



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

REPLY TO
ATTENTION OF:

CESAM-RD-C
PUBLIC NOTICE NO.: SAM-2007-1306-MBM

FEB 7 2008

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

AFTER-THE-FACT AUTHORIZATION TO RETAIN PILINGS FOR NEW PIERS, AND
LONG-TERM MAINTENACE DREDGE OF PUBLIC BOAT LAUNCH, MOBILE BAY,
DAPHNE, BALDWIN COUNTY, ALABAMA

TO ALL CONCERNED: The U.S. Army Corps of Engineers (Corps), Mobile District, has received an application for a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and 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 Corps can be based. Please communicate this information to interested parties.

APPLICANT: City of Daphne
Attention: Ms. Ashley Campbell
1705 Main Street
Post Office Box 400
Daphne, Alabama 36526

LOCATION: City of Daphne May Day Pier Boat Launch, on Mobile Bay, 30°35'58.42"N
87°54'50.66W, Section 19 of Township 5 South, Range 2 East, Daphne, Baldwin County, Alabama.

The applicant requests after-the-fact authorization to retain the 17 regularly spaced pilings, and place additional matching pilings to extend the 6-foot wide pier on the south side of the Daphne May Day Boat Launch from 70 feet to 157 into Mobile Bay. The applicant requests after-the-fact authorization to retain the 17 regularly spaced pilings placed on the north side of the boat launch and to place additional matching pilings to create a 6-foot wide by 85-foot long pier out from the shoreline. The applicant requests authorization to perform regular maintenance dredging within the 35-foot long by 30-foot wide boat launch area to maintain water depths between 2 and 3-foot mean high water. The applicant requests authorization to maintenance dredge up to 1,000 cubic yards of sand annually for 5 years. In the summertime, all dredged sand would be placed on privately owned land adjacent and north of the boat launch, at 30°35'59.66"N 87°54'46.95W, within a 10-foot wide by 100-foot long area at the mean high water mark, to facilitate incorporation into the natural south to north current and sand transport flows along the shoreline which will restore natural sand depositional processes on the adjacent properties. In the wintertime, all

dredged sand would be placed on the Bayside Academy property north of the boat launch, at 30°36'5.49"N 87°54'47.77W, within a 10-foot wide by 428-foot long area at the mean high water mark, to facilitate incorporation into the natural north to south current and sand transport flows along the shoreline which will restore natural sand depositional processes on the adjacent properties.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposal 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 and their cumulative effects relevant to the proposal will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, property ownership, and in general the needs and welfare of the people.

To evaluate the impacts of this proposal the Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties. 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. Comments will be considered to determine whether to issue, modify, condition or deny a permit. To make this decision, an Environmental Assessment is prepared in accord with the National Environmental Policy Act; impacts are assessed on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest. Anyone may request a public hearing to consider this proposal. Requests should provide in writing, within the specified comment period, detailed reasons for a hearing.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. This project footprint will routinely disturb 0.02-acre (1,050 square feet) during each maintenance event of Essential Fish Habitat for managed species in the Gulf of Mexico. Loss of this nursery habitat may adversely affect species of the snapper-grouper, shrimp, and/or coastal migratory pelagic management complexes, but the District Commander has made a preliminary determination that this site-specific adverse effect will not be 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.

This notice is being sent to appropriate State and Federal agencies, including the State Historic Preservation Officer (SHPO) and the U.S. Department of the Interior, National Park Service, and Division of Archeological Services. No properties listed in or eligible for the National Register of Historic Places is known to exist which would be affected by the proposal. Comments are requested regarding the potential or existence of cultural resources which may be affected. The U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposal will not affect listed species, or their critical habitat. Other impacts from dredge and fill activities will be evaluated by applying Environmental Protection Agency guidelines. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species. After review of public comments,

