



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, MOBILE DISTRICT  
218 SUMMIT PARKWAY, SUITE 222  
HOMEWOOD, ALABAMA 35209

CESAM-RD-N  
PUBLIC NOTICE NO. SAM-2006-00541-JEB

June 19, 2020

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

**STATE OF ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED DISCHARGE OF FILL MATERIAL INTO WETLANDS AND AN UNNAMED  
TRIBUTARY TO FOWLER LAKE ASSOCIATED WITH THE EXPANSION OF A  
RESIDENTIAL DEVELOPMENT IN CHELSEA, SHELBY 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 Village at Highland Lakes, LLC  
Attention: Doug Eddleman  
2700 Highway 280, Suite 425  
Birmingham, Alabama 35233  
doug@eddeleman.com

AGENT: Spectrum Environmental, Inc.  
Attention: Bailey Maier  
85 Spectrum Cove  
Alabaster, Alabama 35007  
bmaier@specenviro.com

LOCATION: **The proposed project is located in wetlands and an unnamed tributary to Fowler Lake on a 61-acre parcel located in Chelsea, Shelby County, Alabama. Specifically, the project boundary is located within Section 3, Township 19 South and Range 1 West. Center coordinates of the project site are latitude 33.413425, longitude -86.640125. The project is located in the Lower Coosa 8 digit hydrologic unit code (HUC 03150107).**

PROJECT PURPOSE: **The basic project purpose is housing.**

PROPOSED WORK: **The applicant is requesting authorization to discharge fill material into waters of the United States (U.S.) in association with the expansion construction of a residential subdivision comprised of single family homes. The discharge would result in unavoidable impacts to 70 linear feet of perennial**

**stream (19 linear feet has already been piped) and 0.15 acre of forested wetlands. Specifically, the stream would be piped and 0.07 acre of wetland filled for the construction of an access road, 0.03 acre of wetland would be filled for the construction of an additional access road, clubhouse and pool area, and 0.05 acre of wetlands would be filled for the construction of a driveway and installation of low-gravity sanitary sewer.**

**PROJECT HISTORY: An after-the-fact DA permit was issued in 2007 for the unauthorized placement of fill material into 0.066 acre of wetlands and 120 linear feet of perennial stream associated with development of the site. The permit also authorized the placement of fill into 150 linear feet of perennial stream associated with widening Dunnavant Valley Road near the entrance to the development.**

**AVOIDANCE & MINIMIZATION: The applicant stated the following waters would be avoided: 328 linear feet of perennial stream, 78 linear feet of intermittent stream, 670 linear feet of ephemeral stream, and 1.49 acres of wetlands. Approximately 25 acres of the project boundary would be left in a natural buffer to protect avoided waters of the U.S. 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 and wetland credits from the Yellowleaf 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, 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 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, northern long-eared bat, Coosa moccasinshell, finelined pocketbook, ovate clubshell, southern clubshell, southern pigtoe, triangular kidneyshell, and upland combshell. 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-2006-00541-JEB** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Attention: **Ms. Courtney Shea**, 218 Summit Parkway, Suite 222, Homewood, Alabama 35209, 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**.

