



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-2021-01298-AKG

February 17, 2022

**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 CONSTRUCTION OF A 4-LANE HIGHWAY
ALONG US-84 IN CONECUH 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: Alabama Department of Transportation
Attention: Mr. Brian Moatts
1409 Coliseum Boulevard
Montgomery, Alabama 36110

LOCATION: The proposed project is located in wetlands and other waters tributary to Hunter Creek and Murder Creek near the City of Evergreen, Conecuh County, Alabama. More specifically, the project is located along U.S. Highway (US)-84 between Mile-Marker (MM) 96.3 to exit 93 on Interstate (I)-65 within Sections 3, 7, and 10-12, Township 5 North, Range 10 East. The proposed project commences near Latitude 31.421785° North, Longitude 87.049288° West and terminates at Latitude 31.418991° North, Longitude 87.006199° West. The project corridor is located within the Lower Conecuh (HUC 03140201) watershed.

PURPOSE: The basic project purpose is transportation. The overall project purpose is the addition of two travel lanes along 2.7 miles of US-84 in Evergreen, 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 grassed shoulders along US-84 resulting in a 4-lane divided roadway. The proposed project would permanently impact 77 linear feet of perennial

stream, 219 linear feet of intermittent stream, 330 linear feet of ephemeral stream, 0.64 acres of open water pond, and 5.77 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. The widening of this 2.7 mile long segment of highway is part of an overall plan for phased widening of US-84 across the state of Alabama, which is part of a larger, multi-state, regional widening project extending from Savannah, Georgia to El Paso, Texas.

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 the use of umbrella slopes. 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 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 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 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: Gray bat (E), Wood stork (T), Alabama pearlshell (E), Choctaw bean (E), Fuzzy pigtoe (T), Narrow Pigtoe (T), Round ebonyshell (E), Southern

kidneyshell (E), and Southern sandshell (T). Additionally, ALDOT identified the Gopher Tortoise as a candidate species within the project watershed. 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.

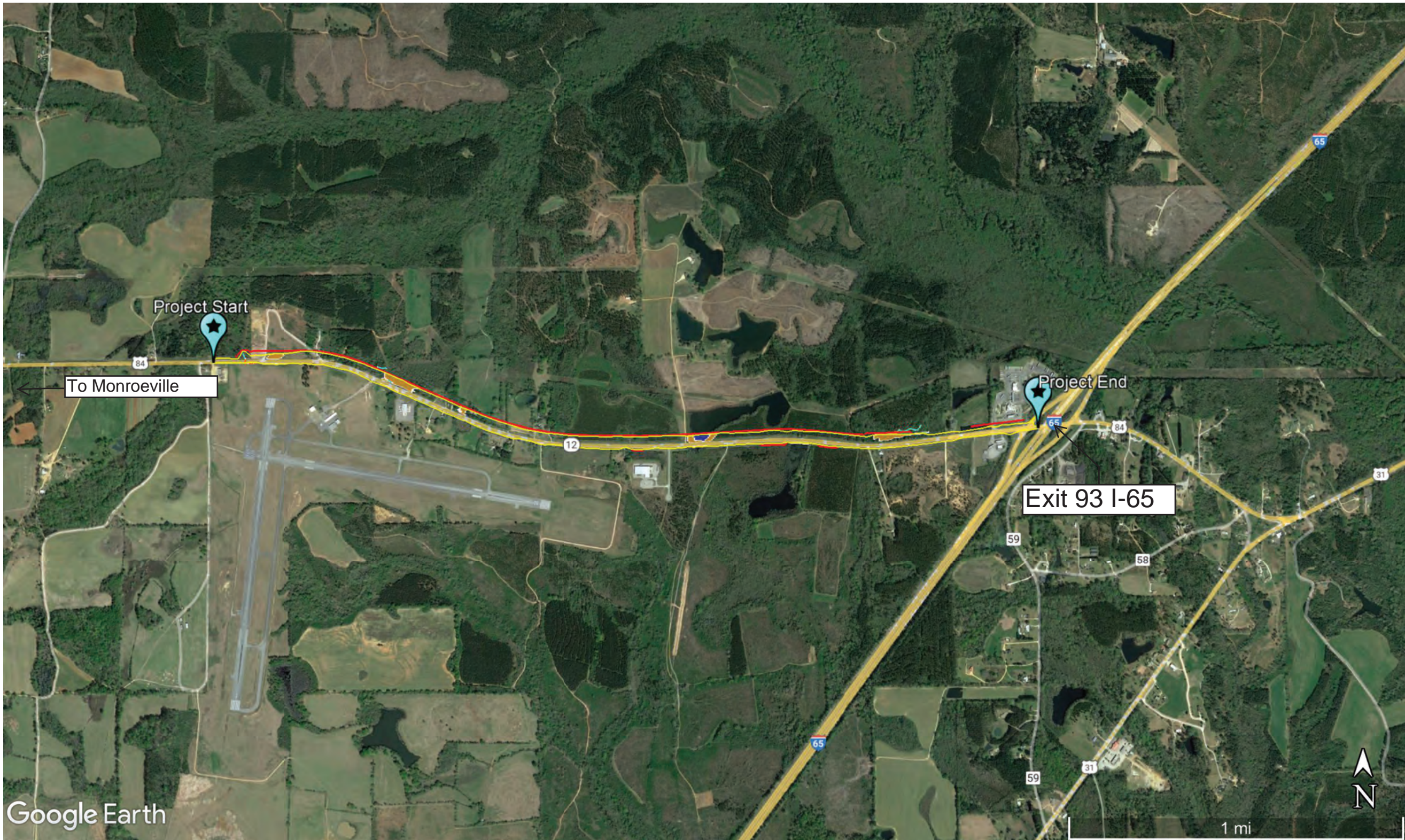
COMMENT PERIOD: All comments should be received no later than **30 days** from the date of issuance of this Public Notice. Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2021-01298-AKG** and should be directed to the District Engineer, U.S. Army Corps of Engineers 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**.

