**DEPARTMENT OF THE ARMY**
**U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT**
**4751 BEST ROAD, SUITE 140**
**COLLEGE PARK, GEORGIA 30337**

October 17, 2022

Regulatory Division
SAS-2022-00873

# 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:

The comment period for the Department of the Army Permit application will close 30 days from the date of this public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit, and must be submitted to be received on or before the last day of the comment period. Written comments concerning this Department of the Army Permit application must reference the Applicant's name and the Permit Application Number and be forwarded to the US Army Corps of Engineers (Corps) at the above address, or via the email listed at the end of this notice.

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.

Application Number: SAS-2022-00873

Applicant: Neal Tam
McDuffie County School System (MCSS)
716 Lee Street
Thomson, Georgia 30824

Agent: Matt Gale
Resource and Land Consultants, LLC
41 Park of Commerce Way, Suite 303
Savannah, Georgia 31405

Project Purpose as Proposed by Applicant: The applicant’s stated project purpose is to expand the existing MCSS educational campus, constructing a new elementary school to consolidate elementary educational facilitates, and provide connectivity for the elementary, middle and high school operations.

Location of Proposed Work: The 91.87-acre project site is located adjacent to and south of Thomson Bypass and north of Harrison Road in Thomson, McDuffie County, Georgia (latitude: 33.4801, longitude: -82.4830). The on-site aquatic resources drain towards Sills Branch, located along the western boundary of the tract.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The applicant proposes to expand the existing MCSS educational campus with the construction of an elementary school and attendant features suitable to support the educational needs of 700-800 students. The site plan includes school buildings, employee parking, site access for buses and parents and stormwater detention. Access would be provided from White Oak Road through the existing middle school complex and from Thomson Bypass via an existing road. A total of 0.93-acre of wetland would be permanent impacted (0.07-acre from establishing site access and 0.86-acre from building construction). Additionally, a total of 0.07-acre of wetland would be temporarily impacted for open-cut utility installation.

To offset the loss in aquatic function associated with the proposed impacts to aquatic resources, the applicant would purchase 6.1 legacy wetland credits (or 0.76 (2018) wetland credits) from a U.S. Army Corps of Engineers approved mitigation bank servicing the project area. The project is hydrologically connected to the Germany Creek watershed (Hydrologic Unit Code 12 (HUC 12): 030601050401).

## BACKGROUND

On October 17, 2006, a verification was issued for use of Nationwide Permit No. 39 (NWP 39) to permanently impact 0.01-acre of wetland for a road crossing to facilitate the construction of the Thomson-Mcduffie Middle School.

## STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division will review the proposed project for Water Quality Certification, in accordance with the provisions of Section 401 of the Clean Water Act. The applicant requested a pre-filling meeting for a Water Quality Certification from the State of Georgia on September 23, 2022. Prior to issuance of a Department of the Army Permit for a project located in, on, or adjacent to the waters of the State of Georgia, review for Water Quality Certification in accordance with Section 401 of the Clean Water Act is required. A reasonable period of time, which shall not exceed one year, is established under the Clean Water Act for the State to act on a request for Water Quality Certification, after which, issuance of such a Department of the Army Permit may proceed. This public notice serves as notification to the Administrator of the U.S. Environmental Protection Agency (USEPA) pursuant to section 401(a)(2) of the Clean Water Act for neighboring jurisdiction review and begins the 30-day clock for USEPA to notify affected states..

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: Review of the latest published version of the National Register of Historic Places and the Georgia Natural, Archeological and Historic Resources GIS database, indicates that no registered properties or properties listed as eligible for inclusion are located on the project site. The Applicant has contracted Phase I cultural resource surveys of the proposed project site, to assess if potential archaeological sites, historic structures, or cultural resources that may be present within the general vicinity of the proposed work area. The Corps is currently reviewing the reporting to assess the potential for adverse effects to historic properties listed, or eligible for listing, on the National Register of Historic Places. Consequently, presently unknown archaeological, scientific, prehistorical or historical data may also 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, 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. A preliminary review of the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service-Protected Resource Division's (NMFS-PRD) list of Endangered and Threatened Species (IPaC) indicates that no federally listed threatened and endangered species and/or their critical habitat is located within vicinity of this project.

