



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
109 SAINT JOSEPH STREET  
MOBILE, ALABAMA 36602-3630

CESAM RD

June 3, 2021

## SPECIAL PUBLIC NOTICE

### PROPOSED REGIONAL GENERAL PERMITS FOR MINOR STRUCTURES AND ACTIVITIES WITHIN THE STATE OF ALABAMA, LOCATED WITHIN THE REGULATORY BOUNDARIES OF THE MOBILE DISTRICT, U.S. ARMY CORPS OF ENGINEERS

#### SPECIAL PUBLIC NOTICE NUMBERS:

**SAM-2021-00490-DCH; ALGP-01 – Excavated Boat Slips**  
**SAM-2021-00491-DCH; ALGP-03 – Dredging**  
**SAM-2021-00492-DCH; ALGP-04 – Debris Removal**  
**SAM-2021-00493-DCH; ALGP-05 – Piers and Pile-Supported Structures**  
**SAM-2021-00494-DCH; ALGP-07 – Boat Ramps and Marine Ways**  
**SAM-2021-00495-DCH; ALGP-11 – Shoreline and Bank Stabilization and Protection**  
**SAM-2021-00496-DCH; ALGP-13 – Filling of Previously Dredged Areas**

TO ALL CONCERNED: The U.S. Army Corps of Engineers, Mobile District (hereinafter, Mobile District), proposes authorization, re-issuance, and/or revision to the above-listed Alabama General Permits (ALGPs) for minor structures and activities located in waters of the United States, within the Regulatory boundaries of the Mobile District, subject 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/or Section 4(e) of the Outer Continental Shelf Lands Act of 1953 (67 Stat. 463; 43 USC 1333 (e)). The term “general permit” means a Department of the Army authorization that is issued on a nationwide or regional basis for a category or categories of activities when:

- a. Those activities are substantially similar in nature and cause only minimal individual and cumulative environmental impacts; or
- b. The general permit would result in avoiding unnecessary duplication of the regulatory control exercised by another federal, state or local agency, provided it has been determined the environmental consequences of the action are individually and cumulatively minimal.

General permits are reviewed every five (5) years. The ALGPs contain certain limitations intended to protect the aquatic environment and natural and cultural resources. While conformance with the conditions contained in the ALGPs does not necessarily guarantee coverage under the ALGPs, in most instances a proposed project complying with the conditions of a particular ALGP will qualify for ALGP authorization. Any proposed project not complying with one or more conditions of a particular ALGP may be evaluated as a Letter of Permission or Standard Permit and be individually coordinated with third parties, including federal and state resource agencies.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the Mobile District can be based. For accuracy and

completeness of the record, all data in support of or in opposition to the renewal of the ALGPs 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 reissue the ALGPs 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 proposed activities must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the ALGPs will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, 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 production, and in general, the needs and welfare of the people.

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 evaluate the impacts of the proposed activities. Any comments received will be considered by the Mobile District to determine whether to re-issue and/or modify any or all of these regional general permits. 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 will also be used to determine the need for a public hearing and to determine the overall public interest of the proposed general permits.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the proposed activity. 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.

The Mobile District will apply for a certification of water quality from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act; and upon completion of the required advertising and review, a determination relative to water quality certification will be made by the ADEM. Additionally, in order to insure that all proposed activities shall comply with and be conducted in a manner that is consistent with the state's Coastal Zone Management (CZM) program, the Mobile District will request that the ADEM review the proposed ALGPs and provide a determination relative to the ALGPs' consistency with the state CZM program.

In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the general permits defined in this notice are being considered for the potential to affect cultural and historic properties. The Mobile District is seeking comment from the State Historic Preservation Officer, federally-recognized American Indian Tribes, local historical societies, museums, universities, the National Park Service, and concerned citizens regarding

the potential effects of these general permits on cultural and historic properties within the state of Alabama.

In accordance with Section 7 of the Endangered Species Act, the general permits defined in this notice are being considered for the potential to affect federally listed species and critical habitat. The Mobile District is seeking comment from the U.S. Fish and Wildlife Service and the National Marine Fisheries Services, regarding potential effects of these general permits on federally listed species and critical habitat, to ensure that activities authorized by the proposed general permits will not directly or indirectly jeopardize the continued existence of a threatened or endangered species.

This notice initiates the Essential Fish Habitat (EFH) requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Activities authorized by the proposed general permits have the potential to affect essential fish habitat. Our initial determination is that the proposed general permits, with conditions, would not have a substantial 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.

A copy of the proposed Alabama General Permits can be accessed at our website at: [www.sam.usace.army.mil/Missions/Regulatory/PublicNotices.aspx](http://www.sam.usace.army.mil/Missions/Regulatory/PublicNotices.aspx), or at your request, a paper copy will be provided to you.

Permit specific comments should refer to the applicable Public Notice Number and should be directed to the District Engineer, Mobile District, Regulatory Division, Attention: Mr. Dylan C. Hendrix, Post Office Box 2288, Mobile, Alabama 36628-0001, or by e-mail at [dylan.c.hendrix@usace.army.mil](mailto:dylan.c.hendrix@usace.army.mil), or (251) 694-3772. Copies of all comments should be furnished to the ADEM at [coastal@adem.alabama.gov](mailto: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](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

**MOBILE DISTRICT**  
**U.S. Army Corps of Engineers**

Attachments



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
109 SAINT JOSEPH STREET  
MOBILE, ALABAMA 36602-3630

**PROPOSED REGIONAL GENERAL PERMITS  
FOR MINOR STRUCTURES AND ACTIVITIES  
WITHIN THE STATE OF ALABAMA  
U.S. ARMY CORPS OF ENGINEERS**

**Proposed Effective Date: October 1, 2021**  
**Proposed Expiration Date: October 1, 2026**

**AUTHORITY:**

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), the Mobile District, U.S. Army Corps of Engineers (Mobile District) hereby proposes the revision and issuance of the following Alabama General Permits (ALGP) for a period of five (5) years. In an effort to eliminate unnecessary duplication of efforts among agencies and to streamline the permitting process for routine projects with only minimal impact, the Mobile District will regulate minor structures and activities in waters of the United States, in the State of Alabama, within the regulatory boundaries of the Mobile District under the Regional General Permits identified herein. These permits would supersede the previous Alabama General Permits which expire on October 1, 2021.

