



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS – MOBILE DISTRICT  
MONTGOMERY FIELD OFFICE  
605 MAPLE STREET  
BUILDING 1429, ROOM 105  
MAXWELL AFB, AL 36112**

**CESAM-RD-NB  
PUBLIC NOTICE NO. SAM-2013-00233-JSC**

**August 15, 2013**

**JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS AND  
STATE OF ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED INDUSTRIAL DEVELOPMENT  
IN COOSA COUNTY, ALABAMA**

**TO WHOM IT MAY CONCERN:** This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the Corps can be based. Please communicate this information to interested parties.

**APPLICANT:** Lake Martin Area Economic Development Alliance  
Attention: Mr. Les Sellers  
1675 Cherokee Road  
Alexander City, Alabama 35010

**AGENT:** Wildland Services, LLC  
Attention: Mr. William Neighbors  
P.O. Box 469  
Auburn, Alabama 36831

**LOCATION:** The Kellyton Industrial Park (KIP) site is located south of U.S. Highway 280, near the eastern border of Coosa County in Section 23 of Township 23 North, and Range 20 East near Alexander City, Alabama (Figure 1). The subject parcel is approximately 232 acres (ac) in size and has center coordinates of latitude 32.963931° North and longitude 86.037035° West. The area is depicted on the Kellyton, Alabama Quadrangle, United States Geological Survey Topographic Map (Figure 2). The KIP site is situated within the Middle Tallapoosa River watershed (HUC 03150109).

**PROPOSED WORK:** According to the Lake Martin Area Economic Development Alliance (LMAEDA or the applicant), site development will bring much needed employment opportunities to an area that has undergone a marked decrease in jobs during the preceding

years. Therefore, the applicant is requesting authorization for the discharge of fill material into waters of the U.S. (WOUS) in association with the development of the KIP Phase II industrial site. Specifically, the applicant is proposing to culvert 99 linear feet (lf) of perennial stream, 1,378 lf of intermittent stream, and 48 lf of ephemeral stream, as well as place fill material into 0.33 ac of palustrine wetlands. According to LMAEDA, the requested impacts to WOUS are needed in order to construct a building pad and associated infrastructure for the proposed industrial development (Figure 3).

**AVOIDANCE & MINIMIZATION:** The applicant states that the initial site plan for the project would have resulted in impacts to approximately 2.02 ac of wetland, 867 linear feet (lf) of perennial stream, and 1,980 lf of intermittent stream (Figure 4). However, after a delineation of jurisdictional waters was completed, the initial site design was extensively modified. The applicant notes that alterations to the site plan included: reducing the building size; turning the building perpendicular to its original orientation, and placing it further north on the site; relocating stormwater detention to an upland area; eliminating vehicle access to one side of the facility; and redesigning the parking layout. According to the applicant's submittal, these actions resulted in a net decrease of impacts to WOUS as follows: 768 lf of perennial stream, 602 lf of intermittent stream, and 1.69 ac of wetlands. *(The Corps has not fully evaluated the adequacy of the proposed avoidance and mitigation)*

**COMPENSATORY MITIGATION:** The applicant is proposing to provide compensatory mitigation, for unavoidable impacts to jurisdictional wetlands and streams, by conducting on-site, in-kind mitigation. According to the LMAEDA, the on-site mitigation plan is currently under development. However, a conceptual layout of the mitigation area is depicted on Figure 3. *(The Corps has not fully evaluated the adequacy of the proposed compensatory mitigation strategy)*

**WATER QUALITY:** The applicant is preparing their application 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 U.S. Army Corps of Engineers (Corps) 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 utilization 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 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 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 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 discharges of dredged or fill material into waters of the United States will include the application of the Section 404(b)(1) guidelines established by the Administrator of the U.S. Environmental Protection Agency.

**HISTORIC PROPERTIES:** The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which would be affected by the proposed work. This action will constitute the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the project area. Copies of this notice are being sent to the State Historic Preservation Officer.

**ENDANGERED SPECIES:** A preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicated that the proposed activity will not affect listed endangered or threatened species, or their critical habitat. Copies of this notice are being sent to the U.S. Fish and Wildlife Service.

