



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

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2017-00333-LET

April 7, 2017

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

**REQUEST TO DISCHARGE FILL MATERIAL IN WETLANDS TO CONSTRUCT AN
OVER THE ROAD TRUCK AND CARGO HANDLING FACILITY, RATTLESNAKE
BAYOU, THEODORE, MOBILE 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 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: **Old Dominion Freight Line, Inc.**
Attention: Mr. Phillip Danner
500 Old Dominion Way
Thomasville, North Carolina 27360

AGENT: **Barry A. Vittor and Associates, Inc.**
Attention: Dr. Barry A. Vittor
8060 Cottage Hill Road
Mobile, Alabama 36695

WATERWAY/LOCATION: **Rattlesnake Bayou, west of Rangeline Road on the north side of Todd Acres Drive, Section 29, Township 5 South, Range 2 West, Theodore, Mobile County, Alabama, Latitude 30.577349 North and Longitude -88.144654 West, 8-digit Hydrologic Unit Code watershed 03160205 (Mobile Bay, Alabama).**

PROJECT PURPOSE: **The construction of a new commercial trucking facility for the transport and distribution of a variety of goods and products.**

PROPOSED WORK: **The applicant proposes the discharge of approximately 6,000 cubic yards of commercially obtained clean sandy clay fill material in order to fill approximately 1.22 acres of wetland to construct an over-the-road truck handling facility and cargo distribution warehouse. An approximately 3-foot layer of sandy clay base fill would be discharged across the wetland area to establish elevation contours adequate to provide drainage of rainfall runoff away from the proposed facility. The proposed facility would include the construction of a 12,000-square-foot warehouse building surrounded by a paved apron and parking areas that would provide for the parking of at least 97 truck trailers. Additional support facilities that**

would be constructed on the site would include office areas, maintenance facilities, driveways, and employee parking. A stormwater detention basin would be constructed in uplands on the east side of the proposed facility.

AVOIDANCE AND MINIMIZATION: The applicant has minimized impacts to aquatic resources through the avoidance of approximately 0.9 acre of higher quality forested wetlands on the east side of the project site. The U.S. Army Corps of Engineers (USACE), Mobile District, has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

MITIGATION: The applicant proposes the purchase of wetland mitigation credits from a USACE approved wetland mitigation bank that serves Mobile County, Alabama.

WATER QUALITY: The applicant has applied for certification from the State of Alabama 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 water quality certification will be made by the Alabama Department of Environmental Management (ADEM).

HISTORIC PROPERTIES: 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 affect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR 325, the USACE has determined that the permit area consists of the entire proposed development, which includes the undertaking in waters of the United States and the associated uplands that would be utilized to construct the facility and its stormwater management infrastructure. The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register, which are known to exist and would be affected by the proposed work. We are seeking comment from the State Historic Preservation Officer (SHPO) regarding the existence or the potential for existence of significant cultural and historic properties within the permit area.

This review constitutes 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 a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the SHPO and the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project would be located in palustrine forested and scrub-shrub wetland habitat and would not affect estuarine substrate, water column or other EFH complexes; therefore, no areas utilized by various life stages of various marine species

would be affected. Our initial determination is that the proposed action would not adversely affect EFH or Federally managed fisheries. Our final determination relative to project impacts and the need for mitigative measures is subject to review by and coordination with the National Marine Fisheries Service.

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 will have no effect on the following listed endangered or threatened species with the potential to exist within the watershed of the permit area: Wood Stork, Florida Manatee, Gulf Sturgeon, Alabama Red-belly Turtle, Eastern Indigo Snake, Black Pine Snake, Gopher Tortoise, and Louisiana Quillwort. Additionally, there is no designated critical habitat within the permit area. This determination is being coordinated with the U.S. Fish and Wildlife Service (USFWS) via this Public Notice. Further coordination with the USFWS will be performed as determined to be appropriate.

COMMENTS: This public notice is being distributed to all known interested persons and serves to solicit comments from the public, Federal, State, and local agencies and officials, Indian Tribes, and other interested parties, in order to assist in developing facts on which a decision by the USACE can be based. 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 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.

