



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

**CESAM RD-A**  
**PUBLIC NOTICE NO. SAM-2024-00565-MDJ**

**June 25, 2024**

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

**PROPOSED DISCHARGE OF FILL MATERIAL IN WATERS OF THE U.S.**  
**ASSOCIATED WITH THE CONSTRUCTION OF A COMMERCIAL FACILITY, NEAR**  
**THREE MILE CREEK, LOXLEY, 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:** Crown - Loxley II, LLC  
Attention: Mr. Brett Sanders  
6720 North Scottsdale Road, Suite 195  
Scottsdale, AZ 85253

**AGENT:** Volkert, Inc.  
Attention: Mr. Evan Reid  
1680 West 2<sup>nd</sup> Street, Suite B  
Gulf Shores, Alabama 36542

**LOCATION:** Wetlands associated with Three Mile Creek, along County Road 49; Loxley, within Section 22, Township 4 South, Range 3 East; at Latitude 30.679546°, Longitude -87.760929°; Loxley, Baldwin County, Alabama.

**PROJECT PURPOSE:** The project's basic purpose is construction of a commercial facility.

**PROPOSED WORK:** The applicant proposes to fill 0.67 acres of palustrine forested wetlands with the construction of three commercial builds with parking, utilities and associated infrastructure adjacent to County Road 49 in Baldwin County Alabama. The total project site is approximately 30 acres in size of which approximately 0.84 acres have been identified as wetlands. Approximately 35,593 cubic yards of commercially obtained sand/clay fill material would be placed in an area totaling approximately 0.67 acres (29,185-square feet) of wetlands.

**AVOIDANCE AND MINIMIZATION:**

Construction Best Management Practices (BMPs) will be implemented to prevent silt laden dredged material runoff from reentering the adjacent wetlands. Approximately

0.17-acres of wetlands onsite are proposed for avoidance. At this time, the U.S. Army Corps of Engineers (USACE), Mobile District, has not verified the adequacy of the applicant's avoidance and minimization efforts.

**MITIGATION:** The applicant has proposed to compensate for the unavoidable permanent impacts to the bottomland hardwood wetlands on-site through the purchase of compensatory mitigation credits from an approved mitigation bank.

**WATER QUALITY:** The applicant has applied for 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 (ADEM).

**HISTORIC PROPERTIES:** In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR Part 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR Part 325, the Mobile District has determined the permit area consists of the entire project's footprint. 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. The Mobile District is seeking comment regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. The permit area described above is currently under review by District Archaeologists to provide a determination on the potential for existence of significant cultural and historic properties.

**ENDANGERED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior's List of Endangered (E) and Threatened (T) Wildlife and Plants indicate the proposed activity may potentially effect on the following listed endangered or threatened species with the potential to exist within the watershed of the permit area: Eastern Indigo Snake (*Drymarchon couperi*) (T), and Northern Long-Eared Bat (*Myotis septentrionalis*) (T). There is no designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no final determination endangered or threatened species with the potential to exist within the watershed of the permit area: Eastern Indigo Snake (*Drymarchon couperi*) (T), and Northern Long-Eared Bat (*Myotis septentrionalis*) (T). There is no designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no final determination regarding effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) will be performed as deemed appropriate. This notice serves as a request to the U.S. Wildlife Service for information on whether any listed endangered and

threatened species may be present in the area which would be affected by the proposed activity.

**COMMENTS:** This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the USACE can be based. The Mobile District 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 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 include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency (EPA).

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2024-00565-MDJ**, and should be directed to the project manager, M. Derek Jacobs by e-mail at [Michael.D.Jacobs@usace.army.mil](mailto:Michael.D.Jacobs@usace.army.mil), or to the USACE, Mobile District, Regulatory Division, Attention: Mr. M. Derek Jacobs, 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](mailto:coastal@adem.alabama.gov), or