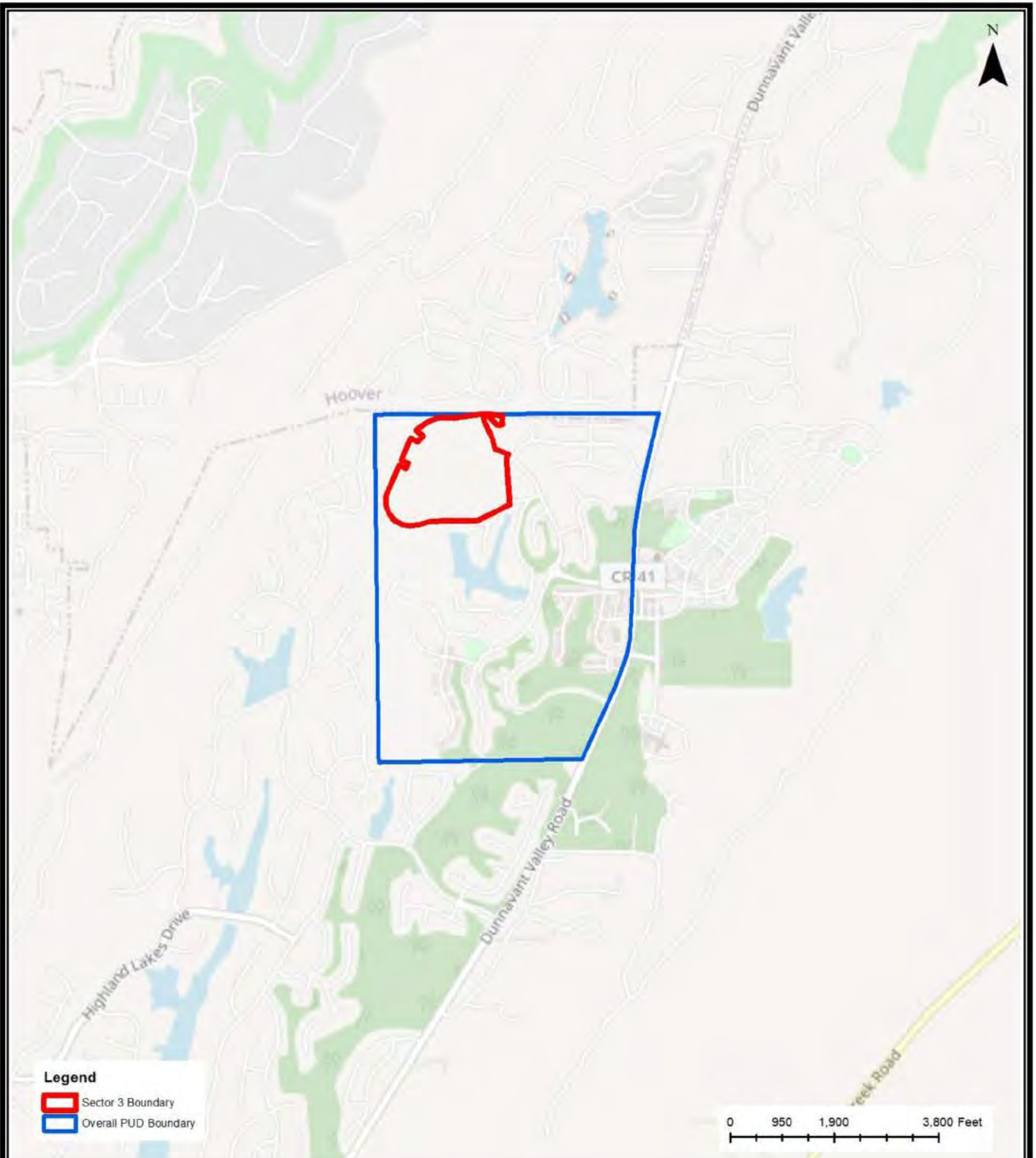
Comments should be received no later than **30 days** from the date of this Public Notice.

