



REPLY TO
ATTENTION OF:

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

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2016-00211-GAC

November 4, 2016

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

**CONSTRUCTION OF NEW BULKHEAD AND PLACEMENT OF FILL MATERIAL FOR THE
PURPOSE OF LAND RECLAMATION, 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 Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: **Ms. Ann Marks**
3636 Village Center Lane
Hoover, Alabama 35226

AGENT: **Sea Land Construction**
Attention: Mr. Samuel G. Smith
19197 East River Road North
Silverhill, Alabama 36576

LOCATION OF WORK: **29621 Bayshore Drive North, Section 37, Township 8 South,
Range 5 East, Latitude 30.309746 North and Longitude -87.520792° West, Arnica Bay,
Orange Beach, Baldwin County, Alabama.**

PROPOSED WORK: **The applicant proposes to construct approximately 74 linear feet of new bulkhead system, place approximately 177 cubic yards of clean sand, fill material in conjunction with land reclamation, as illustrated in the enclosed plans and drawings. Specifically, the proposed bulkhead system would tie into an existing bulkhead to the west and run approximately 50 linear feet to the east and turn landward with a 24-foot wing wall. The proposed project is intended to reclaim and stabilize land lost to erosion over a period of years.**

The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act, and upon completion of the required advertising by the State, a determination relative to certification will be made.

The applicant has applied for a determination/certification from the State of Alabama in accordance with the State's Coastal Area Management Program, and upon completion of the required advertising by the State, a determination relative to certification will be made.

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.

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 U.S. Department of the Interior, National Park Service, Division of Archeological Services.

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 0.01 acre 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.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that no listed endangered and threatened species or their critical habitat occur within the project area. Notification to the U.S. Fish and Wildlife Service will be furnished via this Public Notice.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2016-00211-GAC** and should be directed to the U.S. Army Engineer District, Regulatory Division, Attention: **Mr. Glen Cunningham**, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Alabama Department of Environmental Management, Mobile Branch, Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608. 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 **Mr. Cunningham at (251) 694-4077 or by e-mail at glen.a.cunningham@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. Also, please take a moment to complete our customer satisfaction survey located near the bottom of the webpage. Your responses are appreciated and will help us improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

PROJECT LOCATION

*29621
North
Bay,
Shore
Drive

Gulf Ave

AL-180

AL-180

Canal Rd -

Orange Beach
City Hall

4099 Orange Beach
Blvd.

From Orange Beach City Hall

Go North on Orange Beach Blvd / AL-161
(then 60)

Turn Right onto Canal Rd / AL-180
(then 3.78 miles)

Turn left onto Gulf Ave.
(then 0.32 miles)

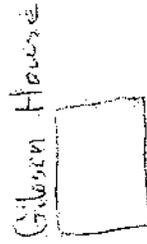
Turn Right onto Bayshore Drive North
Then 0.02 miles

*29621 Bayshore Drive is on left.

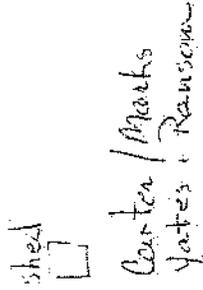
It seems to appear in previous
 Wilson House, the new ~~owners~~ will
 have to clear in 30 days. Penitton said
 it will probably close in 2 weeks. If new owners want to build bulkhead,
 we would like to see if can join bulkhead to the east & west. If the new
 owners do not want to bulkhead, I would like to join AL bulkhead on the west
 and go across and make a right angle turn going into new property (line
 on the East under the retaining wall or whatever for wall going back. Thanks,
 Arnie

