



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

**CESAM RD-A**  
**PUBLIC NOTICE NO. SAM-2018-01094-GAC**

**October 26, 2021**

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

**REQUEST FOR AUTHORIZATION TO DISCHARGE FILL MATERIAL INTO 0.78**  
**ACRES OF OPEN WATERS IN PERDIDO BAY FOR IMPROVED PUBLIC ACCESS**  
**AND SHORELINE RESTORATION IN THE TOWN OF PERDIDO BEACH, 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:** Town of Perdido Beach  
Attention: Mayor Kae Hamilton  
9212 County Road 97  
Perdido Beach, Alabama 36530

**AGENT:** Ecological Consulting Services, Inc.  
Attention: Ms. Heather Reed Moore  
38 South Blue Angel Parkway, #346  
Pensacola, Florida 32506

**LOCATION:** Bay Avenue at Perdido Beach, near Escambia and Mobile Avenues; within Section 33, Township 8 South, Range 6 East; at Latitude 30.341319°, Longitude -87.502244°; Perdido Bay, Town of Perdido Beach, Baldwin County, Alabama.

**PROJECT PURPOSE:** The basic project purpose is to improve and expand public access at an existing waterfront park. The overall project purpose is to restore shoreline and install living shoreline protection at an eroded shoreline of Perdido Bay and improve existing public beach access where Escambia and Mobile Avenues meet Bay Avenue at Perdido Beach.

**PROPOSED WORK:** The applicant proposes to discharge a total of 3,200 cubic yards of clean sandy fill and 511 cubic yards of rip-rap into 0.78 acres of open waters for the construction of two new areas of beach access and protective breakwater structures along 562 linear feet of shoreline within the waters of Perdido Bay. Specifically, the proposed work would include discharge of 267 cubic yards of rip-rap below the plane of mean high water (MHW) at the Mobile Avenue shoreline, and 244 cubic yards of rip-rap at the Escambia Avenue location for the construction of segmented breakwaters, behind

which emergent vegetation would be planted. After placement of the rip-rap breakwater structures, 1,600 cubic yards of sandy fill would be placed below MHW at each of the two separate shorelines (3,200 cubic yards total). All breakwater structures would be placed from approximately 30 feet to 150 feet offshore.

**AVOIDANCE AND MINIMIZATION:** The applicant has indicated the proposed activities were planned to provide the minimal area necessary for shoreline restoration and public access improvement, thereby minimizing waterbottom impacts to the maximum extent practicable. The applicant has proposed to additionally avoid impacts to open waters by selecting a living shoreline design that could be constructed without the need to dredge temporary access channels for construction access. Additionally, the applicant proposes to monitor turbidity levels during the entirety of construction and Best Management Practices (BMPs), including use of geofabric, would be implemented to prevent turbidity and suspended sediment from entering the waterway. The applicant would cease all construction activities and deploy additional BMPs should turbidity levels exceed applicable State water quality standards (i.e., 50 NTU above background levels) until compliant turbidity levels are reestablished. Based on a sediment grain size analysis conducted by the applicant, the proposed installation of the new structures is not expected to alter sediment transport patterns or rates along the subject project shoreline. 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 provision of compensatory mitigation has not been proposed, as the work would not result in the permanent loss of any special aquatic sites, including wetlands.

**WATER QUALITY / COASTAL ZONE MANAGEMENT:** The applicant will apply 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 areas. 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. 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 District 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 proposed project would impact approximately 34,110 square feet (0.78 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 and the anticipated long-term benefits of restoring intertidal marsh and sandy beach habitat along 562 linear feet of currently eroded shoreline. 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 the following listed endangered or threatened species are known or expected to occur within the watershed of the permit area: Gulf sturgeon (*Acipenser Oxyrinchus desotoi*) (T), eastern indigo snake (*Drymarchon corais couperi*) (E), West Indian manatee (*Trichechus manatus*) (T), wood stork (*Mycteria americana*) (T), gopher tortoise (*Gopherus polyphemus*) (candidate species), green sea turtle (*Chelonia mydas*) (T), Kemp's ridley sea turtle (*Lepidochelys kempii*) (E), and loggerhead sea turtle (*Caretta caretta*) (T). There is no designated critical habitat within the project action area.

At this time, the USACE, Mobile District has made no determination with regard to potential effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and NMFS 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-2018-01094-GAC**, and should be directed to the project manager, Ms. Emma L. Bickerstaff by e-mail at [Emma.L.Bickerstaff@usace.army.mil](mailto:Emma.L.Bickerstaff@usace.army.mil), or to the USACE, Mobile District, Regulatory Division, Attention: Ms. Emma L. Bickerstaff, 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).

