



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-2021-00956-AGK

September 07, 2021

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**DISCHARGE OF FILL MATERIAL INTO WETLANDS ASSOCIATED WITH
THE PROPOSED WIDENING OF STATE ROAD -167 IN COFFEE
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). 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) can be based. Please communicate this information to interested parties.

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

AGENT: Alabama Department of Transportation (ALDOT)
Attention: Ms. Samantha Rhoades
1409 Coliseum Boulevard
Montgomery, Alabama 36110

LOCATION: The proposed project is located in wetlands and other waters along State Road (SR)-167 between SR-12 (also known as US-84) to just north of County Road 48 (Salem Road) near Enterprise, Coffee County, Alabama. More specifically, the proposed project is located symmetrically along the east and west sides of existing SR-167 within Section 8, Township 4 North, Range 22 East and Section 32, Township 5 North, Range 22 East. The proposed project commences at Latitude 31.334027° North, Longitude 85.860014° West and terminates at Latitude 31.368125° North, Longitude 85.869101° West. The proposed project corridor is found on the Enterprise, Alabama Quadrangle, United States Geological Survey Topographic Map, and is located within the Upper Choctawhatchee watershed (HUC 03140201).

**CESAM RD-N
PUBLIC NOTICE NO. SAM-2021-00956-AKG**

PURPOSE: The basic project purpose is widening of an existing two-lane transportation roadway. The overall project purpose is the addition of two travel lanes and a continuous turning lane along 2.1 miles of SR-167 in Enterprise, 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 and a continuous turning lane along SR-167 resulting in a 5-lane undivided roadway. The proposed project would permanently impact 723 linear feet of perennial streams and 1.72 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, and the realignment of a segment of stream.

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 does, however, indicate that avoidance and minimization of project impacts to WOUS was achieved through a variety of approaches. Specifically, the applicant demonstrates avoidance and minimization to WOUS through the use of an iterative design process and implementation of less impactful design elements that included alignment shifts and revisions to proposed slopes.

The applicant avoided filling impacts to 443 linear feet of perennial stream by reducing project construction limits and further minimized perennial stream impacts through clearing, but not filling or realigning, an additional 62 linear feet of perennial stream. Additionally, the applicant would 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 applicant has committed to constructing the slopes as steep as practical and clearing will be minimized outside of the construction limits when inside the wetland boundaries. 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 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.

LEAD FEDERAL AGENCY ROLE: The Federal Highway Administration (FHWA) is considered the lead federal agency for the coordination and conduct of environmental reviews under the National Environmental Policy Act (NEPA). Pursuant to NEPA, FHWA prepared an Environmental Assessment (EA) for the proposed road construction project. The EA addressed alternatives that considered various alignments of the proposed project. FHWA approved a Findings of No Significant Impact (EA/FONSI) in June 2009. The U.S.

**CESAM RD-N
PUBLIC NOTICE NO. SAM-2021-00956-AKG**

Army Corps of Engineers is considering adopting FHWA's EA; however, a separate decision document would be prepared prior to a final decision concerning issuance or denial of the requested DA permit. Comments received would be used by the USACE in the preparation of any supplemental EA and/or an Environmental Impact Statement, if required, pursuant to NEPA prior to a final decision concerning issuance or denial of the DA permit. The USACE would participate as a cooperating agency in the development of any additional NEPA documentation.

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.

PUBLIC INTEREST REVIEW/CUMULATIVE EFFECTS: 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, 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 discharges of dredged or fill material into waters of the United States will include the application of the Section 404(b)(1) guidelines established by the Administrator of the U.S. Environmental Protection Agency.

SOLICITATION OF COMMENTS: 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. 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. 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 EA and/or an Environmental Impact Statement pursuant to the NEPA.

PUBLIC HEARING REQUESTS: 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.

**CESAM RD-N
PUBLIC NOTICE NO. SAM-2021-00956-AGK**

HISTORIC PROPERTIES: Pursuant to Section 106 of the National Historic Preservation Act, the FHWA has reviewed the proposed undertakings on properties listed in or eligible for listing in the National Register of Historic Places. Additionally, the project study area has been surveyed for historic and archaeological resources. The State Historic Preservation Office (SHPO) provided clearance for the project on January 10, 2007. An updated effects document is currently being coordinated with the SHPO.

