



**Gulf Coast Ecosystem Restoration Council
Categorical Exclusion Determination Form**

This form is to be completed before the Gulf Coast Ecosystem Restoration Council (Council) uses one or more Categorical Exclusions (CEs) to comply with the National Environmental Policy Act (NEPA) for a specific action or group of actions, as appropriate. More information on the Council's NEPA compliance and use of CEs can be found in the Council's [NEPA Procedures](#).

Proposed Action Title:

FPL Amendment - Mobile Bay National Estuary Program University of South Alabama Water Quality Project

Proposed Action Location: *(State, County/Parish)*

University of South Alabama, Mobile, Alabama

Proposed Action Description:

In 2015, the Council approved its Initial FPL, which included the Mobile Bay National Estuary Program (MBNEP), sponsored by the U.S. Environmental Protection Agency (EPA). The Initial FPL MBNEP project involved restoring an eroded segment of Twelve Mile Creek in Alabama. This creek restoration work was successfully completed, and on April 22, 2026 EPA secured Council approval to use \$349,133 in remaining, unspent MBNEP funds to implement water quality improvement work on the USA campus.

Specifically, the USA campus water quality project involves the installation of bioswales to reduce stormwater runoff rates and reduce erosion and loss of native vegetation near the Life Science/Visual Art building and the Gamma building. Bioswales are vegetated channels designed to manage stormwater by slowing, filtering, and treating runoff. Additionally, the MBNEP work will include interpretive signage about the importance of incorporating native plants, managing invasives, and stormwater runoff near the bioswale installation.

Categorical Exclusion(s) Applied:

EPA Categorical Exclusion 40 CFR § 6.204(a)(1)

Council Use of Member Categorical Exclusion(s)

If the Categorical Exclusion(s) was established by a Federal agency Council member, complete the following. If not, leave this section blank and proceed to the segmentation section.

Member with Categorical Exclusion(s) U.S. Environmental Protection Agency

Has the member with CE(s) advised the Council in writing that use of the CE(s) would be appropriate for the specific action under consideration by the Council, including consideration of segmentation and extraordinary circumstances (as described below)?

Yes No

Segmentation

Has the proposed action been segmented to meet the definition of a Categorical Exclusion? (In making this determination, the Council should consider whether the action has independent utility.)

Yes No

Extraordinary Circumstances

In considering whether to use a Categorical Exclusion for a given action, agencies must review whether there may be extraordinary circumstances in which a normally excluded action may have a significant environmental effect and, therefore, warrant further review pursuant to NEPA. Guidance on the review of potential extraordinary circumstances can be found in Section 4(e) of the Council's NEPA Procedures. The potential extraordinary circumstances listed below are set forth in the Council's NEPA Procedures.

The Council, in cooperation with the sponsor of the activity, has considered the following potential extraordinary circumstances, where applicable, and has made the following determinations. (By checking the "No" box, the Council is indicating that the activity under review would not result in the corresponding potential extraordinary circumstance.)

- Yes No 1. Is there a reasonable likelihood of substantial scientific controversy regarding the potential environmental impacts of the proposed action?
- Yes No 2. Are there Tribal concerns with actions that impact Tribal lands or resources that are sufficient to constitute an extraordinary circumstance?
- Yes No 3. Is there a reasonable likelihood of adversely affecting environmentally sensitive resources? Environmentally sensitive resources include but are not limited to:

- a. Species that are federally listed or proposed for listing as threatened or endangered, or their proposed or designated critical habitats; and
- b. Properties listed or eligible for listing on the National Register of Historic Places.

- Yes No 4. Is there a reasonable likelihood of impacts that are highly uncertain or involve unknown risks or is there a substantial scientific controversy over the effects?
- Yes No 5. Is there a reasonable likelihood of air pollution at levels of concern or otherwise requiring a formal conformity determination under the Clean Air Act?
- Yes No 6. Is there a reasonable likelihood of a disproportionately high and adverse effect on low income or minority populations (see Executive Order 12898)?
- Yes No 7. Is there a reasonable likelihood of contributing to the introduction or spread of noxious weeds or non-native invasive species or actions that may promote the introduction, or spread of such species (see Federal Noxious Weed Control Act and Executive Order 13112)?
- Yes No 8. Is there a reasonable likelihood of a release of petroleum, oils, or lubricants (except from a properly functioning engine or vehicle) or reportable releases of hazardous or toxic substances as specified in 40 CFR part 302 (Designation, Reportable Quantities, and Notification); or where the proposed action results in the requirement to develop or amend a Spill Prevention, Control, or Countermeasures Plan in accordance with the Oil Pollution Prevention regulation?

