



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

REPLY TO
ATTENTION OF:

CESAM-RD-A-S
SAM-2015-00120-SBC

February 23, 2015

**U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED FILLING OF WATERS OF THE UNITED STATES IN CONJUNCTION WITH
CONSTRUCTION OF A SOCCER AND AQUATIC CENTER COMPLEX IN THE CITY OF
MOBILE, MOBILE COUNTY, ALABAMA**

TO ALL CONCERNED: 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: Mobile County Commission
Attention: Ms. Connie Hudson
Mobile Government Plaza
205 Government Street
Mobile, Alabama 36644-1600

AGENT: Neel-Schaffer, Inc.
Attention: Mr. John Murphy
851 East I-65 Service Road, Suite 402
Mobile, Alabama 36606

LOCATION OF WORK: The proposed project is located on Halls Mill Road, immediately northwest of the intersection of Interstate Highway 10 and Interstate Highway 65, in The City of Mobile, Mobile County, Alabama. Specifically, the project is located at Latitude 30.63211°, Longitude -88.12302°, and is within Sections 1 and 12 of Township 5 South, Range 2 West, and Sections 6 and 7 of Township 5 South, Range 1 West. The project site includes wetland areas and tributaries that drain to Moore Creek, a perennial tributary to Dog River, in the Mobile Bay, Alabama drainage basin (HUC 03160205).

PROJECT PURPOSE: The overall purpose of the project includes three principal components: construction of a public venue for regional and local soccer competition; construction of an aquatic center/natorium with facilities for swimming and diving; and construction of a commercial recreational water park.

ALTERNATIVES: The applicant has stated that several alternative sites were considered during planning for this project, and they have submitted details and analysis for three sites (including the preferred site) that are potentially suitable for the proposed project. The

applicant has also provided documentation of their consideration of four design alternatives for the project at the preferred site. The USACE has not verified the adequacy of the applicant's alternatives analysis at this time.

PROPOSED WORK: The applicant proposes to develop an integrated sports and recreational complex that would comprise the construction of 10 regulation soccer fields, restroom and concession buildings, maintenance buildings, an aquatic center/natatorium building, 4 large paved parking areas, stormwater swales, stormwater detention basins, and a graded 13-acre site intended for a privately-built recreational water park. The project would also include construction of vehicle access roads connecting with a main entrance on Halls Mill Road and two secondary entrances off Lee's Lane.

The project would be located on a 201-acre undeveloped and forested parcel containing approximately 88.1 acres of wetlands, 2,870 linear feet of perennial stream, and 780 linear feet of ephemeral stream. The applicant proposes environmental impacts that include filling of approximately 5.9 acres of low to medium quality forested wetlands and 947 linear feet of a perennial tributary to Moore Creek.

AVOIDANCE & MINIMIZATION: The applicant considered four alternative development plans for the proposed site with the goal of avoiding or minimizing impacts to wetlands and streams located at the site. The applicant has stated the following regarding avoidance and minimization of project impacts: "Most wetlands would be avoided and incorporated within a nature preserve, while the avoided streams and their riparian zones would also be protected from development impacts and could be maintained as natural areas or enhanced for aesthetic purposes. Bridges would be used at most stream crossings to minimize impacts: three pedestrian bridges would be installed across the perennial stream to provide access to soccer fields, while one vehicular bridge would be built across that stream to connect the main entrance road to the southernmost secondary entrance road." The applicant has further stated that they were able to "reduce wetland impacts by placing soccer fields closer to the south property line, and rerouting the main entrance road away from the pinewoods wetlands." The USACE has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

MITIGATION: The applicant proposes to mitigate for the unavoidable impacts to jurisdictional wetlands through permittee-responsible mitigation that includes a combination of wetland habitat preservation and enhancement. The applicant would legally designate at least 40 acres of on-site pine flatwoods wetlands as preservation habitat for mitigation of impacts to the low quality wetlands at the site, and provide for enhancement of approximately 13.2 acres of in-kind wetland habitat at Mobile County's Laurendine Tract for mitigation of impacts to medium quality wetlands at the site. The enhancement mitigation at the Laurendine Tract would be accomplished by removal and control of exotic invasive plant species and replanting suitable wetland trees.

The applicant proposes to mitigate for unavoidable stream impacts by buffer enhancement and preservation of segments of Muddy Creek, which is a perennial stream located in Mobile County's Laurendine Tract. Buffer enhancement would be accomplished through removal and

control of invasive and exotic plant species and replanting suitable wetland trees within a 400-foot wide zone centered on the stream. Preservation would be accomplished by establishment of a conservation easement or restrictive covenant to protect approximately 1000 feet of Muddy Creek along with a 200-foot-wide buffer area centered on the stream. The USACE has not received a detailed formal mitigation plan, and has not verified the adequacy of the applicant's proposed mitigation at this time.

