



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

REPLY TO
ATTENTION OF

April 24, 2024

South Alabama Branch
Regulatory Division

Subject: No Permit Required, File Number **SAM-2022-00507-JEB**, Hamm Enterprises,
Spanish Cove Project, Lillian, Baldwin County, Alabama.

Hamm Enterprises. Ltd.
Attn: Mr. Jeff Windham
E-mail address: jeff@hammltd.com
Post Office Box 1608
Robertsdale, AL 36567

Dear Mr. Windham:

This is in response to your request for a Department of the Army, Corps of Engineers (DA or USACE) Permit to fill 0.39-acres of non-tidal wetlands within two separate wetland drains for the construction of a residential subdivision. The activity is located on a 24-acre tract of land, within Section 4, Township 8 South, Range 6 East, centered at latitude 30.386780 and longitude -87.470954, in Lillian, Baldwin County, Alabama.

A review of your proposed project revealed that a Department of the Army permit pursuant to Section 404 of the Clean Water Act will not be required to perform this work. The proposed activity is exempt from Department permitting requirements since your project involves construction of a subdivision within two non-jurisdictional wetland drains. These wetlands do not have a continuous surface connection to a jurisdictional water and are therefore not waters of the United States. Each wetland's non-jurisdictional status is described in the attached MFR.

Please be advised that this determination reflects current policy and regulation and is valid for a period of 5 years from the date of this letter. If after the 5-year period this determination has not been specifically revalidated by the U.S. Army Corps of Engineers, it shall automatically expire.

The statements contained herein do not convey any property rights or any exclusive privileges, and do not authorize any injury to property or obviate the requirements to obtain other local, State, or Federal assent required by law for the activities discussed above.

You are receiving an electronic copy only of this letter. If you wish to receive a paper copy, you should send a written request to this office at the following address: U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628. Electronic copies of this letter are also being sent to your agent, Mr. Blake Smith, at bsmith@specenviro.com and the Alabama Department of Environmental Management, Mobile Branch / Coastal Section, Attention: Mr. Scott Brown, at coastal@adem.alabama.gov.

If the scope of work or project location changes, you are urged to contact this office for a verification of this determination. Thank you for your cooperation with our permit program.

Please contact me at (251) 472-7278 or James.E.Buckelew@usace.army.mil if you have any questions. For additional information about our Regulatory Program, visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx. Also, please take a moment to complete our customer satisfaction survey located near the bottom of the webpage. Your responses are appreciated and will allow us to improve our services.

Sincerely,

BUCKELEW.JAM

ES.E.1245768393

Digitally signed by
BUCKELEW.JAMES.E.1245768393
Date: 2024.04.24 14:47:12 -05'00'

Eric Buckelew
Senior Project Manager
South Alabama Branch
Regulatory Division

Attachments



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

CESAM-RD-A

April 23, 2024

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Pre-2015 Regulatory Regime
Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322
(2023),¹ SAM-2022-00507-JEB, (MFR 1 of 1)

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.² AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.³ For the purposes of this AJD, we have relied on section 10 of the Rivers and Harbors Act of 1899 (RHA),⁴ the Clean Water Act (CWA) implementing regulations published by the Department of the Army in 1986 and amended in 1993 (references 2.a. and 2.b. respectively), the 2008 *Rapanos-Carabell* guidance (reference 2.c.), and other applicable guidance, relevant case law and longstanding practice, (collectively the pre-2015 regulatory regime), and the *Sackett* decision (reference 2.d.) in evaluating jurisdiction.

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. The features addressed in this AJD were evaluated consistent with the definition of "waters of the United States" found in the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett*. This AJD did not rely on the 2023 "Revised Definition of 'Waters of the United States,'" as amended on 8 September 2023 (Amended 2023 Rule) because, as of the date of this decision, the Amended 2023 Rule is not applicable in Alabama due to litigation.

1. SUMMARY OF CONCLUSIONS.

¹ While the Supreme Court's decision in *Sackett* had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

² 33 CFR 331.2.

³ Regulatory Guidance Letter 05-02.

⁴ USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

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SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAM-2022-00507-JEB

- a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).
- i. **WET A**, a 0.2-acre wetland area located on a 23-acre undeveloped parcel in Lillian, AL. This wetland does not have a continuous surface connection to a jurisdictional water and it is therefore not a water of the United States. This wetland is located at center coordinates 30.387427, -87.471260.
- ii. **WET B**, 1.3-acre wetland area is also located on the same undeveloped 23-acre parcel as described above. This wetland does not have a continuous surface connection to a jurisdictional water and it is therefore not a water of the United States. This wetland is located at center coordinates 30.385461, -87.471165

2. REFERENCES.

- a. Final Rule for Regulatory Programs of the Corps of Engineers, 51 FR 41206 (November 13, 1986).
- b. Clean Water Act Regulatory Programs, 58 FR 45008 (August 25, 1993).
- c. U.S. EPA & U.S. Army Corps of Engineers, Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States & Carabell v. United States* (December 2, 2008)
- d. *Sackett v. EPA*, 598 U.S. ___, 143 S. Ct. 1322 (2023)

3. REVIEW AREA. The review area is a 23-acre undeveloped upland parcel in Lillian, AL.
4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), INTERSTATE WATER, OR THE TERRITORIAL SEAS TO WHICH THE AQUATIC RESOURCE IS CONNECTED. N/A, the wetlands are not connected to a TNW, interstate water or territorial seas.⁵

⁵ This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.

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SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAM-2022-00507-JEB

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, INTERSTATE WATER, OR THE TERRITORIAL SEAS. N/A
6. SECTION 10 JURISDICTIONAL WATERS⁶: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.⁷ N/A
7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the pre-2015 regulatory regime. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.
 - a. TNWs (a)(1): N/A
 - b. Interstate Waters (a)(2): N/A
 - c. Other Waters (a)(3): N/A
 - d. Impoundments (a)(4): N/A
 - e. Tributaries (a)(5): N/A
 - f. The territorial seas (a)(6): N/A

