



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

CESAM RD-SP
PUBLIC NOTICE NO. SAM-2024-00079-PMH

June 18, 2024

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS (USACE)
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PROPOSED DISCHARGE OF FILL MATERIAL INTO MISSISSIPPI SOUND
ASSOCIATED WITH SHORELINE STABILIZATION ALONG CEDAR POINT
FISHING PIER IN DAUPHIN ISLAND, MOBILE COUNTY, ALABAMA,

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 404 of the Clean Water Act (33 USC 1344), and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413). Please communicate this information to interested parties.

APPLICANT: Mobile County Commission
Attention: Tina Sanchez
205 Government Street
Mobile, AL 36644

AGENT: Thompson Engineering
Attention: Barry Vittor
8060 Cottage Hill Rd
Mobile, AL 36695

LOCATION: The proposed project is located in shallow estuarine waters of Mississippi Sound, Cedar Point Pier along Dauphin Island Causeway, Mobile County, Alabama. Specifically, the project is located within Section 36, Township 8 South, Range 2 West; latitude 30.31023° North, longitude -88.138391° West.

APPLICANT STATED PROJECT PURPOSE: The purpose of the project is shoreline protection.

PROPOSED WORK: The applicant is requesting authorization to discharge riprap fill material in an area of approximately 0.16 acre, including 0.09 acre of shoreline below the mean high water (MHW) line and approximately 0.07 acre of shoreline above MHW associated with shoreline stabilization in Mississippi Sound. This will involve the placement of 413 CY of stone below MHW and 447 CY of stone above MHW, along

approximately 175 linear feet of shoreline. The revetment will consist of Class 4 stone and will have a top elevation of +4.6 ft MHW. The applicant has indicated no wetlands are present on site, no submerged aquatic vegetation occurs within project area, and notes existing shoreline protection measures are to be expanded.

AVOIDANCE AND MINIMIZATION: Applicant proposes to expand preexisting riprap by placing additional material along shoreline for protection in front of existing public facility. According to the applicant, the project will benefit fishery resources by creating additional hard bottom habitat suitable for species such as stone crab, red drum, and sheepshead. The new revetment may cover scattered oysters but would not affect oyster reef areas. The rock installed in the revetment would provide hard surfaces suitable for attachment by oyster spat and would replace any impacted habitat now occupied by scattered oysters. Applicant states the proposed project would have no impact on wetlands, submerged aquatic vegetation, or protected species, nor would it have any impact on cultural resources. According to the plans presented, additional repair and enhancement to public facilities on this parcel do not require authorization from the USACE or are authorized separately and will therefore not be addressed in this public notice.

COMPENSATORY MITIGATION: The applicant has not proposed compensatory mitigation as the project consists of the construction of structures (i.e., placement of additional riprap to existing shoreline stabilization) 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.

COASTAL ZONE: The applicant has applied for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. A determination relative to CZ consistency will be made by the Alabama Department of Environmental Management (ADEM).

WATER QUALITY: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to ADEM (certifying authority).

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 is being considered for the potential to affect historic properties. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the entire undertaking in waters of the United States, which includes the footprint of the proposed fill areas, and any portions of the property that would be utilized for construction access, equipment, and materials staging. At this time, the USACE, Mobile

District has made no determination regarding potential effects of the project on cultural/historic resources. 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 from the State Historic Preservation Office, federally recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and the general public.

THREATENED AND 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: West Indian Manatee (T), Piping Plover (T), Red Knot (T), Wood Stork (T), Kemp's Ridley Sea Turtle (E), Loggerhead Sea Turtle (T), 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 regarding potential effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) will be performed as determined to be appropriate. A copy of this public notice is being sent to the USFWS for review and comment.

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 0.09 acres of water bottoms within shallow estuarine waters. This proposal as described above is currently under review by the USACE, Mobile District. Our final determination relative to project impacts and the need for mitigative measures is subject to review by and coordination with NMFS and/or USFWS.

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, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and

conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The USACE, 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 Corps of Engineers 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-2024-00079-PMH** and should be directed to the District Engineer, Mobile District, Regulatory Division, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Paige Harvey, or submitted electronically at paige.m.harvey@usace.army.mil, (251) 386-6081. 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. If you have any questions concerning this publication, you may contact Ms. Paige Harvey by email at paige.m.harvey@usace.army.mil or by phone (251) 386-6081. Please refer to the above Public Notice Number **SAM-2024-00079-PMH**, in any communication concerning this project.