Supplemental Information

Where appropriate, the following table should be used to provide additional information regarding the review of potential extraordinary circumstances and compliance with other applicable laws. The purpose of this table is to ensure that there is adequate information for specific findings regarding potential extraordinary circumstances.

Supplemental information and documentation is not needed for each individual finding regarding the potential extraordinary circumstances listed above. Specifically, the nature of an activity under review may be such that a reasonable person could conclude that there is a very low potential for a particular type of extraordinary circumstance to exist. For example, it would be reasonable to conclude that the simple act of acquiring land for conservation purposes (where

there are no other associated actions) does not present a reasonable likelihood of a release of petroleum, oils, lubricants, or hazardous or toxic substances.

For some types of activities, no supplemental information may be needed to support a finding that there are no extraordinary circumstances. For example, where the activity under review is solely planning (with no associated implementation activity), it may be reasonable to conclude that none of the extraordinary circumstances listed above would apply. In such cases, the table below would be left blank.

In other cases, it may be appropriate to include supplemental information to ensure that there is an adequate basis for a finding regarding a particular extraordinary circumstance. For example, it might be appropriate in some cases to document coordination and/or consultation with the appropriate agency regarding compliance with a potentially applicable law (such as the Endangered Species Act). In those cases, the table below should be used to provide the supplemental information.

Agency or Authority Consulted	Agency or Authority Representative: Name, Office & Phone	Date of Consultation	Notes: Topic discussed, relevant details, and conclusions. (This can include reference to other information on file and/or attached for the given action.)
Alabama Historical Commission		July 21, 2025	On July 21, 2025 the Alabama Historical Commission provided a letter dated July 21, 2025.
U.S. FWS	Alabama Ecological Services Fish Office	July 1, 2025	In a letter dated July 1, 2025, the U.S. Fish & Wildlife Service provided a letter dated July 1, 2025.

Additional supplemental information may be attached, as appropriate. Indicate below whether additional supplemental information is attached.

Additional Information Attached: Yes No

If “Yes”, indicate the subject:

EPA Categorical Exclusion documentation.
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Determination by Responsible Official

Based on my review of the proposed action, I have determined that the proposed action fits within the specified Categorical Exclusion(s), the other regulatory requirements set forth above are met, and the proposed action is hereby Categorically Excluded from further NEPA review.

Responsible Official (*Name*)

Mary S. Walker

Responsible Official (*Signature*)

MARY WALKER
Digitally signed by MARY WALKER
Date: 2026.04.23 17:51:40 -05'00'

Date

April 23, 2026

Categorical Exclusion Instructions and Checklist

Categorical exclusions (CATEXs) are categories of actions that do not individually or cumulatively have a significant effect on the quality of the human environment. CATEXs applicable to EPA actions are listed at 40 C.F.R. § 6.204(a).

Determining a project's eligibility for a CATEX is the first step in the environmental review process. As part of the CATEX determination, EPA determines whether there are any extraordinary circumstances that would prevent the project from being eligible for a CATEX. If the proposed project is eligible for a CATEX and no extraordinary circumstances are involved, no further NEPA review is required.

Recipients who believe their project may qualify for a CATEX, should work with EPA—preferably early in the project design stage—to provide sufficient information for EPA to make that determination early in the NEPA environmental review process. EPA has developed a checklist to determine if a project qualifies for a CATEX. You may use this checklist as a tool to assess your project's potential eligibility for a CATEX and to understand what types of information are needed by EPA to support the CATEX determination.

