



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

AUG 31 2006

CESAM-RD-C-A
PUBLIC NOTICE NO.
SAM-2006-1841-JBE

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

PROPOSED CONSTRUCTION OF A 127-SLIP MARINA
(HIGHWAY 98 BAYSIDE MARINA) WITH ASSOCIATED WETLAND
AND WATERBOTTOM FILL IN PERDIDO BAY,
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: AIG Baker Real Estate LLC
Attention: Mr. Rich Wingo
1701 Lee Branch Lane
Birmingham, Alabama 35242

AGENT: Volkert Environmental Group, Inc.
Attention: Ms. Paige Collins
316 South McKenzie Street
Foley, Alabama 36536 Telephone: (251) 968-7551

LOCATION: Waterway is the Perdido Bay. The project site is located at 12408 7th Street, Lillian, Baldwin County, Alabama [Section 26, T7S, R6E, near Latitude 30° 24' 22.49" and Longitude 87° 26' 13.85"]. This was formerly Kitt's Marina.

WORK: The applicant proposes to construct a commercial public marina (Highway 98 Bayside Marina) with both dry and wet boat slips for lease and limited transient docking. Other amenities would include fueling and pump out facilities, fish cleaning stations, store and bait shop, designated wash down maintenance area, a restaurant, and a 35,000 square foot (192 vessel) dry storage facility with a lift-in/lift out area (Splash Area). There would be no boat ramp.

Hurricane Katrina destroyed the former marina. The existing remnant pilings would be removed. The proposed work would include:

- a. Wetland Fill: Approximately 720 cubic yards of clean material would be placed in 0.22-acres of an on-site wetland mitigation area to create additional parking.
- b. Shoreline Stabilization: Approximately 400 linear feet of existing bulkhead would be repaired or replaced. Also, 52 linear feet of new bulkhead would be installed in association with the dry storage splash area.
- c. Marina: The marina footprint, including the east wave attenuator and west breakwater would be 606-foot-wide by 616-foot-long.

(1) The marina would have three 8.5-foot-wide floating piers (docks):

<i>Pier</i>	<i>Distance Waterward</i>	<i>No. slips & Vessel length</i>	<i>Transient Tie-Ups</i>	<i>Other amenities</i>
Pier A	382-ft	13 slips for 35' vessels 18 slips for 40' vessels	2	Fish cleaning stations (2)
Pier B	416 ft	40 slips for 40' vessels	2	Fish cleaning station (1)
Pier C	395-ft	20 slips for 35' vessels 4 slips for 40' vessels	2	Fueling facilities, sewage pump-out, and fish cleaning station (1)

All piers would have 4.3-foot-wide finger piers. In addition to providing transient docking, the terminal "T" on Pier B would be an 89-foot-long by 6-foot-wide floating wave attenuation system.

(2) Splash Area (boat lift-in / lift-out): Two floating piers (96 linear feet combined) and approximately 69 linear feet of floating wave attenuator would adjoin the bulkhead in the boat splash area.

(3) Public Tie-Up Area: A 6-foot-wide by 222-foot-long wharf would be constructed along the shoreline and would provide tie ups for transient vessels.

The average width of Perdido Bay fronting the project site is 3,240 feet.

d. Breakwater: On the west side of the marina, approximately 1.40 acres (61,120 square feet) of waterbottoms would be filled using large rip rap to create an 80-foot-wide by 764 foot long breakwater. A 10-foot-wide by 681-foot-long elevated wooden walkway would be constructed along the crest of the breakwater. The breakwater would extend 616 feet from the shoreline into Perdido Bay. The distance from the water ward end of the proposed breakwater to the Highway 98 Bridge is 353 feet and from the normal navigation channel is 1179 feet.

e. Floating Wave Attenuation System and Transient Docking: On the east side of the marina, a 6-foot-wide by 548-foot-long floating attenuation system would be constructed parallel to and waterward of Dock C and would extend approximately 467 feet into Perdido Bay (as measured from the shoreline).

There would be 24 transient vessel tie ups (13 on the exterior and 11 on the interior of the attenuation structure). Distance from the eastern wave attenuator to the Highway 98 Bridge is 190 feet.

f. Dredging within Perdido Bay: Approximately 47,117 cubic yards of sand would be hydraulically dredged from 6 acres of waterbottoms to a depth of 8 feet.

g. Dredge Disposal Area: All dredged material would be dewatered in a 2.77-acre diked containment area located adjacent to the project site.

h. Mitigation: The applicant proposed purchasing credits from an approved wetland mitigation bank.

PROJECT PURPOSE: Construction of a commercial public marina with dry and wet slips for lease; transient berthing; fueling and pump out facilities; a store/bait shop; and a restaurant.

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.

