



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
PUBLIC NOTICE NO. SAM-2007-01416-ARW

OCT 29 2007

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

PROPOSED RESIDENTIAL DEVELOPMENT
IN OPELIKA, 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: Conner Brothers
Attn: Mr. Ab Conner
Post Office Box 3070
Auburn, Alabama 36831-3070

AGENT: Goodwyn, Mills, Cawood, Inc.
Attn: Mr. Hassey Brooks
2660 EastChase Lane
Suite 200
Montgomery, Alabama 36117

WATERWAY: Unnamed tributaries to Saugahatchee Lake and their adjacent wetlands in the Tallapoosa River watershed; Sections 22, 23, 26, 27, 28, 33, and 34, Township 20 North, Range 26 East, northwest of Opelika, Alabama (Latitude 32°41'17" North, Longitude 85°25'48" West).

WORK PROPOSED: The applicant requests authorization for the discharge of fill material into 8.93 acres of jurisdictional wetlands, 4.93 acre of open water, and 3,638 linear feet of stream channel associated with the construction of a residential development located southeast of the intersection of Oak Bowery Road and Grand National Parkway in Lee County, Alabama. Previous impacts authorized under SAM-2006-1326-JAP include 120 linear feet of stream channel and 0.08 acre of wetlands.

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Impact Description	Waters Impacted/Type	LF/Ac of Impact
Impact #1 - Road Crossing/Lot Fill	Stream 1	1405 LF
Impact #2 - Storm water Pond	Stream 2	1272 LF
Impact #3 - Lot Fill	Stream 3	781 LF
Impact #4 - Road crossing	Stream 4	38 LF
Impact #5 - Impoundment Repair/Retrofit	Stream 5	142 LF
Impact #5 - Storm water Pond	Wetland A	0.08 acre
Impact #6 - Storm water Pond	Wetland B	4.35 acre
Impact #7 - Road Crossing	Wetland C	0.25 acre
Impact #8 - Lot Fill	Wetland D	0.03 acre
Impact #9 - Impoundment Repair/Retrofit	Wetland E	0.49 acre
Impact #10 - Storm water Pond	Wetland F	0.12 acre
Impact #11 - Road Crossing/Park	Wetland G	0.26 acre
Impact #12 - - Impoundment Repair/Retrofit/Lot Fill	Wetland H	2.18 acre
Impact #13 - - Impoundment Repair/Retrofit	Wetland I	1.17 acre
Impact #14 - - Impoundment Repair/Retrofit	Open Water	4.93 acre
Total Stream Impacts:		3638 LF
Total Wetland Impacts:		8.93 acre
Open Water Impacts:		4.93 acre

SUMMARY OF IMPACTS:

The project site is approximately 788 acres in size and includes 38.34 acres of wetlands, 4.93 of open water, and 6,402 linear feet of stream channel. The proposed Grand National Village development will include approximately 300 residential lots and associated infrastructure including roads, sewer and water lines, and storm water

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detention areas. The applicant is in the process of developing a mitigation plan to offset unavoidable stream and wetland impacts.

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 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

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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 (Reference AHC 2006-1144). 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 indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat.

Any correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2007-01416-ARW** and should be directed to the U.S. Army Corps of Engineers, Mobile District, Montgomery Field Office, 75 TechnaCenter Drive, Room 203, Montgomery, Alabama 36117, with a copy

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to the Alabama Department of Environmental Management,
Post Office Box 301463, Montgomery, Alabama 36130-1463 in
time to be received not later than 30 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@sam.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. 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

