



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GEORGIA 30260-1777

JANUARY 06 2012

Regulatory Division
SAS-2012-00023

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-2012-00023

Applicant: Georgia Department of Transportation
Office of Environmental Services
One Georgia Center, 16th Floor
600 W. Peachtree Street, NW
Atlanta, GA, 30308-3607

Location of Proposed Work: The project site is located on new location beginning near the intersection of State Route 11/US Highway 129 with Hope Road, south to Cleveland, and ending just north of Cleveland at SR 75 in White County, Georgia (Latitude 34.5989, Longitude -83.769312). The site is in the Upper Chattahoochee Watershed (Hydrologic Unit Code 03130001).

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: The applicant proposes to discharge fill material into waters of the United States during the construction of a 4.6 mile bypass highway to the west of the City of Cleveland to increase the capacity of the highway system and reduce traffic congestion within the City. Projected future traffic volumes for the bypass are predicted as 11,500 to 16,000 vehicles per day (vpd) in the year 2032. The distribution of traffic movements via the bypass would reduce the need to increase capacity of SR 11, SR 75, and SR 115 in the central business district. Construction of the bypass is expected to reduce traffic volumes in the downtown area from 21,000 vpd to 13,000 vpd.

The project would construct four 12-foot travel lanes with either a 20-foot raised median or a 44-foot grassed median with the right-of-way varying from 150 to 600 feet. The project also includes widening of several crossroads at their junctions with the new highway.

The bypass project would permanently impact 2,463 feet of perennial stream and 1,817 feet of intermittent stream over 17 locations on 10 different streams. In addition, 30 feet of perennial stream would be temporarily impacted. To mitigate for these impacts the applicant proposes to

purchase 26,163 stream credits from the Jenny Creek, Wauka Mountain, Wakua Mountain II, Demorest Lake, and/or Seven Branches Farms mitigation banks.

During construction, storm water will be captured in ditches and collected in storm water basins and sediment will be contained with silt fencing placed throughout the corridor.

BACKGROUND

This Joint Public Notice announces a request for authorizations from both the US 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, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 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, US Army Corps of Engineers, Regulatory Division, 1590 Adamson Parkway, Suite 200 Morrow, Georgia 30260-1777.

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.

US 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: 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.

Endangered Species: The US Fish and Wildlife Service has identified only one Federally listed endangered species, *Torreya taxifolia* (Florida torreya), as occurring in White County and one Federally listed endangered species, *Hamiota subangulata* (shiny-rayed packetbook mussel), as occurring with the upper Chattahoochee River watershed. Based on surveys conducted by the applicant in October 2011, the project would have no effect on these species. The applicant also surveyed for the Georgia aster, a Federal candidate species. No plants were observed, but some marginally suitable habitat for the species was located near the project corridor. 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 US Department of the Interior, Fish and Wildlife Service, the US Department of Commerce, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area.

Migratory Birds: During surveys in 2006 the applicant observed swallow nests in a drainage structure at Steam 5a, however, additional nests have not been observed in subsequent inspections. The applicant proposes to not conduct demolition or reconstruction of this structure during the swallow nesting season. In addition, the existing box culvert on Stream 9a would either have an exclusion device installed before the nesting season or there would be no conduct demolition or reconstruction of this structure during the swallow nesting season

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 US 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 US 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.

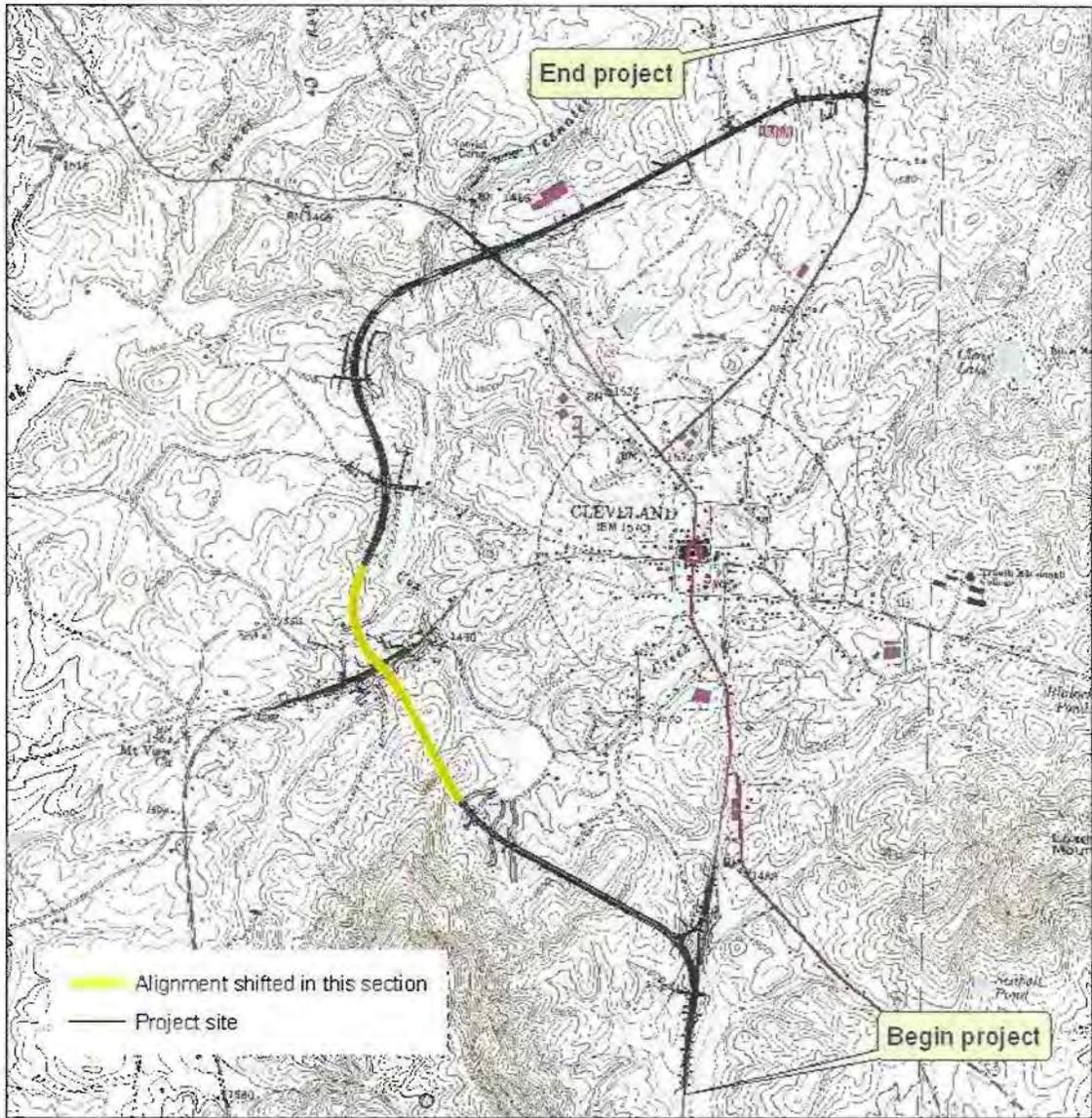
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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, US Army Corps of Engineers, Savannah District, Attention: Mary E. Dills, 1590 Adamson Parkway, Suite 200 Morrow, Georgia 30260-1777, 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.

