



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

REPLY TO
ATTENTION OF

Regulatory Division
SAS-2005-00166

PUBLIC NOTICE
Savannah District

The Savannah District has received a request from CFN (I-20), Inc., to extinguish a restrictive covenant on a 0.83-acre portion of the 97.1 acres of property that is protected by a perpetual restrictive covenant. The property is located approximately a half-mile east of Turner Hill Road, south of Interstate-20 along Honey Creek and two of its tributaries within The Parks at Stonecrest mixed-use development in DeKalb County, Georgia.

Permit Number: SAS-2005-00166

Permittee: Ms. Sarah Kendall
CFN (I-20), Inc.
100 Galleria Parkway, SE, Suite 1500
Atlanta, Georgia 30339

Current Proposal: DeKalb County is proposing the Stonecrest Sanitary Sewer Improvement project, permit number SAS-2011-01211, that consists of construction of two new sewer pump stations, approximately 9,700 linear feet of sewer force main, and approximately 15,400 linear feet of gravity sewer main. This project is necessary to meet sewer capacity requirements in southeast DeKalb County, and to comply with a current consent agreement with the US Environmental Protection Agency to improve DeKalb County sewers to reduce inflow and infiltration, and eliminate sanitary sewer overflows.

A portion of the Stonecrest Sanitary Sewer Improvement project will be within the area of the restrictive covenant for The Parks at Stonecrest (RC). DeKalb County's work will consist of removing the existing 18-inch and 30-inch reinforced concrete pipe gravity sewer and replacing it with new 36-inch and 42-inch ductile iron pipe gravity sewer. The new sewer will follow the alignment of the existing sewer within the RC except where the existing sewer is submerged in a permanently flooded wetland system contained within the RC. At the ponded wetland system, the new sewer will traverse approximately 250 feet of the upland riparian buffer in the RC to an alignment outside of the ponded wetland and RC. This deviation from the existing easement is necessary to prevent extensive damage to the ponded wetland and allow for future maintenance of the sewer. The sewer left in the ponded wetland system will be capped at both ends.

Within the RC, there is an existing 10-foot wide sewer easement. The new sewer will require a permanent easement of 20 feet in width (5 feet on each side of the existing 10-foot easement) to accommodate future operation and maintenance activities. Because of the size of the new sewer pipes and the depth they will be installed, large excavation equipment will have to be utilized. Therefore, a temporary 30-foot construction easement (15 feet each side) will be required to bring in materials such as pipe and select backfill material; and to provide bypass pumping during removal of the old sewer pipe and unsuitable backfill material; and installation of the new larger pipes. Upon completion of this work, all disturbed areas will be returned to pre-construction conditions; the 30-foot temporary easement area will be replanted with grasses, shrubs, and trees as appropriate; and the 20-foot permanent easement will be grassed.

The new sewer easement will consist of approximately 2,400 linear feet of sewer within the RC for a total of 0.4 acre of existing 10-foot wide easement, 1.1 acres of new easement (5 feet on each side of the existing easement), and 1.7 acres of temporary construction easement. About 250 feet of sewer will deviate from the current sewer alignment; DeKalb County will abandon approximately 1,200 feet/0.28 acre of existing easement within the RC area. DeKalb County will compensate for impacts within the RC by purchasing mitigation credits from an approved mitigation bank in the Upper Ocmulgee River Basin for the additional 10 feet of permanent easement at a ratio of 2:1 mitigation credits (514.3 stream credits for 131 linear feet of stream impacts and 6.3 wetland credits for impacts to 1.1 acres of upland buffer and 0.4 acre of wetland) and for the 30 feet of temporary construction easement at a ratio of 1:1 mitigation credits (3.2 wetland credits for impacts to 1.7 acres of upland buffer).

Adverse impacts to streams and wetlands in the restrictive covenant for The Parks at Stonecrest will require DeKalb County to transfer 514.3 stream credits for 131 linear feet of stream and 3.6 wetland credits for 3.2 acres of wetland/upland buffer impacts from SAS-2011-01211 to SAS-2005-00166, and purchase 5.5 wetland credits for SAS-2005-01211 from an approved mitigation bank in the Upper Ocmulgee River Basin. For impacts within the restrictive covenant for The Parks at Stonecrest, a ten percent reduction in mitigation credits purchased within a 12-digit HUC will not be allowed.

For permit number SAS-2011-01211, DeKalb County purchased 1,117.35 stream credits from the Honey Creek Mitigation Bank on December 16, 2011, and 3.6 wetland credits from the Monastery Mitigation Bank on January 5, 2012.

The DeKalb County Stonecrest Sanitary Sewer Improvement project has been assigned Department of the Army permit number SAS-2011-01211. This sewer project would qualify for a Nationwide Permit No. (12), Utility Line Activities, under our Nationwide Permit Program published in the February 21, 2012, Federal Register, Vol. 77, No. 24, Pages 10184-10290 (http://www.sas.usace.army.mil/regulatory/Nationwide_Permits.html).

