



REPLY TO  
ATTENTION OF

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

**CESAM RD-A**  
**PUBLIC NOTICE NO. SAM-2001-02418-MBM**

**August 4, 2020**

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

**REQUEST TO RETAIN UNAUTHORIZED WORK AND STRUCTURES IN WATERS OF**  
**THE UNITED STATES IN CONJUNCTION WITH A MARINA ON WOLF BAY, IN 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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

**APPLICANT:** Fish Camp Lodge & Cottages Condo POA  
Attention: Mr. Bill Hunt  
25777 West Perdido Avenue, Box L  
Orange Beach, Alabama 36561

**AGENT:** Mr. Robert B. Keyser  
19213 Fairfax Drive  
Fairhope, Alabama 36532

**LOCATION:** The project is located on Wolf Bay, at 25777 West Perdido Avenue; within Section 5, Township 9 South, Range 5 East; at Latitude 30.294137° North, Longitude -87.585424° West; in Orange Beach, Baldwin County, Alabama.

**PROJECT PURPOSE:** The project purpose is to provide on-site recreational watercraft storage and navigable access to Wolf Bay as well as surrounding navigable waters for residents of the Fish Camp Lodge & Cottages Condominium.

**PROPOSED WORK:** The applicant requests after-the-fact authorization for the following:

Pile-supported pier structures for a marina complex with 30 uncovered boat slips with lifts and 15 mooring locations for personal watercraft. The pier structures include a primary access pier, two lateral piers, and finger piers, as well as a covered gazebo with an open crab deck, configured as illustrated in attached plans. The completed marina complex extends 190 feet waterward from the bulkheaded shoreline into the open waters of Wolf Bay, and is approximately 165 feet in width.

Hydraulic dredging of approximately 1,464 cubic yards of silt and sand material from 26,350 square feet (0.60 acre) of open water bottoms in and around the previously described structures. The area was dredged to a depth of -4 feet below mean high water. The dredged material was pumped to an upland dewatering basin located in an area known as La Launche Way Right-of-Way, situated immediately west of the Fish Camp Lodge & Cottages Condominium parcel. Once dewatered, the material was removed as needed by the City of Orange Beach and used for construction backfill at various sites within the city.

**AVOIDANCE AND MINIMIZATION:** The applicant has indicated the dredging work performed within and around the wharf, pier, and gazebo structures was the minimum necessary to ensure safe navigation within the marina for vessel storage and access to nearby waters. The number of boat slips provided by the two wharves are the minimum needed for the residents of the Fish Camp Lodge & Cottages Condominium. The marina with access pier, gazebo, and wharves is similar to other structures in the area. The applicant did not impact any wetlands as a result of this project. The applicant utilized an adjacent upland area for dewatering of dredge spoil materials and this material was provided to the City of Orange Beach for use as construction backfill at various project sites. Construction best management practices (BMPs) were utilized to prevent silt-laden runoff from reentering the waterway during excavation/dredging activities. The U.S. Army Corps of Engineers (USACE), Mobile District, has not yet verified the adequacy of the applicant's avoidance and minimization efforts at this time.

**MITIGATION:** Since the project did not result in the loss of waters of the United States, mitigation is not required.

**WATER QUALITY:** The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act and for Coastal Zone Management (CZM) consistency concurrence in accordance with the Alabama Coastal Area Management Program. Upon completion of the required advertising and public comment review, a determination relative to Water Quality Certification and CZM consistency will be made by the Alabama Department of Environmental Management (ADEM).

**HISTORIC PROPERTIES:** In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR Part 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR Part 325, the Mobile District has determined the permit area consists of the entire undertaking in waters of the United States as well as portions of the upland lot impacted by the dewatering of dredged material and utilized for construction access and equipment and materials staging. 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 that might have been affected by the work performed and construction of the listed structures. The Mobile District is seeking comment from the State Historic Preservation Officer regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. The permit area described above is currently under review by USACE archaeologists to provide a determination on the potential for existence of significant cultural and historic properties.

**ESSENTIAL FISH HABITAT:** This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The project impacted approximately 28,500 square feet (0.66 acre) of unvegetated estuarine substrate utilized by various life stages of multiple marine species. Our initial determination is that the proposed action would not have an adverse impact on EFH or federally managed fisheries due to the minor area of impact. Our final determination is subject to review by and coordination with the National Marine Fisheries Service.

