



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 WEST OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401

JUNE 30 2014

Regulatory Division
SAS-2014-00451

**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-2014-00451

Applicant: Mr. Marty Daniel
FPC Properties, LLC
101 Warfighter Way
Black Creek, Georgia 31308

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

Location of Proposed Work: The project site is located south of and adjacent to U.S. Highway 80, approximately 0.4 mile northwest of Pine Barren Road, approximately 0.5 mile east of Interstate-95 in Pooler, Chatham County, Georgia (Latitude 32.1051, Longitude -81.2281).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The proposed project would impact 0.69 acre of depressional wetlands for the expansion of an existing church parking lot. The project site is located beneath an existing Georgia Power transmission line and is entirely within the transmission line right-of-way.

As compensatory mitigation for the project related to unavoidable impacts to jurisdictional waters, the applicant is proposing to purchase 3.31 wetland mitigation credits from the A.A. Shaw Mitigation Bank or another U.S. Army Corps of Engineers approved mitigation bank that services the project area.

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, 100 West Oglethorpe Avenue Savannah, Georgia 31401.

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: Review of the latest published version of the National Register of Historic Places and Georgia's Natural, Archeological, and Historic Resources GIS indicate 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. All proposed work would occur in previously disturbed areas and no known archeological resources are known to occur at the site. Therefore, in accordance with 36 CFR 800.3(a)(1), the U.S. Army Corps of Engineers has determined that the proposed project does not have the potential to cause effects to historic properties.

Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), as amended (16 U.S.C. 1531 et seq.) and after review of the application and supporting information, the Savannah District has

determined that the proposed project would not affect any Federally listed threatened or endangered 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 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: Ms. Courtney M. Stevens, Regulatory Specialist, Coastal Branch, 100 West Oglethorpe Avenue, Savannah, Georgia 31401, 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 Ms. Courtney M. Stevens, Regulatory Specialist, Coastal Branch at 912-652-5051.

Enclosures

**PROJECT DESCRIPTION AND SUPPORTING DOCUMENTATION
FPC PROPERTIES, LLC
FIRST PRESBYTERIAN CHURCH OF POOLER**

JUNE 12, 2014

I. Introduction:

FPC Properties, LLC (applicant) is proposing the expansion of existing parking areas at the First Presbyterian Church of Pooler. The project site is located south of and adjacent to U.S. Highway 80, approximately 0.4 mile northwest of Pine Barren Road, approximately 0.5 mile east of Interstate-95 in Chatham County, Georgia. The approximate center coordinates of the site are latitude 32.10515⁰ N, longitude -81.22806⁰ W. The project site is entirely located within the Lower Savannah River Watershed (HUC 03060109). The project site is bordered to the northwest by existing commercial development, to the southwest by forested wetland and maintained drainage canal, to the northeast by U.S. Highway 80, and to the southeast by an existing transmission line right-of-way (R/W).

The proposed site plan requires unavoidable impacts to 0.69 acres of depressional wetland pockets associated with the expansion of parking areas onto a 1.66 acre adjacent site to the southeast of the church. The site is located beneath an existing Georgia Power transmission line and is entirely within the transmission line R/W. As described in further detail below, all proposed impacts are to very low quality depressional wetlands that have formed primarily as a result of clearing, compaction, and maintenance activities associated with the existing transmission line. Impacts to other wetland on-site as well as high quality forested wetland southwest of the church have been avoided. It should be noted that the wetlands proposed for impact are located within the 100 year floodplain but contain no other direct hydrologic connection to a jurisdictional wetland or water of the U.S.

II. Existing Site Conditions:

The existing church site consists of existing paved and developed area. The expansion site is composed entirely of the existing transmission line R/W including upland and depressional wetland. Additionally, a maintained drainage canal extends through the southern portion of the project area. The proposed development activities will make use of the developable upland north of the drainage canal, but in order to provide enough parking areas for the church congregation, two of the three wetland pockets on-site must be impacted. The habitat types are described below.

