



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-2023-00682-RWF

November 29, 2023

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

PROPOSED FILL IN WETLANDS AND STREAM FOR HIGHWAY REALIGNMENT IN
THE STYX RIVER COMMUNITY, BALDWIN COUNTY, ALABAMA

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army 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. Seth Peterson
Post Office Box 220
Silverhill, Alabama 36576

AGENT: Michael Baker International, Inc.
Attention: Mr. Thomas J. Holiday
101 Dauphin Street, Suite 720
Mobile, Alabama 36602

LOCATION: The proposed project is located on Flat Creek and its adjacent wetlands with a center location approximately 1,700 feet northwest of the intersection of Brady Road and River Road, in the Styx River Community; within Section 26, Township 4 South, Range 4 East; at Latitude 30.6668° North, Longitude -87.6444° West; Baldwin County, Alabama.

PROJECT PURPOSE: The applicant's stated purpose is to provide safe access for local landowners and emergency vehicles by realigning River Road to avoid frequent flooding.

PROPOSED WORK: Project activities would realign the existing River Road, and include grading and road construction, installing culverts, and construction of a new bridge over Flat Creek. The work as proposed would permanently fill 1.58 acres of palustrine forested wetlands and 147 linear feet of Flat Creek. Approximately 1,120 cubic yards of commercially obtained local borrow material and riprap would be discharged into waters of the United States (WOTUS).

AVOIDANCE AND MINIMIZATION: The applicant has indicated that multiple routes were considered for realignment to limit impacts to WOTUS. The applicant has also upgraded the design from a culvert within Flat Creek to a bridge that would span the creek, along with the installation of culverts in the impacted wetlands to maintain historic flows. Construction best management practices (BMPs) would be implemented to limit additional discharge into WOTUS and to minimize adverse impacts to water quality.

MITIGATION: To compensate for the permanent loss of WOTUS, the applicant proposes to purchase both wetland and stream mitigation credits from a mitigation bank approved by the U.S. Army Corps of Engineers (USACE), Mobile District. The Mobile District has not verified the adequacy of the applicant's proposed mitigation plan at this time.

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) 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 as well as portions of the upland right of way. 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. 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.

ENDANGERED SPECIES: Pursuant to the Endangered Species Act of 1973, a preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicate the proposed activity would have no effect on the eastern indigo snake (*Drymarchon couperi*) (T), which is the only endangered or threatened species that has the potential to exist within the project action area. There is no designated critical habitat within the project action area. Further coordination with the U.S. Fish and Wildlife Service (USFWS) 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 US Army Corps of Engineers (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.

EVALUATION: 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-2023-00682-RWF**, and should be directed to the project manager, Mr. Robert Frank by e-mail at robert.w.frank@usace.army.mil, or to the U.S. Army Corps of Engineers, Mobile District, Regulatory Division, South Alabama Branch, Attention: Mr. Philip Hegji, 109 St. Joseph Street, Mobile AL 36602. 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.**

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

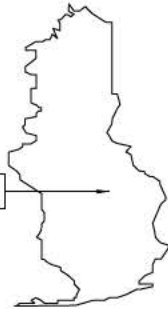
**BALDWIN COUNTY
HIGHWAY DEPARTMENT
PLANS OF PROPOSED PROJECT NUMBER HW22130000
BRIDGE ON RELOCATED RIVER ROAD
OVER FLAT CREEK**

STATE	REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO	LAST SHEET NO
AL	HW22130000	2023	1	100
CONTRACT ID NO				

Design Designation	
V (Design Speed)	40 mph
Min Stopping Sight Dist	305'

These plans have been prepared to conform with the Alabama Department of Transportation Standard Specifications for Highway Construction, 2023 Edition.

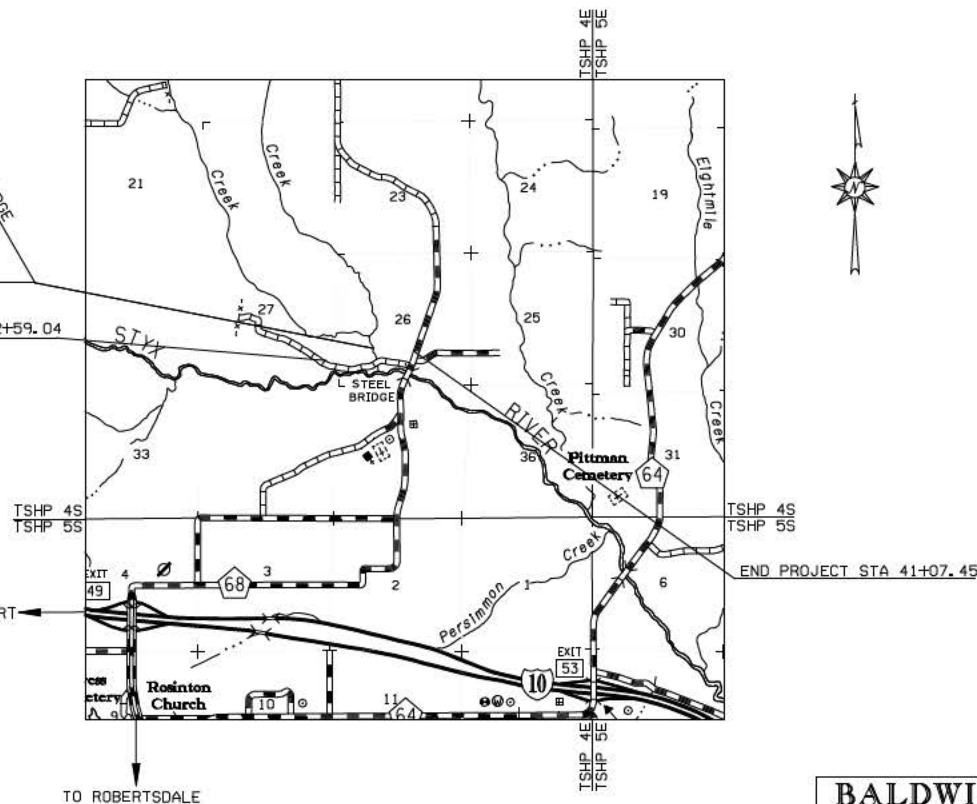
Index to Project



IN-PLACE BRIDGE		
BIN	STATION TO STATION	LENGTH
N/A	N/A	
REQUIRED BRIDGE, 0° SKEW		
REQD BIN	STATION TO STATION	LENGTH
21729	22+21.20 TO 24+01.20	180.00'

EQUATIONS & EXCEPTIONS
STA 117+84.46 BK = STA 10+00.00 AH
(TOTAL EFFECT +1518.72')

RIVER ROAD	FEET	MILES
Total Stationing of Project	6151.59	1.165
Equations & Exceptions	+1518.72	0.288
Net Length of Project	4632.87	0.877
Net Length of Bridges	180.00	0.034
Net Length of Roadways	4452.87	0.843
Net Length of Box Culvert	0000.00	0.000



