**DEPARTMENT OF THE ARMY**
**MOBILE DISTRICT, CORPS OF ENGINEERS**
**BIRMINGHAM FIELD OFFICE**
**218 SUMMIT PARKWAY, SUITE 222**
**HOMEWOOD, ALABAMA 35209**

**CESAM-RD-N** **February 23, 2015**
**PUBLIC NOTICE NO. SAM-2014-01312-CMS**

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

## PROPOSED DISCHARGE OF FILL MATERIAL IN WETLANDS AND UNNAMED TRIBUTARIES TO LAKE TUSCALOOSA IN ASSOCIATION WITH A PROPOSED RESIDENTIAL DEVELOPMENT TUSCALOOSA COUNTY, ALABAMA

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

**APPLICANT:** Warrior Property Holding, LLC
Attention: Mr. Gene R. Taylor, Managing Member
Post Office Box 410
Northport, Alabama 35476

**AGENT:** McGiffert and Associates, LLC
Attention: Mr. Hansel Stewart
Post Office Box 20559
Tuscaloosa, Alabama 35402

**LOCATION:** The proposed project is located in Tuscaloosa, Tuscaloosa County, Alabama (33.27759, -87.52657) within Section 25, Township 20 South, Range 10 West and Section 30, Township 20 South, Range 9 West. The project is located in the North River 10-digit HUC within the Upper Black Warrior watershed (HUC 03160112).

**PROJECT PURPOSE:** The basic project purpose is residential development.

**WORK:** The applicant is seeking authorization for the discharge of fill material into waters of the United States for purposes of constructing a residential development. These activities would impact 8.8 acres of medium quality wetlands, 792 linear feet of

perennial stream, 783 linear feet of intermittent stream, and 79 linear feet of ephemeral stream. Activities resulting in impacts to aquatic resources include fill for lot and road construction, fill associated with a dam for a detention pond, and recurrent inundation for the detention basin. The applicant has stated, "The required detention basin will utilize the natural drainage basin of area D [as depicted on the enclosed Figure 4] to very briefly detain only the rarely occurring and extreme rain events associated with the stormwater runoff. This temporary ponding will occur only during the 100 year storm event and last for approximately 7.5 hours." Proposed project impacts are listed in the table below.

Proposed Project Impacts

| Name | Latitude | Longitude | Impact amount | Classification | Impact |
|---|---|---|---|---|---|
| DS1b | 33.2767 | -87.5245 | 537 ft | intermittent | temporary detention |
| DS1c | 33.2767 | -87.5245 | 792 ft | perennial | temporary detention and fill for dam |
| DS2 | 33.2764 | -87.5247 | 246 ft | intermittent | temporary detention |
| DS3 | 33.2765 | -87.5247 | 79 ft | ephemeral | temporary detention |
| Aw | 33.2714 | -87.525 | 5.74 acres | palustrine forested | fill |
| Bw1 | 33.2725 | -87.5236 | 1.41 acres | palustrine forested | fill |
| Bw2 | 33.2735 | -87.522 | 1.47 acres | palustrine forested | fill |
| Cw | 33.2752 | -87.5226 | 0.08 acre | palustrine forested | fill |
| Dw2 | 33.2773 | -87.5237 | 0.10 acre | palustrine forested | fill |

**AVOIDANCE & MINIMIZATION:** The applicant considered two off-site alternatives during the project planning stages. Additionally, two alternative development plans for the preferred site were considered with the goal of minimizing proposed impacts to on-site wetlands and streams. Of the 13.11 acres of wetlands and 4,495 linear feet of streams on site, the applicant is proposing to avoid 4.31 acres of wetlands and 2,841 linear feet of stream. The USACE has not verified the adequacy of the applicant's avoidance and minimization at this time.

**MITIGATION:** The applicant proposes to mitigate for unavoidable stream and wetland impacts through the purchase stream and wetland credits from an approved mitigation bank.

**WATER QUALITY:** The applicant is preparing an application for certification from the State of Alabama 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.

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 impact, including cumulative impacts, of the proposed activity 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 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, cultural values, 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 production, 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.

