



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-2019-00757-JCC

September 3, 2019

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

PROPOSED IMPACTS ASSOCIATED WITH MAINTENANCE DREDGING AND SITE
IMPROVEMENTS 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, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries 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 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 perform maintenance dredging in previously dredged areas in Yards 2 - 6 and 8 of the Modern American Recycling & Repair Service (MARRS) property. The dredging will consist of the mechanical removal of 459,796 cubic yards of material from 571,189 square feet (13.1 acres) of river bottoms located to the west of the Mobile River federal navigation channel. Dredge depths will be between -25 to -60 feet relative to Mean Lower Low Water (MLLW) at each of the 8 proposed dredge sites. The dredged materials are proposed to be disposed at either Galliard Island or the Mobile Ocean Dredged Material Disposal Site (ODMDS), depending on regulatory approval. The details of each dredge area can be found in the attached drawings.

AVOIDANCE AND MINIMIZATION: The applicant has proposed to accomplish the dredging with a 10-cubic-yard tight lipped clam bucket in order to minimize the loss of water from the excavation to the deposit into the hopper. The material is to be removed from the bottom and placed immediately into a hopper barge or dump scow barge. The barge is to be loaded to approximately 75% of maximum capacity to ensure compliance with State Water Quality Regulations concerning turbidity. 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 their 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), green sea turtle (T), Kemp's ridley sea turtle (E), loggerhead sea turtle (T), 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. The proposed project would include dredging activities affecting approximately 13.11 acres of riverine/estuarine waterbottoms, water column, and intertidal habitat utilized by various life stages of multiple marine species. 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.

DISPOSAL SITES: Depending on site capacity and feasibility, the applicant may place dredged material at a designated, protected disposal area on Galliard Island, in cooperation with the Alabama State Port Authority, where material from this facility location has been previously authorized for disposal (SAM-2016-00215-GAC). If placement at Galliard Island is not feasible, the applicant proposes to dispose of the material at the Ocean Placement site at the existing designated Mobile ODMDS. The location of both sites can be found in the attached drawings. Dredging and filling activities are proposed to complete before March 15, 2020. The applicant has not provided complete information on the characteristics and composition of the dredged material at this time.

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 or the transportation of dredged material for the purpose of disposing of it in ocean waters 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-2019-00757-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-2019-00757-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

