



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

**CESAM-RD-I-N**  
**PUBLIC NOTICE NO. SAM-2009-00217-JSC**

**February 23, 2009**

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

**PROPOSED CONSTRUCTION OF A 23 ACRE RECREATIONAL**  
**IMPOUNDMENT**

**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 Corps can be based. Please communicate this information to interested parties.

**APPLICANT:** Dr. George F. Seier, Jr. DVM  
Triple Creek Farm  
1519 County Road 10  
Prattville, AL 36067

**AGENT:** Mr. Arthur G. Hosey  
Hosey Environmental, LLC  
Post Office Box 464  
Daphne, AL 36526

**LOCATION:** Unnamed tributary to Bridge Creek and adjacent wetlands; Section 26, Township 18 North, Range 15 East, near the Booth Community, Autauga County, Alabama (Latitude 32.5084° North, Longitude 86.5369° West).

**PROJECT PURPOSE:** The purpose of the proposed project is to develop a private recreational impoundment.

**WORK:** The applicant proposes to place fill material into an unnamed tributary of Bridge Creek as well as into its adjacent wetlands in association with the development of a private recreational impoundment. The proposed discharge will impact 2001 linear feet of first order perennial stream and 6.7 acres of wetlands.

**AVOIDANCE AND MINIMIZATON:** The applicant's original design included four impoundments (25 acres, 6 acres, 3 acres and 2 acres) of varying sizes. Impacts to waters of the US under this design would have been 2,346, linear feet of streams and 11.7 acres of wetlands. In an effort to avoid and minimize impacts, the applicant removed the 3 smaller impoundments and reduced the size of the largest impoundment. As a result of the design changes the applicant was able to reduce jurisdictional impacts by 1,445 linear feet of stream impacts and 5 acres of wetland impacts.

**COMPENSATORY MITIGATION:** The applicant proposes on site and in-kind mitigation to compensate for the project's wetland and stream impacts. According to the applicant's plan, the mitigation will be conducted at six locations and is composed wetland reestablishment and enhancement, as well as stream buffer restoration. These six mitigation areas totaling 83.6 acres will be placed under restrictive covenants protecting 4,455 linear feet of streams, 32.8 acres of upland riparian buffer restoration, and 50.8 acres of wetland restoration and enhancement.

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 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 discharges of dredged or fill material into waters of the United States will include the application of the Section 404(b)(1) guidelines established by the Administrator of the U.S. Environmental Protection Agency.

*A Wetland and Endangered Species Survey Report* was prepared on behalf of applicant by TTL (9/2002). A 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.

The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which would be affected by the proposed work. This review will constitute 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

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that a potential exists for the location of significant sites or properties within the project 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.

Any correspondence concerning this publication should refer to this Public Notice SAM-2009-00217-JSC and should be directed to the following address:

District Engineer:

U. S. Army Engineer District, Mobile  
Regulatory Division, Montgomery Field Office  
Attn: James S. Cherry, II  
25 LeMay Plaza S., Bldg. 853  
Maxwell, AFB, AL 36112

with a copy to the :

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

All comments should be received no later than 30 **days** from the date of issuance of this Public Notice.

Enclosed to assist you with your review are: Location map; Corps Jurisdictional Waters map; Proposed Impacts map.

If you have any questions concerning this publication, you may contact the Project Manager via e-mail at [james.s.cherry@usace.army.mil](mailto:james.s.cherry@usace.army.mil) or telephone number (334) 953-2172. Please refer to the above Public Notice number.

