



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
SAVANNAH DISTRICT  
1104 NORTH WESTOVER BOULEVARD, UNIT 9  
ALBANY, GEORGIA 31707

June 13, 2018

Regulatory Branch  
SAS-2015-00373

**JOINT PUBLIC NOTICE**  
**Savannah District/State of Georgia**

The Savannah 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), as follows:

Application Number: SAS-2015-00373

Applicant: Mr. Rick Shuffield, Vice President Real Estate and Development  
Love's Travel Stops and Country Stores, Inc.  
10601 North Pennsylvania Avenue  
Oklahoma City, Oklahoma 73120

Agent: Mr. Stuart F. Sligh  
Sligh Environmental Consultants, Inc.  
31 Park of Commerce Way, Suite 200B  
Savannah, Georgia 31405

Location of Proposed Work: The 20.84 acre site is located in the northwest quadrant of the intersection of U.S. Highway 280 and Interstate 16, in Bryan County, Georgia (Latitude 32.1824, Longitude -81.4589). The aquatic resources within the project site are hydrologically connected to Miles Branch, which outfalls into the Ogeechee River, a Traditional Navigable Waterway.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The applicant proposes the development of a Loves Travel Stop with associated services, truck parking area and infrastructure. The proposed wetland impacts are associated with fill to create a berm for a dry detention pond impacting 1.01 acre of wetland, recurrently flooding 1.15 acre of wetland within the dry detention pond associated with storm events, excavation of 0.4 acre of wetland for a drainage swale and sediment basin within the dry detention pond, and 0.1 acre of fill for a signage access road. As compensatory mitigation for the project related aquatic resource impacts, the applicant is proposing to purchase 11 wetland mitigation credits from a U.S. Army Corps of Engineers approved mitigation bank that services the Ogeechee Watershed.

## **BACKGROUND**

By letter dated May 31, 2016, the Corps verified a delineation for the project area. By letter dated June 27, 2016, the Corps verified an after-the-fact Nationwide Permit 32 for impacts to 1.21 acre of wetland that were completed by a previous property owner. As compensatory mitigation for these impacts, 3 wetland credits were purchased from the Black Creek Mitigation Bank on April 26, 2016.

This Joint Public Notice announces a request for authorizations from both the U.S. Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

## **STATE OF GEORGIA**

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required for a Federal Permit to conduct activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Watershed Protection Branch, 2 MLK Jr. Drive, Suite 418, Atlanta, Georgia 30334, during regular office hours. A copier machine is available for public use at a charge of 10 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can be reviewed in the Savannah District, U.S. Army Corps of Engineers, Regulatory Branch, 1104 North Westover Boulevard, Unit 9, Albany, Georgia 31707.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or other appropriate instrument.

Georgia Coastal Management Program: Prior to the Savannah District Corps of Engineers making a final permit decision on this application, the project must be certified by the Georgia Department of Natural Resources, Coastal Resources Division, to be consistent with applicable provisions of the State of Georgia Coastal Management Program (15 C.F.R. § 930). Anyone wishing to comment on Coastal Management Program certification of this project should submit comments in writing within 30 days of the date of this notice to the Federal Consistency Coordinator, Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, One Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

## U.S. ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: As part of the application the applicant stated, "A review of the SHPO inventory of listed sites for this property, there is nothing known to occur on this site. Based on our observation of the property, there are no structures or features which would indicate the potential for a cultural resource. It is our opinion that the site contains no known cultural resources sites associated with the listing of eligible properties."

Review of the latest published version of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion are located at the site or in the area affected by the proposed work. Presently unknown archaeological, scientific, prehistorical or historical data may be located at the site and could be affected by the proposed work. No cultural resources report was provided with the application.

Endangered Species: As part of the application the applicant stated, "A survey for federally protected species and habitats was conducted to identify any potential impacts associated with the proposed project. The Rare Species Profiles on the Georgia Department of Natural Resources GDN website were consulted to determine suitable habitats for protected species within Bryan County. Additionally, the USFWS Information, Planning, and Conservation (IPaC) System was consulted to determine the potential impacts of the proposed project on federally listed species. Pursuant to the Endangered Species Act of 1973, the applicant completed a threatened and endangered species survey within the proposed project area where plant communities and habitats were observed and noted to determine if they match the habitat types where the listed species have potential to occur. The on-site habitats consist of mowed and maintained upland and wetland pasture land, and some forested upland within the northern most portion of the project. The project area is located within a developed area of Bryan County, and the habitats on-site are common for the Coastal Plain of Georgia. Neither the landscaped portion of the site nor the habitats on-site are conducive to support any of the listed species for Bryan County. Due to the lack of suitable habitat and because no listed species were observed during the survey, it was concluded that the activities associated with the proposed project are not expected to impact any individual or population of a listed threatened or endangered species."

Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 et seq.), we request information from the U.S. Department of the Interior, Fish and Wildlife Service, the U.S. Department of Commerce, National Oceanic

and Atmospheric Administration, National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area.

Public Interest Review: 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, historic properties, 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 and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The U.S. Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American 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 U.S. Army Corps of Engineers 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.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Mr. Terry C. Kobs, 1104 North Westover Boulevard, Unit 9, Albany, Georgia 31707, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Mr. Terry C. Kobs, Project Manager, Coastal Field Office at (229) 430-8567.

\*\*Encls – 4

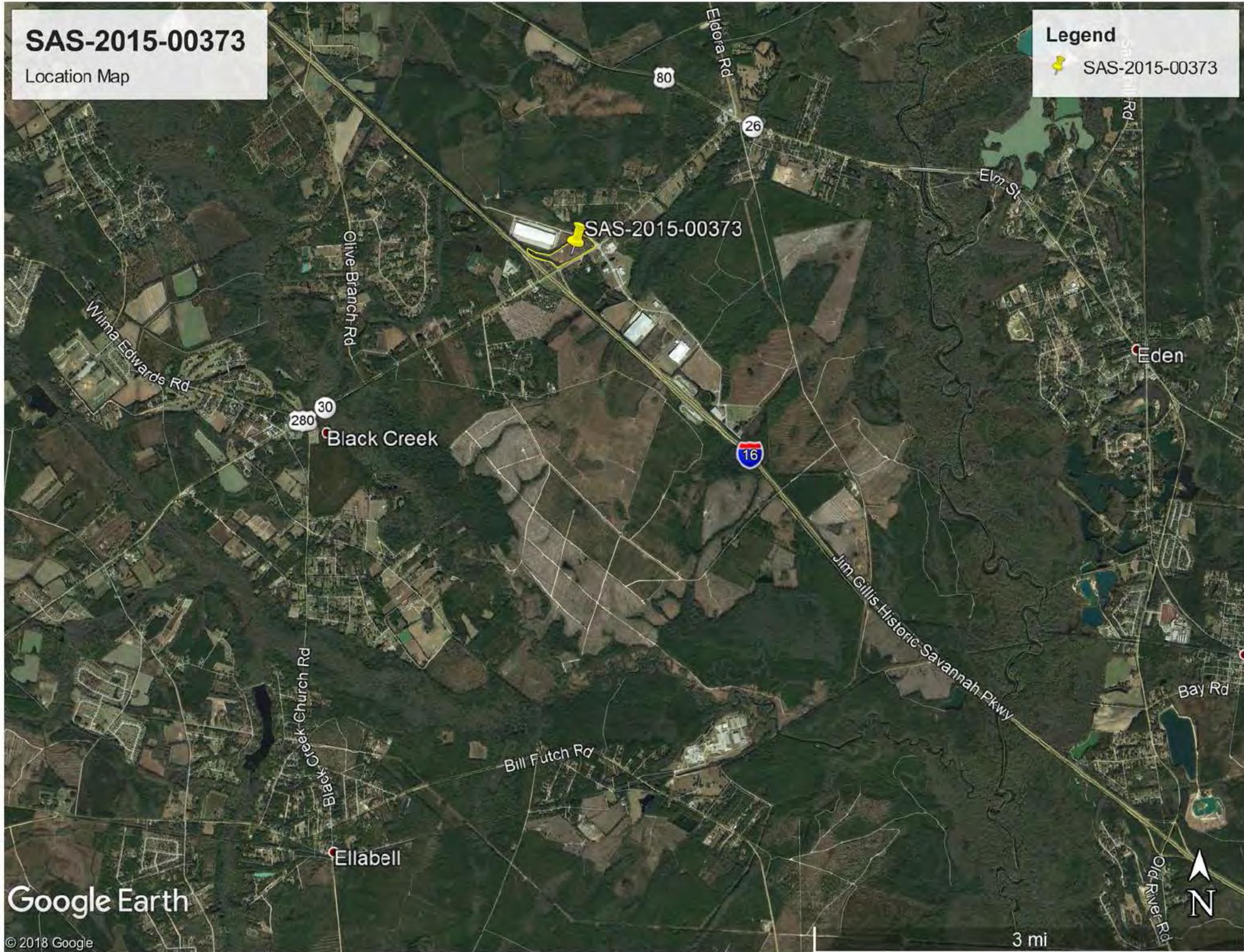
1. Location Map
2. Wetland Impact Exhibit W1, W2, and W3

