



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-2024-00865-DJL

January 13, 2025

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

PROPOSED DREDGING, SHORELINE RECLAMATION AND
STABILIZATION, PERDIDO BAY, JOSEPHINE, 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 (33 USC 403) & Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: The Elliott Family Trust
Attention: Chris Elliott
7222 Keyhole Road
Josephine, Alabama 36530

LOCATION/WATERS: The project is located within Perdido Bay; at 7222 Keyhole Road; within Section 24, Township 8 South, Range 5 East; at Latitude 30.330354 and Longitude -87.515315; in Josephine, Baldwin County, Alabama. See attachments for location details.

PROJECT PURPOSE: The project purpose is to reduce shoreline erosion and construct a living shoreline in Perdido Bay.

PROPOSED WORK:

- a. The hydraulic dredging of 1,492-cubic-yards of material within 13,430-square-feet (0.3-acre) of waterbottoms. Dredged material will be placed in waterbottoms landward of the living shoreline activities.
- b. The installation of three (3) riprap breakwaters. Activities will include the placement of 105-cubic-yards of riprap below mean high water (MHW) and 55-cubic-yards above MHW within 1,700-square-feet (0.04-acre) of waterbottoms adjacent to the shoreline.
- c. The placement of 750-cubic-yards of fill material below MHW and 650-cubic-yards of material above MHW within 13,440-square-feet (0.3-acre) of waterbottoms and landward of the proposed breakwaters.

AVOIDANCE AND MINIMIZATION: The applicant has indicated the proposed project has been designed to avoid impacts to any submerged aquatic vegetation (SAV) and wetlands that may be present within the project area. Furthermore, Best Management Practices (BMPs) will be implemented to prevent water quality impacts within Wolf 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 would not be required because the activity consists of construction of structures that would not adversely impact special aquatic sites.

WATER QUALITY/COASTAL ZONE MANAGEMENT (CZM): 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 Coastal Zone consistency will be made by the ADEM. 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. 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. 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 impact approximately 0.64-acres of unvegetated estuarine substrate utilized by various life stages of multiple marine species. Our final determination relative to project impacts 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 12-digit Hydrologic Unit Code (HUC-12) of the project area: West Indian Manatee (T), Rufa Red Knot (T), Eastern Indigo Snake (T), Kemp's Ridley Sea Turtle (E), 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 final determination regarding 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 public notice should refer to Public Notice Number **SAM-2024-00865-DJL** and should be directed to the project manager, Mr. Dana John Leach by e-mail at Dana.J.leach@usace.army.mil, or to the U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Attention: Mr. Dana John Leach, 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. If you have any questions concerning this publication, you may contact Mr. Dana John Leach by e-mail at Dana.J.Leach@usace.army.mil, or by phone at (251) 305-8963. Please refer to the above Public Notice Number **SAM-2024-00865-DJL**, 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



DIRECTIONS TO THE SITE FROM DOWNTOWN MOBILE: HEAD EAST ON I-10 E. TAKE EXIT 49 TOWARD BALDWIN BEACH EXPRESS. KEEP RIGHT AT THE FORK, FOLLOW SIGNS FOR GULF SHORES/ORANGE BEACH AND MERGE ONTO BALDWIN BEACH EXPRESS. IN 12.9 MILES TURN LEFT ONTO FOLEY BEACH EXPRESS. IN 3.77 MILES TURN LEFT ONTO US HIGHWAY 98. FOLLOW US HIGHWAY 98 FOR 6 MILES AND TURN RIGHT ONTO OLD COUNTY ROAD 95. FOLLOW OLD COUNTY ROAD 95 FOR 5.5 MILES THEN TURN LEFT ONTO JOSEPHINE DRIVE. TURN LEFT ONTO SPRING BRANCH THEN YOUR FIRST RIGHT ONTO KEY HOLE ROAD. FOLLOW KEY HOLE ROAD TO THE END. SUBJECT PROPERTY WILL BE ON YOUR RIGHT AT 7222 KEY HOLE ROAD.