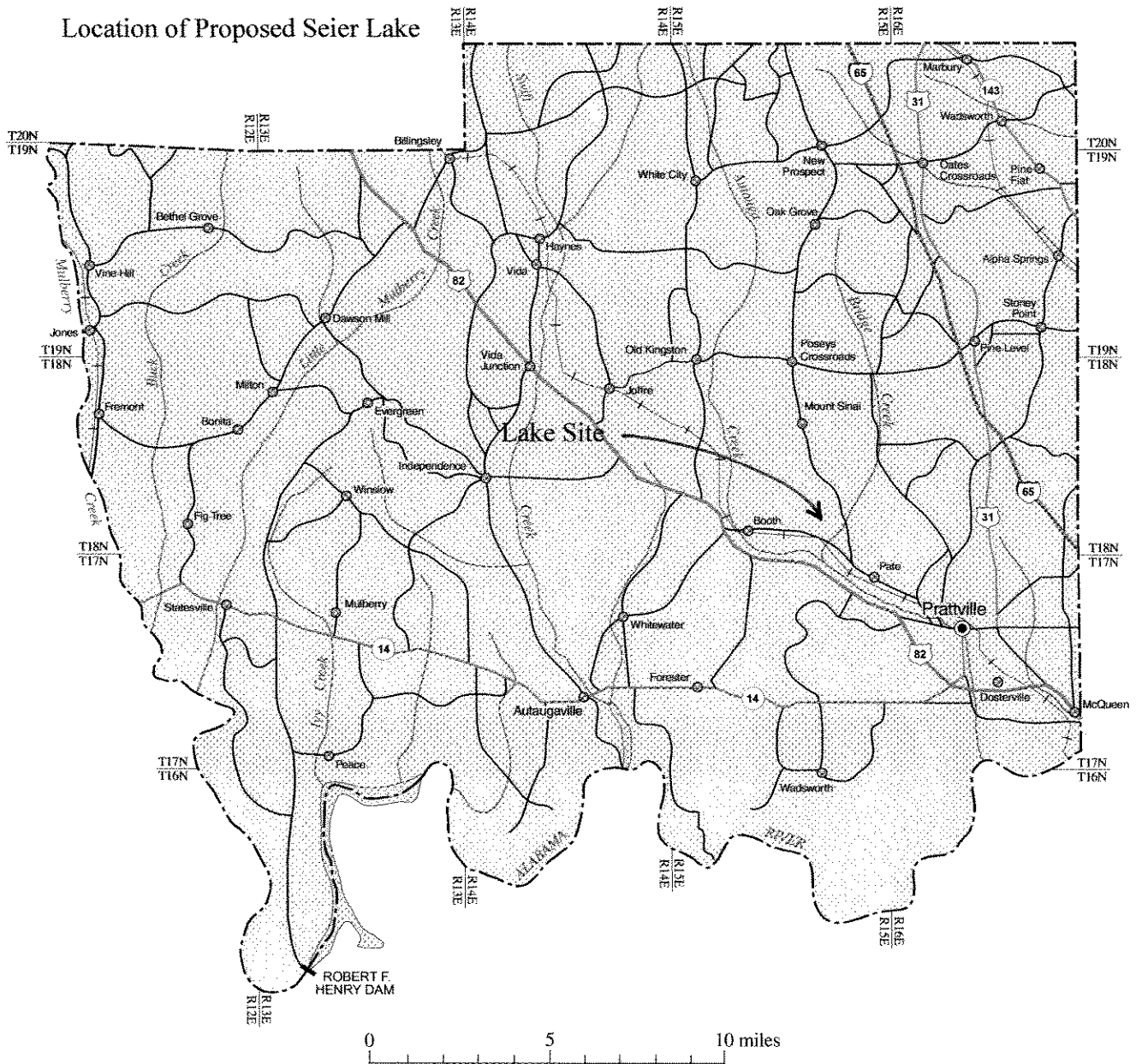
For additional information about the Mobile District's Regulatory Program, please take a moment to visit our web site at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/reg), while there please take a moment to complete our customer satisfaction survey. Your responses are appreciated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

