



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

July 8, 2022

Regulatory Division
SAS-2021-00778

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-2021-00778

Applicant: Mr. Brian Cardoza
RP Bana 85, LLC
445 Bishop Street
Atlanta, Georgia 30318

Agent: Mr. David Huetter
United Consulting
625 Holcomb Bridge Road
Norcross, Georgia 30071

Location of Proposed Work: The approximate 520-acre project site is located north of the intersection of Interstate 85 and Georgia Highway 98 in the City of Commerce, Jackson County, Georgia (latitude: 34.2251, longitude -83.5209) within the Upper North Oconee River Watershed, Hydrologic Unit Code (HUC) 0307010104.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:
The applicant is proposing to construct an industrial park with eight buildings and associated parking and infrastructure. Impacts would result from the placement of permanent fill in 11 areas of aquatic features including 2,190 linear feet (0.232 acres) of intermittent stream and 0.97 acres of wetland.

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, 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, 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 Division.

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 Phase I Cultural Resources Survey was completed on October 22, 2021, for the project site. The Corps has not yet made an effect determination regarding the findings of the aforementioned survey.

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. The applicant provided the Information, Planning, and Conservation System report (IPaC) for the site which did not indicate potential presence for any federally listed threatened or endangered species. The

Corps has not yet made any effects determination(s) regarding potential effects to threatened or endangered 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, 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: Mr. Blake Brannon, 1050 Buford Dam Road, Buford, Georgia 30518 or via email at: steven.b.brannon@usace.army.mil.

If you have any questions concerning this matter, please contact Mr. Blake Brannon, Project Manager, at (678) 422-6570.

