



Mobile River, Safety Zone - Project Approved

Status

- In Preparation (03/07/2024)
- Environmental Review (03/08/2024)
- Senior Environmental Review (03/08/2024)
- Proponent Review (03/08/2024)
- Project Approved (03/08/2024)

Project Information

General

Name: Mobile River, Safety Zone

DSS ID: DSS-USCG-2024-19021

Security: Unclassified

Description: The Coast Guard is proposing to establish a safety zone for reoccurring firework displays on the Mobile River in the vicinity of the Arthur R. Outlaw Convention Center in Mobile, AL. The safety zone would be enforced only during the firework displays. Establishment of this safety zone is necessary to protect waterway users and vessels from potential hazards associated with these firework displays

Funded through IRA?: No

Funded through the IIJA?: No

Critical Infrastructure?: No

Adopting Another Agency Catex, or CATEX Determination?: No

Project Type: Administrative & Regulatory Activities - Regulations for Regulated Navigation Areas and security or safety zones: Regulations establishing or increasing the size of Regulated Navigation Areas and security or safety zones.(CATEX *L60a)

Existing EA/EIS?: No

Requires EA/EIS?: No

Project Priority: Normal

Federal Assistance: No

Type of Permit: N/A

Estimated Project Cost: (not entered)

Component

Component: USCG - U.S. Coast Guard

Region/Area/Unit: USCG Civil Engineering Unit – Miami FI

Tracking Number: [Docket No. USCG-2024-0119]

Dates

FY Funding: 2024

Proposed Project Start: 06/01/2024

Proposed Project End: On-going

Review Start: 03/07/2024

Project Location

- U.S. Territorial Water: Mobile River in the vicinity of the Arthur R. Outlaw Convention Center in Mobile, AL.

Team

- Document Preparer, anthony luizzi, anthony.d.luizzi@uscg.mil
- Collaborator-Document Preparation, Lawrence Schad, Lawrence.j.schad@uscg.mil
- Collaborator-Document Preparation, Stacy Stevenson, stacy.d.stevenson@uscg.mil
- Environmental Reviewer, Mark Merritt (Level I), mark.d.merritt@uscg.mil
- Senior Environmental Reviewer, Mark Merritt (Level I), mark.d.merritt@uscg.mil
- Proponent, Ulysses Mullins, ulysses.s.mullins@uscg.mil

Categorical Exclusions

- L60(a)* - Regulations for Regulated Navigation Areas and security or safety zones: Regulations establishing or increasing the size of Regulated Navigation Areas and security or safety zones.

Required Conditions

1. Any change to the Proposed Action that may cause a physical interaction with the human environment will require re-evaluation for compliance with NEPA and other EP&HP requirements before the action can proceed.
2. This review addresses NEPA and other EP&HP requirements as described in DHS Directive 023-01. This review may identify the need for additional federal, state, and/or local permits, approvals, etc. required for the Proposed Action. However, this review may not satisfy those requirements and the Proponent is responsible for ensuring that all other appropriate federal, state, and/or local permits, approvals, etc. have been obtained.

Decision Documents

- Record of Environmental Consideration (REC), 12.33kB

Attachments

- There are no attachments.

Comments

- There are no comments.

EPHP Review

Environmental Resources

- Is the Proposed Action a piece of a larger action or connected to another action? -- No
Please explain how you came to this determination. : This action is single and not associated with any other action.
- Will the Proposed Action have a potentially significant effect on public health or safety? Areas to consider include, but are not limited to: environmental justice considerations; air quality; noise impacts; hazardous wastes and/or contamination; wastewater; potable water; and changes in modes or safety of transportation. -- No
Explain how the proposed action would not have a potentially significant effect on public health or safety. : This action will have no significant effect on the public
- Would the proposed action place a disproportionately high and adverse human health or environmental effect on minority populations and low-income populations? -- No
- Will the Proposed Action have a potentially significant effect on species or habitats protected by the Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, or Magnuson-Stevens Fishery Conservation and Management Act? -- No
Provide a conclusion under which statute the determination was made (e.g., no effect, NLAA, LAA, for ESA, etc.), how the determination was made, why it is considered significant, and copies of any consultation (informal and/or formal). : this action will not affect any species or habitats.
Attachments: FWS, NMFS, or Wildlife Agency Consultation: (No files uploaded yet.)
- What is your Endangered Species Act (ESA) finding and determination? -- No effect
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no effect? why?). Although not required, recommend attaching any consultation or correspondence conducted.: this action will not affect any species
Attachments: ESA consultation: (No files uploaded yet.)
- What is your Marine Mammal Protection Act (MMPA) finding and determination? -- No effect or negligible effect
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no effect or negligible effects? why?). Although not required, recommend attaching any consultation or correspondence conducted.: this action will not have an effect on marine mammals.
Attachments: MMPA consultation: (No files uploaded yet.)

