



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-C  
PUBLIC NOTICE NO.: SAM-2007-920-GAC

DATE 30 November 2007

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

**Wetland Fill for Road Crossings and Construction of Retention Ponds in  
Conjunction with the Development of a Residential Subdivision**

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: Tuscany Village, LLC**  
C/o Mr. Chuck Kleeberger  
8350 Morrow Road  
Atascadero, California 93422

**Waterway: No Waterway**

**WORK: The applicant proposes to impact approximately 0.77 acre of wetland area in conjunction with the development of a residential subdivision. Specifically, the impacts will include 0.06 acre of wetland fill, 0.71 acre of excavation associated with the construction of retention ponds and 0.05 acre of temporary wetland fill all in accordance with the attached plans and drawings. The applicant proposes mitigation for unavoidable permanent impacts to wetland areas through the purchase of wetland mitigation credits in an approved wetlands mitigation bank. The project is located in Section 19, Township 6 South, Range 3 East, in the Community of Fairhope, Baldwin County, Alabama.**

The applicant has applied for state certification in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to certification will be made by the Alabama Department of Environmental Management.

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 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.

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-2007-920-GAC and should be directed to:

District Commander  
U.S. Army Engineer District, Mobile  
Post Office Box 2288, Mobile, Alabama 36628-000  
Attention: Regulatory Division

with a copy to the:

Alabama Department of Environmental Management  
4171 Commanders Drive  
Mobile, Alabama 36615

**All comments must be sent in time to be received not later than 31 December 2007.**

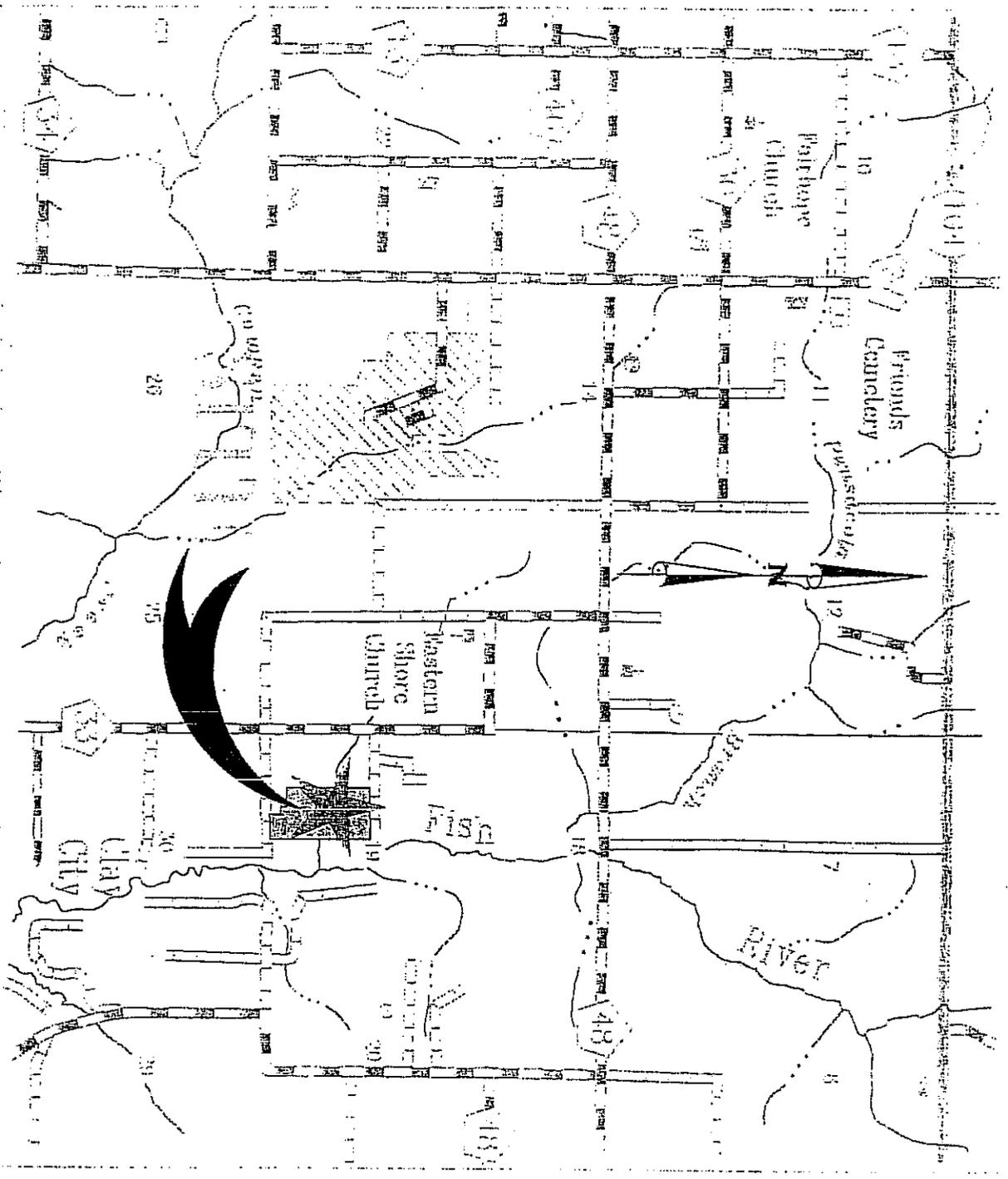
If you have any questions concerning this publication, you may contact Mr. Glen A. Cunningham at telephone number (251) 694-4077. Please refer to Public Notice number **SAM-2007-920-GAC**.

