



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

28 AUGUST 2017

Regulatory Division  
SAS-2007-00378

**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-2007-00378

Applicant: Mr. Ocie Vest, SLF IV-GA Mill Creek, LLC  
5949 Sherry Lane, Suite 800, Dallas, Texas 75225

Agent: Ecological Solutions, Incorporated  
630 Colonial Park Drive, Roswell, Georgia 30075

Location of Proposed Work: The overall project site is located on approximately 372 acres south of Highway 29/SR 14/Hogansville Road, West of South Davis Road, within the city of LaGrange, Troup County, Georgia (Latitude 33.05068, Longitude -84.99373), as shown on Figure 1, Site Location Map. The currently proposed project is identified as the Mill Creek Station Commercial Development, approximately 92 acres, as shown on Figure 2, Mill Creek Station Location Map.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The overall 372 acre development consists of the previously approved River Mill Residential Development, the currently proposed Mill Creek Station Commercial Development, the future Commercial 2, and future Multi-family residential developments as shown on the Mill Creek Station Location Map. The approximately 107.6-acre commercial area includes a retail shopping area, and surrounding amenities such as restaurants and smaller retail centers. Construction of this commercial area will impact approximately 1,672 linear feet of streams, 1.24 acres of wetlands, and 0.6 acre of open waters. The applicant is proposing mitigation in the form of purchasing 8,865.05 stream and 11.4 wetland credits from a USACE approved 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. In 2008, an Individual Permit was issued for this property to impact 1,672 linear feet of stream, 1.24 acre of wetlands, and 0.6 acre of open water, which expired on June 20, 2013. This submittal captures the overall commercial, residential, and mixed use parcels for this development. Field investigations identified three perennial streams and one intermittent stream within the previously permitted commercial area, along with nine wetlands,

and one open water. Wetland systems vary from forested systems to scrub/shrub and emergent systems, and are located along the floodplains of the streams and adjacent to the open water. The main stream within this portion of the development is an unnamed tributary to Shoal Creek. This stream, along with the smaller tributaries, is within the Middle Chattahoochee River watershed. The site delineation shows a total of 15,843 linear feet of stream, 3.49 acre of wetlands, and 0.6 acre of open water.

### **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, Watershed Protection Branch, 2 MLK Jr. Drive, Suite 418, Atlanta, Georgia 30334, during regular office hours. A copier machine is available for public use at a charge of 10 cents per page. All coastal projects are filed at our Brunswick office and will need to be requested from Mr. Bradley Smith at [Bradley.Smith@dnr.ga.gov](mailto:Bradley.Smith@dnr.ga.gov). 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, 1590 Adamson Parkway, Suite 200 Morrow, Georgia 30260.

### **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. The applicants stated purpose: With the stated need for economic growth and housing opportunities in LaGrange, the overall purpose of the proposed Mill Creek Station development is to provide commercial/retail locales and housing in a location that will generate economic growth, local job opportunities, expanded housing, retail, and entertainment choices for current and future LaGrange residents, reinvestment of local tax dollars, and retention of retail tax dollars for local use and benefit local residents, students, and government services while providing a reasonable return on investment for the applicant.

Cultural Resources Assessment: As part of the Individual Permit issued in 2008, a Memorandum of Agreement (MOA) for adverse effects to historic properties was executed between the permittee, USACE, and the Georgia Historic Preservation Division (HPD). This MOA will be reviewed as part of the currently proposed project. An updated Phase I historic properties survey was conducted for the Commercial 2 and Multi-family tracts. No potentially eligible cultural resources were identified within these areas. This report will be coordinated with Georgia HPD.

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, National Oceanic and Atmospheric Administration, National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area. An Initial Project Scoping through US Fish and Wildlife Service stated there are no critical habitats for listed threatened or endangered species within the project 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.