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. Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will also include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

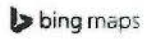
Correspondence concerning this notice should refer to Public Notice Number **SAM-2017-00333-LET**, and should be directed to USACE, Mobile District, Regulatory Division, Attention: Ms. Leslie E. Turney, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy furnished to the ADEM, Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608.

All 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, Ms. Turney at (251) 694-3873 or by e-mail at leslie.e.turney@usace.army.mil. Please refer to the above Public Notice Number **SAM-2017-00333-LET**.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



30.577349, -88.144654

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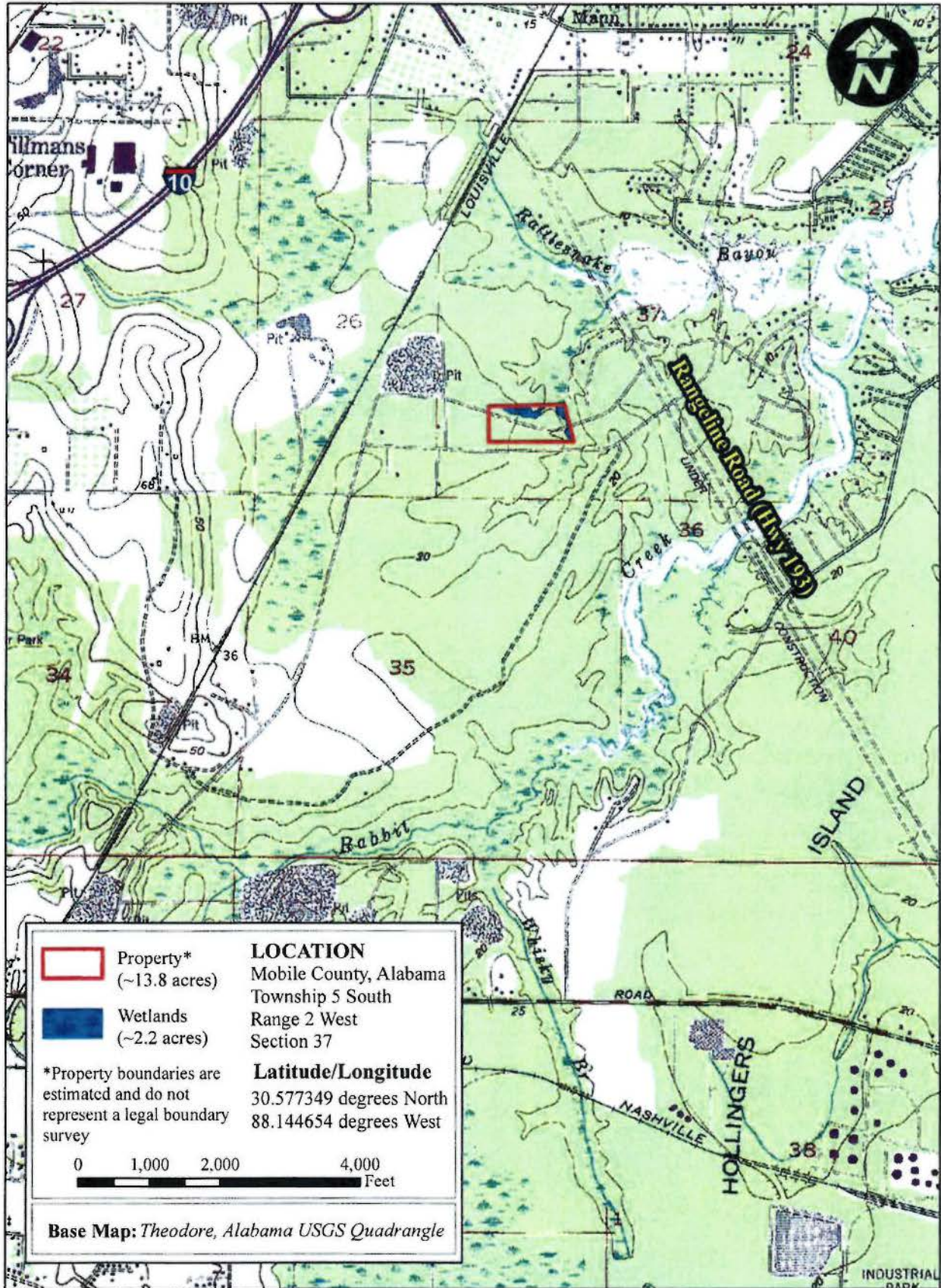


