



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3640

NOVEMBER 07 2012

Regulatory Division
SAS-2006-01206

JOINT PUBLIC NOTICE
Savannah District/State of Georgia

The Savannah District has received an application for modification of 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-2006-01206

Applicant: Mr. Jamy Amick
Central Virginia Properties, LLC
Post Office Box 278
Screven, Georgia 31560

Agent: Mr. Brandon Smith
Environmental Services, Incorporated
131 Hutchinson Island Road, Suite 100
Post Office Box 2383
Savannah, Georgia 31402

Location of Proposed Work: The project site is located south of and adjacent to Broadhurst Road and west of and adjacent to the CSX Rail Line, Wayne County, Georgia (Latitude 31.4687, Longitude -81.9246).

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: The applicant received Individual Permit SAS-2006-01206 on June 18, 2006. The permit authorized impacts to 5.66 acres of freshwater wetland to construct a railroad right-of-way. Permit conditions instructed the applicant to preserve 30.7 acres of on-site wetland under restrictive covenant and purchase 19 wetland mitigation credits from a US Army Corps of Engineers approved mitigation bank servicing the project area.

No project impacts have occurred to date and no components of the mitigation plan have been initiated.

The applicant proposes to extend the timeframe for completing work and modify the mitigation plan to eliminate the preservation and restrictive covenant components. An additional 19 wetland mitigation bank credits would be purchased to replace the preservation component of

the mitigation plan. Total proposed mitigation for the project would be the purchase of 38 wetland mitigation credits from Broxton Rocks Mitigation Bank, a US Army Corps of Engineers approved mitigation bank servicing the project area.

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, 100 W. Oglethorpe Avenue Savannah, Georgia 31401-3640.

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 CFR 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).

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: By letter dated May 16, 2007, the Georgia Historic Preservation Division advised "the project as proposed will have no effect to historic properties." No registered properties or properties listed as eligible for inclusion are located at the site or in the area affected by the proposed work.

Endangered Species: By fax dated May 24, 2007, the US Fish and Wildlife Service (USFWS) indicated that two federally listed species, hairy rattleweed (*Baptista arachnifera*) and wood stork (*Mycteria americana*), are listed as occurring in Wayne County. USFWS provided a determination that the originally permitted actions would not affect these species.

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, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640, no

later than 15 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. Brian Moore, Regulatory Specialist, Coastal Branch at 912-652-5349.

