



REPLY TO  
ATTENTION OF:

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

CESAM-RD-IN DATE: January 28, 2008  
PUBLIC NOTICE NO. SAM-2007-01721-ARW

JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS  
AND  
STATE OF ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
PROPOSED FILL FOR RESIDENTIAL SUBDIVISION  
IN LEE COUNTY, ALABAMA

TO WHOM IT MAY CONCERN:

The Mobile District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to all interested parties.

APPLICANT: Mr. Thomas M. Hayley  
1695 East University Drive  
Auburn, Alabama 36830

AGENT: Wetland & Ecological Consultants  
Attn: Mr. Richard Whiteside  
3225 South Cherokee Lane  
Building 800  
Woodstock, Georgia 30188

WATERWAY: Parkerson Mill Creek; Sections 1 and 2,  
Township 18 North, Range 25 East, Auburn, Lee County,  
Alabama (Latitude 32.567431 North, Longitude 85.510176  
West).

WORK PROPOSED: The applicant requests authorization for the placement of fill associated with one road crossing for a residential development. The applicant received an Individual Permit (AL01-02321-H-AF) on January 17, 2002 to fill 0.83 acre of wetland and 80 linear feet of stream channel and stabilize approximately 300 linear feet of stream bank associated with the residential development. The permit was originally scheduled to expire on January 16, 2005, but the applicant requested and was granted an extension to complete the work that expired on December 21, 2006. The applicant has completed all requirements of the permit including the on-site preservation of 30

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acres of wetlands, with the exception of the 80 linear foot road crossing referenced above. The road crossing is necessary to complete the final phases of the development and provides the only practical point of access for the final phases. The applicant proposes the placement of fill in 80 linear feet of a perennial stream channel. The applicant does not propose additional mitigation.

The applicant is presently 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.

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 (Corps) 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 Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to

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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.

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 review 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 and the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

A preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will not affect listed endangered or threatened species, or their critical habitat.

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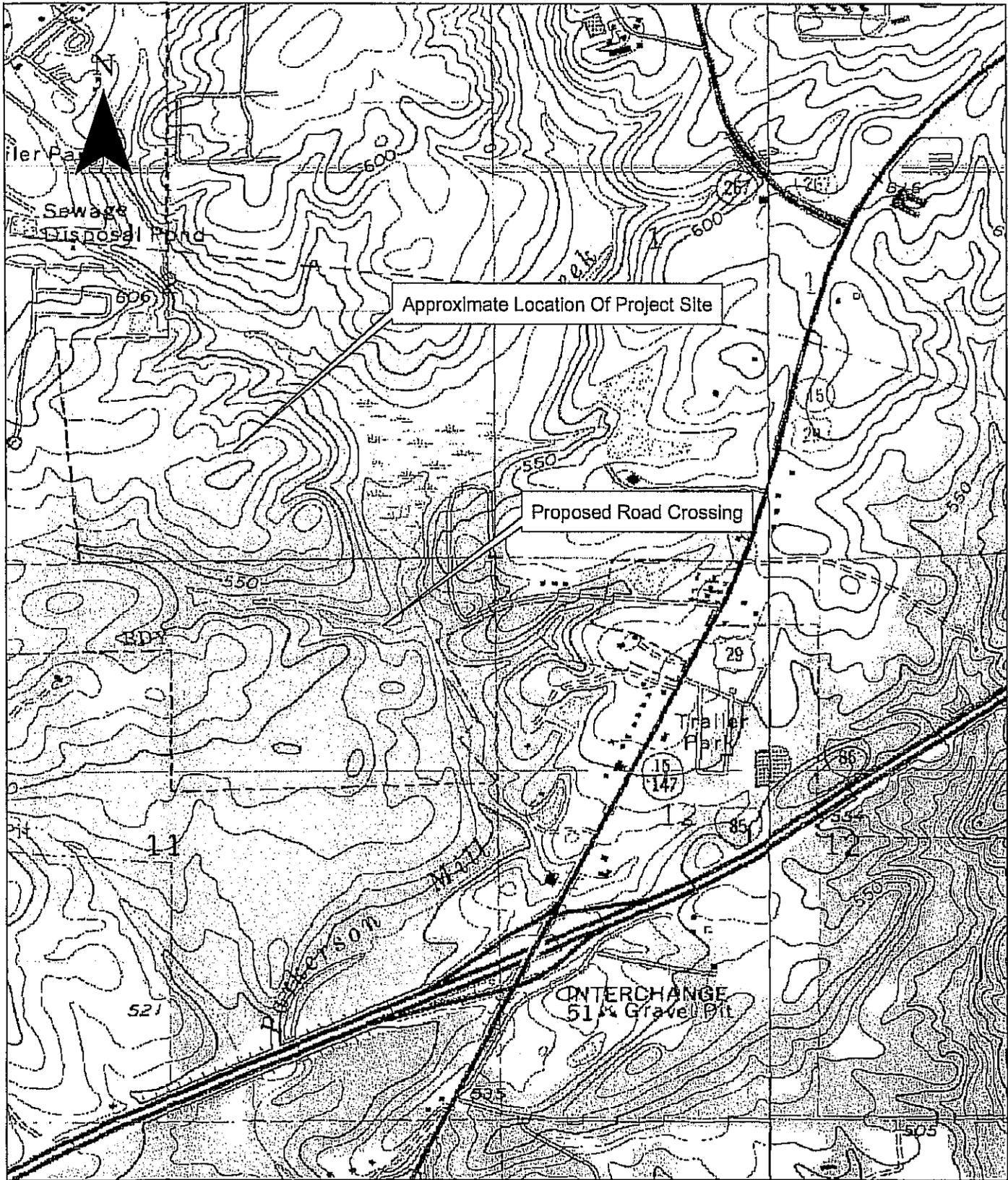
Any correspondence concerning this Public Notice should refer to Public Notice Number SAM-2007-01721-ARW and should be directed to the U.S. Army Corps of Engineers, Mobile District, Montgomery Field Office, 75 TechnaCenter Drive, Room 207, Montgomery, Alabama 36117, with a copy to the Alabama Department of Environmental Management, Post Office Box 301463, Montgomery, Alabama 36130-1463 in time to be received not later than 15 days from the date of this notice.

