



REPLY TO  
ATTENTION OF:

**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-2022-01227-JEB**

**December 15, 2023**

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

**REQUEST TO IMPACT 13.4 ACRES OF WETLANDS FOR CONSTRUCTION OF A NEW**  
**COMMERCIAL AND LOGISTICS INDUSTRIAL PARK, LOXLEY, 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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

**APPLICANT:** Gulf Corporation  
Attention: Mr. Wynn Searle  
100 Crescent Court, Ste. 590  
Dallas, Texas 75201

**AGENT:** Dewberry  
Attention: Ms. Cathy Barnette  
25353 Friendship Road  
Daphne, AL 36526-6278

**LOCATION:** Adjacent to Three-mile Creek; within Section 3, Township 5 South, Range 3 East; at Latitude 30.639430° North, Longitude -87.760994° West; Loxley, Baldwin County, Alabama.

**PROJECT PURPOSE:** Applicant desires to establish an industrial site West of HWY 59 and South of I-10 with a location close to I-10 for ease of moving materials to serve Gulf Coast commerce.

**PROPOSED WORK:** The applicant is proposing to fill 13.4 acres of wetland with 11.2-acres being jurisdictional and 2.2-acres being non-jurisdictional of the existing 72.2-acres of wetland onsite. Given the size and scale of the project, the development is multi-phased. Phase 1A, there is no wetland fill proposed, Phase 1B has 1.23-acres wetlands of proposed fill. Phase 2, 11.09-acres of jurisdictional wetland and 2.2-acres of non-jurisdictional wetland are proposed to be filled of the total 13.29-acres in that phase. For Phase 3, 3.79-acres of jurisdictional wetlands are proposed to be filled.

**AVOIDANCE AND MINIMIZATION:** Proximity to Interstate 10 was necessary to serve regional commerce. The site was selected because the wetland value and function of fill of historical agricultural ditches would not impair the ecological value of the area. Best Management Practices (BMPs) will be implemented to prevent water quality impacts to Three Mile Creek. The U.S. Army Corps of Engineers (USACE), Mobile District, has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

**MITIGATION:** The project would result in the permanent loss of a special aquatic site (wetlands); Gulf Corporation plans to purchase compensatory wetland mitigation credits from an approved mitigation bank.

**WATER QUALITY:** The applicant has applied 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). This notice will serve as the notification to the Administrator of the Environmental Protection Agency (EPA) 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 as well as portions of the upland residential lot. The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register, which are known to exist and would be affected by the proposed work. The Mobile District is seeking comment from the State Historic Preservation Officer regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. Coordination with the SHPO and federally-recognized American Indian tribes will be performed separately from this notice, as determined to be appropriate. The permit area described above is currently under review by District Archaeologists to provide a determination on the potential for existence of significant cultural and historic properties.

**ESSENTIAL FISH HABITAT:** No aquatic vegetation is within the footprint of the proposed activities. Our initial determination is that the proposed action would not have an adverse impact on EFH or federally managed fisheries due to the terrestrial areas of impact and proposed mitigation activities. Our final determination is subject to review by and coordination with the National Marine Fisheries Service and/or the U.S. Department of Interior, and the U.S. Fish and Wildlife Service (USFWS).

**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 listed endangered or threatened species have the potential to exist within the watershed of the permit area: Eastern indigo snake (T). There is no designated critical habitat within the project action area. The USACE determination will be based on review of the Standard Local Operating Procedures for Endangered Species (SLOPES) programmatic agreement species effects determination keys for the aforementioned listed species. Coordination with the USFWS will be performed separately from this notice, as determined to be appropriate.

