



**DEPARTMENT OF THE ARMY**  
MOBILE DISTRICT, CORPS OF ENGINEERS  
218 SUMMIT PARKWAY, SUITE 222  
HOMEWOOD, AL 35209-4752

**CESAM-RD-I**  
**PUBLIC NOTICE NO. SAM-2007-1033-HWL**

**November 9, 2007**

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

**PROPOSED MARINA FOR THE PRESERVE AT LAY LAKE**  
**IN TALLADEGA 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). Please communicate this information to interested parties.

**APPLICANT:**     **LAY Lake Development LLC**  
                          **160 Yeager Parkway**  
                          **Pelham, AL 35124**

**WATERWAY:** The project is located within Sections 24 and 25, Township 21 South, Range 1 East, and Sections 19, 29 and 30, Township 21 South, Range 2 East, Talladega County, Alabama. Center point coordinates are approximately 33°10'50" Latitude by -86°29'33" Longitude.

**WORK:** The purpose of the project is to provide a marina for use by the adjacent subdivision residents. Specifically the project will result in new work dredging of 904 cubic yards from three separate sites totally 810 square feet. A boat ramp will be installed adjacent to the marina piers which are of various lengths and widths. The subdivision does not require any further authorization under Section 404 of the Clean Water Act. No mitigation is proposed for the requested activity as the only fill in jurisdictional waters of the United States is the boat ramp. The applicant's drawings are attached.

The applicant has applied 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 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 use 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

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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 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 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.

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.

In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to effect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of this undertaking are also being considered. We are 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 existence or the potential for existence of significant cultural and historic properties within the permit area. Historic architectural or archaeological investigations may be necessary to ascertain the existence of such resources. Efforts will be made through the consultation process to avoid, minimize, or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking. The district engineer remains the final decision authority.

Preliminary endangered species surveys have been conducted to determine the presence of Federally listed species or critical habitat. These surveys are being provided to the U.S. Fish and Wildlife service in accordance with the provisions of the Federal Endangered Species Act, to insure that the proposed activities will not adversely affect any listed or proposed species.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2007-1033-HWL and should be directed to:

U.S. Army Corps of Engineers  
Mobile District  
218 Summit Parkway, Suite 222  
Homewood, AL 35209

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with a copy to the:

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

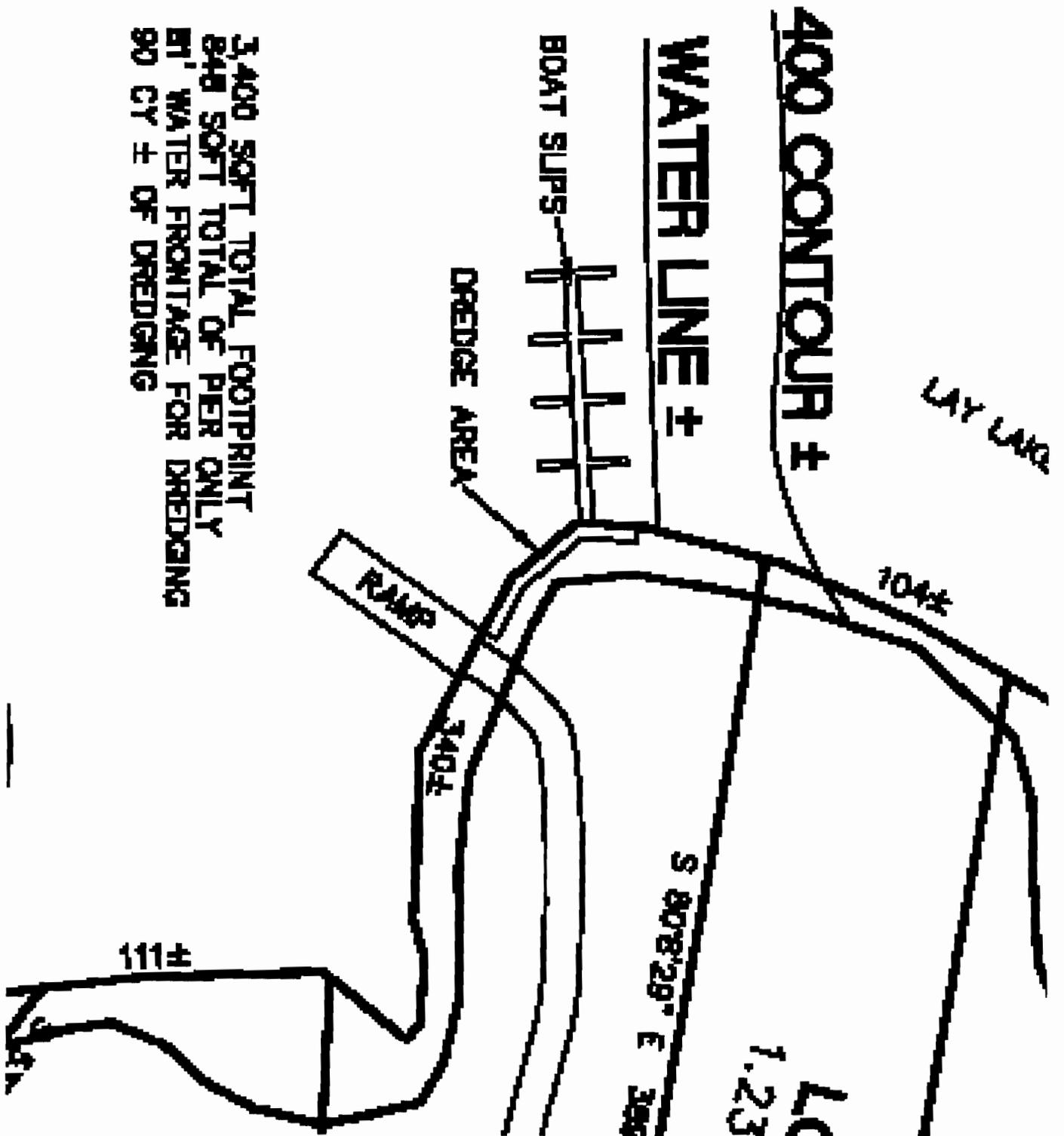
Comments should be received no later than **30 days** from the date of this Public notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at [howard.w.ladner@usace.army.mil](mailto:howard.w.ladner@usace.army.mil) or telephone number **(205) 290-9096**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/reg), and 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.