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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 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.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2006-1841-JBE and should be directed to:

District Commander
U.S. Army Engineer District, Mobile
Attention: Regulatory Division
Post Office Box 2288
Mobile, Alabama 36628

with a copy to the:
Alabama Department of Environmental Management
4171 Commanders Drive
Mobile, Alabama 36615

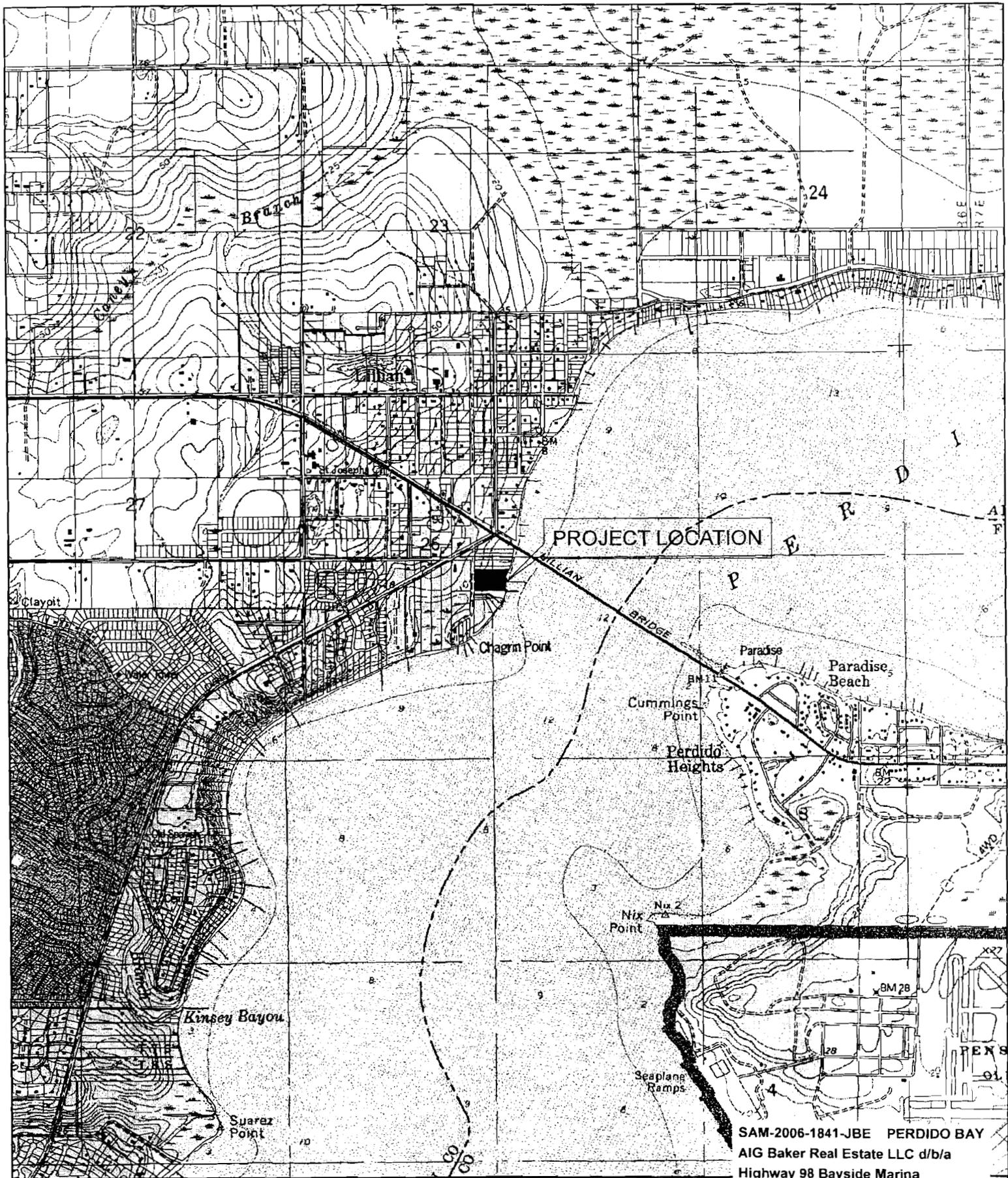
All comments must be sent in time to be received not later than 30 days from the date of this Public Notice.

If you have any questions concerning this publication, you may contact Joy Earp at telephone number (251) 690-2658. Please refer to Public Notice number SAM-2006-1841-JBE.

For additional information about our Regulatory Program, please visit our web site at 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

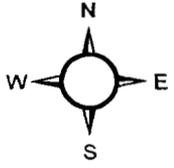
Enclosures: 1) Vicinity Map; 2) Plan View; 3) Detail View - Marina (landward portion); 4) Typical Cross-Section Wetland Fill; 5) Detail View - Marina Basin; 6) Cross Section 'A-A' - Marina Basin structures; 7) Typical Cross Section - Breakwater; 8) Area view (distances): project to opposite shoreline and project to Highway 98 Bridge; 9) Plan View - Dredge Area; 10) Typical Cross Section - Dredge area; 11) Plan view - Dredge Spoil Site; 12) Typical Cross-section - Dredge Spoil Site



SAM-2006-1841-JBE PERDIDO BAY
 AIG Baker Real Estate LLC d/b/a
 Highway 98 Bayside Marina
 Vicinity Map
 Attachment 1 of 12

