



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

REPLY TO  
ATTENTION OF

CESAM-RD-C  
PUBLIC NOTICE NO.: SAM-2007-949-MBM

SEP 27 2007

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

**PROPOSED EXCAVATION AND DREDGING FOR CONSTRUCTION OF A  
COMMERCIAL MARINA WITHIN NORTH FORK DEER RIVER, THEODORE,  
MOBILE COUNTY, ALABAMA**

TO ALL CONCERNED: The U.S. Army Corps of Engineers, 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: Mr. Charles Adams  
c/o P&H Construction Corp.  
Attention: Mr. Clifford Champagne  
80 St. Michael Street, #203  
Mobile, Alabama 36602**

**LOCATION: North shore of North Fork Deer River at the applicant's property at 7636 Deer River Road (lots 11 and 12). The site is located around coordinates 30.5313N, 88.1057W, Township 6 South, Range 1 East, Section 1, Theodore, Mobile County, Alabama.**

**WORK: The applicant proposes to construct a 12 slip commercial marina adjacent to an existing canal at his private residence. The 18,265 square-foot marina will require the mechanical dredging of 2,950 cubic yards of sandy silt from 7,950 square feet of open water and the remainder excavated from uplands. All dredged material will be placed in an on-site upland diked disposal area. The L-shaped marina will consist of 218 linear feet of steel sheet pile bulkhead, 178 linear feet of 4-foot wide piers, two 3-foot wide by 40-foot long and four 3-foot wide by 30-foot long finger piers, and the placement of 13 mooring pilings. The marina will consist of eight 15-foot wide by 40-foot long boat slips and four 15-foot 9-inch wide by 50-foot long boat slips. The applicant will dredge and excavate the marina area to achieve water depths of -6 feet mean sea level.**

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

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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 will temporarily disturb approximately 0.18-acre (7,950 square feet) 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 Engineer 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.

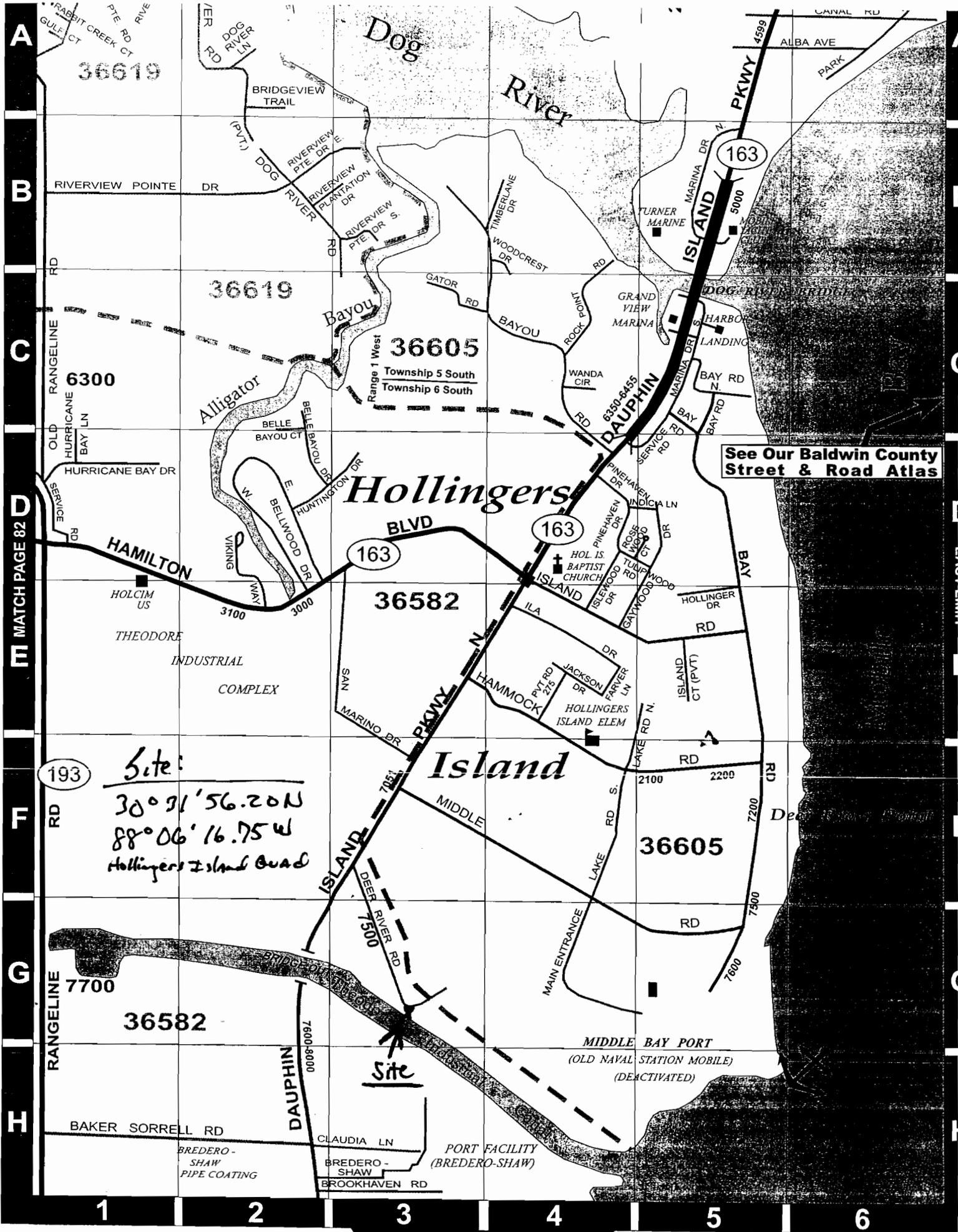
This notice is being sent to appropriate State and Federal agencies, including the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services. No properties listed in or eligible for the National Register of Historic Places is 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, 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-2007-949-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](mailto:michael.b.moxey@sam.usace.army.mil) or telephone number (251) 690-2658.

