



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

REPLY TO  
ATTENTION OF:

CESAM-RD-C  
PUBLIC NOTICE NO. SAM-2010-1005-SPG

September 9, 2010

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

**PROPOSED COMMERCIAL DEVELOPMENT WITH INDENTED BOAT BASIN  
ON THE GULF INTRACOASTAL WATERWAY  
GULF SHORES, 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). Please communicate this information to interested parties.

**APPLICANT:** Tacky Jacks of Gulf Shores  
c/o Mr. George Skipper  
Post Office Box 430  
Orange Beach, Alabama 36561

**AGENT:** Adams Stewart Architects, LLC  
Mr. David C. Adams, AIA  
Post Office Box 529  
Robertsdale, Alabama 36567

**LOCATION:** The proposed project is located on the south bank of the Gulf Intracoastal Waterway (GIWW), Foley Land Cut, north of Old Highway 59 (East 2<sup>nd</sup> Street) and west of the intersection of East 24<sup>th</sup> Street and Canal Road, in Gulf Shores, Baldwin County, Alabama, Section 8, Township 9 South, Range 4 East; Latitude 30.279088° North and Longitude -87.683572° West.

**WORK:** The applicant proposes to construct a 300-seat restaurant development, with a parking lot, renovate an existing boat basin with mooring facilities and other associated improvements. The restaurant building and the majority of its parking lot will be located south of the GIWW U. S. Army Corps of Engineers perpetual easement line (ICW setback). Proposed work will include (1) removal of five of the existing buildings on-site, including the former motel, a single-story apartment complex, a bulkhead, two docks and three finger piers. The current asphalt drive accesses from the east property line to Old Highway 59 would be abandoned and removed. (2) Minor improvements are proposed to the former hotel office, which would be used as an ancillary structure for the commercial development. The applicant has stated that the proposed sea wall would connect into this building's substructure in order to fully stabilize the channel banks along the water front. (3) Expand Existing Boat Basin: A 70-foot long by 100-foot wide (7,906 square feet or 1,883 cubic yards) section would be excavated from uplands in order to expand the existing basin, located at the

south bank of the GIWW. (4) The boat basin would be dredged to a depth of -6 feet Mean Low Water (6,050 square feet or 2,134 cubic yards of waterbottoms). All dredged material would be loaded into lined trucks and transported off-site to an upland disposal location. (5) Seawall, Boardwalks and Mooring Facilities: A 411-foot linear seawall would be constructed within the new basin and would be approximately five feet north of the existing concrete seawall. An 8-foot wide by 385-foot long boardwalk would be constructed along the boat basin and would include mooring facilities for up to 14 vessels. The marina expansion would not create additional berthing. No permanent or long-term docking will be allowed. (6) Wave Attenuator: A 130-foot long wave attenuator would be constructed approximately 150 feet south of the federal channel and would have a 24-foot wide opening for ingress and a 30-foot wide egress from the boat basin. The waterside improvements would provide handicap boating access to the site and low-level dock lighting and site lighting for public safety to and from the water's edge. All lighting would be in compliance with current GIWW requirements.

The applicant has applied 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 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 (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. This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. A preliminary review of this project and its location is that the project will not result in an effect to Essential Fish Habitat for managed species in the Gulf of Mexico. Our final determination relative to project impacts to EFH and the need for mitigation measures are subject to review by and coordination with the National Marine Fisheries Service and the Gulf of Mexico Fishery Management Council.

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 State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, and 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 indicate that the proposed activity may affect listed species, or their critical habitat. Further coordination with the FWS will be performed as a result of this notice.

Correspondence concerning this Public Notice should refer to **SAM-2010-1005-SPG** and should be mailed to:

District Commander, U.S. Army Engineer District  
Attention: Regulatory Division (RD-C)  
Post Office Box 2288,  
Mobile, Alabama 36628-0001

With a copy furnished to:

Alabama Department of Environmental Management  
4171 Commanders Drive  
Mobile Alabama 36615

**All 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, Ms. Sandy P. Gibson at telephone number (251) 694-3772 or [sandy.p.gibson@usace.army.mil](mailto:sandy.p.gibson@usace.army.mil). Please refer to the Public Notice Number **SAM-2010-1005-SPG**.

