



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
4751 BEST ROAD, SUITE 140
COLLEGE PARK, GEORGIA 30337-5600**

October 25, 2023

Regulatory Division
SAS-2011-01104

**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 so as to be received on or before the last day of the comment period. Written comments concerning the 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.

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-2011-01104

Applicant: Mr. Don Williams
Vulcan Materials Company
800 Mount Vernon Highway, Suite 200
Atlanta, Georgia 30328

Agent: Mr. Bill Newlon
Kleinfelder, Inc.
8933 Western Way, Suite 12
Jacksonville, Florida 32256

Location of Proposed Work: The approximately 76-acre (expansion) project site is located within the existing Friendship Quarry, at 4195 Friendship Road, northeast of Friendship Road, northwest of Swansey Road, southwest of Blackjack Road and southeast of Hog Mountain Road, in Buford, Hall County, Georgia (latitude: 34.1302, longitude: -83.9177).

Description of Work Subject to the Jurisdiction of the Corps: The project involves proposed expansion of an existing quarry (Friendship Quarry), resulting in impacts to a total 2,660 linear feet (0.31-acre) of streams and 1.33-acre of wetlands for the construction of overburden storage berms, an access road, a sediment pond, and a dam and associated emergency spillway within the eastern project area. Mining activities within the western project area would include the expansion of the mining pit and construction of the perimeter/screening berms. To offset the loss in ecological function associated with the proposed impacts to jurisdictional aquatic resources, the applicant would purchase 20,219.1 legacy stream credits (or 1,224.88 non-perennial, and 950 perennial (less than 3 square miles) (2018) stream credits) and 8.00 legacy wetland credits (or 1 slope (2018) wetland credits) from a U.S. Army Corps of Engineers approved mitigation bank(s) servicing the project area. The project is hydrologically connected to the Upper Oconee-Upper Mulberry River watershed (Hydrologic Unit Code 12 (HUC 12): 030701010201).

BACKGROUND

The project consists of separate west and east project areas, located within the approved Surface Mine Land Use Plan (SMLUP) boundary. Approval of the SMLUP was granted by the Department of Natural Resources, Environmental Protection Division (Georgia EPD) on April 5, 2022. Approximately 2,790 linear feet (0.37-acre) of streams and 1.33 acres of wetlands exist within the eastern project area. Approximately 996 linear feet (0.08-acre) of streams and 0.17-acre of wetlands exist within the western project area. An AJD request has been submitted, concurrent with this application, requesting our evaluation of delineated aquatic resources and the potential non-jurisdiction of features present within the western project area (based on past activities occurring within the existing mining site). All other on-site aquatic resources would be evaluated under a Preliminary Jurisdictional Determination (PJD) request.

Prior to Vulcan's acquisition of Friendship Quarry (and between 2001 and 2012), a total 0.28-acre of (3) streams, 610 linear feet of intermittent stream, and a total 0.37-acre of wetlands associated with the upper reach of Mitchell Creek have been impacted under various prior authorizations.

STATE OF GEORGIA

Water Quality Certification: The Georgia EPD will review the proposed project for Water Quality Certification, in accordance with the provisions of Section 401 of the Clean Water Act. The applicant conducted a pre-filing meeting with the Georgia EPD on July 11, 2023, and has requested Water Quality Certification from the State of Georgia through their application, dated August 16, 2023. 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 another 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 Assessment: A desktop cultural resource study was conducted by Freese and Nichols on August 8, 2022. The Area of Potential Effect only included the eastern project area, however, the search occurring within a 1-mile radius included the western project area. No sites or previous projects were identified within the APE by the applicant for this project. The Corps is presently reviewing available information to further assess the potential for adverse effects to historic properties listed, or eligible for listing, on the National Register of Historic Places. 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, 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. Based on 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), no Federally designated critical habitats are located on-site. However, this report does list the following Federally protected species that may potentially be affected at this location: whooping crane (*Grus americanus*), an experimental population, and monarch butterfly (*Danaus plexippus*), a candidate 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, floodplain 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 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 includes the review of one (1) off-site alternative and two (2) on-site alternatives for the proposed expansion of mining activities.