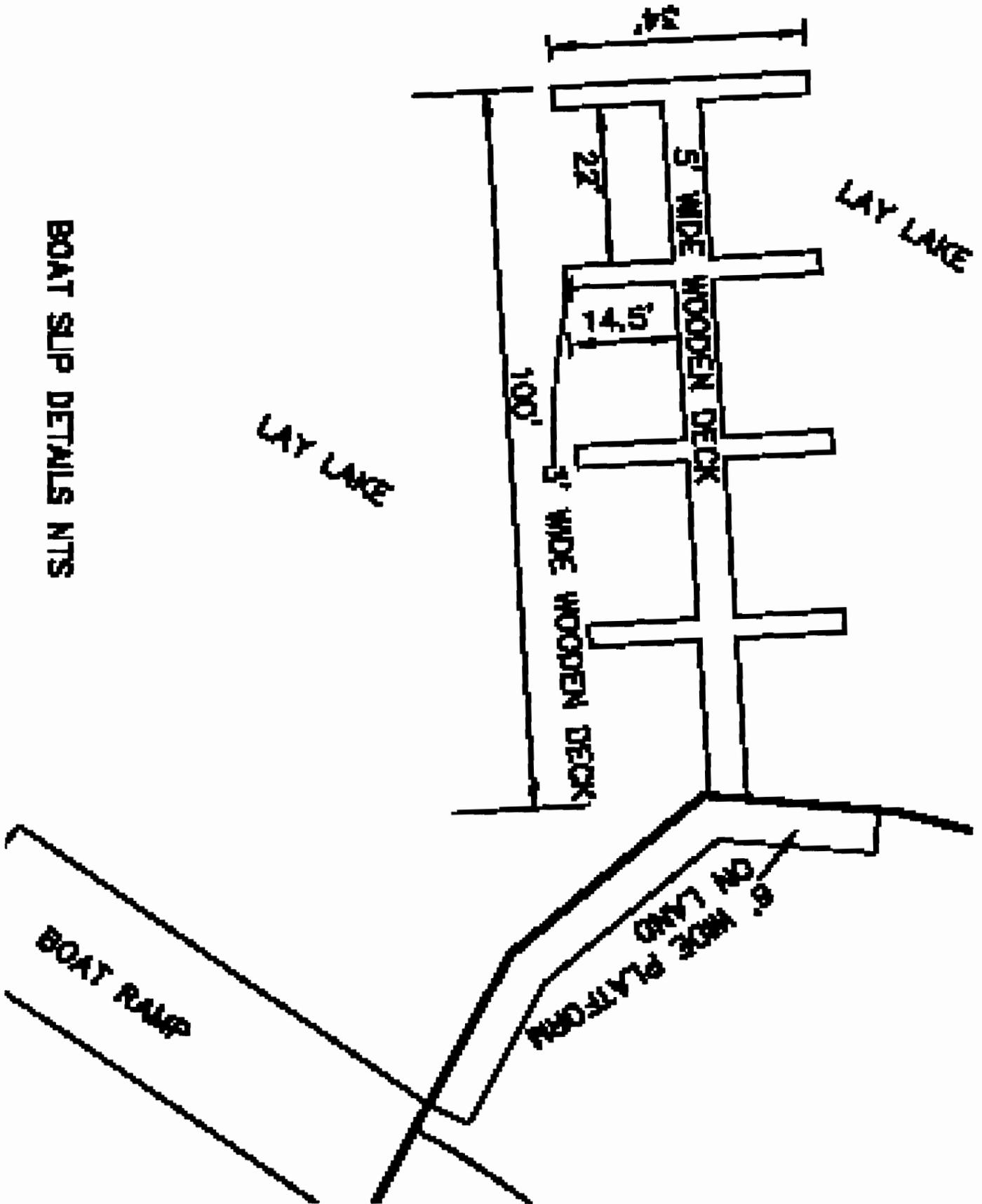
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MOBILE DISTRICT  
U.S. Army Corps of Engineer

