



REPLY TO  
ATTENTION OF:

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

January 11, 2017

CESAM-RD-A  
PUBLIC NOTICE NO. SAM-2016-00977-GAC

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

**CONSTRUCTION OF A POCKET BEACH LIVING SHORELINE PROJECT  
WITH ASSOCIATED HEADLAND BREAKWATER STRUCTURES, THREE  
NEW PIER AND BOAT-HOUSE COMPLEXES, A NEW BOAT RAMP AND  
ASSOCIATED NEW CHANNEL DREDGING AND BOAT SLIP DREDGING**

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), and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT: Daniel G. Blackburn**  
Post Office Box 458  
Bay Minette, Alabama 36507

**Mr. Sidney L. Leak, III**  
28633 Sampson Avenue  
Orange Beach, Alabama 36561

**AGENT: EcoSolutions, Incorporated**  
Post Office Box 361  
Montrose, Alabama 36558

**LOCATION OF WORK:** On the shoreline and in the waters of Bay La Launch, off Canal Road, Orange Beach, Baldwin County, Alabama in Section 36, Township 8 South, Range 5 East at Latitude 30° 17' 56.70" N and Longitude 87°32'15.54" W.

**WATERWAY:** Bay La launch

**PROPOSED WORK:** The applicant proposes to construct approximately 1,915 linear feet of pocket beach, living shoreline project by placing approximately 2,994 cubic yards of clean sand material on approximately 0.88 acre of waterbottoms of Bay La launch. The proposed pocket beach project would be stabilized by 13 individual timber and/or rock headland breakwater structures. In addition the applicant proposes to construct a 15-foot wide boat ramp facility within the course of the pocket beach project.

The applicant also proposes to construct three new pier and boat-house facilities within the course of the pocket beach project. Each of these facilities would consist of a 6-foot wide by 120-foot long pier leading from uplands to a 40-foot by 60-foot covered boat-house complex more specifically consisting of a 20-foot by 40-foot deck area, two 12-foot wide by 30-foot long boat slips and associated access platforms and walks.

Each of the three pier and boat-house facilities would require approximately 998 cubic yards of new channel and boat slip dredging to a target depth of -6 feet, below mean high water, for navigational access. A total of 2,994 cubic yards of dredging is proposed. Dredged material is proposed to be incorporated into the pocket beach, living shoreline project.

All work is proposed in accordance with the attached plans and drawings.

The applicant has applied for a determination/certification from the State of Alabama in accordance with the State's Coastal Area Management Program, and upon completion of the required advertising by the State, a determination relative to certification will be made.

The applicant has applied for a certification from the State of Alabama in accordance with Section 404(a) (1) of the Clean Water Act. Upon completion of the required advertising by the State, a determination relative to water quality certification 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 (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, 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 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 the 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.

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 U.S. Department of the Interior, National Park Service, Division of Archeological Services.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would potentially impact approximately 0.83 acre of waterbottoms 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 Interior, 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 no listed endangered and threatened species or their critical habitat occur within the project area. Notification to the United States Fish and Wildlife Service will be furnished via this Public Notice.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2016-00977-GAC and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division, with a copy to the Alabama Department of Environmental Management, Mobile Branch, Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608, (If not in coastal zone: Post Office Box 301463, Montgomery, Alabama 36130-1463).

**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 at (251) 694-4077, or by e-mail at [glen.a.cunningham@usace.army.mil](mailto:glen.a.cunningham@usace.army.mil). Please refer to the above Public Notice number SAM-2016-00977-GAC.

**CESAM-RD-A**  
**Public Notice No. SAM-2016-00977-GAC**

**January 11, 2017**  
**Page 5 of 5**

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

Enclosures

From I-10 Exit 49  
 south on Baldwin Beach Express  
 continue south over toll bridge  
 left on Canal Rd and go east approx 5 mi.  
 the site is on the left at Sampson Ave



SAM-2016 - 00977 - GAC  
 DEPT. OF THE ARMY

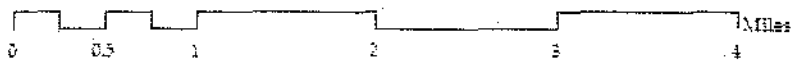
Copyright © 2016 National Geographic Society



P.O. Box 361 Montrose, AL 36559  
 Phone: 251-621-5006 Fax: 251-621-5058

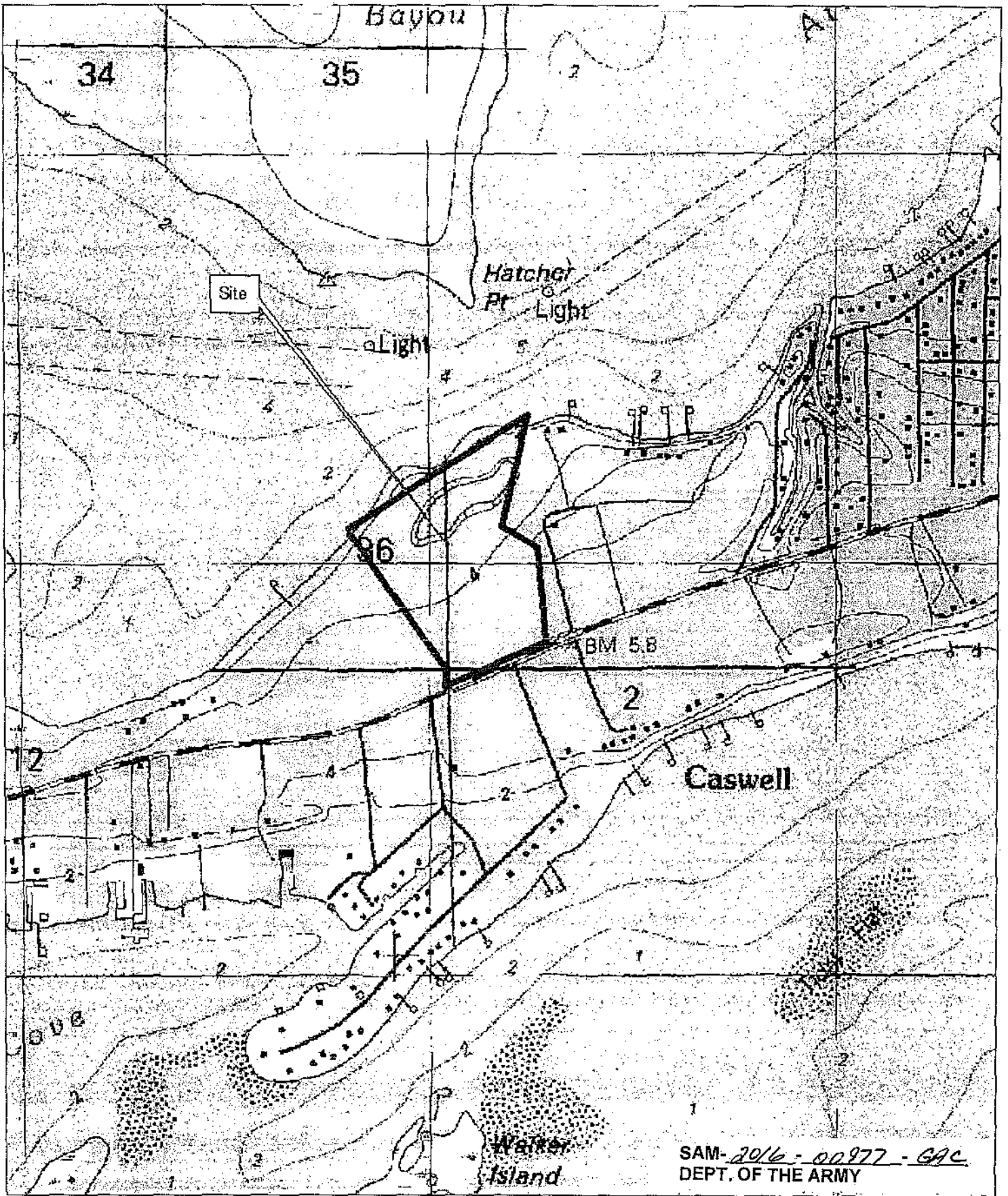
Project Blackburn Bay La Launch  
 Applicant: Daniel G. Blackburn

