



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-C  
PUBLIC NOTICE NO. SAM-2003-3753-JEB

June 29, 2009

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

**PERMIT MODIFICATION: PROPOSED CHANGE IN BURIAL DEPTH OF TWO  
EXISTING 15 KV SUBMARINE CABLES BETWEEN BEAR POINT AND ONO  
ISLAND IN BAYOU SAINT JOHN, 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: Baldwin County EMC**  
**Attention: Mr. E.A. Jakins, Jr.**  
**Post Office Box 220**  
**Summerdale, Alabama 36580**

**AGENT: Volkert Environmental Group**  
**Attention: Mrs. Paige Collins Felts**  
**316 South Mckenzie Street**  
**Foley, Alabama 36535**

**LOCATION OF WORK:** Bottom sediments of Bayou Saint John, Section 37, Township 8 south, Range 5 East, 30° 18' 3.56" N/ -87° 30' 57.04" W, Orange Beach, Baldwin County, Alabama.

**WATERWAY:** Bayou Saint John, Section 37, Township 8 south, Range 5 East, 30° 18' 3.56" N/ -87° 30' 57.04" W, Orange Beach, Baldwin County, Alabama.

**PROPOSED WORK:** The applicant requests authorization to modify an existing permitted project involving re-burial of two previously permitted 15 KV submarine cables between Ono Island and Bear Point in Orange Beach, Alabama. The cables were previously permitted as AL95-04807-B and required burial of the cables a minimum of -6 feet below the bottom substrate of Bayou Saint John. These cables have been unearthed or exposed in near shore areas and now require re-burial. The

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applicant proposes to re-bury them to a depth of -4 feet via hand jetting. The re-buried cables will be further protected by the installation of concrete matting over the re-burial sites.

The applicant has not provided a statement for avoidance and minimization to Waters of the United States (U.S) since this proposed project involves maintenance of an existing, previously permitted structure.

No mitigation is required for this project.

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.

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.

**June 29, 2009**

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the U. S. 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.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that listed endangered and threatened species or their critical habitat may occur within the project area. Notification to the United States Fish and Wildlife Service will be furnished via this Public Notice.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2003-03753-JEB** and should be directed to the District Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division, with a copy to the Alabama Department of Environmental Management, 4171 Commanders Drive, Mobile, Alabama 36615, (If not in coastal zone: Post Office Box 301463, Montgomery, Alabama 36130-1463). 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 this office, **Mr. Eric Buckelew**, telephone number **251-690-3184**, e-mail **james.e.buckelew@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/RD/reg](http://www.sam.usace.army.mil/RD/reg), and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