- Would the proposed action adversely affect a species protected under the Bald and Golden Eagle Protection Act or Migratory Bird Treaty Act or habitat for such species? -- No
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no adverse effect or no significant effect? why?). Although not required, recommend attaching any consultation or correspondence conducted.: this action will not have an effect on any species of birds
Attachments: BGEPA MBTA consultation: (No files uploaded yet.)
- What is your Magnuson-Stevens Fishery Conservation and Management Act (essential fish habitat) finding and determination? -- No effect
Attachments: EFH consultation: (No files uploaded yet.)
- Will the Proposed Action have a potentially significant effect on an environmentally sensitive area? Examples include, but are not limited to: areas having special designation or recognition such as prime or unique agricultural lands, coastal zones, designated wilderness study areas, wild and scenic rivers, 100-year floodplains, wetlands, sole source aquifers, Marine Sanctuaries, National Wildlife Refuges, National Parks, National Monuments, etc. -- No
- Special Flood Hazard Area (i.e. floodplains) -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): flood plains not located in vicinity of proposed action
- Jurisdictional wetlands and Other Waters of the U.S. -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): no wetlands present in vicinity of proposed action.
- Coastal Barrier Unit -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): no coastal barrier units present in area of proposed action
- Coastal Zone Management Area -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): no Coastal Zone Management Area in vicinity of proposed action.
- Section 10 navigable waterway -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): not present in vicinity of proposed action.
- Sole Source Aquifers and Wellheads -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): not present in vicinity of proposed

action

- Prime Farmland -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): not present in vicinity of proposed action

- Designated land (i.e., Wilderness Area, Wild and Scenic River, Marine Sanctuary, National Park, National Monument, National Natural Landmark, Wildlife Refuge, and Wilderness Area -- N/A
Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): no Designated lands present in vicinity of proposed action

- Will the Proposed Action result in the potential violation of a Federal, State, or local law or requirement imposed to protect the environment? -- No

Please summarize determination. : proposed action will not violate environmental laws; federal, state or local.

- Will the Proposed Action have an effect on the quality of the human environment that is likely to be highly controversial in terms of scientific validity, likely to be highly uncertain, or likely to involve unique or unknown environmental risks? -- No

Required: Please explain. : quality of human life will not be affected by proposed action

- Will the Proposed Action employ new or unproven technology that is likely to involve unique or unknown environmental risks, where the effect on the human environment is likely to be highly uncertain, or where the effect on the human environment is likely to be highly controversial in terms of scientific validity? -- No

Required: Please explain.: no new technology will be utilized in proposed action.

- Will the Proposed Action establish a precedent for future actions that have significant effects? -- No
Please explain how you came to this determination. : proposed action will not set a precedent for future actions

- Is the Proposed Action significantly greater in scope or size than normally experienced for its particular category of action? -- No

Required: Please summarize determination.: Proposed action is of routine size and scope

- Will the Proposed Action have the potential to result in the significant degradation of existing poor environmental conditions? Will the Proposed Action initiate a potentially significant environmentally degrading influence, activity, or effect in areas not already significantly modified from their natural condition? -- No

Please explain how you came to this determination. : proposed action will not degrade environmental conditions

- Is the Proposed Action related to other actions with individually insignificant but cumulatively significant impacts? -- No

Please explain how you came to this determination. : proposed action is not related to other action

- Are there any other requirements for the protection of the environment that need to be considered for this proposed action? -- No

