



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
600 VESTAVIA PARKWAY, SUITE 203
THE SHELBY BUILDING
VESTAVIA HILLS, ALABAMA 35216

CESAM-RD-N
PUBLIC NOTICE NO. SAM-2022-00727-JDC

June 26, 2023

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**PROPOSED DISCHARGE OF FILL MATERIAL INTO WETLANDS AND OPEN WATER
ASSOCIATED WITH THE CONSTRUCTION OF A RACETRAC TRAVEL CENTER IN
MONTGOMERY, MONTGOMERY 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 U.S.C. 1344). Please communicate this information to interested parties.

APPLICANT: RaceTrac, Inc.
Attention: Victor Sutapaha
200 Galleria Parkway SE, Suite 900
Atlanta, Georgia 30339

AGENT: Spectrum Environmental, Inc.
Attention: Blake Smith
85 Spectrum Cove
Alabaster, Alabama 35007
bsmith@specenviro.com

LOCATION: The proposed project is located in wetlands in Montgomery, Montgomery County, Alabama. Specifically, the project is located within Section 7, Township 15 North, Range 19 East. Center coordinates of the project are latitude 32.296716, longitude -86.194731. The project is located in the Upper Alabama 8-digit hydrologic unit code (HUC 03150201).

PROJECT PURPOSE: The basic project purpose is retail.

WORK: The applicant is requesting authorization to discharge fill material into 0.94 acres of wetlands and 0.49 acres of open water in association with the construction of a new gas station and convenience store. Specifically, the applicant is proposing to permanently discharge fill material into 0.83 acres of forested wetland "Wet A", 0.01 acres of forested wetland "Wet B", and 0.49 acres of open water "Pond 1" for the construction of a parking lot, access road, and detention pond. The existing gas station

would be demolished prior to the construction of the new gas station and convenience store.

AVOIDANCE & MINIMIZATION: According to the applicant, the initial construction plan proposed impacts to 0.99 acres of “Wet A” and 0.05 acres of “Wet B”. The project design was re-evaluated and modified to minimize impacts to waters of the U.S. These modifications included altering the footprint of the detention pond to reduce the impact to “Wet A” by 0.16 acres and to reduce the impact to “Wet B” by 0.04 acres for a total wetland impact reduction of 0.2 acres. The U.S. Army Corps of Engineers (USACE) has not verified the adequacy of the applicant’s avoidance and minimization efforts at this time.

COMPENSATORY MITIGATION: The applicant proposes to purchase wetland credits from an approved mitigation bank.

The applicant will apply 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.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE 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 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.

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.

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. The USACE has not made a determination of effects to historic properties at this time. 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 the general public regarding the existence or the potential for existence of significant cultural and historic properties which may be affected by the work. Further coordination with the State Historic Preservation Officer and/or federally-recognized American Indian tribes will be performed as determined to be appropriate.

ENDANGERED/THREATENED SPECIES: Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Species indicates the following species have the potential to occur in the project watershed: Wood Stork, Alligator Snapping Turtle, and Southern Clubshell. An effects determination will be made during the evaluation process, at which time the USACE will initiate consultation with the United States Fish and Wildlife Service (USFWS), as appropriate. Copies of this public notice are being sent to the USFWS and other federal and state agencies for review and receipt of any relevant comments regarding potential effects of the proposed project on the listed species.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2022-00727-JDC** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Attention: **Ms. Angela Rangel**, 600 Vestavia Parkway, Suite 203, Vestavia Hills, Alabama 35216, with a copy to the Alabama Department of Environmental Management, Field Operations Division, Office of Field Services, Attention: Mr. Richard Hulcher, Post Office Box 301463, Montgomery, Alabama 36130-1463. Comments may also be submitted via e-mail to USACE at **Angela.M.Rangel@usace.army.mil** and to ADEM at **fieldmail@adem.alabama.gov**.

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 **Angela.M.Rangel@usace.army.mil** or telephone number **(251) 694-3873**. Please refer to the above Public Notice number.

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

MOBILE DISTRICT
U.S. Army Corps of Engineers

Attachments



Source: Image courtesy of ESRI.

