



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

CESAM-RD-C
PUBLIC NOTICE NO. SAM-2010-00521-HEH

MAY 12, 2010

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

PROPOSED MAINTENANCE DREDGING AND MARINA RENOVATION, FISH RIVER
MARINA, BALDWIN 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: Alabama Department of Conservation
and Natural Resources (Fish River Marina)
Weeks Bay Reserve
Attention: Mr. Todd Mize
11300 U.S. Highway 98
Fairhope, Alabama 36532

WATERWAY: Fish River, near Fairhope in Section 24, Township 7 South, Range 2 East (Latitude 30.41592 and Longitude -87.82578) in Baldwin County, Alabama.

WORK: The applicant proposes to remove the existing boardwalk and pilings (to be salvaged for reuse) and install a new synthetic sea wall, a new boardwalk and replace the piling in front of the new wall. The current concrete bulkhead will remain in place. The new sea wall will be approximately 525 linear feet. The new boardwalk will be 6 feet wide and approximately 525 feet in length. The salvaged pilings will be placed in front of the new sea wall for protection. Adverse environmental impacts will be reduced by timing and execution of construction phases.

The basin will be hydraulically dredged to an elevation of minus five feet (top of wall elevation plus three feet). Approximately 625 cubic yards of sand material will be dredged from the existing basin impacting 17,235 square feet, or 0.39 acres. Approximately 175 cubic yards of the dredged material will be dewatered in an on-site disposal area, cleaned, and used to backfill the new wall. The remaining amount of dredged material will be dewatered on site and hauled away to an approved upland site. The containment dike will be rebar, staked hay bales. The disposal area will measure 50-feet by 20-feet. The containment area will consist of two chambers and a filter fabric encased weir box. The water from the weir box will discharge to the boat basin.

Construction order:

- 1) Existing boardwalk and piling removed.
- 2) New synthetic sea wall installed approximately 18-inches in front of existing wall.
- 3) Salvage piles driven in front of the new bulkhead.
- 4) Backfill new wall as needed.
- 5) Hydraulic Dredging.

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.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2010-00521-HEH and should be directed to:

District Commander
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

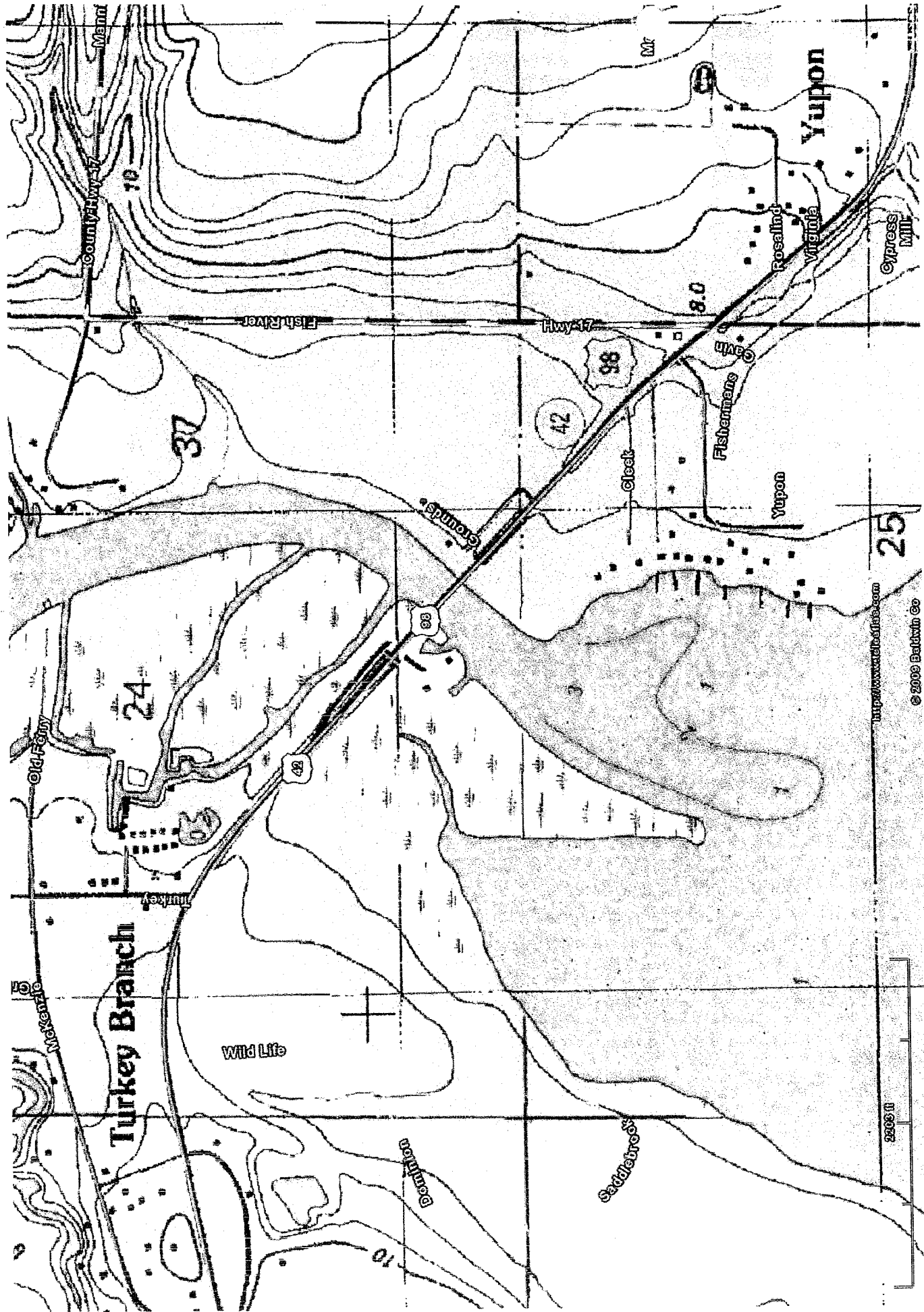
Comments should be received no later than **30 days** from the date of this Public notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at harry.e.halley@usace.army.mil 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, 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



