



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

January 18, 2023

Regulatory Division
SAS-2022-00433

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 this 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, or via the email listed at the end of this notice.

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.

Application Number: SAS-2022-00433

Applicant: Mr. Chris Sander
Microsoft Corporation
One Microsoft Way
Redmond, Washington 98052

Agent: Mr. Jim Baxter
Terracon Consultants, Inc.
2105 Newpoint Place, Suite 600
Lawrenceville, Georgia 30043

Location of Proposed Work: The site consists of an approximately 133-acre tract of land located southwest of Ben Hill Road, north of Will Lee Road, east of Welcome All Road and Southmeadow East Parkway, within the City of East Point, Fulton County, Georgia (centered at approximately: latitude: 33.6413, longitude: -84.5174). The nearest named waterbody is Camp Creek, located off-site to the north approximately 3,500 feet. An unnamed tributary to Camp Creek forms the western boundary of the

project site. The project site is located within the Middle Chattahoochee-Lake Harding Watershed (HUC 03130002).

Description of Work Subject to the Jurisdiction of the Corps: The project involves construction of a data center facility composed of networked computers, storage systems and computing infrastructure, to include three (3) 244,684 square-foot (sf) buildings and associated infrastructure including construction of an on-site electrical substation, water storage facility, and three stormwater detention basins. The associated infrastructure would include utilities: electricity, sanitary sewer, water, fiber, and parking lots. The data center is proposed to operate at 230kV. The interior climate of the facility must be controlled to prevent server overheating and failure. The building sizes and dimensions are governed by the need to control the interior environment of the facility for desired efficiency levels required for power and water usage, the configuration of mechanical, electrical and telecom equipment within the building. A 30-foot-wide access road (with 26-foot aerial clearance) is required between each building for safety vehicles and equipment delivery movement. Additionally, underground utilities serving the facility and the required clearances between them influence the relationship between structures, roadways, and outdoor equipment required to operate the facility.

Parking requirements are based on megawatt (MW) and headcount. The City of East Point requires three parking stalls per 1,000 sf of administration area, while the applicant's standard is 1.5 stalls per MW of data center, totaling 72 stalls per building. In an effort to minimize impacts to on-site aquatic resources the proposed parking was reduced to 56 parking stalls per building, totaling 168 parking stalls. This proposed reduction of parking has been approved by the City of East Point.

To facilitate construction of the proposed data center and associated infrastructure, impacts to 0.81-acre of forested wetland is proposed. No stream impacts are proposed. The proposed impacts would result from site grading and construction of one of the building pads. To off-set the proposed impacts to wetlands, the applicant proposes to purchase 4.88 legacy wetland compensatory mitigation credits from an approved mitigation bank located within the project watershed (primary service area).

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. The applicant has not yet requested a Water Quality Certification from the State of Georgia. Prior to issuance of a Department of the Army Permit for a project located in, on, or adjacent to the waters of the State of Georgia, review for Water Quality

Certification in accordance with Section 401 of the Clean Water Act 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 another 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: The Applicant contracted a Phase I cultural resource survey of the proposed project site, in order to assess if potential archaeological sites, historic structures, or cultural resources may be present within the general vicinity of the proposed work area. The Corps is presently reviewing the accompanying report in conjunction with the current application submittal. Presently unknown archaeological, scientific, prehistorical or historical data may also 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. Based on the submitted *IPaC Trust Resource Report* for the project site, there are no threatened, endangered, or candidate species, or any critical habitat for such species, likely to occur within the project 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 that 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, floodplain 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 in 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, including an evaluation of practicable alternatives. In the Applicant's current proposal, three (3) off-site alternative and four (4) on-site alternatives (including the preferred alternative layout) have been proposed.

