



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
MONTGOMERY FIELD OFFICE
600 VESTAVIA PARKWAY, SUITE 203,
VESTAVIA HILLS, AL 35216

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2021-00736-AKG

February 3, 2023

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 OF US HIGHWAY 43 AND STATE
ROUTE 69 IN CLARKE, MARENGO, AND HALE COUNTIES,
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: Volkert, Inc.
Attention: Ms. Paige Felts
1680 West 2nd Street, Suite B
Gulf Shores, Alabama 36542

LOCATION: The proposed project is located in wetlands and other waters tributary to Mud Creek, Whirl Creek, Sam's Creek, Sweetwater Creek, Beaver Creek, Springfield Creek, Little Creek, Mill Creek, and un-named tributaries near the Cities of Thomasville, Dixon Mills, Wayne, Linden, Providence, and Gallion in Clarke, Marengo, and Hale Counties, Alabama. More specifically, the project is located along 24-miles of U.S. Highway 43 (US 43) commencing near Latitude 31.938615 North, Longitude -87.737193 West and terminating near Latitude 32.264244 North, Longitude -87.794696, and 12-miles of State Road 69 (SR 69) commencing near Latitude 32.360458 North, Longitude -87.756323 West and terminating near Latitude 32.509290 North, Longitude -87.694518 West within Sections 2 and 11, Township 11 North, Range 3 East; Sections 4, 9, 15, 16, 22, 27, 34 and 35, Township 12 North, Range 3 East; Sections 3, 4, 9, 16, 21, 28 and 33 Township 13 North, Range 3 East; Sections 4, 9, 15, 16, 21, 28 and 33 Township 14 North, Range 3 East; Sections 16, 17, 20, 21, 28, 29, and 33, Township 15 North, Range 3 East; Sections 11, 12 and 14, Township 16 North, Range 3 East; Sections 5, 6 and 7, Township 16 North, Range 4 East; Sections 5, 7, 8, 17, 18, 19, 20, 29, 31 and 32, Township 17 North, Range 4 East; Sections 28, 29 and

32, Township 18 North, Range 4 East. The project is in the Middle Tombigbee-Chickasaw 8-digit hydrologic unit code (HUC 03160201) and Lower Black Warrior (HUC 03160113). A copy of the full engineered plan for the project is available upon request.

PURPOSE: The basic project purpose is transportation. The overall project purpose is to construct a new divided four-lane highway that connects US 43 to SR 69 with a bypass around Dixon Mills. The highway will extend from Thomasville, Alabama to the southern terminus of a bypass highway under construction around Linden, Alabama and from the north terminus of the Linden Bypass to US Highway 80 (US 80) near Gallion, Alabama.

PROPOSED WORK: The applicant is requesting authorization for the discharge of fill material into waters of the U.S. (WOUS) associated with widening existing US 43 from Thomasville to the SR 303 Linden Bypass (approximately 24 miles) and widening existing SR 69 from the SR 303 Linden Bypass to US 80 (approximately 12 miles). The typical roadway section would include four 12-foot travel lanes divided by a 64-foot-wide grassed median with 4-foot paved inside shoulders and 8-foot paved outside shoulders. A four-lane divided bypass will be constructed on a new location near the Dixon Mills community and the existing intersection of SR 69 and US 80 will be realigned to improve safety. Design speed for the project is 65 miles per hour (MPH). The proposed project would permanently impact 8,338 linear feet of perennial stream, 5,340 linear feet of intermittent stream, 4,841 linear feet of ephemeral stream, and 90.04 acres of wetlands. Activities proposed within WOUS include mechanized land clearing, and the discharge of fill material including installation of piping, culverts, and scour protection riprap. The applicant has designed bridge spans across Mud Creek, Little Creek, Mill Creek, and Beaver Creek.

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, reducing the grassed median widths, steepening outside slopes along the corridor, and bridging perennial stream crossings. 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 wetlands and streams through the withdrawal of wetland and stream credits from an USACE approved ALDOT 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 EPA.

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 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 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) and Southern clubshell (E). Additionally, the Gopher Tortoise has been identified as a candidate species within the project watersheds. There is no designated critical habitat within the project action area. The USACE has not made a determination regarding potential effects of the project on the above-listed species at this time. Further coordination with the United States Fish and Wildlife Service (USFWS) will be performed as determined to be 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.

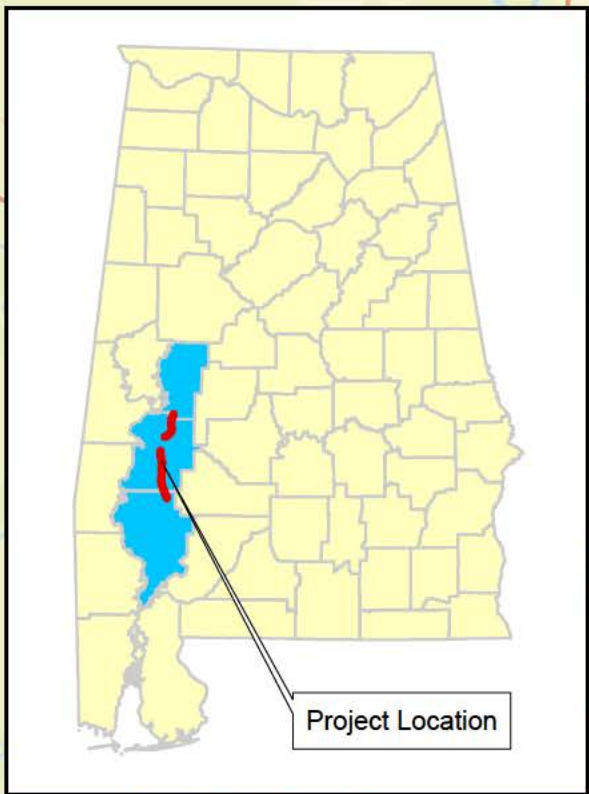
COMMENT PERIOD: All comments should be received no later than **30 days** from the date of issuance of this Public Notice. Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2021-00736-AKG** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Montgomery Field Office, Attention: Ms. Amy Gavin, 600 Vestavia Parkway, Suite 203, Vestavia Hills, AL 35216, 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>.

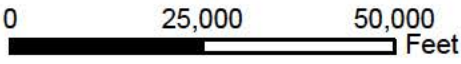
MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



Legend

 Project Boundary



1 inch = 25,000 feet

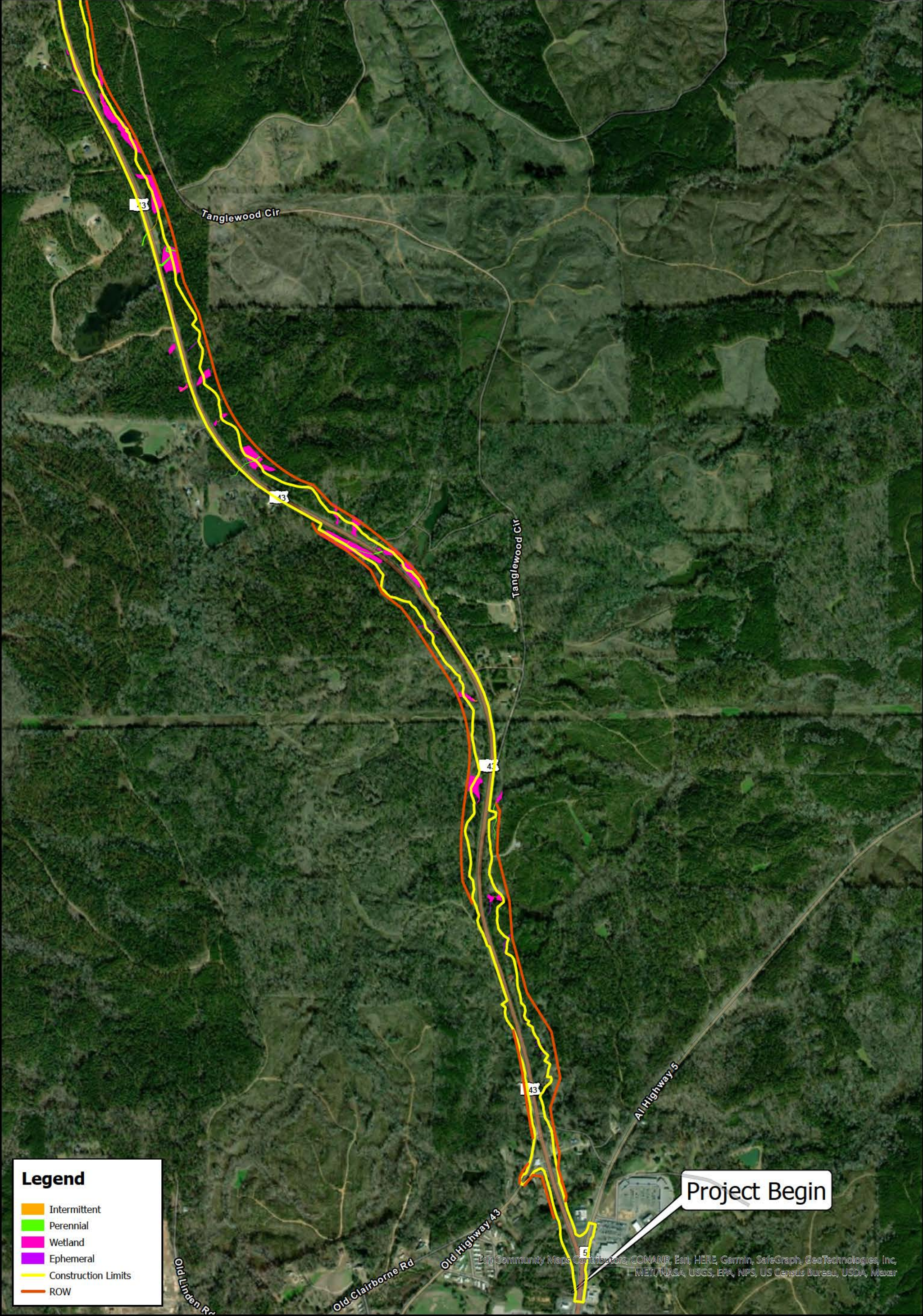
Note: This map is not intended for construction.



