



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

September 15, 2023

Regulatory Division
SAS-2022-01095

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-2022-01095

Applicant: Ms. Jennifer Cannon
Georgia Power Company
Water and Natural Resources
241 Ralph McGill Boulevard NE
Atlanta, Georgia 30308-3374

Agent: Mark Ballard
Ecological Solutions, Inc.
630 Colonial Park Drive, Suite 200
Roswell, Georgia 30075

Project Purpose as Proposed by Applicant: The applicant's stated project purpose is to expand the existing (private) Huffaker Road Coal Combustion Residual (CCR) Landfill, based on the required closure of ash ponds at Plant Hammond. The stored CCR located at Plant Hammond would be removed and relocated from Plant Hammond to the Huffaker Road CCR Landfill. Expanding the landfill would provide Georgia Power with additional CCR storage capacity consistent with current regulations, and to meet requirements for the closure of Ash Pond 1, Ash Pond 2, and Ash Pond 4 (AP-1, AP-2, and AP-4). In 2019, the Georgia Public Service Commission (PSC), through their Integrated Resources Plan (IRP), approved AP-3 for closure-in-place. The existing CCR from AP-1, AP-2, and AP-4 would be relocated to the Huffaker Road CCR Landfill, and would be stored in a lined, consolidated storage unit, abiding by current state regulations. Georgia Power's ash ponds are National Pollutant Discharge Elimination System (NPDES) wastewater treatment facilities, authorized under the Georgia Department of Natural Resources, Environmental Protection Division's (Georgia EPD) Permit No. GA0001457.

Location of Proposed Work: The 260-acre, expansion project site is located approximately 3.4 miles northeast of Plant Hammond, west of Rome, Floyd County,

Georgia (Latitude 34.2900, Longitude -85.2982). The project area includes the existing (Georgia EPD permitted) CCR landfill, Georgia Power roadways and ancillary structures. Judy Mountain, a range located within the Ridge and Valley physiographic province, abuts the existing project area to the south. The project site is bounded by a Norfolk Southern/Central of Georgia Railway to the north, a current landfill cell to the northwest, and private (forested) properties to the east, west and south. A Georgia Power access road connects the northern portion of the Huffaker Road CCR Landfill to Huffaker Road. The on-site aquatic resources drain through Smith Creek and Dry Creek, tributaries to the Coosa River, which is located approximately 3.4 miles southwest of the project area. The site is located within the Upper Coosa River Watershed, Hydrologic Unit Code (HUC): 03150105.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The applicant proposes permanent impacts to 1,827 linear feet of intermittent stream, 199 linear feet of ephemeral stream, and 1.1 acres of wetland for the closure of AP-1, AP-2, and AP-4 and the removal and relocation of consolidated CCR into an approximately 37-acre, expanded (state-permitted) landfill. Solids generated from the dewatering process within the various ash ponds would be placed in storage cells within the expanded landfill.

In accordance with EPA's CCR Rule (mentioned below under 'Background'), Georgia Power currently proposes a closure-by-removal strategy for AP-1, AP-2, and AP-4 through the removal and relocation of CCR from Plant Hammond to the existing Huffaker CCR landfill. An expansion of the existing landfill would be necessary to provide sufficient storage capacity for the total estimated volume. The new footprint would provide approximately 8.5M cubic yards of CCR storage capacity.

Georgia Power has prepared and submitted a Site Acceptability Report to Georgia EPD in support of this landfill expansion. Upon completion of their landfill construction and the transfer of all CCR, the landfill would be closed to meet state closure regulations. To offset the loss in aquatic function associated with the wetland impacts, the applicant has proposed the purchase of 0.83 (2018) wetland credits or 6.64 legacy wetland credits and 1,444.88 (2018) stream credits or 10,403.1 legacy stream credits from a U.S. Army Corps of Engineers approved mitigation bank which services the project area.

BACKGROUND

The CCR landfill, permitted by the Georgia EPD's Solid Waste Program under Permit No. 057-022D(LI), received US Army Corps of Engineers' authorization in 2005 to impact 0.089-acre of wetlands and 112 linear feet of stream for construction of the landfill. In 2015, the Environmental Protection Agency (EPA) issued their final Hazardous and Solid Waste Management System Disposal of CCRs from Electric Utilities Rule (CCR Rule), establishing requirements for the safe disposal of CCR and identified the closure of ash ponds by April 2021. In 2016, the Georgia EPD also issued rules regarding the storage of CCR. In 2020, the EPA authorized Georgia EPD to

oversee implementation of CCR storage requirements in Georgia.

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. The USACE conducted a pre-application meeting with the applicant on February 7, 2023. Our understanding is that this meeting additionally served as a pre-filing meeting request with the Georgia EPD. 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. The joint application contains Georgia EPD's 401 Water Quality Certification Information and a site assessment to assist the agency with review of the proposed activity. 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.

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: The applicant conducted a cultural resource survey in 2022, identifying an archaeological resource nearby the project area, however, the site was not recommended as eligible for inclusion in the National Register of Historic Places (NRHP). This project would have no effect on historic properties. The existing Central Georgia Railroad, Savannah and Western Line, a contributing rail spur and a drawbridge were recorded as historic resources and were recommended by the applicant as eligible for NRHP. These resources, however, are not located within the footprint of any of the proposed alternative options, and no physical alterations would occur, and no visual, audible, or atmospheric elements would be introduced to the historic resources. Based on these findings, a no adverse effect determination was concluded for these historic resources. Other 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 (USFWS) and the National Marine Fisheries Service-Protected Resource Division's (NMFS-PRD) list of Endangered and Threatened Species (IPaC) indicates the following listed species may occur within the project area: Gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), Northern long-eared bat (*Myotis septentrionalis*), Whooping crane (*Grus americana*), Southern clubshell (*Pleurobema decisum*), Southern pigtoe (*Pleurobema georgianum*), Monarch butterfly (*Danaus plexippus*), Alabama leather flower (*Clematis socialis*), Large-flowered skullcap (*Scutellaria montana*), Mohr's Barbara's buttons (*Marshallia mohrii*), Tennessee yellow-eyed grass (*Xyris tennesseensis*), and Whorled sunflower (*Helianthus verticillatus*). The tricolored bat (*Perimyotis subflavus*) did not register on the IPaC query, which is currently listed as proposed-endangered by the USFWS and is expected to be officially listed as endangered in September 2023. No further update from the USFWS regarding the status of Tricolored bat was available at the time of this submittal. Based on the site description (and preferred habitats for listed species), the project's scope of work (to occur within currently fragmented forested areas), and the location of work (occurring approximately 3.4 miles northeast of the Coosa River), we have determined that the project is not likely to adversely affect the listed bat species of concern. The project would have no effect on any listed bird, mollusks, insect or plant species of concern.