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.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

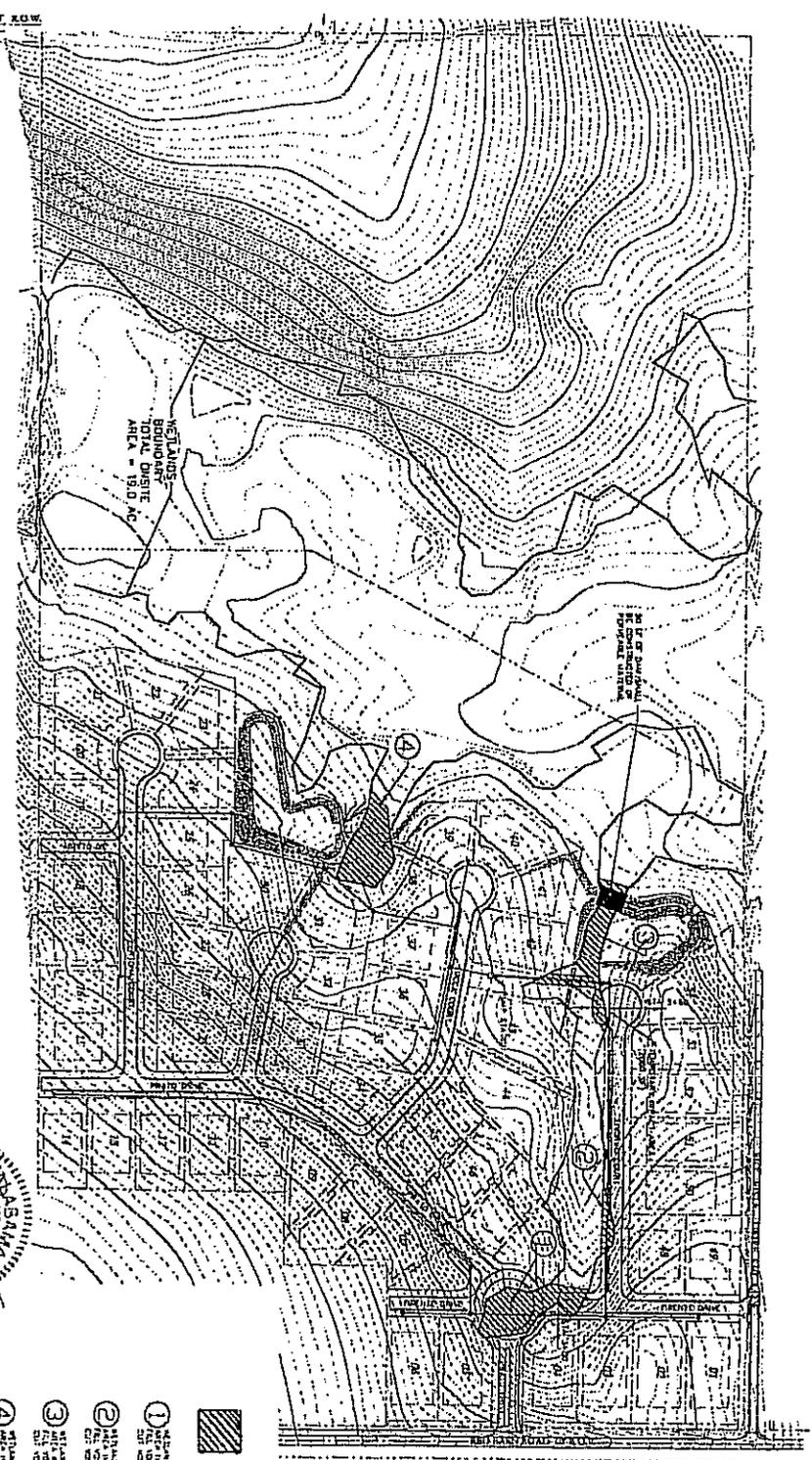
Enclosure

VICTORIA MAP  
Sheet 10 of 10



SAM-2007-0920-6AC  
DRAWING # 1 of 6

COMMUNAL ROAD 37 E.G.W.



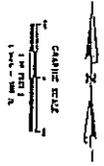
NET LAND  
BOUNDARY  
TOTAL DISTRICT  
AREA = 19.0 AC