Project Location
US-43/SR-69 Widening
Marengo, Clarke and Hale Counties

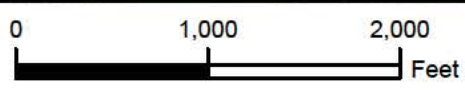


VOLKERT



Legend

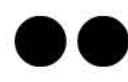
- Intermittent
- Perennial
- Wetland
- Ephemeral
- Construction Limits
- ROW

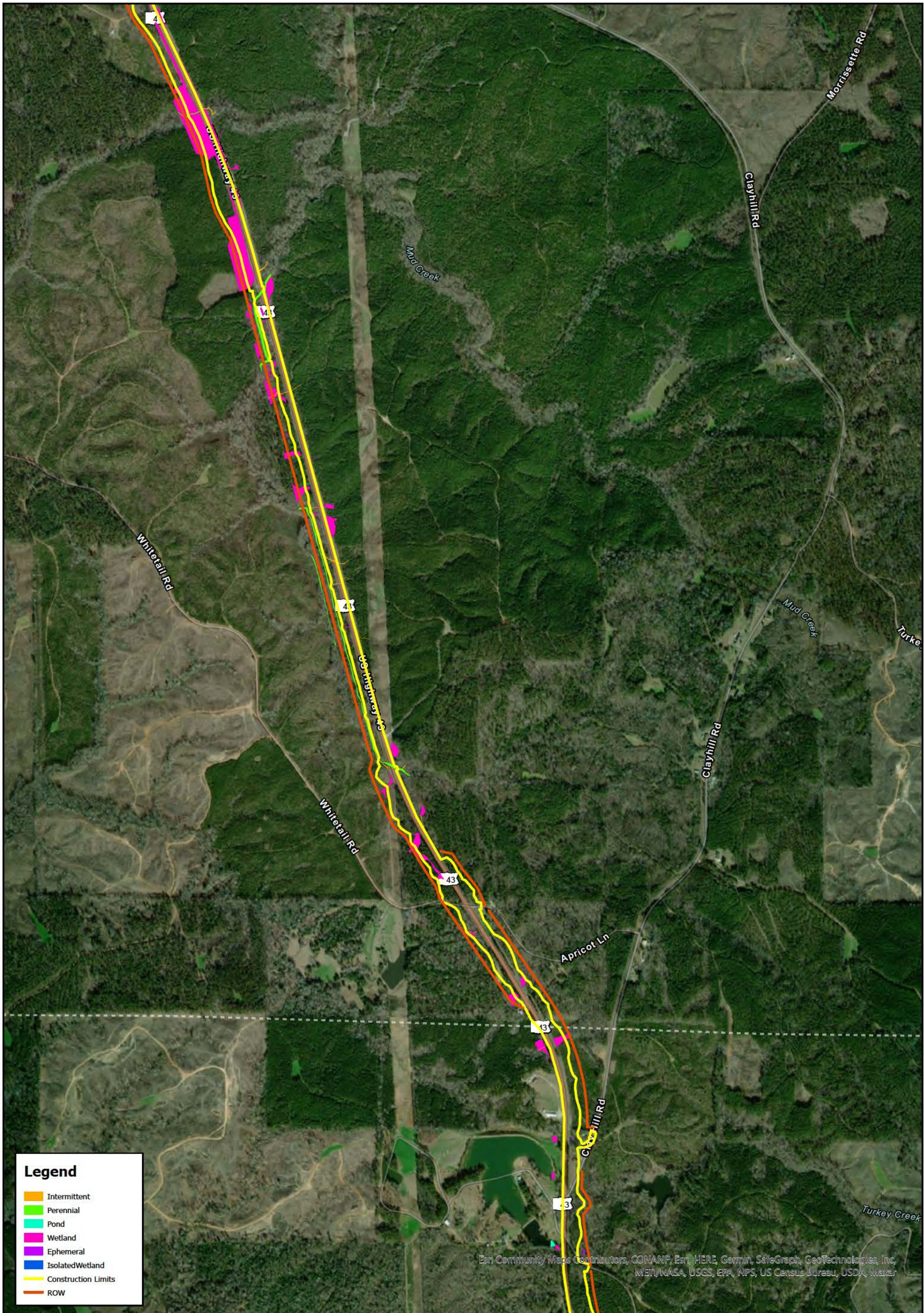


1 inch = 1,000 feet
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Project Begin

Environmental Features
 Widening US-43/SR-69
 Hale, Marengo and Clarke County

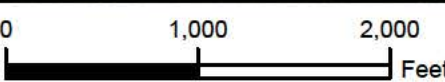




Legend

- Intermittent
- Perennial
- Pond
- Wetland
- Ephemeral
- IsolatedWetland
- Construction Limits
- ROW

Esri Community Maps Contributors, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Maxar

