



**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-2024-00863-MDJ**

December 6, 2024

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

**REQUEST TO DISCHARGE FILL MATERIAL INTO 2.145-ACRES OF NON-TIDAL
WETLANDS ADJACENT TO FISH RIVER FOR THE CONSTRUCTION OF A BRIDGE
AND ROAD, 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 USC 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: 68V Pay Dirt, LLC
Attention: Mr. Nathan Cox
26051 Predazzer Lane
Daphne, AL 36526

AGENT: Dewberry Engineers, Inc.
Attention: Ms. Cathy Barnette
25353 Friendship Road
Daphne, Alabama 36562

LOCATION: The project is located adjacent to Fish River, on Bedrock Boulevard; within Section 22, Township 4 South, Range 3 East; at Latitude 30.679546 & Longitude -87.760929; in Loxley, Baldwin County, Alabama. See attachment for location details.

PROJECT PURPOSE: The basic project purpose is to extend Bedrock Boulevard to connect the eastern and western boundaries of Loxley, Alabama. The overall project purpose is to provide a growing population with alternative transportation access in Baldwin County.

PROPOSED WORK: The applicant has proposed to discharge 9,719-cubic-yards of fill material into 2.145-acres of non-tidal palustrine wetlands adjacent to Fish River for the construction of a bridge and road extension. Activities will include the installation of nine (9) pylon footings and foundations for each pylon. Temporary Impacts include 0.06-acres (2,632-square-feet) of forested palustrine wetland impacts during construction.

AVOIDANCE & MINIMIZATION: The proposed extension has been designed to avoid aquatic resources through the utilization of construction Best Management Practices (BMPs) to prevent sediment runoff from reentering the waterway and adjacent wetlands. The U.S. Army Corps of Engineers (USACE) has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

MITIGATION: The applicant proposes to compensate for unavoidable impacts to medium quality forested wetlands through the purchase wetland credits from an approved commercial mitigation bank. The Mobile District has not verified the adequacy of the applicant's proposed mitigation plan at this time.

WATER QUALITY: The applicant will 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 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 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. The USACE has not made a determination of effects to historic properties at this time. We are seeking comment from the State Historic Preservation Officer, federally recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and the general public regarding the existence or the potential for existence of significant cultural and historic properties which may be affected by the work. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

ENDANGERED/THREATENED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered (E) and Threatened (T) Species indicates the following species have the potential to occur in the watershed of the permit area: Eastern Indigo Snake and proposed threatened Alligator Snapping Turtle. An effects determination will be made during the evaluation process, at which time the USACE will initiate consultation with the United States Fish and Wildlife Service (USFWS), as appropriate. Copies of this public notice are being sent to the USFWS and other federal and state agencies for review and receipt of any relevant comments regarding potential effects of the proposed project on the listed species.

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 Public Notice should refer to Public Notice Number **SAM-2014-00863-MDJ** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Regulatory Division, Attention: Mr. M. Derek Jacobs, Post Office Box 2288, Mobile, Alabama 36628-0001. Copies of all comments should be furnished to the Alabama Department of Environmental Management, Attention: Mr. Scott Brown, Alabama Department of Environmental Management, Mobile Branch / Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608. Comments may also be submitted via e-mail to USACE at michael.d.jacobs@usace.army.mil and to ADEM at coastal@adem.alabama.gov.

