



REPLY TO
ATTENTION OF

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

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

February 28, 2013

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

PROPOSED CONTAINMENT CELL EXPANSION

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 USC 1344). Please communicate this information to interested parties.

APPLICANT: Omya Alabama
Post Office Box 47
Sylacauga, Alabama 35151

AGENT: Spectrum Environmental, Inc.
Attention: Mr. Heath Belyeu
85 Spectrum Cove
Alabaster, Alabama 35007

LOCATION: In wetlands and unnamed streams tributary to Gooch Branch at Sylacauga, Talladega County, Alabama (33.13263,-86.35812).

WORK: The applicant wishes to impact 0.04 acres of wetlands with WRAP scores of 53.33%, 1,240 linear feet of intermittent streams and, 1,934 linear feet of perennial streams in association with the expansion of an existing containment cell and associated detention facility at the Brown Quarry, and conduct off-site mitigation activities.

PROJECT PURPOSE: The agent has stated that the purpose of the project is to "... expand an existing ... containment cell at the OMYA Brown Quarry in Sylacauga. In addition to the cell expansion the construction of a stormwater retention pond is need for stormwater management and water quality control."

AVOIDANCE AND MINIMIZATION: The agent has submitted the following statement: "The applicant originally considered a much larger expansion of the SPS contentment area cell which would have included the adjacent property to the west of the proposed project area. Inclusion of this additional property would have resulted in the entire fill/pipe of stream 3 and stream 4. The Applicant has revised the project area to avoid these areas."

MITIGATION: The agent has submitted an off-site permittee response mitigation plan. The mitigation consists of restoration of 3,255 linear feet of riparian buffer along Peckerwood Creek (33.092919, -86.410528).

WATER QUALITY: The applicant has applied for state certification in accordance with Section 401(a)(1) of the Clean Water Act, and has certified that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. 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.

COMMENTS: 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 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 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.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. The applicant has also conducted a Phase I Study. The Alabama Historical Commission has reviewed this report and determined that the “project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places provided the Andrew Jackson Trail Marker is avoided”(AHC 10-0016). 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 that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The applicant has coordinated with the USFWS (2009-TA-0918); after receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Corps assessed the potential impacts of the project on Essential Fish Habitat (EFH). The Corps has determined that the proposed action will “not adversely affect” EFH. No further EFH consultation is necessary.

Correspondence concerning this Public Notice should refer to Public Notice Number listed on this document and should be directed to:

District Engineer
ATTN: Casey Ehorn
U.S. Army Engineer District, Mobile
Birmingham Field Office
218 Summit Parkway, Suite 222
Homewood, Alabama 35209

with a copy to the:

Alabama Department of Environmental Management
Field Operations Division
Office of Field Services
Post Office Box 301463
Montgomery, Alabama 36130

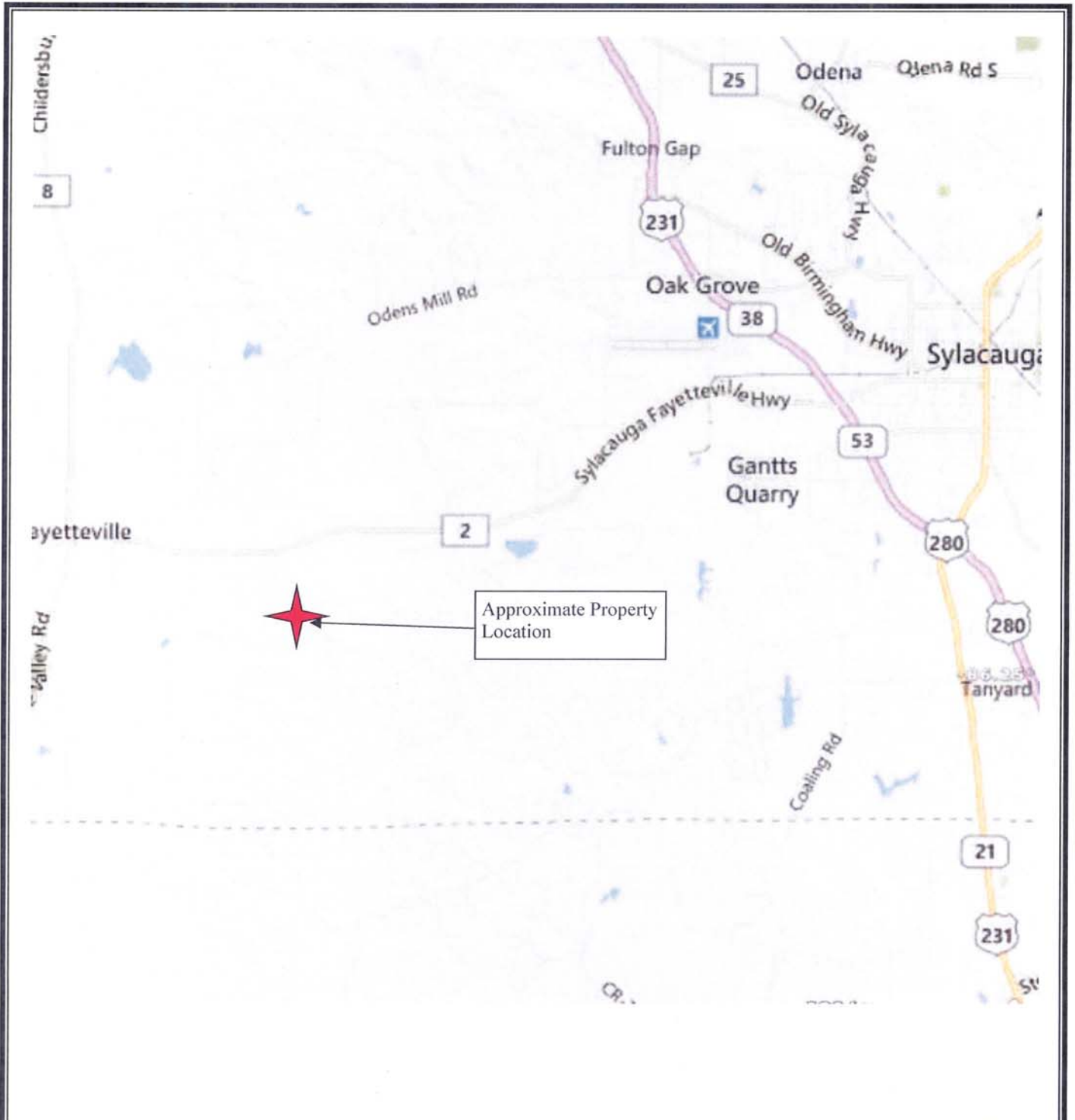
All comments must be sent in time to be received not later than 30 days from the date of this notice.