Background: CFN (I-20), Inc., and Stonecrest Atlanta, LLC (CFN), were issued a standard individual Department of the Army permit SAS-2005-00166 on August 16, 2005, for The Parks at Stonecrest. The permit authorized CFN to impact 2.09 acres of wetlands and 1,779 linear feet of streams to construct a mixed-use commercial/retail and residential development on a 700-acre tract of land near the Mall of Stonecrest in DeKalb and Rockdale Counties, Georgia. Conditions in the issued permit required CFN to record a RC on 78.55-acre open/green space area along Honey Creek created as mitigation for the Mall of Stonecrest, permit number 074 OYN 006948, and to purchase 2,853.7 stream credits as compensatory mitigation for the wetland and stream impacts. On February 16, 2006, CFN purchased 2,854 stream credits from the Monastery of the Holy Ghost Mitigation Bank.

The 97.1-acre on-site compensatory mitigation area is a portion of The Mall at Stonecrest and the ±700-acre Parks at Stonecrest properties that were developed by CFN. An approximately 5,600-foot long X 10-foot wide sanitary sewer easement was granted to DeKalb County to maintain a gravity sewer within the 97.1-acre restrictive covenant area between Honey Creek Court and DeKalb County's Honey Creek pump station on Rockland Road in southeast DeKalb County.

The 97.1-acre on-site compensatory mitigation for The Parks at Stonecrest includes preservation of 85.12 acres of floodplain/wetlands within the floodplain of Honey Creek; preservation of riparian buffer along 1,401 linear feet of Honey Creek; preservation of riparian buffer along 1,507 linear feet of Stream 9; preservation of riparian buffer along 460 linear feet of Stream 10; and stream restoration along approximately 745 linear feet of Stream 10, of which the upper 140 linear feet are non-credit generating.

US ARMY CORPS OF ENGINEERS

This Public Notice announces a request for authorization from the US Army Corps of Engineers to modify the restrictive covenant for Department of the Army permit number SAS-2005-00166, The Parks at Stonecrest. DeKalb County's proposed sewer work may require state and/or local governmental approval.

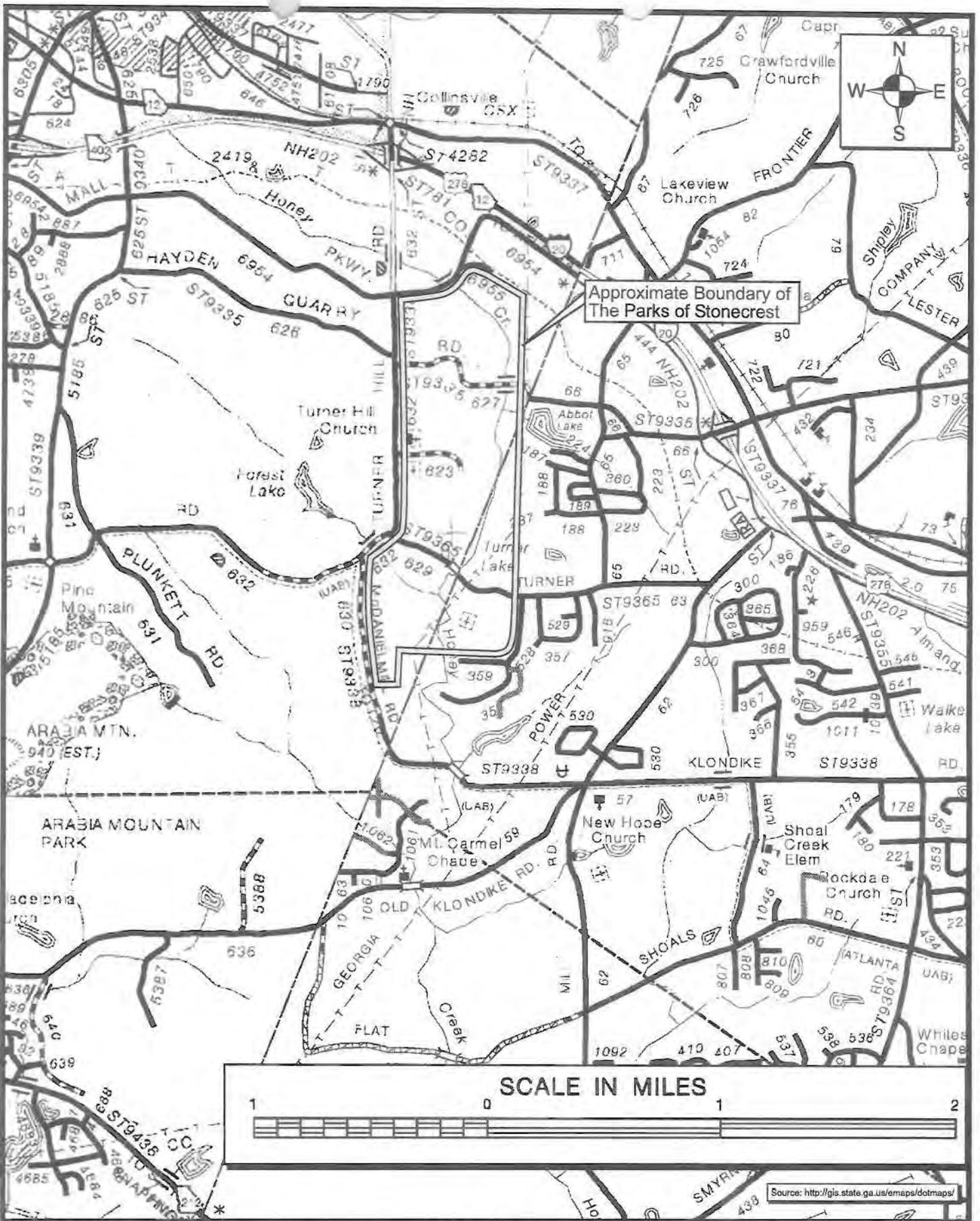
Consideration of Public Comments: The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts and/or concerns of modifying the existing on-site mitigation area restrictive covenant for The Parks at Stonecrest to increase the size of a sewer easement. Any comments received will be considered by the US Army Corps of Engineers to determine whether to modify the existing restrictive covenant and to determine the overall public interest of the proposed activity.