⁶ 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

⁷ This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

- g. Adjacent wetlands (a)(7): N/A

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

- a. Describe aquatic resources and other features within the review area identified as “generally non-jurisdictional” in the preamble to the 1986 regulations (referred to as “preamble waters”).⁸ Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA as a preamble water. N/A
- b. Describe aquatic resources and features within the review area identified as “generally not jurisdictional” in the *Rapanos* guidance. Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA based on the criteria listed in the guidance. N/A
- c. Describe aquatic resources and features identified within the review area as waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA. Include the size of the waste treatment system within the review area and describe how it was determined to be a waste treatment system. N/A
- d. Describe aquatic resources and features within the review area determined to be prior converted cropland in accordance with the 1993 regulations (reference 2.b.). Include the size of the aquatic resource or feature within the review area and describe how it was determined to be prior converted cropland. N/A
- e. Describe aquatic resources (i.e. lakes and ponds) within the review area, which do not have a nexus to interstate or foreign commerce, and prior to the January 2001 Supreme Court decision in “*SWANCC*,” would have been jurisdictional based solely on the “Migratory Bird Rule.” Include the size of the aquatic resource or feature, and how it was determined to be an “isolated water” in accordance with *SWANCC*. N/A
- f. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the pre-2015 regulatory regime consistent with the Supreme Court’s decision in *Sackett* (e.g., tributaries that are

⁸ 51 FR 41217, November 13, 1986.

non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

WET A is a 0.2-acre wetland area located on a 23-acre undeveloped parcel in Lillian, AL. This wetland does not have a continuous surface connection to a jurisdictional water and it is therefore not a water of the United States. This area is separated from other waters by a historical man-made earthen berm. Although this feature appears as an intermittent stream on the USGS topo map, no stream channel was observed during an on-site visit on 2/14/24. The wetland is completely surrounded by uplands and lacks a continuous surface connection to an RPW, TNW, territorial seas, interstate water or impoundment of a jurisdictional water. Therefore, the 0.2-acre wetland is not jurisdictional.

WET B is a 1.3-acre wetland area is also located on the same undeveloped 23-acre parcel as described above. This wetland does not have a continuous surface connection to a jurisdictional water and it is therefore not a water of the United States. Although this feature appears as an intermittent stream on the USGS topo map, no stream channel was observed during an on-site visit on 2/14/24. This wetland terminates at the Eastern property boundary and any associated flow appears to sheet flow off-site into uplands. The wetland is completely surrounded by uplands and lacks a continuous surface connection to an RPW, TNW, territorial seas, interstate water or impoundment of a jurisdictional water. Therefore, the 1.3- acre wetland is not jurisdictional.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

- a. Site visit 2/14/24.
- b. Google Earth Pro-multiple historical aerial photographs and associated topographic map overlays dated February 1997 through June 2023.
- c. National Regulatory viewer-USGS Hillshade topographic map accessed 2/7/24, 3D Digital elevation model accessed 2/7/24.

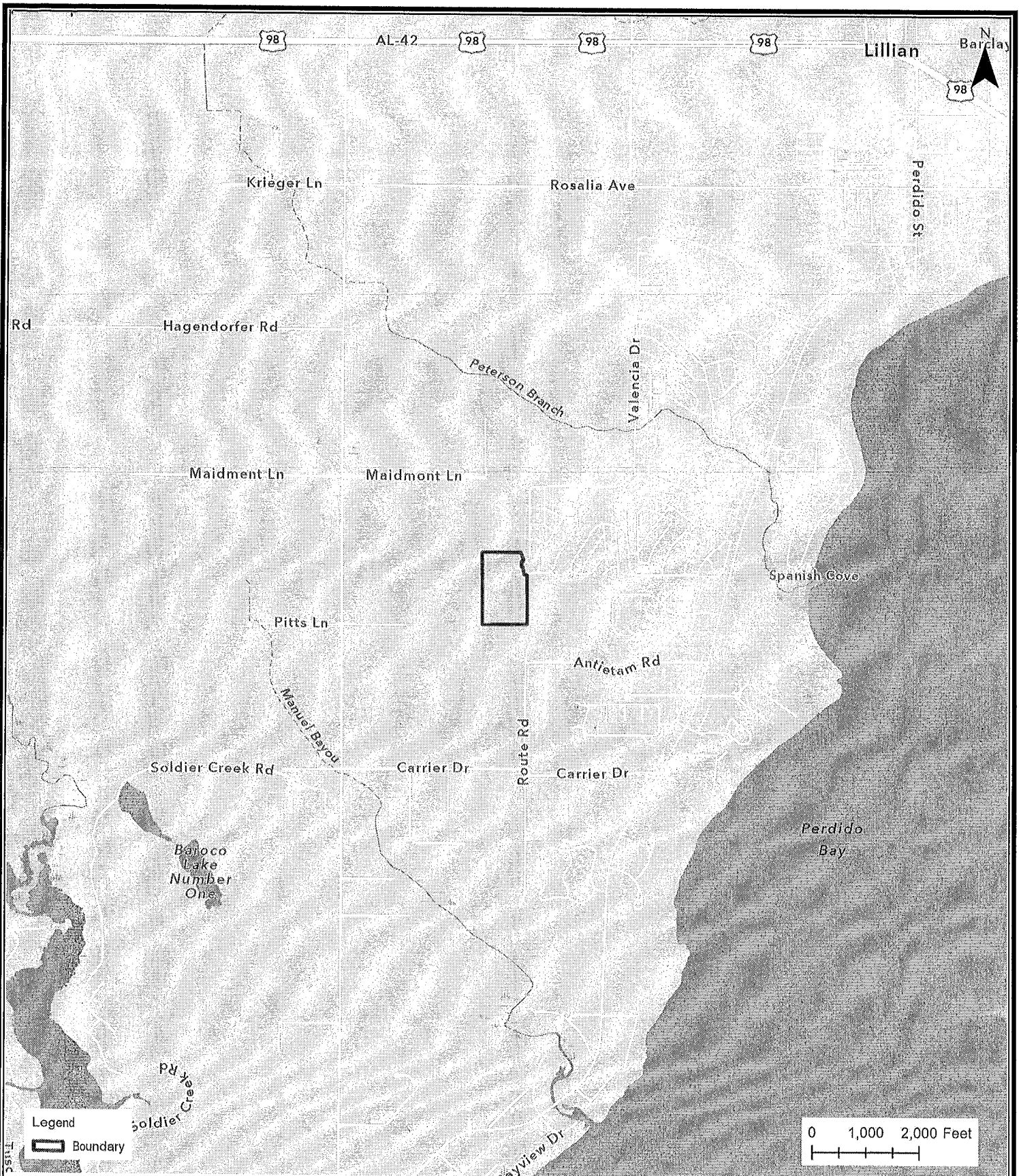
10. OTHER SUPPORTING INFORMATION. N/A

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement

CESAM-RD-A

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAM-2022-00507-JEB

additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.



Source: Image courtesy of ESRI.