Encls

MOBILE DISTRICT  
U.S. Army Corps of Engineer

# AUTAUGA COUNTY

## Location of Proposed Seier Lake



### Legend

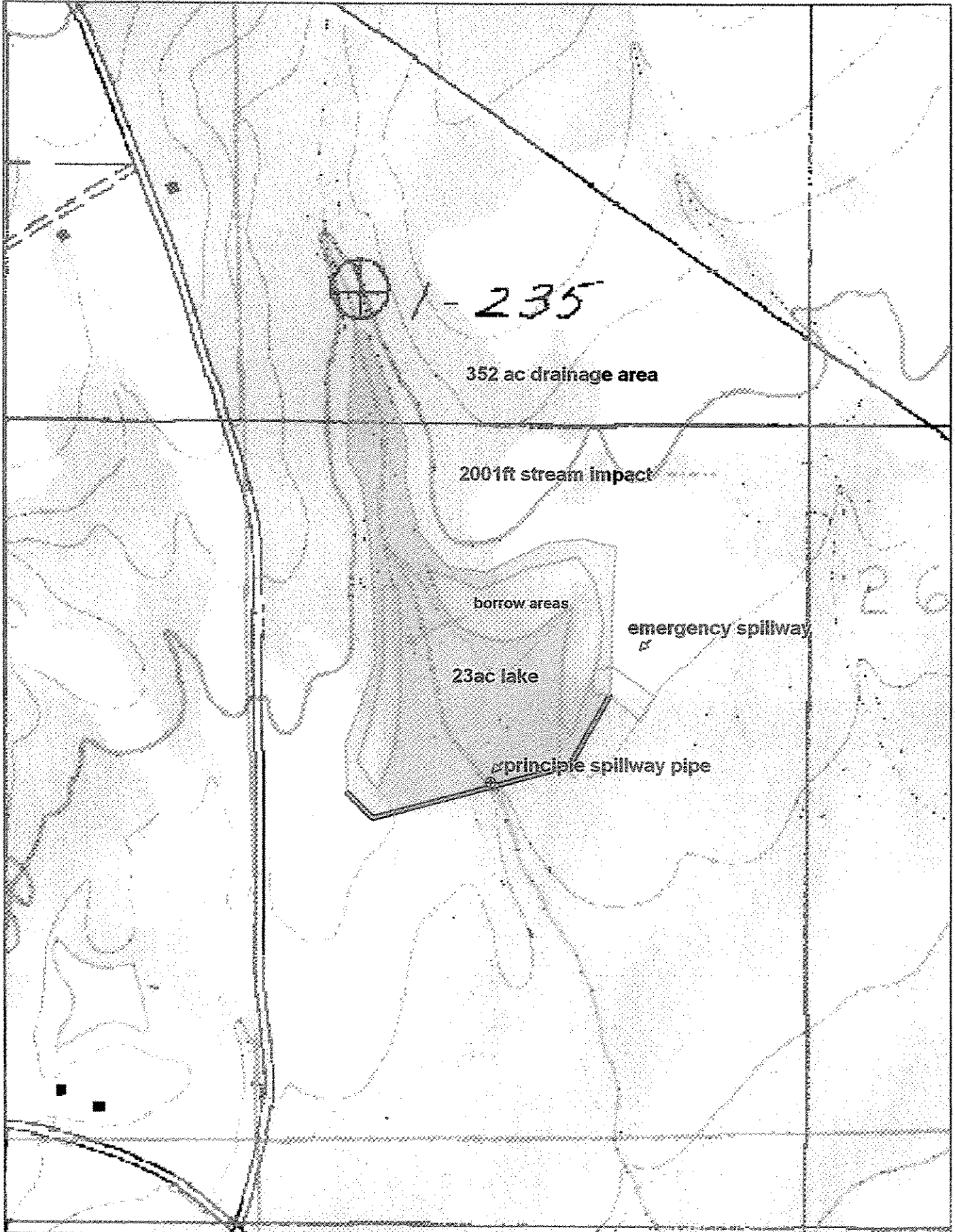
- County seat
- ⊙ City, town or village
- Primary highway
- - - Secondary highway
- Other principal roads
- Route marker: Interstate; U.S.; State



### Population Key

BIRMINGHAM	100,000 to 500,000
Tuscaloosa	50,000 to 100,000
Gadsden	25,000 to 50,000
Albertville	5,000 to 25,000
Foley	1,000 to 5,000
Brilliant	500 to 1,000
Elkmont	up to 500

Produced by the Dept. of Geography  
College of Arts and Sciences  
The University of Alabama