<b>ALABAMA GENERAL PERMITS SUMMARY</b>	
<b>Permit</b>	<b>Activity</b>
<b>ALGP-01</b>	<b>Excavated Boat Slips</b>
<i>ALGP-02</i>	<i>RESERVED (Previously: Maintenance Dredging) *See Note 1</i>
<b>ALGP-03</b>	<b>Dredging</b>
<b>ALGP-04</b>	<b>Debris Removal</b>
<b>ALGP-05</b>	<b>Piers and Pile-Supported Structures</b>
<b>ALGP-07</b>	<b>Boat Ramps and Marine Ways</b>
<i>ALGP-10</i>	<i>RESERVED (Previously: Living Shorelines) *See Note 2</i>
<b>ALGP-11</b>	<b>Shoreline and Bank Stabilization and Protection</b>
<b>ALGP-13</b>	<b>Filling of Previously Dredged Areas</b>
<i>ALGP-24</i>	<i>RESERVED (Previously: Piers and Pile-Supported Structures Located in Weeks Bay) *See Note 3</i>

\* Note 1: Activities previously covered under permit ALGP-02 are now covered under ALGP-03.

\* Note 2: Activities previously covered under permit ALGP-10 are now covered under ALGP-11 and Nationwide Permit 54.

\* Note 3: Activities previously covered under permit ALGP-24 are now covered under ALGP-05.

### GEOGRAPHIC APPLICABILITY:

These regional general permits are applicable in waters of the United States within the regulatory boundaries of the Mobile District which are shown in the shaded area on the map below. The Mobile District regulatory boundaries encompass all of the State of Alabama that is south of the Tennessee River Valley. For a site-specific determination of applicability, please contact the Mobile District Regulatory Division office at (251) 690-2658, or go to the website:

<http://www.sam.usace.army.mil/Missions/Regulatory/MobileRegulatoryOffices.aspx>



**ADMINISTRATION:**

Unless specifically stated in the special conditions of the permit, a project-specific verification must be obtained for all activities covered under the Alabama General Permits **prior** to the start of regulated activities in waters of the United States. A pre-construction notification (PCN) for verification of permit coverage under the Alabama General Permits may be submitted to and verification letters issued by the following:

For projects in South Alabama Branch Counties:  
**U.S. Army Corps of Engineers, Mobile District  
 Regulatory Division, South AL Branch (RD-A)**  
 Post Office Box 2288  
 Mobile, Alabama 36628-0001  
 Telephone (251) 690-2658  
 Email PCN submittals to: [CESAM-  
 RD@sam.usace.army.mil](mailto:CESAM-RD@sam.usace.army.mil)

For projects located in North Branch Counties:  
**U.S. Army Corps of Engineers, Mobile District  
 Regulatory Division, North Branch (RD-N)**  
 600 Vestavia Parkway, Suite 203, Shelby Building  
 Vestavia Hills, Alabama 35216  
 Telephone (251) 690-2658  
 Email PCN submittals to: [RD-  
 N2@usace.army.mil](mailto:RD-N2@usace.army.mil)

If a proposed activity is located on one of the following U.S. Army Corps of Engineers' lakes in the State of Alabama, the plans must be reviewed and approved by the local Resource Manager. Additionally, the Resource Manager in some cases may issue a verification of authorization in lieu of the Regulatory Division. Each project management office will submit quarterly reports to the Mobile District, Regulatory Division listing all activities verified under these Regional General Permits.

**Black Warrior – Tombigbee River Lakes  
 (Coffeeville, Demopolis, Warrior Lakes):**  
 U.S. Army Corps of Engineers  
 Demopolis Site Office  
 384 Resource Management Drive  
 Demopolis, AL 36732-1546  
 (334) 289-3540

**Alabama River Lakes  
 (Woodruff Lake):**  
 U.S. Army Corps of Engineers  
 Alabama River Lakes Site Office  
 8493 U.S. Highway 80 West  
 Hayneville, AL 36040-2934  
 (334) 872-9554

**Tennessee – Tombigbee Waterway  
 (Gainesville & portions of Aliceville Lake):**  
 U.S. Army Corps of Engineers  
 Tenn – Tom Project Management Office  
 3606 West Plymouth Road  
 Columbus, MS 39701-9504  
 (662) 327-2142

**Black Warrior – Tombigbee River Lakes (Oliver,  
 Holt, Bankhead Lakes):**  
 U.S. Army Corps of Engineers  
 Holt Resource Office  
 11911 Holt Lock & Dam Road  
 Cottondale, AL 35453  
 (205) 553-9373

**Alabama River Lakes  
 (Dannelly, Claiborne Lakes):**  
 U.S. Army Corps of Engineers  
 Millers Ferry Resource Office  
 1226 Powerhouse Road  
 Camden, AL 36726-9109  
 (334) 682-4244

**Walter F. George Lake:**  
 U.S. Army Corps of Engineers  
 Natural Resource Management Office  
 427 Eufala Road  
 Fort Gaines, GA 39851  
 (229) 768-2516

**West Point Lake:**  
 U.S. Army Corps of Engineers  
 West Point Project Management Office  
 500 Resource Management Drive  
 West Point, GA 31833  
 (706) 645-2937

If the proposed activity is located on a lake managed by a power company, or similar entity with a shoreline management plan, permit requests may be directed through them. NOTE: Check with the Resource Manager to see if the specific lake qualifies for this alternative review procedure.



**PRE-CONSTRUCTION NOTIFICATION (PCN):**

The prospective permittee is required to submit a PCN for their project, unless otherwise noted in the conditions of the applicable general permit. It is recommended to submit the PCN as early as possible, at least 60 days prior to the planned start of their proposed project. Please note that reviews of projects that have potential to affect cultural resources or threatened and endangered species may take longer than 60 days to complete. The PCN must include a completed Alabama Joint Application Form, which can be accessed at USACE, Mobile District, Regulatory Division's website at:

[www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx)

or

[www.adem.alabama.gov/DeptForms/Form166.pdf](http://www.adem.alabama.gov/DeptForms/Form166.pdf)

The following information is required for a complete PCN and verification of coverage under the Alabama General Permits (unless noted as optional):

