



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
PUBLIC NOTICE NO. SAM-2006-1561-gac

JULY 28, 2006

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

**WETLAND FILL FOR CONSTRUCTION OF A RETAIL FACILITY
ON U. S. HIGHWAY 59, GULF SHORES,
BALDWIN 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: SCZ, LLC

WATERWAY: No Waterway.

WORK: The applicant proposes to fill approximately 5.4 acres of wetland area in conjunction with the development and construction of a multi-tenant retail facility on U.S. Highway 59, Gulf Shores, Baldwin County, Alabama. The development proposes 59,210 Square feet of retail space and 247,330 square feet of driveway and parking area.

In compensation for impacts to approximately 5.4 acres of wetland area, the applicant proposes to purchase and appropriate number of wetland mitigation credits in an approved wetlands mitigation bank.

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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.

The applicant 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, 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 (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.

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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. In a letter dated 14 June 2006, the Alabama Historical Commission (AHC) concurred that no properties eligible for the Register are present on the site. In addition, AHC concurred that no archeological resources are present at the site.

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-2006-1561-gac 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 in time to be received not later than **24 August 2006**.

If you have any questions concerning this publication, you may contact this office, Mr. Glen Cunningham, telephone number (251) 694-4077. 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.

Enclosures

MOBILE DISTRICT
U.S. Army Corps of Engineers



Boggy Branch

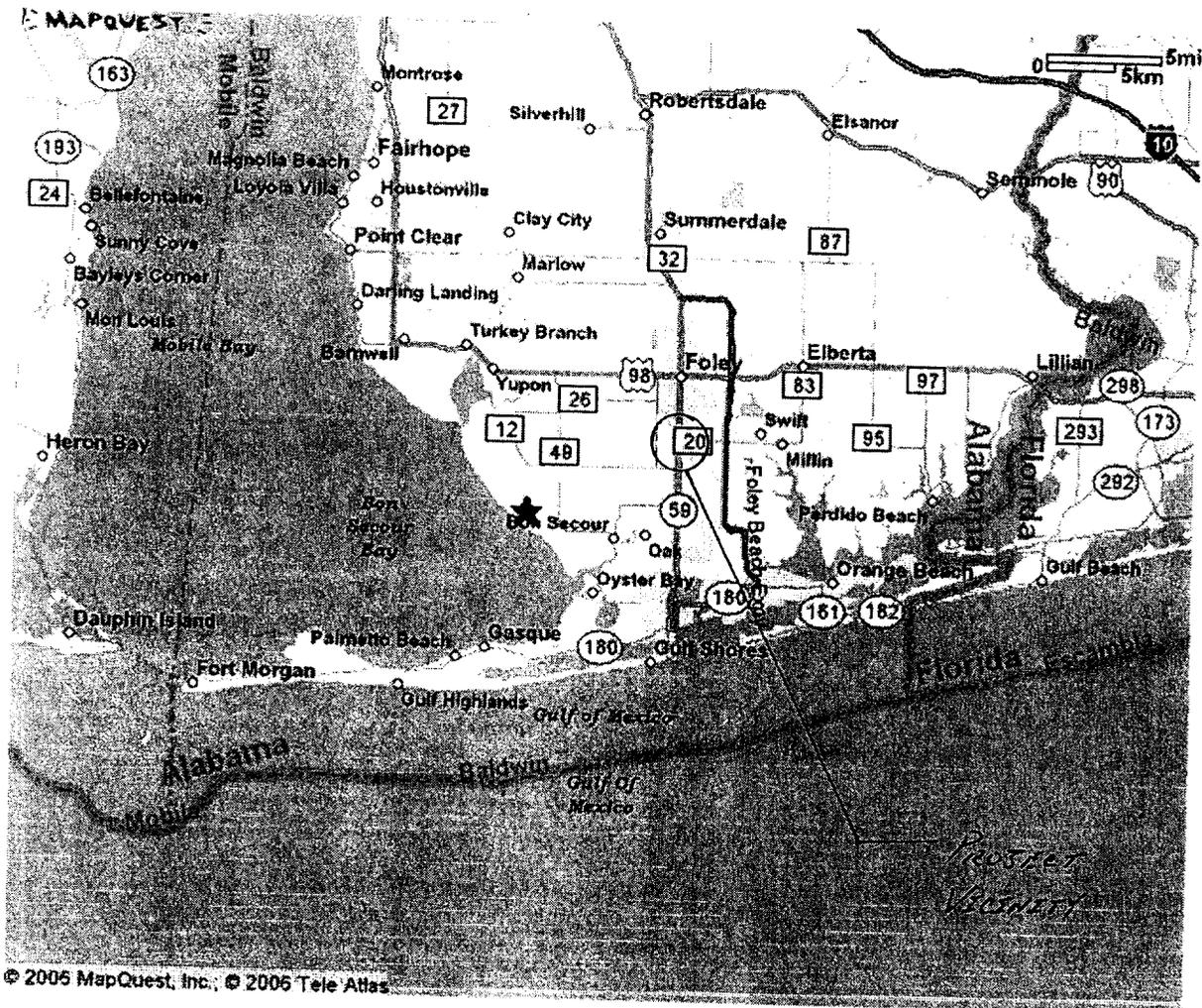
Foley AL

US

Notes:

Travel while it's hot.
Save at least 20% on summer flights.

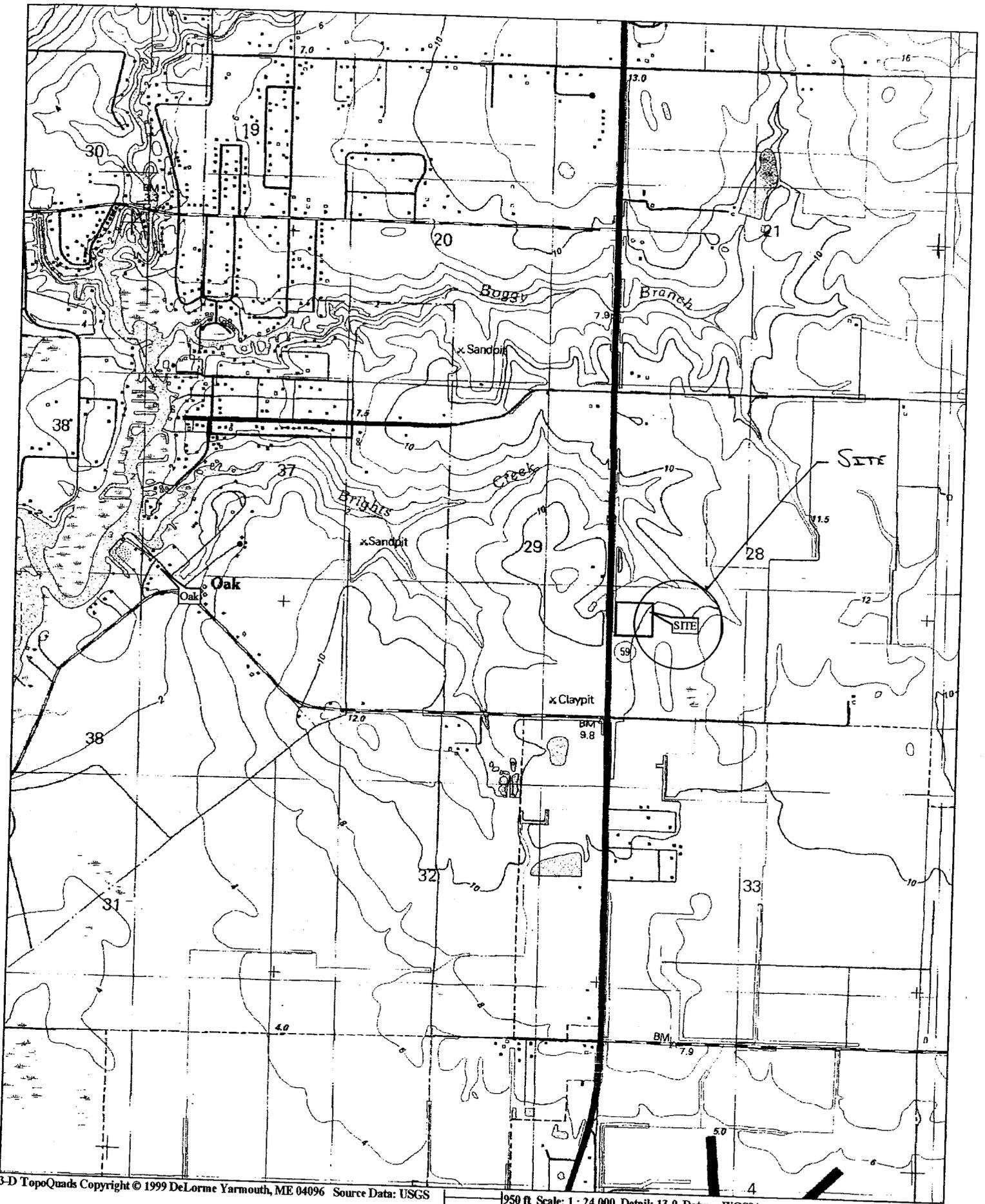
[SEARCH FARES](#)