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

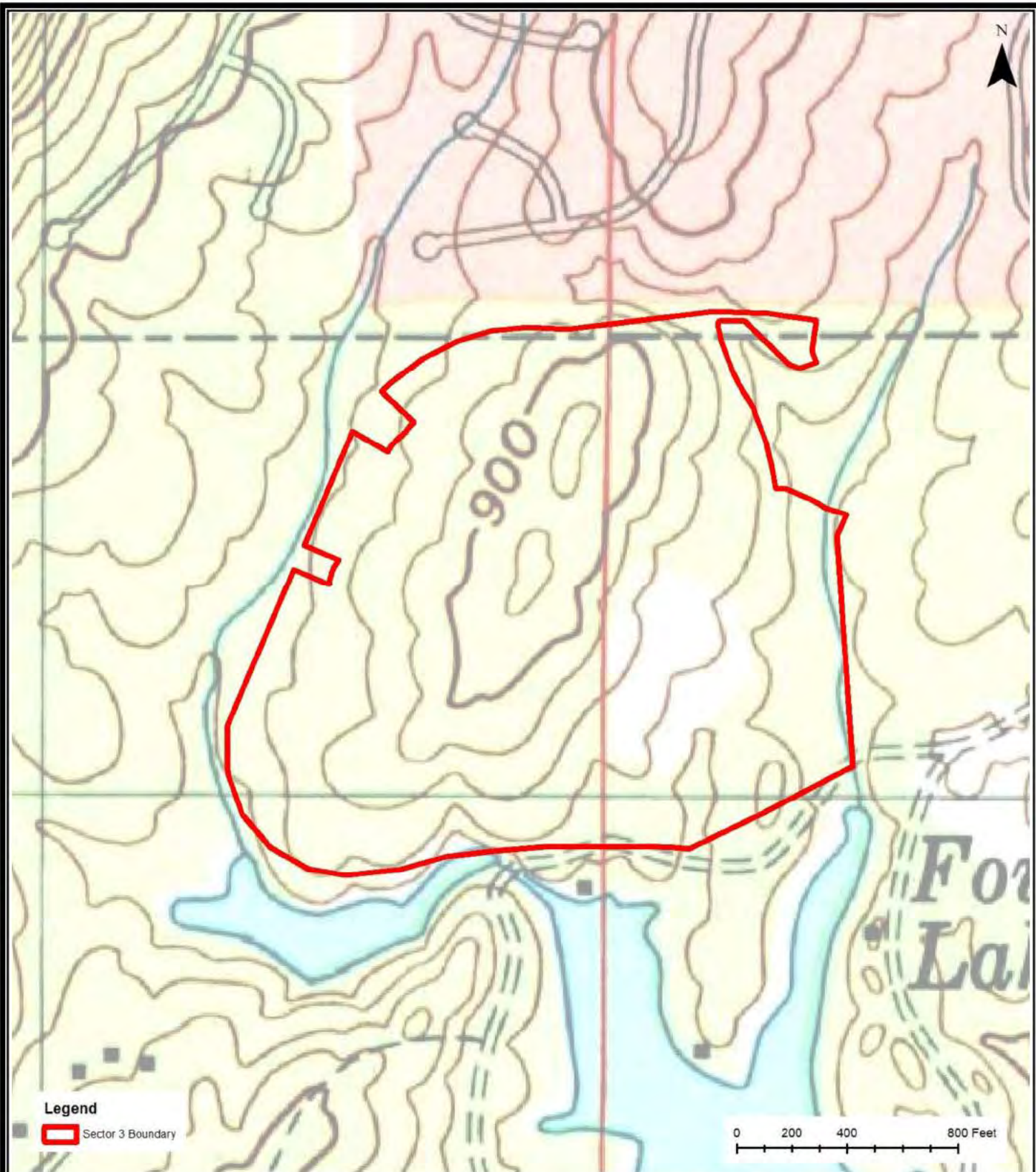


Source: Image courtesy of ESRI.

NO.	DATE	REVISION NOTE	BY
6	6/9/2020	Remove Boundary	AH

Drawn By:	Client #:
AH	1465
Checked By:	Date:
SC	1/17/2020
Project Mgr.:	Project #:
BM	1465-003-30

**Figure 1**  
**Site Location Map**  
**Village at Highland Lakes**  
**SAM-2006-00541-JEB**



Source: Image courtesy of ESRI and USGS. USGS Cahaba Heights, AL 7.5 minute quadrangle.

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**SPECTRUM**  
Solutions to Your Environmental Challenges  
85 Spectrum Cove  
Alabaster, AL 35007  
O - 205-664-2000  
F-205-664-2142