Historic Preservation & Cultural Resources

- Is the Proposed Action a piece of a larger action or connected to another action? -- No
Please explain how you came to this determination. : This action is single and not associated with any other action.
- Will the Proposed Action have a potentially significant effect on public health or safety? Areas to consider include, but are not limited to: environmental justice considerations; air quality; noise impacts; hazardous wastes and/or contamination; wastewater; potable water; and changes in modes or safety of transportation. -- No
Explain how the proposed action would not have a potentially significant effect on public health or safety. : This action will have no significant effect on the public
- Would the proposed action place a disproportionately high and adverse human health or environmental effect on minority populations and low-income populations? -- No
- Will the Proposed Action have a potentially significant effect on species or habitats protected by the Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, or Magnuson-Stevens Fishery Conservation and Management Act? -- No
No
Provide a conclusion under which statute the determination was made (e.g., no effect, NLAA, LAA, for ESA, etc.), how the determination was made, why it is considered significant, and copies of any consultation (informal and/or formal). : this action will not affect any species or habitats.
Attachments: FWS, NMFS, or Wildlife Agency Consultation: (No files uploaded yet.)
- What is your Endangered Species Act (ESA) finding and determination? -- No effect
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no effect? why?). Although not required, recommend attaching any consultation or correspondence conducted.: this action will not affect any species
Attachments: ESA consultation: (No files uploaded yet.)
- What is your Marine Mammal Protection Act (MMPA) finding and determination? -- No effect or negligible effect
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no effect or negligible effects? why?). Although not required, recommend attaching any consultation or correspondence conducted.: this action will not have an effect on marine mammals.
Attachments: MMPA consultation: (No files uploaded yet.)
- Would the proposed action adversely affect a species protected under the Bald and Golden Eagle Protection Act or Migratory Bird Treaty Act or habitat for such species? -- No
Explain how the determination was made (e.g., are species present in the area but your proposed action will have no adverse effect or no significant effect? why?). Although not required,

recommend attaching any consultation or correspondence conducted.: this action will not have an effect on any species of birds

Attachments: BGEPA MBTA consultation: (No files uploaded yet.)

- What is your Magnuson-Stevens Fishery Conservation and Management Act (essential fish habitat) finding and determination? -- No effect

Attachments: EFH consultation: (No files uploaded yet.)

- Will the Proposed Action have a potentially significant effect on an environmentally sensitive area? Examples include, but are not limited to: areas having special designation or recognition such as prime or unique agricultural lands, coastal zones, designated wilderness study areas, wild and scenic rivers, 100-year floodplains, wetlands, sole source aquifers, Marine Sanctuaries, National Wildlife Refuges, National Parks, National Monuments, etc. -- No

- Special Flood Hazard Area (i.e. floodplains) -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): flood plains not located in vicinity of proposed action

- Jurisdictional wetlands and Other Waters of the U.S. -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): no wetlands present in vicinity of proposed action.

- Coastal Barrier Unit -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): no coastal barrier units present in area of proposed action

- Coastal Zone Management Area -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): no Coastal Zone Management Area in vicinity of proposed action.

- Section 10 navigable waterway -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): not present in vicinity of proposed action.

- Sole Source Aquifers and Wellheads -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): not present in vicinity of proposed action

- Prime Farmland -- N/A

Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): not present in vicinity of proposed