- A. An Alabama Joint Application form with all applicable portions completed, and signed by the applicant (may be an original or digital signature)
- B. Applicant name, address, telephone number, and email address (if available)
- C. If an agent is used, all agent contact information and applicant's signature authorizing the agent
- D. Exact location information for proposed project, including street address, latitude and longitude (in "Decimal Degree" format), and parcel number of property
- E. Full project description, including all proposed dimensions of structures and/or activity
- F. (Optional) Photographs (or description of existing conditions) of project area
- G. Statement of purpose and need for project
- H. Vicinity map on full 8.5"x 11" sheet (NOTE: The map must be legible and reproducible)
- I. Overall plan view drawing of entire property and proposed project on 8.5"x 11" sheet (NOTE: All drawings must be legible and reproducible)
- J. Cross-section or profile view drawing of proposed structure, or areas of dredge/fill, on 8.5"x 11" sheet (NOTE: All drawings must be legible and reproducible)
- K. Names and addresses of adjoining property owners
- L. If Applicable: A delineation of any wetlands (including any emergent marsh and fringe wetlands), submerged aquatic vegetation (SAV), and/or submersed grassbeds that are present on the project parcel and/or adjacent riparian area

**Note:** ADEM requires a copy of the PCN. Applications for projects located in Baldwin, Mobile, and Washington Counties should be emailed to: [coastal@adem.alabama.gov](mailto:coastal@adem.alabama.gov), or mailed to: Coastal Section-Mobile Branch, Field Operations Division, ADEM, 3664 Dauphin Street, Suite B, Mobile, AL 36608; Applications for projects in all other counties should be emailed to: [fieldmail@adem.alabama.gov](mailto:fieldmail@adem.alabama.gov), or mailed to: Field Operations Division, ADEM, P.O. Box 301463, Montgomery, AL 36110

**Note:** ADCNR requires a copy of the PCN, along with a completed ADCNR-SLD Notice of Intent to Impact State Owned Submerged Lands form. Applications should be emailed to: [dcnr.coastal@dcnr.alabama.gov](mailto:dcnr.coastal@dcnr.alabama.gov), or mailed to: ADCNR, State Lands Division, Coastal Section, 31115 Five Rivers Boulevard, Spanish Fort, Alabama 36527.

For additional information or assistance with the PCN, applicants may contact personnel with the U.S. Army Corps of Engineers, Mobile District, Regulatory Division at (251) 690-2658.

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT:** The Mobile District will request that the Alabama Department of Environmental Management (ADEM) issue Water Quality Certification (WQC) for these regional general permits, in accordance with 40 CFR Part 121.

The Mobile District will request that ADEM issue Alabama Coastal Zone Management (CZM) Program consistency for these regional general permits in accordance with ADEM Administrative Code R.335-8.

### **CULTURAL RESOURCES:**

**STATE HISTORIC PRESERVATION OFFICER (SHPO):** The Mobile District has preliminarily determined that establishment of the permits included in the 2021 Alabama General Permit Program will have no potential to cause effects to cultural, historical, or tribal resources or properties listed in or eligible for the National Register of Historic Places (NRHP), provided the following review procedures are followed: The Mobile District will review each PCN and make a determination of the potential effects of the proposed project on any type of cultural resources listed, or potentially eligible for listing, in the NRHP. If the Mobile District determines the project will have any potential to cause effects to a cultural resource (i.e. determinations of “no effect,” “no adverse effect,” or “adverse effect”), the determination will be coordinated with the SHPO pursuant to requirements under Section 106 of the National Historic Preservation Act (NHPA) and 33 CFR part 325, Appendix C. Reference General Conditions GC-7 and GC-8 pertaining to cultural and tribal resource issues.

**TRIBAL HISTORIC PRESERVATION OFFICER (THPO):** The Mobile District has preliminarily determined that establishment of the permits included in the 2021 Alabama General Permit Program will have no potential to cause effects to any cultural or tribal resources. If the Mobile District determines the project may affect historic properties to which any federally recognized Indian Tribe attaches religious and cultural significance, then (in addition to the SHPO) the Mobile District will also contact the appropriate Indian Tribe(s) in a manner suitable to initiate staff-level coordination or government-to-government consultation, as appropriate. The Mobile District is responsible for making the effects determination for each project, and after written notification of the determination is made to the SHPO, the Mobile District will provide the SHPO thirty (30) days to respond. In the cases of projects for which the Mobile District has made a determination that a project may affect historic tribal properties, the Mobile District will, after initiating coordination or government to government consultation, also provide the consulting Indian Tribe thirty (30) days to respond. Verifications cannot be issued until all required consultation pursuant to Section 106 of the NHPA and 33 CFR part 325, Appendix C is complete. Reference General Conditions GC-7 and GC-8 pertaining to cultural and tribal resource issues.

**THREATENED AND ENDANGERED SPECIES:** The Mobile District has preliminarily determined that establishment of the permits included in the 2021 Alabama General Permit Program will have no effect on any threatened or endangered species, or critical habitat. No activity is authorized by these regional general permits that is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. The Mobile District will review each individual PCN and make a determination of the potential effect of the proposed project on threatened or endangered species, or critical habitat. No activity which “may affect” a listed species or critical habitat is verified for coverage under these regional general permits unless consultation pursuant to Section 7 of the ESA has been completed for the project. Reference General Condition GC-6 pertaining to threatened and endangered species, and critical habitat.

**ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES – STATE LANDS DIVISION:** Public Trust Land, i.e., submerged property below mean high tide and the bottoms of navigable rivers and creeks are the property of the State of Alabama and managed by the State Lands Division (SLD) of the Alabama Department of Conservation and Natural Resources (ADCNR) for the proprietary interest



of the citizens of Alabama. Any activities adjacent to these properties may require a separate permit, approval, easement and/or lease from the State Lands Division. Notification to the ADCNR-SLD is made by the applicant submitting a completed ADCNR-SLD Notice of Intent to Impact State Owned Submerged Lands form, along with a completed copy of the Alabama Joint Permit Application to the ADCNR-SLD. Applications should be emailed to [dcnr.coastal@dcnr.alabama.gov](mailto:dcnr.coastal@dcnr.alabama.gov) or mailed to: ADCNR, State Lands Division, Coastal Section, 31115 Five Rivers Boulevard, Spanish Fort, Alabama 36527. The State Lands Division will then notify the applicant if the activity requires a separate approval, dredge permit, easement and/or lease from the ADCNR, or if additional information is required by the State Lands Division to complete its review. Applicants may contact SLD by phone at (251) 621-1238 for additional guidance.

**For all activities impacting State-owned submerged lands, the following information is required by the ADCNR State Lands Division:**

- (1) **Application Form:** Permit applicants must submit a completed ADCNR-SLD Notice of Intent to Impact State Owned Submerged Lands form.
- (2) **Ownership:** Permit applicants must provide evidence of riparian ownership with an affirmation of accuracy as part of their application package to the ADCNR.
- (3) **Riparian Rights Area:** All structures and other activities must be within the riparian rights area of the applicant and must be designed in a manner that will not restrict or otherwise infringe upon the riparian right of adjacent upland riparian owners. Configuration, location or design of the structure may neither physically preclude nor have the effect of precluding public access to public waters adjacent to the upland. The ADCNR recommends the structure be centered on the applicant's property and will require that all activities meet certain setback requirements. The burden of locating riparian lines is the responsibility of the riparian landowner. ADCNR may require applicants to provide a riparian area survey.