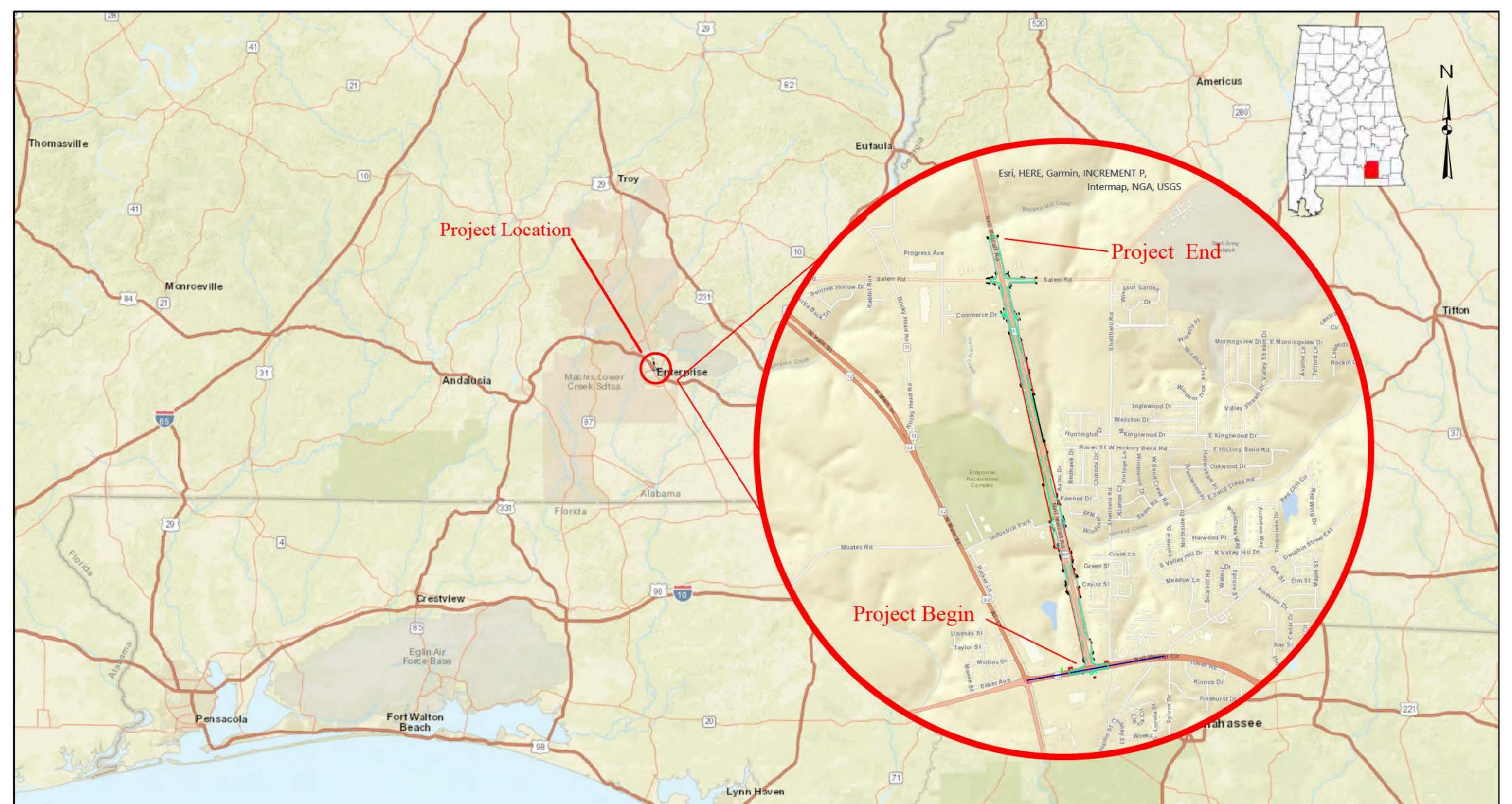
ENDANGERED SPECIES: Pursuant to Section 7(c) of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et seq.), the FHWA has reviewed the proposed undertaking's potential to affect threatened or endangered species. The U.S. Fish and Wildlife Service (USFWS) provided clearance for the project on January 27, 2006 (2006-TA-0365). An updated concurrence by USFWS was provided on October 21, 2020.

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-2021-00956-AGK** 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 or comments 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 the Mobile District's Regulatory Program, please take a moment to visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



Project Location

Project End

Project Begin

Esri, HERE, Garmin, INCREMENT P,
Intermap, NGA, USGS



STPAA-A115 (900) ADDITIONAL LANES ON SR-176
FROM SR-12 (US-84) TO NORTH OF SALEM ROAD
Coffee County

Lat: 31°20'07"N Long : 85°51'54.0"W

min, NGA, USGS, NPS