Comment Period: Anyone wishing to comment on this proposal should submit comments in writing to the Ms. Mary Dills, US Army Corps of Engineers, Savannah District, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than **15 days** from the date of this notice. Please refer to the applicant's name (CFN (I-20), Inc.) and the permit number (SAS-2005-00166) in your comments.

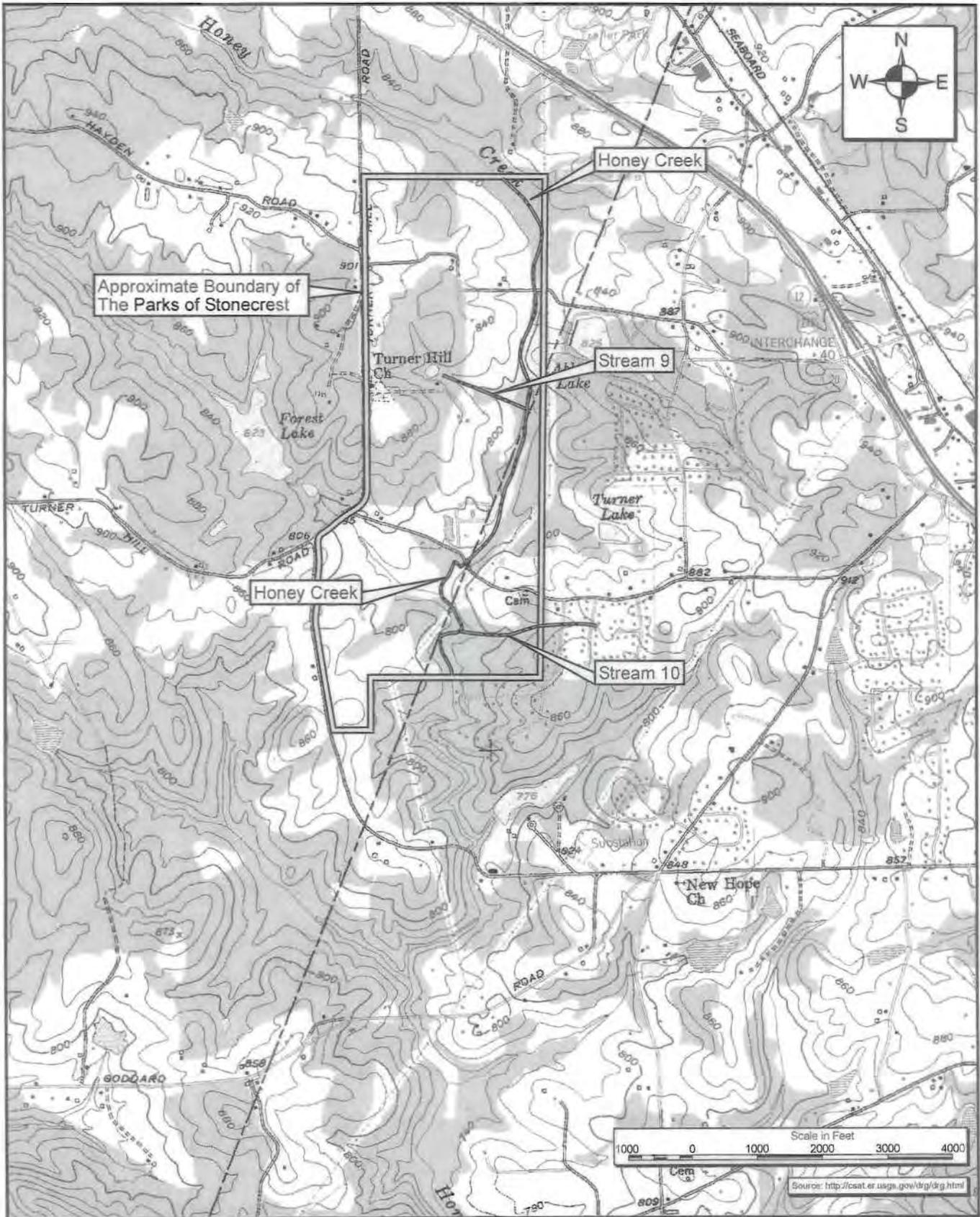
If you have any further questions concerning this matter, please contact Ms. Mary Dills, Project Manager, Piedmont Branch, at (678) 422-2727.