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.

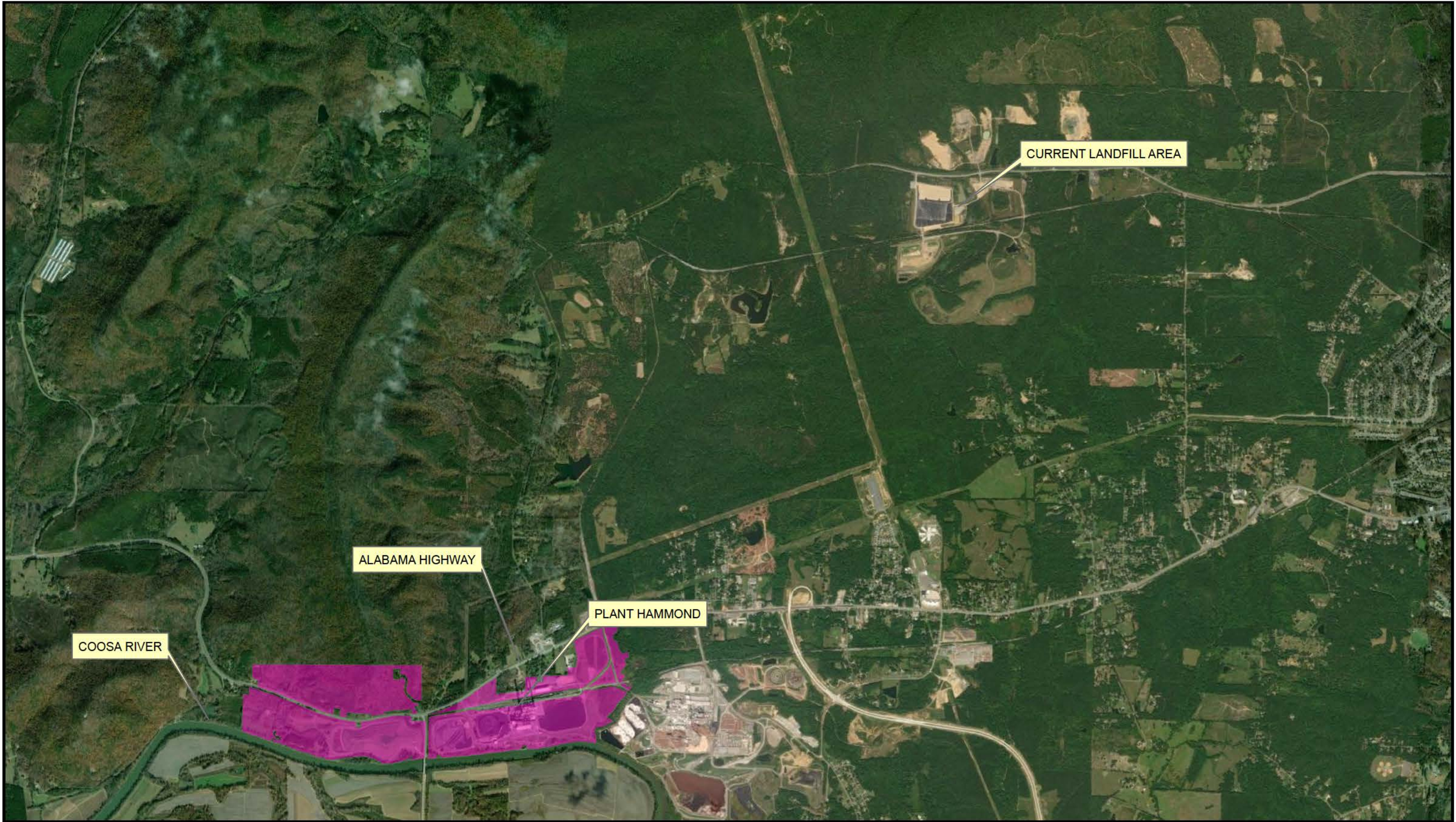
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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: E-mailed comments on this application for a Department of the Army permit should be submitted to Joseph.N.Rivera@usace.army.mil or in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Piedmont Branch, Attention: Joseph Rivera, Project Manager, 4751 Best Road, Suite 140, College Park, Georgia 30337, within 30 days of this notice. Please refer to the applicant's name and the application number in your comments.

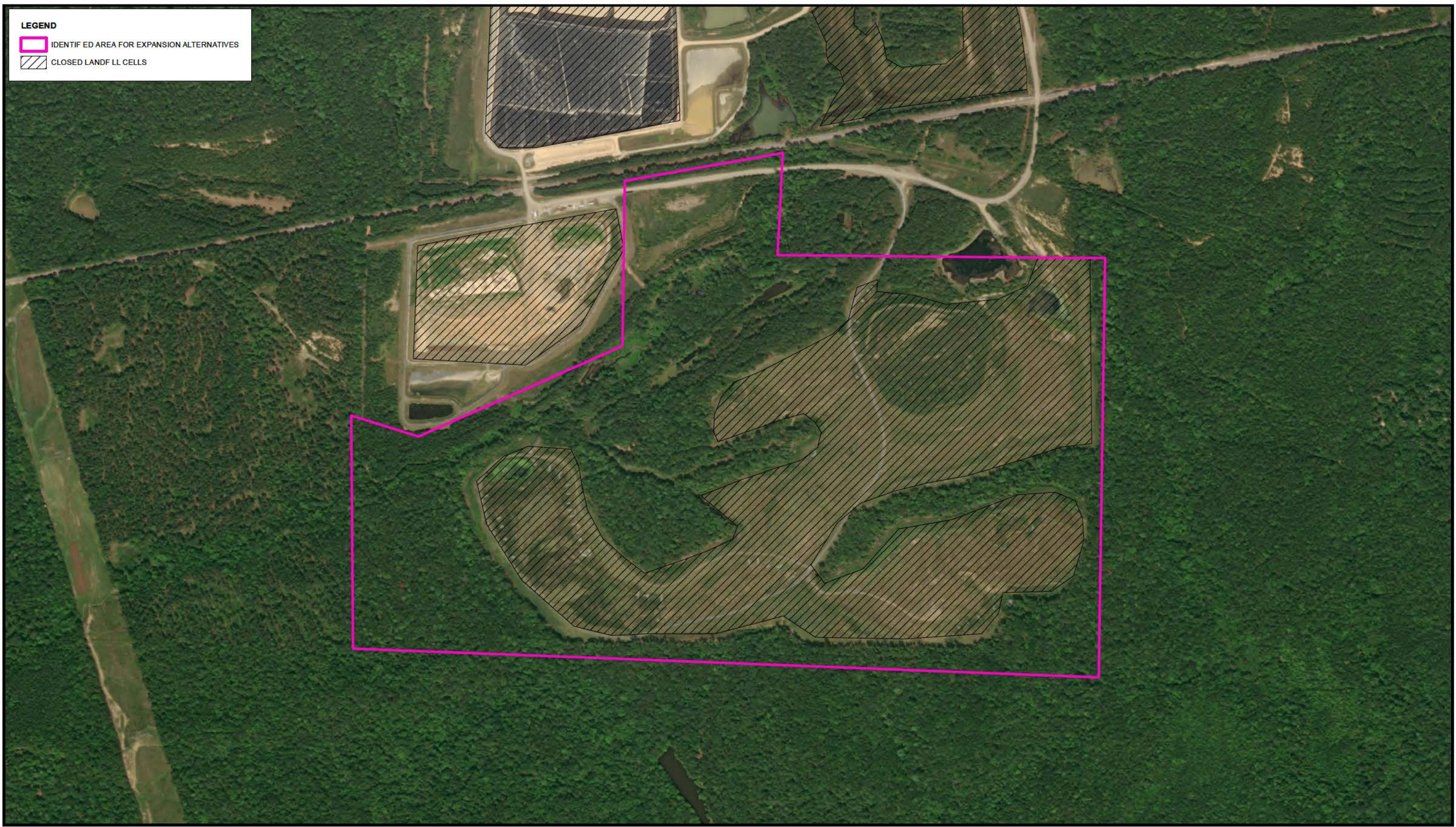
If you have any questions regarding this notice, please contact Joseph Rivera, by e-mail at Joseph.N.Rivera@usace.army.mil or by telephone at 678-422-2723.

