



**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-N-M
PUBLIC NOTICE NO. SAM-2013-00940-JSC**

September 12, 2013

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

**PROPOSED COMMERCIAL DEVELOPMENT
IN MACON 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 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: Loves Travel Stops
Attention: Mr. William H. Gleason
10601 North Pennsylvania Avenue
Oklahoma City, Oklahoma

AGENT: Highland Technical Services, Incorporated
Attention: Mr. David Wall
528 Mineral Trace
Hoover, Alabama 35244

LOCATION: The project site is located south of Interstate 85 (I-85) in the northeast ¼ of Section 4 of Township 16 North, and Range 21 East in Shorter, Alabama. The parcel is approximately 20.7 acres (ac) in size and is located at 32.403663° N, 85.56655° W. The area is depicted on the Shorter, Alabama Quadrangle, United States Geological Survey Topographic Map. The site is within the Lower Tallapoosa River watershed (HUC 03150110).

PROPOSED WORK: The applicant is requesting permission for the discharge of fill material into 1.10 ac of jurisdictional wetlands for the construction of a Loves Travel Center. The site development plan includes a convenience store located in the central portion of the property, along with a semi-trailer pumping island and scale

located in the southern section of the site. Parking areas and a tire shop are proposed to be located in the northern portion of the property, as well as an automobile pumping island and parking area to be located on the northeastern portion of the site. Access to the site will be provided along Main Street and along a proposed secondary road located to the south of the site.

AVOIDANCE & MINIMIZATION: The applicant initially considered an alternative property to the north of I-85. The applicant's representative conducted a pedestrian survey and desktop research to determine the likelihood of the presence of waters of the U.S. (WOUS) on the property. Their review indicated that the property under review likely contained a substantial wetland complex; therefore, the applicant decided not to pursue the property as a location for the proposed project. Additional steps in avoidance and minimization to impacts WOUS, including wetlands were employed during the review, design and decision making process regarding the proposed site.

The applicant initially evaluated the proposed property as an approximately 24.5 ac parcel. However, once a WOUS determination had been completed, and a design layout had been drawn, the applicant removed an approximately 3.5 ac section from consideration due the presence of palustrine scrub-shrub (PSS) wetlands. The removal from consideration of the 3.5 ac parcel resulted in 0.40 ac of PSS wetlands being avoided. Regarding onsite minimization efforts within the remaining 20.7 ac parcel, the applicant is proposing unavoidable impacts of 1.10 ac. of the total 3.18 ac of WOUS within the boundaries of the proposed site. Specifically, on site avoidance/minimization measures resulted in 0.03 ac of PSS wetland, 2.05 ac of open water and 34 linear feet of stream being not being impacted by the proposed project. (*The Corps has not fully evaluated the adequacy of the proposed avoidance and minimization*).

COMPENSATORY MITIGATION: The applicant proposes to mitigate for unavoidable impacts to jurisdictional wetlands through the purchase of mitigation credits from a DA approved mitigation bank within the Lower Tallapoosa watershed.

WATER QUALITY: The applicant is presently 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 (NRHP) will be consulted for properties listed in or eligible for listing in 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. In addition to this review, the applicant has submitted a project concurrence letter from the Deputy State Historic Preservation Officer dated June 11, 2013 (File number: AHC 13-0915) stating that project activities will not have an adverse on cultural resource eligible for listing on the NRHP. Copies of this notice are being sent to the Alabama Historical Commission.

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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. In addition to this review, the applicant requested project review by the U.S. Fish and Wildlife Service and received a stamped reply dated August 7, 2013 stating that neither federally listed species nor designated critical habitat are known to occur within the project area (File number: 2013-TA-0553). 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-2013-00940-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

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.

