



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

CESAM-RD-A

May 3, 2016

**JOINT PUBLIC NOTICE SAM-2015-01359-SBC
U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED FILLING OF WATERS OF THE UNITED STATES IN CONJUNCTION
WITH RECLAMATION AND STABILIZATION OF ERODED SHORELINE
IN BALDWIN COUNTY, ALABAMA**

TO ALL CONCERNED: 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). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

APPLICANT: Mr. Matt Crocker
211 Pecan Avenue
Fairhope, Alabama 36532

LOCATION OF WORK: The proposed project is located in eastern Mobile Bay, at 11923 County Road 1, Fairhope, Baldwin County, Alabama. Specifically, the project site is located near Latitude 30.39837° North, Longitude 87.88724° West; within Section 32 of Township 7 South, Range 2 East. The project site is located within the Alabama Coastal Zone Management Area.

PROJECT PURPOSE: The overall purpose of the project is to reclaim and stabilize eroded portions of a residential lot.

PROPOSED WORK: The applicant proposes to construct approximately 124 linear feet of bulkhead and then backfill approximately 2,100 square feet (0.05 acre) of open water area with approximately 225 cubic yards of clean, commercially-obtained sand fill. In addition, the applicant proposes to place approximately 25 cubic yards of riprap rock along the toe of the outer section of bulkhead (approximately 50 linear feet). The riprap would extend out a maximum of 6 feet from the toe of the bulkhead. The completed reclaimed area would extend a maximum of 44 feet waterward from the existing shoreline.

The applicant also proposes to construct a 30-foot by 40-foot boat shelter at the end of a 6-foot-wide by 147-foot-long access pier extending waterward from the reclaimed area.

COMPENSATORY MITIGATION: Since this project will only reclaim eroded shoreline areas, no mitigation is required.

WATER QUALITY / COASTAL ZONE MANAGEMENT: The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act, and for a consistency determination regarding Coastal Zone regulations in accordance with the Alabama Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to Water Quality Certification and Coastal Zone regulations will be made by the Alabama Department of Environmental Management.

HISTORIC PROPERTIES/CULTURAL RESOURCES: In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the undertaking defined in this notice has been considered for the potential to affect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of the this undertaking have also been considered. **Based on our review, the Mobile District has made the determination that this project will have “no effect” on any cultural or historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP).**

In addition to the provided comments from the State Historic Preservation Officer (the Alabama Historical Commission), we are seeking comments from federally-recognized American Indian tribes, local historical societies, museums, universities, the U.S. Department of the Interior, National Park Service, Division of Archeological Services and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area.

ENDANGERED SPECIES: The following species, listed by the U.S. Fish and Wildlife Service (USFWS) as being either threatened or endangered, are found within Baldwin County, and may be located within Mobile Bay or the watershed of the project: Florida Manatee (*Trichechus manatus*), Wood Stork (*Mycteria americana*), Eastern Indigo Snake (*Drymarchon corais couperi*), Green Sea Turtle (*Chelonia mydas*), Kemp’s Ridley Sea Turtle (*Lepidochelys kempii*), Loggerhead Sea Turtle (*Caretta caretta*) and Gulf Sturgeon (*Acipenser oxyrinchus desotoi*).

Preliminary review of this application and the above list of threatened or endangered species indicate that the proposed activity will have no effect on any species currently listed as endangered or threatened within Baldwin County, or any designated critical habitat. We are seeking comment from the U.S. Fish and Wildlife Service and state agencies regarding any potential effects on the listed species.

PUBLIC REVIEW: 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 (USACE) 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 use 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 USACE is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to evaluate the impacts of this proposed activity and 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 discharges of dredged or fill material into waters of the United States will include the application of the Section 404(b)(1) guidelines established by the Administrator of the U.S. Environmental Protection Agency.

