



**DEPARTMENT OF THE ARMY  
MOBILE DISTRICT, CORPS OF ENGINEERS  
218 SUMMIT PARKWAY, SUITE 222  
HOMEWOOD, AL 35209-4752**

**CESAM-RD-I  
PUBLIC NOTICE NO. SAM-2007-2105-CJH**

**December 10, 2007**

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

**PROPOSED FILLING ACTIVITY OF WATERS AND WETLANDS IN CONJUNCTION WITH  
THE DEVELOPMENT OF JEFFERSON METROPOLITAN INDUSTRIAL PARK, 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: Jefferson County Economic & Industrial  
Development Authority  
Attention: Ms. Deborah McGill  
500 Beacon Parkway West  
Birmingham, Alabama 35209**

**WATERWAY: The project is located on an unnamed tributary of Five Mile Creek within Section 2, Township 20 South, Range 5 West, Trussville, Jefferson County, Alabama. Center point coordinates are approximately (Latitude 33°19'55" North Longitude 87°01'34.81" East).**

**WORK: The applicant proposes to fill approximately 1.36 acres of wetlands, and 2,940 linear feet of a seasonal relatively permanent water (rpw) to develop a 70 acre tract of land within the existing industrial park. The above mentioned impacts were authorized under AL00-00800-H in May of 2000 and the permit expired prior to completion of the authorized activity. The mitigation proposal for the wetland impacts will be the purchase of wetland credits from an approved mitigation bank. Stream credits will be generated onsite by enhancement of 2,700 linear feet of a seasonal rpw and offsite preservation of 2,733 linear feet of an rpw.**

The applicant is currently preparing his 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 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

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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. 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 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.

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Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2007-2105-CJH and should be directed to:

U.S. Army Corps of Engineers  
Mobile District  
218 Summit Parkway, Suite 222  
Homewood, AL 35209

with a copy to the:

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

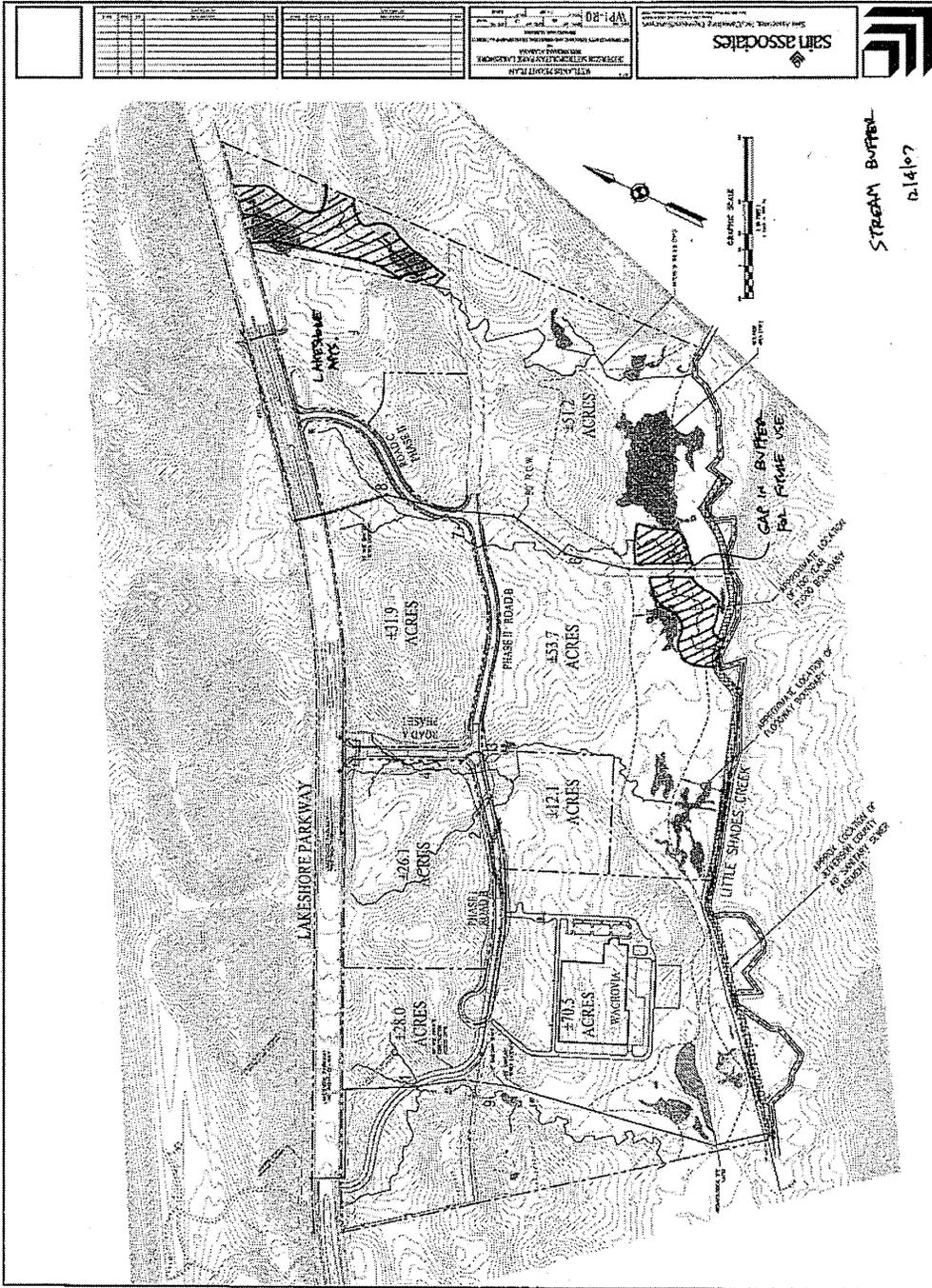
Comments should be received no later than **15 days** from the date of this Public notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at [cindy.j.house-pearson@usace.army.mil](mailto:cindy.j.house-pearson@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.