Enclosures

1. Project Location Map
2. Wetland Impact Map
3. Current Mitigation Plan Map
4. Mitigation SOP Table

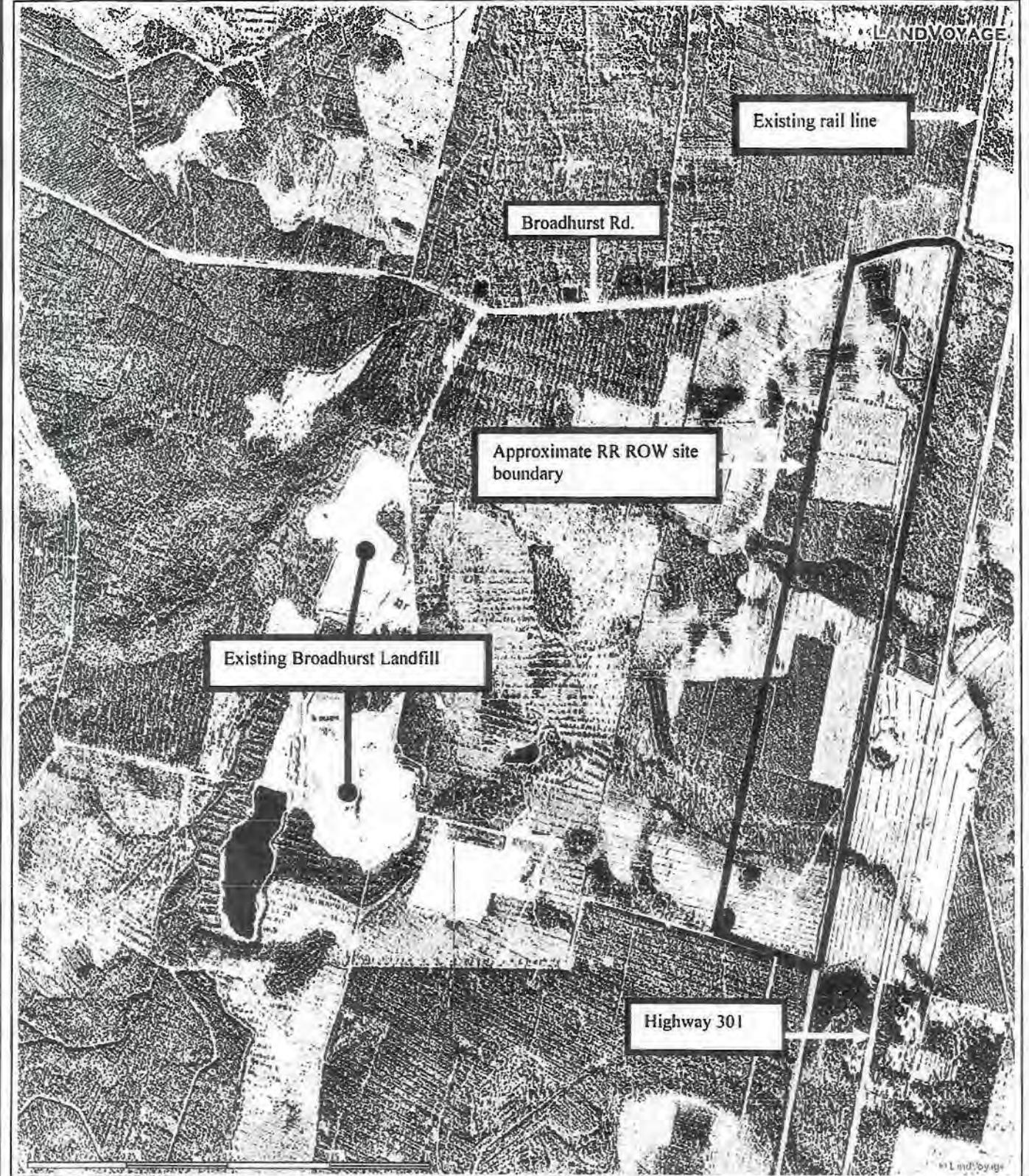
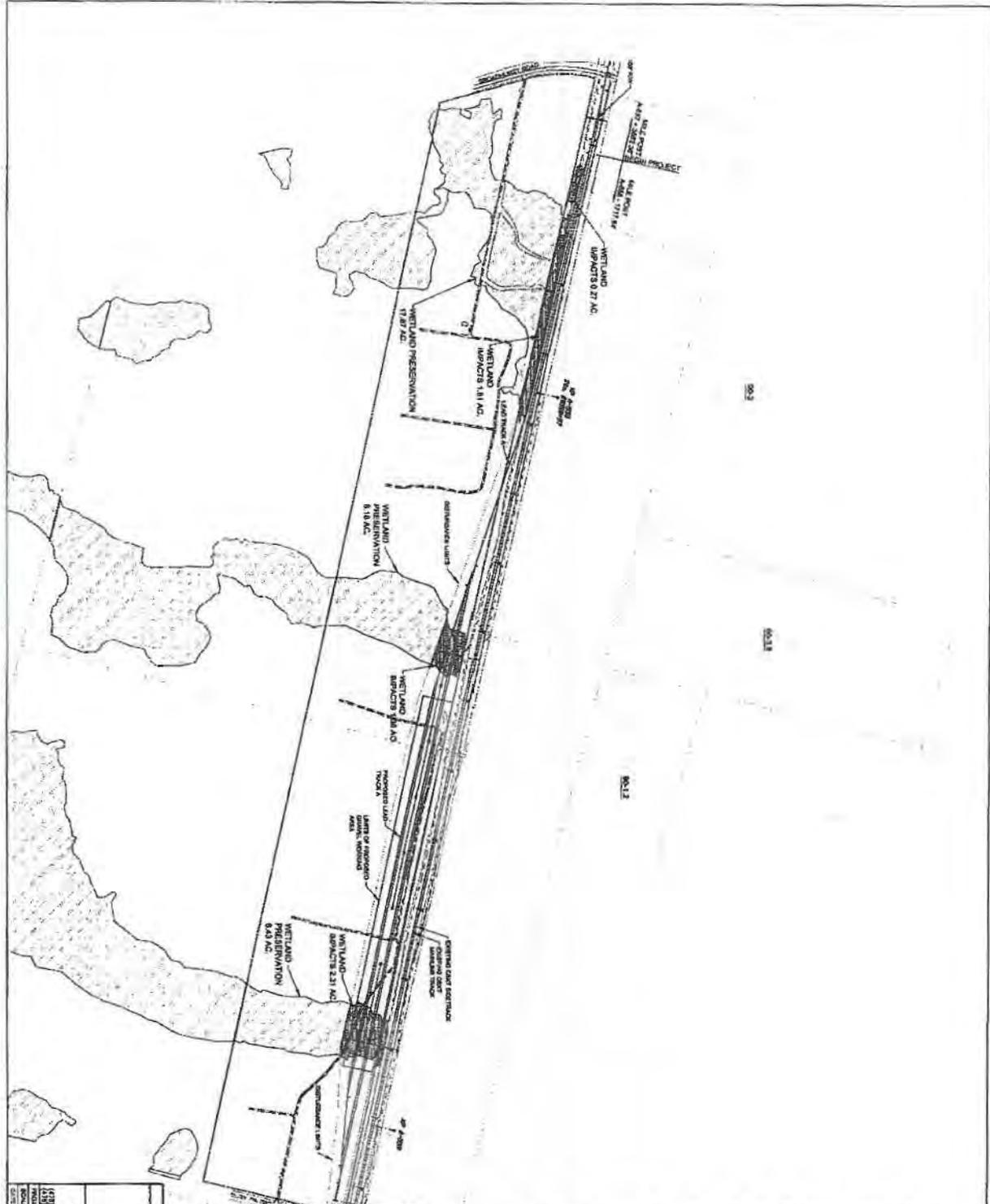


