



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

October 25, 2023

Regulatory Division
SAS-2002-05330

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 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-2002-05330

Applicant: Mr. Richard Hall
Vulcan Construction Materials, LLC (Vulcan)
1200 Urban Center Drive
Birmingham, Alabama 35242

Agent: Rachael Sulkers
Hodges, Harbin, Newberry and Tribble, Inc. (HHNT)
4751 Best Road
Suite 475
Atlanta, Georgia 30337

Location of Proposed Work: This proposed project site is the existing approximately 771-acre granitic aggregate quarry located on both sides of U.S. Highway 23, south of Taylor Road and north of Pea Ridge Road in the city of Juliette, in Monroe County, Georgia (centered at approximately latitude: 32.9988228, longitude: -83.7944245). The

on-site aquatic resources drain towards Rum Creek, located approximately 600 feet east of the tract.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:

The project involves the expansion of mining operations at the existing Vulcan Macon Quarry. The applicant's preferred mining plan consists of the continued excavation of the existing quarry pit, the construction of two overburden storage areas with two associated culvert crossings, and a sediment pond in the southern end of the quarry. Implementation of the plan would impact a total of 560 feet of perennial stream, 625 feet of intermittent stream, 1,287 feet of ephemeral stream, and 1.30 acre of wetlands. The proposed project purpose is to allow Vulcan to access the western portion of the property, which is separated from the active Quarry by an unnamed tributary of Rum Creek and its associated tributaries and wetland systems. Vulcan requires access to these portions of the property for additional overburden storage to continue production as normal and are proposing two overburden storage areas. Vulcan also proposes to construct a sediment pond for each newly added overburden storage area, as well as a sediment pond with a perimeter access road to control sedimentation and erosion for the existing berms in the southwestern portion of the site.

The applicant contends that 357 feet of intermittent stream, 543 feet of ephemeral stream, and 0.39-acre of wetland that would be lost due to the expansion of the quarry pit do not constitute a discharge of dredged or fill material as defined at CFR 323.2 and should not require a permit under Section 404. The applicant has not proposed compensatory mitigation for these losses of aquatic resources.

There are 1,287 linear feet of ephemeral stream and 0.12-acre of wetlands on the site that the applicant believes to be non-jurisdictional and has requested an approved jurisdictional determination. The applicant has not proposed compensatory mitigation for the loss of these aquatic resources.

The applicant has proposed mitigation for impacts to 268 linear feet of intermittent stream, 560 linear feet of perennial stream, and 0.81-acre of wetland. To offset the loss in aquatic function associated with the proposed impacts to aquatic resources, the applicant would purchase 4.88 Legacy wetland credits or 0.61 2018 Standard Operating Procedure wetland credits from an approved mitigation bank. A total of 6,478.20 legacy stream credits or 620.25 2018 Standard Operating Procedure stream credits will also be purchased from an approved mitigation bank to off-set the stream impacts.

BACKGROUND

On May 22, 2003, a standard permit was issued by this office for impacts to 5.6-acres of jurisdictional area. The required mitigation was permittee-responsible and included the preservation of 6.3-acres of forested wetland located just north of the existing facility on the eastern side of U.S. Highway 23. On February 8, 2006, a restrictive covenant was recorded as required under the permit conditions. No records of the required monitoring of the permittee responsible mitigation site were located.

On April 29, 2005, a letter from this office was issued verifying work to be conducted under Nationwide Permit No. 39 to construct additional railroad spur lines at an existing rock quarry facility, to transport materials. The work impacted 0.07-acre of open water and mitigation was not required. On September 1, 2017, a letter from this office was issued verifying work to be conducted under Nationwide Permit No. 44 under SAS-1994-06520. The letter verified work that would impact 0.03-acre of wetland and no more than 300 linear feet of stream for construction related to continued mining operations at the Macon Quarry. The purpose of this Nationwide Permit was to control the erosion and sedimentation of the surrounding stockpiles in the southwestern portion of the property. To offset the loss in aquatic function associated with the proposed impacts to aquatic resources, the applicant was required to purchase 0.21 wetland credits and 755.2 stream credits. The required credits were purchased on October 18, 2017.

