



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-2022-01135-SNR

June 5, 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 UNNAMED
TRIBUTARIES TO RYAN CREEK ASSOCIATED WITH THE CONSTRUCTION OF A
LOVE'S TRAVEL STOP IN GOOD HOPE, CULLMAN 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: Love's Travel Stop and Country Store
Attention: Brad Peck
Post Office Box 26210
Oklahoma City, Oklahoma 73126
brad.peck@loves.com

AGENT: LaBella Associates
Attention: Michael Imhof
528 Mineral Trace
Hoover, Alabama 35244
mimhof@labellapc.com

LOCATION: The proposed project is located in wetlands and unnamed tributaries to Ryan Creek in Good Hope, Cullman County, Alabama. Specifically, the project is located within Section 33, Township 10 South, Range 3 West. Center coordinates of the project are latitude 34.128419, longitude -86.863960. The project is located in the Sipsey Fork 8-digit hydrologic unit code (HUC 03160110).

PROJECT PURPOSE: The basic project purpose is retail.

WORK: The applicant is requesting authorization to discharge fill material into 1,620 linear feet of stream, 0.822 acre of wetlands, and 0.0747 acre of open water in association with the construction of a gas station and convenience store. Specifically, the applicant is proposing to permanently discharge fill material into 165 linear feet of perennial stream for the construction of a culverted road crossing. The applicant is also proposing to permanently discharge fill material into 89 linear feet of intermittent stream,

1,333 linear feet of ephemeral stream, 0.822 acre of forested wetland, and 0.0747 acre of open water pond for the construction of building foundation. Additionally, the applicant is proposing to temporarily discharge dredged material into 33 linear feet of ephemeral stream to backfill an open trench excavated for the installation of a sanitary sewer line. The area of temporary impact will be returned to pre-disturbance contours once construction activities are complete.

AVOIDANCE & MINIMIZATION: According to the applicant, the initial construction plan was re-evaluated and modified to minimize impacts to waters of the U.S. Additionally, construction best management practices (BMPs) would be utilized to reduce impacts to downstream aquatic resources. 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 stream and 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: Indiana Bat, Northern Long-Eared Bat, Alligator Snapping Turtle, Flattened Musk Turtle, Black Warrior Waterdog, and Rush Darter. 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.

