



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

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2019-00954-JCC

April 6, 2020

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

PROPOSED DREDGING IN CONJUNCTION WITH BEACH NOURISHMENT AND
POCKET BEACH STRUCTURES ON PERDIDO BAY, 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 (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.

APPLICANTS: Fritz Lacour
16700 Muirfield Court
Loxley, Alabama 36551

Bibb Lamar
3950 Old Shell Road
Mobile, Alabama 36608

Bill Park
2 Kingsway Drive
Mobile, Alabama 36608

Steve Weinstein
3600 Cedars Avenue
Mobile, Alabama 36608

AGENT: EcoSolutions, Inc.
Attention: Mr. Thomas Hutchings
Post Office Box 361
Montrose, Alabama 36559

LOCATION OF WORK: The proposed project is located at four neighboring properties on Perdido Bay; at 31457, 31479, 31495, and 31507 Dolphin Drive; within Section 5; Township 9 South, Range 6 East; between Latitude 30.297260° North, Longitude -87.489855° West and Latitude 30.297510° North, Longitude -87.488881° West; in Orange Beach, Baldwin County, Alabama.

PROJECT PURPOSE: The purpose of the proposed project is to enhance navigational depths at four residential boat shelters, and to nourish and protect residential sand beach shorelines.

PROPOSED WORK: The applicants propose to dredge around four existing residential boat shelters; place dredged sand material on shoreline areas and open waters for beach nourishment; and install wooden headland breakwater structures for creation of pocket beaches. The construction activities would include the hydraulic dredging of 814 cubic yards of sand from 11,016 square feet (0.253 acre) of waterbottoms in Perdido Bay, to a depth of 6

feet below Mean High Water (MHW). The dredged sand material would be placed within a 3,289 square-foot (0.074 acre) shoreline area for beach nourishment. This fill area would include approximately 2,386 square feet (0.055 acre) of near-shore waterbottoms, with approximately 300 cubic yards of the dredged sand placed below the plane of MHW. Prior to final placement, the dredged material would be directed to four 21-foot by 31-foot containment cells on upland portions of each lot for dewatering. The cells would be contained by earthen berms with return-water discharge pipes installed. Return-water discharge structures will feature plastic sheeting and wooden splash pads for erosion protection.

Prior to final placement of the dredged material along the 317-foot shoreline, approximately 109 linear feet of existing bulkhead and 503 square feet of riprap rock will be removed from the shoreline area. Then four wooden headland breakwaters and 10 cubic yards of riprap will be installed along the shoreline for creation of pocket beach areas, as shown in the attached site plan drawings.

AVOIDANCE & MINIMIZATION: The applicants have indicated the fill has been minimized to the greatest extent practicable while still protecting the high energy shoreline from further erosion. The U.S. Army Corps of Engineers (USACE) has not determined the adequacy of the applicant's avoidance and minimization efforts for the proposed activity.

COMPENSATORY MITIGATION: Since this project would not involve any direct fill in wetlands or submerged aquatic vegetation beds, no mitigation has been proposed.

WATER QUALITY / COASTAL ZONE MANAGEMENT: 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 a consistency determination regarding Coastal Zone regulations 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 Coastal Zone consistency will be made by the Alabama Department of Environmental Management.

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 has been considered for the potential to affect cultural and historic properties within the permit area. 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 as a result of the this undertaking have also been considered. 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 (SHPO) 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.

In addition to the provided comments from the SHPO (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.

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 involve the dredging of 11,016 square feet (0.253 acre) of waterbottoms in Perdido Bay and fill another 2,386 square feet (0.055 acre) of intertidal shoreline habitat during beach nourishment activities. Our initial determination is that the proposed action would have a minimal adverse impact on EFH or federally managed fisheries due to the minor area of impacts and use of Best Management Practices during construction phases. A submerged aquatic vegetation survey has been requested from the applicants. Our final determination relative to the project impacts and the need for mitigative measures is subject to review by and coordination with the National Marine Fisheries Service.

ENDANGERED SPECIES: Preliminary review of the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicate the following listed endangered or threatened species with the potential to exist within Perdido Bay or the watershed of the project: Alabama beach mouse (*Peromyscus polionotus ammobates*) (E), Perdido Key beach mouse (*Peromyscus polionotus trissyllepsis*) (E), West Indian manatee (*Trichechus manatus*) (T), wood stork (*Mycteria americana*) (T), red knot (*Calidris canutus*) (T), piping plover (*Charadrius melodus*) (T), eastern indigo snake (*Drymarchon corais couperi*) (T), green sea turtle (*Chelonia mydas*) (T), Kemp's ridley sea turtle (*Lepidochelys kempi*) (E), and loggerhead sea turtle (*Caretta caretta*) (T). There is no designated critical habitat within the project's action area.

Preliminary review of this application and the above list of threatened or endangered species indicate the proposed activity may affect, but is not likely to adversely affect the wood stork and West Indian manatee. Additionally, the USACE has determined the proposed project will have no effect on the Alabama beach mouse, Perdido Key beach mouse, eastern indigo snake, red knot, piping plover, green sea turtle, Kemp's ridley sea turtle, and loggerhead sea turtle. This determination is being coordinated with the U.S. Fish and Wildlife Service and state agencies regarding any potential effects on the listed species via this Public Notice.

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 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 use 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 evaluate the impacts of this proposed activity and 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 discharges of dredged or fill material into waters of the United States will include the application of the Section 404(b)(1) guidelines established by the Administrator of the U.S. Environmental Protection Agency.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2019-00954-JCC**, and should be directed to the project manager, Ms. Jessica C. Comeaux by e-mail at Jessica.C.Comeaux@usace.army.mil, or to the USACE, Mobile District, Regulatory Division, Attention: Ms. Jessica C. Comeaux, 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, 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.