North Bayshore Drive

24629 North Bayshore Drive



24621 North Bayshore Drive



24615 North Bayshore Drive



AL Bulkhead

Proposed Bulkhead

AL Bulkhead

Water front

Approved

2016

Alabama Dept. of Conservation
 State Lands Division
 Submerged Lands Permits

Arnie Bay

West

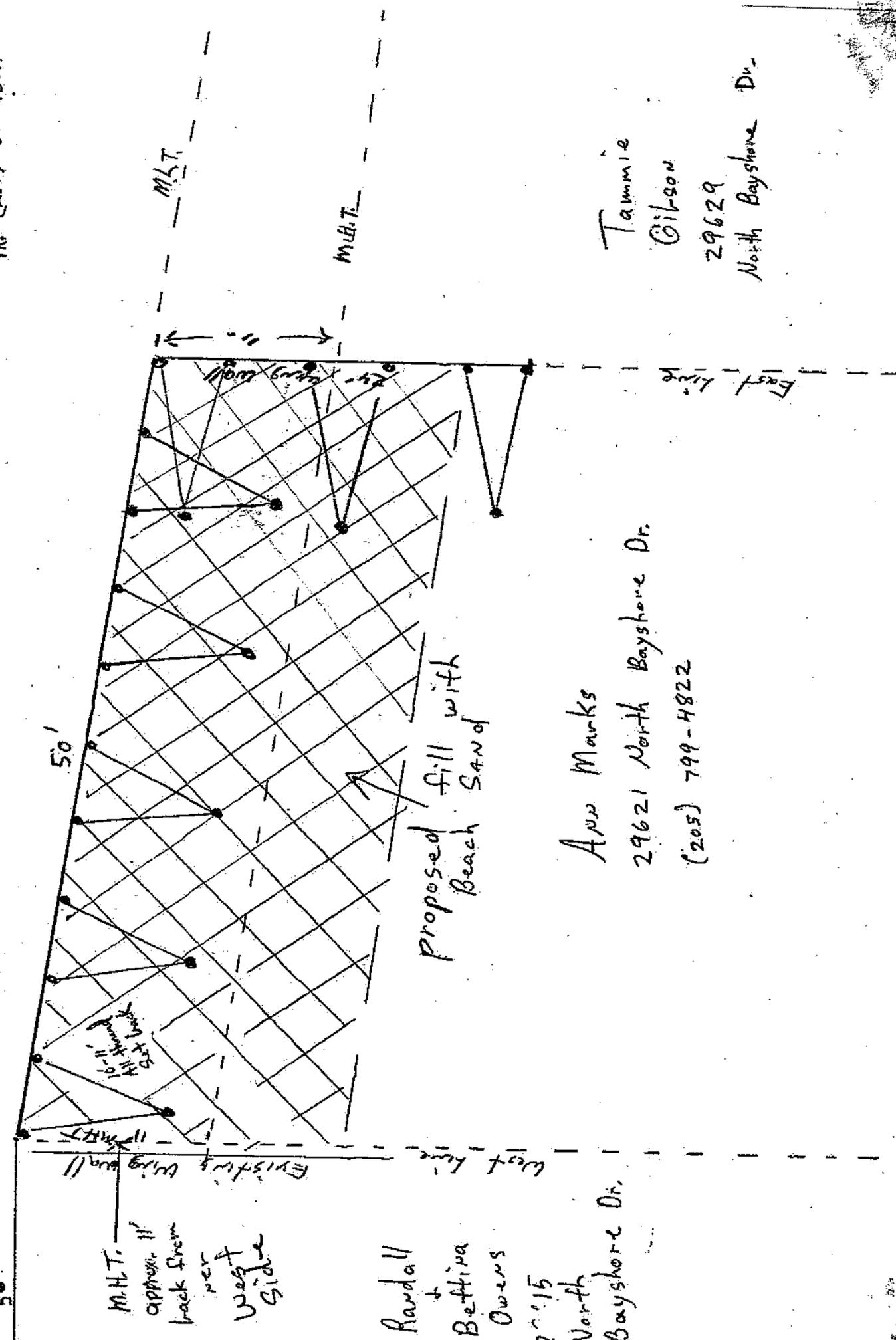
Retaining wall

Heckle
 Galt

1/8" = 1'
Scale

Arnica Bay

Contractor: Sea Land Construction
19197 E. River Rd., N.
Silverhill, AL. 36576
Ph. (251) 751-9324



50'

M.H.T.
approx. 11'
back from
West
Side

Randall
+
Bettina
Owens
2015
North
Bayshore Dr.

Ann Marks
29621 North Bayshore Dr.
(205) 799-4822

Tammie
Gibson
29629
North Bayshore Dr.

East Line

Existing Utility Wall

Proposed fill with
Beach Sand

50'

M.H.T.

M.H.T.

11' x 11' Existing Utility Wall

6" SS. Through Luff

2" x 12" Marine Cup

6" top 10' piling

propose fill

Bottom

5/8" x 12" all trends

M.H.T.

M.L.T.
Bottom

Area to be
filled below
M.H.T.

Approx. Back lift

177 Cubic yds
Beach Sand

6" Top 10' piling embedded 6'

8' vinyl
Sheet
2.1
Series