



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

REPLY TO  
ATTENTION OF:

**CESAM-RD-I**  
**PUBLIC NOTICE NO. SAM-2006-01331-MNS**

**6 June 2006**

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

**PROPOSED FILLING OF WETLANDS IN CONJUNCTION WITH THE CONSTRUCTION**  
**OF A MIXED USE COMMUNITY (RESIDENTIAL & COMMERCIAL)**  
**LEEDS, 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). Please communicate this information to interested parties.

**APPLICANT: USS Real Estate**  
**6200 E. J. Oliver Blvd.**  
**Flintridge Building**  
**Fairfield, Alabama 35064**

**WATERWAY: Hogpen Branch tributary to Cahaba River, Sections 23-27, 34 and 35, Township 17 South, Range 1 West, off U.S. Highway 78 and Rex Lake Road. Leeds, Birmingham Area, Jefferson County, Alabama.**

**WORK: The applicant is proposing to develop an approximately 1,400 acre mixed-use (commercial, residential and recreational) community. The proposed project will require the filling of 1.65 acres of wetlands and 18,415 linear feet (LF) of streams in conjunction with the construction of access roadway crossings and two lakes. The proposed development will contain a variety of land uses generally consistent with other large development projects located near major metropolitan areas in Alabama. The proposed uses would include 1,149 acres of residential areas and open space, 190 acres of commercial areas and recreational & education facilities including two lakes, one is a 46 acres-lake and the other is a 10 acres-lake. It is anticipated that the residential component of the development will consist of approximately 2000 lots and have a projected build-out period of 10-15 years. The project area comprised of ridge and valley systems that trend from northeast to southwest. An**

**Abandoned surface coalmine lies along the northwestern border of the site. Most of the land north of Hogpen Branch has been cleared of timber. The entire area has been historically impacted by forestry activities. To compensate for the unavoidable impacts the applicant proposes to enhance and preserve on-site wetlands and streams. The balance of the mitigation requirements will be accomplished by purchasing mitigation credits from an approved mitigation bank. All work will be in accordance with the enclosed plans provided by the applicant.**

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 U.S. Army Corps of Engineers (Corps) 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 utilization 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 Corps 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 Corps 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.

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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.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

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 not affect listed endangered or threatened species, or their critical habitat.

Correspondence concerning this Public Notice should refer to **Public Notice Number SAM-2006-1331-MNS** and should be sent to:

District Engineer  
U.S. Army Engineer District, Mobile  
Post Office Box 2288, Mobile, Alabama 36628-0001  
Attention: Regulatory Division (RD-I)

with a copy to the:

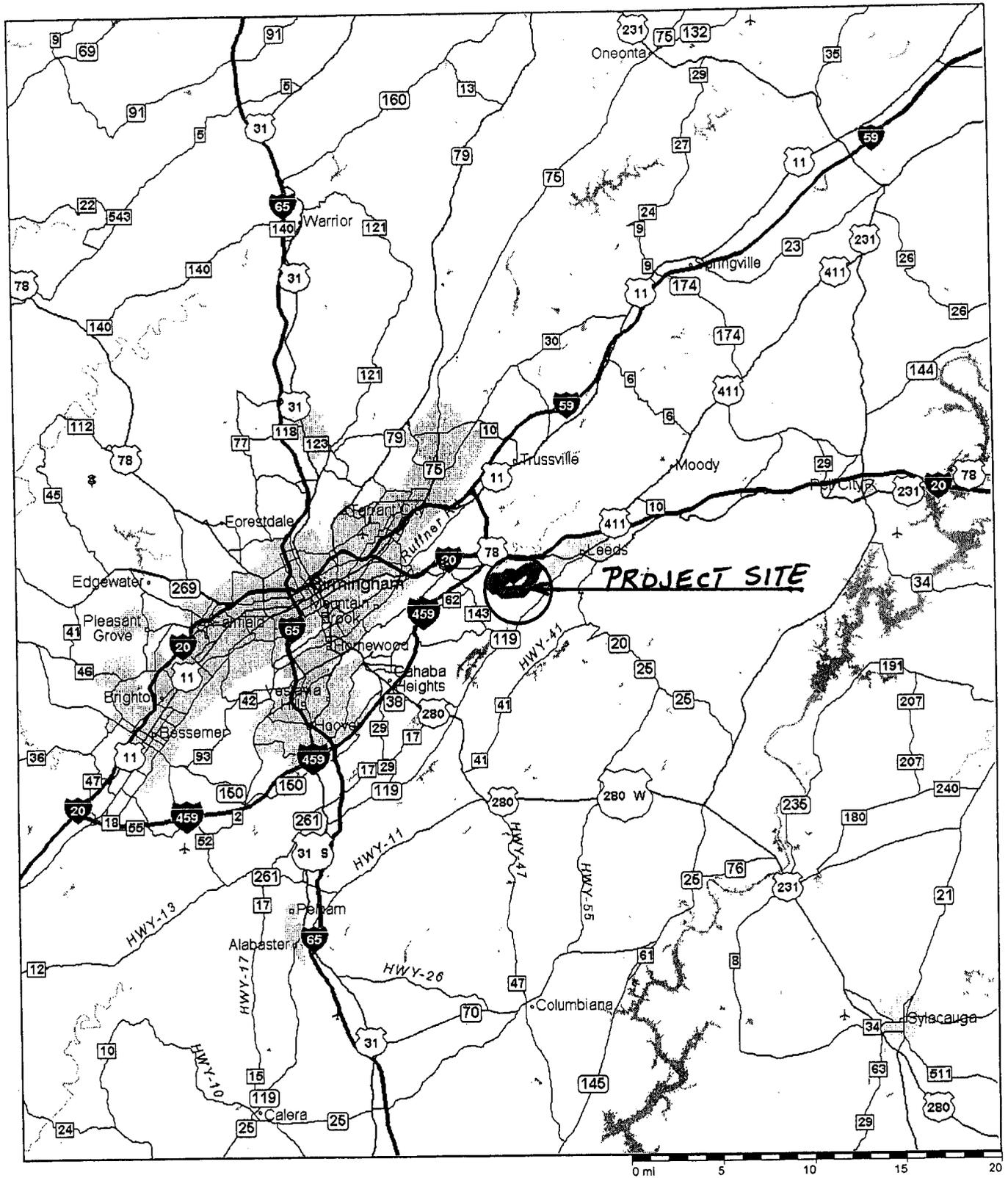
Alabama Department of Environmental Management  
Post Office Box 301463  
Montgomery, Alabama 36130-1463