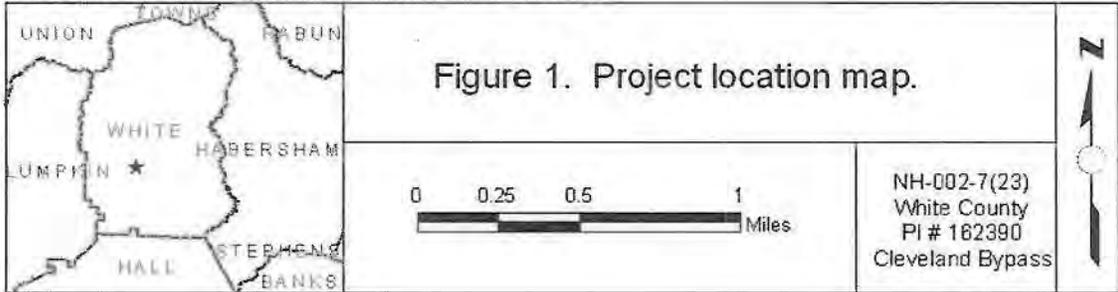
If you have any further questions concerning this matter, please contact Mary E. Dills, Project Manager, Piedmont Branch at 678-422-2727.

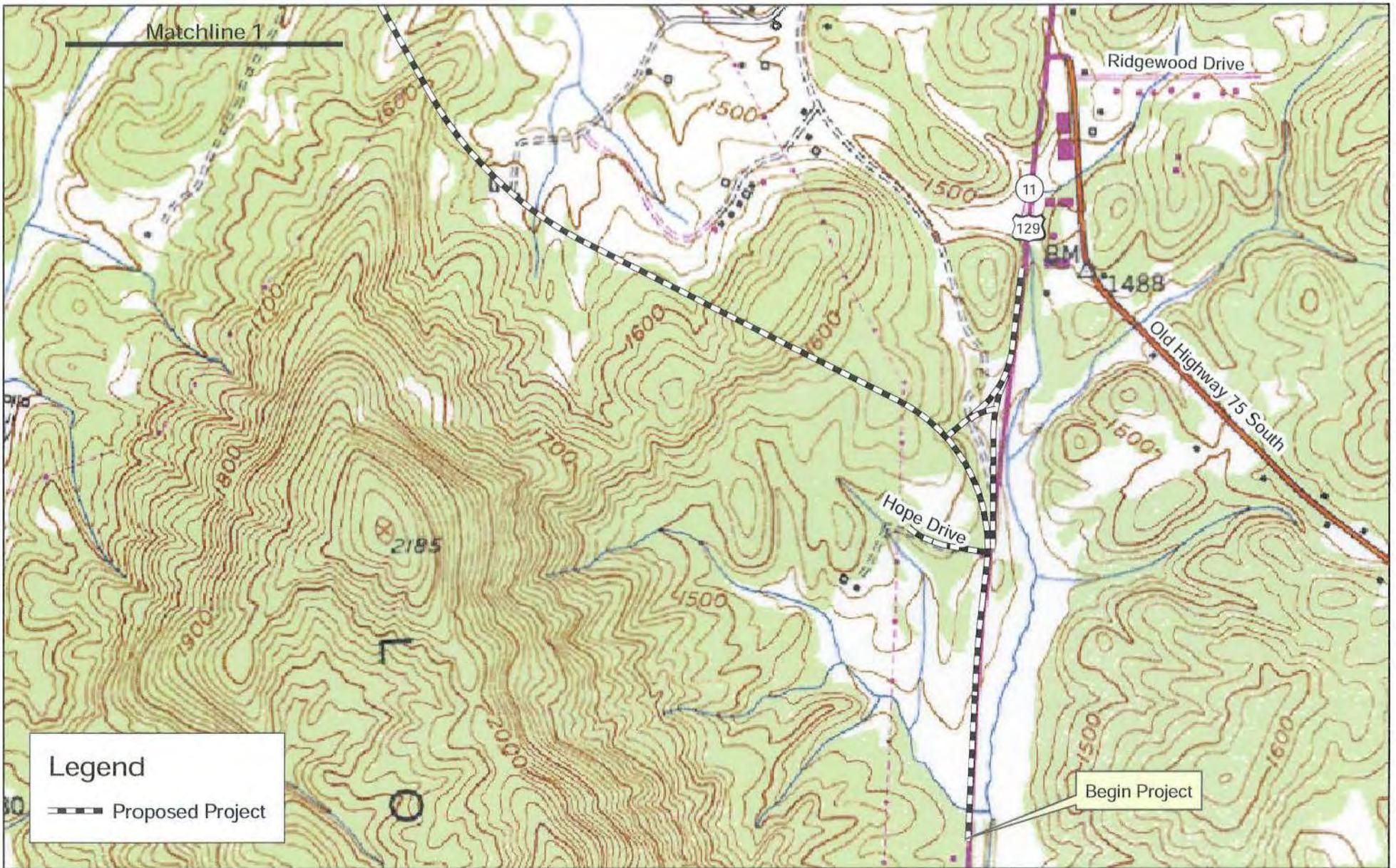
Enclosures

1. General Location Map
2. Detailed Location Map
3. Location of Waters of the US to be Impacted
4. Stream Summary Table



Source: USGS 7.5 min topographic quad map: Cleveland and Leaf, GA





Location Map - Topographic
 West Cleveland Bypass From South of Hope Drive to North of SR 115
 NH000-0002-07(023), P.I. No.: 162390
 White County, Georgia