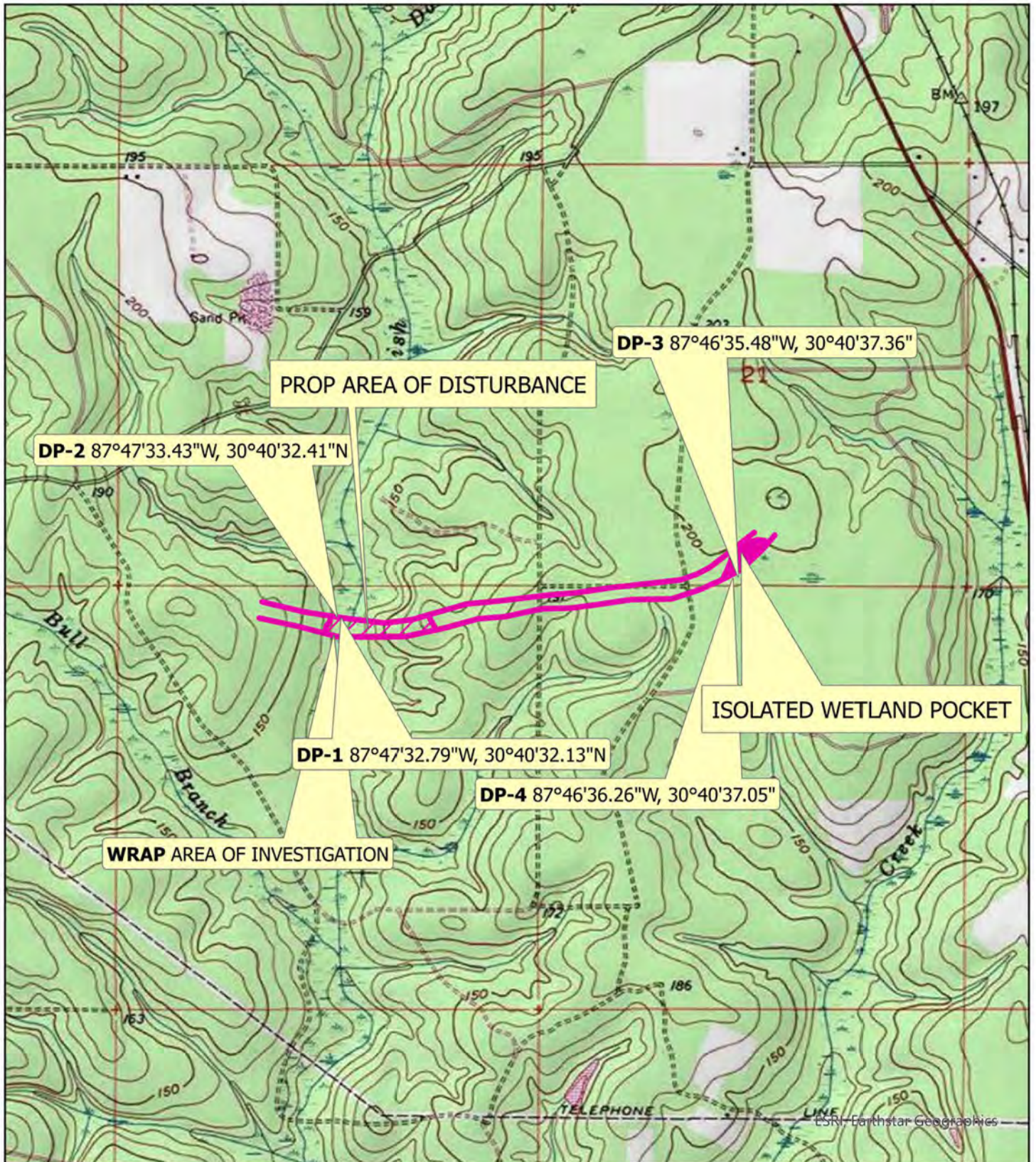
Comments should be received no later than **30 days** from the date of this Public Notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at michael.d.jacobs@usace.army.mil or telephone number **(251) 979-3977**. Please refer to the above Public Notice number.