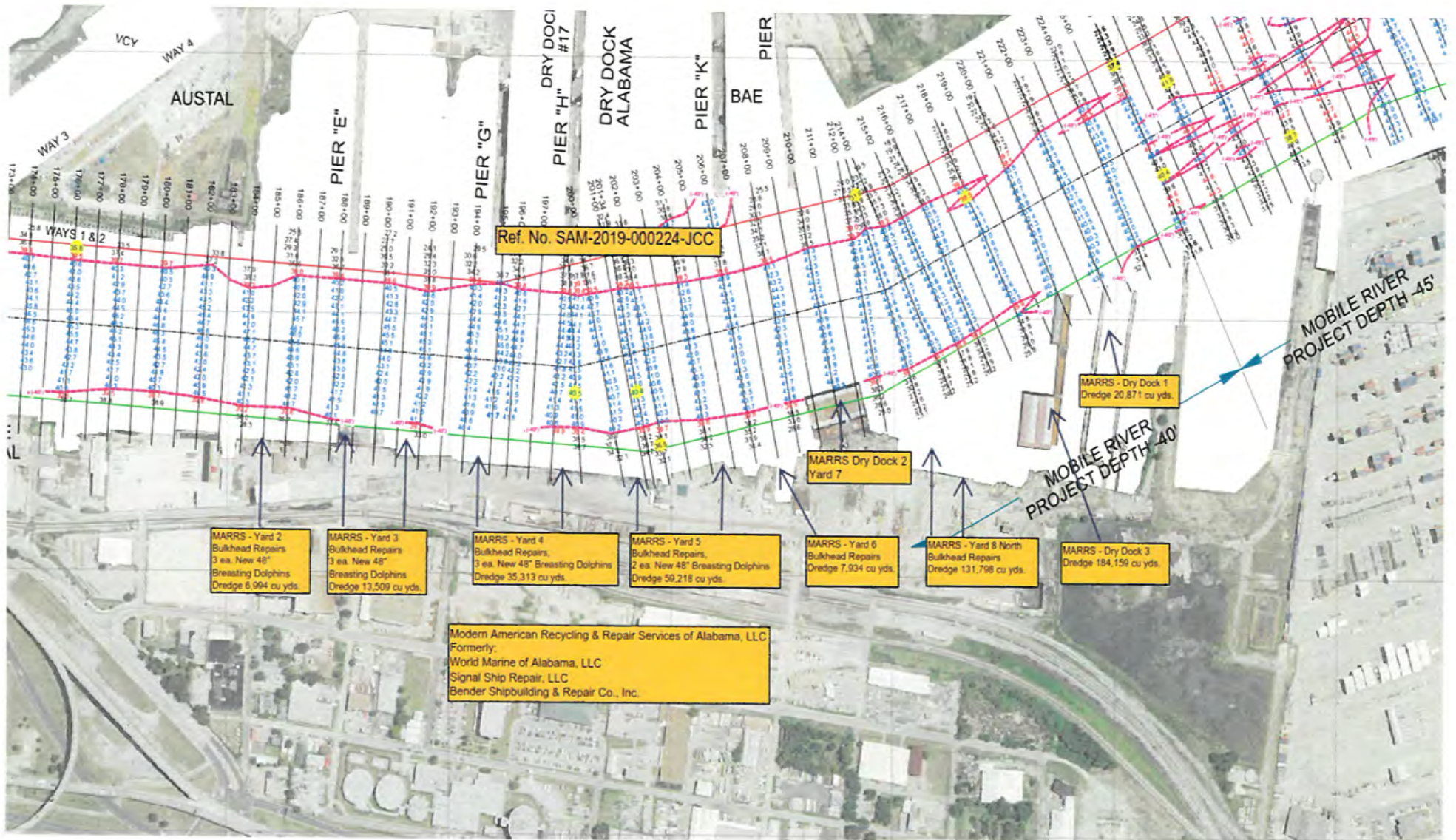
Modern American Recycling & Repair Services of Alabama, LLC
USACOE/ADEM Joint Application 2019 – Repairs

