



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-2014-0874-DEM

August 13, 2014

**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. William G. Butler**
32321 River Road
Orange Beach, Alabama 36561

AGENT: **Wetland Sciences, Inc.**
Attention: Mr. Jason Taylor
1829 Bainbridge Avenue
Pensacola, Florida 32507

LOCATION: **32321 River Road, Section 33, Township 8 South, Range 6 East, in a 40-foot-wide canal off of Bayou St. John, Ono Island, Orange Beach, Baldwin County, Alabama; Latitude 30.299429° North and Longitude -87.475205° West.**

WORK: **Boat slip: The applicant proposes to mechanically excavate approximately 45 cubic yards (402 square feet) of sandy material from an upland lot to create a 51.1-foot-wide by 10-foot-long indented boat slip with a taper at each end. The slip would be excavated to a depth of 4 feet (-4.0) 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 204 square feet of tidal marsh and the subsequent re-establishment of the 4-foot-wide shelf for a total of approximately 241 square feet. There would be a net gain of approximately 37 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 20-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 402 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.

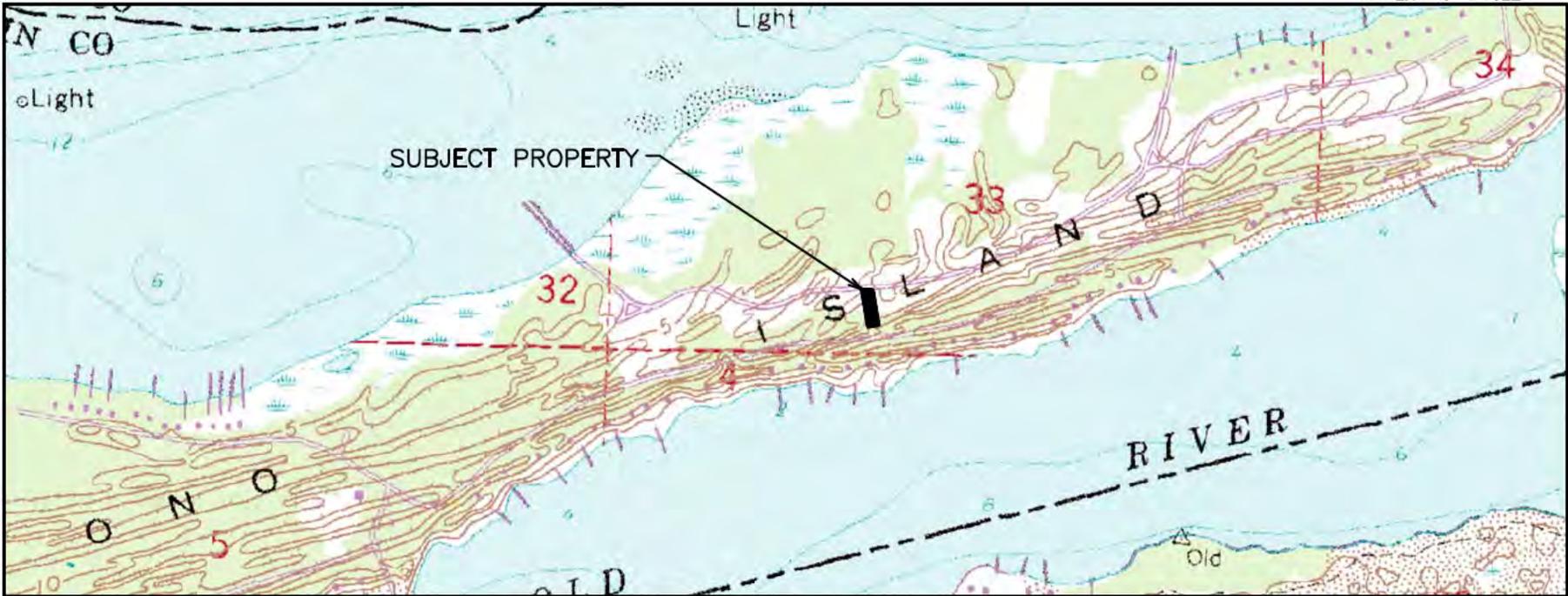
Correspondence concerning this Public Notice should refer to **SAM-2014-0874-DEM** and should be mailed to the District Commander, U.S. Army Engineer District Mobile, Attention: Regulatory Division (Mroczko), Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy furnished to the Alabama Department 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-2014-0874-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