A heavy rain event in 2022 resulted in the sloughing of the stockpile to the southwest of the Nationwide Permit Area into the wetland and stream system. Vulcan self-reported this impact to the USACE upon discovery of the impacts. During this rain event, a landslide impacted approximately 0.48-acre of forested wetland and approximately 294.76 linear feet of intermittent stream. In response, Vulcan proposes to construct a new, properly sized pond to capture runoff and sediment during similar storm events and will provide mitigation for these impacts.

On September 26, 2023, this office issued an aquatic resource delineation review concurrence letter after a site visit conducted by the Corps project manager on September 21, 2023.

This Joint Public Notice announces the 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 applicant conducted a pre-filing meeting on October 13, 2023, and will submit a request for a Water Quality Certification with the State of Georgia on November 2, 2023. 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 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: New South Associates, Inc., identified one now-extinct historic community, one historic railroad, and one historic cemetery within one mile of the project area, as well as a cluster of buildings inside the project area identified as a "Church Campground". Consequently, 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 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), no Federally-designated critical habitats are located onsite. However, this report does list the following Federally-protected species that may potentially be affected at this location: relict trillium (*Trillium reliquum*), fringed campion (*Silene polypetala*), and red-cockaded woodpecker (*Dryobates borealis*), all 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 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. The Applicant's current proposal reviewed seventeen (17) off-site alternatives and five (5) on-site alternatives for the mine expansion. The applicant states that no other alternatives were determined to be practicable with the exception of the applicant's preferred alternative, when considering cost, technology, and logistics

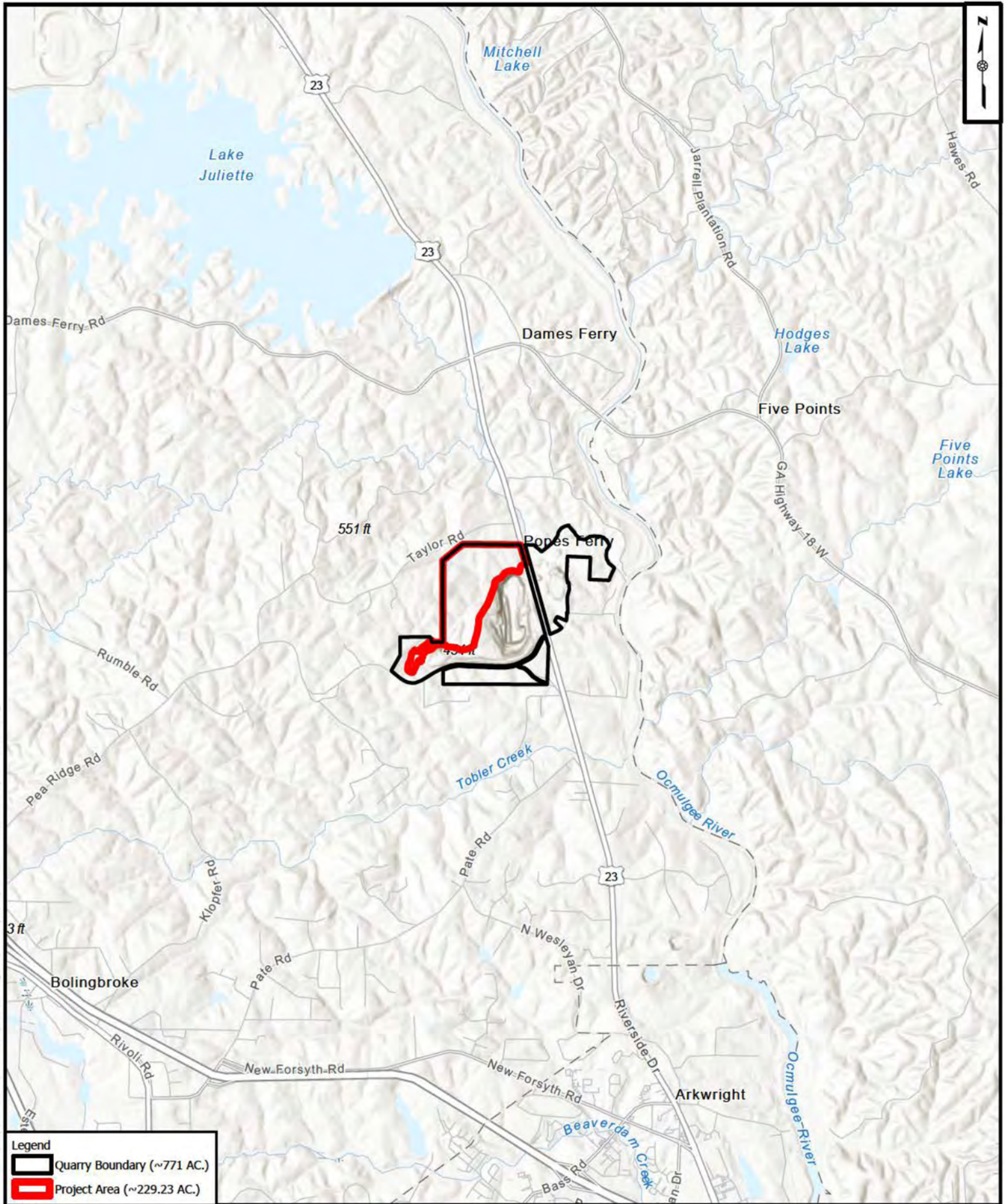
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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 their written comments by e-mail to Amy.K.Egoroff@usace.army.mil within **30 days** of this notice. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Amy Egoroff, Project Manager, 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 Amy Egoroff, Lead Biologist, of the Piedmont Branch, by e-mail at Amy.K.Egoroff@usace.army.mil or at 678-422-6571.