If you have any questions concerning this publication, you may contact the Project Manager via e-mail at [andrea.r.wade@usace.army.mil](mailto:andrea.r.wade@usace.army.mil) or telephone number (334) 213-0157. Please refer to the above Public Notice number.

For additional information about the Mobile District's Regulatory Program, please visit our web site at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/reg). Please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

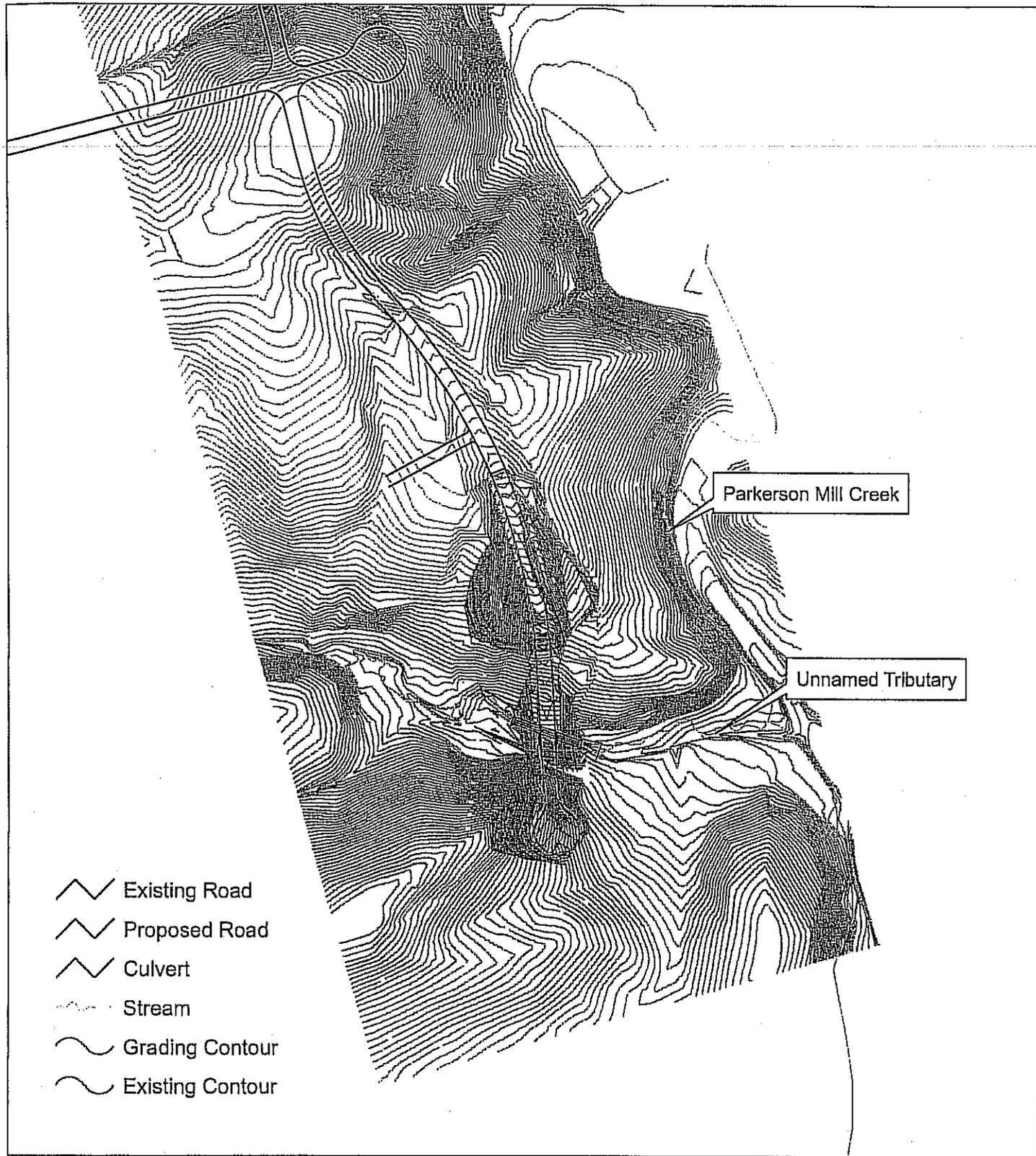


Base Map Source: USGS Topographic Quadrangle of Auburn and Loachapoka, Lee County, GA 1:24,000

Nation Wide Permit 14  
 Hayley Tract  
 USACE File No. AL01-02321-H-AF

  
**WETLAND & ECOLOGICAL  
 CONSULTANTS, LLC**  
 Woodstock, Georgia

**Figure 1**  
 Site Location  
 WEC Project No. 02-011904



Nation Wide Permit 14

Hayley Tract

USACE File No. AL01-02321-H-AF



**WETLAND & ECOLOGICAL  
 CONSULTANTS, LLC**  
 Woodstock, Georgia

Figure 2

Site Plan of Road Crossing  
 WEC Project No. 02-011904