



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

REPLY TO

AUG 24 2006

CESAM-RD-C
PUBLIC NOTICE NO.
SAM-2006-1788-LRG

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

PROPOSED 17-UNIT TOWNHOUSE COMPLEX IN WETLAND
ELBERTA, BALDWIN COUNTY, ALABAMA

TO ALL CONCERNED: The U.S. Army Corps of Engineers, Mobile District, has received an application for a Department of the Army Permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the Corps can be based. Please communicate this information to interested parties.

APPLICANT: Dumas Development, LLC
c/o Wildlife Solutions, Inc. (WSI)
Post Office Box 1735
Fairhope, Alabama 36533

LOCATION: Mifflin Creek/Wolf Bay watershed, on County Road 20, Elberta, Baldwin County, Alabama. See Elberta 7.5 minute quadrangle map: Section 7, Township 8 South, Range 5 East near Latitude 30° 21' 50" North and Longitude 87° 35' 58" West.

WORK: Dumas Development proposes to construct a 17-unit townhouse complex. The 45- by 260-foot, two-story, structure would be pile supported over mostly wetland and raised approximately 10 feet. About 8,000 square feet of wet piney woods and meadow would be impacted by the development. Trees and woody vegetation would be hand cut and matting, no fill, would be used to minimize wetland disturbance during construction. Drawings furnished by WSI, agent.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposal 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 and their cumulative effects relevant to the proposal will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, property ownership, and in general the needs and welfare of the people.

To evaluate the impacts of this proposal the Corps is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be

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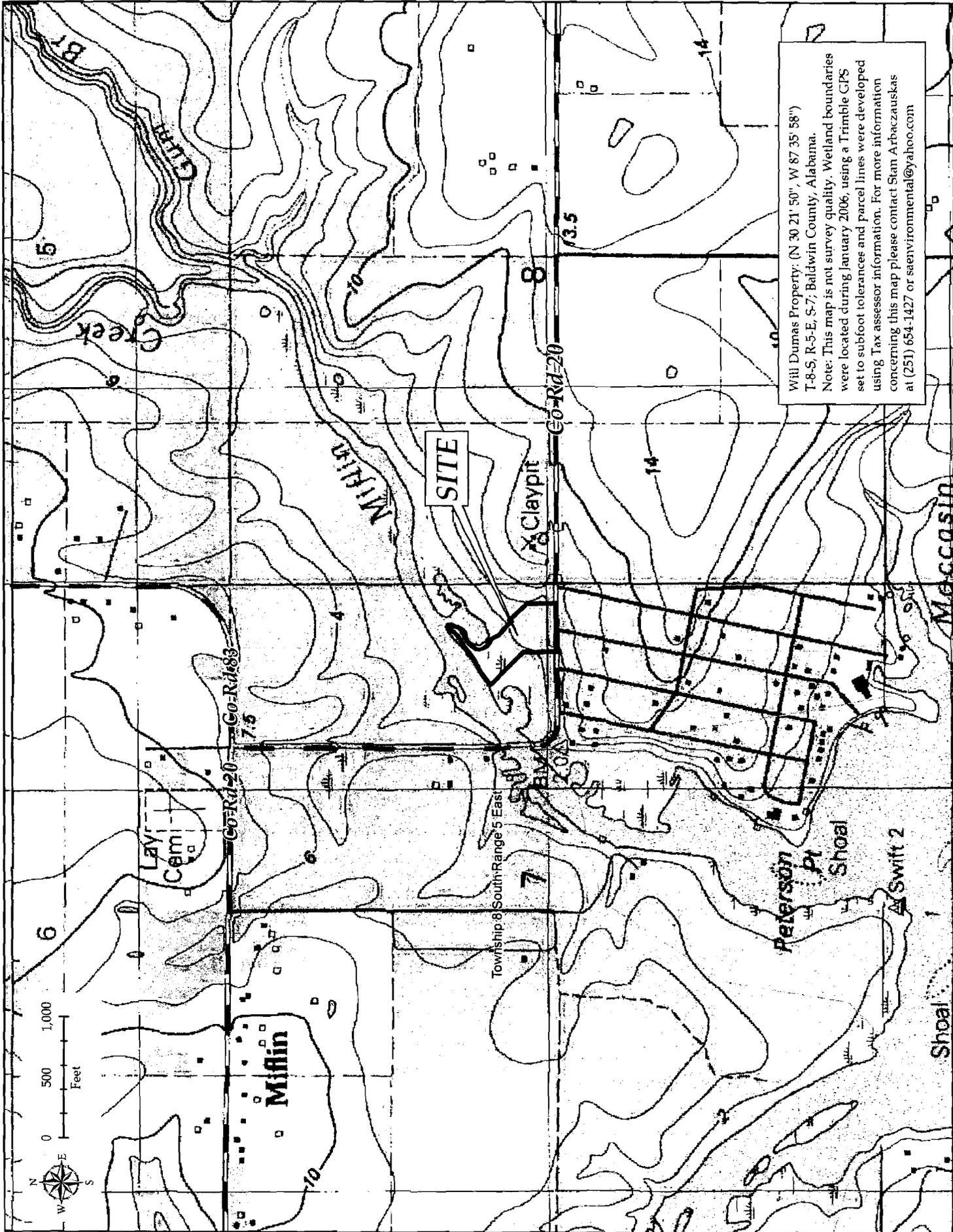
submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Comments will be considered to determine whether to issue, modify, condition or deny a permit. To make this decision, an Environmental Assessment is prepared in accord with the National Environmental Policy Act; impacts are assessed on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest. Anyone may request a public hearing to consider this proposal. Requests should provide in writing, within the specified comment period, detailed reasons for a hearing.