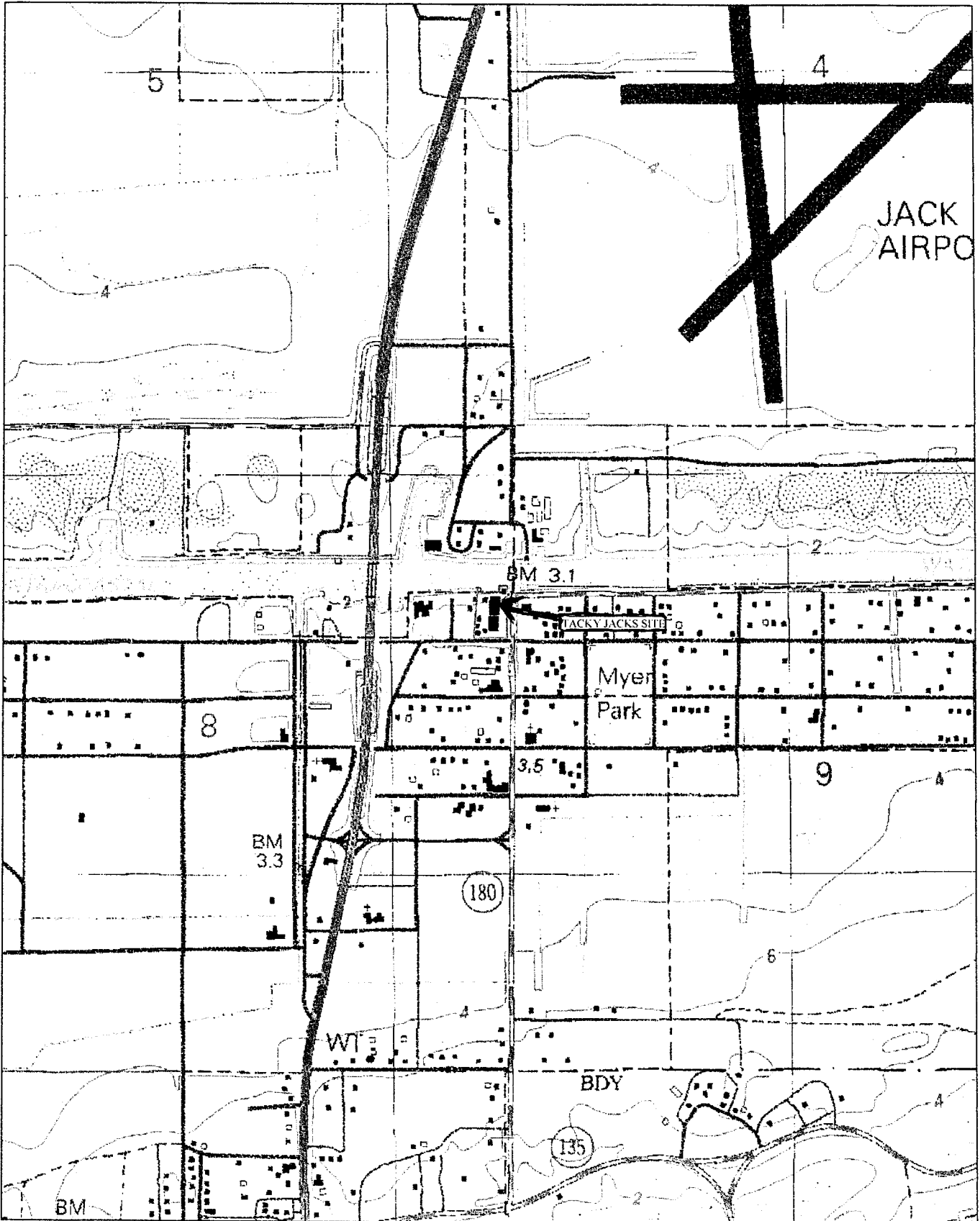
For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/reg), and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