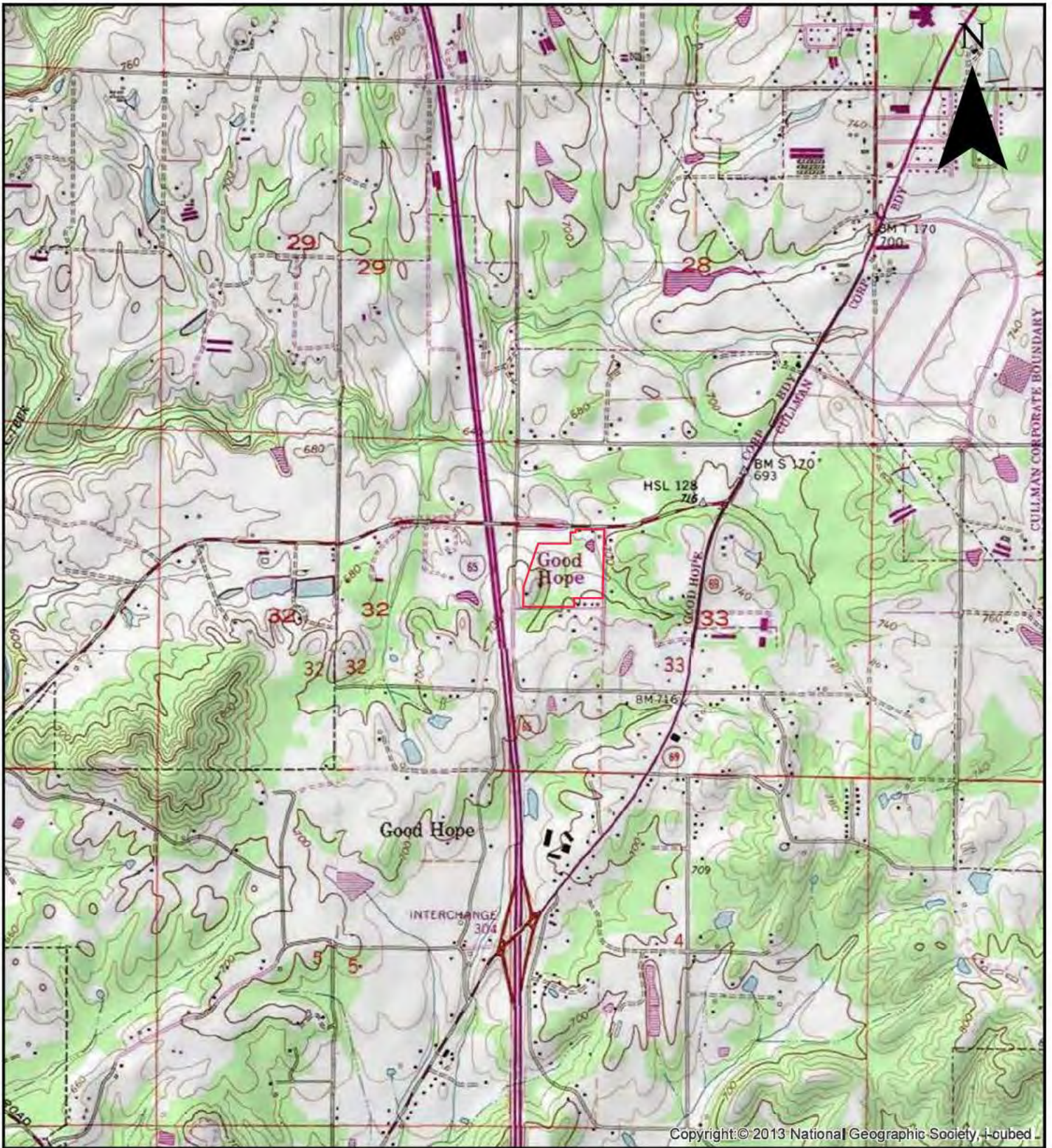
Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2022-01135-SNR** and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Attention: **Mr. Jevon Coleman**, 600 Vestavia Parkway, Suite 203, Vestavia 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 **Jevon.D.Coleman@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 **Jevon.D.Coleman@usace.army.mil** or telephone number **(205) 381-0741**. 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