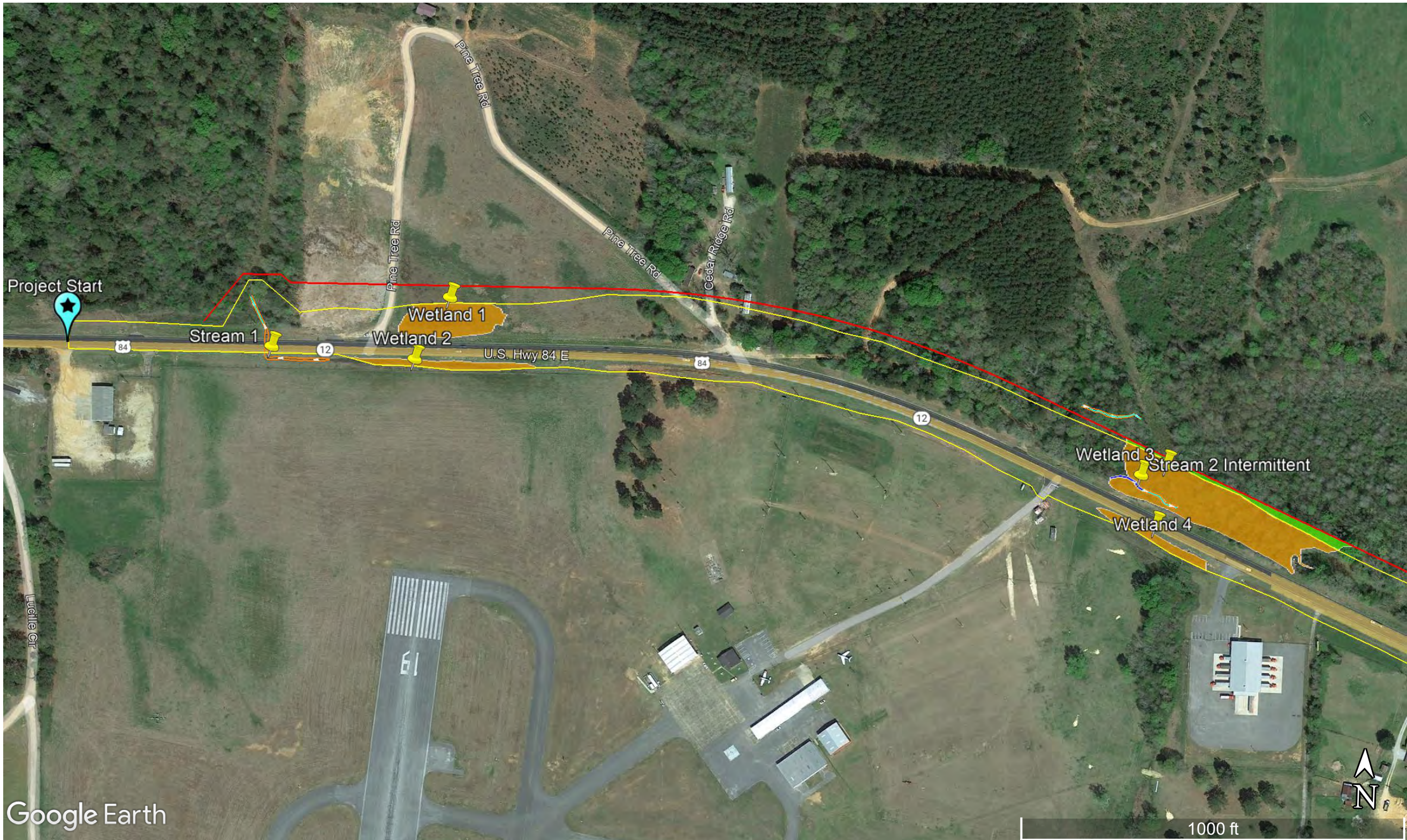
If you have any questions concerning this publication, you may contact the Project Manager via e-mail at Amy.K.Gavin@usace.army.mil or telephone number (334) 467-8779. Please refer to the above Public Notice number.

