



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-2018-01188-JCC

August 20, 2019

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

**PROPOSED DISCHARGE OF FILL MATERIAL FOR THE DEVELOPMENT OF A RESIDENTIAL
LOT IN ONO ISLAND SUBDIVISION,
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 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

APPLICANT: Mr. William and Ms. Lynn Gwin
Post Office Box 1529
Point Clear, Alabama 36564

AGENT: Wetland Resources Environmental Consulting
Attention: Ms. Gena Todia
Post Office Box 2694
Daphne, Alabama 36526

LOCATION/WATERS: The project is located adjacent to Bayou St. John at Lot 25, Unit 9 Ono Island Boulevard, in the Ono Island Subdivision; in Section 11, Township 9 South, Range 5 East; at Latitude 30.282197° North and Longitude -87.540783° West; in Orange Beach, Baldwin County, Alabama.

PROPOSED WORK: The applicant is seeking authorization for the discharge of 140 cubic yards of clean sandy fill material into jurisdictional wetlands for purpose of constructing a pile-supported residence with a driveway and parking area. These activities would impact approximately 1,241 square feet (0.028 acre) of wetlands.

AVOIDANCE & MINIMIZATION: The applicant has indicated the fill has been minimized to the greatest extent practicable while still allowing for enough room for a driveway of sufficient size for parking and ingress/egress. Wetland impacts have been avoided and minimized to the extent practicable by designing the house footprint to completely avoid the small wetland near the east property line. Impact to the central wetland is being minimized by the utilization of a block stem wall foundation. The U.S. Army Corps of Engineers (USACE) has determined the applicant's avoidance and minimization statement is adequate for the activity proposed.

MITIGATION: Compensatory mitigation for the unavoidable loss of wetlands associated with the development will be accomplished by the purchase of in-kind wetland mitigation credits from an approved mitigation bank. The USACE, Mobile District has not verified the adequacy of the applicant's proposed mitigation plan at this time.

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. The Alabama Department of Environmental Management (ADEM) issued a CZM consistency variance on July 23, 2019 for the proposed activities. Upon completion of the required advertising and public comment review, a determination relative to water quality certification will be made by 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 USACE has determined the permit area consists of the approximate 0.028 acre of wetland impact and immediately adjacent areas of the upland lot that will be utilized during construction. 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 Archeologists to provide a determination on the potential for existence of significant cultural and historic properties.

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 proposed activity will have no effect on the following listed endangered or threatened species with the potential to exist within the watershed of the permit area: 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), gopher tortoise (candidate species), green sea turtle (T), Kemp's ridley sea turtle (E), and loggerhead sea turtle (T). There is no designated critical habitat within the project action area. This determination is being coordinated with the USFWS via this Public Notice.

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. 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 U.S. Army Corps of Engineers (USACE) is soliciting comments from the public; federal, state and local agencies and officials; 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.

Correspondence concerning this public notice should refer to Public Notice Number **SAM-2018-01188-JCC** and should be directed to Jessica.C.Comeaux@usace.army.mil, or to the U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Attention: Ms. Jessica C. Comeaux, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy furnished to the Alabama Department of Environmental Management (ADEM), at coastal@adem.alabama.gov; or at ADEM, Mobile District / 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, Ms. Jessica Comeaux at (251) 690-3262 or Jessica.C.Comeaux@usace.army.mil. Please refer to the Public Notice Number **SAM-2018-01188-JCC**.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

