



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-2023-00102-KNB

May 23, 2023

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

REQUEST TO PLACE FILL IN MOBILE BAY FOR SHORELINE PROTECTION IN
SPANISH FORT, 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: City of Spanish Fort
Attention: Ms. Rebecca Gaines
7361 Spanish Fort Boulevard
Spanish Fort, Alabama 36527

AGENT: Anchor QEA
Attention: Ms. Renee Robertson
9797 Timber Circle Suite B
Daphne, Alabama 36527

LOCATION: The proposed project is located on Mobile Bay, at 1250 Battleship Parkway; within Section 20, Township 4 South, Range 1 East; at Latitude 30.679642, Longitude - 88.001403; in Spanish Fort, Baldwin County, Alabama.

PROJECT PURPOSE: The project purpose is to repair and stabilize an eroded shoreline.

PROPOSED WORK: The applicant requests authorization to stabilize the existing shoreline to support development of the site as a park to improve public access to the bay along the causeway.

The applicant proposes mechanical excavation of 3,800 cubic yards of material from below the high tide line (HTL) within 32,500 square feet (0.75-acre) of shoreline area and waterbottom along 700 linear feet of Mobile Bay. Excavated material would be placed in the upland area and used as construction fill on the property. For shoreline stabilization, the applicant would then place 8,334 cubic yards of riprap rock revetment, underlay, and geotextile fabric within the 32,500 square feet (0.75-acre) excavation area. Approximately 3,500 cubic yards of this material would be placed at or below the HTL. All impacts will occur at least 10 feet away from submerged aquatic vegetation (SAV) in the area.

AVOIDANCE & MINIMIZATION: The applicant conducted an analysis of alternative project designs and configurations and chosen a project has been designed to avoid impacts to any submerged aquatic vegetation (SAV) that may be present within the project area. Furthermore, Best Management Practices (BMPs) will be implemented to prevent water quality impacts within Mobile Bay during project implementation. 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: Compensatory mitigation has not been proposed because the activity consists of construction of structures that would not adversely impact special aquatic sites. The USACE, Mobile District has not verified the adequacy of the applicant's mitigation efforts at this time.

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 would be made by the Alabama Department of Environmental Management (ADEM) within an established reasonable period.

This notice will serve as the notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401 (a)(2) of the Clean Water Act.

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 the upland portions of the property that would be impacted by the placement of the excavated fill. 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 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. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate. 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 result in temporary excavation and construction impacts to approximately 32,500 square feet (0.75-acres) of unvegetated substrate utilized by various life stages of multiple marine species within Mobile Bay. Our initial determination is that the proposed action would have no adverse effect on EFH or federally managed fisheries. 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: Alabama red-bellied turtle (E), West Indian manatee (T), wood stork (T), eastern indigo snake (T), eastern black rail (T), Kemp's Ridley sea turtle (E), Loggerhead sea turtle (T), and gulf sturgeon (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.

All comments should be received no later than 30 days from the date of this Public Notice. Correspondence concerning this notice should refer to Public Notice Number

SAM-2023-00102-KNB, 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) 508-4266. 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.

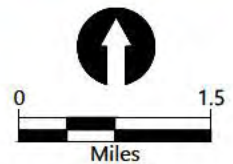
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