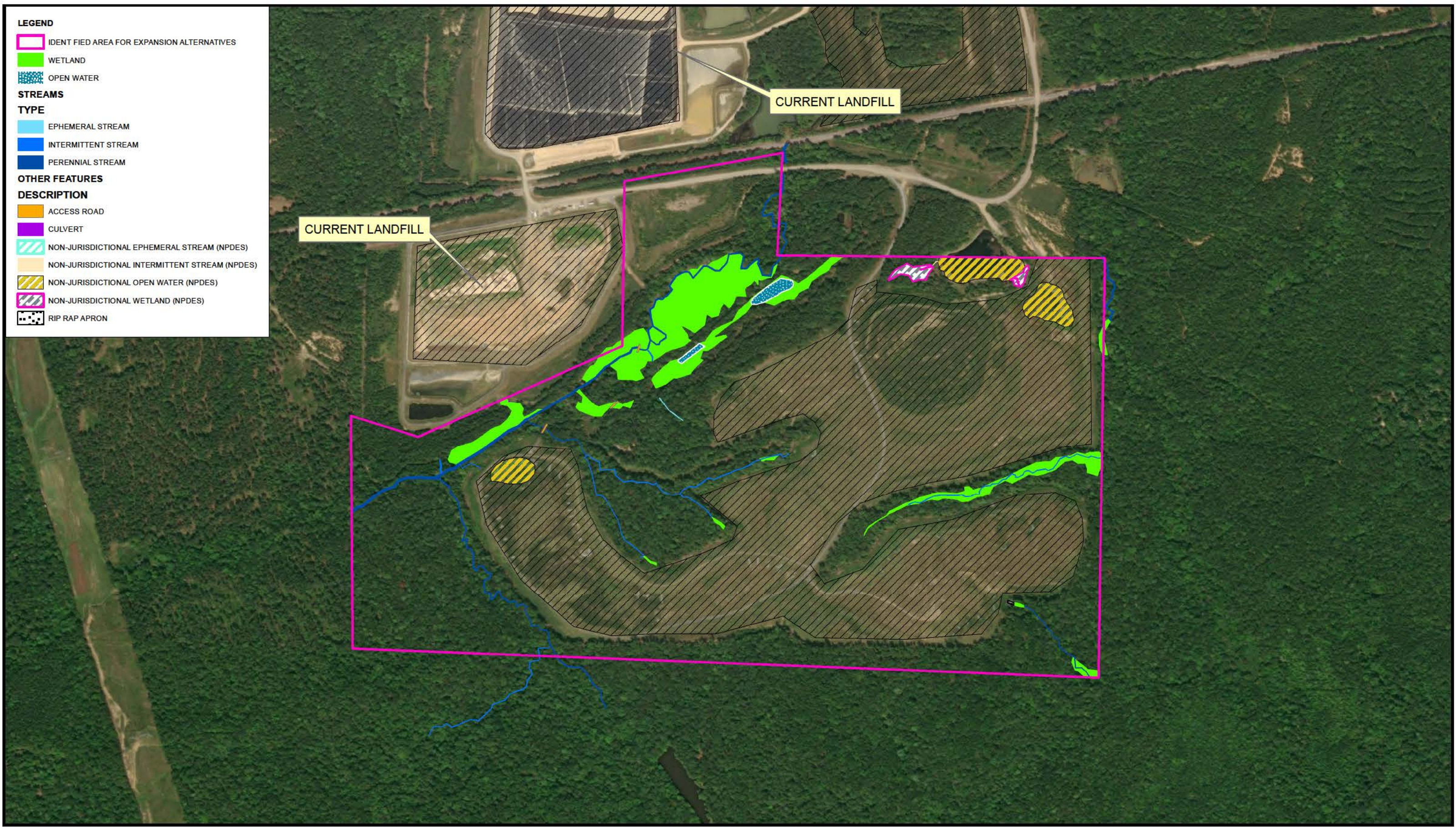
Enclosures:

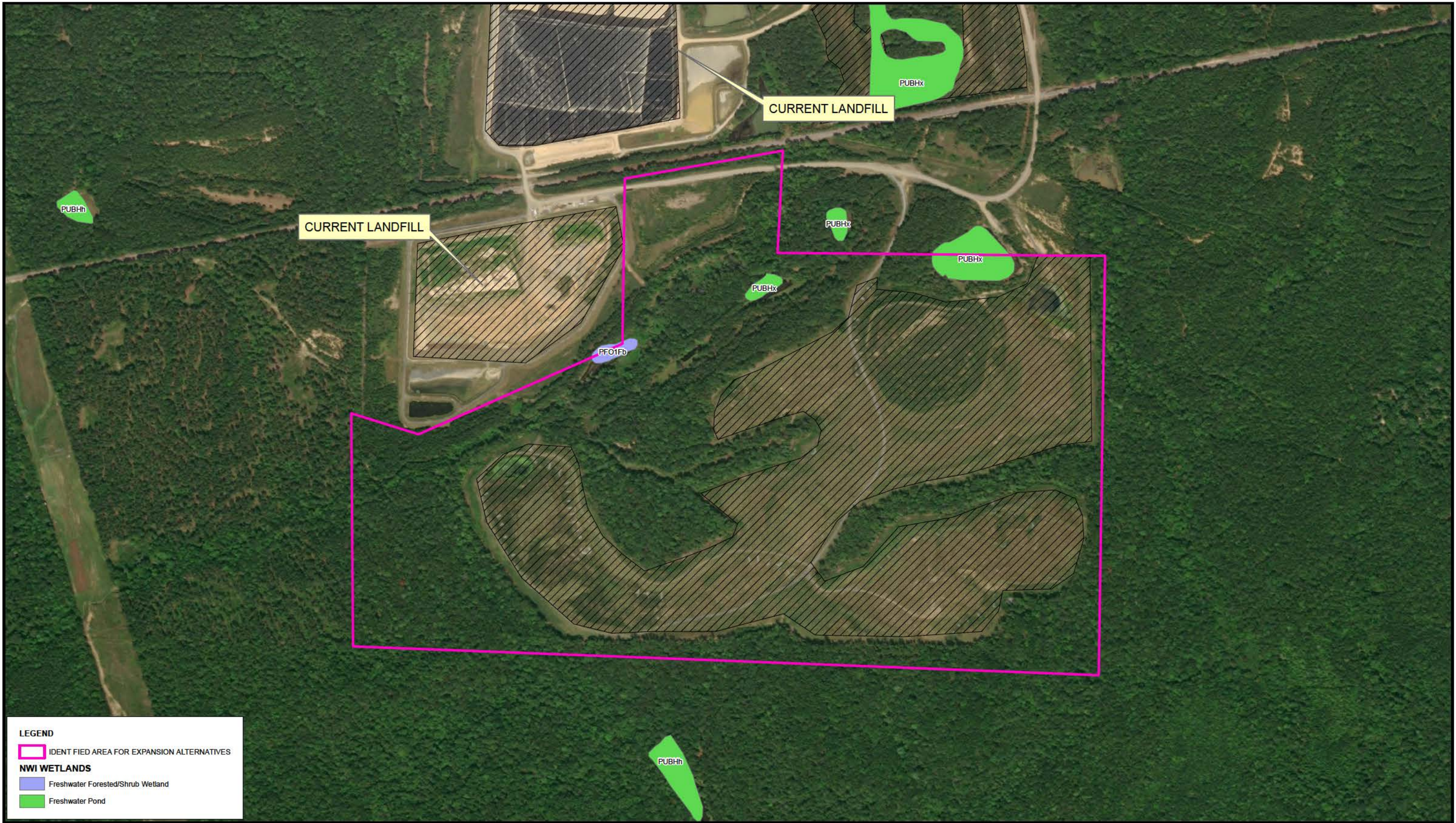
1. Location Map (Figure 1)
2. Landfill Location Map (Figure 2)
3. Current Conditions Map (Figure 3A-3B)
4. Aquatic Resource Delineation Map (Figure 4)
5. NWI Wetlands Map (Figure 5)
6. Soils Survey Map (Figure 6)
7. FEMA Floodplain Map (Figure 7)
8. Alternative Site Expansion Maps (Figures 9-13)











LEGEND

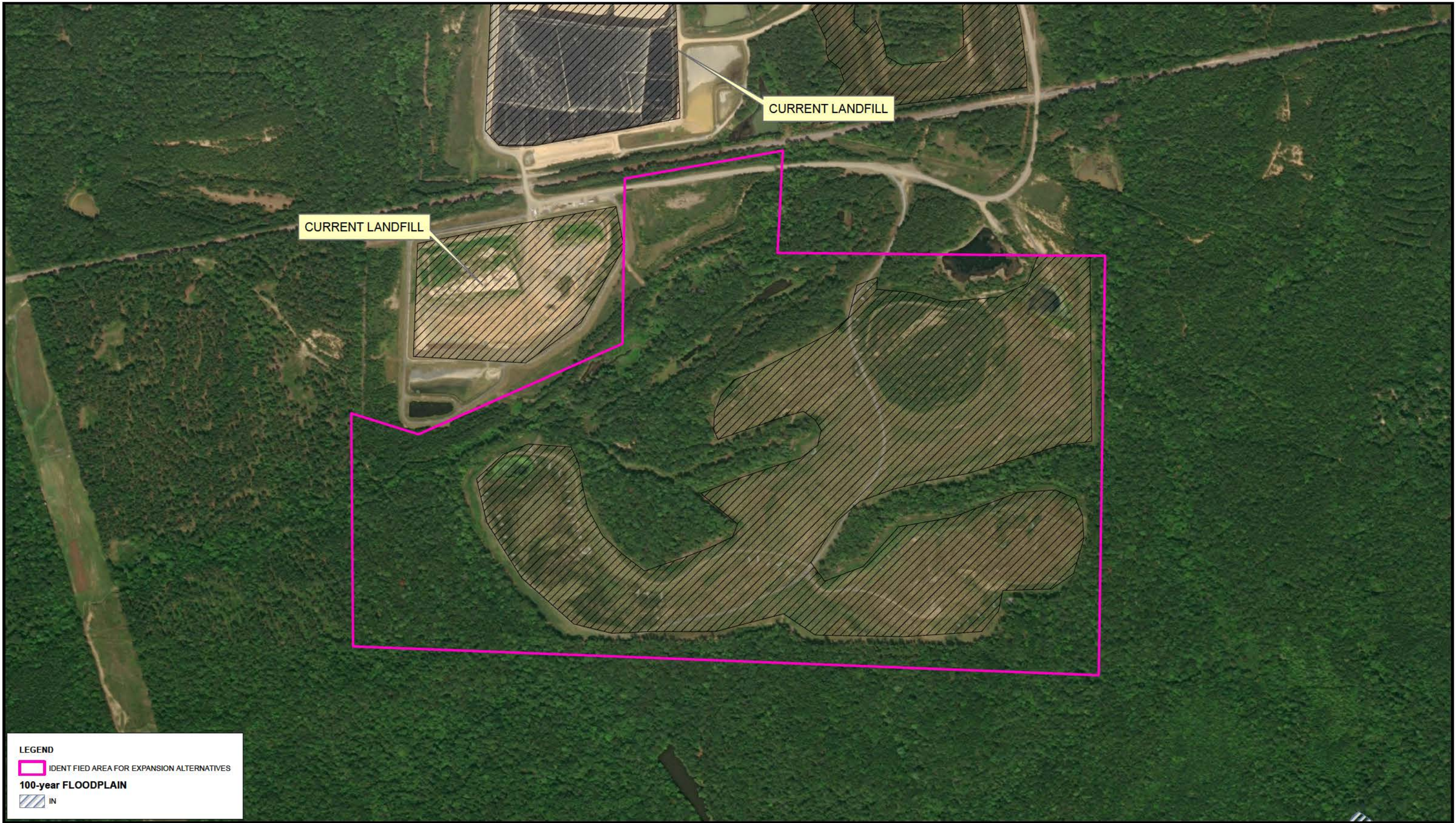
IDENTIFIED AREA FOR EXPANSION ALTERNATIVES