PROPOSED HIGHWAY 98
 BAYSIDE MARINA VICINITY
 MAP

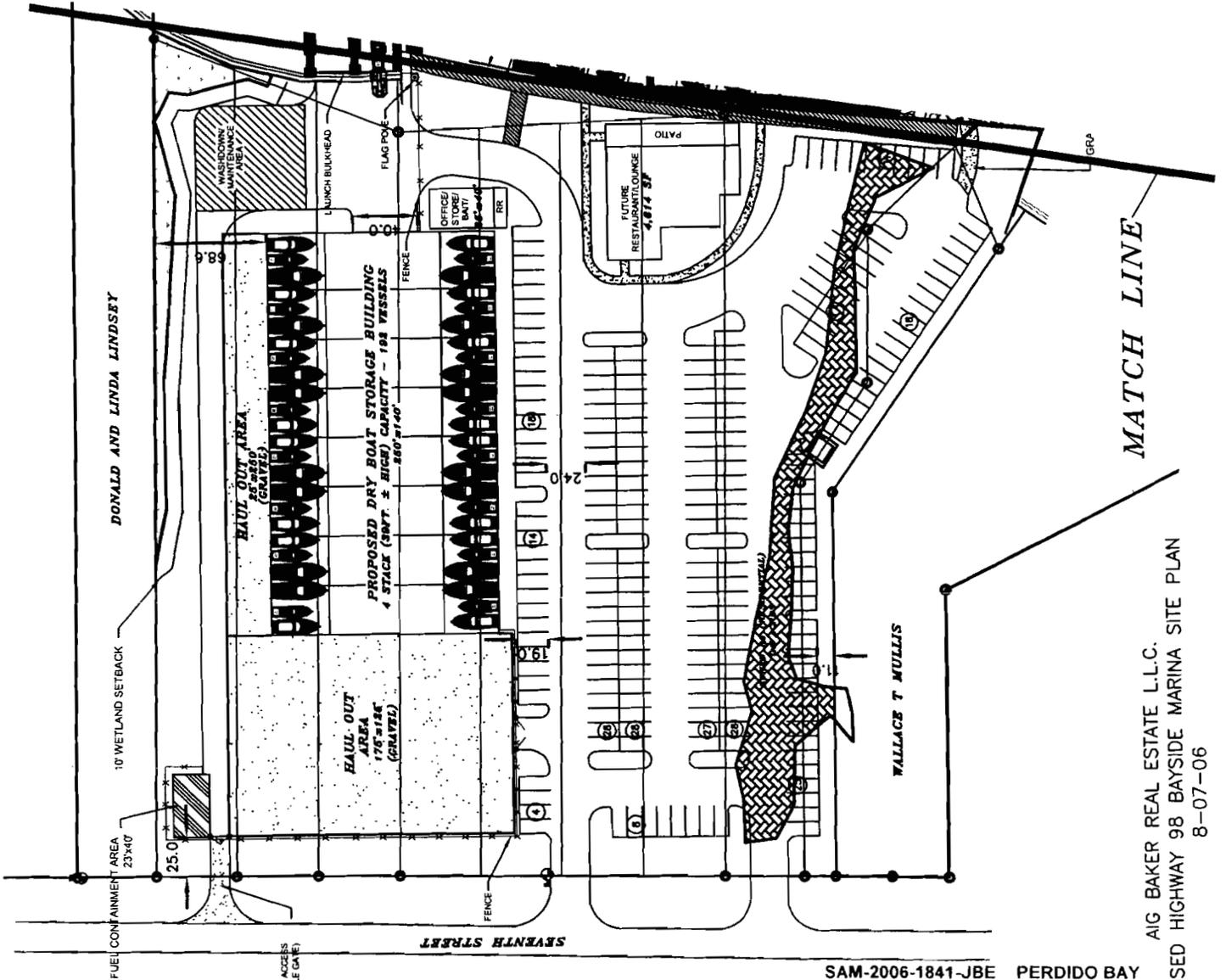
1 inch equals 2,000 feet



N

1"=100'