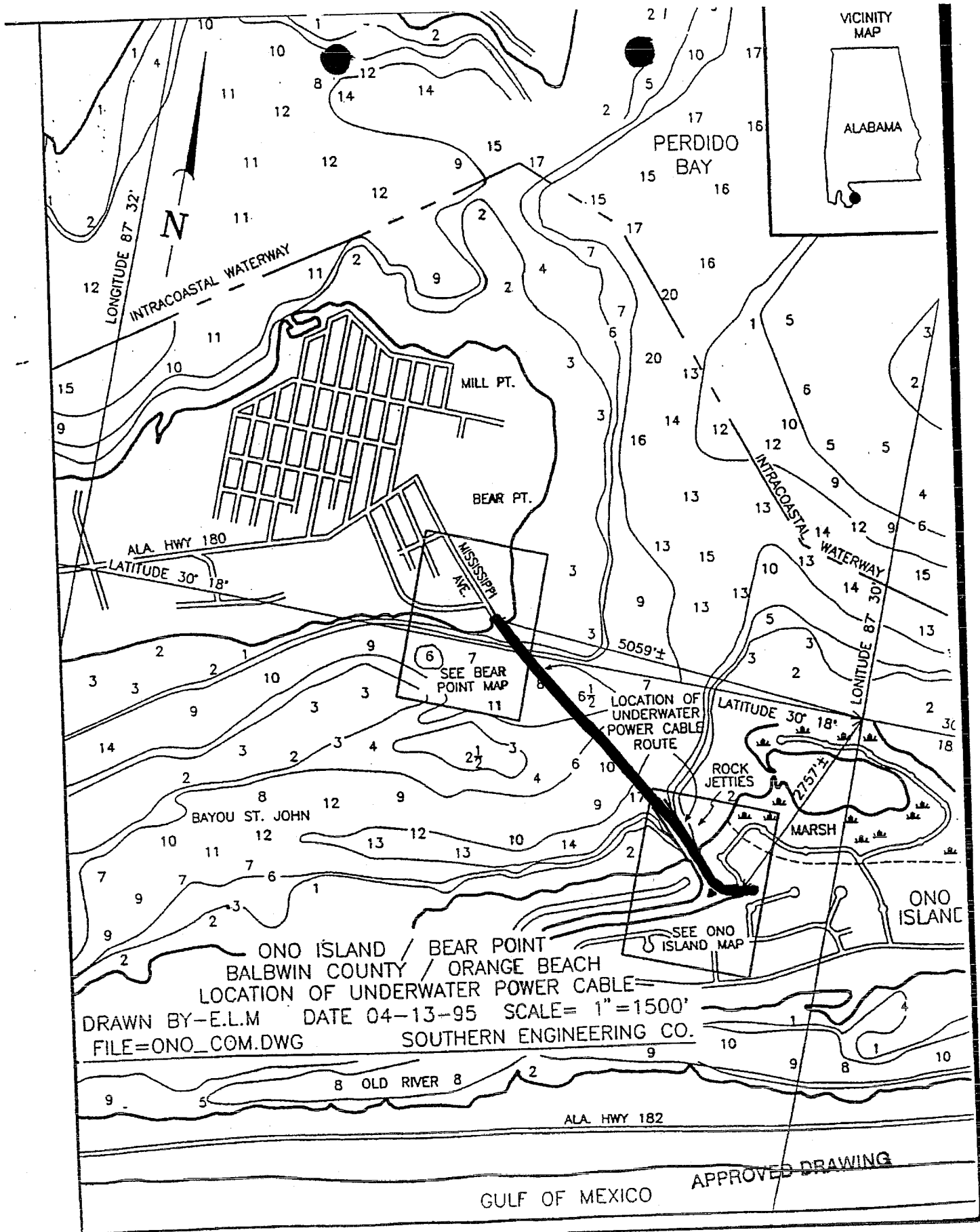
## **Project Description**

The proposed maintenance project involves re-burying by method of hand jetting two submarine power cables that have been unearthed or exposed in Bayou St. John and in an unnamed canal that accesses Ono Island. These cables begin at the terminus of Mississippi Avenue in the Bear Point Community and span southward a length of approximately 4850' across Bayou St. John and up the unnamed canal before re-emerging on land on Ono Island.

On the Bear Point side, starting approximately 430' offshore and working northward, the cables will be buried to a depth of four feet below the substrate for approximately 400 linear feet. Then for approximately 30 linear feet, working northward to the existing bulkhead, the cables will rise to the existing conduit and be buried on a best efforts basis. Cement bags, with a minimum thickness of 12 inches, will be placed over this entire 30 linear foot section. On the Ono Island side, starting approximately 565' offshore and working southward, the cables will be buried to a depth of four feet below the substrate for approximately 525 linear feet. Then for approximately 40 linear feet, working southward to the terminal embankment, the cables will rise to the existing conduit and be buried on a best efforts basis. Cement bags, with a minimum thickness of 12 inches, will be placed over this entire 40 linear foot section.

The proposed maintenance project does somewhat deviate from the activity that was originally permitted in 1996. The original permit states that the cables would be buried to a depth of six feet below the substrate. Several engineering studies have been conducted to decide the best method for re-burying the sections of the cables that have been unearthed or exposed. These studies have suggested that due to slack that is now in the cables from being unearthed or exposed, re-burying the cables to a depth of four feet below the substrate will be the best option. If the cables were to be re-buried to a depth of six foot below the substrate the cables would have to be spliced and that could potentially effect the integrity of the cables.





