



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

OP-5  
/

REPLY TO  
ATTENTION OF:

CESAM-OP-S  
PUBLIC NOTICE NO. AL04-00892-L

20 September 2004

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

CONSTRUCTION OF COMMUNITY MARINA  
HALLS MILL CREEK, MOBILE 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:** Creeklane, LLC  
Attn: Mr. John Peebles  
Post Office Box 1766  
Mobile, Alabama 36633

**WATERWAY:** Halls Mill Creek, at the end of Shipyard Road, Theodore, Mobile County, Alabama.

**WORK:** The applicant proposes to construct an 18-slip, roofed, community marina, approximately 200 feet long by 25 feet wide, parallel to the existing shoreline. The construction would include a 3.5-foot-wide wooden walkway and nine 1.5-foot-wide finger piers between the slips. The applicant also proposes to construct an adjacent concrete boat ramp approximately 28 feet long by 12 feet wide. The boat ramp construction would require the filling of approximately 24 square feet of emergent wetlands along the shoreline. A bulkhead 20 feet long would be constructed adjacent to the boat ramp. In addition, approximately 1,036 cubic yards of silt and sand would be mechanically dredged from an area approximately 200 feet long by 45 feet wide from its current average depth of -1.0 foot MSL to a proposed depth of -4.0 feet MSL. The dredging would allow boat access to the proposed facility. Dredged material would be placed in an upland bermed area on site.

The purpose of the proposed marina would be to provide boat docking facilities to lots 38 - 51 of a proposed residential subdivision.

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Those lots have no waterfront access. Dredging of the canal in front of the residential lots, and wetland impacts associated with an adjacent business park have been previously permitted by Department of the Army Permit Number AL02-02405-L. No wetland impacts other than those associated with the boat ramp are proposed. See attached drawings for additional information.

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, a determination relative to certification will be made.

The applicant has certified that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. Upon completion of the required advertising, a determination relative to 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

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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 has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. 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.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project will dredge approximately 0.2 acre of riverine substrate utilized by various life stages of various marine organisms. Our initial determination is that the proposed action will not have a substantial impact on EFH or Federally managed fishes. Our final determination relative to project impacts and the need for mitigation measures is subject to review and coordination with the National Marine Fisheries Service.

Correspondence concerning this Public Notice should refer to Public Notice Number AL04-00892-L and should be directed to the District

