



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
MONTGOMERY FIELD OFFICE  
105 SOUTH TURNER BOULEVARD  
MONTGOMERY, AL 36114**

**CESAM-RD-N  
PUBLIC NOTICE NO. SAM-2021-00331-JSC**

**December 1, 2021**

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

**STATE OF ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**DISCHARGE OF FILL MATERIAL INTO WETLANDS AND STREAMS  
ASSOCIATED WITH WIDENING AND NEW FOUR-LANE SEGMENT OF  
STATE ROAD – 52 IN GENEVA 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 USC 1344). Please communicate this information to interested parties.

**APPLICANT:** Alabama Department of Transportation (ALDOT)  
Attention: Mr. Adam Anderson  
1409 Coliseum Boulevard  
Montgomery, Alabama 36110

**AGENT:** HMB Professional Engineers, Inc.  
Attention: Mr. Stephen Rice  
3 HMB Circle  
Frankfort, Kentucky 40601

**LOCATION:** The proposed project is located in wetlands and other waters tributary to Bear Creek, Newton Creek, and Jack Ward Branch along State Road (SR)-52 in Geneva County, Alabama. More specifically, the project is located between Cox Street and County Road (CR)-73 in Slocomb and between CR-73 and Scott Road in Malvern within Sections 14 through 17, 19, 20 and 30, Township 2 North, Range 25 East. The proposed project commences near Latitude 31.107778° North, Longitude 85.586389° West and terminates at Latitude 31.145556° North, Longitude 85.512500° West. The project corridor is found on the Slocomb and Malvern, Alabama Quadrangles, United States Geological Survey Topographic Map, and is located within the Little Choctawachee River (HUC 0314020105) and Hurricane Creek (HUC 0314020110) watersheds.

**PURPOSE:** The basic project purpose is transportation. The overall project purpose is to construct a new four-lane highway segment that will connect to existing four-lane

highway segments east and west of the proposed project location. The new four-lane segment will be developed through the addition of two parallel travel lanes along existing SR-52 and construction of a new four-lane segment in Slocomb and Malvern, Alabama.

**PROPOSED WORK:** The applicant is requesting authorization for the discharge of fill material into waters of the U.S. (WOUS) associated with the construction of two additional travel lanes along SR-52 and a new segment of four-lane highway. More specifically, the project would add two travel lanes to existing highway between Cox Street and County Road (CR)-73 in Slocomb and a four-lane segment on a new alignment shifted north of the existing highway from CR-73 to Scott Road in Malvern. The proposed project would permanently impact 181 linear feet of perennial stream, 315 linear feet of intermittent stream, 319 linear feet of ephemeral stream, and 11.53 acres of wetlands. Activities proposed within WOUS include mechanized land clearing, the discharge of fill material including installation of piping, culverts, and scour protection riprap.

**AVOIDANCE & MINIMIZATION:** According to the applicant, constraints related to project logistics, location of existing infrastructure, presence of major topographic features, project to watershed orientation, and presence of local communities and residential development caused complete avoidance of impacts to WOUS to be impracticable. Additional information provided by the applicant indicates avoidance and minimization of project impacts to WOUS was achieved through a variety of approaches including alignment shifts and other design elements such as limiting land clearing within the right-of-way. The applicant would also develop and implement a construction best management practices plan and perform monthly inspections of erosion and sediment controls during the construction phase to minimize adverse effects to the aquatic environment. The USACE has not verified the adequacy of the applicant's avoidance and minimization statement at this time.

**COMPENSATORY MITIGATION:** The applicant proposes to compensate for unavoidable impacts to streams through the purchase of stream mitigation credits from an USACE approved mitigation bank. The applicant proposes to compensate for unavoidable impacts to wetlands through the withdrawal of wetlands credits from an USACE approved ALDOT wetland mitigation bank. The USACE has not verified the adequacy of the applicant's proposed mitigation plan at this time.

**WATER QUALITY:** The applicant will apply for certification from the State of Alabama in accordance with Section 401(a) (1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made by the Alabama Department of Environmental Management (ADEM) within an established reasonable period of time.

**SOLICITATION OF 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. 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.

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.

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.

**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. 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 fill areas that would be disturbed by construction of the project. 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 comments regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. Copies

of this public notice are being distributed to the State Historic Preservation Officer, federally recognized American Indian tribes, and the National Park Service, Division of Archaeological Services for review and comment, and further coordination will be performed as determined to be appropriate. At this time, the USACE has not made a determination regarding potential effects of the project on historic properties.

**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 following federally listed species have the potential to occur within the project watersheds: Wood stork (T), Eastern Indigo snake (T), Gopher tortoise (C), Choctaw bean (E), Fuzzy pigtoe (T), Southern kidneyshell (E), Southern sandshell (T), and Tapered pigtoe (T). There is no designated critical habitat within the project action area. 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), if necessary. Copies of this public notice are being sent to the USFWS for review and comment.

**COMMENT PERIOD:** All comments should be received no later than **30 days** from the date of issuance of this Public Notice. Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2021-00331-JSC** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Montgomery Field Office, Attention: Ms. Amy Gavin, Post Office Box 2288, Mobile, Alabama, 36628-0001, with a copy to the Alabama Department of Environmental Management, Field Operations Division, Office of Field Services, Attention: Mr. Richard Hulcher, Post Office Box 301463, Montgomery, Alabama 36130-1463. Comments may also be submitted via e-mail to USACE at **Amy.K.Gavin@usace.army.mil** and to ADEM at **fieldmail@adem.alabama.gov**.

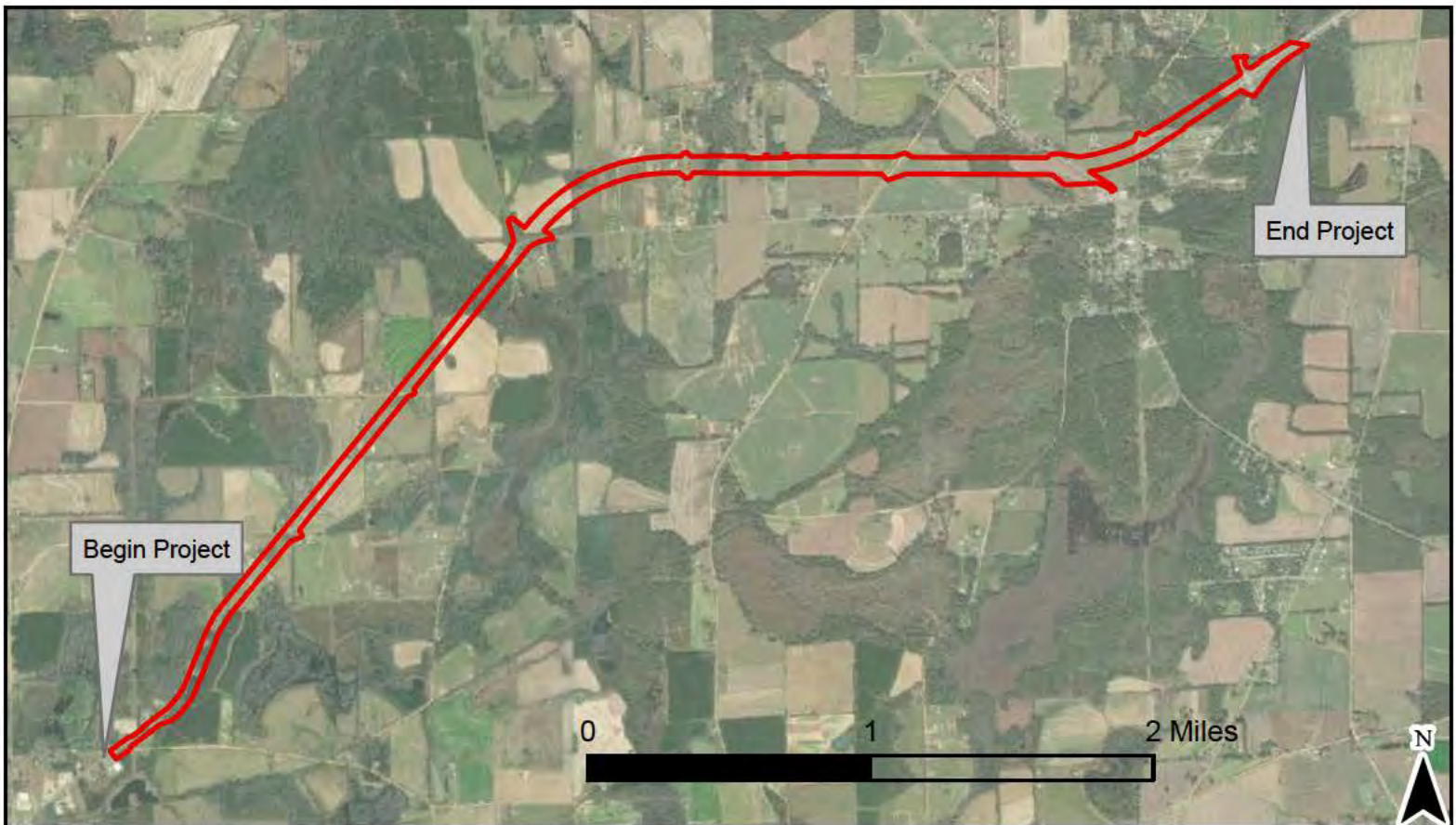
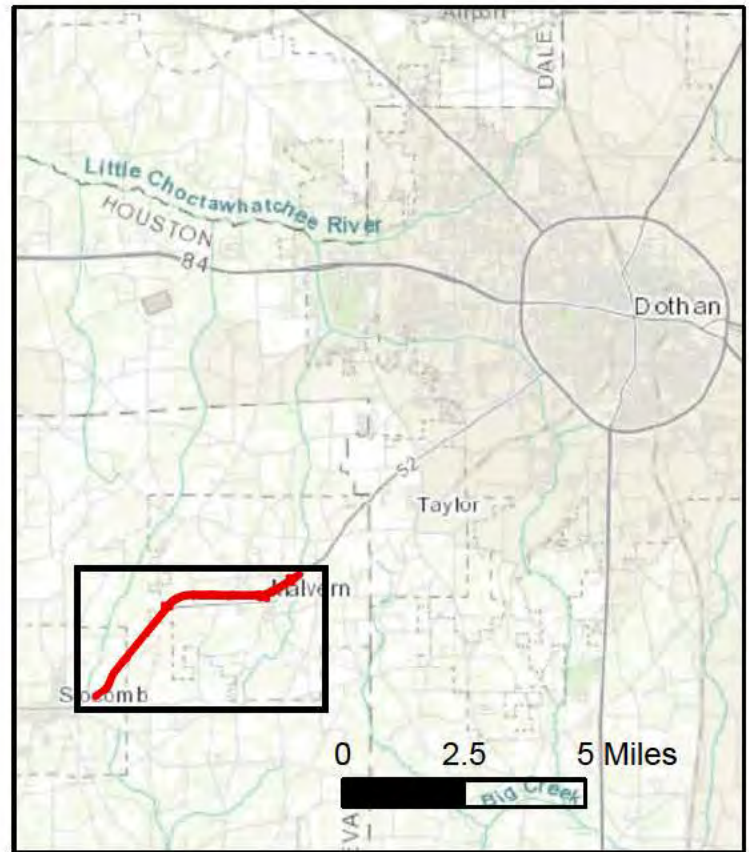
If you have any questions concerning this publication, you may contact the Project Manager via e-mail at Amy.K.Gavin@usace.army.mil or telephone number (334) 467-8779. Please refer to the above Public Notice number.