IN THE PRESENCE OF  
HYDRAULIC FACTORS



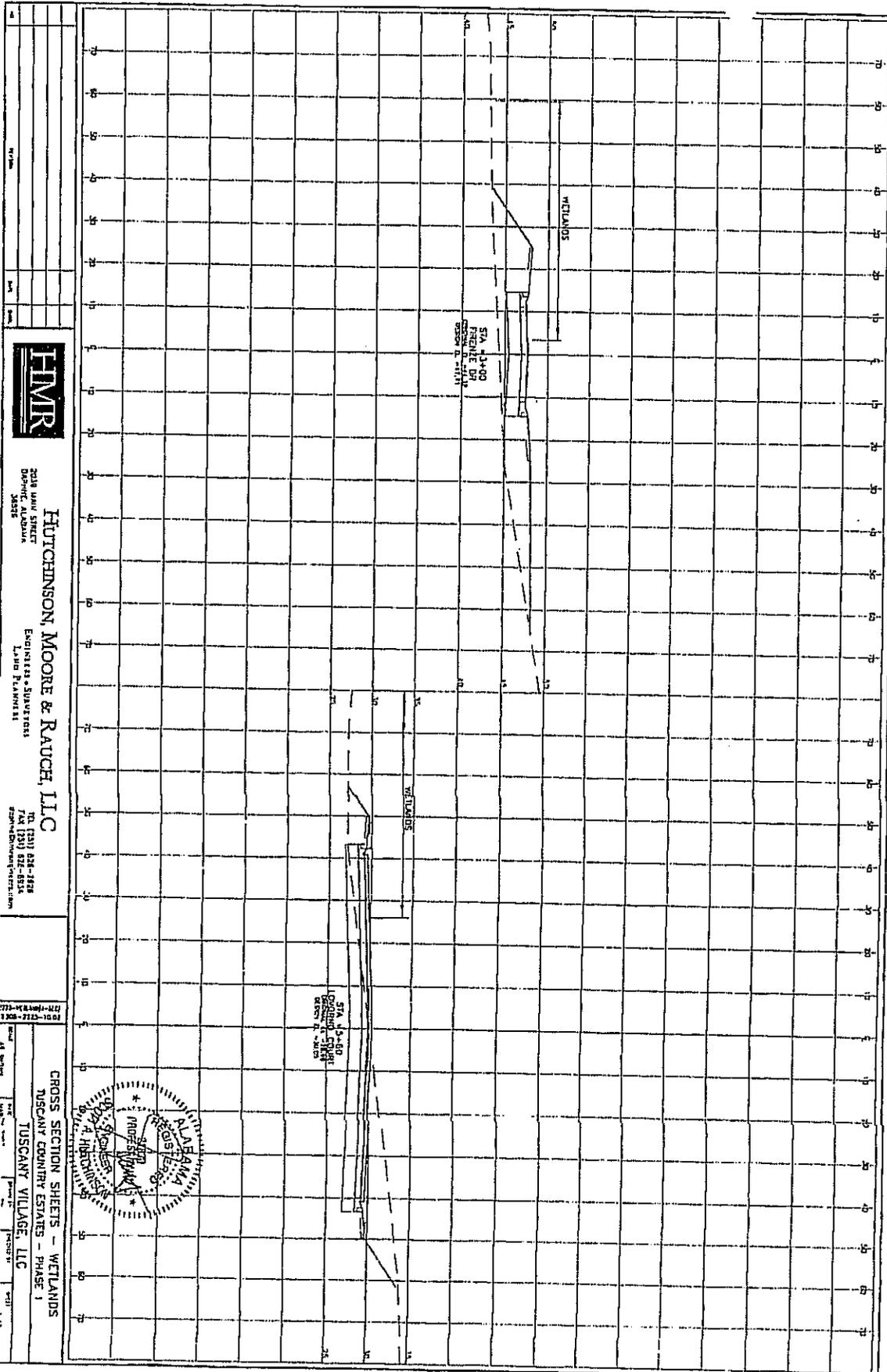
**- WETLAND  
IMPACT AREAS**

- ① 4.5 AC WETLAND IMPACT AREA  
TOTAL DISTRICT = 19.0 AC  
NET DISTRICT = 14.5 AC
- ② 1.5 AC WETLAND IMPACT AREA  
TOTAL DISTRICT = 19.0 AC  
NET DISTRICT = 17.5 AC
- ③ 1.5 AC WETLAND IMPACT AREA  
TOTAL DISTRICT = 19.0 AC  
NET DISTRICT = 17.5 AC
- ④ 1.5 AC WETLAND IMPACT AREA  
TOTAL DISTRICT = 19.0 AC  
NET DISTRICT = 17.5 AC



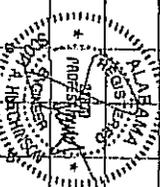
4									
14.5	14.5	14.5	14.5	14.5	14.5	14.5	14.5	14.5	14.5
<b>HYR</b>									
<b>HUTCHINSON, MOORE &amp; RAUCH, LLC</b>									
2015 MAIN STREET DAPHNE, ALABAMA 36528									
ENGINEERS & SURVEYORS LAND PLANNERS									
RI (20) 026-2828 FLK (20) 026-6028 OFFICE: DAPHNE, ALABAMA									
REGISTERED PROFESSIONAL ENGINEER NO. 10000 STATE OF ALABAMA									
WETLAND IMPACT TUSCALOOSA COUNTY ESTIMATES - PHASE 1 TUSCALOOSA VILLAGE, LLC									
DATE	BY	DATE	BY	DATE	BY	DATE	BY	DATE	BY