BALDWIN COUNTY COMMISSION

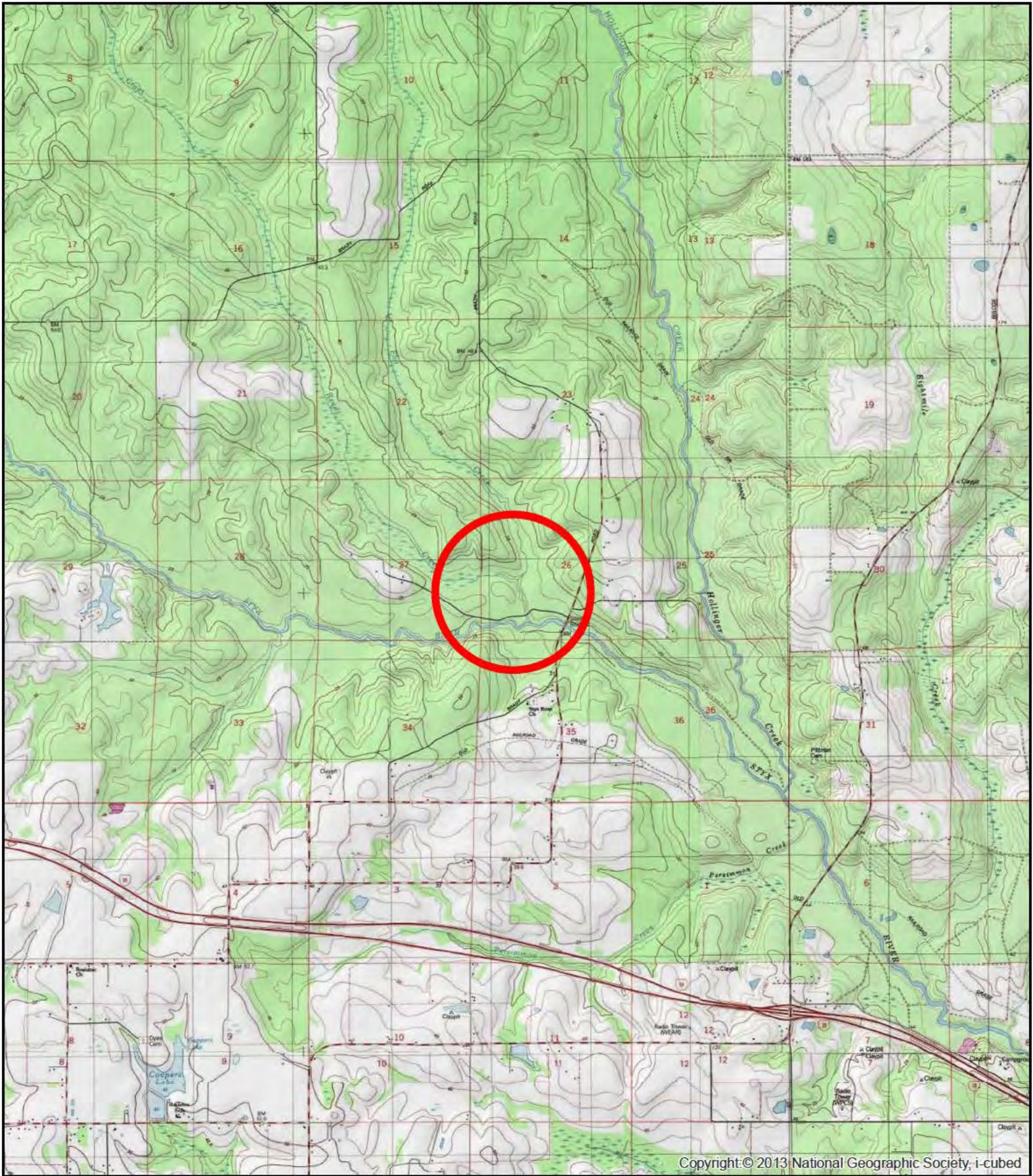
JAMES E. (JEB) BALL
COMMISSION DISTRICT 1

MATTHEW P. (MATT) MCKENZIE
COMMISSION DISTRICT 2

BILLIE JO UNDERWOOD
COMMISSION DISTRICT 3

CHARLES F. (SKIP) GRUBER
COMMISSION DISTRICT 4

BALDWIN COUNTY, ALABAMA
Submitted for Approval
COUNTY ENGINEER



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0 1,875 3,750 7,500 11,250 15,000 Feet

**River Road at Flat Creek
Location Area Map
Baldwin County, AL
July 2023**



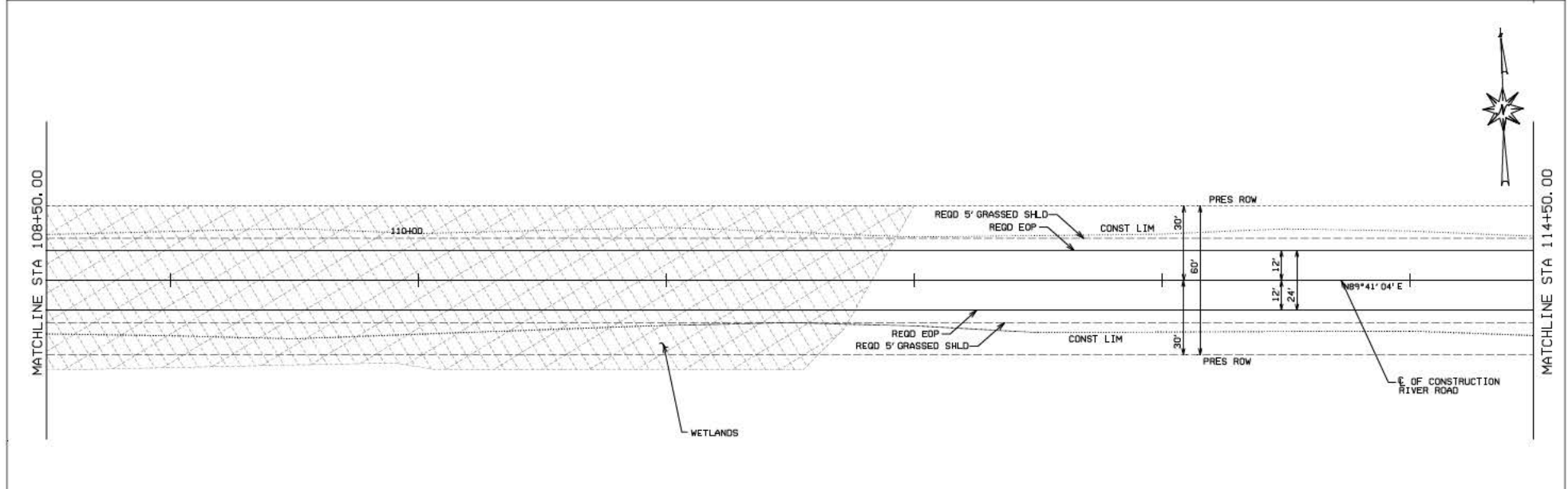
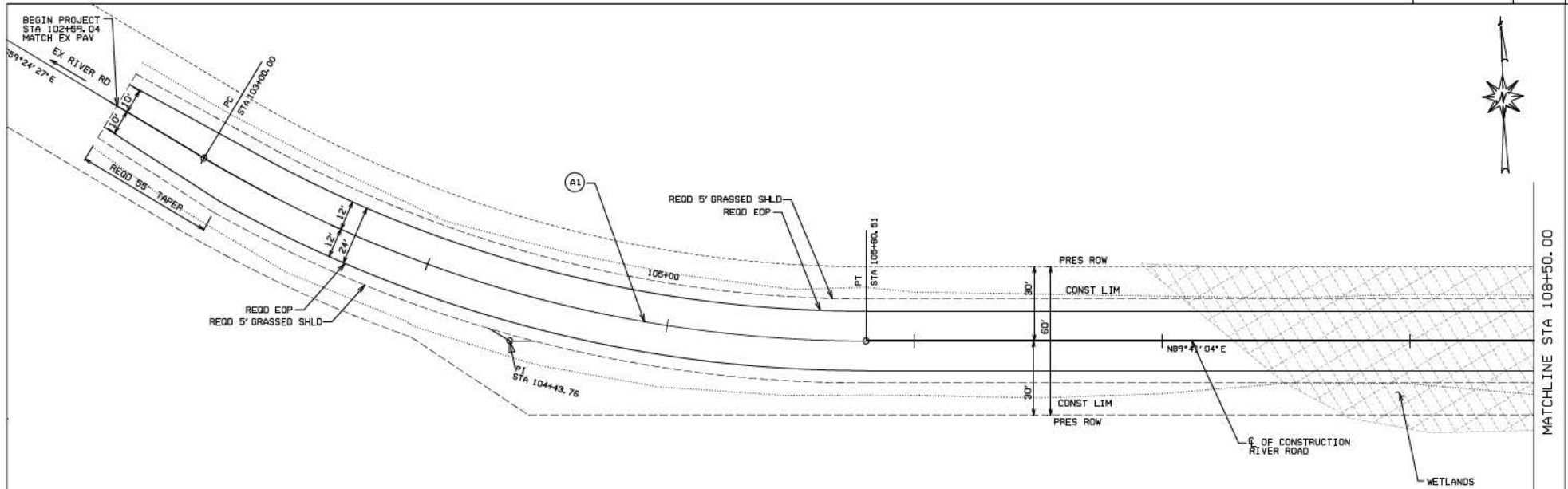
Project Area

