



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

April 22, 2022

Regulatory Division
SAS-2022-00209

**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-2022-00209

Applicant: Benjamin E. Casey
Casey Investment Group, LLLP
9192 Tara Boulevard
Jonesboro, Georgia 30236

Agent: Laura Benz
Benz Environmental, LLC
19 W. Broad Street
Newnan, Georgia 30263

Project Purpose as Proposed by Applicant: The applicant's stated project purpose is to develop an economically viable, commercial mixed-use development consisting of retail, commercial and senior residential housing to meet growing municipal/city needs in Jonesboro, Clayton County, Georgia.

Location of Proposed Work: The project site is located west of South Main Street, east of Tara Boulevard and north of Poston Road, in Jonesboro, Clayton County, Georgia (Latitude 33.5078 and Longitude -84.3523). Commercial businesses and residential lots exist to the north of the site. The on-site aquatic resources drain into the Flint River, a Traditional Navigable Waterway. The property is located within the Upper Flint River Watershed (Hydrologic Unit Code (HUC): 03130005).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:
The applicant is proposing to impact 739 linear feet of intermittent stream channel, 336 linear feet of intermittent stream channel, and 0.44-acre of wetland area for the construction of a 29-acre, commercial/residential/retail mixed-use development. This development would include 26,000 square feet of retail/restaurant space, a hotel, 165,000 square feet of office space, and a 200-unit senior living component. Two other viable site alternatives were considered with this proposed development. To offset the

loss of aquatic functions associated with the aquatic resource impacts, the applicant has proposed the purchase of 1.76 wetland mitigation credits and 4.595.4 grandfathered stream mitigation credits from a U.S. Army Corps of Engineers approved mitigation bank servicing the project area as compensatory mitigation for this project. The project is hydrologically connected to the Upper Flint River Watershed (HUC: 03130005).

BACKGROUND

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. 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. 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 the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service's Protected Resource Divisions (NMFSPRD)'s list of Endangered and Threatened Species (IPaC) indicates that no species of concern nor any critical habitat are present within the area of the proposed activity.

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 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.

