



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-2021-00876-JCC

December 8, 2021

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

REQUEST TO DISCHARGE FILL MATERIAL IN THE GULF OF MEXICO TO
REPAIR GULF STATE PARK PIER AND TO USE DAMAGED PILES AS
REEF MATERIAL IN GULF SHORES, 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: Alabama Department of Conservation & Natural Resources
Attention: Mr. Terry Boyd, P.E.
64 North Union Street, Room 483
Montgomery, Alabama 36104

AGENT: Thompson Engineering, Inc.
Attention: Mr. Stephen O'Hearn
297 Cottage Hill Road, Suite 190
Mobile, Alabama 36606

LOCATION: The proposed project is located within the Gulf of Mexico; near 20800 East Beach Boulevard; at Latitude 30.246404°, Longitude -87.666952°; Gulf Shores, Baldwin County, Alabama.

PROJECT PURPOSE: The basic project purpose is to perform maintenance at the Gulf State Park. The overall project purpose is to return the park and pier to pre-Hurricane Sally conditions and to repurpose material from the damaged pier structure to create additional fishing reefs.

PROPOSED WORK: The applicant proposes to rebuild the Gulf State Park pier to previous specifications and to place 10,450 cubic yards of commercially obtained sand material within 92,550 square feet (2.12 acres) of open water to replace material lost to scour due to storm damage. The final grade of fill areas would measure -25 feet below mean high water (MHW). Additionally, the applicant proposes to create five (5) new reef areas in locations depicted on the attached site plans using damaged piles and caps located at the pier. The proposed materials would be removed by barge via crane and placed by crane and divers at the new locations. Water depths in the area are approximately -20 feet below MHW. Clearance

above the reefs would be -15 feet below MHW, similar to the other twelve (12) existing reef structures at the project location.

AVOIDANCE & MINIMIZATION: The applicant has indicated that minimization of potentially adverse impacts will be accomplished during construction through the use of appropriate construction methods, equipment, and best management practices. 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.

MITIGATION: The provision of compensatory mitigation has not been proposed. The applicant has stated that while the project would result in impacts to 2.1 acres of water bottoms, the sand fill is a maintenance activity, and the ecological benefits of creating a fishing reef would offset the loss of functions and services provided by this resource.

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, as well as Coastal Zone Management (CZM) consistency certification in accordance with the Alabama Coastal Zone 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) within an established reasonable period of time.

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, which includes the footprint of the proposed dredge and fill areas that would be disturbed by construction of the project. 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 Mobile District is seeking comments regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. At this time, the USACE, Mobile District has made no determination regarding potential effects of the project on cultural/historic resources. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

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 permanently impact 2.1 acres of estuarine water column and water bottoms. Our initial determination is that the proposed action is not likely to adversely affect any EFH or federally managed fisheries due to the maintenance nature of the activity. Our final determination relative to project impacts and the need for mitigative measures is subject to review by and coordination with the National Marine Fisheries Service (NMFS).

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 federally-listed species are known or expected to occur within the project area: eastern indigo snake (T), green sea turtle (T), Kemp's Ridley sea turtle (E), Loggerhead sea turtle (T), Gulf sturgeon (T), smalltooth sawfish (E), and giant manta ray (T). The project action area is within designated Loggerhead sea turtle critical habitat. 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- 2021-00876-JCC**, and should be directed to the District Engineer, Mobile District, Regulatory Division, Attention: **Ms. Jessica C. Comeaux**, Post Office Box 2288, Mobile, Alabama 36628-0001, or by e-mail at jessica.c.comeaux@usace.army.mil, or (251) 690-3262. Copies of all comments should be furnished to the ADEM 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