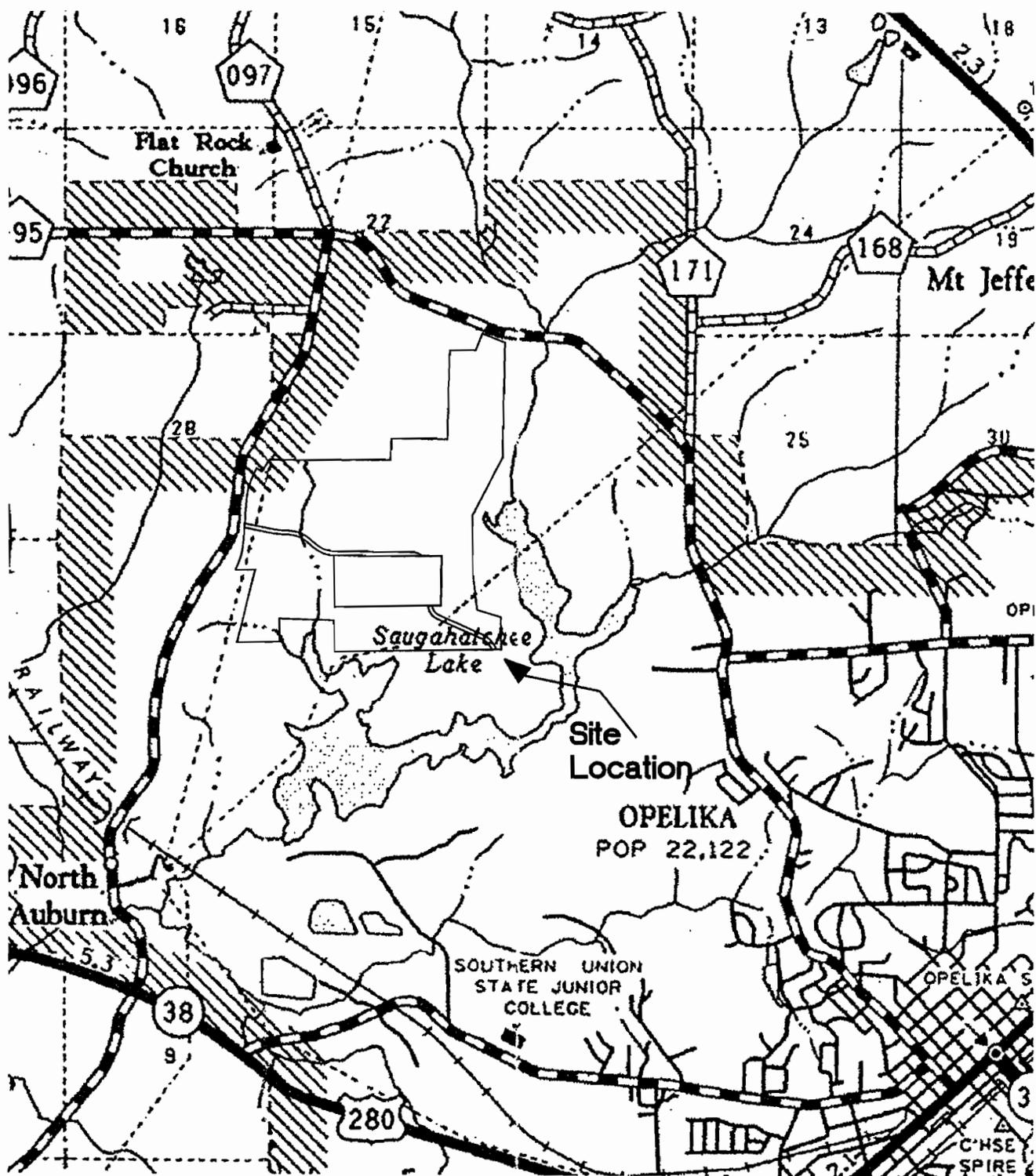


FIGURE
4

Goodwyn, Mills & Cawood, Inc.

P. O. Box 242128
2660 East Chase Lane, Suite 200
Montgomery, Alabama 36104

TITLE: SITE LOCATION MAP

PROJECT: RTJ OPELIKA, AL

DESIGNED:

DRAWN: RDC

SCALE: 1"=2500'

DATE:

