



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

**CESAM-RD-I-N
PUBLIC NOTICE NO. SAM-2009-1513-JSC**

November 16, 2009

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

**PROPOSED MUTI-FAMILY HOUSING DEVELOPMENT- PHENIX CITY,
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). 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: Mr. Juston Trimback
P.O. Box 518
Phenix City, Al 36868

AGENT: Consolidated Resources, LLC
ATTN: Ms. Stacy Mote
2029 5th Avenue
Columbus, GA 31904

LOCATION: Unnamed tributary to Cochgalechee Creek and associated wetlands; Section 33, Township 17 North, Range 30 East, Phenix City, Russell County, Alabama (Latitude 32° 25' 35" North, Longitude 85° 01' 52.5" West).

OVERALL PROJECT PURPOSE: The overall purpose of the proposed project is to construct a multi-family housing development in the Columbus/Phenix City metropolitan area.

WORK: The site location is composed of a 42 acre parcel of land surrounded by residential, forested and municipal properties. The work proposed will consist of the discharge of fill material into waters of the U.S. (WOUS) including approximately 0.94 acres (ac) of wetlands and the piping of approximately 230 linear feet (lf) of intermittent stream.

AVOIDANCE AND MINIMIZATON: According to the applicant every attempt was made during the site design and planning stages to avoid and minimize impacts to jurisdictional waters. These efforts included adjusting street alignments and building placements in order to minimize

impacts to WOUS. Through these design measures the applicant was able to show minimization of onsite impacts totaling 520 lf of intermittent stream and 1.06 ac of wetlands. The USACE has not verified the adequacy of the applicant's avoidance and minimization statement at this time.

COMPENSATORY MITIGATION: The applicant proposes to mitigate for unavoidable impacts to WOUS through the purchase of wetland mitigation credits from a USACE approved wetland mitigation bank.

The applicant is presently preparing their application 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.

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 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 discharges of dredged or fill material into waters of the United States will include the application of the Section 404(b)(1) guidelines established by the Administrator of the U.S. Environmental Protection Agency.

A preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will not affect listed endangered or threatened species, or their critical habitat.

November 16, 2009

The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which would be affected by the proposed work. 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 project area. Copies of this notice are being sent to the State Historic Preservation Officer.

Any correspondence concerning this publication should refer to this Public Notice SAM-2009-1513-JSC and should be directed to the following address:

District Engineer:

U. S. Army Engineer District, Mobile
Regulatory Division, Montgomery Field Office
Attn: James S. Cherry, II
25 LeMay Plaza S., Bldg. 853
Maxwell, AFB, AL 36112

with a copy to the :

Director
Alabama Department of Environmental Management
Post Office Box 301463
Montgomery, Alabama 36130-1463

All comments should be received no later than 30 **days** from the date of issuance of this Public Notice.