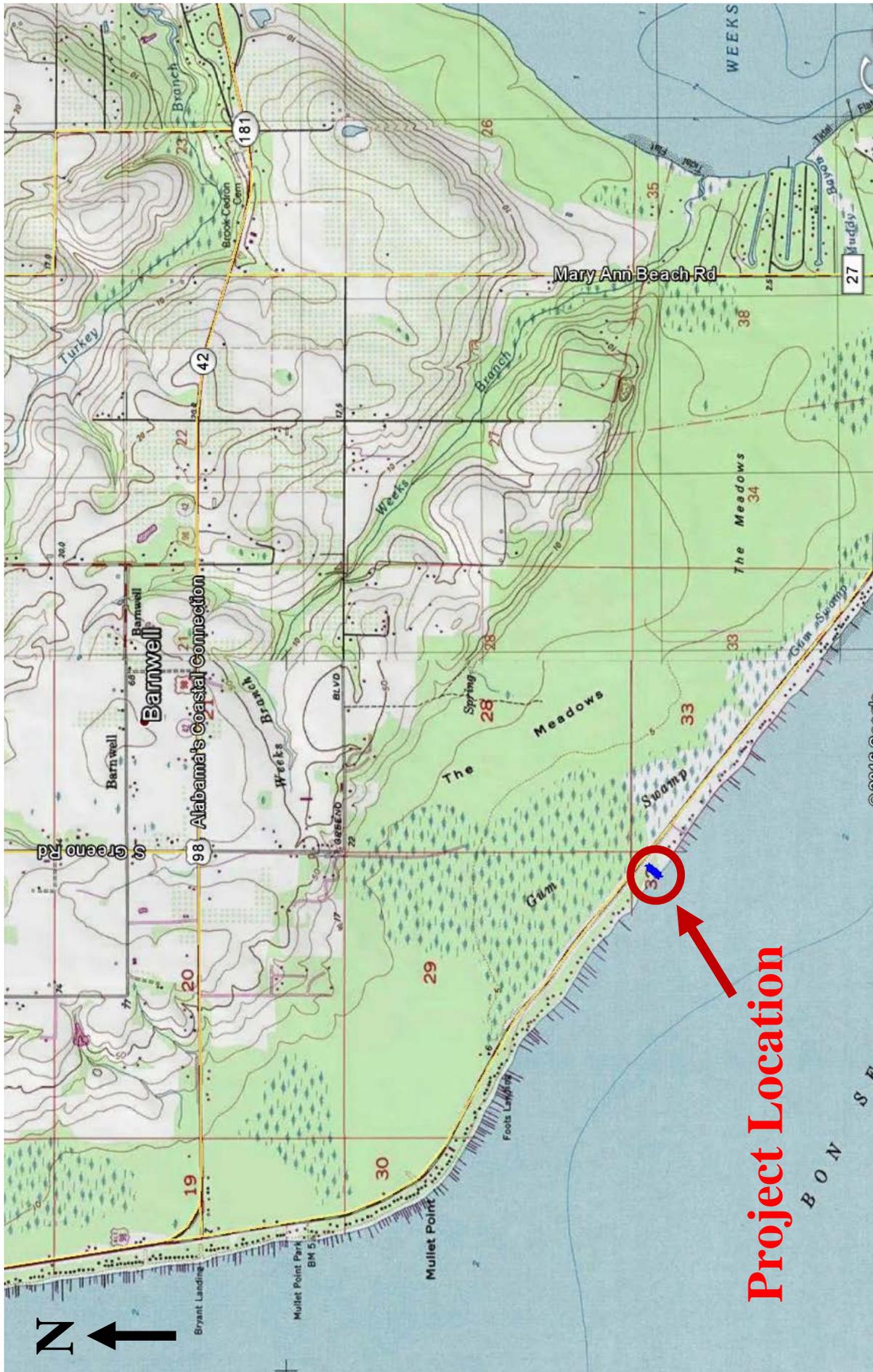
Any correspondence concerning this notice should **refer to Public Notice Number SAM-2015-01359-SBC** and should be directed to the U.S. Army Engineer District, Mobile, Regulatory Division (RD-A), Attention: Mr. S. Brad Crosson, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Alabama Department of Environmental Management, Coastal Section, 3664 Dauphin Street, Suite B, Mobile Alabama 36608.

All comments should be received **no later than 30 days** from the date of issuance of this public notice. If you have any questions concerning this publication, you may contact the project manager, Mr. S. Brad Crosson at (251) 694-3664 or at steven.b.crosson@usace.army.mil. 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.

Encls

MOBILE DISTRICT
U.S. Army Corps of Engineers



Project Location

SAM-2015-01359-SBC

Legend

 Permit Area



100 ft

Google earth

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BALDWIN COUNTY ROAD NO.1
230' RW

11919 Co. Rd. 1
B. Rasmussen

11919 Co. Rd. 1
B. Rasmussen

11923 Co. Rd. 1
M. Crocker

High Tide Line
at the Time of
Survey

141'-0" +/-

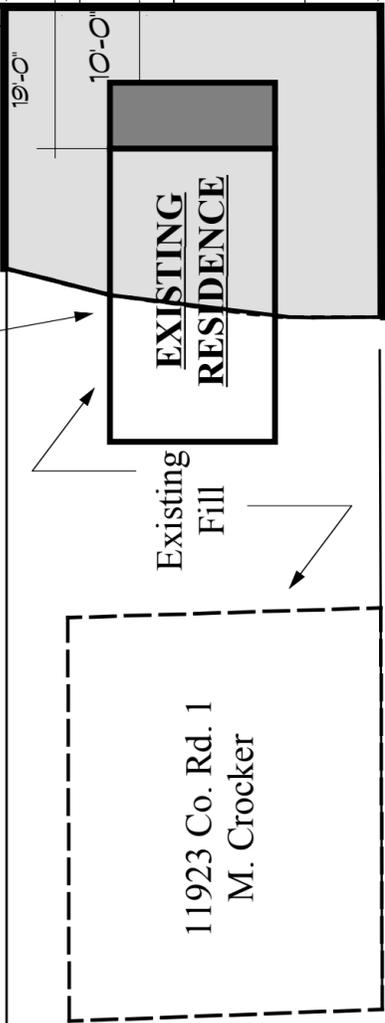
187'-0" +/-

Line Indicates
Bulkhead

Existing Pilings
for Pier
Walkway

Line Indicates
Proposed Bulkhead

35'-6" +/-



PROPOSED
BOATHOUSE & PIER
30'x40'

