

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 50**

Project Information

Project Name: McDuffie-Terminal-Improvements

HEROS Number: 900000010465240

Start Date: 04/16/2025

Applicant / Grant Recipient: Alabama State Port Authority

Point of Contact: Gretchen Barrera

HUD Preparer: Chuck Melton

Consultant (if applicable): Volkert, Inc.

Point of Contact: Jason Goffinet

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: 2001 Ezra Trice Blvd, Mobile, AL 36603

Additional Location Information:

A project location map is attached.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The McDuffie Terminal Improvements project consists of the demolition of eight (8) existing derelict buildings and obsolete infrastructure previously associated with a coal barge loading operation at the site. Two buildings (Fabrication Shop and Assembly Building) will be constructed at the location of existing buildings 1/2 and 3 (see attached Demolition & Clearing and Proposed Construction maps). A new dock, spanning the 1,268-foot gap between the existing APM Main Terminal Dock to the north and McDuffie Terminal Dock 3 to the south, will be constructed on a 3.9-acre area within the Mobile River. This area will be dredged to accommodate future bulk cargo or container ship traffic. Obsolete buildings to be removed include a one-story concrete block electrical building (Building 8), two two-story metal workshops (Buildings 6 & 7), a one-story metal office / washroom (Building 5), two single-story masonry mechanical / electrical warehouses (Buildings 1 & 2), a one-story foam office / washroom building (Building 4), and a one-story masonry washroom / lunchroom (Building 3). The obsolete infrastructure that will be removed includes coal conveyors and hoppers, slurry channels and pump station pits, a sheet pile wall and rip rap, and a barge loadout dock and pier along the Mobile River. Additionally, the sites currently occupied by buildings and infrastructure to be removed will be cleared of equipment and construction materials / debris and graded for interim runoff control while the site awaits future development plans. The proposed dock will consist of a reinforced concrete pier and landside combination wall and will include a rail system to accommodate ship-to-shore cranes, a fender system to protect the structure, bollards, and other standard pier features. Land disturbance will be required to demolish the existing obsolete buildings and obsolete infrastructure and to construct the proposed improvements. The 3.9-acre area within the Mobile River will be dredged to a depth of approximately 54 feet to match the depth of adjacent ship channel and to accommodate future ship traffic. Except for portions of the new dock and dredging within the Mobile River, all work associated with the McDuffie Terminal Improvements project is located on property owned by the Alabama State Port Authority. No additional property will be required to construct the improvements.

Does this project involve over 200 lots, dwelling units, or beds?

No

Yes (Consult early with the Environmental Clearance Officer (ECO), who is required to sign off on this project if it requires an Environmental Assessment)

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The purpose of the proposed improvements is to modernize the support facilities at the McDuffie Terminal site and to prepare the site and a portion of the Mobile River for an anticipated increase in bulk cargo or container ship traffic. The improvements are needed to reconstruct several obsolete buildings and infrastructure and to provide a continuous pier and river depth from the existing McDuffie Terminal Dock 3 northward to the existing Choctaw Point Container Terminal Dock 2.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The McDuffie Terminal is within an active port facility operated by the Alabama State Port Authority (ASPA) along the Mobile River. The project area currently includes aging or underutilized infrastructure, derelict buildings and paved industrial surfaces originally constructed for coal handling and transport. The surrounding area is part of a working port and industrial corridor that supports maritime commerce, freight rail and warehouse operations. The McDuffie Terminal continues to function as a key bulk cargo handling site; however, operational inefficiencies and the deterioration of existing assets have resulted in a need for redevelopment. Trends in the region show continued investment in freight and maritime infrastructure. The proposed redevelopment aligns with these trends by updating the terminal's capacity and efficiency while maintaining its role in the region's maritime economy. The proposed activities will not result in significant changes to existing land use or demographic patterns, as the project site is already industrial in character and under the control of ASPA. Redevelopment is expected to improve site safety, environmental compliance and operational performance.

Maps, photographs, and other documentation of project location and description:

- [Proposed Construction Map.pdf](#)
- [Demolition and Clearing Map.pdf](#)
- [McDuffie Terminal Improvements Project Location.pdf](#)

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Review Certified by	Karen Morris, CPD Director	on	02/12/2026
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Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
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B-23-CP-AL-0018	Community Planning and Development (CPD)	Community Project Funding (CPF) Grants	\$129,632,700.00
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Estimated Total HUD Funded, Assisted or Insured Amount: \$129,632,700.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$129,632,700.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
<p>Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The McDuffie Terminal Improvements project area is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The closest civilian airport, Brookley Aeroplex, containing the Mobile Downtown Airport, is approximately 15,340 feet southwest of the project area. See attached map created on 05/07/2025. The project area is also not within any airport safety zones, runway protection zones, or any other operational zone. A map illustrating the project area relative to the closest airport (Brookley Aeroplex) is attached. The project is in compliance with the Airport Hazards requirements. Documentation: Department of Defense, APZ guidelines referenced, CFR-2011-vol2-sec256-8. The site was reviewed on 05/05/2025.</p>
<p>Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project area is not located in a Coastal Barrier Resource System (CBRS) Unit. Maps generated from the USFWS Coastal Barrier Resources System Mapper illustrating the project area and the closest protected areas are attached. According to the USFWS</p>

		<p>Coastal Barrier Resources System Mapper, the closest CBRS Unit is located approximately 25 miles southeast of the project area, Cypress Point-Skunk Bayou. As a result, the project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Documentation: Coastal Barrier Resources, US Fish and Wildlife Service: https://fwsprimary.wim.usgs.gov/CBRSMapperv2/#layersPanel https://www.fws.gov/program/coastal-barrier-resources-act site accessed and reviewed 5/05/2025. See attached map created 5/06/2025.</p>
<p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Two buildings to be constructed are within the FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements. The grantee will ensure that contract agreements for construction of the insurable buildings include the following commitment: The Contractor shall take out and maintain during the life of the Contract Builder's Risk insurance or Installation Floater, written on an "All Risk" basis, insuring the work included in the Contract against all physical loss. The amount of insurance shall at all times be at least equal to the amount of the Contract. The Contract must include flood insurance either by endorsement or by separate policy. Flood insurance must</p>

		<p>be issued by either the National Flood Insurance Program (NFIP) or a private insurer meeting statutory requirements of the Biggert-Waters Act. Flood insurance policies not issued by NFIP must provide coverage at least as broad as NFIP coverage. The policy shall be in the names of the Owner, Engineer, Contractor and "all Subcontractors," as their interests appear. Policy shall be provided to the Owner prior to commencement of work. Upon completion of construction, grantee will acquire and maintain flood insurance policies for the life of the structures.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The compliance status of Mobile County was reviewed in the U.S. Environmental Protection Agency's (USEPA) Green Book (www.epa.gov/green-book) on 9/19/2025. As of 9/19/2025, the USEPA has not classified the area where the ASPA McDuffie Terminal Improvements project is located (Mobile County, Alabama) as a nonattainment or maintenance area for any criteria pollutant. The USEPA's listing of nonattainment or maintenance areas in Alabama is attached. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>This project is located in a Coastal Zone, and it has been determined to be consistent with the State Coastal Management Program with mitigation, identified in the mitigation section of this review. The project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. Radon testing indicated radon levels below 4.0 pCi/L.</p>

		<p>With the noted requirements for documentation of ACM mitigation, the project is in compliance with contamination and toxic substances requirements.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The McDuffie Terminal Improvements Project May Affect, but is Not Likely to Adversely Affect, listed species. As a result, informal consultation was conducted with the USFWS and the NMFS. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act. Coordination with the NMFS was also conducted regarding potential impacts to essential fish habitat (EFH) in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). MSFCMA coordination and impacts to EFH are discussed in the Wetlands Protection section. A Biological Assessment (BA) was prepared for the project and submitted to the USFWS for review on 7/11/25. The BA determined that the project May Affect but is Not Likely to Adversely Affect the Alabama red-bellied turtle, West Indian manatee, Kemp's Ridley sea turtle, and the Gulf sturgeon. It was also determined that the project would have No Effect on the tricolored bat, rufa red knot, alligator snapping turtle, and monarch butterfly. The BA is attached. The USFWS concurred with the findings in a letter dated 8/6/25. The BA and USFWS concurrence letter are attached. A Request for Initiation of Expedited Informal Consultation Package (Package) was also submitted to the NMFS on 7/22/25. The Package found that the proposed project May Affect but is Not Likely to Adversely Affect the green sea turtle, Kemp's ridley sea turtle, loggerhead sea turtle, Gulf sturgeon, and giant manta ray. In</p>

		<p>addition, it was determined that the project would also not impact critical habitats under the NMFS jurisdiction. The NMFS concurred with the findings in a letter dated 9/19/25. The Package and concurrence letter are attached. To minimize impacts, the NMFS - Southeast Regional Office, Protected Species Construction Conditions will be followed during the construction of the proposed project. The NMFS - Southeast Regional Office, Vessel Strike Avoidance Measures will also be followed during the construction of the proposed project. The protected species construction conditions and vessel strike avoidance measures are attached.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>A Phase I Environmental Site Assessment (ESA) was prepared for the proposed project in August 2025. Records indicate that above ground storage tanks (ASTs) containing Hazardous Substances (see 24 CFR 51, Subpart C, Appendix I) are within a one-mile radius of the project location. In particular, two (2) existing ASTs containing 3,000 gallons and 1,000 gallons, each adjacent the other, on the project site near the existing Mechanical/Electrical Warehouse (to be demolished), which is also the location of the proposed Fabrication Shop (see attached maps). When two tanks of differing size are at the same location, it is only necessary to determine the relevant Acceptable Separation Distances (ASDs) for the larger of the tanks. For the 3,000-gallon AST, the Thermal Radiation to People (ASDPPU) is 437 feet, while the ASD for Thermal Radiation to Buildings (ASDBPU) is 84 feet. There are no additional proposed buildings or outdoor areas covered by this regulation within ASDBPU for the onsite tanks, though the Mechanical Electrical</p>