**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.

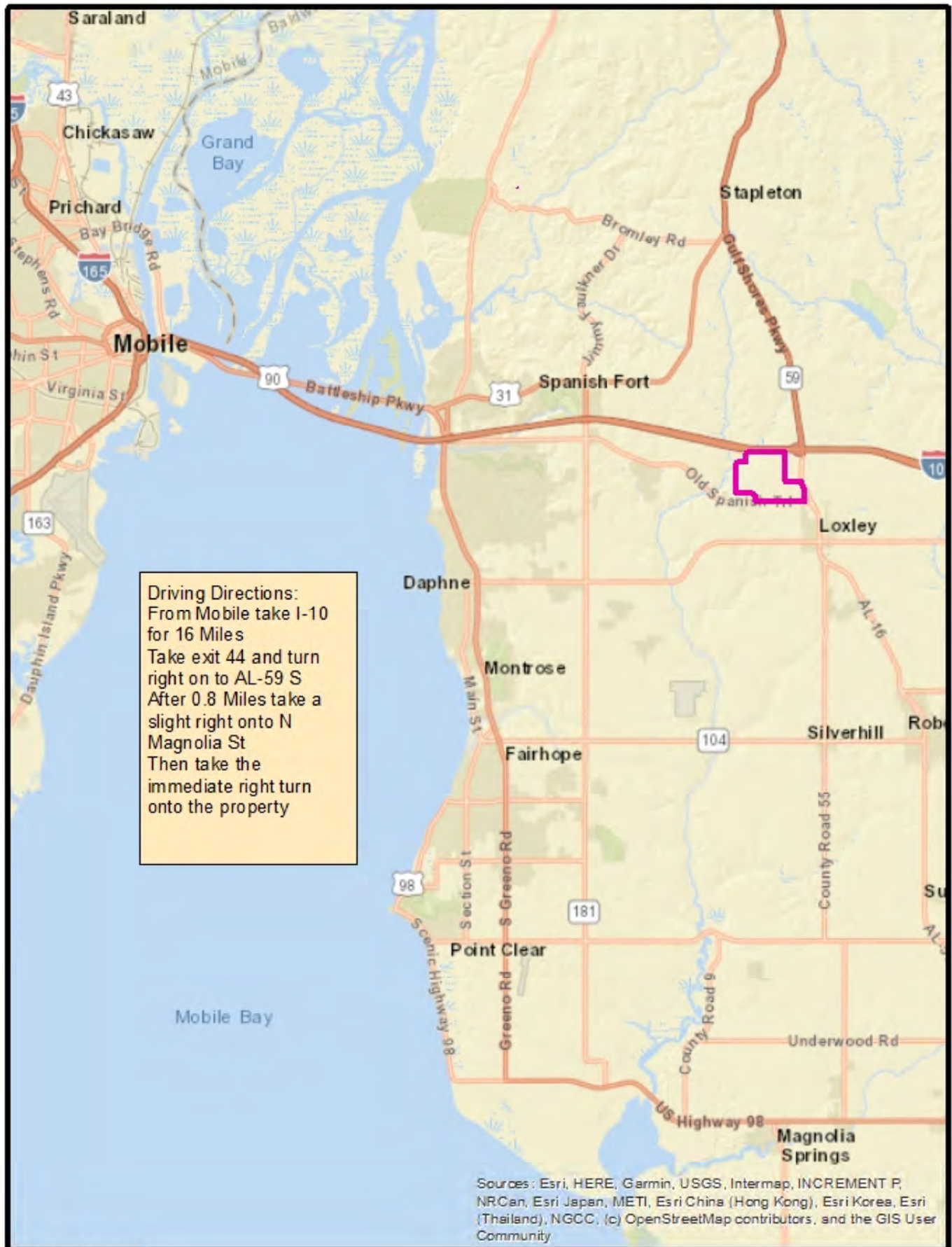
The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably 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-2022-01227-JEB**, and should be directed to the project manager, Mr. Eric Buckelew by e-mail at [james.e.buckelew@usace.army.mil](mailto:james.e.buckelew@usace.army.mil) or to the USACE, Mobile District, Regulatory Division, Attention: Mr. Eric Buckelew, Post Office Box 2288, Mobile, Alabama 36628-0001. Copies of all comments should be furnished to the Alabama Department of Environmental Management 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