**HISTORIC AND 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. A Cultural Resource Survey has been performed at the site. The Alabama Historical Commission provided project concurrence to the applicant via letter dated December 1, 2014 (AHC 2015-0090). Copies of this public notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archaeological Services for review.

**ENDANGERED/THREATENED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Species indicates that the proposed activity will not affect any listed endangered or threatened species or their critical habitat; however, the applicant has not submitted a survey or information concerning threatened or endangered species for the project area. Copies of this public notice are being sent to the U.S. Fish and Wildlife Service for review and comment.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2014-01312-CMS** and should be directed to:

U.S. Army Corps of Engineers Mobile District
Birmingham Field Office
Attention: Ms. Courtney Shea
218 Summit Parkway, Suite 222
Homewood, Alabama 35209

with a copy to the:

Alabama Department of Environmental Management
Post Office Box 301463
Montgomery, Alabama 36130-1463

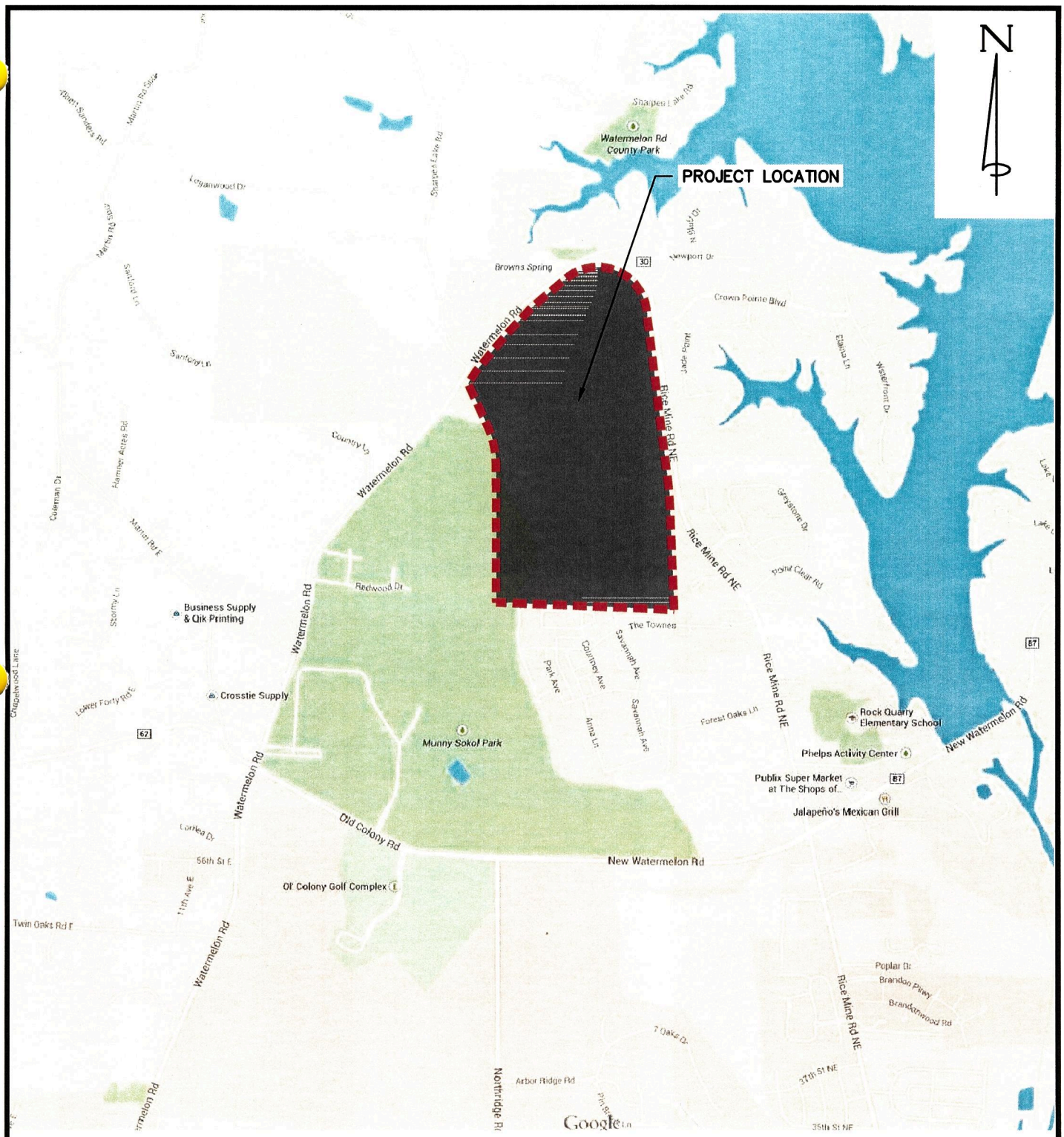
Comments should be received no later than **30 days** from the date of this Public notice.