CESAM-RD-C
PUBLIC NOTICE NO. SAM-2007-1306-MBM

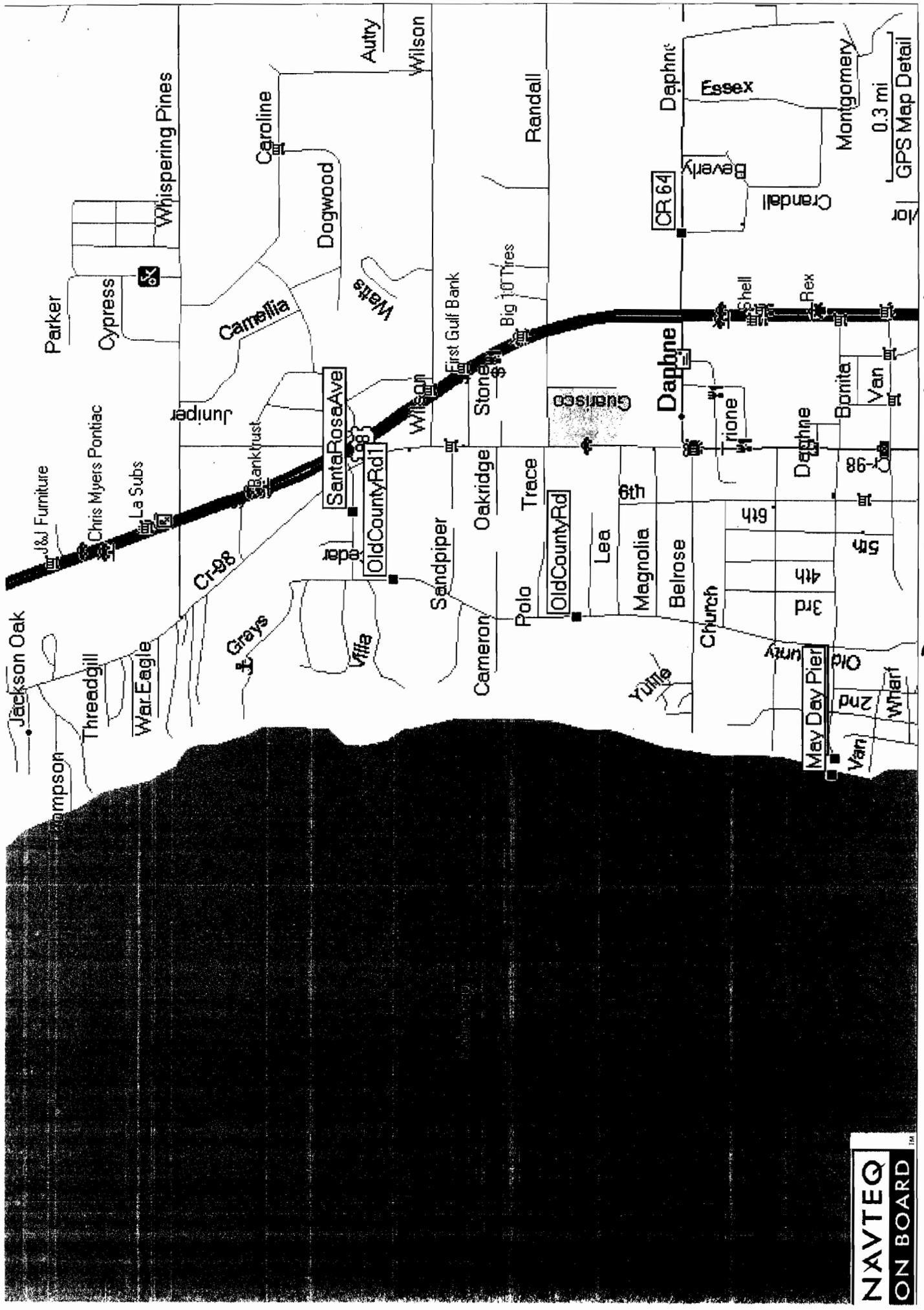
the Alabama Department of Environmental Management will determine if the proposal complies with and will be operated or maintained in a manner consistent with the Clean Water Act and the Coastal Zone Management Program.

Comments concerning this Public Notice should be received within 30 days of the date of this public notice and should refer to number **SAM-2007-1306-MBM** and direct your correspondence to the District Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division; and a copy to the Alabama Department of Environmental Management, Coastal Facility Section, 4171 Commanders Drive, Mobile, Alabama 36615.

If you have any questions concerning this publication, please contact Mr. Michael Moxey, Project Manager, via e-mail at michael.b.moxey@sam.usace.army.mil or telephone number (251) 690-2658.

