



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Mr. Joey Nunnally
Austal USA, LLC.

Published: March 10, 2025
Expires: April 10, 2025

**Mobile District
Permit Application No. SAM-2024-00449-LHL**

**JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS (USACE)**

**STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Mr. Joey Nunnally
Austal USA, LLC.
100 Austal Way
Mobile, Alabama 36602

AGENT: Mr. Evan Reid
Volkert, Inc.
1680 West 2nd Street
Suite B
Gulf Shores, Alabama 36542

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Mobile River. The project/review area is located on the west side of Dunlap Drive, at 360 Dunlap Drive in Section 00, Township 4 South, Range 1 East; at Latitude 30.681904 and Longitude -88.033277; in Mobile, Mobile County, Alabama.

EXISTING CONDITIONS: The proposed project is in the industrialized area located on the northern portion of Pinto Island. The site is bounded by Dunlap Drive to the east and the Mobile River to the west. Currently, the existing bulkhead is in disrepair. The site is vacant and consists of old building pads, footings, and concrete.

PROJECT PURPOSE:

Basic: To replace the existing bulkhead and remove a derelict structure that has become a hazard to navigation.

Overall: To improve the existing slip in order to accommodate the in-water and landside expansion of Austal operations.

PROPOSED WORK: The applicant requests authorization to remove 27,258 square feet (2.30 acre) of abandoned and submerged dock and 4,355 square feet (0.10 acre) of an existing structure adjacent to the slip in the Mobile River by barge and clam shell bucket. The process will involve the adjacent bulkhead to be cut down below the mudline and abandoned in place to allow for a tie back for future use. The existing pier, located along the eastern portion of the slip, will be demolished and removed which includes the decking, timber fender, and pile caps. The existing piles will be cut at an elevation of +5 feet and remain in place for future use. All of the debris generated through this process will be placed on the adjacent uplands, sorted into recyclable and non-recyclable materials, and taken to an approved upland C/D landfill or recycling center.

The applicant also requests authorization to install 476 linear feet of bulkhead below the Ordinary High-Water Mark (OHWM) Approximately 16,350 cubic yards (0.34 acre) of commercially obtained backfill will be placed landward of the new bulkhead for stabilization.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant will not perform any work in wetlands; likewise, in an effort to minimize impacts to Waters of the United States (WOTUS), the applicant has reduced the linear footage of the bulkhead (476 linear feet) that will be installed in WOTUS. The remaining 913.4 linear feet of bulkhead will be installed in uplands.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: the proposed project will not have any adverse impacts to special aquatic sites.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
West Indian Manatee	<i>Trichechus manatus</i>	Threatened
Kemp Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened
Gulf Sturgeon	<i>Acipenser oxyrinchus</i>	Threatened
Alabama Red Bellied Turtle	<i>Pseudemys alabamensis</i>	Endangered
Eastern Indigo Snake	<i>Drymarchon couperi</i>	Threatened
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened

There are no critical habitats within the permit action area.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The USACE is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the USACE.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). No EFH, no Pacific Salmon EFH, No Atlantic Salmon, and no Habitat Areas of Particular Concern (HAPC) were identified during the review. Therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

NAVIGATION: Based on the Alabama State Plane coordinates provided by the applicant, the waterward edge of the proposed structure for removal is 50 feet away from the near bottom edge of the Mobile Harbor federal channel.

SECTION 408: The applicant will require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Alabama Department of Environmental Management. (ADEM)

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 the date of this public notice, the applicant has not submitted a certification request to ADEM. (certifying authority)

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

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 benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess

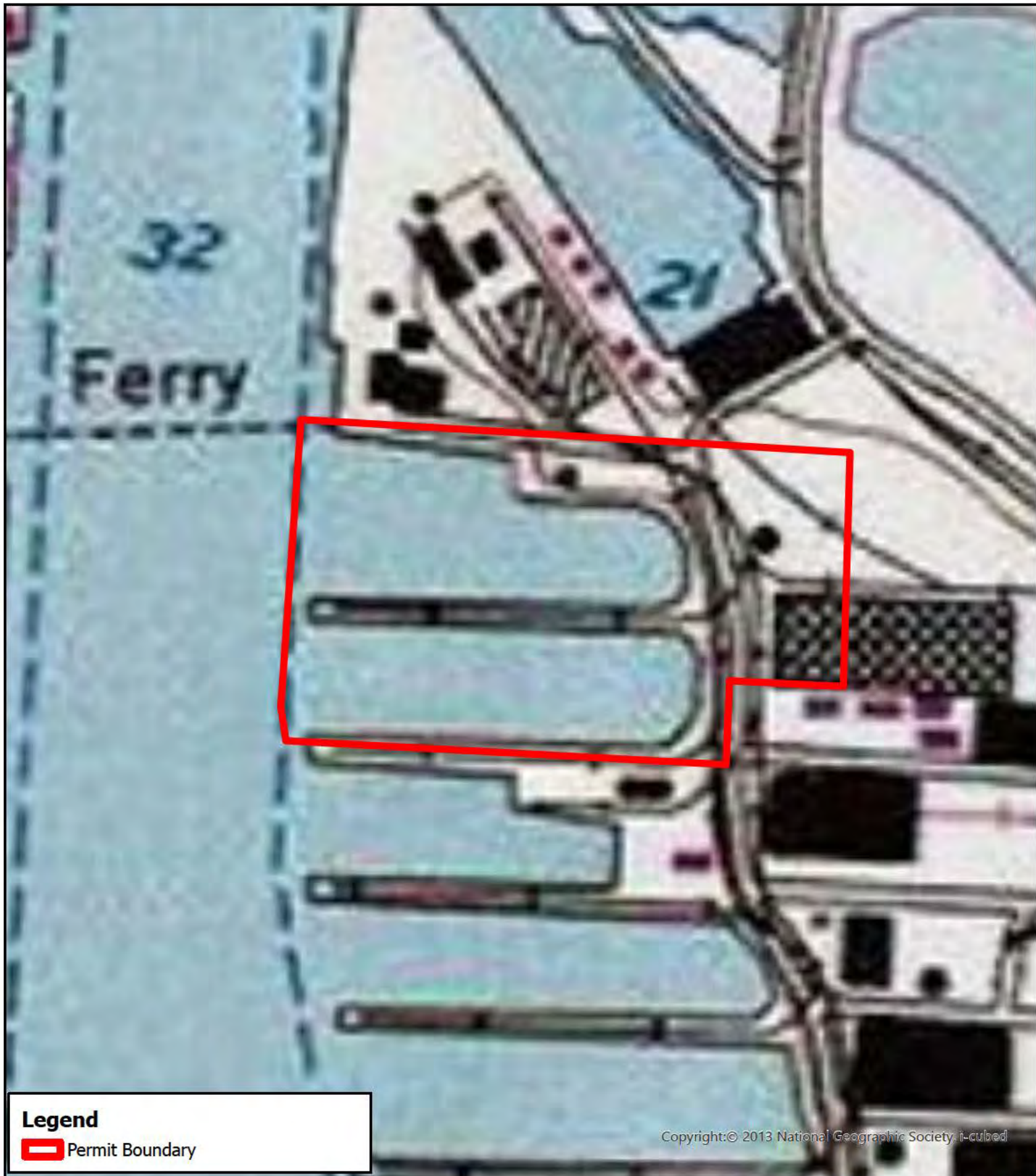
impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Mobile District will receive written comments on the proposed work, as outlined above, until April 10, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Leslie Hiles Lott at leslie.h.lott@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Leslie Hiles Lott, Post Office Box 2288 Mobile, Alabama 36628. Please refer to the permit application number in your comments. Copies of all comments should be furnished to the ADEM at coastal@adem.alabama.gov, or sent to: ADEM, Mobile Branch / Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



VOLKERT

0 300 600 Feet

1 inch = 300 feet

Note: This map is not intended for construction.






Figure 2: USGS Quadrangle Map
Austal FA2 Project
Joint Application
Mobile, Mobile County, AL
Proj No.: 1202904

Mobile River



Legend

-  Demolition and Debris Removal
-  Permit Boundary
-  Upland Staging Area

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Distribution Airbus DS

VOLKERT

0 200 400 Feet

1 inch = 200 feet

Note: This map is not intended for construction.



Figure 3: Aerial Imagery
Austal FA2 Project
Joint Application
Mobile, Mobile County, AL
Proj No.: 1202904

NOT FOR CONSTRUCTION

P.E. No.:
Approved: GMM
Checked: DTA
Drawn: RTH
Designed: GMM/INR
GEI Project 2408358

Attention: 1"
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then drawing is not original scale.