1 inch = 1 miles



T-8-S, R-5-E, Sect. 36, 37  
 Orange Beach, AL





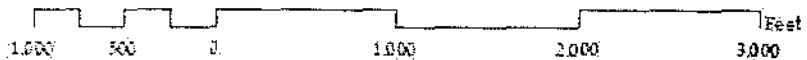
**EcoSolutions**  
ENVIRONMENTAL CONSULTING & PLANNING

P.O. Box 361 Montrose, AL 36559

Phone: 251-621-5006 Fax: 251-621-5058

Project: Blackburn Bay La Launch  
 Applicant: Daniel G. Blackburn

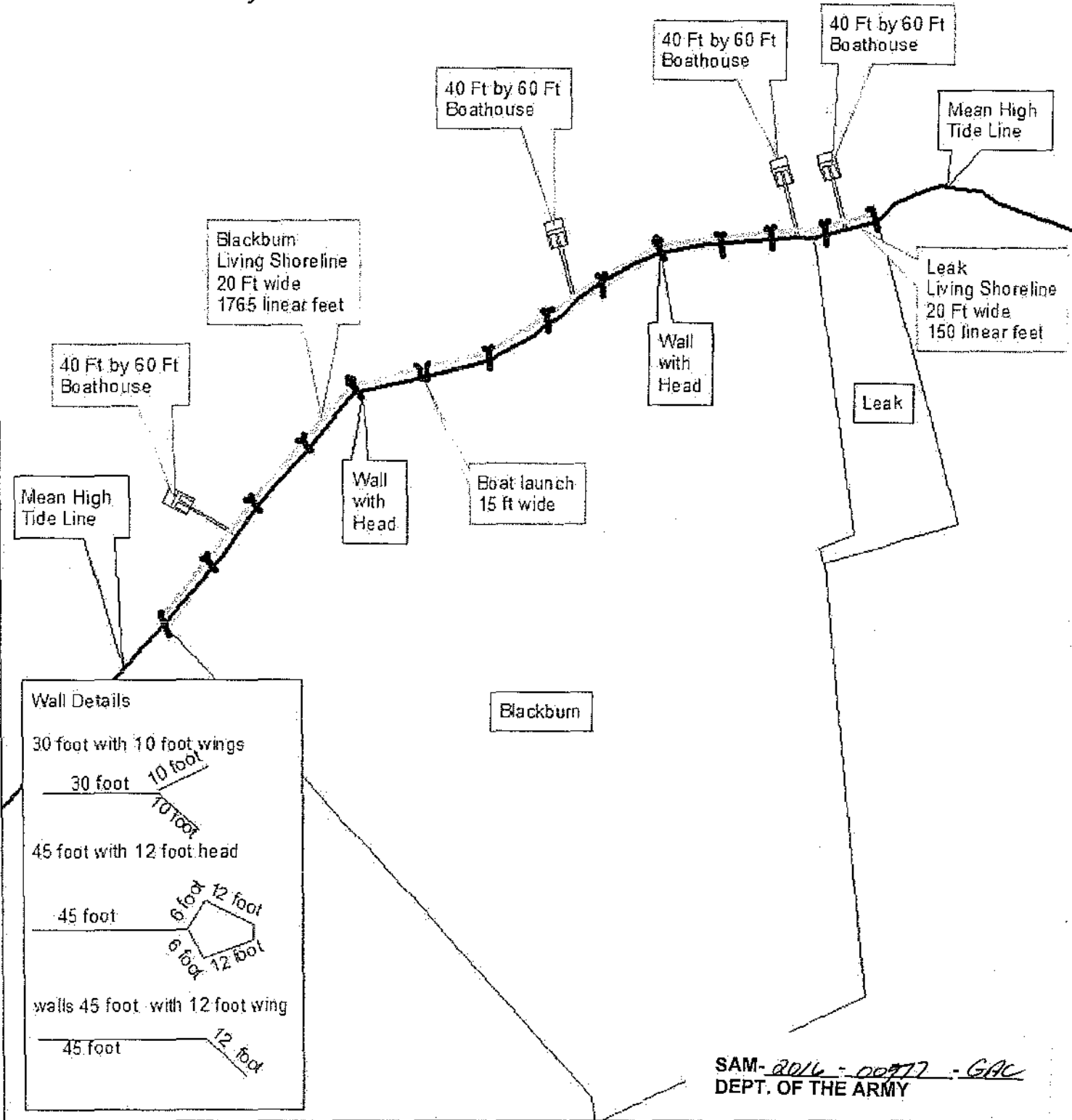
1:12,000



T-8-S, R-5-E, Sect. 36, 37  
 Orange Beach, AL



# Bay La Launch



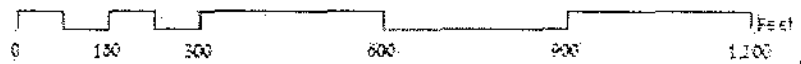
SAM-2016-00717 - GAC  
DEPT. OF THE ARMY



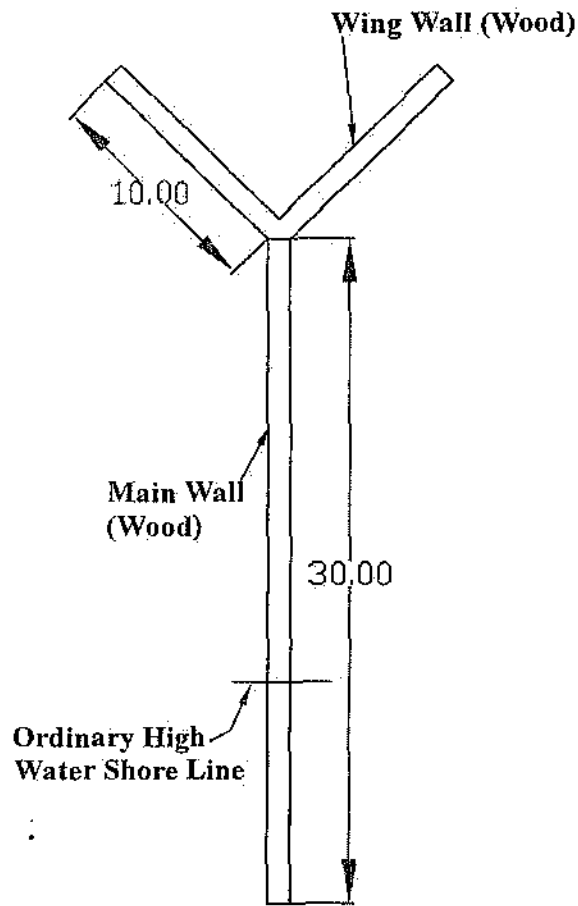
P.O. Box 361 Montrose, AL 36559  
Phone: 251-621-5006 Fax: 251-621-5038

