



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

CESAM-RD-I  
PUBLIC NOTICE NO. SAM-2007-1693-HWL

MAR 19 2008

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

PROPOSED FILLING OF WETLANDS AND STREAMS FOR THE DEVELOPMENT OF THE  
PROPOSED LAKE TAMAHA DEVELOPMENT, SUBDIVISION,  
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). Please communicate this information to interested parties.

APPLICANT: Westervelt Realty, Inc.  
1400 Jack Warner Parkway  
Tuscaloosa, Alabama 35404

WATERWAY: The project is located on several unnamed tributaries of the Black Warrior River within Sections 7, 8 and 17, Township 21 South, Range 9 West along Holt Road Northeast, Tuscaloosa, Tuscaloosa County, Alabama. Center point coordinates are approximately 33.2294° Latitude by -87.5044° Longitude.

WORK: The purpose of this development (Lake Tamaha Development) is to provide a mixed-use residential community in Tuscaloosa. The 308 acre proposed development includes residential units of varying densities, as well as retail and office uses located within five minute walk of the majority of the proposed residential units. The proposed project would include the existing lake which will remain in its present configuration and several proposed parks totaling approximately 40 acres. Additionally, about 80 acres will remain undisturbed natural area. Jurisdictional areas are depicted on the enclosed quadrangle map. There are approximately 48 acres of jurisdictional wetlands and 19,778 linear feet of stream on the 308-acre parcel. Total proposed impacts are 4.289 acres of wetlands, 303 linear feet of ephemeral stream, 627 linear feet of intermittent stream, and 5,907 linear feet of perennial stream that are depicted on the development plan maps. The attached figures are provided by the applicant.

The applicant has provided our office an avoidance and minimization discussion of the proposed activity. As mitigation for stream impacts, the applicant is proposing to perform stream buffer restoration, enhancement, and preservation on site. Additional stream credits as well as wetland mitigation credits would be purchased from an approved mitigation bank.

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.

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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 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 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.

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.

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 effect cultural and historic properties within the permit area. **The University of Alabama performed a Cultural Resources Survey of the property. The Alabama Historical Commission reviewed the report, and the State Historic Preservation Officer provided concurrence via letter of September 9, 2007.** 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 this undertaking are also being considered. We are seeking comment from the State Historic Preservation Officer, federally-recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. Historic

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architectural or archaeological investigations may be necessary to ascertain the existence of such resources. Efforts will be made through the consultation process to avoid, minimize, or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking. The district engineer remains the final decision authority.

Preliminary endangered species surveys have been conducted to determine the presence of federally listed species or critical habitat. These surveys are being provided to the U.S. Fish and Wildlife service in accordance with the provisions of the Federal Endangered Species Act, to insure that the proposed activities will not adversely affect any listed or proposed species.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2007-1693-HWL and should be directed to: District Engineer, U.S. Army Engineer District, Mobile, 218 Summit Parkway, Suite 222, Homewood, AL 35209; with a copy to the: Alabama Department of Environmental Management, 4171 Commanders Drive, Mobile, Alabama 36615

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 via e-mail at [howard.w.ladner@usace.army.mil](mailto:howard.w.ladner@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 [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.

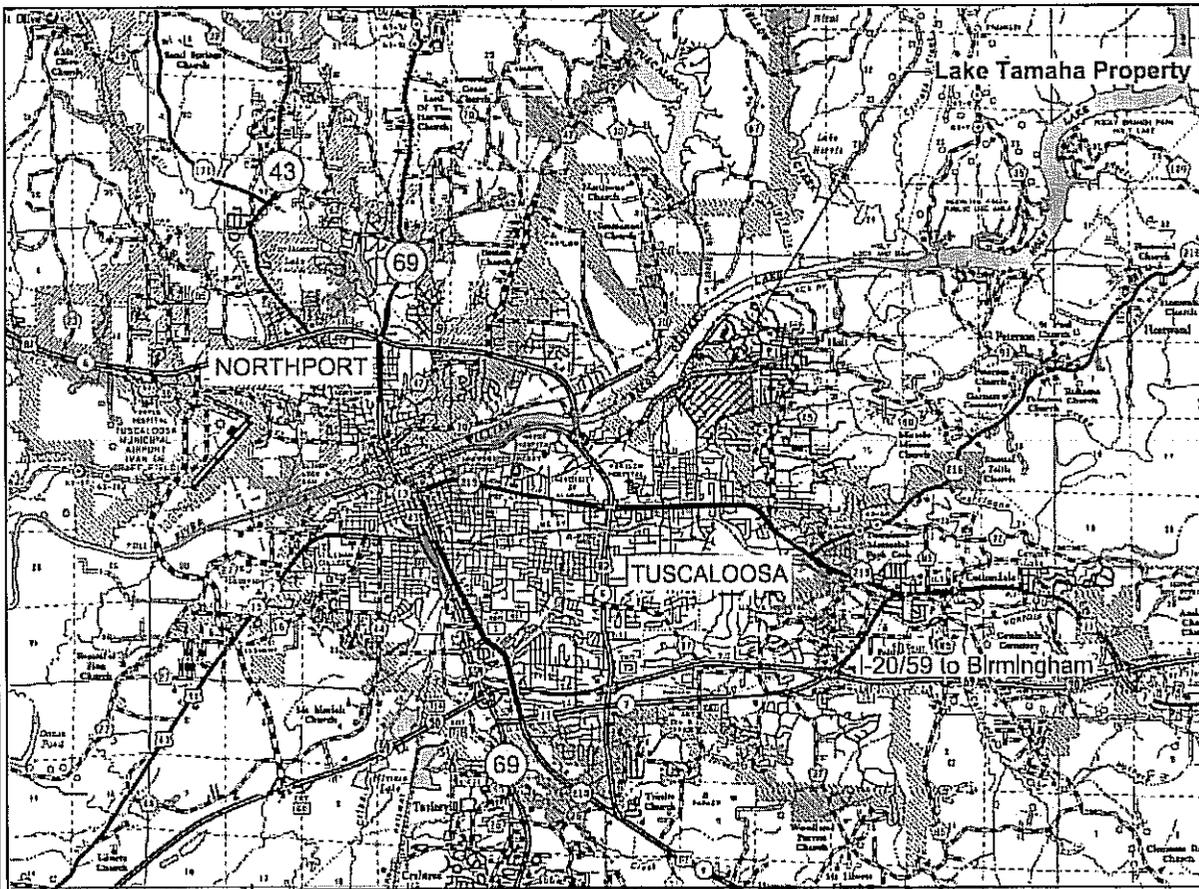
MOBILE DISTRICT  
U.S. Army Corps of Engineer

