



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, MOBILE DISTRICT  
600 VESTAVIA PARKWAY, SUITE 203  
THE SHELBY BUILDING  
VESTAVIA HILLS, ALABAMA 35216

CESAM-RD-N  
PUBLIC NOTICE NO. SAM-2020-00839-CMS

January 20, 2021

**JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS**

**STATE OF ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED DISCHARGE OF FILL MATERIAL INTO WETLANDS AND UNNAMED  
TRIBUTARIES TO YELLOW LEAF CREEK AND ROCKY CREEK ASSOCIATED WITH  
THE CONSTRUCTION OF A COMMERCIAL DEVELOPMENT IN CLANTON, CHILTON  
COUNTY, ALABAMA**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: The Industrial Development Authority of Chilton County, Alabama  
Attention: Whitney Barlow  
Post Office Box 2066  
Clanton, Alabama 35045  
wbarlow@growchilton.org

AGENT: Terracon Consultants, Inc.  
Attention: David Dickson  
2147 Riverchase Office Road  
Hoover, Alabama 35244  
david.dickson@terracon.com

LOCATION: **The proposed project is located in wetlands and unnamed tributaries to Yellow Leaf Creek and Rocky Creek in Clanton, Chilton County, Alabama. Specifically, the project boundary is located within Sections 1 and 12, Township 22 North and Range 14 East. Center coordinates of the project site are latitude 32.902640, longitude -86.629836. The project is located in the Lower Coosa 8-digit hydrologic unit code (HUC 03150107).**

PROJECT PURPOSE: **The basic project purpose is commercial development.**

PROPOSED WORK: **The applicant is requesting authorization to discharge fill material into waters of the United States (U.S.) in association with the construction of a multi-use development called the Alabama Rural Economic**

**Center, which is proposed to include a 5,000 seat air-conditioned arena, 150,000 square foot exhibition building, 400-stall horse barn, 400 recreational vehicle hookups, and a variety of other barns and arenas. The discharge would result in the unavoidable impact to 2,871 linear feet of stream and 11.04 acres of wetlands associated with the construction of the development.**

**AVOIDANCE & MINIMIZATION: According to the applicant, the original development plan proposed to impact 24 acres of wetlands and 4,636 linear feet of stream. During project design, the layout was modified and alternative plan 2 proposed to impact 22.5 acres of wetlands and 5,172 linear feet of stream. The design was re-evaluated and modified again to further minimize impacts to waters of the U.S. These modifications included shifting the southern parking area and access road to the south and re-designing the configuration of the two parking areas located on either side of the northern access road, resulting in the proposed plan of unavoidable impacts to 2,871 linear feet of stream and 11.04 acres of wetlands. The U.S. Army Corps of Engineers (USACE) has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.**

**COMPENSATORY MITIGATION: The applicant proposes to purchase stream credits and wetland credits from an approved mitigation bank.**

The applicant will apply for certification from the State of Alabama in accordance with Section 401(a) (1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to water quality certification will be made by the Alabama Department of Environmental Management.

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 PROPERTIES:** 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. The USACE has not made a determination of effects to historic properties at this time. Copies of this public notice are being distributed to the State Historic Preservation Officer, federally recognized American Indian tribes, and the National Park Service, Division of Archaeological Services for review and comment.

**ENDANGERED/THREATENED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Species indicates the following species have the potential to occur in the project watershed: gray bat, Indiana bat, wood stork, red-cockaded woodpecker, rough hornsnail, finelined pocketbook, ovate clubshell, southern clubshell, upland combshell, and Alabama canebrake pitcher plant. An effects determination will be made during the evaluation process, at which time the USACE will initiate consultation with the United States Fish and Wildlife Service (USFWS), if necessary. Copies of this public notice are being sent to the USFWS for review and comment.