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











PLAN SHEET

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HPP-NH-A107(900)	2021	4

Legend

Wetland Boundary

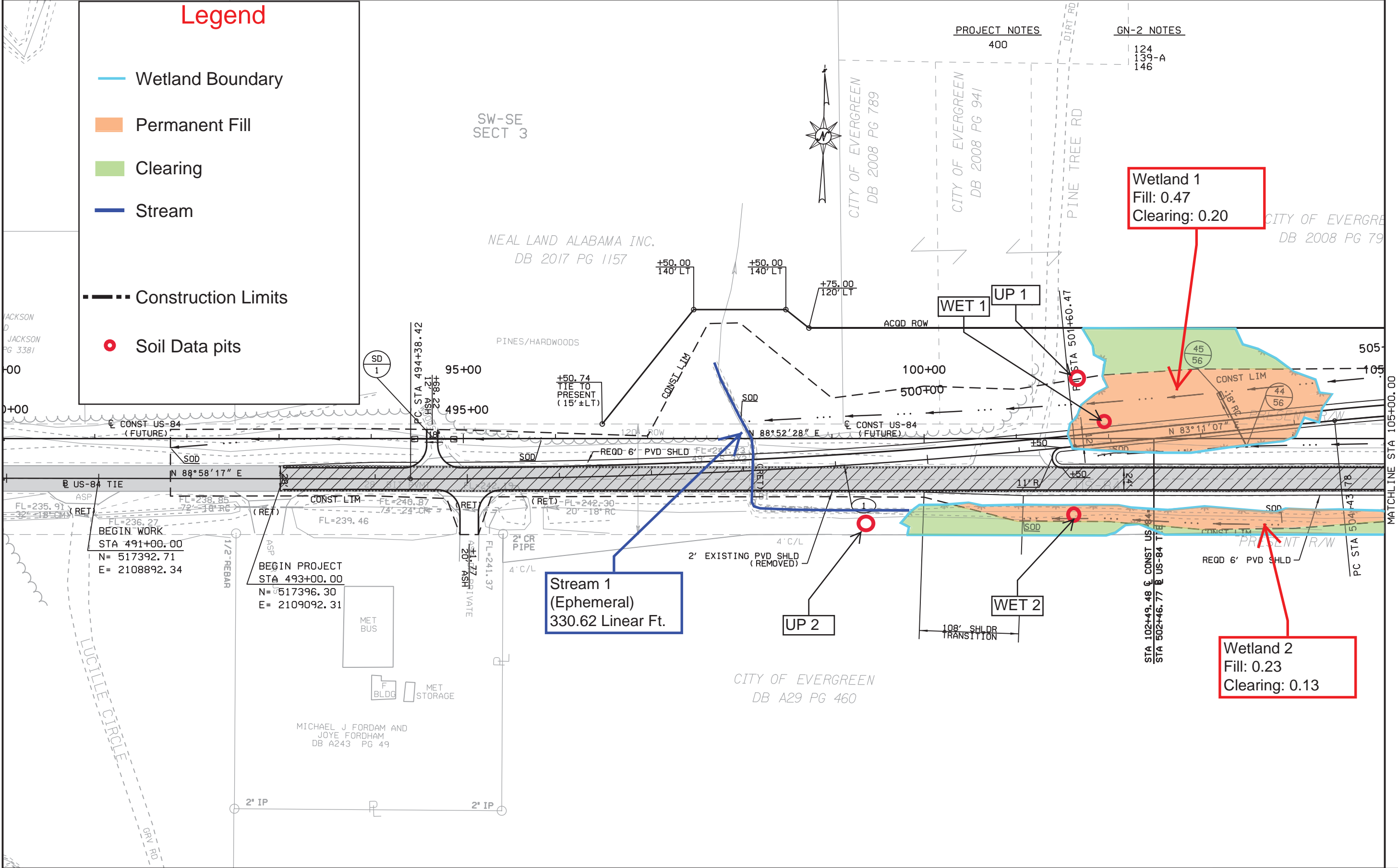
Permanent Fill

Clearing

Stream

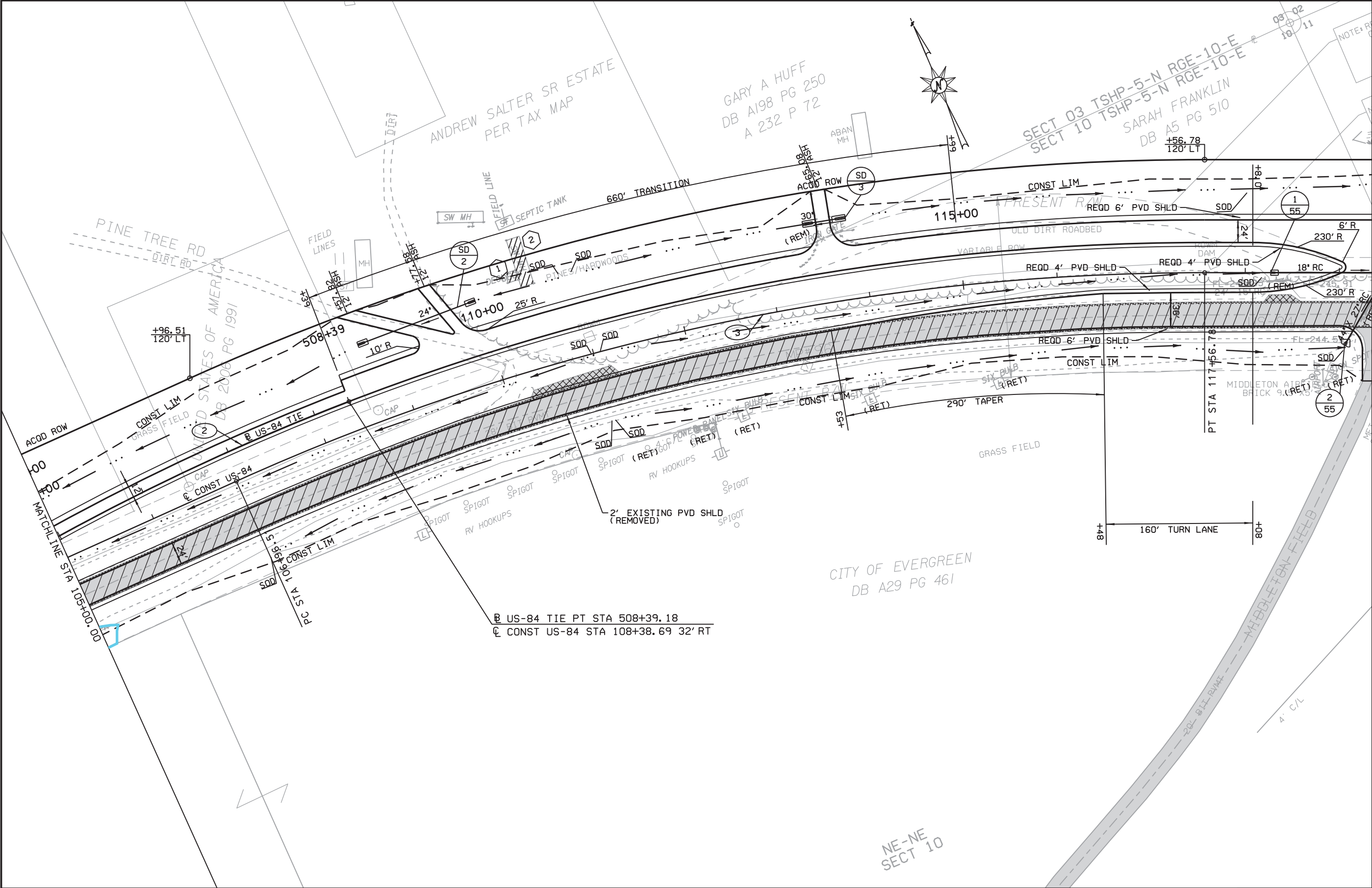