Any correspondence concerning this publication should refer to this Public Notice **SAM-2013-00233-JSC** and should be directed to the following address:

District Engineer:

U. S. Army Engineer District, Mobile  
Regulatory Division, Montgomery Field Office  
Attention: James S. Cherry, II  
605 Maple Street  
Bldg. 1429, Room 105  
Maxwell, AFB, AL 36112

August 15, 2013

with a copy to the :

Director  
Alabama Department of Environmental Management  
Post Office Box 301463  
Montgomery, Alabama 36130-1463

All comments should be received no later than **30 days** from the date of issuance of this Public Notice.

Enclosed to assist you with your review are: Vicinity map; Topographic map; Site Plan depicting impacts; Alternative Site Plan showing impacts.

If you have any questions concerning this publication, you may contact the Project Manager via e-mail at [james.s.cherry@usace.army.mil](mailto:james.s.cherry@usace.army.mil) or telephone number (334) 953-2172. Please refer to the above Public Notice number.

For additional information about the Mobile District's Regulatory Program, please take a moment to visit our web site at <http://per2.nwp.usace.army.mil/survey.html>, while there please take a moment to complete our customer satisfaction survey. Your responses are appreciated and will allow us to improve our services.

Encls

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Project: Kellyton Park Phase II

FIGURE

Title: Site Location Map

1

Scale: NTS

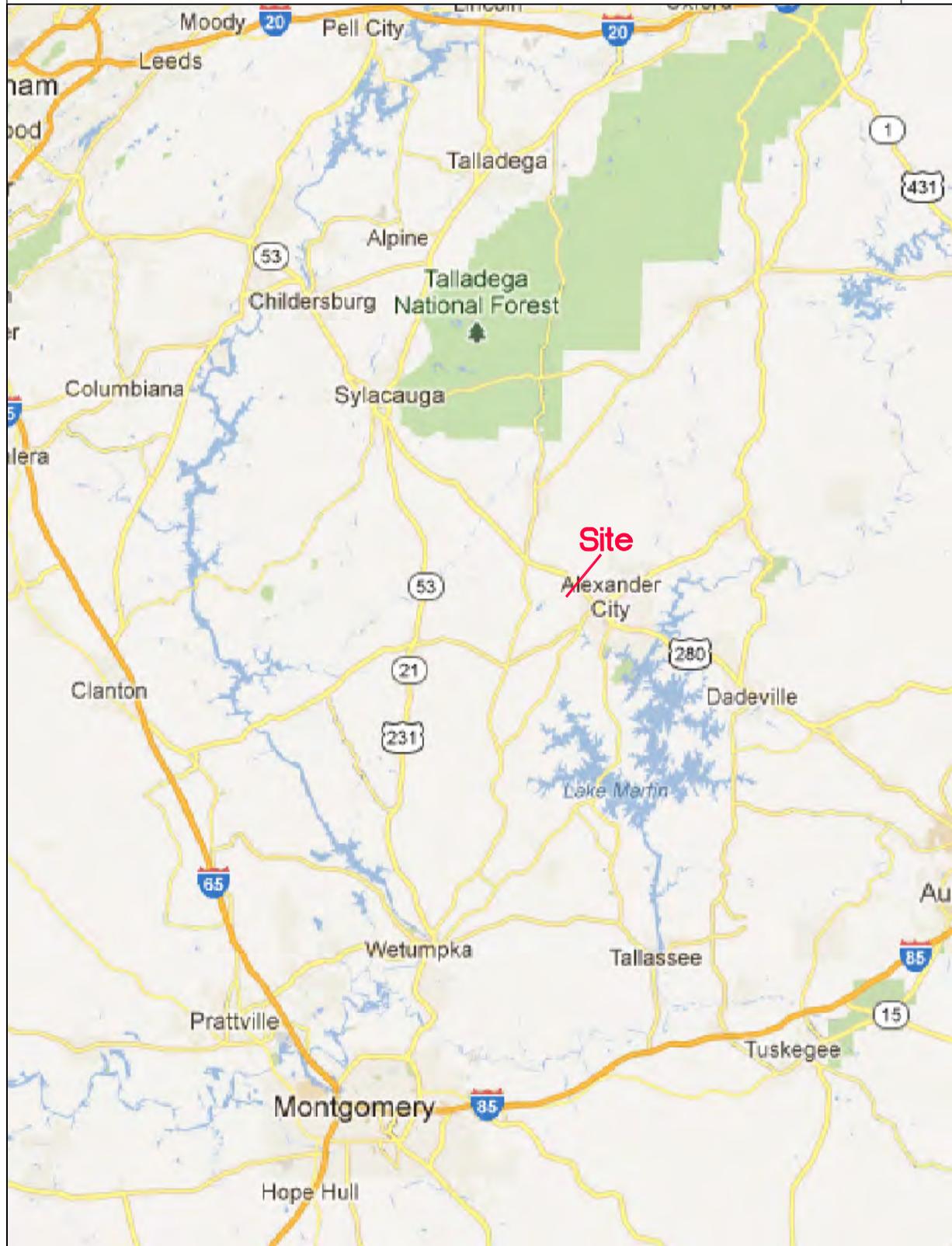


Figure 1  
SAM-2013-00233-JSC

Project: Kellyton Phase II

Title: Wetland Delineation Results

Scale: 1" = 800'