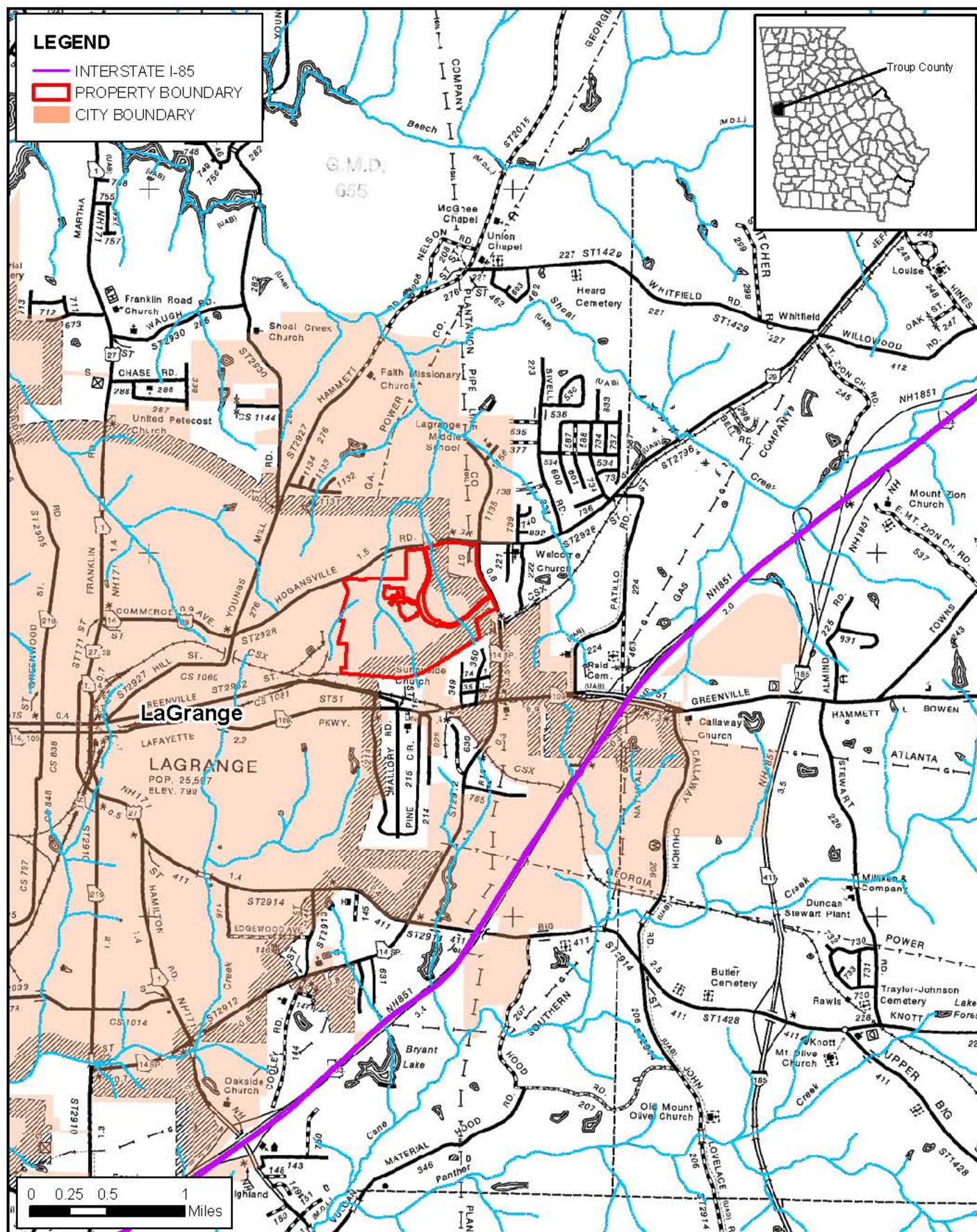
Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Holly Ross, Project Manager, Piedmont Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260, 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 Holly Ross Project Manager, Piedmont Branch, at (678) 422-2727 or [holly.a.ross@usace.army.mil](mailto:holly.a.ross@usace.army.mil).

Enclosures

1. Project Location (3 pages)
2. Existing Conditions Mapping (5 pages)
3. Project Plans (3 pages)
4. Off site alternatives (1 page)





MAY 2017  
30856-001

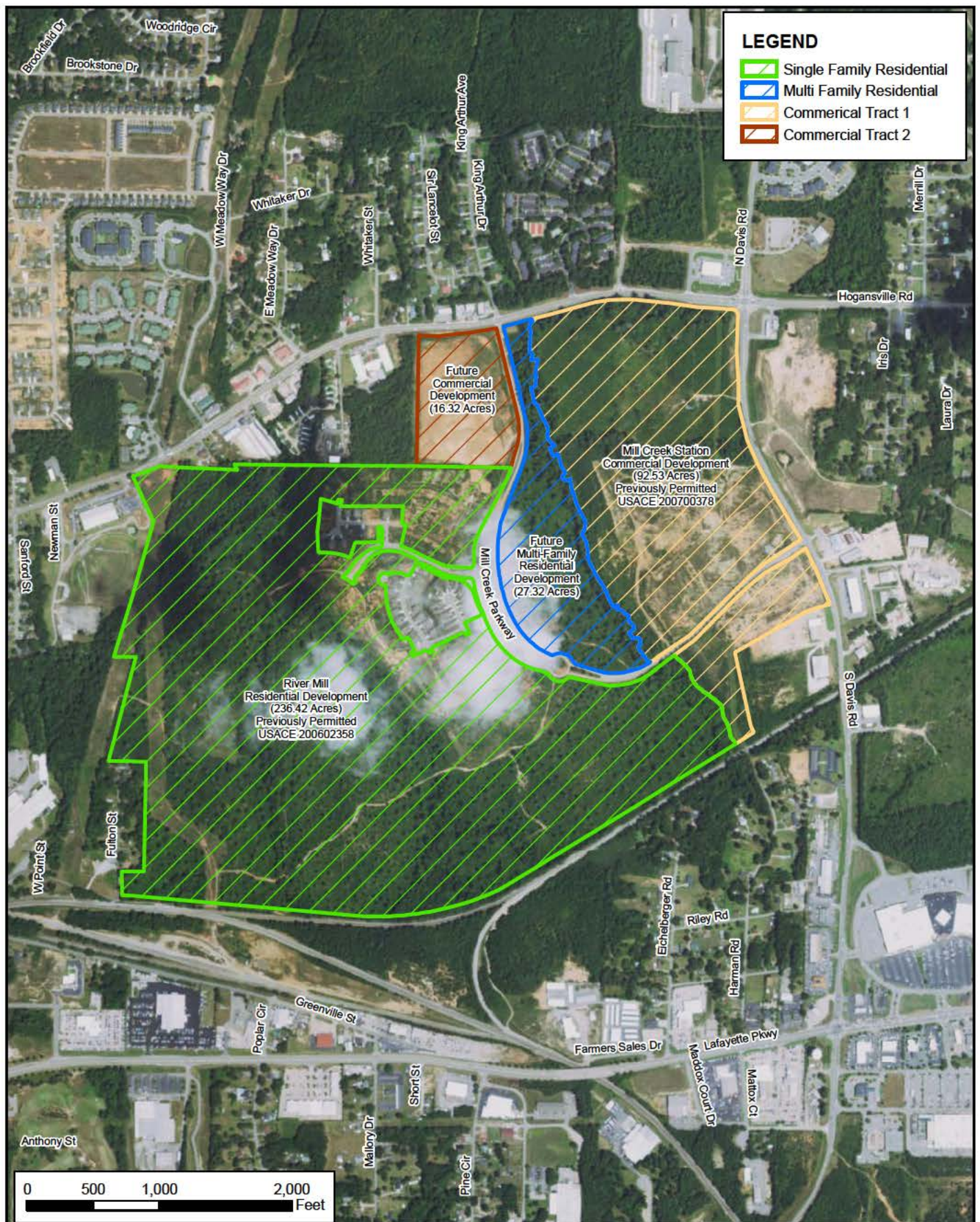
Ecological  
Solutions Inc.