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

Enclosures

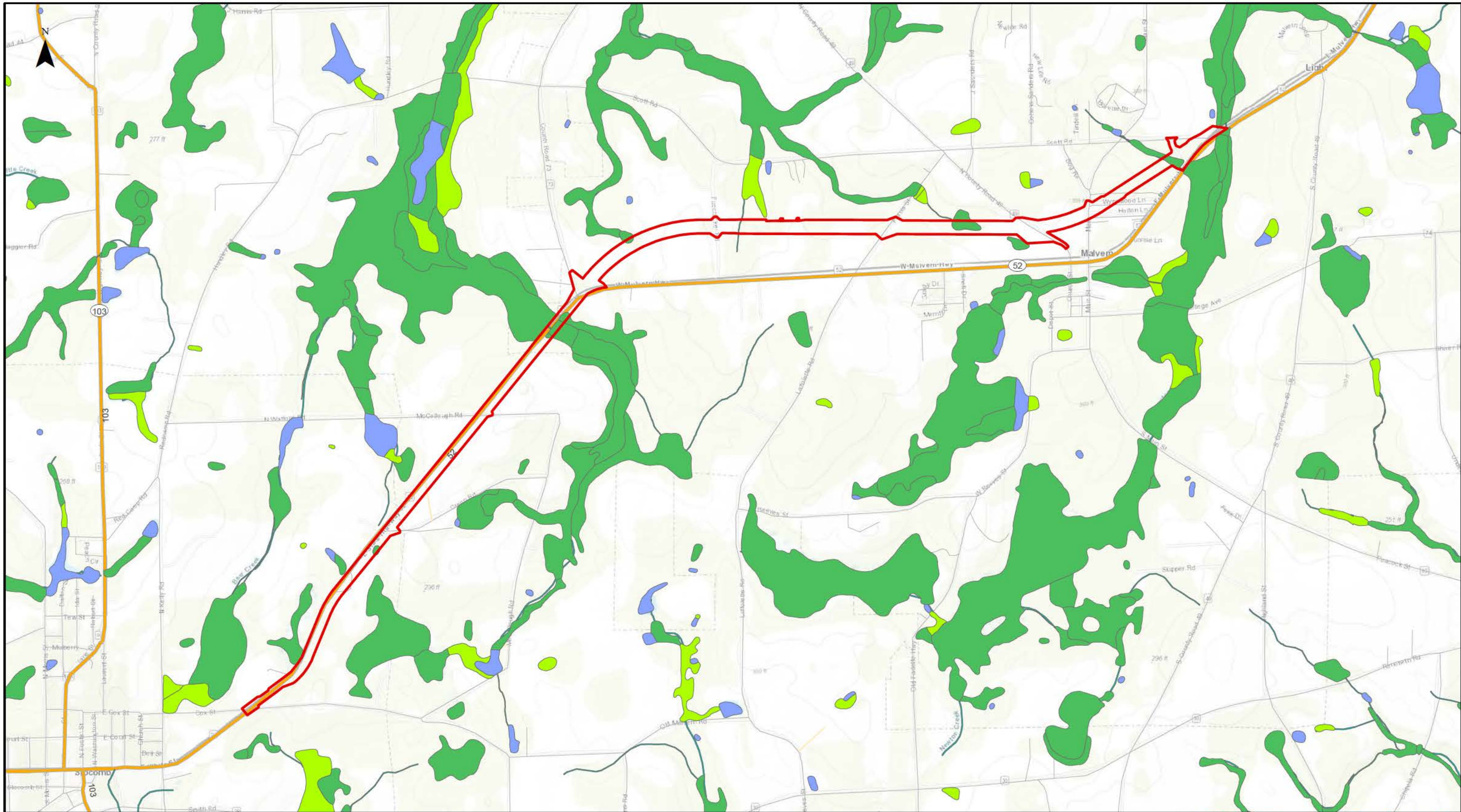













**Figure 1: Project Location**

ALDOT RAED (031-052-002)  
SR-52 Additional Lanes from Slocomb to Malvern  
Geneva County





- |  |                                |   |                                   |
|--|--------------------------------|---|-----------------------------------|
|  | Proposed Alternative           |  | Freshwater Forested/Shrub Wetland |
| <b>NWI Wetlands</b>  |                                |  | Freshwater Pond                   |
|  | Estuarine and Marine Deepwater |  | Lake                              |
|  | Estuarine and Marine Wetland   |  | Other                             |
|  | Freshwater Emergent Wetland    |  | Riverine                          |

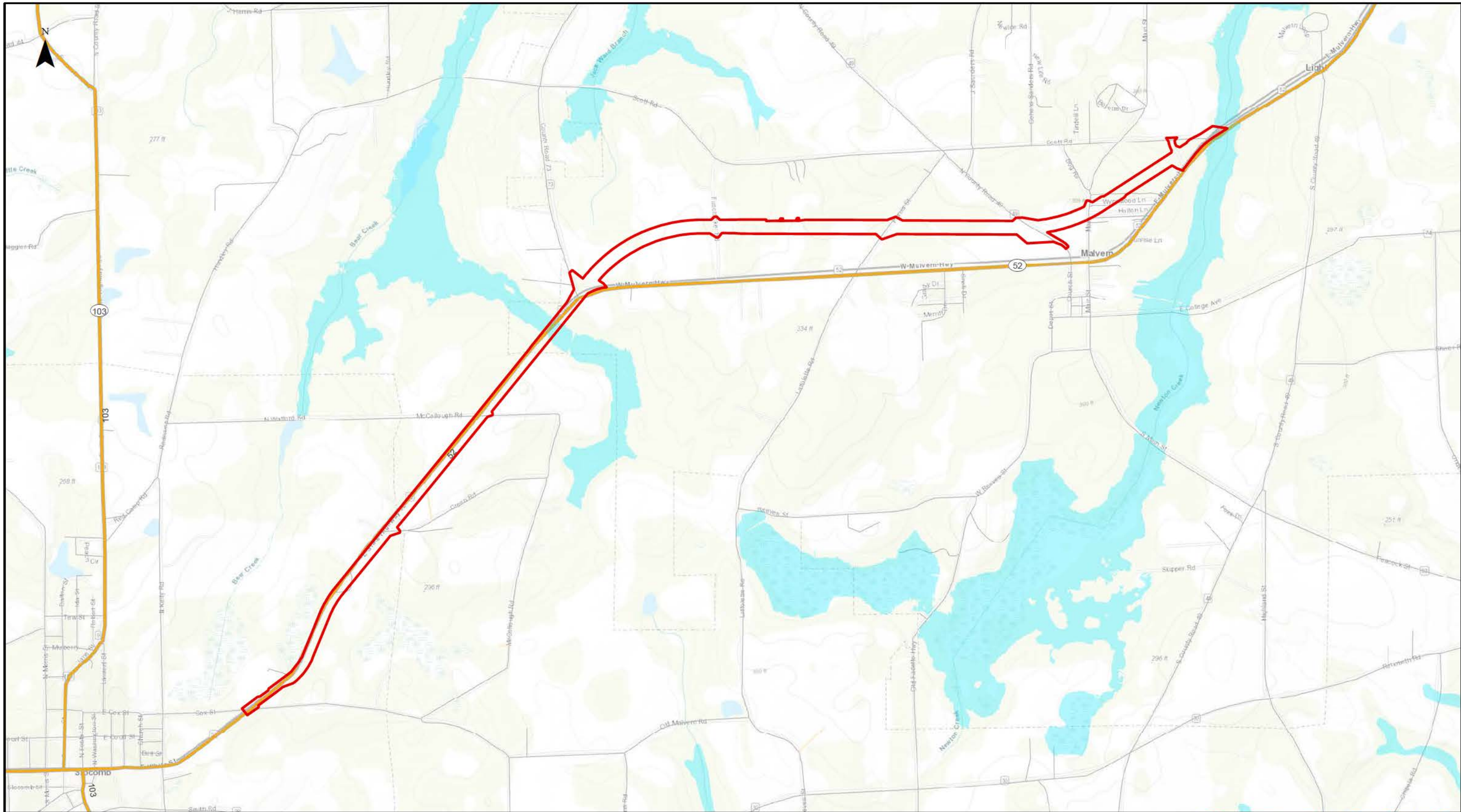
**Figure 3-1: NWI Wetland Database Results in the Project Area**

