



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

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2015-00982-CMS

October 16, 2015

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 STREAMS IN
ASSOCIATION WITH A PROPOSED
RESIDENTIAL DEVELOPMENT
TRUSSVILLE, JEFFERSON 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: SBE Development, Inc.
3545 Market Street
Hoover, Alabama 35226

AGENT: Spectrum Environmental, Inc.
85 Spectrum Cove
Alabaster, Alabama 35007

LOCATION: The proposed project is located on 50 acres in Trussville, Jefferson County, Alabama (33.650830, -86.555751) within Section 8, Township 16 South, Range 1 East. The project is located within the Cahaba River watershed (HUC 03150202).

PROJECT PURPOSE: The basic project purpose is single-family 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 single-family residential development. These activities would impact 0.027 acre of medium quality wetlands, 305 linear feet of perennial stream, 360 linear feet of intermittent stream, and 582 linear feet of ephemeral stream. The types of impacts to aquatic resources include general fill, stream piping, and temporary in-stream detention.

AVOIDANCE & MINIMIZATION: The applicant considered two off-site alternatives during the project planning stages. Once the preferred site was selected, design plans were prepared and revised to minimize impacts to aquatic resources on the preferred site. According to the applicant, the original design layout included impacts to 1,957 linear feet of stream and 0.027 acre of wetlands. The proposed plan has resulted in a 36% reduction in proposed impacts to aquatic resources. The USACE has not verified the adequacy of the applicant's avoidance and minimization at this time.

MITIGATION: The streams were assessed using the 2012 Mobile District Compensatory Stream Mitigation Standard Operating Procedures and Guidelines to calculate necessary compensation for function loss. The applicant would be required to provide at least 2,474 stream credits to compensate for stream function loss. The wetland functions were assessed using the Wetland Rapid Assessment Procedure (2nd edition). The applicant would be required to provide at least 0.017 wetland credits to compensate for wetland function loss. The applicant proposes to mitigate for unavoidable stream and wetland impacts through the purchase of stream and wetland credits from the Cahaba River Mitigation Bank.

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.

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. Copies of this public notice are being sent to the State Historic Preservation Officer, Federally recognized American Indian tribes, and the U.S. Department of the Interior, National Park Service, Division of Archaeological Services for review.

ENDANGERED/THREATENED SPECIES: A review of the United States Fish and Wildlife Service (USFWS) website <http://ecos.fws.gov/ipac/> identified twenty-eight federally listed, or candidate, species known to occur in the area. A habitat assessment conducted by the agent revealed the presence of potential summer roosting habitat for the Indiana bat (*Myotis sodalis*) and the Northern-long eared bat (*Myotis septentrionalis*) at the site. Preliminary review of this application indicates that the proposed activity “may affect, is not likely to adversely affect” the Indiana bat (*Myotis sodalis*) and the Northern-long eared bat (*Myotis septentrionalis*) because of the presence of potential summer roosting habitat; therefore, the USACE will initiate informal consultation with USFWS. Copies of this public notice are being sent to the USFWS for review and comment.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2015-00982-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

