



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS – MOBILE DISTRICT
MONTGOMERY FIELD OFFICE
105 SOUTH TURNER BOULEVARD
MONTGOMERY, ALABAMA 36114**

**CESAM-RD-N
PUBLIC NOTICE NO. SAM-2013-00101-CHE**

April 5, 2018

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

**PROPOSED DISCHARGE OF FILL MATERIAL FOR CONTAINMENT CELL
EXPANSION AT AN EXISTING QUARRY
IN TALLADEGA 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 U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

APPLICANT: OMYA Alabama Division of OMYA, Incorporated
Attention: Mr. Oscar Crawley
Post Office Box 47
Sylacauga, Alabama 35151

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

LOCATION: Unnamed tributaries (UT) to Gooch Branch in the Lower Coosa River watershed (HUC 03150107); Section 8, Township 22 South, Range 3 East, near Sylacauga, Talladega County, Alabama (Latitude 33.133954° North, Longitude 86.360691° West).

PROPOSED WORK: The applicant requests authorization for the after-the-fact discharge of material, including earthen fill, tree tops and limb debris, into 947 LF of Stream S-2, 1,076 LF of Stream S-3 and 420 LF of Stream S-4. Additionally, the applicant requests authorization for the discharge of fill material into an additional 914 LF of stream. A total of 2,418 linear feet of perennial streams and 939 linear feet of intermittent streams is proposed to be impacted at their existing Brown Quarry site. The proposed work involves the expansion of an existing Secondary Product Silicates (SPS) containment cell.

PREVIOUS AUTHORIZATIONS: The applicant has previously received the following DA authorizations, for impacts to waters of the U.S. (WOUS), associated with their Brown Quarry operation:

SAM-2011-01861-TMB issued March 26, 2012, authorized 2.0 acres of palustrine wetland fill and 143.5 linear feet of ephemeral stream fill to construct an access road from the quarry to the process plant.

SAM-2013-00101-CHE fully executed on November 8, 2013, authorized the discharge of fill material into 0.04 acres of wetlands and 3,867 linear feet of streams. The authorized work involved the expansion of the SPS containment cell and construction of an associated water retention pond.

AVOIDANCE & MINIMIZATION: The applicant undertook an in-depth review process in order to minimize impacts to aquatic resources. The review process included considering multiple alternative sites, as well as redesigning the boundaries of the selected site to minimize impacts to WOUS. Specifically, the applicant noted that proposed impacts to ephemeral streams are reduced by 260 linear feet, proposed impacts to intermittent streams are reduced by 811 linear feet, proposed impacts to perennial streams are reduced by 196 linear feet, and proposed impacts to emergent wetlands are reduced by 0.22 acre, respectively, in the applicant's proposed plan. Construction Best Management Practices Plan would be designed for the project, which would help in limiting downstream and secondary project effects. *(The USACE has not fully evaluated the adequacy of the proposed avoidance and minimization).*

COMPENSATORY MITIGATION: The applicant proposes to mitigate for unavoidable impacts to WOUS through the purchase mitigation credits from an USACE approved mitigation bank. *(The USACE has not fully evaluated the adequacy of the proposed compensatory mitigation plan).*

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.

PUBLIC REVIEW: 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 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 USACE 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 USACE 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.

April 5, 2018

Any correspondence concerning this publication should refer to this Public Notice **SAM-2013-00101-CHE** 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
105 South Turner Boulevard
Montgomery, Alabama 36114

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.