**ENDANGERED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicates the completed activity had no effect on the following listed endangered or threatened species with the potential to exist within the Perdido Pass – Frontal Gulf of Mexico 12 digit HUC 031401070204 boundary: Alabama beach mouse (E), Perdido Key beach mouse (E), West Indian manatee (T), piping plover (T), red knot (T), wood stork (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's action area. This preliminary determination is being coordinated with the USFWS via this Public Notice for any possible comments.

**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 U.S. Army Corps of Engineers (USACE) can be based. The USACE is soliciting comments from the public, from federal, state and local agencies and officials, from Indian tribes, and from other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny a permit for this unauthorized work and structures. 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 below. 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. 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, flood plain values, land use, navigation,

shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and in general, the needs and welfare of the people. Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will also include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

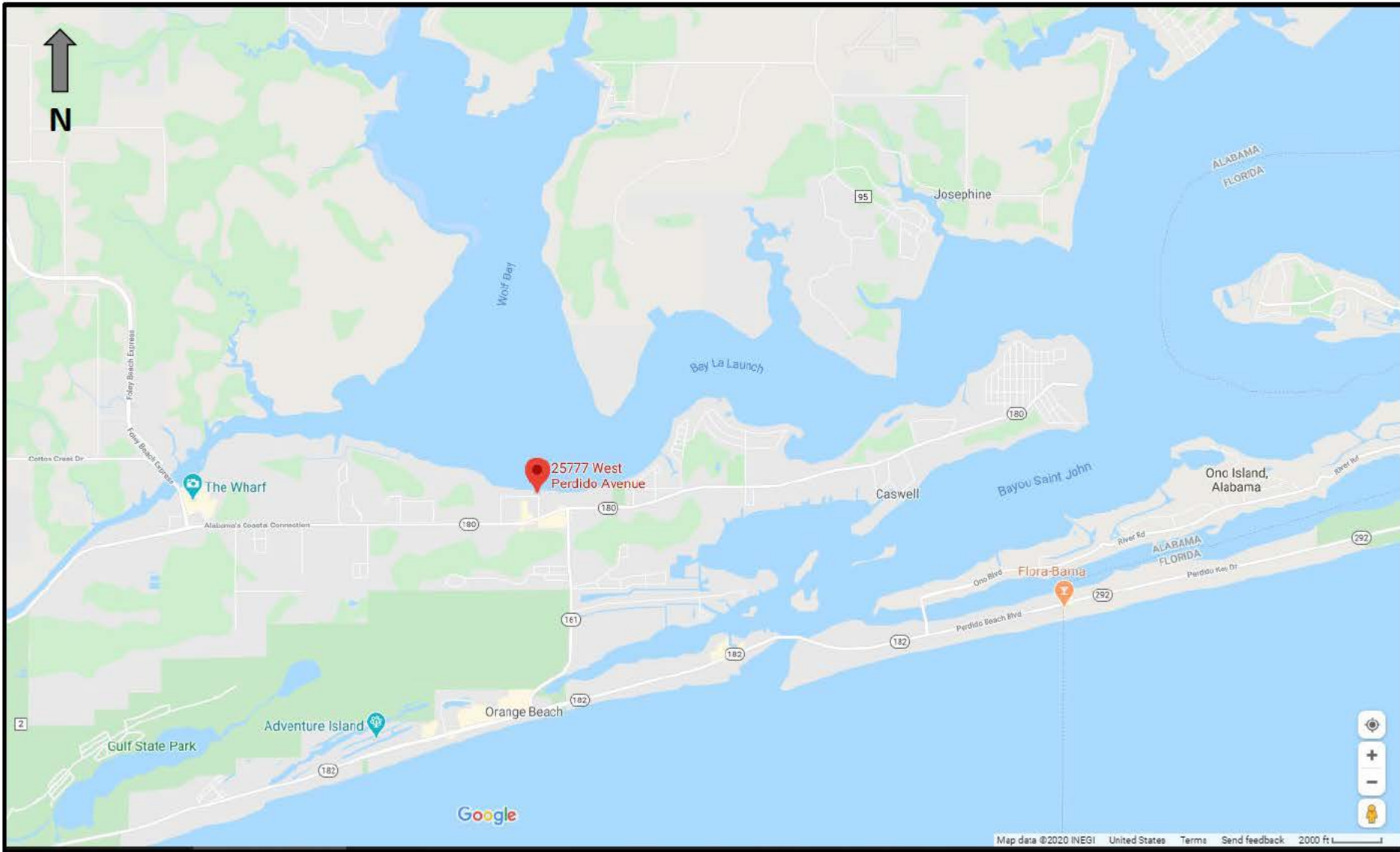
Correspondence concerning this notice should refer to Public Notice Number **SAM-2001-02418-MBM**, and should be directed to the project manager, Ms. Dianne Jordan by e-mail at [Cynthia.D.Jordan@usace.army.mil](mailto:Cynthia.D.Jordan@usace.army.mil), or sent to the U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Attention: Ms. Dianne Jordan, Post Office Box 2288, Mobile, Alabama 36628-0001. 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 Ms. Dianne Jordan by e-mail at [Cynthia.D.Jordan@usace.army.mil](mailto:Cynthia.D.Jordan@usace.army.mil), or (251) 694-3885. Please refer to the above Public Notice Number SAM-2001-02418-MBM, 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