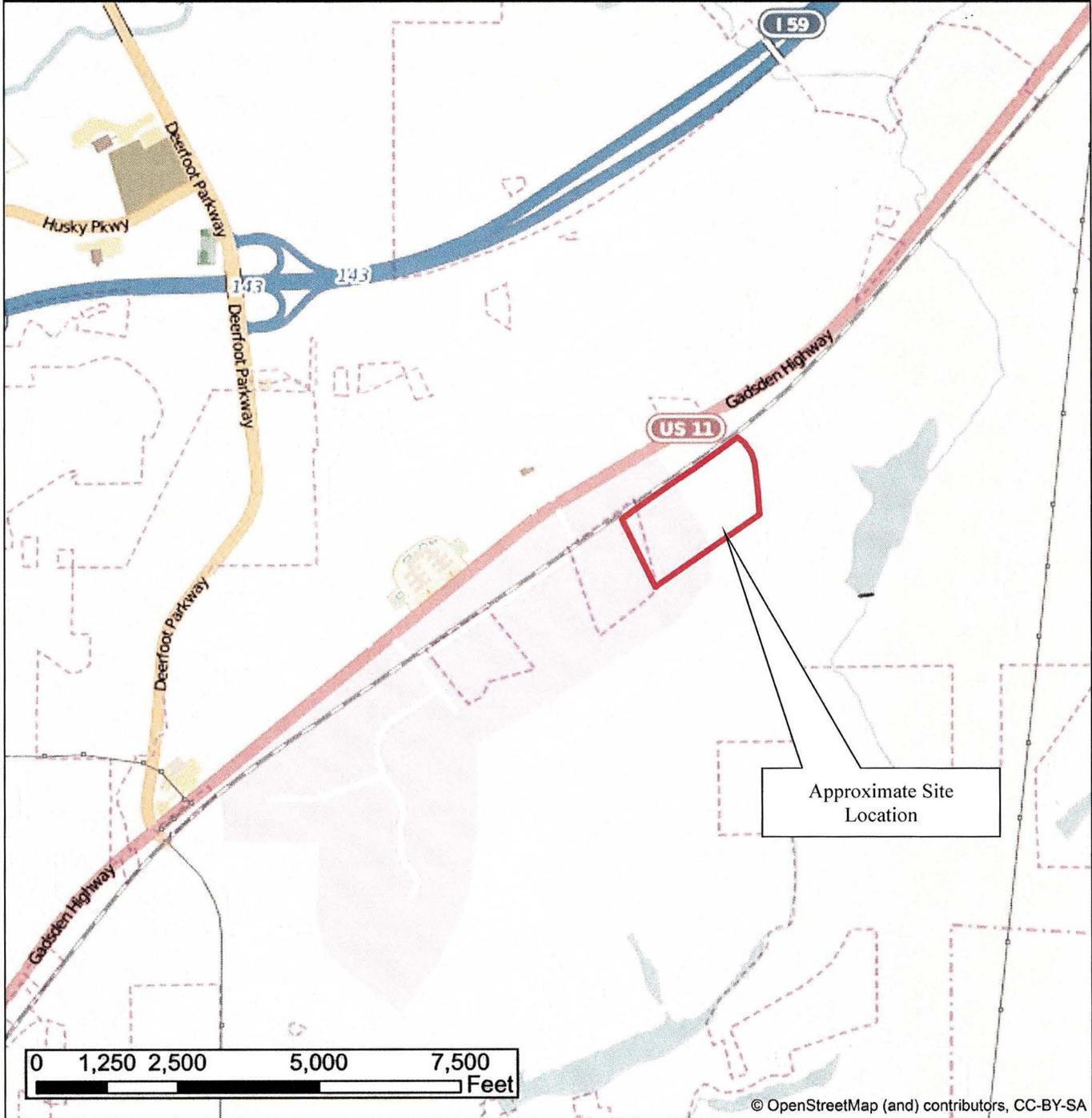
Comments should be received no later than **30 days** from the date of this Public notice.

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



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Basemap courtesy of Open Street Map.