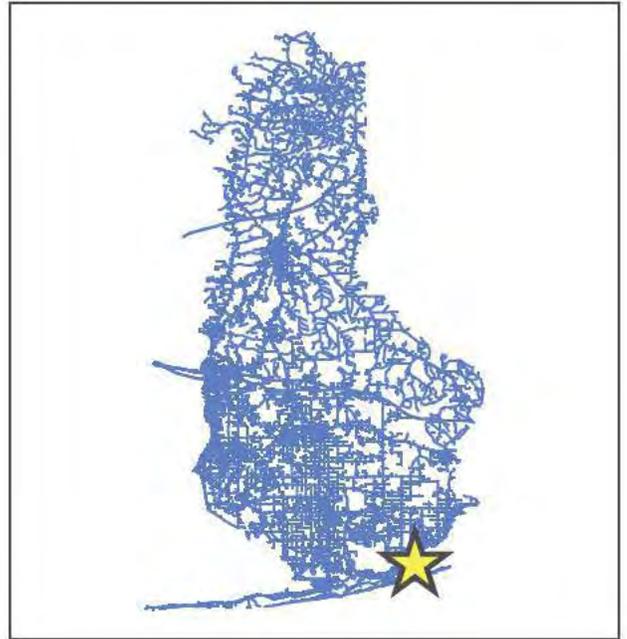
MOBILE DISTRICT  
U.S. Army Corps of Engineers

Attachments

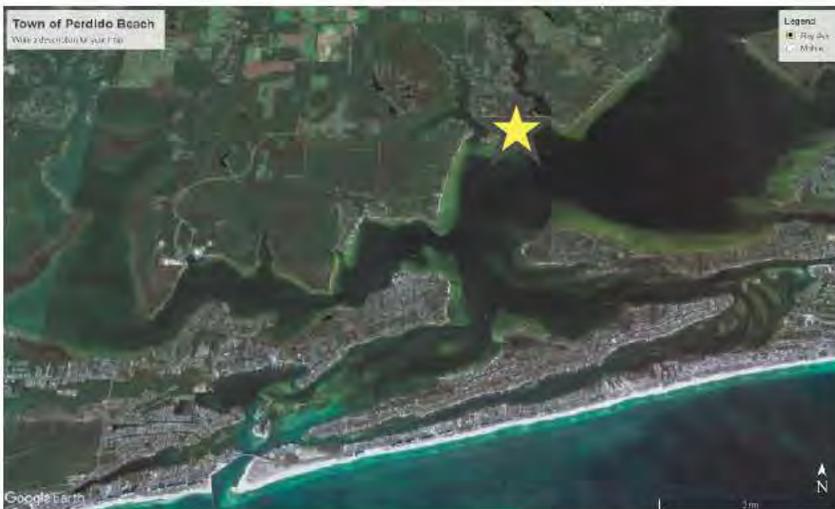
# Project Vicinity Map-Town of Perdido Beach Baldwin County



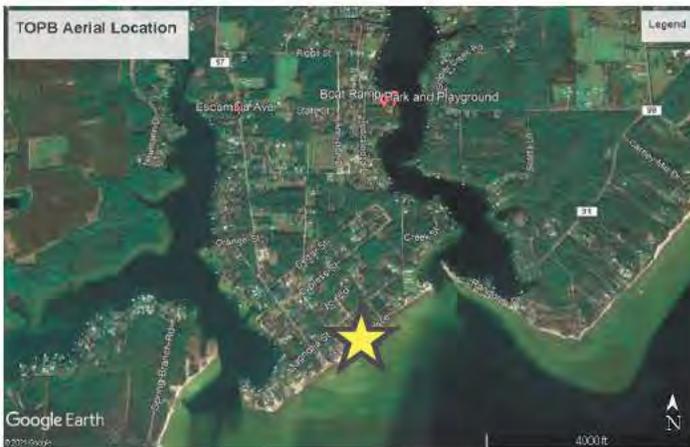
Alabama



Baldwin County



Town of Perdido Beach  
Perdido Beach, Alabama



Bay, Escambia and Mobile Avenue

N



Legend

TOPB

Fetch



N



Fetch Distances of Perdido Bay

170 85 0 170 Feet



Reference Scale: 1:0



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9212 County Road 97  
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ECOLOGICAL CONSULTING SERVICES