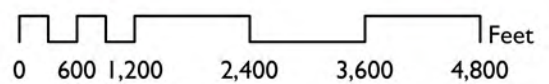
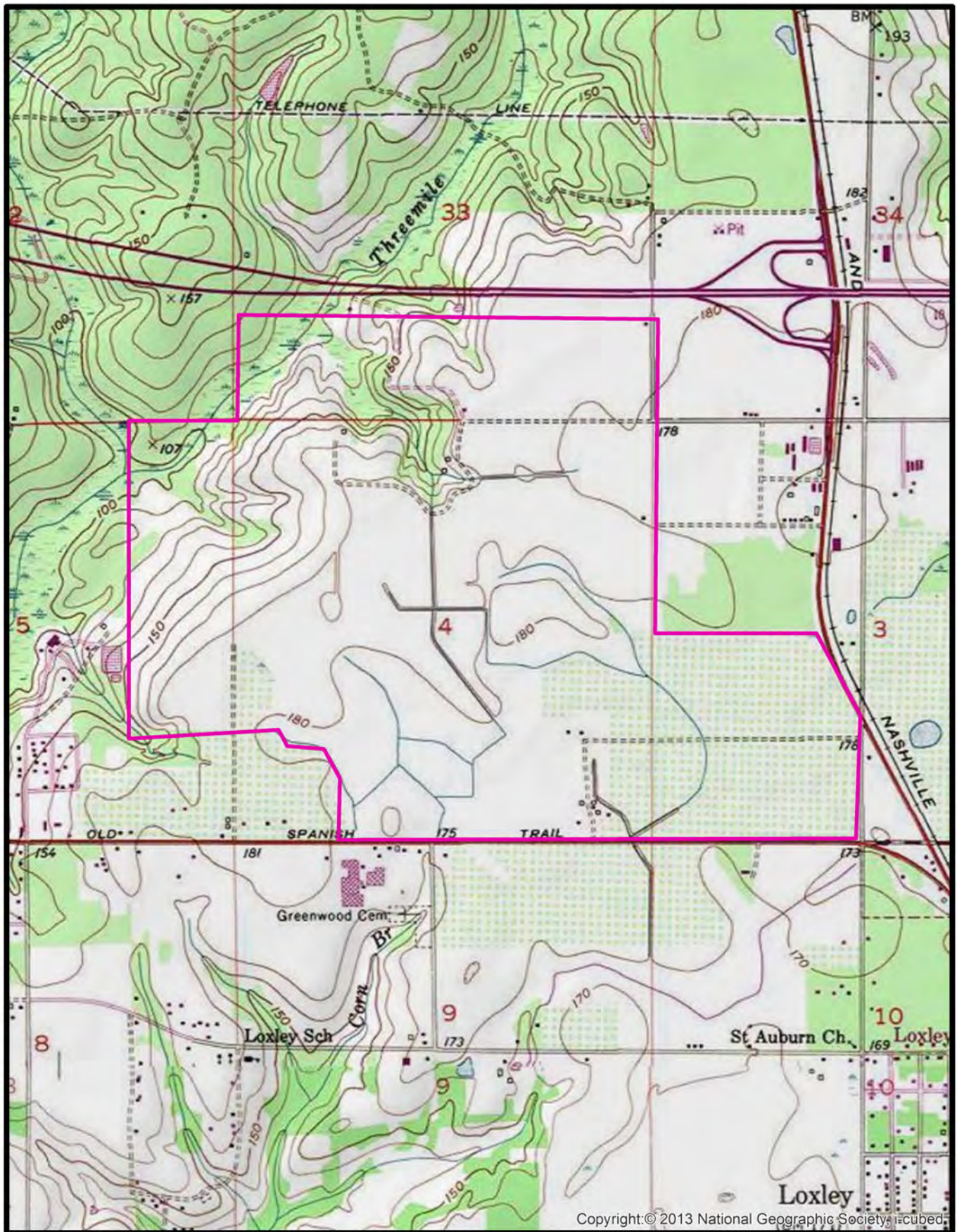


