



REPLY TO
ATTENTION OF:

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

September 21, 2005

Regulatory Branch
200500228

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: 200500228

Applicant: City of Jefferson
Attention: Mayor Jim Joiner
147 Athens Street
Jefferson, Georgia 30549

Agent: Law Office of Wm. Thomas Craig
Attention: Mr. Scott Cole
1144 College Avenue
P.O. Box 1587
Covington, Georgia 30015

Location of Proposed Work: The site is located Parks Creek, at latitude 34° 10' 20" north and longitude 83° 31' 42" west, approximately 3.7 miles northeast of the City of Jefferson, Jackson County, Georgia. The site is located between and adjacent to State Route (SR) 85 and SR 15, approximately 4.6 miles upstream of the confluence of Parks Creek and the North Oconee River.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: The City of Jefferson (the City) proposes to construct a pump storage drinking water reservoir that will consist of an impoundment on Parks Creek filled by pumping from the North Oconee River. The proposed water reservoir will include a raw water intake structure on the North Oconee River, a dam, appropriate infrastructure such as a water treatment facility and transmissions mains, and access roads for maintenance on Parks Creek near the City of Jefferson, Jackson County, Georgia. The proposed water reservoir will provide drinking water for existing and projected water supply demands for the incorporated City of Jefferson as well as portions of Jackson County in the city's service area through the Year 2050. The service area for the proposed Parks Creek reservoir is defined in accordance with the Service Area Map for Jackson County, Georgia, adopted by the counties and municipalities pursuant to the 1997 Georgia General

Assembly enacted Local Government Services Delivery Strategy Act (HB 489). These boundaries include a total of approximately 28 square miles of which 12,417 acres (18.98 square miles) lay within the current city limits.

The City conducted a Water Supply Study in July 2000, that identified seven potential future water reservoir sites on Big Curry Creek, Old Swimming Pool Road, Little Curry Creek, Bear Creek, Parks Creek, Crowe's Lake, the Otley site (these six locations are in the Middle Oconee River watershed), and the existing Bear Creek Reservoir in the Upper Oconee River watershed. The applicant's preliminary research eliminated four of these reservoir sites based on their inability to provide a minimum safe yield of 4.0 million gallons per day (mgd), potential environmental impacts, water quality, proximity to the service area, environmental constraints, and potential for a natural dam site. Little Curry Creek, Parks Creek, and the Bear Creek Reservoir remained as potential future water supply reservoir sites.

The proposed Parks Creek Water Reservoir, at full pool, will be established at an elevation of 823.5 feet above Mean Sea Level (MSL) and will encompass approximately 166 surface acres along Parks Creek and its unnamed tributaries. The control elevation will be ± 834 feet MSL (± 230 acres) and encompasses the project site and proposed setback buffers. The City proposes to acquire land up to about the 850 MSL. The Parks Creek site has a safe yield of 3.9 mgd that will be increase to 5.9 mgd by additional diversions from the North Oconee River. The drainage basin area of Parks Creek upstream from the proposed dam location totals 2.7 square miles. The cumulative water demand for this service area is 0.927 mgd with an increase to 5.9 mgd by the Year 2050. The water demand calculations account for a gradual 12% increased water conservation.

The State of Georgia will require that any pumping from the North Oconee River must maintain a non-depletable flow in the river equal to the 7Q10 flow plus the prorated share of the Athens downstream withdrawal, or the natural streamflow, whichever is less. The proposed reservoir will also have to release a minimum flow of 7Q10 or the natural inflow, whichever is less.

Jurisdictional waters within the proposed reservoir project's property include eight perennial streams, three intermittent streams, and three wetlands. Impacts to these jurisdictional waters will be 0.26 acre of three wetlands, 12,650 linear feet of perennial streams, and 2,825 linear feet of intermittent streams (total of 20,475 linear feet of streams). Additional potential impacts to less than 500 linear feet of streams and zero acres of wetlands would occur during construction of the water mains.

The City proposes to implement mitigation measures to compensate for adverse jurisdictional waters impacts and to protect water quality within the Oconee River watershed. The applicant proposes to compensate for 0.26 acre of wetland impacts by purchasing 2 wetland credits from an approved commercial mitigation bank that services the project area. Three stream mitigation sites are proposed to compensate for the 20,475 linear feet of stream impacts with a minimum of 50-foot buffer from each bank. The Opossum Creek site will preserve 6,125 linear feet of

stream. The Recreational Park site will restore approximately 7,400 linear feet of stream and riparian buffer. The Big Curry Creek site, located at the Central City Water Reclamation Facility, will preserve approximately 8,500 linear feet of stream.

