



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

FEB 27 2008

Regulatory Division
200700907

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: 200700907

Applicant: Etowah Water & Sewer Authority
Attention: Ms. Linda Townley, Chairman
1162 Highway 53 East
Dawsonville, Georgia 30534

Agent: Infratec Consultants, Inc.
Attention: Mr. James Mathis, President
1301 Hightower Trail, Suite 130
Sandy Springs, Georgia 30350

Location of Proposed Work: The Proposed Russell Creek Water Supply Reservoir project site is 1.3 miles north of Highway 53 and 2.75 miles east of the City of Dawsonville in Dawson County, Georgia. The proposed project is on Russell Creek and located at Latitude 34° 26' 06" North and Longitude 84° 03' 33" West. A map showing Dawsonville, the site of the proposed work and the proposed compensatory mitigation site is shown on Enclosure No.1.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: The Natural Resources Conservation Service (NRCS) and Etowah Water & Sewer Authority (EWSA) have signed a memorandum of understanding to work collaboratively to address water supply in Dawson County, Georgia. At the request of the US Army Corps of Engineers, NRCS is also acting as a cooperative agency for planning and implementation for the Proposed Russell Creek Water Supply Reservoir.

The EWSA has proposed to construct an embankment dam and reservoir on Russell Creek in Dawson County, Georgia. The need and purpose for the reservoir is for public water supply within the service area of unincorporated Dawson County, Georgia. The proposed project also includes a refill pump station and one-mile-long raw water transmission line. The reservoir's water source would be the Etowah River.

The proposed earthen dam would have a length of 695 feet (between two hills), a width of 675 feet (between upstream toe of dam and downstream toe), and a height of 110 feet. The amount of earthen material required for the embankment dam is 550,000 cubic yards. A concept plan and profile of the proposed embankment dam is shown on Enclosure No.2. The source for the earthen fill has not been determined.

Constructing the embankment dam would discharge earthen fill into streams beneath the dam. Constructing the reservoir would impound a 137 acre area at normal pool elevation of 1,195 feet above mean sea level. The construction of the embankment dam and reservoir would impact 4.23 miles of intermittent and perennial stream, 0.25 acres of ephemeral stream, and 5.90 acres of wetlands.

An existing embankment dam and reservoir would be removed and replaced by the much larger embankment and reservoir. The extent of wetland and stream impacts shown above are for the proposed additional impacts and do not include impacts previously made to streams and wetlands by the existing reservoir and embankment.

The applicant proposes to compensate for the project's adverse impacts to the streams and wetlands. The Compensatory Mitigation Plan (CMP) for the Russell Creek Water Supply Reservoir would compensate for wetland impacts by purchasing wetland credits from an approved mitigation bank located in the Etowah River basin. The CMP proposes to compensate for stream impacts through a combination of stream/riparian restoration and stream/riparian preservation in the Etowah River basin.

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. The Natural Resources Conservation Service will announce the proposed work in the Federal Register.

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, 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 Savannah District US Army Corps of Engineers, Regulatory Branch, Piedmont Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia.

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: Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, we request the Georgia Historical Preservation Division (GAHPD) or any other interested party review the latest published version of the National Register of Historic Places (NRHP) 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 applicant completed a Phase I Cultural Resources survey for the area below the elevation of 1,210 feet mean sea level and did not recommend any of the ten archeological sites as eligible or potential eligible for listing on the National Register.

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 applicant's consultant provided a document *Impacts of the Proposed Russell Creek Reservoir on Imperiled Fish Species and Potential Mitigation Options*. The Executive Summary of that report notes that the proposed Russell Creek Reservoir has the potential to impact federally listed 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.

A public meeting was conducted on November 27, 2007 by the Etowah Water & Sewer Authority and NRCS to present the project in detail to the general public. The public meeting was advertised in the local newspaper for four weeks prior to the meeting.

