



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

CESAM-RD-C  
PUBLIC NOTICE NO. SAM 2008-0618-HEH

11 July 2008

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

PROPOSED BULKHEAD CONSTRUCTION, MAINTENANCE DREDGING  
AND LAND RECLAMATION IN  
MOBILE BAY, MOBILE COUNTY, ALABAMA

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army Permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT:** Mr. Joseph H. Daugherty  
6413 Bay Road  
Mobile, Alabama 36605

**LOCATION:** The project is located in a man-made canal, off waters of Mobile Bay fronting 6413 Bay Road, Hollinger's Island, (near Latitude 30.285203N and Longitude -87.526114W in Section 11, Township 5 South, Range 1 West), Mobile, Mobile County, Alabama.

**WORK:** The applicant proposes to perform the following work:

(1) Proposed Bulkhead: Construct approximately 270-feet of low profile bulkhead fronting wetlands at the south bank of a 1, 282-foot long by 24- foot-wide, man-made canal, including installation of two, 30-foot return walls at the creek outlet near the midsection of the canal. The total length of the low profile bulkhead will be 1, 455 feet. The top of the bulkhead fronting wetlands will be no more than 6 inches above Mean High Tide to allow free circulation or tidal exchange in the wetlands. The bulkhead would have a fabric liner and would be backfilled with clean, commercial grade material. In areas fronting wetlands, backfill (if needed) would be placed to the mud line elevation. The western terminus of the proposed bulkhead near the residence will be tied into the bank with riprap. The bulkhead will follow the existing canal banks with the exception of the portion of the bulkhead fronting approximately 8 trees that overhang the canal near the residence. The proposed bulkhead alignment would tie into a proposed bulkhead on the south property line.

(2) Proposed Land Reclamation: At the canal mouth and southern shoreline of Mobile Bay, a 25-foot-long by 25-foot wide area would be reclaimed and protected by 75 feet of bulkhead. Approximately 625 square feet (sq. ft.) of water bottoms would be filled.

(3) Proposed Maintenance Dredging: Approximately 1, 900 cubic yards (CY) of material would be mechanically dredged from 12, 810 sq.ft. of water bottoms to a depth of minus 4-feet Mean Low Water. The dredging would be against the south bank of the canal for a distance of 1281 feet and a width of 10 feet. The dredging work would not extend into Mobile Bay. Access for the dredging work would

be accomplished from the north bank of the existing canal. The material would be de-watered in a 50-foot by 50-foot upland disposal area on the applicant's property.

The applicant has applied for state water quality (WQ) certification in accordance with Section 401(a) (1) of the Clean Water Act, and for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQ certification and CZ 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 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 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 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.

In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to effect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of this undertaking are also being considered. We are seeking comment from the State Historic Preservation Officer, federally-recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and concerned citizens regarding the existence or the potential for existence of significant cultural and historic

properties within the permit area. Historic architectural or archaeological investigations may be necessary to ascertain the existence of such resources. Efforts will be made through the consultation process to avoid, minimize, or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking. The district engineer remains the final decision authority.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will not affect listed endangered or threatened species, or their critical habitat. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species.

The Mobile District has determined that the proposed action would not adversely impact Essential Fish Habitat or associated fisheries managed by the Gulf of Mexico Fishery Management Council or the National Marine Fisheries Service.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2008-0618-HEH and should be directed to:

District Engineer  
U.S. Army Engineer District, Mobile  
Post Office Box 2288, Mobile, Alabama 36628-000  
Attention: Regulatory Division

with a copy to the:

Alabama Department of Environmental Management  
4171 Commanders Drive  
Mobile, Alabama 36615

Comments should be received no later than **30 days** from the date of this Public notice.