**Project coordination with the ADCNR State Lands Division is the permittee's responsibility. The U.S. Army Corps of Engineers, Mobile District does not enforce ADCNR-SLD requirements.**

**DEPARTMENT OF THE ARMY, MOBILE DISTRICT - FURTHER INFORMATION:**

**a. Limits of Authorization:**

- (1) These permits do not obviate the need to obtain other federal, state, or local authorizations required by law.
- (2) These permits do not grant any property rights or exclusive privileges.
- (3) These permits do not authorize any injury to the property or rights of others.
- (4) These permits do not authorize interference with any existing or proposed federal project.

**b. Limits of Liability:** In issuing these authorizations, neither the Federal Government, the State of Alabama, nor any designated resource agency; their staff or employees, assume any liability.

**c. Reliance on Applicant's Data:** In part, each individual determination by the Mobile District that verification of permit authorization is not contrary to the public interest is made with reliance on the information provided by the applicant.

**d. Re-evaluation of Permit Decision:** The Mobile District may re-evaluate any permit verification decision at any time the circumstances warrant. Circumstances that could require a re-evaluation include, but are not limited to, the following:

- (1) Failure to comply with the terms and conditions of the verification letter or the permit.

- (2) The information provided in support of the PCN proves to have been false, incomplete, or inaccurate (See c. above.)
  - (3) Significant new information surfaces which we did not consider in reaching the original public interest decision. Such a re-evaluation may result in a determination that it is appropriate to use the suspension, modification, or revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring the permittee to comply with the terms and conditions the verification letter and permit, and for the initiation of legal action where appropriate. The applicant/permittee will be required to pay for any corrective measures ordered by this office and failure to comply with such directives, may in certain situations (such as those specified in 33 CFR 209.170), accomplish the corrective measures by contract or otherwise request restitution.
- e. **Expiration or Suspension of this Regional General Permit Program:** These regional general permits will be valid for a five-year period or until suspended or revoked. They may be suspended or revoked, in whole or in part, if it is determined that the cumulative effects of any activities pursuant to them adversely affect water quality, navigation, or other public interest factors. Such suspension shall be effective upon issuance of a public notice which shall indicate a date periodically to determine if continuation of these permits is in the overall public interest.
- These regional general permits will be re-advertised via public notice every five years as part of a public interest review. The Mobile District will periodically review each of the permits within the Alabama General Permit program and their conditions and will decide to modify, reissue, or revoke the permits. If a permit is not modified or reissued within five years of its effective date, it automatically expires and becomes null and void. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon an authorized General Permit will remain authorized provided the activity is completed within twelve months of the date of the permit's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.7. Activities completed under the authorization of these permits which were in effect at the time the activities were completed continue to be authorized by these permits unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.7.
- f. **Time Extensions:** Authorization under these regional general permits is valid until their proposed scheduled expiration date of October 1, 2026. However, if a permittee has commenced or is under contract to commence the permitted activity before October 1, 2026, the permittee will have twelve (12) months from that date to complete the activity under the terms and conditions of the 2021 Alabama General Permits. In the event a permittee has not commenced or completed the project by this date, a new PCN will be required.
- g. Failure to secure verification of authorization under these regional general permits as specified herein or failure to comply with conditions of any regional general permit or any verification issued for these permits may result in enforcement actions by the Mobile District, Alabama Department of Environmental Management, or the Alabama Department of Conservation and Natural Resources.

**MOBILE DISTRICT  
U. S. ARMY CORPS OF ENGINEERS**



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
109 SAINT JOSEPH STREET  
MOBILE, ALABAMA 36602-3630

DEPARTMENT OF THE ARMY PERMIT

**ALGP-01 – EXCAVATED BOAT SLIPS**  
**SAM-2021-00490-DCH**

REGIONAL GENERAL PERMIT FOR WORK WITHIN THE STATE OF ALABAMA

**PERMIT DESCRIPTION:**

This permit authorizes the excavation or dredging of material from waters of the United States for the purpose of construction or modification of boat slips and boat berths. This permit also authorizes the stabilization of shoreline areas within the excavated boat slips, using sheet pile or other approved stabilization material.

**PERMIT AUTHORITY:** Section 10 and Section 404

**PRE-CONSTRUCTION NOTIFICATION:** PCN is required for all activities authorized under this permit

**SPECIAL CONDITIONS:**

- SP-1 Dredge volume cannot exceed 500 cubic yards of material from below the plane of mean high water (MHW) or ordinary high water (OHW). All dredging waterward of the MHW line or the OHW mark to reach the controlling navigational depth of the receiving waters may be authorized under ALGP-03 – Dredging. If an existing slip is being modified (enlarged) the total volume dredged originally, plus that being proposed to be dredged, cannot exceed 500 cubic yards of material below MHW or OHW.
- SP-2 A limit of four (4) residential-use boat berthing areas per project site are authorized under this permit.
- SP-3 This permit does not authorize bank and/or shoreline stabilization in areas other than the interior of the boat slip.
- SP-4 For an excavated boat slip which will have no man-made shoreline protection (such as a bulkhead, riprap, etc.), a 10-foot-wide buffer shall be maintained between the proposed work and any wetlands located inland of the MHW line or OHW mark. A 3:1 (horizontal : vertical) or flatter side slope shall be maintained for any excavated slopes which feature no shoreline protection.
- SP-5 This permit does not authorize dredging, or disposal of dredged material, in submerged aquatic vegetation (SAV), submersed grassbeds, or natural shellfish beds.
- SP-6 This permit does not authorize excavation or dredging in wetlands unless the work meets the requirements of SP-10 below.
- SP-7 When SAV, submersed grassbeds, wetlands, or natural shellfish beds are present near any

proposed project, those resources must be surveyed and clearly marked with small diameter PVC pipe (or other pre-approved marking techniques) by the applicant or their representative prior to permit verification. Marked boundaries must include a 10-foot buffer and shall remain in place until all excavation or dredging activities are completed.