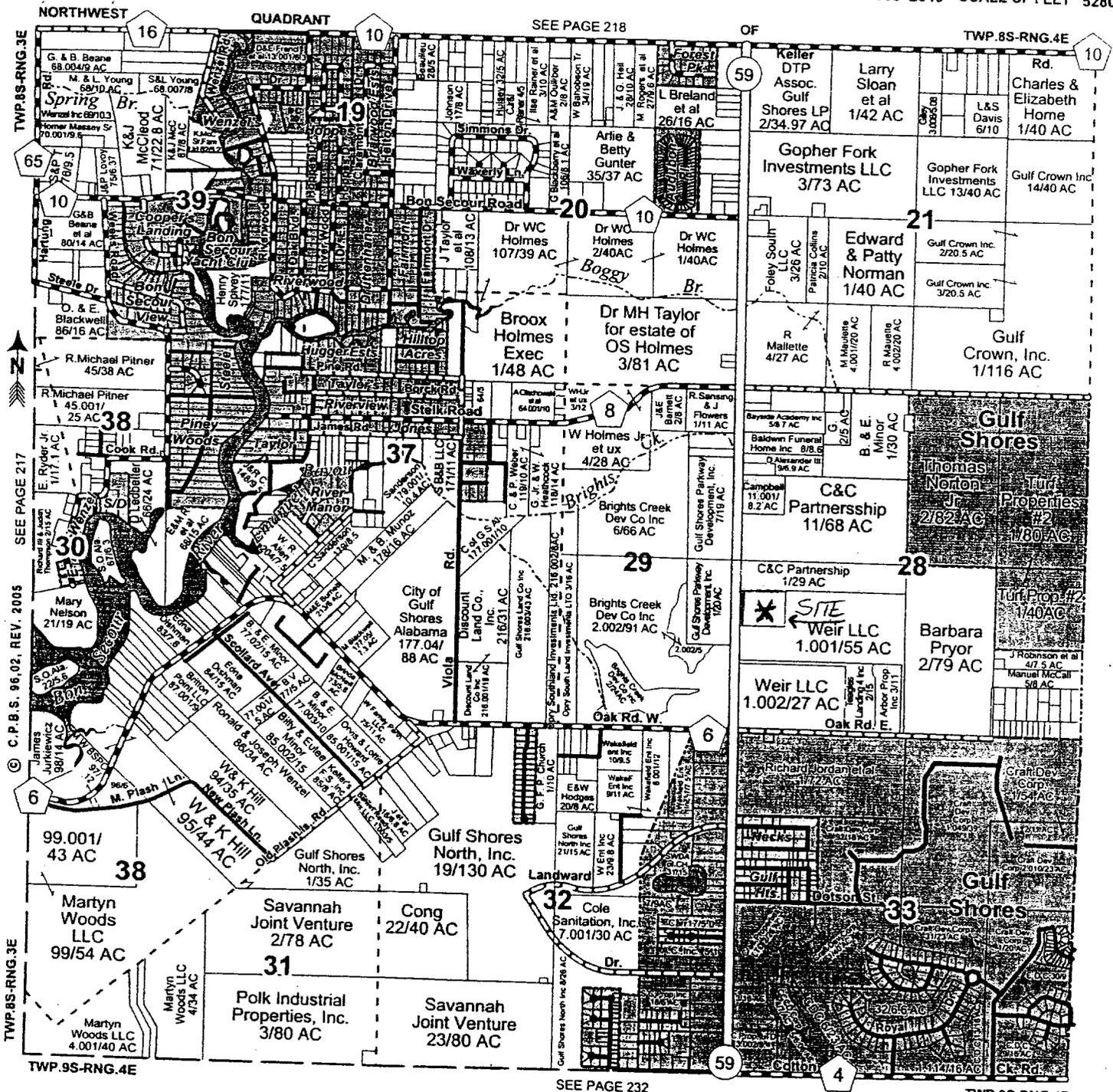


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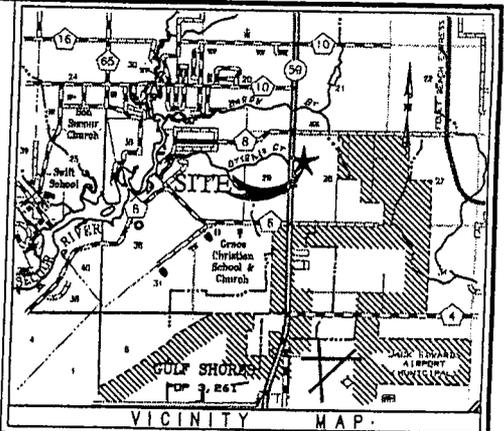