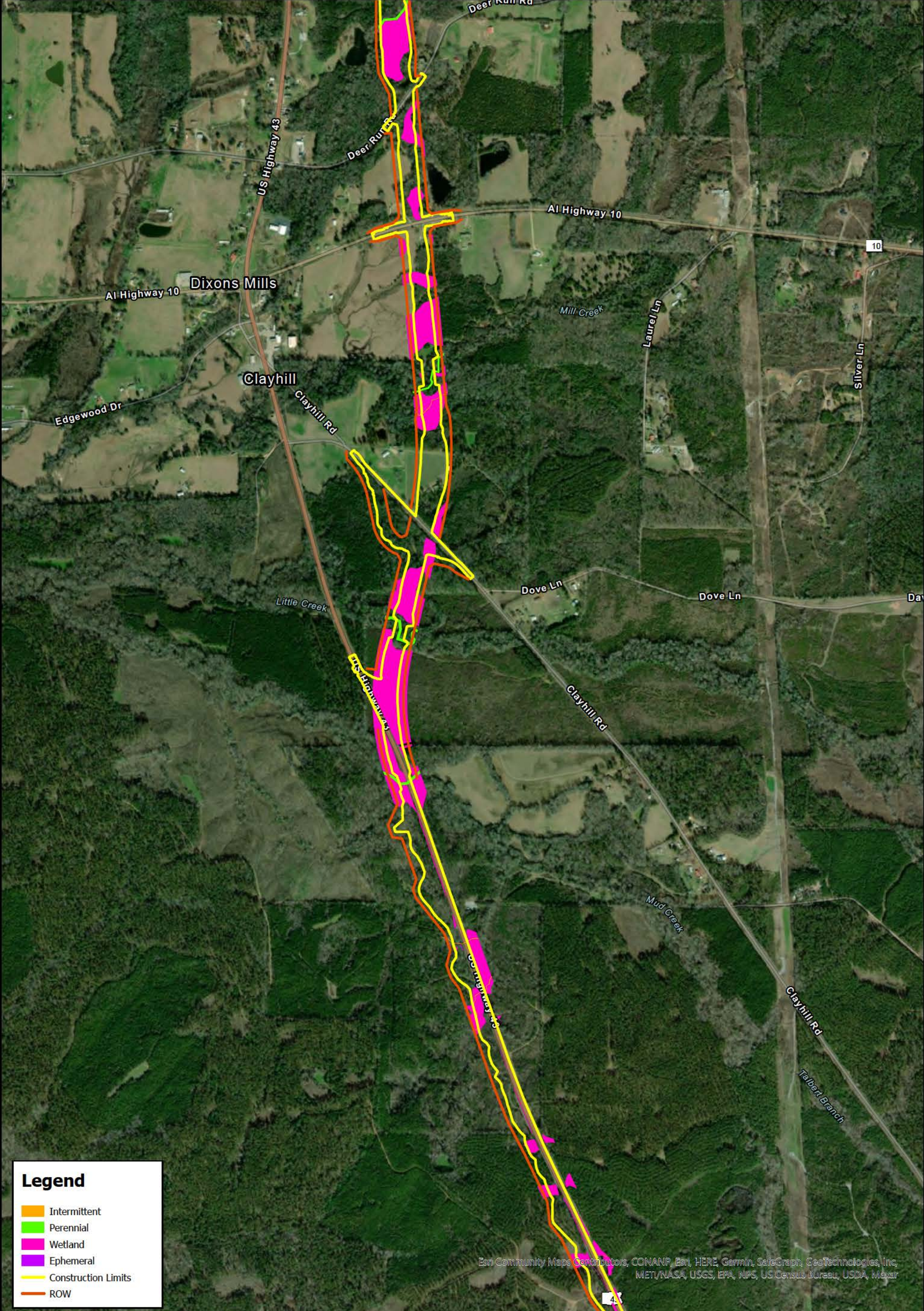


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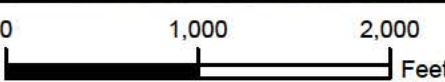
Environmental Features
Widening US-43/SR-69
 Hale, Marengo and Clarke County



Legend

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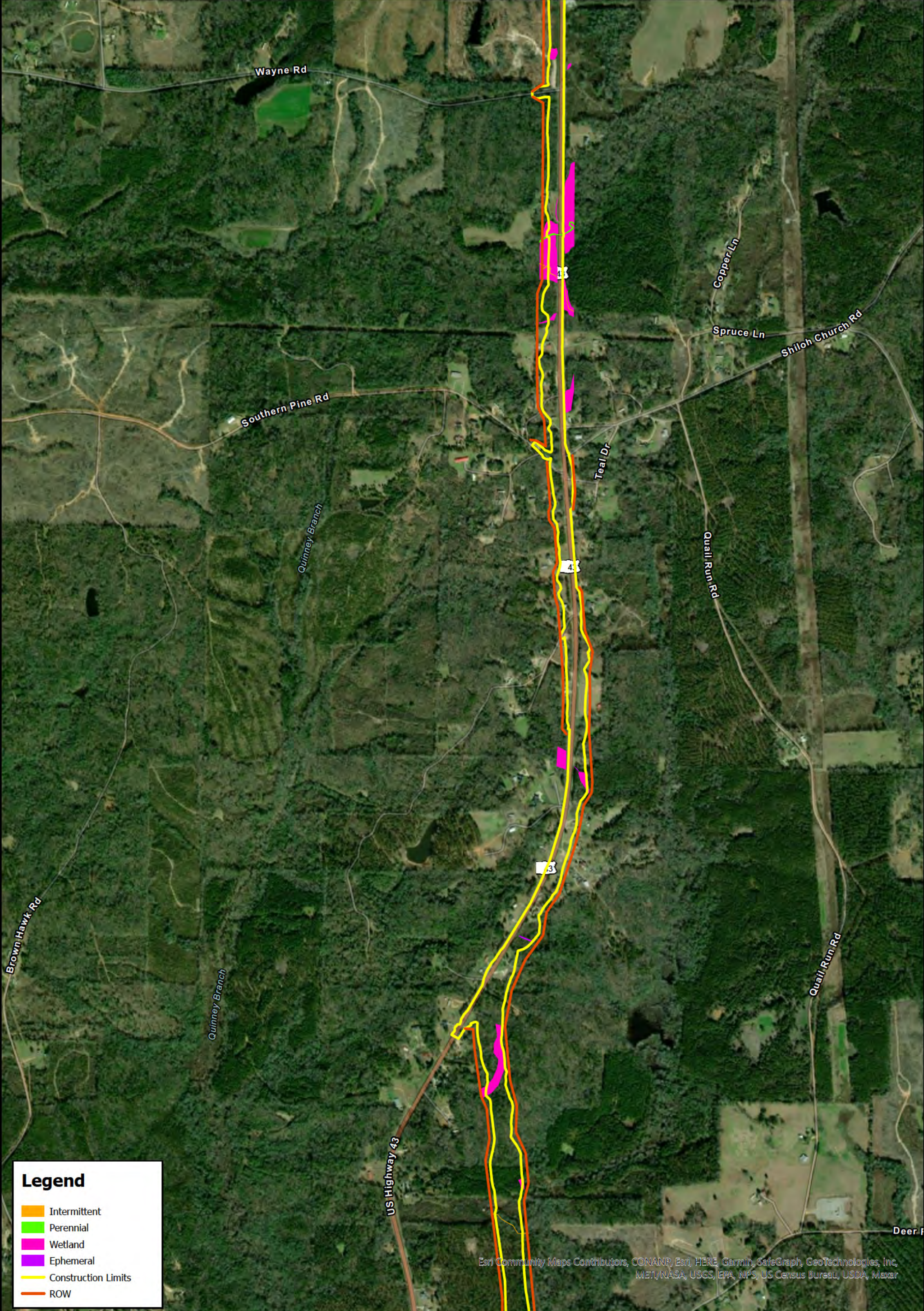


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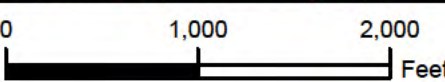
Environmental Features
Widening US-43/SR-69
 Hale, Marengo and Clarke County



Legend

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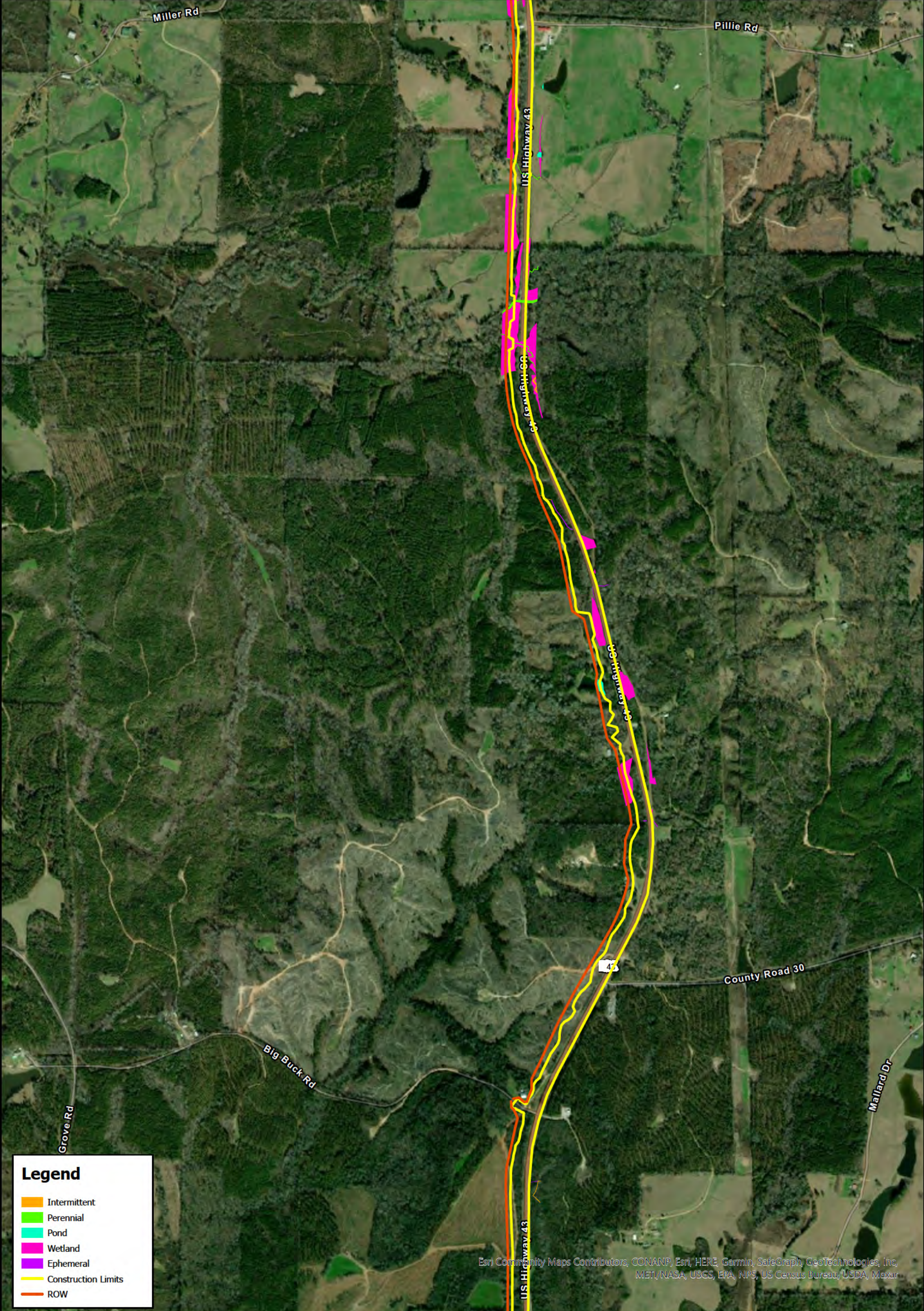