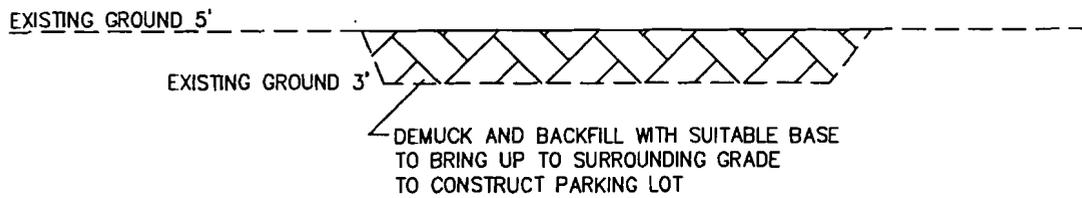
WETLAND FILL AREA



MATCH LINE

AIG BAKER REAL ESTATE L.L.C.
PROPOSED HIGHWAY 98 BAYSIDE MARINA SITE PLAN
8-07-06

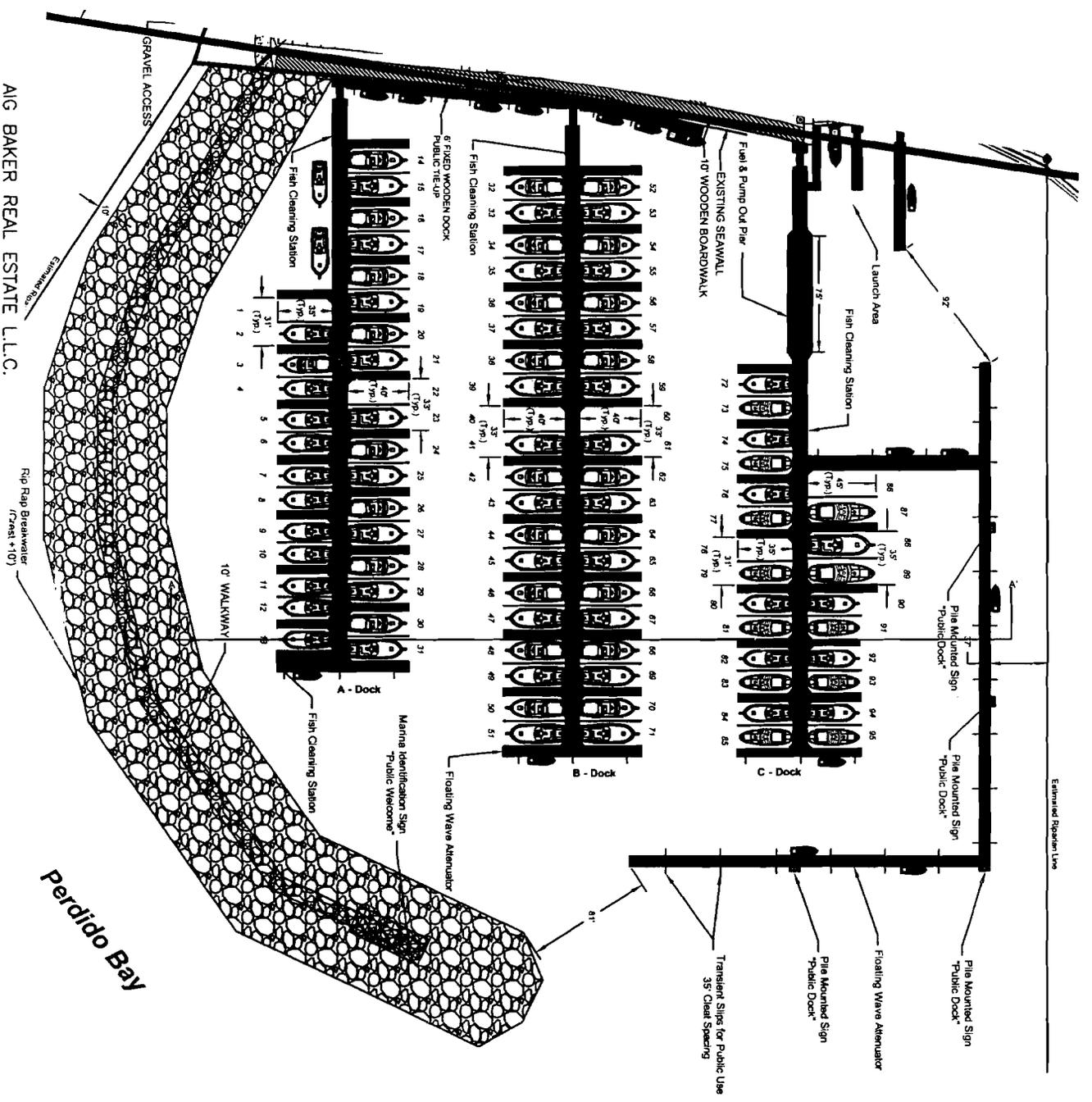
SAM-2006-1841-JBE PERDIDO BAY
AIG Baker Real Estate LLC d/b/a
Highway 98 Bayside Marina
Detail View - Marina
(landward portion)
Attachment 3 of 12



TYPICAL WETLAND FILL SECTION
N.T.S.

SAM-2006-1841-JBE PERDIDO BAY
AIG Baker Real Estate LLC d/b/a
Highway 98 Bayside Marina
Typical Cross-Section Wetland Fill
Attachment 4 of 12

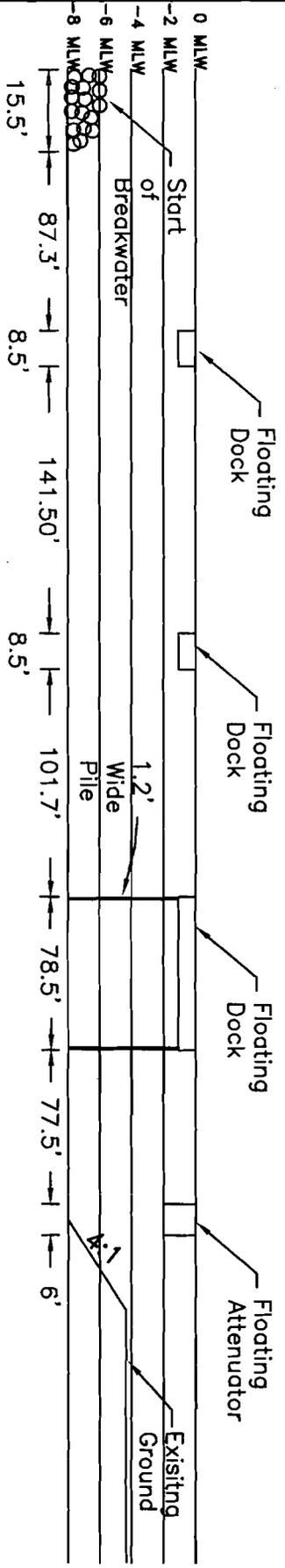
AIG BAKER REAL ESTATE L.L.C.
 PROPOSED HIGHWAY 98 BAYSIDE MARINA SITE PLAN
 8-07-06



Perdido Bay



1" = 100'