Construction Limits

Soil Data pits



PLAN SHEET

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HPP-NH-A107(900)	2021	6



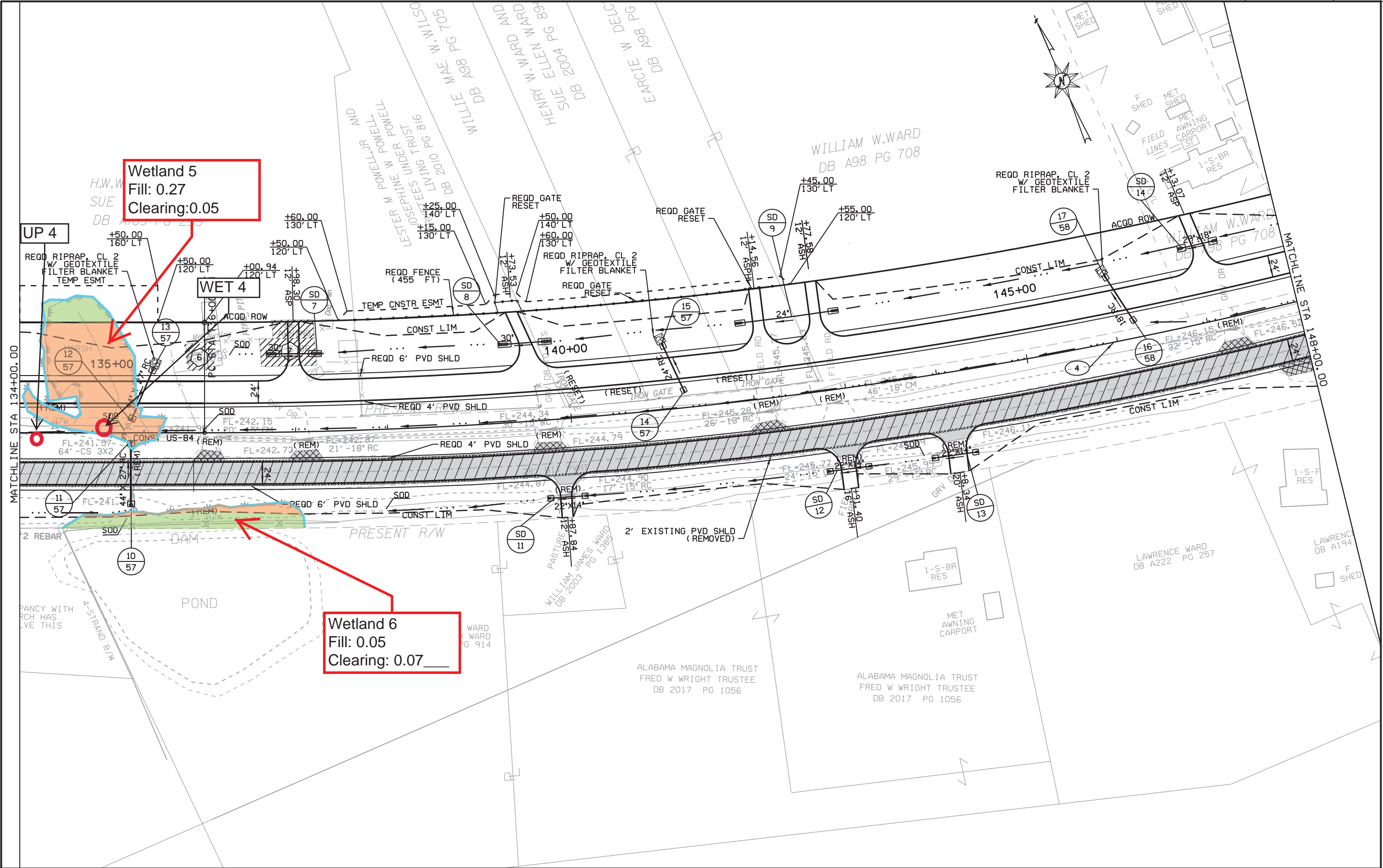
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DATE:	DATE:	DATE:				PLAN SHEET	US-84

