



US Army Corps
of Engineers®

PUBLIC NOTICE

Applicant:

Published: March 18, 2025

Opelika Industrial Development Authority

Expires: April 17, 2025

Mobile District

Permit Application No. SAM-2025-00103-CMS

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS (USACE)

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Opelika Industrial Development Authority
Attention: Mr. John Sweatman
204 South 7th Street
Opelika, Alabama 36801

AGENT: CDG, Inc.
Attention: Mr. Sam Ford
700 Southgate Drive, Suite A
Pelham, Alabama 35124

LOCATION: The project review area is located in wetlands and a stream adjacent to Halawakee Creek, Latitude: 32.71848° and Longitude: 85.30878° West, Sections 14, Township 20 North, Range 27 East, Opelika, Lee County, Alabama.

EXISTING CONDITIONS: The 6.5-acre project site is undeveloped and primarily forested. There is approximately 2.4 acres of forested wetlands, and 322 linear feet of perennial streams in the project area. There is an industrial development to the southwest, U.S. Interstate Highway 85 to the east and northeast, and undeveloped land in the north and northwest.

PROJECT PURPOSE:

Basic: The Corps has determined that the basic purpose of the proposed project is to construct a road and bridge to access lands for development.

Overall: The overall purpose of the project is to facilitate the connection between the City of Opelika Industrial Park and the Chambers County Industrial Park to meet the growing demand for industrial businesses in Opelika, Lee County, Alabama.

PROPOSED WORK: The applicant is proposing to permanently impact 1.5 acres of wetlands (Wet A) and 118 linear feet (LF), or 0.016 acre of perennial stream (S1); and temporarily impact 0.13 acre of wetlands in association with the construction of a road and bridge. This road and bridge construction would extend Northpark Drive 2,585 feet north over Halawakee Creek to gain access to the undeveloped land north of Halawakee Creek.

AVOIDANCE AND MINIMIZATION: Initially, the applicant considered a design layout that would have resulted in a higher quantity of impacts to jurisdictional Waters of the United States (WOTUS) for the Northpark Drive Bridge Extension. However, through a thorough re-evaluation of various design options, the project design team was able to develop a plan that minimizes impacts to jurisdictional features on the site while still fulfilling the project's purpose and objectives. Approximately a 41% decrease in perennial stream impacts was achieved with the final design from the original.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to provide in-kind compensatory mitigation through an approved mitigation bank.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Proposed Threatened
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened
Whooping Crane	<i>Grus americana</i>	Experimental Population
Georgia Rockcress	<i>Arabis georgiana</i>	Threatened

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Alabama Department of Environmental Management (ADEM).

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Alabama Department of Environmental Management (certifying authority).

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: 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 utilization of important resources. The benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps 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 Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