Enclosures:

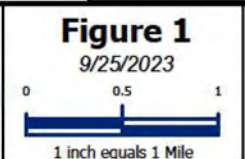
1. Location Map
2. USGS Topographic Map
3. USACE Revised Delineation Map
4. Figure 9 Conceptual Site Plan
5. Figure 10 Impact Map Detail Key
6. Figure 10a Impact Map Detail
7. Figure 10b Impact Map Detail
8. Figure 10c Impact Map Detail
9. Figure 10d Impact Map Detail



Legend

- Quarry Boundary (~771 AC.)
- Project Area (~229.23 AC.)

DISCLAIMER:
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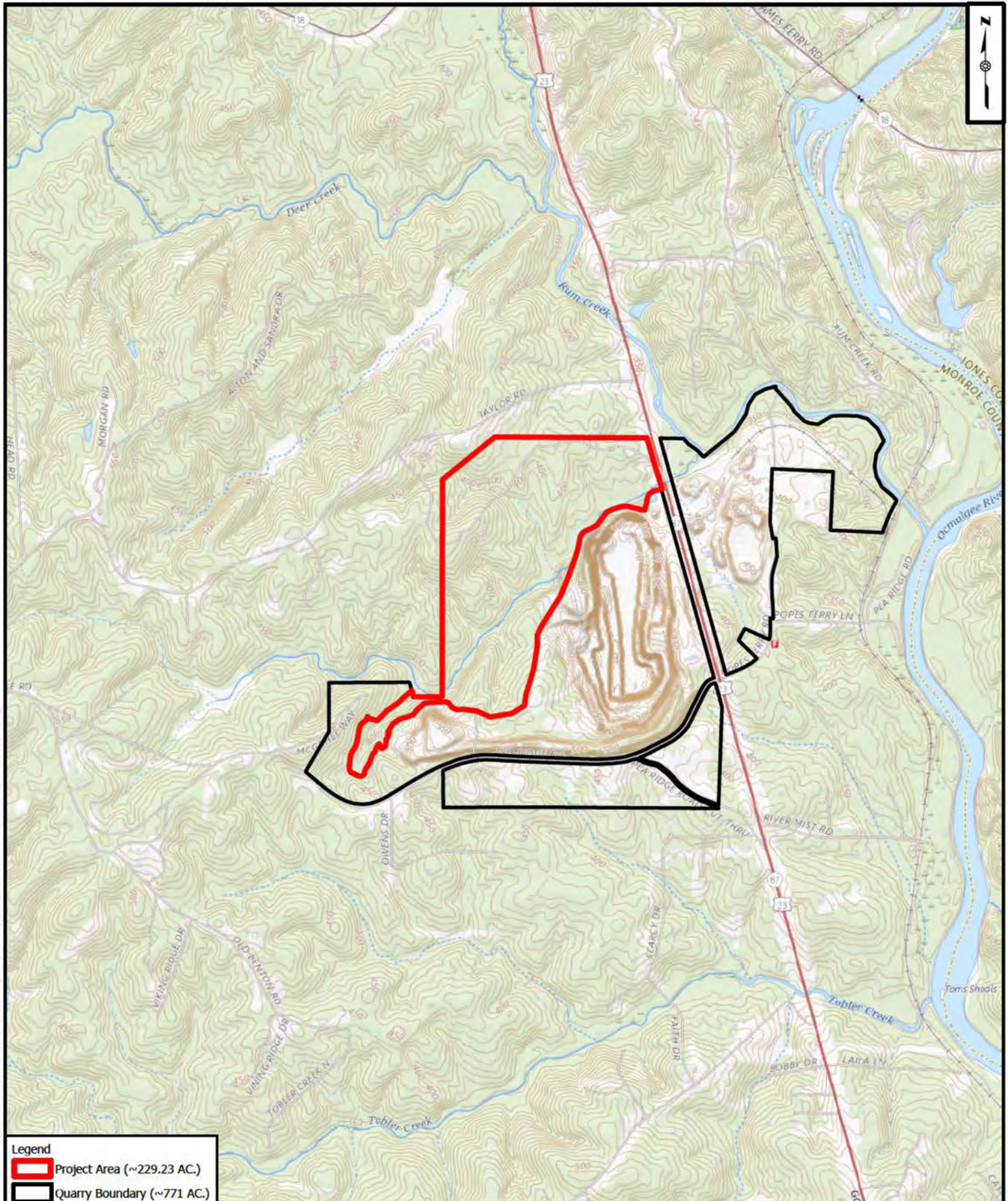


Location Map
 Macon Quarry
 Vulcan Materials Company
 Monroe County, GA

Notes:
 1. Terrain provided by Esri World Basemap.
 2. Boundaries obtained from Vulcan Materials Company.

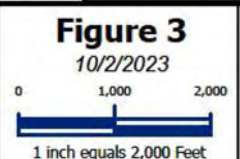


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Legend
 Project Area (~229.23 AC.)
 Quarry Boundary (~771 AC.)