T-4-S,R-3-E,S-33  
T-5-S,R-3-E,S-5  
T-5-S,R-3-E,S-4  
T-5-S,R-3-E,S-3

SAM-2022-01227-JEB

0 9,000 18,000 36,000 Feet



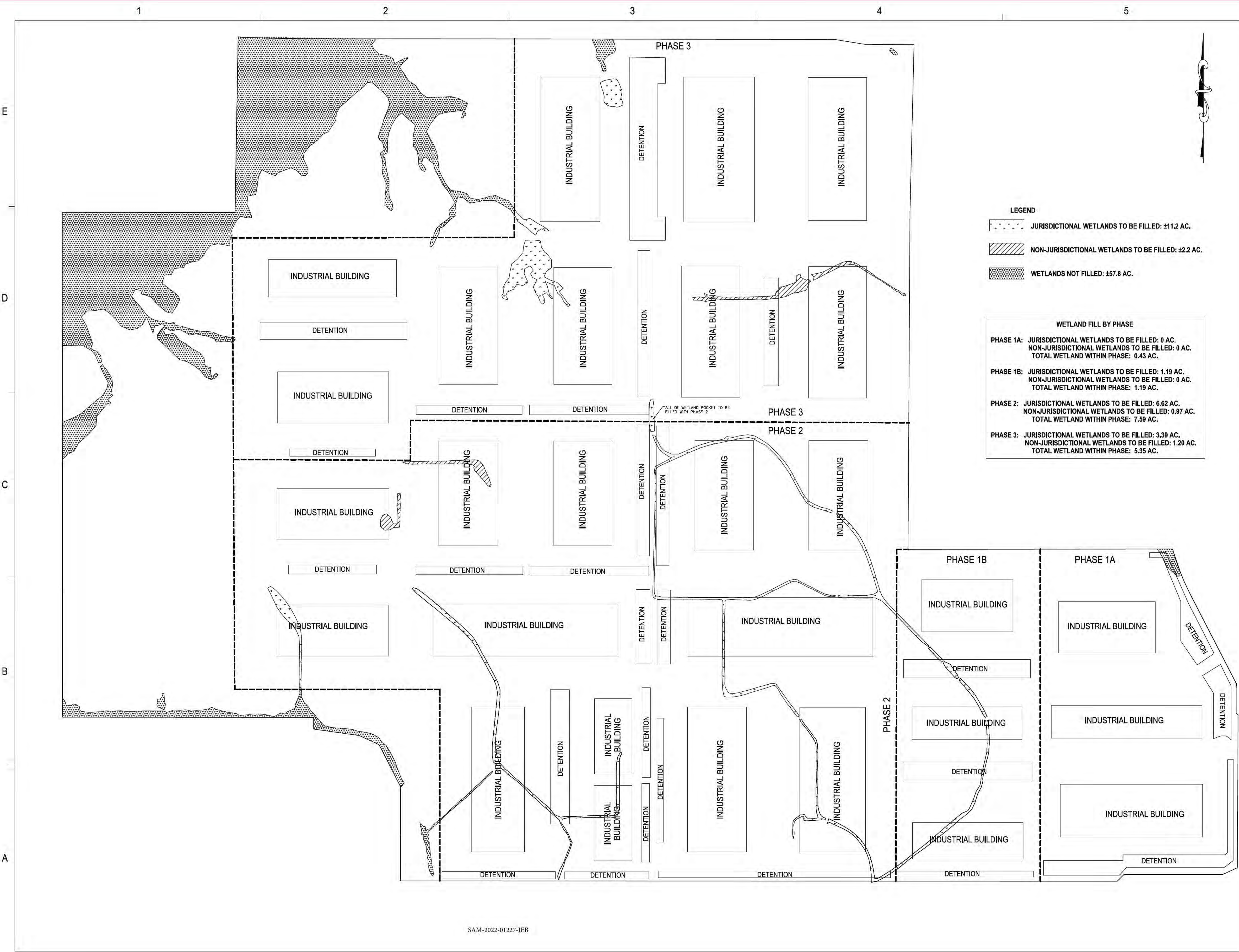


SAM-2022-01227-JEB









- LEGEND**
- JURISDICTIONAL WETLANDS TO BE FILLED: ±111.2 AC.
  - NON-JURISDICTIONAL WETLANDS TO BE FILLED: ±2.2 AC.
  - WETLANDS NOT FILLED: ±57.8 AC.

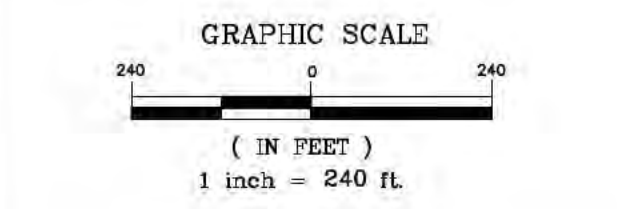
WETLAND FILL BY PHASE	
PHASE 1A:	JURISDICTIONAL WETLANDS TO BE FILLED: 0 AC. NON-JURISDICTIONAL WETLANDS TO BE FILLED: 0 AC. TOTAL WETLAND WITHIN PHASE: 0.43 AC.
PHASE 1B:	JURISDICTIONAL WETLANDS TO BE FILLED: 1.19 AC. NON-JURISDICTIONAL WETLANDS TO BE FILLED: 0 AC. TOTAL WETLAND WITHIN PHASE: 1.19 AC.
PHASE 2:	JURISDICTIONAL WETLANDS TO BE FILLED: 6.62 AC. NON-JURISDICTIONAL WETLANDS TO BE FILLED: 0.97 AC. TOTAL WETLAND WITHIN PHASE: 7.59 AC.
PHASE 3:	JURISDICTIONAL WETLANDS TO BE FILLED: 3.39 AC. NON-JURISDICTIONAL WETLANDS TO BE FILLED: 1.20 AC. TOTAL WETLAND WITHIN PHASE: 5.35 AC.



26353 FRIENDSHIP ROAD  
DAPHNE, AL 36526  
251.990.9950

GULF CORPORATION  
I-10  
BALDWIN COUNTY, ALABAMA

TOTAL WETLAND ACREAGE:  
72.2 ACRES  
JURISDICTIONAL WETLAND ACREAGE:  
±70 AC.  
NON-JURISDICTIONAL WETLAND ACREAGE:  
±2.2 AC.  
(TO BE VERIFIED BY USACE)



NO.	DESCRIPTION	DATE

REVISIONS	
DRAWN BY	HBP
APPROVED BY	CSB
CHECKED BY	JNE
DATE	JULY 2023

TITLE  
**WETLAND  
FILL PLAN**

PROJECT NO.

