



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
P.O. BOX 2288  
MOBILE, AL 36628-0001

**CESAM-RD-A**  
**PUBLIC NOTICE NO. SAM-2022-00598-LML**

**August 25, 2022**

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

**REQUEST TO FILL 7.42 ACRES OF WETLANDS IN ASSOCIATION WITH**  
**CONSTRUCTION OF AN ALUMINUM MANUFACTURING FACILITY IN BAY**  
**MINETTE, BALDWIN 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 U.S.C. 1344). Please communicate this information to interested parties.

**APPLICANT:** Baldwin County Commission  
Attention: Mr. Joey Nunnally  
Post Office Box 220  
Silverhill, Alabama 36576

**AGENT:** Volkert, Inc.  
Attention: Mr. Evan Reid  
1680 West 2<sup>nd</sup> Street, Suite B  
Gulf Shores, Alabama 36542

**LOCATION:** Portions of the project are located within wetlands draining to Dyas Creek. The project is located at 49780 AL-287 (Rabun Road); within Section 23, Township 1 South, Range 3 East; at Latitude 30.949094, Longitude -87.749939; Bay Minette, Baldwin County, Alabama.

**PROJECT PURPOSE:** The basic project purpose is to construct a new industrial facility and associated infrastructure. The overall project purpose is to construct an aluminum recycling and manufacturing facility in the southeast region within proximity to existing railway, interstate highway, and port infrastructure.

**PROPOSED WORK:** The applicant proposes to place 181,730 cubic yards of clean, commercially obtained fill material within 7.42 acres of jurisdictional wetlands for construction of a new Novelis Aluminum manufacturing facility and associated infrastructure on a 1,419-acre project site. An additional 13.68 acres of jurisdictional wetlands will be permanently converted from forested wetlands to herbaceous wetlands due to the installation and maintenance of a powerline easement associated with the facility.

**AVOIDANCE & MINIMIZATION:** The applicant has stated that the proposed manufacturing facility has been designed to avoid wetland impacts to the maximum extent practicable by

maximizing the usage of available uplands while ensuring better air dispersion to meet required air quality standards. The project has avoided impacts to 91.9 acres of wetlands and 976 linear feet of stream within the 1,419-acre site. The U.S. Army Corps of Engineers (USACE) has not determined the adequacy of the applicant's avoidance and minimization efforts for the proposed activity.

**MITIGATION:** The applicant has indicated that mitigation for the proposed impacts would be provided by purchasing mitigation bank credits from an approved mitigation bank. The U.S. Army Corps of Engineers (USACE) has not determined the adequacy of the applicant's mitigation statement.

**WATER QUALITY / COASTAL ZONE MANAGEMENT:** The applicant will apply for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to water quality certification will be made by the Alabama Department of Environmental Management (ADEM) within an established reasonable period of time. This notice serves as a notification to the Administrator of the Environmental Protection Agency (EPA) requesting a determination of potential water quality impacts to neighboring jurisdictions, pursuant to section 401(a)(2) of the Clean Water Act.

**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 Mobile District has determined the permit area consists of the entire undertaking in waters of the United States, which includes the wetlands that would be disturbed by construction of the project. The permit area was expanded to include upland portions of the project which would not occur but for the proposed undertaking and are directly associated and integrally related to the work in waters of the United States. 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. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on cultural/historic resources. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

In addition, we are seeking comments from local historical societies, museums, universities, the U.S. Department of the Interior, National Park Service, Division of Archeological Services and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area.

**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 are known or expected to occur within the 12-digit Hydrologic Unit Code (HUC-12) of the project area: Wood Stork (T) and Eastern Indigo Snake (T). There is no designated critical habitat within the project action area.

Review of this proposed activity for potential effects on the above list of threatened or endangered species will be accomplished by use of species-specific Standard Local Operating Procedures for Endangered Species (SLOPES). Details of the proposed activity are being provided to federal and state agencies via this Public Notice for receipt of any relevant comments regarding potential effects of the proposed project on the listed species.

**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 will also include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