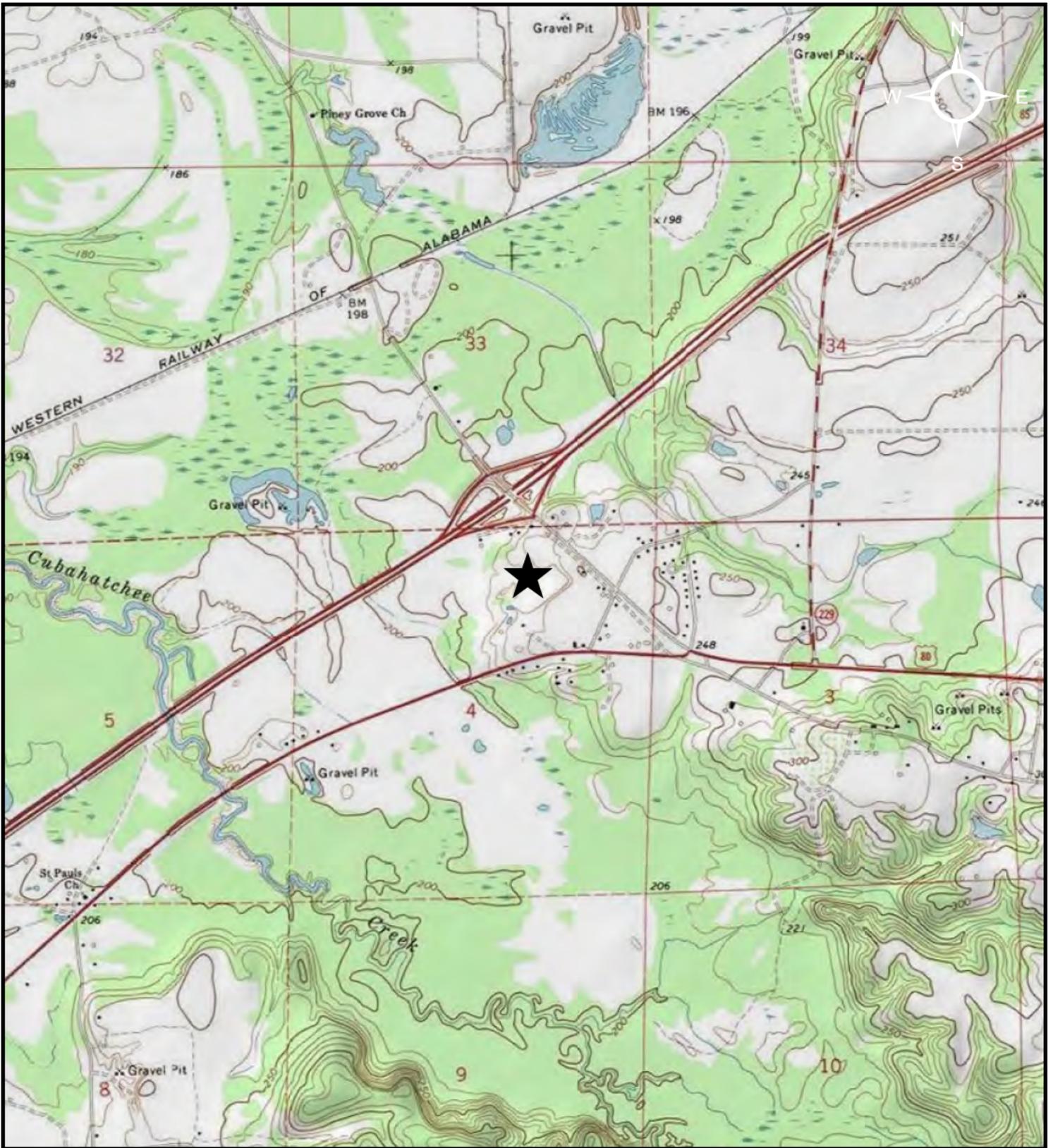
Enclosed to assist you with your review are: Vicinity map; Aerial Photograph, Topographic map; Site Master Plan; Proposed Impacts Maps.

