



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

February 28, 2024

Regulatory Division  
SAS-2024-00152

**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 an 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 the 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.

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-2024-00152

Applicant: Mr. Ben Banks  
TCW, Incorporated  
230 Nordic Way,  
Pooler, GA 31322

Agent: Mr. Tony Greco  
Nutter & Associates, Inc.  
360 Hawthorne Lane  
Athens, Georgia 30606

Location of Proposed Work: The approximately 19.84-acre project site is located west of South Hamilton Street in Dalton, Whitfield County, Georgia (central coordinates latitude: 34.7219981, longitude: -84.9691087). The nearest named waterbody is Stacy Branch, which forms the western and northern boundary of the project area.

Description of Work Subject to the Jurisdiction of the Corps: The project involves the discharge of fill within 0.96 acre of wetland complex in conjunction with the construction of a truck terminal, office building, and associated infrastructure including paved traffic

and parking facilities, a truck maintenance and wash bay, and a stormwater detention basin.

The Applicant proposes to offset the loss of ecological function associated with the proposed project impacts to aquatic resources through the purchase 0.72 (2018) or 5.76 legacy wetland credits from Mulberry Grove Mitigation Bank. The project is hydrologically connected to the Upper Oconee watershed (Hydrologic Unit Code 8 (HUC 8): 03070101).

## **BACKGROUND**

Based on the review of the Corps' databases, there are no other known projects or actions associated with this permit request. All on-site aquatic resources would be evaluated under a Delineation Review of Aquatic Resources (ARDR).

## **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 applied for a pre-filling meeting for a Water Quality Certification with the State of Georgia on August 7, 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 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 permit area includes those areas comprising waters of the United States that will be directly affected by the proposed work or structures, as well as activities outside of waters of the U.S. because all three tests identified in 33 CFR 325, Appendix C(g)(1) have been met. A review of the latest published version of the National Register of Historic Places and the Georgia Natural, Archeological, and Historic Resources GIS database, indicated that no registered properties or properties listed as eligible for inclusion are located on the project site. The Corps is presently reviewing available information to further assess the potential for adverse effects to listed historic properties, or resources eligible for listing, on the National Register of Historic Places in conjunction with the current application submittal.

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 *IPaC Trust Resource Report*, 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: Gray Bat ( *Myotis grisescens*), Northern Long-eared Bat (*Myotis septentrionalis*), Tricolored Bat ( *Perimyotis subflavus*), Amber Darter (*Percina antesella*), Trispot Darter (*Etheostoma trisella*), Alabama Moccasinshell (*Medionidus acutissimus*), Coosa Moccasinshell (*Medionidus parvulus*) Finelined Pocketbook (*Hamiota altilis*), Georgia Pigtoe (*Pleurobema hanleyianum*), Southern Clubshell (*Pleurobema dicisum*), Southern Pigtoe (*Pleurobema georgianum*), Triangular Kidneyshell (*Ptychbranchus greenii*), Large-flowered Skullcap (*Scutellaria montana*), Tennessee Yellow-eyed Grass (*Xyris tennesseensis*), experimental species Whooping Crane (*Grus americana*), and candidate species Monarch Butterfly (*Danaus plexippus*). The Applicant conducted a habitat assessment for the project site.

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 the 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, 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 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 the 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. The Applicant's current proposal includes the review of one (1) off-site alternative and two (2) on-site alternatives for the proposed expansion of mining activities. All alternatives will be further evaluated in conjunction with the application.

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: Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Oya Money-Worthy, 4751 Best Road, Suite 140, College Park, Georgia 30337-5600, no later than **30 days** from the date of this notice. Submittal of comments via email, to the address listed below, is also acceptable. Please refer to the Applicant's name (Tennessee Commercial Warehousing) and the assigned Regulatory file number (SAS-2024-00152) in your comments.