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 Corps 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 Corps 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.

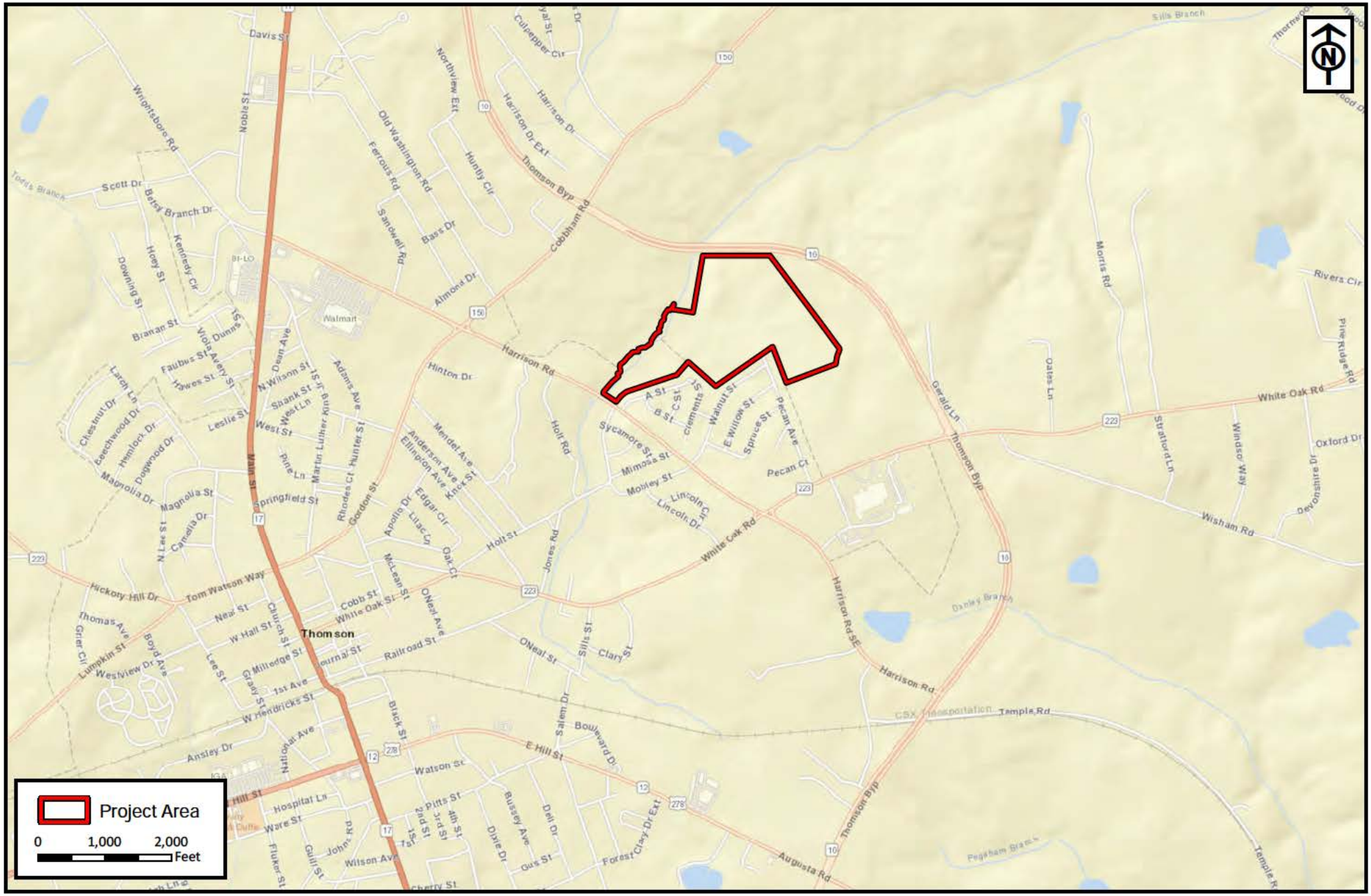
Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. The Applicant's current proposal reviewed one (1) onsite alternative and three (3) off-site alternatives for construction of the entire development (as completed and as currently proposed). In addition to the Applicant's preferred alternative, the onsite alternative and one (1) of the off-site alternatives were considered to be potentially practicable. All alternatives were further evaluated in conjunction with the application.