If you have any questions concerning this publication, you may contact the Project Manager via e-mail at 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



Legend

★ Site Location



USGS Quad ID: 32085-D8
Shorter, Alabama

528 MINERAL TRACE
HOOVER, AL 35244
(205) 985-4874

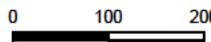
TITLE:
Site Location Map
Individual Permit Application
Loves Travel Stops
Shorter Property
Shorter, Alabama

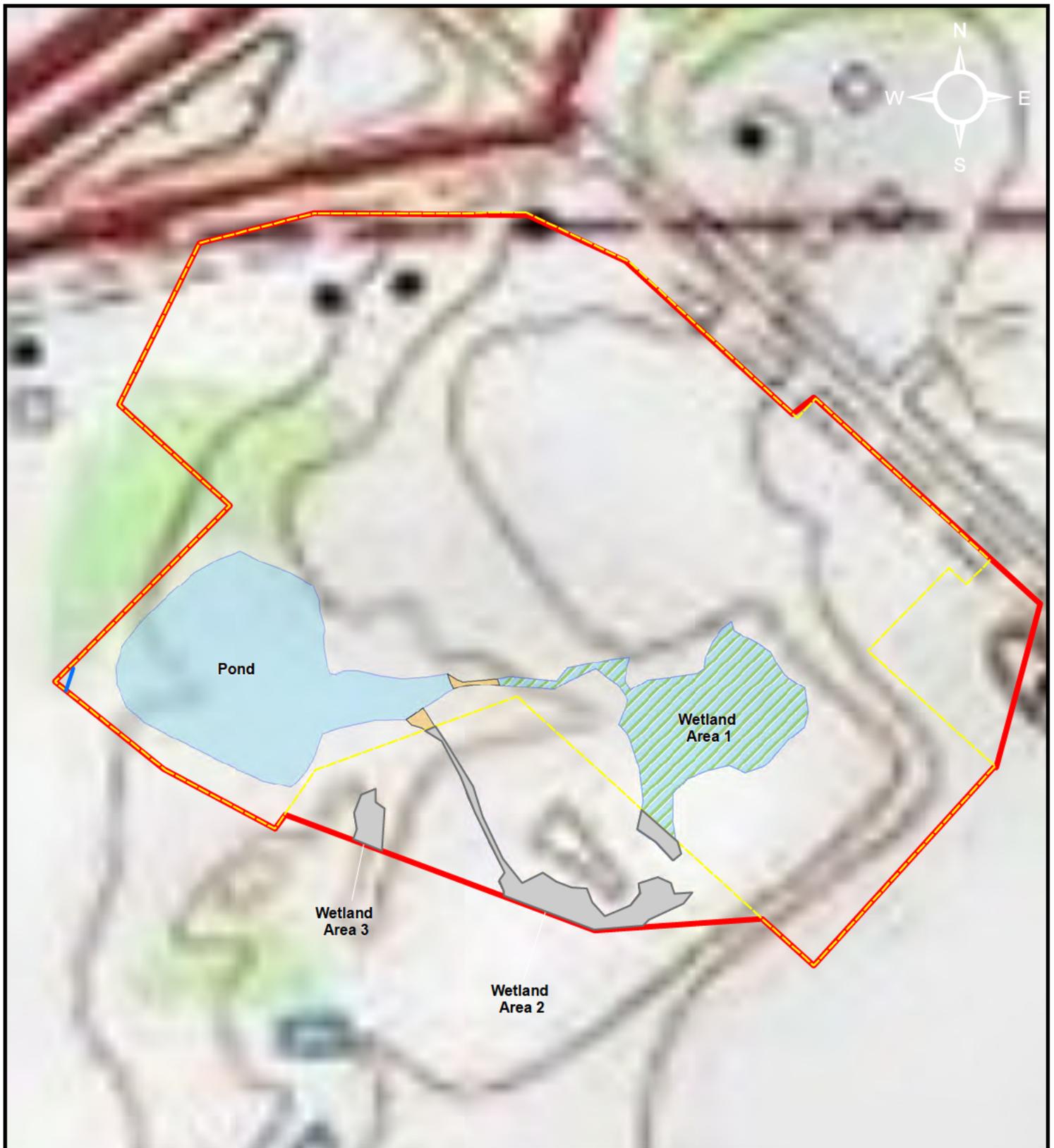
SCALE:
0 1,000 2,000

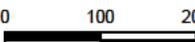
1 inch = 2,000 feet

FIGURE NO.
1
PROJECT NO.
13-071609.02
DRAWN BY
RCC
DATE DRAWN
08-30-2013



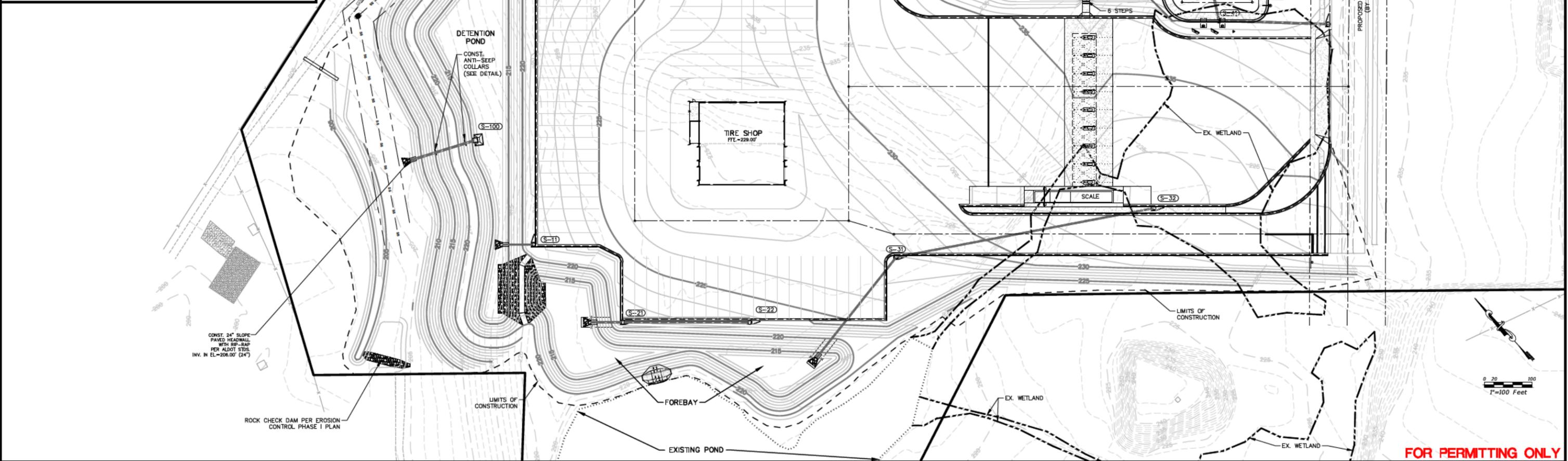
<p>Legend</p> <ul style="list-style-type: none"> — Perennial Water Feature (34.46 linear feet) — Property Boundary Assessment Boundary Pond (2.05 acres) Impacted Wetland (1.10 acres) Non-Impacted Wetland (on-site 0.03 acres) Non Impacted Wetland (off-site 0.40) 	 <p>Highland Technical Services, Inc.