**Figure 2**  
USGS Quadrangle  
Village at Highland Lakes  
SAM-2006-00541-JEB



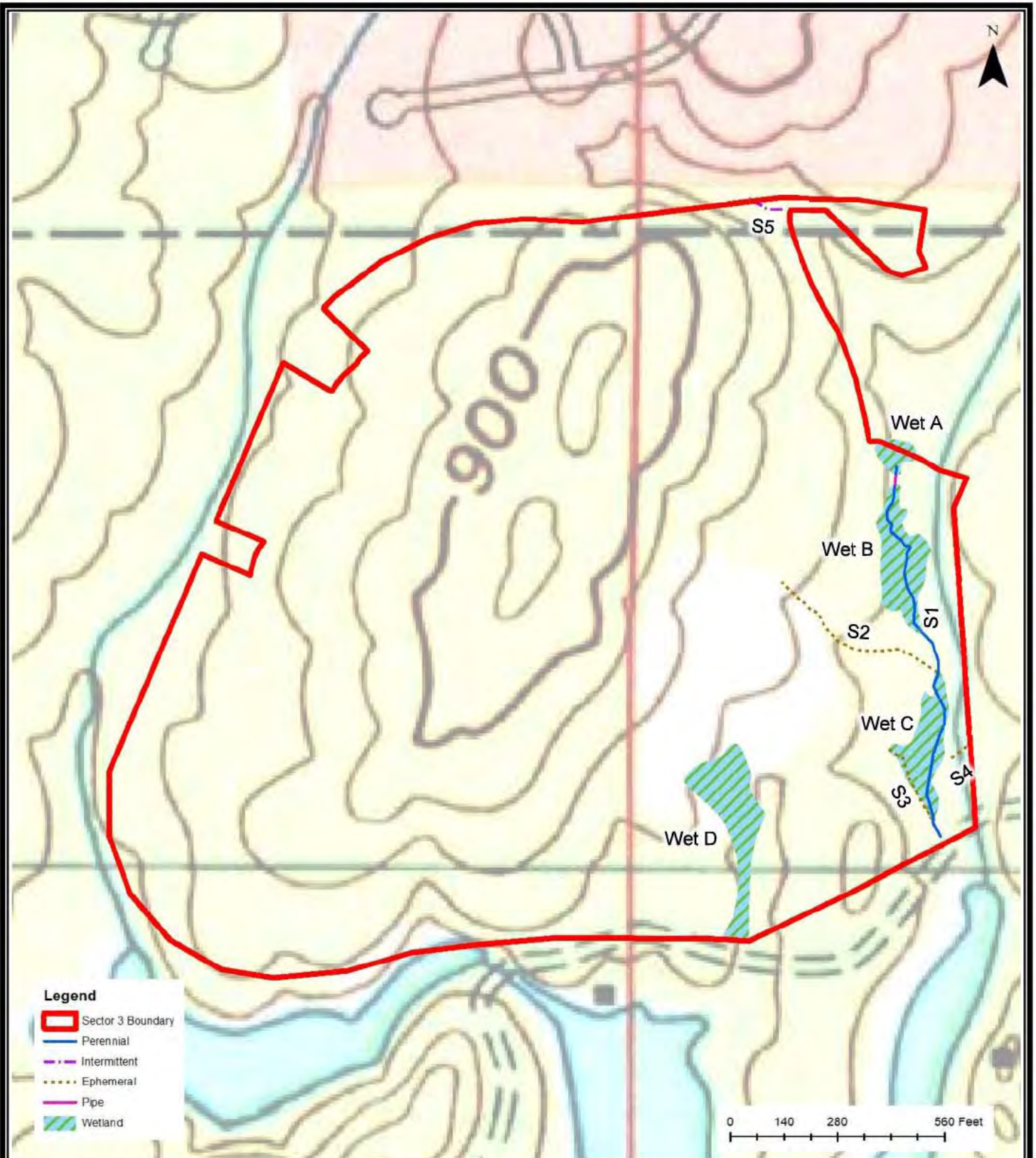
Source: Image courtesy of ESRI.

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**Figure 3**  
Aerial Map  
Village at Highland Lakes  
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Source: Image courtesy of ESRI and USGS. USGS Cahaba Heights, AL 7.5 minute quadrangle.

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**Figure 4**  
 Waters of the U.S. Map  
 USGS Quadrangle  
 Village at Highland Lakes  
 SAM-2006-00541-JEB





Source: Image courtesy of ESRI.

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**Figure 5**  
 Waters of the U.S. Map  
 Aerial  
 Village at Highland Lakes  
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Site ID	Latitude (decimal degrees)	Longitude (decimal degrees)	Linear Feet/Acres	Type
S1	33.413152	-86.637302	885*	Perennial
S2	33.413124	-86.637888	427	Ephemeral
S3	33.412319	-86.637450	185	Ephemeral
S4	33.412493	-86.637112	58	Ephemeral
S5	33.415752	-86.638502	78	Intermittent
Wet A	33.414273	-86.637556	0.11	Wetland
Wet B	33.413645	-86.637513	0.49	Wetland
Wet C	33.412540	-86.637367	0.41	Wetland
Wet D	33.412025	-86.638761	0.63	Wetland

\*This length includes 19LF of a previously piped section of S1

NO.	DATE	REVISION NOTE	BY
8	6/9/2020	Remove Boundary	AH

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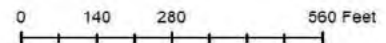
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**Figure 6**  
Waters of the U.S. Table  
Village at Highland Lakes  
SAM-2006-00541-JEB



**Legend**

- Sector 3 Boundary
- Perennial
- Intermittent
- Ephemeral
- Pipe
- Wetland
- Impacted Perennial
- Impacted Wetland

