



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
1025 BUFORD DAM ROAD
BUFORD, GEORGIA 30518

April 8, 2022

Regulatory Division
SAS-2020-00566

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.

Application Number: SAS-2020-00566

Applicant: Mr. Rick Presley
5761 McEver Road, LLC
Post Office Box 1462
Gainesville, Georgia 30503

Agent: Mr. AJ Tallman
Tallman Environmental, Incorporated
2095 Highway 211 NW 2F, #116
Braselton, Georgia 30517

Location of Proposed Work: The project is proposed on an approximately 13.16-acre site located southeast of the intersection of McEver Road and McBrayer Road near Oakwood, Hall County, Georgia (latitude: 34.2113, longitude: -83.9110). The nearest named waterbody is Mud Creek, which is located approximately two miles south of the project site. The site is located within the Upper Chattahoochee watershed (Hydrologic Unit Code 03130001).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:
The proposed project involves construction of a light industrial distribution and logistics

center which would include one approximately 214,000 square foot warehouse and associated infrastructure, including parking, a stormwater facility and interior driveways. As proposed, construction of the project would result in the loss of 0.66 acre of wetland in conjunction with grading for the establishment of the building pad.

BACKGROUND

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.

A verification for use of Nationwide Permit No. 39, was issued to the Applicant on September 25, 2020, for an earlier iteration of the site plan, involving construction of two smaller buildings on the project site, resulting in adverse impacts to 0.47 acre of wetland and 73 linear feet of intermittent stream. Since the expiration of this prior verification, no work has been conducted on the project site and the site plan has now been revised as currently proposed.

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 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 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 provided information within the application to support the assessment of potential archaeological sites, historic structures, or cultural resources that may be present within the general vicinity of the proposed work area. The Corps is presently reviewing the provided information within

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. The Applicant provided reporting from the Information, Planning, and Conservation System (IPaC) from the U.S. Fish and Wildlife Service, which indicated no federally listed threatened or endangered species are likely to occur within the project site. The Corps is presently reviewing available information pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 et seq.).

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 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.

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 the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Mr. Blake Brannon, 1050 Buford Dam Road, Buford, Georgia 30518, or via email at: steven.b.brannon@usace.army.mil, **no later than 30 days from the date of this notice**. Please refer to the Applicant's name (5761 McEver Road, LLC) and the assigned Regulatory file number (SAS-2020-00566) in your comments.

If you have any questions concerning this public notice, please contact Mr. Blake Brannon, Project Manager, at (678) 422-6570.

Enclosures

1. Site Location Map
2. Delineation Map
3. Proposed Site Layout - Preferred Alternative

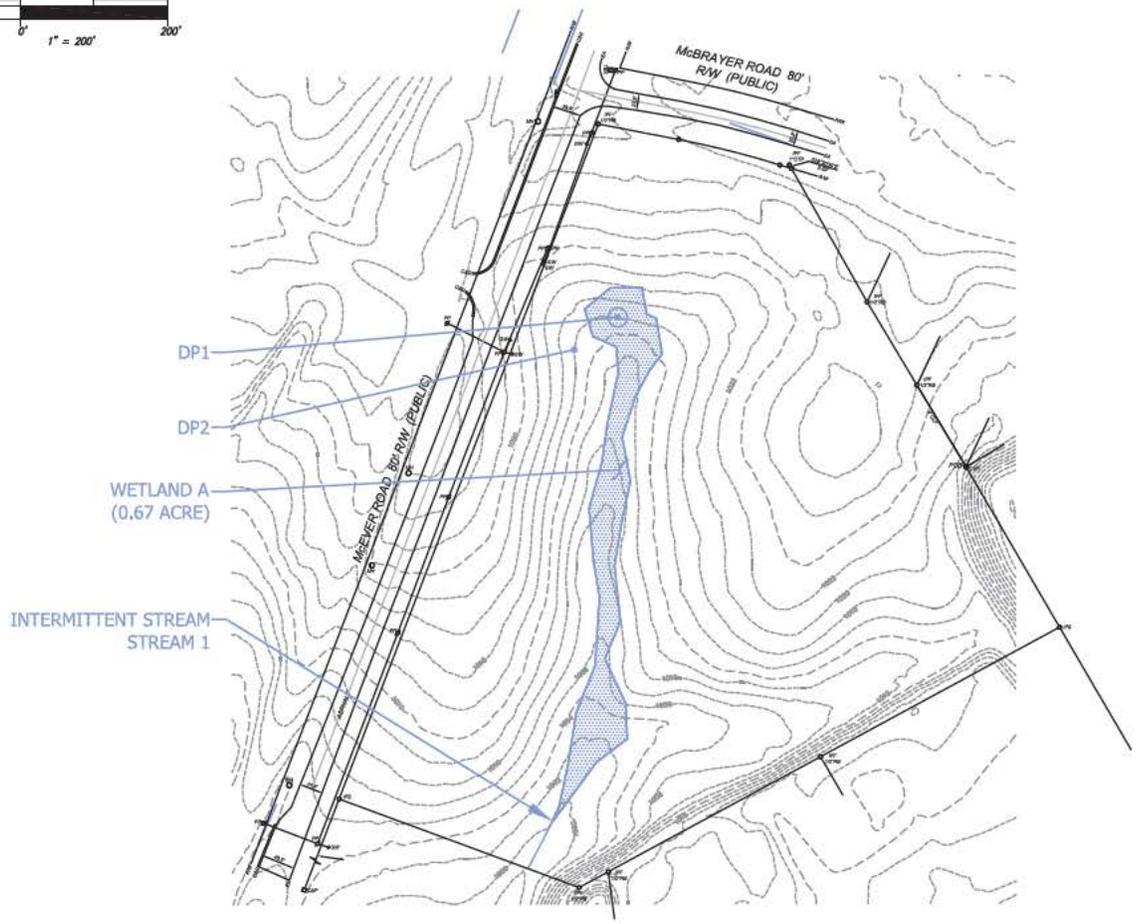
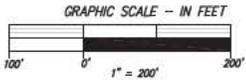


