



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

June 16, 2008

CESAM-RD-I  
PUBLIC NOTICE NO. SAM-2008-0080-DMY

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

PROPOSED FILLING OF JURISDICTIONAL WETLANDS  
IN CONJUNCTION WITH THE DEVELOPMENT OF  
RESIDENTIAL HOUSING  
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:** Jackson Home Builders  
Attention: Mr. Billy Jackson  
Post Office Box 219  
Satsuma, AL 36572

**AGENT:** Barry A. Vittor and Associates, Inc.  
Attention: Mr. Troy L. Ephraim  
8060 Cottage Hill Road  
Mobile, Alabama 36695

**LOCATION:** Vicinity of Steele Creek near Satsuma High School, Section 26, Township 2 South, Range 1 West, City of Satsuma, Mobile County, Alabama. Latitude North 30.8467 and Longitude West -88.0549.

**WORK:** The applicant has filed an application for authorization for wetland disturbance and fill for the construction on an approximated 8 acre parcel for a proposed 24-lot residential subdivision in the vicinity of Steele Creek in the City of Satsuma, Mobile County, Alabama. Proposed impacts would result in the loss of approximately 1.5 acres of low to low-medium quality forested wetland habitat with impermeable surface area and a detention pond for water quality and treatment requirements. The applicant has stated that the preferred alternative site would avoid approximately 2.5 acres at alternative 1 and stream habitat at alternative 2. The applicant has stated that the proposed preferred alternative would avoid 0.88 acres of habitat by

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not conducting a full scale build out and impacting approximately 2.5 acres of forested wetland habitat. The applicant reduced the lot requirements from 28 to 24 to accommodate avoidance and minimization onsite.

Compensation for the proposed unavoidable impacts will be accomplished through a combination of onsite and offsite measures. The applicant will enhance and expand approximately a 0.65-acre "common area" consisting of low quality wetland habitat. Of this 0.65-acre habitat, the applicant has proposed that 0.13 acres will be created. The applicant has proposed that the remaining 0.88 acres plus the 0.65 acres will be placed in preservation by deed restriction for the proposed subdivision. Currently the applicant has performed a functional assessment of the wetland habitat and found it to be low and low-medium in quality.

The applicant has filed a joint application for state certification in accordance with Section 401(a)(1) of the Clean Water Act, and has made a preliminary determination 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

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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 contacted for properties listed in or eligible for the National Register that are known to exist which would be affected by the proposed work. The applicant has stated that a preliminary Phase I Cultural Resources Assessment is being finalized and will be submitted to this office. The applicant has stated that no known resources were found within the project boundary and that no known properties were in the vicinity of the project that would be affected. A letter of concurrence has been forwarded to the Alabama Historical Commission for their concurrence with the proposed activity. 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 permit area. Copies of this notice are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

A survey for Threatened and Endangered Species was conducted by the applicant. Preliminary coordination with the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity would not affect any listed endangered or threatened species, or their critical habitat. A letter of concurrence for the proposed activity has been forwarded by the applicant to the US Fish and Wildlife Service. The Mobile District has also determined that the proposed action would not adversely impact Essential Fish Habitat or associated fisheries managed by the Gulf of Mexico Fishery Management Council or the National Marine Fisheries Service. This review will constitute the full extent of the survey unless comment to this notice is received documenting additional information.

Correspondence concerning this Public Notice should refer to **Public Notice Number SAM 2008-80-DMY** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Inland Branch. With a copy furnished to Alabama Department of Environmental Management, 4171

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Commanders Drive, Mobile Alabama 36615. Comments should be received no later than **30 days from the date of this Public Notice.**

If you have any questions concerning this publication, you may contact the Project Manager Mr. Damon M. Young, P.G. via email at [damon.m.young@sam.usace.army.mil](mailto:damon.m.young@sam.usace.army.mil) or telephone number (251) 690-2658. Please refer to the Revised Public Notice SAM-2008-0080-DMY.

