



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-I
PUBLIC NOTICE NO.
SAM-2006-1419-MNS**

22 June 2006

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

**PROPOSED FILLING OF WETLANDS AND WATERS OF THE U.S. IN CONJUNCTION
WITH THE CONSTRUCTION OF A RECREATION LAKE EARLVILLE, 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: McConnell Wright, LLC
P. O. Box 335
Creola, Alabama 36619**

LOCATION: Dam impound an unnamed tributary of Powell Creek, a tributary of Escatawpa River, Section 35, Township 1 South, Range 4 West, Earlvile, Mobile County, Alabama.

WORK: The applicant proposes to fill/impound 10.7 acres of wetlands and 837 linear feet (LF) of intermittent stream in conjunction with the construction of an earthen dam to create a 19.4-Acre Lake. The purpose of this project is to create a lake to be used for fishing, boating and other recreational activities. The lake will be stocked with Bluegill and Largemouth Bass. The dam will have a total length of 575 feet with a maximum height of 30 feet and a maximum water depth of 25 feet. It would require placement of approximately 34,200 cubic yards of fill. In addition, a 60-foot concrete emergency spillway will be constructed. The property had been clear cut by the prior land owner. To mitigate for the unavoidable impact to 10.7 acres of wetlands, the applicant proposes to enhance and preserve the remaining 20.2 acres of on-site wetlands and 53.5 acres of off-site wetlands located in the same watershed, for a total of 73.7 acres of wetlands. To mitigate for the 837 LF of streams, the applicant will preserve 5,285 LF of perennial streams and 3,079 of intermittent streams, for a total of 8,364 LF of streams. Sediment and erosion control associated with the dam construction and clearing will be accomplished through the use of earthen berms, silt fences, seeding and mulching. All work will be accomplished in accordance with the enclosed drawings provided by the applicant.

The applicant has applied for state certification in accordance with Section 401(a)(1) of the Clean Water Act, and has certified that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to consistency 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 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. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2006-1419-SAM and should be directed to:

District Engineer
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 22 July 2006.

