



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

May 4, 2020

Regulatory Division
SAS-2020-00324

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 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-2020-00324

Applicant: Mr. Matt Breaux
BCIF Acquisitions, LLC
3715 Northside Parkway, NW
Atlanta, Georgia 30327

Agent: Mr. Marcus Rubenstein
Kimley-Horn and Associates, Inc.
11720 Amber Park Drive, Suite 601
Alpharetta, Georgia 30009

Location of Proposed Work: The proposed project site is an approximately 31.1-acre property located immediately west of the intersection of Roosevelt Highway/US Highway 29 and Wilkerson Mill Boulevard, and south of Wilkerson Mill-Farris Park, within the City of Palmetto, Fulton County, Georgia (centered at latitude 33.5349, longitude -84.6472).

Description of Work Subject to the Jurisdiction of the Corps: The project involves the proposed construction of one approximately 373,000 square foot, light industrial warehouse, including attendant office space, automobile and truck parking, paved parking and ingress/egress for truck circulation, trailer storage, as well as associated infrastructure including stormwater management facilities. The Applicant's preferred site plan would result in the loss of 844 linear feet (LF) of perennial stream, 51 LF of intermittent stream, 383 LF of ephemeral stream, and 0.05 acre of forested wetland in conjunction with the establishment of the proposed building pad, and additional adverse impacts to 115 LF of intermittent stream for the construction of an interior road crossing. The Applicant proposes to off-set project impacts to aquatic resources through the purchase of 9,779 grandfathered stream credits and 0.3 grandfathered wetland credit from an approved compensatory mitigation bank(s) servicing the project site within its Primary Service Area.

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. 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 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.

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 Applicant contracted a Phase I cultural resource survey of the proposed project site, which identified that potential archaeological sites, historic structures, or cultural resources may be present within the general vicinity of the proposed work area. The Corps is presently reviewing the accompanying report in conjunction with the current application submittal. 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 the submitted *IPaC Trust Resource Report* for the project site, no such resources are likely to occur on the subject property.

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, 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 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 off-site alternatives (including the preferred alternative site) and five on-site alternatives (including the preferred alternative layout) have been proposed.

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: Adam White, 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 (BCIF Acquisitions, LLC) and the assigned Regulatory file number (SAS-2020-00324) in your comments.

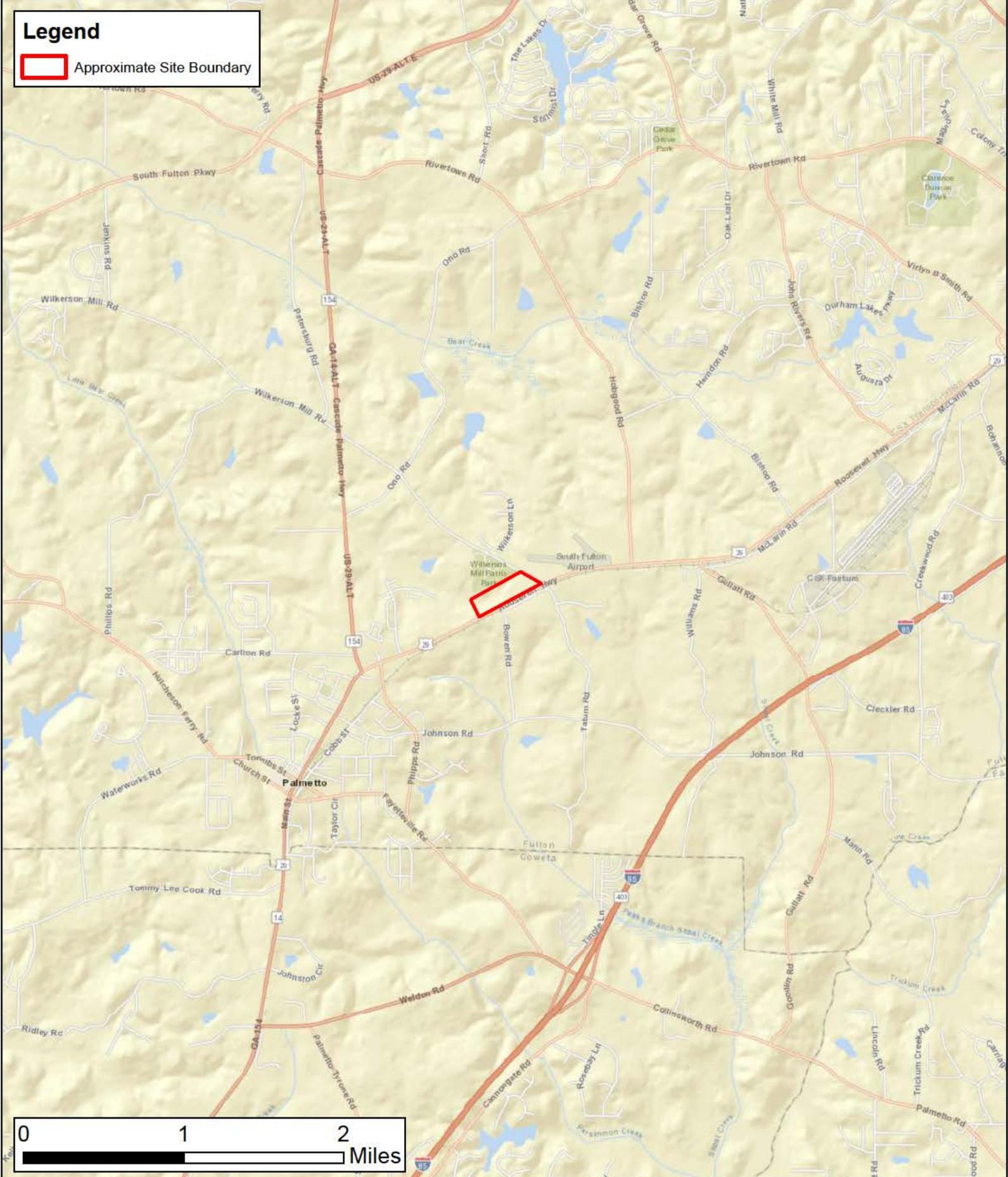
If you have any further questions concerning this public notice, please contact Adam F. White, Project Manager, Piedmont Branch at 678-422-2730, or adam.f.white@usace.army.mil.

