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

REPLY TO
ATTENTION OF:

CESAM-RD-I
PUBLIC NOTICE NO: SAM-2007-1438 -RCV

NOV 9 2007

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

**PROPOSED FILLING OF JURISDICTIONAL WETLANDS ASSOCIATED WITH THE CONSTRUCTION OF A COMMERCIAL DEVELOPMENT IN MOBILE, MOBILE 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: Stratford Place, L.L.C.**
**Mr. Ruffin J. Graham**
**Post Office Box 8348**
**Mobile, Alabama 36689**

**AGENT: EcoSolutions**
**Tom Hutchings**
**Post Office Box 8348**
**Mobile, Alabama 36689**

**WATERWAY: Wetlands adjacent to Milkhouse Creek, Section 29, Township 4 south, Range 2 west, Mobile County, Alabama.**

**WORK: The applicant proposes to discharge 5, 107 cubic yards of fill into 1.05 acres of jurisdictional forest drain wetlands for the purpose of constructing a commercial subdivision development. The project is located at an approximately 5 acre site east of Cody Road and south of Providence Park in Mobile County, Alabama. This project will not impact any jurisdictional streams. Impacts to the wetlands will be mitigated through the purchase of credits from an approved off-site wetland mitigation bank.**

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 (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 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.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes 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 permit area. Copies of this notice are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

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

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2007-1438-RCV** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division, with a copy to the Alabama Department of Environmental Management, 4171 Commanders Drive, Mobile, Alabama 36615. 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 Mr. Rudolph C. Villarreal via email at rudolph.c.villarreal@sam.usace.army.mil or telephone number (251) 690-3246. Please refer to the Public Notice SAM-2007-1336-RCV.

For additional information about our Regulatory Program, please visit our web site at 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.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

