



US Army Corps  
of Engineers®

# PUBLIC NOTICE

Applicant: Cory Bronenkamp  
195, LLC

Published: March 24, 2025  
Expires: April 23, 2025

**Mobile District**  
**Permit Application No. SAM-2015-01400-JEB**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS (USACE)**

**STATE OF ALABAMA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)**

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Cory Bronenkamp  
195, LLC  
549 Congress Street  
Mobile, Alabama 36603

**AGENT:** Gena Todia  
Wetland Resources Environmental Consulting  
P.O. Box 2694  
Daphne, Alabama 36526

**WATERWAY AND LOCATION:** The project would affect wetlands associated with an unnamed tributary (UT) to Moore Creek and Dog River. The project review area is located off Riviere Du Chien and Leighton Place Drive; within Section 13, Township 5 South, Range 2 West; near Latitude 30.614600° North, Longitude 88.132905° West; in Mobile, Mobile County, Alabama.

**EXISTING CONDITIONS:** The project area is approximately a 5.5-acre parcel of undeveloped wetlands and uplands with approximately 2.4 -acres to be filled and 1.0-acre wetlands to remain. This area drains into an UT to Moore Creek and Dog River. The project area is bordered on the southwest side by an existing residential development, Leighton Place, that is fronted by Riviere Du Chien. The remaining surrounding lots to the north and east are mostly undeveloped, partially cleared forested wetlands. This proposal is to continue construction originally permitted in 2019 and subsequently expired in April 2024 before construction could be completed.

## **PROJECT PURPOSE:**

**Basic:** The Corps has determined that the basic purpose of the proposed project is to complete the work that was previously permitted for the construction of Phase II Leighton place Subdivision to include Leighton Place Village.

**Overall:** The Corps has determined that the overall purpose of the proposed project is to expand an existing subdivision for additional 15 lots of single-family housing for Leighton Place Village.

**PROPOSED WORK:** The applicant requests authorization for the permanent placement of 2,240 cubic yards of commercially obtained clean dirt fill into 105,206 sq. ft (2.42-acres) of jurisdictional wetlands for the remaining construction of 15 additional lots for Phase II of Leighton Place Subdivision. This will include the construction of residential roadways and other infrastructure, including storm water detention system, as well as base-foundations and appurtenances for homes. The proposed project completes the project previously permitted in 2019 under SAM-2015-01400-JEB, which expired in April 2024 before construction was complete.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant will utilize existing roadways for entrances to the site, storm water detention systems will be constructed, and a Construction Best Management Practices Plan will be followed.

**COMPENSATORY MITIGATION:** The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to provide in-kind compensatory mitigation through an approved mitigation bank.

**CULTURAL RESOURCES:** The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

**Table 1:** ESA-listed species and/or critical habitat potentially present in the action area.

| <b>Species Common Name and/or Critical Habitat Name</b> | <b>Scientific Name</b>                | <b>Federal Status</b> |
|---|---------------------------------------|-----------------------|
| West Indian Manatee                                     | <i>Trichechus manatus</i>             | Threatened            |
| Black Pine Snake  | <i>Pituophis melanoleucus lodingi</i> | Threatened            |
| Gopher Tortoise   | <i>Gopherus polyphemus</i>            | Threatened            |
| Rufa Red Knot   | <i>Calidris canutus rufa</i>          | Threatened            |
| Alabama Red-Bellied Turtle                              | <i>Pseudemys alabamensis</i>          | Endangered            |
| Eastern Indigo Snake                                    | <i>Drymarchon couperi</i>             | Threatened            |
| Tri-Colored Bat   | <i>Perimyotis subflavus</i>           | Proposed Endangered   |

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

**NAVIGATION:** The proposed structure or activity is not located in the vicinity of a federal navigation channel.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification may be required from the Alabama Department of Environmental Management (ADEM).

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. Upon completion of the required advertising and public comment review, a determination relative to Water Quality Certification will be made by the ADEM. This notice serves as a notification to the Administrator of the Environmental Protection Agency (EPA) requesting a determination

of potential water quality impacts to neighboring jurisdictions, pursuant to section 401(a)(2) of the Clean Water Act.

**NOTE:** This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

**EVALUATION:** 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 benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

**COMMENTS:** 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 determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Mobile District will receive written comments on the proposed work, as outlined above, until April 23, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Ms. Adrienne Berg, at [Adrienne.N.Berg@usace.army.mil](mailto:Adrienne.N.Berg@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Ms. Adrienne Berg, PO Box 2288, Mobile, AL 36628. Please refer to the permit application number in your comments.