Enclosures

1. Figure 1: Site Location Map
2. Figure 2: Site Topographic Map
3. Figure 4, Sheet 1: On-Site Mitigation Area with Sewer
4. Figure 4, Sheet 2: Sewer Within On-Site Mitigation Area
5. Figures 1 & 2: Stonecrest Sanitary Sewer System Improvements
6. Figures 3 & 4: Stonecrest Sanitary Sewer System Improvements
7. Purchase of 1,117.35 Stream Credits
8. Purchase of 3.6 Wetland Credits



30436-014_FiniMitPlan_v1.th11.p1



30436-013_Man11_v1.FH11 p2



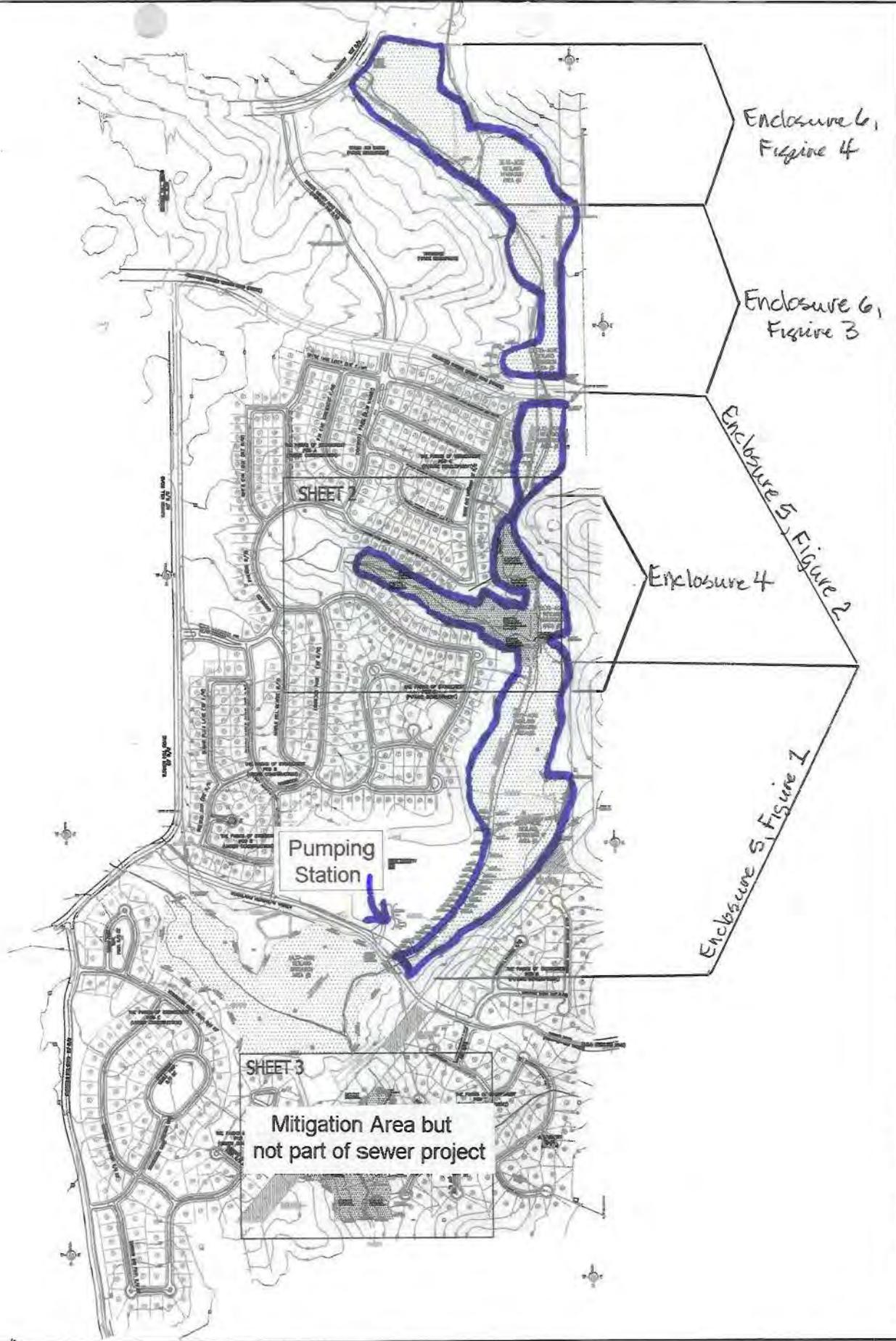
Cadillac Fairview
The Parks at Stonecrest