Figure: 1
Date: 9/04
Broadhurst RR
ROW IP
USACE 200601206

SITE LOCATION MAP
Broadhurst RR ROW site and Broadhurst landfill.
WAYNE COUNTY, GEORGIA





80.3

80.3

80.3



- NOTES**
1. THE TRACKS AND PROPERTY ARE SHOWN AS BEING IN THE RIGHT-OF-WAY OF THE RAILROAD COMPANY.
 2. PROPERTY LIES WITHIN THE 100-FEET BUFFER ZONE OF A 100-FOOT WIDE RAILROAD RIGHT-OF-WAY.
 3. WETLANDS ARE SHOWN AS BEING IN THE 100-FEET BUFFER ZONE OF A 100-FOOT WIDE RAILROAD RIGHT-OF-WAY.
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 5. ALL REGULATORY PERMITS SHALL BE OBTAINED BY THE RAILROAD COMPANY.
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PROJECT DESCRIPTION

THE TRACKS AND PROPERTY ARE SHOWN AS BEING IN THE RIGHT-OF-WAY OF THE RAILROAD COMPANY.

WETLANDS DATA

WETLAND TYPE	AREA (AC)
WETLAND IMPACTS	0.27
WETLAND PRESERVATION	17.87
WETLAND IMPACTS	1.11
WETLAND PRESERVATION	8.18
WETLAND IMPACTS	3.84
WETLAND PRESERVATION	8.43
WETLAND IMPACTS	2.31