action

- Designated land (i.e., Wilderness Area, Wild and Scenic River, Marine Sanctuary, National Park, National Monument, National Natural Landmark, Wildlife Refuge, and Wilderness Area -- N/A Explain why this resource is not applicable to your proposed action (e.g. is your proposed action located entirely within a building and no resources are present?): no Designated lands present in vicinity of proposed action
- Will the Proposed Action result in the potential violation of a Federal, State, or local law or requirement imposed to protect the environment? -- No
Please summarize determination. : proposed action will not violate environmental laws; federal, state or local.
- Will the Proposed Action have an effect on the quality of the human environment that is likely to be highly controversial in terms of scientific validity, likely to be highly uncertain, or likely to involve unique or unknown environmental risks? -- No
Required: Please explain. : quality of human life will not be affected by proposed action
- Will the Proposed Action employ new or unproven technology that is likely to involve unique or unknown environmental risks, where the effect on the human environment is likely to be highly uncertain, or where the effect on the human environment is likely to be highly controversial in terms of scientific validity? -- No
Required: Please explain.: no new technology will be utilized in proposed action.
- Will the Proposed Action establish a precedent for future actions that have significant effects? -- No
Please explain how you came to this determination. : proposed action will not set a precedent for future actions
- Is the Proposed Action significantly greater in scope or size than normally experienced for its particular category of action? -- No
Required: Please summarize determination.: Proposed action is of routine size and scope
- Will the Proposed Action have the potential to result in the significant degradation of existing poor environmental conditions? Will the Proposed Action initiate a potentially significant environmentally degrading influence, activity, or effect in areas not already significantly modified from their natural condition? -- No
Please explain how you came to this determination. : proposed action will not degrade environmental conditions
- Is the Proposed Action related to other actions with individually insignificant but cumulatively significant impacts? -- No
Please explain how you came to this determination. : proposed action is not related to other action
- Are there any other requirements for the protection of the environment that need to be considered for this proposed action? -- No
- Will the proposed action have a potentially significant effect on a district, highway, structure, or object that is listed, or eligible for listing, on the National Register of Historic Places, a historic or

cultural resource, traditional or sacred site, or result in the destruction of a significant scientific, cultural, or historic resource? -- No

Attachments: HR - Consultation: (No files uploaded yet.)

- What is the National Historic Preservation Act Section 106 effect determination? -- No effect
Please explain how you came to this determination. : no effect on National Historic Preservation Act
Attachments: Section 106 consultation: (No files uploaded yet.)
- Does the proposed action limit access to, and ceremonial use of, Indian sacred sites on federal lands, by Indian religious practitioners, and/or adversely affect the physical integrity of such sites. -- No

DHS Record of Environmental Consideration (REC) for Categorically Excluded Actions under NEPA

INTRODUCTION
<p>The purpose of this Record of Environmental Consideration (REC) is to provide a record that the potential for impacts to the quality of the human environment has been considered in the decision to implement the Proposed Action described below, in accordance with the National Environmental Policy Act of 1969 (NEPA) and DHS Directive 023-01 and Instruction Manual 023-01-001-01 on implementation of NEPA. DHS integrates the NEPA process with review and compliance requirements under other Federal laws, regulations, Executive Orders, and other requirements for the stewardship and protection of the human environment, as reflected in Section II (8) of this REC. Signature of the DHS Proponent on this REC demonstrates that they have considered the potential for impacts to the human environment in their decision to implement the Proposed Action as required by NEPA, and are committing to any conditions listed in Section IV of this REC that may be required for implementation of the project. When completed, the form is to be signed by the Preparer, the Environmental Approver, and the Action Proponent. The completed REC becomes a part of the administrative record for the Proposed Action.</p>
SECTION I - Description of Proposed Action
<p>1. Name of Component Authorizing the Proposed Action: U.S. Coast Guard USCG Civil Engineering Unit – Miami FI</p>
<p>2. Title of Proposed Action: Mobile River, Safety Zone</p>
<p>3. Identifying Number of Proposed Action: DSS-USCG-2024-19021</p>
<p>4. Estimated Start Date and Useful Life of Proposed Action: Start Date: 06/01/2024 - End Date: On-Going</p>
<p>5. Location of Proposed Action: U.S. Territorial Water: Mobile River in the vicinity of the Arthur R. Outlaw Convention Center in Mobile, AL.</p>
<p>6. Description of Proposed Action: The Coast Guard is proposing to establish a safety zone for reoccurring firework displays on the Mobile River in the vicinity of the Arthur R. Outlaw Convention Center in Mobile, AL. The safety zone would be enforced only during the firework displays. Establishment of this safety zone is necessary to protect waterway users and vessels from potential hazards associated with these firework displays</p>
SECTION II - Analysis of Extraordinary Circumstances
<p>7. <input checked="" type="checkbox"/> Proposed Action is not a piece of a larger action <input type="checkbox"/> Proposed Action is a piece of a larger action Remarks:</p>
8. For A through K, check the appropriate box and provide an explanation when appropriate. Include a summary of any coordination or consultation that occurred with a resource or regulatory agency, if relevant.
<p><input type="checkbox"/> <input checked="" type="checkbox"/> A. Will the Proposed Action have a potentially significant effect on public health or safety? Yes No Remarks:</p>

