

DEPARTMENT OF THE ARMY

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

June 12, 2023

Regulatory Division SAS-2004-10970

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-2004-10970

Applicant: Mr. Dick Hall

Vulcan Materials Company

800 Mount Vernon Hwy, NE, Suite 200

Atlanta, Georgia 30328

Agent: Ms. Rachael Sulkers

Hodges, Harbin, Newberry, and Tribble, Inc.

3920 Arkwright Road, Suite 101

Macon, Georgia 31210

Location of Proposed Work: The project is proposed on a 117.45-acre western portion of an overall, approximately 472-acre, multi-parcel assemblage located north of Interstate-20, south of Patricia Lane and 5th Street, east of East Stonybrook Drive, and west of the western-most extent of Matt Moore Court and Groovers Lake, within the Lithia Springs area of unincorporated Douglas County, Georgia (centered at approximately latitude 33.7688, longitude -84.6733). Groovers Lake Road/Vulcan Drive extends into the eastern portion of the property and North County Line Road extends

generally north-south through the central portion of the overall property. Hickory Creek flows into the site from the southwest and Spivey Branch flows into the site from the west-northwest, joining onsite and then flowing to a point of confluence with Beaver/Beaver Run Creek near the northeastern extent of the overall property.

<u>Description of Work Subject to the Jurisdiction of the Corps</u>: The Applicant has indicated that the existing aggregate mining operation (State Surface Mining Permit Number 084-04) requires additional areas to store overburden, as the existing overburden storage has been almost entirely consumed. In order to establish suitable capacity for storage of overburden, the Applicant proposes to substantially improve two currently under-sized, culverted road crossings affording access into the western portion of the mining property. The proposed work would establish two approximately 55-foot wide haul road crossings over existing streams and adjacent wetlands. Construction of the northern crossing would involve the replacement of the two existing 60-inch corrugated metal pipes (CMP) with four 120-inch CMPs, resulting in permanent adverse impacts to 69 linear feet (0.03-acre) of perennial stream and 0.11-acre of wetland. Construction of the southern crossing would involve the replacement of the two existing 24-inch CMPs with four 96-inch CMPs, resulting in permanent adverse impacts to 151 linear feet (0.05-acre) of perennial stream and 0.51-acre of wetland. As proposed, a total of 0.70-acre of aquatic resources would be impacted as a result of the project. The Applicant proposes to compensate for project impacts to aquatic resources through the purchase of 3.6 legacy wetland credits or 0.45 (2018) riverine wetland credits, and 1,980 legacy stream credits or 165 (2018) perennial stream credits from an approved compensatory mitigation source(s) servicing the project watershed.

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 yet to request 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.

<u>State-owned Property and Resources</u>: 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.

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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.

Aquatic Resources Delineation: The Applicant has requested an aquatic resources delineation review (ARDR) for the proposed project site. An ARDR is a written notification from the Corps concurring, not concurring, or commenting on the wetland boundaries delineated on a property. Under such a review, the Corps does not address the jurisdictional status of the wetlands on the property, solely the boundaries of the resources as delineated within the review area.

<u>Cultural Resources Assessment</u>: The Applicant has conducted a review of publicly available records to assess if potential archaeological sites, historic structures, or cultural resources that may be present within the general vicinity of the proposed work area. The Corps intends to request a survey of the project permit area to assess the potential for adverse effects to historic properties listed, or eligible for listing, on the National Register of Historic Places. Consequently, presently unknown archaeological, scientific, prehistorical or historical data may 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 (USFWS), 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 agent has performed a biological assessment and submitted an *IPaC Trust Resource Report* for the project site. The *IPaC* identified potential Federally listed species to occur on the project site, including Federally threatened Little Amphianthus (*Amphianthus pusillus*), and Federal candidate species Monarch Butterfly (*Danaus plexippus*). *IPaC* did not identify any critical habitat within the vicinity of the proposed project site.

<u>Public Interest Review</u>: 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 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, four (4) on-site alternatives, in addition to the applicant's preferred design, have been proposed. The Applicant contends that no off-site alternatives to the proposed discharge are reasonable or practicable.

<u>Public Hearing</u>: 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.

<u>Comment Period</u>: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments via email to <u>adam.f.white@usace.army.mil</u> or in writing to: Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Adam White, 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 (Vulcan Materials Company) and the assigned Regulatory file number (SAS-2004-10970) in your comments.

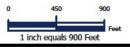
If you have any further questions concerning this public notice, please contact Adam F. White, Project Manager, Piedmont Branch at 678-422-2730, or adam.f.white@usace.army.mil.