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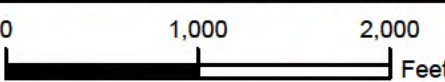
Environmental Features
Widening US-43/SR-69
 Hale, Marengo and Clarke County



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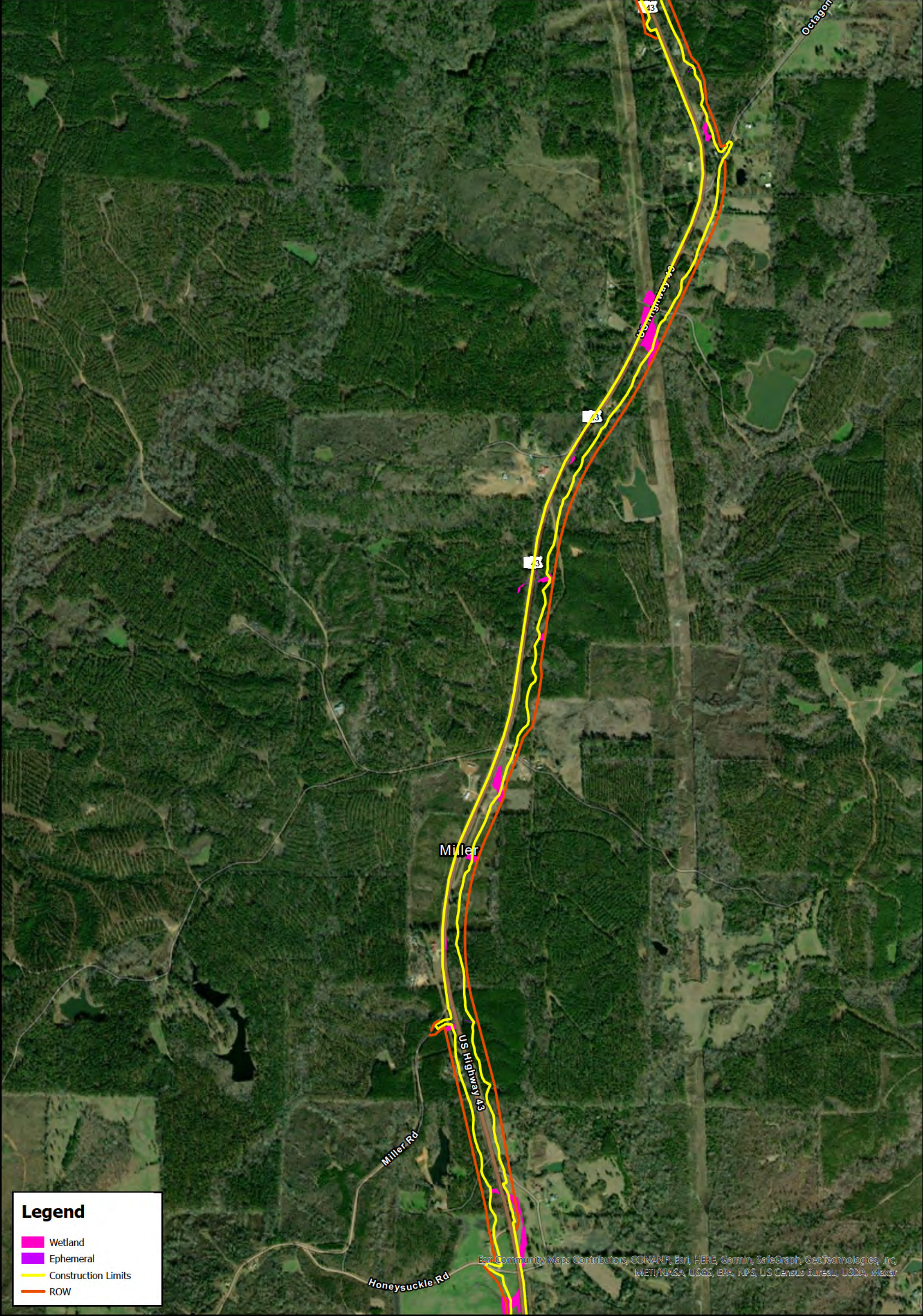


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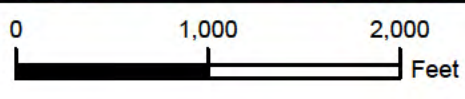
Environmental Features
Widening US-43/SR-69
 Hale, Marengo and Clarke County



Legend

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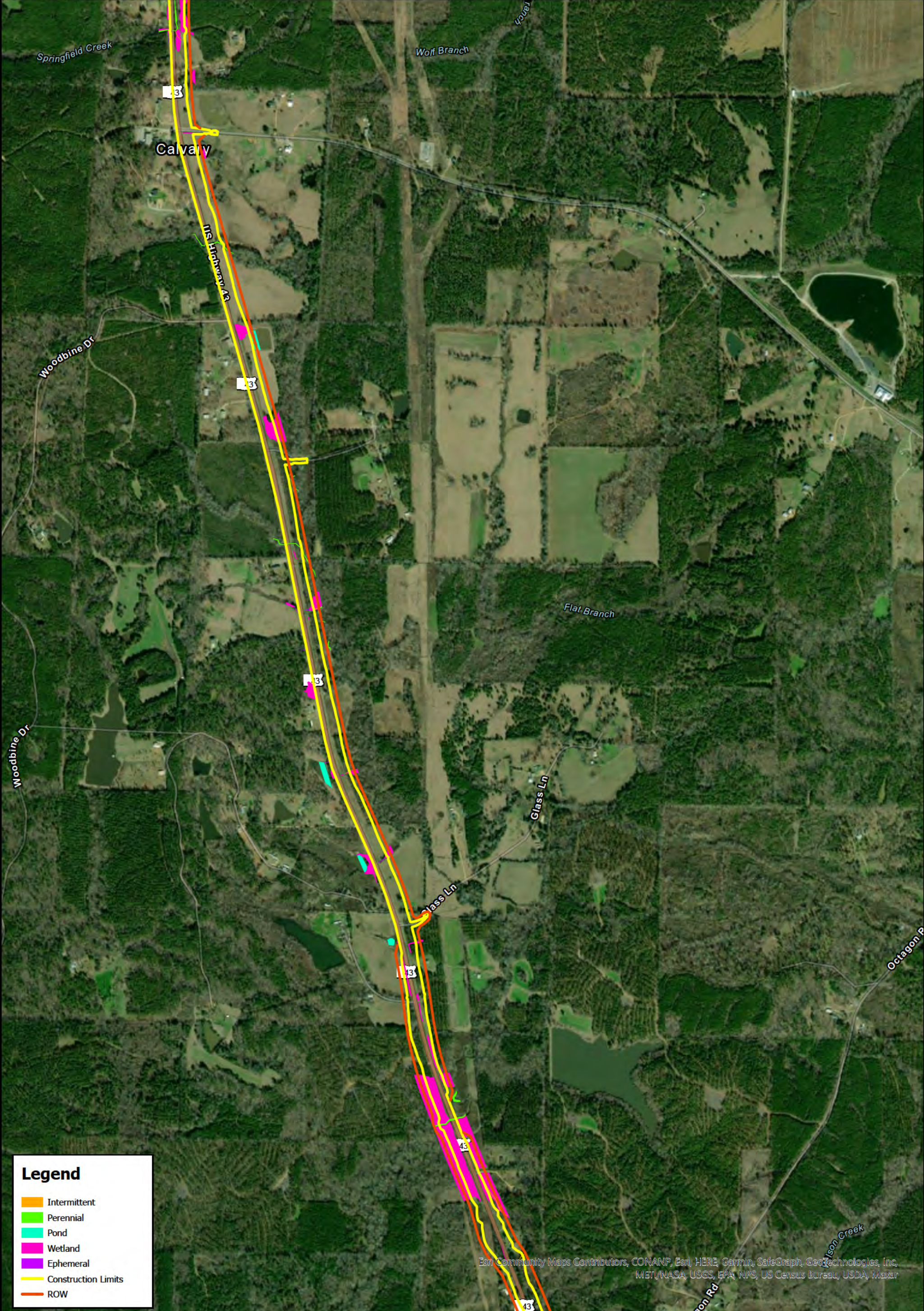