		<p>Warehouse/proposed Fabrication Shop lies at a distance less than the ASDPPU. While employees working within the building would not be at risk from fire associated with this tank, those working outside during such an event could be at risk for burn injuries. Plans for the Fabrication Shop building proposed to replace the warehouse structure show it is similar size and nearly identical footprint. Moreover, because of its location relative to existing overhead coal conveyor systems, the only area where employees will work or take breaks outside is located such that the proposed building and other nearby structures will block line of sight to the AST location, thereby acting as a barrier to significant amounts of potential thermal flux. No other proposed construction or other activities will result in increased densities within the ASD for the onsite ASTs. Another dual-diesel AST location was identified at the western edge of the McDuffie Island coal storage yard. This location hosts 13.3K-gallon and 7.1K-gallon tanks. No project activities are located within the ASD for this tank (see attached maps and ASD calculations). Existing outdoor areas for which the project will not result in an increased density of people exposed to potential hazards are not covered under this regulation. Other ASTs identified by records searches and/or review of aerial imagery indicate the tanks are either do not contain Hazardous Substances or are similar size and/or significantly further from the project site and could not pose a hazard to the site regardless of contents. With existing mitigation noted above, this project is in compliance with Explosive and Flammable Hazards.</p>
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<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies (project is located on land already in or committed to urban development). The project is in compliance with the Farmland Protection Policy Act.</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>This project is located in the FFRMS floodplain. The 8-Step or 5-Step Process is required. The McDuffie Terminal Improvements project area is located within Flood Zone AE (area of special flood hazard with base flood elevations determined), Flood Zone VE (coastal flood zone with velocity hazard with base flood elevations determined), and the Limit of Moderate Wave Action (LiMWA), as seen on FEMA map panel 01097C0566L, effective 7/6/98, and revised 6/5/20. Approximately 43.45 acres of the project area is in Flood Zone AE, and 3.12 acres is in Flood Zone VE. In addition, approximately 6.43 acres of the project area are in the LiMWA. The 500-year floodplain has not been mapped within the project area. The 8-Step Process is applicable per 55.12(a)(1-4). In compliance with Executive Order 11988, the 8-Step Process was completed for the McDuffie Terminal Improvements project. Since the proposed project is not mapped within the 500-year floodplain, the Freeboard Value Approach (FVA) was used to determine the Federal Flood Risk Management Standard (FFRMS). The Base Flood Elevations (BFEs) of the floodplains within the project area were evaluated from the FEMA FIRM map. The BFE for Zone AE and VE is 12 feet. Using the FVA approach, 2 feet were added to the BFE to determine the elevation of the FFRMS, which is 14 feet. Area of Disturbance in Flood Zone AE: 43.45 acres Area of Disturbance in</p>

		<p>Flood Zone VE: 3.12 acres The proposed project components, including the construction of a new pier/dock on the Mobile River, concrete container laydown area, construction of a new fabrication shop, and construction of a new assembly building will either be constructed at or above the elevation of 14 foot of the lowest floor, as defined by FEMA in 44CFR 59.1. These elevations are either at or above the BFE+2 elevation of 14 feet calculated using the FVA for the project, or are considered functionally dependent uses due to their need to be near the Mobile River. The 8-Step process including the early and final public notices are attached. Documentation: FEMA National Flood Hazard Layer FIRMette, Map Number 01097C0566L, 6/05/2025. See attached map created 6/05/2025. The project is in compliance with Executive Order 11988.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>A Phase I Cultural Resources Survey (CRS) of the terrestrial portion of the area of potential effect (APE) was performed in July 2025. No historic resources were identified within the landward boundaries of the APE. As a result, no further research was recommended. A Phase I Submerged CRS was also performed in August 2025 within the 3.9-acre area of the Mobile River that will be dredged. The survey found no submerged cultural resources and as a result, no avoidance or further investigation was recommended. The surveys are attached. Based on the findings, it was determined that the project will have no effect to historic properties. The Alabama State Historic Preservation Officer (SHPO) agreed with the no effect determination on 9/11/25 with the stipulation that the project activities within the landward portion of the project do not exceed the depth of</p>

		<p>existing mechanical soil disturbance. The SHPO also stated that "if archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply". "If human remains are encountered, the provisions of the Alabama Burial Act (Code of Alabama 1975, 13A-7-23.I, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed". These stipulations should be placed on the construction plans to ensure contractors are aware of them. The SHPO concurrence letter is also attached. On 8/26/25, tribal coordination letters were sent to Tribes and two responses were received. In a correspondence dated 9/24/25, the Muscogee (Creek) Nation concurred with the no historic properties affected determination with the stipulation of; "If artifacts or archaeological features are encountered during project activities, work must cease and our office should be consulted immediately. This can include but are not limited to projectile points, broken pieces of pottery or glass, stone implements, metal fasteners or tools, human remains, etc. Any changes to the approved scope of work for this project will require resubmission to, and evaluation and approval by the Muscogee (Creek) Nation prior to initiation of any work for compliance with Section 106." The Muscogee (Creek) Nation correspondence is attached. On 9/25/25, the Choctaw Nation of Oklahoma responded stating they will be a consulting party and concur with HUD's findings with stipulations: "A carefully written Inadvertent Discovery plan is needed, to include notification and consultation with the Choctaw Nation Historic</p>
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		<p>Preservation Department, in case of unanticipated discoveries. Such discoveries are possible, in spite of past ground disturbance on land and in the water. Please add the following Inadvertent Discovery clause to all permits and contracts, and as Notes and Specifications in all applicable pages of final, 100% construction drawings, signed and sealed by the professional engineer and/or architect in charge, in hopes of their observance during construction: "In the event that ground-disturbing work uncovers significant archaeological materials, such as stone arrowheads, ceramics, or early building foundations, or if work uncovers human burials or human remains, ground disturbing activities will immediately be stopped within a 300-foot radius and the materials protected. The State Historic Preservation Officer and the Choctaw Nation Historic Preservation Department will be contacted as soon as possible and given an opportunity to provide input before construction resumes. If any archaeological or cultural materials are discovered during the project undertaking, neither the construction team nor the applicant will disclose this information to the public or the media in any manner, including social media. Discoveries of archaeological and historic materials will be kept private and confidential." The Choctaw Nation correspondence is attached. The project is in compliance with Section 106.</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, the McDuffie Terminal Improvements project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. The project does not involve improvements to a noise sensitive use</p>

		<p>(i.e., housing, mobile home parks, nursing homes, hospitals, and other non-housing uses where quiet is integral to the project's function, e.g., libraries). Additionally, the proposed project is located within an active Port facility surrounded by industrial uses, and there are no noise-sensitive land uses located within the vicinity of the project area. Therefore, the McDuffie Terminal Improvements project is not subject to the noise standards as defined in 24 CFR Part 51, Subpart B. A map from the City of Mobile's GIS website illustrating the existing zoning in the area is attached. A map from the City of Mobile's GIS website illustrating the future land use in the area is also attached. The maps were created on 12/2/25 from https://www.buildmobile.org/maps/. The existing land uses were confirmed during a field survey conducted on 3/13/2025.</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>According to the United States Environmental Protection Agency's (USEPA) regional Sole Source Aquifer (SSA) map accessed on 6/5/2025 (attached), the McDuffie Terminal Improvements project is not located in a sole source aquifer area. The closest SSA is located approximately 100 miles southwest of the project in Louisiana. A map illustrating the project area relative to the SSA on aerial photography is also attached. The project is in compliance with Sole Source Aquifer requirements. Documentation: USEPA's Sole Source Aquifers website reviewed 6/5/2025 at https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b USEPA SSA map created 6/5/2025. The project is in compliance with SSA requirements.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The McDuffie Terminal Improvements project will not impact on- or off-site wetlands. According to the USFWS</p>

		<p>National Wetlands Inventory (NWI), a portion of the project area is in estuarine and marine deepwater habitats associated with the Mobile River. A map created on 6/05/2025 illustrating the project area and the NWI information is attached. In March 2025, a survey for wetlands was performed within the proposed McDuffie Terminal Improvements project area. The wetland delineation report is attached. No wetlands were identified within the project area. However, one jurisdictional Waters of the United States (WOTUS) was identified within the project area, the Mobile River. The Mobile River is a Section 10 Water and approximately 3.9 acres of the river will be dredged to a depth of 54 feet to match the depth of the adjacent shipping channel. A USACE permit for the dredging will be obtained prior to construction. The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended, directs that all agencies utilizing federal dollars for projects where actions could impact essential fish habitat (EFH) or marine threatened and endangered species to consult with the NMFS regarding potential adverse effects. Coordination with the USFWS and NMFS regarding threatened and endangered species is discussed in the Endangered Species Act section. In accordance with the MSFCMA, an EFH Assessment was prepared for the project. The EFH Assessment is attached. The EFH Assessment determined that the proposed project would reduce the quantity and quality of EFH and accordingly would adversely affect EFH. However, due to the containment of impacts to EFH within the Port of Mobile, the low quality of EFH within the project area, and the scale of</p>
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		<p>impacts in comparison to the expense of EFH in Mobile Bay, as well as implementation of minimization measures, HUD has determined that the anticipated adverse effects do not have the potential to cause substantial adverse effects to EFH. To minimize impacts to EFH and protected species, the NMFS - Southeast Regional Office, Protected Species Construction Conditions and Vessel Strike Avoidance Measures will be followed during the construction of the proposed project. The NMFS Protected Species Construction Conditions and Vessel Strike Avoidance Measures are attached. The EFH Assessment was submitted to the NMFS on 6/23/2025. The EFH Assessment is attached. In an email dated 8/12/2025, the NMFS concurred with the findings of the assessment and stated that they do not object to the project as proposed. The NMFS also provided no additional EFH Conservation Recommendations and stated that no further consultation with the NMFS is required unless modifications to the proposal are made. The 8/12/2025 NMFS email is attached. The project is in compliance with Executive Order 11990 and the MSFCMA.</p>
<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located near any water course or river that is included under the Wild and Scenic Rivers Act and no Section 7 Report is required. There are no rivers designated in Mobile County. According to the National Wild and Scenic Rivers website, the closest designated river is the Black Creek Scenic River in Mississippi, located approximately 58.52 miles northwest of the project area. A map illustrating the McDuffie Terminal Improvements site relative to the Black Creek River is attached. Documentation: National Wild</p>

