



REPLY TO
ATTENTION OF

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

CESAM RD-A
PUBLIC NOTICE NO. SAM-2019-00168-ES

January 7, 2020

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

REQUEST TO FILL 0.27 ACRE OF WETLANDS FOR THE CONSTRUCTION OF A
RESIDENTIAL DEVELOPMENT IN FORT MORGAN, BALDWIN COUNTY, ALABAMA

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: Morgantown Development Company, Inc.
Attention: Mr. Harris W. Stewart, Jr.
Post Office Box 20415
Tuscaloosa, Alabama 35402

AGENT: Wetland Resources Environmental Consulting
Attention: Ms. Gena Todia
Post Office Box 2694
Daphne, Alabama 36526

LOCATION: The project is located near Bon Secour Bay; at Lots 1 & 2, Block Q; Lots 10-17, Block H in Surfside Shores Subdivision, on State Highway 180; within Section 30, Township 9 South, Range 2 East; at Latitude 30.236845° North, Longitude 87.907199° West; in Fort Morgan, Baldwin County, Alabama

PROJECT PURPOSE: The purpose of the proposed project is to provide the applicant with buildable uplands for the development of 8 residential lots and a shared turnaround at the terminus of the subdivision access road.

PROPOSED WORK: Clearing and grubbing within the project footprint, placement of 913 cubic yards of commercially obtained clean sand fill material within 0.27 acre of emergent wetlands for the development of eight residential lots (lots 10-17) and construction of an access-road turnaround (lot 9).

AVOIDANCE AND MINIMIZATION: Wetland impacts have been avoided and minimized by situating the access road entirely in uplands with the exception of a segment on Lot 9. The houses were originally planned to be oriented with the narrow side facing north to provide more room between houses, but the orientation was changed to reduce wetland impacts. Parking will be underneath the houses in order to reduce the fill footprint. Retaining walls are to be constructed around the wetland fill to further reduce impacts and confine the fill material to the permitted footprint. A Best Management Practices (BMP) Plan will be developed by a Qualified Credentialed Professional and an NPDES permit will be obtained from the ADEM. The BMP Plan will be

followed during and after fill is placed to prevent and control erosion. Any necessary erosion control measures will be installed prior to fill being placed. The installed BMPs will be monitored and maintained until the project is completed.

MITIGATION: Mitigation will be in the form of preservation of the remaining lots to the west of Lot 10. The lots to be preserved (Lots 1-8, Block H; and Lots 1-2, Block Q) are made up almost entirely of wetlands and are currently owned by the applicant. On Lot 9, the remaining unfilled portion will be preserved as well. To ensure long-term protection, deed restrictions will be placed on these lots. The area to be preserved totals approximately 4.97 acres. Total wetland impact over all lots (9-16) equals 0.266 acres, resulting in a mitigation ratio of 18.68:1. The Mobile District has not yet verified the adequacy of the applicant's proposed mitigation plan at this time.

WATER QUALITY/COASTAL ZONE MANAGEMENT: The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act and for Coastal Zone Management (CZM) consistency concurrence in accordance with the Alabama Coastal Area Management Program. Upon completion of the required advertising and public comment review, a determination relative to Water Quality Certification and CZM consistency will be made by the Alabama Department of Environmental Management (ADEM).

HISTORIC PROPERTIES: 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 affect cultural resources and historic properties within the permit area. In accordance with Appendix C of 33 CFR 325, the U.S. Army Corps of Engineers (USACE) has determined that the permit area consists of the entire undertaking in waters of the United States, as well as the remaining upland portions of the project footprint that would be utilized for construction of the access road and residential dwellings. The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which are known to exist and would be affected by the proposed work. A Phase I cultural resources survey of the permit area described above is currently under review by USACE archaeologists to provide a determination on the potential for existence of significant cultural and historic properties. We are seeking comment from the State Historic Preservation Officer (SHPO) regarding the existence or the potential for existence of significant cultural and historic properties within the permit area for this currently proposed project.

In addition to coordination with the SHPO, we are seeking comments from federally-recognized American Indian tribes, local historical societies, museums, universities, the U.S. Department of the Interior, National Park Service, Division of Archeological Services and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area.

