



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

CESAM RD-SP
PUBLIC NOTICE NO. SAM-2023-00742-STB

January 17, 2024

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PROPOSED STREAMBANK STABILIZATION ALONG 1,200 LINEAR FEET OF A
TRIBUTARY TO ESLAVA CREEK, 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 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: City of Mobile Engineering Department
Attention: Nick Amberger, P.E.
205 Government Street
Mobile, Alabama 36644
Email Address: Nick.amberger@cityofmobile.org

LOCATION: The proposed project is located along a tributary to Eslava Creek near South Florida Street; within Section 19, Township 4 South, Range 1 West; Latitude 30.677831° North, Longitude -88.102708° West; in Mobile County, Alabama.

APPLICANT STATED PROJECT PURPOSE: The purpose of this project is to stabilize the channel banks of the existing drainage channel to prevent bank erosion and sedimentation in downstream waters.

PROPOSED WORK: The applicant proposes to install gabion baskets along both banks of an existing tributary to provide bank stabilization to approximately 1,200 linear feet of stream. The following activities are proposed:

- a. Placement of 3,731 cubic yards of material associated with the proposed gabion baskets along the stream banks; and
- b. Removal of 9,371 cubic yards of material from the subject streambanks to be replaced with gabion baskets.

The project will stabilize unstable stream banks along 1,200 linear feet of tributary to Eslava Creek.

AVOIDANCE AND MINIMIZATION: The applicant has indicated that the proposal avoids and minimizes impacts to the greatest extent practicable given the location and nature of the project. Best Management Practices (BMPs) will be implemented to prevent water quality impacts within downstream tributaries during project implementation. 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.

COMPENSATORY MITIGATION: The applicant has agreed to purchase stream mitigation credits for permanent impacts to offset proposed impacts. However, USACE, Mobile District has not verified the adequacy of the applicant's mitigation efforts at this time.

WATER QUALITY / COASTAL ZONE MANAGEMENT: The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act and for Coastal Zone Management (CZM) consistency concurrence in accordance with the Alabama Coastal Area Management Program. Upon completion of the required advertising and public comment review, a determination relative to Water Quality Certification and CZM consistency will be made by the Alabama Department of Environmental Management (ADEM).

HISTORIC PROPERTIES: In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect historic properties. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the entire 1,200 linear feet of affected stream, as well as portions of the uplands used for staging and access. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on cultural/historic resources. 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 from the State Historic Preservation Office, federally recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and the general public.

THREATENED AND 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 proposed activity will have no effect on the following listed endangered or threatened species with the potential to exist within the watershed of the permit area: West Indian Manatee (T), Wood Stork (T), Alabama Red Bellied Turtle (E), Black Pine Snake (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 has been accomplished by use of species-specific Standard Local Operating Procedures for Endangered Species (SLOPES). The USACE, Mobile District's review has indicated the proposed activity will have no effect on West Indian Manatee (T), Wood Stork (T), Alabama Red Bellied Turtle (E), Black Pine Snake (T), and Eastern indigo Snake (T). 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.

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 impact approximately 1,200 linear feet of inland stream. The USACE has made a preliminary determination that the proposed project will have no effect on EFH. 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).

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 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, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

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 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.