		and Scenic Rivers website reviewed at https://www.rivers.gov/ , accessed on 5/06/2025. See attached map created 5/07/2025. The nearest Nationwide Rivers Inventory segment, the Chickasaw Creek, is over 8 miles to the N-NW. See attached NRI Map The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	In accordance with Executive Order 14173 analysis of compliance with this environmental review factor is not required.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environ- mental Assess- ment Factor	Im- pac- t Co- de	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conform- ance with Plans / Compati- ble Land Use and Zoning / Scale and	2	The McDuffie Terminal Improvements project is consistent with the existing and intended future land use designation and zoning, which is zoned and planned for heavy industrial use and marine terminal operations. According to the City of Mobile's Planning & Zoning Map, the project area is zoned as I-2, Heavy Industry. Maps from the City's Zoning GIS portal are attached. The project is also consistent with the "Mobile Area Comprehensive Plan" (https://mapformobile.org/) and the "Port of Mobile Master Plan" (https://www.alports.com/mcduffie-	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Urban Design		coal-terminal/), which support continued development and modernization of the port's export facilities. The proposed project includes the demolition of derelict port buildings and infrastructure, construction of new support buildings, and installation of a new 1,268-foot dock along the Mobile River. It also includes grading, drainage improvements, and dredging of 3.9 acres of river bottom to accommodate larger vessels. These changes will enhance site functionality while remaining fully compatible with current zoning and land use designations. Site field review conducted on 8/14/2025 to confirm land use. Documentation: City of Mobile Planning and Zoning Department and ASPA. Communications: Gretchen Barrera, P.E., Vice President, Environmental Services, ASPA.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	Review of the NRCS website shows that the project area is primarily composed of ULI (Urban land-anthroportic udorthents complex, 0 to 8 percent slopes, industrial) soils. This soil classification reflects areas that have been altered by development with the result that traditional soil suitability ratings are not applicable. The site is generally flat and engineered for industrial use, with no natural slope concerns. It includes large paved and gravel surfaces, conveyor infrastructure, and rail/barge/ship transfer areas. Stormwater at the terminal is currently managed through engineered drainage systems, including runoff controls and sediment basins, in accordance with existing USEPA, NPDES permit requirements. All land disturbance will occur within property owned by the ASPA and within an area already used for industrial purposes. A Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the project and erosion control and stormwater runoff will be managed using best management practices (BMPs) consistent with NPDES and ADEM requirements. The improvements will not introduce steep slopes or cause soil destabilization. The dredged material will be managed under appropriate	Implementation of a SWPPP and construction best management practices will be completed.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>permitting and regulatory review, including a USACE permit and a 401 Water Quality Certification from ADEM. All dredging and material disposal activities will comply with federal and state water quality and coastal zone requirements. The USGS 7.5-minute series topographic map indicates that the project site is located roughly 10 feet above sea level. The NRCS and USGS maps are attached, created 5/21/2025. Documentation: USDA's Natural Resources Conservation Service website (https://websoilsurvey.nrcs.usda.gov/app/); USGS 7.5-minute series topographic map.</p>	
<p>Hazards and Nuisances including Site Safety and Site-Generated Noise</p>	<p>2</p>	<p>The McDuffie Terminal is a secure, industrial marine facility located within the property limits of the ASPA. The site is zoned and was used exclusively for bulk cargo operations, including coal handling and vessel loading. The area currently generates industrial noise and maintains restricted access under standard port security protocols. The proposed project includes the demolition of derelict buildings and obsolete infrastructure, construction of new dock and support buildings, grading and drainage improvements, and dredging of approximately 3.9 acres of the Mobile River. These activities may generate temporary construction-related noise and safety risks, including demolition debris, heavy equipment use, and in-water work. All activities will be performed under contractor safety oversight and in compliance with applicable Occupational Safety and Health Administration (OSHA) regulations, USACE permit requirements for dredging, and state environmental permitting through ADEM. No sensitive noise receptors (residences, schools, hospitals) are located in the vicinity. All work will occur within a controlled industrial zone. Documentation: Site field review conducted on 8/14/2025 to confirm conditions. Communications: Gretchen Barrera, P.E., Vice President, Environmental Services, ASPA.</p>	
<p>SOCIOECONOMIC</p>			

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Employment and Income Patterns	1	<p>The McDuffie Terminal Improvements Project will occur entirely within the footprint of the existing McDuffie Terminal. No changes in staffing, employment structure or income distribution are anticipated because of the project. No businesses or residences will be displaced. The project will support the continuation of existing port operations. According to the ASPA's 2021 Economic Impact Study (https://www.alports.com/wp-content/uploads/2022/10/Alabama-Port-Authority_2021-Economic-Impact_FullReport.pdf), the Port of Mobile, including the McDuffie Terminal, supports a large portion of Alabama's economy. Specifically, the study notes that 312,896 jobs in the state are related to cargo and vessel activity at the port's public and private terminals. Once constructed, it is anticipated that the improved terminal will have a positive impact on employment and income patterns by ensuring the terminal remains a reliable and efficient import and export facility. Documentation: ASPA's 2021 Economic Impact Study.</p>	
Demographic Character Changes / Displacement	2	<p>The McDuffie Terminal Improvements project is located within the McDuffie Coal Terminal, an existing secured industrial facility at the Port of Mobile. The surrounding area is zoned and designated for heavy industrial use, with no residential or mixed-use neighborhoods in the immediate vicinity. All work will occur on land owned by the ASPA and will not require the acquisition of additional property. No residents or businesses will be removed or relocated. No physical or economic displacement will occur and there will be no effect on the demographic character of the surrounding community. Documentation: Alabama Port Authority's 2021 Economic Impact Study (https://www.alports.com/wp-content/uploads/2022/10/Alabama-Port-Authority_2021-Economic-Impact_FullReport.pdf).</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Environmental Justice EA Factor	2	In accordance with Executive Order 14173 analysis of compliance with this environmental review factor is not required.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	The McDuffie Terminal Improvements project will not result in impacts to access or the capacity of educational or cultural facilities in the area. The existing zoning and future land use maps are attached. (https://experience.arcgis.com/experience/d8de938559b14c2aaf043a2e19142e15/page/Home). Documentation: City of Mobile Planning and Zoning Department and ASPA.	
Commercial Facilities (Access and Proximity)	2	The project area is located within and is surrounded by an existing secure industrial facility at the Port of Mobile. The area is not zoned for residential or mixed-use commercial development. As a result, the proposed project will not affect access to commercial facilities, and no commercial properties are proposed for acquisition or displacement as part of this project. Documentation: City of Mobile Planning and Zoning Department and ASPA.	
Health Care / Social Services (Access and Capacity)	2	The project area is located at the McDuffie Terminal, an existing secure industrial facility at the Port of Mobile. The project will have no impact on health care or social service access or capacity in the surrounding community. Emergency and medical services are already available in the area and are not expected to experience increased demand due to this project.	
Solid Waste Disposal and Recycling (Feasibility and)	2	No evidence of illegal dumping of solid waste was observed during the site reconnaissance. During demolition and construction, debris associated with these activities will be generated. The construction debris will be managed by the construction contractor and disposed of offsite in accordance with applicable regulations and standards. Prior to demolition of structures, Form 496 Notice of	Form 496 Notice of Asbestos Abatement and/or Demolition will be submitted to ADEM's Alabama Environmental Permitting and

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Capacity)		Asbestos Abatement and/or Demolition will be submitted to ADEM's Alabama Environmental Permitting and Compliance System (AEPACS) at http://adem.alabama.gov/AEPACS . Form 496 is attached. Form 496 will be submitted 10 days prior to demolition. Once the McDuffie Terminal Improvements are completed, solid waste will be generated from the site; however, it is anticipated that the new facility will produce a similar quantity of waste as the existing facilities. As a result, it is expected the project will not impact the feasibility or capacity of solid waste disposal or recycling. Documentation: Site field review conducted on 8/14/25 to confirm conditions. ADEM asbestos abatement and/or demolition procedures.	Compliance System (AEPACS) at http://adem.alabama.gov/AEPACS . Form 496 is attached. Form 496 will be submitted 10 days prior to demolition.
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The McDuffie Terminal is an existing industrial facility operated by the ASPA. No wastewater treatment facilities or septic systems are located at the existing terminal. Sanitary sewer services for the project site are managed through established infrastructure within the Port of Mobile, with connections to the Mobile Area Water and Sewer System (MAWSS). The proposed improvements will occur within the existing terminal footprint and are not anticipated to increase wastewater generation beyond existing or permitted capacities. Site field review was conducted on 8/14/2025.	
Water Supply (Feasibility and Capacity)	2	The MAWSS provides water service to the McDuffie Terminal. The project will not require additional water supply or capacity. According to the USEPA, the project is also not located on a sole source aquifer; therefore, the project is not considered a concern with regards to water supply.	
Public Safety - Police, Fire and Emergency Medical	1	The proposed McDuffie Terminal Improvements will be constructed within a restricted-access industrial site managed by the ASPA. Under the existing conditions, aging and underutilized infrastructure and derelict buildings originally constructed for coal handling pose a safety hazard to dock workers, ASPA employees, and emergency responders. Once	

