



REPLY TO
ATTENTION OF

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

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2013-01081-DEM

September 12, 2013

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

**REQUEST FOR AUTHORIZATION TO MECHANICALLY EXCAVATE AN INDENTED BOAT
SLIP AND CONSTRUCT AN UNCOVERED WALKWAY AND A COVERED SINGLE BERTH
BOAT SLIP IN A CANAL OFF OF BAYOU ST. JOHN, ONO ISLAND, ORANGE BEACH,
BALDWIN COUNTY, ALABAMA.**

TO WHOM IT MAY CONCERN:

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

APPLICANT: **Mr. Ron Morrison**
3420 Brookwood Road
Birmingham, Alabama 35223

AGENT: **Phillip Vlahos Homes, LLC**
Mr. Phillip Vlahos
25595 Canal Road, Suite I
Orange Beach, Alabama 36561

LOCATION: **Unit 10, Lot 17, Section 27, Township 3 South, Range 32 West, in a 40-foot-wide canal off of Bayou St. John, Ono Island, Orange Beach, Baldwin County, Alabama; Latitude 30.30148° North and Longitude -87.46461° West.**

WORK: **Boat slip**: The applicant proposes to mechanically excavate approximately 181.33 cubic yards of sandy material from an upland lot to create a 60-foot-wide indented boat slip with a taper at each end. The slip would be excavated to a depth of 6 feet (-6.0) at the most waterward portion and slope upward towards the shoreline marsh fringe shelf. The excavated material will be deposited on the upland lot and stabilized to avoid any encroachment into the marsh fringe or into the waterway. When dewatered, the sand would be spread over the remaining upland property and/or hauled off to an approved upland disposal location. **Marsh Fringe**: The construction of the slip would include the impacts to approximately 240 square feet of tidal marsh and the

subsequent re-establishment of the 4-foot-wide shelf for a total of approximately 270.67 square feet. There would be a net gain of approximately 30.47 square feet of tidal marsh. The newly established shelf would be replanted with *Spartina alterniflora* and *Spartina patens* at 1-foot centers. Filter cloth would be used to stabilize the plants. **Walkway/Boat Shelter**: Construct a 4-foot-wide by 15-foot-long walkway. The walkway will extend 4 feet across the wetland fringe and 1 foot waterward of the fringe to be replanted within the slip. The walkway will lead to a 14-foot-long by 30-foot-wide covered single berth boat shelter. The structure will extend 15 feet out from the shoreline of the indented slip.

The applicant has applied for State Water Quality Certification (WQC) in accordance with Section 401(a)(1) of the Clean Water Act, and for Coastal Zone (CZ) Consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQC and CZ 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. This project will temporarily disturb approximately 676 square feet of Essential Fish Habitat for managed species in the Gulf of Mexico. Loss of this nursery habitat may adversely affect various aquatic species, but the District Commander has made a preliminary determination that this site-specific adverse effect will be temporary and not substantial. Our final determination relative to project impacts to EFH and the need for mitigation measures are subject to review by and coordination with the National Marine Fisheries Service and the Gulf of Mexico Fishery Management Council.

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 may affect listed species, or their critical habitat. This notice and application will be coordinated with the U.S. Fish and Wildlife Service (FWS) to assess if the proposed activity will affect listed endangered or threatened species, or their critical habitat. Further coordination with the FWS will be performed as a result of this notice. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species. After review of public comments, the Alabama Department of Environmental Management will determine if the proposal complies with and will be operated or maintained in a manner consistent with the Clean Water Act and the Coastal Zone Management Program.