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Environmental Features
Widening US-43/SR-69
Hale, Marengo and Clarke County

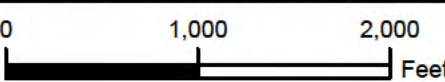




Legend

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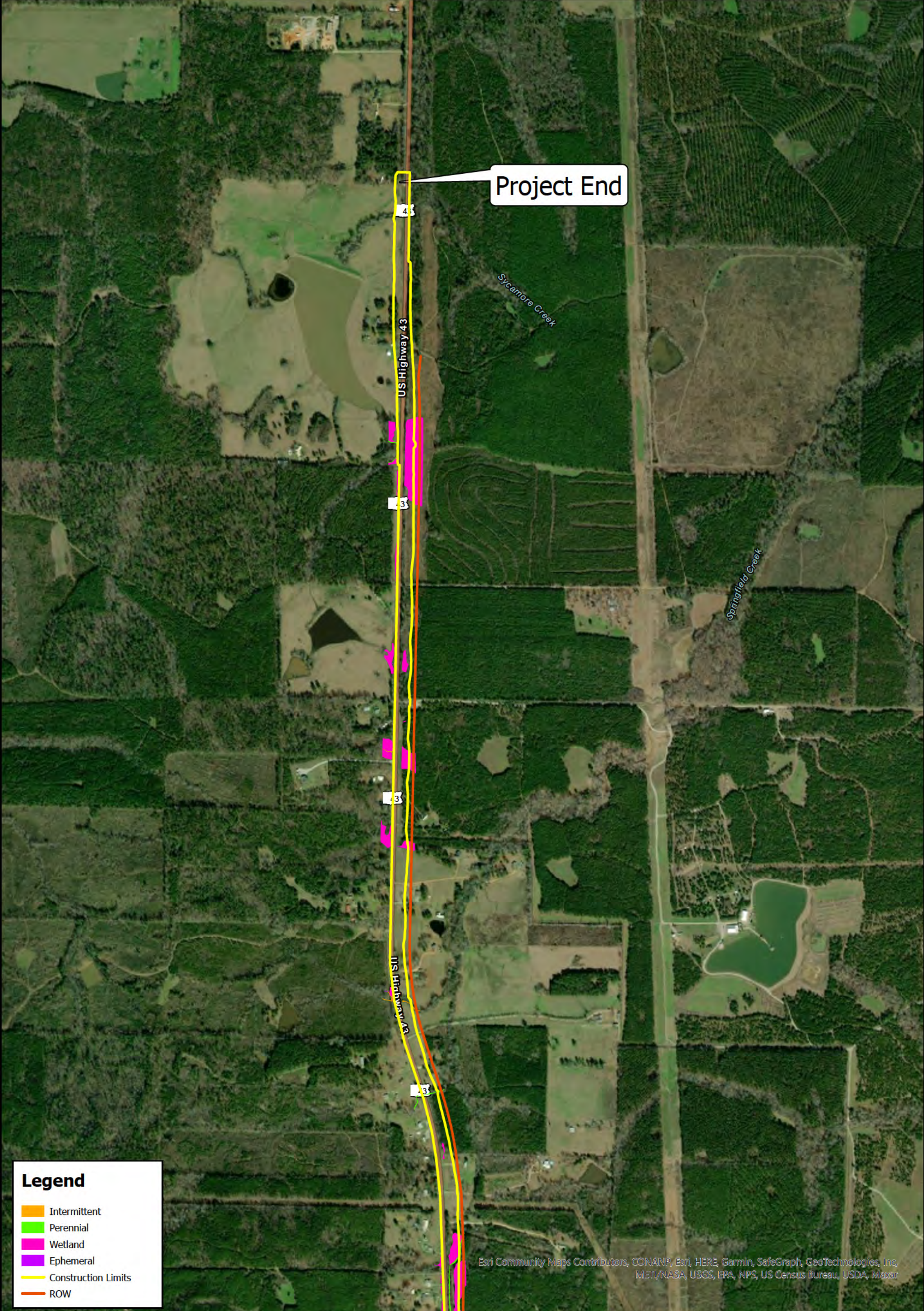


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Environmental Features
Widening US-43/SR-69
 Hale, Marengo and Clarke County



Project End

43

US Highway 43

69

69

69

US Highway 69

69

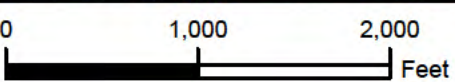
Sycamore Creek

Springfield Creek

Legend

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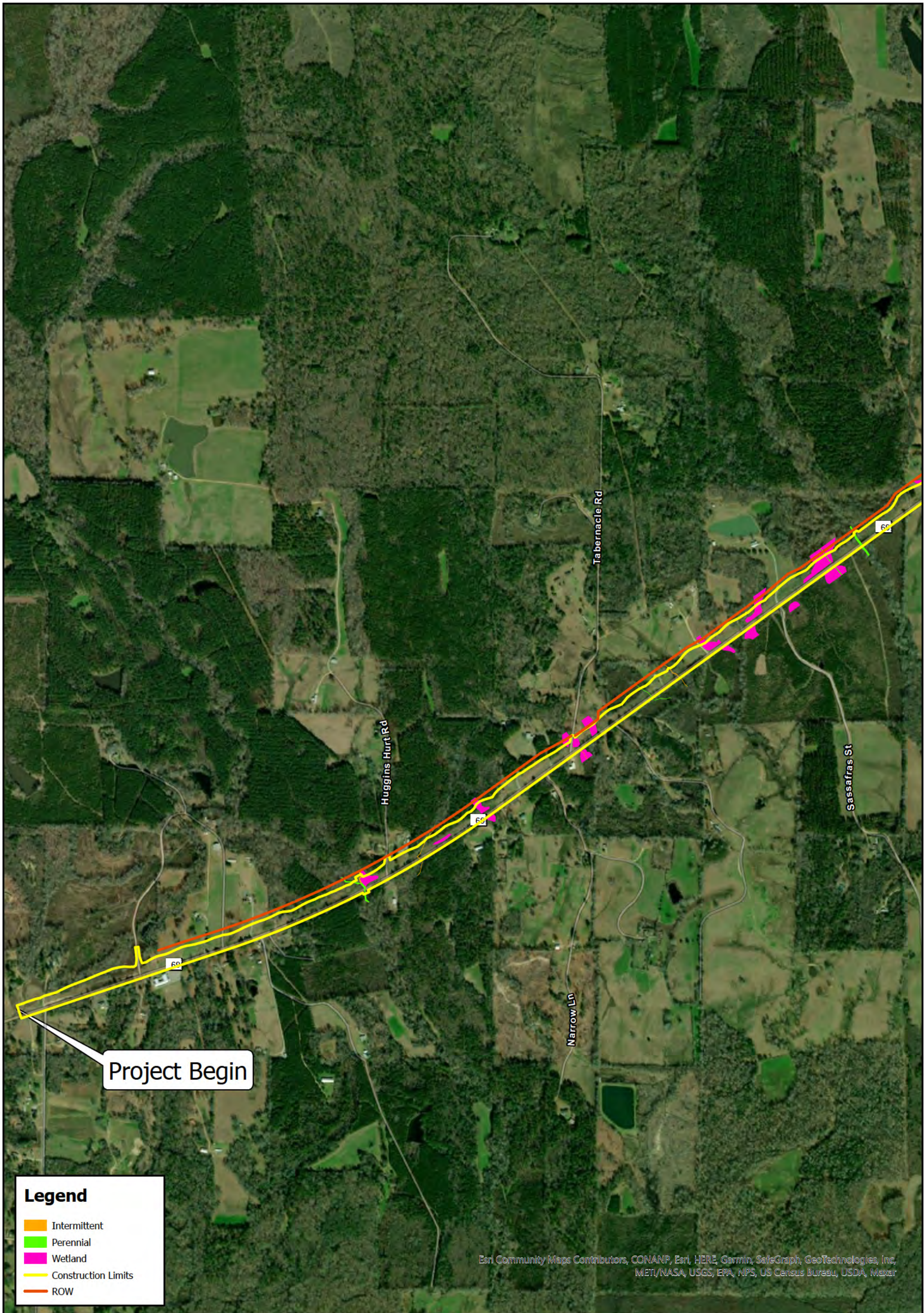


