



REPLY TO
ATTENTION OF:

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

CESAM-RD-C
PUBLIC NOTICE NO. SAM-2013-00310-HEH

June 17, 2013

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

**PROPOSED FILLING OF JURISDICTIONAL WETLANDS IN
CONJUNCTION WITH THE DEVELOPMENT OF PRAYER TABERNACLE CHURCH,
MOBILE COUNTY, ALABAMA**

TO ALL CONCERNED: The U.S. Army Corps of Engineers, Mobile District, (Corps) has received an application for a Department of the Army Permit pursuant to Section 404 of the Clean Water Act (33 USC1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the Corps can be based. Please communicate this information to interested parties.

APPLICANT: **PRAYER TABERNACLE CHURCH**
Attention: Mr. Alonzo Williams
3721 Seleste Drive
Mobile, Alabama 36618

AGENT: **Barry A. Vittor and Associates, Inc.**
Attention: Mr. David J. Knowles
8060 Cottage Hill Road
Mobile, Alabama 36695

LOCATION: The applicant proposes to fill 2.9 acres of a 33.5-acre property located on Main Street adjacent to Railroad Street in Trinity Gardens. Specifically, the parcel is located in Section 5, Township 4 South, Range 1 West, Mobile, Mobile County, Alabama USGS 7.5 minute Quadrangle. Latitude North 30.7233; Longitude West -88.1069. A site locator map is attached.

WORK: The applicant acquired the 33.5-acre property early 2006 for the purpose of constructing a new neighborhood church and surrounding residences in Trinity Gardens. The proposed project was advertised by Public Notice SAM-2009-01118-HEH and then later abandoned by the applicant. The applicant requests authorization to fill wetlands, however, the new request proposes far smaller impacts than before, (a total of 2.9 acres versus 14.4 acres) and no longer proposes to fill wetlands for the purpose of residential development.

The proposed project will involve construction of new church buildings, parking, a playground and installation of utilities and stormwater facilities (in uplands). The proposed development will involve filling of approximately 2.9 acres of jurisdictional wetlands (11 percent of the total 24.2 acres of wetlands on-site). Approximately 31,000 cubic yards of commercially obtained fill material will be used to improve the building sites. Building sites will generally be undercut to remove

unsuitable soils and then re-contoured with sand-clay base. Stormwater runoff will drain into a stormwater detention basin; the stormwater basin will not be placed in wetlands. The new church will be built on a 6.5 acre site that fronts on Main Street and will utilize the largest area of uplands that border Main Street in order to avoid, to the extent practicable, impacts to wetlands. A site plan depicting wetland boundaries and areas of proposed wetland impact is attached.

ALTERNATIVES TO THE PROPOSED ACTION: The applicant's initial site plan Alternative 1 called for development of the entire property (24.2 acres of wetland impacts) and requested authorization to fill 14.4 acres of wetlands in order to generate enough revenue to finance construction of a new church and related facilities. Approximately 70 homes were to be built on roughly 29 acres plus the 5-acre church facility. This design would require filling approximately 24.2 acres of regulated wetlands rather than the 14.4 acres of wetland fill that would occur with the current proposed plan. This level of wetland impact was considered too great and the full-development plan was rejected. A map depicting the Alternative 1 site plan is attached.

Alternative 2 to the proposed development plan was considered. This alternative would involve the development of 50 lots as opposed to the 44 currently proposed. The additional 6 lots would have been placed in wetlands however, the applicant considered the additional impacts to be unnecessary and cost prohibitive. This alternative development plan would have added approximately 16 acres of wetland impacts. A map depicting the Alternative 2 site plan is attached.

The applicant's third proposed site plan was advertised by Public Notice SAM-2009-0118-HEH for a 30-day public interest review period. The proposed work would result in 14.4 acres of wetland fill for the purpose of church construction and development of single family residences. The applicant decided not to pursue that request further. The applicant has since decided this alternative was not practicable from a cost standpoint and wishes to lessen impacts and construct smaller facilities.

The applicant also considered the No-Action Alternative (which would require no Section 404 permit). Under this approach, the property is not developable from any standpoint and no church facility could be constructed. For that reason, this alternative was not considered further.

Mitigation for filling 2.9 acres would be accomplished by purchasing low quality wetland credits at a U.S. Army Corps of Engineers' (Corps) approved mitigation bank.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposal 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 and their cumulative effects relevant to the proposal will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, 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, property ownership, and in general the needs and welfare of the people.