NWI WETLANDS

Freshwater Forested/Shrub Wetland

Freshwater Pond



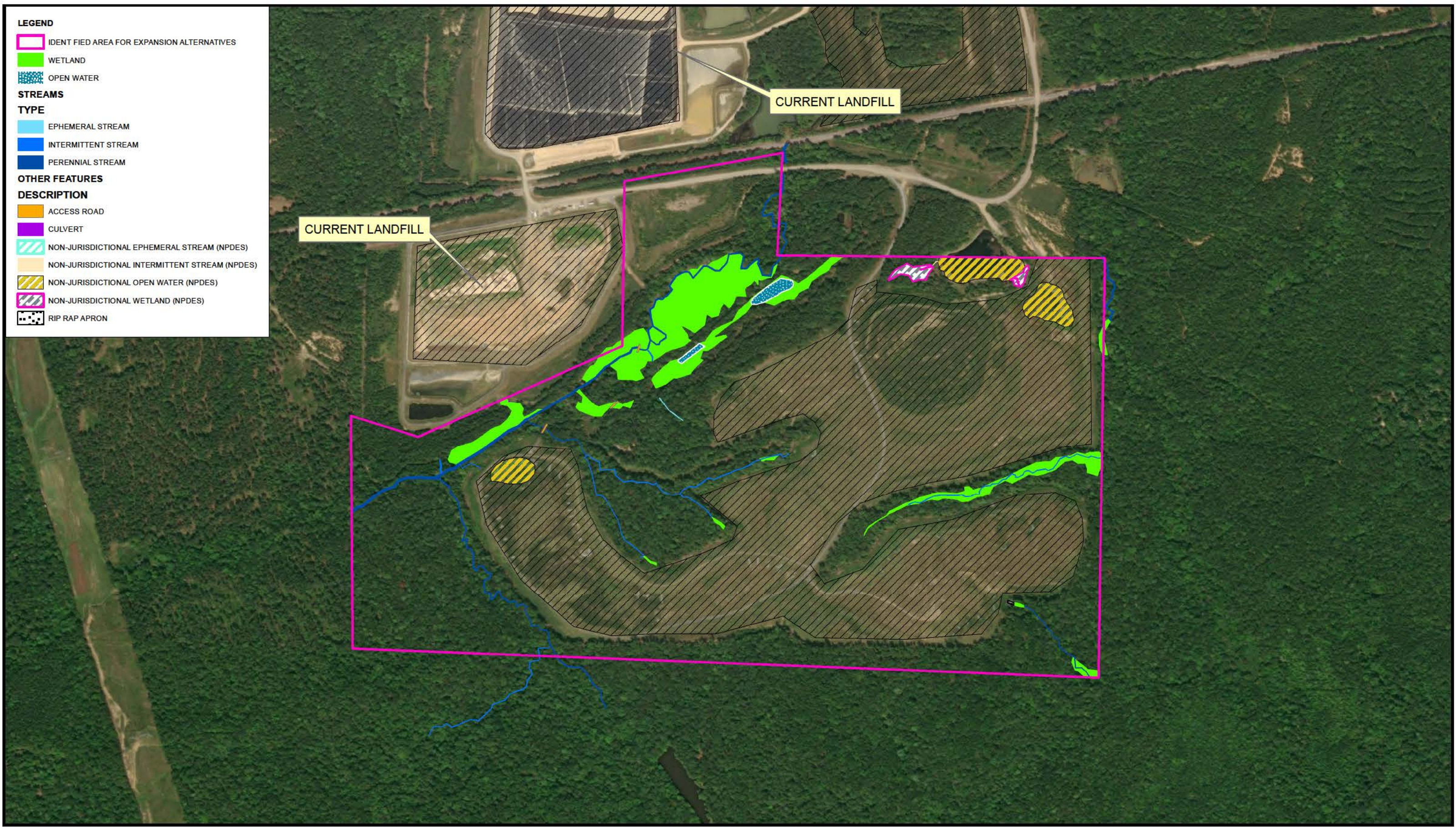


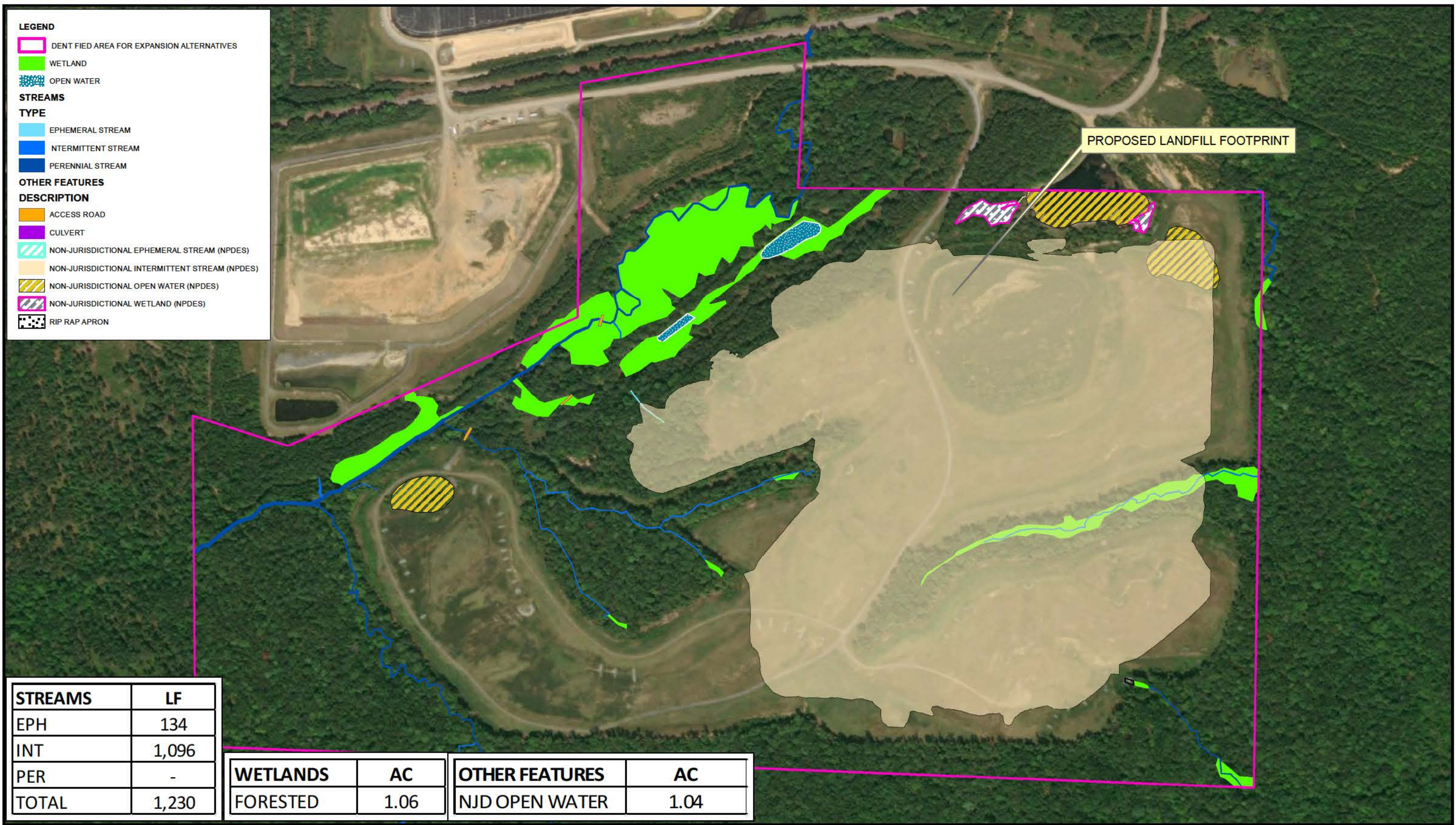
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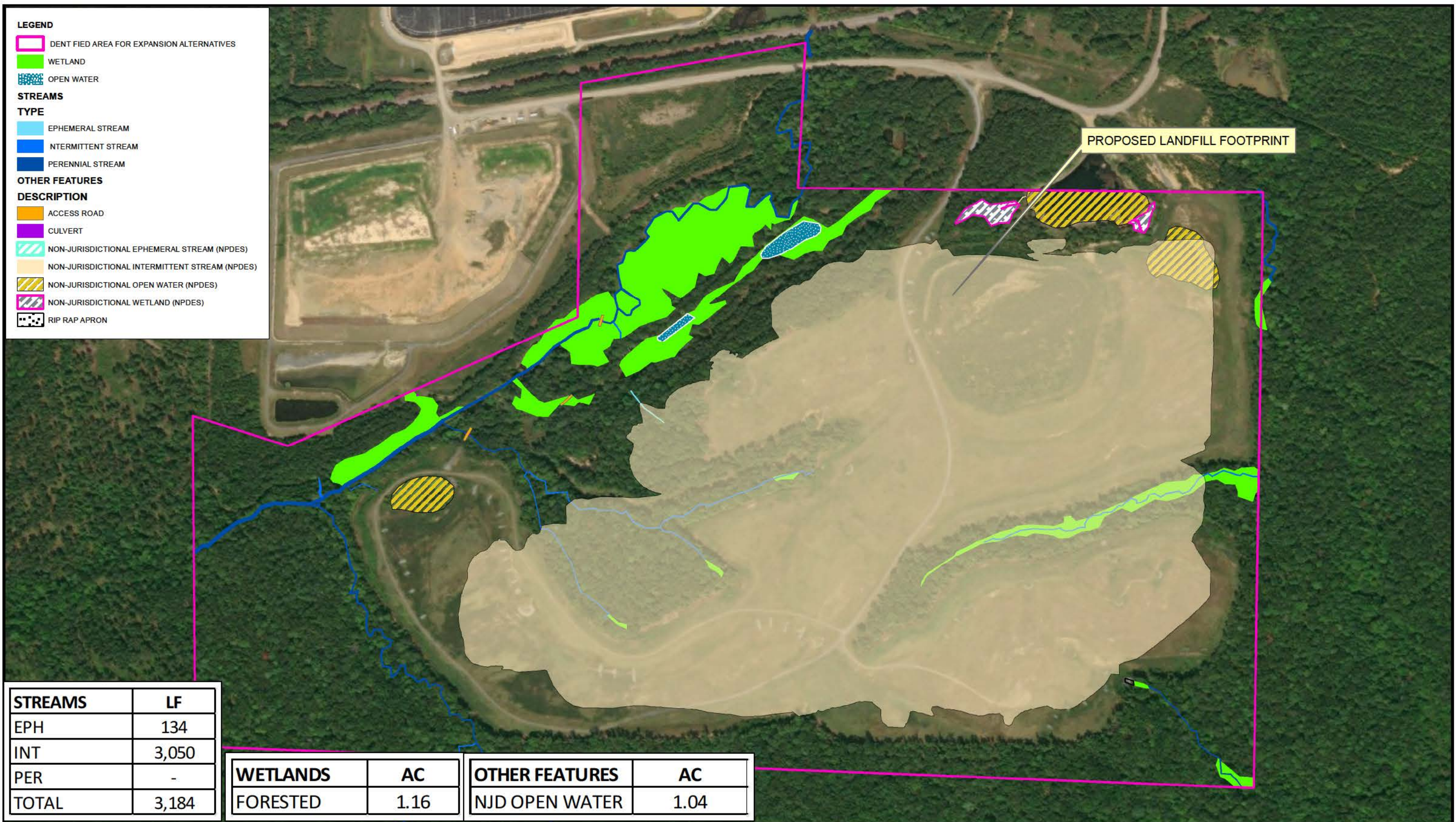
 IDENTIFIED AREA FOR EXPANSION ALTERNATIVES

100-year FLOODPLAIN

 IN







LEGEND

DENT FIED AREA FOR EXPANSION ALTERNATIVES

WETLAND

OPEN WATER

STREAMS

TYPE

EPHEMERAL STREAM

NTERMITTENT STREAM

PERENNIAL STREAM

OTHER FEATURES

DESCRIPTION

ACCESS ROAD

CULVERT

NON-JURISDICTIONAL EPHEMERAL STREAM (NPDES)

NON-JURISDICTIONAL INTERMITTENT STREAM (NPDES)

NON-JURISDICTIONAL OPEN WATER (NPDES)

