



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-2023-00195-DJL

July 7, 2023

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

REQUEST TO DISCHARGE FILL IN WATERS OF THE UNITED STATES (WOUS),
MOBILE RIVER, MOUNT VERNON, MOBILE 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: Alabama Department of Conservation and Natural Resources,
Wildlife and Freshwater Fisheries Division
Attention: Todd Mize
64 North Union Street, Room
Montgomery, Alabama 36130

LOCATION/WATERS: The project is located on Mobile River; 2650 State Landing Road; within Section 47, Township 2 North, Range 1 East; at Latitude 31.087683 and Longitude -87.978609; Mount Vernon, Mobile County, Alabama.

PROJECT PURPOSE: The basic project purpose is to install a boat ramp, rock jetty and an aluminum floating pier. The overall project purpose is to remodel the Mount Vernon Waterfront Park Boat Ramp to include the addition of a new boat ramp, floating pier and expand the upland parking lot.

PROPOSED WORK: The applicant proposes to place 1,750 cubic yards of fill material within approximately 9,100 square feet (0.2 acres) of water bottoms in Mobile River. The fill material will consist of commercially obtained concrete, aggregate, and riprap. Activities will include the installation of a 261-foot-long by 30-foot-wide boat ramp, a 90-foot-long by 10-foot-wide rock jetty, and a 170-foot-long by 8-foot-wide aluminum floating pier. Additionally, the applicant proposed to expand the existing upland parking lot by approximately 0.25 acres.

AVOIDANCE AND MINIMIZATION: The proposed boat ramp, rock jetty, and pier have been designed to avoid wetlands adjacent to the proposed structures. There are no wetlands located within the boundaries of the project. The proposed location of the boat ramp will decrease the need to periodically dredge the basin where the existing boat

ramp is located, therefore, decreasing overall impacts to WOUS. Furthermore, Best Management Practices (BMPs) will be implemented to prevent water quality impacts within Mobile River during project implementation. 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: Compensatory mitigation would not be required because the activity consists of construction of structures that would not adversely impact special aquatic sites.

WATER QUALITY/COASTAL ZONE MANAGEMENT (CZM): The applicant would 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 would be made by the Alabama Department of Environmental Management (ADEM) within an established reasonable period.

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. 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 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. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed 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: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project would be located in non-tidal riverine habitat inland of marine and estuarine waterways; therefore, no EFH complexes or areas used by life stages of marine species would be affected. Our initial determination is that the proposed action would have No Effect on EFH or federally managed fisheries. Our final determination relative to project impacts and the need for mitigative measures is subject to review by and coordination with the National Marine Fisheries Service.

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: West Indian Manatee (T),

Wood Stork (T), Alabama Red Belly Turtle (E), Eastern Indigo Snake (T), Eastern Black Rail (T), and Gulf Sturgeon (T). There are no designated critical habitats within the action area, at this time, the USACE, Mobile District has made no final determination regarding effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and NMFS will be performed 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.

Complete project plans are available upon request. Correspondence concerning this public notice should refer to Public Notice Number **SAM-2023-00195-DJL** and should be directed to the project manager, Mr. Dane Leach by e-mail at Dana.J.Leach@usace.army.mil, or to the U.S. Army Corps of Engineers, Mobile District,

Regulatory Division, Attention: Mr. Dane Leach, 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, 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. If you have any questions concerning this publication, you may contact Mr. Dane Leach by e-mail at Dana.J.Leach@usace.army.mil, or by phone at (251) 694-3784. Please refer to the above Public Notice Number **SAM-2023-00195-DJL**, in any communication concerning this project.

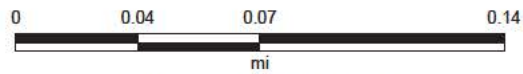
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