If you have any questions concerning this publication, you may contact Mr. Casey Ehorn at telephone number (205) 290-9096 or Casey.H.Ehorn@usace.army.mil. Please refer to Public Notice number located on the first page of this document.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil, and please take a moment to complete our customer satisfaction survey. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosure



Source: Google Maps, 2012
 Section 8, Township 22 South, Range 3 East



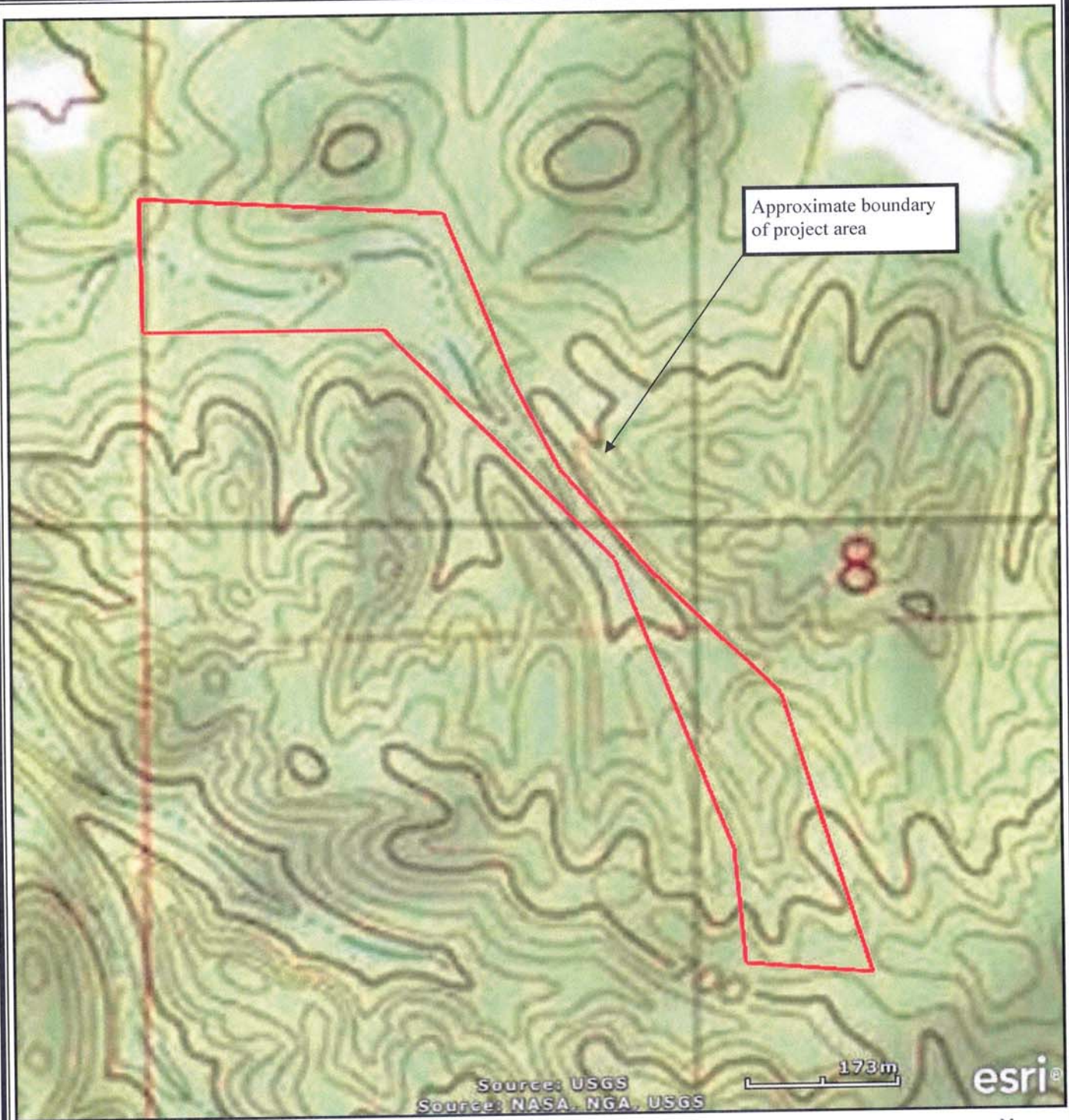
NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #
HB	2079-039
Checked By:	Date:
	1-10-13
Project Mgr.:	File Name:

85 Spectrum Cove
 Alabaster, AL 35007
 FAX (205) 664-2142
 PHONE (205) 664-2000

TITLE
Figure 2079039-1 Location Map Containment Cell Expansion Sylacauga, Talladega County, Alabama

SAM-2013-00101-CHE
 02-28-2013
 1 of 8



Source:
U.S.G.S. 7.5 Minute Quadrangle—Sylacauga West, ALA, dated 1980
 Section 8, Township 22 South, Range 3 East



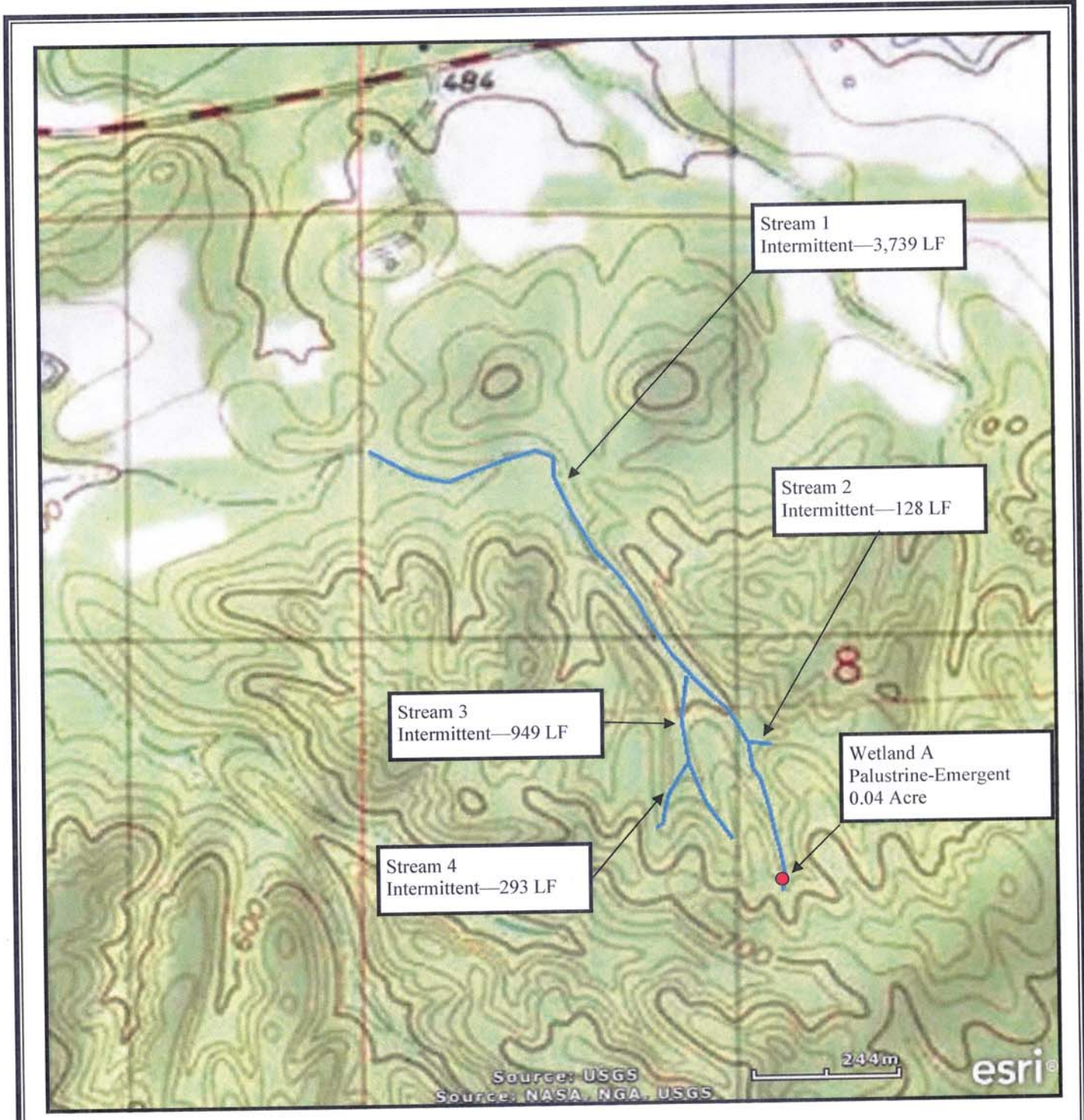
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TITLE
Figure 2079039-2 Topographic and Project Area Map Containment Cell Expansion Sylacauga, Talladega County, Alabama