SLF IV-GA MILL CREEK, LLC  
MILL CREEK STATION  
TROUP COUNTY, GA

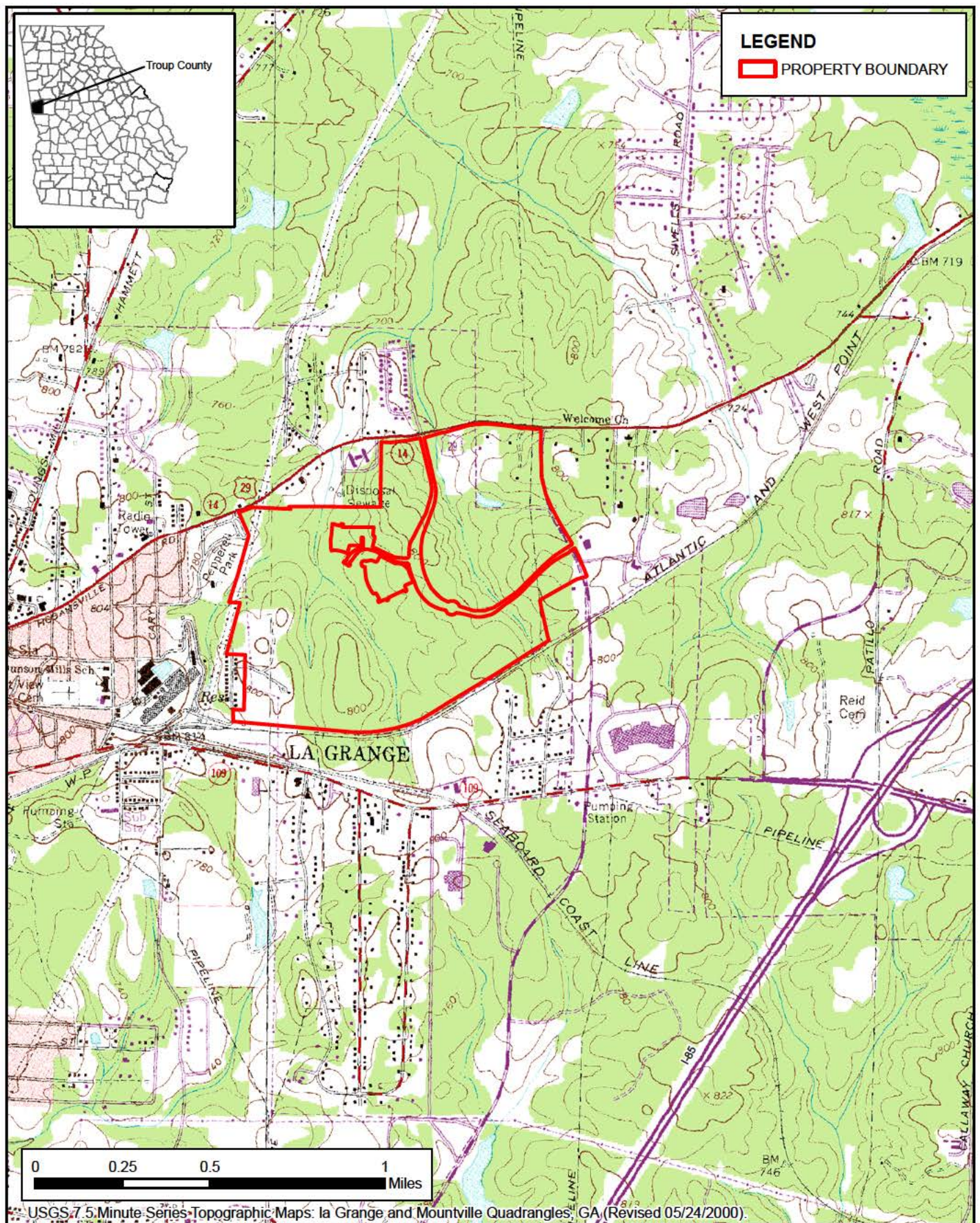
SITE LOCATION MAP