DRAWN BY: HEATHER REED DATE: 9/19/2021

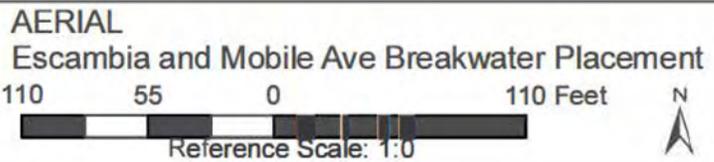
9 of 12

PM@ECOLOGICALCONSULTINGSERVICES.COM  
PHONE: 850-359-6688  
WWW.ECOLOGICALCONSULTINGSERVICES.COM



**Waterbody: Perdido Bay**

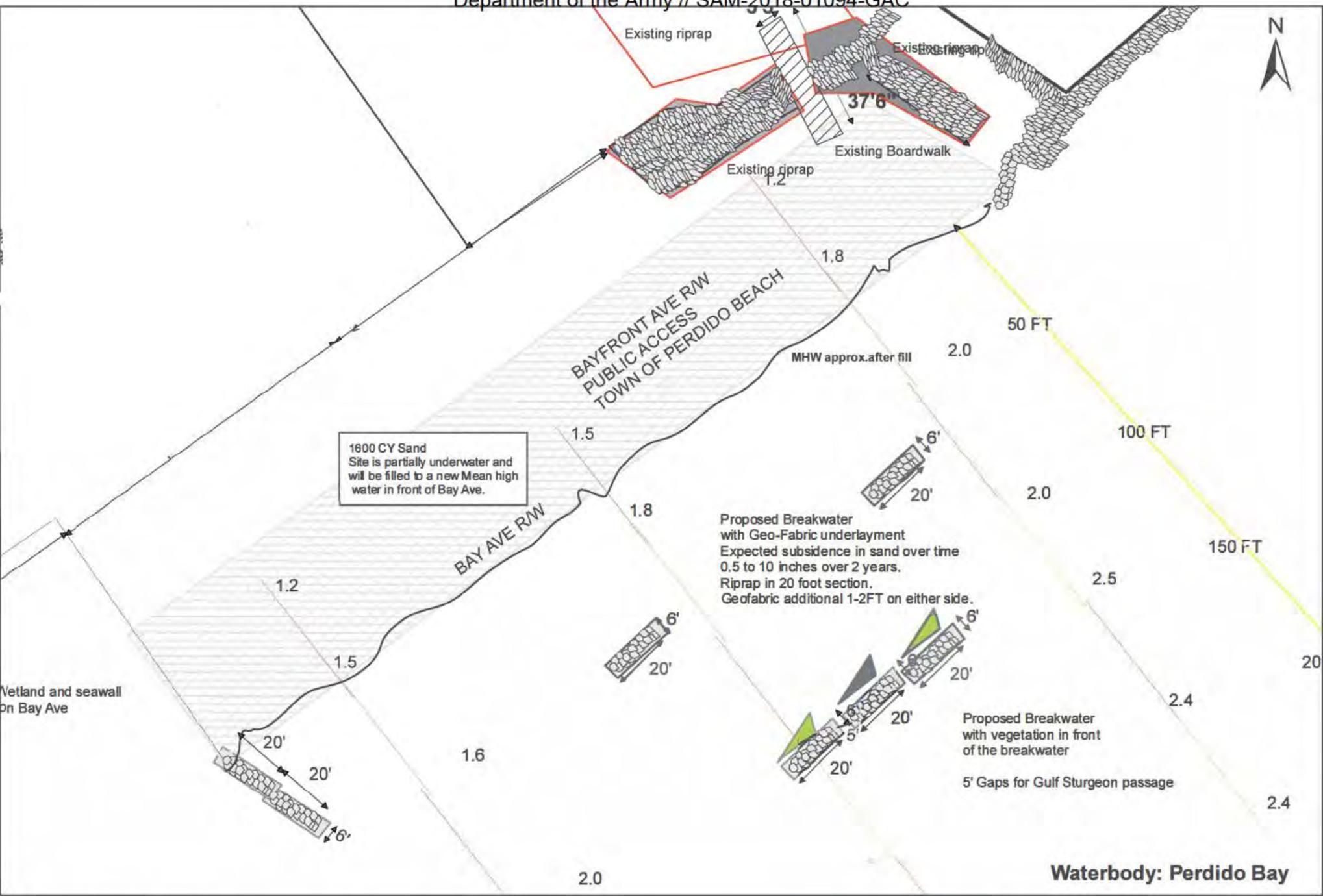
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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4 of 12	PM@ECOLOGICALCONSULTINGSERVICES.COM
	PHONE: 850-359-6688
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1600 CY Sand  
Site is partially underwater and will be filled to a new Mean high water in front of Bay Ave.