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.

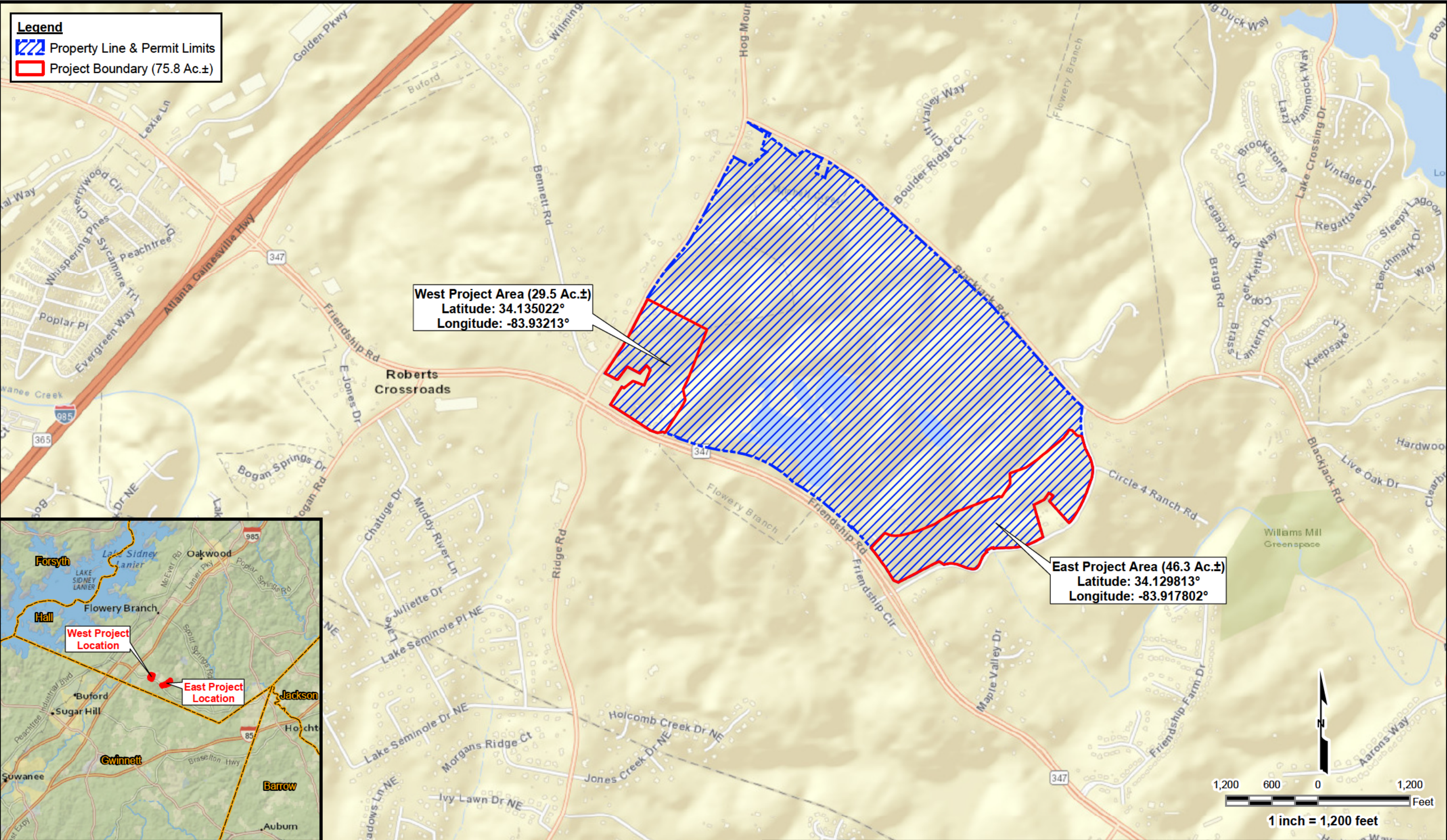
Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit their written comments by e-mail to: Joseph.N.Rivera@usace.army.mil within 30 days of this notice. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Joseph Rivera, 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 assigned application number in your comments.