FIGURE 1

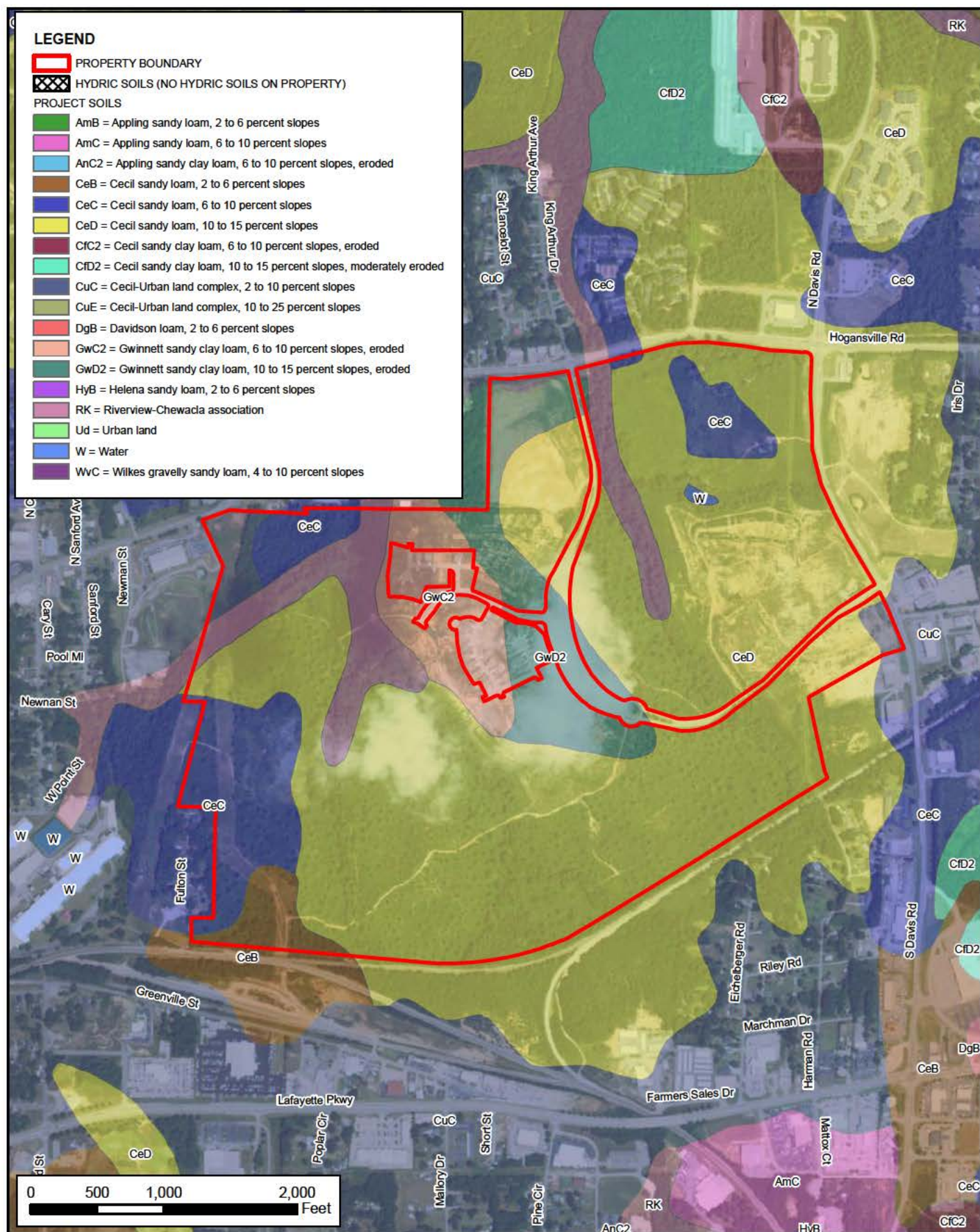








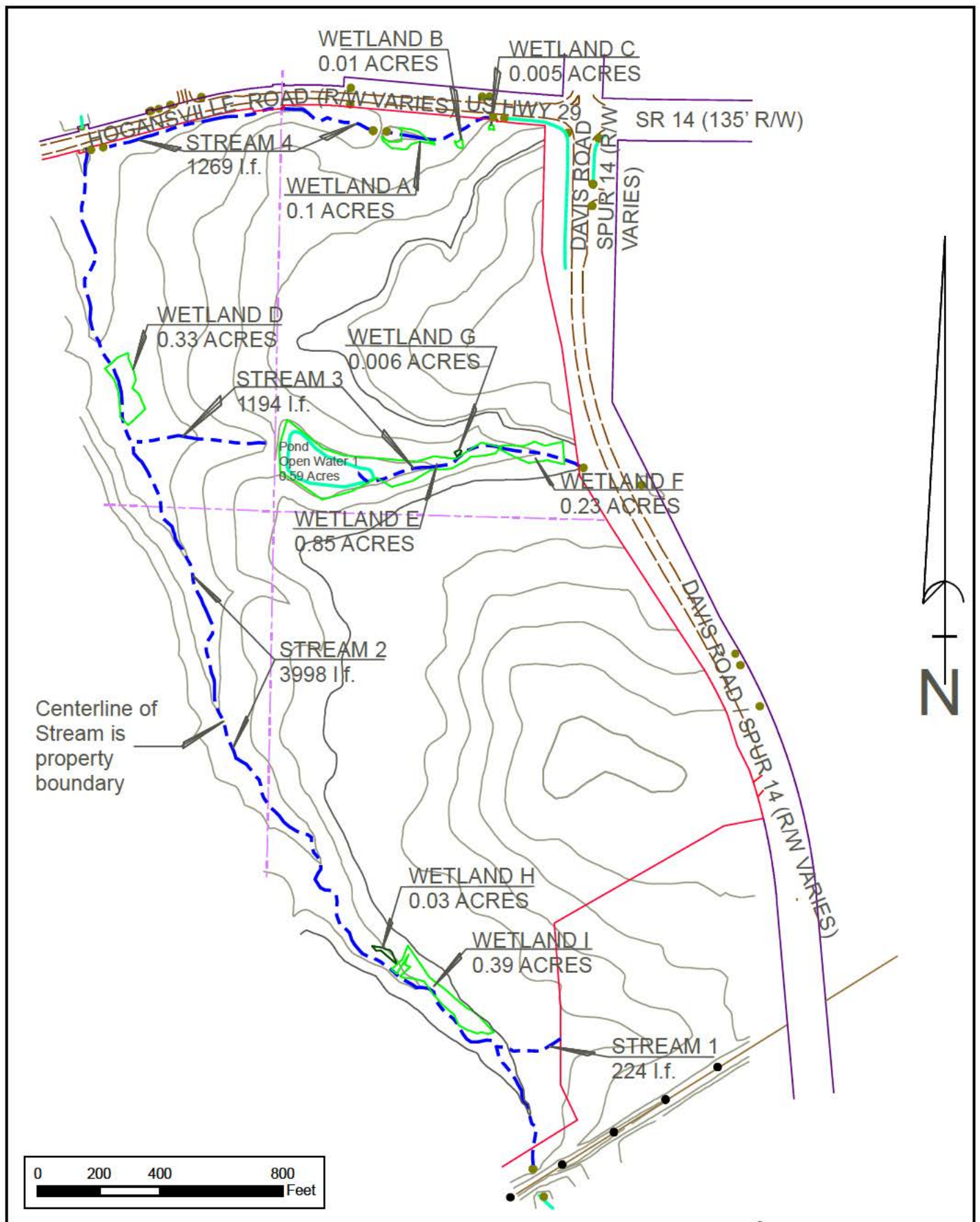




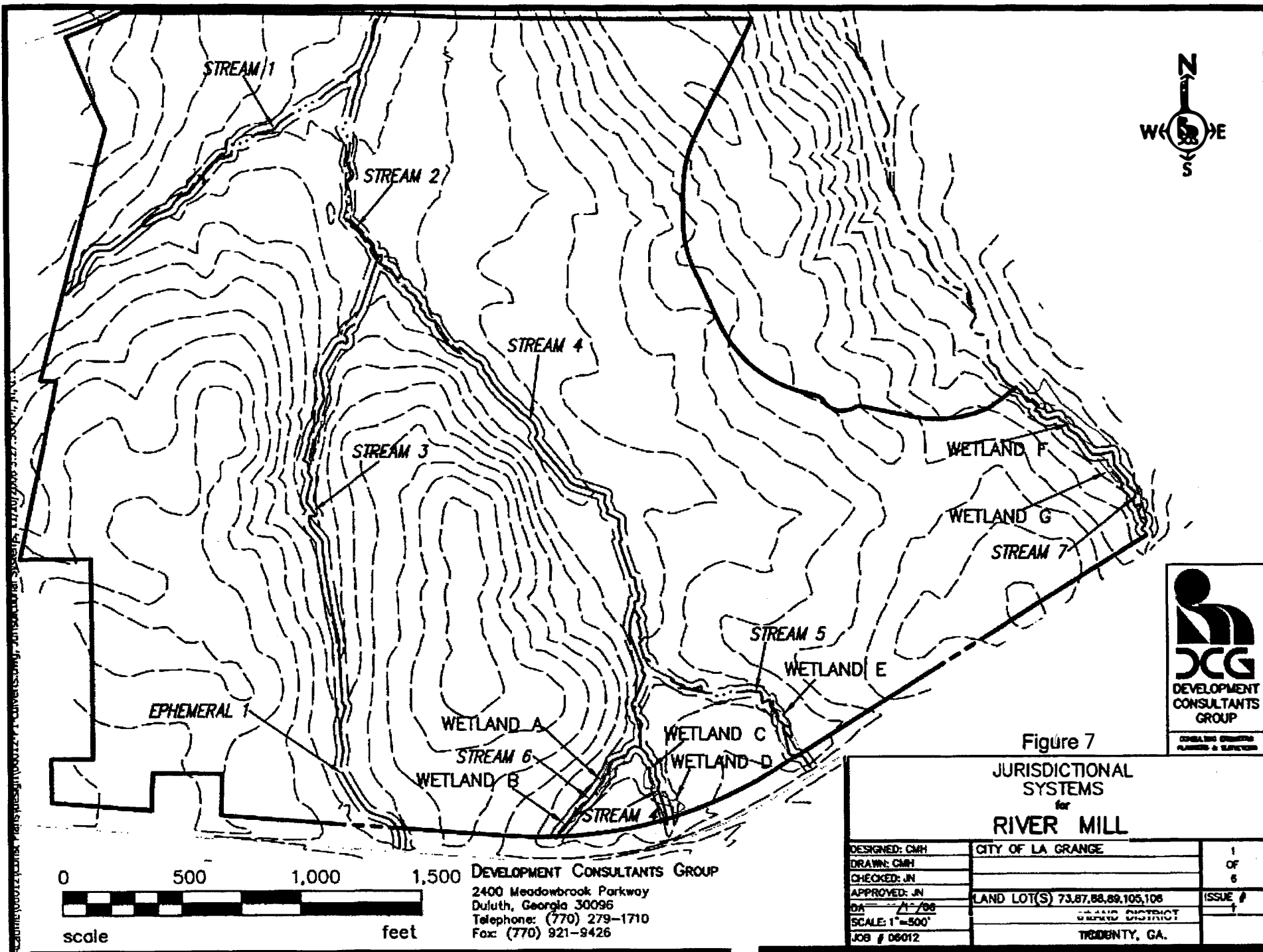


