



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

REPLY TO
ATTENTION OF

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2015-1413-DEM

March 16, 2016

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

**PROPOSED DISCHARGE OF FILL MATERIAL FOR THE DEVELOPMENT OF A
RESIDENTIAL SUBDIVISION IN GULF SHORES, BALDWIN 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). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

APPLICANT: **DR Horton Inc**
Attention: Mr. Duane Miller
26366 Profit Drive
Daphne, Alabama 36526

AGENT: **EcoSolutions, Inc**
Attention: Ms. Cathy Barnette
Post Office Box 361
Montrose, Alabama 36559

LOCATION/WATERS: **The project is located within the Andhurst Subdivision, Lots 17-22 Andhurst Drive; Latitude 30.311944° North and Longitude -87.694444°; Section 37, Township 8 South, Range 4 East, Gulf Shores, Baldwin County, Alabama.**

WORK: **The project purpose is single family residential development. The applicant is seeking authorization for the discharge of fill material into waters of the United States for purposes of developing single family residential home lots within an existing subdivision. These activities would impact approximately 0.98 acres of low quality pine savannah wetlands.**

AVOIDANCE & MINIMIZATION: **The applicant stated alternate sites and arrangements could not be further considered because the lots are within an existing subdivision with the infrastructure already completed.**

Best management practices would be employed to minimize off-site sedimentation or water quality concerns. The USACE has not verified the adequacy of the applicant's avoidance and minimization at this time.

MITIGATION: The applicant proposes to compensate for the unavoidable loss of wetlands by purchasing the appropriate number of mitigation credits from an approved wetland mitigation bank within the service area. The USACE has not verified the adequacy of the applicant's compensatory mitigation plan at this time.

WATER QUALITY: The applicant has applied for State Water Quality Certification (WQC) in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to WQC will be made by the Alabama Department of Environmental Management (ADEM).

HISTORIC AND CULTURAL RESOURCES: In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to effect cultural and historic properties within the permit area. We are seeking comment from the Alabama Historical Commission (AHC) regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR Part 325, the USACE has determined that the project as proposed would have "no potential to cause effects". The U.S. Army Corps of Engineers (USACE) will consult with the AHC to make a final determination based upon this review 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.

ENDANGERED/THREATENED SPECIES: A 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. A copy of this notice is being sent to the U.S. Fish and Wildlife Service.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE 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 USACE 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 USACE 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.