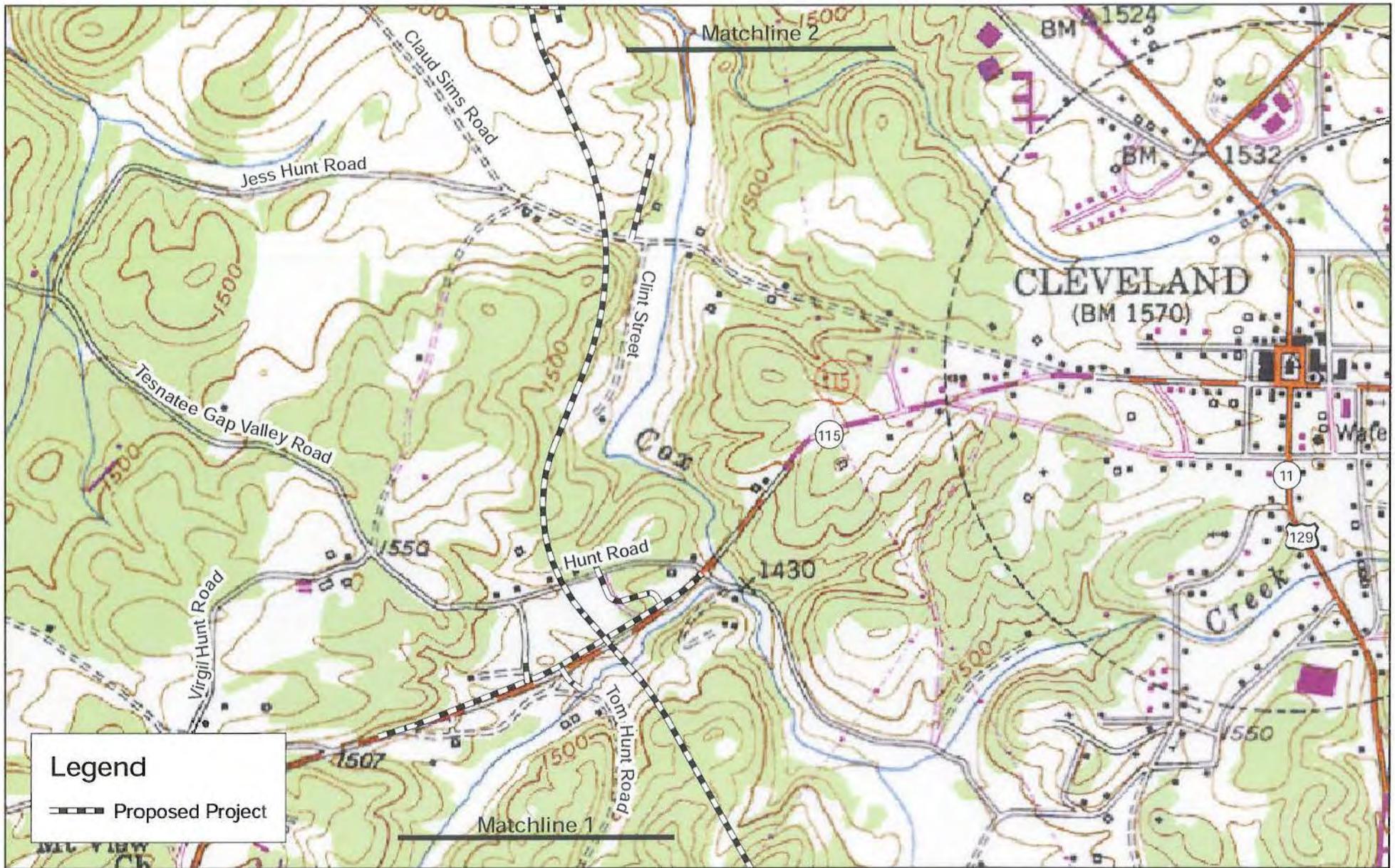
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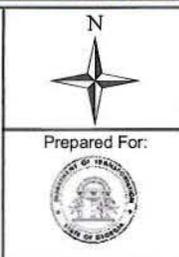
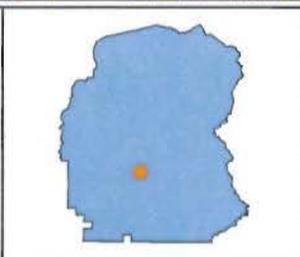
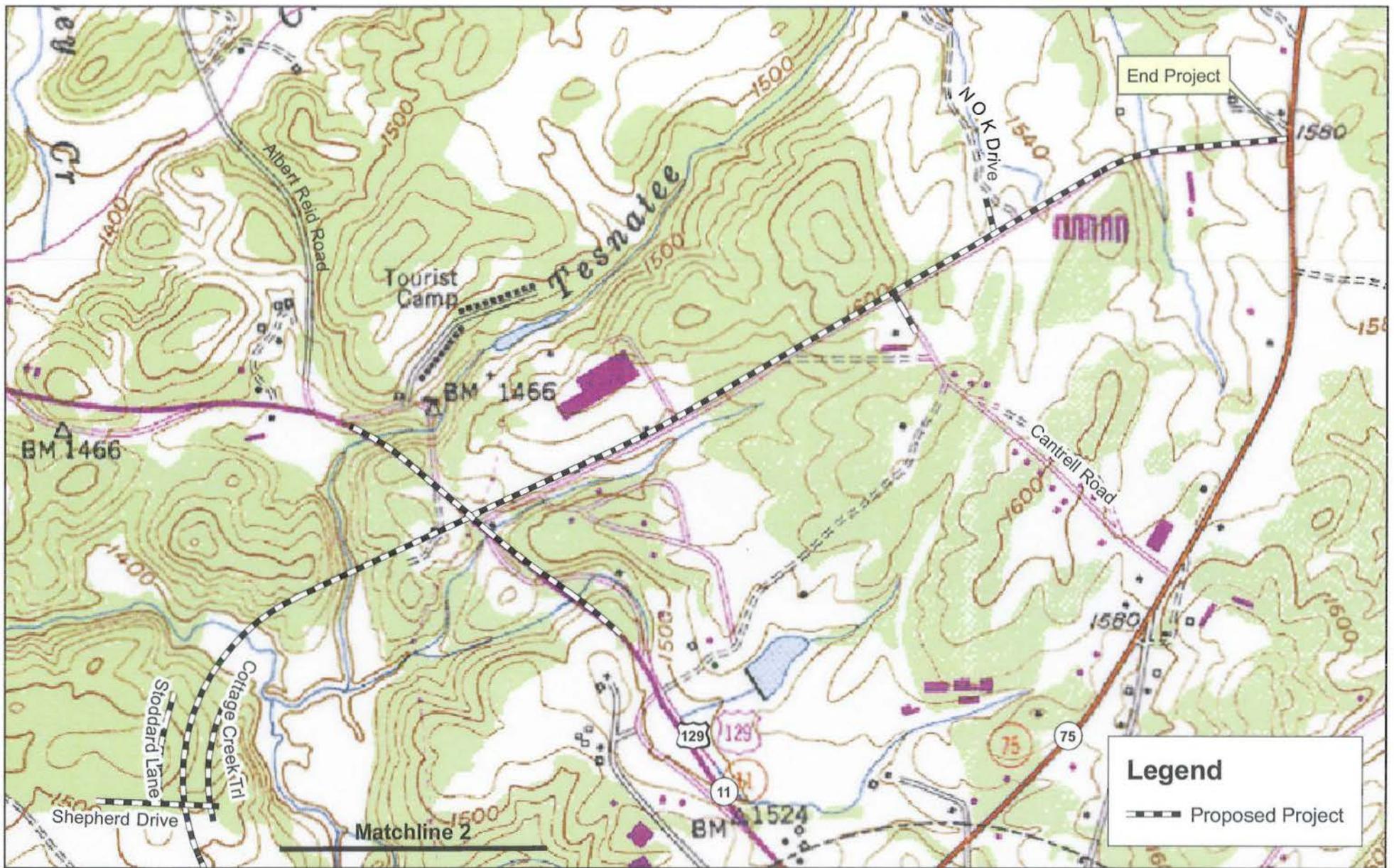
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U.S. Geological Survey: Cleveland 7.5-minute Topographic Quadrangle