ENDANGERED SPECIES: 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 may affect the Alabama Beach Mouse, and will have no effect on the following listed endangered or threatened species with the potential to exist within the permit area: wood stork, piping plover, red knot, West Indian manatee, green sea turtle, Kemp's ridley sea turtle, loggerhead sea turtle and eastern indigo snake. This notice and application will be coordinated with the U.S. Fish and Wildlife Service (FWS) to assess if the proposed activity will adversely affect listed endangered or threatened species, or their critical habitat.

COMMENTS: 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 (USACE) can be based. The USACE is soliciting comments from the public, from federal, state and local agencies and officials, from Indian tribes, and from 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 below. 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. 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, historic properties, 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 and fiber production, and in general, the needs and welfare of the people. Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will also include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

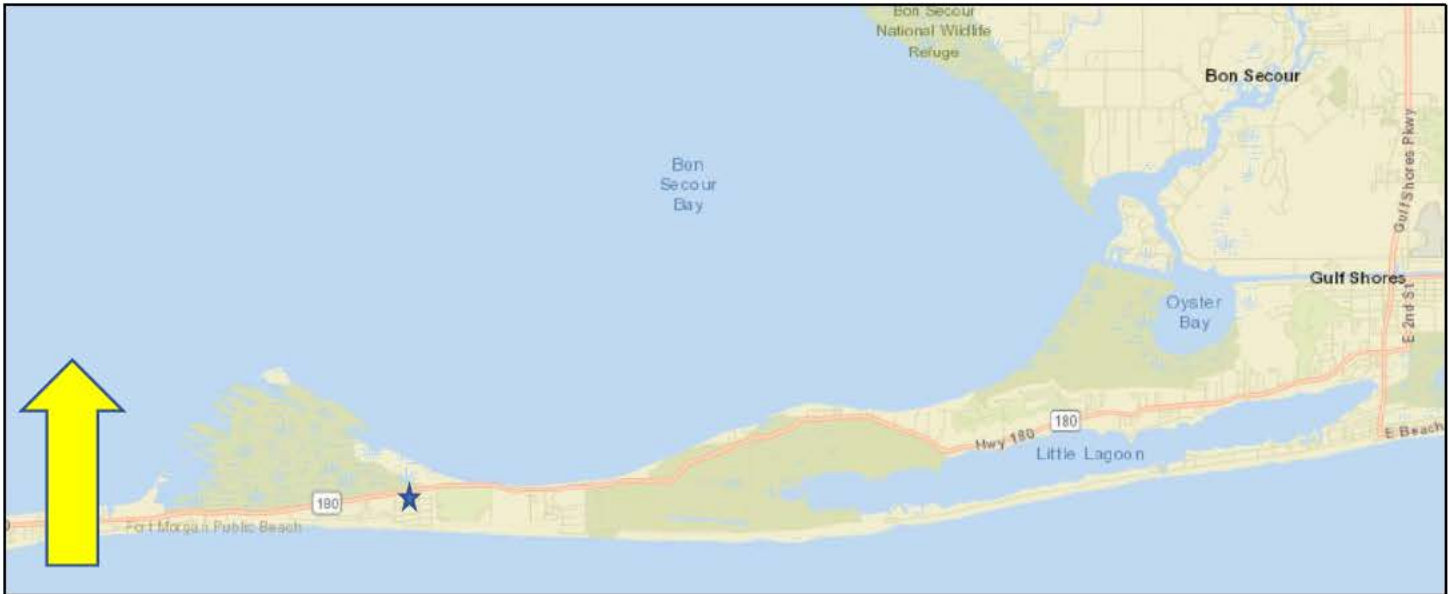
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2019-00168-ES**, and should be directed to the District Engineer, Mobile District, Mobile Field Office, Regulatory Division, **Attention: Ms. Elizabeth Hamilton**, Post Office Box 2288, Mobile, Alabama 36628-0001. Copies of all comments should be furnished to the Alabama Department of Environmental Management at coastal@adem.alabama.gov, or sent to: Alabama Department of Environmental Management, Mobile Branch, 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 question concerning this publication, you may contact the project manager at (251) 694-3781, or email at Elizabeth.A.Seavoy@usace.army.mil. Please refer to the above Public Notice Number.

