



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

CESAM-RD-SA
PUBLIC NOTICE NO.: SAM-2013-00323-GAC

APRIL 04, 2013

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

**REPLACEMENT OF SECTIONS OF FAILING SEAWALL, UPLAND EXCAVATION TO
WIDEN THE ENTRANCE OF AN EXISTING MARINA BASIN, AND MINOR FILL WITHIN
THE BASIN TO IMPROVE THE TURNING RADIUS ON THE PEREMETER ROAD.**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344) and Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403). Please communicate this information to interested parties.

**APPLICANT: CREEKSIDE DEVELOPMENT CORPORATION
831 NORTH SECTION STREET
FAIRHOPE, ALABAMA 36532**

**AGENT: WETLAND RESOURCES, ENVIRONMENTAL CONSULTING
C/O MS. GENA TODIA
POST OFFICE BOX 2694
DAPHNE, ALABAMA 36526**

LOCATION: THE PROPOSED PROJECT IS LOCATED AT 831 NORTH SECTION STREET, ON FLY CREEK MARINA BASIN, FAIRHOPE, BALDWIN COUNTY, ALABAMA, SECTION 39, TOWNSHIP 6 SOUTH, RANGE 2 EAST.

WATERWAY: FLY CREEK

WORK: The applicant proposes to excavate approximately 1,678-square feet of upland area at the mouth of the existing marina basin, remove a total of 1,012-linear feet of failing metal seawall and 155-linear feet of wooden bulkhead currently lining the basin, remove and relocate seven finger piers along the edge of the area to be excavated, and fill approximately 236-square feet of waterbottoms in the southeast corner of the existing basin. In the southeast back corner of the existing basin, a new segment of seawall will be constructed waterward of the existing seawall, and the area will be backfilled. The seven fingers piers to be relocated will be reconstructed along the new alignment at the mouth of the basin.

Excavated material on the north side of the basin will be temporarily stored in the parking lot between the basin and an existing metal building. On the southeast side, material excavated to facilitate removal of the old seawall will be temporarily stored in the circular drive at the west end of the existing access road.

There are no wetlands present in the project area.

This project is proposed to be accomplished in eight phases, in accordance with the attached plans and drawings.

PROJECT PURPOSE: The overall project purpose is to replace sections of failing seawall and widen the mouth of the marina basin in order to improve navigational safety and water quality within the existing boat basin.

The applicant has applied for State Water Quality (WQ) certification in accordance with Section 401(a)(1) of the Clean Water Act and for Coastal Zone Management program (CZM) consistency certification in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQ certification and CZM consistency will be made by the Alabama Department of Environmental Management.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental

effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing. Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would potentially impact approximately 236-square feet of waterbottoms utilized by various life stages of various marine species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service and/or U.S. Department of Interior, Fish and Wildlife Service.

The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which are known to exist and would be affected by the proposed work. Additional notification will be furnished to the State Historic Preservation Officer via this Public Notice. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service and Division of Archeological Services.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity would result in a "no effect" to listed species, or their critical habitat. This notice and application will be coordinated with the U.S. Fish and Wildlife Service to assess if the proposed activity will affect listed endangered or threatened species or their critical habitat.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2013-00323-GAC and should be directed to:

District Commander
U.S. Army Engineer District, Mobile
Post Office Box 2288,
Mobile, Alabama 36628-0001
Attention: Regulatory Division

with a copy to the:

Alabama Department of Environmental Management
4171 Commanders Drive
Mobile, Alabama 36615

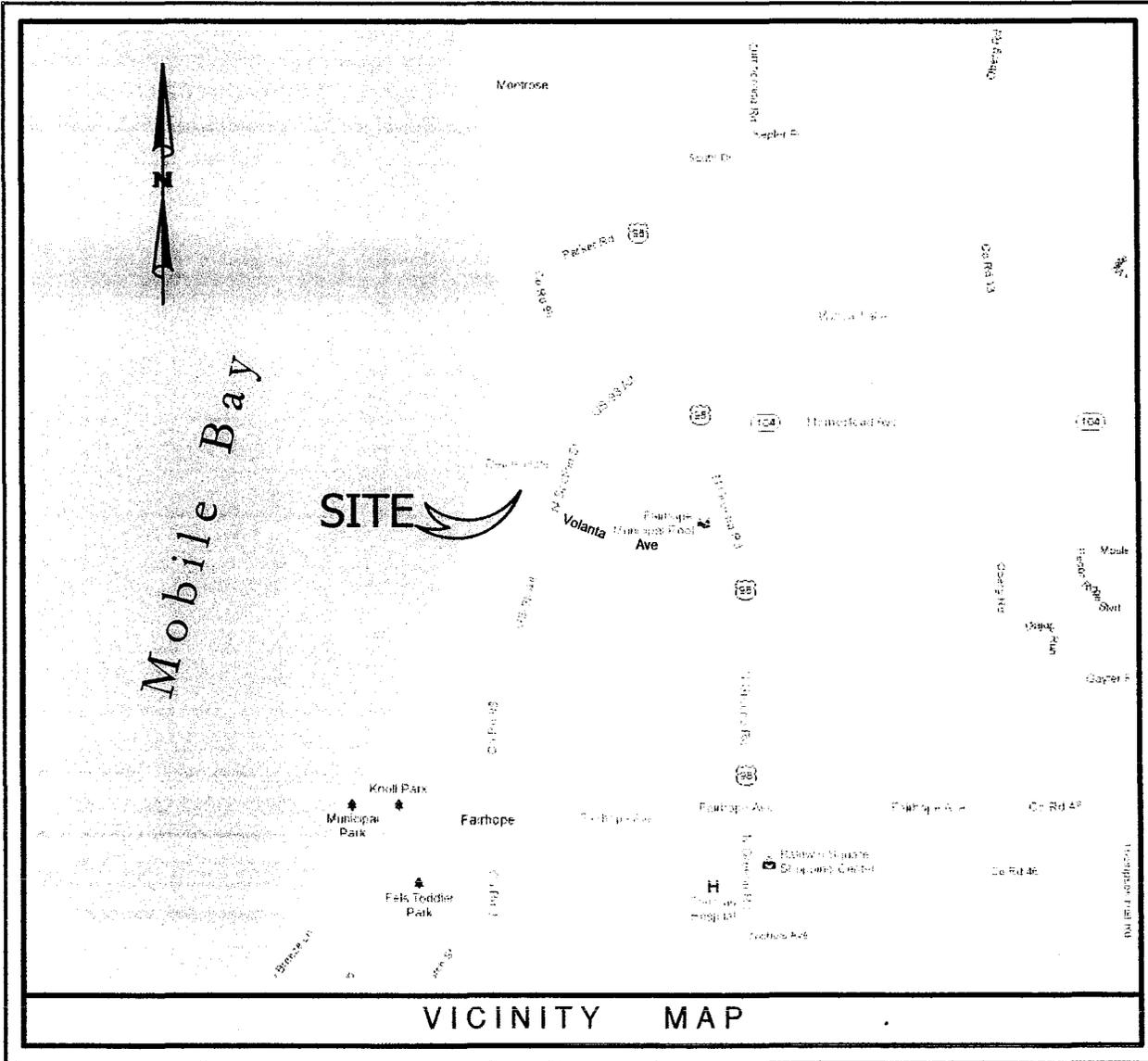
Comments should be received no later than **30 days** from the date of this Public Notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at glen.a.cunningham@usace.army.mil or telephone number **(251) 690-2658**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx, and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