</p> <p>528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874</p>	<p>TITLE: Proposed Impacts to Jurisdictional Waters Map</p> <p>Individual Permit Application Love's Travel Stops</p> <p>Shorter Property Shorter, Alabama</p> <p>SCALE: 0 100 200  1 inch = 200 feet</p>	<p>FIGURE NO. 3</p> <p>PROJECT NO. 13-071609.02</p> <p>DRAWN BY RCC</p> <p>DATE DRAWN 07-23-2013</p>
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<p>Legend</p> <ul style="list-style-type: none"> — Perennial Water Feature (34.46 linear feet) --- Property Boundary Assessment Boundary Pond (2.05 acres) Impacted Wetland (1.10 acres) Non-Impacted Wetland (on-site 0.03 acres) Non Impacted Wetland (off-site 0.40) 	 <p>Highland Technical Services, Inc.</p> <p>528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874</p>	<p>TITLE: Proposed Impacts to Jurisdictional Waters Topo Map</p> <p>Individual Permit Application Love's Travel Stops</p> <p>Shorter Property Shorter, Alabama</p> <p>SCALE: 0 100 200  1 inch = 200 feet</p>	<p>FIGURE NO. 5</p> <p>PROJECT NO. 13-071609.02</p> <p>DRAWN BY RCC</p> <p>DATE DRAWN 07-23-2013</p>
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P:\2013008.00 (Shorter)\Drawings\Shorter\Production Drawings\2013008-CP.dwg, 07-OAG (2), 9/12/2013 1:38:30 PM