Project: Blackburn and Leak Living Shoreline T-8-S, R-5-E, Sect. 36, 37  
Applicant: Daniel Blackburn and Sidney Leak Orange Beach, AL

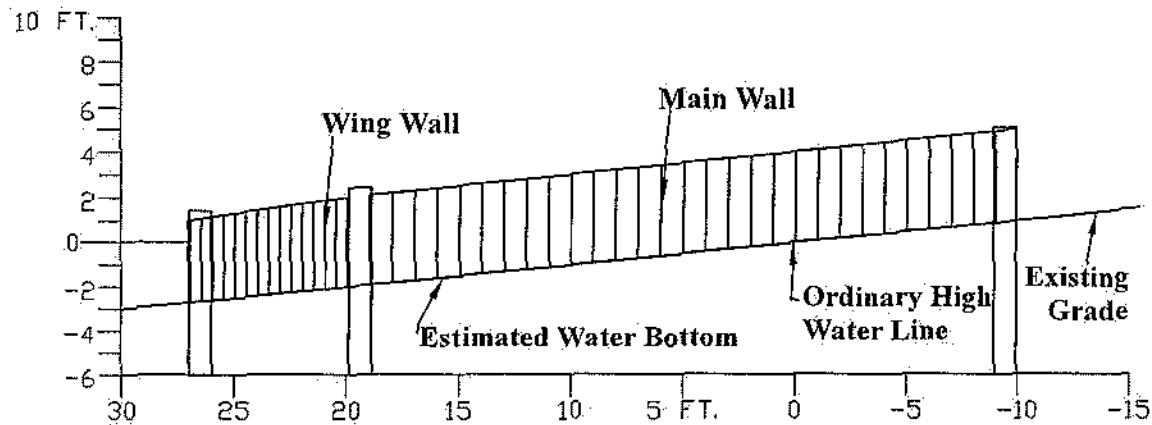
1 inch = 300 feet



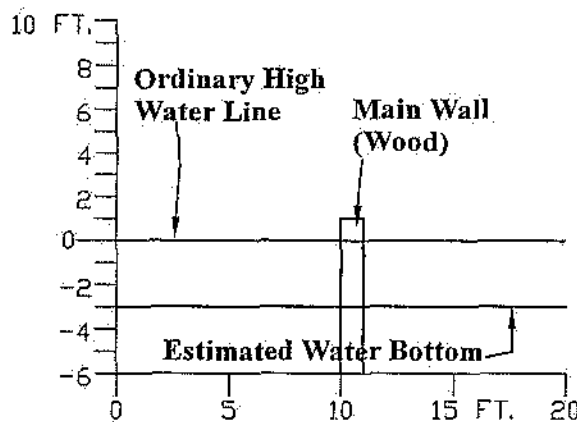




**Proposed Plan**



**Proposed Side Cross Section**

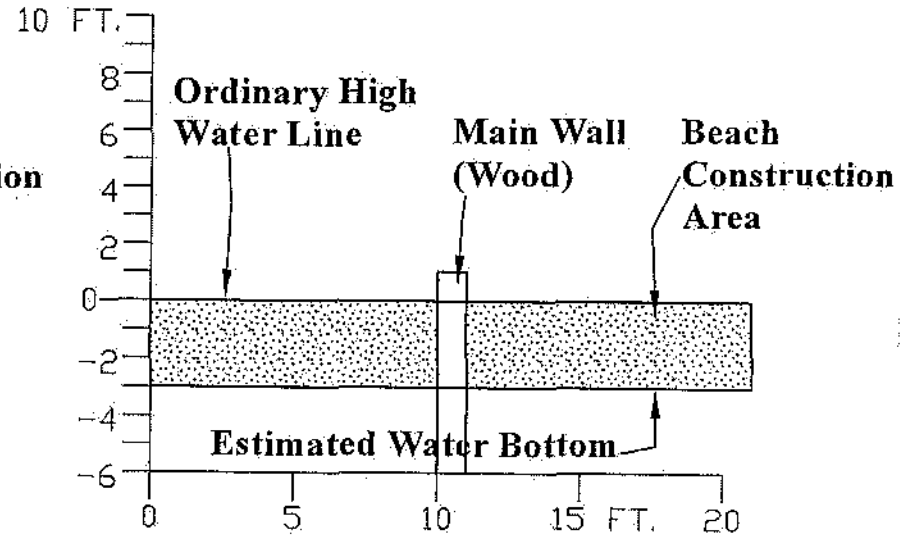
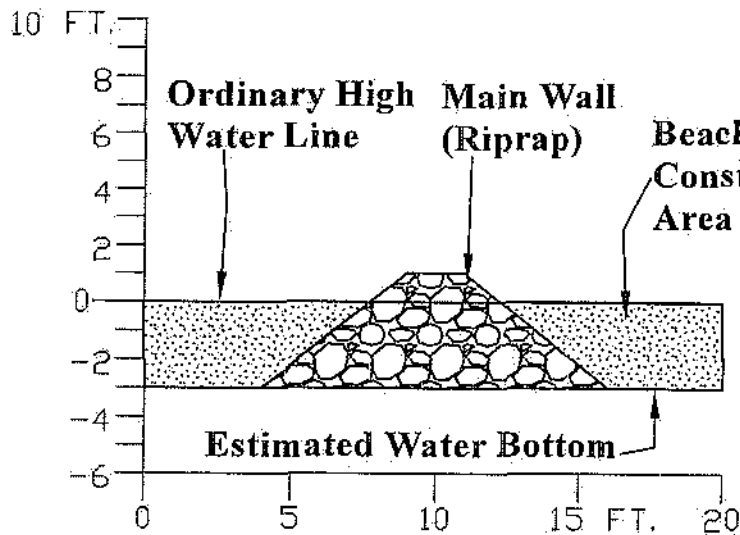
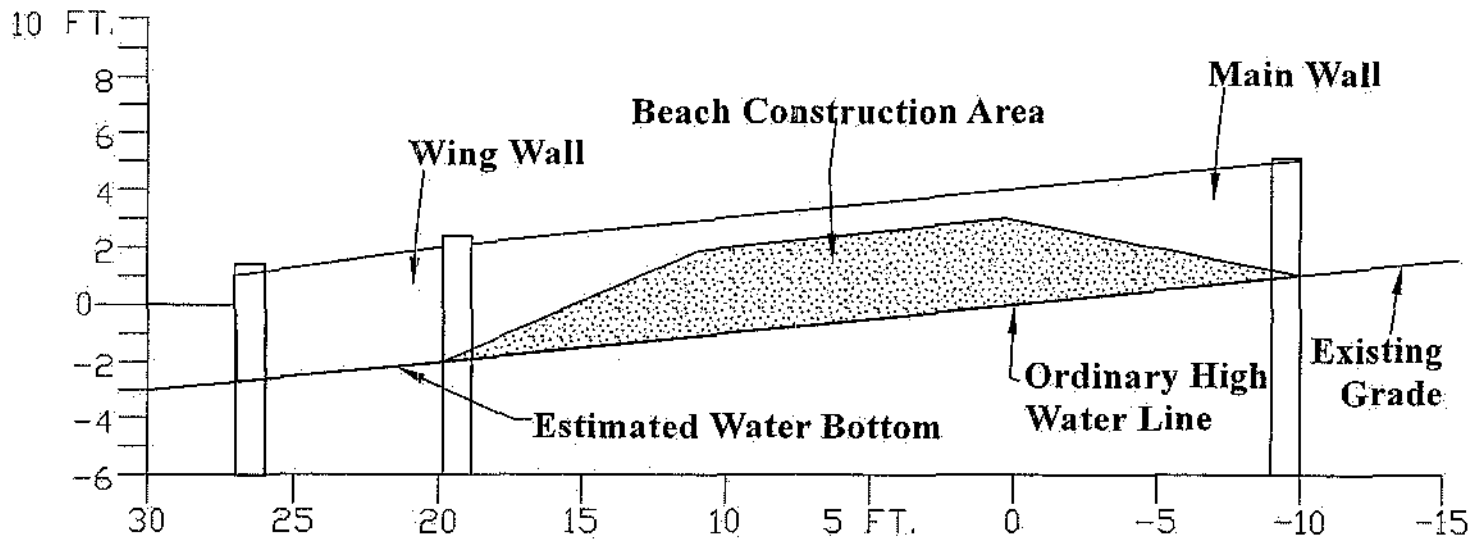