SUBJECT PROPERTY

PARCEL ID#

05-62-06-24-0-000-020.001
05-62-06-24-0-000-020.002
05-62-06-24-0-000-018.000

PROPERTY OWNER

ELLIOT FAMILY TRUST
7272 KEY HOLE ROAD
ELBERTA, AL 36530-5796

PROJECT LOCATION

7222 KEY HOLE ROAD JOSEPHINE, AL 36530

LAT: 30.33028°

LONG: -87.51538°

INDEX OF SHEETS

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
1	SITE LOCATION MAP
2	EXISTING SITE CONDITIONS
3	OVERALL SITE PLAN
4	LIVING SHORELINE CLOSE UP
5	DREDGE CLOSE UP
6	SECTION DETAILS



ENVIRONMENTAL CONSULTANTS

3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
CRAIG@WETLANDSCIENCES.COM

PROJECT NAME: 7222 KEY HOLE ROAD

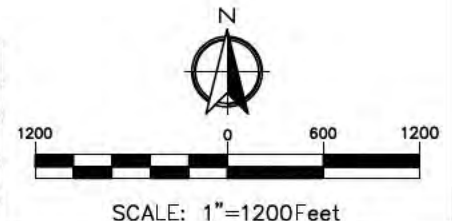
SITE LOCATION MAP

PROJECT NO.: 2024-820

DRAWN BY: JTC

DATE: 11-8-2024

SHEET: 1 OF 6





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TEL: 850.453.4700
JTAYLOR@WETLANDSCIENCES.COM

NO.	DATE	APPR.	REVISION/ACTION TAKEN

7222 Key Hole Road
EXISTING SITE CONDITIONS

PROJECT NO.:
2024-820
DRAWN BY:
JTC
DATE:
10/30/2024
SHEET:
2 OF 6

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NO.	DATE	APPR.	REVISION/ACTION TAKEN

7222 Key Hole Road
OVERALL SITE PLAN

PROJECT NO.:	2024-820
DRAWN BY:	ZMJ
DATE:	11-8-2024
SHEET:	3 OF 6

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NO.	DATE	APPR.	REVISION/ACTION TAKEN

7222 Key Hole Road	SHORELINE CLOSE UP
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PROJECT NO.: 2024-820
DRAWN BY: JTC
DATE: 11-8-2024
SHEET: 4 OF 6

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3308 GULF BEACH HIGHWAY
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[illegible]