BACKGROUND

This Joint Public Notice announces a request for authorizations from both the US 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 by an applicant for a Federal Permit to conduct an 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, Water Withdrawal Section (Mr. Kevin Farrell), 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 also be seen in the US Army Corps of Engineers, Savannah District, Regulatory Branch, Northern Section, 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 that 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: Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, we request the Georgia Historical Preservation Division or any other interested party review the latest published version of the National Register of Historic Places to determine if the property has or has not any registered properties or properties listed as eligible for inclusion 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.

The City of Jefferson performed a Phase I Cultural Resources Survey of the proposed Parks Creek property and determined that there are no archaeological sites within two kilometers of the site.

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 from the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, or any other interested party, information on whether any species listed or proposed for listing may be present in the area.

The City of Jefferson field surveyed the project area for federally endangered species and their habitat. Intensive field surveys for the Bald eagle and red-cockaded woodpeckers were performed with none observed at the time. The applicant states there is no suitable foraging or nesting habitat present for these two 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 that 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.

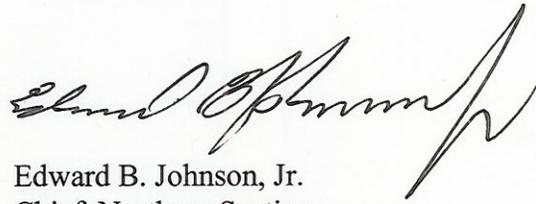
Consideration of Public Comments: The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received 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 Savannah District, US Army Corps of Engineers, Northern Section, Attention: Ms. Mary Dills, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than 30 days from the date of this notice. Please refer to the applicant's name (City of Jefferson) and the application number (200500228) in your comments.

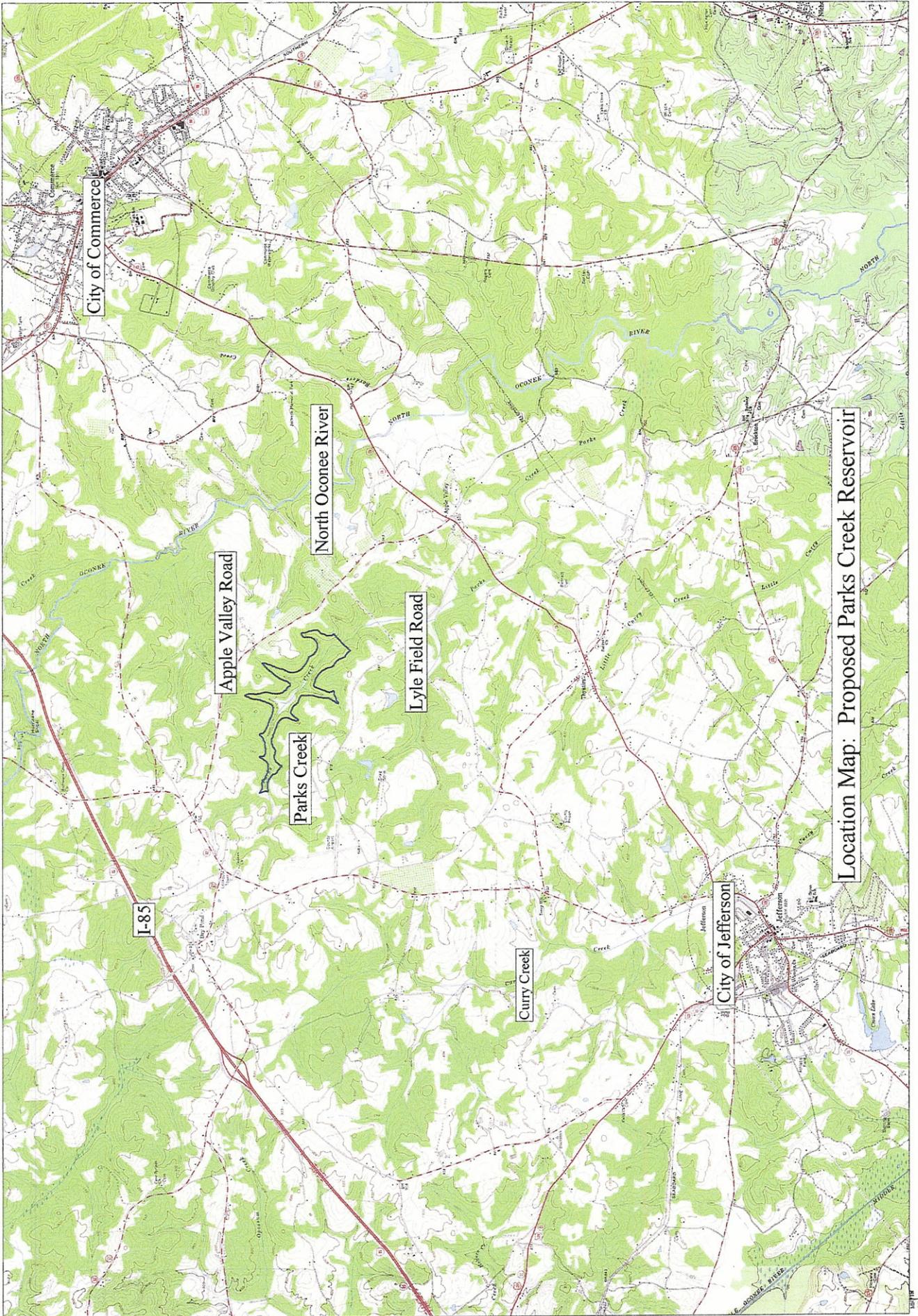
If you have any further questions concerning this matter, please contact Ms. Mary Dills of the Regulatory Branch at (678) 422-2727.