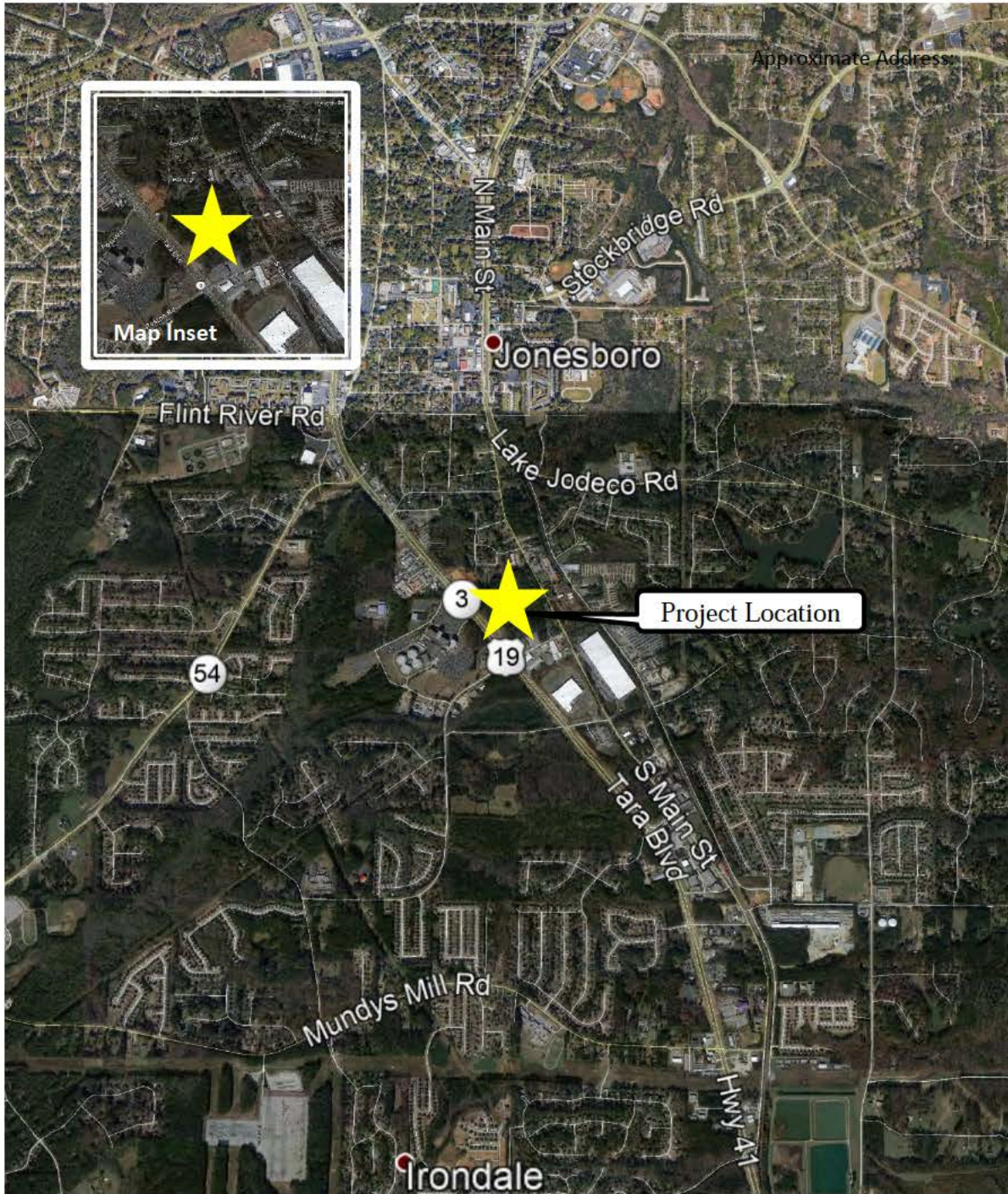
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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: Comments regarding this application for a Department of the Army permit should be submitted 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: Joseph Rivera, 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 Joseph Rivera, Project Manager, of the Piedmont Branch, at (678) 422-2723.

Enclosures:

1. Project Location Map
2. Topographic Map
3. USDA Soils Map
4. National Wetlands Inventory Map
5. FEMA Flood Map
6. 303(d) Listed Streams Map
7. Aquatic Resources Delineation Map
8. Grading and Drainage Plan
9. Alternatives Map
10. Impacts Map