SAS-2015-00373

Location Map

Legend

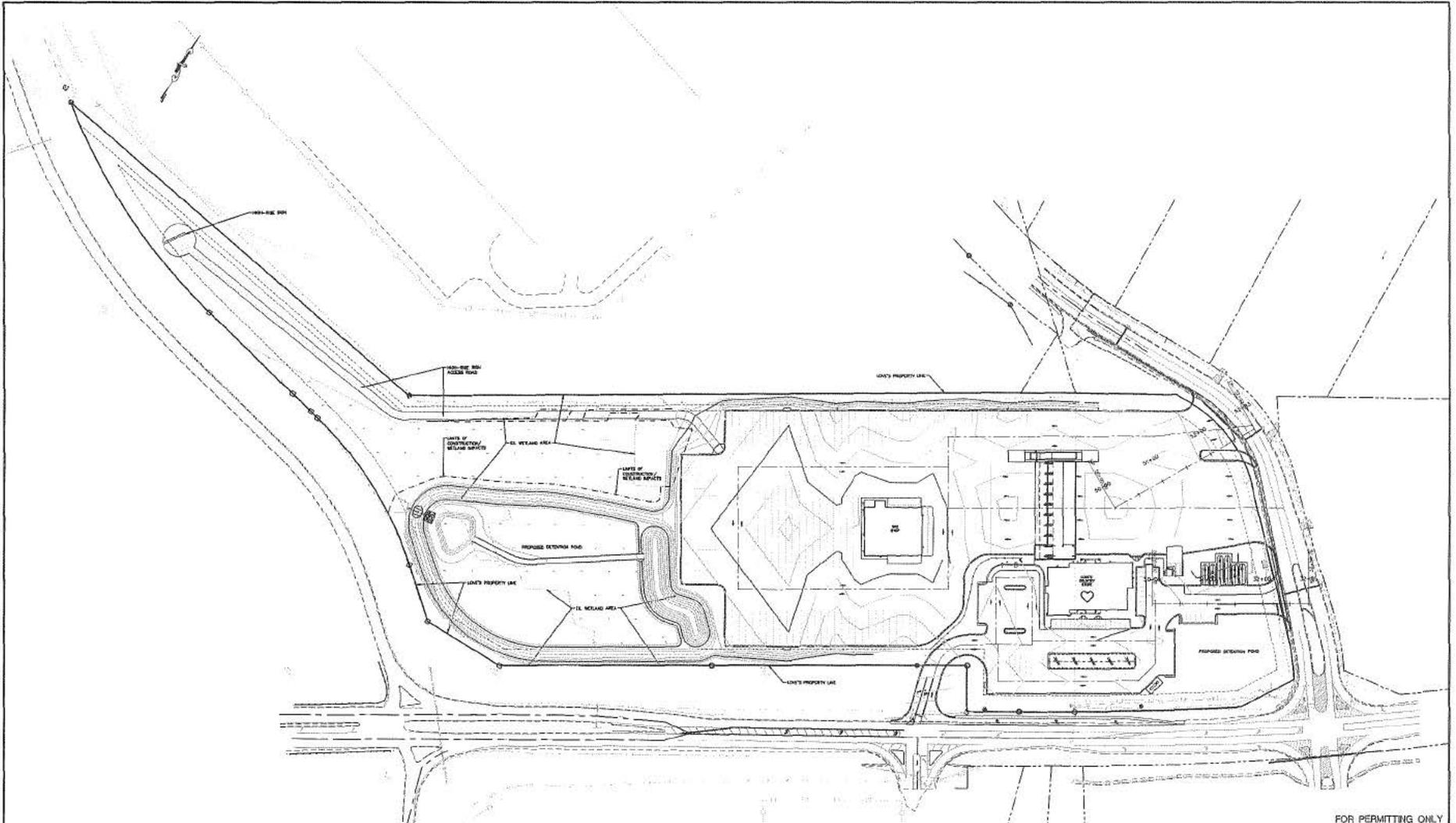
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Google Earth

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FOR PERMITTING ONLY

Chipola Engineering Group, Inc.