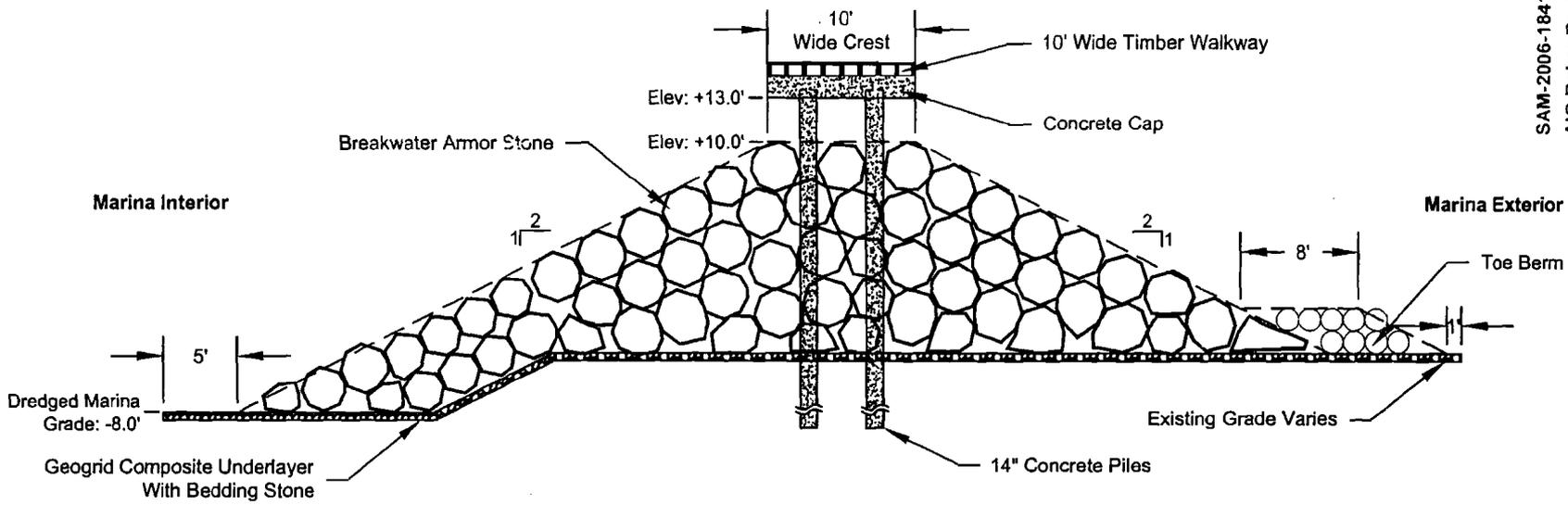


SAM-2006-1841-JBE PERDIDO BAY
 AIG Baker Real Estate LLC d/b/a
 Highway 98 Bayside Marina
 Cross Section 'A-A' -
 Marina Basin structures
 Attachment 6 of 12

DRAWING NOT TO SCALE
 NOT ISSUED FOR CONSTRUCTION

CONCEPTUAL DESIGN

SAM-2006-1841-JBE PERDIDO BAY
 AIG Baker Real Estate LLC d/b/a
 Highway 98 Bayside Marina
 Typical Cross Section - Breakwater
 Attachment 7 of 12



SECTION 1 (CREST ELEV: +10.0')

SCALE: 1" = 12'

NEED NOT BE BUILT

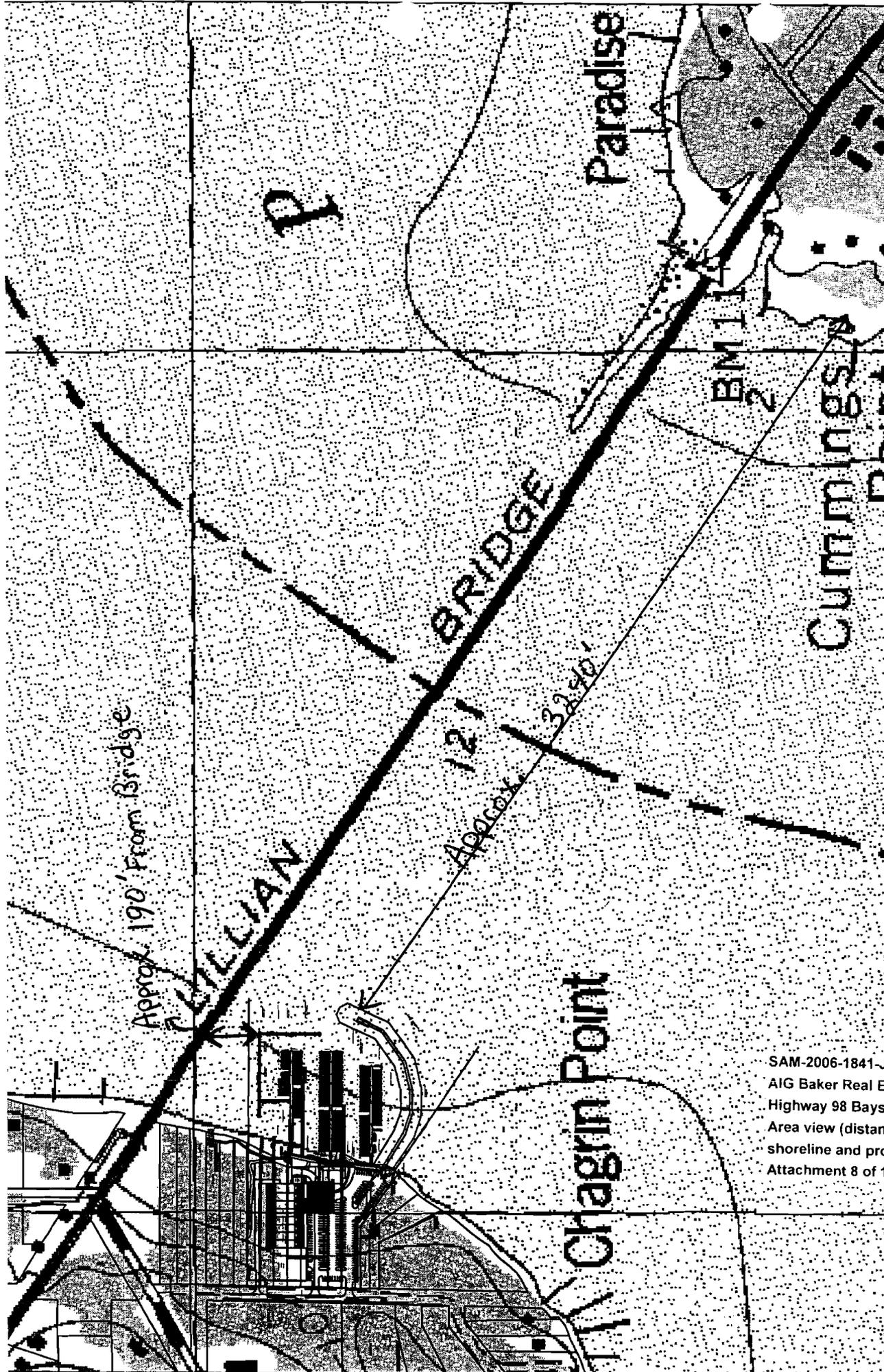
mrd
 mrd associates, inc.
 Coastal, Marine & Water Resources Engineering