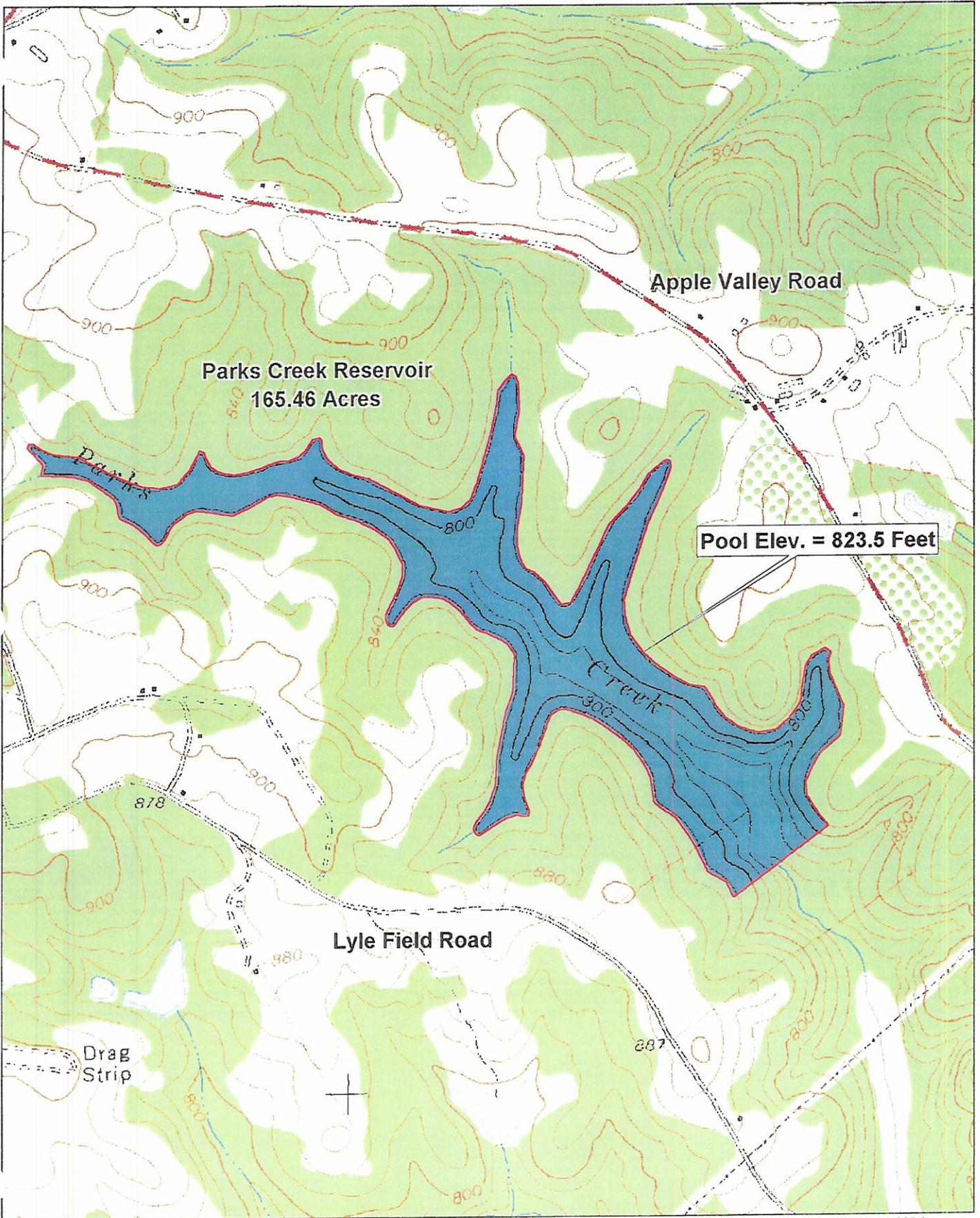
Edward B. Johnson, Jr.
Chief, Northern Section