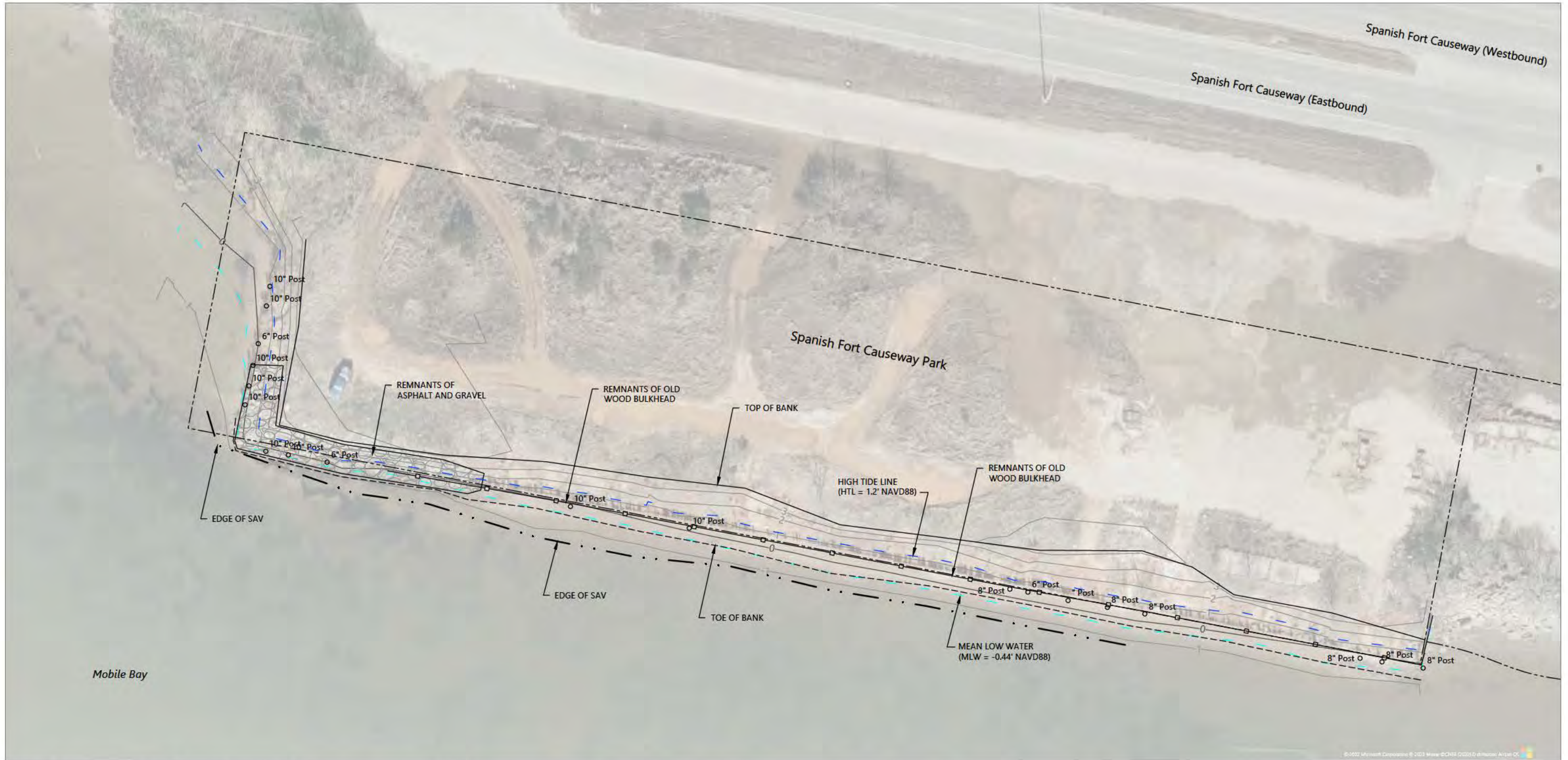
SOURCE: Contains information from OpenStreetMap, which is made available here under the Open Database License (ODbL).
HORIZONTAL DATUM: Alabama State Plane West Zone, NAD83, U.S. Survey Feet
VERTICAL DATUM: NAVD88



Publish Date: 2023/04/28 9:05 AM | User: dholmer
 Filepath: K:\Projects\2832-Spanish Fort Causeway Park Services\Causeway Park\2832-RP-002 (Vicinity Map).dwg Figure 1 (Permit)



Figure 1
Vicinity Map

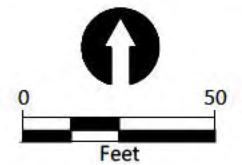


SOURCE: Aerial ©2022 Microsoft Corporation ©2022 Maxar
 ©CNES (2022) Distribution Airbus DS
HORIZONTAL DATUM: Alabama State Plane West Zone,
 NAD83, U.S. Survey Feet
VERTICAL DATUM: NAVD88

