

DEPARTMENT OF THE ARMY

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

August 25, 2022

Regulatory Division SAS-2005-02059

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-2005-02059

Applicant: Mr. Don Williams

Vulcan Materials Corporation

800 Mt. Vernon Highway NE, Suite 200

Atlanta, Georgia 30328

Agent: Mr. Bill Newlon

Kleinfelder, Inc.

5775 Glenridge Drive NE Building B – Suite 585 Atlanta, Georgia 30328

Location of Proposed Work: The proposed project site is the existing, approximately 588-acre granitic aggregate quarry located to the east of Interstate- 75, east of Chappell Mill Road, west of Barnesville Road, and north of Highway 36 in Lamar County, Georgia. The central site coordinates are latitude 33.168889 north and longitude -84.120278 west. The nearest named waterbody is Little Buck Creek, which flows through the northern portion of the proposed site.

BACKGROUND

In December 2005, this office verified stream and wetland impacts associated with the construction of access road crossings for quarry operations using a Nationwide Permit (NWP) under the same file number (SAS-2005-02059). The authorized impacts totaled 0.43 acre of wetlands and 218 linear feet of streams. Mitigation for these impacts was completed through the purchase of 659 stream credits and 4.0 wetland credits from the Big Cotton Indian Mitigation Bank. Construction of these permitted access road crossings was completed in 2009, which was also accompanied by some initial site grading and excavation associated with the mining operation. The current mine plan is based on a 30-year life of mine estimate and depicts successive stages of the mine to include one, two, five, ten, twenty, and thirty-year increments. Due to future market uncertainties and the present cost and availability of mitigation credits the approved mine plans are subject to change. As a result, permitting authorization at this time is being requested based solely for the five-year mine plan.

Description of Work Subject to the Jurisdiction of the Corps: The project involves the expansion of mining operations at the existing Vulcan Lamar Quarry. The applicant's preferred mining plan would result in the loss of 840 linear feet (0.12 acre) of four streams and 5.06 acres of four wetlands in association with mining and related upland access. The applicant states that the location of the proposed stream and wetland impacts was selected to minimize impacts to the greatest extent practicable by using existing road crossings where possible, crossing the narrowest wetland area where a new crossing is required, and avoiding impacts to Little Buck Creek and associated riparian wetlands in conjunction with mining operations, which would require the dedication of large portions of the project for sloping and overburden storage. The applicant proposes to off-set project impacts to aquatic resources through the purchase of 548 SOP 2018 or 6,579 legacy stream credits from the Little Sandy Creek 3 Mitigation Bank and 4.75 (2018) riverine/lacustrine fringe wetland credits from the Georgia Alabama Land Trust.

There are 6.05 acres of aquatic resources on the site that the applicant believes to be non-jurisdictional and has requested an approved jurisdictional determination.

STATE OF GEORGIA

<u>Water Quality Certification</u>: 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.

<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.

State Surface Mining Permit: The Georgia Surface Mine Rule regulates surface mines and related erosion and sediment control requirements. A Surface Mining Land Use Plan is required as part of a Surface Mining Permit which identifies all Best Management Practices (BMPs) being used for erosion and sediment control during and following construction as required pursuant to the Georgia Soil and Water Conservation Commission's 2016 Manual for Erosion and Sediment Control in Georgia. Approval of the Surface Mining Land Use Plan and associated BMPs was granted by the Georgia Environmental Protection Division on March 29, 2022 (Surface Mining Permit No. 1471-08).

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.

<u>Cultural Resources Assessment</u>: The Applicant has not contracted a Phase I cultural resource survey of the proposed project site, to assess if archaeological sites, historic structures, or cultural resources may be present within the general vicinity of the proposed work area. The applicant has submitted a cultural resource literature review that was performed in 2022. The literature review identified findings from a previous Phase I cultural resource survey that was conducted by the prior owner of the mine. 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. The agent has submitted an *IPaC Trust*

Resource Report for the project site. The IPaC identified the potential for one protected species, Michaux's sumac (Rhus michauxii) to occur on the 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, one (1) off-site alternative and three (3) on-site alternatives (including the preferred alternative layout) have been proposed.