Encls

MOBILE DISTRICT  
U.S. Army Corps of Engineer

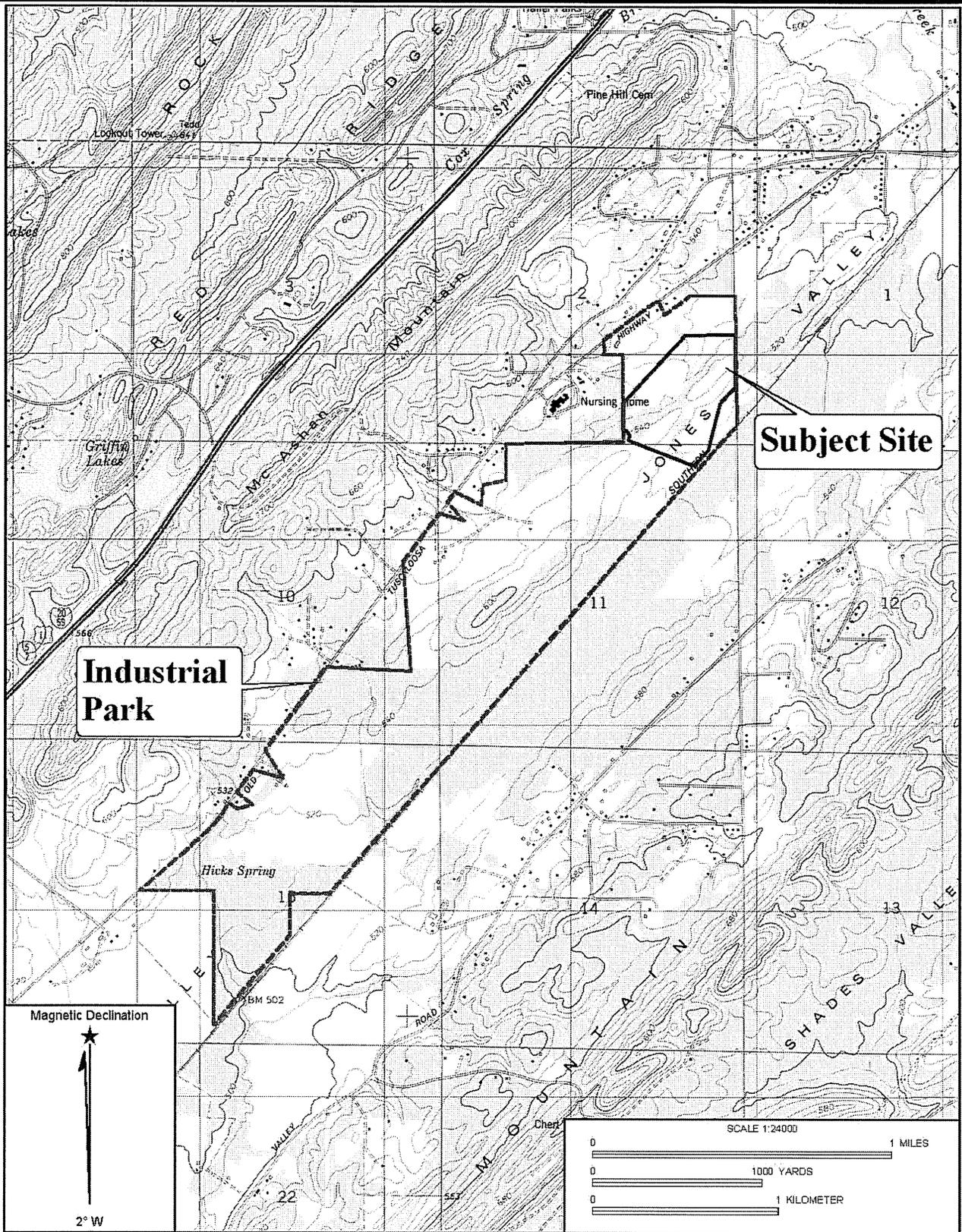


PROJECT

SECTION 404 PERMIT REQUEST  
 JEFFERSON METROPOLITAN INDUSTRIAL PARK  
 LOT 1  
 PROPOSED DISTRIBUTION CENTER  
 MCCAIG, JEFFERSON COUNTY, ALABAMA  
 PROJECT NO.: 07BHSA10103E