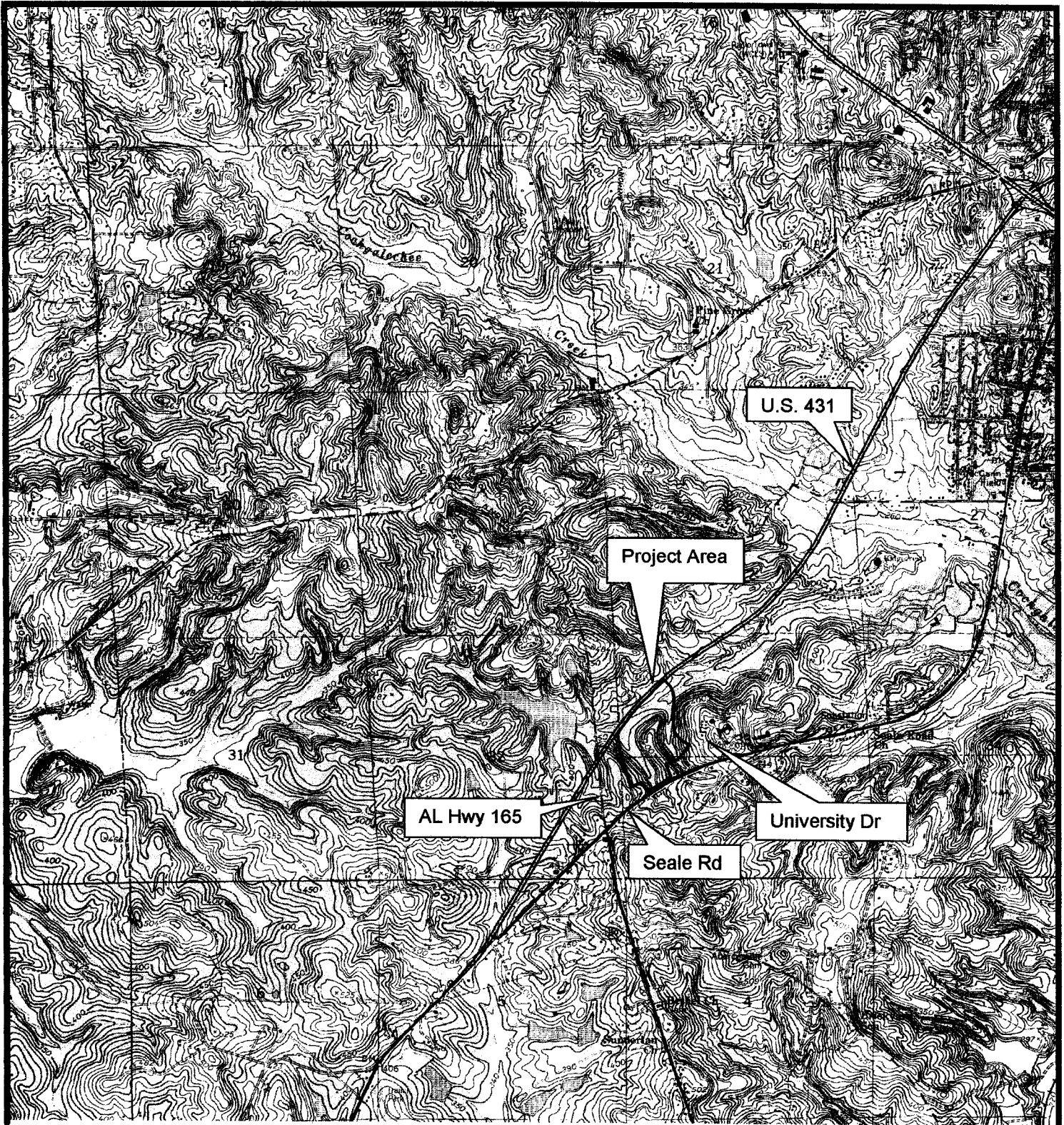
Enclosed to assist you with your review are: Location map; Corps Jurisdictional Waters map; Project Site Layouts.

If you have any questions concerning this publication, you may contact the Project Manager via e-mail at james.s.cherry@usace.army.mil or telephone number (334) 953-2172. Please refer to the above Public Notice number.

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

Encls

MOBILE DISTRICT
U.S. Army Corps of Engineer

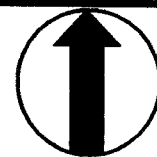


SOURCE: USGS Phenix City Quadrangle (1984)