SAM-2013-00101-CHE
02-28-2013
2 of 8



Source:
USGS 7.5 Minute Quadrangle—Sylacauga West, ALA dated 1980
 Section 8, Township 22 South, Range 3 East



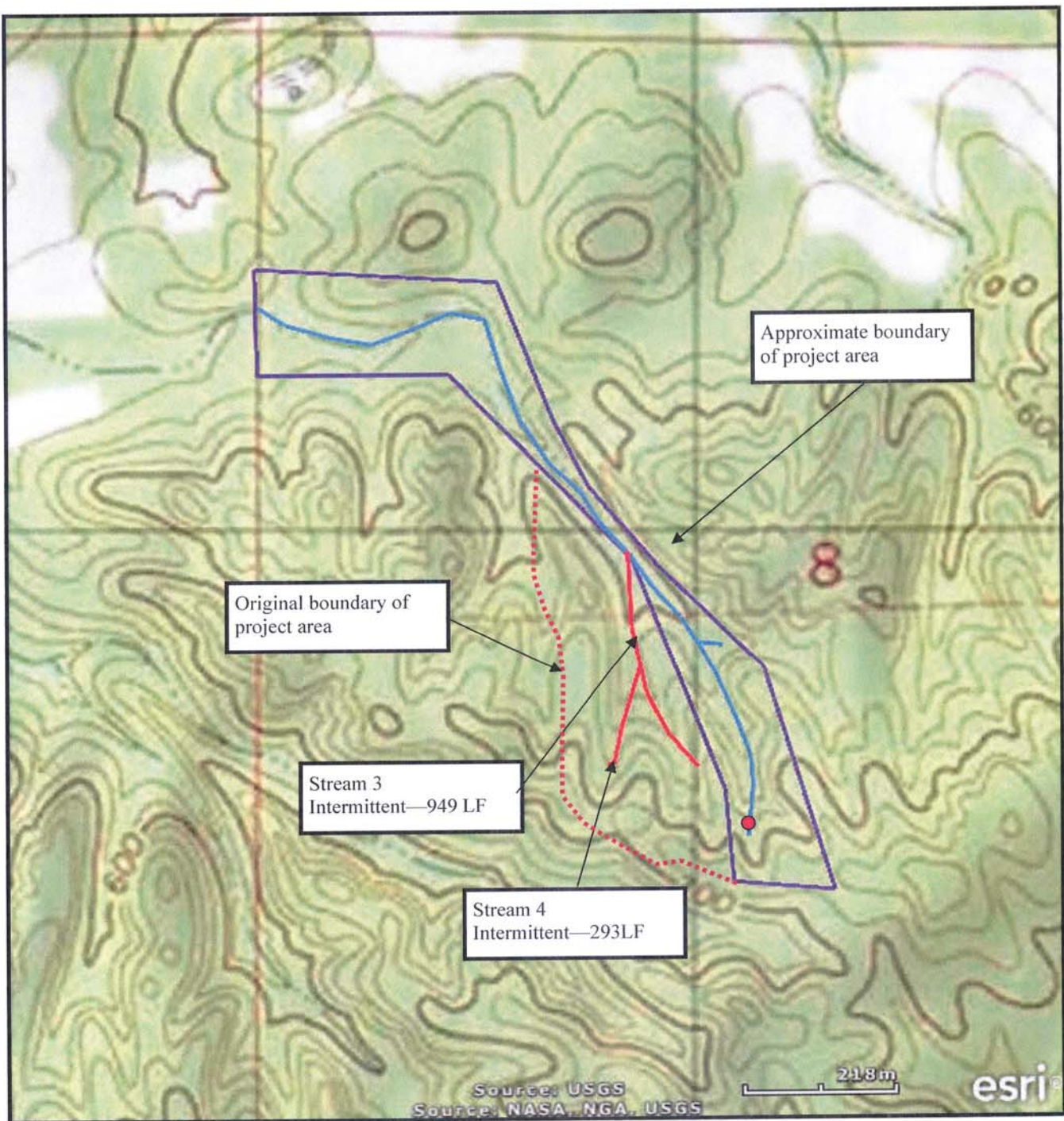
NO.	DATE	REVISION NOTE	BY

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	1-10-13
Project Mgr.:	File Name:

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TITLE
Figure 2079027-5 Jurisdictional Determination Map Containment Cell Expansion Sylacauga, Talladega County, Alabama