NO.	DATE	REVISION NOTE	BY

Drawn By:	Client #:
KK	3092
Checked By:	Date:
KK	3/18/22
Project Mgr.:	Project #:
KK	3092-002-32

901 Woodland Street
Suite 104
Nashville, TN 37206
P - 615-469-4941



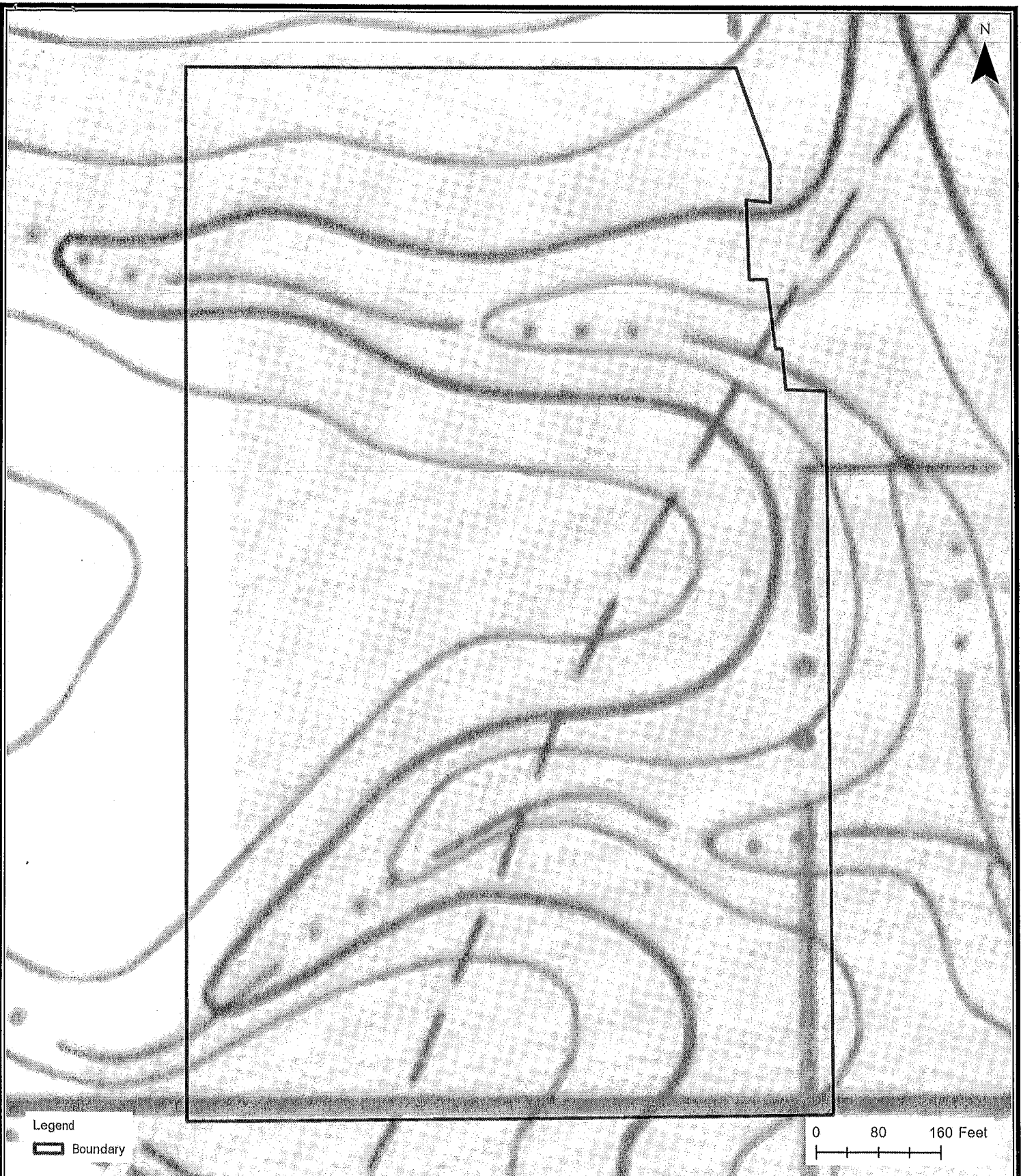
SPECTRUM
Solutions to Your Environmental Challenges

85 Spectrum Cove
Alabaster, AL 35007
O - 205-664-2000
F - 205-664-2142

TITLE

Figure 1 — Site Location Map
Preliminary Jurisdictional Determination
Hamm Enterprises
Spanish Cover Property
Lillian, Baldwin County, AL

SAM-2022-00507-JEB



Source: Image courtesy of ESRI and USGS. USGS Lillian 7.5 minute quadrangle.

NO.	DATE	REVISION NOTE	BY

Drawn By:	Client #:
KK	3092
Checked By:	Date:
KK	3/18/22
Project Mgr.:	Project #:
KK	3092-002-32