543 Harbor Boulevard, Suite 204
 Destin, Florida 32541
 Certification of Authorization Number CA-2754-E
 850.654.1555 (voice) • 850.654.3918 (fax)
 www.mrd-associates.com

TYPICAL BREAKWATER SECTION
 Highway 98 Bayside Marina - Lillian Marina

AIG Baker Real Estate, L.L.C.
 1701 Lee Branch Lane, Birmingham, Alabama, 35242

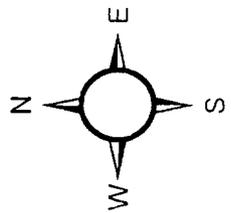
Jonathan T. Ambruster, P.E. Alabama P.E. Number 26581-E	
Date: August 03, 2006	
Rev Date:	Rev #:
PROJECT NUMBER 05-201	SHEET NUMBER 1 of 1

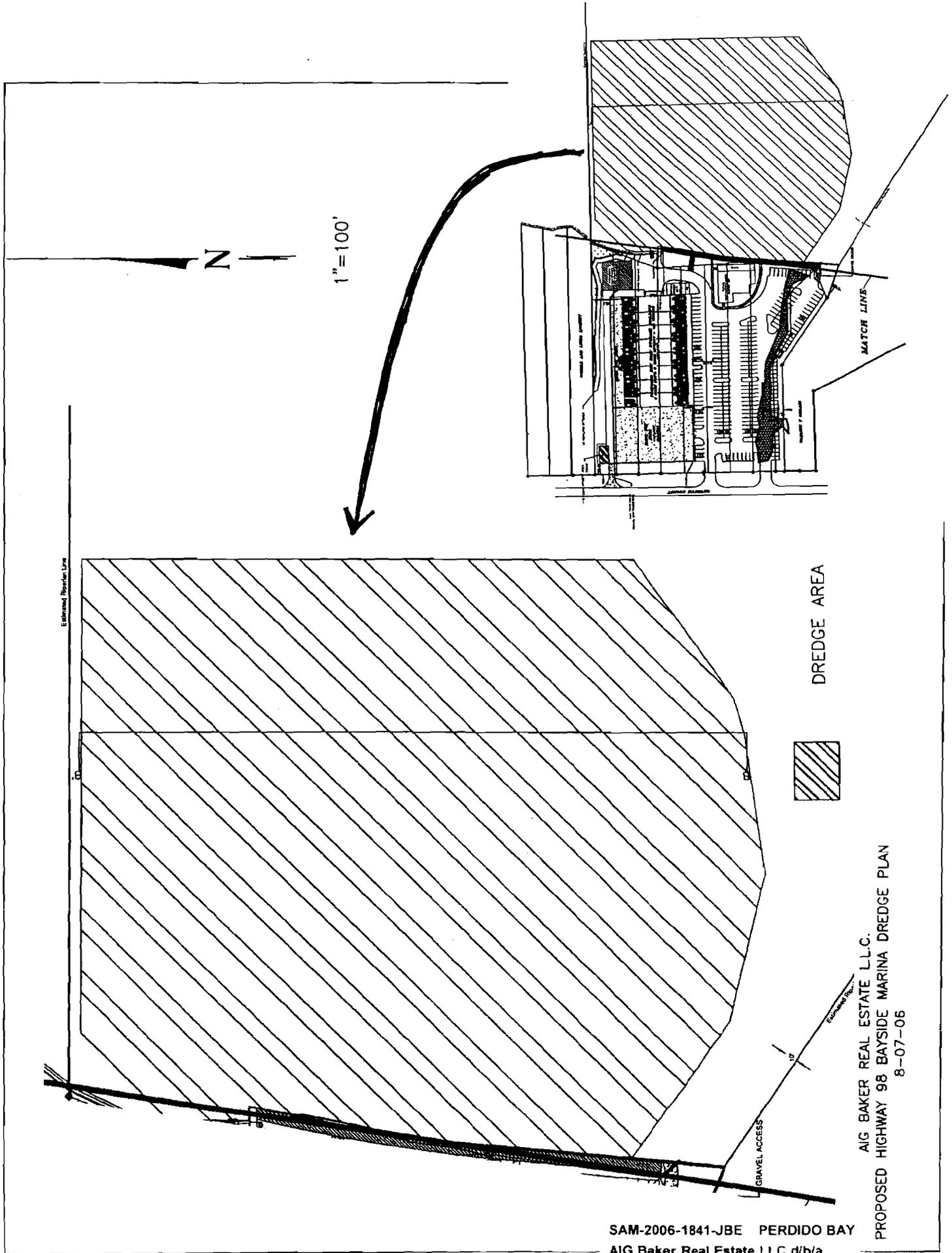


PROPOSED HIGHWAY 98
 BAYSIDE MARINA
 DISTANCE FROM BRIDGE AND
 ADJACENT SHORELINE

1 inch equals 500 feet

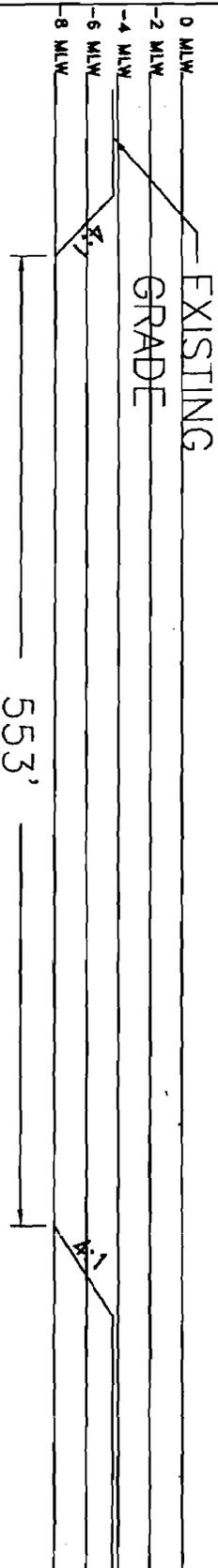
SAM-2006-1841-JBE PERDIDO BAY
 AIG Baker Real Estate LLC d/b/a
 Highway 98 Bayside Marina
 Area view (distances): project to opposite
 shoreline and project to Highway 98 Bridge
 Attachment 8 of 12





AIG BAKER REAL ESTATE L.L.C.
 PROPOSED HIGHWAY 98 BAYSIDE MARINA DREDGE PLAN
 8-07-06

SAM-2006-1841-JBE PERDIDO BAY
 AIG Baker Real Estate LLC d/b/a
 Highway 98 Bayside Marina
 Plan View - Dredge Area
 Attachment 9 of 12



DRAWING NOT TO SCALE
 NOT ISSUED FOR CONSTRUCTION

SAM-2006-1841-JBE PERDIDO BAY
 AIG Baker Real Estate LLC d/b/a
 Highway 98 Bayside Marina
 Typical Cross Section - Dredge area
 Attachment 10 of 12

SECTION B-B'