50157796



C100A

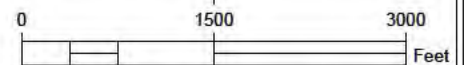
C100B



C100C

C100D

 WETLAND IMPACT



OVERALL SITE PLAN

PERMIT NO: SAM-2022-01227-JEB

C100

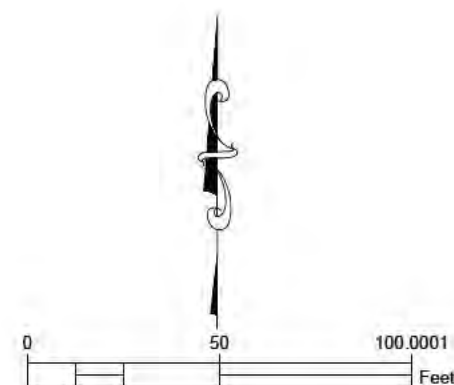
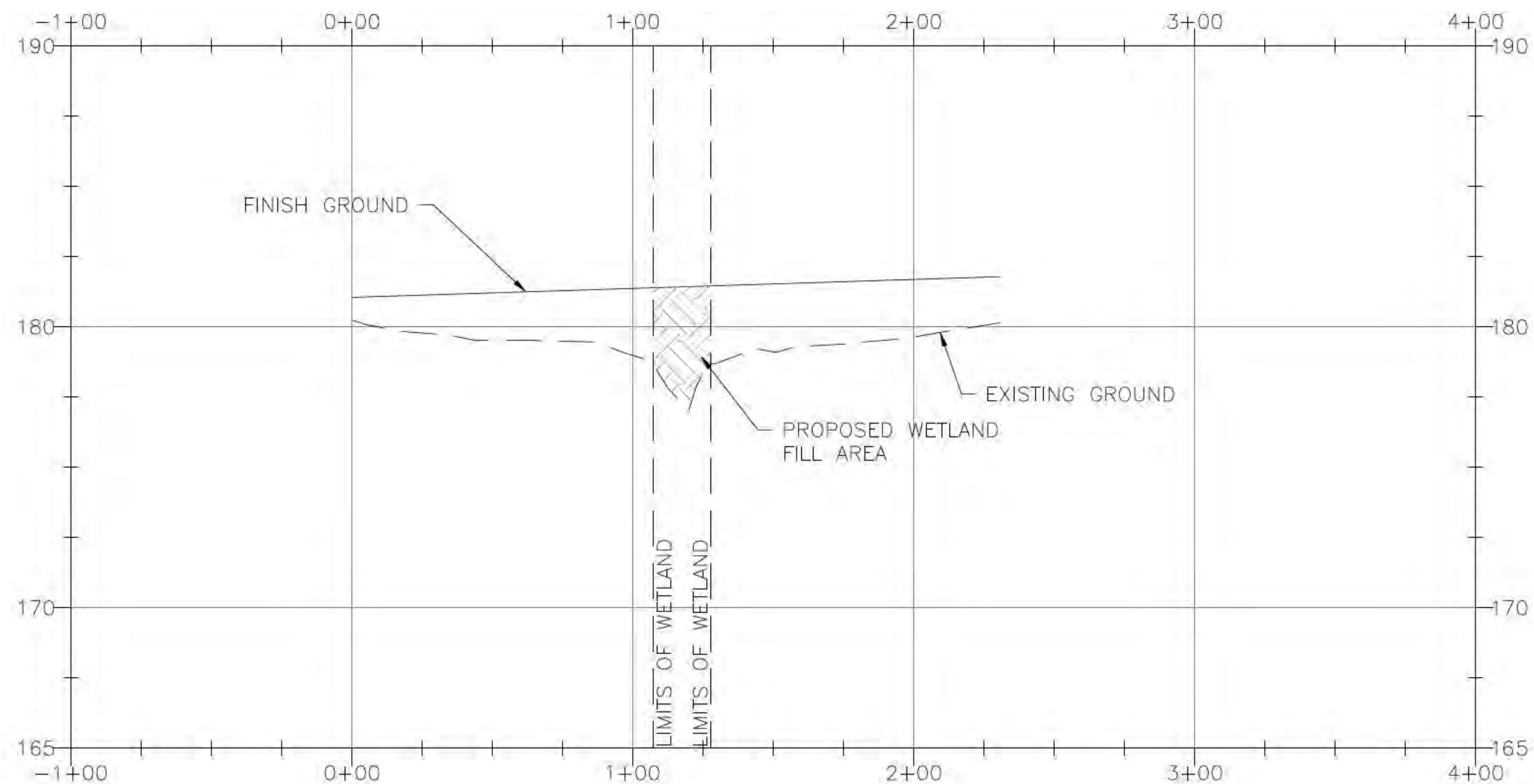