This notice is being sent to appropriate State and Federal agencies, including the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services. No properties listed in or eligible for the National Register of Historic Places is known to exist which would be affected by the proposal. Comments are requested regarding the potential or existence of cultural resources which may be affected. The U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposal will not affect listed species, or their critical habitat. Other impacts from dredge and fill activities, including pile supports having the effect and function of fill, will be evaluated by applying Environmental Protection Agency guidelines. Preliminary consultation with the National Marine Fisheries Service indicates the impacts to Essential Fish Habitat of estuarine species would not be significant. After review of public comments, the Alabama Department of Environmental Management will determine if the proposal complies with and will be operated or maintained in a manner consistent with the Clean Water Act and the Coastal Zone Management Program.

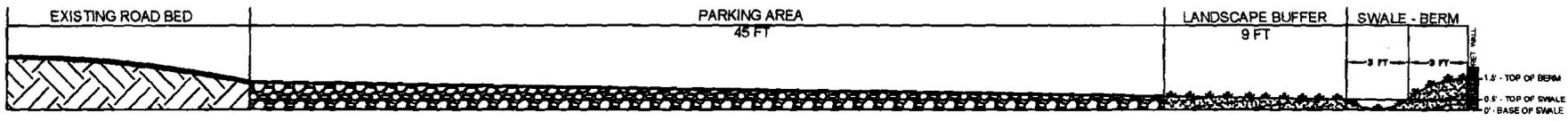
For additional information, e-mail the Project Manager at lawrence.r.godwin@usace.army.mil or phone (251) 690-2658. Comments should be received within 30 days of the public notice date. Please refer to number **SAM-2006-1788-LRG** and direct your correspondence to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division; and a copy to the Alabama Department of Environmental Management, Coastal Facility Section, 4171 Commanders Drive, Mobile, Alabama 36615.

