



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**

May 1, 2008

**CESAM-RD-I
PUBLIC NOTICE NO. SAM-2008-0311-DMY
AHC 08-0419**

**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 A MOTEL
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: Mobile HP, LLC
Attention: Mr. Nat Patidar
Eagle Hotels
285 Country Club Drive
Stockbridge, Georgia 30281

AGENT: Barry A. Vittor and Associates, Inc.
Attention: Mr. Russell B. Rigby
8060 Cottage Hill Road
Mobile, Alabama 36695

LOCATION: Vicinity of Elslava Creek at 3625 Springhill Memorial Drive South, Section 24, Township 4 South, Range 2 West, Mobile County, Alabama. Latitude North 30 40' 47" and Longitude West 88 07' 49".

WORK: The applicant has filed an application for authorization for wetland disturbance and fill for the construction on an approximated 2.5 acre parcel for a proposed 6-story, 132 room motel for Hyatt Hotels, and 137 parking spaces in the vicinity of Elslava Creek in Mobile County, Alabama. Proposed impacts would result in the loss of approximately 0.9 acres of low quality shrub/scrub wetland habitat with impermeable surface area and a detention pond for water quality and treatment requirements. The applicant's proposed preferred alternative would avoid 1.02 acres of habitat.

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Compensation for the proposed unavoidable impacts will be made through the purchase of the necessary credits at a local mitigation bank. Currently the applicant has performed a functional assessment of the wetland habitat and found it to be low in quality.

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

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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. In a letter dated February 20, 2008 the Alabama Historical Commission concurred with the project and has determined that the activities will have no effect on any known cultural resources listed on or eligible for listing. 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. In a response from the U.S. Fish and Wildlife Service dated March 24, 2008, it was determined that no known federally listed species/critical habitats are known to occur in the project area. 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 2008-311-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 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 via email at damon.m.young@sam.usace.army.mil or telephone number (251) 690-2658. Please refer to the Revised Public Notice SAM-2008-311-DMY.

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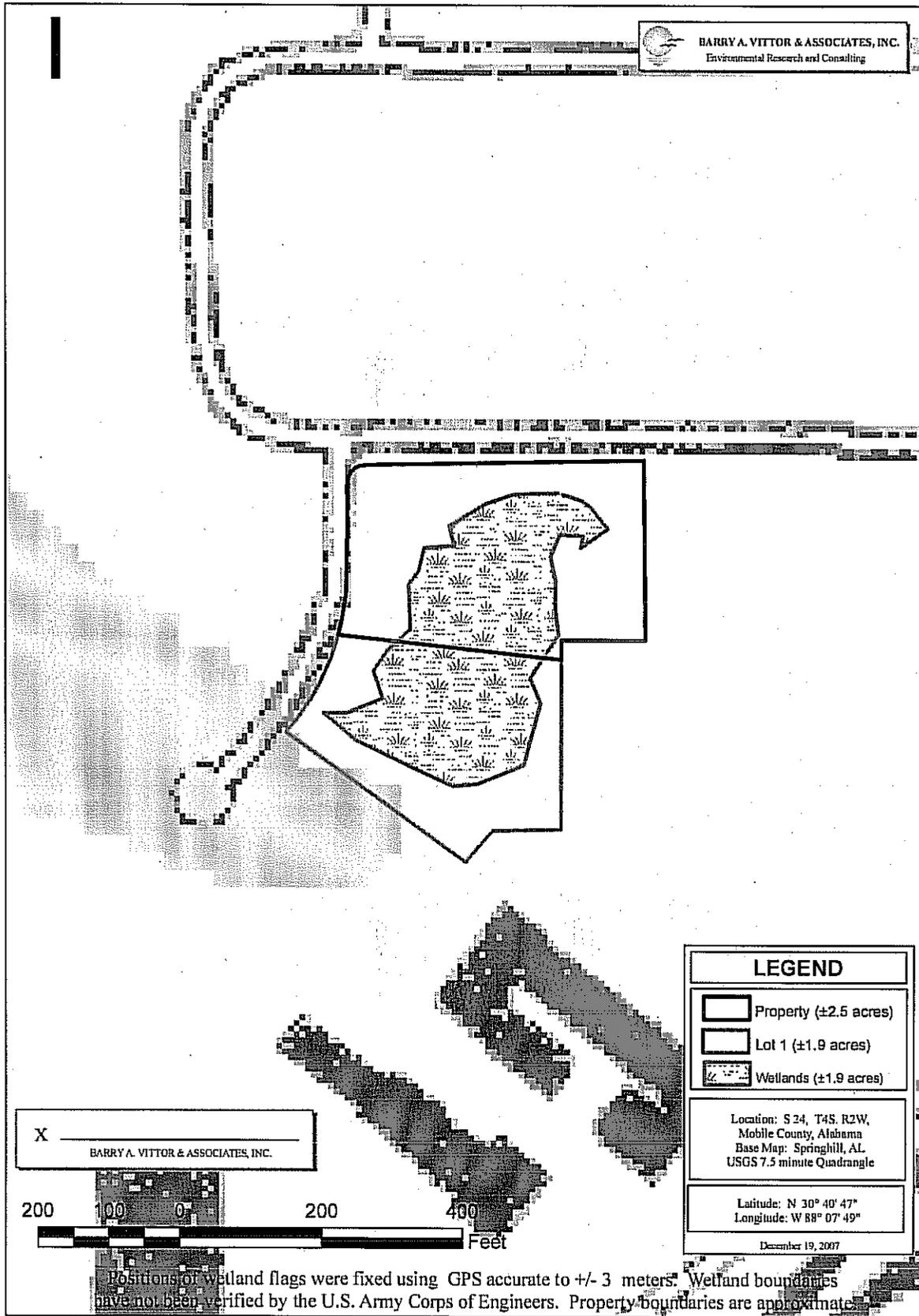
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/RD/reg, and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