0 225 450 900 1,350 1,800 Feet

**River Road at Flat Creek
Project Area Map
Baldwin County, AL
July 2023**

PRIMARY SURVEY CONTROL, REQD ROADWAY & GEOMETRIC LAYOUT SHEET

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	1E



RESPONSIBLE PE/SUPERVISOR/DESIGNER:

DATE:

PLAN SUBMITTAL

100% DE



**BALDWIN COUNTY
HIGHWAY DEPARTMENT**



SHEET TITLE

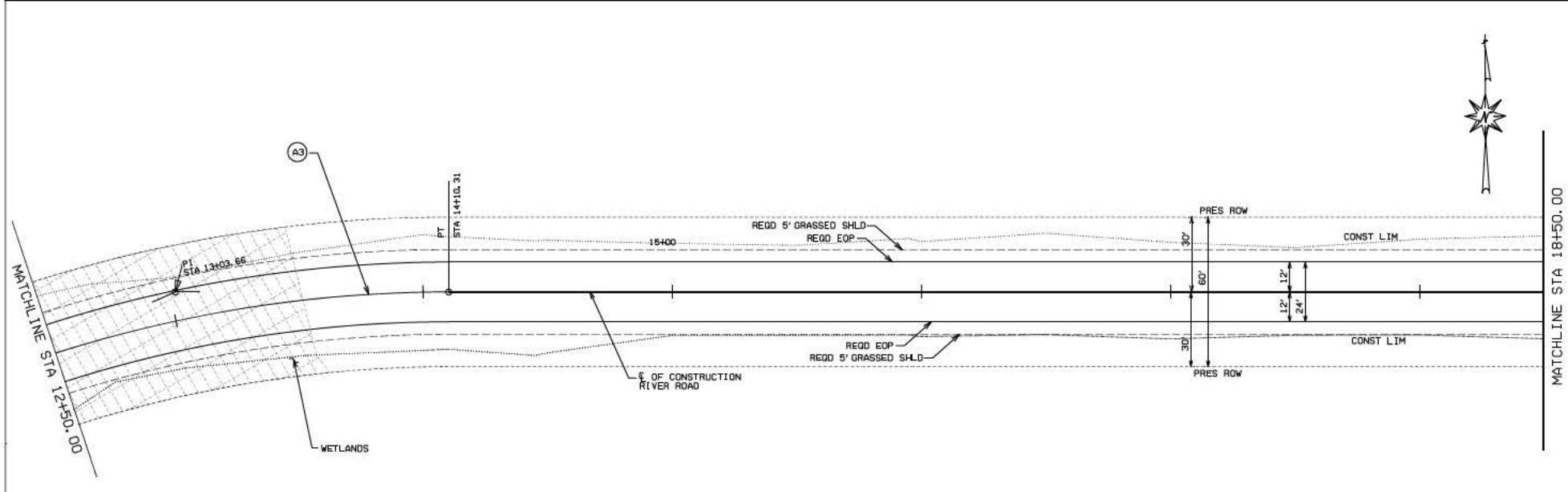
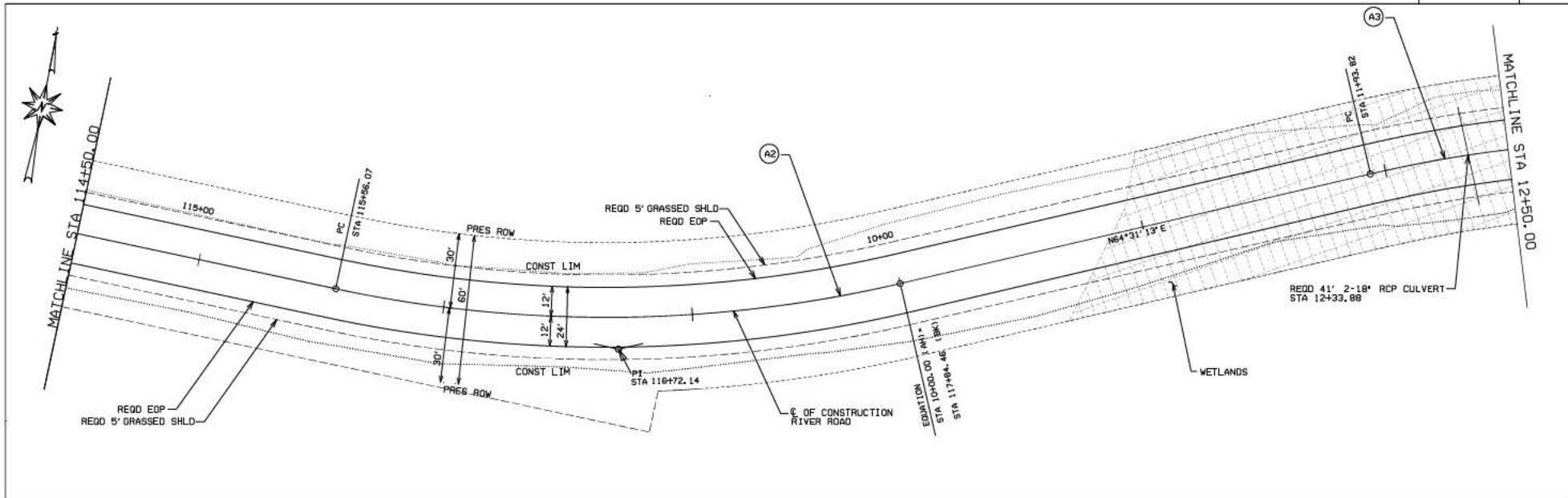
PRIMARY SURVEY CONTROL,
REQD ROADWAY &
GEOMETRIC LAYOUT SHEET

