



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

**CESAM-RD-N**  
**PUBLIC NOTICE NO. SAM-2018-01090-JMT**

**October 2, 2019**

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

**PROPOSED DISCHARGE OF FILL MATERIAL INTO WATERS OF THE UNITED STATES ASSOCIATED WITH THE EXPANSION OF A RESIDENTIAL DEVELOPMENT (MCCALLA TRACE), MCCALLA, JEFFERSON 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 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the United States Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

**APPLICANT:** DR Horton  
Attention: Jerry Howard  
2188 Parkway Lake Drive, Suite 200  
Hoover, Alabama 35244  
jdhoward@drhorton.com

**AGENT:** Environmental, Inc.  
Attention: Heath Belyeu  
1345 Blair Farms Road  
Odenville, Alabama 35120

**LOCATION:** The proposed project is located in wetlands and an unnamed tributary to Clear Branch in McCalla, Jefferson County, Alabama and is centered at latitude 33.313165, longitude -86.985221. The site is located within Section 8, Township 20 South, Range 4 West. The project is located in the Cahaba River Hydrologic Unit Code (03150202).

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

**PROPOSED WORK:** The applicant is requesting authorization to discharge fill material into waters of the United States (U.S.) for the expansion of a single family subdivision. Specifically, the project would impact 217 linear feet (lf) of intermittent stream and 1.79 acres of wetlands. Specifically, the impacts to waters of the U.S. would be associated

with the placement of culverts in the intermittent stream for two separate crossings associated with the subdivision road and the placement of clean, earthen fill in the wetland associated with grading and lot development.

**PROJECT HISTORY:** McCalla Trace is an existing subdivision that was originally scoped for development as early as 2005. A Nationwide Permit verification authorized impacts to 480 lf of stream and 0.22 acre of wetlands associated with the initial development phase in 2006. In October 2018, DR Horton submitted a Standard Permit application to this office for expansion of the subdivision into Sector 4. That expansion would impact 742 lf of ephemeral stream and 1.17 acres of wetlands. A permit decision for Sector 4 has not been finalized at this time.

**AVOIDANCE & MINIMIZATION:** The applicant stated 655 lf of streams and 0.8 acre of wetlands will be avoided. **The USACE has not verified the adequacy of the applicant's avoidance and minimization at this time.**

**ALTERNATIVES:** The project is not water dependent; therefore, the applicant is required to show that other less damaging practicable alternatives, which do not require placing fill into waters of the U.S., are not available. No permit will be issued unless the alternatives analysis demonstrates that practicable upland alternatives are not available to achieve the overall project purpose.

**COMPENSATORY MITIGATION:** The applicant proposes to purchase stream and wetland credits from the Cahaba River Mitigation Bank for unavoidable loss of waters of the U.S.

**WATER QUALITY:** 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.

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. A cultural resource survey has been performed; however, the USACE has not reviewed the report or 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.

**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, Alabama moccasinshell, finelined pocketbook, orange-nacre mucket, ovate clubshell, southern clubshell, upland combshell, triangular kidneyshell, Cahaba shiner, goldline darter, Georgia rockcress, gentian pinkroot, Mohr's Barbara's buttons, and Tennessee yellow-eyed grass. A final effects determination will be made during the evaluation process, at which time the USACE will initiate consultation with the USFWS, if appropriate. 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-2018-01090-JMT and should be directed to:

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  
Post Office Box 301463  
Montgomery, Alabama 36130-1463

