



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-2019-00037-CMS

June 11, 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, TRUSSVILLE, 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 person 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: Clayton Property Group
DBA Harris Doyle Homes
Attention: Mr. Grant McCaleb
3112 Blue Lake Drive, Suite 100
Birmingham, Alabama 35243

AGENT: Spectrum Environmental
85 Spectrum Cove
Alabaster, Alabama 35007

LOCATION: The proposed project is located in wetlands and an unnamed tributary to the Cahaba River in Trussville, Jefferson County, Alabama (33.661607, -86.608267) within Section 11, Township 16 South, Range 1 West. The project is located in the Cahaba River Hydrologic Unit Code (03150202).

PROJECT PURPOSE: The basic project purpose is for housing.

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 420 linear feet (lf) of perennial stream, 480 lf of ephemeral stream, and 0.28 acres of forested wetlands. The impacts to waters of the U.S. would be associated with the placement of a culvert and earthen fill for road construction and fill for residential lot construction.

AVOIDANCE & MINIMIZATION: The applicant stated a total of 1,651 lf of perennial streams, 502 lf of ephemeral stream, and 0.22 acres of wetlands will be avoided. Approximately 21 acres or 32% of the property will remain in an undisturbed natural buffer. **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 impacts to 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, southern pigtoe, upland combshell, triangular kidneyshell, and Cahaba shiner. There is no designated critical habitat within the proposed project area. A final effects determination will be made during the evaluation process, at which time the USACE will initiate consultation with the USFWS, as 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-2019-00037-CMS 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

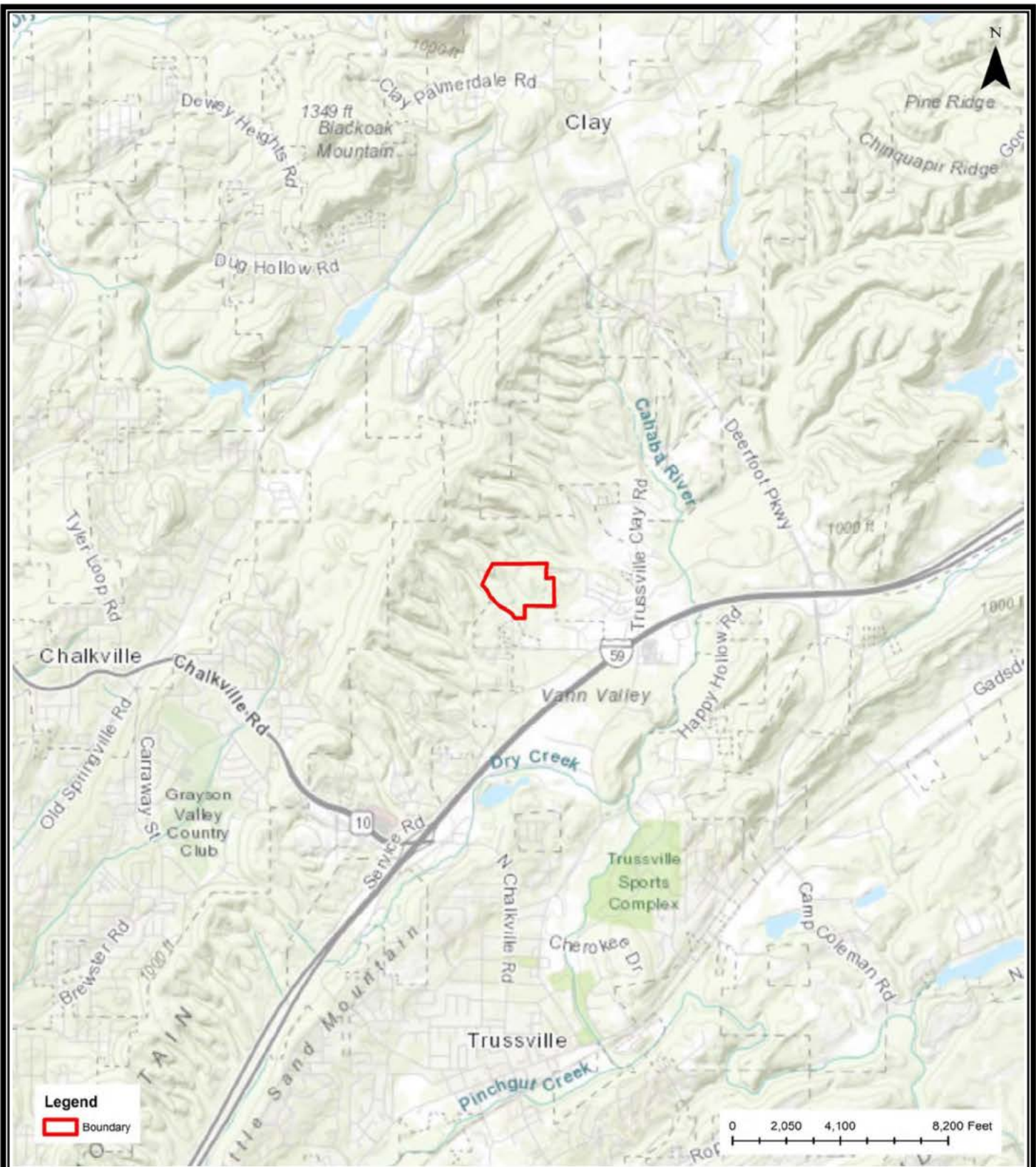
Comments should be received no later than **30 days** from the date of this Public notice.