ROUTE

RIVER
ROAD

PRIMARY SURVEY CONTROL, REQD ROADWAY & GEOMETRIC LAYOUT SHEET

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	1G



RESPONSIBLE PE/SUPERVISOR/DESIGNER:

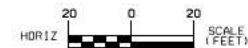
DATE:

PLAN SUBMITTAL

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**BALDWIN COUNTY
HIGHWAY DEPARTMENT**



SHEET TITLE

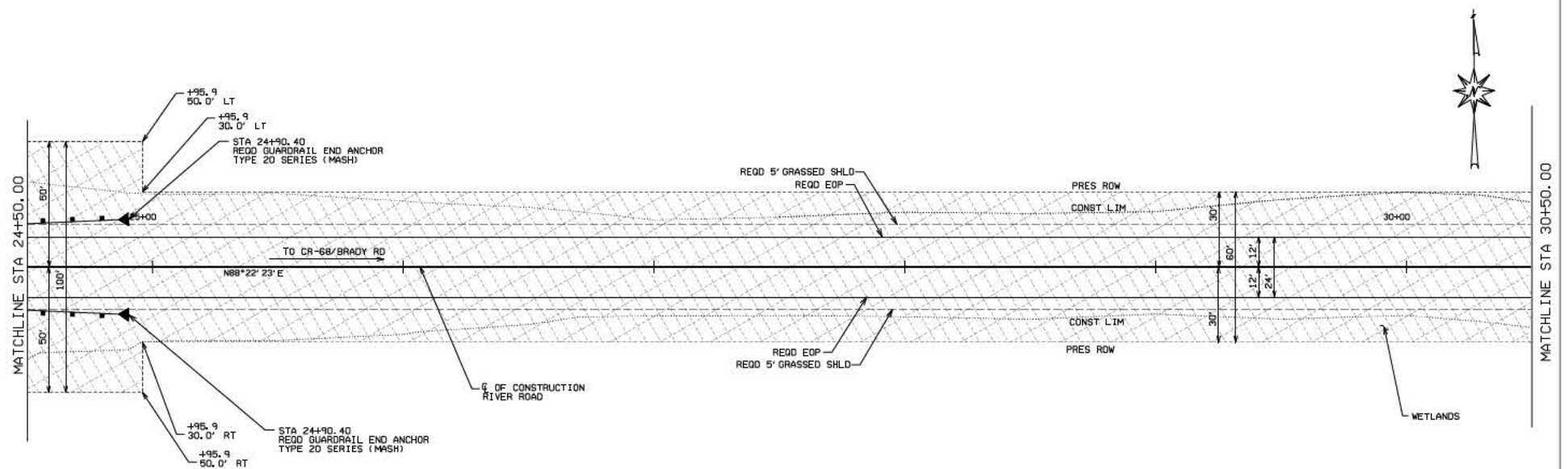
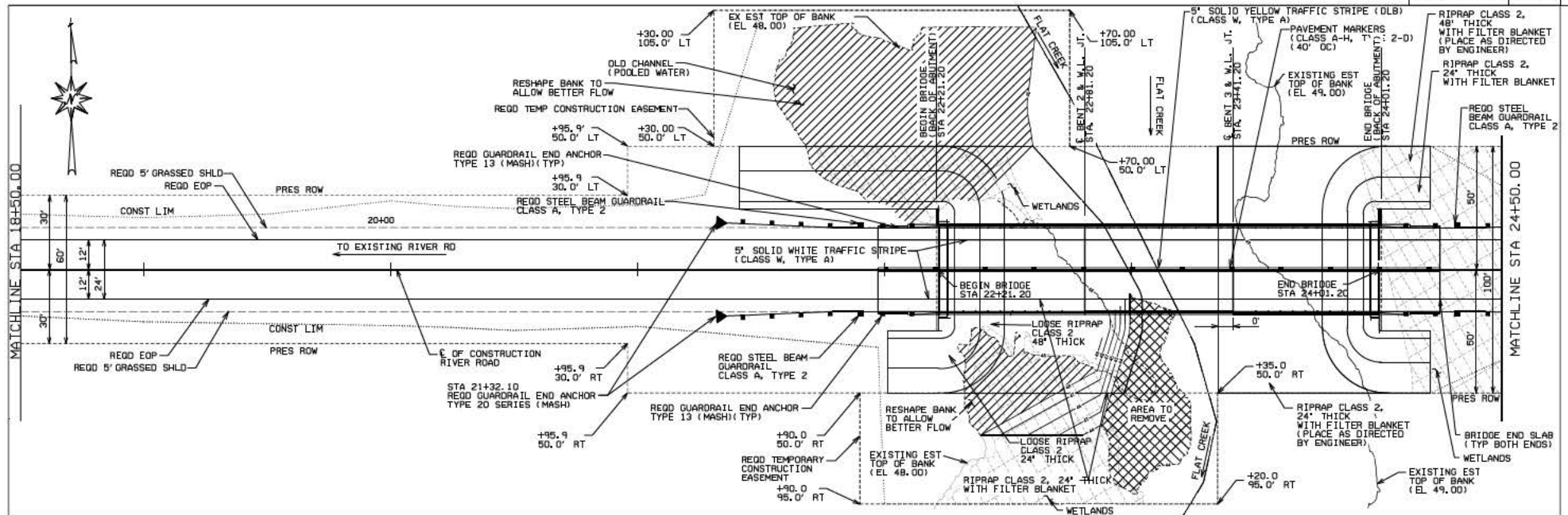
PRIMARY SURVEY CONTROL,
REQD ROADWAY &
GEOMETRIC LAYOUT SHEET