The types of information that recipients should gather and submit to support the CATEX determination include, but may not be limited to, the following:

1. Detailed description of the project and/or preliminary engineering report along with any site plan showing the project location and its construction footprint (area of disturbance in acreage or square footage, etc.). Documents should clearly describe the project, including pipe sizes and lengths, pump specifications, etc.
2. City or regional maps that show the project in relation to the local area and help demonstrate the physical extent of the project.
3. Documentation of coordination or concurrence from the applicable federal cross-cutter environmental agencies. The grant applicant should coordinate with EPA to determine the applicability of federal cross-cutters since EPA may need to participate or take the lead in compliance with these cross-cutters as the federal action agency. For CATEXs, this potentially includes, but is not limited to, those listed below:
 - a. State's Historical Preservation Office (obtained through National Historic Preservation Act Section 106 consultation),
 - b. U.S. Fish and Wildlife Service or National Marine Fisheries Service (obtained through Endangered Species Act informal consultation),
 - c. U.S. Army Corps of Engineers (obtained through coordination with the appropriate District Office and through permit reviews),
 - d. other cross-cutter federal agencies as appropriate.
4. A description of the project need (including: the need the project will address; whether the project will address a local problem or emergency; whether the project is being pursued in response to a compliance order).
5. A description of the environmental impact(s) (both construction and operational impacts). Impacts may be both beneficial and adverse.
6. A description of associated measures to avoid, minimize or compensate for impacts including any Best Management Practices (BMPs) and/or Standard Operating Procedures (SOPs), etc. Provide adequate supporting references and citations.
7. Explain whether the project will be funded by other state or federal agencies. If environmental reviews are required by other state or federal agencies, explain whether they have been started or not. Briefly describe additional funding and applicable environmental reviews.
8. Explain whether project construction has begun. If yes, describe activities and percent of project completed.

EPA will independently review the information provided, including that within the following checklist, and will determine whether a project is eligible for a CATEX. If EPA finds that a project meets the qualifications for a CATEX, EPA will prepare a CATEX determination.

Categorical Exclusion and Extraordinary Circumstances Review Form
United States Environmental Protection Agency
Region 4

I. General Information

Project Name	Program / Funding Authority	Grant ID Number (if known)
Mobile Bay National Estuary Program	RESTORE Council	RESTORE Grant # GC - 01D097

Grant Applicant Organization
RESTORE Council and the Mobile Bay National Estuary Program

Project Location Description (street address/city/state/ZIP code; site characteristics)
University of South Alabama 307 N University Blvd, Mobile, AL 36688

Project Description (summary of project scope and project components)
This Project will install bioswales to reduce stormwater runoff rates and reduce erosion and loss of native vegetation near the Life Science/Visual Art building and the Gamma building at the USA campus in Mobile, AL.

II. EPA Contact for Environmental Review on this Project (If different from Responsible Official, EPA Use Only)

Name/Title	Email	Phone Number
Amanetta Somerville	Somerville.amanetta@epa.gov	(404) 562-9025

Complete Section III on Categorical Exclusion Eligibility.

III. A. Categorical Exclusion Eligibility (Check YES or NO) Complete the following questions in their entirety to determine if the project is eligible for a Categorical Exclusion (CATEX) pursuant to 40 CFR § 6.204(a)(1)(ii). Additionally, supporting statements and documentation must be included in Attachment 1.

40 CFR § 6.204(a)(1)(ii)

Question 1a: Does the project involve actions relating to existing infrastructure systems (e.g., sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) and involve:

If yes to any, proceed to Question 1b.

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Minor upgrading |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and its components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Construction of new minor ancillary facilities next to or on the same property as existing facilities |

Question 1b: Will the project include actions that:

If yes to any, STOP. CATEX does not apply.

- | Yes | No | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Involve new or relocated discharges to surface or ground water |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Will likely result in the substantial increase in the volume or the loading of pollutant to the receiving water |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Will provide capacity to serve a population 30% greater than the existing population |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are not supported by the state, or other regional growth plan or strategy |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Directly or indirectly involve or relate to upgrading or extending infrastructure systems primarily for the purpose of future development |

III. B. Categorical Exclusion Eligibility (Check YES or NO) Complete the following questions in their entirety to determine if the project is eligible for a Categorical Exclusion (CATEX) pursuant to 40 CFR § 6.204(a)(1)(iii). Additionally, supporting statements and documentation must be included in Attachment 1.