**MOBILE DISTRICT**  
**U.S. Army Corps of Engineers**

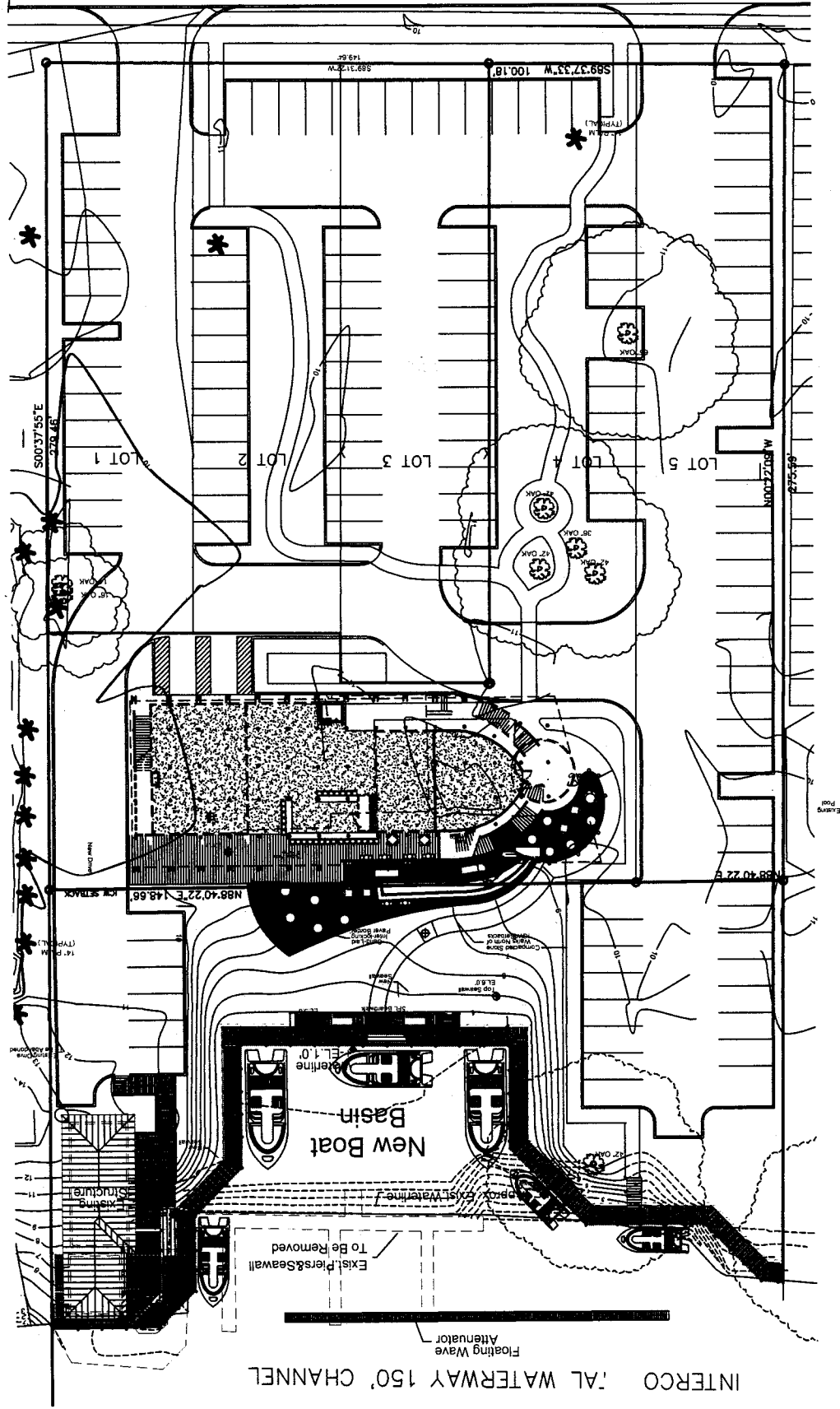
Enclosures

1. Vicinity Map (2 pages)
2. Structural Plan View Drawing (4 pages)
3. Structural Cross-Section Drawings (3 pages)
4. Dredge Cross Section



