



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

JUN 22 2018

Regulatory Division  
SAS-2008-00488

**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-2008-00488

Applicant: Mr. Andy McQuagge  
City of Sugar Hill  
5039 West Broad Street  
Sugar Hill, Georgia 30518

Agent: Nelson Environmental, Incorporated  
ATTN: Mark S Nelson  
7380 Spout Springs Road, Suite 210-215  
Flowery Branch, Georgia 30542 US

Location of Proposed Work: The proposed project is situated in the existing Gary Pirkle Park, which is located in Sugar Hill, Gwinnett County, Georgia (latitude 34.131965° longitude -84.063159°).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: In 2008, the U.S. Army Corps of Engineers previously issued a Nationwide Permit for 0.5 acres of wetland impacts within Austin Garner Park (now Gary Pirkle Park). During the issuance of the 2008 permit, the applicant was required to coordinate with the Army Corps Mobile District for a Consent to Easement to address potential concerns regarding the flowage easement for Lake Lanier. It was determined the proposed project would have no impact on the flowage easement. This work was permitted by the Corps for 0.5 acres of wetland fill.

In 2017, the applicant applied for additional work at Gary Pirkle Park, to include 2.25 acres of tree clearing and an additional 0.18 acres of wetland fill, making the total wetland fill 0.68 acres (including the 0.5 acres permitted in 2008). This proposed project was previously put out on public notice on February 10, 2017, however, the project did not move forward, and the proposed project was withdrawn. Subsequently,

additional wetlands were delineated by the applicant's consultant. The applicant now wishes to proceed with the project, which would expand the available recreational field area of Gary Pirkle Park (formerly known as Austin Garner Park). Three soccer fields of varying sizes covering approximately 4 acres would be constructed in the 8-acre proposed project site. Approximately 0.8 acres of trees are now proposed to be cleared and approximately 0.5 acres of wetlands are now proposed to be filled for the project (a total of 1.0 acres, including the 0.5 acres permitted in 2008).

In addition to the soccer fields, existing pedestrian trails would be reconfigured to accommodate the new fields. The applicant states that the proposed project cannot be built elsewhere within the current boundaries of Gary Pirkle Park without creating more adverse impacts to Richland Creek. Alternative configurations were considered but none would allow for the reduction in stream and wetland impacts. A reduction in the new recreational field space may reduce impacts on streams and wetlands but due to the proposed field sizes, may result in reduced field access to park users. Applicant further states that alternative configurations are not feasible. Alternative locations outside of Gary Pirkle Park were considered and applicant states there were no nearby, city-owned lands available and offsite alternatives for this complex expansion were considered not feasible. No other alternatives information was provided for review.

## **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.

## **STATE OF GEORGIA**

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, certified this project on August 10, 2017, 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. 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 Branch, Piedmont Section.

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: A professional archeologist, Steve Webb of R.S. Webb & Associates, was hired by the applicant to conduct a literature review of all relevant historic and cultural resource records and files. The review determined that there were no recorded archeological sites, NRHP-listed properties, or recorded historic resources located within 2,500 feet of the project area.

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 the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Stacy Marshall, 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 Stacy Marshall, Regulatory Specialist at (678) 422-6571.

\*\*Encls

1. Aerial map – Exhibit 2
2. Approximate wetland location – Exhibit 4
3. Existing conditions – Exhibit 2A
4. Proposed conditions plan view – Exhibit 11





EXHIBIT 2  
PREPARED 10/24/2016 BY:  
NELSON ENVIRONMENTAL, INC.  
[www.NelsonEnvironmental.us](http://www.NelsonEnvironmental.us) PH:404/862-1665

INDIVIDUAL PERMIT APPLICATION  
GARY PIRKLE PARK  
GWINNETT COUNTY, GEORGIA

**AERIAL MAP**  
APPLICANT: CITY OF SUGAR HILL  
ENGINEER: PRECISION PLANNING, INC.





**LEGEND**

WETLAND DATA POINT: ●

UPLAND DATA POINT: ●

**EXHIBIT 4**

PREPARED May 10, 2017 BY:  
**NELSON ENVIRONMENTAL, INC.**

[www.NelsonEnvironmental.us](http://www.NelsonEnvironmental.us) PH: 404/862-1665

**INDIVIDUAL PERMIT APPLICATION**  
**GARY PIRKLE PARK**  
**GWINNETT COUNTY, GEORGIA**

**APPROX. WETLAND LOCATION**  
 APPLICANT: CITY OF SUGAR HILL  
 ENGINEER: PRECISION PLANNING, INC.





Approx. Boundary of Gary Pirkle Park

BEFORE DAM FLOW FACILITY (APPROX. LOCATION PER CORPS OF ENGINEERS)