VICINITY  
MAP

ALABAMA

PERDIDO  
BAY

MILL PT.

BEAR PT.

ALA. HWY 180

LATITUDE 30° 18'

MISSISSIPPI  
AVE.

SEE BEAR  
POINT MAP

LOCATION OF  
UNDERWATER  
POWER CABLE  
ROUTE

LATITUDE 30° 18'

ROCK  
JETTIES

MARSH

ONO  
ISLAND

SEE ONO  
ISLAND MAP

ONO ISLAND / BEAR POINT  
BALBWIN COUNTY / ORANGE BEACH  
LOCATION OF UNDERWATER POWER CABLE

DRAWN BY-E.L.M DATE 04-13-95 SCALE= 1"=1500'  
FILE=ONO\_COM.DWG SOUTHERN ENGINEERING CO.

8 OLD RIVER 8

ALA. HWY 182

GULF OF MEXICO

APPROVED DRAWING

N.T.S.



BAYOU ST. JOHN

BAYOU ST. JOHN

APPROX. CABLE LOCATION

MAN-MADE CANAL

HARBOR DRIVE

CEMENT BAG LOCATION ON SOUTH END OF PROJECT

APPROX. 40'  
IN LENGTH

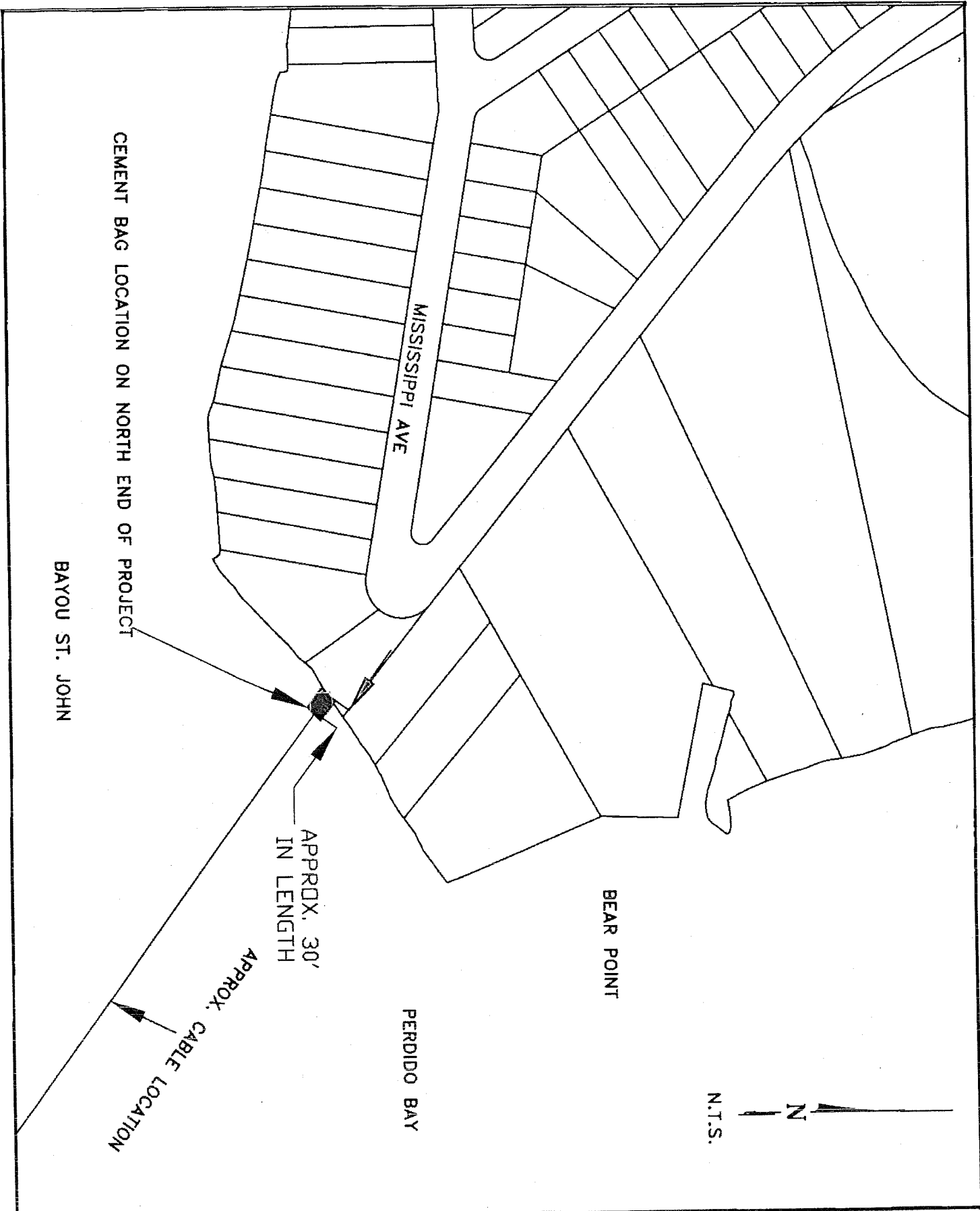
**VOLKERT**  
& ASSOCIATES, INC.