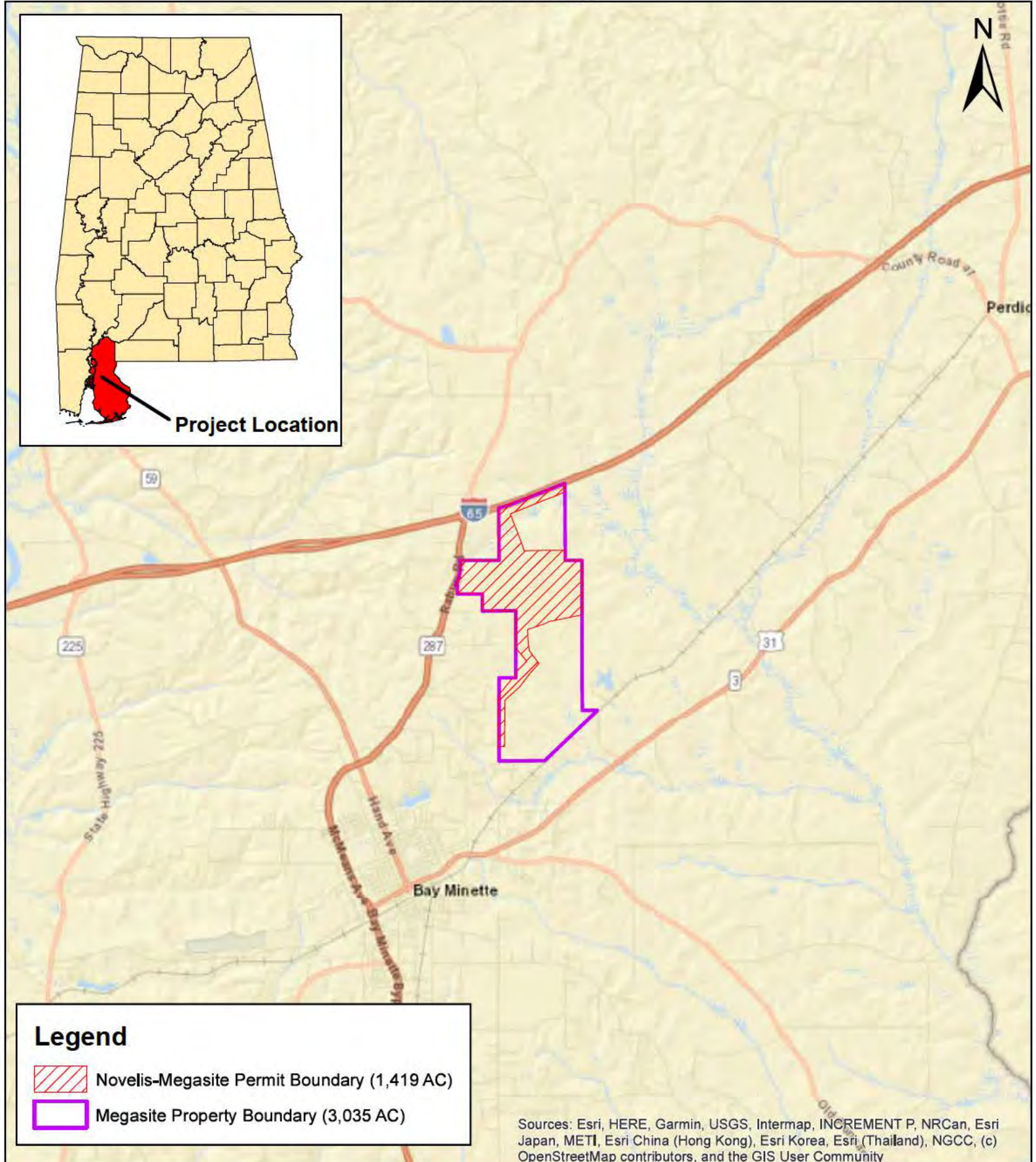
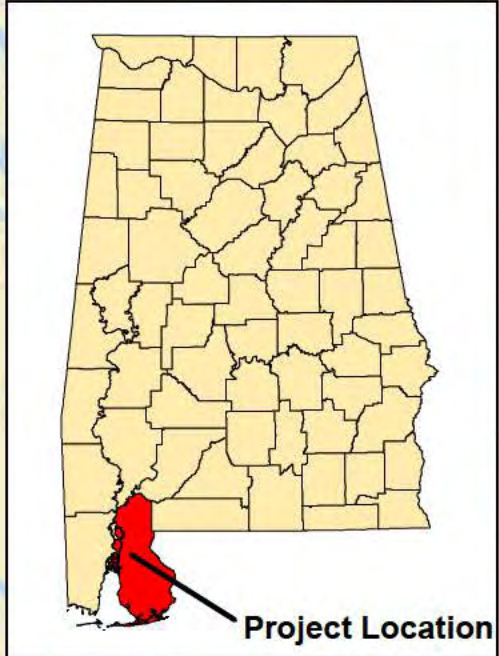
Correspondence concerning this notice should refer to Public Notice Number **SAM-2022-00598-LML**, and should be directed to the District Engineer, Mobile District, Regulatory Division, Attention: **Ms. Elizabeth Hamilton**, Post Office Box 2288, Mobile, Alabama 36628-0001, or by e-mail at [elizabeth.a.hamilton@usace.army.mil](mailto:elizabeth.a.hamilton@usace.army.mil), or (251) 694-3781. Copies of all comments should be furnished to the ADEM at [coastal@adem.alabama.gov](mailto:coastal@adem.alabama.gov), or sent to: Alabama Department of Environmental Management, Mobile Branch, 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.**



