



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-2024-00973-DJL

January 6, 2025

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

PROPOSED SHORELINE STABILIZATION AND RECLAMATION AND BULKHEAD
INSTALLATION, MOBILE BAY, FAIRHOPE, 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 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: Claremont Property Company
Attention: Hunter Megarity
5555 West Loop South, Suite 100
Ballaire, Texas 77401

AGENT: TTL, Inc.
Attention: Christopher Terrell
2743-B Gunter Park Drive West
Montgomery, Alabama 36109

LOCATION/WATERS: The project is located in Mobile Bay; on Baldwin County Road 1; within Section 1, Township 7 South, Range 2 East; at Latitude 30.390689 and Longitude -87.875694; in Fairhope, Baldwin County, Alabama. See attachments for location details.

PROJECT PURPOSE: The basic project purpose is to reclaim lost shoreline and reduce shoreline erosion on Mobile Bay. The overall project purpose is for residential development.

PROPOSED WORK:

- a. The placement of 330-cubic-yards of commercially obtained sandy fill material placed below the plane of mean high water (MHW) within 4,356-square-feet (0.1-acre) of waterbottoms.
- b. The installation of approximately 115-linear-feet of bulkhead waterward of the reclaimed shoreline.

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 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 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 0.1-acre 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), Alabama Red-bellied Turtle (E), Eastern Indigo Snake (T), Kemp's Ridley Sea Turtle (E), and the 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-2024-00973-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-2024-00973-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



Site Located Within:
SE 1/4 of Section 1; T.7.S., R.2.E.
(Approx. 30.390689° N, -87.875694° W)



FIGURE 1: SITE LOCATION & TOPOGRAPHIC MAP

CLAREMONT PROPERTY COMPANY
INDIVIDUAL PERMIT APPLICATION
FAIRHOPE, BALDWIN COUNTY, ALABAMA

BASEMAP: Point Clear, Alabama USGS 7.5 Minute Quadrangle Map, 2018 (10-ft Contour Interval).