NOTE: SAV = Submerged Aquatic Vegetation

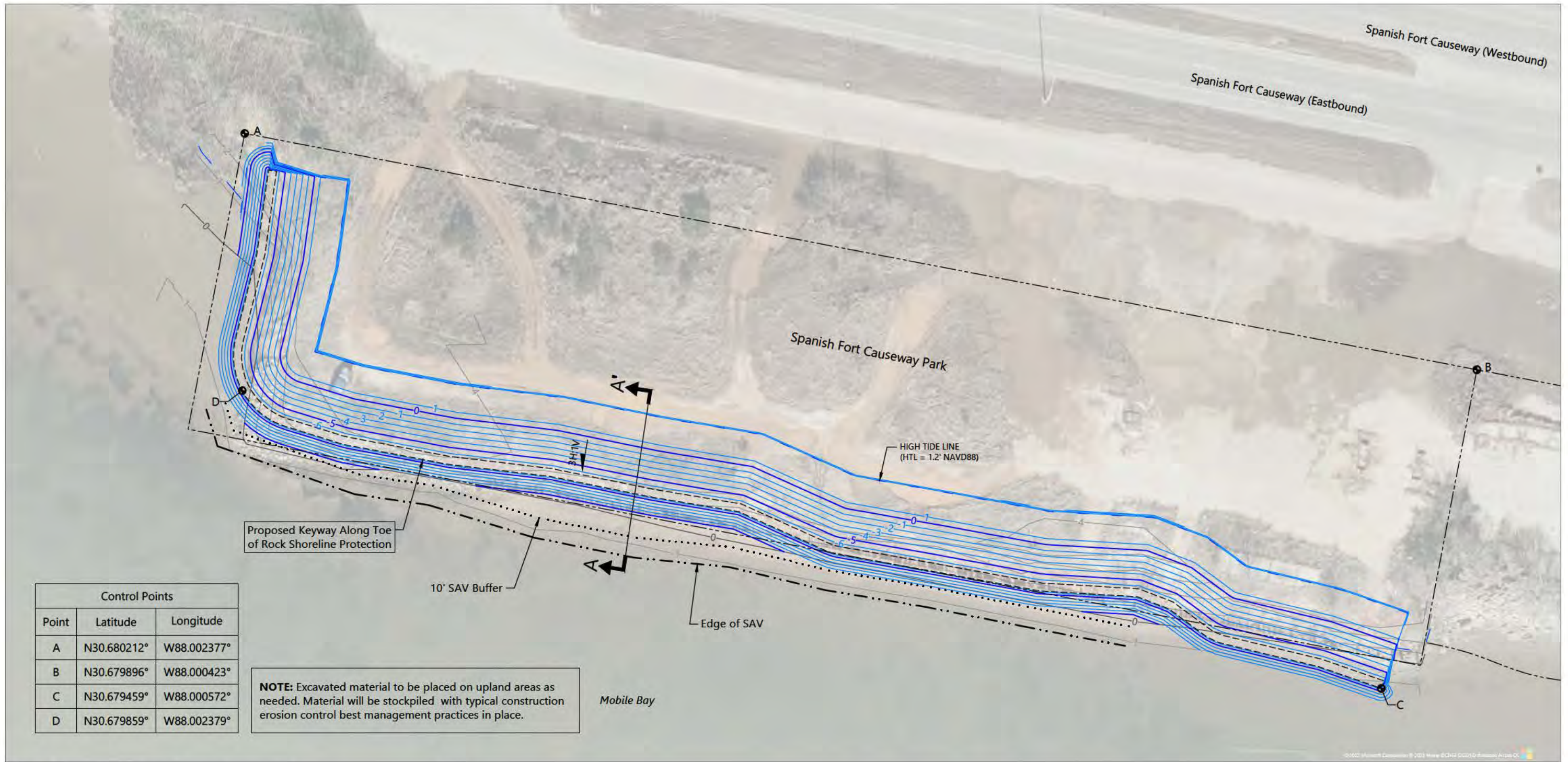
LEGEND:

- Existing Topography (1' & 5' Contours)
- - - - - Toe of Existing Bank
- - - - - Edge of SAV
- - - - - Remnant of Old Wooden Bulkhead
- 10" Post ○ Existing Wooden Post and Diameter
- - - - - Baldwin County Parcel Boundary



Publish Date: 2023/04/28 9:05 AM | User: dholmer
 Filepath: K:\Projects\2832-Spanish Fort Causeway Park Services\Causeway Park\2832-PMT-003 (Existing Conditions).dwg Figure 2





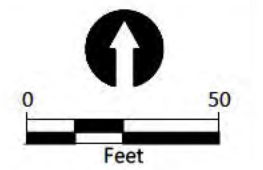
Control Points		
Point	Latitude	Longitude
A	N30.680212°	W88.002377°
B	N30.679896°	W88.000423°
C	N30.679459°	W88.000572°
D	N30.679859°	W88.002379°

NOTE: Excavated material to be placed on upland areas as needed. Material will be stockpiled with typical construction erosion control best management practices in place.

