



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

REPLY TO

SEP 13 2006

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PUBLIC NOTICE NO.

SAM-2006-1536-LRG

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS AND
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PROPOSED WETLAND FILL FOR COMMERCIAL DEVELOPMENT
ORANGE BEACH, BALDWIN COUNTY, ALABAMA

TO ALL CONCERNED: The U.S. Army Corps of Engineers, Mobile District, has received an application for a Department of the Army Permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the Corps can be based. Please communicate this information to interested parties.

APPLICANT: Alabama Timber, Inc. (ATI)
c/o Dowling Environmental, Inc.(DEI)
Post Office Box 70181
Mobile, Alabama 36607

LOCATION: Wolf Bay watershed on State Road 180 (Canal Road), Orange Beach, Baldwin County, Alabama. See Orange Beach 7.5 minute quadrangle map: Section 5, Township 9 South, Range 5 East near Latitude 30° 17' 35" North and Longitude 87° 35' 13" West.

WORK: ATI proposes to fill/excavate 1.37 acres of wet piney woods for commercial development to include 5.5 acres for a 120-room hotel, restaurant, and waterfront park for guest and community access. Wetland impacts would include the clearing, grubbing, and backfilling of 1.11 acres for hotel and associated parking; and select clearing and minor grading/fill of 0.26 acre for park landscaping. About 2,700 cubic yards of sandy material would be required for 1 to 2 feet foundation fill for hotel and parking; and 200 cubic yards for minor 6-inch fill for landscaping. Mitigation would include the avoidance of 0.5 acre of wetland for storm water management and the purchase of credit at an approved mitigation bank affecting the preservation and restoration and/or enhancement of wetland forest commensurate with 1.37 acres of medium quality wetland impacts; about 1.4 acres of waterfront park would be dedicated to the City of Orange Beach for guest and community use. Drawings furnished by DEI, agent.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposal 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 and their cumulative effects relevant to the proposal will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, property ownership, and in general the needs and welfare of the people.

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To evaluate the impacts of this proposal the Corps is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties. 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. Comments will be considered to determine whether to issue, modify, condition or deny a permit. To make this decision, an Environmental Assessment is prepared in accord with the National Environmental Policy Act; impacts are assessed on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest. Anyone may request a public hearing to consider this proposal. Requests should provide in writing, within the specified comment period, detailed reasons for a hearing.

This notice is being sent to appropriate State and Federal agencies, including the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services. No properties listed in or eligible for the National Register of Historic Places is known to exist which would be affected by the proposal. Comments are requested regarding the potential or existence of cultural resources which may be affected. The U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposal will not affect listed species, or their critical habitat. Other impacts from dredge and fill activities will be evaluated by applying Environmental Protection Agency guidelines. Preliminary consultation with the National Marine Fisheries Service indicates the impacts to Essential Fish Habitat of estuarine species would not be significant. After review of public comments, the Alabama Department of Environmental Management will determine if the proposal complies with and will be operated or maintained in a manner consistent with the Clean Water Act and the Coastal Zone Management Program.