7222 Key Hole Road

DREDGE CLOSE UP

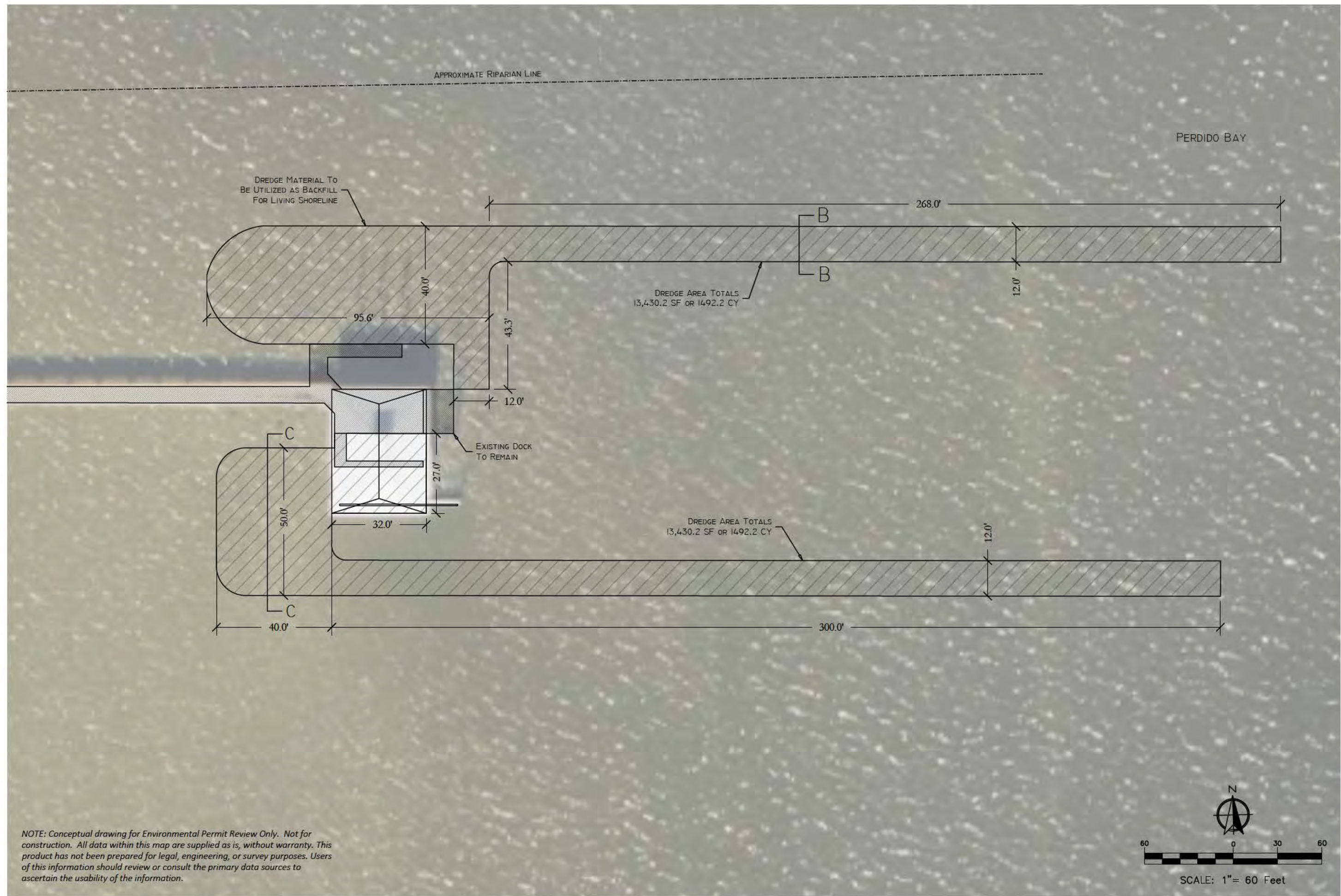
PROJECT NO.:
2024-820

DRAWN BY: JTC

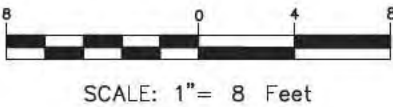
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SHEET:
2 OF 8

