



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

CESAM-RD-C
PUBLIC NOTICE NO. SAM-2010-1697-GAC

DATE: 03 February 2011

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

**PROPOSED PLACEMENT OF CLEAN-SAND FILL MATERIAL BELOW THE MEAN HIGH
WATER HIGH WATER IN CONJUNCTION WITH THE CONSTRUCTION OF A NEW
BULKHEAD STRUCTURE**

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) and Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403). Please communicate this information to interested parties.

APPLICANT: The Yacht Club of Terry Cove Condominium Owners' Association

WATERWAY: Terry Cove

WORK: The applicant proposes to restore and reclaim some of the recently eroded shoreline at the Yacht Club LLC condominium at Terry Cove, Orange Beach, Baldwin County, Alabama. Approximately 254 linear feet of bulkhead will be constructed at a maximum of 29 feet in front of the existing concrete pool deck that parallels the shoreline. Approximately 22 tons (28 cubic yards) of Class I rip rap revetment will be placed on the outside of the 16-foot and 8-foot wing walls of the bulkhead. The shoreline was previously 44 feet out from the deck prior to the recent rapid erosion over the past two years due to storm events and recent construction of a rip rap groin-type structure to the east. Approximately 392 cubic yards of sand will be placed behind the bulkhead. Approximately 45 cubic yards of commercially obtained, beach-quality, white sand will be placed below the elevation of the mean high water. The sand fill is required to replace the sand beach that has been severely eroded. The interruption of littoral drift has uncovered storm water discharges and the underground water line for the marina fire protection previously buried in the sand beach. The above proposed work is illustrated in the attached plans and drawings.

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 (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 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.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would impact approximately 0.1 acres of estuarine substrates utilized by various life stages of various marine species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed

fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service and/or U.S. Department of Fish and Wildlife Service.

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. 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-2010-1697-GAC 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

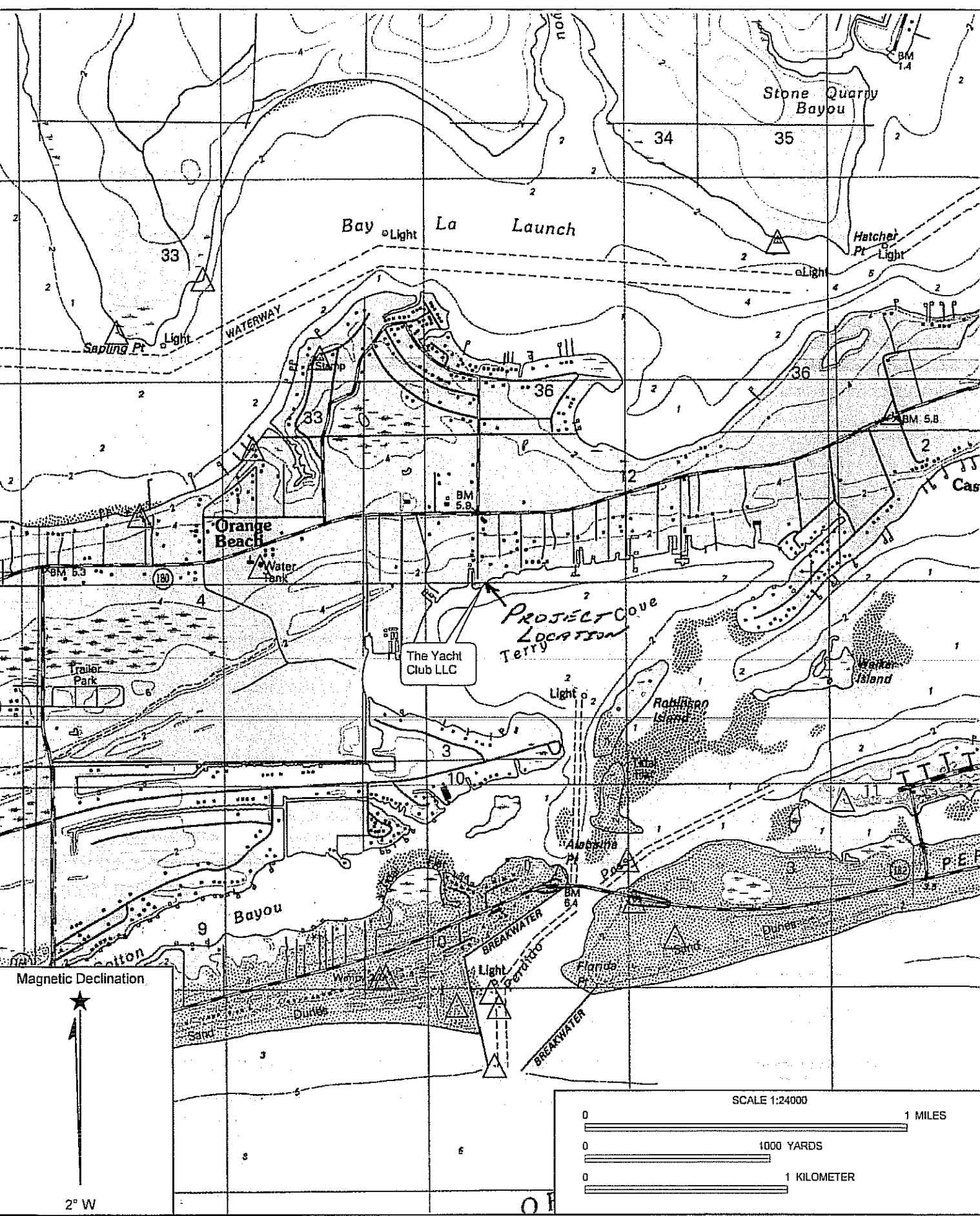
Comments should be received no later than **15 days** from the date of this Public notice.


