



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-2017-00752-SBC**

**April 16, 2020**

**NOTICE OF COMMENT PERIOD EXTENSION:** The United States Army Corps of Engineers (USACE) published on March 16, 2020 the attached public notice titled "REQUEST TO DISCHARGE FILL MATERIAL INTO 7.25 ACRES OF WETLANDS AND 0.11 ACRE OF NON-WETLAND WATERS TO CONSTRUCT A NEW TRANSPORTATION CORRIDOR FROM COUNTY ROAD 95 TO STATE ROUTE 161, ORANGE BEACH, BALDWIN COUNTY, ALABAMA." The purpose of the public notice was to solicit comments from the interested parties in order to assist in developing facts on which a decision by the USACE can be based. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny a permit for this proposal. Comments, both favorable and unfavorable, will be accepted, made a part of the record, and receive full consideration in our evaluation of the proposed work. The public comment period on this proposal has been extended until **May 16, 2020**. All aspects of the proposal, as described in the original public notice, remain unchanged and may be referenced in the attached public notice or on the web at: <http://www.sam.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>

**CLOSE OF COMMENT PERIOD:** All comments must reach this office on or before the close of the extended comment period listed above. Correspondence concerning this notice should refer to Public Notice Number SAM-2017-00752-SBC, and should be directed to the USACE project manager, Mr. Dylan C. Hendrix, by e-mail at [dylan.c.hendrix@usace.army.mil](mailto:dylan.c.hendrix@usace.army.mil), or (251) 694-3772, or by mail at USACE, Mobile District, Regulatory Division, Attention: Mr. Dylan C. Hendrix, 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.

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



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-2017-00752-SBC

March 16, 2020

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

**REQUEST TO DISCHARGE FILL MATERIAL INTO 7.25 ACRES OF WETLANDS AND 0.11  
ACRE OF NON-WETLAND WATERS TO CONSTRUCT A NEW TRANSPORTATION  
CORRIDOR FROM COUNTY ROAD 95 TO STATE ROUTE 161, ORANGE BEACH,  
BALDWIN COUNTY, 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 U.S.C. 1344). Please communicate this information to interested parties.

**APPLICANT:** City of Orange Beach  
Attention: Ms. Kit Alexander  
Post Office Box 458  
Orange Beach, Alabama 36561

**AGENT:** TTL, Inc.  
Attention: Mr. Adam George  
2743-B Gunter Park Drive West  
Montgomery, Alabama 36109

**LOCATION:** The proposed work is located within wetlands associated with Wolf Bay; County Road 95 to State Route 161, within Sections 14, 15, 21, 22, 28, and 33, Township 8 South, Range 5 East; and Sections 4 and 5, Township 9 South, Range 5 East; beginning coordinates Latitude 30.351965° North, Longitude -87.547543° West; ending coordinates Latitude 30.291791° North, Longitude -87.581278° West; in Orange Beach, Baldwin County, Alabama.

**PROJECT PURPOSE:** The basic project purpose is to construct a new transportation corridor. The overall project purpose is to construct a new transportation corridor to improve connectivity between City of Orange Beach municipal boundaries on the north and south sides of the Gulf Intracoastal Waterway.

**PROPOSED WORK:** The applicant proposes to discharge approximately 60,000 cubic yards of commercially obtained sandy-clay fill material into a total of 7.25 acres of forested and scrub-shrub wetlands and approximately 0.11 acre of non-wetland waters (ditches) in order to construct a new transportation corridor between County Road 95 and State Route 161. The work would involve construction of new segments of two-lane roadway, including bridge approaches, and improvement of existing sections of County Road 95, Fish Trap Road, Barber Parkway, and Juniper Street, for a total length of approximately 5.0 miles. The project would include construction of a new two-lane bridge across Wolf Bay and the Gulf Intracoastal

Waterway. The applicant has applied to the U.S. Coast Guard (USCG) for a bridge permit under Section 9 of the Rivers and Harbors Act of 1899 and the General Bridge Act of 1946. The USCG is responsible for approval of bridges constructed across navigable waters of the United States.

**AVOIDANCE AND MINIMIZATION:** The applicant has evaluated alternative roadway linkages and alignments to avoid and minimize impacts to waters of the United States. In selection of the preferred alternative, the applicant stated the project would avoid impacts to approximately 6.82 acres of wetlands and 0.02 acre of non-wetland waters (ditches). 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.

**MITIGATION:** The applicant has proposed to compensate for unavoidable impacts to wetlands through the purchase of wetland mitigation credits from a USACE approved mitigation bank. The USACE has not verified the adequacy of the applicant's proposed mitigation plan at this time.

**WATER QUALITY/COASTAL ZONE MANAGEMENT (CZM):** 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 325, the USACE has determined that the permit area consists of the proposed fill areas in waters of the United States and portions of the adjacent uplands that would be utilized for construction access and equipment and materials staging. 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 applicant has conducted and submitted a Phase I cultural resources survey of the permit area, which is currently under evaluation by the USACE for a federal determination of effects. 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.

**ESSENTIAL FISH HABITAT:** This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Terrestrial portions of the proposed project would be located in palustrine forested wetlands, emergent marsh habitat, and ditches draining to estuarine waters. The proposed project would temporarily impact (through the use of temporary construction matting) approximately 0.38 acre of emergent marsh utilized by various life stages of multiple marine species, for construction access to the north bridge abutments. Temporary construction matting would be removed upon completion of construction activities. Our initial determination is that terrestrial portions of the proposed action would not adversely affect EFH or federally

managed fisheries. Our final determination is subject to review by and coordination with the National Marine Fisheries Service and/or the U.S. Department of Interior, and the U.S. Fish and Wildlife Service (USFWS).

**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 that the proposed roadway and bridge abutment construction activities would have no effect on the following listed endangered or threatened species with the potential to exist within the watershed of the action area: West Indian manatee, wood stork, piping plover, red knot, green sea turtle, Kemp's ridley sea turtle, loggerhead sea turtle, Gulf sturgeon, Alabama beach mouse, and Perdido Key beach mouse. There is no designated critical habitat within the action area, and no direct or indirect effects to designated critical habitat are anticipated as a result of the project activities. Based on species survey information provided by the applicant, there is suitable habitat present within the USACE action area to support the eastern indigo snake due to the documented presence of active gopher tortoise burrows within the roadway corridor; therefore, the USACE has determined this proposed project may affect but is not likely to adversely affect the eastern indigo snake. This determination was provided to USFWS on March 2, 2020. Within its eastern range in Baldwin County, Alabama, the gopher tortoise is considered a candidate species for protection under the Endangered Species Act. The applicant has coordinated with the USFWS and the Alabama Department of Conservation and Natural Resources for the relocation of any gopher tortoises located within the project corridor prior to construction. Further coordination with the USFWS will be performed as determined to be appropriate.

**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. The Mobile District 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 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-2017-00752-SBC**, and should be directed to the USACE project manager, Mr. Dylan C. Hendrix, by e-mail at [dylan.c.hendrix@usace.army.mil](mailto:dylan.c.hendrix@usace.army.mil), or (251) 694-3772, or by mail at USACE, Mobile District, Regulatory Division, Attention: Mr. Dylan C. Hendrix, 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.**

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).