MOBILE DISTRICT
U.S. Army Corps of Engineers

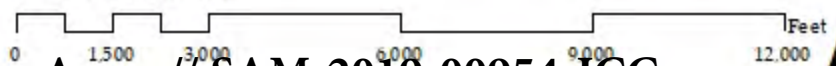
Attachments



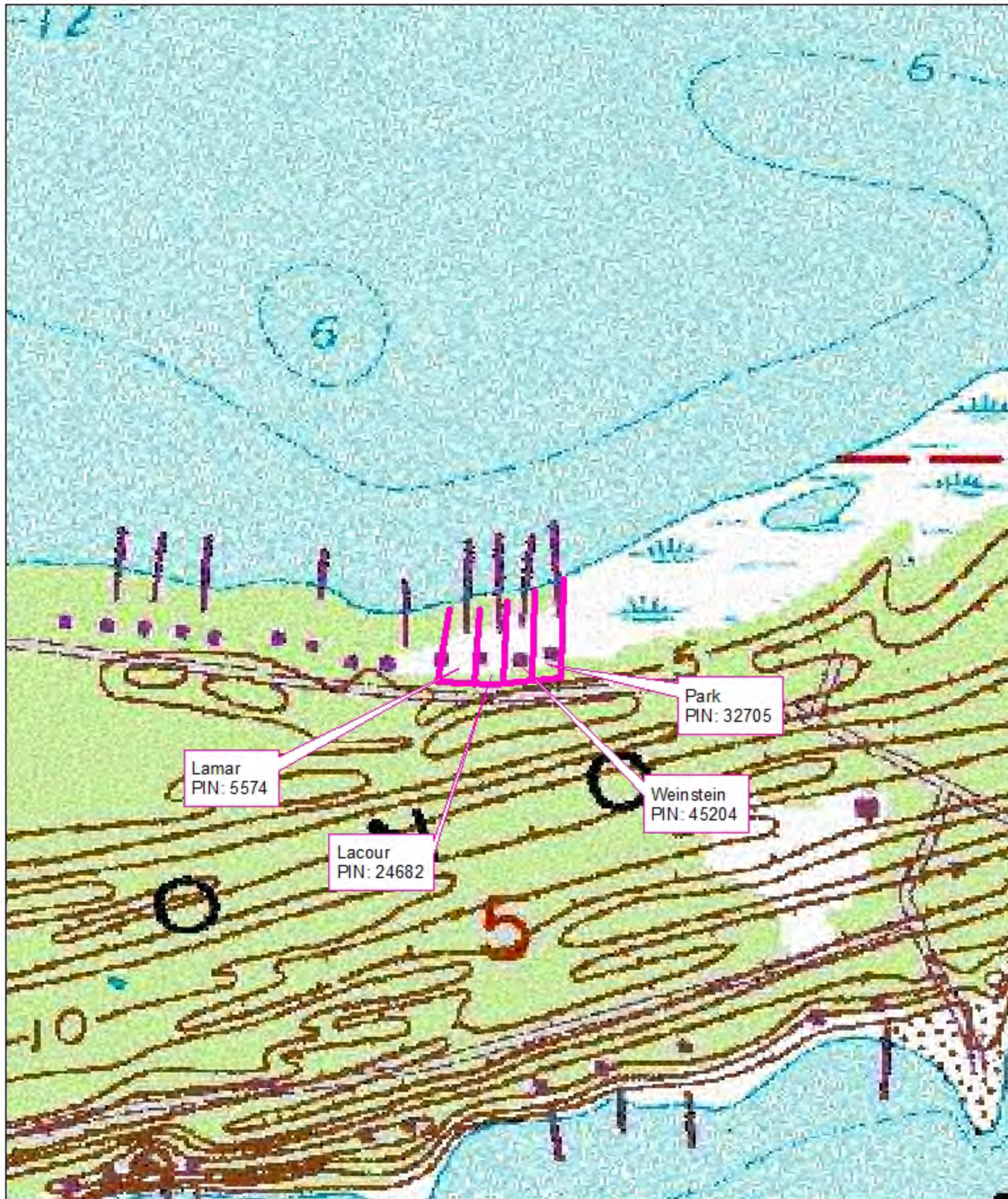
P.O. Box 361 Montrose, AL 36559
 Phone: 251-621-5006 Fax: 251-621-5058

Project LaCour Ono
 Applicant: Fritz LaCour
 1 inch = 3,000 feet

T-9-S, R-6-E, Sect. 5
 Orange Beach, AL



Department of the Army // SAM-2019-00954-JCC



EcoSolutions
ENVIRONMENTAL SCIENCE & TECHNOLOGY

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

Project LaCour Ono
Applicant: Fritz LaCour
1 inch = 400 feet

T-9-S, R-6-E, Sect. 5
Orange Beach, AL

0 200 400 800 1200 1600 Feet

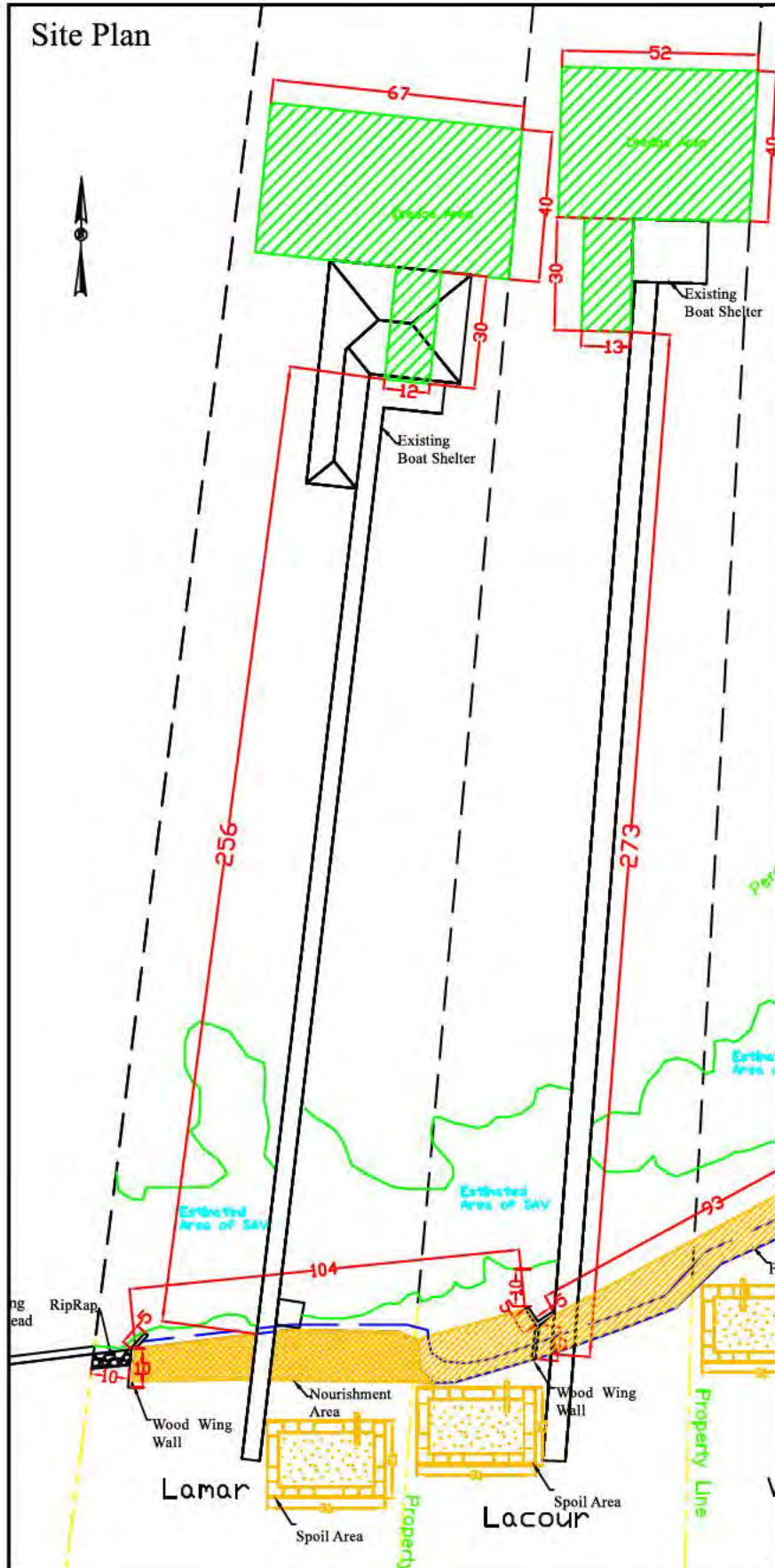
Department of the Army // SAM-2019-00954-JCC