If you have any questions concerning this publication, you may contact the project manager, Ms. Courtney Shea, via e-mail at **Courtney.M.Shea@usace.army.mil** or telephone number **(205) 290-9096**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at http://www.sam.usace.army.mil/Missions/Regulatory.aspx, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures




REPRODUCTION OF GOOGLE MAPS 2014

**McGiffert and Associates, LLC**
SINCE 1949
CIVIL ENGINEERS

2814 STILLMAN BLVD. • P.O. BOX 20559
TUSCALOOSA, ALABAMA 35402-0559
WWW.MCGIFFERT.COM (205)759-1521 FAX (205)759-1524

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# HIGHGROVE
## WARRIOR PROPERTY HOLDING, LLC
## STREET MAP

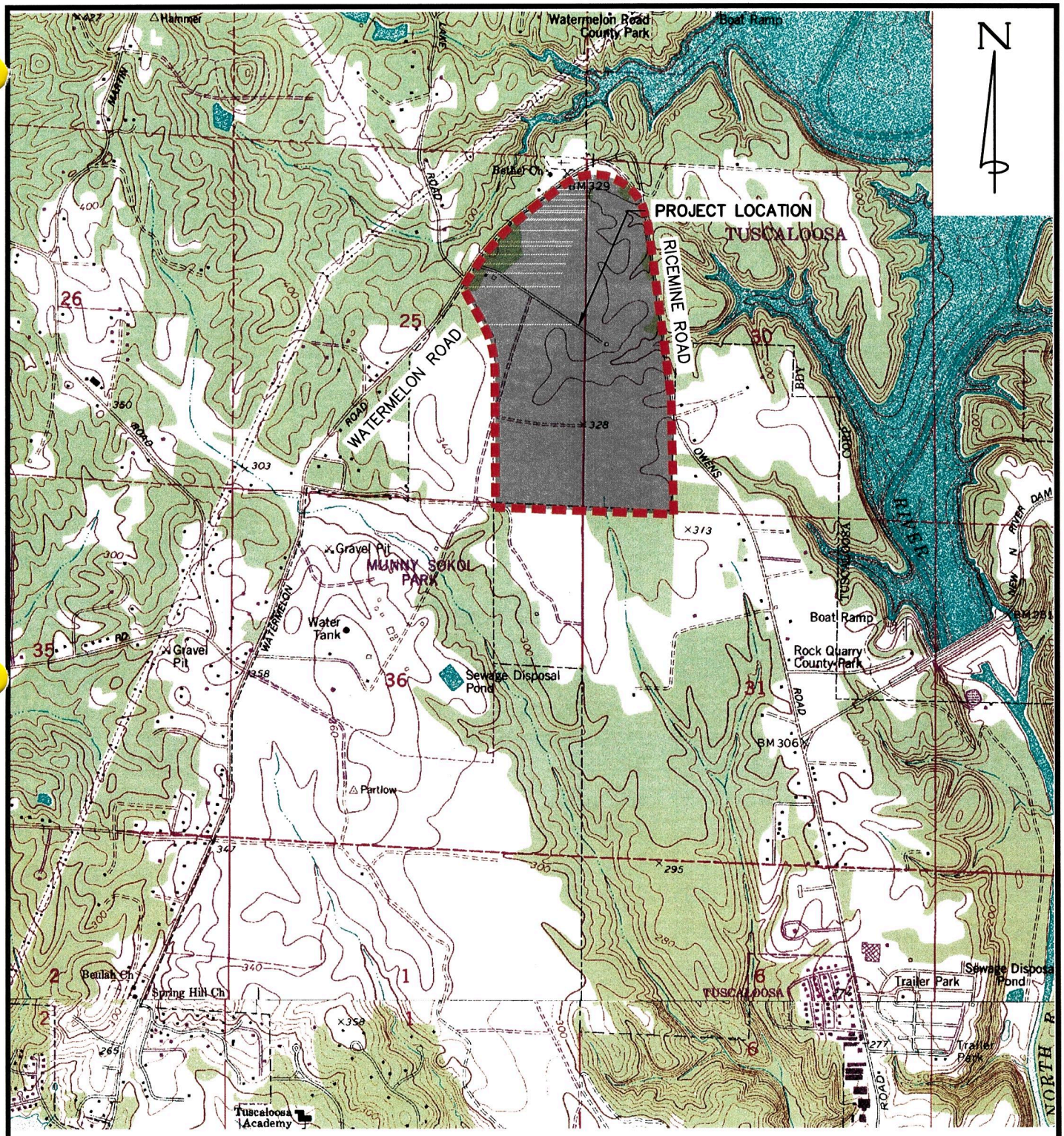
TUSCALOOSA — SEC.30, T.20.S, R.9.W / SEC.25, T.20.S, R.10.W — ALABAMA

