



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS – MOBILE DISTRICT
MONTGOMERY FIELD OFFICE
605 MAPLE STREET
BUILDING 1429, ROOM 105
MAXWELL AFB, AL 36112**

**CESAM-RD-N
PUBLIC NOTICE NO. SAM-2007-00604-ARW**

November 23, 2015

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

**PROPOSED DISCHARGE OF FILL MATERIAL FOR THE
DEVELOPMENT OF A RESIDENTIAL SUBDIVISION
IN MONTGOMERY COUNTY, ALABAMA**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

APPLICANT: Dubose Corporation
Attention: Mr. Reggie Dubose
Post Office Box 117
Mount Meigs, Alabama 36057

AGENT: Goodwyn, Mills & Cawood, Incorporated
Attention: Mr. Rob Carlton
2660 East Chase Lane, Suite 200
Montgomery, Alabama 36117

LOCATION: Wetlands along an unnamed tributary to Jenkins Creek in the Lower Tallapoosa River watershed (HUC 03150110); Section 23, Township 16 North, Range 19 East, Montgomery, Montgomery County, Alabama (Latitude 32.3484° North, Longitude 86.1308° West).

PROPOSED WORK: The applicant requests authorization for the discharge of fill material into 2.45 acres of jurisdictional wetlands, in order to construct single-family homes, within the existing Ryan Ridge residential subdivision.

PREVIOUS AUTHORIZATIONS: Initial development of the Ryan Ridge subdivision was authorized under a standard permit issued during May 2010. The original permit authorized the discharge of fill material into 4.48 acres of wetlands, 1,404 linear feet of ephemeral streams, and 53 linear feet of intermittent streams for residential development. After permit issuance construction began at the Ryan Ridge subdivision; however, the applicant was unable to complete the development prior to permit expiration. Impacts to waters of the U.S. (WOUS) authorized and completed, to date, include 1,404 linear feet of ephemeral stream and 53 linear feet of intermittent stream impacted for lot development and infrastructure installation. No wetlands were filled under the May 2010 permit.

AVOIDANCE & MINIMIZATION: The currently proposed fill locations were included and authorized during the initial permit review and issuance. The applicant has reevaluated and redesigned the proposal electing to avoid an additional 2.03 acres of jurisdictional wetlands, as well as to avoid impacts to a 0.61 pond created by the previous permitted actions. Finally, the applicant will also avoid impacts to 800 linear feet of intermittent stream and 118 linear feet of ephemeral stream, which were previously offered as avoidance measures in the original 2010 permit. (*The USACE has not fully evaluated the adequacy of the proposed avoidance and mitigation*).

COMPENSATORY MITIGATION: The applicant proposes to mitigate for unavoidable impacts to jurisdictional wetlands through off-site permittee responsible mitigation. (*The USACE has not fully evaluated the adequacy of the proposed compensatory mitigation plan*).

WATER QUALITY: The applicant is preparing their application for certification from the State of Alabama in accordance with Section 401(a) (1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made.

PUBLIC REVIEW: This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers 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, 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 USACE 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 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 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 discharges of dredged or fill material into waters of the United States will include the application of the Section 404(b)(1) guidelines established by the Administrator of the U.S. Environmental Protection Agency.

HISTORIC PROPERTIES: The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which would be affected by the proposed work. This action will constitute the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the project area. Copies of this notice are being sent to the State Historic Preservation Officer.

ENDANGERED SPECIES: A preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicated that the proposed activity will not affect listed endangered or threatened species, or their critical habitat. Copies of this notice are being sent to the U.S. Fish and Wildlife Service.

Any correspondence concerning this publication should refer to this Public Notice **SAM-2006-00871-JAP** and should be directed to the following address:

November 20, 2015

District Engineer:

U. S. Army Engineer District, Mobile
Regulatory Division, Montgomery Field Office
Attention: James S. Cherry, II
605 Maple Street
Bldg. 1429, Room 105
Maxwell, AFB, Alabama 36112

with a copy to the :

Director
Alabama Department of Environmental Management
Post Office Box 301463
Montgomery, Alabama 36130-1463

All comments should be received no later than **30 days** from the date of issuance of this Public Notice.