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HPP-NH-A107(900)	2021	8



PLAN SHEET

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HPP-NH-A107(900)	2021	10



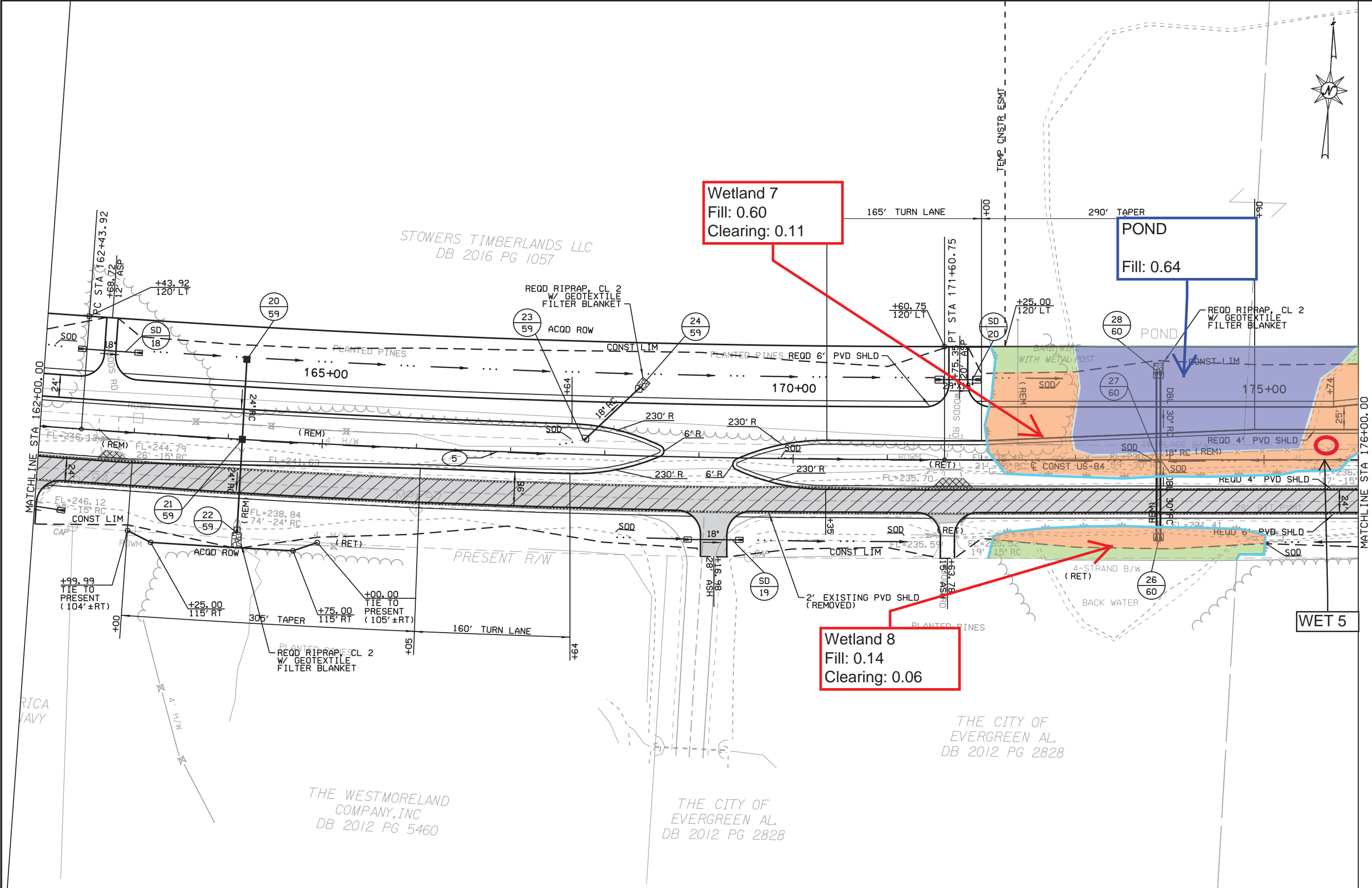
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HPP-NH-A107(900)	2021	12