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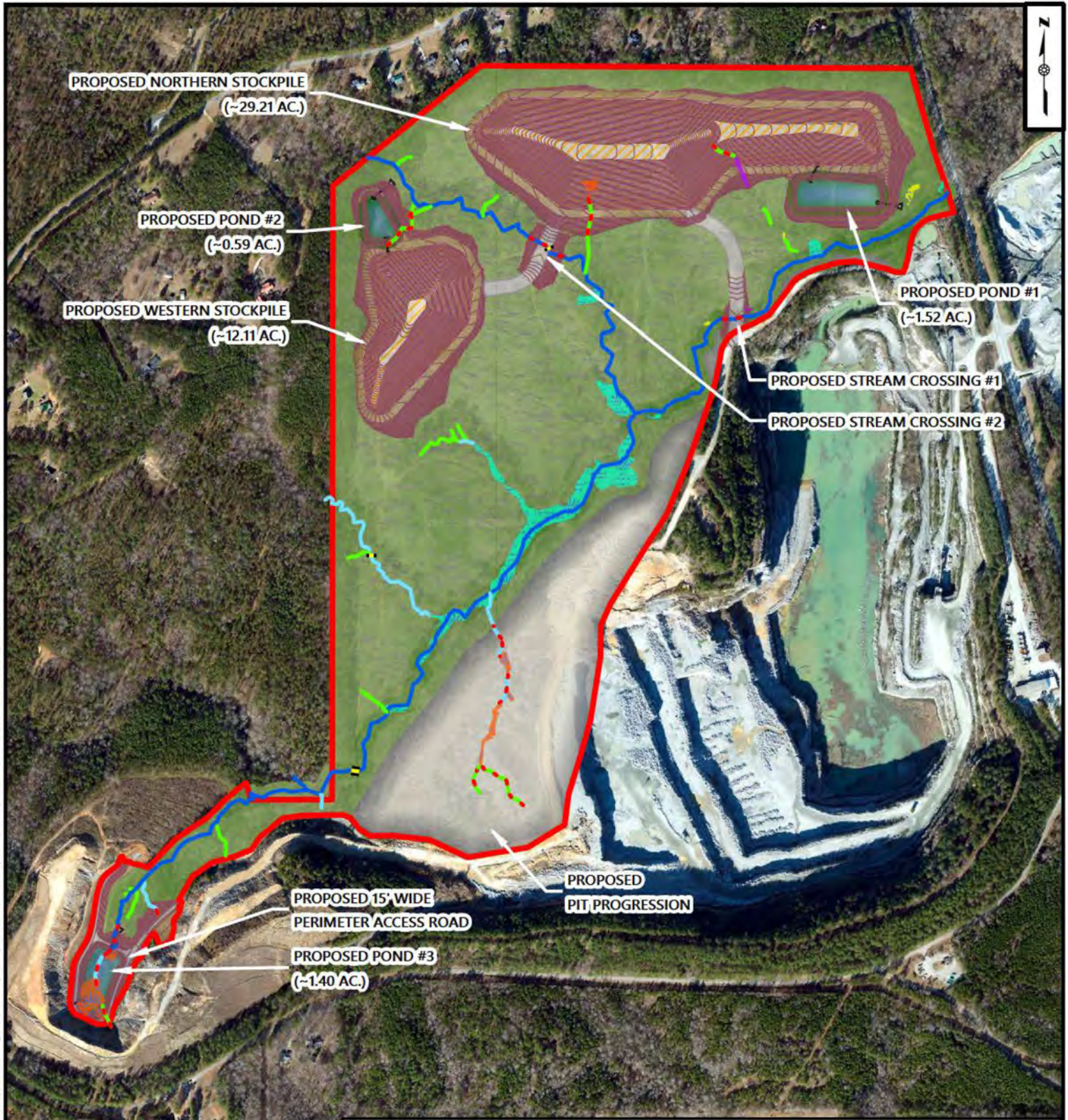


Topographic Map
 Macon Quarry
 Vulcan Materials Company
 Monroe County, GA

Notes:
 1. Topographic basemap obtained from USGS Topographic Map: Dames, Bolingbroke, Macon NW Quadrangles.
 2. Boundaries obtained from Vulcan Materials Company.

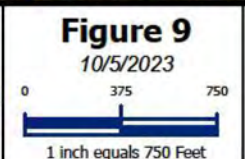
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Legend		Impact Design Plan	Proposed Features To Be Impacted
█	Project Area (~229.23 AC.)	█	Fill/Slope
█	Existing Culverts	█	Forest
█	Proposed Features To Remain	█	Grassed
█	Remaining Ephemeral Stream (~2,111 LF.)	█	Overburden
█	Remaining Intermittent Stream (~1,652 LF.)	█	Pit Expansion
█	Remaining Perennial Stream (~9,855 LF.)	█	Pond
█	Remaining Wetland, Non-Jurisdictional (~0.11 Ac.)	█	Proposed Road
█	Remaining Wetland, Jurisdictional (~4.36 Ac.)	█	Proposed Stormwater Structure
█	Impacted Ephemeral Stream (~1,287 LF.)		
█	Impacted Intermittent Stream (~625 LF.)		
█	Impacted Perennial Stream (~560 LF.)		
█	Wetland Impact, Non-Jurisdictional (~0.12 Ac.)		
█	Wetland Impact, Jurisdictional (~1.19 Ac.)		