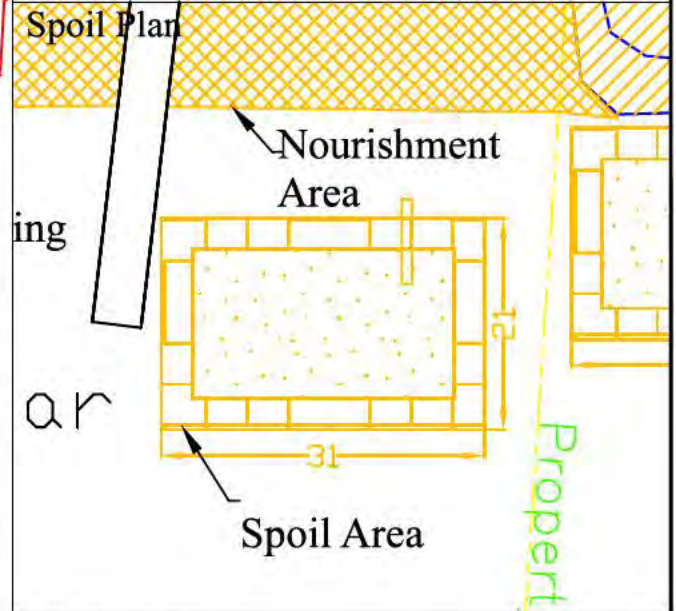
~~Department of the Army // SAM 2019-00954-JCC~~

Site Plan

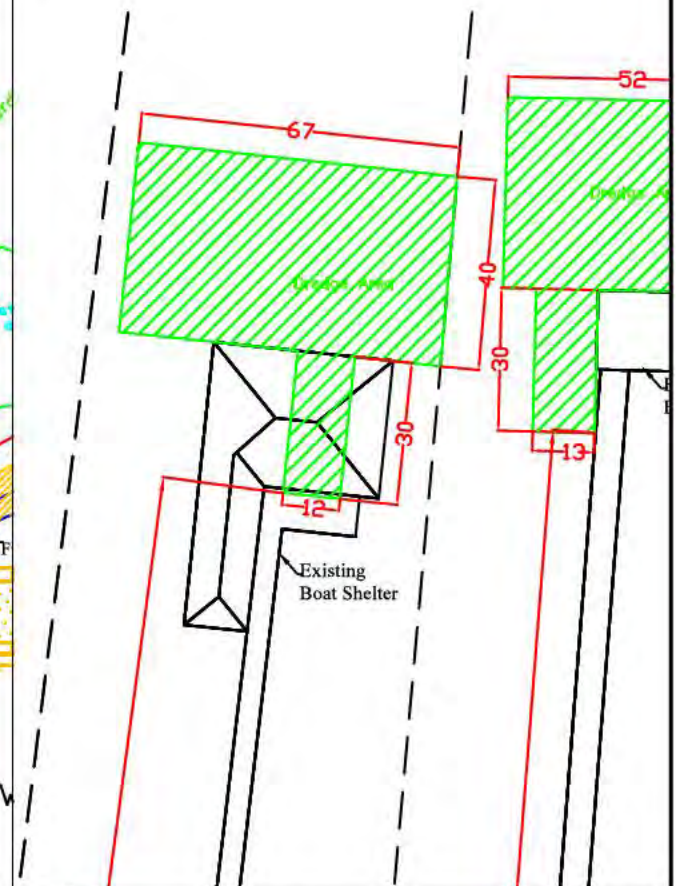


Dredge Area = 3,057 sq ft
Dredge Volume = 226 cu yds

Spoil Plan



Dredge Plan



Note: All dimensions shown are measured in feet. Drawings are for USACE, ADEM and AL State Lands permitting only and should not be used for construction.

A survey should be performed prior to placement of structures. Distances from existing structures were estimated based on aerial photos. This drawing is not to be relied on for construction.

Lamar Site

EcoSolutions
ENVIRONMENTAL, MARINE, MANAGEMENT & PLANNING

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

PREPARED FOR
William & Rosa Lamar
31457 Dolphin Dr
Orange Beach, Alabama

DRAWN BY
L. Ketcher
CHECKED BY
T. Hutchings

DATE OF LAST REVISION
March 18, 2020
SCALE AS STATED

FILE
Lamar Property 12.4.19

SHEET 1

Site Plan

Perdido Bay

Park

Existing Boat Shelter

Existing Boat Shelter

Proposed Boat Shelter

Est. Riparian Line

Mean Low Water Line

Mean High Water Line

Estimated Area of SAV

Fill Area

Wood Wing Wall

Existing Access Pier

Spoil Area

Property Line

Dimensions:

- 52, 40, 30, 13 (Left structure)
- 67, 40, 30, 13 (Top structure)
- 82, 13 (Middle structure)
- 273, 272, 171 (Distances along the shoreline)
- 100, 10 (Pier structure)
- 93, 45, 35, 25 (Bottom structure)


The diagram illustrates a 'Spoil Plan' for a construction site. It features a rectangular area defined by a yellow border, with a width of 31 and a height of 21. This area is labeled 'Fill Area' and 'Spoil Area'. A 'Prope' label is visible on the left side of the diagram.

Dredge Plan

The diagram illustrates a dredge plan with the following components and dimensions:

- Dredge Area:** A large rectangular area with a width of 67' and a length of 40'. It is labeled "Dredge Area" in green.
- Existing Boat Shelter:** A structure located below the dredge area, with a width of 13'.
- Est. Riparian Line:** A dashed line running vertically through the plan, labeled "Est. Riparian Line" in green.
- Other Dimensions:**
 - A vertical dimension of 82' is shown on the right side of the dredge area.
 - A horizontal dimension of 30' is shown on the right side of the dredge area.
 - A horizontal dimension of 13' is shown at the bottom right of the dredge area.
 - A vertical dimension of 40' is shown on the left side of the dredge area.