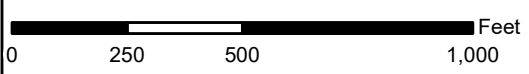
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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 substantive information necessary for evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments via email to jade.r.bilyeu@usace.army.mil or in writing to: Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Jade Bilyeu, 4751 Best Road, Suite 140, College Park, Georgia 30337-5600, no later than **30 days** from the date of this notice. Please refer to the Applicant's name (Microsoft Corporation) and the assigned Regulatory file number (SAS-2022-00433) in your comments.

If you have any further questions concerning this public notice, please contact Ms. Jade R. Bilyeu, Project Manager, Piedmont Branch at 678-422-6572, or jade.r.bilyeu@usace.army.mil.

Encls

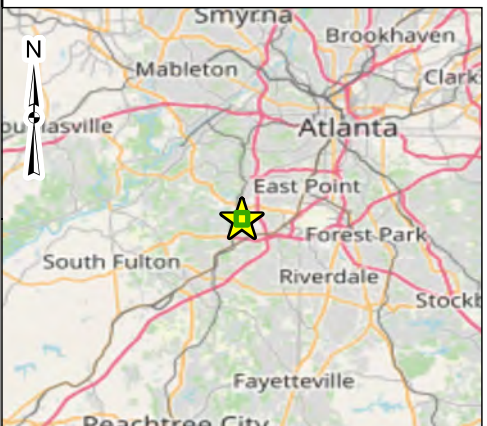
1. Exhibit 1: Aerial Imagery of Site
2. Exhibit 6: Wetland Delineation Map for Microsoft ATL06, Ben Hill Road
3. ATL07 Data Center, Wetland Permit Plans (Sheets 4-6)
4. Vicinity Map with Preferred and Alternative Site Locations



Project Site Boundary

DATA SOURCES:
ESRI WMS - World Aerial Imagery, OpenStreetMap

1:5,000



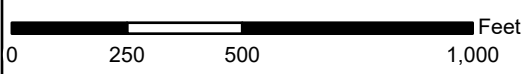
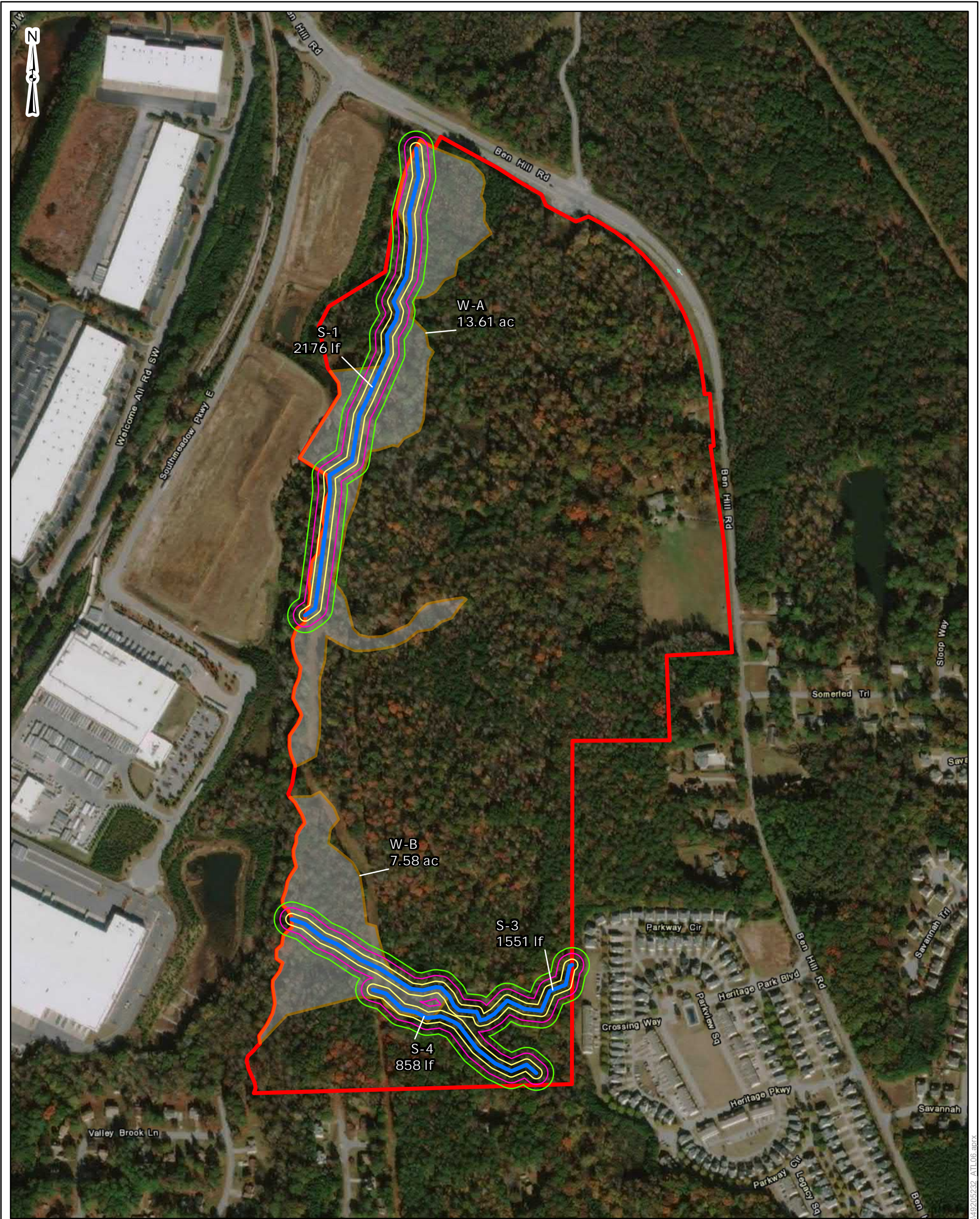
Project No.:	49205232
Date:	Jan 2021
Drawn By:	MDP
Reviewed By:	JWB