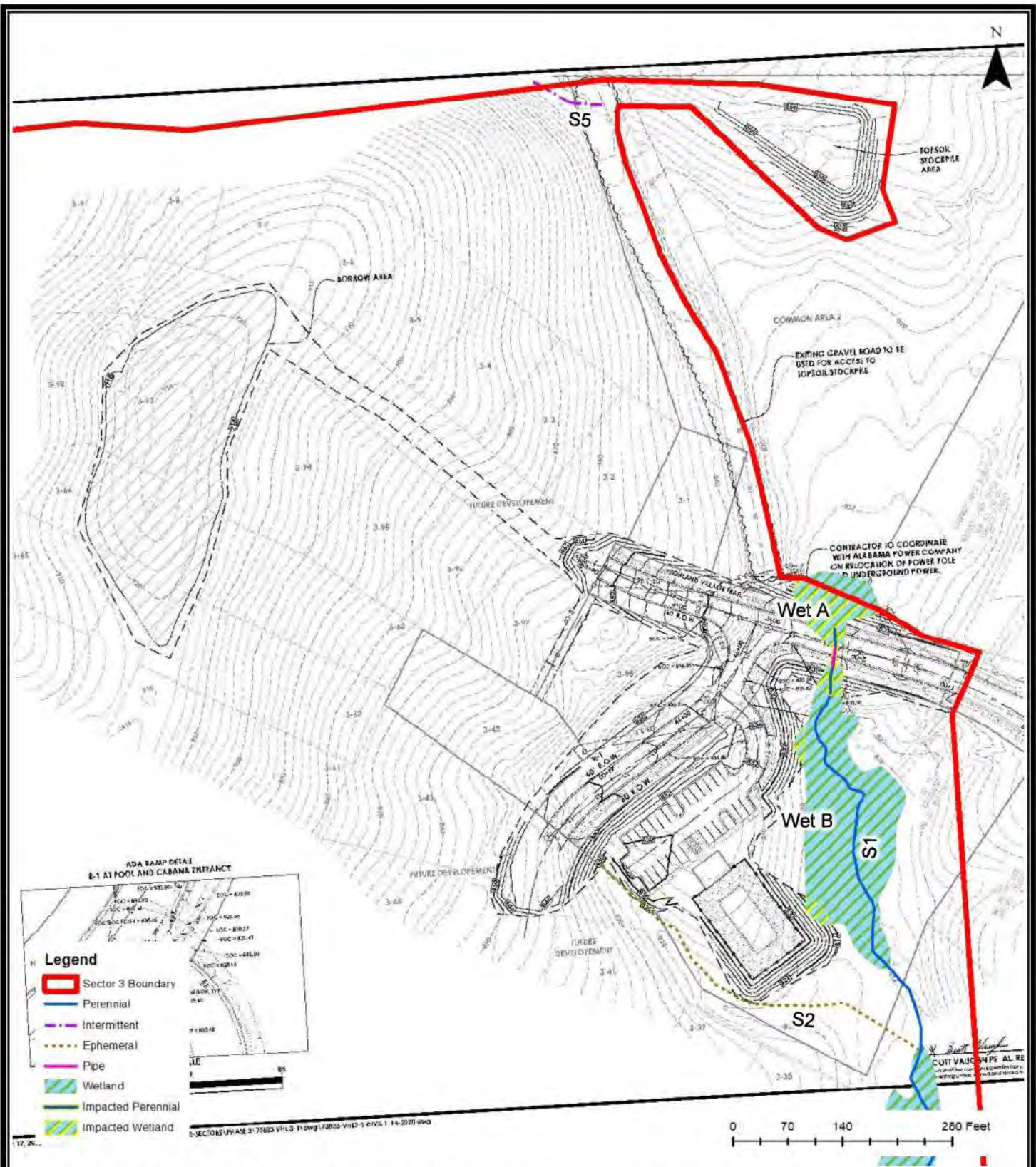


Source: Image courtesy of ESRI and Arrington Engineering.

**Figure 7**  
**Proposed Development**  
**Plan and Impacts to**  
**Waters of the U.S.**  
**Village at Highland Lakes**  
**SAM-2006-00541-JEB**

6	5/19/2020	Impacts	AH
7	6/9/2020	Change map	AH
NO.	DATE	REVISION NOTE	BY

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Source: Image courtesy of ESRI and Arrington Engineering.