A survey should be performed prior to placement of structures. Distances from existing structures were estimated based on aerial photos. This drawing is not to be relied on for construction.

Eco  **Solutions**

PREPARED FOR
Lucy D Weinstein
31495 Dolphin Dr
Orange Beach, Alabama

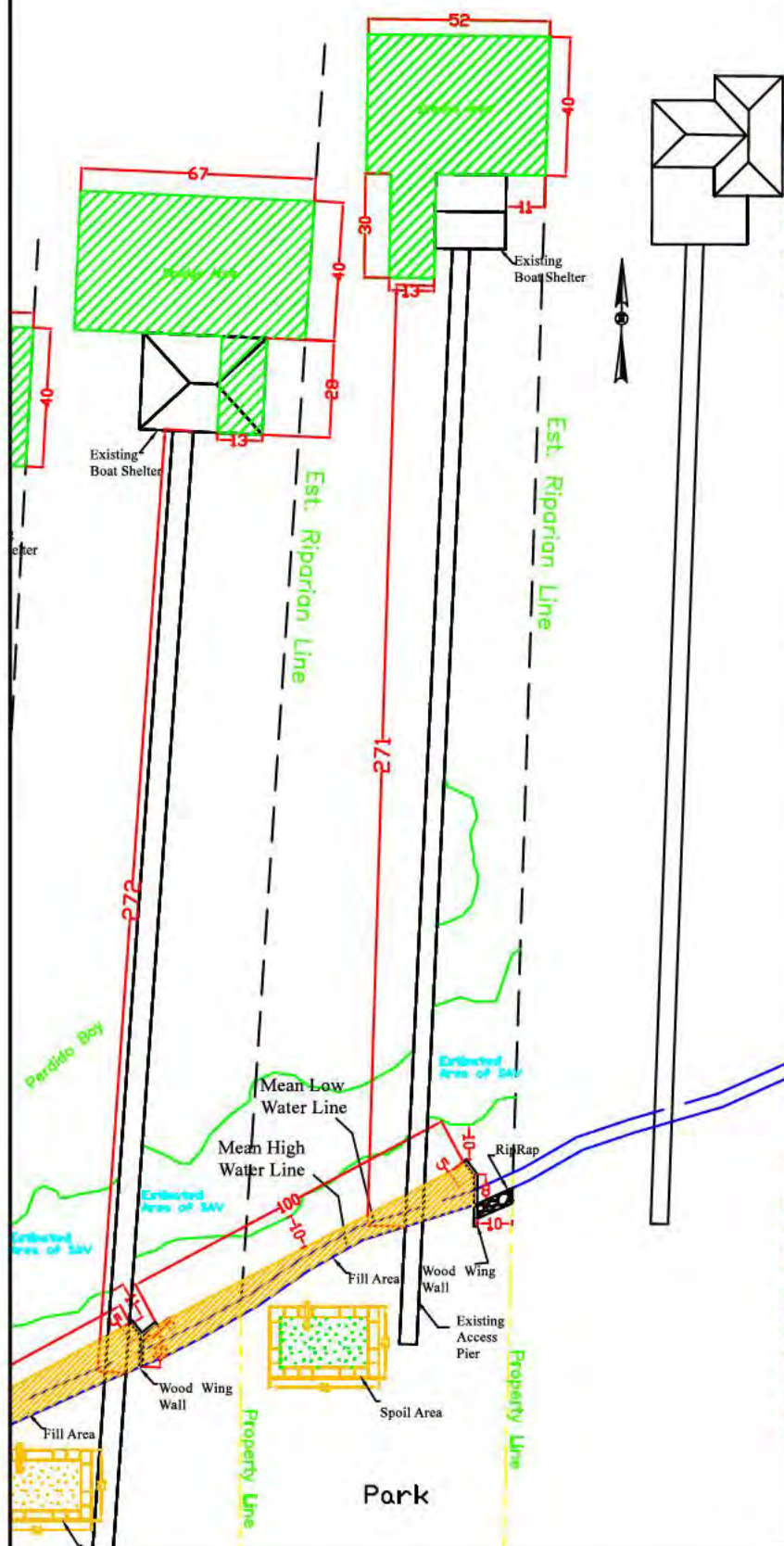
DRAWN BY
L. Karcher
CHECKED BY
T. Hutchins

DATE OF LAST REVISION	March 4, 2020
SCALE AS STATED	

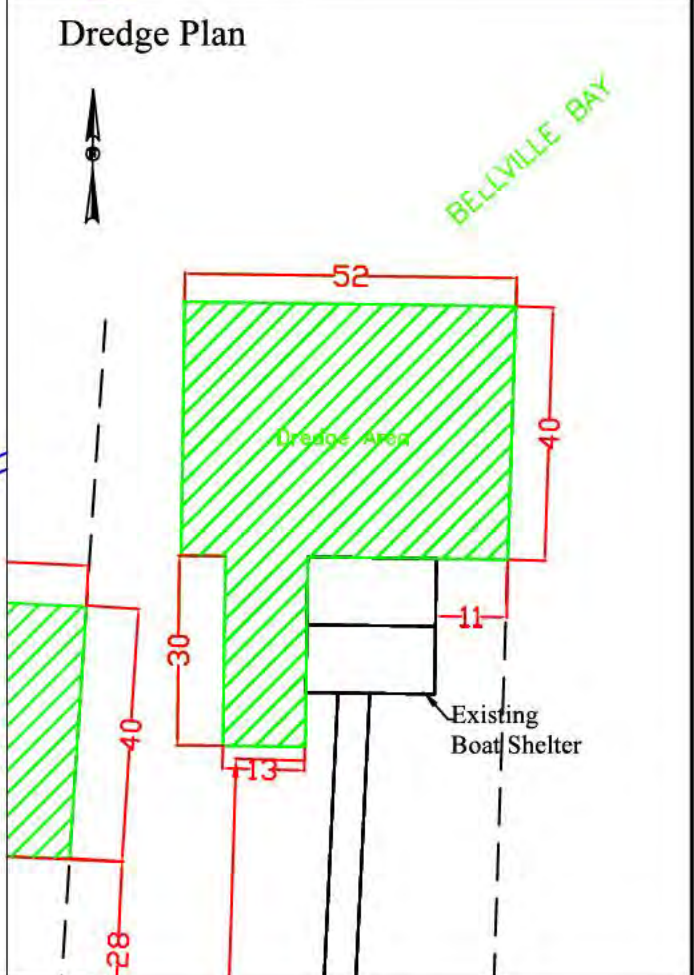
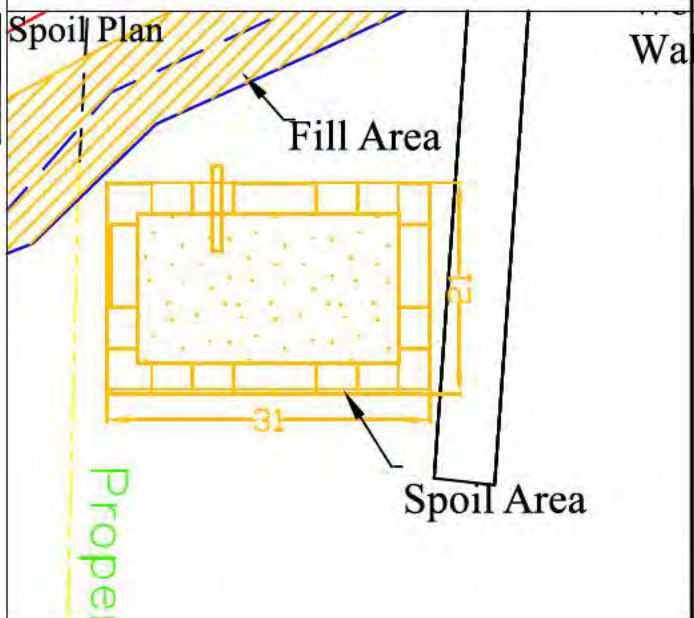
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	SHEET 1