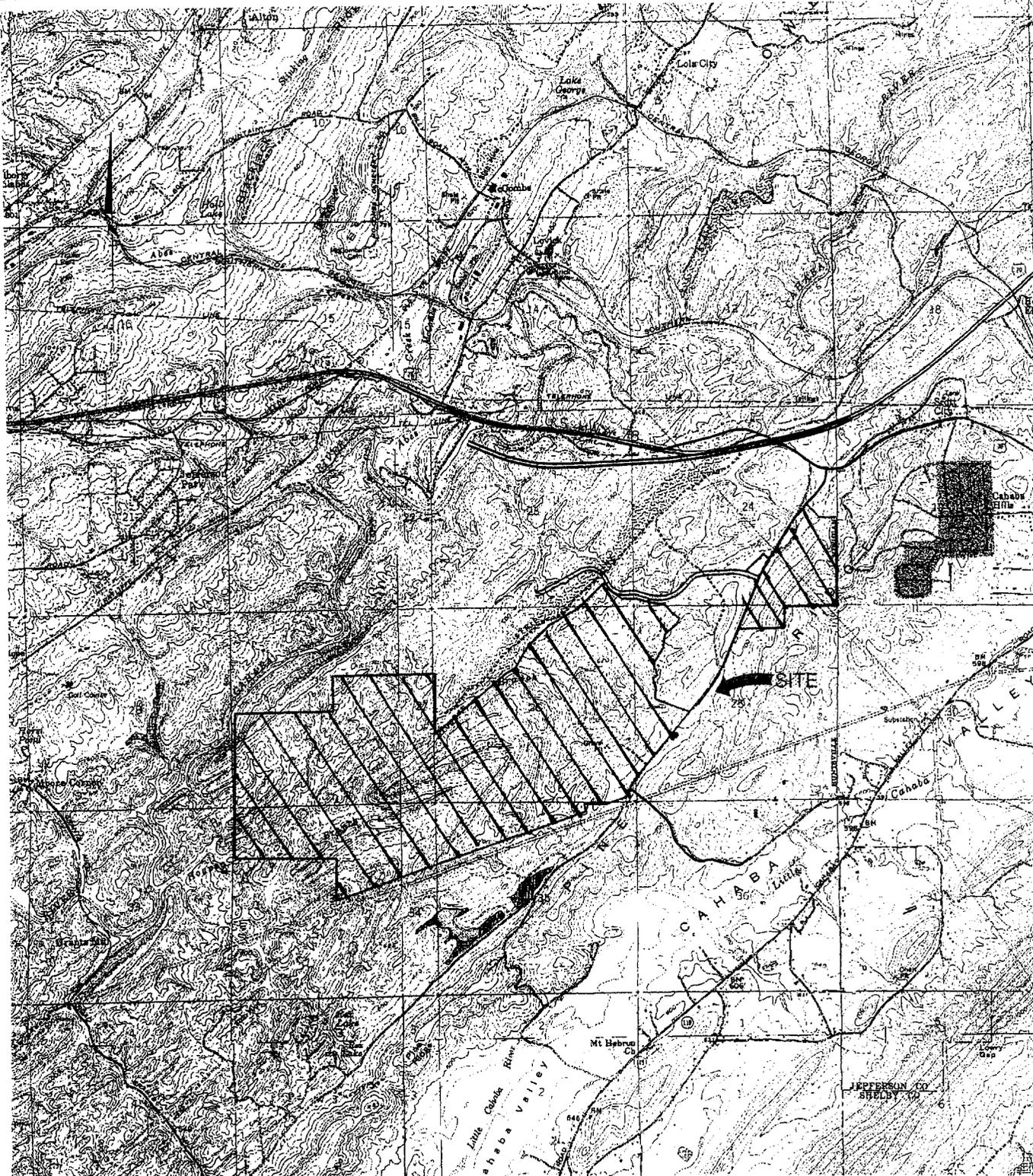
Correspondence must be mailed in time **to be received not later than 6 July 2006**. If you have any questions concerning this publication, you may contact this office, Mr. Munther Sahawneh, telephone number (251) 694-3782. Please refer to the Public Notice SAM-2006-1331-MNS.