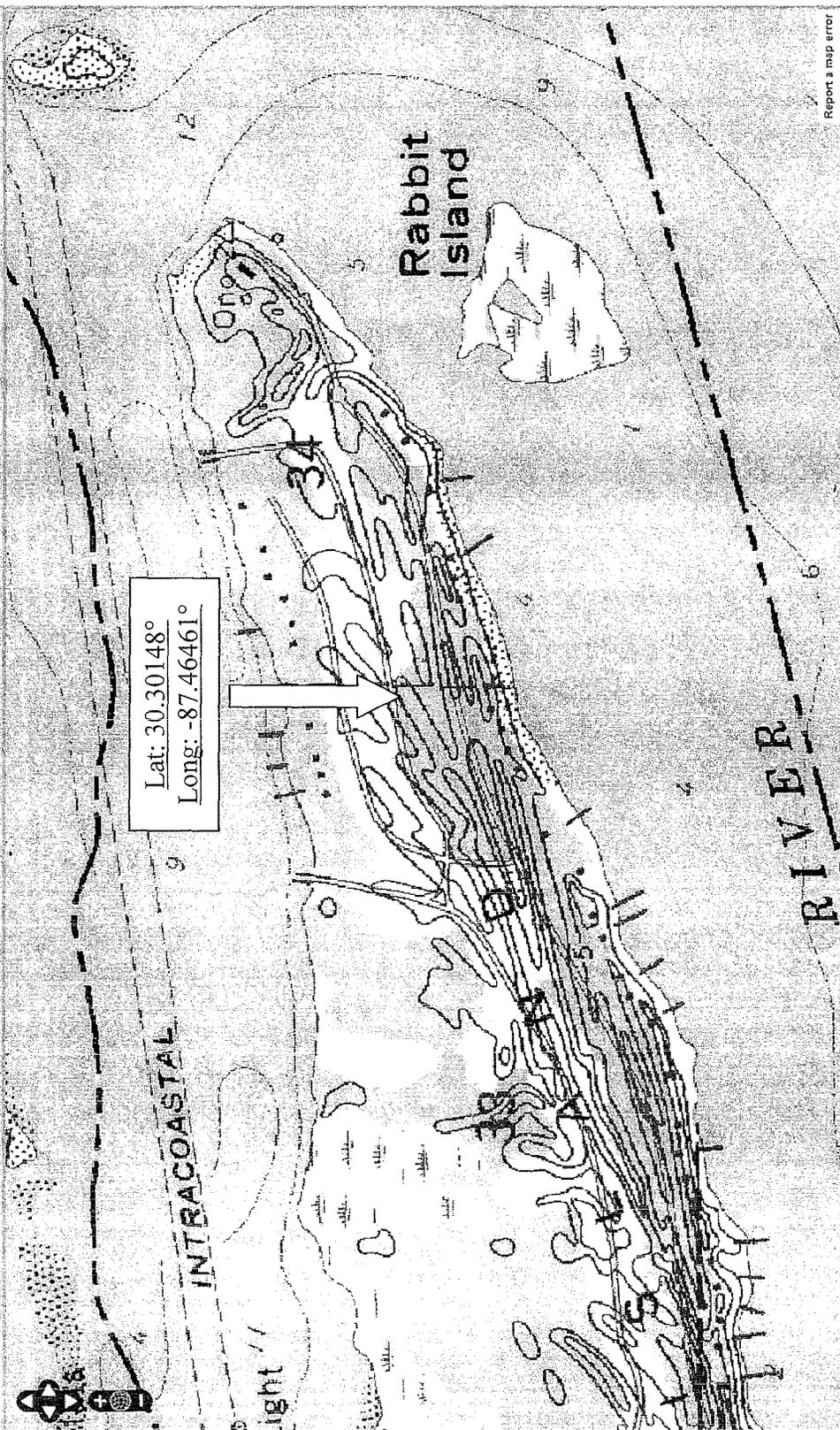
Correspondence concerning this Public Notice should refer to **SAM-2013-01081-DEM** and should be mailed to the District Commander, U.S. Army Engineer District Mobile, Attention: Regulatory Division (Mroczko), Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy furnished to the Alabama Department of Environmental Management, Mobile Branch, Coastal Section, 3664 Dauphin Street, Suite B, Mobile Alabama 36608.

