



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

REPLY TO
ATTENTION OF

MAY 30 2014

Regulatory Division
SAS-2011-01011

**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-2011-01011

Applicant:

Foley Materials Company
Attention: Mr. Todd Daigle
1030 1st Avenue
Columbus, Georgia 31901

Agent:

Consolidated Resources, LLC
Attention: Erin Bouthillier
2029 5th Avenue
Columbus, Georgia 31904

Location of Proposed Work: The project site is located adjacent to the existing Foley Materials Company Mine site, east of Highway 137, north of Butler, in Taylor County, Georgia (Latitude 32.5957, Longitude -84.1752).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:
The proposed project would fill 1.6 acres of jurisdictional wetlands during the construction of a settling basin for sand mining activities on a 375-acre mining site. Due to higher than expected fines in the sand, the existing settling basin on site has outlived its useful life. To mitigate for the proposed impacts the applicant would purchase 11.36 wetland mitigation credits from Magnolia Swamp Mitigation Bank.

BACKGROUND

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, 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, U.S. Army Corps of Engineers, Regulatory Division, 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.

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 pre-application process the applicant provided a copy of a Cultural Resources Survey titled, "A Phase I Cultural-Resources Survey for the Proposed Expansion of the Taylor County Sand Plant in Taylor County, Georgia" dated February 2013. Based on our review of this document, as well as the Georgia Department of Natural Resources, Historic Preservation Divisions letter dated August 7, 2013, it has been determined that the proposed project would have no effect on historic properties listed or eligible for listing under Section 106 of the National Historic Preservation Act.

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, 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.

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.

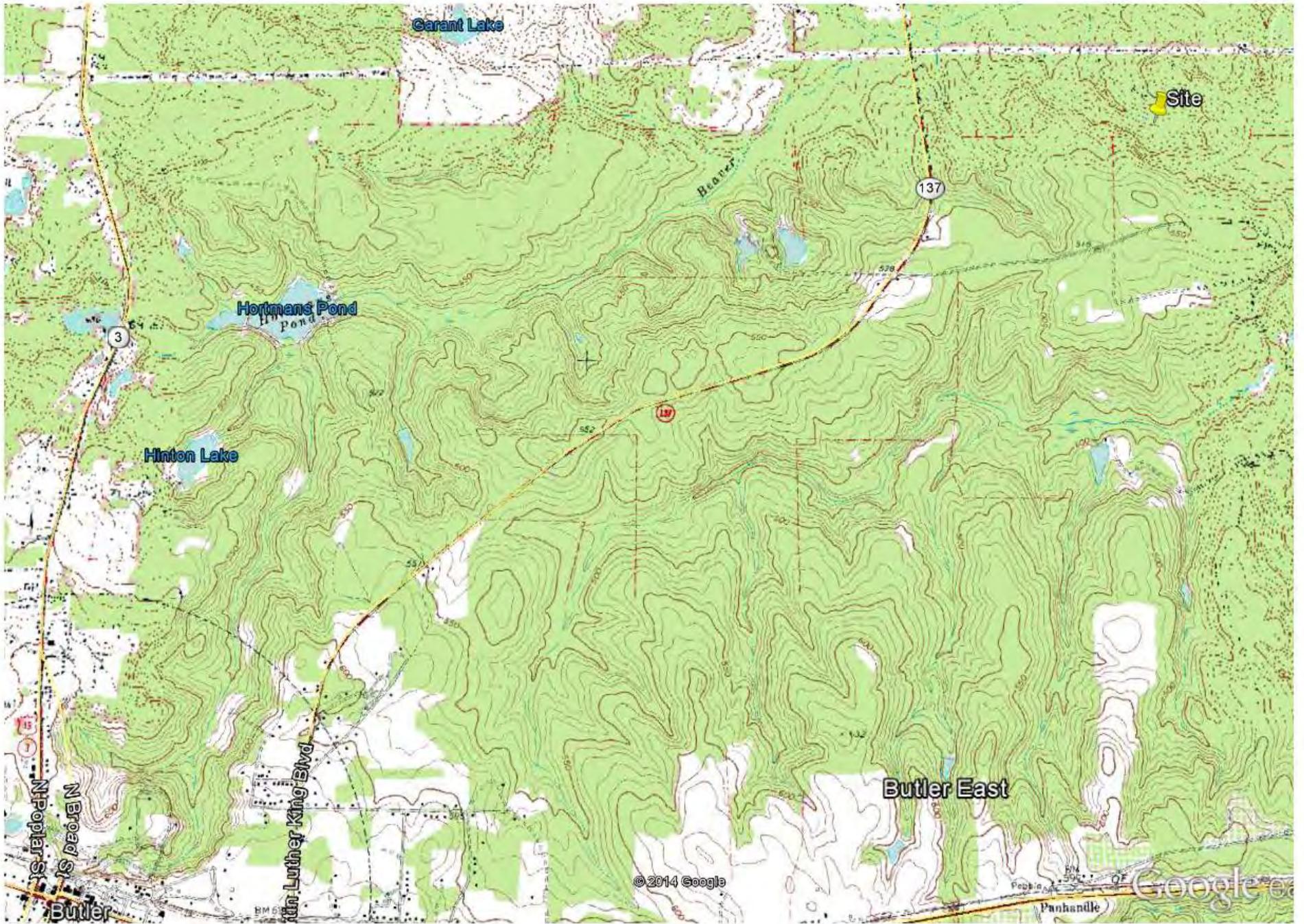
Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Mr. Terry C. Kobs, 1104 North