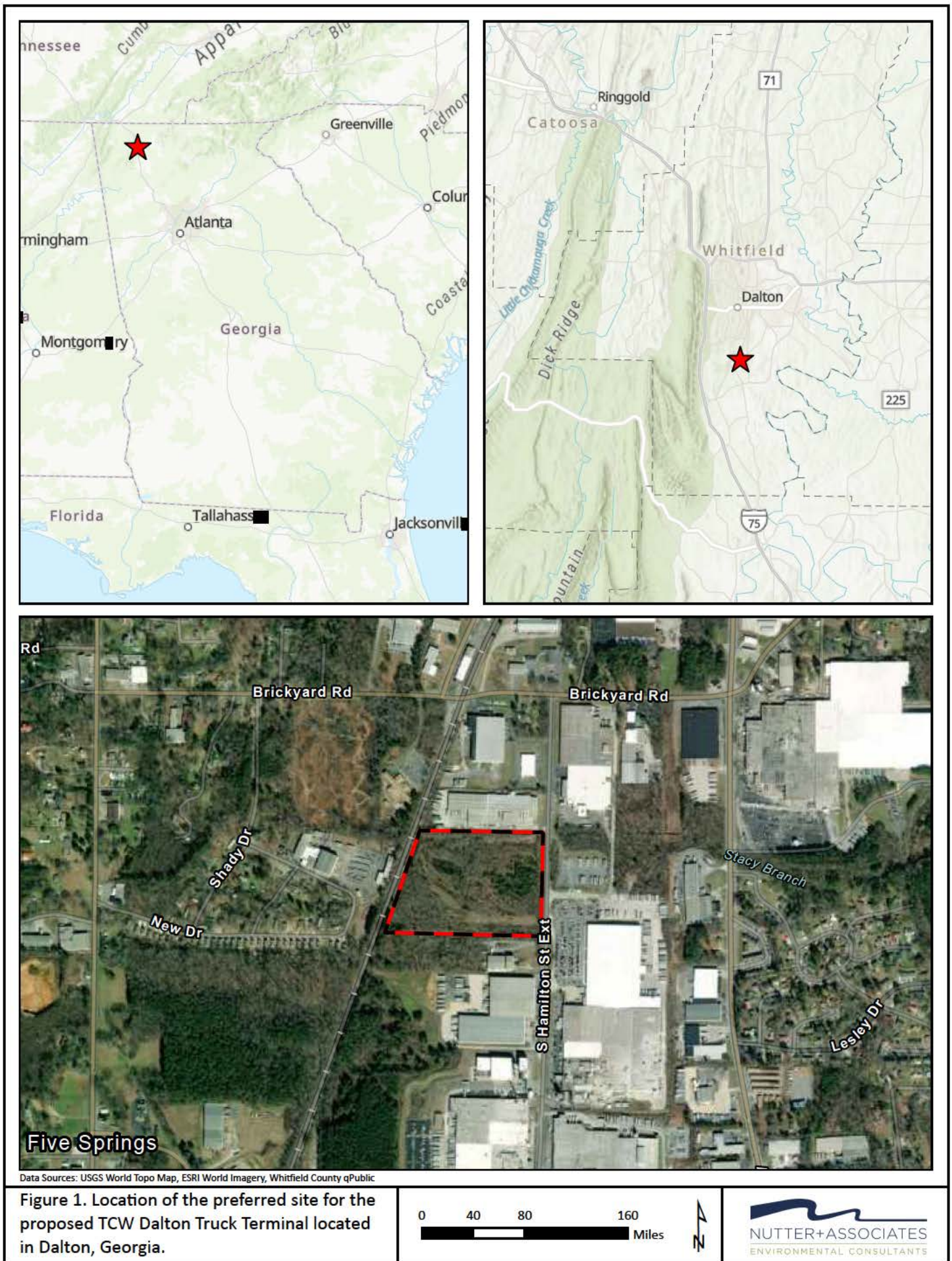
If you have any further questions concerning this public notice, please contact

Oya Money-Worthy, Regulatory Specialist, Piedmont Branch at 678-422-2728, or [Oya.M.Money-Worthy@usace.army.mil](mailto:Oya.M.Money-Worthy@usace.army.mil).