<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

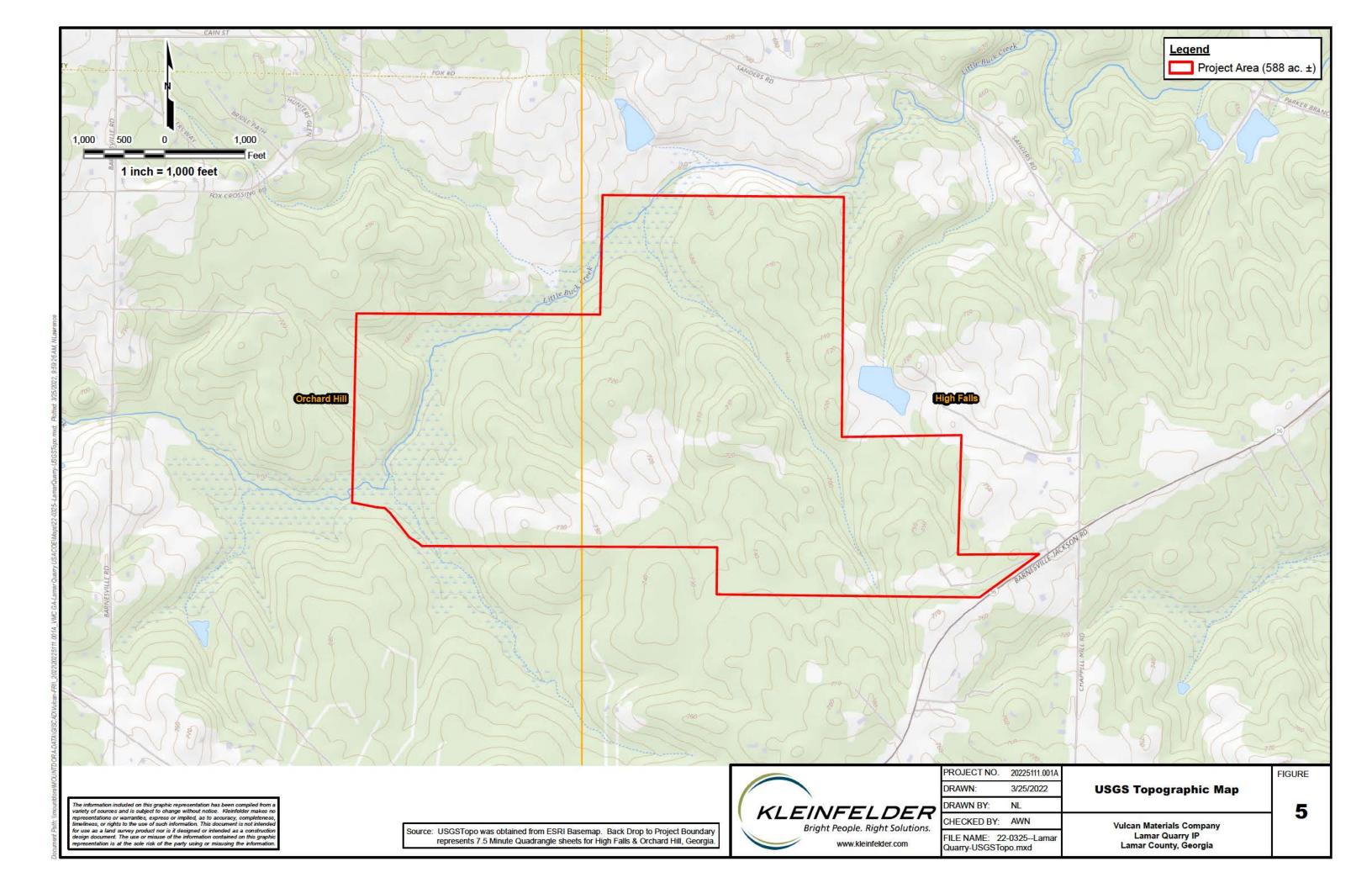
a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantive information necessary for evaluating the proposed project.

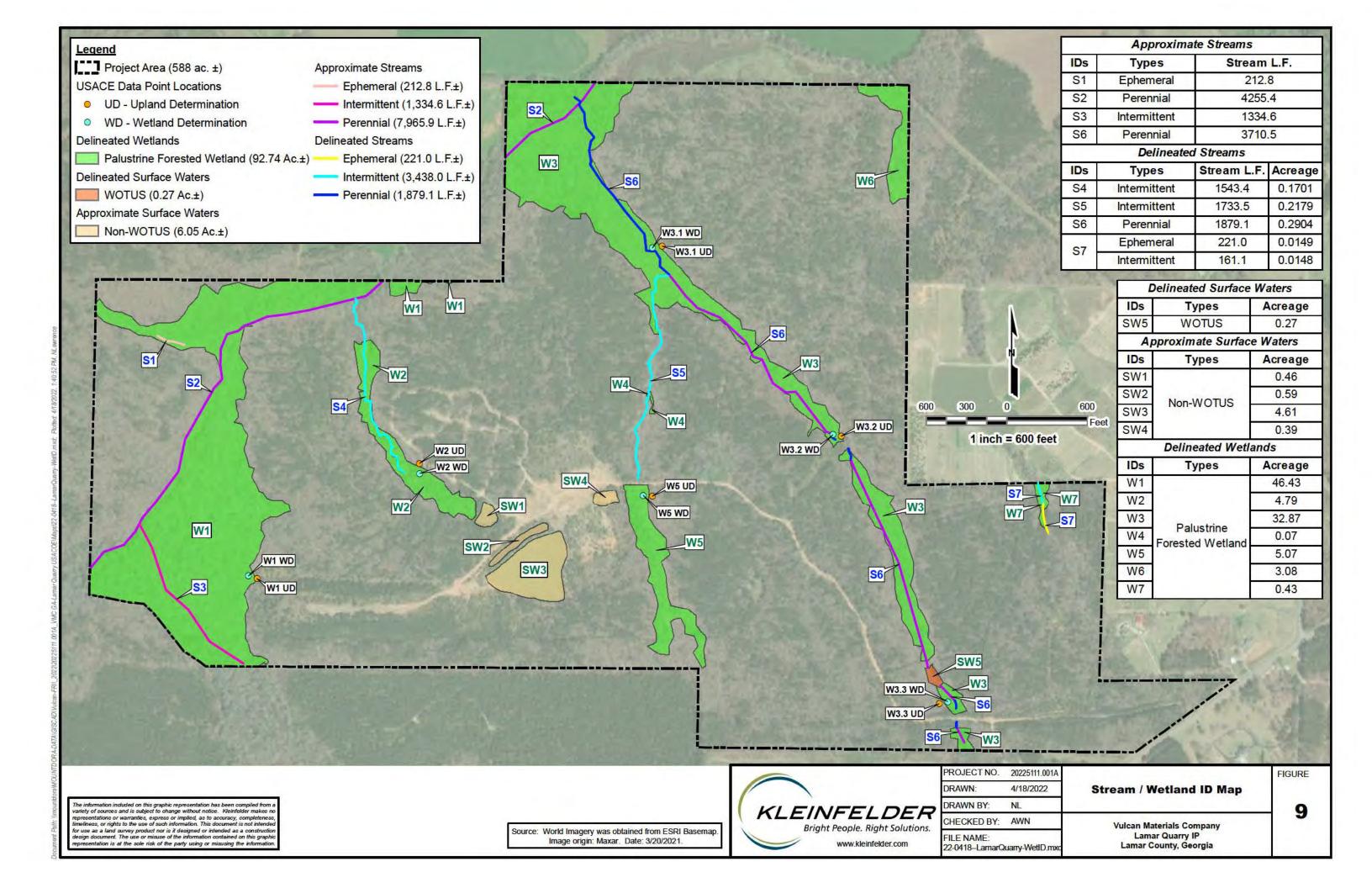
<u>Comment Period</u>: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to: Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Amy Egoroff, 4751 Best Road, Suite 140, College Park, Georgia 30337-5600, no later than **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 (Vulcan Materials Company) and the assigned Regulatory file number (SAS-2005-02059) in your comments.