8 Enclosures

1. Location Map: Proposed Parks Creek Reservoir
2. Topographic Map
3. Figure 3: Project Location Map
4. Table 1: Jurisdictional Waters Impacts
5. Figure 3: Mitigation Site Location Map, Opossum Creek
6. Figure 4: Mitigation Site Location Map, Recreational Park
7. Figure 5: Mitigation Site Location Map, Big Curry Creek
8. Table 3: Stream Mitigation Summary



Source: USGS, 1:250,000 scale, 1980s edition, revised 1990s



© 2000 DeLorme. DeLorme XMap Geographic; Data source provided by USGS.
Scale: 1 : 14,400 Zoom Level: 14-0 Datum: WGS84

200500228 ENCL 2: Topographic Map

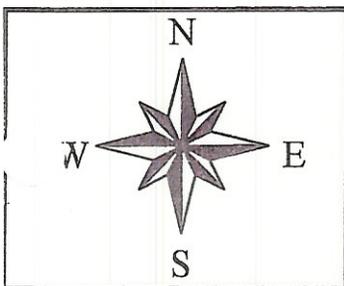
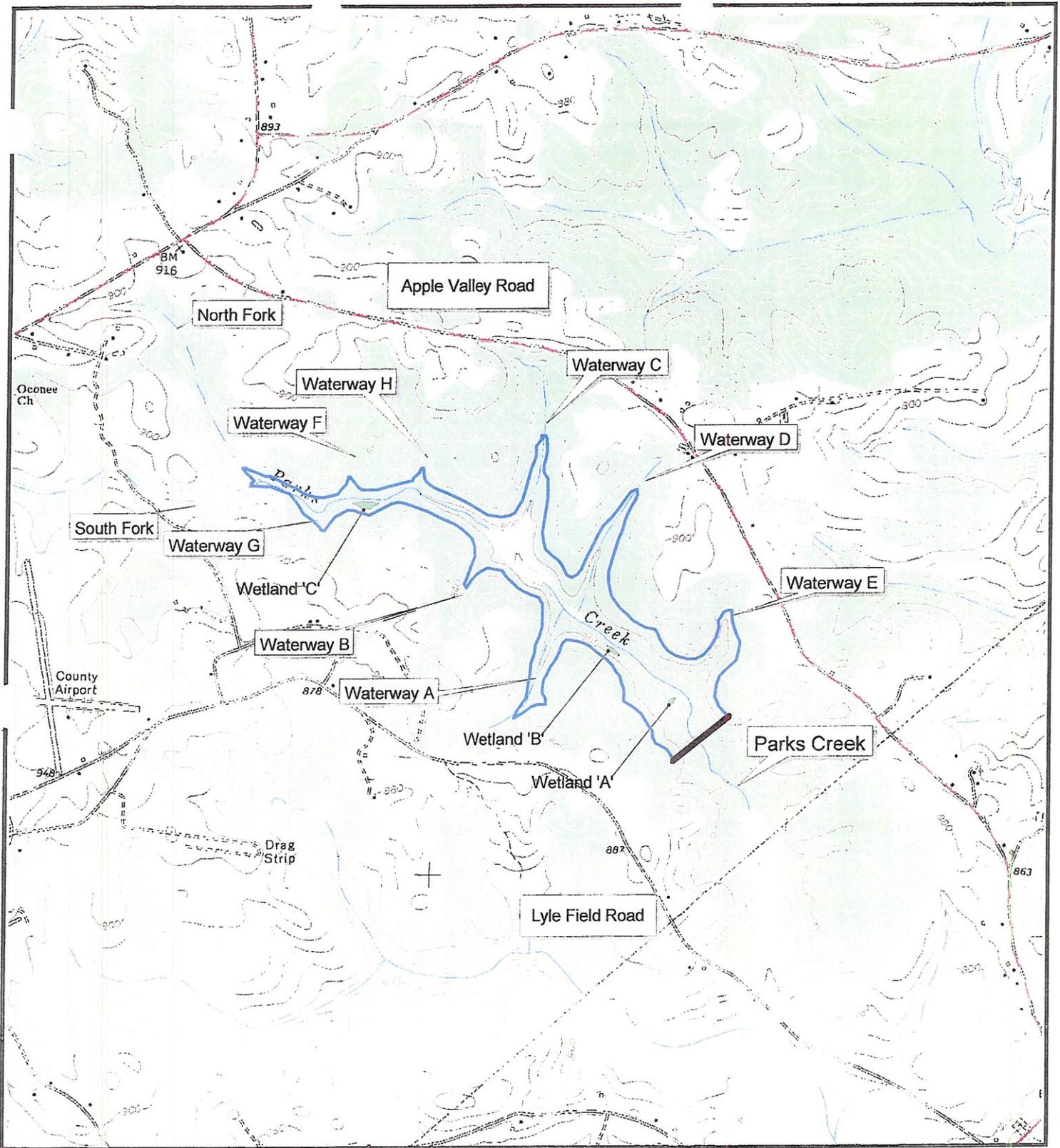


