



REPLY TO  
ATTENTION OF:

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

June 26, 2018

**CESAM-RD-A  
PUBLIC NOTICE NO. SAM-2016-01363-SBC**

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

**PLACEMENT OF FILL AND SHEET-PILE STRUCTURES ON WATERBOTTOMS  
OF MOBILE BAY IN CONJUNCTION WITH THE RENOVATION OF THE FORT  
MORGAN FISHING PIER,  
GULF SHORES, ALABAMA**

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 Rivers and Harbors Act of 1899 (33 USC 403). Please communicate this information to interested parties.

**APPLICANT: Alabama Department of  
Conservation and Natural Resources  
Marine Resources Division  
Post Office Drawer 458  
Gulf Shores, Alabama 36547**

**AGENT: Alabama Marine Resources Division  
Attention: Mr. Chris Denson  
Post Office Drawer 458  
Gulf Shores, Alabama 36547**

**LOCATION OF WORK:** 51 State Highway 180, Fort Morgan, Baldwin County, Alabama in Section 02, Township 09 South, Range 01 East at Latitude 30.231964° North and Longitude -88.017558° West.

**WATERWAY:** Mobile Bay.

**PROPOSED WORK:** The applicant proposes renovation of the existing Fort Morgan fishing pier in accordance with the attached plans and drawings, and the applicant's

description, as follows: The deck of the existing "L"-shaped fishing pier will be removed, and existing wood pilings and submerged structures will be enclosed with sheet-piling creating two separate piers/wharfs with a 20-foot opening between the two sections.

Specifically the first section will outline the existing pier, beginning approximately 100 feet landward of the Mean High Water Shoreline (MHW) and extending waterward approximately 180-feet past the shoreline into Mobile Bay, and ending approximately 20-feet from the second section. The first section will be of two widths, initiating at 20 feet wide predominately over land (148 feet long by 20 feet wide) and expanding to over 40 feet in width over water (140 feet long by 40 feet wide). This section of the pier structure will require the installation of approximately 656 linear feet of steel sheet-piling.

The second section will encase the existing pier (beginning approximately 20-feet north of the first section) extending 212-feet to the east (parallel to the shoreline) with a width of 40 feet (212 feet long by 40 feet wide). The second section will require the installation of approximately 504 linear feet of steel sheet-piling. Both sections of the new pier will be backfilled using a total of approximately 7,707 cubic yards of clean fill material, including a 6-inch concrete cap.

The finished elevation of the enclosed piers will not exceed + 8 feet above Mean Low Water (MLW) excluding handrails. Pre-stressed concrete slabs will bridge the 20-foot opening between the two pier sections. Rip-rap will be placed at the base of the sheet-piling, extending out from the base up to 15 feet (+/- 2 feet thick) around the perimeter of the sheet-piling to reduce scouring. New aggregate will be added to the existing parking area to fill holes and to provide uniform surfaces as needed:

The site contains no submerged aquatic vegetation or oyster reefs.

**Avoidance and Minimization:** The applicant has stated that the proposed project design avoids and minimizes impacts to waterbottoms to the greatest degree practicable while maintaining a geotechnically and hydraulically stable structure.

On-site alternatives include the no-build alternative and building similar sized structures to the existing structure. Neither of these alternatives would be practicable relative to achieving a more modern, updated design with higher user capacity.

**Compensatory Mitigation:** No mitigation is proposed for impacts to waterbottoms.

**Water Quality:** 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 their review, a determination relative to water quality certification will be made by the Alabama Department of Environmental Management.

**Coastal Zone Management Program:** The applicant has applied for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. Upon completion of their review, the Alabama Department of Environmental Management will make a determination relative to CZ consistency.

**Public Review:** 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 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.

**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 cultural and historic properties within the permit area. In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR Part 325, the USACE, Mobile District has determined that the permit area of this project consists of the footprint of the proposed structures, the directly adjacent waters of the United States, and all directly associated staging and work areas. The National Register of Historic Places has been consulted for properties listed in or eligible for the National Register of Historic Places, which are known to exist and would be affected by the proposed work. 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 located outside of the permit area as a result of the this undertaking may also be considered. In addition to comments from the State Historic Preservation Officer (the Alabama Historical Commission), we are seeking comments from federally-recognized American Indian tribes, local historical societies, museums, universities, the U.S. Department of the Interior, National Park Service, Division of Archeological Services and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. The USACE, Mobile District has not yet made a determination of potential effects that the project would have on cultural or historic resources.