FIGURE 8

PROPOSED STREAMBED PRESERVATION  
 (DETAIL)

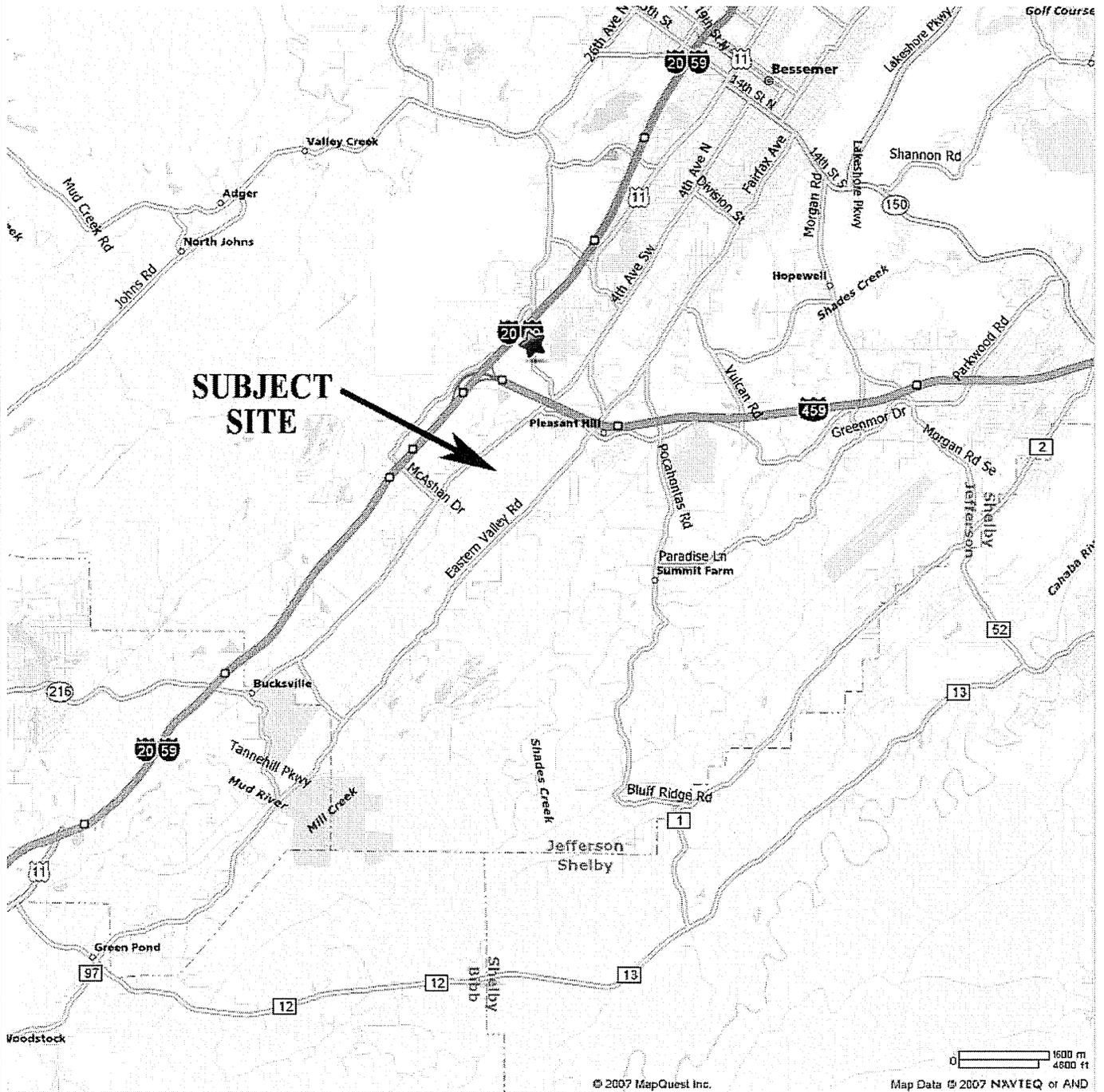


**PROJECT**

SECTION 404 PERMIT REQUEST  
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 MCCALLA, JEFFERSON COUNTY, ALABAMA  
 PROJECT NO.: 07BHSA1013E

**FIGURE 3**

**SITE LOCATION MAP**  
 (SUBJECT SITE)  
 USGS 7.5-MINUTE TOPOGRAPHIC QUADRANGLE  
 MCCALLA, ALABAMA, DATED 1980  
 SECTIONS 2 & 11, TOWNSHIP 20S, RANGE 5W



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**FIGURE 1**

**SITE VICINITY MAP**