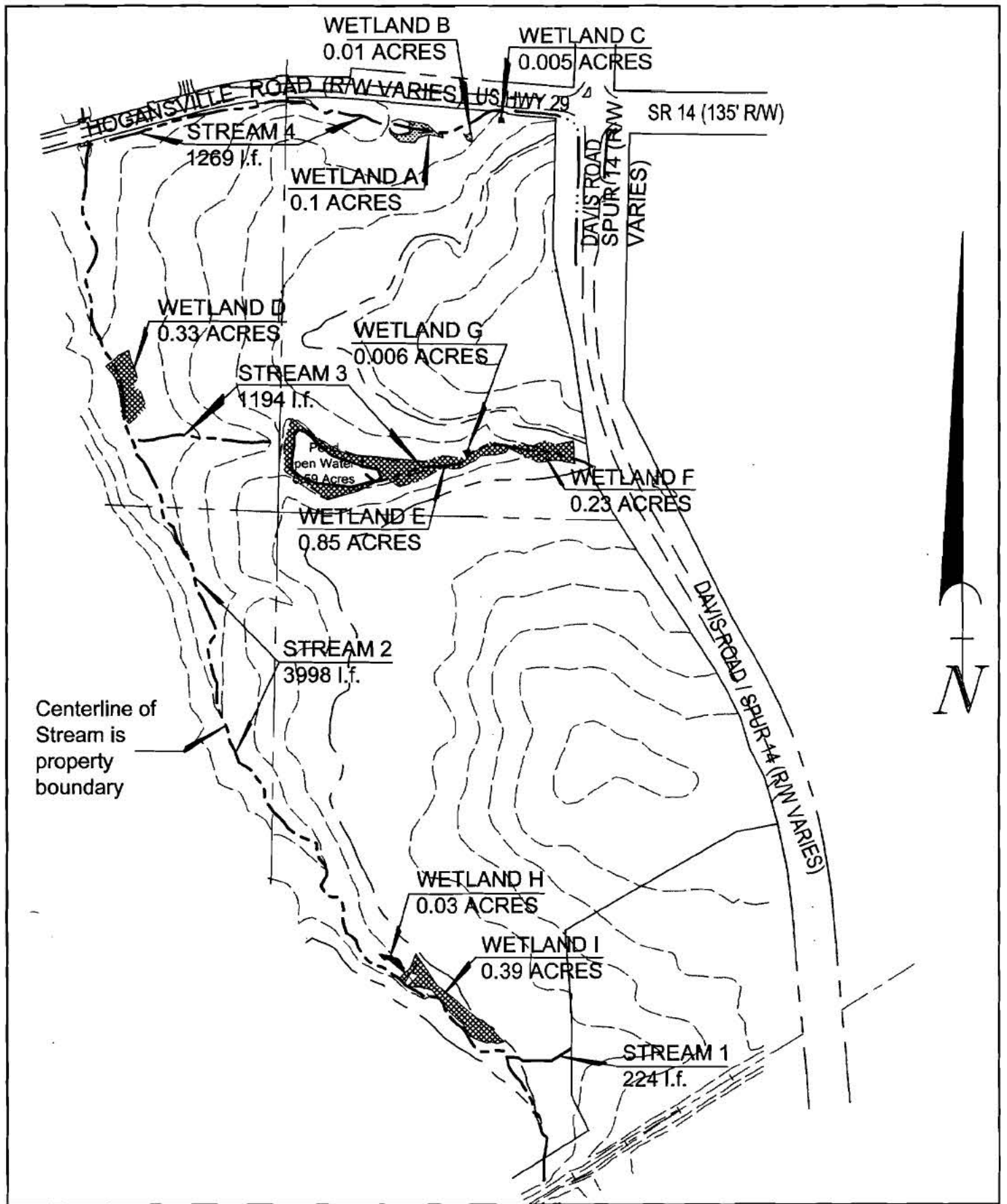












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**Ecological