Weinstein Property 12.4.19

Site Plan



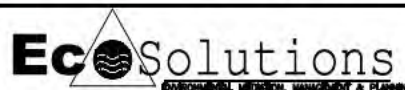
Dredge Area = 2,467 sq ft
Dredge Volume = 182cu yds



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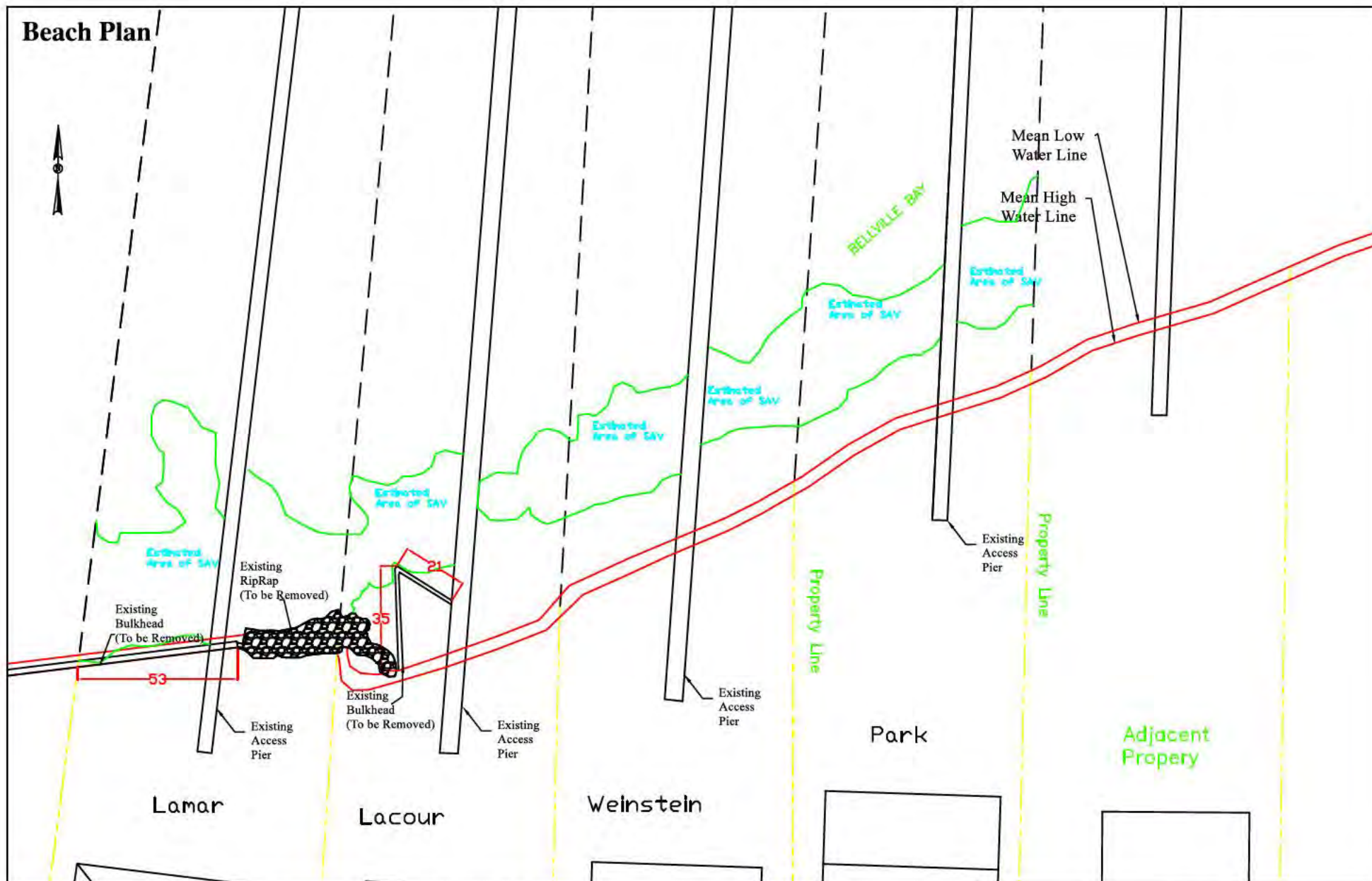
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Park Site



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

PREPARED FOR	DRAWN BY	DATE OF LAST REVISION	FILE
Ron & Judith Park 31507 Dolphin Dr Orange Beach, Alabama	L. Karcher	March 4, 2020	Park Property 12.4.19
	CHECKED BY	SCALE AS STATED	SHEET 1
	T. Mutchings		