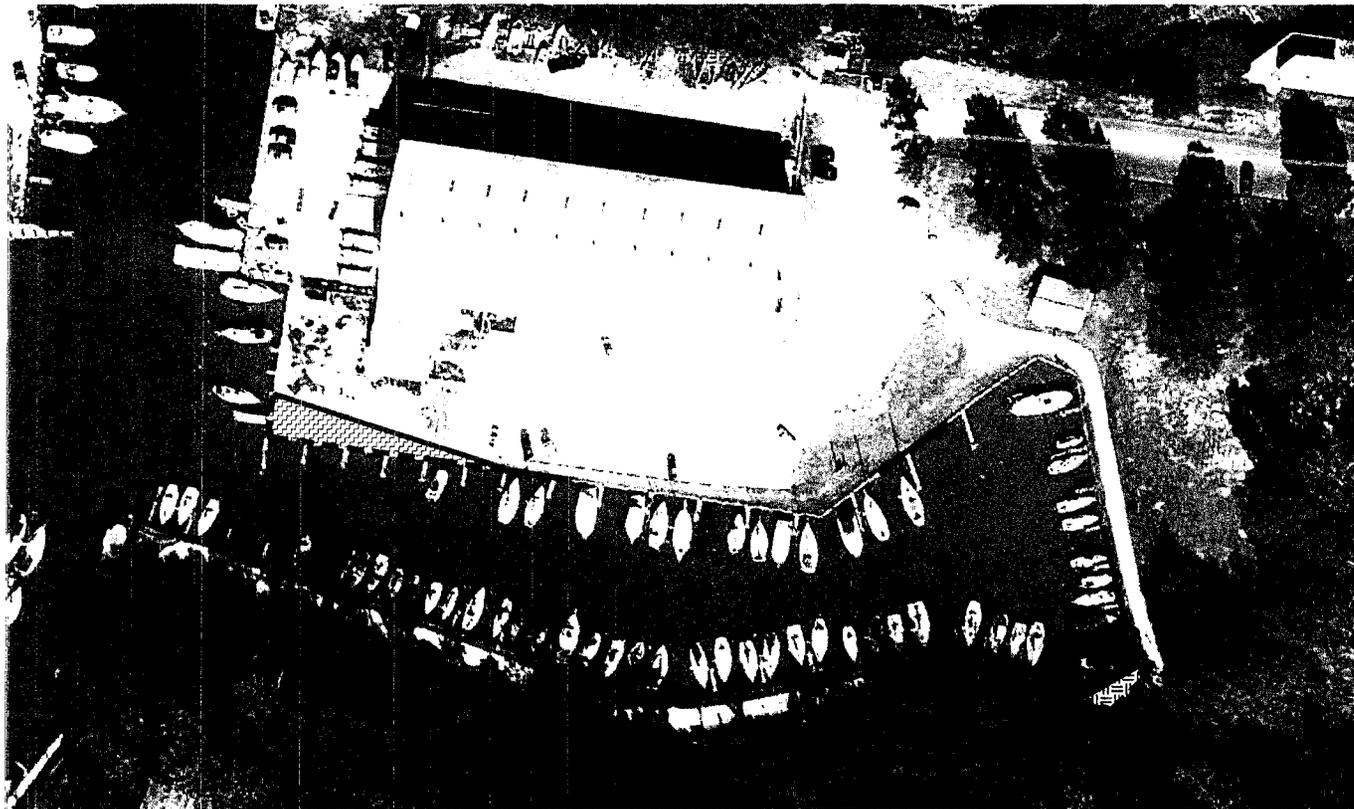
MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



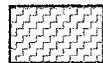
FLY CREEK MARINA RENOVATIONS

831 North Section Street
Fairhope, Alabama, 36532



LEGEND

- SEAWALL REMOVAL
- SEAWALL REMOVE AND REPLACE
- NEW SEAWALL



APPROXIMATE MARINA
EXCAVATION AREA



APPROXIMATE
MARINA FILL AREA

SCOPE OF WORK

1. REMOVAL OF APPROXIMATELY 1012 L.F. OF DAMAGED SEAWALL, 188 L.F. WOOD BULKHEAD AND ASSOCIATED PIERS AND PILINGS.
2. DESIGN OF APPROXIMATELY 992 L.F. OF NEW SEAWALL WITH WOOD CAP, 6 PIERS AND ASSOCIATED PILINGS.
3. EXCAVATION REQUIRED FOR RELOCATED SECTION OF SEAWALL