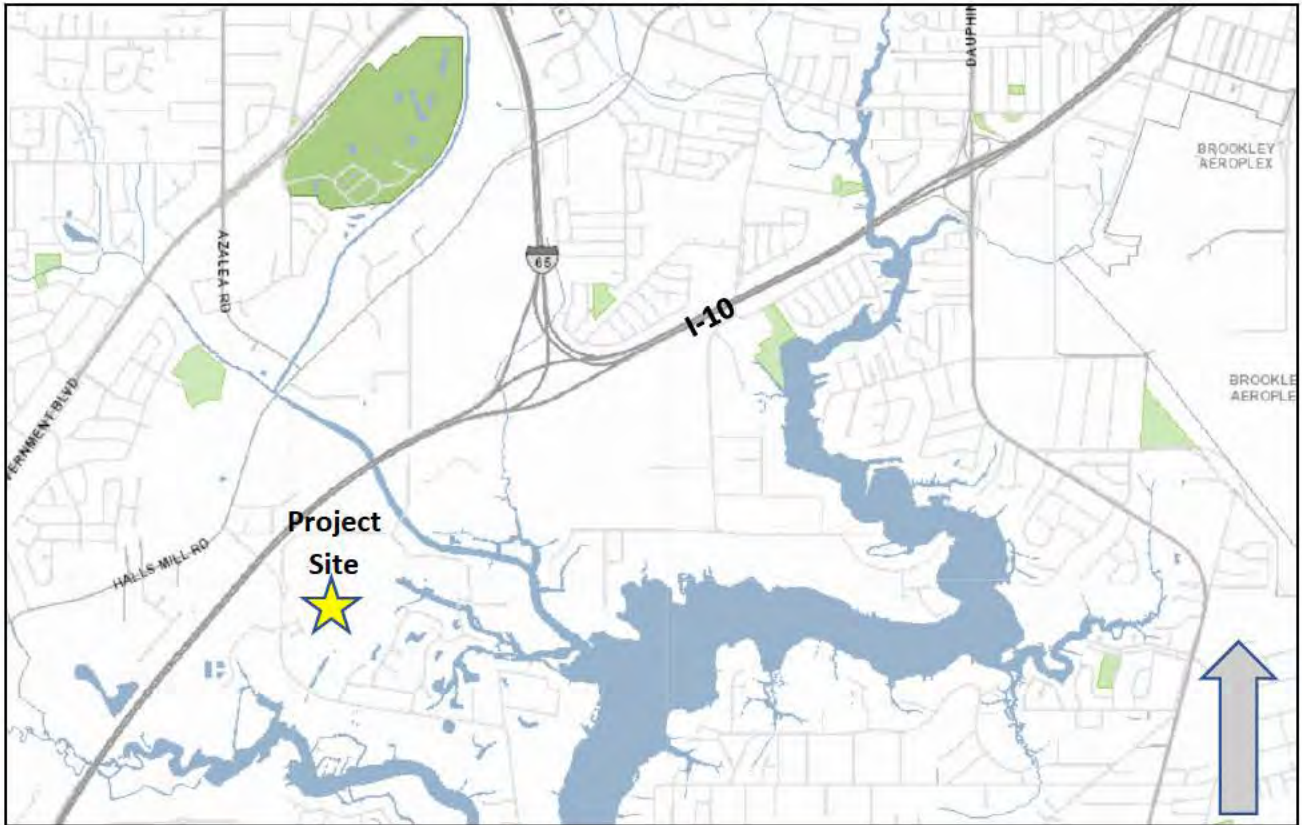
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

