



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

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2019-00645-CMS

April 3, 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 UNNAMED
TRIBUTARIES TO MARTIN BROOK ASSOCIATED WITH THE CONSTRUCTION OF A
RESIDENTIAL DEVELOPMENT IN HOOVER, 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: Clayton Property Group d/b/a Harris Doyle Homes
Attention: Grant McCaleb
3111 Timberlake Drive
Birmingham, Alabama 35243
grant.mccaleb@harrisdoyle.com

AGENT: Spectrum Environmental, Inc.
Attention: Marian Rubin
901 Woodland Street
Nashville, Tennessee 37203
mrubin@specenviro.com

LOCATION: **The proposed project is located in wetlands and unnamed tributaries to Martin Brook on a 205 acre parcel located in Hoover, Shelby County, Alabama. Specifically, the project boundary is located within Section 7, Township 20 South and Range 3 West. Center coordinates of the project site are latitude 33.309462, longitude -86.884819. The project is located in the Cahaba River 8 digit hydrologic unit code (HUC 03150202).**

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 construction of a residential subdivision comprised of single family homes. Specifically, the discharge would result in unavoidable impacts to 2,226 linear**

feet of intermittent stream, 1,834 linear feet of ephemeral stream, and 0.29 acre of forested wetlands.

AVOIDANCE & MINIMIZATION: The applicant stated the original design included impacts to 2,290 linear feet of intermittent stream, 2,042 linear feet of ephemeral stream, and 0.54 acre of wetlands. The applicant evaluated a series of design layouts to minimize direct impacts to waters of the U.S. The final proposed design reduced impacts to intermittent streams by 64 linear feet, ephemeral streams by 208 linear feet and wetlands by 0.25 acre. 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 Cahaba River 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, cylindrical lioplax, flat pebblesnail, round rocksnail, Alabama moccasinshell, finelined pocketbook, orange-nacre mucket, southern acornshell, ovate clubshell, southern clubshell, triangular kidneyshell, upland combshell, Cahaba shiner, goldline darter, gentian pinkroot, Georgia rockcress, and Tennessee yellow-eyed grass. 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-2019-00645-CMS** 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**.