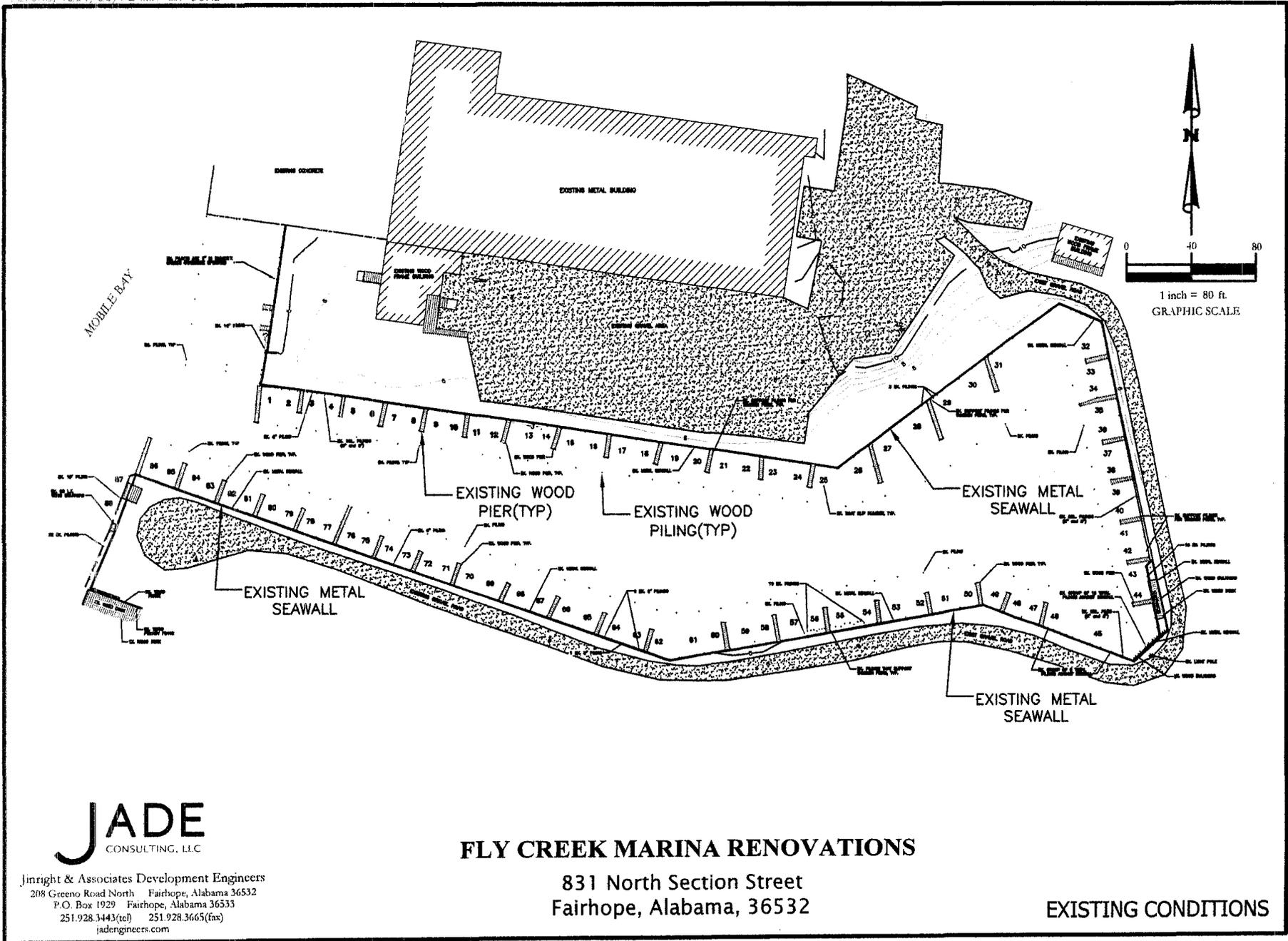


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 208 Greeno Road North Fairhope, Alabama 36532
 P.O. Box 1920 Fairhope, Alabama 36533
 251.928.3443(tel) 251.928.3665(fax)
 jadengineers.com