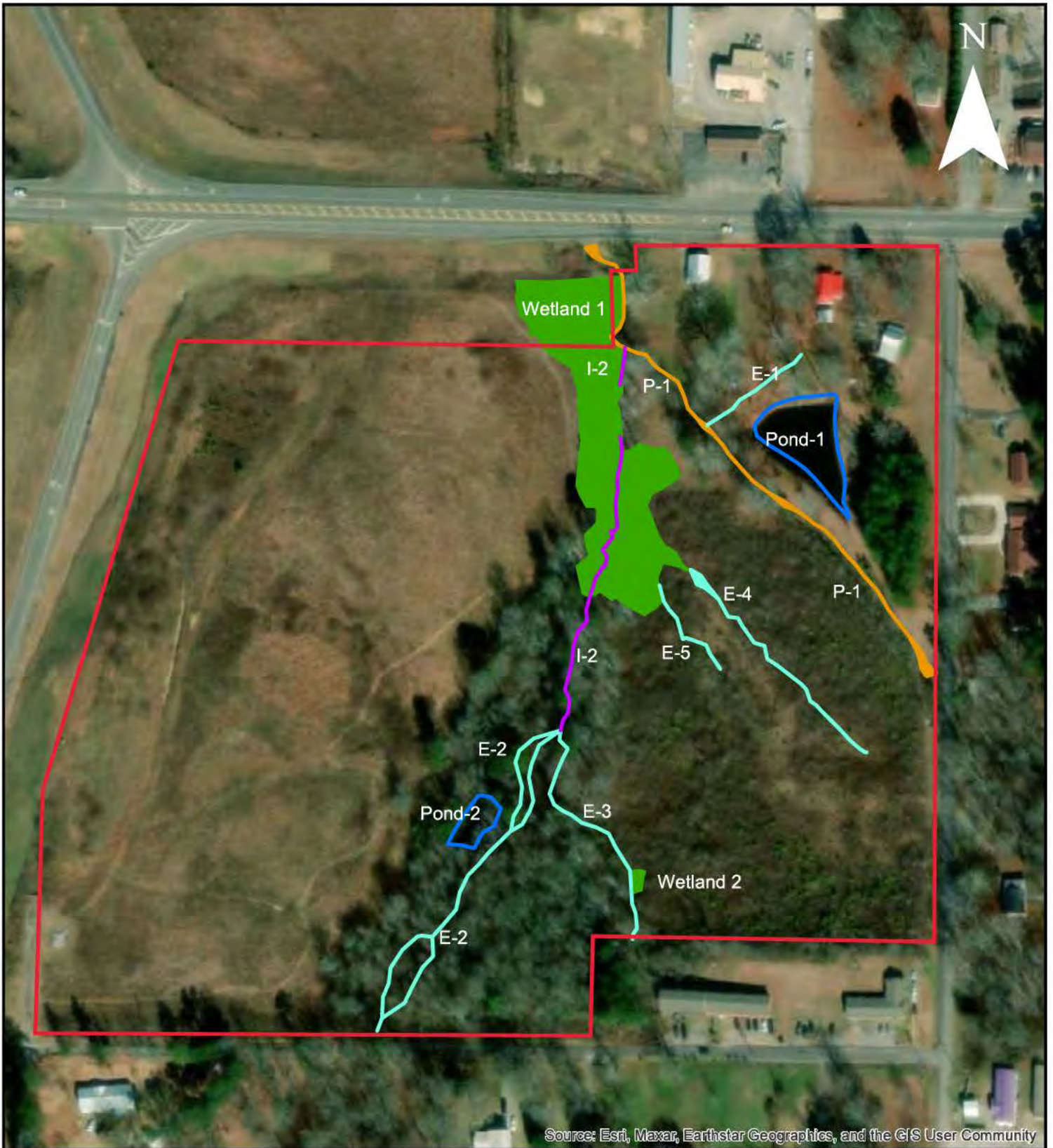
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<p>Legend</p> <p> Site Boundary</p>		<p>TITLE: Site Location Map</p>	<p>FIGURE NO. 1</p>
		<p>Proposed Love's Country Store</p> <p>Good Hope Site I-65 & CR-222 Good Hope, Alabama</p>	<p>PROJECT NO. 2231712</p> <p>DRAWN BY MJI</p>
<p>528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874</p>	<p>SCALE: 0 1,000 2,000  1 inch = 2,000 feet</p>	<p>DATE DRAWN 05-25-2022</p>	