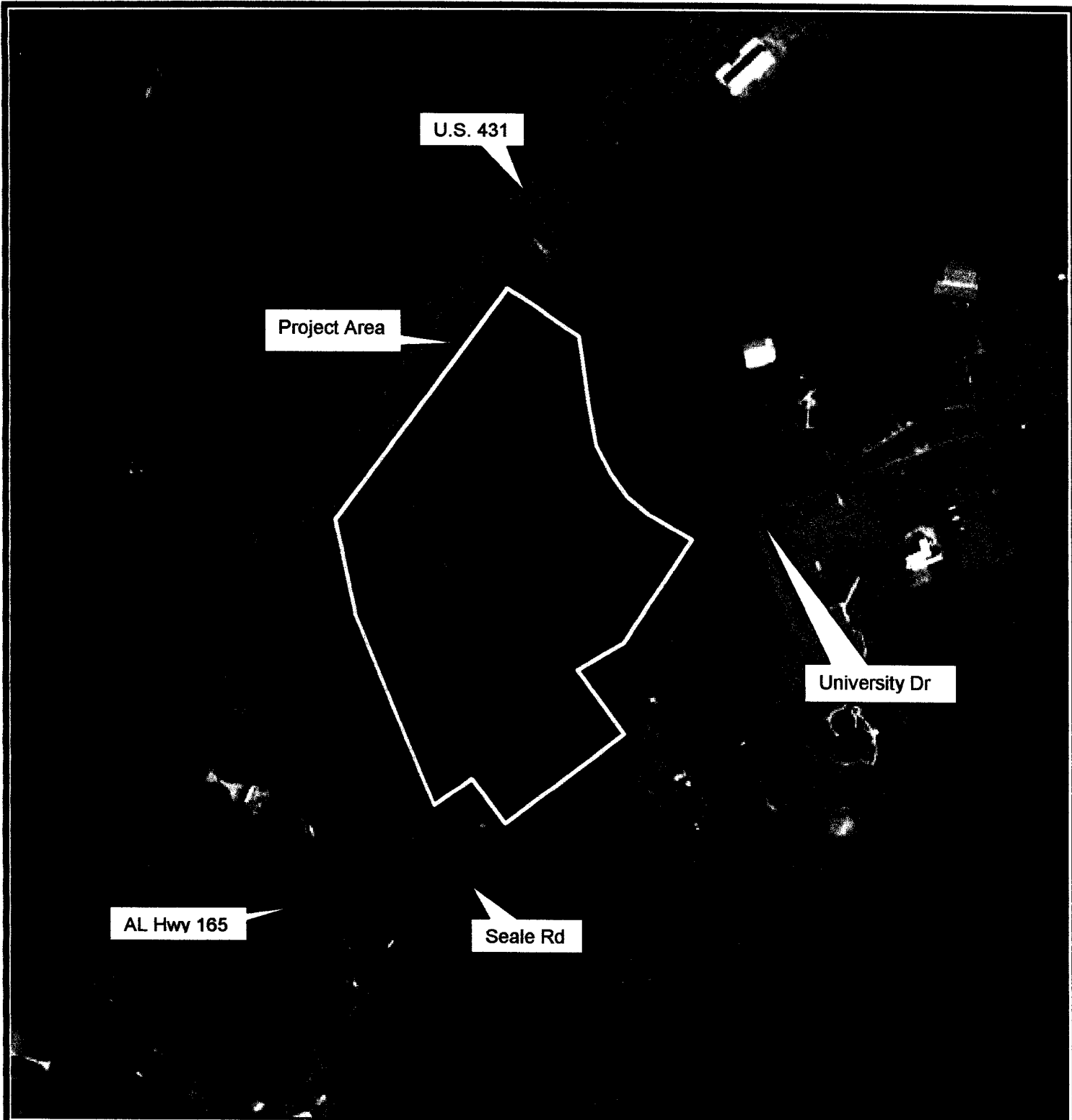
Figure 1
USGS Quad

Grand Reserve
Russell County, Alabama



Not To
Scale

2029 5TH Avenue
Columbus, Georgia 31904
Phone: 706-317-5942 Fax: 706-571-0726

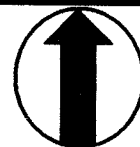


Source: Google Earth Feb. 2003



Figure 2
Aerial Map

Grand Reserve
Russell County, Alabama



Not To
Scale

2029 5TH Avenue
Columbus, Georgia 31904
Phone: 706-317-5942 Fax: 706-571-0726

THE GRAND RESERVE

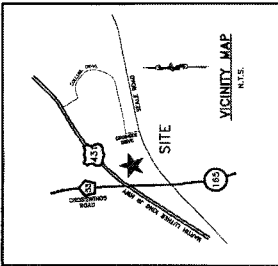
COVER SHEET
 PHENIX CITY LOCATION
THE GRAND RESERVE
 PART OF SECTION 23, 1774, RANGE
 PHENIX CITY, RUSSELL COUNTY, ALABAMA