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02-28-2013
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Source: U.S.G.S.
USGS 7.5 Minute Quadrangle—Sylacauga West, ALA dated 1980
Section 8, Township 22 South, Range 3 East



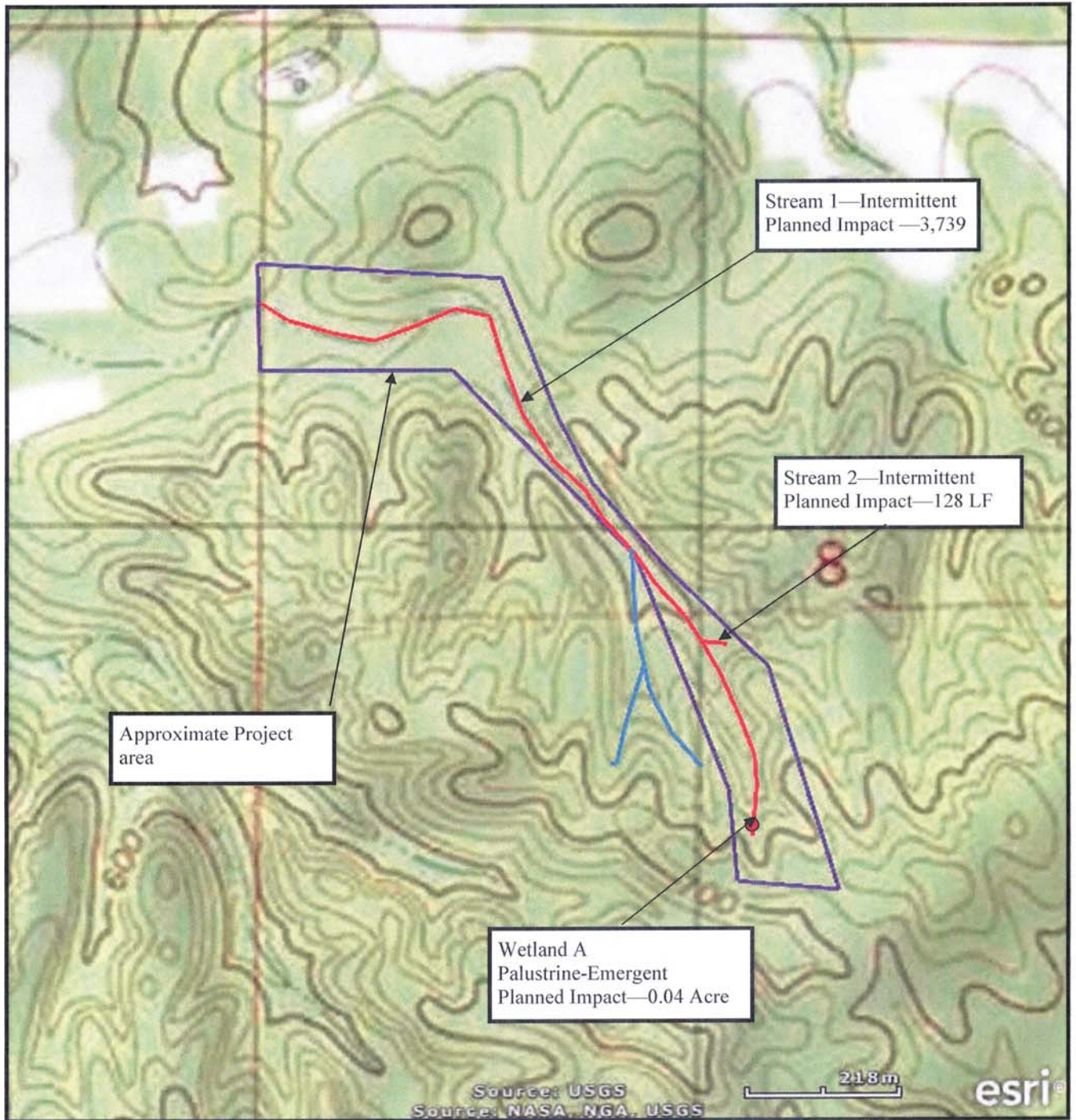
NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #:
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TITLE
Figure 2079039-6 Jurisdictional Minimization Map Containment Cell Expansion Sylacauga, Talladega County, Alabama