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 their written comments by e-mail to Justin.M.Edwards@usace.army.mil within **30 days** of this notice. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Justin Edwards, Project Manager, 4751 Best Road, Suite 140, College Park, Georgia 30337, 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 Justin Edwards, Regulatory Specialist, of the Piedmont Branch, by e-mail at Justin.M.Edwards@usace.army.mil or at 678-422-2724.

Enclosures:
1. Vicinity Map
2. Topographic Map
3. Site Location/Aerial Map
3. Aquatic Resource Delineation Map
6. Preferred Site Layout/Concept Plan
7. Off-Site Alternatives Location Map

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| RLC Project No.: | 21-384 |
| Figure No.: | 1 |
| Prepared By: | JP |
| Sketch Date: | 9/20/2022 |
| Map Scale: | 1 inch equals 2,000 feet |

# New Maxwell Elementary School

McDuffie County, Georgia

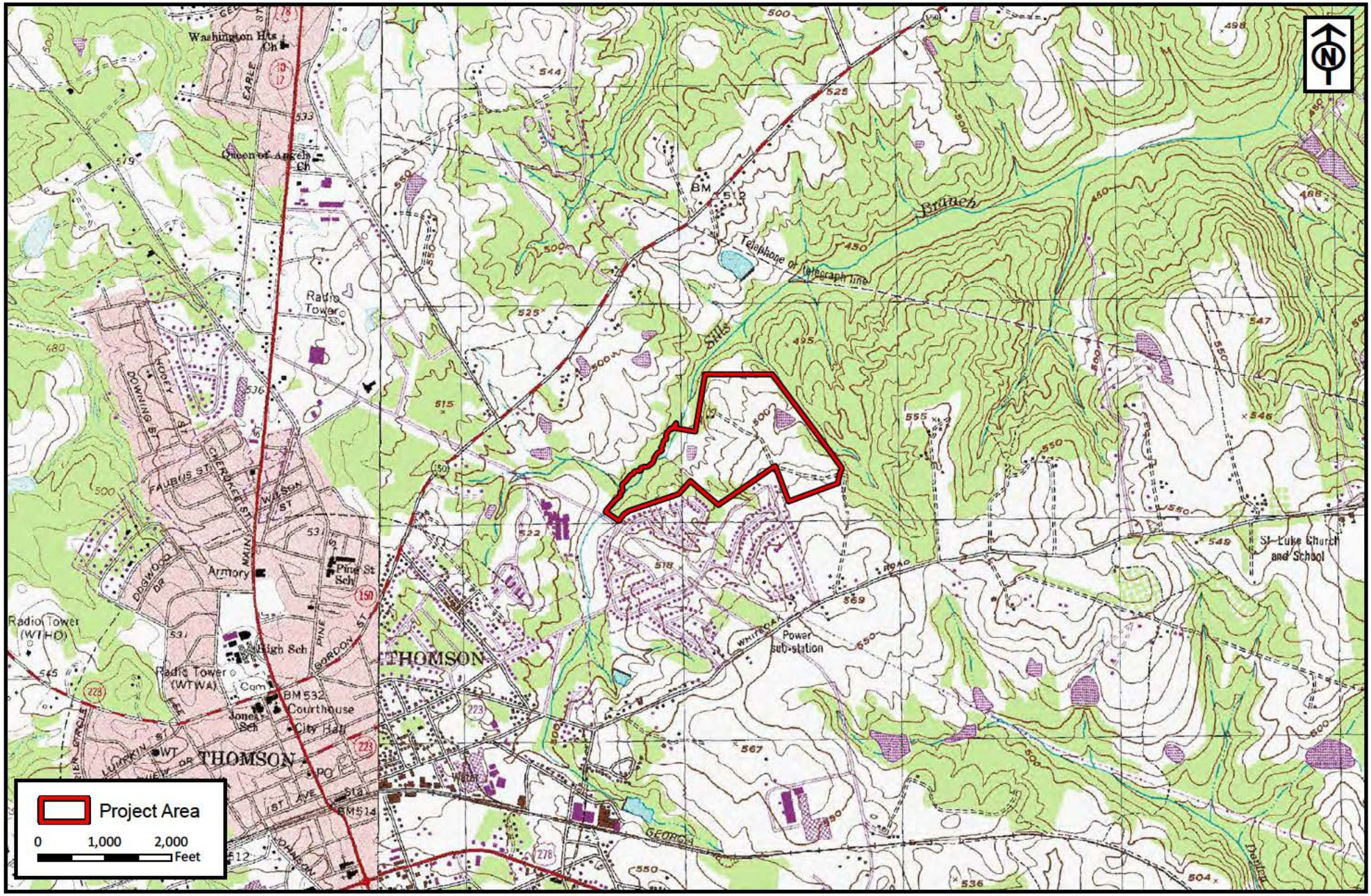
## Project Location

Prepared For: McDuffie County School System

RLC
RESOURCE+LAND CONSULTANTS
41 Park of Commerce Way, Ste 101
Savannah, GA 31405
tel 912.443.5896 fax 912.443.5898

Y:\2021 Projects\21-384 Jamie Stuckey McDuffie County Elementary School\graphics\Fig1_Location.mxd

Source(s) ESRI Basemap, World_Street_Map

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| RLC Project No.: | 21-384 |
| Figure No.: | 2 |
| Prepared By: | JP |
| Sketch Date: | 9/20/2022 |
| Map Scale : | 1 inch = 2,000 feet |

**New Maxwell Elementary School**

McDuffie County, Georgia

**USGS Topographic Survey**

Prepared For: McDuffie County School System

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Savannah, GA 31405
tel 912.443.5896 fax 912.443.5898

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Source(s) USGS Topographic Survey McDuffie County

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|---|---|
| RLC Project No.: | 21-384 |
| Figure No.: | 5 |
| Prepared By: | JP |
| Sketch Date: | 9/20/2022 |
| Map Scale : | 1 inch = 500 feet |

**New Maxwell Elementary School**

McDuffie County, Georgia

**2018 NAIP Ortho Aerial**

Prepared For: McDuffie County School System

RLC

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41 Park of Commerce Way, Ste 101
Savannah, GA 31405
tel 912.443.5896 fax 912.443.5898