If you have any further questions concerning this matter, please contact Joseph Rivera, Project Manager, of the Piedmont Branch, by email at joseph.n.rivera@usace.army.mil or by telephone at (678) 422-2723.

Enclosures

1. Figure 1: Project Location Map
2. Figure 3A: USGS Topographic Map
3. Figure 6: National Wetland Inventory Map
3. Figures 7A-7B: Wetland and Surface Water Delineation Maps
4. Figure 8A-8B: Wetland and Surface Water Impacts Map
5. Sheet 7 of 10: Ultimate Mine Plan and Erosion Control Plan

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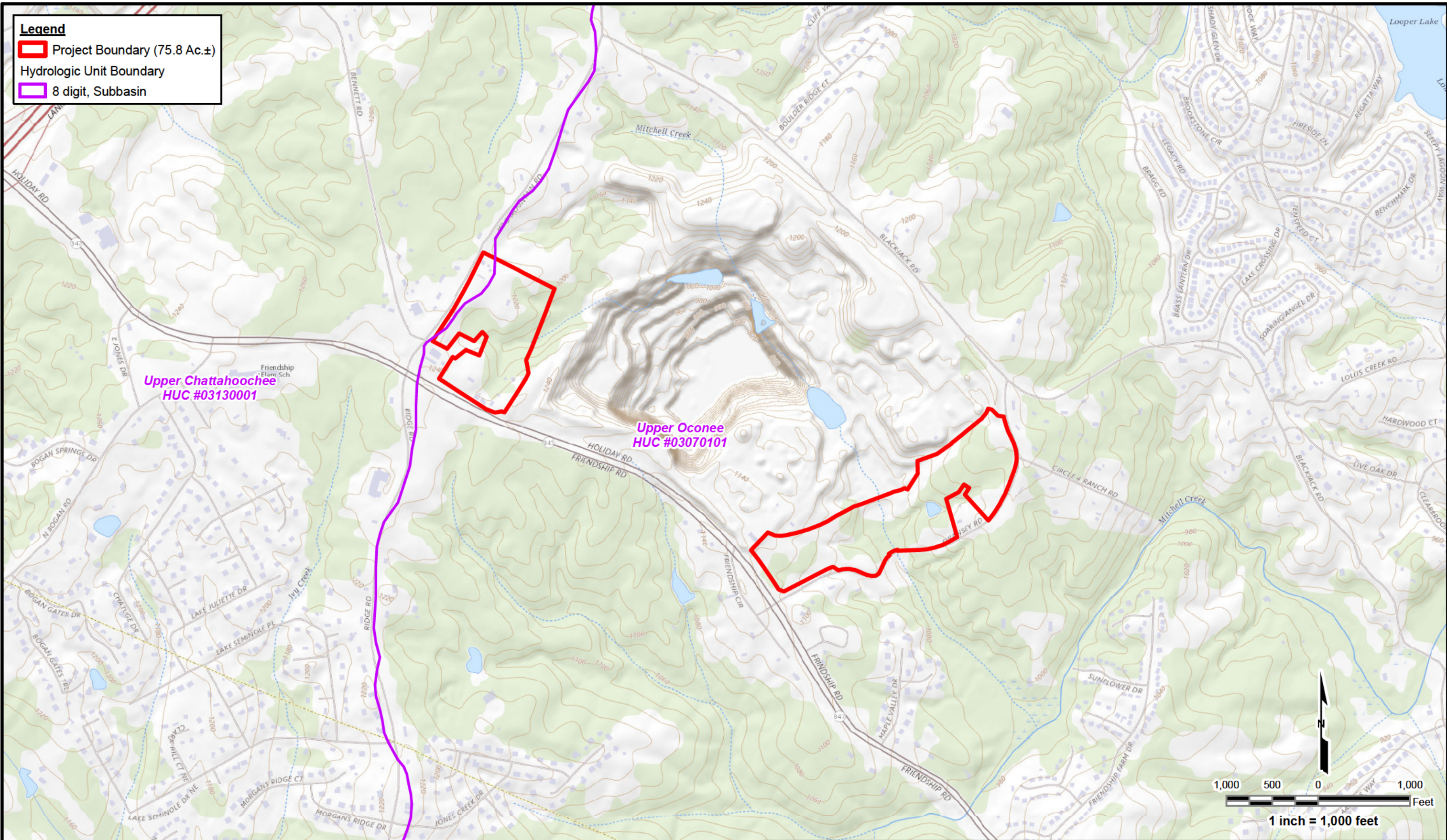
Source: National Geographic World Map & World Street Map was obtained from ESRI Basemap.