**Proposed End Cross Section**

SAM-2016-00977 - GR  
 DEPT. OF THE ARMY

<b>Wood Wall Plan and Cross Sections</b>			
<b>EcoSolutions</b> ENVIRONMENTAL MONITORING, MANAGEMENT & PLANNING		P.O. BOX 381 MONTROSE, AL 36559 (251) 621-8006	
DESIGNED BY: Daniel G. Brackburn P.O. Box 458 Bay Minette, AL 36507	DRAWN BY: L. Cowley	DATE OF LAST REVISION: August 11, 2016	DATE: Blockburn Boothouse 7.29.16
CHECKED BY: T. Hutchings		SCALE: AS STATED	SHEET 3

file: Blockburn Boothouse 7.29.16.dwg



**Typical Plan (1915 Linear foot of beach proposed)**

Beach construction will use sand dredged from proposed boathouses

Total beach construction volume = 3992 CU YD.

SAM-2016 - 00977 - Goc  
DEPT. OF THE ARMY

**Beach Construction Cross Sections**

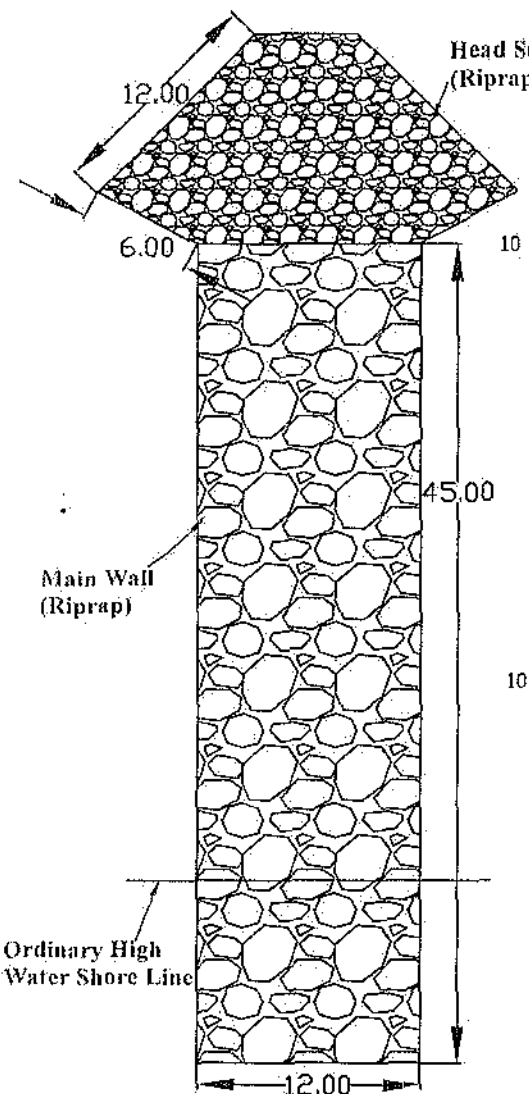


P.O. BOX 361  
MONTROSE, AL 36559  
(251) 621-5006

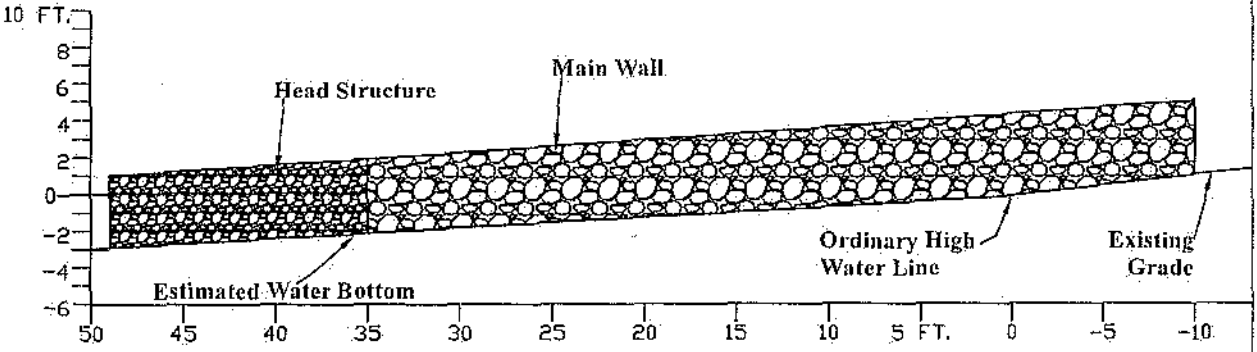
PREPARED BY: Donal & Blackburn, PO Box 453 Bay Minette, AL 36507	DRAWN BY: L. Coakley	DATE OF LAST REVISION: August 12, 2016	SHEET: Blackburn Boathouse 7.29.16
CHECKED BY: T. Hutchings			SCALE: AS STATED