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, and upon completion of the required advertising a determination relative to certification will be made by the Alabama Department of Environmental Management.

HISTORIC PROPERTIES/CULTURAL RESOURCES: The applicant has not yet submitted a Cultural Resource assessment for the project area. 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. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of the this undertaking are also being considered. In addition to the provided comments from the State Historic Preservation Officer (the Alabama Historical Commission), we are seeking comments from federally-recognized American Indian tribes, local historical societies, museums, universities, the U.S. Department of the Interior, National Park Service, Division of Archeological Services and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area.

ENDANGERED SPECIES: The applicant has not submitted any type of survey or information concerning threatened or endangered species for the project area. The following species, listed by the U.S. Fish and Wildlife Service (USFWS) as being either threatened or endangered, are found within Mobile County, and may be located within the watershed of the project: Florida manatee (*Trichechus manatus*), Wood stork (*Mycteria americana*), eastern indigo snake (*Drymarchon corais couperi*), and Alabama red-belly turtle (*Pseudemys alabamensis*).

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will have no effect on any species currently listed as endangered or threatened within Mobile County. This determination is being coordinated with the USFWS via this Public Notice.

COMMENTS: This public notice is being distributed to all known interested persons and serves to solicit comments from the public, Federal, State and local agencies and officials, Indian Tribes and other interested parties, in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (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.

Any comments received will be considered by the USACE in order to evaluate the impacts of this proposed activity and 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.

Correspondence concerning this notice should **refer to Public Notice Number SAM-2015-00120-SBC** and should be directed to: U.S. Army Corps of Engineers Mobile District, Regulatory Division (RD-A), Attention: S. Brad Crosson, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Alabama Department of Environmental Management, Coastal Section, 3664 Dauphin Street, Suite B, Mobile Alabama 36608.

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, Mr. S. Brad Crosson at (251) 694-3664 or at steven.b.crosson@usace.army.mil. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