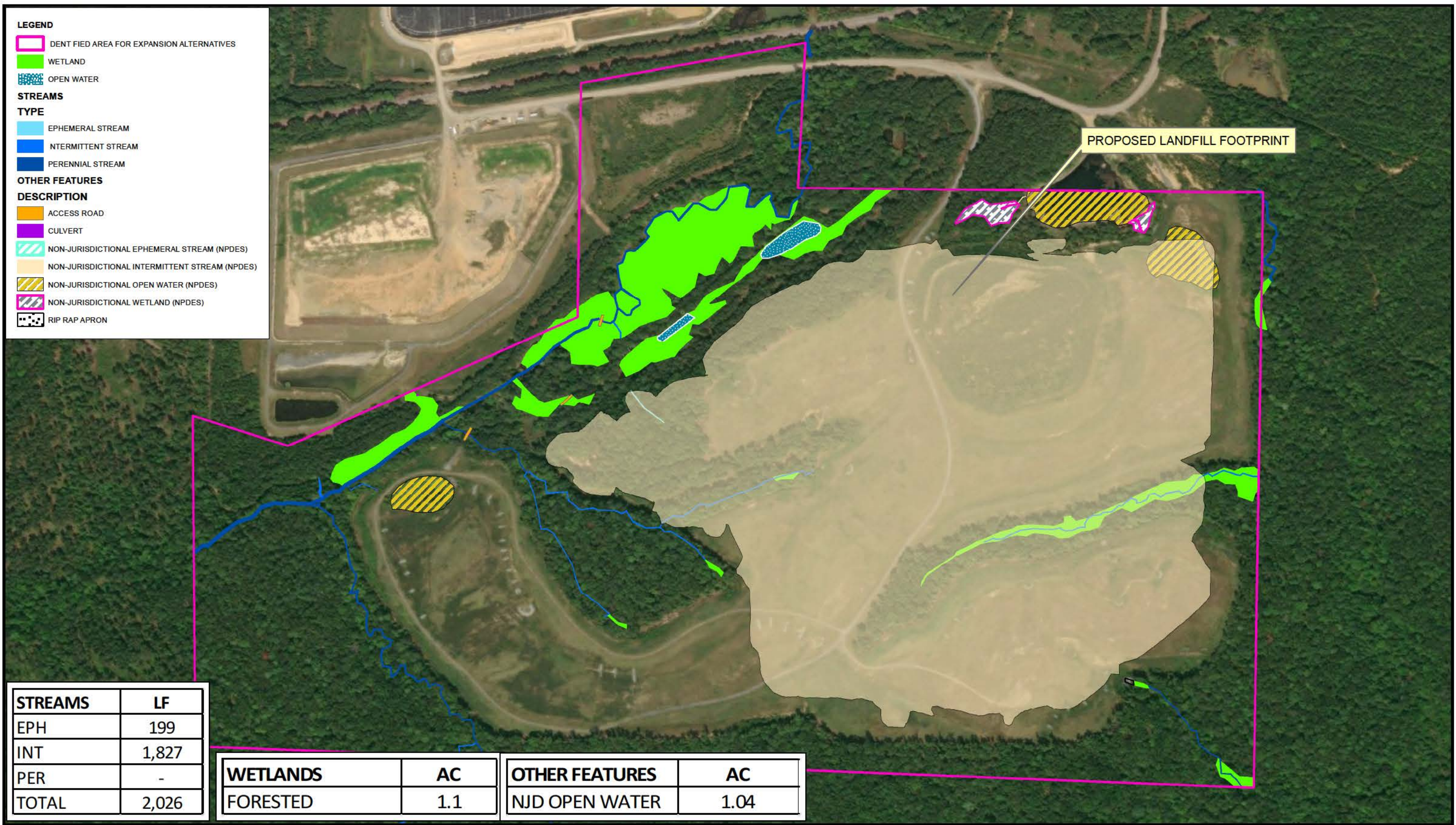
NON-JURISDICTIONAL WETLAND (NPDES)

RIP RAP APRON

STREAMS	LF
EPH	134
INT	3,050
PER	-
TOTAL	3,184

WETLANDS	AC
FORESTED	1.16

OTHER FEATURES	AC
NJD OPEN WATER	1.04



LEGEND

DENT FIED AREA FOR EXPANSION ALTERNATIVES

WETLAND

OPEN WATER

STREAMS

TYPE

EPHEMERAL STREAM

NTERMITTENT STREAM

PERENNIAL STREAM

OTHER FEATURES

DESCRIPTION

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NON-JURISDICTIONAL EPHEMERAL STREAM (NPDES)

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NON-JURISDICTIONAL OPEN WATER (NPDES)

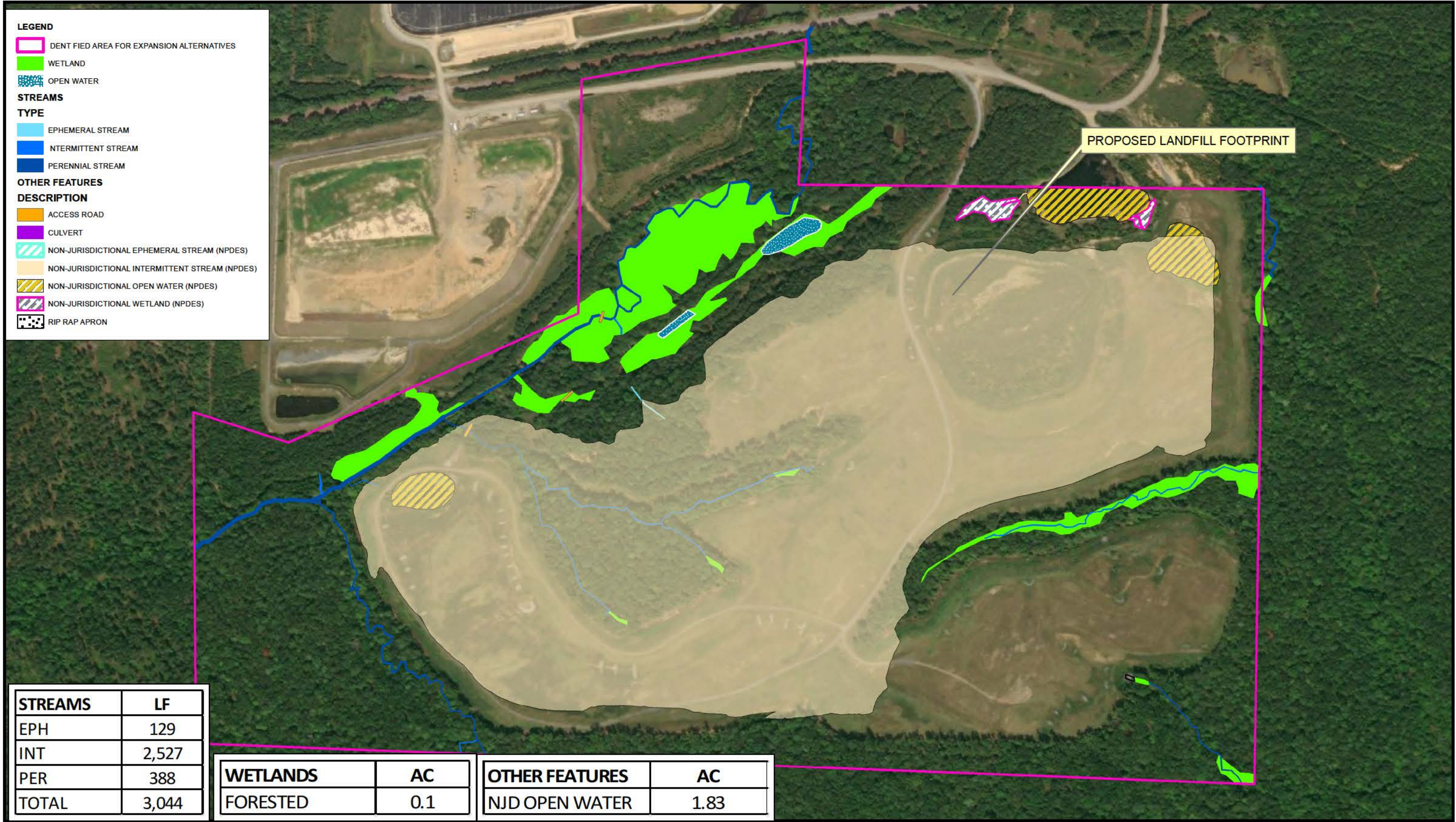
NON-JURISDICTIONAL WETLAND (NPDES)