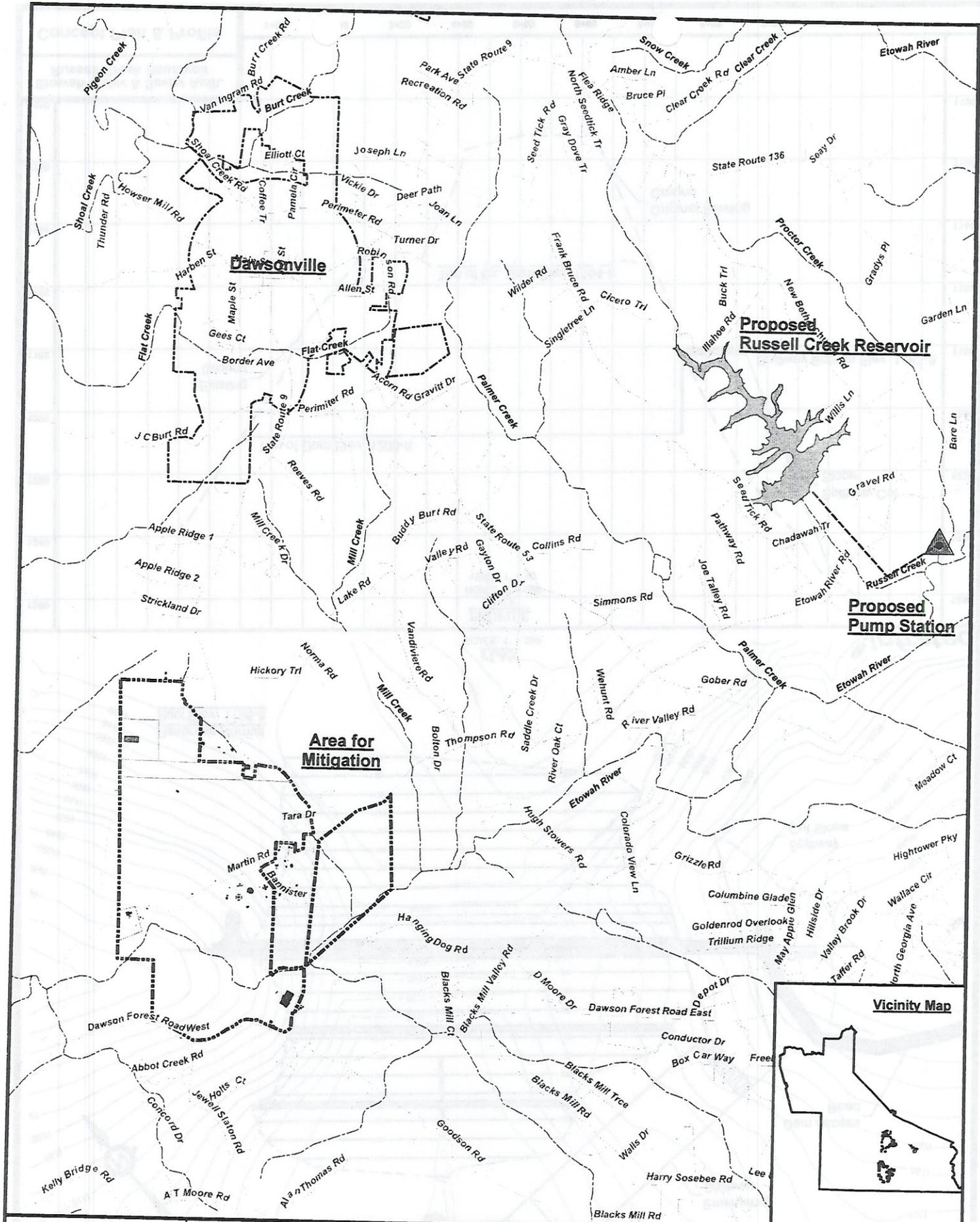
Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Savannah District, US Army Corps of Engineers, Piedmont Branch, Attention: Mr. Gary L. Craig, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than 30 days from the date of this notice. Please refer to the applicant's name (Etowah Water & Sewer Authority, Russell Creek Water Supply Reservoir) and the application number (200700907) in your comments.

If you have questions please contact Mr. Gary L. Craig at 678-422-2728.

2 Enclosures

Enclosure 1: Map showing Dawsonville, the site of the proposed work and the proposed compensatory mitigation site.

Enclosure 2: Concept plan and profile of the proposed embankment dam.

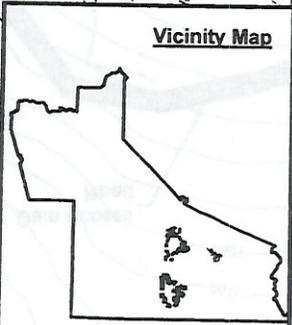


**Proposed
Russell Creek Reservoir**

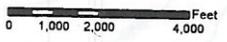
**Proposed
Pump Station**

**Area for
Mitigation**

Vicinity Map



Graphic Scale



**Etowah Water & Sewer Authority
Russell Creek Reservoir Vicinity Map**

January 2008

Enclosure
No. 1



**Infratec
Consultants**