File: Blackburn\_Boathouse\_7.29.16.dwg

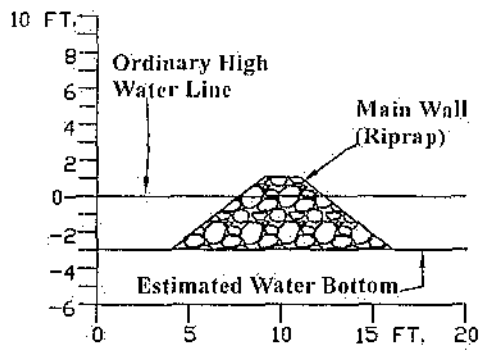
SAM-2014-00977-GHC  
 DEPT. OF THE ARMY



**Proposed Plan**



**Proposed Side Cross Section**

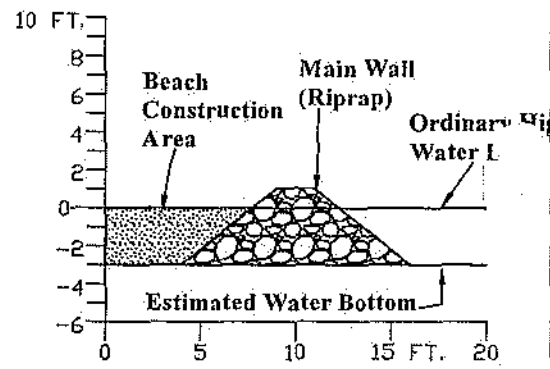
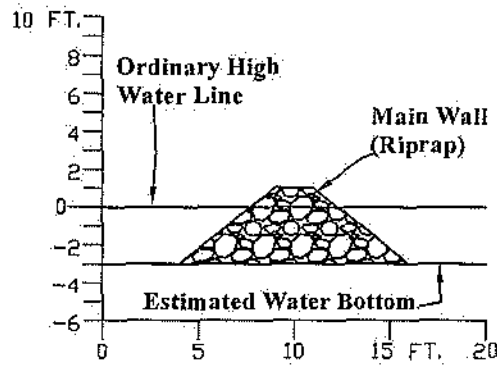
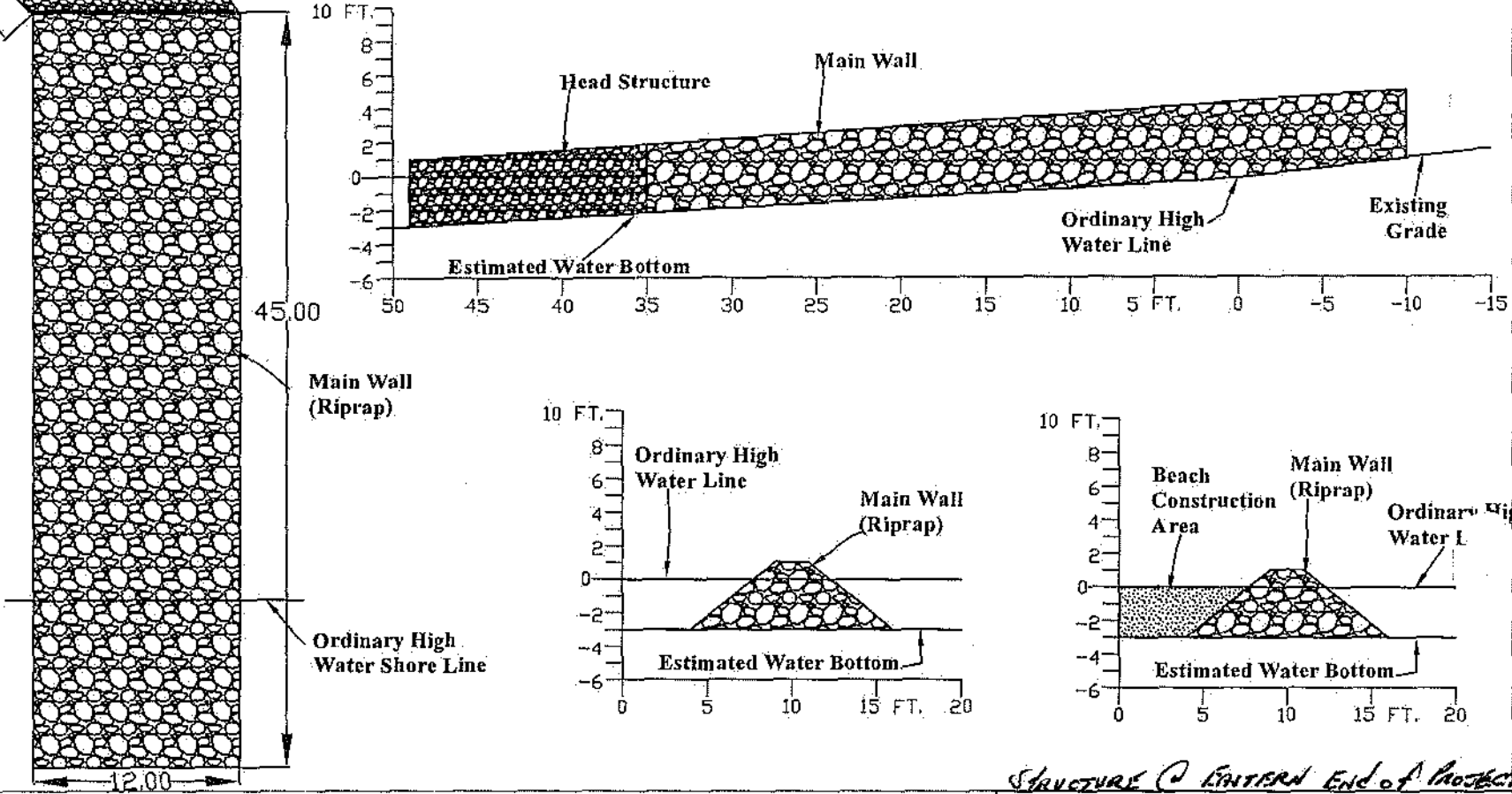
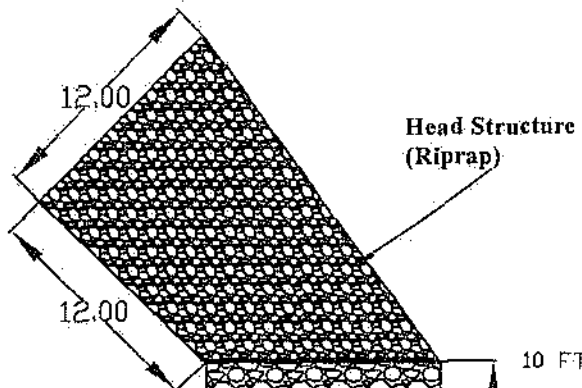


**Proposed End Cross Section**

<b>Riprap Plan and Cross Sections</b>			
<b>EcoSolutions</b>		P.O. Box 381 MONTROSE, AL 36559 (251) 621-5006	
<small>ENVIRONMENTAL, MEDICAL, MANAGEMENT &amp; PLANNING</small>			
<small>DESIGNED BY</small> Daniel G. Blackburn PO Box 458 Bay Minette, AL 36507	<small>DRAWN BY</small> L. Cooley	<small>DATE OF LAST REVISION</small> August 12, 2016	<small>NO.</small> Blackburn Boothouse 7.28.16
<small>CHECKED BY</small> T. Hutchings		<small>SCALE</small> AS STATED	<small>SHEET</small> 4