Figure 1. Vicinity Map for the Mobile HP LP Property.



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.

Figure 2. Jurisdictional Wetland Map for the Mobile HP LP Property.

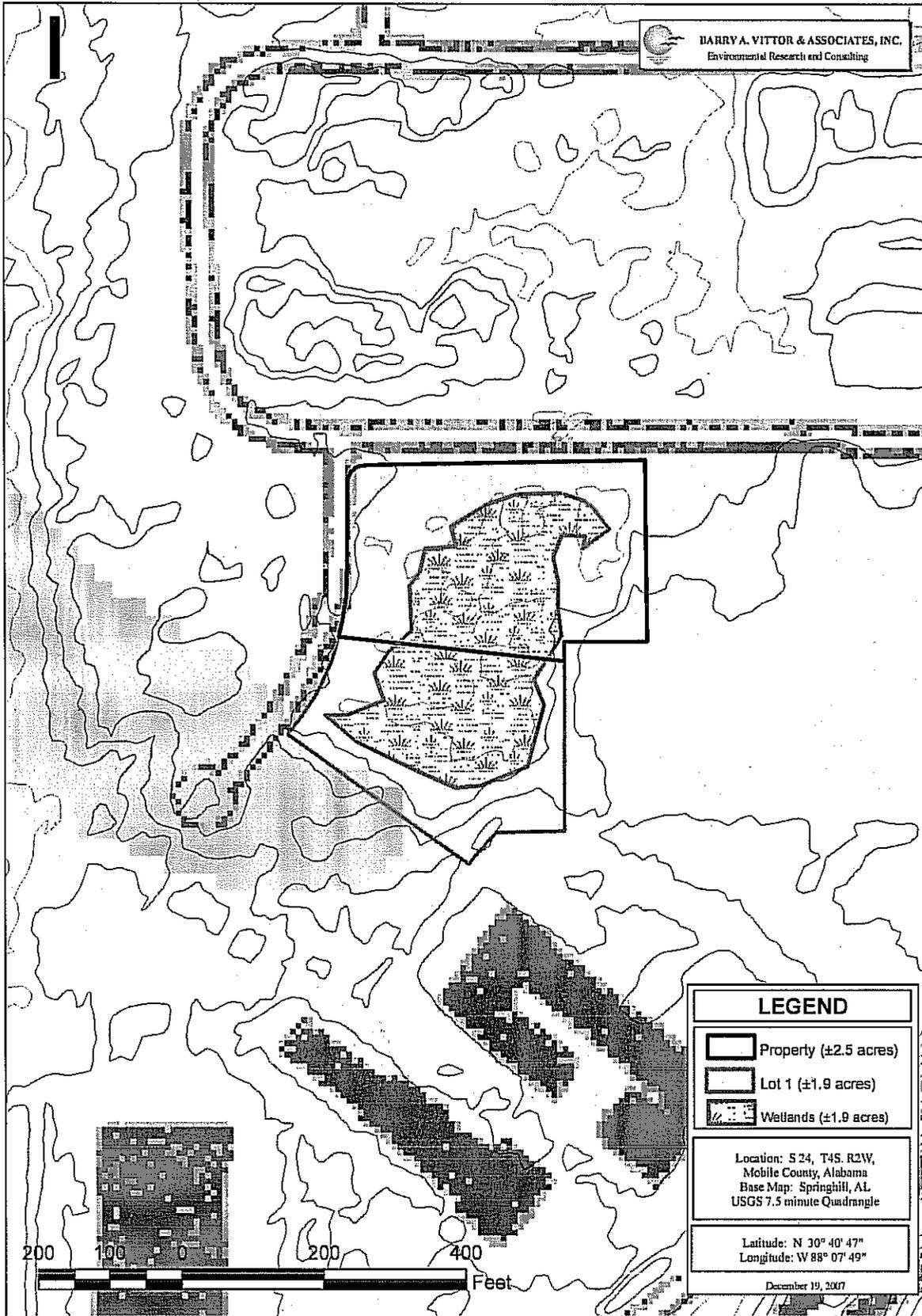


Figure 3. Elevation Contours for the Mobile HP LP Property (data from LIDAR).