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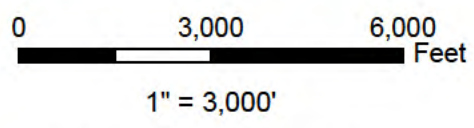
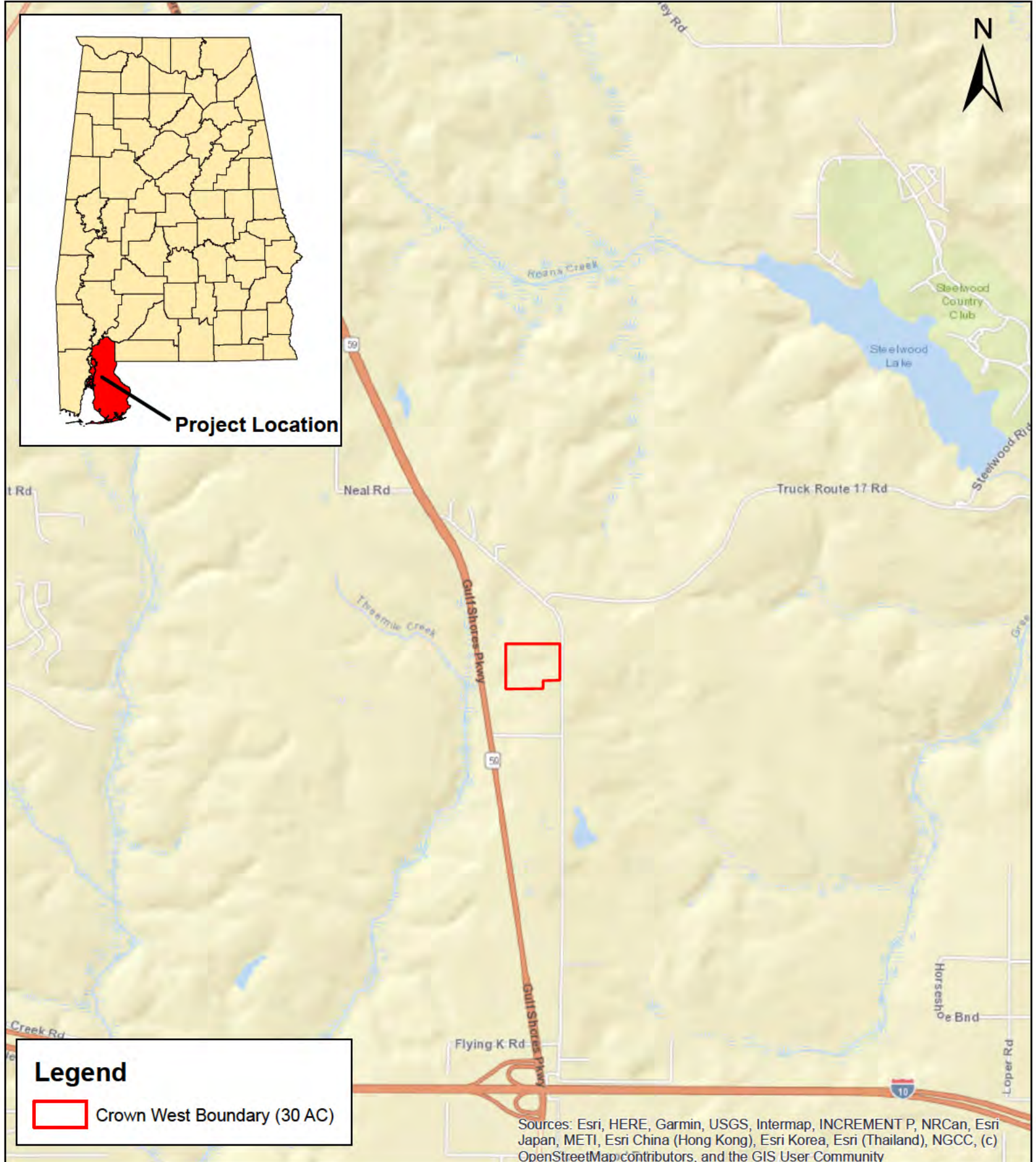
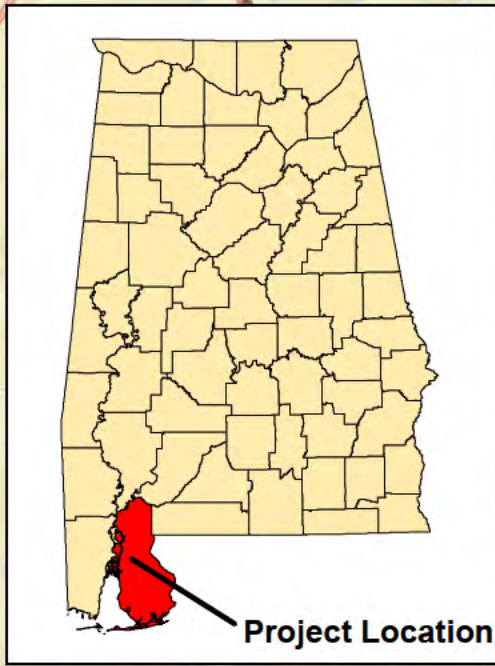
**June 25, 2024**  
**Page 4 of 4**