Enclosures

MOBILE DISTRICT  
U.S. Army Corps of Engineers



See Our Baldwin County Street & Road Atlas

Site:  
 $30^{\circ} 31' 56.20 N$   
 $88^{\circ} 06' 16.75 W$   
 Hollingers Island Blvd

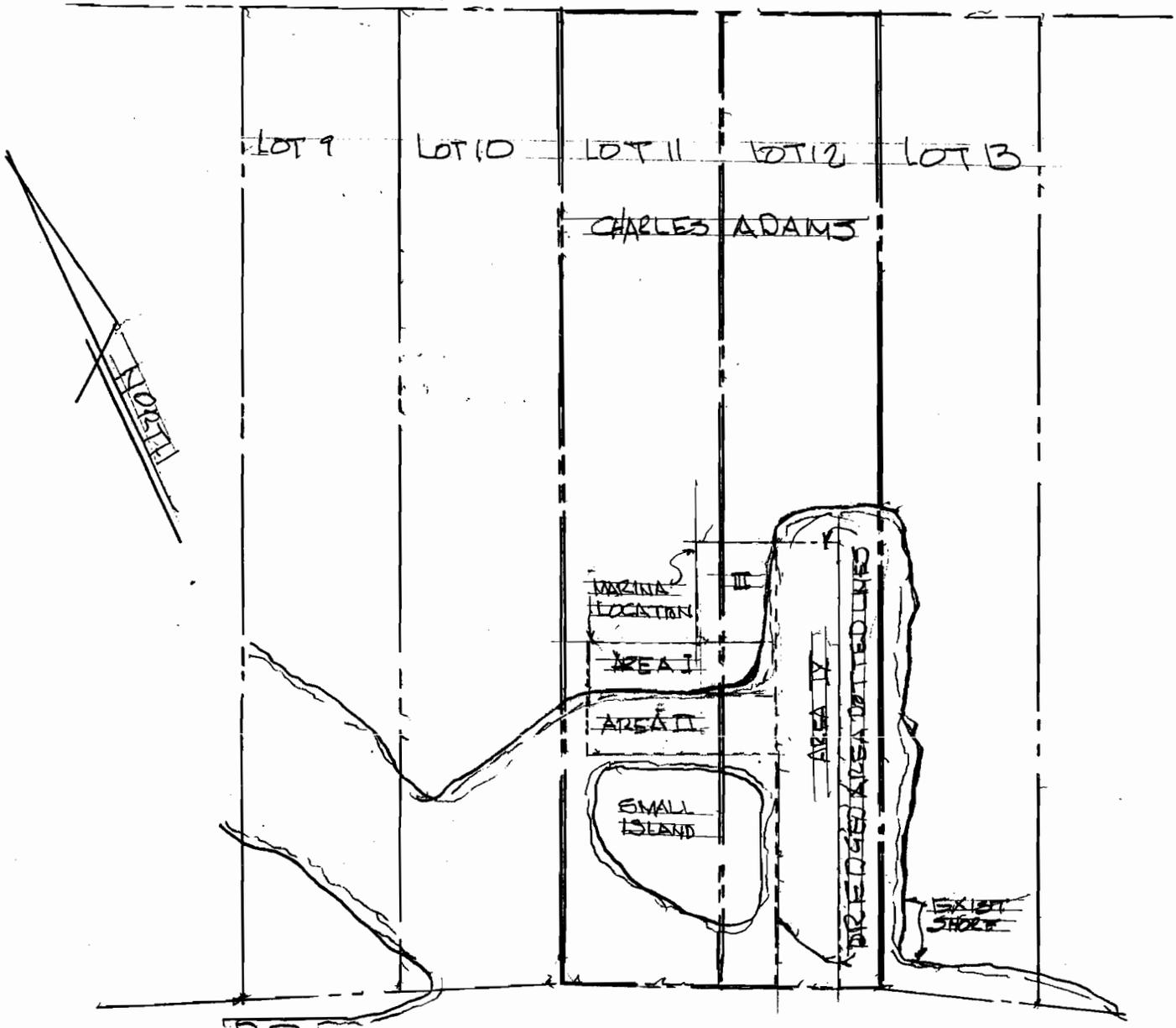
Site

MATCH PAGE 91, 92

$30.5313 N$   $88.1057 W$   
 Hollingers Island

DEER RIVER ROAD

TO DAUPHIN ISLAND PKWY.



AREA	EXIST. EL.	FINAL EL.	CUBIC YDS.	SIZE
I	4.5	= 6.0	1225	30' x 120'
II	-3.0	= 6.0	460	40' x 120'
III	4.5	= 6.0	1264	50' x 65'
IV	-3.5	= 6.0	1037	40' x 280'
TOTAL			3992 CUBIC YDS.	