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CONSTRUCTION SERVICES  
4420 JACKSON STREET, MARIANNA, FL 32448  
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FAX (850) 372-0251

DRAWN BY: JDR  
CHECKED BY: SAP  
DESIGNED BY: JDR  
SCALE: 1"=80'

REVISIONS	
DESCRIPTION	DATE

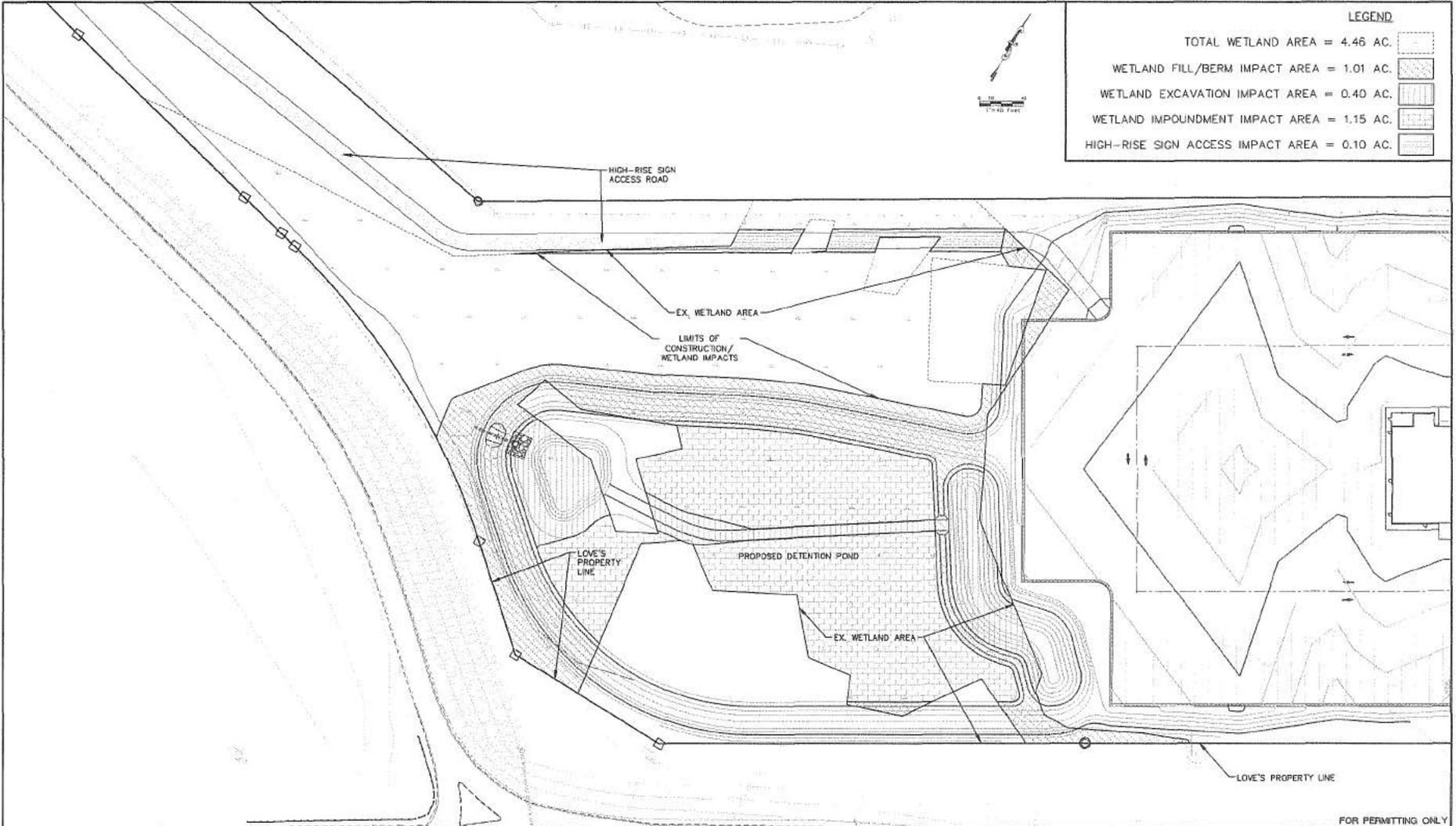
CLIENT: LOVE'S TRAVEL STOPS & COUNTRY STORES

PROJECT: BRYAN COUNTY, GA

SHEET TITLE: WETLAND IMPACT EXHIBIT

PROJ. NO.: 2017008-00

SHEET NO.: W1



**LEGEND**

TOTAL WETLAND AREA = 4.46 AC.	
WETLAND FILL/BERM IMPACT AREA = 1.01 AC.	
WETLAND EXCAVATION IMPACT AREA = 0.40 AC.	
WETLAND IMPOUNDMENT IMPACT AREA = 1.15 AC.	
HIGH-RISE SIGN ACCESS IMPACT AREA = 0.10 AC.	