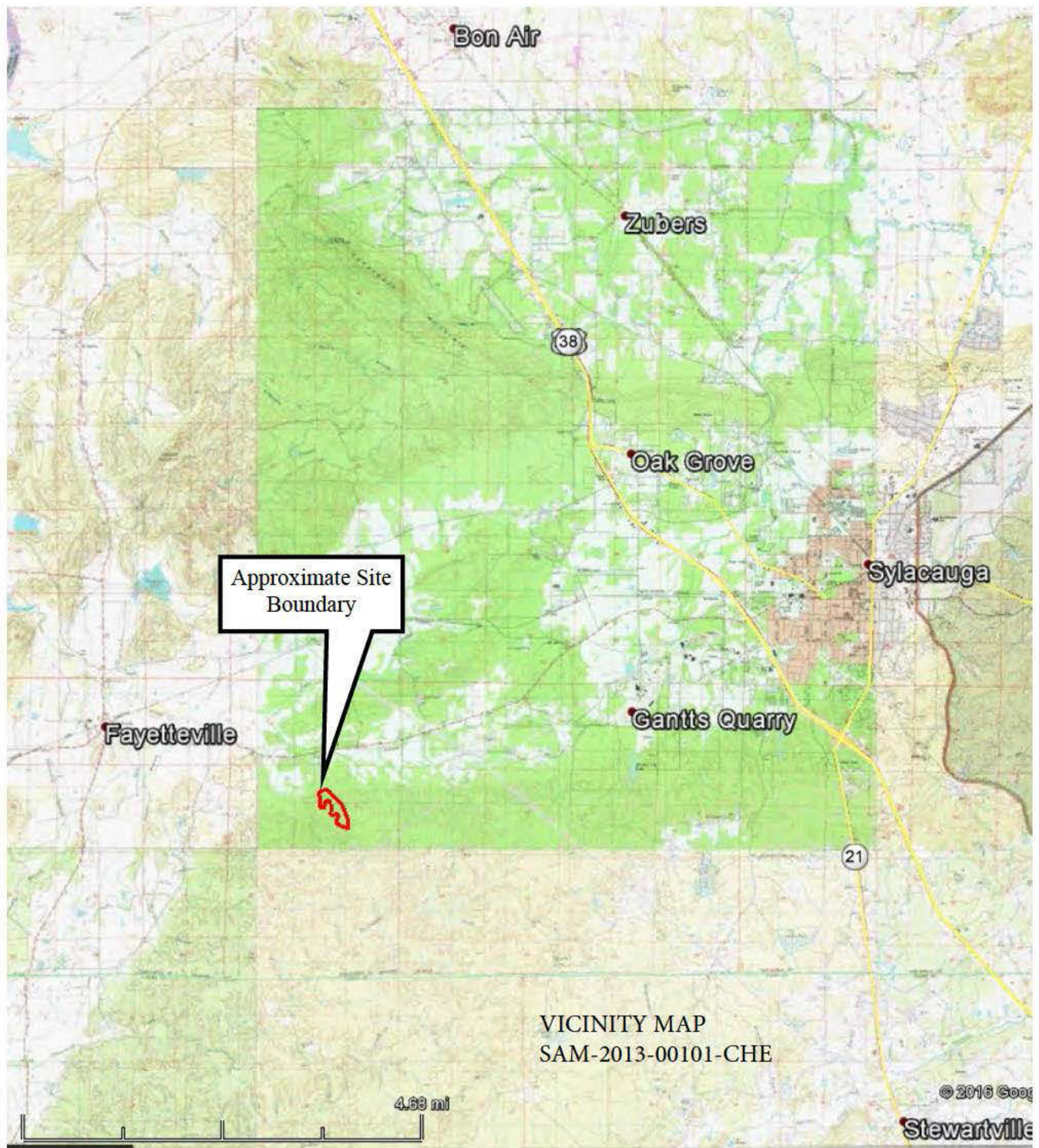
Enclosed to assist you with your review are: Vicinity map; Current aerial photograph with WOUS, avoidance and proposed impacts; Figure depicting other alternatives considered.

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) 416-1769. 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://www.sam.usace.army.mil/Missions/Regulatory.aspx>, 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