LOXLEY INDUSTRIAL PARK  
FOR  
GULF CORPORATION  
LOXLEY, ALABAMA

PROJECT NO:  
23-1101-0019

DATE:  
AUGUST 3, 2023





LOXLEY INDUSTRIAL PARK  
FOR  
GULF CORPORATION  
LOXLEY, ALABAMA

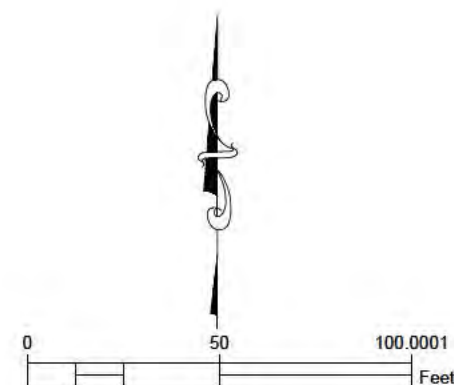
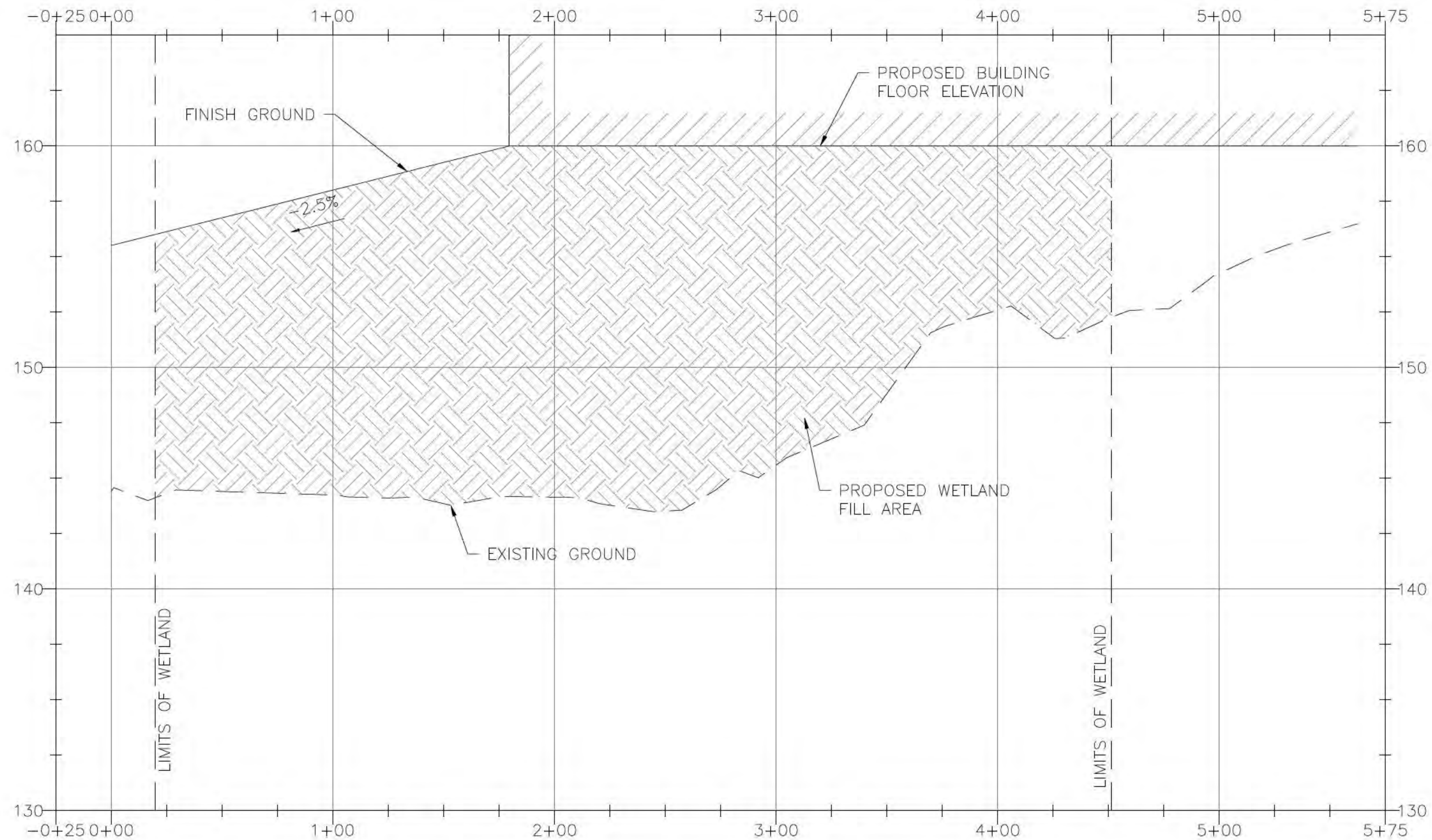
SECTION B-B  
TYPICAL WETLAND DITCH CROSSING  
PERMIT NO: SAM-2022-01227-JEB