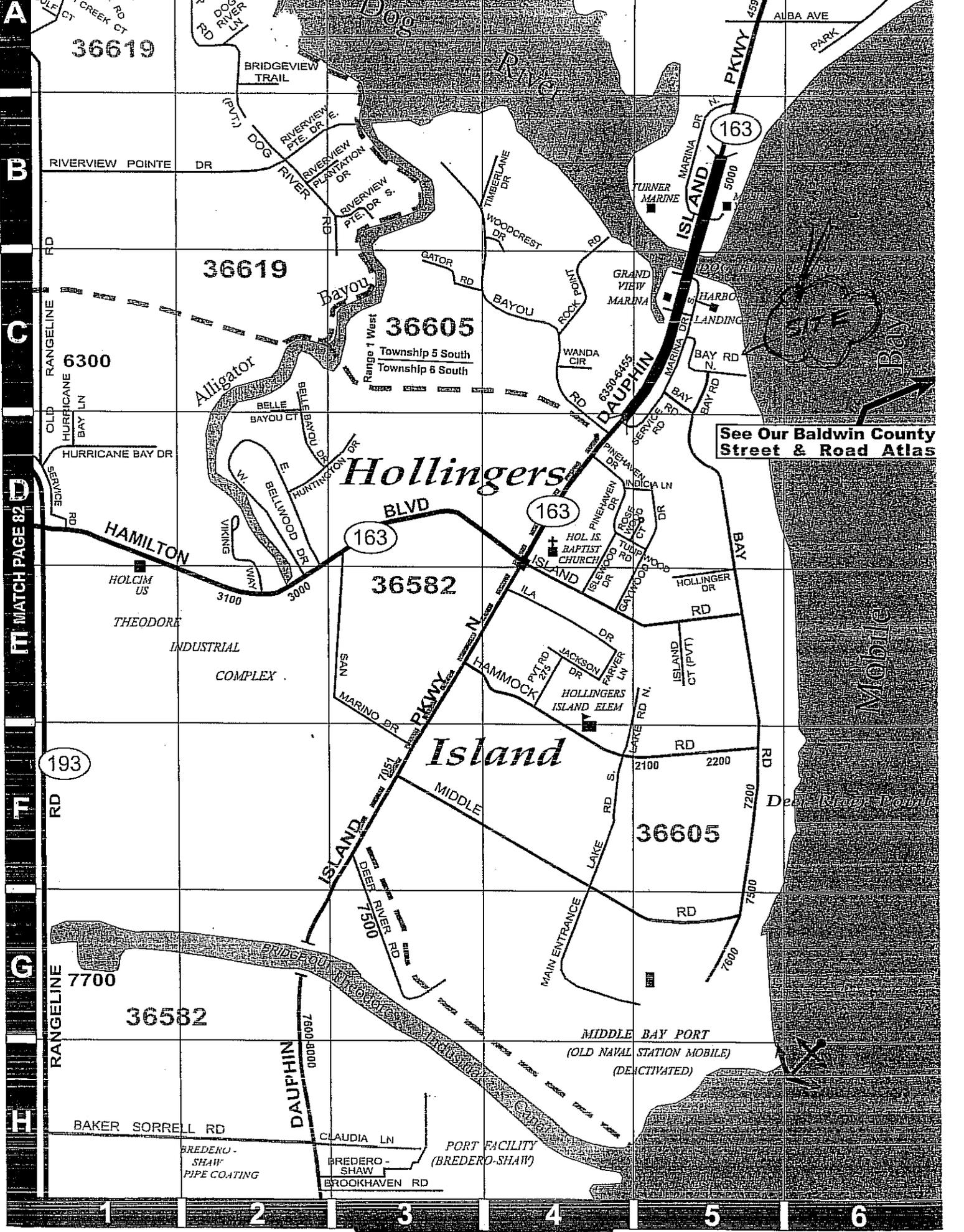
If you have any questions concerning this publication, you may contact the project manager via e-mail at [harry.e.halley@usace.army.mil](mailto:harry.e.halley@usace.army.mil) or telephone number **(251) 690-3262**. Please refer to the above Public Notice number.