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

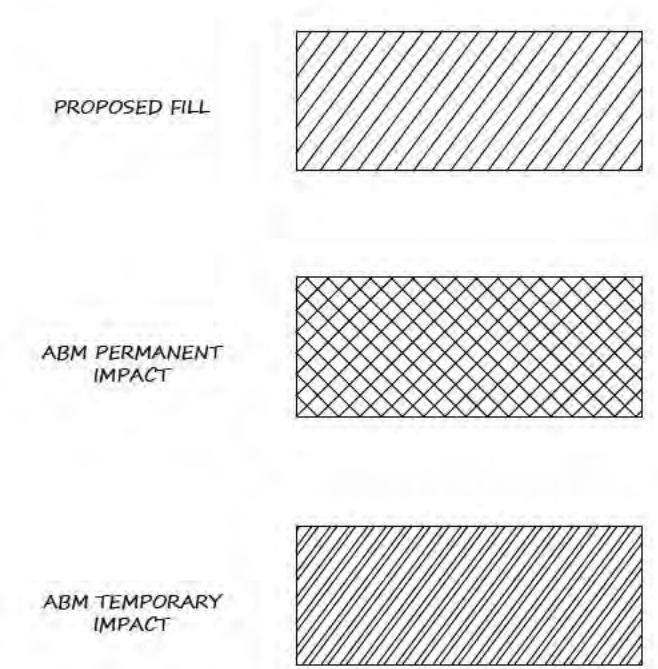
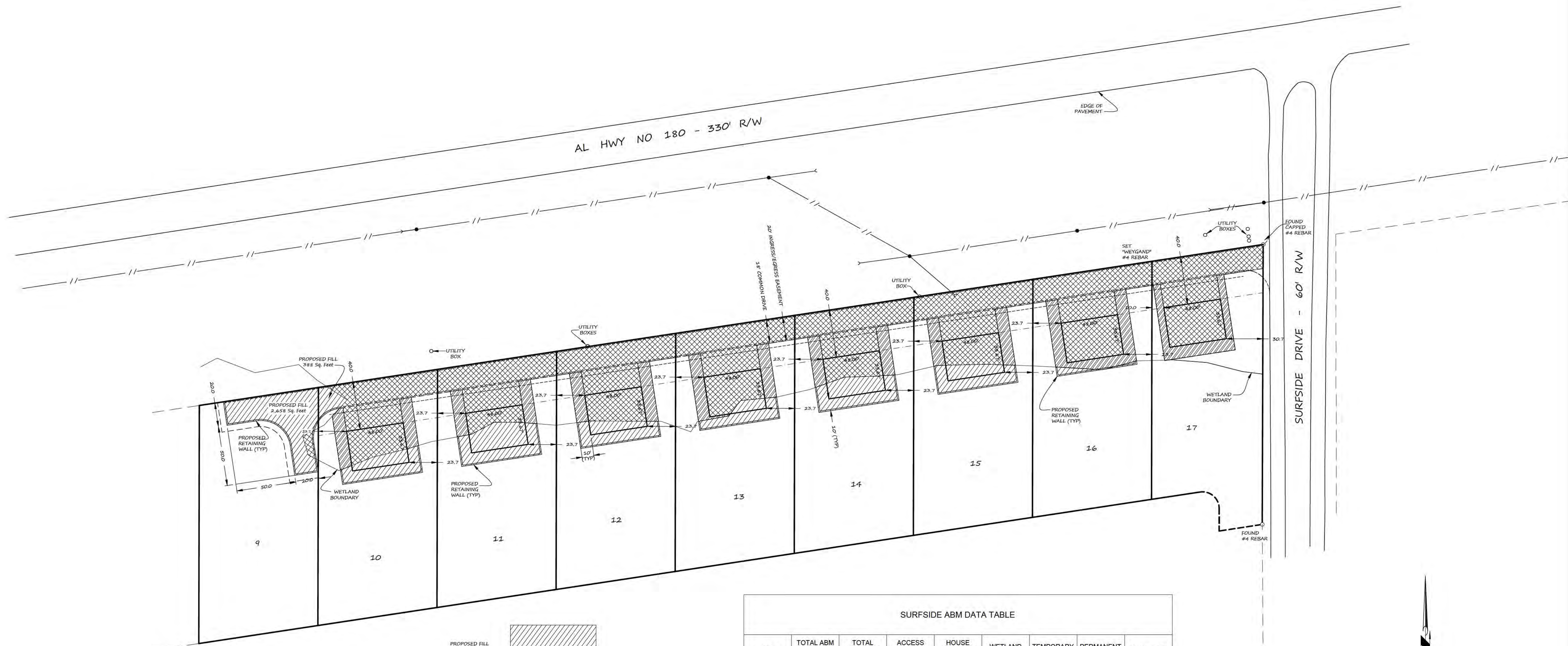
MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