**Essential Fish Habitat:** 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 0.40 acres 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, U.S. Fish and Wildlife Service (FWS).

**Endangered Species:** The following species, listed by the U.S. Fish and Wildlife Service (USFWS) as being either threatened or endangered, are found within Baldwin County, and may be located within the Oyster Bay and Bon Secour Bay watersheds, in which the project is also located: Florida Manatee (*Trichechus manatus*) (T), Alabama Beach Mouse (*Peromyscus polionotus ammobates*) (E), Wood Stork (*Mycteria americana*) (T), Piping Plover (*Charadrius melodus*) (T), Red Knot (*Calidris canutus rufa*) (T), Green Sea Turtle (*Chelonia mydas*) (T), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*) (E), Loggerhead Sea Turtle (*Caretta caretta*) (T), Alabama Red-Bellied Turtle (*Pseudemys alabamensis*) (E), Eastern Indigo Snake (*Drymarchon couperi*) (T), and the Gulf Sturgeon (*Acipenser oxyrinchus desotoi*) (T). The permit area for this project does not intersect with any designated critical habitat areas. Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will have no effect on any species currently listed as endangered or threatened. This determination is being coordinated with the USFWS via this Public Notice.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2016-01363-SBC** 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.

**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, **Mr. Glen A. Cunningham**, 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 Public Notice number SAM-2016-01363-SBC.

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June 26, 2018

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

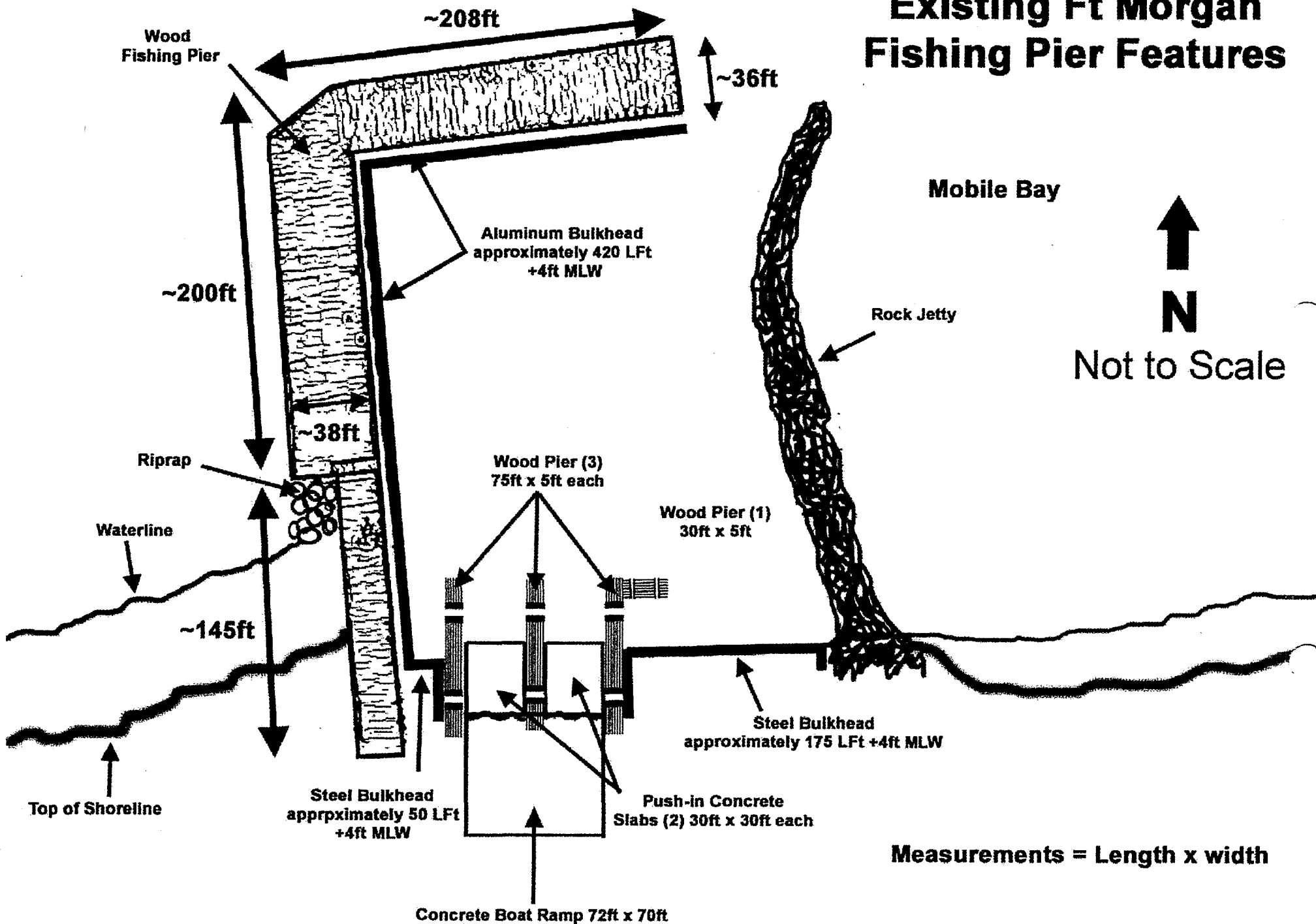
MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures



**Directions:** From U.S. Hwy 98 in Foley, Alabama, head south on AL Hwy 59 (South McKenzie Street) towards Gulf Shores, Alabama for approximately 10.8 miles. In Gulf Shores, turn right (west) on to AL Hwy 180 (Ft. Morgan Road) and continue west for approximately 22 miles. Ft. Morgan Boat Ramp is on right (north side of Ft. Morgan Peninsula) at the entrance to the fort.

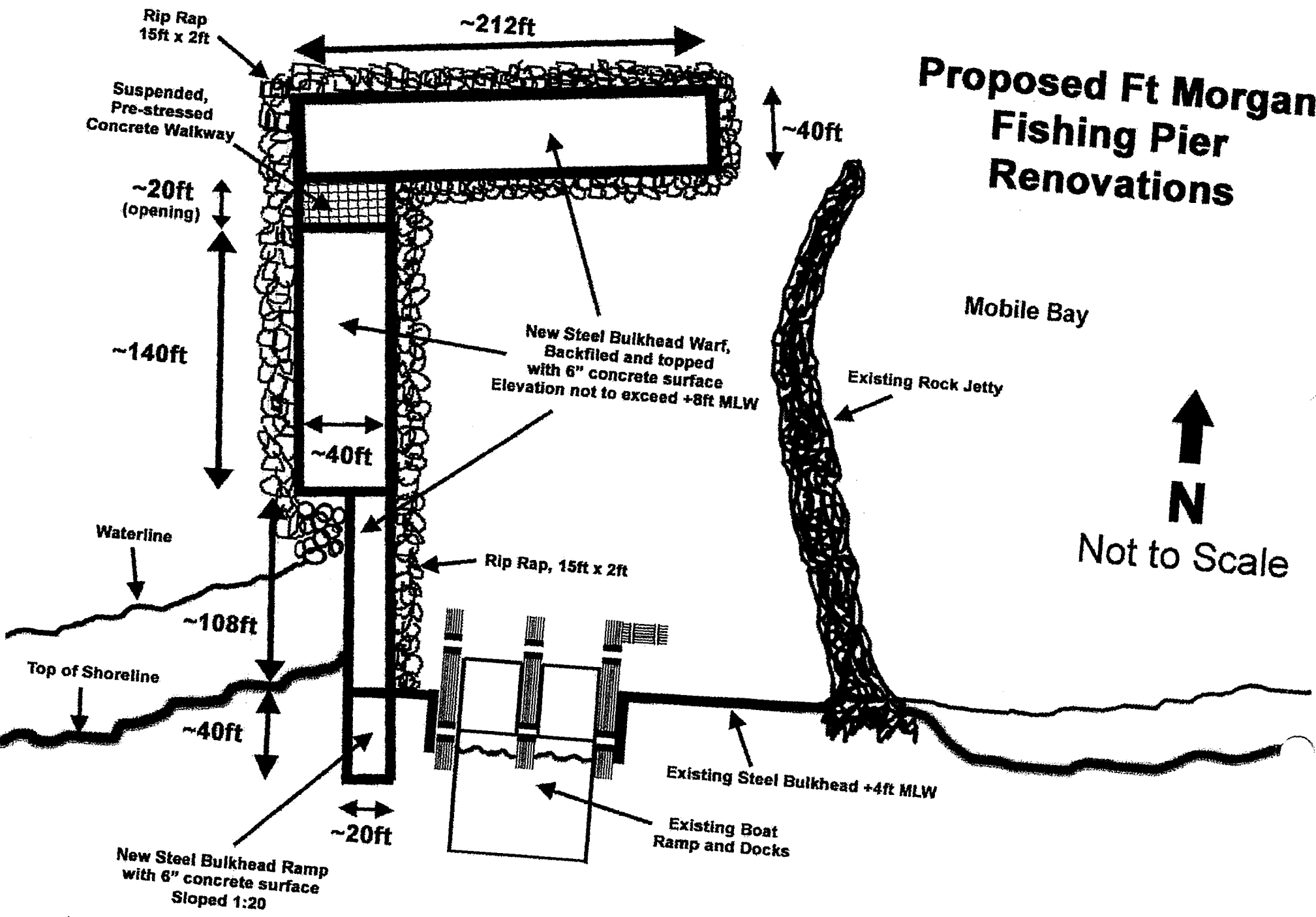
# Existing Ft Morgan Fishing Pier Features