Enclosures

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NOT TO SCALE

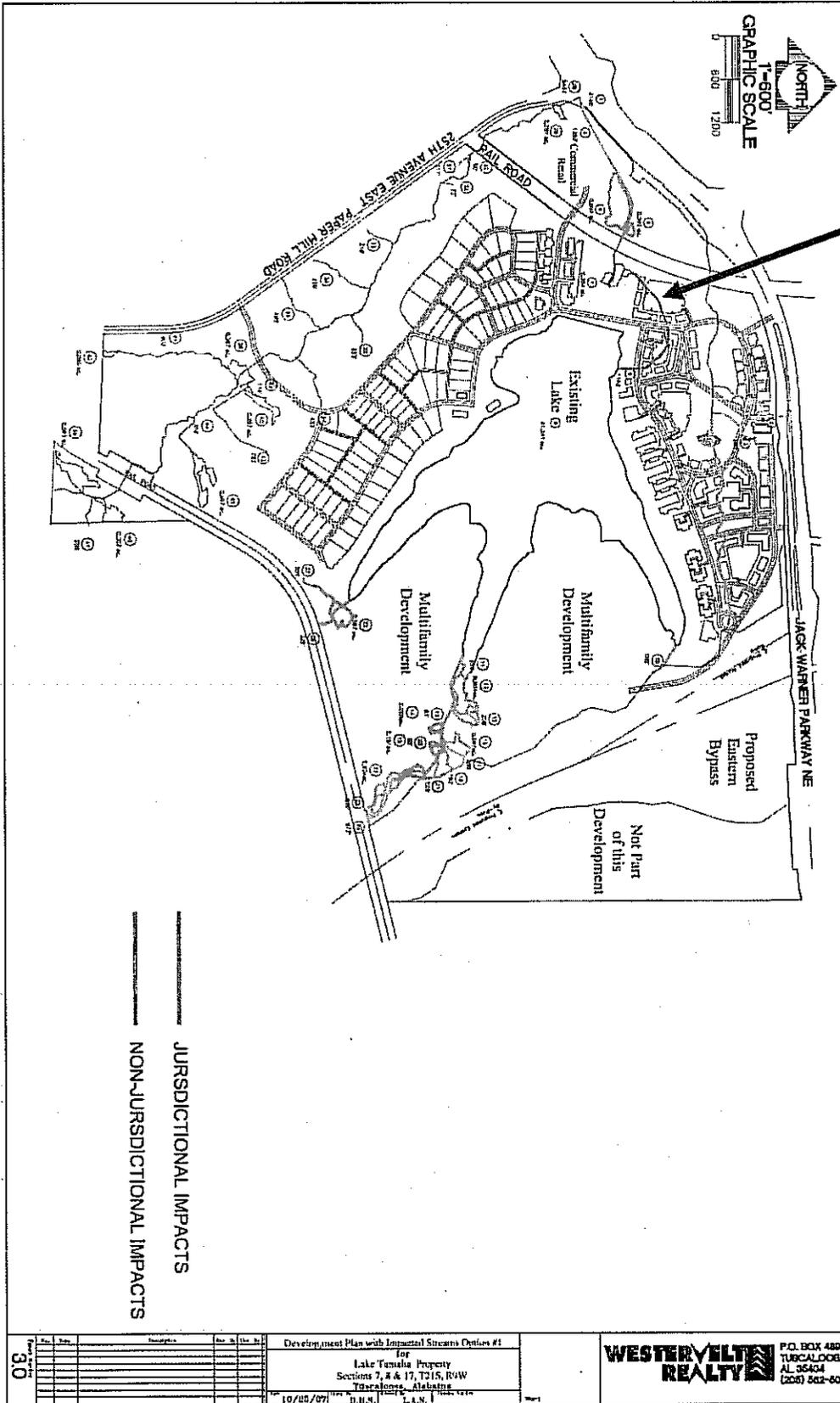


|           |                               |            |                |  |
|-----------|-------------------------------|------------|----------------|--|
| REVISIONS | Figure #1 - Vicinity Map      |            |                |  |
|           | for<br>Lake Tamaha Property   |            |                |  |
|           | Sections 7, 8 & 17, T21S, R9W |            |                |  |
|           | Tuscaloosa, Alabama           |            |                |  |
| Date      | Drawn by                      | Checked by | Drawing Number |  |
| 10/25/07  | D.B.S.                        | L.A.S.     | Y-1507-07      |  |



P.O. BOX 48989  
 TUSCALOOSA  
 AL 35404  
 (205) 582-5000

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The arrow points to the only non-jurisdictional area on this map. The spillway from the existing lake is not jurisdictional – the remaining streams and waters onsite are jurisdictional.

\* If viewed in black and white, the bolded areas will be the jurisdictional areas impacted.

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