



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
600 VESTAVIA PARKWAY, SUITE 203  
VESTAVIA HILLS, AL 35216

**July 6, 2023**

**CESAM-RD-N**  
**PUBLIC NOTICE NO. SAM-2022-00624-SNR**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS**

**STATE OF ALABAMA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED DISCHARGE OF FILL MATERIAL INTO 0.93 ACRE OF WETLANDS**  
**ASSOCIATED WITH CONSTRUCTION OF SWANN FARMS RESIDENTIAL**  
**DEVELOPMENT, LEE 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. Please communicate this information to interested parties.

**Applicant:** Wire & Cox, LLC  
Attention: Mr. Warren Jolly (wjolly@jollydevelopment.com)  
11340 Lakefield Dr.  
Johns Creek, GA 30097

**Agent:** Wildland Services, LLC  
Attention: Mr. Will Neighbors, PWS  
P.O. Box 469  
Auburn, AL 36831

**LOCATION:** The project is located in Parkinson Creek watershed, Latitude 32.5754 North, Longitude 85.5203 West, Section 2, Township 18 North, Range 25 East, Intersection of Wire and Cox Road, Lee County, Auburn, Alabama.

**WORK DESCRIPTION:** The applicant is proposing to fill 0.93 acre of wetlands and excavate 0.31 acre of pond to construct Phase 2 of the Swann Farms residential development. Phase 1 of this development has already been permitted under Nationwide Permit 29 to fill 0.22 acre of wetlands, 115 linear feet (0.008 acre) of intermittent stream, and 0.19 acre of open water features.

**PURPOSE:** The purpose of this project is to provide town homes in the Auburn, Alabama area where there is high demand for housing.

**AVOIDANCE AND MINIMIZATION:** Three other locations were proposed for alternatives site; however, impacts to jurisdictional waters would have been greater than the current preferred alternative. The development will avoid impacts to 249 linear feet of perennial stream, 0.44 acre of wetlands and 0.37 acre of other waters in the preferred development site.

**COMPENSATORY MITIGATION:** The applicant is proposing to purchase wetland credits from a USACE approved mitigation bank located within the primary service watershed (HUC 03150110).

**WATER QUALITY:** The applicant is in the process of acquiring certification from the State of Mississippi 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 by the Alabama Department of Environmental Management.

**HISTORIC PROPERTIES/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 affect cultural and historic properties within the permit area. The U.S. Army Corps of Engineers (USACE) has not made a determination of effects to historic properties at this time. Further coordination with the Alabama Historical Commission (AHC) and/or federally recognized American Indian tribes will be performed as determined to be appropriate. The USACE is seeking comment from the State Historic Preservation Officer, federally recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and the general public regarding the existence or the potential for existence of significant cultural and historic properties which may be affected by the work.

**THREATENED AND ENDANGERED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicated the following species may be present within the project area: Ovate Clubshell, (*Pleurobema perovatum*) (E), Southern Clubshell (*Pleurobema decisum*) (E), Finelined Pocketbook (*Lampsilis altilis*) (T), Wood Stork (*Mycteria americana*) (T), and the Relict Trillium (*Trillium reliquum*) (E). The USACE has not made a determination regarding effects of the project on the above-listed species at this time. Further coordination with the United States Fish and Wildlife Service (USFWS) will be performed as determined to be appropriate. A copy of this public notice is being sent to the USFWS for review and comment.

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 impacts, 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, 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, consideration of property ownership 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-2022-00624-SNR** and should be directed to USACE, Mobile District, Regulatory Division, Attention: Ms. Angela M. Rangel, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to 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 [angela.m.rangel@usace.army.mil](mailto:angela.m.rangel@usace.army.mil) and to ADEM at [fieldmail@adem.alabama.gov](mailto:fieldmail@adem.alabama.gov).