Figure 3
PROJECT LOCATION MAP
 Parks Creek Reservoir - 823.5' MSL
 Apple Valley, Jackson County, Georgia
 USGS - Apple Valley 7.5 minute quadrangle (1976)
 1000 0 1000 2000 3000 Feet

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T. E.1. JURISDICTIONAL WATERS IMPACTS WITHIN THE PARKS CREEK RESERVOIR - 823.5' M.S.L.

Jurisdictional Wetlands - 0.26 Acres

Wetland	Palustrine Forested (acres)	Palustrine Emergent (acres)
A		0.02
B	0.04	
C	0.2	
TOTAL	0.24 acres	0.02 acres

Jurisdictional Waterways - 20,475 Linear Feet

Waterway	Perennial/ Intermittent	Avg. Width (Feet)	Length Impacted (Linear Feet)	Area (Acres)
Parks Creek	Perennial	25	9,100	5.22
North Fork	Perennial	12	450	0.12
South Fork	Perennial	12	300	0.08
A	Perennial	6	1,850	0.25
B	Perennial	6	1,150	0.16
C	Perennial	6	2,000	0.27
D	Perennial	4	2,300	0.21
E	Intermittent	4	1,550	0.14
F	Perennial	4	500	0.04
G	Intermittent	3	650	0.04
H	Intermittent	3	625	0.04
TOTAL	-	-	20,475 l.f.	6.57 ac.