Encls

1. Figure 1: Location and Vicinity Map
2. Figure 1-5: Aquatic Resources Delineation Map
3. Figure 2: Site Layout and Existing Aquatic Resources
4. Sheet C7: Site Plan

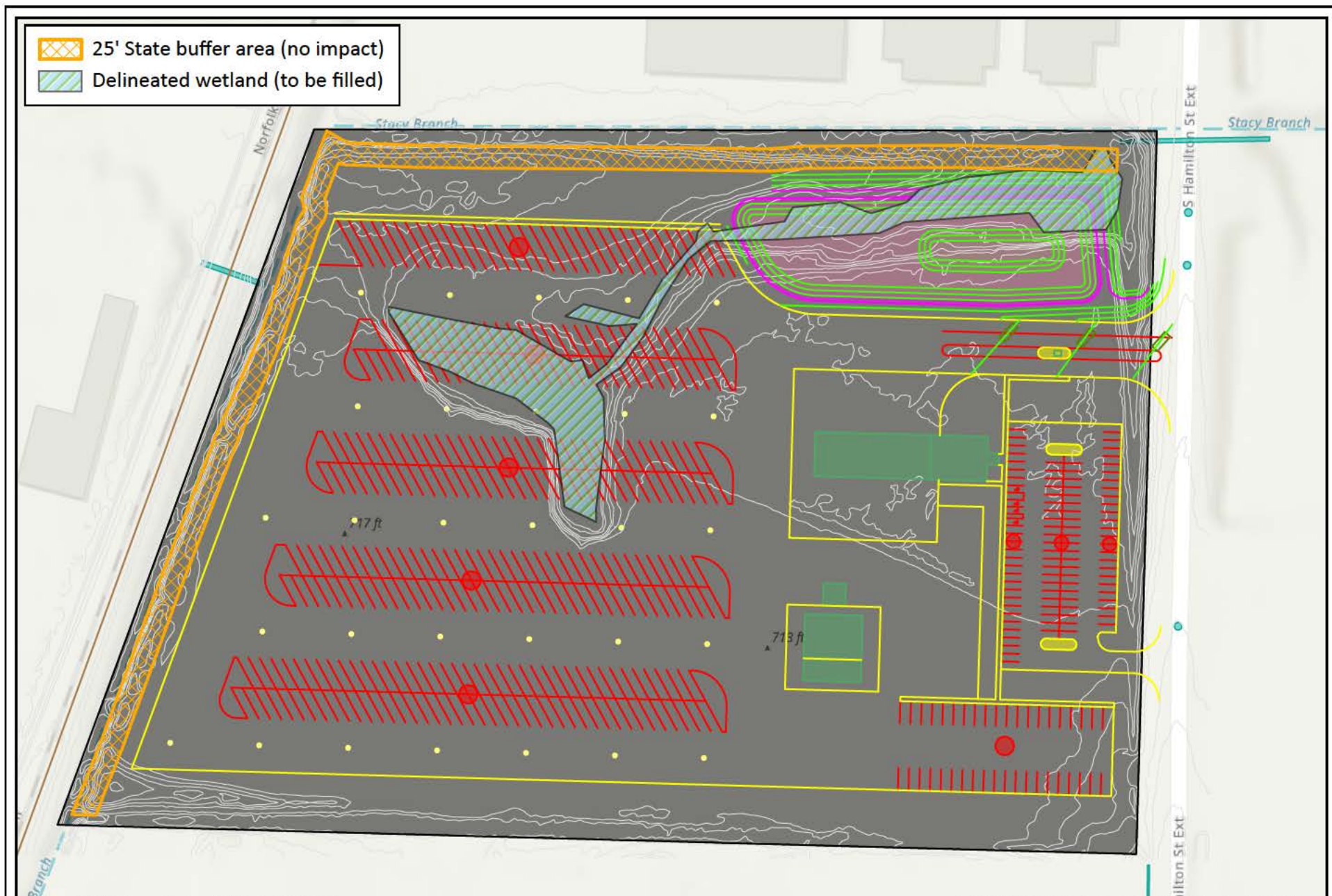








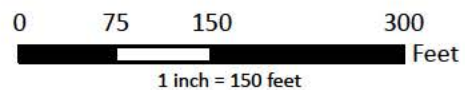