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

Enclosures

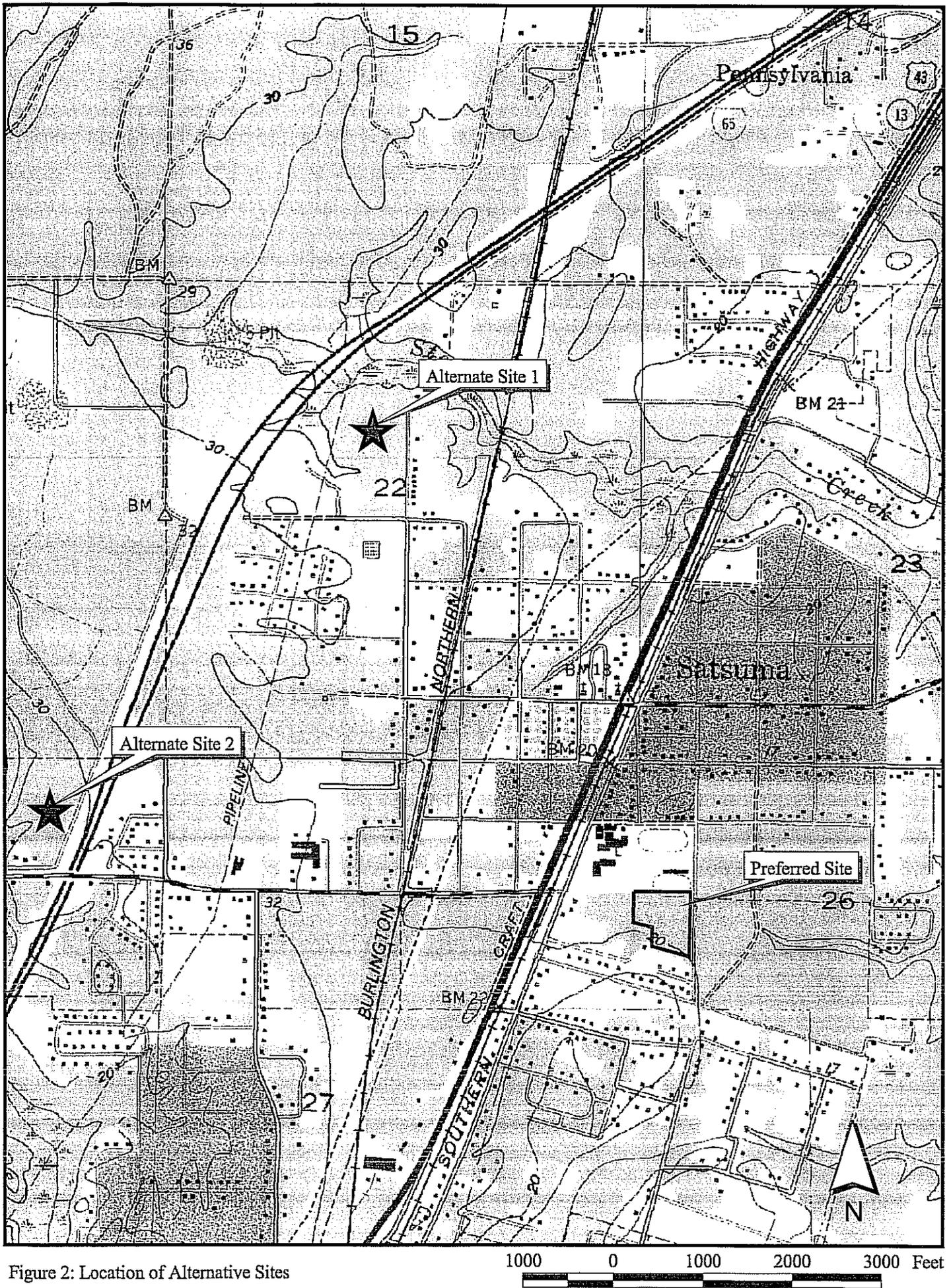


Figure 2: Location of Alternative Sites