- SITE PREPARATION NOTES:**
1. SITE PREPARATION DESIGNS ARE TAKEN FROM THE GEOTECHNICAL INVESTIGATION REPORT AS PROVIDED BY TERRACON, TELEPHONE (205) 942-1289. REFERENCE THIS REPORT FOR COMPLETE DESIGN SPECIFICATIONS AND DETAILED RECOMMENDATIONS.
 2. THE CONTRACTOR IS TO PREPARE THE SITE IN STRICT ACCORDANCE WITH THE DESIGN SPECIFIED IN THE GEOTECHNICAL INVESTIGATION. REFERENCE THIS COMPLETE DESIGN SPECIFICATION FOR SITE WORK SPECIFICATION.
 3. CONTRACTOR SHALL RESTRICT AND CONTROL CONSTRUCTION TRAFFIC ON AREAS OF STABILIZED SUBGRADE OR PARTIAL THICKNESS PAVEMENT. HEAVY LOADED EQUIPMENT OPERATION ON THESE AREAS MAY CAUSE SIGNIFICANT DAMAGE RESULT IN SUBGRADE DETERIORATION, AND WILL REQUIRE RETESTING AND REWORKING OF SUBGRADE WITHIN PROJECT SPECIFICATIONS.
- STORM DRAIN NOTES:**
1. REFERENCE GENERAL NOTES.
 2. REFERENCE DETAIL SHEETS AND ALDOT DESIGN STANDARDS FOR CONSTRUCTION DETAILS.
 3. STORM DRAIN/CULVERT PIPES SHALL BE BEDDED AND BACKFILLED PER ALDOT STANDARD SPECIFICATION SECTION 530. TYPE "C" BACK FILL SHALL BE USED FOR STORM DRAIN BENEATH PAVED AREAS. ALL PIPES ENTERING STORM SEWER STRUCTURES SHALL BE SEALED TO ASSURE CONNECTION AT STRUCTURE IS WATER TIGHT.
 4. ALL PIPES AND STRUCTURES ON ROAD RIGHT-OF-WAY SHALL BE PER ALABAMA DEPARTMENT OF TRANSPORTATION STANDARDS.
 5. TYPES OF PIPES ARE INDICATED ON THE PLANS AND SPECIFIED WITHIN THE SPECIFICATIONS. IF A MATERIAL IS NOT SPECIFIED ON THE PLANS, THE CONTRACTOR MAY USE ANY ALDOT APPROVED PIPE MATERIAL AFTER CONSULTING THE ENGINEER OF RECORD.
- GRADING NOTES:**
1. REFERENCE THE GENERAL NOTES.
 2. REFERENCE THE SITE PREPARATION NOTES.
 3. REFERENCE THE SEDIMENT AND EROSION CONTROL NOTES.
 4. REFERENCE DETAIL SHEETS FOR CONSTRUCTION DETAILS.
 5. CONSTRUCTION SHALL COMPLY WITH ALL GOVERNING CODE AND BE CONSTRUCTED TO THE SAME.
 6. TOPOGRAPHIC SURVEY AND PROPOSED GRADE ARE REFLECTIVE OF THE NAVD'88 DATUM.
 7. PROPERTY AND TOPOGRAPHIC SURVEY WAS PREPARED FOR AND PROVIDED BY HERNDON, HICKS AND ASSOCIATES FOR USE IN DESIGN. IT IS ASSUMED TO BE FINAL AND COMPLETE. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN IN THE PLANS, WITHOUT EXCEPTION, HE SHALL HAVE MADE AT HIS OWN EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR AND SUBMIT IT TO THE OWNER FOR REVIEW.