ROUTE

RIVER
ROAD

PRIMARY SURVEY CONTROL, REQD ROADWAY & GEOMETRIC LAYOUT SHEET

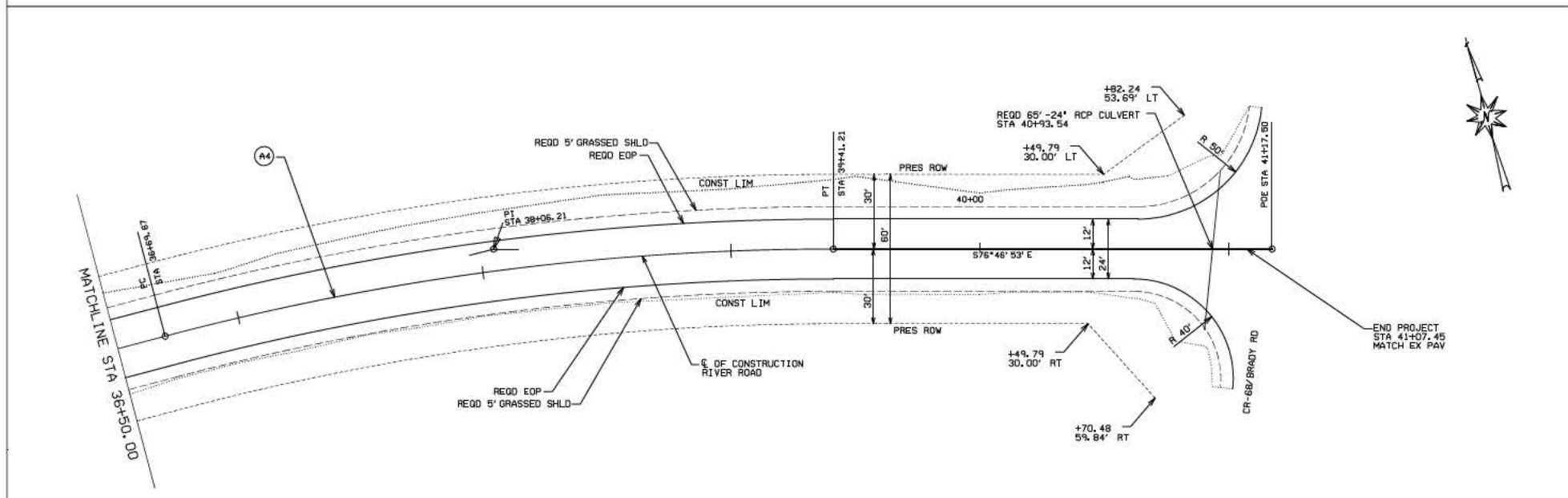
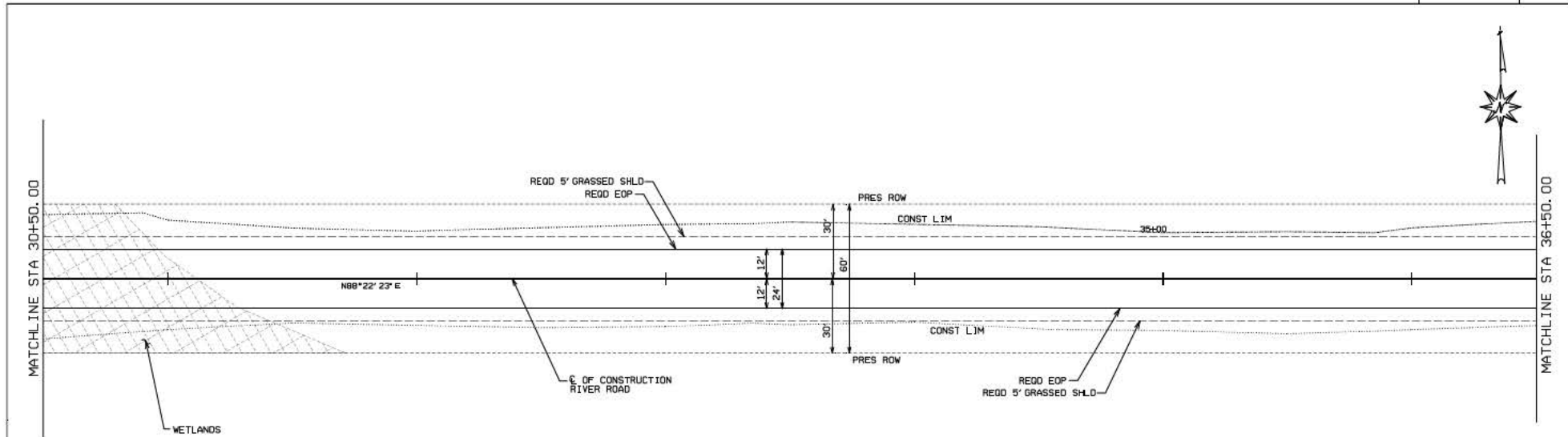
REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	1-1



RESPONSIBLE PE/SUPERVISOR/DESIGNER	PLAN SUBMITTAL	BALDWIN COUNTY HIGHWAY DEPARTMENT	SHEET TITLE	ROUTE
DATE	100% OE		PRIMARY SURVEY CONTROL, REQD ROADWAY & GEOMETRIC LAYOUT SHEET	RIVER ROAD

PRIMARY SURVEY CONTROL, REQD ROADWAY & GEOMETRIC LAYOUT SHEET

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	1K



RESPONSIBLE PE/SUPERVISOR/DESIGNER:

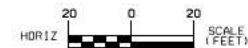
DATE:

PLAN SUBMITTAL

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**BALDWIN COUNTY
HIGHWAY DEPARTMENT**



SHEET TITLE

PRIMARY SURVEY CONTROL,
REQD ROADWAY &
GEOMETRIC LAYOUT SHEET

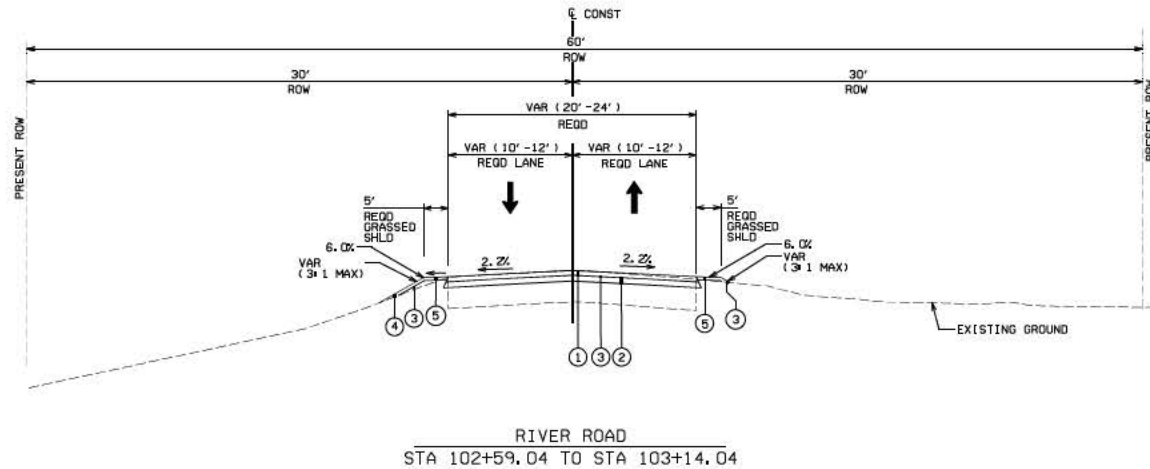
ROUTE

RIVER
ROAD

TYPICAL SECTION SHEET

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	2

PROJECT NOTES	DN-2 NOTES
200	116



REQUIRED AND IN-PL MATERIALS LEGEND		
LEGEND NO	ITEM NO	DESCRIPTION
①	301A-000	CRUSHED AGGREGATE BASE COURSE, TYPE B, PLANT MIXED, 3" COMPACTED THICKNESS
②	210A-000	UNCLASSIFIED EXCAVATION
③	210D-022	BORROW EXCAVATION (LOOSE TRUCK BED MEASUREMENT) (A-2-4(D) OR A-4(D))
④	650A-000	TOPSOIL, 4" THICK
⑤	652A-100 AND 656A-010	SEEDING AND MULCHING

RESPONSIBLE PE/SUPERVISOR/DESIGNER:

DATE:

PLAN SUBMITTAL

100% DE



**BALDWIN COUNTY
HIGHWAY DEPARTMENT**

NOT TO SCALE

SHEET TITLE

TYPICAL SECTION SHEET

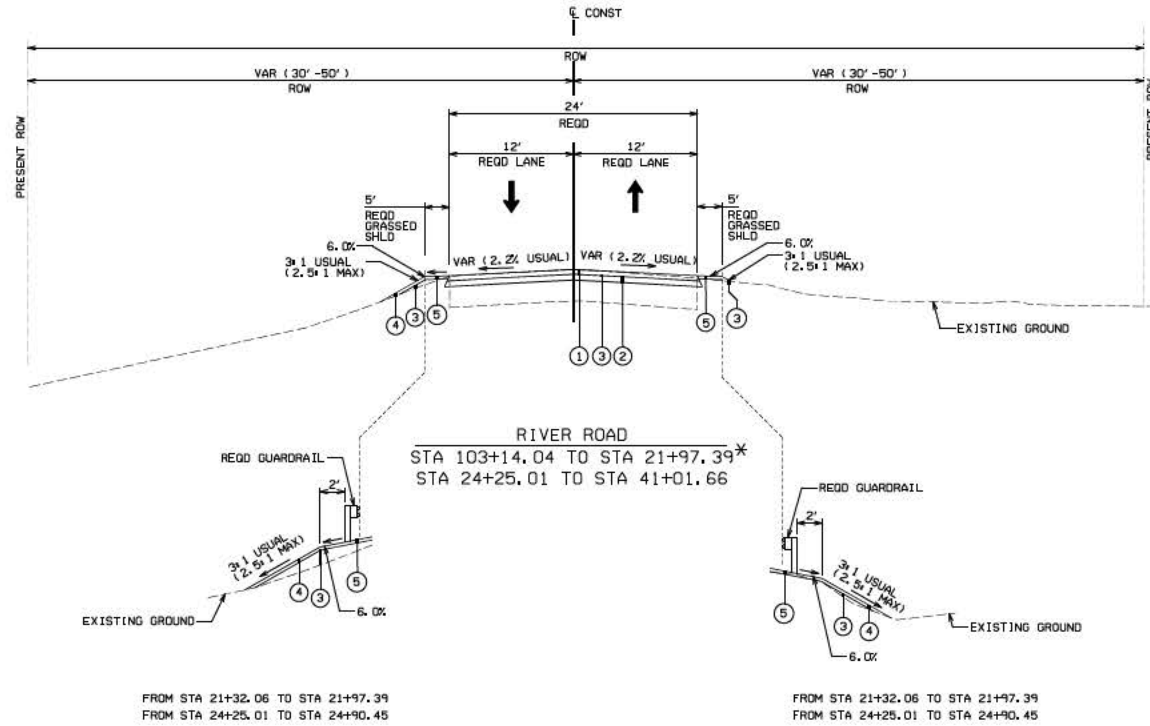
ROUTE

RIVER
ROAD

TYPICAL SECTION SHEET

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	2

PROJECT NOTES	GN-2 NOTES
200	116



* STATION EQUATION
117+84.46 BK = STA 10+00.00 AH

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	AND/OR	
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RESPONSIBLE PE/SUPERVISOR/DESIGNER

DATE

PLAN SUBMITTAL

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BALDWIN COUNTY
HIGHWAY DEPARTMENT