Site Topographic Map

December 2011
30436-015

Figure 2

SAS-2005-00166 Encl 2: Site Topographic Map



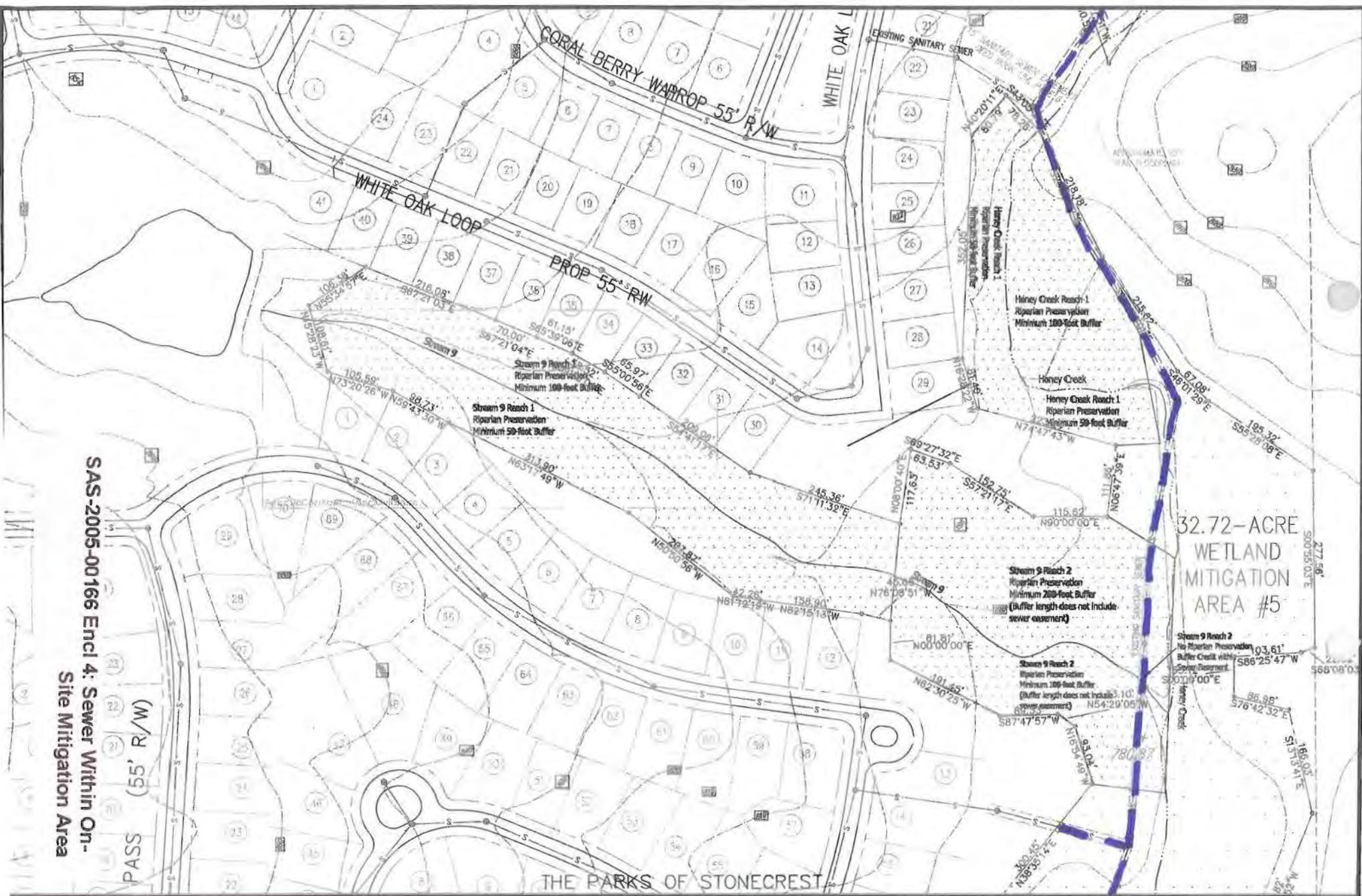
SAS-2005-00166 Encl 3: On-Site Mitigation Area with Sewer

30436-014/Final Mitigation Plan/Drawings/StonecrestOverall011206.dwg



Cadillac Fairview
 The Parks at Stonecrest
 On-Site Mitigation Area with Sewer

January 2006
 N.T.S.
 30436-014
 Figure 4
 Sheet 1 of 3



SAS-2005-00166 Encl 4: Sewer Within On-Site Mitigation Area
 PASS (55' R/W)