Maintained R/W Upland:

The upland area within the project site consists of maintained transmission line R/W primarily dominated by herbaceous species. The herbaceous layer contains dog fennel (*Eupatorium capillifolium*), broomsedge (*Andropogon virginicus*), blackberry (*Rubus betulifolius*), goldenrod (*Solidago canadensis*), and honeysuckle (*Lonicera japonica*). The few sapling species located within the upland areas include water oak (*Quercus nigra*), pecan (*Carya illinoensis*), persimmon (*Diospyros virginiana*), and loblolly pine (*Pinus taeda*). The shrub layer contains sporadic false willow (*Baccharis halimifolia*) and beautyberry (*Callicarpa americana*). The soils contain high matrix chroma and value (10YR 4/3) and 10YR 5/3), and no positive hydrology indicators are present.

Depressional Wetland:

The only wetland within the project area consists of three wetland pockets. These are depressional areas that have likely formed as a result of soil compaction and disturbance associated with the transmission line. Accordingly, these areas are very low quality and the vegetation is regularly maintained as a part of ongoing transmission line maintenance activities.

Vegetation consists of soft rush (*Juncus effuses*), plumegrass (*Erianthus giganteus*), rosette grass (*Dichanthelium accuminatum*), St. Johns wort (*Hypericum spp.*), and sedges (*Carex glaucescens*). Shrub and sapling species consist of false willow, buttonbush (*Cephalanthus occidentalis*), and red maple (*Acer rubrum*).

III. Project Purpose:

The purpose of the proposed project is to provide additional parking areas for the First Presbyterian Church of Pooler. According to the Section 404(b)(1) Guidelines of the Clean Water Act, the U.S Army Corps of Engineers must define the basic and overall purpose of the project. The basic purpose must be known to determine if a project is water dependent. The basic purpose for the proposed project is to construct parking areas, which is not a water dependent activity. The overall project purpose is used to evaluate practicable alternatives under the Section 404(b)(1) Guidelines. The overall project purpose is to provide additional parking areas at the First Presbyterian Church of Pooler.

IV. Project Need:

The proposed project is needed to satisfy an existing parking problem at the church. Currently, there are very few parking spots (only 35 – 40) available on the church property. During church services, the church has been allowed to use the parking lot of the adjacent commercial development located northwest of the church. The parking situation, however, is becoming problematic as the restaurants are now open on Sundays and the congregation of the church continues to grow. The demand for parking spaces has now exceed the supply, and the need to expand the parking areas at the church is great. Without the project, conflicts with the adjacent commercial development could arise, and church attendance and membership would likely suffer.

V. Alternatives Analysis:

The Section 404 (b)(1) Guidelines provide that the discharge of dredged or fill material into waters of the United States will not be permitted “if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.” 40 C.F.R. (230.10(a)). The guidelines further provide that “[a]n alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.” Considering factors such as site location, availability, site access, wetland area, and a variety of economic concerns, the applicant evaluated a number of different alternatives prior to deciding on a final site plan.

Site Selection Screening Criteria:

The site selection criteria for the project are very basic. The site must be located adjacent to the existing church as this is an expansion of the existing facility. A parking lot located off-site would not satisfy the project purpose of providing additional parking areas at the church. The site must also be large enough to provide 100 – 200 parking spots which equates to approximately 1.5 to 2 acres. Though more would be ideal, less than 100 would not provide enough parking to meet the current and future needs of the church. The site must also accommodate storm water management facilities and/or open space as required by local regulations.

Alternative Sites Evaluation:

In accordance with the above described siting limitations and parameters, the applicant performed an alternative sites review to determine the best location of the proposed project with the least amount of environmental impact. Adjacent property consists of U.S. Highway 80 to the northeast, existing commercial development to the northwest, forested wetland to the southwest, and transmission line R/W (preferred site) to the southeast.

No Build Alternative:

The only way to completely avoid all wetland impacts would be to not expand the parking areas of the existing church; however, this would not satisfy the project purpose. The proposed project is needed to satisfy an urgent parking problem facing the church. Without the project, conflicts with adjacent property owners way arise, and membership of the church could be diminished due to the lack of parking.

Alternative Site 1 – Expansion to the Northeast:

Expansion to the northeast of the church is not a feasible alternative. Highway 80 is located immediately adjacent to the church and north of Highway 80 is existing commercial areas. Even if sites were available north of Highway 80, constructing a parking area and requiring parishioners to cross the four-lane highway would be extremely dangerous, especially to the elderly and children. For these reasons, expansion northeastward is not feasible.