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.**

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

Attachments

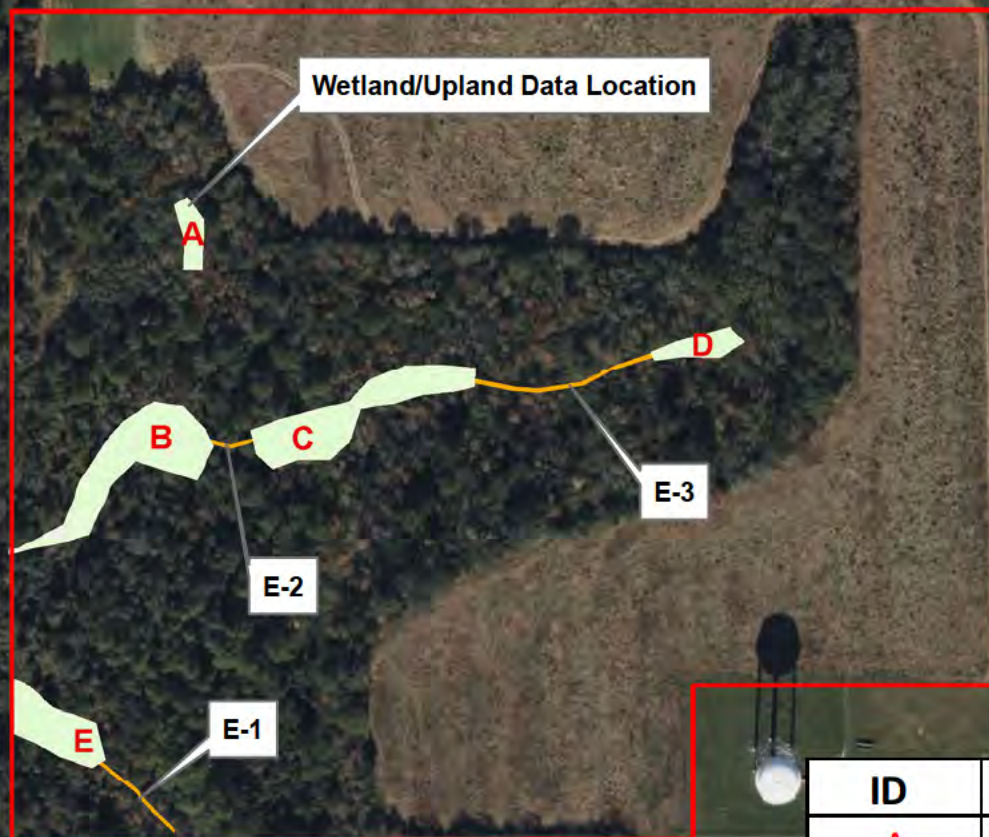


Note: This map is not intended for construction.

**Figure 1: General Location Map**  
**Crown West II Development**  
**JD and IP Application**  
**Loxley, Baldwin County, Alabama**  
**Project Number: 1174500**



**WETLAND BOUNDARIES ARE  
NOT OFFICIAL UNTIL FINAL  
VERIFICATION CERTIFICATION IS  
RECEIVED BY THE U.S. ARMY  
CORPS OF ENGINEERS**



### Legend

- Crown West Boundary (30 AC)
- Crown West Wetlands (0.89 AC)
- Crown West Ephemeral Channel (0.03 AC ~ 428.3LF)

ID	AC	LF
A	0.05	NA
B	0.32	NA
C	0.29	NA
D	0.06	NA
E	0.17	NA
E-1	0.009	132.6
E-2	0.003	56.4
E-3	0.022	239.3
RED = Isolated		

**VOLKERT**

0 250 500 Feet  
1" = 250'

Note: This map is not intended for construction.

