



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
THE SHELBY BUILDING
600 VESTAVIA PARKWAY, SUITE 203
VESTAVIA HILLS, ALABAMA 35216

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2021-00361-LET

June 30, 2021

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)

REQUEST TO RETAIN UNAUTHORIZED FILL IN WATERS ASSOCIATED WITH THE
INSTALLATION OF A SEAWALL ON LAKE MARTIN IN DADEVILLE, TALLAPOOSA
COUNTY, ALABAMA

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

APPLICANT: Dilworth Development, Inc.
Attention: Sam Leslie
2124 Moores Mill Road, Suite 130A
Auburn, Alabama 36830
sam@dilworthdevelopment.com

AGENT: Wildland Services, LLC
Attention: William Neighbors
Post Office Box 469
Auburn, Alabama 36831
will@wildland-services.com

LOCATION: **The project is located along a 3,214 linear foot segment of Lake Martin shoreline on the Tallapoosa River in Dadeville, Tallapoosa County, Alabama. Specifically, the project boundary is located within Section 5, Township 20 North, Range 22 East. Center coordinates of the project site are latitude 32.74200, longitude -85.87618. The project is located in the Middle Tallapoosa 8-digit hydrologic unit code (HUC 03150109).**

PROJECT PURPOSE: **The basic project purpose is shoreline stabilization.**

PROPOSED WORK: **The applicant is requesting after-the-fact authorization to retain the unauthorized discharge fill material into waters of the United States (U.S.) associated with the construction of 2,622 linear feet (LF) of concrete**

seawall and to discharge additional fill material required to install an additional 592 LF of seawall resulting in a total of 3,214 LF of seawall along the shoreline of a residential subdivision on Lake Martin known as “The Camp”. Upon completion of the seawall installation, scour protection riprap will also be installed along the waterward toe of the 3,214 LF seawall. The proposed discharge of fill material would result in unavoidable impacts to 0.37-acre of waterbottoms below the 491-foot mean sea level (msl) ordinary high water mark (OHWM) or normal summer pool elevation of Lake Martin.

AVOIDANCE & MINIMIZATION: The subdivision has a total shoreline length of 3,649 linear feet (LF). The applicant will avoid armoring and the associated discharge of fill material along 435 LF of more stable, rocky shoreline slope.

COMPENSATORY MITIGATION: The applicant is not proposing to provide compensatory mitigation for the bank stabilization impacts.

The applicant will apply for water quality certification from the State of Alabama 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 water quality certification 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 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 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 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.

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 and historic properties within the permit area. The USACE has not made a determination of effects to historic properties at this time. Copies of this public notice are being distributed to the State Historic Preservation Officer, Federally-recognized American Indian tribes, and the National Park Service, Division of Archaeological Services for review and comment.

ENDANGERED/THREATENED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Species indicates the following species have the potential to occur in the project watershed: wood stork (*Mycteria americana*) and little amphianthus (*Amphianthus pusillus*). An effects determination will be made during the evaluation process, at which time the USACE will initiate consultation with the United States Fish and Wildlife Service (USFWS), if necessary. Copies of this public notice are being sent to the USFWS for review and comment.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2021-00361-LET** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Attention: **Ms. Leslie Turney**, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Alabama Department of Environmental Management, Field Operations Division, Office of Field Services, Attention: Mr. Richard Hulcher, Post Office Box 301463, Montgomery, Alabama 36130-1463. Comments may also be submitted via e-mail to USACE at **Leslie.E.Turney@usace.army.mil** and to ADEM at **fieldmail@adem.alabama.gov**.

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 via e-mail at **Leslie.E.Turney@usace.army.mil** or telephone number **(205) 213-9623**. Please refer to the above Public Notice number.

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

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



Drawing by: Will Neighbors, CPESC # 6619
334-391-2005 / www.wildlandservices.com



THE CAMP SEC5 T20N R22E DADEVILLE, ALABAMA



LEGEND

Drawing Symbols
— Site Location

Figure 1 Site Location



Drawing by: Will Neighbors, CPESC # 6619
334-391-2005 / www.wildlandservices.com



THE CAMP SEC5 T20N R22E DADEVILLE, ALABAMA



LEGEND

Drawing Symbols

- Site Boundary
- Proposed Sea Wall
- Existing Sea Wall
- Lake Martin 491' Elevation

3/18/2021

Figure 3 Aerial with Delineation



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Figure 2 USGS Topo Map

Profile View