DIRECTIONS TO THE SITE FROM DOWNTOWN PENSACOLA: START OUT GOING EAST ON INTERSTATE 10 TOWARD PENSACOLA FOR APPROXIMATELY 17.6 MILES. TAKE EXIT 44 (AL-59 SOUTH). TURN RIGHT ONTO AL-59 SOUTH AND FOLLOW FOR 15.5 MILES. TURN LEFT ONTO FOLEY BEACH EXPRESSWAY FOR 14 MILES (TOLL ROAD). TURN LEFT ONTO CANAL ROAD. TURN RIGHT ONTO AL-161/ORANGE BEACH BLVD. TURN LEFT ONTO AL-182/PERDIDO BEACH BLVD. TURN LEFT ONTO ONO ISLAND BRIDGE. TURN RIGHT ONTO ONO BLVD. TURN RIGHT ONTO RIVER ROAD. SUBJECT PROPERTY WILL BE LOCATED ON THE LEFT HAND SIDE OF THE ROAD WITH AN ADDRESS OF 32321 RIVER ROAD. PLEASE CALL 850-453-4700 WITH ANY QUESTIONS.

SUBJECT PROPERTY

PARCEL ID#
63-08-33-0-000-001.075
PROPERTY OWNER
WILLIAM G. BUTLER, III
32321 RIVER ROAD
ORANGE BEACH, AL 36561

PROJECT LOCATION

32321 RIVER ROAD
ORANGE BEACH, AL 36561
LAT: 30.299429°
LONG: -87.475205°

INDEX OF SHEETS

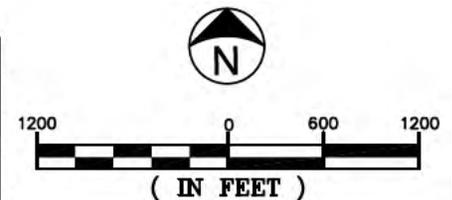
SHEET NO.	DESCRIPTION
1	SITE LOCATION MAP
2	PROPOSED DREDGE DEPICTED ONTO AERIAL
3	PLAN VIEW OF PROPOSED DREDGE
4	PROPOSED BOATHOUSE DEPICTED ONTO AERIAL
5	PLAN VIEW OF PROPOSE BOATHOUSE
6	BOATHOUSE AND DREDGE PROFILE (TYPICAL)
7	BOATHOUSE AND DOCK DETAILS
8	SPOIL CELL PROFILE (TYPICAL)