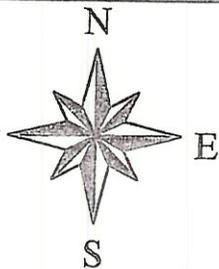
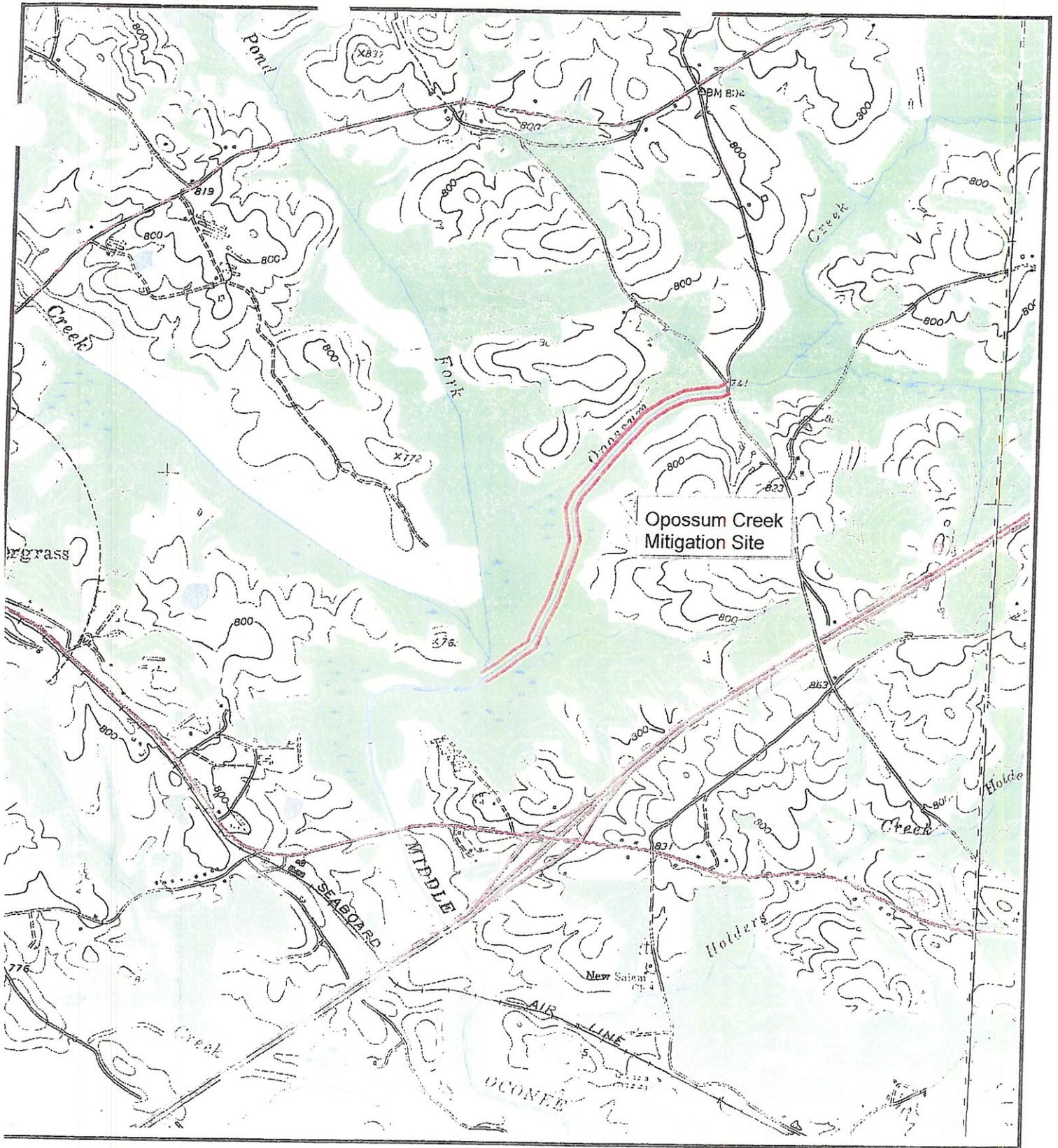
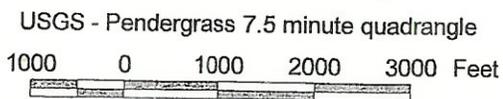
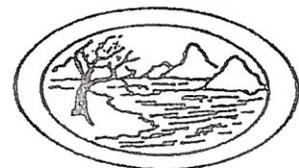