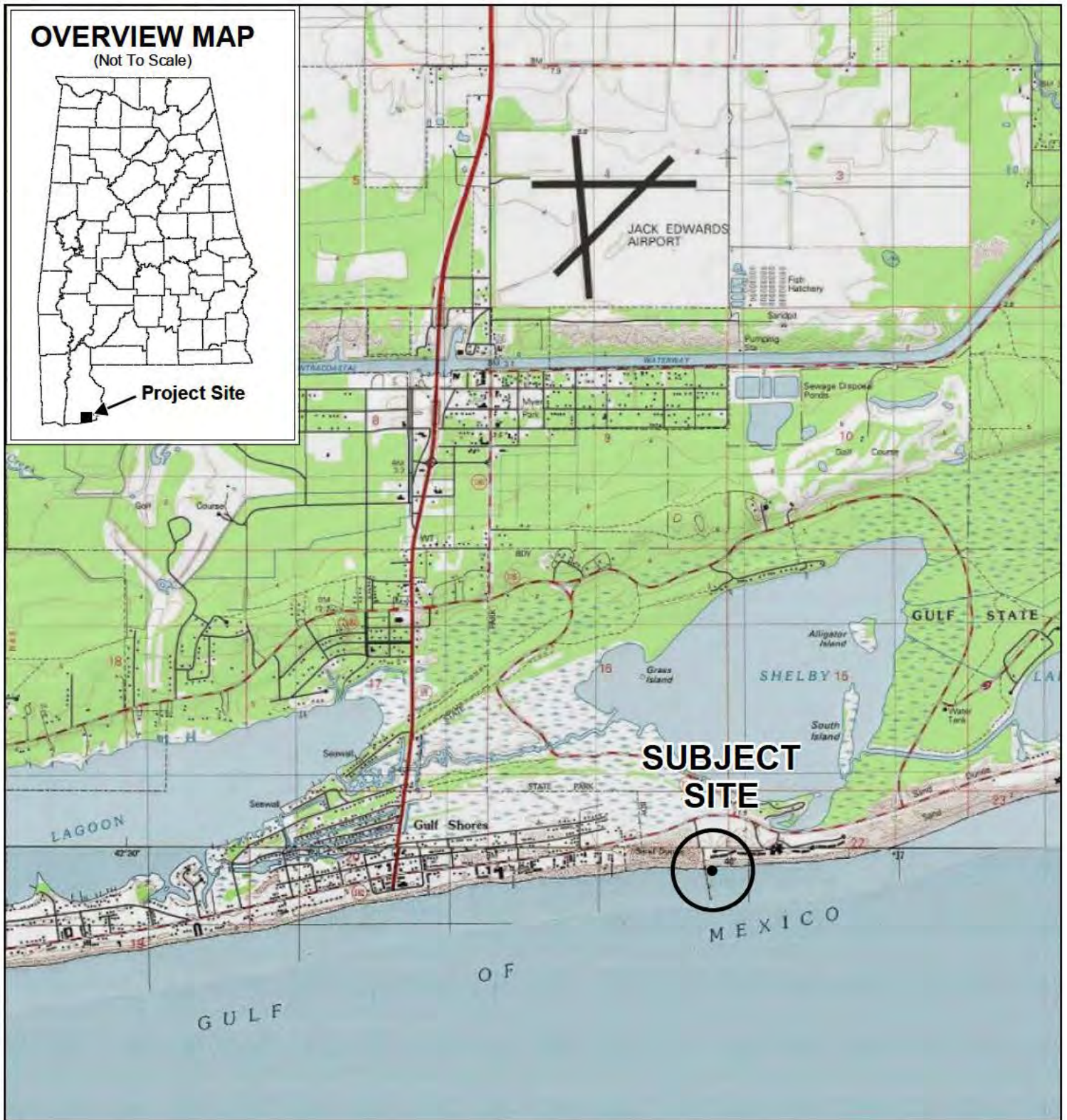
Attachments

OVERVIEW MAP

(Not To Scale)

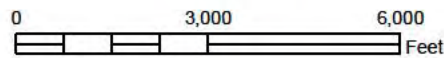


Project Site



SUBJECT SITE

1:36,000



1 in = 3,000 ft



*NOT A SURVEY - For representation purposes only.
Copyright © 2013 National Geographic Society, i-cubed Gulf Shores Quadrangles (Published 1981)

ALABAMA DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES
GULF STATE PARK PIER REPAIR
GULF SHORES, BALDWIN COUNTY, ALABAMA



FIGURE 1
SITE VICINITY MAP

PROJECT NO.:
20-1101-0262

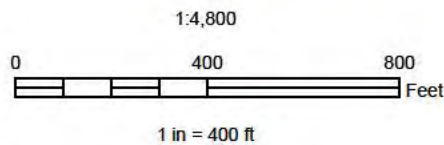
DATE:
SEPTEMBER 2021

P:\2020\Projects\110120-1101-0262_ADCNR_CSP_Report_Sally\Working\Environmental\GIS\MXD\Fig1.mxd



LEGEND

 Parcel Boundary



NOT A SURVEY - For representation purposes only.
 Baldwin County 2019 Parcel Data; *Georeferenced Google Earth Image Dated 11/17/2020

*Georeferencing defines the location of a non-spatial dataset to existing spatial data (target data) that resides in map coordinate system using a series of ground control points. Control points are locations that can be accurately identified on the raster dataset and in real-world coordinates. Due to the nature of georeferencing and the accuracy of control points and resulting warping of the original raster, the georeferenced image varies in accuracy.

