



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

**CESAM RD-SP**  
**PUBLIC NOTICE NO. SAM-2024-00122-STB**

**April 1, 2024**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS**

**STATE OF ALABAMA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED COMMERCIAL DEVELOPMENT IMPACTING 0.41 ACRE OF WATERS OF**  
**THE UNITED STATES NEAR WOLF BAY, BALDWIN COUNTY, ALABAMA**

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

**Applicant:** Emerald Coast Carpet Cleaning  
Jamie and Mandy Haber  
25299 Canal Road B9  
Orange Beach, Alabama 36561  
Email Address: [jamison\\_haber@hotmail.com](mailto:jamison_haber@hotmail.com)

**Agent:** Ephriam and Associates Environmental Consulting  
Attention: Mr. Troy Ephriam  
4339 St. Stephens Road  
Whistler, Alabama 36612  
Email Address: [info@ephriamenvirollc.com](mailto:info@ephriamenvirollc.com)

**LOCATION:** The proposed project is located in proximity to Wolf Bay, along Canal Square Lane (Lot 3); within Section 6, Township 9 South, Range 5 East; Latitude 30.2887° North, Longitude -87.6020° West; in Orange Beach, Baldwin County, Alabama.

**APPLICANT STATED PROJECT PURPOSE:** The purpose of this project is to develop a commercial development for Emerald Coast Carpet Cleaning.

**PROPOSED WORK:** The applicant proposes to fill 0.41 acre of bottomland hardwood wetlands associated with the construction of a commercial facility. The total project site is approximately 0.93 acre of which 0.41 acre have been identified as wetlands. The following activities are proposed:

- a. Construction of a 3,687 square foot commercial facility;
- b. Singular vehicle access (i.e., entrance/exit) to the site;
- c. 22 parking spaces; and
- d. two stormwater management areas.

**AVOIDANCE AND MINIMIZATION:** The applicant has indicated that 0.41 acre of the parcel is low quality bottomland hardwood wetlands, and the remaining 0.52 acre is uplands. The entire 0.93-acre project site will be developed, accordingly to the applicant. Best Management Practices (BMPs) will be implemented to prevent water quality impacts to adjacent property wetlands during project implementation. The U.S. Army Corps of Engineers (USACE), Mobile District, has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

**COMPENSATORY MITIGATION:** The applicant has agreed to purchase wetlands credits from the appropriate local wetland's conservation bank. However, USACE, Mobile District has not verified the adequacy of the applicant's mitigation efforts at this time.

**COASTAL ZONE MANAGEMENT:** The applicant has applied for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. A determination relative to CZ will be made by the Alabama Department of Environmental Management (ADEM).

**WATER QUALITY:** The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to Water Quality will be made by ADEM.

**HISTORIC PROPERTIES:** 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 affect historic properties. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the entire 0.41 acre of onsite wetlands as well as the 0.52 acre of uplands immediately adjacent that will be directly affected by the construction of the commercial facility. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on cultural/historic resources. The National Register of Historic Places will be consulted for properties listed, or eligible for listing, in the National Register, which are known to exist and would be affected by the proposed work. The

Mobile District is seeking comments regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area from the State Historic Preservation Office, federally recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and the general public.

**THREATENED AND ENDANGERED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicate the following federally-listed species are known or expected to occur within the project area: Alabama Beach Mouse (E), Perdido Key Beach Mouse (E), West Indian Manatee (T), Piping Plover (T), Red Knot (T), Wood Stork (T), Eastern Black Rail (T), Eastern Indigo Snake (T), Green Sea Turtle (T), Kemp's Ridley Sea Turtle (E), and Loggerhead Sea Turtle (T). There is no designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Services (NMFS) will be performed as determined to be appropriate. A copy of this public notice is being sent to the USFWS for review and comment.

**COMMENTS:** This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE 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, historic properties, 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, consideration of property ownership and, in general, the needs and welfare of the people.

The USACE 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 USACE 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.

Correspondence concerning this public notice should refer to Public Notice Number **SAM-2024-00122-STB**, and should be directed to the District Engineer, Mobile District, Regulatory Division, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention Mr. Samuel Barber or submitted electronically at [samuel.t.barber@usace.army.mil](mailto:samuel.t.barber@usace.army.mil), (251) 386-4037. Copies of all comments should be furnished to the Alabama Department of Environmental Management at [coastal@adem.alabama.gov](mailto:coastal@adem.alabama.gov), or sent to: Alabama Department of Environmental Management, Mobile Branch / Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608.