Figure No.
1a



		<p>N</p> <p>Prepared For:</p>	<p>Location Map - Topographic West Cleveland Bypass From South of Hope Drive to North of SR 115 NH000-0002-07(023), P.I. No.: 162390 White County, Georgia</p> <p>0 500 1,000 2,000 3,000 4,000 Feet</p> <p>U.S. Geological Survey: Cleveland 7.5-minute Topographic Quadrangle</p>	<p>Figure No.</p> <p>1b</p>
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Location Map - Topographic
 West Cleveland Bypass From South of Hope Drive to North of SR 115
 NH000-0002-07(023), P.I. No.: 162390
 White County, Georgia

Prepared For:

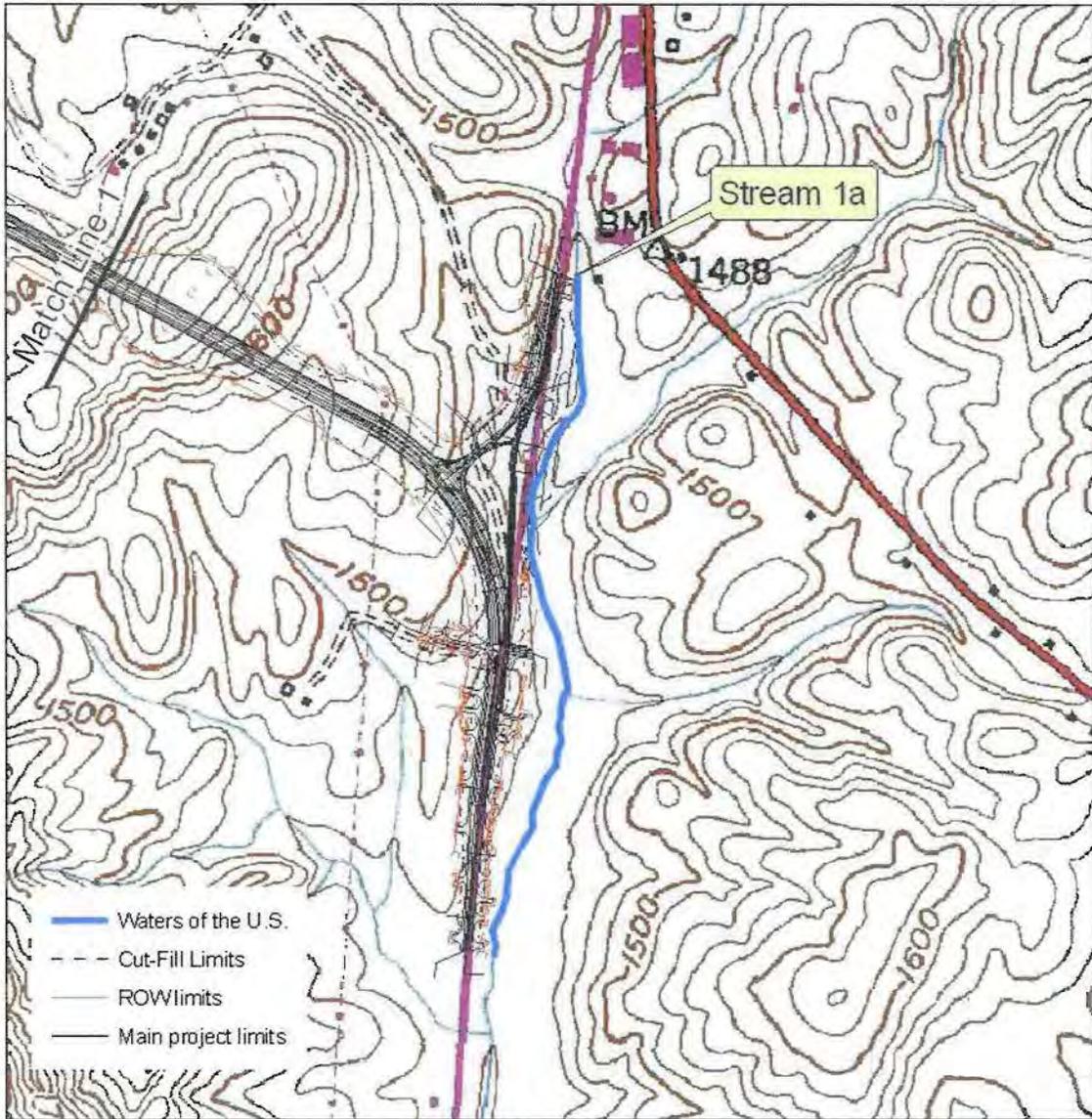
0 500 1,000 2,000 3,000 4,000 Feet

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U.S. Geological Survey: Cleveland 7.5-minute Topographic Quadrangle

Figure No.