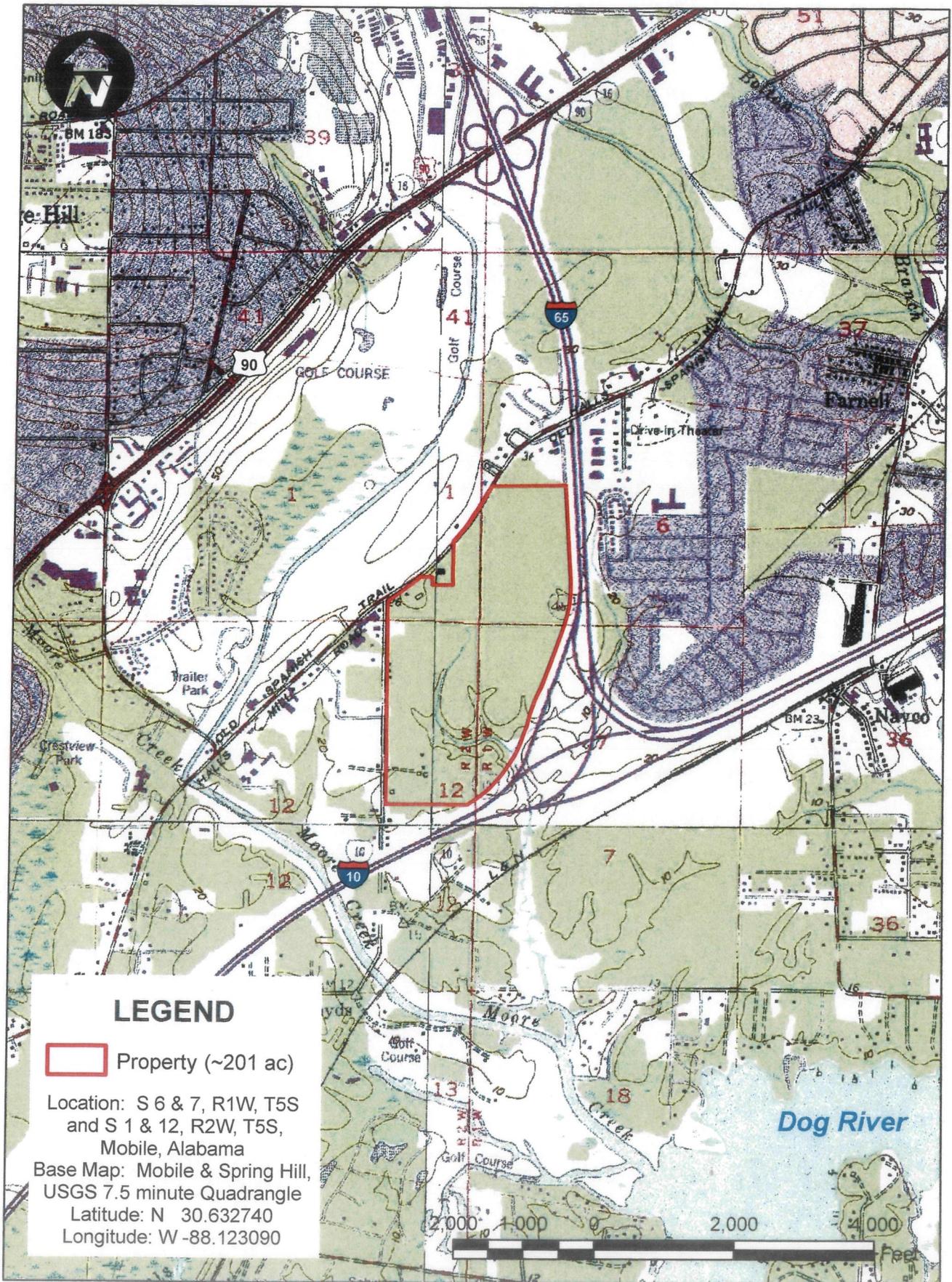


Figure 1. Vicinity map of the proposed soccer and aquatic center complex.