NO.	DATE	ISSUE/REVISION	APP.
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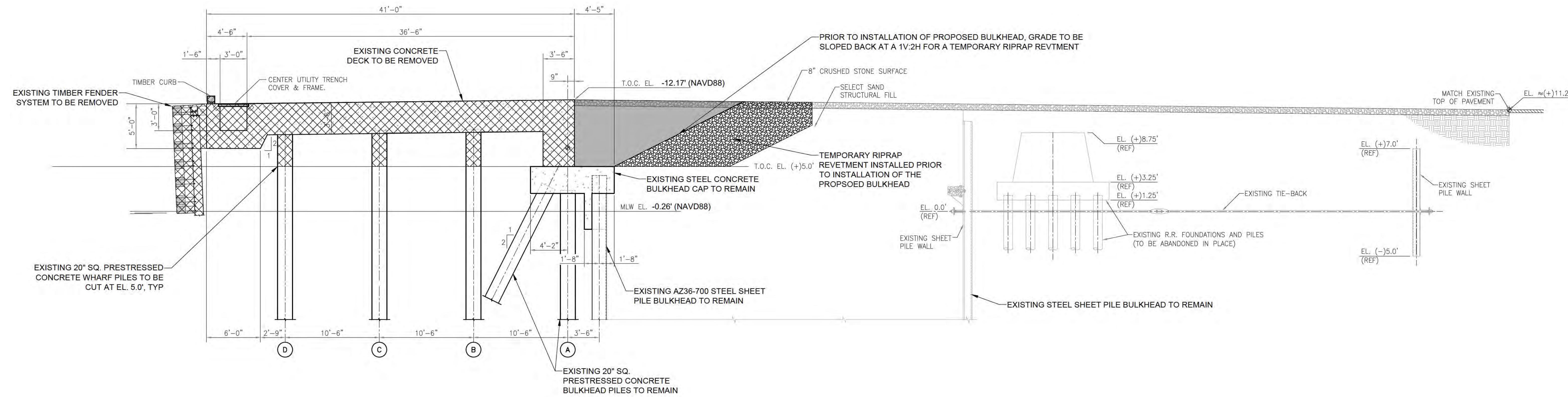
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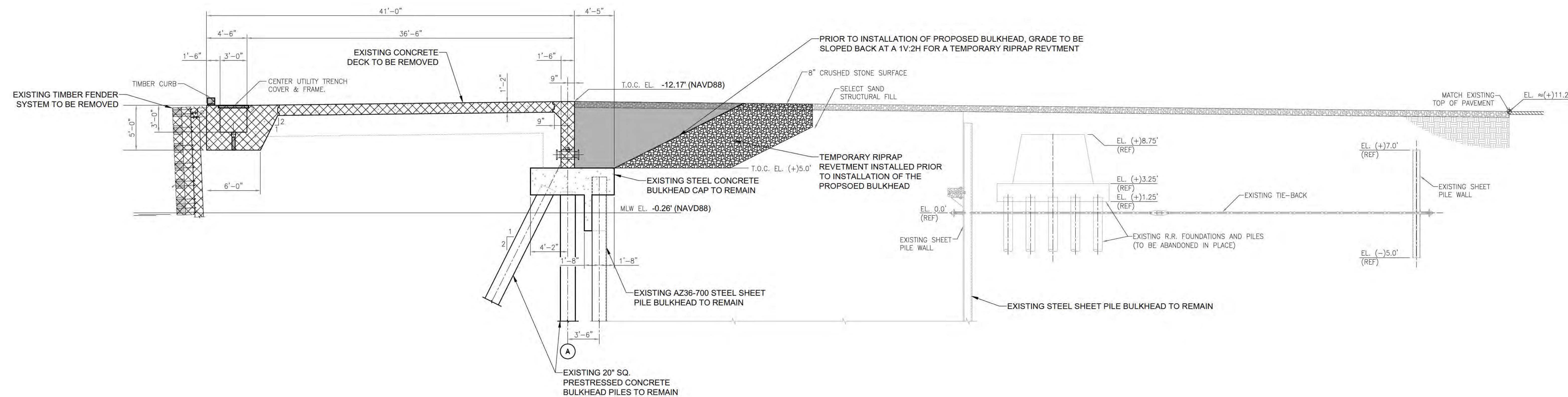
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PRELIMINARY