PLAN SHEET

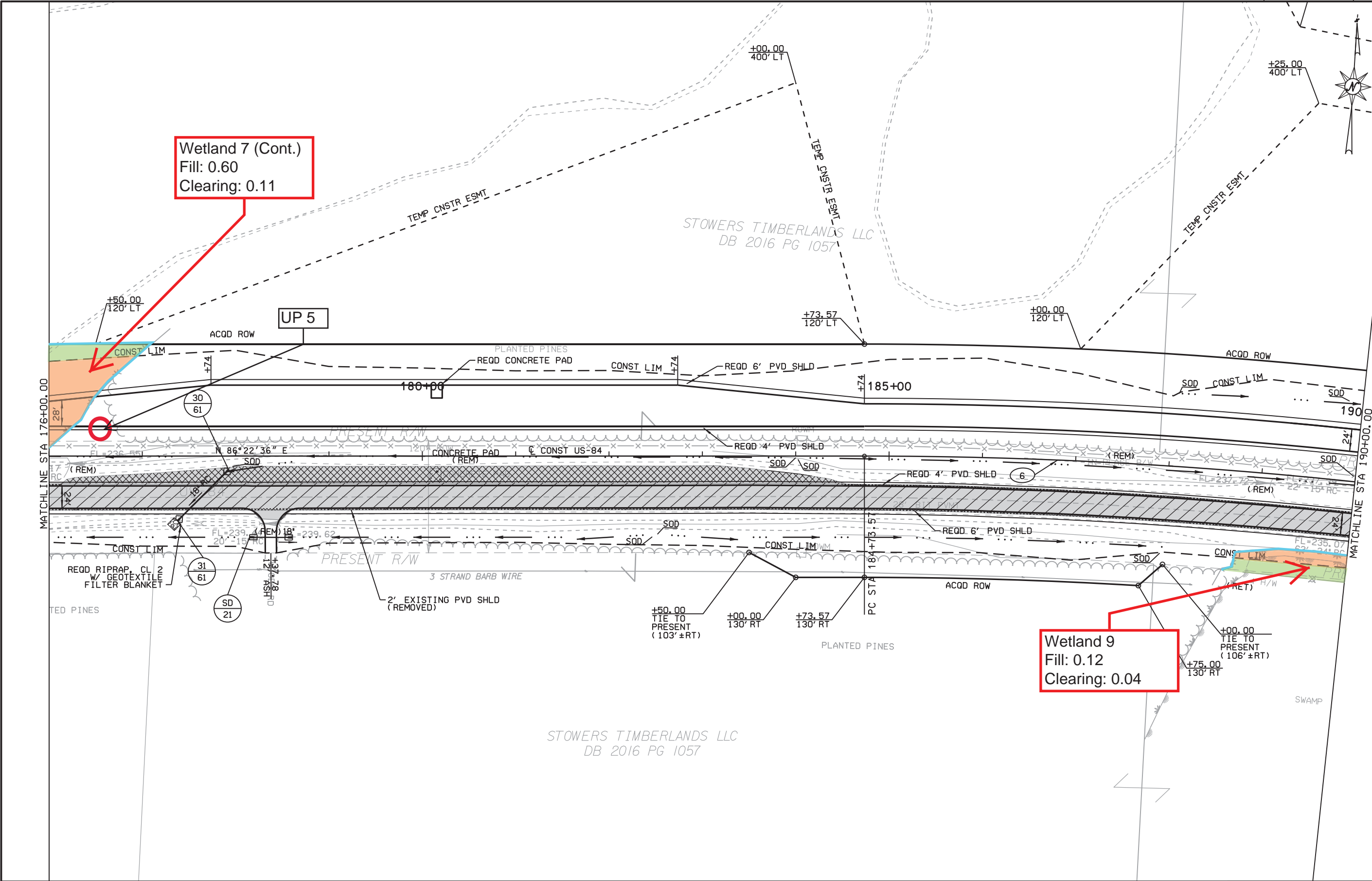
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PLAN SHEET