Alternative Site 2 – Expansion to the Northwest:

Expansion to the northwest is not a feasible alternative either. The church currently utilizes the existing parking lot of the commercial development located northwest of the church, but as mentioned previously, this is becoming more and more of a conflict. The restaurants are now open on Sunday mornings, and the church congregation continues to grow. No additional parking areas are available to use northwest of the church, and no other developable lands are available either.

Alternative Site 3 – Expansion to the Southwest:

Alternative Site 3 is an undeveloped site located southwest of the existing church. The applicant evaluated purchasing and developing a portion of this property, but the environmental impacts would be greater. The majority of Alternative Site 3 consists of forested wetland with a jurisdictional canal extending through it. Wetland impacts associated with construction of a similar sized parking lot would be both quantitatively and qualitatively greater. Development of this site would require approximately one acre of bulk fill to forested wetland as well as fill of the jurisdictional drainage canal. Also, the wetland on Alternative Site 3 is of much higher quality than the wetland pockets proposed for impact on the preferred site. The wetland on Alternative Site 3 is part of a contiguous bottomland system with a much higher value and function. The wetlands proposed for impact are hydrologically isolated and are regularly maintained/disturbed as part of regular transmission line maintenance activities. Due to the greater amount of wetland impacts, development of Alternative Site 3 is not environmentally preferable.

Preferred Alternative:

The preferred alternative consists of expansion of the parking areas onto a 1.66 acre site immediately southeast of the church requiring 0.69 acre of wetland impact. The property currently contains an existing transmission line R/W and is available only for development of parking areas and not vertical structures. The site is the only available site for use by the church and is the least environmentally damaging practicable alternative which would satisfy the project purpose.

On-Site Alternatives:

With the project site chosen, the applicant evaluated several alternative site plans in effort to avoid wetland impacts to the greatest extent practicable.

Total Avoidance

Due to the location and configuration of wetland areas, it would be impossible to construct the project without impacting wetlands. The applicant has made use of all available upland areas

northeast of the jurisdictional canal on the property, but these upland areas are broken up by wetlands. It is impossible to provide enough parking spaces by only developing the upland on-site.

Alternative Site Plan 1:

The initial site plan for the project maximized the use of the entire 1.66 acre site and required additional wetland impact. This site plan extended the parking areas all the way to the rear of the site and impacted 0.09 acre more wetland as well as 0.07 acre of the jurisdictional canal. The site plan provided a greater number of parking spots but also impacted additional jurisdictional area. The applicant decided that they could survive with fewer parking spots and decided to revise the site plan in efforts to minimize jurisdictional impacts.

Alternative Site Plan 2:

The second alternative site plan evaluated for the project limited the wetland impacts to only the 0.38 acre wetland closest to U.S. Highway 80. This site plan would qualify under a Nationwide Permit, but it did not provide enough parking spaces to satisfy the parking issue that faces the church. This site plan avoided an additional 0.31 acre of wetland impact, but by the time storm water management facilities and open areas were accommodated, it only provided 50 – 60 parking spaces. A minimum of 100 – 200 spaces are required to accommodate the existing and growing congregation. Alternative Site Plan 2 reduced wetland impacts but did not satisfy the project purpose.

Preferred Site Plan:

The preferred site plan minimizes jurisdictional impacts to the greatest extent practicable while still providing enough parking spots for the church. The preferred site plan provides approximately 120 – 140 parking spots which is considered adequate to accommodate the existing and future parking needs of the church. The preferred site plan also incorporates a storm water retention pond to treat storm water generated by the parking areas. The preferred site plan avoids as much wetland as possible and limits those impacts to low quality wetland while still satisfying the project purpose.

VI. Minimization Measures:

Section 404(b)(1) mandates that once aquatic impacts on the proposed project site have been avoided to the maximum extent practicable, measures should be taken to minimize the effects of the remaining unavoidable impact. In order to minimize the effects of the proposed discharge, all development activities will be performed using best management practices (silt fencing, grassed slopes, etc.) to further avoid and minimize impacts to jurisdictional areas that are to be avoided within and adjacent to the project area. Furthermore, a storm water pond will be incorporated to treat storm water produced by the site and to protect downstream water quality. All discharge material will be free of pollutants and contaminants and obtained from an upland source. It is anticipated that these measures will minimize the effect of the project on avoided wetlands.