32.72-ACRE
 WETLAND
 MITIGATION
 AREA #5

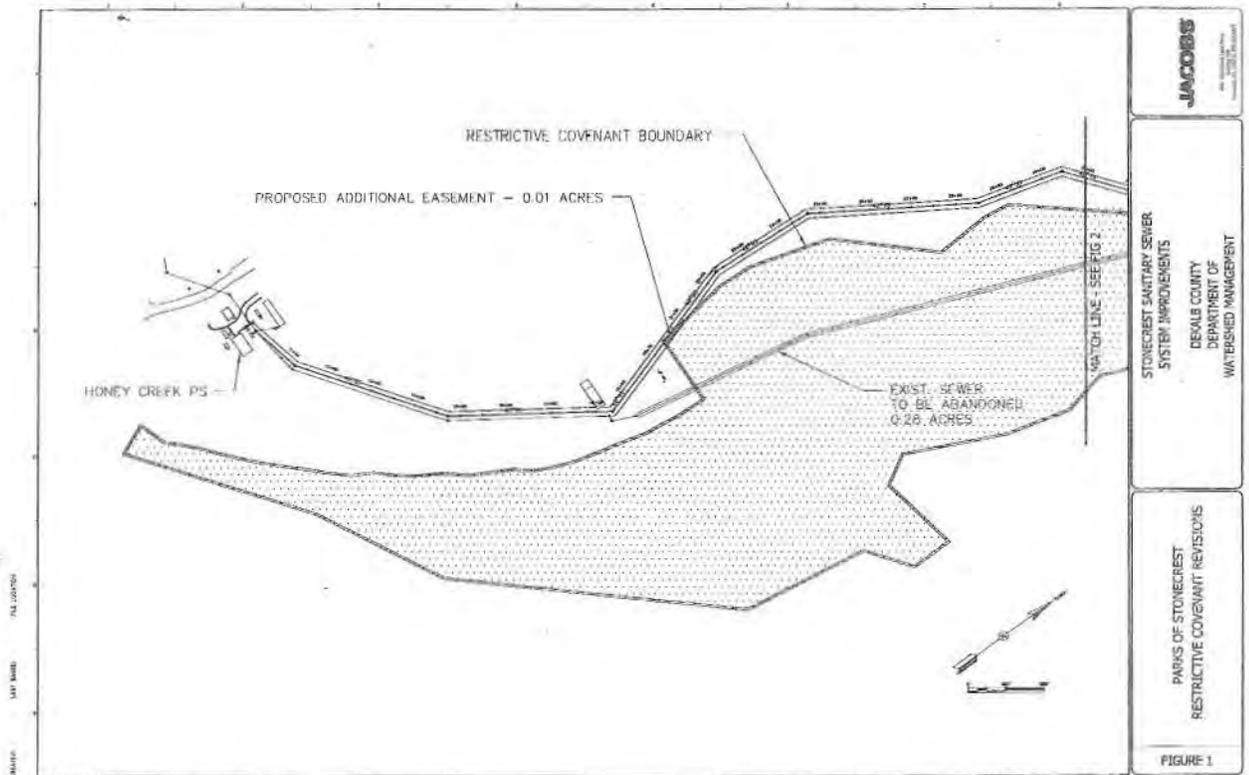
Cadillac Fairview
 The Parks at Stonecrest

Sewer Within On-Site Mitigation Area

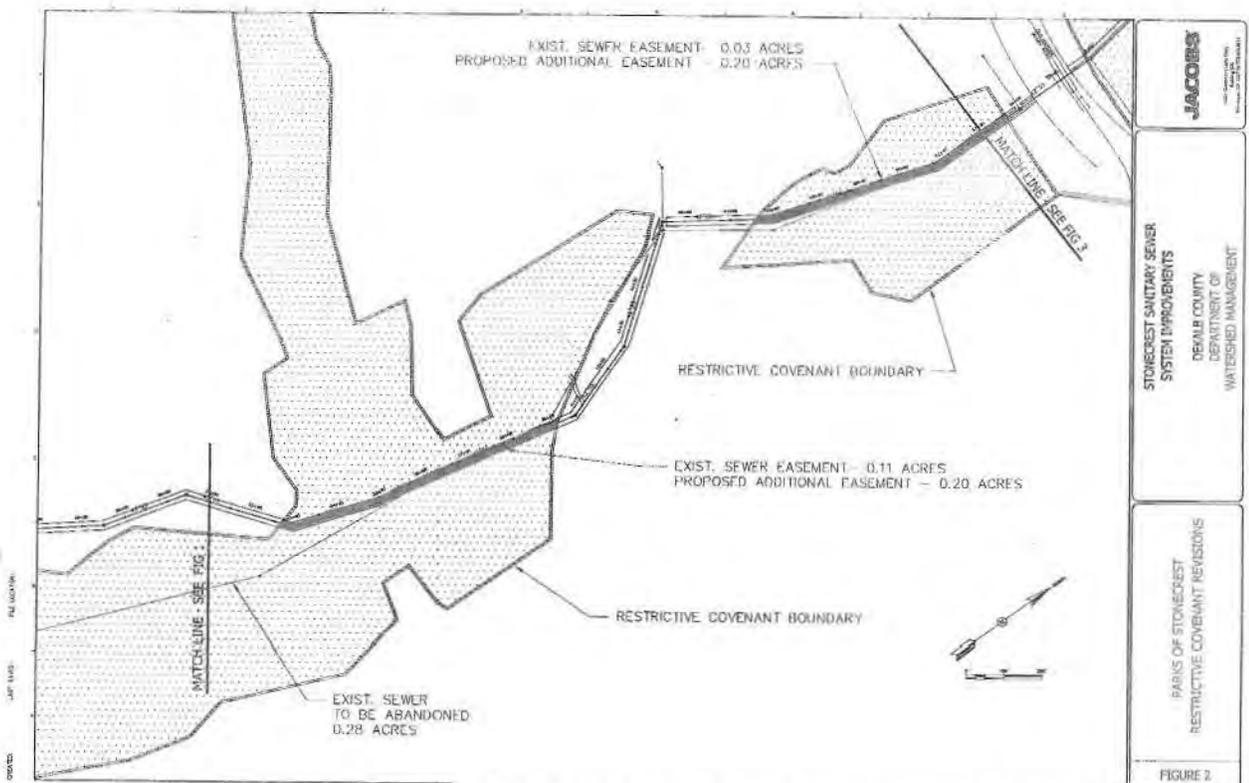
January 2006
 1 Inch = 200 Feet
 30436-014
 Figure 4
 Sheet 2 of 3