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>, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



Source: Image courtesy of ESRI.

NO.	DATE	REVISION NOTE	BY

Drawn By:	Client #:
AH	3063
Checked By:	Date:
SC	4/16/2019
Project Mgr.:	Project #:
JD	3063-013-33

85 Spectrum Cove
 Alabaster, AL 35007
 O - 205-664-2000
 F-205-664-2142

TITLE
<p>Figure 1 Site Locator Map SAM-2019-00037-CMS Longmeadow Development</p>



Source: Image courtesy of ESRI.

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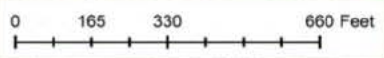
TITLE

Figure 2
Aerial Map
SAM-2019-00037-CMS
Longmeadow Development



Legend

- Boundary
- Perennial
- Ephemeral
- Wetland

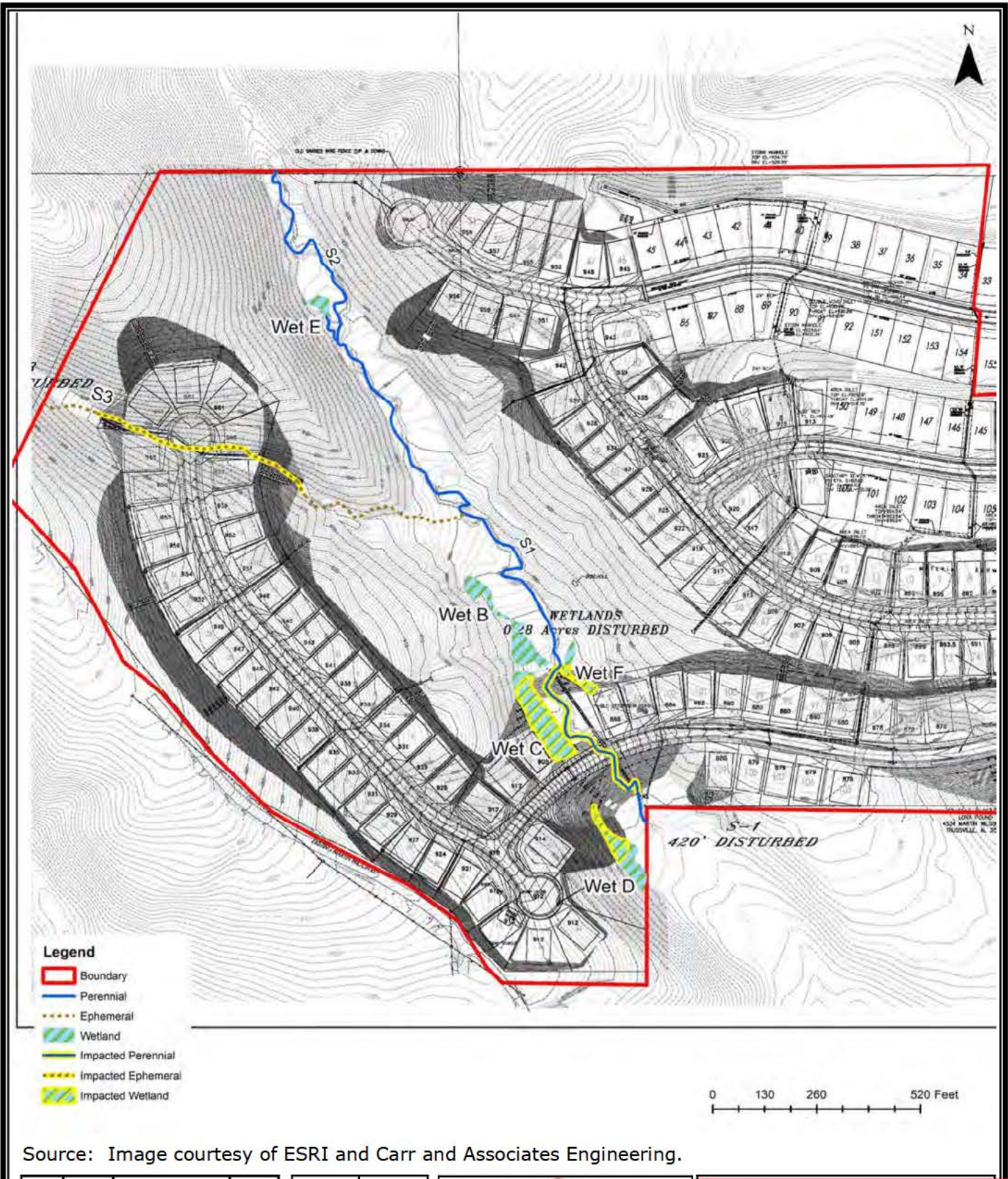


Source: Image courtesy of ESRI.

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TITLE
Figure 3 Wetland Delineation Map SAM-2019-00037-CMS Longmeadow Development



Source: Image courtesy of ESRI and Carr and Associates Engineering.

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Figure 4
Proposed Development Plan and
Waters of the U.S. Impacts
SAM-2019-00037-CMS
Longmeadow Development

Site ID	Latitude (decimal degrees)	Longitude (decimal degrees)	Linear Feet/Acres	Proposed Impact LF/Acres	Impact % of Total	Type
S1	33.661775	-86.608428	2,007	420	21%	Perennial
S2	33.662773	-86.60936	64	0	0%	Perennial
S3	33.661788	-86.609305	982	480	49%	Ephemeral
Wet B	33.661083	-86.607963	0.14	0	0%	Palustrine/ Forested Wetland
Wet C	33.660625	-86.607337	0.19	0.18	95%	Palustrine/ Forested Wetland
Wet D	33.659775	-86.607337	0.10	0.06	60%	Palustrine/ Forested Wetland
Wet E	33.662952	-86.609429	0.03	0	0%	Palustrine/ Forested Wetland
Wet F	33.660842	-86.607685	0.04	0.04	100%	Palustrine/ Forested Wetland

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TITLE

Figure 5
Table - Proposed Waters of
the U.S. Impacts
SAM-2019-00037-CMS
Longmeadow Development