For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

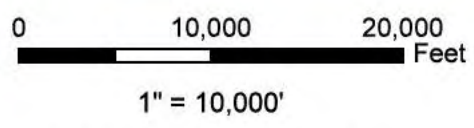
Attachments



**Legend**

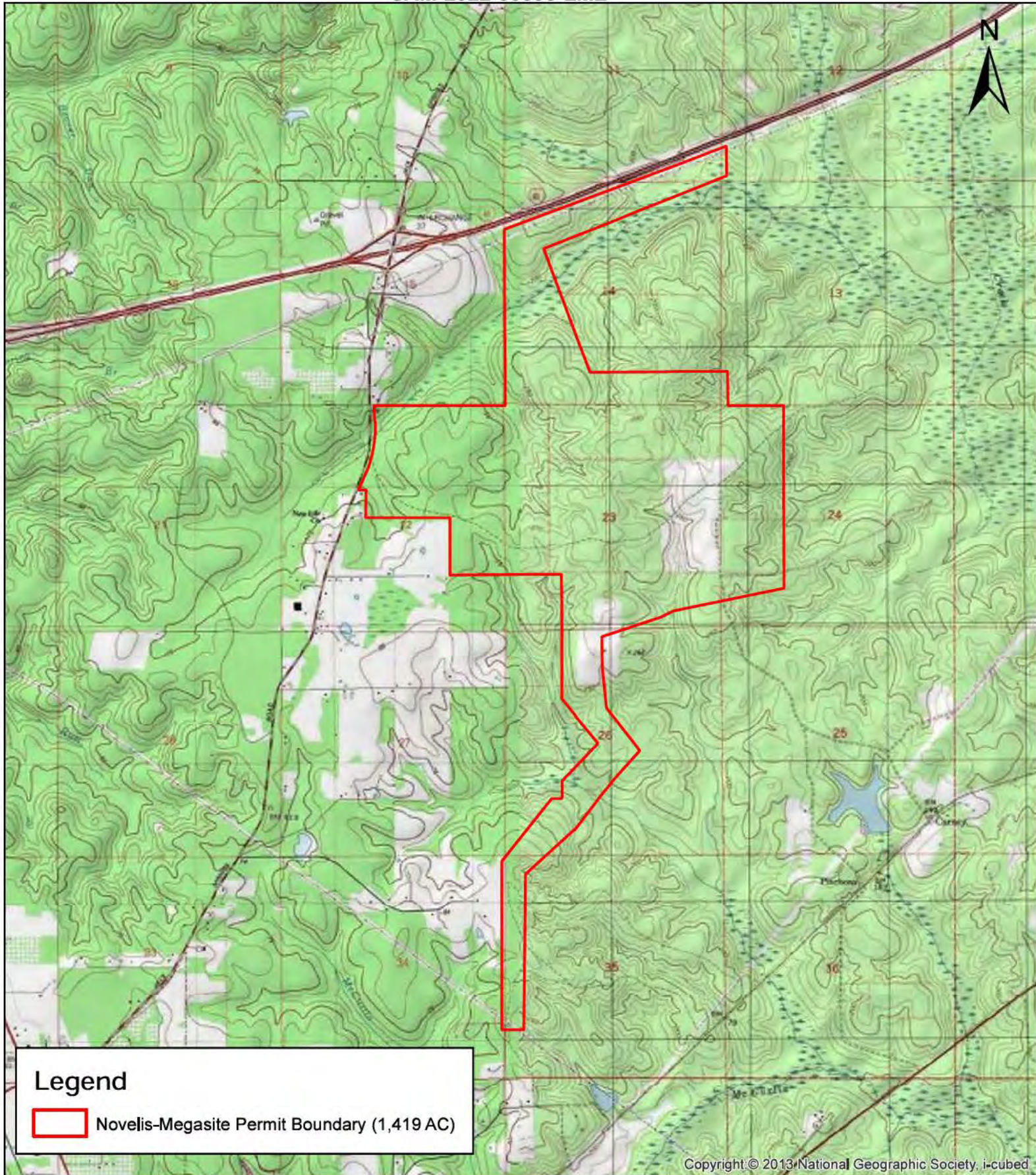
-  Novelis-Megasite Permit Boundary (1,419 AC)
-  Megasite Property Boundary (3,035 AC)

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



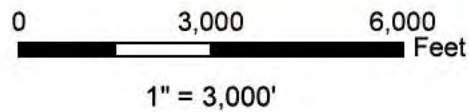
Note: This map is not intended for construction.

**Figure 1: General Location Map**  
**Novelis-Megasite Development**  
**JD and IP Application**  
**Bay Minette, Baldwin County, Alabama**  
**Project Number: 1038008**