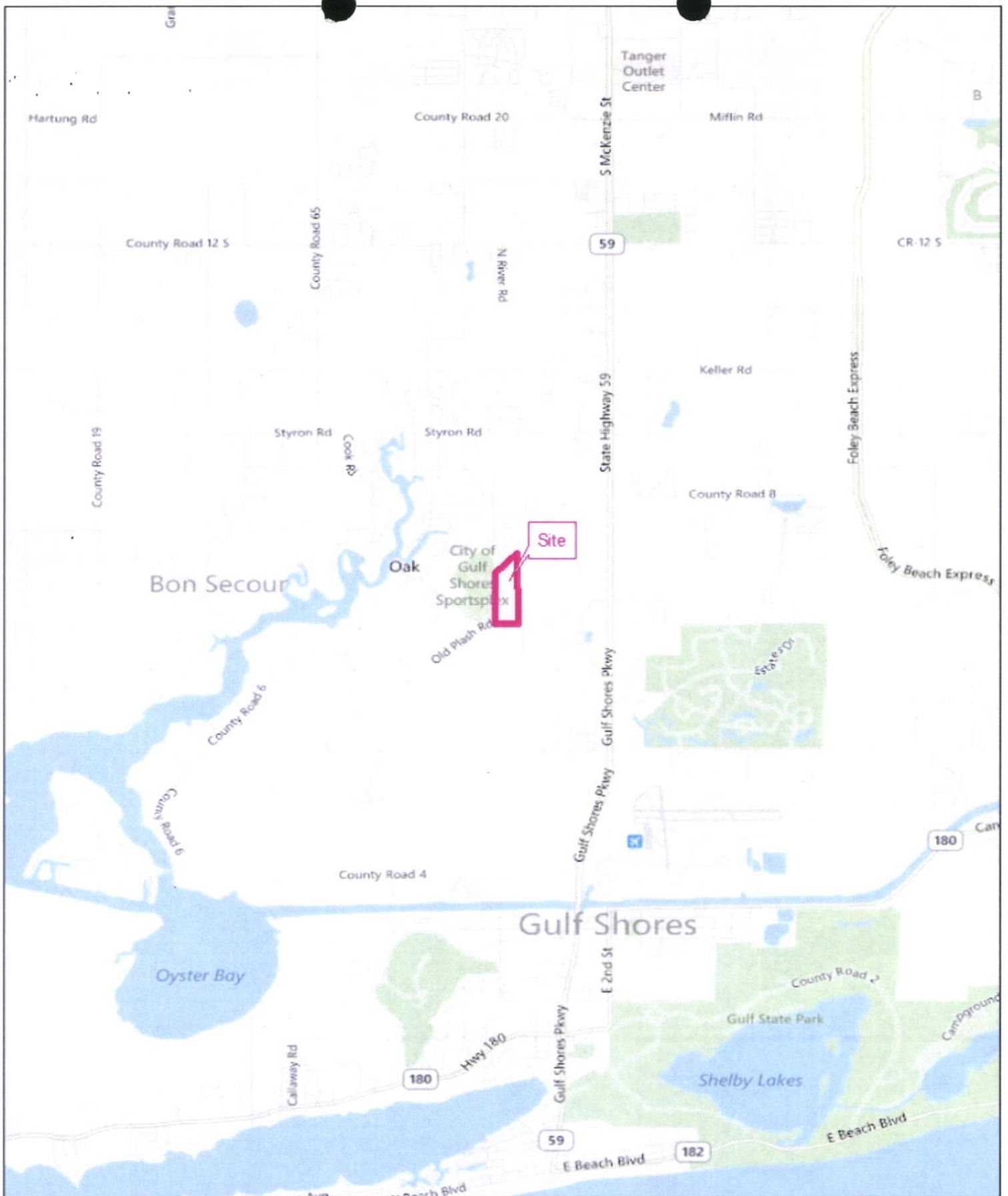
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2015-1413-DEM** and should be directed to the **U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Attention: Mr. Don Mroczko, Post Office Box 2288, Mobile, Alabama 36628-0001**, with a copy furnished to the **Alabama Department of Environmental Management, Coastal Section, 3664 Dauphin Street, Suite B, Mobile Alabama 36608**.

All 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. Mroczko at (251) 690-3185 or by email at donald.e.mroczko@usace.army.mil. Please refer to the Public Notice Number SAM-2015-1413-DEM.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

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MOBILE DISTRICT
U.S. Army Corps of Engineers