Enclosures

1. Location Map
2. Aquatic Resources Map
3. Plan Sheet/Drawing

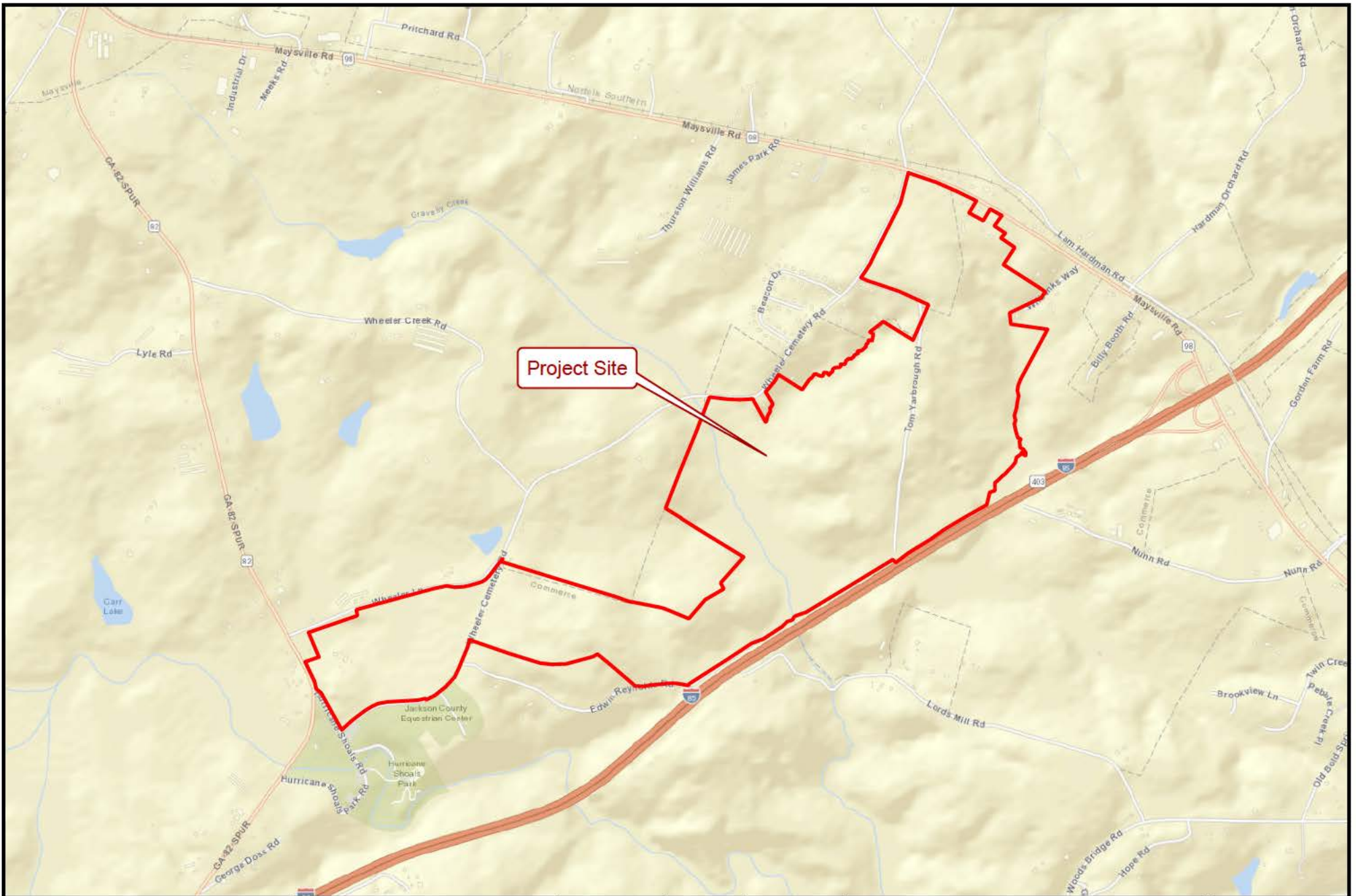


Figure Scale

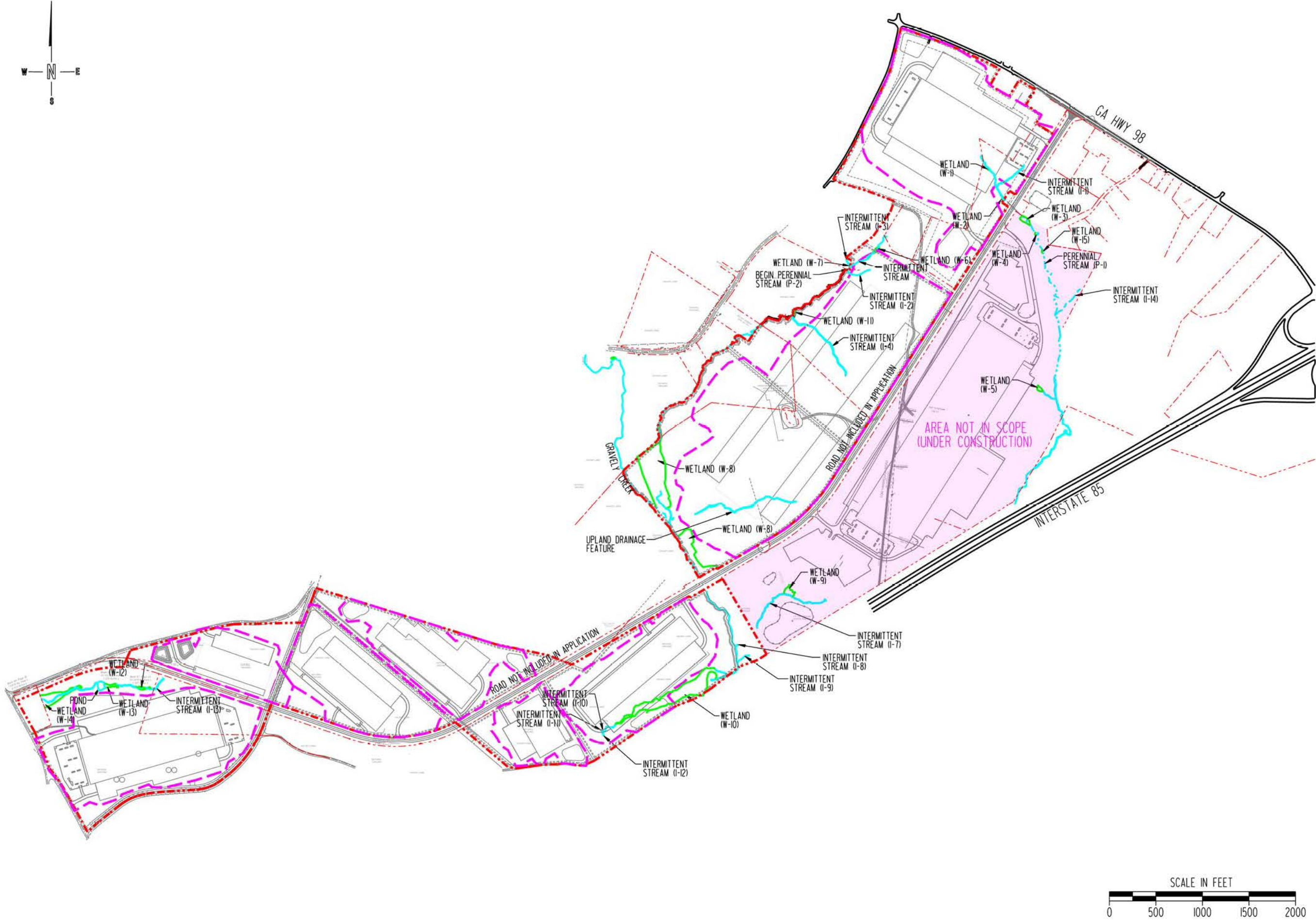


0 1,500 3,000
1 inch = 2,000 feet

Prepared: JF
Checked: DH
Date: 08/17/21

Title: Site Location Map
Project: Bana Industrial Development
Project No. ROKER-20-GA-03190-04
Client: Roker Companies

FIG. 1




SCALE: 1" = 1,000'		DATE: 5-9-22	PROJECT NO: ROKER-19-GA-03190-04	TITLE: AQUATIC FEATURES MAP RP BANA INDUSTRIAL COMMERCE, JACKSON COUNTY, GEORGIA	 UNITED CONSULTING <i>We're here for you</i> 625 Holcomb Bridge Road Norcross, Georgia 30071 770-209-0029 Fax 582-2900 www.unitedconsulting.com Copyright © United Consulting Corp., Ltd.
PREPARED: VPV	CHECKED:	REVISIONS:			
CLIENT: ROOKER					

FIG. 5



Figure 1.3 Project Development Plan