- SP-8 A minimum 10-foot buffer shall be maintained between the excavated boat slip and any SAV, submersed grassbeds, natural shellfish beds, or any wetlands located waterward of the MHW line or OHW mark, unless the work meets the requirements of SP-10 below. Use of a turbidity/sediment curtain is required for any excavation or dredging activities abutting the 10-foot buffer.
- SP-9 Dredged or excavated material shall not be placed in adjacent waters or wetlands unless specifically authorized. The dredged/excavated material shall be deposited in an approved upland area and properly contained to prevent reentering the waterway or adjacent wetlands. Applications must include adequate plans for containment of dredged/excavated material.
- SP-10 Excavation or dredging in wetlands is authorized only in previously permitted, man-made canals, where the creation of an excavated boat slip is necessary to avoid causing an obstruction to navigation. Excavation or dredging in these areas is limited to a maximum 500 square feet of wetland impacts. Applicants must demonstrate avoidance and minimization of wetland impacts to the maximum extent practicable and provide a compensatory mitigation proposal in the PCN. Compensatory mitigation for excavation or dredging resulting in less than or equal to 30 square feet of wetland impacts may not be required in some circumstances.

**MOBILE DISTRICT  
U. S. ARMY CORPS OF ENGINEERS**



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
109 SAINT JOSEPH STREET  
MOBILE, ALABAMA 36602-3630**

**DEPARTMENT OF THE ARMY PERMIT**

**ALGP-03 – DREDGING  
SAM-2021-00491-DCH**

**REGIONAL GENERAL PERMIT FOR WORK WITHIN THE STATE OF ALABAMA**

**PERMIT DESCRIPTION:**

This permit authorizes dredging of new open water channels and maintenance dredging of previously authorized and dredged areas, for the purpose of navigation. This permit also authorizes minor shallow dredging of offshore areas to supply clean sand fill material for living shoreline or shoreline protection projects.

**PERMIT AUTHORITY:** Section 10

**PRE-CONSTRUCTION NOTIFICATION:** PCN is required for all activities authorized under this permit

**SPECIAL CONDITIONS:**

- SP-1 This permit does not authorize dredging or the placement of dredged material in wetlands, submerged aquatic vegetation (SAV), submersed grassbeds, or natural shellfish beds. This condition may be waived by the Mobile District for dredging of invasive or noxious vegetation in man-made waterbodies or if the material is utilized as fill for an authorized living shoreline or shoreline protection project.
- SP-2 When SAV, submersed grassbeds, wetlands, or natural shellfish beds are present near any proposed project, those resources must be surveyed and clearly marked with small diameter PVC pipe (or other pre-approved marking techniques) by the applicant or a representative prior to permit authorization. Marked boundaries must include a 10-foot buffer and shall remain in place until all dredging activities are completed.
- SP-3 A minimum buffer distance of 10 feet must be maintained between the limits of dredging and any wetlands, SAV, submersed grassbeds or natural shellfish beds. Use of a turbidity/sediment curtain is required for any dredging activities abutting the 10-foot buffer. This condition may be waived by the Mobile District for projects where existing shoreline protection such as a bulkhead or riprap is located between the dredging activity and in-shore wetlands.
- SP-4 Dredged material must be placed in an approved upland area and properly contained to prevent any material re-entering the waterway or entering any other waters of the United States, including wetlands (treated return water discharging from approved upland treatment areas is authorized under *Nationwide Permit 16 - Return Water from Upland Contained Disposal Areas*). However, dredged material may be utilized as fill in waters of the United States if specifically authorized by a separate Department of the Army permit.
- SP-5 Dredged material de-watering areas must be designed such that return water discharge will not

erode down-gradient soils and cause deposition of sediment into waters of the United States, including wetlands. Applications for projects with dredged material containment areas must include design plans which adequately demonstrate return water discharge will be treated to dissipate discharge energy and protect areas receiving the discharges.

- SP-6 Pre-dredging and post-dredging hydrographic surveys and/or surveys for submerged aquatic vegetation (SAV), submersed grassbeds or natural shellfish beds may be required if deemed necessary by the Mobile District.
- SP-7 The dredged area must not interfere with the lateral movement of sediments such that shorelines located adjacent to the project are negatively impacted (i.e. sediment starved). The applicant may be required to submit a study by a qualified professional engineer which demonstrates dredged areas will not cause adjacent shorelines to erode by intercepting and/or interrupting the natural migration of sediment along the shoreline.

#### CONDITIONS SPECIFIC TO NEW CHANNEL DREDGING:

- SP-8 New channel dredging must be located in an existing open water area and must result in an open water navigable channel.
- SP-9 New channel dredging must be a single and complete project and is limited to the removal of no more than 1,000 cubic yards of material.
- SP-10 The depth of the new channel dredging must not exceed -6 feet Mean Low Water (MLW) in tidal areas or Ordinary Low Water (OLW) in non-tidal areas, or the controlling navigational depth of the adjacent waters, whichever is less.

#### CONDITIONS SPECIFIC TO MAINTENANCE DREDGING:

- SP-11 Maintenance dredging must be associated with navigation and must be located either within an existing boat slip and/or existing navigation channel.
- SP-12 Maintenance dredging must be a single and complete project, and shall be limited to the removal of no more than 500 cubic yards of material.
- SP-13 Maintenance dredging is limited to previously dredged and/or authorized dimensions.
- SP-14 The depth of the maintenance dredging must not exceed -6 feet MLW or OLW, or the controlling navigational depth of the adjacent waters, whichever is less.

#### CONDITIONS SPECIFIC TO DREDGING TO OBTAIN FILL FOR LIVING SHORELINES OR SHORELINE PROTECTION PROJECTS:

- SP-15 The dredging activity must be directly associated with a living shorelines project with marsh creation, vegetative enhancement, or shoreline protection activities authorized by a separate Department of the Army permit.
- SP-16 Dredging to obtain fill material for living shoreline or shoreline protection projects shall be limited to the removal of no more than 500 cubic yards of material.

- SP-17 Dredging to obtain fill material for living shoreline or shoreline protection projects must be located in water depths of at least -5 feet MLW or OLW in an existing open water area, and must impact no more than 1/4 acre of waterbottom.
- SP-18 The depth of the dredging used to obtain fill material for living shoreline or shoreline protection projects must not exceed -5 feet below the existing waterbottom.
- SP-19 The applicant must demonstrate material to be dredged to obtain fill material for living shoreline or shoreline protection projects will be the appropriate composition needed for the proposed project.