MARRS – Mobile, AL



Modern American Recycling & Repair Services of Alabama, LLC

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



City Map

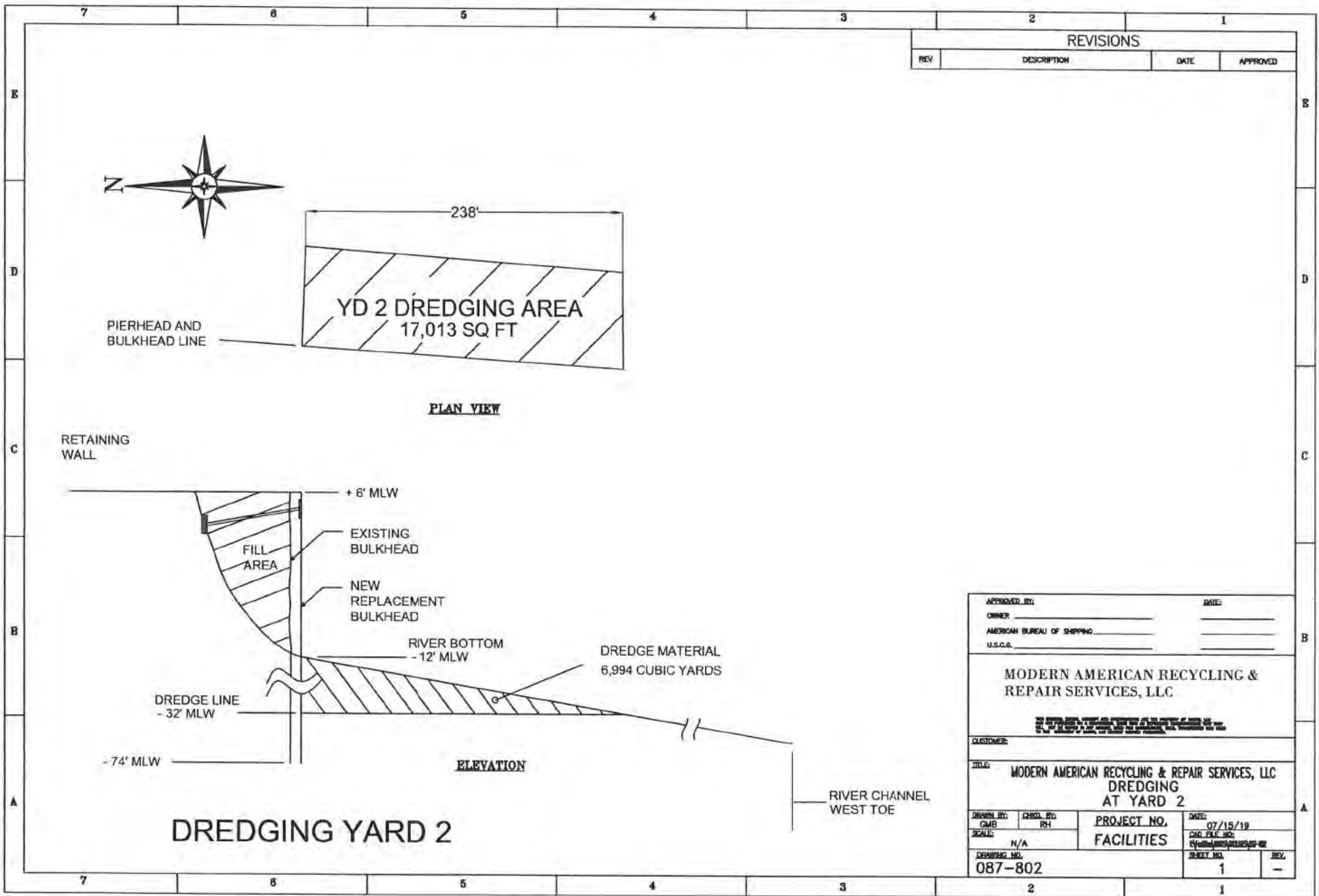


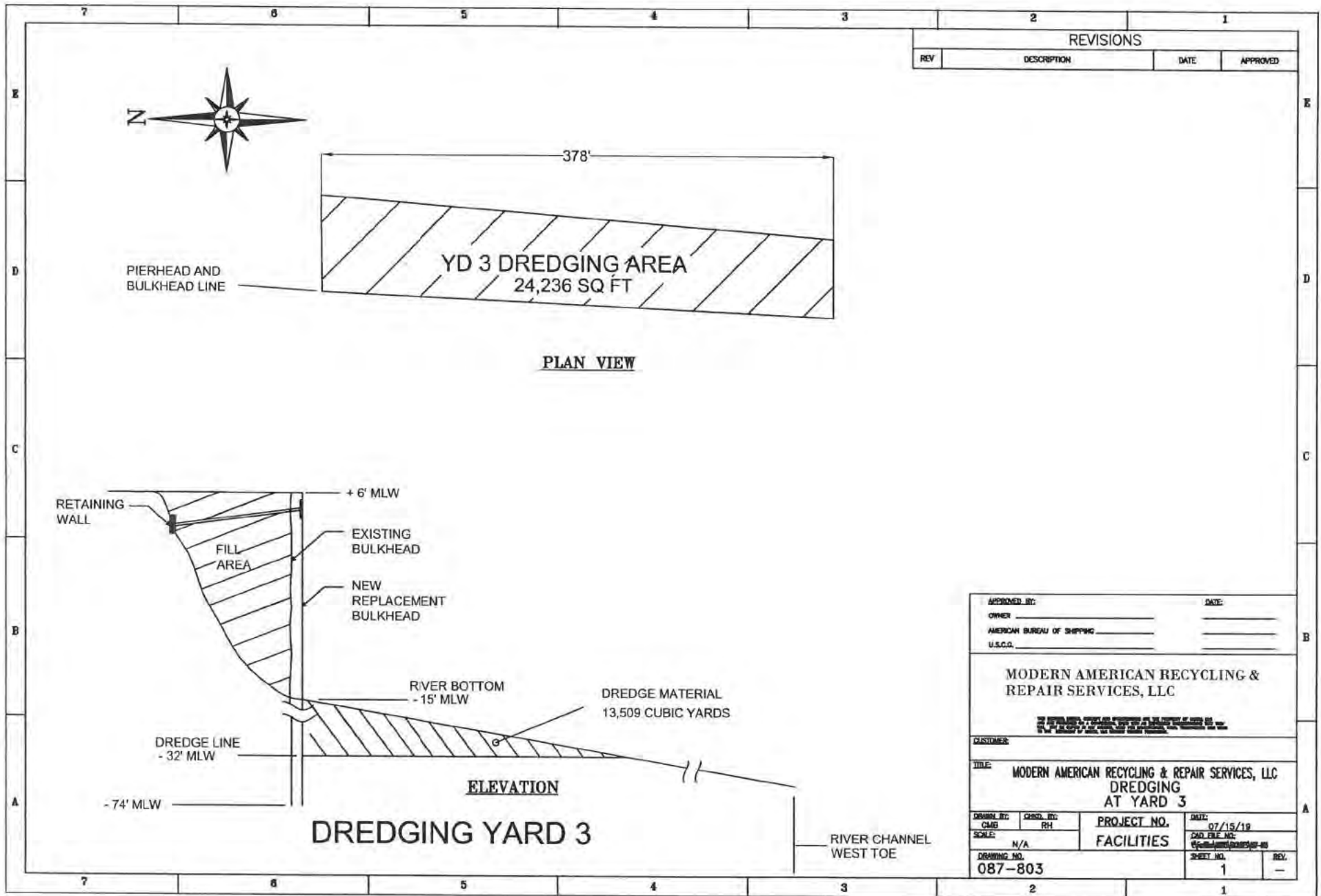