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02-28-2013
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Source:
USGS 7.5 Minute Quadrangle—Sylacauga West, ALA dated 1980
 Section 8, Township 22 South, Range 3 East



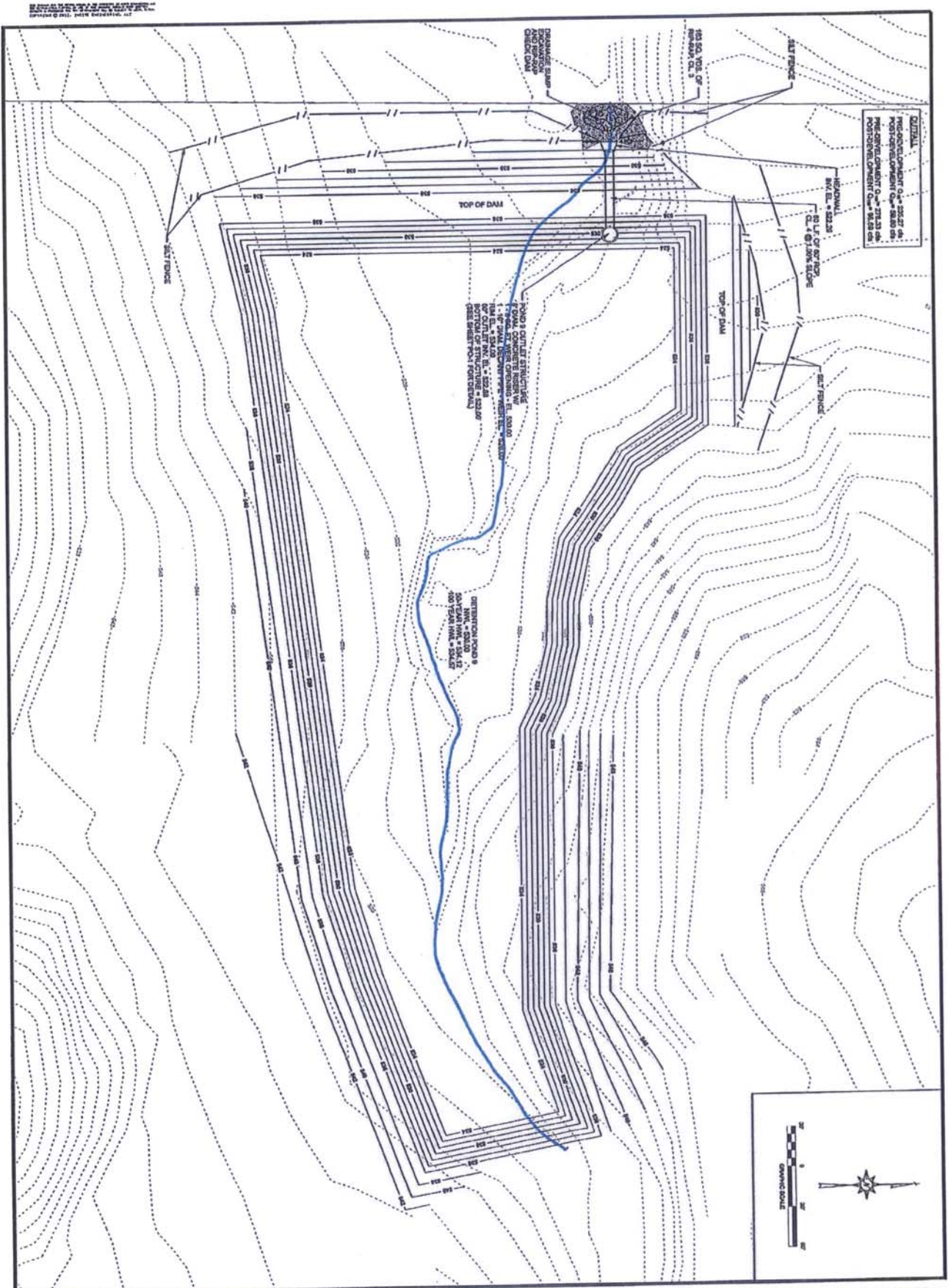
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Drawn By:	Project #:
HB	2097-039
Checked By:	Date:
	1-10-13
Project Mgr.:	File Name:

85 Spectrum Cove
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TITLE
Figure 2079039-7 Planned Impact Map Containment Cell Expansion Sylacauga, Talladega County, Alabama