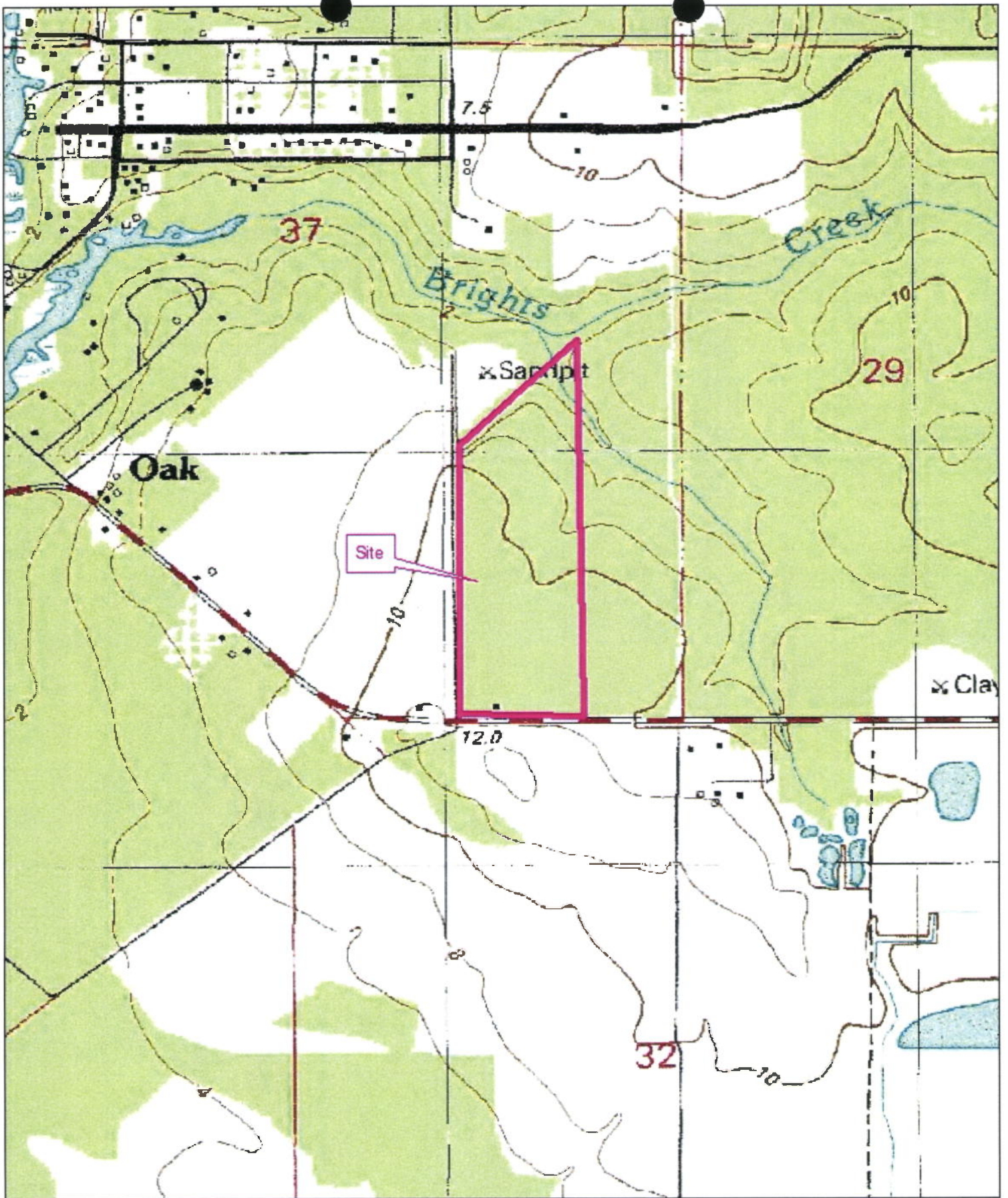
P.O. Box 361 Montrose, AL 36559
 Phone: 251-621-5006 Fax: 251-621-5058

Project: DR Horton at Andhurst
 Applicant: DR Horton Inc.