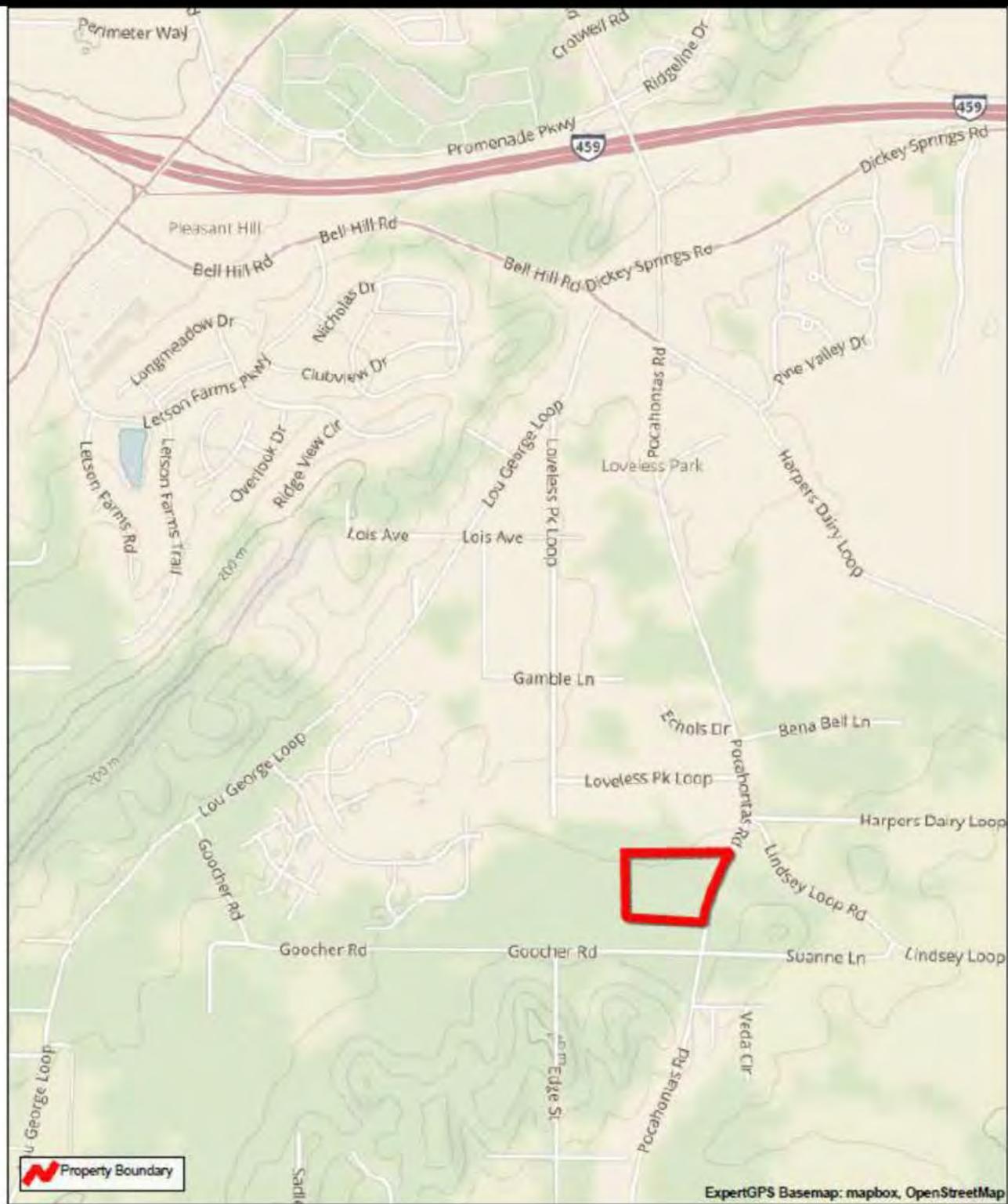
Comments should be received no later than **30 days** from the date of this Public Notice.

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) 290-9096**. Please refer to the above Public Notice number.

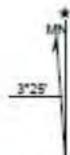
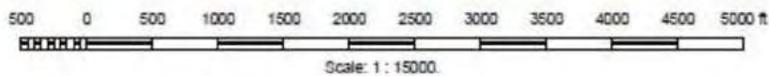
For additional information about our Regulatory Program, please visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures



**ExpertGPS**

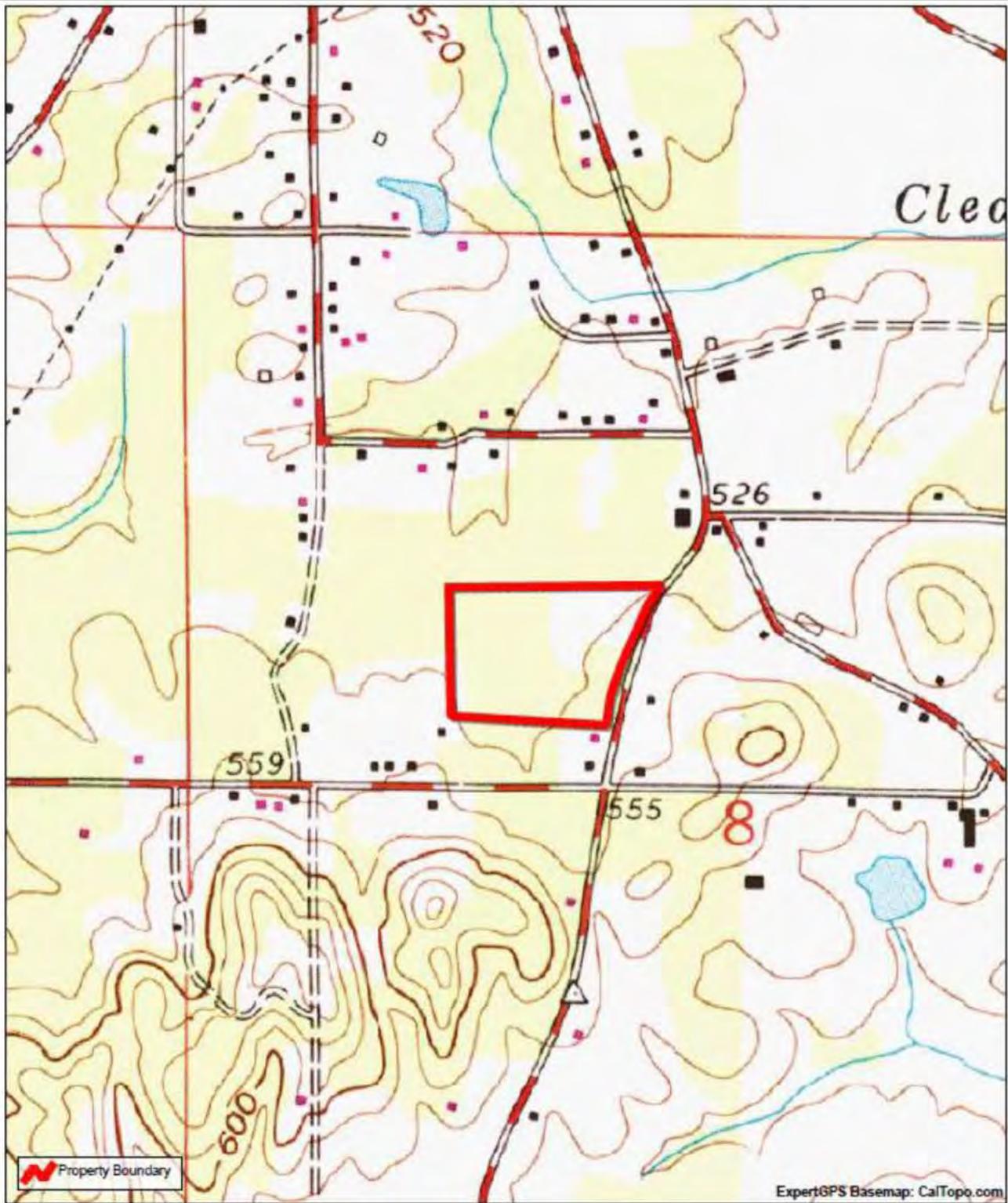


**Environmental, Inc.**

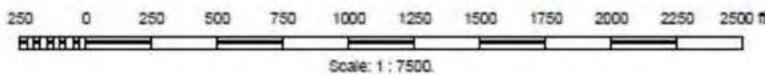
Subject:  
 McCalla Trace Sector 5  
 McCalla, Jefferson County, Alabama  
 Environmental, Inc. Project No.: DRH01E1902