40 CFR § 6.204(a)(1)(iii)

Question 2a: Does the project involve actions in unsewered communities involving:

If yes, proceed to Question 2b

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Replacement of existing onsite systems |
|--------------------------|-------------------------------------|--|

Question 2b: Will the project include actions that:

If yes to any, STOP. CATEX does not apply. Complete Section III on Categorical Exclusion Eligibility.

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Involve relocated discharges |
| <input type="checkbox"/> | <input type="checkbox"/> | Will likely result in the substantial increase in the volume or the loading of pollutants from existing sources |

Sections IV.A. and IV.B. on Extraordinary Circumstances. Attach Supporting Statements and Documentation

IV. A. Extraordinary Circumstances (Check YES or NO) Complete the following questions in their entirety to determine if the project involves any of the following extraordinary circumstances which would make it ineligible for a CATEX pursuant to 40 CFR § 6.204(b)(1) through (b)(10). Additionally, supporting statements and documentation must be included in Attachment 1

Yes No

1. Is the action known or expected to have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time?

2. Is the action known or expected to have disproportionately high and adverse human health or environmental effects on any community, including minority communities, low-income communities, or federally-recognized Indian tribal communities?¹

Describe effects to any Community in Attachment 1

3. Is the action known or expected to significantly affect federally listed threatened or endangered species or their critical habitat?

Resources Present: YES NO [If yes, describe in Attachment 1]

4. Is the action known or expected to significantly affect national natural landmarks or any property with naturally significant historic, architectural, prehistoric, archaeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places?

Resources Present: YES NO [If yes, describe in Attachment 1]

5. Is the action known or expected to significantly affect environmentally important natural resource areas such as wetlands, floodplains, significant agricultural lands, aquifer recharge zones, coastal zones, barrier islands, wild and scenic rivers, and significant fish or wildlife habitat?

Resources Present: YES NO [If yes, describe in Attachment 1]

6. Is the action known or expected to cause significant adverse air quality effects?

Describe Air Quality and Resources in Attachment 1

7. Is the action known or expected to have a significant effect on the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population, including altering the character of existing residential areas or may not be consistent with state or local government, or federally-recognized Indian tribe approved land use plans or federal land management plans?

Describe Land Use in Attachment 1

8. Is the action known or expected to cause significant public controversy about potential environmental impacts of the proposed action?

9. Is the action known or expected to be associated with providing financial assistance to a federal agency through an interagency agreement for a project that is known or expected to have potentially significant environmental impacts?

10. Is the action known or expected to conflict with federal, state, local government, or federally-recognized Indian tribe environmental resource-protection, or land-use laws or regulations?

1. This extraordinary circumstance criterion may be modified pending further Administration guidance.

IV. B. Extraordinary Circumstances Statement (*Check ONLY ONE box*) If the responses to Section III.A. or III.B. indicate the project is CATEX eligible, and if a NO response was recorded for each of the questions in Section IV.A, then no Extraordinary Circumstances are present pursuant to 40 CFR § 6.204(b) and one of the following statements should be selected.

1. **No extraordinary circumstances apply** to the proposed action pursuant to 40 CFR §§ 6.204(a)(1) and 6.204(b). This statement is based on either (1) past experience with similar actions **at the proposed action site** resulting in a CATEX and/or (2) information gathered as part of a **previous NEPA review** or environmental due diligence review conducted **at the proposed action site**.

A statement and supporting documentation is attached (e.g., SERP, prior CATEX determination, or other NEPA review and environmental documentation).

2. **No extraordinary circumstances apply** to the proposed action pursuant to 40 CFR §§ 6.204(a)(1) and 6.204(b). This statement is based on information gathered as part of this NEPA evaluation.

A statement and supporting documentation is attached explaining why no extraordinary circumstances exist or apply to the proposed action pursuant to 40 CFR §§ 6.204(a)(1) and 6.204(b).

EPA Use Only:

V. NEPA Review Determination and Responsible Official Signature (EPA Use Only)

Sections I through IV must be completed to satisfy EPA's documentation requirements for CATEX eligibility. If completion of this form indicates that a CATEX *does apply*, the Responsible Official must sign below.