CONDITIONS SPECIFIC TO WEEKS BAY:

- SP-20 This permit does not authorize any dredging activity, prop dredging, or any other similar bottom disturbance in waters of Weeks Bay. This condition does not apply to the minimum bottom disturbance which occurs during the installation of support or mooring pilings outside of wetland areas.

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**DEPARTMENT OF THE ARMY PERMIT**

**ALGP-04 – DEBRIS REMOVAL  
SAM-2021-00492-DCH**

**REGIONAL GENERAL PERMIT FOR WORK WITHIN THE STATE OF ALABAMA**

**PERMIT DESCRIPTION:**

This permit authorizes removal of debris from any waterway for the purposes of navigation or drainage. Debris includes, but is not limited to, fallen trees and limbs, appliances, lumber, and metal objects.

**PERMIT AUTHORITY:** Section 10 and Section 404

**PRE-CONSTRUCTION NOTIFICATION:** PCN is required for all activities authorized under this permit

**SPECIAL CONDITIONS:**

- SP-1 Removal of debris must be for navigational or drainage purposes only.
- SP-2 Trees and/or woody vegetation which are rooted or embedded in waterbottoms must remain in place or be cut off above ground elevation before removal, so that the root mass or buried portion remains intact.
- SP-3 All removed debris must be placed in an upland disposal site. Non-landfill disposal or open burning of debris should be coordinated with the Alabama Department of Environmental Management (ADEM) at (334) 271-7700.
- SP-4 All removal of debris shall be accomplished by use of the shortest access distance through waters of the United States, except in cases where less environmental harm can be demonstrated, or health and safety may be compromised.
- SP-5 This permit does not authorize the dredging of gravel, sand, soil, silt, wetlands, natural shellfish beds, submerged aquatic vegetation (SAV), or submersed grassbeds.
- SP-6 This permit does not authorize the removal of hazardous materials or hazardous waste.
- SP-7 This permit does not authorize the dredging of new navigation channels for facilitation of debris removal.

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**DEPARTMENT OF THE ARMY PERMIT**

**ALGP-05 – PIERS AND PILE-SUPPORTED STRUCTURES  
SAM-2021-00493-DCH**

**REGIONAL GENERAL PERMIT FOR WORK WITHIN THE STATE OF ALABAMA**

**PERMIT DESCRIPTION:**

This permit authorizes the construction or modification of the following structures: piers; wharves; open decks; mooring pilings; dolphins; single-pile structures; floating structures; and covered, open-sided structures such as boat shelters, gazebos, and covered decks. This permit also authorizes any normal appurtenances associated with the above structures, such as boat hoists, stairways, and walkways.

**PERMIT AUTHORITY:** Section 10

**PRE-CONSTRUCTION NOTIFICATION:** PCN required, with exceptions (see SP-10 and SP-11 below)

**SPECIAL CONDITIONS:**

- SP-1 The permit authorizes structures that are of sufficient length to reach navigational depths adequate for the proposed use, to the extent that a hazard to navigation will not be created, as determined by the controlling authority. The length of the structure(s) should be generally consistent with other neighboring structures in the waterway. In no case shall the length of the structure(s) extend greater than 25 percent of the overall width of the waterway, as measured from the mean high water (MHW) line or ordinary high water (OHW) mark (see SP-12 for additional length restrictions for structures located in Weeks Bay).
- SP-2 A limit of four (4) boat berthing areas per project site are authorized under this permit, with the exception of structures located in Weeks Bay (see SP-13 below).
- SP-3 Structures constructed over emergent wetlands, or constructed over areas with submerged aquatic vegetation (SAV) or submersed grassbeds, must be uncovered, constructed no more than five (5) feet wide, and constructed at a height at least equal to the width of the structure. Height will be measured from the ground surface or mud line when over emergent wetlands, and from the plane of MHW or OHW (when waterward of the MHW line or OHW mark), up to the bottom of the decking. This condition may be waived on a case-by-case basis if the applicant can demonstrate construction methods and/or materials that allow for equivalent light penetration to affected wetlands.
- SP-4 The decking of structures constructed over emergent wetlands or submersed grassbeds must feature spaces of at least 0.75 inch width between decking boards. This condition may be waived on a case-by-case basis if the applicant can demonstrate construction methods and/or materials that allow for equivalent light penetration to waters located below the structure.
- SP-5 Boat shelters or any other type of roofed structures shall not be constructed within 10 feet of emergent wetlands, areas with SAV, or submersed grassbeds.

- SP-6 Structures that are designed to moor vessels shall not be constructed in a way where the moored vessel will shade or otherwise cause adverse impacts (such as prop wash, etc.) to emergent wetlands, areas with SAV, or submersed grassbeds.
- SP-7 When installing authorized pilings, emergent wetlands, SAV, and submersed grassbeds shall be avoided where practicable. If these areas cannot be avoided, then pilings must be installed in a manner (e.g. mechanical driving) that will not result in the formation of sedimentary deposits (i.e. “donuts” or “halos”) around the installed pilings.
- SP-8 This permit does not authorize the operation of heavy equipment (i.e. wheeled or tracked vehicles) in wetlands or other waters of the United States unless detailed plans are submitted that: 1) Provide for the use of temporary mats or equivalent protective measures sufficient to prevent rutting and compaction of wetland soils or waterbottoms; 2) Provide for the return of all affected areas to pre-construction elevations, and the full restoration of any wetland or emergent vegetation impacted by the activity; and 3) Demonstrate avoidance of all SAVs and submersed grassbeds.
- SP-9 Structures shall not be constructed within 100 feet of a federally maintained navigation channel. This condition may be waived by the Mobile District where circumstances warrant.
- SP-10 Activities limited to the addition or replacement of a boat hoist on an existing boat shelter or boat slip, and that do not require the installation of pilings or increase the number of boat slips, are authorized by this permit and do not require a pre-construction notification (PCN) prior to commencing the activity. This condition does not apply to work on structures greater than 50 years of age. All other conditions contained in this permit apply to the activity.
- SP-11 Activities limited to the addition of a single-story roof or covering structure on an existing open-deck pier that do not require the installation of pilings are authorized by this permit and do not require a PCN prior to commencing the activity. This condition does not apply to existing decks that are located over, or within 10 feet of, emergent wetlands, SAVs, or submersed grassbeds. This condition does not apply to work on structures greater than 50 years of age. Addition of a roof or covering on an existing structure in Weeks Bay must comply with SP-14 below. All other conditions contained in this permit apply to the activity.