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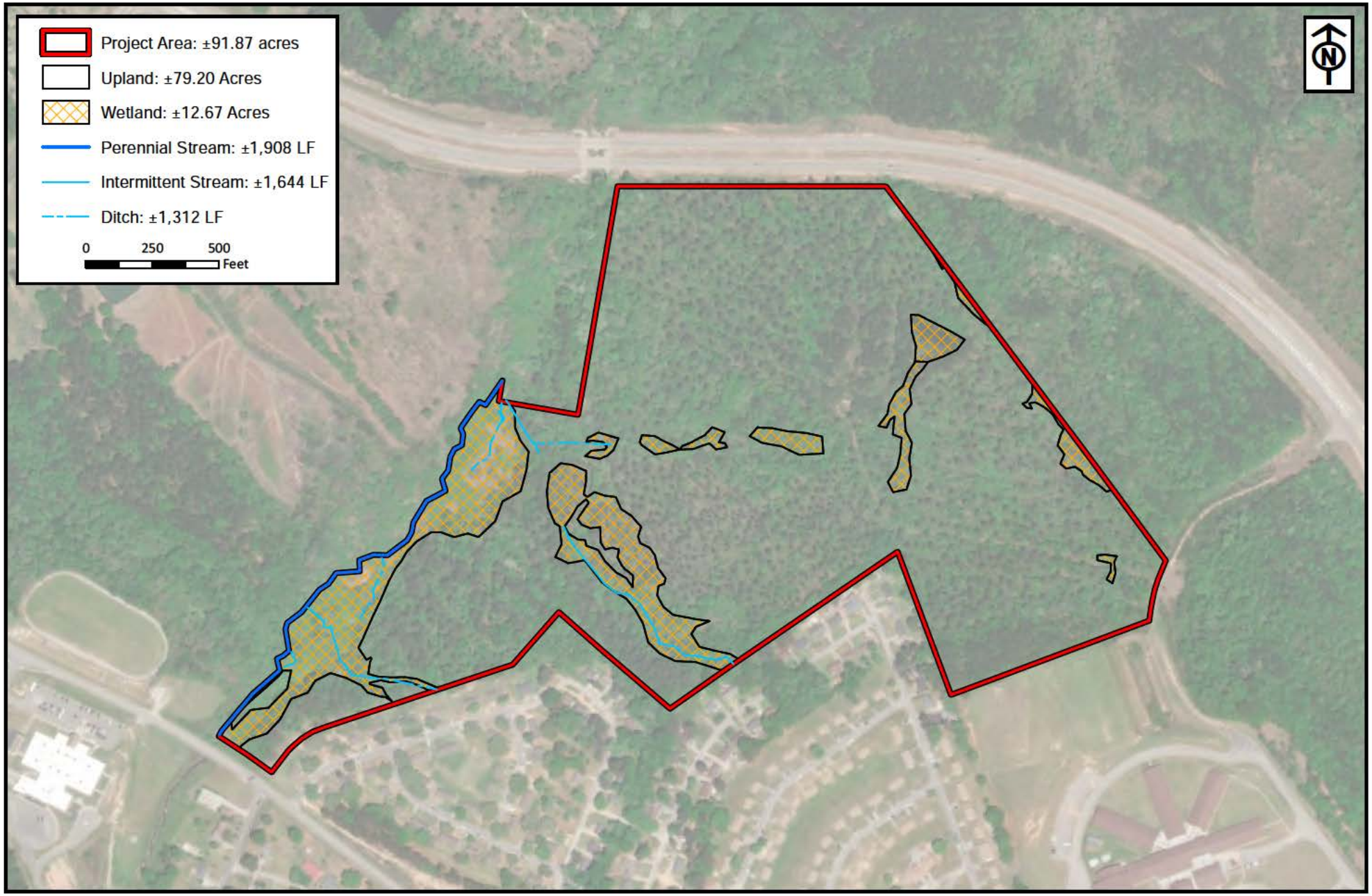
Source(s) 2018 NAIP Ortho Aerial

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| RLC Project No.: | 21-384 |
| Figure No.: | 7 |
| Prepared By: | MG |
| Sketch Date: | 9/20/2022 |
| Map Scale : | 1 inch = 500 feet |

**McDuffie County Elementary School**

Mcduffie County, Georgia

**Aquatic Resource Delineation Sketch**

Prepared For: McDuffie County School System

RLC

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tel 912.443.5896 fax 912.443.5898