March 30, 2016

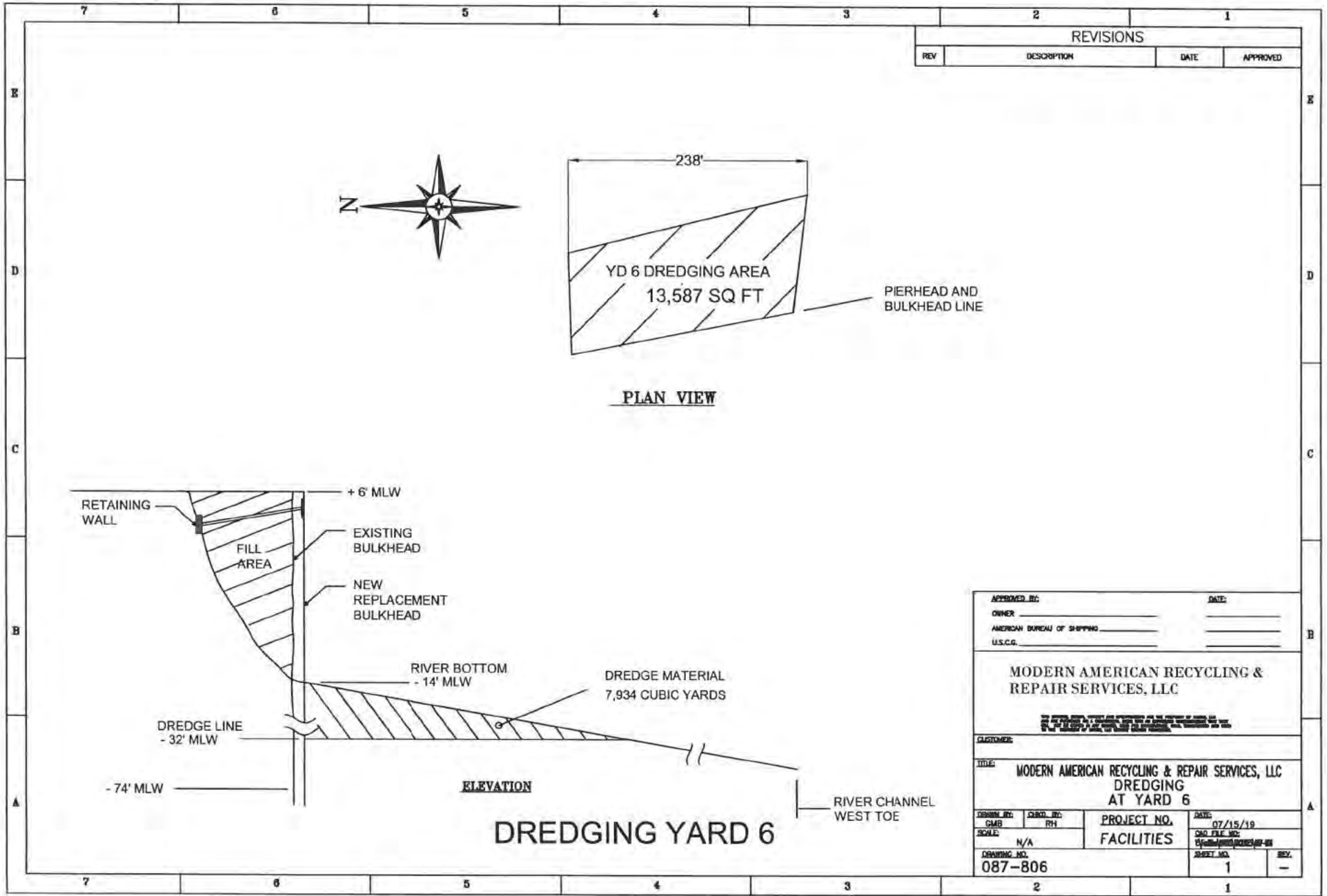
Dredge AREAS highlighted in white

Department of the Army // SAM-2019-00757-JCC

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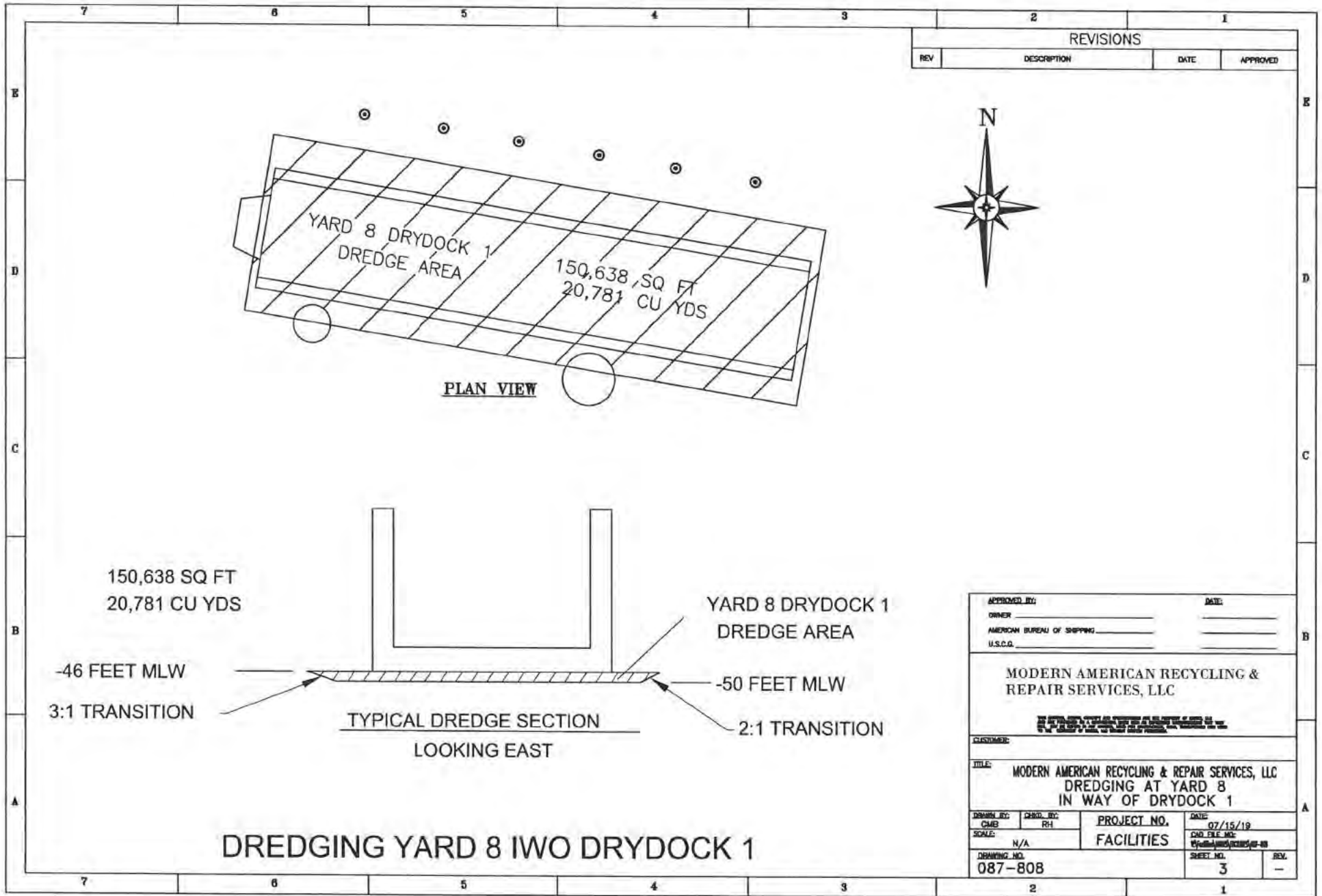