PROJECT NO:  
23-1101-0019

DATE:  
AUGUST 3, 2023

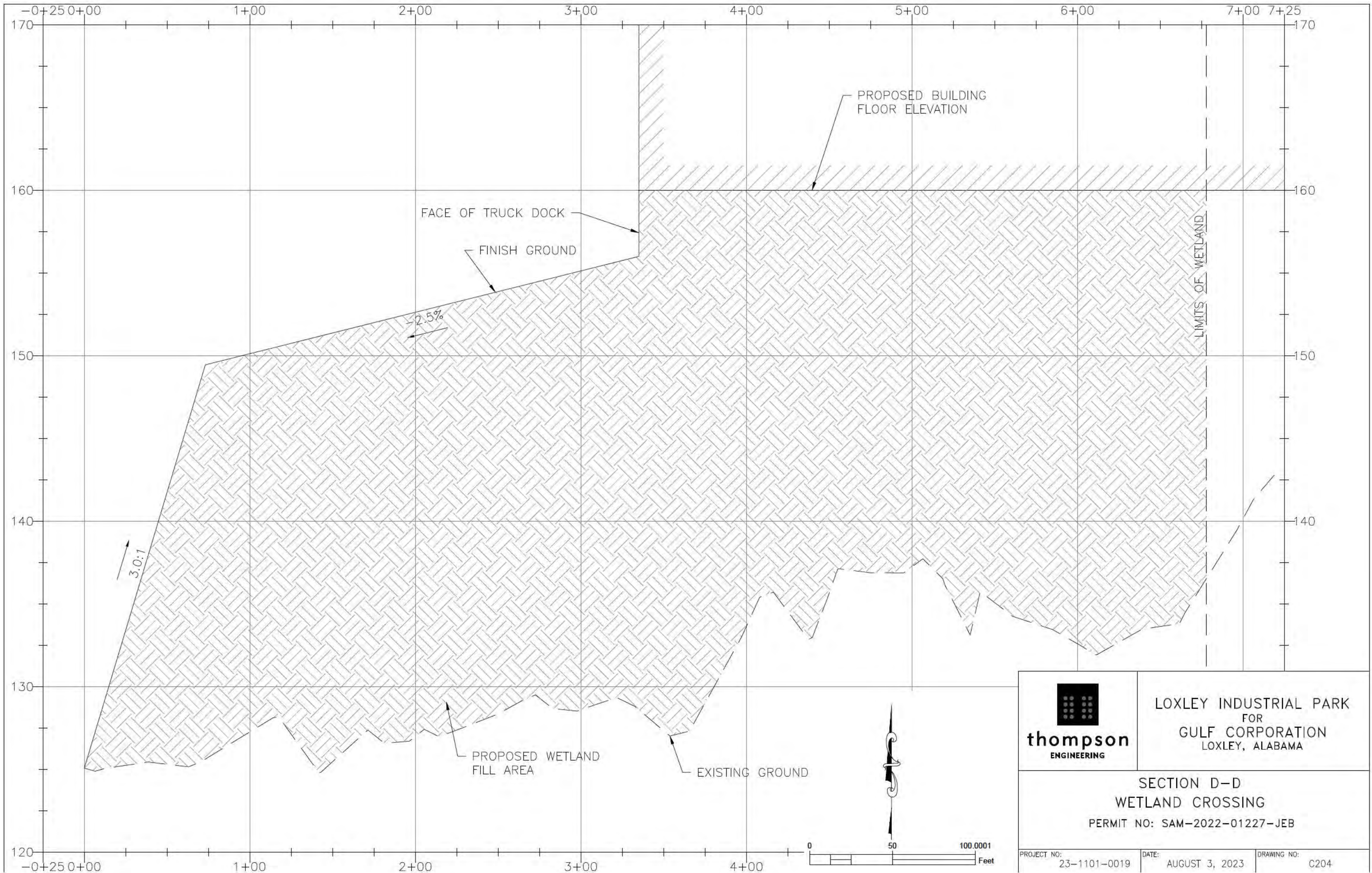
DRAWING NO:  
C202






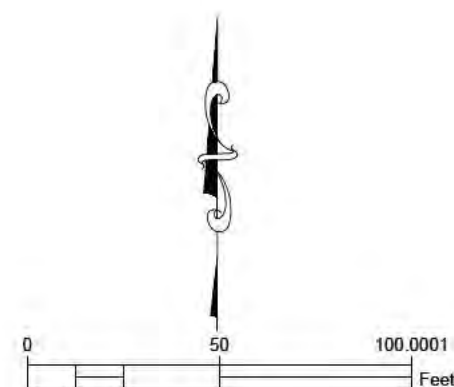
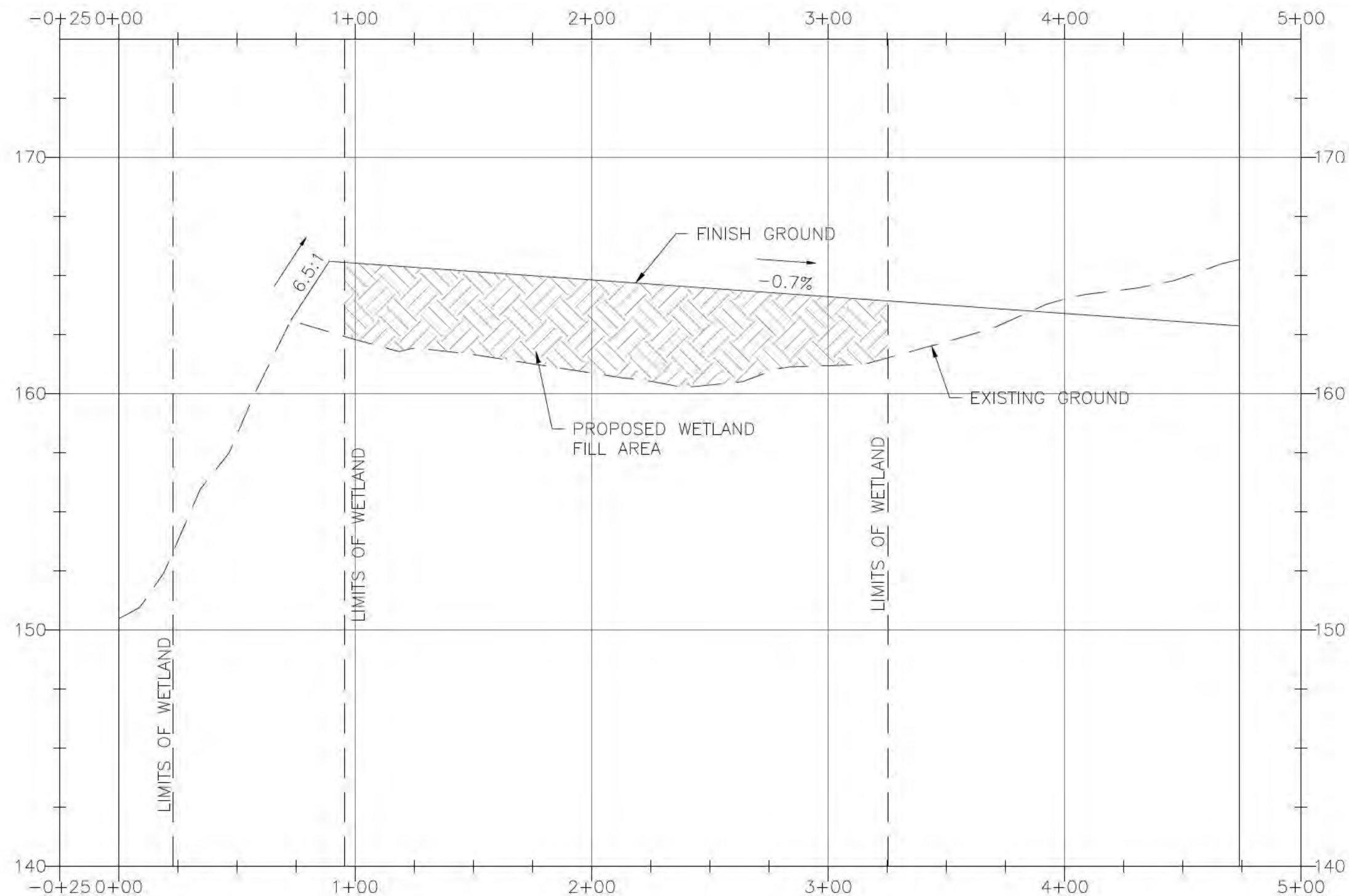
	LOXLEY INDUSTRIAL PARK FOR GULF CORPORATION LOXLEY, ALABAMA	
	SECTION C-C WETLAND CROSSING PERMIT NO: SAM-2022-01227-JEB	
PROJECT NO: 23-1101-0019	DATE: AUGUST 3, 2023	DRAWING NO: C203





 <b>thompson</b> ENGINEERING	LOXLEY INDUSTRIAL PARK FOR GULF CORPORATION LOXLEY, ALABAMA	
SECTION D-D WETLAND CROSSING PERMIT NO: SAM-2022-01227-JEB		
PROJECT NO: 23-1101-0019	DATE: AUGUST 3, 2023	DRAWING NO: C204





 <b>thompson</b> ENGINEERING	LOXLEY INDUSTRIAL PARK FOR GULF CORPORATION LOXLEY, ALABAMA
SECTION E-E WETLAND CROSSING PERMIT NO: SAM-2022-01227-JEB	
PROJECT NO: 23-1101-0019	DATE: AUGUST 3, 2023
DRAWING NO: C205	