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To evaluate the impacts of this proposal the Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties. 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. Comments will be considered to determine whether to issue, modify, condition or deny a permit. To make this decision, an Environmental Assessment is prepared in accord with the National Environmental Policy Act; impacts are assessed on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest. Anyone may request a public hearing to consider this proposal. Requests should provide in writing, within the specified comment period, detailed reasons for a hearing.

This notice is being sent to appropriate State and Federal agencies, including the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services. No properties listed in or eligible for the National Register of Historic Places is known to exist which would be affected by the proposal. Comments are requested regarding the potential or existence of cultural resources which may be affected. The U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants indicates the proposal will not affect listed species or their critical habitat. Other impacts from dredge and fill activities will be evaluated by applying Environmental Protection Agency guidelines. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species. After review of public comments, the Alabama Department of Environmental Management (ADEM) will determine if the proposal complies with and will be operated or maintained in a manner consistent with the Clean Water Act and the Coastal Zone Management Program.

For additional information, please contact **Mr. Harry Halley**, Project Manager, phone **(251) 690-3262**. Comments should be received by **July 17, 2013**. Please refer to number **SAM-2013-00310-HEH** and direct your correspondence to the District Commander, U.S. Army Engineer District Mobile, Attention: Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628-0001, and a copy to the ADEM, Coastal Facility Section, 4171 Commanders Drive, Mobile, Alabama 36615.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments

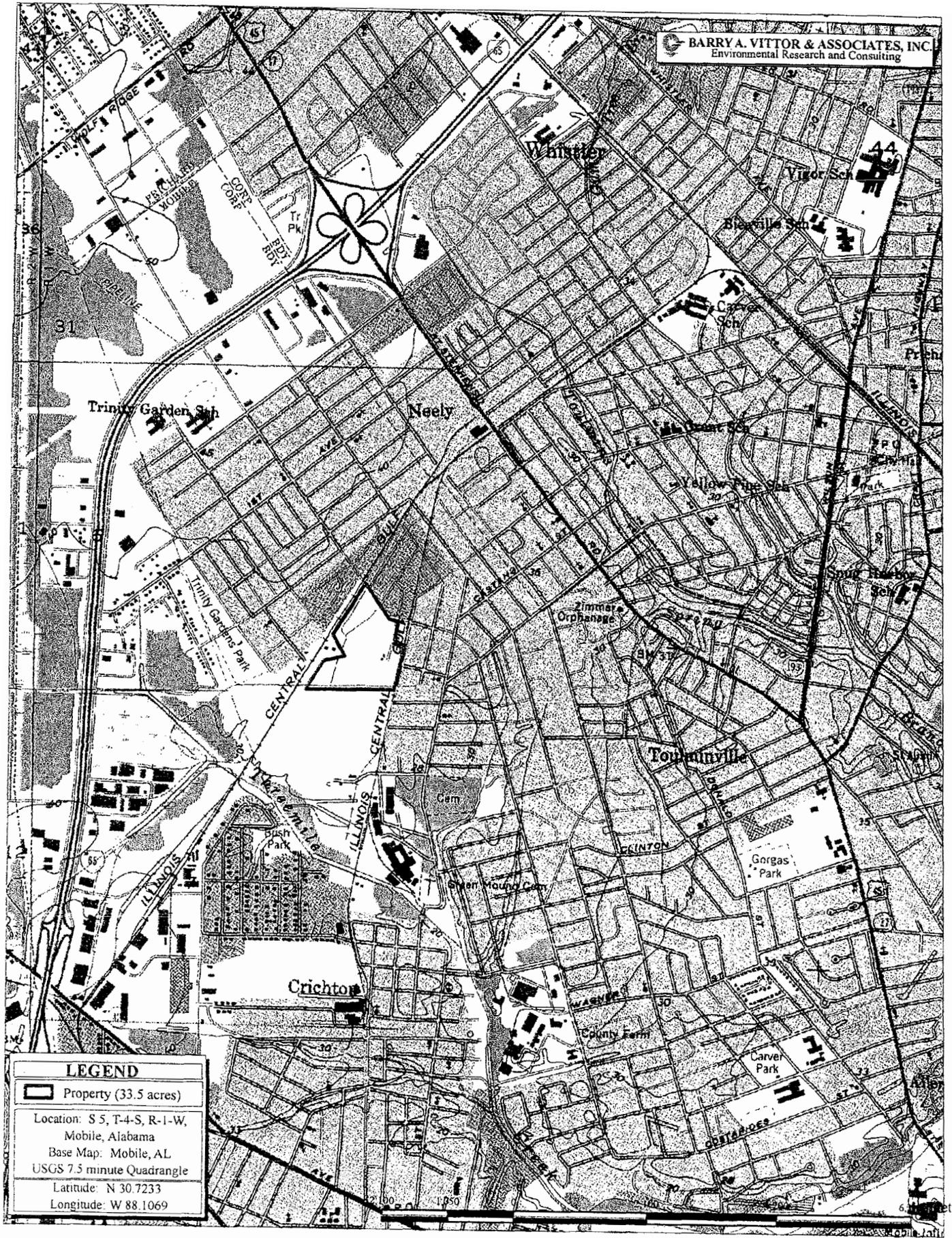
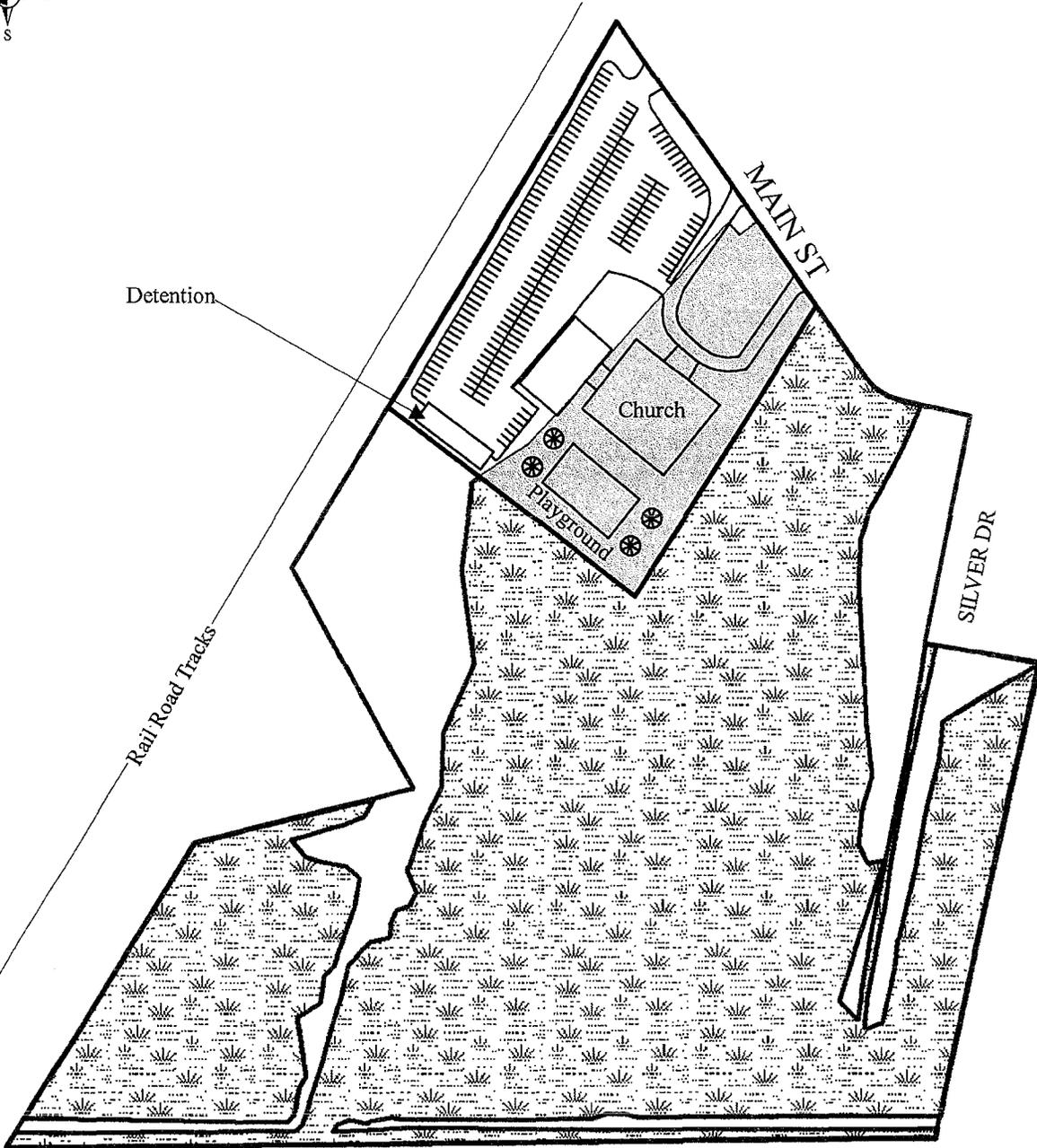


Figure 1. Vicinity Map for the Prayer Tabernacle Property.