All 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, Mr. Don Mroczko at (251) 690-3185 or by email at donald.e.mroczko@usace.army.mil. Please refer to the Public Notice Number SAM-2013-01081-DEM.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



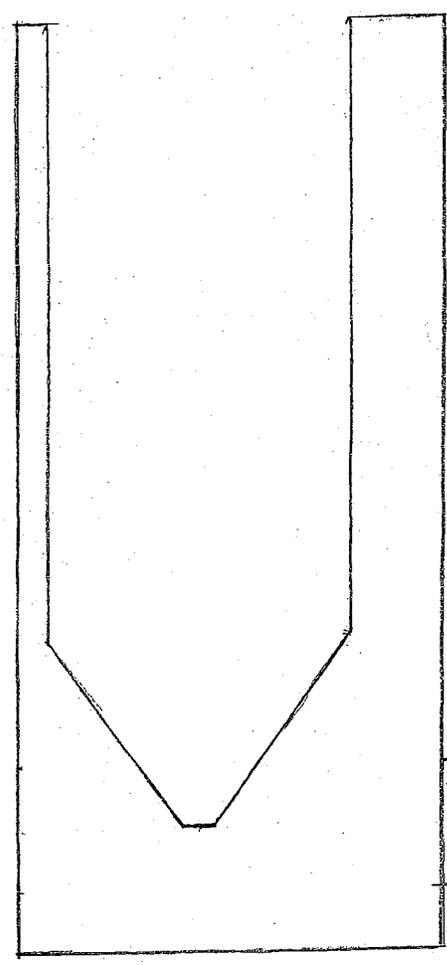
UNIT 10 LOT 17
 ONE ISLAND

RON MORRISON
 * NEW PROPOSED BOAT HOUSE
 30'-0" X 14'-0"
 * WALKWAY
 4'-0"

* BOAT HOUSE WILL BE
 1'-0" OFF
 GRASS LINE.

30'-0"

1'-0" 10'-0" 3'-0"



14'-0"

4'-0" WALKWAY

SCALE $\frac{3}{16}'' = 1'-0''$

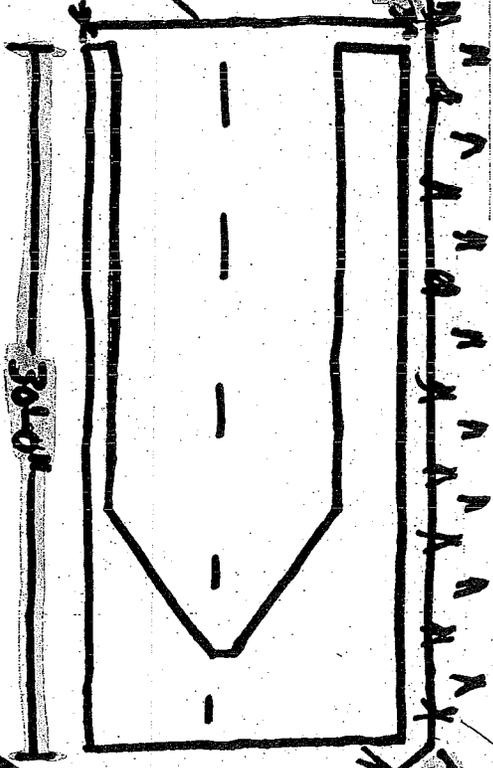
ROW MORRISON

UNIT 10 LOT 17

EXISTING SHORE LINE

NEW PROPOSED SHORELINE

14'-0"



10'-0"

10'-0"



1'-0" OFF

38'-0" 80'-0"