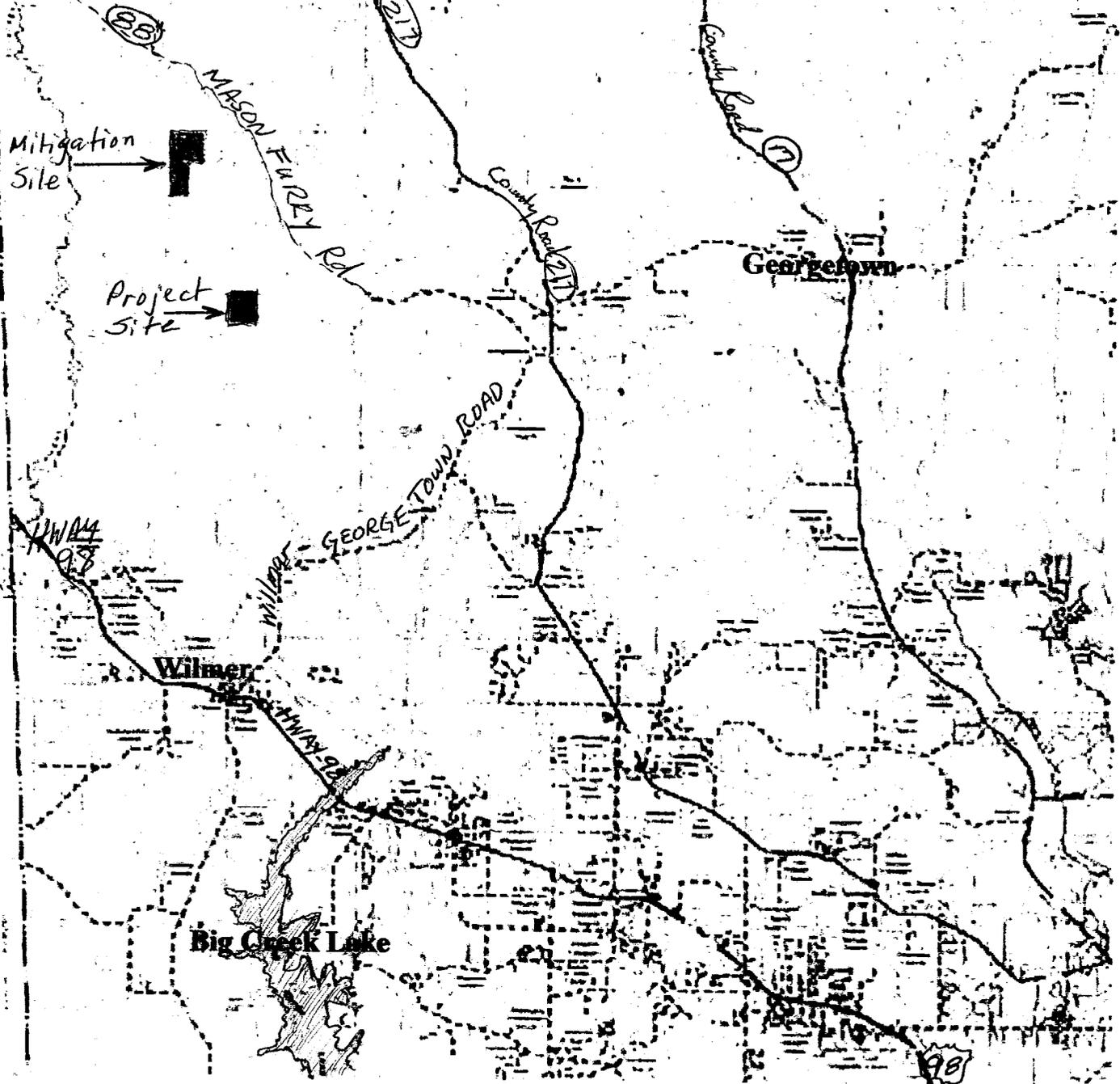
If you have any questions concerning this publication, you may contact Munther Sahawneh at telephone number (251) 694-3782. Please refer to Public Notice number **SAM-2006-1419-MNS**.