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.

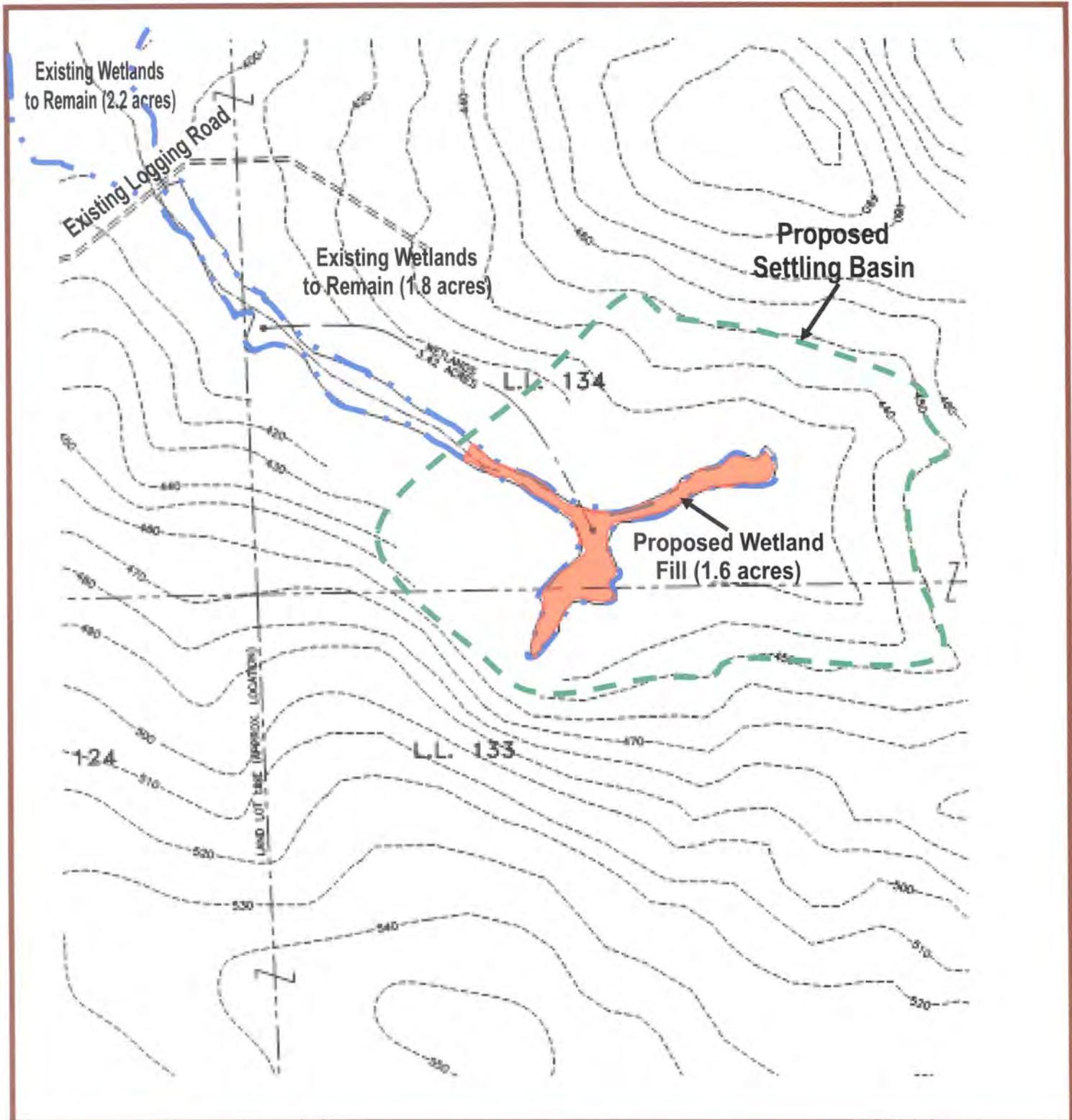
If you have any further questions concerning this matter, please contact Mr. Terry C. Kobs, Project Manager, Coastal Branch at 229-430-8567.