**Figure 1**  
**Site Locator Map**  
**SAM-2018-01090-JMT**  
**McCalla Trace - Sector 5**





**ExpertGPS**

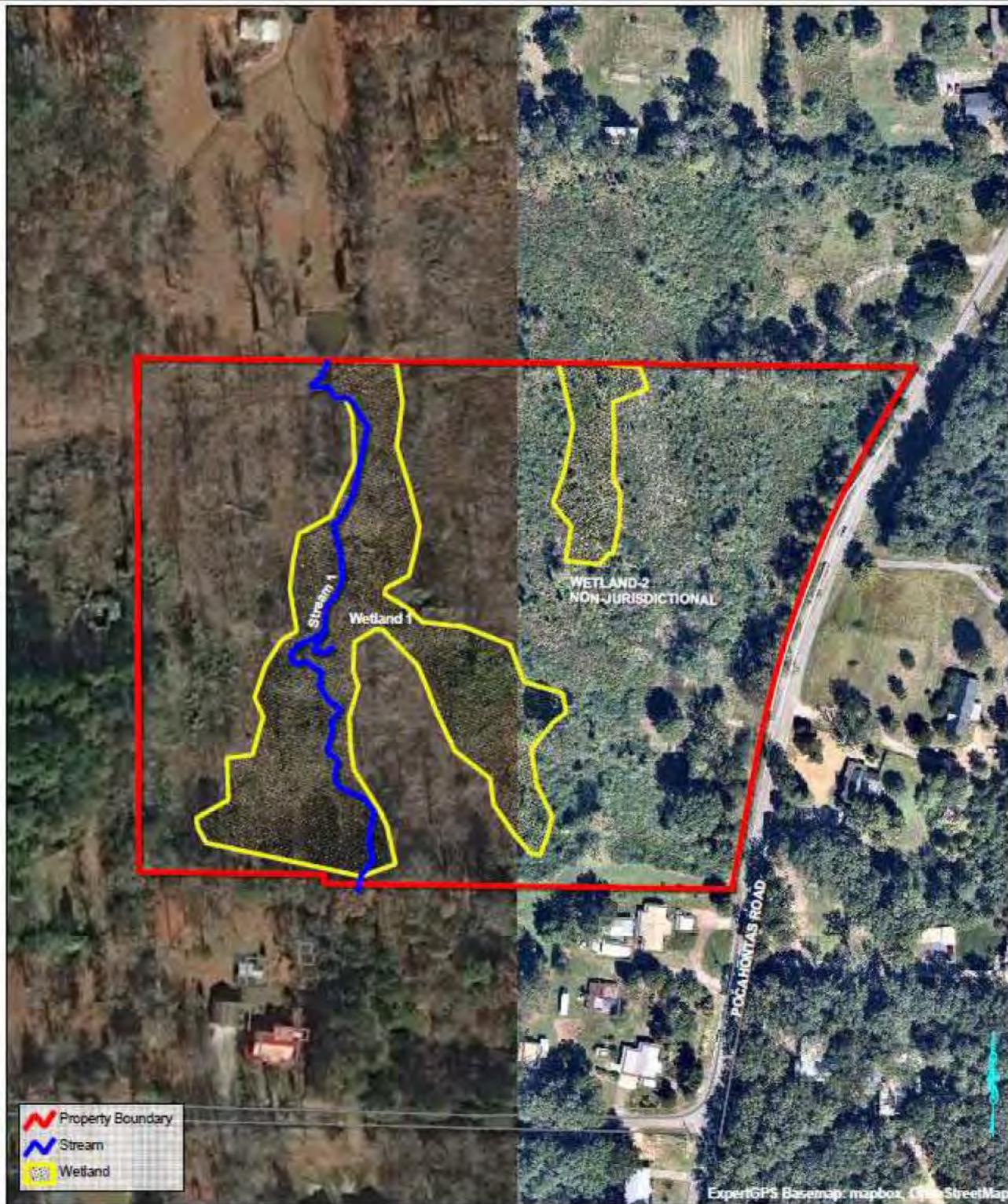


**Environmental, Inc.**

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**Figure 2**  
**USGS Topo Map**  
**SAM-2018-01090-JMT**  
**McCalla Trace - Sector 5**





**ExpertGPS**



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 Environmental, Inc. Project No.: DRH01E1902