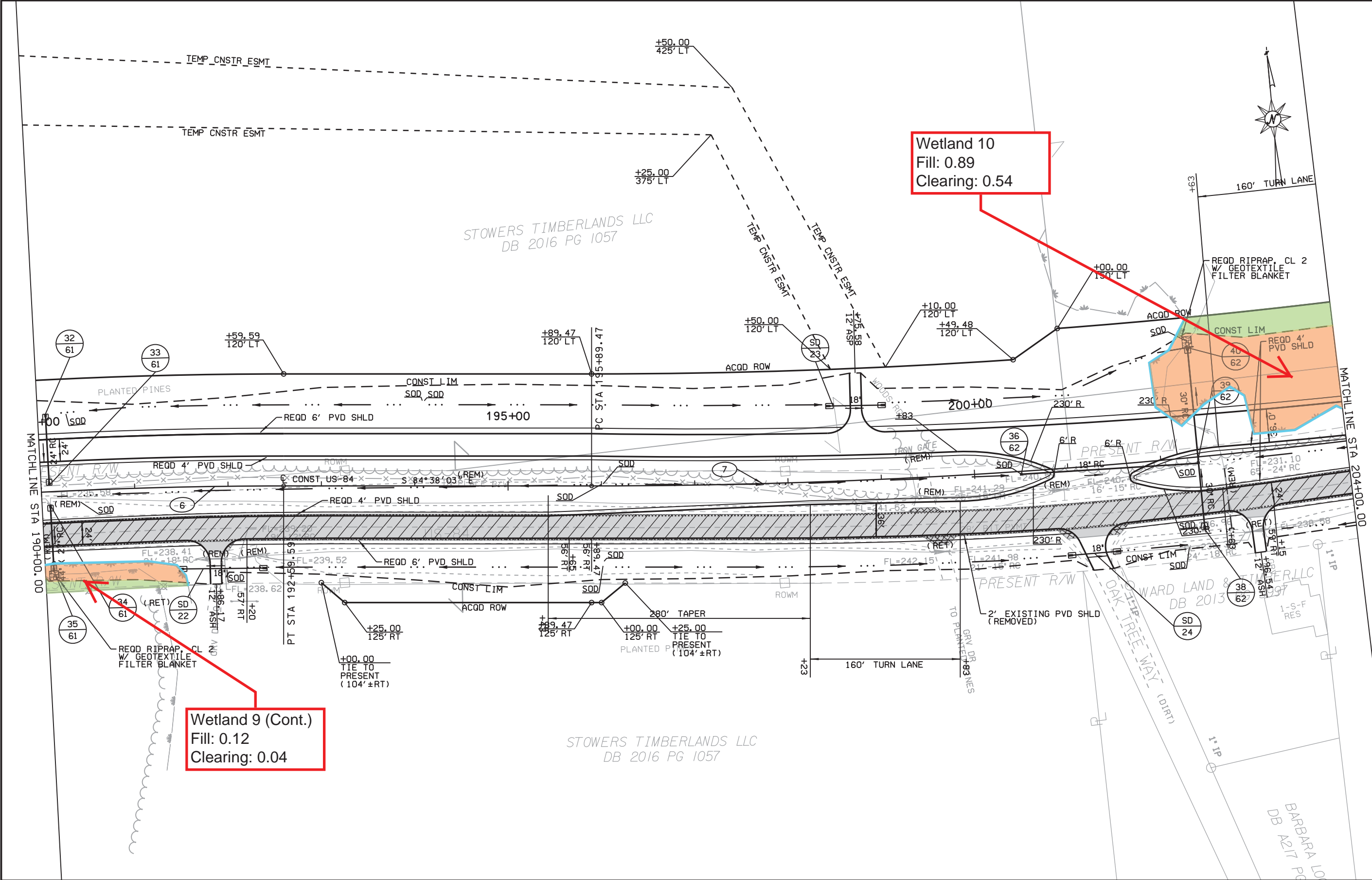
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PLAN SHEET

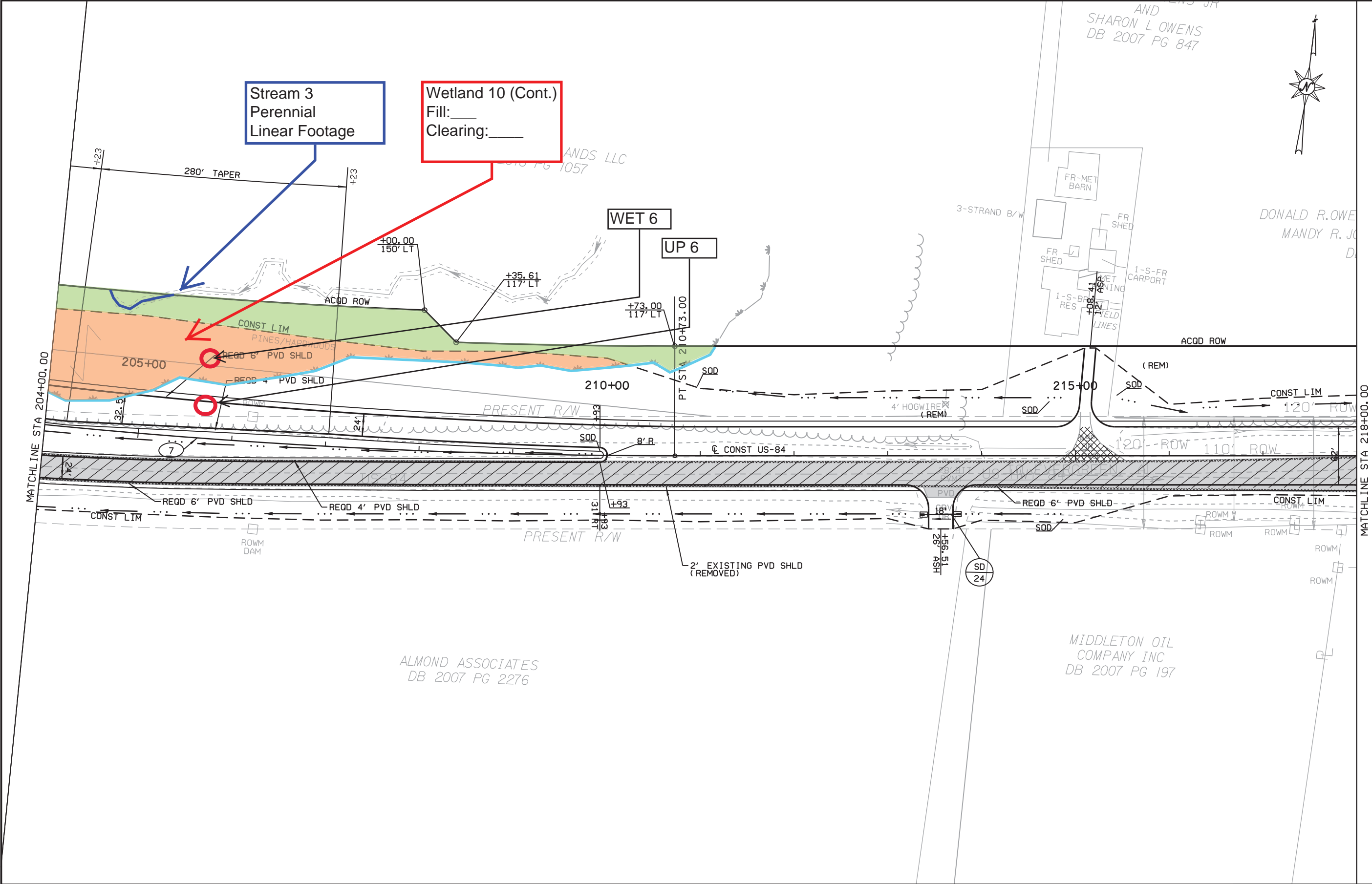
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HPP-NH-A107(900)	2021	18



