



REPLY TO
ATTENTION OF:

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

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2022-00912-CMS

March 23, 2023

**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 CANEY BRANCH ASSOCIATED WITH THE CONSTRUCTION OF
AN INDUSTRIAL DEVELOPMENT IN HOPE HULL, MONTGOMERY 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: Diageo Americas Supply, Inc.
Attention: Marsha McIntosh
2440 W 143rd Street
Plainfield, Illinois 60544
marsha.mcintosh@diageo.com

AGENT: Goodwyn Mills Cawood, LLC
Attention: Lauren Barber
2660 Eastchase Lane #200
Montgomery, Alabama 36117

LOCATION: The proposed project is in wetlands and unnamed tributaries to Caney Branch in Hope Hull, Montgomery County, Alabama. Specifically, the project boundary is located within Sections 9, 15, and 16, Township 15 North and Range 17 East. Center coordinates of the project site are latitude 32.277384, longitude -86.365901. The project is in the Upper Alabama 8-digit hydrologic unit code (HUC 03150201).

PROJECT PURPOSE: The project purpose is to support the growing demand for beverages in the southeast market.

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 beverage production and distribution facility. The applicant proposes to discharge clean fill material into 1.25 acres of wetlands, 3,157 linear feet of intermittent streams, 1,859

linear feet of ephemeral streams, and 1.06 acres of open water pond in association with site grading and construction of warehouses, production space, and parking areas.

AVOIDANCE & MINIMIZATION: The property contains 33.4 acres of jurisdictional wetlands, 7,238 linear feet of perennial streams, 3,750 linear feet of intermittent streams, 3,004 linear feet of ephemeral stream, and 1.06 acres of pond. According to the applicant, avoidance and minimization at the site is challenging due to the topography of the site and the required area and grades for the development. Several adjustments were made during the design phase to minimize impacts to aquatic resources. The preferred plan avoids 32.2 acres of jurisdictional wetlands, 7,239 linear feet of perennial streams, 592.5 linear feet of intermittent streams, and 1,144 linear feet of ephemeral streams. 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.

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. We are seeking comment from the State Historic Preservation Officer, federally-recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and the general public regarding the existence or the potential for existence of significant cultural and historic properties which may be affected by the work. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

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: wood stork and southern clubshell. The USACE has not made a determination regarding potential effects of the project activities on the above-listed species at this time. Further coordination with the United States Fish and Wildlife Service (USFWS) will be performed as determined to be appropriate. Copies of this public notice are being sent to the USFWS and other federal and state agencies for review and receipt of any relevant comments regarding potential effects of the proposed project on the listed species.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2022-00912-CMS** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Attention: **Ms. Courtney Shea**, 600 Vestavia Parkway, Suite 203, Vestavia Hills, AL 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 **Courtney.M.Shea@usace.army.mil** and to ADEM at **fieldmail@adem.alabama.gov**.

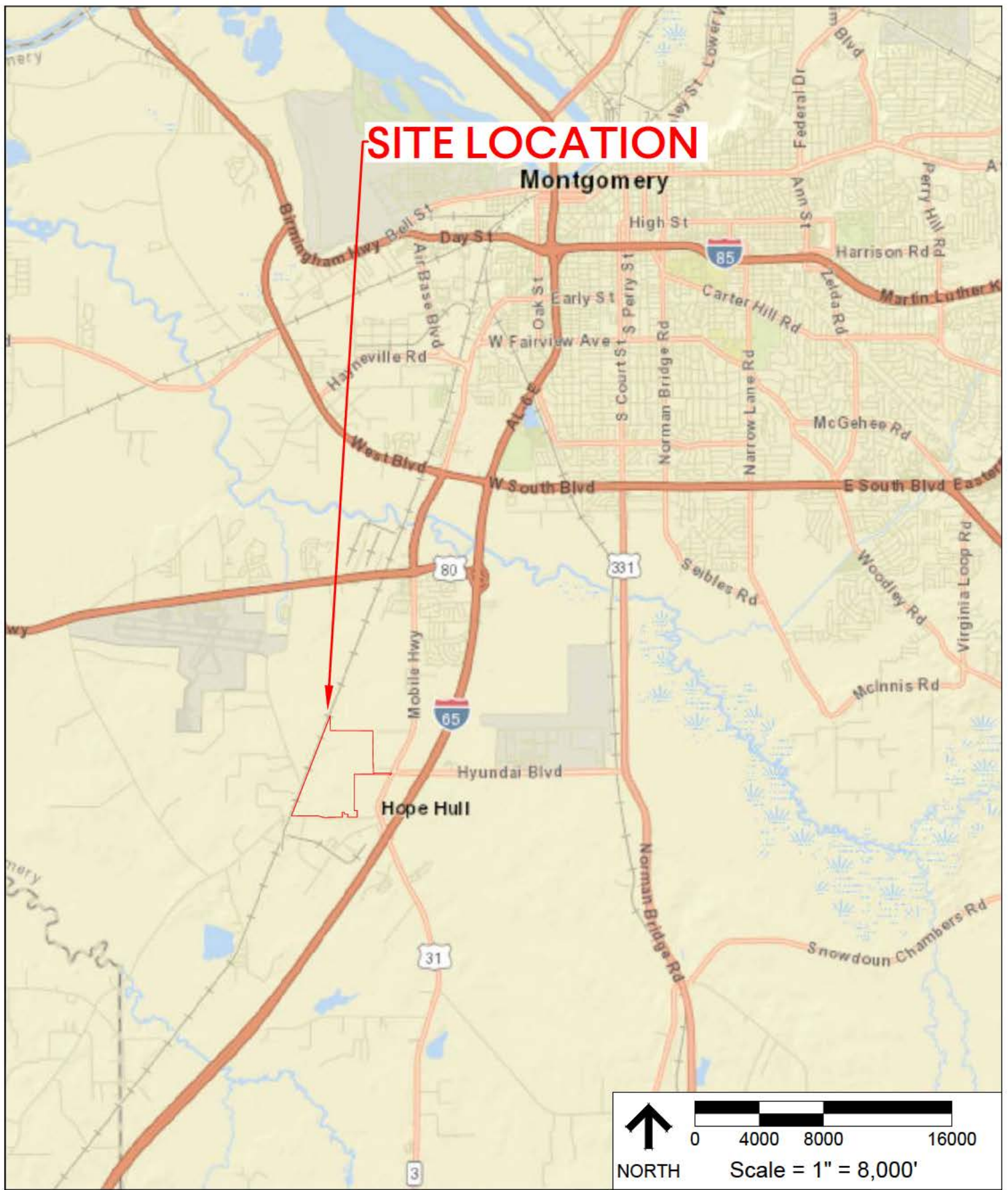
Comments should be received no later than **30 days** from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager via e-mail at **Courtney.M.Shea@usace.army.mil** or telephone number **(205) 381-8108**. Please refer to the above Public 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

SITE LOCATION



REF. SHEET: ESRI WORLD STREETS
DESCRIPTION: INDIVIDUAL PERMIT

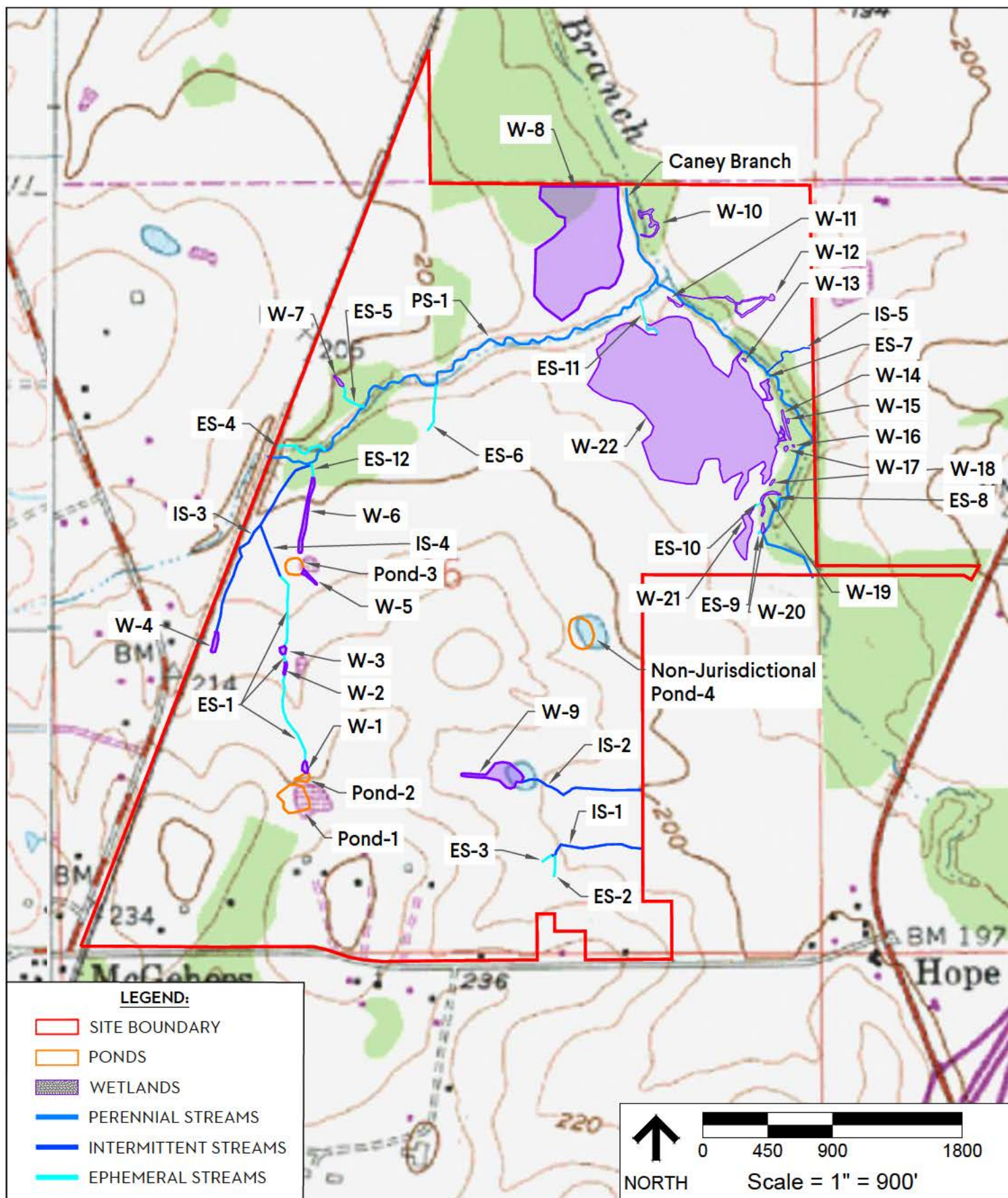
► **Project Tide / Project South**
Hope Hull, Montgomery County, Alabama

FIGURE 1

GENERAL LOCATION MAP
GMC # EMGM220071
DATE: 11/17/2022
DRAWN BY: LAB

2660 East Chase Lane, Suite 200
Montgomery, AL 36117
T 334.271.3200
GMCNETWORK.COM

GMC



REF. SHEET: MONTGOMERY SOUTH, ALABAMA QUADRANGLE MAP
DESCRIPTION: INDIVIDUAL PERMIT

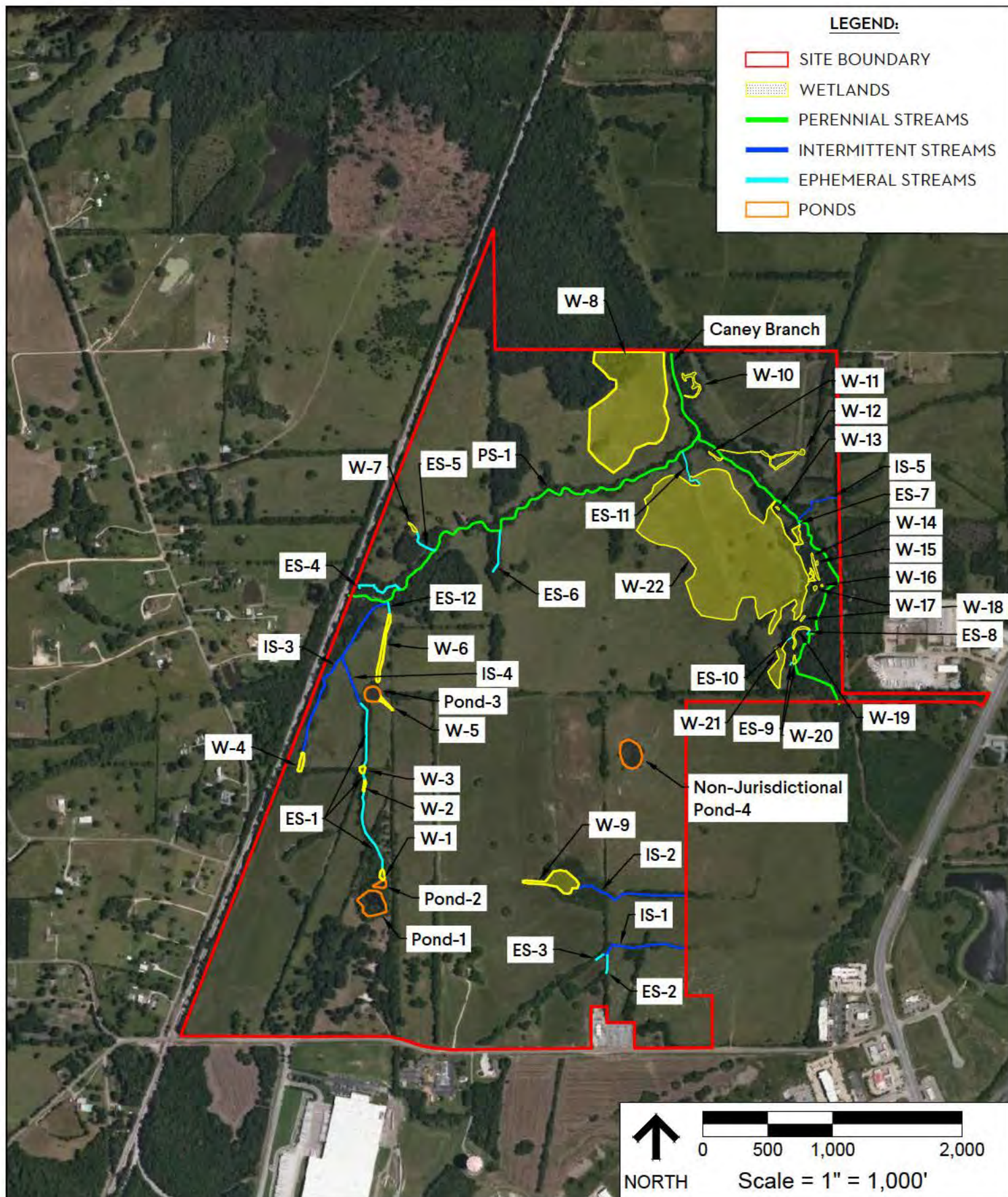
Project Tide / Project South
Hope Hull, Montgomery County, Alabama

FIGURE 2

USGS QUADRANGLE MAP
GMC # EMGM220071
DATE: 11/17/2022
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REF. SHEET: ESRI WORLD IMAGERY
DESCRIPTION: INDIVIDUAL PERMIT