**Figure 7: Wetland ID Map**  
Crown West II Development  
JD and IP Application  
Loxley, Baldwin County, Alabama  
Project Number: 1174500



NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

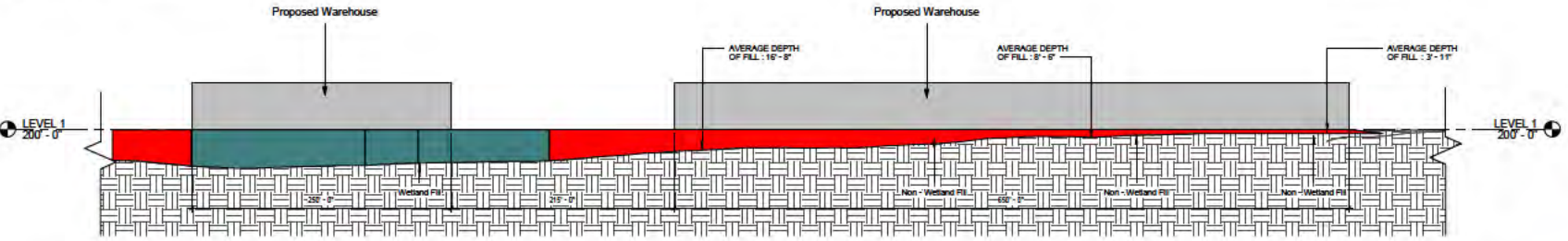
Wetland Impacts - West Ph II				
Type	Mark	Description	Area	Fill C.Y.
Wetland	A	Fill	0.050	2,283
Wetland	B	Fill	0.327	1,805
Wetland	C	Fill	0.298	13,332
Wetland	D	Fill	0.061	20,456

Improvements - West Ph II			
Mark	Type	Area	Comments
C	Concrete slab - BLDG Ph II	162,500 SF	West
D	Concrete slab - BLDG Ph II	162,500 SF	West
E	Concrete slab - BLDG Ph II	162,500 SF	West
3		487,500 SF	
	Landscape Ph II	473,477 SF	
L-A	Landscape Ph II	155,296 SF	West
L-C	Landscape Ph II	79,025 SF	West
L-D	Landscape Ph II	148,300 SF	West
L-E	Landscape Ph II	72,655 SF	West
5		928,753 SF	
	Paving - IMPERVIOUS Ph II	350,252 SF	
	Paving - IMPERVIOUS Ph II	180,380 SF	
	Paving - IMPERVIOUS Ph II	81,244 SF	
	Paving - IMPERVIOUS Ph II	69,225 SF	
	Paving - IMPERVIOUS Ph II	180,880 SF	
PAVE-A	Paving - IMPERVIOUS Ph II	182,272 SF	Vehicle Parking 178; Trailer Parking 11
PAVE-B	Paving - IMPERVIOUS Ph II	212,512 SF	Vehicle Parking 155;
PAVE-C	Paving - IMPERVIOUS Ph II	215,841 SF	Vehicle Parking 60
PAVE-D	Paving - IMPERVIOUS Ph II	160,944 SF	Vehicle Parking 60; Trailer Parking 24
PAVE-E	Paving - IMPERVIOUS Ph II	157,922 SF	Vehicle Parking 158
10		1,790,971 SF	



- LEGEND**
- GRADING LIMITS
  - LIMIT OF PHASE

1 SITEPLAN - West  
1" = 60'-0"



2 Profile West Site  
1" = 60'-0"

- ← Ephemeral Channel
- ← Existing Paving
- ← Pond
- ← (30') Wetlands Setback
- ← Paving
- ← Warehouse
- ← WetLand Fill
- ← Cut
- ← Non - WetLand Fill
- ← Earth
- Graphics  
3/8" = 1'-0"



Partner  
ARCHITECTURE, PC  
Derek Hicks, Architect  
AL, CA 1300  
3010 W 145th Avenue Rd. S.  
Mableton, AL 36688  
251-445-1755

Loxley Logistics Center - West, Ph II  
Loxley, AL 36651

WETLAND APPLICATION	
SITEPLAN - West Site	
No.	Date
90-22-004	
01/25/2024	
SH	
SNH	