Environ- mental Assess- ment Factor	Im- pac- t Co- de	Impact Evaluation	Mitigation
		constructed, the improvements will safely accommodate dock workers, ASPA employees and emergency responders should they need to access the terminal. Site field review was conducted on 8/14/2025.	
Parks, Open Space and Recreati- on (Access and Capacity)	2	According to the City of Mobile's Planning & Zoning Map, the project area is zoned as I-2, Heavy Industry. Maps from the City's Zoning GIS portal are attached. During a site field review, no parks, open spaces, or recreational areas were identified in the vicinity of the project. As a result, it was determined that the project will not impact the access or capacity of these resources. The site field review was conducted on 8/14/25 to confirm land use.	
Transpor- tation and Accessibi- lity (Access and Capacity)	2	The McDuffie Terminal is located within a restricted-access industrial site area with designated access points. Ezra Trice Boulevard provides access to the area from the area transportation network including I 10. The proposed improvements will not significantly affect access or capacity of the area transportation network because the project involves the redevelopment of an existing terminal and no new roads or access points are proposed as part of the project.	
NATURAL FEATURES			
Unique Natural Features /Water Resourc- es	2	No geological features that include rare or special social/cultural, economic, education, aesthetic or scientific value were identified on or abutting the project site. As a result, impacts to unique natural features are not considered applicable for the proposed project. During the field review, no surface impoundments, wetlands, natural catch basins, settling ponds, or lagoons were identified on site. Storm water is removed from the site primarily by existing storm drains. The proposed project will not involve the discharge of non-sewage pollutants into surface water bodies and will not limit the access to the quality of water for downstream communities. A	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		field review was conducted on 8/14/25 to confirm no unique natural features are present.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	3	<p>A field survey of the site determined that less than 1 percent (<1%) of the project area is vegetated. The survey results were summarized in a Wetland Delineation Report. The Wetland Delineation Report is attached. There are no forested or naturally vegetated areas on-site. What little vegetation exists was observed along the western boundary adjacent to Ezra Trice Boulevard and along the periphery of the site. A BA was also prepared to identify the potential for presence of protected species, including threatened and endangered species and migratory birds. The BA is attached. During the field surveys, no protected species or critical habitat were observed in the project area. In addition, no preferred habitat was identified for any of the USFWS or NMFS listed species. Although no preferred habitat was identified for the West Indian manatee, Alabama red-bellied turtle, green sea turtle, Kemp's Ridley sea turtle, loggerhead sea turtle, or the Gulf sturgeon within the project area, it is possible for these species to occur in the area. As a result, HUD made a May Affect, is Not Likely to Adversely Affect determination for these species. No habitat was identified for the tricolored bat, rufa red knot, alligator snapping turtle, monarch butterfly, or giant manta ray; therefore, HUD made a No Effect determination for these species. No bald eagles, golden eagles, or raptor nests, nor any nesting migratory birds were observed within the project area during the field surveys. The project area is within an existing, highly developed industrial area that lacks suitable nesting habitat. Therefore, HUD determined that the project would not affect migratory birds, and no additional biological surveys were recommended at this time. In accordance with the MSFCMA, an EFH Assessment was prepared for the project. The EFH Assessment determined that the proposed project would reduce the quantity and quality of EFH and accordingly</p>	<p>NMFS - Southeast Regional Office, Protected Species Construction Conditions will be followed during the construction of the proposed project. The NMFS - Southeast Regional Office, Vessel Strike Avoidance Measures will also be followed during the construction of the proposed project. The protected species construction conditions and vessel strike avoidance measures are attached.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>would adversely affect EFH. However, due to the containment of impacts to EFH within the Port of Mobile, the low quality of EFH within the project area, and the scale of impacts in comparison to the expanse of EFH in Mobile Bay, as well as implementation of minimization measures, HUD has determined that the anticipated adverse effects do not have the potential to cause substantial adverse effects to EFH. To minimize impacts to EFH, the NMFS - Southeast Regional Office, Protected Species Construction Conditions will be followed during the construction of the proposed project. The NMFS Protected Species Construction Conditions are attached. To minimize impacts to wildlife, the NMFS - Southeast Regional Office, Vessel Strike Avoidance Measures will also be followed during the construction of the proposed project. The protected species construction conditions and vessel strike avoidance measures are attached. The EFH Assessment was submitted to the NMFS on 6/23/2025. The EFH Assessment is attached. In an email dated 8/12/2025, the NMFS concurred with the findings of the assessment and stated that they do not object to the project as proposed. The NMFS also provided no additional EFH Conservation Recommendations and stated that no further consultation with the NMFS is required unless modifications to the proposal are made. The 8/12/2025 NMFS email is attached. A field review was conducted on 8/14/25 to confirm no vegetation is present. Documentation: EFH Assessment, BA and Wetland Delineation Report. Coordination: USFWS and NMFS.</p>	
Other Factors 1	2	No other factors pertinent to the NEPA review were identified during this assessment.	
Other Factors 2			
CLIMATE AND ENERGY			

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Climate Change	2	In accordance with Executive Order 14148 analysis of compliance with this environmental review factor is not required.	
Energy Efficiency	1	The McDuffie Terminal Improvements Project incorporates energy-efficient components where feasible and practicable. The new buildings will include efficient LED lighting, and the terminal site will be prepared for future ship-to-shore power connections. The ship-to-shore power connections will allow for docked ships to plug into land-based electricity, reducing or eliminating the need for idling (or running auxiliary engines) for on-board power. These connections will substantially cut emissions, noise, and fuel consumption. Communications: Gretchen Barrera, P.E., Vice President, Environmental Services, ASPA	

Supporting documentation

- [McDuffie Terminal Improvements Wetland Delineation Report\(1\).pdf](#)
- [McDuffie Terminal Improvements NMFS EFH Concurrence 8 12 25\(1\).pdf](#)
- [McDuffie Terminal Improvements EFH Report\(1\).pdf](#)
- [NMFS Vessel Strike Avoidance Measures\(2\).pdf](#)
- [NMFS Protected Species Construction Conditions\(2\).pdf](#)
- [McDuffie Terminal Improvements USFWS Section 7 Concurrence 8 6 25\(1\).pdf](#)
- [McDuffie Terminal Improvements NOAA NMFS Section 7 Concurrence Letter 9 19 25\(1\).pdf](#)
- [McDuffie Terminal Improvements Biological Assessment\(1\).pdf](#)
- [McDuffie Terminal Improvement NOAA NMFS Section 7 Coordination Request\(1\).pdf](#)
- [McDuffie Terminal Improvements ADEM Form 496 Notice of Asbestos Abatement and Demolition\(1\).pdf](#)
- [McDuffie Terminal Improvements USGS Topo.pdf](#)
- [McDuffie Terminal Improvements NRCS Soils Map\(1\).pdf](#)
- [City of Mobile Future Land Use Map.pdf](#)
- [McDuffie Terminal Improvements Mobile Zoning Map\(1\).pdf](#)
- [McDuffie Terminal Improvements Map For Mobile 2024 Plan.pdf](#)
- [Alabama-Port-Authority_2021-Economic-Impact_FullReport.pdf](#)

Additional Studies Performed:

No additional studies were performed.

Field Inspection [Optional]: Date and completed
by:

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

List of Sources include Phase I Environmental Site Assessment, Biological Assessment, Wetland Delineation Report, Essential Fish Habitat (EFH) Assessment, Phase I Cultural Resources Survey, Asbestos Containing Materials (ACM) Survey, U.S. Center for Disease Control (CDC) Radon Report, EnviroSite Government Records Report-2025, City of Mobile 's Comprehensive Plan entitled, "Map for Mobile, Framework for Growth". List of Agencies and Persons Consulted include U.S. Environmental Protection Agency (USEPA), U.S. Fish and Wildlife Service (USFWS), NOAA National Marine Fisheries Service (NMFS), U.S. Army Corps of Engineers (USACE), U.S. Department of Agriculture Natural Resources Conservation Service (NRCS), U.S. Department of Defense, U.S. Geological Service (USGS), Federal Emergency Management Agency (FEMA), Alabama State Historic Officer, Alabama Department of Environmental Management (ADEM), City of Mobile, Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Coushatta Tribe of Louisiana, Mississippi Band of Choctaw Indians, Seminole Tribe of Florida, Muscogee (Creek) Nation and the Choctaw Nation of Oklahoma.

List of Permits Obtained:

No permits are required for the development of the NEPA documentation. The ASPA will obtain a USACE permit for dredging in the Mobile River prior to construction. A USACE Section 10 Permit will need to be acquired for the construction of any structure in or over any navigable waters of the US. An ADEM Stormwater Construction Permit will need to be acquired prior to construction. Development Permit for Properties in V-Zones, A-Zones, and X-Shaded Zones will need to be acquired prior to construction due to impacts to floodplains from the City of Mobile.

Public Outreach [24 CFR 58.43]:

The proposed project is not considered controversial. However, because the improvements will be constructed within a Federal Flood Risk Management Standard (FFRMS) floodplain and in accordance with Executive Order 11988, as amended by Executive Order 13690, and HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, the public was given opportunities to review the proposed action. An Early Notice and

Public Review of a Proposed Activity in a Federal Flood Risk Management Standard Designated Floodplain notice was posted on the ASPA's website on September 25, 2025. Project information was also made available for public review from 8 am to 4:30 pm at 417 20th Street North, Ste. 700, Birmingham, AL 35203. The public was asked to submit comments via email or mail before October 10, 2025. No comments were received. The early notice is attached. A Final Notice and Public Explanation of a Proposed Activity in a Federal Flood Risk Management Standard Designated Floodplain was also posted on the ASPA's website on November 21, 2025. Project information was also made available for public review from 8 am to 4:30 pm at 417 20th Street North, Ste. 700, Birmingham, AL 35203. The public was asked to submit comments via email or mail before November 28, 2025. No comments were received. The final notice is attached.

[McDuffie Terminal Improvements Floodplains Early Notification\(1\).pdf](#)
[McDuffie Terminal Improvements Floodplain Final Notification\(1\).pdf](#)

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed project does not cause any substantial adverse environmental impacts and will not result in a significant impact on the quality of the surrounding environment. Incremental cumulative impacts of the project when combined with other future actions would be negligible given the project site is within a previously disturbed industrial area located in the ASPA's Lower Harbor complex. The site was previously occupied by a coal terminal. The new infrastructure and construction would be compatible with the adjacent industrial land uses and container terminal. The City of Mobile has also accounted for the incremental cumulative impacts related to development in their comprehensive plan entitled, "Mobile Area Comprehensive Plan" (<https://mapformobile.org/>). The comprehensive plan establishes a vision and guiding principles for future development. The proposed project is consistent with the comprehensive plan.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

No other action alternatives were evaluated because the proposed improvements include the redevelopment of the McDuffie Terminal between Dock 3 northward to the existing Choctaw Point Container Terminal Dock 2 and no alternative sites exist, nor would alternative actions / site locations accomplish the goals of this project. As well, analysis off-site alternatives is unwarranted because no substantial adverse effects were identified. With the exception of dredging within the Mobile River, the improvements will be constructed within the footprint of the McDuffie Terminal.

No Action Alternative [24 CFR 58.40(e)]

The No Action Alternative would not meet the stated Purpose and Need of the proposed project which is to construct and modernize the support facilities at the McDuffie Terminal site and to prepare the site and a portion of the Mobile River for

an anticipated increase in bulk cargo or container ship traffic. The improvements are needed to reconstruct several obsolete buildings and infrastructure and to provide a continuous pier and river depth from the existing McDuffie Terminal Dock 3 northward to the existing Choctaw Point Container Terminal Dock 2. Under the No Action Alternative, the site would remain vacant and unused and the terminal support facilities would not be expanded or modernized. Under this scenario, a vital regional resource would be unable to adequately serve its intended purpose.