SOURCE: Aerial ©2022 Microsoft Corporation ©2022 Maxar
 ©CNES (2022) Distribution Airbus DS
HORIZONTAL DATUM: Alabama State Plane West Zone, NAD83, U.S. Survey Feet
VERTICAL DATUM: NAVD88
NOTE: SAV = Submerged Aquatic Vegetation

LEGEND:
 — Existing Topography (1' & 5' Contours)
 — Proposed Excavation (1' & 5' Contours)
 3H:1V Slope (Horizontal:Vertical)

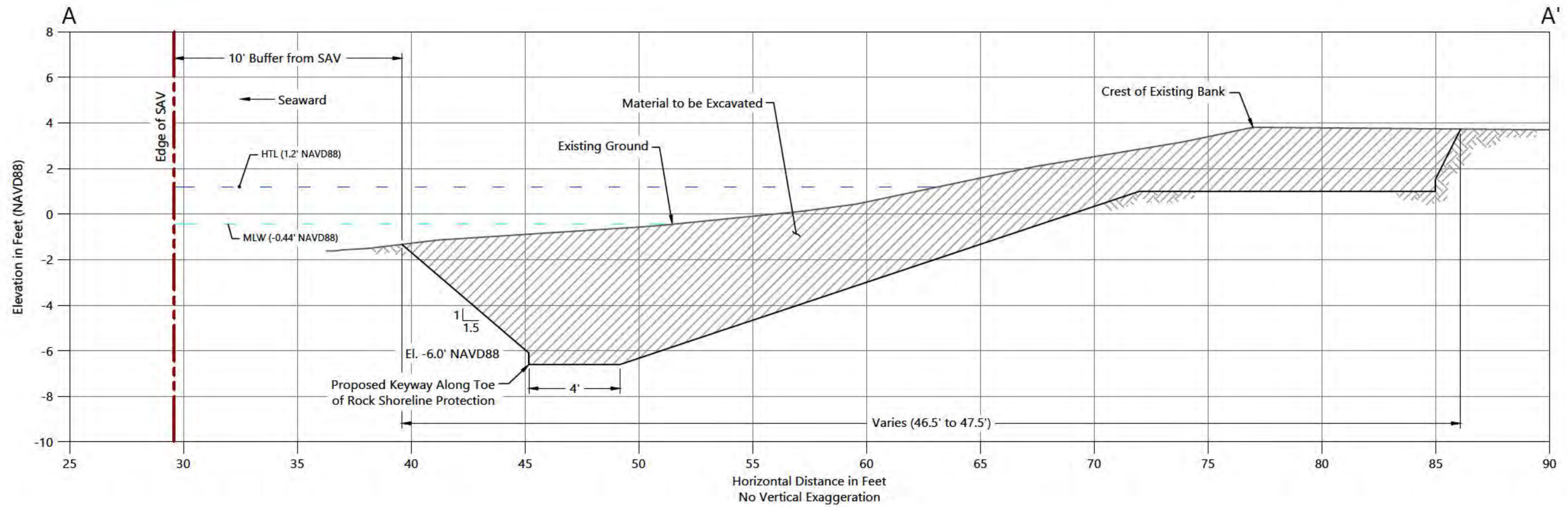
A ● Control Point Location and Designation
 A A Cross Section Location and Designation (See Figure 4)



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 Filepath: K:\Projects\2832-Spanish Fort Causeway Park Services\Causeway Park\2832-PMT-006 (Excavation Plan).dwg Figure 3