1c



Source: USGS 7.5 min topographic quad map: Cleveland, GA

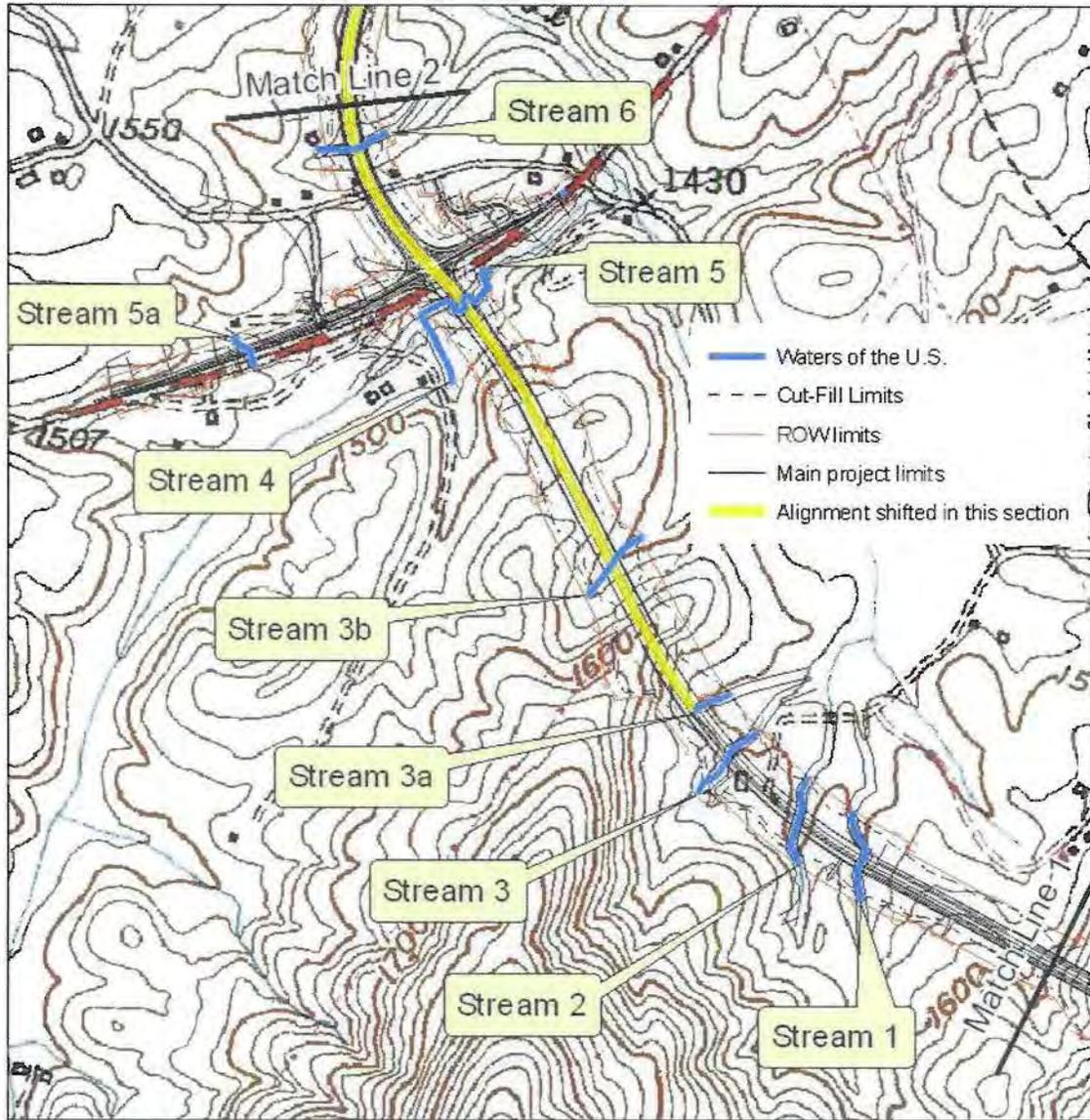


Figure 2a. Water of the U.S. 1a.