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

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

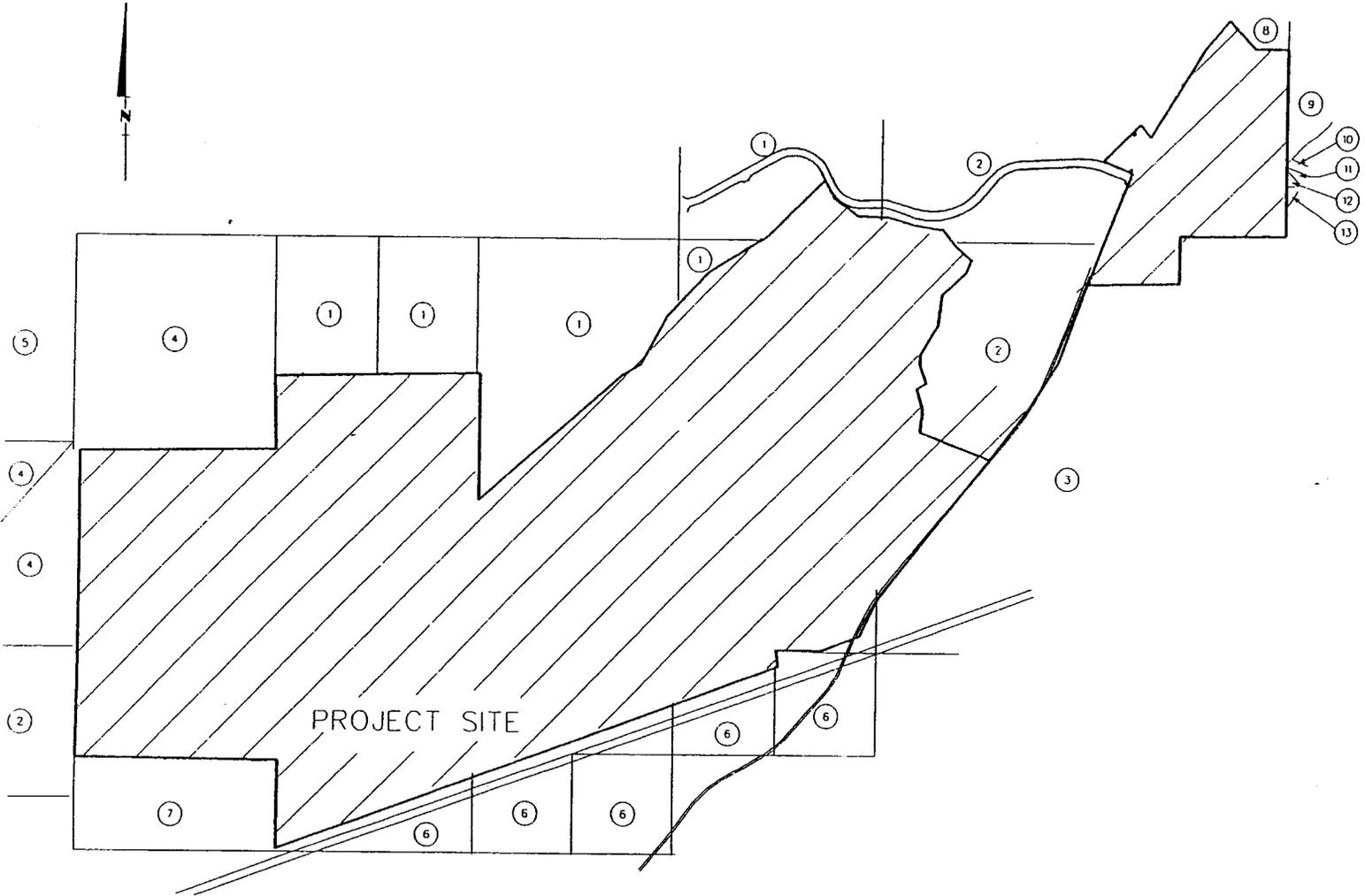




DATE 03-31-2006	SCALE NTS	VICINITY MAP
SHEET NO. 1	DRAWN BY CRH	GRAND RIVER II
OP	CHECKED FAC	USS REAL ESTATE
5	FILE NAME vic.dgn	JEFFERSON COUNTY, ALABAMA

**WALTER SCHOEL ENGINEERING CO., INC.**  
**CONSULTING ENGINEERS**  
 101 22ND STREET SOUTH  
 BIRMINGHAM, ALABAMA 35205  
 (205) 323-6166