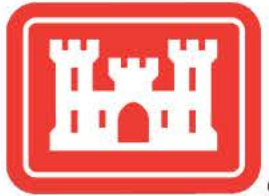
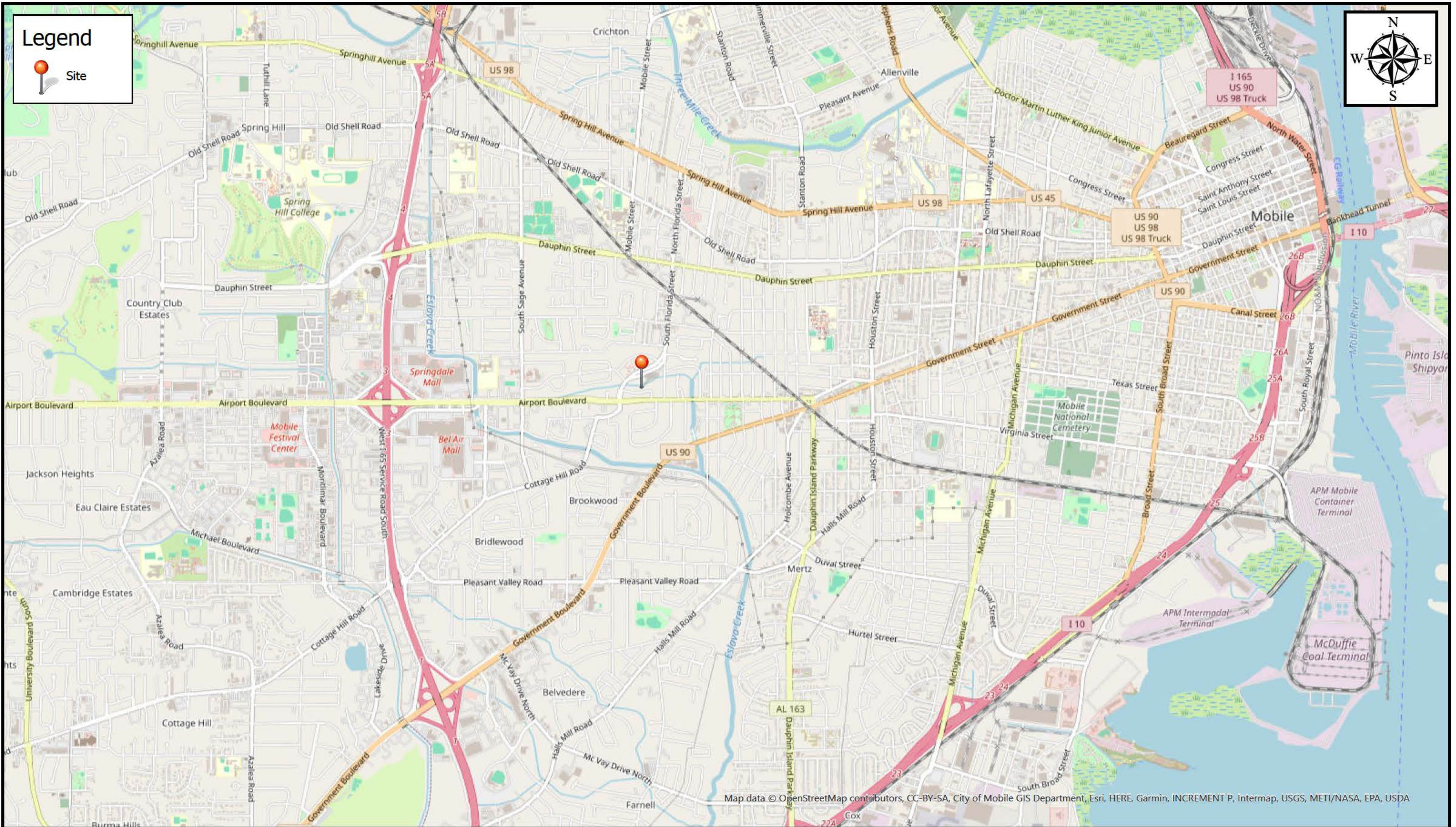
Evaluation of the probable impacts involving deposits of dredged or fill material into WoUS will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

Correspondence concerning this notice should refer to Public Notice Number **SAM-2023-00742-STB**, and should be directed to the project manager, Mr. Samuel Barber by e-mail at samuel.t.barber@usace.army.mil, by phone at (251) 386-4037, or to the USACE, Mobile District, Regulatory Division, Attention: Mr. Samuel Barber, 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.**

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-2023-00742-STB // Public Notice Project Location //
Department of the Army