Categorical Exclusion Determination. EPA finds that the proposed action is eligible for exclusion from detailed environmental review under 40 CFR § 6.204(a)(1), and will not involve any of the extraordinary circumstances delineated under 40 CFR § 6.204(b)(1) through (b)(10). Consequently, EPA will not prepare an environmental impact statement or an environmental assessment for the proposed project. EPA may revoke this categorical exclusion if changes in the proposed action render it ineligible for exclusion or if new evidence emerges which indicates that serious local or environmental issues exist or federal, state, or local laws would be violated.

As the Responsible Official, I have determined that **this action is eligible for a Categorical Exclusion** per the substantive environmental review requirements under EPA regulations at 40 CFR § 6.204. Section III.C of this form has been completed providing the required Extraordinary Circumstances Statement.

JEANEANNE
GETTLE

Digitally signed by JEANEANNE
GETTLE
Date: 2026.01.27 15:49:18 -05'00'

R4 Deputy Regional Administrator

01/27/2026

Signature of Responsible Official

Title

Date

NOTE: Signed Categorical Exclusion Determinations should be uploaded to the EPA NEPA Compliance Database (through Central Data Exchange (CDX)).

Use Attachment 1 to provide Statements and Supporting Documentation.

Project Name

Grant ID Number

Mobile Bay National Estuary Program at the University of Southern Alaban

RESTORE Grant # GC - 01D097

Attachment 1. CATEX Eligibility and/or Extraordinary Circumstances Statement(s)

The space below may be used for a statement and supporting documentation explaining CATEX eligibility and why no extraordinary circumstances exist or apply to the proposed action pursuant to 40 CFR §§ 6.204(a)(1) and 6.204(b). Attach additional pages as needed. Material incorporated by reference should briefly describe its content. Provide hyperlinks to the incorporated material, or attached incorporated material to this CATEX, or otherwise indicate how the public can access the material for inspection.

The proposed project involves stormwater mitigation work. Specifically, the creation of bioretention systems using swales will improve stormwater runoff management and reduce negative impacts on native vegetation in the Three Mile Creek watershed. Please see Attachment 1 for a detailed explanation of how the bioswales improve stormwater runoff management, and that no extraordinary circumstances apply to the proposed action.

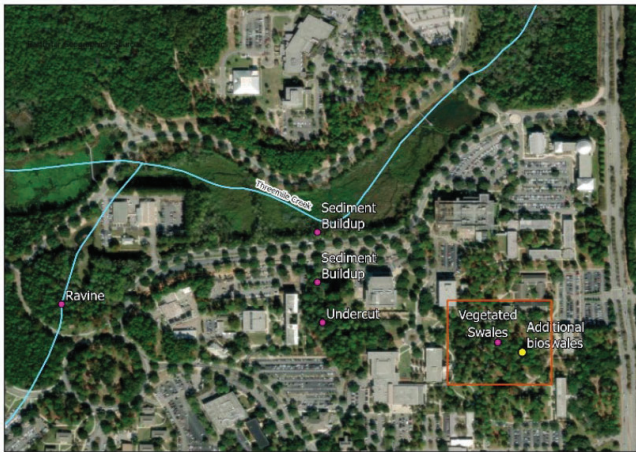
Attachment 1. CATEX Eligibility and/or Extraordinary Circumstances Statement(s)

The Gulf Coast Ecosystem Restoration Council (RESTORE Council) and the Mobile Bay National Estuary Program (MBNEP) Water Quality Improvements at the University of South Alabama

PROJECT DESCRIPTION AND LOCATION:

Project description and location:

The MBNEP and RESTORE Council are using an Environmental Protection Agency (EPA) Categorical Exclusion (CE) for a Water Quality Improvement Project in Alabama. The MBNEP is proposing a Water Quality Improvements project at the University of South Alabama (USA). This Project will install bioswales to reduce stormwater runoff rates and reduce erosion and loss of native vegetation near the Life Science/Visual Art building and the Gamma building at the USA campus in Mobile, AL. Additionally, the MBNEP will include interpretive signage about the importance of incorporating native plants, managing invasives, and stormwater runoff near the bioswale installation.