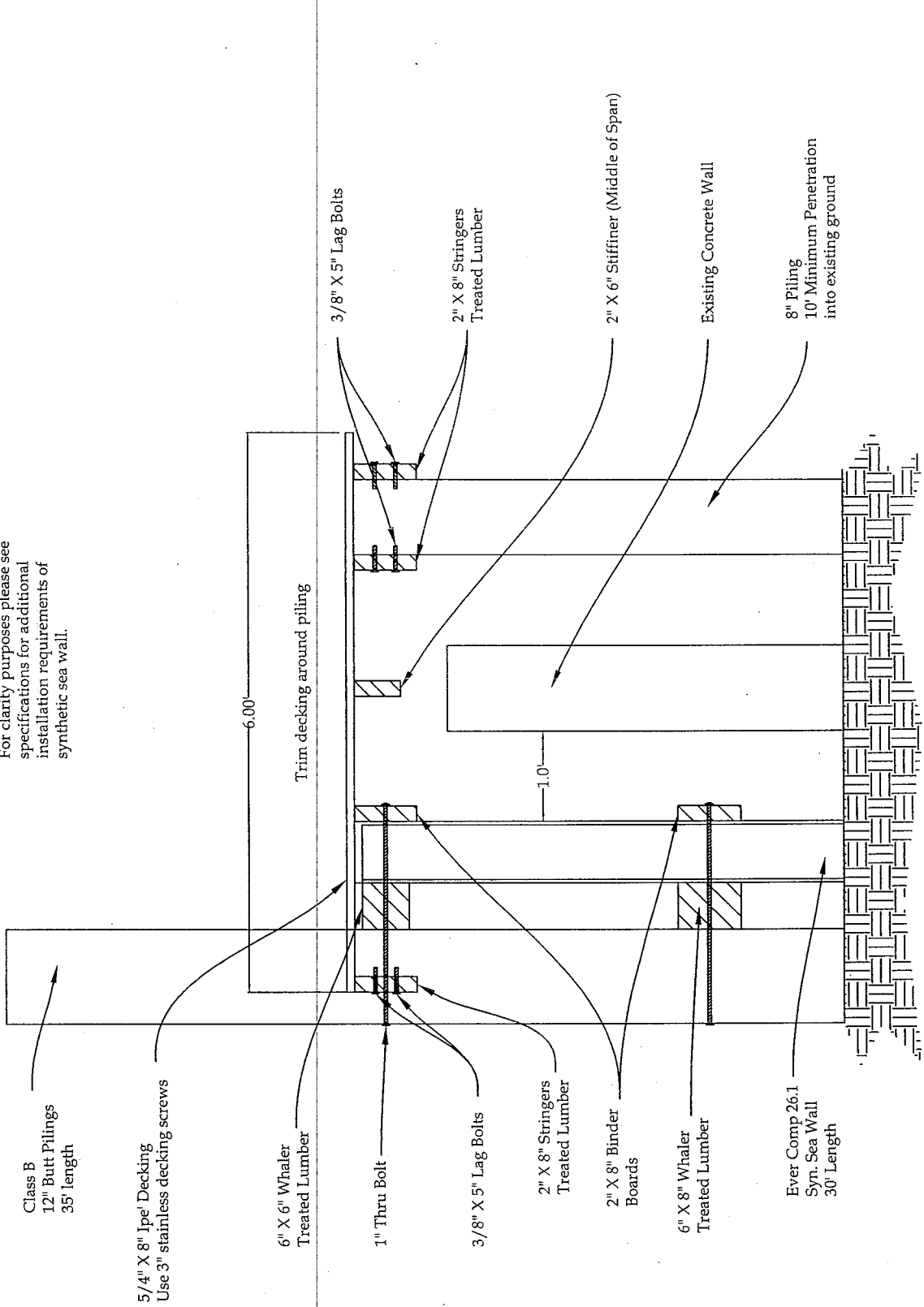
<http://www.stateofnc.com>

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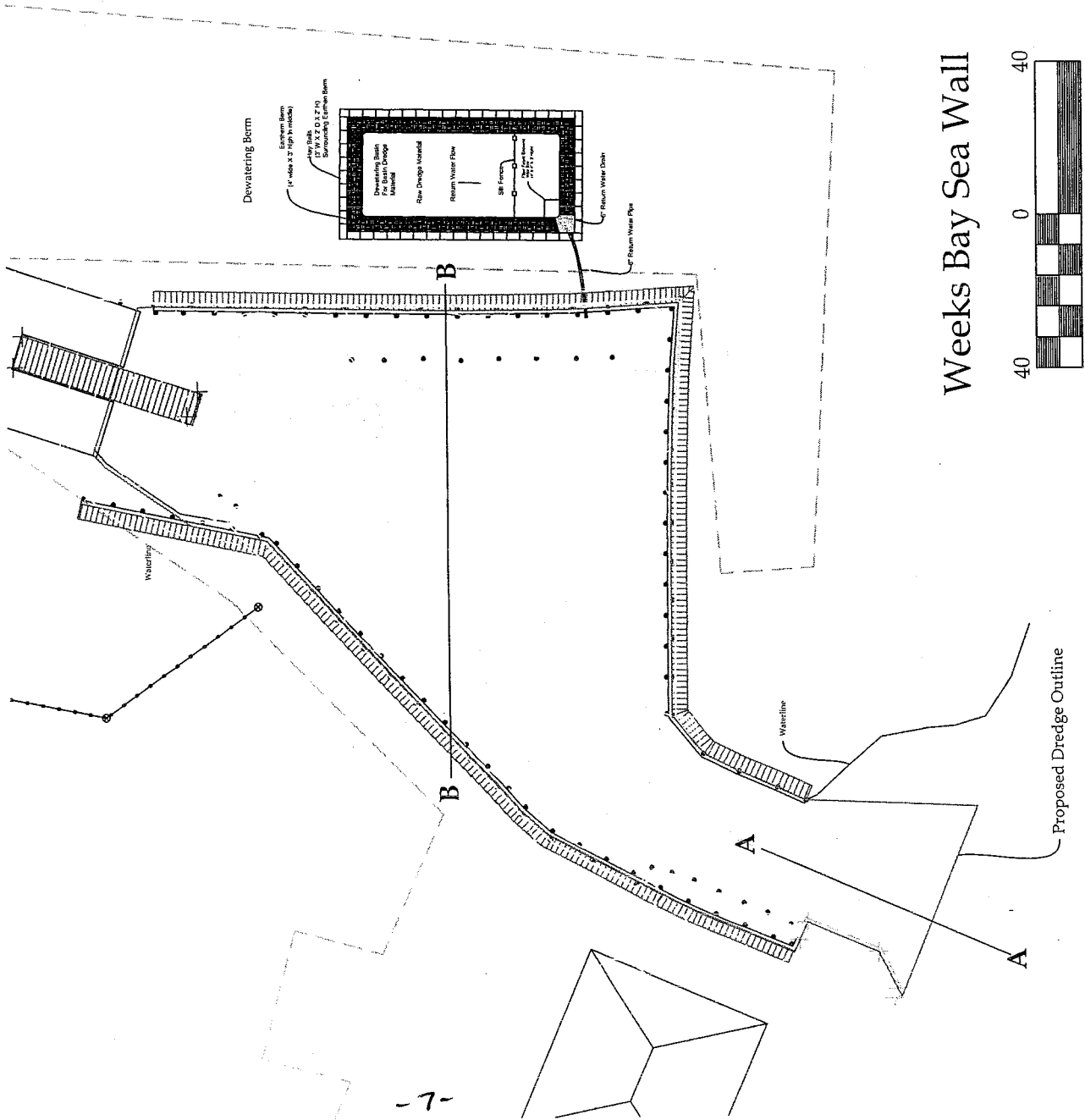
For clarity purposes please see specifications for additional installation requirements of synthetic sea wall.



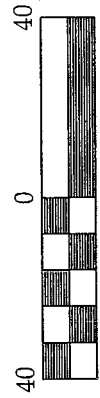
End Section
Synthetic Sea Wall

Highway 98

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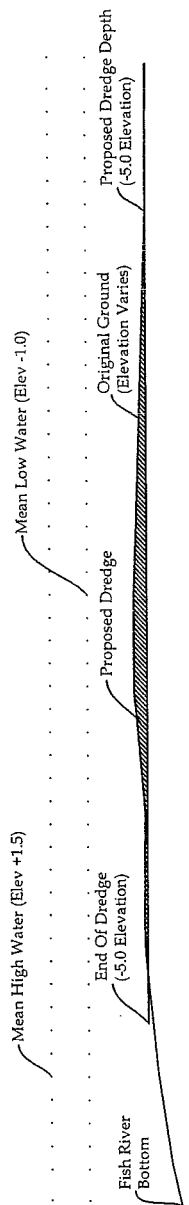