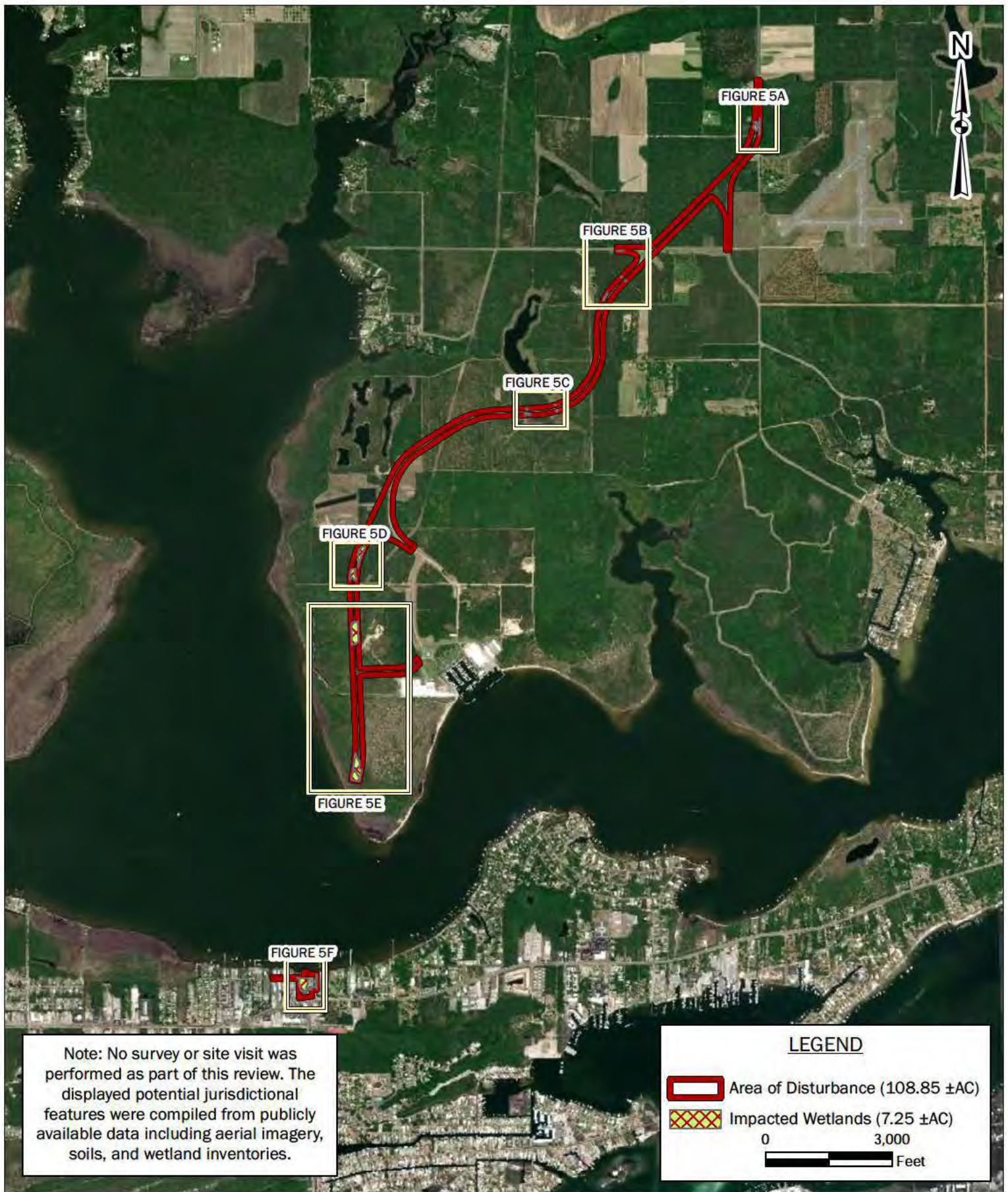
MOBILE DISTRICT  
U.S. Army Corps of Engineers

Attachments







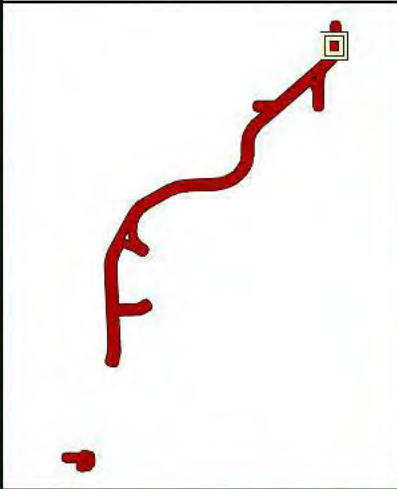


**FIGURE 5: WATERS OF THE U.S. DELINEATION OVERVIEW MAP**  
**BURK-KLEINPETER, INC.**  
 PROPOSED WOLF BAY BRIDGE & COUNTY ROAD 95 IMPROVEMENTS  
 USACE FILE NO.: SAM-2017-00752-DCH  
BASEMAP: DigitalGlobe, 2/9/2017.

DRAWN BY: DEK
CHECKED BY: ADG
DRAWING DATE: 4/24/2019
REVISION DATE: 9/6/2019
TTL JOB NO.: 006080217020.00
Approximate Scale: 1" = 3,000'



# OVERVIEW MAP



Map Unit Symbol	Feature Type	Area (AC)
A1	Wetland	0.11
A2	Wetland	0.23
A3	Wetland	0.04

## LEGEND

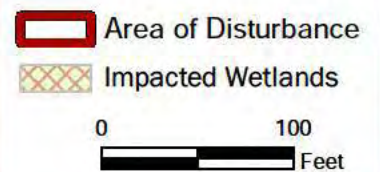
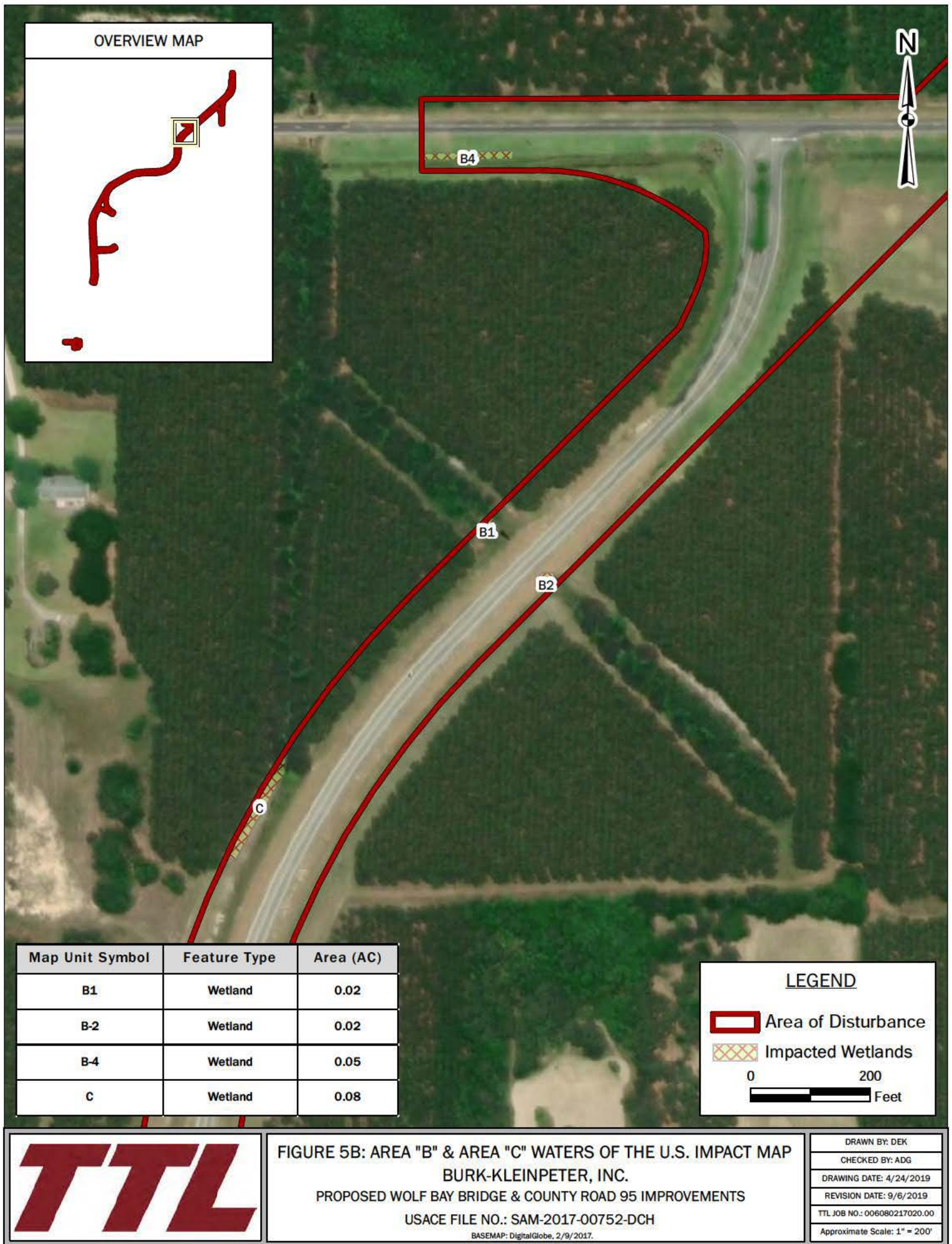