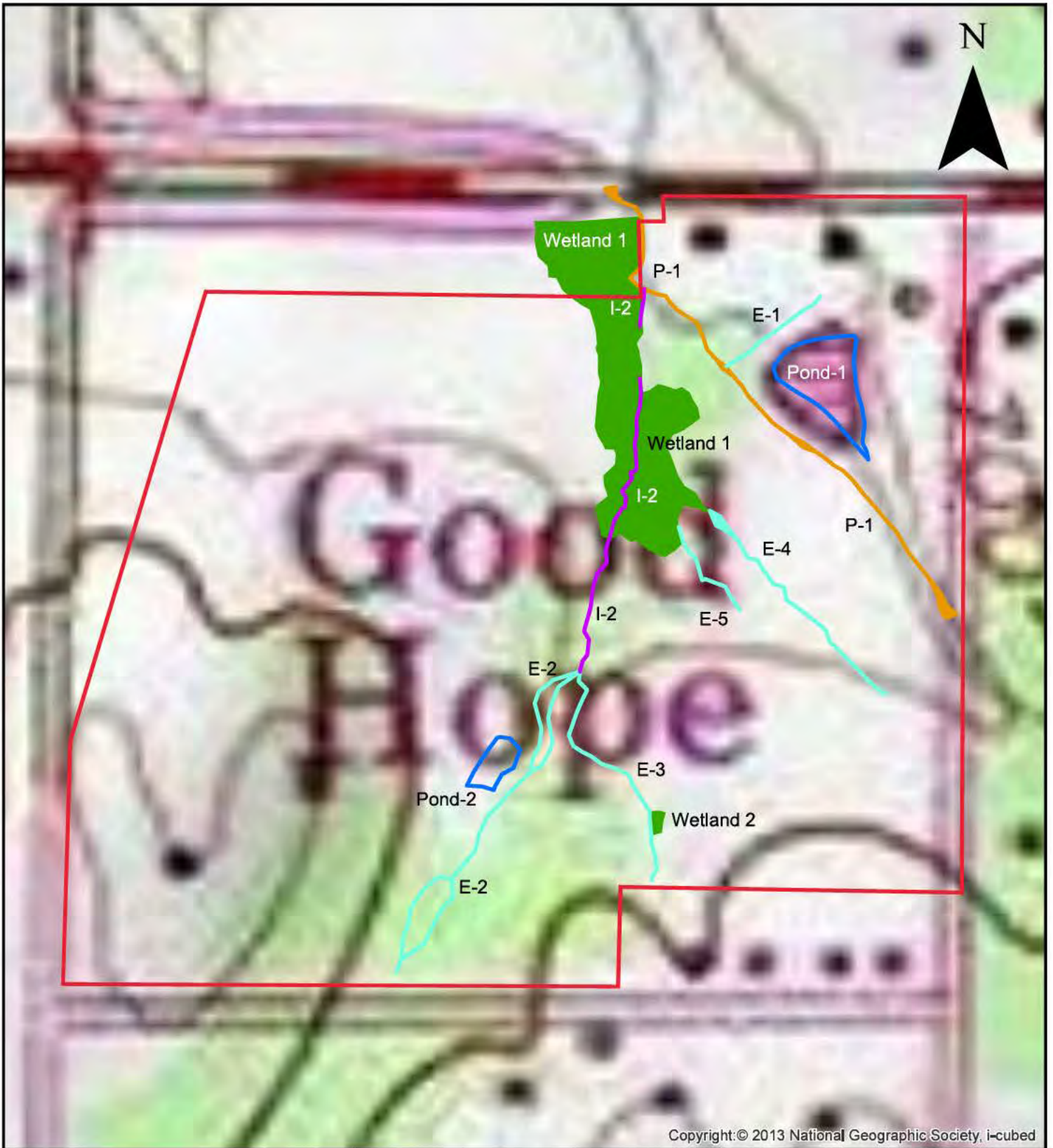


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

<p>Legend</p> <p> Site Boundary</p>		<p>TITLE: Site Aerial Map</p> <p>Proposed Love's Country Store</p> <p>Good Hope Site I-65 & CR-222 Good Hope, Alabama</p>	<p>FIGURE NO. 2</p>
		<p>528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874</p>	<p>SCALE: 0 125 250  1 inch = 250 feet</p>



Legend  Site Boundary  Ephemeral Features  Intermittent Feature  Perennial Feature  Ponds  Wetlands	 <p>LaBella Powered by partnership.</p>	TITLE: Aerial Map with Site Features	FIGURE NO. 6
		Proposed Love's Country Store Good Hope Site I-65 & CR-222 Good Hope, Alabama	PROJECT NO. 2231712 DRAWN BY MJI
528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874	SCALE:  1 inch = 200 feet	DATE DRAWN 03-06-2023	



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<p>Legend</p> <ul style="list-style-type: none"> Site Boundary Ephemeral Features Intermittent Feature Perennial Feature Ponds Wetlands 	 <p>LaBella Powered by partnership.</p>	<p>TITLE: Topo Map with Site Features</p>	<p>FIGURE NO. 7</p>
		<p>528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874</p>	<p>Proposed Love's Country Store</p> <p>Good Hope Site I-65 & CR-222 Good Hope, Alabama</p> <p>SCALE: 0 100 200 1 inch = 200 feet</p>