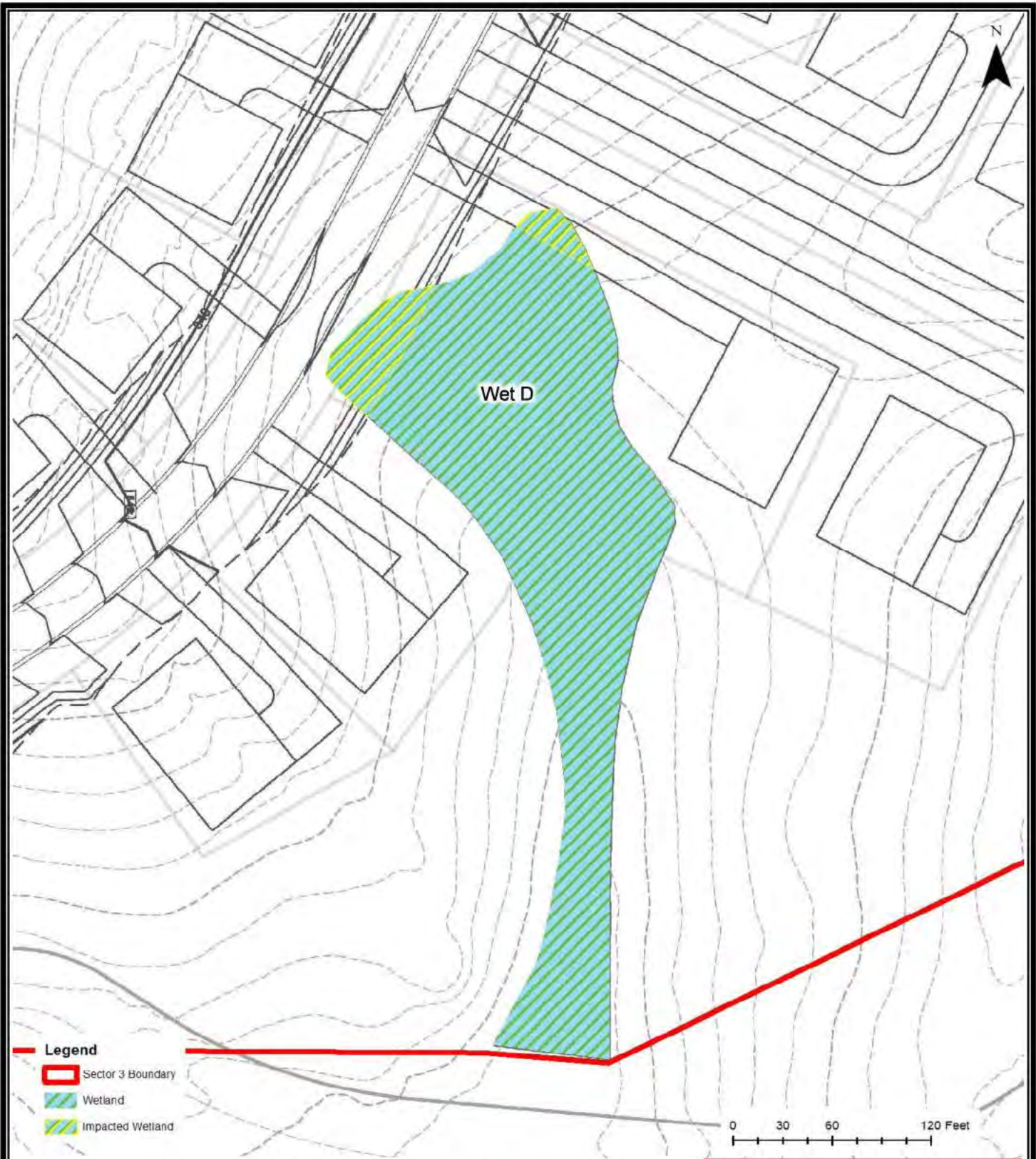
Note: Detail of Final Sector 3 Phase 1 Plan

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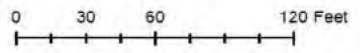
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**Figure 8**  
 Detail of impacts associated with road and clubhouse/pool area Village at Highland Lakes SAM-2006-00541-JEB



- Legend**
- Sector 3 Boundary
  - Wetland
  - Impacted Wetland



Source: Image courtesy of ESRI and Arrington Engineering.

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**Figure 9**  
 Detail of wetland impacts associated with driveway and sanitary sewer  
 Village at Highland Lakes  
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