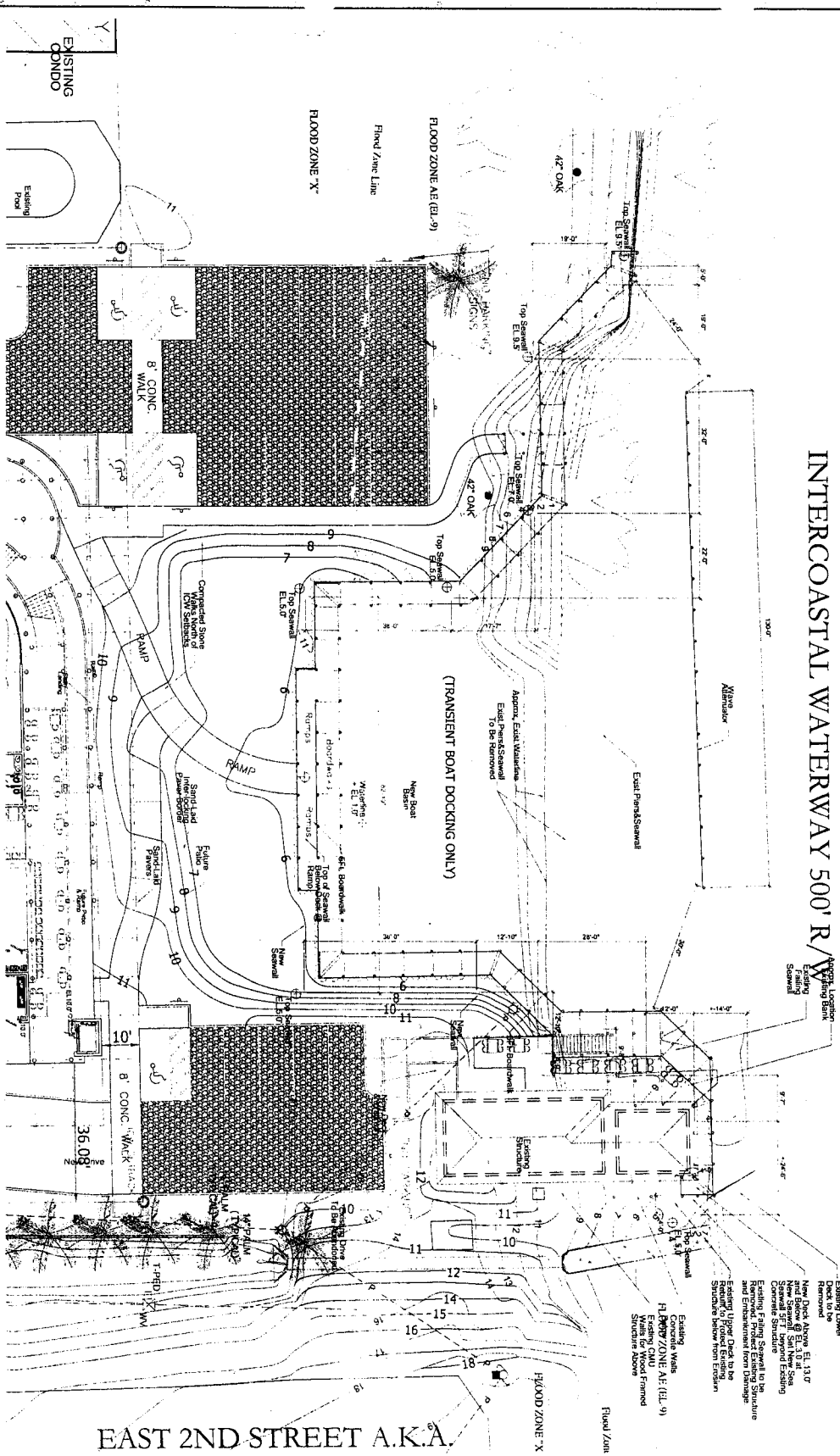


EAST 24TH AVENUE  
 60' R/W  
 SHEET 1 PROJECT SITE  
 SCALE 1"=50'-0"



INTERCO 'AL WATERWAY 150' CHANNEL

# INTERCOASTAL WATERWAY 150' CHANNEL INTERCOASTAL WATERWAY 500' R/W



EAST 2ND STREET A.K.A.

preliminary design for:  
**TACKY JACK'S**  
gulf shores, alabama

**ADAMS STEWART**  
ARCHITECTS, LLC  
Architecture, Planning  
Interiors, Construction Administration

P.O. Box 539  
22743 Highway 59 South  
Robertsdale, Alabama 36567  
Office: 251.947.3366  
Fax: 251.947.3138