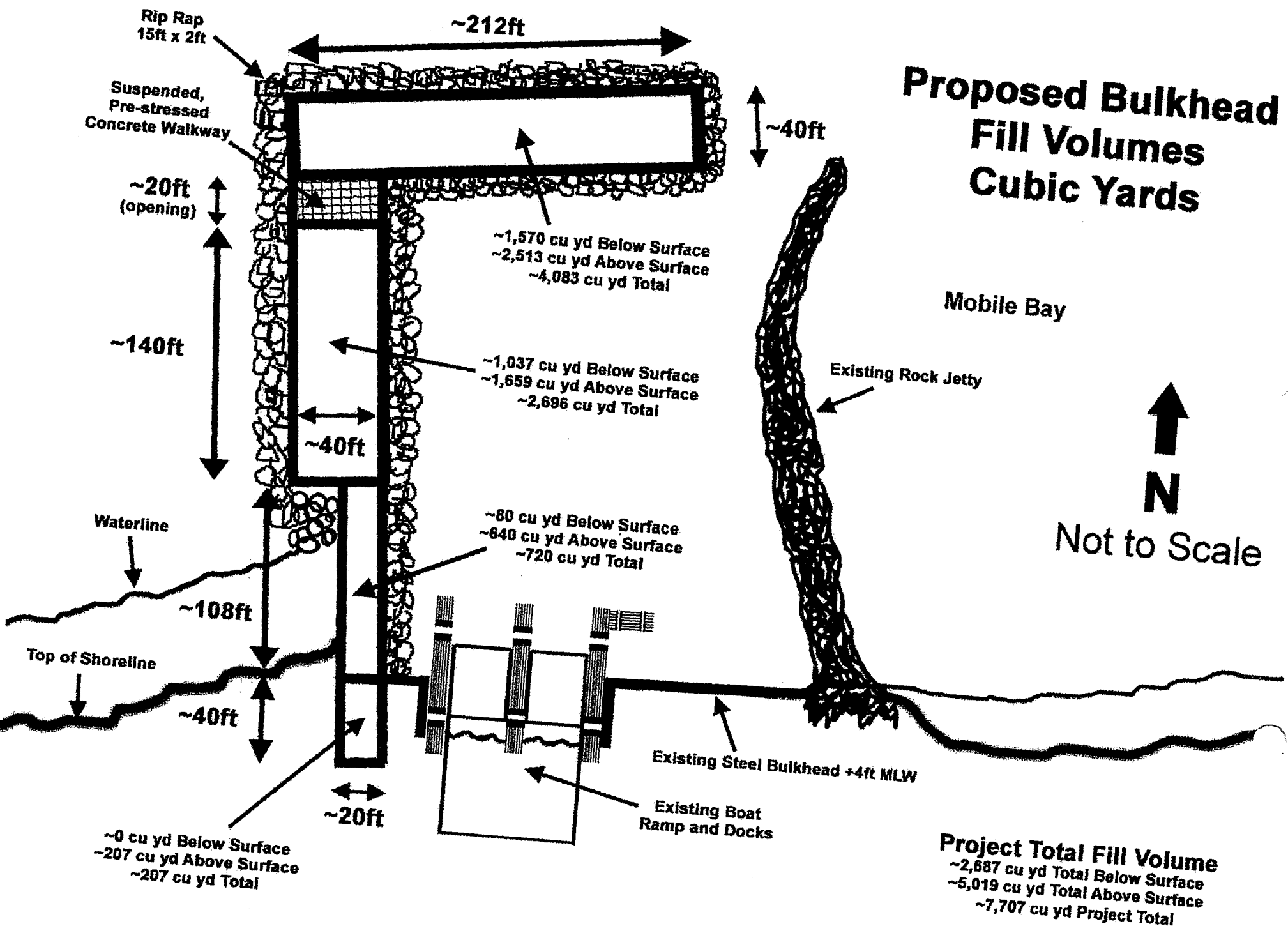
Measurements = Length x width



# Proposed Ft Morgan Fishing Pier Renovations

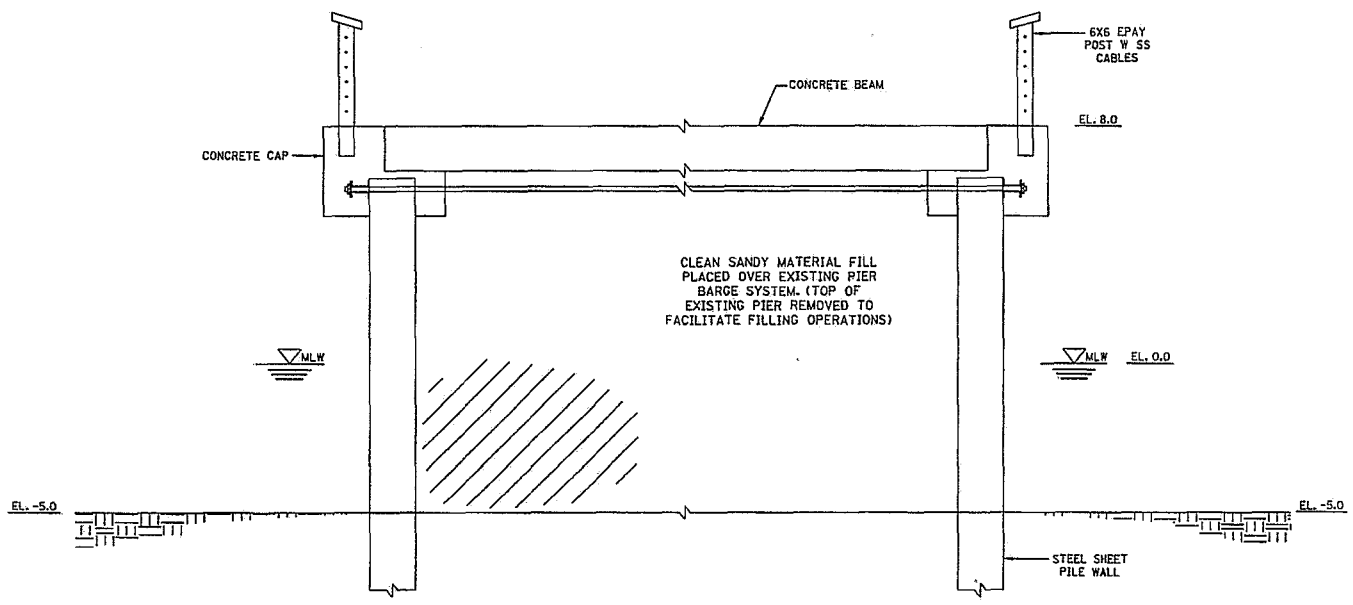


# Proposed Bulkhead Fill Volumes Cubic Yards



User: \\sct\jtanahira\1.ctd\volkert\us\aw\Documents\Projects\736100\pca\0736100\pca\0736100.dwg  
 Plot Date: 2/20/2016 10:00:00 AM  
 Plot Scale: 1.0000  
 Plot Device: \\sct\jtanahira\1.ctd\volkert\us\aw\Documents\Projects\736100\pca\0736100.dwg  
 Plot System: SYSTEM DATE/TIME:

\$DESIGN FILE SPECIFICATIONS



TYPICAL SECTION  
N.T.S.

ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES			
SHEET NO. 1 OF 1		VOLKERT, INC. - CONSULTING ENGINEERS	
REVISIONS		PROJECT NO. 0736100.ALD	
		FORT MORGAN FISHING PIER BALDWIN COUNTY, ALABAMA	
TYPICAL SECTION			
ESTIMATED QUANTITIES	DESIGNED BY: L.L.P.	DRAWN BY: C.A.N.	
COMPUTED BY:	CHECKED BY:	DATE CHECKED:	
VERIFIED BY:	DATE CHECKED:	SCALE:	AS NOTED