Terracon

2105 Newpoint Place, Suite 600 Lawrenceville, GA 30043
PH: (770) 623-0755 FAX: (770) 623-9628

Aerial Image (2019)
Wetland Delineation Report Microsoft ATL06 Ben Hill Road Atlanta, Fulton County, Georgia

Exhibit
1



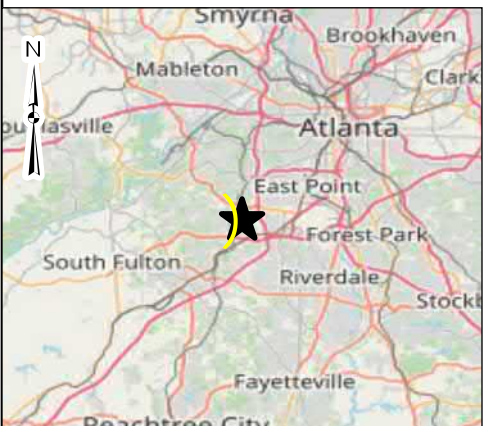
DATA SOURCES:
ESRI WMS - World Aerial Imagery, OpenStreetMap

1:5,000

- Project Site Boundary
- Wetlands - 21.19 ac +/-
- Streams - 4,585 lf +/-

Stream Buffer Zones

- State Buffer (25')
- City Buffer (50')
- City Impervious Buffer (75')



Project No.:	492052332
Date:	Mar 2022
Drawn By:	MDP
Reviewed By:	JWB

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Wetland Delineation Map
Wetland Delineation Report Microsoft ATL06 Ben Hill Road Atlanta, Fulton County, Georgia

Exhibit
6

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LEGEND



JURISDICTIONAL WETLANDS



JURISDICTIONAL NON-WETLAND WATERS (NWW) (STREAMS)