K1 SITE PLAN

PROJECT NO. 1000  
SHEET NO. 1000  
PRELIMINARY SITE PLAN

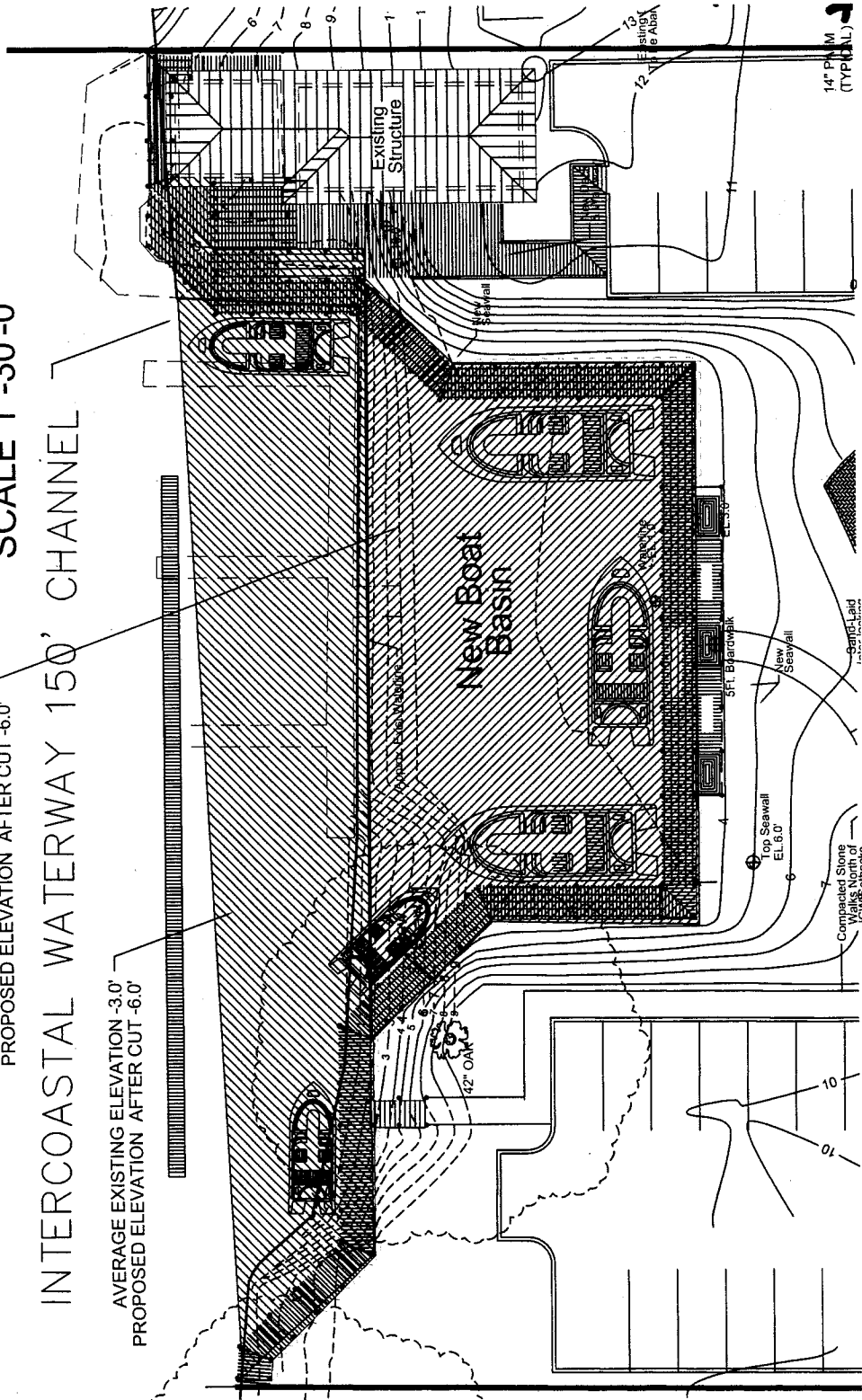
# SHEET 2 DREDGE PLAN

SCALE 1"=30'-0"

## INTERCOASTAL WATERWAY 150' CHANNEL

AVERAGE EXISTING ELEVATION 9.0'  
PROPOSED ELEVATION AFTER CUT -6.0'

AVERAGE EXISTING ELEVATION -3.0'  
PROPOSED ELEVATION AFTER CUT -6.0'