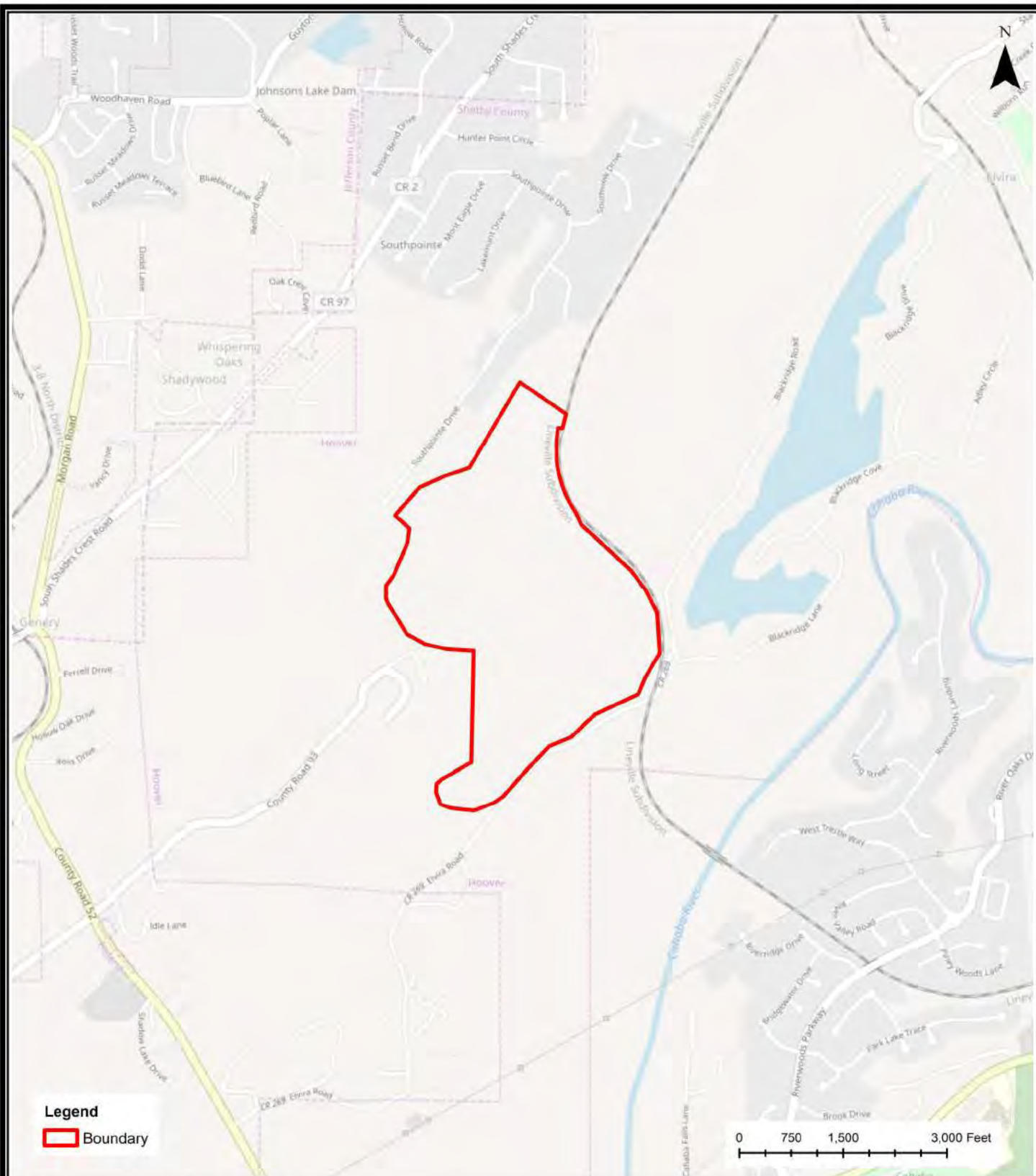
Comments should be received no later than **30 days** from the date of this Public Notice.

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) 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

Attachments



Source: Image courtesy of ESRI.