Data Source: ESRI World Topographic, Created: Wednesday, July 19, 2023

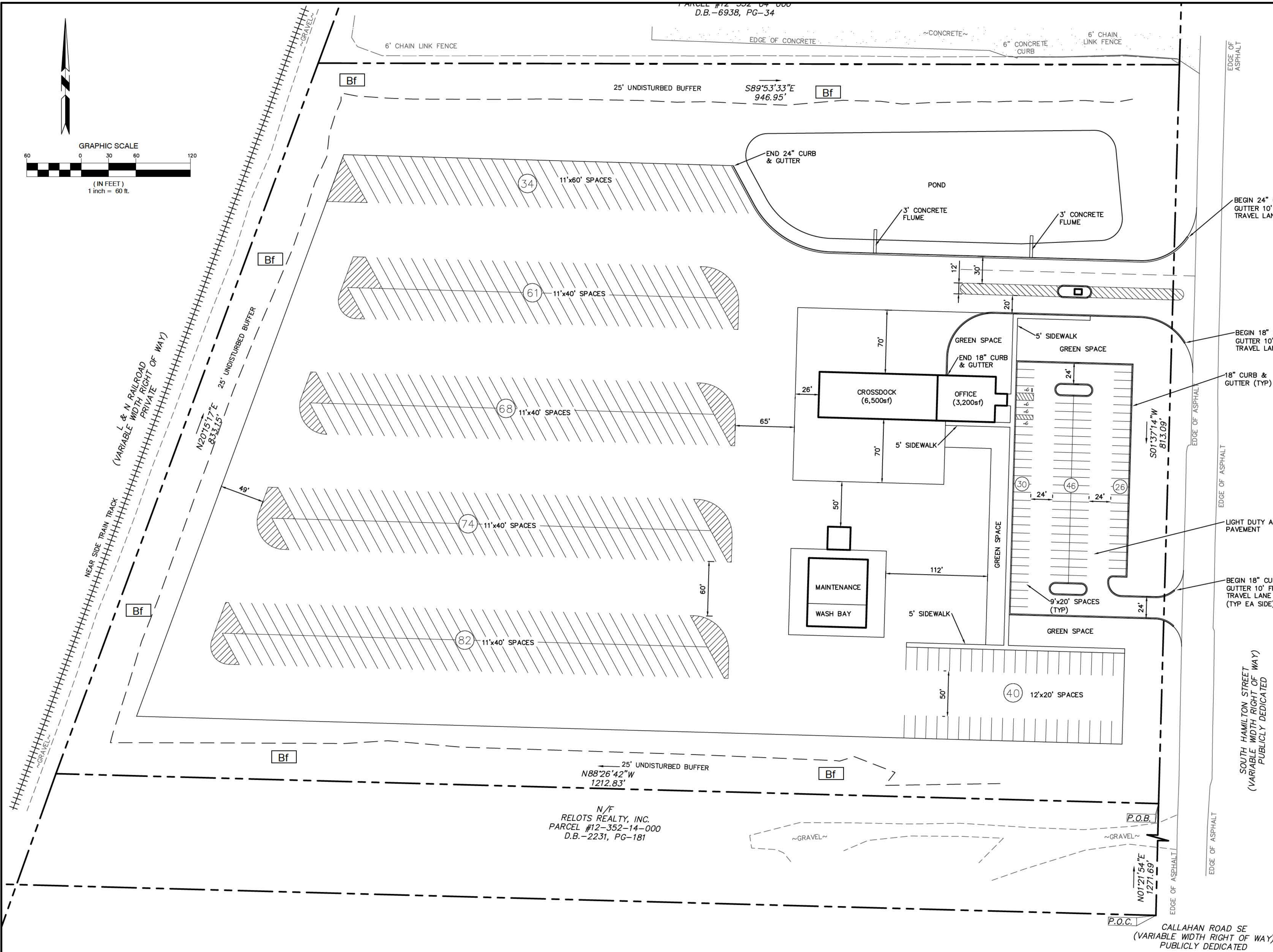
Path: G:\21\21-126 TCW Dalton Terminal\GISFILES\Dalton\_Terminal\_Working.aprx

Figure 2. Site layout and existing aquatic resources, TCW Dalton Truck Terminal, Dalton, Georgia.