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

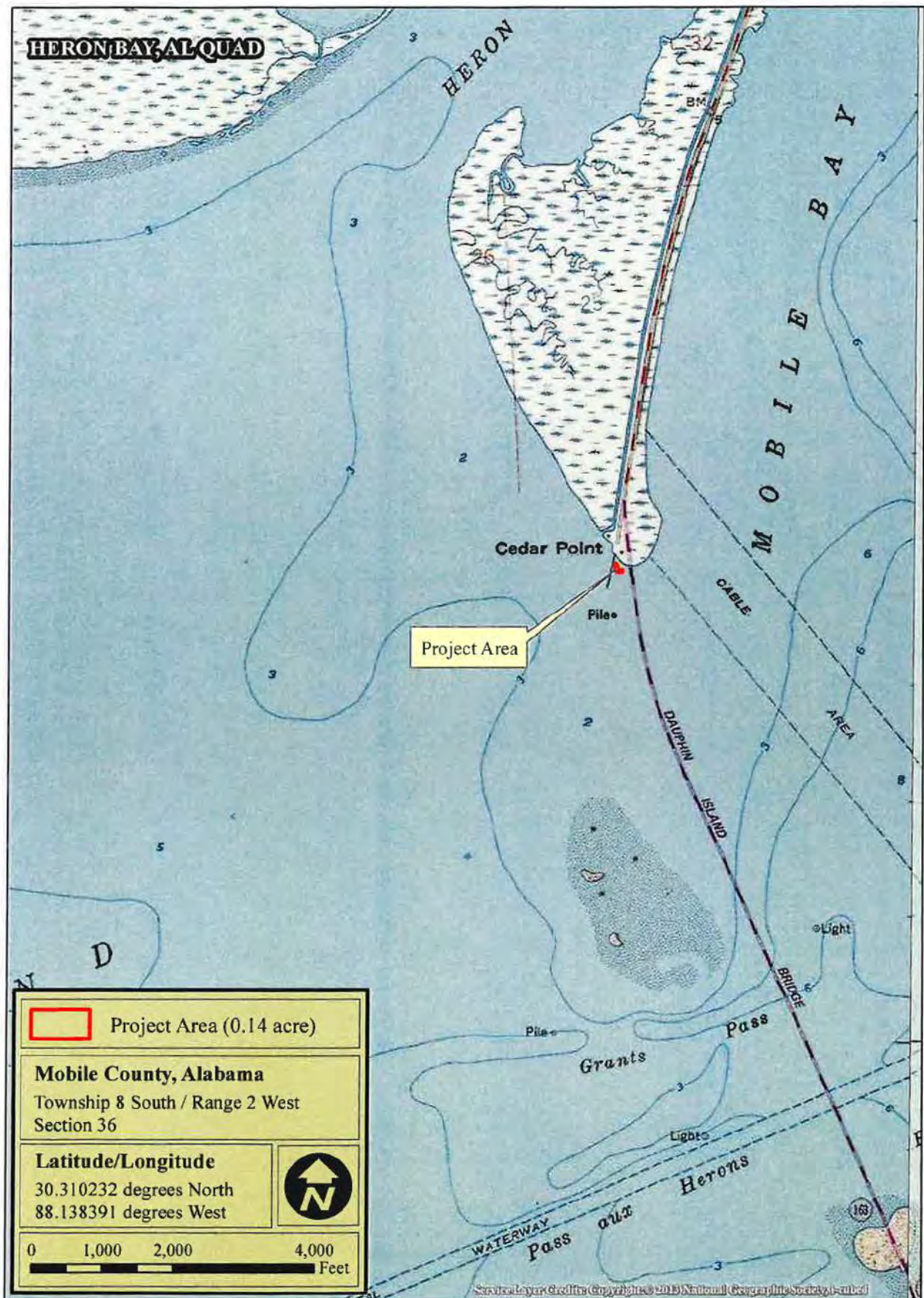


Figure 2. Project Location and Vicinity Map (Quad Locator)



NOTES

1. SEE SHEET C-301 FOR REVETMENT TYPICAL SECTION AND TRANSECT SECTIONS.
2. SEE SHEET S-101 FOR TIMBER PIER LAYOUT.
3. SEE SHEET D-101 FOR DEMOLITION NOTES RELATED TO DECONSTRUCTING PIER FOR REVETMENT INSTALLATION.