ALDOT RAED (031-052-002)  
SR-52 Additional Lanes from Slocomb to Malvern  
Geneva County

1 inch = 2,000 feet

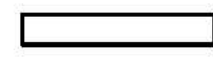






- |  |                               |   |   |
|--|-------------------------------|---|---|
|  | Proposed Alternative          |  | Area of Undetermined Flood Hazard               |
| <b>Flood Hazard Zones</b>  |                               |  | 0.2% Annual Chance Flood Hazard                 |
|  | 1% Annual Chance Flood Hazard |  | Future Conditions 1% Annual Chance Flood Hazard |
|  | Regulatory Floodway           |  | Area with Reduced Risk Due to Levee             |
|  | Special Floodway              |  | Area with Risk Due to Levee                     |

**Figure 3-2: FEMA Flood Hazard Database Results in the Project Area**  
 ALDOT RAED (031-052-002)  
 SR-52 Additional Lanes from Slocomb to Malvern  
 Geneva County

 1 inch = 2,000 feet



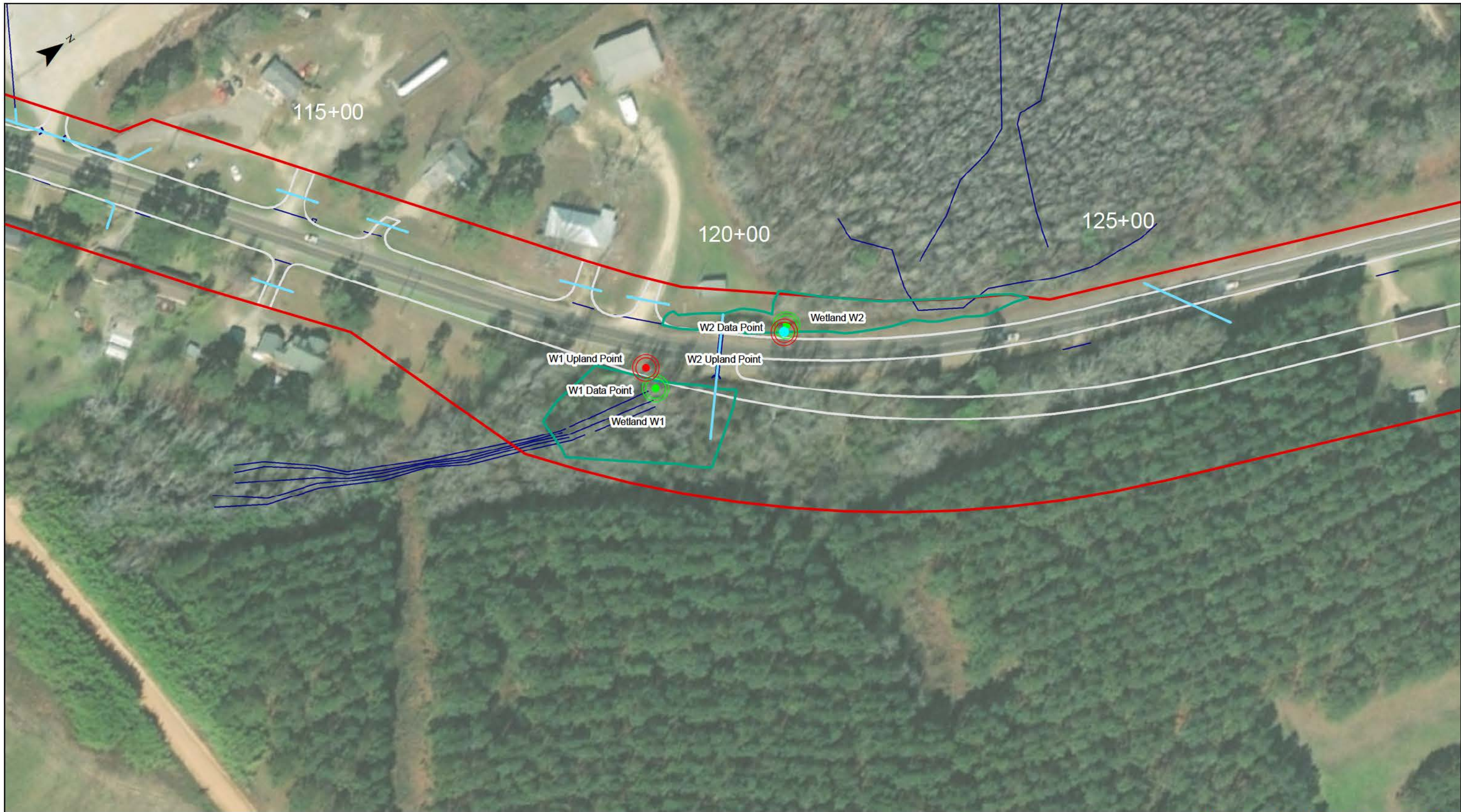








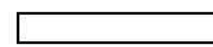




- |  |                     |   |                    |   |                         |
|--|---------------------|---|--------------------|---|-------------------------|
|  | ROW                 |  | Wetland Data Point |  | Proposed Drainage       |
|  | Construction Limits |  | Upland Data Point  |  | Existing Drainage       |
|  | Equired EOP         |  |                    |   | Stream Impacts (Riprap) |
|  | Wetlands            |  | Delineated Streams |   |                         |

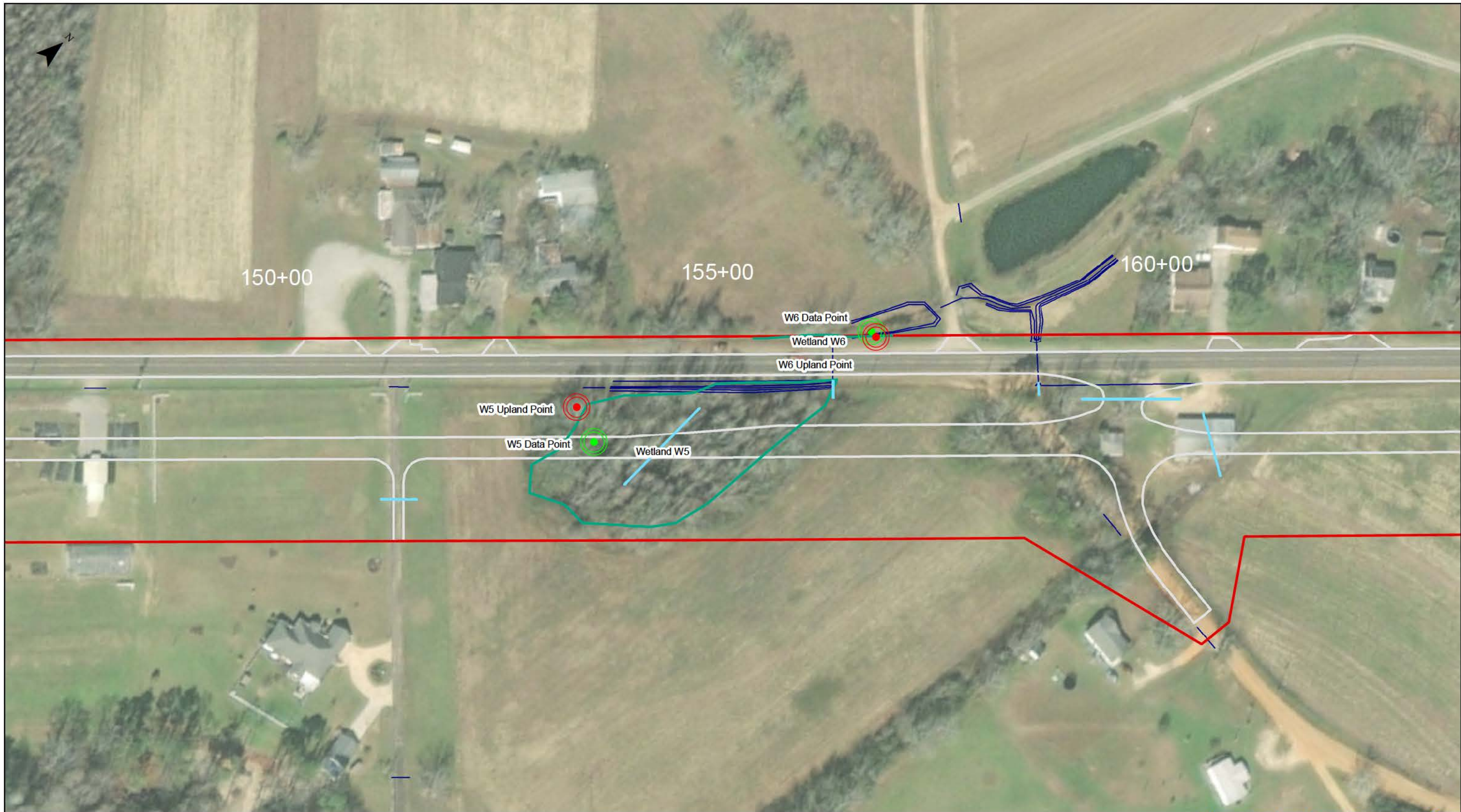
**Figure 2-1: Wetland/Stream Delineation**