VII. Threatened and Endangered Species:

The property was assessed for the potential occurrence of threatened and endangered species and habitats suitable to sustain these listed species for Chatham County, Georgia. The habitats found on site consist of regularly maintained and disturbed emergent upland and depressional wetland within the existing transmission line R/W. The habitats on-site are very common for this area of the Coastal Plain and do not appear suitable to support any of the species listed for Chatham County. Also, the presence of regular maintenance activities and the proximity of the site to existing development would further discourage the presence of any protected species. Based on the observation of habitats and lack of evidence of any of the listed species, it is our opinion that the proposed project would have no effect on any of the protected species listed for Chatham County. A

copy of the U.S. Fish and Wildlife Service – Information, Planning, and Conservation (IPaC) System printout is attached to this application.

VIII. Essential Fish Habitat:

The proposed project requires impacts to depressional freshwater wetland pockets which are not considered Essential Fish Habitat (EFH). The closest known EFH is located over three miles southeast of the project area (headwaters of Salt Creek). The proposed project will have no effect on EFH.

IX. Cultural Resources:

A Phase I archeology survey has not been completed within the project area, but given the amount of site disturbance from construction of the transmission line and the amount of regular maintenance activities, it is not anticipated that any sites eligible for listing in the National Register of Historic Places are located on the site. An online database search of the National Register of Historic Places concluded that there are no sites listed on the register within or immediately adjacent to the project area. A print out of the National Register of Historic Places in Chatham County is attached. Also, an online historic resources search of the Georgia's Natural, Archeological, and Historic Resources GIS database concluded that there are no historic resources identified by area- or county-wide historic architectural surveys within or immediately adjacent to the project area. Because the above database searches yielded no known cultural resources within or adjacent to the project area, due to the small size of the site and fragmented nature of uplands on the site, and due to the amount of historic and on-going disturbance from transmission line activities, it is our opinion that the project should not impact any sites eligible for listing on the National Register of Historic Places.