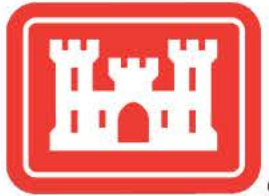
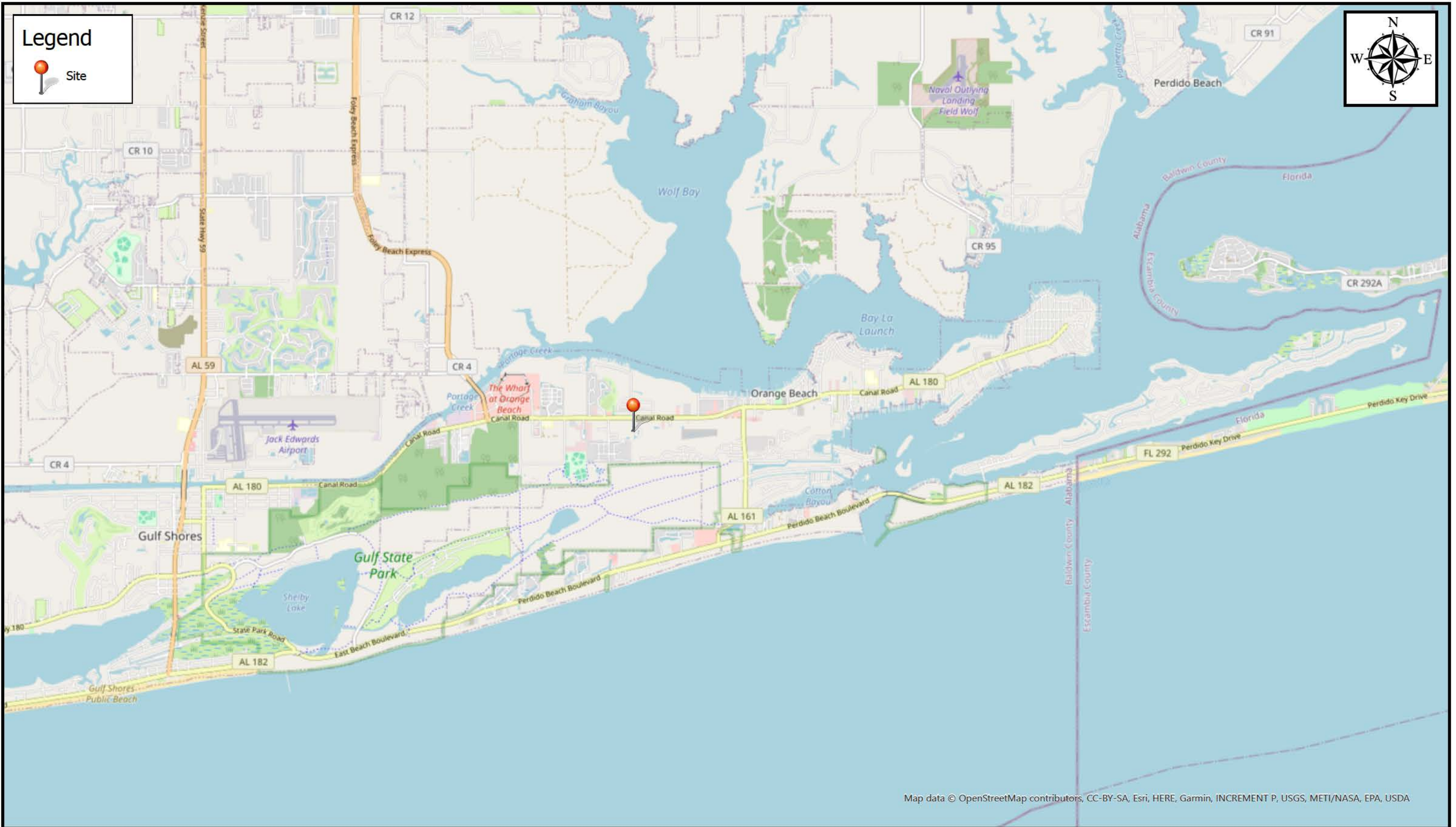
**All comments should be received no later than 30 days from the date of this Public Notice.** If you have any questions concerning this publication, you may contact Mr. Sam Barber by email at [Samuel.t.barber@usace.army.mil](mailto:Samuel.t.barber@usace.army.mil) or by phone (251) 386-4037. Please refer to the above Public Notice Number SAM-2024-00122-STB, in any communication concerning this project.