NOT TO SCALE

SHEET TITLE

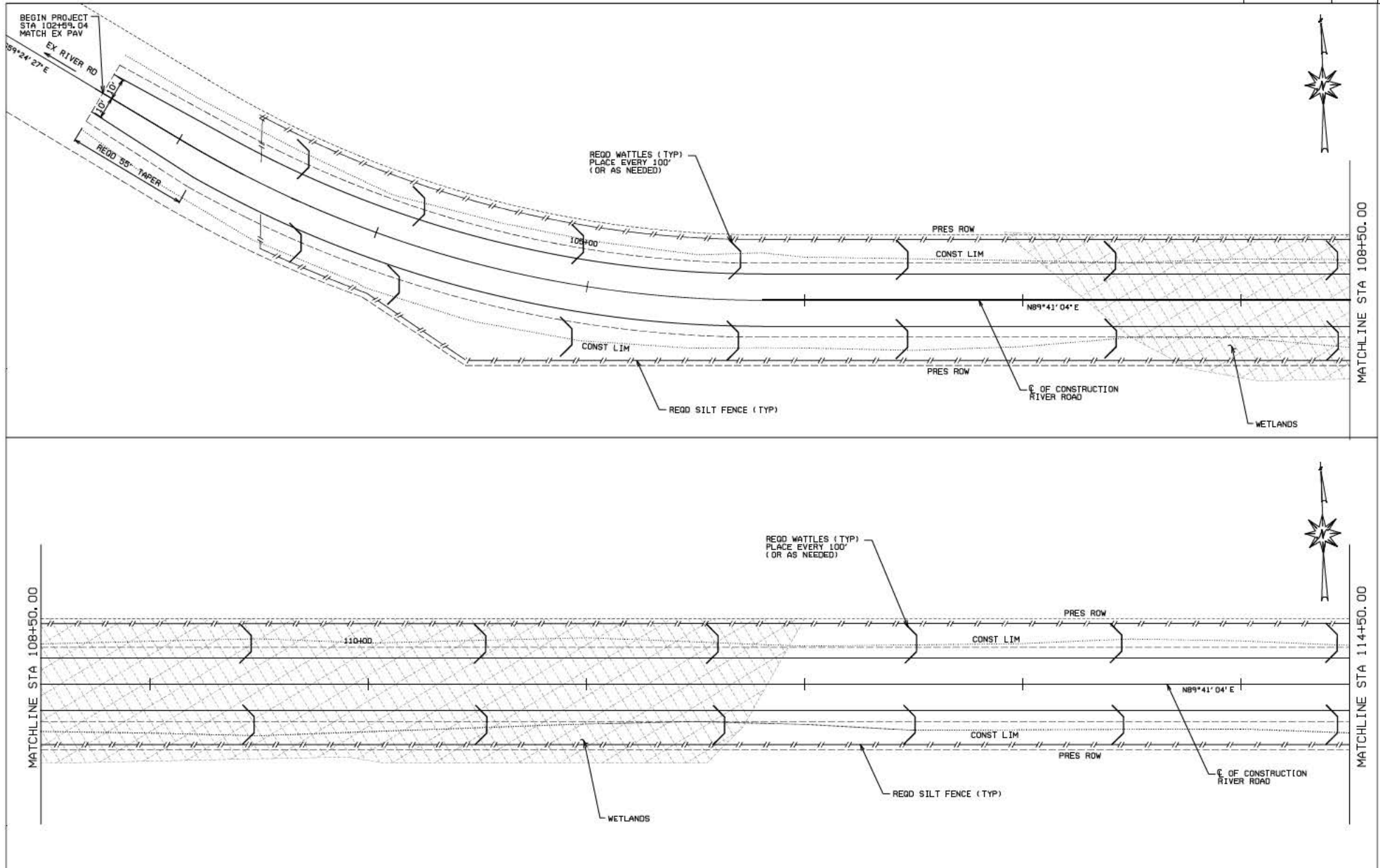
TYPICAL SECTION SHEET

ROUTE

RIVER
ROAD

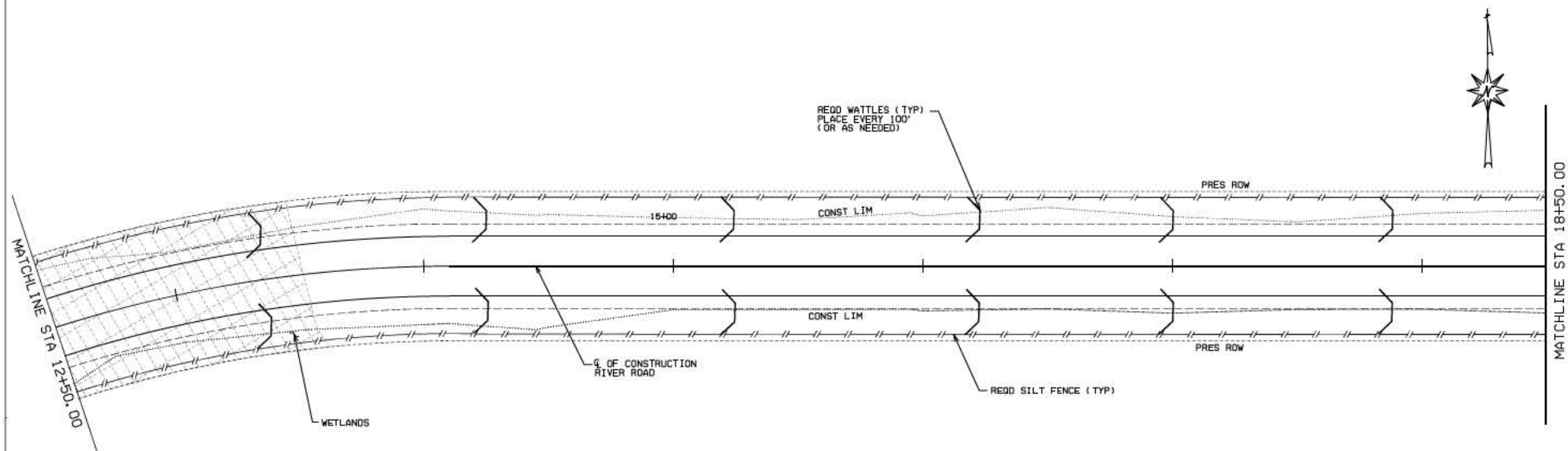
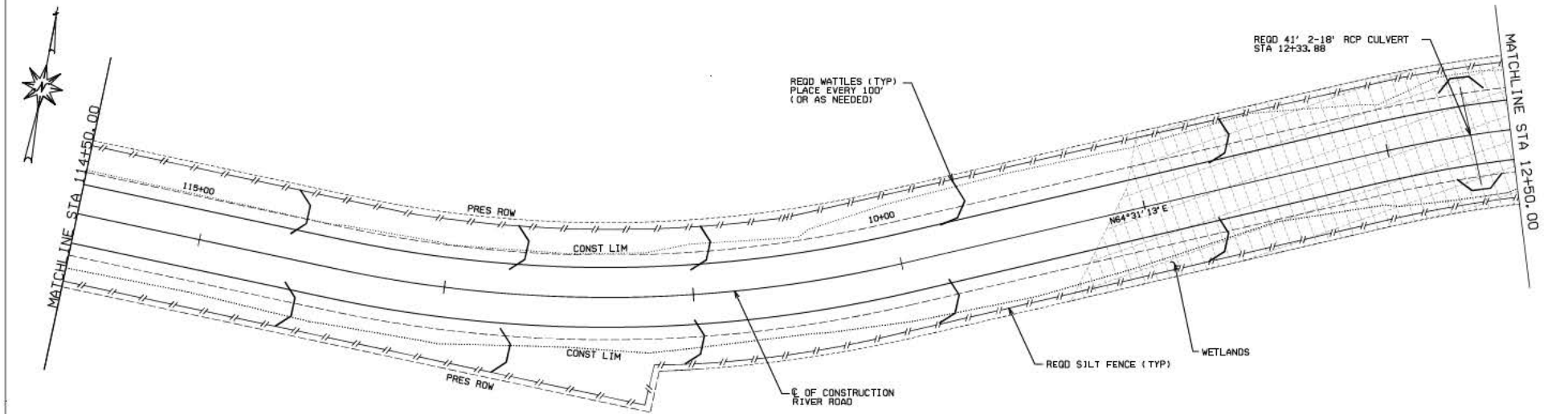
EROSION & SEDIMENT CONTROL PLAN

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	4A



EROSION & SEDIMENT CONTROL PLAN

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	48



RESPONSIBLE PE/SUPERVISOR/DESIGNER:

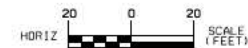
DATE:

PLAN SUBMITTAL

100% DE



**BALDWIN COUNTY
HIGHWAY DEPARTMENT**



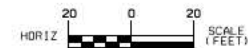
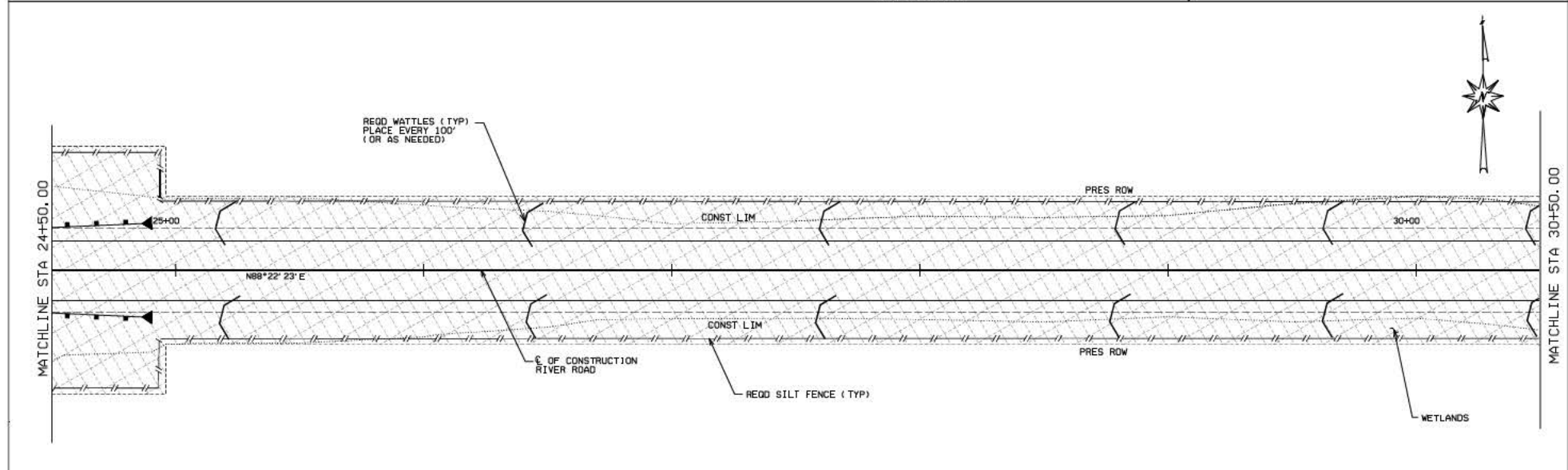
SHEET TITLE