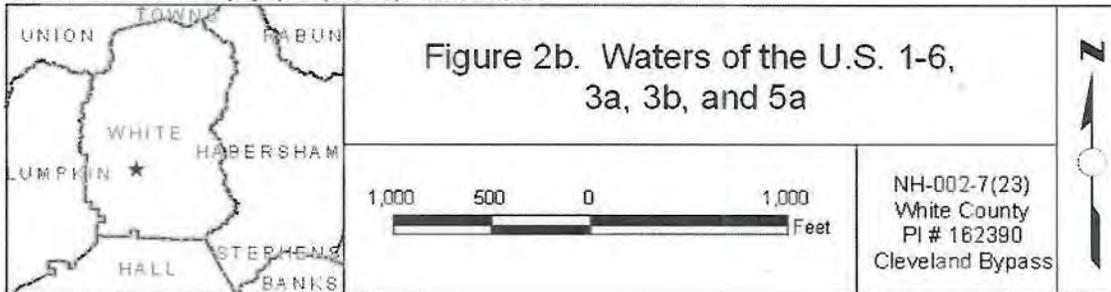


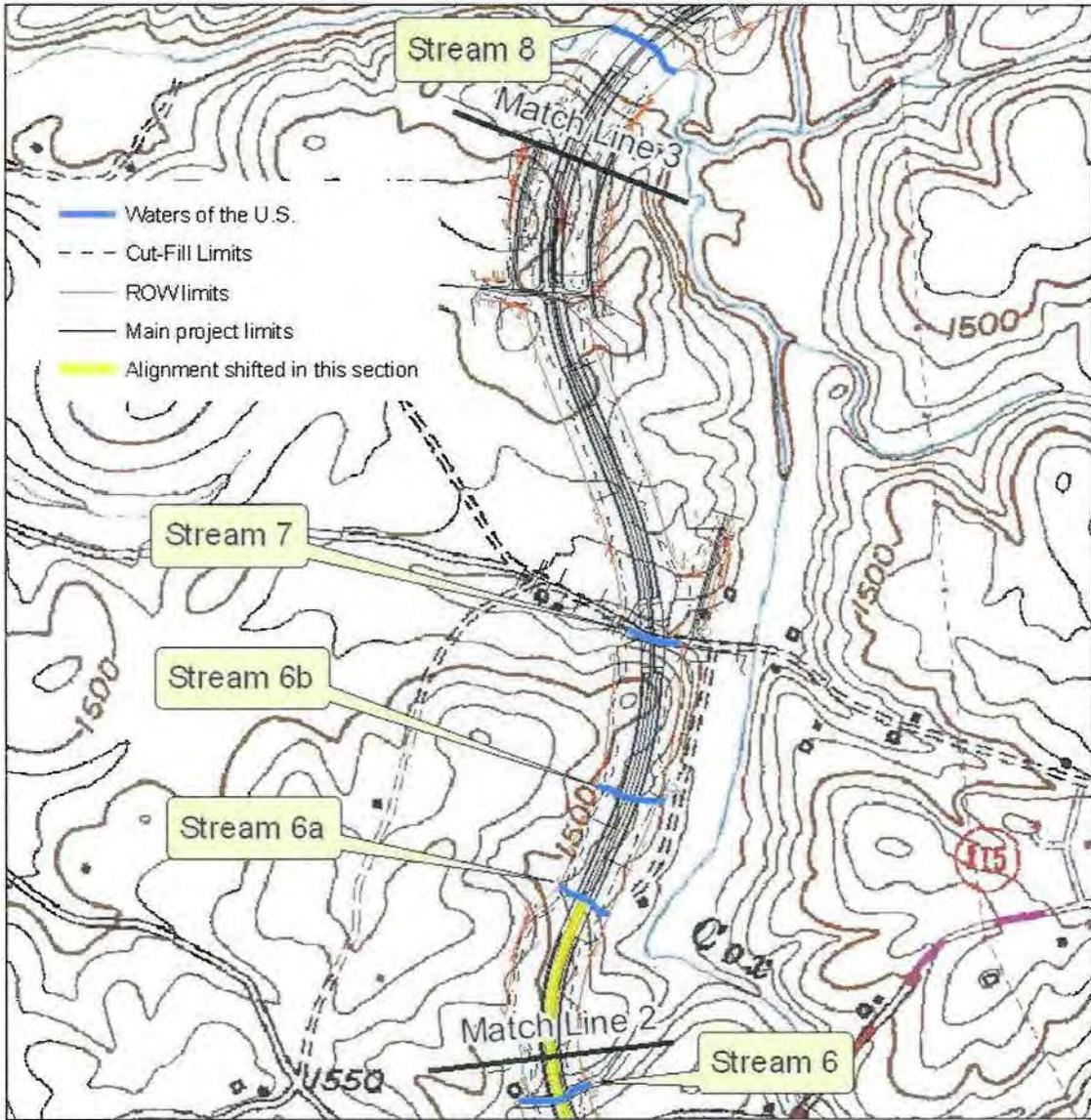
NH-002-7(23)
 White County
 PI # 162390
 Cleveland Bypass



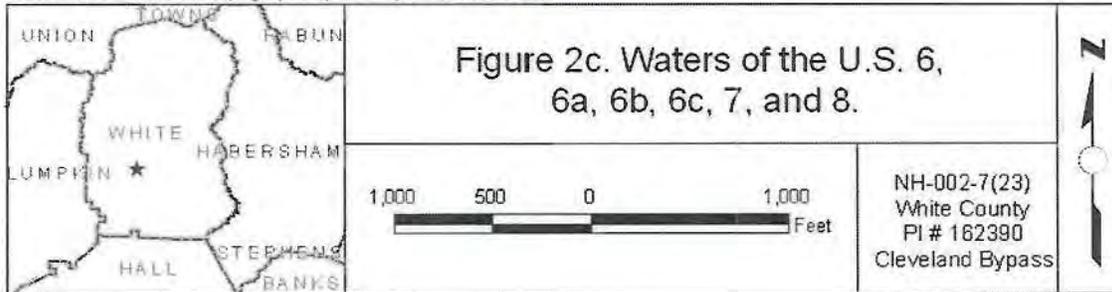


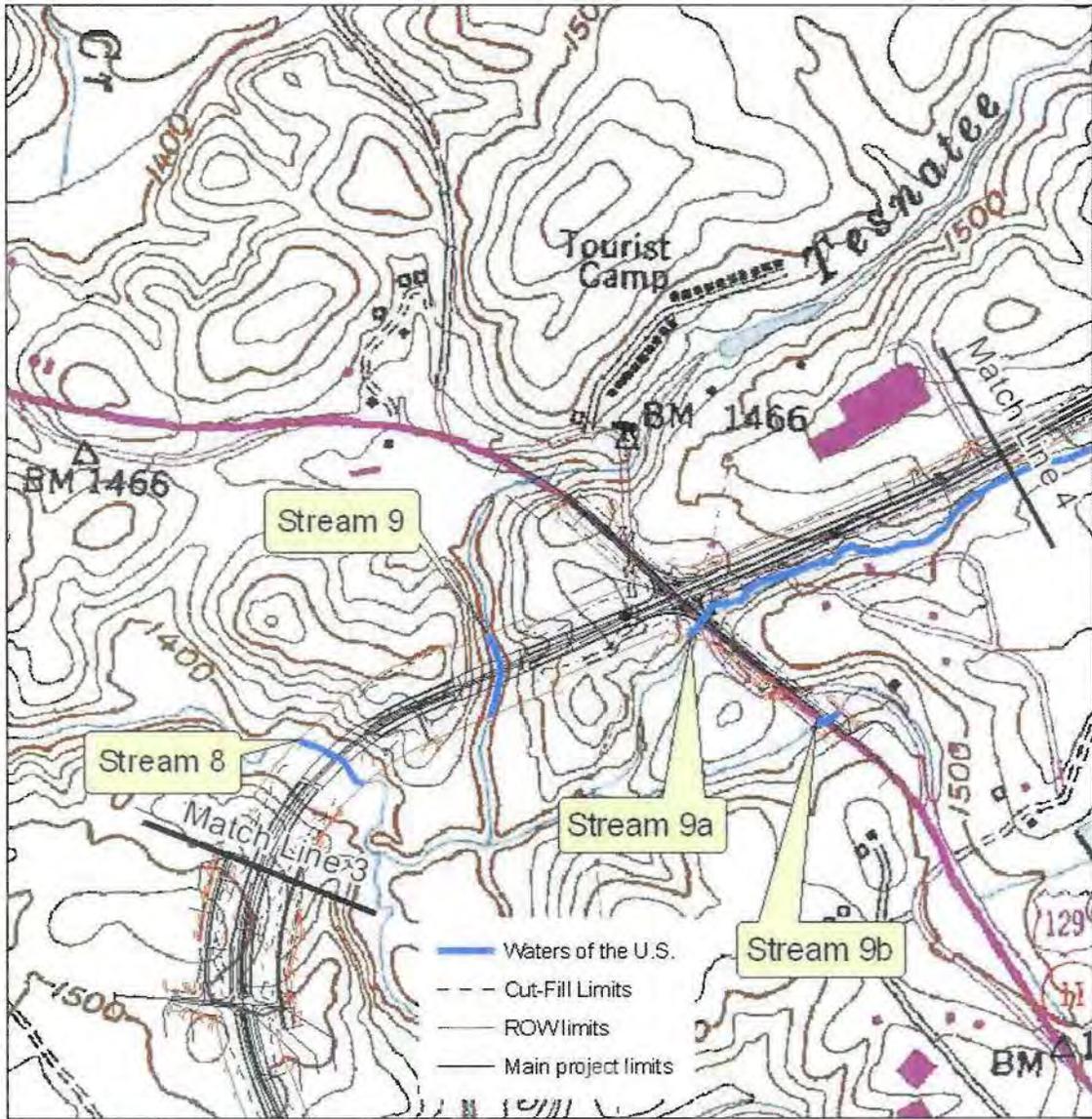
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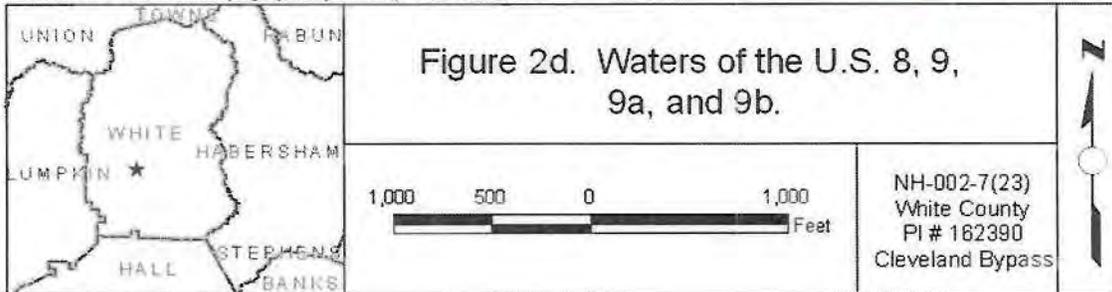