Figure 3
MITIGATION SITE LOCATION MAP
 Opossum Creek
 Jackson County, Georgia



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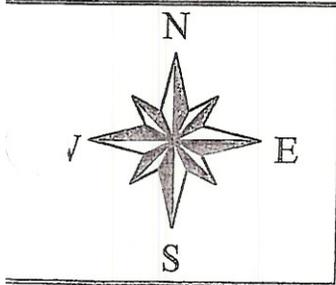
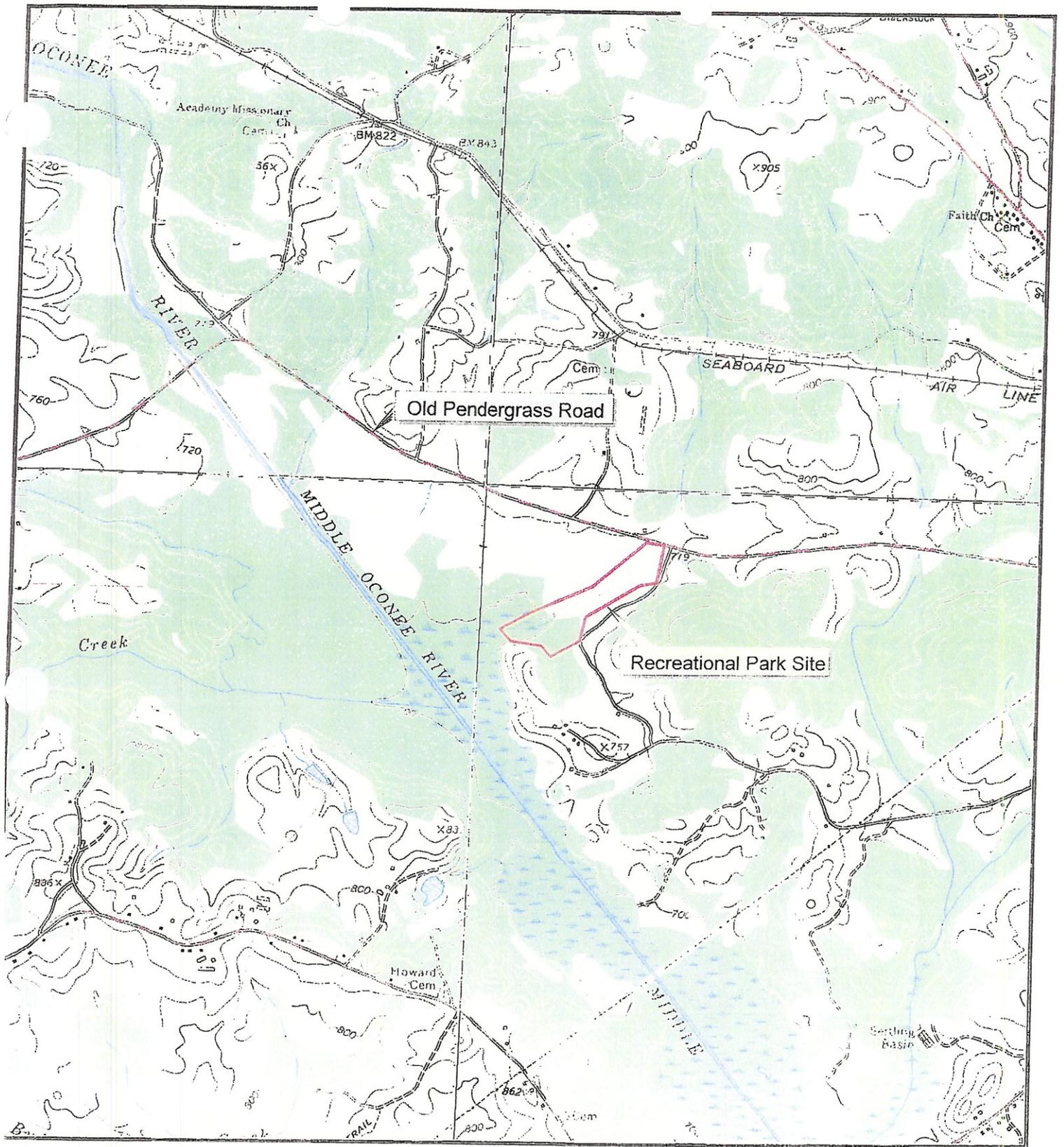


Figure 4
MITIGATION SITE LOCATION MAP
 Recreational Park
 Jackson County, Georgia
 USGS - Jefferson & Winder North 7.5 minute quadrangles
 1000 0 1000 2000 3000 Feet

