



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS - MOBILE DISTRICT  
BIRMINGHAM FIELD OFFICE  
218 SUMMIT PARKWAY, SUITE 222  
HOMEWOOD, AL 35209

CESAM-RD-I-N  
PUBLIC NOTICE NO. SAM-2011-01861-TMB

December 20, 2011

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS AND**  
**STATE OF ALABAMA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**AFTER-THE-FACT PERMIT FOR OMYA HAUL ROAD**

**TO WHOM IT MAY CONCERN:** The Mobile District has received an application for an After-the-Fact Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Please communicate this information to interested parties.

**APPLICANT:** Omya Alabama a Division of Omya Incorporated  
Attention: Mr. Oscar L. Crawley  
2071 Sylacauga-Fayetteville Highway  
Post Office Box 47  
Sylacauga, Alabama 35151

**AGENT:** Spectrum Environmental, Incorporated  
Attention: Mr. Steve Castleman  
85 Spectrum Cove  
Alabaster, Alabama 35007

**LOCATION:** The subject site is located south of the Sylacauga-Fayetteville Highway in the southwestern portion of the city of Sylacauga (Talladega County), Alabama. The site is more specifically described as being situated in portions of Section 35, Township 21 South, and Range 3 East. The coordinates for the western entry point of the haul-road are centered at Latitude 33.1437562°N and Longitude 86.3439535°W. The property is located in the Coosa River Basin, specifically within the watershed of Cedar Creek.

**PROJECT PURPOSE:** The purpose of this project is to construct a private use haul-road for transportation between the Applicant's Brown Quarry and its Processing Plant.

**WORK:** The Applicant wishes to maintain the impacted 1.01 acres of Palustrine wetland and 143.5 linear feet (0.01 acre) of ephemeral stream associated with the placement of the road. In addition to these impacts, the Applicant is requesting the authorization to fill 0.99 acre of Palustrine wetland to complete the road.

December 20, 2011

**MITIGATION:** The applicant proposes to compensate for stream and wetland impacts by purchasing mitigation credits from the Yellowleaf Mitigation Bank.

**WATER QUALITY:** The applicant has applied for state certification in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to consistency will be made by the Alabama Department of Environmental Management.

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 the after fact permit will be based on an evaluation of impacts, including cumulative impacts, of the 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 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.

**HISTORIC PROPERTIES:** A letter dated December 6, 2011 was sent by the agent to the Alabama Historical Commission requesting concurrence that project activities would not affect any significant cultural or historical sites. Copies of this public notice are being provided to the State Historic Preservation Officer for review.

December 20, 2011

**ENDANGERED SPECIES:** A letter dated December 6, 2011 was sent by the agent to the United States Fish and Wildlife Service in Daphne, AL requesting concurrence that project activities would not affect any federally threatened or endangered Species. This Public Notice will be forwarded to the U.S. Fish and Wildlife Service for further review.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2011-01861-TMB and should be directed to:

District Engineer  
U.S. Army Engineer District, Mobile  
Regulatory Division, Birmingham Field Office  
Attention: Mr. Taylor Bell  
218 Summit Parkway, Suite 222  
Homewood, Alabama 35209

with a copy to the:

Alabama Department of Environmental Management  
Attention: Brandy McLeod  
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 maps and Proposed Impacts map.

If you have any questions concerning this publication, you may contact Mr. Taylor Bell at telephone number (205) 290-9096 or [taylor.m.bell@usace.army.mil](mailto:taylor.m.bell@usace.army.mil). Please refer to Public Notice number **SAM-2011-01861-TMB**.

For additional information about our 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