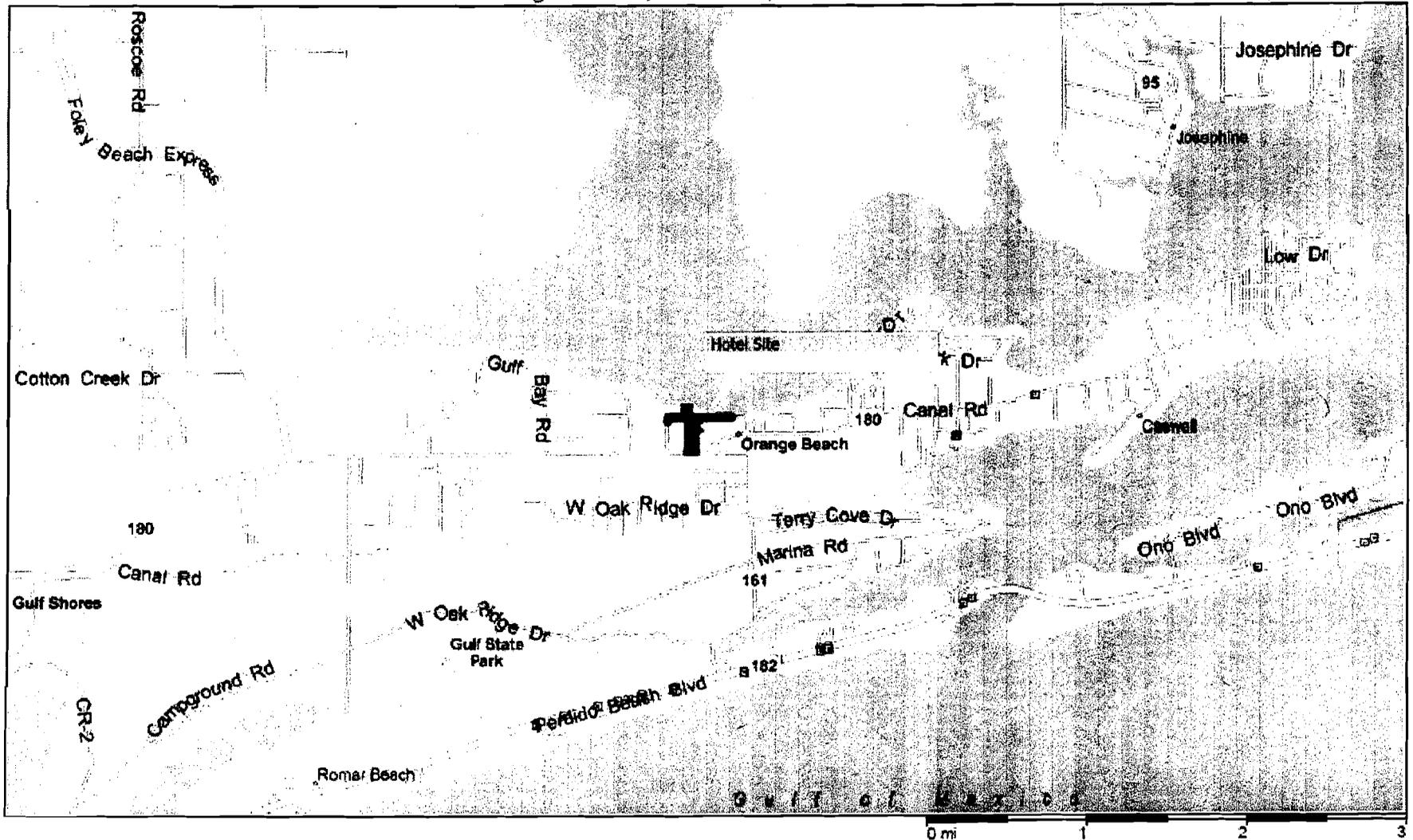
For information and comment, e-mail the Project Manager at [lawrence.r.godwin @usace.army.mil](mailto:lawrence.r.godwin@usace.army.mil) or phone (251) 690-2658. Comments should be received within 30 days of the public notice date. Please refer to public notice number **SAM-2006-1536-LRG**. Mail your correspondence to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division; we will forward a copy to the Alabama Department of Environmental Management, Coastal Facility Section, 4171 Commanders Drive, Mobile, Alabama 36615.