FIGURE

5

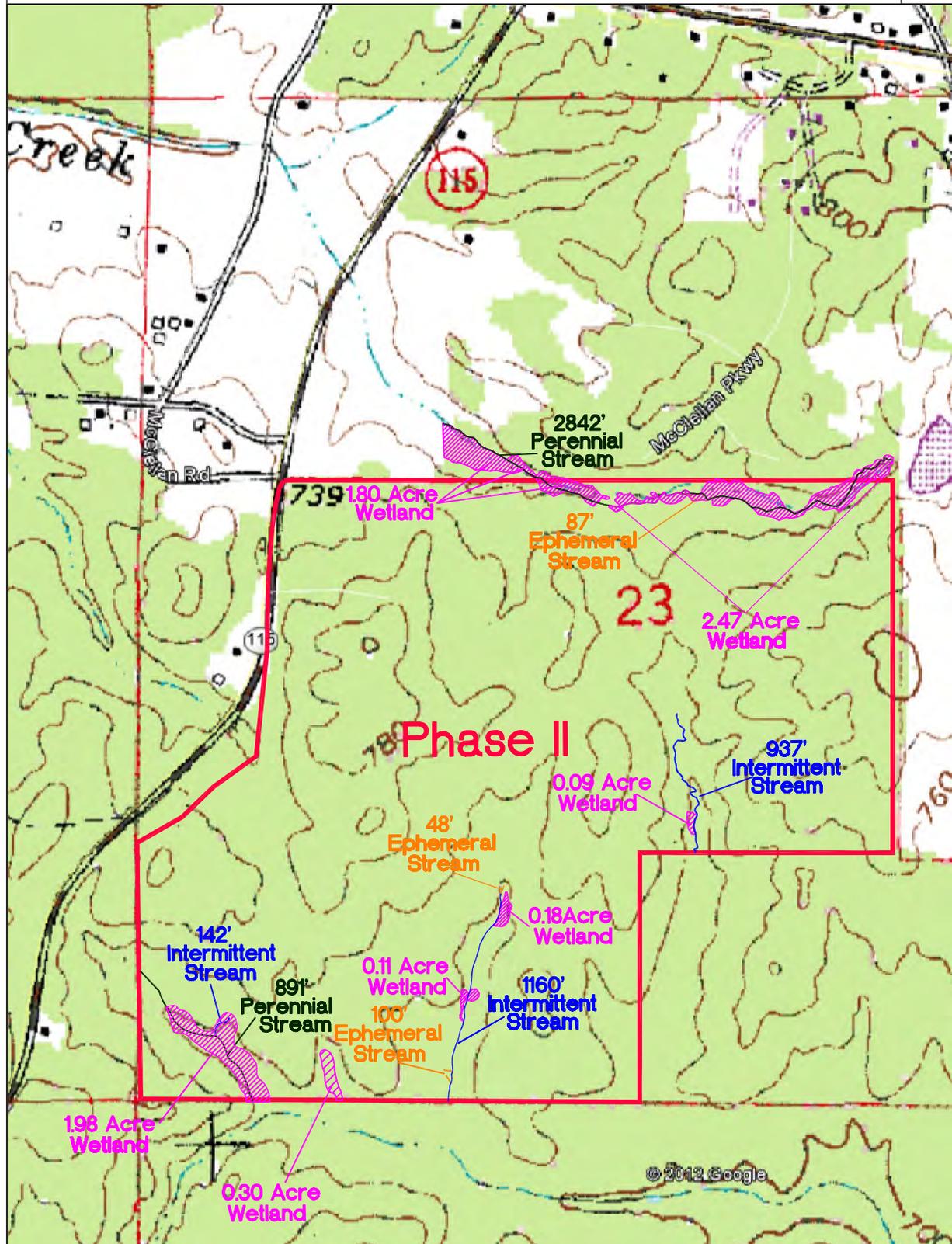