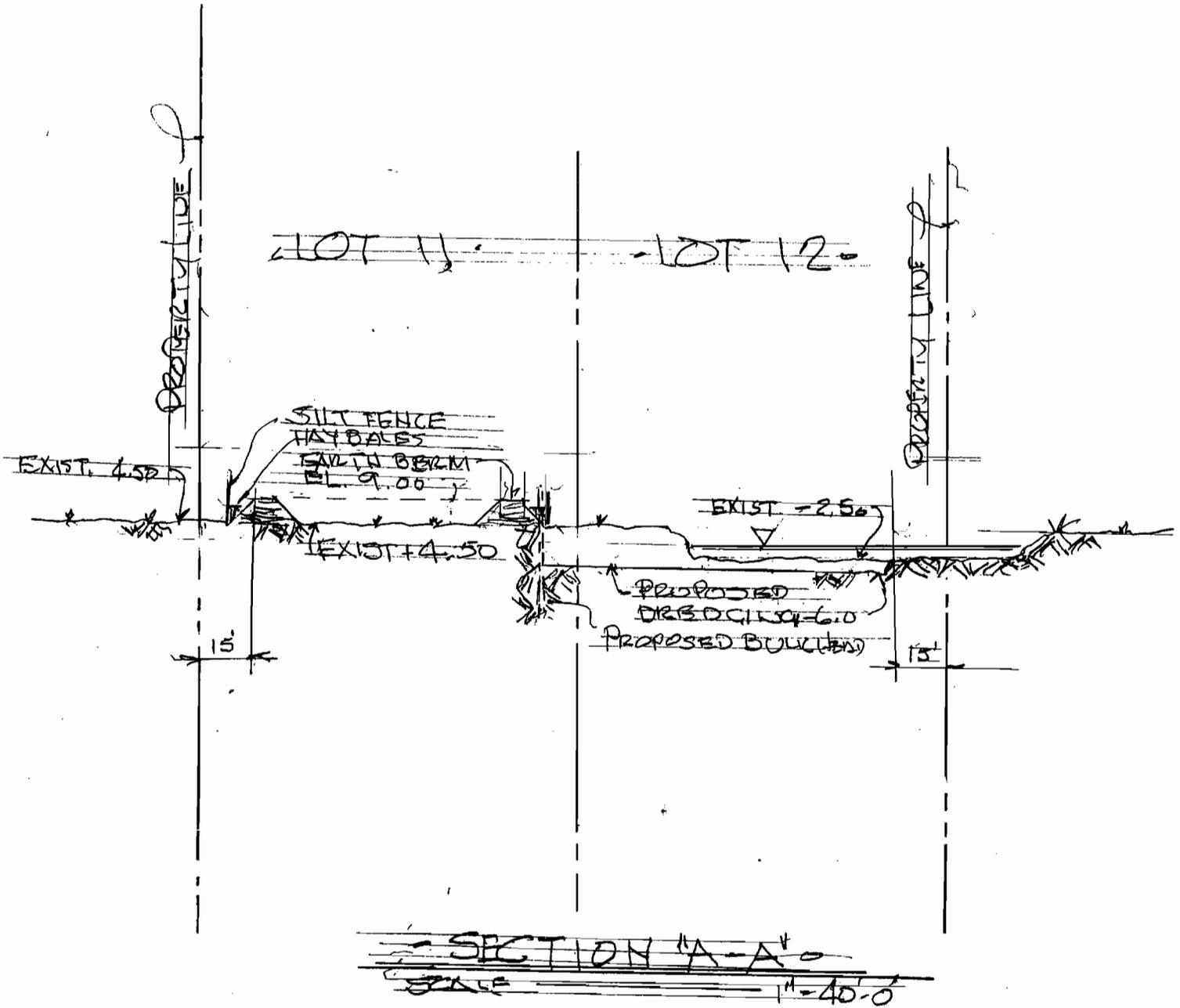
EXIST. BOTTOM = 12.00  
DEER RIVER

CHARLES ADAMS MARINA  
DREDGING PLAN

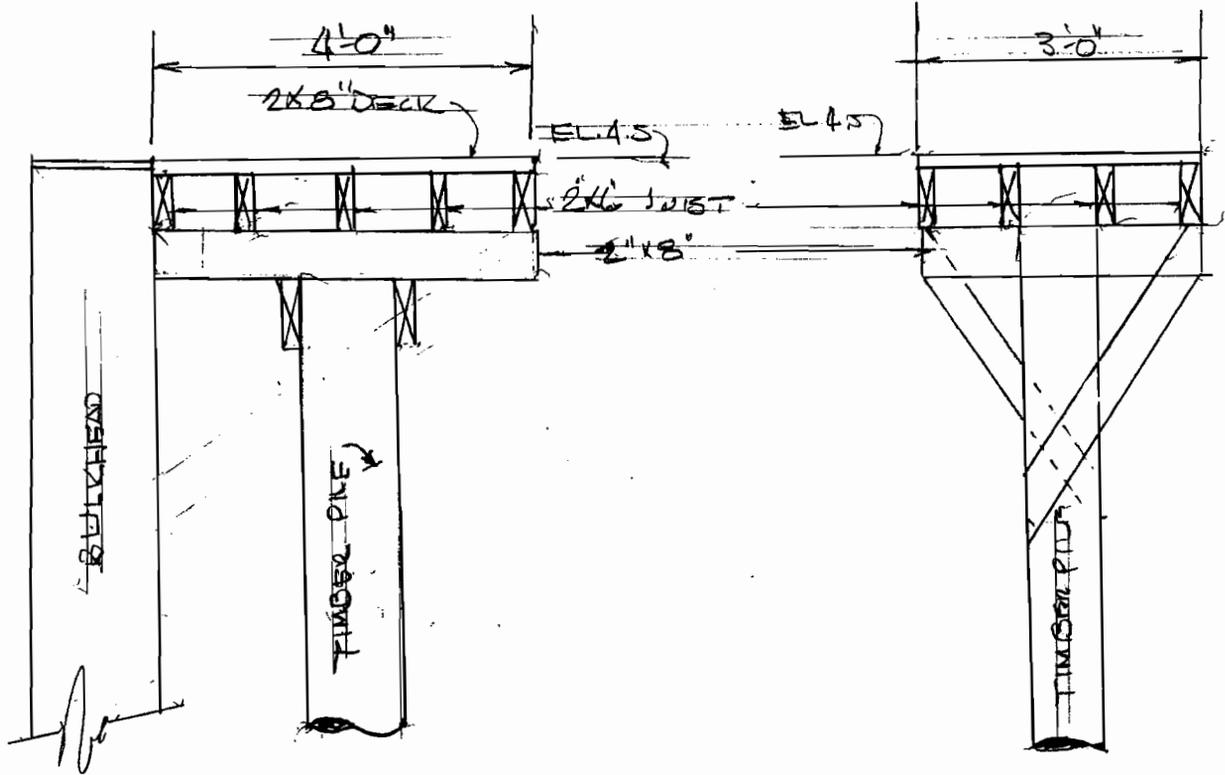
AUG 07    1" = 100'    AMB  
SKETCH 2







CHARLES ADAMS MAXIJA		
CROSS SECTION		
SECTION	1" = 40'	CNC



BULKHEAD WALKWAY

BOAT SLIP WALKWAY

CHARLES ADAMS MARINA		
WOOD WALKWAYS		
SHEET 07	CNC	1/2" = 1'-0"