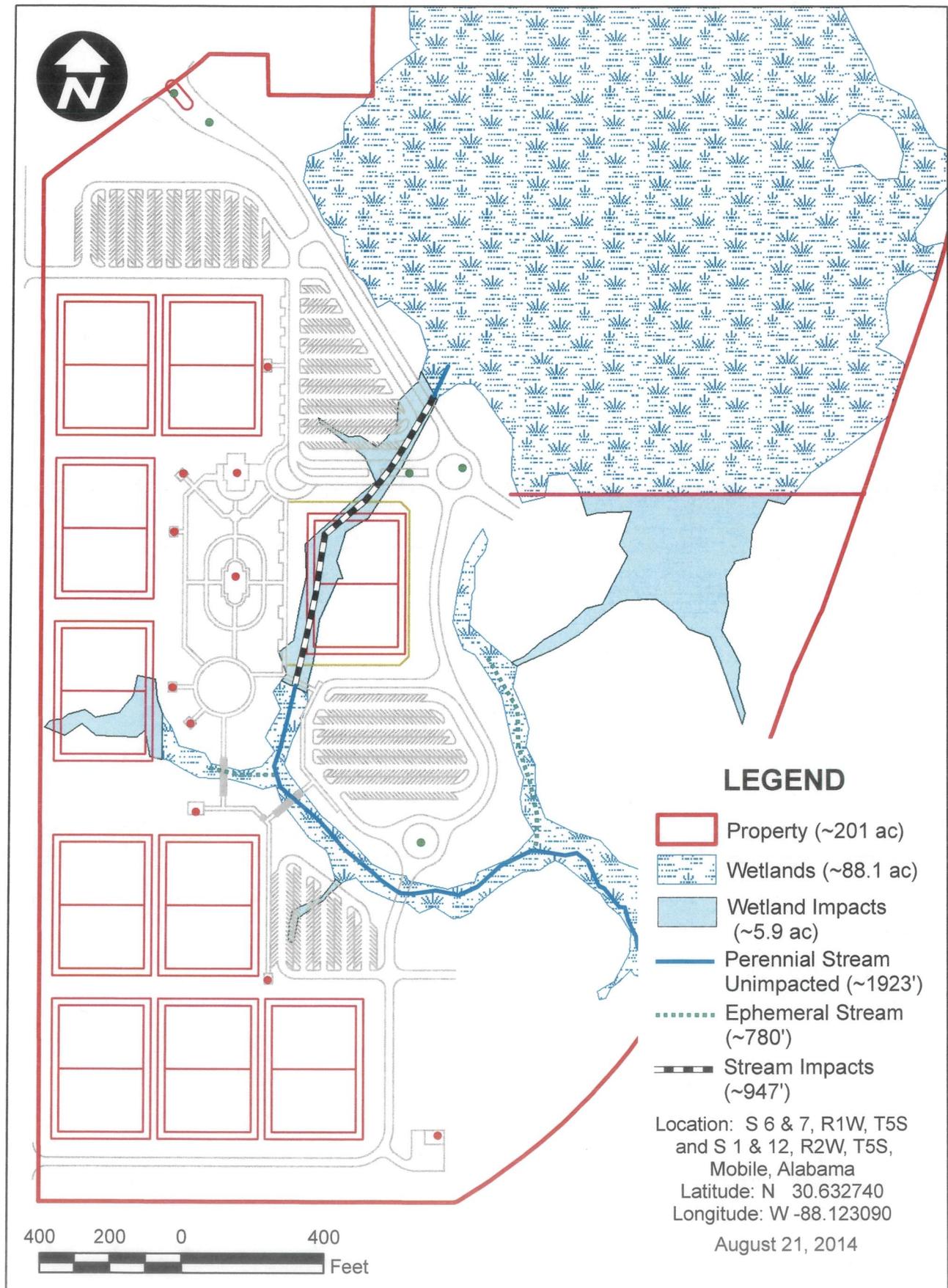


Figure 2. Site plan for the proposed complex.

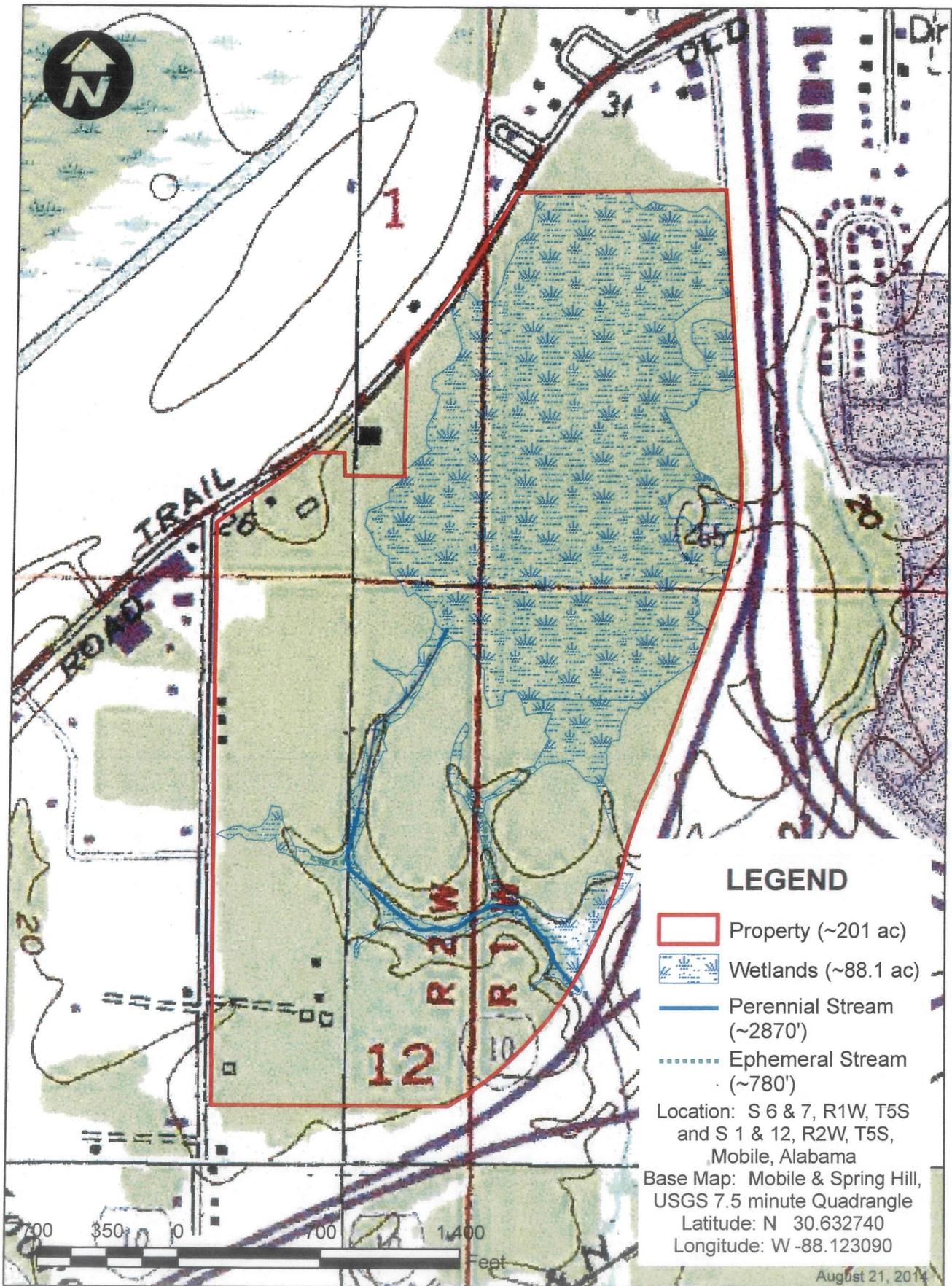


Figure 12. Wetlands and streams mapped within the potential complex property.