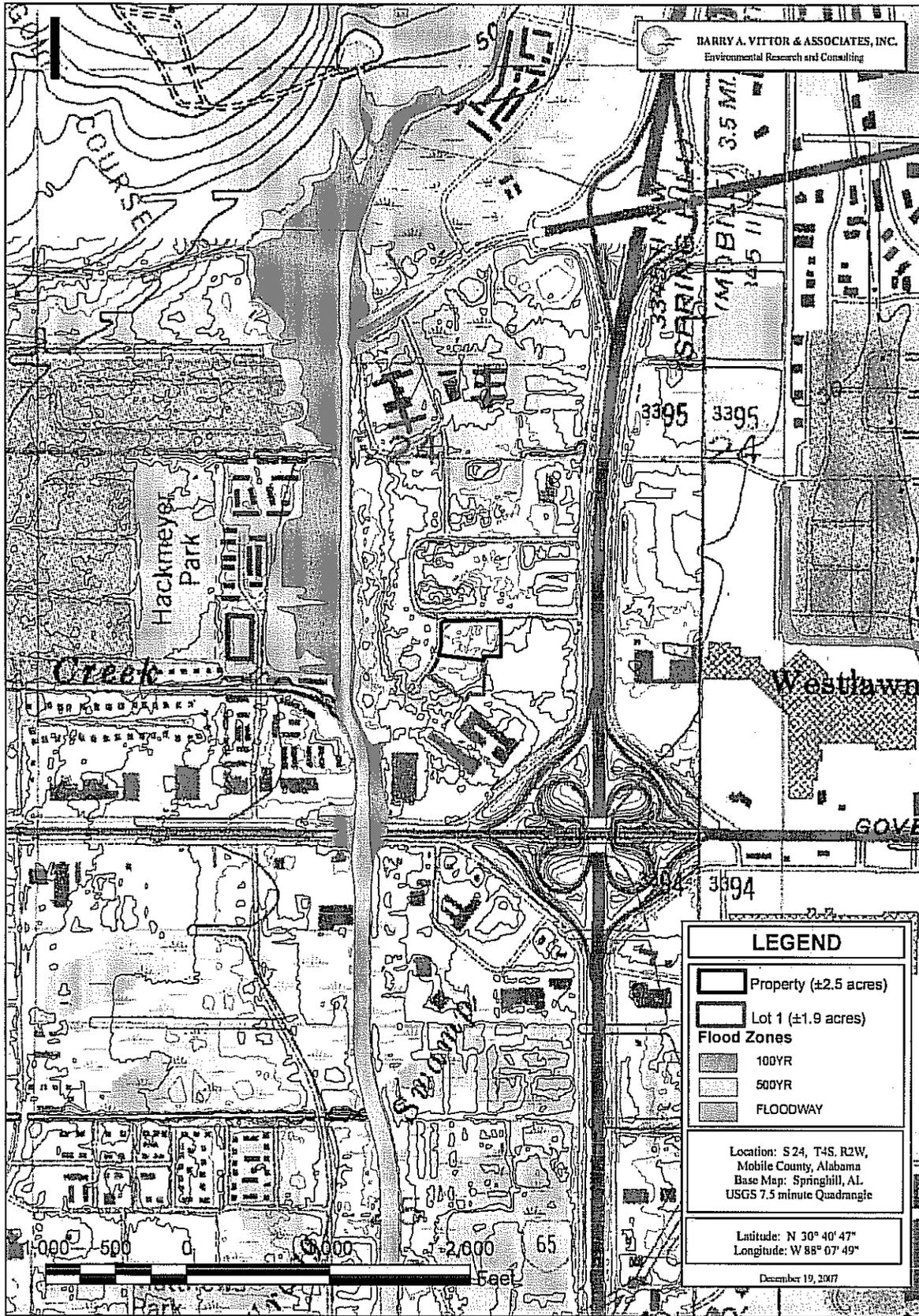


Figure 4. GIS Flood Hazard Zones for for the Mobile HP LP Property Area.