## LOCATION MAP

REVISION

| DATE | DESCRIPTION | BY |
|---|---|---|
| | | |
| | | |

SCALE: 1"=2000'
DATE OF FIELD SURVEY: N/A
FB. N/A PG. N/A
DRAWN BY: J L W
JOB No. 14-2188
FILE NAME: HIGHGROVE-LM
SHEET No. 1 of 2
CHECKED BY: QHS
DWG. No. 821-14




REPRODUCTION OF USGS 7.5 MINUTE QUADRANGLE MAP TUSCALOOSA AND LAKE TUSCALOOSA SOUTH ALABAMA


McGiffert and Associates, LLC
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CIVIL ENGINEERS

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WWW.MCGIFFERT.COM (205)759-1521 FAX (205)759-1524



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# HIGHGROVE

WARRIOR PROPERTY HOLDING, LLC

USGS QUAD MAP

TUSCALOOSA — SEC.30, T.20.S, R.9.W / SEC.25, T.20.S, R.10.W — ALABAMA

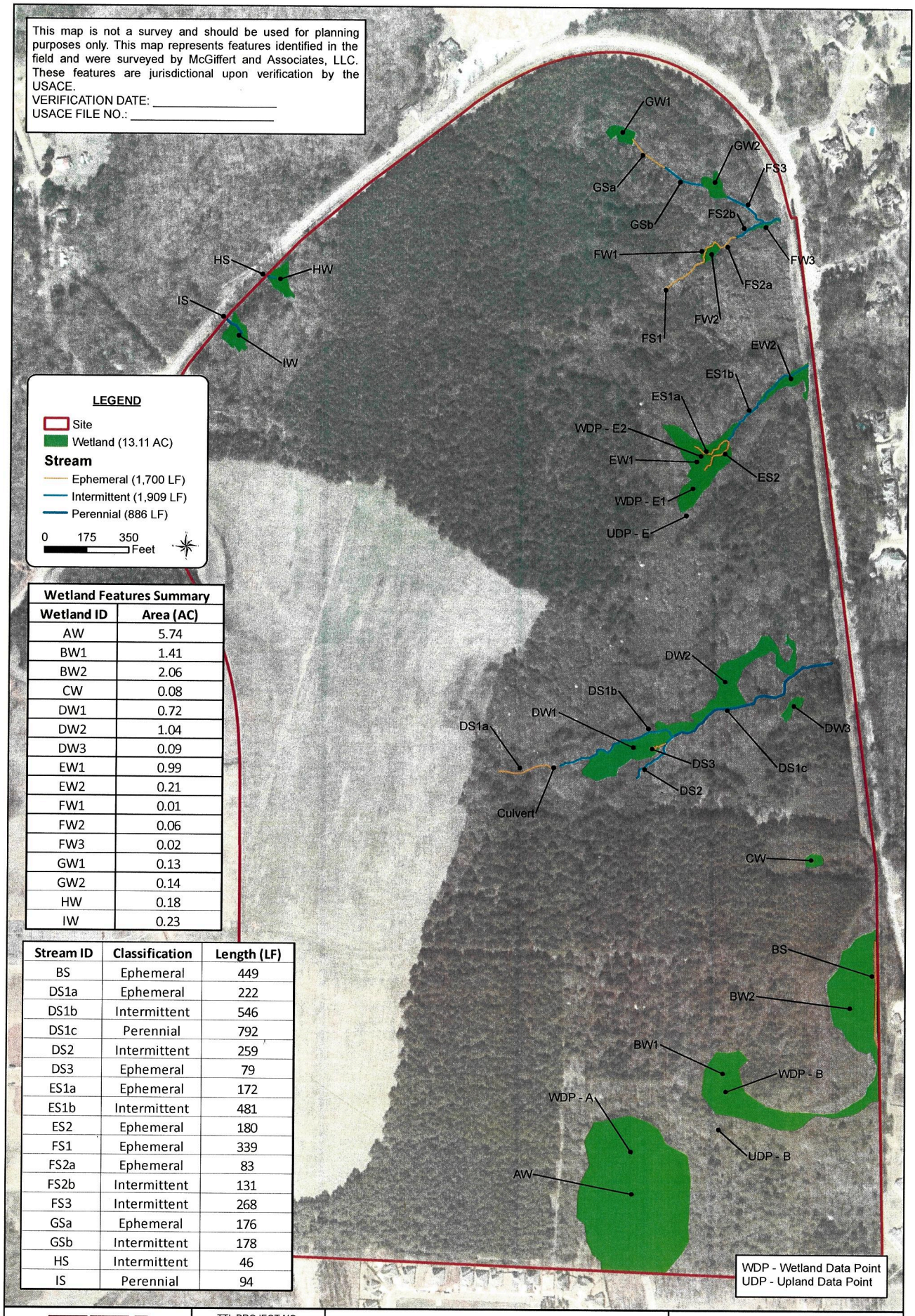
## LOCATION MAP

REVISION

| DATE | DESCRIPTION | BY |
|---|---|---|
| | | |
| | | |

| | |
|---|---|
| SCALE: 1"=2000' | |
| DATE OF FIELD SURVEY: N/A | |
| FB. N/A | PG. N/A |
| DRAWN BY: J L W | |
| JOB No. 14-2188 | |
| FILE NAME: HIGHGROVE-LM | |
| SHEET No. 2 of 2 | |
| CHECKED BY: QHS | DWG. No. 821-14 |