If you have any questions concerning this publication, you may contact the project manager via e-mail at glen.a.cunningham@usace.army.mil or telephone number **(251) 684-2658**. Please refer to the above Public Notice number.

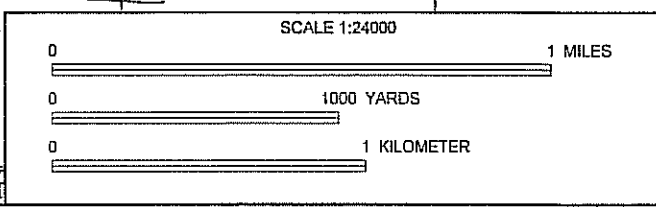
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/RD/reg, and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

Encls

MOBILE DISTRICT
U.S. Army Corps of Engineer



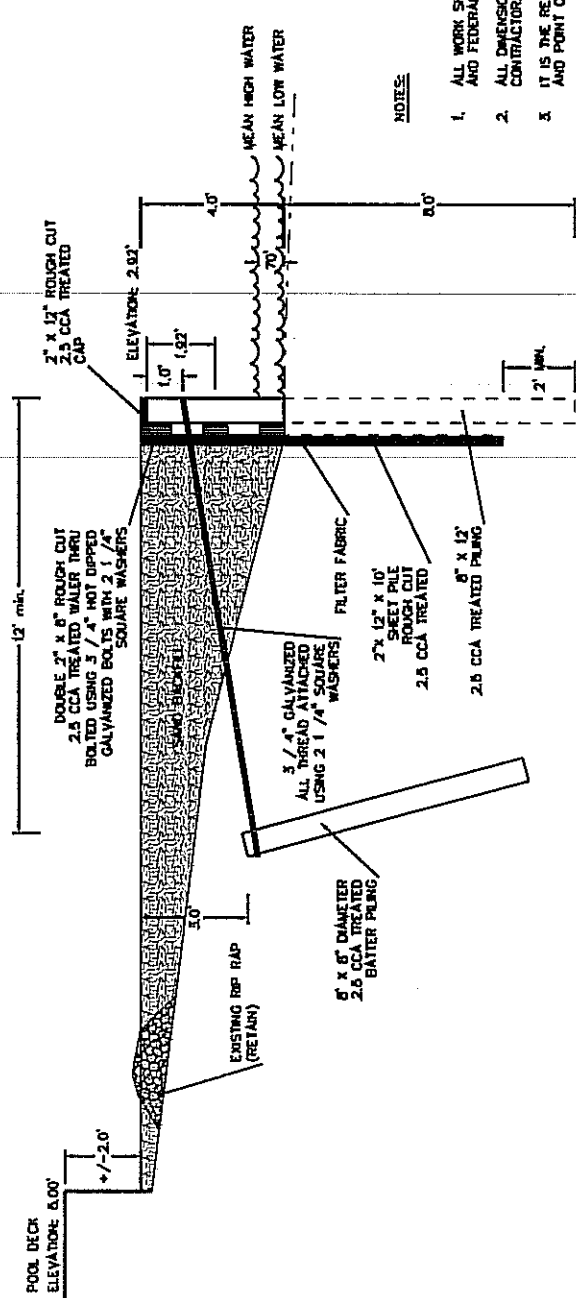
Magnetic Declination

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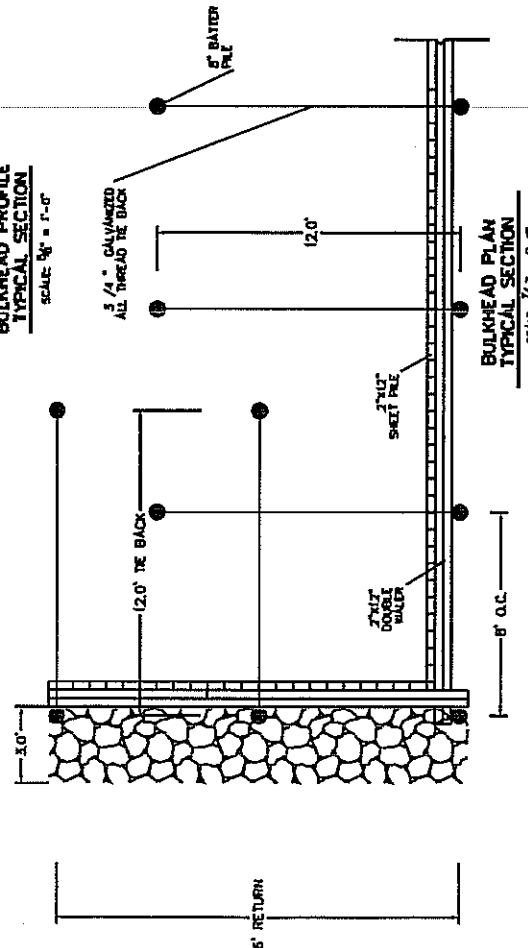
Name: ORANGE BEACH
 Date: 12/14/2010
 Scale: 1 inch equals 2000 feet

Location: 16 0446293 E 3350866 N NAD27
 Caption: The Yacht Club, LLC

PROJECT LOCATION



**BULKHEAD PROFILE
TYPICAL SECTION**
SCALE: 3/8" = 1'-0"



**BULKHEAD PLAN
TYPICAL SECTION**
SCALE: 1/4" = 1'-0"

NOTES:

1. ALL WORK SHALL BE IN STRICT COMPLIANCE WITH ALL LOCAL, STATE AND FEDERAL LAWS AND ORDINANCES.
2. ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE VERIFIED BY CONTRACTOR, HOISTY ENGINEER OF RECORD OR ANY DISCREPANCIES, IT IS THE RESPONSIBILITY OF THE OWNER TO PROVIDE A POINT OF BEGINNING AND POINT OF ENDING FOR CONTRACTOR.
3. ALL LUMBER SHALL BE SOUTHERN PINE PRESERVATIVELY TREATED TO AMERICAN WOOD PRESERVERS' ASSOCIATION STANDARDS.
4. ALL TREATED WOOD PRODUCTS SHALL BE HANDLED AND FILED FABRICATED IN ACCORDANCE WITH AWPY STANDARD "A".
5. BORE HOLES FOR BOLTS WITH A BIT 1 / 16" LARGER IN DIAMETER.