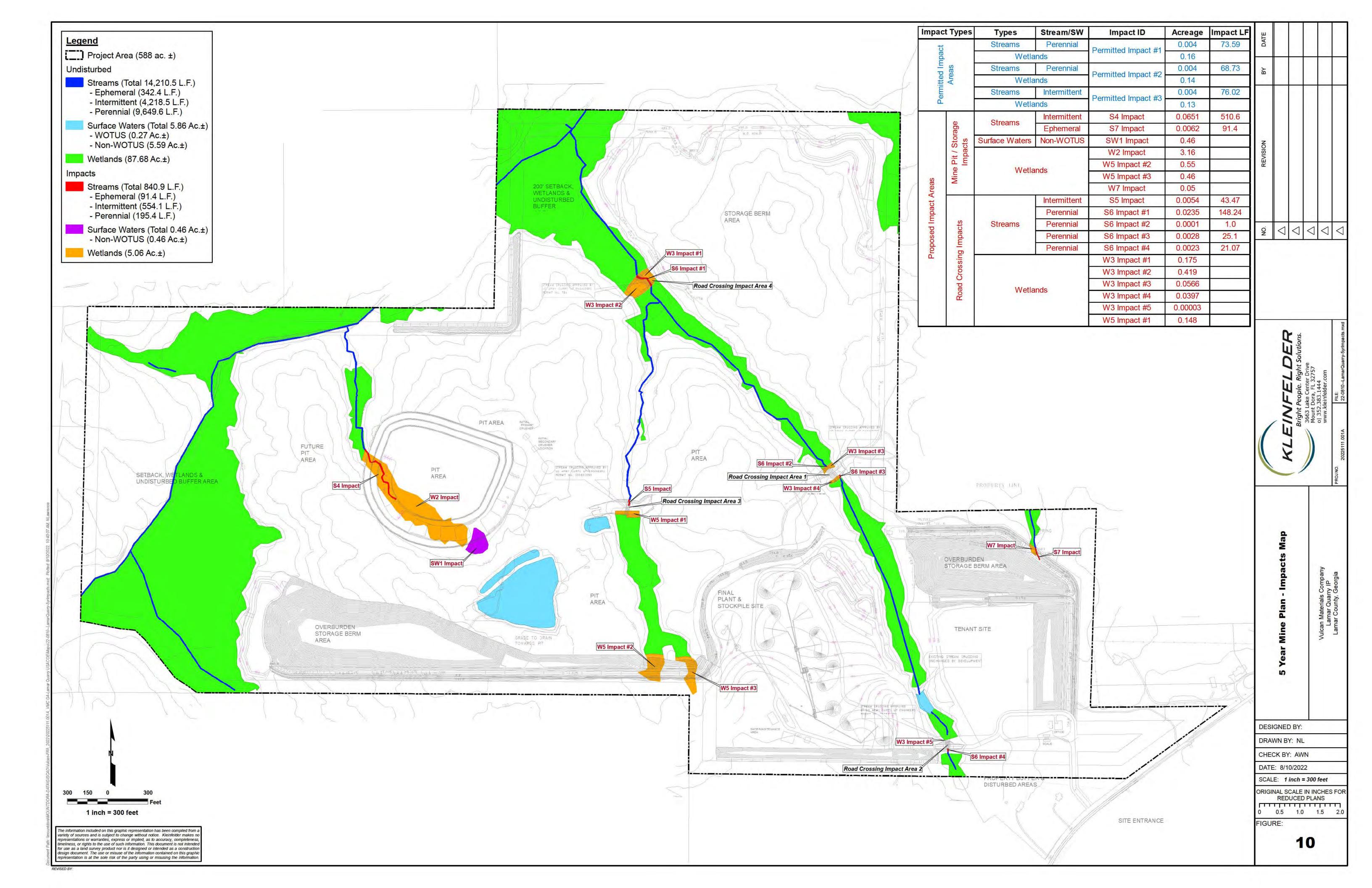
If you have any further questions concerning this public notice, please contact Amy K. Egoroff, Project Manager, Piedmont Branch at 678-422-6751, or amy.k.egoroff@usace.army.mil.