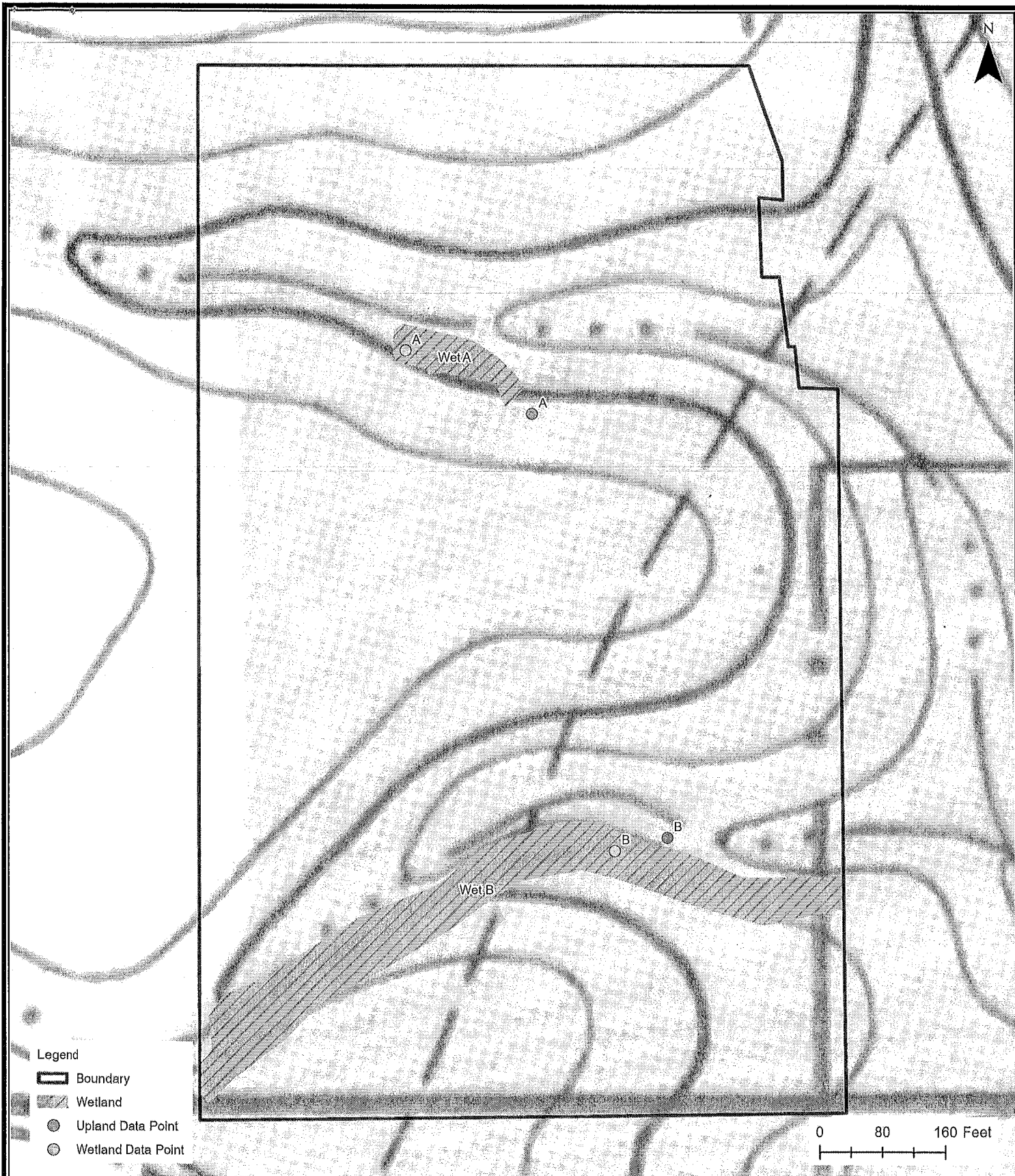
901 Woodland Street
Suite 104
Nashville, TN 37206
P - 615-466-4941




SPECTRUM
Solutions to Your Environmental Challenges

85 Spectrum Cove
Alabaster, AL 35007
O - 205-664-2000
F - 205-664-2142

TITLE
Figure 2 — Site Topo Map Preliminary Jurisdictional Determination Hamm Enterprises Spanish Cover Property Lillian, Baldwin County, AL SAM-2022-00507-JEB



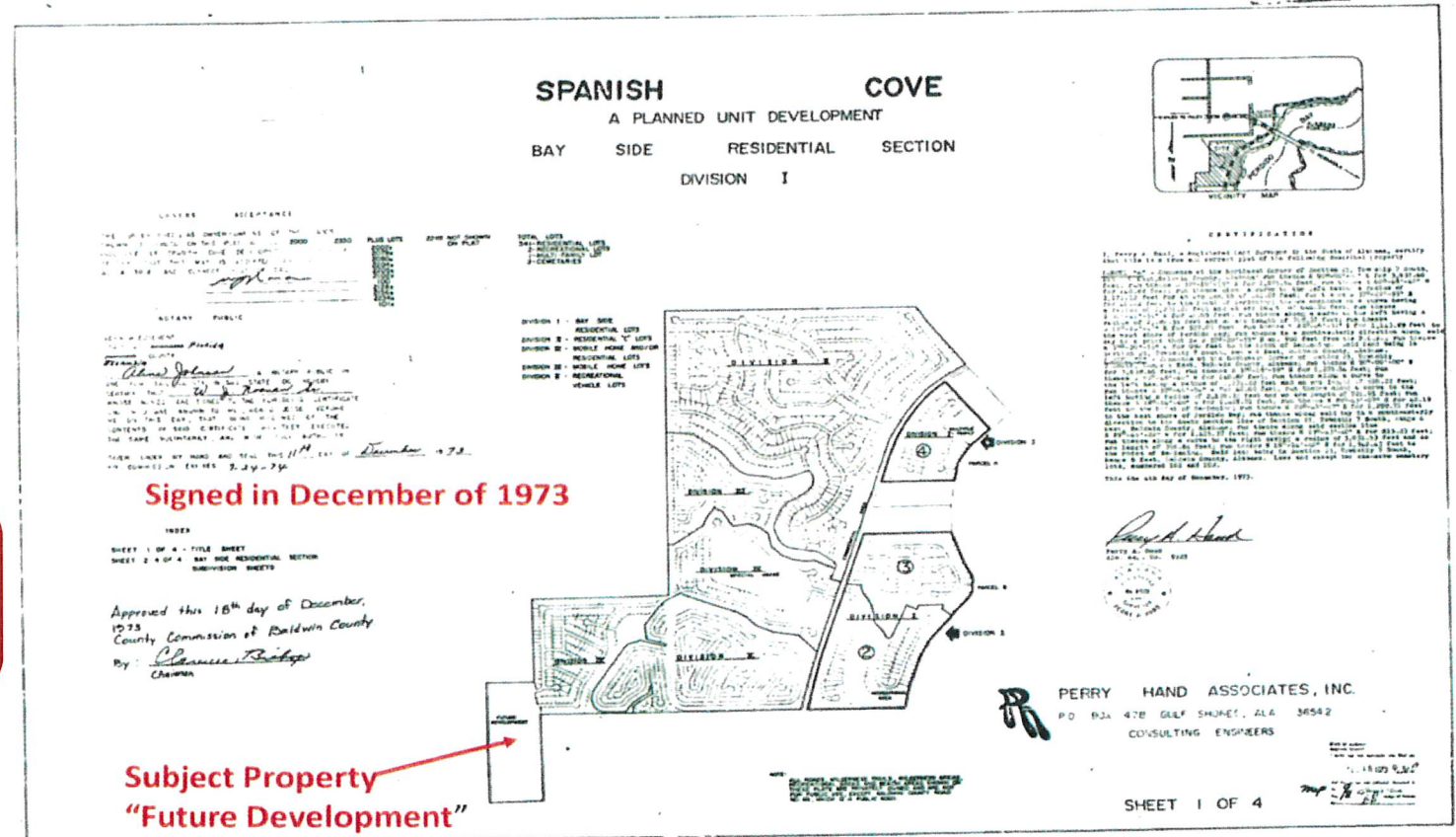
Source: Image courtesy of ESRI and USGS. USGS Lillian 7.5 minute quadrangle.