2

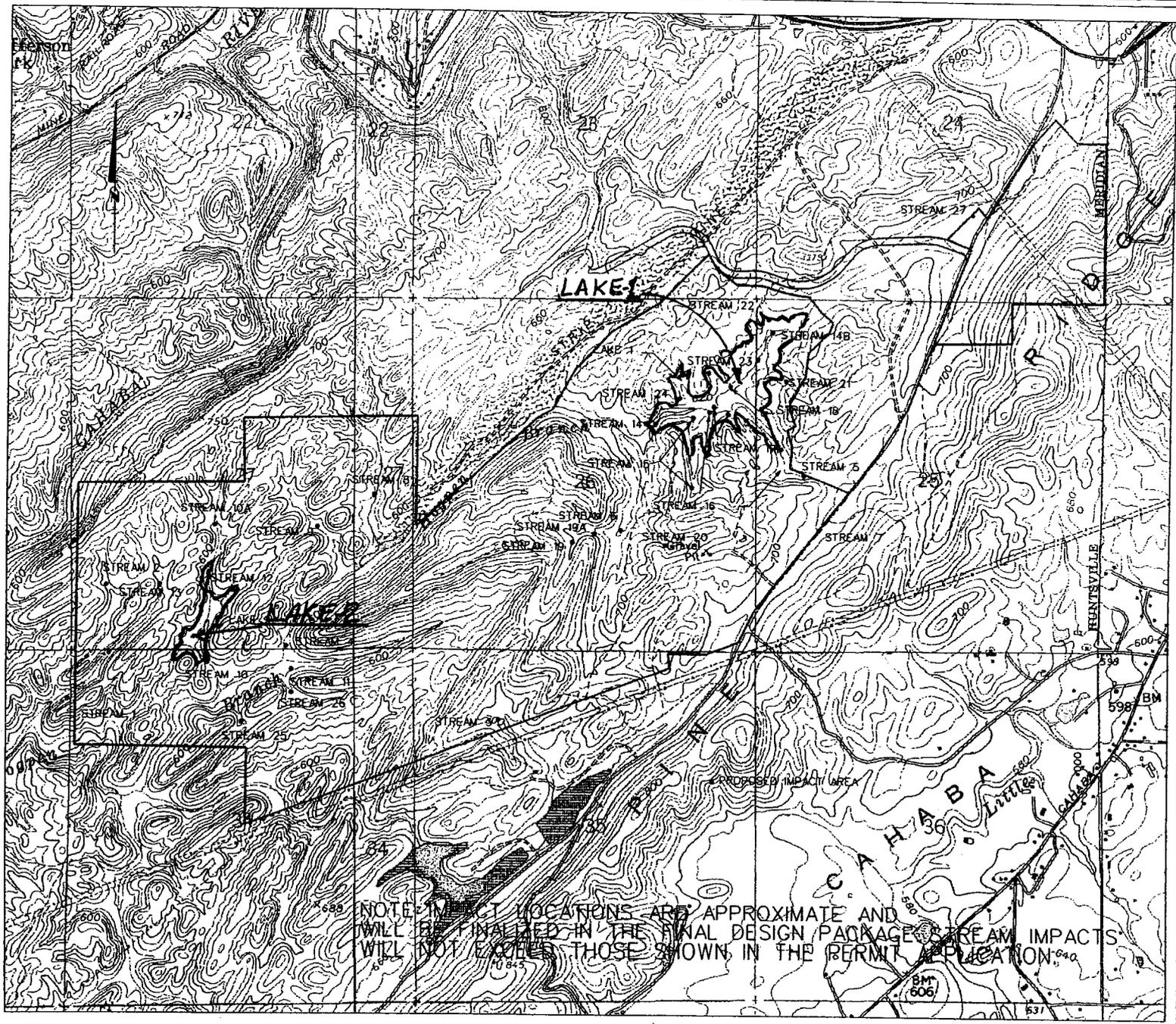


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DATE	SCALE	ADJACENT PROPERTY OWNERS
03-31-2006	NTS	GRAND RIVER II
SHEET NO.	DRAWN BY	USS REAL ESTATE
4	CRH	JEFFERSON COUNTY, ALABAMA
OF	CHECKED	
5	F.A.C.	
	FILE NAME	
	owners.dgn	

