



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-2023-00950-BAL

May 23, 2024

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS (USACE)
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PROPOSED DISCHARGE OF FILL INTO 24.7 ACRES OF WETLANDS FOR
CONSTRUCTION OF PHASE II OF THE NORFOLK SOUTHERN SARALAND
STAGING YARD, IN SARALAND, MOBILE COUNTY, ALABAMA

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Norfolk Southern Railway Company
Attention: Alan Johnson
650 West Peachtree Northwest, Box 45
Atlanta, Georgia 30308

AGENT: Clinchfield Consulting Group
Attention: Robin Hagerty
5310 Maryland Way, Suite 390
Brentwood, Tennessee 37027

LOCATION: The proposed project is located in wetlands located between Jacintoport Boulevard and Industrial Parkway in Saraland, Mobile County, Alabama. Specifically, the project is located within Section 10, Township 3 South, Range 1 West. Center coordinate of the project are latitude 30.796166 North, longitude -88.056872 West. The project is located in the Mobile-Tensaw 8-digit hydrologic unit code (i.e., HUC 0316204).

APPLICANT STATED PROJECT PURPOSE: The purpose of the project is to provide staging areas for trains moving to and from the Port of Mobile to be assembled, inspected, and staged as needed before moving down the Port and returning to origin.

PROPOSED WORK: The applicant proposes the placement of 53,100 cubic yards of in-situ and commercially obtained fill material below the ordinary high-water line within 24.7 acres of wetlands for construction of a train staging yard. The project will include

five staging tracks forming a loop connected to the Norfolk Southern mainline, totaling 39,200 liner feet in length, with associated crossovers, turnouts, and signals, the construction of a yard office measuring 60 feet by 24 feet with utilities and a parking lot containing 23 spaces 12,000 square feet (0.3 acres), a 9.8-acre gravel staging area, a permanent access road off Industrial Parkway measuring 24 feet wide by 1,923 feet long and a secondary emergency exit measuring 16 feet wide by 9,300 feet long. Only track segments and roadways will require impacts to wetlands with all other features being built in uplands. Cross drains will be for track and road crossings to maintain hydrologic connection for unaffected wetlands on site.

The applicant proposes to provide in-kind compensatory mitigation through a mitigation bank.

AVOIDANCE AND MINIMIZATION: Due to the orientation of the aquatic resources and the upland area requiring access, the impacts are unavoidable. Impacts have been minimized by utilizing existing upland areas. There are approximately 240 acres of wetlands onsite and 24.7 acres are proposed to be impacted, avoiding approximately 90 percent of wetlands onsite. Additionally, construction best management practices (BMPs) would be utilized to reduce impacts to downstream aquatic resources. 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 proposed to purchase wetland and stream credits from an approved mitigation bank. However, USACE, Mobile District has not verified the adequacy of the applicant's mitigation efforts at this time.

COASTAL ZONE: The applicant will apply for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. A determination relative to CZ consistency will be made by the Alabama Department of Environmental Management (ADEM).

WATER QUALITY: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the ADEM certifying authority.

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 project footprint of 378.2 acres*. 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 following federally-listed species are known or expected to occur within the project area: Eastern Indigo Snake (T), Black Pine Snake (T), Gopher Tortoise (T), Alabama Red Belly Turtle (E), Eastern Black Rail (T), and the Gulf Sturgeon (T). There is no designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) will be performed as determined to be appropriate. A copy of this public notice is being sent to the USFWS for review and comment.

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 24.7 acres of forested wetlands. This proposal as described above is currently under review by the USACE, Mobile District. 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 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, 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 Corps of Engineers 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 waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