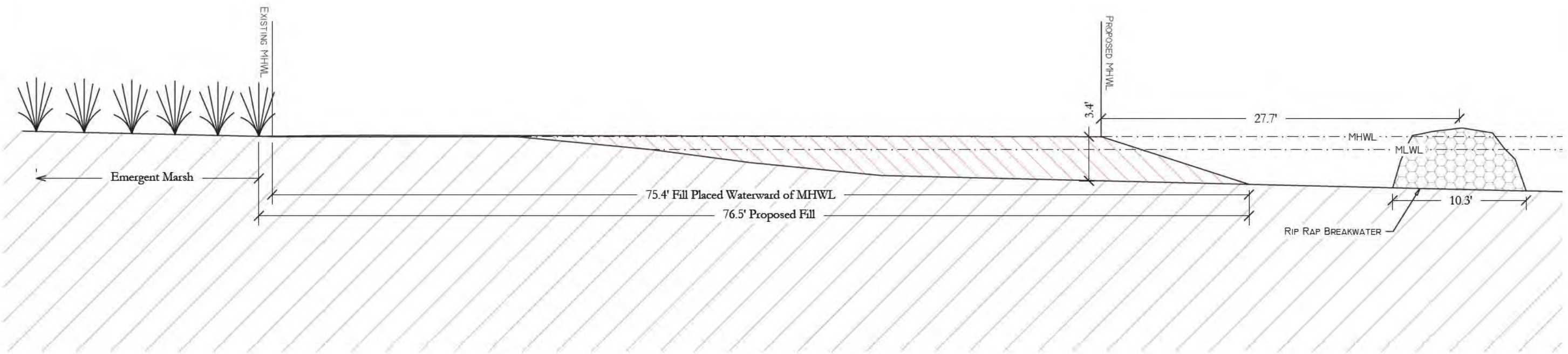
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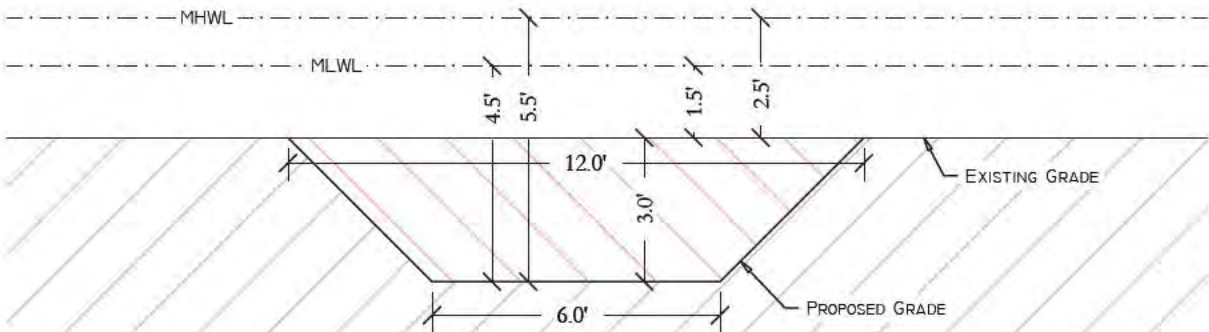
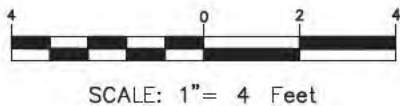
NOTE: Conceptual drawing for Environmental Permit Review Only. Not for construction. All data within this map are supplied as is, without warranty. This product has not been prepared for legal, engineering, or survey purposes. Users of this information should review or consult the primary data sources to ascertain the usability of the information.



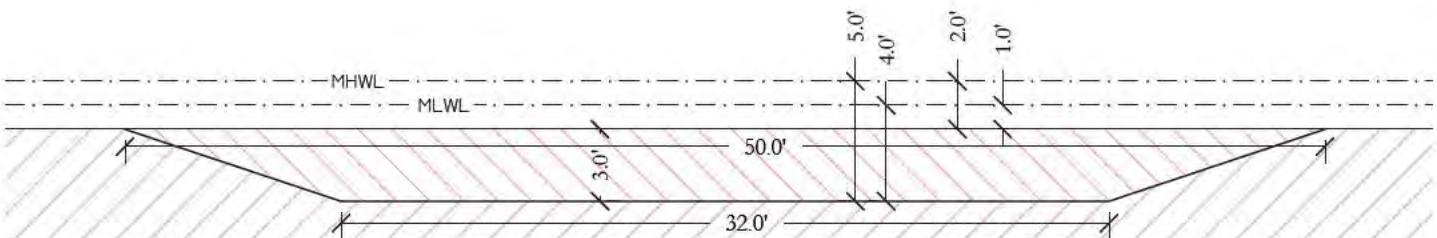
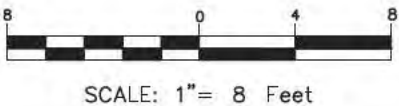
SECTION A-A



SECTION B-B



SECTION C-C



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NO.	DATE	APPR.	REVISION/ACTION TAKEN

7222 Key Hole Road
SECTION DETAILS

PROJECT NO.:
2024-820
DRAWN BY:
ZMJ
DATE:
11-8-2024
SHEET:
6 OF 6

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