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 5-27-2021

REVIEWED BY: LWB

CREATED BY: KMF

INDIVIDUAL PERMIT REQUEST

FIGURE 1: PROJECT LOCATION

APPLICANT: Casey Investment Group, LLLP
Clayton County, Georgia



Benz
Environmental
Consulting, LLC



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 6-16-2021

REVIEWED BY: LWB

CREATED BY: KMF

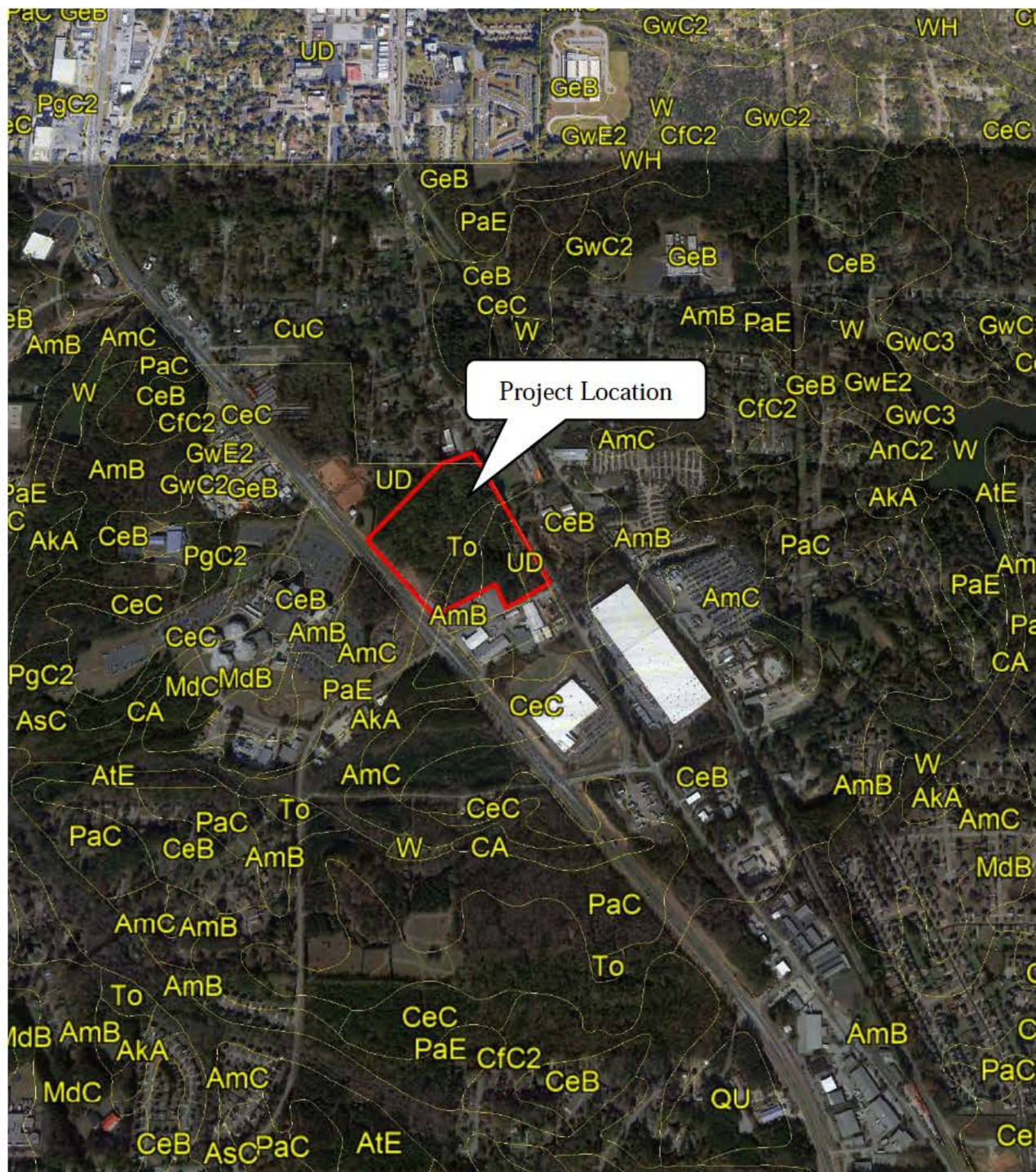
INDIVIDUAL PERMIT REQUEST

FIGURE 2: USGS TOPOGRAPHIC QUADRANGLE