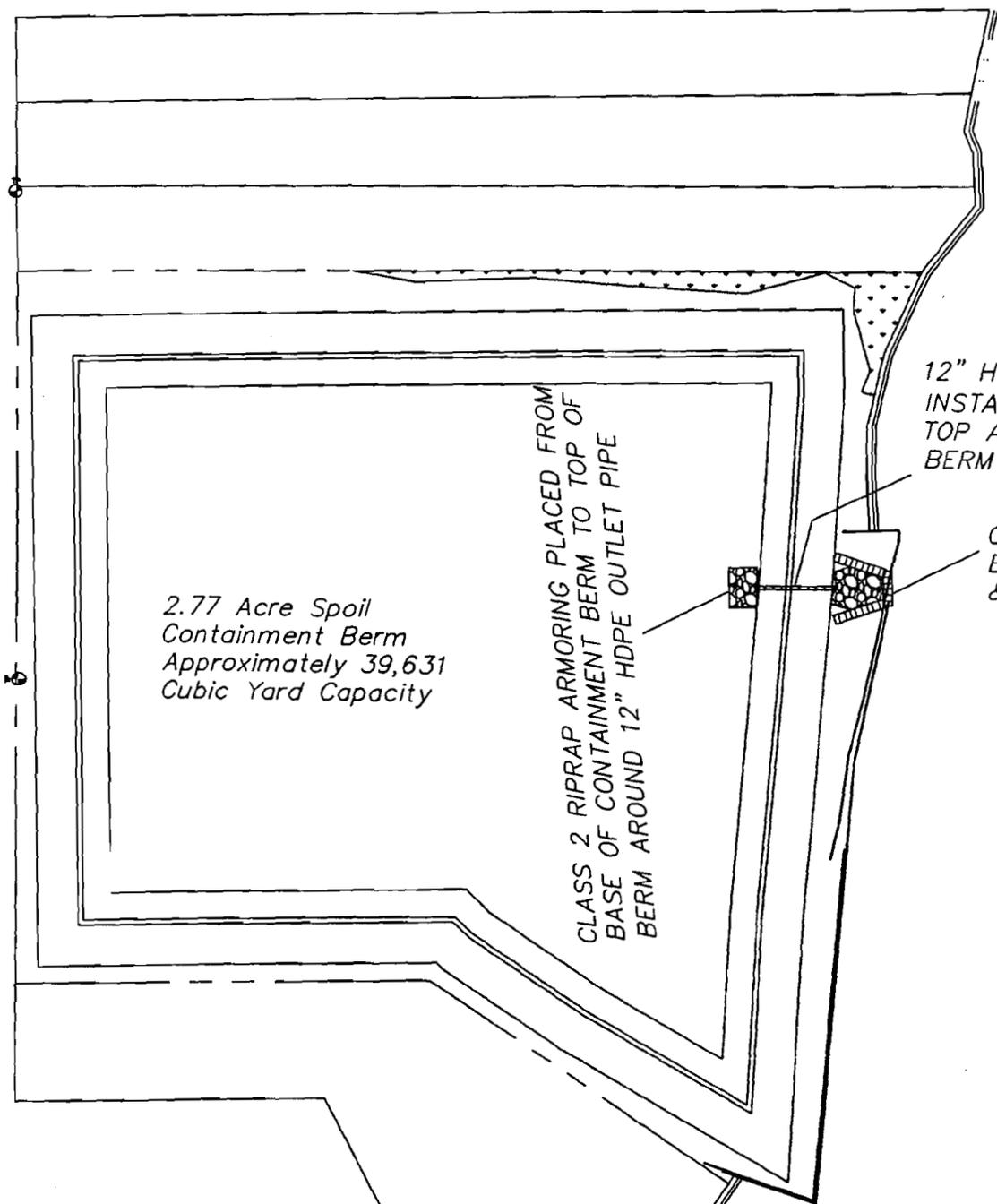
VOLKERT PROJECT NO. 506401.12

VOLKERT
 & ASSOCIATES, INC.

Engineers - Architects - Surveyors - Planners

316 SOUTH McKENZIE STREET
 FOLEY, AL 36535
 Telephone (251) 948-7561

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 INCORPORATED



2.77 Acre Spoil
Containment Berm
Approximately 39,631
Cubic Yard Capacity

CLASS 2 RIPRAP ARMORING PLACED FROM
BASE OF CONTAINMENT BERM TO TOP OF
BERM AROUND 12" HDPE OUTLET PIPE

12" HDPE OUTLET PIPE
INSTALLED 12" BELOW
TOP AND THROUGH SPOIL
BERM

CLASS 2 RIPRAP
BASIN, HAY BALES,
& TYPE A SILT FENCE

SAM-2006-1841-JBE PERDIDO BAY
AIG Baker Real Estate LLC d/b/a
Highway 98 Bayside Marina
Plan view - Dredge Spoil Site