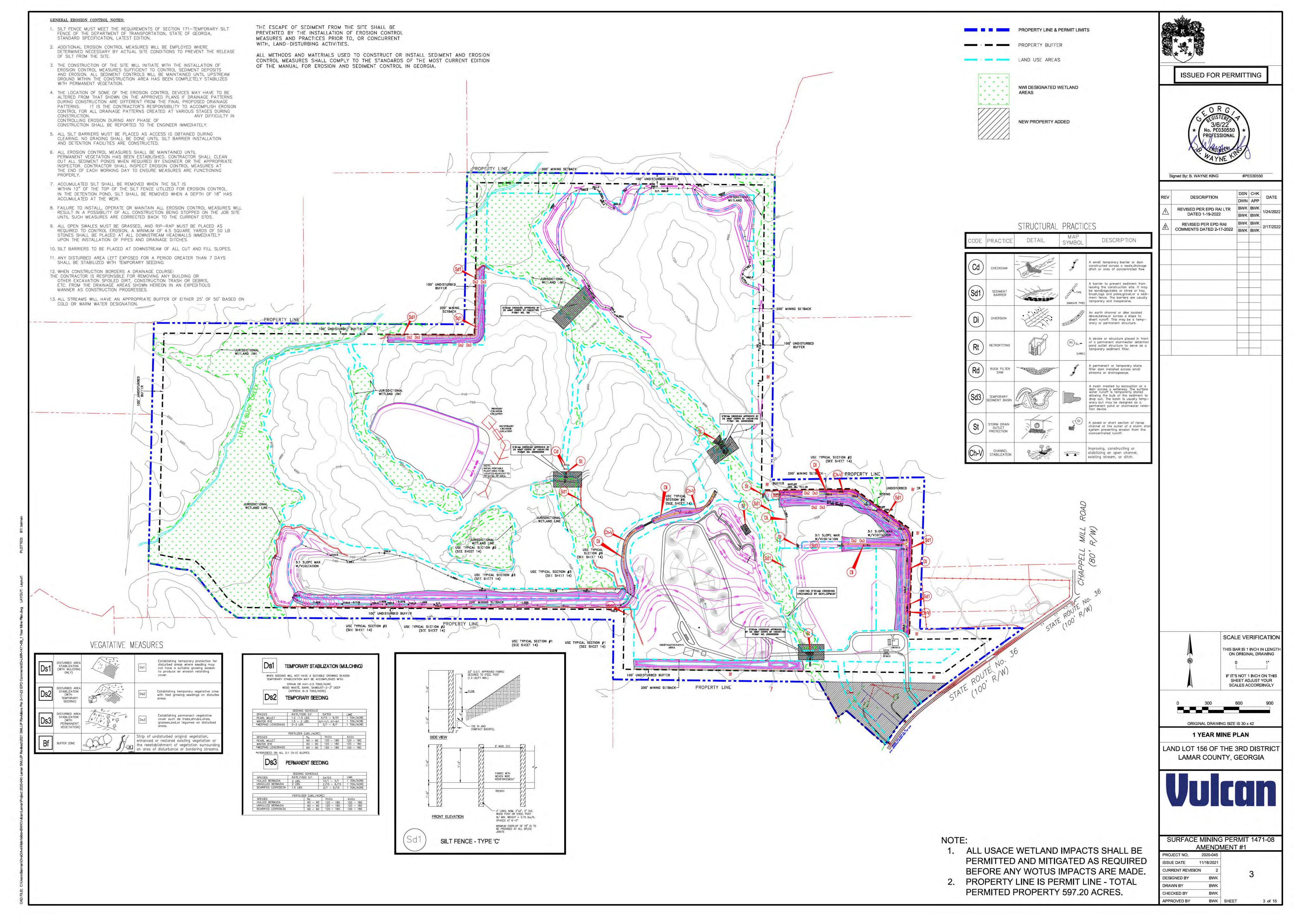
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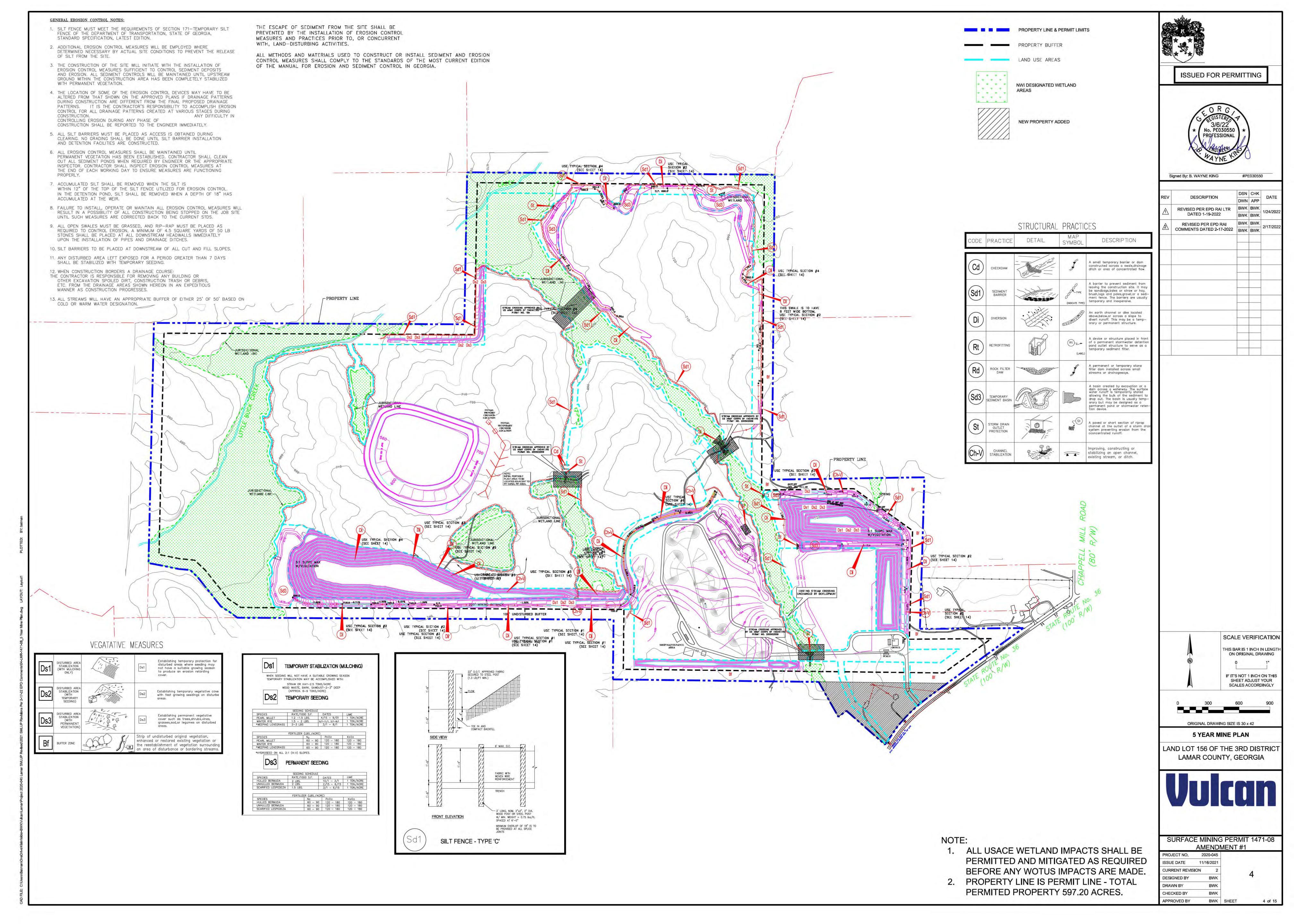
- 1. Figure 1: Location and Vicinity Map
- 2. Figure 5: USGS Topographic Map
- 3. Figure 9: Stream Wetland ID Map
- 4. Figure 10: Five Year Mine Impacts Plan
- 5. Sheet 3: One Year Mine Plan
- 6. Sheet 4: Five Year Mine Plan
- 7. Sheet 5: Ten Year Mine Plan
- 8. Sheet 6: Twenty Year Mine Plan
- 9. Sheet 7: Ultimate Mine Plan
- 10. Sheet 8: Reclamation
- 11. Sheet 9: Site Entrance Plan

