



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
U.S. ARMY ENGINEER DISTRICT, MOBILE  
CORPS OF ENGINEERS  
P.O. BOX 2288  
MOBILE, ALABAMA 36628-0001

CESAM-RD-I  
PUBLIC NOTICE NO.  
SAM-2006-1460-JAP

3 August 2006

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS**  
**AND**  
**STATE OF ALABAMA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
  
**PROPOSED COMMERCIAL DEVELOPMENT,**  
**MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

TO WHOM IT MAY CONCERN:

The Mobile District 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). This public notice is being distributed to all known interested parties in order to assist in developing facts on which a decision by the U. S. Army Corps of Engineers can be based. Please communicate this information to all interested parties.

**APPLICANT:** Chantilly Station, LLC  
2777 Zelda Road  
Montgomery, Alabama 36106

**AGENT:** Spectrum Environmental  
Attention: Ms. Courtney Shea  
700 Southgate Drive, Suite A  
Pelham, Alabama 35124

**WATERWAY:** Tallapoosa River watershed, Section 23, Township 16 North, Range 19 East, Montgomery County, Alabama near Latitude 32° 21.6' North, Longitude 86° 08.1' West.

**WORK:** The applicant is requesting authorization to fill 1.6 acres of wetlands adjacent to Jenkins Creek on Chantilly Parkway in order to construct six outparcel retail stores. As mitigation for these impacts, the applicant has proposed to purchase 1.0 wetland credit from McLemore Mitigation Bank.

The applicant has applied 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 public notice period, 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.

The applicant has conducted a cultural resource assessment on the proposed site. The Alabama Historical Commission has concurred with there assessment that no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this public 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 permit area. Copies of this are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

The applicant has conducted a survey of the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants. It was concluded that the proposed activity will not affect any listed endangered or threatened species, or their critical habitat.

Any correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2006-1460-JAP** and should be directed to the following address:

District Engineer  
U.S. Army Engineer District, Mobile  
Corps of Engineers  
Post Office Box 2288  
Mobile, Alabama 36628-0001  
Attention: Regulatory Division, RD-I

with a copy to the:

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

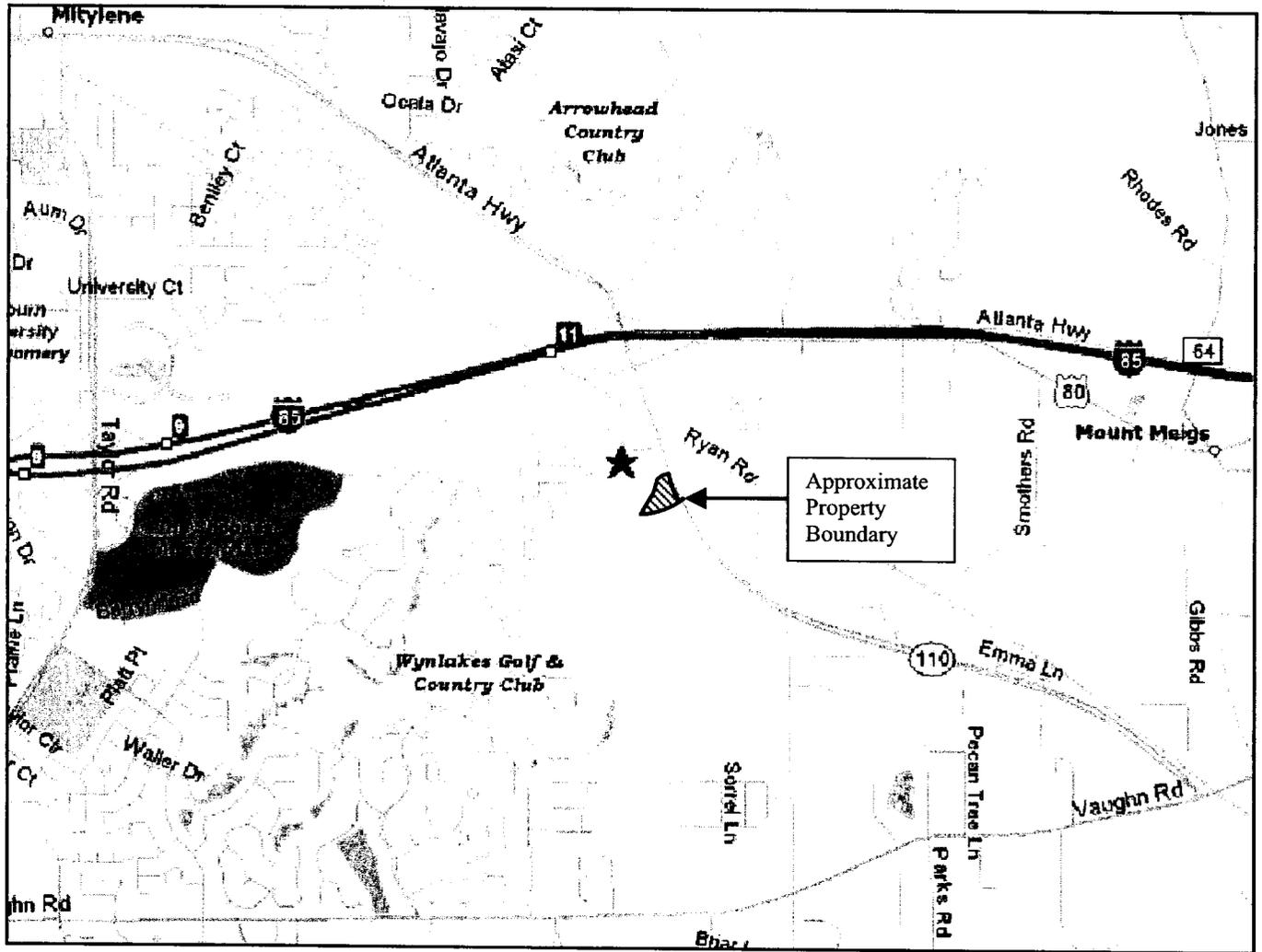
**All correspondence must be received not later than September 2, 2006.**

If you have any questions concerning this public notice, you may contact the Project Manager **Mr. Juan A. Payne** at telephone number (251) 694-3873 or preferably by email at [juan.a.payne@usace.army.mil](mailto:juan.a.payne@usace.army.mil). Please reference the above Public Notice number when calling or in your email correspondence.

For additional information about the Mobile District's Regulatory Program, please visit our web site at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/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 Engineers