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 Engineer

Enclosures

- |  |  |
|--|--|
| 1. Vicinity Map                              | 2. Wetlands Delineation Map            |
| 3. Plan View: Detail Notes A-A and B-B       | 4. Plan View: Detail A-A               |
| 5. Plan View: Detail B-B                     | 6. Plan View: Detail A-A Dredging Area |
| 7. Plan View: Detail B-B Dredging Area       | 8. Plan View: Disposal Area            |
| 9. Cross Section: Bulkhead and Dredging Area |  |



See Our Baldwin County Street & Road Atlas

# Hollingers

# Island

Mobile

Deer River Point

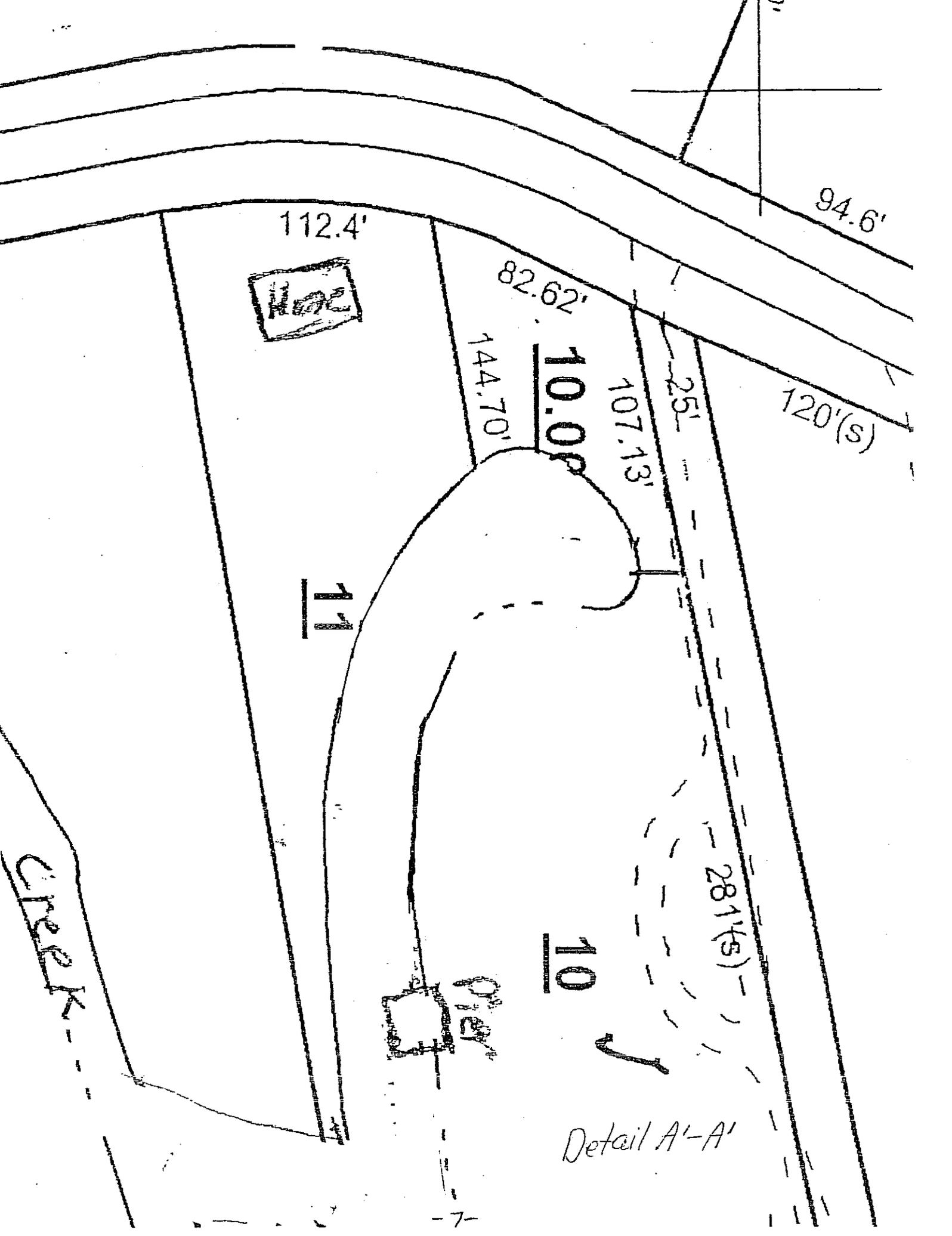
MIDDLE BAY PORT  
(OLD NAVAL STATION MOBILE)  
(DEACTIVATED)