LEGEND

- Approx. Review Boundary (0.36± AC)
- USGS Topo Quadrangle Boundary

0 2,000
Feet

DRAWN BY: SG

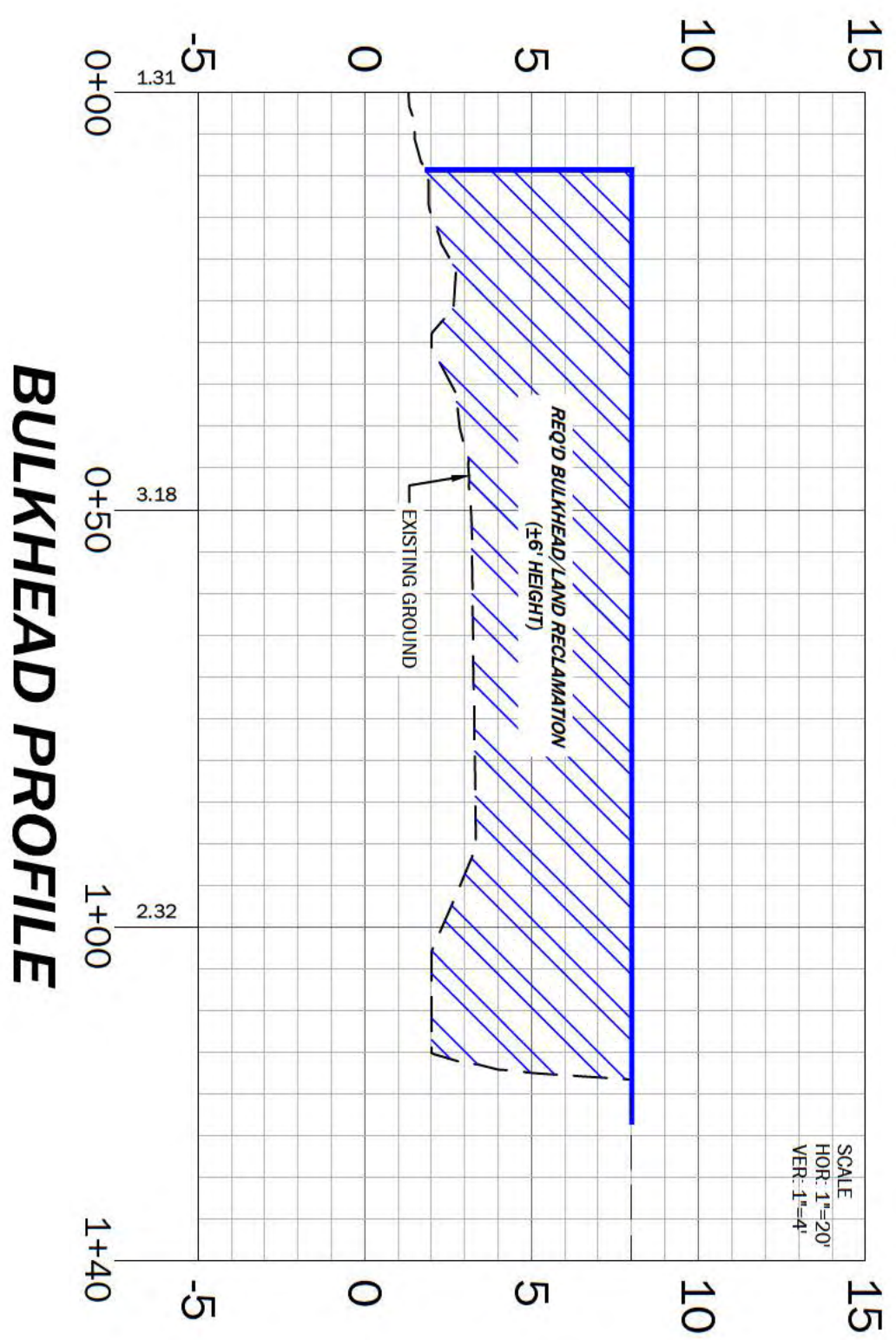
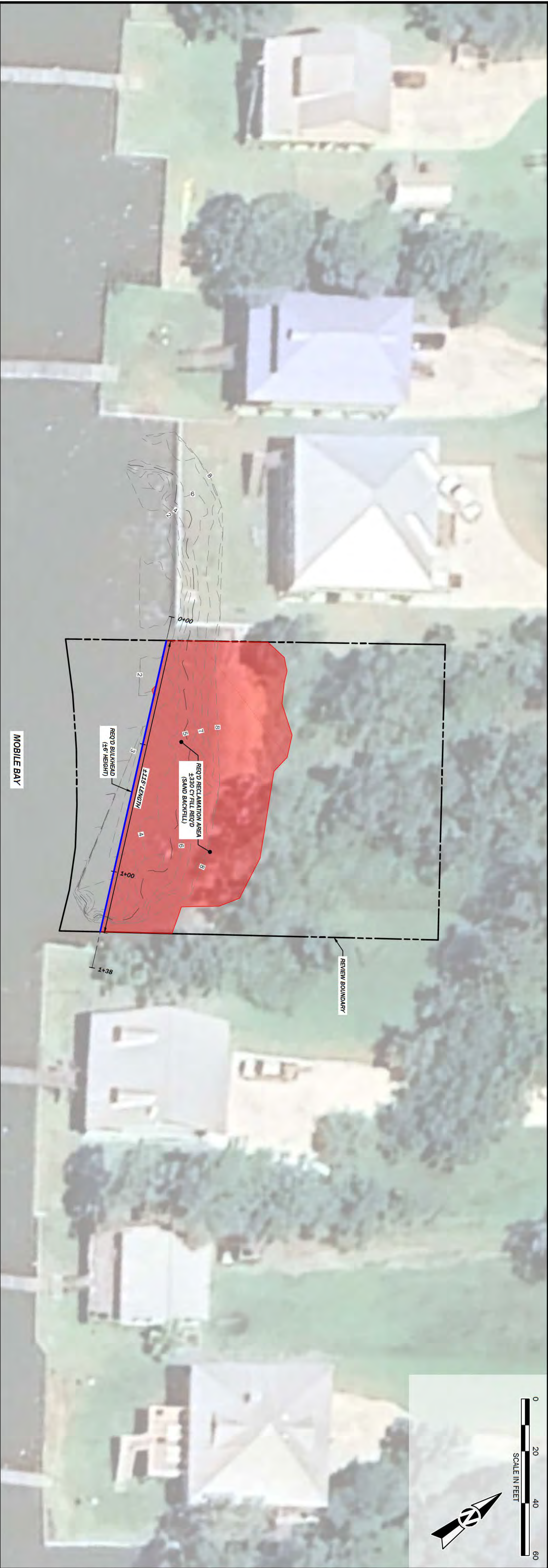
CHECKED BY: CGT

DRAWING DATE: 09/08/2024

REVISION DATE: N/A

TTL JOB NO.: 24-13-01833.00

APPROX. SCALE: 1 in = 2,000 ft



3516 Greensboro Avenue | Tuscaloosa, AL 35401
205.345.0816 | www.ttlusa.com

CLAREMONT LAND RECLAMATION AND BULKHEAD INSTALLATION

COUNTY ROAD 1
FAIRHOPE, ALABAMA

PRELIMINARY
(NOT FOR CONSTRUCTION,
RECORDING PURPOSES,
OR IMPLEMENTATION)

BULKHEAD PLAN & PROFILE

Revision Description		
No.	Date	Revision Description
Drawn By: J N B		Checked By:
Date: 10/03/2024		Proj. No.:
File Name: XXXXXX.Sheet C1 01 Bulkhead Plan & Profile.dwg		

01
Sheet No.

Maxar Technologies, Vivid Imagery, 2/2023

County Road 1



Google Earth Satellite Imagery, 07/2024

County Road 1

LEGEND



Approx. Review Boundary
(0.36± AC)



Land Reclamation Area
(±5 years loss) (0.1± AC)



Approx. Bulkhead Limits
(0.02± AC)

0 50
Feet



FIGURE 3B: 2023 SHORELINE AERIAL PHOTOGRAPH

CLAREMONT PROPERTY COMPANY

INDIVIDUAL PERMIT APPLICATION

FAIRHOPE, BALDWIN COUNTY, ALABAMA

BASEMAP: See Notes Above.

DRAWN BY: SG

CHECKED BY: CGT

DRAWING DATE: 09/11/2024

REVISION DATE: N/A

TTL JOB NO.: 24-13-01833.00

APPROX. SCALE: 1 in = 50 ft