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

Enclosure

LOCATION MAP



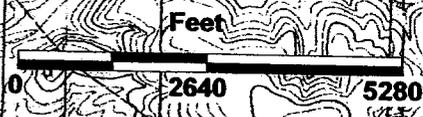
City of Mobile

McCONNELL WRIGHT, LLC

410 acre Tract

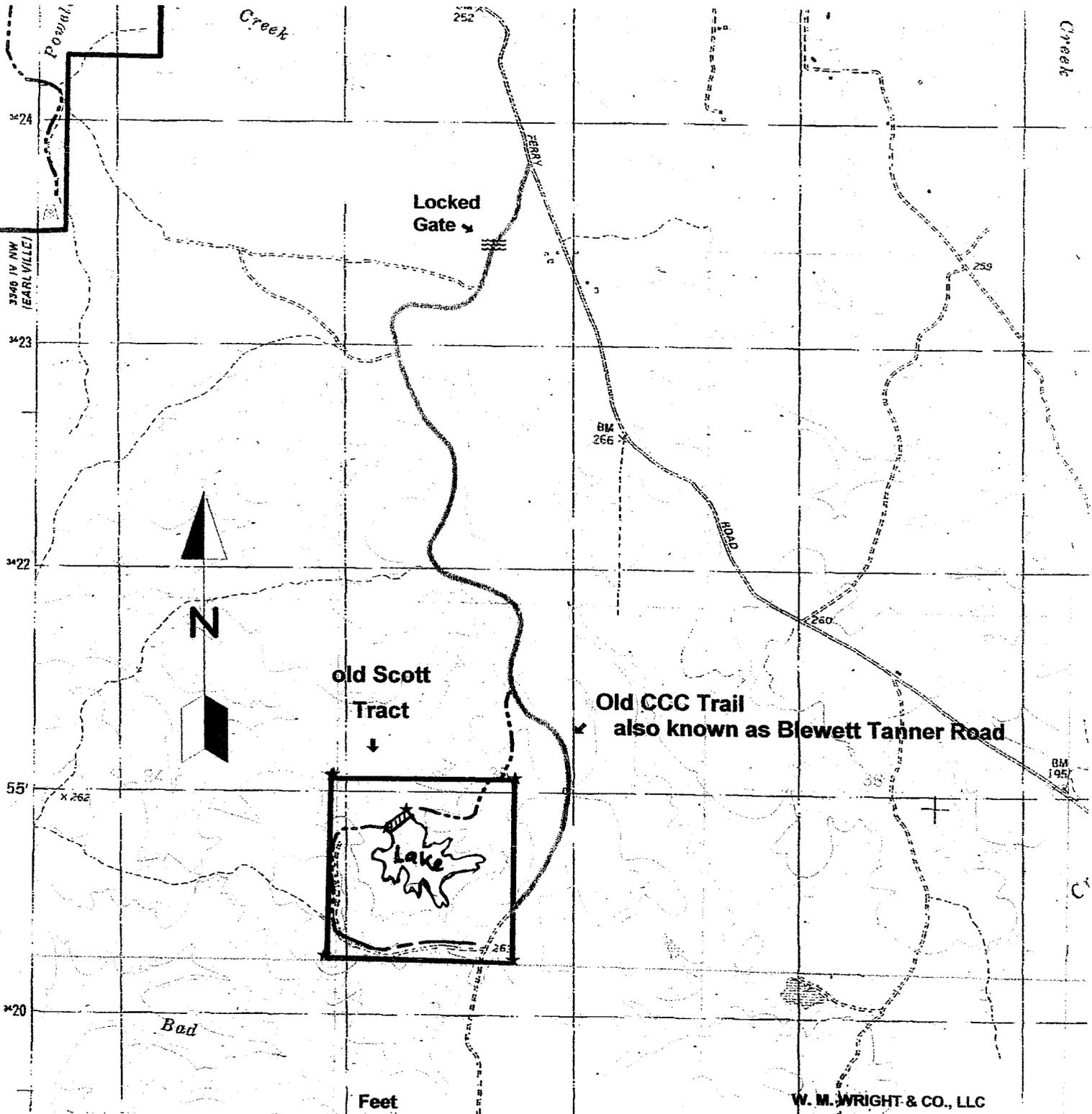
Sections 22 & 35, T 1 S, R 4 W

Mobile County, Alabama



W. M. WRIGHT & CO., LLC
May, 2005

cConnell Wright, LLC
SW 1/4 of Sec. 35, T1S, R4W
Mobile County, Alabama



W. M. WRIGHT & CO., LLC
Feb. 17, 2005

McCONNELL WRIGHT, LLC

164 acres in Section 35

Township 1 South, Range 4 West

Mobile County, Alabama

Pond will be 19.3 acres

Wetlands affected will be 10.3 acres

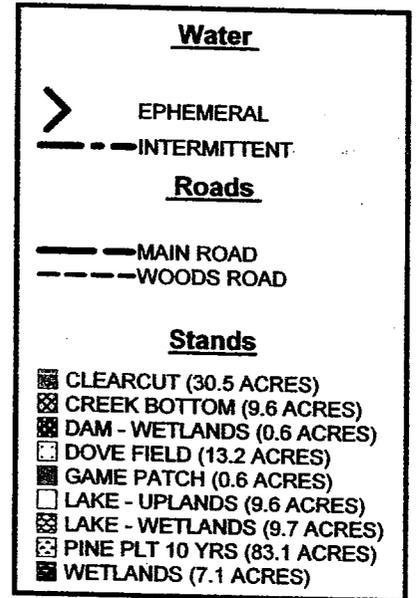
Intermittent stream affected will be 894.4 feet