Dept. of the Army // SAM-2001-02418-MBM

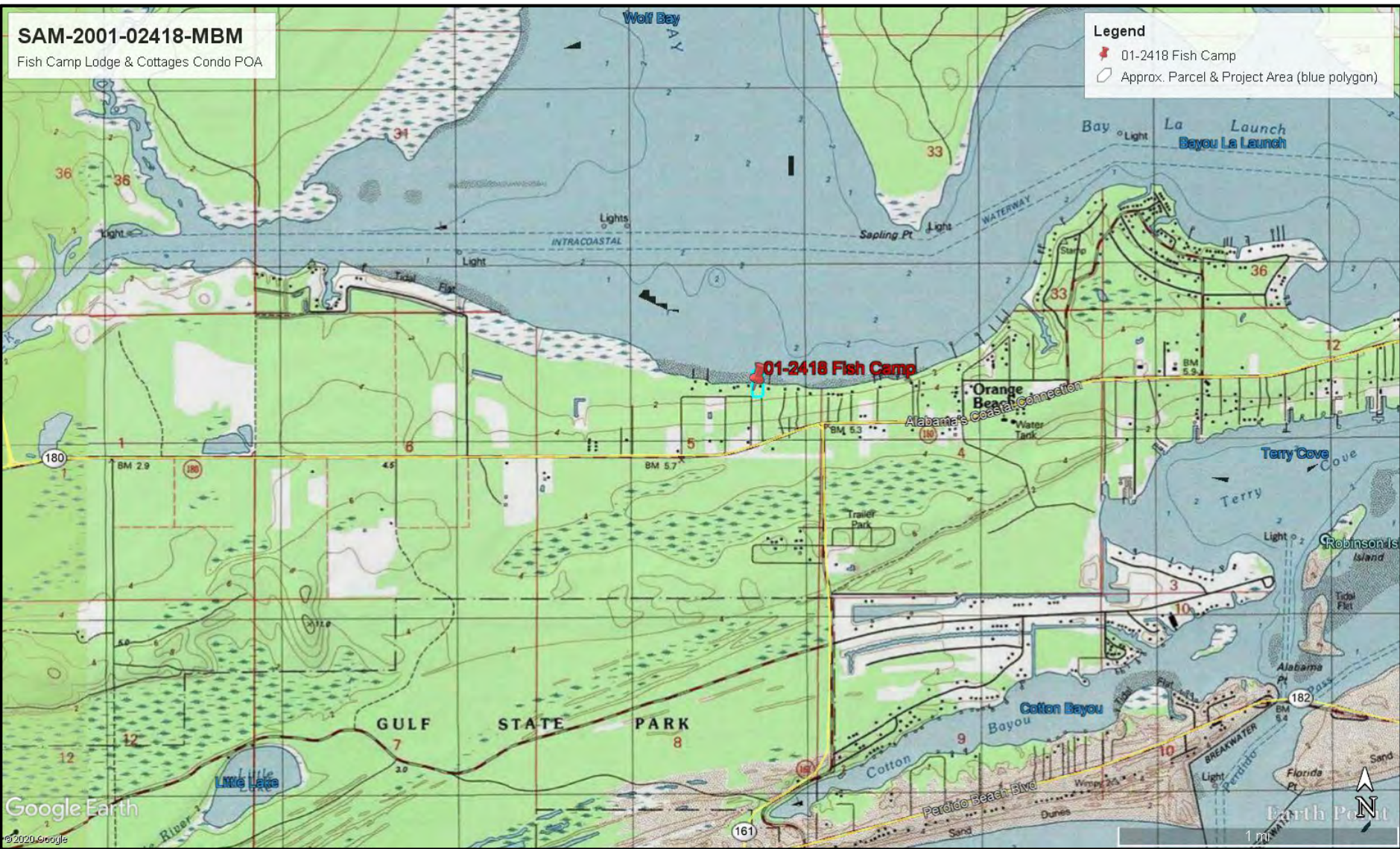


# SAM-2001-02418-MBM

Fish Camp Lodge & Cottages Condo POA

## Legend

- 01-2418 Fish Camp
- Approx. Parcel & Project Area (blue polygon)







**SAM-2001-02418-MBM**

Fish Camp Lodge & Cottages Condo POA

Wolf Bay

**Legend**

-  01-2418 Fish Camp
-  Approx. Parcel & Project Area (blue polygon)

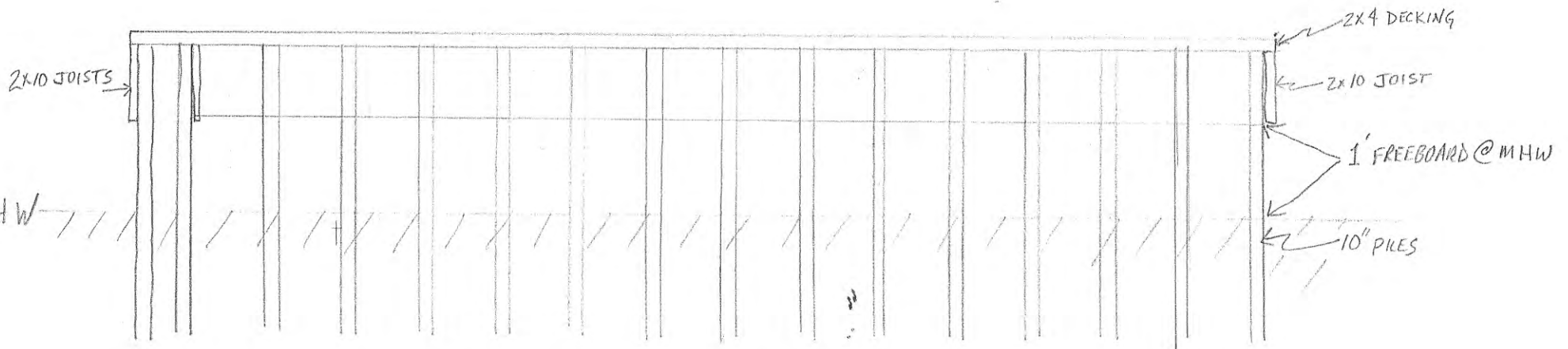
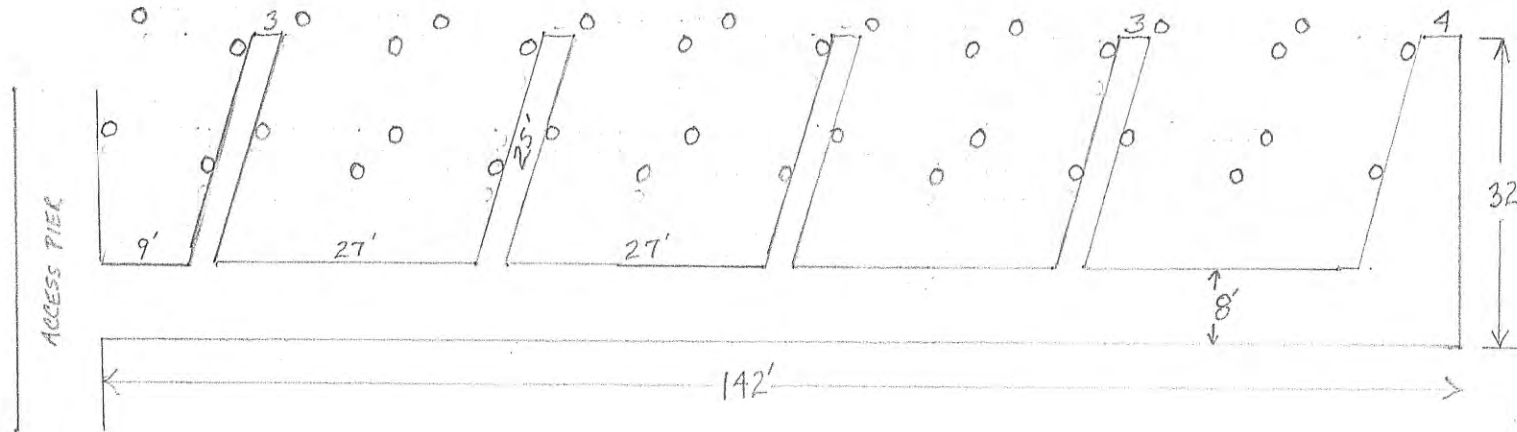