MOBILE DISTRICT
U.S. Army Corps of Engineers

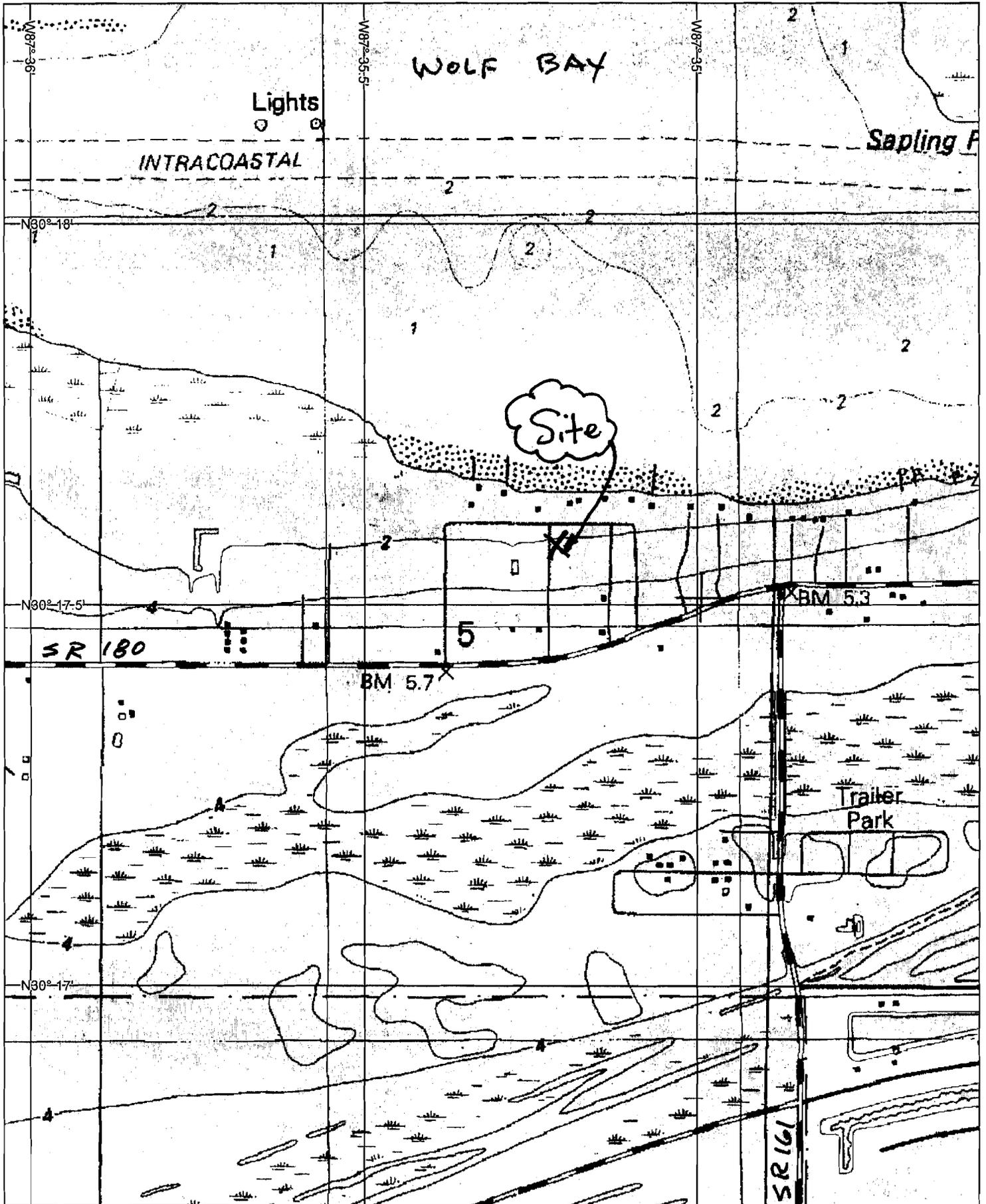
Enclosures

The site is located on AL St. Route 180 (Canal Road) just east of Cypress Street and includes frontage on Wolf Bay that will be used as a public park. The location is convenient to the business and retail areas of the town and is only a few minutes from the sugar white beaches of the Gulf of Mexico.

Orange Beach, Alabama, United States



TOPO MAP



3-D TopoQuads Copyright © 1999 DeLorme Yarmouth, ME 04096 Source Data: USGS

450 ft Scale: 1 : 12,000 Detail: 13-5 Datum: WGS84

LAT 30° 17' 35"
LON 87° 35' 13"

ALABAMA TIMBER, Inc

WOLF BAY



PERDIDO AVE



Site Use Plan