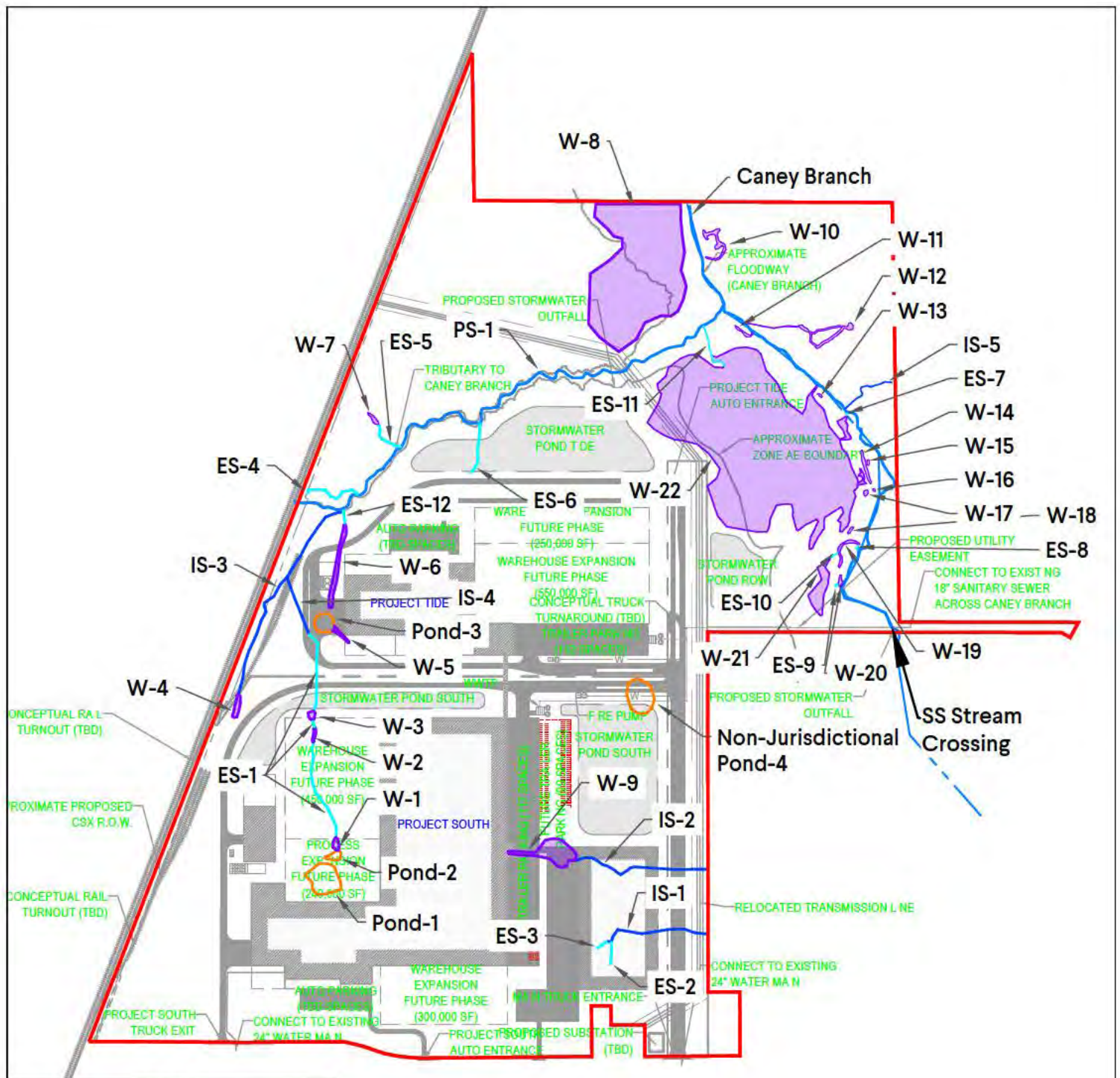
Project Tide / Project South
Hope Hull, Montgomery County, Alabama

FIGURE 3

AERIAL PHOTOGRAPH
GMC # EMGM220071
DATE: 11/17/2022
DRAWN BY: LAB

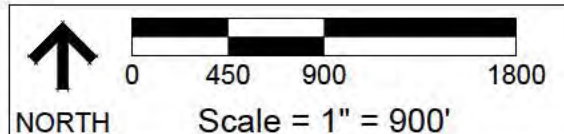
2660 East Chase Lane, Suite 200
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LEGEND:

- SITE BOUNDARY
- PONDS
- WETLANDS
- PERENNIAL STREAMS
- INTERMITTENT STREAMS
- EPHEMERAL STREAMS



REF. SHEET:
DESCRIPTION: INDIVIDUAL PERMIT

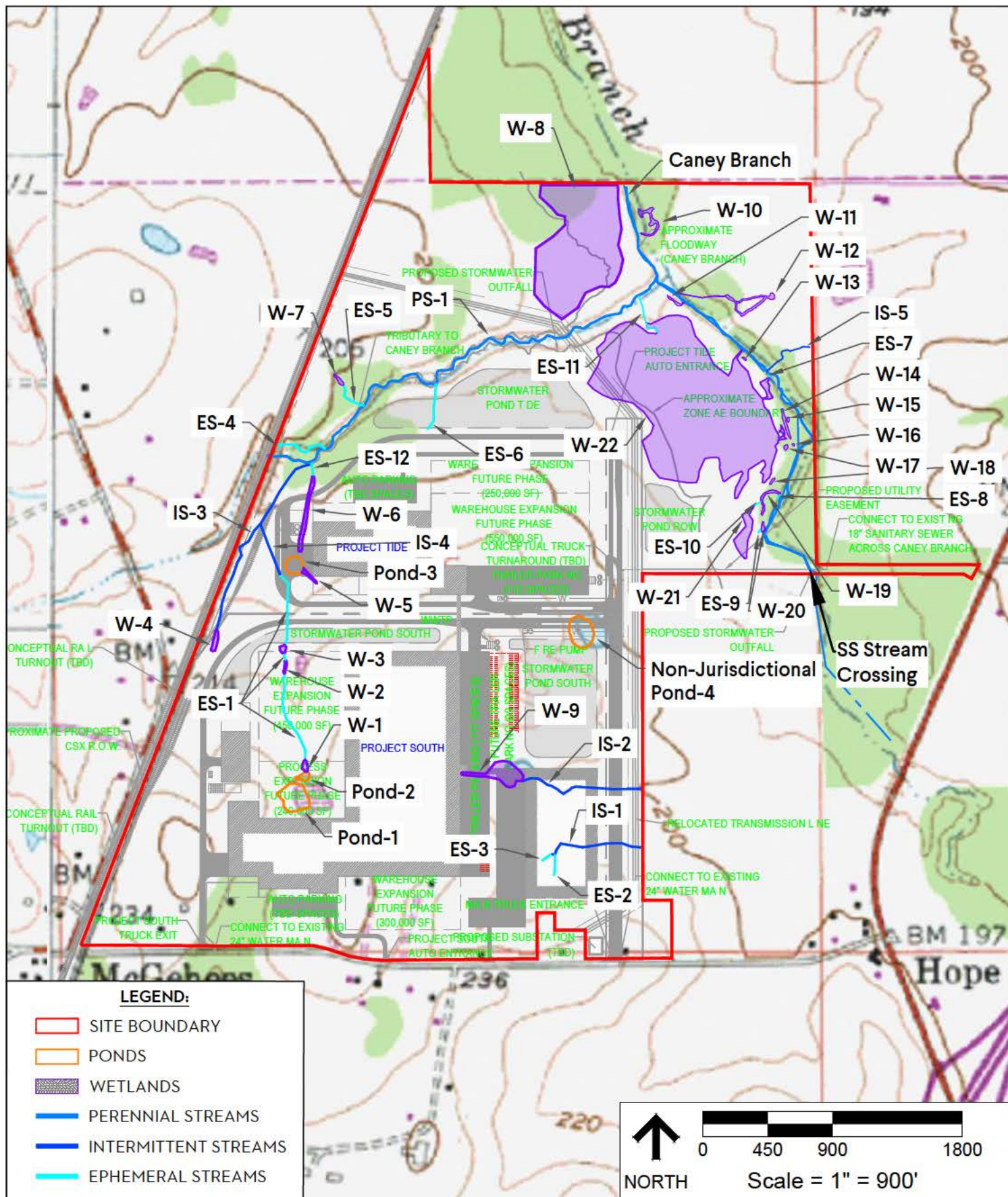
Project Tide / Project South
Hope Hull, Montgomery County, Alabama