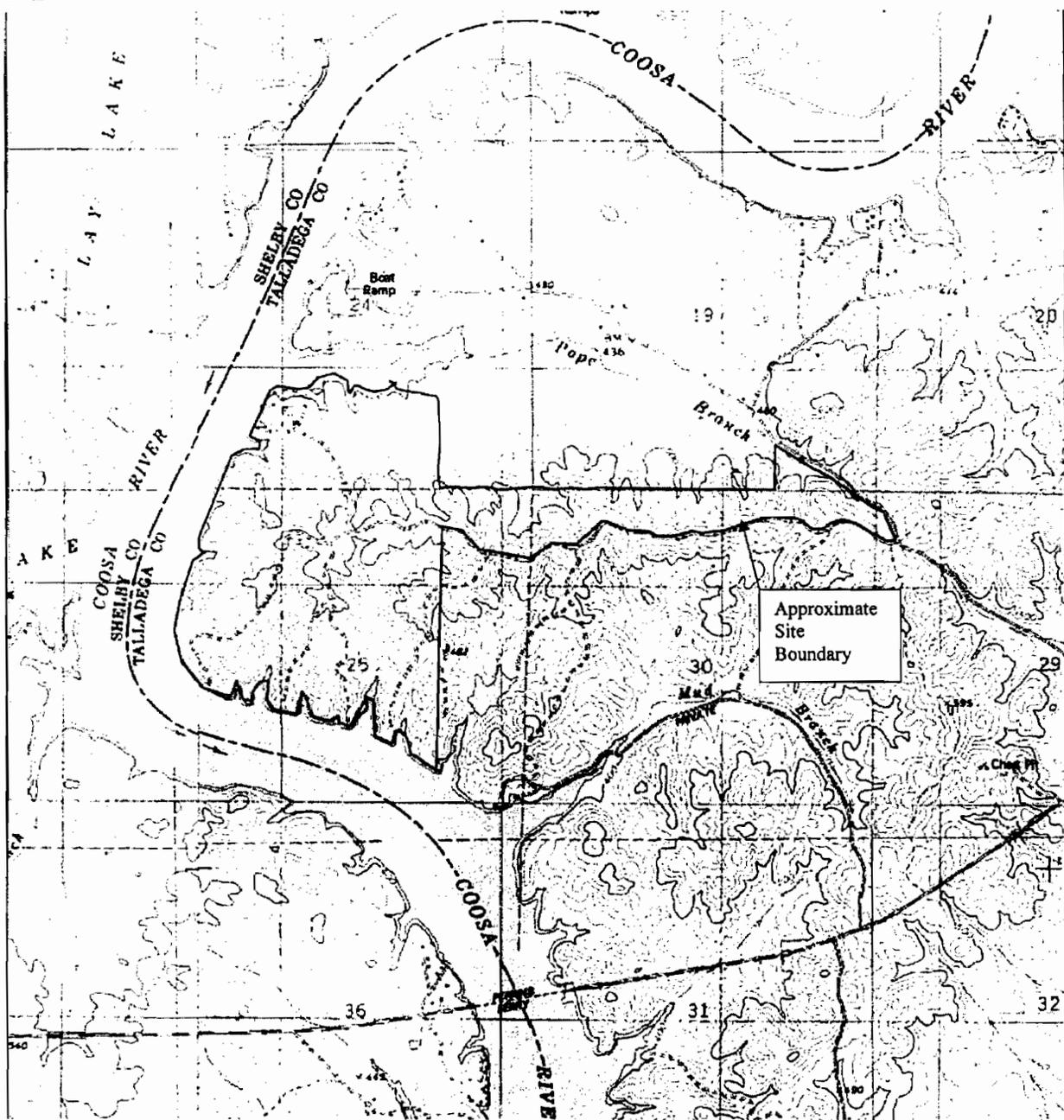


3,400 SQFT TOTAL FOOTPRINT  
840 SQFT TOTAL OF PIER ONLY  
81' WATER FRONTAGE FOR DREDGING  
90 CY ± OF DREDGING

BOAT SLIP DETAILS NTS



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Taken from Maptech Inc. 1999  
USGS Wilsonville Quadrangle  
Scale: 1" ≈ 2000'