Casey Investment Group, LLLP APPLICANT: Clayton County, Georgia



Benz Environmental Consulting, LLC



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 6-16-2021

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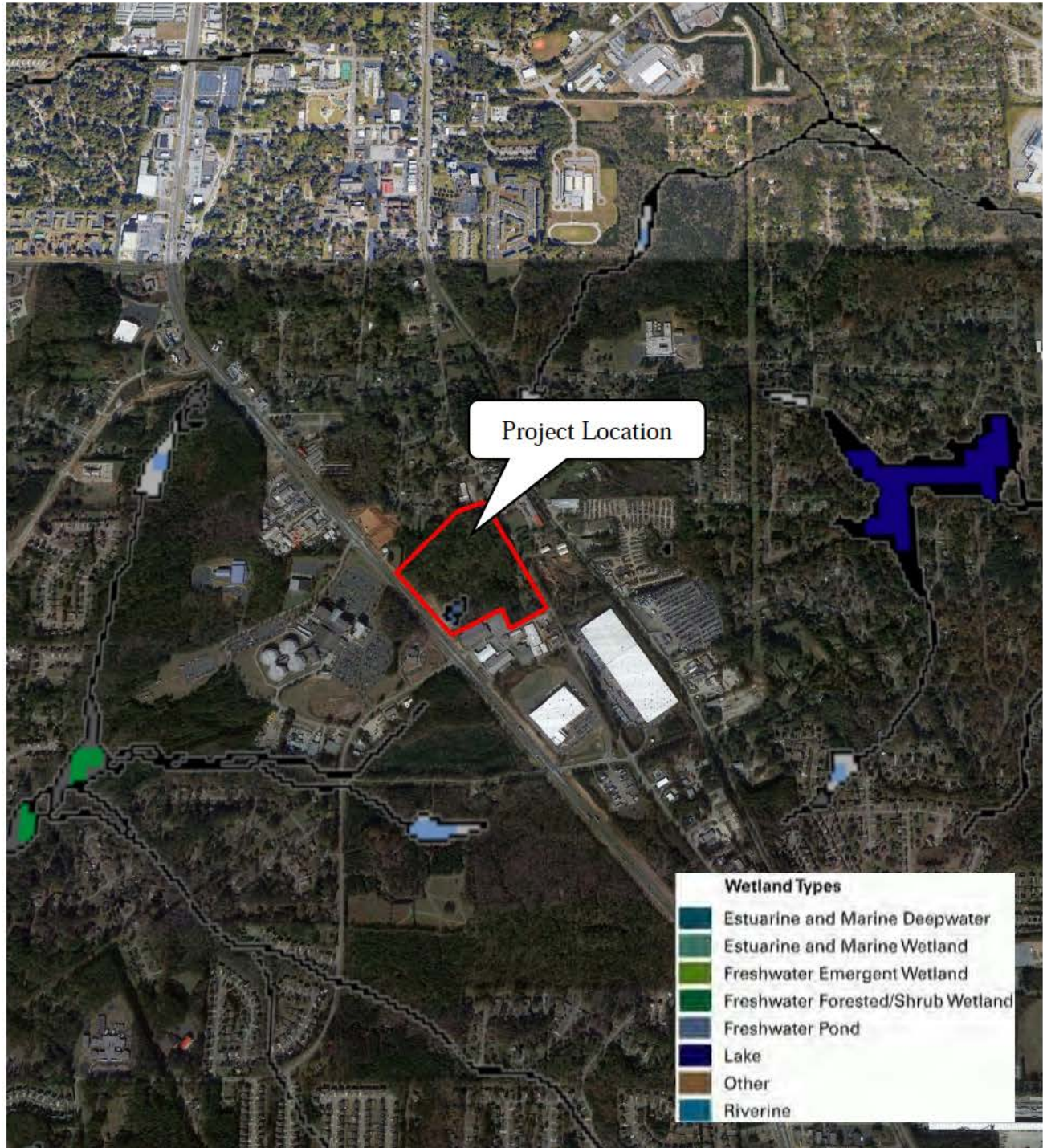
INDIVIDUAL PERMIT REQUEST

FIGURE 3: USGS SOILS MAP

Casey Investment Group, LLLP
 APPLICANT: Clayton County, Georgia



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 Environmental
 Consulting, LLC