X. Impaired Waters:

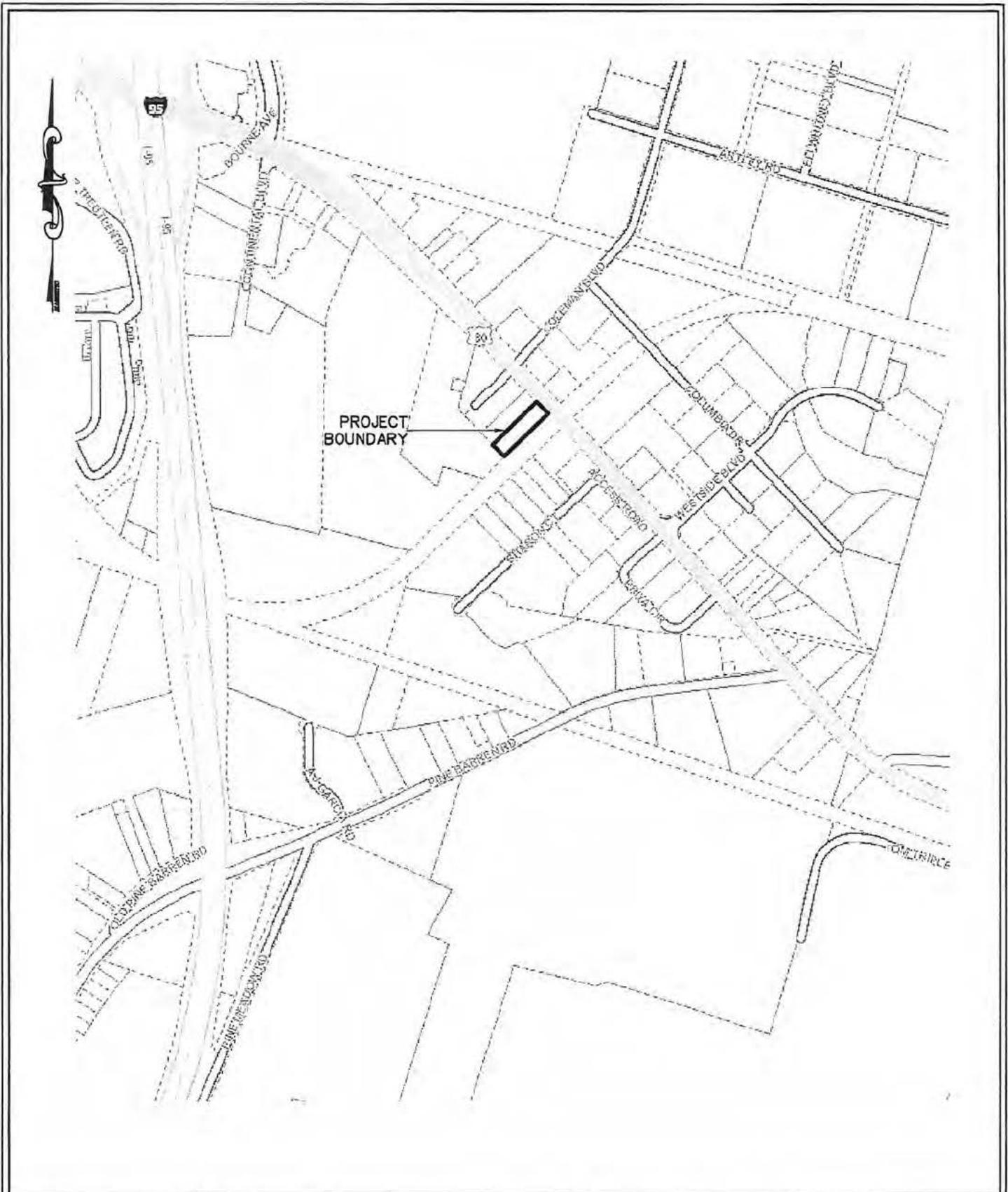
The project wetlands do not have a direct surface connection to another jurisdictional water, but they would be considered adjacent to a jurisdictional ditch which appears to generally flow eastward eventually to the Pipemakers Canal. The Pipemakers Canal flows eastward to the Savannah River. The Savannah River is listed on the 303(d) list of impaired waters for low dissolved oxygen, but the project wetlands are over 6.4 river miles from this impaired water. The proposed project would therefore not contribute to water quality degradation in the Savannah River.

XI. Mitigation Plan:

As indicated on the attached mitigation credit worksheets 3.31 wetland mitigation credits are required to offset the 0.69 acre of wetland impact. The applicant is proposing to purchase these mitigation credits from the A.A. Shaw Mitigation Bank assuming that credits are available at the time of permit approval. Should credits not be available at the time of permit approval, the applicant reserves the right to purchase the credits from another mitigation bank that services the project area. Upon approval of the proposed project and prior to initiation of wetland impacts, the applicant will purchase the 3.31 mitigation credits and provide the USACE with a proper receipt.

XII. Conclusion:

In conclusion, the FPC Properties, LLC is proposing the expansion of the existing parking areas at the First Presbyterian Church of Pooler. The project requires impacts to 0.69 acre of depressional wetland pockets associated with construction of the new parking lot. The applicant has demonstrated that the preferred site is the best site for the development and requires the least amount of wetland impact of all the alternative sites evaluated. The on-site alternative design analysis proves that wetland impacts have been avoided to the greatest extent practicable. Furthermore, all development activities will be performed using best management practices (silt fencing, grassed slopes, etc.), and wetland buffers will be placed around all of the wetlands to be avoided to further minimize environmental impacts.