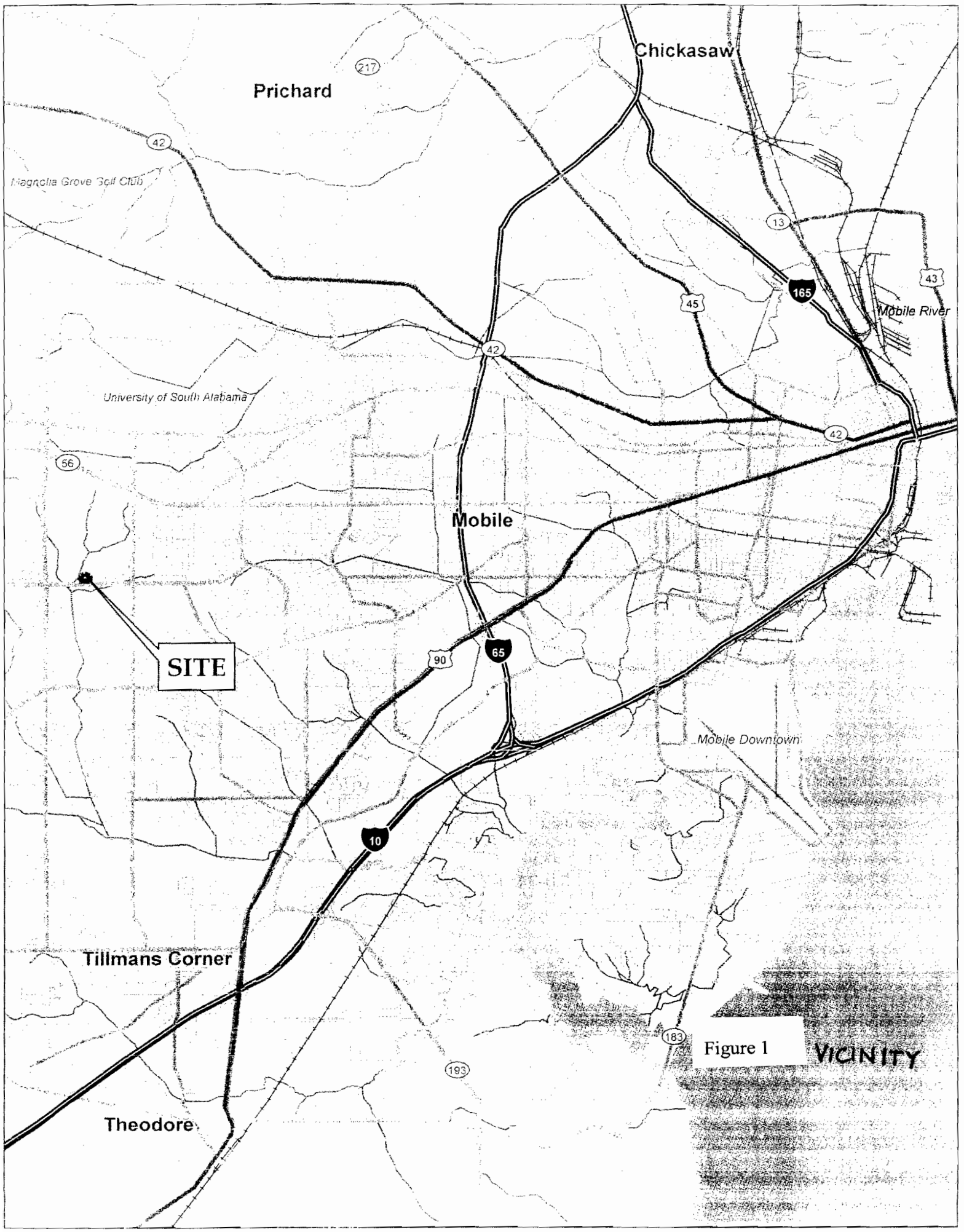



Figure 1 VICINITY

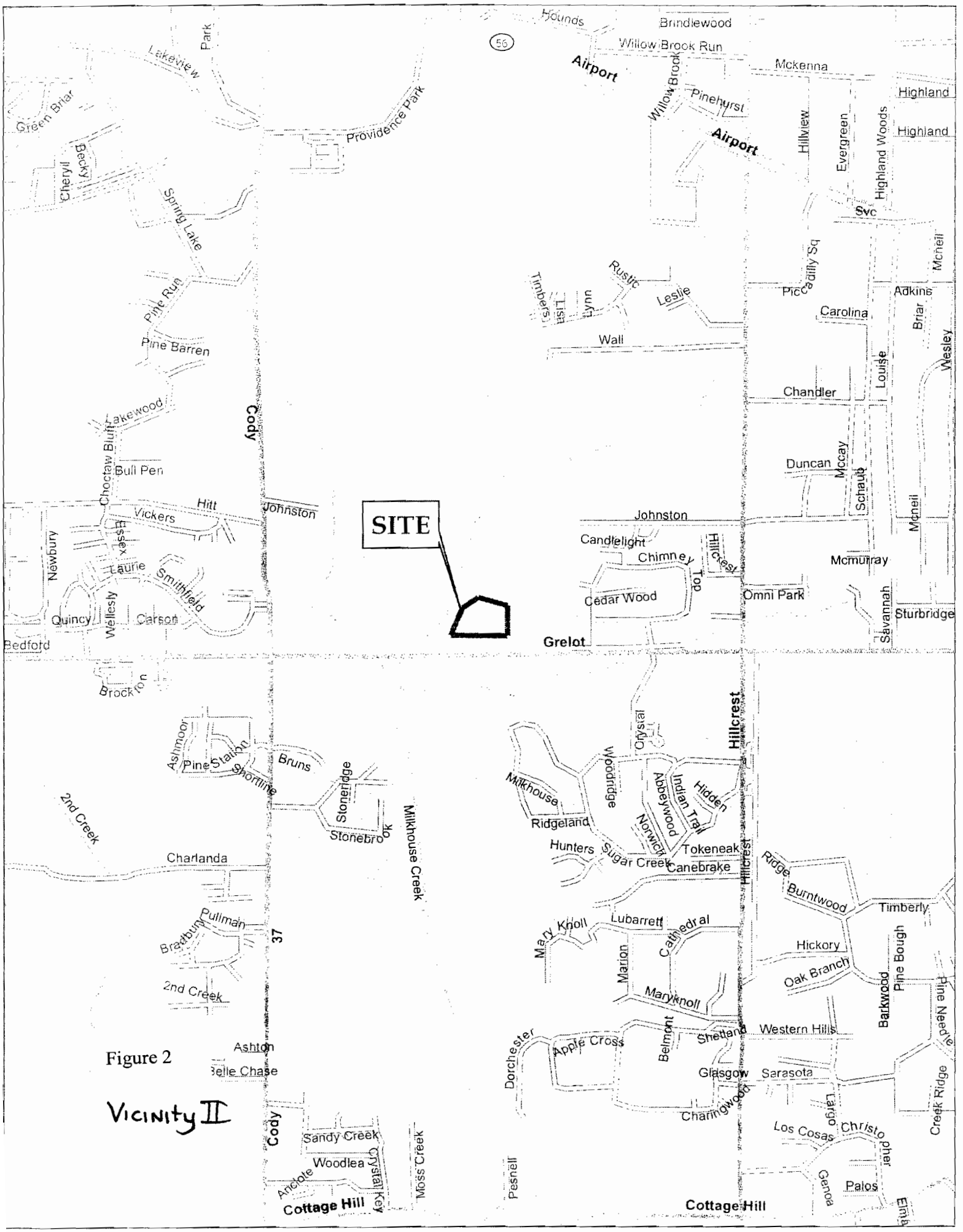



Figure 2