This map is not a survey and should be used for planning purposes only. This map represents features identified in the field and were surveyed by McGiffert and Associates, LLC. These features are jurisdictional upon verification by the USACE.
VERIFICATION DATE: _____
USACE FILE NO.: _____




| Wetland Features Summary | |
|---|---|
| **Wetland ID** | **Area (AC)** |
| AW | 5.74 |
| BW1 | 1.41 |
| BW2 | 2.06 |
| CW | 0.08 |
| DW1 | 0.72 |
| DW2 | 1.04 |
| DW3 | 0.09 |
| EW1 | 0.99 |
| EW2 | 0.21 |
| FW1 | 0.01 |
| FW2 | 0.06 |
| FW3 | 0.02 |
| GW1 | 0.13 |
| GW2 | 0.14 |
| HW | 0.18 |
| IW | 0.23 |

| Stream ID | Classification | Length (LF) |
|---|---|---|
| BS | Ephemeral | 449 |
| DS1a | Ephemeral | 222 |
| DS1b | Intermittent | 546 |
| DS1c | Perennial | 792 |
| DS2 | Intermittent | 259 |
| DS3 | Ephemeral | 79 |
| ES1a | Ephemeral | 172 |
| ES1b | Intermittent | 481 |
| ES2 | Ephemeral | 180 |
| FS1 | Ephemeral | 339 |
| FS2a | Ephemeral | 83 |
| FS2b | Intermittent | 131 |
| FS3 | Intermittent | 268 |
| GSa | Ephemeral | 176 |
| GSb | Intermittent | 178 |
| HS | Intermittent | 46 |
| IS | Perennial | 94 |