PORT FACILITY  
(BREDERO-SHAW)

BREDERO-SHAW  
PIPE COATING







112.4'

Koe

82.62'

144.70'

10.00'

107.13'

25'

120'(S)

11

Pier

10

281'(S)

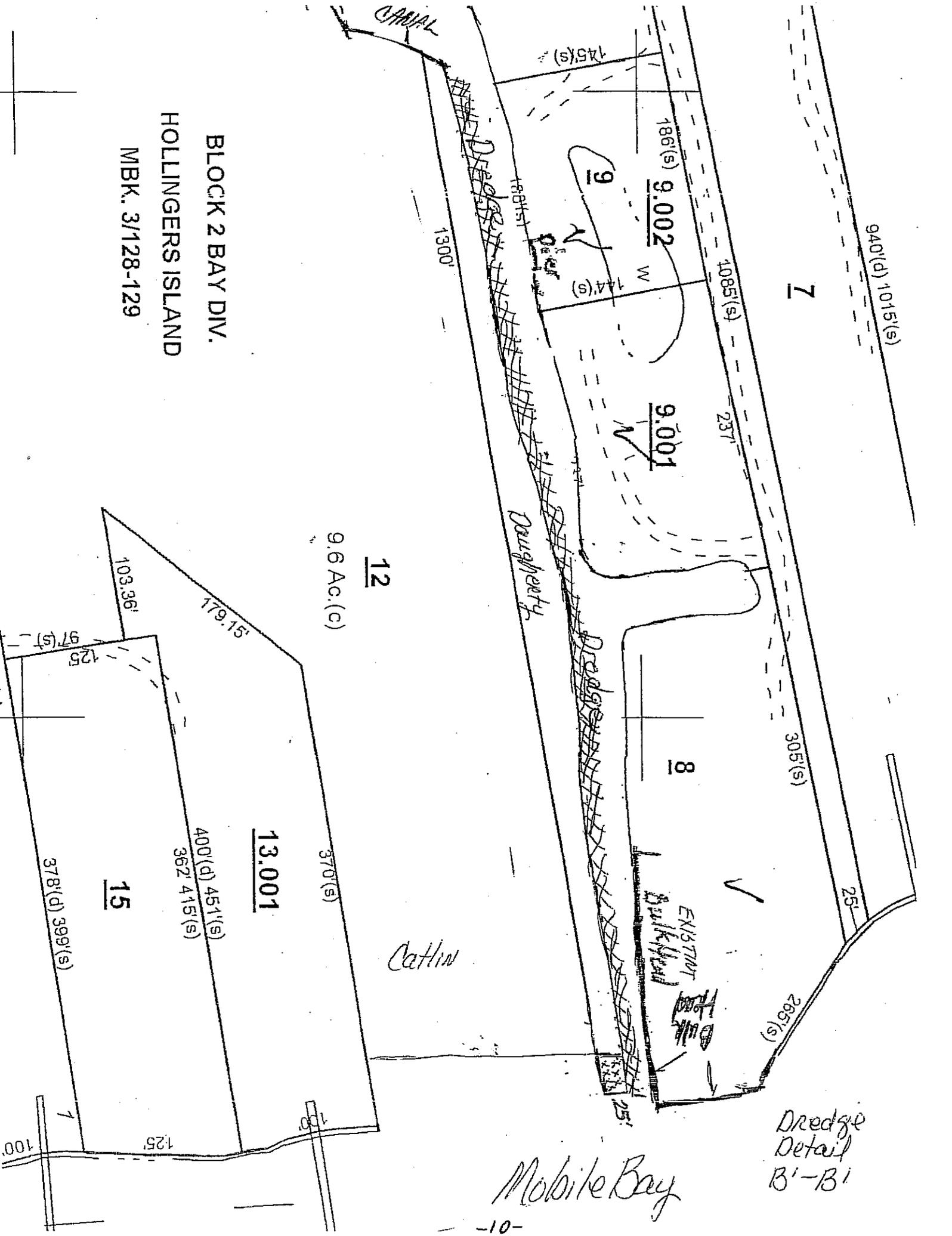
Detail A'-A'