SOURCE: Google 2018

Figure 1
Scale: 1"=245'

Site Location Map
Parcel - 08091 00004
Oakwood, Georgia

Tallman Environmental, Inc.
2095 Highway 211 NW 2F #116
Braselton, Georgia 30517
connie@tallmans.net
770.364.9715



DP1

DP2

WETLAND A
(0.67 ACRE)

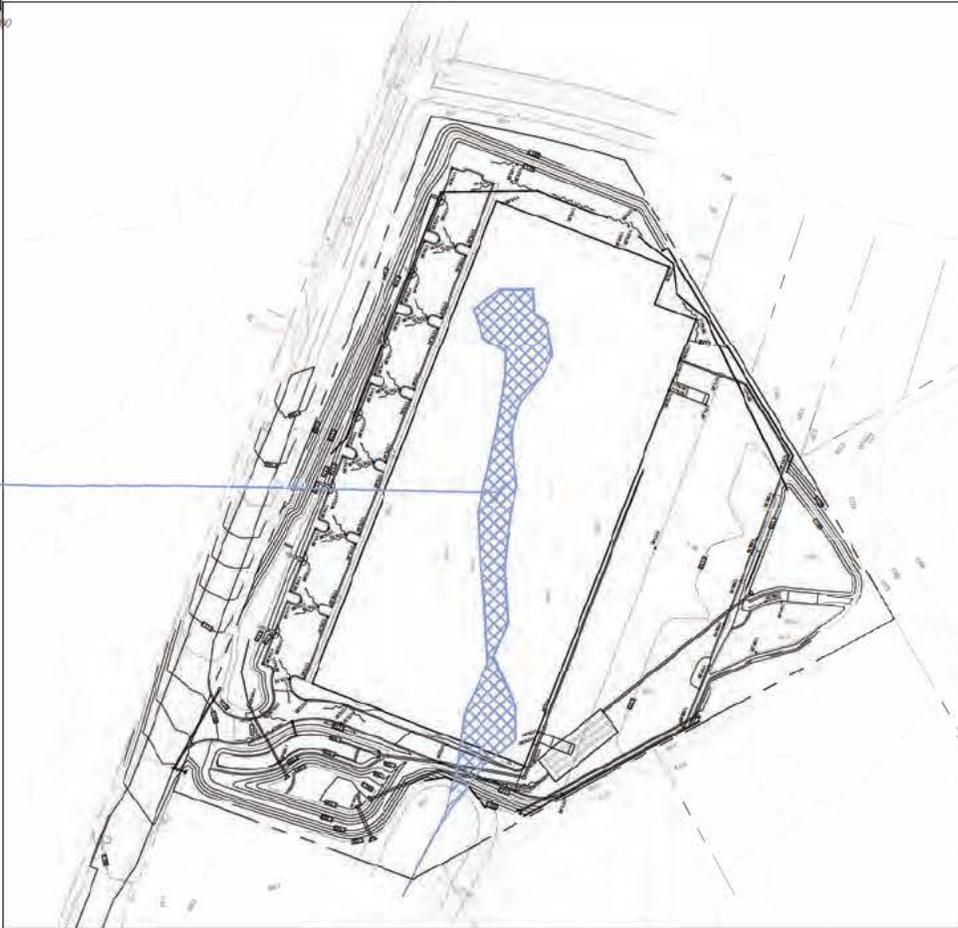
INTERMITTENT
STREAM 1

McEver Road Site		Tallman Environmental, Inc.	
Delineation Map		DRAWN BY: AJT CHECKED BY: GDF 7-27-2019	2265 Highway 88 NE # 218 Decatur, Georgia 30027 (770) 399-8776 Curvix@Tallman.net

GRAPHIC SCALE - IN FEET



IMPACT
WETLAND A
(0.66 ACRE)



McEver Road Site
Proposed Site Layout
Preferred Alternative

DATE	3-17-22
BY	AJT
CHKD BY	AJT

Tallman Environmental, Inc.

2205 Highway 20 NW 2F #100
Dacula, Georgia 30037
(678) 498-2288
A.J.Tallman@aet.com