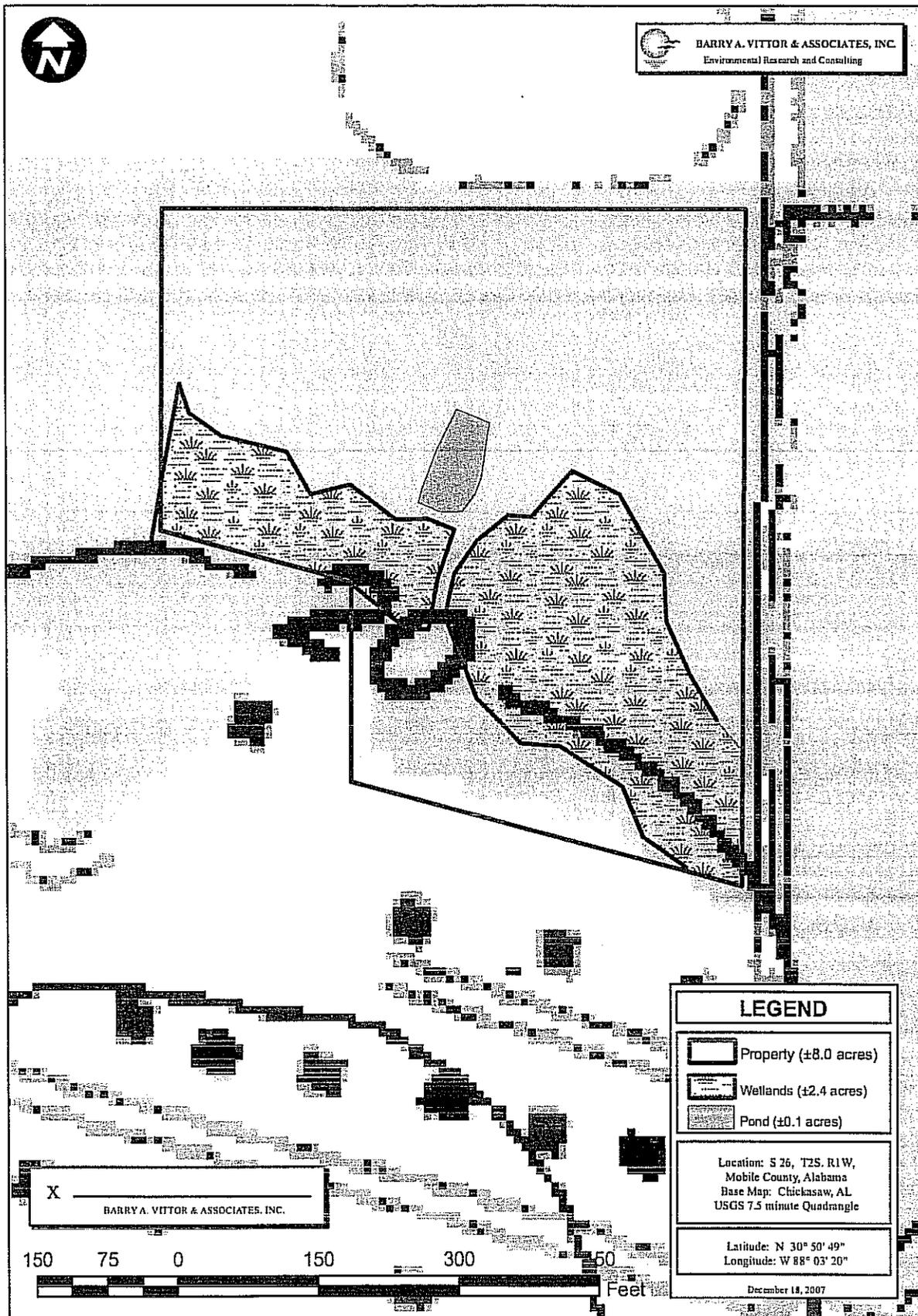
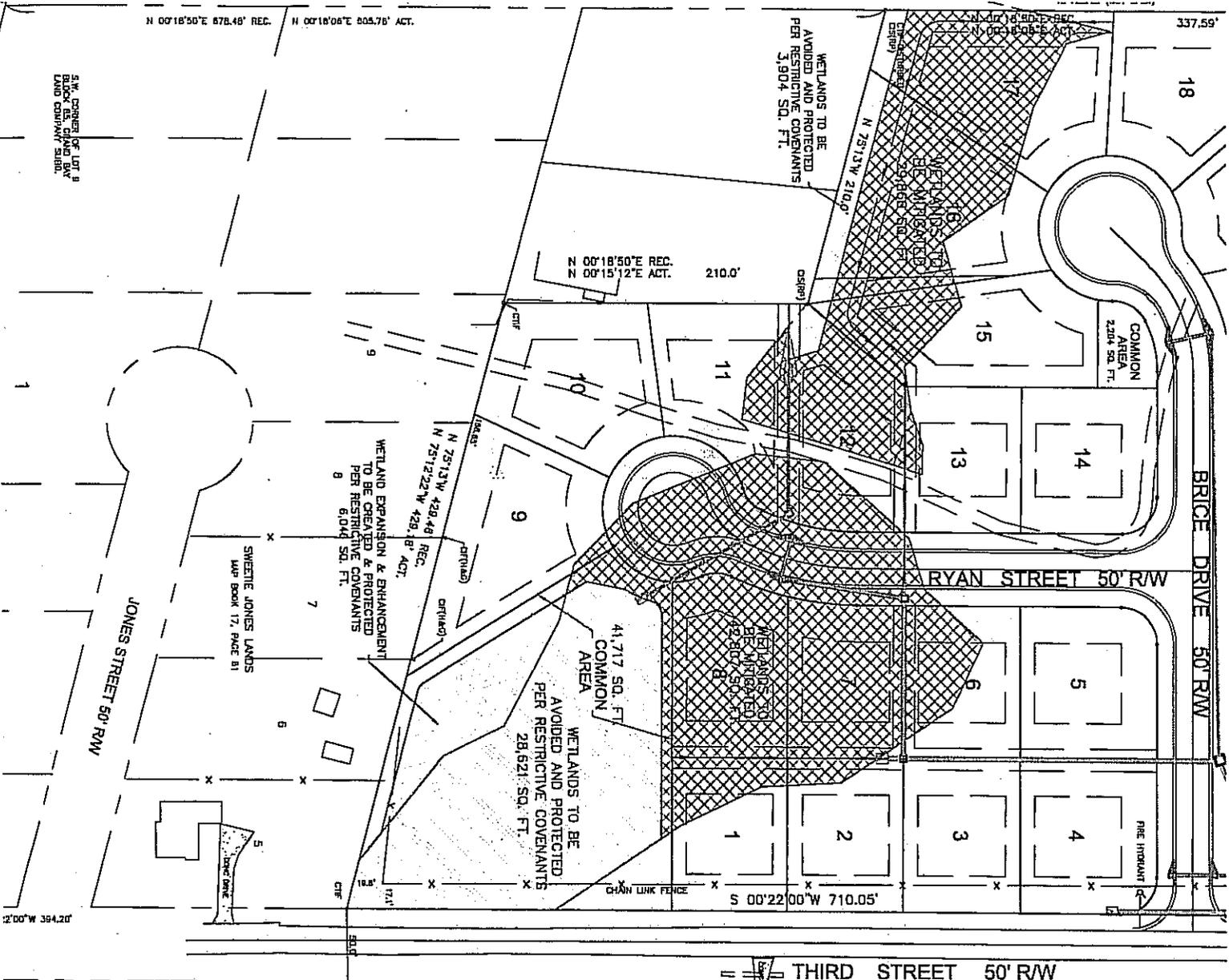