Map Center: 88.095263°W 30.675088°N

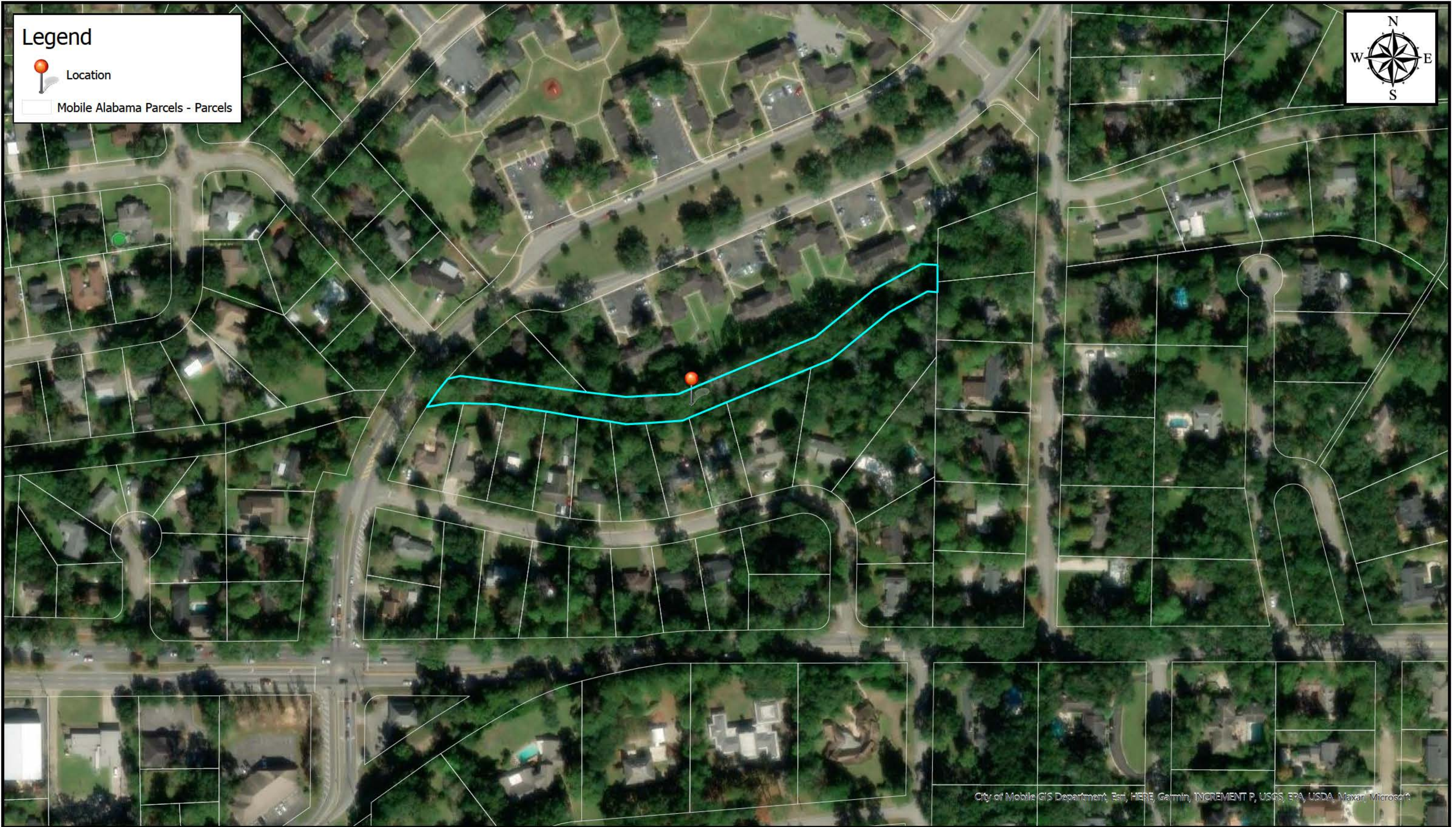
Map Created by: Samuel T. Barber, Project Manager
Date: 1/16/2024

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

Legend

 Location

 Mobile Alabama Parcels - Parcels

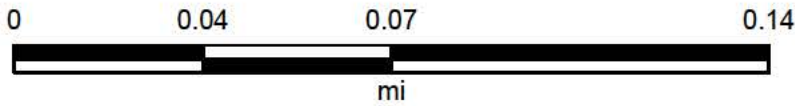


City of Mobile GIS Department, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Maxar, Microsoft



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SAM-2023-00742-STB // Public Notice // Department of the Army // Parcel Map