FLY CREEK MARINA RENOVATIONS

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AERIAL VIEW



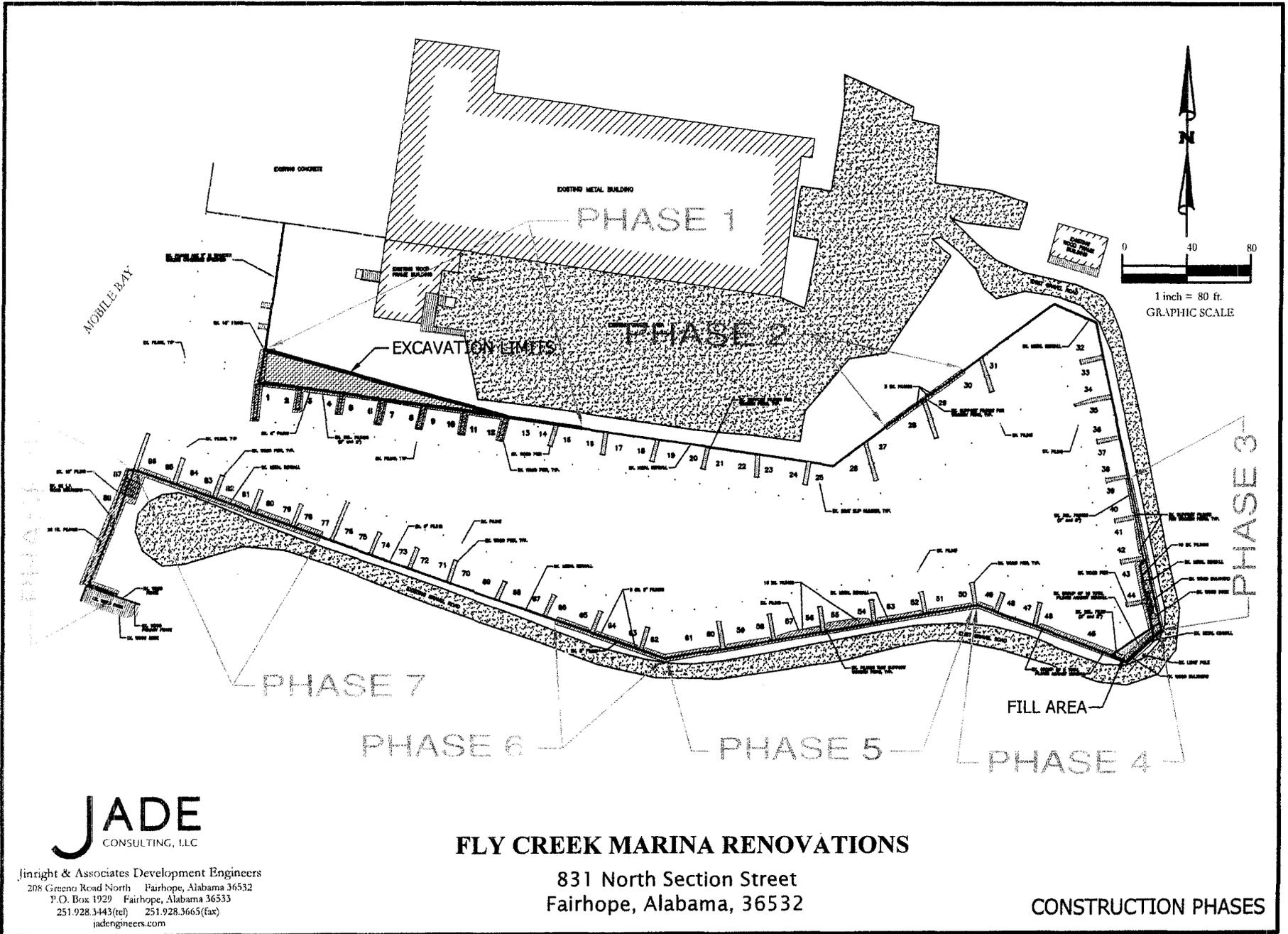
JADE
CONSULTING, LLC

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EXISTING CONDITIONS



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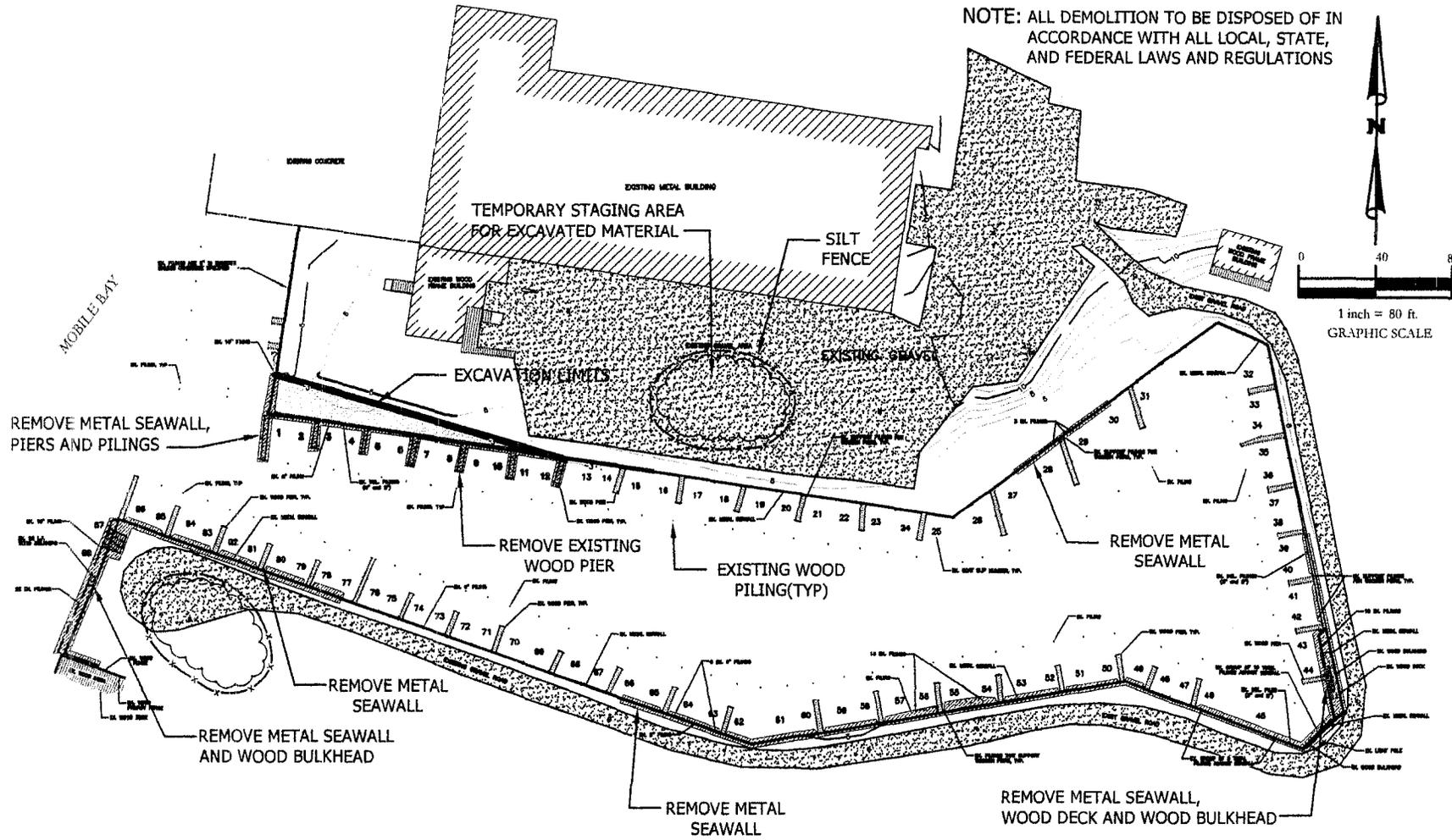
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CONSTRUCTION PHASES

NOTE: ALL DEMOLITION TO BE DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS

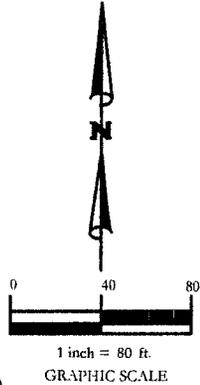
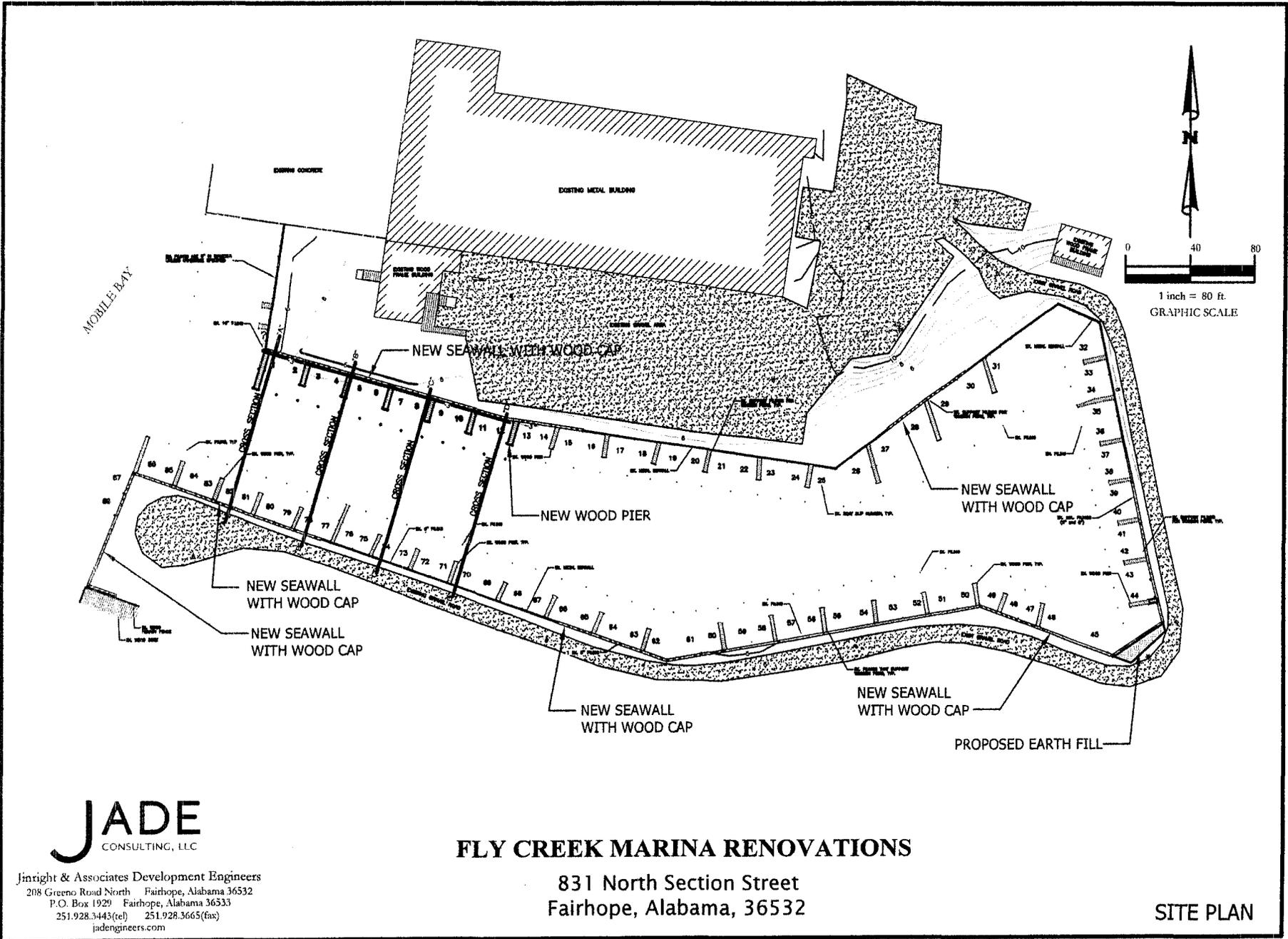


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DEMOLITION PLAN



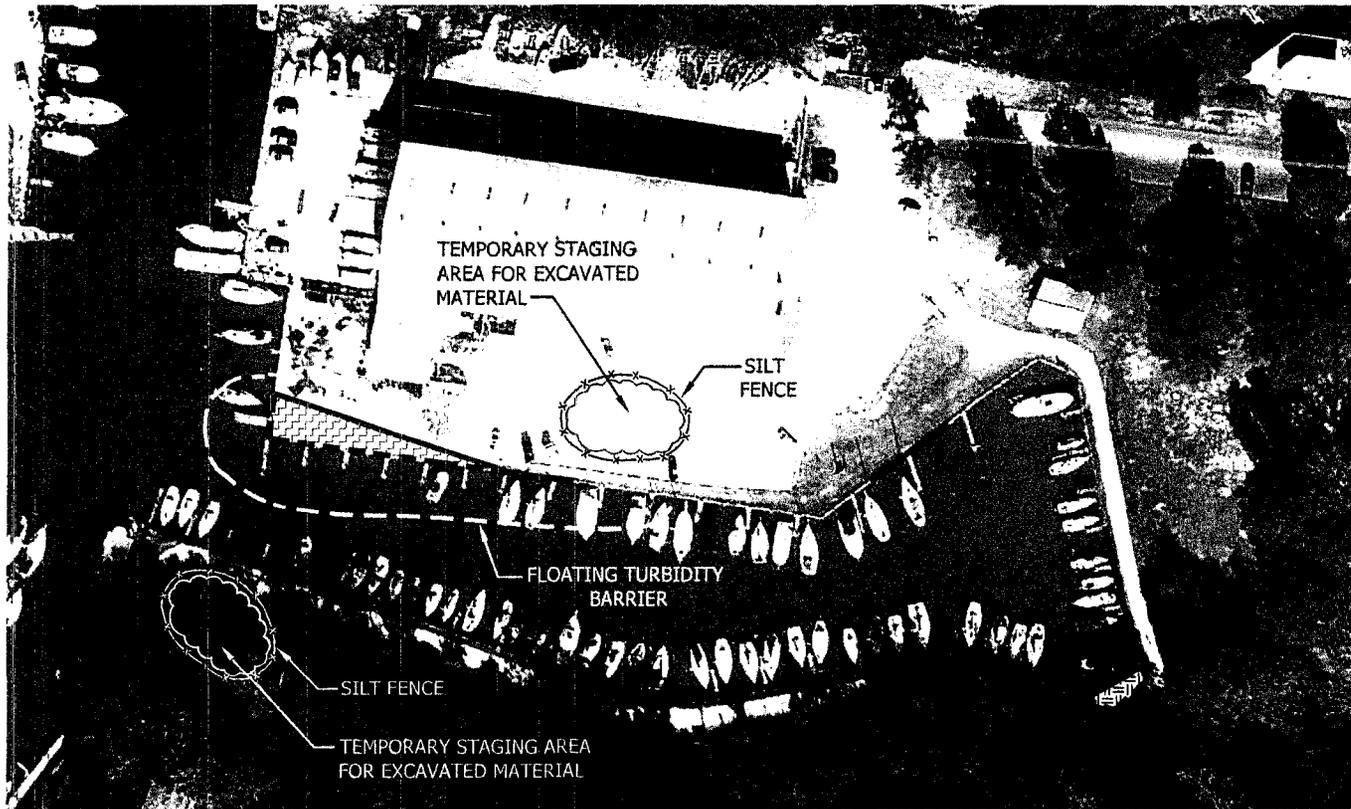
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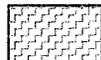
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SITE PLAN