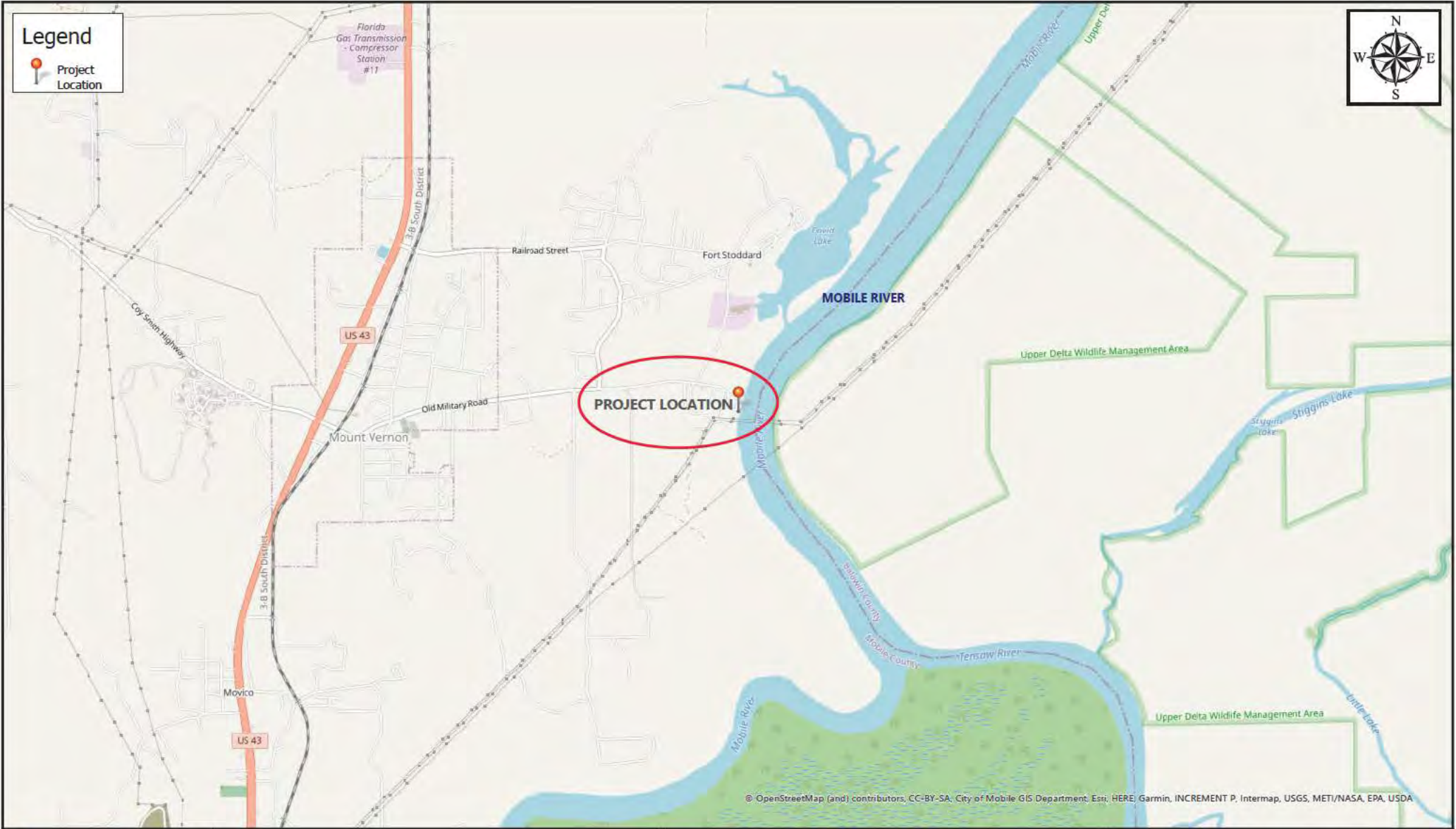
SAM-2023-00195-DJL // Aerial Map



Map Center: 87.978807°W 31.087655°N

Map Created by: Dane J. Leach, Project Manager

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere
Projection: Mercator Auxiliary Sphere



SAM-2023-00195-DJL // Vicinity Map



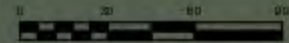
Map Center: 87.979666°W 31.086993°N

Map Created by: Dane J. Leach, Project Manager

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere
Projection: Mercator Auxiliary Sphere



Wetland



Scale 1:30



Drawing and
Picture
DO NOT Line Up
Exactly

Existing - Floating Pier to be Removed

Existing - Concrete Ramp To Remain
Abandoned in Place

Existing - Asphalt Entrance Road

Normal Water Level (Elevation: +3.00)

New - 20X40 Pavilion
w/ 5' X 10'
ADA Sidewalk

New - Class II Rip Rap Shoreline Protection

New - 15' X 90' Rock Jetty, Class II Rip Rap

New - 30' X 261' Concrete Boat Ramp
3000 psi fiber reinforced, #3 Rebar Grid 2' OC
unless specified otherwise (see details)

New - Class II Rip Rap Shoreline Protection

New - 8' X 170' Aluminum Floating Pier
Metal Pile Supported
w/ 5' X 40' Aluminum Gangway