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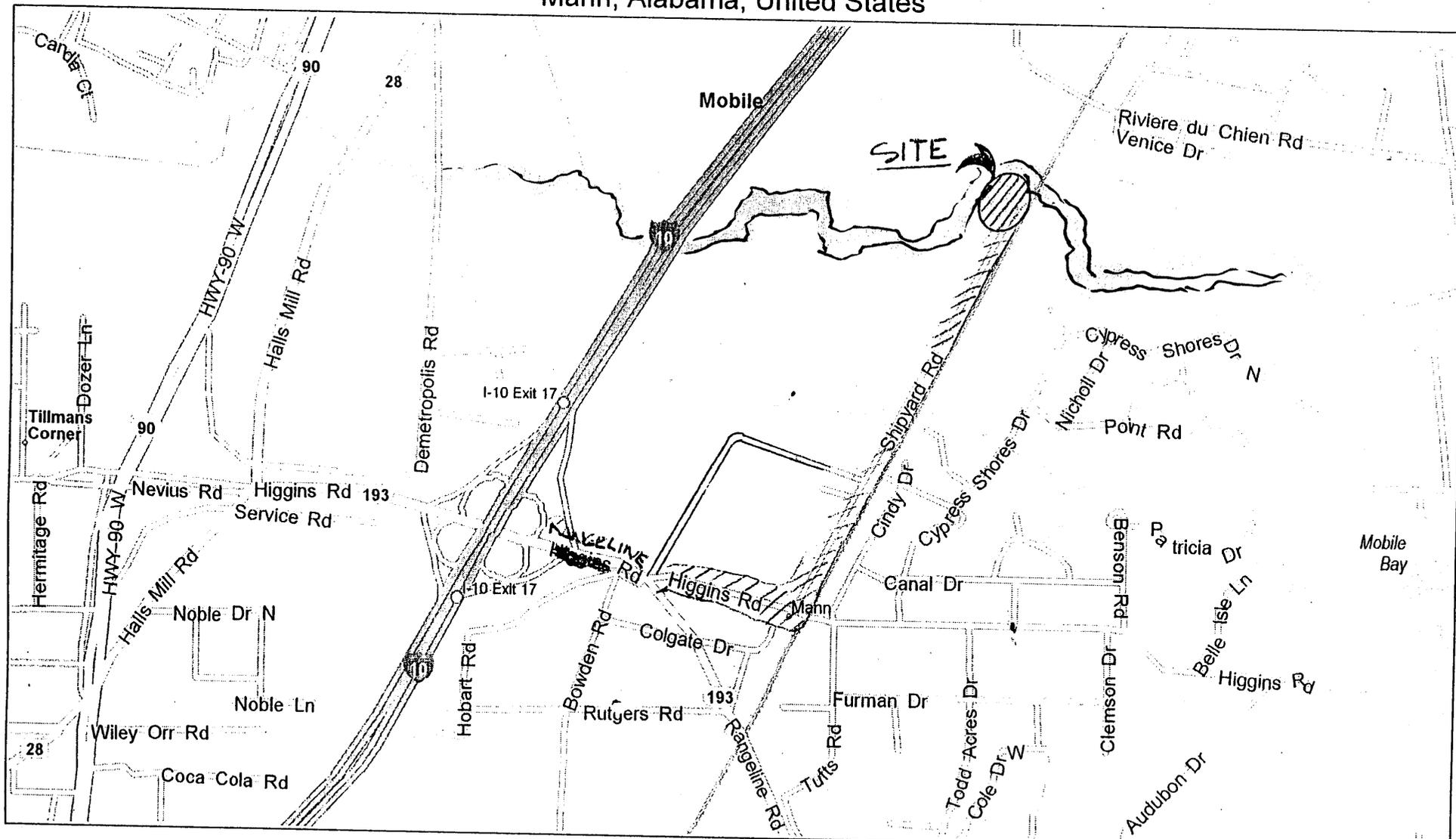
Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Branch, with a copy to the Alabama Department of Environmental Management, 4171 Commanders Drive, Mobile, Alabama 36615, in time to be received not later than **20 October 2004**.

If you have any questions concerning this publication, you may contact this office, **Mr. Chuck Sumner**, telephone number (251) 694-3792. Please refer to the above Public Notice number.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