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Environmental Features
Widening US-43/SR-69
 Hale, Marengo and Clarke County

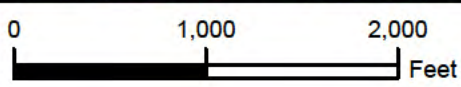




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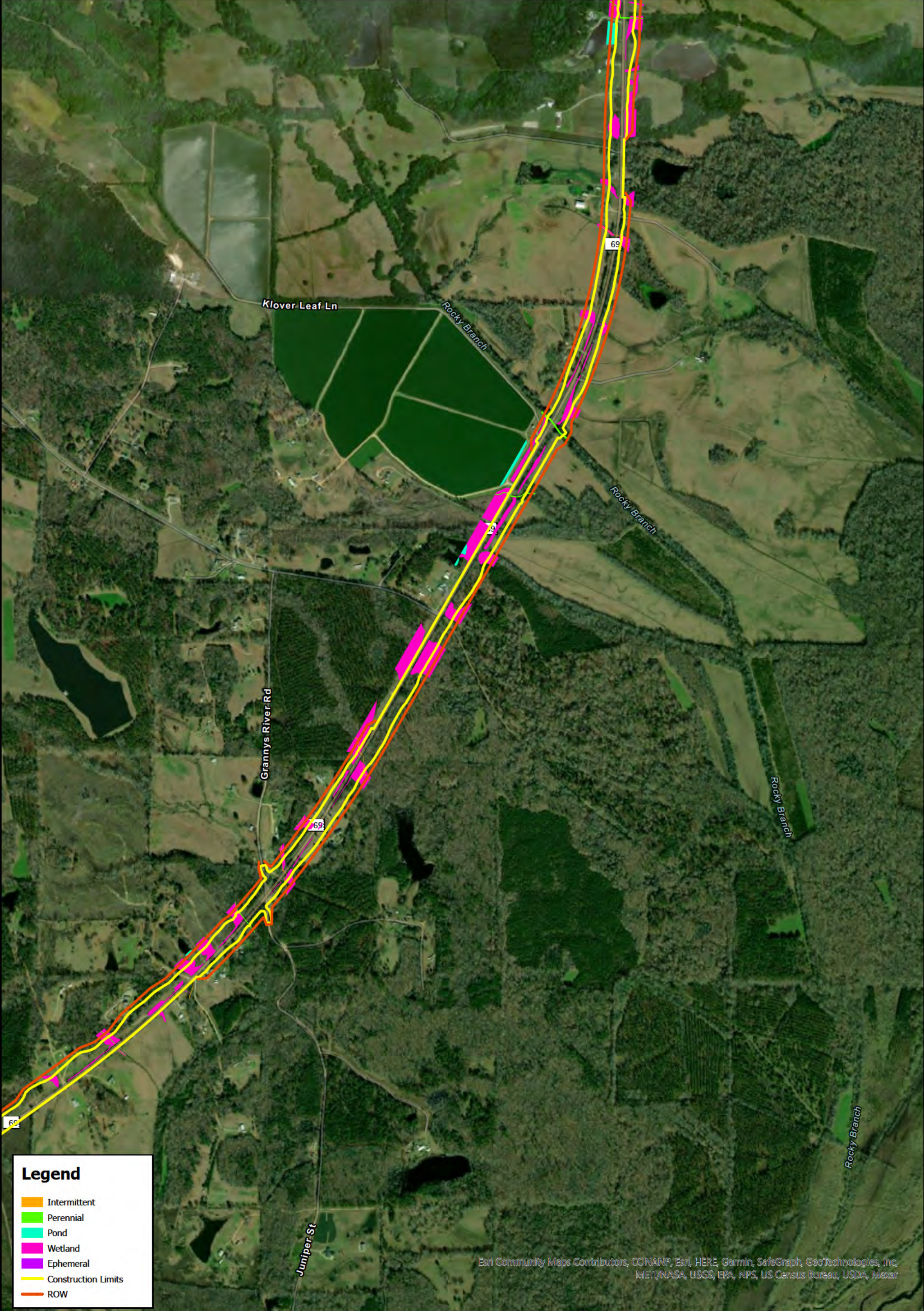


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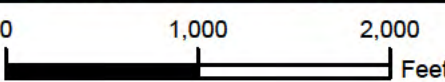
Environmental Features
Widening US-43/SR-69
 Hale, Marengo and Clarke County



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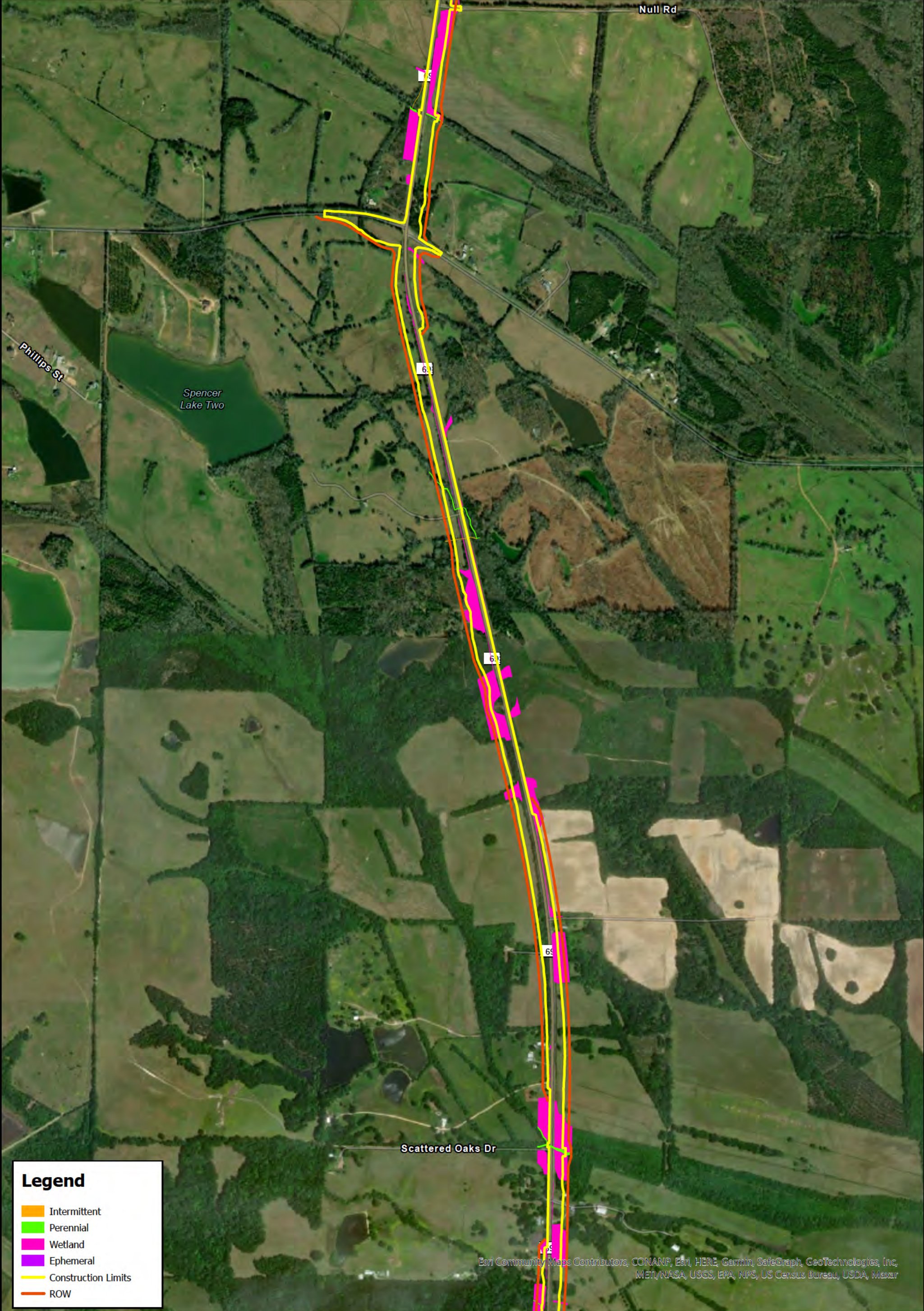


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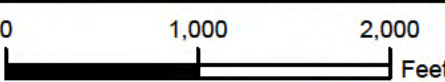
Environmental Features
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 Hale, Marengo and Clarke County



