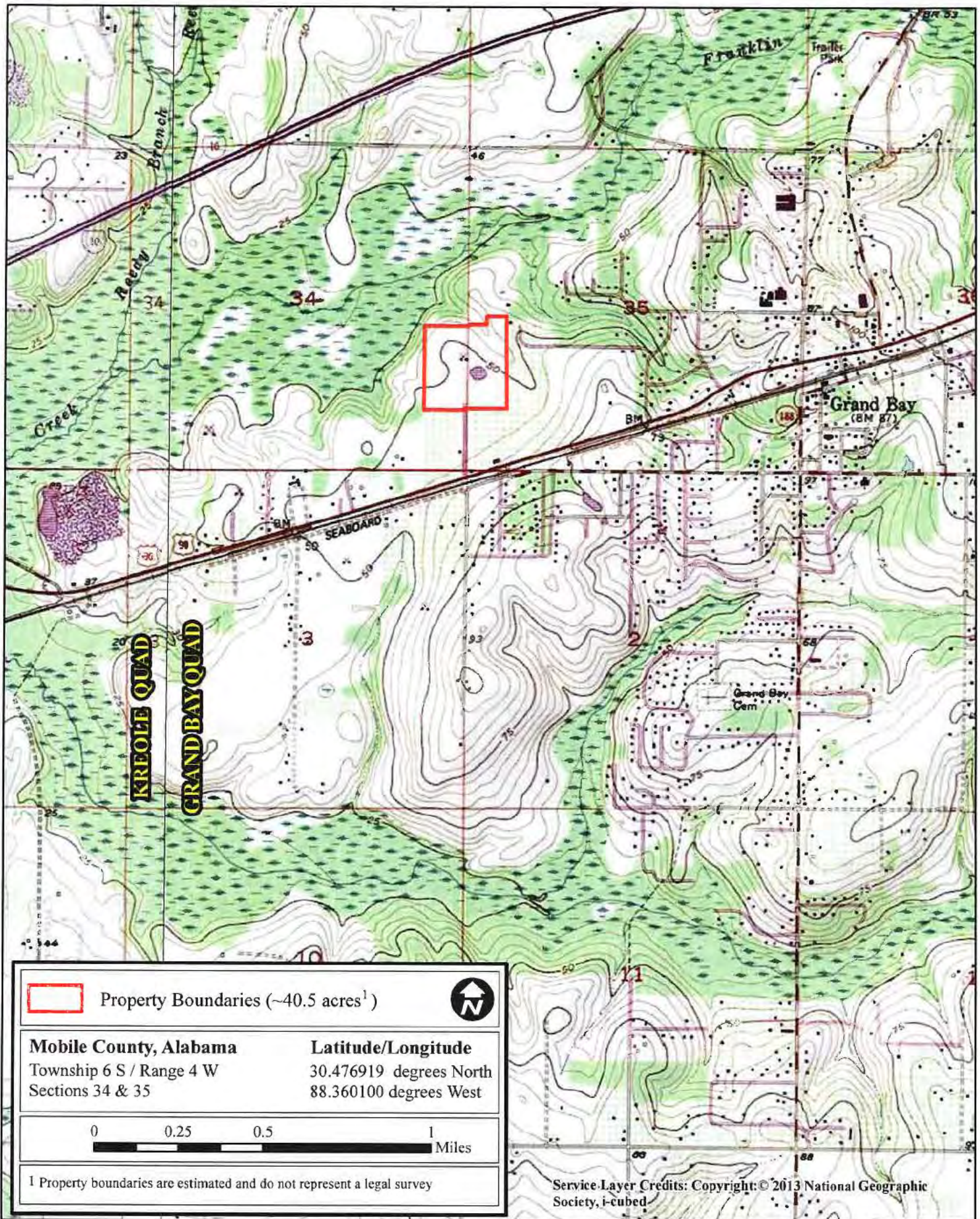


Figure 1. Project Location and Vicinity Map (Quad View)

SAM-2019-00336-DCH



Figure 2. Proposed Improvement Plan for Odd Fellows Park

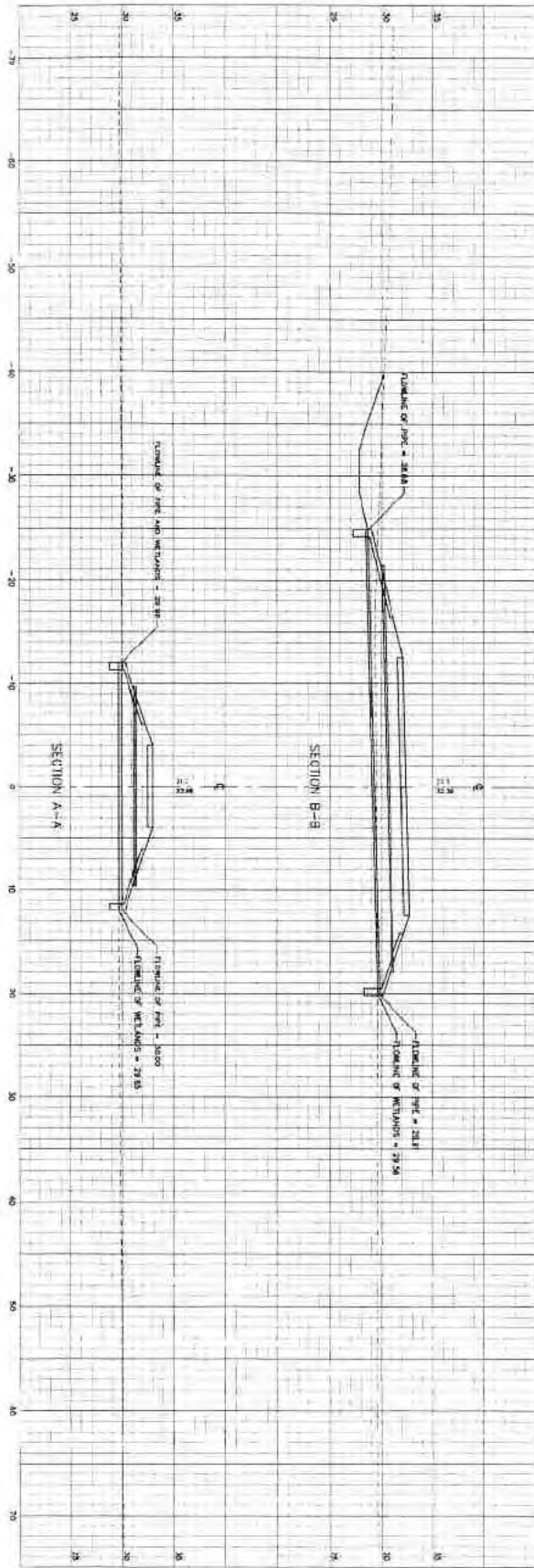


Figure 5. Wetland Impacts and Avoided Wetlands for the Proposed Project Plan for Odd Fellows Park





Figure 9. Cross Sections of Roadway Culverts



OVERALL PARK DEVELOPMENT PLAN  
ODD FELLOWS FESTIVAL PARK  
GRAND BAY, ALABAMA

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SAM-2019-00336-DCH