Figure 2 Positions of wetland flags were fixed using GPS accurate to +/- 3 meters. Wetland boundaries have not been verified by the U.S. Army Corps of Engineers. Property boundaries are approximate.



DESCRIPTION

A PORTION OF LOTS 9 AND 10, BLOCK 85, A SOUTH HALF OF NORTHWEST QUARTER, SEC. WEST, ALSO KNOWN AS BLOCK 85, GRAND B, RECORDED IN DEED BOOK 152 N.S., PAGE 29 RECORDS OF MOBILE COUNTY, ALABAMA, DES AT THE SOUTHWEST CORNER OF SAID LOT 9, ALONG THE WEST BOUNDARY LINE OF SAID L TO THE POINT OF BEGINNING OF THE PROPER CONTINUING N. 00°18'06"E ALONG SAID WEST TO A POINT, THENCE RUN S. 89°56'00"E 619. RIGHT OF WAY LINE OF THIRD STREET, THENCE LINE OF THIRD STREET, RUN S. 00°22'00"W 71 FEET TO A POINT, THENCE RUN N. 75°13'00"W 429.18 FEET TO A POINT, THENCE RUN N. 75°13'00"W BEGINNING, CONTAINING 7.9817 ACRES.

WETLANDS TO BE MITIG.  
 AREA = 72,673 SQ. FT. OR 1.6

AREA TO BE FILLED = 72,673

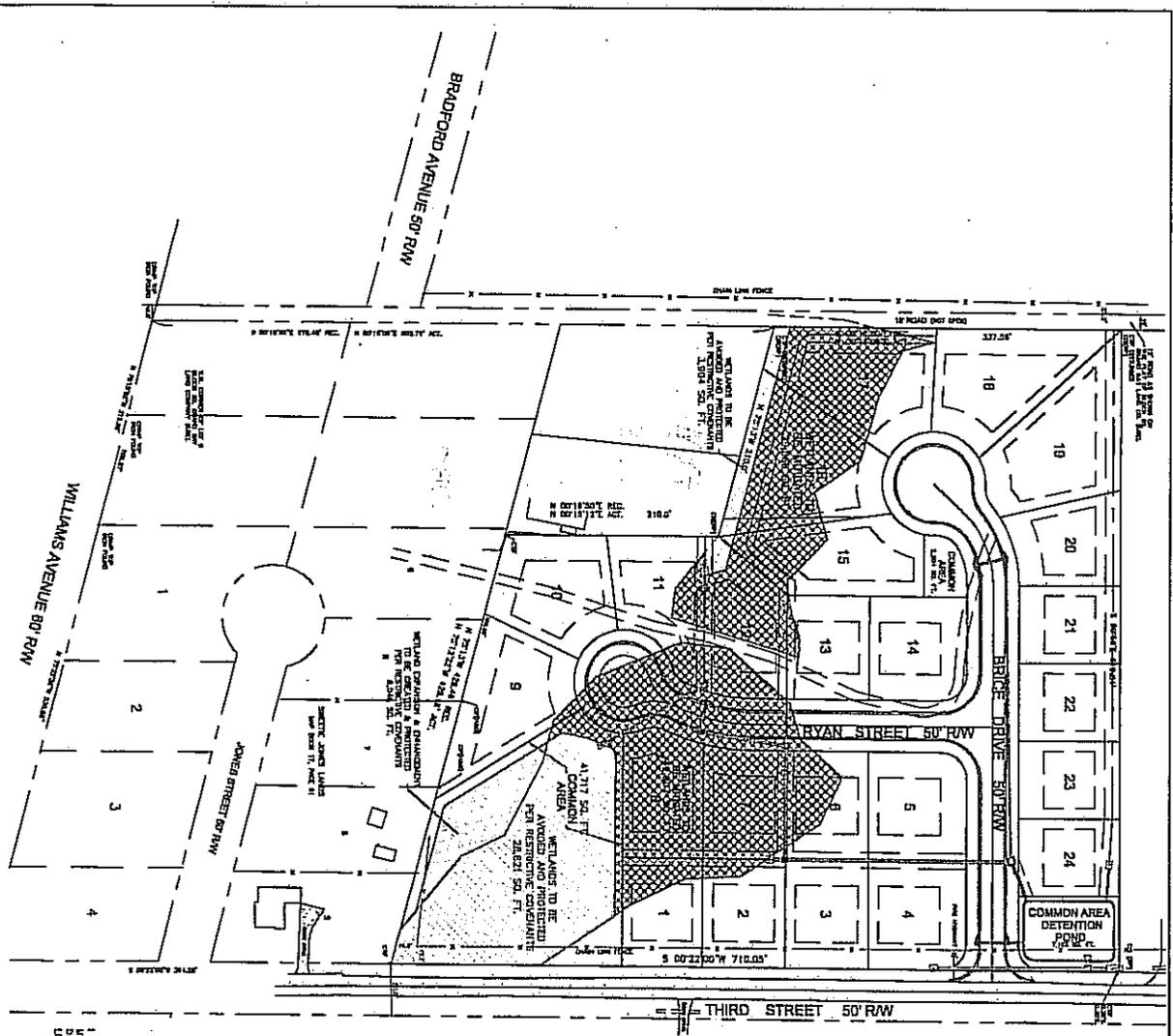
WETLANDS TO BE CREATED,  
 AREA = 38,571 SQ. FT. OF