Summary of Findings and Conclusions:

The purpose of the proposed improvements is to modernize the support facilities at the McDuffie Terminal site and to prepare the site and a portion of the Mobile River for an anticipated increase in bulk cargo or container ship traffic. The improvements are needed to reconstruct several derelict buildings and infrastructure and to provide a continuous pier and river depth from the existing McDuffie Terminal Dock 3 northward to the existing Choctaw Point Container Terminal Dock 2. The proposed project is consistent with the existing zoning and future land use plan for the area. Based on the analyses of environmental issues contained in this document, the proposed project is not expected to have significant environmental impacts.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Coastal Zone Management Act	The McDuffie Terminal Improvements Project area is located at an elevation below the Alabama Department of Environmental Management's (ADEM) Coastal Zone 10-foot contour. As a result, the project is subject to the requirements of the Coastal Zone Management Act (CZMA). A map illustrating the	N/A	Grant Recipient will forward to HUD Preparer copies of approved USACE permits and ADEM Coastal Program formal determination upon receipt.	

	<p>10-foot contour line in the vicinity of the project area is attached. The proposed improvements include the demolition of derelict structures, removal of obsolete coal-handling infrastructure, and construction of new dock and support buildings within the existing terminal footprint. In addition, approximately 3.9 acres of the Mobile River will be dredged to a depth of fifty-four (54) feet to align with the adjacent federal navigation channel and to accommodate future container or bulk cargo traffic. These activities involve land disturbance, new shoreline development and in-water dredging, all of which fall under the review of the ADEM Coastal Program. In a letter dated February 9, 2026, ADEM Coastal Program official (attached) provided preliminary clearance for this project, pending submission of a formal application with USACE permit package, based on documentation and concurrence from NOAA during EFH review showing there are no submerged grassbeds within the 3.9-acre area to be dredged for construction and use of the new dock. Mitigation consists of forwarding to HUD Preparer copies of the USACE permit and ADEM coastal program formal clearance letter upon issuance. All necessary permits and agency consultations will be obtained prior to</p>			
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	<p>construction. In the unlikely event impacts to submerged grassbeds or other coastal zone resources are determined, grantee will notify HUD immediately for re-evaluation of mitigation requirements.</p>			
Endangered Species Act	<p>To minimize impacts, the NMFS - Southeast Regional Office, Protected Species Construction Conditions will be followed during the construction of the proposed project. The NMFS - Southeast Regional Office, Vessel Strike Avoidance Measures will also be followed during the construction of the proposed project.</p>	N/A		
Flood Insurance	<p>For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.</p>	N/A	<p>Prior to start of building construction, Grant Recipient will forward to HUD Preparer copies of declarations of flood insurance coverage and limits acquired by contractors. Upon completion of building construction, grantee will acquire flood insurance and forward copies of declarations of coverage and limits to HUD Preparer.</p>	

<p>Floodplain Management</p>	<p>The proposed project components, including the construction of the new Dock 4 on the Mobile River, concrete container laydown area, construction of a new fabrication shop, and construction of a new assembly building will either be constructed at or above elevation of 14 feet, which is at the BFE plus 2 feet elevation calculated using the FVA for the project, or are considered functionally dependent uses due to their need to be near the Mobile River.</p>	<p>N/A</p>		
<p>Contamination and Toxic Substances</p>	<p>No RECs were identified by the phase I ESA., however, the existing Fabrication Shop building requires demolition. Per ADEM requirements, inspection for Asbestos Containing Materials (ACM) and testing of suspected components is required prior to application for demolition permits.</p> <p>ACM survey and lab tests report (attached) identified nominal quantities of ACM within buildings to be demolished. Grant Recipient will complete ADEM Form 496 "Notice of Asbestos Abatement and/or Demolition" with appropriate methods for ACM dust control and ACM disposal identified and submit to ADEM and HUD Preparer at least 10 days prior to demolition. Grant Recipient will also forward copies of documents evidencing</p>	<p>N/A</p>		

	completion of ACM mitigation and disposal.			
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	Implementation of a SWPPP and construction best management practices will be completed.	N/A	SWPPP will be prepared and construction best management practices will be implemented during construction.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	Form 496 Notice of Asbestos Abatement and/or Demolition will be submitted to ADEM's Alabama Environmental Permitting and Compliance System (AEPACS) at http://adem.alabama.gov/AEPACS . Form 496 is attached. Form 496 will be submitted 10 days prior to demolition.	N/A	Asbestos survey/testing and Form 496 Notice of Asbestos Abatement and/or Demolition will be submitted to ADEM 10 days prior to demolition and as required, containment/disposal requirements per ADEM will be implemented. Grant Recipient will forward documents evidencing satisfaction of ADEM requirements to HUD Preparer, or other HUD official as required.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	NMFS - Southeast Regional Office, Protected Species Construction Conditions will be followed during the construction of the proposed project. The NMFS - Southeast Regional Office, Vessel Strike Avoidance Measures will also be followed during the construction of the proposed project. The protected species	N/A	NMFS Protected Species Construction Conditions will be followed during the construction of the proposed project. NMFS Vessel Strike Avoidance Measures will also	

	construction conditions and vessel strike avoidance measures are attached.		be followed during the construction of the proposed project.	
Historic Preservation	<p>MITIGATION MEASURES AND CONDITIONS: The Alabama Historical Commission (SHPO) requested "if archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply" and "if human remains are encountered, the provisions of the Alabama Burial Act (Code of Alabama 1975, 13A-7-23.I, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed". The SHPO added that these stipulations should be placed on the construction plans to ensure contractors are aware of them. The Muscogee (Creek) Nation requested that "if artifacts or archaeological features are encountered during project activities, work must cease and our office should be consulted immediately. This can include but are not limited to projectile points, broken pieces of pottery or glass, stone implements, metal fasteners or tools, human remains, etc. Any changes to the approved scope of work for this project will require resubmission to, and evaluation and approval by the Muscogee (Creek) Nation prior to initiation of any work for compliance with Section 106." The Choctaw Nation of</p>	N/A		

	<p>Oklahoma requested that an Inadvertent Discovery plan be written to include notification and consultation with the Choctaw Nation Historic Preservation Department, in case of unanticipated discoveries. The Choctaw Nation also requested the following Inadvertent Discovery clause be added to all permits and contracts, and as Notes and Specifications in all applicable pages of final, 100% construction drawings, signed and sealed by the professional engineer and/or architect in charge: "In the event that ground-disturbing work uncovers significant archaeological materials, such as stone arrowheads, ceramics, or early building foundations, or if work uncovers human burials or human remains, ground disturbing activities will immediately be stopped within a 300-foot radius and the materials protected. The SHPO and the Choctaw Nation Historic Preservation Department will be contacted as soon as possible and given an opportunity to provide input before construction resumes. If any archaeological or cultural materials are discovered during the project undertaking, neither the construction team nor the applicant will disclose this information to the public or the media in any manner, including social media. Discoveries of archaeological</p>			
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	<p>and historic materials will be kept private and confidential." MITIGATION PLAN: Upon discovery of conditions or events requiring work stoppage and/or notification of any Section 106 consulting parties, Grant Recipient will immediately contact HUD Preparer and forward copies of relevant documentation. Grant recipient will not resume work until HUD has completed additional Section 106 consultation and review, as required under NHPA statutes or ACHP regulations.</p>			
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Project Mitigation Plan

Grant recipient will ensure all mitigation contingencies and requirements are incorporated into agreements with relevant contractors and other service providers, and will develop necessary tracking systems (e.g., checklists, etc.). Furthermore, as elements of the mitigation plan are completed, grant recipient will forward supporting documentation immediately to the HUD Preparer for inclusion in this environmental review record.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD’s policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site’s proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The McDuffie Terminal Improvements project area is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The closest civilian airport, Brookley Aeroplex, containing the Mobile Downtown Airport, is approximately 15,340 feet southwest of the project area. See attached map created on 05/07/2025. The project area is also not within any airport safety zones, runway protection zones, or any other operational zone. A map illustrating the project area relative to the closest airport (Brookley Aeroplex) is attached. The project is in compliance with the Airport Hazards requirements. Documentation: Department of Defense, APZ guidelines referenced, CFR-2011-vol2-sec256-8. The site was reviewed on 05/05/2025.

Supporting documentation

[McDuffie Terminal Improvements Airport Hazards.pdf](#)

Are formal compliance steps or mitigation required?

Yes

McDuffie-Terminal-
Improvements

Mobile, AL

900000010465240

✓ No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

1. Is the project located in a CBRS Unit?

✓ No

Document and upload map and documentation below.

Yes

Compliance Determination

The project area is not located in a Coastal Barrier Resource System (CBRS) Unit. Maps generated from the USFWS Coastal Barrier Resources System Mapper illustrating the project area and the closest protected areas are attached. According to the USFWS Coastal Barrier Resources System Mapper, the closest CBRS Unit is located approximately 25 miles southeast of the project area, Cypress Point-Skunk Bayou. As a result, the project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Documentation: Coastal Barrier Resources, US Fish and Wildlife Service: <https://fwsprimary.wim.usgs.gov/CBRSMapperv2/#layersPanel> <https://www.fws.gov/program/coastal-barrier-resources-act> site accessed and reviewed 5/05/2025. See attached map created 5/06/2025.

Supporting documentation

[McDuffie Terminal Improvements Coastal Barrier Resource.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

Yes

2. Upload a FEMA/FIRM map showing the site here:

[McDuffie Terminal Improvements FIRMette.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No

Yes

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

Yes, the community is participating in the National Flood Insurance Program.

Based on the response, the review is in compliance with this section.

Flood insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost or the maximum coverage limit, whichever is less.

Document and upload a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance below.

Yes, less than one year has passed since FEMA notification of Special Flood Hazards.

No. The community is not participating, or its participation has been suspended.

Screen Summary

Compliance Determination

Two buildings to be constructed are within the FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements. The grantee will ensure that contract agreements for construction of the insurable buildings include the following commitment: The Contractor shall take out and maintain during the life of the Contract Builder's Risk insurance or Installation Floater, written on an "All Risk" basis, insuring the work included in the Contract against all physical loss. The amount of insurance shall at all times be at least equal to the amount of the Contract. The Contract must include flood insurance either by endorsement or by separate policy. Flood insurance must be issued by either the National Flood Insurance Program (NFIP) or a private insurer meeting statutory requirements of the Biggert-Waters Act. Flood insurance policies not issued by NFIP must provide coverage at least as broad as NFIP coverage. The policy shall be in the names of the Owner, Engineer, Contractor and "all Subcontractors," as their interests appear. Policy shall be provided to the Owner prior to commencement of work. Upon completion of construction, grantee will acquire and maintain flood insurance policies for the life of the structures.