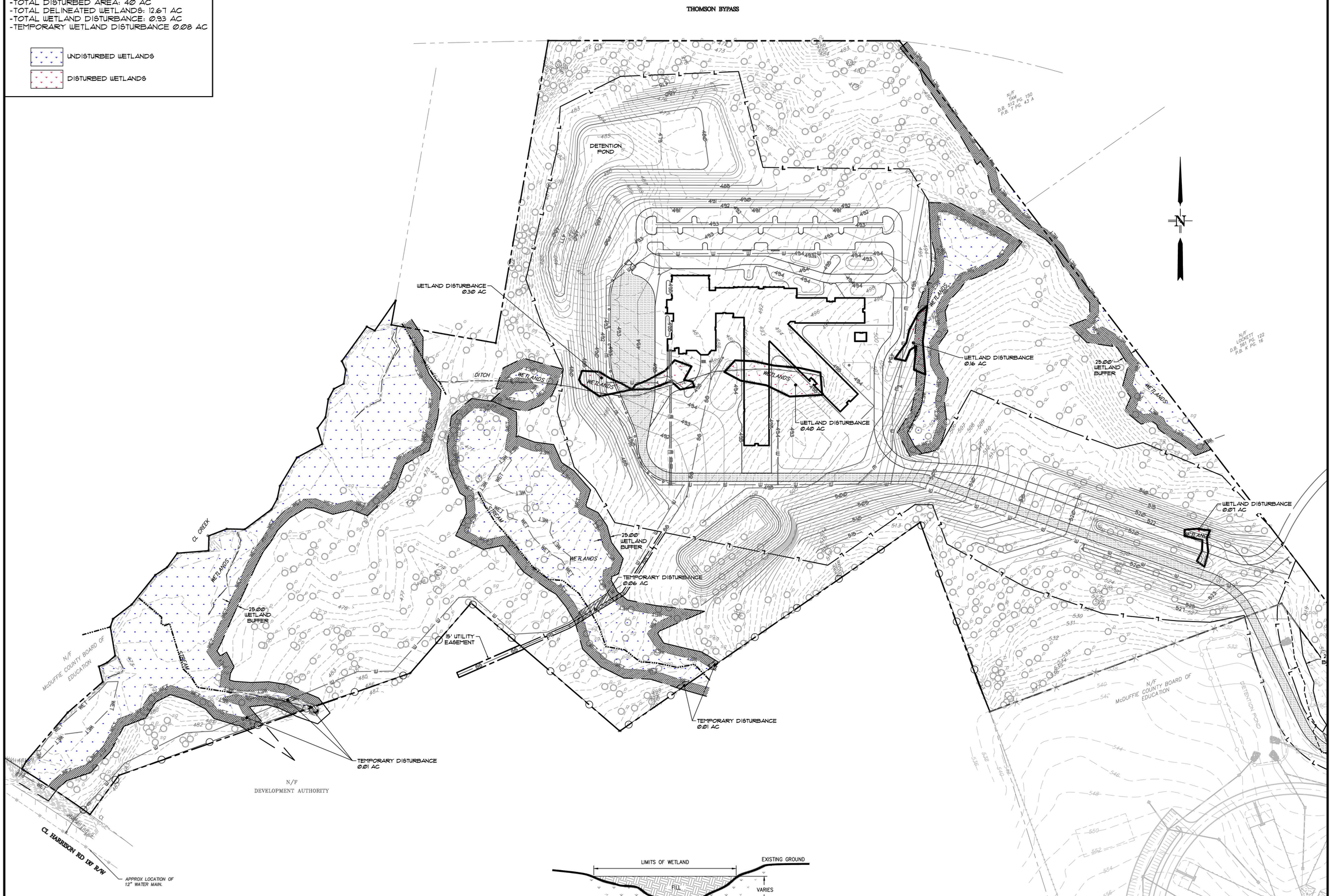
Y:\2021 Projects\21-384 Jamie Stuckey McDuffie County Elementary School\graphics\WetlandSketch.mxd

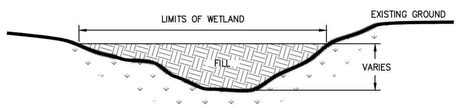
Source(s) ESRI Basemap, World Imagery

-TOTAL PROJECT AREA: 31.87 AC
-TOTAL DISTURBED AREA: 4.0 AC
-TOTAL DELINEATED WETLANDS: 12.67 AC
-TOTAL WETLAND DISTURBANCE: 0.93 AC
-TEMPORARY WETLAND DISTURBANCE 0.08 AC

UNDISTURBED WETLANDS

DISTURBED WETLANDS




## WETLAND FILL SECTION

NOT TO SCALE

## WETLAND EXHIBIT

SCALE: 1"=100'

GRAPHIC SCALE

0 100' 150' 200' 300' 500'

( IN FEET )
1 inch = 100 ft.