FIRST PRESBYTERIAN CHURCH OF POOLER
 PROJECT SITE
 WETLANDS MANAGEMENT PLAN

DATE: MAY 28, 2014
 SHEET: 1 OF 5
 SCALE: 1"=1000"

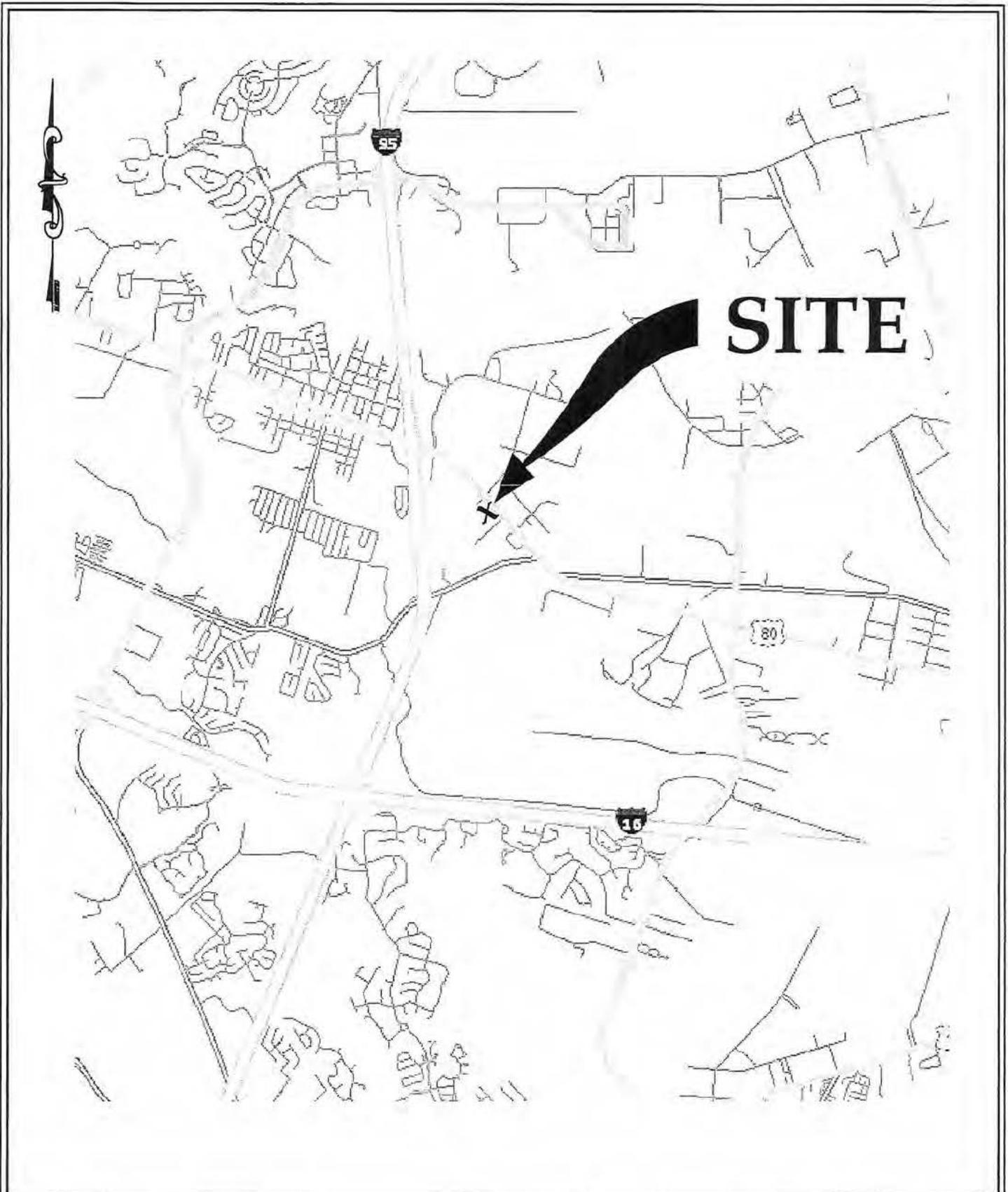
DATUM: NAVD 88

SOURCE: CAROLINA ENGINEERING CONSULTANTS

PROPOSED ACTIVITY:
 WETLAND MODIFICATION FOR
 PROPOSED DEVELOPMENT

COUNTY: CHATHAM COUNTY, GA

APPLICANT: FIRST PRESBYTERIAN CHURCH OF POOLER



FIRST PRESBYTERIAN CHURCH OF POOLER
PROJECT SITE
WETLANDS MANAGEMENT PLAN - LOCATION MAP

DATE: MAY 28, 2014
SHEET: 2 OF 5
SCALE: 1"=5000'
SOURCE: CAROLINA ENGINEERING CONSULTANTS

DATUM: NAVD 88

PROPOSED ACTIVITY:
WETLAND MODIFICATION FOR
PROPOSED DEVELOPMENT

COUNTY: CHATHAM COUNTY, GA

APPLICANT: FIRST PRESBYTERIAN CHURCH OF POOLER

LEGEND

SYMBOL

DESCRIPTION

TOTAL PROJECT ACREAGE	1.66 AC
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FRESHWATER WETLAND IMPACTS