For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Attachments





Public Notice Location // SAM-2024-00122-STB // Department  
of the Army



Map Center: 87.584536°W 30.290618°N

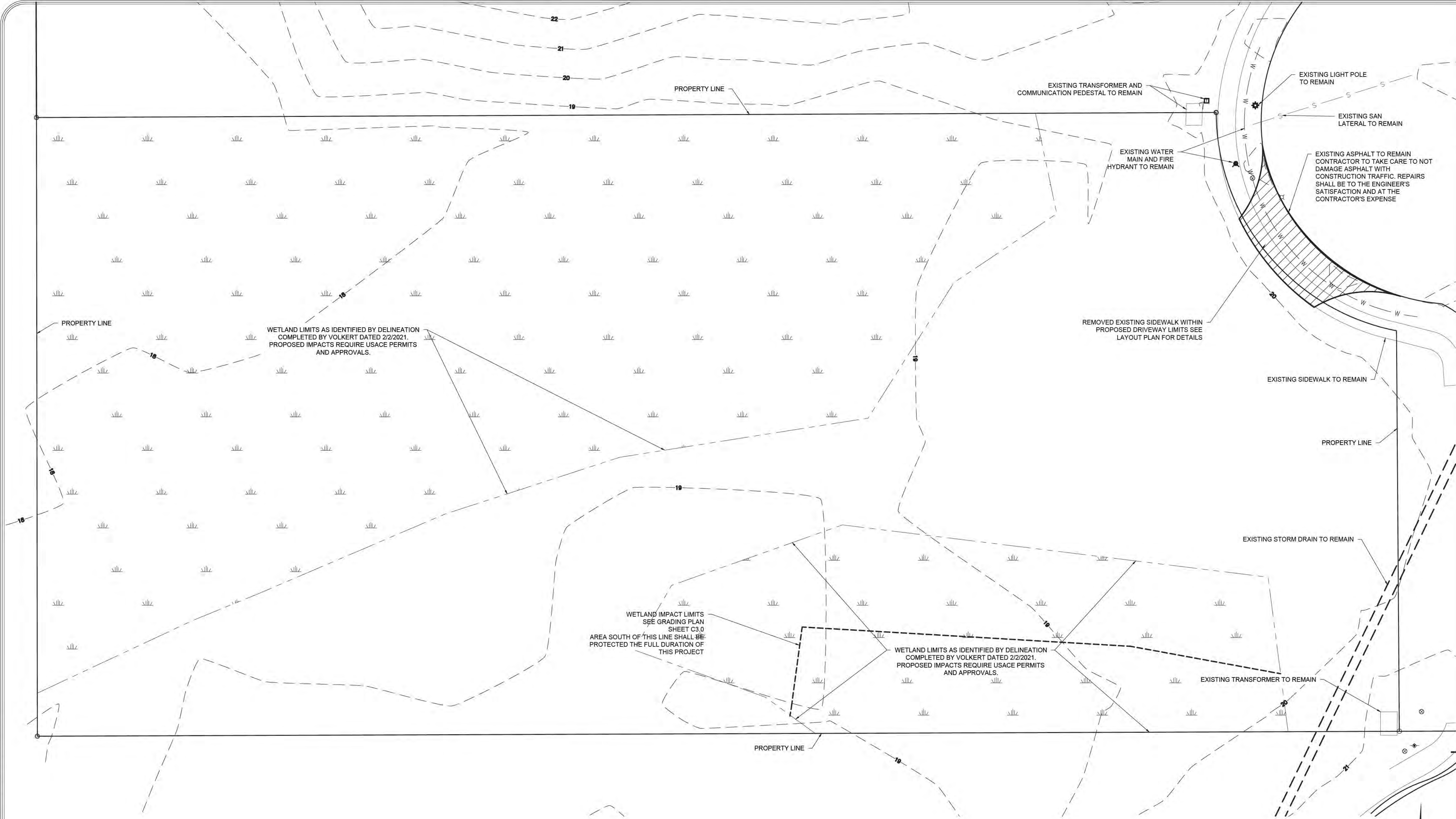
Map Created by: Samuel T. Barber, Project Manager

Date: 4/1/2024

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere  
Projection: Mercator Auxiliary Sphere



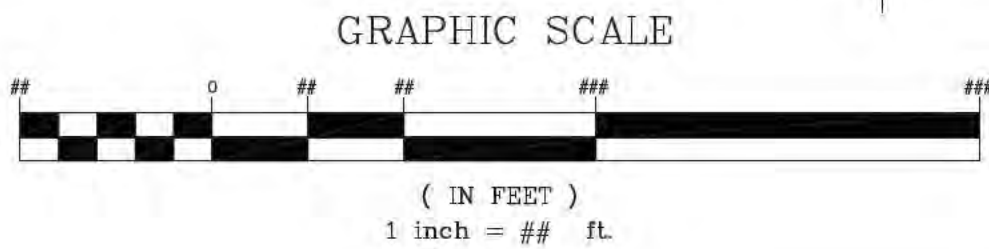
T:\F\_ECCC0001 - CANAL ROAD ENGINEERING\DWG\DEMO\_PLANNING - last plotted 11/27/23 by DAVID DICHARA