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Conceptual Site Plan
 Macon Quarry
 Vulcan Materials Company
 Monroe County, GA

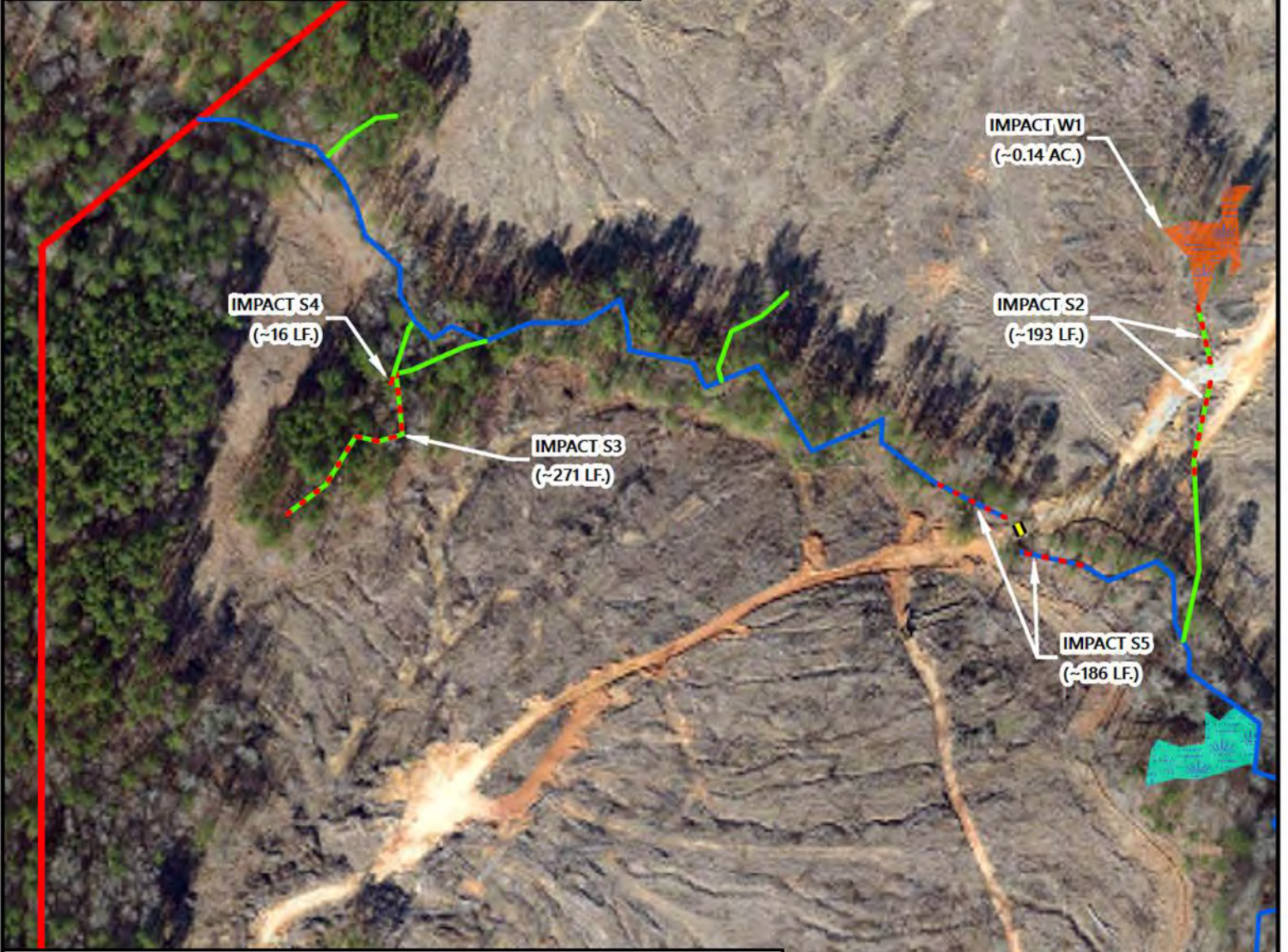
Notes:
 1. Imagery obtained from orthoimage provided by Vulcan, January 2023.
 2. Aquatic resource delineation performed by HHNT scientists 7/2022, 9/2022, & 3/2023.
 3. Depicted Waters of the U.S. Delineation approved by the U.S. Army Corps of Engineers via ARDR approval letter dated September 27, 2023. Jurisdictional status remains opinion of HHNT until Approved Jurisdictional Determination is received. Proposed non-jurisdictional features are included on this figure.