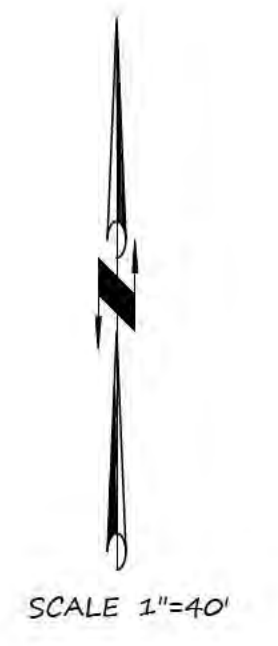
VICINITY MAPS
LOTS 1 & 2, BLOCK Q; LOTS 10-17, BLOCK H
SURFSIDE SHORES SUBDIVISION
FORT MORGAN, BALDWIN CO., ALABAMA





SURFSIDE ABM DATA TABLE

LOT #	TOTAL ABM HABITAT PRESENT	TOTAL WETLANDS PRESENT	ACCESS ROAD IMPACT	HOUSE DRIVEWAY IMPACT	WETLAND FILL	TEMPORARY ABM IMPACT	PERMANENT ABM IMPACT	TOTAL AREA
LOT 9	234 SF	19,771 SF	153 SF	N/A	2,058 SF	N/A	153 SF	20,005 SF
LOT 10	6,043 SF	13,963 SF	1,678 SF	2,152 SF	1,647 SF	869 SF	3,830 SF	20,005 SF
LOT 11	5,699 SF	14,307 SF	2,024 SF	1,628 SF	1,954 SF	748 SF	3,652 SF	20,005 SF
LOT 12	6,680 SF	13,315 SF	2,024 SF	2,186 SF	1,224 SF	919 SF	4,210 SF	20,005 SF
LOT 13	7,184 SF	12,821 SF	2,024 SF	2,340 SF	949 SF	1,040 SF	4,384 SF	20,005 SF
LOT 14	6,167 SF	13,838 SF	2,024 SF	1,887 SF	1,807 SF	832 SF	3,991 SF	20,005 SF
LOT 15	6,494 SF	13,512 SF	2,024 SF	2,091 SF	1,358 SF	881 SF	4,115 SF	20,005 SF
LOT 16	8,054 SF	11,952 SF	2,024 SF	2,576 SF	187 SF	1,554 SF	4,600 SF	20,005 SF
LOT 17	8,786 SF	11,193 SF	1,888 SF	2,576 SF	0 SF	1,263 SF	4,464 SF	19,979 SF
PROJECT								180,022 SF