NEW SHELF WELL BE 4'-0" WIDE

IT WILL BE REPLANTED WITH LOCALLY OBTAINED SPARTAN ALTERNIFLORA & SPARTINA PATENS @ 1'-0" ON CENTER

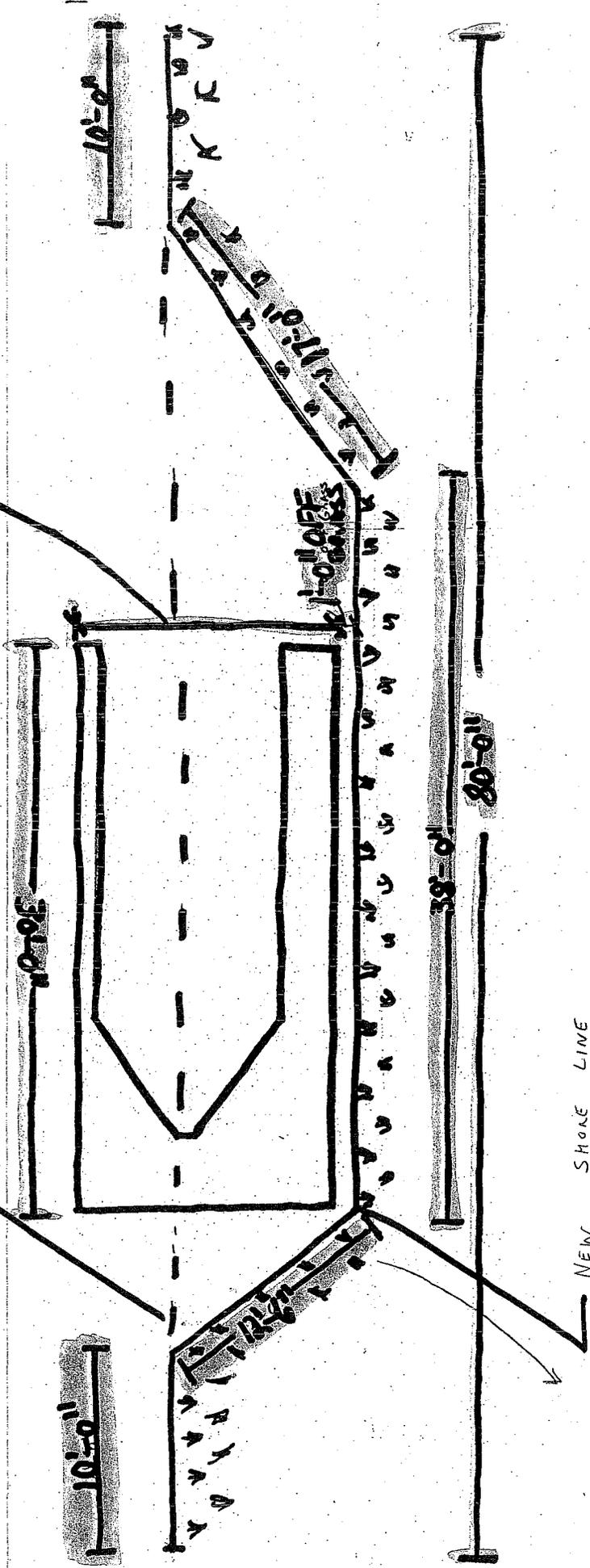
SCALE $\frac{3}{16}'' = 1'-0''$

RON MORROW

UNIT 10 LOT 17

ORIGINAL SHORELINE IMPACTED
 $60'-0'' \times 4'-0'' = 240 \text{ SQ/FT}$

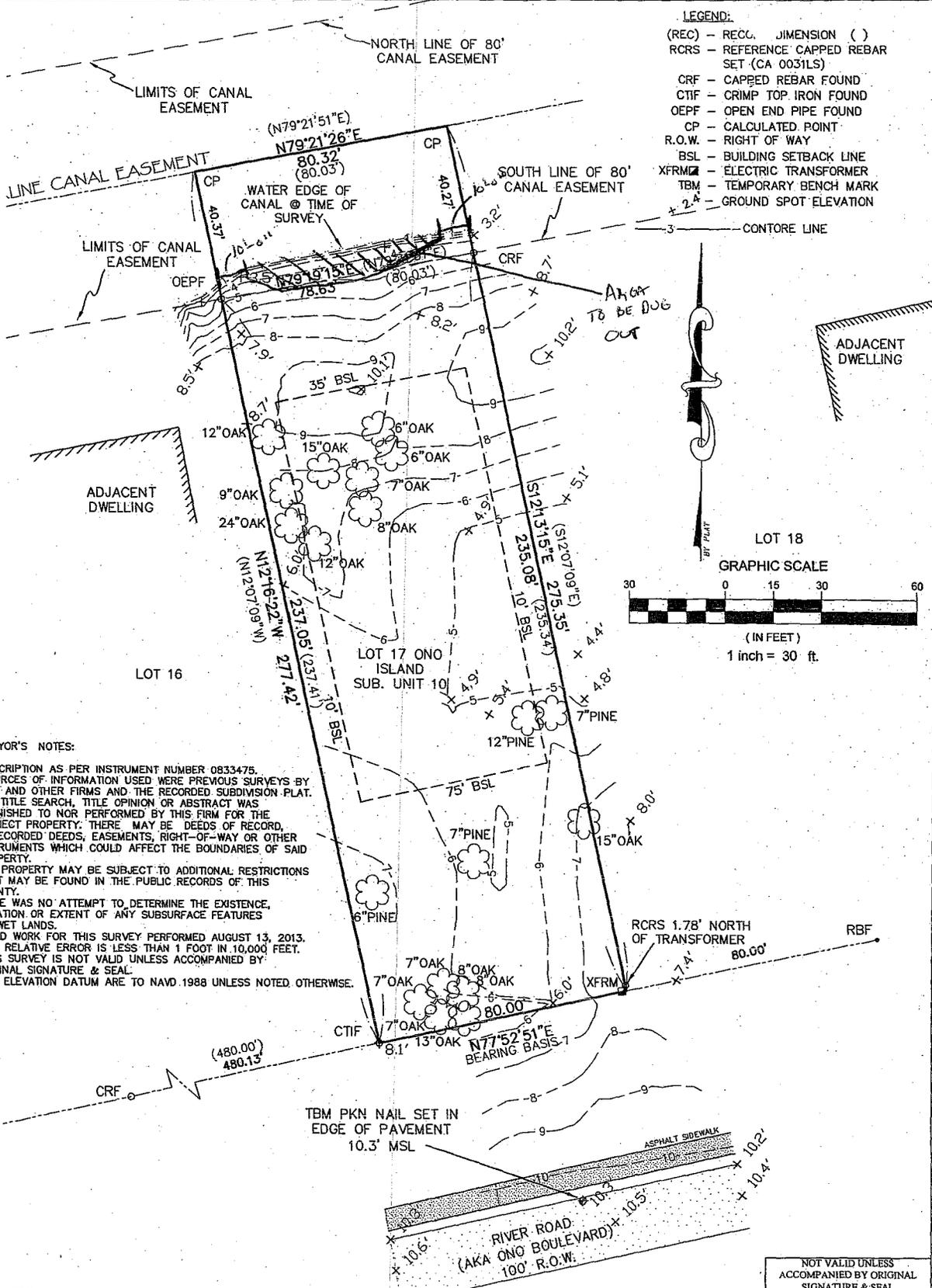
14'-0"



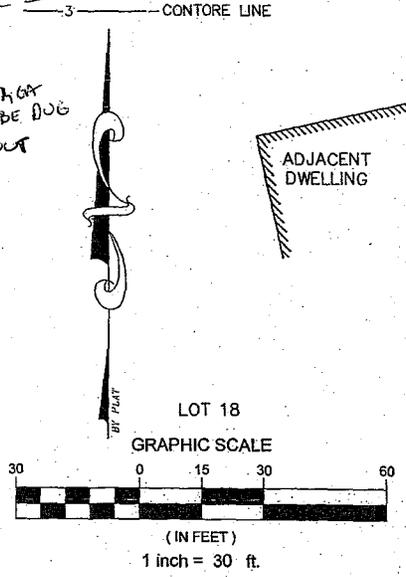
NEW SHORE LINE

$67'-8'' \times 4'-0'' = 270.67 \text{ SQ/FT}$

★ THIS IS AN INCREASE OF 30.67 SQ/FT OF SHORE LINE



- LEGEND:**
- (REC) - RECC. DIMENSION ()
 - RCRS - REFERENCE CAPPED REBAR SET (CA 0031LS)
 - CRF - CAPPED REBAR FOUND
 - CTIF - CRIMP TOP IRON FOUND
 - OEPF - OPEN END PIPE FOUND
 - CP - CALCULATED POINT
 - R.O.W. - RIGHT OF WAY
 - BSL - BUILDING SETBACK LINE
 - XFRM - ELECTRIC TRANSFORMER
 - TBM - TEMPORARY BENCH MARK
 - 2.4 - GROUND SPOT ELEVATION