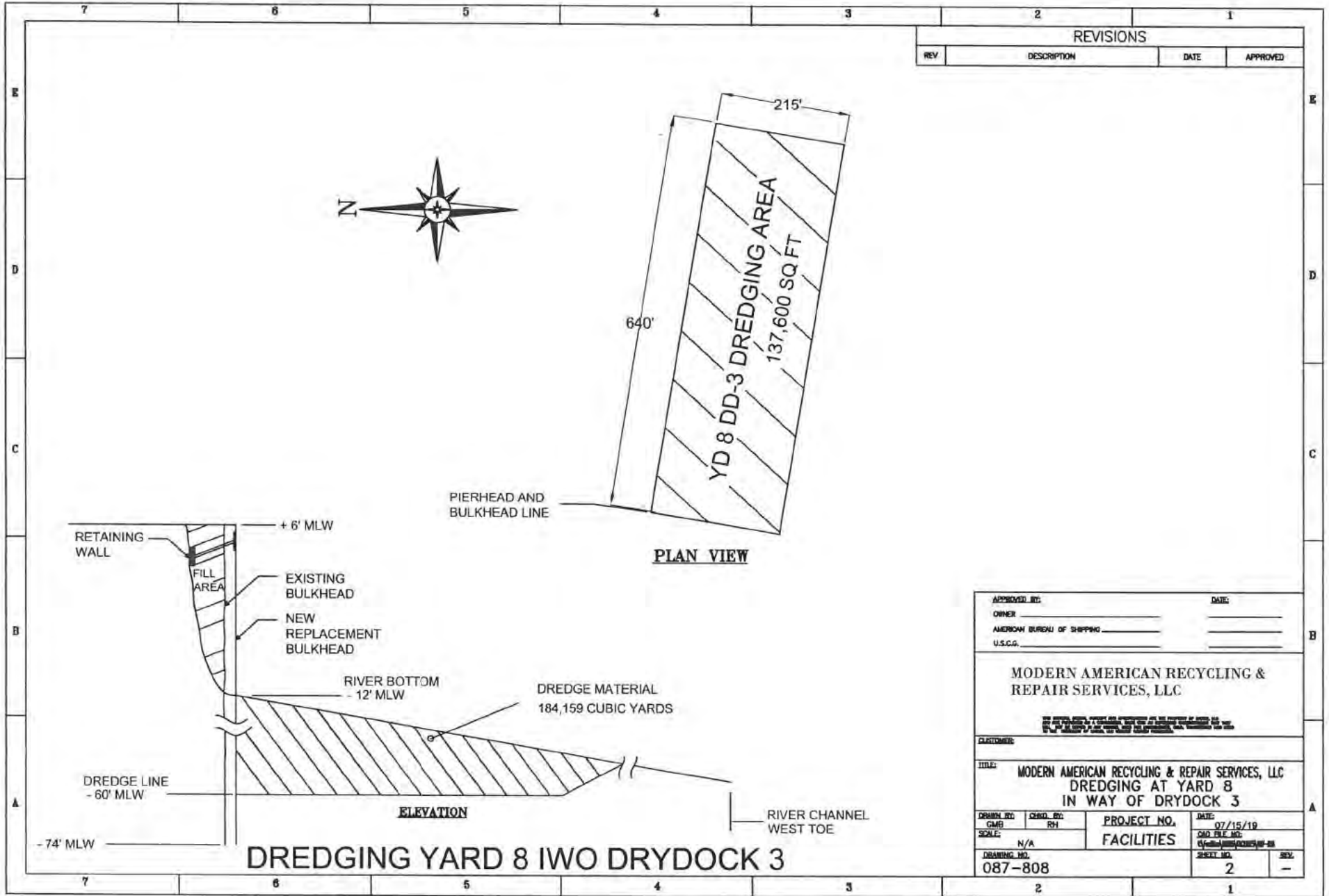
REVISIONS			
REV	DESCRIPTION	DATE	APPROVED

PLAN VIEW

ELEVATION

APPROVED BY: _____		DATE: _____	
OWNER: AMERICAN BUREAU OF SHIPPING		U.S.C.G. _____	
MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC			
<small>THE DESIGN, CONSTRUCTION AND PERFORMANCE OF ANY PROJECT OF WHICH THIS DRAWING IS A PART SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.</small>			
CUSTOMER: _____			
TITLE: MODERN AMERICAN RECYCLING & REPAIR SERVICES, LLC DREDGING AT YARD 6			
DESIGNER: GMB	DRAWN BY: RH	PROJECT NO. _____	DATE: 07/15/19
SCALE: N/A		FACILITIES	CAD FILE NO. _____
DRAWING NO. 087-806		SHEET NO. 1	REV. -





enter notes here



Mobile Harbor, Mobile, Alabama
 Integrated General Reevaluation Report with Supplemental Environmental Impact Statement