TTL
3516 Greensboro Avenue
Tuscaloosa, AL 35401
205.345.0816 // www.TTLUSA.com

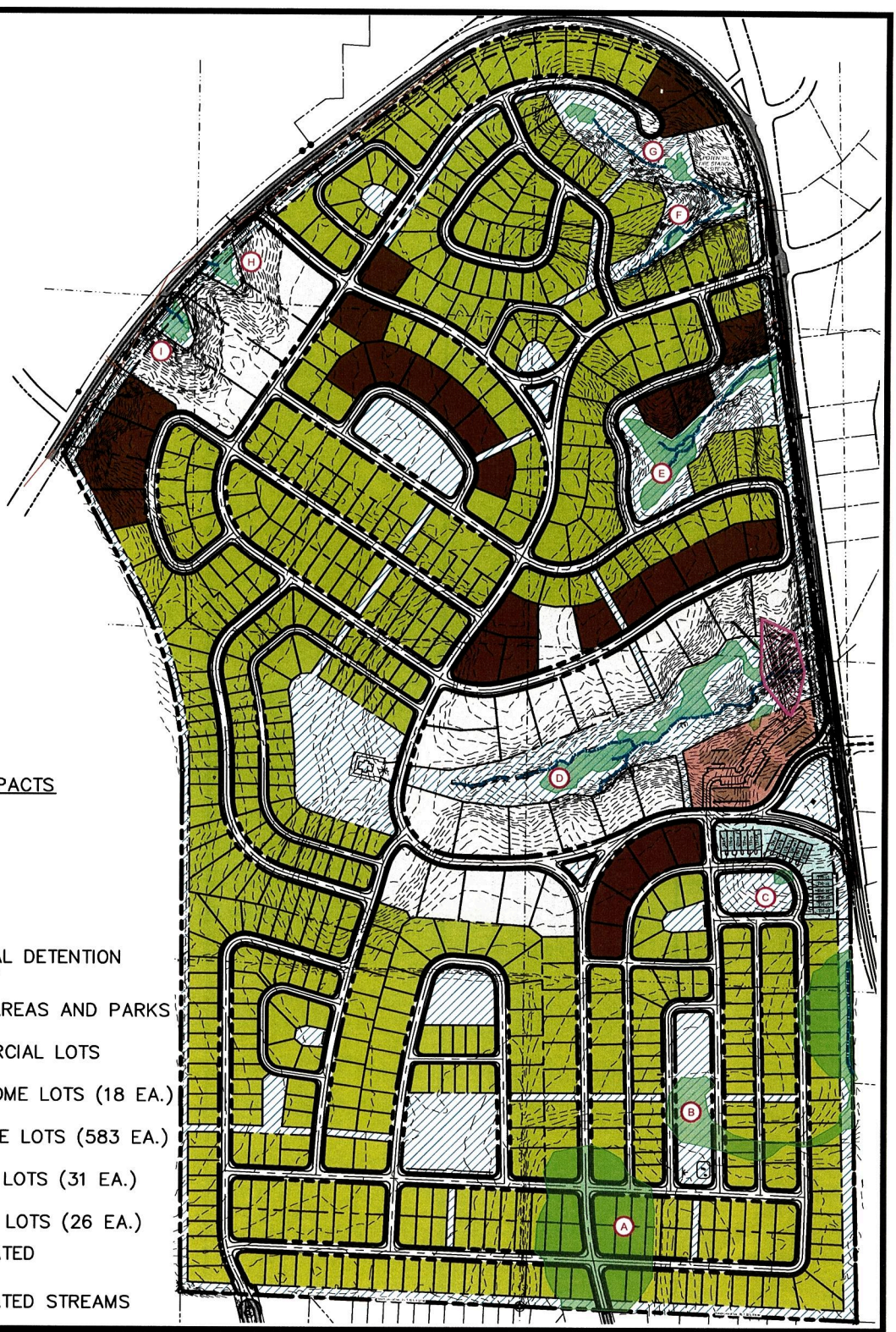

TTL PROJECT NO: 800214012

DRAWING DATE: September 23, 2014

**Figure 5: Wetlands and Waters of the U.S. Delineation Map**

Basemap: 2011 World Imagery (via ESRI.com)