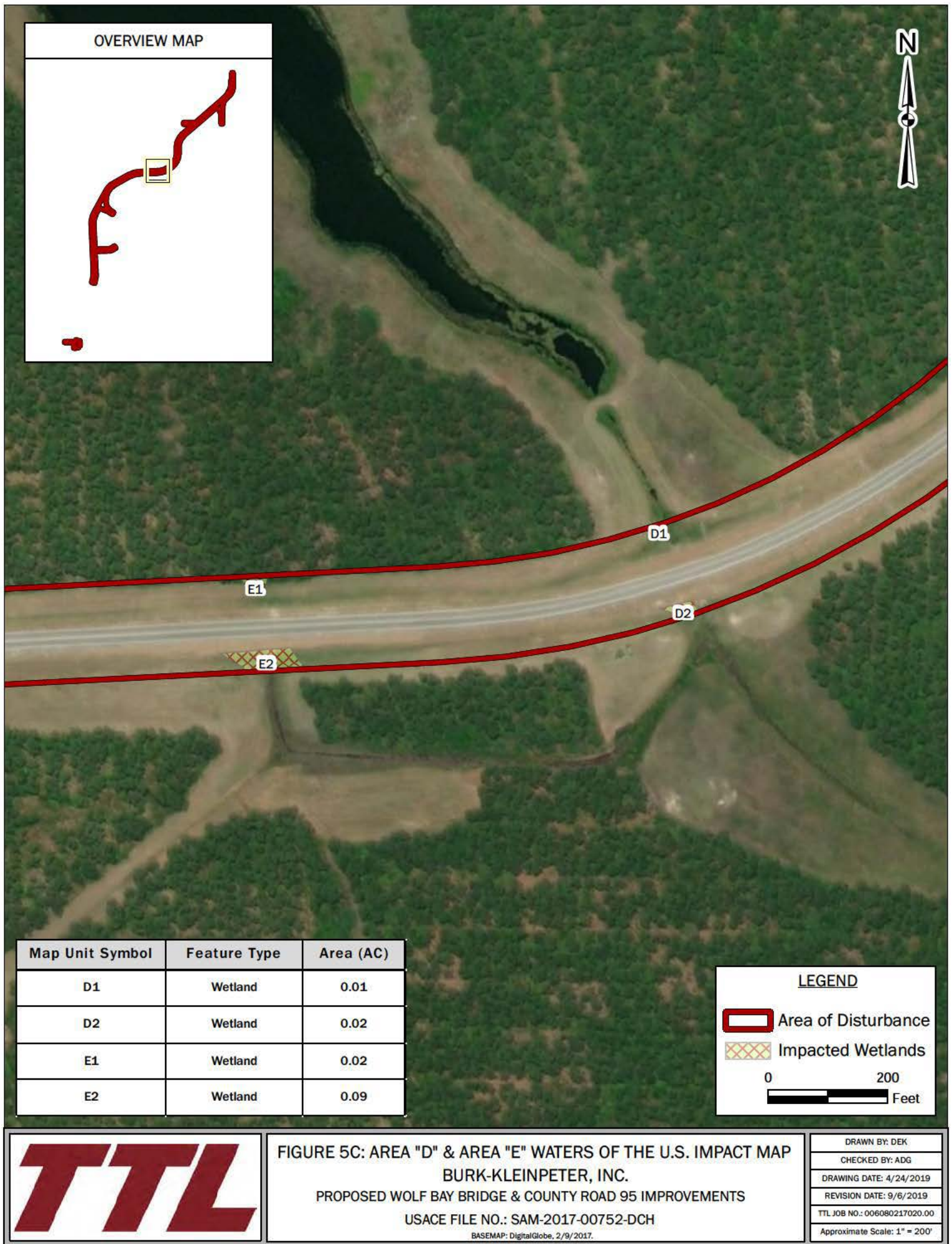
FIGURE 5A: AREA "A" WATERS OF THE U.S. IMPACT MAP  
 BURK-KLEINPETER, INC.  
 PROPOSED WOLF BAY BRIDGE & COUNTY ROAD 95 IMPROVEMENTS  
 USACE FILE NO.: SAM-2017-00752-DCH  
BASEMAP: DigitalGlobe, 2/9/2017.

DRAWN BY: DEK
CHECKED BY: ADG
DRAWING DATE: 4/24/2019
REVISION DATE: 9/6/2019
TTL JOB NO.: 006080217020.00
Approximate Scale: 1" = 100'



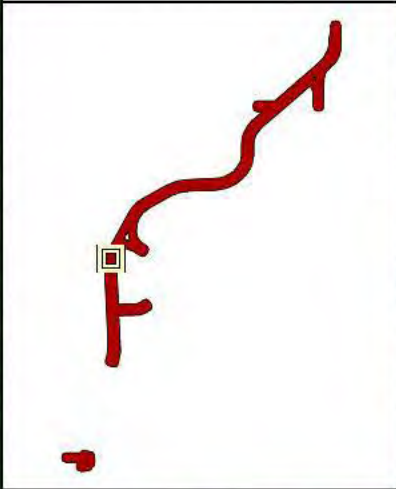








OVERVIEW MAP



Map Unit Symbol	Feature Type	Area (AC)
F2	Wetland	0.7
G	Wetland	0.63

LEGEND

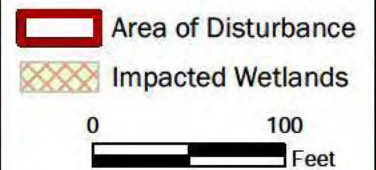
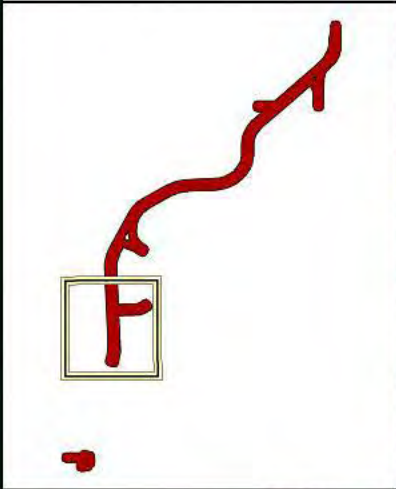


FIGURE 5D: AREA "F" & AREA "G" WATERS OF THE U.S. IMPACT MAP  
 BURK-KLEINPETER, INC.  
 PROPOSED WOLF BAY BRIDGE & COUNTY ROAD 95 IMPROVEMENTS  
 USACE FILE NO.: SAM-2017-00752-DCH  
BASEMAP: DigitalGlobe, 2/9/2017.

DRAWN BY: DEK
CHECKED BY: ADG
DRAWING DATE: 4/24/2019
REVISION DATE: 9/6/2019
TTL JOB NO.: 006080217020.00
Approximate Scale: 1" = 100'



# OVERVIEW MAP



Map Unit Symbol	Feature Type	Area (AC)
H	Wetland	1.85
I1	Wetland	1.22
I2	Wetland	0.8

## LEGEND

- Area of Disturbance
- Impacted Wetlands

0 500  
Feet



## FIGURE 5E: AREA "H" & AREA "I" WATERS OF THE U.S. IMPACT MAP BURK-KLEINPETER, INC.

PROPOSED WOLF BAY BRIDGE & COUNTY ROAD 95 IMPROVEMENTS

USACE FILE NO.: SAM-2017-00752-DCH

BASEMAP: DigitalGlobe, 2/9/2017.