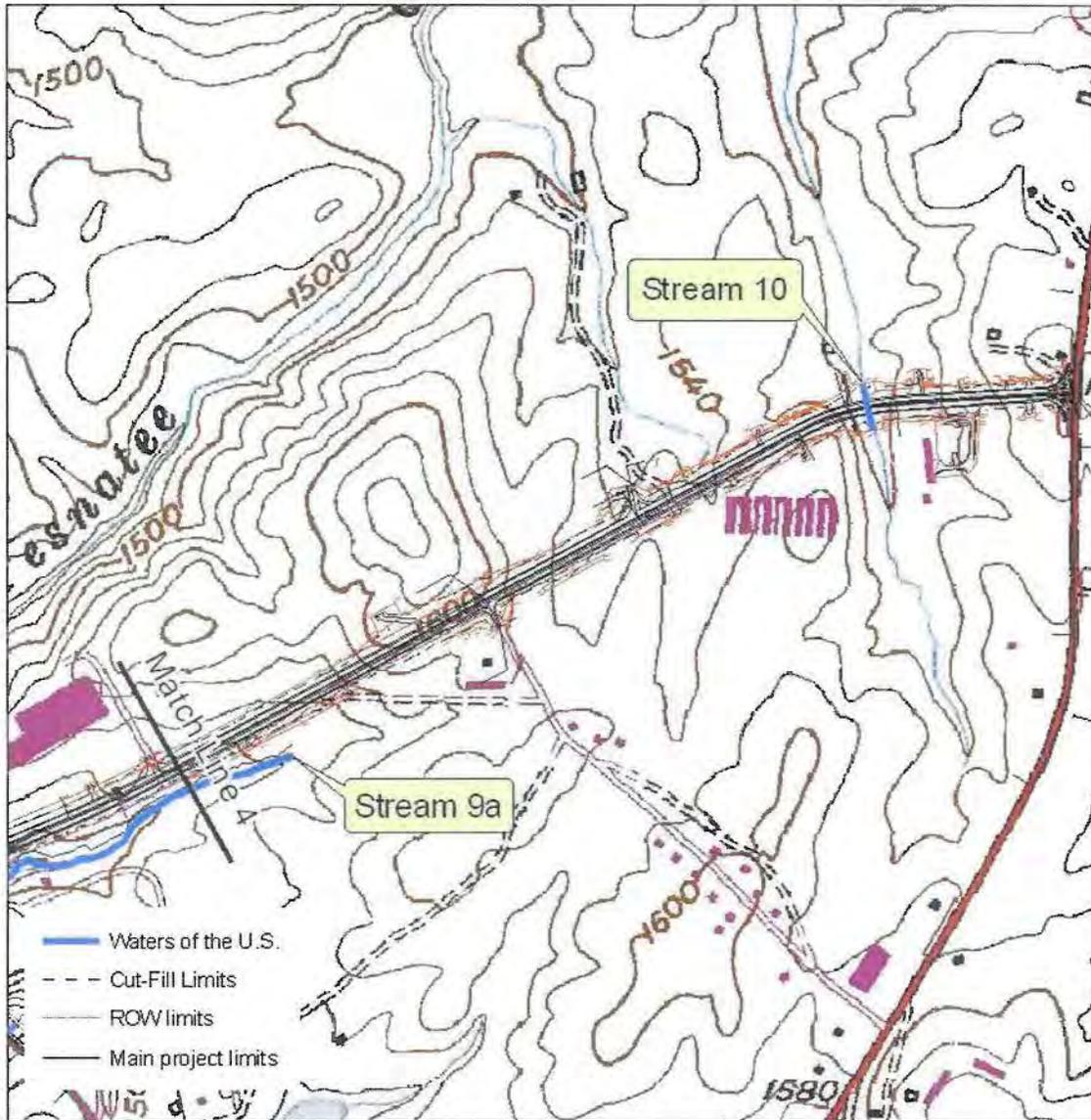
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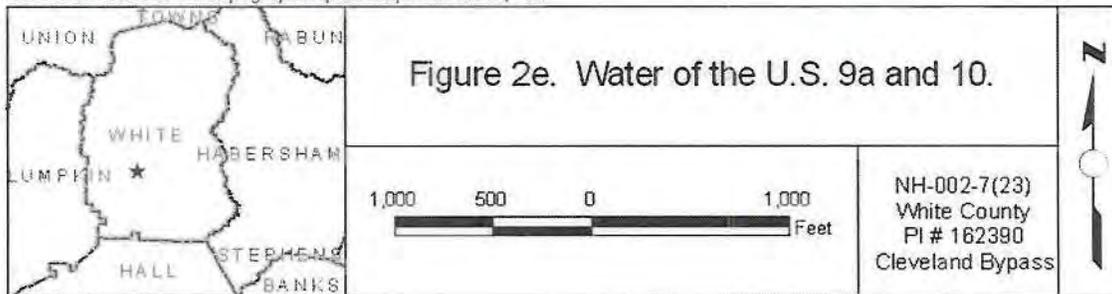