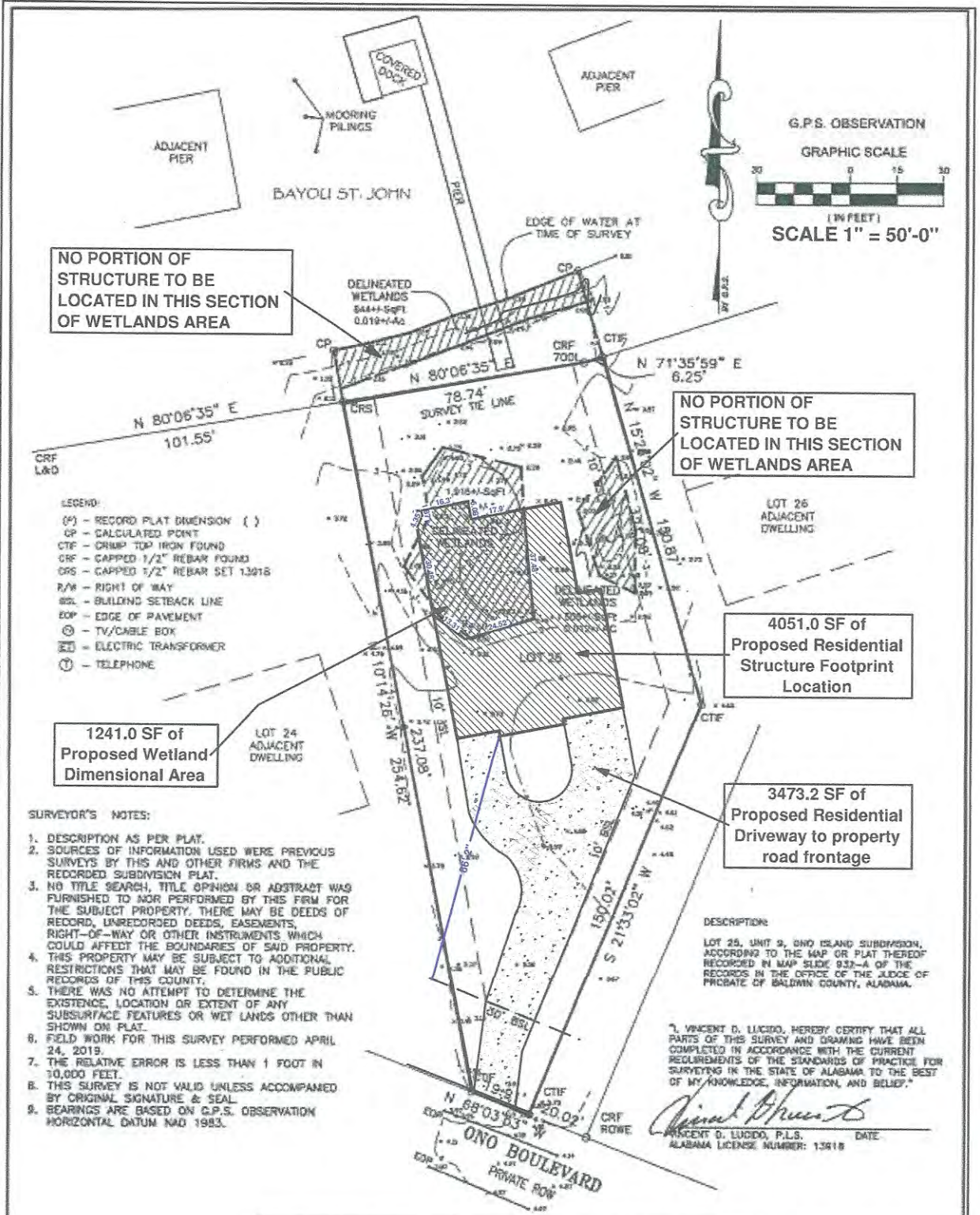
MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



See Enlarged Map
Bottom Of Page 41
For Ono Island

See Enlarged Map
On Page 72



NO PORTION OF STRUCTURE TO BE LOCATED IN THIS SECTION OF WETLANDS AREA

NO PORTION OF STRUCTURE TO BE LOCATED IN THIS SECTION OF WETLANDS AREA

1241.0 SF of Proposed Wetland Dimensional Area

4051.0 SF of Proposed Residential Structure Footprint Location

3473.2 SF of Proposed Residential Driveway to property road frontage

- LEGEND:
- (P) - RECORD PLAT DIMENSION ()
 - CP - CALCULATED POINT
 - CTF - CRIMP TOP IRON FOUND
 - CRF - GAPPED 1/2" REBAR FOUND
 - CRS - GAPPED 1/2" REBAR SET 1.3016
 - R/W - RIGHT OF WAY
 - BSL - BUILDING SETBACK LINE
 - EOP - EDGE OF PAVEMENT
 - TV/CABLE BOX
 - ET - ELECTRIC TRANSFORMER
 - TEL - TELEPHONE