University of South Alabama Area of Interest 0 500 1,000 Feet
Figure 3 Project location (red box) and surroundings

CLEAN AIR ACT CONFORMITY (42 U.S.C. § 7506(C))

Document below the finding, rationale, and information sources used.

The Project is not located in a nonattainment or maintenance area for any criteria pollutants. Therefore, the Project is not subject to a conformity determination.

Supporting Documentation: N/A

Attachment: N/A

NATIONAL HISTORIC PRESERVATION ACT (NHPA) AS AMENDED (54 U.S.C. § 300101 ET SEQ.: HISTORIC PRESERVATION) AND ARCHEOLOGICAL AND HISTORIC PRESERVATION ACT, AS AMENDED (54 U.S.C. §§ 312501-312508: PRESERVATION OF HISTORICAL AND ARCHEOLOGICAL DATA)

Document below the consultation and outcomes/findings of the consultation process.

On July 21, 2025 the Alabama Historical Commission provided a letter stating "...it is the opinion of this office that the proposed activities are unlikely to adversely effect historic properties."

Supporting Documentation: Alabama Histroical Comission Concurrence

Attachment: Alabama Histroical Comission Concurrence 072125

ARCHAEOLOGICAL RESOURCES PROTECTION ACT (16 U.S.C. §§ 470AA-MM)

Document below the finding, rationale, and information sources used.

The Project is not located on Federal or federally-recognized Indian tribal land. Therefore, the requirements of this act or not apply.

Supporting Documentation: N/A

Attachment: N/A

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (25 U.S.C. § 3001 ET SEQ.)

Document below the finding, rationale, and information sources used.

In October 2025, a 30-day review and comment request for potential tribal impacts was issued to the Alabama-Coushatta Tribe of Texas, the Alabama-Quassarte Tribal, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Mississippi Band of Choctaw Indians, the Muscogee (Creek) Nation, and the Seminole Tribe of Florida, since the proposed project is on historical lands. No responses were received by the deadline.

Supporting Documentation: Email Correspondence from EPA to Tribes (Dated October 2025)

Attachment: Tribal Correspondence

ENDANGERED SPECIES ACT (16 U.S.C. §§ 1531–1599)

Document below the finding, rationale, and information sources used.

An Unofficial IPaC Species List (dated February 21, 2025) indicates that seven federally listed species occur in the vicinity of the Project Area. The Project Area does not overlap with critical habitat for any listed or proposed species. In a letter dated July 1, 2025, the U.S. Fish & Wildlife Service Alabama

Ecological Services Field Office provided concurrence that the proposed project will have no impact on any species listed as threatened, endangered, proposed endangered, or proposed threatened.

Supporting Documentation: Environmental Review Record (Dated July 2020)

Attachment: See MBNEP ESA Recommendation and USFWS ESA Concurrence

BALD AND GOLDEN EAGLE PROTECTION ACT (16 U.S.C. §§ 668-668C)

Document below the finding, rationale, and information sources used.

The proposed activity does not involve capture, transport, exhibition, collection, control or disturbance of eagles or eagle parts, nests, or eggs. Additionally, no construction is expected to occur near eagle nests; therefore, the requirements of this act do not apply.

Supporting Documentation: USFWS ESA Determination for University of South Alabama

Supporting Documentation: USFWS Approval

Attachment: See MBNEP ESA Recommendation and USFWS ESA Concurrence

MIGRATORY BIRD TREATY ACT (16 U.S.C. §§ 703-712)

Document below the finding, rationale, and information sources used.

This Project does not involve the taking, killing, possession, transportation, or importation of migratory birds, their eggs, parts, or nests. Beneficial practices to avoid and minimize the incidental take of migratory birds will be implemented when necessary. The County will perform a pre-construction migratory bird survey prior to construction and will coordinate with the U.S Fish & Wildlife Service if any active nests are found. Therefore, the Project complies with this act.

Supporting Documentation: N/A

Attachment: N/A

MARINE MAMMAL PROTECTION ACT (16 U.S.C. §§ 1361-1407)

Document below the finding, rationale, and information sources used.