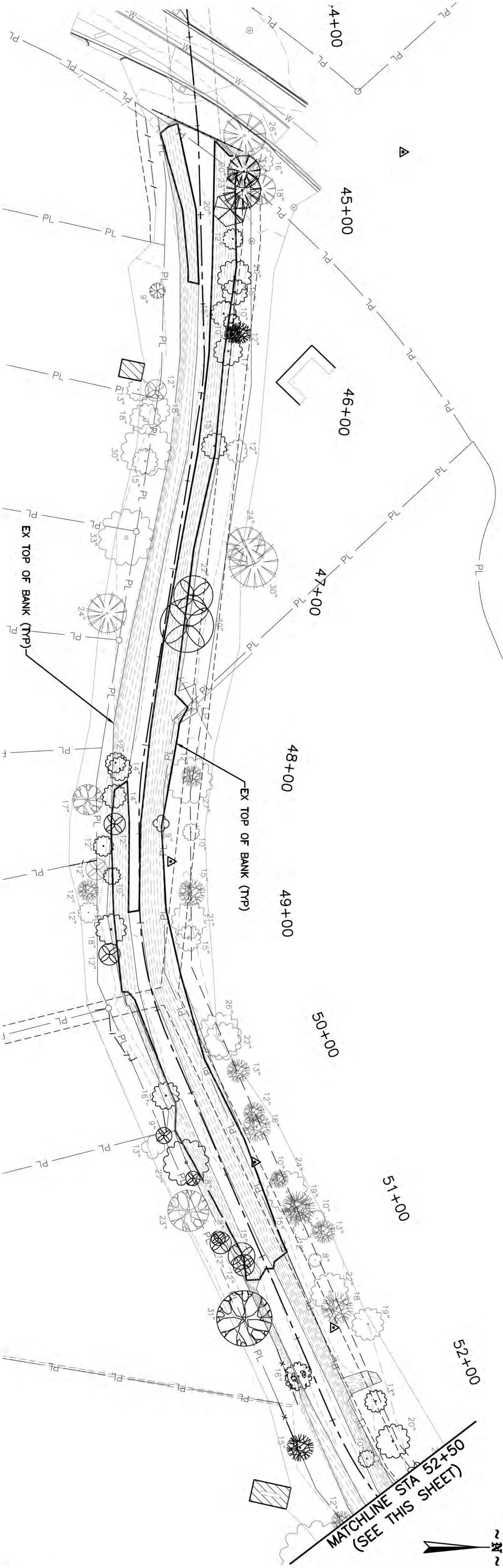
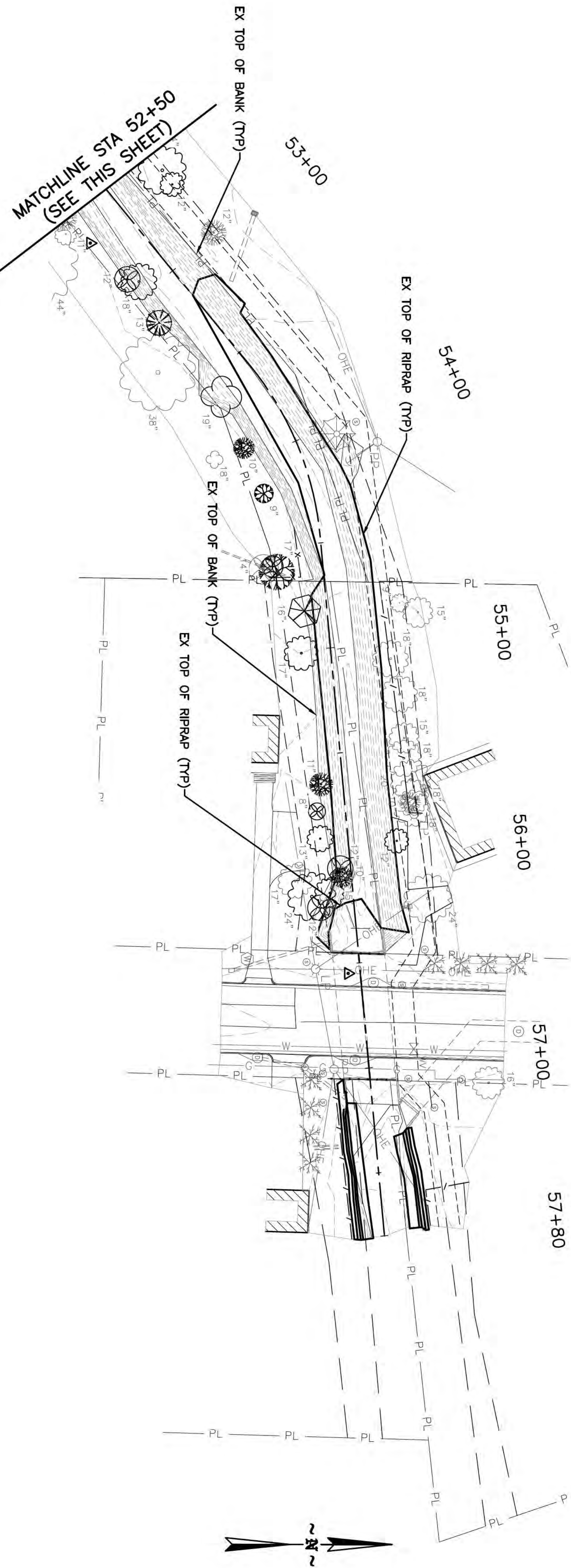


Map Center: 88.103025°W 30.677581°N

Map Created by: Samuel T. Barber, Project Manager
Date: 1/16/2024

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

MATCHLINE STA 52+50
(SEE THIS SHEET)