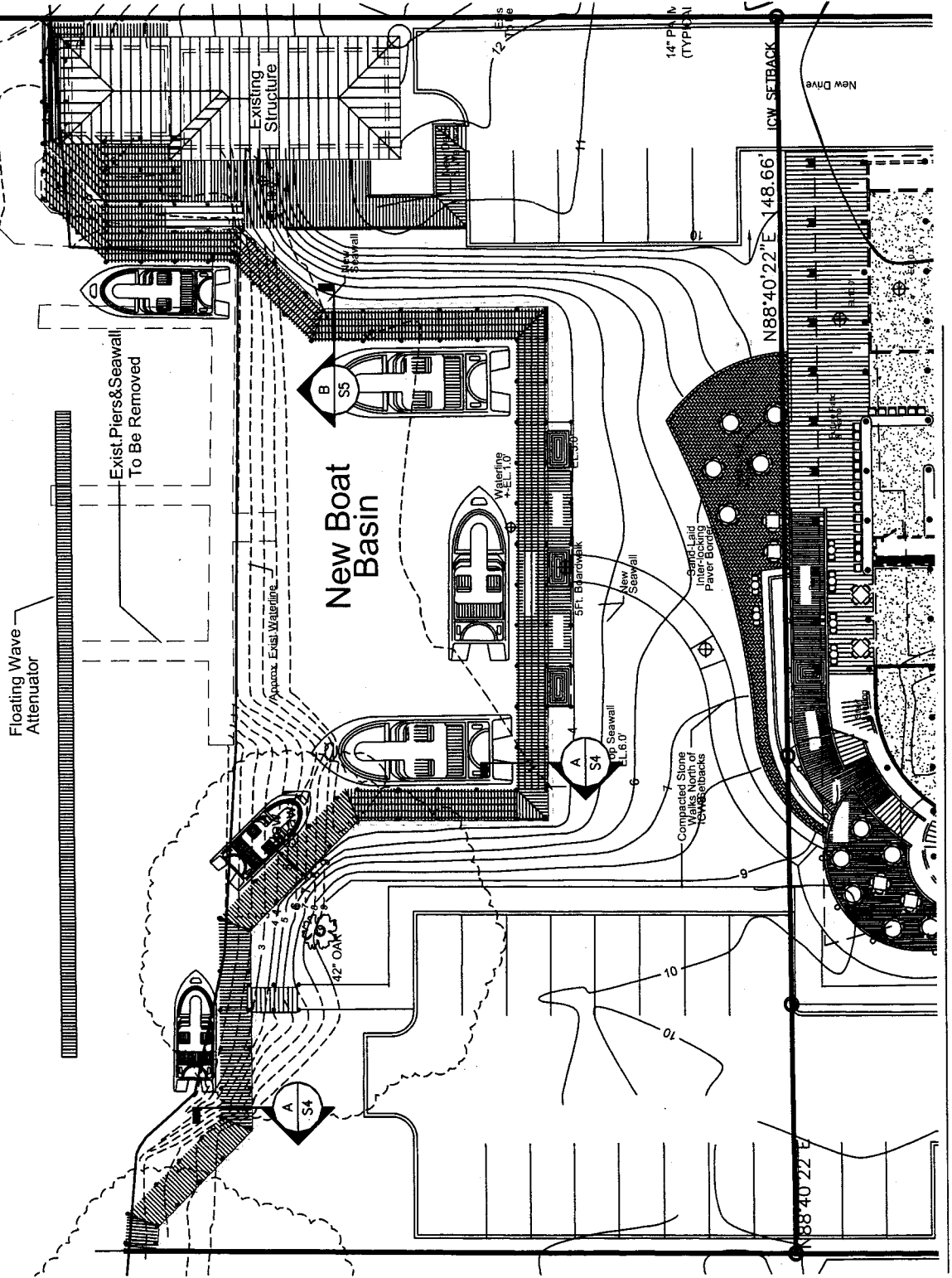


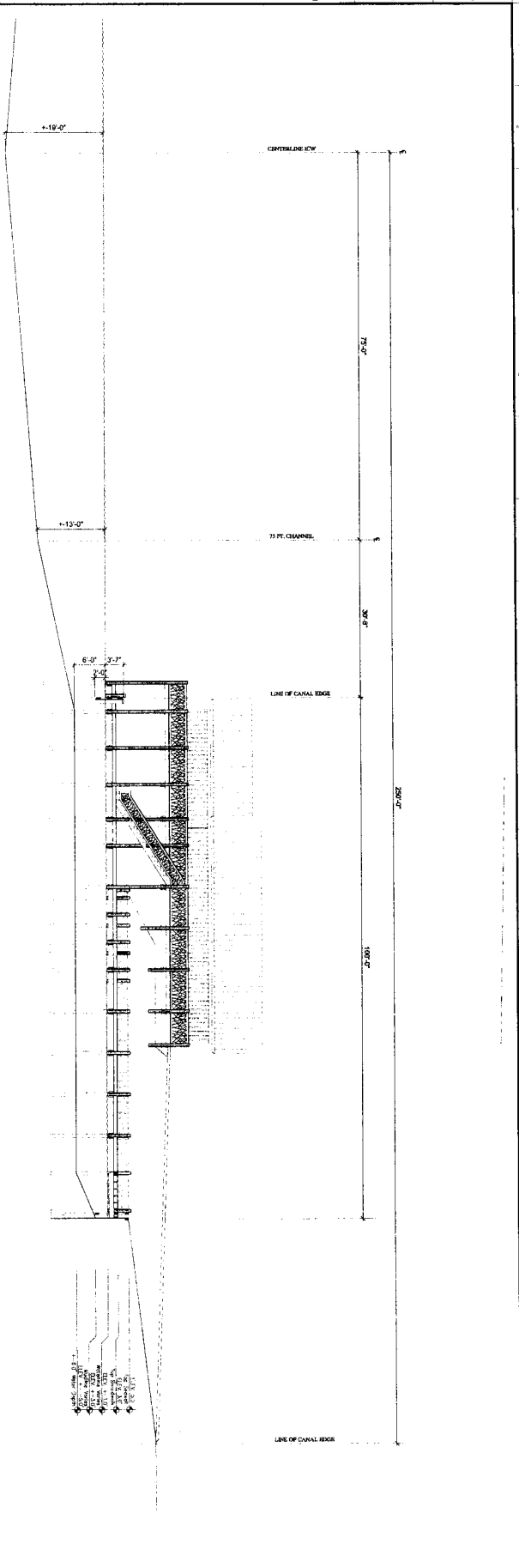
14" P.M.  
(TYPICAL)