6. ALL PILING SHALL HAVE A MINIMUM 2.5 CCA TREATMENT AND 8" DIAMETER.
7. ALL OTHER STRUCTURAL NORMAL LUMBER SHALL BE 2.5 CCA TREATED OR AN APPROVED AMOUNT OF TREATMENT SATISFACTORY IN SALT WATER CONDITIONS.
8. ALL FASTENERS SHALL BE HOT-DIPPED GALVANIZED PER ASTM A-153.
9. WASHERS SHALL BE PROVIDED UNDER BOLT HEADS AND UNDER NUTS THAT ARE IN CONTACT WITH WOOD.
10. TOP WALKER AND SHEET PILE THRU BOLTED TO PILING. ALL OTHER WALKERS BELOW SHALL BE FASTENED TO PILING WITH 3 1 / 4" IZD SPIRAL OR RING SHANK NAILS. SHEET PILES FASTENED TO WALKER USING 3 1 / 4" IZD SPIRAL OR RING SHANK NAILS.

NOTE: SCALE OF PLANS YALD WHEN PRINTED OR A/D 3 SCALE ONLY

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| <p>ALL BUILDING REQUIREMENTS SPECIFIED HEREON SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES, THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) AND FEDERAL LAWS.</p> | | <p>MATTHEW W. INGRAM, P.E.</p> | | <p>THE YACHT CLUB</p> | |
| REVISION NO. 1 | DESCRIPTION | DATE | BY | REVISION NO. 1 | DESCRIPTION |
| REVISION NO. 2 | DESCRIPTION | DATE | BY | REVISION NO. 2 | DESCRIPTION |
| REVISION NO. 3 | DESCRIPTION | DATE | BY | REVISION NO. 3 | DESCRIPTION |
| REVISION NO. 4 | DESCRIPTION | DATE | BY | REVISION NO. 4 | DESCRIPTION |
| <p>11941 JERICHO DRIVE DAPHNE, AL 36526</p> | | | <p>TELEPHONE: 251-370-0332 EMAIL: mwi@wifit.com</p> | | |
| <p>SCALE: AS NOTED ON PLANS</p> | | <p>APPROVED BY: [Signature]</p> | | <p>DATE: 11/26/10</p> | |
| <p>BULKHEAD DETAILS</p> | | | | | |