				Drawn By: KK	Client #: 3092	<div> <div>901 Woodland Street Suite 104 Nashville, TN 37206 P - 615-469-4941</div> <div>  </div> <div> SPECTRUM Solutions to Your Environmental Challenges </div> </div>	<div> <div>85 Spectrum Cove Alabaster, AL 35007 O - 205-664-2000 F - 205-664-2142</div> </div>	TITLE	
				Checked By: KK	Date: 3/18/22			Figure 8a — Site Delineation Overview Preliminary Jurisdictional Determination Hamm Enterprises Spanish Cover Property Lillian, Baldwin County, AL	
				Project Mgr.:	Project #:				
NO.	DATE	REVISION NOTE	BY	KK	3092-002-32			SAM-2022-00507-JEB	

SPANISH COVE PLAT 1973

1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned RA, Rural Agriculture District, and is undeveloped. The adjacent properties are zoned RA and RSF-3. The requested change is for a moderate density residential designation to develop another phase of Spanish Cove. Staff feels the RSF-4 is compatible with the existing subdivision which is located in a different planning district, Planning District 23.



Baldwin County Planning District 23 (Spanish Cove) Zoning Ordinance

23. **Planning District 23.**

Beginning at the Southwest corner of Section 27, Township 7 South, Range 6 East; run thence Eastwardly to the Northeast corner of Spanish Cove Subdivision; run thence Southeastwardly along Spanish Cove to the Eastern right-of-way of County Road 99; run thence Southwardly along the Eastern right-of-way to County Road 99 to the Southwest corner of Parcel 52-08-25-2-002-011.000; run thence

Baldwin County Zoning Ordinance

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Eastwardly to Perdido Bay; meandering along the coastline to Perdido Bay to the Southeast corner of Parcel 63-02-03-0-000-001.002; run thence Westwardly to the East right-of-way of County Road 99; run thence Southwestwardly to the Southeast corner of Parcel 63-02-03-0-000-002.004; run thence Westwardly 2000 feet to the Southeast corner of Parcel 63-02-03-0-000-002.010; run thence Northwardly to Section line 33; run thence Eastwardly to the Southeast parcel 52-08-33-4-001-081.000; run thence Northwardly and Eastwardly along the Western boundary of Spanish Cove to point of beginning. The planning district described herein shall exclude the corporate limits of all municipalities in Baldwin County as such corporate limits presently or may hereafter exist.

Saltwater Land Co.

24. **Planning District 24.**

Ono Island. The planning district described herein shall exclude the corporate limits of all municipalities in Baldwin County as such corporate limits presently or may hereafter exist.

Western boundary of Spanish Cove includes Hamm lot, APIN

Zoning Ordinance – Spanish Cove has Special Provisions

(a) Accessory dwellings are permitted by right in residential districts, provided they do not exceed 60% of the size, in square feet, of the principal residence.

(b) No PRD development is allowed to exceed maximum height requirements by more than 10-feet.

2.3.23 Planning District 23.

2.3.23.1 Effective Date

On March 25, 2003, a majority of qualified electors in Planning District 23 voted to institute County Zoning. On September 2, 2003, the County Commission adopted the Planning District 23 Zoning Map and Ordinances.

2.3.23.2 District Boundaries

A legal description of the boundaries for Planning District 23 may be found under Appendix A.

2.3.23.3 Local Provisions for Planning District 23

(a) Planned Residential Developments. The maximum height of a PRD shall not exceed the maximum height of the underlying zoning district by more than ten (10) feet.

(b) The following provisions shall be applicable only to the Spanish Cove Subdivision Development:

1. Setbacks.

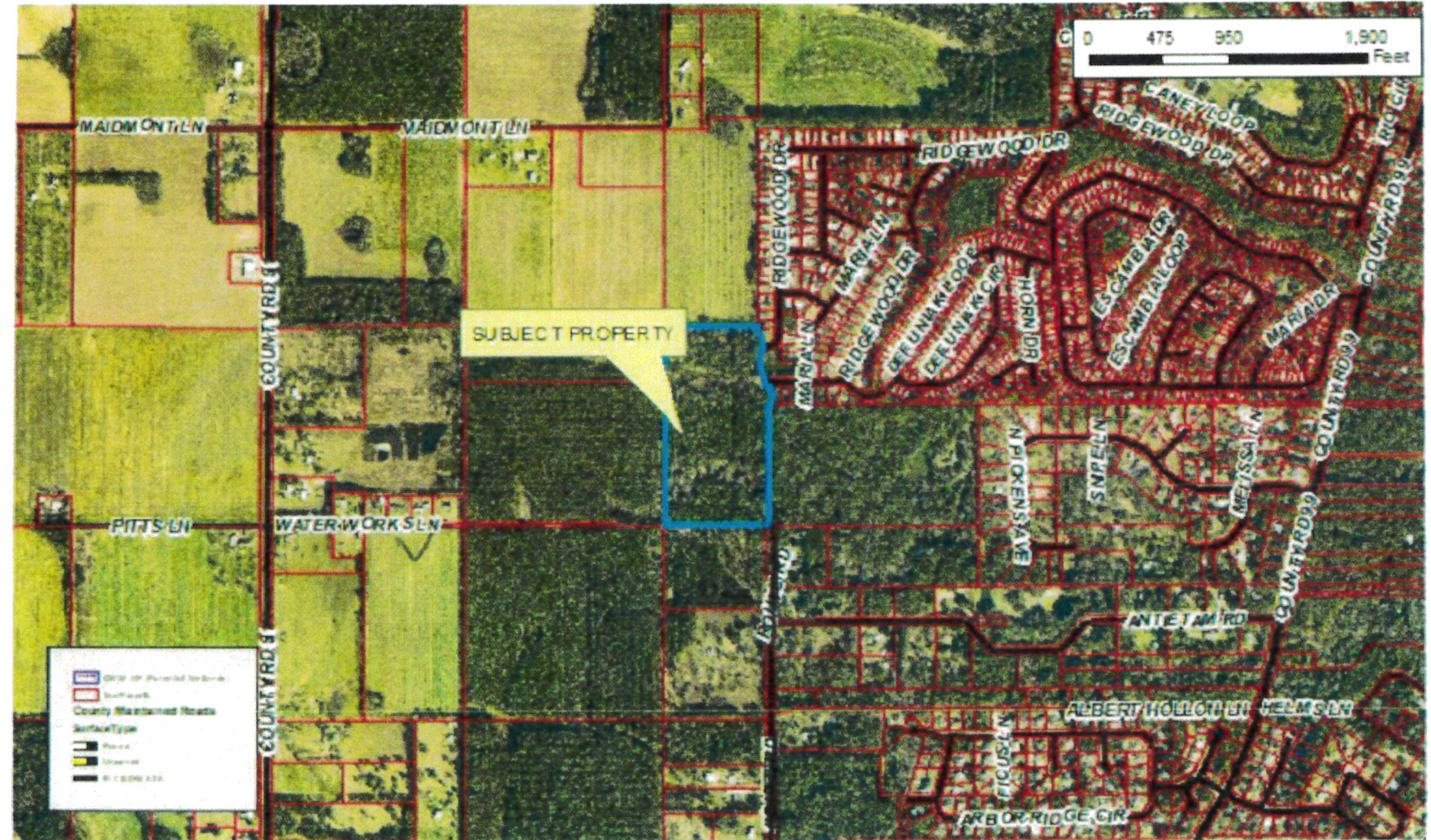
Residential Lots:

Front Yard	30-feet
Rear Yard	10-feet
Side Yard	10-feet

Recreational Vehicle Lots:

Front Yard	20-feet
Rear Yard	7-feet
Side Yard	7-feet

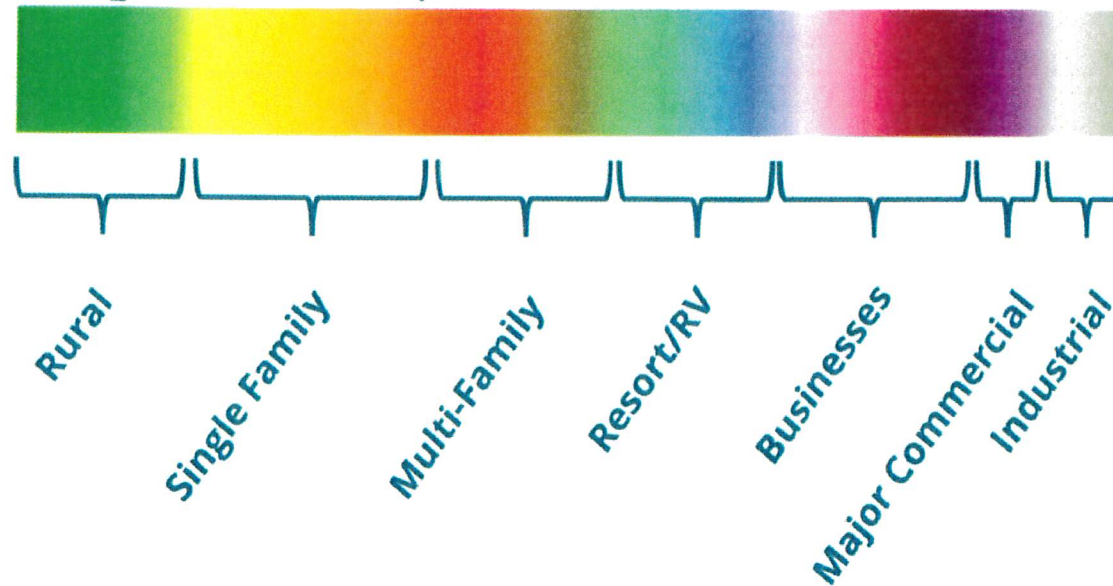
Corner Lots. The street side yard setbacks shall be a minimum of 10-feet.



BC PZ Staff Recommends Approval

*Current Zoning: Rural
Agriculture (RA)*

*Proposed Zoning:
Single Family
District (RSF-4)*



Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels the application should be recommended for **Approval**.*

*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.

Factor Summary:

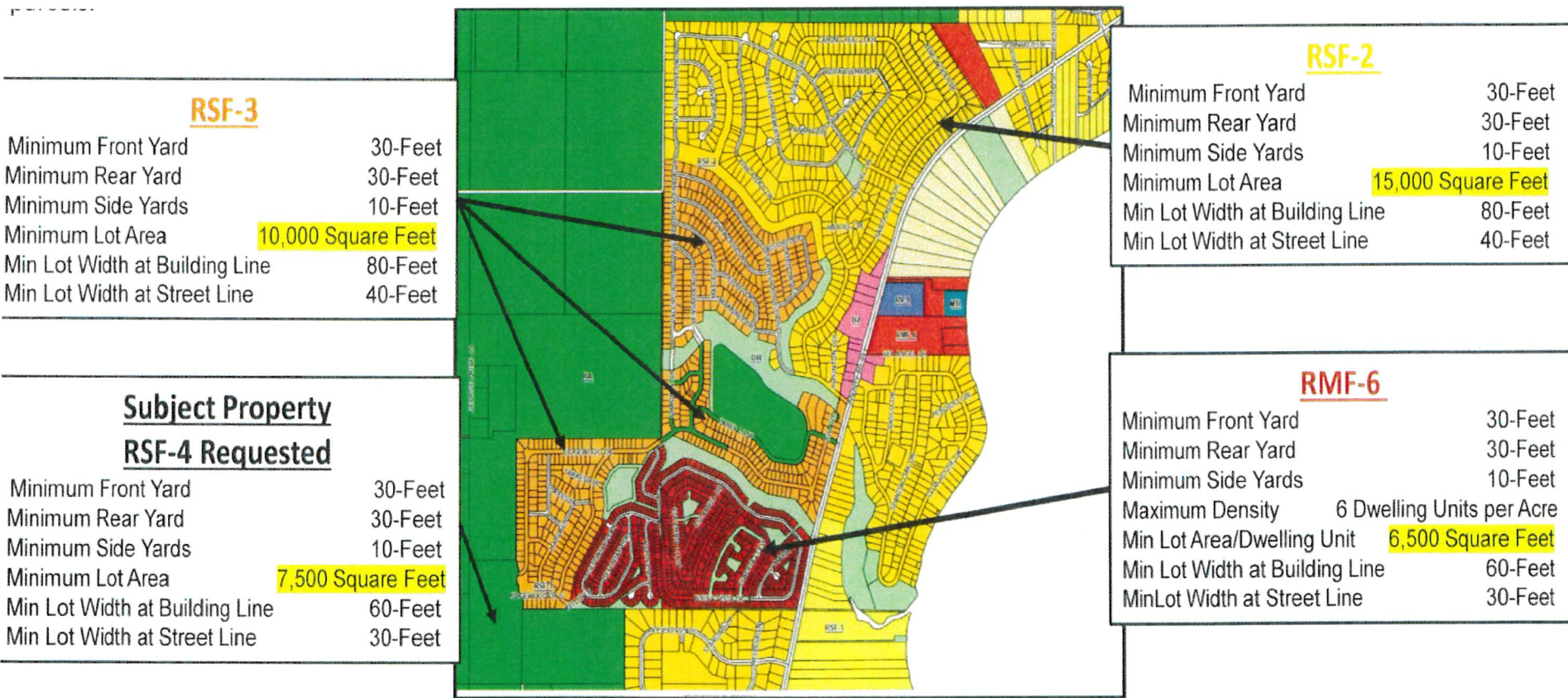
- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