Enclosures

MOBILE DISTRICT
U.S. Army Corps of Engineers

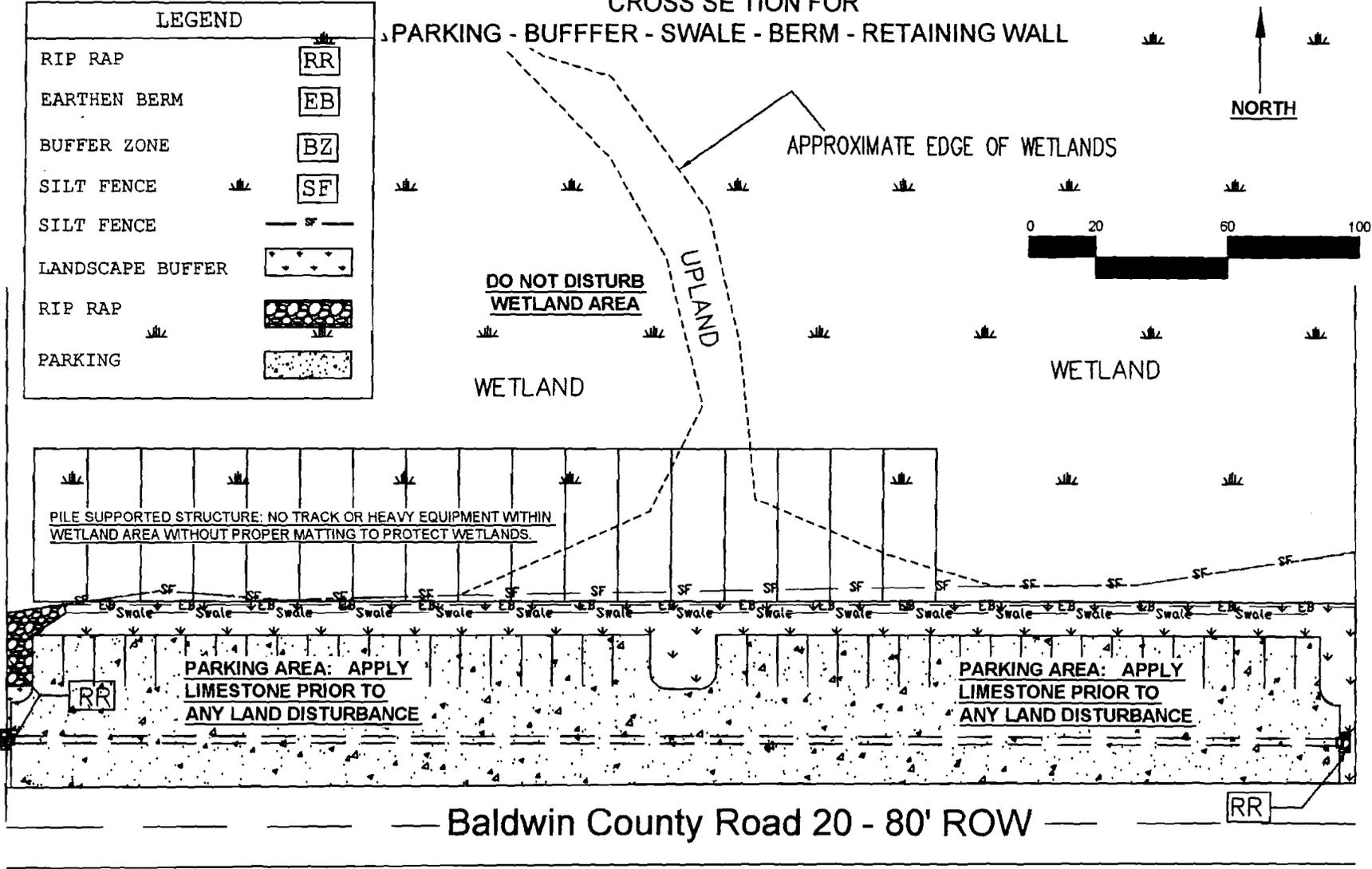


Will Dumas Property: (N 30 21' 50", W 87 35' 58")
 T-8-S, R-5-E, S-7; Baldwin County, Alabama.
 Note: This map is not survey quality. Wetland boundaries were located during January 2006, using a Trimble GPS set to subfoot tolerances and parcel lines were developed using Tax assessor information. For more information concerning this map please contact Stan Arbaczaukas at (251) 654-1427 or saenvironmental@yahoo.com