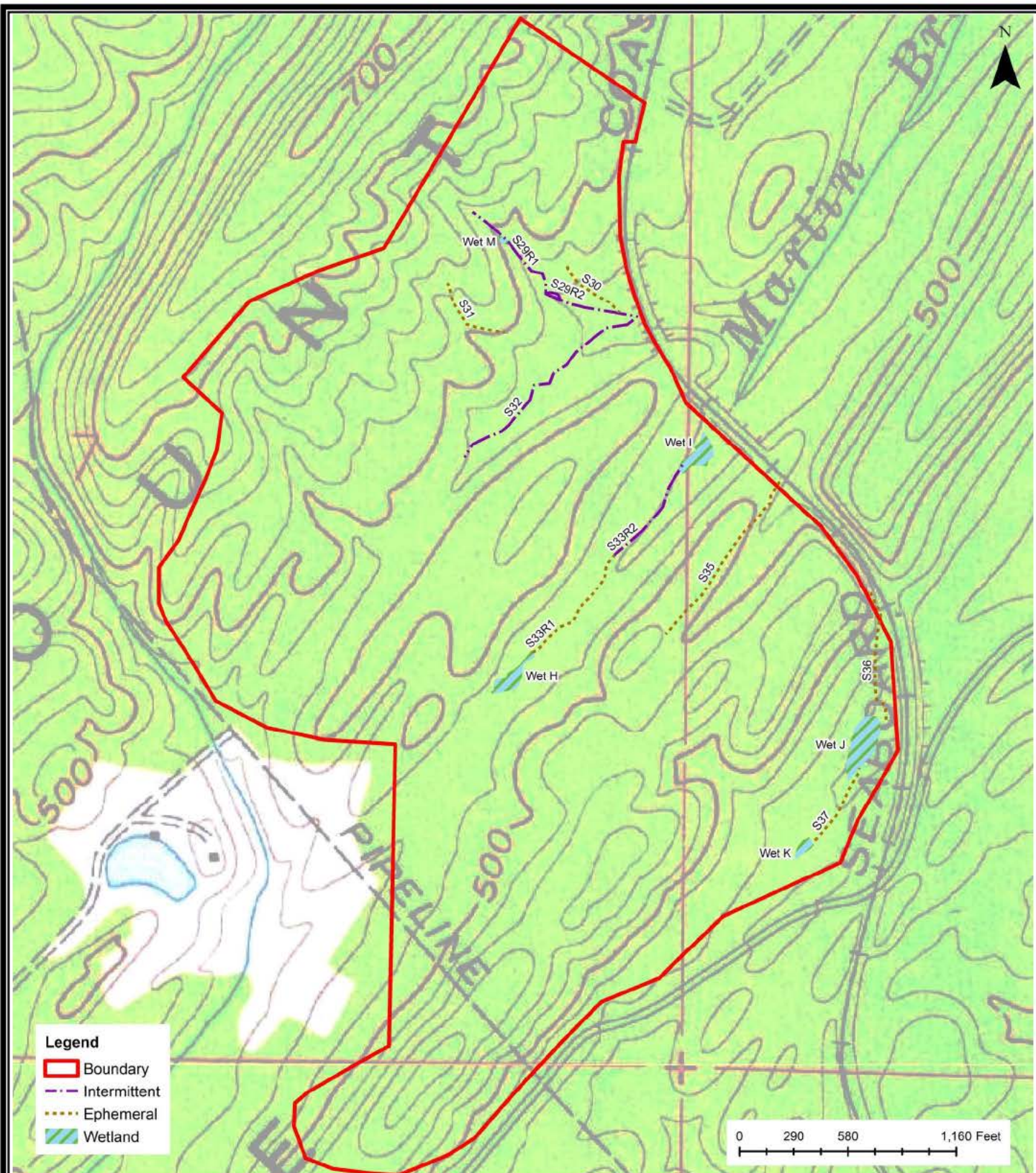
1	2/14/2020	Update Boundary	AH
2	2/25/2020	Update Impacts	AH
3	3/18/2020	Update Figures	AH
NO.	DATE	REVISION NOTE	BY

Drawn By:	Client #:
AH	3063
Checked By:	Date:
BM	7/12/2019
Project Mgr.:	Project #:
SC	3063-018-32