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PROJECT NO. 20231279.001A	Location and Vicinity	FIGURE 1
DRAWN: 1/3/2023		
DRAWN BY: NL		
CHECKED BY: AWN	Vulcan Materials Company Friendship Quarry USACE IP Application Hall County, Georgia	
FILE NAME: 22-1227-Friendship P-Location.mxd		

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Source: USGSTopo was obtained from ESRI Basemap. Back Drop to Project Boundary represents 7.5 Minute Quadrangle sheet for Flowery Branch, Georgia. The National Hydrography Dataset (NHD) obtained from USGS.



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PROJECT NO.	20231279.001A	USGS Topography with 8-digit Hydrologic Unit Codes	FIGURE 3A
DRAWN:	12/27/2022		
DRAWN BY:	NL	Vulcan Materials Company Friendship Quarry USACE IP Application Hall County, Georgia	
CHECKED BY:	AWN		
FILE NAME:	22-1227-Friendship P-USGS&HUC8.mxd		

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Legend

- Project Boundary (75.8 Ac.±)
- National Wetlands Inventory (NWI)
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Riverine

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Source: USFWS National Wetland Inventory obtained from U.S. Fish & Wildlife Service in the form Geodatabase Feature Class. Date: October 6, 2022.



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PROJECT NO. 20231279.001A	National Wetland Inventory	FIGURE 6
DRAWN: 12/27/2022		
DRAWN BY: NL		
CHECKED BY: AWN	Vulcan Materials Company Friendship Quarry USACE IP Application Hall County, Georgia	
FILE NAME: 22-1227-Friendship IP-NWI.mxd		

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Non-Jurisdictional Aquatic Features				
Types	IDs	On-Site/Off-Site	Linear FT	Acreage
Ephemeral Stream	07ES	On-Site	69	0.01
Intermittent Stream	02IS	On-Site	799	0.06
		Off-Site	122	0.01
	06IS	On-Site	128	0.01
Pond	08OW	On-Site	0	0.13
Wetland	01WL	On-Site	0	0.08
		Off-Site	0	0.005
	03WL	On-Site	0	0.03
	04WL	On-Site	0	0.02
	05WL	On-Site	0	0.04