1-235

26

352 ac drainage area

2001ft stream impact

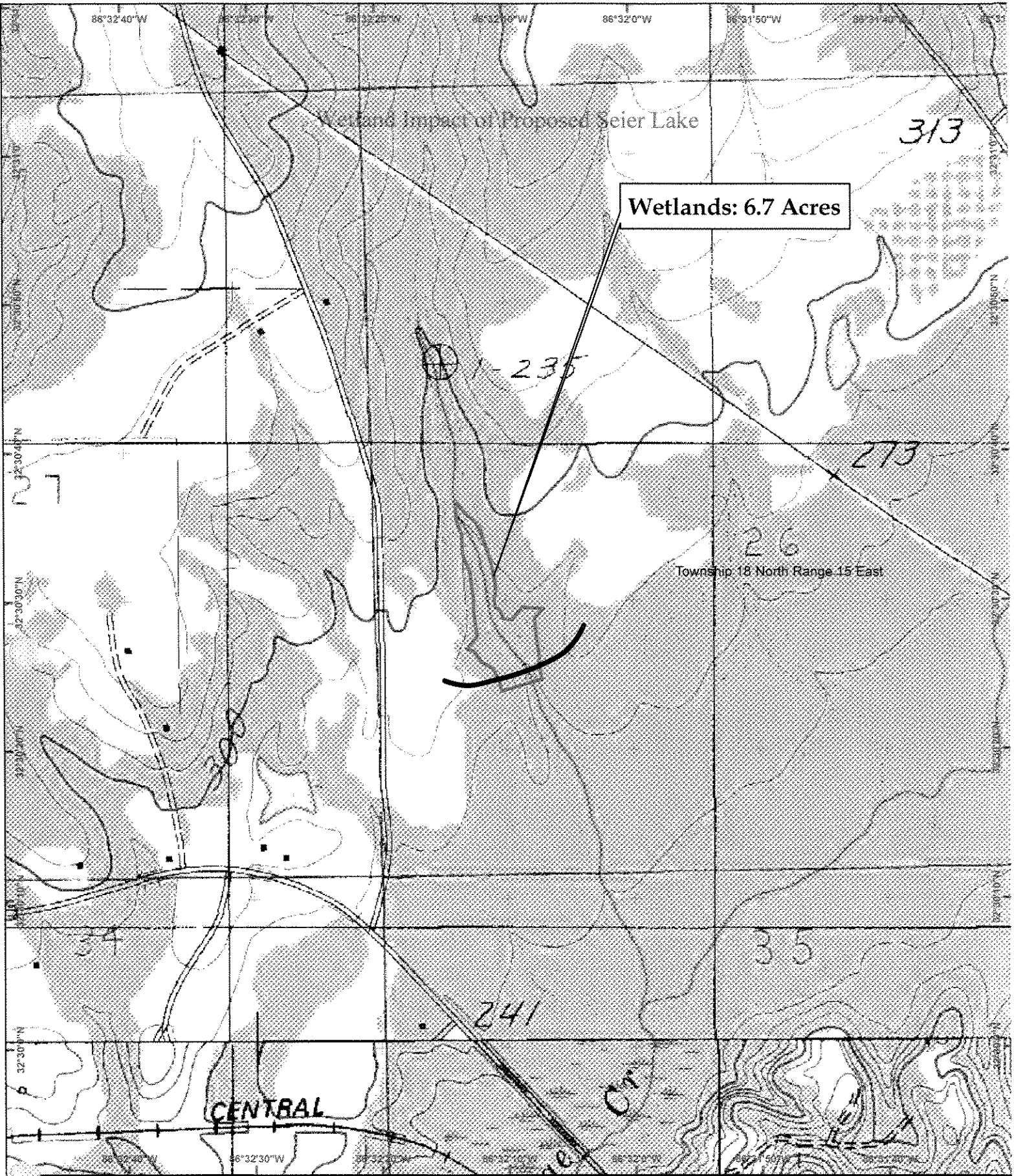
borrow areas

emergency spillway

23ac lake

principle spillway pipe

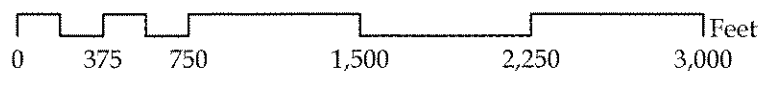