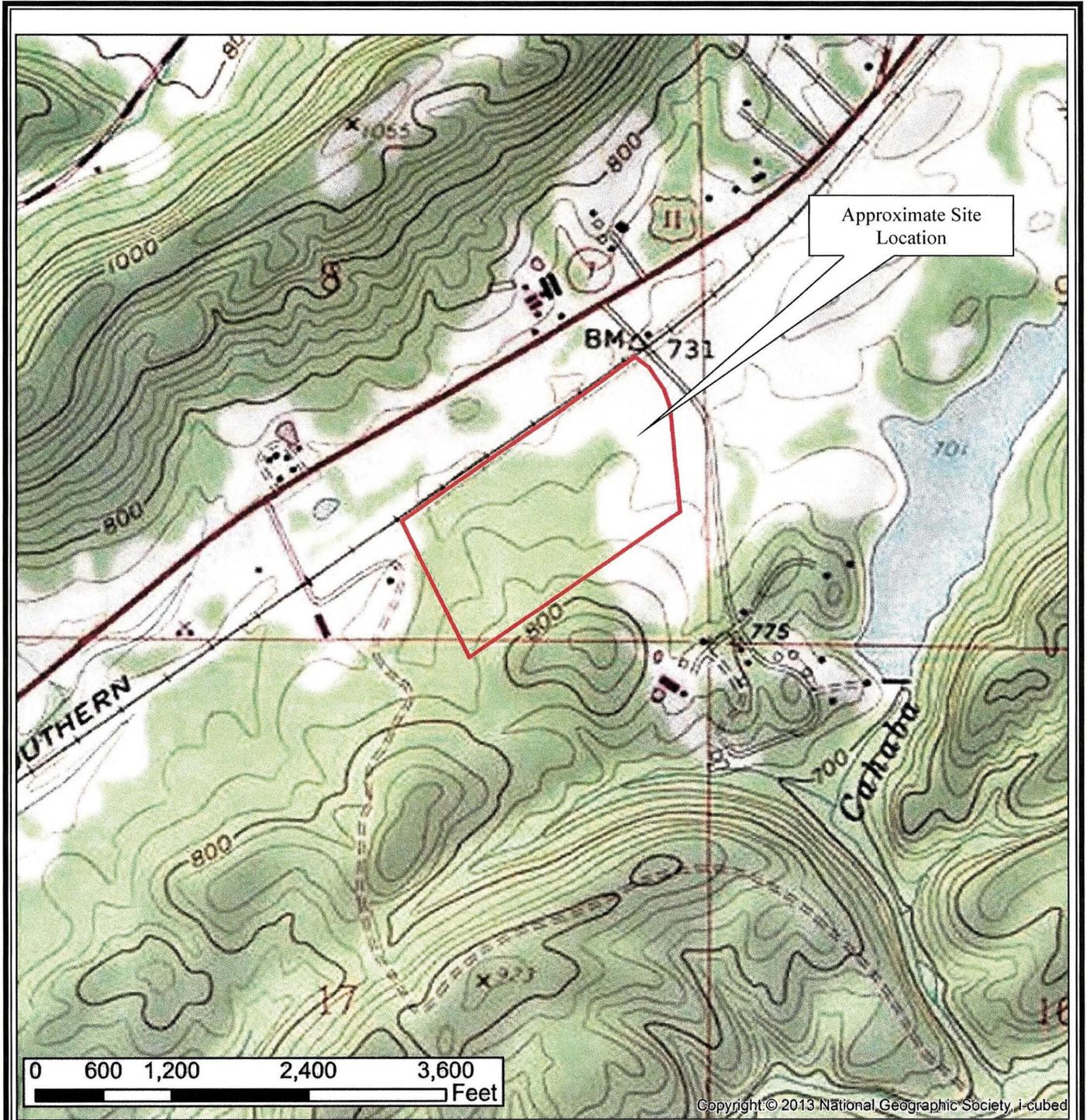


NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #:
TJ	1364-062-05
Checked By:	Date:
SC	9/4/2015
Project Mgr.:	File Name:
BR	136406205

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Alabaster, AL
O - 205-664
F - 205-664

TITLE
Figure 1 Site Locator SAM-2015-00982-CMS Stockton West



Basemap courtesy of ESRI.