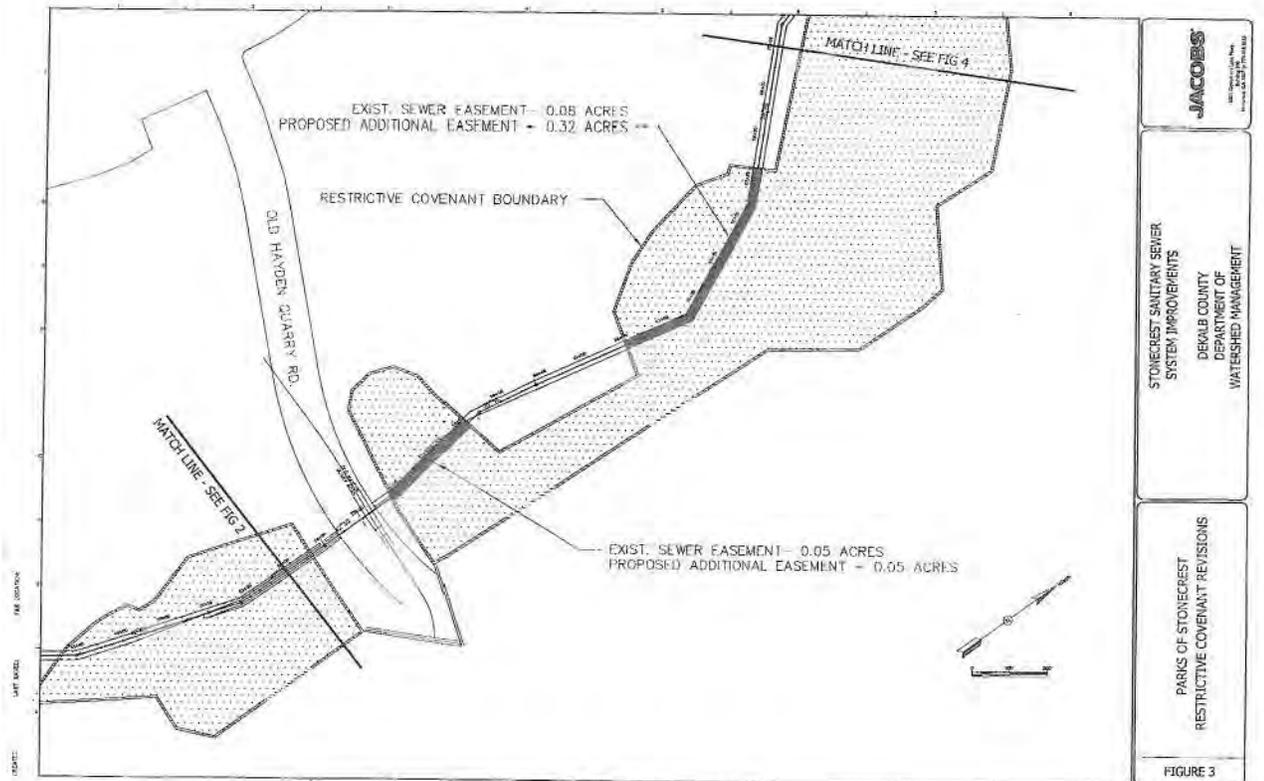
30436-014/Final Mitigation Plan/Drawings/Stonecrest/Overlaid/11206.dwg





