



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2014-00329-JMT

DATE 14 May 2014

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

**REQUEST FOR THE FILLING OF WATERS OF THE UNITED STATES ASSOCIATED WITH THE
DEVELOPMENT OF A 31-ACRE SITE TO ACCOMMODATE A LIGHT INDUSTRIAL FACILITY,
CULLMAN 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). Please communicate this information to interested parties.

APPLICANT: City of Cullman
Attention: Ms. Jamie Troutman
Post Office Box 1009
Cullman, Alabama 35056

AGENT: Terracon Consultants, Inc.
Attention: Mr. Stephen Howard
110 12th Street North
Birmingham, Alabama 35203

LOCATION: The proposed project location is on the north side of County Road 222 and the west side of County Road 469 in Cullman, Alabama. Specifically, the project site is located in Section 17, Township 12 South, Range 3 West; Cullman County, Alabama and is centered at coordinates N34.13218, W-86.87663. Impacts to waters of the United States are located in the Sipsey Fork watershed (HUC 03160110).

WORK: The applicant proposes to fill 1.82 acres of emergent wetlands, and .4-acres of an existing 1.01-acre farm pond.

PROJECT PURPOSE: The proposed project will provide a light industrial facility to attract additional industry development in the City of Cullman.

AVOIDANCE AND MINIMIZATION: The applicant has looked at two alternative sites as part of their avoidance plan. The applicant has stated construction methods necessary to develop the preferred site do not offer a means to minimize on-site impacts to waters of the U.S.

MITIGATION: The applicant is proposing to purchase mitigation credits through a Corps approved Mitigation Bank.

The applicant has not yet applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act.

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 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 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 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.

CULTURAL RESOURCES: 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 effect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of this undertaking are also being considered. 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 concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. Historic architectural or archaeological investigations may be necessary to ascertain the existence of such resources. Efforts will be made through the consultation process to avoid, minimize, or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking. **A Phase 1 Cultural Resource Assessment was conducted on the property and the Alabama Historical Commission determined in a letter**

dated June 5, 2013 that the project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places.

ENDANGERED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity most likely will not affect listed endangered or threatened species, or their critical habitat. **By letter dated December 19, 2013, the USFWS stated: “No endangered or threatened species or critical habitat are known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT NEW PLANS FOR REVIEW.**

Correspondence concerning this Public Notice should refer to Public Notice Number SAM2014-00329-JMT and should be directed to:

U.S. Army Engineer District, Mobile
Birmingham Field Office
Attention: Mr. Joseph Tanko
218 Summit Parkway, Suite 222
Homewood, Alabama 35209

with a copy to the:

Alabama Department of Environmental Management
Field Operations Division
Post Office Box 301463
Montgomery, Alabama 36120