 8. EXISTING GRADE CONTOURS ARE SHOWN AT 1-FT INTERVALS.
 9. FINISHED GRADE CONTOUR ELEVATIONS ARE SHOWN AT 1-FT INTERVALS AND SUPPLEMENTED BY SPOT SHOT ELEVATIONS.
 10. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES & WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS. (ALABAMA ONE CALL # 1-800-292-8525)
 11. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL UTILITIES AND NOTIFYING THE APPROPRIATE UTILITY COMPANY PRIOR TO BEGINNING CONSTRUCTION.
 12. CONTRACTOR SHALL VERIFY HORIZONTAL AND VERTICAL LOCATION FOR ALL EXISTING STORM SEWER STRUCTURES, PIPES, AND UTILITIES PRIOR TO BEGINNING CONSTRUCTION.
 13. CLEARING AND GRUBBING LIMITS SHALL INCLUDE ALL AREAS DISTURBED BY THE GRADING OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL AREAS INDICATED TO REMAIN AS BUFFERS, PROPERTY CORNERS, AND REPLACEMENT OF ALL PINS DAMAGED OR ELIMINATED BY CONSTRUCTION.
 14. CONTRACTOR SHALL COORDINATE WITH THE ARCHITECTURAL PLANS, POWER COMPANY, AND TELEPHONE COMPANY FOR ACTUAL ROUTING OF POWER AND TELEPHONE SERVICE TO THE BUILDING.
 15. CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING IMPROVEMENTS DURING CONSTRUCTION, SUCH AS, BUT NOT LIMITED TO DRAINAGE PAVEMENT, STRIPING, UTILITIES, CURB, ETC. REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITION.
 16. ANY UNSURFACED AREAS DISTURBED BY GRADING OPERATIONS SHALL RECEIVE 4 INCHES OF TOPSOIL AND SOODED USING BERMUDAGRASS HYBRID SOD UNLESS OTHERWISE DIRECTED BY OWNER.



FOR PERMITTING ONLY

GPI
SOUTHEAST, INC.

ENGINEERING, SURVEYING, DEVELOPMENT, DESIGN,
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& CONSTRUCTION INSPECTION SERVICES
4420 JACKSON STREET, MARIANNA, FL 32446
PHONE (850) 526-5211 • FAX (850) 526-4255
HTTP://WWW.GPINET.COM
CERTIFICATE OF AUTHORIZATION NO. : 27260
LICENSED BUSINESS NO. : 7560

DRAWN BY : ECW	DATE : 7/3/13	REVISIONS	
CHECKED BY : HDW	DATE : 9/5/13	DESCRIPTION	INT. DATE
DESIGNED BY : HDW	CAD NAME : 2013008-CP		
SCALE : 1"=100'	PLOT DATE : 9/12/13		

CLIENT :
**LOVE'S TRAVEL STOPS
& COUNTRY STORES**

PROJECT :
SHORTER, AL

SHEET TITLE :
FIGURE 2

PROJ. NO. :
2013008

SHEET NO. :