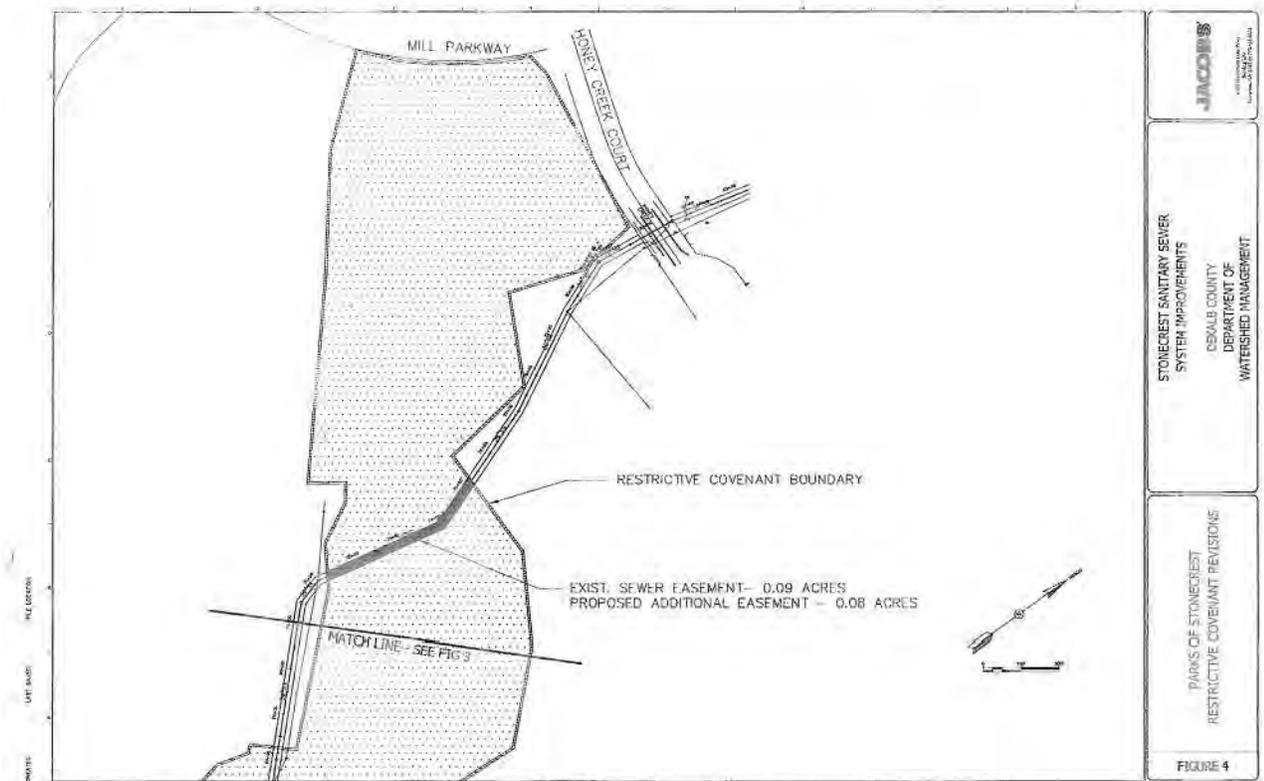
The Parks at Stonecrest
Sewer Within On-Site Mitigation Area





The Parks at Stonecrest

Sewer Within On-Site Mitigation Area



MITIGATION CREDIT SALES, LLC

December 28, 2011

Ed Johnson
U.S. Army Corps of Engineers, Savannah
Regulatory Division, Piedmont Branch
1590 Adamson Parkway, Suite 200
Morrow, Georgia 30260-1777

Subject: Required Credit Sale Statement

Dear Mr. Johnson

In accordance with the Savannah District's instructions for reporting credit sales, we are providing the following to document a mitigation bank credit sale:

Date of Sale	December 16, 2011
Permittee USACE File No.	SAS-2010-01211
Permittee County	DeKalb County
County	DeKalb
Watershed of Impact	Ocmulgee HUC-03070103
Stream Credits Sold	1,117.35
Wetland Credits Sold	0
Project within Service Area of Bank	Primary
Impacts meet Sales Restrictions on Bank	Yes
Mitigation Bank	Honey Creek Mitigation Bank USACE File# 200700584

Please contact me with any questions. Also, enclosed is a sales ledger for the Mitigation Bank.

Sincerely,



Matt Peevy
5665 New Northside Drive NW, Suite 260
Atlanta, GA 30328
(404)376-4698

cc: Mr. Matt Peevy, Bank Sponsor
Mr. David Crosby, USACE Savannah District Regulatory Branch
Mr. Rudy Chen, DeKalb County

WWW.MITIGATIONCREDITS.COM



SAS-2005-00166 Encl 7: Purchase of 1117.35
Stream Credits

WETLANDS MANAGEMENT, INC.
10745 Westside Way
Suite 100
Alpharetta, Georgia 30009
(770) 541-4200
(678) 527-3830 (Fax)

January 5, 2012

Mr. David E. Crosby
U.S. Army Corps of Engineers
Regulatory Division, Savannah District
P. O. Box 889
Savannah, Georgia 31402 0889

Re: Wetland Credit Withdrawal from the Monastery Mitigation Bank
Permit No. 960004000

Dear Mr. Crosby:

In accordance with the Piedmont Branch's instructions for reporting credit sales, we are providing the following information:

Date of Sale	January 5, 2012
Dept. of the Army File Number	201001211
Permittee	DeKalb County Stonecrest Sanitary Sewer Improvement
County	DeKalb County
Type of Credits	Wetland
Total Number of Credits	3.60
Project within Service area of Bank	Yes
Impact Meets Sales Restrictions on Bank	Yes

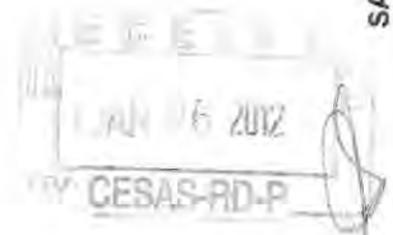
I have also enclosed a sales ledger for Wetland Technologies summarizing all credit releases and sales.

Please contact me with any questions.

Sincerely,


Robert J. Holbrook
Manager

RJH:blc
cc: Mr. Ed Johnson
Enclosure



SAS-2005-00166 Encl 8: Purchase of 3.6
Wetland Credits