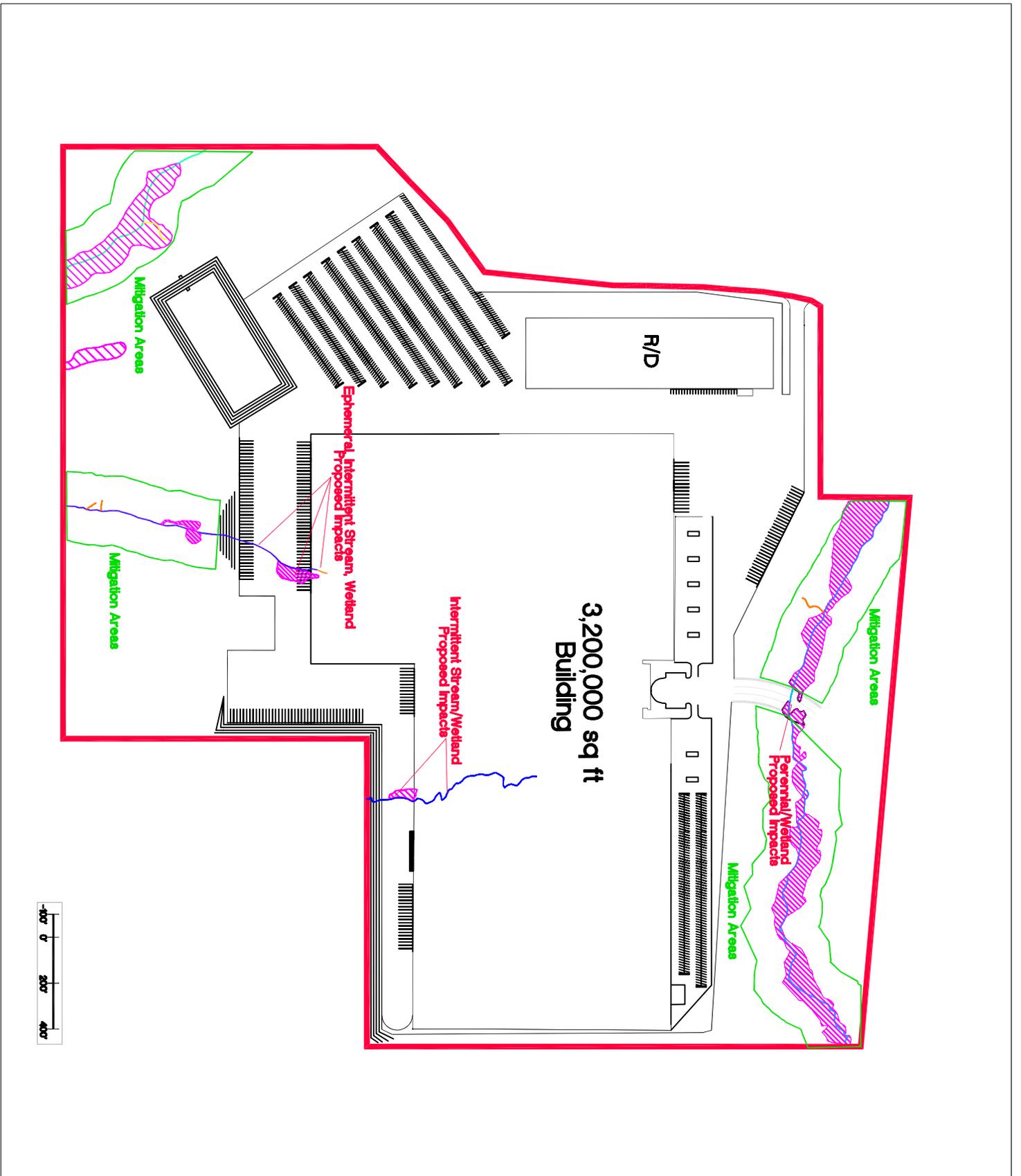