JURISDICTIONAL IMPACTS



WETLAND PERMANENT FILL IMPACT

0.76 AC.



WETLAND PERMANENT CLEARING IMPACT

0.05 AC.

ATL07 DATA CENTER

WETLAND PERMIT PLANS

LEGEND

CLIENT:

MICROSOFT CORPORATION

LOCATION: CITY OF EAST POINT, GA

DATE: 09/26/22

DRAWN BY: BMC

SHEET: 4

JOB NUMBER: J-28918.0002

REVIEWED BY: CGW

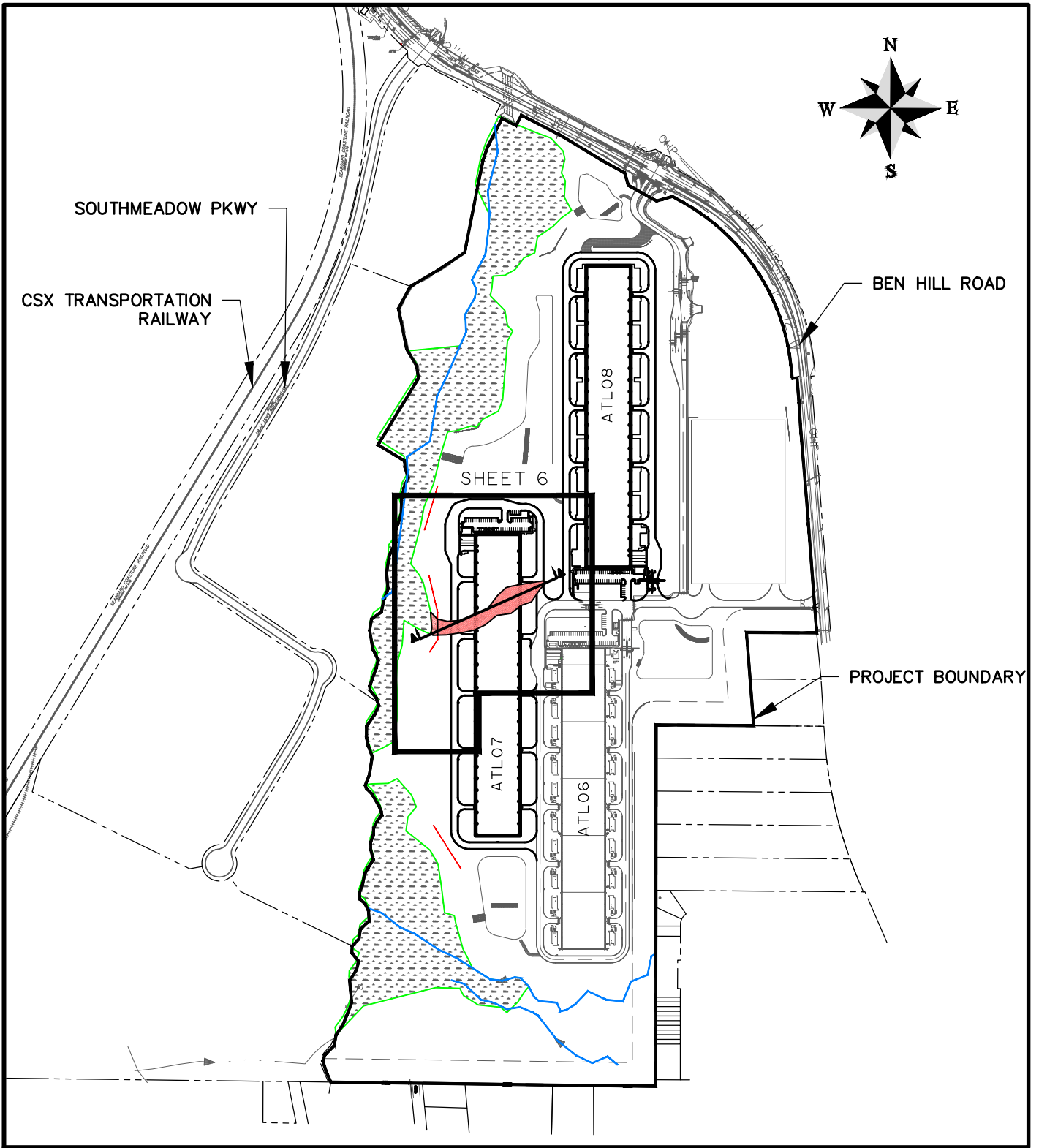
SCALE: AS NOTED



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ATLO7 DATA CENTER

WETLAND PERMIT PLANS