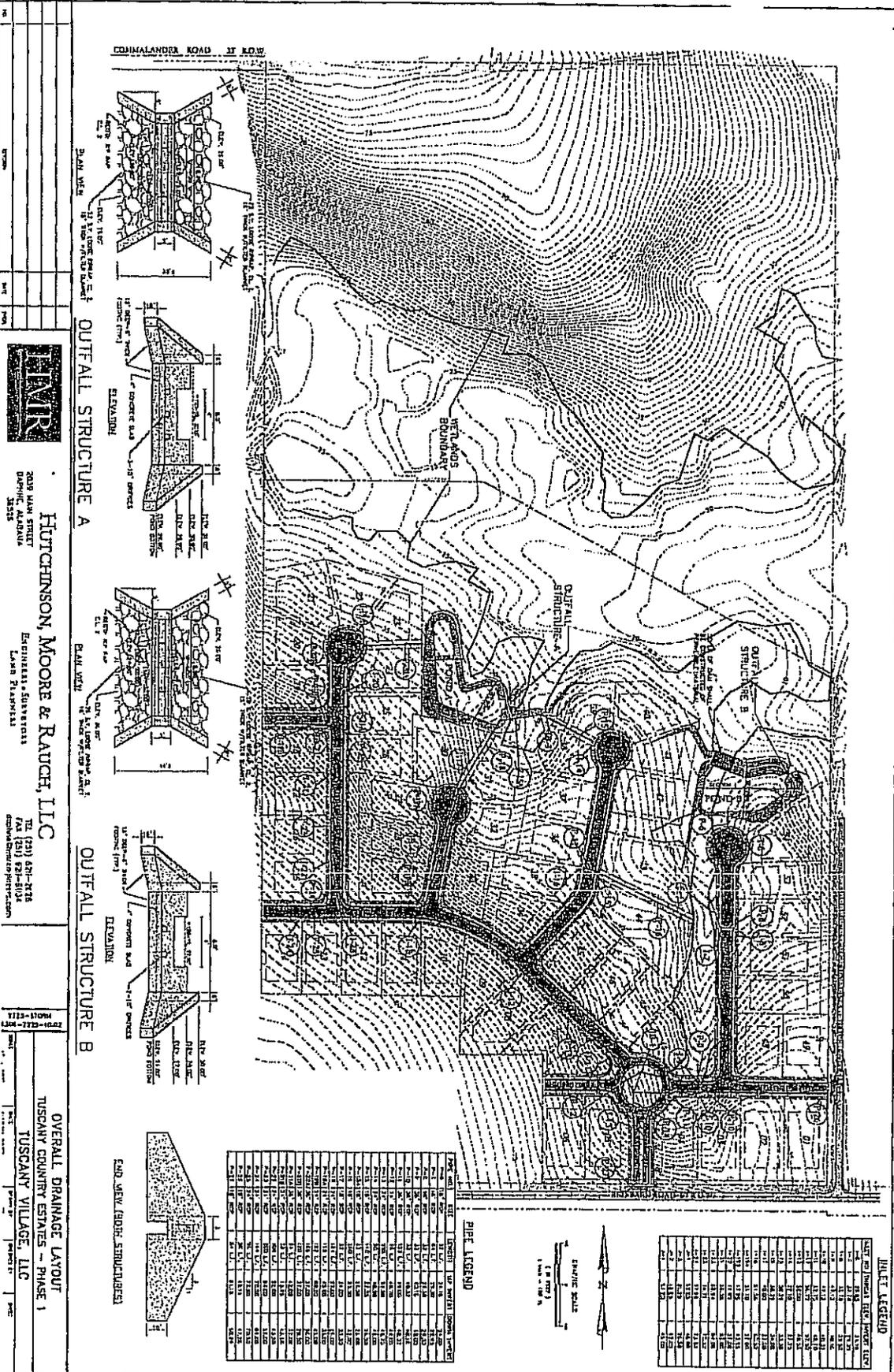
SAM-2007-0930-RAC  
DRAWING #. 276



HUTCHINSON, MOORE & RAUCH, LLC  
 ENGINEERS & SURVEYORS  
 2018 LANE STREET  
 DORIC, ALABAMA 36924  
 TEL (201) 621-2828  
 FAX (201) 621-8514  
 www.hutchenmoore.com