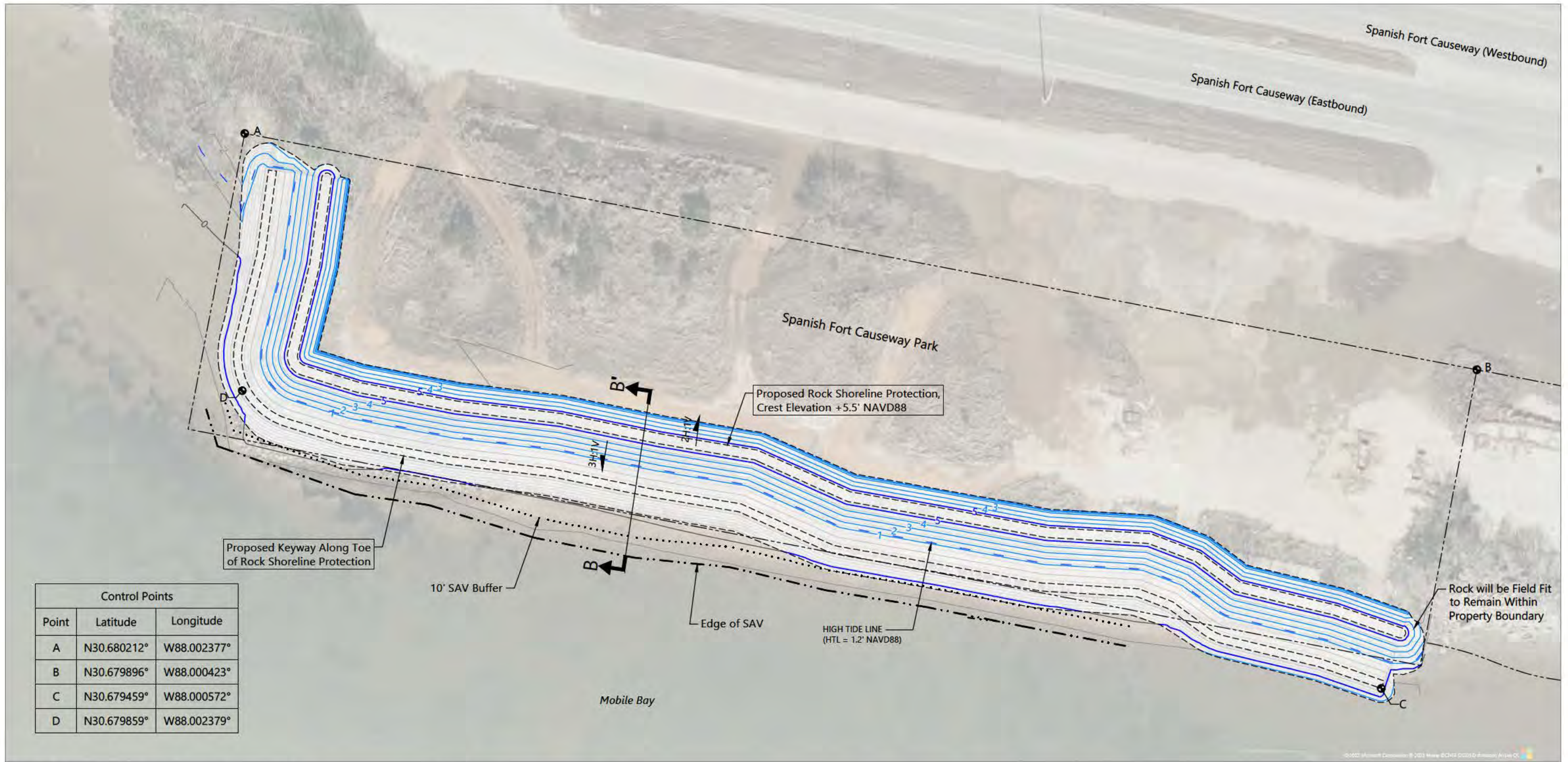


Figure 3
Proposed Excavation Plan View
 Joint USACE ADEM Permit Application
 Spanish Fort Causeway Park Shoreline Protection



Total Excavation Volume: 5870 CY (Cut)
 Excavation Volume Below HTL: 3799 CY (Cut)



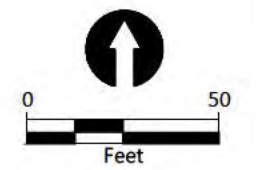


Control Points		
Point	Latitude	Longitude
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C	N30.679459°	W88.000572°
D	N30.679859°	W88.002379°

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HORIZONTAL DATUM: Alabama State Plane West Zone,
 NAD83, U.S. Survey Feet
VERTICAL DATUM: NAVD88
NOTE: SAV = Submerged Aquatic Vegetation