DRAWN BY: DEK

CHECKED BY: ADG

DRAWING DATE: 9/6/2019

REVISION DATE: N/A

TTL JOB NO.: 006080217020.00

Approximate Scale: 1" = 500'





**FIGURE 5F: AREA "J", AREA "K" & AREA "I" WATERS OF THE U.S.**  
**IMPACT MAP**  
**BURK-KLEINPETER, INC.**  
 PROPOSED WOLF BAY BRIDGE & COUNTY ROAD 95 IMPROVEMENTS  
 USACE FILE NO.: SAM-2017-00752-DCH  
BASEMAP: DigitalGlobe, 2/9/2017.

DRAWN BY: DEK  
 CHECKED BY: ADG  
 DRAWING DATE: 4/24/2019  
 REVISION DATE: N/A  
 TTL JOB NO.: 006080217020.00  
 Approximate Scale: 1" = 100'





### Wolf Bay Bridge Preliminary Pile Location Information

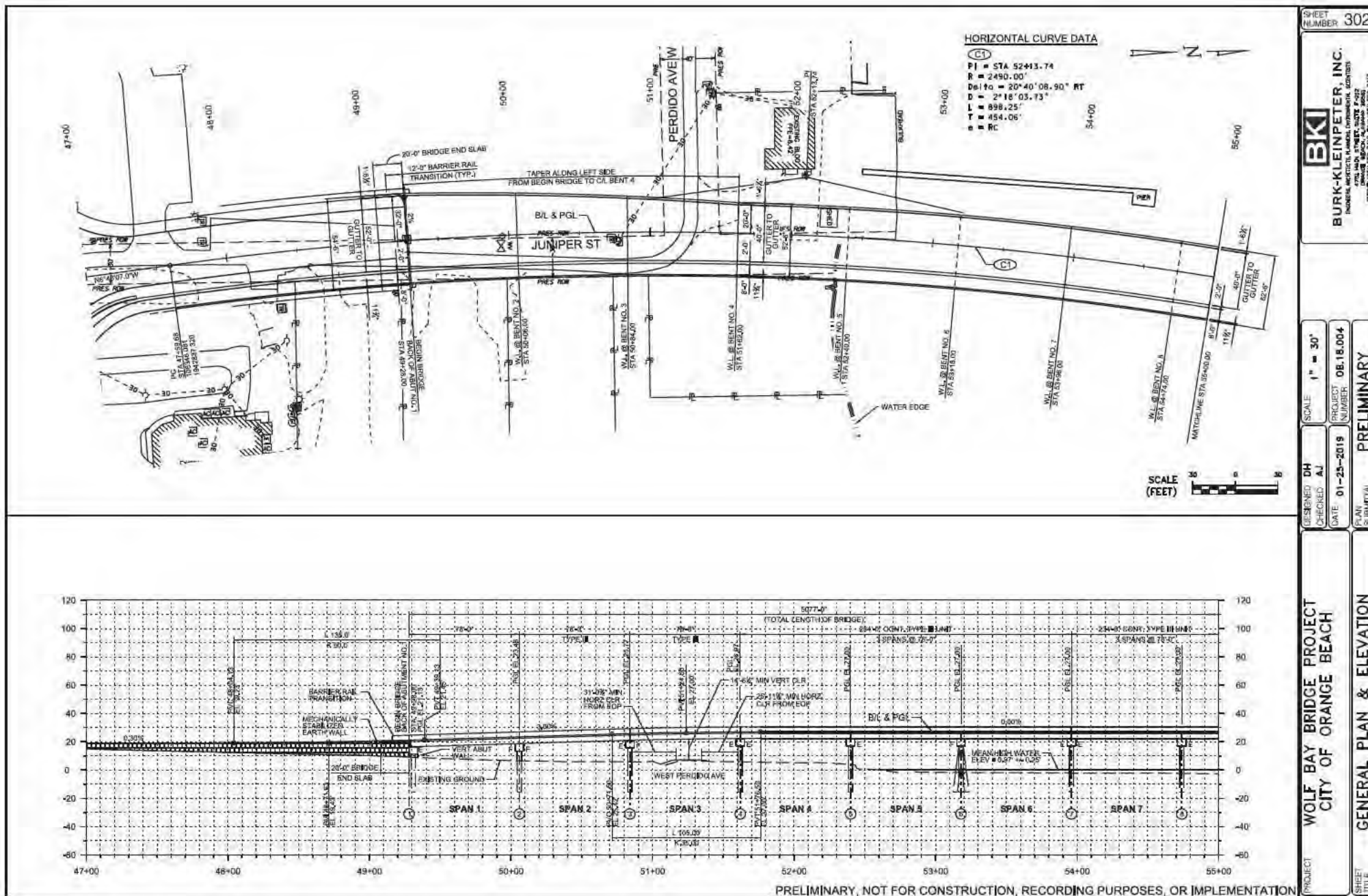
NOTE: Locations are based on Alabama State Plane Coordinate System, West Zone.

BENT NO.	NORTHING	EASTING	MUDLINE ELEV (FT)	WATER DEPTH AT MLLW (+/-0.25 FT)	WATER DEPTH AT MHW (+/-0.25 FT)
1	106513.783	1942823.291	9.18	-	-
2	106591.735	1942820.639	6.55	-	-
3	106609.731	1942820.431	5.18	-	-
4	106747.696	1942822.665	5.34	-	-
5	106825.552	1942827.340	3.33	-	-
6	10693.224	1942834.451	-1.56	1.46	2.63
7	106960.636	1942843.992	-2.07	1.87	3.04
8	10707.710	1942855.952	-2.17	2.27	3.44
9	107154.372	1942870.320	-2.81	2.61	3.78
10	107210.546	1942887.083	-3.12	2.92	4.09
11	107356.749	1942918.272	-3.59	3.39	4.56
12	107462.914	1942949.612	-5.50	5.30	6.47
13	107589.080	1942980.953	-6.32	6.62	7.79
14	107735.245	1943012.294	-7.38	7.18	8.35
15	107841.411	1943043.635	-7.30	7.70	8.87
16	10797.577	1943074.976	-8.27	8.07	9.24
17	108063.742	1943106.317	-8.50	8.30	9.47
18	108239.908	1943137.658	-8.54	8.44	9.61
19	108346.073	1943168.999	-8.36	8.66	9.83
20	10842.239	1943200.340	-8.39	8.79	9.96