SITE PREPARATION NOTES

1. SITE PREPARATION DESIGNS ARE TAKEN FROM THE GEOTECHNICAL INVESTIGATION REPORT AS PROVIDED BY GEOTECHNICAL ENGINEERING CONSULTANTS. REFERENCE THIS REPORT FOR COMPLETE DESIGN SPECIFICATIONS AND DETAILED RECOMMENDATIONS.
2. THE CONTRACTOR IS TO PREPARE THE SITE IN STRICT ACCORDANCE WITH THE DESIGN SPECIFICATIONS AND THE GEOTECHNICAL INVESTIGATION. REFERENCE THIS COMPLETE DESIGN SPECIFICATION FOR THE WORK SPECIFICATION.
3. CONTRACTOR SHALL RESTRICT AND CONTROL CONSTRUCTION TRAFFIC ON AREAS OF STABILIZED SUBGRADE OR PAVED HIGHWAYS. PARKING HEAVY LOADED EQUIPMENT OPERATION ON THESE AREAS MAY CAUSE SIGNIFICANT DAMAGE RESULTING IN SUBGRADE DEFORMATION AND ALL REQUIRED TESTING AND RECORDING OF SUBGRADE WITHIN PROJECT SPECIFICATIONS.
4. AREAS WHERE NEW FILL SLOPES WILL BE PLACED ON EXISTING SLOPES (SEE OR STEEPEN) ADDITIONAL EXCAVATION SHOULD BE MADE INTO THE EXISTING SUBGRADE TO CREATE BENCHES SO THAT HORIZONTAL LIFTS OF THE FILL MATERIALS CAN BE PLACED AND COMPACTED. REFERENCE GEOTECHNICAL REPORT FOR COMPLETE INFORMATION.

STORM DRAIN NOTES

1. REFERENCE GENERAL NOTES.
2. REFERENCE DETAIL SHEETS AND ADJUST DESIGN STANDARDS FOR CONSTRUCTION DETAILS.
3. STORM DRAIN/OUTLET PIPES SHALL BE BEDDED AND BACKFILLED PER ADJUST STANDARD SPECIFICATION SECTION 530. TYPE "C" BACK FILL SHALL BE USED FOR STORM DRAIN BENCHES. PAVED AREAS, ALL PIPES, EXISTING STORM SEWER STRUCTURES SHALL BE SEALED TO ASSURE CONNECTION AT STRUCTURE IS WATER TIGHT.
4. ALL PIPES AND STRUCTURES ON ROAD RIGHT-OF-WAY SHALL BE PER STATE DEPARTMENT OF TRANSPORTATION STANDARDS.
5. TYPES OF PIPES ARE INDICATED ON THE PLANS AND SPECIFIED WHEN THE SPECIFICATION IF A MATERIAL IS NOT SPECIFIED ON THE PLANS, THE CONTRACTOR MAY USE ANY SIZE 6" APPROVED PIPE MATERIAL, AFTER CONSULTING THE ENGINEER OF RECORD.