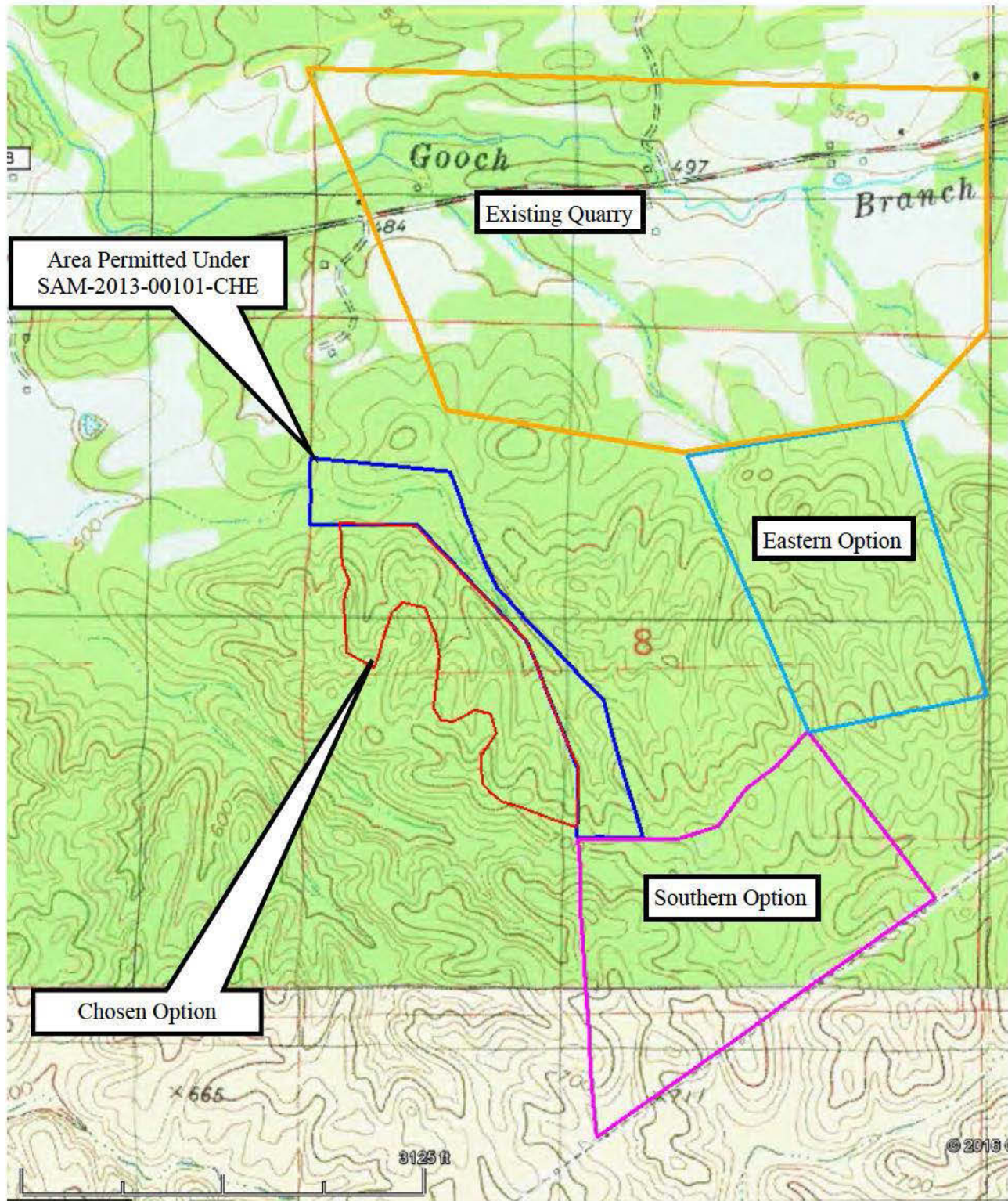
Source: Google Earth Pro. Approximate Site Location outlined in red.



NO.	DATE	REVISION NOTE	BY

Drawn By:	Client #:
DW	2079
Checked By:	Date:
SC	10/27/17
Project Mgr.:	Project #:
SC	2079113

TITLE
Figure 1: Site Location Map SAM-2012-00101-CHE After-the-Fact Omya Brown Quarry SPS Containment Cell Expansion Sylacauga, Talladega County, Alabama



Source: Google Earth Pro and Caltopo USGS Maps.

