



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, ALABAMA 35216

CESAM-RD-N  
PUBLIC NOTICE NO. SAM-2024-00525-JDC

September 16, 2024

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 MILL CREEK ASSOCIATED WITH THE CONSTRUCTION OF A  
WATER PARK IN TUSCALOOSA 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: University Beach, LLC  
Attention: Kent Donahue  
2121 Midway Road, Suite 240  
Carrollton, Texas 75006

AGENT: TTL, Inc.  
Attention: Christopher Terrell  
3516 Greensboro Avenue  
Tuscaloosa, Alabama 35401  
cterrell@ttlusa.com

LOCATION: The proposed project is located in wetlands and unnamed tributaries to Mill Creek in Northport, Tuscaloosa County, Alabama. Specifically, the project is located within Section 8, Township 21 South, Range 10 West. Center coordinates of the project are latitude 33.24007, longitude -87.60815. The project is located in the Lower Black Warrior 8-digit hydrologic unit code (HUC 03160113).

PROJECT PURPOSE: The basic project purpose is recreational development.

WORK: The applicant is requesting authorization to discharge fill material into 12.42 acres of forested wetlands, 0.19 acre of non-forested wetlands, and 1,020 linear feet of intermittent stream in association with the construction of the "University Beach" waterpark. Specifically, the applicant is proposing to permanently discharge fill material into 11.74 acres of forested wetland "WA", 0.68 acre of forested wetland "WB", and 1,020 linear feet of intermittent stream "S-1" for grading associated with the construction of building foundation, parking lots, and road crossings. The applicant is also proposing

to permanently discharge fill material into 0.13 acre of non-forested wetland "WC", 0.093 acre of non-forested wetland "WD", and 0.054 acre of non-forested wetland "WE" for grading associated with the construction of road crossings. The "University Beach" waterpark would include a beach lagoon, single family and multi-family permanent residences, a hotel, and commercial amenities, such as restaurants and retail stores.

**AVOIDANCE & MINIMIZATION:** According to the agent, the initial construction plan proposed impacts to 29.93 acres of wetlands and 2,969 linear feet of stream. The initial construction plan was re-evaluated and modified to minimize impacts to waters of the U.S. These modifications included changing the building and parking lot layout, incorporating a bottomless culvert, and realigning internal roads, resulting in the proposed plan of unavoidable impacts to 12.61 acres of wetland and 1,020 linear feet of intermittent stream. The proposed plan avoids 17.323 acres of wetlands and 1,949 linear feet of stream within the overall project area. 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: Indiana Bat, Tricolored Bat, Alligator Snapping Turtle, Inflated Heelsplitter, and Ovate Clubshell. 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), as 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-2024-00525-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. Ryan Cooper, 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.