BENT NO.	NORTHING	EASTING	MUDLINE ELEV (FT)	WATER DEPTH AT MLLW (+/-0.25 FT)	WATER DEPTH AT MHW (+/-0.25 FT)
21	108598.404	1943231.681	-8.94	8.74	9.91
22	108724.570	1943263.022	-9.08	8.88	10.05
23	108850.735	1943294.363	-9.10	8.90	10.07
24	108976.901	1943325.704	-9.28	9.08	10.25
25	109219.527	1943385.975	-11.96	11.76	12.93
26	109573.761	1943473.970	-10.46	10.26	11.43
27	109816.387	1943534.241	-8.72	8.52	9.69
28	109942.553	1943565.582	-6.98	6.78	7.95
29	110058.718	1943596.923	-3.38	3.18	4.35
30	110194.884	1943628.264	-3.15	2.95	4.12
31	110321.049	1943659.605	-2.97	2.77	3.94
32	110447.215	1943690.946	-2.60	2.40	3.57
33	110573.380	1943722.287	-2.27	2.07	3.24
34	110699.546	1943753.628	-1.84	1.64	2.81
35	110825.712	1943784.969	-1.11	0.91	2.08
36	110951.877	1943816.310	1.86	-	-
37	111078.043	1943847.650	1.26	-	-
38	111204.240	1943878.861	1.49	-	-
39	111331.014	1943907.628	1.63	-	-
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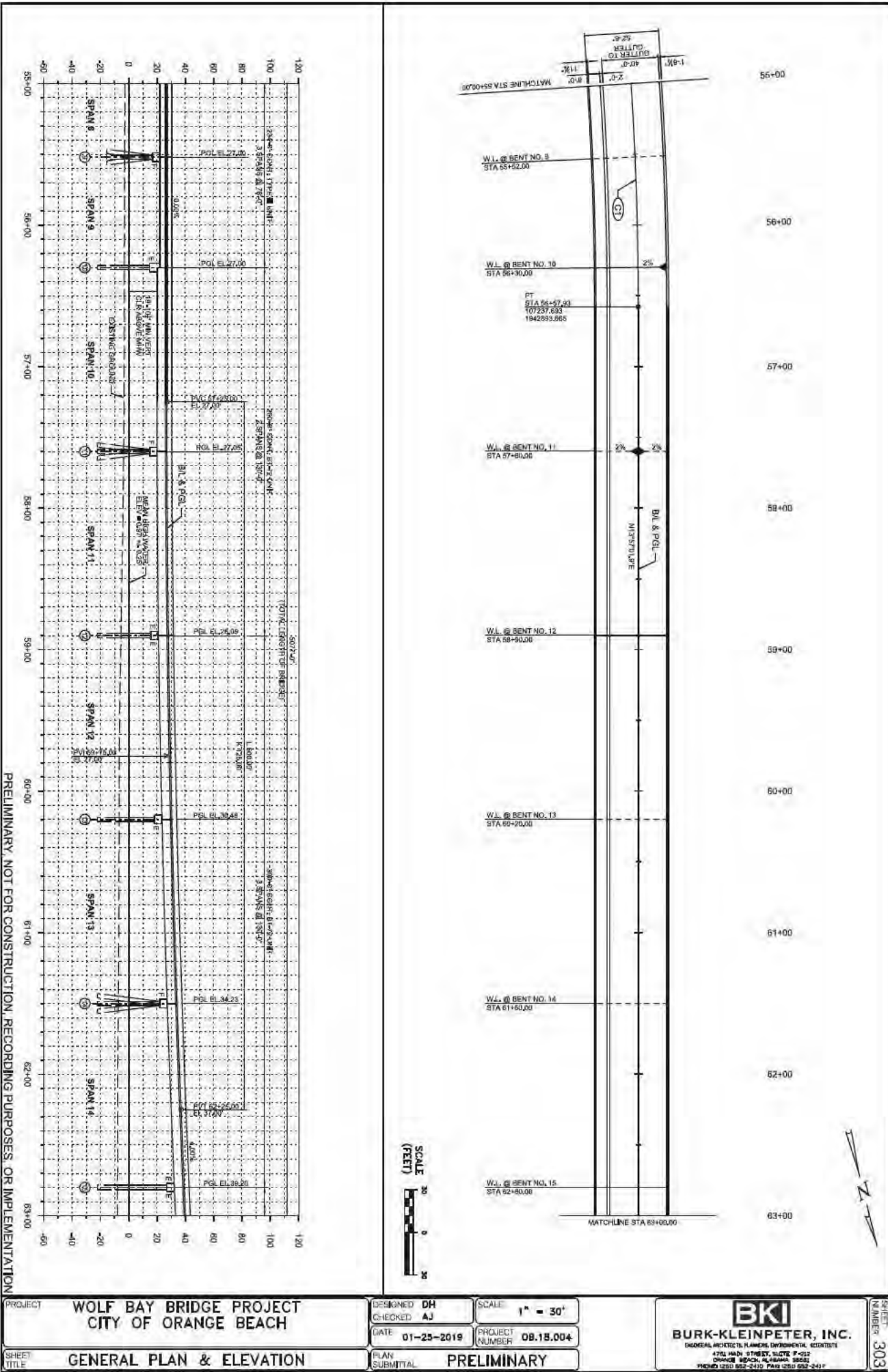


SHEET  
NUMBER 302

**BKI**  
**BURK-KLEINPETER, INC.**  
 ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
 4700 N. STATE ST. SUITE 200  
 ORANGE BEACH, FL 32567  
 PHONE 904.266.2400 FAX 904.266.2407

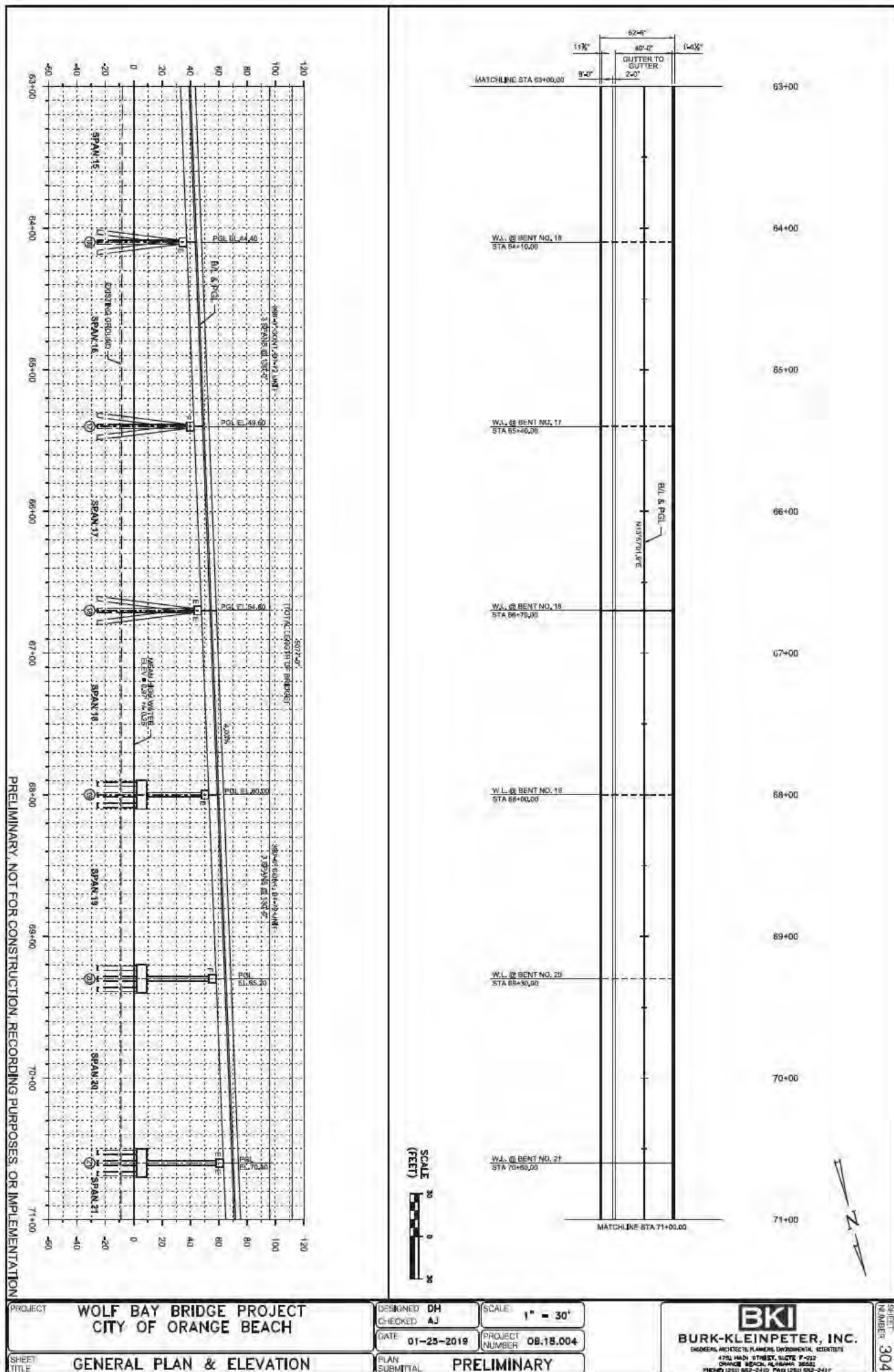
DESIGNED **DH**  
 CHECKED **AL**  
 DATE **01-25-2019**  
 SCALE **1" = 30'**  
 PROJECT NUMBER **08.18.004**  
 PRELIMINARY