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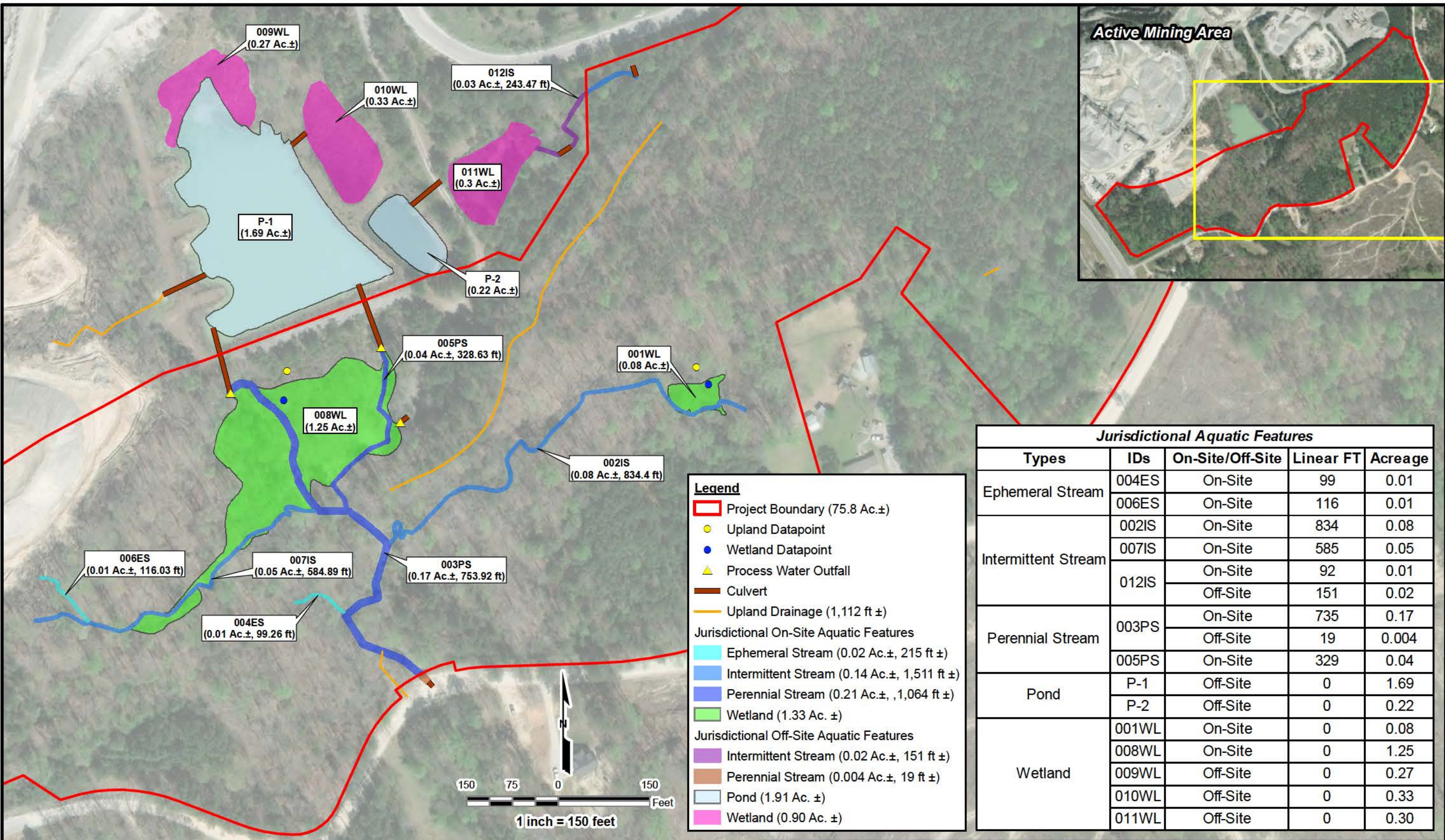
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Wetland and Surface Water Delineation - West
Vulcan Materials Company Friendship Quarry USACE IP Application Hall County, Georgia