MATCHLINE STA 52+50
(SEE THIS SHEET)

Revisions

Date: OCTOBER 2023
Drawn By: MH Approved By: BM
Submittal: 100%
MBI Project No. 195024

SIGNATURE:
DATE:

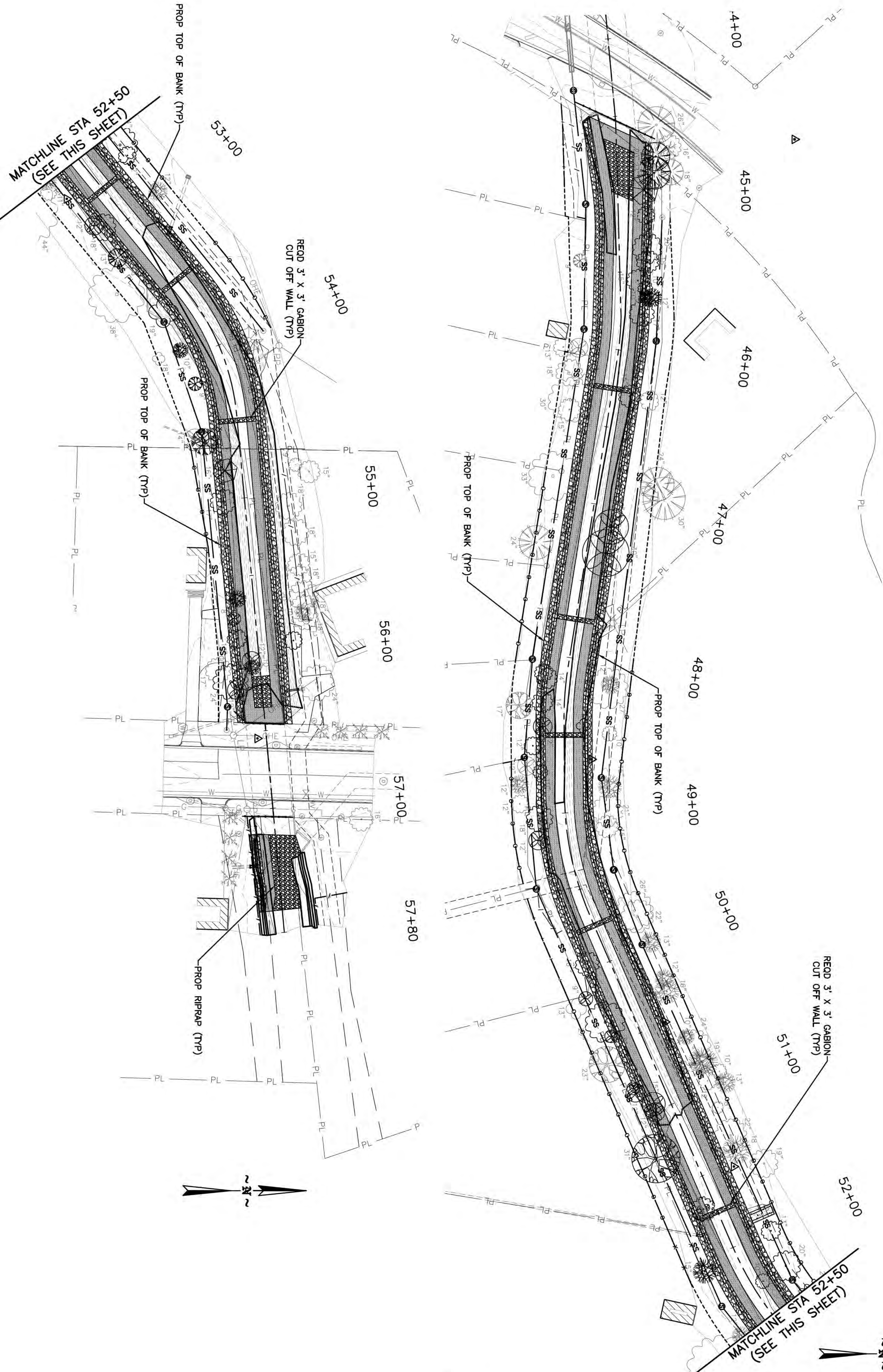
DRAFT

Michael Baker
INTERNATIONAL
RSA BATTLE HOUSE TOWER
11 N. WATER STREET, SUITE 14290
MOBILE, AL 36602