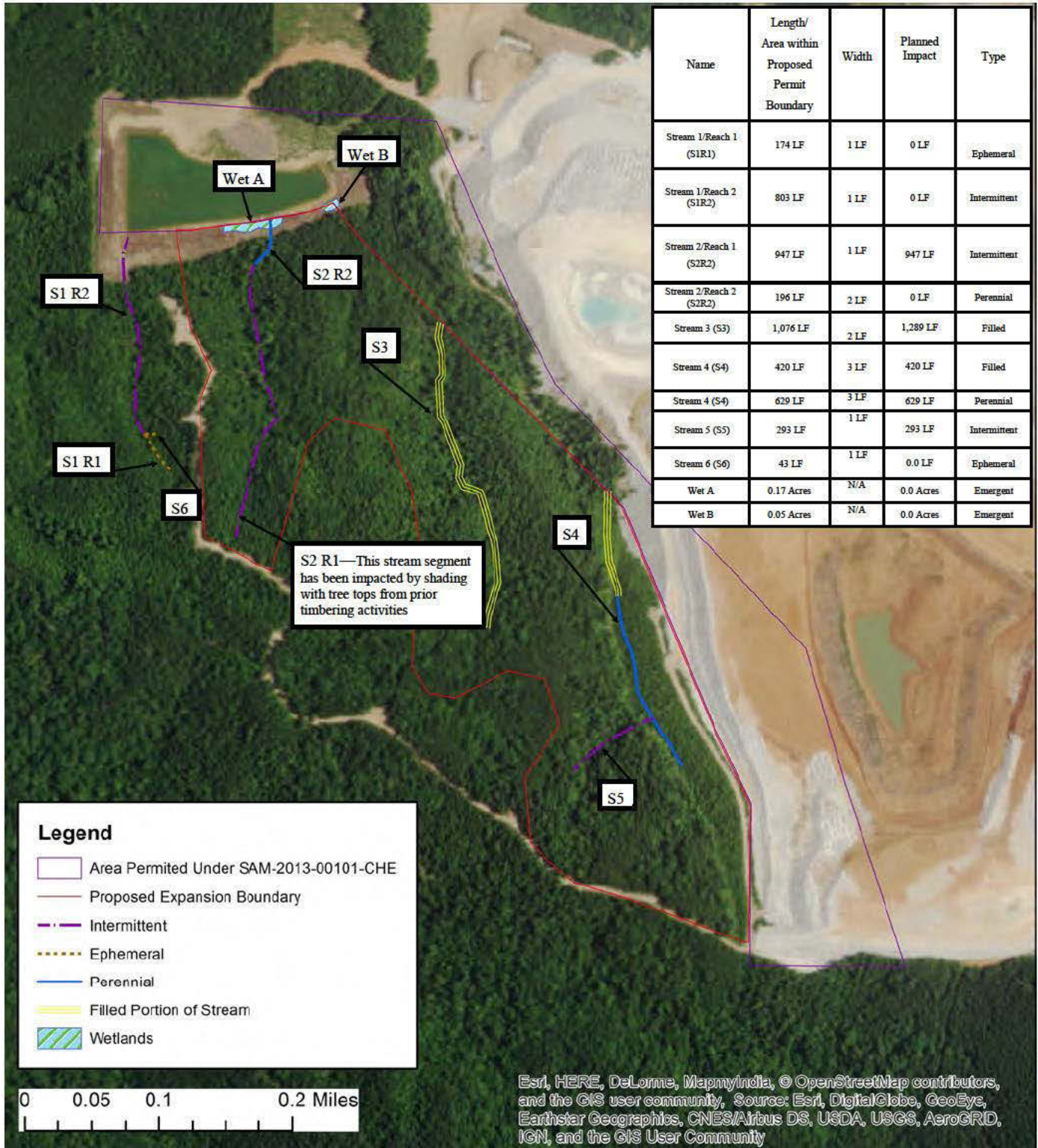
ALTERNATIVES FIGURE
SAM-2013-00101-CHE



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Figure 9: Alternate Site Locations SAM-2012-00101-CHE After-the-Fact Omya Brown Quarry SPS Containment Cell Expansion Sylacauga, Talladega County, Alabama



Name	Length/ Area within Proposed Permit Boundary	Width	Planned Impact	Type
Stream 1/Reach 1 (S1R1)	174 LF	1 LF	0 LF	Ephemeral
Stream 1/Reach 2 (S1R2)	803 LF	1 LF	0 LF	Intermittent
Stream 2/Reach 1 (S2R2)	947 LF	1 LF	947 LF	Intermittent
Stream 2/Reach 2 (S2R2)	196 LF	2 LF	0 LF	Perennial
Stream 3 (S3)	1,076 LF	2 LF	1,289 LF	Filled
Stream 4 (S4)	420 LF	3 LF	420 LF	Filled
Stream 4 (S4)	629 LF	3 LF	629 LF	Perennial
Stream 5 (S5)	293 LF	1 LF	293 LF	Intermittent
Stream 6 (S6)	43 LF	1 LF	0.0 LF	Ephemeral
Wet A	0.17 Acres	N/A	0.0 Acres	Emergent
Wet B	0.05 Acres	N/A	0.0 Acres	Emergent

S2 R1—This stream segment has been impacted by shading with tree tops from prior timbering activities

Source: ESRI.

WOUS, AVOIDANCE AND PROPOSED IMPACTS
SAM-2013-00101-CHE



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Figure 7: Jurisdictional Delineation Map—Verified July 7, 2017—also showing current impacts SAM-2012-00101-CHE After-the-Fact Omya Brown Quarry SPS Containment Cell Expansion Sylacauga, Talladega County, Alabama