Fig. Blackburn Boothouse 7.28.16.dwg

SAM-2016-00277 - OK  
 DEPT. OF THE ARMY



STRUCTURE @ EASTERN END OF PROJECT

### Leak Riprap Plan and Cross

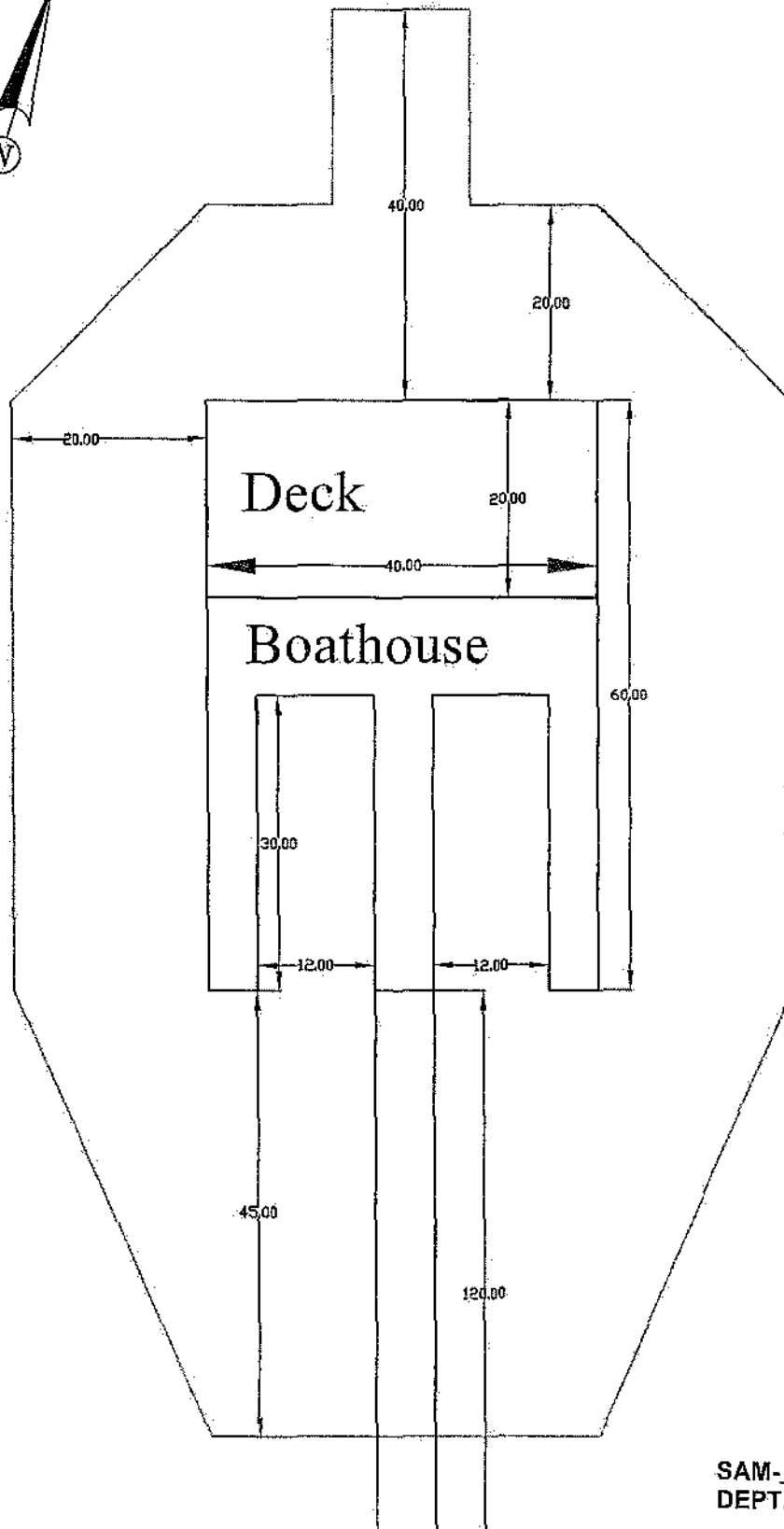
**Ec**Solutions

ENVIRONMENTAL MONITORING, MANAGEMENT & PLANNING

P.O. BOX 381  
 MONROSE, AL 38559  
 (251) 621-5006

PREPARED BY: Skippy L. Leak III 28855 Sampson Ave Orange Beach, AL 36561	DRAWN BY: L. Coadley CREATED BY: T. Hutchings	DATE OF LAST REVISION: August 12, 2016	DWG: Leak Boothouse SCALE: AS STATED
---	--	---	--

File: Beachhouse\_Boothouse\_7.20.16.dwg



Proposed  
Dredge  
Area

SAM-2016-00977-GAC  
DEPT. OF THE ARMY

### Typical Plan (3 boathouses are proposed)

There are no existing structures in the proposed construction areas.

Proposed Boathouses are 40 FT. by 40 FT. with a 20 FT. by 40 FT. front deck.