SURVEYOR'S NOTES:

1. DESCRIPTION AS PER INSTRUMENT NUMBER 0833475.
2. SOURCES OF INFORMATION USED WERE PREVIOUS SURVEYS BY THIS AND OTHER FIRMS AND THE RECORDED SUBDIVISION PLAT.
3. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS FURNISHED TO NOR PERFORMED BY THIS FIRM FOR THE SUBJECT PROPERTY; THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAY OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTY.
4. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
5. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION OR EXTENT OF ANY SUBSURFACE FEATURES OR WET LANDS.
6. FIELD WORK FOR THIS SURVEY PERFORMED AUGUST 13, 2013.
7. THE RELATIVE ERROR IS LESS THAN 1 FOOT IN 10,000 FEET.
8. THIS SURVEY IS NOT VALID UNLESS ACCOMPANIED BY ORIGINAL SIGNATURE & SEAL.
9. ALL ELEVATION DATUM ARE TO NAVD 1988 UNLESS NOTED OTHERWISE.

DESCRIPTION:

LOT 17, ONO ISLAND SUBDIVISION, UNIT 10, AS SHOWN ON MAP OR PLAT THEREOF RECORDED IN MAP BOOK 11, PAGE 132 (SLIDE 980-A), IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

I, VINCENT D. LUCIDO, HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Vincent D. Lucido 8/18/13
 VINCENT D. LUCIDO, P.L.S. DATE
 ALABAMA LICENSE NUMBER: 13918