SPECTRUM
 Solutions to Your Environmental Challenges

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

TITLE
Figure 1 Site Locator Map Blackridge South SAM-2019-00645-CMS



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

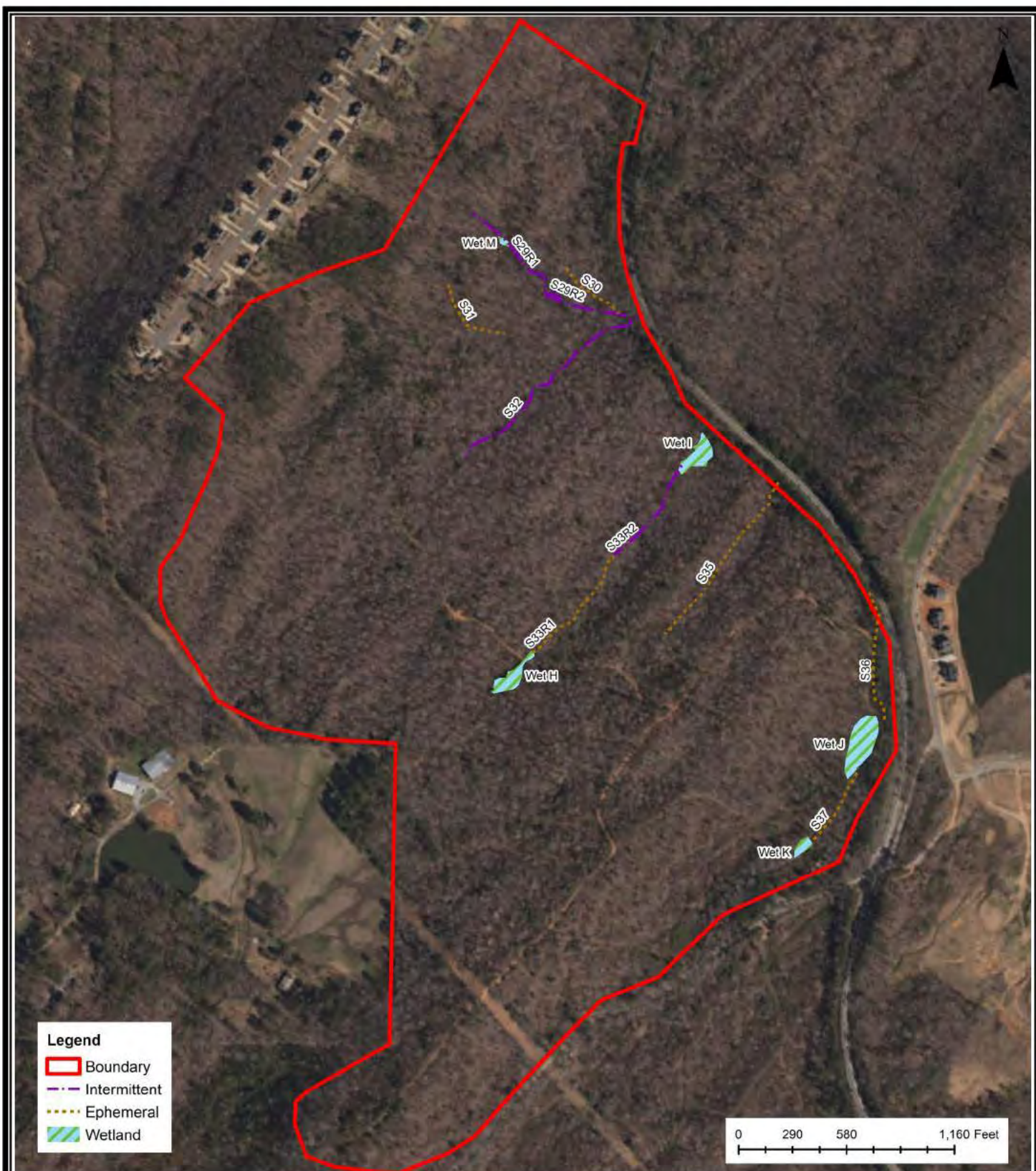
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Figure 2 Waters of the U.S. Map - USGS Quad Blackridge South SAM-2019-00645-CMS



Source: Image courtesy of ESRI.