**SHEET 3 BULKHEAD LAYOUT**

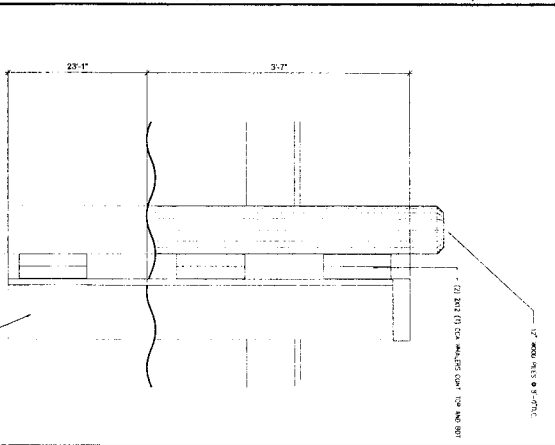
**SCALE 1"=30'-0"**

**INTERCOASTAL WATERWAY 150' CHANNEL**

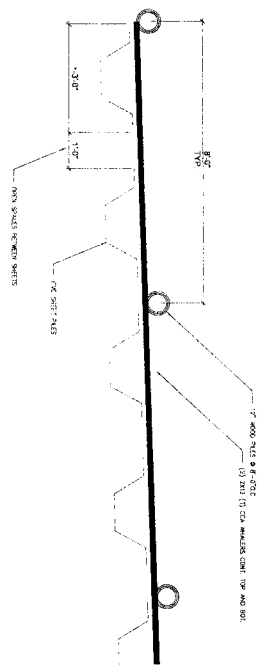




H1 WATERFRONT SECTION  
1/8" = 1'-0"



A1 WAVE ATTENUATOR SECTION  
1/8" = 1'-0"



