



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
600 VESTAVIA PARKWAY, SUITE 203  
THE SHELBY BUILDING  
VESTAVIA HILLS, ALABAMA 35216

**CESAM-RD-N**  
**PUBLIC NOTICE NO. SAM-2021-01337-JDC**

**July 22, 2022**

**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 SPRING CREEK ASSOCIATED WITH THE CONSTRUCTION OF A**  
**PLANNED RESIDENTIAL DEVELOPMENT AND CONNECTOR ROAD IN ALABASTER,**  
**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: Newcastle Development, LLC  
Attention: Brandon Todd, P.E.  
121 Bishop Circle  
Pelham, Alabama 35124  
[brandont@newcastle-homes.com](mailto:brandont@newcastle-homes.com)

AGENT: Corblu Ecology Group, LLC  
Attention: J. Andrew Whorton  
6919 Highway 119, Suite 400  
Alabaster, Alabama 35007  
[awhorton@corblu.com](mailto:awhorton@corblu.com)

LOCATION: The proposed project is located in wetlands and unnamed tributaries to Spring Creek in Alabaster, Shelby County, Alabama. Specifically, the project is located within Section 24, Township 21 North, Range 3 East. Center coordinates of the project are latitude 33.190777, longitude -86.812294. The project is located in the Cahaba 8-digit hydrologic unit code (HUC 03150202).

PROJECT PURPOSE: The basic project purpose is the construction of a planned mixed-use residential and commercial development and connector road between Smokey Road and Montevallo Road.

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 mixed-use development and public connector road between Smokey Road and Montevallo Road. The applicant is proposing to impact 27.77 acres of waters of the U.S. Specifically, the applicant is proposing to discharge fill material into 20.45 acres of wetlands for the construction of housing foundation, 4.1 acres of wetlands for the construction of roadway foundation, and 2.69 acres of wetlands for the construction of stormwater detention structures. The applicant is also proposing to discharge fill material into 1,145.57 linear feet of ephemeral stream and 2,079.51 linear feet of intermittent stream for the construction of housing and roadway foundation. Additionally, the applicant is requesting authorization for the temporary discharge of fill material into 0.53 acres of wetlands for the installation of a sanitary sewer line, which would convert forested wetland habitat to scrub-shrub wetland via mechanized land clearing. The temporary impact areas would be returned to pre-disturbance contours, re-seeded with native wetland herbaceous vegetation, and allowed to naturally revegetate following completion of project construction.

WETLAND	QUANTITY	PERMANENT LOT FILL	PERMANENT ROAD FILL	SECONDARY STORMWATER	TEMPORARY SEWER	TOTAL IMPACTS
A	10.85	4.27	0.5	1.87	0	6.64
B	1.09	0	0.28	0.15	0	0.43
C	9.23	2.35	0.71	0.67	0.06	3.79
D	0.64	0.44	0	0	0	0.44
E	74.55	12.29	2.61	0	0.47	15.37
F	0.16	0.16	0	0	0	0.16
G	4.25	0.76	0	0	0	0.76
H	0.18	0.18	0	0	0	0.18
<b>TOTALS</b>	<b>100.95</b>	<b>20.45</b>	<b>4.1</b>	<b>2.69</b>	<b>0.53</b>	<b>27.77</b>

Wetland Impacts

NAME	LENGTH	ACREAGE	IMPACT LENGTH	IMPACT ACREAGE
1-E	62.38	0.003	0	0.000
2-E	405.40	0.028	405.4	0.028
3-E	791.18	0.091	497.4	0.057
3-I	85.55	0.010	0.0	0.000
4-I	764.36	0.088	576.33	0.053
5-I	866.57	0.139	769.54	0.124
6-I	613.19	0.042	613.19	0.042
7-I	64.43	0.004	64.43	0.004
8-E	242.77	0.008	242.773	0.008
8-I	56.02	0.002	56.0242	0.002
<b>TOTALS</b>	<b>3951.85</b>	<b>0.42</b>	<b>3225.09</b>	<b>0.32</b>

Stream Impacts

**AVOIDANCE & MINIMIZATION: According to the applicant, the original construction plan proposed to impact 3,225 linear feet of stream and 67.9 acres of wetlands. The project design was re-evaluated and modified to minimize impacts to waters of the U.S. These modifications included reducing the number of residential and commercial lots and removing the proposed amenity lake that would have been used as the master stormwater detention facility (MSWF), resulting in the proposed plan of unavoidable impacts to 3,225.09 linear feet of stream and 27.77 acres of wetlands. 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 credits and wetland credits from an approved 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. Upon completion of the required advertising and public comment review, a determination relative to water quality certification will be made by the Alabama Department of Environmental Management.

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, Alabama moccasinshell, finelined pocketbook, orange-nacre mucket, ovate clubshell, Southern clubshell, upland combshell, triangular kidneyshell, goldline darter, Georgia rockcress, gentian pinkroot, Mohr's Barbara's buttons, 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.

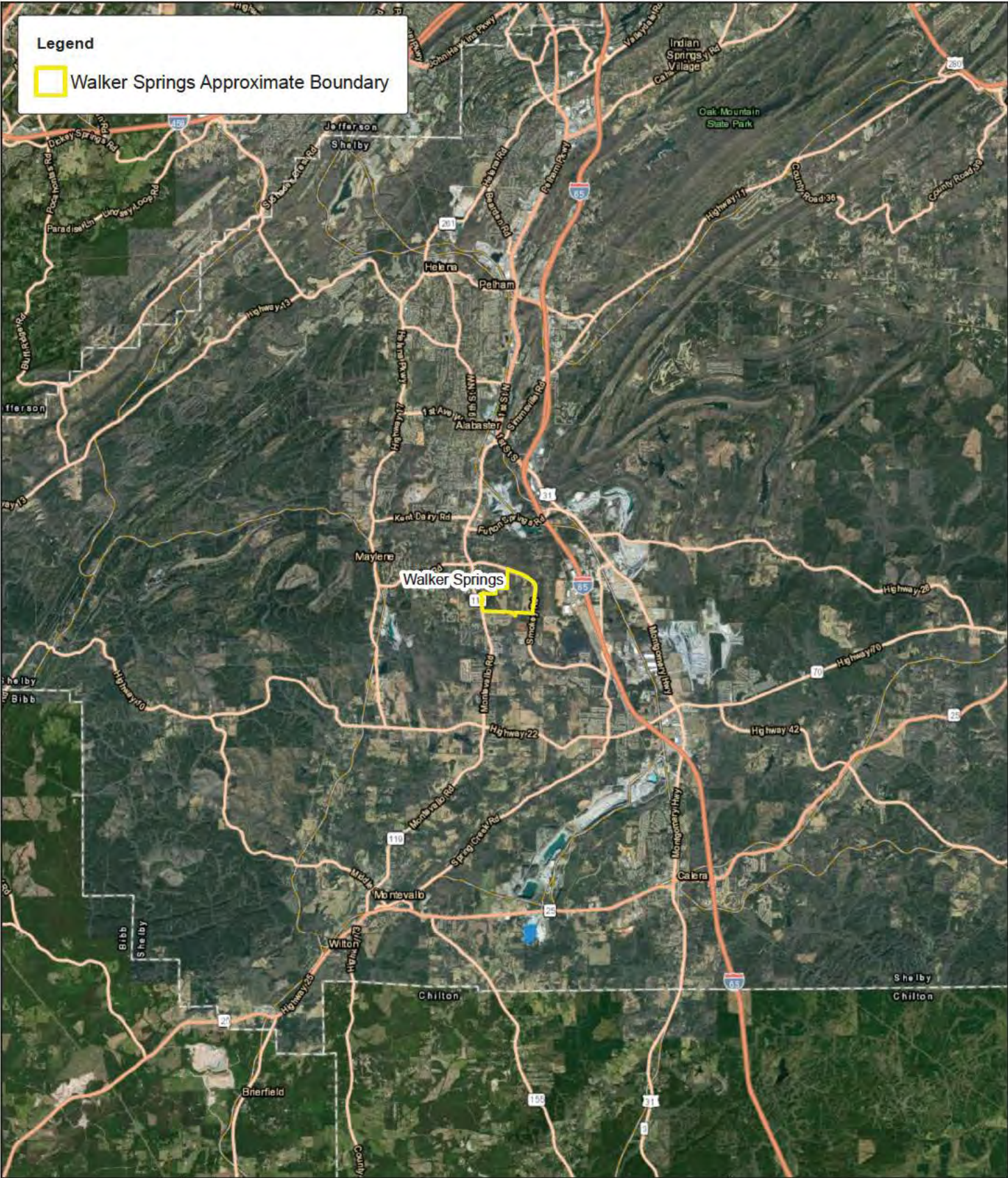
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2021-01337-JDC** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Attention: **Mr. Jevon Coleman**, 600 Vestavia Parkway, Suite 203, Vestavia Hills, Alabama 35216, 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 **Jevon.D.Coleman@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 **Jevon.D.Coleman@usace.army.mil** or telephone number **(205) 381-0741**. 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>.

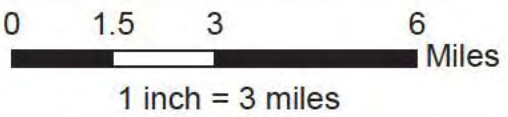
**MOBILE DISTRICT**  
**U.S. Army Corps of Engineers**

Attachments



Walker Springs  
Alabaster, Alabama

Figure 1  
Site Location  
Map



Date Created:  
April 2022

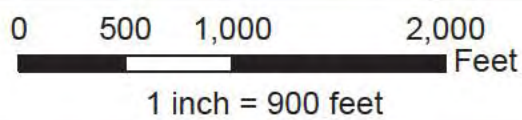
Legend

Walker Springs Approximate Boundary



Walker Springs  
Alabaster, Alabama

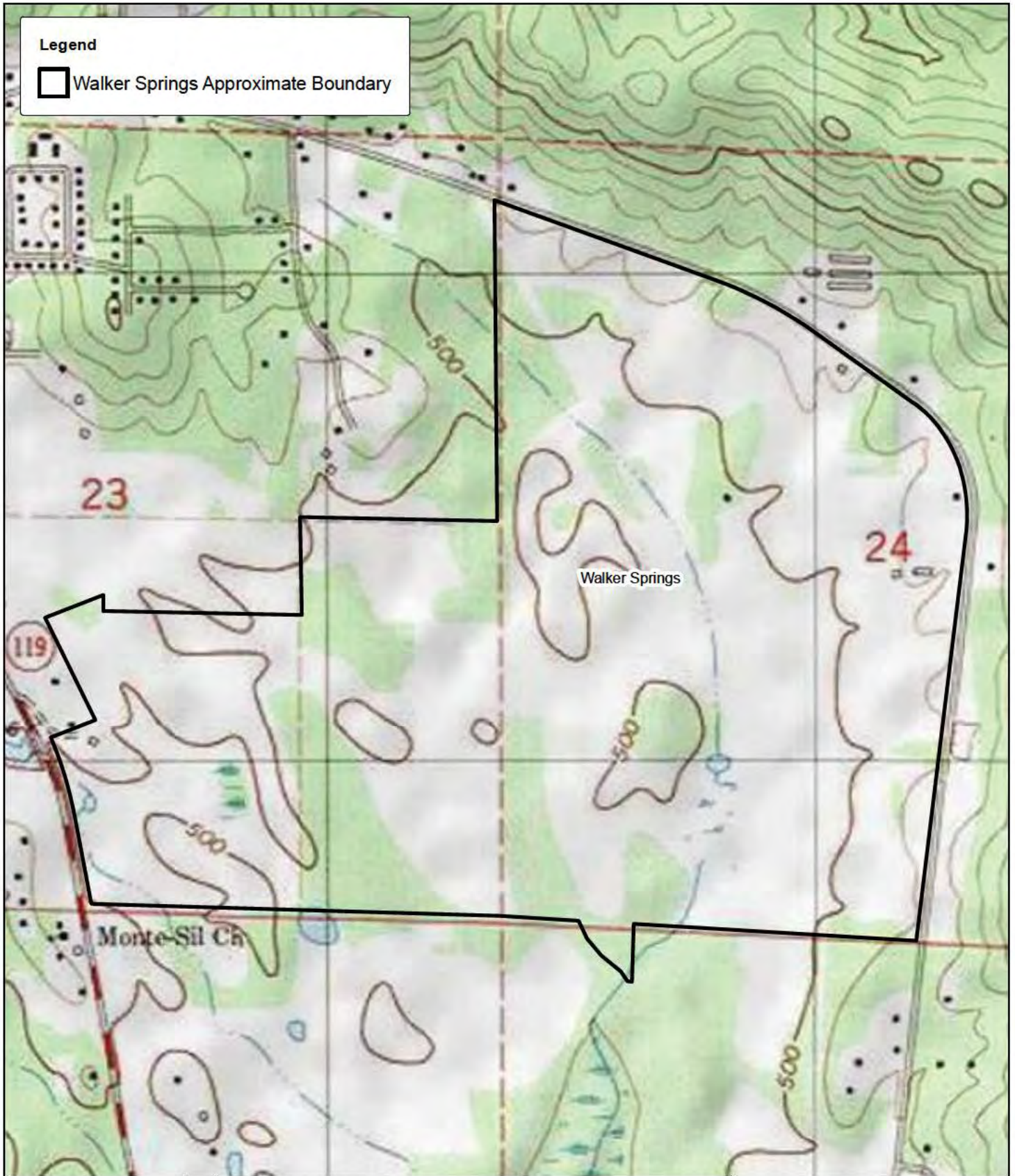
Figure 2  
Aerial Photography  
Map



Date Created:  
April 2022

Legend

□ Walker Springs Approximate Boundary



Walker Springs  
Shelby County, Alabama

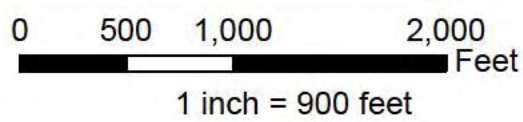
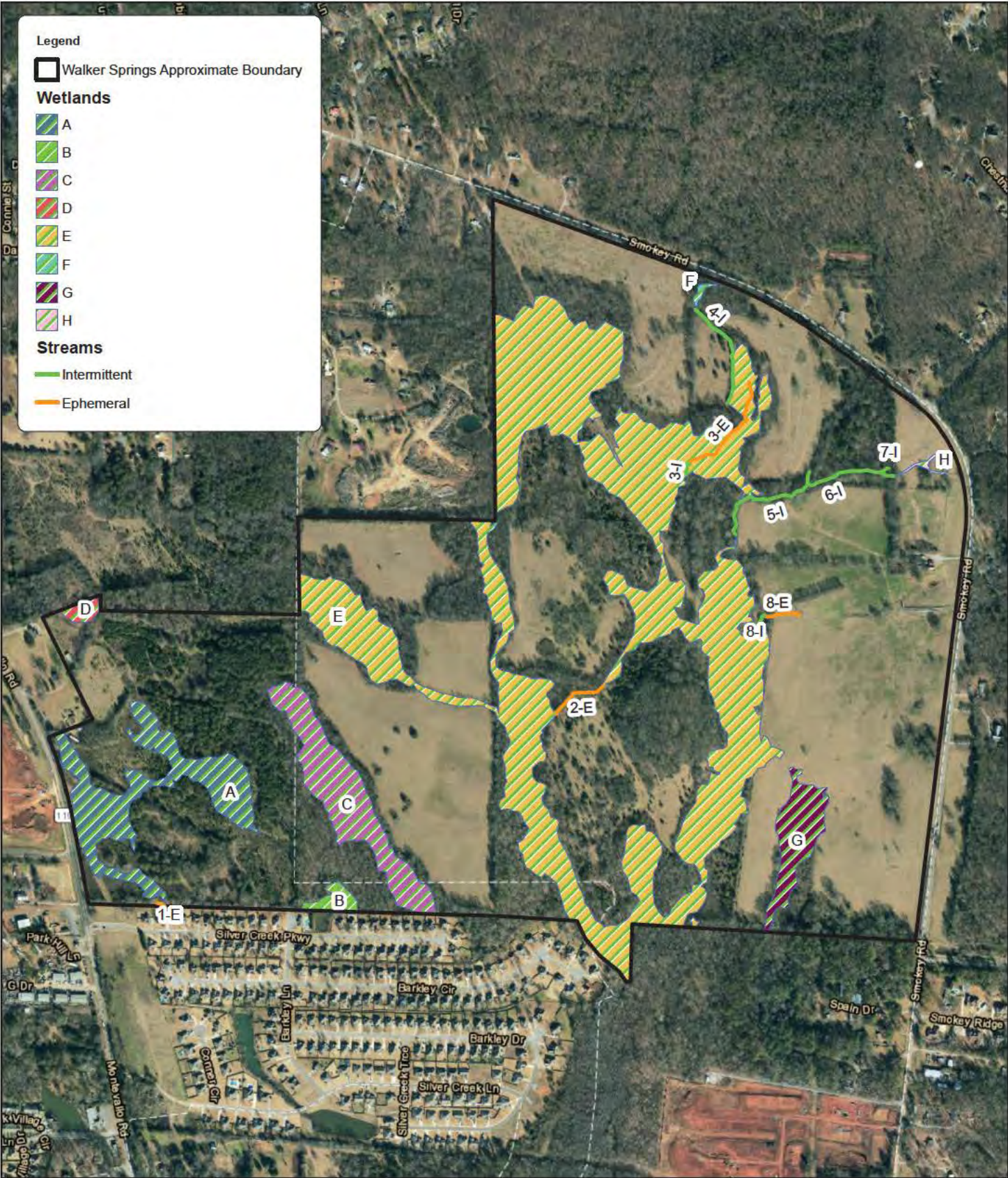


Figure 3  
USGS Topographic  
Map



Date Created:  
November 2021





**Legend**

□ Walker Springs Approximate Boundary

**Wetlands**

- A
- B
- C
- D
- E
- F
- G
- H

**Streams**

- Intermittent
- Ephemeral




Walker Springs  
Alabaster, Alabama

0    500    1,000    2,000  
Feet

1 inch = 900 feet

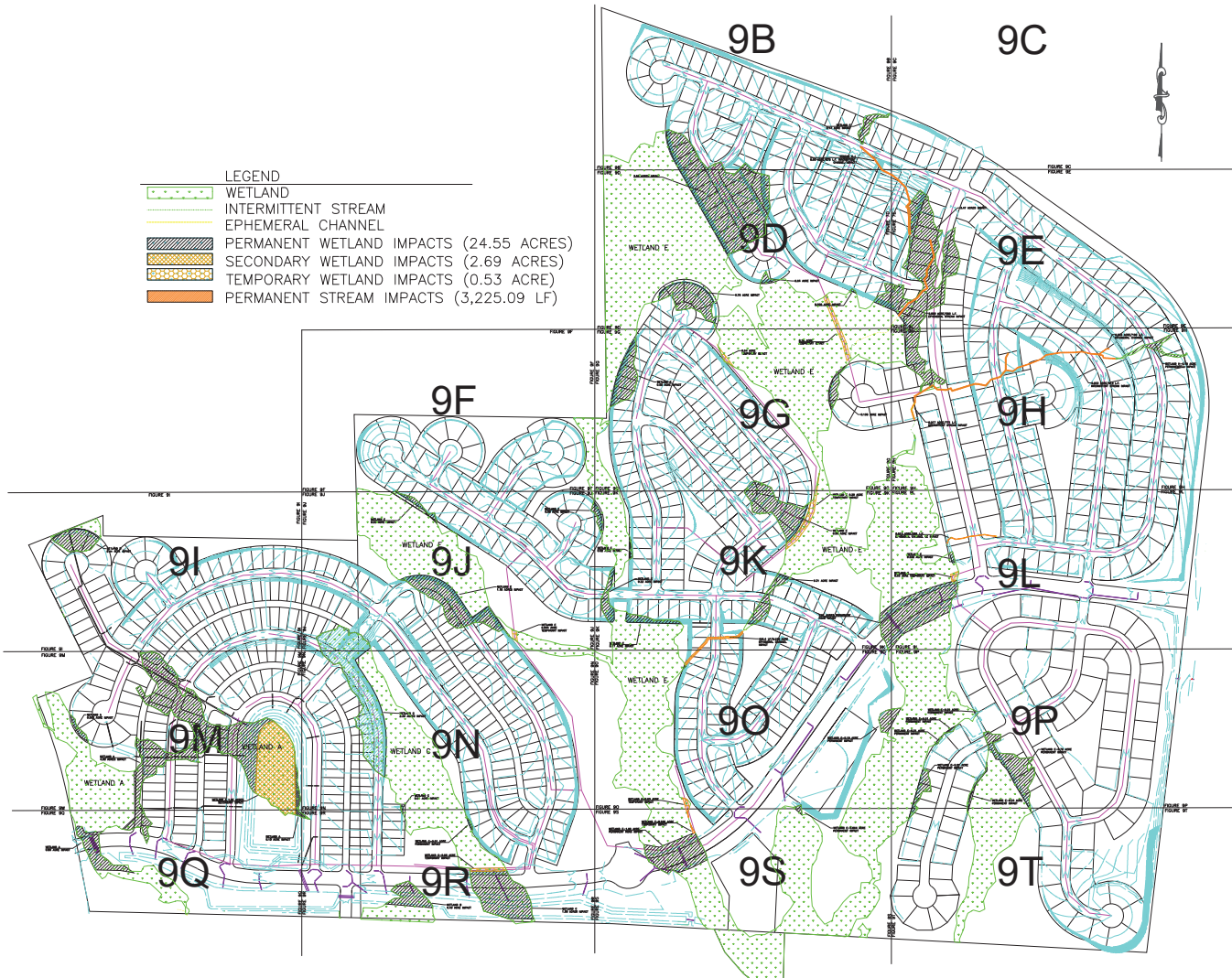
Figure 4  
Jurisdictional Features  
Map



Date Created:  
April 2022

LEGEND

	WETLAND
	INTERMITTENT STREAM
	EPHEMERAL CHANNEL
	PERMANENT WETLAND IMPACTS (24.55 ACRES)
	SECONDARY WETLAND IMPACTS (2.69 ACRES)
	TEMPORARY WETLAND IMPACTS (0.53 ACRE)
	PERMANENT STREAM IMPACTS (3,225.09 LF)



SCALE:  
1"=600'

WALKER SPRINGS DEVELOPMENT AND  
PUBLIC CONNECTOR ROAD

ALABASTER, ALABAMA

FIGURES 9A:  
PROPOSED  
JURISDICTIONAL  
IMPACTS