- SURVEYOR'S NOTES:
1. DESCRIPTION AS PER PLAT.
 2. SOURCES OF INFORMATION USED WERE PREVIOUS SURVEYS BY THIS AND OTHER FIRMS AND THE RECORDED SUBDIVISION PLAT.
 3. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS FURNISHED TO NOR PERFORMED BY THIS FIRM FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAY OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTY.
 4. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
 5. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION OR EXTENT OF ANY SUBSURFACE FEATURES OR WETLANDS OTHER THAN SHOWN ON PLAT.
 6. FIELD WORK FOR THIS SURVEY PERFORMED APRIL 24, 2019.
 7. THE RELATIVE ERROR IS LESS THAN 1 FOOT IN 10,000 FEET.
 8. THIS SURVEY IS NOT VALID UNLESS ACCOMPANIED BY ORIGINAL SIGNATURE & SEAL.
 9. BEARINGS ARE BASED ON G.P.S. OBSERVATION HORIZONTAL DATUM NAD 1983.

DESCRIPTION:
 LOT 25, UNIT 9, ONO ISLAND SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN MAP BOOK 032-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

I, VINCENT D. LUCIDO, HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Vincent D. Lucido
 VINCENT D. LUCIDO, P.L.S. DATE
 ALABAMA LICENSE NUMBER: 13818

<p>NOT VALID UNLESS ACCOMPANIED BY ORIGINAL SIGNATURE & SEAL</p>	BOUNDARY & TOPOGRAPHIC SURVEY FOR		<p>DAVID GWIN</p> <p>LOT 25 ONO ISLAND SUBDIVISION UNIT 9 ORANGE BEACH, ALABAMA 36561</p>	
	Drawn By	Scale		<p>Lucido</p> <p>Engineering & Surveying, LLC</p> <p>Consulting Engineers & Land Surveyors 24693 Canal Road, Suite A Orange Beach, Alabama 36561 Tel: 251.863.2346 lucido@lucidoeng.com</p>
	Checked By	Drawing File		
<p>Section 11, Township 9 South, Range 3 East Baldwin County, Alabama (St. Stephen's Meridian)</p>		<p>Project No. 18048</p>	<p>Date: 05-01-2019</p>	

REV: 5/14/2019 ADDITIONAL WETLANDS ADDED
 REV: 05-23-2018 ADDED SQ.FT. OF WETLANDS

PRINT DATES
 REVIEW PRINT: 05/15/19
 FINAL PRINT: 05/15/19
 Page **A1.0**
 DESIGN DRAWN BY
 Kirk A. Thomas

CONTRACTOR/OWNER/BUILDER
 PROJECT: WETLANDS INFORMATION
 TYPE: NEW CONSTRUCTION
 CLIENT: DAVID GWIN
 LOCATION: LOT 25 ONO BLVD.
 PERMIT JURISDICTION: O.B.
 P.L.S., 10' A.P.C.
 FLOOD ZONE: (AE)
 BASE SCALE: 1" = 50'-0"
 Details are typical, not specific.
 Details may vary in field throughout.

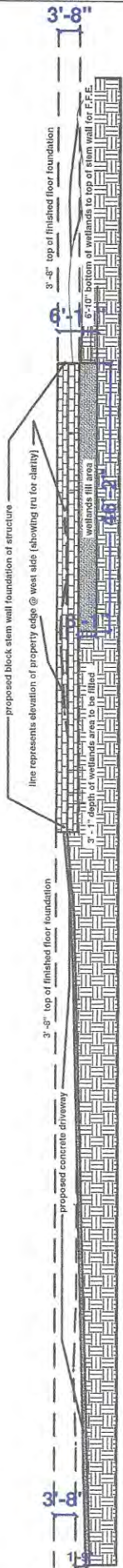
k.a.t. Designs Inc.
 Architectural Design - Civil Drafting - Planning Services
 18809 Florida Street, Robertsdale, AL 36567
 Cell: (251-978-4798) Email: kate@centurylink.net