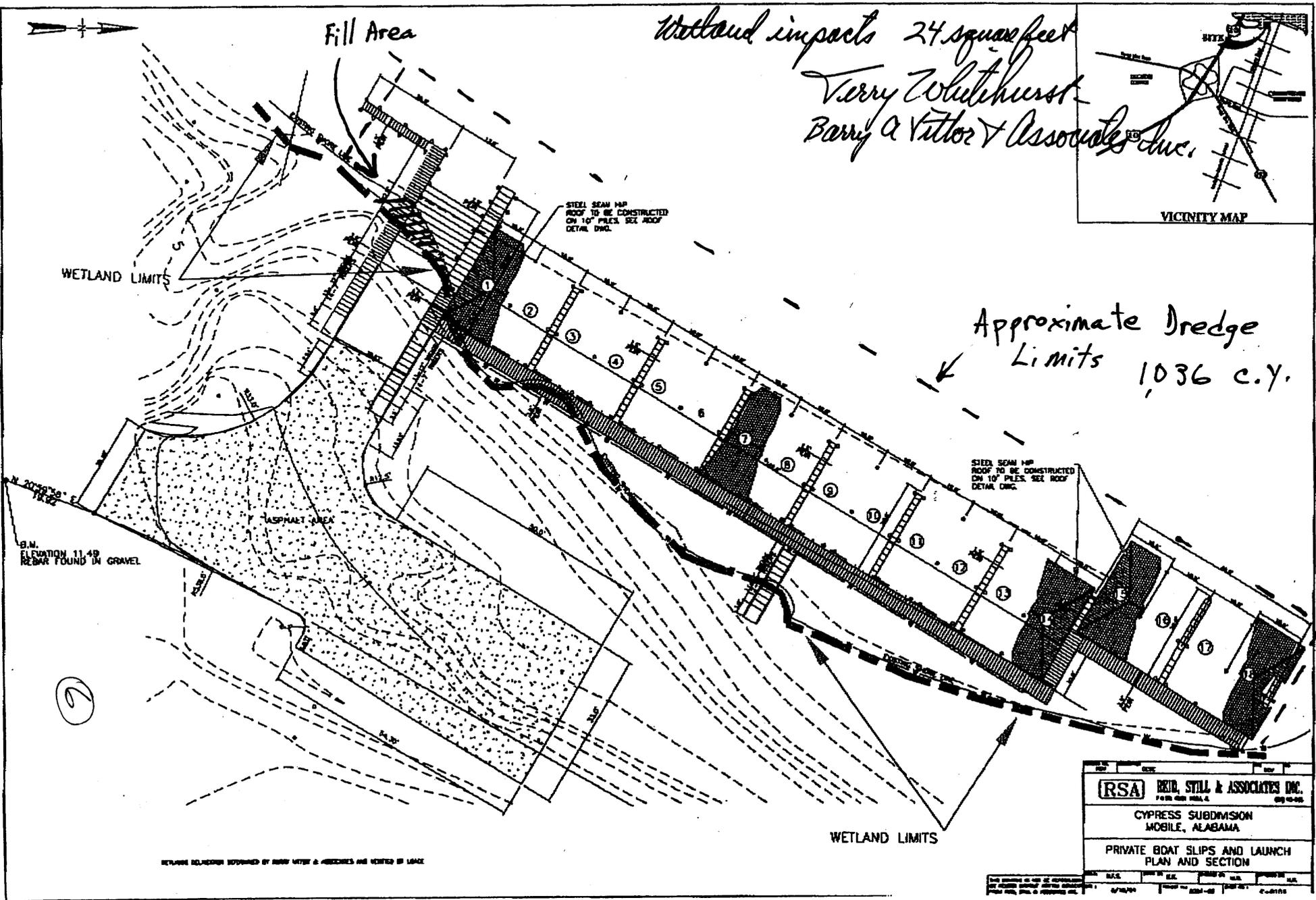
Mann, Alabama, United States



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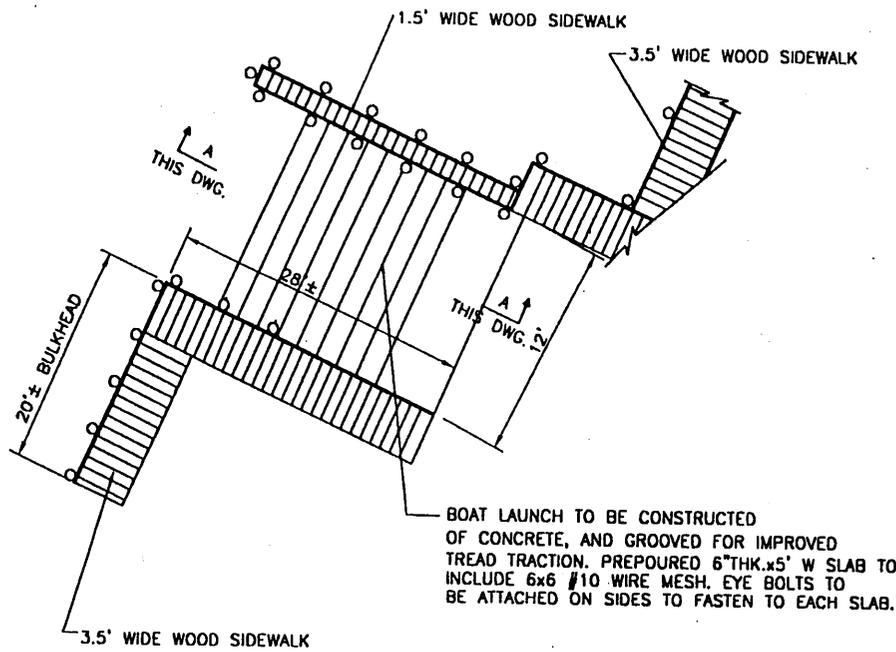
1/2 MILE SOUTH ON RANGELINE FROM I-10. LEFT ON HIGGINS ROAD. 1/4 MILE TO SHIPYARD RD. TAKE LEFT ON SHIPYARD. SITE LOCATED ON LEFT SIDE OF ROAD AT END OF SHIPYARD RD.