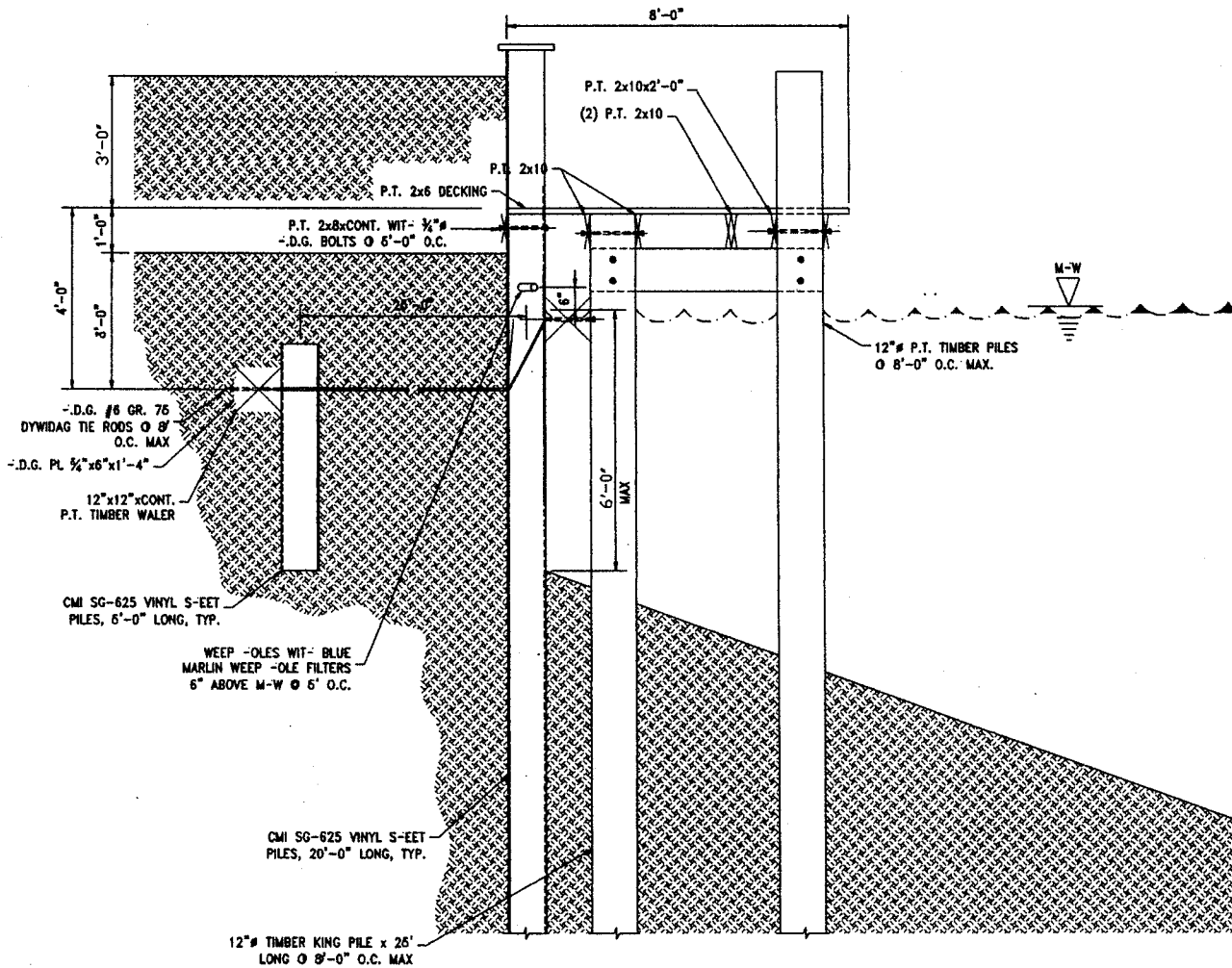
A5 WAVE ATTENUATOR PLAN  
3/8" = 1'-0"

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| 1   |      |             |
| 2   |      |             |
| 3   |      |             |

**ADAMS STEWART ARCHITECTS, LLC**  
 Architecture, Planning  
 Interiors, Construction Administration  
 P.O. Box 529  
 22743 Highway 59 South  
 Robertsdale, Alabama 36567  
 Office: 251.947.3864  
 Fax: 251.947.3138

preliminary design for:  
**TACKY JACK'S**  
 gulf shores, alabama

PROJECT NO. 1000  
 SHEET NO. 1000  
 PRELIMINARY  
 GROUND FLOOR  
 PLAN

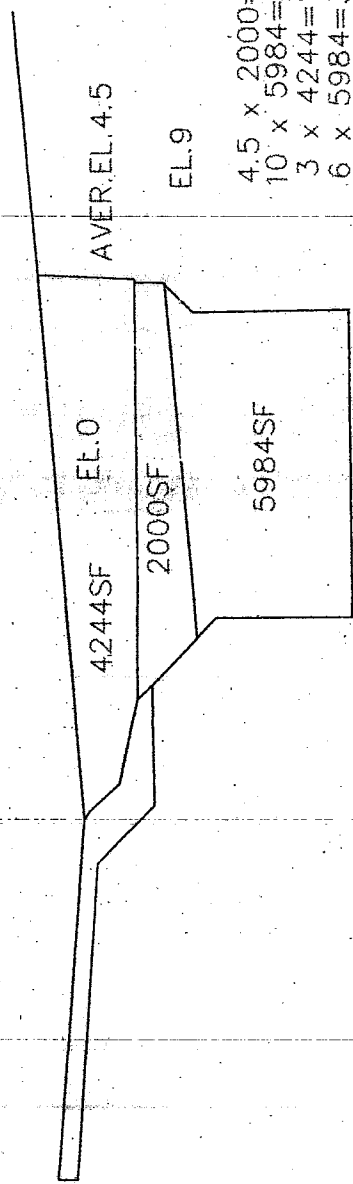


SECTION A  
 1/2" = 1'-0" S3 | S4

SHEET 4



AVER. DEPTH -3.0'  
REQ'D. DEPTH -6.0'



AVER. EL. 4.5

EL. 9

4.5 x 2000 = 9,000CF  
10' x 5984 = 59,840CF  
3 x 4244 = 12,732CF  
6 x 5984 = 35,904CF

108,485CF / 27CF / CF = 4,017CY

AVER. EL. 10.0

REQ'D. DEPTH -6.0'