ALDOT RAED-031-052-002  
 SR-52 Additional Lanes from Slocomb to Malvern  
 Geneva County

 1 inch = 100 feet



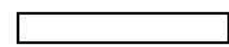




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|--|---------------------|---|--------------------|---|-------------------------|
|  | ROW                 |  | Wetland Data Point |  | Proposed Drainage       |
|  | Construction Limits |  | Upland Data Point  |  | Existing Drainage       |
|  | Equired EOP         |  | Delineated Streams |  | Stream Impacts (Riprap) |
|  | Wetlands            |   |                    |   |                         |

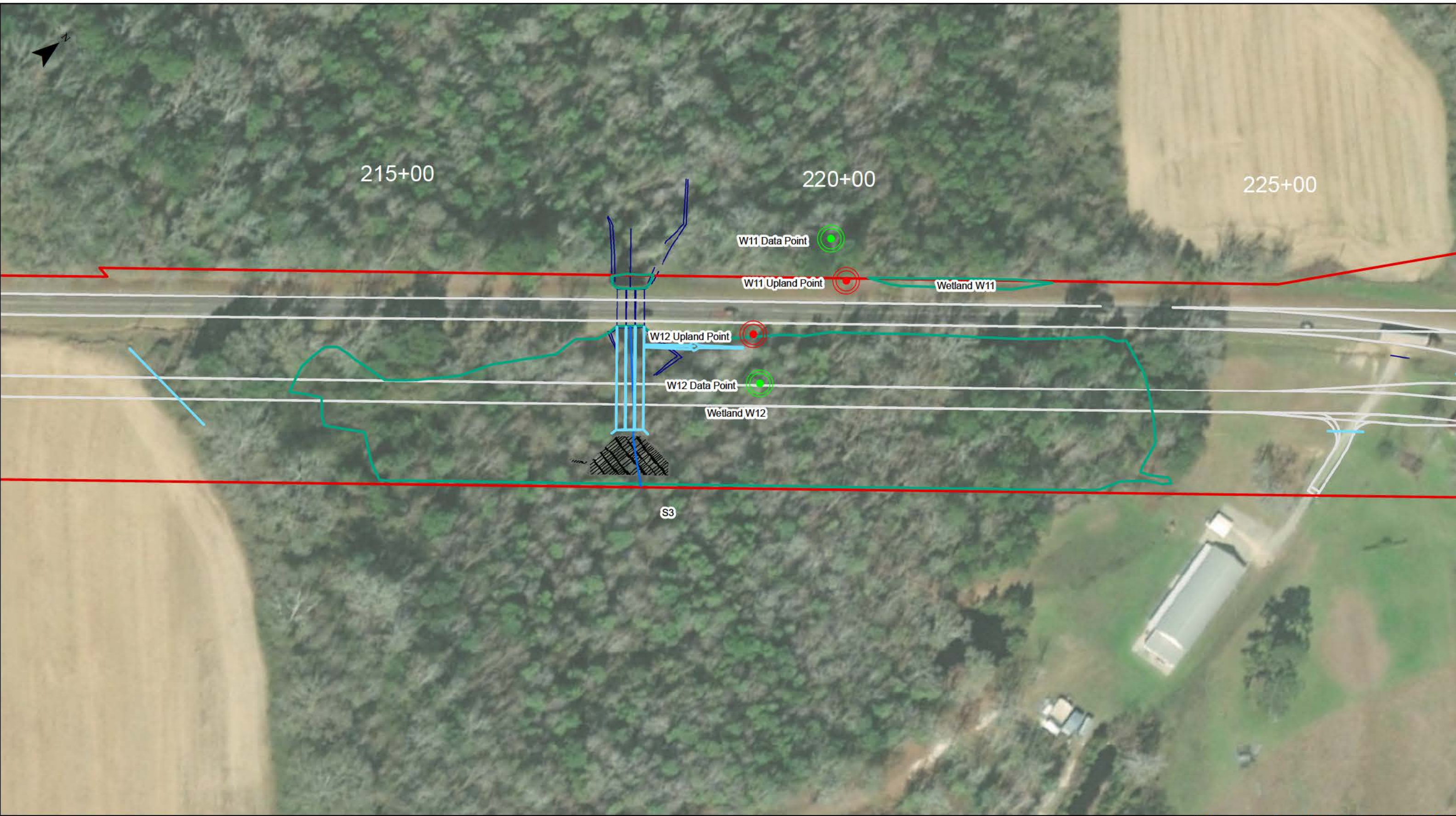
**Figure 2-2: Wetland/Stream Delineation**

ALDOT RAED-031-052-002  
SR-52 Additional Lanes from Slocomb to Malvern  
Geneva County

 1 inch = 100 feet

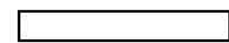






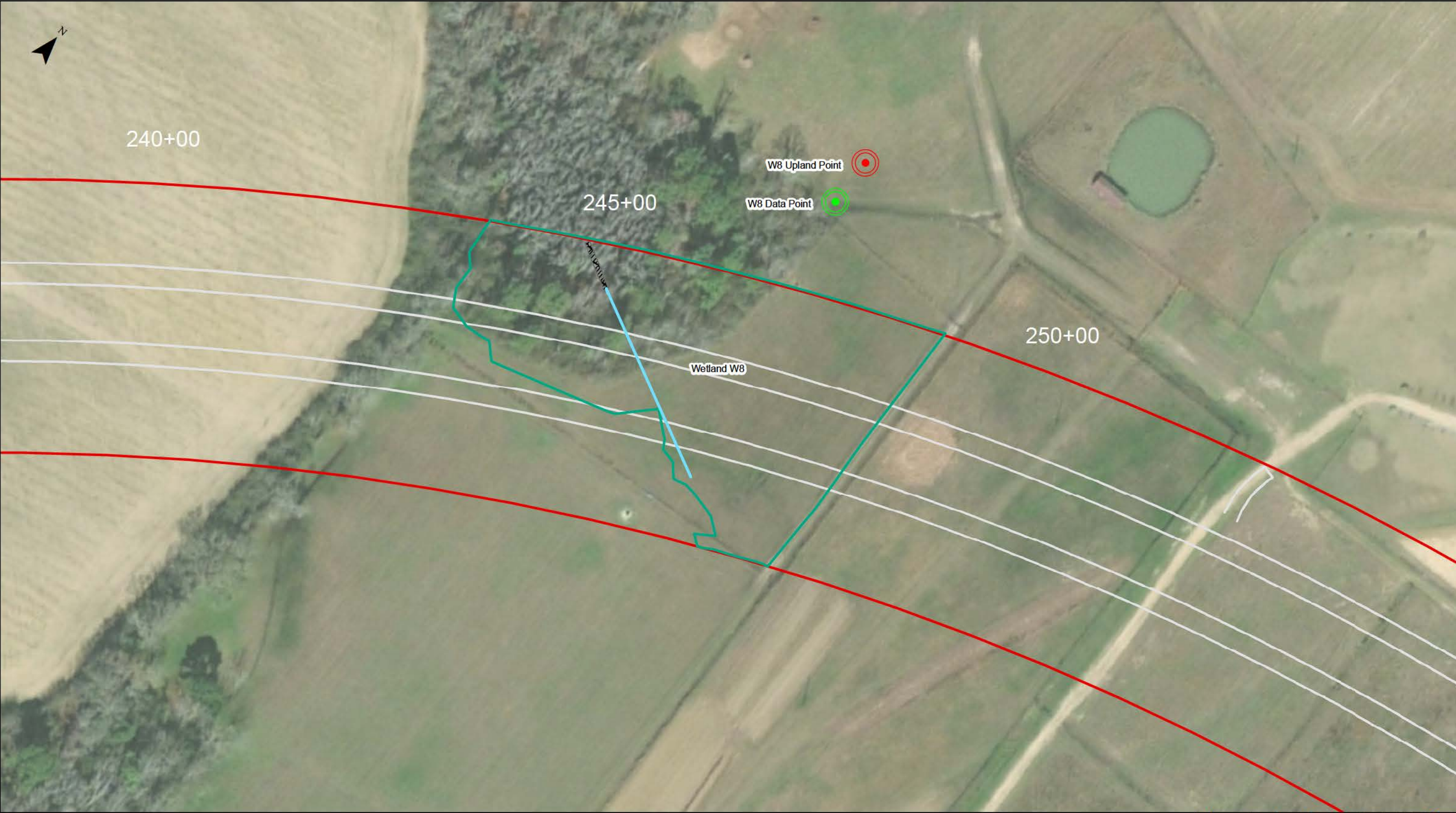
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|--|---------------------|---|--------------------|---|-------------------------|
|  | ROW                 |  | Wetland Data Point |  | Proposed Drainage       |
|  | Construction Limits |  | Upland Data Point  |  | Existing Drainage       |
|  | Equired EOP         |  |                    |   | Stream Impacts (Riprap) |
|  | Wetlands            |  | Delineated Streams |   |                         |