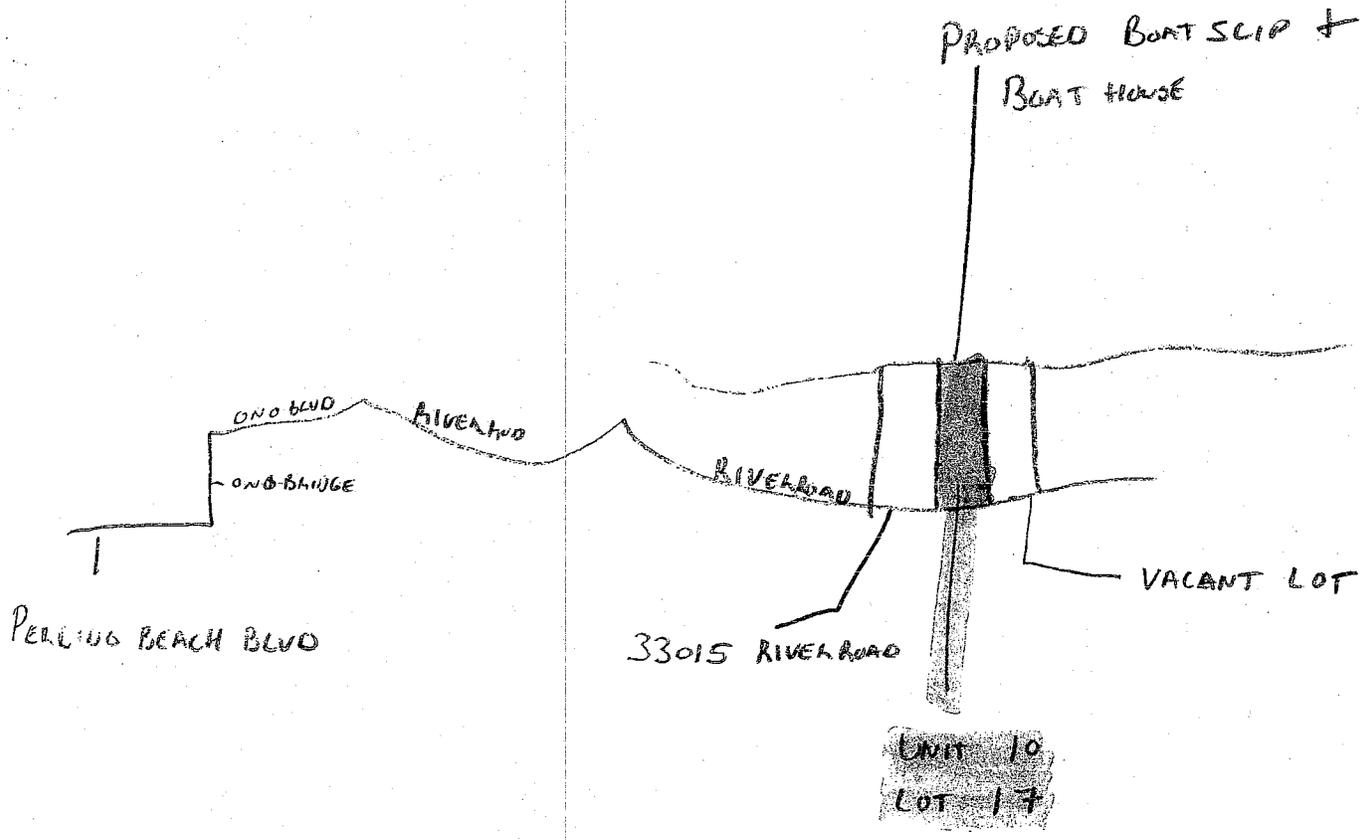
NOT VALID UNLESS ACCOMPANIED BY ORIGINAL SIGNATURE & SEAL

SHEET TITLE BOUNDARY & TOPOGRAPHIC SURVEY		PROJECT NO. 13395		RON MORRISON		Lucido	
SHEET NO. 1	LUCIDO ENGINEERING & SURVEYING, LLC 24693 CANAL ROAD SUITE A ORANGE BEACH, AL 36561 P 251-967-3250 F 251-967-3251 vince_lucido@quiflet.com	DRAWN CCD	CHECKED VDL	RIVER ROAD ONO ISLAND ORANGE BEACH, AL 36561		Engineering & Surveying, LLC	
OF 1		SCALE 1" = 30'		SECTION 34, TOWNSHIP 8 SOUTH RANGE 6 EAST, BALDWIN COUNTY, ALABAMA		Consulting Engineers & Land Surveyors 24693 Canal Road, Suite A Orange Beach, Alabama 36561 251-967-3250	
		DATE 8-19-2013					

VICINITY MAP

DIRECTIONS

H. O EAST DOWN PELICHO BEACH BLVD.
 TURN LEFT ONTO ONO ISLAND. GO OVER
 BRIDGE AND TURN RIGHT ONTO ONO BLVD
 GO TO STOP SIGN TURN RIGHT ONTO
 RIVER ROAD GO TO WATER TOWER STOP SIGN
 AND TURN RIGHT ONTO RIVER ROAD ON
 PROPERTY WILL BE DOWN ON LEFT
 UNIT 10 LOT 17



EROSION CONTROL PLAN

LOW MOORISHION

UNIT 10 LOT 17

ONE ISLAND, ORANGE BEACH AL, 36561

★ ONCE AREA IS DUG

SHALL BE REPLANTED

★ SILT FENCE'S ON EACH SIDE

OF PROPERTY WILL CONTAIN

SAND ON OUR LOT.