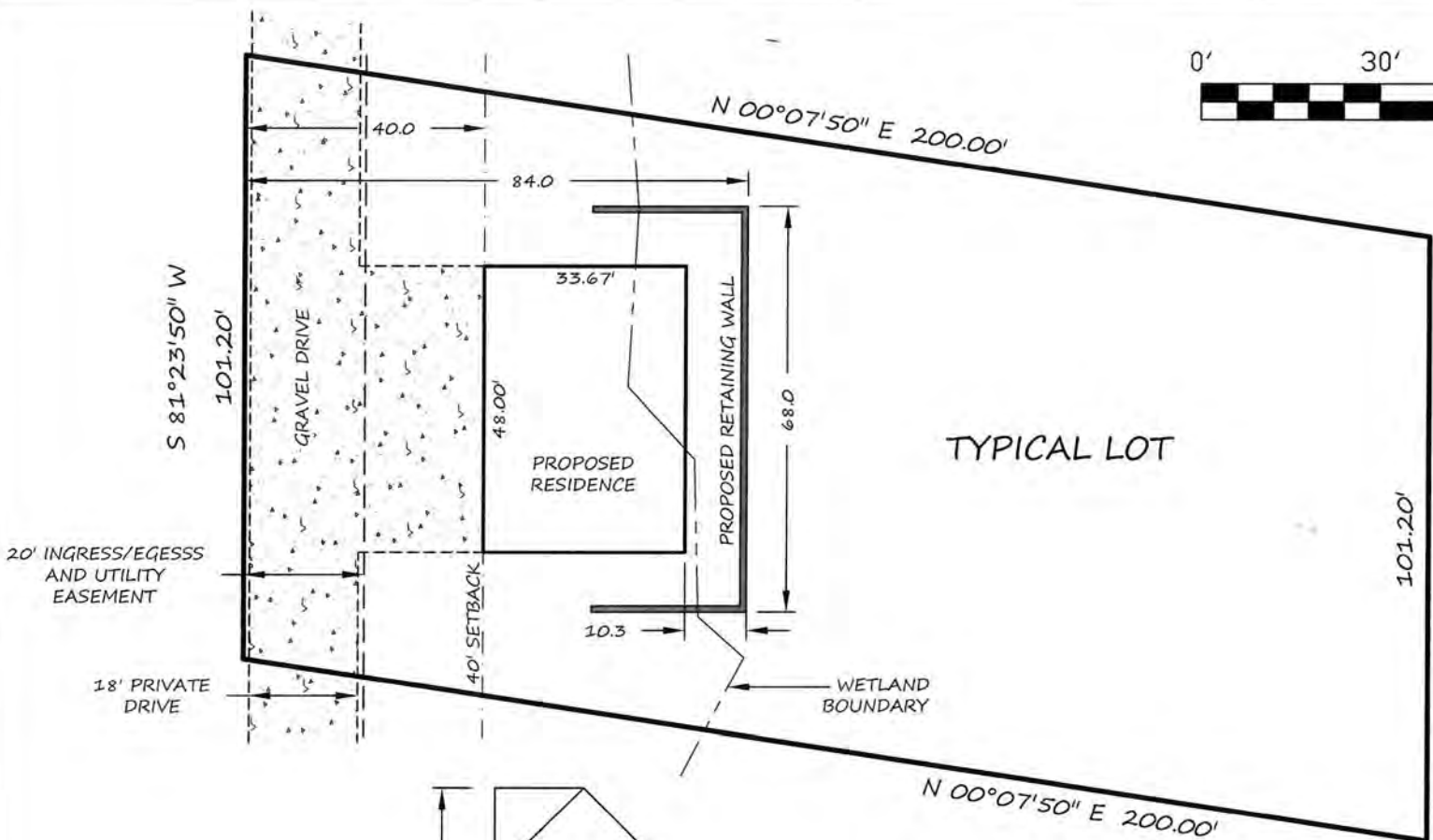
**SURFSIDE SHORES
UNIT NO. TWO
LOTS 10-17 BLOCK H
ABM SITE PLAN**



GULF SHORES, BALDWIN COUNTY, ALABAMA
SECTION 30, TOWNSHIP 9 SOUTH, RANGE 2 EAST
DATE: SEPTEMBER 24, 2019

LEGEND

BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
D	DELTA
MH	MANHOLE
R	RADIUS
R/W	RIGHT OF WAY
S.F.	SQUARE FEET
AC	AIR CONDITIONER
U	UTILITY POLE
A	ANCHOR
CONC	CONCRETE
WM	WATER METER
SB	SEWER BOX
ICB	IRRIGATION CONTROL BOX
WV	WATER VALVE
FI	FIRE HYDRANT
UB	UTILITY BOX
LP	LIGHT POLE
SP	STUMP POINT
M	MEASURED
R	RECORDED
CM	CONCRETE MONUMENT
FENCE	FENCE
OH	OVERHEAD UTILITIES