GRADING NOTES

1. REFERENCE THE GENERAL NOTES.
2. REFERENCE THE SITE PREPARATION NOTES.
3. REFERENCE THE SEDIMENT AND EROSION CONTROL NOTES.
4. REFERENCE DETAIL SHEETS FOR CONSTRUCTION DETAILS.
5. CONSTRUCTION SHALL COMPLY WITH ALL GOVERNING CODE AND BE CONSTRUCTED TO THE SAME.
6. TOPOGRAPHIC SURVEY AND PROPOSED GRADE ARE REFLECTIVE OF THE NAVD83 DATUM. PROPERTY AND TOPOGRAPHIC SURVEY WAS PROVIDED FOR AND PROVIDED BY BANNER FOR USE IN DESIGN. IT IS ASSUMED TO BE FINAL AND COMPLETE. IF THE CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN IN THE PLANS, WITHOUT EXCEPTION, HE SHALL HAVE MADE AT HIS OWN EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED SURVEYOR AND SUBMIT THE RESULTS TO THE ENGINEER OF RECORD.
7. FINISHED GRADE CONTOURS ARE SHOWN AT 1'-FT INTERVALS AND SUPPLEMENTED BY SPOT ELEVATIONS.
8. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE MARSHALL UTILITY COMPANY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND/OR ELEVATION OF ALL UTILITIES PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS (STATE ONE CALL # 800-222-0913).
9. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL UTILITIES AND NOTIFYING THE APPROPRIATE UTILITY COMPANY PRIOR TO BEGINNING CONSTRUCTION.
10. CONTRACTOR SHALL VERIFY HORIZONTAL AND VERTICAL LOCATION FOR ALL EXISTING STORM SEWER STRUCTURES, PIPES AND UTILITIES PRIOR TO BEGINNING CONSTRUCTION.
11. CLEARING AND GRUBBING LIMITS SHALL INCLUDE ALL AREAS DISTURBED BY THE GRADING OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL AREAS INDICATED TO REMAIN AS BUFFERS, PROPERTY CORNERS, AND REPLACEMENT OF ALL PINS DAMAGED OR ELIMINATED BY CONTRACTOR.
12. CONTRACTOR SHALL COORDINATE WITH THE ARCHITECTURAL PLANS, POWER COMPANY AND TELEPHONE COMPANY FOR ACTUAL ROUTING OF POWER AND TELEPHONE SERVICE TO THE BUILDING.
13. CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING IMPROVEMENTS DURING CONSTRUCTION, SUCH AS, BUT NOT LIMITED TO DRAINAGE, PAVEMENT, STRIPING, UTILITIES, CURB ETC. REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITION.
14. CONTRACTOR SHALL NOT ALLOW WATER TO SPILL AT SUBGRADE OR BASE MATERIAL ADJACENT TO CURB UTILITY AND GUTTER BARRIERS PRIOR TO PLACEMENT OF PAVEMENT. TEMPORARY PROVISIONS SUCH AS DOWNDRAIN AND INSTALLATION OF SUBDRAINS SHALL BE TAKEN TO KEEP THE SUBGRADE DRY DURING CONSTRUCTION.
15. ANY UNPAVED AREAS DISTURBED BY GRADING OPERATIONS SHALL RECEIVE 4 INCHES OF TOPSOIL AND SOILED USING BERMUDODGRASS (HYBRID 500 UNLESS OTHERWISE DIRECTED BY OWNER).

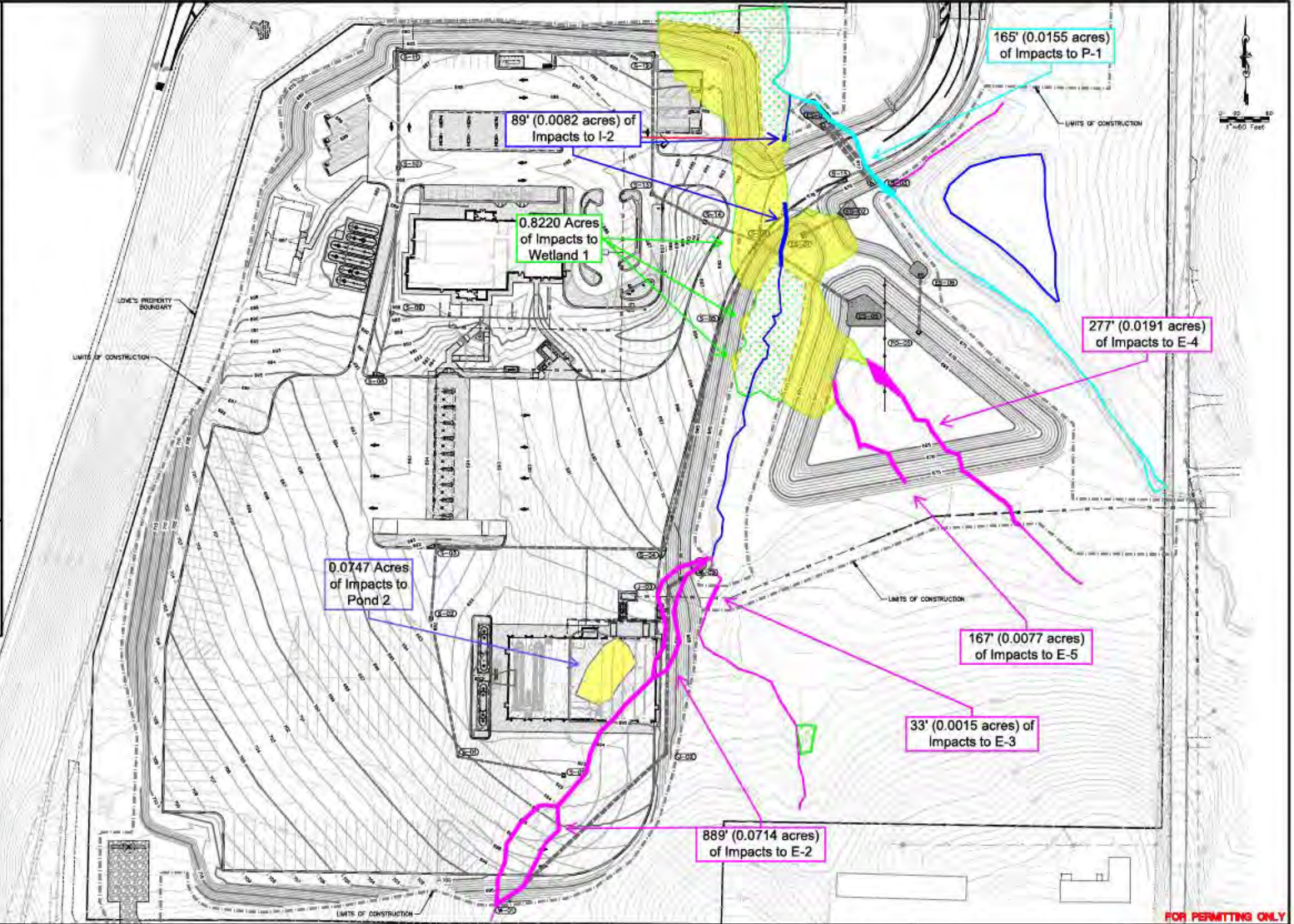
LEGEND

— DIRECTION OF FLOW	— EXISTING OVERHEAD POWER
— EXISTING GROUND CONTOUR (INTERMEDIATE)	— EXISTING FENCE
— EXISTING GROUND CONTOUR (INDEX)	— UTILITY POLE W/ GUY WIRE
— EXISTING DRAINAGE PIPE	— UTILITY POLE W/O GUY WIRE
— PROPOSED GROUND CONTOUR (INTERMEDIATE)	
— PROPOSED GROUND CONTOUR (INDEX)	
— PROPOSED ROAD	
— PROPOSED DRAINAGE PIPE	

Notes:

Wetland and Pond Impacts are Highlighted in Yellow.

Stream Impacts are in Bold.



FOR PERMITTING ONLY

Chipola Engineering Group, Inc.

CIVIL ENGINEERING, DESIGN, PLANNING,
CONSTRUCTION SERVICES
4420 JACKSON STREET, MARIONNA, FL 32448
PHONE (904) 272-0400
FLM LICENSE NO. 1 ECA4768

DRAWN BY RAP	DATE 11/11/22	REVISIONS	CLIENT LOVE'S TRAVEL STOPS & COUNTRY STORES
CHECKED BY JDK	DATE 11/11/22	DESCRIPTION	PROJECT GOOD HOPE, AL
DESIGNED BY HDW	DATE 02/22/2024-CP		SHEET TITLE Site Plans with Impacts
SCALE 1"=80'	DATE 3/15/23		FIGURE NO. 9

PROJ. NO. 2022004
SHEET NO. C7.0

FIGURE NO. 9

FIGURE NO. 9

FIGURE NO. 9