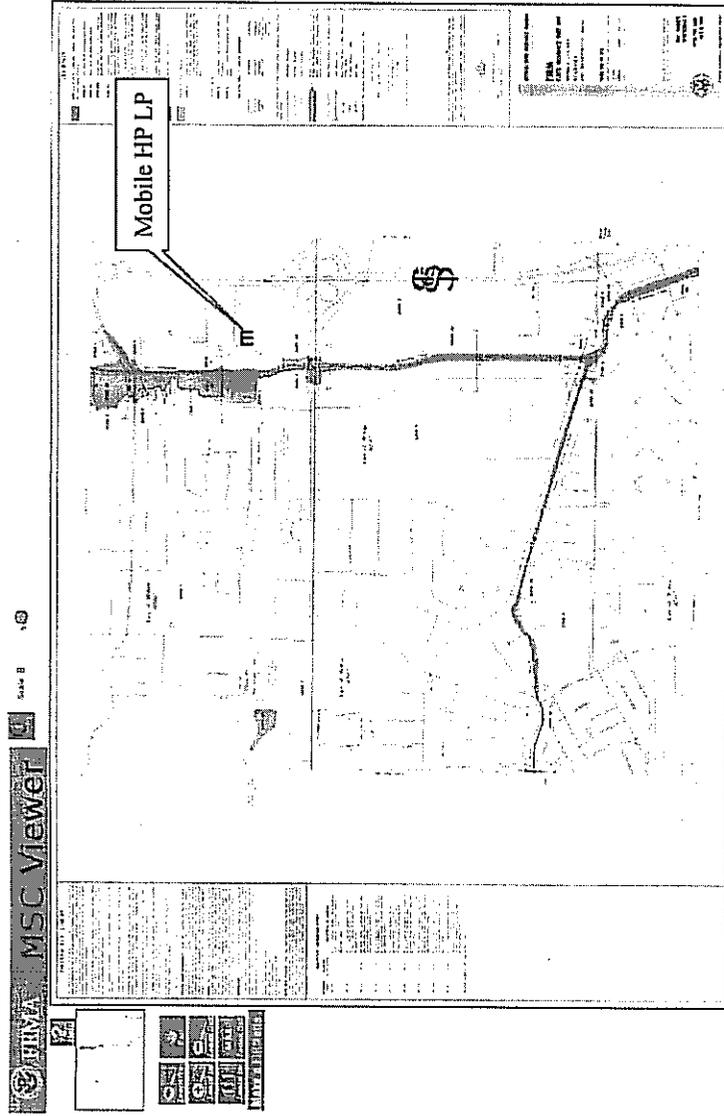


Figure 5. Map depicting Hyatt Place Property on the FIRM 01097C-0542J.