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

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



Fish River Bridge

68V PAY DIRT LLC

S29 T4S R3E

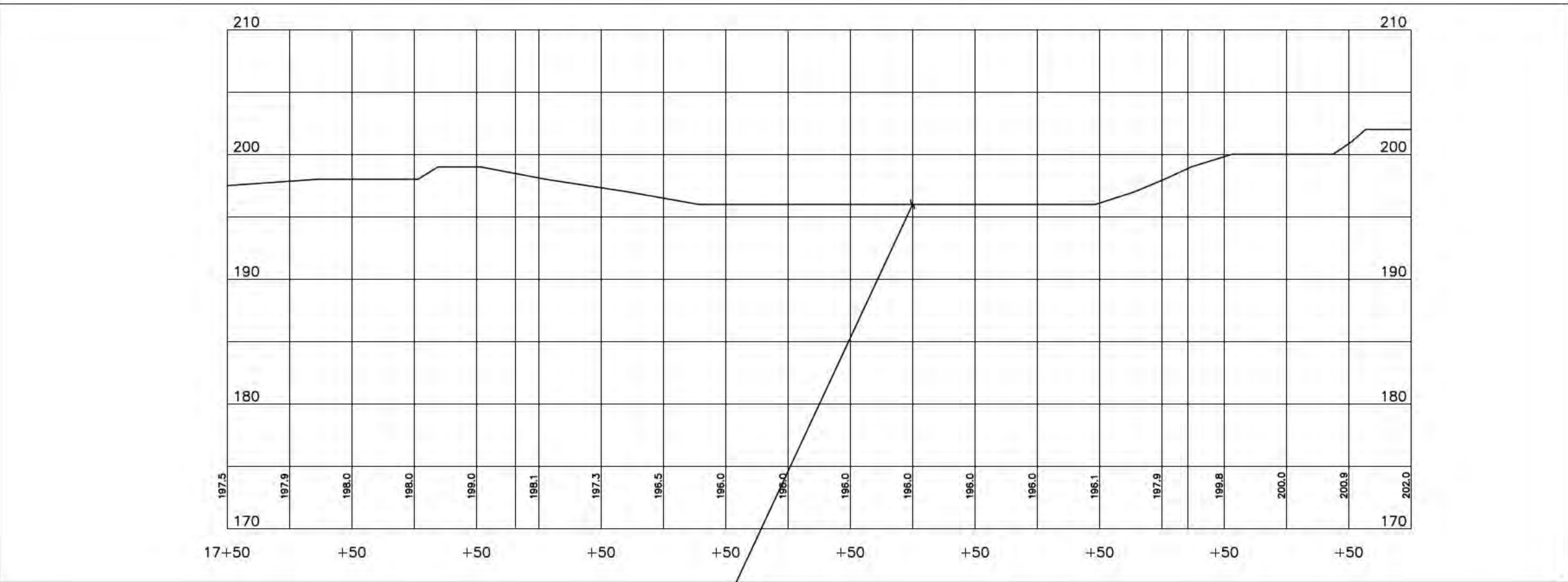
Drawn By: Tyler Henschel

Date: 11/15/2024

Topo DP map

0 489 970 1,940 2,910 3,880 4,850
Feet





FILL AMOUNT:
9,746 CU. YD

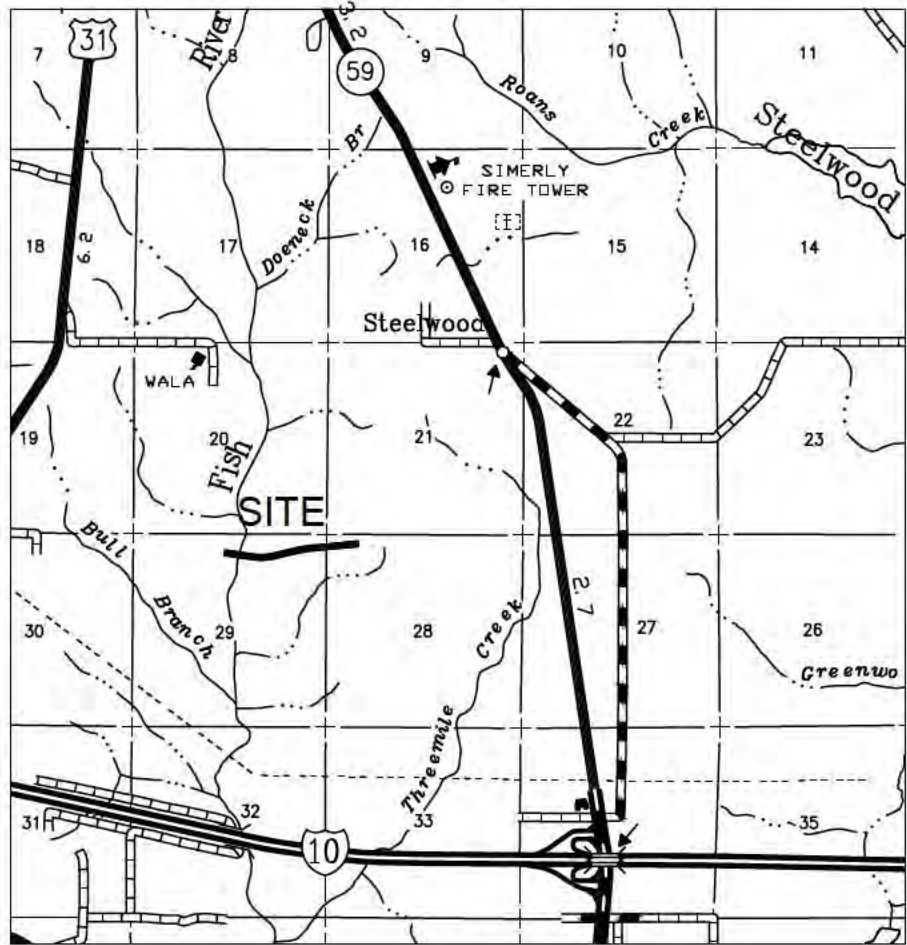
IMPACT AREA :
52,945.78 SQ. FT = 1.215 AC.
FILL AMOUNT:
7,087.94 CU.YD

PROP. TEMP. WL IMPACT
2,632 SQ. FT = 0.06 AC.

ISOLATED WL :
214,857 SQ. FT = 4.93 AC.

PROP. WL IMPACT :
40,442 SQ. FT = 0.93 AC.

PROPERTY IS LOCATED IN SECTIONS 20 & 23,
TOWNSHIP 4 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA.



VICINITY MAP
SCALE: 1" = 1 MILE

PROPOSED WL IMPACTS

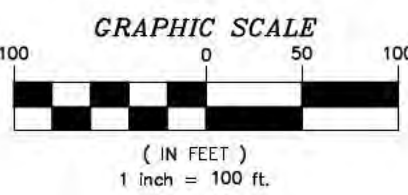
— PROP. WL IMPACT : 40,442 SQ. FT = 0.93 AC.

TOTAL ISOLATED WL AREA : 214,857 SQ. FT = 4.93 AC.

—PROP. TEMP. IMPACTS : 2,632 SQ. FT = 0.06 AC.

—PROP. TOTAL WL FILL AMOUNT : 16,833.94 CU. YD

SHEET SIZE (24"x36")



BEDROCK BLVD.
WETLAND DELINEATION OVERVIEW
NOVEMBER 15, 2024 - SHEET 1 OF 3

PRELIMINARY / FINAL PLAT FOR RIGHT-OF-WAY		
DESIGN: N/A	DRAWN: TJH	CHKD.: CB
ENG: N/A	SURVEYOR: N/A	PROJ. MGR
		SCALE: 1"=100'
		PROJ. NO.
		FILE
SHEET		1 OF 1