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 6-16-2021

REVIEWED BY: LWB

CREATED BY: KMF

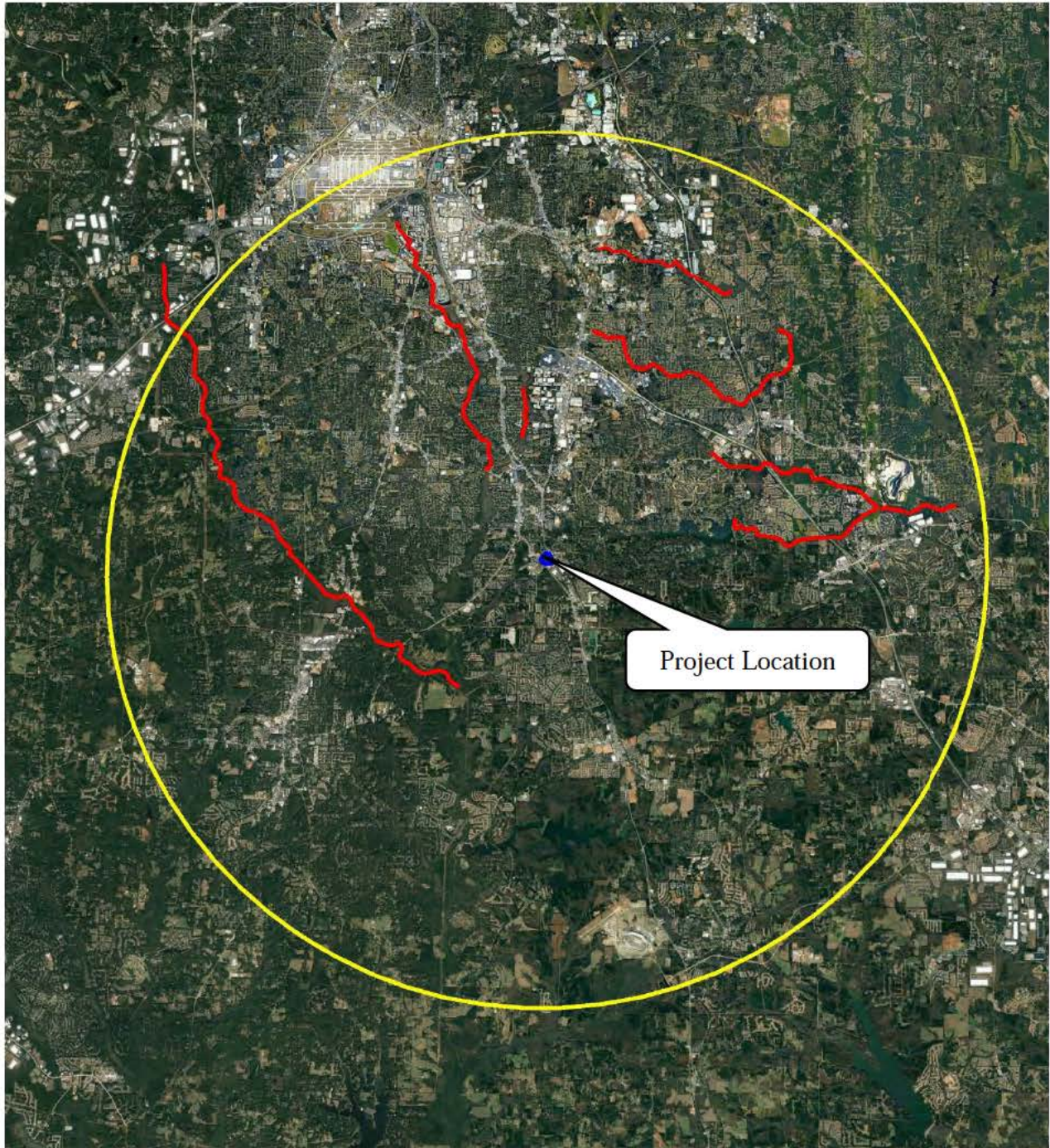
INDIVIDUAL PERMIT REQUEST

FIGURE 4: USFWS NATIONAL WETLANDS INVENTORY

Casey Investment Group, LLLP
APPLICANT: Clayton County, Georgia



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Environmental
Consulting, LLC