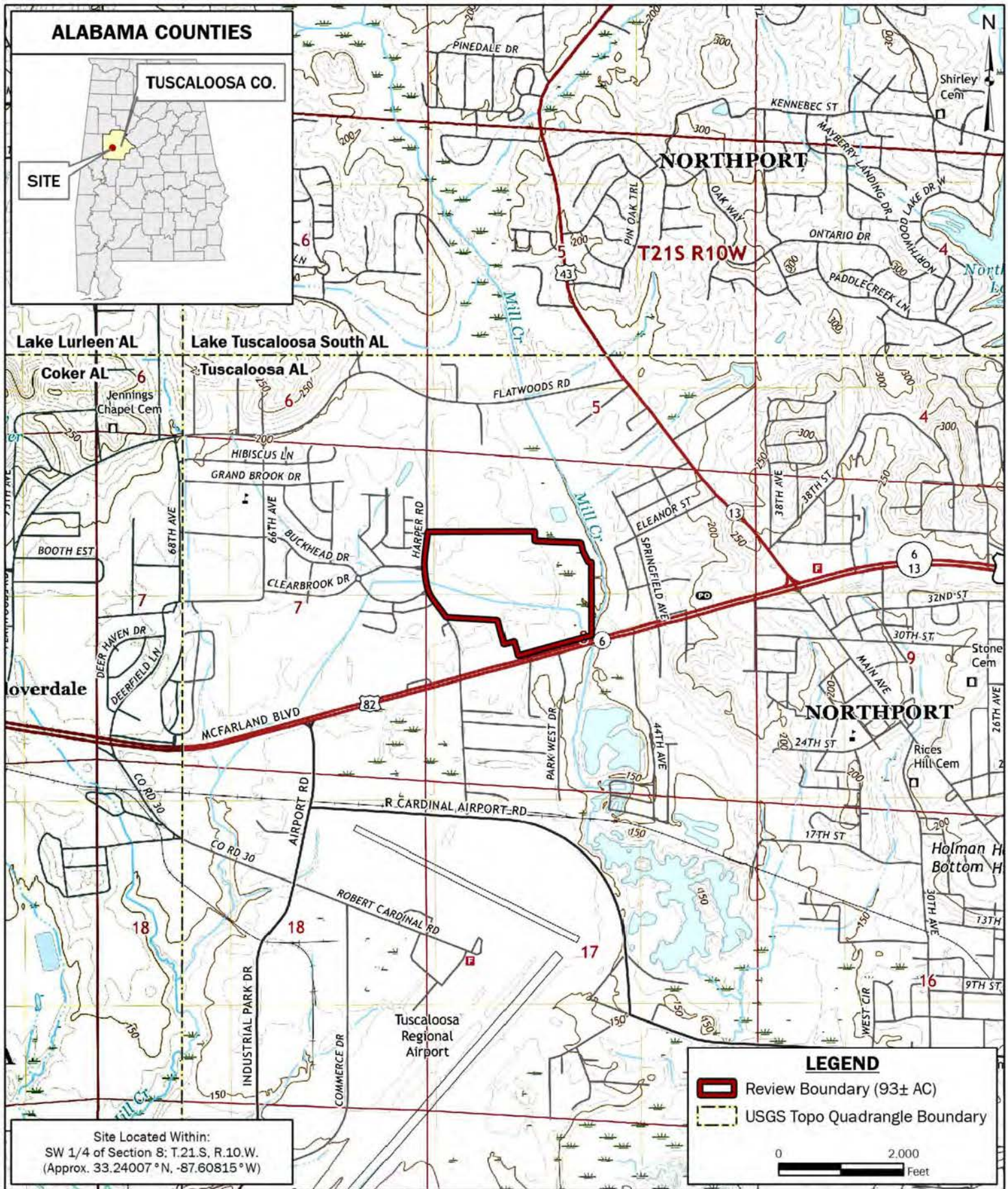
Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager via e-mail at Jevon.D.Coleman@usace.army.mil or telephone number (205) 381-0741. Please refer to the above Public Notice number.