Vicinity II

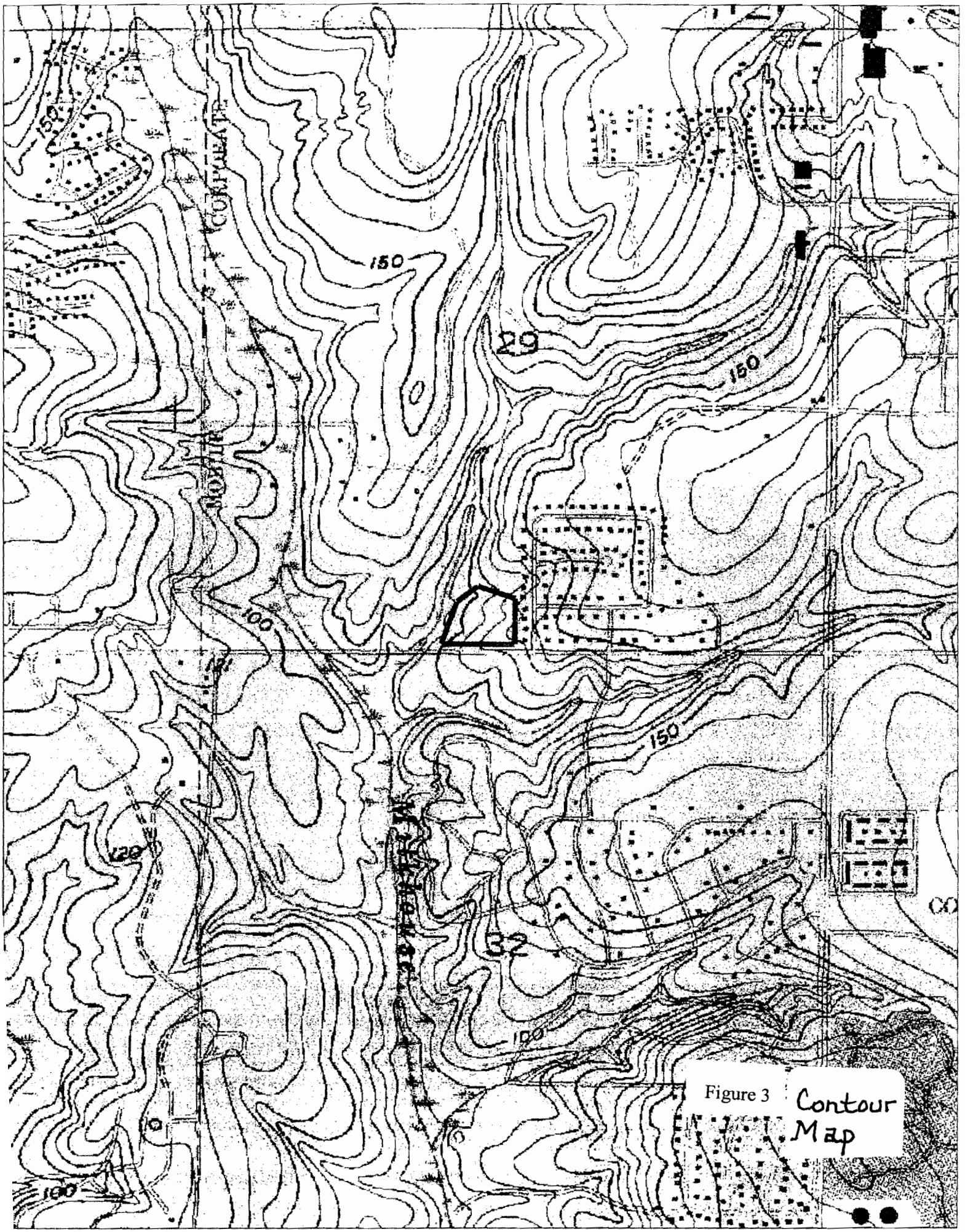
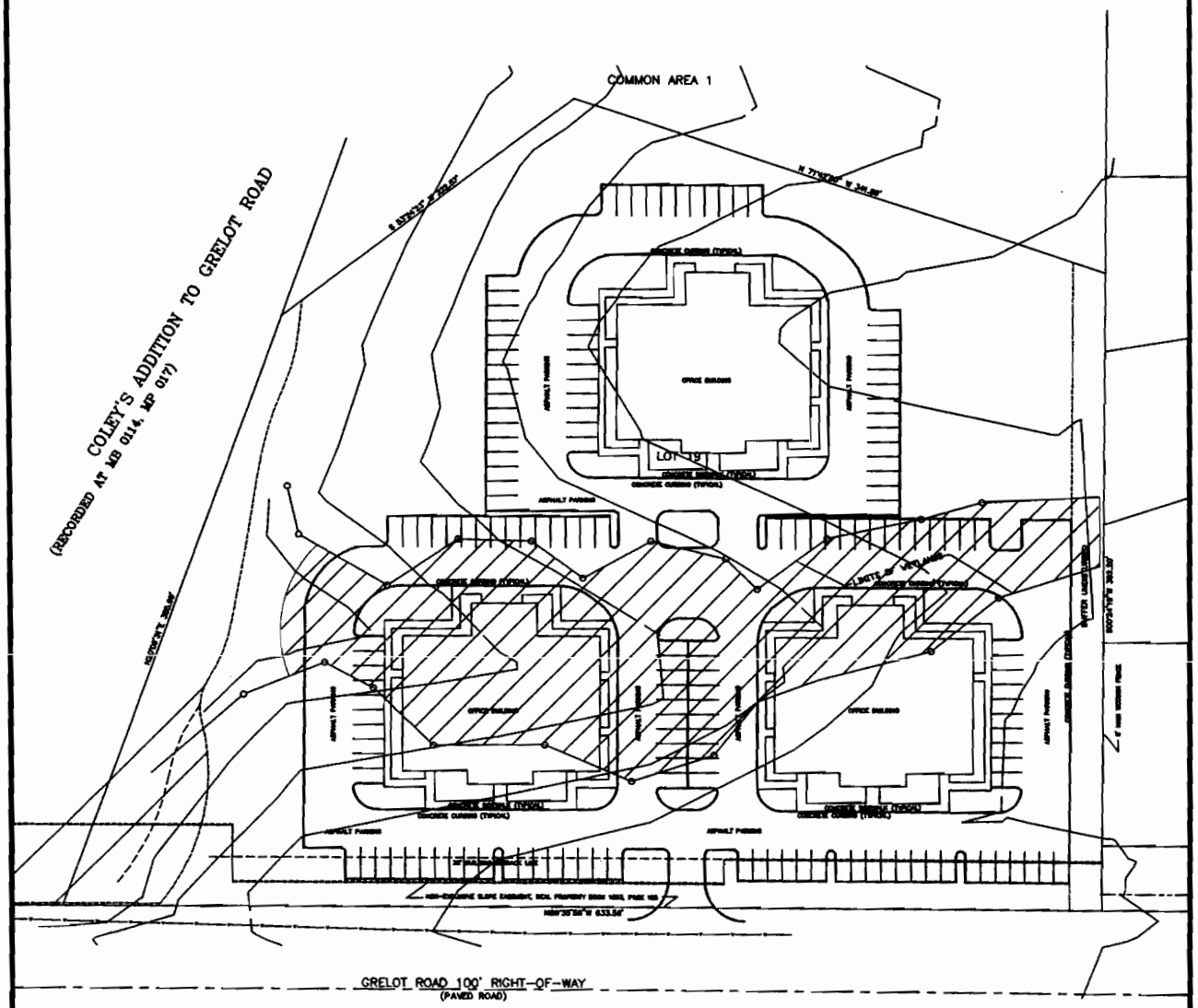



Figure 3 Contour Map

IMPACTED AREA: 1 ACRE




Area of Wetland Impact

PRELIMINARY SITE PLAN
COMMERCIAL DEVELOPMENT
STRATFORD PLACE

Figure 4