Proposed Breakwater with Geo-Fabric underlayment  
Expected subsidence in sand over time 0.5 to 10 inches over 2 years.  
Riprap in 20 foot section.  
Geofabric additional 1-2FT on either side.

Proposed Breakwater with vegetation in front of the breakwater  
5' Gaps for Gulf Sturgeon passage

Waterbody: Perdido Bay

Geo-fabric underlayment under breakwater and sand placement



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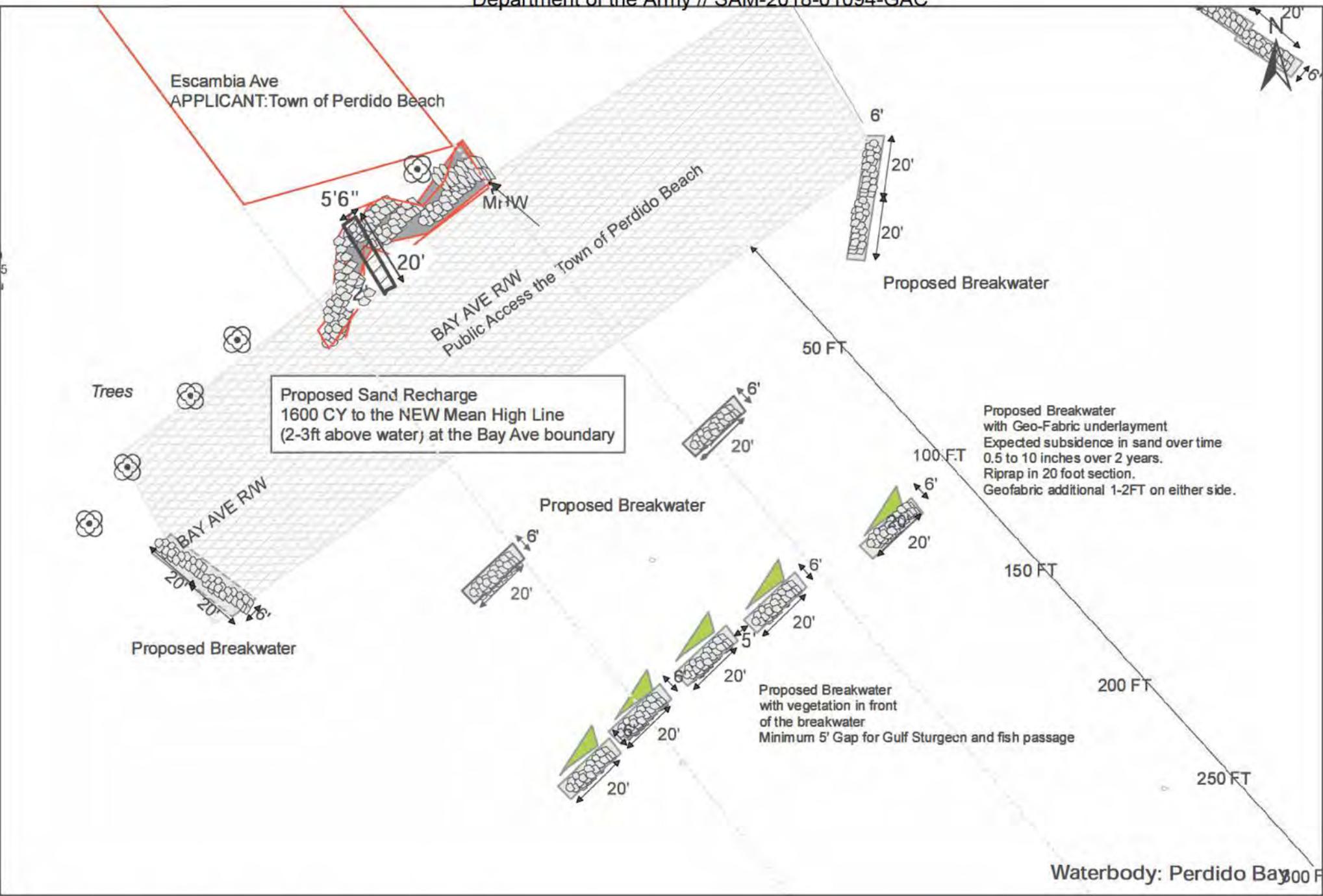