RIP RAP APRON

STREAMS	LF
EPH	199
INT	1,827
PER	-
TOTAL	2,026

WETLANDS	AC
FORESTED	1.1

OTHER FEATURES	AC
NJD OPEN WATER	1.04

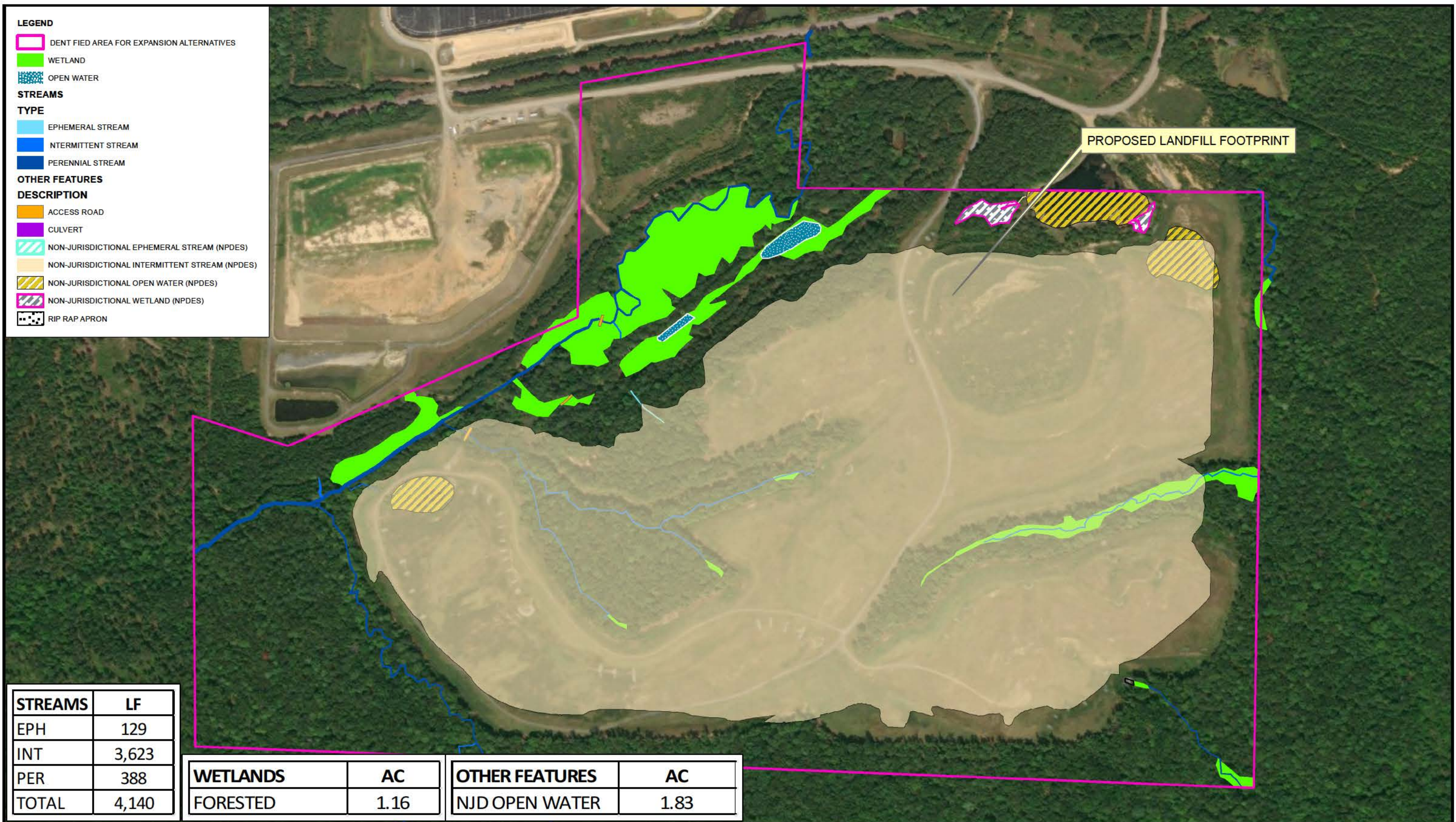


- LEGEND**
- DENT FIED AREA FOR EXPANSION ALTERNATIVES
 - WETLAND
 - OPEN WATER
- STREAMS**
- TYPE**
- EPHEMERAL STREAM
 - INTERMITTENT STREAM
 - PERENNIAL STREAM
- OTHER FEATURES**
- DESCRIPTION**
- ACCESS ROAD
 - CULVERT
 - NON-JURISDICTIONAL EPHEMERAL STREAM (NPDES)
 - NON-JURISDICTIONAL INTERMITTENT STREAM (NPDES)
 - NON-JURISDICTIONAL OPEN WATER (NPDES)
 - NON-JURISDICTIONAL WETLAND (NPDES)
 - RIP RAP APRON

STREAMS	LF
EPH	129
INT	2,527
PER	388
TOTAL	3,044

WETLANDS	AC
FORESTED	0.1

OTHER FEATURES	AC
NJD OPEN WATER	1.83



STREAMS	LF
EPH	129
INT	3,623
PER	388
TOTAL	4,140

WETLANDS	AC
FORESTED	1.16

OTHER FEATURES	AC
NJD OPEN WATER	1.83