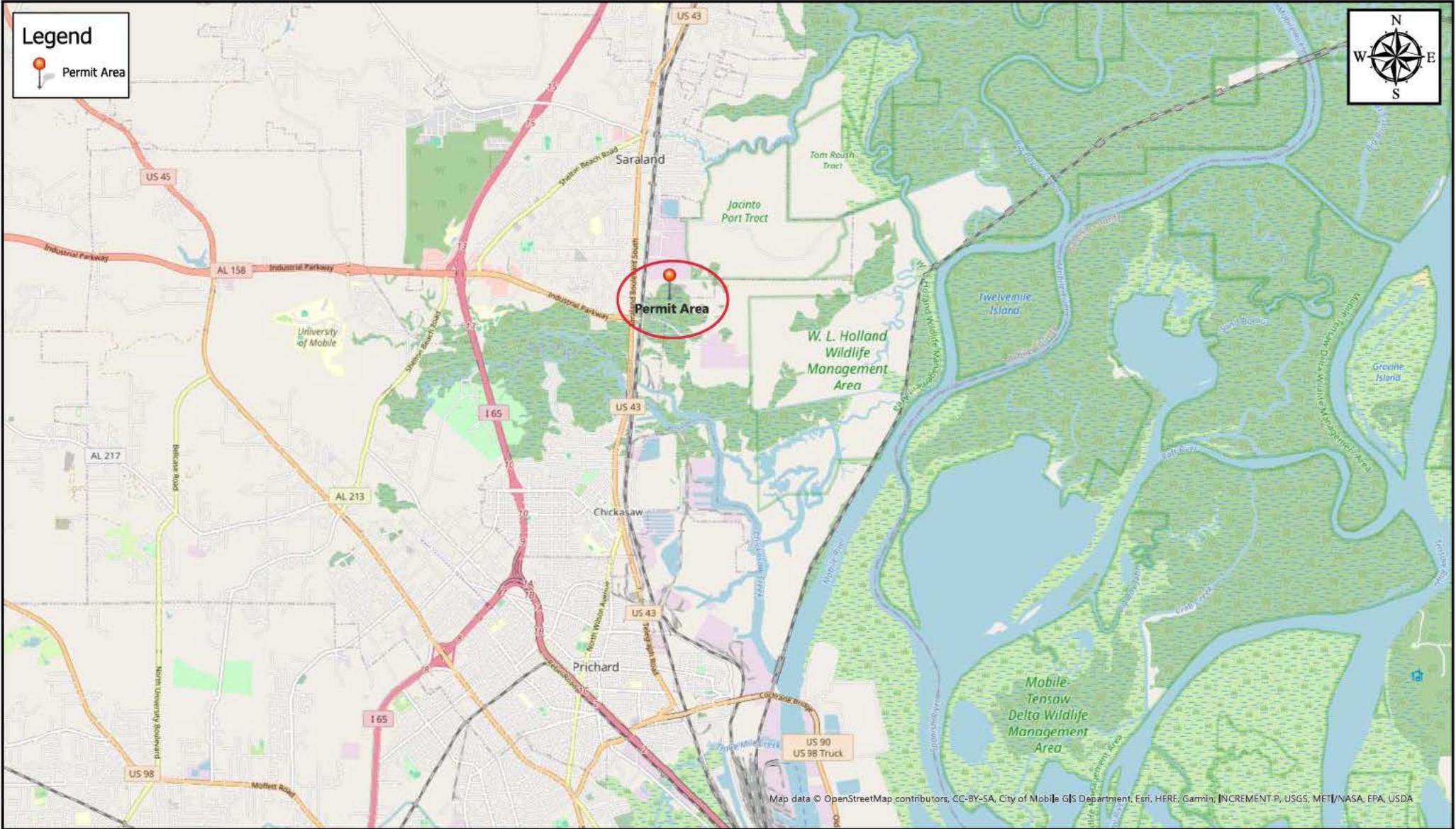
Correspondence concerning this public notice should refer to Public Notice Number **SAM-2023-00950-BAL** and should be directed to the District Engineer, Mobile District, Regulatory Division, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Beverly Lowery or submitted electronically at Beverly.a.lowery@usace.army.mil, or by phone at (251) 386-4023. 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 Ms. Beverly Lowery by email at Beverly.a.lowery@usace.army.mil or by phone (251) 386-4023. Please refer to the above Public Notice Number **SAM-2023-00950-BAL**, in any communication concerning this project.

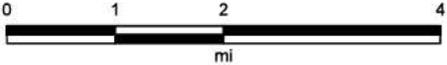
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments

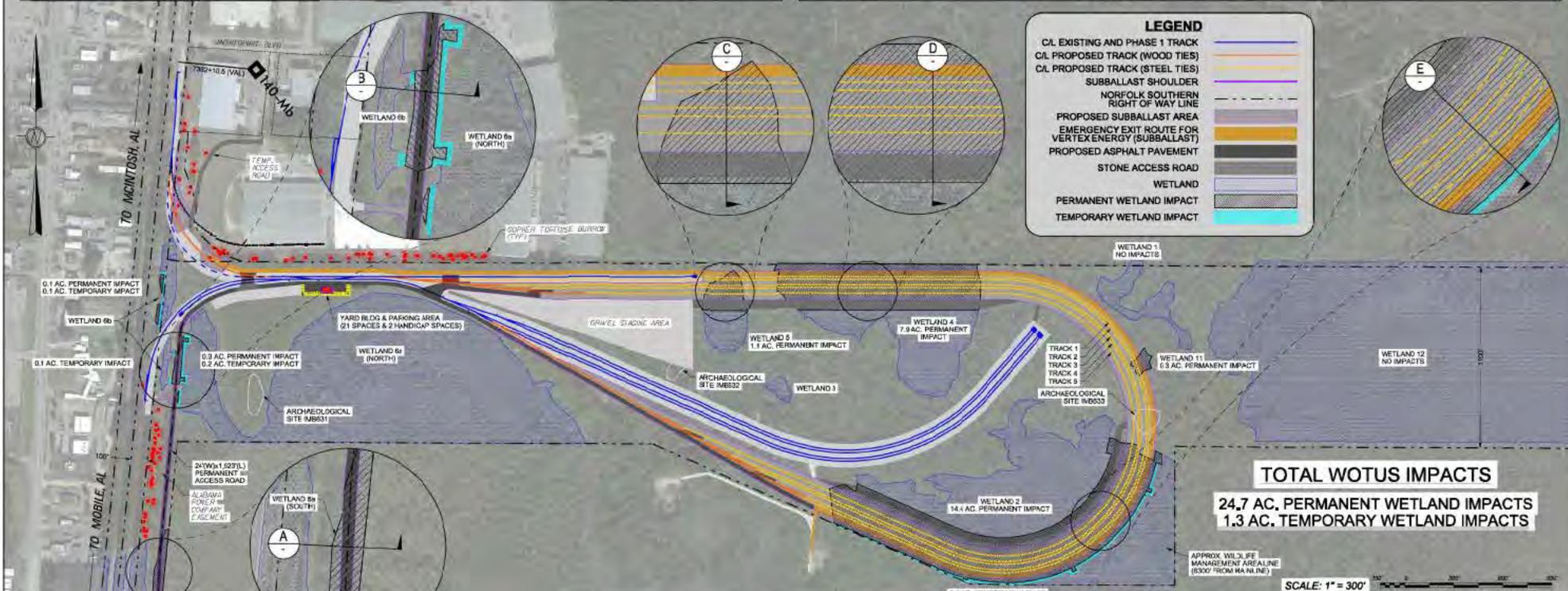
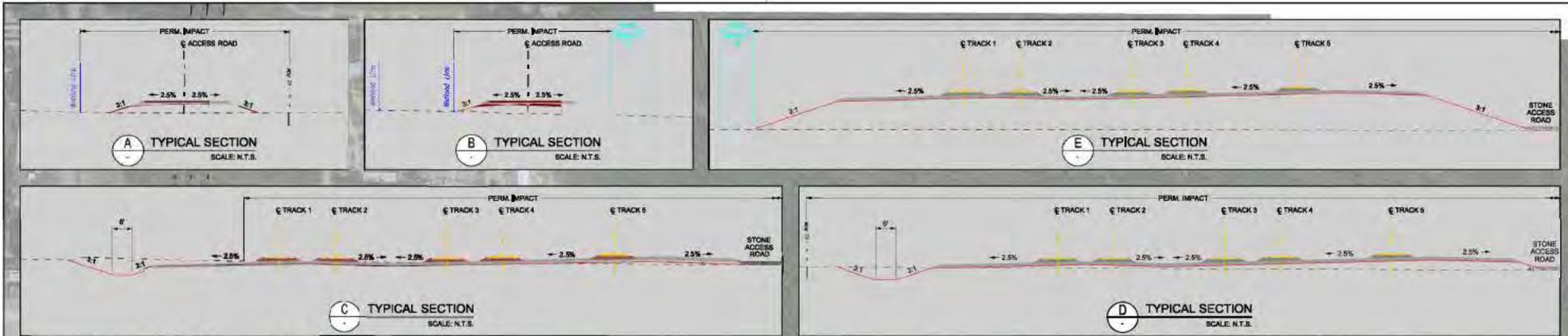


SAM-2023-00950-BAL // Vicinity Map



Map Center: 88,05403°W 30,779299°N

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



TOTAL WOTUS IMPACTS
24.7 AC. PERMANENT WETLAND IMPACTS
1.3 AC. TEMPORARY WETLAND IMPACTS

R	By	Date	Revision Description

NORFOLK SOUTHERN
ENGINEERING
 DESIGN & CONSTRUCTION

Owning Company: Norfolk Southern Railway Co.
 Drawing Date: 05/09/2024
 Designed By: MEW
 Drawn By: MEW
 Operating Division: GULF
 Milepost: 140.25-MB
 County: MOBILE

Project: SARALAND, ALABAMA
 PROPOSED STAGING YARD
 CONCEPTUAL PLAN
 PHASE 2 WETLAND IMPACTS

File Number: D3293
 File Number: TRK1114948
 File Number: 00947

City / State: SARALAND, ALABAMA
 Project: PROPOSED STAGING YARD CONCEPTUAL PLAN PHASE 2 WETLAND IMPACTS
 Drawing Number: TD-2023-30