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PLAN SHEET

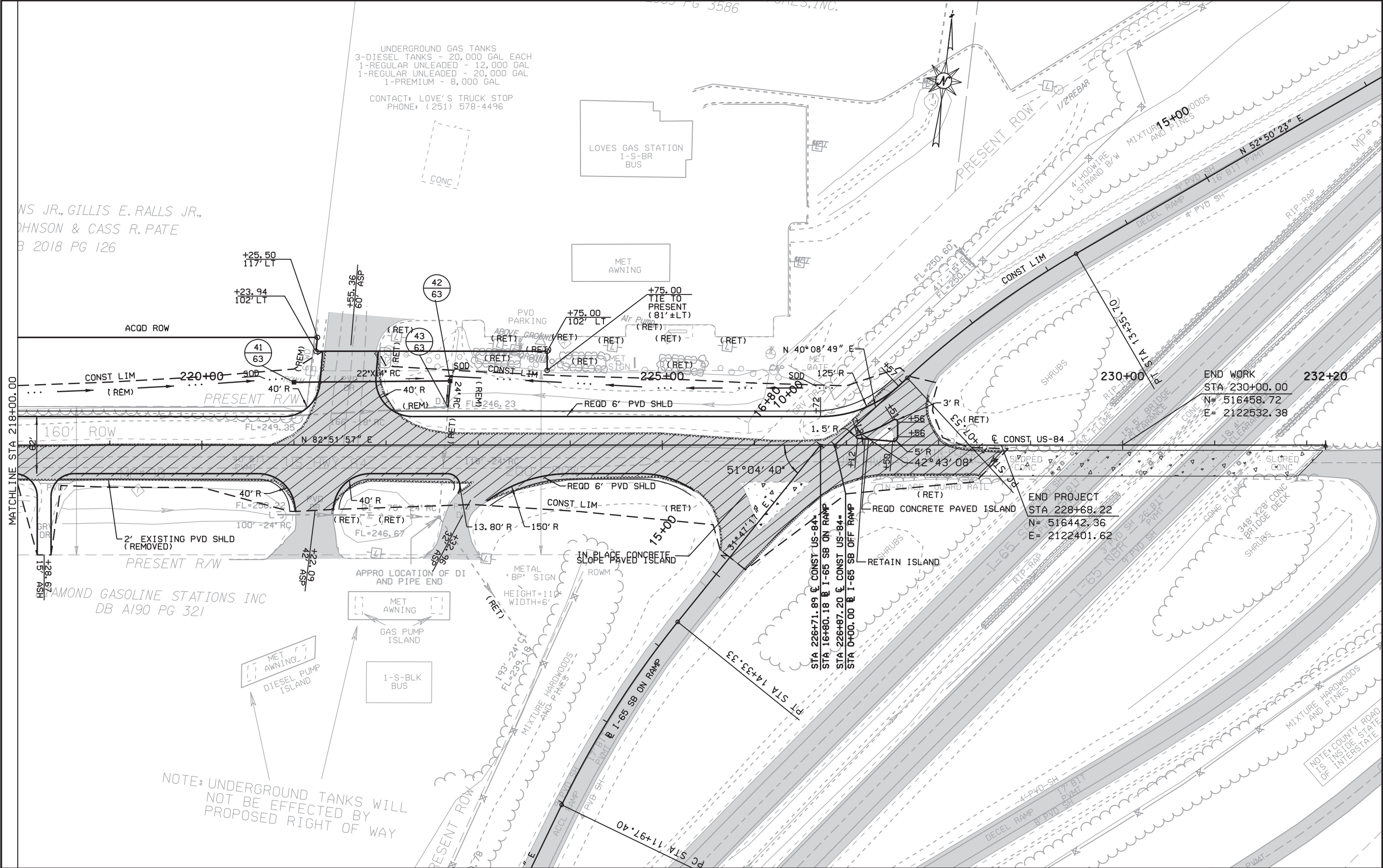
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HPP-NH-A107(900)	2021	20



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PLAN SHEET

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HPP-NH-A107(900)	2021	22



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