EROSION & SEDIMENT
CONTROL PLAN

ROUTE

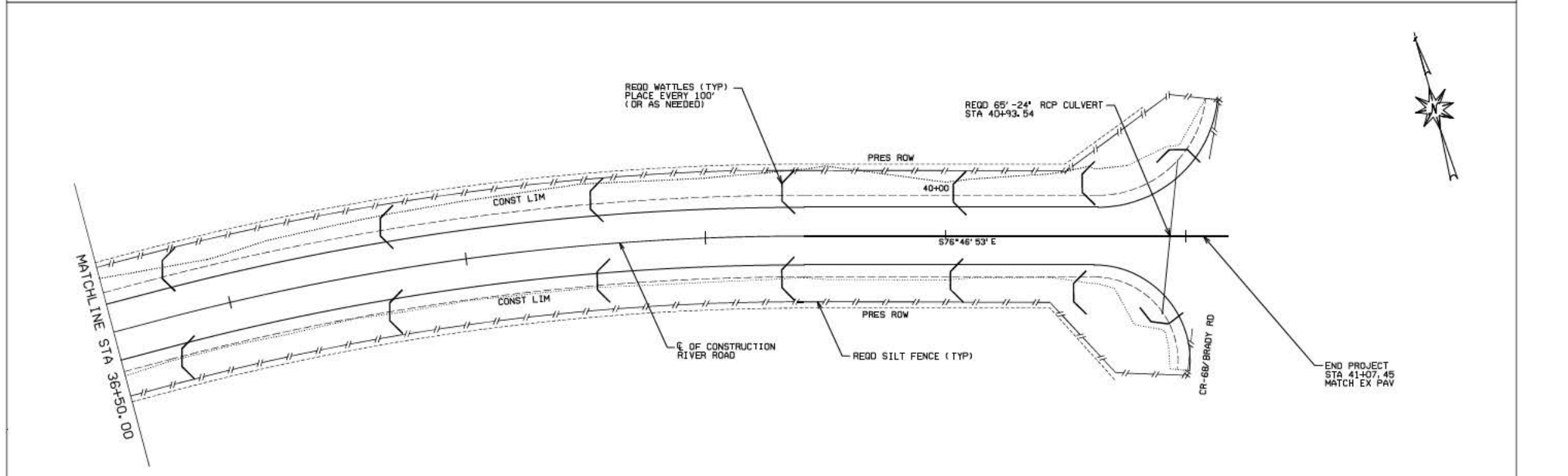
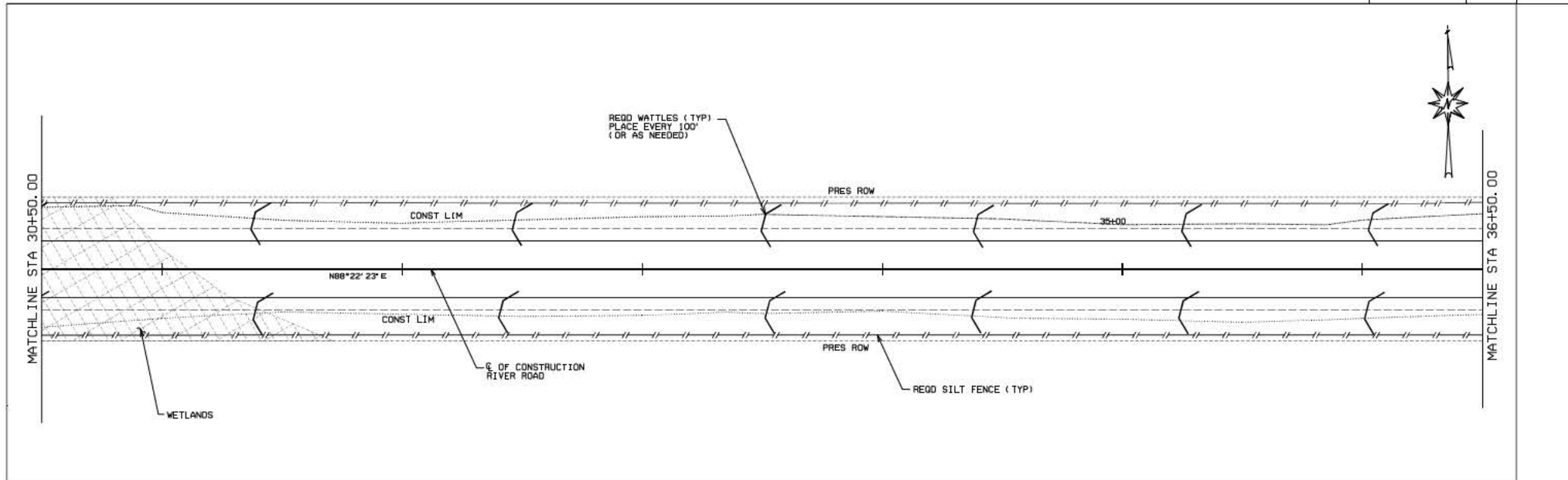
RIVER
ROAD

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	4C



EROSION & SEDIMENT CONTROL PLAN

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	40



RESPONSIBLE PE/SUPERVISOR/DESIGNER:

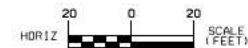
DATE:

PLAN SUBMITTAL

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**BALDWIN COUNTY
HIGHWAY DEPARTMENT**



SHEET TITLE

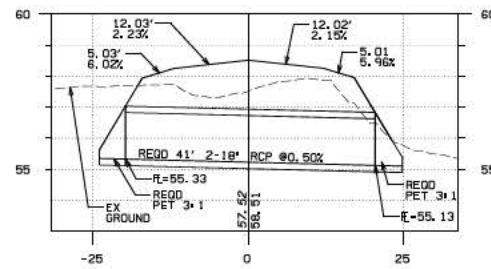
EROSION & SEDIMENT
CONTROL PLAN

ROUTE

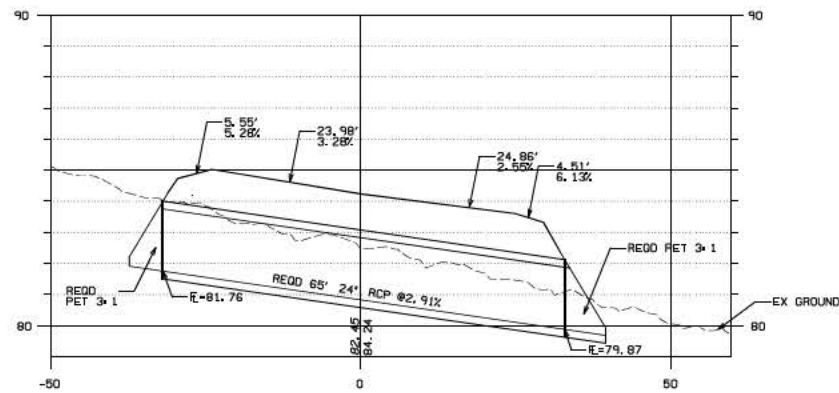
RIVER
ROAD

DRAINAGE X-SECT

REFERENCE PROJECT NO	FISCAL YEAR	SHEET NO
HW22130000	2023	5



DRAINAGE X-SECT
STA 12+33.88, SKEW 3°41'43.2477° RT
E RIVER RD



DRAINAGE X-SECT
STA 41+07.45, SKEW 6°43'00.49° LT
E RIVER RD

RESPONSIBLE PE/SUPERVISOR/DESIGNER:

DATE:

PLAN SUBMITTAL

100% DE



BALDWIN COUNTY
HIGHWAY DEPARTMENT



SCALE
(FEET)



SHEET TITLE

DRAINAGE X-SECT

ROUTE

RIVER
ROAD