ENVIRONMENTAL CONSULTANTS

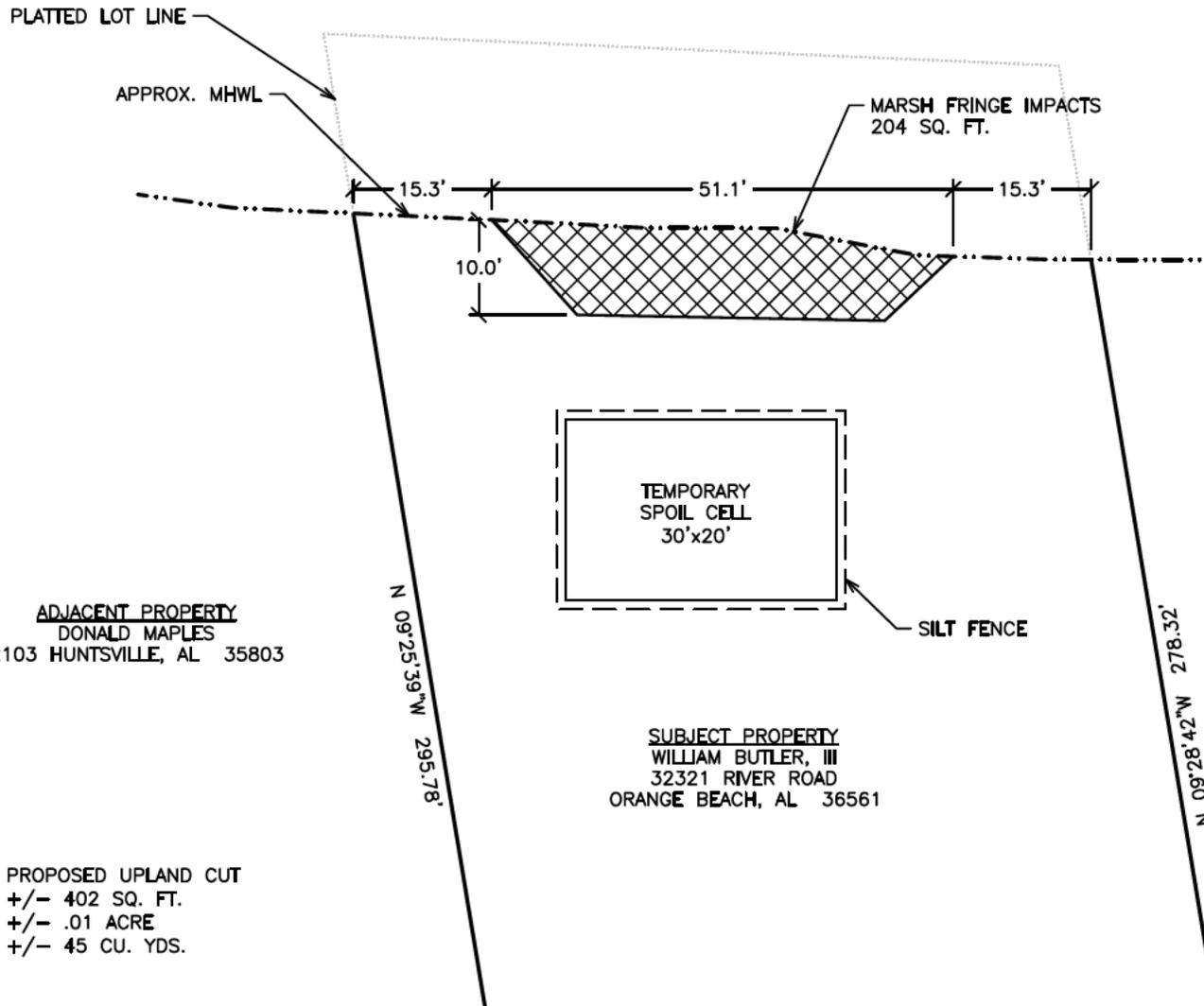
1829 BAINBRIDGE AVENUE
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
JTAYLOR@WETLANDSCIENCES.COM