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02-28-2013
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THIS SHEET CONTAINS:
 GRADING AND
 EROSION CONTROL
 PLAN

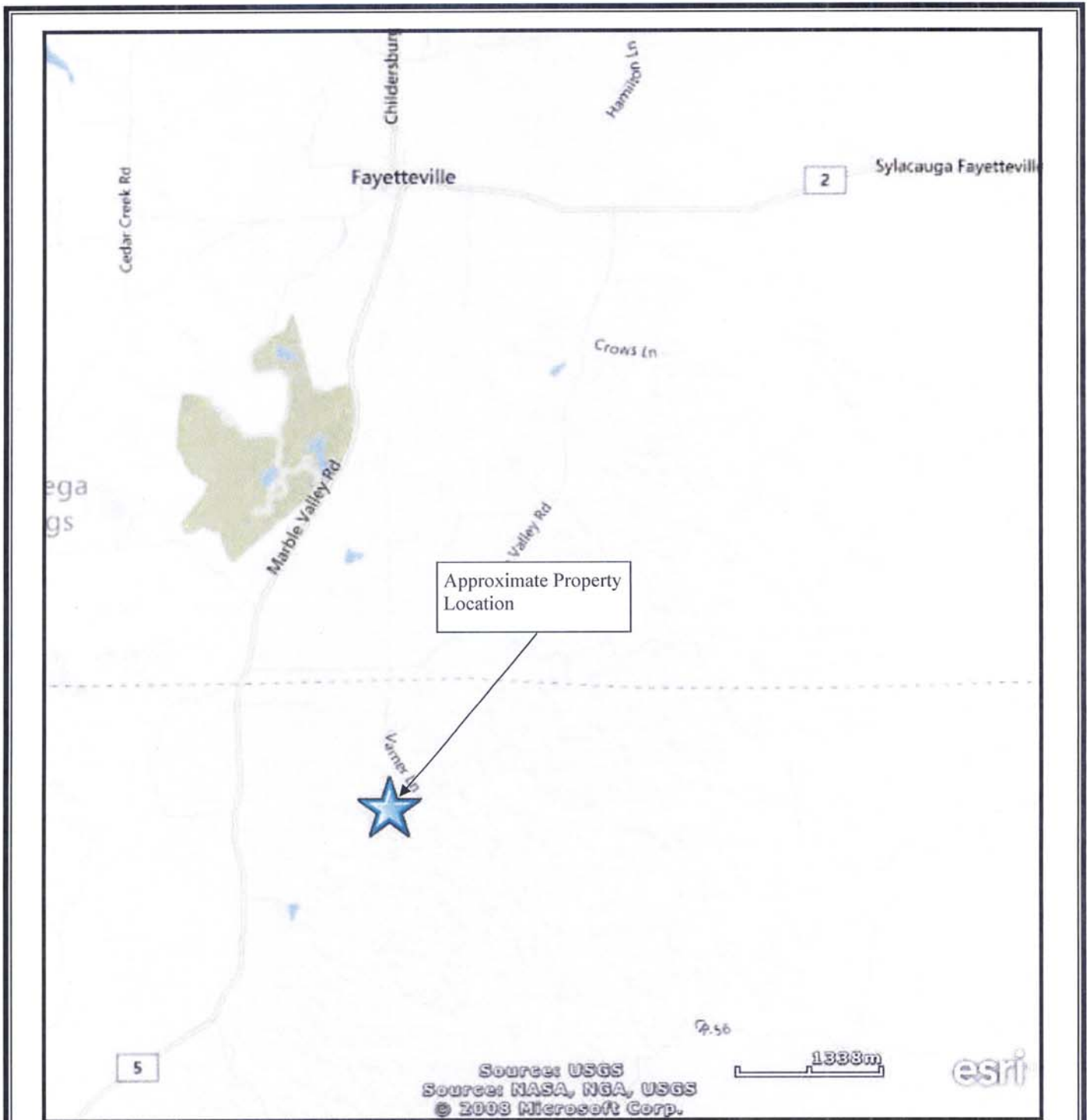
SCALE: 1" = 20'
 SHEET NO. GR-1 OF 8

ISSUED FOR CONSTRUCTION

CONSTRUCTION PLANS FOR:
OMYA POND 9
 SYLACAUGA, ALABAMA



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 02-28-2013
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Source: U.S.G.S.
Sections 5 and 6, Township 24 North, Range 17 East