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REV  
ADD\_1

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Geo-fabric underlayment under breakwater and sand placement- Escambia



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ADD 2

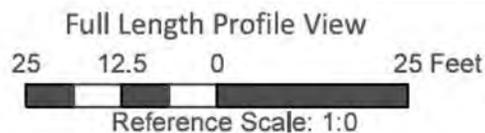
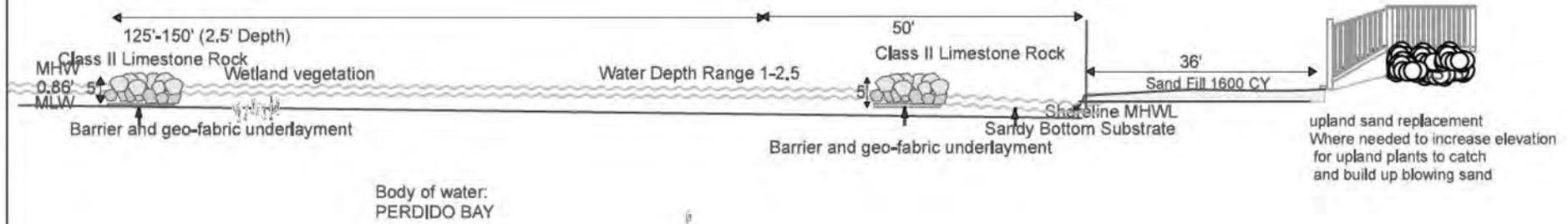
PM@ECOLOGICALCONSULTINGSERVICES.COM  
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# CROSS SECTION of Shoreline Protection project at Escambia and Mobile

Note: The area in front of the breakwater is shallow  
Spartina Alterniflora will be planted in front  
of the breakwater to promote an aquatic nursery.



CROSS SECTION A



Coordinate System: GCS WGS 1984  
Datum: WGS 1984  
Units: Degree Elevation: NAVD 88



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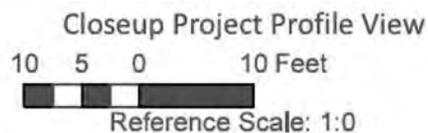
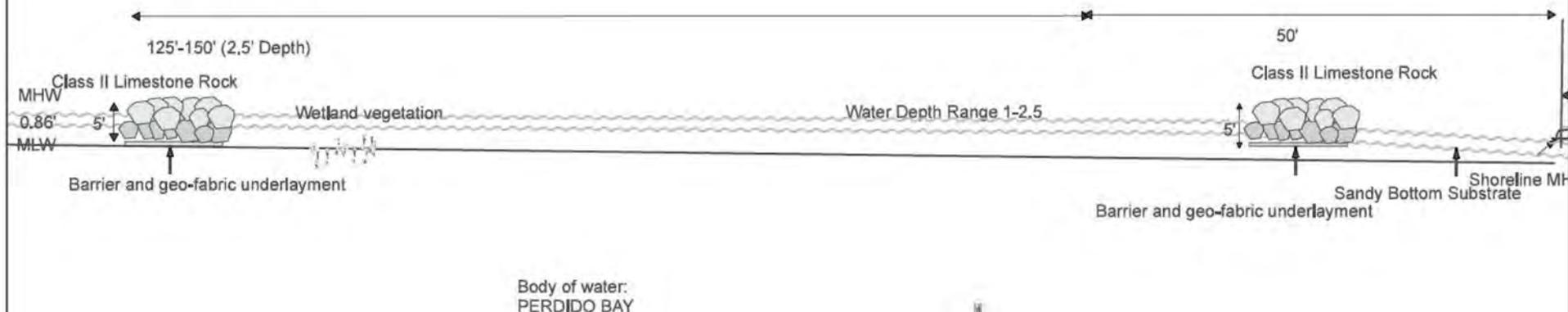
SHEET NO. 7 of 12  
 PM@ECOLOGICALCONSULTINGSERVICES.COM  
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# CROSS SECTION of Shoreline Protection project at Escambia and Mobile



CROSS SECTION A

Note: *Spartina Alterniflora* will be planted in front of the breakwater to promote an aquatic nursery.



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 Datum: WGS 1984  
 Units: Degree Elevation: NAVD 88



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