Encls

1. Figure 1: Vicinity Map
2. Figure 3: USGS Topographic Map
3. Figure 8: USACE Map/Existing Conditions
4. Figure 10e: Proposed Development Plan Exhibit #5

Legend

 Approximate Site Boundary



Legend

-  Approximate Property Boundary
-  Delineated Ephemeral
-  Delineated Intermittent
-  Delineated Perennial
-  Delineated Wetlands



0 300 600 Feet



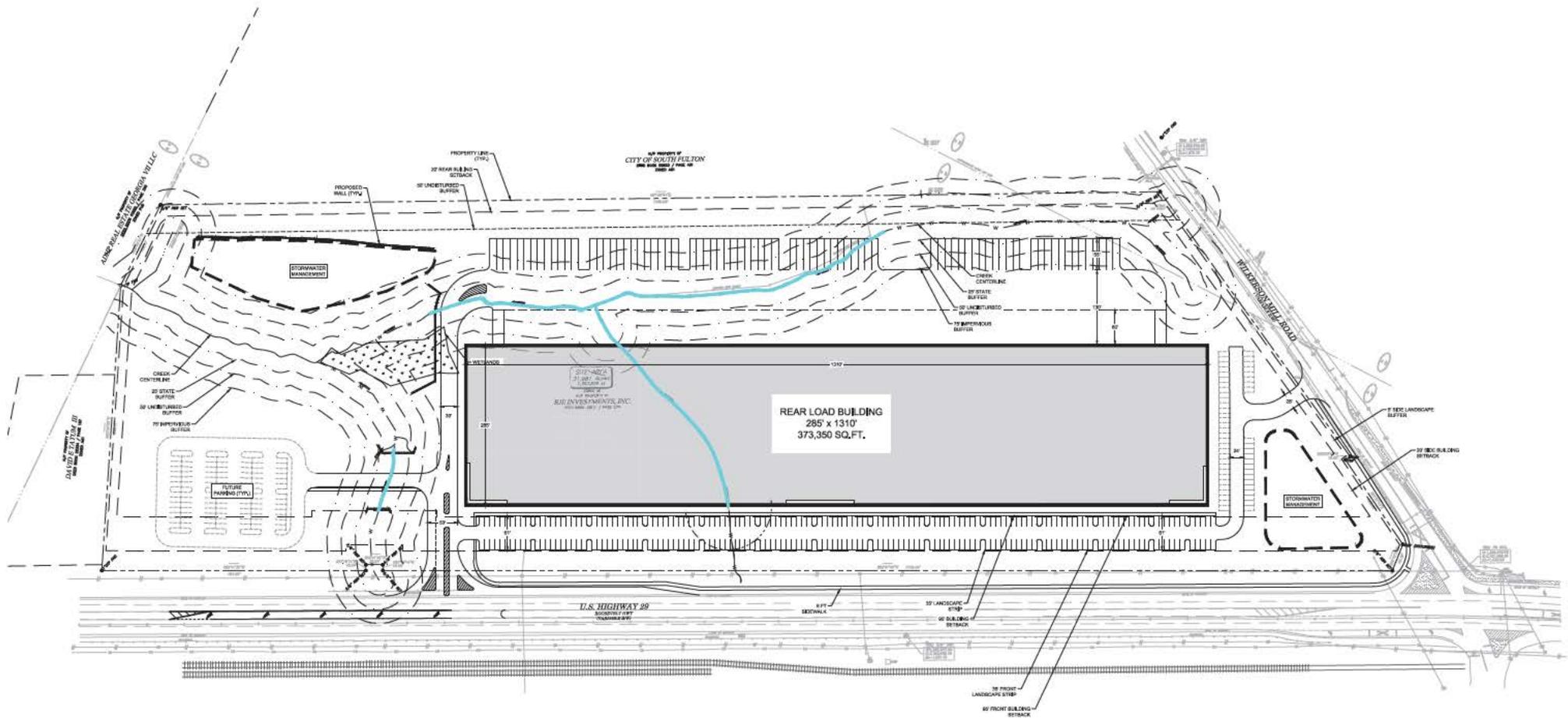


Figure 10e

PROPOSED DEVELOPMENT PLAN EXHIBIT #5

1,393 LF STREAM IMPACT

9,741 SF WETLAND IMPACT