CROSS SECTION SHEETS - WETLANDS  
 TUSCANY COUNTRY ESTATES - PHASE 1  
 TUSCANY VILLAGE, LLC



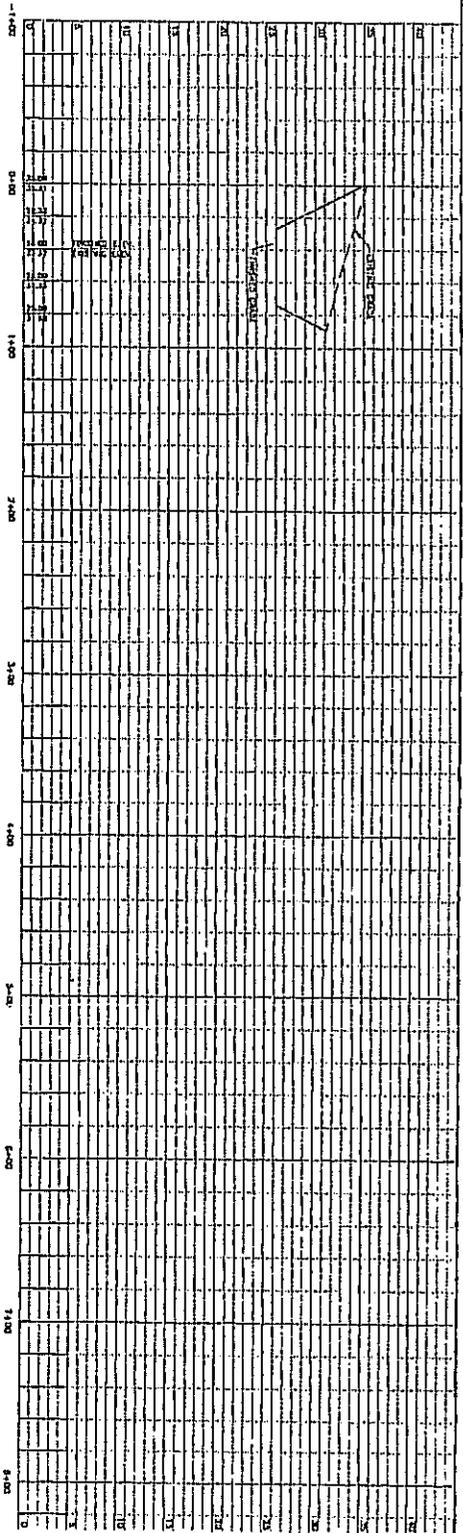


HITCHINSON, MOORE & RAUGH, LLC  
 2008 MAIN STREET  
 DEERFIELD, ILLINOIS 60015  
 ENGINEERS, SURVEYORS  
 LEARN PLANNERS