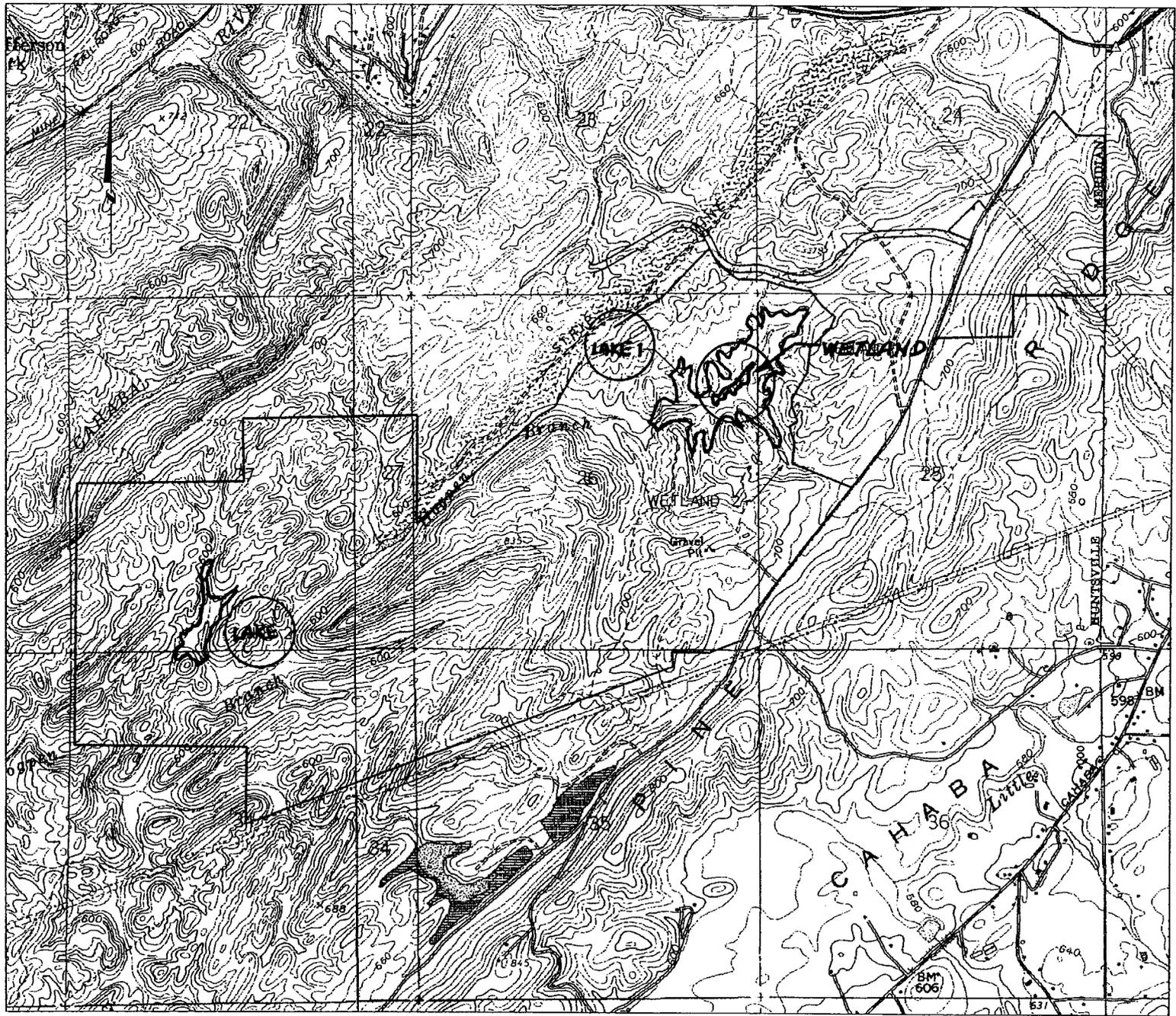
**WALTER SCHOEL ENGINEERING CO., INC.**  
**CONSULTING ENGINEERS**  
 1001 2ND STREET SOUTH  
 BIRMINGHAM, ALABAMA 35205  
 (205) 373-6166