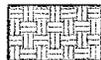


LEGEND

- SEAWALL REMOVAL
- SEAWALL REMOVE AND REPLACE
- NEW SEAWALL



APPROXIMATE MARINA EXCAVATION AREA



APPROXIMATE MARINA FILL AREA

- NOTE:**
1. ALL DEMOLITION TO BE DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS.
 2. FLOATING TURBIDITY BARRIER TO BE POSITIONED AS REQUIRED DURING EACH PHASE OF THE DEMOLITION, EXCAVATION AND CONSTRUCTION OPERATIONS.

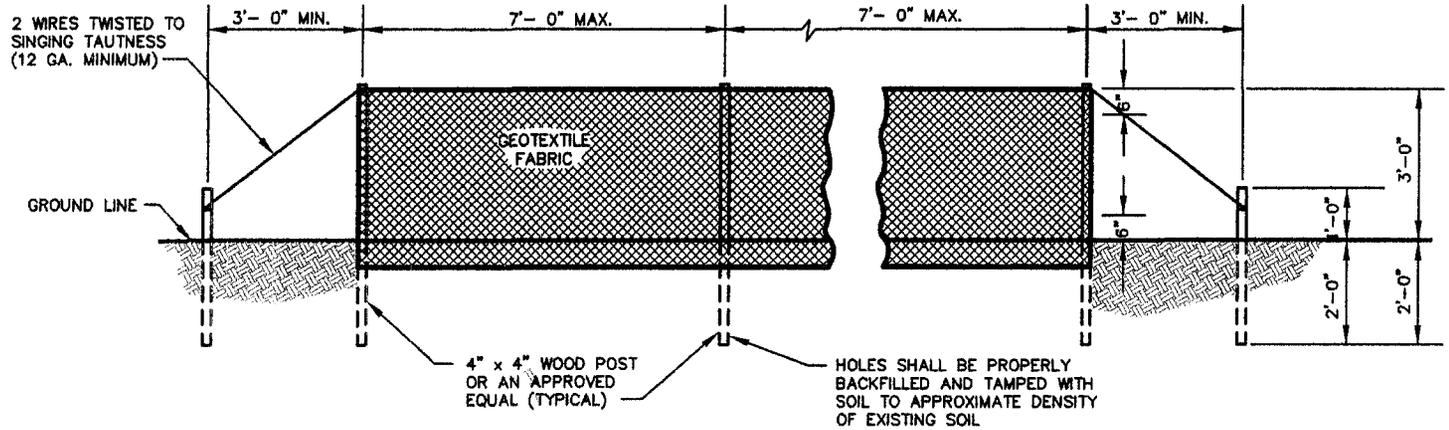


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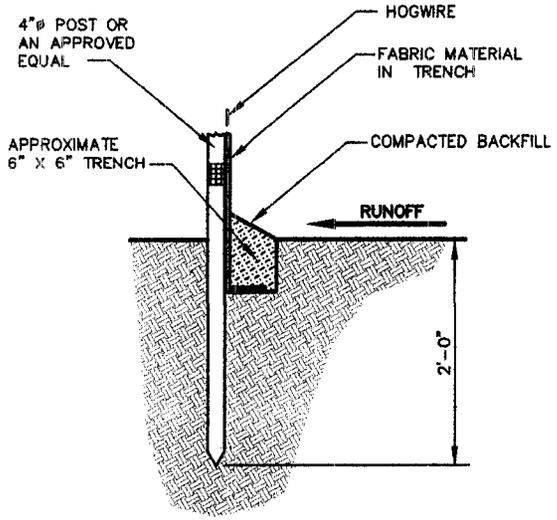
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BMP PLAN



SILT FENCE

GENERAL NOTES



SECTION

1. TYPE "A" SILT FENCE SHALL BE USED IN AREAS OF CONCENTRATED FLOW.
2. SILT FENCES ARE TEMPORARY EROSION CONTROL ITEMS THAT SHALL BE ERECTED OPPOSITE ERODIBLE AREAS SUCH AS NEWLY GRADED FILL SLOPES AND ADJACENT TO STREAMS AND CHANNELS.
3. SILT FENCE SHOULD BE PLACED WELL INSIDE PROPERTY BOUNDARY AND ALONG EDGE OF CLEARING LIMITS. THIS WILL ALLOW ROOM FOR A BACK-UP FENCE IF FIRST BECOMES FULL. SILT FENCES SHALL BE IN PLACE PRIOR TO ANY CONSTRUCTION OPERATION.
4. WHEREVER POSSIBLE, SILT FENCES SHALL BE CONSTRUCTED ACROSS A FLAT AREA IN THE SHAPE OF A HORSESHOE. THIS AIDS IN PONDING OF RUNOFF AND FACILITATES SEDIMENTATION.
5. AFTER THE CONSTRUCTION AREA IS STABILIZED AND EROSION ACTIVITY CURTAILED, SILT FENCES SHALL BE REMOVED.
6. RING FASTENERS USED TO SECURE GEOTEXTILES TO WOVEN WIRE SHALL BE 13 GA. (AMERICAN).
7. IF WOOD POSTS ARE USED, STAPLES FOR SECURING WOVEN WIRE TO POSTS SHALL BE NINE (9) GAUGE, GALVANIZED, 1 1/2" LONG, FIVE (5) PER POST @ APPROXIMATELY 1'-0" ON CENTER.
8. WOVEN WIRE TO BE 12 1/2 GAUGE (MINIMUM).

TYPICAL SILT FENCE INSTALLATION

NTS

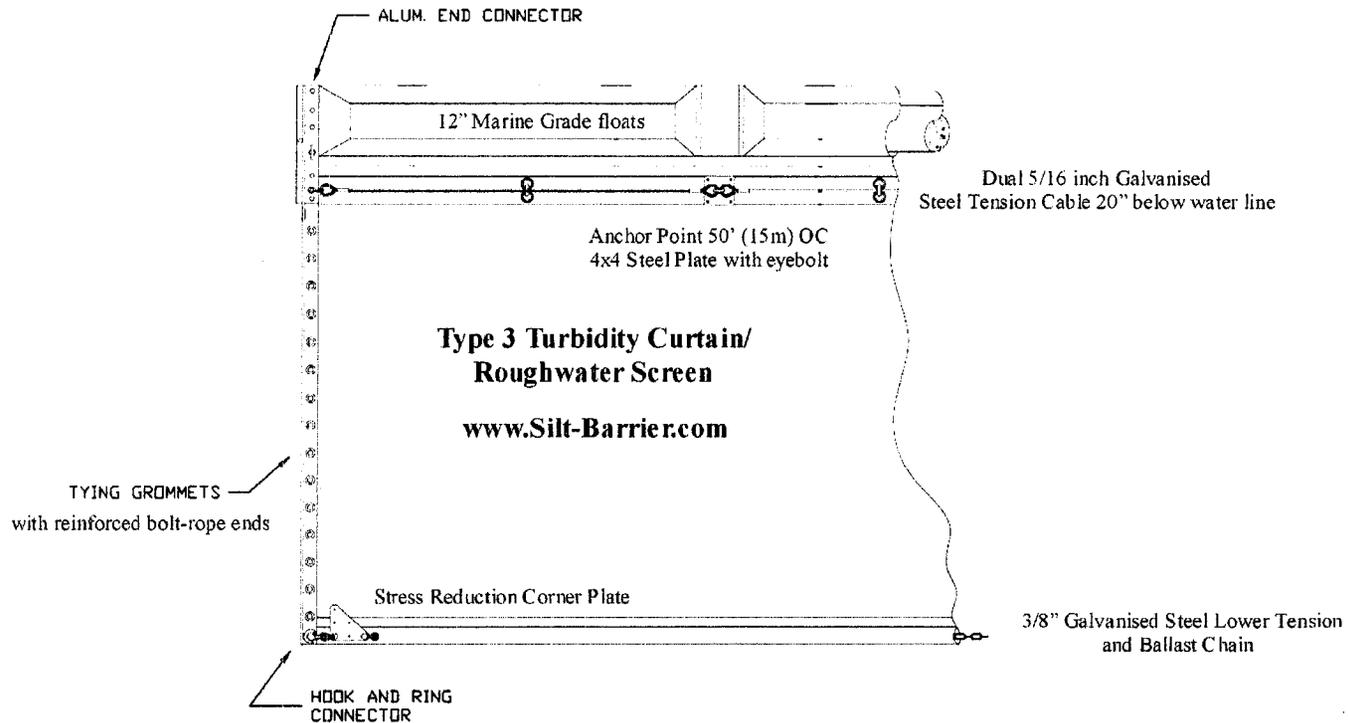


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EROSION CONTROL DETAILS



FLOATING TURBIDITY BARRIER

NTS



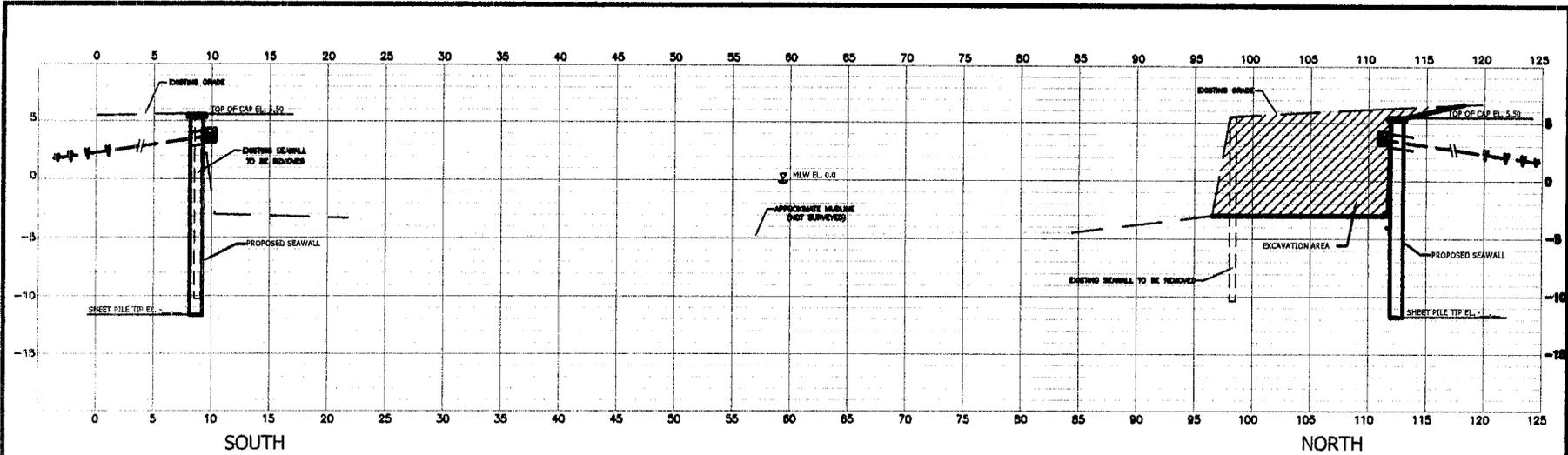
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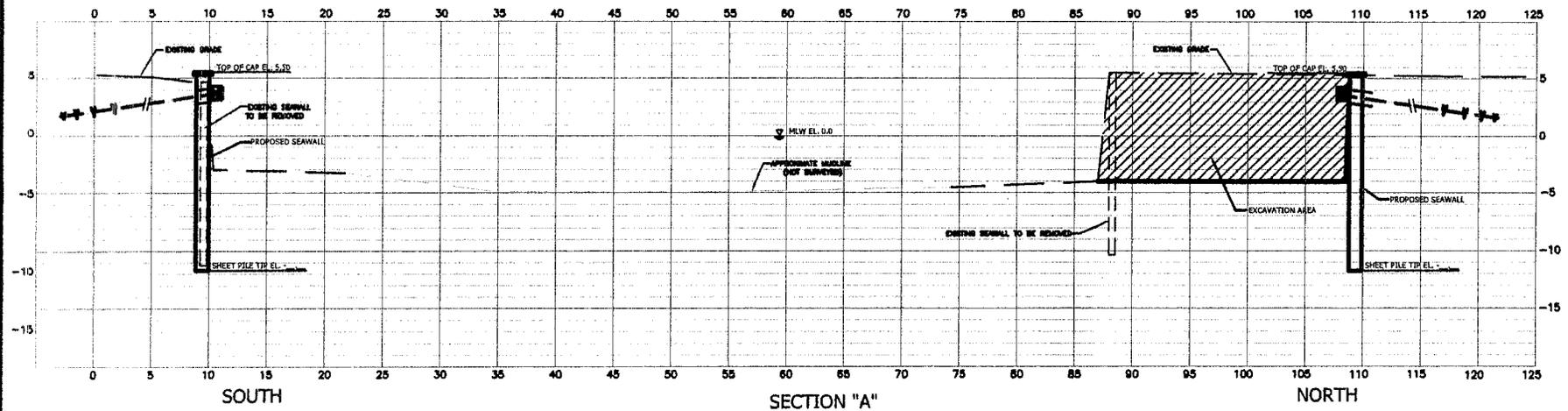
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**FLOATING TURBIDITY
BARRIER**