**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 at (251) 455-6785 or email at [angela.m.rangel@usace.army.mil](mailto:angela.m.rangel@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](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

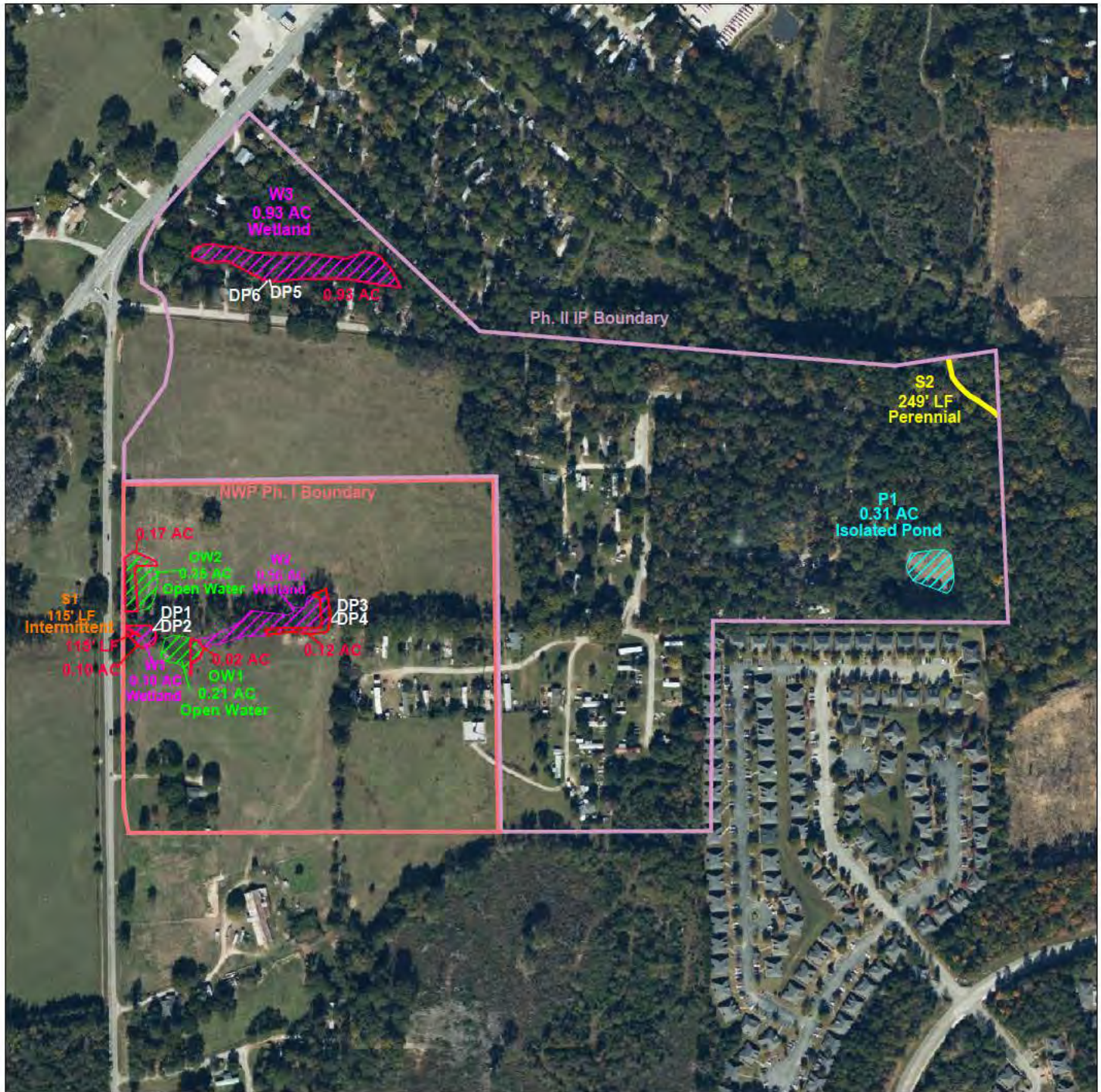


Drawing by: Will Neighbors: CPESC, PWS  
334-391-2005 / www.wildlandservices.com



# SWANN

32.5754, -85.5203  
S2 T18N R25E  
AUBURN, ALABAMA

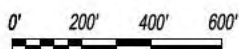


### LEGEND

#### Drawing Symbols

	Perennial
	Intermittent
	Wetland
	Open Water
	Isolated Pond
	Data Points
	Impacts

12/14/2021



## Figure 2

### Aerial with Delineation