PROJECT NAME: 32321 RIVER ROAD BOATHOUSE	
SITE LOCATION MAP	
PROJECT NO.: 2014-197	
BY: JAT	DATE: 7/1/2014
SHEET: 1 OF 8	





MAN-MADE CANAL

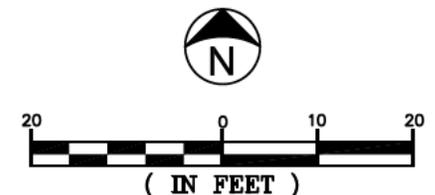


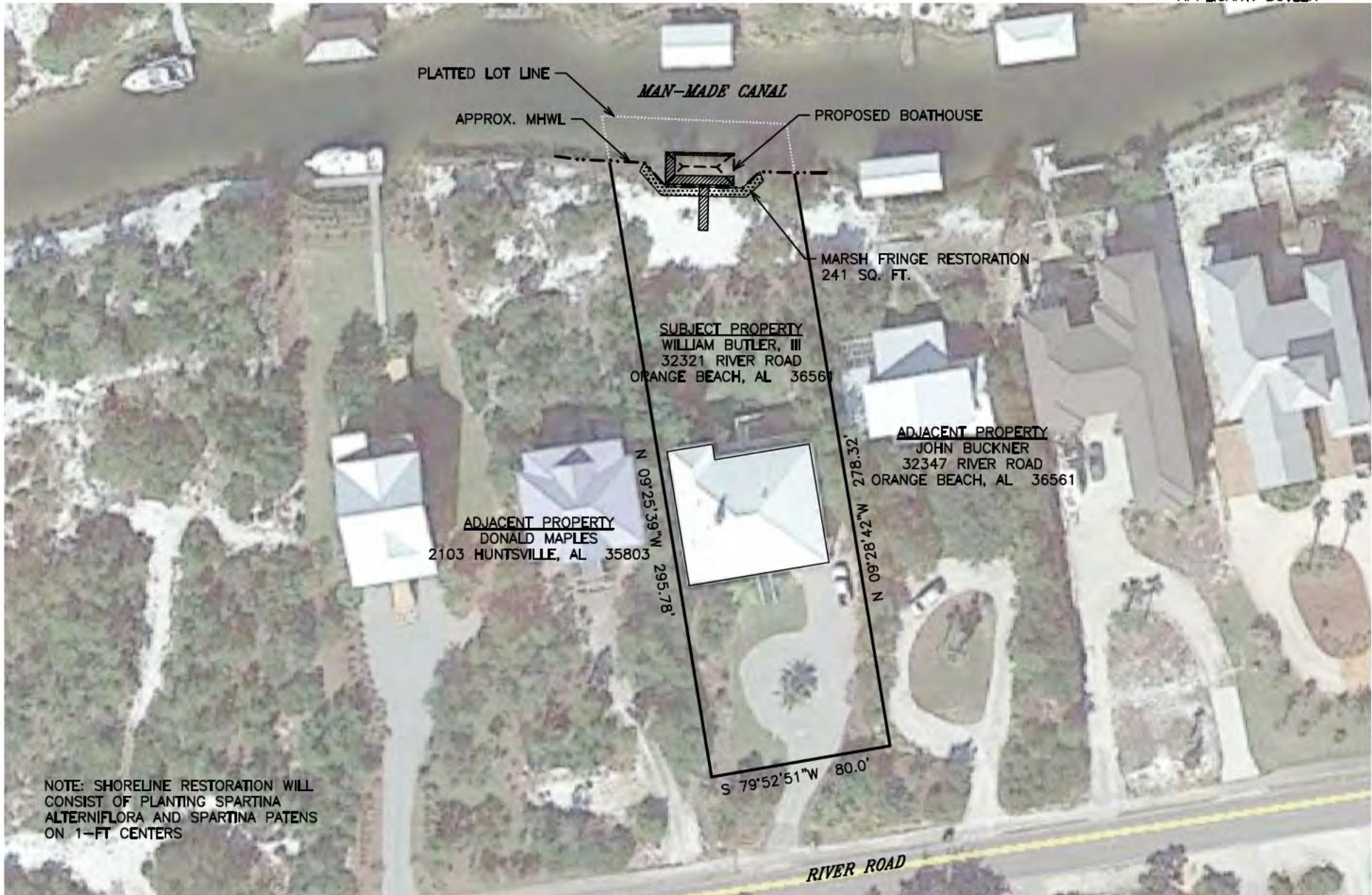
PROPOSED UPLAND CUT
+/- 402 SQ. FT.
+/- .01 ACRE
+/- 45 CU. YDS.



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1829 BAINBRIDGE AVENUE
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
JTAYLOR@WETLANDSCIENCES.COM

PROJECT NAME: 32321 RIVER ROAD BOATHOUSE	
PLAN VIEW OF PROPOSED DREDGE	
PROJECT NO.: 2014-197	
BY: JAT	DATE: 7/1/2014
SHEET: 3 OF 8	





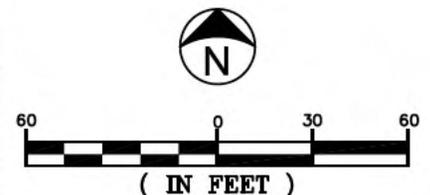
NOTE: SHORELINE RESTORATION WILL CONSIST OF PLANTING SPARTINA ALTERNIFLORA AND SPARTINA PATENS ON 1-FT CENTERS



