



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

February 16, 2021

Regulatory Division
SAS-2021-00115

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-2021-00115

Applicant: Ms. Heather Pechter
Brookfield Properties
1180 Peachtree Street NE, Suite 3380
Atlanta, Georgia 30309

Agent: Ms. Pam Tutton
Contour Environmental
4462 Bretton Court NW, Suite 14
Acworth, Georgia 30101
Email: ptutton@contourenv.com

Project Purpose as Proposed by Applicant: The applicant's stated project purpose is "to develop a 'modern logistics' warehouse distribution facility within the NE Atlanta market to meet local demand for this type of facility."

Location of Proposed Work: The 75-acre project site is located east of Peachtree Industrial Boulevard and west of Poplar Street, in Buford, Gwinnett County, Georgia (Latitude 34.1176 and Longitude -84.0218). The on-site aquatic resources drain from Richland Creek to the Chattahoochee River, a Traditional Navigable Waterway (TNW). The project is sited within the Upper Chattahoochee River Watershed (HUC: 03130001).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The applicant is proposing to fill/impact 3,711 linear feet of stream channel associated with the proposed industrial facility. Specifically, the applicant would fill/impact 2,095 linear feet of perennial stream channel and 1,616 linear feet of intermittent stream channel in order to construct a 192,430 square foot, rear-load light industrial warehouse facility and a 213,904 square foot, rear-load light industrial warehouse facility with 242 employee parking spaces. The proposed facilities would

include a 130'-185' truck court with 87 tractor trailer spaces and associated infrastructure. To offset the loss in aquatic function associated with the above impacts, the applicant has proposed the purchase of 27,581 compensatory stream mitigation credits from the Southern Cross Ranch Mitigation Bank, which services the project area. The project is hydrologically connected to the Upper Chattahoochee River Basin, Hydrologic Unit Code: 03130001.

BACKGROUND

The project's proponent/applicant has selected the Northeast Atlanta Market in order to meet the stated needs for their proposed modern logistics facility: major interstate access; proximity to rail; proximity to an International Airport; proximity to consumers and income; and proximity to a qualified labor pool. The applicant has also evaluated four (4) alternative off-site locations in addition to their preferred alternative location for the proposed development. This Joint Public Notice announces a request for authorizations from both the Corps 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 will review the proposed project for water quality certification, in accordance with the provisions of Section 401 of the Clean Water Act. Prior to issuance of a Department of the Army permit for a project location in, on, or adjacent to the waters of the State of Georgia, review for Water Quality Certification 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. The applicant did not request a pre-certification meeting with Georgia EPD prior to submitting their application for a permit under Section 404 of the Clean Water Act. The applicant must still request a meeting with EPD at least 30 days prior to any request they make for 401 Water Quality Certification.

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: The applicant performed a Phase I Cultural Resources Survey , dated December 2020, for the proposed industrial site. The applicant's archaeological and historic architectural surveying of the project site identified nine cultural resources within the project's area of potential effect, which are recommended ineligible for inclusion in 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: A preliminary review of the U.S. Fish and Wildlife Service's (USFWS) Information Planning and Conservation (IPaC) Report indicates that no areas of critical habitat, nor any threatened, endangered or candidate species occur within the limits of the project area. 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, 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 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 activity's impact 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 any concerns related to this project by email to: Joseph.N.Rivera@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Mr. Joseph Rivera, 4751 Best Road, Suite 140, College Park, Georgia 30337-5600, no later than 30 days from the date of this notice (by March 12, 2021). Please refer to the applicant's name and application number SAS-2021-00115 in your comments.

If you have any further questions regarding this notice, please contact Joseph Rivera, Project Manager, Piedmont Branch, at (678) 422-2723.

Enclosures:

1. Vicinity Map (1 Page)
2. Site Location/Topographic Map (1 Page)
3. Aquatic Resource Delineation Map (1 Page)
4. Land Surveyor Existing Site Conditions Map (1 Page, dated Nov. 19, 2020)
5. Preferred Site Layout Plan (2 Pages, dated Jan. 21, 2021)
6. Off-Site Alternatives (1 Page)



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Produced By:




Contour Environmental LLC
4462 Bretton Court NW, Suite 14
Acworth, Georgia 30101

FIGURE 1 VICINITY MAP

Brookfield PIB Site
Gwinnett County, Georgia
For
Brookfield Properties

CE20BRP:04
January 17, 2021

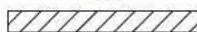
LEGEND

 Property Boundary

N



660



Feet



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Copyright© 2013 National Geographic Society, i-cubed

Produced By:




Contour Environmental LLC
4462 Bretton Court NW, Suite 14
Acworth, Georgia 30101

**FIGURE 2: SITE LOCATION MAP 7.5
MIN USGS TOPOGRAPHIC QUAD**

Brookfield PIB Site
Gwinnett County, Georgia
For
Brookfield Properties

CE20BRP:04
January 17, 2021

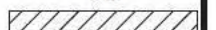
LEGEND

 Property Boundary

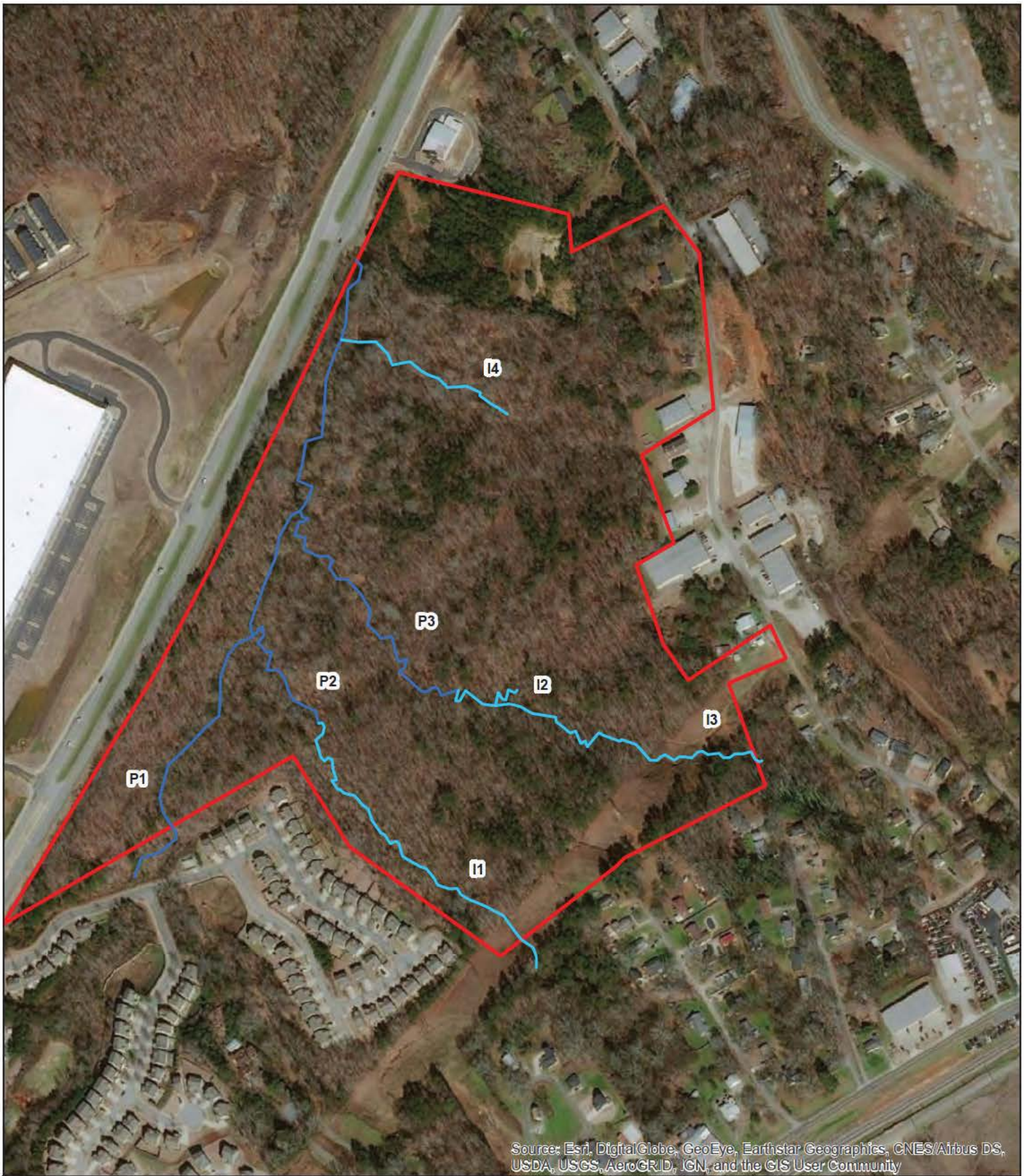
N



410



Feet



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Produced By:






Contour Environmental LLC
 4462 Bretton Court NW, Suite 14
 Acworth, Georgia 30101