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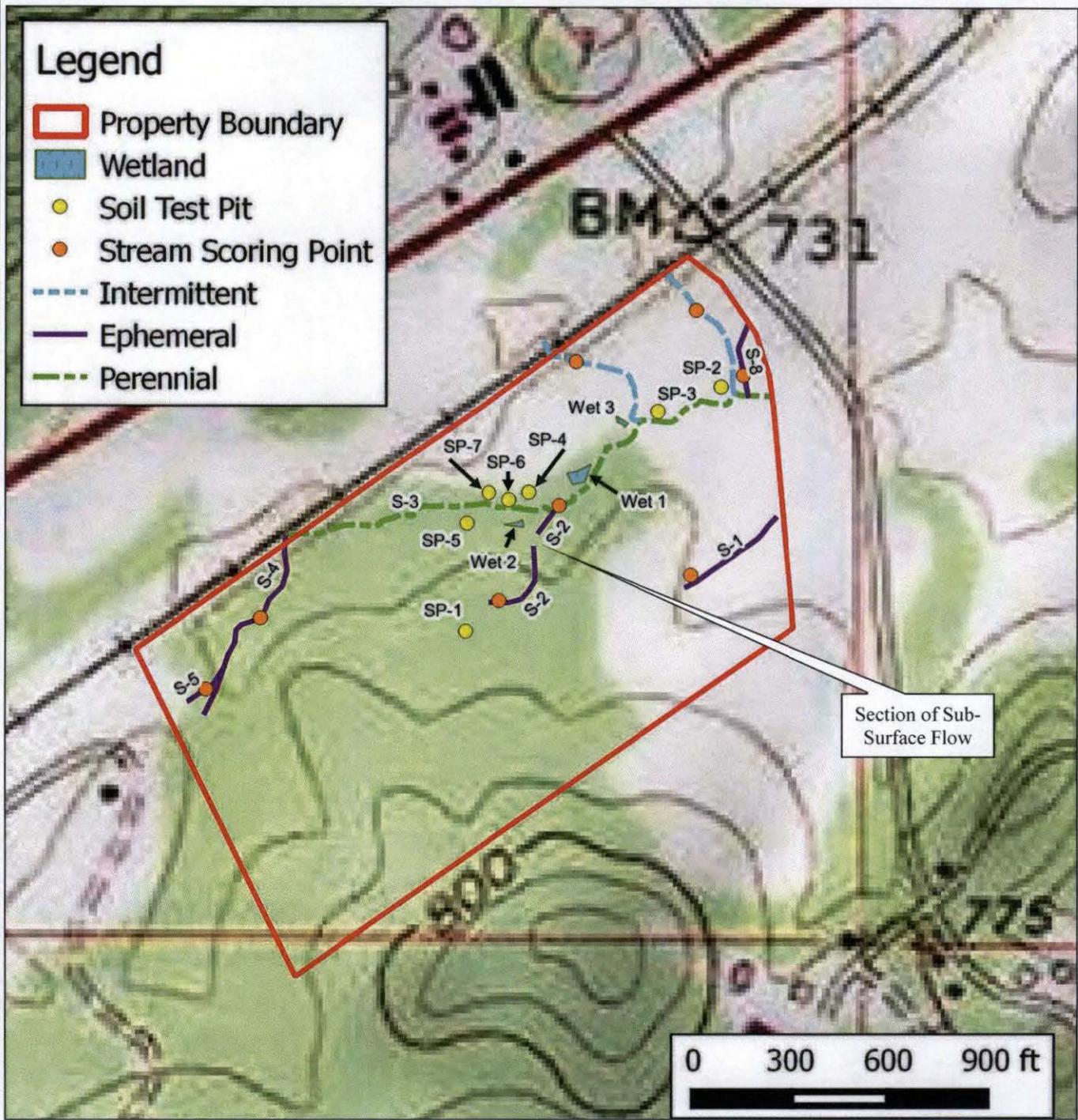
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TITLE
<p>Figure 2 USGS Topo Map SAM-2015-00982-CMS Stockton West</p>

Legend

- Property Boundary
- Wetland
- Soil Test Pit
- Stream Scoring Point
- Intermittent
- Ephemeral
- Perennial



Basemap courtesy of ESRI.



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Figure 3
 Waters of the U.S. Map
 SAM-2015-00982-CMS
 Stockton West

Legend

Streams

- - - - - Ephemeral
- . . . - Intermittent
- Perennial
- Wetlands
- Detention Pond

Stream	Linear Feet of Impact
S-1	306 ft
S-2	276 ft
S-3	122 ft of piping
S-3	183 ft of recurring
S-4	No Impact
S-5	No Impact
S-6	360 ft
S-7	No Impact
S-8	No Impact