Solutions**

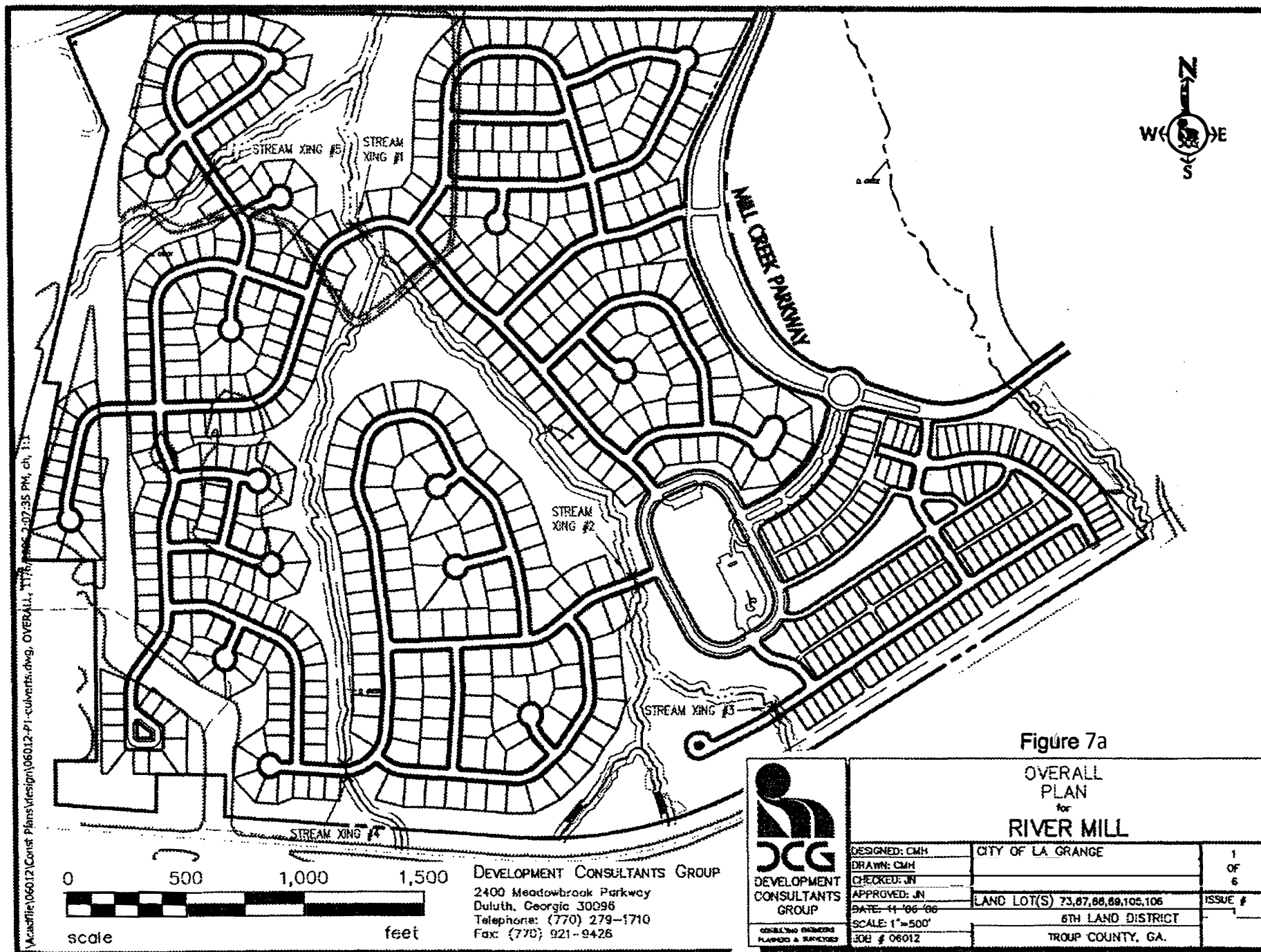
Mill Creek Station of LaGrange, LLC  
Mill Creek Station