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Existing Beach Plan

EcoSolutions
ENVIRONMENTAL, NEUTRON, MANAGEMENT & PLANNING

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

PREPARED FOR
Ran & Judith Park
31507 Dolphin Dr
Orange Beach, Alabama

Drawn by
L. Karcher
Checked by
T. Hutchings

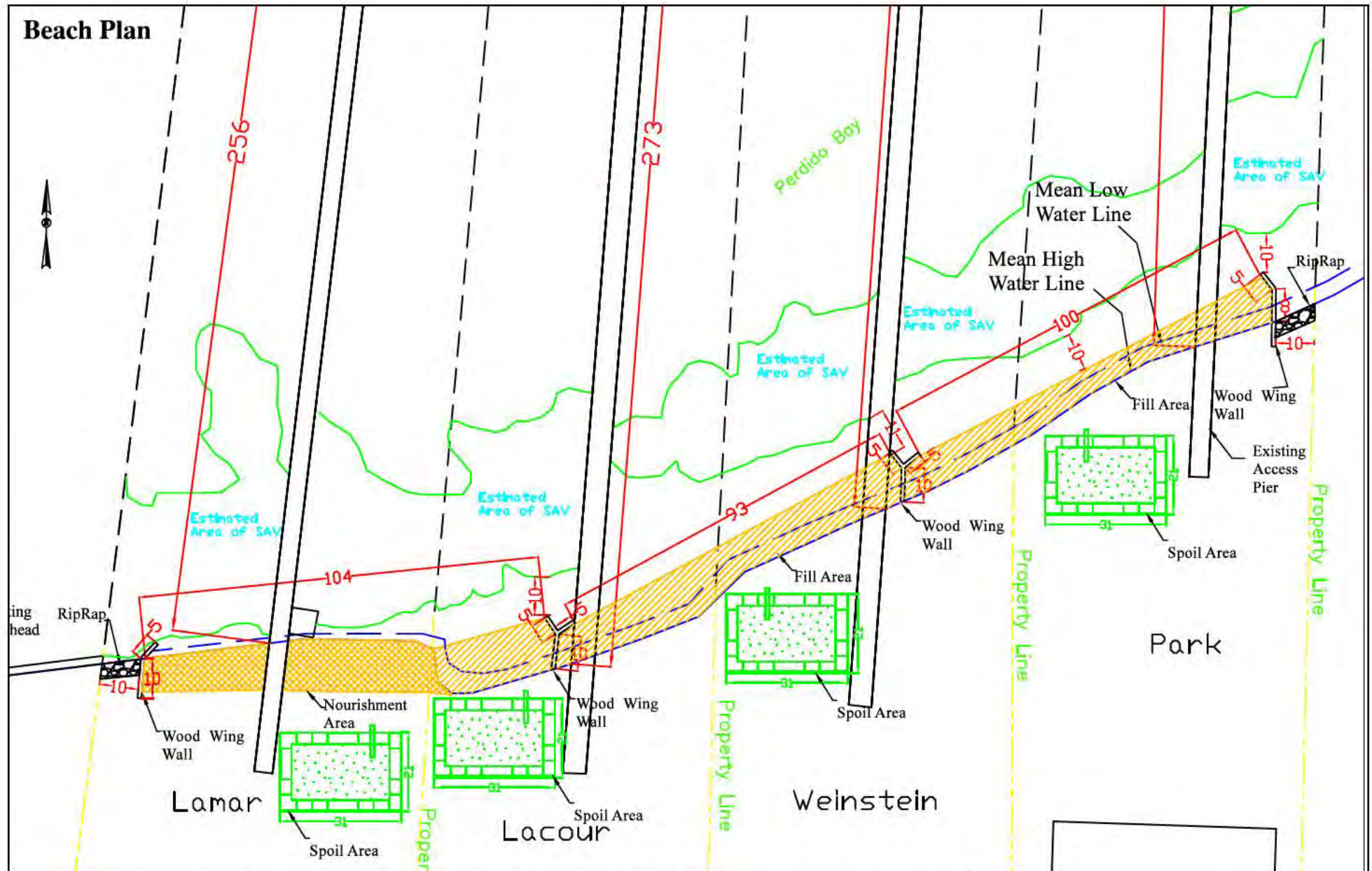
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March 5, 2020
SCALE AS STATED

Park Property 12.4.19

SHEET 1

Park Property 12.4.19

Beach Plan



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Fill Area = 2,386 sq ft
 Fill Volume = 300 cu yds
 Nourishment Area = 853 sq ft
 Nourishment Volume = 70 cu yds
 Riprap Area = 80 sq ft
 Riprap Volume = 10 cubic yards