LEGEND	
RIP RAP	RR
EARTHEN BERM	EB
BUFFER ZONE	BZ
SILT FENCE	SF
SILT FENCE	SF
LANDSCAPE BUFFER	(Symbol)
RIP RAP	(Symbol)
PARKING	(Symbol)

CROSS SECTION FOR
PARKING - BUFFER - SWALE - BERM - RETAINING WALL

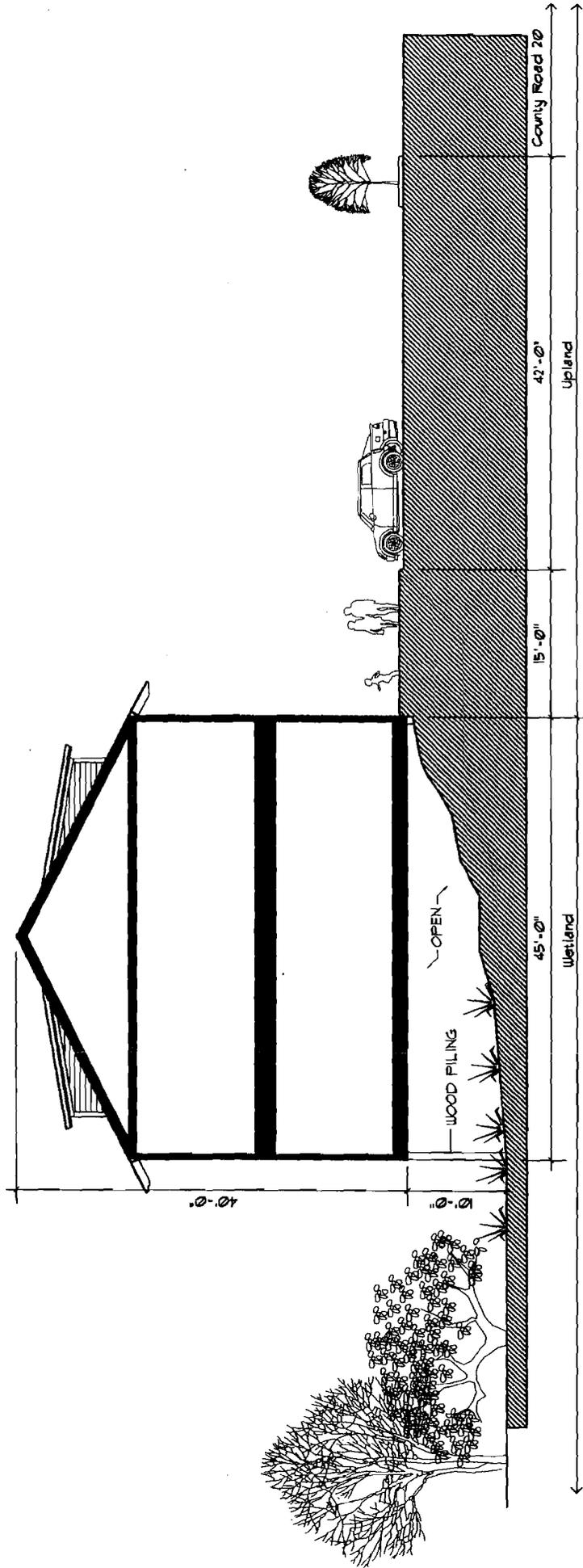


Baldwin County Road 20 - 80' ROW