**Figure 3**  
 Waters of the U.S. Map  
 SAM-2018-01090-JMT  
 McCalla Trace - Sector 5



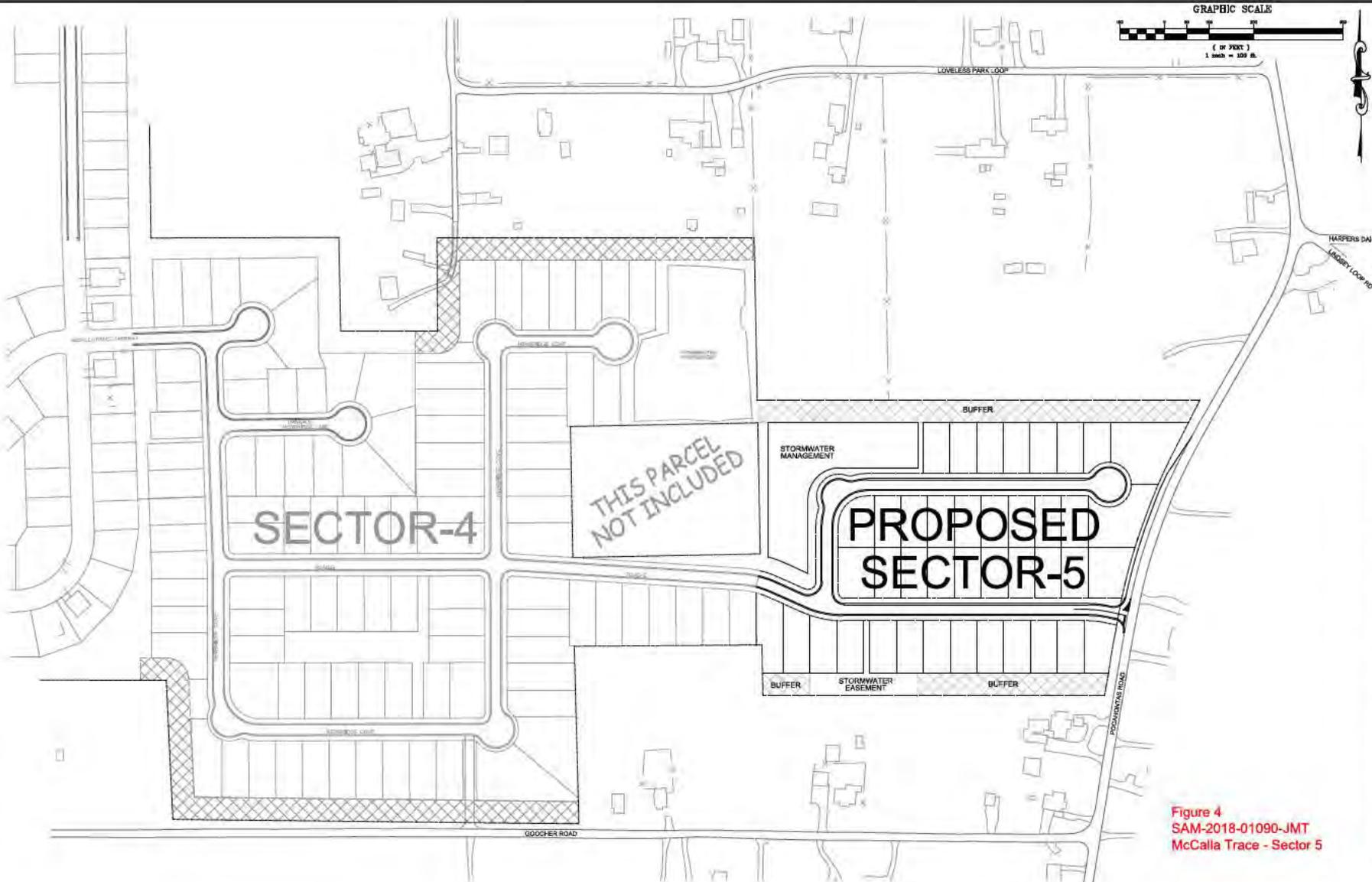


Figure 4  
 SAM-2018-01090-JMT  
 McCalla Trace - Sector 5

**McCALLA TRACE**  
 SECTOR-5  
 RESIDENTIAL SUBDIVISION  
 McCALLA COMMUNITY  
 JEFFERSON COUNTY, ALABAMA  
 (T-20-S R-4-W SEC-8)

PROJECT: <b>McCALLA TRACE SECTOR-5</b> JEFFERSON COUNTY, ALABAMA		TITLE: <b>OVERALL SITE PLAN</b>	
DRAWN BY: [blank] CHECKED BY: [blank]	DATE: [blank]	SCALE: [blank]	SHEET: [blank] OF [blank]
120 BISHOP CIRCLE, SUITE 300 PELHAM, AL 35124 TEL - (205) 403-9158 FAX - (205) 403-9175			
		<b>EXBT1</b>	