Detention



LEGEND

- Property (33.5 acres)
- Wetlands (24.2 acres)
- Development (~6.5 acres)
- Wetland Impacts (2.9 acres)

Location: S 5, T-4-S, R-1-W,
Mobile, Alabama
Base Map: Mobile, AL
USGS 7.5 minute Quadrangle

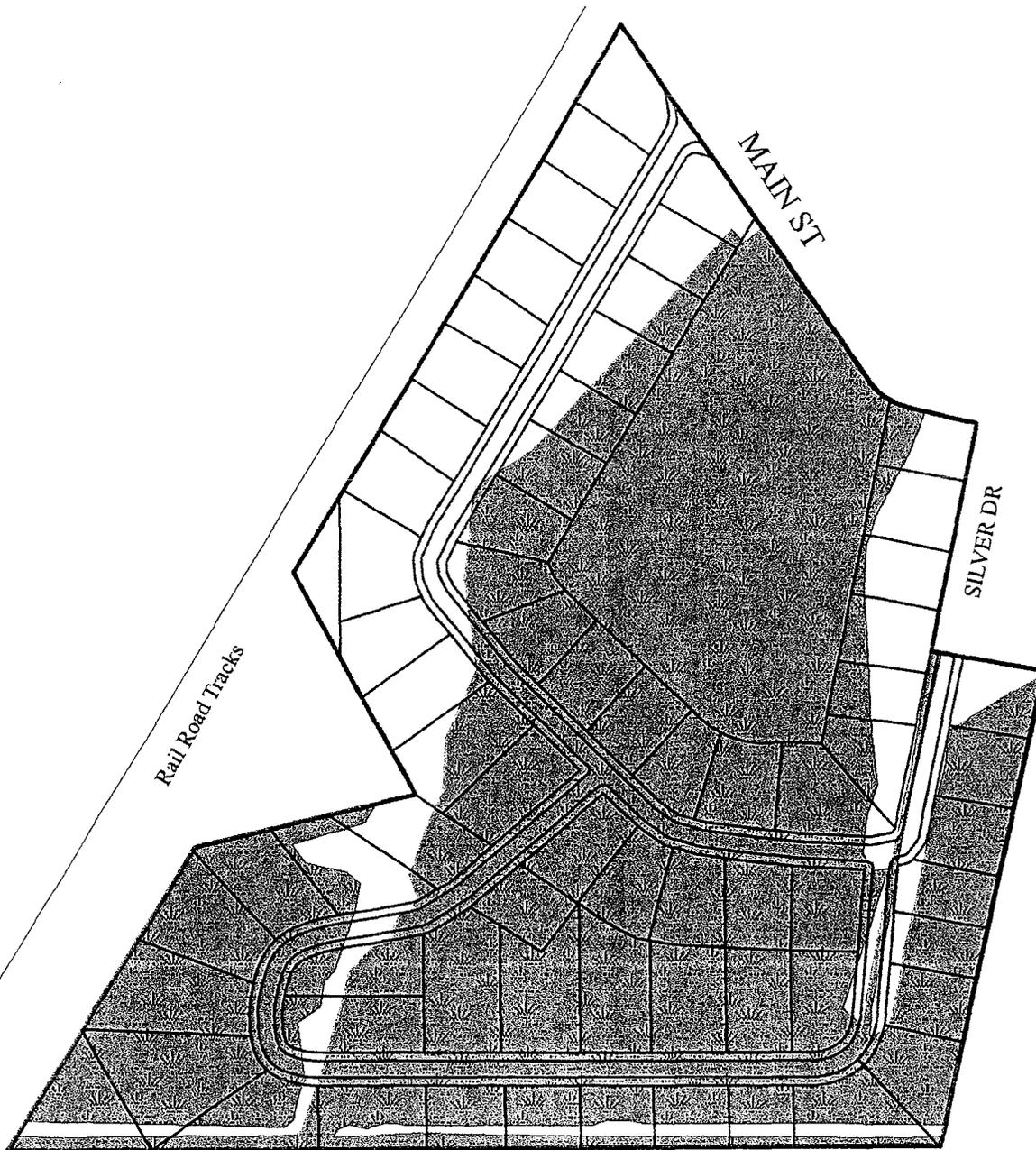
Latitude: N 30.7233
Longitude: W 88.1069