Enclosures



Taken from Mapquest.com 2006  
Not to Scale



NO.	DATE	REVISION NOTE	BY

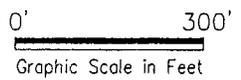
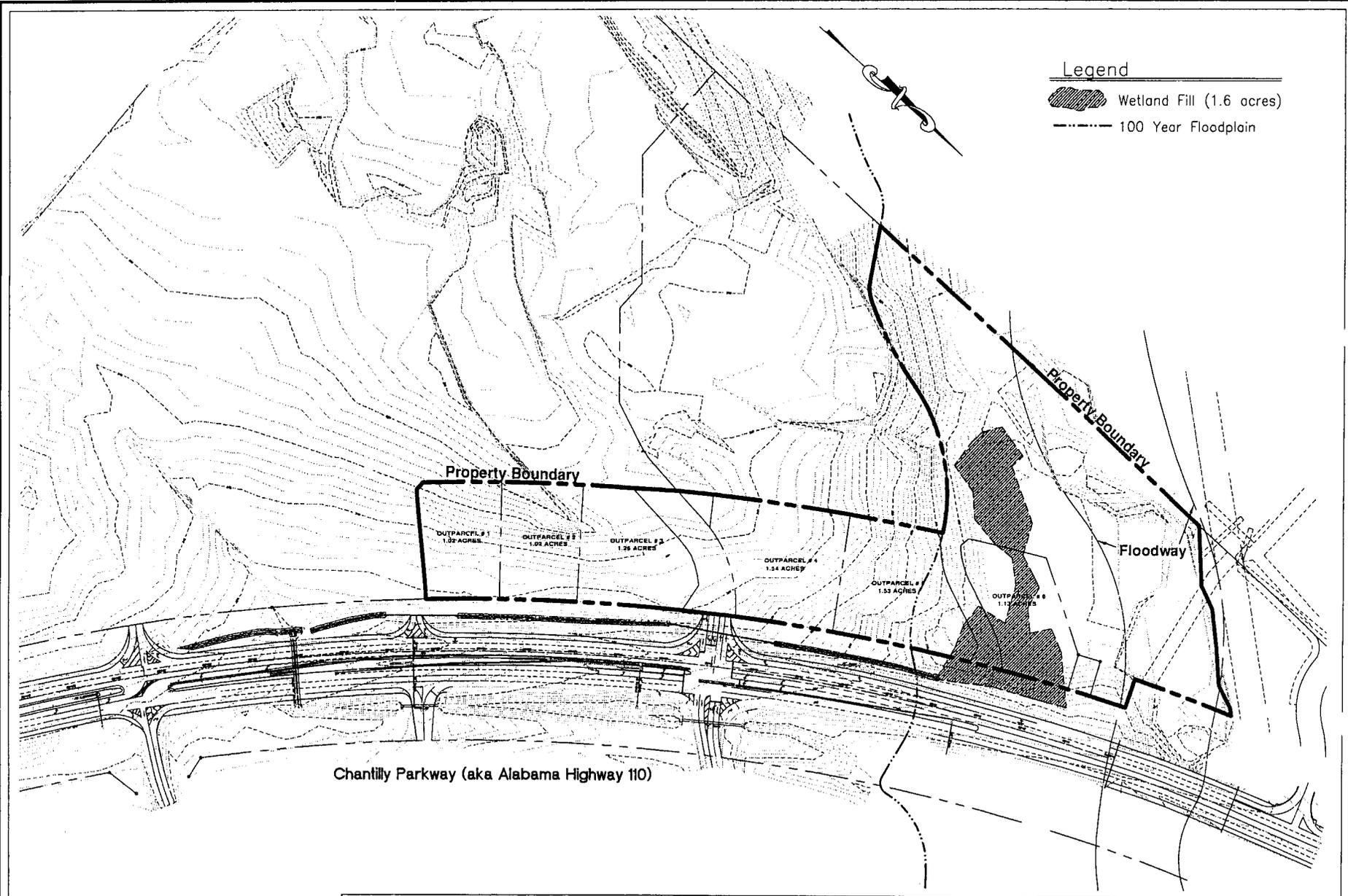
Drawn By: CMS	Project #: 1391-023
Checked By: CS	Date: 3/3/06
Proj. Mgr.:	File Name:

**SPECTRUM**  
  
 Environmental  
 700 SOUTHGATE DR.  
 SUITE A  
 PELHAM, AL 35124  
 FAX (205) 664-2142  
 PHONE (205) 664-2000

TITLE
Figure 1391023-1 Site Locator Map Chantilly Station Chantilly Parkway (AL Hwy. 110) Montgomery, Montgomery County, AL

**Legend**

-  Wetland Fill (1.6 acres)
-  100 Year Floodplain



Drawing courtesy of Gonzalez-Strength & Associates, Inc.

NO.	DATE	REVISION NOTE	BY

Drawn By: TGH	Project #: 1391-023
Checked By: CMS	Date: 5/23/06
Project Manager: CMS	File Name: 1391023

**SPECTRUM**  
ENVIRONMENTAL  
Inc.



700 SOUTHGATE DR.  
SUITE A  
PELHAM, AL 35124  
FAX (205) 664-2142  
PHONE (205) 664-2000

TITLE
<b>Figure 1391023-5</b> <b>Areas of Impact Map</b> Chantilly Station Chantilly Pkwy., Montgomery, AL