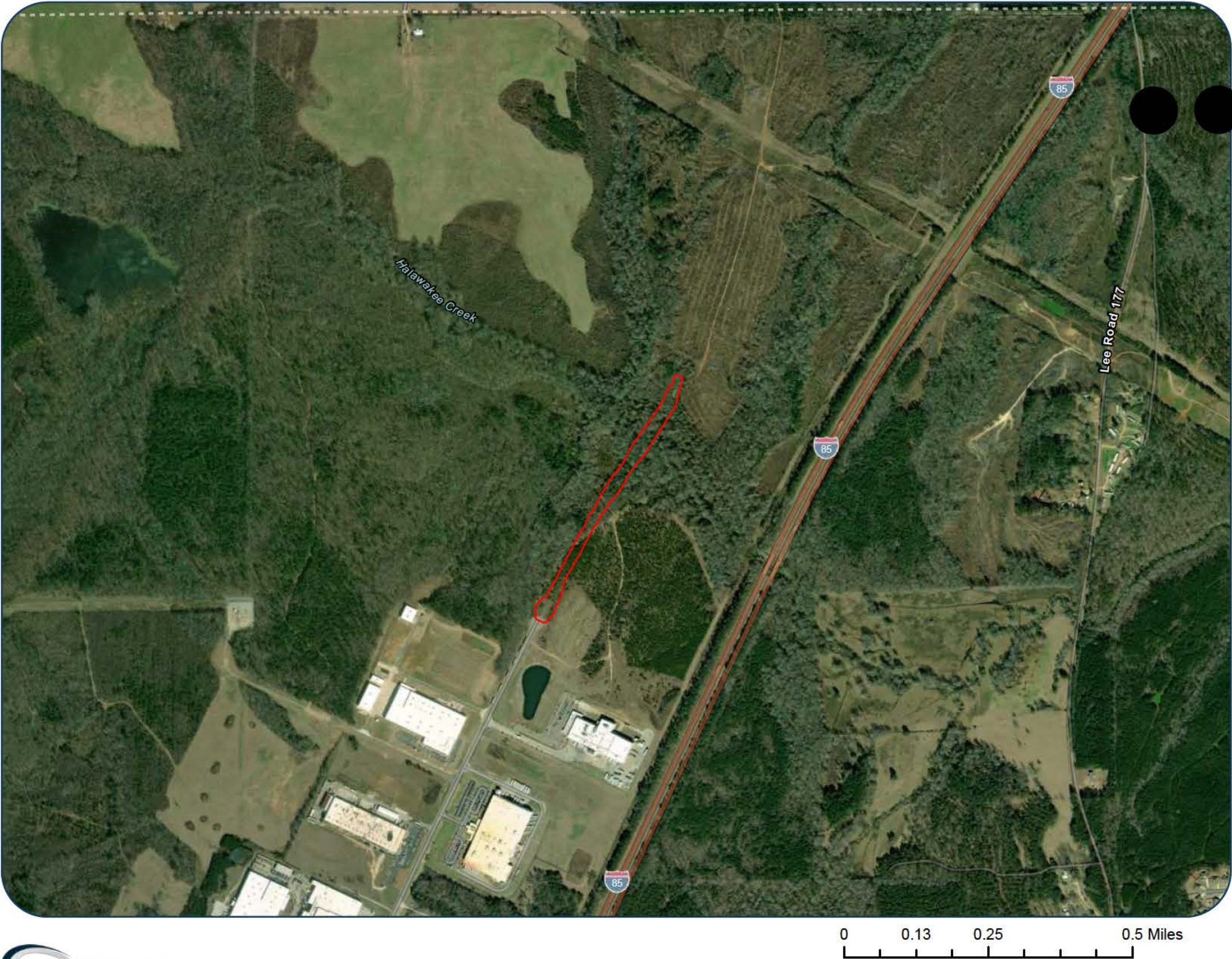
The Mobile District will receive written comments on the proposed work, as outlined above, until April 17, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Angela M. Rangel at angela.m.rangel@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Angela M. Rangel, PO Box 2288, Mobile, AL 36628. Please refer to the permit application number in your comments. Copies of all comments should be furnished 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.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

MOBILE DISTRICT
U.S. Army Corps Of Engineers

Attachments

Figure 1
Site Aerial Map



PROJECT INFOMATION

Longitude: 32.71848°N
Latitude: -85.30878°W
Size: 6.5 Acres



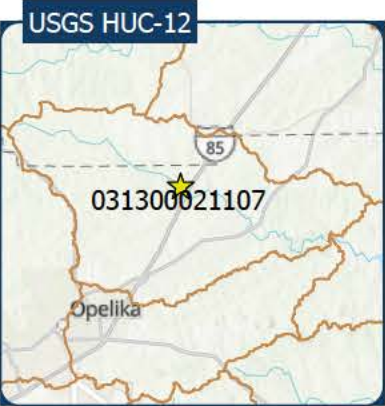
LEGEND

Project Boundary



CDG INFOMATION

Drawn By: SF
Reviewed By: ML
Date: 01/15/25
CDG Reference Number:
R071324003
Address: 700 Southgate Drive,
Suite A
Pelham, AL 35124



SOURCE


Esri, NASA, NGA, USGS, Esri, CGIAR, USGS, Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, NPS, USFWS, County of Coweta, Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, NPS, USFWS, Esri, TomTom, Garmin, SafeGraph, FAO, METI/ NASA, USGS, EPA, NPS, USFWS, Esri Community Maps Contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, Esri, USGS, Maxar



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NPS, US Census Bureau,
USDA, USFWS

Joint Individual Permit Application

Figure 8.1
Site Delineation Map
Aerial



PROJECT INFOMATION

Longitude: 32.71848°N
Latitude: -85.30878°W
Size: 6.5 Acres

LEGEND

- Project Boundary
- Wetland Data Point
- Upland Data Point
- Forested Wetland
- Perennial Stream

CDG INFOMATION

Drawn By: SF
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SOURCE

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GeoTechnologies, Inc, METI/NASA,
USGS, EPA, NPS, US Census Bureau,
USDA, USFWS