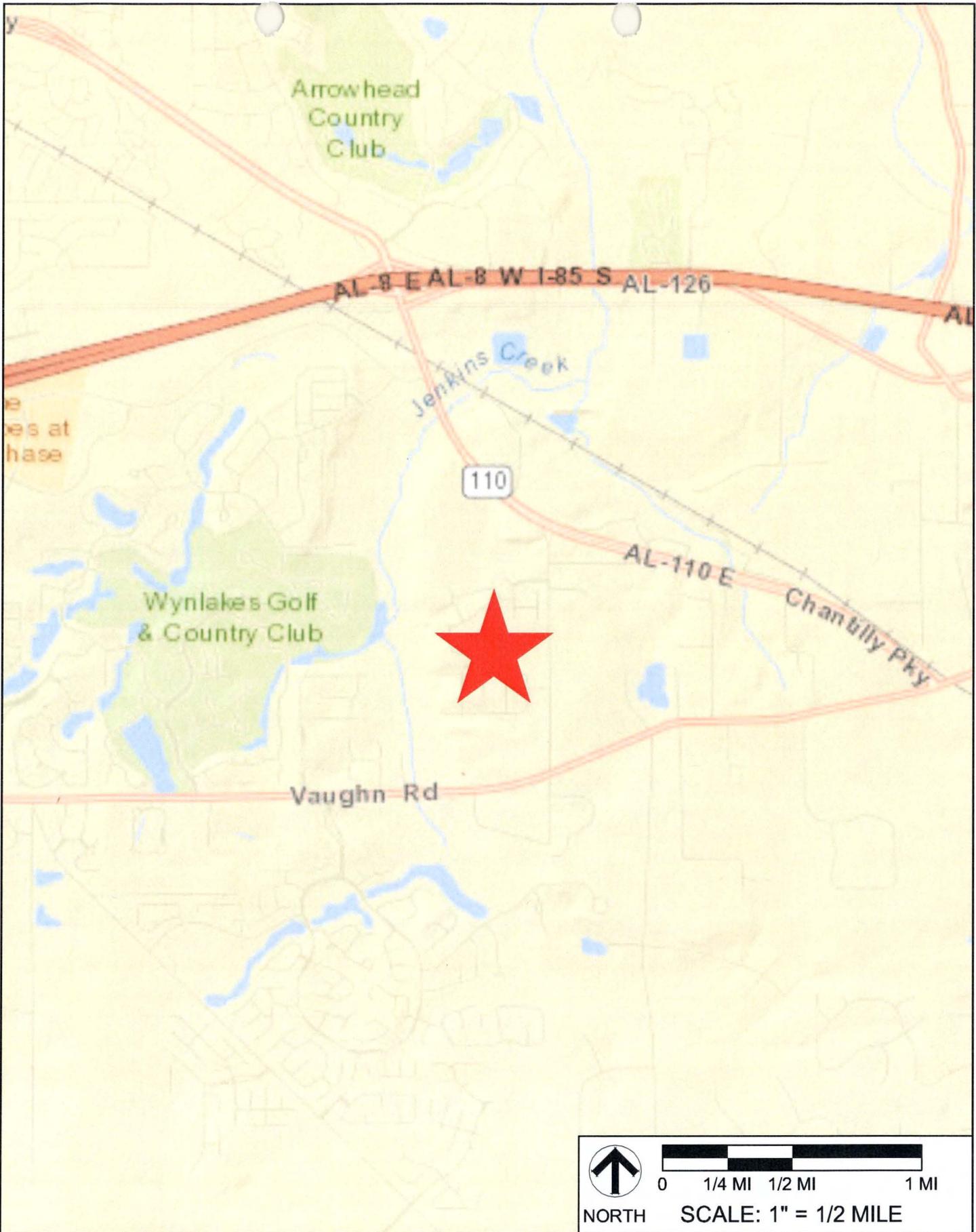
Enclosed to assist you with your review are: Vicinity map; Current aerial photograph with WOUS; Site Plan depicting impacts to WOUS.

If you have any questions concerning this publication, you may contact the Project Manager via e-mail at james.s.cherry@usace.army.mil or telephone number (334) 953-2172. Please refer to the above Public Notice number.

For additional information about the Mobile District's Regulatory Program, please take a moment to visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>, while there please take a moment to complete our customer satisfaction survey. Your responses are appreciated and will allow us to improve our services.

Encls

MOBILE DISTRICT
U.S. Army Corps of Engineers



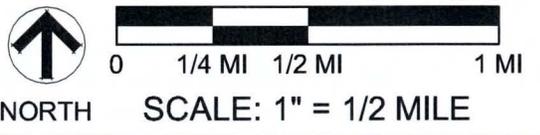
REF. SHEET: ESRI WORLD STREETS
 DESCRIPTION: INDIVIDUAL PERMIT

RYAN RIDGE

MONTGOMERY, MONTGOMERY COUNTY, ALABAMA

FIGURE 1

GENERAL LOCATION MAP
 GMC #
 DATE: 09/30/15
 DRAWN BY: SAB



GOODWYN | MILLS | CAWOOD

2660 EastChase Lane, Suite 200 | Montgomery, AL 36117
 Tel 334.271.3200 | GMCNETWORK.COM



LEGEND:

- SITE BOUNDARY
- WETLANDS
- INTERMITTENT STREAMS
- EPHEMERAL STREAMS
- DATA POINTS

NORTH

SCALE: 1" = 400'

REF. SHEET: ESRI WORLD IMAGERY
 DESCRIPTION: INDIVIDUAL PERMIT

RYAN RIDGE
 MONTGOMERY, MONTGOMERY COUNTY, ALABAMA

FIGURE 3

AERIAL PHOTOGRAPH
 GMC #
 DATE: 09/30/15
 DRAWN BY: SAB

GOODWYN | MILLS | CAWOOD

2660 EastChase Lane, Suite 200 | Montgomery, AL 36117
 Tel 334.271.3200 | GMCNETWORK.COM



LEGEND:

- SITE BOUNDARY
- WETLANDS
- INTERMITTENT STREAMS
- EPHEMERAL STREAMS
- WETLAND IMPACTS




 NORTH SCALE: 1" = 400'

REF. SHEET: MONTGOMERY COUNTY SOILS MAP
 DESCRIPTION: INDIVIDUAL PERMIT

RYAN RIDGE
 MONTGOMERY, MONTGOMERY COUNTY, ALABAMA

FIGURE 5

SITE PLAN WITH IMPACTS
 GMC #
 DATE: 09/30/15
 DRAWN BY: SAB

 GOODWYN | MILLS | CAWOOD

2660 EastChase Lane, Suite 200 | Montgomery, AL 36117
 Tel 334.271.3200 | GMCNETWORK.COM