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 www.hopeenv.com



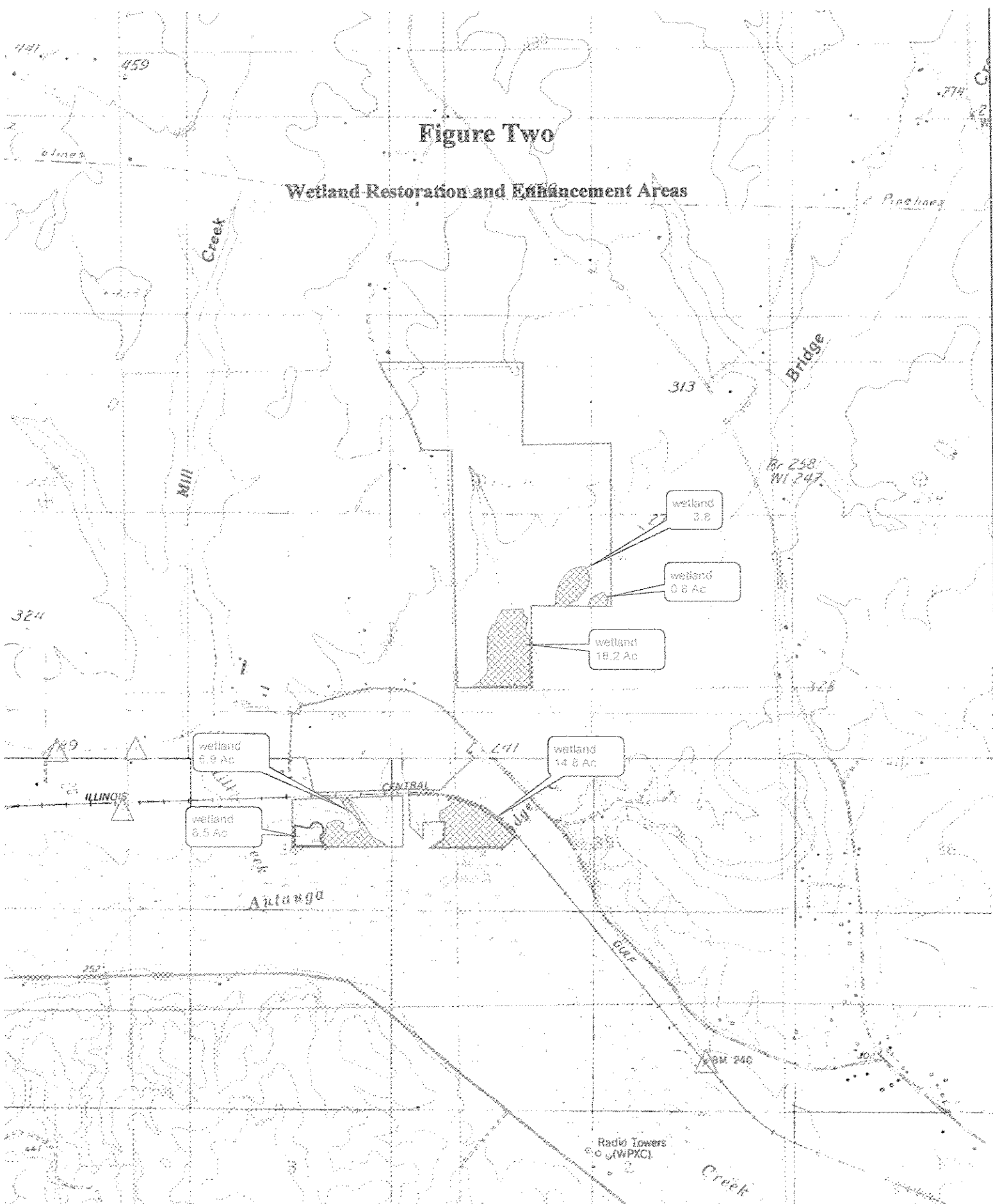
Dr. George Seier Property, Autauga County, Alabama





