



**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-2006-2704-HWL**

November 19, 2007

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

**AFTER-THE-FACT REQUEST FOR A WATERFRONT SUBDIVISION
IN LINCOLN, 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: Lakeside, LLC
Post Office Box 215
Lincoln, AL 35096**

WATERWAY: The project is located on Choccolocco Creek within Section 7, Township 17 South, Range 5 East, Lincoln, Talladega County, Alabama. Center point coordinates are approximately 33.5723945° Latitude by -86.1472067° Longitude.

WORK: The purpose of the project is to provide a waterfront access for use by the adjacent subdivision residents. Specifically the applicant has already dredged approximately 6,527 cubic yards from two separate sites totaling approximately 55,410 square feet. Of the 6,527 cubic yards, 1,483 cubic yards was side cast adjacent to an access channel which was not completed due to enforcement action by the U.S. Army Corps of Engineers. The material has been subsequently removed to an upland disposal area. The remaining 5,044 cubic yards were placed along the existing shoreline as the shoreline was dredged and filled to form a contiguous uniform shoreline. This dredge and fill resulted in the destruction of a fringe wetland which existed along the original lake shoreline. The applicant calculated the wetland area at 2,270 feet in length by an average of 10 feet in width for a total wetland impact of 22,700 square feet (0.52 acres). The new shoreline was stabilized with rip-rap. A boat ramp will be installed adjacent to two proposed piers which are 50-feet in length and 10-feet in width. The boat ramp and two piers are the only new work requested under this authorization. All other regulated activities have already been completed. Mitigation is proposed for the requested activity by purchase of 0.5 credits from a local mitigation bank. No impacts to jurisdictional waters were identified on the interior portions of the subdivision. 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

CESAM-RD-I -N

Public Notice Number: SAM-2006-2704-HWL

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 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

CESAM-RD-I -N

Public Notice Number: SAM-2006-2704-HWL

activities will not adversely affect any listed or proposed species. Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2006-2704-HWL and should be directed to:

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

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.

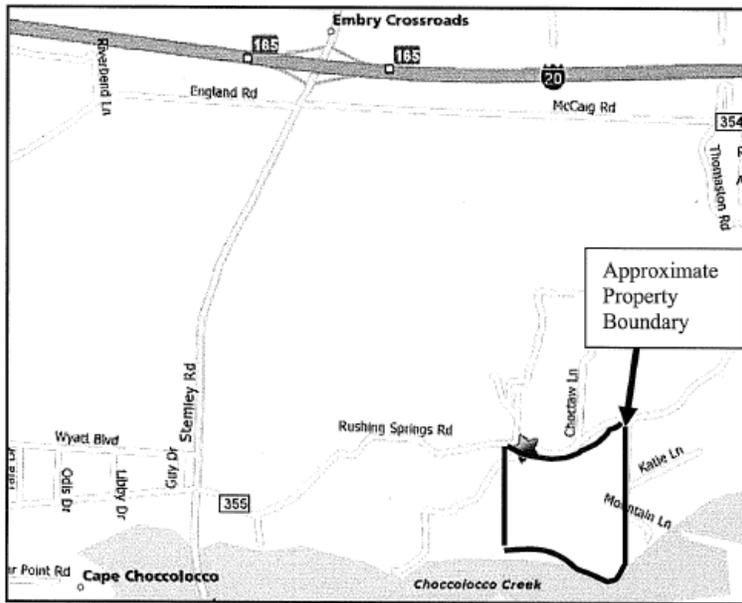
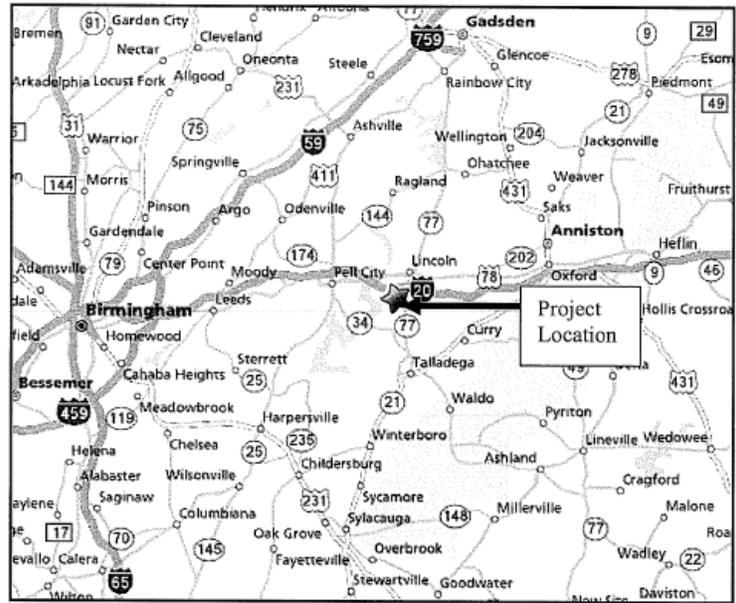
If you have any questions concerning this publication, you may contact the project manager via e-mail at howard.w.ladner@usace.army.mil or telephone number **(205) 290-9096**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/RD/reg, 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.

