



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-2007-0352-GAC

Date  
June 19, 2008

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

Wetland Fill for the Development of a Three-Lot Residential Subdivision in Daphne,  
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: Daphne Utility Board**  
Post Office Box 2550  
Daphne, Alabama 36526

**Waterway: No Waterway**

**WORK: The applicant proposes to fill approximately 1.72 acres of jurisdictional wetlands in conjunction with the development of three lots for single family residences as shown in the attached plans and drawings. The site is 19.15 acres and contains 1.11 acres of uplands and 18.04 acres of jurisdictional wetlands. The proposed project is located in Section 42, Township 5 South, Range 2 East, off Maxwell Avenue at the end of Bay Bluff Lane, Daphne, Baldwin County, Alabama.**

**The applicant proposes mitigation for impacts to wetland areas through the placement of a conservation easement on approximately 16.3 acres of wetlands on the site that will not be disturbed.**

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-2007-0352-GAC 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

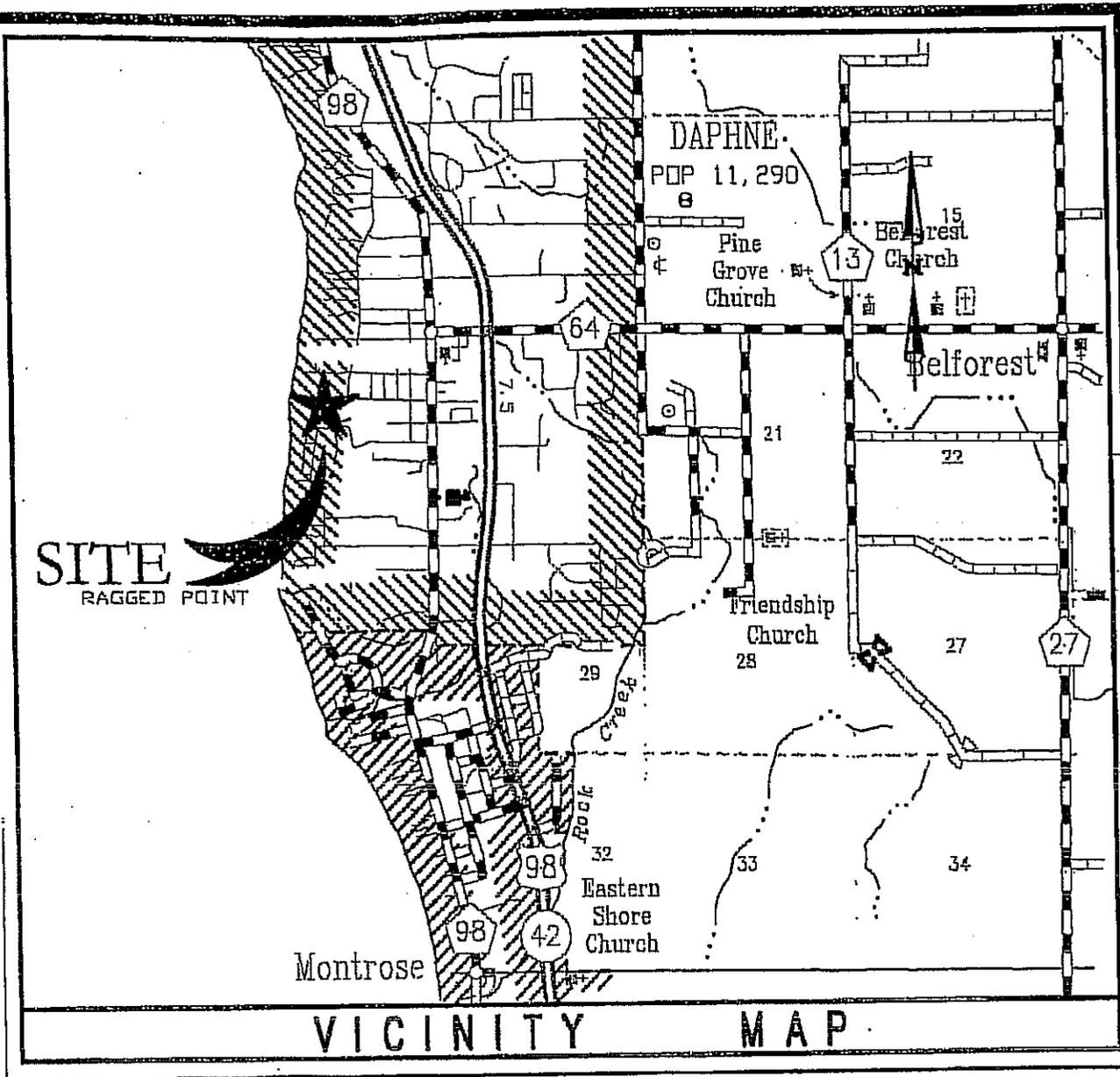
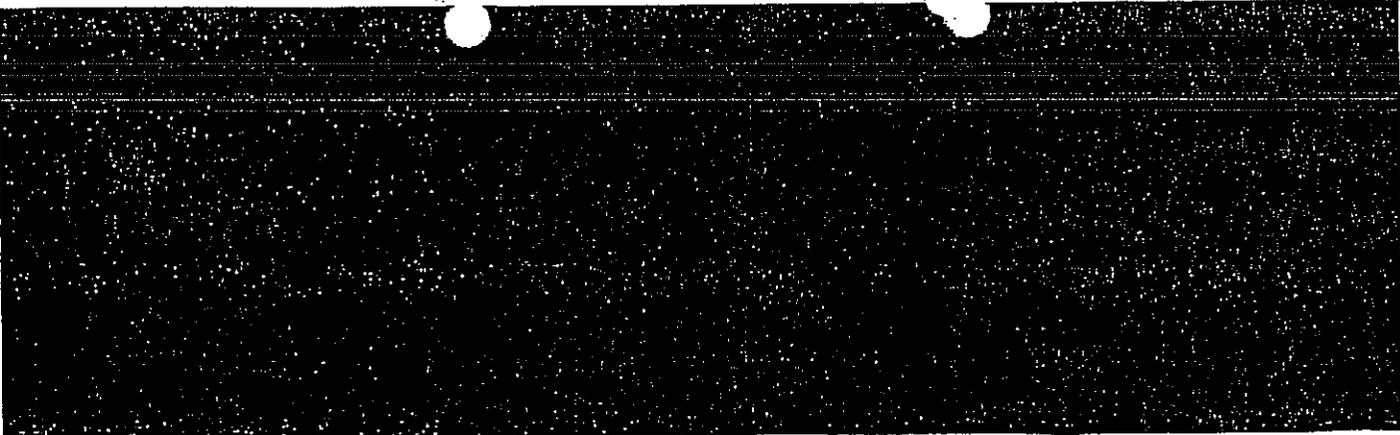
**All comments must be sent in time to be received not later than July 21, 2008.**