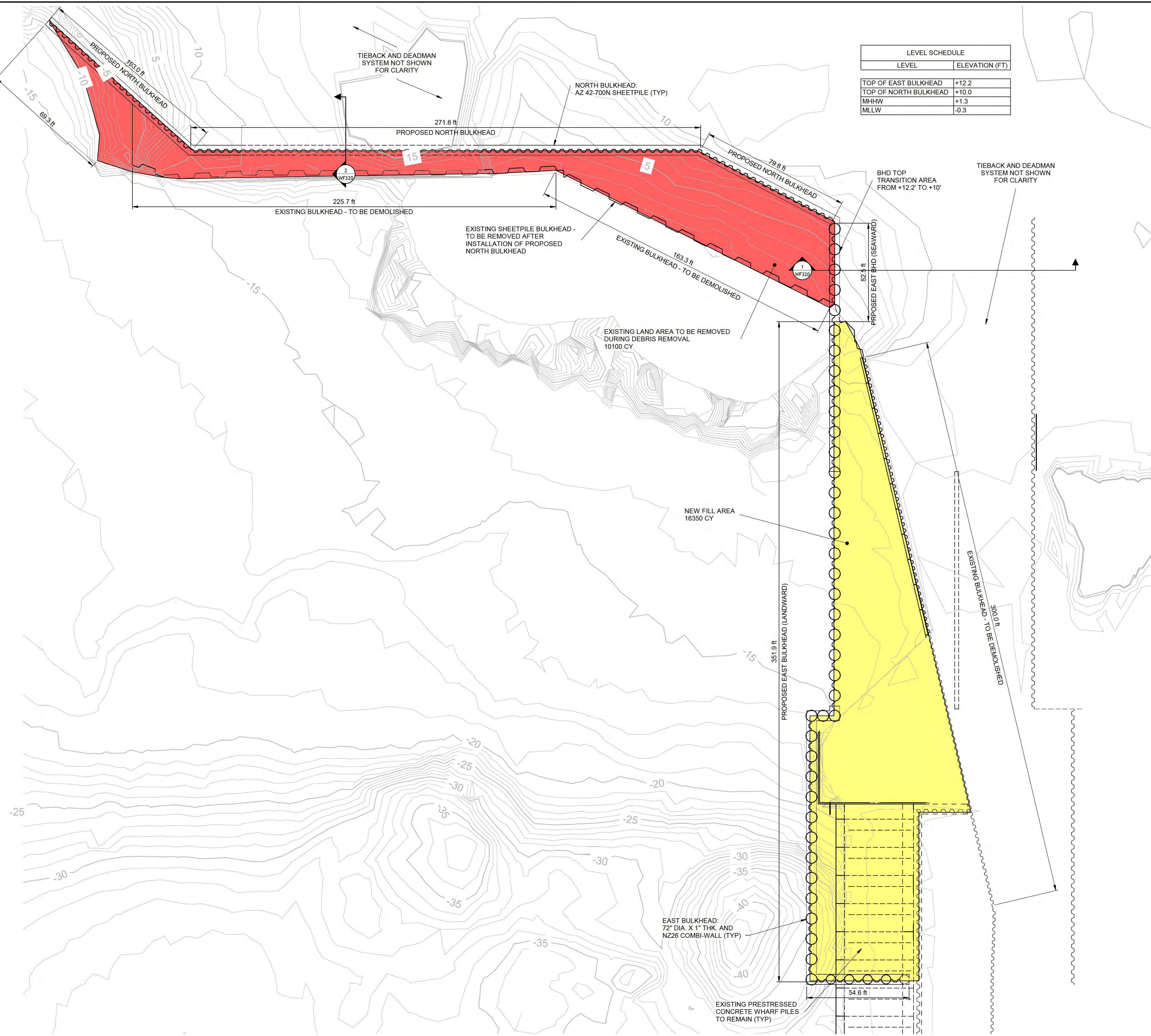


A SECTION
PW-003
NO SCALE



B SECTION
PW-003
NO SCALE

- NOTES:
- SECTIONS MODIFIED FROM THE 12/5/08 ISSUED FOR CONSTRUCTION DRAWINGS DRAWN BY SHAW GBB, LLC DRAWINGS FOR ATLANTIC MARINE ALABAMA. REFER TO "NEW BULKHEAD SYSTEM BETWEEN PIERS E & G - SHEET C07 - TYPICAL SECTIONS E/F"
 - DIMENSIONS ARE APPROXIMATE.



GEI Consultants
GEI CONSULTANTS, INC.
124 GROVE STREET
FRANKLIN, MA 02038
(774)271-6001

PEARLSON & PERALSON
INCORPORATED

12805 SW 84TH
AVENUE ROAD
MIAMI, FL 33156

PEARLSON SHIPLIFT

KEY PLAN

AUSTAL USA, LLC
SHIP YARD EXPANSION FINAL
ASSEMBLY FACILITY II

100 AUSTAL WAY,
MOBILE, ALABAMA

NOT FOR
CONSTRUCTION

P.E. No:
Approved:
Checked:
Drawn: CAH/JEL
Designed: MS
GEI Project: 2408358

Attention: 1"

If this scale bar does not measure 1" then drawing is not original scale.

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GENERAL PLAN

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