**Figure 2-3: Wetland/Stream Delineation**  
ALDOT RAED-031-052-002  
SR-52 Additional Lanes from Slocomb to Malvern  
Geneva County

 1 inch = 100 feet

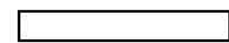






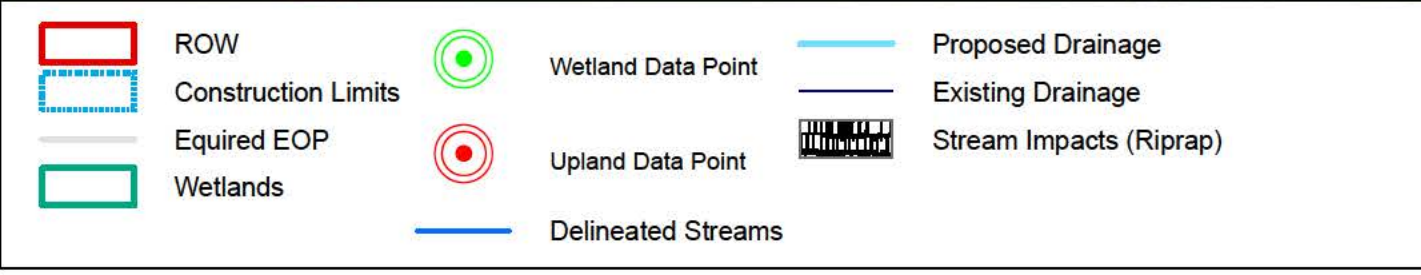
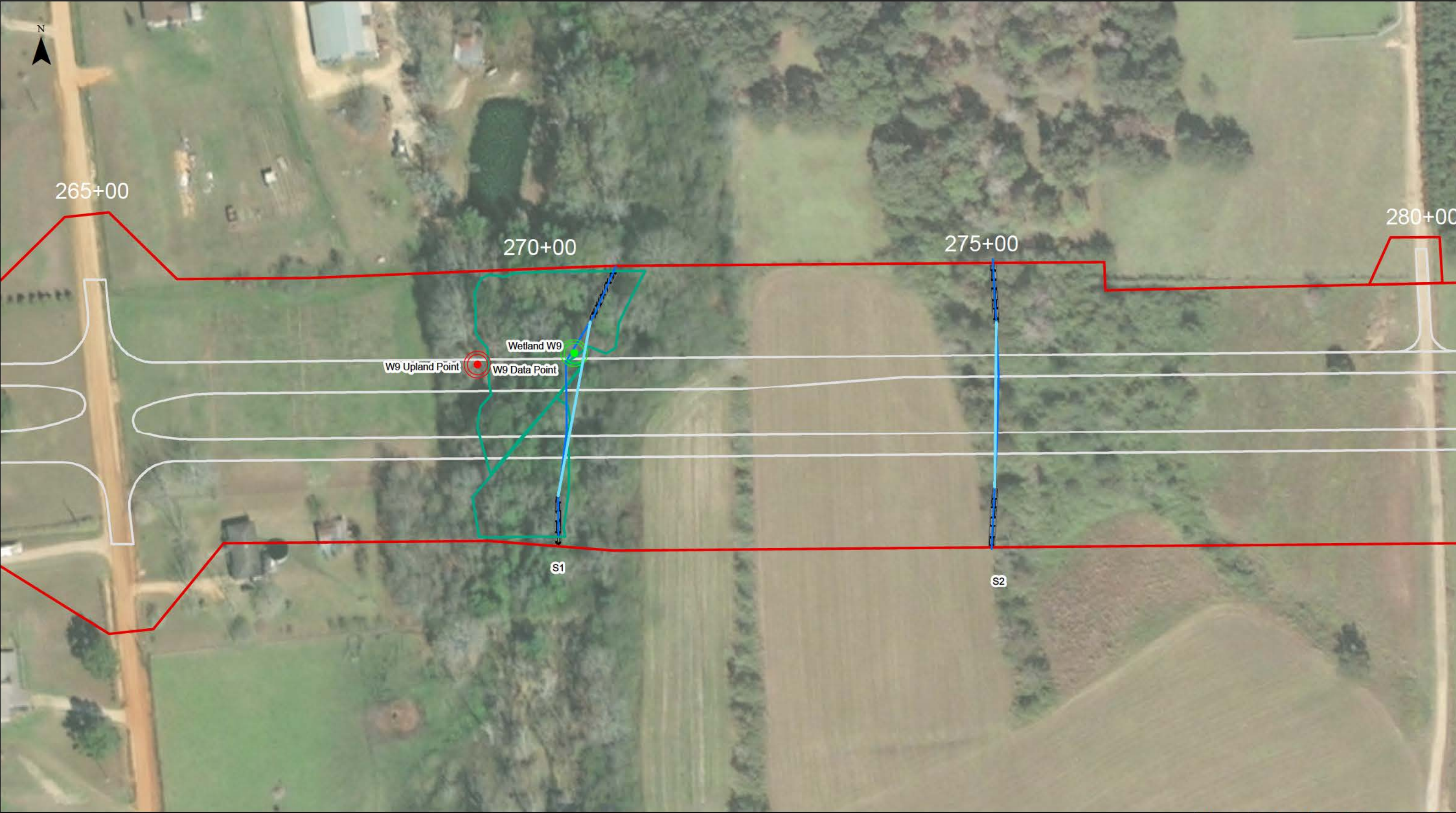
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|  | ROW                 |  | Wetland Data Point |  | Proposed Drainage       |
|  | Construction Limits |  | Upland Data Point  |  | Existing Drainage       |
|  | Equired EOP         |  |                    |  | Stream Impacts (Riprap) |
|  | Wetlands            |  | Delineated Streams |   |                         |

**Figure 2-4: Wetland/Stream Delineation**  
ALDOT RAED-031-052-002  
SR-52 Additional Lanes from Slocomb to Malvern  
Geneva County