 #1	 #2	 #3	 #4	 #5	 #6
Compatible with development pattern?	Change of conditions since originally zoned?	Proposal conform to Master Plan?	Conflicts with public improvements?	Adverse affect to traffic?	Consistent with development pattern?
 #7	 #8	 #9	 #10	 #11	
Logical expansion of adjacent zoning?	Timing appropriate given development trends?	Environmental or Historic impact?	Adverse impact on health, safety, & wellness?	Other appropriate matters?	

Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.

SPANISH COVE ZONING



Spanish Cove Long Range Plan (2012)

H. UNDEVELOPED LAND WITHIN PANISH COVE BOUNDARIES

There are presently two parcels of land yet to be completed in the community. One is generally an extension of Ridgewood Drive, west of the Land Harbor Subdivision. As a site plan is already in use in this subdivision, periodic inspections by the building department should be performed to insure all roads, storm water control and underground utilities are installed correctly and tree removal is kept to a minimum. As-built should be collected and filed in the office for future reference.

The other, one of the last, undeveloped land areas within the Spanish Cove boundaries, is located north of North Spanish Cove Drive. The 1995 experience with an aggressive developer is an incentive for the POASC Board to establish criteria for dealing with a developer.

Established covenants have this area platted for single-family homes. Unless a legal procedure and accompanying property owner vote would be undertaken, re-platting for any other land use is not permitted. Any developer proposing the development of the parcel should first submit the proposal to the Plans, Development and Maintenance Committee for preliminary recommendations. The POASC Board would then take any action deemed necessary from these recommendations.

Spanish Cove Perdido Pines Requirements

C. PERDIDO PINES

Perdido Pines is situated between Land Harbor and the site built homes of Spanish Oaks. It was originated as a subdivision for manufactured homes. Today the area houses a compatible mixture of manufactured and on-site built homes.

To preserve the aesthetics of this unique area and to maintain property values, the following regulations should be continued or considered for adoption:

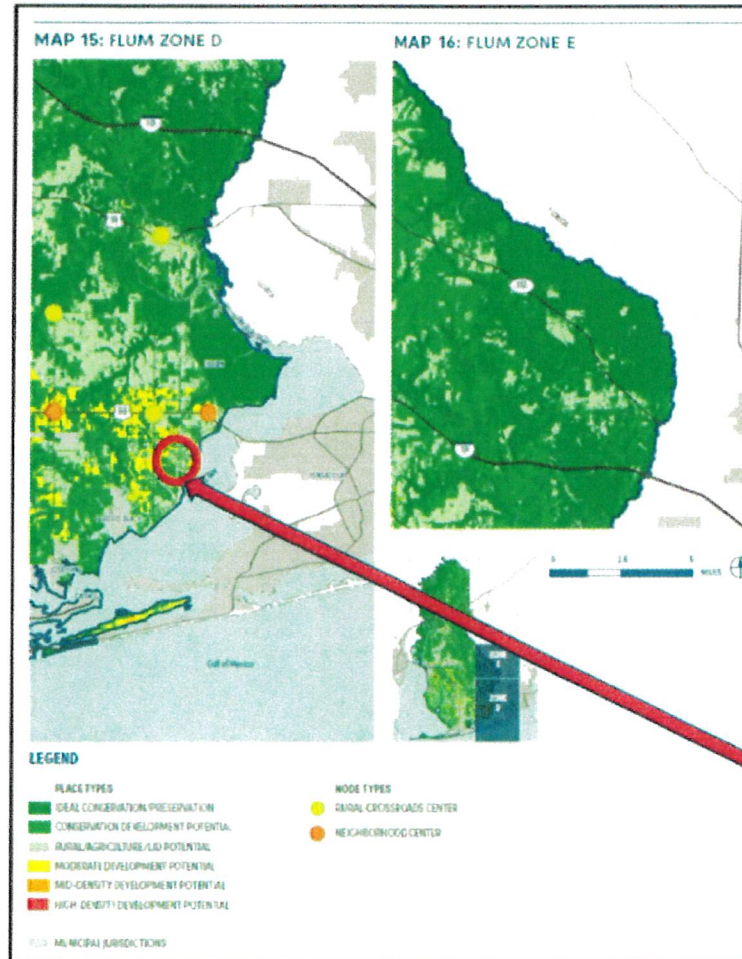
- 1. All structures within this subdivision must be permanently affixed to their property.
- 2. No recreation vehicles, park model trailers, camping trailers, or tents should be permitted as living facilities within Perdido Pines. Boats and recreational equipment should continue to be permitted on the properties for storage purposes only.
- 3. Current building line set backs should continue to be enforced.
- 4. Any future plotting of lots in this subdivision should be a minimum of seven thousand square feet (7000 sq. ft.). Subdividing lots should be permitted only when the land is divided for the expansion of two or more adjacent properties.

8

Less than R-4 Zoning Requirements

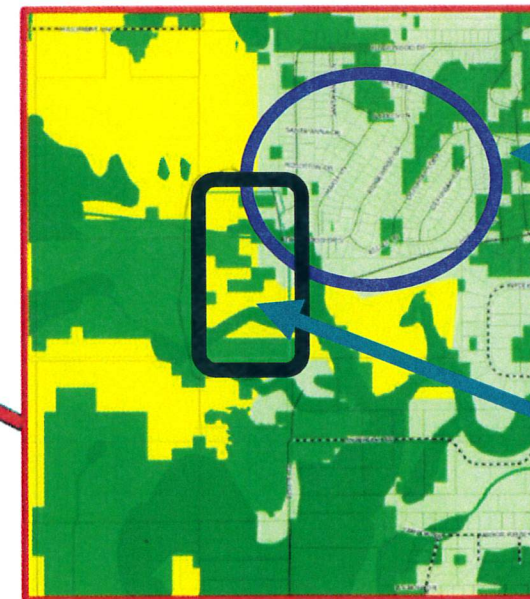
- 5. The living area of any structure should be no less than seven hundred twenty square feet (720 sq.
- 6. Skirting should be required around the base of all manufactured homes.
- 7. To prevent future flooding in this area, fifty percent (50%) of all properties should remain pervious to rain water.
- 8. Only one free standing accessory building should be permitted on any property other than an approved dwelling.