1 Site Plan

1" = 20'

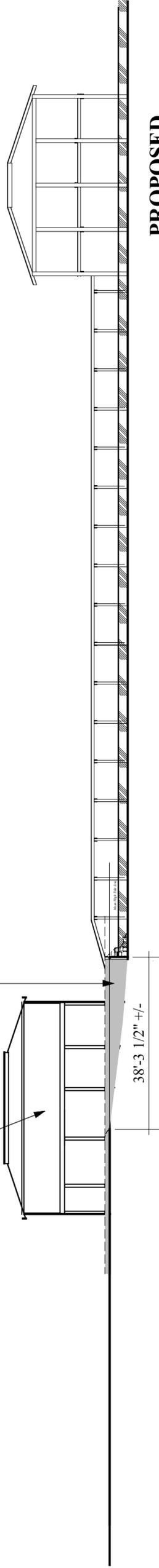
Hatched Area
Proposed Area
of Fill

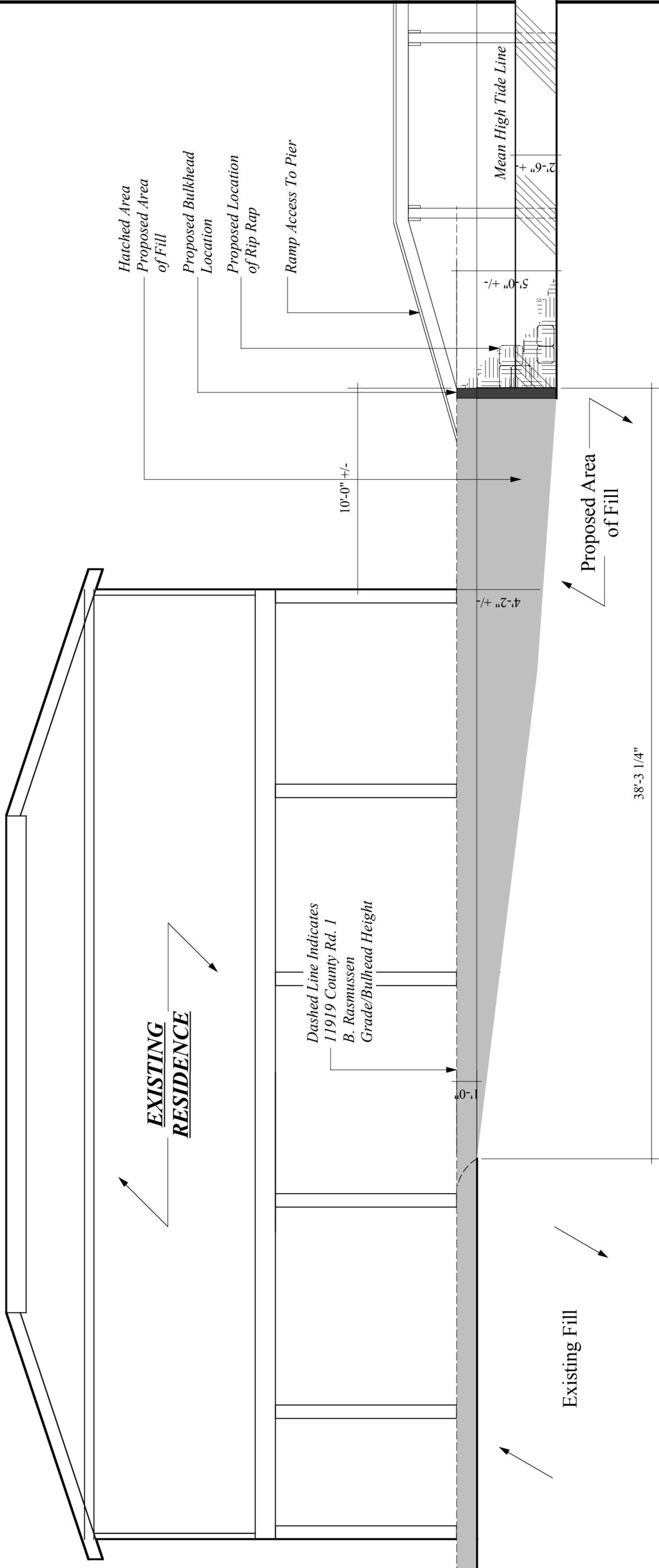
EXISTING
RESIDENCE

PROPOSED
BOATHOUSE & PIER
30'x40'

1 Site Section

1" = 20'





1 Site Section Detail
C-3 1" = 20'