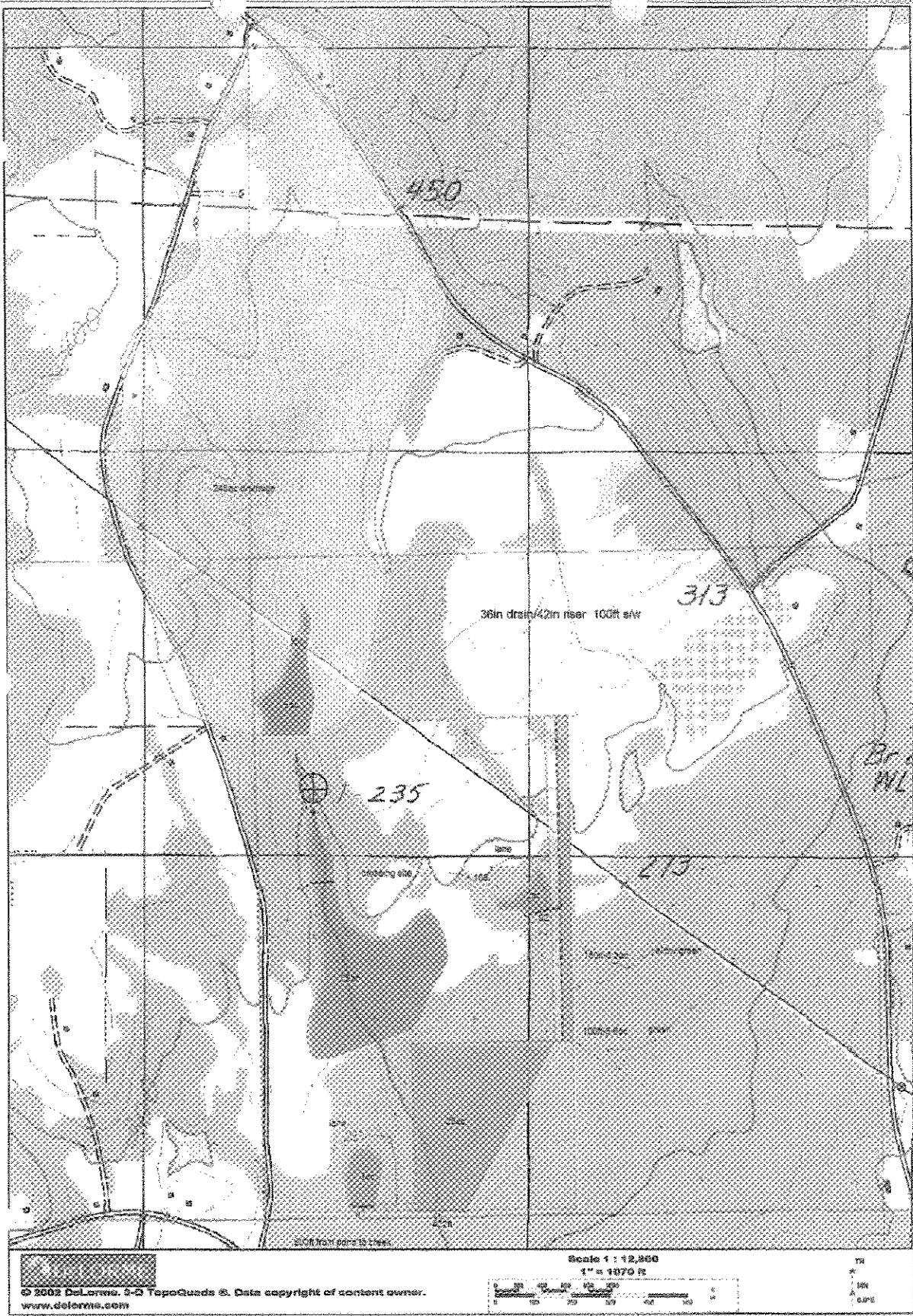
# Figure Two

## Wetland Restoration and Enhancement Areas



Name: OLD KINGSTON  
Date: 10/26/2008  
Scale: 1 inch equals 2000 feet

Location: 032° 30' 25.02" N 086° 32' 12.48" W NAD27  
Caption: Wetland Restoration and Enhancement sites



ORIGINAL Design w 4 impoundments