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<b>RSA</b> REID, STILL & ASSOCIATES INC.	
CYPRESS SUBDIVISION	
MOBILE, ALABAMA	
PRIVATE BOAT SLIPS AND LAUNCH	
PLAN AND SECTION	

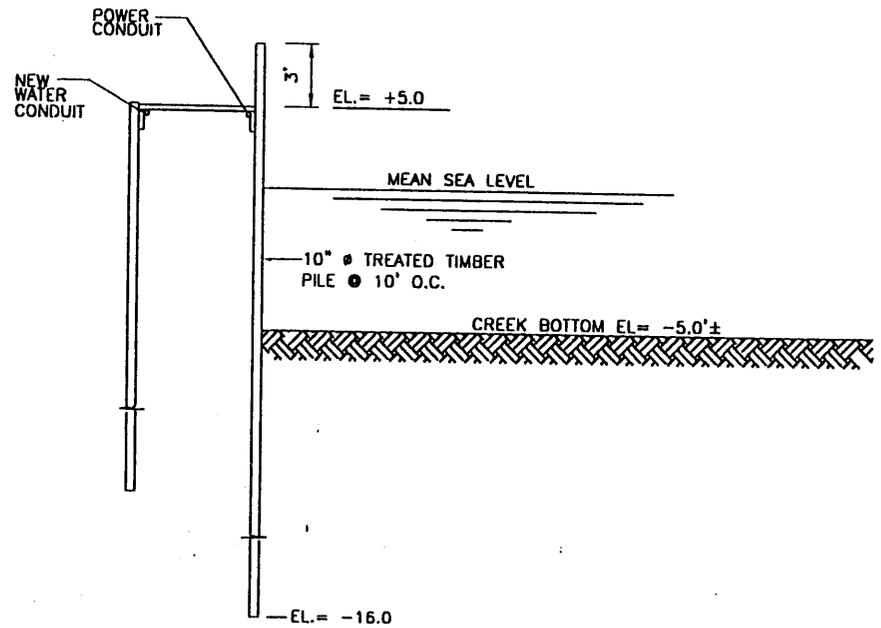
ALL PLANS AND SECTIONS SHOWN BY THIS OFFICE & ASSOCIATES ARE HEREBY CERTIFIED BY LICENSE



BOAT LAUNCH TO BE CONSTRUCTED OF CONCRETE, AND GROOVED FOR IMPROVED TREAD TRACTION. PREPOURED 6" THK. x 5' W SLAB TO INCLUDE 6x6 #10 WIRE MESH. EYE BOLTS TO BE ATTACHED ON SIDES TO FASTEN TO EACH SLAB.

PLAN  
BULKHEAD AND BOAT LAUNCH

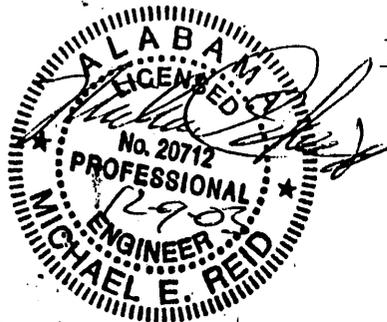
1" = 20'