FIGURE
7A

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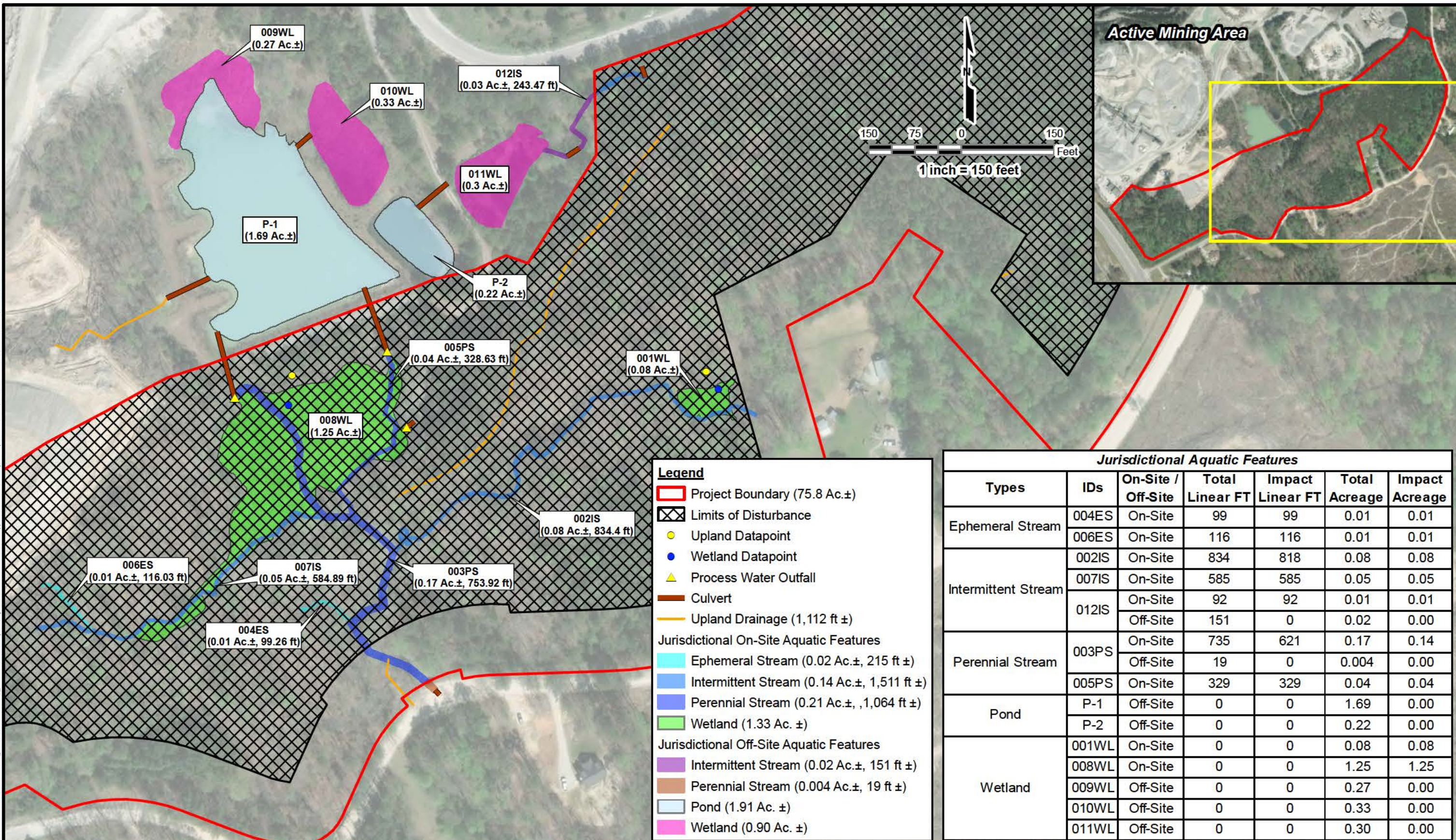
**Wetland and Surface Water
Delineation - East**

Vulcan Materials Company
Friendship Quarry
USACE IP Application
Hall County, Georgia

FIGURE

7B

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**Wetland and Surface Water
Impacts - East**

Vulcan Materials Company
Friendship Quarry
USACE IP Application
Hall County, Georgia

FIGURE
8B