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 6-16-2021

REVIEWED BY: LWB

CREATED BY: KMF

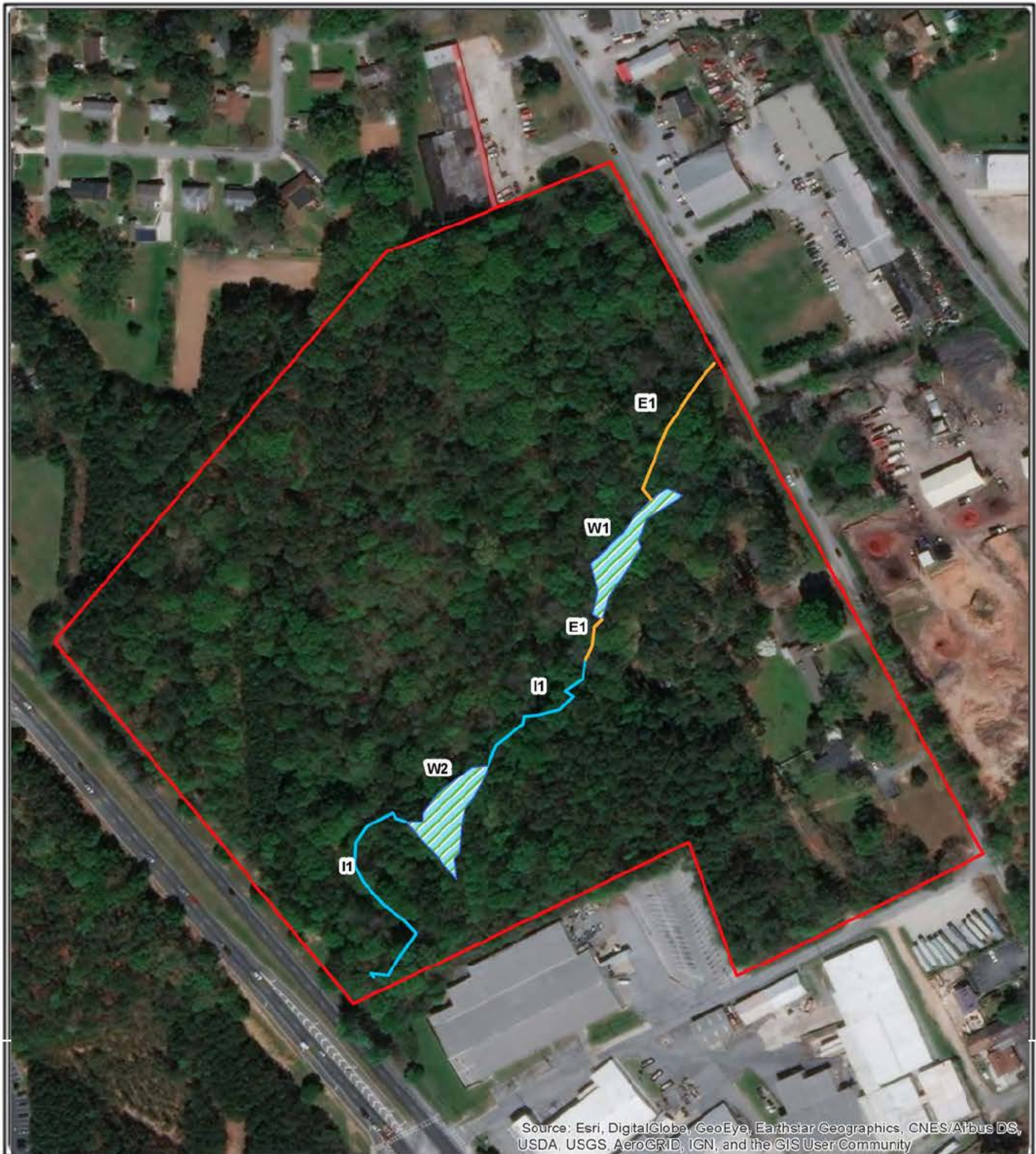
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FIGURE 6: 303D LISTED STREAMS/10 MILE RADIUS

Casey Investment Group, LLP
 APPLICANT: Clayton County, Georgia



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 Environmental
 Consulting, LLC