INDEX

CLIENT:
MICROSOFT CORPORATION

LOCATION: CITY OF EAST POINT, GA

DATE: 09/26/22

DRAWN BY: BMC

SHEET: 5

JOB NUMBER: J-28918.0002

REVIEWED BY: CGW

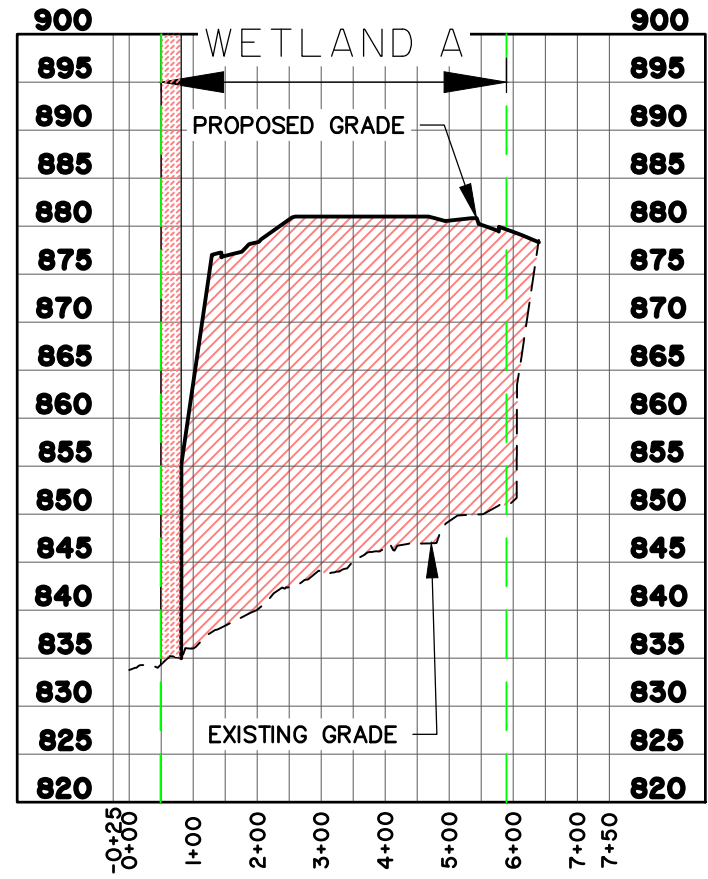
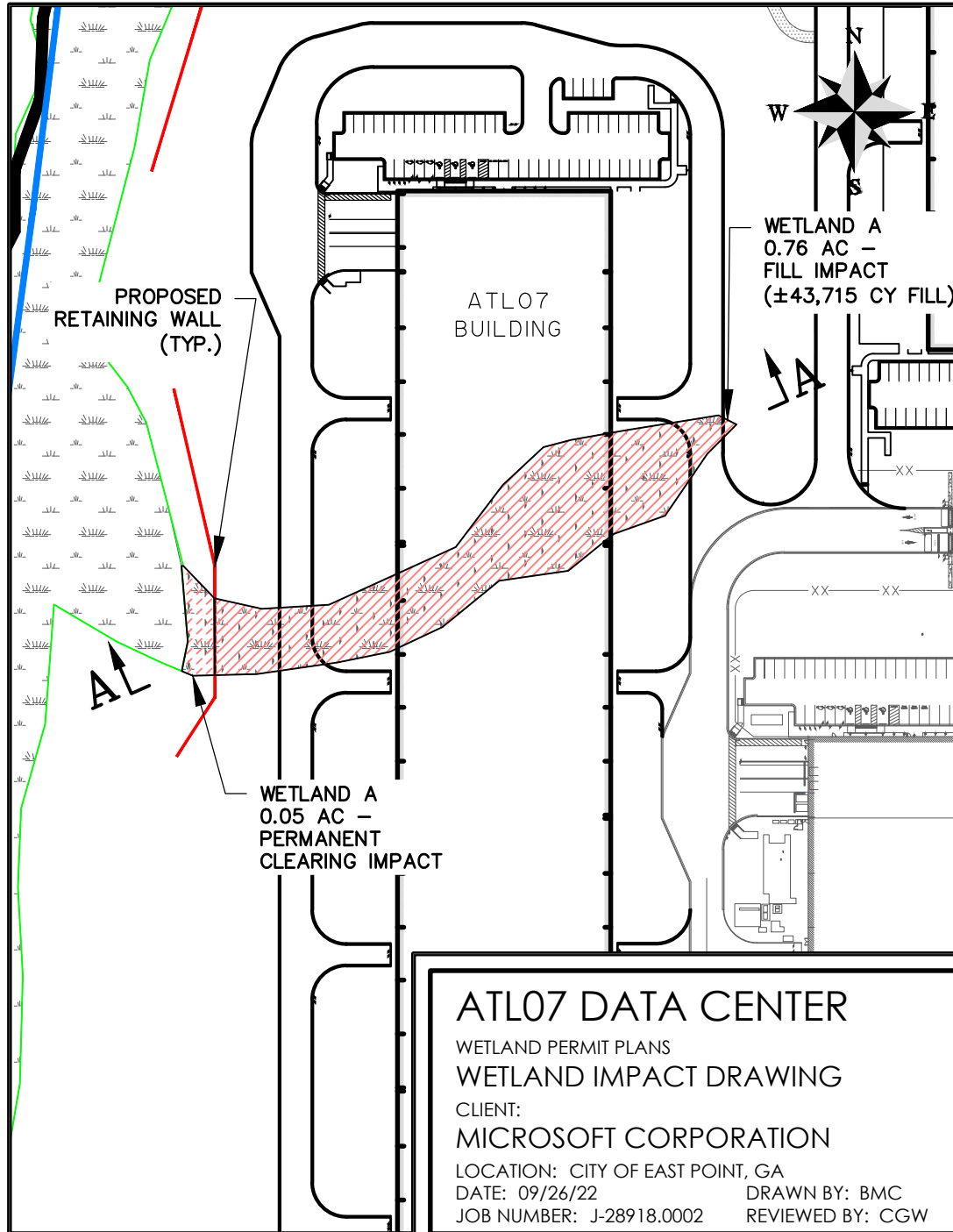
SCALE: 1" = 600'



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WETLAND A
 STATIONS: -0+25 - 7+50
 SCALE: HORZ.: 1" = 600'
 VERT.: 1" = 40'

ATLO7 DATA CENTER
 WETLAND PERMIT PLANS
 WETLAND IMPACT DRAWING
 CLIENT:
MICROSOFT CORPORATION
 LOCATION: CITY OF EAST POINT, GA
 DATE: 09/26/22
 JOB NUMBER: J-28918.0002

DRAWN BY: BMC
 REVIEWED BY: CGW

SHEET: 6
 SCALE: 1" = 150'

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Vicinity Map

Preferred and Alternative Site Locations

Legend

-  Alternative Sites
-  Preferred Site (ATL07)

Alt Site 1 (Majestic Airport Center IV)

Alt Site 2 (Majestic Airport Center V)

Alt Site 3 (7840 Cedar Grove Road)