Figure 2  
SAM-2013-00233-JSC

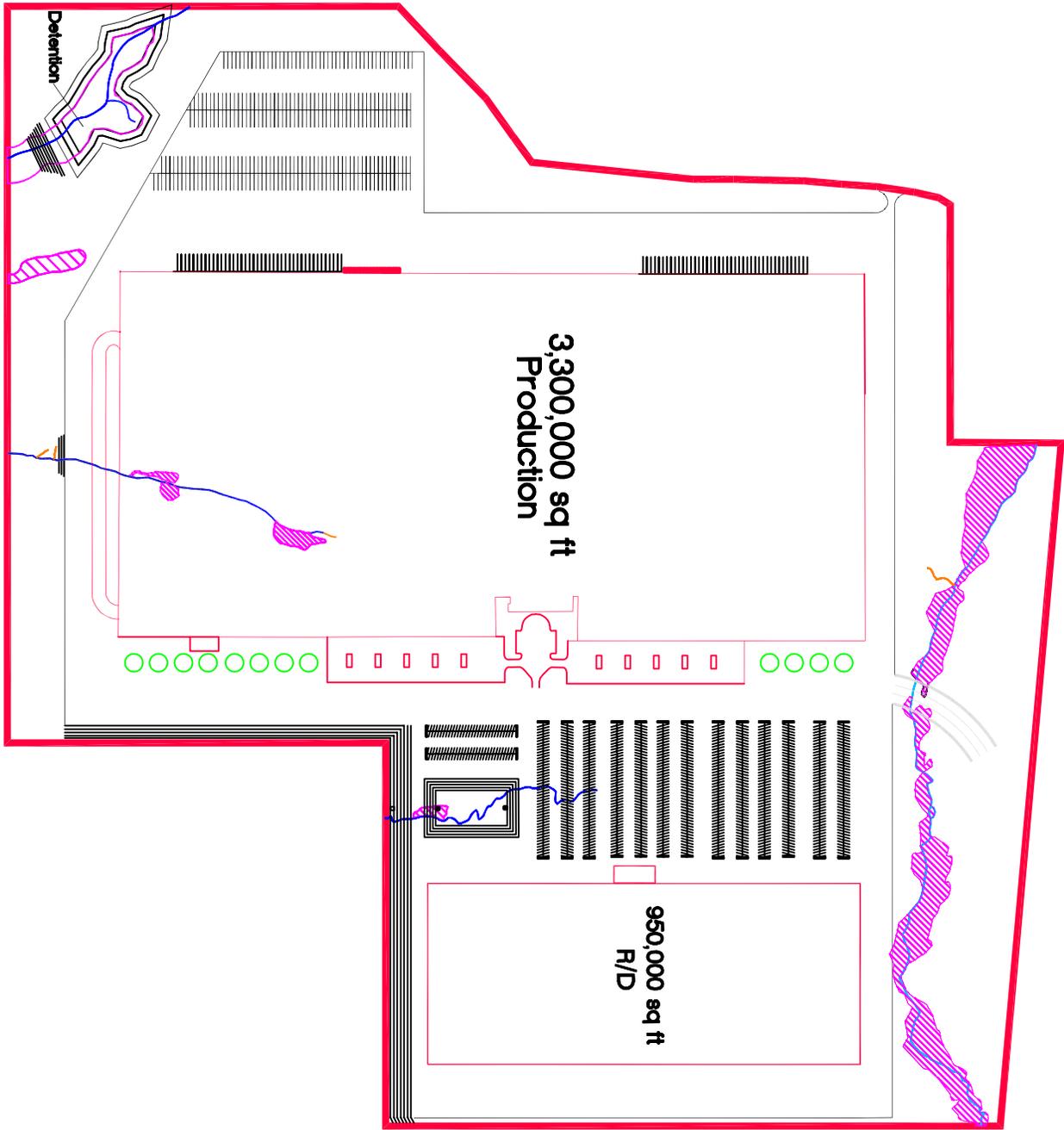


Proposed Site Layout  
 Lake Martin Area EDA  
 Kellyton Industrial Park  
 Site Plan

LOGO

C-3

Figure 3  
 SAM-2013-00233-JSC



Initial Site Layout

Lake Martin Area EDA  
Kellyton Industrial Park  
Site Plan

LOGO

C-3

Figure 4  
SAM-2013-00233-JSC