J.J. MCCOOL
251.929.3857

WILDLIFE SOLUTIONS, LLC

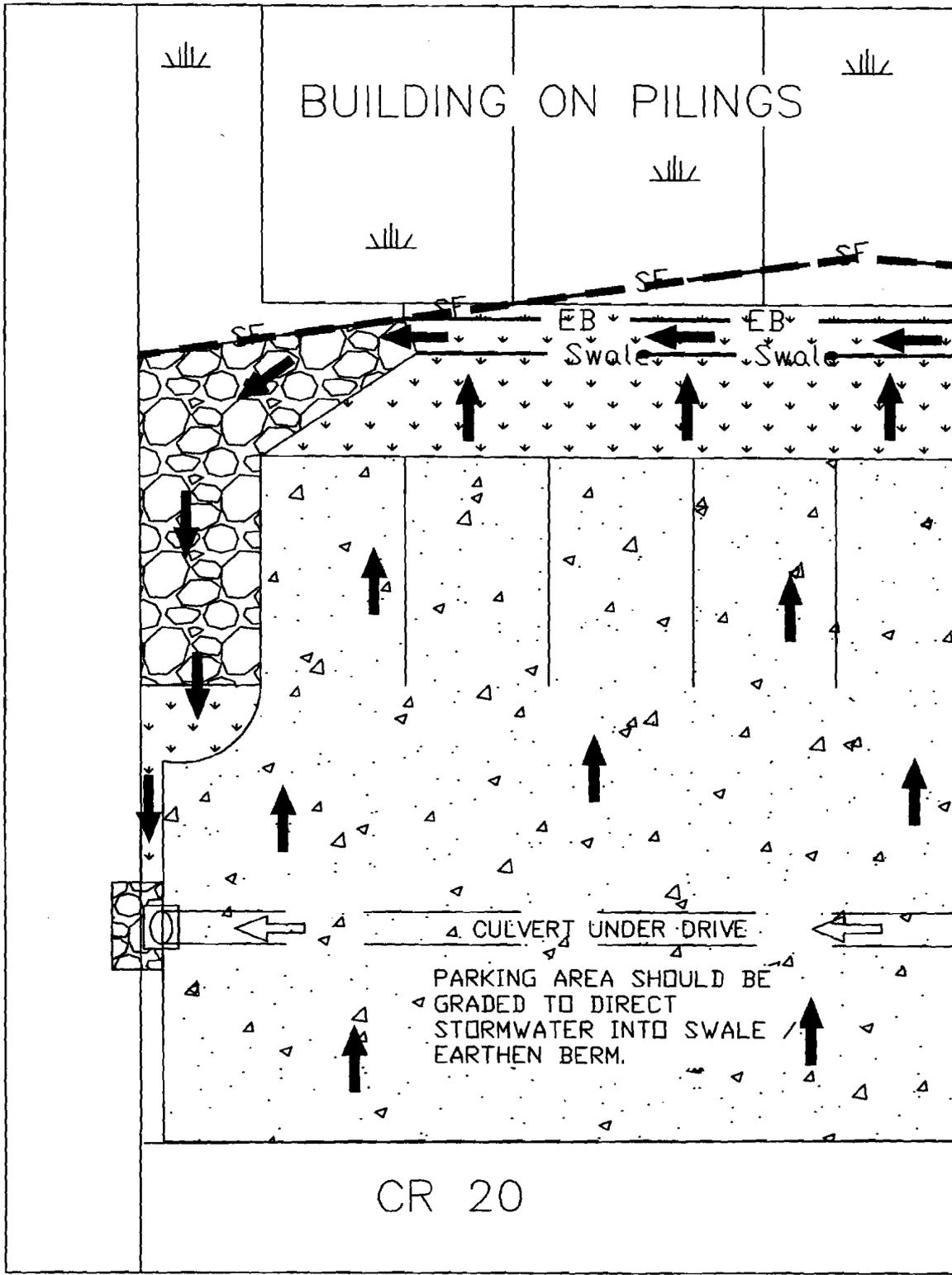
P.O. BOX 1735
FAIRHOPE, AL 36532



TRANSVERSE BUILDING SECTION
SCALE: N/A

STORM WATER FLOW DETAIL

← FLOW



WILDLIFE SOLUTIONS, LLC

P.O. BOX 1735
FAIRHOPE, AL 36532

JJ. MCCOOL
251.929.3837