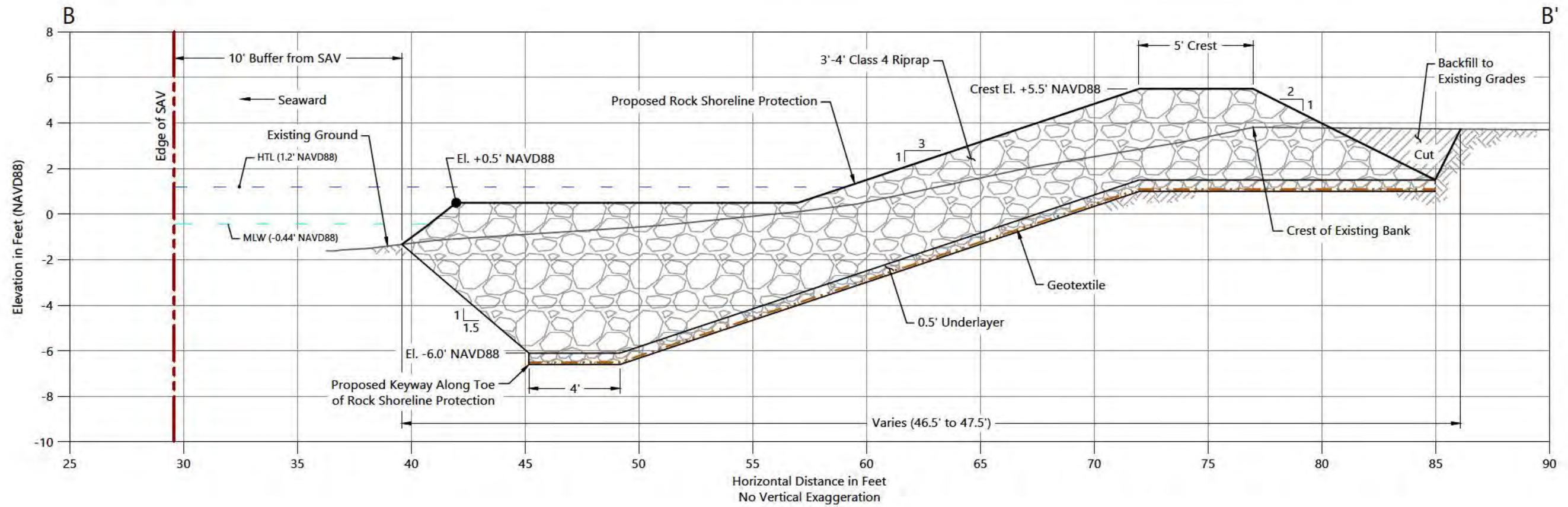
LEGEND:
 — Existing Topography (1' & 5' Contours)
 — Proposed Rock Shoreline Protection (1' & 5' Contours), 32,500 Square Feet
 3H:1V Slope (Horizontal:Vertical)

A ● Control Point Location and Designation
 B ↑ Cross Section Location and Designation (See Figure 6)



Publish Date: 2023/04/28 9:05 AM | User: dholmer
 Filepath: K:\Projects\2832-Spanish Fort Causeway Park Services\Causeway Park\2832-PMT-004 (Shoreline Protection).dwg Figure 5





6" Underlayer Volume: 501 CY (Fill)
 Total Class 4 Riprap Volume: 4834 CY (Fill)
 Class 4 Riprap Volume Below HTL: 3051 CY (Fill)

Publish Date: 2023/05/19 11:42 AM | User: psciaba
 Filepath: K:\Projects\2832-Spanish Fort Causeway Park Services\Causeway Park\Record of Submittal\Joint USACE ADEM Permit Application Spanish Fort Causeway Park-20230421\20230421 2832-PMT-004 (Shoreline Protection).dwg Figure 6



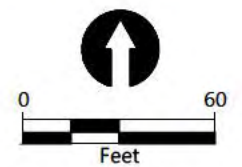
Figure 6
Proposed Rock Shoreline Protection Cross Section

Joint USACE ADEM Permit Application
 Spanish Fort Causeway Park Shoreline Protection



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HORIZONTAL DATUM: Alabama State Plane West Zone,
 NAD83, U.S. Survey Feet
VERTICAL DATUM: NAVD88

LEGEND:
 — 5 — Existing Topography (1' & 5' Contours)
 — □ — Remnant of Old Wooden Bulkhead
 - - - - - Baldwin County Parcel Boundary
 Spanish Fort, City of — Property Owner
 05-31-04-20-0-000-008.000 — Parcel Number



Publish Date: 2023/04/28 9:06 AM | User: dholmer
 Filepath: K:\Projects\2832-Spanish Fort Causeway Park Services\Causeway Park\2832-PMT-005 (Parcel Boundaries).dwg Figure 7