**Chipola Engineering Group, Inc.**

CIVIL ENGINEERING, DESIGN, PLANNING,  
 ENVIRONMENTAL PERMITTING &  
 CONSTRUCTION SERVICES  
 4420 JACKSON STREET, MARIANNA, FL 32448  
 PHONE (904) 372-4000  
 FAX LICENSE NO. P17000511

DRAWN BY:	JDR	DATE:	3/28/18
CHECKED BY:	SAP	DATE:	3/28/18
DESIGNED BY:	JDR	CAD NAME:	2017005-CP
SCALE:	1"=40'	PLT DATE:	5/15/18

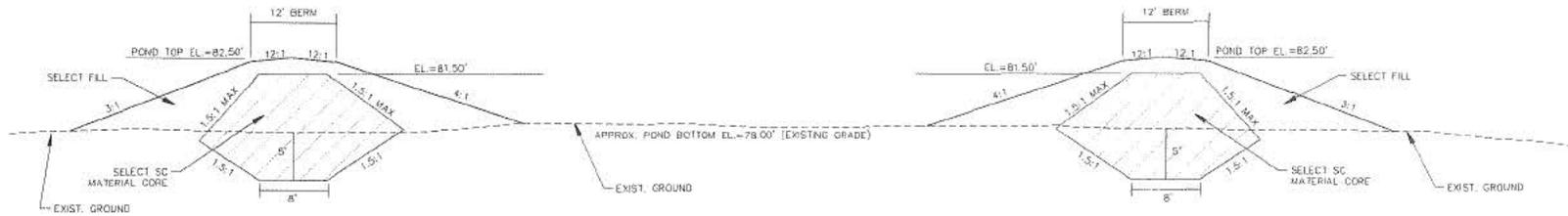
REVISIONS	
DESCRIPTION	DATE

CLIENT:	LOVE'S TRAVEL STOPS & COUNTRY STORES
PROJECT:	BRYAN COUNTY, GA

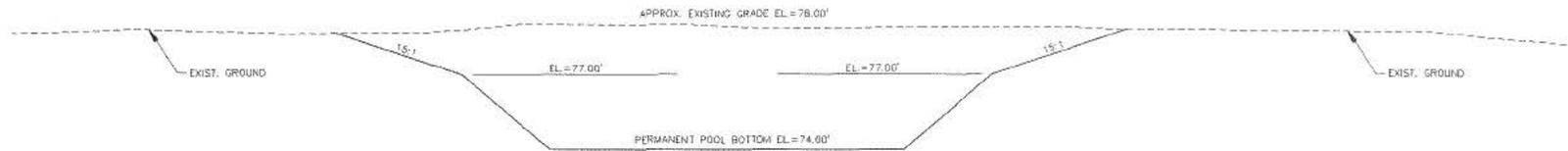
SHEET TITLE:	WETLAND IMPACT EXHIBIT
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FOR PERMITTING ONLY

PROJ. NO.:	2017005.00
SHEET NO.:	W2



DETENTION POND BERM/FILL  
AREA TYPICAL SECTION  
N.T.S.



DETENTION POND PERMANENT  
POOL/EXCAVATION TYPICAL SECTION  
N.T.S.

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DRAWN BY	JDR	DATE	3/28/18
DESIGNED BY	SAP	DATE	3/28/18
DESIGNED BY	JDR	CAD NAME	2017008-DP
SCALE	1"=40'	PLDT DATE	5/15/18

REVISIONS	
DESCRIPTION	INT. DATE

CLIENT: LOVE'S TRAVEL STOPS & COUNTRY STORES

PROJECT: BRYAN COUNTY, GA

SHEET TITLE: WETLAND IMPACT TYPICAL SECTIONS

PROJ. NO. 1	2017006.00
SHEET NO.	W3