NO.	DATE	REVISION NOTE	BY

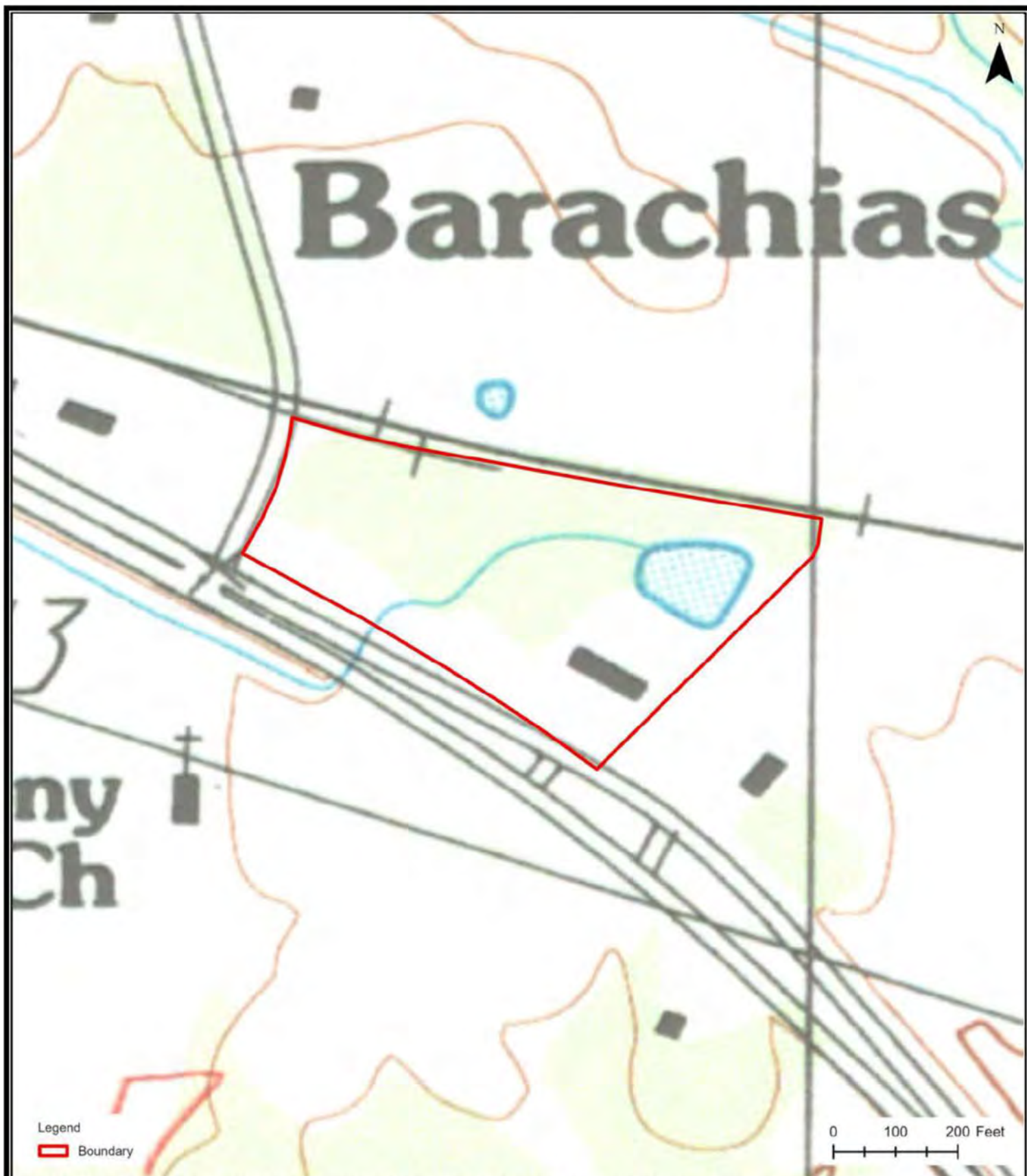
Drawn By:	Client #:
LP	3314
Checked By:	Date:
SC	06/06/23
Project Mgr.:	Project #:
BS	3314-006-32

135 Lemuel Road
Nashville, TN 37207
P - 615-469-4941

85 Spectrum Cove
Alabaster, AL 35007
O - 205-864-2000
F - 205-864-2142

SPECTRUM
Solutions to Your Environmental Challenges

TITLE
Figure 1 — Site Location Map Section 404 Joint Application Individual Permit SAM-2022-00727-JDC RaceTrac, Inc. RaceTrac Troy Highway Montgomery, Montgomery County, AL



Source: Image courtesy of ESRI and USGS. USGS Barachias, AL 7.5 minute quadrangle.

				Drawn By:	Client #:	<div><div><div>135 Lemuel Road Nashville, TN 37207 P - 615-469-4941</div><div></div><div>SPECTRUM Solutions to Your Environmental Challenges</div></div><div><div>85 Spectrum Cove Alabaster, AL 35007 O - 205-864-2000 F - 205-864-2142</div></div></div>	<div>TITLE</div> <div>Figure 2 — Site Topographic Map Section 404 Joint Application Individual Permit SAM-2022-00727-JDC RaceTrac, Inc. RaceTrac Troy Highway Montgomery, Montgomery County, AL</div>
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Source: Image courtesy of ESRI.

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Figure 3 — Site Aerial Map Section 404 Joint Application Individual Permit SAM-2022-00727-JDC RaceTrac, Inc. RaceTrac Troy Highway Montgomery, Montgomery County, AL



Source: Image courtesy of ESRI.

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TITLE
Figure 8b — Site Delineation Overview (Aerial) Section 404 Joint Application Individual Permit SAM-2022-00727-JDC RaceTrac, Inc. RaceTrac Troy Highway Montgomery, Montgomery County, AL



Source: Plan courtesy of RaceTrac Petroleum, Inc.

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				LP	3314		Figure 11a — Final Layout Impact Map Section 404 Joint Application Individual Permit SAM-2022-00727-JDC RaceTrac, Inc. RaceTrac Troy Highway Montgomery, Montgomery County, AL	
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