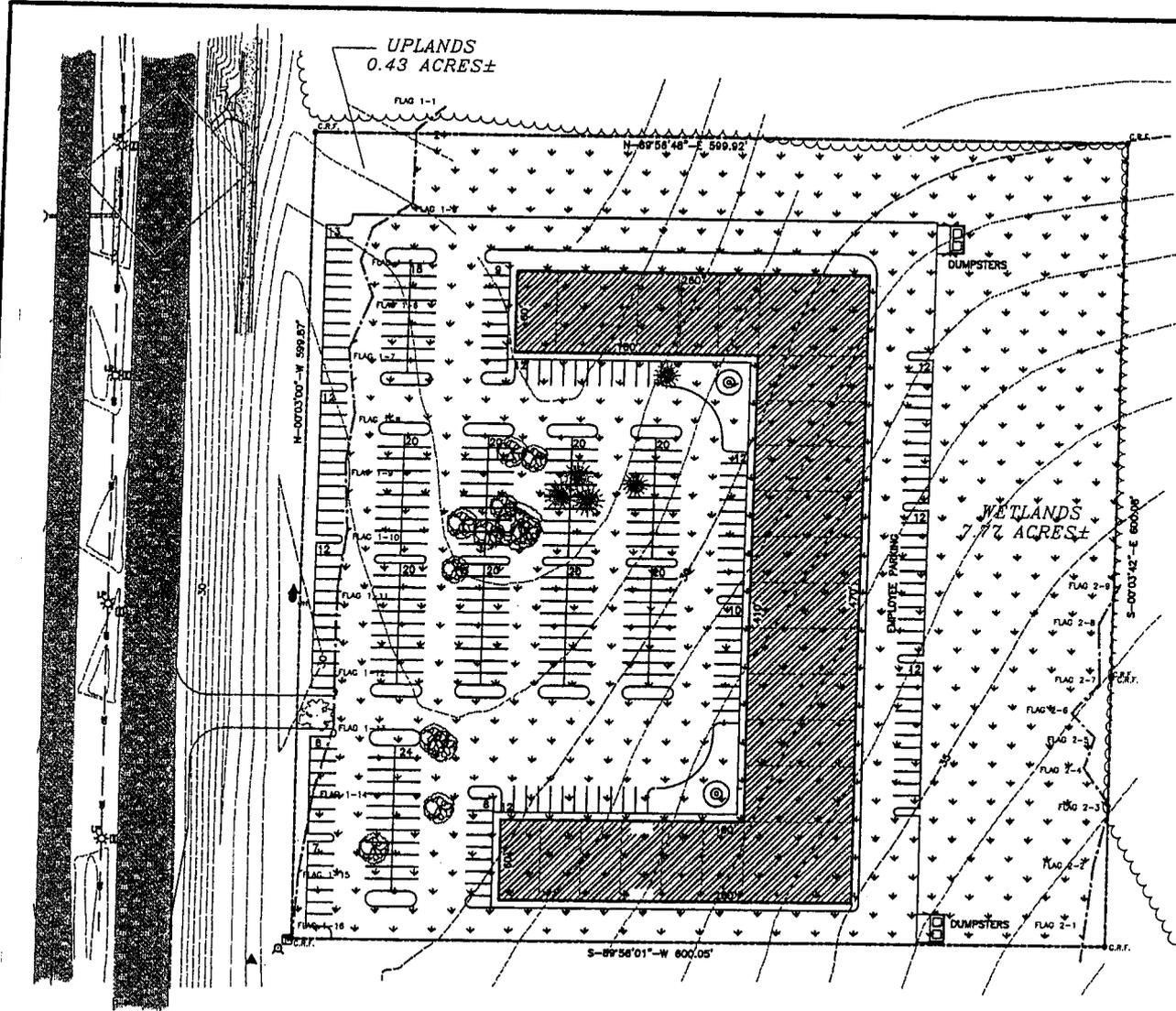
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TWP.8S-RNG.3E
SEE PAGE 217
C.P.B.S. 96-02, REV. 2005
TWP.8S-RNG.3E