SECTION "B", 20' PERMANENT CROSS SECTION



SECTION "B"



SECTION "A"

MARINA CROSS SECTIONS

NOT TO SCALE

FLY CREEK MARINA RENOVATIONS

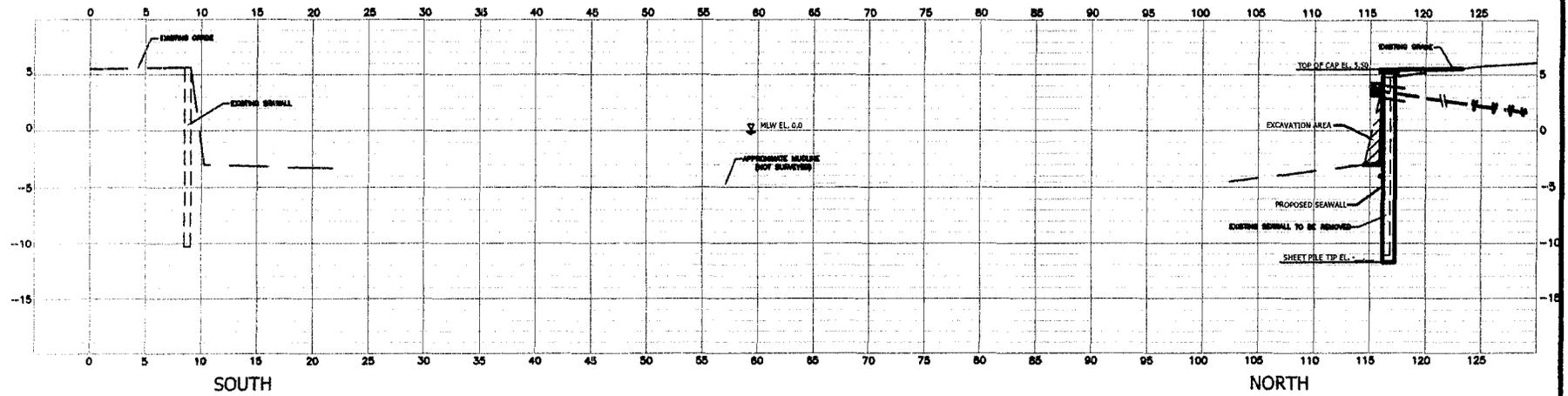
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TYPICAL SECTIONS OF
MARINA EXCAVATION AREA

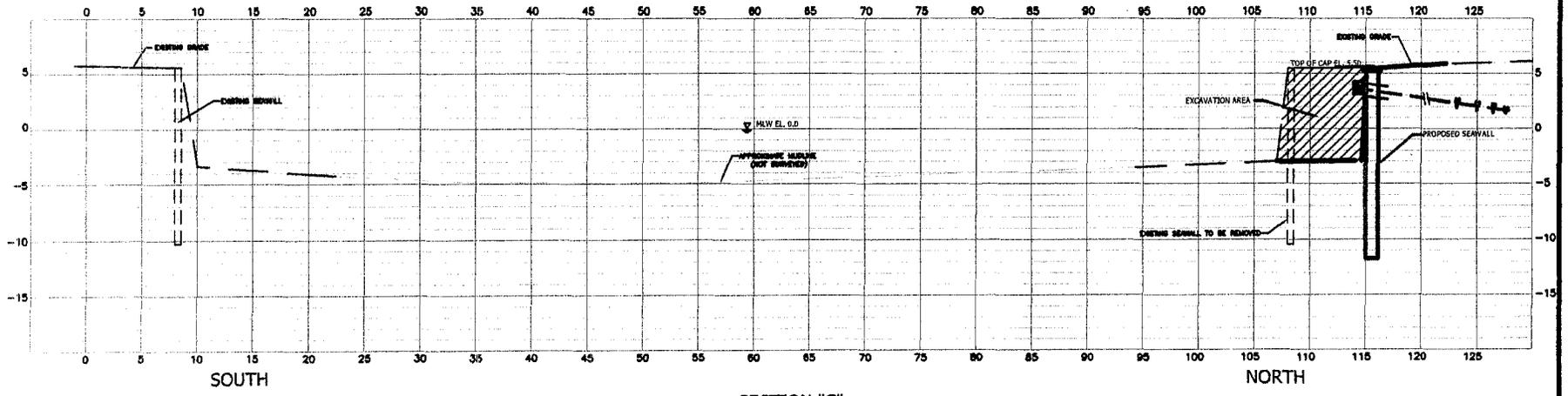


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SCALE: 1" = 4' 2 1/2" (HORIZONTAL) 1" = 10' (VERTICAL)



SECTION "D"



SECTION "C"

MARINA CROSS SECTIONS

NOT TO SCALE

FLY CREEK MARINA RENOVATIONS

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TYPICAL SECTIONS OF
MARINA EXCAVATION AREA



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