0 0.02 0.04 0.07 Miles



Joint Individual Permit Application

Figure 8.2
Site Delineation Map
Topographic



PROJECT INFORMATION

Longitude: 32.71848°N
Latitude: -85.30878°W
Size: 6.3 Acres

LEGEND

- Project Boundary
- Wetland Data Pit
- Upland Data Pit
- Wetland
- Perennial

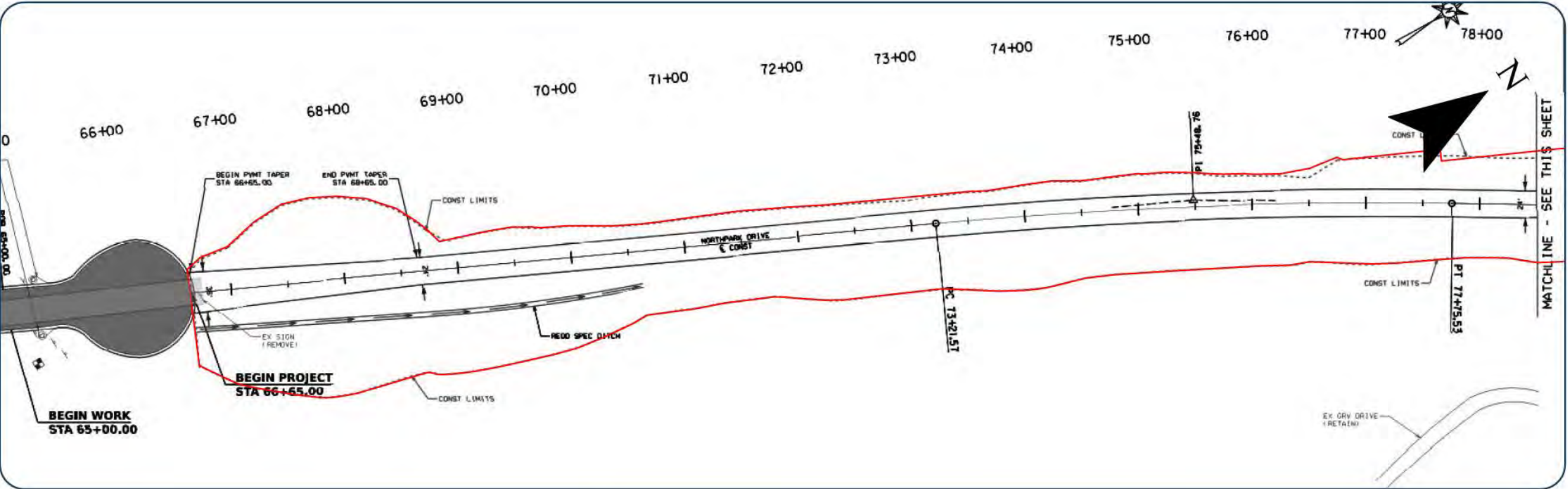
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Figure 12.4
Final Phase Erosion
& Sediment Control Plan