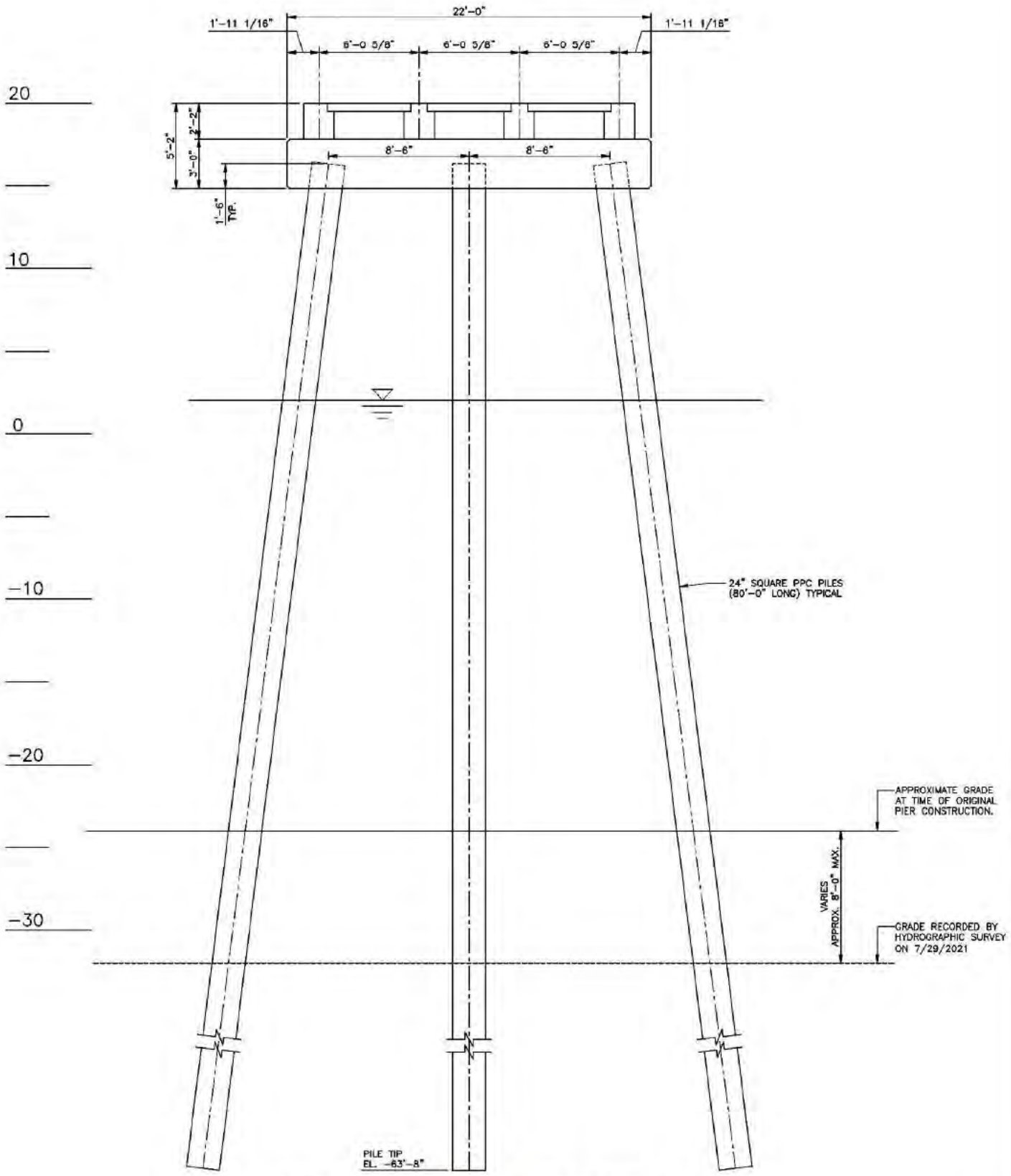
ALABAMA DEPARTMENT OF CONSERVATION
 AND NATURAL RESOURCES
 GULF STATE PARK PIER REPAIR
 GULF SHORES, BALDWIN COUNTY, ALABAMA