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UTILITIES PROTECTION CENTER 800-282-7411 CALL BEFORE YOU DIG

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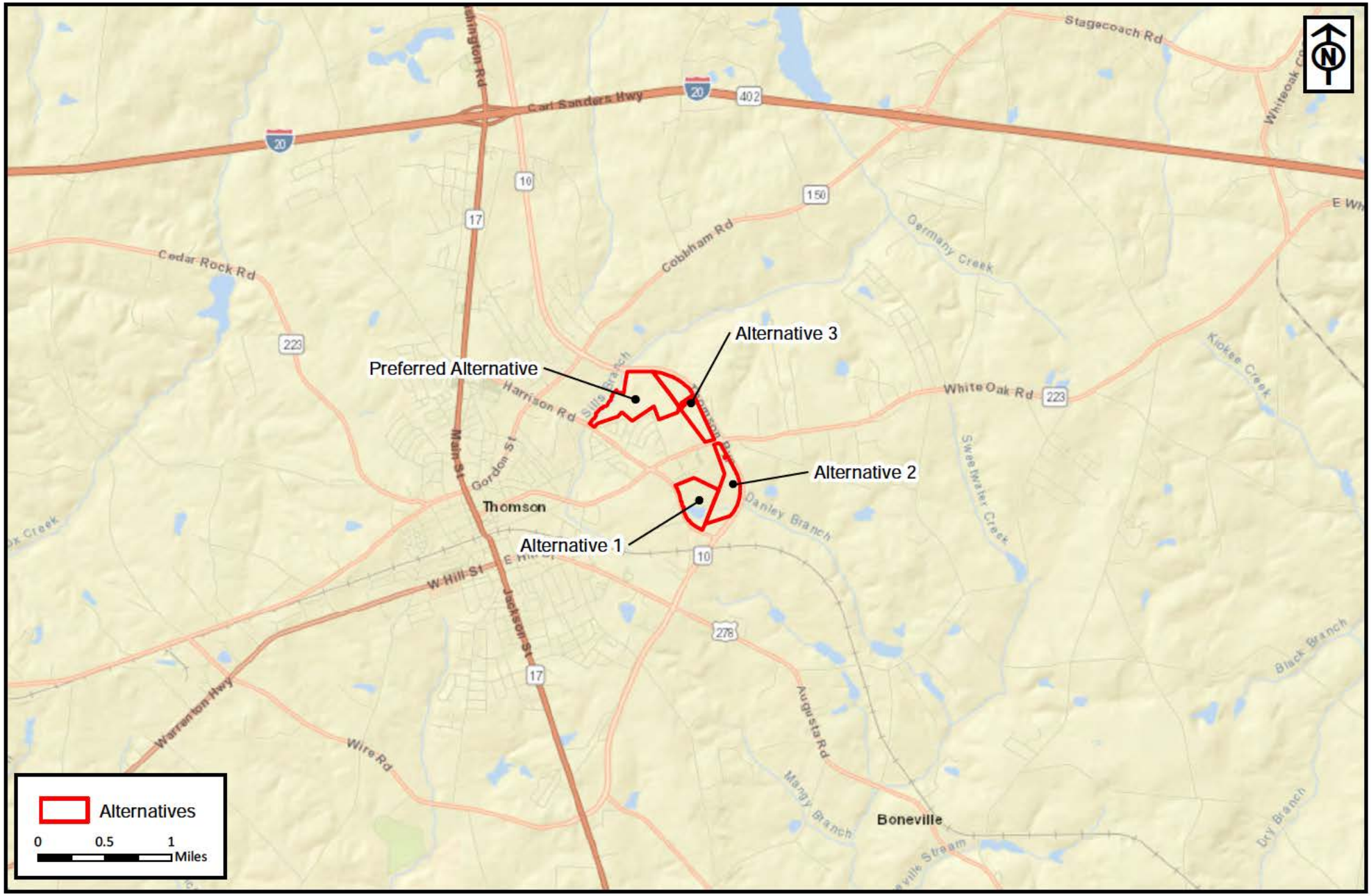


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| Figure No.: | 1 |
| Prepared By: | MW |
| Sketch Date: | 9/20/2022 |
| Map Scale : | 1 inch = 1 miles |

**New Maxwell Elementary School**

McDuffie County, Georgia

**Project Location**

Prepared For: McDuffie County School System

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Source(s) ESRI Basemap; Street Imagery