Creek





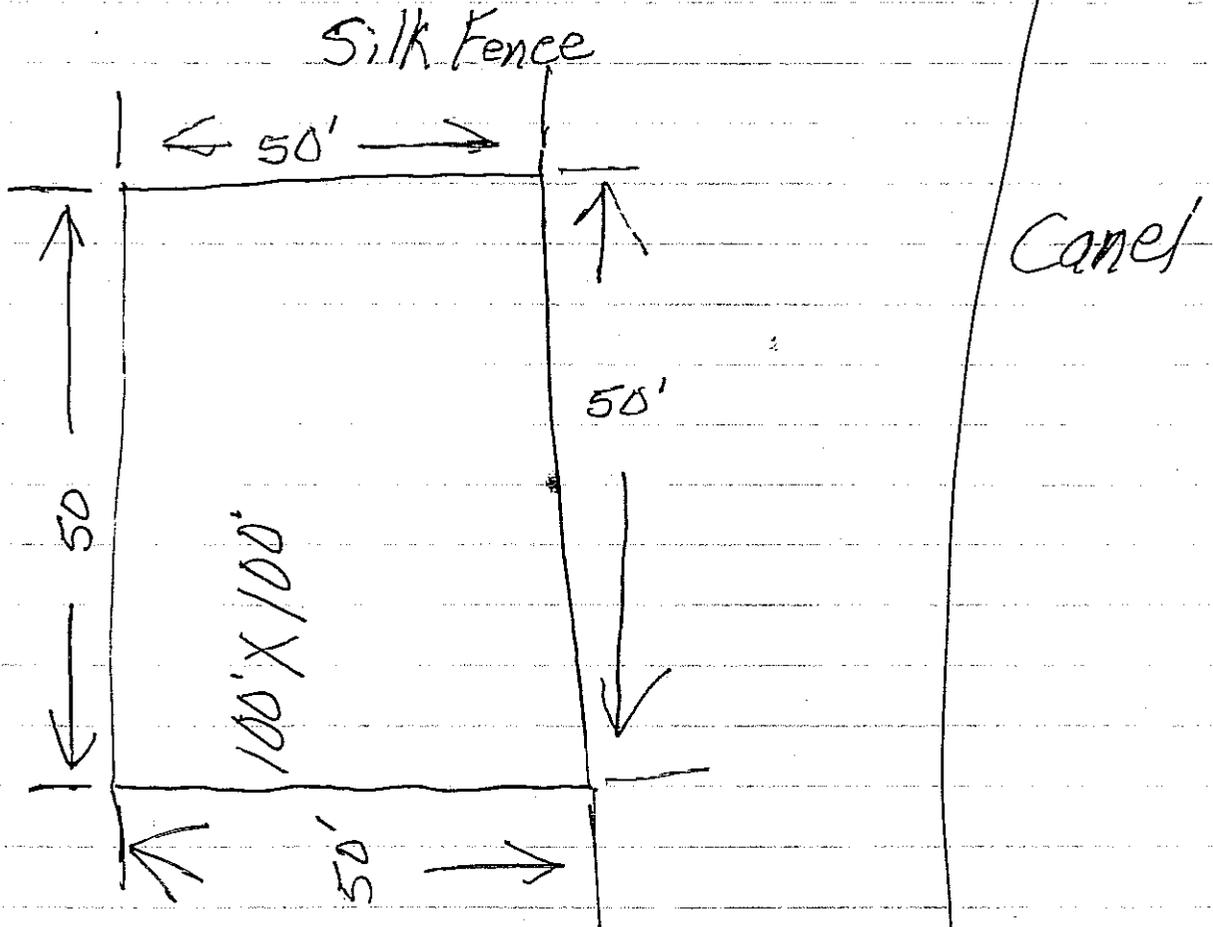
BLOCK 2 BAY DIV.  
 HOLLINGERS ISLAND  
 MBK. 3/128-129



Mobile Bay

Dredge  
 Detail  
 B'-B'