Attachment 11 of 12

SCALE 1"=100'
NOT ISSUED FOR CONSTRUCTION

5084012
1/1

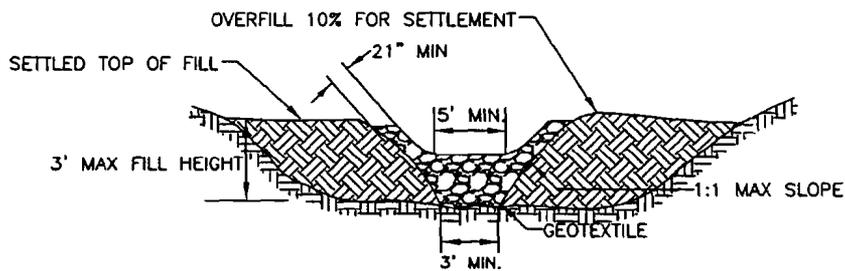
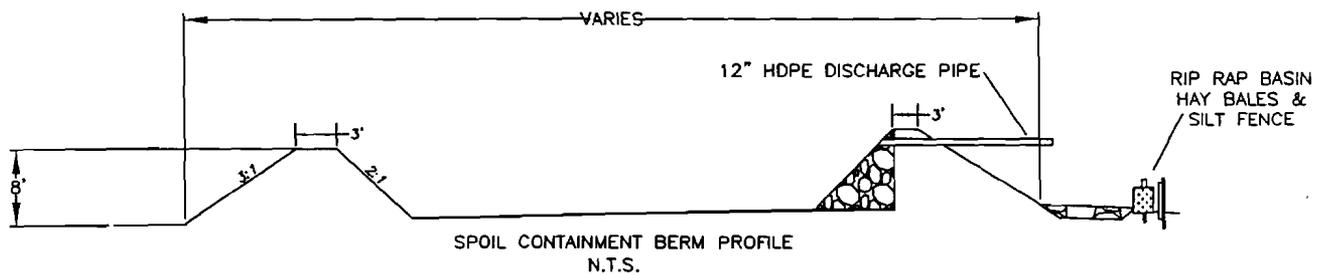
VOLKERT
& ASSOCIATES, INC.
Engineers • Architects • Surveyors • Planners

HIGHWAY 98 BAYSIDE MARINA
DREDGE SPOIL SITE

DESIGNED: MXX
DRAWN: APC
CHECKED: BG
DATE: 08-07-06

REVISIONS:
1.
2.

© 2005 VOLKERT & ASSOCIATES, INC.
CONSULTING ENGINEERS—FOLEY, ALA.



NOTE: STACK HAYBALES CONTINUOUS ON THE DOWNSTREAM SIDE OF TRAP

RIPRAP SEDIMENTATION TRAP
N.T.S.

SAM-2006-1841-JBE PERDIDO BAY
AIG Baker Real Estate LLC d/b/a
Highway 98 Bayside Marina
Typical Cross-section - Dredge Spoil Site
Attachment 12 of 12

NOT ISSUED FOR CONSTRUCTION