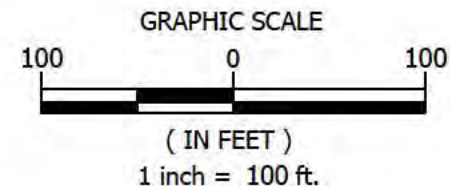
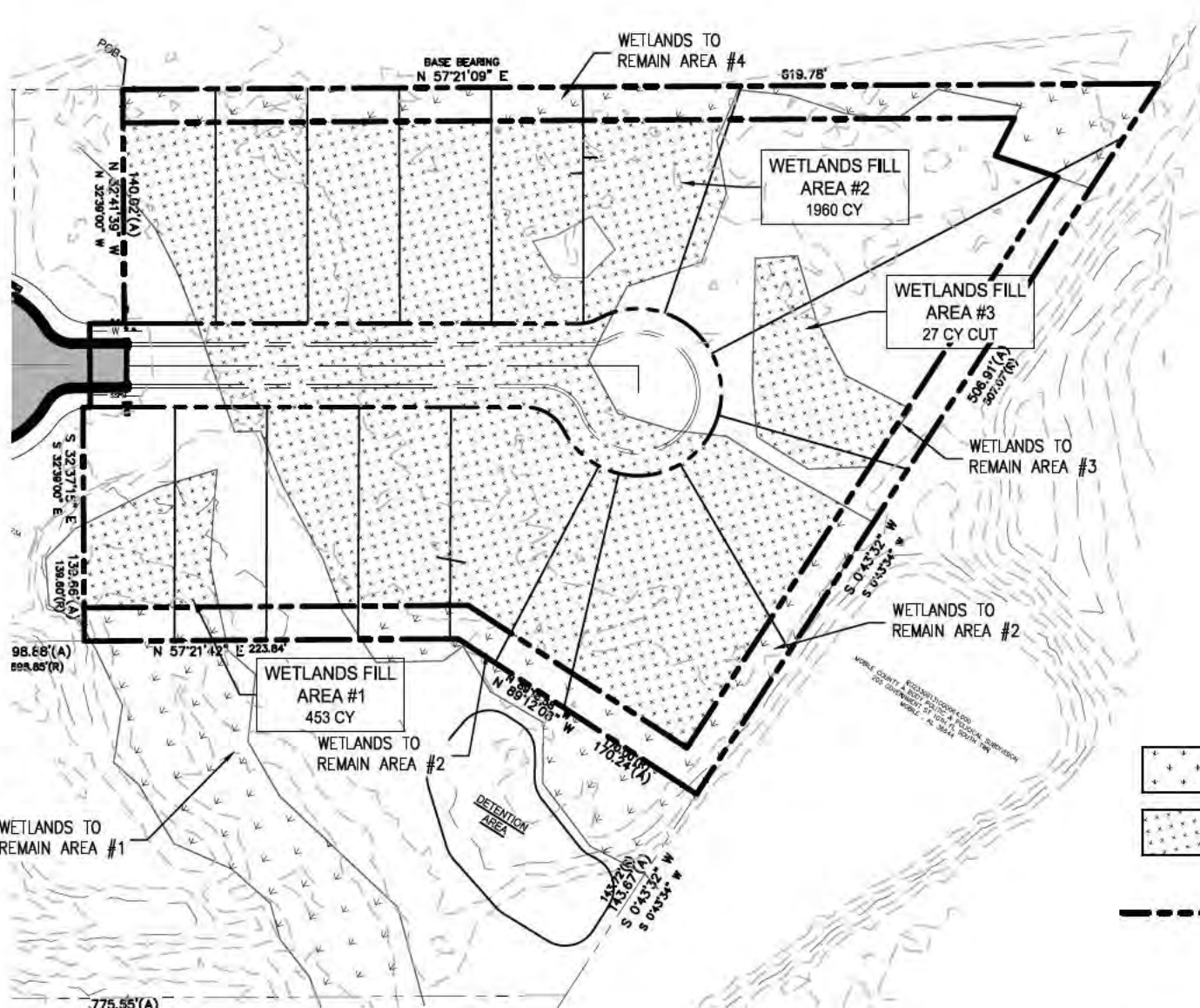
Attachments

## LOCATION MAPS

Leighton Village  
Leighton Place Drive  
Mobile, Mobile County, Alabama  
30.614383, -88.132977







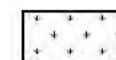
### WETLAND AREAS

#### WETLAND FILL AREAS:

|         |                     |
|---------|---------------------|
| AREA 1: | 5271 SF (0.12 AC)   |
| AREA 2: | 93139 SF (2.12 AC)  |
| AREA 3: | 6720 SF (0.15 AC)   |
| TOTAL:  | 105206 SF (2.42 AC) |

#### WETLANDS TO REMAIN:

|         |                    |
|---------|--------------------|
| AREA 1: | 18457 SF (0.42 AC) |
| AREA 2: | 14872 SF (0.34 AC) |
| AREA 3: | 49 SF (0.001 AC)   |
| AREA 4: | 12877 SF (0.29 AC) |
| TOTAL:  | 46255 SF (1.06 AC) |



WETLANDS AREA  
(TO REMAIN)



WETLANDS AREA  
(FILLED)



LIMITS OF  
WETLANDS  
AVOIDANCE AREA



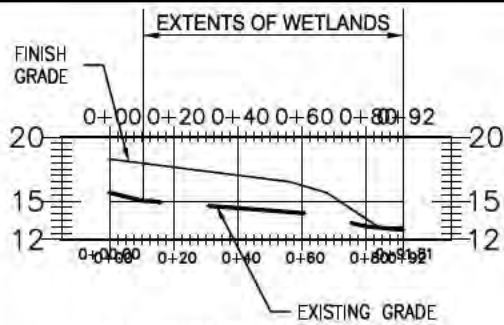
Vicinity Map  
N.T.S.



