

Vince Jackson

From: Lynn, William <william_lynn@fws.gov>
Sent: Tuesday, April 02, 2019 10:24 AM
To: Vince Jackson
Subject: Re: [EXTERNAL] Re: <EXTERNAL> Response

Vince,

1. The 17 lots was the applicants proposed preferred designed. I assume they were looking at the historical use of this third tier areas. Third tier lots here are typically 50 feet wide. In the proposal, lots were proposed to be 58 feet wide. For the RSF-4 area, the Service viewed the 17 proposed lots as a less impactful development than the previous platted PalmTree Penthouses town house development which would have been a entire loss of the habitat and most likely impossible to permit without some serious mitigation. I was told it was rezoned to RSF-4 to meet Baldwin County Planning and Zoning standards based upon the proposed development design.

2. The applicants could do 37 lots in the RSF-4 are if they are willing to provide the additional offsite mitigation that would be required. However, we would have to go back to the negotiation table and renegotiate a deal to allow development of 37 lots.

Thanks,

Bill Lynn

Bill Lynn
Certified Wildlife Biologist
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On Fri, Mar 29, 2019 at 1:15 PM Vince Jackson <VJACKSON@baldwincountyal.gov> wrote:

Bill,

I have a couple of additional questions. One of the issues with Seaglade has to do with the number of proposed lots. Specifically, it's the number of lots for the portion of the property zoned RSF-4, where 17 lots are currently proposed.

The RSF-4 zoning would allow up to 37 lots. However, it has been my understanding, since the property was rezoned two years ago, that 17 lots is all the Fish and Wildlife would allow for this part of the property, but I have never actually seen this in writing. This leads me to two questions:

1. Is 17 lots all that Fish and Wildlife will allow for the portion of the property zoned RSF-4?
2. Is there any way, through your processes, that additional lots could be approved?

Thanks,

Vince

From: Lynn, William [mailto:william_lynn@fws.gov]
Sent: Tuesday, March 19, 2019 7:51 AM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: Re: [EXTERNAL] Re: <EXTERNAL> Response

Vince,

1) for house sizes, what we usually permit is what is going to be built. If the developers are wanting to build up to 0.10 acre each, then that is what they need to permit.

2) They do not need to have an ITP or permit before the commission approves the plan. Our part of the permitting process will take 6 months to 1 year after they submit to us a complete application. You could let the commission know that the site plan submitted to you, which is the same site plan submitted to the Service, has my tentative approval for permitting, i.e., it is what I intent to permit. Another way to say this is the applicant submitted design and items discussed will meet permit issuance criteria for the Service permit.

Thanks,

Bill

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On Mon, Mar 18, 2019 at 6:39 PM Vince Jackson <VJACKSON@baldwincountyal.gov> wrote:

Another question, and I apologize for asking so much...especially after hours.

I'm hearing that at least one of the County Commissioners may want to delay action on the Seaglade PRD. The Commission has the authority to delay action up to 60 days from the date of the public hearing. The last date they could take action within that time frame would be May 7, 2019.

One of the sticking points with the opposition seems to be the fact that the applicant doesn't already have an ITP. Is it possible that the ITP could be issued before the Commission takes action, or do you need for the Commission to take action before you can approve the ITP?

I'm not sure if I'm using the terminology correctly, and I do apologize for asking so many questions. This is one of the most difficult cases I've worked on in awhile.

Thanks,
Vince

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Vince Jackson <VJACKSON@baldwincountyal.gov>
Date: 3/18/19 4:13 PM (GMT-06:00)
To: "Lynn, William" <william_lynn@fws.gov>
Subject: RE: <EXTERNAL> Response

Mr. Lynn:

I realize you're off today, but I wanted to send a follow-up comment pertaining to house sizes. From our perspective the square footages stated for each lot and the footprints shown for each lot on the site plan represent maximums which the developer can build up to but not exceed. We can allow them to build a smaller house, as long as they stay within the approved footprint, but we can't allow them to build something larger. Does this create any issues for Fish and Wildlife?

Thanks,

Vince

From: Lynn, William [mailto:william_lynn@fws.gov]
Sent: Thursday, March 14, 2019 1:47 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> Response

A couple of questions for me:

- * One of the things that I keep hearing over and over again is that the Habitat Conservation Plan should be submitted
- * and the Incidental Take Permit issued prior to a vote by the County Commission on the site plan.
- * We talked about this a little bit the other day.
- * We know that no construction can take place until all of the approval are in place, however, can you provide something that I can use as a response?
- * Should we require a Habitat Management Plan or Incidental Take Permit as part of the PRD approval process?
- * Is a Habitat Compliance Plan, which is mentioned below the same as the Habitat Conservation Plan, or is it something different?

Vince,

1) A Habitat Conservation Plan has not been submitted yet. It is in development by the developer's consultant. But the site plan submitted to you is exactly what I have. A slight different picture, but the numbers are the same. This site plan is o.k. by me and I am more than willing to permit it. But I think Mr. McCorry should clear up the statement of the house size. A lot of people are calling me about "what is it going to be 1300 - 1800 square feet?" or the numbers on the submitted site plan? For the record, I look at the bottom line - Out of 10.53 acres, 7.95 acres will be conserved and managed for the benefit of the ABM. 2.58 acres will be developed under the plan submitted to me, which is the same as the final numbers on your plan.