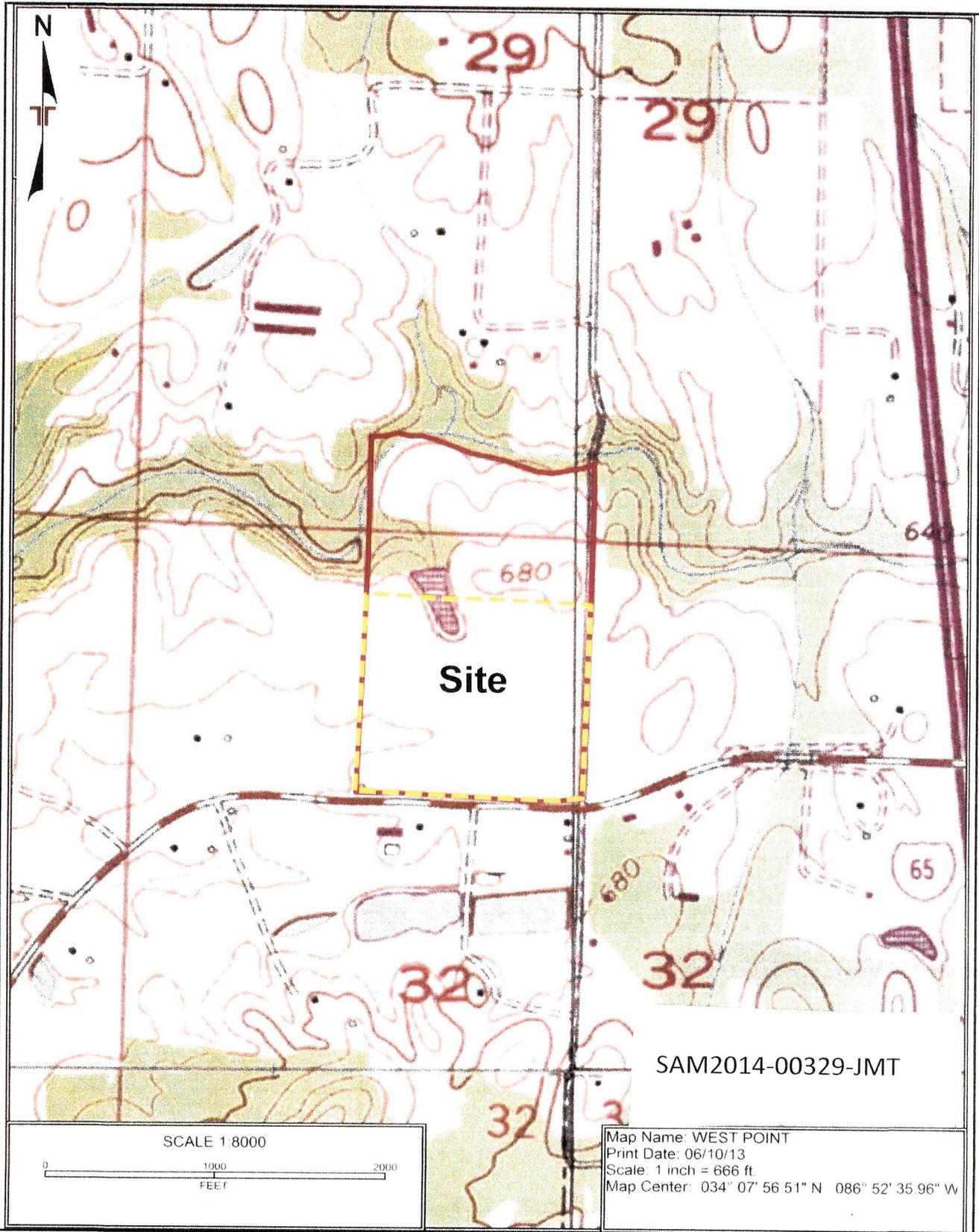
Comments should be received no later than **30 days** from the date of this Public Notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at joseph.m.tanko@usace.army.mil or telephone number **(205) 290-9096**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Home/reg, and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

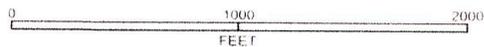
MOBILE DISTRICT
U.S. Army Corps of Engineer

Enclosures



SAM2014-00329-JMT

SCALE 1 8000



Map Name: WEST POINT
 Print Date: 06/10/13
 Scale: 1 inch = 666 ft
 Map Center: 034° 07' 56.51" N 086° 52' 35.96" W

Project Manager:	STH
Drawn By:	STH
Checked By:	STH
Approved By:	STH

Project No.	E1147017
Scale:	As Shown
File Name:	E11470817
Date:	03/01/14

Terracon
 Consulting Engineers & Scientists

110 12th Street North Birmingham, Alabama 35203
 PH (205) 942-1289 FAX (205) 443-5302

Site Vicinity Map
 31-Acre Burrow Property
 County Road 222
 Cullman, Cullman County, Alabama

Exhibit



±28.7 ACRES

Stream 1
=459 L.F.

Stream 2
=370 L.F.

Pond
±1.01 Ac

Wetland System 3
10.85 Ac

PROPOSED
BUILDING
240,000 SQ.FT.

Wetland System 2
10.30 Ac

Wetland System 1
10.67 Ac

±31.3 ACRES

COUNTY ROAD 469
(PROPOSED IMPROVEMENTS SHOWN)

COUNTY ROAD 222
(3 LANE)

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Proposed Site Development Plan
31-Acre Burrow Property
County Road 222
Cullman, Cullman County, Alabama

Exhibit