**Encls

1. Location Map
2. Figure 7: Proposed Wetland Impacts
3. Proposed Settling Pond Configuration (Plan View)
4. Proposed Settling Pond Configuration (Cross Section)



Location Map



SOURCE: Wetlands Location Map, Moon Meeks Mason & Vinson (4-19-13)



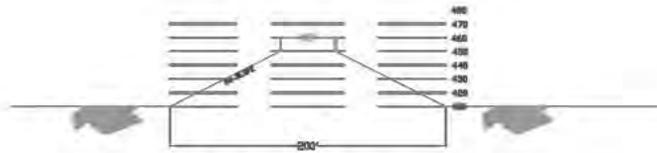
Figure 7
Proposed Wetland Impacts



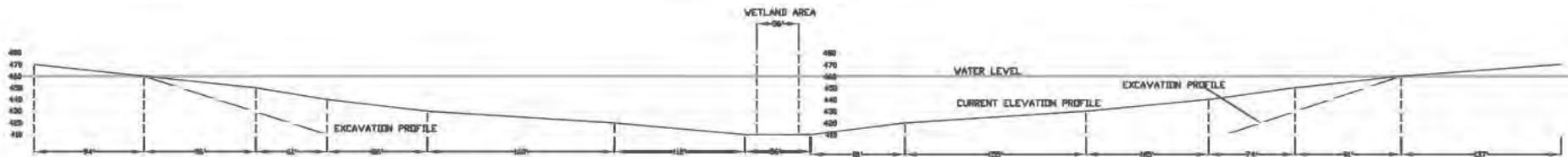
Not To
Scale

Taylor County Sand Mine
Foley Materials

2029 5th Avenue
Columbus, Georgia 31904
Phone: 706-317-5942 Fax: 706-571-0726



SETTLING POND DAM CROSS SECTION



SETTLING POND DAM PROFILE

ROCK SERVICES		105 Newton Ridge Drive Covington, GA 30014	
		Office: 770-787-8897 Fax: 770-787-9219	
TITLE FMC FOLEY MATERIALS COMPANY			
Taylor County Sand Plant Proposed Settling Pond Configuration			
DWN. Ken	DATE 04-12-14	SCALE	DRAWING NO.
CHK'D.	DATE	WEIGHT	RS042014A
APP'D.	DATE		