Wetland	Area of impact
Wet 1	No Impact
Wet 2	0.011 Acres
Wet 3	0.016 Acres

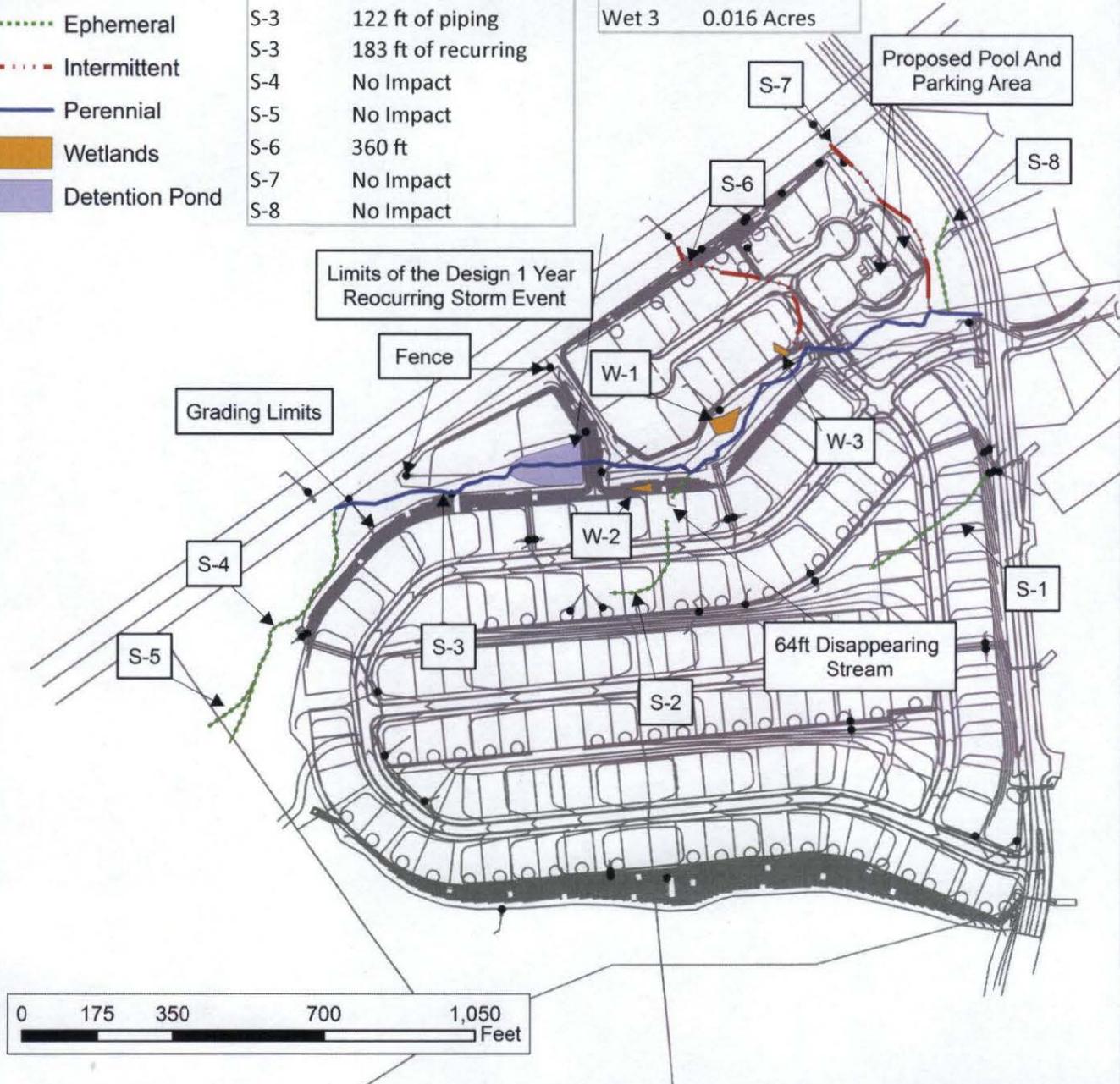


Image courtesy of Alabama Engineering Company, INC.