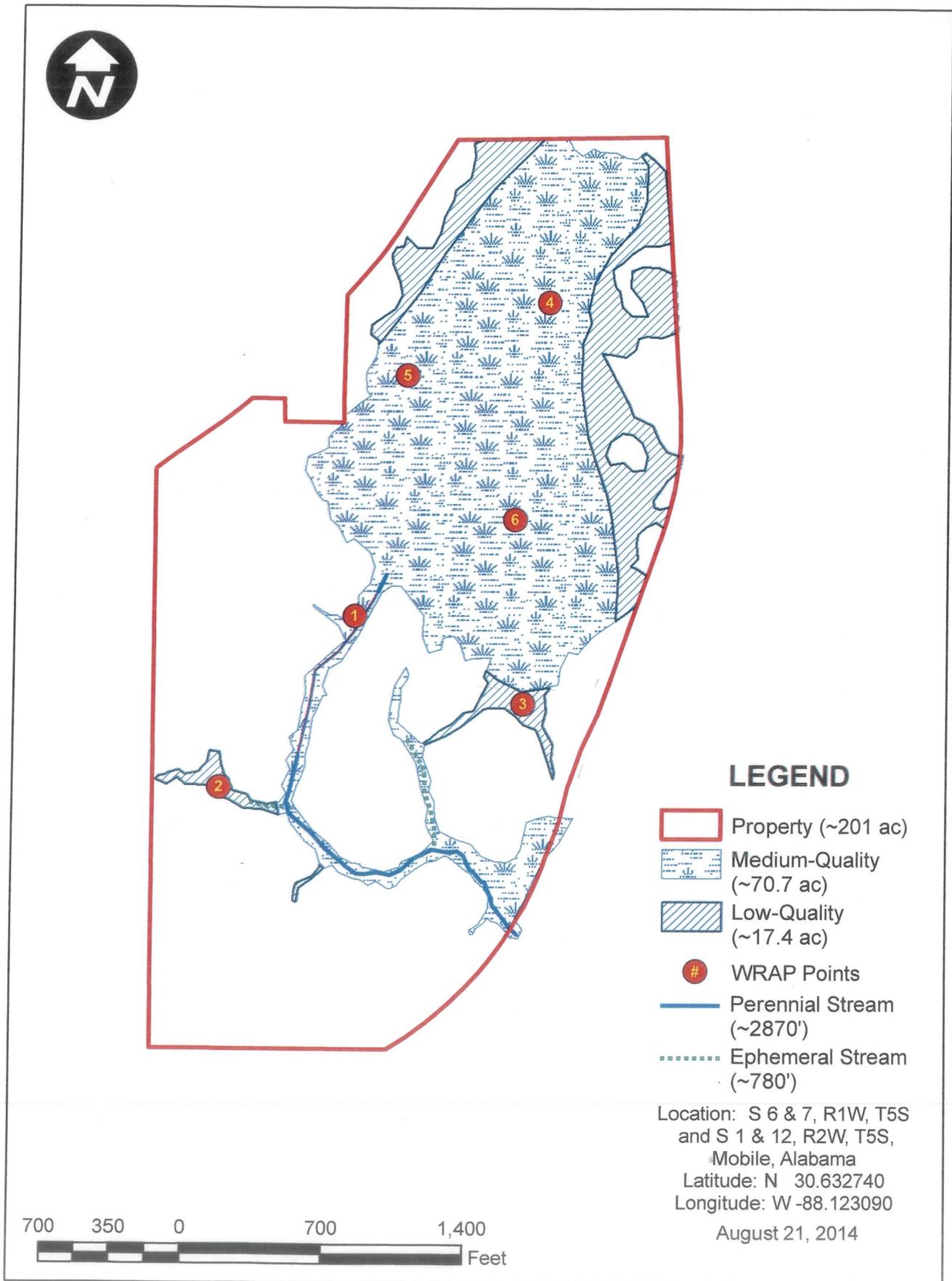


Figure 13. Locations of the wetland quality determinations (WRAP) and estimated boundaries of Low- and Medium-Quality habitat.