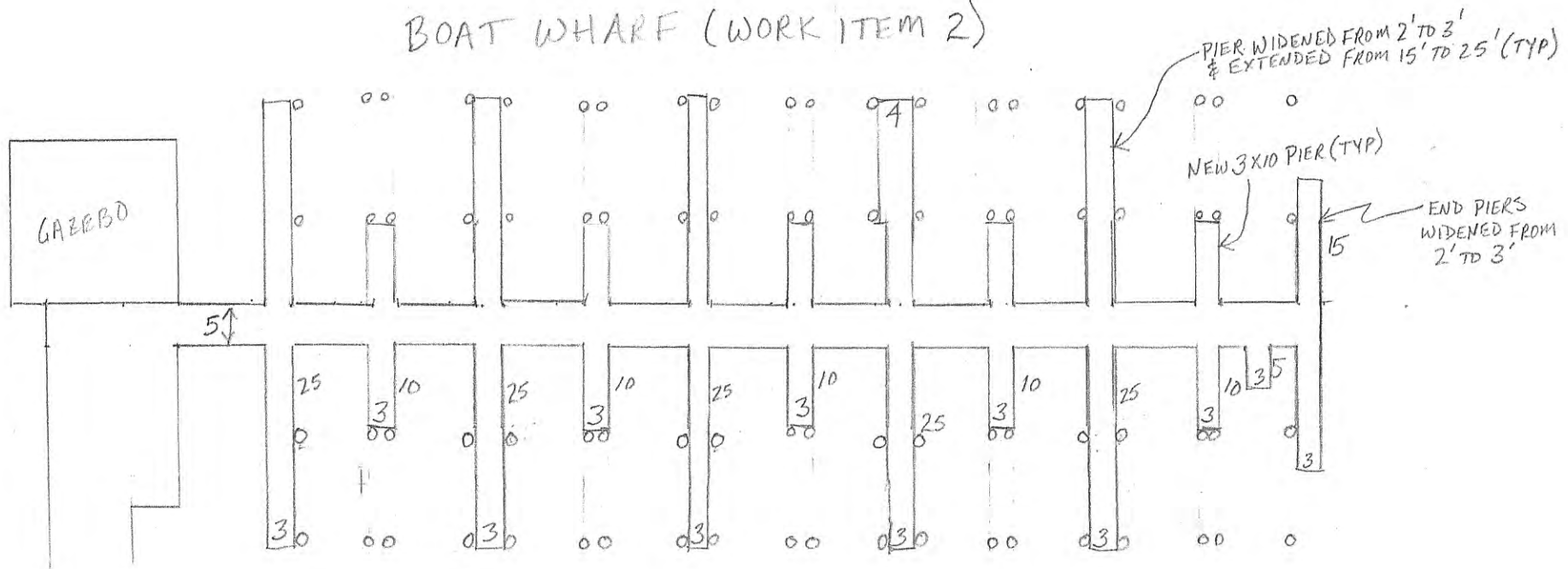
# NEW WHARF (WORK ITEM 1)