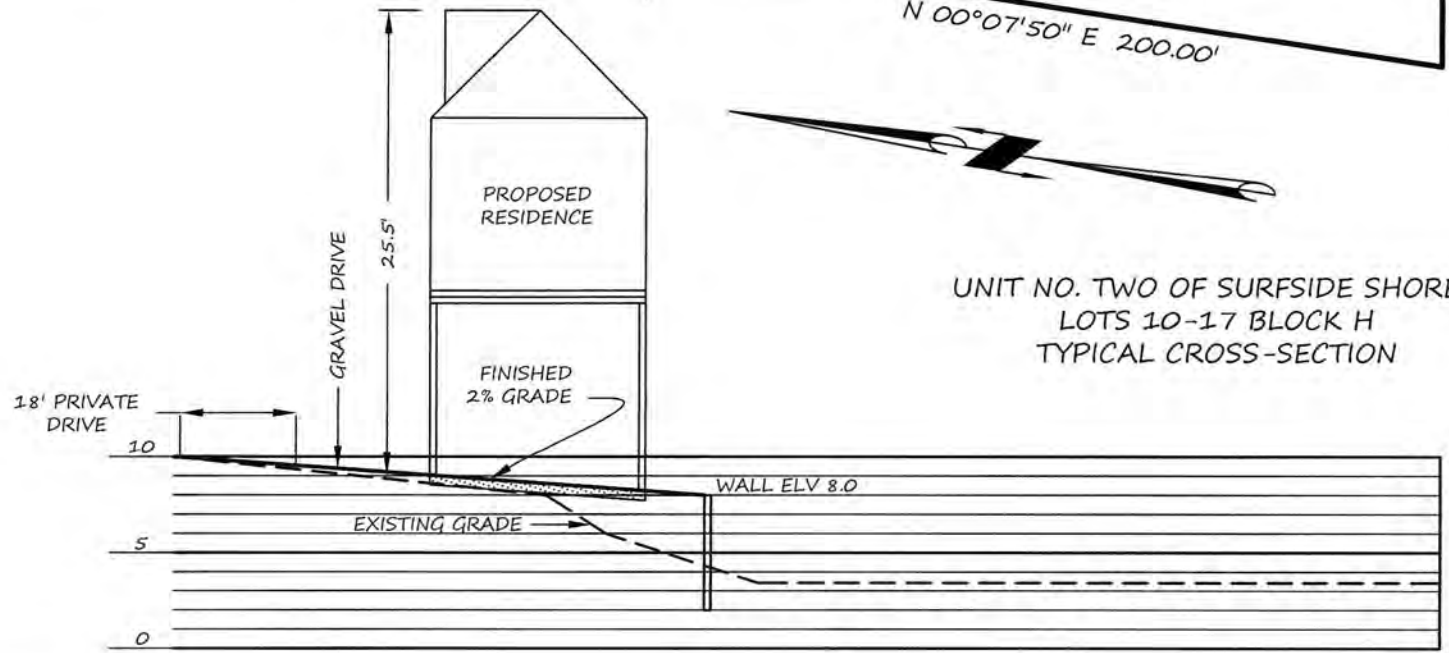


TYPICAL LOT

HORIZONTAL SCALE 1"=30'
VERTICAL SCALE 1"=3'