DATE	1-20
PROJECT	60000019
PROJECT NO.	DRN100023
DATE	08/20/2018
SCALE	AS SHOWN
BY	WHL
CHECKED BY	
DATE	
SCALE	
BY	
CHECKED BY	
DATE	

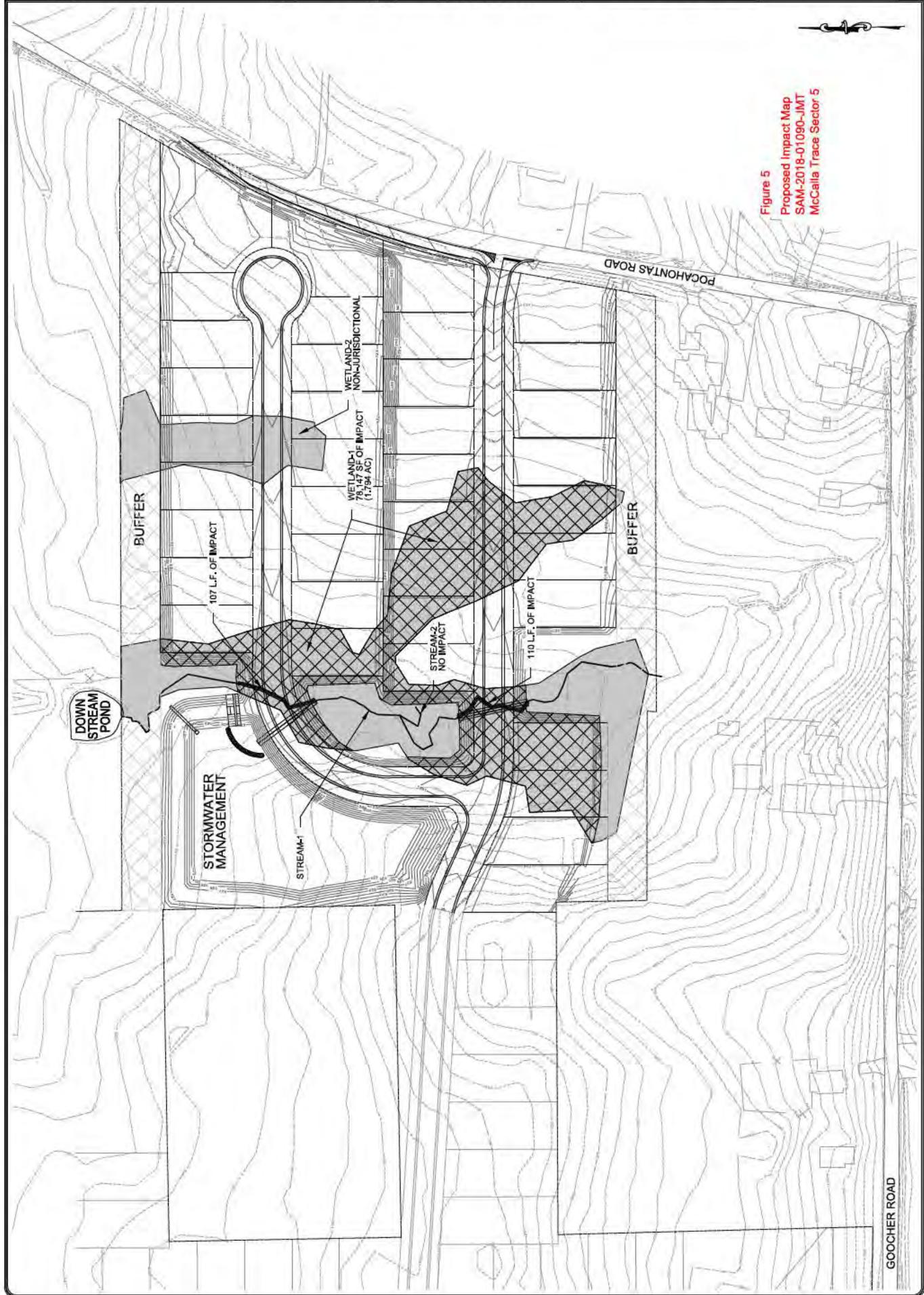


Figure 5  
 Proposed Impact Map  
 SAM-2019-01090-JMT  
 McCalla Trace Sector 5