Wetlands delineated by BVA on 4-12-06

250 125 0 250 500 750 Feet

Proposed Development

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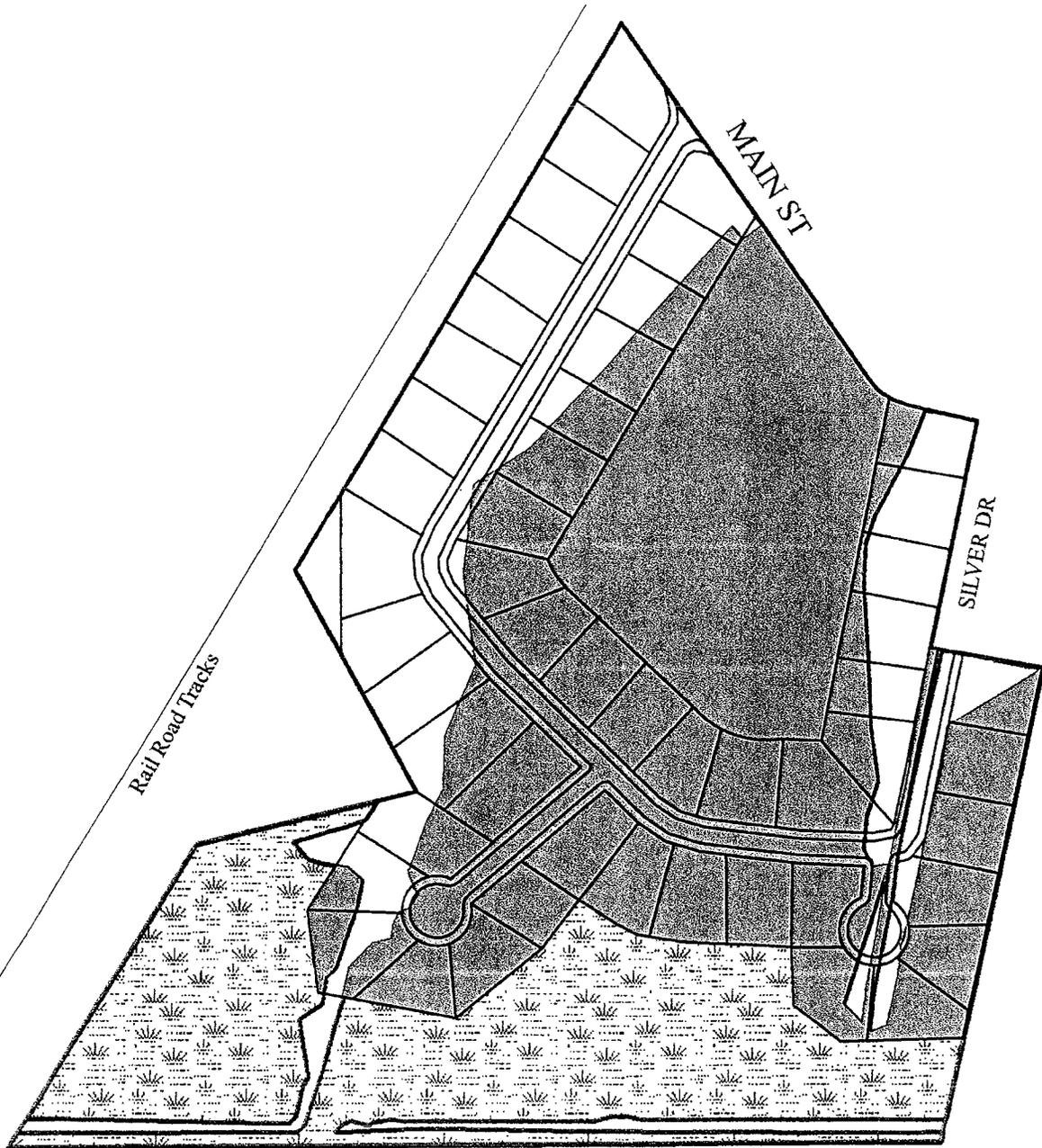


LEGEND	
	Property (33.5 acres)
	Wetlands (24.2 acres)
	Wetland Impacts (24.2 acres)
Location: S 5, T-4-S, R-1-W, Mobile, Alabama	
Base Map: Mobile, AL USGS 7.5 minute Quadrangle	
Latitude: N 30.7233	
Longitude: W 88.1069	
Wetlands delineated by BVA on 4-12-06	

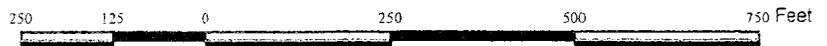


Alternative #1

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LEGEND	
	Property (33.5 acres)
	Wetlands (24.2 acres)
	Wetland Impacts (16.0 acres)
Location: S 5, T-4-S, R-1-W, Mobile, Alabama	
Base Map: Mobile, AL USGS 7.5 minute Quadrangle	
Latitude: N 30.7233	
Longitude: W 88.1069	
Wetlands delineated by BVA on 4-12-06	



Alternative #2

SAM- 2030 - 00310 - HEM
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