



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GEORGIA 30260-1777

JUN 19 2017

Regulatory Branch
SAS-2016-01046

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.

Application Number: SAS-2016-01046

Applicant: Mr. Barry McCabe
BOC Acquisition 1, LLC
3490 Piedmont Road, Suite 210
Atlanta, Georgia 30305

Agent: Ms. Sara Duquette
Contour Environmental, LLC
4462 Bretton Court, NW
Acworth, Georgia 30101

Location of Proposed Work: The project site is a 97.7-acre partially-developed property located immediately southeast of the intersection of Buffington Road and Flat Shoals Road, within the City of Union City, Fulton County, Georgia (centered at approximately latitude 33.5797, longitude -84.5087). Refer to the enclosed Site Location Map.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The proposed project involves the construction of two commercial warehouse facilities, with attendant infrastructure, including a one-million square foot building and a 532,500-square foot building. Warehouse access drives and parking areas will be connected to

Flat Shoals Road and Buffington Road by reconstructing roads currently associated with the existing church and parking area, which will then be demolished prior to overall site grading. Three permanent stormwater detention ponds are proposed within the northwest and central portions of the property. Refer to the enclosed Wetland Impact – Preferred Layout.

Project construction will result in adverse impacts to the following aquatic resources: 0.56 acre of three forested wetlands, 884 linear feet of one intermittent stream, and 432 linear feet of one ephemeral stream, and 2.2 acres of one open water impoundment. The applicant proposes to compensate for project impacts through the purchase of 18.56 wetland mitigation credits and 4,331.6 stream mitigation credits from either the Flint River Mitigation Bank or the Potato Creek 2 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.

The applicant has restricted their geographic range of alternatives to those available properties located within the South Atlanta industrial real estate sub-market. As proposed, a practicable and reasonable alternative must be a minimum of 90 acres in size. The applicant has identified six potential alternative project sites, in addition to their preferred site, only two of which meet the minimum property size required.

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, Georgia Environmental Protection Division, Watershed Protection Branch, 7 MLK, Jr. Drive, Suite 450, Atlanta, Georgia 30334, 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 reviewed in the Savannah District, US Army Corps of Engineers, Regulatory Division, 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, 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 Assessment: Review of the latest published version of the National Register of Historic Places (NRHP) indicates that no registered properties or properties listed as eligible for inclusion are located at the site or in the area affected by the proposed work. The applicant contracted a Phase I cultural resources survey of the proposed project site. The findings of the survey was that no NRHP-eligible resources would be affected by the project as proposed. 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.

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.

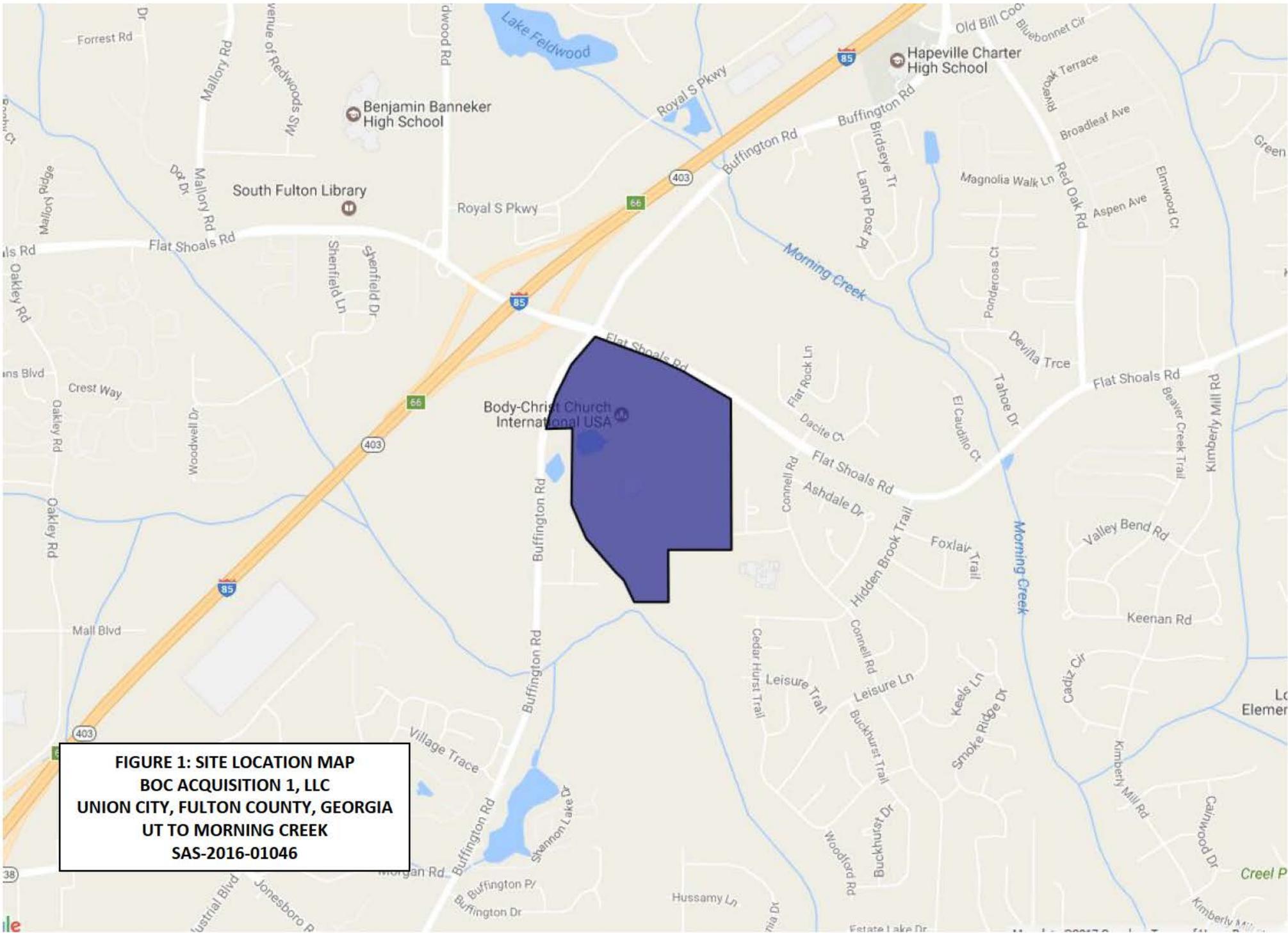
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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: Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Holly Ross, 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 (BOC Acquisition 1, LLC) and the application number (SAS-2016-01046) in your comments.

If you have any further questions concerning this public notice, please contact Holly Ross, Project Manager, Piedmont Field Office at 678-422-2727, or holly.a.ross@usace.army.mil.

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1. Figure 1: Site Location Map
2. Wetland Impact – Preferred Layout (Sheet WI-PREF)



**FIGURE 1: SITE LOCATION MAP
BOC ACQUISITION 1, LLC
UNION CITY, FULTON COUNTY, GEORGIA
UT TO MORNING CREEK
SAS-2016-01046**