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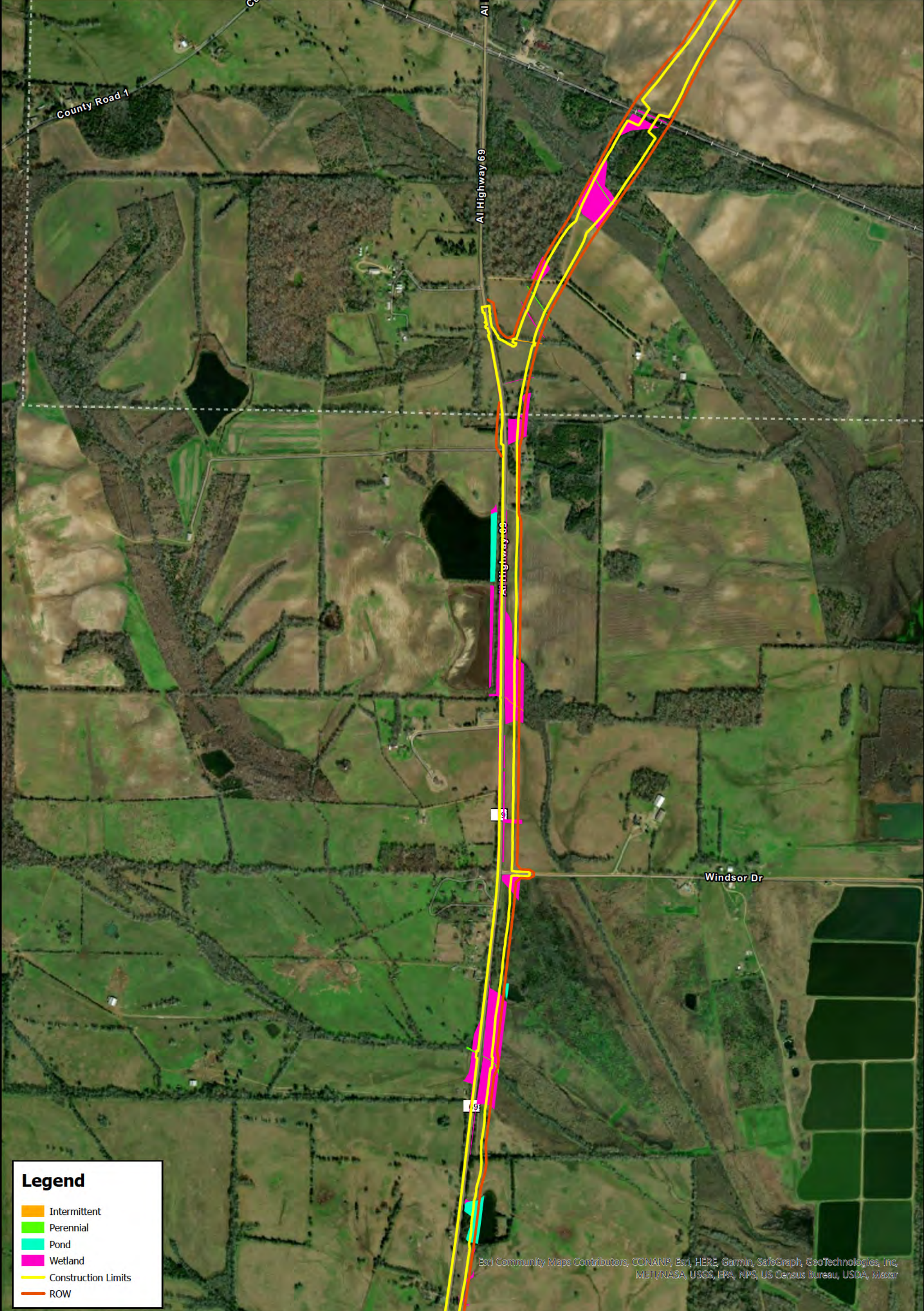


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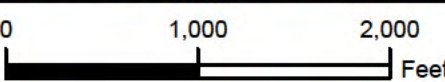
Environmental Features
Widening US-43/SR-69
 Hale, Marengo and Clarke County



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Environmental Features
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 Hale, Marengo and Clarke County

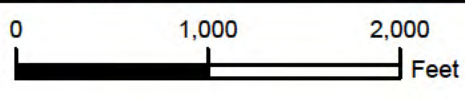
Project end



Legend

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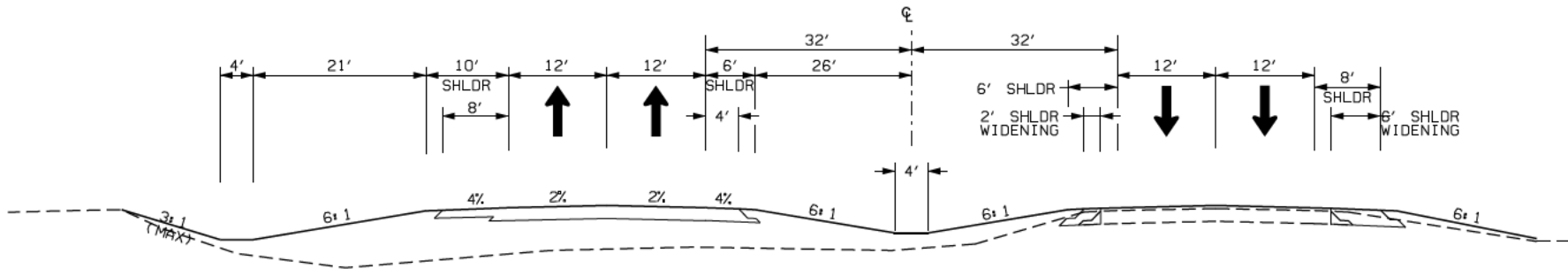
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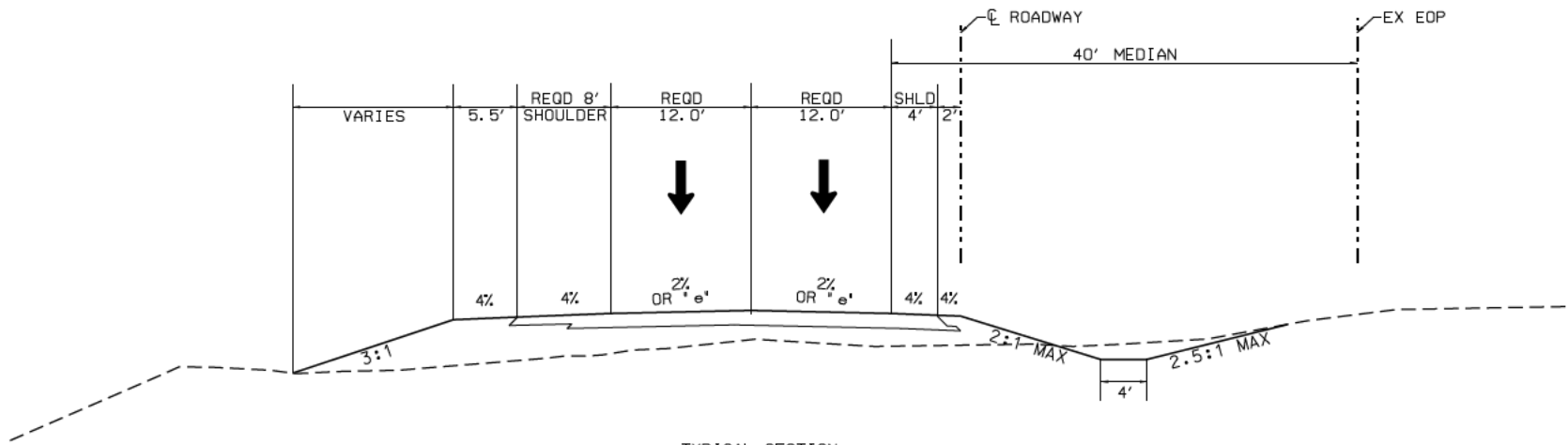
Environmental Features
Widening US-43/SR-69
Hale, Marengo and Clarke County