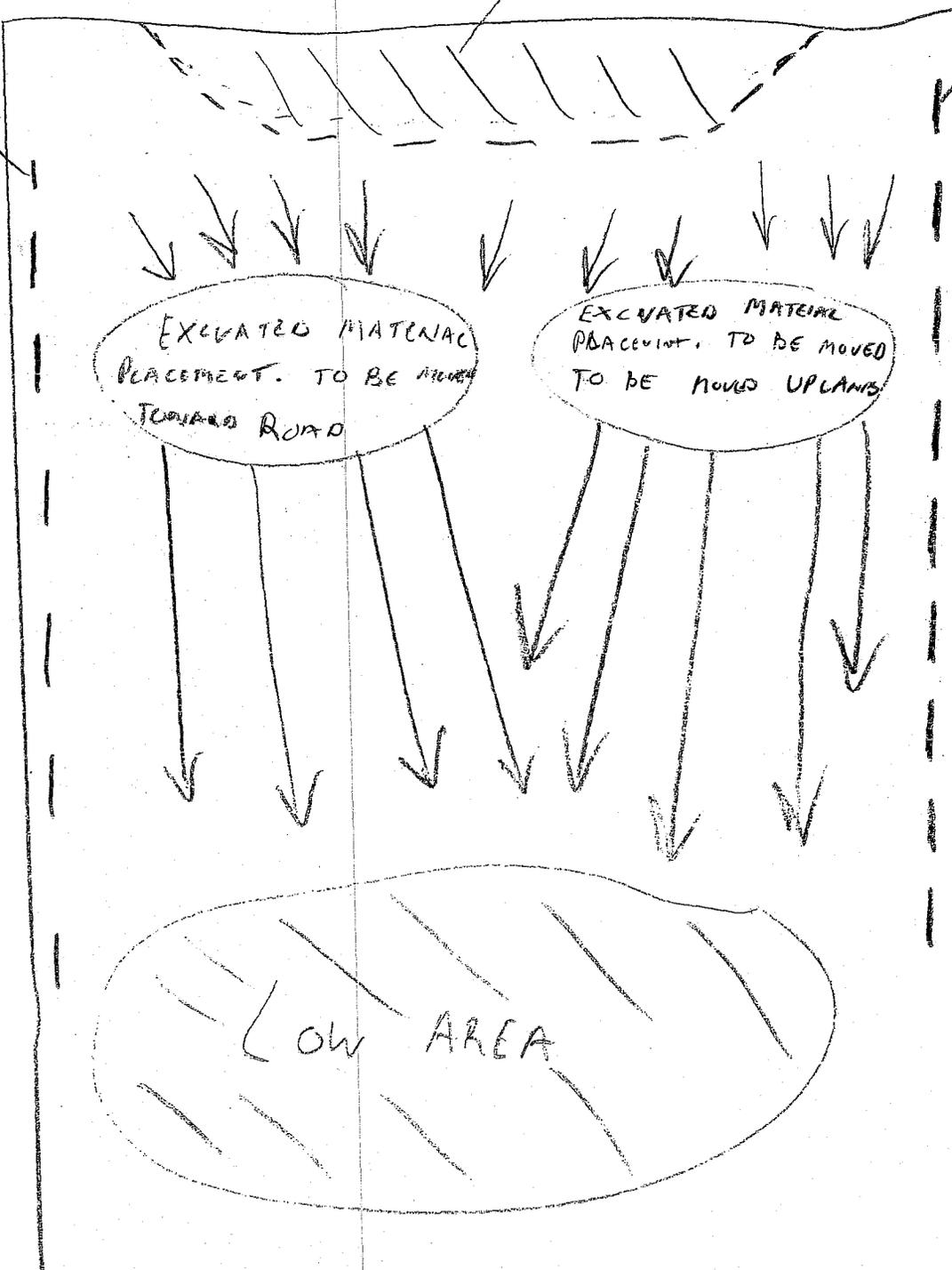
★ ALL SAND WILL BE MOVED

TO LOW AREAS ON LOT

SILT FENCE

AREA TO BE DUG
OUT.

SILT
FENCE



EXCAVATED MATERIAL
PLACEMENT. TO BE MOVED
TOWARD ROAD

EXCAVATED MATERIAL
PLACEMENT. TO BE MOVED
TO BE MOVED UPLANDS

LOW AREA

KON MORRISON
UNIT 10
LOT 17
ONO ISLAND