LEGEND

-  PROPERTY DEED
 MHW (+) 0.72
 MLW (-) 0.54
 PROPOSED MHW (+) 0.72
 PROPOSED ROCK REVETMENT



	CEDAR POINT (MOBILE COUNTY)	0
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GENERAL ARRANGEMENT PLAN

	B	11 N WATER STREET SUITE 2020 MOBILE, AL 36682	Designed by:	Date:		Rev.	
			EG	2023-12-15	-		
moffatt & nichol	C	CEDAR POINT FISHING PIER, INC 16250 DAUPHIN ISLAND PARKWAY CODDEN, AL 36623	Drawn by:	Client by:	MAN Project No.		
			JAD	KH	211019405 & 07		
			Reviewed by:	Drawing code:			
			-				
			Submitted by:	Drawing Scale:			AS NOTED
			MOFFATT & NICHOL	Plot scale:			1" = 1' (D SHEET)

A

SEAL

Sheet
Reference No.

G-101

INDEX: 4 OF 10

FOR PERMITTING ONLY
ISSUED: 2023-12-22
NOT TO BE USED FOR CONSTRUCTION

INDEX: 4 OF 10

DRAWING SCALES SHOWN BASED ON 22"x34" DRAWING



CEAR POINT MOBILE COUNTY
FISHING PIER PARKING IMPROVEMENTS
REVIEW
TYPICAL SECTION

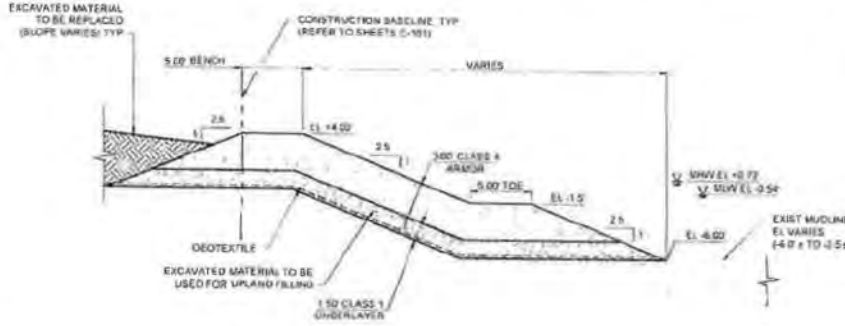
Project Name	Cedar Point Mobile County Fishing Pier Parking Improvements
Project Number	2023-12-22
Project Location	Mobile Bay, Alabama
Project Status	Design
Project Manager	John A. Smith
Project Engineer	John A. Smith
Project Designer	John A. Smith
Project Checker	John A. Smith
Project Approver	John A. Smith

Sheet
Reference No.
C-301

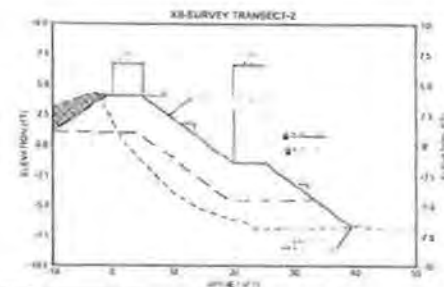
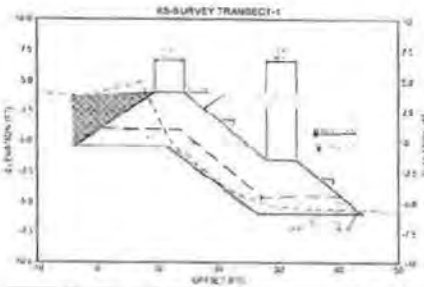
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REVIEWMENT NOTES

1. RUBBLE DEBRIS LOCATED ALONG EXIST BANK SHALL BE CLEARED PRIOR TO INSTALLING ROCK REVIEWMENT. RUBBLE CAN BE EXCAVATED AND USED IN GENERAL FILL AREAS OR PUSHED FORWARD ONTO EXISTING SLOPE BELOW THE ZERO (0) CONTOUR ELEVATION.
2. CONTRACTOR SHALL PREPARE BANK FOR ROCK REVIEWMENT BY GRADING 2:1 SLOPE WITH EXCAVATION OF APPROXIMATELY 2' DEEP KEY TO FOUND REVIEWMENT AGAINST.
3. REFER TO GRADING PLANS AND DETAIL CROSS SECTIONS. THE EXISTING BANK SLOPE BETWEEN TOP OF BANK AND WATERS EDGE VARIES IN SLOPE AND LOCATION. INSTALLATION OF THE ROCK REVIEWMENT SHOULD NOT REQUIRE RE-GRADING THE ENTIRETY OF THE EXISTING BANK.
4. AS REQUIRED, CONTRACTOR SHALL FIELD ADJUST REVIEWMENT BERM TOP ELEVATION TO PROVIDE CLEARANCE FROM GANWAY TO DOCKAGE.
5. WATER LEVELS FROM NOAA STATIONS 873523, 8735180 DAUPHIN ISLAND AL.



E1 REVIEWMENT TYPICAL SECTION



SCALE 1"=10'

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