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-2007-0352-GAC**.

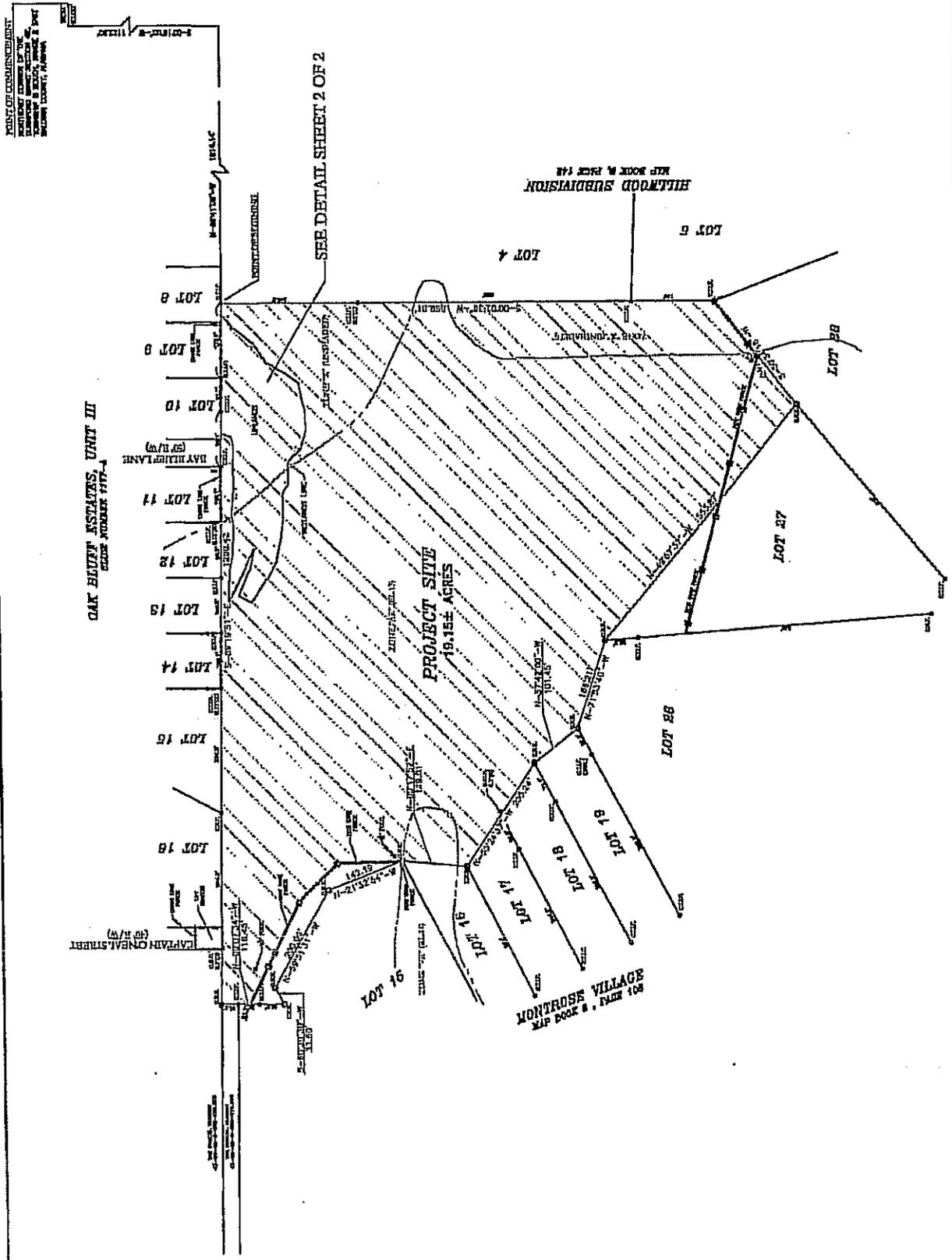
For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/reg), and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosure



(NOT TO SCALE)



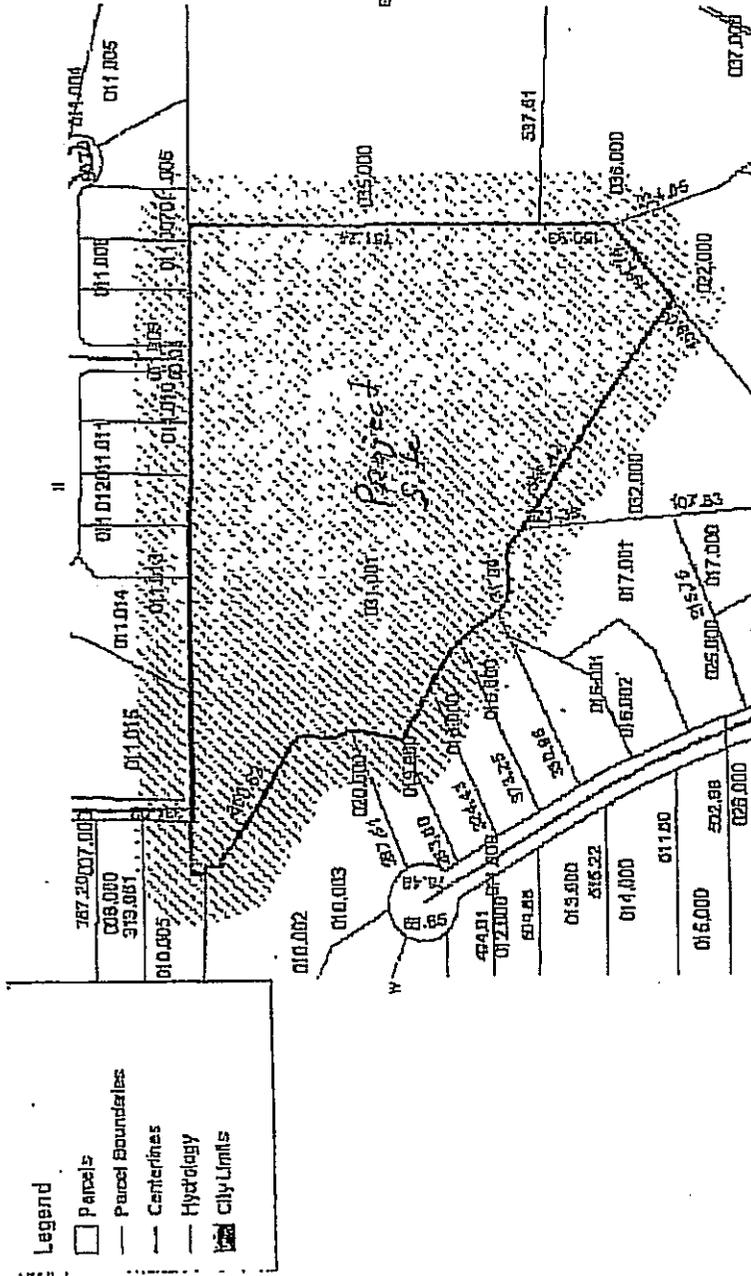
SHEET NO.  
 1  
 OF 2 SHEETS

PROJECT SITE

NAME	DATE
DAPHNE UTILITY BOARD	01/07



# Baldwin County



+ Adjacent Property Owners

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The city limits and planning jurisdiction boundaries were created by the Baldwin County Planning & zoning Department and should only be used as a guide. The city limits are subject to change without notice.