EMC CABLE REBURIAL  
CEMENT BAG LOCATION  
SOUTH END OF PROJECT

DATE	XXX
BY	APCF
CHECKED	XXX
SCALE	5-26-09

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CEMENT BAG LOCATION ON NORTH END OF PROJECT

BAYOU ST. JOHN

MISSISSIPPI AVE

BEAR POINT

PERDIDO BAY

APPROX. 30'  
IN LENGTH

APPROX. CABLE LOCATION

N.T.S.



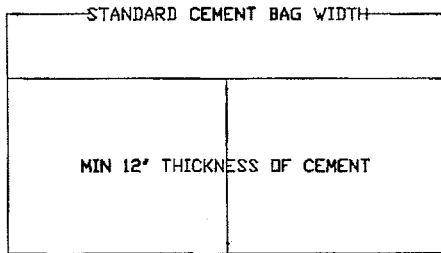
DATE	1
SCALE	1
PROJECT NO.	1

**VOLKERT**  
& ASSOCIATES, INC.

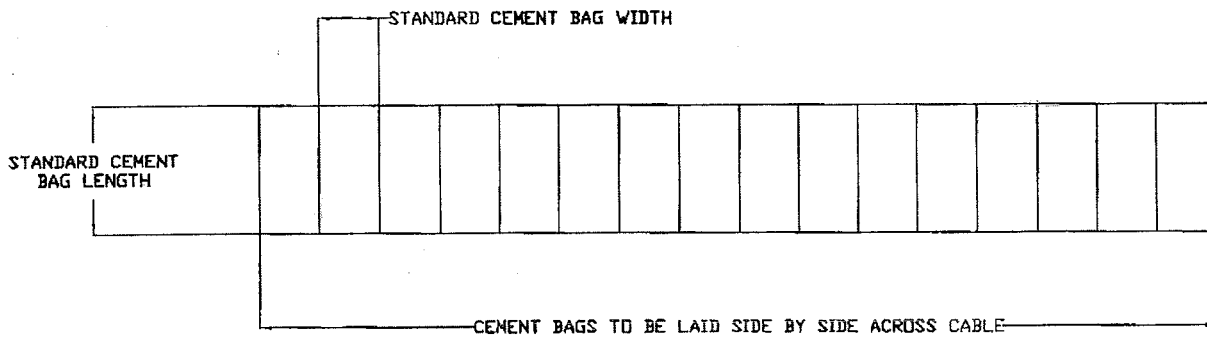
EMC CABLE REBURIAL  
CEMENT BAG LOCATION  
NORTH END OF PROJECT

DESIGNED	XXX
DRAWN	APCF
CHECKED	XXX
DATE	5-26-09

REVISIONS	
1.	
2.	
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PROFILE VIEW



PLAN VIEW

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

FIRST-CLASS MAIL  
U.S. POSTAGE  
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