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8-15-07

Mobile, Alabama

3625 Springhill Memorial Dr. South
36608

SPRINGHILL MEMORIAL DRIVE SOUTH

SPRINGHILL MEMORIAL PLACE

Property

PROPOSED
123 ROOM HOTEL
123 ROOMS

COMPENSATORY
GRASSSED AREA
FOR 25' HEIGHT
INCREASE

Detention

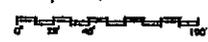
NORTH



1"=60'

SITE PLAN

123 ROOM HOTEL
123 PARKING SPACES



Lot #1
Not Used

LEGEND

- Property (±3.4 acres)
- Lot 1 (±1.0 acres)
- Wetlands (±1.8 acres)
- Wetland Impacts (±1.5 acres)

Location: S 24, T4S, R2W,
Mobile County, Alabama
Base Map: Springhill, AL
USGS 7.5 minute Quadrangle

Latitude: N 30° 40' 47"
Longitude: W 88° 07' 49"

December 19, 2007

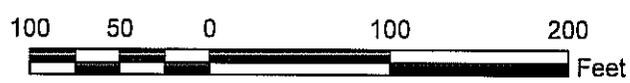


Figure 7. Alternative "D" Development Plan for the Mobile HP LP Property.

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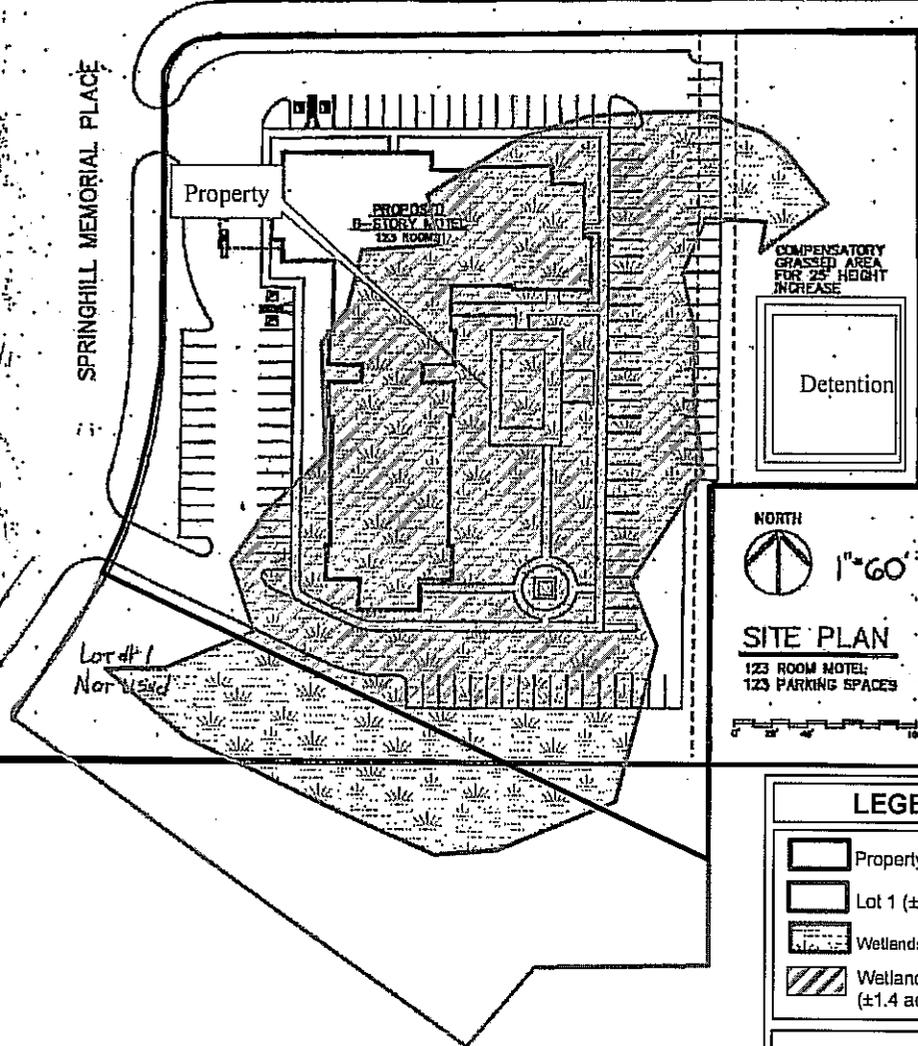
8-15-07