RAILROAD SERVICE TRACKS

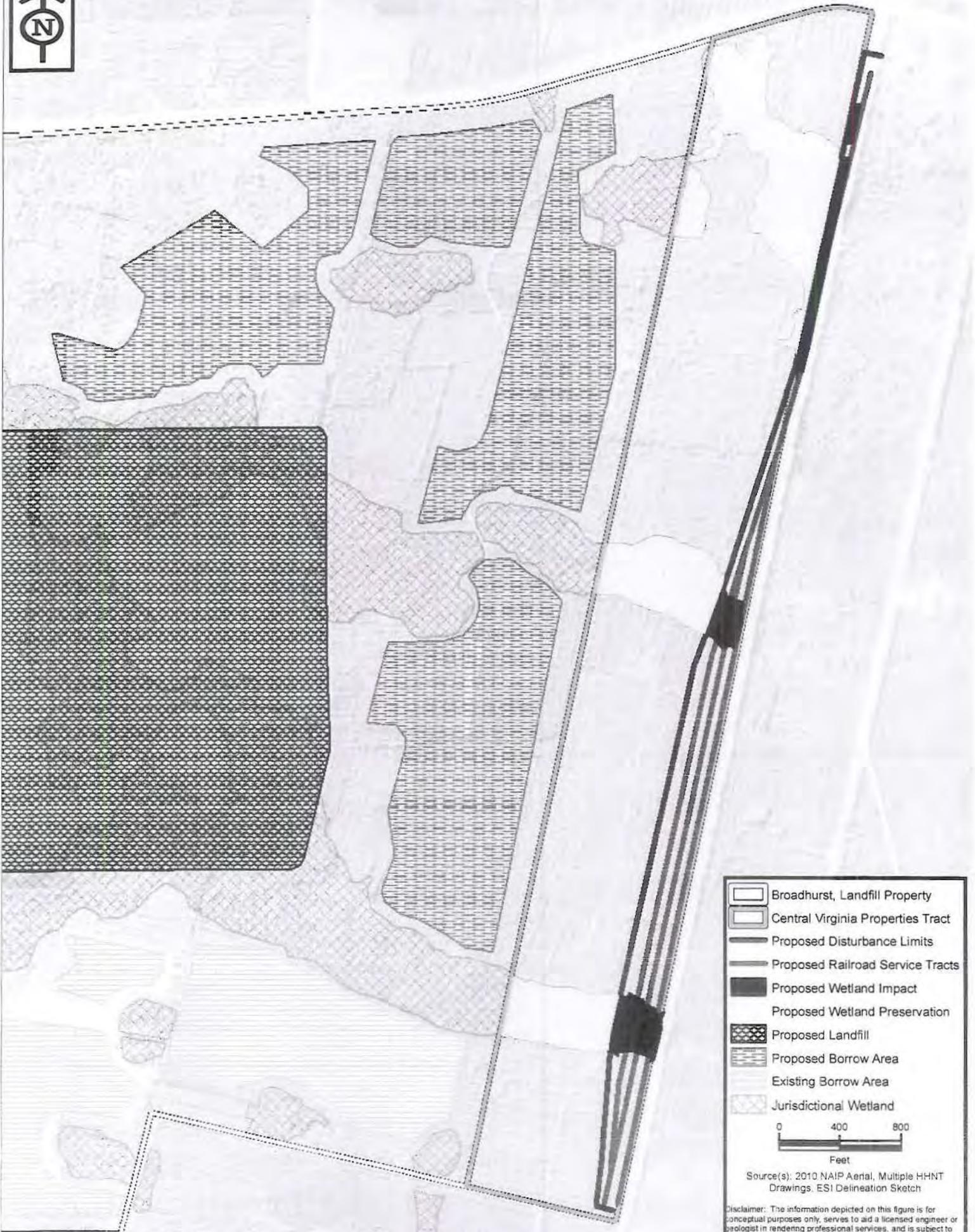
CENTRAL VIRGINIA PROPERTIES, LLC

HODGES, HARRIS, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

664 HILLTOP DRIVE, SUITE 201
 FARMINGTON, VIRGINIA 22640
 (540) 885-1111
 FAX (540) 885-1112
 WWW.HNNT.COM

DATE: 08/11/11
 SHEET: 1 OF 1



	Broadhurst, Landfill Property
	Central Virginia Properties Tract
	Proposed Disturbance Limits
	Proposed Railroad Service Tracts
	Proposed Wetland Impact
	Proposed Wetland Preservation
	Proposed Landfill
	Proposed Borrow Area
	Existing Borrow Area
	Jurisdictional Wetland

0 400 800
Feet

Source(s): 2010 NAIP Aerial, Multiple HHNT Drawings, ESI Delineation Sketch

Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies

WETLANDS AND OPEN WATERS MITIGATION WORKSHEETS

ADVERSE IMPACT FACTORS

Factor	Options						
	Dominant Effect	Fill 2.0	Dredge 1.8	Impound 1.6	Drain 1.4	Flood 1.2	Clear 1.0
Duration of Effects	7+ years 2.0	5-7 years 1.5	3-5 years 1.0	1-3 years 0.5	< 1 year 0.1		
Existing Condition	Class 1 2.0	Class 2 1.5	Class 3 1.0	Class 4 0.5	Class 5 0.1		
Lost Kind	Kind A 2.0	Kind B 1.5	Kind C 1.0	Kind D 0.5	Kind E 0.1		
Preventability	High 2.0	Moderate 1.0	Low 0.5	None 0			
Rarity Ranking	Rare 2.0	Uncommon 0.5	Common 0.1				

† These factors are determined on a case-by-case basis.

REQUIRED MITIGATION CREDITS WORKSHEET

Factor	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Dominant Effect	2.0					
Duration of Effect	2.0					
Existing Condition	0.5					
Lost Kind	1.0					
Preventability	1.0					
Rarity Ranking	0.1					
Sum of r Factors	$R_1 = 6.6$	$R_2 =$	$R_3 =$	$R_4 =$	$R_5 =$	$R_6 =$
Impacted Area	$AA_1 = 5.66$	$AA_2 =$	$AA_3 =$	$AA_4 =$	$AA_5 =$	$AA_6 =$
$R \times AA =$	37.36					

Total Required Credits = $\sum (R \times AA) =$

38