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- 1. Figure 2 Aerial Photograph, Lithia Springs Quarry
- 2. Figure 3 Topographic Map, Lithia Springs Quarry
- 3. Figure 7 Delineation Map, Lithia Springs Quarry
- 4. Figure 9 Proposed Site Conditions Map, Lithia Springs Quarry
- 5. Figure 10 Proposed Crossing Map, Lithia Springs Quarry
- 6. Figure 11 Impact Map, Lithia Springs Quarry
- 7. Sheet 1 of 2 Plan View North Crossing, Lithia Springs Quarry
- 8. Sheet 1 of 2 Profile & Cross Section North Crossing, Lithia Springs Quarry
- 9. Sheet 1 of 2 Plan View South Crossing, Lithia Springs Quarry
- 10. Sheet 2 of 2 Profile & Cross Section South Crossing, Lithia Springs Quarry

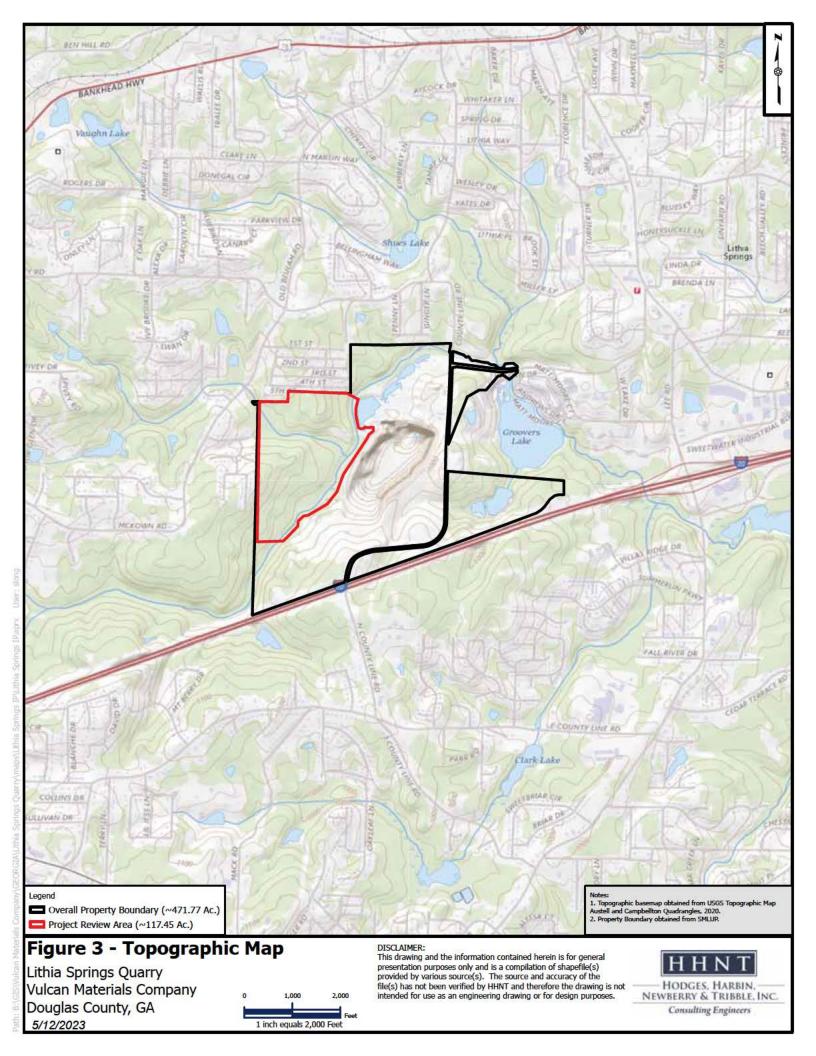
Figure 2 - Aerial Photograph

Lithia Springs Quarry Vulcan Materials Company Douglas County, GA 5/18/2023

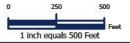


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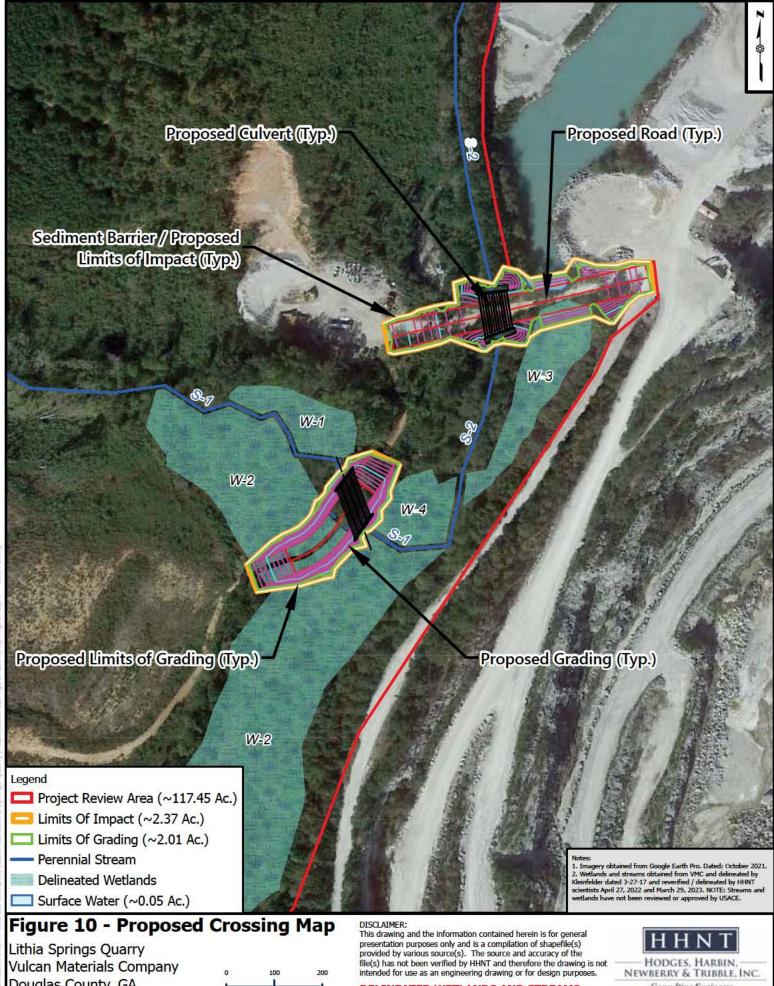
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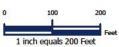
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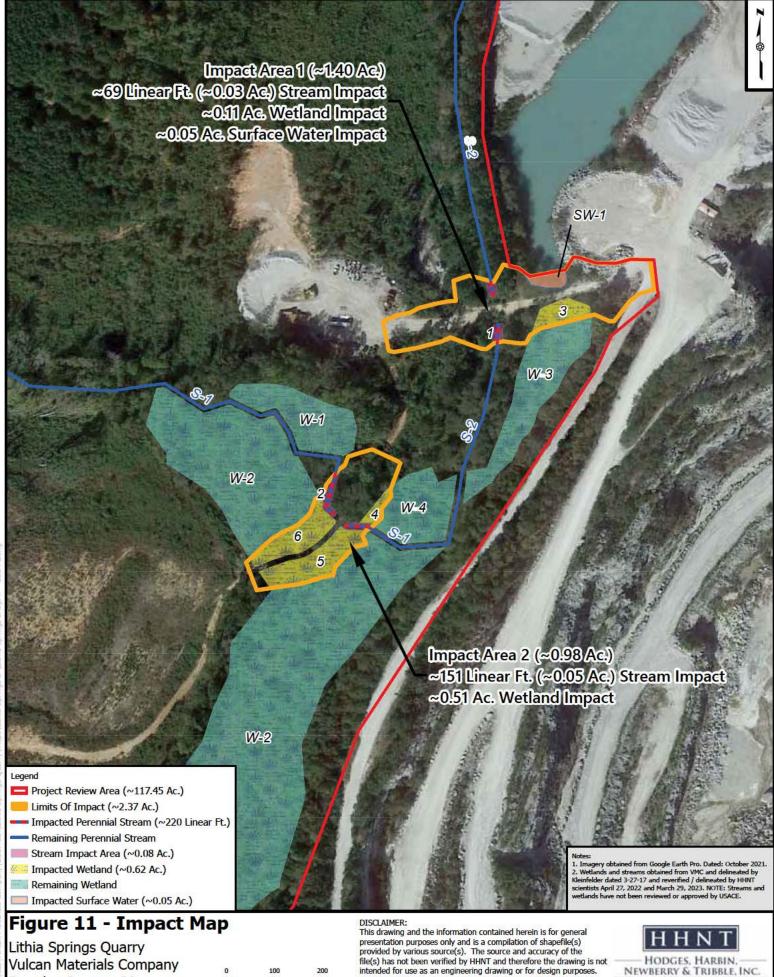




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