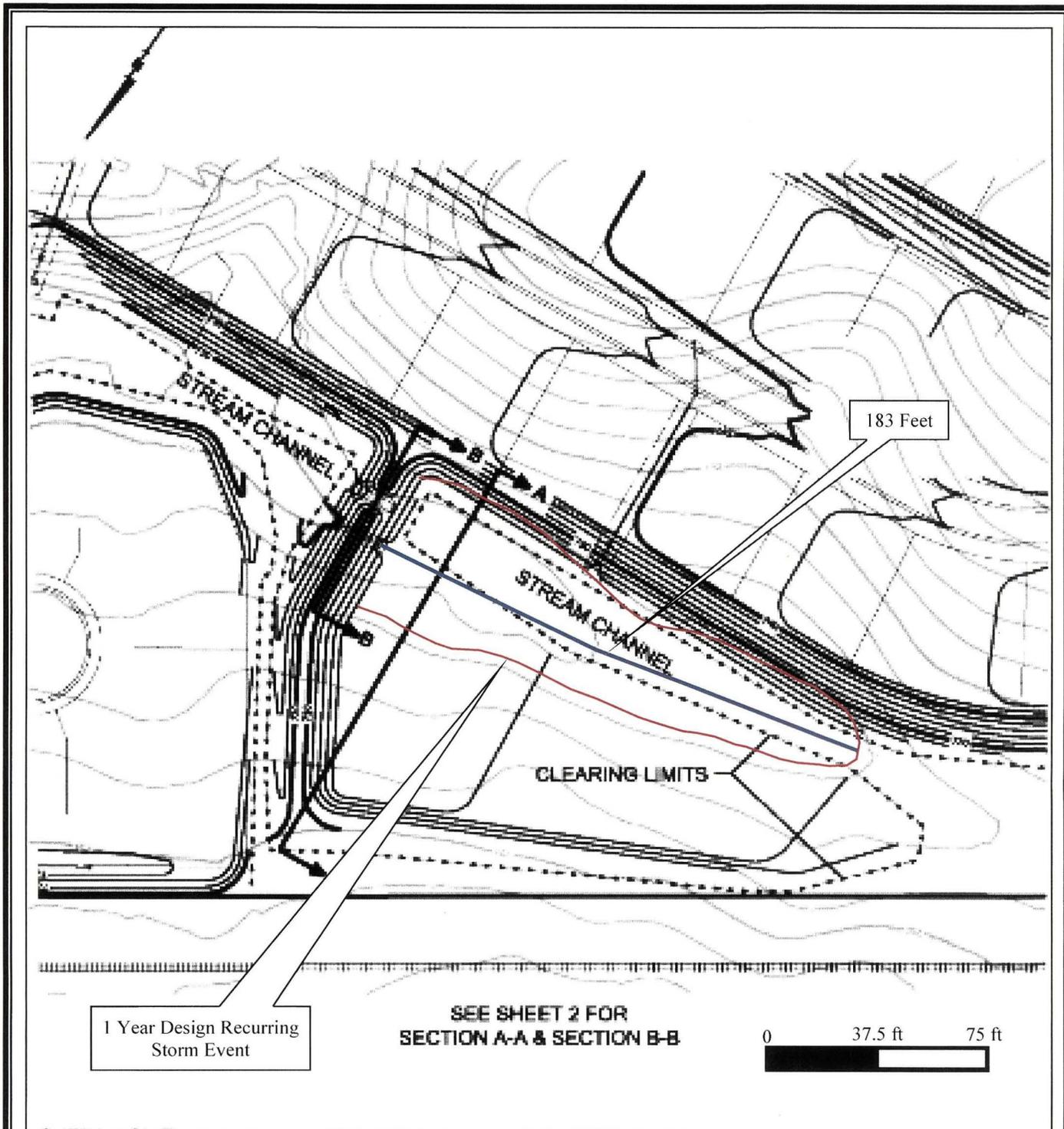


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Figure 4
 Proposed Development Plan
 SAM-2015-00982-CMS
 Stockton West



Source: Image courtesy of Alabama Engineering Company, INC.

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Figure 5
 Proposed Detention Pond
 Design
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 Stockton West