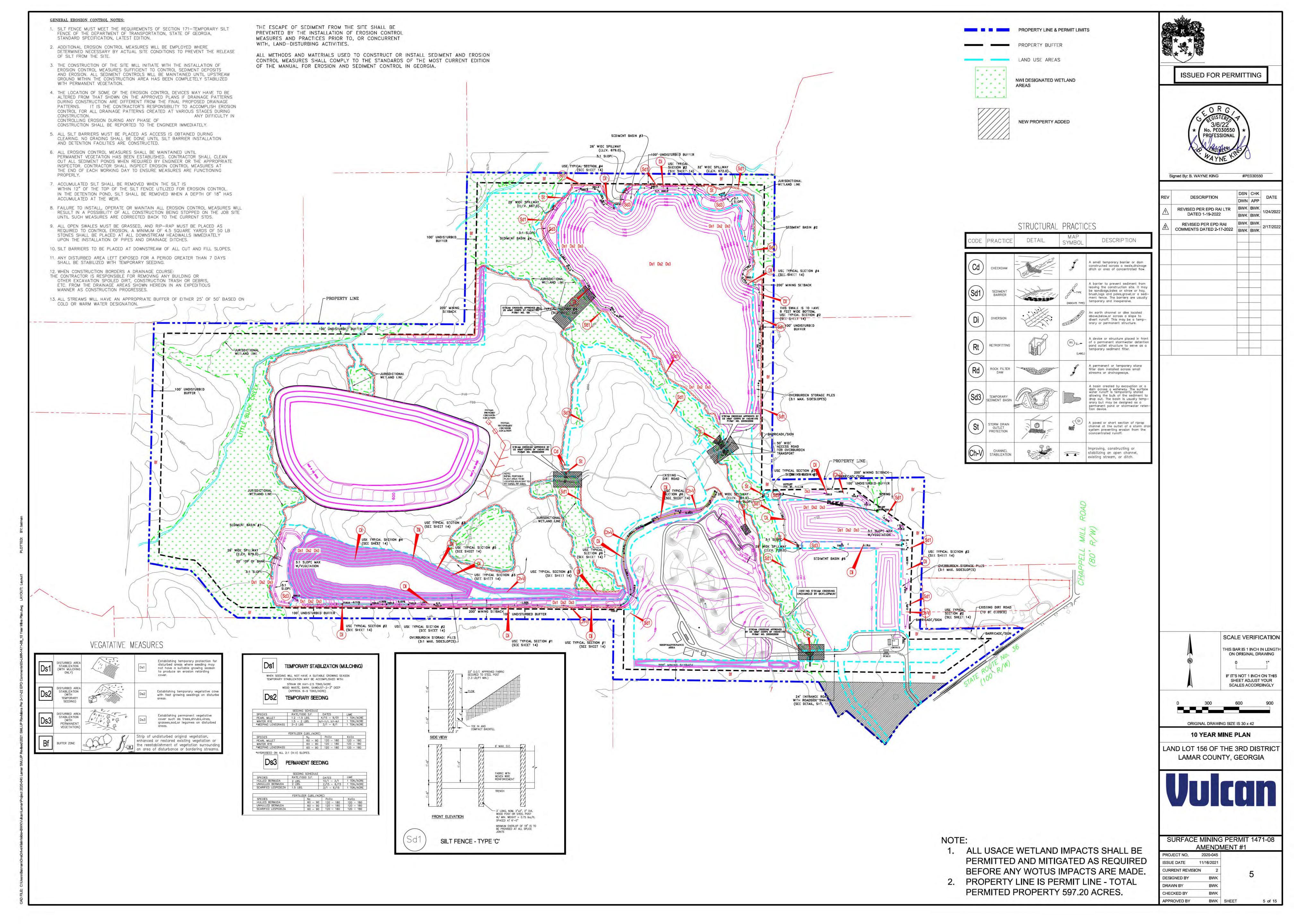


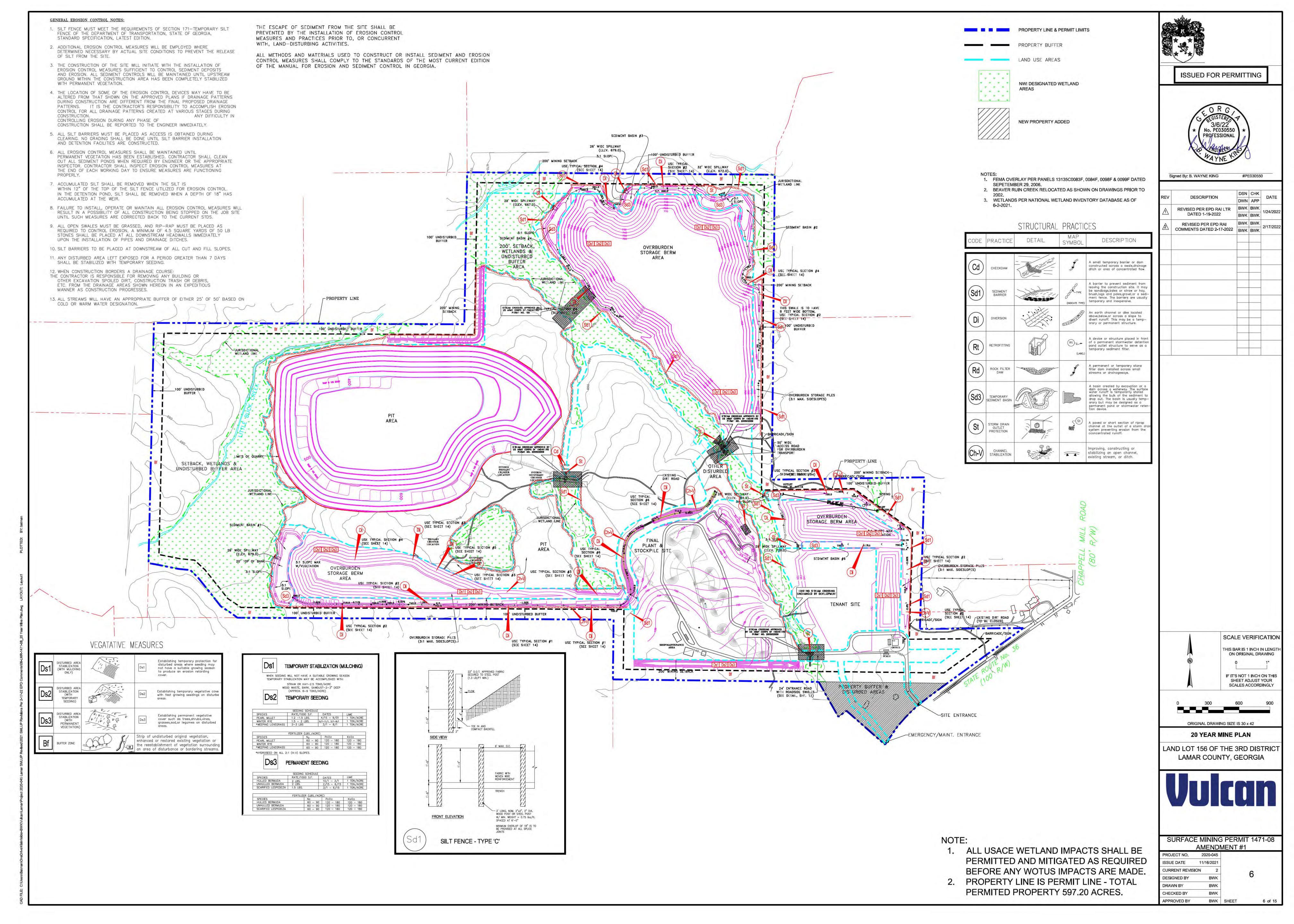


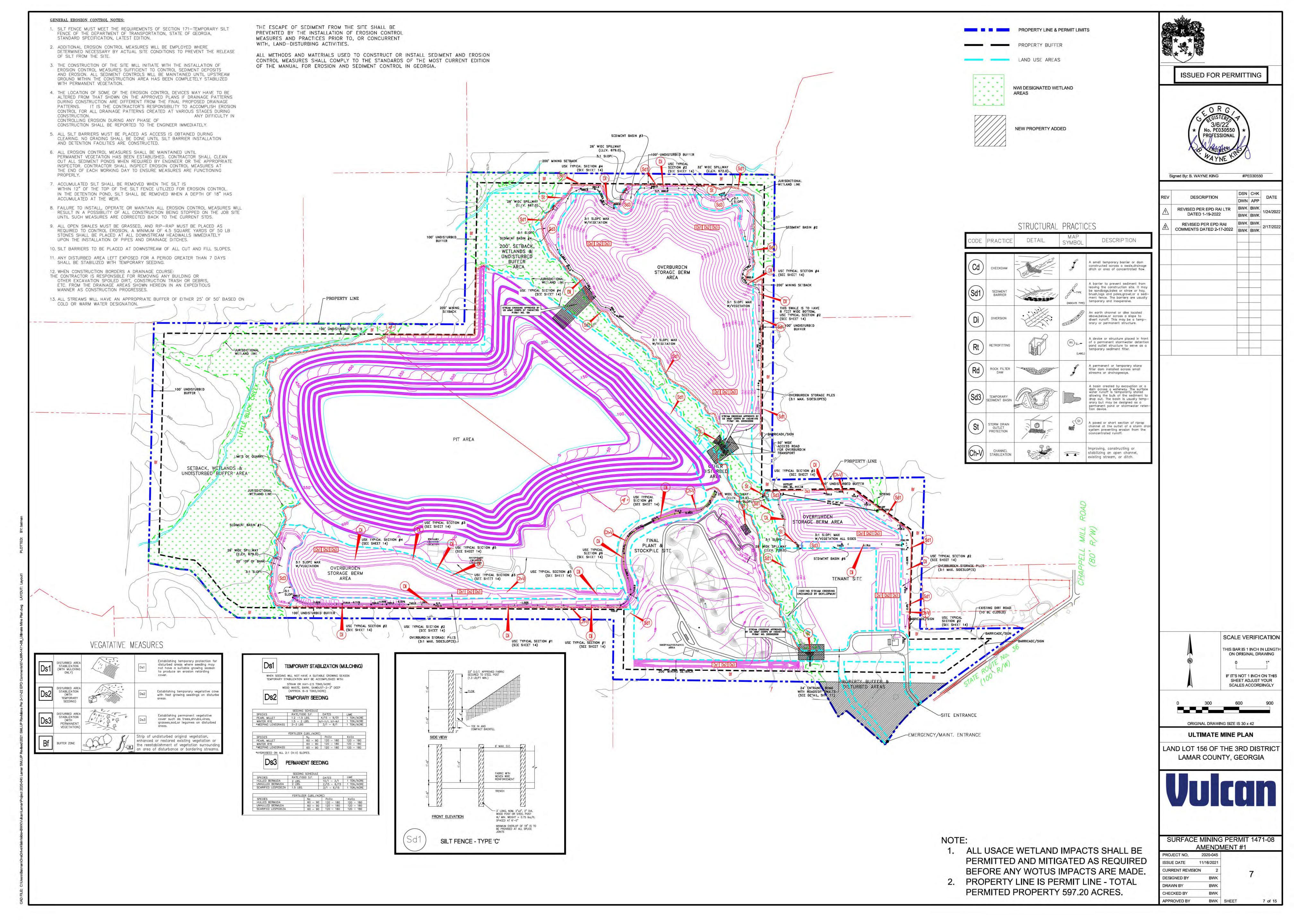


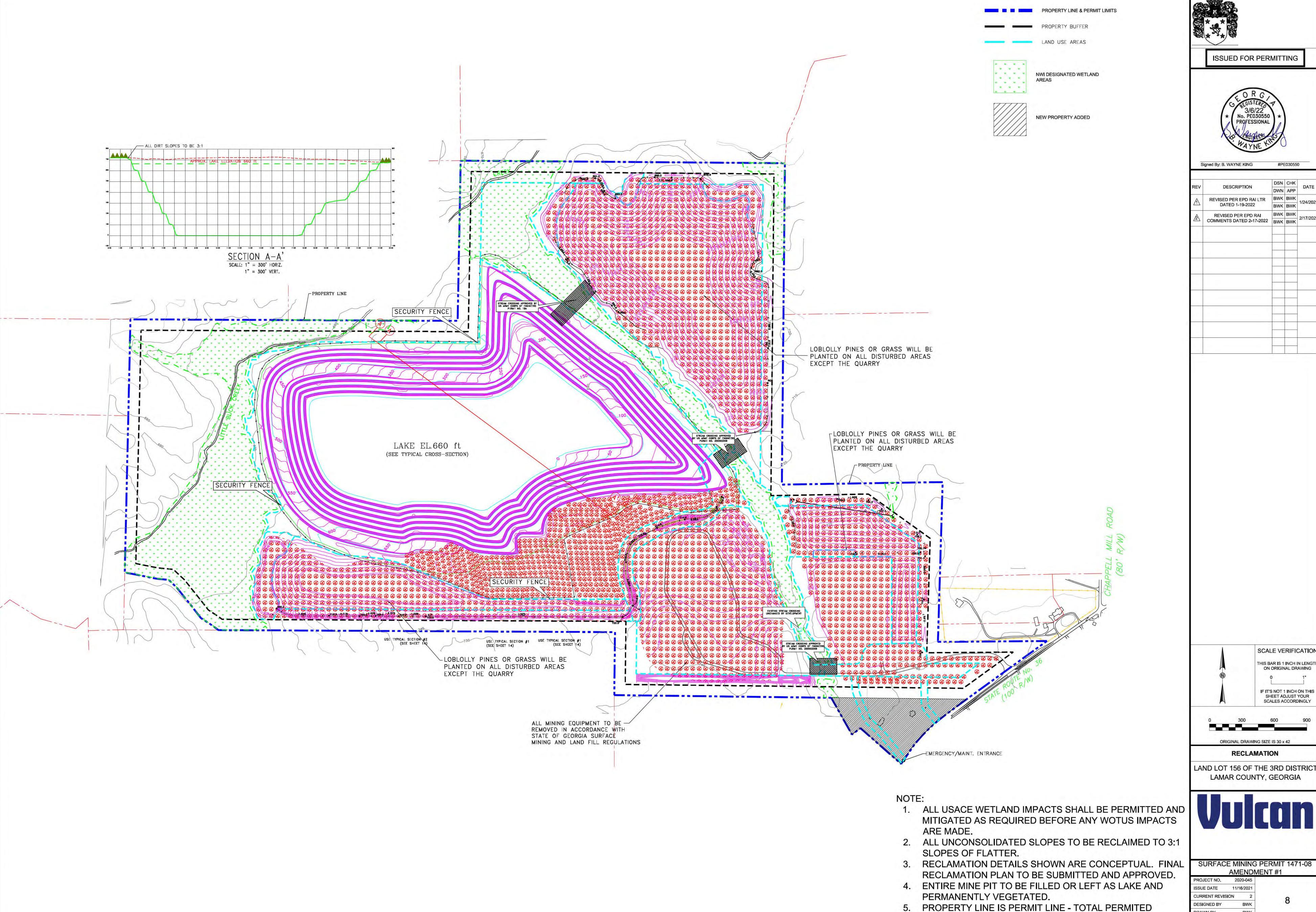
















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REV	DESCRIPTION	DSN	CHK	DATE
		DWN	APP	
A	REVISED PER EPD RAI LTR DATED 1-19-2022	BWK	BWK	1/24/2022
		BWK	BWK	
A	REVISED PER EPD RAI COMMENTS DATED 2-17-2022	BWK	BWK	2/17/2022
/2\		BWK	BWK	

ORIGINAL DRAWING SIZE IS 30 x 42

RECLAMATION

LAND LOT 156 OF THE 3RD DISTRICT LAMAR COUNTY, GEORGIA



SURFACE MINING PERMIT 1471-08 **AMENDMENT #1**

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DRAWN BY APPROVED BY BWK SHEET

PROPERTY 597.20 ACRES.