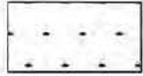
WETLAND IMPACT	0.69 AC
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WETLAND "A"	0.38 AC
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WETLAND "B"	0.31 AC
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TOTAL WETLAND IMPACT	0.69 AC
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FRESHWATER WETLAND UNDISTURBED



WETLAND UNDISTURBED	0.09 AC
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WETLAND "C"	0.09 AC
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TOTAL WETLAND UNDISTURBED	0.09 AC
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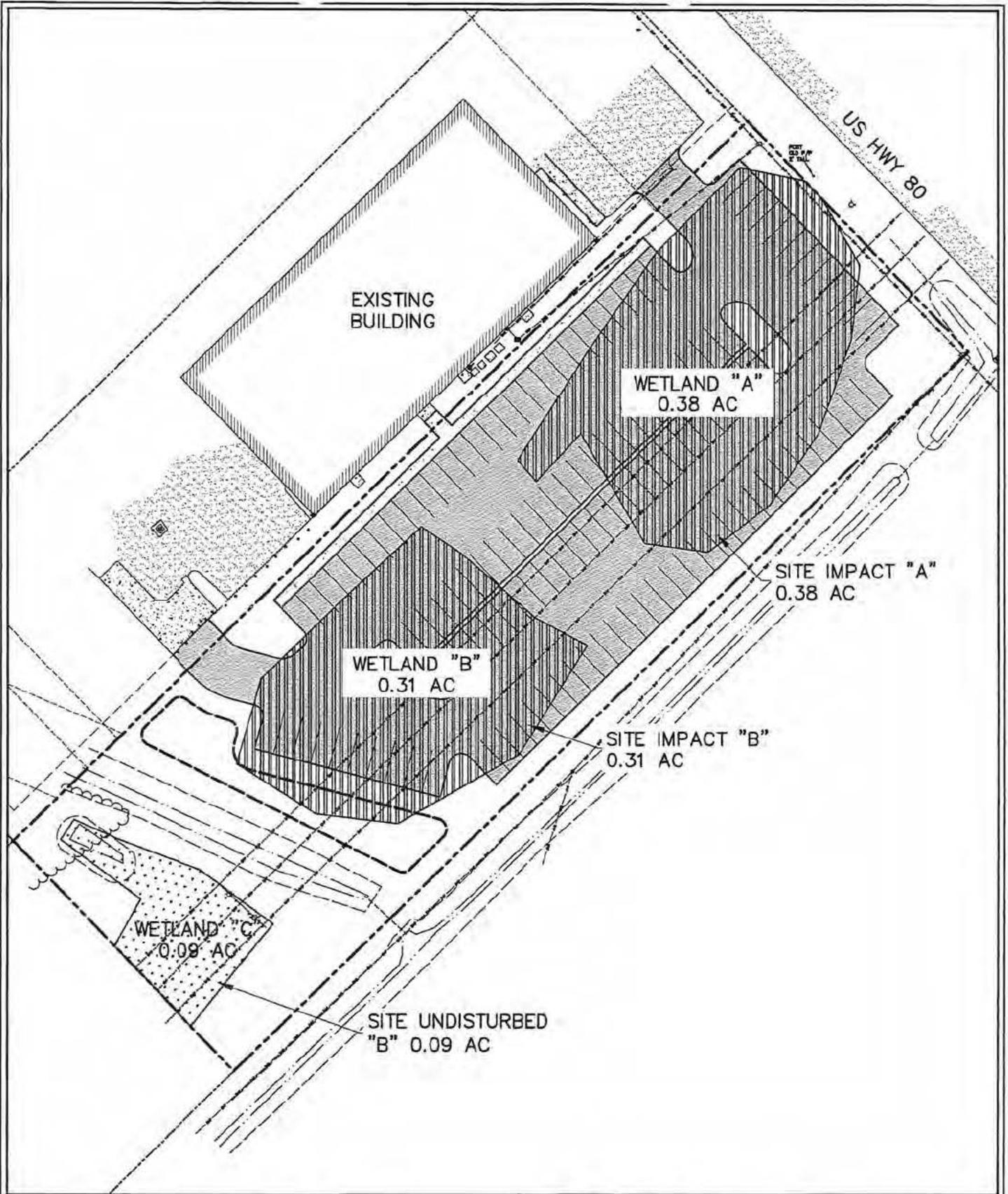
FIRST PRESBYTERIAN CHURCH OF POOLER
PROJECT SITE
WETLANDS MANAGEMENT PLAN - LEGEND
DATE: MAY 28, 2014
SHEET: 3 OF 5
SCALE: NOT TO SCALE
SOURCE: CAROLINA ENGINEERING CONSULTANTS