Ephemeral stream affected will be 4,070.7 feet

Ephemeral stream above pond will be 2,569.6 feet

Intermittent stream below dam will be 978.4 feet

Ephemeral stream below dam will be 1,320.4 feet



BILL OF MATERIALS

- 230 LIN. FT. 20" STEEL PIPE
- 25 LIN. FT. 30" STEEL PIPE
- Teel LIN. FT. 20" X 30" X 8 PIPE
- 3 EACH ANTI-SEEP COLLAR 6"x6"
- 1 EACH 8" VALVE
- 1 EACH 4'x8' STEEL PLATE ANTI-VORTEX DEVICE

34,176 Cu yds. in Dam

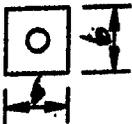
Plans of Lake Dam.
McConnel and Wright

W. M. Wright
P.O. Box 333
Crescent, W. Va. 26035
10-18-04

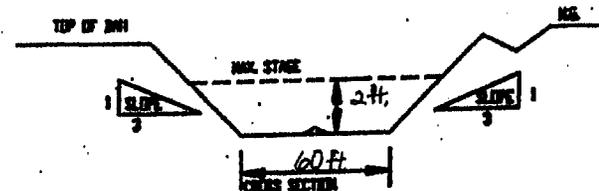
EMERGENCY SPILLWAY LOCATED ON RIGHT SIDE OF DAM LOOKING DOWNSTREAM

ANTI-SEEP COLLARS

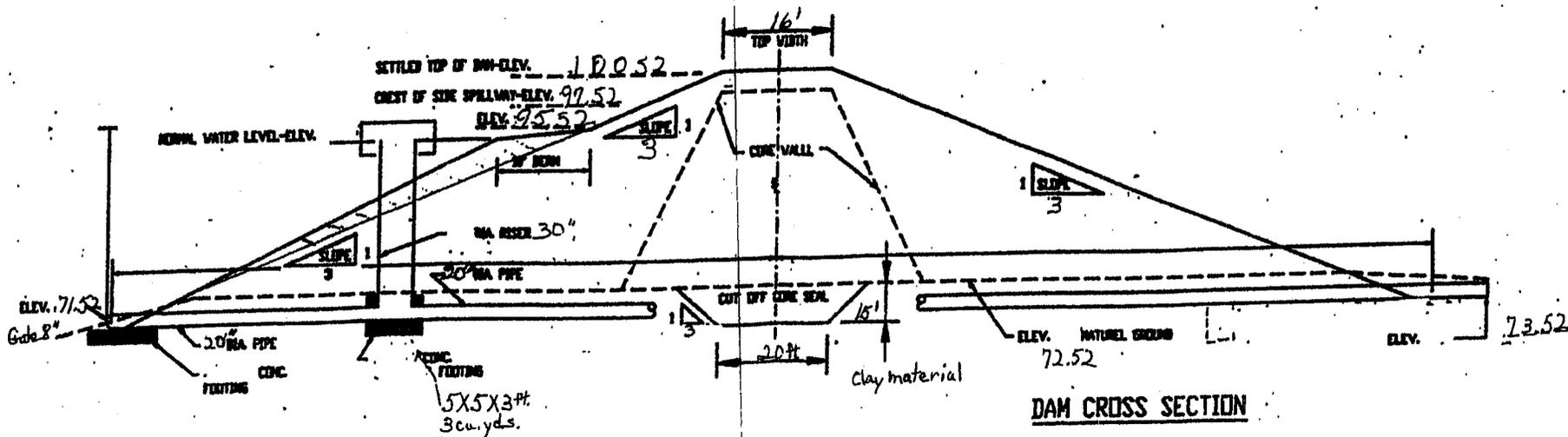
TYPE STEEL
NO NEED



SPILLWAY LONGITUDINAL SECTION



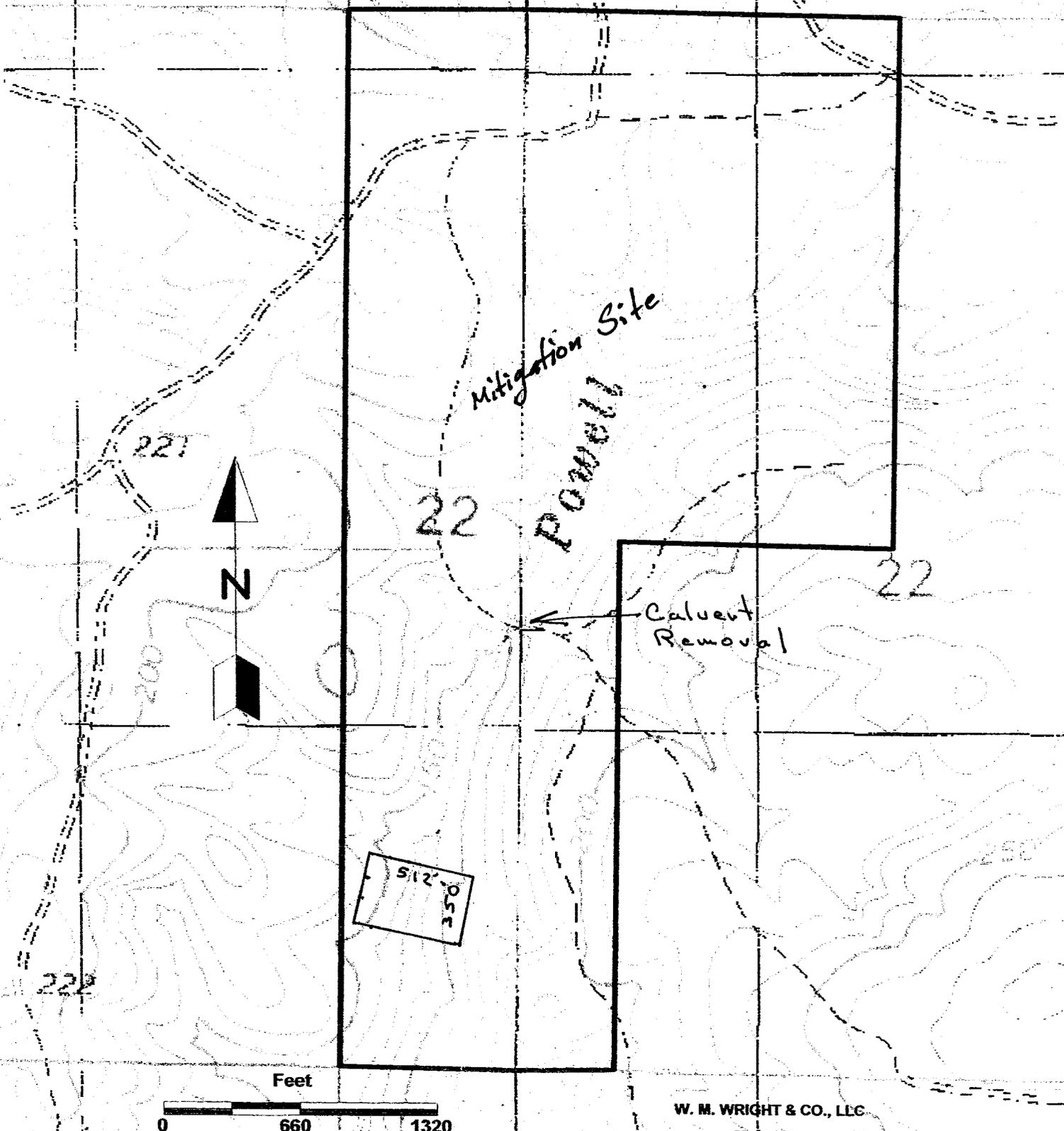
SPILLWAY CROSS SECTION



DAM CROSS SECTION