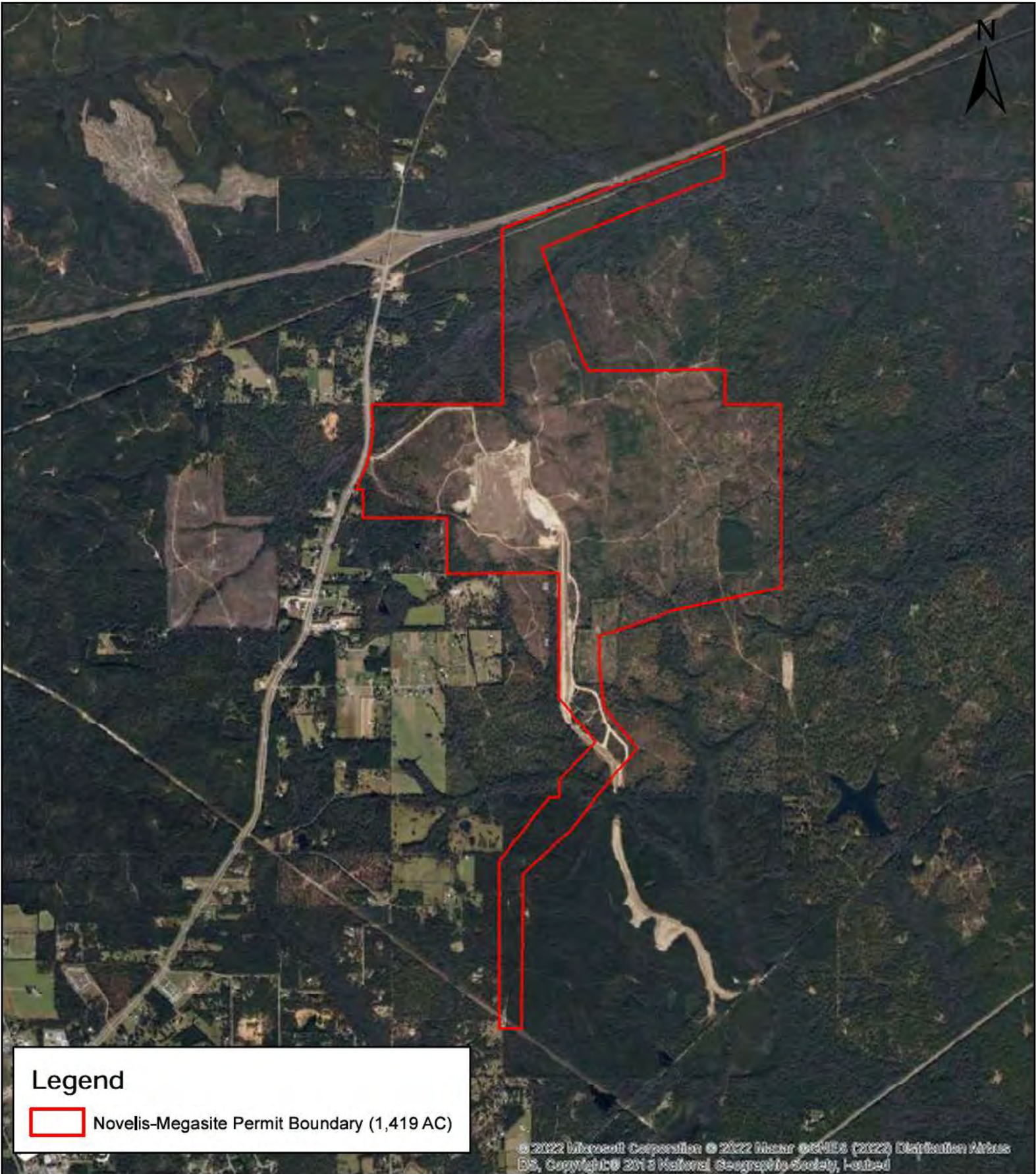
**Legend**  
 Novelis-Megasite Permit Boundary (1,419 AC)

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Note: This map is not intended for construction.

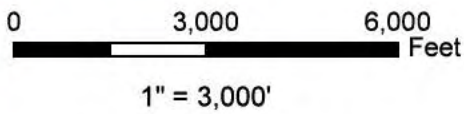
**Figure 2: USGS Quadrangle Map**  
 Novelis-Megasite Development  
 JD and IP Application  
 Bay Minette, Baldwin County, Alabama  
 Project Number: 1038008



**Legend**

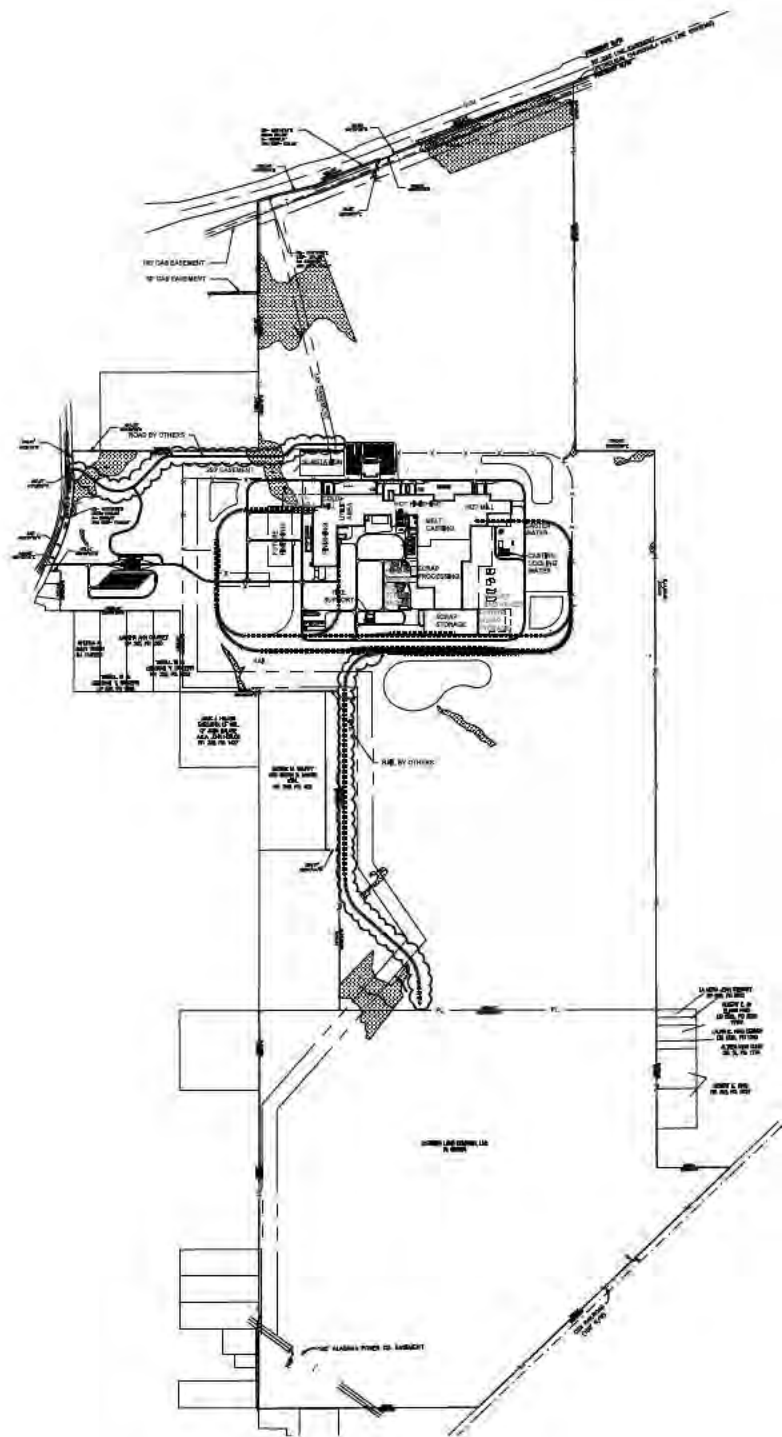
 Novelis-Megasite Permit Boundary (1,419 AC)

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Note: This map is not intended for construction.

**Figure 3: Aerial Imagery  
Novelis-Megasite Development  
JD and IP Application  
Bay Minette, Baldwin County, Alabama  
Project Number: 1038008**



NOTES:  
 1. BOUNDARY SURVEY PROVIDED BY EVOLVING INC. ON 1/10/2022.

**NOT FOR CONSTRUCTION**



FUGRO INTERPRISE, INC. <small>AN ENGINEERING COMPANY</small>		Novus Corporation DAY WHITE PLANT, AL	
		PROJECT NO. 2022-00598-LML	SHEET NO. 101
DATE 1/10/2022	DRAWN BY M. J. ...	CHECKED BY D. ...	SCALE AS SHOWN

ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

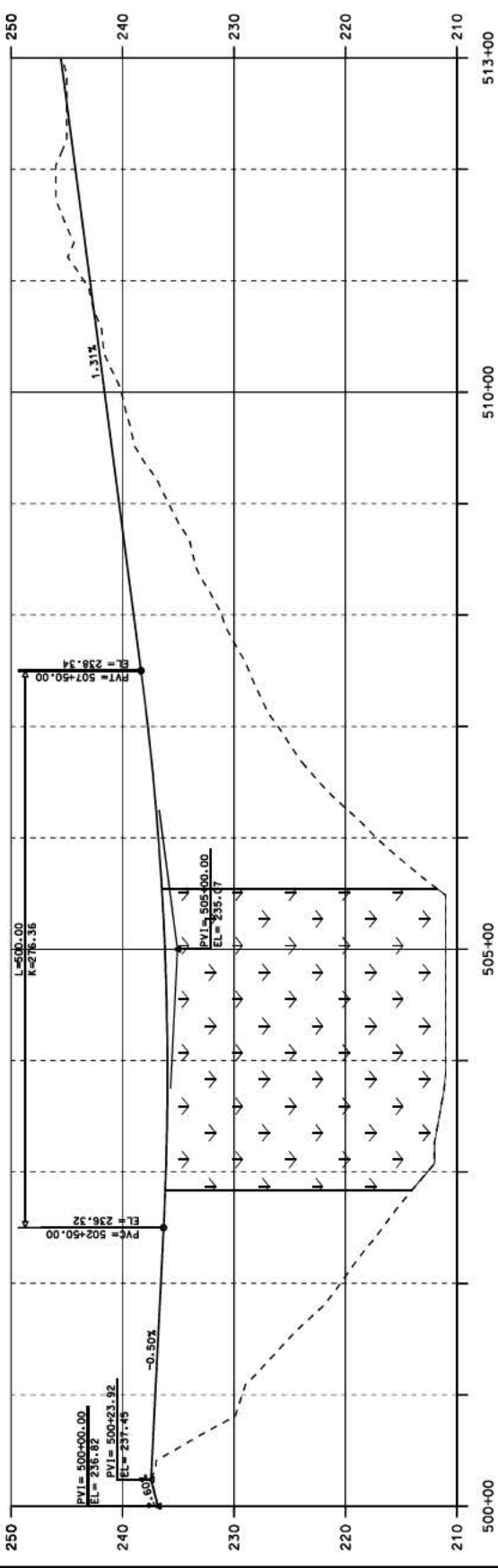
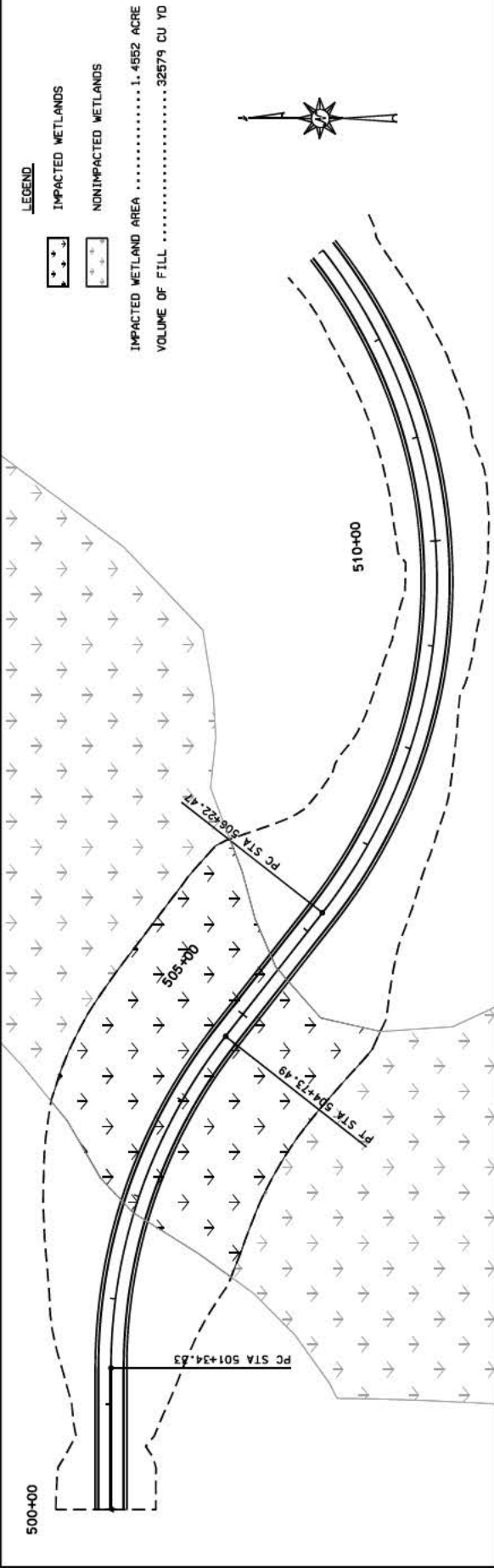