 1 inch = 100 feet





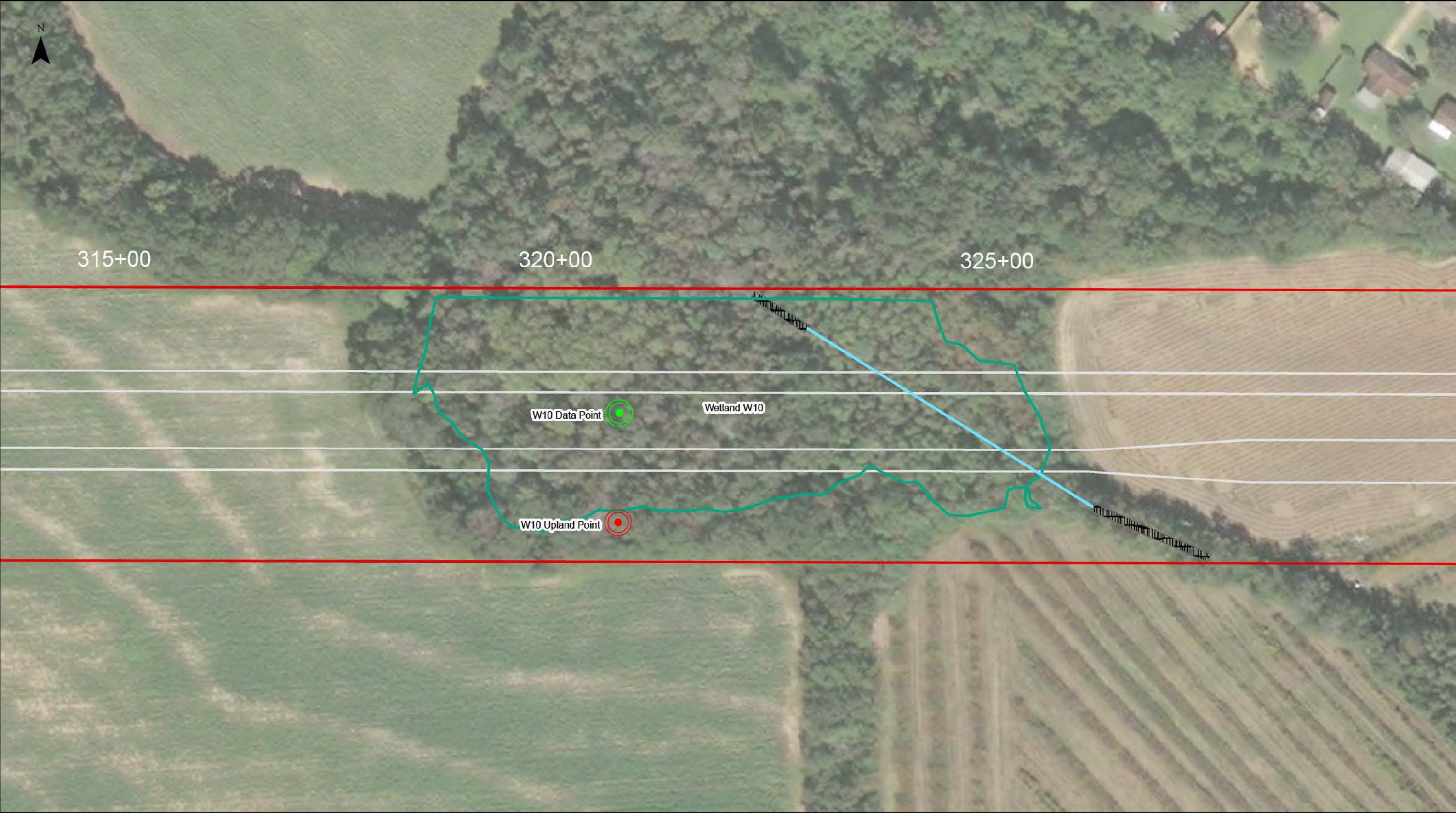


**Figure 2-5: Wetland/Stream Delineation**  
ALDOT RAED-031-052-002  
SR-52 Additional Lanes from Slocomb to Malvern  
Geneva County

 1 inch = 100 feet

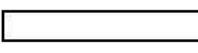






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|--|---------------------|---|--------------------|---|-------------------------|
|  | ROW                 |  | Wetland Data Point |  | Proposed Drainage       |
|  | Construction Limits |  | Upland Data Point  |  | Existing Drainage       |
|  | Equired EOP         |  |                    |   | Stream Impacts (Riprap) |
|  | Wetlands            |  | Delineated Streams |   |                         |

**Figure 2-6: Wetland/Stream Delineation**  
ALDOT RAED-031-052-002  
SR-52 Additional Lanes from Slocomb to Malvern  
Geneva County