3625 Springhill Memorial Dr. South
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SPRINGHILL MEMORIAL DRIVE SOUTH

SPRINGHILL MEMORIAL PLACE

Mobile, Alabama



COMPENSATORY
GRASSED AREA
FOR 25' HEIGHT
INCREASE

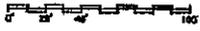
Detention



1"=60'

SITE PLAN

123 ROOM MOTEL
123 PARKING SPACES



LEGEND

- Property (±3.4 acres)
- Lot 1 (±1.0 acres)
- Wetlands (±1.9 acres)
- Welland Impacts (±1.4 acres)

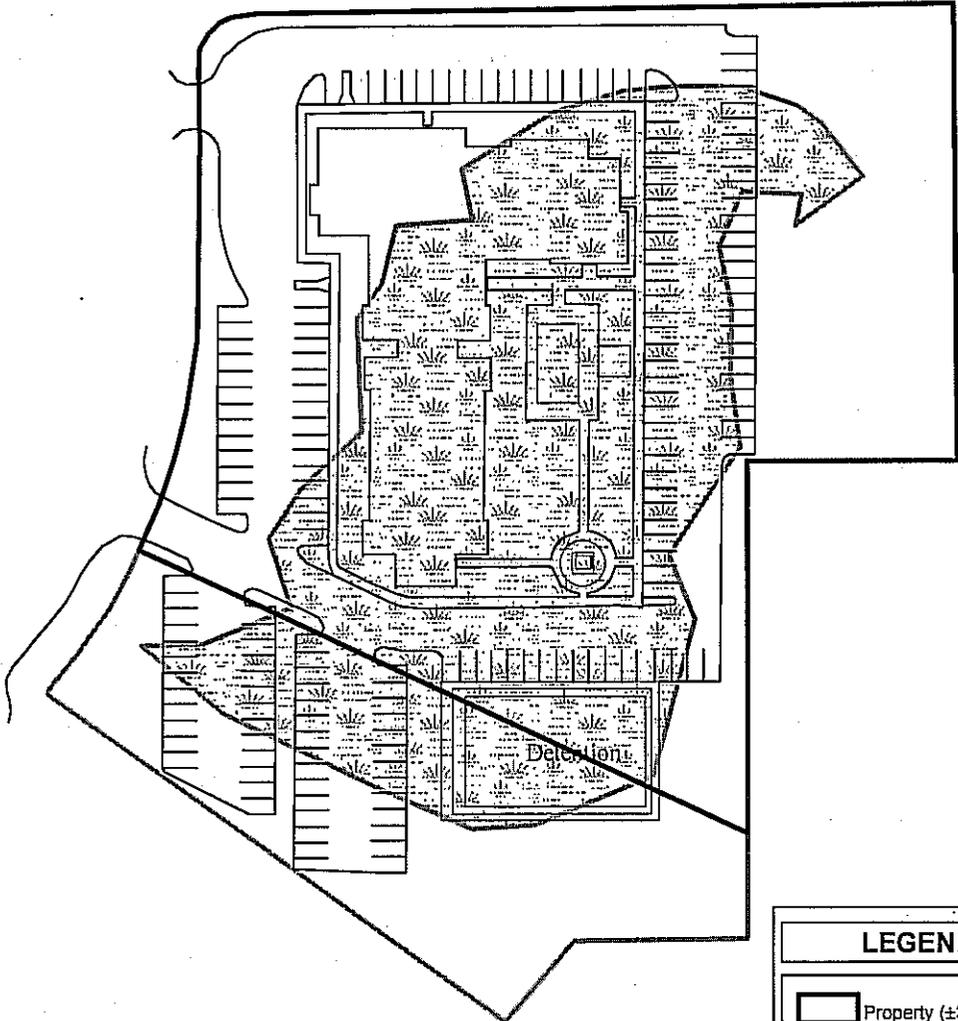
Location: S 24, T4S, R2W,
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Latitude: N 30° 40' 47"
Longitude: W 88° 07' 49"

December 19, 2007



Figure 8. Alternative Development Plan for the Mobile HP LP Property.