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Impact Area 1

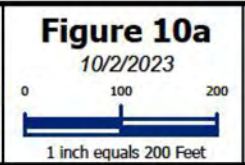
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W1	Fill - Overburden Stockpile		0.14
S2	Fill - Overburden Stockpile & Grading	193	
S3	Fill - Grading	271	
S4	Fill - Sediment Pond & Grading	16	
S5	Culvert	186	



Legend

Project Area (~229.23 AC.)	Impacted Ephemeral Stream (~1,287 LF.)
Existing Culverts	Impacted Intermittent Stream (~625 LF.)
Remaining Ephemeral Stream (~2,111 LF.)	Impacted Perennial Stream (~560 LF.)
Remaining Intermittent Stream (~1,652 LF.)	Remaining Wetland, Non-Jurisdictional (~0.11 Ac.)
Remaining Perennial Stream (~9,855 LF.)	Remaining Wetland, Jurisdictional (~4.36 Ac.)
	Wetland Impact, Non-Jurisdictional (~0.12 Ac.)
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Vulcan Materials Company
Monroe County, GA

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Impact Area 2

Impact ID	Impact Factor	Linear Ft.	Acres
W2	Fill - Overburden Stockpile & Grading		0.11
W3	Fill - Grading		0.01
S1	Fill - Overburden Stockpile	136	
S6	Culvert	158	



Legend

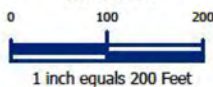
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Figure 10b

10/5/2023



Impact Map Detail Macon Quarry Vulcan Materials Company Monroe County, GA

Notes:
1. Imagery obtained from orthoimage provided by Vulcan, January 2023.
2. Aquatic resource delineation performed by HHNT scientists 7/2022, 9/2022, & 3/2023.
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**HODGES, HARBIN,
NEWBERRY & TRIBBLE, INC.**
Consulting Engineers

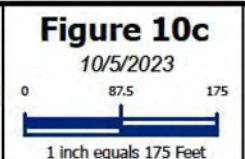
Impact Area 3

Impact ID	Impact Factor	Linear Ft.	Acres
W4	Incidental Sedimentation		0.08
W5	Incidental Sedimentation		0.58
S7	Fill - Sediment Pond, Access Road & Grading	215	
S8	Fill - Sediment Pond, Access Road & Grading	82	
S9	Fill - Sediment Pond, Access Road & Grading	186	
S10	Fill - Sediment Pond, Access Road & Grading	129	



Legend	
	Project Area (~229.23 AC.)
	Existing Culverts
	Remaining Ephemeral Stream (~2,111 LF.)
	Remaining Intermittent Stream (~1,652 LF.)
	Remaining Perennial Stream (~9,855 LF.)
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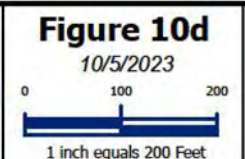
Impact ID	Impact Factor	Linear Ft.	Acres
W6	Tulloch - Pit Expansion		0.10
W7	Tulloch - Pit Expansion		0.04
W8	Tulloch - Pit Expansion		0.23
W9	Tulloch - Pit Expansion		0.01
S11	Tulloch - Pit Expansion	357	
S12	Tulloch - Pit Expansion	161	
S13	Tulloch - Pit Expansion	382	



Legend

- Project Area (~229.23 AC.)
- Existing Culverts
- Remaining Ephemeral Stream (~2,111 LF.)
- Remaining Intermittent Stream (~1,652 LF.)
- Remaining Perennial Stream (~9,855 LF.)
- Impacted Ephemeral Stream (~1,287 LF.)
- Impacted Intermittent Stream (~625 LF.)
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