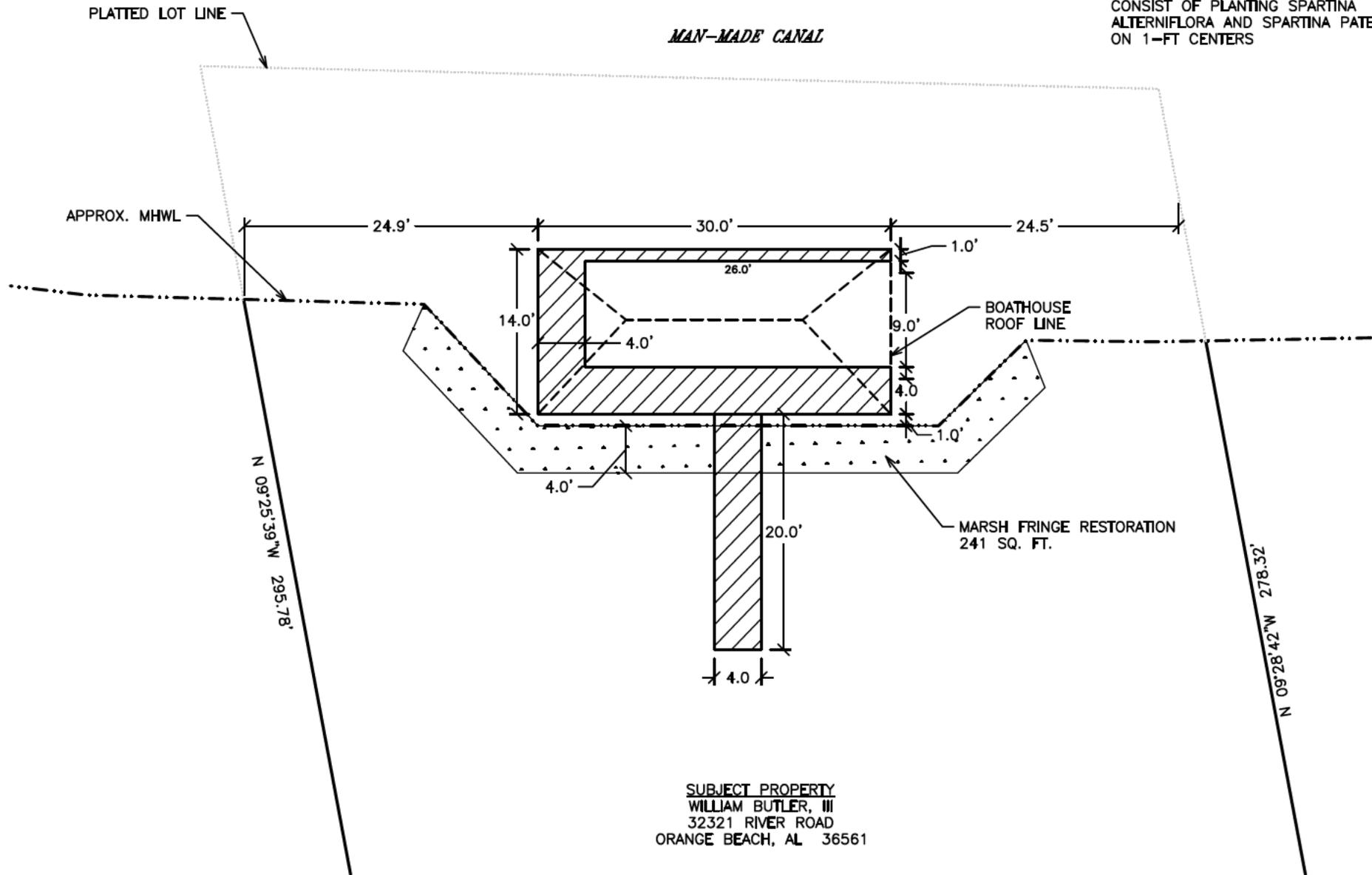
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 PENSACOLA, FLORIDA 32507
 TEL: 850.453.4700
 JTAYLOR@WETLANDSCIENCES.COM

PROJECT NAME: 32321 RIVER ROAD BOATHOUSE	
BOATHOUSE PLAN VIEW DEPICTED ONTO AERIAL	
PROJECT NO.: 2014-197	
BY: JAT	DATE: 7/1/2014
SHEET: 4 OF 8	