- NOTES:
- SEE SHEET C0.1 FOR GENERAL DEMOLITION NOTES

DEMO PLAN LEGEND

	EXISTING IMPROVEMENTS TO BE REMOVED
	TO BE REMOVED



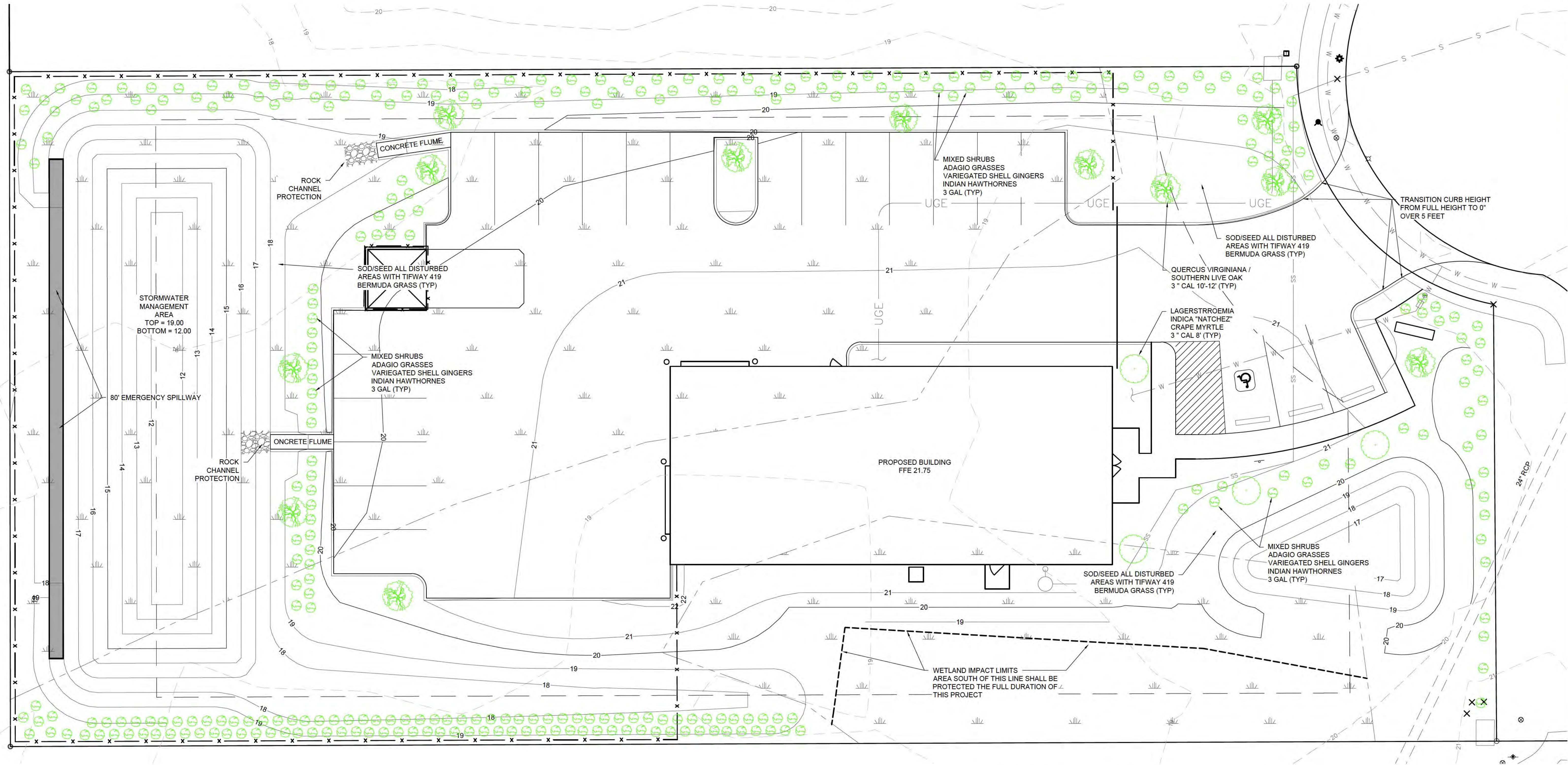
ENGINEERING DESIGN GROUP PELHAM, AL 120 BISHOP CIRCLE SUITE 300 PELHAM, AL 35124 (205) 403-9156 FOLEY, AL 1000 E. LAUREL STREET FOLEY, AL 36555 (251) 943-8660	
ISSUED FOR PERMIT 11-27-23 - NOT FOR CONSTRUCTION	
REVISIONS	
PROJECT ADDRESS: <b>LOT 3 CANAL SQUARE ORANGE BEACH, AL</b>	SHEET TITLE: <b>SITE DEMO PLAN</b>
PROJECT NAME: <b>EMERALD COAST CARPET CLEANING</b>	
DRAWN BY: DAD	
CHECKED BY: DAD	
PROJECT No.: F ECCC0001	
DATE: November 27, 2023	
SHEET NO: <b>C1.0</b>	