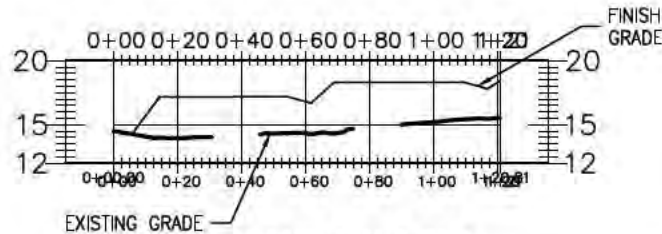
OVERALL SITE AREA  
**Leighton Village - Phase III**  
Mobile, AL

|             |            |
|-------------|------------|
| PROJECT NO: | 24-0982    |
| DATE:       | 01/06/2025 |
| DRAWN:      | HBJ        |
| CHECKED:    | -          |
| SCALE:      | 1"=100'    |

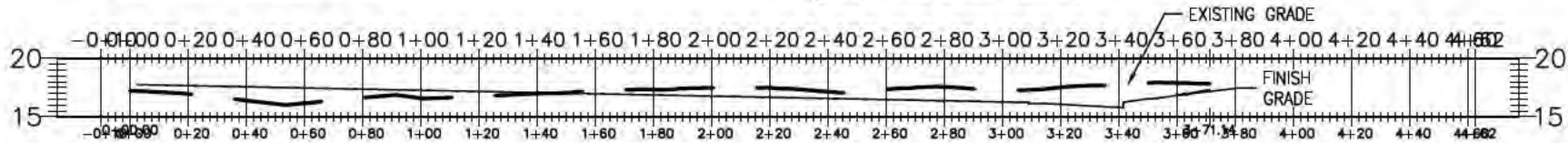
REVISION:



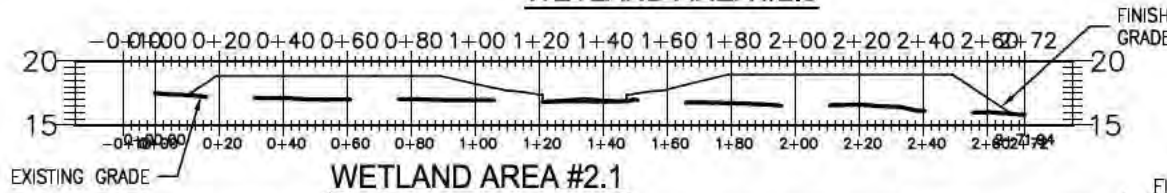
**WETLAND AREA #1.0**



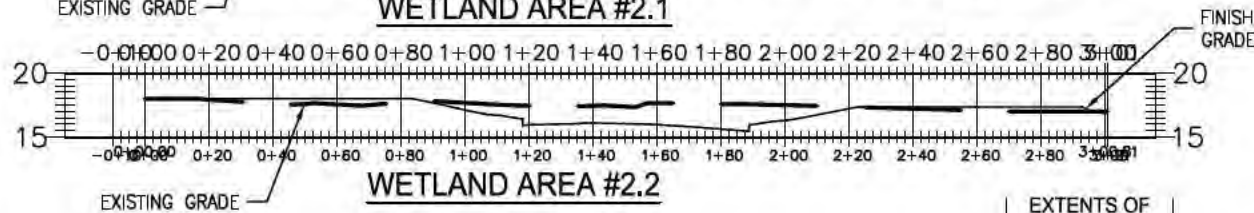
**WETLAND AREA #1.1**



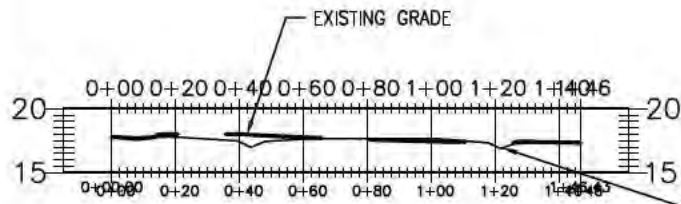
**WETLAND AREA #2.0**



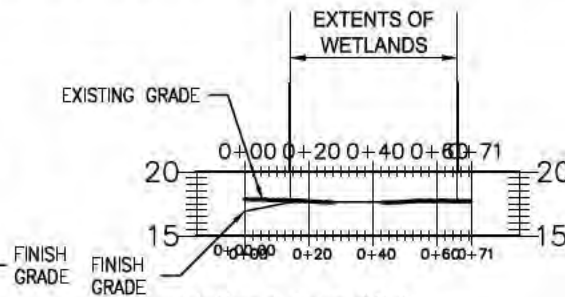
**WETLAND AREA #2.1**



**WETLAND AREA #2.2**



**WETLAND AREA #3.0**



**Wetland Area #3.1**



WETLANDS CROSS SECTIONS  
**Leighton Village - Phase III**  
 Mobile, AL

|             |            |
|-------------|------------|
| PROJECT NO: | 24-0062    |
| DATE:       | 01/08/2025 |
| DRAWN:      | HBJ        |
| CHECKED:    | -          |
| SCALE:      | 1"=60'     |
| REVISION:   | -          |