Wolf Bay

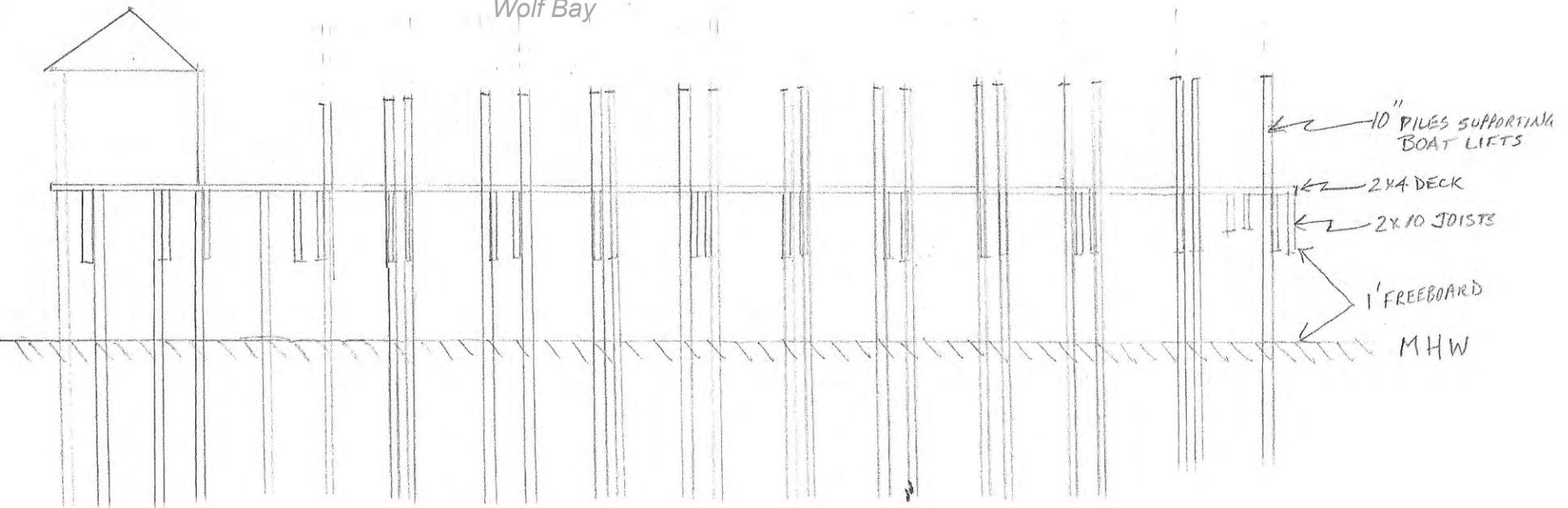


HORIZONTAL SCALE 1" = 20'  
 VERTICAL SCALE 1" = 2'

# BOAT WHARF (WORK ITEM 2)



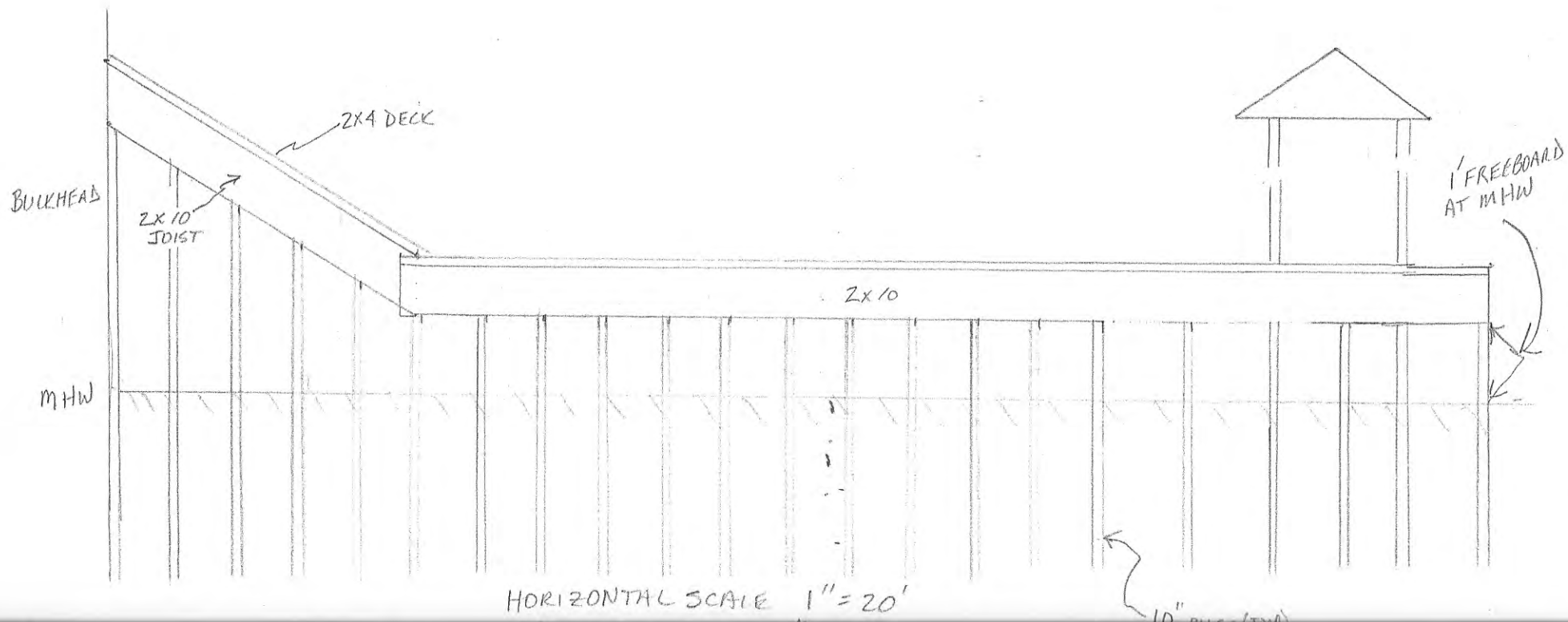
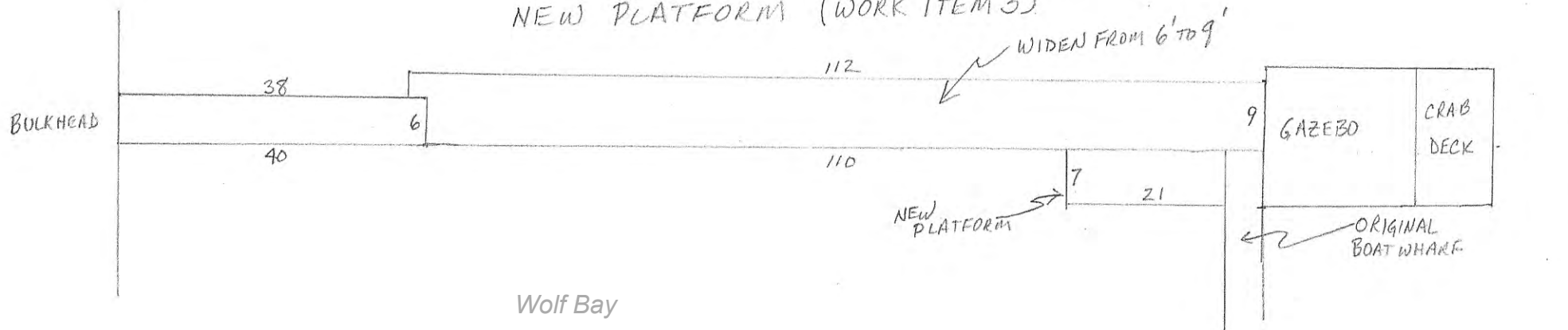
Wolf Bay