OF
TWP.8S-RNG.4E
SEE PAGE 232
TWP.9S-RNG.4E



(NOT TO SCALE)

Site Data:

Building footage = 59,210 sq. ft.
 Asphalt footage = 247,330 sq. ft.
 Wetland impact footage = 235,421 sq. ft.

Note:

Detention to be placed in underground pipe storage beneath parking areas.

DESCRIPTION OF SURVEY:

COMMENCING AT THE RECORD LOCATION OF THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN N-89°59'19"-E, ALONG THE SOUTH LINE OF SAID SECTION 28, 165.11 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY NUMBER 59; THENCE RUN N-00°01'00"-W, ALONG SAID EAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY NUMBER 59, 274.90 FEET TO A POINT; THENCE RUN N-07°58'00"-E, ALONG SAID EAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY NUMBER 59, 100.40 FEET TO A POINT; THENCE RUN N-00°03'00"-W, ALONG SAID EAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY NUMBER 59, 1078.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N-00°03'00"-W, ALONG SAID EAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY NUMBER 59, 599.87 FEET TO A POINT; THENCE RUN N-89°58'48"-E, LEAVING SAID EAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY NUMBER 59, 599.92 FEET TO A POINT; THENCE RUN S-00°03'42"-E, 600.08 FEET TO A POINT; THENCE RUN S-89°58'01"-W, 800.05 FEET TO THE POINT OF BEGINNING; CONTAINING 8.26 ACRES, MORE OR LESS.

NO.	REVISION	DATE	BY



HUTCHINSON, MOORE & RAUCH, LLC
 1290 MAN STREET, SUITE D
 DAPHNE, ALABAMA 36528
 ENGINEERS & SURVEYORS
 DAPHNE, ALABAMA
 TEL (251) 626-2826
 FAX (251) 626-6934
 daprhc@hmrwrangh.com

DATE OF SURVEY	SKETCH PLAN 4			
	SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST			
	PARADISE COMMERCIAL CENTER			
SCALE	DATE	DRAWN BY	CHECKED BY	SHEET
MTS	JUNE 2008	C.E.C./R.R.	D.A.S.	1 OF 1