The Project will not affect marine mammals. Therefore, the requirements of this act do not apply.

Supporting Documentation: N/A

Attachment: N/A

ESSENTIAL FISH HABITAT CONSULTATION PROCESS UNDER THE MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT (16 U.S.C. §§ 1801-1891)

Document below the finding, rationale, and information sources used.

The Project will not involve any work within, or changes in discharges to, Essential Fish Habitat or Habitat Areas of Particular Concern. Therefore, the requirements of this act do not apply.

Supporting Documentation: N/A

Attachment: N/A

FISH AND WILDLIFE COORDINATION ACT (16 U.S.C. § 661 ET SEQ.)

Document below the finding, rationale, and information sources used.

The Project will not involve the control or use of water resources (e.g., dams, water supply, shoreline/streambank protection, flood control, navigation, aquatic restoration, etc.) via impoundment, diversion, channel deepening, or other control or modification of a stream or other body of water. Therefore, the requirements of this act do not apply.

Supporting Documentation: N/A

Attachment: N/A

CLEAN WATER ACT SECTION 404 (33 U.S.C. § 1344), RIVERS AND HARBORS ACT SECTION 10 (33 U.S.C. § 403), AND PROTECTION OF WETLANDS (EXECUTIVE ORDER NO. 11990 (1977), AS AMENDED BY EXECUTIVE ORDER NO. 12608 (1997))

Document below the finding, rationale, and information sources used.

The National Wetlands Inventory map did not identify any wetlands in the immediate vicinity of the proposed bioswale installations. The EPA has evaluated the site and has determined that there are no jurisdictional wetlands within the Project Area.

Additionally, Section 10 waters were not identified within the Project Area. Therefore, the requirements of this act do not apply.

Supporting Documentation: NWI Wetlands Mapper of University of South Alabama

WILD AND SCENIC RIVERS ACT (16 U.S.C. §§ 1271-1287)

Document below the finding, rationale, and information sources used.

The Project will not involve any work within the bed or banks of a designated Wild and Scenic River, nor within the bed or banks of any upstream/downstream reaches of, or tributaries to, designated Wild and Scenic Rivers. Therefore, the requirements of this act do not apply.

Supporting Documentation: N/A

Attachment: N/A

FLOOD PLAIN MANAGEMENT (EXECUTIVE ORDER NO. 11988 (1977), AS AMENDED BY EXECUTIVE ORDER NO. 12148 (1979))

Document below the finding, rationale, and information sources used.

The Project will not occur within the 100-year floodplain. Therefore, the requirements of this EO do not apply.

Supporting Documentation: National Flood Hazard Map by FEMA

Attachment: FIRMETTE_3fd4b671-e49a-420f-a6ae-d727b953f6b6

SAFE DRINKING WATER ACT (42 U.S.C. §§ 300F-300J-26)

Document below the finding, rationale, and information sources used.

No sole source aquifers exist at or near the Project location. Therefore, the requirements of this act do not apply.

Supporting Documentation: N/A

Attachment: N/A

COASTAL ZONE MANAGEMENT ACT (16 U.S.C. §§ 1451-1466)

Document below the finding, rationale, and information sources used.

The Project is not located within the coastal zone; therefore, the requirements of this act do not apply.

Supporting Documentation: Environmental Review Record (Dated July 2020)

Attachment: N/A

COASTAL BARRIER RESOURCES ACT (16 U.S.C. §§ 3501-3510)

Document below the finding, rationale, and information sources used.

This Project is not located within the Coastal Barrier Resources System. Therefore, the requirements of this act do not apply.

Supporting Documentation: N/A

Attachment: N/A

WILDERNESS ACT (16 U.S.C. § 1131 ET SEQ.)

Document below the finding, rationale, and information sources used.

The Project is not located within any Wilderness areas. Therefore, the requirements of this act do not apply.

Supporting Documentation: N/A

Attachment: N/A

FARMLAND PROTECTION POLICY ACT (7 U.S.C. §§ 4201-4209)

Document below the finding, rationale, and information sources used.

The Project is not located within qualifying farmland and/or is located in an urban area. Therefore, the requirements of this act do not apply.

Supporting Documentation: N/A

Attachment: N/A