**CONDITIONS SPECIFIC TO PIERS AND PILE-SUPPORTED STRUCTURES IN WEEKS BAY:**

- SP-12 Structure(s) in Weeks Bay may not exceed 300 feet in length, as measured from the MHW or OHW shoreline.
- SP-13 A limit of two (2) boat berthing areas per project site are authorized under this permit in Weeks Bay.
- SP-14 In Weeks Bay, terminal structures such as decks and boat berthing areas, and any associated roofs or coverings, must not exceed a combined total footprint of 620 square feet and may be covered and feature screened enclosures, but not solid walls.



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**DEPARTMENT OF THE ARMY PERMIT**

**ALGP-07 – BOAT RAMPS AND MARINE WAYS  
SAM-2021-00494-DCH**

**REGIONAL GENERAL PERMIT FOR WORK WITHIN THE STATE OF ALABAMA**

**PERMIT DESCRIPTION:**

This permit authorizes the construction or modification of boat ramps and marine ways.

**PERMIT AUTHORITY:** Section 10 and Section 404

**PRE-CONSTRUCTION NOTIFICATION:** PCN is required for all activities authorized under this permit

**SPECIAL CONDITIONS:**

- SP-1 This permit authorizes the dredging or filling of up to 250 cubic yards of material below the plane of mean high water (MHW) or ordinary high water (OHW).
- SP-2 This permit does not authorize any type of jetty or groin structure, or any structure that causes the accretion or erosion of adjacent or nearby shorelines.
- SP-3 For boat ramps designed for public access, the applicant must demonstrate that there is adequate upland parking to support the anticipated use.
- SP-4 Dredged material shall be placed in an approved upland area and properly contained to prevent reentering the waterway or adjacent wetlands. Dredged materials shall not be placed in adjacent waters or wetlands unless the activity is specifically authorized by a separate Department of the Army permit.
- SP-5 This permit does not authorize dredging or filling in wetlands, areas with submerged aquatic vegetation (SAV), submersed grassbeds, or natural shellfish beds.
- SP-6 This permit does not authorize construction of boat ramps and/or marine ways directly adjacent to SAV, submersed grassbeds, or natural shellfish beds, where the construction or normal use of the ramp would cause adverse impacts to these resources.

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**DEPARTMENT OF THE ARMY PERMIT**

**ALGP-11 – SHORELINE AND BANK STABILIZATION AND PROTECTION  
SAM-2021-00495-DCH**

**REGIONAL GENERAL PERMIT FOR WORK WITHIN THE STATE OF ALABAMA**

**PERMIT DESCRIPTION:**

This permit authorizes the installation of shoreline/bank protection and stabilization structures along existing shorelines or banks. Authorized structures include, but are not limited to filter mats, root wad revetments, crib walls, river training structures, armoring systems (such as riprap, gabions, interlocking brick/concrete systems, etc.), headland and offshore breakwaters, low-profile sills, bulkheads, and seawalls.

To the maximum extent possible, shoreline stabilization and protection should be accomplished by the establishment of appropriate native vegetation. Bulkhead or seawall structures should only be considered for those areas when there are no feasible alternatives available. These alternatives include, but are not limited to, shoreline restoration/re-vegetation, preservation and restoration of wetlands, riprap armoring, or restoration of submerged aquatic vegetation (SAV) and submersed grassbeds.

Activities authorized by this permit should take into consideration the dynamic and variable characteristics of different shorelines (i.e. slope, fetch, rate of erosion, predominant wind/wave patterns, offshore water depth and bottom character, and natural vegetative coverage). Structures should be appropriately sized, and provide adequate protection needed for the energy level of the particular environment without causing adverse impacts to surrounding properties or resources.

**PERMIT AUTHORITY:** Section 10 and Section 404

**PRE-CONSTRUCTION NOTIFICATION:** PCN required, with exceptions (see SP-7 below)

**SPECIAL CONDITIONS:**

- SP-1 Stabilization and protection structures may be installed adjacent to wetland areas as long as the wetlands are not adversely impacted. If any portion of the protected area is a wetland, then: (1) no fill will be placed in wetland areas (unless allowable as a de minimis impact, per SP-6); and (2) the shoreline/bank protection must be designed to allow the normal hydrologic regime to be maintained in the wetland areas. This permit does not authorize dredging or the placement of fill within areas with SAV or submersed grassbeds.
- SP-2 All structural materials utilized must be adequately anchored, of sufficient weight, and/or installed in a manner that prevents settlement, relocation, and loss of sediment or fill material under expected environmental conditions. Effective use of geotextile or filter fabric material is required for all new bank/shoreline stabilization and protection projects.

- SP-3 To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each project authorized under this permit. This permit does not authorize stream channelization activity.

**CONDITIONS SPECIFIC TO RIPRAP AND OTHER ARMORING SYSTEMS USED FOR STABILIZATION/PROTECTION:**

- SP-4 The placement of new riprap or other armoring systems (such as gabions, interlocking brick/concrete systems, etc.) is limited to no more than 500 linear feet of shoreline or bank, except for projects where armoring systems are utilized to augment existing bulkheads or seawalls. For augmentation of existing bulkheads or seawalls, placement of riprap or other armoring systems is limited to a total length of 1,000 linear feet.
- SP-5 Placement of riprap, bank dressing, or other armoring type fill below the plane of mean high water (MHW) or ordinary high water (OHW) is limited to one (1) cubic yard per linear foot of treated shoreline or bank.

**CONDITIONS SPECIFIC TO BULKHEAD AND SEAWALL INSTALLATION:**

- SP-6 Bulkhead or seawall structures installed to replace existing, previously permitted bulkheads or seawalls are limited to a total length of 1,000 linear feet, and the waterward edge of the new structure shall not extend more than 24 inches waterward from the base of the existing bulkhead or seawall. De minimis wetland fill not exceeding 30 square feet per single and complete project is authorized in cases where minor areas of wetland vegetation have developed as a result of bulkhead deterioration.
- SP-7 For projects located in Mobile and Baldwin Counties: PCN is not required for replacement of less than 500 linear feet of existing, currently serviceable bulkhead or seawall structures, on condition that the work is conducted without the use of vessels or construction barges, and effective sediment controls are utilized. This condition includes replacement of bulkhead or seawall structures destroyed or damaged by discrete events such as storms, floods, or fire, provided the replacement is commenced, or is under contract to commence, within two (2) years of the date of their destruction or damage. The permittee must submit a completed self-verification form to the USACE, Mobile District, South Alabama Branch within 30 days of project completion.
- SP-8 New bulkhead or seawall structures are limited to a total length of 500 linear feet and must be installed along the existing shoreline or bank at or above the MHW line or OHW mark. If adjacent wetlands are present, new bulkhead or seawall structures must be installed landward of all jurisdictional wetlands and must not separate the wetlands from contact with open waters.
- SP-9 Any wetlands located adjacent to and waterward of a new bulkhead or seawall must be protected by implementation of effective additional structural measures designed to prevent gradual scour and erosion by expected wave conditions at the site. The measures can include, but are not limited to, the installation of edging, sill structures, or breakwaters.