Supporting documentation

[McDuffie Terminal Improvements FEMA FIRM.pdf](#)

Are formal compliance steps or mitigation required?

McDuffie-Terminal-
Improvements

Mobile, AL

900000010465240

Yes

No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

No

Air Quality Attainment Status of Project’s County or Air Quality Management District

2. Is your project’s air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

No, project’s county or air quality management district is in attainment status for all criteria pollutants.

Yes, project’s management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Screen Summary

Compliance Determination

The compliance status of Mobile County was reviewed in the U.S. Environmental Protection Agency’s (USEPA) Green Book (www.epa.gov/green-book) on 9/19/2025. As of 9/19/2025, the USEPA has not classified the area where the ASPA McDuffie Terminal Improvements project is located (Mobile County, Alabama) as a nonattainment or maintenance area for any criteria pollutant. The USEPA’s listing of

nonattainment or maintenance areas in Alabama is attached. The project is in compliance with the Clean Air Act.

Supporting documentation

[McDuffie Terminal Improvements Alabama Nonattainment Maintenance Status Green Book US EPA.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes

No

2. Does this project include new construction, conversion, major rehabilitation, or substantial improvement activities?

Yes

No

3. Has this project been determined to be consistent with the State Coastal Management Program?

Yes, without mitigation

Yes, with mitigation

No, project must be canceled.

4. Explain in detail the exact measures that must be implemented to mitigate for the

impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.

The McDuffie Terminal Improvements Project area is located at an elevation below the Alabama Department of Environmental Management's (ADEM) Coastal Zone 10-foot contour. As a result, the project is subject to the requirements of the Coastal Zone Management Act (CZMA). A map illustrating the 10-foot contour line in the vicinity of the project area is attached. The proposed improvements include the demolition of derelict structures, removal of obsolete coal-handling infrastructure, and construction of new dock and support buildings within the existing terminal footprint. In addition, approximately 3.9 acres of the Mobile River will be dredged to a depth of fifty-four (54) feet to align with the adjacent federal navigation channel and to accommodate future container or bulk cargo traffic. These activities involve land disturbance, new shoreline development and in-water dredging, all of which fall under the review of the ADEM Coastal Program. In a letter dated February 9, 2026, ADEM Coastal Program official (attached) provided preliminary clearance for this project, pending submission of a formal application with USACE permit package, based on documentation and concurrence from NOAA during EFH review showing there are no submerged grassbeds within the 3.9-acre area to be dredged for construction and use of the new dock. Mitigation consists of forwarding to HUD Preparer copies of the USACE permit and ADEM coastal program formal clearance letter upon issuance. All necessary permits and agency consultations will be obtained prior to construction. In the unlikely event impacts to submerged grassbeds or other coastal zone resources are determined, grantee will notify HUD immediately for re-evaluation of mitigation requirements.

Screen Summary

Compliance Determination

This project is located in a Coastal Zone, and it has been determined to be consistent with the State Coastal Management Program with mitigation, identified in the mitigation section of this review. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[ADEM Coastal Program Preliminary Determination.pdf](#)
[McDuffie Terminal Improvements CZMA.pdf](#)

Are formal compliance steps or mitigation required?

McDuffie-Terminal-
Improvements

Mobile, AL

900000010465240

Yes

No

Contamination and Toxic Substances

General Requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
Reference		
https://www.onecpd.info/environmental-review/site-contamination		

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD’s toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

2. Were any on-site or nearby toxic, hazardous, or radioactive substances* (excluding radon) found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

No

Explain:

✓ Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA’s Enviromapper, NEPAAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA’s recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will

be conducted but cannot yet occur because building construction has not been completed?

Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

No

5. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?

Yes

No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and upload the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

File Upload:

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Non-radon contamination was found in a previous question.

6. How was radon data collected?

All buildings involved were tested for radon

A review of science-based data was conducted

Enter the Radon concentration value, in pCi/L, derived from the review of science-based data:

1.4

Provide the documentation* used to derive this value:

CDC data radon test labs over the 10-year period 2008-2017 indicates an average pre-mitigation test level for buildings in Mobile County of 1.4 pCi/L - see attached map and data. The information can be viewed in detail on CDC's webtool by copying and pasting the following text into your web browser:
<iframe src="https://ephtracking.cdc.gov/DataExplorer/?query=c2f8736b-425c-43e3-81e3-551b77b13002&G1=1&M9=3" width="800" height="600" title="CDC Tracking Network Map" style="border:0;" allowfullscreen></iframe>

File Upload:

[CDC Radon Test Results Map.png](#)
[General_Information.pdf](#)
[footnotes_101655.htm](#)
[data_101655.csv](#)

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Radon concentration value is greater than or equal to 4.0 pCi/L and/or non-radon contamination was found in a previous question. Continue to Mitigation.

* For example, if you conducted radon testing then provide a testing report (such as an ANSI/AARST report or DIY test) if applicable (note: DIY tests are not eligible for use in multifamily buildings), or documentation of the test results. If you conducted a scientific data review, then describe and cite the maps and data used and include copies of all supporting documentation. Ensure that the best available data is utilized, if conducting a scientific data review.

8. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental impacts cannot be mitigated, then HUD assistance may not be used for the project at this site.

For instances where radon mitigation is required (i.e. where test results demonstrated radon levels at 4.0 pCi/L and above), then you must include a radon mitigation plan*.

Can all adverse environmental impacts be mitigated?

No, all adverse environmental impacts cannot feasibly be mitigated.
Project cannot proceed at this location.

- ✓ Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if needed, will occur following construction.
Provide all mitigation requirements** and documents in the Screen Summary at the bottom of this screen.

* Refer to CPD Notice [CPD-23-103](#) for additional information on radon mitigation plans.

** Mitigation requirements include all clean-up requirements required by applicable federal, state, tribal, or local law. Additionally, please upload, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

9. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls*, or use of institutional controls.**

No RECs were identified by the phase I ESA., however, the existing Fabrication Shop building requires demolition. Per ADEM requirements, inspection for Asbestos Containing Materials (ACM) and testing of suspected components is required prior to application for demolition permits. ACM survey and lab tests report (attached) identified nominal quantities of ACM within buildings to be demolished. Grant Recipient will complete ADEM Form 496 "Notice of Asbestos Abatement and/or Demolition" with appropriate methods for ACM dust control and ACM disposal identified and submit to ADEM and HUD Preparer at least 10 days prior to demolition. Grant Recipient will also forward copies of documents evidencing completion of ACM mitigation and disposal.

If a remediation plan or clean-up program was necessary, which standard does it follow?

Complete removal

Risk-based corrective action (RBCA)

✓ Other

* Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, caps, covers, dikes, trenches, leachate collection systems, radon mitigation systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, slurry walls and ground water pumping systems.

** Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. Radon testing indicated radon levels below 4.0 pCi/L. With the noted requirements for documentation of ACM mitigation, the project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[McDuffie Terminal Improvements ADEM Form 496 Notice of Asbestos Abatement and Demolition.pdf](#)

[McDuffie Terminal Improvements 8 Building ACM Survey Report.pdf](#)

[McDuffie Terminal Improvements Phase I ESA.pdf](#)

[McDuffie Terminal Improvements CDC Radon Mobile County.png](#)

Are formal compliance steps or mitigation required?

✓ Yes

No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

2. Are federally listed species or designated critical habitats present in the action area?

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

- ✓ May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

- ✓ Yes, the Service(s) concurred with the finding.

Based on the response, the review is in compliance with this section. Document and upload the following below:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

✓ Mitigation as follows will be implemented:

To minimize impacts, the NMFS - Southeast Regional Office, Protected Species Construction Conditions will be followed during the construction of the proposed project. The NMFS - Southeast Regional Office, Vessel Strike Avoidance Measures will also be followed during the construction of the proposed project.

No mitigation is necessary.

Screen Summary

Compliance Determination

The McDuffie Terminal Improvements Project May Affect, but is Not Likely to Adversely Affect, listed species. As a result, informal consultation was conducted with the USFWS and the NMFS. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act. Coordination with the NMFS was also conducted regarding potential impacts to essential fish habitat (EFH) in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). MSFCMA coordination and impacts to EFH are discussed in the Wetlands Protection section. A Biological Assessment (BA) was prepared for the project and submitted to the USFWS for review on 7/11/25. The BA determined that the project May Affect but is Not Likely to Adversely Affect the Alabama red-bellied turtle, West Indian manatee, Kemp's Ridley sea turtle, and the Gulf sturgeon. It was also determined that the project would have No Effect on the tricolored bat, rufa red knot, alligator snapping turtle, and monarch butterfly. The BA is attached. The USFWS concurred with the findings in a letter dated 8/6/25. The BA and USFWS concurrence letter are attached. A Request for Initiation of Expedited Informal Consultation Package (Package) was also submitted to the NMFS on 7/22/25. The Package found that the proposed project May Affect but is Not Likely to Adversely Affect the green sea turtle, Kemp's ridley sea turtle, loggerhead sea turtle, Gulf sturgeon, and giant manta ray. In addition, it was determined that the project would

also not impact critical habitats under the NMFS jurisdiction. The NMFS concurred with the findings in a letter dated 9/19/25. The Package and concurrence letter are attached. To minimize impacts, the NMFS - Southeast Regional Office, Protected Species Construction Conditions will be followed during the construction of the proposed project. The NMFS - Southeast Regional Office, Vessel Strike Avoidance Measures will also be followed during the construction of the proposed project. The protected species construction conditions and vessel strike avoidance measures are attached.

Supporting documentation

[NMFS Protected Species Construction Conditions\(1\).pdf](#)
[McDuffie Terminal Improvements USFWS Section 7 Concurrence 8 6 25.pdf](#)
[McDuffie Terminal Improvements NOAA NMFS Section 7 Concurrence Letter 9 19 25.pdf](#)
[NMFS Vessel Strike Avoidance Measures.pdf](#)
[McDuffie Terminal Improvement NOAA NMFS Section 7 Coordination Request.pdf](#)
[McDuffie Terminal Improvements Biological Assessment.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR

- Containers of liquefied petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

No

Yes

4. Based on the analysis, is the proposed HUD-assisted project located at or beyond the required separation distance from all covered tanks?