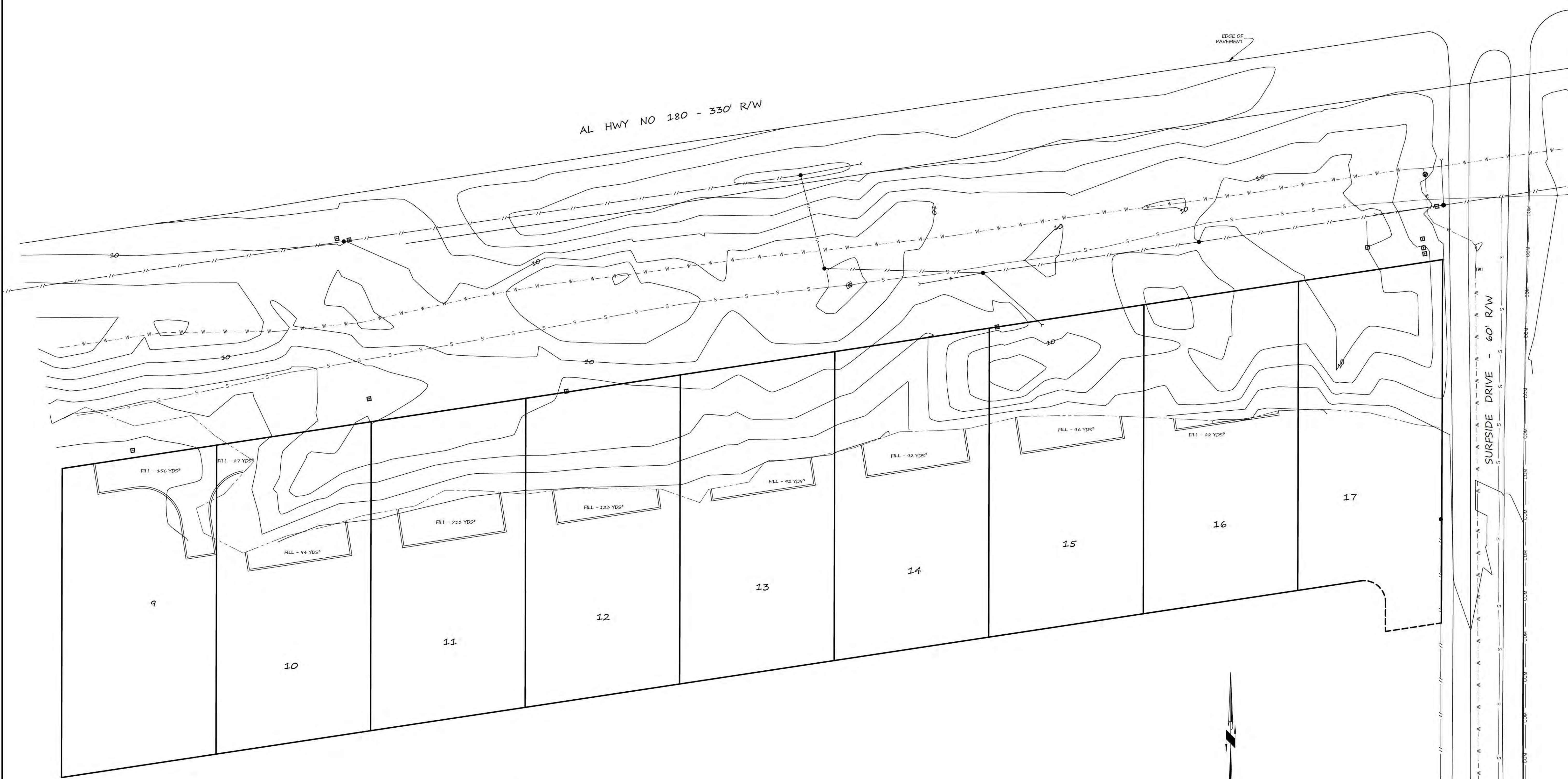


UNIT NO. TWO OF SURFSIDE SHORES
LOTS 10-17 BLOCK H
TYPICAL CROSS-SECTION



AL HWY NO 180 - 330' R/W

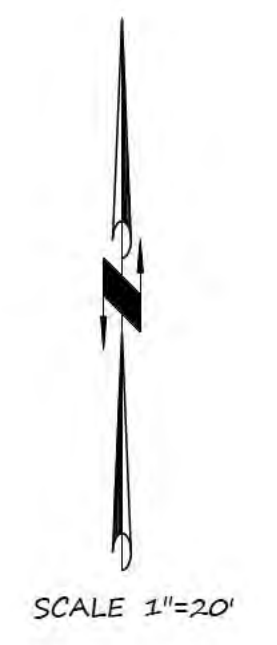
EDGE OF PAVEMENT



**SURFSIDE SHORES
FILL VOLUME CALCULATIONS**

LEGEND

BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
Δ	DELTA
MH	MANHOLE
R	RADIUS
R/W	RIGHT OF WAY
S.F.	SQUARE FEET
A/C	AIR CONDITIONER
●	UTILITY POLE
⋈	ANCHOR
▭	WALL
CONC	CONCRETE
⊠	WATER METER
⊞	SEWER BOX
⊞	IRRIGATION CONTROL BOX
⊞	WATER VALVE
⊞	FIRE HYDRANT
⊞	UTILITY BOX
⊞	STAKING POINT
(M)	MEASURED
(R)	RECORDED
CM	CONCRETE MONUMENT
FENCE	X
OVERHEAD UTILITIES	—//—
WATERLINE	—W—W—
SEWER LINE	—S—S—
UNDERGROUND COMMUNICATIONS	—COM—
UNDERGROUND POWER	—UP—



**WEYGAND
WILSON
SURVEYORS**

Trent Wilson PLS #34754
Weygand Wilson Surveying LLC
229 E. 20th Ave., Suite 12
Gulf Shores, AL 36542
Phone: (251) 975-7555

SURFSIDE DRIVE - 60' R/W