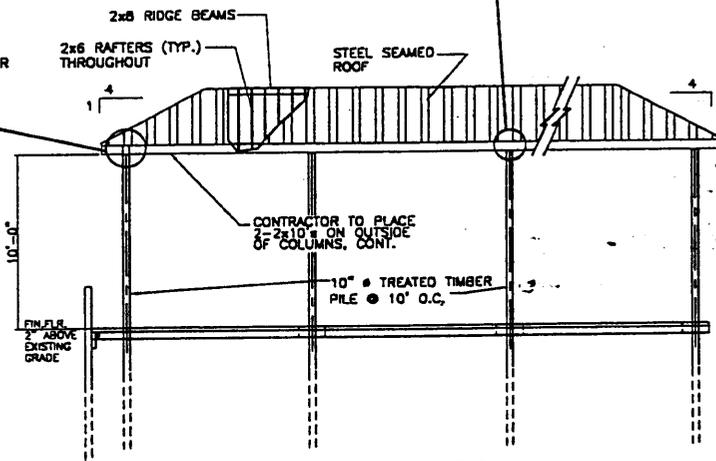
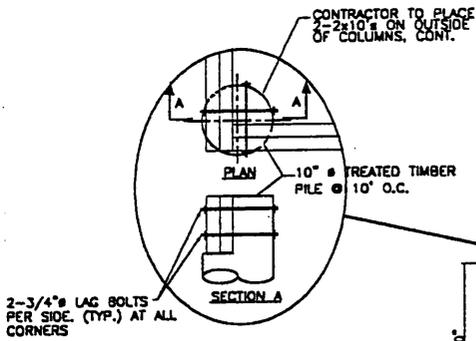
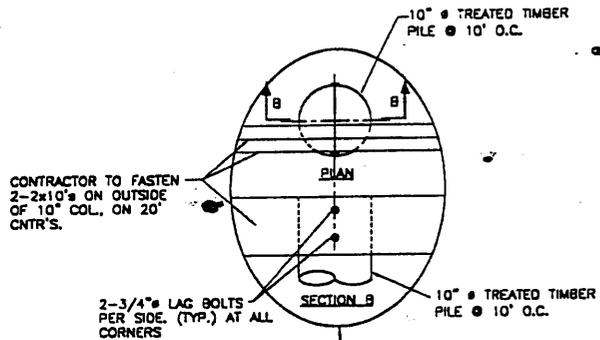
TYPICAL PIER CROSS SECTION

N.T.S.

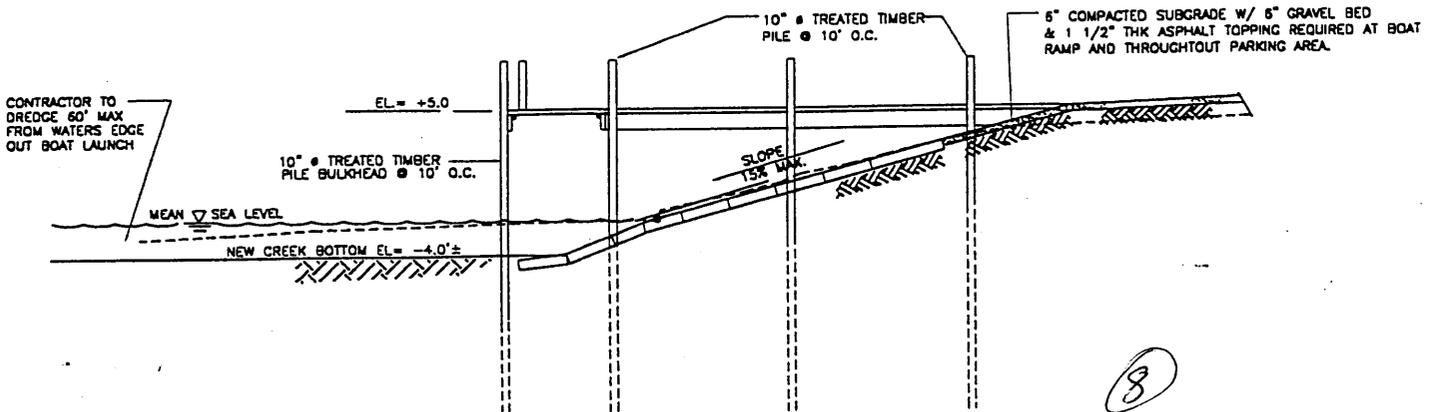
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**RSA** REID, STILL & ASSOCIATES INC.  
700 CH. 10000, SUITE 200, GADSDEN, AL 36033



ELEVATION  
N.T.S.



SECTION A  
N.T.S.

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

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