**CONDITIONS SPECIFIC TO BREAKWATER INSTALLATION:**

- SP-10 Breakwater structures and any associated fill shall not extend more than thirty (30) feet waterward from the pre-existing shoreline (as defined by the MHW line or OHW mark) and are

limited to a total shore-parallel length of 500 linear feet, including spacing between structures. The crest height of headland and offshore breakwater structures is limited to no greater than MHW (or OHW). The crest height of low-profile sills is limited to no greater than Mean Sea Level.

- SP-11 Breakwater and sill structures shall be designed to ensure adequate circulation/tidal flushing and shoreline habitat access for aquatic and terrestrial organisms.
- SP-12 Interior angles of headland breakwaters should be angled 45 degrees or less relative to the prevailing shoreline (as determined by examining the orientation of adjacent shorelines a minimum of 100 feet on either side of the project).
- SP-13 At project sites where scarping of the shoreline has occurred due to scour or scalloping, fill discharges shall be limited to the minimum volume necessary to achieve equivalent elevation to adjacent undisturbed land and provide for adequate stable shoreline slope.

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**DEPARTMENT OF THE ARMY PERMIT**

**ALGP-13 – FILLING OF PREVIOUSLY DREDGED AREAS  
SAM-2021-00496-DCH**

**REGIONAL GENERAL PERMIT FOR WORK WITHIN THE STATE OF ALABAMA**

**PERMIT DESCRIPTION:**

This permit authorizes the filling of previously dredged areas such as boat slips and man-made ditches.

**PERMIT AUTHORITY:** Section 10 and Section 404

**PRE-CONSTRUCTION NOTIFICATION:** PCN is required for all activities authorized under this permit

**SPECIAL CONDITIONS:**

- SP-1 In areas invaded by noxious or invasive aquatic vegetation, authorization to fill will be determined on a case-by-case basis.
- SP-2 If the area to be filled was originally a wetland or natural channel, the fill may not exceed the elevations and dimensions of the area as it was prior to the original excavation or dredging.
- SP-3 This permit does not authorize the filling of wetlands, areas with submerged aquatic vegetation (SAV), submersed grassbeds, natural streams, or natural channels.
- SP-4 This permit does not authorize the filling of areas providing mitigation, enhancement, or flushing of an aquatic system.

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**GENERAL CONDITIONS:**

NOTE: The term "you" and its derivatives, means the permittee or any future transferee. The above-described structures and activities may be authorized under these General Permits subject to the following conditions:

- GC-1 Verification of coverage under the Alabama General Permit program may not be issued for your project if you have been found by this office to be in noncompliance with any prior U.S. Army Corps of Engineers permit, or have been cited for unauthorized work, until the non-compliance or violation has been resolved.
- GC-2 This permit does not authorize structures and activities that are found to be hazardous to navigation, and does not authorize the interference with any existing or proposed federal project. If future operations by the United States require the removal, relocation, or other alteration of the structure or work authorized by this permit, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- GC-3 The prospective permittee must submit a complete written pre-construction notification (PCN) with all required information, and must receive subsequent verification of permit authorization in writing from the Mobile District prior to proceeding with the activity authorized by this permit, unless otherwise excluded by the permit Special Conditions.
- GC-4 Authorization under this permit does not obviate any obligation or responsibility for compliance with FEMA-approved state or local floodplain ordinances or floodplain management requirements. The permittee should contact the officials responsible for the local community's FEMA-approved floodplain requirements if the project verified for authorization under this permit includes the placement of fill or structures within any portion of the 100-Year Floodplain.
- GC-5 For projects located in areas which may support submerged aquatic vegetation (SAV) or submersed grassbeds, an SAV survey may be required (recommended survey dates from June 1 through September 30).
- GC-6 No activity is authorized under this permit which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under this permit which "may affect" a listed species or critical habitat, unless consultation pursuant to Section 7 of the ESA addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the permitted activity. Indirect effects are those effects on listed species and critical habitat that are caused by the permitted activity and are later in time, but still are reasonably certain to occur.
- GC-7 Verifications of permit authorization will not be issued for projects which may affect any cultural resources determined to be listed, or potentially eligible for listing, in the National Register of

Historic Places (NRHP) until the requirements of Section 106 of the National Historic Preservation Act (NHPA) and 33 CFR part 325, Appendix C have been satisfied.

- GC-8 If any previously unknown historic or archeological remains are discovered while accomplishing an activity authorized by this permit, all work in the area of discovery must cease, and the Mobile District must be immediately notified of what has been found. The Mobile District will initiate the federal, state, and tribal coordination required to determine if the site warrants recovery efforts or if it is potentially eligible for listing in the NRHP.
- GC-9 *Reserved for 401 WQC Conditions*
- GC-10 *Reserved for CZM Conditions*
- GC-11 Verification of permit authorization will not be issued for activities located within state or National Wild and Scenic streams, rivers, or components thereof, or other areas provided special protection unless the administering agency concurs.
- GC-12 The Mobile District must be notified of the commencement and completion of the authorized work.
- GC-13 If an activity is verified for permit authorization, a “Notice of Authorization” card will be provided to the permittee along with a verification of permit authorization letter. The card must be posted at the site during construction of the permitted activity.
- GC-14 It is the permittee’s responsibility to ensure that all contractors working on the permitted project are aware of all general and special conditions of the permit and the verification letter.
- GC-15 Activities authorized under this permit must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows.
- GC-16 The authorized activity must be maintained in good condition and in conformance with the terms and conditions of the permit and verification letter. You are not relieved of this requirement if you abandon the authorized activity.
- GC-17 You must allow federal and state resource agency representatives to inspect the verified activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of the authorization.
- GC-18 Pursuant to 33 U.S.C. 408, any activity that requires permission from the USACE that will alter or temporarily or permanently occupy or use a USACE federally authorized Civil Works project is not authorized by this permit unless the Mobile District first issues Section 408 permission to alter, occupy, or use the USACE project. The applicant may be required to submit additional information in order to complete the Section 408 review process. Section 408 permission must be issued for the activity prior to verification of authorization under this permit.

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