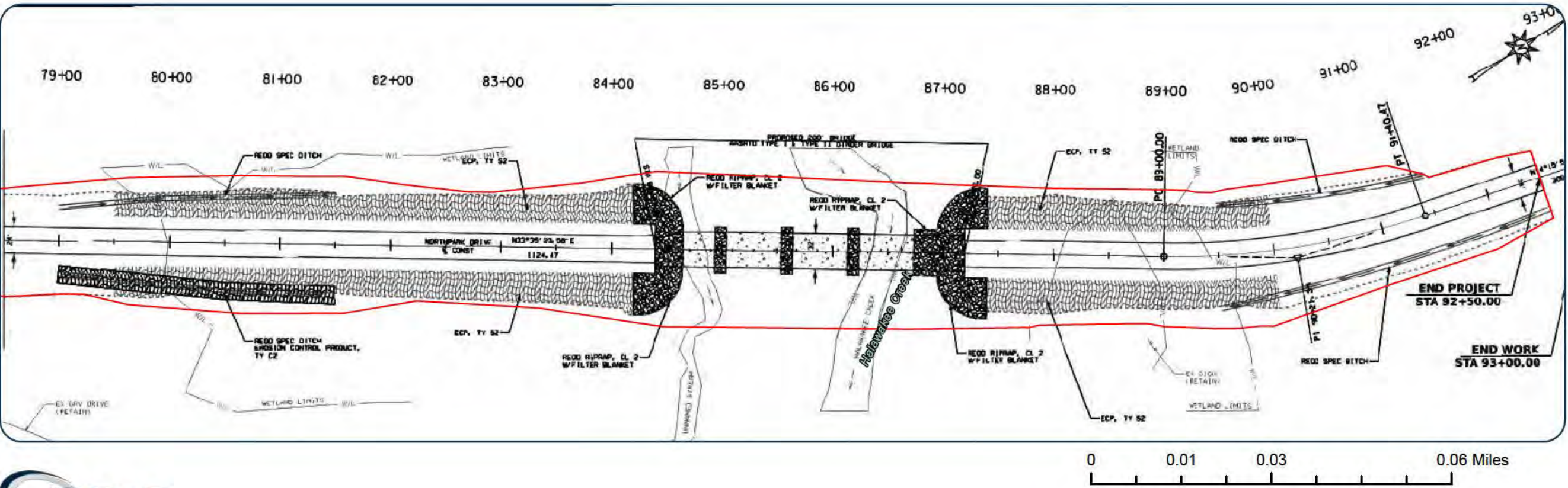


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LEGEND

Project Boundary



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Figure 13.1
Final Design Temporary
WOTUS Impacts