McGiffert and Assoicates, LLC
Warrior Property Holding
Northport,Tuscaloosa Co., Alabama




CONSTRUCTION ASSOCIATED IMPACTS
TOTAL WETLANDS=8.8 ACRES
TOTAL STREAMS=195 L.F.

# LEGEND

- INDICATES NATURAL DETENTION DIKE EMBANKMENT
- INDICATES OPEN AREAS AND PARKS
- INDICATES COMMERCIAL LOTS
- INDICATES TOWNHOME LOTS (18 EA.)
- INDICATES COTTAGE LOTS (583 EA.)
- INDICATES MANOR LOTS (31 EA.)
- INDICATES ESTATE LOTS (26 EA.)
- INDICATES DELINEATED WETLAND AREAS
- INDICATES DELINEATED STREAMS

McGiffert and Associates, LLC
SINCE 1949
CIVIL ENGINEERS
2814 STILLMAN BLVD. • P.O. BOX 20559
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# HIGHGROVE

WARRIOR PROPERTY HOLDING, LLC
FINAL PLAN

TUSCALOOSA — SEC.30, T.20.S, R.9.W / SEC.25, T.20.S, R.10.W — ALABAMA

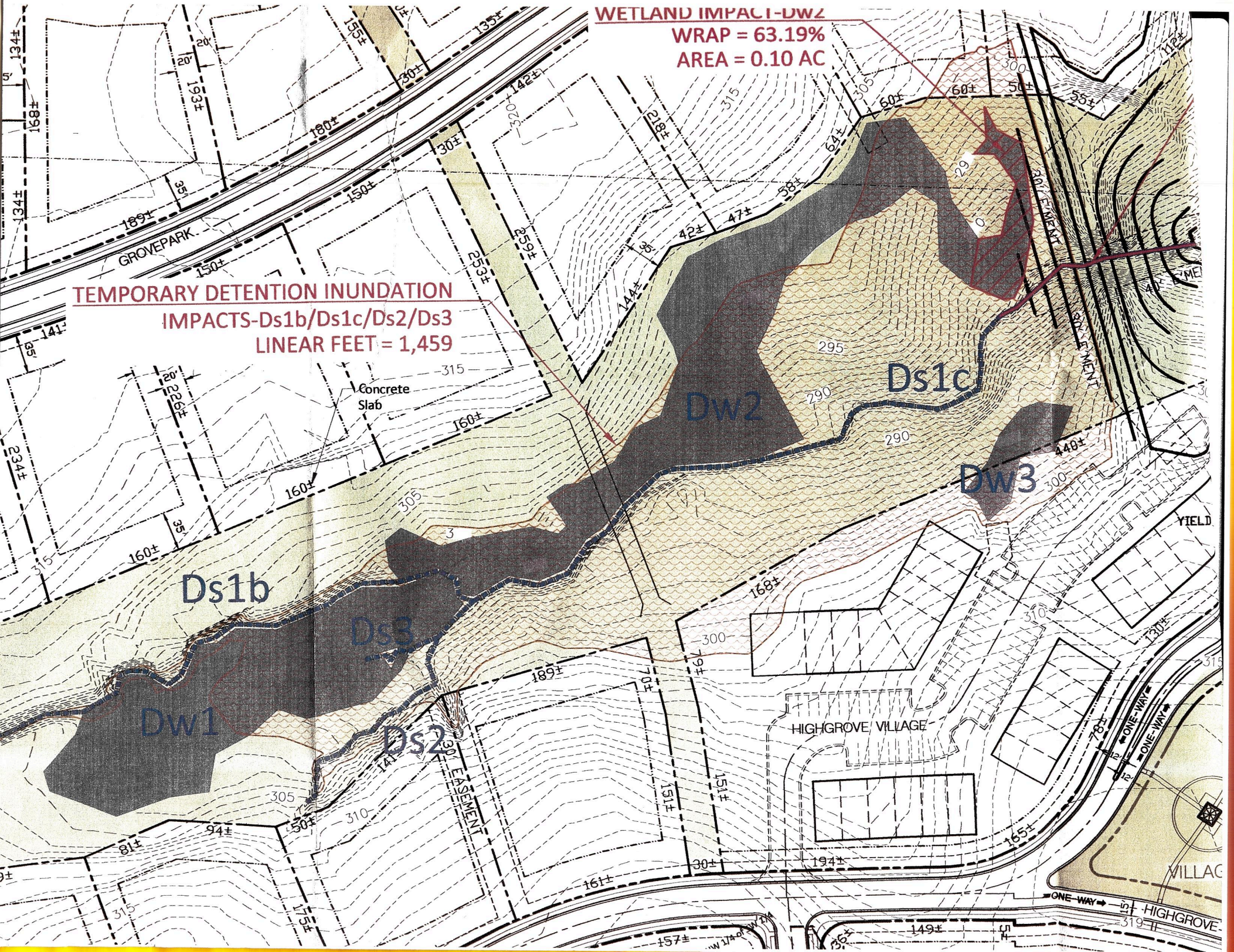
## SITE DEVELOPMENT PLAN

REVISION

| DATE | DESCRIPTION | BY |
|---|---|---|
| | | |
| | | |

SCALE: 1"=600'
DATE OF FIELD SURVEY: N/A
FB. N/A PG. N/A
DRAWN BY: J L W
JOB No. 14-2188
FILE NAME: HIGHGROVE-SDP-FINAL
SHEET No. 3 of 3
CHECKED BY: QHS
DWG. No. 799-14

N
WETLAND IMPACT Dw2
WRAP = 63.19%
AREA = 0.10 AC
DAM EMBANKMENT FILL
STREAM IMPACT-Ds1c