3



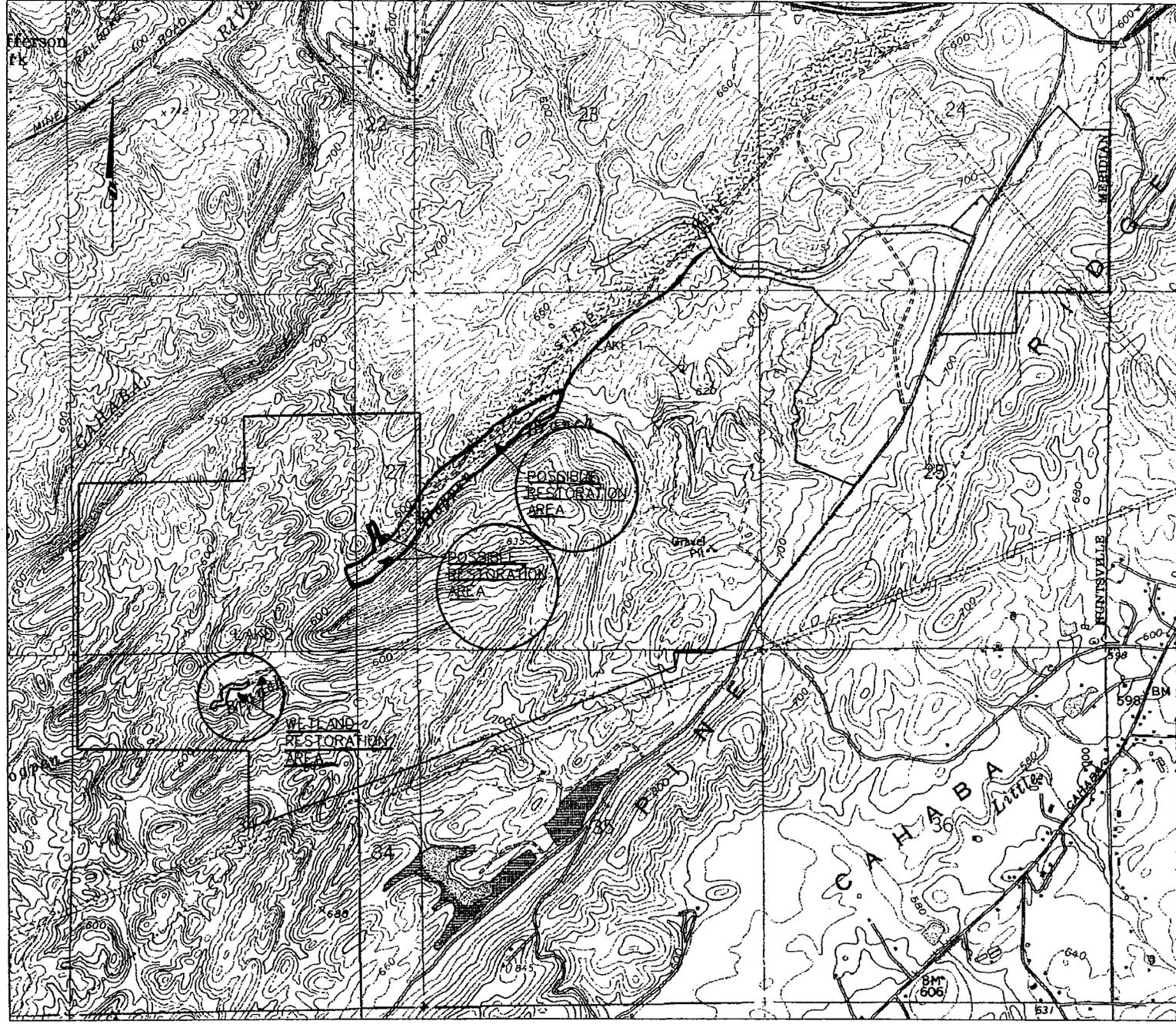
**WALTER SCHOEL ENGINEERING CO., INC.**  
**CONSULTING ENGINEERS**  
 101 2ND STREET SOUTH  
 BIRMINGHAM, ALABAMA 35205  
 (205) 372-9665

DATE	SCALE	STREAM LOCATION MAP
03-27-2006	1"=200'	
SHEET NO.	DRAWN BY	GRAND RIVER II
2	CHN	USS REAL ESTATE
OF	CHECKED	JEFFERSON COUNTY, ALABAMA
5	WLS	
	DATE PLOTTED	04-07-06



DATE	SCALE	WETLAND LOCATION MAP	
02-21-2006	1" = 2000'	GRAND RIVER II	
SHEET NO.	DRAWN BY	CHECKED	FILE NAME
3	CRH	FAC	WLD.dgn
OF			
5			

**WALTER SCHOEL ENGINEERING CO., INC.**  
**CONSULTING ENGINEERS**  
 104 27th STREET SOUTH  
 BIRMINGHAM, ALABAMA 35205  
 (205) 372-9166



DATE	SCALE	PLANNED BY
11/15/88	1"=100'	CH
SHEET NO.	CHECKED	FAC
5	5	5
OF	SHEET VALUE	WT. 50%
5		

MITIGATION MAP  
 GRAND RIVER II  
 USS REAL ESTATE  
 JEFFERSON COUNTY, ALABAMA

WALTER SCHOEL ENGINEERING CO., INC.  
 CONSULTING ENGINEERS  
 100 2ND STREET SOUTH  
 BIRMINGHAM, ALABAMA 35205  
 (205) 378-0166