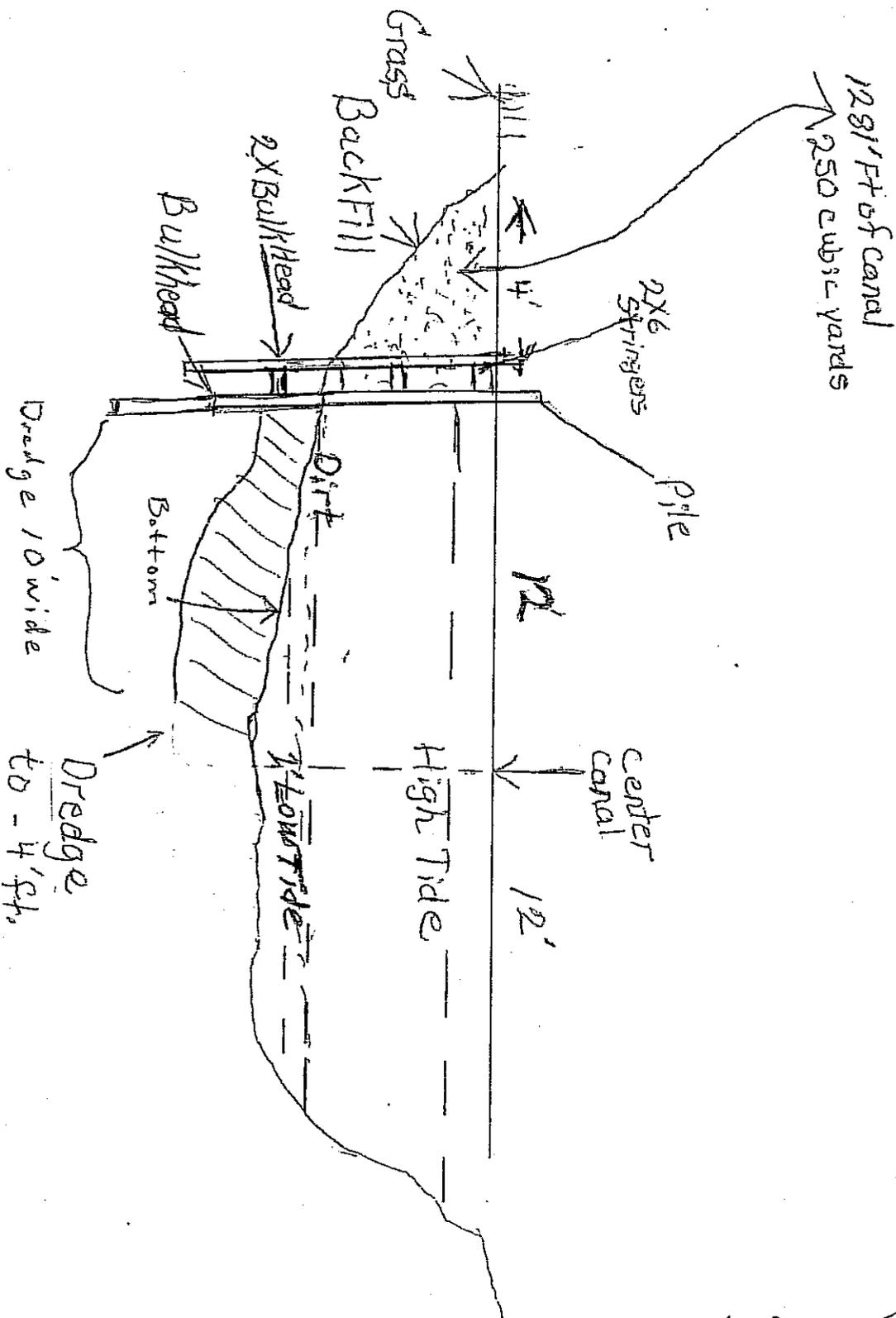
Home



Disposal area

Round or Square Piles  
Every 5' or 10' long

6413 Bay Rd.  
Mobile, AL 36685



Not to scale

Typical Cross Section  
Dredge & Bulkhead  
fronting uplands