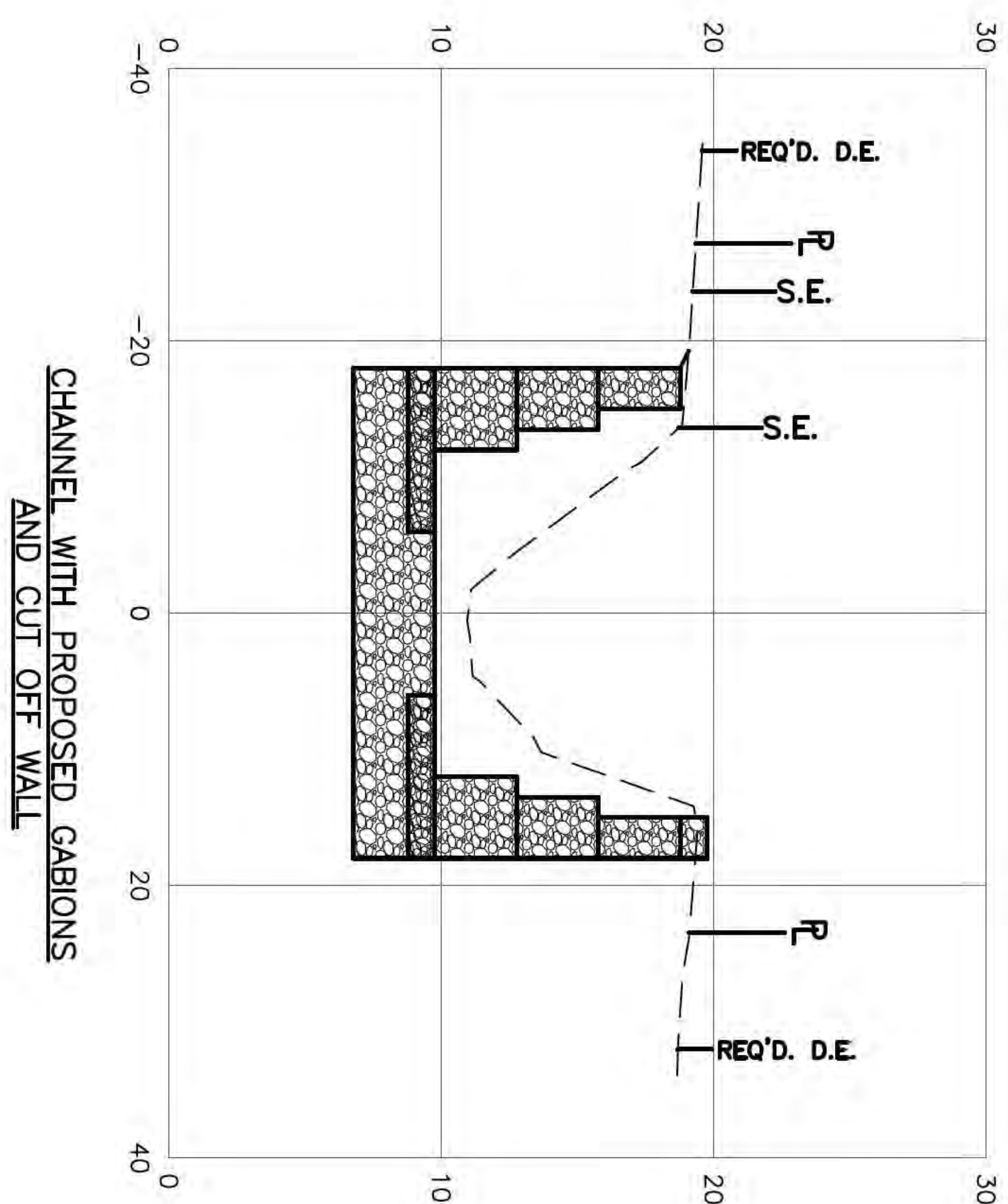
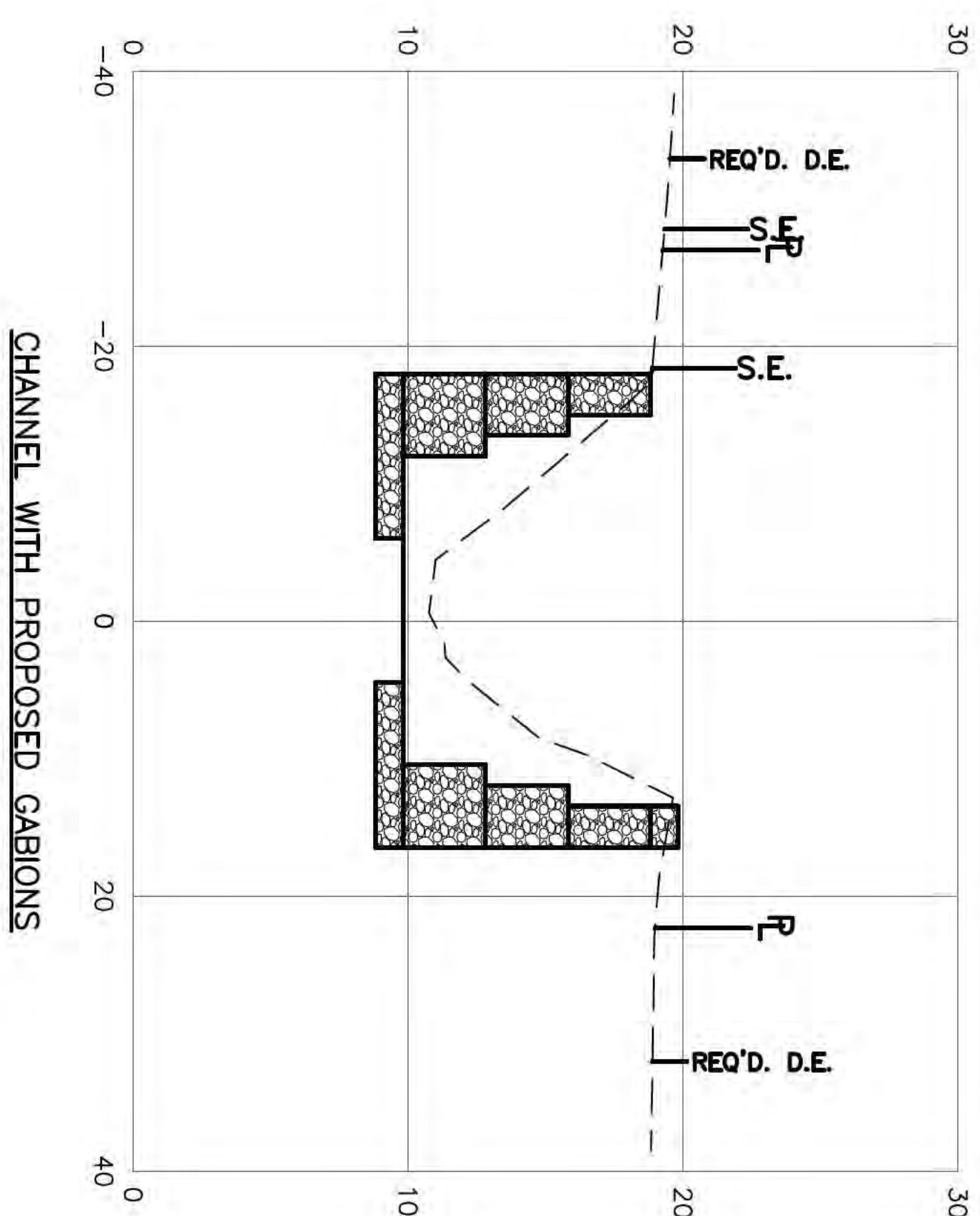
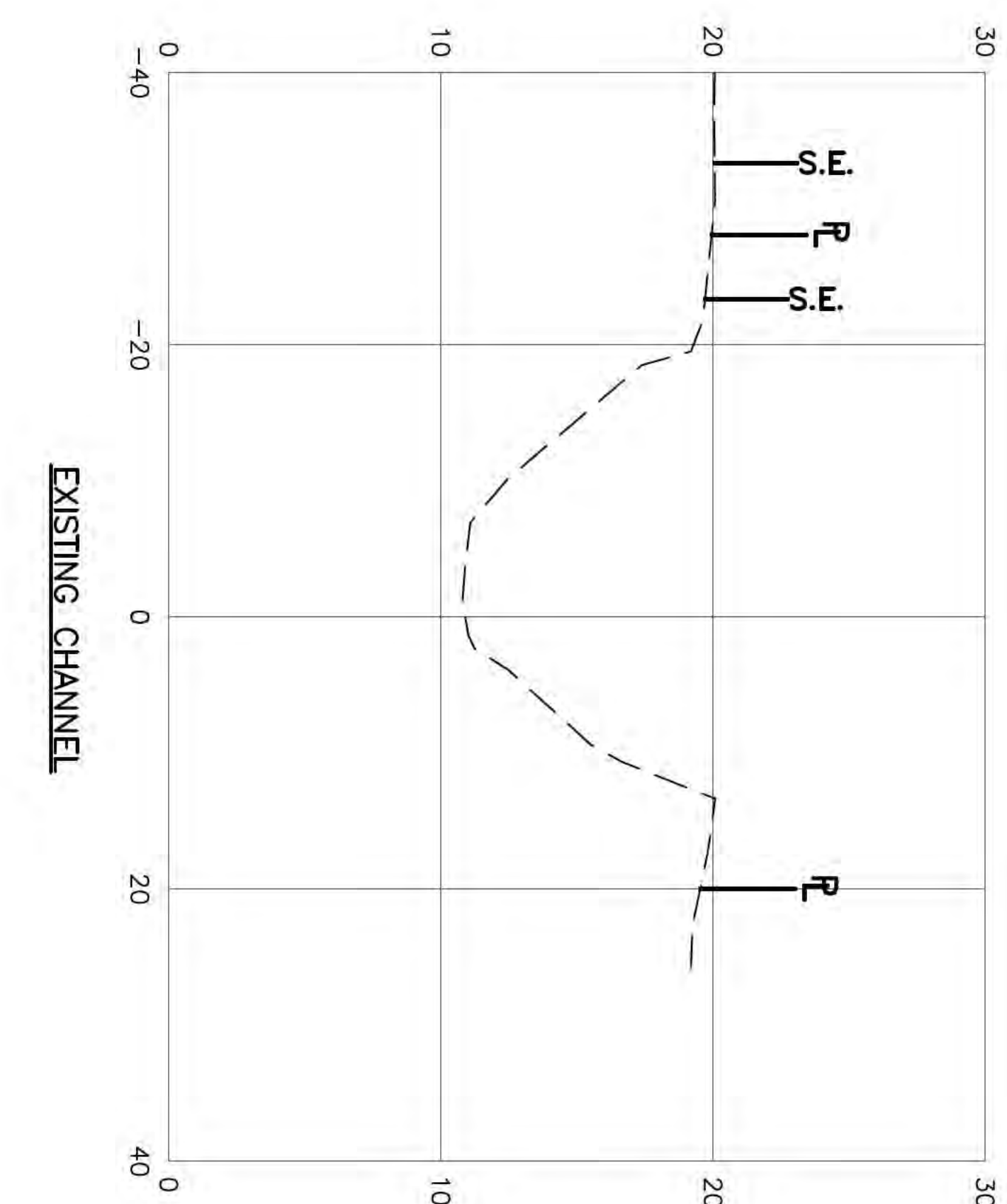
EXISTING CHANNEL CONDITIONS

