



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

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2019-00654-CMS

November 20, 2020

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

**STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED DISCHARGE OF FILL MATERIAL INTO WETLANDS, A POND, AND A
PERENNIAL STREAM ASSOCIATED WITH THE CONSTRUCTION OF A HOSPITAL IN
BESSEMER, 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 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: UAB Health System
Attention: William Ferniany, Ph.D., CEO
500 22nd Street South
John N. Whitaker Building, Suite 408
Birmingham, Alabama 35233
wferniany@uabmc.edu

AGENT: TTL, Inc.
Attention: Chris Stanford
3516 Greensboro Avenue
Tuscaloosa, Alabama 35401
cstanford@ttlusa.com

This project was advertised on July 21, 2020; however, since that time the applicant began the process to acquire additional property to the south along Bell Hill Road. This purchase would add an additional acre to the project and slightly change the design as well as impacts to waters of the U.S.

LOCATION: The proposed project is located in wetlands, a pond, and perennial stream (Clear Branch) on a 41-acre parcel located in Bessemer, Jefferson County, Alabama. Specifically, the project boundary is located within Section 5, Township 20 South and Range 4 West. Center coordinates of the project site are latitude 33.33113, longitude -86.985793. The project is located in the Cahaba River 8-digit hydrologic unit code (HUC 03150202).

PROJECT PURPOSE: The basic project purpose is a hospital.

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 hospital that will include services such as emergency, general acute care, intensive care, imaging, labor and delivery, cardiac catheterization laboratory, geriatric psychiatry, acute rehabilitation, wound care, and surgical services. The discharge of fill material would result in unavoidable impacts to 223 linear feet of perennial stream, 1.15 acre of forested wetlands, and 1.14 acres of pond. The pond would be drained and re-graded to construct a stormwater management basin. Clean fill is proposed to be placed in 180 linear feet of perennial stream for purposes of constructing access roads and in 43 linear feet of perennial stream for purposes of constructing the stormwater management basin. Proposed impacts to wetland 1a include the discharge of clean fill into 0.03 acre for construction of the medical building and 0.03 acre for the construction of a stormwater management basin. Dredged material from the existing pond would be discharged into 0.1 acre of wetland 1a for construction of the stormwater management basin. Wetland 1b impacts would include the discharge of clean fill material into 0.80 acre for the purpose of constructing access roads and 0.11 acre for constructing the stormwater management basin. Wetland 1c impacts would include the discharge of clean fill material into 0.08 acre for the purposes of constructing access roads and a parking lot.

AVOIDANCE & MINIMIZATION: The applicant would avoid impact to 42 linear feet of perennial stream. The applicant stated best management practices would be utilized to minimize adverse effects to aquatic resources off-site. *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 an approved mitigation bank.

LEAD FEDERAL AGENCY: The United States Department of Agriculture (USDA) is considered the lead federal agency for coordinating and conducting environmental reviews under the National Environmental Policy Act (NEPA). The USDA's role for this project is providing low interest funds due to the site location in an unincorporated area. Pursuant to NEPA and USDA regulations, the USDA will prepare an Environmental Report (ER) for the proposed hospital. The U.S. Army Corps of Engineers is considering adopting the findings of USDA's ER; however, a separate decision document would be prepared prior to a final decision concerning issuance or denial of the requested DA permit. Comments received would be used by the USACE in the preparation of any supplemental EA and/or an Environmental Impact Statement, if required, pursuant to NEPA prior to a final decision concerning issuance or denial of the DA permit.

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 USDA, as lead federal agency, is responsible for determining effects to historic properties, and a determination provided to USACE prior to making a permit

decision. 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, round rocksnail, Alabama moccasinshell, finelined pocketbook, orange-nacre mucket, ovate clubshell, southern clubshell, triangular kidneyshell, upland combshell, Cahaba shiner, goldline darter, Georgia rockcress, gentian pinkroot, Mohr's Barbara's buttons, and Tennessee yellow-eyed grass. The USDA, as lead federal agency, is responsible for determining effects to endangered and threatened species pursuant to Section 7(c) of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et seq.). 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-2019-00654-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

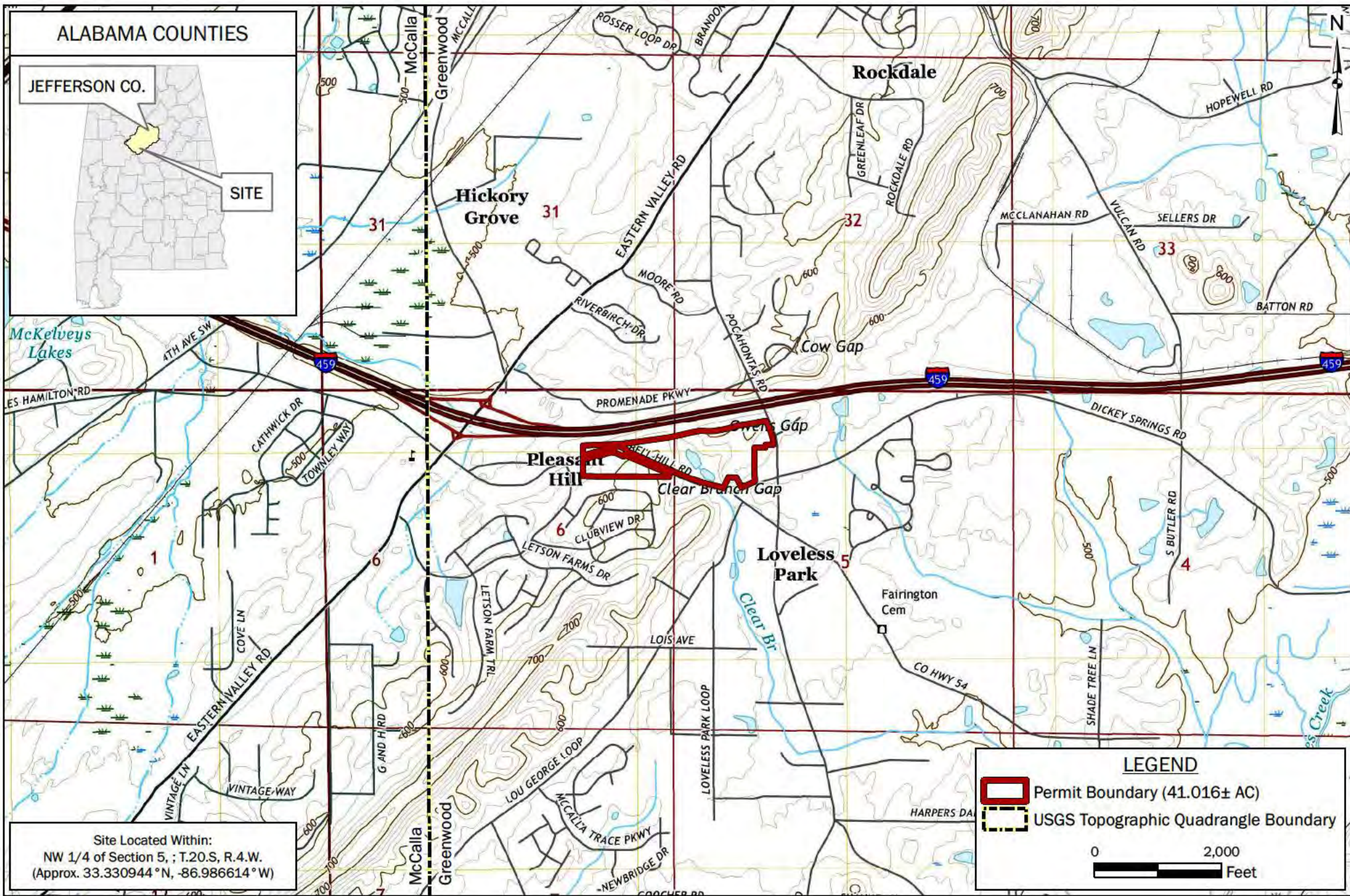
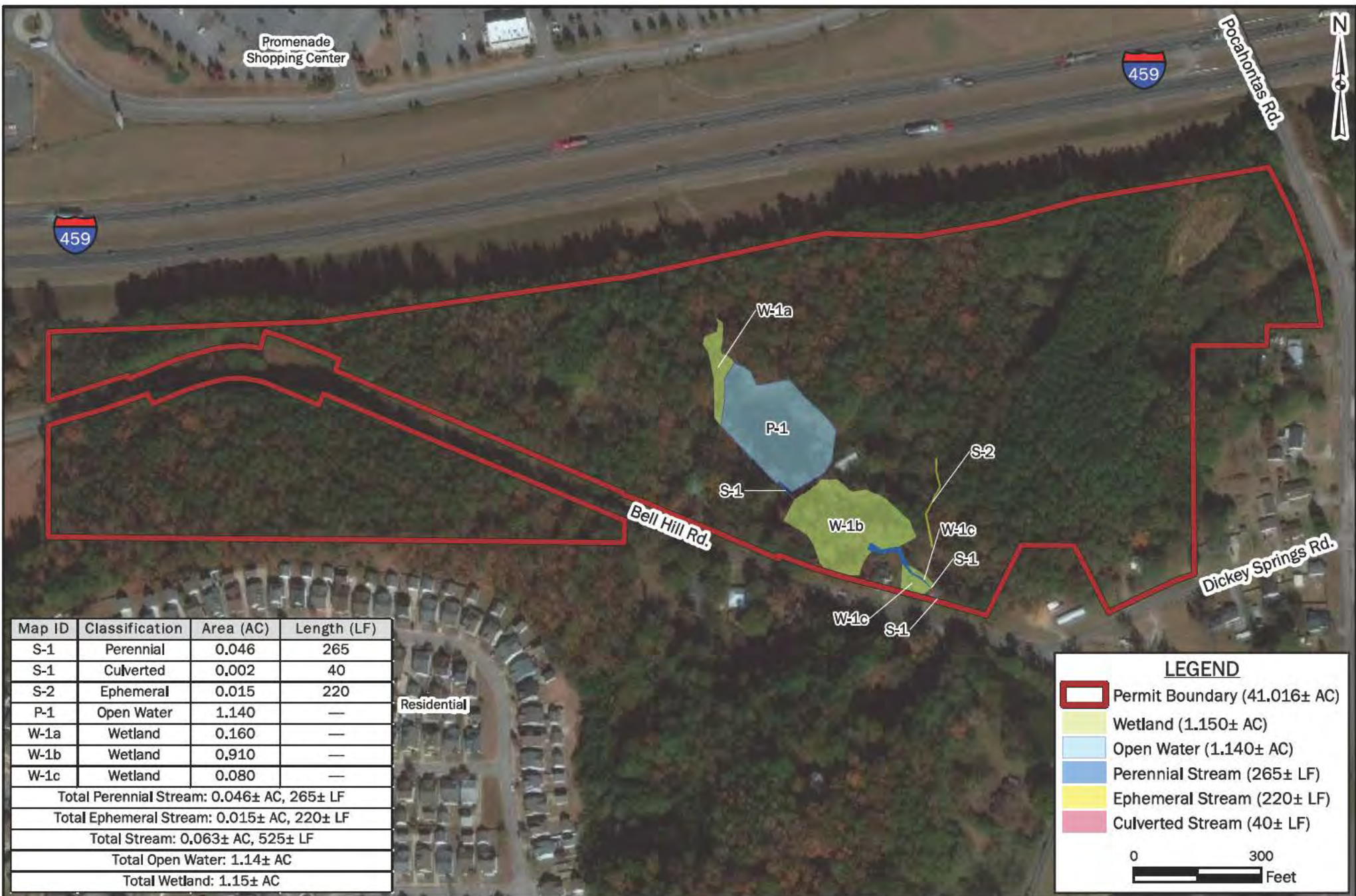


FIGURE 1: SITE LOCATION & TOPOGRAPHIC MAP
MEDICAL WEST
USACE INDIVIDUAL PERMIT APPLICATION
BESSEMER, JEFFERSON COUNTY, ALABAMA

BASEMAP: McCalla (West), Greenwood (East), Alabama USGS 7.5 Minute Quadrangle Map, 2018 (20-ft Contour Interval).



DRAWN BY: DEK
CHECKED BY: BHG
DRAWING DATE: 4/29/2020
REVISION DATE: 10/30/2020
TTL JOB NO.: 000200101051.00
APPROX. SCALE: 1 in = 2,000 ft



Map ID	Classification	Area (AC)	Length (LF)
S-1	Perennial	0.046	265
S-1	Culverted	0.002	40
S-2	Ephemeral	0.015	220
P-1	Open Water	1.140	—
W-1a	Wetland	0.160	—
W-1b	Wetland	0.910	—
W-1c	Wetland	0.080	—
Total Perennial Stream: 0.046± AC, 265± LF			
Total Ephemeral Stream: 0.015± AC, 220± LF			
Total Stream: 0.063± AC, 525± LF			
Total Open Water: 1.14± AC			
Total Wetland: 1.15± AC			

LEGEND

- Permit Boundary (41.016± AC)
- Wetland (1.150± AC)
- Open Water (1.140± AC)
- Perennial Stream (265± LF)
- Ephemeral Stream (220± LF)
- Culverted Stream (40± LF)

0 300
Feet



**FIGURE 3: WATERS OF THE U.S. DELINEATION MAP
MEDICAL WEST**

USACE INDIVIDUAL PERMIT APPLICATION
BESSEMER, JEFFERSON COUNTY, ALABAMA

BASEMAP: Maxar, Metro Imagery, 11/19/2019 (0.46 m Resolution).

DRAWN BY: DEK
CHECKED BY: BHG
DRAWING DATE: 4/29/2020
REVISION DATE: 11/6/2020
TTL JOB NO.: 000200101051_00
APPROX. SCALE: 1 in = 300 ft