NO.	DATE	REVISION NOTE	BY

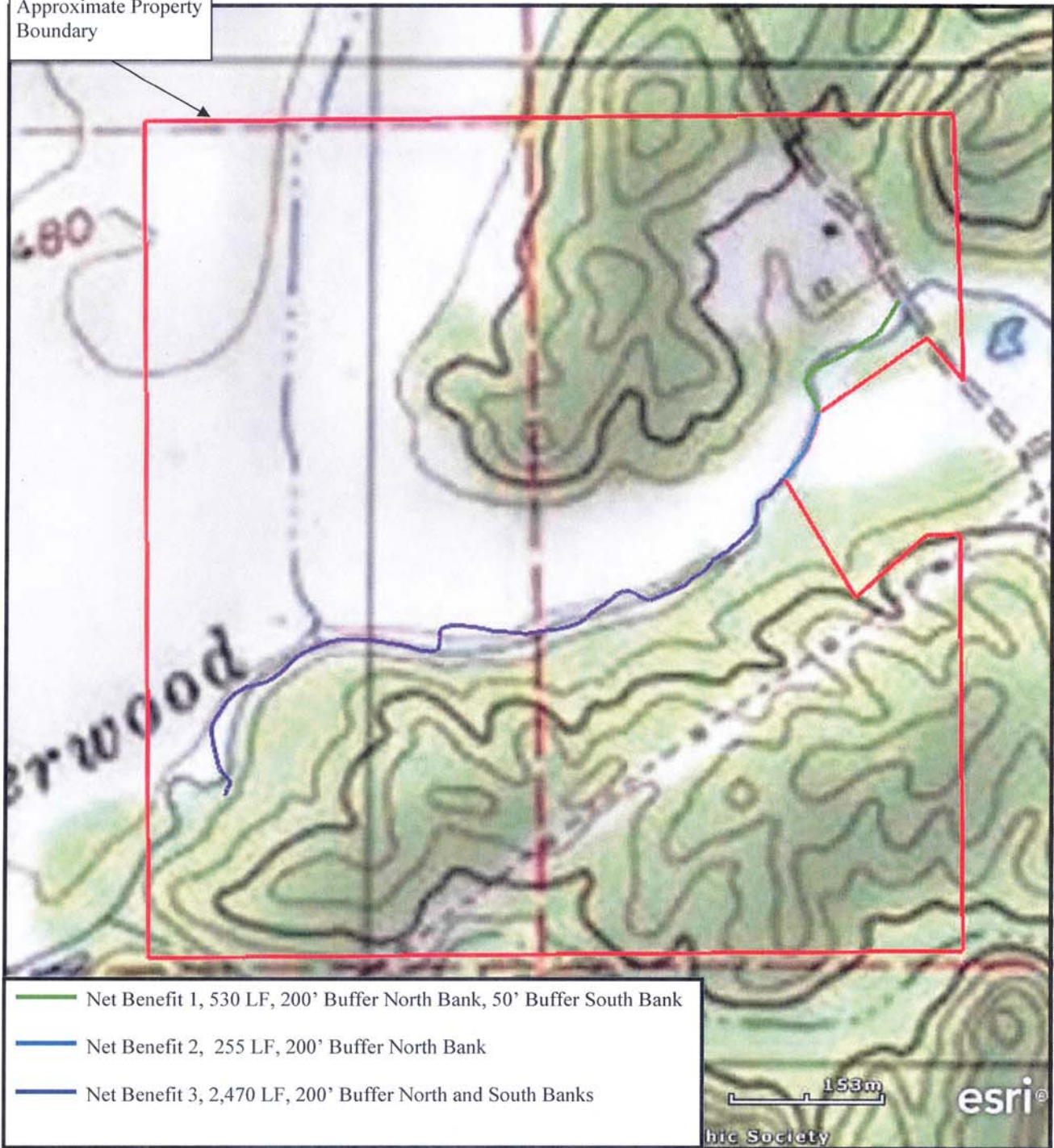
Drawn By:	Project #
HB	2079-039
Checked By:	Date:
	1-22-13
Project Mgr.:	File Name:

85 Spectrum Cove
 Alabaster, AL 35007
 FAX (205) 664-2142
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TITLE
Figure MP-1 Location Map Containment Cell Expansion Off-Site Mitigation Fayetteville, Coosa County, AL

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Approximate Property Boundary



- Net Benefit 1, 530 LF, 200' Buffer North Bank, 50' Buffer South Bank
- Net Benefit 2, 255 LF, 200' Buffer North Bank
- Net Benefit 3, 2,470 LF, 200' Buffer North and South Banks

153m
esri®
hic Society

Source: U.S.G.S. 7.5 Minute Quadrangle—Talladega Springs, ALA dated 1979

Sections 5 and 6, Township 24 North, Range 2 East



NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #:
HB	2079-039
Checked By:	Date:
	1-22-13
Project Mgr.:	File Name:

85 Spectrum Cove
Alabaster, AL 35007
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TITLE
Figure MP-3 Net Benefit Map Containment Cell Expansion Off-Site Mitigation Fayetteville, Coosa County, AL

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