TYPICAL SECTIONS

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
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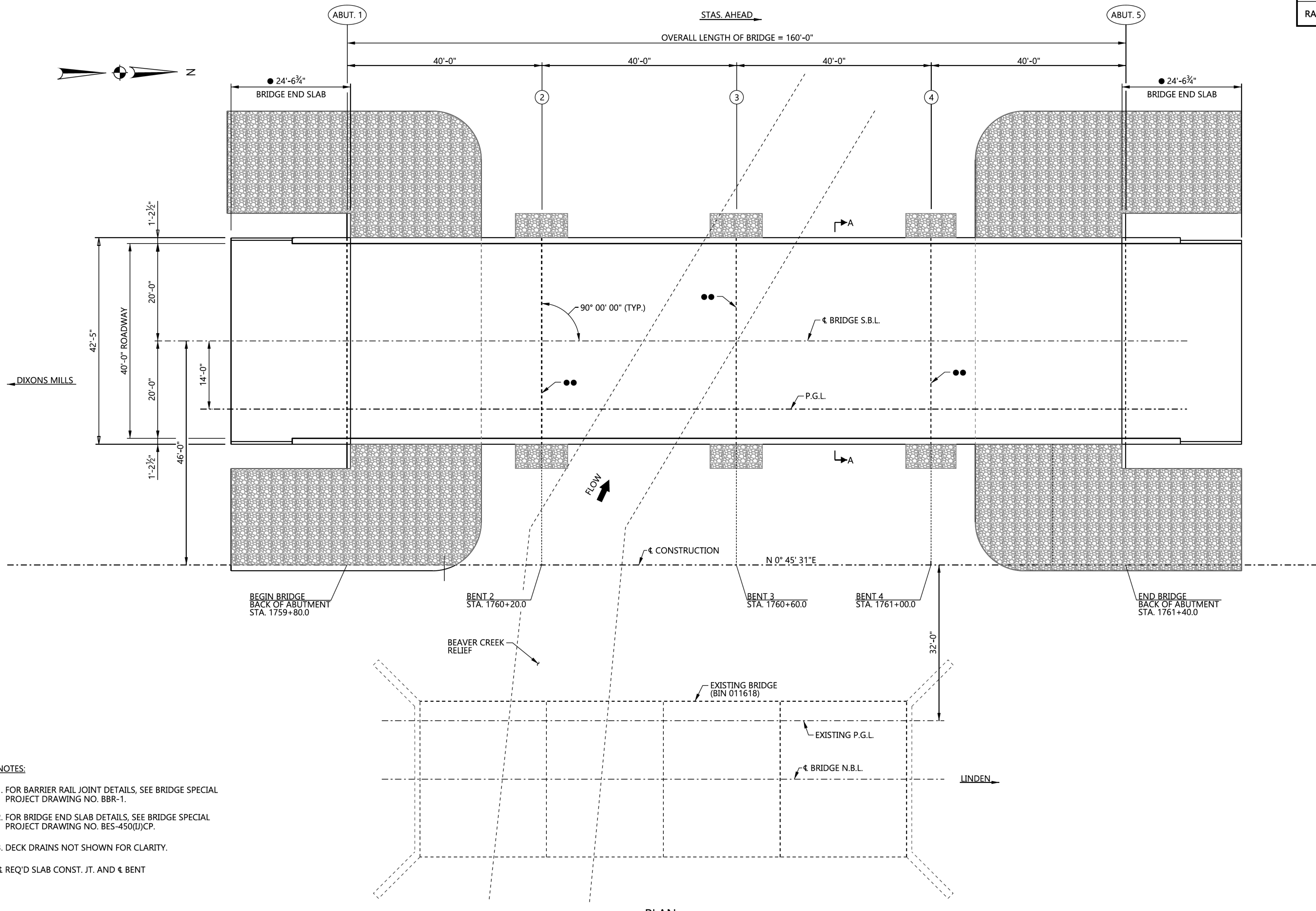
TYPICAL SECTION
(64' MEDIAN)



TYPICAL SECTION
(40' MEDIAN)
STA 1243+00 TO STA 1298+00

RESPONSIBLE PE	SUPERVISOR	DESIGNER	PLAN SUBMITTAL	NOT TO SCALE	SHEET TITLE	ROUTE
DATE	DATE	DATE			TYPICAL SECTIONS	US 43/SR 69 WIDENING

REFERENCE PROJECT NO.	FISCAL YEAR	SHEET NO.
RAED-068-000-161	2022	310



- NOTES:**
1. FOR BARRIER RAIL JOINT DETAILS, SEE BRIDGE SPECIAL PROJECT DRAWING NO. BBR-1.
 2. FOR BRIDGE END SLAB DETAILS, SEE BRIDGE SPECIAL PROJECT DRAWING NO. BES-450(IJ)CP.
 3. DECK DRAINS NOT SHOWN FOR CLARITY.
- & REQ'D SLAB CONST. JT. AND & BENT

PLAN
SCALE: 1"=10'-0"

ALABAMA DEPARTMENT
OF TRANSPORTATION

REVISIONS	BIN(S)	COUNTY(S)
		MARENGO

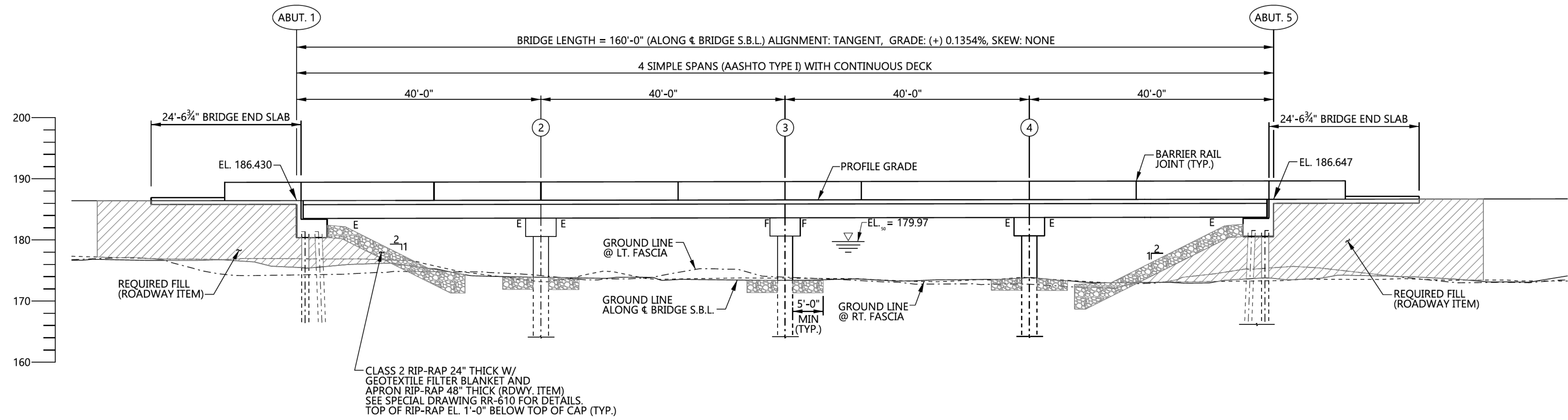
US 43/SR 69 WIDENING
FROM THOMASVILLE TO US 80
BRIDGE OVER BEAVER CREEK

GENERAL PLAN AND ELEVATION
(SHEET 1 OF 2)

DESIGNER: LLP	DATE:
BRIDGE SHEET NO. 1	OF 3

User: caryn.lott
 p:\projects\1077501\1077501.dwg
 Plot Date: 26-JAN-2023 22:30
 PLOTTED: \$\$\$DATE\$\$\$
 \$\$\$DESIGN FILE SPECIFICATION\$\$\$
 Project: 1077501\1077501.dwg
 Title: US 43/SR 69 WIDENING FROM THOMASVILLE TO US 80 BRIDGE OVER BEAVER CREEK
 Author: caryn.lott
 Date: 26-JAN-2023 22:30
 Plot: 26-JAN-2023 22:30
 PLOT: 26-JAN-2023 22:30
 PLOTTED: \$\$\$DATE\$\$\$

REFERENCE PROJECT NO.	FISCAL YEAR	SHEET NO.
RAED-068-000-161	2022	311



ELEVATION
SCALE: 1"=10'-0"

HYDRAULIC DATA	
DISCHARGE (CFS)	STAGE (FT.)
Q ₅₀ = 1,065.65	EL ₅₀ = 179.97
Q ₁₀₀ = 1,408.31	EL ₁₀₀ = 181.22

ALABAMA DEPARTMENT OF TRANSPORTATION

REVISIONS

BIN(S)

COUNTY(S)

US 43/SR 69 WIDENING FROM THOMASVILLE TO US 80 BRIDGE OVER BEAVER CREEK

MARENGO

GENERAL PLAN AND ELEVATION (SHEET 2 OF 2)

DESIGNER: LLP DATE: _____

BRIDGE SHEET NO. 2 OF 3

User: caryn.iott
 p:\projects\wise\volker\us-pw\Documents\Projects\1077501\spacer\West\spacer\AL&space\Corridor\Project\Space\Submittals\West\Space\AL&space\Final\Paige&space
 for scale=10.000000;0.000000
 C:\ProgramData\Bentley\Bentley\bin\p06\p06\project\wise\volker\us-pw\dm00731\gs\structure\l.pn
 C:\ProgramData\Bentley\Bentley\bin\p06\p06\project\wise\volker\us-pw\dm00731\gs\structure\l.pn
 26-JAN-2023 22:30
 PLOTTED: \$\$\$DATE\$\$\$
 \$\$\$DESIGN FILE SPECIFICATION\$\$\$