T-8-S, R-4-E, Sect. 37
 Gulf Shore, AL

1 inch = 1 miles



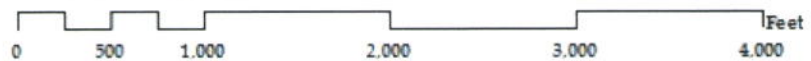


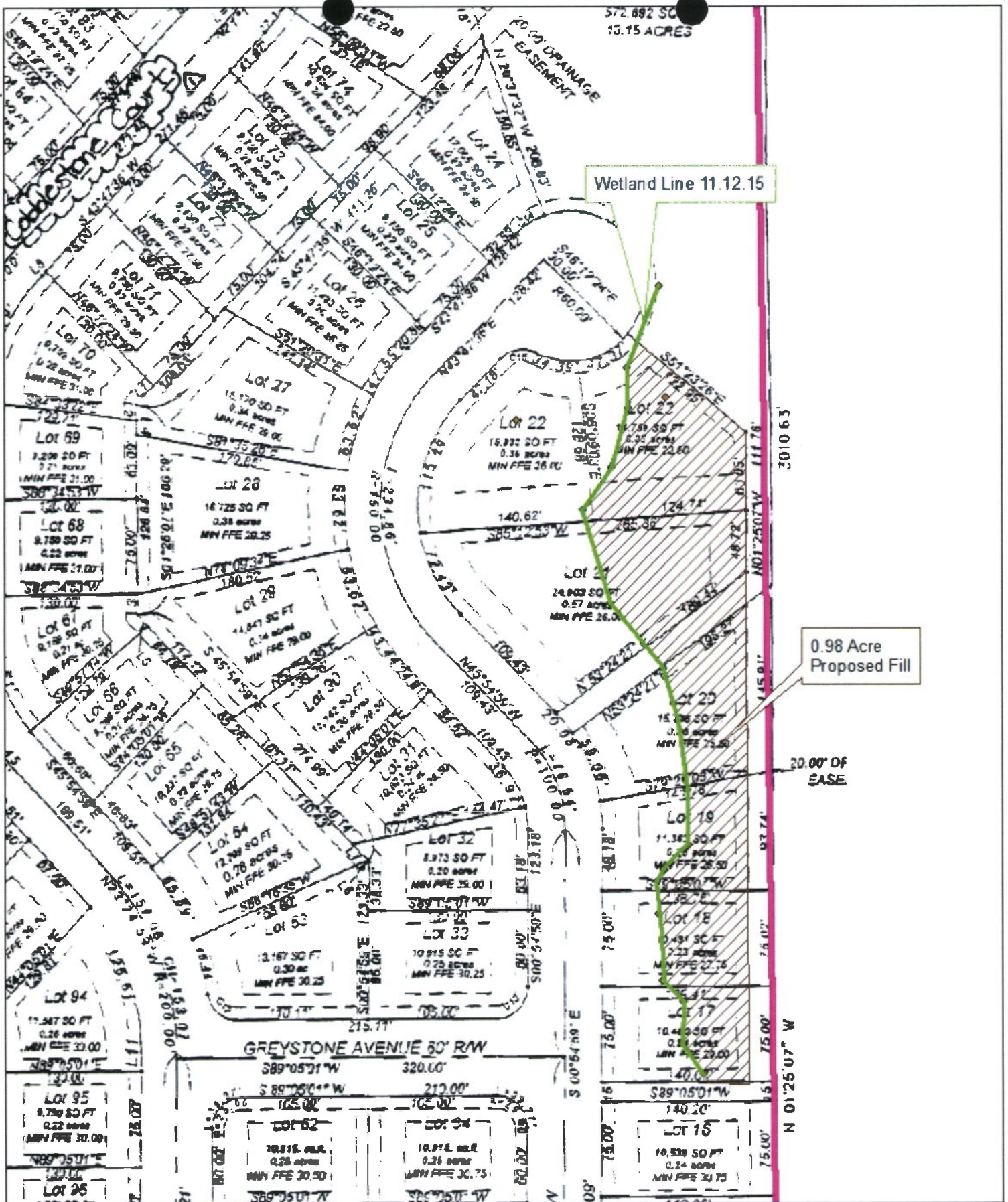
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T-8-S, R-4-E, Sect. 37
 Gulf Shore, AL

1 inch = 1,000 feet





P.O. Box 361 Montrose, AL 36509
 Phone: 251-621-5006 Fax: 251-621-5058

Project: DR Horton at Andhurst
 Applicant: DR Horton Inc.

1 inch = 100 feet

T-8-S, R-4-E, Sect. 37
 Gulf Shore, AL
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