FIGURE 5A

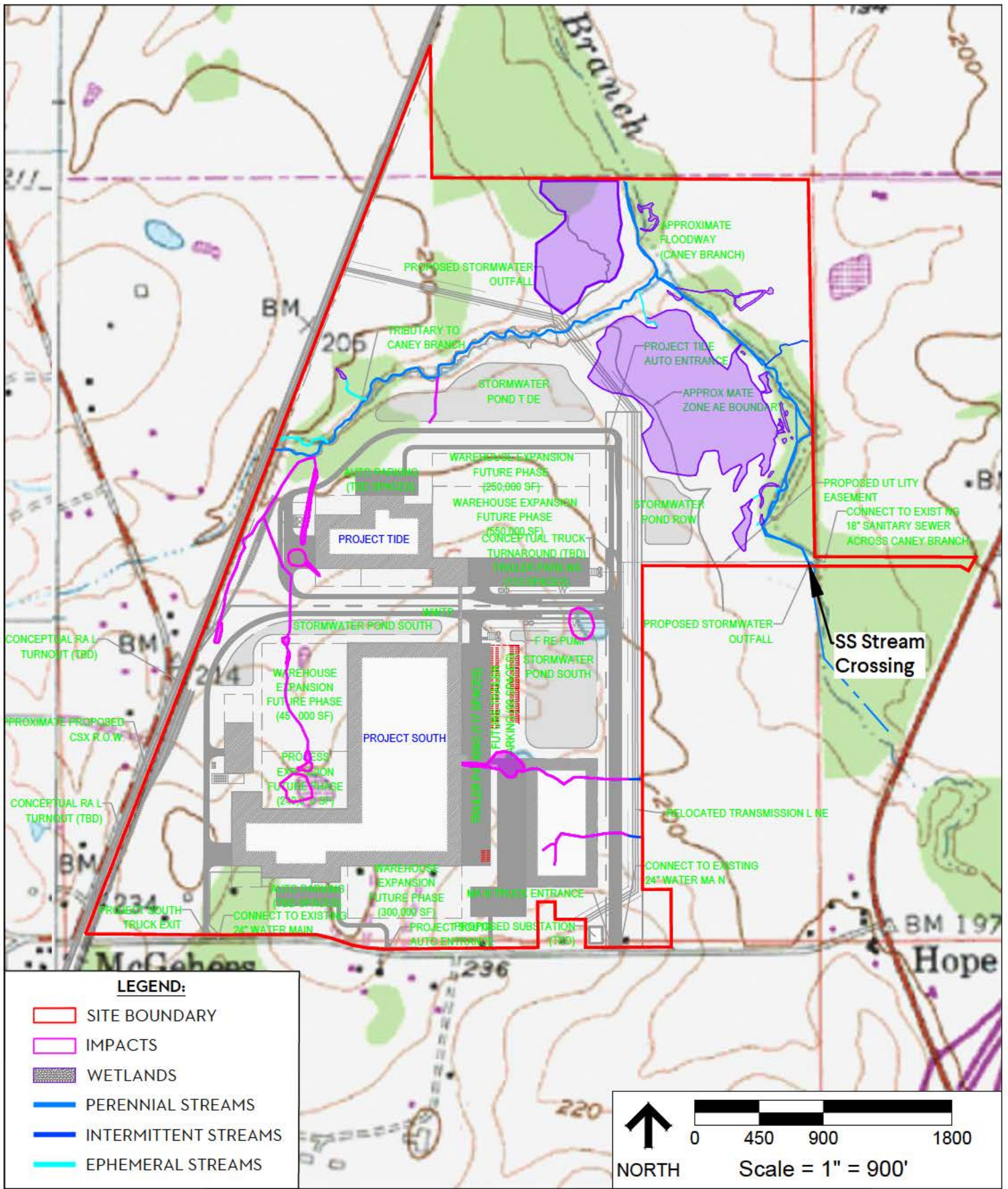
SITE PLAN
GMC # EMGM220071
DATE: 11/17/2022
DRAWN BY: LAB

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Project Tide / Project South



REF. SHEET: MONTGOMERY SOUTH, ALABAMA QUADRANGLE MAP
DESCRIPTION: INDIVIDUAL PERMIT

Project Tide / Project South

Hope Hull, Montgomery County, Alabama

FIGURE 6B

QUAD WITH IMPACTS
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