**FIGURE 3 AQUATIC RESOURCE
 DELINEATION MAP**


Brookfield PIB Site
 Gwinnett County, Georgia
 For
 Brookfield Properties

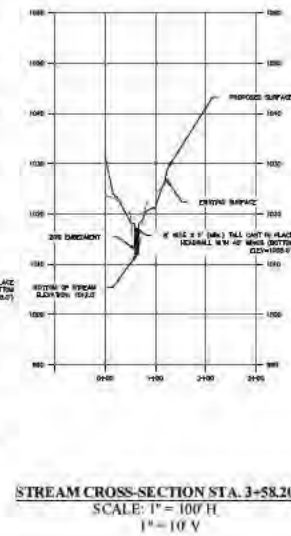
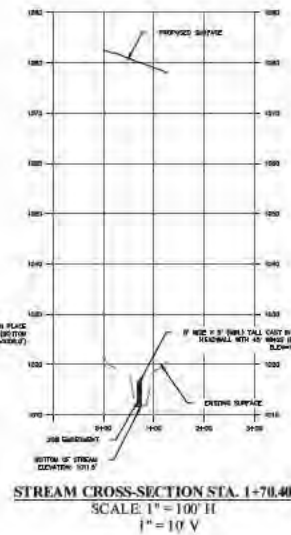
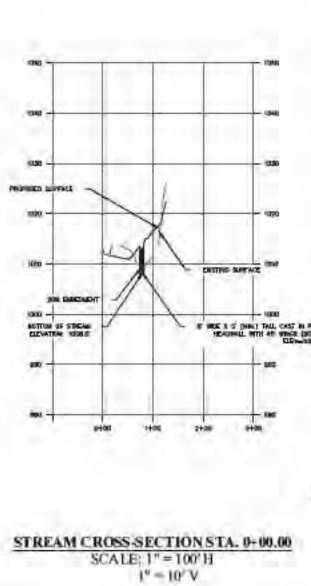
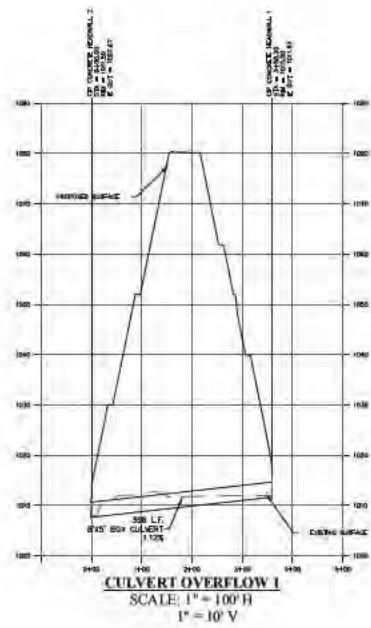
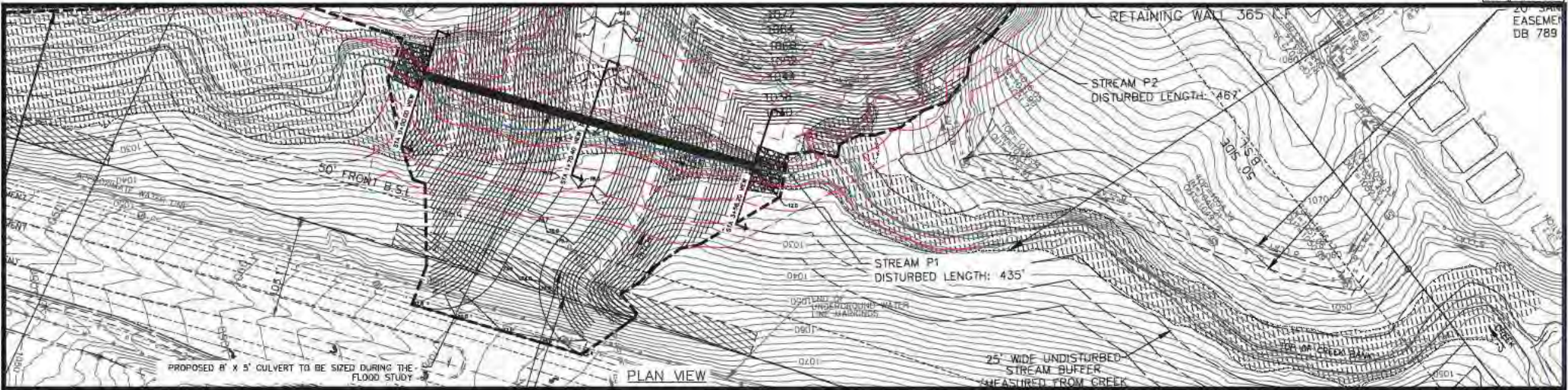
CE20BRP:04
 January 17, 2021

LEGEND

-  Property Boundary
-  Perennial Stream
-  Intermittent Stream



410

 Feet



BROOKFIELD PROPERTIES
PEACHTREE INDUSTRIAL BLVD
01/22/2021



TEL: 770.452.7868
2851 FLOWERS ROAD SOUTH, SUITE 119
ATLANTA, GEORGIA 30334
WWW.E&A.NET
LAND PLANNING
CIVIL ENGINEERING
LAVOCARTE ARCHITECTURE





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Produced By:



Contour Environmental LLC
 4462 Bretton Court NW, Suite 14
 Acworth, Georgia 30101

Off Site Alternatives

PIB Site
 Gwinnett County, Georgia
 For
 Brookfield Properties

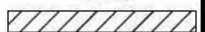
CE20BRP:02
 January 17, 2021

LEGEND

-  Property Boundary
-  Alt Site 1
-  Alt Site 2
-  Alt Site 3
-  Alt Site 4



4,900



Feet