Overall Beach Plan

EcoSolutions
 ENVIRONMENTAL RESEARCH, MANAGEMENT & PLANNING

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

PREPARED FOR:
 Ron & Judith Park
 31507 Dolphin Dr
 Orange Beach, Alabama

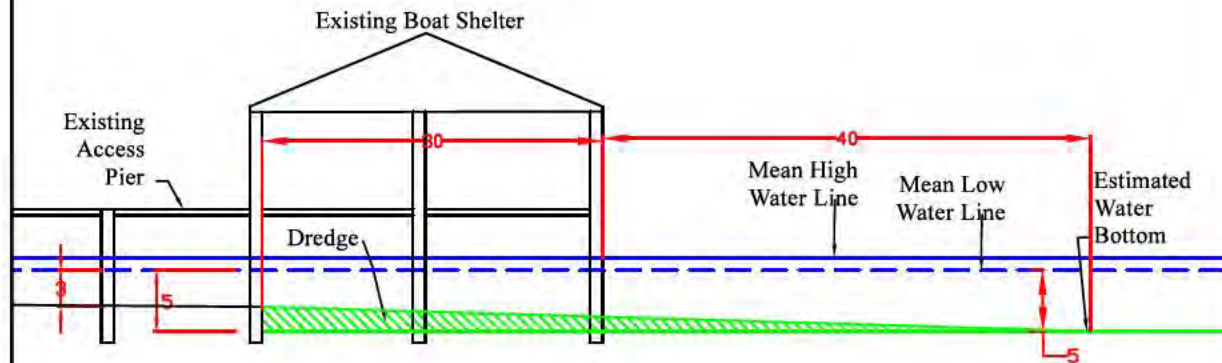
DESIGNED BY:
 L. Karcher
 T. Hutchings

DATE OF LAST REVISION:
 March 18, 2020
 SCALE: AS STATED

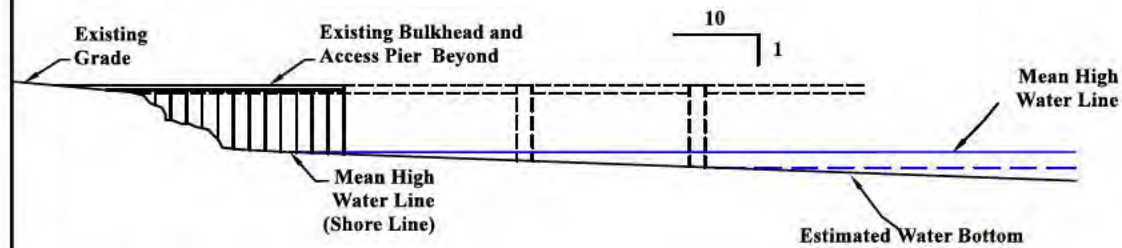
PROJECT:
 Park Property 12.4.19

SHEET 2

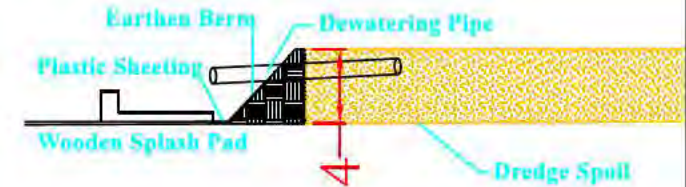
Dredge Section



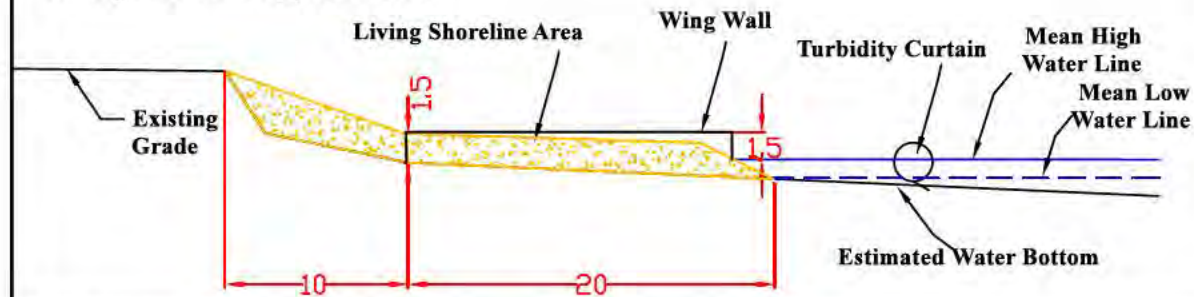
Existing Shoreline



Spoil Section



Living Shoreline Typical Section



Note: All dimensions shown are measured in feet. Drawings are for USACE, ADEM and AL State Lands permitting only and should not be used for construction.

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Lamar Dredge Plan



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

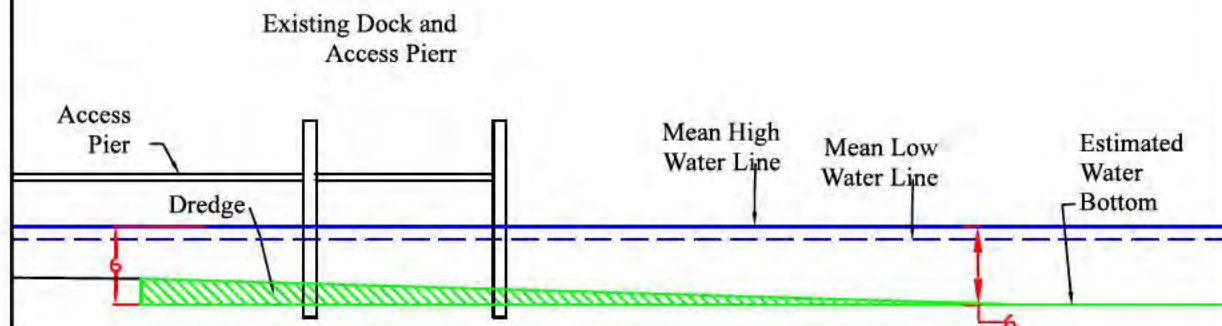
DESIGNED BY
William & Rose Lamar
31457 Dolphin Dr
Orange Beach, Alabama

DRAWN BY
L. Karcher
CHECKED BY
T. Hutchings

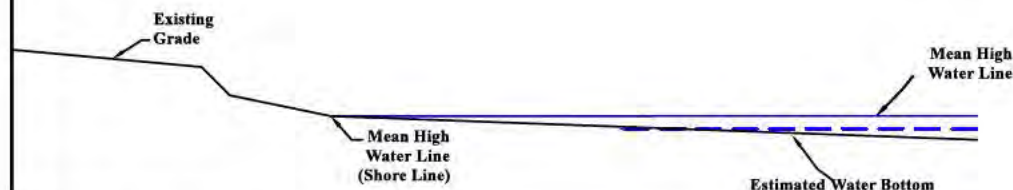
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March 18, 2020
SCALE AS STATED

FILE
Lamar Property 12.4.19
SHEET 2

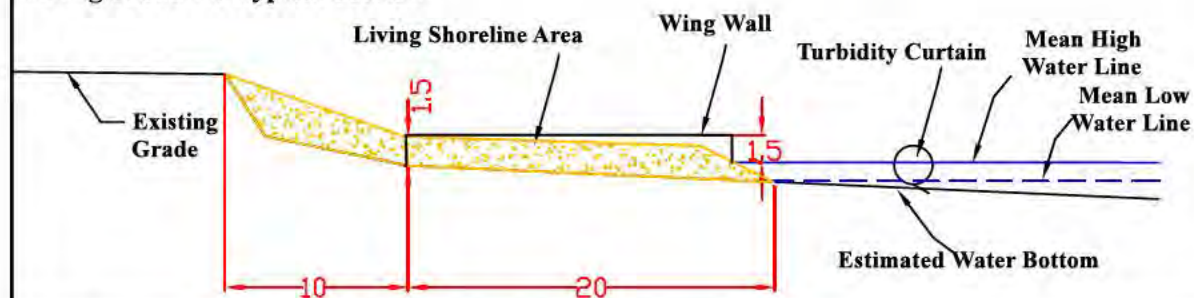
Dredge Section



Existing Shoreline



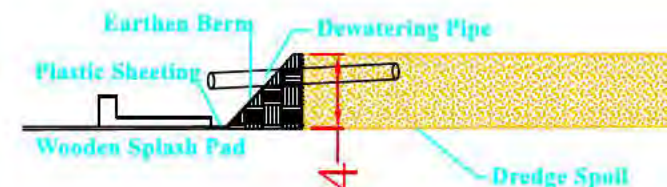
Living Shoreline Typical Section



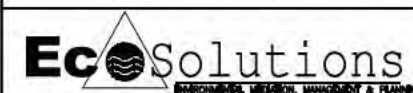
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Spoil Section