CONCESSION / RESTROOM PLAYGROUND

WETLAND

UPLAND

STUDY AREA

AUSTIN GARNER ROAD

SUWANEE DAM ROAD

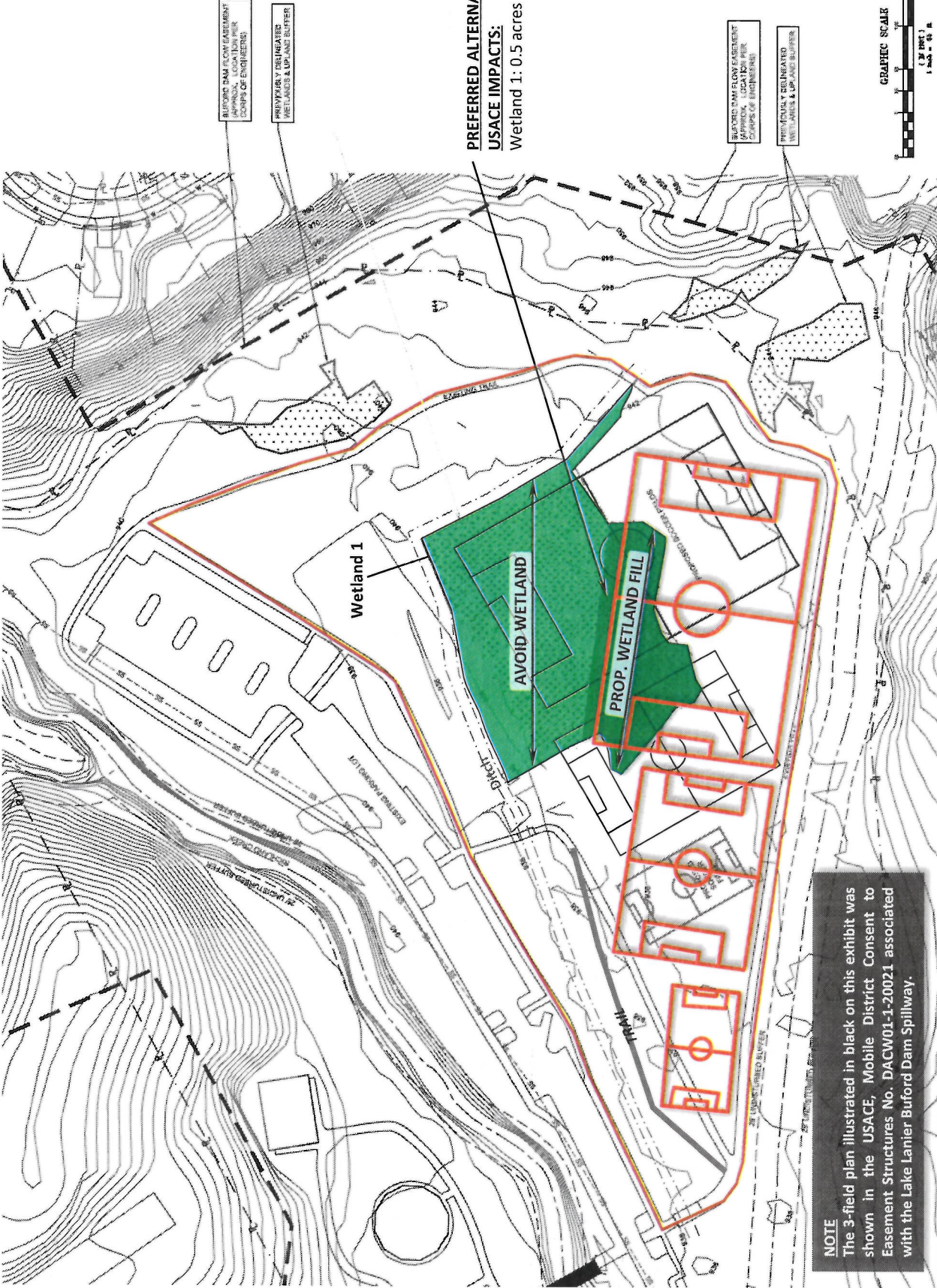


EXHIBIT 2A  
PREPARED 5/10/2017 BY:  
**NELSON ENVIRONMENTAL, INC.**  
[www.NelsonEnvironmental.us](http://www.NelsonEnvironmental.us) PH: 404/862-1665

**INDIVIDUAL PERMIT APPLICATION  
GARY PIRKLE PARK  
GWINNETT COUNTY, GEORGIA**

**EXISTING CONDITIONS**  
APPLICANT: CITY OF SUGAR HILL  
ENGINEER: PRECISION PLANNING, INC.





**PREFERRED ALTERNATIVE (RED)**  
**USACE IMPACTS:**  
 Wetland 1: 0.5 acres

**NOTE**  
 The 3-field plan illustrated in black on this exhibit was shown in the USACE, Mobile District Consent to Easement Structures No. DACW01-1-20021 associated with the Lake Lanier Buford Dam Spillway.

UPDATE: May 6, 2018 **EXHIBIT 11**  
 PREPARED 05/10/2017 BY:  
**NELSON ENVIRONMENTAL, INC.**  
 www.NelsonEnvironmental.us PH:404/862-1665

**ALTERNATIVE SITE CONSIDERATIONS**  
**GARY PIRKLE PARK**  
**CITY OF SUGAR HILL, GEORGIA**

**PREFERRED ALTERNATIVE 3-field Layout (RED)**  
 APPLICANT: CITY OF SUGAR HILL  
 ENGINEER: PRECISION PLANNING, INC.