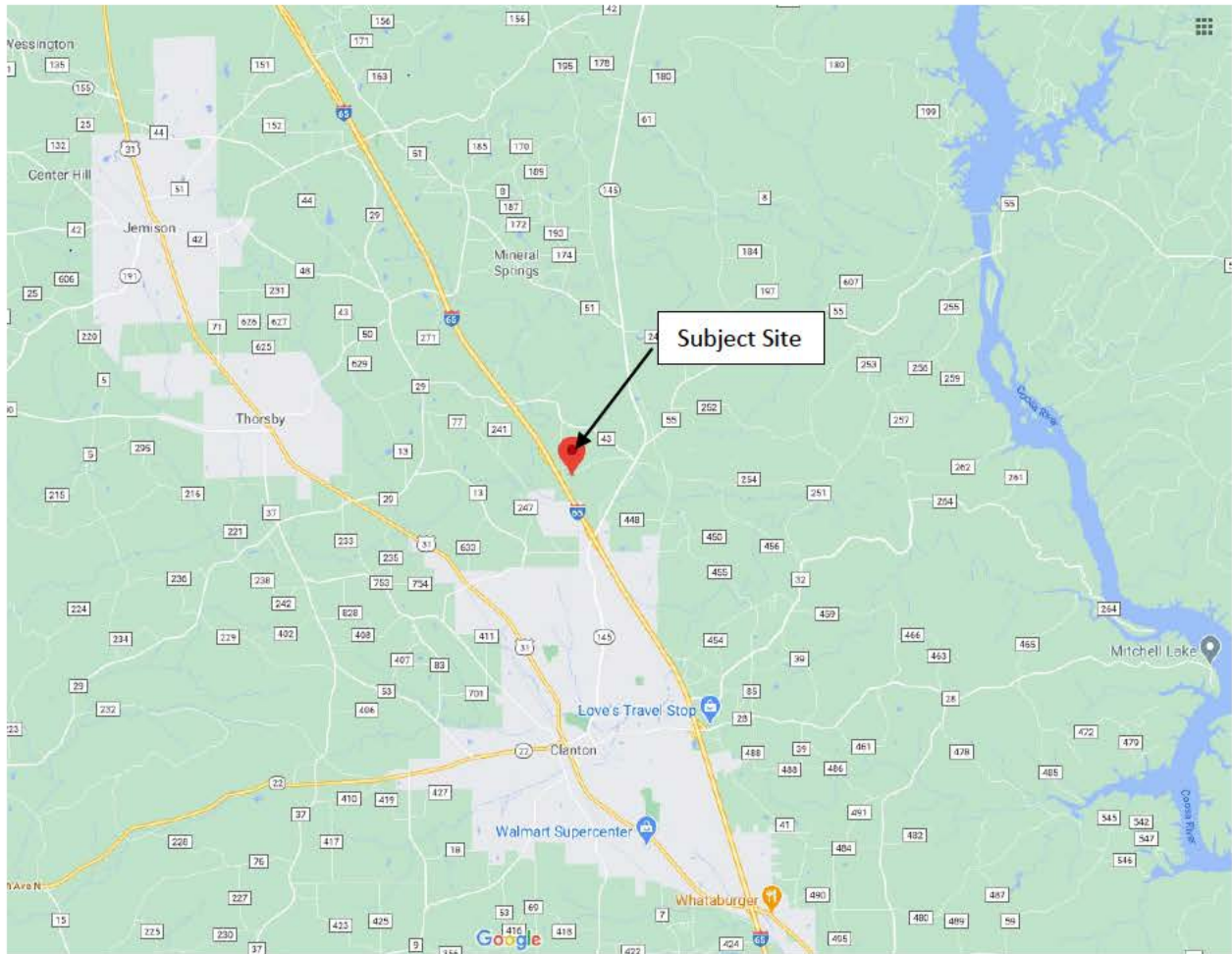
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2020-00839-CMS** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Attention: **Ms. Courtney Shea**, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Alabama Department of Environmental Management, Field Operations Division, Office of Field Services, Attention: Mr. Richard Hulcher, Post Office Box 301463, Montgomery, Alabama 36130-1463. Comments may also be submitted via e-mail to USACE at **Courtney.M.Shea@usace.army.mil** and to ADEM at **fieldmail@adem.alabama.gov**.

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 **Courtney.M.Shea@usace.army.mil** or telephone number **(205) 381-8108**. 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>.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Attachments