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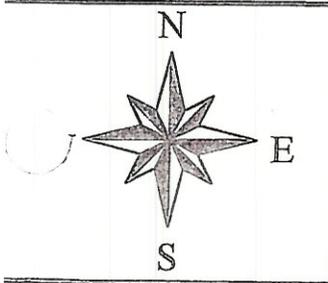
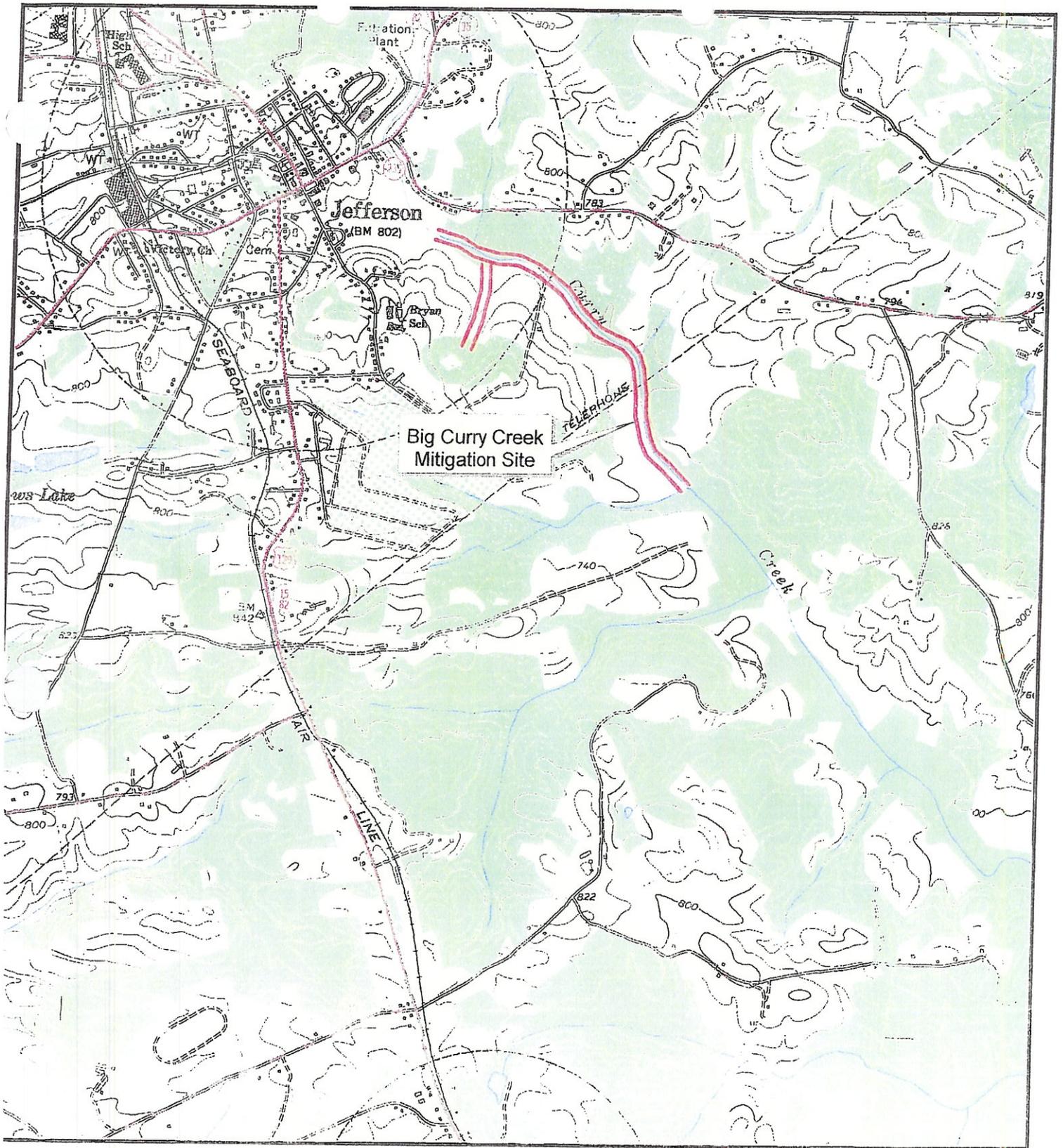


Figure 5
MITIGATION SITE LOCATION MAP
 Big Curry Creek
 Jackson County, Georgia
 USGS - Jefferson 7.5 minute quadrangle

1000 0 1000 2000 3000 Feet

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TA 3. STREAM MITIGATION SUMMARY

The following table summarizes the linear feet of streambank placed under Declarations of Restrictions and Covenants proposed for the Parks Creek Reservoir project:

PARKS CREEK RESERVOIR - STREAM MITIGATION			
Mitigation Site (Linear Feet / Acres)	Ownership / Protection	Stream / Riparian Preservation (50' from top of each streambank)	Functional Net Benefits
1. Opossum Creek (6,125 l.f. / 14ac.)	FS / DRC	6,125 (both-banks)	Stream Channel & Riparian Restoration
2. Recreational Park (7,400 l.f. / 8.5 ac.)	FS / DRC		7,400 (both-banks)
3. Big Curry Creek Big Curry 7,000 l.f. Tributary 1,500 l.f. (8,500 l.f. / 11.4 ac.)	FS / DRC	7,000 (one-bank)	1,500 (both-banks)
Total - 22,025 l.f. / 33.9 ac.		14,625 l.f.	7,400 l.f.

FS - Fee Simple, DRC - Declaration of Restrictions and Covenants