Yes

✓ No

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, upload approval from a licensed professional engineer in the Screen Summary at the conclusion of this screen.

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

A Phase I Environmental Site Assessment (ESA) was prepared for the proposed project in August 2025. Records indicate that above ground storage tanks (ASTs) containing Hazardous Substances (see 24 CFR 51, Subpart C, Appendix I) are within a one-mile radius of the project location. In particular, two (2) existing ASTs containing 3,000 gallons and 1,000 gallons, each adjacent the other, on the project site near the existing Mechanical/Electrical Warehouse (to be demolished), which is also the location of the proposed Fabrication Shop (see attached maps). When two tanks of differing size are at the same location, it is only necessary to determine the relevant Acceptable Separation Distances (ASDs) for the larger of the tanks. For the 3,000-gallon AST, the Thermal Radiation to People (ASDPPU) is 437 feet, while the ASD for Thermal Radiation to Buildings (ASDBPU) is 84 feet. There are no additional proposed buildings or outdoor areas covered by this regulation within ASDBPU for the onsite tanks, though the Mechanical Electrical Warehouse/proposed Fabrication Shop lies at a distance less than the ASDPPU. While employees working within the building would not be at risk from fire associated with this tank, those working outside during such an event could be at risk for burn injuries. Plans for the Fabrication Shop building

proposed to replace the warehouse structure show it is similar size and nearly identical footprint. Moreover, because of its location relative to existing overhead coal conveyor systems, the only area where employees will work or take breaks outside is located such that the proposed building and other nearby structures will block line of sight to the AST location, thereby acting as a barrier to significant amounts of potential thermal flux. No other proposed construction or other activities will result in increased densities within the ASD for the onsite ASTs. Another dual-diesel AST location was identified at the western edge of the McDuffie Island coal storage yard. This location hosts 13.3K-gallon and 7.1K-gallon tanks. No project activities are located within the ASD for this tank (see attached maps and ASD calculations). Existing outdoor areas for which the project will not result in an increased density of people exposed to potential hazards are not covered under this regulation. Other ASTs identified by records searches and/or review of aerial imagery indicate the tanks are either do not contain Hazardous Substances or are similar size and/or significantly further from the project site and could not pose a hazard to the site regardless of contents. With existing mitigation noted above, this project is in compliance with Explosive and Flammable Hazards.

Supporting documentation

[AST Search Results Map.pdf](#)

[ASD Tool Report for Onsite ASTs.pdf](#)

[ASD Tool Report for 13K-Gallon Diesel AST.pdf](#)

[ASD Map for 13K-Gallon Diesel AST.pdf](#)

[ASD Map for 3K-Gallon Diesel AST On Project Site.pdf](#)

[McDuffie Terminal Improvements Phase I ESA\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

No

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

Yes

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

No

Screen Summary

Compliance Determination

This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies (project is located on land already in or committed to urban development). The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Census Urbanized Areas Map.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD’s floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property’s continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

- ✓ FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

No

6. Is your project located in any of the floodplain categories below?

Select all that apply:

Floodway.

Do the floodway exemptions at 55.8 or 55.21 apply?

Yes

No

Coastal High Hazard Area (V Zone) or Limit of Moderate Wave Action (LiMWA).

Yes

No

None of the above.

7. Does the 8-Step Process apply? Select one of the following options:

8-Step Process is inapplicable per 55.13.

(a) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging, or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway, coastal high hazard area, or LiMWA;

(b) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for "substantial improvement" under § 55.2(b)(12);

(c) HUD or a recipient's actions involving the disposition of individual HUD or recipient held, one- to four-family properties;

(d) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573), where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance;

(e) The approval of financial assistance to lease units within an existing structure located within the floodplain, but only if;

(1) The structure is located outside the floodway or coastal high hazard area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24); and

(2) The project is not a critical action; and.

(3) The entire structure is or will be fully insured or insured to the maximum extent available under the NFIP for at least the term of the lease.

(f) Special projects for the purpose of improving efficiency of utilities or installing renewable energy that involve the repair, rehabilitation, modernization, weatherization, or improvement of existing structures or infrastructure, do not meet the thresholds for "substantial improvement" under § 55.2(b)(12), and do not include the installation of equipment below the FFRMS floodplain elevation;

5-Step Process is applicable per 55.14.

(a) HUD actions involving the disposition of HUD-acquired multifamily housing projects or "bulk sales" of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

(b) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in

good standing under the NFIP.

(c) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not increased by more than 20 percent.

(d) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10) and that the footprint of the structure and paved areas is not increased by more than 20 percent.

(e) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, or replacement of existing nonstructural improvements including streets, curbs and gutters, where any increase of the total impervious surface area of the facility is de minimis. This provision does not include critical actions, levee systems, chemical storage facilities (including any tanks), wastewater facilities, or sewer lagoons.

✓ 8-Step Process applies.

8. Mitigation

For the project to comply with this section, all adverse impacts must be mitigated. Explain in detail the measures that must be implemented to mitigate the impact or effect, including the timeline for implementation. Note: newly constructed and substantially improved structures within the FFRMS floodplain must be elevated to the FFRMS floodplain elevation or floodproofed, if applicable.

Explain:

The proposed project components, including the construction of the new Dock 4 on the Mobile River, concrete container laydown area, construction of a new fabrication shop, and construction of a new assembly building will either be constructed at or above elevation of 14 feet, which is at the BFE plus 2 feet elevation calculated using the FVA for the project, or are considered functionally dependent uses due to their need to be near the Mobile River.

Which of the following if any mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process?

Buyout and demolition or other supported clearance of floodplain structures.

Insurance purchased in excess of statutory requirement th eunder the Flood Disaster Protection Act of 1973.

Permeable surfaces.

Natural landscape enhancements that maintain or restore natural hydrology.

Planting or restoring native plant species.

Bioswales.

Stormwater capture and reuse.

Green or vegetative roofs with drainage provisions.

Natural Resources Conservation Service conservation easements or similar easements.

Floodproofing of structures as allowable (e.g. non-residential floors) .

✓ Elevating structures (including freeboard above the required base flood elevations) .

Levee or structural protection from flooding.

Channelizing or redefining the floodway or floodplain through a Letter of Map Revision (LOMR).

Screen Summary**Compliance Determination**

This project is located in the FFRMS floodplain. The 8-Step or 5-Step Process is required. The McDuffie Terminal Improvements project area is located within Flood Zone AE (area of special flood hazard with base flood elevations determined), Flood Zone VE (coastal flood zone with velocity hazard with base flood elevations determined), and the Limit of Moderate Wave Action (LiMWA), as seen on FEMA map panel 01097C0566L, effective 7/6/98, and revised 6/5/20. Approximately 43.45 acres of the project area is in Flood Zone AE, and 3.12 acres is in Flood Zone VE. In addition, approximately 6.43 acres of the project area are in the LiMWA. The 500-year floodplain has not been mapped within the project area. The 8-Step Process is applicable per 55.12(a)(1-4). In compliance with Executive Order 11988, the 8-Step Process was completed for the McDuffie Terminal Improvements project. Since the proposed project is not mapped within the 500-year floodplain, the Freeboard Value Approach (FVA) was used to determine the Federal Flood Risk Management Standard (FFRMS). The Base Flood Elevations (BFEs) of the floodplains within the project area were evaluated from the FEMA FIRM map. The BFE for Zone AE and VE is 12 feet. Using the FVA approach, 2 feet were added to the BFE to determine the elevation of the FFRMS, which is 14 feet. Area of Disturbance in Flood Zone AE: 43.45 acres Area of Disturbance in Flood Zone VE: 3.12 acres The proposed project components, including the construction of a new pier/dock on the Mobile River, concrete container laydown area, construction of a new fabrication shop, and construction of a new assembly building will either be constructed at or above the elevation of 14 foot of the lowest floor, as defined by FEMA in 44CFR 59.1. These elevations are either at or above the BFE+2 elevation of 14 feet calculated using the FVA for the project, or are considered functionally dependent uses due to their need to be near the Mobile River. The 8-Step process including the early and final public notices are attached. Documentation: FEMA National Flood Hazard Layer FIRMette, Map Number 01097C0566L, 6/05/2025. See attached map created 6/05/2025. The project is in compliance with Executive Order 11988.

Supporting documentation

[McDuffie Terminal Improvements Floodplains Early Notification.pdf](#)
[McDuffie Terminal Improvements Floodplain Final Notification.pdf](#)
[McDuffie Terminal Improvements Floodplain Management 8 Step.pdf](#)
[McDuffie Terminal Improvements FIRM full.pdf](#)
[McDuffie Terminal Improvements FIRMette\(1\).pdf](#)
[McDuffie Terminal Improvements FEMA Floodplains.pdf](#)

Are formal compliance steps or mitigation required?

McDuffie-Terminal-
Improvements

Mobile, AL

900000010465240

Yes

No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

✓ State Historic Preservation Offer (SHPO) Completed

✓ Advisory Council on Historic Preservation Not Required

✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

✓ Alabama-Coushatta Tribe of Texas Response Period Elapsed

✓ Alabama-Quassarte Tribal Town	Response Period Elapsed
✓ Choctaw Nation of Oklahmoa	Completed
✓ Coushatta Tribe of Louisiana	Response Period Elapsed
✓ Mississippi Band of Choctaw Indians	Response Period Elapsed
✓ Muscogee (Creek) Nation	Completed
✓ Seminole Tribe of Florida	Response Period Elapsed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

The Alabama Historical Commission is the State Historic Preservation Office in Alabama. Adverse impacts to historic resources are not anticipated to occur. As a result, coordination with the Advisory Council on Historic Preservation is not required. Tribal Directory Assessment Information (TDAT) was accessed from HUD for Mobile County, Alabama. On 8/26/25, tribal coordination letters were sent to seven Tribes with interests in Mobile County, Alabama. Two responses were received. All correspondence is attached.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

- Yes
- No

Step 2 – Identify and Evaluate Historic Properties

- 1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**
A figure illustrating the APE is attached.

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination

below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
-------------------------------	--------------------------	------------------	-----------------------

Additional Notes:

2. Was a survey of historic buildings and/or archeological sites done as part of the project?

Yes

Document and upload surveys and report(s) below.
For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Additional Notes:

No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload

concurrence(s) or objection(s) below.