Daniel Sheffield

JOSHUA TIMBERLANDS
Section 22, T 1 S, R 4 W
Mobile County, Alabama



W. M. WRIGHT & CO., LLC
May, 2004

Batter Enhancement and Preservation

McConnell Wright, LLC

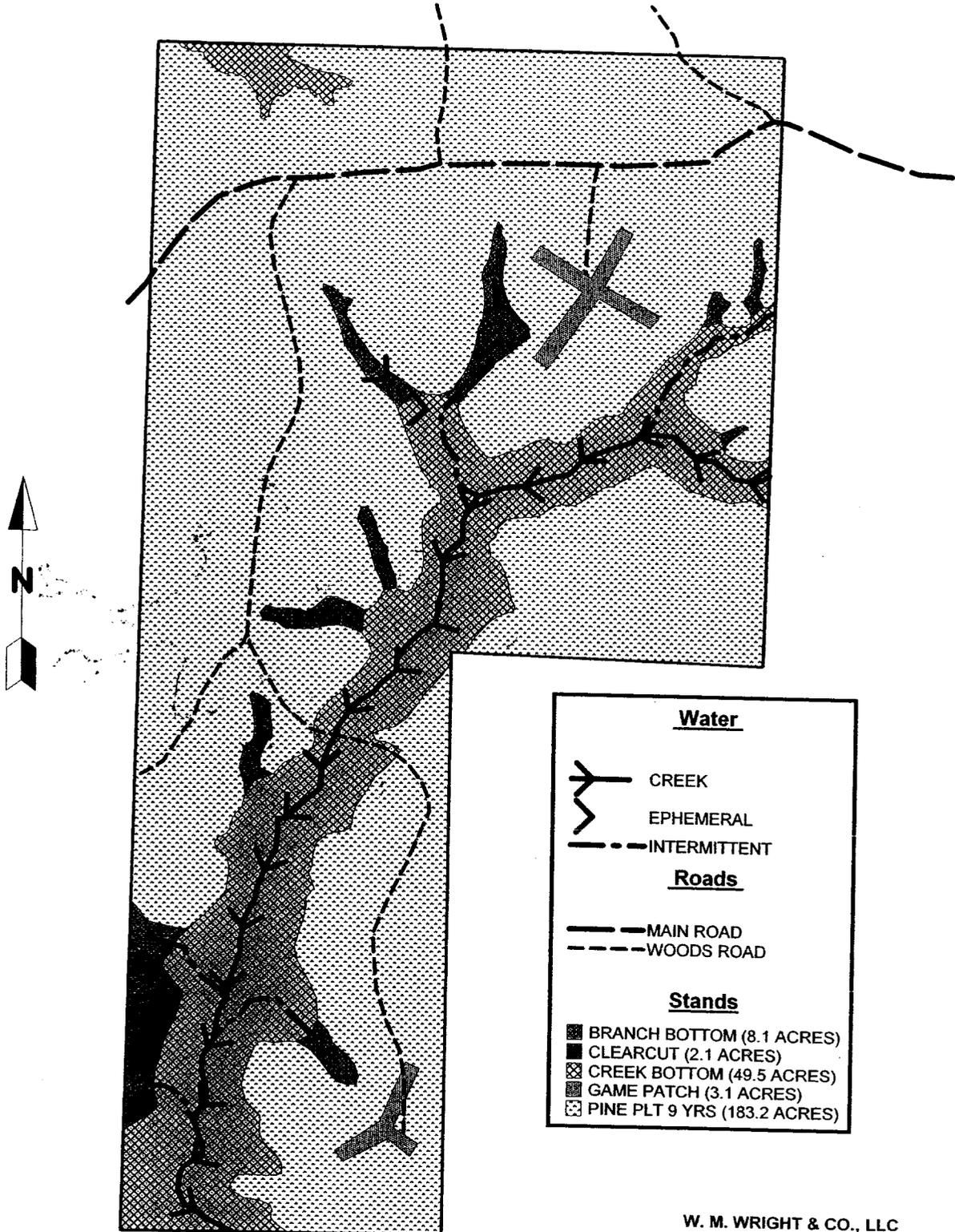
246 acres in Section 22, T 1 S, R 4 W

Mobile County, Alabama

Creek length is 5,285.0 feet

Intermittent Stream length is 3,213.8 feet

Ephemeral Stream length is 420.5 feet



W. M. WRIGHT & CO., LLC

March, 2006