FIGURE 2
 SITE PLAN

PROJECT NO.:
 20-1101-0262

DATE:
 SEPTEMBER 2021



TYPICAL CROSS SECTION NEAR BENT 42

ALABAMA DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES
GULF STATE PARK PIER REPAIR
GULF SHORES, BALDWIN COUNTY, ALABAMA

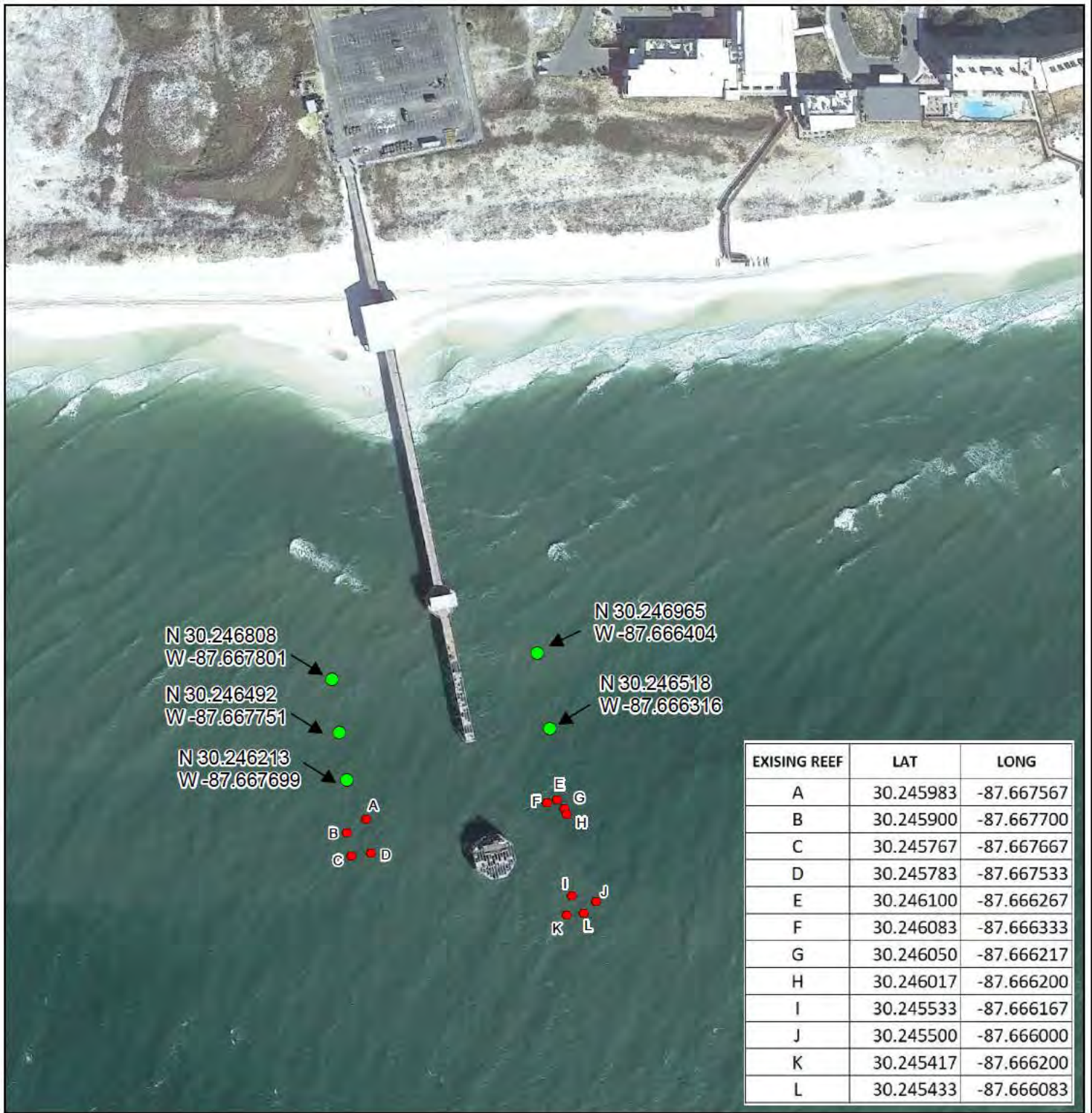


FIGURE 3
PROPOSED TYPICAL CROSS SECTION

PROJECT NO.:
20-1101-0262

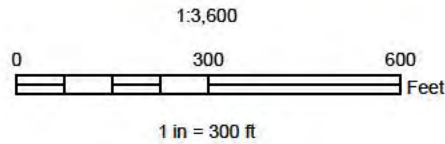
DATE:
SEPTEMBER 2021

P:\2020\Projects\11010262_ADCNRR_GSP_PierRepair_Safety\Working\Environmental\GIS\MXD\F33.mxd



LEGEND

- Existing Reef
- Planned Reef Location



NOT A SURVEY - For representation purposes only.
 *Georeferenced Google Earth Image Dated 11/17/2020

*Georeferencing defines the location of a non-spatial dataset to existing spatial data (target data) that resides in map coordinate system using a series of ground control points. Control points are locations that can be accurately identified on the raster dataset and in real-world coordinates. Due to the nature of georeferencing and the accuracy of control points and resulting warping of the original raster, the georeferenced image varies in accuracy.

ALABAMA DEPARTMENT OF CONSERVATION
 AND NATURAL RESOURCES
 GULF STATE PARK PIER REPAIR
 GULF SHORES, BALDWIN COUNTY, ALABAMA