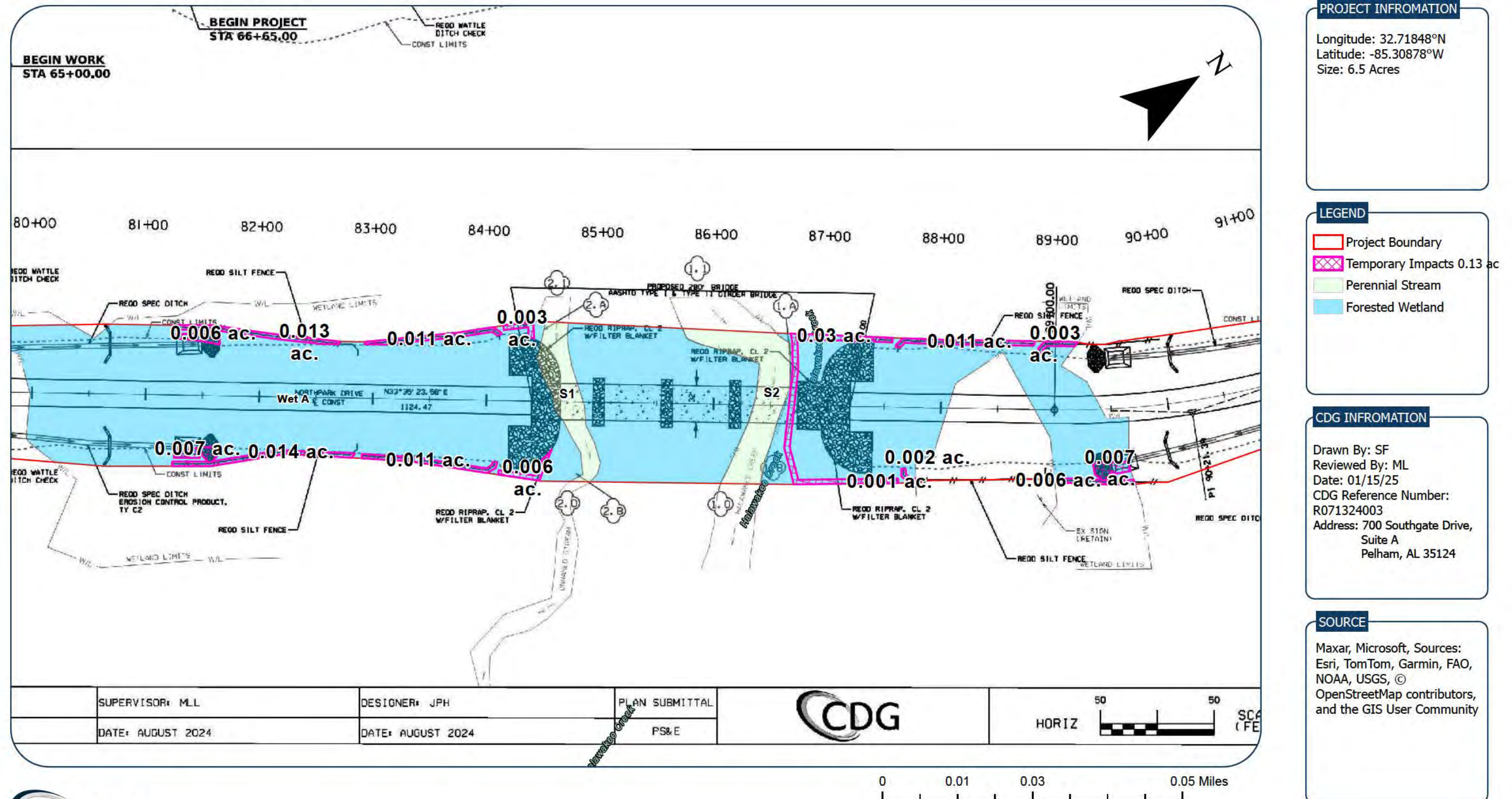
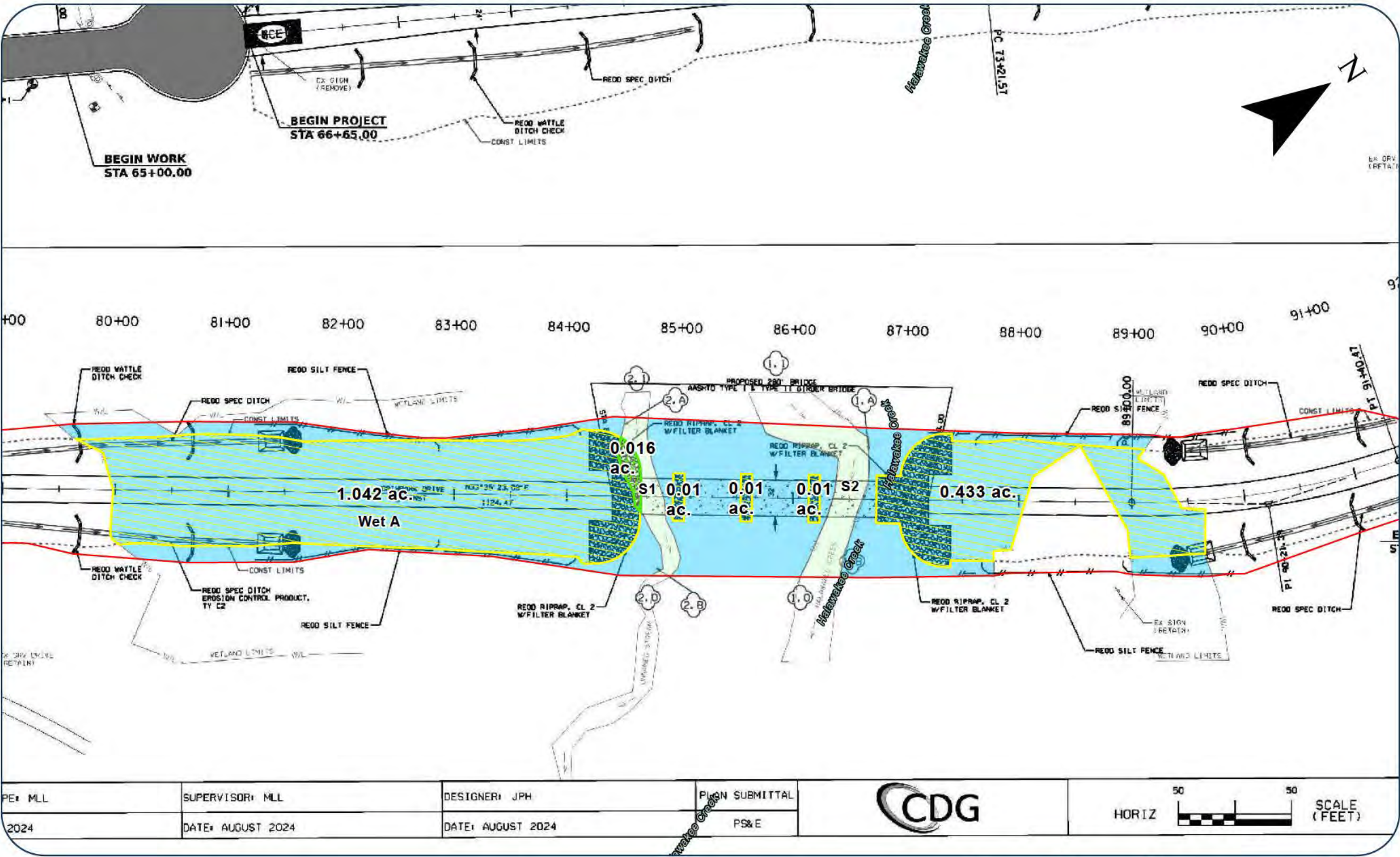


Figure 13.2
Final Design Permanent
WOTUS Impact



PROJECT INFORMATION

Longitude: 32.71848°N
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Size: 6.5 Acres

LEGEND

- Project Boundary
- Permanent Stream Impact
- Permanent Wetland Impacts
- Forested Wetland
- Perennial Stream

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