DATE: 07/13/09
 SCALE: 1" = 100'
 SHEET #
1



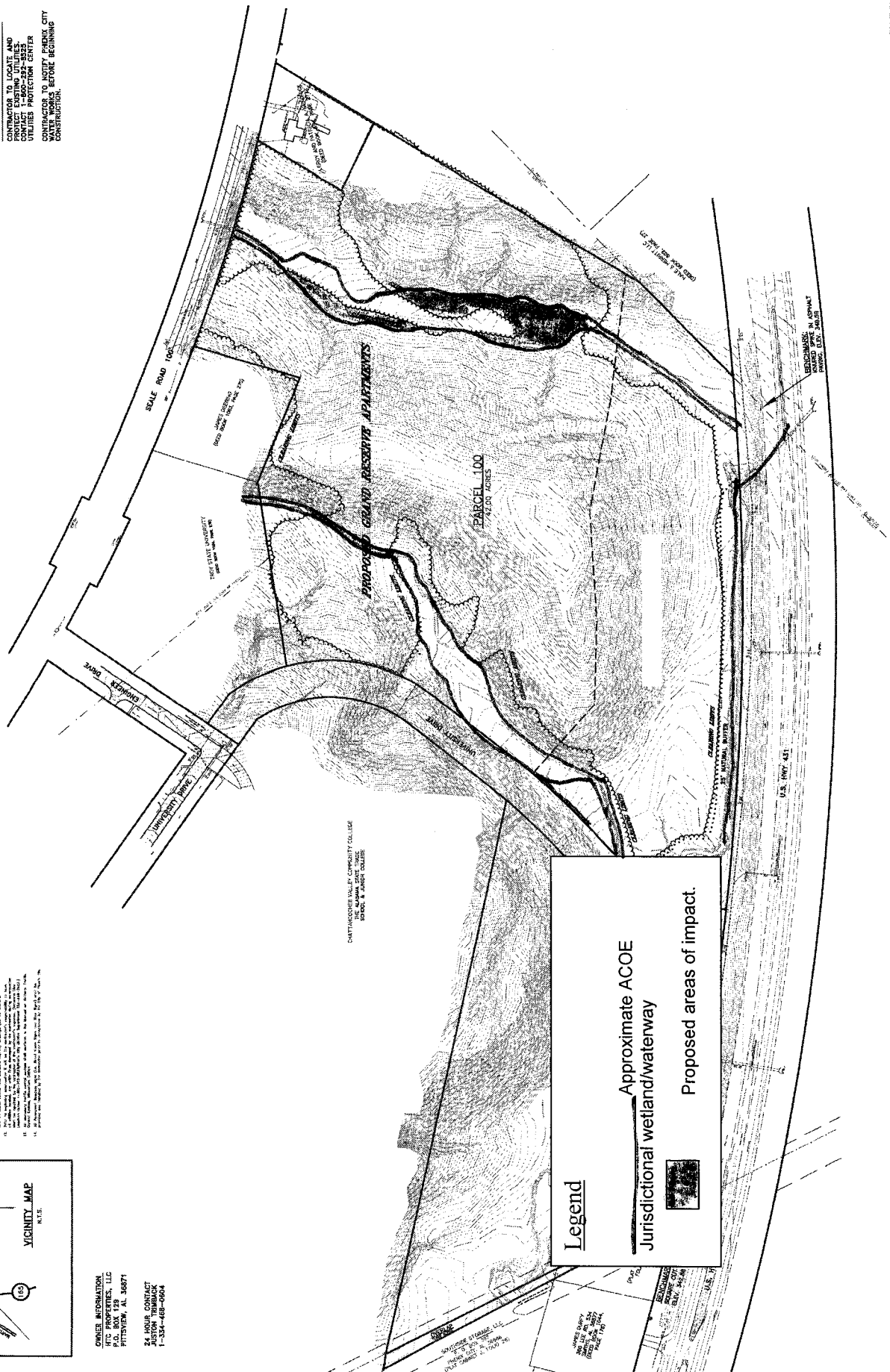
CAUTION !!!
 CONTRACTORS TO LOCATE AND
 PROTECT EXISTING UTILITIES
 BEFORE CONSTRUCTION BEGINS
 CONTRACTORS TO VERIFY PHENIX CITY
 WATER WORKS BEFORE BEGINNING
 CONSTRUCTION.

- NOTES:**
1. THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT HIS WRITTEN CONSENT.
 2. THIS PLAN IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.
 3. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING UTILITIES AND HAS NOTED ANY OBVIOUS DEFECTS OR DAMAGE TO THE SAME.
 4. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING UTILITIES AND HAS NOTED ANY OBVIOUS DEFECTS OR DAMAGE TO THE SAME.
 5. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING UTILITIES AND HAS NOTED ANY OBVIOUS DEFECTS OR DAMAGE TO THE SAME.
 6. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING UTILITIES AND HAS NOTED ANY OBVIOUS DEFECTS OR DAMAGE TO THE SAME.
 7. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING UTILITIES AND HAS NOTED ANY OBVIOUS DEFECTS OR DAMAGE TO THE SAME.
 8. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING UTILITIES AND HAS NOTED ANY OBVIOUS DEFECTS OR DAMAGE TO THE SAME.
 9. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING UTILITIES AND HAS NOTED ANY OBVIOUS DEFECTS OR DAMAGE TO THE SAME.
 10. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING UTILITIES AND HAS NOTED ANY OBVIOUS DEFECTS OR DAMAGE TO THE SAME.



OWNER INFORMATION:
 HFC PROPERTIES, LLC
 1010 UNIVERSITY DRIVE
 PITTSBURGH, AL 36871

24 HOUR CONTACT:
 ALISON THOMAS
 1-334-466-6664



Legend

Approximate ACOE
 Jurisdictional wetland/waterway

Proposed areas of impact.