MOBILE DISTRICT
U.S. Army Corps of Engineers

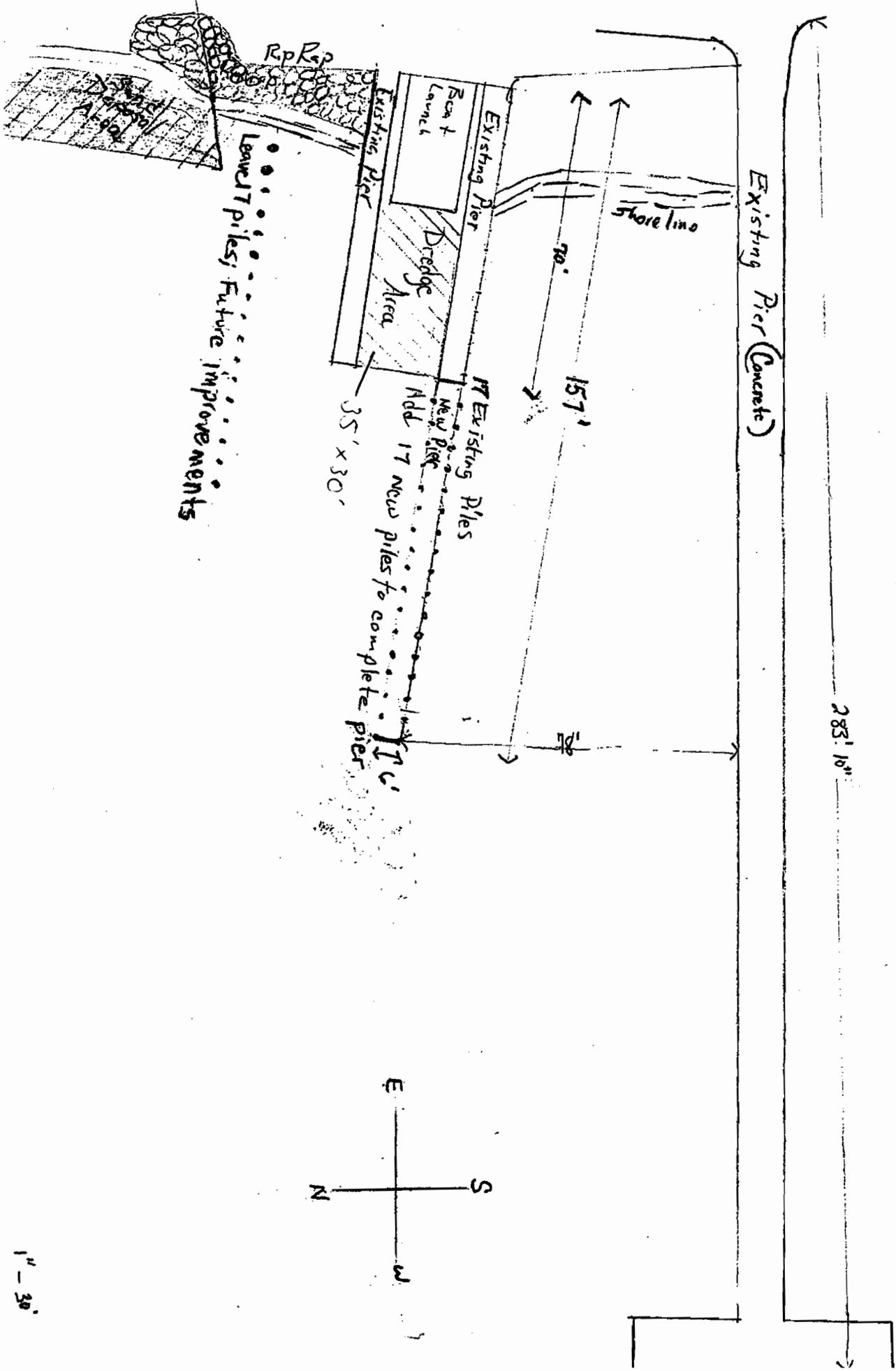
Enclosures



Daphne, Baldwin County, Alabama

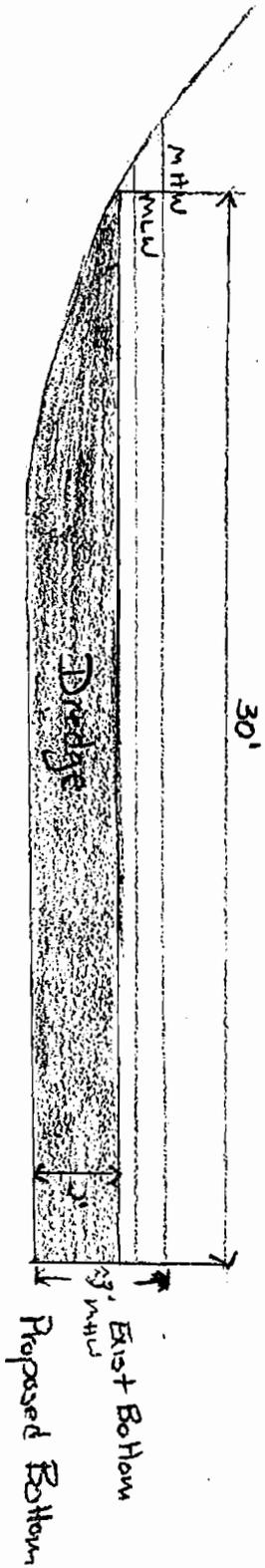
NAVTEQ
ON BOARD

May Day Pier

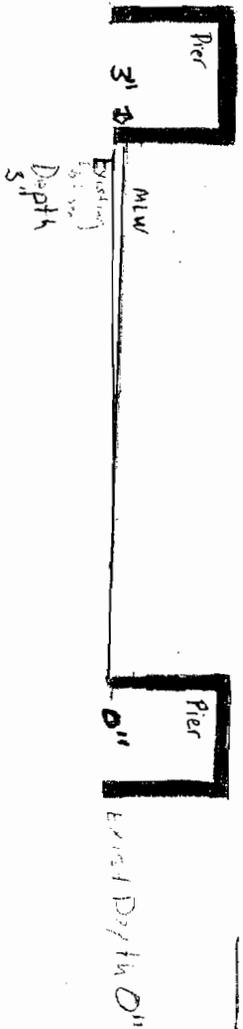


1" = 30'

May Day Pier Boat Launch
Dredge Area Cross Section
(North to South view)



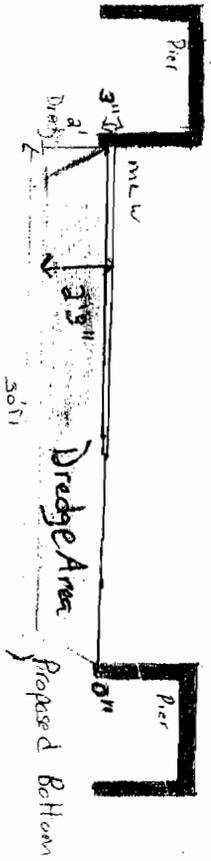
Width of Launch Area 30'



Existing Conditions

3' at MLW

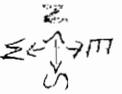
Existing Depth 0'



Proposed Conditions

3' at MLW

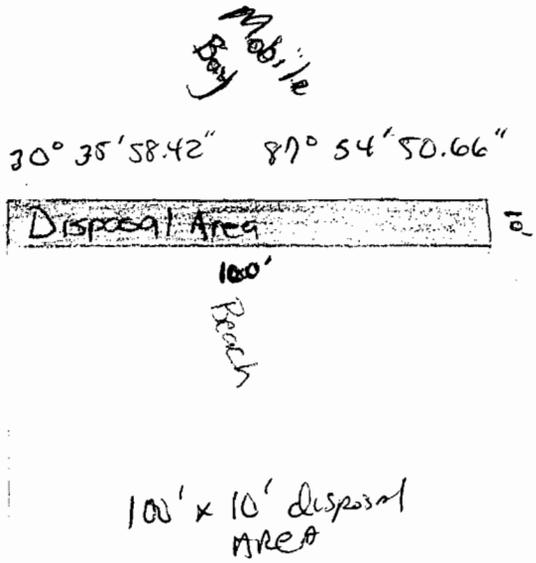
2' 3" Depth After Dredge



Boat Launch
May Day Pier Maintenance Dredge Cross Section (East-west view)