Staff Analysis and Findings



3.) Does the proposed zoning better conform to the Master Plan?

The future land use for this property is mostly Moderate Development. According to the FLUM the subject property would support RSF-1 and RSF-2. There is also some Rural and Conservation Potential too. The existing Spanish Cove subdivision is also labeled as Rural/Agriculture/LID Potential.



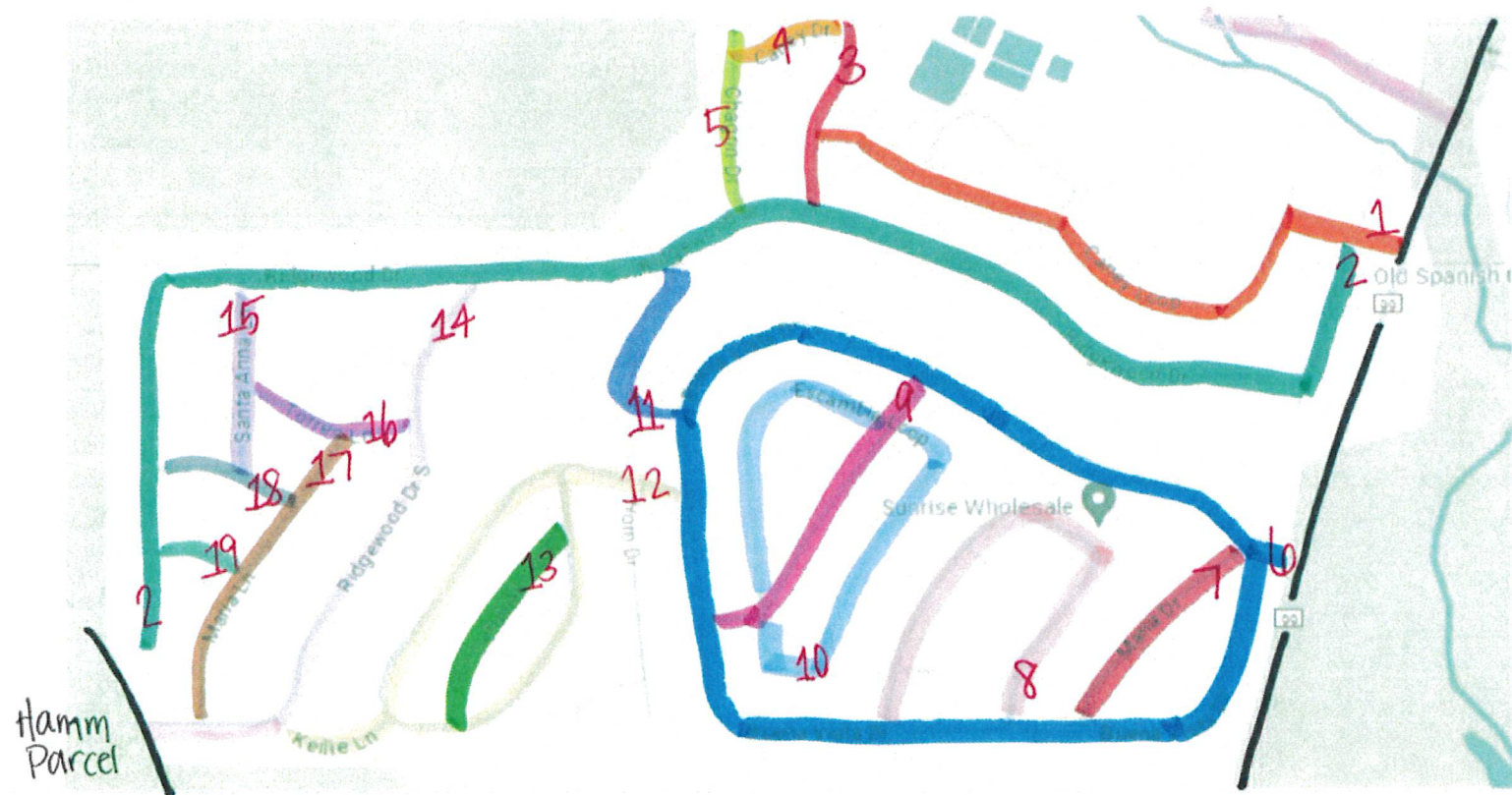
RA??

Mostly Moderate Density (Yellow)

Property Images



Existing Access Routes

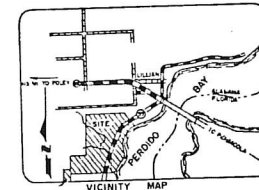


Spanish Cove BCC Hearing

1. Parcel platted as part of Spanish Cove for future development in 1973. So, **it is part of an existing subdivision.**
2. RA zoning imposed in early 2000's as parcel was incorrectly placed in Planning District 33. Spanish Cove has its own planning district, 23. It should have been in 23. The Mapping was done incorrectly as the zoning ordinance for District 23 states it goes along the Western boundary of Spanish Cove. We cannot get an answer as to why that is. **Had it properly been placed in PD 23 it would not have been zoned RA.**
3. Planning District 23 has from RSF 2 to RMF 6. RSF 3, RSF 4 is on Ridgewood Drive. Staff recommended approval based on their review of 11 factors.
4. Spanish Cove POASC is in favor of the development.
5. Hamm parcel is bordered by farmland only on the North. West is vacant forest. South is vacant forest. East is vacant forest and Spanish Cove Perdido Pines. **There is not a single house on an adjacent property except for Spanish Cove.**
6. Route Road and Antietam Road already exist and run into Hamm parcel, creating another potential entryway.
7. Traffic, Drainage, Infrastructure, Amenities.
 - Drainage will have to be contained at site plan engineering. Drainage will be better than it is now.
 - Spanish Cove has the infrastructure and amenities – lot is stubbed up.
 - Over 100 different routes to get to this parcel from County Road 99.
8. **Finally, only 1 or 2 people from SPANISH COVE spoke in opposition out of approximately 4,600 people in SPANISH COVE.** Most opposition are not direct neighbors but PD 33 residents against any development. Several residents of SC in favor. But this is not a new concept for this parcel – it has been planned to be developed since 1973 and Spanish Cove, in its 2012 updated long range plan and 2023 letter on this parcel stated their desire to have it developed.

9 10 30

DIVISION IV



DEC 18 1972 9:30