LINEAR FEET = 195
TEMPORARY DETENTION INUNDATION
IMPACTS Ds1b/Ds1c/Ds2/Ds3
LINEAR FEET = 1,459
Dw2
Dw1
Ds1b
Ds3
Ds1a
WETLAND IMPACT Cw
WRAP = 32.78 %
AREA = 0.08 AC
UPPER CARLETON PARK
2.31± AC.
CARLETON PARK
2.72± AC.
WETLAND IMPACT Bw1
WRAP = 50.00 %
AREA = 1.41 AC
WETLAND IMPACT Bw2
WRAP = 44.44 %
AREA = 2.06 AC
WETLAND IMPACT Aw
WRAP = 62.50 %
AREA = 5.74 AC
Bw2
Bs
Aw
LEGEND
Bs INDICATES JURISDICTIONAL STREAM
INDICATES PROPOSED STREAM FILL IMPACT
Bw2 INDICATES DELINEATED WETLAND AREA
INDICATES PROPOSED WETLAND FILL IMPACT
INDICATES PROPOSED TEMPORARY STREAM DETENTION INUNDATION IMPACT
INDICATES PROPOSED GREEN SPACE
WARRIOR PROPERTY HOLDING, LLC
HIGHGROVE
TUSCALOOSA ALABAMA
WETLAND DELINEATION MAP
McGiffert and Associates, LLC
CIVIL ENGINEERS
2614 SULLIVAN BLVD • P.O. BOX 20559
TUSCALOOSA, ALABAMA 35402-0559
REVISION
DATE DESCRIPTION BY
1/12/15 GENERAL REVISIONS QHS
SHEET No. 1 of 1
QHS
454-14


WETLAND IMPACT-Dw2
WRAP = 63.19%
AREA = 0.10 AC
TEMPORARY DETENTION INUNDATION
IMPACTS-Ds1b/Ds1c/Ds2/Ds3
LINEAR FEET = 1,459
Concrete Slab
GROVEPARK
Dw1
Dw2
Dw3
Ds1b
Ds1c
Ds2
Ds3
30' EASEMENT
HIGHGROVE VILLAGE
YIELD
ONE-WAY
HIGHGROVE