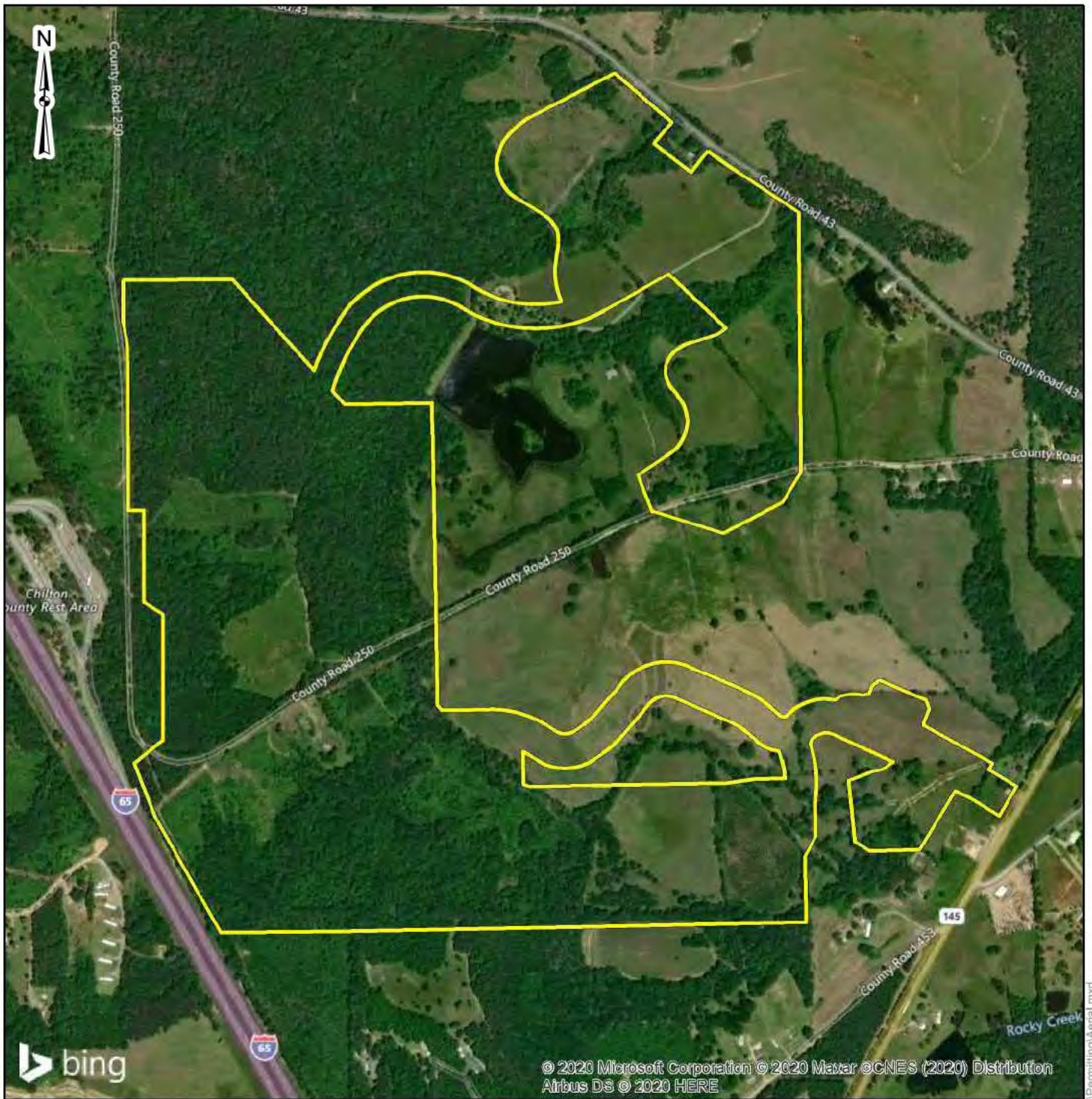



**Figure 1**

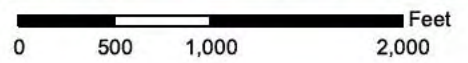
**Site Locator**

**SAM-2020-00839-CMS**

**Alabama Rural Economic Center**



 Project Boundary



DATA SOURCES:  
 ESRI WMS - Bing Hybrid Imagery Basemap,  
 OpenStreetMap

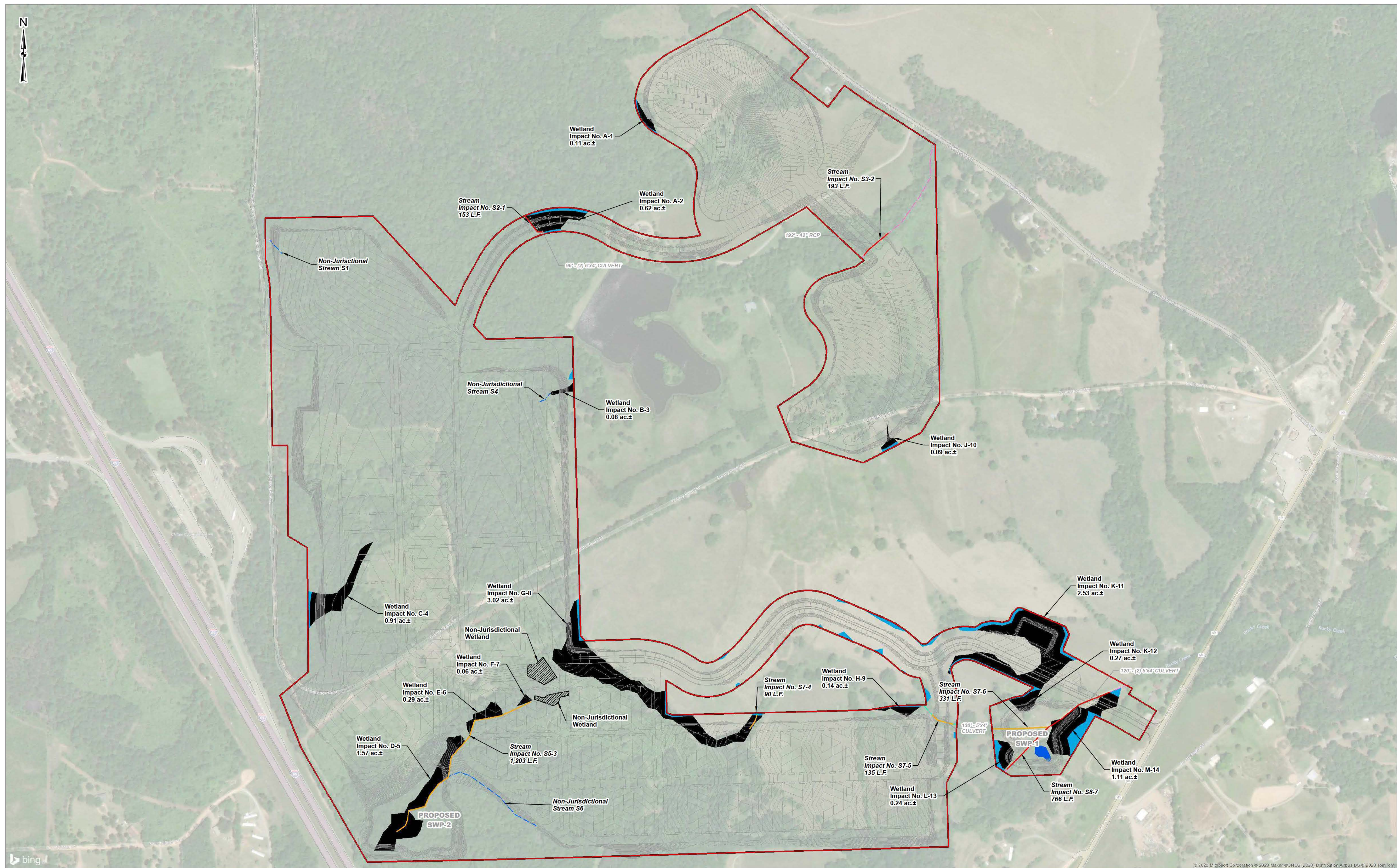
Project No.:  
 E1207035  
 Date:  
 Sep 2020  
 Drawn By:  
 JRN  
 Reviewed By:  
 KEP



2147 Riverchase Office Rd Hoover, Alabama 35244  
 PH. (205) 942-1289 terracon.com

**Aerial Map**  
 Feather Duster  
 4183 Alabama Highway 145  
 Chilton County, Alabama

**Exhibit**  
 2



**Legend**

- Project Boundary
- Jurisdictional Stream Impacts
- Perennial (1,112.2')
- Intermittent (1,759.7')
- Impacts
- Jurisdictional Wetland Impacts (11.04 ac.±)
- Non-Jurisdictional Wetland Impacts (0.54 ac.±)

**Other**

- Non-Jurisdictional Pond
- Wetland To Remain
- Non-Impacted Jurisdictional Perennial Streams
- Non-Impacted Jurisdictional Intermittent Streams
- Non-Jurisdictional Ephemeral Steams

**Scale**

0 120 240 480 Feet

1:2,880

**Project Information**

Project No.: E1207035  
 Date: Jan 2021  
 Drawn By: JRN  
 Reviewed By: DMD

**DATA SOURCES**

ESRI WMS - World Aerial Imagery, OpenStreetMap, GNC

**Terracon**

2147 Riverchase Office Rd Hoover, Alabama 35244  
 PH. (205) 942-1289 terracon.com

**Proposed Site Plan**

Feather Duster  
 4183 Alabama Highway 145  
 Chilton County, Alabama  
 Permitting Site Plan

**Appendix**

**A**

© 2020 Microsoft Corporation © 2020 Maxar © CNIG (2020) Distribution Airbus DS © 2020 Terracon