# SAM-2022-00598-LML

## WETLAND A IMPACTS

REFERENCE PROJECT NO.	FISCAL YEAR

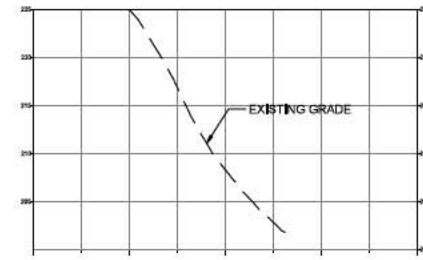
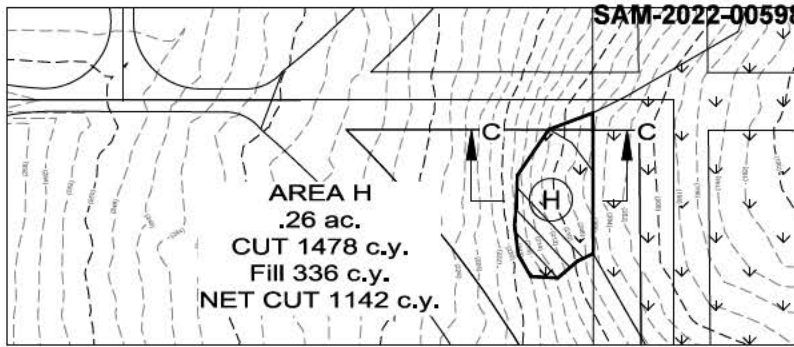
SHEET NO.	ROUTE



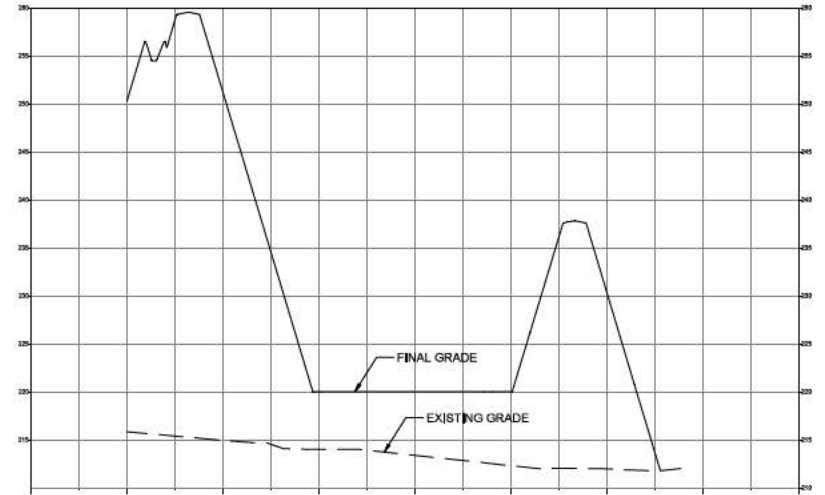
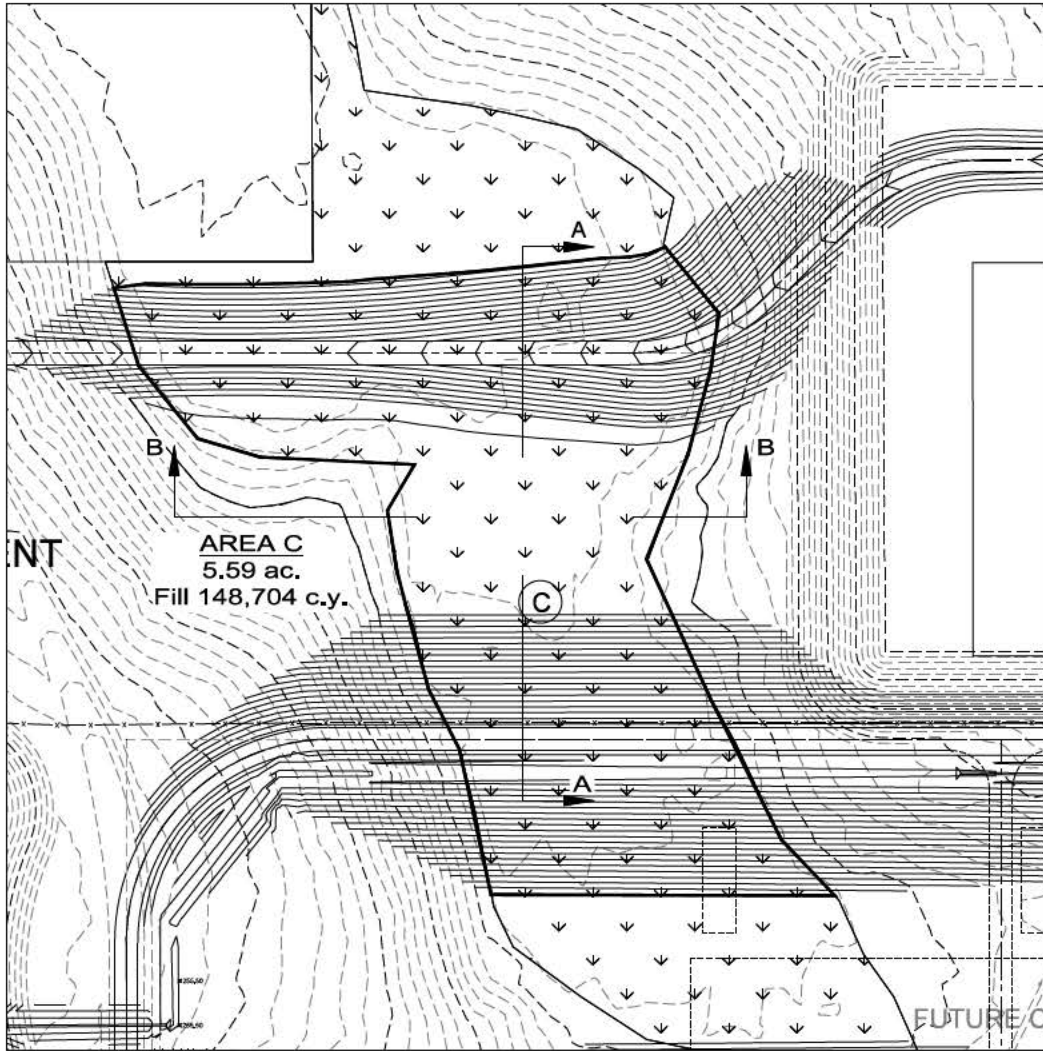
RESPONSIBLE PE DATE:	SUPERVISOR DATE:	PLAN SUBMITTAL DESIGNER DATE:
ALABAMA DEPARTMENT OF TRANSPORTATION		
SCALE (FEET) 0 50 100	HORIZ 0 50 100	SHEET TITLE WETLAND IMPACTS
ROUTE		



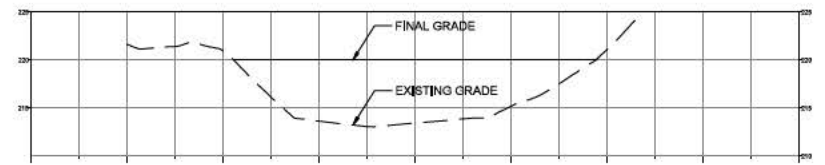
DESIGNER: \_\_\_\_\_ DATE: \_\_\_\_\_  
 SUPERVISOR: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PLAN SUBMITTAL: \_\_\_\_\_



SECTION C-C



SECTION A-A



SECTION B-B

NOT FOR CONSTRUCTION  
 HORIZ: 1"=50'  
 VERT: 1"=5'