LEGEND

- Property (±3.4 acres)
- Lot 1 (±1.0 acres)
- Impacts (±1.9 acres)

Location: S 24, T4S, R2W,
Mobile County, Alabama
Base Map: Springhill, AL
USGS 7.5 minute Quadrangle

Latitude: N 30° 40' 47"
Longitude: W 88° 07' 49"

December 19, 2007



Figure 9. Alternative C Development Plan for the Mobile HP LP Property.

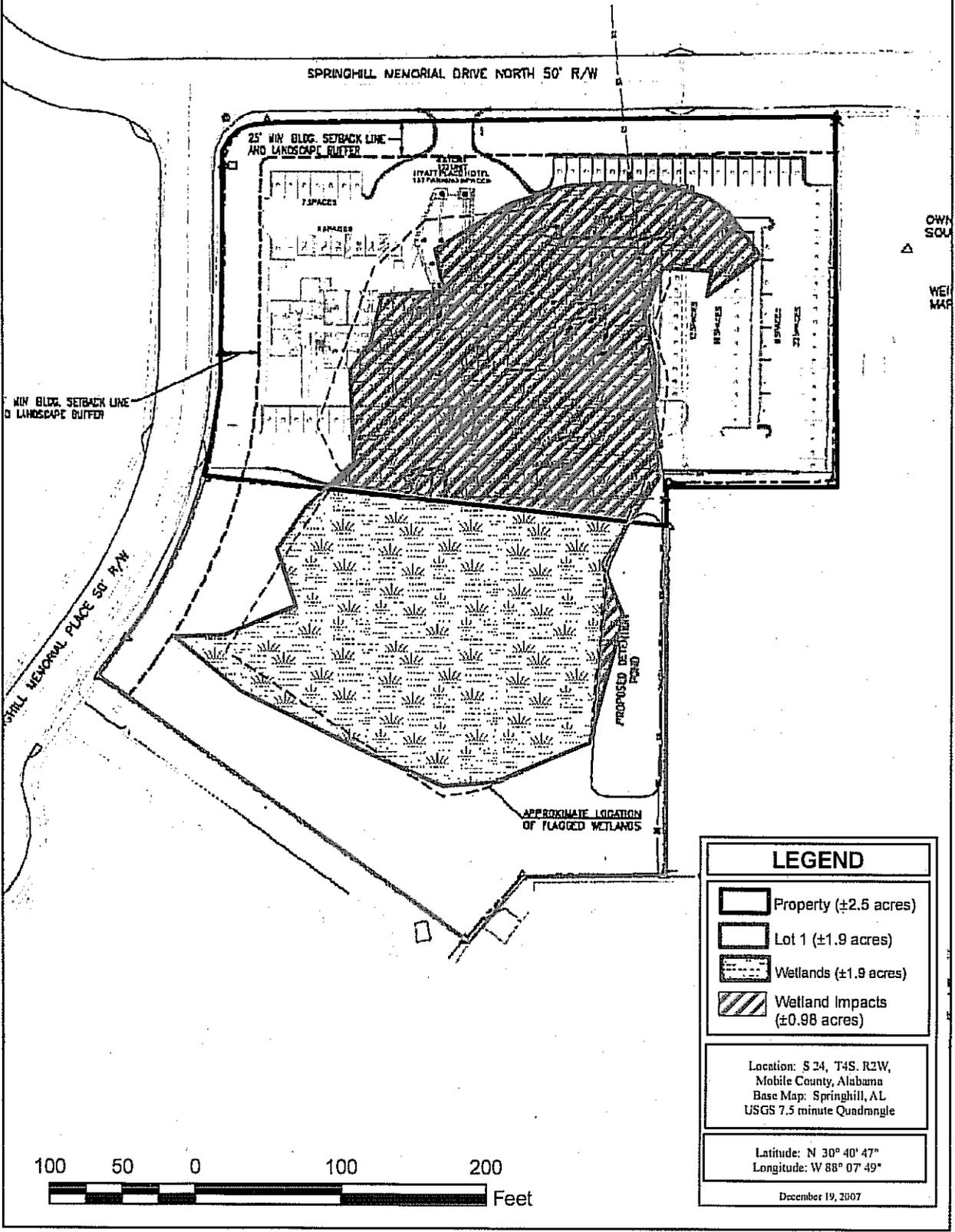


Figure 11. Preferred Development Plan for the Mobile HP LP Property.