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>B. Will the Proposed Action have a potentially significant effect on species or habitats protected by the Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, or Magnuson-Stevens Fishery Conservation and Management Act?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>C. Will the Proposed Action have a potentially significant effect on a district, highway, structure, or object that is listed or eligible for listing on the National Register of Historic Places (NRHP)? Will the Proposed Action have a potentially significant effect on a historic or cultural resource, traditional or sacred site, or result in the destruction of a significant scientific, cultural, or historic resource?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>D. Will the Proposed Action have a potentially significant effect on an environmentally sensitive area?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>E. Will the Proposed Action result in the potential violation of a Federal, State, or local law or requirement imposed to protect the environment?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>F. Will the Proposed Action have an effect on the quality of the human environment that is likely to be highly controversial in terms of scientific validity, likely to be highly uncertain, or likely to involve unique or unknown environmental risks?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>G. Will the Proposed Action employ new or unproven technology that is likely to involve unique or unknown environmental risks, where the effect on the human environment is likely to be highly uncertain, or where the effect on the human environment is likely to be highly controversial in terms of scientific validity?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>H. Will the Proposed Action establish a precedent for future actions that have significant effects?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>I. Is the Proposed Action significantly greater in scope or size than normally experienced for its particular category of action?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>J. Does the Proposed Action have the potential to result in significant degradation of existing poor environmental conditions? Will the Proposed Action initiate a potentially significant environmentally degrading influence, activity, or effect in areas not significantly modified from their natural condition?</p>
<p>Remarks:</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>K. Is the Proposed Action related to other actions with individually insignificant but cumulatively significant impacts?</p>
<p>Remarks:</p>	
<p>SECTION III - Categorical Exclusion (CATEX) Determination</p>	

9. This action is not expected to result in any significant adverse environmental impacts as described in the National Environmental Policy Act of 1969 (NEPA). The proposed action has been thoroughly reviewed by the U.S. Coast Guard and it has been determined, by the undersigned, that this action is categorically excluded under current DHS CATEX L60(a)* from further environmental documentation, in accordance with Section 3 of DHS Directive 023-01, Environmental Planning Program since implementation of this action:

I. Clearly fits within one or more of the categories of excludable actions listed in Appendix A of DHS Instruction 023-01-001-01;

II. Is not a piece of a larger action which has been segmented into smaller parts in order to avoid a more extensive evaluation of the potential for significant environmental impacts;

III. Does not involve any extraordinary circumstances, as defined in DHS Instruction 023-01-001-01, Section V(B)(2), that would create the potential for a normally excluded action to have a significant environmental effect.

SECTION IV - Conditions

10. The following conditions are required to implement the Proposed Action:

Any change to the Proposed Action that may cause a physical interaction with the human environment will require re-evaluation for compliance with NEPA and other EP&HP requirements before the action can proceed.

This review addresses NEPA and other EP&HP requirements as described in DHS Directive 023-01. This review may identify the need for additional federal, state, and/or local permits, approvals, etc. required for the Proposed Action. However, this review may not satisfy those requirements and the Proponent is responsible for ensuring that all other appropriate federal, state, and/or local permits, approvals, etc. have been obtained.

SECTION V - Signatures

11a. Preparer of this REC

Name: anthony luizzi	Digitally signed by anthony luizzi at 03/07/2024 4:19 PM anthony luizzi	Date: 03/07/2024
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11b. Environmental Approver of this REC

Name: Mark Merritt (Level I)	Digitally signed by Mark Merritt (Level I) at 03/08/2024 1:46 PM Mark Merritt (Level I)	Date: 03/08/2024
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11c. Action Proponent

Mobile River, Safety Zone (Unclassified)

Name: Ulysses Mullins	Digitally signed by Ulysses Mullins at 03/08/2024 6:32 PM Ulysses Mullins	Date: 03/08/2024
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Preview of Attachments

The following pages will display this project's attachments that are of these file types:

- .jpg /.jpeg
- .png
- .gif
- .txt
- .pdf

The attachments of compatible file types from this project are:

Note:

All project attachments can be downloaded at the 'File Upload/Manage Attachments' page.