Encls

MOBILE DISTRICT
U.S. Army Corps of Engineer

CESAM-RD-I -N
Public Notice Number: SAM-2006-2704-HWL



Maps taken from mapquest.com
 Not to Scale



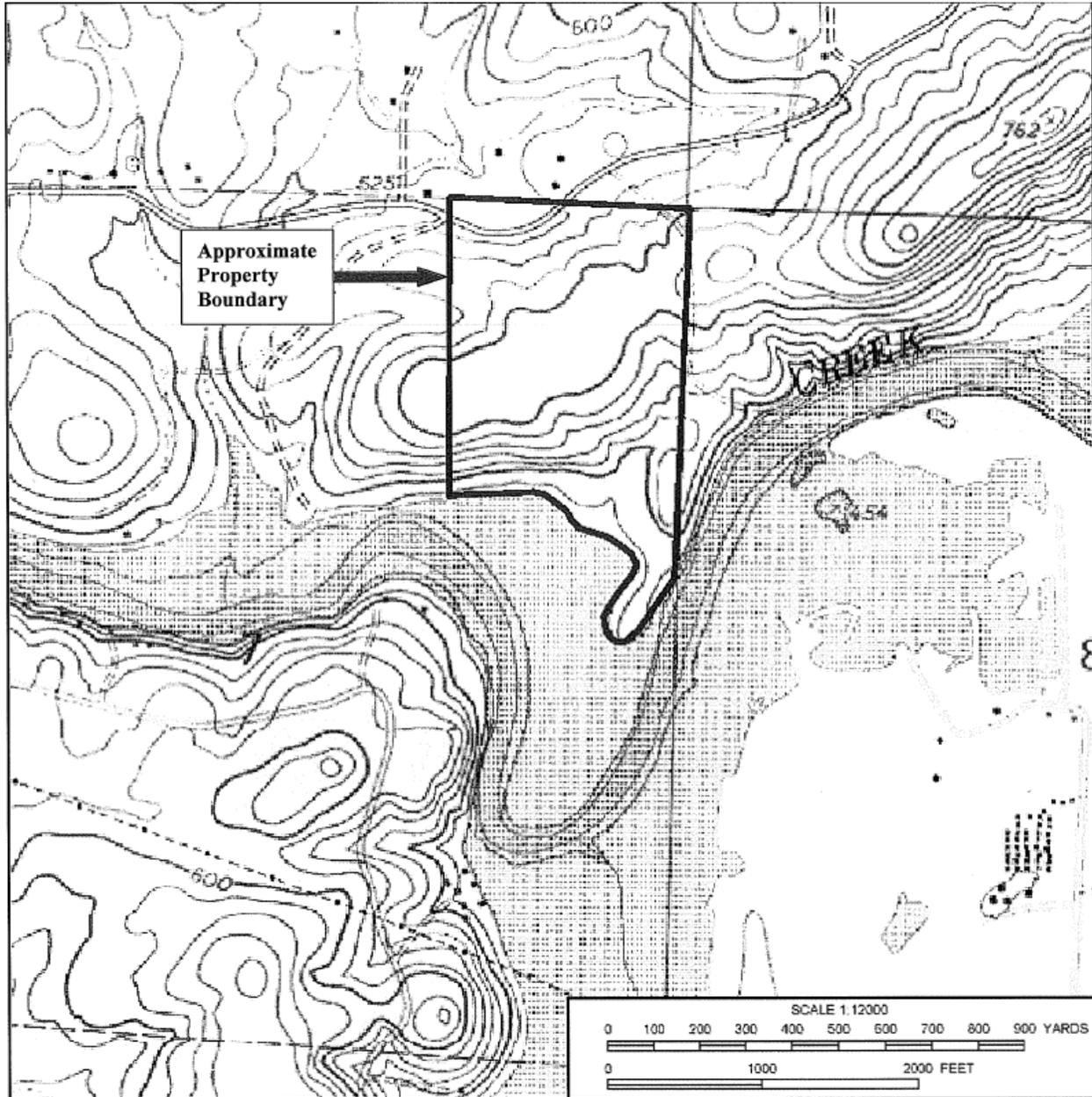
NO.	DATE	REVISION NOTE	BY

Drawn By: CMS	Project #: 1948-001
Checked By: SPC	Date: 6/12/07
Proj. Mgr.:	File Name:

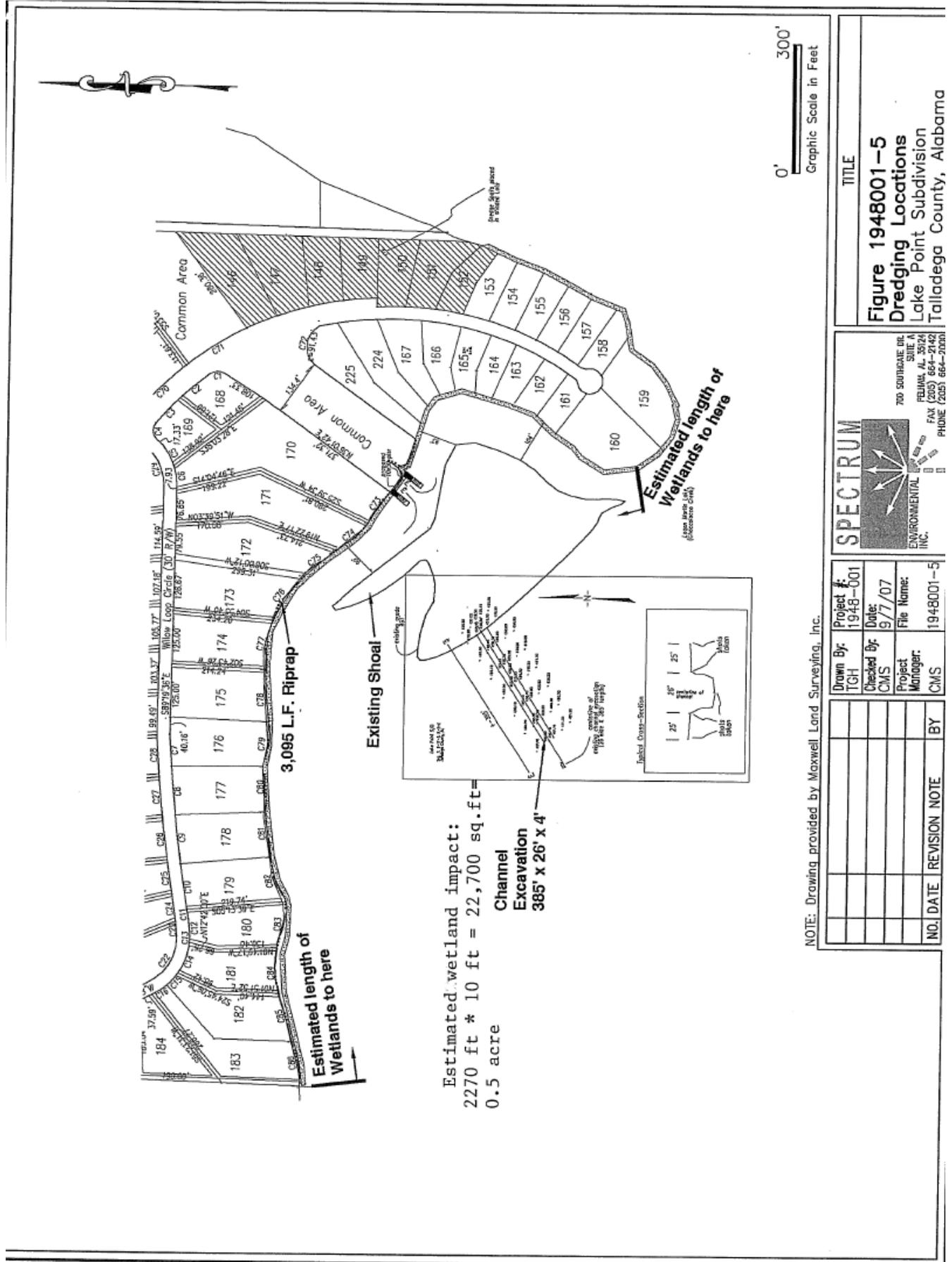
SPECTRUM
 Environmental
 700 SOUTHGATE DR.
 SUITE A
 PELHAM, AL 35124
 FAX (205) 664-2142
 PHONE (205) 664-3050

TITLE
Figure 1948001-1 Site Locator Map Lakeside Development Lincoln, Talladega County, AL

CESAM-RD-I -N
Public Notice Number: SAM-2006-2704-HWL



Taken from Maptech, Inc.
USGS Riverside Quad



Estimated wetland impact:
 2270 ft * 10 ft = 22,700 sq.ft =
 0.5 acre

Channel
 Excavation
 385' x 26' x 4'

NOTE: Drawing provided by Maxwell Land Surveying, Inc.

NO.	DATE	REVISION NOTE	BY

Drawn By:	TGH	Project #:	19-48-001
Checked By:	CMS	Date:	9/7/07
Project Manager:	CMS	File Name:	19-48001-5

SPECTRUM
 ENVIRONMENTAL
 INC.

700 SOUTHGATE DR. SUITE A
 FENLAND, AL. 35244
 FAX (205) 664-2142
 PHONE (205) 664-2000

TITLE
Figure 1948001-5
Dredging Locations
 Lake Point Subdivision
 Talladega County, Alabama

0' 300'
 Graphic Scale in Feet