DATUM: NAVD 88

PROPOSED ACTIVITY:
WETLAND MODIFICATION FOR
PROPOSED DEVELOPMENT

COUNTY: CHATHAM COUNTY, GA

APPLICANT: FIRST PRESBYTERIAN CHURCH OF POOLER



FIRST PRESBYTERIAN CHURCH OF POOLER
 PROJECT SITE
 WETLANDS MANAGEMENT PLAN
 DATE: MAY 28, 2014
 SHEET: 4 OF 5
 SCALE: 1"=60'
 SOURCE: CAROLINA ENGINEERING CONSULTANTS

DATUM: NAVD 88

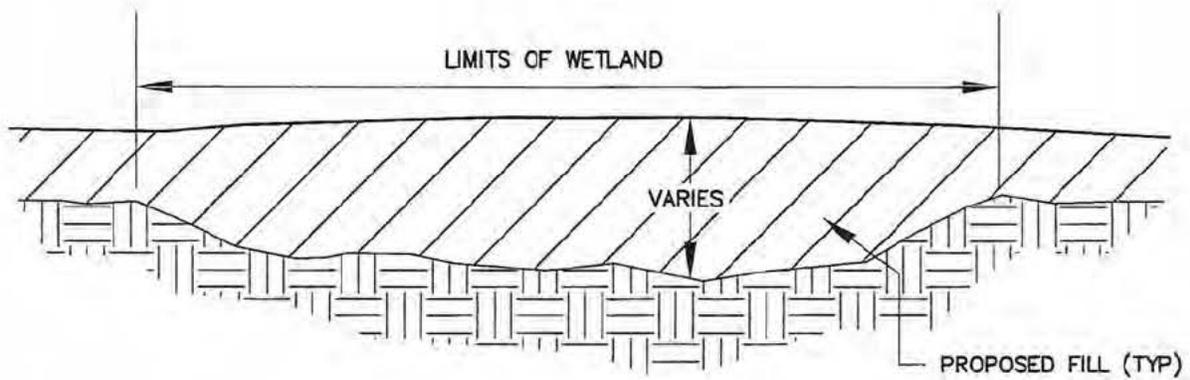
PROPOSED ACTIVITY:
 WETLAND MODIFICATION FOR
 PROPOSED DEVELOPMENT

COUNTY: CHATHAM COUNTY, GA

APPLICANT: FIRST PRESBYTERIAN CHURCH OF POOLER

WETLAND IMPACT

TOTAL CU. YARDS OF FILL IMPACT= 3,206 CY.
TOTAL CU. YARDS OF EXCAVATION= 0 CY.



WETLAND FILL SECTION

NOT TO SCALE

FIRST PRESBYTERIAN CHURCH OF POOLER
PROJECT SITE
WETLANDS MANAGEMENT PLAN
DATE: MAY 28, 2014
SHEET: 5 OF 5
SCALE: NOT TO SCALE
SOURCE: CAROLINA ENGINEERING CONSULTANTS

DATUM: NAVD 88

PROPOSED ACTIVITY:
WETLAND MODIFICATION FOR
PROPOSED DEVELOPMENT

COUNTY: CHATHAM COUNTY, GA.

APPLICANT: FIRST PRESBYTERIAN CHURCH OF POOLER