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





**FIGURE 1: SITE LOCATION & TOPOGRAPHIC MAP**

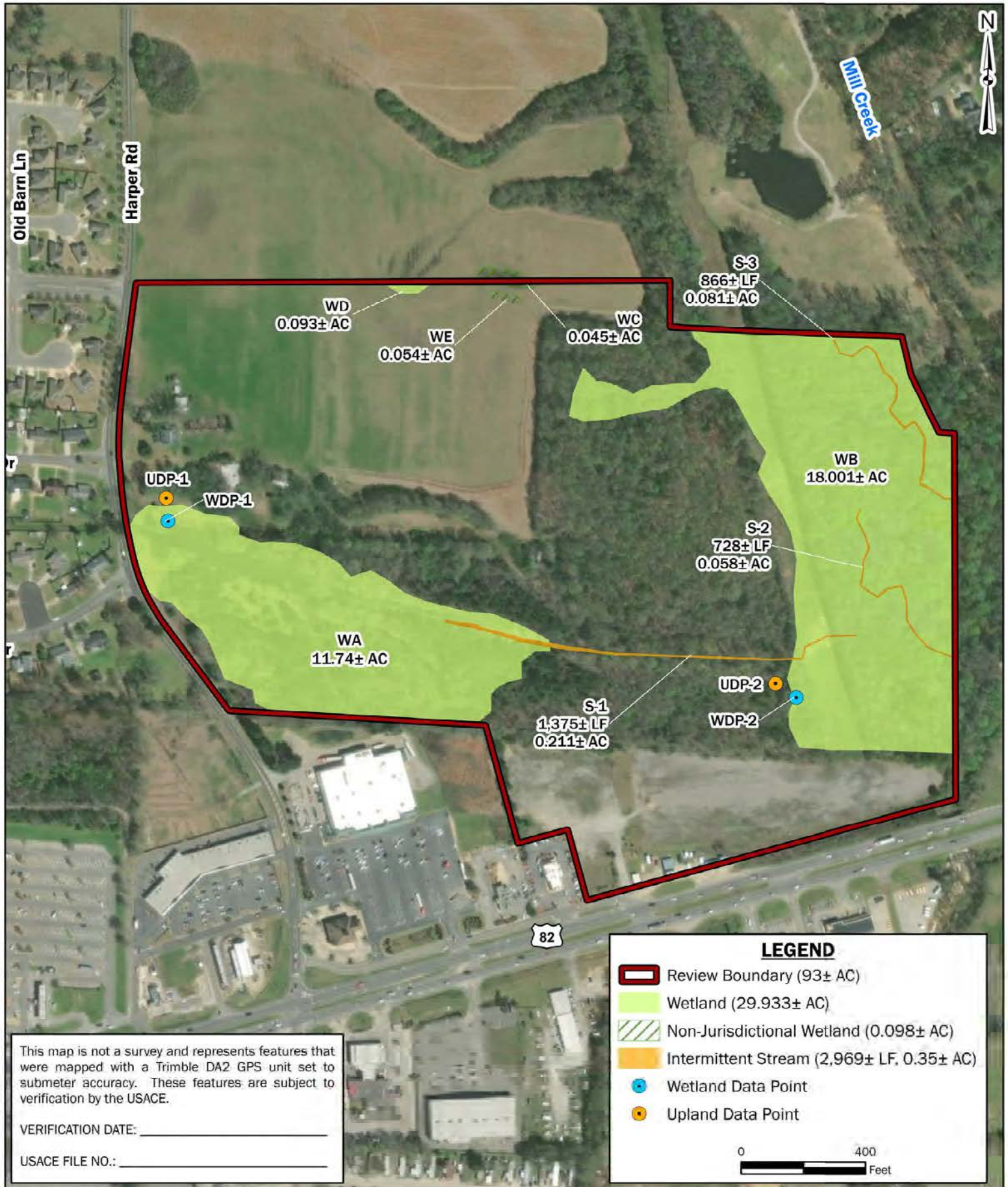
UNIVERSITY BEACH, LLC  
AQUATIC RESOURCES DELINEATION  
NORTHPORT, TUSCALOOSA COUNTY, ALABAMA

BASEMAP: Tuscaloosa, Alabama, USGS 7.5 Minute Quadrangle Map, 2018 (10-ft Contour Interval)

DRAWN BY: JDM
CHECKED BY: CMS
DRAWING DATE: 8/9/2023
REVISION DATE: 3/7/2024
TTL JOB NO.: 23-01-01669.00
APPROX. SCALE: 1 in = 2,000 ft







## FIGURE 7: AQUATIC RESOURCE DELINEATION MAP

UNIVERSITY BEACH, LLC  
AQUATIC RESOURCES DELINEATION  
NORTHPORT, TUSCALOOSA COUNTY, ALABAMA  
BASEMAP: Maxar Technologies, Vivid Imagery, 3/28/2022 (0.5 m Resolution).

DRAWN BY: DEK/JDM
CHECKED BY: CMS
DRAWING DATE: 8/9/2023
REVISION DATE: 8/9/2023
TTL JOB NO.: 23-01-01669.00
APPROX. SCALE: 1 in = 400 ft





**FLOODPLAIN/WETLANDS LEGEND**

- AE FLOODWAY
- FLOOD ZONE AE
- FLOOD ZONE X
- EXISTING WETLANDS
- WETLAND/STREAM IMPACT
- WETLAND IMPACT AREA

3516 Greensboro Avenue | Tuscaloosa, AL 35601  
205.345.2816 | www.ttl.com

**UNIVERSITY BEACH RESORT DEVELOPMENT**  
**UNIVERSITY BEACH, LLC.**

SECTION 8, TOWNSHIP 21 SOUTH, RANGE 10 WEST  
NORTHPORT, ALABAMA

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
RECORDING REQUIRED  
ON REVISIONS

**SITE LAYOUT 3 (PREFERRED)**

No.	Date	Revision Description

Drawn By: J.A.B.  
Checked By: J.A.B.  
Date: 06/28/2024  
File No: 240414186940  
Name: 255660-Prefered Site.dwg

Sheet No.  
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