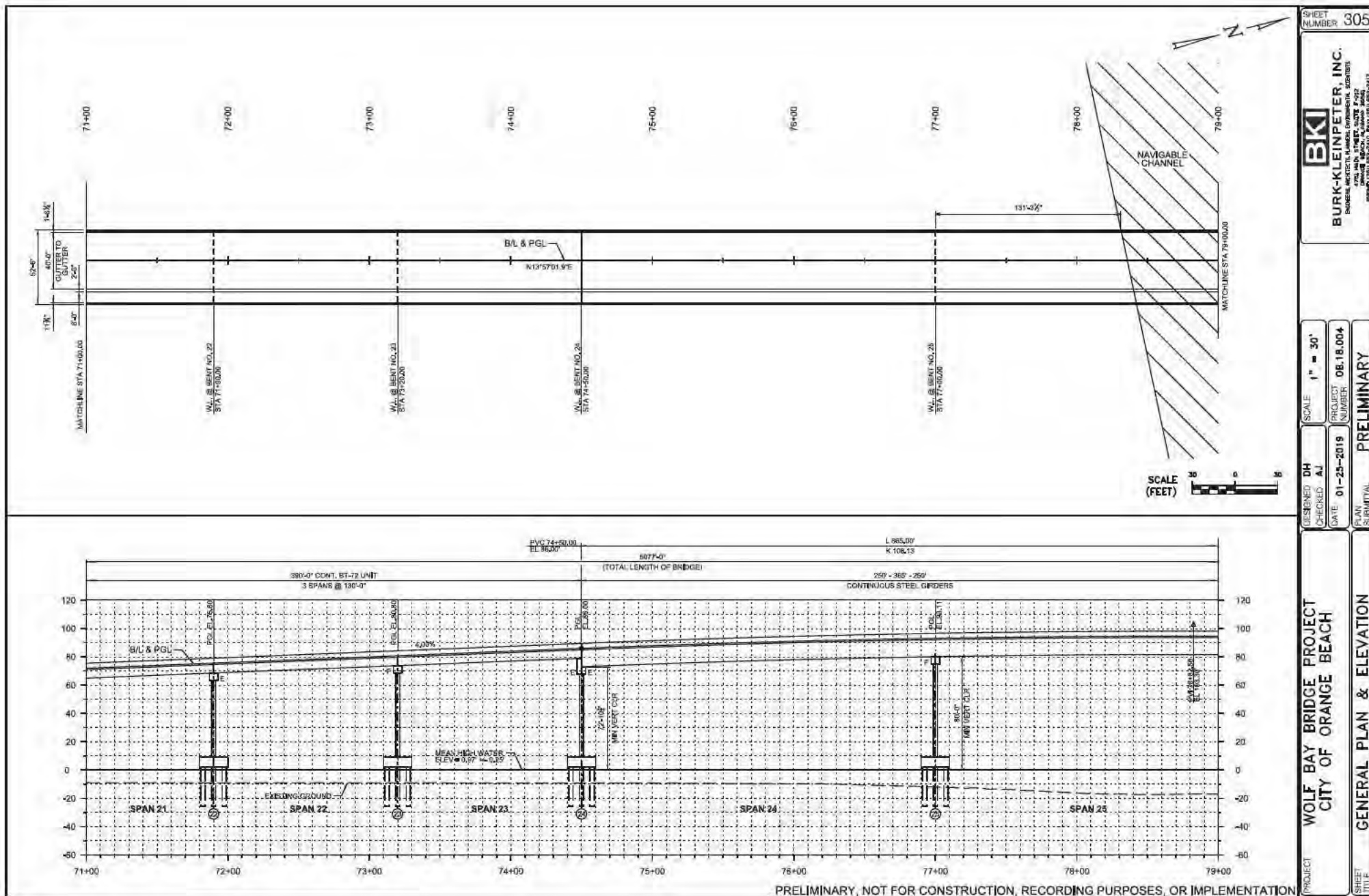
PROJECT **WOLF BAY BRIDGE PROJECT**  
**CITY OF ORANGE BEACH**  
 SHEET TITLE **GENERAL PLAN & ELEVATION**



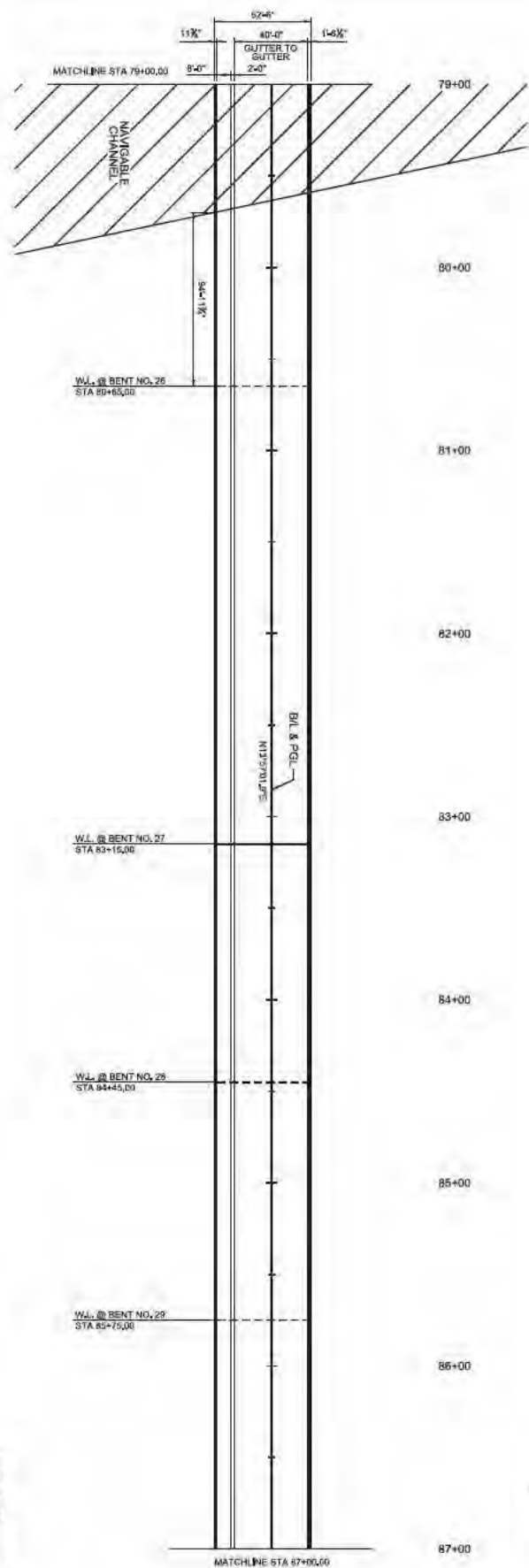
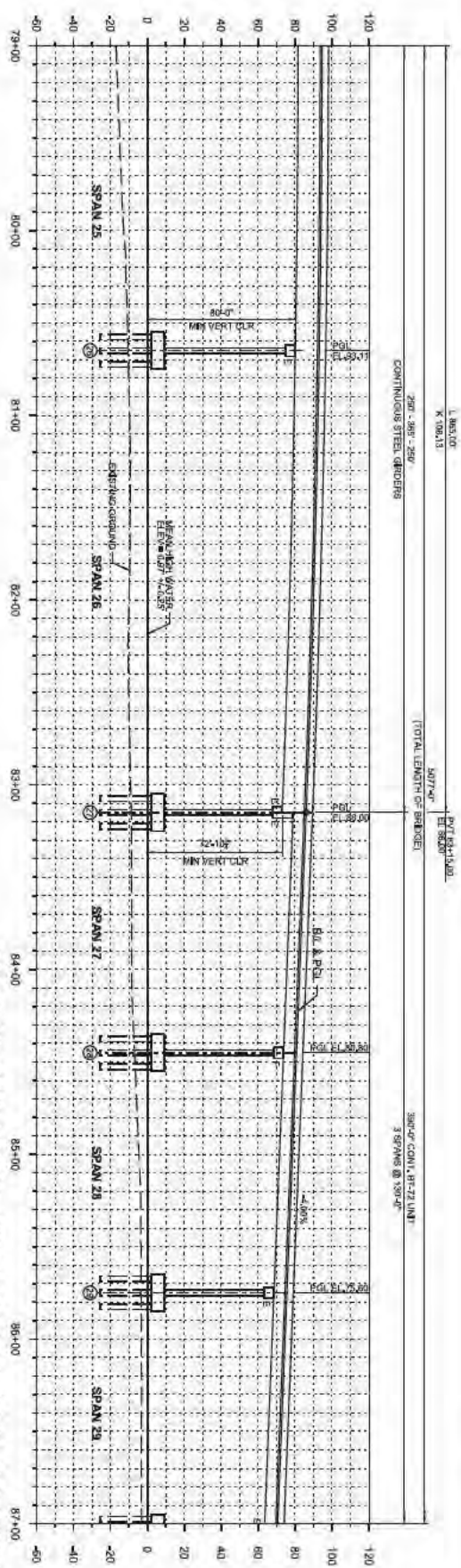
PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION

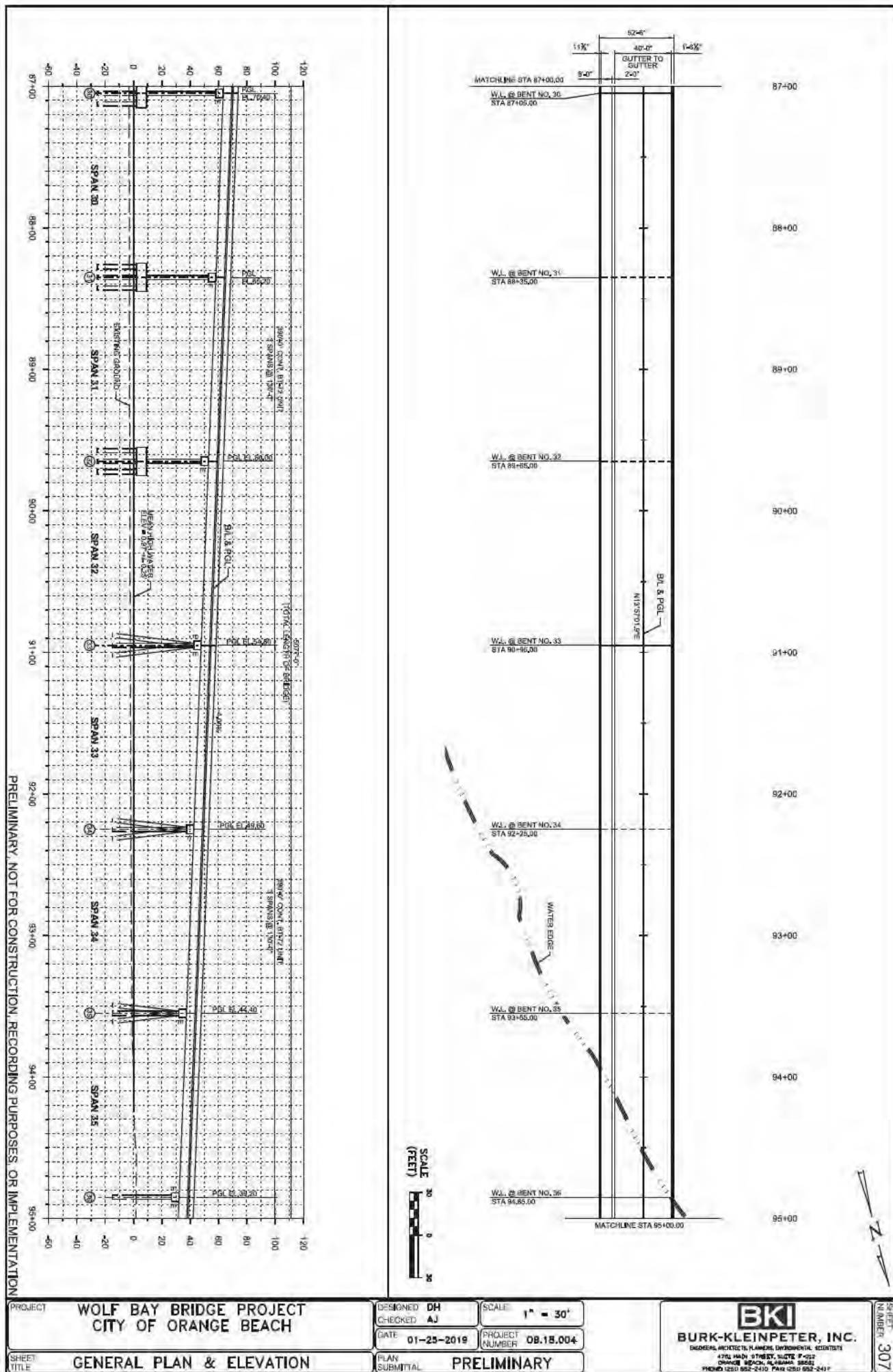






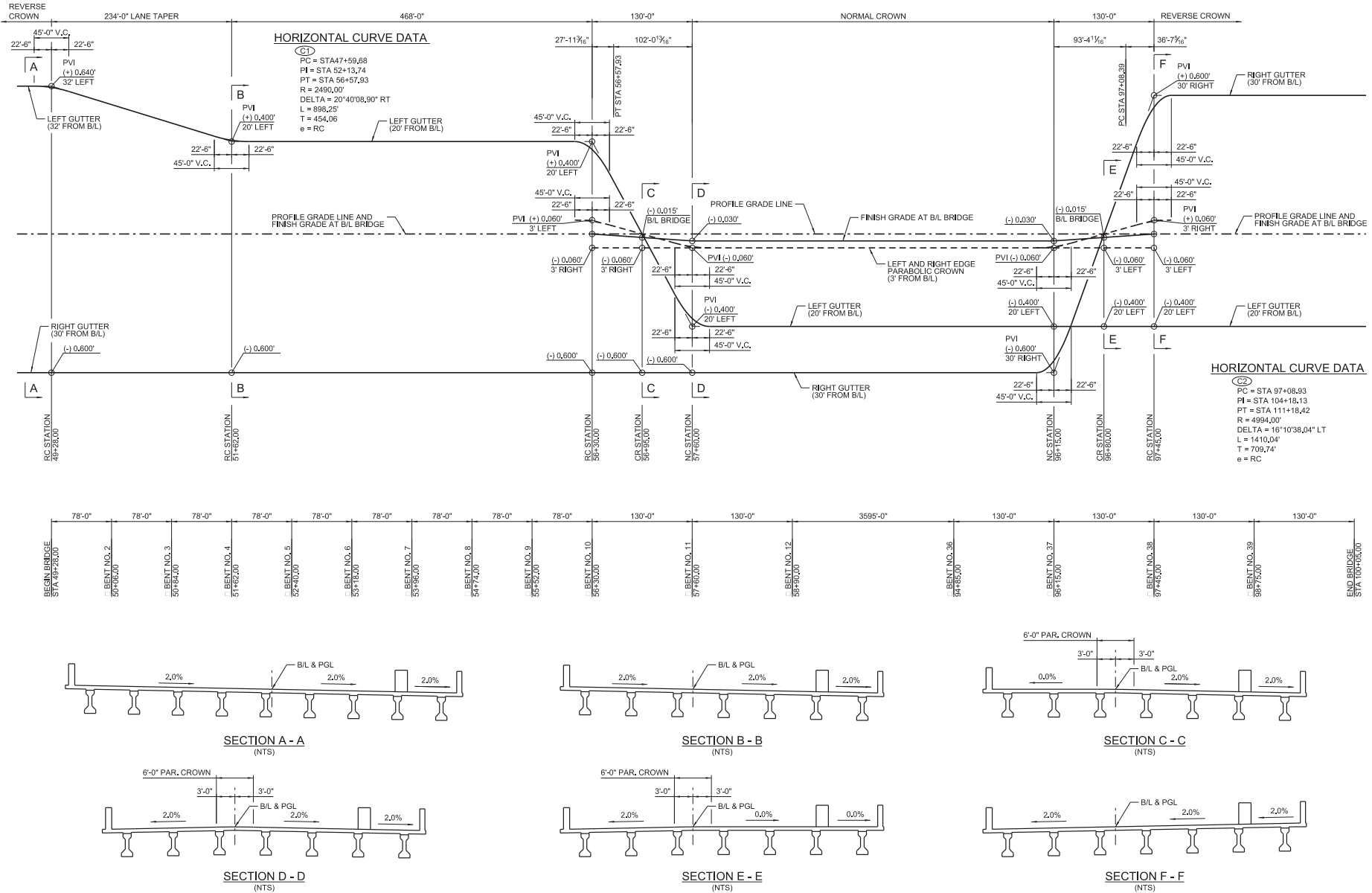






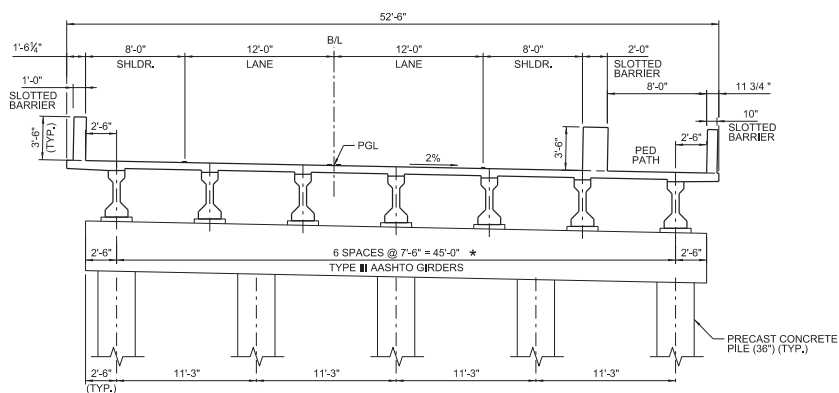






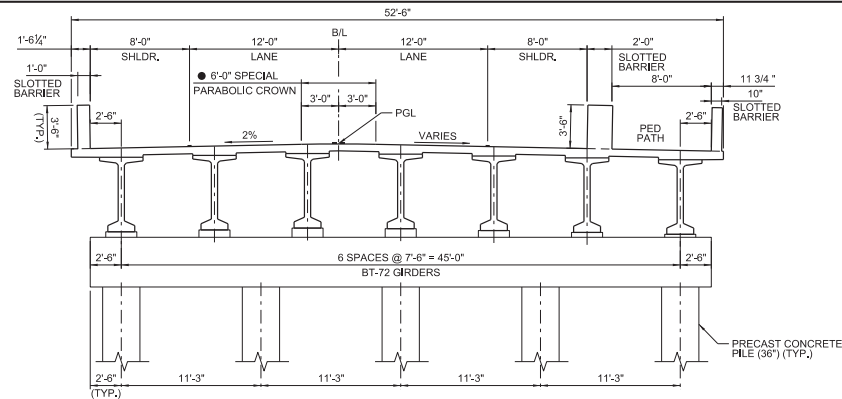
PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION





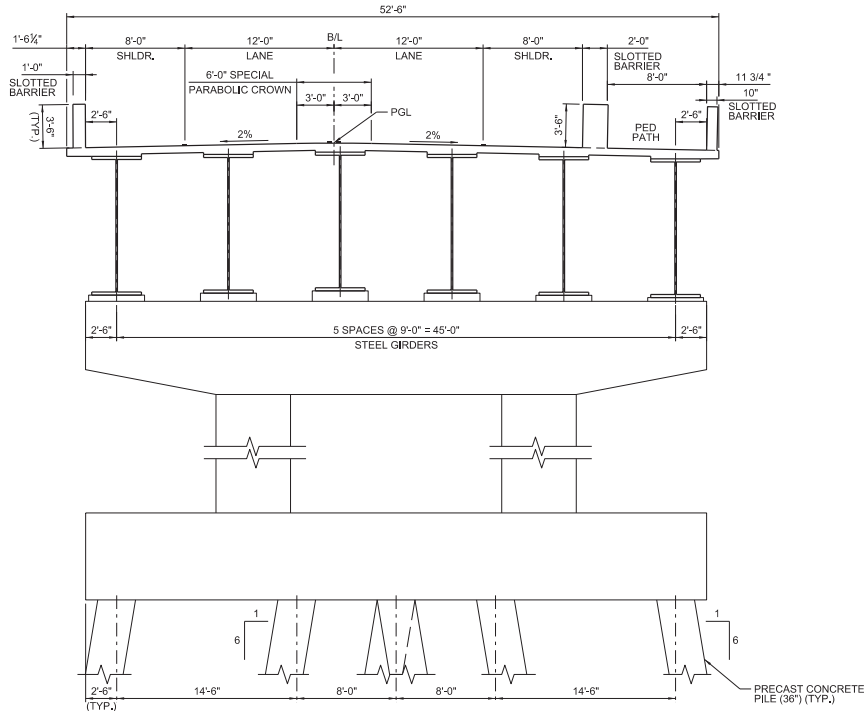
**TYPICAL BRIDGE SECTION**  
TYPE III AASHTO GIRDERS  
(BENTS 1 THRU 9)  
SCALE: 1" = 5'

\* NUMBER OF GIRDERS AND GIRDER SPACING  
VARIES FROM BENT NO. 1 TO BENT NO. 3,  
BENT NO. 4 THRU BENT NO. 9 AS SHOWN.



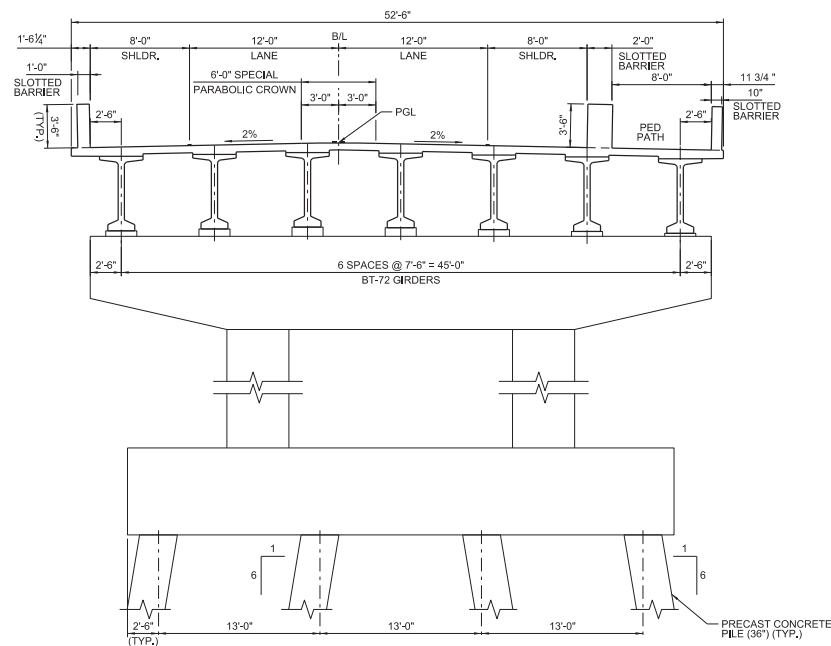
**TYPICAL BRIDGE SECTION**  
BT-72 GIRDERS  
(BENTS 11 THRU 18, 33 THRU 40)  
SCALE: 1" = 5'

● TYPICAL ONLY AT NORMAL CROWN



**TYPICAL BRIDGE SECTION**  
STEEL GIRDERS  
(BENTS 25 AND 26)  
SCALE: 1" = 5'

NOTE:  
1. DIMENSIONS MEASURED ALONG C/L JOINT.  
2. TYPE III & BT THRU 72 GIRDERS ARE ON CHORDS.  
3. DECK OVERHANG VARIES ON CURVED SPANS.  
4. SEE SUPER ELEVATION DRAWING & FRAMING  
PLAN FOR MORE DETAILS.



**TYPICAL BRIDGE SECTION**  
BT-72 GIRDERS  
(BENTS 19 THRU 23, 28 THRU 32)  
SCALE: 1" = 5'

PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION

SHEET NUMBER 310

**BKI**  
**BURK-KLEINPETER, INC.**  
ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
4790 MAIN STREET, SUITE 200  
FARMINGTON, CT 06030  
PHONE (203) 652-2410 FAX (203) 652-2417

SCALE 1" = 5'  
PROJECT NUMBER 08.18.004  
DATE 01-25-2019  
DESIGNED DH  
CHECKED JS  
PLAN SUBMITTAL  
PRELIMINARY

PROJECT  
**WOLF BAY BRIDGE  
AND CONNECTING ROADS PROJECT  
CITY OF ORANGE BEACH**  
TYPICAL BRIDGE SECTIONS  
SHEET TITLE