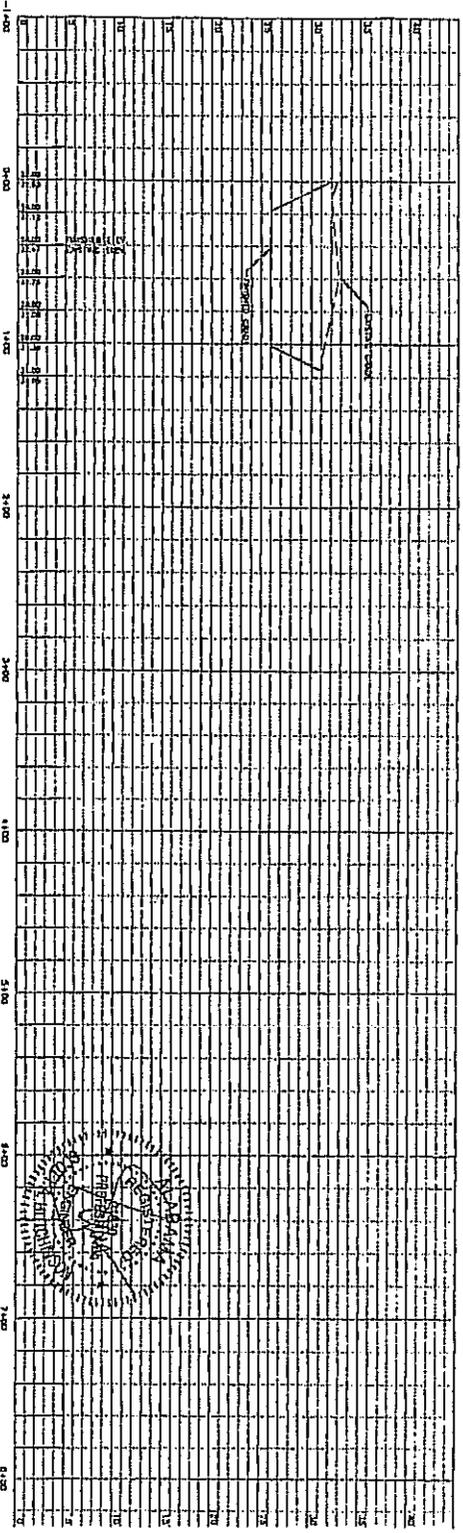
TEL (312) 491-7316  
 FAX (312) 491-3100  
 WWW.HMR-LLC.COM