AREA TO BE AVOIDED = 32,525 &  
 AND PROTECTED

AREA TO BE AVOIDED = 6,046 SC  
 CREATED AND PROTECTED

COMMON AREAS  
 AREA = 51,023 SQ. FT. OF

DATE: 11/10/00



I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE RATE BUREAU, COMMUNITY PANEL NO. 00072, AND I AM NOT PROVIDING ANY INFORMATION LOCATED IN ZONE "X" (UNINSURED).

INWOOD L. PATRICK

<b>WETLAND MITIGATION PLAN "E"</b>			
CAYMEN PLACE SATELUNA, ALABAMA			
RICHARD L. PATRICK PROFESSIONAL LAND SURVEYOR 3117 FAURELDS ROAD MOBILE, ALABAMA 36605 PH: (251) 478-5846 (251) 586-4832			
DRAWN BY: RLP	DATE	REV.	SCALE: 1" = 50'
CHECKED BY: RLP	5/17/08		FILE: CAYMEN-WT-E

**COMMON AREAS**  
AREA = 51,023 SQ. FT. OR 1.1713 ACRES

**WETLANDS TO BE AVOIDED AND PROTECTED**  
AREA = 38,571 SQ. FT. OR 0.8854 ACRES

**AREA TO BE AVOIDED - 6,046 SQ. FT. OR 0.1389 ACRES  
CREATED AND PROTECTED**

**AREA TO BE AVOIDED - 32,525 SQ. FT. OR 0.7466 ACRES  
AND PROTECTED**

**WETLANDS TO BE MITIGATED**  
AREA = 72,673 SQ. FT. OR 1.6683 ACRES

**AREA TO BE FILLED - 72,673 SQ. FT. OR 1.6683 ACRES**

**DESCRIPTION**

A PORTION OF LOTS 8 AND 10, BLOCK 18, ACCORDING TO PLAT OF SURVEY OF SOUTH HALF OF NORTHWEST QUARTER, SEC. 28, TOWNSHIP 3 SOUTH, RANGE 1 WEST, ALABAMA RANGE 12, GRANT DAY LAND COMPANY SUBDIVISION, AS RECORDED IN MOBILE COUNTY ALABAMA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 8, BLOCK 18, RUN N 0°15'00" E 100.00 FEET TO THE POINT OF BEGINNING OF THE PRESENTLY HERETO DESCRIBED TRACT OF SAID LOT 8, FROM SAID POINT OF BEGINNING, RUN S 89°15'00" E 100.00 FEET TO THE POINT OF BEGINNING OF THE WEST LINE OF THIRD STREET, RUN S 0°22'00" W 71.00 FEET TO A POINT, THENCE BEARING CONTINUING TOWARD