Lacour Dredge Section



P.O. BOX 361
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(251) 621-5006

DESIGNED BY
Fritz & Verna Lacour
31479 Dolphin Dr
Orange Beach, Alabama

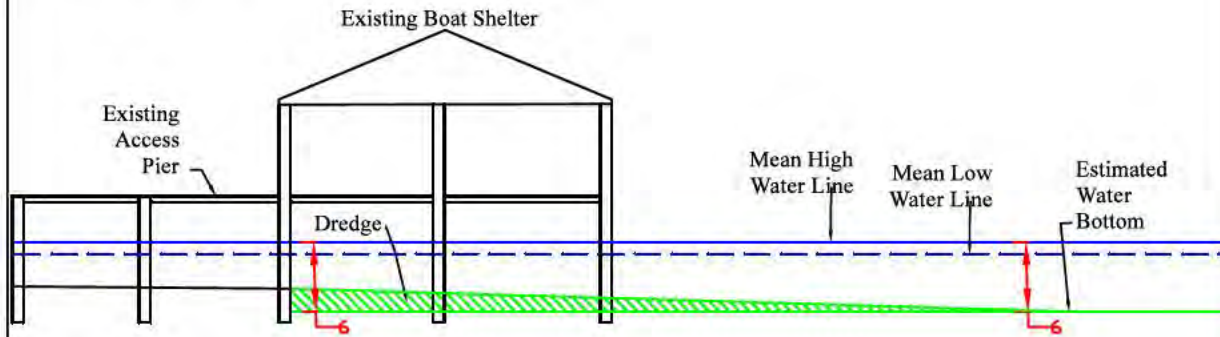
DRAWN BY
L. Karcher
CHECKED BY
T. Hutchings

DATE OF LAST REVISION
March 18, 2020
SCALE AS STATED

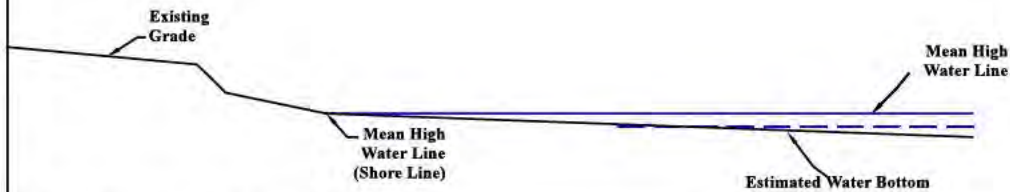
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Lacour Property 12.4.19

SHEET 2

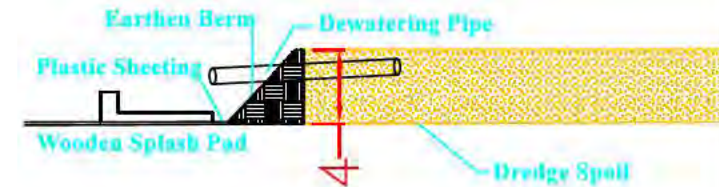
Dredge Section



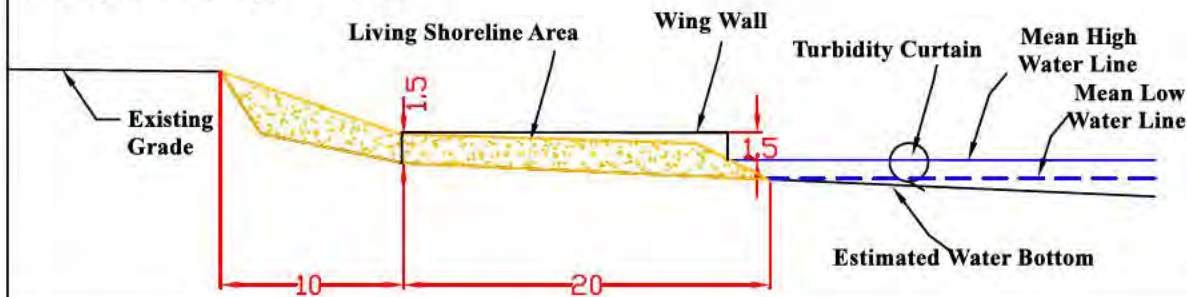
Existing Shoreline



Spoil Section



Living Shoreline Typical Section



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Weinstein Beach Plan

EcoSolutions
SPECIALIZING IN MARINE, WATERSHED & PLAINS

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

PREPARED FOR
Lucy D. Weinstein
31495 Dolphin Dr
Orange Beach, Alabama

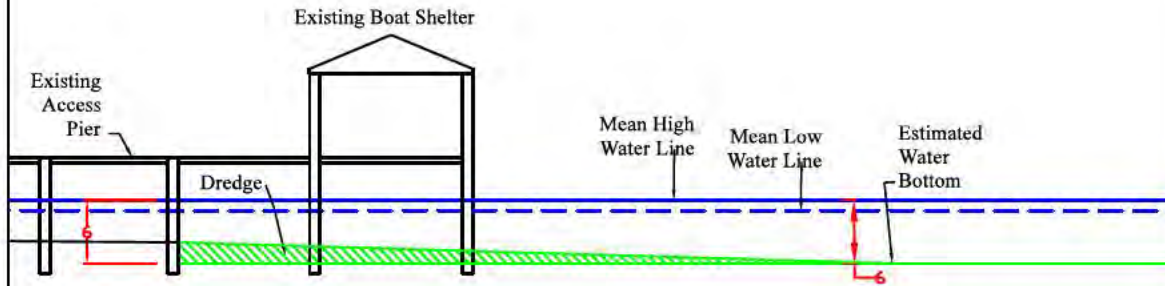
DRAWN BY
L. Karcher
CHECKED BY
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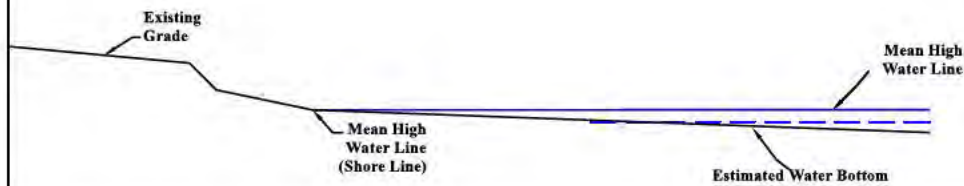
FILE
Weinstein Property 12.4.19

SHEET 2

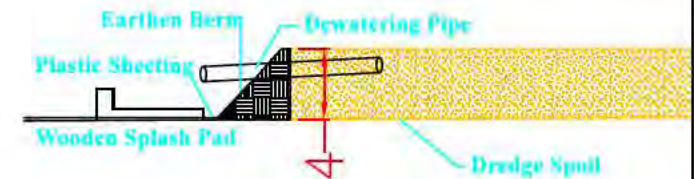
Dredge Section



Existing Shoreline



Spoil Section



Living Shoreline Typical Section



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Park Dredge Section



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

DESIGNED BY
Ron & Judith Park
31507 Dolphin Dr
Orange Beach, Alabama

DRAWN BY
L. Karcher
T. Hutchings

DATE OF LAST REVISION
March 18, 2020
SCALE AS STATED

Park Property 12.4.19

SHEET 2