OVERALL DRAINAGE LAYOUT  
 TUSCANY COUNTRY ESTATES - PHASE 1  
 TUSCANY VILLAGE, LLC

POND A - SECTION "1" SECTION CUT WEST TO EAST

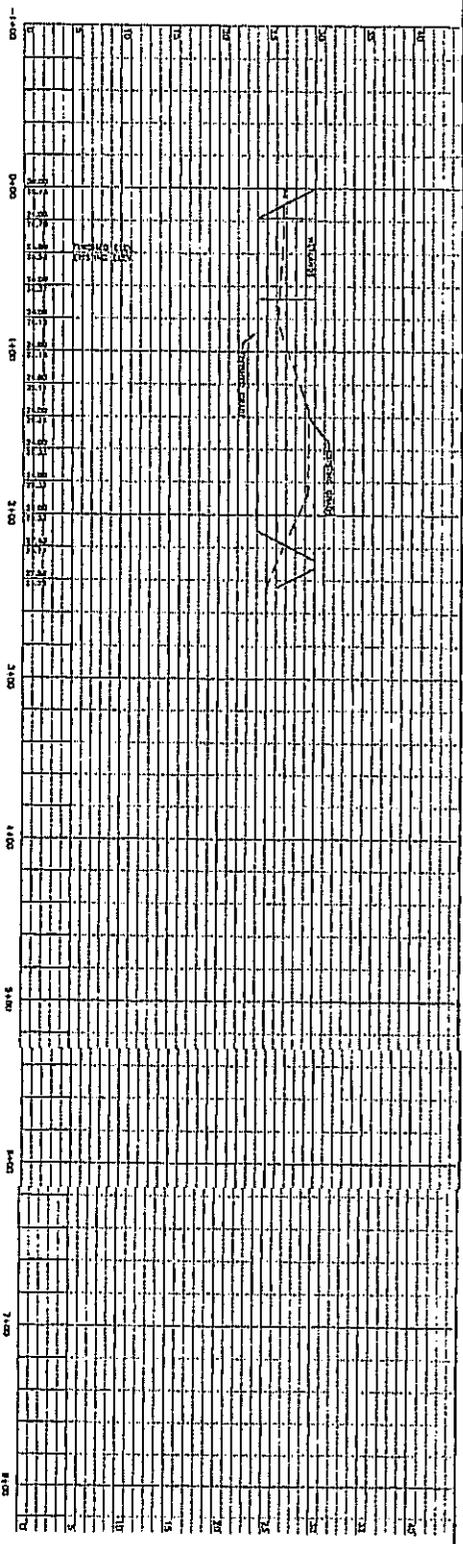


POND A - SECTION "2" SECTION CUT SOUTH TO NORTH

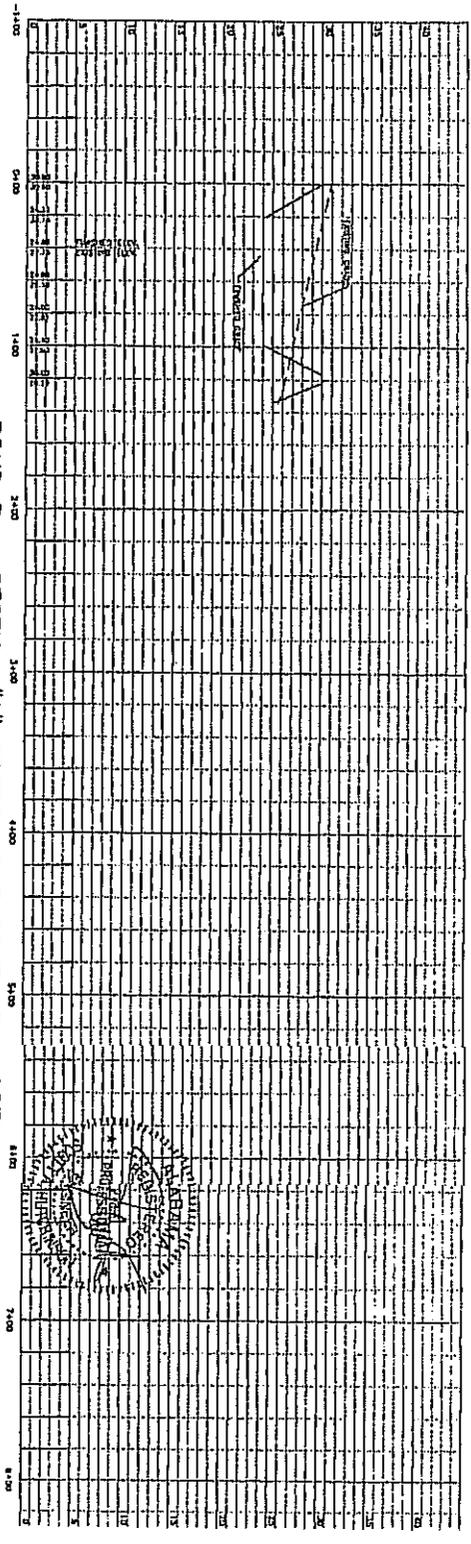


		<b>HUTCHINSON, MOORE &amp; RAUGH, LLC</b> 2028 QUAIL STREET OAKRIDGE, ALABAMA 35119 ENGINEERS & SURVEYORS LAND SURVEYORS		TEL: (205) 532-2125 FAX: (205) 532-2125 EMAIL: hmr@hmrllc.com	
CROSS SECTIONS (DETENTION POND A) TUSCALOOSA COUNTY ESTATES - PHASE I TUSCALOOSA VILLAGE, LLC		DATE: 11/11/2011 DRAWN BY: [Name] CHECKED BY: [Name]		SHEET NO. 5 OF 6	

SAM-2007-0920-GAC  
 DRAWING #. 5 of 6



POND B - SECTION "1" SECTION CUT WEST TO EAST



POND B - SECTION "2" SECTION CUT SOUTH TO NORTH

		<b>HUTCHINSON, MOORE &amp; RAUCH, LLC</b> 200 LAKE STREET DUBLIN, OHIO 43017 614.885.5570		<b>CROSS SECTIONS (DETENTION POND B)</b> TUSCANY COUNTRY ESTATES - PHASE 1 TUSCANY VILLAGE, LLC	
ENGINEERS & ARCHITECTS LEAD PLANNERS		TEL: (614) 885-3834 FAX: (614) 885-3834 www.hutchenmoorerauch.com		PROJECT NO: 15-01-0001 SHEET NO: 15-01-0001-01	