T:\F\_ECCC0001 - CANAL ROAD\ENGINEERING\DWG\LANDSCAPE\_PLAN.DWG - last plotted 11/27/23 by DAVID DICHAIRA



**STREET FRONTAGE REQUIREMENTS (16.04-B1a)**

**CANAL SQUARE**

1 TREE PER 35 L.F. ROW @ 75 L.F. = 2.14 TREES  
TOTAL FRONTAGE TREES REQUIRED = 3 TREES  
TOTAL FRONTAGE TREES PROVIDED = 3 TREES

1 SHRUB PER 3 L.F. ROW @ 75 L.F. = 25 SHRUBS  
TOTAL FRONTAGE SHRUBS REQUIRED = 25  
TOTAL FRONTAGE SHRUBS PROVIDED = 25

**PERIMETER LANDSCAPE REQUIREMENTS (16.04-B1a1)**

**NORTH PROPERTY LINE**

1 SHRUB PER 3 L.F. PROPERTY LINE @ 31 = 100.33 SHRUBS  
TOTAL PERIMETER SHRUBS REQUIRED = 101  
TOTAL PERIMETER SHRUBS PROVIDED = 101

**EAST PROPERTY LINE**

1 SHRUB PER 3 L.F. PROPERTY LINE @ 89 = 29.67 SHRUBS  
TOTAL PERIMETER SHRUBS REQUIRED = 30  
TOTAL PERIMETER SHRUBS PROVIDED = 30

**SOUTH PROPERTY LINE**

1 SHRUB PER 3 L.F. PROPERTY LINE @ 301 = 100.33 SHRUBS  
TOTAL PERIMETER SHRUBS REQUIRED = 101  
TOTAL PERIMETER SHRUBS PROVIDED = 101

**WEST PROPERTY LINE**

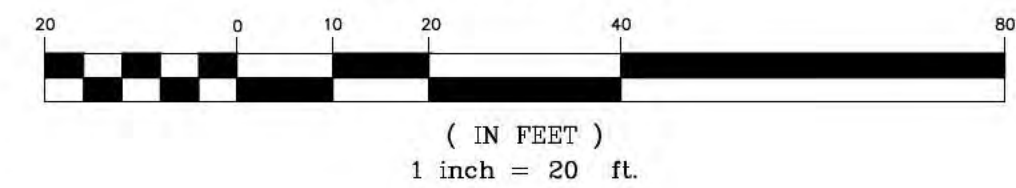
1 SHRUB PER 3 L.F. PROPERTY LINE @ 138 = 46 SHRUBS  
TOTAL PERIMETER SHRUBS REQUIRED = 46  
TOTAL PERIMETER SHRUBS PROVIDED = 46

**HARDWOOD TREE REPLACEMENT**

**TREES**

1 TREE PER 1,300 S.F. @ 16,037 S.F. = 12.33 TREES  
TOTAL TREES REQUIRED = 13  
TOTAL TREES PROVIDED = 13

**GRAPHIC SCALE**



ENGINEERING DESIGN GROUP

PELHAM, AL  
120 BISHOP CIRCLE SUITE 300  
PELHAM, AL 35124  
(205) 403-9158

FOLEY, AL  
1000 E. LAUREL STREET  
FOLEY, AL 36555  
(251) 943-8960

ISSUED FOR PERMIT 11-27-23 - NOT FOR CONSTRUCTION

REVISIONS

PROJECT ADDRESS  
**LOT 3 CANAL SQUARE**  
ORANGE BEACH, AL

SHEET TITLE:  
**LANDSCAPE PLAN**

PROJECT NAME:

**EMERALD COAST**  
**CARPET CLEANING**

DRAWN BY:

DAD

CHECKED BY:

DAD

PROJECT No.:

F ECCC0001

DATE

November 27, 2023

SHEET NO.

**C7.0**