2) If this is the plan the commission approves, it will be the plan, we permit. They will be unable to change it during our permitting process.

3). Please check with Mike Howell, but typically, the Baldwin County Building Department will not issue these developers a building permit until our permit is issued. So, I think here the County Commission is approving the plat

or concept presented to both your department and the U.S. Fish and Wildlife Service.

4). The Habitat Conservation Plan will need to be submitted at the same time as the Incidental Take Application. If the site plan submitted to me (again, it is the same plan submitted to you) changes in any form, then we will have to come back to the table for all parties to review.

5) The developers have done everything I asked to date in this site plan design. 1) threw in an extra parcel for mitigation, 2) made a communal entry/exit road rather the 27 driveways coming off Highway 180, 3) preserved a functioning drainage ditch in the ADCNR right of way (between Highway 180 and the development) (I am sure you are well aware of Fort Morgan's drainage problems), which also preserves some additional ABM habitat and wetlands 4) committed to 50 years of two times a year (spring and fall) live trapping monitoring for the onsite ABM population 5) committed to improving, managing, preserving and restoring the on-site habitats both before and after tropical storms, and 6) implement other standard conservation measures for the ABM.

6) I have previous experience with these developers. In their other projects, they have done what I have asked for the ABM and its sand dune habitats.

Thanks,

Bill

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Vince Jackson

From: Lynn, William <william_lynn@fws.gov>
Sent: Tuesday, March 12, 2019 11:20 AM
To: Vince Jackson
Subject: <EXTERNAL> Seaglade at St. Andrew
Attachments: Seaglade at St. Andrew 3-4597-OVERALL-OVERALL 7-18.pdf

Vince,

Just to make sure we are all on the same page, attached is the last site plan I reviewed for this project with calculations.

The plan is that all impacts, including the access road, for each lot will be no more than 0.10 acre per lot. Thus overall, we will view this project as a low-effect project on the ABM. Even though a portion of the project will be deed restricted, standard ABM measure will apply to the entire site, i.e., native landscaping, fully shielded lights, etc. Feel free to contact me if you have any questions or concerns.

Thanks,

Bill Lynn

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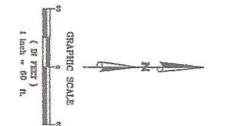
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-  IMPROVED SUITABLE AGR HABITAT FOR HORSES
± 1.62 ACRES
-  IMPROVED SUITABLE AGR HABITAT FOR ACCESS ROAD
± 0.69 ACRES
-  IMPROVED SUITABLE AGR HABITAT FOR BARNWAYS
± 0.27 ACRES
-  REMAINING SUITABLE AGR HABITAT
± 7.89 ACRES
-  PRESERVED ON LOTS 18-27
± 0.99 ACRES

| LOTS | LOT AREA | HORSE | DOCK | ROUNDRY | OPEN AREA |
|------|-------------|------------|----------|------------|------------|
| 1 | 13,308 S.F. | 2,728 S.F. | 441 S.F. | 1,831 S.F. | 8,008 S.F. |
| 2 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 3 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 4 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 5 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 6 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 7 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 8 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 9 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 10 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 11 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 12 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 13 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 14 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |

| LOTS | LOT AREA | HORSE | DOCK | ROUNDRY | OPEN AREA |
|-------|--------------|-------------|-------------|-------------|--------------|
| 15 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 16 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 17 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 18 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 19 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 20 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 21 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 22 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 23 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 24 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 25 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 26 | 10,150 S.F. | 2,292 S.F. | 445 S.F. | 1,180 S.F. | 5,933 S.F. |
| 27 | 11,896 S.F. | 2,658 S.F. | 412 S.F. | 1,000 S.F. | 4,683 S.F. |
| TOTAL | 286,250 S.F. | 70,798 S.F. | 11,075 S.F. | 30,111 S.F. | 153,706 S.F. |

SITE AREA TOTALS
 TOTAL IMPROVED AGR HABITAT (HORSE, DOCK, ROUNDRY) 112,644 S.F.
 TOTAL IMPROVED AGR HABITAT FOR ACCESS ROAD 6,141 S.F.
 TOTAL IMPROVED AGR HABITAT FOR BARNWAYS 2,872 S.F.
 TOTAL IMPROVED AGR HABITAT 121,657 S.F.
 TOTAL OPEN AGR HABITAT PRESERVED ON LOTS 18-27 87,098 S.F.
 TOTAL OPEN AGR HABITAT PRESERVED ON LOTS 18-27 87,098 S.F.





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OVERALL SITE PLAN
 FORT MORGAN PROPERTY
 EDMONTON PROPERTIES

SCALE: 1"=40'
 DATE: MAY 2018
 DRAWN BY: CSD
 CHECKED BY:
 SHEET: 3 OF 49