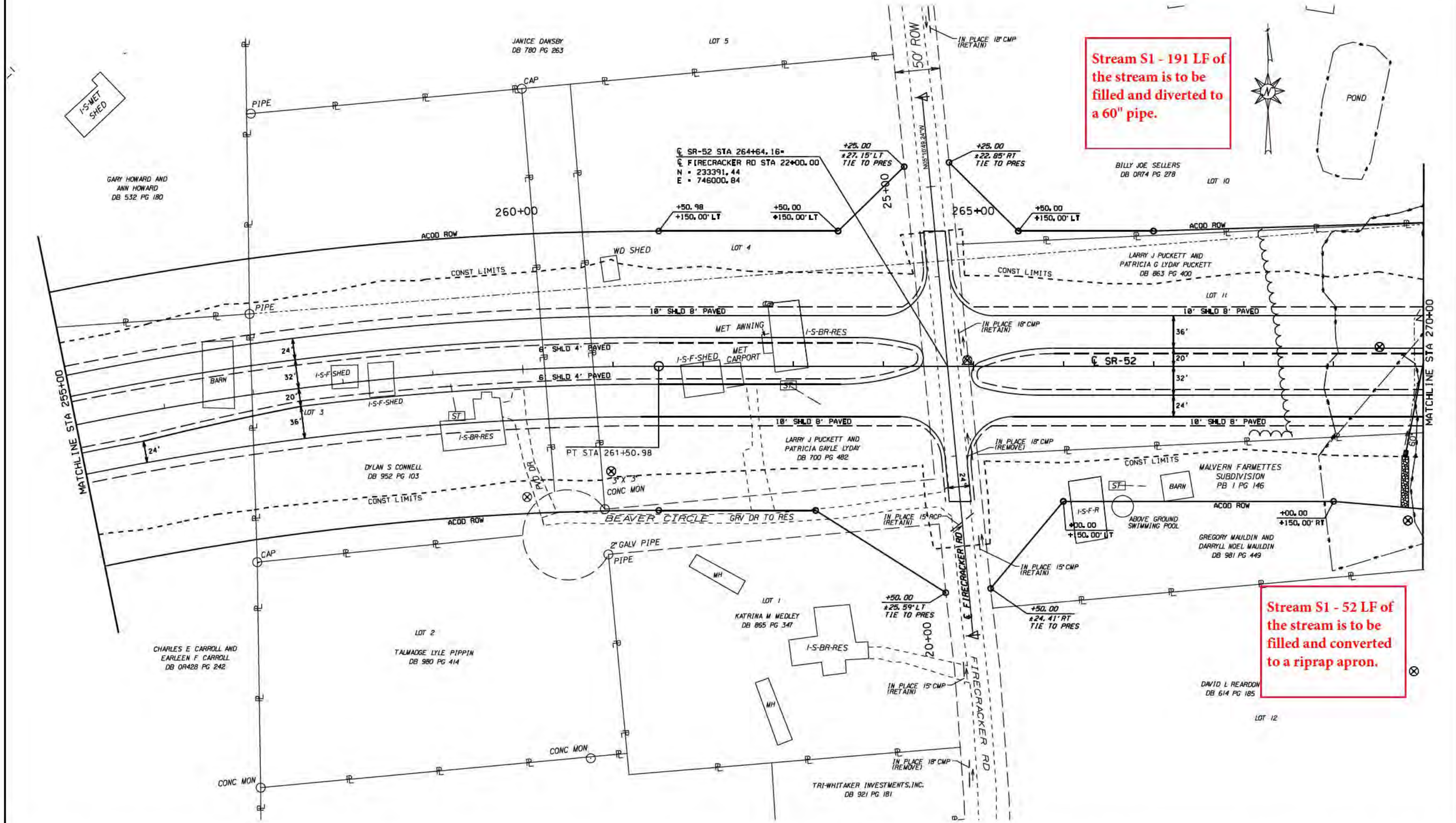
 1 inch = 100 feet





PLAN

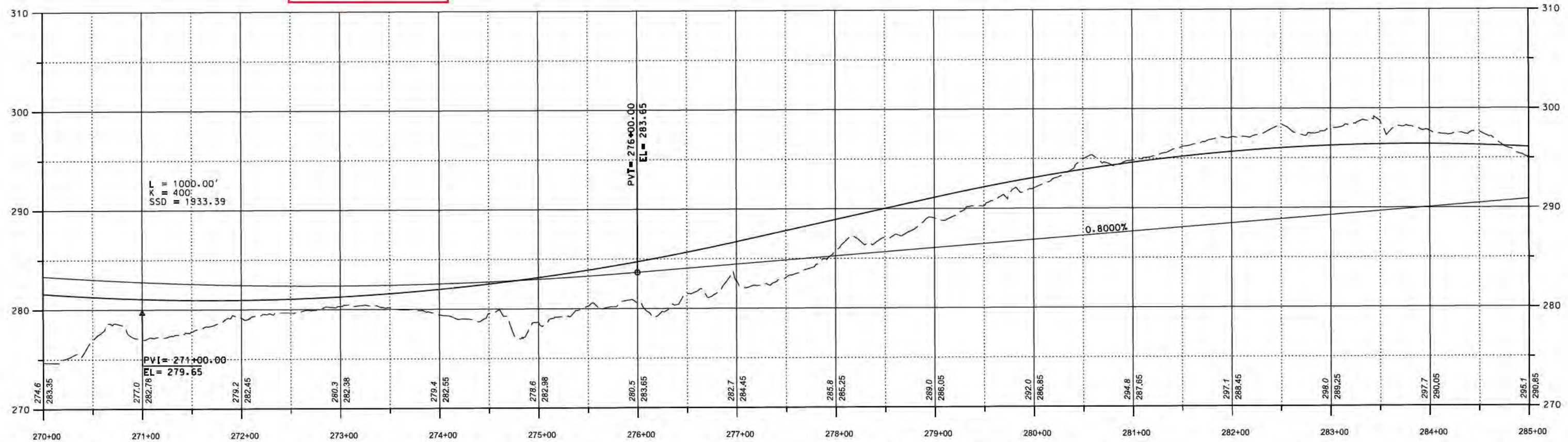
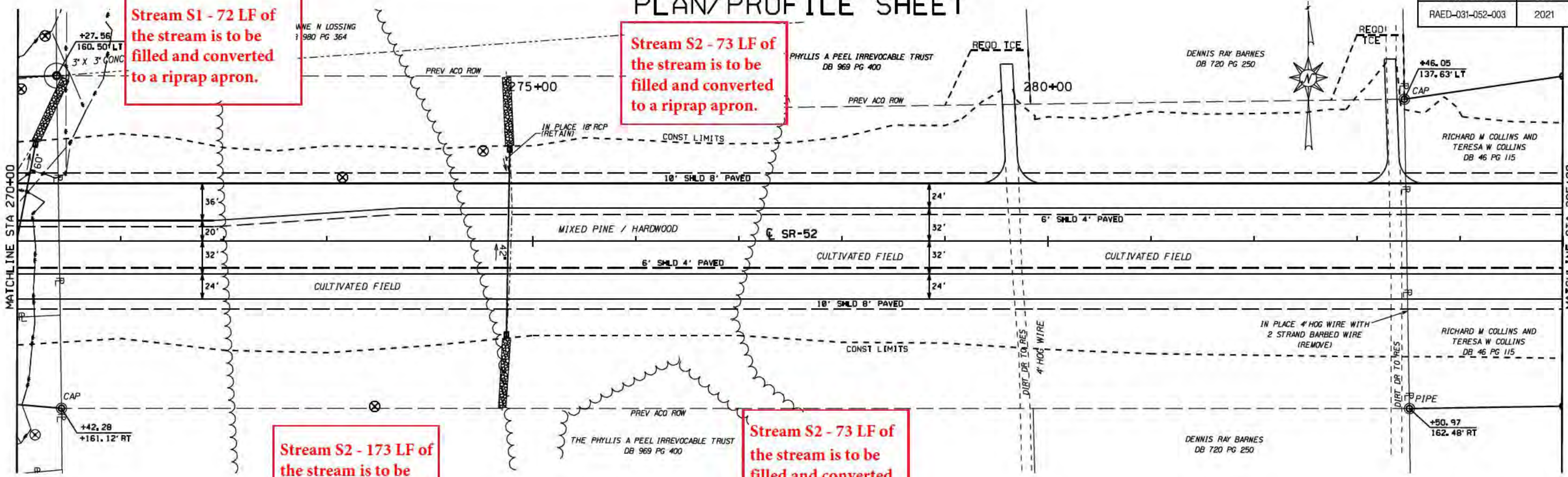
REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
RAED-031-052-003	2021	8





REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
RAED-031-052-003	2021	10

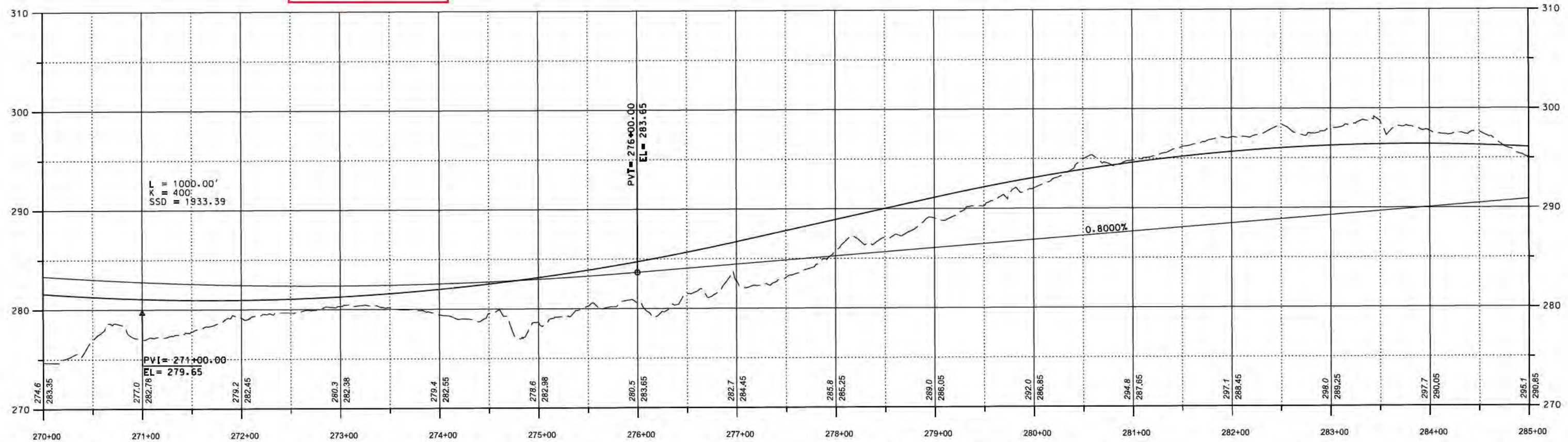
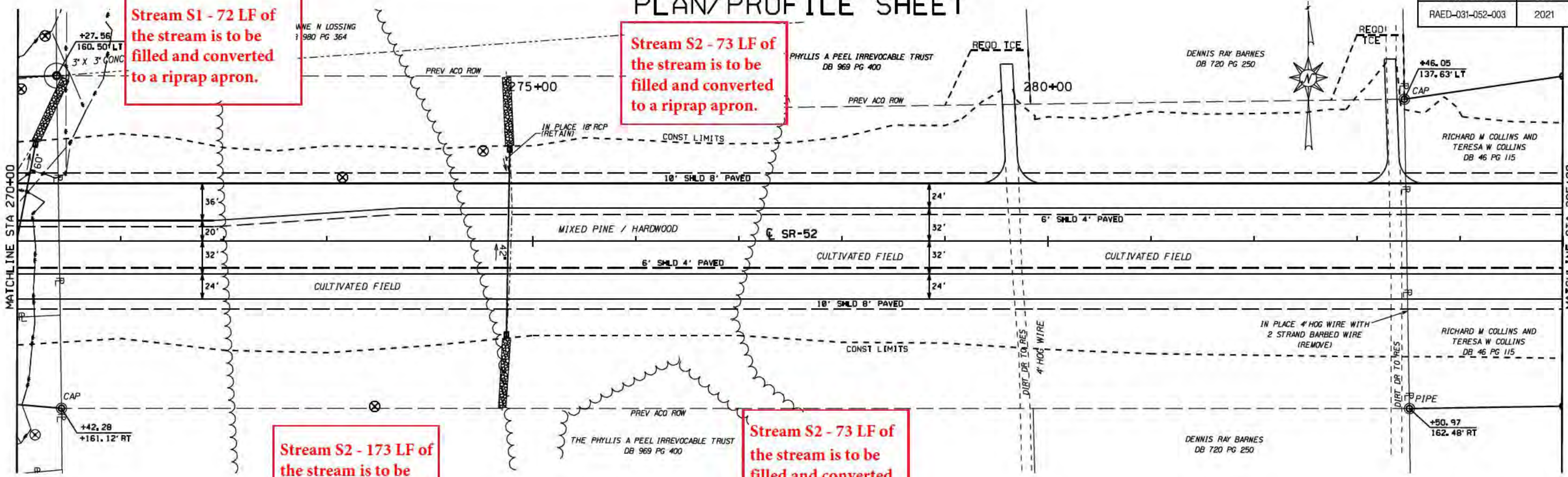
# PLAN/PROFILE SHEET





REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
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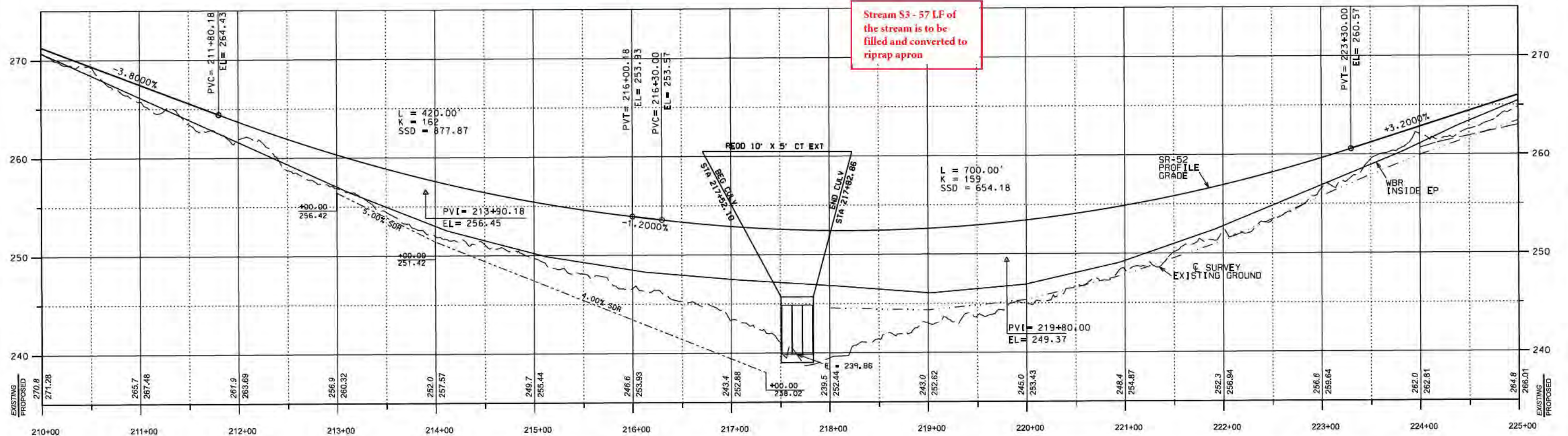
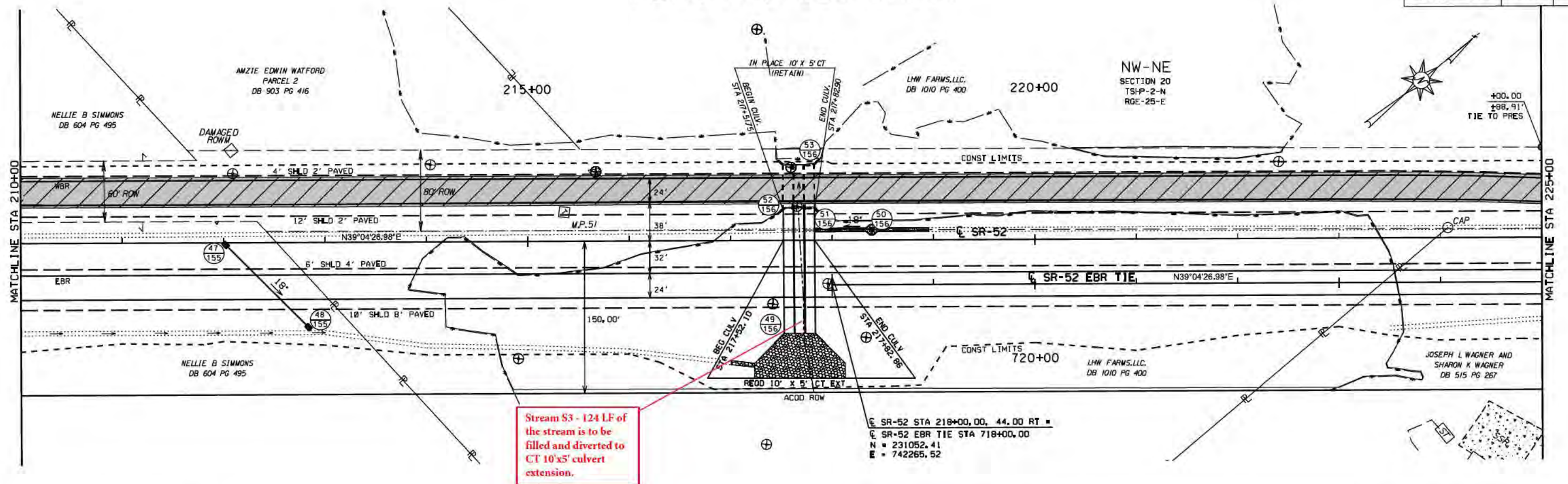
# PLAN/PROFILE SHEET





# PLAN/PROFILE SHEET

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
RAED-031-052-002	2022	12



HMB PROFESSIONAL ENGINEERS, INC.

PRELIMINARY  
NOT FOR CONSTRUCTION

RESPONSIBLE PE:  
DATE:

PLAN SUBMITTAL  
PLAN IN HAND



ALABAMA DEPARTMENT  
OF TRANSPORTATION  
SOUTHEAST REGION

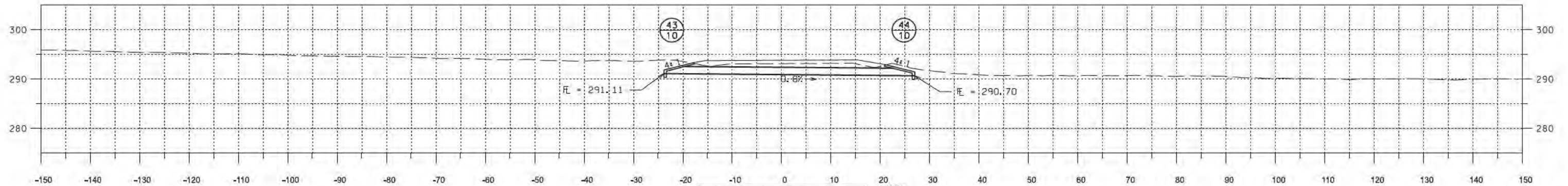
HORIZONTAL SCALE (FEET): 1" = 50'  
VERTICAL SCALE (FEET): 1" = 5'

SHEET TITLE: PLAN/PROFILE SHEET  
ROUTE: SR-52

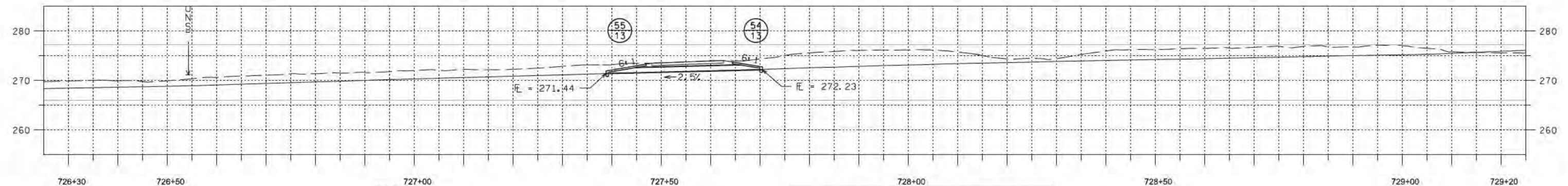


# DRAINAGE CROSS SECTION

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
RAED-031-052-002	2022	156

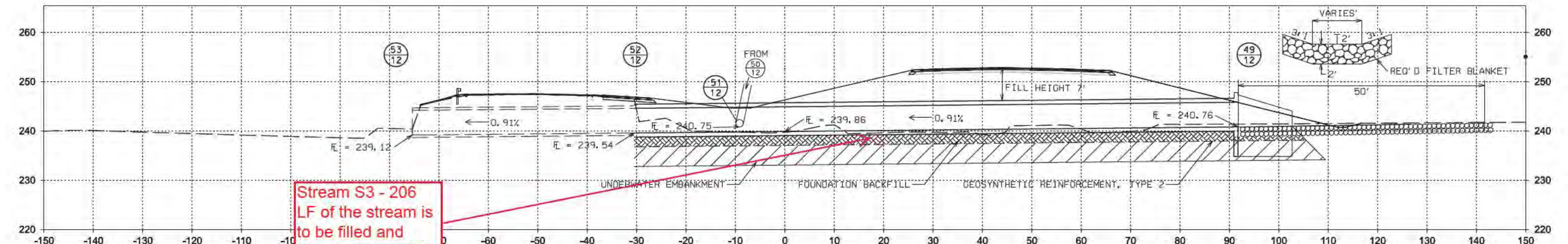


51' - 18" ROADWAY PIPE (CLASS 3 R.C.)  
2 - 18" ROADWAY PIPE END TREATMENTS, CLASS 1  
SKEW - 38°42' LT AH



REQD:  
32' - 22" SPAN, 13' RISE ROADWAY PIPE (CLASS 3 R.C.)  
2 - 22" SPAN, 13' RISE SIDE DRAIN PIPE END TREATMENTS, CLASS 1

EBR TIE LT 726+25 - 729+25



Stream S3 - 206  
LF of the stream is  
to be filled and  
diverted to 122 LF  
of CT 10'x5' culvert  
extension and 44  
LF of riprap apron

IN PLACE:  
46' - 10' x 5' CT (RETAIN)  
1 - HEADWALL (REMOVE RT)

SR-52 217+67

REQD:  
164' - 54" ROADWAY PIPE (CLASS 3 R.C.)  
122' - CULVERT EXTENSION CT 10' x 5'  
1 - WINGWALL  
XXX TONS - LOOSE RIPRAP, CLASS 2  
XXX SQUARE YARDS - FILTER BLANKET  
XXX SQUARE YARDS - GEOSYNTHETIC REINFORCEMENT, TYPE 2  
XXX SQUARE FEET - TEMPORARY STEEL SHEET PILING  
SKEW - 0°

HMB PROFESSIONAL ENGINEERS, INC.

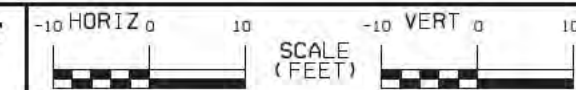
PRELIMINARY  
NOT FOR CONSTRUCTION

RESPONSIBLE PE:  
DATE:

PLAN SUBMITTAL  
PLAN IN HAND



ALABAMA DEPARTMENT  
OF TRANSPORTATION  
SOUTHEAST REGION



SHEET TITLE  
DRAINAGE CROSS SECTION  
ROUTE  
SR-52