1	2/14/2020	Update Boundary	AH
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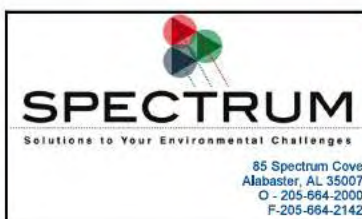
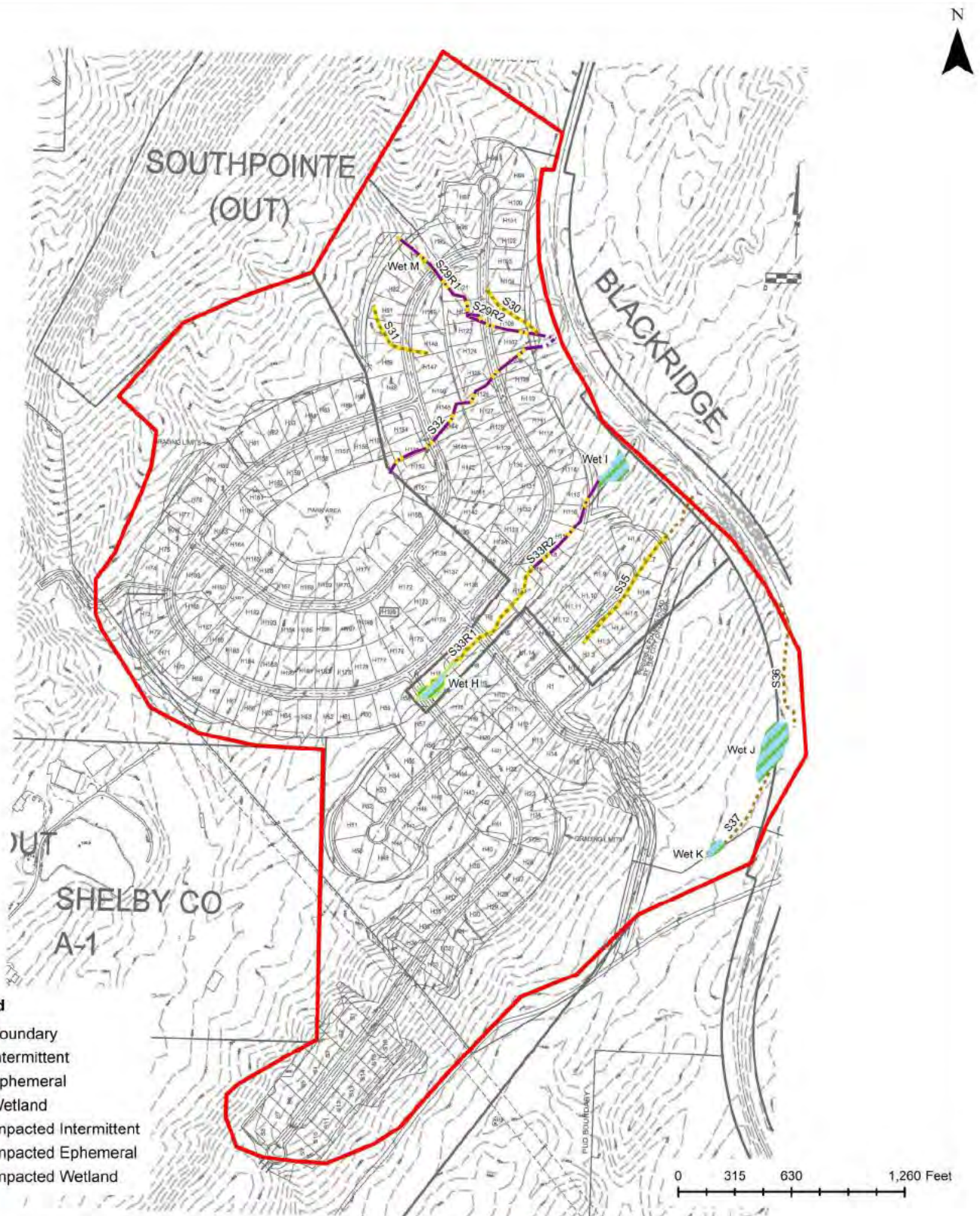


Figure 3
Waters of the U .S. Map - Aerial
Blackridge South
SAM-2019-00645-CMS



Source: Image courtesy of ESRI.

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2	2/25/2020	Update Impacts	AH
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TITLE
Figure 4 Waters of the U.S. Impact Map - Overall Development Plan Blackridge South SAM-2019-00645-CMS

Site ID	Latitude (decimal degrees)	Longitude (decimal degrees)	Linear Feet/ Acres	Linear Feet/Acres Impacted	Type
S29R1	33.313381	-86.884505	944	760	Intermittent
S29R2	33.313296	-86.884353	84	84	Intermittent
S30	33.313335	-86.883857	327	261	Ephemeral
S31	33.313017	-86.885726	380	380	Ephemeral
S32	33.312247	-86.884424	1046	931	Intermittent
S33R1	33.309425	-86.884022	593	593	Ephemeral
S33R2	33.31058	-86.882904	516	451	Intermittent
S35	33.310194	-86.881761	883	600	Ephemeral
S36	33.308826	-86.879680	609	-	Ephemeral
S37	33.306997	-86.880188	330	-	Ephemeral
Wet H	33.308582	-86.884977	0.25	0.25	Wetland
Wet I	33.311308	-86.882253	0.29	0.01	Wetland
Wet J	33.307747	-86.879857	0.58	-	Wetland
Wet K	33.306517	-86.880714	0.09	-	Wetland
Wet M	33.313957	-86.885112	0.03	0.03	Wetland

1	2/14/2020	Update Boundary	AH
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3	3/18/2020	Update Figures	AH
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Figure 5
Waters of the U .S. Impact Table
Blackridge South
SAM-2019-00645-CMS