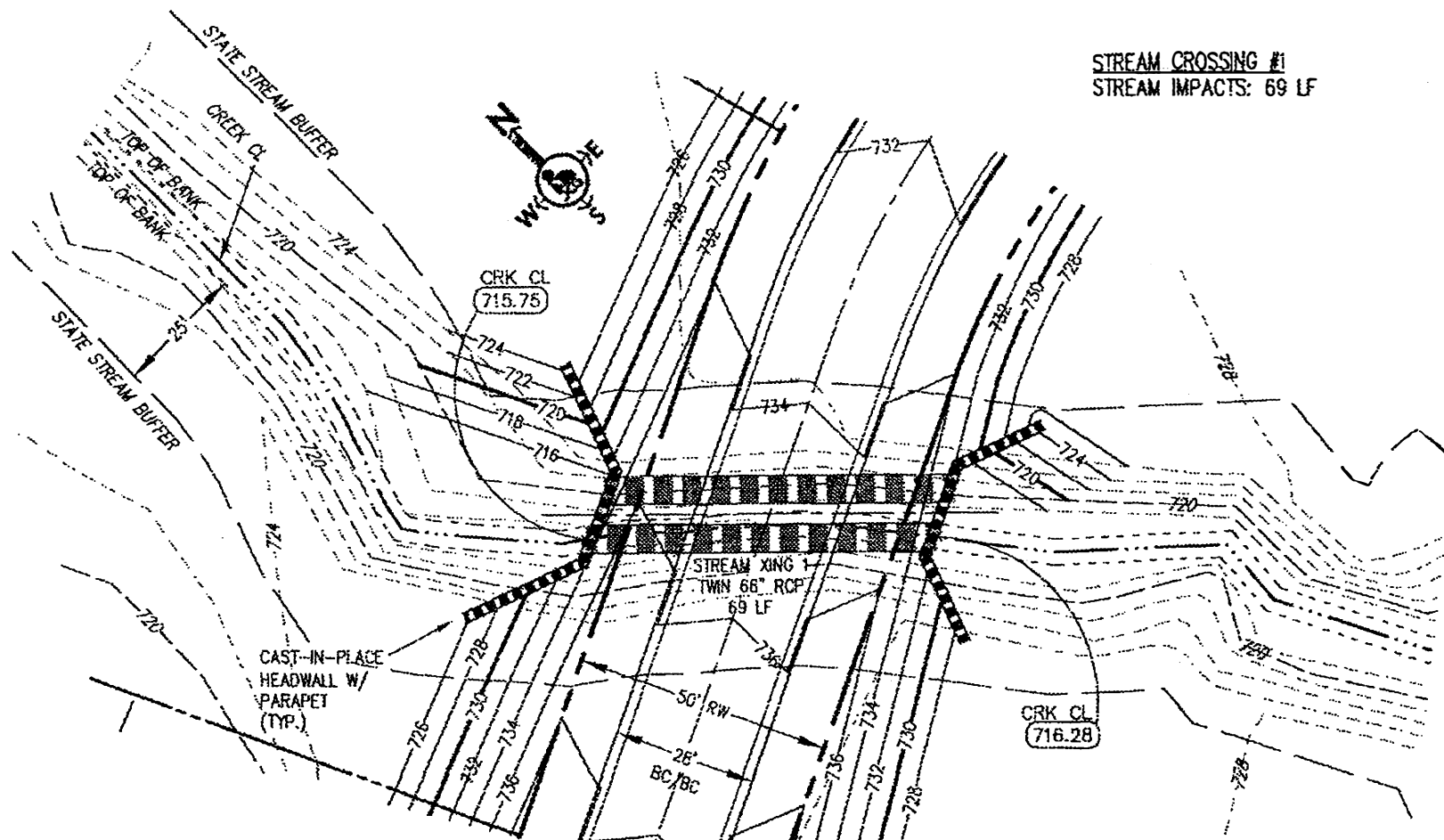
**Jurisdictional Systems**

February 2006  
1 Inch = 400 Feet  
30626-001  
**Figure 4**

Figure 9







STREAM CROSSING #1  
STREAM IMPACTS: 69 LF



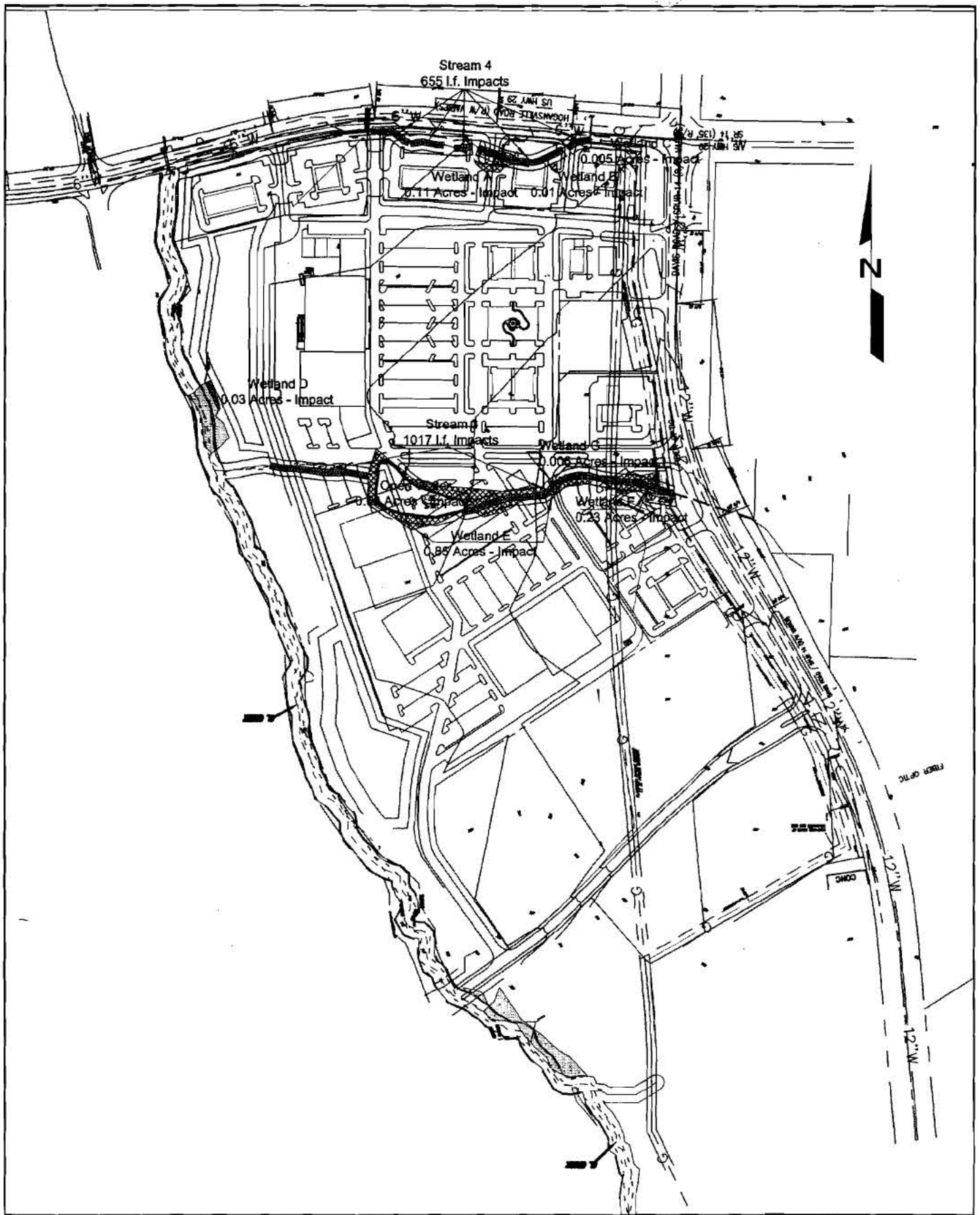
PREPARED BY :

DEVELOPMENT CONSULTANTS GROUP  
2400 Meadowbrook Parkway  
Duluth, Georgia 30096  
Telephone: (770) 279-1710  
Fax: (770) 921-9426

Figure 7b

STREAM CROSSING #1 for RIVER MILL		
DESIGNED: CMH	CITY OF LA GRANGE	2
DRAWN: CMH		OF
CHECKED: JN		6
APPROVED: JN	LAND LOT(S) 73,87,88,89,105,108	ISSUE #
DATE: 11/06/06	6TH LAND DISTRICT	1
SCALE: 1"=30'	TRUP COUNTY, GA.	
JOB # 06012		





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**Ecological**  
**Solutions** Inc.

Mill Creek Station of LaGrange, LLC  
Mill Creek Station

**Jurisdictional Impacts**

February 2007  
1 Inch = 400 Feet  
30626-001  
**Figure 8**

Figure 10