Document reason for finding:

- ✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

A Phase I Cultural Resources Survey (CRS) of the terrestrial portion of the area of potential effect (APE) was performed in July 2025. No historic resources were identified within the landward boundaries of the APE. As a result, no further research was recommended. A Phase I Submerged CRS was also performed in August 2025 within the 3.9-acre area of the Mobile River that will be dredged. The survey found no submerged cultural resources and as a result, no avoidance or further investigation was recommended. The surveys are attached. Based on the findings, it was determined that the project will have no effect to historic properties. The Alabama State Historic Preservation Officer (SHPO) agreed with the no effect determination on 9/11/25 with the stipulation that the project activities within the landward portion of the project do not exceed the depth of existing mechanical soil disturbance. The SHPO also stated that "if archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply". "If human remains are encountered, the provisions of the Alabama Burial Act (Code of Alabama 1975, 13A-7-23.I, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed". These stipulations should be placed on the construction plans to ensure contractors are aware of them. The SHPO concurrence letter is also attached. On 8/26/25, tribal coordination letters were sent to Tribes and two responses were received. In a correspondence dated 9/24/25, the Muscogee (Creek) Nation concurred with the no historic properties affected determination with the stipulation of; "If artifacts or archaeological features are encountered during project activities, work must cease and our office should be consulted immediately. This can include but are not limited to projectile points, broken pieces of pottery or glass, stone implements, metal fasteners or tools, human remains, etc. Any changes to the approved scope of work for this project will require resubmission to, and evaluation and approval by the Muscogee (Creek) Nation prior to initiation of any

work for compliance with Section 106." The Muscogee (Creek) Nation correspondence is attached. On 9/25/25, the Choctaw Nation of Oklahoma responded stating they will be a consulting party and concur with HUD's findings with stipulations: "A carefully written Inadvertent Discovery plan is needed, to include notification and consultation with the Choctaw Nation Historic Preservation Department, in case of unanticipated discoveries. Such discoveries are possible, in spite of past ground disturbance on land and in the water. Please add the following Inadvertent Discovery clause to all permits and contracts, and as Notes and Specifications in all applicable pages of final, 100% construction drawings, signed and sealed by the professional engineer and/or architect in charge, in hopes of their observance during construction: "In the event that ground-disturbing work uncovers significant archaeological materials, such as stone arrowheads, ceramics, or early building foundations, or if work uncovers human burials or human remains, ground disturbing activities will immediately be stopped within a 300-foot radius and the materials protected. The State Historic Preservation Officer and the Choctaw Nation Historic Preservation Department will be contacted as soon as possible and given an opportunity to provide input before construction resumes. If any archaeological or cultural materials are discovered during the project undertaking, neither the construction team nor the applicant will disclose this information to the public or the media in any manner, including social media. Discoveries of archaeological and historic materials will be kept private and confidential." The Choctaw Nation correspondence is attached. The project is in compliance with Section 106.

Supporting documentation

[TDAT Listing for Mobile County AL 2028-08-26.pdf](#)
[McDuffie Terminal Section 106 Invite - Tina Marie Osceola.pdf](#)
[McDuffie Terminal Section 106 Invite - Marcellus Osceola.pdf](#)
[McDuffie Terminal Section 106 Invite - Cyrus Ben.pdf](#)
[McDuffie Terminal Section 106 Invite - Savannah Waters.pdf](#)
[McDuffie Terminal Section 106 Invite - David Hill.pdf](#)
[McDuffie Terminal Section 106 Invite - Kristian Poncho.pdf](#)
[McDuffie Terminal Section 106 Invite - Crystal Williams.pdf](#)
[McDuffie Terminal Section 106 Invite - Ian Thompson.pdf](#)
[McDuffie Terminal Section 106 Invite - Gary Batton.pdf](#)
[McDuffie Terminal Section 106 Invite - Wilson Yargee.pdf](#)
[McDuffie Terminal Section 106 Invite - Brina Williams.pdf](#)
[McDuffie Terminal Section 106 Invite - Cecilia Flores.pdf](#)
[McDuffie Terminal Section 106 Invite - Bryant Celestine.pdf](#)
[McDuffie Terminal Improvements Area of Potential Effect.pdf](#)
[McDuffie Terminal Improvements Choctaw Nation of OK Response 9 25 25.pdf](#)
[McDuffie Terminal Improvements Muscogee \(Creek\) Nation Response 9 24 25.pdf](#)
[McDuffie Terminal Improvements SHPO Concurrence 9 11 25.pdf](#)

[McDuffie Terminal Improvements Phase I CRA with Maritime Survey.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

Screen Summary

Compliance Determination

Based on the project description, the McDuffie Terminal Improvements project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. The project does not involve improvements to a noise sensitive use (i.e., housing, mobile home parks, nursing homes, hospitals, and other non-housing uses where quiet is integral to the project's function, e.g., libraries). Additionally, the proposed project is located within an active Port facility surrounded by industrial uses, and there are no noise-sensitive land uses located within the vicinity of the project area. Therefore, the McDuffie Terminal Improvements project is not subject to the noise standards as defined in 24

CFR Part 51, Subpart B. A map from the City of Mobile's GIS website illustrating the existing zoning in the area is attached. A map from the City of Mobile's GIS website illustrating the future land use in the area is also attached. The maps were created on 12/2/25 from <https://www.buildmobile.org/maps/>. The existing land uses were confirmed during a field survey conducted on 3/13/2025.

Supporting documentation

[McDuffie Terminal Improvements Future Land Use Map from City of Mobile 12 2 25.pdf](#)

[McDuffie Terminal Improvements Existing Zoning Map from City of Mobile 12 2 25.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
<p>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</p>	<p>Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)</p>	<p>40 CFR Part 149</p>

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

According to the United States Environmental Protection Agency's (USEPA) regional Sole Source Aquifer (SSA) map accessed on 6/5/2025 (attached), the McDuffie Terminal Improvements project is not located in a sole source aquifer area. The

closest SSA is located approximately 100 miles southwest of the project in Louisiana. A map illustrating the project area relative to the SSA on aerial photography is also attached. The project is in compliance with Sole Source Aquifer requirements. Documentation: USEPA's Sole Source Aquifers website reviewed 6/5/2025 at <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b> USEPA SSA map created 6/5/2025. The project is in compliance with SSA requirements.

Supporting documentation

[McDuffie Terminal Improvements Sole Source Aquifer Map on Aerial 12 2 25.pdf](#)
[McDuffie Terminal Improvements Sole Source Aquifer Map from USEPA Website 6 5 25.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

✓ Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

✓ No, a wetland will not be impacted in terms of E.O. 11990’s definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990’s definition of new construction.

Screen Summary

Compliance Determination

The McDuffie Terminal Improvements project will not impact on- or off-site wetlands. According to the USFWS National Wetlands Inventory (NWI), a portion of the project area is in estuarine and marine deepwater habitats associated with the Mobile River. A map created on 6/05/2025 illustrating the project area and the NWI information is attached. In March 2025, a survey for wetlands was performed within the proposed McDuffie Terminal Improvements project area. The wetland delineation report is attached. No wetlands were identified within the project area. However, one jurisdictional Waters of the United States (WOTUS) was identified within the project area, the Mobile River. The Mobile River is a Section 10 Water and approximately 3.9 acres of the river will be dredged to a depth of 54 feet to match the depth of the adjacent shipping channel. A USACE permit for the dredging will be obtained prior to construction. The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended, directs that all agencies utilizing federal dollars for projects where actions could impact essential fish habitat (EFH) or marine threatened and endangered species to consult with the NMFS regarding potential adverse effects. Coordination with the USFWS and NMFS regarding threatened and endangered species is discussed in the Endangered Species Act section. In accordance with the MSFCMA, an EFH Assessment was prepared for the project. The EFH Assessment is attached. The EFH Assessment determined that the proposed project would reduce the quantity and quality of EFH and accordingly would adversely affect EFH. However, due to the containment of impacts to EFH within the Port of Mobile, the low quality of EFH within the project area, and the scale of impacts in comparison to the expanse of EFH in Mobile Bay, as well as implementation of minimization measures, HUD has determined that the anticipated adverse effects do not have the potential to cause substantial adverse effects to EFH. To minimize impacts to EFH and protected species, the NMFS - Southeast Regional Office, Protected Species Construction Conditions and Vessel Strike Avoidance Measures will be followed during the construction of the proposed project. The NMFS Protected Species Construction Conditions and Vessel Strike Avoidance Measures are attached. The EFH Assessment was submitted to the NMFS on 6/23/2025. The EFH Assessment is attached. In an email dated 8/12/2025, the NMFS concurred with the findings of the assessment and stated that they do not object to the project as proposed. The NMFS also provided no additional EFH Conservation Recommendations and stated that no further consultation with the NMFS is required unless modifications to the proposal are made. The 8/12/2025 NMFS email is attached. The project is in compliance with Executive Order 11990 and the MSFCMA.

Supporting documentation

[NMFS Vessel Strike Avoidance Measures\(1\).pdf](#)
[NMFS Protected Species Construction Conditions.pdf](#)

[McDuffie Terminal Improvements Wetland Delineation Report.pdf](#)

[McDuffie Terminal Improvements NWI Wetlands Map.pdf](#)

[McDuffie Terminal Improvements NMFS EFH Concurrence 8 12 25.pdf](#)

[McDuffie Terminal Improvements EFH Report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not located near any water course or river that is included under the Wild and Scenic Rivers Act and no Section 7 Report is required. There are no rivers designated in Mobile County. According to the National Wild and Scenic Rivers website, the closest designated river is the Black Creek Scenic River in Mississippi, located approximately 58.52 miles northwest of the project area. A map illustrating the McDuffie Terminal Improvements site relative to the Black Creek River is attached. Documentation: National Wild and Scenic Rivers website reviewed at <https://www.rivers.gov/>, accessed on 5/06/2025. See attached map created 5/07/2025. The nearest Nationwide Rivers Inventory segment, the Chickasaw Creek, is over 8 miles to the N-NW. See attached NRI Map The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[NRI Map.png](#)

[McDuffie Terminal Improvements Wild and Scenic Rivers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?

Yes

No

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

In accordance with Executive Order 14173 analysis of compliance with this environmental review factor is not required.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No