



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

REPLY TO
ATTENTION OF

NOV - 4 2014

Regulatory Division
SAS-2004-08420

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-2004-08420

Applicant: Ms. Sonja Fillingame
City Manager, City of Union City
5047 Union Street
Union City, Georgia 30291

Agent: Mr. Dana Spotts
Contour Environmental, LLC
1690 Stone Village Lane, Suite 321
Kennesaw, Georgia 30152

Location of Proposed Work: The project site is located southwest of the intersection of Buffington Road and Flat Shoals Road, in Union City, Fulton County, Georgia (latitude 33.5684, longitude -84.5244).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The proposed project was originally placed on Public Notice on August 20, 2014 and removed the next day for additional review. In order to meet the requirements of the Notice of Decision issued by the Georgia Regional Transportation Authority (GRTA) on April 6, 2005 and July 26, 2013 the applicant proposes to widen and extend Oakley Industrial Boulevard, in conjunction with a large light industrial warehouse property. The proposed project will establish a connection between the existing Oakley Industrial Boulevard to Flat Shoals Road. The extension will provide access from the light industrial development currently being constructed to the existing light industrial development at the end of Oakley Industrial Boulevard. To construct the road extension the applicant proposes to impact 290 linear feet of perennial stream, 1.03 acres of forested wetland and 1.72 acres of scrub wetland. Previous impacts to jurisdictional features to construct the neighboring light industrial developments (NWP 39s) are file

numbers SAS-2008-00655 issued on August 14, 2008 verifying impacts to 0.486 acres of wetlands and SAS-2004-08420 dated November 29, 2013 verifying impacts to 0.42 acres of wetland.

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, 7 MLK, Jr. Drive, Suite 450, Atlanta, Georgia 30334, 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: 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.

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. Chikita' M. Sanders, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than

30 days from the date of this notice (December 6, 2014). 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. Chikita' M. Sanders, Regulatory Specialist, Piedmont Branch at 678-422-6570.

****Encls**

1. Figure 2: Location Map, Buffington Road, Fulton County Georgia
2. Preliminary Site Plan: Majestic Realty Company: Project Proposed Development, Flat Shoals Road and Buffington Road, Union City, Georgia, Sheet PS.1
3. Jurisdictional Wetland/Waters Map, Sheet WE-1
4. Wetland Impact Exhibit, Sheet W.EX-1
5. Wetland Impact Exhibit, Sheet W. EX -2
6. Wetland Impact Exhibit, Road Extension Centerline Profile, Sheet W. EX -2
7. Alternative Route Exhibit, Sheet W.EX-1



Legend
 [Red Outline] Approximate Project Boundary

0 500 1,000 2,000 Feet

**BUFFINGTON ROAD
 FULTON COUNTY, GEORGIA**

**FOR
 CONTOUR ENVIRONMENTAL, LLC**
 CREATED: 12/20/13

FIGURE 2: LOCATION MAP
 PREPARED BY
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