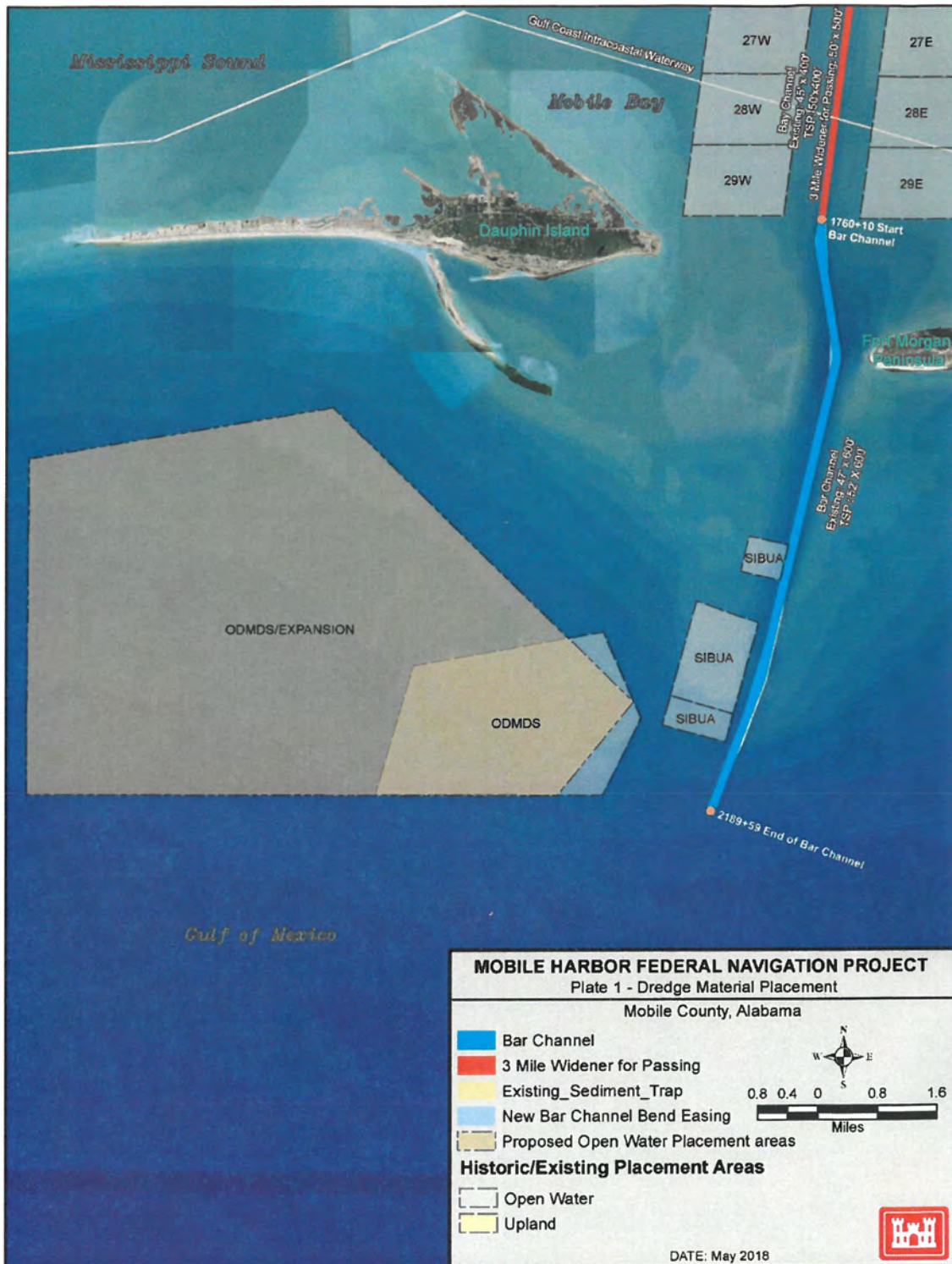


Figure 4-7. Expanded ODMDS Boundary

Gaillard Island

May 2016



Current tern nesting

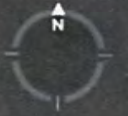
Weir Box

Laughing gull and
probable gull-billed
tern nesting

Preferred Discharge Site

2,000+ ft.

Brown Pelican Nests



Skimmer-Tern Colony

Proposed Discharge Site

Tern Colony

Brown Pelican Nesting

Image © 2016 TerraMetrics

Department of the Army // SAM-2019-00757-JCC

Google earth