TABLE 1: STREAM SUMMARY TABLE WITH IMPACTS

Stream No. (S0)	Stream Name	Type	HUC-8	Latitude Longitude	Habitat for Protected Species	Buffer Required	Permanent Impact LF (acre)	Temporary Impact LF (acre)
Jurisdictional Streams								
1	UT to Cox Creek	Perennial	03130001	34°34'59.4"N 83°46'22.7"W	None	Y	547 (0.05)	0 (0)
1a	Mossy Creek	Perennial	03130001	34°34'43.3"N 83°45'43.2"W	None	Y	50 (0.02)	0 (0)
1aa	UT to Mossy Creek	Intermittent	03130001	34°34'47.3"N 83°45'42.7"W	None	Y	0 (0)	0 (0)
1ab	UT to Mossy Creek	Perennial	03130001	34°34'42.5"N 83°45'43.1"W	None	Y	0 (0)	0 (0)
1b	UT to Mossy Creek	Perennial	03130001	34°34'16.2"N 83°45'46.7"W	None	Y	0 (0)	0 (0)
1ba	UT to Mossy Creek	Intermittent	03130001	34°34'18.6"N 83°45'47.6"W	None	Y	295 (0.02)	0 (0)
2	UT to Cox Creek	Perennial	03130001	34°35'1.8"N 83°46'26.7"W	None	Y	396 (0.04)	0 (0)
3	UT to Cox Creek	Intermittent	03130001	34°35'5.0"N 83°46'30.9"W	None	Y	520 (0.01)	0 (0)
3a	UT to Cox Creek	Perennial	03130001	34°35'6.9"N 83°46'33.0"W	None	Y	196 (0.01)	0 (0)
3b	UT to Cox Creek	Intermittent	03130001	34°35'14.5"N 83°46'38.8"W	None	Y	408 (0.02)	0 (0)
3f	UT to Cox Creek	Perennial	03130001	34°35'3.8"N 83°46'31.9"W	None	Y	16 (<0.01)	0 (0)
4	UT to Cox Creek	Intermittent	03130001	34°35'25.7"N 83°46'50.3"W	None	Y	0 (0)	0 (0)
5	UT to Cox Creek	Perennial	03130001	34°35'27.3"N 83°46'48.3"W	None	Y	495 (0.09)	30 (0.01)
5a	UT to Cox Creek	Perennial	03130001	34°35'24.5"N 83°47'0.0"W	None	Y	179 (0.01)	0 (0)
6	UT to Cox Creek	Perennial	03130001	34°35'35.3"N 83°46'55.7"W	None	Y	294 (0.01)	0 (0)
6a	UT to Cox Creek	Intermittent	03130001	34°35'46.1"N 83°46'54.2"W	None	Y	319 (0.03)	0 (0)
Table Continues on Next Page								

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6b	UT to Cox Creek	Intermittent	03130001	34°35'51.3"N 83°46'51.5"W	None	Y	275 (0.01)	0 (0)
6d	UT to Cox Creek	Perennial	03130001	34°35'35.6"N 83°46'56.3"W	None	Y	30 (<0.01)	0 (0)
7	UT to Cox Creek	Perennial	03130001	34°35'59.4"N 83°46'49.6"W	None	Y	0 (0)	0 (0)
7a	UT to Cox Creek	Perennial	03130001	34°36'0.6"N 83°46'45.7"W	None	Y	0 (0)	0 (0)
8	Tesnatee Creek	Perennial	03130001	34°36'29.9"N 83°46'51.2"W	None	Y	0 (0)	0 (0)
9	Tesnatee Creek	Perennial	03130001	34°36'34.5"N 83°46'41.9"W	None	Y	0 (0)	0 (0)
9a	UT to Tesnatee Creek	Perennial	03130001	34°36'40.0"N 83°46'24.7"W	None	Y	73 (0.02)	0 (0)
9b	UT to Tesnatee Creek	Perennial	03130001	34°36'32.3"N 83°46'22.2"W	None	Y	54 (0.01)	0 (0)
9c	Tesnatee Creek	Perennial	03130001	34°36'45.1"N 83°46'39.4"W	None	Y	0 (0)	0 (0)
10	UT to Tesnatee Creek	Perennial	03130001	34°37'5.5"N 83°45'28.0"W	None	Y	133 (0.01)	0 (0)
Sub-Total							4,280 (0.36)	30 (0.01)
Non-Jurisdictional Non-Buffered Streams								
3c	UT to Cox Creek	Drainage Feature	03130001	34°35'7.5"N 83°46'32.7"W	None	N	46 (<0.01)	0 (0)
3d	UT to Cox Creek	Drainage Feature	03130001	34°35'7.7"N 83°46'32.7"W	None	N	77 (0.01)	0 (0)
3e	UT to Cox Creek	Drainage Feature	03130001	34°35'5.1"N 83°46'31.6"W	None	N	118 (0.01)	0 (0)
3g	UT to Cox Creek	Drainage Feature	03130001	34°35'6.9"N 83°46'33.0"W	None	N	200 (0.02)	0 (0)
9aa	UT to Tesnatee Creek	Ephemeral	03130001	34°36'46.5"N 83°46'8.9"W	None	N	0 (0)	0 (0)
9d	UT to Tesnatee Creek	Ephemeral	03130001	34°36'36.0"N 83°46'41.1"W	None	N	32 (0.01)	0 (0)
Table Continues on Next Page								

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9e	UT to Tesnatee Creek	Ephemeral	03130001	34°36'36.6"N 83°46'42.0"W	None	N	0 (0)	0 (0)
Sub-Total							473 (0.05)	0 (0)
Total							4,753 (0.41)	30 (0.01)