**LEGEND**

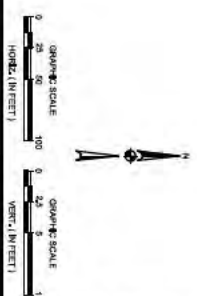
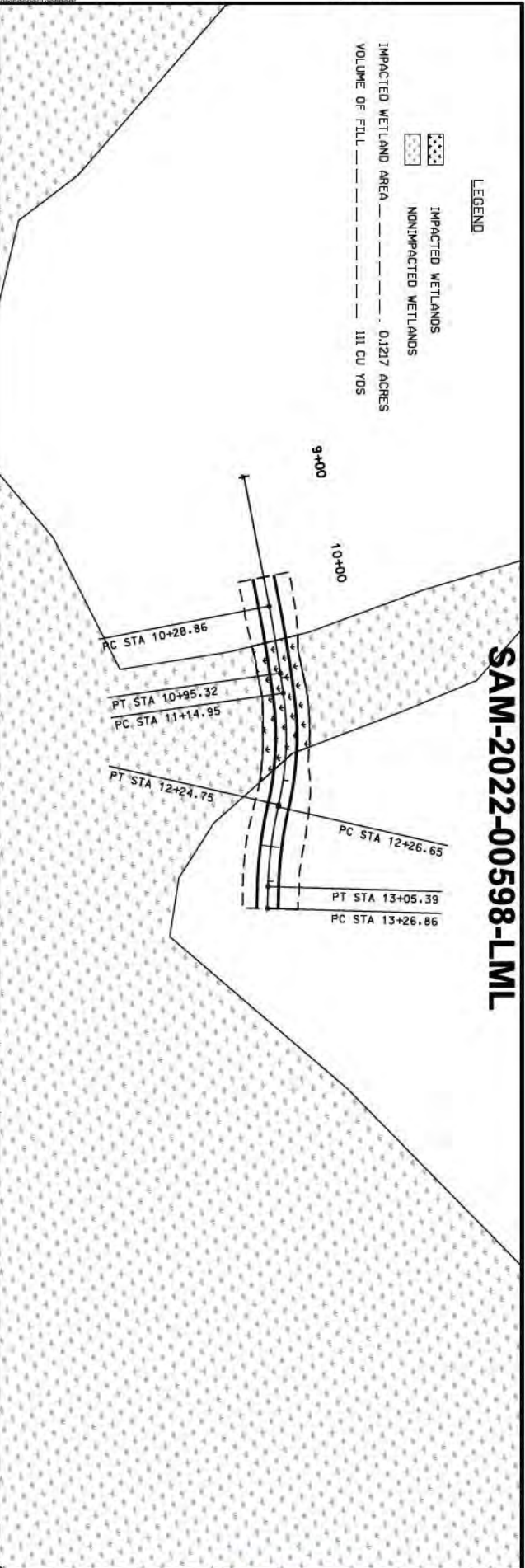
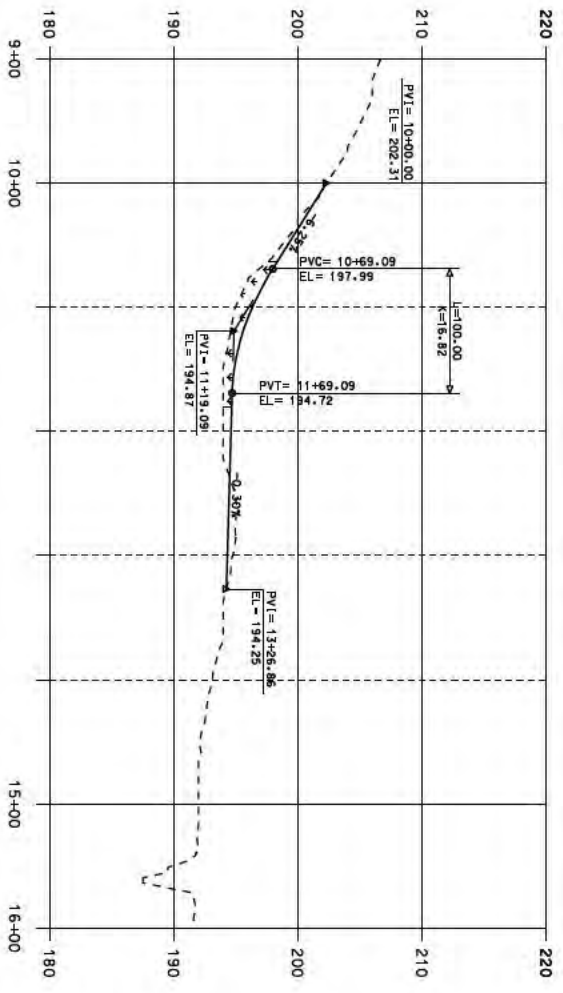
IMPACTED WETLANDS

NONIMPACTED WETLANDS

IMPACTED WETLAND AREA 0.1217 ACRES

VOLUME OF FILL 111 CU YDS

**SAM-2022-00598-LML**



SHEET 1 OF 1		BALDWIN COUNTY MEGASITE BALDWIN COUNTY ECONOMIC ALLIANCE BAY MINETTE, ALABAMA		<b>VOLKERT</b> REGISTERED PROFESSIONAL ENGINEERS & ARCHITECTS	
PROJECT NO. TBD		CLIENT PROJECT NO. TBD		DESIGNED BY: HZE	SUBMITTAL: PRELIM
NO. DATE REVISIONS DESCRIPTION BY		PROJECT NAME: NOVELIS SITE DEVELOPMENT		DETAILED BY:	SCALE: AS NOTED
				REVIEWED BY:	DATE: 07 / 07 / 2022