2018 CIP WOODCOCK CREEK, WEST BRANCH
DRAINAGE IMPROVEMENTS
CITY OF MOBILE PROJECT #2018-3005-11

Scale: 1"=30'
Sheet: EX02.1



Sheet: EX02.2	Scale: 1"=30'	Revisions		Date: OCTOBER 2023		SIGNATURE:	DRAFT	<div>Michael Baker</div> <div>INTERNATIONAL</div> <div>RSA BATTLE HOUSE TOWER 11 N. WATER STREET, SUITE 14290 MOBILE, AL 36602</div>	POST-WORK CHANNEL CONDITIONS	
				Drawn By: MH	Approved By: BM				2018 CIP WOODCOCK CREEK, WEST BRANCH	
				Submittal: 100%					DRAINAGE IMPROVEMENTS	
				MBI Project No. 195024					CITY OF MOBILE PROJECT #2018-3005-11	
				DATE:						



SCALE: 1" = 10' HORIZ.

LEGEND:

EXIST. D.E.	EXISTING DRAINAGE EASEMENT
REQ'D. D.E.	REQUIRED DRAINAGE EASEMENT
S.E.	EXIST. SEWER EASEMENT
PL	EXIST. PROPERTY LINE

TYPICAL CROSS SECTIONS
2018 CIP WOODCOCK CREEK, WEST BRANCH
DRAINAGE IMPROVEMENTS
CITY OF MOBILE PROJECT #2018-3005-11

Michael Baker
I N T E R N A T I O N A L
RSA BATTLE HOUSE TOWER
11 N. WATER STREET, SUITE 14290
MOBILE, AL 36602

DRAFT

SIGNATURE: _____

DATE: _____

Date:	OCTOBER 2023	
Drawn By: MH	Approved By: BM	
Submittal:	100%	
MBI Project No.	195024	

	Revisions

Scale: AS NOTED

Sheet: EX01.1