Figure 1. Site Location and Vicinity Map

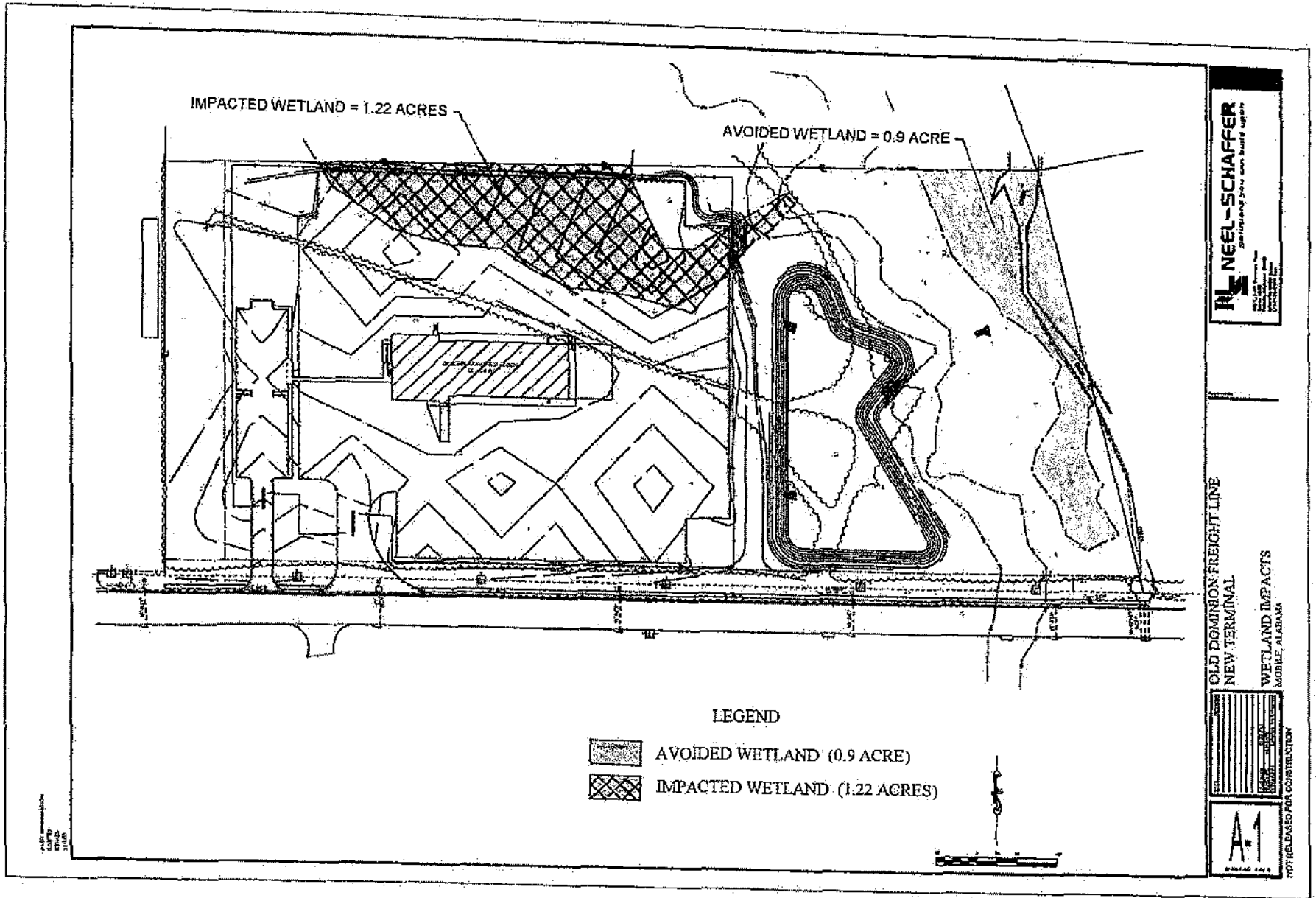


Figure 3. Proposed Grading Plan

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Figure 2. Proposed ODFL Site Plan