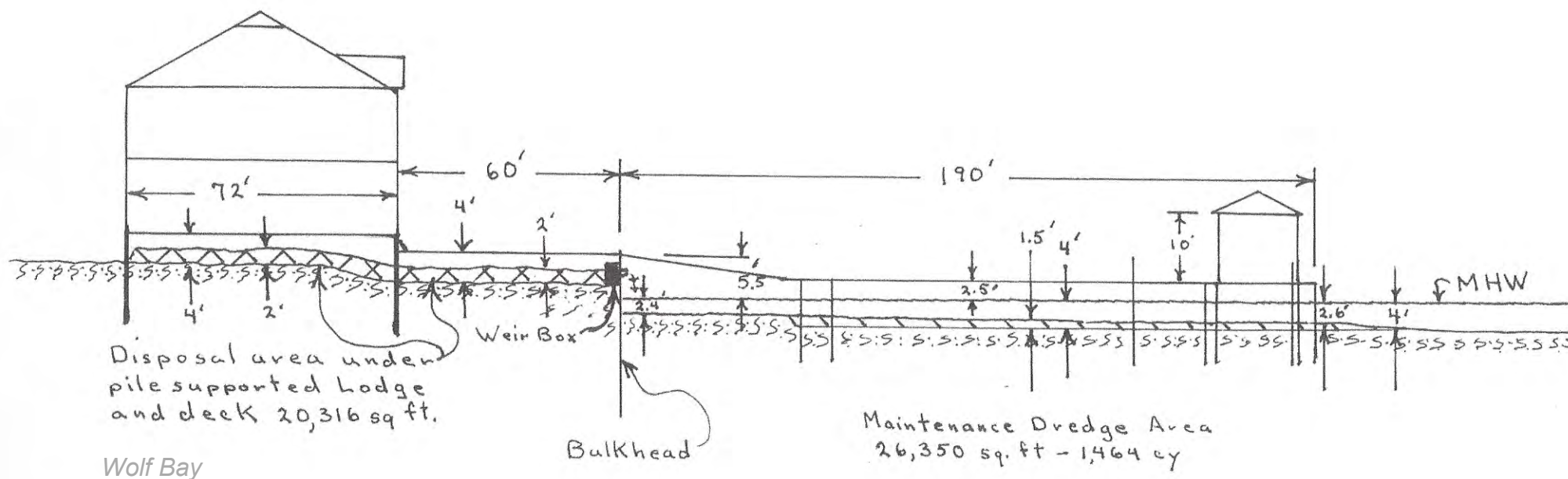
HORIZONTAL SCALE 1" = 20'

VERTICAL SCALE 1" = 2' DECK & BELOW  
NTS ABOVE DECK

# ACCESS PIER (WORK ITEM 4) & NEW PLATFORM (WORK ITEM 3)



# DREDGING (WORK ITEM 5)



Cross Section

Proposed: Maintenance dredging of existing marina basin

Scale

1 in. = 40 ft.