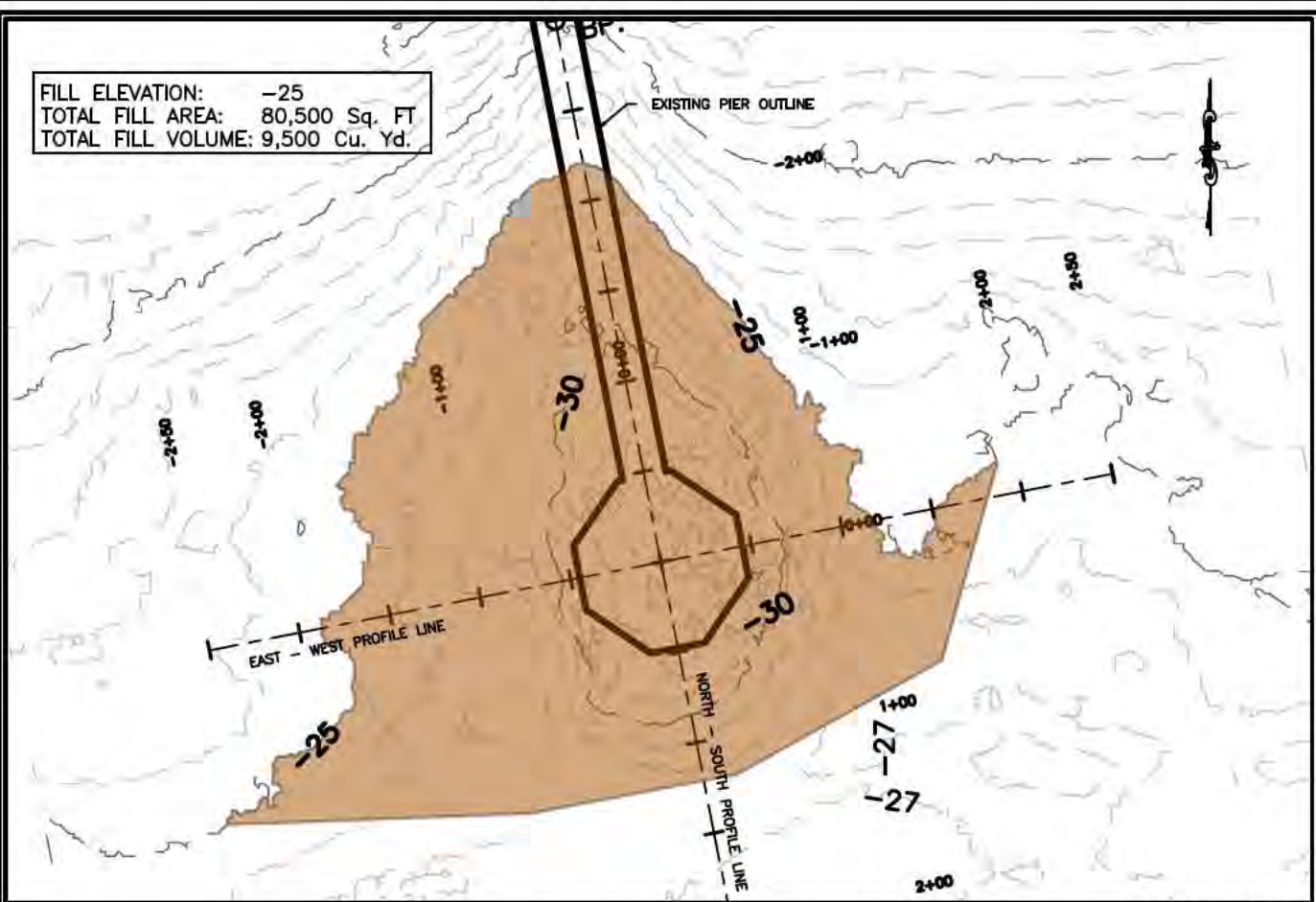


FIGURE 4
FISHING REEF LOCATIONS

PROJECT NO.:
 20-1101-0262

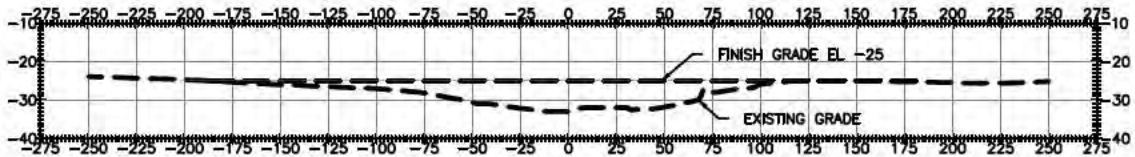
DATE:
 SEPTEMBER 2021

FILL ELEVATION: -25
 TOTAL FILL AREA: 80,500 Sq. FT
 TOTAL FILL VOLUME: 9,500 Cu. Yd.

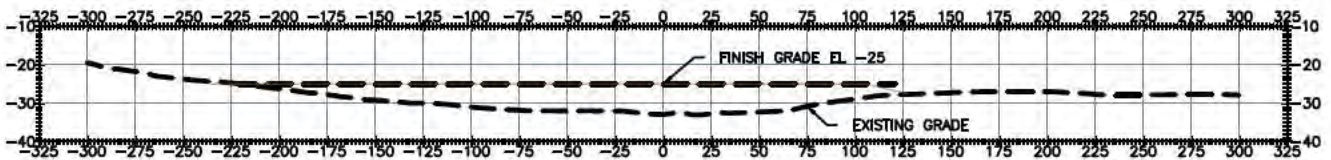


HORIZ SCALE: 1"=100'
 VERT SCALE: 1"=50'

EAST - WEST PROFILE SOUTH END



NORTH - SOUTH PROFILE SOUTH END



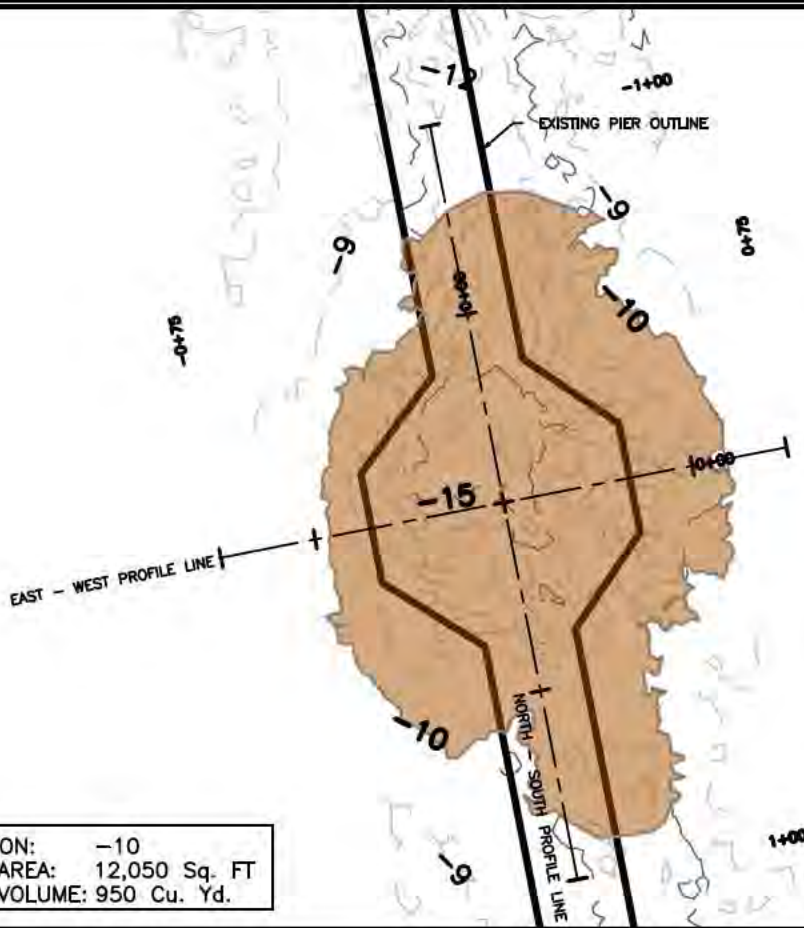
ALABAMA DEPARTMENT OF
 CONSERVATION AND NATURAL
 RESOURCES
 GULF STATE PARK PIER
 GULF SHORES, ALABAMA



FIGURE 5
 SOUTH END SCOUR AREA

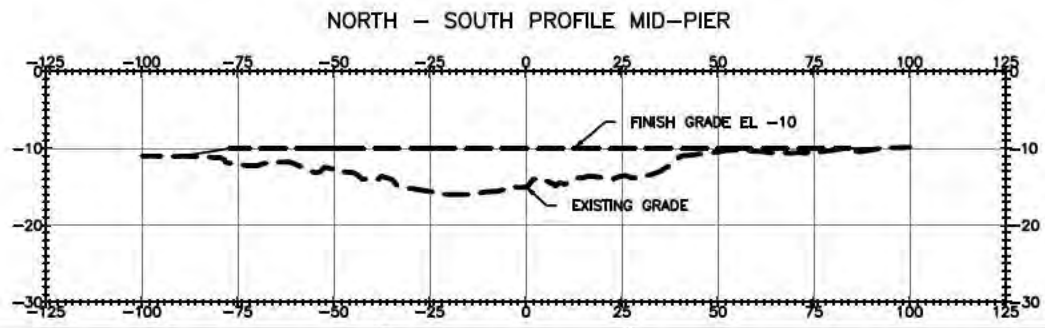
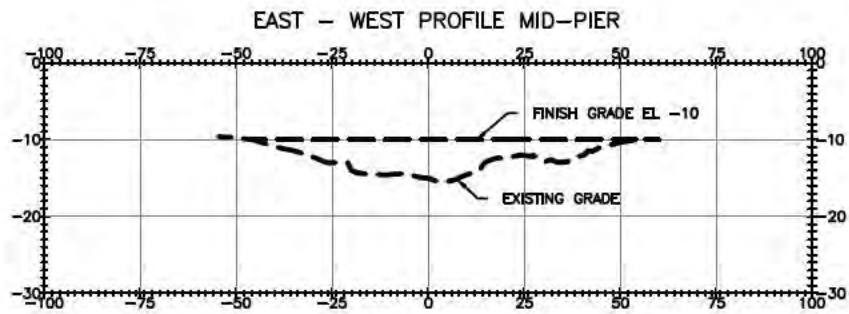
PROJECT NO:
 20-1101-0262

DATE:
 SEPTEMBER 2021



FILL ELEVATION: -10
 TOTAL FILL AREA: 12,050 Sq. FT
 TOTAL FILL VOLUME: 950 Cu. Yd.

HORIZ SCALE: 1"=50'
 VERT SCALE: 1"=25'



ALABAMA DEPARTMENT OF
 CONSERVATION AND NATURAL
 RESOURCES
 GULF STATE PARK PIER
 GULF SHORES, ALABAMA



FIGURE 6
 MID-PIER SCOUR AREA

PROJECT NO:
 20-1101-0262

DATE:
 SEPTEMBER 2021