**NUTTER+ASSOCIATES**  
ENVIRONMENTAL CONSULTANTS





### SITE NOTES:

- ALL WORK WILL COMPLY WITH APPLICABLE STATE, FEDERAL, AND LOCAL CODES, SPECIFICATIONS AND REQUIREMENTS. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE.
- DEVIATIONS FROM THESE PLANS AND NOTES WITHOUT PRIOR CONSENT OF THE OWNER, THE ARCHITECT, OR THE ENGINEER MAY CAUSE THE WORK TO BE UNACCEPTABLE.
- THE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO COVER A COMPLETE PROJECT, READY TO USE. ALL ITEMS NECESSARY FOR A COMPLETE AND WORKABLE JOB SHALL BE FURNISHED AND INSTALLED. THIS WILL INCLUDE ALL STRIPING AND PARKING LOT SIGNAGE.
- CONTRACTOR SHALL FURNISH AND MAINTAIN ANY AND ALL NECESSARY BARRICADES AROUND THE WORK AND PROVIDE PROTECTION AGAINST WATER DAMAGE AND SOIL EROSION.
- ALL BUILDING DIMENSIONS SHALL BE CHECKED AND COORDINATED WITH THE ARCHITECTURAL PLANS.
- FOR OTHER CONSTRUCTION DETAILS, SEE DETAIL SHEETS.
- ALL SITE DIMENSIONS ARE TO THE FACE OF CURB EXCEPT WHERE NOTED.
- ALL ON SITE CURB SHALL BE 18" CURB & GUTTER.
- ALL WORK ON-SITE MUST CONFORM TO LOCAL STANDARDS.
- SEE DETAILS FOR PAVING SECTIONS.
- PAVEMENT MARKING, INCLUDING STANDARD HANDICAP SYMBOLS, PARKING STRIPING AND TRAFFIC ARROWS, SHALL BE PAINTED ON PAVEMENT AT LOCATIONS SHOWN. SEE PAVEMENT MARKING DETAIL.
- SITE CONTRACTOR TO VERIFY EXISTING TOPOGRAPHIC AND UTILITY DATA PRIOR TO ANY CONSTRUCTION.
- PROVIDE BOLLARDS AT LOCATIONS SHOWN, AND AROUND TRANSFORMERS, GAS METERS, AND OTHER UTILITIES IN VULNERABLE TRUCK AREAS.
- WARRANTY: THIS SUBCONTRACTOR SHALL WARRANT ALL ASPHALT AGAINST ALL DEFECTS IN MATERIALS AND WORKMANSHIP FOR A PERIOD OF TWO(2) YEARS.
- COORDINATE ALL WORK WITHIN THE RIGHT-OF-WAY WITH THE APPROPRIATE AGENCY.

**RAE**  
RICHARDS & ASSOCIATES ENGINEERING, INC.  
CIVIL ENGINEERING + LAND PLANNING  
P.O. BOX 220 CHATSWORTH, GA 30705  
(706) 895-0661

GA PROFESSIONAL ENGINEER NO. 26730  
LEVEL II CERTIFIED DESIGN  
PROFESSIONAL NO. 8688

PROJECT  
TCW - DALTON  
SOUTH HAMILTON STREET EXTENSION  
DALTON, GA  
CLIENT  
TCW  
230 NORDIC WAY  
POOLER, GA 31322

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THESE PLANS CANNOT BE USED FOR CONSTRUCTION UNTIL THEY HAVE BEEN APPROVED, STAMPED AND SIGNED BY THE APPROPRIATE AUTHORITY AND ALL NECESSARY PERMITS HAVE BEEN OBTAINED BY THE OWNER. THE OWNER IS RESPONSIBLE FOR PROVIDING ALL NECESSARY PERMITS.

Revisions	Date

Drawing Title  
**SITE PLAN**

DATE	12/20/23	DRAWING NO.
PROJECT NO.	23-004	C7