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 7-28-2021

REVIEWED BY: LWB

CREATED BY: KMF

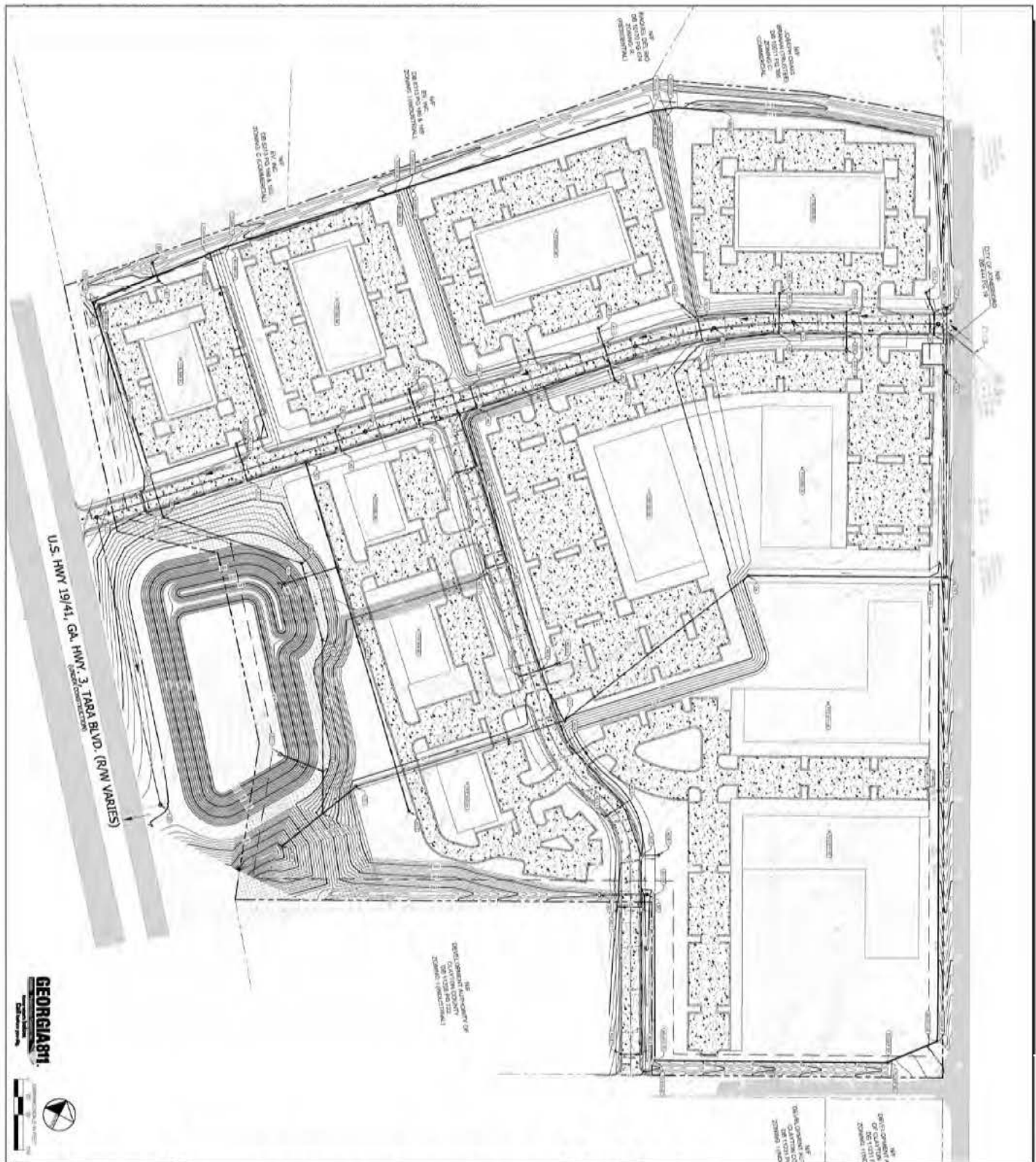
INDIVIDUAL PERMIT REQUEST

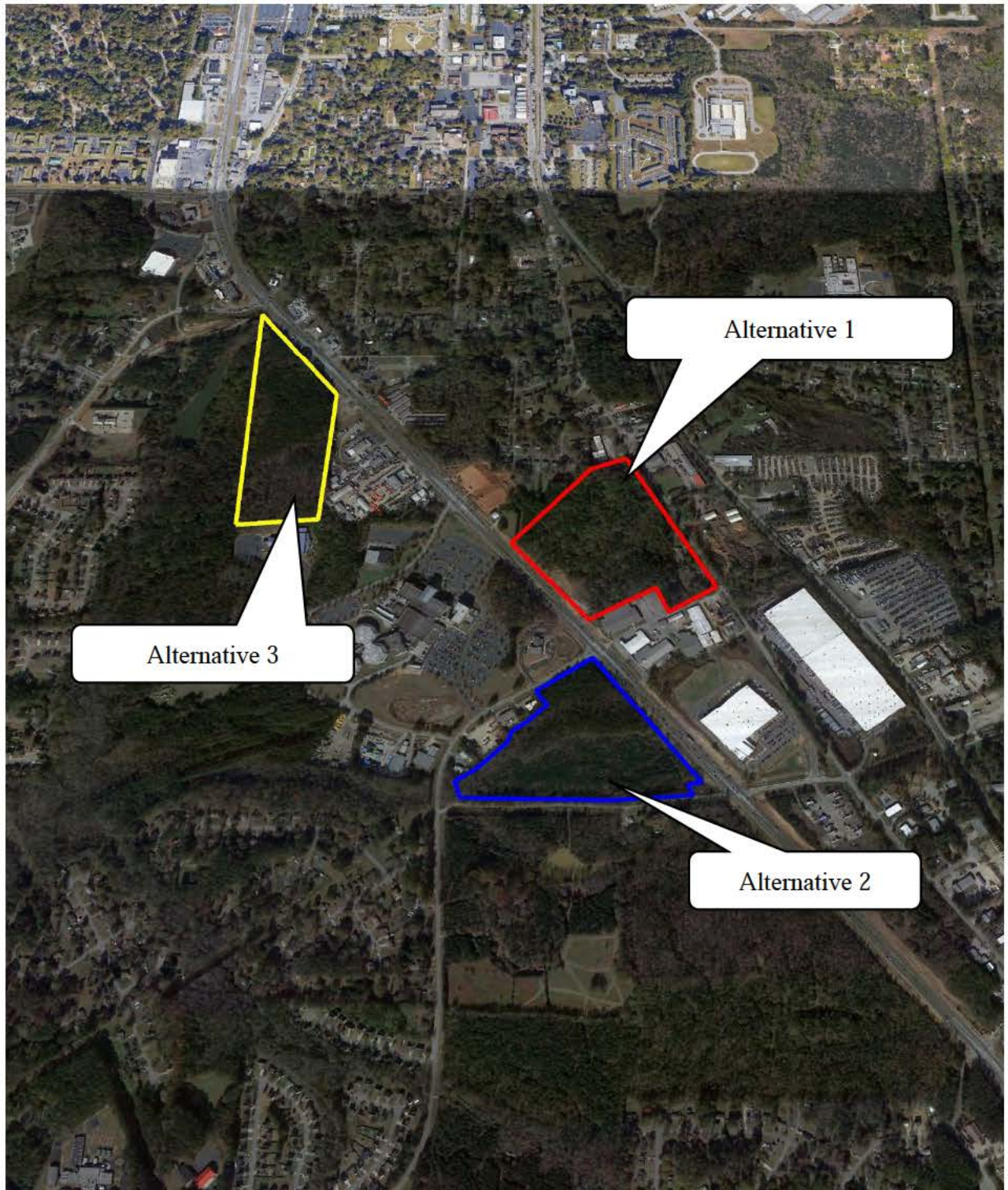
FIGURE 7: AQUATIC RESOURCES DELINEATION MAP

APPLICANT: Casey Investment Group, LLLP
Clayton County, Georgia



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REVIEWED BY: LWB

CREATED BY: KMF

INDIVIDUAL PERMIT REQUEST

FIGURE 9: ALTERNATIVES

Casey Investment Group, LLP
 APPLICANT: Clayton County, Georgia



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