Weeks Bay Sea Wall

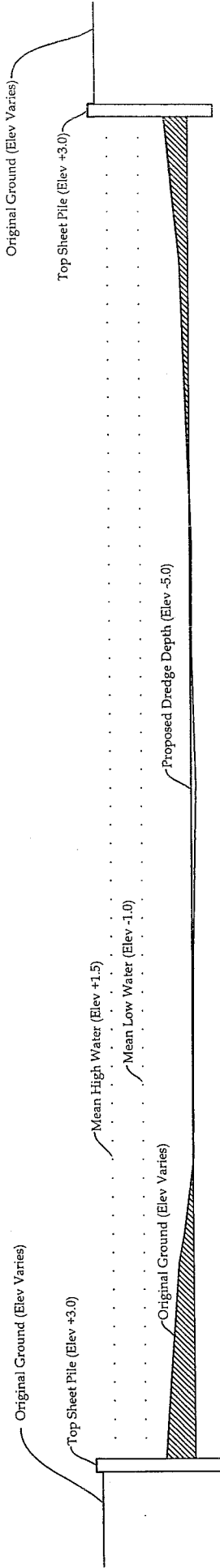


Scale 1" = 40'



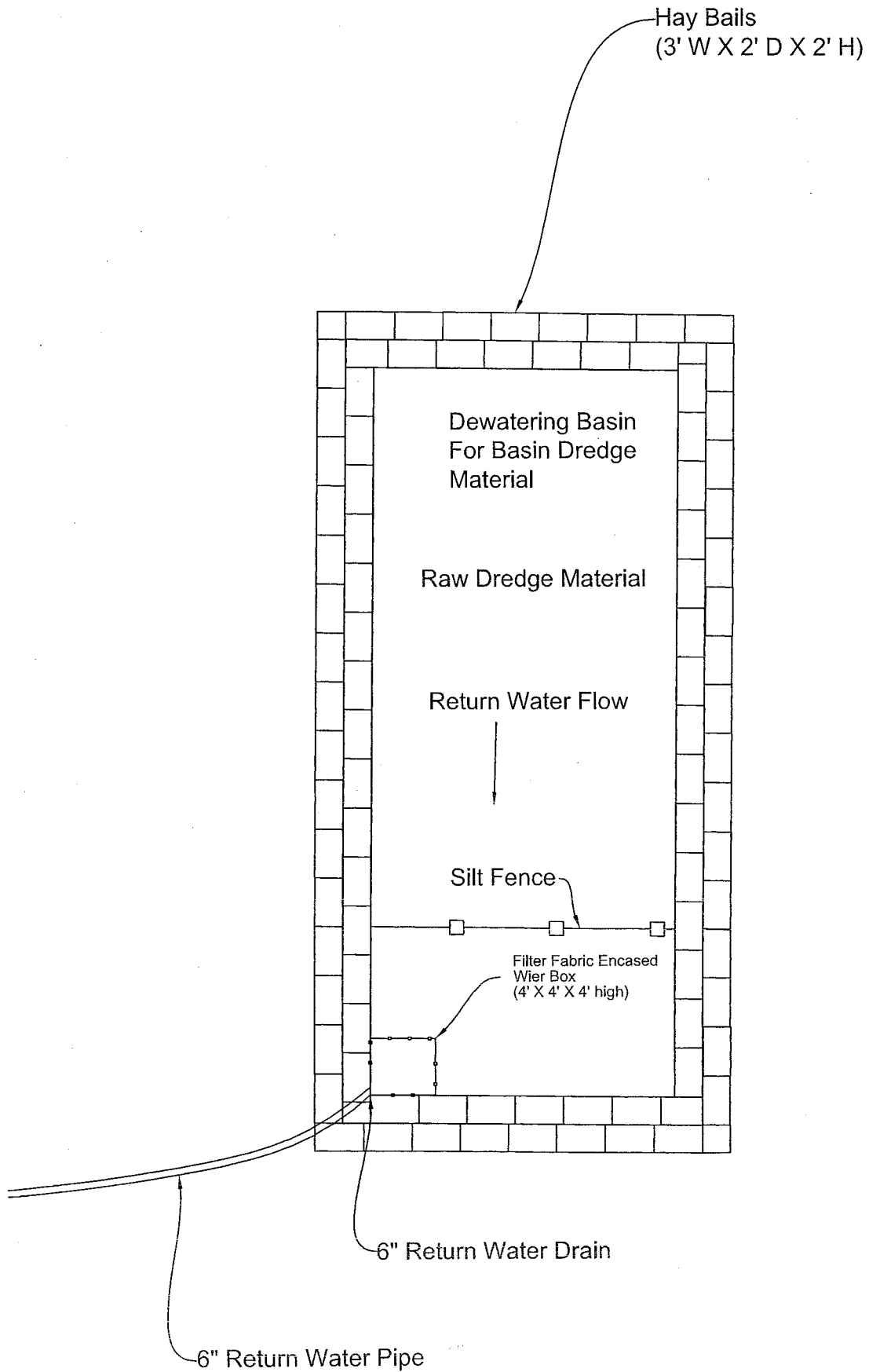


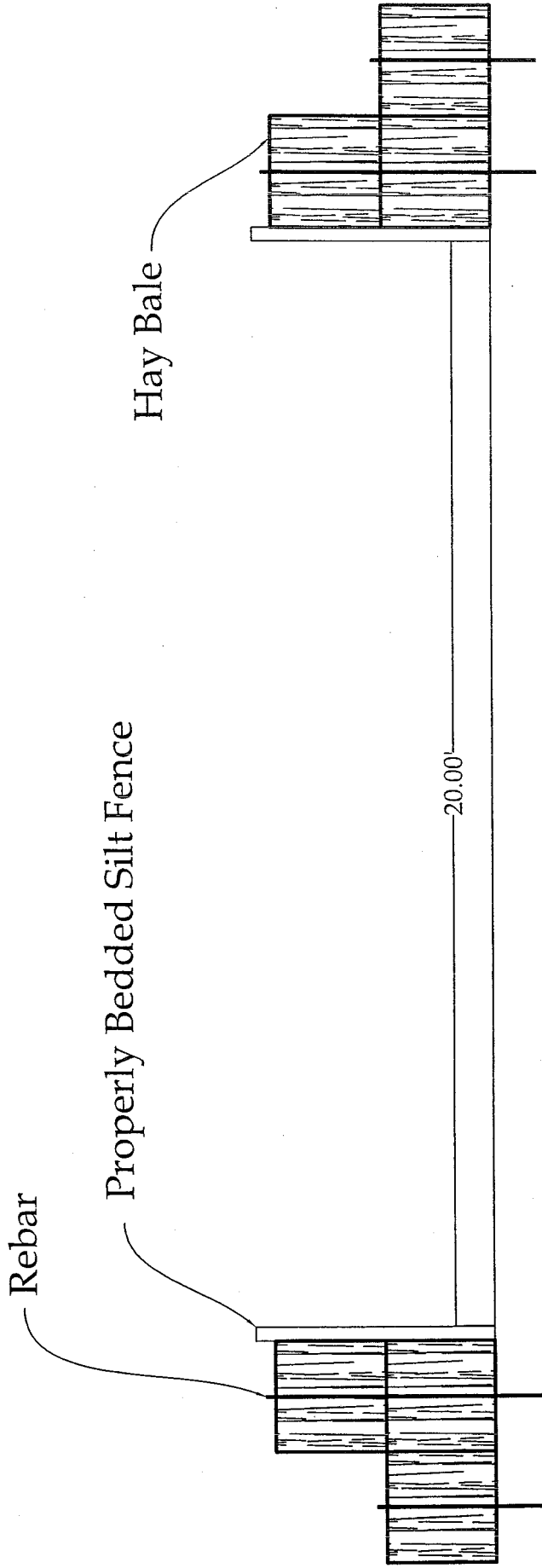
Cross Section
Section A-A



Cross Section
Section B-B

Dewatering Berm





Cross Section Dewatering Berm

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