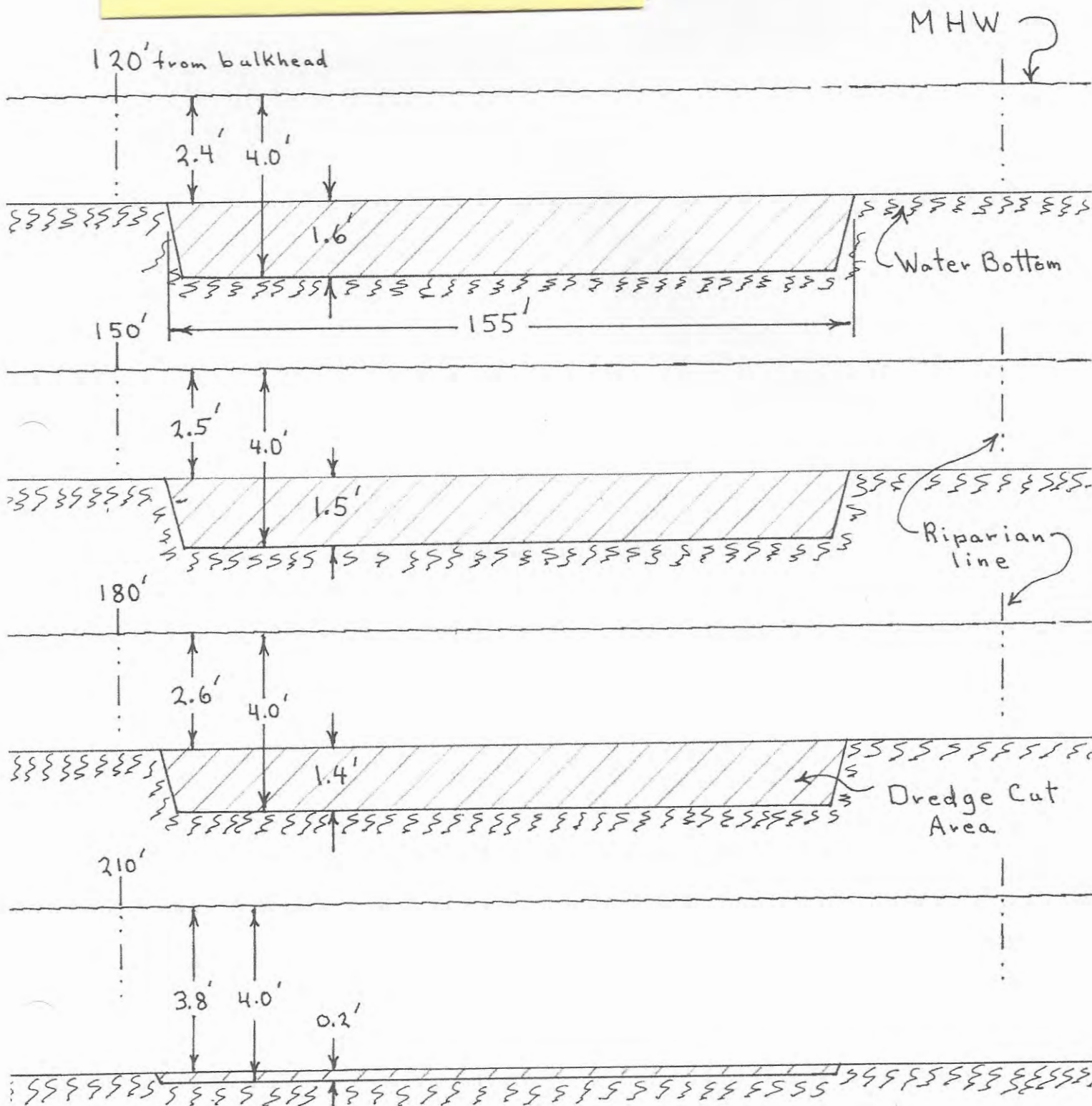


# Cross Sections of Proposed Dredging for Maintenance of Existing Marina Basin

Scales

Vertical 1 in. = 3 ft

Horizontal 1 in. = 30 ft.



# Cross Sections of Proposed Dredging for Maintenance of Existing Marina Basin For: Fish Camp Lodge & Cottage

Scales  
Vertical 1 in. = 3 ft.  
Horizontal 1 in. = 30 ft.