NOTE: SHORELINE RESTORATION WILL CONSIST OF PLANTING SPARTINA ALTERNIFLORA AND SPARTINA PATENS ON 1-FT CENTERS

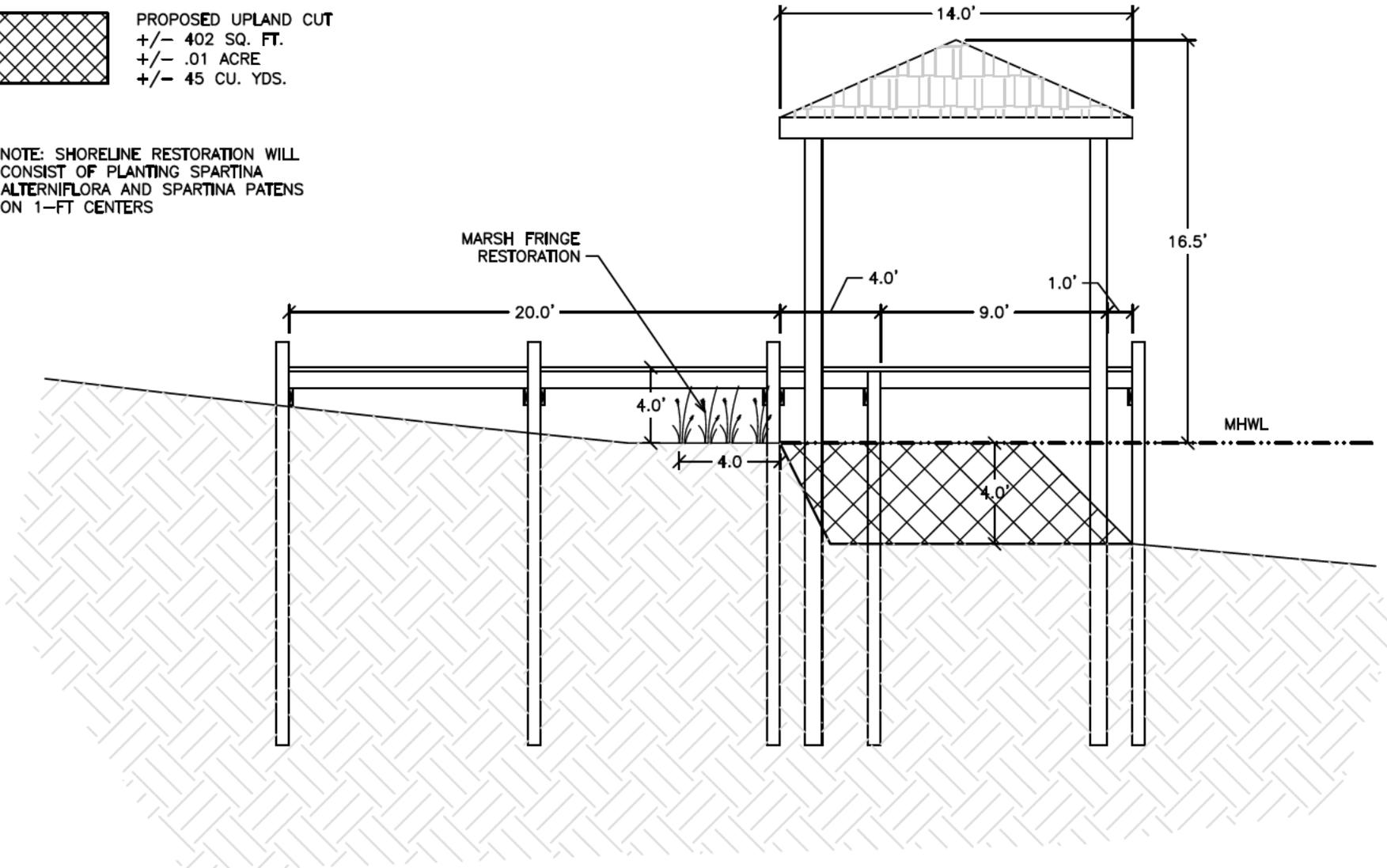


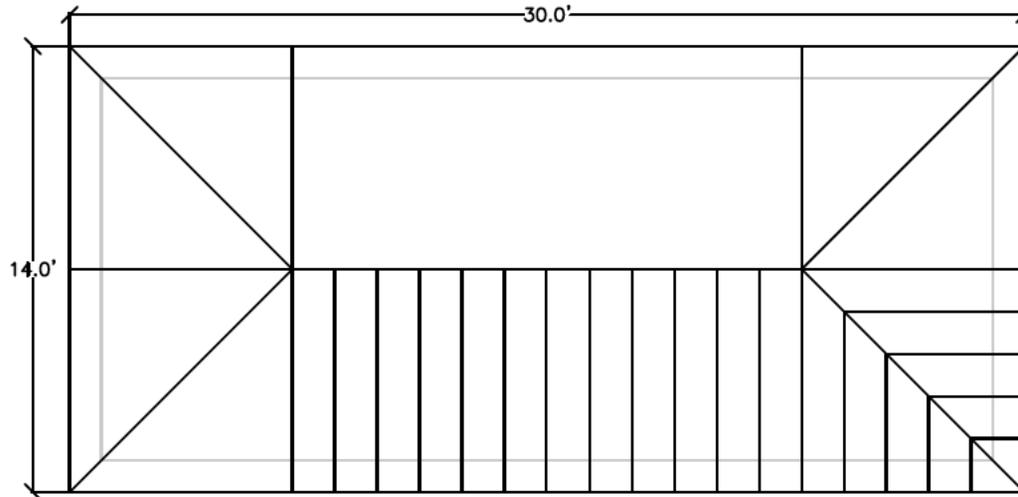
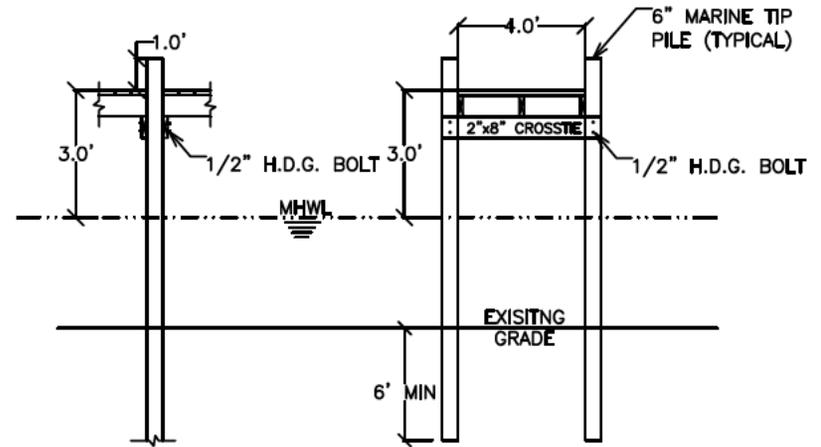
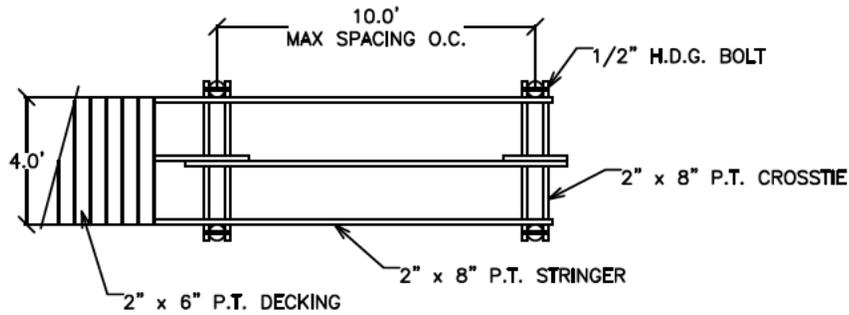
SUBJECT PROPERTY
 WILLIAM BUTLER, III
 32321 RIVER ROAD
 ORANGE BEACH, AL 36561



PROPOSED UPLAND CUT
 +/- 402 SQ. FT.
 +/- .01 ACRE
 +/- 45 CU. YDS.

NOTE: SHORELINE RESTORATION WILL
 CONSIST OF PLANTING SPARTINA
 ALTERNIFLORA AND SPARTINA PATENS
 ON 1-FT CENTERS





CONSTRUCTION OF A HIP STYLE ROOF BOATHOUSE WITH 5/12 PITCH. THIS WILL BE AN 8 POLE BOATHOUSE WITH ROOF DIMENSIONS OF 30' x 14'. 8"x30' MARINE TIP PILES WILL BE SET A MINIMUM OF 10' INTO THE GROUND. THE ROOF BANDING WILL BE DOUBLED 2"x12" TREATED LUMBER BOLTED TO THE PILING WITH (2) 5/8" H.D.G. BOLTS. THE ROOF RAFTERS WILL BE CONSTRUCTED WITH 2"x6" TREATED LUMBER. THE RIDGE AND HIP RAFTERS WILL BE CONSTRUCTED WITH 2"x8" TREATED LUMBER. ALL ROOF RAFTERS WILL BE ANCHORED TO THE ROOF BAND WITH H2.5 HURRICANE CLIPS. THE ROOFING IS TO BE OF SAME MATERIAL AS PRIMARY STRUCTURE.



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 PENSACOLA, FLORIDA 32507
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 JTAYLOR@WETLANDSCIENCES.COM

PROJECT NAME: 32321 RIVER ROAD BOATHOUSE

BOATHOUSE & DOCK DETAILS

PROJECT NO.: 2014-197

BY: JAT DATE: 7/1/2014

SHEET: 7 OF 8