Proposed dredge area is 8982 SQ FT.  
Proposed Volume is 998 cy yd per boathouse

Total Dredge = 2994 CU YD  
Total Area = 26946 SQ FT

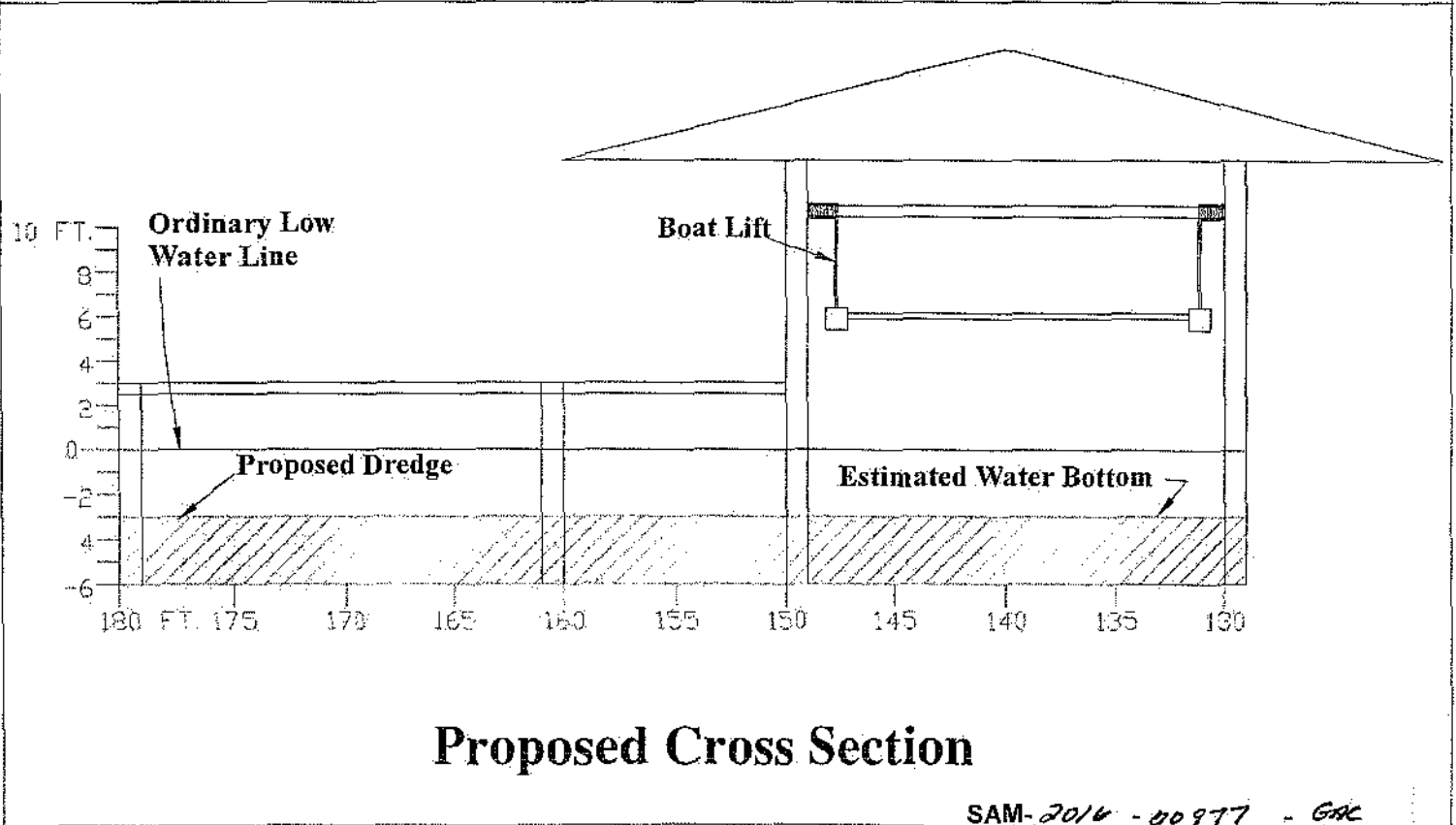
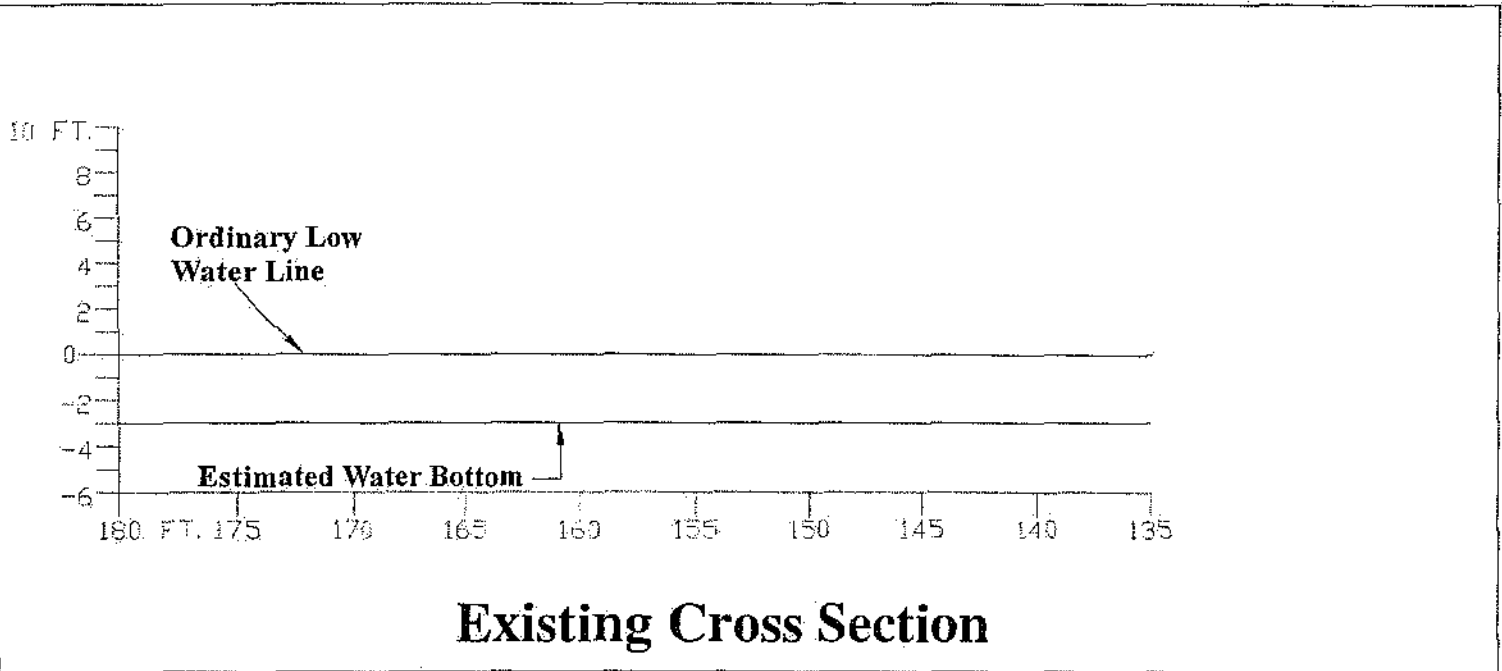
### Blackburn Boathouses Plan



P.O. BOX 361  
MONTROSE, AL 36559  
(251) 621-5005

DESIGNED BY Daniel C. Blackburn PO Box 458 Boy Minette, AL 36507	DRAWN BY L. Cassidy CHECKED BY T. Hutchings	DATE OF LAST REVIEW August 11, 2016	DATE Blackburn Boathouse: 7.29.16
ENVIRONMENTAL MONITORING, MANAGEMENT & PLANNING SCALE: AS STATED			SHEET 1

Re: Blackburn Boathouse 7.29.16.dwg



SAM-2014-00977 - GAC  
DEPT. OF THE ARMY

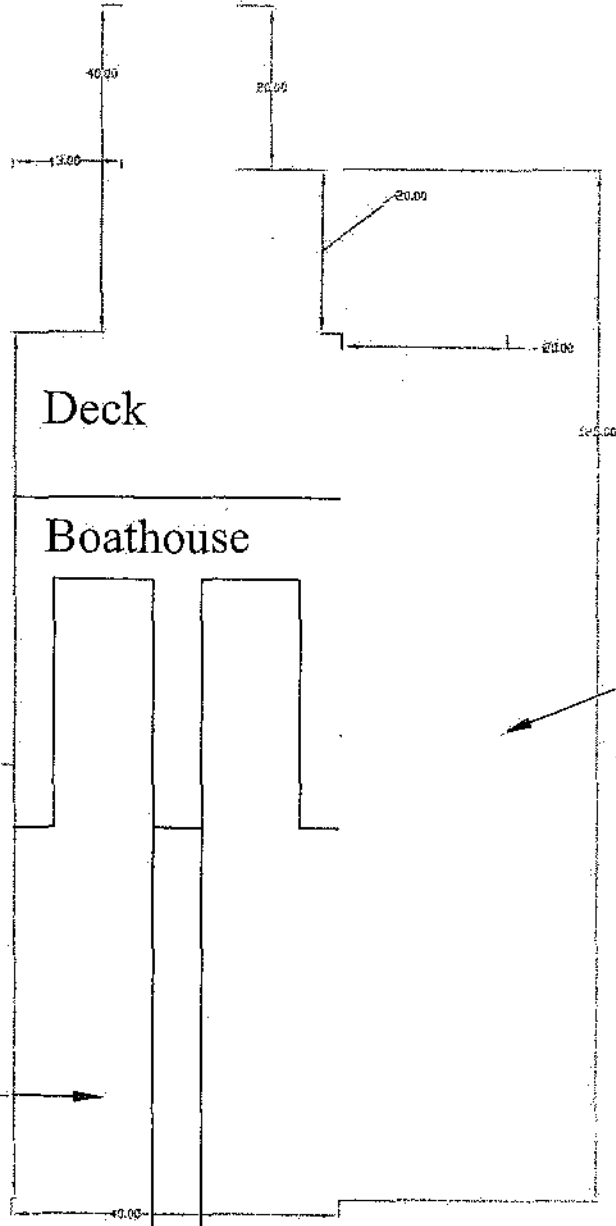
There are no existing structures in the proposed construction areas.  
 Proposed dredge area is 10835 SQ. FT.  
 Proposed dredge depth is 6 feet below ordinary low water line.  
 Proposed dredge volume 32505 CU. FT = 1204 CU. YD