Summer

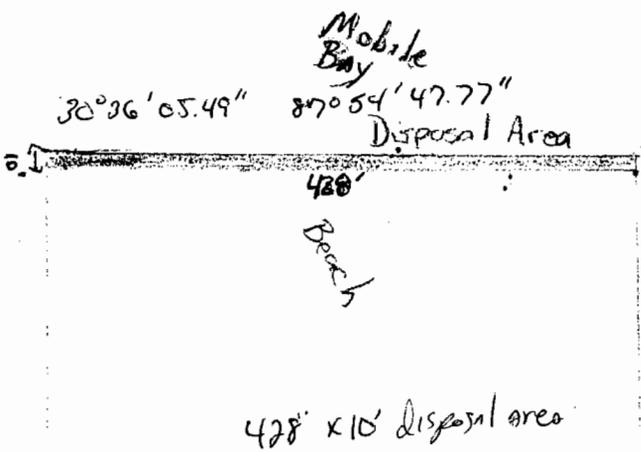
Dredge Material Disposal Area #1 (Summer)



During summer months, the dredge material will be placed north of the pier on Thomas Lambert's shoreline. The material will be placed within 10 feet of the shoreline which will allow it to re-enter the system.

Winter

Dredge Material Disposal Area #2 (Winter)



During winter months, the dredge material will be placed north of the pier at Bayside Academy's beach shoreline. The material will be placed within 10 feet of the shoreline which will allow it to re-enter the system. Bayside Academy is 5 parcels north of the pier.