FIELD VERIFICATION IS REQUIRED

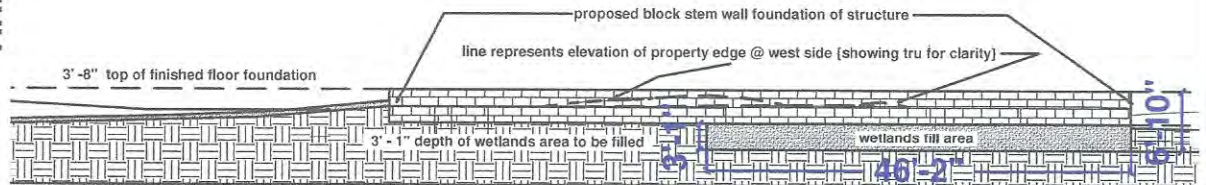
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PROPOSED WETLANDS DISTURBANCE LAYOUT FOR LOT 25 ONO BLVD.
 - DAVID GWIN

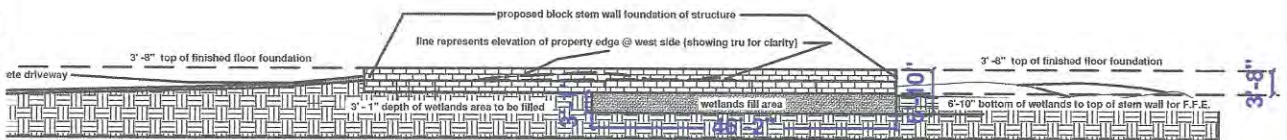
To the best of my knowledge these plans are drawn in compliance with the code requirements for their intended use by owner's and/or builder's specifications, any errors herein are to be made after review and shall be done at the owner's and/or builder's expense and responsibility. The contractor shall verify all dimensions and conditions of field conditions. Under no circumstances shall the contractor be held responsible for any errors or omissions in the construction of these plans. Lucido Engineering & Surveying, LLC is not liable for errors or omissions in these plans. While every effort has been made in the preparation of this plan to avoid mistakes, the preparer can not guarantee against mistakes. The User, Contractor/Owner of the project shall verify all dimensions and conditions prior to construction and be solely responsible for any issues. All information contained within these plans shall be subject to change based on field requirements and permitting jurisdiction requirements.



**CUT THRU VIEW - OF WETLANDS
AREA TO BE FILLED**



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PRINT DATES
REVIEW PRINT 05/10/16
FINAL PRINT 05/10/16
Page **A1.1**
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Kirk A. Thomas

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CLIENT: DAVID GWIN
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B.F.E. 10' A.F.C.
FLOOD ZONE: IAC
BASE SCALE: 1" = 50'-0"
Details are typical, not specific.
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k.a.t. Designs Inc.
Architectural Design - Civil Drafting - Planning Services
1880 Florida Street, Robertsdale, AL 36567
Cell (251-978-4788) Email: kirk@katdesigns.com

FIELD VERIFICATION IS REQUIRED
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**PROPOSED WETLANDS
DISTURBANCE LAYOUT
FOR LOT 25 ONO BLVD.**
- DAVID GWIN

The level of my knowledge from plans are drawn to comply with the code requirements for their intended use by owner's and/or contractor's specifications, any changes made on or to these plans shall be the owner's and/or contractor's responsibility. The contractor shall verify all dimensions and conditions on site. These drawings are not a guarantee of performance or results. The contractor shall be responsible for the accuracy of these drawings. While every effort has been made in the preparation of this plan to avoid mistakes, the owner can not guarantee against human error. The U.S. Copyright Office of the project must check all dimensions and details prior to construction and be solely responsible upon build-out. All information contained within these drawings is to be used as a guide and not a substitute for professional judgment. Interpretation.