**Boathouse Dredge Cross-section**

**EcoSolutions**  
 DIVISIONAL DESIGN, MANAGEMENT & PLANNING  
 P.O. Box 381  
 MONTROSE, AL 36509  
 (251) 821-5806

PROJECT NO: Daniel G. Blackburn PO Box 458 Bay Minette, AL 36507	DRAWN BY: L. Cooney	DATE OF LAST REVISION: August 17, 2016	SHEET: Blackburn Boathouse 2-1-16
CHECKED BY: T. Hutchins		SCALE: AS SHOWN	SHEET #

G:\\_Blackburn Boathouse 2-2016.dwg



Proposed  
New Work  
Channel  
Dredge Area

Proposed  
New Boat Slip  
Dredge Area

SAM-2016-00977-GAC  
DEPT. OF THE ARMY

**Typical Plan (3 boathouses are proposed)**

Proposed New Work Channel Dredge Area = 4784 SQ FT  
 Proposed New Work Channel Dredge Volume = 532 CU YD  
 Proposed New Boat Slip Dredge Area = 4198 SQ FT  
 Proposed New Boat Slip Dredge Volume = 466 CU YD  
 Total Area = 8982 SQ FT  
 Total Dredge = 998 CU YD

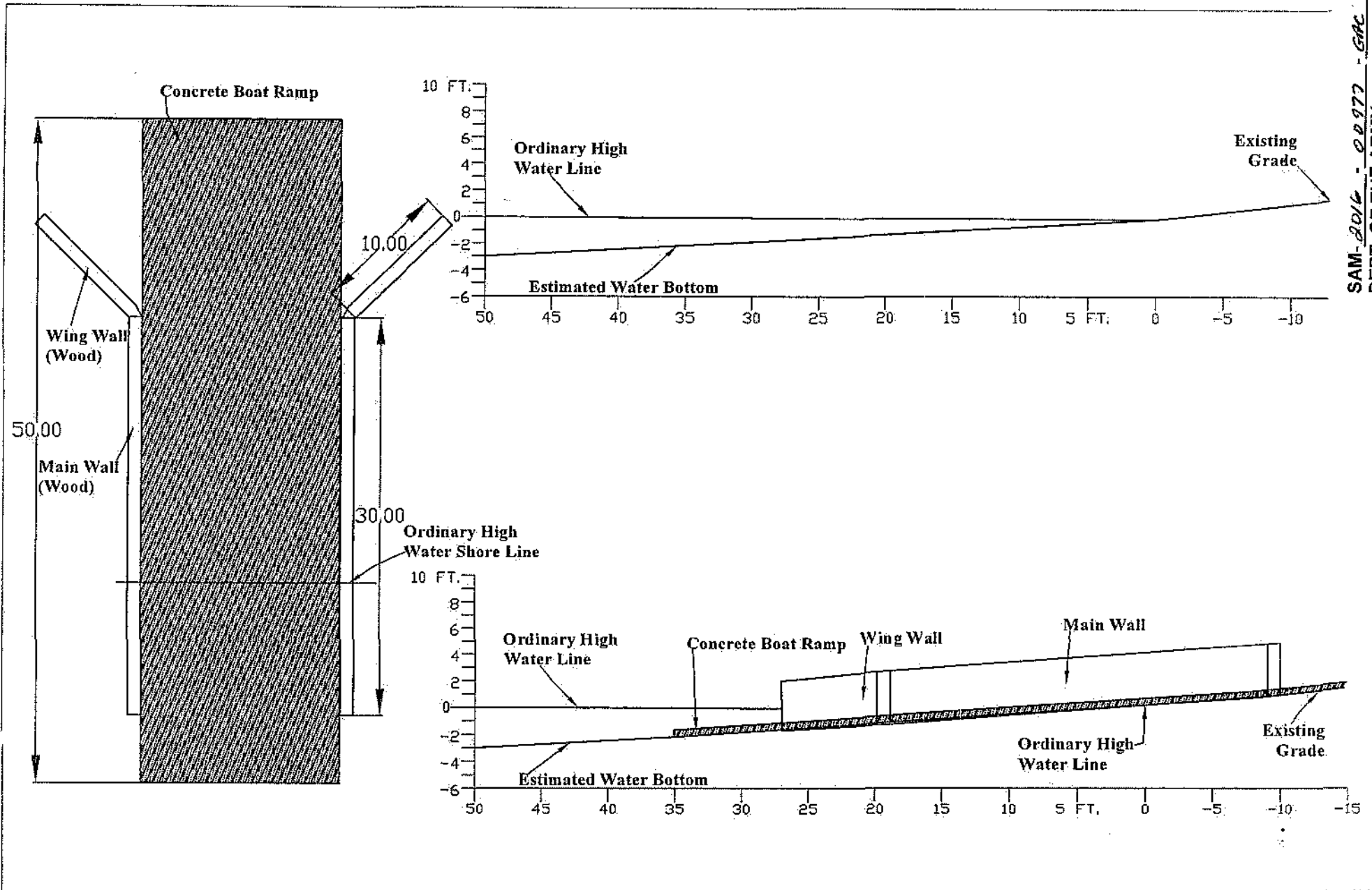
ALGP-03

**Blackburn Boathouses Dredge Plan**

**EcoSolutions** P.O. BOX 361  
 MONROE, AL 36559  
 (251) 621-5006  
 ENVIRONMENTAL, MARINE, SHIPMENT & PLANNING

Drawn by: Daniel G. Blackburn PO Box 458 Boy Almetta, AL 36507	Check by: L. Conley	DATE OF LAST REVIEW: October 10, 2016	Scale: AS STATED	Sheet: Blackburn Boathouse 7.29.16
---	------------------------	--	---------------------	---------------------------------------

File: Blackburn Boathouse 7.29.16.dwg



**Boat Launch Plan and Cross Sections**

**EcoSolutions**  
ENVIRONMENTAL MONITOR, MANAGEMENT & PLANNING

P.O. BOX 361  
MONTROSE, AL 36559  
(251) 621-5009

DESIGNED BY Daniel G. Blackburn PO Box 458 Bay Minette, AL 36507	CHECKED BY L. Coakley	DATE OF LAST REVISION August 12, 2016	DRAWN BY Blackburn Boathouse 7.29.16
SCALE AS STATED		SHEET #	